

Amy Banks  
Proffer Exhibit P  
Depp v. Heard  
CL-2019-0002911

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of Fairfax County, VA



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**CONFIDENTIAL PURSUANT TO THE PROTECTIVE ORDER**

# **Transcript of Amy Banks, M.D.**

**Date:** February 7, 2022  
**Case:** Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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<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 THIS TRANSCRIPT HAS BEEN MARKED CONFIDENTIAL  12 PURSUANT TO THE PROTECTIVE ORDER  13 *****  14 Deposition of AMY BANKS, M.D.  15 Conducted Remotely via Zoom  16 Monday, February 7, 2022  17 9:35 a.m.  18  19  20 Job No.: 430536  21 Pages: 1 - 89  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 ANDREW C. CRAWFORD, ESQ.  5 BENJAMIN G. CHEW, ESQ.  6 BROWN RUDNICK LLP  7 601 Thirteenth Street, NW  8 Suite 600  9 Washington, D.C. 20005  10 (202) 536-1785  11 and  12 CAMILLE M. VASQUEZ, ESQ.  13 SAMUEL A. MONIZ, ESQ.  14 BROWN RUDNICK LLP  15 2211 Michelson Drive  16 Irvine, California 92612  17 (949) 752-7100  18  19  20  21  22</p>
<p>1 Deposition of AMY BANKS, M.D., 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 ADAM S. NADELHAFT, ESQ.  5 CLARISSA K. PINTADO, ESQ.  6 CHARLSON BREDEHOFT COHEN &amp; BROWN, P.C.  7 11260 Roger Bacon Drive, Suite 201  8 Reston, Virginia 20190  9 (703) 318-6800  10  11 ON BEHALF OF THE WITNESS:  12 J. PETER KELLEY, ESQ.  13 BRUCE &amp; KELLEY, P.C.  14 20 Mall Road, Suite 225  15 Burlington, Massachusetts 01803  16 (781) 262-0690  17  18 ALSO PRESENT:  19 JOHN C. DEPP, II  20 DR. SHANNON CURRY, PsyD, MSCP  21 LUCIEN NEWELL, AV Technician  22 KIMBERLY JOHNSON, Videographer</p>

CONFIDENTIAL PURSUANT TO THE PROTECTIVE ORDER

Transcript of Amy Banks, M.D.

2 (5 to 8)

Conducted on February 7, 2022

5	7
<p>1                                    C O N T E N T S</p> <p>2                                    EXAMINATION OF AMY BANKS, M.D.                                    PAGE</p> <p>3                                    By Mr. Nadelhaft                                    7</p> <p>4                                    By Mr. Crawford                                    68</p> <p>5                                    By Mr. Nadelhaft                                    87</p> <p>6</p> <p>7                                    E X H I B I T S</p> <p>8                                    (Attached to transcript.)</p> <p>9                                    BANKS DEPOSITION EXHIBITS</p> <p>10 Exhibit 1 E-mail chain, Bates Nos.                                    30</p> <p>                                  ALH_00017551 through</p> <p>11                                    ALH_00017557</p> <p>12 Exhibit 2 2015 Invoices, Bates Nos.                                    40</p> <p>                                  Banks0002 and Banks0003</p> <p>13 Exhibit 3 E-mail, Bates No.                                    59</p> <p>14                                    ALH_00017548</p> <p>15 Exhibit 4 E-mail, Bates No.                                    62</p> <p>16                                    ALH_00017558</p> <p>17 Exhibit 5 2018 Invoices, Bates No.                                    65</p> <p>                                  Banks0001</p> <p>18 Exhibit 6 Invoices, Bates Nos.                                    77</p> <p>                                  AH_TPD_00017277 through</p> <p>19                                    AH_TPD_00017301</p> <p>20</p> <p>21</p> <p>22</p>	<p>1                                    THE REPORTER: Mr. Kelley, would you like</p> <p>2 to introduce yourself?</p> <p>3                                    MR. KELLEY: I do.</p> <p>4                                    Peter Kelley representing Dr. Amy Banks.</p> <p>5 Thank you.</p> <p>6                                    AMY BANKS, M.D.,</p> <p>7 after having been duly sworn, testified as</p> <p>8 follows:</p> <p>9                                    EXAMINATION</p> <p>10 BY MR. NADELHAFT:</p> <p>11 Q Good morning, Dr. Curry [sic]. My name is</p> <p>12 Adam Nadelhaft. I'm here with Clarissa Pintado,</p> <p>13 and we represent Amber Heard. We, along with</p> <p>14 Amber, thank you very much for your time today.</p> <p>15 Can you please provide your full name.</p> <p>16 DR. CURRY: Dr. Shannon Curry.</p> <p>17 Q And what's your business --</p> <p>18 MR. NADELHAFT: Oh. Thank you.</p> <p>19 Q Dr. Banks, good morning.</p> <p>20 DR. CURRY: Oh, excuse me.</p> <p>21 MR. NADELHAFT: I might have made a</p> <p>22 mistake as well.</p>
6	8
<p>1                                    P R O C E E D I N G S</p> <p>2                                    THE VIDEOGRAPHER: Here begins the video</p> <p>3 recorded deposition of Dr. Amy Banks, taken in the</p> <p>4 matter of Depp vs. Heard, in the Circuit Court of</p> <p>5 Fairfax County, Virginia, Case No. CL-2019-</p> <p>6 0002911.</p> <p>7                                    Today's date is February 7, 2022. The</p> <p>8 time is 9:35 Eastern Time. This deposition is</p> <p>9 being held in different locations via Zoom.</p> <p>10                                    The court reporter is Amy Stryker, the</p> <p>11 video camera operator is Kim Johnson; both are on</p> <p>12 behalf of Planet Depos.</p> <p>13                                    Would counsel please introduce yourselves</p> <p>14 and state whom you represent.</p> <p>15 MR. NADELHAFT: Good morning. Adam</p> <p>16 Nadelhaft and Clarissa Pintado for Amber Heard.</p> <p>17 MR. CRAWFORD: Good morning. Andrew</p> <p>18 Crawford and Ben Chew for Mr. Depp. And with us</p> <p>19 on Zoom is one of Mr. Depp's retained experts,</p> <p>20 Dr. Sharon -- Shannon Curry.</p> <p>21 THE VIDEOGRAPHER: Will the court reporter</p> <p>22 please swear in the witness.</p>	<p>1 Q I'm -- again, I'm here with Clarissa</p> <p>2 Pintado. We represent Amber Heard. Thank you for</p> <p>3 your time today.</p> <p>4 Dr. Banks, can you please provide me your</p> <p>5 full name.</p> <p>6 A Dr. Amy Elizabeth Banks.</p> <p>7 Q And what is your business address,</p> <p>8 Dr. Banks?</p> <p>9 A 114 Waltham Street, Suite #17, in</p> <p>10 Lexington, Mass. 02421.</p> <p>11 Q Have you been deposed before?</p> <p>12 A I have.</p> <p>13 Q Okay. So you probably know the basic</p> <p>14 rules of depositions. I'm just going to give you</p> <p>15 a brief overview. I'm going to be the one</p> <p>16 starting out asking the questions today. If, at</p> <p>17 any time, you don't hear me, please let me know</p> <p>18 and I'll repeat the question. Does that make</p> <p>19 sense?</p> <p>20 A It does.</p> <p>21 Q If, at any time, you don't understand my</p> <p>22 question, please let me know and I'll try to ask</p>

9

1 it a different way for you to understand it. Does  
 2 that make sense?  
 3 **A It does.**  
 4 Q If you respond, it will be assumed that  
 5 you heard me and understood me. Does that make  
 6 sense?  
 7 **A It does.**  
 8 Q And as you're doing now, you're giving  
 9 verbal answers. If you can, continue to try to do  
 10 that throughout the deposition rather than giving  
 11 "uh-huh" or "uh-uh"s so that we know what you  
 12 mean. Does that make sense?  
 13 **A Yes.**  
 14 Q And I'll give you a break at any time you  
 15 need it. I'm hoping this deposition won't be too  
 16 long, but if you ever need a break, just let me  
 17 know. I'd only ask that you answer the question  
 18 if one is pending, and then we'll give you a  
 19 break. Does that make sense?  
 20 **A Yes.**  
 21 Q Okay. Have you ever been -- have you ever  
 22 been deposed in any cases involving Johnny Depp?

10

1 **A No.**  
 2 Q Ever been deposed in any cases involving  
 3 Amber Heard?  
 4 **A No.**  
 5 Q I just want to have --  
 6 MR. KELLEY: Adam, I don't want to  
 7 interrupt, but I will in this moment.  
 8 MR. NADELHAFT: Sure.  
 9 MR. KELLEY: Any stipulations that the  
 10 parties, you folks, are agreeing to or not  
 11 agreeing to? And if not, I'd just add for the  
 12 record the request for Dr. Banks to have 45 days  
 13 to review and sign off on the deposition  
 14 transcript.  
 15 MR. NADELHAFT: Okay. That's probably  
 16 okay. And we can talk with Mr. Depp's counsel. I  
 17 mean, we're going to have deposition designations  
 18 coming up I think in March. I guess we can do  
 19 designations, that if there were any changes, we  
 20 could probably amend those, so -- that seems okay.  
 21 I do want to fit it into her schedule. I  
 22 understand Dr. Banks' schedule.

11

1 MR. KELLEY: Thank you.  
 2 MR. NADELHAFT: Yeah. And I think, given  
 3 that this is going to probably hit on some medical  
 4 care, we'll make this deposition transcript  
 5 confidential for now, so...  
 6 Okay. Anything else, Peter?  
 7 MR. KELLEY: No.  
 8 MR. NADELHAFT: Okay.  
 9 BY MR. NADELHAFT:  
 10 Q Dr. Banks, I just want to go into some  
 11 basic background. You graduated magna cum laude  
 12 from Tufts University; is that right?  
 13 **A Yes.**  
 14 Q And you -- you've earned a medical degree;  
 15 is that right?  
 16 **A Yes.**  
 17 Q And where did you earn your medical  
 18 degree?  
 19 **A Georgetown University.**  
 20 Q Okay. And you're a psychiatrist, correct?  
 21 **A I am, yes.**  
 22 Q After Georgetown University, did you

12

1 continue your psychiatric training?  
 2 **A I did.**  
 3 Q Where was that?  
 4 **A Harvard Medical School, Mass Mental Health**  
 5 **Center.**  
 6 Q How long have you been a psychiatrist?  
 7 **A About 28 years.**  
 8 Q This -- you might imagine I got some of  
 9 this off your website. You're a founding scholar  
 10 at the International Center for Growth in  
 11 Connection.  
 12 **A Yes.**  
 13 Q What is that?  
 14 **A That is a -- I would call it a**  
 15 **psychological kind of social justice think tank**  
 16 **that works to kind of shift people's notion of**  
 17 **healthy growth and development towards one that**  
 18 **focuses on relationships.**  
 19 Q As of -- what does it mean that you're a  
 20 founding scholar of that group?  
 21 **A It means I was one of the core group of**  
 22 **people that founded that organization**

