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Transcript of Jack Whigham

Date: January 20, 2021

Case: Depp, II -v- Heard

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VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

- - - - -x

JOHN C. DEPP, II, :

Plaintiff, :

v. : Civil Action No.

AMBER LAURA HEARD, : CL-2019-0002911

Defendant. :

- - - - -x

Videotaped deposition of

JACK WHIGHAM

Conducted Virtually

Wednesday, January 20, 2021

12:09 p.m. EST

Job No.: 344474

Pages: 1 - 198

Reported By: Paul P. Smakula

1 Deposition of JACK WHIGHAM, conducted
2 virtually:
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9 Pursuant to notice, before Paul P. Smakula,
10 Notary Public in and for the State of Maryland.
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12

13

14 ALSO PRESENT:

15 Amber Heard

16 Jean-Louis Ziesch, Videographer

17 Alex Sussman, AV Technician

18

19

20

21

22

C O N T E N T S

EXAMINATION OF JACK WHIGHAM	PAGE
By Ms. Bredehoft	8
By Ms. Vasquez	158
By Ms. Bredehoft	177

E X H I B I T S

(Attached to transcript.)

WHIGHAM DEPOSITION EXHIBITS	PAGE
Exhibit 2 5/27/16 DVRO Request	54
Exhibit 3 1/13/17 Mandel Group Lawsuit	62
Exhibit 4 6/22/17 Emails	71
Exhibit 5 10/17/17 Bloom Lawsuit	82
Exhibit 6 12/7/17 Emails	83
Exhibit 7 Fantastic Beasts and Johnny	85
Email	
Exhibit 8 4/28/18 Emails	91
Exhibit 9 4/28/18 Emails	102
Exhibit 10 5/1/18 Arreola Lawsuit	104
Exhibit 11 6/6/18 Brooks Lawsuit	105
Exhibit 12 6/12/18 Depp v The Sun	108
Exhibit 13 6/12/18 Rolling Stone Article	110

Transcript of Jack Whigham
Conducted on January 20, 2021

6

1	Exhibit 14	City of Lies Release Emails	111
2	Exhibit 15	Accusations versus	115
3		Accountability	
4	Exhibit 16	8/15/18 Email - Defecation	119
5	Exhibit 18	10/1/18 Email - GQ Article	122
6	Exhibit 19	10/26/18 Email	125
7	Exhibit 20	Daily Mail - Hide the Rum	129
8	Exhibit 21	11/8/18 Fantastic Beasts Reviews	130
9	Exhibit 22	12/18/18 Heard Op-Ed	131
10	Exhibit 23	12/20/18 Email - Sparrow Won't	133
11		Return	
12	Exhibit 24	Rouse Email	137
13	Exhibit 25	The Independent Inquiry	138
14	Exhibit 26	3/1/19 Depp v. Heard Lawsuit	139
15	Exhibit 27	Lubin/Cooper Email	140
16	Exhibit 28	4/11/19 Monster Article	147
17	Exhibit 30	UK Judgement - 11/2/2020	149
18	Exhibit 31	Transcript Excerpt	179
19	Exhibit 43	Emotional Abuse Video	186
20	Exhibit 46	Passed Out Photograph	184
21	Exhibit 55	Series of Texts	143
22			

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Transcript of Jack Whigham
Conducted on January 20, 2021

7

1	P R O C E E D I N G S	12:07:13
2	THE VIDEOGRAPHER: It is the beginning of	12:08:45
3	media number one of the videotaped deposition of	12:08:46
4	Jack Whigham in the matter of Johnny Depp, et al.	12:08:49
5	versus Amber Heard, et al. In the Circuit Court of	12:08:53
6	Fairfax County, Case No. CL-2019-0002911.	12:08:58
7	Today's date is January 20th, 2021. The	12:09:08
8	time on the video monitor is 12:09 p.m. Eastern	12:09:14
9	Standard Time. The certified videographer today	12:09:18
10	is Jean-Louis Ziesch, representing Planet Depos.	12:09:20
11	This video deposition is taking place remotely.	12:09:24
12	Would counsel please identify yourself and	12:09:27
13	state whom you represent.	12:09:31
14	MS. BREDEHOFT: Good morning. My name is	12:09:34
15	Elaine Bredehoft, and I represent Amber Heard.	12:09:35
16	MS. VASQUEZ: Good morning. Camille	12:09:39
17	Vasquez on behalf of Mr. Depp. And I'm joined by	12:09:42
18	--	12:09:44
19	MR. CHEW: Ben Chew on behalf of --	12:09:45
20	MS. VASQUEZ: Sorry.	12:09:45
21	MR. CHEW: Ben Chew on behalf of Mr. Depp.	12:09:49
22	MS. MENA: Good morning. Yarelyn Mena on	12:09:50

Transcript of Jack Whigham
Conducted on January 20, 2021

8

1	behalf of Mr. Depp.	12:09:54
2	MR. DERIN: Greg Derin on behalf of the	12:09:56
3	witness, Jack Whigham.	12:09:58
4	MS. VASQUEZ: And I will note for the	12:10:00
5	record that Ms. Heard is also present.	12:10:01
6	THE VIDEOGRAPHER: The court reporter	12:10:04
7	today is Paul Smakula, representing Planet Depos.	12:10:05
8	Would the court reporter please swear in	12:10:08
9	the witness.	12:10:10
10	JACK WHIGHAM,	12:10:10
11	having been duly sworn, testified as follows:	12:10:25
12	THE VIDEOGRAPHER: You may start.	12:10:25
13	MS. BREDEHOFT: Thank you.	12:10:26
14	EXAMINATION BY COUNSEL FOR THE DEFENDANT	12:10:28
15	BY MS. BREDEHOFT:	12:10:28
16	Q Would you please state your name and	12:10:28
17	address for the record, please. And you may use	12:10:32
18	your business address if you're more comfortable.	12:10:33
19	A Sure. My name is Jack Whigham. Currently	12:10:35
20	there's no business address -- address due to	12:10:38
21	COVID. So I can give you a home address if you	12:10:44
22	want.	12:10:47

Transcript of Jack Whigham
Conducted on January 20, 2021

9

1	Q Okay, thank you.	12:10:47
2	A Sure. 2617 4th Street, Santa Monica,	12:10:48
3	California 90405.	12:10:52
4	Q And what is your date of birth?	12:10:54
5	A 7/27/76.	12:10:55
6	Q And what is your occupation?	12:10:59
7	A Currently, I am a manager representative.	12:11:02
8	Q And what does that mean?	12:11:07
9	A It is a -- it is a representative of	12:11:10
10	different kinds of artists -- actors, writers,	12:11:15
11	directors.	12:11:21
12	Q And tell me what you -- in layperson's	12:11:21
13	terms, what do you do on a daily basis as a	12:11:26
14	manager representative?	12:11:28
15	A I represent the interests of artists in	12:11:31
16	pursuit of predominantly artistic endeavors. Film	12:11:39
17	and television.	12:11:46
18	Q Have you ever had your deposition taken	12:11:46
19	before, Mr. Whigham?	12:11:48
20	A I have not.	12:11:49
21	Q Okay. I'm going to be asking you a series	12:11:50
22	of questions. If at any time you don't understand	12:11:52

1	my question, just let me know that. I can	12:11:54
2	rephrase it, repeat it. If I ask you the question	12:11:56
3	and you answer it, I'm going to assume you	12:11:58
4	understood. If at any time you would like to take	12:12:00
5	a break, we're happy to do that. All I would ask	12:12:03
6	is that you make sure to answer whatever pending	12:12:06
7	question there is. I also would ask you to try to	12:12:08
8	answer affirmatively or negatively as opposed to	12:12:14
9	shaking or nodding your head because we have a	12:12:18
10	court reporter and that way we can record that.	12:12:21
11	And that's a -- that's probably a difficult one,	12:12:24
12	especially for someone who's never given a	12:12:27
13	deposition, so I may from time to time say, is	12:12:29
14	that a yes or is that a no? I'm not suggesting	12:12:32
15	what your answer should be, I'm just trying to	12:12:33
16	make sure that we document it.	12:12:35
17	A Okay.	12:12:37
18	Q What have you done to prepare for your	12:12:37
19	deposition today other than I don't want to hear	12:12:39
20	about your communication with counsel?	12:12:40
21	A Nothing.	12:12:44
22	Q Okay. Have you reviewed any documents?	12:12:46

Transcript of Jack Whigham
Conducted on January 20, 2021

11

1 A Not -- no. I haven't gone back and done 12:12:51

2 anything, no. 12:12:55

3 Q Okay. Have -- have you spoken with anyone 12:12:56

4 other than counsel in preparation for your 12:12:59

5 deposition today? 12:13:01

6 A No. 12:13:02

7 Q Have you spoken with Mr. Depp or anyone on 12:13:02

8 Mr. Depp's behalf? 12:13:06

9 A No. 12:13:07

10 Q What exactly is your role in representing 12:13:08
VA

11 Mr. Depp, currently? 12:13:15

12 MS. VASQUEZ: Objection; vague and 12:13:17

13 ambiguous. 12:13:22

14 MR. DERIN: You -- you can answer if you 12:13:22

15 understand. 12:13:24

16 A Currently, I am his manager. 12:13:26

17 Q Have -- when did you first start 12:13:29

18 representing Mr. Depp? 12:13:36

19 A I believe it was 2016. 12:13:38

20 Q Do you recall approximately when in that 12:13:42

21 year? 12:13:45

22 A I don't know, actually. 12:13:49

Transcript of Jack Whigham
Conducted on January 20, 2021

12

1	Q And -- and what role did you have in	12:13:51
VA 2	representing Mr. Depp in 2016 when you began with	12:13:55
3	him?	12:13:55
4	A I --	12:14:03
5	MS. VASQUEZ: Objection; vague and	12:14:03
6	ambiguous. Mr. Whigham, I'm sorry to interrupt.	12:14:05
7	I -- I will at some points object to	12:14:07
8	Ms. Bredehoft's questions. So you're doing a	12:14:10
9	great job so far, but to make this easier on the	12:14:12
10	court reporter, if you could just pause, maybe	12:14:15
11	give me a second or two to state an objection if I	12:14:16
12	have one on the record. And your counsel also may	12:14:19
13	have objections, so I'm sure Mr. Derin would	12:14:21
14	appreciate that two-second delay.	12:14:28
15	THE WITNESS: No problem. Sorry.	12:14:32
16	MS. VASQUEZ: No, nothing to apologize	12:14:32
17	for.	12:14:33
18	Q Do you remember the question?	12:14:33
19	A I do. I was employed at CAA and I was one	12:14:34
20	of Johnny's agents.	12:14:40
21	Q And who were the other agents of Johnny at	12:14:44
22	the time that you became employed by him in 2016?	12:14:50

Transcript of Jack Whigham
Conducted on January 20, 2021

13

1	A Christian Carino and Bryan Lourd.	12:14:53
2	Q And what was your role at that time in	12:14:59
3	representing Mr. Depp? And by this I mean what	12:15:03
4	were you doing for him, effectively?	12:15:09
5	A Predominantly helping him with movie and	12:15:12
6	television pursuits.	12:15:19
7	Q And who was the person responsible for	12:15:21
8	bringing Johnny Depp to CAA?	12:15:26
9	MS. VASQUEZ: Objection; assumes facts not	12:15:29
10	in evidence; lacks foundation.	12:15:33
11	A Yeah, I don't understand the question	12:15:38
12	necessarily. I don't think anyone brought him to	12:15:40
13	CAA.	12:15:43
14	Q Oh, I'm sorry. When I was talking with --	12:15:44
15	we -- we took Mr. Carino's deposition yesterday	12:15:47
16	and I -- I thought that he explained that there is	12:15:50
17	a person who's centrally in charge of the talent,	12:15:54
18	the one who's responsible for bringing them in;	12:15:59
19	did -- did I misunderstand that?	12:16:02
20	A My understanding would be a slight	12:16:05
21	misunderstanding of that --	12:16:08
22	Q How is it done?	12:16:09

Transcript of Jack Whigham
Conducted on January 20, 2021

14

1 A Johnny was previously represented at a --
2 an agency called UTA. I believe he let them go,
3 fired them, and then he took a meeting with us and
4 then subsequently signed.

5 Q At the time that you became one of
C,VA 6 Mr. Depp's agents in 2016, did he have any roles
7 currently in -- in play?

8 MS. VASQUEZ: Objection; compound.

9 MR. DERIN: Objection; vague and
10 ambiguous.

11 MS. VASQUEZ: It's vague and ambiguous as
12 to roles.

13 MR. DERIN: And in play. I don't --

14 MS. VASQUEZ: And in play. If you
15 understand the question.

16 A He had recently performed in, I believe,
17 one movie that had not been released yet.

18 Q And what was that? Which movie was that?

19 A That was -- the -- there's been many
20 titles to it, we were kind of calling it the
21 Biggie films about Biggie Wallace.

22 Q Biggie Wallace?

12:16:11

12:16:16

12:16:22

12:16:25

12:16:28

12:16:34

12:16:40

12:16:45

12:16:47

12:16:47

12:16:47

12:16:49

12:16:50

12:16:53

12:16:59

12:17:00

12:17:08

12:17:15

12:17:28

12:17:31

12:17:34

12:17:38

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Conducted on January 20, 2021

15

1 A The -- the rapper. 12:17:40

2 Q Okay. Mr. Whigham, you just consulted 12:17:41

3 something. What do you have with you right now? 12:17:44

4 A IMDB printout, one sheet of Johnny's 12:17:52

5 films. 12:17:57

6 Q Do you have anything else? 12:18:00

7 A No. 12:18:01

8 Q Okay. I would just ask that if you do 12:18:01

9 consult it, that you just let us know that you are 12:18:06

10 consulting it. Okay? 12:18:08

11 A Okay. 12:18:09

12 Q We can't see that. Usually when we're 12:18:10

13 taking a deposition, everybody's in a conference 12:18:13

14 room and everything's open. We're at a little bit 12:18:16

15 of a disadvantage here with Zoom. Okay. Did 12:18:19

16 Biggie Wallace get released after that? 12:18:25

17 A It's a complicated answer because it was 12:18:26

18 released in a few territories, foreign, and not 12:18:30

19 released in the majority of territories still. 12:18:34

20 FSPK, AF Q And why was that? 12:18:39

21 MS. VASQUEZ: Objection; calls for 12:18:41

22 speculation, assumes facts not in evidence. 12:18:44

Transcript of Jack Whigham
Conducted on January 20, 2021

16

1 Q What was your understanding why that was?

12:18:45

2 A The initial problem back in 2016 was the

12:18:49

FSPK

3 distributor -- I believe that it was Open Road,

12:18:59

4 was having financial difficulties and subsequently

12:19:02

5 filed bankruptcy.

12:19:07

6 Q Okay. Had Pirates 5 -- I think if we call

12:19:09

7 these Pirates 5, Pirates 6, are you comfortable

12:19:20

8 with what that means if I use that terminology as

12:19:25

9 opposed to the long titles of the Pirates of the

12:19:27

10 Caribbean movies?

12:19:28

11 A If I'm just understanding Pirates -- the

12:19:29

12 most recent Pirates that Johnny was in would be

12:19:32

13 Pirates 6?

12:19:38

14 Q Actually, I think it's Pirates 5.

12:19:38

15 A Five. Sorry.

12:19:42

16 Q So --

12:19:42

17 A Then yes, I -- I can --

12:19:44

18 Q Okay. Okay. And if you have questions,

12:19:45

19 you let me know. Let's -- we want to make sure

12:19:47

20 we're on the same wavelength. And I'm not trying

12:19:48

FSPK, AF

21 to trick you or anything. So when was Pirates 5

12:19:53

22 released?

12:19:56

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Transcript of Jack Whigham
Conducted on January 20, 2021

17

1	MS. VASQUEZ: Objection; lack of	12:19:56
2	foundation; assumes facts not in evidence.	12:19:58
3	A I don't -- I don't remember when it was	12:20:05
4	released. He shot it before he was represented at	12:20:05
5	CAA.	12:20:10
6	Q When Mr. Depp moved to CAA from UTA, what	12:20:11
7	did that do with respect to the compensation that	12:20:18
8	was paid to the agency? In other words, just to	12:20:24
9	be very specific, if there was a contract that was	12:20:29
10	going on with something at UTA and he -- and they	12:20:33
11	received a certain commission and the agents	12:20:38
12	received certain commissions, how was that	12:20:42
13	impacted by a move to CAA?	12:20:44
14	MS. VASQUEZ: Objection; vague and	12:20:47
15	ambiguous; and lack of foundation.	12:20:49
16	MR. DERIN: Overbroad and compound also.	12:20:51
17	MS. VASQUEZ: Join.	12:20:54
18	A The commissions for all deals negotiated	12:20:57
19	prior to CAA went to UTA.	12:21:03
20	Q And so any compensation that CAA received	12:21:12
21	based on Mr. Depp's work would have been for	12:21:17
22	anything he signed on after he came to CAA; is	12:21:20

Transcript of Jack Whigham
Conducted on January 20, 2021

18

1	that correct?	12:21:26
2	A Correct.	12:21:26
3	Q Okay. So what was the first deal that you	12:21:27
4	recall CAA signing on with Mr. Depp once he came	12:21:34
5	over in 2016?	12:21:37
6	MS. VASQUEZ: Objection; vague and	12:21:39
7	ambiguous as to deal.	12:21:40
8	MR. DERIN: Sorry, can I hear the question	12:21:42
9	back, Paul?	12:21:44
10	MS. BREDEHOFT: Sure. Paul, can you?	12:21:45
11	(Requested portion read back.)	12:21:45
12	MR. DERIN: Objection; vague and	12:21:59
13	ambiguous. When you say CAA signing on, do you	12:22:00
14	mean CAA negotiating or?	12:22:04
15	MS. BREDEHOFT: I'll -- I'll rephrase it.	12:22:07
16	Q Once Mr. Depp came on board to CAA in	12:22:08
17	2016, what is the first business opportunity CAA	12:22:14
18	was able to -- to close with Mr. Depp?	12:22:22
19	A The first I remember is I believe a film	12:22:34
20	called -- now called The Professor. It had a	12:22:37
21	couple of different titles.	12:22:41
22	Q And what studio was involved with that?	12:22:43
AF		

Transcript of Jack Whigham
Conducted on January 20, 2021

19

1 MS. VASQUEZ: Objection; assumes facts not 12:22:47
2 in evidence. 12:22:49

3 A There was no studio. 12:22:52

4 Q Okay. Who was producing that? 12:22:53

5 A It was an independent feature. And I 12:22:57
6 don't remember the producers. 12:23:04

7 Q And did that ultimately get released? 12:23:14
VA

8 MS. VASQUEZ: Objection; vague and 12:23:17
9 ambiguous. 12:23:21

10 A It was sold to a distributor, a -- a 12:23:21
11 smaller distributor that I don't remember. 12:23:26

12 Q Do you recall how much Mr. Depp received 12:23:30
13 as a result of The Professor, how much he was 12:23:36
14 paid? 12:23:39

15 MS. VASQUEZ: Objection; vague and 12:23:40
16 ambiguous. 12:23:42
O

17 A If -- if memory serves me, I think it was 12:23:45
18 3.5 million. 12:23:58

19 Q Now, did CAA have a 10 percent arrangement 12:23:59
FSPK, 20 with Mr. Depp that they would receive 10 percent 12:24:04
VA 21 of what he was paid? 12:24:08

22 MS. VASQUEZ: Objection; vague and 12:24:10

Transcript of Jack Whigham
Conducted on January 20, 2021

20

1	ambiguous; lack of foundation.	12:24:13
2	A My understanding is it was a 10 percent	12:24:23
3	commission.	12:24:26
4	Q And any commission that you received or	12:24:26
VA, 5	Mr. Lourd received or Mr. Carino received came out	12:24:28
IP, 6	of that 10 percent; is that correct?	12:24:32
AF		
7	MS. VASQUEZ: Objection; vague and	12:24:35
8	ambiguous; invades the witness's right to privacy.	12:24:38
9	I don't know if Mr. Derin has any other	12:24:42
10	objections.	12:24:45
11	MR. DERIN: Objection; vague -- vague and	12:24:46
12	ambiguous; and assumes a fact.	12:24:47
13	A Yeah, that's not how it works. The	12:24:50
14	commission goes to the agency and it's not	12:24:53
15	individualized.	12:24:57
16	Q So how are you compensated for work with	12:24:58
17	Mr. Depp?	12:25:06
18	MS. VASQUEZ: Objection; vague and	12:25:06
19	ambiguous; and invades the witness's right to	12:25:09
20	privacy.	12:25:12
21	MR. DERIN: And further objection; assumes	12:25:13
22	a fact that the witness received some compensation	12:25:15

1 for work with individual clients.

12:25:17

2 A Yeah, there's not an -- an easy
3 correlation for a specific commission to an agent
4 like myself.

12:25:26

12:25:28

12:25:30

5 Q So if I'm understanding correctly then,
6 Mr. Depp in receiving, for example, 3.5 million
7 for The Professor, would pay 10 percent to CAA of
8 that 3.5 million, and he did not pay you a
9 separate amount out of that 3.5 over and above
10 whatever was paid to CAA; is that correct?

12:25:32

12:25:36

12:25:40

12:25:45

12:25:51

12:25:54

11 A That's correct.

12:25:58

12 Q Okay. After -- are you able to list the
13 roles -- and what I mean by roles is any
14 television or movie roles that Mr. Depp was --
15 were discussed with him or that he was actually
16 signed on to after he came over to CAA?

