

FILED
MAR 28 2022
JOHN T. FREY
Clerk of the Circuit Court
of Fairfax County, VA

1 IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

2
3 JOHN C. DEPP, II,

4 Plaintiff,

5 vs.

Civil Action No.:

CL-2019-0002911

6
7 AMBER LAURA HEARD,

8 Defendant.
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12
13

14 VIDEO DEPOSITION OF ISAAC BARUCH

15 Irvine, California

16 Wednesday, November 20, 2019
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21
22

Reported by:

23 MICHELLE BULKLEY

CSR #13658

24 Job #3771467

25 PAGES 1 - 194

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2
3 Video Deposition of ISAAC BARUCH, taken
4 on behalf of Plaintiff, at 2211 Michelson Drive, 7th
5 Floor, Irvine, California, beginning at 11:16 a.m.
6 and ending at 4:56 p.m. on Wednesday, November 20,
7 2019, before Michelle Bulkley, Certified Shorthand
8 Reporter Number 13658.

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1 APPEARANCES (Continued):

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3 Also Present:

4 JOSHUA YASKO, Videographer

5 MONA GOODARZI, Law Clerk

6 RANDY SMITH, Brown Rudnick

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DOCUMENTS REQUESTED

(NONE)

WITNESS INSTRUCTED NOT TO ANSWER

(NONE)

INFORMATION REQUESTED

(NONE)

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

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1 MS. VASQUEZ: Camille Vasquez, with Brown
2 Rudnick, for Mr. Depp.

3 MR. WALDMAN: Adam Waldman, Endeavor Law,
4 counsel for Mr. Depp.

5 MR. CHEW: Ben Chew, of Brown Rudnick, for
6 Mr. Depp.

7 THE VIDEOGRAPHER: Thank you. The
8 certified court reporter is Michelle Bulkley.

9 Would you please swear in the witness.

10 (Witness sworn.)

11 THE VIDEOGRAPHER: Please proceed.

12 ISAAC BARUCH,
13 having been first duly sworn, was examined and
14 testified as follows:

15 EXAMINATION

16 BY MR. CHEW:

R 17 Q Good morning, Mr. Baruch.

18 A Good morning.

19 Q And thank you again for being here today.

20 A Yeah. 11:17

21 Q We'll try to make it as quick as possible.

22 A Okeydoke.

23 Q Are you represented by an attorney here
24 today?

25 A No. 11:17

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1 Q Since you're not, I just wanted to give 11:17
2 you a very brief introduction and go over some of
3 the ground rules, and Ms. Brook will correct me or
4 supplement where I go wrong.
5 Very briefly -- 11:17
6 MR. QUINN: I'll be speaking for Ms. Heard
7 today.
8 MR. CHEW: Oh, okay.
9 BY MR. CHEW:
10 Q This is a defamation case brought by 11:17
11 Mr. Depp against Ms. Heard that's pending in the
12 Circuit Court of Fairfax, Virginia. That's Virginia
13 state court.
14 My name is Ben Chew, and I, Adam Waldman,
15 Camille Vasquez, and Mona Goodarzi represent 11:18
16 Mr. Depp in this matter.
17 Davida Brook and her able team here
18 represent Ms. Heard.
19 I will ask you some questions, after which
20 Ms. Heard's counsel will ask you some more, and then 11:18
21 at the very end I will follow up and ask you some
22 final questions.
23 Some rules of the road: You are under
24 oath so, of course, you will tell the truth. That's
25 always rule 1. If you don't understand a question 11:18

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1 that I or Ms. Heard's counsel ask you, please let us 11:18
2 know, and we'll try to ask you a better question.

3 If you don't know the answer to a question
4 or can't remember -- some of the questions will
5 relate to a time period long ago -- just say so. 11:18
6 Please don't speculate. If you don't know
7 something, you don't know. If you do know
8 something, obviously tell us what you know.

9 A Uh-huh.

10 Q Ms. Heard's counsel may object to some of 11:18
11 my questions. I may object to some of hers. You
12 can -- you don't have to pay too much attention to
13 the objections, though if there are any disputes
14 between the lawyers, those are going to be resolved
15 by a judge at a future time. They're not for you to 11:19
16 worry about or adjudicate.

17 You should please wait until the end of a
18 question before answering. If there's an objection,
19 if you could please wait till the counsel has
20 finished his or her objection. 11:19

21 A Okay.

22 Q California limits the time -- and
23 Ms. Brook can speak to this better than I can --
24 limits the time of a deposition to seven hours total
25 running time. Time spent taking a break doesn't 11:19

Page 10

1 count. Time spent for a break for lunch doesn't 11:19
2 count. But seven hours of actual testimony, that's
3 the limit.

4 Ms. Heard's counsel and we have agreed to
5 split the time. We'll go first. She'll go second, 11:19
6 and we'll clean up, if anything. But I don't think
7 we're going to keep you here nearly that long, and
8 we're not going to keep you here --

9 A However long it takes. I'm good.

10 Q Thank you very much, Mr. Baruch. 11:20
11 And, finally, please feel free to take
12 breaks whenever you wish. It's none of your -- none
13 of our business why you want to take a break. Just
14 let us know "I'd like to take a break" and we'll
15 take a break. We would appreciate it if you would 11:20
16 wait to finish the answer to a question before you
17 take a break, and once you finish the answer to that
18 particular question, go ahead and take a break.

19 A Okay.

20 Q Does that make sense? 11:20
21 A Yeah. Totally. Yeah. I understand.

22 Q Mr. Baruch, how old are you?
23 A I'm 58.

24 Q And that is the prime of life.
25 What educational background, if any, have 11:20

Page 11

1 you had since high school? 11:20

2 A Oh, graduated down here at Cal State, Long

3 Beach. Got a BFA, Bachelor of Fine Arts.

4 Q What is your profession?

5 A I'm an artist. 11:20

6 Q And do you specialize in a particular form

7 of art?

8 A Figurative art.

9 Q Is it mostly the medium of painting?

10 A Oil painting, yeah. Yeah, yeah, yeah. 11:21

11 Oil painting.

12 Q In what city do you live?

13 A I live in West Hollywood.

14 Q Did you ever live in Penthouse 2 at 849

15 South Broadway Street in Los Angeles? 11:21

16 A Yeah. I moved in March of 2013. In fact,

17 I was the first one to be living up there.

18 Q Is that also called or known as the East

19 Columbia building?

20 A Yeah, the Eastern Columbia. 11:21

21 Q When did you move out of Penthouse 2?

22 A In 2016, I want to say maybe around

23 October.

24 Q Who owns Penthouse 2?

25 A It's October maybe. Could have been a 11:21

1 little bit before. It was, like, a little bit 11:22
2 before, I think, maybe. But say that again.
3 Q So you lived there a little more than two
4 years; is that correct?
5 A Yeah. 11:22
6 Q And who owned Penthouse 2 at the time?
7 A Johnny.
8 Q When you say "Johnny," do you mean Johnny
9 Depp?
10 A Johnny Depp, yeah. 11:22
11 Q When --
12 A Should I say "Johnny Depp" every time I'm
13 going to say "Johnny"?
14 Q No. Johnny's fine. I just wanted to make
15 the record clear once. 11:22
16 A If I say "Johnny," it's Johnny Depp. If I
17 say "Amber," it's Amber Heard. If I say -- okay.
18 Q Perfect. No. That's good. That saves
19 time too. I appreciate that.
20 When did you first meet Johnny? 11:22
21 A Oh, I was 19. I don't know what year that
22 is. I was -- I'm two years older than him. So I
23 was 19, he was 17.
24 Q So if I'm doing my math, is that 39 years
25 ago? 11:22

1 A Oh, yeah. Okay. However long -- 11:22

2 Q Is it fair to say you know Johnny well?

3 A Yeah.

4 Q On how many occasions in your 39 years

5 have you met with Johnny? 11:23

6 A I can't count. Yeah. A lot.

7 Q More than a hundred?

8 A Yeah.

9 Q More than --

10 A Of course. 11:23

11 Q -- 200?

12 A I -- I -- I don't know. I -- I can't put

13 a number to it. Yeah. It's --

14 Q And putting aside the number of times

15 you've met with him, have you spent a lot of time 11:23

16 with him?

17 A Pretty much, yeah.

18 Q Did Mr. Depp ever live in Penthouse 3 at

19 the East Columbia building while you were living

20 there? 11:23

21 A Yeah.

22 Q From when to when did he live there?

23 A I moved in first. I was invited to move

24 in there first, and there was no one else up there.

25 I was up there for, like, probably around a month or 11:23

Page 14

1 so, give or take. And then Amber and Johnny moved 11:23
2 into Penthouse 3, you know, probably like a month
3 later or something like that.

4 Q Were -- were you --

5 A I believe. 11:24

6 Q Was -- was Penthouse 2 next to
7 Penthouse 3?

8 A Yeah. Yeah. Yeah.

L 9 Q So when -- so you -- did you see them
10 virtually every day when -- when you -- 11:24

11 A When they moved in?

12 Q Yes.

13 A At the beginning, yeah, but I was there
14 for working. You know, I'm there living and
15 working. So, you know -- and I -- I -- you know, 11:24
16 there are times that I kept to myself and stuff.

17 So -- but for the most part, yeah, I would go -- our
18 patios were right next to each other, and when they
19 first moved in, there was stuff that they were doing
20 with the patios because there was -- the dogs were 11:24

21 there. And the dogs were coming over to the -- my
22 patio and crapping on my patio. And so -- and they
23 didn't want that. And the dog will come while I'll
24 working and stuff, and there's paint and stuff. So
25 they didn't want -- you know, they didn't want to -- 11:24

1 to have that interfere. 11:25

2 Q Well --

3 A So there was, you know, things like that.

4 And then we'd eat together. We'd hang out together.

5 Yeah. 11:25

6 Q Did your key to Penthouse 2 also open

7 Penthouse 3, or did it just --

8 A No, no. It was just a key for

9 Penthouse 2.

10 Q Were there any other penthouses on the 11:25

11 floor along --

12 A Yeah, yeah. There's -- there's five.

13 Penthouse 1 where Rocky lived. I was in 2. Then

14 there's Penthouse 3 where Johnny and Amber were, and

15 there's Penthouse 4 where every -- multiple times 11:25

16 there were different people living there.

17 First it was Amber's sister was -- Whitney

18 was living in there, and then Johnny's daughter,

19 Lily-Rose, was staying there. And then, you know,

20 maybe some friends; yeah, at different times a 11:25

21 friend of Johnny's would stay there.

22 And then there was Penthouse 5; that was

23 the last one to get constructed and -- and that --

24 you know, that was -- no one was living there. That

25 was basically, Penthouse 5 became Amber's closet -- 11:26

1 Q Okay. 11:26
2 A -- on the top floor.
3 Q Who is Elizabeth Marz, M-A-R-Z?
4 A I don't know her.
5 MS. BROOK: And I am going to leave the 11:26
6 objections to Mr. Quinn, but just for our court
7 reporter's sake, if I can just make a decorum point.
8 It's a really awkward thing, these depositions, but
9 if you could try to wait to answer your question
10 until Mr. Chew has finished asking questions. She's 11:26
11 trying to write down everything we're all saying
12 right at this time that we're doing it. She's the
13 real hero --
14 THE WITNESS: Oh, she's a stenographer?
15 MS. BROOK: Exactly. 11:26
16 THE WITNESS: I had no clue.
17 MS. BROOK: That's why I'm letting you
18 know.
19 BY MR. CHEW:
20 Q I appreciate you saying that. I think it 11:26
21 was my fault. I think I spoke over you, which I'm
22 not supposed to do.
23 A Okay. If I'm talking too fast, you know,
24 let me know.
25 Oh, you're typing now? Oh, okay. All 11:27

Page 17

1 right. 11:27

2 Q So when you said "Josh," were you

3 referring to Josh Drew?

4 A Yeah, yeah.

5 Q And did you -- 11:27

6 A Rocky moved in first. Rocky moved in

7 first. She was there for a while, and then she

8 started dating, I guess, Josh. And then given some

9 time, then Josh ended up moving in. He would be --

10 he would be there at first, you know. He'd, you 11:27

11 know, do the sleepover thing. I mean, they're

12 boyfriend and girlfriend and stuff.

13 And then -- and then after a while, after,

14 you know, however long it was, I have no clue, you

15 know, how many months exactly or whatever, and, 11:27

16 yeah, he moved in with her.

17 Q And when you say "Rocky," you're referring

18 to Rocky Pennington; right?

19 A Right. Raquel Pennington. Raquel

20 Pennington is Rocky, and Josh is Josh Drew. 11:27

21 Q And I think you're right. We can just use

22 the first names for shorthand.

23 A Okay.

24 Q You mentioned Amber Heard. When did you

25 first meet Amber Heard? 11:27

1 A The first week that I moved in. I'm -- 11:28

2 I'm -- excuse me. When I first moved in, and then
3 they moved in. Afterwards, I met her and -- you
4 know, their first week of when they moved in.

5 Because I think they might have moved in, like -- 11:28

6 they didn't tell me or whatever, and, like, it was
7 like a day or -- you know, a couple of days later,
8 and it was, like, "Hey, Isaac, we're over here."

9 And it's, like, oh, okay. And he had invited us.

10 Said, "Come over, meet my -- meet my girl." 11:28

11 Q Well, good. And from the time that you
12 met Amber Heard, did you, Amber, and Johnny
13 socialize?

14 A Oh, yeah, yeah, yeah.

L 15 Q Did Amber become a friend of yours as 11:28
16 well?

17 A Yeah, yeah. I liked all of them. I liked
18 all of them when they moved in. Everyone was very
19 respectful of me, you know, also knowing that I've
20 been friends with Johnny for who knows how long, you 11:29
21 know, and so, you know, it was like one happy floor
22 family.

L 23 Q Would you have dinner together?

24 A Sure.

L 25 Q Have drinks together? 11:29

1 A Yeah. 11:29

2 Q While you -- while Johnny and Amber and
3 you all were living in Penthouse 2 -- you were
4 living in Penthouse 2. They were living in
5 Penthouse 3 -- did you ever on any occasion see 11:29
6 Johnny hit Amber?

7 A Never.

8 Q Have you ever --

UN 9 A Never. In fact, every time that I would
10 see -- go hang out with them, he was sweet as all 11:29
11 hell to her. She was sweet to him.

12 Q Have --

UN 13 A She was sweet to me, you know, and that --
14 so there was that. I seen other things. I've been
15 present where conversations, phone conversations 11:30
16 that I experienced, that I was there where it was
17 definitely taunting and abusive on her part.

18 Q Would you --

19 MR. QUINN: Move to strike that testimony.

20 BY MR. CHEW: 11:30

21 Q Would you please tell us when the first
22 time you heard that type of phone conversation
23 between Amber and Johnny, if you can remember?

F 24 A The first -- she was in New York filming a
25 movie called, I believe it's The Adderall Diaries, 11:30

F	1	and she was in New York, and I had not -- had gone	11:30
	2	over to Johnny's to go hang out, and he's arguing on	
UN	3	the phone. They're both arguing, you know, talking	
	4	on the phone and what seems to be some sort of	
	5	argument.	11:31
	6	He had also been drinking, and -- and I	
	7	was like what's going on, you know? It's like --	
	8	and I'm -- so I'm listening to the conversation.	
	9	I'm there. And he's accusing her of -- of being	
	10	unfaithful.	11:31
UN, H	11	And I could hear what she's saying, and	
	12	she's going, "Johnny, why you -- why you saying	
	13	this? Why -- what's going on? Why you -- why you	
	14	being like this? Why -- what's, you know" -- and --	
	15	and so -- and that phone call hangs up, you know.	11:31
	16	He hangs up, and she would call back again.	
	17	And then the same type of thing: "Johnny,	
SP, P	18	why you being like this?" Kind of like egging him	
	19	on and taunting him. And he's not -- he wasn't --	
	20	it's not going to be a rational conversation, you	11:32
	21	know.	
	22	Q Uh-huh.	
	23	A It's like why is -- why -- why do this?	
	24	Why egg him on, you know? It's, like, end the	
	25	conversation, and then, you know, that's it, you	11:32

UN 1 know. Talk at another time. 11:32

F 2 Basically he hung up a couple of times,
3 and she called back a couple of times, you know,
4 kept calling back and going, "Johnny, why -- you
5 know, why you doing this? Why you -- why you being 11:32
6 like this? What's the matter, Johnny? What's the
7 matter? Why -- why -- you know, tell me what's the
8 matter?"
9 And it's kind of taunt -- and, you know,
10 I -- and I started getting pissed off because 11:32
11 it's -- she's taunting the guy, you know. This is
12 not going to be a constructive conversation. And
13 finally, I -- I got pissed off, and I grabbed the
14 phone from Johnny, and I said, "Hey, Amber, this is
15 Isaac. So this conversation is now going to end, 11:33
16 because this is going nowhere." And I hung up the
17 phone, and then she didn't call back again.

18 Q And, Mr. Baruch, did you ever see them --
19 did you ever witness any in-person arguments between
20 the two of them? 11:33

21 A One time, yes. Well, it was more like
22 a -- being annoyed with each other, and -- and
23 here's the -- here's the strange thing. Or it's
24 actually, you know -- I don't find it strange, but
25 maybe someone else will, whatever. That I came -- 11:33

Page 22

1 I -- I went over to their apartment one night, and 11:33
2 in the apartment at the dinner table -- it was, you
3 know, the table that's for the kitchen --
4 Q This is Penthouse 3?
5 A Penthouse 3, yeah. This is Penthouse 3. 11:34
6 And in the -- in the kitchen at the table
7 is Rocky and Josh and Amber and Johnny, and then I
8 sat down. And they were having a discussion about
9 Whitney. They wanted Whitney to move out, and they
10 were trying to figure out how to do it. And I was 11:34
11 like -- I -- I liked Whitney, you know, and so I was
12 like, you know, "Oh, that's a drag. You know, why
13 is she leaving?"
14 And that it was -- you know, it was
15 getting a little too close for comfort for them. 11:34
16 And so it was like, "Hey, you know, maybe lend her
17 some money, you know."
18 People were -- they were trying to figure
19 out how to -- how to tell Whitney to leave. And
20 somebody made some, yeah, you know, hey, lend her 11:34
21 the money type of thing, and Johnny was annoyed with
22 how it was going and stuff. And rather than argue,
23 he got up and walked away and --
24 Q Did he -- I'm sorry. I don't mean to
25 interrupt. Please finish. 11:35

Page 23

1 A And he -- and he just, you know, "Figure 11:35
2 it out," and he walked away. Rather than to, like,
3 get into an argument, he just walked away.

4 Q I apologize for interrupting.

5 A No, no. That's okay. 11:35

6 Q Did he raise his voice?

7 A No.

8 Q Did he hit anybody?

9 A No. No.

10 Q Have you ever, from the beginning of time, 11:35
11 seen Mr. Depp commit any act of violence whatsoever
12 against Amber Heard?

13 A No.

14 Q Have you ever seen him, from the beginning
15 of time to this very moment, have you ever seen him 11:35
16 commit any act of violence against a woman?

17 A No.

18 Q Have you ever, from the beginning of time
19 to this very day, to this very moment, seen him
20 commit an act of violence against any person? 11:35

21 A No. I personally have never seen him ever
22 get into a fight, ever.

23 Q Have you ever seen Amber Heard commit any
24 act of violence against Johnny or anyone else?

SP,P 25 A Well, I -- I think the conversation was -- 11:36

SP, P	1	that they had on the phone was -- was violent -- was	11:36
	2	an act of abuse on her part, you know. That one	
UN	3	day, when I was probably like around three months in	
	4	that I was living there, Johnny had knocked on my	
	5	door and come over, which was kind of out of the	11:36
	6	ordinary, and usually I would go over to his place.	
	7	So it was kind of surprising, you know. Hey, you	
	8	know. I mean, he had been over there. You know,	
	9	both him and Amber had come over to look at	
	10	paintings, you know, and that when they first moved	11:36
	11	in. But then afterwards very -- something very	
	12	strange. When they first came in to look at	
	13	paintings, the first thing Amber said when she	
H	14	walked in was, "Hey, sorry if I -- we disturbed you	
	15	last night with all the yelling." And I was like	11:37
	16	this is a 1930s building. There's no -- I can't --	
	17	I can't hear anything. So --	
	18	Q So you hadn't heard any yelling?	
	19	A No. Again, the walls are super thick, you	
	20	know. It's a 1930s building. It's -- you know.	11:37
UN	21	So around three months in, I want to say,	
	22	two -- that they moved in, because I was already --	
	23	Q Uh-huh.	
	24	A -- a month there. So it's maybe like two	
	25	months, the second month they were living there,	11:37
Page 25			

UN	1	give or take. Johnny knocks on my door, and he ends	11:37
	2	up coming in. And he looked like he was crying, and	
H	3	he looked distraught. I was like, "Dude, what's --	
	4	what's happening? What's going on?"	
	5	He comes in, and he sits down, and he	11:38
H	6	proceeds to tell me -- he says, "I don't know what	
	7	to do with her. I haven't -- I'm -- I'm -- don't	
	8	know what -- you know, what I should do."	
	9	I said, "What's -- what are you talking	
	10	about?"	11:38
P	11	And he just goes, "She wants to argue all	
	12	the time, and she hits."	
	13	And I says -- I was like, "What do you	
	14	mean she hits? What kind of hitting?"	
	15	You know, and she -- and he says that she	11:38
	16	punches, saying that, you know, "She wants to argue,	
	17	and she punches me. And I'm not going to hit her,	
	18	you know."	
	19	And -- and of course, yeah, you know -- he	
	20	goes, "You know, I'm not going to hit her, so I just	11:38
	21	let her punch me until she gets it out, you know."	
	22	And saying, "I don't know what to do."	
	23	And at that point it was like, you know,	
	24	what -- what am I going to -- I don't know what to	
	25	say really except to try and, you know, make him	11:39

UN H 1 feel better and stuff. And so it was like, "Dude, 11:39
2 you know, just because, you know -- relationships,
3 there's nothing written in stone that a relationship
4 has to last forever, you know. If you guys aren't
5 getting along, if you guys -- you know, it's -- you 11:39
6 guys are pressing each other's buttons and stuff,
7 and, you know, you can break up. You could leave,
8 you know."

9 So, you know, there's nothing written in
10 stone. A nice relationship is one that where 11:39
11 people, you know -- a nice relationship is where
12 people bring out the best in each other, you know,
13 and it's -- if she's like that, you know. And

H 14 he's -- and I says, "You know, you don't have to
15 stay in the relationship. Nothing is written in 11:39
16 stone." And he --

17 Q How did he -- how did he respond to you?

18 MR. QUINN: Mr. Chew, before you go on, I
19 move to strike the portion of the answer recounting
20 Mr. Depp's statements on the ground of hearsay. 11:40

21 BY MR. CHEW:

22 Q How did he respond -- that's one of the
23 objections --

24 A Right.

25 Q -- we'll bicker back and forth -- 11:40

Page 27

1 A Okay. 11:40

2 Q -- but you can --

3 A Okay.

4 Q -- ignore that for the most part.

5 A Yeah, yeah. 11:40

6 Q So how did he respond when you told him
7 that relationships don't have to be forever?

8 A He says, "I want to work it out. I love
9 the girl. I don't know what to do, you know. I
10 really love her. And I don't know -- you know, I 11:40
11 don't know what to do. I -- you know, I'm not going
12 to hit her, you know."

13 Q Was there any --

14 MR. QUINN: Move to strike that on the
15 same basis. 11:40

16 BY MR. CHEW:

L 17 Q Was there any other -- was there any other
18 time after that, that Johnny made a similar
19 complaint about being hit by Amber?

20 MR. QUINN: Objection to the leading. 11:40

S, UN 21 THE WITNESS: No, but he left, you know.
22 I mean, he -- he would leave from -- from arguing
23 because it would drive him bananas, you know.

24 BY MR. CHEW:

25 Q Did there come a time when he eventually 11:41

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1 left Penthouse 3 permanently? 11:41

2 A Well, you know, there was a couple of --

3 there was like two, three times that he left and

4 then came back. So it's like I -- who could say if

5 it's permanent or not. Although after May 21st, I 11:41

6 saw him May 22nd. I saw him Sunday, May 22nd, and

7 at that point it was like, you know, you can't go

8 back, you know. He was -- yeah. There was no going

9 back there.