<p style="text-align: right;">13</p> <p>1 particularly.</p> <p>2 Q Okay. And you're also a senior scholar at</p> <p>3 the Wellesley Centers for Women?</p> <p>4 A Yes.</p> <p>5 Q What -- what is the Wellesley Centers for</p> <p>6 Women?</p> <p>7 A <b>It is a research and action arm of</b></p> <p>8 <b>Wellesley College, again, that focuses on</b></p> <p>9 <b>advancing women's health.</b></p> <p>10 Q And when you say "advancing women's</p> <p>11 health," is it advancing women's health in both</p> <p>12 physical and mental or focusing --</p> <p>13 A Yes.</p> <p>14 Q Yes, physical and mental?</p> <p>15 A <b>Primarily -- yeah, both, yeah.</b></p> <p>16 Q Okay. And what does it mean to be a</p> <p>17 senior scholar?</p> <p>18 A <b>Not a whole lot. What it means is that,</b></p> <p>19 <b>you know, we used to be housed there, our group</b></p> <p>20 <b>that does the work of relational cultural theory.</b></p> <p>21 <b>And when we left, it's often the case that some of</b></p> <p>22 <b>the people that are contributing stay on to be</b></p>	<p style="text-align: right;">15</p> <p>1 was -- it was kind of a, at the time, novel idea</p> <p>2 that separation and indivation-- -- individuation</p> <p>3 wasn't what made people healthy, but, rather,</p> <p>4 healthy growth, fostering relationships is</p> <p>5 where -- what people need.</p> <p>6 Q And you're the creator of the C.A.R.E.</p> <p>7 Program?</p> <p>8 A <b>I am.</b></p> <p>9 Q Does C.A.R.E. -- it looks like it stands</p> <p>10 for something. What does that stand for?</p> <p>11 A <b>Yeah, it gets kind of detailed. C.A.R.E.</b></p> <p>12 <b>is a mnemonic that stands for properties and</b></p> <p>13 <b>qualities of a healthy relationship, including C</b></p> <p>14 <b>for a sense of calm, A for a sense of</b></p> <p>15 <b>acceptedness, R for resonance, and E for energy.</b></p> <p>16 <b>And it's a program that merges these two</b></p> <p>17 <b>worlds, relational neuroscience and kind of -- and</b></p> <p>18 <b>therapy, basically, enabling people to really</b></p> <p>19 <b>discover how their relationships are impacting</b></p> <p>20 <b>their health and well-being and vice versa.</b></p> <p>21 Q So is the C.A.R.E. Program a type of</p> <p>22 therapy you provide individuals, or is the</p>
<p style="text-align: right;">14</p> <p>1 senior scholars. It means it's a loose</p> <p>2 affiliation.</p> <p>3 Q And on your website it also says,</p> <p>4 Dr. Banks is the first person to bring relational</p> <p>5 cultural theory together with neuroscience and is</p> <p>6 the foremost expert in the combined field.</p> <p>7 What does that mean?</p> <p>8 A <b>Don't know how -- quite how to break that</b></p> <p>9 <b>down. But it means that they're -- in mental</b></p> <p>10 <b>health there's kind of a world of therapy and then</b></p> <p>11 <b>there is a world of neuroscience, and often those</b></p> <p>12 <b>don't come together.</b></p> <p>13 <b>In this case, I spent the last 25 years</b></p> <p>14 <b>really kind of culling the research, writing,</b></p> <p>15 <b>teaching, on what has become known as</b></p> <p>16 <b>interpersonal neurobiology, relational -- and I --</b></p> <p>17 <b>the application I use of it that I developed is</b></p> <p>18 <b>relational neuroscience. And it basically helps</b></p> <p>19 <b>people understand the neuroscience of human</b></p> <p>20 <b>connection.</b></p> <p>21 <b>And I bring that work to relational</b></p> <p>22 <b>cultural theory, which, again, I said earlier,</b></p>	<p style="text-align: right;">16</p> <p>1 C.A.R.E. Program --</p> <p>2 A <b>No. It's --</b></p> <p>3 Q -- something else?</p> <p>4 A <b>It's an assessment tool. It grew out of</b></p> <p>5 <b>the book that I published on this in 2015, and it</b></p> <p>6 <b>really, I would say, is more in the realm of</b></p> <p>7 <b>relational coaching, helping people improve their</b></p> <p>8 <b>relationships by kind of both looking at their own</b></p> <p>9 <b>physiology as well as the quality of their</b></p> <p>10 <b>relationship.</b></p> <p>11 Q Okay. And you're a founding group member</p> <p>12 of Harville Hendrix's Relationships First. What</p> <p>13 group is that?</p> <p>14 A <b>What --</b></p> <p>15 Q What group was that?</p> <p>16 A <b>It was a group of -- how to describe. It</b></p> <p>17 <b>really was a lot of the -- kind of leading --</b></p> <p>18 <b>leading voices that focused really on the</b></p> <p>19 <b>importance of relationship in people's life,</b></p> <p>20 <b>basically. So it was a group of kind of people</b></p> <p>21 <b>who were head at -- of various organizations.</b></p> <p>22 <b>Again, Harville Hendrix and Helen Hunt started</b></p>

17

1 **Imago therapy; the Gottmans, they have their own.**  
 2 **You know, so there is a bunch of different people.**  
 3 **Dan Siegel, who works with interpersonal**  
 4 **neurobiology, that sort of thing. So it's kind of**  
 5 **senior-level people in the field of relationships**  
 6 **around the country.**  
 7 Q And you've talked -- through these last  
 8 few minutes, you've talked a lot about  
 9 relationships, and it seems like your work is  
 10 about promoting healthy relationships; is that  
 11 right?  
 12 A **It is, yes.**  
 13 Q Why is it important for people to be in  
 14 healthy relationships?  
 15 A **Because -- because people are social**  
 16 **beings and their entire physiology is wired into**  
 17 **relationships so that when they are healthy, your**  
 18 **immune system has improved; you're, literally,**  
 19 **physically healthier; less depression, anxiety; I**  
 20 **mean, the list goes on. Relationships are really**  
 21 **at the core of health and well-being.**  
 22 Q So if you're in a nonhealthy relationship,

18

1 that could affect you physically, is that what  
 2 you're saying?  
 3 A **Yes, that's what I'm saying.**  
 4 Q Okay. And you mentioned you've written  
 5 books; is that correct?  
 6 A **That's true, yes.**  
 7 Q One of the books you wrote was Four Ways  
 8 to Click: Rewire Your Brain for Stronger, More  
 9 Rewarding Relationships?  
 10 A **That's right, yes.**  
 11 Q Just in brief, what was that book about?  
 12 A **Everything I just described. It took --**  
 13 **it covers kind of an overview of relational**  
 14 **cultural theory, an overview of neuroplasticity in**  
 15 **neuroscience and relational neuroscience, and it**  
 16 **basically put all that stuff together into the**  
 17 **C.A.R.E. Program which was -- has an assessment, a**  
 18 **relational assessment. You score -- you get**  
 19 **scores for your neural pathways for connection.**  
 20 **And then it gives you a series of exercises based**  
 21 **on what that shows, on how you can actually**  
 22 **improve both your individual health and well-being**

19

1 **but also the quality of your relationships.**  
 2 Q You also wrote The Complete Guide to  
 3 Mental Health for Women?  
 4 A **I coedited it.**  
 5 Q Oh, coedited. Okay. And it seems  
 6 explanatory -- self-explanatory, but what was that  
 7 book about?  
 8 A **It is self-explanatory. It has chapters.**  
 9 **It really was trying to be almost a partner book**  
 10 **for our bodies, ourselves, and really focusing on**  
 11 **women's mental health because so much of mental**  
 12 **health studies and research have been on men,**  
 13 **particularly at the time. And so it -- it goes**  
 14 **through every single life stage of women. It**  
 15 **touches on trauma, abuse, you know, pregnancy,**  
 16 **infertility; I mean, any issue, really, that could**  
 17 **come up for women in terms of how it would affect**  
 18 **them emotionally.**  
 19 Q And you mentioned one of the chapters was  
 20 on trauma.  
 21 A **Uh-huh.**  
 22 Q What -- what was it talking about in terms

20

1 of women's health and trauma, that book?  
 2 A **I wrote that chapter. I haven't seen it**  
 3 **in a long time. But my standard way of**  
 4 **approaching trauma was -- prior to really focusing**  
 5 **on relational neuroscience, I worked -- and still**  
 6 **do -- almost extensively in the field of trauma.**  
 7 **And so what that -- what that does is it**  
 8 **is a chapter that would review the neuroscience of**  
 9 **trauma, what we know happens when you're in an**  
 10 **abusive or traumatic relationship or you have been**  
 11 **in childhood. And so it would cover, you know,**  
 12 **what that looks like behaviorally, what it looks**  
 13 **like bio -- biochemically, and would describe**  
 14 **things like a trauma cycle. I mean, basically**  
 15 **would cover so women could have a -- in**  
 16 **laypeople's terms, an understanding of what the**  
 17 **impact of trauma and abuse does to, again, all**  
 18 **aspects of a person's body, mind, soul.**  
 19 Q Okay. You mentioned the "trauma cycle."  
 20 What is that?  
 21 A **Trauma cycle is kind of well-known in the**  
 22 **field of trauma. If you're in an abusive**

21

1 relationship, you usually have -- you basically  
 2 have somebody that is being abused, and there's a  
 3 cycle where the abuse happens. And then there --  
 4 often where the perpetrator has a whole lot of  
 5 remorse and they, you know -- so they go from  
 6 violence to remorse to this honeymoon phase where  
 7 things are okay until something else gets  
 8 triggered off and then they're back into the  
 9 cycle. And that's a very classic cycle for people  
 10 in abusive relationships.

11 Q And in terms of the victim of the abuse,  
 12 you looked into the psychology of the victim of  
 13 the abuse? That's one of the things you've done?

14 A Yes.

15 Q Okay. And tell me, a victim of abuse,  
 16 what typically -- what's her psychology,  
 17 typically?

18 MR. CRAWFORD: Objection; improper  
 19 hypothetical.

20 Q You can answer.

21 THE WITNESS: Peter, can I answer?

22 MR. KELLEY: Yes, if you're able to.

22

1 THE WITNESS: Yeah.  
 2 So repeat the question, please.

3 BY MR. NADELHAFT:

4 Q Sure. You -- this -- you said you examine  
 5 the psych- -- psychology of the victim of abuse,  
 6 correct?

7 A Uh-huh, yes.

8 Q And is there a typical psychology of the  
 9 victim of abuse?

10 A There is a -- you know, I think it depends  
 11 on whether you are talking about an acute -- an  
 12 acute episode, a single acute episode versus  
 13 chronic abuse. And those are going to look a  
 14 little different. But I think most people would  
 15 support the idea that a single-incident abuse,  
 16 you're going to end up having symptoms of an acute  
 17 stress response that look very much like PTSD with  
 18 nightmares, flashbacks, depression, anxiety,  
 19 hypervigilance.

20 When it's chronic and long-standing, you  
 21 can get more of a picture of almost -- something  
 22 called complex PTSD, which is almost like

23

1 you're -- almost like -- like being a prisoner of  
 2 war in which all relationships become distorted in  
 3 some ways because it's -- it's going -- you become  
 4 so -- kind of enclosed in a broken system that --  
 5 that you kind of can't see outside of it. And,  
 6 you know, you -- you tend to get more isolated,  
 7 depressed, not able to act on your own behalf.