12:25:58

12:26:10

12:26:15

12:26:22

12:26:25

17 A Yes.

12:26:31

18 Q Okay. And -- and the reason I'm asking it
19 that way is I'd like to move this a little
20 quicker. So I'd -- I'd like to just ask you if
21 you could go ahead and list the roles that he has
22 had from 2016 to the present while with CAA and

12:26:32

12:26:34

12:26:38

12:26:42

12:26:44

Transcript of Jack Whigham
Conducted on January 20, 2021

22

1	with you?	12:26:49
O 2	MS. VASQUEZ: Just vague and ambiguous --	12:26:49
3	objection; vague and ambiguous as to roles. But	12:26:52
4	if you understand the question, Mr. Whigham.	12:26:54
5	A So as we stated --	12:26:57
6	MR. DERIN: I'm just going to interpose an	12:27:00
7	objection; vague and ambiguous. I assume you mean	12:27:01
8	roles procured by CAA, not roles he played while	12:27:04
9	at CAA?	12:27:18
10	MS. BREDEHOFT: Correct. Thank you.	12:27:18
11	Q With that caveat?	12:27:19
12	A That would be The Professor, that we just	12:27:20
13	discussed, and Waiting For the Barbarians, and the	12:27:25
14	third one would be Minamata.	12:27:29
C, 15	Q Now, when I asked that question, I realize	12:27:33
VA, 16	you have since left CAA. Does that include all	12:27:44
AF 17	the work that has been acquired by CAA or your new	12:27:47
18	company for Mr. Depp since you started	12:27:51
19	representing him in 2016?	12:27:53
20	MS. VASQUEZ: Objection; vague and	12:27:54
21	ambiguous; compound; and assumes facts not in	12:27:56
22	evidence.	12:27:59

Transcript of Jack Whigham
Conducted on January 20, 2021

23

1 Q Do you understand my question? 12:27:59

2 A I do. Do you want me to answer? 12:28:02

3 Q Yes, please. 12:28:05

4 A It's -- that's everything. 12:28:06

5 Q Okay. And The Professor was approximately 12:28:08

FSPK, VA 6 what year? 12:28:12

7 MS. VASQUEZ: Objection; vague and 12:28:16

8 ambiguous. 12:28:20

9 A I think he shot it in 2017, but I'm not 12:28:20

FSPK 10 totally sure on that. 12:28:27

11 Q Okay. And what year was Waiting For the 12:28:30

12 Barbarian? 12:28:32

13 A I believe he shot that in 2018, but that 12:28:35

14 should be verified. 12:28:37

15 Q And what year was Minimata? 12:28:39

16 A I believe he shot that in 2019, but that 12:28:44

17 too should be verified. 12:28:49

18 Q Okay. We've talked about The Professor 12:28:51

19 and how much Mr. Depp was paid. How much was 12:28:53

20 Mr. Depp paid for Waiting For the Barbarians? 12:28:56

O 21 MS. VASQUEZ: Objection; vague and 12:29:00

22 ambiguous. 12:29:04

Transcript of Jack Whigham
Conducted on January 20, 2021

24

O	1	A I believe \$1 million.	12:29:04
	2	Q How much was Mr. Depp paid for Minimata?	12:29:07
	3	MS. VASQUEZ: Same objection.	12:29:14
	4	A I believe it was \$3 million.	12:29:18
	5	Q Has Minimata been released?	12:29:23
	6	A It has not. It -- no, it premiered at the	12:29:28
	7	Berlin Film Festival in February right before	12:29:36
	8	COVID.	12:29:42
FSPK, AF 10	9	Q And was it your understanding that it has	12:29:42
	10	not been released because of COVID?	12:29:44
	11	MS. VASQUEZ: Objection; calls for	12:29:47
	12	speculation; lack of foundation; assumes facts not	12:29:51
	13	in evidence.	12:29:53
	14	A It's currently -- MGM purchased the rights	12:29:55
	15	to it. They are -- they have not released it yet.	12:30:00
	16	Q Have you had any communications with MGM	12:30:06
	17	as to why they have not released Minamata?	12:30:10
	18	A I have.	12:30:15
H	19	Q And what do you recall?	12:30:15
	20	A That it was bad timing.	12:30:20
	21	Q When did you speak with MGM about	12:30:26
	22	releasing Minamata?	12:30:31

1	A In the fall.	12:30:34
2	Q The fall of 2020?	12:30:36
3	A Yes.	12:30:37
4	Q Okay. And with whom did you speak with at	12:30:38
5	MGM?	12:30:41
6	A I don't remember his name, apologies. I	12:30:48
7	can get that.	12:30:51
8	Q Do you recall his position at MGM?	12:30:52
9	A Yes. One of the kind of co-heads of	12:30:58
10	acquisitions.	12:31:02
11	Q And did this gentleman at MGM tell you	12:31:04
12	what he meant by bad timing?	12:31:11
13	A He did.	12:31:16
H 14	Q What did he say?	12:31:16
15	MS. VASQUEZ: Objection; calls for	12:31:19
16	hearsay.	12:31:22
17	A A combination of -- of just bad, like,	12:31:23
18	headlines around Johnny's situation, and COVID.	12:31:34
19	Q Did the gentleman say anything about what	12:31:39
H 20	type of headlines around Johnny's situation he	12:31:48
21	meant?	12:31:52
22	A No.	12:31:53

Transcript of Jack Whigham
Conducted on January 20, 2021

26

1	MS. VASQUEZ: Calls for hearsay.	12:31:54
2	Q When you say the fall of 2020, was it	12:31:55
FSPK, AF 3	before or after the UK decision came out; do you	12:32:00
4	recall?	12:32:05
5	MS. VASQUEZ: Objection; calls for hears	12:32:05
6	-- sorry, strike that.	12:32:07
7	Objection; lack of foundation; assumes	12:32:09
8	facts not in evidence.	12:32:12
9	A I don't remember.	12:32:17
10	Q The -- the UK decision came out on	12:32:18
11	November 2nd, 2020. Does that help you recall	12:32:20
12	whether it was before or after that that you had	12:32:24
13	the conversation with the MGM executive?	12:32:29
14	MS. VASQUEZ: Same objections.	12:32:36
15	A It was -- it was right around that time.	12:32:38
16	We were pushing for a release and we were pushing	12:32:40
17	for them to put money into an awards campaign. So	12:32:43
18	I say that because that's the timing of when that	12:32:48
19	would happen.	12:32:51
20	Q And I'm sorry, I'm trying to understand	12:32:57
21	what do you mean by that's the time when that	12:33:00
22	would happen?	12:33:02

1 A Typically an awards kind of push from a 12:33:02
2 distributor would happen in the fall leading up 12:33:07
3 to -- into November, December, for the awards -- 12:33:09
4 usually, you know, occur in January, February, 12:33:17
5 March. So that's typically when those 12:33:19
6 conversations happen. 12:33:21

7 Q Did you have an understanding that the 12:33:22
FSPK, 8 headlines around Johnny's situation related to the 12:33:26
AF, 9 decision or to the trial or something else? 12:33:30
VA

10 MS. VASQUEZ: Objection; compound; vague 12:33:33
O 11 and ambiguous; assumes facts not in evidence; lack 12:33:38
12 of foundation. 12:33:42

13 A I don't -- I don't -- I don't know 12:33:44
14 specifically. 12:33:47

15 Q Did -- did the MGM executive say which 12:33:47
H 16 headlines he was referring to that surrounded 12:33:52
17 Johnny's situation that were impacting his 12:33:56
18 decision? 12:33:59

19 A He did not. 12:33:59

20 MS. VASQUEZ: Objection -- 12:33:59

21 A Sorry. I'm sorry. 12:34:00

22 MS. VASQUEZ: It's okay. Sorry. 12:34:02

Transcript of Jack Whigham
Conducted on January 20, 2021

28

1	Q Did you have any understanding yourself	12:34:03
IU,2	what headlines were going on at that time about	12:34:06
FSPK,	Johnny's situation?	12:34:13
AF,3		
V,		
C 4	MS. VASQUEZ: Objection; vague and	12:34:15
5	ambiguous; compound; lack of foundation; assumes	12:34:16
O 6	facts not in evidence.	12:34:20
7	A My memory is that it was press regarding	12:34:21
8	the trial going on in London.	12:34:26
9	Q Did Waiting For the Barbarians ever get	12:34:30
FSPK,	released?	12:34:44
VA 10		
11	MS. VASQUEZ: Objection; vague.	12:34:47
12	A Yes -- yes.	12:34:50
13	Q When, approximately, did it get released?	12:34:50
14	A I -- I don't remember specifically,	12:34:55
15	actually.	12:34:57
16	Q Was it a commercial success?	12:34:57
17	MS. VASQUEZ: Objection; vague and	12:35:02
18	ambiguous; lack of foundation.	12:35:04
19	A I can't speak to it specifically on its	12:35:09
20	success. Did -- it did not feel like a big	12:35:12
21	commercial success.	12:35:17
22	Q Do you recall approximately how much	12:35:19

Transcript of Jack Whigham
Conducted on January 20, 2021

29

1	Waiting For the Barbarians made at the box office?	12:35:25
2	MS. VASQUEZ: Objection; assumes facts not	12:35:28
3	in evidence.	12:35:30
4	A I -- I do not recall.	12:35:32
5	Q Was The Professor a commercial success?	12:35:35
6	MS. VASQUEZ: Objection; vague and	12:35:40
7	ambiguous; calls for speculation.	12:35:44
8	A I do not believe it was a -- a commercial	12:35:48
9	success.	12:35:51
10	Q Did Mr. Depp have any commercial deals	12:35:53
11	while with you at CAA or currently?	12:36:01
12	MR. DERIN: Objection; vague and	12:36:10
13	ambiguous.	12:36:12
14	MS. VASQUEZ: Join.	12:36:12
15	A Yeah, I -- I'm not sure I understand the	12:36:13
16	question.	12:36:14
17	Q Did he have any contracts for promoting	12:36:14
18	companies, entities, brands, anything of that	12:36:17
19	nature while he was at CAA since -- let me ask	12:36:20
20	that clean. That was a terrible question. Strike	12:36:26
21	that.	12:36:28
22	During the time that you have represented	12:36:29

Transcript of Jack Whigham
Conducted on January 20, 2021

30

1	Mr. Depp, beginning sometime in 2016 to the	12:36:35
2	present, has Mr. Depp had any commercial	12:36:38
3	endorsements or other business opportunities	12:36:41
4	beyond the movie roles we've discussed, The	12:36:46
5	Professor, Waiting For the Barbarians, and	12:36:49
6	Minamata?	12:36:54
7	A I believe only Dior.	12:36:54
8	Q All right. And -- and what's the	12:36:58
FSPK, VA, AF	commercial deal with Dior?	12:36:59
10	MS. VASQUEZ: Objection; vague and	12:37:03
11	ambiguous; assumes facts not in evidence.	12:37:05
12	A I don't know the exact amount on that	12:37:08
13	deal. It was not my specialty.	12:37:11
14	Q What is your understanding, though, of	12:37:14
15	what the business relationship -- opportunity was	12:37:16
16	for Mr. Depp with Dior?	12:37:20
17	MS. VASQUEZ: Objection; vague and	12:37:24
18	ambiguous; assumes facts not in evidence; calls	12:37:28
19	for speculation. He's already testified he	12:37:31
20	doesn't know.	12:37:33
21	A Yeah, I -- I don't understand the	12:37:34
22	question.	12:37:35

1 Q Okay. I'll -- I'll ask it differently. 12:37:35

2 He was promoting a particular brand of fragrance; 12:37:37

3 right? 12:37:46

4 A Correct. 12:37:46

5 Q Okay. Sauvage? 12:37:47

6 A Sounds correct. 12:37:50

7 Q Okay. And who was responsible for that 12:37:51

VA 8 deal? 12:37:55

9 MS. VASQUEZ: Objection; vague and 12:37:57

10 ambiguous. 12:38:01

11 A Christian Carino ran point on that deal. 12:38:01

12 Q Okay. Do you know approximately when 12:38:06

13 Mr. Depp signed on to -- with Dior? 12:38:08

14 A I don't recall. 12:38:14

15 Q Is Mr. Depp still signed on with Dior? 12:38:16

FSPK 16 A That is my understanding. 12:38:22

17 Q Do you have -- I know you don't know the 12:38:25

18 exact amount, but do you have an estimate of how 12:38:30

19 much Mr. Depp has earned from Dior -- with the 12:38:34

20 Dior commercial relationship? 12:38:38

21 MS. VASQUEZ: Objection; vague; ambiguous. 12:38:41

22 A I -- I really don't. I just -- it didn't 12:38:45

Transcript of Jack Whigham
Conducted on January 20, 2021

32

1	-- I didn't partake in that deal in any way so I	12:38:48
2	don't know.	12:38:51
3	Q Okay. When Mr. Depp came on board with	12:38:51
4	CAA and you started representing him, how would	12:39:00
5	you describe his professional reputation?	12:39:04
6	MR. DERIN: Object as vague and ambiguous.	12:39:07
7	MS. VASQUEZ: Also calls for speculation.	12:39:10
8	A I would describe it as professional,	12:39:15
9	extremely artistic, well respected.	12:39:20
10	Q And when Mr. Depp came on board at CAA in	12:39:25
11	2016, how would you describe Mr. Depp's personal	12:39:35
12	reputation?	12:39:39
13	MS. VASQUEZ: Objection; vague and	12:39:40
14	ambiguous; calls for speculation.	12:39:43
15	MR. DERIN: Join.	12:39:45
16	A Quite similar. Very artistic, maybe	12:39:50
17	slightly mysterious with -- you know, not quite as	12:39:56
18	publicized as other famous actors. Always seemed	12:40:05
19	to command a deep respect though.	12:40:11
20	Q How would you --	12:40:11
21	A I want to make sure I word that, -- not	12:40:15
22	command it, but he was well liked.	12:40:15

1 Q How would you describe Mr. Depp's 12:40:17
2 professional reputation today? 12:40:22

3 MS. VASQUEZ: Vague and -- vague and 12:40:29
4 ambiguous. 12:40:36

5 A I would say the people that know him it 12:40:36
6 would be consistent with what I just stated. I 12:40:39
7 think his reputation has taken a negative hit in 12:40:42
8 the last few years. 12:40:47

9 Q How would you describe Mr. Depp's personal 12:40:59
10 reputation today? 12:41:02

11 MS. VASQUEZ: Vague and ambiguous; calls 12:41:04
12 for speculation. 12:41:07

13 A Probably would describe it the same way. 12:41:07
14 Those who know him, no change. And perhaps those 12:41:10
15 don't -- that don't know him, he's taken a -- 12:41:22
16 there's been some negativity associated with his 12:41:25
17 reputation. 12:41:31

18 Q And -- and to what do you attribute the 12:41:31
19 negativity to Mr. Depp's professional and personal 12:41:34
20 reputation? 12:41:39

21 MS. VASQUEZ: Objection; compound; calls 12:41:41
22 for speculation. 12:41:48

Transcript of Jack Whigham
Conducted on January 20, 2021

34

1	A For the -- the professional, I would say a	12:41:48
2	combination of not having a successful film in the	12:41:52
3	marketplace, and combined with continued negative	12:41:58
4	headlines -- mostly associated with his situation	12:42:07
5	with Ms. Heard.	12:42:13
6	Q And you said with respect to the	12:42:24
7	professional, how would you describe -- to what	12:42:25
8	would you attribute the negativity to Mr. Depp's	12:42:28
9	personal reputation?	12:42:32
10	A I would say because of -- accusations of	12:42:36
11	domestic violence and an aggregate of headlines	12:42:41
12	that felt negative.	12:42:50
13	Q Are you aware of any roles that -- or	12:42:53
14	business opportunities, that Mr. Depp has lost as	12:43:03
15	a result -- well, let me just start with has lost?	12:43:11
16	MS. VASQUEZ: Objection; vague and	12:43:17
17	ambiguous.	12:43:19
18	Q Let me -- let me clean that one up a	12:43:19
19	little bit.	12:43:22
20	During the period in 2016 when you began	12:43:23
21	representation of Mr. Depp through the present,	12:43:29
22	are you aware of any roles or business	12:43:32

1	opportunities that Mr. Depp has lost?	12:43:34
2	MS. VASQUEZ: Objection; vague and	12:43:36
3	ambiguous; assumes facts not in evidence.	12:43:40
4	A I -- I believe I am.	12:43:48
5	Q Can you tell me what those are?	12:43:49
6	A I believe he lost Fantastic Beasts	12:43:53
7	recently. And Pirates of the Caribbean.	12:43:57
8	Q Any other business opportunities or roles	12:44:17
9	that Mr. Depp has lost in between 2016 and when	12:44:19
10	you began representing him and the present?	12:44:22
11	A Can I clarify the question? When you say	12:44:27
12	lost, you're talking about an opportunity that	12:44:29
13	would have already presumptively been in existence	12:44:32
14	as opposed to the infinite number of roles he	12:44:37
15	would not have a chance to get?	12:44:42
16	Q Correct. Right now I'm asking about ones	12:44:47
17	that were in the works that there was already	12:44:49
18	identified opportunities?	12:44:54
19	A Those are the two that I recall.	12:45:02
20	Q Okay. And let's talk about the Pirates of	12:45:05
21	the Caribbean for a moment. Did Mr. Depp have a	12:45:11
22	contract for Pirates 6?	12:45:13

Transcript of Jack Whigham
Conducted on January 20, 2021

36

1	A I believe --	12:45:21
O	2 MS. VASQUEZ: Objection -- I'm sorry,	12:45:22
3	Mr. Whigham. Objection; vague and ambiguous as to	12:45:24
4	contract.	12:45:26
5	A I believe -- so you're referencing	12:45:29
6	Pirates 6 that has not been shot; correct?	12:45:38
7	Q Correct.	12:45:41
8	A I believe he has a deal for that film, but	12:45:42
9	you -- you might want to verify that.	12:45:46
10	Q And -- he actually in his deposition said	12:45:48
11	you would know the details, so that's why I'm	12:45:54
12	asking you. So do you -- what was your	12:45:57
13	understanding of what the deal would have been for	12:46:00
14	Mr. Depp for Pirates 6?	12:46:03
O	15 MS. VASQUEZ: Objection; it's vague and	12:46:06
16	ambiguous.	12:46:11
17	A My recollection is that there was a deal	12:46:11
18	done at UTA -- that started at UTA that we	12:46:19
19	finished. And I believe it was for 22 and a half	12:46:23
20	million. That's my memory, though.	12:46:31
21	Q Okay. And -- and was that 22.5 million	12:46:39
22	paid up front?	12:46:42

1	A No.	12:46:44
2	Q What was the upfront amount?	12:46:45
3	A Zero.	12:46:49
4	Q So the 22.5 was paid over time if Mr. Depp	12:46:50
5	were to do Pirates 6?	12:47:01
6	A Yes, ma'am. It's paid during principal --	12:47:03
7	we call it principal photography. While it --	12:47:05
8	Q And what is principal -- I'm sorry.	12:47:08
9	A While it shoots.	12:47:11
10	Q I was going to ask what principal	12:47:13
11	photography is, but you just said it's while it	12:47:18
12	shoots; correct?	12:47:19
13	A Yes.	12:47:20
14	Q Okay. Was there any pay or play clause	12:47:20
15	for Pirates 6?	12:47:24
16	MS. VASQUEZ: Objection. I'm sorry,	12:47:25
17	Elaine, I apologize. Objection; vague and	12:47:26
18	ambiguous; assumes facts not in evidence; lack of	12:47:29
19	foundation.	12:47:32
20	A I don't believe it was made, as you said,	12:47:35
21	pay or play.	12:47:40
22	Q When Mr. Depp came on board with you at	12:47:40

Transcript of Jack Whigham
Conducted on January 20, 2021

38

1	CAA in 2016, were there any discussions with	12:47:50
2	Disney about Mr. Depp being in Pirates 6?	12:47:56
3	MS. VASQUEZ: Objection; vague; ambiguous;	12:48:07
4	lack of foundation.	12:48:12
5	A Yes. Your question asks in 2016, so I	12:48:15
6	can't pinpoint the year, but there were	12:48:20
7	conversations had about Pirates.	12:48:22
8	Q Tell me what the conversations you can	12:48:25
9	recall with Disney about Pirates.	12:48:27
10	MS. VASQUEZ: Vague and ambiguous as to	12:48:32
11	time.	12:48:33
12	MR. DERIN: And overbroad.	12:48:36
13	MS. BREDEHOFT: I'm sorry, I didn't -- I	12:48:39
14	didn't get Mr. Derin's objection.	12:48:41
15	MR. DERIN: I -- I said overbroad. It's	12:48:44
16	unclear to me over what time frame you're	12:48:45
17	requesting that he relate in a narrative fashion	12:48:49
18	his conversations.	12:48:51
19	Q All right. I'll -- I'll go ahead and see	12:48:52
20	if I can try to correct that.	12:48:54
21	When do you recall having your first	12:48:56
22	conversation with Disney about Mr. Depp playing	12:48:58

1	any role in Pirates 6?	12:49:02
2	A It's hard for me to remember. I would --	12:49:08
3	I would guess, it -- I think we, you know, we	12:49:11
4	started working with Johnny in the fall of that	12:49:16
5	year, so it would have happened in probably late	12:49:20
6	fall or 2017.	12:49:24
7	Q And with whom did you have conversations	12:49:25
8	at Disney in late fall 2016, early 2017 about	12:49:27
9	Mr. Depp playing a role in Pirates 6?	12:49:32
10	A Predominantly Sean Bailey.	12:49:38
11	Q Was there anyone else besides Sean Bailey	12:49:43
12	that you had conversations with at Disney in the	12:49:46
13	fall of 2016, early 2017 relating to Mr. Depp	12:49:50
14	playing a role in Pirates 6?	12:49:53
15	A Not at Disney.	12:49:56
16	Q Was there another place? What do you mean	12:49:57
17	by not at Disney?	12:50:09
18	A You asked about Disney -- I mean, the	12:50:09
19	answer is no.	12:50:11
20	Q Okay. Were there other people you were	12:50:12
21	having conversations with about Mr. Depp playing a	12:50:15
22	role in Pirates 6 outside of Disney?	12:50:19

1	A Yes.	12:50:22
2	Q And who were they?	12:50:22
3	A Jerry Bruckheimer.	12:50:23
4	Q And were you having conversations with	12:50:26
5	Jerry Bruckheimer in late 2016 and early 2017	12:50:29
6	relating to Mr. Depp potentially being in	12:50:33
7	Pirates 6?	12:50:36
8	A Yes.	12:50:37
9	Q Let's take Sean Bailey first. What do you	12:50:43
H 10	recall of your discussion with Sean Bailey in late	12:50:48
11	2016, early 2017 relating to Mr. Depp playing a	12:50:51
12	role in Pirates 6?	12:50:54
13	MS. VASQUEZ: Calls for hearsay.	12:50:56
14	A It was mostly I'm trying to get an	12:51:00
15	understanding of what their plans were for the	12:51:03
16	franchise, when they might want to make the next	12:51:05
17	one, what their vision would be for it, who might	12:51:09
18	direct it, that kind of thing.	12:51:12
19	Q And you recall any of the specifics at	12:51:15
H 20	that time?	12:51:24
21	A I don't remember the exact release of	12:51:24
22	two -- of the previous Pirates, but usually they	12:51:26

1 take a pause for a year or two to -- to, you know, 12:51:31
2 allow for appetite to build up and then to get a 12:51:35
3 vision for the movie. So at that moment it felt a 12:51:39
4 little early, but he was noncommittal on details, 12:51:43
5 I would say. 12:51:48

H,
F/A,7
FSPK
6 Q And -- and would you say that Mr. Bailey 12:51:52
7 was noncommittal about whether Mr. Depp would 12:51:54
8 definitely be in Pirates 6? 12:51:59

9 MS. VASQUEZ: Objection; misstates the 12:52:01
10 testimony. 12:52:04

11 A I would say yes, he was noncommittal on 12:52:05
12 Mr. Depp's involvement. 12:52:12

13 Q Were you aware of any disputes that 12:52:15
14 Mr. Depp had with Sean Bailey while he was filming 12:52:19
15 Pirates 5? 12:52:25

O
16 MS. VASQUEZ: Objection; vague and 12:52:31
17 ambiguous. 12:52:32

18 A No, not aware of any disputes. 12:52:32

19 Q Have we exhausted your recollection of the 12:52:40
20 discussions you had with Sean Bailey in the fall 12:52:43
21 of 2016, early 2017 relating to Mr. Depp's 12:52:46
22 potential involvement in Pirates 6? 12:52:52

Transcript of Jack Whigham
Conducted on January 20, 2021

42

1 A To the best of my recollection, pretty
2 much.

3 Q What do you recall of your discussions
H 4 with Jerry Bruckheimer during the fall of 2016,
5 early 2017 relating to Mr. Depp's potential
6 involvement in Pirates 6?