10 But he -- you know, the -- the lucky thing 11:41

11 for him was that, when she was -- when she would be

12 that overwhelming, he had a -- he can leave.

13 Q Where would he go, if you know?

14 A Up to -- on Sweetzer.

15 Q And that's where he has his compound of 11:42

16 houses?

17 A Yeah, yeah, yeah.

18 Q And we'll get to the events of May 21, but

19 after May 21, between May 21, 2016 and the time that

20 you left Penthouse 2 in October 2016, did he ever 11:42

21 come back to live in Penthouse 3 with Amber?

22 A No.

23 Q But Amber stayed on; right? She stayed on

24 after Johnny left on the evening of May 21?

25 A Yeah. 11:42

Page 29

1 Q And Amber was there throughout the rest of 11:42
2 the period when you were living in Penthouse 2 up
3 through October 2016?

UN

4 A Yes. She was there and Rocky and Josh,
5 although I think they -- they moved, like, just 11:42
6 the -- a while before, a month or two before I did.
7 And -- and then who was there was Amber and then
8 sometimes I'd see Elon Musk there. And then other
9 times I would see Cara -- Cara Delevingne, model
10 girl; right? 11:43

11 Q Okay. Let's unpack that, which is a
12 terrible lawyer cliché, which means let's break it
13 down.

14 You said you saw Elon Musk at the East
15 Columbia building? 11:43

16 A Yes.

17 Q Do you recall when, the first time you saw
18 Mr. Musk at the building?

19 A Datewise?

20 Q If you can. 11:43

21 A Yeah. No.

22 Q Was it, if you remember -- otherwise, as
23 we said, don't speculate -- but if you remember, did
24 you first see Mr. Musk at the building before May 21
25 or after May 21? 11:43

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1 THE WITNESS: It was morning. I 11:45
2 remember -- I think -- if I'm not mistaken, he was
3 wearing sweats, and he didn't have his hair greased
4 back. So it was -- yeah. He was all curly head,
5 like if someone who, you know, was getting up, just 11:45
6 got up, you know, had their coffee and like, oh, I'm
7 going to take a stroll on the roof, you know,
8 because we lived on the roof.
9 BY MR. CHEW:
10 Q Do you have a -- 11:45
11 MR. QUINN: Move to strike that testimony.
12 BY MR. CHEW:
13 Q Do you have a ballpark of how long after
14 this morning sighting occurred, how long after May
15 21, 2016? 11:45
16 MR. QUINN: Objection. He's already said
17 he doesn't remember.
18 BY MR. CHEW:
19 Q Do you know how long after -- do you know
20 the approximate date of -- 11:45
21 A I'd say it's -- I'd say it's probably, I
22 want to say maybe within the month or so, give or
23 take. Yeah, probably.
24 Q And, Mr. Baruch, you said there was a time
25 before that when you saw Mr. Musk at the building -- 11:46

Page 32

1 A No. I -- after May 21st, after May 21st, 11:46
2 like May -- in June, somewhere in June or July.
3 Q So the first time you saw Mr. Musk, was
4 that within the month of May or after?
5 MR. QUINN: Objection. Leading. He said 11:46
6 he doesn't remember.
7 THE WITNESS: No. Actually, I do
8 remember. It's not in May. It's after May. It's,
9 you know, somewhere in June or July --
10 BY MR. CHEW: 11:46
11 Q What about -- I'm mispronouncing --
12 A -- that I'm thinking, so...
13 Q I'm mispronouncing her name. What about
14 Cara Delevingne, who is she?
15 A Cara Delevingne. 11:47
16 Q Cara Delevingne, who is she?
17 A A friend of Amber's.
18 Q When did you see her at the building?
19 A I don't know the date, but it is
20 afterwards. I don't know the exact date. 11:47
21 Q And --
22 A But it was after May 21st..
23 Q Where did you see her specifically?
24 A Saw her in -- I was coming home; in the
25 parking lot, had parked my car, and they were -- I 11:47

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1 was -- I had just got home and I was parked next to 11:47
2 Amber. Our cars were parked next to each other. So
3 I was getting out, and they were coming from inside
4 and hopping in their -- in her car.

5 Q Was that the only time you saw her at the 11:48
6 building?

7 A Yes.

8 Q Did you ever have any discussions with
9 Josh Drew or Rocky Pennington about the nature of
10 Amber's relationship with Elon Musk? 11:48

11 A No.

12 Q Did you ever discuss that with Johnny?

13 A I've talked with Johnny about, yeah, Elon
14 Musk, yeah. He told me that he was -- that Elon
15 Musk was, you know, sniffing at Amber from the 11:48
16 get-go.

17 Q And when did that take place?

18 A Oh, I don't remember. I don't know.

19 Q Do you know who James Franco is?

20 A Yeah. The actor. 11:48

21 Q Have you ever seen him at the building?

22 A No.

23 Q Who is Trinity Esparza?

24 A Trinity is the down- -- the Eastern
25 Columbia building, she's the head of security -- 11:49

1 Q Did -- in your three years -- 11:49
2 A -- downstairs.
3 Q -- -plus living at Penthouse 3, did you
4 have many occasions to interact with her?
5 A Oh, yeah, yeah, yeah. 11:49
6 Q Was --
7 A I interacted every -- probably almost
8 every day that she worked, I would think, you know.
9 Q Was she a nice person?
10 A Oh, absolutely. 11:49
IR 11 Q Was she a truthful person, as far as you
12 know?
13 A Absolutely.
14 Q Did she ever lie to you, to your
15 knowledge? 11:49
16 A No.
17 Q How about Alejandro Romero, do you know
18 him?
19 A Alex.
20 Q Alex, do you know Alex? 11:49
21 A Yeah.
22 Q Who is Alex?
23 A Alex also works, you know, the concierge.
24 Q Did you have a lot of interactions with
25 him? 11:49

1 A Sure, whenever he worked. 11:49

2 Q Was he a polite person?

3 A Absolutely, yes.

IR, F 4 Q To your knowledge, was he an honest
5 person? 11:49

6 A Yeah.

7 Q Did he ever lie to you?

8 A No.

9 Q Who is Cornelius Harrell?

10 A I don't know. 11:50

11 Q Who is Brandon Patterson?

12 A I don't know.

13 Q Who is Io Tillett Wright?

14 A That's Amber's friend.

15 Q Did Mr. Wright spend a lot of time at the 11:50
16 building?

17 A She'd come over I guess and hang, yeah.
18 Saw her a few times there.

19 Q Did she ever have any kind of a falling
20 out with Mr. Depp? 11:50

21 MR. QUINN: Objection. Leading;
22 foundation.

23 THE WITNESS: I believe so.

24 BY MR. CHEW:

25 Q And what was your understanding of the 11:50

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1 falling out? 11:50
2 A Oh, I -- I don't know.
3 Q Well, I don't want to speculate, but you
4 were aware that there was some kind of falling out?
5 A Oh, yeah. 11:50
6 Q Do you recall whether it involved
7 something to do with Lily-Rose --
8 MR. QUINN: Objection. Leading.
9 BY MR. CHEW:
10 Q -- Johnny's daughter? 11:50
11 A That's right, right, right, that she ended
12 up -- right. That's what he was pissed at. That's
13 what Johnny was pissed at that, yeah. I had talked
14 Lily-Rose into doing the photograph book thing and
15 take a picture without -- and that she was underage 11:51
16 or whatever and that, yeah. Yes, yes, yes. That
17 was why he was pissed at her. Right. Okay. I
18 remember that.
19 Q Do you recall how old Lily-Rose was at the
20 time? 11:51
21 A No.
22 Q Who is Sean Bett?
23 A Sean is the -- Sean is one of the security
24 guys.
25 Q Have you had -- when you say one of the 11:51

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1 security guys, do you mean one of Johnny's security 11:51
2 guys?

3 A Yes, yes. One of Johnny's securities, you
4 know, yeah.

5 Q Do you know anything about Sean's 11:51
6 professional background, when he did --

7 A No.

8 Q -- before he came became one of Johnny's
9 security guys?

10 A I'm sorry. I didn't let you finish the 11:52
11 question.

12 Yeah. No.

13 Q Did you have many interactions with Sean?

14 A So-so. Not really. I mean, you know, no.
15 I -- 11:52

16 Q Did you --

17 A Yeah. I -- well, if I go to, you know, if
18 I go to -- up to Johnny's house, you know, and, you
19 know, if Johnny is home and stuff, yeah, maybe Sean
20 might be someone who opens his -- is at the gate or, 11:52
21 you know, greets me at the gate or, you know, or
22 that kind of thing, but --

23 Q What about Jerry Judge, do you know him?

24 A Yes. Jerry Judge was -- the night I
25 walked over, when I went over to Johnny's house and 11:52

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1 he's -- Amber and him are having an argument on the 11:52
2 phone and, where he was like trying to, you know, I
3 want to -- let's end this, and she kept calling back
4 and taunting him. And then, when that phone call
5 finally ended, you know, when I -- when I told her, 11:53
6 hey, enough of this and -- and hung up the phone,
7 then afterwards Jerry actually was there that night
8 and came into the apartment and hung out and stayed
9 at the apartment with Johnny, because I was going to
10 leave. 11:53
11 Q Mr. Baruch, you referred to an incident on
12 May 21, 2016.
13 A Say that again.
14 Q You mentioned earlier today an incident on
15 May 21, 2016 -- 11:53
16 A Yeah.
17 Q -- in which Ms. Heard alleges that
18 Mr. Depp physically abused her.
19 Are you aware of that allegation?
20 A Yes. 11:53
21 Q Where were you on the evening of May 21,
22 2016?
23 A All right. So I was out in the street. I
24 met a -- I was -- a buddy of mine calls me, and he
25 asked me if I want to go out and eat. And I says, 11:54

1 "I just ate. Just meet me -- let's meet at the 11:54
2 apartment. Let's go hang out."
3 So I met him at my apartment, probably, I
4 want to say around 9:30 or a little bit later. I
5 don't know -- yeah. Between 9:30 and 10:00. And 11:54
6 that ends up -- so he meets me. We go up -- we go
7 upstairs. This is Saturday night, May 21st. And go
8 upstairs, get out of the elevator.
9 When we get out of the elevator -- so when
10 you get out of the elevator, then you're going to 11:54
11 the left, and you're going through a hallway. And
12 it's a shoehorn hallway. And then there's, you
13 know, Penthouse 1, and then there's 5, 4, 3, and
14 you've got to go all the way around the corner to
15 the one I'm staying in, Penthouse 2. 11:55
16 So as soon as we got out and entered the
17 hallway, there's a sconce on the wall. The sconce
18 was broken. There was broken glass. I'm going,
19 whoa, someone's got to clean that up.
20 Go through hallway, and right in front of 11:55
21 Penthouse 1, there's a big spill of wine, spilt
22 wine, and on the wall, wine and -- and busted glass.
H 23 And we stopped. We stopped, and I says, "Holy shit."
24 Looks like someone's probably hammered. Maybe
25 they're having a -- they had a party or something 11:55

H 1 like that." Because that wasn't out of the ordinary 11:55

2 from Penthouse 1. You know, Rocky is having a party
3 or something like that and drink, and, you know,
4 boozing it.

5 Q Tell us about what time this is again. 11:56

6 A I want to say probably between 9:30 to
7 10:00. Probably closer to 9:30, you know, 9:40
8 let's say.

9 And I -- we stopped there, and I -- and

H 10 we're looking at this, and I'm going, "Hey, somebody 11:56
11 is hammered, you know." And we're standing right in

UN

12 front of Penthouse 1. That's when -- you know,
13 that's where the spill is. And -- and I'm -- I'm
14 saying this, and all of a sudden the door opens up
15 and it's Josh. And he's got the door closed where 11:56

H 16 he's just poking his head out. And I said, "Dude,
17 what's up?" And I said, "Someone -- someone --
18 someone getting drunk or what?" And so he says, "We
19 just had a rough -- we had a rough night."

20 And I -- and I got serious, you know. I 11:57
21 went from joking kind of to getting -- I got
22 serious, because "we had a rough night." I says,

H 23 "What's up? Is -- do you need help? You want me to
24 help you?"

25 And he says, "No, no. We've got it 11:57

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UN 1 handled." 11:57

2 And I said, "Okay."

3 And he closed the door, and we -- I

4 went -- me and my buddy, we ended up going to the

5 Penthouse 2, my apartment, hung out or whatever, and 11:57

6 that was that.

7 The next day it was my birthday. It's May

8 22nd. I ended up texting Johnny and saying, "Hey,

9 listen, I'm going to come up to Hollywood. I want

10 to have a beer and stuff, you know, and hang out and 11:57

11 see you." And -- and that's, you know, that's what

12 I was doing, the plan for the day.

13 So May -- so I get ready. I go, and I

14 walk out of my apartment. And it's probably, I want

15 to say -- I don't know. It's probably around noon, 11:58

16 something like that. I walk out of my apartment. I

17 go around the corner, and in front of Penthouse 1

18 where that, where the wine spill was, is Amber; a

19 guy who's dressed in black who's -- all in black, a

20 security guy, who I find out is a security, private 11:58

21 security guy; and two guys that are changing the

22 locks, locksmiths that are changing the locks on the

23 door -- lock on the door; and -- and Josh is in the

24 door -- in the apartment, in the doorway; and Rocky

25 is, you know, doing stuff in the apartment. The 11:58

1 door is open. You know, they were working on the -- 11:59
2 the two locksmiths are working on the -- on the
3 door. It's open.
4 And I walk up and I go, "Hey, what's up?
5 What's going on with -- what are you guys -- what's 11:59
6 going on here?" And Amber says, "Johnny came by
7 last night, and he got violent, and so we're
8 changing the locks."
9 I said, "What? What are you -- I -- what
10 are you talking about? What happened?" 11:59
11 And at that point -- and right then Josh
12 gave me the high sign, you know, like come -- you
13 know, to come, I'll tell you the story. He -- he
14 had walked out and gave me, like, hey, come on,
15 let's go. And we walked back into my apartment. 11:59
16 And he ends up -- he ends up saying to
17 me -- I said, "What the hell is going on? What
18 happened?" And he goes, "Johnny came by last night,
19 went into Penthouse 5, and that he -- he -- he
20 was -- he was drunk, and he was -- started 12:00
21 wrecking -- saw the stuff -- Rocky's beads, saw all
22 of Rocky's beads and stuff and that it was like a --
23 and started trashing everything, and he said he
24 wanted everyone to get out. He wanted everyone to
25 move out." 12:00

1 And then -- and that he also then got 12:00
2 violent with Amber and he hit her.

3 And I'm looking at him and saying,
4 "Really? Is this -- this is unbelievable," you
5 know, or un- -- you know, I'm amazed, you know. Not 12:00
6 amazed but, you know, like, I'm surprised. That's
7 the -- and -- and I'm thinking to myself, because he
8 says that Johnny wants him out, you know, told them
9 all to leave. I says -- I'm looking at him, and I
10 go, "Wow. This -- this is a crazy story. When are 12:01
11 you leaving, you know?" Because -- and he says,
12 "Well, I'm going to stay because Amber -- just to
13 protect Amber in case Johnny comes back."

R 14 And I was, Really. And what was going
15 through my head is that, guys, you're living in this 12:01
16 guy's house, in this guy's home, you know. If he
17 asks you to leave, how are you not going to leave?
18 This guy just let -- let you live there for who
19 knows how long, you know. It's his property, his
20 house. 12:01

21 So that was kind of strange to me. And
22 that also, just the whole thing was, like, not
23 kosher. Didn't seem kosher.

24 Q Let's -- let's go back to May 21. You
25 said you went into your apartment after you spoke 12:02

1 with Mr. Drew; correct? You went into -- going back 12:02
2 to the night of Penthouse --
3 A Yeah.
4 Q -- 3.
5 A When he -- when I was -- when I looked at 12:02
6 the -- at the wine, spilt wine, and he opened up the
7 door and, you know -- so that way, I couldn't -- you
8 know, held it tight, just poked out his head so I
9 couldn't see what was inside the apartment, which
10 that is out of the ordinary. 12:02
11 Q Right.
12 A That was something -- I mean, here I'm --
13 I just -- you know, I know all these people, you
14 know, to be -- you know, it was kind of something
15 secretive. 12:02
16 Q Did you --
17 A You know.
18 Q Did you see, on the night of May 21st, did
19 you see Mr. Depp hit Amber Heard?
20 A No. 12:02
21 Q Did you see Mr. Depp throw a phone at her?
22 A No.
23 Q Did you see Mr. Depp commit any acts of
24 violence against Ms. Heard that night?
25 A No. I didn't -- I didn't -- I didn't see 12:03

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1 Johnny at all. 12:03

2 Q Did you --

3 A I had no idea he was even there.

4 Q Did you speak to any police that night?

5 A No. 12:03

6 Q Did you hear Ms. Heard shout or scream

7 that night?

8 A No.

9 Q Did you hear Mr. Depp -- or did you hear

10 Johnny shout or scream that night? 12:03

11 A No.

12 Q Okay. So you didn't see Ms. Heard at all

13 on the night --

14 A I had -- I had no clue about anybody else

15 being home except for Josh and -- and -- and 12:03

16 probably Rocky, because they lived together.

17 So when he -- when he poked his head out

18 the door and he says, "Yeah, we had a rough night,"

19 I'm like, "Hey, you know, is somebody sick, you

20 know," thinking maybe it's Rocky or something like 12:03

21 that, you know. "You want -- you need -- you need

22 some help with something?"

23 Because -- and that's -- that's the only

24 thing that I was thinking, because that's the only

25 people that -- you know, I -- Josh and Rocky live in 12:04

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1 Penthouse 1. I had no clue who was home in 12:04

2 Penthouse 3. There's times that, where I go knock

3 on -- that I would have went to go knock on the

4 door, and meanwhile, they're gone, for who knows,

5 you know -- they -- they might have been gone for 12:04

6 the week and -- I -- a week already and I have no

7 clue, you know.

8 So --

9 Q Let's move now to your birthday, May 22.

10 You said you saw -- 12:04

11 A Can -- I --

12 Q Of course.

13 A Can I go smoke?

14 Q Oh, just say you need a break. You don't

15 have to tell us what to do -- why you're doing it. 12:04

16 Just say you want to take a break.

17 A Okay. Yeah. Please.

18 Q Take as long as -- how long would you like

19 to take?

20 A Oh, I don't know. How long does it take 12:04

21 to smoke a cigarette?

22 Q Take as long as you want.

23 MS. BROOK: Off the record.

24 THE VIDEOGRAPHER: We're now going off the

12:04 25 record. The time on the video monitor is p.m. 12:04

1 (Recess.) 12:04
2 THE VIDEOGRAPHER: We are now going back
3 on the record. The time on the video monitor is
4 12:24 p.m. This is the beginning of Media 2 in the
5 videotaped deposition of Isaac Baruch. 12:24
6 BY MR. CHEW:
7 Q Good morning again, Mr. Baruch.
8 A Good morning again to you.
9 Q Thank you.
10 When we left off, we were talking about 12:24
11 your birthday, May 22nd.
12 A May 22nd.
13 Q And specifically I believe you
14 testified -- and correct me if I'm wrong -- is you
15 saw Ms. Heard that day. 12:24
16 A Yes.
17 Q Did you have occasion to look at her face?
18 A Yes.
19 Q Did you notice any discoloration on her
20 face? 12:24
21 A Nothing.
22 Q Did you --
23 A No.
24 Q Did you notice any puffiness on her face?
25 A No. 12:24

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1 Q Did you notice any redness on her face? 12:24
2 A No.
3 Q Did you notice any apparent injuries that
4 you could see?
5 A None whatsoever. 12:24
6 Q Did you see Ms. Heard the next day on May
7 23rd, the day after your birthday?
8 A Monday, yes.
9 Q Did you see any signs of injury on her
10 face that day? 12:24
11 A No.
12 Q Any redness?
13 A No.
14 Q Any puffiness?
15 A No. 12:25
16 Q Any swelling?
17 A No.
18 Q Did you have any conversations with
19 Ms. Heard that day on the 23rd?
20 A Yeah. I also conversed with her on the 12:25
21 22nd.
22 Q Let's go back to that then. Let's
23 start -- let's keep it in order --
24 A The 22nd, so I was -- from what I was
25 saying before, I was going -- I was coming -- 12:25

1 going -- going to go into Hollywood and go hang out 12:25
2 with Johnny and that -- so I got out of the
3 apartment. I walk -- I walked through the hallway.
4 In front of Penthouse 1 is a bunch of people, and I
5 said, "Hey, what's going on?" 12:25

6 And what -- what was going on was there
7 was Amber. There was a guy who was a security guy.
8 There was a -- two people who were locksmiths in the
9 process of changing locks, and -- and there was Josh
10 Drew who was in the -- in the apartment on the -- by 12:25
11 the door. And then Rocky was in the apartment doing
12 stuff.

13 And I say, "Hey, what's going on?"

14 And they said, "We're changing the locks."
15 Amber says, "I'm changing the locks. Johnny came by 12:26
16 here last night. He got violent and -- and he hit
17 me and that I'm changing the locks."

18 And I was surprised. I ended up saying,
19 "Hey, what? What's going on, you know?" I was
20 surprised. What, you know? 12:26

21 And at that point Josh gave me a high
22 sign, like, hey, come here. He walked out. He
23 walked out of the apartment and gave me the high
24 sign, like come on, follow me. And we walked back
25 into my apartment. 12:26

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1 He ended up saying that Johnny came by; he 12:26
2 wrecked Penthouse 5. He told Rocky and -- and Josh
3 he -- he wanted them out. He wanted them to leave
4 the property, move out. And then Josh also told me
5 that he ended up getting violent with Amber and hit 12:27
6 her.
7 Q Right.
8 A And I was surprised that -- you know,
9 what? And --
10 Q Right. But did you have any specific -- I 12:27
11 just want you to focus on your conversations with
12 Amber --
13 A Yes.
14 Q -- that day.
15 A So right after that -- 12:27
16 Q What specific conversations with Amber did
17 you have?
18 A Yes. So after that, Josh told me what --
19 you know, what his story was. Then we walked back
20 out, and I -- and I -- and I go back to where Amber 12:27
21 is. And -- and I look at Amber and I says, "He hit
22 you?"
23 And she says, "Yeah. He threw a phone at
24 me, hit me in the face, hit me in the eye."
25 I said, "What?" And I said, "Where?" 12:27

1 And I'm looking at her, and she puts her 12:27

2 head out, you know, for me to look, you know,

H

3 this -- this side here (demonstrating). And I'm

4 looking, and I'm going, "I don't see anything," but

5 maybe -- and I made a joke because I didn't see 12:27

6 anything. I says, "Well, maybe all the beauty from

7 one side is outshining anything that's on the other

8 side."

9 And she giggled and she laughed, you know,

H

10 and then I said, "All of this sounds, you know, 12:28

11 unreal." But not a mark on her. And I'm

12 standing -- this is how close I am to her, you know.

13 Q And when you said --

UN

14 A And it's noon, you know, and the door was

15 open. There's light coming from there. There's 12:28

16 lights in the hallway, everything. There's nothing.

17 I didn't see anything on her.

18 Q So when you said she pushed one side of

19 her face --

20 A Yeah. 12:28

21 Q -- towards you, was that the right side?

22 A Yes. And I -- because I was like, "He

23 threw -- he hit you with a -- you know, he hit you,

24 you know? So where?" And it's like, she goes

25 (demonstrating) like this, puts out a face like this 12:28

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1 for me to look at her right eye. 12:28

2 I said, "I don't see anything." I
3 don't -- you know, I'm looking. I'm going, "I don't
4 see anything. But, you know, could be all the
5 beauty from your right side of your face outshining 12:29
6 everything on the left, you know."

7 Q Did you have any conversations with her
8 that day?

9 A That day?

10 Q Yes. 12:29

11 A No. So --

12 Q Let's go to the next day. We'll take it
13 day by day, if that's okay, because it's easier to
14 put it in kind of --

15 A Okay. 12:29

16 Q -- bites like that.

17 A Okay.

MS 18 Q So you've already testified about not
19 seeing any marks on her on the next day, May 23rd.