8 So there's a whole profile in addition to  
 9 the acute kind of PTSD symptoms, post-traumatic  
 10 stress symptoms.

11 Q And do abuse victims tend to wallow in the  
 12 relationship, tend to minimize the abuse?

13 MR. CRAWFORD: Objection; calls for  
 14 speculation.

15 THE WITNESS: Peter?

16 MR. KELLEY: If you're able, yes. You can  
 17 answer if you're able to answer, Doctor.

18 THE WITNESS: Okay. So repeat the  
 19 question.

20 Q Sure. While abuse victims are in an  
 21 abusive relationship, do they tend to minimize the  
 22 abuse they're receiving?

24

1 MR. CRAWFORD: Same objection.

2 THE WITNESS: I find that variable. I  
 3 think some do. I think some do, some -- and some  
 4 amplify it, and some, you know, depends on what  
 5 level of numbness, dissociation, independence you  
 6 have on the perpetrator.

7 BY MR. NADELHAFT:

8 Q You also wrote PTSD: Relationships and  
 9 Brain Chemistry?

10 A Uh-huh, yes. Sorry.

11 Q And what is that book about?

12 A That's not a book. It was really more of  
 13 a project report that I wrote through Wellesley  
 14 College. It's like a manual for laypeople and  
 15 therapists to, again, pretty easily kind of read  
 16 through what you usually see for symptom complexes  
 17 for PTSD and chronic trauma, what does the  
 18 neurophysiology look like, and then, you know,  
 19 what are some strategies to improve that,  
 20 including medication.

21 Q And you were also the psychiatrist in  
 22 charge of the Women's Treatment Program?

<p style="text-align: right;">25</p> <p>1 A Yes.</p> <p>2 Q What's the Women's Treatment Program?</p> <p>3 A <b>The Women's Treatment Program was a -- a</b></p> <p>4 <b>residential program at McLean Hospital, one of the</b></p> <p>5 <b>Harvard teaching hospitals, in Belmont,</b></p> <p>6 <b>Massachusetts. That was opened, I think it was</b></p> <p>7 <b>1992. And it was -- it lasted about -- well, I</b></p> <p>8 <b>was there for two years.</b></p> <p>9 It was a -- primarily focused on treating</p> <p>10 women and women's issues. Of that, probably</p> <p>11 95 percent of those were people that had trauma</p> <p>12 histories either in childhood or as adults, and we</p> <p>13 treated people through this model of relational</p> <p>14 cultural theory.</p> <p>15 Q And you're also a team psychiatrist for</p> <p>16 the Victims of Violence Program at Cambridge</p> <p>17 Hospital?</p> <p>18 A I was, yes.</p> <p>19 Q What is that?</p> <p>20 A <b>Victims of Violence Program was an</b></p> <p>21 <b>outpatient setting overseen by Judy Herman who</b></p> <p>22 <b>wrote Trauma and Recovery, which was sort of</b></p>	<p style="text-align: right;">27</p> <p>1 A <b>I need context.</b></p> <p>2 Q Okay. Would slapping over many times in a</p> <p>3 relationship be considered intimate partner</p> <p>4 violence?</p> <p>5 A <b>Slapping -- slapping when it wasn't --</b></p> <p>6 <b>when -- outside of -- slapping that's not</b></p> <p>7 <b>consensual. How's that?</b></p> <p>8 Q Sure.</p> <p>9 A <b>Unconsensual [sic] slapping I would</b></p> <p>10 <b>consider abuse.</b></p> <p>11 Q And I would assume -- would it be abusive</p> <p>12 if it was unconsensual [sic] head-butting?</p> <p>13 A <b>Yes, I would assume so.</b></p> <p>14 Q All right. And same would be abusive if</p> <p>15 it was unconsensual kicking?</p> <p>16 A <b>Yes.</b></p> <p>17 Q And it would also be abusive if it was</p> <p>18 unconsensual pushing, correct?</p> <p>19 A <b>Yes.</b></p> <p>20 Q Right. In your experience, do you</p> <p>21 under- -- are there risk factors for intimate</p> <p>22 partner violence?</p>
<p style="text-align: right;">26</p> <p>1 <b>thought of as the bible of trauma work.</b></p> <p>2 <b>And basically, it was a tertiary care</b></p> <p>3 <b>trauma -- outpatient trauma center where I was a</b></p> <p>4 <b>psychiatrist treating people with various kinds of</b></p> <p>5 <b>trauma, everything from domestic violence;</b></p> <p>6 <b>childhood abuse; you know, 9/11 survivors; you</b></p> <p>7 <b>know, kind of whatever trauma existed.</b></p> <p>8 Q Do you know what intimate partner violence</p> <p>9 is?</p> <p>10 A <b>I do.</b></p> <p>11 Q What is that?</p> <p>12 A <b>It's violence between people in an</b></p> <p>13 <b>intimate relationship.</b></p> <p>14 Q And you've worked with patients that have</p> <p>15 experienced intimate partner violence --</p> <p>16 A <b>Yes, I have.</b></p> <p>17 Q -- right? What -- what type of physical</p> <p>18 touching would you consider intimate partner</p> <p>19 violence?</p> <p>20 A <b>I would have to say that's subjective.</b></p> <p>21 Q Okay. Would slapping be considered</p> <p>22 intimate partner violence?</p>	<p style="text-align: right;">28</p> <p>1 MR. CRAWFORD: Objection; calls for expert</p> <p>2 testimony.</p> <p>3 BY MR. NADELHAFT:</p> <p>4 Q You can answer the question.</p> <p>5 MR. KELLEY: If you're able to answer,</p> <p>6 Doctor, you can go ahead.</p> <p>7 THE WITNESS: I don't feel that there's a</p> <p>8 clear answer to that.</p> <p>9 Q Okay. What do you mean by that? I</p> <p>10 just --</p> <p>11 A <b>By a "clear answer"?</b></p> <p>12 Q Yeah.</p> <p>13 A <b>You're saying are there risk factors for</b></p> <p>14 <b>interpersonal violence. I mean prior violence. I</b></p> <p>15 <b>mean other risk factors, what predisposes people</b></p> <p>16 <b>to violence, prior violence, having been violated</b></p> <p>17 <b>themselves. I mean, those are the main things</b></p> <p>18 <b>that stick out in my mind right now.</b></p> <p>19 Q What about potentially heavy alcohol and</p> <p>20 drug use?</p> <p>21 MR. CRAWFORD: Objection; calls for</p> <p>22 speculation.</p>

29

1 THE WITNESS: I would say that substance  
 2 abuse can be, certainly, correlated with violence.  
 3 BY MR. NADELHAFT:  
 4 Q And is being a previous victim of physical  
 5 and psychological abuse a potential for causing  
 6 violence in an intimate partner relationship?  
 7 A That you've been --  
 8 MR. CRAWFORD: Same objection.  
 9 THE WITNESS: That you've been a victim  
 10 before?  
 11 Q Correct.  
 12 A I -- I actually don't know the literature  
 13 on that at this point.  
 14 Q And do you know if there are any warning  
 15 signs to recognize if someone is a perpetrator of  
 16 intimate partner violence?  
 17 MR. CRAWFORD: Objection; calls for expert  
 18 testimony, calls for speculation.  
 19 THE WITNESS: Repeat that again.  
 20 Q Are there -- would you agree if there --  
 21 are there any warning signs that would help  
 22 recognize if someone is a perpetrator of intimate

30

1 partner violence?  
 2 MR. CRAWFORD: Same objections.  
 3 THE WITNESS: Warning signs other than the  
 4 violence or controlling nature, violence --  
 5 Q Yeah. Are there warning signs -- yeah, I  
 6 guess, are there warning signs of the potential  
 7 for violence?  
 8 A Yeah. There's nothing that's sticking out  
 9 to me right now.  
 10 Q All right. I'm going to put up a document  
 11 for you. It's going to come up on the screen, and  
 12 we're going to talk about it for a couple minutes.  
 13 Okay?  
 14 A Yup.  
 15 MR. NADELHAFT: Could we put up No. 1,  
 16 please.  
 17 AV TECHNICIAN: Stand by.  
 18 (Exhibit 1, E-mail chain, Bates Nos.  
 19 ALH\_00017551 through ALH\_00017557, was marked for  
 20 identification and is attached to the transcript.)  
 21 AV TECHNICIAN: Showing Exhibit 1 on the  
 22 screen.

31

1 MR. NADELHAFT: And can we -- can you make  
 2 it bigger. Okay. Thank you.  
 3 BY MR. NADELHAFT:  
 4 Q Dr. Banks, I'm showing you what's been  
 5 marked as Banks Exhibit 1 --  
 6 A Uh-huh.  
 7 Q -- which is an e-mail chain between you  
 8 and Amber Heard. And I'm -- I'll let you take a  
 9 look through the e-mail chain, and then I'm going  
 10 to ask some questions about it. As you may  
 11 understand, an e-mail chain, the first e-mail  
 12 starts at the back.  
 13 MR. NADELHAFT: So can we go to page 4.  
 14 MR. CRAWFORD: I'm just going to object.  
 15 I don't believe this has been produced to us.  
 16 MR. NADELHAFT: Yeah. It was produced --  
 17 it was produced -- it was produced on Friday.  
 18 MR. CRAWFORD: On Friday?  
 19 MR. NADELHAFT: Yeah, it was pro- -- it  
 20 was produced, yup. It was produced before Sam  
 21 sent out that e-mail.  
 22 MR. CRAWFORD: Okay.

32

1 THE WITNESS: Sorry, I just -- I can't see  
 2 this very well.  
 3 MR. NADELHAFT: Yeah. Can we make it  
 4 bigger.  
 5 BY MR. NADELHAFT:  
 6 Q And just start reading through it and then  
 7 let him know.  
 8 MR. NADELHAFT: And you can continue to go  
 9 down.  
 10 THE WITNESS: Yeah, if you could go down.  
 11 If you could go down again. Thank you.  
 12 Move on, please.  
 13 Okay. Good.  
 14 MR. NADELHAFT: And now if we can go up.  
 15 Q Well, first let me ask you: Do you  
 16 recognize this e-mail from Amber Heard to you?  
 17 A I do now, yes.  
 18 Q Okay.  
 19 MR. NADELHAFT: And let's go up.  
 20 THE WITNESS: Yeah.  
 21 MR. NADELHAFT: Yeah.  
 22 Go up. I just want her to read her