7 MS. VASQUEZ: Calls for hearsay.

8 A I would say similar. You know, mostly a
9 fact-finding mission for me to understand what
10 their plans were for the movie and Johnny's
11 involvement. Mr. Bruckheimer was supportive of
12 the idea of Johnny being in the movie but
13 intimated that the power resided with Disney on
14 that issue.

15 Q With whom was Jerry Bruckheimer associated
16 at that time?

17 MS. VASQUEZ: Objection; vague and
18 ambiguous.

19 Q He wasn't with Disney, who was -- was he
20 with another studio or was he just on his own?

21 A He's a producer. He's a producer on his
22 own.

12:52:59

12:53:03

12:53:03

12:53:05

12:53:10

12:53:13

12:53:14

12:53:23

12:53:25

12:53:27

12:53:31

12:53:34

12:53:42

12:53:45

12:53:46

12:53:51

12:53:52

12:53:56

12:53:56

12:53:59

12:54:02

12:54:07

1 Q Okay. 12:54:07

2 A He was the producer of the movie. 12:54:07

3 Q I knew that part. So okay. All right. 12:54:09

4 So he -- but he said it was going to be up to -- 12:54:15

H 5 ultimately up to Disney; correct? Mr. Bruckheimer 12:54:17

6 said that? 12:54:22

7 A Correct. 12:54:23

8 Q Okay. So let's fast forward. We have 12:54:23

9 these discussions in 2016, early 2017, when is the 12:54:26

10 next time you recall having any discussions with 12:54:30

11 Disney or Mr. Bruckheimer or anyone else about 12:54:32

12 potential involvement of Mr. Depp in Pirates 6? 12:54:37

13 A I can't pinpoint precise dates. It was a 12:54:47

14 consistent check in, that I would say, from with 12:54:54

15 myself with Disney and with Mr. Bruckheimer, 12:54:55

16 through -- I believe through -- definitely 12:54:57

17 through 2018. To the best of my memory, that's... 12:55:01

18 Q Was there ever a time in 2017 or 2018 that 12:55:10

19 Sean Bailey or anyone else at Disney became more 12:55:16

20 than noncommittal about whether Johnny Depp would 12:55:22

21 be included in Pirates 6? 12:55:26

22 MS. VASQUEZ: Objection; assumes facts not 12:55:29

1	in evidence.	12:55:31
2	A My recollection was that in 2018 it was	12:55:32
3	discussed with me from Sean -- Sean said the	12:55:43
4	likelihood of Johnny being in the movie was not	12:55:47
5	high. I inferred that it was an opportunity that	12:55:51
6	was going away for Johnny. When I say perhaps it	12:55:57
7	wasn't firm is because they were exploring, at the	12:56:01
8	time, multiple different ways to continue the	12:56:10
9	franchise potentially without Johnny.	12:56:12
10	Q Do you recall approximately when in 2018	12:56:20
11	you inferred from Mr. -- your discussions with	12:56:25
12	Mr. Bailey that the likelihood of Mr. Depp being	12:56:28
13	in Pirates 6 was not high or was going away?	12:56:32
14	A If memory serves me, the latter part of	12:56:39
15	2018, maybe.	12:56:43
16	Q When you say latter, is that anytime from	12:56:44
17	August to December or what are you thinking?	12:56:53
18	A I would say fall, you know, maybe -- you	12:56:58
19	know, October, November, December, in that area.	12:56:59
20	Q Was there anything specific that	12:57:02
21	Sean Bailey said to you that led you to believe	12:57:05
22	that Mr. Depp -- the likelihood of Mr. Depp being	12:57:09

Transcript of Jack Whigham
Conducted on January 20, 2021

45

1 in Pirates 6 was not high or was going away? 12:57:14

2 MS. VASQUEZ: Objection; calls for 12:57:18

3 hearsay; misstates the record. 12:57:19

4 A I don't remember a specific detail of a 12:57:26

5 conversation. It was -- it's my impression now of 12:57:30

6 those conversations. 12:57:36

7 Q Did Mr. Bailey at any time tell you why he 12:57:37

8 was considering not having Mr. Depp in Pirates 6? 12:57:42

9 MS. VASQUEZ: Objection; calls for 12:57:47

10 hearsay. 12:57:50

11 A He did not. 12:57:51

12 Q Did anyone else at Disney ever tell you 12:57:52

13 why they were not considering having Mr. Depp in 12:57:56

14 Pirates 6? 12:57:58

15 A No. 12:58:00

16 Q Did you ever have any conversations with 12:58:01

AF 17 Jerry Bruckheimer in 2018 about whether Disney was 12:58:05

18 still considering having Mr. Depp in Pirates 6 or 12:58:12

19 was no longer considering him? 12:58:15

20 MS. VASQUEZ: Objection; assumes facts not 12:58:19

21 in evidence. 12:58:23

22 A I did have conversations with him. 12:58:24

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1
H

Q What -- tell me what you recall.

12:58:26

2

MS. VASQUEZ: Calls for hearsay.

12:58:33

3

A My memory of it was that Jerry was

12:58:37

4

supportive of Johnny. And -- and support, when I

12:58:41

5

say that, I was -- you know, supportive of him

12:58:46

6

generally in life and wanting him good things.

12:58:50

7

But he -- he was supportive of the idea of Johnny

12:58:54

8

coming back to Pirates; he thought it was very

12:58:58

9

difficult to make a Pirates movie without Johnny.

12:59:00

10

And -- but he thought -- my memory is that he

12:59:04

11

thought it was an uphill battle with Disney.

12:59:09

12

Q And did Mr. Bruckheimer tell you why he

12:59:13

13

believed it was an uphill battle with Disney to

12:59:19

14

have Johnny Depp come back for Pirates 6?

12:59:22

15

MS. VASQUEZ: Objection; calls for

12:59:29

16

hearsay.

12:59:31

17

A We generally talked about the negative

12:59:31

18

headlines around the situation with Ms. Heard

12:59:35

19

being a -- a negative.

12:59:38

20

Q And -- and was this -- do you recall when

12:59:44

21

approximately, there were negative headlines being

12:59:47

22

generated around Ms. Heard?

12:59:51

1	MS. VASQUEZ: Objection; misstates his	12:59:54
2	testimony; calls for speculation; it's vague.	12:59:56
3	A I don't recall specifically.	13:00:01
4	Q Okay. Did there come a time that you	13:00:02
5	learned definitively that Disney was not going to	13:00:13
6	cast Mr. Depp in Pirates 6?	13:00:18
7	A No, I don't believe so.	13:00:21
8	Q Okay. Do you know as you sit here today	13:00:22
9	whether Mr. Depp may be considered for casting in	13:00:25
10	Pirates 6 in some role?	13:00:28
11	A I can -- I don't know for sure, but I	13:00:36
12	happen to know of a plan from Disney where they're	13:00:41
13	moving forward with the movie and I don't believe	13:00:49
14	it involved Johnny.	13:00:51
15	Q And how is it that you know of that plan	13:00:55
16	from Disney that does not include Johnny in the	13:00:58
17	next -- in the next movie?	13:01:01
18	A Through my normal course of business.	13:01:05
19	Q And -- and I hate to -- I don't want your	13:01:10
H 20	trade secrets, mind you, but I'm just trying to	13:01:13
21	get to how you know that and when you learned	13:01:17
22	that.	13:01:20

Transcript of Jack Whigham
Conducted on January 20, 2021

48

1	MS. VASQUEZ: Objection; compound; calls	13:01:23
2	for hearsay.	13:01:26
3	A I would say a couple of things. One, it's	13:01:28
4	their business, so I wouldn't want to talk about,	13:01:31
5	you know -- they -- they try to keep these things	13:01:35
6	fairly quiet. Two, I learned about it and part of	13:01:38
7	my job is to understand what the studios are	13:01:42
8	making and how they're going to make them. And	13:01:47
9	three, it involved another client of CAA which was	13:01:49
10	part of my knowledge base when I was working at	13:02:00
11	CAA.	13:02:05
12	Q Okay. Have you learned at any point that	13:02:05
H, AF 13	Disney is considering a reboot with Margot Robbie	13:02:09
14	as the Jack Sparrow replacement, if you know?	13:02:16
15	MS. VASQUEZ: Objection; assumes facts not	13:02:22
16	in evidence; calls for hearsay.	13:02:24
17	A That -- that is the information that I	13:02:30
18	have. But I don't know that for sure.	13:02:34
19	Q Has anyone on Mr. Depp's behalf gone back	13:02:42
20	to Disney and tried to persuade them to reconsider	13:02:51
21	and to include Mr. Depp in the Pirates 6?	13:02:58
22	MS. VASQUEZ: Vague and ambiguous; calls	13:03:08

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Transcript of Jack Whigham
Conducted on January 20, 2021

49

1 for speculation. 13:03:11

2 Q To your knowledge? 13:03:11

3 A I have had conversations similar to what 13:03:12
4 you're describing. 13:03:15

5 Q Okay. When did you have those 13:03:16
6 conversations and with whom? 13:03:18

7 A I would say over the last year from now 13:03:22
8 with Mr. Bailey and Mr. Bruckheimer. 13:03:26

9 Q Were they separate conversations with 13:03:33
10 Mr. Bailey and separate conversations with 13:03:36
11 Mr. Bruckheimer or were there any that the three 13:03:38
12 of you were combined? 13:03:40

13 A Separate. 13:03:42

14 Q Okay. Tell me what you can recall over 13:03:43
15 the last year discussing with Mr. Bailey in trying 13:03:46
16 to talk him into reconsidering using Mr. Depp in 13:03:49
17 Pirates 6? 13:03:56

18 MS. VASQUEZ: Objection; calls for 13:03:58
H 19 hearsay. 13:04:01

20 A It mostly centered around the idea that 13:04:02
21 Johnny -- they may go in a different direction, 13:04:07
22 but it was a question of is that a permanent 13:04:12

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1 different direction or is it potentially for one 13:04:14
2 or two movies and they reserve the right to bring 13:04:18
3 Johnny back into the story narratively. 13:04:23

4 Q And -- and is it your understanding that 13:04:30
5 Disney is still reserving the right to potentially 13:04:32
6 bring Mr. Depp back into a Pirates in the future? 13:04:35

7 A It's not my understanding. I don't know. 13:04:43

8 Q Okay. I think I may have misunderstood 13:04:46
9 your last answer, so I think I just figured it 13:04:52
10 out. So is it fair to say that you were trying to 13:04:55
11 talk to Mr. Bailey and convince him to try to at 13:04:58
12 least reserve the possibility that if he's not in 13:05:03
13 this one that he might be in some in the future -- 13:05:05
14 Mr. Depp? 13:05:08

15 A Yes, that was my agenda. 13:05:09

16 Q Got it. And it wasn't Mr. Bailey that was 13:05:11
17 telling you that, that was you trying to talk 13:05:14
18 Mr. Bailey into that; would that be fair? 13:05:18

19 A Correct. 13:05:22

20 Q And did Mr. Bailey, at any point, commit 13:05:22
H 21 or react or suggest whether he would consider 13:05:26
22 Mr. Depp in a future Pirates movie? 13:05:29

Transcript of Jack Whigham
Conducted on January 20, 2021

51

1 A He was noncommittal -- 13:05:33

2 MS. VASQUEZ: Calls for hearsay. I 13:05:33

3 apologize, Mr. Whigham. Objection; calls for 13:05:36

4 hearsay. 13:05:37

5 A No. No reaction. 13:05:38

6 Q And you said he was noncommittal. I just 13:05:40

7 want to make sure we get that back on the record. 13:05:44

8 Correct? 13:05:47

9 A Yeah, I'm -- my way of describing his 13:05:48

10 reaction would be no reaction. 13:05:51

11 Q Okay. Tell me about your conversations 13:05:52

H 12 with Mr. Bruckheimer in the past year relating to 13:05:55

13 trying to get Mr. Depp back in Pirates? 13:06:00

14 MS. VASQUEZ: Calls for hearsay. 13:06:04

15 A Similar discussion. Very similar 13:06:08

16 discussion. 13:06:11

H 17 Q And what was Mr. Bruckheimer's reaction? 13:06:12

18 MS. VASQUEZ: Calls for hearsay. 13:06:19

19 A My description of his reaction would be he 13:06:22

20 was receptive and supportive of the idea. 13:06:27

21 Q In the past year has Mr. Bailey or 13:06:38

22 Mr. Bruckheimer brought up any reasons for 13:06:42

Transcript of Jack Whigham
Conducted on January 20, 2021.

52

1	deciding to reboot with a woman in the Sparrow	13:06:50
2	role?	13:06:57
3	MS. VASQUEZ: Objection; assumes facts not	13:06:58
4	in evidence; calls for hearsay; and it's compound.	13:07:00
5	A Yeah, I -- two issues with the question.	13:07:05
6	One answer, one issue. I don't have any knowledge	13:07:09
7	that there's a female playing the Jack Sparrow	13:07:12
8	role, so I can't answer that.	13:07:20
9	Q That's fair.	13:07:22
10	A And to -- to address your first question,	13:07:24
11	there's been -- we've had no conversations about	13:07:30
12	it.	13:07:34
13	Q Okay. Did either Sean Bailey or	13:07:34
14	Jerry Bruckheimer at any time during your	13:07:40
15	conversations with them about Mr. Depp not being	13:07:42
16	considered for Pirates 6, suggest specifically	13:07:45
17	what types of headlines or what type of conduct or	13:07:51
18	negativity was leading them to not consider	13:07:58
19	Mr. Depp for Pirates 6?	13:08:01
20	MS. VASQUEZ: Objection; assumes facts not	13:08:04
21	in evidence; it's compound; overbroad; and it	13:08:06
22	calls for hearsay.	13:08:13

1	A I don't recall a specific -- any	13:08:17
2	specificity from them.	13:08:21
3	MR. DERIN: Elaine, if you're changing	13:08:30
4	subjects, is this a good time for a break? We've	13:08:33
5	been at it for an hour.	13:08:36
6	MS. BREDEHOFT: You know what, you're mind	13:08:36
7	and mine were the same. I was going to say,	13:08:36
8	Mr. Derin, we're about an hour and I'm about to	13:08:37
9	launch into another area, so this would be a good	13:08:39
10	time knowing your predilection. Yes, let's do	13:08:42
11	that. Do you want a ten-minute break? A	13:08:45
12	ten-minute break? Would that be --	13:08:47
13	MR. DERIN: Sounds good.	13:08:47
14	MS. BREDEHOFT: -- good with everyone?	13:08:48
15	Okay. We'll call it -- it's 1:10, let's call it	13:08:49
16	-- 10:10 your time, so 10:20?	13:08:53
17	THE VIDEOGRAPHER: It is 1:08 p.m. We go	13:08:56
18	off the record.	13:09:01
19	(Off the record from 1:08 p.m. to 1:28	13:09:01
20	p.m.)	13:28:21
21	THE VIDEOGRAPHER: It is the beginning of	13:28:21
22	media two for the testimony of Jack Whigham, it is	13:28:23

Transcript of Jack Whigham
Conducted on January 20, 2021

54

1	1:28 p.m. We are back on the record.	13:28:28
2	Q Mr. Whigham, I'm going to ask you to take	13:28:33
3	a look at Exhibit 2.	13:28:38
4	MS. BREDEHOFT: Alex, if you can please	13:28:39
5	bring that up? We're going to call it Whigham 2.	13:28:42
6	(WHIGHAM Deposition Exhibit 2 marked for	13:28:42
7	identification and attached to the transcript.)	13:29:01
8	Q Mr. Whigham, I'm going to ask you to take	13:29:01
AA, 9	a look at what has been labeled as Whigham	13:29:04
O 10	Deposition Exhibit 2. And this is a request for	13:29:08
11	domestic violence restraining order that was filed	13:29:14
12	with the Superior Court of California in the	13:29:17
13	County of Los Angeles on May 27, 2016, on behalf	13:29:21
14	of Amber Laura Depp it says at that time.	13:29:26
15	Do you recall -- and this was against	13:29:32
16	John Christopher Depp, II, Mr. Depp. Do you	13:29:35
17	recall whether you represented Mr. Depp at the	13:29:38
18	time of this?	13:29:40
19	MR. DERIN: Pardon, what's the date?	13:29:42
20	MS. BREDEHOFT: It's May 27, 2016.	13:29:44
21	MS. VASQUEZ: I'm going to object. The	13:29:47
22	document speaks for itself; and asked and	13:29:49

1 answered.

13:29:55

2 Q My question was, Mr. Whigham, do you

13:29:55

AF

3 recall whether you represented Mr. Depp at the

13:29:59

4 time that this document was filed with the court?

13:30:02

5 A I don't recall --

13:30:07

6 MS. VASQUEZ: Assumes facts not -- I'm

13:30:07

7 sorry, Mr. Whigham. It also assumes facts not in

13:30:10

8 evidence.

13:30:10

9 A I don't recall specifically. My memory is

13:30:14

10 that we did not represent him at this time.

13:30:18

11 Q Okay. I was -- part of -- you had

13:30:20

12 indicated you weren't sure at what point in 2016.

13:30:22

13 So one of the reasons for my asking that was

13:30:25

14 whether that jogged your memory or whether it was

13:30:30

15 probably later in 2016. So I take it it was later

13:30:33

16 in 2016 based on this?

13:30:38

17 A That's my memory.

13:30:40

18 Q Okay. Do you have a recollection of

13:30:41

C,

VA,

AF

19 working with the press or taking any kinds of

13:30:47

20 actions as a result of this request for domestic

13:30:51

21 violence restraining order being filed in court?

13:30:57

22 MS. VASQUEZ: Objection; vague; ambiguous;

13:31:00

Transcript of Jack Whigham
Conducted on January 20, 2021

56

1 compound; assumes facts not in evidence. 13:31:03

2 A I don't remember working with the press or 13:31:09

3 anything along the lines of your question. 13:31:10

4 Q Okay. That's -- and so likely it was -- 13:31:12

FSPK, 5 and the reason I asked here, I'm just trying to 13:31:17

R, 6 cut through here -- the reason I ask that is that 13:31:19

C, 7 ordinarily if there was something that was 13:31:21

VA, 8 impacting your client in some way adversely, 13:31:25

AF 9 generally you'd become involved; right? Either 13:31:29

10 talking to the publicist, figuring out how to deal 13:31:32

11 with it; would that be fair to say? 13:31:40

12 MS. VASQUEZ: Objection; assumes facts not 13:31:42

13 in evidence; it's compound, it's vague; ambiguous. 13:31:46

14 MR. DERIN: And overbroad. 13:31:47

15 MS. VASQUEZ: And overbroad. 13:31:48

16 A So the best I can say is -- is there's a 13:31:50

17 variety of issues that come up with respect to a 13:31:52

18 client, and if something was in the press I 13:31:54

19 would -- I would probably talk to the publicist. 13:31:57

20 Q Okay. And you don't recall talking to the 13:31:59

VA, 21 publicist about this request for domestic violence 13:32:02

AA 22 restraining order; correct? 13:32:06

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Transcript of Jack Whigham
Conducted on January 20, 2021

57

1 MS. VASQUEZ: Objection; asked and 13:32:08

2 answered; it's vague and ambiguous. 13:32:09

3 A I -- I don't recall having that 13:32:14

4 conversation. 13:32:15

5 Q Okay. And was Mr. Depp's publicist 13:32:16

VA 6 Robin Baum? 13:32:23

7 MS. VASQUEZ: Objection; vague and 13:32:23

8 ambiguous as to time. 13:32:24

9 MS. BREDEHOFT: Okay. That's -- that 13:32:25

10 one's a fair one. 13:32:27

11 A Yeah. 13:32:29

12 Q Who is Mr. Depp's publicist right now? 13:32:29

13 A Robin Baum. 13:32:33

14 Q Okay. At the time that you started 13:32:36

15 representing Mr. Depp, who was Mr. Depp's 13:32:38

16 publicist? 13:32:41

17 A Robin Baum. 13:32:43

18 Q At any time between the time you started 13:32:46

19 representing Mr. Depp and the present, has 13:32:49

20 Mr. Depp had a publicist other than Robin Baum? 13:32:51

21 A No. 13:32:56

22 Q What is your understanding of how long 13:33:02

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Transcript of Jack Whigham
Conducted on January 20, 2021

58

1	Robin Baum had been representing Mr. Depp as a	13:33:04
2	publicist prior to your coming on board?	13:33:09
3	A I do not know.	13:33:13
4	Q And I really probably should have asked it	13:33:15
5	a little differently. Was your understanding that	13:33:16
FSPK 6	she had been his publicist for at least some	13:33:17
7	period of time before you came on board?	13:33:20
8	A Yes.	13:33:23
9	MR. DERIN: Objection; lacks foundation.	13:33:23
10	Q Yeah. So she wasn't -- in other words she	13:33:25
11	wasn't hired at the same time as you; right?	13:33:25
12	A That's a correct statement, yes.	13:33:29
13	MS. BREDEHOFT: Alex, if I can have	13:33:31
14	control for a moment, please. Okay.	13:33:33
15	Q I'm just going to take you briefly through	13:33:44
16	this. You had testified a little earlier that you	13:33:46
17	believed that the negativity associated or at	13:33:52
18	least some of the negativity associated with	13:33:55
19	Mr. Depp's personal and professional reputation	13:33:57
20	was as a result of headlines surrounding Amber	13:34:03
21	Heard's allegations of domestic violence. Do you	13:34:07
22	recall that testimony earlier?	13:34:11