UN 20 A On May 23rd, so May 23rd was a movie 12:29
21 premier, Johnny's movie premier, which I was going
22 to go to. I woke up that day, and I had like -- I
23 was getting like a chest cold. I wasn't feeling
24 that well, you know, just -- I could tell, all
25 right, I'm getting a little something. 12:29

UN

1 And at some point -- maybe it was like, I 12:29
2 want to say early afternoon or maybe like around
3 1:00 o'clock or something like that, I get a knock
4 on the door. I go downstairs, and it's Amber, and
5 she's standing in my doorway. And I go, "Hey, 12:30
6 what's up?"
7 And she says to me, "Listen, I've got
8 to -- I have to go and do something. I'm not going
9 to be here. I have to go for an appointment. Can
10 you take the key and let the cleaning lady in?" 12:30

H

11 And I says, "No. I'm sorry. I can't.
12 I'm not feeling good. I'm going to, you know -- I'm
13 going back to -- you know, I'm going to lay down
14 for -- you know, and I'm not going to be paying mind
15 to, you know, let your -- let the cleaning lady in." 12:30
16 And -- and so I said, "Hey, why don't you
17 take it downstairs to Alex, you know, the concierge,
18 whoever is down there, Trinity, Alex or, you know,
19 whoever is down there and give them the key."

20 And she was like, "Yeah. Okay. I'll do 12:31
21 that then," you know. You know, it was like, oh,
22 drag or whatever, you know.
23 And I saw her there. No marks. Nothing.
24 Standing right there open -- at -- the door is open.
25 I'm right at where -- you know, sunlight is all over 12:31

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1 the place. No mark. 12:31

2 Q Was that the only conversation you had

3 with her that day on May 23rd?

4 A Yeah.

5 Q And do you remember the name of the movie 12:31

6 that there was a premier for?

7 A Oh, it's -- it's the second Alice in

8 Wonderland. I don't know what's the exact name of

9 the movie, but the -- yeah, you know, Mad Hatter,

10 where Johnny does Mad Hatter. 12:31

11 Q And after that brief discussion on May

12 23rd, when you had the cold, did you see her any --

13 any time later in the day?

14 A On Monday --

15 Q On Monday. 12:32

16 A -- on that day?

17 Q Yeah.

18 A No.

19 Q What about Tuesday, May 24th, do you

20 remember seeing Amber that day? 12:32

21 A Tuesday I -- I end up -- I want to say

22 it's either Tuesday or Wednesday, but I'm going to

23 say Tuesday -- I ended up going downstairs to the

24 cafe to get tea. I had -- you know, I -- I still

25 needed to go shopping or whatever, you know, to -- 12:32

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1 if I -- to deal with any kind of remedy or whatever 12:32
2 for how I was feeling.

3 So I went downstairs to go to the cafe.
4 Well, I walk out my door and closed the door, and
5 who's in the hallway is -- at that -- were going to 12:32
6 enter Penthouse 3, they were going to enter into
7 Penthouse 3 is Amber, Whitney, the French girl. I
8 forget her name, French girl. She's a makeup artist
9 with tattoos. I had dinner, actually, with her
10 and -- and her partner at -- at Johnny's place one 12:33
11 night.

12 Her and -- there was around five women. I
13 remember there was a tallish woman. She had a
14 trench coat on. Like if -- you know, rain type of
15 beige wrinkle. Anyway, with five women, four, five 12:33
16 women there that were going to enter. And -- and as
17 soon as I walked out the door, Whitney was like,
18 hey, you know, being, you know, cheerful or
19 what -- you know, seeing me. I hadn't seen her for
20 a bit. 12:33

21 And so she comes running over to give me a

H

22 hug, and I was like, "Stop, stop. Don't -- you
23 know, I'm feeling sick. I'm just feeling bad.
24 Don't -- you might get sick or whatever."

25 And everyone starts laughing, and I'm 12:34

1 looking, you know, got to see everybody, and -- and 12:34
2 I walk out, and I go downstairs and was downstairs
3 for like around -- I don't know -- an hour and
4 change, something like that, an hour, you know,
5 sitting and drinking tea. 12:34

6 And then, when I go to walk back up, all
7 these women are walking through the hallway again,
8 and me and Amber -- it's like, hey, okay, you know.

UN 9 And I get to see Amber again, and no marks upstairs
10 on her face, and downstairs when we're passing, no 12:34
11 marks on her face. And she was, you know, going out

12 like it's another -- you know, another day.

13 Q And, Mr. Baruch, the -- to the best of
14 your knowledge, this was either on Tuesday, May 24th
15 or Wednesday, May 25th? 12:34

16 A Tuesday, May -- it's the 22nd, 23rd, 24th.
17 20 -- Tuesday the 24th or Wednesday the 25th. I
18 want to say it was -- it was Tuesday the 24th.

19 Q Did -- and just backing up from that

F, S 20 particular time period, do you know whether Amber 12:35
21 Heard, during the period when you lived in
22 Penthouse 2, did she generally wear makeup?

23 A No. No. She had -- you know, she's got
24 great skin. Both her and Rocky are like, you know,
25 regular natural Texas girls, you know, 12:35

F,S 1 girl-next-door type of complexions, very -- yeah. 12:35

2 No makeup. She didn't wear makeup in the house. I
3 seen her with, you know, wearing a face mask and
4 that, you know, she just had really nice skin and --

5 Q Did she seem to be wearing makeup on your 12:35
6 birthday, May 22, Monday?

7 A May 22nd, no, because it was -- this was
8 like around noon and stuff. Who knows what -- you
9 know, what time they got up or whatever. This was,
10 like, you know -- this was still doing semi-morning 12:36
11 stuff or whatever, you know. It's around that time,
12 you know, and they're dealing with the locksmiths
13 and stuff. No. Very, very, you know, natural.

14 Yeah. She --

15 Q Did -- 12:36

16 A It wasn't like she was going out, you
17 know.

18 Q Did she --

19 A She was hanging around the house. She
20 never wore makeup -- 12:36

21 Q Did she --

22 A -- that I noticed.

F,S 23 Q Did she appear to be wearing makeup on the
24 23rd, which is Monday?

25 A No. 12:36

F, S

1 Q Did she appear to be wearing makeup during 12:36
2 that encounter you just described that occurred on
3 Tuesday, May 24th or Wednesday, May 25th? Did she
4 appear to be wearing makeup when you saw her with
5 the other ladies? 12:36

6 A No.

7 Q Okay. Let's move ahead to Thursday, May
8 26th. Did you see Amber that day?

9 A No. Wednesday, on the 25th -- I saw her
10 Sunday the 22nd, Monday the 23rd, Tuesday the 24th, 12:36
11 and then Wednesday I finally went and -- to go shop,
12 to buy myself stuff to take care of myself.

13 Q Yeah.

14 A And I went, and I went to go get stuff.
15 And I came -- when I was coming back with my, you 12:37
16 know, groceries, you know, from Ralphs, in between
17 the parking lot and the building, there's a small --
18 not a hallway. A room where there's another
19 elevator, and, you know, it's -- you know, interim
20 room going into -- you know, from the parking lot 12:37
21 going into the apartment. You need a security -- a
22 fob.

23 Q Uh-huh.

24 A -- to -- a fob; right?

25 Q Fob, F-O-B? 12:37

1 A A fob, not a fob. It's been so long since 12:37
2 I've used it or whatever. I forget what it's
3 called. Fob. Fob.

4 Anyway, I'm coming home and they're
5 exiting the building. So we stopped right there. 12:38
6 And I say "they." It was Amber and Whitney, both.
7 And -- and they were like, "Oh, how are you feeling
8 and stuff?"

9 I said, "Good. Better, you know, but I --
10 buying -- I went to go buy myself stuff." 12:38

11 And -- and they said, "Well, do you
12 want -- do you want us to pick you up anything?
13 We're going to the -- the CVS."

14 Q Uh-huh.

15 A The drugstore. 12:38

16 Q Yeah.

17 A And I said, "No, no. I've got everything,
18 you know." But we're there like this

UN 19 (demonstrating). No marks. No nothing.

F,S 20 Q How about makeup? Did she look like she 12:38
21 was wearing makeup?

22 A No.

23 So you know something? The only --
24 makeup-wise, she didn't wear makeup around the
25 house. She didn't need to. She didn't -- you know, 12:39

F,S 1 she was totally natural -- naturale, you know, 12:39
2 around the house, you know. And both Rocky and
3 Amber were, like, you know, au naturale type of, you
4 know, complexions and stuff. No. There -- there
5 was no makeup. 12:39

6 Q Was that the only time you saw Amber Heard
7 that day, on Wednesday the 25th?

8 A I believe so, yes.

9 Q What about Thursday, May 26th, did you see
10 her that day? 12:39

11 A No. I -- from that point on, I didn't
12 see -- I didn't see her again till I think it was
13 like the first week of June somewhere, maybe the end
14 of the week of the first week of June.

15 And mind you that I have no clue. I'm 12:39
16 clueless as to, you know, actually what is -- what's
17 going on with her and Johnny, you know. I -- for
18 me, it was like, from that -- from the Sunday, they
19 got into an argument and that -- you know, and it
20 was, you know, okay, they're in an argument. 12:40

21 And so I don't know what's -- what is
22 going on. I -- I have -- I didn't -- I haven't -- I
23 didn't see any pictures or anything like that on the
24 Internet. I'm unaware of that, of anything that she
25 is proposing. I hadn't seen any pictures or 12:40

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1 anything like that. 12:40

2 So I have no clue until the week after,

3 and -- and all of a sudden I'm seeing -- I think

4 maybe it was after June 1st, at the end of that --

5 somewhere in the week of the first week of June. 12:41

6 And all of a sudden on the Internet I start seeing

7 pictures, and I'm going, what the hell is this?

8 What's -- where did this come from, you know? And I

9 just saw her. I saw her Sunday, Monday, Tuesday,

10 Wednesday. There's nothing. There's not a -- there 12:41

11 was no mark on this woman. I said, where the hell

12 did this come from, these pictures?

13 Something -- and then I'm going, oh, my

14 God, that -- what's her name was there, the French

15 girl who's the makeup artist. And I'm walking and 12:42

16 I'm going, oh, my God, this is all phony-baloney.

17 This is all like a -- this is all, you know, like a

18 house of cards on -- on, you know -- house of cards

19 on a foundation of lies, of BS.

20 Q When you say photographs, are you -- 12:42

21 MR. QUINN: Pardon me, Mr. Chew. I'll

22 move to strike that testimony as nonresponsive, lack

23 of personal knowledge, speculation.

24 BY MR. CHEW:

25 Q When you say photographs, are you 12:42

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1 referring to purported photographs of Ms. Heard with 12:42
2 injuries -- show -- purportedly showing injuries on
3 her face?

4 A Yes. All of a sudden I see a photograph
5 of her with a -- with a mark of whatever from May 12:42
6 27th. I said, what did she do? Did she smack
7 herself, you know? And then all -- and then seeing,
8 also, the photograph -- I think it was after June
9 1st -- from People Magazine or whatever, all of a
10 sudden -- that was on the Internet, and I saw 12:43
11 pictures of a -- of a phone marking. And she didn't
12 have that Sunday. Sunday she's -- I saw her in the
13 hallway. I saw her in the hallway. We're talking
14 like this, and she even put her face out to me and I
15 didn't -- there was nothing. 12:43

16 Q Did you believe that --

17 MR. QUINN: Move to strike on the same
18 grounds.

19 BY MR. CHEW:

20 Q Did you believe that Mr. Depp was 12:43
21 responsible for hitting Ms. Heard?

22 MR. QUINN: Objection.

23 THE WITNESS: No, but I will tell you
24 this: When I went over to his house that day on --
25 on -- on Sunday, May 22nd, I went there, and I say, 12:43

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1 "Hey, John, they're changing the locks on the place 12:43
2 down there, and she said that you hit her. What --
3 what's up?"

4 And he -- and he says to me, "I tossed the
5 phone on the couch that was nowhere near her, and 12:44
6 she started screaming bloody murder. And then that
7 was -- and then I left afterwards."

8 He says, "I didn't hit her."

9 BY MR. CHEW:

10 Q Do you believe him? 12:44

11 MR. QUINN: Move to strike --

12 THE WITNESS: Absolutely.

13 MR. QUINN: -- on the grounds --

14 THE WITNESS: He told me that when she
15 was -- when she -- she was screaming bloody murder, 12:44
16 he was standing in the -- he was standing in the
17 kitchen. From the kitchen to where the couch is, he
18 said she was sitting on the couch, and he said that
19 he tossed the phone. And it was no -- he tossed the
20 phone onto the couch, but it was nowhere near where 12:44
21 she was.

22 MR. QUINN: Move to strike. Hearsay;
23 improper opinion.

24 BY MR. CHEW:

25 Q Let me move on to -- you had said that the 12:44

1 next time you saw Amber was in early June. Tell us 12:44
2 about what happened then when you saw her in early
3 June.

4 A Oh, so then the next time I saw her after
5 that, you know, with her and Whitney in the -- in 12:45
6 the -- I was coming home; she was leaving. The next
7 time I saw Amber was like around, I want to say like
8 a week and a half later, almost close to two weeks
9 or less than two weeks. And it's -- it must have
10 been something like around 11:00 o'clock at night. 12:45

UN 11 And now, at that point also, I saw all
12 this stuff that was on the -- on the Internet, you
13 know, pictures, and she knocks on my door at 11
14 o'clock and me, natural reaction, I open up the

H 15 door, whoever it is, you know, "Hey, how you doing?" 12:45
16 And I opened up the door and I go, "How -- how you
17 doing?" And she goes, "I'm not doing so well and
18 that I made some food. Do you want to come over and
19 eat?"

20 And I looked at her and I was -- and I -- 12:46
H 21 and says -- said to her, "Listen, Amber, I just saw
22 all this stuff on the Internet, all these pictures
23 and stuff of what's going on, and let me tell you
24 something. I'm very confused. I'm frustrated and
25 I'm angry about what's going on. I don't think we 12:46

H 1 should talk anymore is really what I think should 12:46
2 be -- is what it -- what, you know, I think."

3 And she looks at me and she kind of did a
4 double take and she says, "I" -- she -- she ends up
5 saying, "Listen, I told Johnny I don't want anything 12:46
6 from Johnny, that the lawyers are making me do all
7 of this."

UN, R 8 And when -- after -- as soon as she said
9 that, I kind of went -- I kind of like went berserko
10 in my head a little bit, and I kind of stopped 12:47
11 listening to her because all I could think of was
12 how stupid does she think that I am, you know? How
13 stupid does -- does she actually -- how much -- how
14 much does she not respect me or how stupid does she
15 think that I am, you know, that I'm going to believe 12:47
16 any of this, you know, that she should be surprised
17 and stuff, and I -- and I -- I stopped listening to
18 her because I was so in my head.

19 Q What further --

20 MR. QUINN: Pardon me, Mr. Chew. Move to 12:47
21 strike. Hearsay; improper opinion narrative.

22 BY MR. CHEW:

23 Q What further conversation was there, or is
24 that all you can remember?

25 A No. That's -- that was it. You know, 12:47

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1 I -- I said, "Listen, you know, I -- we're not going 12:47
2 to talk anymore."

3 And she says, "Listen, I told Johnny" --
4 she tried to explain herself. She says, "I told
5 Johnny I don't want anything but the lawyers are 12:48
6 making me do all this," but then she started talking
7 some more and, like I said, I kind of phased her
8 out, and then I came to, and then she said, "I'm
9 sorry you feel that way."

10 And I closed the door on her. 12:48

11 Q You didn't -- did you --

12 MR. QUINN: Move to strike on the same
13 grounds.

14 BY MR. CHEW:

15 Q Did you slam the door, or did you just 12:48
16 close the door?

17 A I said bye-bye, and I closed the door.

18 Q Have -- did you ever speak with her any
19 time after that?

20 A No. The next time I saw her -- I'll tell 12:48
21 you what. The next time I saw -- no. After that,
22 after that conversation, nobody talked to me. Amber
23 didn't talk to me. I'm not going to talk to her. I
24 wasn't going to talk to her anymore. After
25 everything that I just saw, I wasn't going to say 12:48

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1 anything to her. I didn't want to have anything to 12:48
2 do with her. Saying -- how are you going to do
3 that, you know? How are you going to do that?
4 That -- she didn't talk to me. Rocky didn't talk to
5 me. Josh didn't talk to me. None of them, none of 12:49
6 them talked to me. That was it.
7 Q Prior to Amber coming to the door that
8 night, had you still been in communication with
9 Rocky?
10 A Before that? 12:49
11 Q Yes.
12 A Yeah. If I saw her.
13 Q And before that, were you still in
14 communication, speaking terms with Josh Drew?
15 A Yeah. 12:49
16 Q So it changed after Amber came to the door
17 that night?
18 A Oh, yeah. As soon as that -- after that
19 conversation, that was it. Those three, the --
20 they -- they weren't -- you know, I wasn't buying 12:49
21 into their BS, so, you know, that was it.
22 Q And when --
23 MR. QUINN: Move to strike that testimony.
24 BY MR. CHEW:
25 Q And when she came to the door that night, 12:49

1 did she appear to have any marks on her face? 12:49

2 A On the night of -- where she asked me to
3 come over and eat?

4 Q Yes.

5 A No. 12:49

L 6 Q Did -- no puffiness?

7 A No nothing.

8 Q No swelling?

9 A Nothing, nothing.

10 Q Did she -- 12:50

11 A It was -- she never had a mark on her face
12 the entire time that I saw her, May 22nd till, you
13 know, whatever time after.

14 Q What about makeup? On the evening she
15 came to you -- 12:50

16 A No. It was --

17 Q No. It's -- we -- I'm sorry. It's very
18 difficult, but --

19 A I'm sorry.

20 Q -- and I need to be better at not 12:50
21 interrupting you, but --

22 A I'm sorry. I interrupted you.

23 Q No. That's -- I've been doing it to you,
24 so I apologize.

F, S 25 But on the evening that she came to you at 12:50

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F,S	1	11:00 a.m. [sic], did she appear to be wearing any	12:50
	2	makeup?	
	3	A No.	
	4	Q Switching gears a little bit, earlier	
	5	today you identified Trinity Esparza; correct?	12:50
	6	A Yeah.	
	7	Q Did Trinity ever show you CCTV video --	
	8	did -- strike that.	
L	9	Did Trinity ever show you a CCTV video	
	10	from the days after May 21 which showed Amber and	12:50
	11	her younger sister Whitney?	
	12	A Yes.	
	13	Q When did that happen?	
	14	A That was a couple of weeks after, I want	
	15	to say in June some -- June at some -- some point,	12:51
	16	when all this hoopla started. It was in June,	
	17	either the -- I want to say maybe second week of	
	18	June, something like that.	
UN	19	At that point everybody in the place was	
	20	like going, you know -- everybody in the place was	12:51
H	21	saying, "We've been seeing her walking around, you	
	22	know, and that nothing. She's got no marks on her	
	23	and stuff."	
	24	And so one particular day, like I was --	
	25	you know, a couple of weeks into June, Trinity	12:51

F/A

H 1 says -- Trinity showed me -- says, "Isaac, look at 12:52
2 this." And it's Amber and Whitney in front of the
R 3 elevator, waiting for the elevator. And Amber is
4 leaning against the elevator, and Whitney is in
5 front of her. And Whitney does one of these 12:52
6 (demonstrating), you know, like a fake punch to her
7 sister, and they both are cracking up. And I'm
8 looking and I'm going, this is so insane. All of it
UN 9 is so insane.

10 Q How did you interpret -- 12:52

11 MR. QUINN: Pardon me, Mr. Chew. Move to
12 strike on the grounds of hearsay; lack of
13 foundation; and I'd like to note again for the
14 record that none of these videos have been produced.

15 BY MR. CHEW: 12:52

16 Q How did you interpret that, the pantomime
17 punch from --

18 A Oh.

19 Q -- Whitney to Amber?

20 A How did I interpret it? 12:52

21 Q Yes.

22 A They're all -- this is one huge hoax.

23 This is one huge -- like I said before, this is
24 all -- it's a house of cards sitting on top of a
25 foundation of lies from the get-go. 12:53

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1 MR. QUINN: Move to strike that testimony 12:53
2 as well. Improper opinion; lack of foundation.
3 BY MR. CHEW:
4 Q Mr. Baruch, have you seen any other CCTV
5 video, security videos from the building? 12:53
6 A No. That's the only one I saw. That's
7 the only one I saw, and that -- yeah. It looked to
8 me like whatever -- whatever they -- whatever they
9 said was, you know, what happened, whatever Amber
10 had said happened, this is -- this show -- this was 12:53
11 a sign that it wasn't anything as severe or serious
12 as made out to be.
13 MR. QUINN: Move to strike that as well.
14 Improper opinion; lack of foundation.
15 BY MR. CHEW: 12:53
16 Q Mr. Baruch, we're almost through.
17 A Okay.
18 Q And I appreciate it. I know this is
19 your -- is this the first time you've ever given a
20 deposition? 12:54
21 A This is the first time I've ever given a
22 deposition, yes.
23 Q Well, you're doing a great job.
24 A Okay.
25 Q I have three documents to show you. 12:54

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1 A Yes. 12:54

2 Q And I'm going to try to ask you some more
3 focused questions. And if you can focus on the
4 specific question, that would be terrific; and we'll
5 get you out of here, although there will be some 12:54
6 other examination.

7 Let's mark this -- this is a document that
8 I'm going to show you, and I would recommend that,
9 with respect to this document and any other
10 documents that I show you or Ms. Heard's counsel 12:54
11 show you, you take the time to read as much of it as
12 you want to so you don't feel like you're ambushed
13 or somebody is asking you a question about a comma,
14 you know, in the middle of a longer document.

15	A Okay.	12:54
----	---------	-------

16 Q There are only three documents, so it
17 won't slow you down to read it.

18	A Okay.
----	---------

19 MR. CHEW: But if we could please mark for
20 identification as Baruch Exhibit 1. 12:54

21 (Exhibit 1 marked.)

22 BY MR. CHEW:

23 Q And I want to give you a time --

24 A Should I read this?

25 Q Yes, please take your time to read it, and 12:55

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1 while you're reading it I will just note for the 12:55
2 record that Baruch Exhibit 1 purports to be a
3 declaration of Mr. Baruch, two pages in length,
4 seven paragraphs.

5 A (Reviewing document.) 12:59
6 Okay.

7 Q Thank you.

8 Mr. Baruch, I'm not going to ask you to
9 repeat your testimony, believe me. I just have a
10 couple of questions about this document, very 12:59
11 specific questions.

12 A Okay.

13 Q On the second page of the document --

14 A Oh.

15 Q -- above, do you see your name typed in, 12:59
16 Isaac Baruch? Do you see in raised typed letter,
17 Isaac Baruch, at the very bottom --

18 A End, at the bottom?

19 Q Yes.

20 A Yeah, yeah, yeah. 12:59

21 Q Is that your signature?

22 A Yeah.

23 Q Did you in fact sign this declaration?

24 A Yeah.

25 Q Do you recall when you signed it? 12:59

1 A I signed it January 21st, 2019. 12:59
2 Q And putting --
3 A But this --
4 Q And I can -- we'll just go question and
5 answer. 01:00
6 Putting aside when you signed it, do you
7 know when you created this declaration?
8 MR. QUINN: Objection. Assumes facts not
9 in evidence.
10 BY MR. CHEW: 01:00
11 Q Did you -- is this your statement?
12 A Yeah. I wrote this. This is going back
13 from 2016.
14 Q Did you write it in 2016, or did you write
15 it in 2019? 01:00
16 MR. QUINN: Objection. Leading; assumes
17 facts not in evidence.
18 THE WITNESS: I wrote this in 2016. In
19 fact, everything -- the only time I ever wrote any
20 declaration was in 2016 and that, what I had 01:00
21 written, was even longer and that in the process
22 of -- of, you know, having it, you know, typed, you
23 know, to the lawyer that was Johnny's lawyer back
24 then, whoever it was, it's, you know -- I -- yeah.
25 That's -- this is what I did. Yeah. 01:01

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1 BY MR. CHEW: 01:01
2 Q Did you make the statement in the context
3 of the divorce between Amber and Johnny?
4 A Yeah.
5 MR. QUINN: Objection. 01:01
6 BY MR. CHEW:
7 Q And is that why, if you look at the bottom
8 of both pages, page 1 and page 2, it says marriage
9 of Depp, Los Angeles, case number such and such.
10 A Yeah, yeah. This -- yeah, wrote the whole 01:01
11 thing, you know. I wrote, you know, the entire
12 declaration back then and brought it to -- it was on
13 Sunset, whatever the law firm that he was using was
14 on Sunset and, yeah.
15 Q And did you make -- 01:01
16 A And I remember delivering it and crying,
17 because I was so angry about everything that was
18 going on and, you know -- and, yeah.
19 Q Mr. Baruch, did you make this statement,
20 Baruch Exhibit 1, at a time when you were able to 01:02
21 verify its accuracy?
22 A What do you mean statement? I says I am
23 over the age of 18.
24 Q No. This is Baruch Exhibit 1. Your
25 declaration is called Baruch Exhibit 1. 01:02

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1 A Oh, oh, oh, oh, oh, oh. 01:02

2 Q So my question is --

3 A I thought it was paragraph 1. Sorry.

4 Q Sorry. My mistake.

5 Did you make this statement, this 01:02

6 declaration, Baruch Exhibit 1 --

7 A Yeah.

8 Q -- at a time when you were able to verify

9 its accuracy?