<p style="text-align: right;">33</p> <p>1 response.</p> <p>2 THE WITNESS: Okay.</p> <p>3 MR. NADELHAFT: Can you go up a little</p> <p>4 more. Just go up a little bit more.</p> <p>5 BY MR. NADELHAFT:</p> <p>6 Q The abanks14@gmail.com, that's your</p> <p>7 e-mail, correct?</p> <p>8 <b>A It is, yup.</b></p> <p>9 Q And now you can read under that.</p> <p>10 THE WITNESS: All right. Go up, please.</p> <p>11 MR. NADELHAFT: I think she meant the</p> <p>12 other way.</p> <p>13 THE WITNESS: Other way. Other way.</p> <p>14 AV TECHNICIAN: I could pass control if</p> <p>15 that's easier, but...</p> <p>16 THE WITNESS: Hold on.</p> <p>17 Okay. Okay, got it.</p> <p>18 Q Okay. All right. Do you recognize the</p> <p>19 e-mail you sent to Amber Heard?</p> <p>20 <b>A I do.</b></p> <p>21 Q Okay. What's your -- what is your</p> <p>22 understanding as to why Amber was reaching out to</p>	<p style="text-align: right;">35</p> <p>1 it's going crazy. Sorry about that. This is</p> <p>2 sometimes a problem with these virtual</p> <p>3 depositions. I apologize.</p> <p>4 If you look at Amber's e-mail, April 13,</p> <p>5 2015, in the second paragraph, she says, As with</p> <p>6 some of life's most rewarding gifts, I happened</p> <p>7 upon your book by accident...at just the right</p> <p>8 time. I picked it up in the airport (while in</p> <p>9 transit, fleeing the most traumatic and crushing</p> <p>10 situation I have ever faced) and spent the next</p> <p>11 few days in the precious comfort of your insight</p> <p>12 and advice.</p> <p>13 Did there come a time --</p> <p>14 You received that portion of the e-mail</p> <p>15 from Amber, correct?</p> <p>16 <b>A Yeah, I -- I believe so, yes.</b></p> <p>17 Q Okay. Did there come a time where you</p> <p>18 understood what Amber was referring to when she</p> <p>19 said she was "fleeing the most traumatic and</p> <p>20 crushing situation I have ever faced"?</p> <p>21 MR. CRAWFORD: Objection; calls for</p> <p>22 speculation.</p>
<p style="text-align: right;">34</p> <p>1 you?</p> <p>2 MR. CRAWFORD: Objection; calls for</p> <p>3 speculation.</p> <p>4 Q You can answer.</p> <p>5 <b>A My understanding was that just as it says</b></p> <p>6 <b>here, she picked up my book, she was struggling in</b></p> <p>7 <b>her primary relationship, and she wanted some</b></p> <p>8 <b>relationship consultation.</b></p> <p>9 Q And -- and the book she had -- Amber had</p> <p>10 picked up was Four Ways to Click?</p> <p>11 <b>A That's right.</b></p> <p>12 Q And Amber told you she picked up that book</p> <p>13 in the airport; is that right?</p> <p>14 <b>A Yes, I recall.</b></p> <p>15 Q Okay.</p> <p>16 MR. NADELHAFT: Lucien, can we scroll down</p> <p>17 to -- or you can give me control. It doesn't</p> <p>18 matter.</p> <p>19 AV TECHNICIAN: You have control if you</p> <p>20 want.</p> <p>21 MR. NADELHAFT: Thanks.</p> <p>22 Q I'm just looking at Amber's -- oops. Now</p>	<p style="text-align: right;">36</p> <p>1 THE WITNESS: My understanding was that</p> <p>2 she was in a relationship with Johnny Depp that</p> <p>3 had gotten violent and out of control.</p> <p>4 BY MR. NADELHAFT:</p> <p>5 Q And when you say that Amber, Was in a</p> <p>6 relationship that -- that had gotten violent and</p> <p>7 out of control, what do you mean by that?</p> <p>8 <b>A I mean -- I mean that he had -- they had</b></p> <p>9 <b>physical altercations and his drug use had</b></p> <p>10 <b>escalated and she felt that she was in risk -- at</b></p> <p>11 <b>risk.</b></p> <p>12 Q And how did you come to that</p> <p>13 understanding?</p> <p>14 <b>A In subsequent conversations, she told me.</b></p> <p>15 Q And then Amber writes: It with a plea of</p> <p>16 confidence that I can say after 3 and a half years</p> <p>17 of the most trying and compelling relationship I</p> <p>18 have ever known, I finally married the man with</p> <p>19 whom I am desperately in love. However I write to</p> <p>20 you today because those years, the relationship</p> <p>21 and my heart, has arrived at a breaking point.</p> <p>22 Did you under- -- did there come a time</p>

37	<p>1 where you understood what -- what relationship</p> <p>2 Amber was referring to as "the most trying and</p> <p>3 compelling relationship I have ever known"?</p> <p>4 MR. CRAWFORD: Objection; calls for</p> <p>5 speculation.</p> <p>6 THE WITNESS: It was her relationship with</p> <p>7 Johnny Depp.</p> <p>8 Q Okay. And did there come a point where</p> <p>9 you understood why Amber was coming to a breaking</p> <p>10 point in her relationship with Mr. Depp?</p> <p>11 MR. CRAWFORD: Objection; speculation.</p> <p>12 THE WITNESS: Yes, I did.</p> <p>13 Q And what -- why did you understand she was</p> <p>14 at a breaking point, Amber was at a breaking point</p> <p>15 in her relationship with Mr. Depp?</p> <p>16 MR. CRAWFORD: Same objection.</p> <p>17 THE WITNESS: I think she loved him</p> <p>18 deeply, and when things were going well, they had</p> <p>19 a -- an incredibly deep and resonant relationship.</p> <p>20 And when violence would happen, it would escalate</p> <p>21 quickly and pretty extensively, and I think she</p> <p>22 felt she couldn't do that anymore.</p>	39	<p>1 speculation.</p> <p>2 THE WITNESS: By Amber's report, yes.</p> <p>3 Q By Amber's report, did Mr. Depp hit Amber</p> <p>4 with his hand?</p> <p>5 MR. CRAWFORD: Same objections.</p> <p>6 THE WITNESS: Yes.</p> <p>7 Q By Amber's report, did Mr. Depp hit Amber</p> <p>8 by kicking her?</p> <p>9 MR. CRAWFORD: Same objections.</p> <p>10 THE WITNESS: I don't recall that.</p> <p>11 Q Other than by hitting Ms. -- Amber with</p> <p>12 his hands, do you recall any other violence,</p> <p>13 physical violence, that Amber reported to you by</p> <p>14 Mr. Depp?</p> <p>15 MR. CRAWFORD: Same objections.</p> <p>16 THE WITNESS: Not specifics.</p> <p>17 Q Okay. And you responded in this e-mail</p> <p>18 that you would -- you could help Amber, correct?</p> <p>19 In this e-mail attachment, 1 -- Exhibit 1.</p> <p>20 <b>A I believe I said that I would try to help,</b></p> <p>21 <b>yes.</b></p> <p>22 Q Right. And you're -- you're in Boston,</p>
38	<p>1 Q And what type of violence did you</p> <p>2 understand was occurring for Mr. Depp toward</p> <p>3 Amber?</p> <p>4 MR. CRAWFORD: Objection; calls for</p> <p>5 speculation, foundation.</p> <p>6 THE WITNESS: I recall descriptions of</p> <p>7 drug use, rage, breaking, throwing things around</p> <p>8 the house. I recall her telling me that when he</p> <p>9 would fight, she would -- when he would attack her</p> <p>10 physically, she couldn't help herself, she would</p> <p>11 fight back. Those are things I clearly recall.</p> <p>12 MR. CRAWFORD: I'd like to insert an</p> <p>13 objection to the extent that the response</p> <p>14 contained hearsay.</p> <p>15 Q And do you re- -- what was your</p> <p>16 understanding as to how Mr. Depp attacked Amber</p> <p>17 physically?</p> <p>18 <b>A What -- I'm not -- I don't understand the</b></p> <p>19 <b>question.</b></p> <p>20 Q Would -- did -- did Mr. Depp hit Amber?</p> <p>21 MR. CRAWFORD: Objection; foundation,</p> <p>22 assumes facts not in evidence, calls for</p>	40	<p>1 correct?</p> <p>2 <b>A Yes, I am.</b></p> <p>3 Q And Amber doesn't -- well, let me just --</p> <p>4 how are -- strike that. We can just strike the</p> <p>5 question.</p> <p>6 MR. NADELHAFT: You can take this down.</p> <p>7 And can we put up No. 9, please.</p> <p>8 AV TECHNICIAN: Stand by.</p> <p>9 (Exhibit 2, 2015 Invoices, Bates Nos.</p> <p>10 Banks0002 and Banks0003, was marked for</p> <p>11 identification and is attached to the transcript.)</p> <p>12 AV TECHNICIAN: Showing Exhibit No. 2 on</p> <p>13 the screen.</p> <p>14 Q By the way, before we go to Banks</p> <p>15 Exhibit 2, you would agree that when Amber was</p> <p>16 reporting the violence to you by Mr. Depp, it was</p> <p>17 not consensual, correct?</p> <p>18 MR. CRAWFORD: Objection; leading,</p> <p>19 hearsay, calls for speculation, assumes facts not</p> <p>20 in evidence, and foundation.</p> <p>21 THE WITNESS: It was not consensual.</p> <p>22 MR. NADELHAFT: And we can make this</p>

<p>1 larger.</p> <p>2 BY MR. NADELHAFT:</p> <p>3 Q Dr. Banks, I'm showing you what's been</p> <p>4 marked as Banks Exhibit 2 which is two pages. Do</p> <p>5 you recognize this -- these documents?</p> <p>6 A Yes. It's a billing statement I sent to</p> <p>7 their assistant.</p> <p>8 Q A billing statement for -- for what?</p> <p>9 A Relational consulting.</p> <p>10 Q And it's relational consulting for Amber</p> <p>11 Heard and Mr. Depp?</p> <p>12 A It was -- Amber -- it was -- Amber had</p> <p>13 reached out to me, requested it, and at one point</p> <p>14 she had -- she brought Mr. Depp into a</p> <p>15 conversation and then set another one up with me</p> <p>16 alone with him.</p> <p>17 Q Okay. And you -- these records are in</p> <p>18 your files?</p> <p>19 A They are not in my files. I kept no</p> <p>20 records of them.</p> <p>21 Q Okay. Where did you -- where was this --</p> <p>22 how -- how was this invoice, billing record,</p>	<p>1 Q Okay. Did anyone tell you not to keep</p> <p>2 notes?</p> <p>3 MR. CRAWFORD: Objection; calls for</p> <p>4 hearsay.</p> <p>5 THE WITNESS: I don't recall.</p> <p>6 Q It was your decision not to keep notes?</p> <p>7 A I honestly don't recall.</p> <p>8 Q Okay. And these records show on the first</p> <p>9 page that you had a one-hour session with Amber on</p> <p>10 April 22, 2015?</p> <p>11 A That's what it says, yes.</p> <p>12 Q Okay. And then it shows that you had a</p> <p>13 90-minute session with Amber and Mr. Depp on</p> <p>14 April 24, 2015?</p> <p>15 A That's what it says, yes.</p> <p>16 Q And then it shows you had an individual</p> <p>17 session with Mr. Depp on April 27, 2015?</p> <p>18 A Correct.</p> <p>19 Q Okay. And then on the second page, it</p> <p>20 shows that you had an hour session with Amber</p> <p>21 Heard on May 6, 2015, correct?</p> <p>22 A That is what it says, yes.</p>
<p>1 created?</p> <p>2 A Oh. This -- this -- how was it created?</p> <p>3 Q Oh, well -- just -- strike that.</p> <p>4 This billing record -- because we might</p> <p>5 have been on different pages. This billing</p> <p>6 record, do you keep these in your files?</p> <p>7 A Those are in my computer.</p> <p>8 Q Okay. And you keep these records in the</p> <p>9 ordinary course of business, correct?</p> <p>10 A Yes.</p> <p>11 Q Okay. And from -- I'm understanding from</p> <p>12 your previous testimony, do you not keep notes of</p> <p>13 your sessions?</p> <p>14 A Not in the -- I did not -- I very</p> <p>15 specifically did not keep notes in this setting</p> <p>16 because of the celebrity factor and that this</p> <p>17 wasn't my typical -- this wasn't -- I didn't</p> <p>18 consider it a therapy, per se. This was a</p> <p>19 relational consult.</p> <p>20 Q Okay.</p> <p>21 A And I very specifically did not keep</p> <p>22 notes.</p>	<p>1 Q Okay. And how were -- were these sessions</p> <p>2 in person?</p> <p>3 A They were not in person. They were on --</p> <p>4 usually -- I don't know, either Skype, FaceTime,</p> <p>5 some platform. Honestly, I don't recall at this</p> <p>6 point, given COVID.</p> <p>7 Q Right. There's a lot of different ways</p> <p>8 to --</p> <p>9 But it was over -- it was -- it was</p> <p>10 virtually -- it was virtual, but you could see</p> <p>11 them?</p> <p>12 A It was virtual; I could see them. I --</p> <p>13 there may have been one where Amber and I just</p> <p>14 talked on the phone where I couldn't see;</p> <p>15 depended -- dependent on where she was because</p> <p>16 they were traveling a lot.</p> <p>17 Q Okay. So the -- your initial session with</p> <p>18 Amber was -- you believe was on April 22, 2015?</p> <p>19 A That's what it says, yeah.</p> <p>20 Q All right. Whatever the date was, do you</p> <p>21 recall -- do you recall your -- your discussion at</p> <p>22 all with Amber in that initial session?</p>