Transcript of Jack Whigham
Conducted on January 20, 2021

59

1	A I believe so, yeah.	13:34:12
2	Q All right. So I'm just going to take you	13:34:14
3	through this for a moment and then the question	13:34:17
4	I'm going to ask after I kind of go through it,	13:34:20
5	I'm going to try to do it relatively briefly, is	13:34:23
6	I'm going to ask you whether this type of filing	13:34:26
7	would generate headlines surrounding Amber Heard	13:34:29
8	alleging domestic violence against Mr. Depp. And	13:34:34
9	I'm going to take you through it very quickly.	13:34:37
10	And go to the other parts where we have the	13:34:40
11	declaration. Showing you, for example, in the	13:34:44
12	declaration paragraph 5.	13:34:58
13	MR. DERIN: Sorry, are you asking him to	13:35:00
14	read something?	13:35:02
15	MS. BREDEHOFT: You know, that's a fair	13:35:04
16	question. What I'm trying to do is kind of move	13:35:06
17	through this just to ask him whether he would	13:35:08
18	agree that this would generate headlines	13:35:11
19	surrounding Amber Heard's allegations of domestic	13:35:15
20	violence. And I was trying to do it in a way,	13:35:18
21	Mr. Derin, that didn't take a lot of time. But --	13:35:21
22	MR. DERIN: Well, I think he testified he	13:35:26

Transcript of Jack Whigham
Conducted on January 20, 2021

60

1	never saw this document, and if you're going to	13:35:28
2	ask him whether something he never saw might	13:35:31
3	generate headlines that might have an effect, I	13:35:37
4	think you're asking him to speculate about	13:35:41
5	something. So if you're going to show him some	13:35:43
6	headlines, that's different, but if you're asking	13:35:46
7	him to speculate about the possible consequences	13:35:48
8	of something he never saw, you're likely to get a	13:35:52
9	barrage of objections about speculation and	13:35:57
10	foundation.	13:36:00
11	MS. BREDEHOFT: Okay. That's fair. And	13:36:01
12	thank you. Let me do it this way.	13:36:02
13	Q Mr. Whigham, did you have any	13:36:06
14	understanding -- now, let me ask it differently.	13:36:13
15	Mr. Whigham, were you aware when you	13:36:17
16	started representing Mr. Depp that Ms. Heard had	13:36:19
17	obtained a domestic violence restraining order	13:36:25
18	against Mr. Depp in connection with filing for	13:36:29
19	divorce?	13:36:33
20	MS. VASQUEZ: Objection; assumes facts not	13:36:35
21	in evidence.	13:36:39
22	A You know, I can't remember what I knew	13:36:41

1	when, you know, even just reading this document, I	13:36:43
2	didn't remember that there was a restraining order	13:36:50
3	filed. So I -- it's -- I really can't recall what	13:36:52
4	I knew then or, you know, definitely when I just	13:36:57
5	saw it I didn't remember it.	13:37:05
6	Q Okay. Were you aware that Mr. Depp and	13:37:07
7	Ms. Heard were no longer married by the time you	13:37:09
8	started representing Mr. Depp?	13:37:12
9	MS. VASQUEZ: Objection; assumes facts not	13:37:15
10	in evidence.	13:37:17
11	MS. BREDEHOFT: Let me ask it differently.	13:37:18
12	Q Do you recall if Mr. Depp was still	13:37:20
13	married to Amber Heard when you started	13:37:23
14	representing him?	13:37:25
15	A I don't. I don't remember when anything	13:37:29
16	-- no, I don't remember where they were in the	13:37:34
17	life cycle of their relationship.	13:37:36
18	Q Okay. All right.	13:37:40
19	MS. BREDEHOFT: Alex, if you could take	13:37:41
20	this one down and let's go to Exhibit 3.	13:37:43
21	(WHIGHAM Deposition Exhibit 3 marked for	13:37:43
22	identification and attached to the transcript.)	13:37:43

1 Q I'm going to ask you to take a look at 13:38:13
2 what has been marked as Whigham Exhibit 3. It's a 13:38:15
3 lawsuit that was filed on January 13, 2017, in the 13:38:17
4 Superior Court of California, County of Los 13:38:23
5 Angeles, and it was -- 13:38:27

6 MS. BREDEHOFT: Alex if I can -- yeah. 13:38:30
7 I'm going to control this. Thank you. Just going 13:38:31
8 to take you down for a minute. 13:38:33

9 Q It's Mr. Depp filing a lawsuit against The 13:38:35
VA 10 Mandel Company. Now, you represented Mr. Depp by 13:38:38
11 this time; correct? 13:38:42

12 MS. VASQUEZ: Objection; vague and 13:38:44
13 ambiguous as to time. 13:38:45

14 A Yeah, apologies, what -- what was the date 13:38:47
15 on this? 13:38:50

16 Q It was January 13, 2017. 13:38:51

17 A My recollection is we were representing 13:38:59
18 him at this moment. 13:39:01

19 Q All right. Did you become aware that this 13:39:03
20 lawsuit was going to be filed before it was filed 13:39:06
21 or after? 13:39:09

22 MS. VASQUEZ: Objection; lack of 13:39:14

Transcript of Jack Whigham
Conducted on January 20, 2021

63

1 foundation; assumes facts not in evidence. 13:39:15

2 A I can't recall exactly if there was an 13:39:19

3 awareness right before or after. It was just not 13:39:23

4 in the purview of what my work for him was. So I 13:39:29

5 can't recall. 13:39:35

6 Q Do you recall discussing with Mr. Depp any 13:39:35

7 of his filings of lawsuits before they were filed 13:39:43

8 and how that might impact on his reputation and 13:39:47

9 career? 13:39:51

10 MS. VASQUEZ: Objection; calls for 13:39:52

11 hearsay; and it's compound. 13:39:53

12 A We did not have conversations regarding 13:39:57

13 this matter to the best of my memory. 13:40:00

14 Q Mr. Mandel, the suit against The Mandel 13:40:06

15 Company, is that what you mean by this matter? 13:40:11

16 A Yes, sorry. Yes. The document we're 13:40:14

17 looking at, yes. 13:40:15

18 Q Okay. So -- and I'm asking a little bit 13:40:16

19 more general question, was there any time where 13:40:17

H, AF 20 you discussed with Mr. Depp either prior to or 13:40:21

21 after filing -- his filing any lawsuits how filing 13:40:24

22 the lawsuits may impact on his reputation and 13:40:28

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Transcript of Jack Whigham
Conducted on January 20, 2021

64

H, 1
AF

career?

13:40:34

2

MS. VASQUEZ: Calls for hearsay; assumes

13:40:36

3

facts not in evidence.

13:40:40

4

A It was not -- it was not a topic discussed

13:40:41

5

between myself and Johnny regarding the lawsuit

13:40:43

6

with the financial adviser.

13:40:50

7

Q Was it about any other lawsuit?

13:40:52

8

A Maybe. I think we had one conversation on

13:40:57

9

the matter with Jake Bloom because I knew Jacob a

13:41:05

10

little bit. And there was like one conversation,

13:41:12

11

but I didn't know the Mandels or, you know, so we

13:41:17

12

didn't have a conversation on this.

13:41:22

13

Q What do you recall discussing with

13:41:23

H

14

Mr. Depp about the Jake Bloom lawsuit?

13:41:25

15

MS. VASQUEZ: Objection; calls for

13:41:27

16

hearsay.

13:41:30

17

A I -- I'm trying to -- you know, it would

13:41:38

18

have been -- I think maybe it was Johnny giving me

13:41:40

19

an understanding of -- of it. And it was very

13:41:45

20

brief because the conversation that I had to get

13:41:54

21

more understanding of that lawsuit was with Adam

13:41:57

22

Waldman.

13:42:04

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Transcript of Jack Whigham
Conducted on January 20, 2021

65

H, 1
PRIV

Q What do you recall discussing with Adam

13:42:04

2

Waldman?

13:42:09

O 3

MS. VASQUEZ: I'm going to object here.

13:42:11

4

Calls for hearsay. And to the extent,

13:42:13

5

Mr. Whigham, you discussed anything covered by the

13:42:20

6

attorney-client privilege, and since Mr. Depp is

13:42:23

7

the holder of that privilege and Mr. Waldman is

13:42:26

8

Mr. Depp's attorney, I'm going to instruct you not

13:42:32

9

to answer.

13:42:34

10

MR. DERIN: Is that instruction that any

13:42:38

11

conversation that Mr. Whigham had with Mr. Waldman

13:42:42

12

you're instructing him not to answer anything

13:42:48

13

about that conversation?

13:42:50

14

MS. VASQUEZ: To the extent that you would

13:42:52

15

have to divulge information or parts of that

13:42:53

16

conversation that would be covered by the

13:43:03

17

attorney-client privilege, yes, I'm instructing

13:43:05

18

you not to answer. We can go question by

13:43:08

19

question, but the question, the way I heard it, I

13:43:11

20

could have it read back, was quite broad.

13:43:17

H, 21
PRIV

Q What do you recall discussing with

13:43:19

22

Mr. Waldman relating to the --

13:43:22

Transcript of Jack Whigham
Conducted on January 20, 2021

66

1	A Yeah, it -- it was very brief. It was	13:43:25
2	mostly just, I think --	13:43:28
3	MR. DERIN: Well, hang on for a second,	13:43:33
4	Jack. You know, if you're going to get into the	13:43:34
5	substance of it -- Ms. Vasquez, I don't know	13:43:37
6	whether you want him to tell -- to have a -- to	13:43:46
7	describe generically what the subject was, but you	13:43:47
8	can't expect the witness to make a decision about	13:43:52
9	whether it's covered by the attorney-client	13:43:52
10	privilege. So you're going to have to instruct	13:43:56
11	him whether the conversation is covered by the	13:43:57
12	privilege and you instruct him not to answer or	13:44:00
13	have him describe the general subject matter	13:44:03
14	whether it's about the litigation or about	13:44:06
15	something else, but it's not for him to determine,	13:44:08
16	it's for you to instruct.	13:44:14
17	MS. VASQUEZ: I understand Mr. Derin.	13:44:15
18	Mr. Whigham, I apologize. I think the way the	13:44:22
19	question is phrased -- Paul, do you mind reading	13:44:25
20	back the question? I believe it's relating to the	13:44:28
21	lawsuit. Paul, do you mind reading back the	13:44:30
22	question?	13:44:30

Transcript of Jack Whigham
Conducted on January 20, 2021

67

1	(Requested portion read back.)	13:44:30
2	MS. VASQUEZ: Okay. To the last question,	13:44:30
3	what do you recall discussing with Adam Waldman,	13:45:11
4	I'm going to object that it's overbroad. And I	13:45:11
5	will just -- as an instruction, to the extent that	13:45:18
6	your answer, Mr. Whigham, involves discussions	13:45:20
7	with Mr. Waldman relating to the Jake Bloom	13:45:24
8	lawsuit or any litigation of Mr. Depp's, I will	13:45:26
9	instruct you not to answer.	13:45:29
10	MR. DERIN: Elaine, if you want to perhaps	13:45:36
11	kind of parse it out, that's fine, but otherwise,	13:45:41
12	I think there's an instruction.	13:45:44
13	MS. BREDEHOFT: Right. There's an	13:45:47
14	instruction, if I'm hearing this, that she's	13:45:50
15	asserting the attorney-client privilege over a	13:45:51
16	third party in any discussion that they had with	13:45:54
17	Mr. Waldman on the basis of Mr. Depp's	13:45:58
18	attorney-client privilege.	13:46:03
19	Q Mr. Whigham, were you present with	13:46:07
20	Mr. Depp in any of your conversations with	13:46:11
21	Mr. Waldman?	13:46:14
22	A No.	13:46:22

Transcript of Jack Whigham
Conducted on January 20, 2021

68

1	MR. DERIN: Objection; vague and	13:46:22
2	ambiguous. You can answer.	13:46:23
3	Q Were you present with Mr. Depp when you	13:46:24
4	had the discussion with Mr. Waldman about the Jake	13:46:26
5	Bloom litigation?	13:46:30
6	A No.	13:46:31
7	Q How many conversations did you have with	13:46:38
8	Mr. Waldman regarding the Jake Bloom litigation?	13:46:40
9	A To my -- the best of my recollection,	13:46:48
10	mainly one.	13:46:50
11	Q And what do you recall of your discussion	13:46:51
12	with Adam Waldman relating to the Bloom	13:46:54
13	litigation?	13:47:00
14	MS. VASQUEZ: Mr. Whigham, I'm going to	13:47:04
15	instruct you not to answer on the basis of the	13:47:05
16	attorney-client privilege. You were representing	13:47:08
17	Mr. Depp as an agent and Mr. Waldman is Mr. Depp's	13:47:12
18	attorney. So I will instruct you not to answer	13:47:18
19	Ms. Bredehoft's question on that basis.	13:47:28
20	Q And are you following that advice? I just	13:47:31
21	need that on the record that you're following the	13:47:35
22	advice. I don't agree with the invoking of the	13:47:36

Transcript of Jack Whigham
Conducted on January 20, 2021

69

1	attorney-client privilege, but I need to put on	13:47:39
2	the record that you are following that advice and	13:47:44
3	not responding to the question; is that correct?	13:47:44
4	And Mr. Derin, feel free to jump in. I'm okay --	13:47:47
5	MR. DERIN: Yeah, based on Mr. Depp's --	13:47:49
6	the assertion of Mr. Depp's privilege,	13:47:51
7	Mr. Whigham, I think you're bound to honor that	13:47:54
8	assertion of privilege because he's the holder of	13:47:57
9	privilege. So on that basis, I'll instruct you	13:48:02
10	not to answer because I think you have no choice.	13:48:05
11	Q And just for the record, then you are	13:48:09
12	following your counsel's advice not to answer;	13:48:13
13	correct?	13:48:17
14	A Yes.	13:48:18
15	MS. BREDEHOFT: Okay. Alex, can you pull	13:48:19
16	up Whigham 4, please.	13:48:22
17	Q Now, Mr. Whigham, you received a subpoena	13:48:51
18	duces tecum, a subpoena for documents in this	13:48:55
19	case, do you recall that?	13:48:59
20	A I don't, but seeing this reminds me.	13:49:02
21	Q Okay. Let me just go down so we can --	13:49:08
22	because this will make it easier as we go through	13:49:13

Transcript of Jack Whigham
Conducted on January 20, 2021

70

1	other documents. It's labeled JW and then some	13:49:16
2	zeros and 145, 146, 147 here. The document	13:49:19
3	production that was given on your behalf has JW	13:49:27
4	and then numbers one through -- and I can't	13:49:33
5	remember what the last one was, but it's roughly	13:49:37
6	150. Does that help refresh your recollection?	13:49:41
7	A Yes, ma'am. Yes.	13:49:45
8	Q Okay. And did you -- once you received	13:49:45
9	the subpoena, then did you go in and try to find	13:49:47
10	the documents that were responsive to the request?	13:49:50
11	A Yes.	13:49:55
12	Q Okay.	13:49:56
13	A We work with internal lawyers to make sure	13:49:57
14	we complied fully.	13:50:01
15	(WHIGHAM Deposition Exhibit 4 marked for	13:50:01
16	identification and attached to the transcript.)	13:50:02
17	Q Okay. Great. And so I'm going to show	13:50:02
18	you this particular document that's been marked as	13:50:06
19	Whigham No. 4. And it has at the top, Re Johnny	13:50:10
20	Depp slams Donald Trump at Glastonbury and asks,	13:50:21
21	when was the last time an actor assassinated a	13:50:25
22	President? But I'm going to take you down a	13:50:32

1	little further here on this document so you can	13:50:35
2	see the whole trail. It starts June 22nd, 2017.	13:50:37
3	Robin Baum, sharing in case you didn't see. And	13:50:49
4	then Christi Dembrowski, haven't had a chance to	13:50:52
5	look, but will. Who is Christi Dembrowski?	13:50:57
6	A She's Johnny sister.	13:51:01
7	Q How frequently did you work with Christi	13:51:03
VA, 8	Dembrowski in connection with your representation	13:51:08
AF 9	of Mr. Depp?	13:51:11
10	MS. VASQUEZ: Objection; assumes facts not	13:51:12
11	in evidence; it's vague and ambiguous as to "work	13:51:15
12	with."	13:51:17
13	A I -- I was in touch with Christi fairly	13:51:17
14	often.	13:51:21
15	Q And what -- for what reasons, just give me	13:51:21
16	an example?	13:51:26
17	A She was -- she was just very involved in	13:51:27
18	Johnny's life and helpful a lot with scheduling	13:51:31
19	and details and stuff like that.	13:51:38
20	Q Okay. You -- did you have an	13:51:40
21	understanding that she worked in a management role	13:51:41
22	for Mr. Depp?	13:51:43

Transcript of Jack Whigham
Conducted on January 20, 2021

72

1	MS. VASQUEZ: Objection; calls for	13:51:44
2	speculation; lack of foundation; assumes facts not	13:51:46
3	in evidence; vague and ambiguous.	13:51:52
4	A Not management per se, just kind of, you	13:51:53
5	know, helpful. She obviously was his sister and	13:51:57
6	knew everyone in his life and was able to help	13:52:03
7	with a lot of logistics.	13:52:06
8	Q Okay. Thank you. I'm going to go up a	13:52:09
9	little further. And then there is -- this one is	13:52:13
10	again from Robin Baum June 22nd, it has been	13:52:16
11	picked up everywhere and could continue past this	13:52:22
12	first round of stories. I haven't seen a tweet	13:52:26
13	from DT yet in response. And then this particular	13:52:30
14	-- on top of this story, one we have this one too,	13:52:32
15	Twitter is active. And it says, Johnny Depp	13:52:36
16	management knew about Amber Heard abuse, do you	13:52:43
17	see that?	13:52:50
18	A I do.	13:52:50
19	Q Do you believe that this press relating to	13:52:50
20	Johnny Depp's management knowing about Amber Heard	13:52:51
21	abuse negatively impacted Mr. Depp's personal or	13:52:53
22	professional reputation or career?	13:52:59

1 MS. VASQUEZ: I'm going to object. Calls 13:53:02
2 for speculation; lack of foundation; assumes facts 13:53:04
3 not in evidence; also calls -- lack of personal 13:53:08
4 knowledge, really. 13:53:14

5 A Yeah, I -- I don't know this specific 13:53:16
6 article or remember it. And I definitely can't 13:53:19
7 say that, one, that this -- that any one thing 13:53:24
8 like this necessarily had an impact. I'm a little 13:53:29
9 vague on the question. 13:53:37

10 Q Okay. Earlier you had indicated that you 13:53:39
11 believed that Mr. Depp's personal and professional 13:53:42
12 relationship -- reputation had been negatively 13:53:46
13 impacted, and I asked you to what do you attribute 13:53:52
14 this, and you said primarily headlines surrounding 13:53:55
15 Amber Heard's allegations of domestic violence by 13:53:59
16 Mr. Depp, do you recall saying that? 13:54:03

17 A Yes. 13:54:04

18 Q Okay. Based on your answer to this last 13:54:05
19 question, perhaps the better question for me to 13:54:09

R, 20 ask is can you point to any specific headlines 13:54:15
SP, 21 surrounding Amber Heard's allegations of domestic 13:54:19
SPK, 22 violence by Mr. Depp or would you say it was a 13:54:23
C

Transcript of Jack Whigham
Conducted on January 20, 2021

74

R, SP, SPK, C	1	cumulative effect?	13:54:27
	2	MS. VASQUEZ: Objection; vague; ambiguous;	13:54:29
	3	compound and overbroad.	13:54:32
R, SP, SPK, C	4	A Yeah, I lack specificity on remembering	13:54:35
	5	the headlines and correlating -- correlating them	13:54:40
	6	individually with the negative impact.	13:54:49
MIL	7	Q So to put that in a different way, is it	13:54:52
	8	fair to say that you cannot point to a specific	13:54:56
	9	article relating to Amber Heard's allegations of	13:54:58
	10	domestic violence by Johnny Depp that contributed	13:55:03
	11	to his negative personal and professional	13:55:06
	12	reputation?	13:55:11
	13	MS. VASQUEZ: Okay. Objection; misstates	13:55:11
	14	the testimony; it's overbroad; compound; assumes	13:55:13
	15	facts not in evidence.	13:55:21
	16	A Yeah, if I understand the question	13:55:25
	17	correctly, there -- there was one article that	13:55:26
	18	stood out that's, you know, again for one person	13:55:30
	19	it just stood out to me in terms of representing	13:55:35
	20	what we're talking about, but it was numerous --	13:55:38
	21	there were numerous headlines, you know, similar	13:55:42
	22	to this in addition to that.	13:55:45

MIL

1	Q Do you recall what the one article was	13:55:47
2	that stood out in your mind?	13:55:51
3	A The one I remember is what I would call	13:55:54
4	like an op-ed.	13:55:59
5	Q Do you recall who wrote the op-ed?	13:56:06
6	A I want to say it was the Washington Post.	13:56:12
7	It was the -- yeah, it was the -- I think it was	13:56:15
8	the Washington Post, but that should be verified.	13:56:22
9	I mean, that was the one I -- I remember there was	13:56:26
10	some discussion around --	13:56:27
11	Q What is --	13:56:27
12	A -- that's my memory.	13:56:31
13	Q What is the discussion you recall around	13:56:32
14	that op-ed?	13:56:34
15	A That there was an inference of domestic	13:56:37
16	abuse from Ms. Heard in the op-ed and it was the	13:56:46
17	type of article that might stand out more so than	13:56:53
18	others.	13:56:56
19	Q Why?	13:56:57
20	A I'm surmising because it seemed to come	13:56:58
21	from her.	13:57:09
22	Q When you say you're surmising, on what	13:57:10

MIL	1	basis -- what are you surmising about?	13:57:15
	2	A You asked why it might have more of an	13:57:19
	3	impact.	13:57:23
	4	Q On you; correct?	13:57:25
	5	A On the conversations I was having, yeah.	13:57:28
	6	Q And who were you having those	13:57:31
	7	conversations with?	13:57:35
	8	A A combination of Johnny's team and then	13:57:35
	9	also many just external conversations in the	13:57:42
	10	normal course of representing Johnny.	13:57:46
	11	Q And with whom did you have external	13:57:49
	12	conversations about the op-ed written by Amber	13:57:52
	13	Heard?	13:57:56
	14	A I don't remember with specificity, just	13:57:56
	15	the normal course of doing business for Johnny	13:58:00
	16	with -- in the Hollywood community.	13:58:04
	17	Q Can you recall any person that you spoke	13:58:06
R,	18	with about Amber Heard's op-ed?	13:58:11
H	19	A I cannot.	13:58:12
	20	Q Let's go to Johnny's team. Can you recall	13:58:13
	21	anyone specific on Johnny's team that you spoke	13:58:16
	22	with about Amber Heard's op-ed?	13:58:18

R,
H

1	A I can't recall the specific conversations.	13:58:23
2	I can take a guess of who it might have been with.	13:58:25
3	Q I don't want you to guess, I want you to	13:58:29
4	do your best to recall. Are you able to recall	13:58:31
5	anyone on Johnny's team that you spoke with	13:58:33
6	relating to Amber Heard's op-ed?	13:58:36
7	A No, I don't recall the specific	13:58:39
8	conversations.	13:58:41
9	Q Do you recall when the op-ed was	13:58:41
10	published?	13:58:46
11	A I don't.	13:58:48
12	Q Okay. So if the standard to you was that	13:58:49
13	it came from Amber Heard, would that also not	13:58:59
14	apply to Amber Heard having a declaration and	13:59:04
15	filing the lawsuit alleging domestic violence back	13:59:08
16	in May of 2016?	13:59:12
17	MS. VASQUEZ: Objection; vague and	13:59:15
18	ambiguous. I don't understand the question.	13:59:18
19	A Yeah, I don't understand the question.	13:59:22
20	Q Okay. If -- I think you indicated to me	13:59:25
21	that the reason that you thought that one stood	13:59:27
22	out more than the others was because Ms. Heard was	13:59:32