10 A Yeah. 01:02

L 11 Q And the events you were describing in this

12 declaration, Baruch Exhibit 1, had occurred very

IR 13 shortly before you wrote the declaration; correct?

14 A Yeah.

15 Q Okay. And, to your knowledge, sitting 01:02

16 here today, do you believe that what you testified

17 here was true and accurate?

18 A Absolutely.

19 Q Okay. Let's go to -- we're going to show

20 you a brand -- a different document now. We're 01:03

21 going to call it Baruch Exhibit 2.

22 MR. CHEW: So if we could please mark

23 that.

24 (Exhibit 2 marked.)

25 THE WITNESS: This might take a little 01:03

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1 longer to read because it's more than two pages. 01:03
2 BY MR. CHEW:
3 Q Exactly, and I'd like you to take as long
4 as you need because I'm only going to show you one
5 other document after this. So we've got plenty of 01:03
6 time. Just read it to yourself, and let us know
7 when you're ready.
8 A (Reviewing document.)
9 Yeah.
10 Q Mr. Baruch -- 01:12
11 A Wait, wait, wait.
12 Q Oh.
13 A (Reviewing document.)
14 Yeah.
15 Q Mr. Baruch, again, I'm not going to ask 01:12
16 you to restate your testimony. I just have a couple
17 of questions about this declaration which we've
18 called Baruch Number 2.
19 A Okay.
20 Q Directing your attention to the signature 01:12
21 line above your name --
22 A Yeah.
23 Q -- is that your signature?
24 A Yes, it is.
25 Q Did you sign this declaration, Baruch 01:13

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1 Number 2? 01:13

2 A Yeah.

3 Q And when did you sign it?

4 A It says here January 21st, but this is --

5 this was -- this was part of the original 01:13

6 declaration that I -- because there was stuff that

7 was duplicated. This was -- there was a couple -- a

8 couple of things. This thing about the drugstore

9 where I had -- it was said twice. I think that was

10 duplicated. And this was -- this was like a copy 01:13

11 that -- that part of the -- the bigger declaration

12 that I made, that the lawyers then sent back to me,

13 you know, after they made changes or whatever to --

14 you know, for me to proofread and stuff, and it was

15 like, no, you've got to make changes here and here 01:14

16 and here.

17 And then -- then they sent me back another

18 one, you know. It says, no, this is -- this is not

19 right, you know, and then send -- you know, and then

20 they kept -- we kept doing that till it was like, 01:14

21 you know, finally, hey, yeah, okay, this is -- I --

22 this is -- I'm okay with this, because everything

23 here, this is all true. Sure.

24 Q So is it your testimony that you

25 created -- you made this statement back in June of 01:14

1 2016? 01:14

2 A Yeah, yeah.

3 Q Is everything in Baruch Exhibit 2 true and

4 accurate to the best of your knowledge?

5 A Yeah, except for the -- you know, 01:14

6 there's -- you know, something? Where it says the

7 last time I saw Amber was on June 3rd, I could

8 have -- do you know what day that was? Is that --

9 is that supposed to -- it's Friday?

10 Q Unfortunately, I'm not allowed to help you 01:15

11 out.

12 A Oh, sorry.

13 If that's what it is, yeah, because I saw

14 the -- yeah. 22nd. I could have sworn it was --

15 yeah. I'll go along with that, yeah. 01:15

16 Q Other than that, do you see any inaccuracy

17 or potential inaccuracy?

18 A Not really.

19 Q Do you see there appears to be, and I

20 don't want to -- does there appear to be on each 01:16

21 page of this document a light marking that appears

22 to say "draft"?

23 A Yeah.

24 Q Does that refresh your recollection about

25 the relative timing of Baruch 2 and Baruch 1? 01:16

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1	A No.	01:16
---	-------	-------

2 Q I just have one more question about
3 Baruch 2.

4 You testified here that, you said, "I've
5 seen Johnny regularly for the last 37 years with the 01:16
6 exception of when I was living out of state."

7 When were you living out of state?

8 A I left in '98. I left in '98 and moved
9 back here in 2002, the end of 2002. October,
10 November 2002. And -- and then when I went down 01:17
11 to -- when I was living down here in Long Beach. I
12 lived down here in Long Beach for three years.

13 Q Do you recall which years those were?

14 A Yeah. 2007 to '8, 2008 to '9 and 2009 to
15 '10, 2010. I graduated 2010 and then moved back up 01:18
16 to Hollywood. So those three years, it pretty much
17 was, you know, just down here.

18 Q And switching subjects for a moment --

19 A Which could sound like -- which could feel
20 like it's being in another state but... 01:18

21 Q Switching gears, Mr. Baruch, do you recall
22 as of April 2016, did Amber and Johnny have any
23 dogs?

24 A Say that again.

25 Q As of April 2016, when you were all living 01:18

L 1 together at the East Columbia building, did Johnny 01:18
2 and Amber have any dogs?

3 A Yeah. Two dogs.

4 Q What type of dogs?

5 A Pistol and Boo, little teacup -- 01:18
6 (Reporter clarification.)

7 A Pistol and Boo, two baby schnauzers. I
8 don't know what they're -- what breed they are, you
9 know. Tiny dogs.

10 Q How many? 01:19

11 A They were tiny dogs.

12 Q How many pounds did each of them weigh, if
13 you know?

14 A The dog was -- I don't know. The dog is a
15 pound, not even a pound, you know. It's -- if a 01:19
16 strong wind comes, that's it, the dog is gone.

F 17 Q As of April 2016, were both dogs able to
18 climb stairs?

19 A No. They're tiny, you know -- on the
20 stairs, what do -- the dog couldn't get -- the dog 01:19
21 couldn't get on the couch, you know. You've got to
22 lift the dog up to put him up on the couch. The dog
23 definitely can't get on like, you know, anything
24 higher than maybe a -- yeah, no. Had to -- yeah.
25 Not even the stairs I don't think. 01:19

F	1	Q	Could the dog get up on a -- jump up on a	01:19
	2		bed?	
	3	A	No, no. Not at all. No.	
	4		MR. CHEW: I have nothing further for now.	
	5		I may have some questions after Ms. Heard's counsel	01:20
	6		goes, but I will relinquish the chair.	
	7		THE WITNESS: Okay.	
	8		MR. CHEW: Are you hungry now? We have	
	9		lunch.	
	10		THE WITNESS: You know some -- yeah.	01:20
	11		Let's clip it for now.	
	12		THE VIDEOGRAPHER: We're now going off the	
	13		record. The time on the video monitor is 1:20 p.m.	
	14		(Luncheon recess.)	
	15		THE VIDEOGRAPHER: We are now going back	02:06
	16		on the record. The time on the video monitor is	
	17		2:06 p.m. This is the beginning of Media 3 in the	
	18		videotaped deposition of Isaac Baruch.	
	19		EXAMINATION	
	20		BY MR. QUINN:	02:06
	21	Q	Good afternoon, Mr. Baruch.	
	22	A	Good afternoon.	
	23	Q	Again, my name is John Quinn. I'm a	
	24		lawyer at Kaplan Hecker & Fink in New York. I	
	25		represent Ms. Heard.	02:06
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1 I also want to thank you for being here 02:06
2 today, and I'll try to keep this as brief as I can.
3 And as of this morning, I'll try to let you complete
4 your answer before I start my next question, and if
5 you can do likewise, that will keep things easier 02:07
6 for the court reporter and the videographer.

7 A Okay.

8 Q Okay. Great.

9 Mr. Baruch, you've been close friends with
R, ICD 10 Johnny Depp for decades; right? 02:07

11 A Yeah.

12 Q I did the math based on the ages that you
13 mentioned this morning. I think it was about 1980
14 around the time the two of you met. Does that sound
15 right? 02:07

16 A Yeah, '79, '80. Yeah.

17 Q Okay. So you've been close friends for
18 about 40 years?

19 A Yeah.

20 Q Have you ever traveled with Johnny? 02:07

21 A No.

22 Q Have you ever been to his island?

23 A No.

24 Q Other than the East Columbia building that
25 we've talked about today, have you ever lived in an 02:07

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R, ICD

1 apartment owned by Mr. Depp? 02:07
2 A Before the Eastern Columbia building?
3 Q Before or after, yeah. Let's do them one
4 at a time. So prior to that time, did you ever live
5 in an apartment or another residence that Mr. Depp 02:08
6 owned?
7 A Not before. I live in one now.
8 Q Okay. Where do you live currently?
9 A 1472 North Sweetzer Avenue.
10 Q Got it. And is that the same Sweetzer 02:08
11 Avenue that you -- that we referred to this morning?
12 A Yeah.
13 Q Okay. Have you lived there since the time
14 that you moved out of the East Columbia building?
15 A Yeah. 02:08
16 Q Got it. And do you pay any rent at that
17 location currently?
18 A No.
19 Q You're a full-time artist; is that right?
20 A Yeah. 02:08
21 Q Do you have any other jobs or sources of
22 income beyond your profession as an artist?
23 A No.
24 Q And painting is your medium; is that
25 right? 02:08

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1 A Yeah. 02:08

2 Q I poked around online a little bit. I'm
3 just going to mark this set as -- I want to mark
4 this set as Baruch 3.

5 A Bravo. 02:09

6 Q I'm sorry. Baruch 4.

7 A You're a Renaissance man, a great lawyer
8 and a patron of the arts as well.

9 (Reporter clarification.)

10 (Exhibit 3 marked.) 02:09

11 BY MR. QUINN

12 Q Mr. Baruch, I'm just actually taking one
13 step back.

14 A Did you want that? Oh, is this for her?

15 Q That's just an extra copy. I can -- 02:09

16 A Okay.

17 Q Why don't you review that one.

18 A Yeah. I'm good.

19 Q Before we get into the paintings, just one
20 last question on the last subject we were 02:09

21 addressing.

22 For how many years now have you lived
R, ICD 23 rent-free in a home or a residence owned by
24 Mr. Depp?

25 A Six years. 02:10

1 Q Okay. All right. Let's take a look at 02:10
2 these paintings. I think there are photographs here
3 of four pieces of art.
4 Are these all your paintings?
5 A Yeah. 02:10
6 Q And the third one in the set --
7 A Yeah.
8 Q -- appears to be a painting of Donald
9 Trump. Well, I won't even try to describe it. But
10 that -- that painting, that's currently your 02:10
11 Facebook profile picture as well --
12 A Yeah.
13 Q -- is that right?
14 A Yeah, yeah.
15 Q And if you look at the next photo after 02:10
16 that, this is you in the photo; right?
17 A Yeah.
18 Q Okay. Would you say this is a
19 representative sample of your work? Do you do other
20 kinds of painting? How would you -- 02:10
21 A Yeah. This is representative of my work.
22 Absolutely.
23 Q Has Mr. Depp ever bought a painting from
24 you or one of your paintings?
25 A Outright, no. I borrowed money from him 02:10

R, ICD

1 and then gave him paintings. 02:10
2 Q Got it. How many times would you say you
R, H, ICD 3 borrowed money from Mr. Depp?
4 A Oh, multiple times.
5 Q Can you put any kind of number on that? 02:11
6 More than five times?
7 A Oh, yeah. Yeah, yeah. Oh, okay. You
8 want me to -- I was invited to live in Johnny's
9 house. I made a painting back in 2012 that Johnny
10 saw, and he wanted to buy it. And he says when I'm 02:11
11 back in -- you know, when I'm back in California, I
12 want to -- you know, come and show me paintings. I
13 want to buy it.
14 Well, in the process, when I went over to
15 show him paintings, he says, "Listen, I want to be a 02:11
16 patron. And I'll put on a show for you and go live
17 in -- go live downtown and, you know, all
18 that -- you know, you -- it's a huge place, a
19 studio. Go down there and go -- go live and work
20 and put together an art show, put together a series 02:12
21 of paintings." So I said okay.
22 And in the process also, it was that and
23 also some dough. It was like kind of like having a
24 grant, the Johnny Depp grant.

25 Q How many paintings would you say you 02:12

1 create in a year typically? 02:12

2 A Oh, that's -- it's all -- it's all
3 different. It takes different amounts of time.
4 Each painting is different. You know, one painting
5 could take two months. One -- a painting could take 02:12
6 one month. Depends upon the size. Depends upon how
7 many figures are in it. All of that.

8 Q How long a period was it that you were on
R, H, ICD 9 the Johnny Depp grant, as you refer to it?

10 A Well, from the time of -- till I moved 02:13
11 out.

12 Q Until you moved out to Sweetzer or do you
13 mean --

14 A Yeah. Till I got moved, till I got moved
15 to Sweetzer. 02:13

16 Q Okay. So --

17 A Actually beforehand, really, if you think
R, H, ICD 18 about it, because when he -- because there was a
19 point beforehand that he told me, dude, I'm
20 having -- you know, he -- he ended up telling me 02:13
21 about his financial situation, at which -- at which
22 point it was like, well, then let's -- you know,
23 when he told me about his financial situation,
24 the -- you know, for me, what am I going to do
25 is -- you know, the only thing I have to -- to help 02:13

1 him with is the paintings. 02:13
2 So at that point I said, "Listen" --
3 because the deal was he was just going to put on an
4 art show, you know, and then that's that, you know,
5 and for me to make all the money. And when he told 02:14
6 me that, about the -- his financial situation, I
7 says, "Well, dude, let's get rid of these paintings,
8 let's sell them, and let's split the money. It's --
9 you know, it's something for you, you know. And,
10 you know -- because it's got to be a 50/50 thing. I 02:14
11 won't see it any other way, you know."

12 So --

13 Q And when was that? Was that 2012, 2013?
14 What time frame are we talking about?
15 A Oh, jeez, you know, something I can't 02:14
16 remember, but it was me, him, and Amber hanging out
17 and Johnny had come downstairs. Me and Amber were
18 hanging out and -- and yapping. And he came down,
19 and he told me the situation. He said, "Dude,
20 you're not going to believe this." 02:14
21 And I was like, What? You know, I was
22 amazed, just, you know, surprised. And I said,
23 "Dude, I -- you know, take half the money of all
24 these paintings and stuff, you know, because that's
25 the only thing I got." 02:15

R,H,SP,
ICD

1 So from that point on, it was like no 02:15
2 matter what, it was like, you know, take -- take 50
3 percent of the money, which then Amber said, "Hey,
4 that's really nice of you to do that." And I said,
5 "Okay. Well, what's -- this guy has just supported 02:15
6 me, you know, this guy has just given me a roof over
7 my head for who knows how long, you know. He's
8 given me money to eat, you know."
9 So I say -- you know, I mean, I could -- I
10 could probably -- I probably borrowed probably like 02:15
11 around a hundred grand over a period of six years,
12 you know. So...
13 Q That was starting back in 2012, 2013?
14 A 2013, March of 2013.
15 Q Uh-huh. And the conversation you've 02:16
16 described where Johnny came downstairs and told you
17 about his financial situation --
18 A Yeah.
19 Q -- did that take place after you'd moved
20 into the East Columbia building already? You're all 02:16
21 there at that point?
22 A Oh, yeah. Everyone was living there.
23 This was, I want to say 2015. This is after they
24 were married. This is after they got married and
25 like maybe, you know, within the year of them, 02:16

R,H,SP,ICD	1	whenever it was that they got married --	02:16
	2	Q Uh-huh.	
	3	A -- probably within the year. All of the	
	4	sudden that got -- that came up.	
	5	Q Uh-huh.	02:16
	6	A And I was like, well, shit, what do I do?	
	7	What can I do to help, you know? All I've got is	
	8	the paintings, you know.	
R,H,SP,ICD	9	Q What exactly did he tell you about his	
	10	financial situation?	02:17
	11	A Told me that he was told that he was	
	12	broke.	
	13	Q So let me just make sure I've got the	
	14	timeline here. So in early 2013, Johnny invited you	
	15	to live in the East Columbia building rent-free and	02:17
	16	lent you some money --	
	17	A Yeah.	
	18	Q -- with the idea that he would be --	
	19	A Periodically. Periodically, you know.	
	20	You know, when I first walked -- when I first got	02:17
	21	there, it was like, "Hey, you got everything you	
	22	need to do this -- to -- you know, to start painting	
	23	and stuff?" I had paints. I had canvases. I had	
	24	brushes. I had an easel. And he says, Do you need	
	25	some dough? And I said yeah. And gave me dough.	02:17
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1 But -- and then I would -- you know, it's 02:17
R,SP,ICD 2 like a -- I got a budget. He's not a -- he's not a
3 cash cow. He works for his money. So it's like,
4 you know -- and I'm work -- I'm just going to be
5 painting, you know. What am I -- what am I -- 02:18
6 what's my overhead? Food, gas. So I would get
7 money, and then I think maybe the first year I asked
8 him for dough, you know, four times. Yeah. It was
9 probably like around 20 grand a year.
10 Q Was he your sole source of income at this 02:18
11 point?
12 A At that point, yeah.

13 Q Then did Johnny ultimately -- did you have
14 the show that you just --
R,SP,ICD 15 A No. That was the thing. So what happens 02:18
16 is that -- because he -- he said, hey, you know,
17 he's in a financial bind -- or, you know, was told
18 he's broke. So it's like that whole thing got
19 kiboshed.
20 Q Oh, because there was no money to rent the 02:18
21 space or put the show on?
22 A Right. Yeah. It totally got kiboshed.
23 Yeah, exactly. So there was -- you know, there's
24 bigger issues on the -- you know, bigger things on
25 his plate, you know. So it was like, okay, you 02:19

R, ICD

1 know, that's that. 02:19

2 Q Is he still your patron, I think was the
3 word you used, to today?

4 A Yeah.

5 Q Have you sold pieces of art during that 02:19
6 period to other people?

7 A No.

8 Q Okay. Oh, how do you communicate with
9 Johnny? Do you text with each other, have phone
10 calls? What do you -- 02:19

11 A Well, he lives up the block, so yeah.
12 I'll either go walk up the block or I text.

13 Q Ever speak on the phone?

14 A No.

15 Q You mentioned earlier a Sunday where you 02:19
16 went to meet Johnny for a beer in Hollywood and let
17 him know you were heading to Hollywood and wanted to
18 meet for a beer. How would you typically
19 communicate a message like that?

20 A Text. 02:20

21 Q Okay. What about emails? Do you ever
22 send emails to each other?

23 A No.

24 Q Sitting here today, when was the last time
25 you spoke to Johnny? 02:20

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R, MIL, P,
ICE, ICD

1 alcohol? 02:21
2 A Sure.
3 Q What kind of alcohol does he typically
4 drink?
5 A Vodka. You know, I've seen him drink 02:21
6 different things at different times. Vodka, wine.
7 Q Anything else?
8 A Jack Daniels.
9 Q What about champagne?
10 A Yeah, champagne too. I mean, I've drank 02:22
11 it also. We both drank all of those.

12 Q Got it.

R, MIL, P,
ICE, ICD

13 Have you ever seen Mr. Depp drink to
14 excess?
15 A Yeah. 02:22
16 Q Have you seen him in a state that you
17 would describe as drunk?
18 A Yeah.
19 Q How -- how many times would you say?
20 A A couple. 02:22
21 Q What do you mean by a couple?
22 A Definitely, without a doubt, the
23 conversation that I walked in on where he was
24 talking, where he -- where him and Amber were on the
25 phone when she was in New York. 02:22

	1	Q Uh-huh.	02:22
ICD, R, MIL2 P, ICE	2	A And he was definitely drunk there, which	
	3	is why I was getting pissed off that there was even	
	4	a conversation going on, because it's -- why is she	
	5	even trying to have -- or doing -- saying anything,	02:22
	6	goadng him on in that -- in that situation.	
	7	Q Uh-huh.	
	8	A Because she's just pressing his buttons,	
	9	you know.	
	10	Q Right.	02:23
	11	A So he was drunk there, in that situation.	
	12	Other times, yeah. Maybe at his house, and I was	
	13	drunk too.	
	14	Q I just want to pause on that conversation	
	15	for a moment. So I think you said earlier or	02:23
	16	testified earlier that Mr. Depp was accusing	
	17	Ms. Heard of being unfaithful; is that right --	
	18	A Yeah. Yeah.	
	19	Q -- in that conversation?	
	20	Did he frequently get jealous with her or	02:23
	21	accuse her of being unfaithful that you saw?	
	22	A Not that I -- not that I've seen.	
ICD, R, MIL2 P, ICE	23	Q Did he talk to you about that, that he	
	24	thought she might be cheating on him or anything	
	25	along those lines?	02:23
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SP, IO, ICD	1	A	He brought it up, yeah.	02:23
	2	Q	What kinds of things would he say?	
	3	A	Well, from what I can remember, you know,	
	4		just that he thinks that, yeah, she's -- she	
	5		hasn't -- she's been messing around.	02:23
	6	Q	Ever say anything to you about her doing	
	7		nude scenes in films or nude photo shoots or --	
	8	A	No.	
	9	Q	-- wearing revealing clothing?	
	10	A	No.	02:24
SP, IO, ICD	11	Q	Just the unfaithfulness was what he talked	
	12		to you about or his beliefs about it?	
	13	A	Just -- yeah.	
	14	Q	Uh-huh. And in your view, it was not a	
	15		good idea to have any conversation -- for her to	02:24
	16		have any conversation with him about that when he	
	17		was drunk; right?	
	18	A	Well, she wasn't adding -- you know, it's	
	19		one thing if you're going to -- if -- it's -- no. I	
	20		didn't think it was a -- I didn't think it was a	02:24
	21		good idea to have that -- to have any type of	
	22		conversation, because she was not giving him any,	
	23		from what I heard, giving any reassurance.	
	24	Q	I think you said she kept saying, Johnny,	
	25		why are you doing this, right, calling and saying	02:24
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1 why are you doing this; is that right? 02:24

2 A No, no. He wasn't calling her. She
3 kept -- she called him.

4 Q Uh-huh. And she was saying --

5 A And that -- and that she was saying, 02:24
6 What's -- what's the matter, Johnny? Why -- why you
7 doing this, Johnny? What's the matter?

8 Q Uh-huh.

9 A Were you -- what's going on?

10 What's -- you know. 02:25

11 Q Right. And I think your testimony earlier
12 was you were concerned this wasn't going to be a
13 rational conversation --

MS, AF, P,
SP, AA,
ICD

14 A That's right.

15 Q -- is that right? 02:25

16 A That's right.

17 Q What did you mean by that?

18 A It's not going to be a rational
19 conversation. It's pretty self-explanatory. No?

20 Q Well, did you mean that you thought he 02:25
21 might become irrational, in part because he was
22 drunk?

23 MR. CHEW: Objection. Calls for
24 speculation.

25 THE WITNESS: No. It's just -- no. Any 02:25

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1 time -- 02:25

2 MS. BROOK: I'm sorry. I'm going to
3 interrupt. Are you representing the witness?

4 MR. CHEW: I'm representing Mr. Depp.

5 THE WITNESS: Any constructive help -- 02:25

MS,AF,P,
SP,AA,ICD

6 helpful understanding of -- of the -- of a
7 conversation, a constructive conversation to --
8 where, you know, something gets settled and
9 something gets understood, neither side was doing --
10 going there, you know. So that's why I said this 02:26
11 is -- this is a useless -- this is not a -- it's not
12 a conversation.