<p style="text-align: right;">45</p> <p>1 MR. CRAWFORD: Objection; calls for 2 hearsay.</p> <p>3 THE WITNESS: I have vague recollections 4 of her giving me some of her own family history 5 and then entering into some of the difficulties, 6 certainly, that existed in trying to be in a 7 relationship in Hollywood, and then beginning to 8 really get into some of the difficulties in a 9 relationship with Johnny Depp.</p> <p>10 BY MR. NADELHAFT: 11 Q And Amber was -- in working with you, was 12 trying to make her relationship with Mr. Depp 13 work? 14 <b>A Yes, she was.</b></p> <p>15 MR. CRAWFORD: Objection; leading. 16 THE WITNESS: Yes, she was.</p> <p>17 Q What concerns was Amber expressing to you 18 about her relationship with Mr. Depp? 19 MR. CRAWFORD: Objection; hearsay. 20 THE WITNESS: That it would frequently 21 spiral out of control. That there was increasing 22 substance abuse. Those are the two things.</p>	<p style="text-align: right;">47</p> <p>1 MR. CRAWFORD: Same objections. 2 THE WITNESS: Yes, he would go through 3 mood swings. 4 BY MR. NADELHAFT: 5 Q Were there -- what, if any, discussions 6 were there with Ms. Heard about Mr. Depp having 7 hallucinations? 8 MR. CRAWFORD: Same objections. 9 THE WITNESS: I don't recall that. 10 Q Okay. Were there -- did Ms. Heard have 11 any discussions with you about Mr. Depp being 12 jealous? 13 MR. CRAWFORD: Same objections. 14 THE WITNESS: Yes, I do recall that. 15 Q And what was -- what was Mr. Depp jealous 16 of? 17 MR. CRAWFORD: Objection; calls for 18 speculation, assumes facts not in evidence, 19 foundation, hearsay. 20 THE WITNESS: Again, jealous of her 21 interest in other people. 22 Q And is that both men and women?</p>
<p style="text-align: right;">46</p> <p>1 Q And substance abuse by who? 2 <b>A Certainly by Mr. Depp, but there were 3 times that she would use as well.</b></p> <p>4 Q Do you recall what substances -- did 5 Ms. Heard talk about what substances Mr. Depp was 6 abusing? 7 MR. CRAWFORD: Objection; hearsay, lacks 8 foundation. 9 THE WITNESS: I believe she told me that 10 cocaine was involved. I don't remember other -- 11 other substances. I don't -- I don't know that 12 there weren't other substances, but I don't 13 recall. 14 Q Was there any discussion about Mr. Depp's 15 personality traits? 16 MR. CRAWFORD: Objection; hearsay, lacks 17 foundation, assumes facts not in evidence. 18 THE WITNESS: Can you define -- I'm not 19 sure what you're referring to. 20 Q Was there any discussions about Mr. Depp 21 going through mood swings? 22 <b>A Yes.</b></p>	<p style="text-align: right;">48</p> <p>1 MR. CRAWFORD: Same objections. 2 THE WITNESS: I don't recall. 3 BY MR. NADELHAFT: 4 Q How would you describe Ms. Heard's 5 personality during the sessions with you? 6 <b>A Well, I would say she was engaged; I would 7 say she was very sad at times, you know, very 8 concerned about the relationship; I think she 9 worried that it was ending or that she can't -- 10 couldn't do it anymore; scared at the escalating 11 violence; and -- but also very concerned about 12 Mr. Depp and was there anything to do to help him.</b></p> <p>13 Q When you were speaking with Amber, was it 14 your understanding that she had been in Australia 15 with Mr. Depp previously? 16 <b>A Previously to what?</b> 17 Q That -- well, let me ask a better 18 question. 19 Did you have any understanding that Amber, 20 when she was in the airport and picked up your 21 book, was in Australia, coming back to LA after 22 being with Mr. Depp?</p>

49

1 **A I -- I don't recall where she had -- was**  
 2 **fleeing from at that point.**  
 3 Q So did you have any discussions about  
 4 anything that occurred in Australia, if you  
 5 remember?  
 6 MR. CRAWFORD: Objection; hearsay, calls  
 7 for speculation --  
 8 THE WITNESS: I don't -- I don't --  
 9 MR. CRAWFORD: -- assumes facts not in  
 10 evidence.  
 11 THE WITNESS: I don't recall specifically,  
 12 no.  
 13 Q Did there come a time where you understood  
 14 that Mr. Depp had cut his finger?  
 15 **A Yes.**  
 16 Q Were there any discussions as to how  
 17 Mr. Depp had cut his finger?  
 18 MR. CRAWFORD: Objection; hearsay.  
 19 THE WITNESS: Only that it was in the  
 20 middle of one of these very kind of out-of-  
 21 control, escalated fights. And that did make a  
 22 fairly big impact on me.

50

1 Q How did --  
 2 **A That was one that stood out.**  
 3 Q How did that make -- what do you mean by  
 4 that? How did it make an impact on you?  
 5 **A It was a whole other level. As I remember**  
 6 **it told to me, he actually cut off a part of his**  
 7 **finger during one of these altercations, meaning**  
 8 **in -- and to me, the way I digested that, if you**  
 9 **will, was that things had gotten particularly out**  
 10 **of control.**  
 11 Q And do you recall who told you that  
 12 Mr. Depp had cut off his finger? Was it Mr. Depp  
 13 or Amber?  
 14 MR. CRAWFORD: Objection --  
 15 THE WITNESS: It was --  
 16 MR. CRAWFORD: -- hearsay.  
 17 THE WITNESS: That was Amber.  
 18 Q Did Amber say how -- how she understood  
 19 Mr. Depp had cut off -- had cut his finger?  
 20 MR. CRAWFORD: Objection; hearsay,  
 21 foundation, calls for speculation, assumes facts  
 22 not in evidence.

51

1 THE WITNESS: I don't recall the -- I  
 2 don't recall the details of it, no.  
 3 BY MR. NADELHAFT:  
 4 Q And -- and did you at any time look at any  
 5 of Amber's medical records?  
 6 **A Her medical records? No.**  
 7 Q Did you ever look at Mr. Depp's medical  
 8 records?  
 9 **A I did not.**  
 10 Q Did you ever speak to or communicate with  
 11 Dr. David Kipper?  
 12 **A Not that I recall.**  
 13 Q Okay. Did you know that Ms. Heard was  
 14 communicating with -- was seeing Connell Cowan as  
 15 a psychiatrist as well?  
 16 **A I didn't know the name of the person.**  
 17 **Again, I wasn't acting as a psychiatrist**  
 18 **for Amber Heard. I was as a relationship**  
 19 **consultant. So I did know that she had other**  
 20 **treaters, and I did not talk with them.**  
 21 Q And did you talk with any treaters of  
 22 Mr. Depp?

52

1 **A No.**  
 2 Q Okay. There was -- you had a joint  
 3 session with Mr. Depp, Amber, and you, correct?  
 4 **A Yes.**  
 5 Q And that was also a videoconference of  
 6 some type?  
 7 **A Yes.**  
 8 Q Do you recall, were Mr. Depp and Amber in  
 9 the same room or were they in separate --  
 10 **A They were in the same room.**  
 11 Q Okay. What, if anything, do you recall  
 12 about the session, that session with Mr. Depp and  
 13 Amber?  
 14 MR. CRAWFORD: Objection to the extent it  
 15 calls for hearsay.  
 16 THE WITNESS: What I recall about the  
 17 session is that I believe she kind of brought him  
 18 into the session. It was cordial. He shared, you  
 19 know -- I think we talked some about kind of  
 20 legacies of violence, that both of them had had  
 21 legacies of violence in the family from where they  
 22 came. And at the time, they were both invested

<p style="text-align: right;">53</p> <p>1 on -- in trying to improve their relationship.</p> <p>2 Q What do you recall about Mr. Depp's</p> <p>3 history of violence --</p> <p>4 MR. CRAWFORD: Objection --</p> <p>5 Q -- violence that he had talked about?</p> <p>6 MR. CRAWFORD: Objection; foundation,</p> <p>7 assumes facts not in evidence, calls for</p> <p>8 speculation, and hearsay.</p> <p>9 THE WITNESS: I don't -- I don't have a --</p> <p>10 I -- I have a very vague memory of trauma and</p> <p>11 abuse in his own childhood and him coming from</p> <p>12 a -- quite a fragmented, broken home. Beyond</p> <p>13 that, I don't have details.</p> <p>14 Q Was there ever any discussion of Mr. Depp</p> <p>15 in the past cutting himself?</p> <p>16 MR. CRAWFORD: Objection; hearsay,</p> <p>17 foundation, assumes facts not in evidence, and</p> <p>18 calls for speculation.</p> <p>19 THE WITNESS: I don't recall.</p> <p>20 Q Was there any discussion of Mr. Depp ever</p> <p>21 using a cigarette to burn himself?</p> <p>22 MR. CRAWFORD: Same objections.</p>	<p style="text-align: right;">55</p> <p>1 Q What do you recall about that session with</p> <p>2 Mr. Depp?</p> <p>3 A Again, it was a long time ago and I</p> <p>4 remember kind of broad strokes. He was</p> <p>5 interested, engaged in wanting to -- you know,</p> <p>6 wanting to get better, wanted to get his -- he was</p> <p>7 invested in trying to save the relationship; you</p> <p>8 know, we talked about -- I remember talking some</p> <p>9 about substance abuse, again, did not -- beyond</p> <p>10 the cocaine, I don't have the details; and the</p> <p>11 ways that current violence, you know, may be a</p> <p>12 repeat of the past. And that's pretty much the</p> <p>13 extent of it.</p> <p>14 Q Did Mr. Depp acknowledge that he had been</p> <p>15 physical with Amber at any time?</p> <p>16 MR. CRAWFORD: Objection; foundation,</p> <p>17 hearsay, assumes facts not in evidence, calls for</p> <p>18 speculation, argumentative, and leading.</p> <p>19 THE WITNESS: Yeah, just repeat the</p> <p>20 question again.</p> <p>21 Q Sure. Did Mr. Depp acknowledge that he</p> <p>22 had been physical with Amber in any way?</p>
<p style="text-align: right;">54</p> <p>1 THE WITNESS: That -- actually, that is</p> <p>2 a -- that's familiar, yes.</p> <p>3 BY MR. NADELHAFT:</p> <p>4 Q And do you recall who told you that</p> <p>5 Mr. Depp used a cigarette to burn himself?</p> <p>6 MR. CRAWFORD: Same objections.</p> <p>7 THE WITNESS: I do not.</p> <p>8 Q Did you have any understanding that</p> <p>9 Mr. Depp and Amber had -- had attempted a joint</p> <p>10 therapy session prior to meeting with you?</p> <p>11 A I don't recall.</p> <p>12 Q Did you have any understanding that</p> <p>13 Mr. Depp had ever stormed out of psychiatry</p> <p>14 sessions?</p> <p>15 A Don't recall.</p> <p>16 Q Is there anything else you recall about</p> <p>17 the joint session between Amber, Mr. Depp, and</p> <p>18 you?</p> <p>19 A No.</p> <p>20 Q Okay. And then you had a session with</p> <p>21 Mr. Depp alone; is that right?</p> <p>22 A Yes.</p>	<p style="text-align: right;">56</p> <p>1 MR. CRAWFORD: Same objections.</p> <p>2 THE WITNESS: Yeah. Yeah. I mean, there</p> <p>3 was -- when I was talking both with him and with</p> <p>4 the two of them together, they were both -- they</p> <p>5 both acknowledged the violence. And, again, Amber</p> <p>6 would acknowledge that when it would start, she</p> <p>7 would fight back.</p> <p>8 It was clear to me that it was a violent</p> <p>9 relationship.</p> <p>10 BY MR. NADELHAFT:</p> <p>11 Q Did Mr. Depp acknowledge at all that he'd</p> <p>12 start the violence -- start the physical violence?</p> <p>13 MR. CRAWFORD: Same objections.</p> <p>14 THE WITNESS: I don't recall specifically.</p> <p>15 Q Did Mr. Depp acknowledge that he had</p> <p>16 slapped Amber?</p> <p>17 A I don't recall that specifically.</p> <p>18 Q So do you recall any specific violence</p> <p>19 that Mr. Depp acknowledged?</p> <p>20 MR. CRAWFORD: Same objections.</p> <p>21 THE WITNESS: I do not.</p> <p>22 Q You don't?</p>