Transcript of Jack Whigham
Conducted on January 20, 2021

78

1	providing the inference that she had been	13:59:39
2	domestically abused, do you recall saying that?	13:59:46
3	A I do.	13:59:48
4	Q Would that not also be true when Ms. Heard	13:59:49
5	filed the lawsuit -- the domestic relations civil	13:59:53
6	action against Mr. Depp in May of 2016 and applied	13:59:58
7	for a domestic relations restraining order and	14:00:04
8	signed a declaration saying she had been a victim?	14:00:08
9	MS. VASQUEZ: Objection; compound; calls	14:00:11
10	for speculation; assumes facts not in evidence;	14:00:14
11	it's argumentative; and it -- he lacks personal	14:00:17
12	knowledge.	14:00:21
13	A I would say -- I think -- my -- I think	14:00:21
14	you're asking me to make a -- create kind of an	14:00:24
15	analogous conclusion. I was only speaking towards	14:00:32
16	a headline. The second part of what you were	14:00:36
17	asking sounded like a court filing, so that -- I	14:00:41
18	was speaking to headlines in the press.	14:00:45
19	Q Okay. So if there was a headline that	14:00:46
20	said back in June 22nd, 2017, Johnny Depp	14:00:53
21	management knew about Amber Heard abuse, would	14:00:58
22	that not also have that negative impact or stick	14:01:02

1	out to you?	14:01:05
2	MS. VASQUEZ: Objection; compound; calls	14:01:06
3	for speculation; it's an improper hypothetical.	14:01:09
4	It's also vague.	14:01:12
5	A Again, you know, it looks like a negative	14:01:17
6	headline for all involved. You know, that's -- I	14:01:23
7	don't remember that headline so I can't speak to	14:01:26
8	it or make any conclusions from it.	14:01:28
9	Q Ms. Baum here says, Twitter is active. In	14:01:33
10	your line of business, how important is Twitter in	14:01:39
11	terms of evaluating, you know, what's out there	14:01:44
12	about your clients?	14:01:48
13	MS. VASQUEZ: Objection; vague and	14:01:51
14	ambiguous; calls for speculation.	14:01:53
15	A Yeah, you know, I would say I haven't	14:01:56
16	relied too much on Twitter in my professional	14:01:58
17	dealings.	14:02:01
18	Q Have you noticed any trend towards Twitter	14:02:02
19	being more popular, more subscribed to over the	14:02:06
20	last few years?	14:02:13
21	MS. VASQUEZ: Objection; calls for	14:02:15
22	speculation; lack of personal knowledge; it's	14:02:18

Transcript of Jack Whigham
Conducted on January 20, 2021

80

1	vague and ambiguous.	14:02:21
2	A Yeah, I can't -- I mean, maybe there's the	14:02:25
3	Donald Trump effect, you know, but it's a leap.	14:02:28
4	Q Yeah, ironically I was thinking of that	14:02:31
5	when I asked you that question because the other	14:02:35
6	part of this particular email chain has the Johnny	14:02:37
7	Depp slamming Donald Trump.	14:02:44
8	A Yeah.	14:02:50
9	Q Do you recall that specific incident?	14:02:50
10	MS. VASQUEZ: Objection; vague and	14:02:54
11	ambiguous.	14:02:55
12	A I do.	14:02:55
13	Q About Donald Trump and Johnny Depp saying,	14:02:56
14	when was the last time an actor assassinated a	14:03:02
15	President?	14:03:08
16	MS. VASQUEZ: Objection; assumes facts not	14:03:08
17	in evidence.	14:03:10
18	A Seeing this email reminds me of the	14:03:10
19	headline, and I recall -- I recall it.	14:03:13
20	Q And do you think that had any kind of	14:03:15
21	negative impact on Mr. Depp's personal or	14:03:18
22	professional reputation or career?	14:03:22

R, P,
MIL, O

Transcript of Jack Whigham
Conducted on January 20, 2021

81

R, P, MIL, O	1	MS. VASQUEZ: Objection; compound; calls	14:03:24
	2	for speculation.	14:03:28
	3	A I actually don't, no.	14:03:28
	4	Q I'm not sure if your answer was I actually	14:03:37
	5	don't know or you said I actually don't think it	14:03:41
	6	does and the answer is no?	14:03:45
	7	A Yeah, I'll rephrase. Sorry. I don't	14:03:45
	8	think this headline had a negative affect on his	14:03:47
	9	career.	14:03:51
	10	Q Why not?	14:03:51
	11	A One, I think Donald Trump is not	14:03:53
	12	necessarily popular in the community of artists;	14:04:02
	13	and two, I think Johnny made this in jest and most	14:04:10
	14	people took it as that.	14:04:14
	15	Q Okay. Thank you.	14:04:16
	16	MS. BREDEHOFT: Alex, could you take this	14:04:17
	17	one down and go to No. 5, please.	14:04:19
	18	(WHIGHAM Deposition Exhibit 5 marked for	14:04:19
	19	identification and attached to the transcript.)	14:04:19
	20	Q We talked about this a little earlier,	14:04:21
	21	but, Mr. Whigham, I want to try to give the time	14:04:54
	22	sequence. I'm going in date order, I don't know	14:04:58

Transcript of Jack Whigham
Conducted on January 20, 2021

82

1 if you're noticing that. We'll continue to do 14:05:00
2 that so that hopefully that will place things for 14:05:03
3 you better. But this is October 17, 2017, and 14:05:06
4 this is a lawsuit that is -- has been brought by 14:05:10
5 Mr. Depp against Jake Bloom and his firm. 14:05:16

6 And I've already asked you whether you 14:05:22
7 recall any conversation with Mr. Depp, and I 14:05:25
8 believe you said no, that you talked to 14:05:28
9 Mr. Waldman, and you've been instructed not to 14:05:31

MIL,O 10 answer on that for attorney-client privilege. But 14:05:34
11 do you believe that the filing of this lawsuit and 14:05:37
12 the publicity generated as a result of this 14:05:45
13 lawsuit negatively affected Mr. Depp's personal or 14:05:47
14 professional reputation or career? 14:05:52

15 MS. VASQUEZ: Objection; calls for 14:05:55
16 speculation; lack of foundation; it's overbroad; 14:05:56
17 compound. 14:05:59

18 A If I understand the question, no, I didn't 14:06:04
19 associate much negativity to this. We had very 14:06:09
20 little to do with anything around this. 14:06:12

21 MS. BREDEHOFT: Okay. Alex, can you take 14:06:16
22 this one down and give me No. 6. 14:06:19

Transcript of Jack Whigham
Conducted on January 20, 2021

83

1	(WHIGHAM Deposition Exhibit 6 marked for	14:06:19
2	identification and attached to the transcript.)	14:06:19
3	Q Mr. Whigham, I'm going to ask you to take	14:06:56
4	a look at what is Whigham 6, Deposition Exhibit 6.	14:06:57
5	And it's an email chain again that was produced by	14:07:02
6	you. And -- or on your behalf. And it talks	14:07:05
7	about the JK Rowling statement -- JK Rowling and	14:07:11
8	Warner Brothers putting out some positive press.	14:07:25
9	Do you have a recollection of that happening?	14:07:27
10	MS. VASQUEZ: Objection; vague and	14:07:30
11	ambiguous.	14:07:35
12	A Yes, vaguely.	14:07:35
13	Q What do you recall surrounding that?	14:07:36
14	MS. VASQUEZ: Objection; overbroad.	14:07:40
15	MR. DERIN: Do you want to read the email,	14:07:42
16	Jack, or?	14:07:42
17	THE WITNESS: Sure.	14:07:45
18	MS. BREDEHOFT: You know what, you can	14:07:45
19	take control. Alex, can you give Mr. Whigham	14:07:50
20	control? That way you can just read it yourself.	14:07:53
21	You can go along at your pace.	14:07:55
22	A Yeah. I think -- is there anything down	14:08:10

1	below that's substantive?	14:08:13
2	MR. DERIN: Well, just scroll if you want	14:08:13
3	to read it.	14:08:20
4	Q There's a lot of -- when you get -- the	14:08:20
5	only one that -- there's one that --	14:08:22
6	A Sorry, okay.	14:08:23
7	Q Forwarded to J -- that's the bottom.	14:08:25
8	A Okay. Okay. Bryan Lour. Okay.	14:08:30
9	Q All right. Do you recall this particular	14:08:45
10	circumstance and what was surrounding it?	14:08:47
11	MS. VASQUEZ: Objection; vague and	14:08:51
12	ambiguous.	14:08:55
13	MS. BREDEHOFT: I'll ask it different, I	14:08:55
14	just want to make sure that I correct that.	14:08:57
15	Q Do you recall why JK Rowling and Warner	14:09:00
16	Brothers were issuing statements in support of	14:09:06
17	Mr. Depp at this time, December 7, 2017?	14:09:10
18	MS. VASQUEZ: Objection; compound; assumes	14:09:13
19	facts not in evidence; lack of foundation.	14:09:16
20	A I do not.	14:09:19
21	Q Okay. Do you even recall the statement	14:09:20
22	that was issued by either JK Rowling or Warner	14:09:23

Transcript of Jack Whigham
Conducted on January 20, 2021

85

1	Brothers?	14:09:30
2	MS. VASQUEZ: Objection; assumes facts not	14:09:30
3	in evidence; compound.	14:09:32
4	A I don't recall the exact statement.	14:09:35
5	Q Okay. Let's go to -- we can go ahead and	14:09:37
6	take this one down.	14:09:41
7	MS. BREDEHOFT: And I'm going to ask Alex,	14:09:43
8	if you can, bring up No. 7. There we go.	14:09:45
9	(WHIGHAM Deposition Exhibit 7 marked for	14:09:45
10	identification and attached to the transcript.)	14:09:45
11	Q I'm going to -- Mr. Whigham, I'm going to	14:10:10
12	ask you the take a look at what's been marked as	14:10:23
13	Exhibit 7. This is dated January 12th, 2018, and	14:10:27
14	it's a forward, Fantastic Beasts and Johnny. This	14:10:31
15	was also produced by your or on your behalf. And	14:10:36
16	it's a scroll and says, I wanted you to be aware	14:10:40
17	of the article that hit today. Daniel Radcliffe,	14:10:46
18	Johnny Depp, Fantastic Beasts is the title within	14:10:51
19	it. And it's -- and then if you look a little bit	14:10:56
20	below that. Actually, I'll let you take control.	14:11:00
21	MS. BREDEHOFT: Alex, go ahead and give	14:11:06
22	Mr. Whigham control so he can take a look at it.	14:11:08

1	Q But I'm calling your attention to what	14:11:11
2	starts at the bottom of this page right now where	14:11:12
3	it's talking -- it's the actual article from	14:11:14
4	January 12, 2018. Harry Potter star Daniel	14:11:16
5	Radcliffe is weighing in on the controversy	14:11:20
6	surrounding the casting of Johnny Depp in the	14:11:27
7	spinoff film Fantastic Beasts. Do you see that?	14:11:31
8	And then -- Thank you. And it comments on Rowling	14:11:33
9	weighing, in the fourth paragraph, with a defense	14:11:44
10	of keeping Depp on the film writing, based on our	14:11:47
11	understanding of the circumstance, the filmmakers	14:11:48
12	and I are not comfortable -- not only comfortable	14:11:52
13	sticking with our original casting, but genuinely	14:11:55
14	happy to have Johnny playing a major character in	14:11:59
15	the movies. Do you see that? Right? Does that	14:12:09
16	refresh your recollection of what Rowling's	14:12:12
17	statement was in December?	14:12:15
18	MS. VASQUEZ: Objection; assumes facts not	14:12:26
19	in evidence.	14:12:30
20	MR. DERIN: Jack, we can't -- you're muted	14:12:55
21	if you're talking.	14:12:55
22	THE WITNESS: Yeah. I guess if I take	14:12:55

1	control it doesn't let me unmute easily. Sorry.	14:12:59
2	MR. DERIN: Do you want me to scroll back	14:12:59
3	up?	14:13:06
4	A No, I was trying to unmute, but it just	14:13:06
5	wouldn't -- there was no unmute button while I had	14:13:08
6	control of the screen. Am I -- I'm answering your	14:13:11
7	previous question?	14:13:19
8	MR. DERIN: Is there a question pending?	14:13:23
9	Q Yeah. I think my question was does that	14:13:23
10	your recollection of what Rowling had said that	14:13:24
11	was in the last email that we just looked at,	14:13:29
12	email series that was referenced in that Whigham	14:13:34
13	Exhibit 6?	14:13:39
14	A Yes.	14:13:42
15	MS. VASQUEZ: Objection; vague and	14:13:42
16	ambiguous; assumes facts not in evidence.	14:13:44
17	A I'm seeing her words here, yes.	14:13:46
18	Q Okay. And does that refresh your	14:13:48
19	recollection of what was said at the time?	14:13:50
20	MS. VASQUEZ: Same objections.	14:13:52
21	Q By Ms. Rowling?	14:13:53
22	A Yes.	14:13:56

Transcript of Jack Whigham
Conducted on January 20, 2021

88

1	Q Okay. And it also has studio Warner	14:13:57
2	Brothers' statement as well here, does that help	14:14:02
3	refresh your recollection as to what their	14:14:04
4	statement was in December 2017?	14:14:06
5	A Yes.	14:14:08
6	Q Okay. Now, if you can scroll up to "but	14:14:09
7	he added," look at the paragraph that starts --	14:14:14
8	actually it's very hard thing for me. Up to the	14:14:18
9	next -- I think it's the next page, do you still	14:14:22
10	have control?	14:14:26
11	A I don't, but if you can just scroll up,	14:14:28
12	whoever has control.	14:14:34
13	MS. BREDEHOFT: I can do it. Alex, if you	14:14:34
14	can give me control? Here I promised I was going	14:14:36
15	to do this fast. Okay. Now, let me just -- I	14:14:40
16	just wanted to draw your attention to Daniel	14:14:46
17	Radcliffe saying, it's a very hard thing for me,	14:14:49
18	noting he wants to be supportive of the film's	14:14:53
19	producers who gave me a great start in life and an	14:14:56
20	amazing job, but he added, I can see why people	14:15:00
21	are frustrated with the response that they were	14:15:02
22	given from that. I'm not saying anything that	14:15:04

1 anybody hasn't already said, and this is a weird 14:15:06
2 analogy to draw, but in the NFL there are lots of 14:15:08
3 players arrested for smoking weed and there's 14:15:09
4 peoples' behavior that goes way beyond that and 14:15:12
5 it's tolerated because they're famous players. I 14:15:15
6 suppose the thing I was struck -- struck by is we 14:15:19
7 did have a guy who was reprimanded for weed on the 14:15:20
8 original Potter film essentially, so obviously 14:15:25
9 what Johnny has been accused of is much greater 14:15:28
10 than that. Do you see that? 14:15:34

11 A Yes. 14:15:35

12 Q Now, this was circulated amongst your 14:15:35
13 team; correct, because this was causing some 14:15:39
14 concern, would you agree? 14:15:41

15 MS. VASQUEZ: Objection; assumes facts not 14:15:45
16 in evidence. It misstates the testimony, and it's 14:15:46
17 vague and ambiguous. 14:15:51

18 Q Do you remember the question? 14:16:01

19 A Yeah. I mean, I -- I -- there's no -- I 14:16:04
20 don't recall any emotion on it, I just see that it 14:16:04
21 seems factual. 14:16:09

22 Q That's fair. Let me ask you this, would 14:16:09

Transcript of Jack Whigham
Conducted on January 20, 2021

90

1 it be fair to say that when certain articles are 14:16:12
FSPK, 2 picked up and circulated, that there's a reason 14:16:17
IH, 3 why certain ones are picked up and others are not 14:16:20
VA 4 circulated? 14:16:24

5 MS. VASQUEZ: Objection; incomplete 14:16:25
6 hypothetical; calls for speculation; and it's 14:16:28
7 vague and ambiguous. 14:16:31

8 Q Among your team, that's what I'm talking 14:16:32
9 about. 14:16:36

10 MS. VASQUEZ: Same objections. 14:16:36

11 A Yeah. I -- not really, other than this 14:16:37
12 one may have some importance because it's coming 14:16:38
13 from the studio. 14:16:44

14 Q And also Daniel Radcliffe was pretty 14:16:45
FSPK, 15 popular as Harry Potter for a long time, was he 14:16:49
VA 16 not? 14:16:55

17 MS. VASQUEZ: Objection; calls for 14:16:55
18 speculation; vague and ambiguous. 14:16:57

19 Q Would you agree? 14:17:03

20 A Yeah, I don't know Daniel -- yeah, he's 14:17:04
21 a -- you know, a fine actor. 14:17:06

22 Q Thank you. All right. Let's go to the 14:17:13

1 next one, No. 8. 14:17:15

2 (WHIGHAM Deposition Exhibit 8 marked for 14:17:15

3 identification and attached to the transcript.) 14:17:15

4 Q I'm going to ask you to take a look at 14:17:38

O 5 Whigham Exhibit 8, and I'm going to take you down 14:17:40

6 to where this starts so that you know what's 14:17:48

7 happened is the -- there's a complete reprint here 14:17:52

8 of the column that was written by Dan Wootton, 14:17:56

9 executive editor of The Sun, on April 27, 2018. 14:18:03

10 Do you see that there? And the title that was 14:18:08

11 given was, Gone Potty. How can JK Rowling be 14:18:11

12 genuinely happy casting wife beater Johnny Depp in 14:18:18

13 the new Fantastic Beasts film, do you see that? 14:18:23

14 A Yes. 14:18:26

15 Q And then the entire column has been 14:18:26

16 reprinted here or has been cut and pasted onto 14:18:28

17 this, and this is the email -- emails that you 14:18:36

18 gave us in discovery. And Susanna Scott has sent 14:18:38

19 this to Rich Blair. They're both from Warner 14:18:44

20 Brothers; right? And then it was forwarded to I 14:18:50

21 believe Bryan Lourd. Unfortunately, it's an 14:18:54

22 inflammatory article from The Sun below that I 14:19:00

Transcript of Jack Whigham
Conducted on January 20, 2021

92

1 wanted to make you aware of. And then -- I tried 14:19:03
2 to do that scroll up without that side. I think 14:19:07
3 you were having the same issue earlier. 14:19:11

4 And then Rich Blair to Bryan Lourd, 14:19:13
O 5 understand you're traveling, but we'll -- let me 14:19:19
6 know when you can touch base at some point over 14:19:20
7 the weekend. And then Bryan Lourd sends it to you 14:19:24
8 saying, FYI. And you say, I will ring her. Do 14:19:28
9 you see that? That's Saturday April 28th? Do you 14:19:38
10 see that? 14:19:42

11 A Yes, I do. 14:19:42

12 Q Okay. And is it fair to say that this 14:19:43
13 column discusses the allegations of domestic 14:19:44
14 violence by Mr. Depp against Amber Heard? 14:19:54

15 MS. VASQUEZ: Objection; lack of 14:19:56
16 foundation. 14:19:58

17 Q Well, do you need time to look at it? 14:19:58

18 A I do if you want to ask me about the 14:20:00
19 contents of it. 14:20:05

20 Q Okay. Go ahead. I'll give you control. 14:20:06

21 Go ahead. 14:20:08

22 It might be good for you to go up to 14:20:44

1	what's on page marked JW114 --	14:20:46
2	A Yeah.	14:20:51
3	Q -- starting with, "Let me be clear for the	14:20:53
4	benefit."	14:20:55
5	A Okay. One sec.	14:20:56
6	Q If you look at, "So let me be clear for	14:21:00
7	the benefit," and go a little bit down from there,	14:21:03
8	you'll see the specific statements that were made.	14:21:06
9	If I could just get control back.	14:21:36
10	A Yeah, go ahead.	14:21:40
11	MS. BREDEHOFT: Alex, if I can get	14:21:41
12	control. There we go.	14:21:44
13	Q So the article, right, so let me be clear	14:21:51
14	for the benefit of an apparently unaware	14:21:55
15	Ms. Rowling, overwhelming evidence was filed to	14:21:55
16	show Johnny Depp engaged in domestic violence	14:22:01
17	against his wife, Amber Heard. She was granted a	14:22:02
18	restraining order after alleging Depp assaulted	14:22:05
19	her following a drunken argument and submitted	14:22:08
20	photographs to the court showing her bruised face.	14:22:12
21	Heard backed up by numerous friends on the record	14:22:15
22	recounted a detailed history of domestic abuse	14:22:19

1 incidents, some of which have lead to her fearing 14:22:23
2 for her life. According to court documents, there 14:22:23
3 were kicks, punches, shoves, and an all-out 14:22:24
4 assault. Do you see that? 14:22:29

5 A Yes. 14:22:30

6 Q Okay. So would you agree that this was an 14:22:30
FSPK, 7 article that was published that was discussed -- 14:22:36
C, 8 that was -- included headlines surrounding Amber 14:22:47
AF 9 Heard's allegations of domestic violence by Johnny 14:22:49
10 Depp? 14:22:57

11 MS. VASQUEZ: Objection; assumes facts not 14:22:57
12 in evidence; it's compound; and he lacks personal 14:22:57
13 knowledge to say whether this article is 14:22:59
14 published. 14:23:03

15 A Yeah, I mean, the -- my main summary, it's 14:23:05
16 Blair Rich, her first name's Blair, and I just see 14:23:10
17 her sending this to Bryan and then him forwarding 14:23:16
18 it on. So I don't really have a -- an enormous 14:23:20
19 memory of this incident. But if there's a 14:23:28
20 question, I can answer it, let me know. 14:23:32

21 Q Do you have a memory of there being a 14:23:35
VA 22 column published in The Sun by Dan Wootton, who's 14:23:39

1 the executive editor, that said exactly what's at 14:23:46
VA 2 the bottom of this email? 14:23:53

3 MS. VASQUEZ: Objection; vague and 14:23:54
4 ambiguous as to time. 14:23:55

5 A I -- I don't remember. What I remember or 14:23:56
6 what I thought at the moment, I just have the 14:23:58
7 impression of seeing this, and I don't remember 14:24:02
8 Dan Wootton or that name. I vaguely remember some 14:24:05
9 of these emails going back and forth between 14:24:11
10 Warner Brothers and us. 14:24:15