13 BY MR. QUINN:

14 Q Right.

15 A You know. So... 02:26

16 Q So rather than calling back again and
MS,AF,P, 17 again, your view was she should have waited until he
SP,AA,ICD 18 wasn't drunk to continue that conversation?

19 A Oh, yeah. It was total instigating and
20 goading and completely -- yeah. It was instigating, 02:26
21 goading, pressing buttons. And it was like, "Hey,
22 come on. You're -- you're -- it's -- you're not
23 going to do that to somebody. You don't do that to
24 somebody if you want to have an honest
25 conversation." 02:26

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AA,MS, SP,AF,MIL	1	Q And not when he's drunk; right?	02:26
	2	A That's not a good -- that's -- yeah. I	
	3	would -- I would -- I would agree with that --	
	4	Q Okay. I think you said after you ended	
	5	the conversation, Jerry Judge came into the	02:27
	6	apartment and then stayed with Johnny after you	
	7	left; is that right?	
	8	A Yeah, yeah.	
	9	Q Why did anyone have to stay with Johnny?	
	10	MR. CHEW: Objection to the form of the	02:27
	11	question. Mischaracterizes the testimony.	
	12	THE WITNESS: Didn't have to, but he	
	13	stayed. He was hanging.	
	14	BY MR. QUINN:	
SP,R,ICD	15	Q Uh-huh. Johnny seemed pretty upset at	02:27
	16	that point?	
	17	A Johnny went to sleep.	
	18	Q Sorry. Was Jerry hanging out with Johnny	
	19	or did Johnny go to sleep? I've got my timeline --	
	20	A Johnny went to sleep on the couch. He	02:27
	21	hung out on the couch and he ended up falling	
	22	asleep, and Jerry hung out watching TV. We hung	
	23	out, both me and Jerry hung out yapping and	
	24	afterwards I said, "Dude, I'm tired. I've got to go	
	25	to sleep." So I went home and he stayed sitting on	02:27

MS, P, AA,
ICD

1 the couch watching TV. 02:27

2 Q Was Johnny already asleep --

3 A Yeah.

4 Q -- by the time you left?

5 A He fell asleep on the couch. 02:27

6 Q Would you describe it as passing out?

7 A Just he -- he went out.

8 Q Have you ever seen Johnny pass out from
9 drinking?

10 A No. 02:28

11 Q But you've seen him fall asleep on a couch
12 while other people --

13 A Well that, yeah. I mean, you know
14 something, I would say, yeah, he passed out. On the
15 couch, yeah, he passed out. 02:28

16 Q Did you ever see him throw up from
17 drinking alcohol?

18 A No. When we were younger, we ended up
19 going to a restaurant. We had a vomiting contest.
20 So I saw him there. We had a pissing contest, the 02:28
21 vomiting contest to see who could piss the furthest,
22 who could vomit. We just finished eating eggs, ham
23 and sausage and stuff. So it was a place called the
24 Ham and Eggery in North Miami, Florida. That's the
25 only time I think I've ever seen him vomit. 02:28

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1 MS. BROOK: Let's talk about the dogs. 02:28

2 BY MR. QUINN:

3 Q Has he ever blacked out from drinking, to
4 your knowledge?

5 A I have no clue. 02:28

6 Q Did he ever tell you, "I don't remember
7 what happened last night"?

8 A No.

9 Q You ever seen him in a state where you
10 thought maybe he wouldn't have memory of what was 02:29
11 going on?

12 A Nah. I --

13 MR. CHEW: Calls for speculation.

14 THE WITNESS: I have no clue.

15 BY MR. QUINN: 02:29

16 Q Okay. Have you ever seen Johnny do drugs?

17 A Yeah.

P,MIL,
ICE,ICD

18 Q Which drugs?

19 A Do you consider alcohol a drug?

20 Q Well, we've talked about that one, but 02:29

21 we'll count alcohol, sure.

22 A Alcohol. Cigarettes. I've seen him smoke

23 cigarettes. Marijuana. Seen him smoke marijuana.

24 Q How many times, approximately?

25 A Oh, I have -- who knows. 02:29

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P, MIL, R,
SP, ICE, ICD

1 Q Pretty frequently? 02:29

2 A Yeah. Pretty -- maybe.

3 Q Okay.

4 A Could be.

5 Q What about cocaine? Have you ever seen 02:29

6 Johnny use cocaine?

7 A Yeah.

8 Q Roughly how many times?

9 A Once.

10 Q When was that? 02:29

11 A A couple of years back.

12 Q Remember anything about the circumstances
13 of that?

14 A No.

15 Q And in 40 years of friendship, that's the 02:30
16 only time you ever saw Johnny do cocaine, was that
17 one time a few years back?

18 A To my recollection, yeah.

19 Q Is it possible there were more times that
20 you can't specifically remember, sitting here today? 02:30

21 A To my recollection --

22 Q Just that one time is your best
23 recollection?

24 A Yeah. Pretty much.

25 Q What do you mean by pretty much? 02:30

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1 A Yeah. To my recollection, the best of 02:30
2 my -- the best of my recollection, one time. And I
3 partook in it also.

4 Q What about Ecstasy?

5 A No. 02:30

6 Q You've never seen Johnny take Ecstasy?

7 A No.

8 Q What about pills?

9 A Vitamins, antidepressants.

P,MIL,R
SP,ICE,
ICD

10 Q Uh-huh. What do you mean by 02:31
11 antidepressants? Any specific types of pills that
12 you've seen --

13 A No. To me, it probably looked like
14 vitamins.

15 Q What about OxyContin? 02:31

16 A I never seen him take it, but he
17 definitely was taking roxies. I mean, he -- he
18 ended up taking it for too long, you know. He had
19 to detox off of that stuff.

20 Q Uh-huh. And leaving aside what you've 02:31
21 seen, do you know that Johnny has done, let's say,
22 cocaine more than the time that you've mentioned?

23 MR. CHEW: Objection. Calls for
24 speculation. He's a percipient witness.

25 BY MR. QUINN: 02:31

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1 Q Just leaving aside what you've seen, to 02:31
2 your knowledge, has Johnny done cocaine more than
3 once?

4 MR. CHEW: Same objection.

5 BY MR. QUINN: 02:31

6 Q You can answer. Mr. Chew is making
7 objections, as I did this morning, to preserve the
8 record. But you can answer the question if you
9 understand it.

10 A Yeah. I got no clue if it -- you know, 02:31
11 how many times he's done anything.

12 Q To your knowledge, has he ever done
13 Quaaludes?

14 A Yeah. Me too.

15 Q Did you do Quaaludes together? 02:32

16 A Maybe years ago. Yeah. I mean, that was
17 Quaaludes in the '80s, you know, sure.

18 Q Uh-huh. Is it fair to say, over the last
19 40 years, that Johnny has struggled with drugs and
20 alcohol? 02:32

21 A As we all have, yeah.

22 Q How far back do those struggles go for
23 Mr. Depp?

24 A I couldn't say. I can only talk about
25 myself, you know, in that situation -- 02:32

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1 Q When the -- 02:32
2 A -- you know, because for me I -- I had --
3 I had -- I drank and did drugs since -- I don't know
4 -- '80s and, you know, stuff, and then I got clean
5 and, you know, I stopped doing everything. 02:33
6 Q I don't want to pry into your privacy, and
7 Mr. Depp started this lawsuit; so I want to focus on
8 Mr. Depp.
9 A Yeah.
10 Q In the 40 years that you've been friends, 02:33
11 how far back in those 40 years do -- do Mr. Depp's
12 struggles with drugs and alcohol --
13 A I have no idea what -- I have no idea if
14 he struggled, you know. I have no -- I have no
15 clue. I have no clue. That's for a person to say 02:33
16 what's -- what's -- you know, what's their struggle.
17 Q Uh-huh.
18 A That's for him to say. I have no -- no
19 idea. You know -- you know, it's like how much
20 cottage cheese is too much cottage cheese? For me, 02:33
21 it might be a cup. For you, it might be, you know,
22 three bowls.
23 MS. BROOK: Any.
24 MR. QUINN: For me, it is indeed any.
25 BY MR. QUINN: 02:34

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1 Q Let me ask the question, I guess, a 02:34
2 different way. For the 40 years that you've known
3 Johnny, for how much of that period has he been
4 using drugs and alcohol?
5 MR. CHEW: Objection to the form -- 02:34
6 objection. Vague.
7 THE WITNESS: No clue.
8 BY MR. QUINN:
9 Q Well, when you knew him in the '80s, was
10 he drinking and doing drugs back then? 02:34
11 A Yeah. We all drank. Drugs, drugs I don't
12 think, you know -- that was -- you know -- I don't
13 think so with the drugs, but drinking, we all drank.
14 Q Uh-huh.
15 A Yeah, without a doubt. 02:34
16 Q I think you testified a few minutes ago
17 that Mr. Depp was doing Quaaludes with you in the
18 '80s; right?
19 A Well, yeah, you know, Quaaludes, maybe a
20 Quaalude or whatever, you know, that I know that we 02:34
21 ate, you know. But really drinking, we used to play
22 the clubs together, hang out and play clubs
23 together. Yeah. So...
24 Q Was he smoking pot in the '80s?
25 A I don't remember. 02:35

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1 Q Doing cocaine in the '80s? 02:35

2 A I don't remember.

3 Q You're not sure whether Mr. Depp was doing
4 cocaine in the 1980s?

5 A I -- you know, I don't know. You could -- 02:35
6 you could speculate. It's Miami.

7 Q Well, you were friends and you were there,
8 so I'm asking you under oath.

9 A Yeah. I never -- I never did cocaine with
10 him then. 02:35

11 Q I think you testified that Johnny told you
12 once that Amber had hit him. Do you remember that
13 testimony?

14 A He told me -- what he told me was that she
15 likes to argue and then she hits. 02:35

ICD

16 Q You never actually saw her hit Mr. Depp;
17 right?

18 A No. No.

19 Q And I think you also testified this
20 morning you never heard Mr. Depp yell at Ms. Heard; 02:35
21 is that right?

22 A Say that again.

23 Q I think you testified this morning that
24 you never heard Mr. Depp yell at Ms. Heard; is that
25 right? 02:36

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1 Q Did you ever hear him get frustrated, 02:37
2 raise his voice with Ms. Heard in any respect?

3 A No. In fact, the -- the only time that I
4 remember that -- you know, like I was saying about
5 talking about Whitney, because they were -- they 02:37
6 were trying to figure out how to tell Whitney to
7 leave or what to do and stuff, and he was -- you
8 know, he walked away, so rather than to argue or to
9 raise, you know, his voice. So...

10 Q Uh-huh. So -- 02:38

11 A Because it seemed like it was going there
12 with, you know, what they were planning, Amber
13 and -- and, you know -- so go.

14 Q Do -- when you say that it seems like it
15 was going there, do you mean it seemed like Mr. Depp 02:38
16 was getting frustrated?

17 A No. Her.

18 Q Uh-huh. So in the years that they were
19 together and that you lived next door, no time did
20 you see him become frustrated or raise his voice in 02:38
21 any way whatsoever. That's your testimony?

22 A Yelling at her? No, I never seen him yell
23 at her.

24 Q Well, I was asking a slightly different
25 question about raising his voice in any way or 02:38

1 appearing frustrated. Did that ever happen in the 02:38
2 years that they spent together and that you were
3 around?
4 A I never seen that.
5 Q I want to shift gears a little bit. We've 02:39
6 taken two breaks I think so far during this
7 deposition.
8 A Let's take one now.
9 Q Okay. Sure.
10 THE VIDEOGRAPHER: We are now going off 02:39
11 the record --
12 MS. BROOK: Actually, I think there was a
13 pending question.
14 MR. CHEW: I don't think there was a
15 pending question. 02:39
16 MS. BROOK: Okay. That's fine.
17 MR. QUINN: We can take a break.
18 THE VIDEOGRAPHER: We are now going off
19 the record. The time on the video monitor is 2:39
20 p.m. 02:39
21 (Recess.)
22 THE VIDEOGRAPHER: We are now going back
23 on the record. The time on the video monitor is
24 2:58 p.m. This is the beginning of Media 4 in the
25 videotaped deposition of Isaac Baruch. 02:58

1 BY MR. QUINN: 02:58

2 Q Good afternoon again, Mr. Baruch.

3 A Good afternoon again to you.

4 Q Have you ever talked to Mr. Depp about
5 this lawsuit? 02:58

6 A This -- yeah.

7 Q How many times?

R, ICD 8 A Oh, I don't know.

9 Q Multiple times?

10 A I don't know. 02:59

11 Q Well, was it -- do you remember one time
12 that you spoke to him about this lawsuit, or were
13 there more conversations than just one?

14 A I'd say a -- yeah, a few times. Yeah.

15 Q Okay. When -- when's the first time that
16 you remember talking to Mr. Depp about this lawsuit? 02:59

17 A It's an ongoing thing, you know, from, you
18 know, 2016, you know.

19 Q Uh-huh.

20 A It's an ongoing conversation. 02:59

R, ICD 21 Q Let me ask a different question. When is
22 the most recent time that you can remember speaking
23 to Mr. Depp about this lawsuit?

24 A Oh, probably the last time I saw him,
25 which was the day that, you know, Jeff Beck and me 02:59

IU, ICD	1	and him hung out or whenever when -- and then after,	03:00
	2	you know -- yeah, talk about, you know, the lunacy	
	3	of it all.	
	4	Q What do you mean by the lunacy of it all?	
	5	A All of it. Like I said, this is -- it's	03:00
	6	insane that everything is a house of cards that	
	7	began on a foundation of lies going back to 2016.	
	8	You know, that's the lunacy of it, that, you know,	
	9	you guys are defending a house of cards that's	
	10	sitting on a foundation of lies, and it's -- you	03:00
	11	know, to me it's sad. It's kind of criminal.	
	12	MR. QUINN: Move to strike as	
	13	nonresponsive.	
	14	BY MR. QUINN:	
	15	Q Did Mr. Depp -- is that how he	03:00
	16	characterized the lawsuit to you?	
	17	A That's how I'm characterizing it.	
	18	Q Uh-huh.	
	19	A You asked me if we had -- you know, if	
	20	there was conversation. That's -- I'm saying what	03:01
	21	I'm saying.	
	22	Q Uh-huh. What did Mr. Depp say to you	
	23	about the lawsuit?	
	24	A All -- who -- who remembers? You know, a	
	25	bunch of different things, I'm sure.	03:01
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1 Q What's your best memory of your most 03:01
2 recent conversation? What did Mr. Depp say about
3 the lawsuit in that conversation?

4 A "Gonna win." Yeah.

5 Q He was unsure whether he was going to win? 03:01

6 A No, no, no. That's a statement, "We're
7 going to win."

8 Q Uh-huh.

9 A He's going to win.

10 Q Okay. 03:01

11 A I agree.

12 Q Uh-huh. Was Mr. Beck present for this
13 conversation --

14 A No.

15 Q -- or was it just you and Mr. Beck? 03:01

16 A No, no, no.

17 Q How often would you say you and Mr. Depp
AA, R, ICD 18 talk about this lawsuit?

19 A Like I said before, you know, we've talked
20 about it since -- we've talked about this particular 03:01
21 lawsuit, whenever this came up, we've talked about
22 it a few times.

23 Q Uh-huh.

24 A Yeah. Talking about, but it's -- talking
25 about the entirety of it, where it goes back to, is 03:02

1 from 2016. So... 03:02

2 Q And what's the first time you ever spoke

3 to a lawyer for Mr. Depp about anything relating to

4 Mr. Depp and Ms. Heard?

5 A To a lawyer? 03:02

6 Q Uh-huh.

7 A Was -- I want to say probably like around

8 three weeks to a month, within the month of -- from

9 May 21st, somewhere in the end of June, a little bit

10 before that maybe. Johnny wasn't in town, and he 03:03

11 was touring. And so I had no way of reaching him

12 after I saw all this stuff that happened and that

13 she had put out, and I ended up -- you know, I sat

14 on my hands. What do I do, you know?

15 So -- and I was lucky out of the blue that 03:03

16 another friend of ours, who -- who was part of the

17 tour ended up calling me, saying, hey, what's up,

18 you know, how you doing, and who was with, touring

19 with Johnny. And I ended up saying, hey, this is --

20 look what -- you know, this is one big lie. Look 03:03

21 what's happening, you know. And that's -- I saw

22 bop, bop, bop, bop, bop, bop, bop, you know, all the

23 days that I saw, and I says, "They're taking him,

24 you know. This is a gift, and that I ended -- and

25 then Johnny ended up calling me, and then I told him 03:04

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1 what the scoop was. And then I ended up talking to 03:04
2 a lawyer after that.

3 MR. QUINN: Move to strike the middle
4 portion of that as nonresponsive.

5 BY MR. QUINN: 03:04

ICD 6 Q Did Mr. Depp ask you to speak to a lawyer?
7 A Oh, I don't -- I said, you know, I'm going
8 to give my declaration, you know. Yeah. I'm going
9 to -- I'm going to -- you know, I -- how do I help?

10 I -- you know, I saw everything. 03:04

ICD 11 Q So when you asked how -- how can I help,
12 did Mr. Depp then put you in touch with one of his
13 lawyers for you to speak to?
14 A I believe so.

15 Q Okay. 03:04

16 A Yeah.

ICD 17 Q Who was that lawyer?
18 A What's her name? Blair.
19 Q Is that Blair, Ms. Burke?
20 A Yeah. Yeah. And I spoke with her on the 03:05

21 phone a bunch of times, and then with someone else,
22 you know, who was an assistant of hers I guess.
23 And, yeah, I told her everything that I saw, the
24 whole -- the whole shebang.

25 Q You were -- 03:05

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1 A And that then -- yeah. I finally met her 03:05
2 one day, you know.

3 Q You referred earlier to a meeting in an
4 lawyer's office on Sunset. Do you remember that?

5 A Yeah. That was -- 03:05

6 Q That --

7 A That was after -- yeah. After, you know,
8 I did the whole declaration and stuff, you know, and
9 it was like, yeah, this is -- this is -- this is the
10 story -- 03:05

11 Q Uh-huh.

12 A -- you know, because they -- they were
13 making changes to it, too, not unlike what
14 they -- you know, the changes, the embellishment to
15 it. There's just certain words that is like, you 03:06
16 know what, I don't want that word, whatever, this
17 kind of thing. So, look, it's got to be true, that
18 kind of thing. I'm not insinuating that it wasn't
19 true, but it's just, you know, I won't use that type
20 of language, you know. It's not me. So I don't 03:06
21 like that, you know. And so it's got to be true
22 and, you know.

23 And that then, when it was, you know,
24 done, I -- I had to bring it down. I went to that
25 office and met with some guy, a German I think, 03:06

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1 German name Dieter. A guy named Dieter. Yes. I 03:06
2 think that -- I believe that was his name. And
3 yeah. I gave him the paper and I started crying,
4 because I was so upset.

5 Q Let me just take a step back. I want to 03:06
6 make sure I've got the sequence of events.

7 So you had a phone call with Mr. Depp
8 while he was touring. Then you had a phone call
9 with Ms. Burke, his lawyer. Is that right?

10 A I'm not sure -- I can't remember if -- I 03:07
11 can't remember if the tour finished or, you know, he
12 was -- I don't remember. But from the tour, a
13 friend of ours called me, and -- and then -- oh,
14 then I guess he must have then, was still on the
15 tour when he called me. 03:07

16 Q Who was the friend you referred to?

17 A Bruce Witkin.

18 Q Okay.

19 A Bruce Witkin was on tour --

20 Q Got it. 03:07

21 A -- with Johnny. It's the first Hollywood
22 Vampires tour.

ICD 23 Q And after that first communication with
24 Ms. Burke, who actually typed out the first draft --
25 A Me. 03:07

ICD	1	Q	-- of the declaration? Uh-huh.	03:07
	2	A	Me.	
	3	Q	Can we look again -- could you look at	
	4		Exhibit 2.	
	5	A	All I've got is paintings.	03:07
	6		MR. CHEW: These look to be your copies.	
	7		Though you want Exhibit 2? They have the sticker,	
	8		original sticker.	
	9		MR. QUINN: If those have the stickers,	
	10		great.	03:08
	11		BY MR. QUINN:	
	12	A	Exhibit 2.	
ICD	13	Q	Is Baruch Exhibit 2 the actual document	
	14		that you typed up?	
	15	A	I typed all of this.	03:08
	16	Q	How did you know to put the little numbers	
	17		down the side?	
	18	A	No. Well --	
	19		MR. CHEW: For the record, the numbers are	
	20		on the -- Exhibit 1, just to clear the record.	03:08
ICD	21	THE WITNESS:	Oh, you mean this actual	
	22		paper and stuff? Yeah. No, no, no. This is a copy	
	23		of what I wrote.	
	24		BY MR. QUINN:	
	25	Q	Sorry. Let me take a step back and first	03:08

1 address Mr. Chew's comment. 03:08

2 MR. QUINN: It is not the case that there
3 are only numbers down the side of Exhibit 1. There
4 are numbers down the side of both Exhibit 1 and 2.

5 MR. CHEW: Oh, that's true. I'm sorry. I 03:08
6 thought you were referring to the caption. There's
7 no caption on Exhibit 2.

8 MR. QUINN: I'm referring to the line
9 numbers down the side which appear on both
10 documents. 03:08

11 THE WITNESS: Right.

12 BY MR. QUINN:

13 Q So Exhibit 2, this document, is not in
14 fact what you typed up; correct?

15 A The words are. Not this paper, not the -- 03:09
16 not the numbers and stuff. I wrote everything out.

17 Q In what form?

18 A What do I use? I'm on the computer. It's
19 like PDF. Yeah. I don't know. I'm not computer --
20 you know, whatever is in -- was in that model of PC, 03:09
21 you know -- you know, Notepad or whatever. No.

22 Maybe it was, you know, email. I don't re --
23 actually recall, you know, what program it was. I
24 got the computer. Actually, it's an old laptop.

25 Anyway, yeah. I wrote it, emailed it to 03:09

ICD

ICD

1 them, and then they -- and then they ended up making 03:09
2 some changes and they sent it back to me or whatever
3 the -- you know, print it. And it's like no. I
4 don't like -- I don't like what you're doing here
5 with these words. I -- you know, I don't like that 03:10
6 particular embellishment. You know, it's a colorful
7 word. And it's like I -- no. That's not me. I'm
8 not going to -- look, just try and do as -- you
9 know, keep it to what I'm writing and stuff.
10 And so -- and also the -- I remember the 03:10
11 situation, the problem was that they kept putting
12 some things in different orders or whatever or, you
13 know -- that kind of -- no. That's not right. It's
14 this day, this day, this day. I remember there was
15 an issue. It was like, look, I saw her Monday, 03:10
16 Tuesday, Wednesday. It was -- and that -- and
17 those -- you know, in those days five times or
18 whatever it was in those days we -- we saw each
19 other face-to-face, talked, you know, yakked, and
20 that -- you know, and they was putting in some -- 03:11
21 another day or whatever, just moving the days. And
22 it was like, no, it didn't work out that day. It
23 was -- it wasn't, you know, all the days on one day
24 or all the times I saw her it was all on one day or
25 anything like that. 03:11

1 So to -- it kept going back and forth till 03:11
2 it was like, okay, this is fine, this is -- this is
3 fine, this is, you know -- so -- and that's -- you
4 know, I guess this got -- came -- you know, whatever
5 when it gets printed out, you know, it's got the 03:11
6 numbers.