Conducted on February 7, 2022

<p>57</p> <p>1 A No, not specific, like, I did this, I did 2 this, I did this, no. 3 Q Okay. 4 A And I'm not saying he didn't, I'm just 5 saying I don't recall. 6 Q Did you discuss with Mr. Depp at all his 7 mood swings? 8 A I don't recall. 9 Q Did you discuss at all with Mr. Depp his 10 jealousy? 11 A I don't recall. 12 Q And do you believe the session with 13 Mr. Depp was approximately an hour? 14 A I believe it was approximately an hour, 15 yeah. 16 Q Did Mr. Depp seem sober during that hour? 17 A He did -- 18 MR. CRAWFORD: Objection; calls for 19 speculation. 20 THE WITNESS: He did seem sober. 21 Q Was that the only session you had with 22 Mr. Depp?</p>	<p>59</p> <p>1 A I -- I have no understanding of that. 2 Q Okay. Was there any concerns expressed 3 that Mr. Depp believed you were on Amber's side 4 versus on his side? 5 MR. CRAWFORD: Objection; vague and 6 ambiguous and calls for speculation. 7 THE WITNESS: Not -- not that I knew of. 8 MR. NADELHAFT: All right. Can we put up 9 what's No. 4, please. 10 AV TECHNICIAN: Stand by. 11 (Exhibit 3, E-mail, Bates No. 12 ALH_00017548, was marked for identification and is 13 attached to the transcript.) 14 AV TECHNICIAN: Showing Exhibit 3 on the 15 screen. 16 Q And we'll make this bigger so you can see 17 it. 18 Dr. Banks, I'm showing you what's been 19 marked as Banks Exhibit 3, which is ALH 17548. 20 This is an e-mail from you to Amber on May 29, 21 2016. Do you see that? 22 A I do.</p>
<p>58</p> <p>1 A It was. 2 Q And then you had another session with 3 Amber on May 6, 2015. 4 A Uh-huh. 5 Q Is there anything in particular you recall 6 about that session? 7 MR. CRAWFORD: Objection to the extent it 8 calls for hearsay. 9 THE WITNESS: No, there isn't anything 10 specific I remember about that. 11 Q Do you -- is there any -- what's your 12 understanding as to why Amber and Mr. Depp did not 13 see you anymore in the 2015 time frame? 14 MR. CRAWFORD: Objection; calls for 15 speculation. 16 THE WITNESS: My -- you know, it was way 17 too difficult to schedule. I know she had 18 treatment back home. It -- yeah, it was just -- I 19 mean, I think between our schedules, it -- it 20 didn't -- just didn't work out. 21 Q Did -- did you have any understanding as 22 to whether Mr. Depp wanted to see you again?</p>	<p>60</p> <p>1 Q Do you recall writing this e-mail to 2 Amber? 3 A Very vaguely. 4 Q And you -- you wrote: Hi Amber - just 5 caught something in the Times about you and Johnny 6 divorcing and a restraining order. I'm hoping 7 that you are safe and with friends...just wanted 8 you to know I'm thinking of you, knowing some of 9 what you have gone through. Be well, Amy. 10 You wrote that, correct? 11 A I did. 12 Q When you say you "just caught something in 13 the Times," what -- is that the newspaper? 14 A Yeah. It was -- something had come up 15 maybe on my phone or whatever saying that they 16 were divorcing. It was when -- you know, when it 17 became quite public. 18 Q Okay. Did you have an understanding as to 19 why -- as to the reasons Amber was seeking a 20 restraining order? 21 MR. CRAWFORD: Objection; calls for 22 speculation, hearsay, foundation.</p>

<p>1 THE WITNESS: I didn't know specifics of 2 why she was -- it didn't surprise me. I didn't 3 know specifics of why she was getting a 4 restraining order. 5 BY MR. NADELHAFT: 6 Q Why did it not surprise you that Amber was 7 seeking a restraining order? 8 <b>A Because of the violence that I knew</b> 9 <b>existed in the relationship.</b> 10 Q And where you wrote: I'm hoping that you 11 are safe and with friends, what did you mean by 12 that? 13 <b>A It's pretty standard practice when</b> 14 <b>somebody's in a domestic violence situation, that</b> 15 <b>you create a safety plan, and that that usually</b> 16 <b>includes, you know, someplace that you can go to</b> 17 <b>that's safe when you get a restraining order in</b> 18 <b>case there's retaliation. And so I was just</b> 19 <b>naming that, that I'm hoping that she has actually</b> 20 <b>gone someplace where she can be safe... Yeah.</b> 21 Q When you were working with Amber in 2015, 22 did she discuss that she had friends that would</p>	<p>1 can't remember if I responded at the time or not 2 but in case I didn't, I want you to know how much 3 I appreciate it that you checked on me... This 4 may or may not surprise you, but I'm still very 5 much, quote, in it, end quote, and dealing with a 6 lot -- and dealing with a lot. 7 You received this e-mail from Amber Heard? 8 <b>A It looks like I did, yes.</b> 9 Q Okay. Did you have an understanding as to 10 what Amber meant when she said she was "very much 11 'in it'"? 12 MR. CRAWFORD: Objection; calls for 13 speculation. 14 THE WITNESS: Yeah. My understanding when 15 I read that was the divorce and, you know, all the 16 craziness around it including the -- you know, the 17 wild press coverage and whatnot was still ongoing. 18 Q And what did you understand -- and what 19 did you understand where Amber said she was 20 "dealing with a lot"? 21 MR. CRAWFORD: Objection; calls for 22 speculation.</p>
<p>1 help her when there were issues -- 2 MR. CRAWFORD: Objection; hearsay. 3 Q -- with Mr. Depp? 4 <b>A I don't recall.</b> 5 MR. CRAWFORD: Objection; hearsay. 6 Q Okay. 7 MR. NADELHAFT: Thank you. We can take 8 this down. And could we put up 5. 9 AV TECHNICIAN: Stand by. 10 (Exhibit 4, E-mail, Bates No. 11 ALH_00017558, was marked for identification and is 12 attached to the transcript.) 13 AV TECHNICIAN: Showing Exhibit 4 on the 14 screen. 15 MR. NADELHAFT: Can you make it bigger. 16 Oh, okay. Thank you. 17 Q Dr. Banks, I'm showing you what's been 18 marked as Banks Exhibit 4, ALH 17558. Amber wrote 19 you an e-mail on April -- on August 23, 2016. Do 20 you see that? 21 <b>A I do.</b> 22 Q Okay. And she said, Hope you're well. I</p>	<p>1 THE WITNESS: "Dealing with a lot." I -- 2 I assume she was still dealing with the legal 3 fight that she was in. 4 BY MR. NADELHAFT: 5 Q And you responded on August 23, 2016. Do 6 you see that? 7 <b>A Uh-huh.</b> 8 Q And you wrote: Hi Amber - glad to hear 9 from you. Have been very concerned, and you are 10 right, not surprised you are still very much in it 11 as you would say. Would be happy to help in any 12 way that I can. 13 You wrote that? 14 <b>A Looks like I did.</b> 15 Q Okay. Do you recall why you were very 16 concerned about Amber? 17 <b>A Because --</b> 18 MR. CRAWFORD: Objection; calls for 19 speculation, assumes facts not in evidence, 20 foundation, and hearsay. 21 THE WITNESS: I was worried about Amber 22 because the relationship had been violent, and</p>