11 Q All right. Do you remember, are you aware 14:24:16
FSPK, 12 -- I'm going to ask you first, do you recall that 14:24:19
AF, 13 on April 27, 2018, this article was published in 14:24:21
AA 14 The Sun? 14:24:28

15 MS. VASQUEZ: Objection; assumes facts not 14:24:28
16 in evidence; lack of foundation; lack of personal 14:24:31
17 knowledge; and asked and answered. 14:24:33

18 A What I would say is I have a vague memory 14:24:37
19 of this article. I don't associate it with the 14:24:39
20 date or the author, but I have a vague memory of 14:24:43
21 this article now that I'm seeing it. 14:24:46

22 Q This article being the article -- 14:24:49

1	A That you just showed me.	14:24:53
2	Q Right. That was published in The Sun	14:24:54
3	that's entitled, Gone Potty. How can JK Rowling	14:25:00
4	be genuinely happy casting wife beater Johnny Depp	14:25:02
5	in the new Fantastic Beasts film; correct?	14:25:06
6	A Correct.	14:25:09
AF 7	Q All right. Who did you ring as a result?	14:25:09
8	MS. VASQUEZ: Objection; assumes facts not	14:25:14
9	in evidence.	14:25:19
10	Q Well, it says I will ring her. What do	14:25:19
11	you mean by that?	14:25:25
12	A I believe I'm saying that I will ring	14:25:25
13	Blair Rich.	14:25:29
14	Q All right. Do you recall calling Blair	14:25:30
15	Rich?	14:25:34
16	A I don't remember specifically calling her.	14:25:34
17	I remember vaguely conversations at this time	14:25:36
18	without specificity.	14:25:44
19	Q Do you recall anything -- do you recall	14:25:47
H, VA 20	anything from those conversations?	14:25:51
21	MS. VASQUEZ: Objection; vague and	14:25:55
22	ambiguous; calls for hearsay.	14:25:58

1 A I mainly recall wanting to understand 14:26:04
2 where Warner Brothers had -- when I say had, where 14:26:08
3 their point of view is at because they're sending 14:26:12
4 us these articles or this article, excuse me. 14:26:16

5 Q I'm sorry, what do you mean by that? 14:26:18

6 A She -- she forwards this article to Bryan 14:26:23
7 Lourd without much context, and so Bryan sending 14:26:32
8 it to me as an FYI and me working on behalf of 14:26:38
9 Johnny would usually cause us to call there to 14:26:43
10 say, hey, you know, why did you send that? Where 14:26:47
11 is your head? That kind of thing. 14:26:52

12 Q And do you have a recollection of what 14:26:54
H 13 Blair Rich from Warner Brothers said about where 14:26:58
14 her head was after seeing that article in The Sun? 14:27:01

15 MS. VASQUEZ: Objection; calls for 14:27:04
16 hearsay. 14:27:05

17 A Without specificity, the most I remember 14:27:08
18 about this entire movie was that there was a 14:27:11
19 moment of hesitancy before Johnny started the film 14:27:16
20 and then the studio and JK supported him doing it. 14:27:23
21 And I just remember them sort of monitoring 14:27:29
22 anything they might see in the press on it. When 14:27:35

Transcript of Jack Whigham
Conducted on January 20, 2021

98

1 I say "on it," you know, regarding headlines or 14:27:40
2 anything like that and not making -- not taking 14:27:43
3 any action and just -- it was a monitoring kind of 14:27:47
4 situation. 14:27:51

5 Q Because there was sensitivity to employing 14:27:51
6 Mr. Depp on the film to start out with because of 14:27:56
7 the allegations -- 14:28:02

8 MS. VASQUEZ: Objection; assumes facts not 14:28:03
9 in evidence; calls for speculation. 14:28:08

10 Q Let me rephrase the question. Was it your 14:28:08
11 understanding the hesitancy in hiring Mr. Depp for 14:28:10
12 Fantastic Beasts 3 was because of earlier 14:28:13
13 allegations of domestic violence by Amber Heard? 14:28:18

14 MS. VASQUEZ: Objection; assumes facts not 14:28:21
15 in evidence; misstates the testimony; and it calls 14:28:23
16 for speculation. 14:28:31

17 A I would say that would cause me to 14:28:31
18 speculate, you know, so... 14:28:34

19 Q I don't want you to speculate. Did Warner 14:28:37
H, 20 Brothers or JK Rowling have any discussions with 14:28:41
C, 21 you or your team about any hesitancy in hiring 14:28:45
VA 22 Mr. Depp for Fantastic Beasts 3? 14:28:52

Transcript of Jack Whigham
Conducted on January 20, 2021

99

1 MS. VASQUEZ: Objection; vague and 14:28:55
2 ambiguous as to time; and it's compound. And it 14:28:56
3 calls for hearsay. 14:28:59

4 A Yeah, not with JK, with myself or the 14:29:00
5 team, I don't believe. Warner Brothers, not with 14:29:03
6 myself, I can't speak for the team. In terms of 14:29:09
7 specificity, I just generally recall there being a 14:29:16
8 moment of hesitation and then JK sort of, you 14:29:20
9 know, aggressively supporting Johnny. And then 14:29:29
10 like any movie I've ever worked on really, like 14:29:34
11 the people who are involved or writing the check 14:29:37
12 for it, they are always monitoring anything good 14:29:41
13 and bad happening with the production, with the 14:29:45
14 people involved, that kind of thing. 14:29:47

15 Q And what is your understanding of why they 14:29:49
FSPK 16 monitor? 14:29:52

17 MS. VASQUEZ: Objection; calls for 14:29:54
18 speculation. 14:30:00

19 A My opinion is because of the investment. 14:30:00

FSPK 20 Q So trying to protect their investment? 14:30:07

21 A Yeah, they're -- you know, yes, they're -- 14:30:10
22 it's their film. 14:30:13

Transcript of Jack Whigham
Conducted on January 20, 2021

100

1 FSPK, C, 2 AF 3 4	Q Okay. Are you aware of or believe -- do you believe that this article negatively affected Mr. Depp's personal or professional reputation or career?	14:30:14 14:30:21 14:30:27 14:30:33
5 6 7	MS. VASQUEZ: Objection; calls for speculation; lack of personal knowledge; compound; assumes facts not in evidence.	14:30:33 14:30:34 14:30:36
8 9	A My -- my opinion is it does not look like a positive article for Johnny.	14:30:43 14:30:47
10 11 12	MS. BREDEHOFT: Okay. We're done with this one. I want to respect, Camille, you said you have a phone call?	14:30:49 14:30:52 14:30:55
13 14	MS. VASQUEZ: I do. I moved it slightly. Do you know, Elaine, how much more time you have?	14:30:57 14:31:00
15 16 17	MS. BREDEHOFT: It's going a little bit slower than I'd like, but I want -- how much time, Alex, or actually Jean-Louis, can you tell us how	14:31:03 14:31:05 14:31:08
18 19	much time we've used? THE VIDEOGRAPHER: So far, two hours and	14:31:11 14:31:14
20	three minutes.	14:31:16
21 22	MS. BREDEHOFT: Okay. All right. I am not going to take -- I'm going to be less than one	14:31:18 14:31:19

Transcript of Jack Whigham
Conducted on January 20, 2021

101

1	hour to finish mine.	14:31:25
2	MS. VASQUEZ: So maybe this is a good time	14:31:26
3	for a break. I don't know how everyone feels	14:31:28
4	about that, maybe a 30, 45-minute break.	14:31:31
5	THE WITNESS: I'm in your hands. I mean,	14:31:36
6	the sooner we can wrap it up, but I'm -- I'm	14:31:38
7	sensitive to all your time needs as well.	14:31:41
8	MR. DERIN: Well, if we take a ten-minute	14:31:46
9	break and then come back and let Elaine finish and	14:31:48
10	then take our lunch break, that may make more	14:31:52
11	sense.	14:31:55
12	MS. VASQUEZ: Okay, that's fine.	14:31:56
13	MR. DERIN: Does that work for you, Jack?	14:31:58
14	THE WITNESS: Ten-minute break, finish	14:32:01
15	this line of questioning, then you're saying lunch	14:32:03
16	break and then we have more questions?	14:32:06
17	MR. DERIN: And then Camille will ask her	14:32:08
18	questions and then if Elaine has reserved some	14:32:08
19	time, she may do some follow up and then we'd be	14:32:11
20	done.	14:32:14
21	THE WITNESS: Okay.	14:32:15
22	MR. DERIN: And hopefully Camille doesn't	14:32:16

Transcript of Jack Whigham
Conducted on January 20, 2021

102

1	have three hours.	14:32:19
2	THE VIDEOGRAPHER: Okay. So it is	14:32:21
3	2:32 p.m. We go off the record.	14:32:23
4	(Off the record from 2:32 p.m. to 2:46	14:32:23
5	p.m.)	14:46:39
6	THE VIDEOGRAPHER: It is the beginning of	14:46:39
7	media number three of the testimony of Jack	14:46:41
8	Whigham. It is 2:46 p.m. We are back on the	14:46:44
9	record.	14:46:49
10	Q Mr. Whigham, I'm going to ask you to take	14:46:49
11	a look at Exhibit 9.	14:46:51
12	MS. BREDEHOFT: Alex, if you could pull	14:46:57
13	that up for me.	14:46:58
14	(WHIGHAM Deposition Exhibit 9 marked for	14:46:58
15	identification and attached to the transcript.)	14:47:13
16	Q And, Mr. Whigham, I'm going to -- this is	14:47:13
17	-- this is Whigham Exhibit 9, I'm just going to	14:47:18
18	keep you at the top of this because the rest of it	14:47:20
19	is a similar line of what we just looked at in	14:47:22
20	Exhibit 8. But I'm going to draw your attention	14:47:26
21	to the very top. It's from Robin Baum to Bryan	14:47:28
22	Lourd with a copy to you and says, I will forward	14:47:31

Transcript of Jack Whigham
Conducted on January 20, 2021

103

1 to you a copy of the email Adam sent us this 14:47:33

2 morning. Do you see that? 14:47:37

3 A Yes. 14:47:38

4 Q Is it your understanding that's Adam 14:47:38
FSPK

5 Waldman? 14:47:41

6 MR. DERIN: Objection. Calls for 14:47:44

7 speculation. 14:47:46

8 Q Do you know anyone else other than Adam 14:47:46

9 Waldman that would be involved in this? 14:47:50

10 A I don't. 14:47:52

11 Q Do you believe that that is Adam Waldman 14:47:52
FSPK

12 that Robin is referring to? 14:47:58

13 MS. VASQUEZ: Objection; calls for 14:48:00

14 speculation. 14:48:01

15 A I do. 14:48:01

16 Q Okay. Do you recall what the email said 14:48:02

17 that Adam sent? 14:48:11

18 A I do not. 14:48:13

19 MS. BREDEHOFT: Okay. That wasn't 14:48:14

20 produced. All right. I'm going to -- now, Alex, 14:48:16

21 can you bring up No. 10, please. 14:48:18

22 (WHIGHAM Deposition Exhibit 10 marked for 14:48:18

1 identification and attached to the transcript.) 14:48:18

2 Q Now, that was on April 28th. And this is 14:48:28
AF 3 -- this is now -- I'm going to show you Whigham 14:48:36
4 Exhibit 10. This is May 1st, 2018, so just a few 14:48:40
5 days later. This is a lawsuit filed by Eugene 14:48:44
6 Arreola and Miguel Sanchez against Johnny Depp. 14:48:50
7 And these people were bodyguards of his. Were you 14:48:53
8 aware of this litigation? 14:48:56

9 MS. VASQUEZ: Objection; assumes facts not 14:48:58
10 in evidence. 14:49:00

11 A When you remind me now, I vaguely remember 14:49:03
12 it, yes. 14:49:07

13 Q Okay. Do you have any -- do you recall -- 14:49:08
14 let me ask it this way, are you aware of whether 14:49:15
15 -- or do you believe this negatively affected 14:49:18
16 Mr. Depp's personal or professional reputation or 14:49:22
17 career in having made these allegations public? 14:49:25

18 MS. VASQUEZ: Objection; calls for 14:49:30
FSPK, 19 speculation; lack of foundation; assumes facts not 14:49:32
AF 20 in evidence; lack of personal knowledge. 14:49:35

21 MR. DERIN: And vague and ambiguous. By 14:49:36
22 "this," do you mean... 14:49:38

1 MS. BREDEHOFT: This lawsuit filed by the 14:49:39

2 bodyguards. Thank you. 14:49:42

3 MR. DERIN: Thank you. 14:49:44

4 A I don't necessarily think that the actual 14:49:46

5 filing of a lawsuit was negative to his career. I 14:49:51

6 -- if there was publicity around it, it's probably 14:49:57

7 not a great thing. 14:50:03

8 Q Okay. Thank you. 14:50:04

9 MS. BREDEHOFT: Alex, you can take that 14:50:05

10 one down. Let's go to Exhibit 11. 14:50:06

11 (WHIGHAM Deposition Exhibit 11 marked for 14:50:06

12 identification and attached to the transcript.) 14:50:06

13 Q That one was May 1st, 2018. The next 14:50:11

14 one's going to be June 6th, so just a little over 14:50:16

15 a month later. 14:50:20

16 And I'm going to ask you to take a look at 14:50:28

17 what is Whigham 11. This is a lawsuit that was 14:50:31

VA 18 filed by Greg Rocky Brooks against Mr. Depp on 14:50:35

19 July -- I'm sorry if I said June, it was 14:50:39

20 July 6th, 2018. Do you recall this litigation 14:50:42

21 filed by Greg Brooks against Johnny Depp? 14:50:45

22 MS. VASQUEZ: Objection; vague and 14:50:48

1	ambiguous as to time.	14:50:49
2	A I do.	14:50:54
3 FSPK, H, 4 VA,	Q And what is your understanding as to why this lawsuit was filed? What are they alleging?	14:50:54 14:50:58
C, 5 OB, IR 6	MS. VASQUEZ: Objection; compound; overbroad; vague and ambiguous as to they.	14:51:01 14:51:04
7	A This -- this is the Biggie Smalls film we	14:51:08
8	referenced that was shot before we represented	14:51:12
9	Johnny, so I had no firsthand knowledge of any of	14:51:17
10	this. What I recall was calling the director when	14:51:20
11	I heard about this, just to ask him whether or not	14:51:26
12	--	14:51:29
13	MR. DERIN: Excuse me, let me interrupt	14:51:30
14	you. The question was if you recall what was	14:51:32
15	alleged in the lawsuit.	14:51:35
16	A Got it. Sorry. That's a different	14:51:37
17	question. When I see it, I recall vaguely what it	14:51:44
18	was about.	14:51:48
19	Q Do you -- okay. Tell me -- I'm sorry, so	14:51:49
20	you were talking about the Biggie Smalls and	14:51:53
21	having a conversation with somebody. Who did you	14:51:59
22	reach out to?	14:52:02

1 A The filmmaker. 14:52:03

2 Q And -- and what do you recall of that 14:52:04
H 3 discussion? 14:52:08

4 A That when we spoke, this was, I don't 14:52:12
5 know, a year after the event that happened, maybe. 14:52:15
6 It was quite a bit of time had gone by, but his 14:52:19
7 recollection of anything that was alleged was 14:52:22
8 different than what the allegation was, and he was 14:52:28
9 quite shocked that this was happening. 14:52:31

10 Q Do you have an allegation -- do you have a 14:52:33
H 11 recollection of what Mr. Brooks was alleging that 14:52:37
12 Mr. Depp had done to him? 14:52:41

13 A My memory was that there was some sort of 14:52:50
14 incident on set with -- but I don't have any 14:52:52
15 specificity or memory of what happened or what was 14:52:57
16 alleged, excuse me. 14:52:59

17 Q Do you recall that Greg Rocky Brooks was a 14:53:00
C, 18 local manager and was alleging that Mr. Depp 14:53:06
AF, 19 punched him on set? 14:53:09
AA

20 MS. VASQUEZ: Objection; compound; assumes 14:53:12
21 facts not in evidence; asked and answered. 14:53:14

22 A Yeah, I don't remember -- no, I don't 14:53:19

1	remember what the actual accusation was, you know.	14:53:21
2	I mainly just remember the conversation I had with	14:53:27
3	the filmmaker.	14:53:29
4	(WHIGHAM Deposition Exhibit 12 marked for	14:53:29
5	identification and attached to the transcript.)	14:53:30
6	Q Okay. Let's take that one down and we'll	14:53:30
7	go to Whigham 12. Now, this was a lawsuit brought	14:53:35
8	by Mr. Depp against the Newsgroup Newspapers	14:53:55
9	Limited which owns The Sun and Dan Wootton, and	14:53:58
10	the date on it is June 13th, 2018. And it's	14:54:01
11	called particulars of a claim. This is the	14:54:05
12	lawsuit that Mr. Depp brought as a result of the	14:54:12
13	column that was -- we just talked about before the	14:54:17
14	break, written by Dan Wootton on JK Rowling Gone	14:54:19
15	Potty in hiring Johnny Depp, the wife beater, do	14:54:28
16	you recall that?	14:54:33
17	MR. DERIN: Recall what?	14:54:34
18	Q Do you recall seeing that before the	14:54:38
19	break?	14:54:40
20	A Your -- this is correlated to the article	14:54:40
21	you showed me just a few minutes ago; is that	14:54:40
22	correct?	14:54:43

Transcript of Jack Whigham
Conducted on January 20, 2021

109

1 Q Correct. Right before the break. 14:54:43

2 A Yes. 14:54:43

3 Q By Dan Wootton -- 14:54:45

4 A Yeah. 14:54:45

5 Q -- and talking about JK Rowling and 14:54:46

6 employing Mr. Depp, the wife beater? 14:54:49

7 A Yeah. 14:54:54

8 Q Okay. Are you aware of whether or do you 14:54:54

FSPK, AF 9 believe that the filing of this lawsuit by 14:54:58

10 Mr. Depp generated any publicity or any headlines 14:55:01

11 that negatively affected Mr. Depp's personal or 14:55:05

12 professional reputation or career? 14:55:09

13 MS. VASQUEZ: Objection; calls for 14:55:11

14 speculation; lack of foundation; assumes facts not 14:55:13

15 in evidence; lack of personal knowledge. 14:55:15

16 A You know, again, it's mostly a broad 14:55:24

17 memory and kind of opinion of both remembering 14:55:27

18 that it happened and then can't correlate it to 14:55:31

19 any specific harm, as I remember thinking on one 14:55:36

20 hand, there's a headline of another situation, on 14:55:46

21 the other it is Johnny seemingly taking a point of 14:55:52

22 view, you know, that this was, you know, that he 14:55:58

1 had a specific point of view on it in support of 14:56:02

2 how he felt. So it kind of equaled out almost. 14:56:06

3 Q All right. Let's go to No. 13. 14:56:12

4 MS. BREDEHOFT: Alex, if you could take 14:56:16

5 that one down and go to No. 13. 14:56:20

6 (WHIGHAM Deposition Exhibit 13 marked for 14:56:20

7 identification and attached to the transcript.) 14:56:20

8 Q I'm going to ask you to take a look at 14:56:23

9 what has been marked as Deposition Exhibit 13. 14:56:26

10 It's a Rolling Stone article from June 21, 2018. 14:56:29

11 Do you recall reading this article? 14:56:38

12 A Yes, ma'am, I do. 14:56:47

13 Q Okay. And what did you think of it? 14:56:47

14 MS. VASQUEZ: Objection. 14:56:51

15 MS. BREDEHOFT: I'll rephrase it. 14:56:51

16 Q Do you believe that this article -- or do 14:56:52

FSPK, 17 you -- are you aware of whether or do you believe 14:57:00

C, 18 that this article negatively affected Mr. Depp's 14:57:02

AF 19 personal or professional reputation or career? 14:57:05

20 MS. VASQUEZ: Compound; calls for 14:57:12

21 speculation; lack of foundation; assumes facts not 14:57:13

22 in evidence; lack of personal knowledge. 14:57:15

Transcript of Jack Whigham
Conducted on January 20, 2021

111

1	A I vaguely remember this article, you know.	14:57:20
2	And my memory was that it was not positive for	14:57:25
3	Johnny.	14:57:29
4	MS. BREDEHOFT: Okay. We can take that	14:57:30
5	one down, Alex. We'll go to the next one.	14:57:31
6	No. 14.	14:57:36
7	(WHIGHAM Deposition Exhibit 14 marked for	14:57:36
8	identification and attached to the transcript.)	14:57:36
9	Q And I'm going to ask you to take a look at	14:57:51
10	Whigham 14. This is one of -- your production	14:57:56
11	from your emails. It says forward, Johnny Depp	14:57:58
12	film City of Lies pulled from release schedule.	14:58:01
13	Variety.	14:58:05
14	MS. BREDEHOFT: And if I can take control	14:58:05
15	for just a moment, Alex. I'm going to -- trying	14:58:07
16	to get the highlighter, but it's not working so --	14:58:22
17	anyway, so let's take it down. Remember how we	14:58:26
18	were talking about the Brooks lawsuit a minute	14:58:29
19	ago? Alex, for reasons unclear to me, even it	14:58:31
20	says I'm controlling the screen, I can't move it.	14:58:35
21	PLANET DEPOS TECHNICIAN: My apologies,	14:58:41
22	Elaine, this is Alex speaking. One of the links	14:58:43

Transcript of Jack Whigham
Conducted on January 20, 2021

112

1 in the PDF came up. Let me just exit that really 14:58:47
2 quickly. Sorry about that, Elaine, you should 14:58:52
3 have control now. 14:59:09

4 MS. BREDEHOFT: All right. Thank you. 14:59:11

5 Q All right. So this one is talking about 14:59:11
O 6 -- so it's on August 6th, 2018, we go down and the 14:59:15
7 article is that City of Lies pulled, and it has 14:59:21
8 Johnny Depp on there. And it says, Global Road 14:59:27
9 Entertainment has pulled the upcoming 14:59:31
10 Notorious B.I.G. film City of Lies starring Johnny 14:59:36
11 Depp a month before it was slated to hit theaters. 14:59:39

12 A Excuse me. 14:59:39

13 Q Depp last month was sued by a location 14:59:44
14 manager involving -- involved in the production 14:59:47
15 who said the actor punched him. He has faced a 14:59:49
16 number of legal and financial woes, recently 14:59:53
17 granting a wide-ranging interview to Rolling Stone 14:59:55
18 which showcased the actor's decline. Last month 14:59:55
19 he settled a lawsuit with his former managers who 14:59:59
20 accused the actor of spending money at an 15:00:01
21 unsustainable rate. And then it goes down 15:00:04
22 further, Depp, who faced accusations of domestic 15:00:06

O 1 violence in his divorce from Amber Heard last year
2 generated controversy for another film he's
3 attached to, Fantastic Beasts the Crimes of
4 Grindelwald.