7 Q How many times did you and the lawyers go
8 back and forth with drafts of the statement?

9 A Oh, you know something? I don't -- I
10 don't recall. 03:11

11 Q Multiple rounds, though, of back and forth
12 exchanging the draft?

13 A Probably like around four.

17 A Oh, I definitely emailed. You know, PDF
18 file; right? That's what they're called. Yeah,
19 yeah, PDF, PDF file.

24 A I think that's something that -- yeah, I
25 didn't start it like that. Yeah. I didn't put that 03:12

1 in -- that's them. It's like, okay, that's part 03:12
2 of -- you know, if that's, like, legalese, you know,
3 yeah, I'm Isaac Baruch. I -- oh, and, yeah, declare
4 as follows. Okay. That was like a heading. Like
5 if I -- you know, I put out -- I wrote everything 03:12
6 and then if there was like a -- you know, if I
7 didn't do the proper -- you know, the date in the
8 left-hand corner type of thing, if that's -- was
9 that, it's like, okay, that's how -- how it's
10 supposed to be, Isaac Baruch declares as follows. 03:12
11 All right. I'll go along with that. I didn't write
12 that.

13 Q Can you -- sitting here today and looking
14 at Exhibit 2, can you be sure at what point in your
15 back and forth with the lawyers this draft is from? 03:13

16 A I could tell you this much: It's not the
17 first one, because the first one was way longer, and
18 I -- I wrote every single -- every single thing that
19 I could have -- you know, that was, you know, like I
20 was living it. And so it was a lot longer. And the 03:13
21 way I talk and what I write, I didn't leave -- you
22 know, there was certain phrases that I used of
23 certain -- you know, whatever. Like if I was -- you
24 know, the shtick. I even wrote that, you know, that
25 kind of thing. The shtick is, or this is, you know, 03:13

1 how I talk. So... 03:13

2 Q So this draft reflects some edits from

3 Mr. Depp's lawyers then; this isn't what you

4 drafted?

5 A This is edits that I okayed and that I 03:13

6 went --- that I'm -- I'm okay with this, yes. Okay.

7 This is what I wrote, yeah.

8 Q Well, this isn't the final version,

9 though; right?

10 MR. CHEW: Objection. Asked and answered. 03:14

11 THE WITNESS: You know something, I don't

12 know. I'd have to see, you know, if there's -- if

13 there's others. Is there something else?

14 BY MR. QUINN:

15 Q We -- Mr. Chew also introduced Baruch 03:14

16 Exhibit 1.

17 A Yeah.

18 Q See Baruch Exhibit 1?

19 A Yeah, yeah, yeah.

20 Q And as Mr. Chew noted a few moments ago, 03:14

21 that has some case-related details down at the

22 bottom. Do you see that?

23 MR. CHEW: Wait a minute. I think he's --

24 I think just to expedite, I think he's referring to

25 that at the bottom. 03:14

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1 BY MR. QUINN: 03:14

2 Q Yes. I'm referring to the writing at the

3 bottom of each page of Baruch Exhibit 1 that refers

4 to a particular litigation which doesn't appear on

5 Baruch Exhibit 2. 03:14

6 Do you see that?

7 A Right. Yeah. Okay. What about that?

8 Q Do you know which of these drafts came

9 first?

10 A No. 03:15

11 Q Do you know whether either of these

12 drafts --

13 A Wait a second. Wait a second. Wait a

14 second. You asked me what comes first. Definitely

15 this I think would come first, because this is just 03:15

16 a more short and concise thing, concise version of

17 it. I got too wordy. I mean, you know, it was --

18 maybe. I'm not sure really, you know.

19 Is there another some -- another one that

20 I -- that I did? 03:15

21 Q Well, let me ask you. Do you still have

22 access to your emails and files from back then?

23 A You know something? This is where I got

24 this from. This is what I printed out, you know,

25 from my -- on my email, all that I had. 03:15

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1 Q When did you do this? 03:16
2 A When -- I sent it to Mr. Waldman. This is
3 going back -- I don't know -- a while back.
4 Q Well, I note that each of these documents,
5 Baruch Exhibit 1 and Baruch Exhibit 2, just above 03:16
6 your signature line --
7 A Oh, wait a second. Wait a second. The
8 date is here. It says January 21st is when I
9 printed out from my email all -- you know, and I
10 just sent him everything. That's when. Right there 03:16
11 is the date, January 21st, probably.
12 Q Let's just look a little more closely on
13 that. So on each of these documents just above your
14 signature block, there's a couple of lines of text
15 which read: "I declare under penalty of perjury 03:16
16 under the laws of the State of California that the
17 foregoing is true and correct."
18 A Yeah.
19 Q Executed this blank day of June 2016 at
20 Los Angeles, California. 03:17
21 A Oh --
22 Q Do you see that?
23 A -- yeah. This was -- this was from, like
24 you -- like you brought up, from the time of Blair,
25 dealing with Blair. 03:17

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1 Q Right. 03:17
2 A So I sent these to Adam on January 21st.
3 Q So --
4 A So I signed it that I'm -- you know, it's
5 January 21st. But this is from -- but this whole 03:17
6 declaration is from 2016.
7 Q Did you sign a final declaration in 2016
8 that you swore --
9 A Oh --
10 Q -- to at that time? 03:17
11 A -- absolutely. You've got to find
12 Mr. Dieter, the German guy who works for Blair's
13 office.
14 Q So you signed some version of this
15 declaration in 2016, but you don't have access to 03:17
16 it; is that right?
17 A I don't know if I have access.
18 Q Did you search your files in
19 preparation --
20 A Oh -- 03:17
21 Q -- for today's deposition?
22 A -- do I have it on email? No. That I --
23 no. The only thing that I have email going back and
24 forth was this.
25 Q But you remembered about four rounds of 03:18

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1 exchange? 03:18

2 A Yeah, something like that. Yeah.

3 Q You were able to find these two?

4 A Yeah. This is the only thing that I kept.

5 Q And you couldn't find a final version -- 03:18

6 A No --

7 Q -- that you signed in 2016?

8 A -- but --

9 MR. CHEW: Objection. Asked and answered.

10 THE WITNESS: Can we get in touch with 03:18

11 Blair and find out?

12 BY MR. QUINN:

13 Q Well, I expect that will be a question for

14 the lawyers, but are you certain that you signed a

15 version of this -- 03:18

16 A Absolutely.

17 Q -- in 2016?

18 A Why would I not turn it in, I mean,

19 unsigned? Or why would I turn it in unsigned if I

20 got to have it signed; right? 03:18

21 Q Can you be sure whether the version --

22 sitting here today, can you be sure whether the

23 version that you signed back then was one of these

24 two documents?

25 A It's got to be some form, because this one 03:18

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1 is definitely shorter than this one; right? So it's 03:18
2 got to be some type of form of -- of it, but it's
3 all -- everything is -- everything is my words
4 except for, of course, you know, there's Isaac
5 Baruch declares as follows: I, whatever, that, you 03:19
6 know.
7 Q Well, you said that you received some
8 drafts from the lawyers that you didn't think were
9 accurate, that were embellishments and other things
10 that you didn't think were correct; right? 03:19
11 A Yeah. Certain words or whatever and that,
12 yeah, I didn't like it. And it was like, yeah,
13 yeah, I -- that's not -- you know, and also datewise
14 was off.
15 Q Sitting here today, can you be sure 03:19
16 whether Baruch Exhibit 2 is one of those drafts that
17 had some embellishments and other details that were
18 incorrect or was in fact a draft --
19 MR. CHEW: Objection.
20 BY MR. QUINN: 03:19
21 Q -- where you were unsure --
22 MR. CHEW: Mischaracterizes his testimony.
23 He testified that both were accurate with one
24 exception, which he corrected on the record.
25 THE WITNESS: Yes. That -- yeah, yeah. 03:19

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1 Everything here is good. Otherwise, I wouldn't have. 03:20
2 let it go.

3 BY MR. QUINN:

4 Q Right. But Baruch Exhibit 2 was a draft
5 that was part of a process of exchange between you 03:20
6 and lawyers that led to a final; right?

7 A Right.

8 Q It's not in fact the final?

9 A You know something? For all anybody
10 knows, unless we get in touch with Blair and get the 03:20
11 signed one that I did that Dieter took, this could
12 be the final one. This could have been.

13 Q Right. But sitting here today, you can't
14 swear that it was; right?

15 A This one exactly? 03:20

16 Q Correct..

17 A The final one? Yeah. Show me the other
18 one, because, you know.

19 Q Did you make an effort to go find it
20 before this deposition? 03:20

21 A Did I call up Blair? No. Because
22 that's -- I think that's -- I -- I think that whole
23 law firm is part of the law firm that Johnny might
24 have a situation with, you know.

25 Q So in January 2019 at some point you went 03:21

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1 into your email, printed these two documents -- 03:21

2 A Yeah.

3 Q -- signed them both and sent them to
4 Mr. Waldman; right?

5 MR. CHEW: Asked and answered three or 03:21
6 four times.

7 THE WITNESS: Yeah.

8 BY MR. QUINN:

9 Q Why did you do that?

10 A Why? 03:21

11 Q Yeah.

12 A I was -- I was asked do I have any -- I
13 was asked do I have anything of -- with a
14 declaration from 2016. I says, yeah, I got -- you
15 know, I think I got it on my email. I saved some of 03:21
16 it. And so I went, and that was that.

17 Q Who asked you that question?

18 A Asked me which question?

19 Q Whether you had a copy of a declaration
20 that you had signed in 2016. 03:21

21 A I think Adam asked me.

22 Q When was the first time you spoke to
23 Mr. Waldman?

24 A I don't recall. I mean, you know, it's
25 got to be this past -- you know, within the year. 03:22

ICD

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	1	Q	Prior to January 21st, 2019 when you	03:22
	2		signed these documents?	
ICD	3	A	Had I ever talked to him?	
SP,R	4	Q	(Nods head.)	
	5	A	I -- yeah. I believe so. I mean, I don't	03:22
	6		know. Did I meet him afterwards? Did I -- I want	
	7		to, like, ask him when, hey, when did we meet? Oh,	
	8		I think I met him --	
	9		MR. CHEW: He doesn't want you to	
	10		speculate.	03:22
	11		THE WITNESS: Oh.	
	12		MR. CHEW: So just do the best you can.	
	13		THE WITNESS: I don't recall. I -- I	
	14		mean, yeah.	
	15		BY MR. QUINN:	03:22
	16	Q	About how many times have you met or	
	17		spoken with Mr. Waldman?	
	18	A	Oh, not very many times. A few times, you	
	19		know.	
ICD	20	Q	Can you give me any approximate number?	03:23
MIL,R	21	A	What's a few?	
	22	Q	I guess I'd ask you that question. What	
	23		do you mean by a few?	
	24	A	A couple is two. A few is four. You	
	25		know, I'll go with -- I'll go with probably a few --	03:23
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1 Q And -- 03:23

2 A -- four.

3 Q -- you believe those meetings all took
4 place within this calendar year, within 2019?

5 A When you say "meaning," what do we mean 03:23
6 "meaning"?

7 Q Well, again, I suppose I'll ask you that
8 question. Had you met with Mr. Waldman? Did you

9 speak on the phone?

10 A I met him in person at Johnny's -- one of 03:23

11 Johnny's houses, on the phone, on the phone I --

12 I -- I don't remember if we talked or we text. And

MIL,R,
ICD

13 what else did -- it could be a couple. Oh, and then
14 the email.

15 Q When you met in person at one of Johnny's 03:24
16 residences --

17 A Yeah.

18 Q -- was Mr. Depp present for that meeting?

19 A It wasn't -- well, hanging out. It was --
20 it was a social thing. Yeah. 03:24

21 Q What do you remember? Who else was there?

22 A Me, Johnny, his sister, Adam, his wife,
23 and the daughter, his daughter. I don't remember
24 his daughter's name. I don't remember his wife's
25 name either. I'm sorry. Sorry about that. 03:24

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MIL, R, ICD

1 Q What was the nature of the discussion? 03:24
2 What do you remember talking about?
3 A Oh, we were talking about everything and
4 anything. We were listening to music. We were
5 listening to tracks that Johnny had just recorded 03:24
6 and -- with Jeff Beck. So we were listening to
7 that. That was a blast. Listening to music and
8 talked about -- what else? Definitely talked about
9 this stuff. We conversed about this stuff. And
10 that's pretty much -- 03:25
11 Q What do you remember about that
12 conversation? Who said what about this case?
13 A We all -- we all had something to say, you
14 know.
15 Q What do you mean? 03:25
16 A What do I mean, you know? It's like,
17 yeah, with -- we're in a law -- there's a lawsuit.
18 There's -- we're going to -- you know, there's --
19 there's a lawsuit going on, you know. What else? I
20 got -- my -- you know something? I don't remember. 03:25
21 Q Was it before the lawsuit was filed?
22 A I don't -- I don't recall. I mean,
23 obviously something was in motion; right? I think.
24 You know I'm saying to you like right, like you
25 know. 03:26

1 Yeah, I don't recall, because I -- I'm not 03:26
2 really sure exactly when this -- this whole thing
MIL,R,SP, 3 started. I don't know when -- I don't know when a
ICD 4 defamation case got started. And I don't know --
5 because I know -- don't know that, how can I judge 03:26
6 when -- if it was maybe before or after? It
7 definitely wasn't before --

8 Q Let me ask it this way.

9 A -- that I remember.

10 Q Was it before or after you found these 03:26
11 documents in your email, printed them, signed them
12 and sent them to Mr. Waldman?
MIL,R,SP, 13 A Wait a second. Wait a second. The what
ICD 14 do you call it, the tracks that were recorded so
15 that John -- we were listening to. The defamation 03:27
16 case was already -- yeah. It was already in --
17 it's -- it was in process. Yeah. This is after
18 that.

19 Q Was it before or after you sent these
20 documents to Mr. Waldman? Did that come later? 03:27

21 A Well, this is from January. What are we
22 in now, October?

23 Q Uh-huh.

24 A Are we October? No, we're in November.
MIL,R,SP, 25 It's November. Thanksgiving is next week or 03:27
ICD

MIL,R,ICD

1 whatever it is. That -- was it before January? No, 03:27
2 it wasn't before January. This is a few -- a bunch
3 of months ago I think. You know, it was six months
4 ago or something within -- no. Who knows? Maybe
5 even less. 03:27
6 Q Okay. Let me make sure I've got it. You
7 met with Mr. Waldman, Mr. Depp, and a few other
8 people at Mr. Depp's residence. People were
9 listening to music, hanging out, and talking about
10 this lawsuit sometime in the past six months? 03:28
11 A I think so, yeah.
12 Q What was -- when's the first time that you
13 remember meeting or interacting in some way with
14 Mr. Waldman?
15 A I just told you. No? It was somewhere 03:28
16 around the -- yeah. I talked to him on the --
17 texted him, and I met him at the -- that might have
18 been the first time that I met him in person.
19 Q When's the first time that you
20 communicated? 03:28
21 A That, I don't -- you know, I don't --
22 maybe -- maybe before that, you know. Yeah. It
23 was -- yeah. I -- yeah. Before that, because then,
24 when we finally met, it was like, hey, it's nice to
25 meet you, you know, finally. Right. So we had 03:28

MIL,R, ICD	1	discussed -- you know, we had talked before, yeah,	03:29
	2	sure.	
	3	Q So when was the first time you talked?	
	4	A God, I don't know the date, you know.	
	5	Q How did you know to print these documents,	03:29
	6	sign them and send them to Mr. Waldman in January	
	7	2019?	
	8	MR. CHEW: Objection to the form of the	
	9	question.	
	10	BY MR. QUINN:	03:29
MIL,R, ICD	11	Q Why did you send these to Mr. Waldman in	
	12	January?	
	13	A He asked me if I had, you know, copies of	
	14	any -- of my original declaration, and I said I'll	
	15	look and --	03:29
	16	Q Okay. So you communicated before January	
	17	21st of 2019?	
	18	A Yeah. How would I know? I can't read his	
	19	mind. Didn't do it telepathically.	
	20	Q Okay. But the in-person meeting took	03:29
	21	place later, as best you recall? The in-person	
	22	meeting that you've described at Mr. Depp's	
	23	residence, that took place later?	
	24	A You know something, I don't remember if it	
	25	was before or after. I think it might have been	03:30
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MIL,R,ICD

1 after. Not really sure. But it was the first time 03:30
2 that I -- that I met him, so it was like, hey, yeah.
3 So who knows? Maybe that could have been.

4 Q And when you were there with Mr. Waldman
5 and Mr. Depp and others, was there discussion about 03:30
6 legal strategy relating to this case?

7 A Oh, not that I remember, you know, but who
8 knows.

9 Q You said there was some discussion about,
10 you know, we're going to win; right? 03:30

11 A Yeah. Yeah, yeah, yeah.

12 Q What else do you recall about that
13 conversation?

14 A We're going to win. Win -- you know,
15 we're going to do -- you know, we're going to win, 03:30
16 and, you know, that's -- who knows if that's even
17 what was said. I'm like, you know, that's the --
18 that's the gist of it. It's like, yeah, it's going
19 to be -- we're going to win this.

20 Q Was anybody -- 03:30

21 A He's going to win this, because how could
22 he not? It's -- you know, she's lying.

23 Q Uh-huh. Who said that?

24 A Well, I'm saying that right now.

25 Q Did anyone say that during the meeting? 03:31

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1 A Oh, probably me. 03:31

2 Q Anyone else?

3 A Who knows. I know that I say it.

4 Q Was anybody consuming any drugs or alcohol
5 during the meeting? 03:31

6 A I was drinking some wine.

7 Q Anyone else?

8 A I'm sure. I'm sure there's others --
9 there was a beer, beer and wine maybe.

10 Q Anything else? 03:31

11 A Not that I recall.

12 Q We've taken, I think, three breaks during
13 today's deposition.

14 A You need one?

15 Q I don't, but I noticed during at least two 03:31

R, P, ICD 16 of those breaks that you were sitting in a closed

17 room with Mr. Depp's lawyers.

18 A Oh --

19 Q Is that right?

R, P, ICD 20 A -- yeah, yeah. 03:31

21 Q You had lunch with them today?

22 A I mean, if you want to call it that. I
23 had a piece of beef.

24 MS. BROOK: We didn't get beef. We just
25 got chicken. 03:32

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1 MR. CHEW: That's a shot at Camille. 03:32

2 MS. BROOK: I thought it was delicious.

3 THE WITNESS: You're more than welcome to
4 go in there and take, you know, what I didn't eat.

5 BY MR. QUINN: 03:32

6 Q And I think this morning when you first
7 walked toward the room I thought I saw you coming
8 down the hallway with Mr. Waldman and Ms. Vasquez;
9 is that right?

10 A I don't know. I don't remember. But go 03:32
11 ahead. Yeah.

12 Q You don't remember this morning?

13 A Oh, yeah, yeah, yeah, yeah. I mean, yeah,
14 we were walking in the hallway, yeah. Okay.

15 Q Did you sit with Mr. Depp's lawyers before 03:32
16 the deposition began?

17 A Yeah.

R, P, ICD 18 Q And then you met with them during the
19 breaks during today's deposition as well?

20 A Yeah. 03:32

21 Q Mr. Chew was in the room?

22 A Yeah, these three (pointing) and Mia --
23 Mona. I'm sorry. And Mona.

24 Q And just so the record is clear, when you
25 say "these three," you mean Mr. Chew, Mr. Waldman, 03:32

R, P, ICD

1 and Ms. Vasquez? 03:32

2 A Yeah. Them and Camille and Adam and Mona.

3 Q For how long did you meet this morning

4 before the deposition?

5 A Oh, I got here probably, like, 10:30. 03:33

6 Actually, I got here maybe a little bit before, but

7 I got off the freeway, the 405, and I couldn't make

8 it into the building, because I had to go to the

9 bathroom. And that -- so I went to the other place

10 and -- and then I popped my head and I came up at 03:33

11 around -- I guess it was around maybe twenty to,

12 something like that, twenty to 11:00, 10:30. I sat

13 with these guys -- or actually, I sat with Ben and

14 Camille, and that -- yeah. And then Adam showed up.

15 Q What did you talk about? 03:33

16 A Oh, they told me, you know, the rigmarole,

17 what's going to be here, this camera, and someone is

18 going to do the -- I've never done this before. So

19 that was my main question. I've never done this.

20 And that just, you know, I'm like excited and 03:34

21 nerved; and, you know, I'm tired, and I got three

22 hours of sleep, you know.

23 And then I have to drive in the rain, and

24 that's kind of tiring, because you -- you know when

25 you're driving in the rain and the sun is out, it's 03:34

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1 kind of snow blind -- you get snow blind a little 03:34
2 bit.

3 And, you know, just -- so they were giving
4 me the lowdown on that you guys are going to be
5 asking questions, they're going to be asking 03:34
6 questions, and just what goes on, you know, what's
7 the -- you know, what's the -- the shtick. We're
8 not coming up with a better word.

9 Q Did you talk about Mr. Depp?

10 A No. 03:34

11 Q Did you talk about Ms. Heard?

12 A No.

13 MR. QUINN: Okay. Why don't we take a
14 short break, if it's an okay time for you.

15 THE WITNESS: Yeah, yeah, yeah. I'd love 03:35
16 to smoke.

17 THE VIDEOGRAPHER: We're now going off the
18 record. The time on the video monitor is 3:35 p.m.

19 (Recess.)

20 THE VIDEOGRAPHER: We're now going back on 03:57
21 the record. The time on is video monitor is 3:58
22 p.m.

23 BY MR. QUINN:

24 Q Good afternoon again, Mr. Baruch.

25 A Yes. Good afternoon again to you. 03:58

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1 Q I'm handing you now what we are marking as 03:58
2 Baruch Exhibit 4.
3 (Exhibit 4 marked.)
4 BY MR. QUINN
5 Q I'll represent to you this is an 03:58
6 architectural drawing of the penthouse floor of the
7 East Columbia building that we were able to find
8 online.
9 Does this look familiar? Are you able --
10 are you able to make any sense of it? 03:58
11 A Well, now I'm going to have to put these
12 on.
13 Huh, okay. I see -- I see the -- I see
14 the pitch now. Yeah. Oh, here's the hallway. I'm
15 looking for stuff. Here's the elevator. Here's the 03:59
16 hallway. Here's five, four, three, two. This is
17 me, and then --
18 Q Mr. Baruch --
19 A -- there's the gym.
20 Q -- I'm just going to hand you a blue pen, 03:59
21 and if I can ask you to mark each of the penthouses
22 you just mentioned on that.
23 MR. CHEW: He's taking my idea. That was
24 my idea.
25 THE WITNESS: There's a hallway, 04:00

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1 Penthouse 2, Penthouse 3, Penthouse 4, Penthouse 5. 04:00
2 This is PH 1. Okay.
3 Do you want this back?
4 BY MR. QUINN:
5 Q No. You can hold onto that because I may 04:00
6 ask you to mark one or two other things.
7 MR. QUINN: And I think what I'd like to
8 do, if we can, is we've marked the unannotated as
9 Baruch Exhibit 5 [sic]. Once we're finished with
10 it, if we could mark the annotated as Baruch 04:00
11 Exhibit 6 [sic]. Great.
12 BY MR. QUINN
13 Q So if I could ask you to focus first on PH
14 2, that's where you lived --
15 A Yes. 04:00
16 Q -- is that right?
17 A Correct.
18 Q And just outside PH 2, there's what
19 appears to be kind of an outdoor area.
20 A Yes. Patios. 04:01
21 Q Right. And then beyond that, if we move,
22 you know, to the left of the document, if we have it
23 aligned where the printed text -- the way the
24 printed text is, is the pool area; right?
25 A Well, first the gym. 04:01

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1 Q Uh-huh. 04:01

2 A And then from the -- then there's a

3 walkway that you have to go through, stairs and a

4 walkway to then enter into the gym -- I mean, to the

5 pool, or you walk around the gym and there's another 04:01

6 entrance into the pool area that you walk upstairs

7 and then go into the pool area.

8 Q And the pool area is elevated, right, from

9 the rest of the roof?

10 A Yeah, probably like around -- I don't 04:01

11 know --four or five steps, yeah. No. No. Maybe --

12 maybe more. Because on some sides it matters where

13 you're going and entering from.