<p style="text-align: right;">65</p> <p>1 often -- when you try to leave a violent 2 relationship, that's often when people get -- 3 women get killed in domestic violence situations. 4 BY MR. NADELHAFT: 5 Q And what did you mean where you wrote "not 6 surprised you are still very much in it"? 7 MR. CRAWFORD: Same objections. 8 THE WITNESS: I -- what I -- what I meant 9 was that within the publicity, the celebrity 10 nature of the two of them, that this would be kind 11 of a protracted legal battle. As I see, I'm 12 right. 13 Q You can -- you can tell the future. 14 <b>A Right.</b> 15 MR. NADELHAFT: We can take this down. 16 And can you put up No. 8. 17 AV TECHNICIAN: Stand by. 18 (Exhibit 5, 2018 Invoices, Bates No. 19 Banks0001, was marked for identification and is 20 attached to the transcript. 21 AV TECHNICIAN: Showing Exhibit 5 on the 22 screen.</p>	<p style="text-align: right;">67</p> <p>1 relationship with Elon Musk, and most of the 2 conversations were about that relationship. 3 BY MR. NADELHAFT: 4 Q Do you recall if -- were there any 5 discussions about her relationship with Mr. Depp 6 during this -- 7 <b>A I don't recall.</b> 8 Q -- 2018 time frame? 9 <b>A I don't recall.</b> 10 Q Okay. Do you recall if there were any 11 discussions about -- media publicity regarding her 12 relationship with Mr. Depp during this time frame? 13 MR. CRAWFORD: Objection; calls for 14 hearsay. 15 THE WITNESS: I don't recall. 16 MR. NADELHAFT: All right. Why don't we 17 take -- can we take a five-minute break? 18 THE WITNESS: Yeah. 19 MR. CRAWFORD: Good on our end. 20 MR. NADELHAFT: Okay. Yeah, I'm just 21 going to look over some things, and we will be 22 back.</p>
<p style="text-align: right;">66</p> <p>1 Q Dr. Banks, I'm showing you what's been 2 marked as Banks Exhibit 5. Do you recognize this 3 document? 4 <b>A I do.</b> 5 Q And what is it? 6 <b>A It looks like another billing statement 7 from me to Amber for consultations.</b> 8 Q And this billing statement is in your -- 9 is part of your files, correct? 10 <b>A It's in my computer, yes.</b> 11 Q And you keep this billing statement in the 12 regular course of business, correct? 13 <b>A Yes.</b> 14 Q And this shows that you saw Amber for -- 15 three times in March of 2018? 16 <b>A Yup, yes, it does.</b> 17 Q Do you recall what issues you and Amber 18 discussed during these 2018 sessions? 19 MR. CRAWFORD: Objection; calls for 20 hearsay. 21 THE WITNESS: I -- my memory -- if my 22 memory serves, we -- at that point, she was in a</p>	<p style="text-align: right;">68</p> <p>1 THE VIDEOGRAPHER: Off the record at 2 10:37. 3 (Recess was held.) 4 THE VIDEOGRAPHER: Back on the record at 5 10:46. 6 MR. NADELHAFT: Dr. Banks, thank you. I 7 have no further questions at this time. 8 THE WITNESS: Okay. Thank you. 9 EXAMINATION 10 BY MR. CRAWFORD: 11 Q Okay. Good morning, Dr. Banks. Andrew 12 Crawford on behalf of Mr. Depp. 13 MR. NADELHAFT: And, Andrew, before you 14 start, I just -- I noticed that it appears -- is 15 Mr. Depp on -- viewing the deposition now as well? 16 MR. CRAWFORD: I do not know. 17 MR. NADELHAFT: There is a "JD." 18 MS. VASQUEZ: He is. He is. This is 19 Camille Vasquez, and Mr. Depp is online. 20 MR. NADELHAFT: Okay. And Camille Vasquez 21 also joined the deposition as well, correct? 22 MS. VASQUEZ: Yes; I'm sorry.</p>

<p style="text-align: right;">69</p> <p>1 This is Camille Vasquez on behalf of                  2 Mr. Depp. And I'm joined by Sam Moniz out of                  3 Orange County's Brown Rudnick office also for                  4 Mr. Depp.                  5 MR. NADELHAFT: Okay. Thank you. Sorry.                  6 Andrew, go ahead.                  7 MS. PINTADO: And Mr. Chew is there as                  8 well, is that correct, Mr. Crawford?                  9 MR. CRAWFORD: He was at the outset. He                  10 is not -- he's not here anymore.                  11 MS. PINTADO: Okay. Thank you.                  12 MR. CRAWFORD: He might be in and out, but                  13 he's not here right now.                  14 BY MR. CRAWFORD:                  15 Q Okay. So, Dr. Banks, thanks for taking                  16 some time this morning. We all really appreciate                  17 it.                  18 Just very quickly, did you speak with                  19 anyone in preparing for today's deposition?                  20 <b>A Just very briefly with Peter Kelley, my</b>                  21 <b>lawyer.</b>                  22 Q Okay. And did you review any materials?</p>	<p style="text-align: right;">71</p> <p>1 Q Okay.                  2 <b>A -- in those conversations. I mean --</b>                  3 Q Okay.                  4 <b>A -- if you really want to know the truth, I</b>                  5 <b>actually butt-called her once from a shopping</b>                  6 <b>center, and she was in the Cannes Film Festival.</b>                  7 <b>But other than that -- and I said, Hi, how are</b>                  8 <b>you, I'm sorry I butt-called you.</b>                  9 Q Okay. So the last substantive discussion                  10 was in 2018 when you had your sessions with her?                  11 <b>A Yes, that's right.</b>                  12 Q Okay. So you are currently practicing as                  13 a psychiatrist, correct?                  14 <b>A I am.</b>                  15 Q And how long have you been practicing,                  16 again?                  17 <b>A 28 years.</b>                  18 Q And just generally, why do patients come                  19 to see a psychiatrist?                  20 MR. NADELHAFT: Objection; vague.                  21 THE WITNESS: Why do they -- in general                  22 why do they -- they want to feel better.</p>
<p style="text-align: right;">70</p> <p>1 <b>A There wasn't much to review, actually. I</b>                  2 <b>sent him the billing slips, and that was about it.</b>                  3 Q Sure. Had you ever spoken with any of                  4 Ms. Heard's attorneys before today?                  5 <b>A I -- I haven't -- I don't think I've</b>                  6 <b>spoken to anyone in this room and -- and not in</b>                  7 <b>regards to this case. I do believe I was</b>                  8 <b>contacted a number of years ago, looking for some</b>                  9 <b>records. And, again, I didn't have them, so I</b>                  10 <b>think I basically just said, I don't -- you know,</b>                  11 <b>I don't have any clinical records.</b>                  12 Q And you were contacted, you said you don't                  13 believe it was in connection with this case?                  14 <b>A I don't think so, but I -- yeah, I don't</b>                  15 <b>think so.</b>                  16 Q Okay. Have you ever spoken with any of                  17 Ms. Heard's retained experts in this case?                  18 <b>A No.</b>                  19 Q Okay. When was the last time you spoke                  20 with Ms. Heard?                  21 <b>A I mean, I -- I think it would be in</b>                  22 <b>2018 --</b></p>	<p style="text-align: right;">72</p> <p>1 Q Are there certain -- certain ailments that                  2 you see more often than others?                  3 MR. NADELHAFT: Objection; vague.                  4 THE WITNESS: Are you talking about me                  5 specifically, or are you talking about                  6 psychiatrists in general?                  7 Q You specifically.                  8 <b>A People come to see me for depression,</b>                  9 <b>anxiety, post-traumatic stress disorder. Again,</b>                  10 <b>as a psychiatrist I do psychopharmacology, I also</b>                  11 <b>do therapy. In this case I was not acting as a</b>                  12 <b>psychiatrist, I was acting as a relational</b>                  13 <b>consultant.</b>                  14 Q And so could you explain that distinction                  15 for me between relationship consultant and a                  16 psychiatrist.                  17 <b>A Uh-huh. As I think has already been</b>                  18 <b>pointed out, Amber Heard already had a</b>                  19 <b>psychiatrist, or a clinician, anyway, that she had</b>                  20 <b>seen. And she had very specifically reached out</b>                  21 <b>to me around the material that was in my book</b>                  22 <b>which was about how to improve your</b></p>

<p style="text-align: right;">73</p> <p>1 relationships -- yeah, how to improve  2 relationships, neurophysiology, you know,  3 interpersonal interactions, that kind of thing.  4 Which is very different than what I do as  5 a psychiatrist when I really delve into a  6 person's -- you know, deeply into their past,  7 trying to find connections as to why they're doing  8 X, Y, or Z, and sometimes prescribe medications,  9 that sort of thing.  10 Q Okay. So as a psychiatrist you can make a  11 diag- -- you can make diagnoses, correct?  12 A I can.  13 Q And prescribe medications?  14 A I can, yes.  15 Q And in your role as a relationship  16 consultant, would you do either of those things?  17 A I really focus more on behaviors and, you  18 know -- kind of behaviors that impair  19 relationships and try to really kind of focus in  20 on those.  21 Q And what sorts of behaviors are you  22 talking about?</p>	<p style="text-align: right;">75</p> <p>1 assume that it is their true subjective experience  2 of what is going on, and that because it is their  3 true subjective experience of what is going on, it  4 has the same physiological impact on them.  5 And then, as we go along in treatment, as  6 a psychiatrist I would look for consistencies in  7 the story, I'd look for places where things don't  8 add up. And if I found those, then I -- I might  9 question, you know, or kind of talk with them  10 about the discrepancies. But, by and large, I  11 assume that people who are coming to me for help  12 come to me telling the truth and that they want  13 help.  14 BY MR. CRAWFORD:  15 Q So that's helpful. And any -- is your  16 approach there any different when you're in your  17 role as a relationship consultant --  18 MR. NADELHAFT: Objection; vague --  19 Q -- in approach?  20 MR. NADELHAFT: -- hypothetical.  21 THE WITNESS: You know, I think that's  22 probably an approach I take to almost every</p>
<p style="text-align: right;">74</p> <p>1 A Anything from poor communication skills to  2 patterns of overworking in a relationship to  3 violence, to -- that sort of thing.  4 Q Okay. In your role as a relationship  5 consultant, how do you assess the truthfulness of  6 people that you are working with?  7 MR. NADELHAFT: Objection; hypothetical,  8 speculation.  9 THE WITNESS: I don't understand the  10 question.  11 Q So in your -- and maybe it's -- maybe  12 makes sense to talk about this both in terms of  13 your role as a psychiatrist and your role as a  14 relationship consultant. I don't know if they're  15 going to be different.  16 In your role as a psychiatrist, how do you  17 assess the truthfulness of your patients?  18 MR. NADELHAFT: Objection; hypothetical,  19 vague.  20 THE WITNESS: I can tell you what my  21 approach is. I mean, my approach is to listen to  22 people and to take in what they're saying, to</p>	<p style="text-align: right;">76</p> <p>1 relationship I'm in, quite frankly.  2 BY MR. CRAWFORD:  3 Q Okay. Okay. So in this particular case,  4 you stated, I believe -- so in your meetings in  5 2015 with Ms. Heard and Mr. Depp, that you met  6 them not in person, correct?  7 A That's right.  8 Q It was via video --  9 A That's correct.  10 Q -- some sort of video platform?  11 A That's correct.  12 Q Okay. Did you ever see any injuries on  13 Ms. Heard?  14 A No.  15 Q Any bruising?  16 A No.  17 Q Cuts?  18 A No.  19 Q Swelling?  20 A No.  21 Q Did you ever make any formal diagnosis of  22 Ms. Heard?</p>