15:00:10

15:00:13

15:00:15

15:00:15

5 So you indicate here on August 6th, I need
6 to call her in the morning. Was that Christi
7 Dembrowski?

15:00:26

15:00:30

15:00:35

8 A I don't believe so.

15:00:35

9 Q Okay. The question that's asked by
10 Christi Dembrowski to you and to Robin Baum is
11 when did they decide this and does he know? Do
12 you see that?

15:00:36

15:00:38

15:00:46

15:00:48

13 A Uh-huh.

15:00:48

14 Q Okay. Were you told before they decided
15 to pull it?

15:00:48

15:00:50

16 MS. VASQUEZ: Objection; vague and
VA 17 ambiguous.

15:00:51

15:00:54

18 Q Were you -- I don't know what the
19 objection is, but I'll rephrase it just to make it

15:00:54

15:00:56

20 easier. Were you aware in advance of this article
AF 21 being published on August 6th that they intended
22 to pull City of Lies?

15:00:59

15:01:03

15:01:11

Transcript of Jack Whigham
Conducted on January 20, 2021

114

1 MS. VASQUEZ: Objection; assumes facts not 15:01:12
2 in evidence. 15:01:15

3 A My memory of this is that we were having 15:01:15
4 conversations with them, and with them being Open 15:01:18
5 -- or Global Road or Open -- they went by two 15:01:24
6 different names, I believe, the distributor, and 15:01:25
7 they were citing, if I remember correctly kind of 15:01:31
8 that they might be headed towards this result, and 15:01:38
9 they insinuated that there was negative publicity 15:01:42
10 on Johnny which was making it very hard for them. 15:01:47
11 But as I stated earlier, there was -- we knew that 15:01:51
12 there was also financial trouble with the company, 15:01:55
13 so it was all kind of jumbled together. 15:01:58

14 Q Do you believe or are you aware of whether 15:02:04
FSPK, 15 this article that's reflected here at the bottom 15:02:06
AF 16 of Exhibit 14 negatively affected Mr. Depp's 15:02:09
17 personal or professional reputation or career? 15:02:18

18 MS. VASQUEZ: Objection; calls for 15:02:20
19 speculation; lack of foundation; assumes facts not 15:02:23
20 in evidence; lack of personal knowledge. 15:02:23

21 A No, I'm just seeing where it was from, 15:02:28
22 Variety, that's a trade magazine. So I would say 15:02:34

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1 it's a what I would coin a negative headline for
2 him.

15:02:37

15:02:42

3 Q Okay. Thank you. Let's go --

15:02:42

4 MS. BREDEHOFT: Alex, can you take that
5 one down and go to 15, please.

15:02:44

15:02:45

6 (WHIGHAM Deposition Exhibit 15 marked for
7 identification and attached to the transcript.)

15:02:45

15:02:45

8 Q I'm going to show you what has been marked

15:03:06

9 as Whigham Exhibit 15. And it's got a Re

15:03:08

10 Accusations Versus Accountability, Hollywood's

15:03:15

11 Complicated Relationship with Johnny Depp. This

15:03:18

12 is August 8th, 2018. And if we go down, the

15:03:19

13 article was in the LAtimes.com entertainment

15:03:25

14 section, and it starts with, Johnny Depp is facing

15:03:29

15 a lawsuit alleging the actor assaulted a location

15:03:38

16 manager on the set of the upcoming film City of

15:03:39

17 Lies.

15:03:42

18 What is it about Johnny Depp that makes

15:03:42

19 him so Teflon to accusations of bad behavior? As

15:03:44

20 Hollywood enters a new age of accountability,

15:03:49

21 Depp's erratic and allegedly violent behavior

15:03:53

22 continues to exist in its own reality with no

15:03:56

1	obvious consequences.	15:04:00
O 2	On Monday, Variety reported that Depp's	15:04:02
3	upcoming crime thriller City of Lies was yanked	15:04:06
4	from the calender just months before it's	15:04:06
5	September 7th premier date. This time last month,	15:04:06
6	Depp and the film were making headlines thanks to	15:04:12
7	a lawsuit filed by a location manager who alleged	15:04:13
8	that Depp had berated and punched him while on	15:04:15
9	set. It's possible that the movie's last minute	15:04:19
10	scheduling issues are just a coincidence and have	15:04:21
11	nothing to do with the civil suit, but wouldn't it	15:04:23
12	be the first time that Depp has avoided real life	15:04:26
13	consequences for potentially abhorrent behavior?	15:04:30
14	Travel with me, if you will, back to 1989	15:04:32
15	when Depp was a fledgling actor on the TV	15:04:36
16	Series 21 Jump Street when he was arrested on	15:04:40
17	suspicion of assault on a security guard in	15:04:43
18	Vancouver, Canada, or 1994 when Depp was arrested	15:04:45
19	on criminal mischief charges after inflicting	15:04:49
20	nearly \$10,000 worth of damage to a hotel room.	15:04:49
21	And then in 1999 Depp was arrested after	15:04:52
22	threatening paparazzi with a wooden plank while in	15:04:55

1	London, and that's just the 20th century.	15:05:00
2	None of these things have derailed	15:05:02
3	Mr. Depp's career. If his paychecks and three	15:05:05
4	academy award nominations are any indication, and	15:05:12
5	it goes on about forgiving others. Then it says,	15:05:16
6	Depp's persistent immunity to bad press is even	15:05:19
7	stranger, given the good company he seems to be	15:05:21
8	keeping. And it talked about JK Rowling, and then	15:05:23
9	it goes down and says, Heard and Depp settled	15:05:23
10	their contentious divorce, but not before a	15:05:32
11	restraining order was issued and photographs of a	15:05:34
12	bruised Heard cycled through the Internet.	15:05:37
13	So here we are in 2018 and Depp is coming	15:05:40
14	up on nearly 30 years of volatile and alleged	15:05:44
15	violence. Surely some employer will take a stand;	15:05:47
16	right? Maybe a company that just fired a director	15:05:50
17	for tweets made nearly a decade ago. Finally it	15:05:52
18	says, in fairness, Depp has never been convicted	15:05:57
19	of anything despite a history of violence	15:06:00
20	shadowing him at every turn. Perhaps the lawsuits	15:06:03
21	spurred by City of Lies will end up as water off	15:06:06
22	his back, at which point Depp can pitch Disney on	15:06:09

Transcript of Jack Whigham
Conducted on January 20, 2021

118

1	a gritty Tim Burton reboot of Howard the Duck.	15:06:09
O 2	Depp is good at ducking, after all.	15:06:16
3	MS. VASQUEZ: I'm going to object	15:06:20
4	Ms. Bredehoft reading --	15:06:22
5	MS. BREDEHOFT: I haven't asked --	15:06:22
6	MS. VASQUEZ: -- parts of the article into	15:06:23
7	the record. The document speaks for itself.	15:06:24
8	MS. BREDEHOFT: I haven't finished my	15:06:25
9	question, Camille.	15:06:26
10	MS. VASQUEZ: You haven't actually asked a	15:06:27
11	question, Elaine. You just read the document,	15:06:29
12	part of it, into the record.	15:06:31
13	MS. BREDEHOFT: Please don't interrupt me.	15:06:32
14	Q Are you aware of whether or do you believe	15:06:35
FSPK, 15	that this article in the LA Times negatively	15:06:38
AF 16	affected Mr. Depp's personal or professional	15:06:41
17	reputation or career?	15:06:46
18	MS. VASQUEZ: Objection; calls for	15:06:47
19	speculation; lack of foundation; assumes facts not	15:06:48
20	in evidence; lack of personal knowledge.	15:06:50
21	A You know, I don't -- I don't remember this	15:06:55
22	article so I'm -- I'm seeing it kind of for the	15:06:56

Transcript of Jack Whigham
Conducted on January 20, 2021

119

1 first time. Not that I didn't see it back then, I 15:07:03

2 just -- I would have to form an opinion right now. 15:07:06

3 Q Well, as you look it now, would you say 15:07:11
FSPK,

AF, 4 that this negatively affected Mr. Depp's personal 15:07:13
AA

5 or professional reputation or career? 15:07:17

6 MS. VASQUEZ: Same objection; asked and 15:07:20

7 answered. 15:07:24

8 A Yeah -- yeah, you know, as reading it, it 15:07:24

9 doesn't look -- it just look -- yeah, it doesn't 15:07:33

10 look like a positive article. But it -- yeah, 15:07:36

11 that would be my opinion. 15:07:43

12 MS. BREDEHOFT: Okay. Let's take that one 15:07:44

13 down, Alex, and let's go to number 16. 15:07:46

14 (WHIGHAM Deposition Exhibit 16 marked for 15:07:46

15 identification and attached to the transcript.) 15:07:46

16 Q I'm going to show you what has been marked 15:08:11

17 as Deposition Exhibit 16. It has Johnny Depp 15:08:13

18 accusing Amber Heard of defecating in their 15:08:26

19 marital bed. This is dated 15 August 2018, from 15:08:28

20 Robin Baum to you, and it says, and this one. 15:08:35

21 Do you think that allegations by Johnny 15:08:35

22 Depp of Amber Heard defecating in their marital 15:08:43

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Transcript of Jack Whigham
Conducted on January 20, 2021

120

1	bed impacts Mr. Depp negatively with respect to	15:08:48
2	his personal or professional reputation or career?	15:08:48
3	MS. VASQUEZ: Calls for speculation; lack	15:08:48
4	of foundation; assume facts not in evidence.	15:08:52
5	A I might have to make a leap to a	15:09:00
6	conclusion on this. Where was -- which -- I don't	15:09:02
7	remember this one.	15:09:03
8	Q Daily Mail. It was in the Daily Mail.	15:09:05
9	A So I guess it would have to -- I'd have to	15:09:07
10	speculate on what I think of the Daily Mail and,	15:09:11
11	you know, so this one, I -- if you're asking me my	15:09:16
12	opinion on kind of seeing it for the first time, I	15:09:21
13	don't think there's a negative necessarily.	15:09:24
14	MS. BREDEHOFT: Okay. Alex, please take	15:09:28
15	that down, I'll go to Exhibit 18.	15:09:32
16	(WHIGHAM Deposition Exhibit 18 marked for	15:09:32
17	identification and attached to the transcript.)	15:09:32
18	Q While we're doing it, I'm just going to	15:09:34
19	ask you real quickly, do you think that it's good	15:09:36
20	press for Mr. Depp to be having the public read	15:09:40
21	about he and Amber Heard and poop or defecation?	15:09:47
22	MS. VASQUEZ: Objection. That's a	15:09:54

Transcript of Jack Whigham
Conducted on January 20, 2021

121

1	question. Objection. Go ahead, Greg.	15:09:58
2	MR. DERIN: I was going to say objection;	15:10:03
3	calls for speculation; argumentative; and even	15:10:05
4	assumes the witness has an opinion about such	15:10:07
5	things.	15:10:09
6	MS. VASQUEZ: Yeah. I join.	15:10:11
7	A I'll stay away from poop talk. So, you	15:10:13
8	know, it seems sort of childish almost, if you're	15:10:16
9	asking my opinion on stuff like that.	15:10:22
10	Q I would agree. All right. Let's look at	15:10:24
11	--	15:10:27
12	MS. BREDEHOFT: I think, Alex, are you	15:10:27
13	bringing up 18?	15:10:28
14	PLANET DEPOS TECHNICIAN: Yes. The -- you	15:10:30
15	said -- I wanted to check with you to see if you	15:10:32
16	said 18.	15:10:35
17	MS. BREDEHOFT: I did say 18. I skipped	15:10:36
18	17. I'm trying to mow the lawn so I can get done	15:10:39
19	by my promised time here.	15:10:41
20	PLANET DEPOS TECHNICIAN: Understood.	15:10:44
21	Q Mr. Whigham, I'm going to show you what	15:11:01
22	has been marked as Deposition Exhibit 18. And it	15:11:03

Transcript of Jack Whigham
Conducted on January 20, 2021

122

1	starts with an email from you to Christian Carino	15:11:05
2	on Monday, October 1st, 2018, do you see that?	15:11:08
3	A Yes, ma'am.	15:11:15
4	Q And it's forward, GQ article. And then if	15:11:16
5	we pull down, you've got the whole article there.	15:11:20
6	Do you recall reading that article?	15:11:26
7	A I actually don't.	15:11:30
8	MR. DERIN: I'm sorry, it seems to have	15:11:33
9	more than the GQ article the way you're scrolling	15:11:35
10	through it.	15:11:40
11	MS. BREDEHOFT: It does.	15:11:41
12	MR. DERIN: So you're asking him that just	15:11:46
13	about the GQ article?	15:11:48
14	MS. BREDEHOFT: Correct. Correct. Thank	15:11:51
15	you, MR. DERIN -- Derin.	15:11:53
16	A You know, I see that I forwarded it to	15:11:56
17	Christian, so obviously in the moment I had an	15:12:00
18	awareness of it. I don't recall anything in it.	15:12:03
19	So...	15:12:06
20	Q All right. I'm going to take you to a	15:12:07
21	second part. And just so we're clear, these are	15:12:09
22	JW50. Do you have any reason to believe that any	15:12:14

1 of the emails that you produced that are labeled, 15:12:18
2 I believe 1 through 57JW are not authentic or that 15:12:22
3 you didn't send or receive them? 15:12:28

4 MR. DERIN: Well, before you answer it, 15:12:31
5 take a look at JW whatever numbers counsel's 15:12:32
6 asking you about. 15:12:35

7 MS. BREDEHOFT: Well, I'm not asking -- 15:12:36
8 Mr. Derin I'm actually asking a generic question 15:12:40
9 so I don't have to go into specifics. I'm trying 15:12:45
10 to be quicker about this. 15:12:48

11 Q Do you have any reason to believe that any 15:12:49
12 of the emails that you produced in response to the 15:12:50
13 subpoena are inauthentic or that you didn't send 15:12:53
14 or receive as reflected on the emails? 15:12:56

15 A Based on my knowledge, I don't think -- if 15:13:03
16 you're asking if someone jumped on my account and 15:13:07
17 would send emails from my account, I don't have 15:13:10
18 any awareness of such a thing. 15:13:13

19 Q All right. So if these emails said you 15:13:15
20 received or sent or were copied, you have no 15:13:17
21 reason to believe that that wasn't the case; is 15:13:20
22 that correct? 15:13:24

1	A That's correct.	15:13:24
2	Q Okay. Thanks. So now I'm going to take a	15:13:24
3	look at one that's JW50. And this is also	15:13:28
4	relating to the GQ article.	15:13:32
5	Did you work with Steven Deuters at all?	15:13:36
6	A Yes, ma'am.	15:13:40
7	Q All right. And what was your	15:13:40
8	understanding of his role with respect to	15:13:41
9	Mr. Depp?	15:13:43
10	A Kind of a hybrid between an assistant and	15:13:43
11	a producing partner.	15:13:48
12	Q Okay. Now, Mr. Deuters sends you an email	15:13:50
13	on September 30, 2018. It says, Hey, Jack, don't	15:13:54
14	know if you've seen this or not, waiting for J's	15:13:58
15	response. Adam isn't happy with some obvious	15:14:03
16	elements. Thus far GQ are agreeing to delete	15:14:06
17	parts online and offer a full retraction for the	15:14:09
18	print copy, namely the nonsense regarding City of	15:14:12
19	Lies, which I believe the author acknowledges he	15:14:15
20	misquoted, plus various errors in regards to that	15:14:19
21	trial. Do you see that?	15:14:22
22	A Yes.	15:14:23

Transcript of Jack Whigham
Conducted on January 20, 2021

125

1 Q Do you have -- do you have a recollection
2 of speaking -- did you -- who is your -- scratch
3 that.

15:14:23

15:14:24

15:14:29

4 FSPK Who is Adam? What is your understanding
5 of who Adam is in this paragraph?

15:14:30

15:14:34

6 A Consistent with what you asked me earlier,
7 the main Adam that I associate this would be Adam
8 Waldman.

15:14:38

15:14:40

15:14:47

9 Q Okay. All right. Did you have any
10 discussions with Adam Waldman about the GQ article
11 that you can recall?

15:14:47

15:14:49

15:14:54

12 A Not that I recall.

15:14:54

13 MS. BREDEHOFT: Okay. All right. Alex,
14 let's go to the next one, which is No. 19.

15:14:55

15:14:56

15 (WHIGHAM Deposition Exhibit 19 marked for
16 identification and attached to the transcript.)

15:14:56

15:14:56

17 Q Now, I'm going to show you what's been
18 marked as Whigham Exhibit 19. It has at the top,
19 Re Disney talking Pirates of the Caribbean reboot
20 with Deadpool Scribes Rhett Reese and Paul
21 Wernick, Deadline. And the top of this has you to
22 Robin Baum on 26 October 2018, do you see that?

15:15:14

15:15:16

15:15:19

15:15:22

15:15:28

15:15:31

1	A Yes.	15:15:34
2	Q Okay. And let's go down -- I'm going to	15:15:35
3	stay on the same page because everything is	15:15:43
4	relevant here, but obviously there's an article	15:15:45
5	here has URL defense proof point. Do you know	15:15:47
6	what that source is?	15:15:53
7	A If you keep going, I see Deadline, which	15:15:55
8	is an online entertainment blog.	15:15:59
IR, 9	Q Okay. Is it -- what's your opinion of	15:16:06
FSPK,	that entertainment blog?	15:16:11
IO, 10		
11	A That it's one of multiple sources for	15:16:18
12	entertainment related news items.	15:16:22
13	Q Okay. Now, Robin asks if this is for	15:16:25
14	real. You say, I think they are loosely	15:16:29
15	discussing how to move forward. I'll call Jerry.	15:16:33
16	Do you recall that?	15:16:36
17	A No, but you know, just because I received	15:16:37
18	so many emails and send so many, but I see it	15:16:40
19	here.	15:16:43
20	Q Okay. And if -- I'll take it up so it	15:16:44
21	will be faster for you. You say to Robin Baum, I	15:16:47
22	spoke with Jerry B. I'm assuming that's Jerry	15:16:49

1	Bruckheimer?	15:16:53
2	A Yes.	15:16:53
3	Q Okay. Who said there's no script or idea	15:16:53
4	for the film, they, Disney, are just wanting to --	15:16:56
5	something -- I think it's supposed to be to do a	15:17:01
6	deal with Jerry to start developing a script for a	15:17:03
7	reboot. Jerry would like Johnny in the film in	15:17:07
8	some capacity but he asked me to call Disney to	15:17:11
9	gauge where their head is at. I've left word -- I	15:17:15
10	think the LW is left word for Sean Bailey; is that	15:17:18
11	correct?	15:17:24
12	A That's correct for LW.	15:17:24
13	Q Okay. Now, you testified much earlier to	15:17:25
14	your discussions with Mr. Bailey and your	15:17:28
15	discussions with Mr. Bruckheimer, and we don't	15:17:30
16	need to go through and repeat them again, but does	15:17:33
17	this help refresh your recollection in the dates,	15:17:36
18	26 October 2018, of when Mr. Bailey was telling	15:17:40
19	you he was noncommittal and you had a sense they	15:17:45
20	were not moving forward with Mr. Depp?	15:17:48
21	MR. DERIN: Objection; misstates his	15:17:52
22	testimony.	15:17:53

Transcript of Jack Whigham
Conducted on January 20, 2021

128

1	MS. BREDEHOFT: I'll rephrase it. I'm not	15:17:54
2	trying to misstate anybody's testimony.	15:17:56
3	Q What do you recall from this -- did you --	15:17:59
4	do you recall speaking with Sean Bailey as a	15:18:03
5	result of this particular email chain?	15:18:06
6	A No, ma'am. Mainly just because there was	15:18:13
7	multiple conversations. I can't tie it to a date.	15:18:16
8	Q All right. And do you have a recollection	15:18:19
9	of what Sean Bailey's position was with respect to	15:18:22
H 10	whether Mr. Depp would be in the film at the time	15:18:27
11	of this?	15:18:30
12	A Are you asking at the time of this email?	15:18:30
13	Q Yes. Would be in the film -- and I'm	15:18:33
14	talking about Pirates 6?	15:18:35
15	A I can't say precisely, you know, because	15:18:40
16	there was multiple conversations. So I would rely	15:18:45
17	on the earlier testimony of just, you know, what	15:18:51
18	those conversations were without pinpointing an	15:18:55
19	exact date.	15:18:58
20	(WHIGHAM Deposition Exhibit 20 marked for	15:18:58
21	identification and attached to the transcript.)	15:18:58
22	Q Okay. Let's take this one down and we'll	15:18:58

Transcript of Jack Whigham
Conducted on January 20, 2021

129

1	go to Exhibit 20. I'm going to ask you to take a	15:19:02
2	look at Exhibit 20. And -- that's not the right	15:19:21
3	date. The right date is -- here we go, 25	15:19:26
4	October 2018. This is Daily Mail saying, hide the	15:19:31
5	rum, Johnny Depp is out as Jack Sparrow in	15:19:39
6	Disney's Pirates of the Caribbean film franchise	15:19:39
7	as actor battles financial issues and personal	15:19:44
8	dramas. Do you see that?	15:19:47
9	A I do.	15:19:49
10	Q All right. Do you have a recollection of	15:19:49
11	seeing that during that time frame, seeing this	15:19:54
12	article in that time frame of October 25, 2018?	15:19:57
13	MS. VASQUEZ: Objection; lacks foundation.	15:20:04
14	A Not this specific article per se.	15:20:08
15	Q Okay. Do you recall seeing articles in	15:20:11
16	that time frame, October 25, 2018, suggesting that	15:20:17
17	Mr. Depp was out of Pirates 6?	15:20:20
18	A Having seen this, I vaguely remember there	15:20:25
19	being press chatter about the issue.	15:20:30
20	Q Okay. In this time frame?	15:20:34
21	A It would be correlated to me seeing the	15:20:40
22	date right here, you know.	15:20:44

Transcript of Jack Whigham
Conducted on January 20, 2021

130

1	Q And we're talking about October 25, 2018;	15:20:45
2	correct?	15:20:47
3	A Correct.	15:20:47
4	MS. BREDEHOFT: Okay. Thanks. You can	15:20:48
5	take this one down as well, Alex, please. And	15:20:50
6	let's go with 21.	15:20:53
7	(WHIGHAM Deposition Exhibit 21 marked for	15:20:53
8	identification and attached to the transcript.)	15:20:53
9	Q And this one just very briefly, it's an	15:21:07
10	email from Robin Baum to you, November 8, 2018,	15:21:10
11	and it has a bunch of film reviews for Fantastic	15:21:13
12	Beasts the Crimes of Grindelwald. And she says,	15:21:19
13	current reviews below there are a few good ones	15:21:23
14	for JD and some not so nice.	15:21:27
15	Would it be typical for Ms. Baum to send	15:21:30
16	you reviews written about Mr. Depp's performance?	15:21:34
17	MS. VASQUEZ: Objection; vague and	15:21:38
18	ambiguous as to performance.	15:21:40
19	MS. BREDEHOFT: Well, we've used relating	15:21:42
20	to his being in the role, his performance. It	15:21:47
21	says performance right there. What's the problem	15:21:49
22	here?	15:21:51