14 Q Right.

15 A It's different -- it's different stairs. 04:02

16 But, yeah, it's elevated. Yeah, yeah, yeah.

17 Q Yeah. There's just on this diagram there

18 seem to be more than just four or five steps, right,

19 as you would head up to the pool? If you -- if you

20 kind of walked out the hallway door by PH 2 and then 04:02

21 along that patio and then turned to go right up to

22 the gym before you get -- sorry -- right up to the

23 pool before you get to the gym, you see there's a

24 staircase there; right?

25 A Say this again. 04:02

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1 Q So if you were -- 04:02
2 A If I'm walking out of Penthouse 2?
3 Q Yeah. If you walked out of Penthouse 2
4 and turned left and went outside --
5 A That's right. I'm going to have to go -- 04:02
6 go down that wall, and then I have to make the turn
7 and then go upstairs.
8 Q Uh-huh.
9 A Yeah.
10 Q And then is that -- what is that? 8, 10 04:02
11 feet up?
12 A No. Less than that. Yeah.
13 Q Okay. You referred to that as a wall.
14 There seem to be these little dots. Were there like
15 planters or something above that? 04:03
16 A Yeah, yeah.
17 Q And those are at the level of the floor of
18 the pool area?
19 A It's been so long. You know something? I
20 can't recall, but go ahead. 04:03
21 Q I'm just trying to get a sense for it.
22 Right outside the door there, you can see
23 on this drawing there's a --
24 A Which door?
25 Q The hallway exit by the door to PH 2, out 04:03

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1 to that area by the wall before the pool area, do 04:03
2 you see there's a marking that says awning number 3?

3 A That you have a circle around?

4 Q That was on the drawing as we found it

5 but, yeah -- 04:03

6 A That's what you're talking about?

7 Q Uh-huh.

8 A That's not a door. That's just a doorway.

9 It's open.

10 Q Open air? 04:04

11 A Yeah.

12 Q Huh. Okay. Is there an awning there?

13 A No.

14 Q This refers to awning number 3?

15 A Not that -- no. They might have put an 04:04

16 awning there after I left. I don't -- you know, I

17 don't remember an awning there.

18 Q All right. Let me ask you to turn your
ICD, IU 19 attention back to Baruch Exhibits 1 and 2.

20 A Okay. What was this, just a non sequitur? 04:04

21 Q We may refer back to it if you'll keep it

22 handy.

23 A Okay. Oh, okay.

24 Q Okay.

25 A So which one? 1 or 2? 04:04

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1 Q Have them both in front of you. We may go 04:04
2 through some things on both of them.

3 A Okay.

4 Q All right. So first on, in Baruch
5 Exhibit 1 -- 04:05

6 A Yeah.

7 Q -- paragraph 2, begins by saying: "I live
8 in a condominium unit owned by respondent John
9 Christopher Depp II (hereinafter "Johnny") at 849
10 South Broadway in Los Angeles." 04:05

11 A Uh-huh.

12 Q See that?

13 A Yeah.

14 Q And similarly, Baruch Exhibit 2 at the
15 beginning of paragraph 1 says: "I live in 04:05
16 Penthouse 2 of 849 South Broadway Street,
17 Los Angeles, California" --

18 A Uh-huh.

19 Q -- right?

20 You signed these documents on January 04:05

21 21st, 2019; correct?

R, P, ICD 22 A Yeah. Copies of this, yeah.

23 Q And as of that date, when you signed these
24 under penalty of perjury, those statements weren't
25 true; right? 04:05

R, P, ICD	1	A In what way?	04:05
	2	Q As of January 21st, 2019, you didn't live	
	3	in -- at 849 South Broadway in Penthouse 2; right?	
	4	A As of January 21st of 2019, no, I didn't.	
	5	Q Okay. So when you signed this document	04:06
	6	that said I live at 849 South Broadway in	
	7	Los Angeles, that statement was not true?	
	8	MR. CHEW: That's completely -- completely	
	9	distorts his testimony. He testified for two hours	
	10	about when these were created and when he signed	04:06
	11	them and why. I mean, really, let's ask some	
	12	questions.	
	13	THE WITNESS: Oh, you mean --	
	14	MR. QUINN: Move to strike Mr. Chew's	
	15	improper commentary.	04:06
	16	THE WITNESS: Oh, okay. So you're	
	17	saying -- is that like a technicality because I	
	18	signed it on the 20 -- I signed this on the 20 --	
	19	January 21st. Then all of the sudden I disappeared	
	20	and I never lived at that address.	04:06
	21	BY MR. QUINN:	
	22	Q I'm just asking, as of the date you signed	
	23	it, is that --	
	24	A Is that like a technical thing?	
	25	Q I'm trying to be precise, I suppose.	04:06
		Page 150	

1 As of the date you signed it, that 04:06
2 statement wasn't accurate; right?
3 A As of that date that I signed it, the -- I
4 lived at that date [sic] for three years it says in
5 there also. 04:07
6 Q And that also wasn't accurate when you
7 signed it?
8 A Well, actually it was -- it was
9 accurate -- the information is accurate. The
10 information is accurate. Whether I signed it 04:07
11 afterwards, is it relevant, because the information
12 is accurate; correct?
13 Q What I'm asking is --
14 A Isn't that the important thing?
15 Q -- you signed this document on January 04:07
16 21st, 2019; right?
17 MR. CHEW: Asked and answered seven times;
18 three by me, four by you.
19 BY MR. QUINN:
20 Q That's right. You signed this on January 04:07
21 21st, 2019?
22 MR. CHEW: Three times.
23 THE WITNESS: The copy -- a copy that I
24 emailed -- that I found in my email, and I signed
25 it, yeah, on January 21st, 2019. 04:07

1 BY MR. QUINN: 04:07

2 Q Okay. And as of that date, those

3 statements weren't correct; right?

4 A Which statements?

5 Q That you then lived at 849 South Broadway 04:08

6 or that you, as of that date, had lived there for

7 the prior three years?

8 MR. CHEW: Asked and answered four times.

9 THE WITNESS: Oh, what did you want it to

10 say, that I lived in a condominium unit owned by 04:08

11 respondent John Christopher Depp rather than I live?

12 Could that be a typo? If you -- I don't think so.

13 Is -- what are you getting at?

14 BY MR. QUINN:

15 Q I'm just asking whether these statements 04:08

16 were true at the time you signed this declaration.

17 MR. CHEW: Asked and answered.

18 THE WITNESS: The information is true.

19 Everything I've said is true here today, to you, to

20 Ben, Mr. Chew, everything. 04:08

21 BY MR. QUINN:

22 Q Let's look at a couple of other statements

23 here. In the -- in Baruch Exhibit 2, in paragraph 2

24 you describe --

25 A Wait, wait, wait, wait. Say this again. 04:09

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ICD

1 Q In Baruch Exhibit 2 -- 04:09

2 A Yes.

3 Q -- the one with the draft watermark across

4 it --

5 A Yes, yes. 04:09

6 Q -- in paragraph 2 --

7 A Yes.

8 Q -- you describe the evening of May 21st,

9 2016; right?

10 A Right, when me and my friend came home. 04:09

11 Q Uh-huh.

12 A Came over and -- right, and saw the wine.

13 You know something? I said in the thing

14 that I saw glass, I saw wine and glass, and then

15 here I said wine. I'm -- possibly there might not 04:09

16 have been the wine glass, busted wine glass. I want

17 to say that there was, but I -- it's not here. But

18 also there was -- the scone was broken, so -- and

19 that I -- that I said, but that's not in here. But

20 go ahead. 04:09

ICD

21 Q This whole description of the May 21st

22 event --

23 A Yeah.

24 Q -- as appears in the -- in Baruch

25 Exhibit 2 -- 04:10

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SP,R,AA,
ICD

1 A Uh-huh. 04:10

2 Q -- there's no discussion of it at all on
3 Baruch Exhibit 1.

4 Do you see that?

5 A It got pared down; right? 04:10

6 Q Yeah. Why was that taken out?

7 A You'd have to ask Blair, because, like I
8 said before, what I wrote was a lot longer and a --
9 and there was a lot more, and they took it out, and
10 they took -- you know, edited some stuff. They got 04:10
11 some dates wrong and stuff, the order of stuff wrong
12 and went back and forth.

13 And then so -- so it was okay. It made
14 it -- it seemed to be okay that -- you know, that
15 I -- to pare down, you know, just to get to the gist 04:11
16 of what needed to be said, what I -- you know, what
17 I was putting across.

18 It's like, you know -- I mean, I could
19 even look at it now.

20 Q I think you've answered my question. Let 04:11
21 me -- let me ask you --

22 A Hold on.

23 (Reviewing document.)

24 Q I think you've answered the question. Let
25 me ask you this: You refer to a friend in your 04:11

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1 description of May 21st and you've referred this 04:11
2 morning to a friend.

3 A Yeah.

4 Q Who was the friend that you were with?

5 A Guy named David Kaylish. Great. Now you 04:11
6 want to call David, huh?

7 Q Another question for the lawyers, I
8 suppose.

9 Let me turn to May 22nd, the next day.
10 That's Sunday; right? 04:11

11 A Yeah.

12 Q And you left your apartment?

13 A Yep.

14 Q You said it was about noon; correct?

15 A Somewhere around there. 04:12

16 Q You encountered two locksmiths, a man in
17 black clothing, Ms. Heard. Does that sound right?

18 A Yeah. And Josh, who was at the door on
19 the inside of the apartment, and Raquel; Rocky was
20 inside doing stuff. 04:12

ICD

21 Q Let me just direct your attention to
22 Baruch Exhibit 2, paragraph 3. You're -- there
23 about three or four lines down you're listing the
24 people that you encountered, and you refer to two
25 locksmiths, an unknown man, Amber Heard, and her 04:12

1 boyfriend Josh Drew. 04:12
2 A Amber Heard and her boyfriend, yeah. See,
3 so, yeah, this was definitely one of those things
SP,R,ICD 4 that I said, like, hey, this is -- there's stuff all
5 wrong, like I was saying before, where they got 04:12
6 dates wrong and they got -- you know, yeah, is Josh
7 Drew Amber's boyfriend? Do you know? Can you tell
8 me?

9 Q I do think I know the answer to that
10 question. 04:13

11 A Were they fooling around with each other
12 or something like that beyond Rocky's back? I don't
13 know. I don't think so. You know, that would --
SP,R,ICD 14 obviously that's Amber's -- I mean, Rocky's
15 boyfriend. So it's like, you know, stuff like that 04:13
16 is like -- that's why it's -- I guess it says draft,
17 obviously, you know.

18 Q Okay. So that's not correct?

19 A No, of course not.

20 Q And if you can go back now to Baruch 04:13
21 Exhibit-- what was the blueprint? Now I'm getting
22 my exhibits mixed up.

23 MR. CHEW: 3, I think. Oh, 4? 4 sorry.

24 BY MR. QUINN:

25 Q Yeah. Baruch -- what we will mark as 04:13

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1 Baruch Exhibit 5, the one that you started to mark 04:13
2 up a little bit.
3 A Okeydoke.
4 Q Could you just put a little 522 [phonetic]
5 exactly where you were when you encountered this 04:13
6 group of people.
7 A Oh, yeah, right here, isn't it? Same
8 place that's right in front of Penthouse 1's door.
9 Q Got it.
10 A The same exact place where the wine was 04:14
11 spilt and going up the wall.
12 Q So just for the record, I'll clarify that
13 we've marked that with a -- or that Mr. Baruch has
14 marked that with an "X."
15 A I'll put a "X." Yeah. "X" marks the 04:14
16 spot.
17 (Simultaneous speakers.)
18 (Reporter clarification.)
19 THE WITNESS: I'm sorry. I'm sorry. Do
20 you know where you missed? Do you want me to say it 04:14
21 again?
22 BY MR. QUINN:
23 Q I think it's okay. I think we've
24 clarified the record on that. Mr. Baruch has marked
25 that spot with an "X." 04:14

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1 I think you said this morning that there 04:14

2 was light in the hallway --

3 A Yeah.

4 Q -- on May 22nd. Where was the light

5 coming from? 04:14

6 A Comes from both sides.

7 Q You mean the hallway lights, is that what

8 you're referring to?

9 A Comes from both sides, and the door is

10 open. They were working on the door. There's -- 04:14

11 see this on the -- this side of the wall? This

12 whole thing is -- is windows, is glass -- there's

13 windows from the kitchen. There's windows -- these

14 are all beautiful, lit places, and, you know, light

15 falls into the -- into the hallway along with 04:15

16 lights.

17 Q Could you describe what Ms. Heard was

18 wearing at that moment in as much detail as you can

19 remember?

20 A If I'm not mistaken, I want to say a 04:15

21 long -- a long, like, hippy dress, hippy gown, you

22 know -- you know what I'm talking about? It's

SP,R,ICD 23 just -- you know, like it's not like a zipper thing.

24 You know, throw it over, put your arms through,

25 whatever, one of those. 04:15

R, ICD	1	Q What color was it?	04:15
	2	A I don't know. I remember the night	
	3	that -- I remember it was beige, the -- a beige	
	4	patterned one from the -- from the night that she	
	5	knocked on my door for the dinner thing, before	04:16
	6	that. But on that day, I'm not exactly sure. But	
	7	if I'm not mistaken, it was, you know, like, you	
	8	know, a hippy -- I say a hippy dress, but that's not	
	9	exactly what you call it, you know. That's not the	
	10	name for it.	04:16
R, ICD	11	Q Okay. Let me just try to be clear. But	
	12	do you remember what color the dress was?	
	13	A Not particularly.	
	14	Q Okay. Do you remember whether she was	
	15	wearing any jewelry?	04:16
	16	A Not particularly.	
	17	Q Do you remember whether she had	
	18	sunglasses?	
	19	A No.	
	20	Q Do you remember whether her hair was up or	04:16
	21	down?	
	22	A Down.	
	23	Q Was it covering any part of her face?	
	24	A No, no. She showed -- it could be at	
	25	points. It could have been at points, you know.	04:17
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1 Q In both -- let me refer you to some 04:17
2 paragraphs again. In Baruch Exhibit 2 --

3 A Yeah.

4 Q -- in paragraph 4, the last sentence.

5 A Well, two paragraph -- it's only one 04:17
6 paragraph. What are you -- what part are you
7 saying?

8 Q Sorry. Let me do -- I may have my exhibit
9 numbers mixed up.

10 In the draft declaration, Baruch 2 -- 04:17

11 A Okay.

12 Q -- paragraph 4 --

13 A Number 4?

14 Q Yes.

15 A Okay. Yeah, yeah. Paragraph 4. 04:17

ICD

16 Q I'm just going to refer you and ask you to
17 read to yourself the last sentence.

18 Do you see that sentence I'm referring to?

19 A (Reviewing document.)

20 Yeah. 04:18

21 Q Okay. And then let me refer you also to
22 Baruch Exhibit 1.

23 A Uh-huh.

24 Q The draft without the watermark on it.

25 And if you look at line 14, see those numbers down 04:18

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ICD	1	the side?	04:18
	2	A Yeah.	
	3	Q In each of these drafts, you're precise to	
	4	say Amber did not appear to be wearing any makeup;	
	5	is that right?	04:19
	6	A Yeah. That's what it says; right?	
ICD	7	Q In each draft, it did not appear she was	
	8	wearing makeup, right, is how you put it?	
	9	A Well, I'm going to tell you what. What I	
	10	wrote originally, she was not wearing a speck of	04:19
	11	makeup, from what I remember, that she wasn't	
	12	wearing a speck of makeup on.	
	13	Q But these drafts say it did not appear;	
	14	right?	
	15	A And so it was -- Amber did not appear to	04:19
	16	be wearing any makeup, it's like, oh, yeah, you	
	17	know, I -- that's a different way of me saying what	
	18	I said. So I'm okay with that. I'll let that go.	
ICD	19	Q You weren't with her when she got ready	
	20	that morning; right?	04:19
	21	A No.	
	22	Q You weren't with her from -- you didn't	
	23	see her go from shower to out the door --	
	24	A No.	
	25	Q -- right?	04:19
			Page 161

ICD

1 A I don't even know if she took a shower 04:19
2 that morning.

3 Q Later that day, you went and saw Mr. Depp
4 in person you said; right?

5 A Yeah. 04:20

6 Q So the rest of the interactions that you
7 described that week all took place after an
8 interaction that you had with Mr. Depp; right?

9 A What other interactions? With anything
10 after May 22nd? 04:20

11 Q Right, all of --

12 A After -- after this that you're saying --

13 Q Correct.

14 A -- in the hallway --

15 Q Right. 04:20

16 A -- while they're changing the locks?

17 Q Right.

18 A Everything else happened after. Then I
19 went to go see Johnny.

20 Q Right. So just to make sure we've got 04:20
21 that, all the rest of those interactions took place
22 after you saw Johnny?

23 A Yeah. I saw Amber in that -- noon or
24 whatever it was, around noon, between noon, 1:00
25 o'clock, something like that. And then I saw Johnny 04:20

ICD

1 afterwards. Then the next time I saw Amber was 04:20
2 Monday.

3 Q When you met with Mr. Depp that day, was
4 it just the two of you?

5 A For a while, for a bit, and then -- you 04:21
6 know something? When I went over there, I had no
7 clue that his mother passed away on Friday night.
8 So -- and he didn't tell me, you know, the second I
9 walked in, and the second I walked in, you know, to
10 sit down with him, I was -- my concern was that, 04:21
11 hey, these -- these guys are changing the locks on
12 the apartments down there, you know, and they told
13 me this, you know, whole story, you know, what
14 happened. And then where he told -- you know, then
15 he told me what he told me. 04:21

16 Q Uh-huh.

17 A And then -- and then he said, by the way,
18 you know, my mother died on Friday. And I was -- I
19 started crying. And it was -- you know, it's like
20 we started talking about a bunch of different 04:22
21 things. So --

22 Q There's no mention of that meeting in
23 either of these drafts. Why is that?

24 A A draft is about the truth of what I saw
25 concerning Amber, you know. I'm not going to -- 04:22

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1 Q Did you -- 04:22

2 A I'm not going to put in, you know, I'm not

3 going to put in, yeah, Johnny was also wearing, you

4 know, two different color socks, you know. So

5 there's nothing about him in there. 04:22

6 Q So you just didn't think it was relevant?

7 A What happened, the conversation between me

8 and Johnny when I went over to his house afterwards

9 to tell him about what was -- what Amber was doing

10 with changing the locks, and what me and Johnny 04:22

11 might have talked about -- was that supposed to be

12 relevant? You're asking me if that's relevant to

13 this declaration that's all about me witnessing

14 about Amber Heard? It's definitely not relevant,

15 yeah. 04:23

16 Q Okay. In the draft declaration, which I

17 think is Baruch Exhibit 2 --

18 A Yeah.

19 Q -- if I can refer you to paragraph 9 right

20 at the end. 04:23

21 A Yeah. Also what's left out of there is --

22 what's left out of there is when I was down in Long

23 Beach, you know, various other times, you know, for

24 shorter periods of time here and there, you know,

25 nothing as extravagant as living in the state, you 04:24

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1 know, and also, you know, even if I wasn't living 04:24
2 out of state, it doesn't mean that I see Johnny, you
3 know. He's all over the place traveling; so, yeah,
4 other than that, that's all good.

5 Q Okay. So I just want to -- I want to ask 04:24
6 you to kind of compare paragraph 9 of that
7 declaration to paragraph 7 of Baruch Exhibit 1.

8 A Physical violence, yeah. They're both
9 true.

10 Q So the one with the draft watermark, 04:24
11 Baruch Exhibit 2, says: "In all the years I've
12 known Johnny Depp, I have never once seen him being
13 in any physical fight or commit any act whatsoever
14 of physical violence."

15 A Yeah. 04:25

16 Q Do you see that sentence?

17 A I even said that before. You know, it's
18 like all the years I've known him, I've never seen
19 him get in a fight.

20 Q Well, in paragraph 7 -- 04:25

21 A I've gotten into fights --
22 (Reporter clarification.)

23 THE WITNESS: But I've never seen him get
24 into a fight.

25 BY MR. QUINN 04:25

1 know, gets the gist of it, that I've never seen him 04:26
2 be violent. I've never seen him physically violent.
3 What happens when you're in a fight? You're
4 physically violent; right? So I leave out the fight
5 and I put in -- just leave physical violence. Makes 04:26
6 sense to me, no?

7 Q Okay. So do I understand you to be saying
8 Mr. Depp's lawyers took that out and you were okay
9 with that change?

10 A I might have even taken it out. I don't, 04:26
11 you know -- and then I could have taken it out or
12 maybe they took it out and I was like I approve
13 that. Because anything that might have been
14 changed, I want -- I needed to approve because I
15 don't want it to be lies. I want it to all be 04:27
16 truth, you know. That's why I had -- I went back
17 and forth, back and forth after I wrote who knows
18 how much, you know. And so then to pare it down,
19 just, you know, get to the gist of the thing. You
20 want this thing to be 40 pages long, or you want it 04:27
21 to be -- you know, it could be two pages and, you
22 know, just as -- has the same information, but I
23 might say it in like, you know, 30 words.

24 Q Have you ever seen Mr. Depp damage any
25 property or break anything? 04:27

1 A No. 04:27

2 Q 40 years you've never seen him break a
3 glass?

A I saw a video -- I saw a video of I think
maybe glass or something broke in the video, the one 04:28
that -- where Amber is goading him on in the
kitchen, where he -- he was obviously upset. His
mother was dying. His mother was sick. He -- he
also that -- where he had finance, he just found out
his financial situation, and he was -- he was not 04:28
too happy, and -- right, and that she was doing,
like, the same thing on the phone in a video that I
saw. I think maybe glass busted in that, I think.
I'm not -- but I could be mistaken.

15 Q When you say glass busted, you mean he 04:28
16 broke glass?

17 A The -- I think maybe a glass might have
18 busted in that when -- because I think that -- if
19 I'm not mistaken, there was a glass that was in
20 front of the phone that she had hidden to try and, 04:28
21 like, capture this, you know -- you know, frame it
22 and spin this situation in a particular way and
23 that -- with what she was recording on the phone.
24 And I think maybe the glass that she, you know,
25 was -- was using to prop the phone, I think maybe 04:29

1 that glass might have broke. I think you see that 04:29
2 in the video, that -- but other than that, I think
3 I've broken a -- maybe I broke a glass or something
4 like that in the house or -- you know, because,
5 yeah. 04:29
6 Did I ever see him break glass? Who
7 remembers. I don't know. You know, stuff happens.
8 It's -- you know, sometimes on the table there could
9 be a zillion things, you know, on the table. You
10 move one thing, you know, you move one thing because 04:29
11 there's so much stuff on. Something is at the edge,
12 yeah, maybe a glass broke. I don't know. An
13 ashtray?
14 MR. QUINN: Move to strike that portion of
15 the answer that speculated as to Ms. Heard's 04:30
16 motivations or mental state as nonresponsive.
17 BY MR. QUINN:
18 Q You've never been in an intimate or
19 romantic relationship with Mr. Depp; right?
20 A No. 04:30
21 Q You never lived -- you never lived --
22 A Hang on a second, because all of that,
23 even to ask that question, all of that comes --
24 reminds me of this, of the paintings that I have,
25 because not too long ago I got a phone call from a 04:30

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1 guy named Paul Barresi, who I think you guys have -- 04:30
2 you know, might be working with you cats or
3 whatever, and that I get a phone call from him. And
4 he calls me up, and he says, "Hey, Isaac, I tried to
5 reach out to you on Facebook. And -- and that I, 04:30
6 you know, I wanted to know if I could come and
7 actually see a raw, if it's showing someplace or if
8 I could come over and see it, because I'm looking
9 to -- you know, I'm looking for an artist and
10 that -- I don't know. You can check me out. I'm 04:31
11 pretty infamous in Hollywood. I used to be in '70s
12 porn."
13 And then he ends up saying, "Yeah, I'm
14 thinking about marketing a T-shirt. I'm thinking
15 about marketing T-shirts. And so if you're 04:31
16 interested, I think it would, you know, be a good
17 buck or whatever."
18 And -- and then he -- and he said, "Hope
19 to hear from you."
20 And I said, "Who is this guy? You know, I 04:31
21 don't know this guy."
22 So I end up going -- he said he reached
23 out to me on Facebook, so I ended up going on my
24 Facebook thing. And sure enough, I -- you know,
25 people want to be your friend or whatever and stuff 04:31

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1 on that thing, and it's like, you know, they -- 04:31
2 whatchamacallit? They -- it's all -- sometimes
3 you -- you say, yeah, okay, or whatever, and the
4 next thing you know, the whole thing is filled with
5 spam. 04:32

6 So unless I -- somebody I know personally
7 or whatever, I don't add it. Anyway, I see the
8 picture and I go to his Facebook page, and, you
9 know, it's very -- it's kind of shady.