<p style="text-align: right;">77</p> <p>1 <b>A No.</b></p> <p>2 MR. CRAWFORD: Lucien, could we pull up</p> <p>3 Depp Exhibit 1, please.</p> <p>4 AV TECHNICIAN: Stand by. And would you</p> <p>5 like to mark that as next in order?</p> <p>6 MR. CRAWFORD: Sure, that's fine.</p> <p>7 (Exhibit 6, Invoices, Bates Nos.</p> <p>8 AH_TPD_00017277 through AH_TPD_00017301, was</p> <p>9 marked for identification and is attached to the</p> <p>10 transcript.)</p> <p>11 MR. CRAWFORD: Lucien, can we go to</p> <p>12 page 23 of this exhibit, please.</p> <p>13 Q Okay. Dr. Banks, I think we looked at</p> <p>14 this document a little bit earlier.</p> <p>15 <b>A Uh-huh, yes.</b></p> <p>16 Q You recognize this?</p> <p>17 <b>A I do.</b></p> <p>18 Q Okay. And so I think we discussed earlier</p> <p>19 you met with Ms. Heard on April 22, 2015.</p> <p>20 <b>A Yes.</b></p> <p>21 Q And that was the first time you met with</p> <p>22 her?</p>	<p style="text-align: right;">79</p> <p>1 relationship consultant?</p> <p>2 <b>A I do not believe so.</b></p> <p>3 Q And so what did you -- what did you and</p> <p>4 Ms. Heard discuss in this first session on</p> <p>5 April 22, 2015?</p> <p>6 <b>A As I've already said, we discussed the</b></p> <p>7 <b>reason she was reaching out to me, that she was</b></p> <p>8 <b>troubled in her relationship -- she wanted it to</b></p> <p>9 <b>work -- and she was hoping in the -- that the</b></p> <p>10 <b>concepts that she had read in my book, she was</b></p> <p>11 <b>having -- she was struggling to see how she could</b></p> <p>12 <b>apply them to her relationship with her husband.</b></p> <p>13 Q Did Ms. Heard discuss any medications that</p> <p>14 she was on in this session?</p> <p>15 <b>A I don't recall.</b></p> <p>16 Q Did Ms. Heard discuss any prior diagnoses</p> <p>17 in this session?</p> <p>18 THE WITNESS: I don't recall.</p> <p>19 MR. NADELHAFT: Objection; form, hearsay.</p> <p>20 Q Sorry, was there an answer?</p> <p>21 <b>A Yes. It was "I don't recall."</b></p> <p>22 Q Okay. Thank you.</p>
<p style="text-align: right;">78</p> <p>1 <b>A I believe so.</b></p> <p>2 Q And you testified previously you did not</p> <p>3 take any notes from that session or any others,</p> <p>4 correct?</p> <p>5 <b>A Correct.</b></p> <p>6 Q And why was that?</p> <p>7 <b>A For two reasons. One, it was -- it was</b></p> <p>8 <b>clear that there was a huge celebrity kind of</b></p> <p>9 <b>piece to this, and that things would get very</b></p> <p>10 <b>messy. And this was also a business I was just</b></p> <p>11 <b>starting, and I was doing relationship consulting,</b></p> <p>12 <b>and actually felt like it wasn't within my</b></p> <p>13 <b>standard of care practice within psychiatry where</b></p> <p>14 <b>I'm obligated to take notes, you know, just for a</b></p> <p>15 <b>medical record. This was not a medical record.</b></p> <p>16 Q So as a psychologist you are obligated to</p> <p>17 take notes during your sessions?</p> <p>18 <b>A I'm a psychiatrist --</b></p> <p>19 Q Excuse me. I'm sorry.</p> <p>20 <b>A -- and for psychiatric care, I am</b></p> <p>21 <b>obligated to take notes, yes.</b></p> <p>22 Q Okay. But not in your capacity as a</p>	<p style="text-align: right;">80</p> <p>1 And you said you met -- or -- sorry. So</p> <p>2 this record shows you met with Mr. Depp for</p> <p>3 approximately one hour on April 27, 2015, correct?</p> <p>4 <b>A Correct.</b></p> <p>5 Q And I believe you testified that he was</p> <p>6 interested and engaged in that session.</p> <p>7 <b>A Correct.</b></p> <p>8 Q And you discussed substance abuse.</p> <p>9 <b>A I wouldn't say that that was the primary</b></p> <p>10 <b>focus of it. Again, this was a relationship</b></p> <p>11 <b>consulting, and we were talking about kind of</b></p> <p>12 <b>behaviors and things that would -- would come up</b></p> <p>13 <b>in a relationship in that context. Substance</b></p> <p>14 <b>abuse would come up as well as, you know, past</b></p> <p>15 <b>violence in his own life.</b></p> <p>16 Q And you said "past violence." So Mr. Depp</p> <p>17 described violence in his childhood?</p> <p>18 <b>A I believe he did.</b></p> <p>19 Q And what did he -- what did he say about</p> <p>20 his relationship with Ms. Heard?</p> <p>21 <b>A That he was invested in it, that he cared</b></p> <p>22 <b>about her, and wanted it to work out.</b></p>

81

1 Q And did he discuss violence with  
 2 Ms. Heard?  
 3 MR. NADELHAFT: Objection; form, hearsay.  
 4 THE WITNESS: I don't recall.  
 5 Q You don't recall if he discussed violence?  
 6 **A I don't recall, yes.**  
 7 Q So did he admit to hitting Ms. Heard at  
 8 any point in this session?  
 9 **A I don't recall.**  
 10 Q Did he state that Ms. Heard hit him at any  
 11 point in this session?  
 12 **A I don't recall.**  
 13 MR. NADELHAFT: Objection; form, hearsay.  
 14 MR. CRAWFORD: Okay. So can I take -- I'm  
 15 sorry to do this. Can we take a quick, 15-minute  
 16 break? I can revisit my notes here, and hopefully  
 17 wrap this up pretty quickly.  
 18 MR. KELLEY: Well, I have just 11:00 on  
 19 this end. So 11:15 we'll reconvene.  
 20 MR. CRAWFORD: Yes. Does that work?  
 21 MR. NADELHAFT: Yeah, that's fine with me,  
 22 Andrew.

82

1 MR. KELLEY: Yup.  
 2 Dr. Banks, is that good?  
 3 THE WITNESS: Yeah. Is there a -- can we  
 4 have an expected finish time? I just -- I've got  
 5 some things on the other end that I might have to  
 6 push up, so -- push forward, so it would be  
 7 helpful. You don't have to be committed to it,  
 8 but just in general.  
 9 MR. CRAWFORD: Yeah. I don't -- I don't  
 10 expect that I'll have a whole lot more.  
 11 THE WITNESS: Okay.  
 12 MR. CRAWFORD: So I don't -- and I don't  
 13 know if Adam will have much more, either. But my  
 14 guess would be not more than an hour.  
 15 THE WITNESS: Oh, jeez. Okay. Sure. Can  
 16 we try to do this in ten minutes, then?  
 17 MR. CRAWFORD: I'll take 15, and hopefully  
 18 it's going to be less than an hour.  
 19 THE WITNESS: Okay.  
 20 MR. CRAWFORD: That will streamline it.  
 21 THE WITNESS: All right.  
 22 MR. CRAWFORD: All right. Thank you.

83

1 MR. NADELHAFT: Thank you.  
 2 THE VIDEOGRAPHER: Off the record at  
 3 11:01.  
 4 (Recess was held.)  
 5 THE VIDEOGRAPHER: Back on the record at  
 6 11:19.  
 7 BY MR. CRAWFORD:  
 8 Q Great. And Dr. Banks, thanks again for  
 9 the time. I have just a few more questions for  
 10 you.  
 11 **A Sure.**  
 12 Q So you testified that you didn't take  
 13 notes in these sessions, correct?  
 14 **A Correct.**  
 15 Q And in the absence of any notes, you can't  
 16 be certain of your recollection of what was said  
 17 in those sessions with Ms. Heard or Mr. Depp or  
 18 both of them together, correct?  
 19 MR. NADELHAFT: Objection; form,  
 20 foundation.  
 21 THE WITNESS: The things that I have  
 22 stated clearly -- the things that I have stated

84

1 clearly, I have recall for. The things that I  
 2 have not stated clearly or I said "I don't  
 3 recall," I have said "I don't recall." So the  
 4 things that I have said, I'm sure of. The things  
 5 that I have said "I don't recall," I don't recall.  
 6 BY MR. CRAWFORD:  
 7 Q Okay. And you previously testified it was  
 8 clear to you that Mr. Depp and Ms. Heard's  
 9 relationship was violent, correct?  
 10 **A Correct.**  
 11 Q And was it clear to you who initiated that  
 12 violence?  
 13 MR. NADELHAFT: Objection; form,  
 14 foundation.  
 15 THE WITNESS: That was clear to me.  
 16 Q And who initiated that violence?  
 17 **A Mr. Depp.**  
 18 Q And who reported that Mr. Depp initiated  
 19 that violence?  
 20 **A That was Amber Heard.**  
 21 Q Is it -- isn't it true that you can't be  
 22 certain that any relationship is violent based on

85

1 a consultee's own self-report?  
 2 MR. NADELHAFT: Objection; form,  
 3 foundation.  
 4 THE WITNESS: I -- you have to tease that  
 5 one out a little bit. I don't know how to -- I  
 6 don't know what you're asking.  
 7 Q So Ms. Heard -- you said Ms. Heard told  
 8 you that Mr. Depp initiated the violence, correct?  
 9 **A Correct.**  
 10 Q And my question is: Isn't it true that  
 11 you cannot be certain that Mr. Depp initiated the  
 12 violence just based on Ms. Heard's statement?  
 13 MR. NADELHAFT: Objection; form,  
 14 foundation.  
 15 THE WITNESS: Is -- is that true? I --  
 16 what I can tell you without a doubt is that Amber  
 17 Heard told me that Johnny Depp was involved in  
 18 violence with her when he was using substances  
 19 particularly, that she would fight back. And  
 20 those statements were made, also, in front of  
 21 Mr. Depp without anybody contradicting them.  
 22 Q So Ms. Heard made those statements in the

86

1 joint session with Mr. Depp?  
 2 **A In my recollection, yes, she did, that**  
 3 **that was part of the conversation of how the**  
 4 **relationship could not -- escalate at times, yes.**  
 5 Q Okay. You did not personally witness any  
 6 violence between Mr. Depp and Ms. Heard, did you?  
 7 **A There was none when we were on the Skype**  
 8 **calls, no.**  
 9 Q So you don't know for certain that there  
 10 was any violence in Mr. Depp and Ms. Heard's  
 11 relationship, correct?  
 12 **A What I know for certain is that it was**  
 13 **reported to me by Ms. Heard in the presence of**  
 14 **Johnny Depp, without contradiction.**  
 15 Q You testified previously, though, that you  
 16 don't recall if Mr. Depp admitted to hitting  
 17 Ms. Heard, correct?  
 18 **A I do not recall that.**  
 19 MR. CRAWFORD: Nothing further on my end.  
 20 Thank you, Dr. Banks. I appreciate it.  
 21 THE WITNESS: You're welcome.  
 22 MR. NADELHAFT: Okay.

87

1 Dr. Banks, just a couple of questions.  
 2 EXAMINATION  
 3 BY MR. NADELHAFT:  
 4 Q In working with Amber and Mr. Depp, did  
 5 you believe that Amber was telling the truth about  
 6 the violence she received at the hands of  
 7 Mr. Depp?  
 8 **A I did.**  
 9 Q In working with Amber Heard and Mr. Depp,  
 10 was it your belief that Amber was a victim of  
 11 domestic violence at the hands of Mr. Depp?  
 12 **A It was.**  
 13 MR. NADELHAFT: Okay. Thank you. Nothing  
 14 further. We really appreciate your time.  
 15 THE VIDEOGRAPHER: Off the record --  
 16 MR. KELLEY: All set?  
 17 THE VIDEOGRAPHER: Off the record at  
 18 11:23.  
 19 (Off the record at 11:23 a.m.)  
 20  
 21  
 22

88

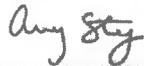
1 ACKNOWLEDGMENT OF DEPONENT  
 2 I, AMY BANKS, M.D., do hereby acknowledge  
 3 that I have read and examined the foregoing  
 4 testimony, and the same is a true, correct and  
 5 complete transcription of the testimony given by  
 6 me and any corrections appear on the attached  
 7 Errata sheet signed by me.  
 8  
 9  
 10 \_\_\_\_\_  
 11 (DATE) (SIGNATURE)  
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1 CERTIFICATE OF SHORTHAND REPORTER  
2 NOTARY PUBLIC

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

15 IN WITNESS WHEREOF, I have hereunto set my  
16 hand and affixed my notarial seal this 17th day of  
17 February, 2022.

18 My commission expires November 18, 2023.

19   
20 \_\_\_\_\_

21 NOTARY PUBLIC IN AND FOR  
22 THE STATE OF MARYLAND