10 So then I Google him, and I do all this 04:32
11 research and I find out, oh, my God, this guy is
12 part of the other -- the other lawyer and they're
13 complete shysters, blackmailing, trying to find out
14 dirt, find two parties and they get the dirt on one
15 and try and sell it to the other one and put the 04:32
16 fear in one that they've uncovered something, some
17 lie or whatever, and they start playing back and
18 forth, doing the fear routine with -- you know, to
19 get money, and they get money and stuff.

20 And I says, Look at this guy. This guy is 04:32
21 trying to call -- this -- this guy is trying to get
22 in touch with me. So, you know, he's -- obviously
23 this is a -- this is a -- this is a nice fishhook
24 they're trying to get me on; right? Oh.

25 And so next thing I know, I pay no mind to 04:33

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1 it. But all of the sudden, two weeks later or 04:33
2 whatever it is, I get a phone call -- I get a -- I
3 get an email. Well, actually I get a message on my
4 Facebook. From who? My ex-wife that I was married
5 to for three minutes back in the '80s. And she 04:33
6 calls me -- she -- she messages me out of nowhere
7 saying, Hey, I just got a phone call from some guy
8 named Paul Barresi and he's asking -- you know,
9 trying to find out all kinds of questions and stuff.
10 And I end up calling her and asking about 04:33
11 this guy. This guy tried to -- was saying, Do you
12 know if he's married? And she says -- and she says
13 no. And he says, Well, I think he got married and
14 he's married to a woman named Carmen. And she goes
15 that's -- that's his mother. So anyway, there's 04:34
16 more to it than that, but he was trying to harass
17 her into -- into stuff of trying to find out things
18 about me. And one of the questions that he asked
19 was, Is he gay. Isn't that wacky?
20 Q I'm going to -- 04:34
21 A Isn't that wacky?
22 Q -- to move --
23 A That's so unreal to me. I thought he was
24 interested in -- in marketing T-shirts. So
25 that's -- that's really crazy. 04:34

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1 MR. QUINN: I'm going to move to strike 04:34
2 the entirety of that answer as nonresponsive.

3 BY MR. QUINN:

4 Q My question again was, you've never been
5 in an intimate relationship with Mr. Depp; right? 04:34

6 A No.

7 Q You never lived with him in Penthouse 3?

8 A No.

9 Q You never lived with -- lived in
10 Penthouse 5? 04:34

11 A No.

12 Q You've never shared a residence with
13 Mr. Depp?

14 A No.

ICD 15 Q You weren't on a private plane with 04:35
16 Mr. Depp --

17 A No.

18 Q -- and Amber and a group of other people
19 in May of 2014?

20 A May of when? 04:35

21 Q 2014.

22 A No, but I'll tell you what, I --

23 Q You don't need to tell me anything,
24 Mr. Baruch.

25 A I know. You're getting tired of the 04:35

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1 stories because I know exactly what you're talking 04:35
2 about, that I supplied the chocolate pies for
3 Johnny, Amber, Rocky, and Josh when they took off to
4 go to Paris on -- 2014 on -- that he paid for, for
5 them. 04:35

6 Q Well, I'm asking about a different plane
7 flight in May of 2014.

8 A Yeah. I never --

ICD 9 Q Were you on a flight from Boston to Los
10 Angeles in May of 2014 with Ms. Heard, Mr. Depp, and 04:35
11 others?
12 A No.

13 Q Were you aware that Mr. Depp's longtime
14 assistant apologized to her after that flight for
15 the fact that Mr. Depp had kicked her and been 04:35
16 violent with her on that flight?

17 A I don't know.

ICD 18 Q You didn't travel with Mr. Depp and
19 Ms. Heard to Australia in March of 2015, did you?
20 A No. 04:35

21 Q Were you aware --

22 A I think her father -- her father and
23 her -- her father and her mother did and the dogs,
24 didn't they? I think so.

25 Q I'm asking about you, sir. Did you travel 04:36

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1 to Australia with them in March of 2015? 04:36

2 A No.

3 Q Do you know that Mr. Depp injured his

4 finger during an incident in Australia of March of

5 2015? 04:36

6 A Yes.

7 Q Did he say anything to you about that

8 injury?

9 A Afterwards, after I -- I got in -- he told

10 me that he got -- he -- when he -- because when he 04:36

11 came back to get his finger taken care of and stuff,

12 so I saw him, and what was it? The doctor -- I was

13 over there when the doctor had to do -- clean, you

14 know, and check up on it and stuff like that.

15 That -- of course the big question is, 04:36

16 dude, how did you do that, you know? What the hell

17 happened? He said, Got -- got it caught in the

18 door -- I think it was a door. And later to find

19 out that he was covering for Amber, you know, that

20 later on he told me that she was -- they were 04:37

21 arguing. It was about a prenup agreement that he

22 brought up. You know, there was something about --

23 something that had to do with that kind of thing.

24 And she went ballistic and that she

25 started throwing shit at him. Excuse me. Started 04:37

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1 throwing stuff at him, and she took -- she grabbed a 04:37
2 full bottle of vodka. And he was -- he was on -- on
3 the -- there's a bar, and he was sitting at the bar
4 in the place, and his hand is hanging over like this
5 and that she tossed -- she threw the bottle at him, 04:38
6 and it -- bang, it landed right on his finger and
7 split this finger open. And that's, you know --
8 that's what he told me afterwards, you know.

9 Q When did he tell you that?

10 A He told me that -- I was -- I think I -- I 04:38
11 think I just -- maybe -- just a little bit before I
12 moved.

13 Q So years later?

14 A No. This is -- you know, well, maybe, you
15 know, like a year and change later, two -- yeah. Is 04:38
16 that what happened -- I don't know. When -- what --
17 what time period is that that that happened that
18 they were in Australia?

19 Q Well, I asked about what he told you when
20 they returned in March of 2015. 04:39

21 A Oh, that's -- you know, that's -- we're
22 all still living downtown and he -- they were living
23 downtown.

24 Q What he told you then was that he had
25 caught the finger in a door; is that's right? 04:39

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SP, ICD	1	A Yeah. He said he -- you know, I remember	04:39
	2	something with a door and that, you know, it wasn't	
	3	the -- it was, you know -- it wasn't -- you know,	
	4	it's not -- I -- you know, to save face maybe, you	
	5	know. He wasn't going to say, yeah, you know -- you	04:39
	6	know, she chucked the bottle and, you know, split my	
	7	finger open.	
	8	Q Well, I don't want you to speculate, and	
	9	I'm going to move to strike the second half of that	
	10	answer as nonresponsive.	04:39
	11	A Okay.	
	12	Q I was just asking about what he had done.	
	13	MR. CHEW: Completely responsive.	
	14	MR. QUINN: Then I'll move to strike	
	15	Mr. Chew's improper commentary.	04:39
	16	BY MR. QUINN:	
SP, ICD	17	Q Were you in Penthouse 3 with Johnny and	
	18	Amber or Mr. Depp and Amber Heard on December 15th,	
	19	2015? Do you remember being there that day?	
	20	A December 15th. What is it, 20 --	04:39
	21	Q '15.	
	22	A December 2015, I don't.	
	23	Q Are you aware there were photos of her	
	24	from the day after that with two black eyes?	
	25	MR. CHEW: Assumes facts not in evidence.	04:40
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1 THE WITNESS: Do I -- say that again. 04:40

2 BY MR. QUINN:

3 Q Are you aware that there are photographs
4 of her from the day after that incident with two
5 black eyes? 04:40

6 MR. CHEW: Objection. Assumes facts not
7 in evidence --

8 THE WITNESS: I --

9 MR. CHEW: -- lack of foundation.

10 THE WITNESS: Do you have them for me to 04:40
11 see?

12 BY MR. QUINN:

13 Q No. I'm asking you whether you're aware
14 of them.

15 A Oh. The only thing I'm aware of is the 04:40
16 pictures from People Magazine where they -- a part
17 of People Magazine.

18 Q I'm asking about December of 2015.

19 A Yeah.

20 Q But you've answered the question. 04:40

21 A Are the pictures that -- is there pictures
22 of --

23 Q I think you've answered my question.

24 A Okay.

ICD 25 Q So you weren't with Mr. Depp and Ms. Heard 04:40

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ICD	1	on any of the occasions where she's alleged physical	04:41
	2	abuse took place; isn't that right?	
	3	A Correct.	
	4	Q Okay. And the same is true -- and you	
	5	weren't with them every moment that the two of them	04:41
	6	were together in private?	
	7	A No, no. I was there -- I was there to	
	8	work.	
	9	Q In Penthouse 2?	
	10	A Yeah. Yeah. Yeah. I lived there, and I	04:41
	11	would -- and I would go hang out. They were a	
	12	married couple, you know. They're a married couple,	
	13	you know, doing what their thing is. And that, you	
	14	know, I'm doing what my thing is, you know. I mean,	
	15	I'm not going to waste the guy's money, you know.	04:41
	16	He's -- you know, he's -- he's, you know, sporting	
	17	the bill for me to make art. So, you know, gotta	
	18	respect that, you know.	
	19	And so, yeah, and they -- traveling,	
	20	between Johnny doing, you know, going places and	04:41
	21	stuff like that, you know. How often were they	
	22	actually there. But when they were there, I	
	23	would -- you know, if they were there -- if they	
	24	were there 30 days, I didn't hang out with them 30	
	25	days. That was -- that was Rocky and Josh. Rocky,	04:42
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1 you know, and Josh, they -- every night was a -- you 04:42
2 know, for them is a -- was, you know, drink-fest.
3 But that -- but for -- and I don't really partake,
4 partake, you know. I mean, I have a glass of wine
5 every now and then or I drink a beer every now and 04:42
6 then, but, you know, the girls, you know, that's an
7 everyday affair.

8 But -- so -- but I'm there working. I'm
9 painting, you know. And that, you know, I'm not
10 going to hang out every single day. So if they're 04:42
11 there -- if they're there -- let's say they're there
12 20 days out of the month, yeah. I might see them,
13 you know, half of that, and then half of that and
14 the ten days and out of those ten days, it might be
15 only, you know, dude, what's happening? Just want 04:43
16 to give you a hug, you know. I'm -- you know, I'm
17 busy doing stuff or whatever.

18 Same thing with her, you know. Hello, you
19 know, give a hug and kiss. And then -- you know,
20 and then other times it might be four hours, five 04:43
21 hours, or maybe it's all day. You know, it was --
22 or it was all night, you know.

23 Q Right. And Raquel Pennington and Josh
24 Drew were around them a lot more?

25 A Yeah. They were like, you know, suits. 04:43

IH, SP,
ICD

1 Q And is the same true for Mr. Depp's 04:43
2 previous relationships and marriages, that you
3 weren't always around when he was in private with
4 his --

5 A No. 04:43

6 Q -- girlfriend or wife?

7 A Right, right, correct.

8 Q Okay. Let me ask a different question.

9 If a husband believes that his wife has been
10 unfaithful, do you believe it's okay to hit her? 04:43

11 A No.

12 Q And if a wife yells at a husband, do you
13 believe it's okay for the husband to hit her?

14 A No.

15 Q If a wife yells at a husband when the 04:44
16 husband is drunk, do you believe it's okay for the
17 husband to hit her?

18 A No. I don't think it's right for -- to

19 hit at all, which is why, you know, when he
20 confessed to me that, you know, she likes to hit 04:44
21 when arguing, you know, she likes to argue and then
22 to hit and he says, "Listen, I'm not going to hit
23 her. That's not me. You know that."

24 You know, and my advice was like, Listen,
25 nothing is written in stone. You don't have to stay 04:44

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1 with this girl, you know. You don't have to -- you 04:44
2 don't have to -- you know, there's nothing written
3 in stone that says people have to stay together, you
4 know. Sometimes a relationship only lasts -- you
5 know, could last a night. Could last a year. Could 04:44
6 last, you know, three years. Could last a lifetime
7 or 50 years if people are lucky and they get along
8 with each other.

9 If this is, you know -- this doesn't mean
10 that they got to stay together. So, you know, yeah, 04:45
11 I don't think it's -- yeah, it's not right. You
12 know, I don't think it's right for the wife to hit
13 the husband either. I mean, for what? What's --
14 what's the -- what's the purpose of hitting at all?

15 Q All right. I'm going to -- 04:45

16 A That's where it's lost. That's where a
17 relationship is lost as soon as hitting comes in,
18 unless it's a sexual thing and they're into S&M and
19 that kind of thing, and then that's a consensual,
20 you know, situation. That's not their trip. That 04:45
21 wasn't -- that's not his trip, you know. He's an
22 old-fashioned guy, as he's told me. So...

23 MR. QUINN: All right. I'm going to move
24 to strike that answer as nonresponsive.

25 (Simultaneous speakers.) 04:45

1 THE WITNESS: Oh, jeez, why am I talking 04:45
2 so much if you're going to strike everything?
3 MR. QUINN: He's going back to my
4 question --
5 (Simultaneous speakers.) 04:45
6 MR. CHEW: He can't strike anything. Only
7 the judge can strike something. He's moving to
8 strike because he doesn't like to hear the truth.
9 MR. QUINN: Mr. Chew, that's an
10 inappropriate commentary and I'll move to strike 04:46
11 that commentary.
12 (Simultaneous speakers.)
13 MR. CHEW: That's absolutely true.
14 Absolutely true.
15 MR. QUINN: It is inappropriate and you 04:46
16 know it.
17 MR. CHEW: You just don't like the
18 answers.
19 MR. QUINN: That's inappropriate, sir, and
20 you know it. I'll move to strike your inappropriate 04:46
21 commentary.
22 THE WITNESS: It's okay. Let's just keep
23 going. I don't want to argue.
24 MR. QUINN: I think before we move on, I
25 want to just note for the record our continuing 04:46

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1 objection to the fact that Mr. Depp has produced not 04:46
2 a single relevant communication with this witness.
3 THE WITNESS: Which witness?
4 MR. QUINN: With Mr. Baruch. I'm sorry.
5 I'm just making a note for the record, that 04:46
6 Mr. Depp, despite having many months to do so, and
7 in some respects being under a court order to do so,
8 has produced not a single relevant communication --
9 (Reporter clarification.)
10 MR. QUINN: Has produced not a single 04:46
11 relevant communication relating to Mr. Baruch, has
12 produced not a single transaction document relating
13 to Mr. Baruch, and in other respects has failed to
14 satisfy discovery obligations relating to this
15 deposition. 04:47
16 We've served written objections, and I
17 reiterate those objections for the record.
18 MR. CHEW: We're too busy wading through
19 the hundreds of thousands of documents that you all
20 have produced. 04:47
21 MR. QUINN: Again, object to Mr. Chew's
22 improper commentary.
23 With that I've got no further questions
24 right at this moment, Mr. Baruch.
25 THE WITNESS: Are you sure? You don't 04:47

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1 want to talk about Amber's ambition? 04:47

2 MR. QUINN: I've got no further questions
3 for you at this time, Mr. Baruch.

4 THE WITNESS: Okay. I thought maybe you'd
5 ask me something about, you know, the fact that how 04:47
6 I saw her being a very ambitious person and --

7 MR. QUINN: Mr. Baruch, there's no
8 question pending. I've got -- thank you, sir.

9 MR. CHEW: I have a few -- I have a few
10 questions, and then we'll probably take one quick 04:47
11 break.

12 FURTHER EXAMINATION

13 BY MR. CHEW:

L 14 Q Mr. Baruch, did you want to say something
15 about Ms. Heard's ambition? 04:47

R 16 A Yeah. Very ambitious girl, a very
17 ambitious woman, should I say, and -- and that I
18 remember her father sitting down, having a
19 conversation with her father and her father telling
20 me that, yeah, that, you know, she was -- she was 04:48
21 the person in the family that no one wants to argue
22 with. She always got her way, and, you know, she
23 was very ambitious and very strong-minded, and I
24 always remembered that. And it actually showed in
25 just, you know, what she did in the -- how she ran 04:48

R 1 things in the apartment and stuff, you know. 04:48
2 She completely redecorated the apartment.
3 Once they got married, she completely decorate --
4 redecorated the apartment with all -- instead of art
5 hanging on the walls -- well, I mean, I guess 04:48
6 photographs could be art. I -- I don't want to
7 sound gestalt. But she took all the art down pretty
8 much, a good percentage of the art down, and all
9 that hung up was pictures of, framed pictures of
10 herself and her friends, and some of Johnny also but 04:49
11 a good majority was just of her, and I thought that
12 was very narcissistic. And, yeah, you know, all
13 about she wanted to succeed and --

14 Q Did --

15 A -- how I saw it. 04:49

16 Q Did her father tell you that she had
17 posters of Johnny Depp in her room at home growing
18 up?

19 MR. QUINN: Objection. Leading.

20 THE WITNESS: No, no. That he didn't. 04:49

21 BY MR. CHEW:

22 Q I believe -- I believe you test -- well,
23 let me just ask it. Have you ever seen Ms. Heard
24 drink?

25 A Yeah. 04:49

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1 Q Have you ever seen her drunk? 04:49

2 A You know something? I don't know if she
3 was drunk or not. She held her booze pretty good.

S, F

4 Q Was drinking a daily affair for her?

5 A Well, from when -- you know, from when I 04:50

6 was around, if I -- you know, hanging out, you know,

7 yeah, there would be wine all the time.

8 Q Did she take drugs?

9 A I never saw her take drugs, although one
10 time I remember sitting at the table, me -- I 04:50

11 remember going over there, and me, Johnny, Amber,
12 and Amber's mother were there, and I kind of was
13 wondering, are these guys doing drugs, because I
14 remember her mother's jaw going like -- going pretty
15 damn quick, but, you know, that was -- but I didn't 04:50
16 see anything.

17 Q Mr. --

18 A So I don't know if that's speculation, you
19 know. That guys -- I don't know if these -- you
20 take that out. That could be speculation; correct? 04:51

21 Q Yes.

22 And, Mr. Baruch, I asked you -- in
23 questioning earlier today, you mentioned a
24 hairdresser of Amber's, and you couldn't --

25 A Yeah, yeah, yeah. 04:51


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1 | Q -- remember her name. Was it Melanie 04:51
2 | Iglesias?
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3 A Melanie, yeah, I think that was her name.
4 Melanie -- yeah. Isn't it Melanie? Melanie. She's
5 got the tattoos, her boy -- yeah. I think Melanie, 04:51
6 yeah.

7 Q Did you ever hear about Io Tillet Wright
8 assaulting Rocky Pennington?

9 A You know something? I think I heard
10 something about that, you know. We talked about 04:51
11 that earlier, that I heard maybe after the fact,
12 yeah, you know, like, yeah, that she went off on
13 her, yeah, and hit her.

14 Q Do --

15 MR. QUINN: Move to strike on the grounds 04:52
16 of hearsay; lack of foundation.

17 BY MR. CHEW:

18 Q Do you have any particulars about that, or
19 it's just something you heard?

20 A Oh, it was just, yeah, you know, it was 04:52
21 something maybe brought up, you know, because I
22 wouldn't go to the wedding, so it was like then I
23 had to hear, you know, from people and stuff who
24 went, you know. Yeah, you know, I heard a little
25 bit from Amber, heard a little bit from John. I 04:52

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1 heard a little bit from Whitney. Heard a little bit. 04:52
2 from Rocky. You know, Rocky came over and showed me
3 the pictures, you know, of everything. I heard a
4 little bit from Josh, yeah. And somewhere in there,
5 there was a thing, yeah, Io, you know, 04:52
6 whacked -- you know, there was some -- something
7 that was going on where it was like, yeah, Io
8 whacked the -- Rocky.

9 Q Did Rocky say that Io whacked her?

10 A Oh, I don't remember if it was her, no, 04:52
11 because if she -- if she told me, I probably
12 remember it more in that aspect of, like, yeah,
13 Rocky told me that Io went off on her.

14 Q Did anyone tell you that they had
15 witnessed it? 04:53

16 MR. QUINN: Objection. Calls for hearsay.
17 BY MR. CHEW:

18 Q Did anyone tell you that they actually saw
19 him or her hit Rocky?

20 A Did -- say that again? 04:53

21 Q Well, you said you'd heard stories that it
22 might have happened.

23 A Yeah.

24 Q Did any --

25 A Someone --- 04:53

1 Q Did anyone say that I witnessed him hit 04:53
2 Rocky?
3 A Oh.
4 MR. QUINN: Objection. Leading. Calls
5 for hearsay. 04:53
6 THE WITNESS: Yeah. No, no. It
7 wasn't -- you know, whoever was telling me the story
8 is how I know is like wasn't like, yeah, then I --
9 it wasn't like someone was describing to me, telling
10 me, oh, yeah, then all of the sudden out of nowhere, 04:53
11 you know, I o'clocks Rocky or something like that
12 and, you know, smacks him. No, no, no, no. It was
13 more of this was like, you know, yes, I o'clocks -- you
14 know, I whacked Rocky and --
15 BY MR. CHEW: 04:53
16 Q When Whitney Heard was living at the East
17 Columbia building, did she have a job?
18 A You know something? I don't know.
19 Q When Rocky was living at --
20 A I think -- wait a second. I think, if I'm 04:54
21 not mistaken, I think she was working for an art
22 charity or some charity thing that I think Amber got
23 her this gig at. She was working for an art
24 charity, I think, it might have been, but
25 it's -- yeah, something like that. A charity, if 04:54

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1 I'm not mistaken. 04:54

2 Q What about Rocky? Did she have a job?

3 A Rocky was -- Rocky wasn't working for a

4 while, I believe, and then she start -- and then she

5 started doing yoga. She started teaching yoga, 04:54

6 like, you know, whatever, at a yoga joint, and

7 she -- you know, she started teaching yoga classes.

8 Yeah. And then she, you know, did the beads. I

9 don't know if she sold any beads, you know.

10 MR. CHEW: Well, Mr. Baruch, I thank you 04:55

11 very much for taking the time and entire day to come

12 and testify here. We greatly appreciate it.

13 THE WITNESS: Yeah, yeah.

14 MR. CHEW: It's a pleasure to meet you.

15 THE WITNESS: The same here. 04:55

16 MR. CHEW: Thank you.

17 THE WITNESS: Pleasure to meet all of

18 you, you know. You've all been really nice and

19 asked nice questions, good questions.

20 MR. CHEW: Thank you, sir. 04:55

21 THE WITNESS: And hopefully you -- you

22 derive the truth out of all of it, you know.

23 MR. CHEW: Thank you.

24 THE WITNESS: Okeydoke. And thank you

25 for -- 04:55

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1 MS. BROOK: Josh, why don't you take us 04:55
2 off the record.

3 THE VIDEOGRAPHER: We're now going off the
4 record. This concludes the videotaped deposition of
5 Isaac Baruch. Total media used today was four. 04:55
6 Time on the video monitor is 4:56 p.m. We're now
7 off the record.

8 (Deposition concluded at 4:56 p.m.)

9 (Exhibit 5 marked.)

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DATED this _____ day of _____, 20_____,
at _____, California.

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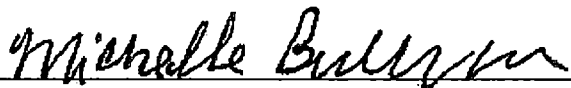
1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were administered an oath; that
8 a record of the proceedings was made by me using
9 machine shorthand which was thereafter transcribed
10 under my direction; that the foregoing transcript is
11 a true record of the testimony given.

12 I further certify that I am neither
13 financially interested in the action nor a relative
14 or employee of any attorney or any party to this
15 action.

16 IN WITNESS WHEREOF, I have this date
17 subscribed my name.

18 Dated: November 25, 2019

19
20
21 

22 MICHELLE BULKLEY

23 CSR No. 13658

24
25 The dismantling of transcript will void Reporter's
certificate.

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