Transcript of Jack Whigham
Conducted on January 20, 2021

131

1	A I think it's a -- you can say it's normal	15:21:51
2	course of business for a publicist to send	15:21:55
3	representatives press on clients.	15:22:00
4	Q Okay. Thank you.	15:22:03
5	MS. BREDEHOFT: Okay. You can take this	15:22:08
6	one down and we'll go to Exhibit 21 -- no, no, 22.	15:22:09
7	This was 21, sorry.	15:22:13
8	(WHIGHAM Deposition Exhibit 22 marked for	15:22:13
9	identification and attached to the transcript.)	15:22:13
10	Q Now, this is an op-ed that appeared in the	15:22:21
11	Washington Post, and it's dated December 18, 2018.	15:22:25
12	When do you recall -- do you recall ever reading	15:22:34
13	this?	15:22:38
14	A Yes, vague -- yes.	15:22:41
15	Q Okay. When do you recall reading this?	15:22:43
16	A I would be -- I imagine I read it fairly	15:22:49
17	soon after it was published.	15:22:54
18	Q All right. Now, you have produced all of	15:22:58
19	the documents that were responsive to this	15:23:01
20	subpoena in this case as part of your document	15:23:04
21	production; correct?	15:23:10
22	MS. VASQUEZ: Objection. I mean, Greg, I	15:23:13

Transcript of Jack Whigham
Conducted on January 20, 2021

132

1	don't know if you want to come in here. All	15:23:16
2	documents responsive to the document subpoena that	15:23:19
3	are not barred by privilege.	15:23:22
4	MS. BREDEHOFT: Excuse me, please don't	15:23:24
5	keep interrupting. I'll rephrase and we'll try --	15:23:27
6	MS. VASQUEZ: Elaine, I'm not interrupting	15:23:29
7	you. I'm stating my objection on the record.	15:23:30
8	Q I'm going to try to make this a little bit	15:23:32
9	easier.	15:23:35
10	Are you aware of any documents that you	15:23:36
11	withheld that were responsive to the document	15:23:37
12	subpoenas that were not on the basis of	15:23:43
13	attorney-client privilege or work product?	15:23:46
14	A No, ma'am.	15:23:49
15	Q Okay. Now, there is no email between you	15:23:50
16	and Ms. Baum, Mr. Carino, or anyone else that	15:23:58
17	references this op-ed, I'll make that	15:24:03
18	representation to you. But are you aware of any	15:24:06
19	email -- any communication among you, Ms. Baum,	15:24:09
20	Mr. Carino, Mr. Lourd relating to this op-ed	15:24:17
21	that's reflected as Whigham Exhibit 22?	15:24:21
22	A No, ma'am.	15:24:26

1	Q Okay.	15:24:26
2	A No communication.	15:24:26
3	Q Okay. But there was an awful lot -- we've	15:24:28
4	seen quite a few communications, haven't we, about	15:24:31
5	other articles and columns relating to Mr. Depp	15:24:36
6	that were circulated among your team; correct?	15:24:39
7	A That's correct.	15:24:43
8	Q Okay.	15:24:44
9	A A lot of what we -- we also would be on	15:24:47
10	the phone, so we'd just say, hey, go Google this	15:24:50
11	and find it.	15:24:56
12	Q All right. But this one didn't get the	15:24:57
13	attention of an email; right?	15:24:58
14	A No. The interesting thing, the date is	15:25:00
15	correlated to when we also go on break, so	15:25:05
16	sometimes there's a lot less communication around	15:25:08
17	that date.	15:25:10
18	(WHIGHAM Deposition Exhibit 23 marked for	15:25:10
19	identification and attached to the transcript.)	15:25:11
20	Q Okay. Let's go to Exhibit 23. And ask	15:25:11
21	you to take a look at Whigham 23. And it's Re	15:25:27
22	Johnny Depp's Jack Sparrow won't return in new	15:25:32

1	Pirates of the Caribbean movie, and it's	15:25:37
2	December 20, 2018. Do you see that?	15:25:40
3	A Yes.	15:25:41
4	Q And that's when you would have been on	15:25:42
5	break; right?	15:25:44
6	A You'd have to look at --	15:25:45
7	MS. VASQUEZ: Objection; misstates his	15:25:48
8	testimony. Mr. Whigham, I'm sorry. It misstates	15:25:50
9	his testimony and it's argumentative.	15:25:53
10	Q Do you remember the question?	15:25:55
11	A I do remember the question. And if you go	15:25:58
12	back and look, you probably can see it.	15:26:00
13	Q See what?	15:26:05
14	A I don't remember what the dates are, you	15:26:06
15	know, about our breaks at that time, that year.	15:26:08
16	Q All right.	15:26:10
17	A That's right around there.	15:26:11
18	Q That's okay. So Christian Carino sends an	15:26:12
19	email to you on December 20th saying, were we told	15:26:16
20	this officially from Disney? And you said no.	15:26:21
21	And Mr. Carino says, what do we do?	15:26:24
22	Do you have a recollection of taking any	15:26:29

1 action as a result of this article being published 15:26:31

2 and the email chain with Mr. Carino? 15:26:37

3 A Not a specific, you know, I can't point to 15:26:41

4 an exact action. My vague memory would be I 15:26:45

5 probably would have spoken to Sean Bailey. 15:26:49

6 Q Okay. Do you have a recollection of 15:26:52

AF 7 speaking with Mr. Bailey after you saw this 15:26:53

8 article? 15:26:57

9 A Yes. 15:26:58

10 MS. VASQUEZ: Objection; assumes facts not 15:26:58

11 in evidence. We saw this article. 15:27:02

12 A Yeah, what I would say is not in specific 15:27:06

13 necessarily correlation to this article because it 15:27:09

14 -- my memory is that it was being reported a lot 15:27:10

15 and it was a lot of speculation by different 15:27:13

16 trades, and so I was relying on specific 15:27:20

17 conversations that I was having with Sean Bailey. 15:27:28

18 Q Okay. And just so we're clear, can you 15:27:31

19 recall a specific conversation with Sean Bailey in 15:27:33

20 or around this date as opposed to the earlier ones 15:27:39

21 we discussed? 15:27:43

22 A Vaguely in that it was me campaigning to 15:27:44

1	try to keep Johnny attached to the franchise and	15:27:50
2	feeling like I had some version of tacit support	15:27:55
3	or support from Jerry Bruckheimer, but feeling	15:28:00
4	like the decision would rest with the studio. And	15:28:03
5	the studio being some version of noncommittal, you	15:28:08
6	know, and me getting the impression that the	15:28:15
7	opportunity was going away for Johnny.	15:28:19
8	Q All right. And did that continue through	15:28:22
9	this date in December?	15:28:26
10	A Not -- I would -- yes, I think so, you	15:28:31
11	know.	15:28:37
12	Q Did Mr. Bailey ever tell you any specific	15:28:37
13	reasons why he was not committing to having	15:28:43
14	Mr. Depp in Pirates 6?	15:28:50
15	MS. VASQUEZ: Calls for hearsay; vague as	15:28:55
16	to time.	15:28:59
17	A My recollection is that he was being	15:29:02
18	polite, but letting me know that it was probably	15:29:09
19	not going to happen. And when I say polite, he	15:29:14
20	would refrain from being specific, and so I was	15:29:19
21	left to surmise the reason.	15:29:24
22	(WHIGHAM Deposition Exhibit 24 marked for	15:29:24

Transcript of Jack Whigham
Conducted on January 20, 2021

137

1 identification and attached to the transcript.)

15:29:27

2 Q Okay. Now, let's go to -- let's go to

15:29:27

O 3 Exhibit 24. This one is -- it says, Re urgent re

15:29:36

4 Johnny Depp and Amber Heard. And if you go down

15:30:02

5 on this one, there's an Alisha Rouse who says that

15:30:04

6 she's contacting on a story -- based on a story

15:30:10

7 published by Hollywood Reporter, it says, legal

15:30:15

8 documents contain an allegation that Amber Heard

15:30:18

9 called Johnny Depp a monster in a deposition

15:30:21

10 during their divorce. Specifically alleges she

15:30:24

11 said Johnny and I referred to his other

15:30:29

12 personality, the part of him is present when he

15:30:31

13 beats me, we call that the monster, and have

15:30:33

14 called it the monster for many years. She added,

15:30:35

15 I was petrified of the monster. It also alleged

15:30:39

16 her friend, Raquel Pennington, said she took

15:30:40

17 numerous photos of bruises sustained by Ms. Heard.

15:30:41

18 Then Ms. Rouse says that she's writing to them

15:30:46

19 about the allegations for the article.

15:30:51

20 And then it goes up and get passed into a

15:30:55

21 number of people including you; correct? And

15:30:58

22 says, wow, she did not leave us a message. Thanks

15:31:03

1 for passing this along. Do you see that? 15:31:09

2 A I do. That's not me, that's my assistant 15:31:12

3 at the time. 15:31:15

4 Q Okay. Okay. Do you recall there being an 15:31:15

5 article published that alleged these things in the 15:31:18

6 time frame, The Hollywood Reporter? 15:31:23

7 A No, I don't remember the specific article 15:31:27

8 he's referencing. 15:31:33

9 (WHIGHAM Deposition Exhibit 25 marked for 15:31:33

10 identification and attached to the transcript.) 15:31:34

11 Q Okay. Let's go to No. 25. I'm going to 15:31:34

12 ask you to take a look at No. 25. And it's 15:31:48

13 another reporter, The Independent, who's covered 15:31:52

14 reports by Hollywood Reporter on the same thing. 15:31:55

15 And then it says -- from Robin Baum to a bunch of 15:31:59

16 people, including your assistant, per Adam, we are 15:32:08

17 not commenting. 15:32:11

18 Typically did CAA take advice from Adam 15:32:13

FSPK, AF, 19 Waldman on whether to make comments or press 15:32:18

C 20 communications? 15:32:24

21 MS. VASQUEZ: Objection; calls for 15:32:26

22 speculation; lack of foundation, assumes facts not 15:32:28

1	in evidence.	15:32:32
2	MR. DERIN: Overbroad and compound.	15:32:32
3	A My general answer would be no. I mean,	15:32:36
4	any matters dealing with publicity would be dealt	15:32:38
5	with centered with Robin, and then any matters	15:32:42
6	dealing with litigation or anything of the like	15:32:47
7	during this period would be kicked over to all of	15:32:50
8	is -- whoever, all of his counsel, including Adam.	15:32:54
9	(WHIGHAM Deposition Exhibit 26 marked for	15:32:54
10	identification and attached to the transcript.)	15:32:58
11	Q Okay. Let me go to 26. I'm going to show	15:32:58
12	you what has been marked as Exhibit 26, it was the	15:33:12
13	complaint that was filed in this action by	15:33:16
14	Mr. Depp against Amber Heard on March 1st, 2019.	15:33:18
15	Did you -- were you aware that this complaint was	15:33:29
16	going to be filed against Amber Heard by Mr. Depp	15:33:33
17	before it was actually filed?	15:33:37
18	A I don't remember being made aware of it,	15:33:44
19	you know. But I could -- you know, it was not --	15:33:48
20	I don't remember it specifically.	15:33:57
21	(WHIGHAM Deposition Exhibit 27 marked for	15:33:57
22	identification and attached to the transcript.)	15:34:02

Transcript of Jack Whigham
Conducted on January 20, 2021

140

1 Q Okay. Let's take this one out and let's
2 go to number 27. I'm going to show you what's
3 been marked as Whigham Exhibit 27.

15:34:02

15:34:04

15:34:13

4 And it's from you to Joel Lubin and
5 Michael Cooper at CAA on Friday, March 1st. And
6 it's an article about the lawsuit that Mr. Depp
7 had filed that day, do you see that?

15:34:17

15:34:23

15:34:27

15:34:32

8 A Yes, ma'am.

15:34:35

9 Q Okay. Who are Joel Lubin and Michael
10 cooper?

15:34:36

15:34:40

11 A They were colleagues and friends of mine
12 in my department.

15:34:41

15:34:43

13 Q Why did you send this to them?

15:34:44

S

14 A If I'm guessing, at the time, they were
15 helpful to me at times. You know, we worked as a
16 group to help clients get jobs, and so I knew they
17 also were -- we helped each other on each other's
18 clients. So I'm guessing just showing them that,
19 you know, Johnny was aggressively defending his
20 point of view, but that's my guess.

15:34:47

15:34:55

15:34:59

15:35:05

15:35:09

15:35:14

15:35:19

21 Q Do you have a recollection of having a
22 conversation with Mr. Depp in this time frame

15:35:21

15:35:23

1	about all these lawsuits and articles and	15:35:28
2	allegations that were going around?	15:35:34
3	MS. VASQUEZ: Objection; compound;	15:35:38
4	overbroad.	15:35:40
5	MR. DERIN: Vague and ambiguous.	15:35:40
6	A Johnny and I didn't talk much about the	15:35:44
7	lawsuits. It was a little separation of	15:35:51
8	interests, you know, I was always aggressively	15:35:56
9	trying to find work and maintain the artistic side	15:35:58
10	of his career. If you're -- I don't know if	15:36:04
11	you're -- I mean, if you're referencing something,	15:36:08
12	you know, I don't remember too many -- you know,	15:36:11
13	much discussion of lawsuits.	15:36:20
14	Q Were you at all troubled by the fact that	15:36:23
15	Mr. Depp was filing all these lawsuits and	15:36:27
16	generating --	15:36:31
17	MS. VASQUEZ: Objection.	15:36:31
18	MS. BREDEHOFT: Excuse me.	15:36:32
19	MS. VASQUEZ: Sorry.	15:36:34
20	Q -- and generating additional headlines as	15:36:34
21	a result of these lawsuits?	15:36:37
22	MS. VASQUEZ: Objection; assumes facts not	15:36:38

1	in evidence.	15:36:40
2	A No, I was not critical of -- when you say	15:36:44
3	lawsuits, plural, you know, I stayed out of his	15:36:52
4	business because all of it predated me so much and	15:36:55
5	I wanted to respect his wishes. I felt like I	15:36:58
6	could understand, I could glean from him what his	15:37:02
7	point of view on them was, so I was going to	15:37:09
8	support his point of view on that and still do my	15:37:12
9	job.	15:37:14
10	MS. BREDEHOFT: Okay. Let's take down 27	15:37:15
11	and let's go to 55.	15:37:17
12	(WHIGHAM Deposition Exhibit 55 marked for	15:37:17
13	identification and attached to the transcript.)	15:37:17
14	Q When you hear that, don't start thinking,	15:37:30
15	Mr. Whigham, that I got a lot more. I'm trying to	15:37:31
16	finish up, but I'm trying to live up to my	15:37:38
17	finishing within that time frame, so I'm just	15:37:39
18	talking here.	15:37:42
19	Mr. Whigham, I'm going to show you what	15:37:46
20	has been marked as Whigham Deposition Exhibit 55.	15:37:49
21	And this is -- if you see the number down here,	15:37:53
22	Dep and document number 8124, that means that	15:38:01

1	Mr. Depp produced this in discovery in this case,	15:38:06
2	and I'm going to try to make it a little bit	15:38:11
3	larger so it's easier to read.	15:38:13
4	A Okay.	15:38:16
5	Q It's a series of text messages. And is	15:38:16
6	that your telephone number, when it says from Jack	15:38:21
7	Whigham, is that accurately you sending something	15:38:27
8	to Mr. Depp?	15:38:30
9	A That's my number.	15:38:31
10	Q Great. And this is -- would you agree	15:38:32
11	that you are sending something to Mr. Depp?	15:38:33
12	MS. VASQUEZ: Objection; vague and	15:38:39
13	ambiguous; the document speaks for itself.	15:38:40
14	A Sorry, what was the question?	15:38:46
15	Q Would you agree this was a text message	15:38:47
16	exchange between you and Mr. Depp?	15:38:50
17	A I can't really see it. If you want me to	15:38:52
18	do anything with substance of it, but...	15:38:56
19	Q Let me see if I can enlarge it any more.	15:39:00
20	How's that? I'll try to be specific. This is on	15:39:04
21	March 8th, 2019. And it's from you to Mr. -- I'll	15:39:10
22	represent it's Mr. Depp, he produced it, it was	15:39:14

Transcript of Jack Whigham
Conducted on January 20, 2021

144

1	his text messages. It says, I'm loving these	15:39:19
2	headlines and good momentum. Talking to Adam --	15:39:22
3	actually -- talking to Adam every day and feeling	15:39:25
4	good. I hope you're getting some rest while	15:39:26
5	working. Need you healthy. Big hug bruthaman and	15:39:30
6	much love. Do you see that?	15:39:36
7	A It's always painful to see your slang.	15:39:38
8	Yes, I see it.	15:39:44
9	Q Who's writing that part?	15:39:44
10	A That's -- I believe that's me to him.	15:39:47
11	Q Okay. What are you talking to Adam about	15:39:49
H 12	every day and feeling good?	15:39:53
13	A You know, I think -- I'm only guessing	15:39:55
14	what I was -- because it looks like when you say I	15:39:58
15	had been able to -- now I'm -- I was in Serbia for	15:40:02
16	two days so I got to see him on set. And he had	15:40:05
17	-- we just -- I was not dealing with anything	15:40:11
18	related to Adam much, so there was an effort to	15:40:15
19	make sure that I was going to be more in the loop	15:40:19
20	on just anything going on just to be able to have	15:40:21
21	knowledge. I mean, he -- he wanted me in the	15:40:27
22	loop. Nothing substantive other than I guess an	15:40:30

Transcript of Jack Whigham
Conducted on January 20, 2021

145

1 information loop.

15:40:37

FSPK

2 Q So -- and Adam here is Adam Waldman; is

15:40:37

3 that correct?

15:40:42

4 A I'm guessing, yeah. Yes.

15:40:42

5 Q I mean, is there any other Adam that it

15:40:43

6 would have been?

15:40:47

7 A No.

15:40:47

8 Q Okay. And then he responds to you, I am

15:40:48

9 so fucking proud of what Adam has been doing. The

15:40:51

10 motherfucker hasn't even thought of stopping since

15:40:56

11 day fucking one. We are getting there. Do you

15:41:01

12 see that?

15:41:04

13 A Yes, ma'am.

15:41:04

14 Q Do you have any understanding of what he

15:41:04

15 meant by that?

15:41:05

16 MS. VASQUEZ: Objection; calls for

15:41:06

17 speculation.

15:41:09

18 Q If you don't know, it's okay. I'm just --

15:41:09

19 I'm asking if you have an understanding.

15:41:10

20 A I do. I think it references a

15:41:12

21 conversation he and I had the night before. That

15:41:14

22 might have been the most thoughtful conversation

15:41:17

1 we -- we ever had. You know, we were just -- I 15:41:23
2 didn't get a lot of time with Johnny always 15:41:24
3 personally, so we were face-to-face and he was 15:41:27
4 just really thoughtful about how painful this all 15:41:33
5 was and how much he believed in what he was trying 15:41:38
6 to fight for. He was just trying to fight for 15:41:45
7 truth. And he talked about that, I just listened. 15:41:48

8 Q Okay. You don't have any knowledge 15:41:51
FSPK, 9 yourself one way or the other whether Mr. Depp 15:41:56
AR 10 ever committed domestic violence towards Amber 15:42:00
11 Heard, do you? 15:42:04

12 MS. VASQUEZ: Objection; argumentative -- 15:42:06

13 Q Do you understand what I'm asking you? 15:42:08

14 MS. VASQUEZ: -- lack of foundation. 15:42:10

15 Q You personally, you have no personal 15:42:11
16 knowledge; is that correct? 15:42:14

17 A Yeah, I want to make sure I answer this 15:42:15
18 question very correctly. I have zero knowledge of 15:42:18
19 their personal relationship. 15:42:22

20 Q Okay. The last thing I'm going to ask you 15:42:24
21 about on this one, it says Shea is always sending 15:42:26
22 you much love and asking me, who do we need to 15:42:29

Transcript of Jack Whigham
Conducted on January 20, 2021

147

1	knock off for J? Who is Shea?	15:42:33
2	A Shea's my brother. He -- Shea -- Shea had	15:42:36
3	a small role in the Biggie Smalls film, and Johnny	15:42:41
4	-- they had a couple of scenes together. My	15:42:48
5	brother -- my brother, Shea, is an actor.	15:42:51
6	MS. BREDEHOFT: Okay. We can take this	15:42:54
7	one off and go to 28. I just have a couple of	15:42:56
8	more left. I'm finishing up.	15:43:00
9	(WHIGHAM Deposition Exhibit 28 marked for	15:43:00
10	identification and attached to the transcript.)	15:43:22
11	Q I'm going to show you what has been marked	15:43:22
12	as Whigham 28. It says, Amber Heard claims Johnny	15:43:24
13	Depp became a monster when he drank. And it's	15:43:29
14	dated 11 April 2019, and it's an article. Can you	15:43:31
15	tell where the article was published based on	15:43:39
16	this?	15:43:45
17	A I think I can.	15:43:45
18	Q Page 6, is that it?	15:43:47
19	A Yes, ma'am.	15:43:48
20	Q Was it your understanding that based on	15:43:48
21	the declaration that was filed in the Fairfax	15:43:52
22	action that they -- that an article was generated	15:43:53

Transcript of Jack Whigham
Conducted on January 20, 2021

148

1	as a result of that?	15:43:55
2	MS. VASQUEZ: Objection; vague and	15:43:56
3	ambiguous; lack of foundation; assumes facts not	15:44:03
4	in evidence.	15:44:05
5	A I don't understand the question.	15:44:06
6	Q All right. We'll take it down. Let's go	15:44:07
7	-- I want to finish up here, so I'm going to go to	15:44:08
8	No. 30.	15:44:12
9	MR. DERIN: Just so I have a fix on our	15:44:25
10	schedule, do we know where we are on time for	15:44:27
11	everybody?	15:44:30
12	MS. VASQUEZ: Yeah. Do we mind asking the	15:44:33
13	videographer how much time has elapsed on the	15:44:36
14	tape?	15:44:44
15	THE VIDEOGRAPHER: Three hours and three	15:44:45
16	minutes.	15:44:47
17	MR. DERIN: Thank you.	15:44:47
18	MS. BREDEHOFT: And I'm almost done. I	15:44:48
19	literally am almost done. This is my last exhibit	15:44:49
20	and then I just have a few questions.	15:44:52
21	(WHIGHAM Deposition Exhibit 30 marked for	15:44:52
22	identification and attached to the transcript.)	15:44:52

1	Q Mr. Whigham, I'm going to show you what's	15:44:57
2	been marked as Whigham Exhibit 30. This is dated	15:45:00
3	2/11/2020. And it's the judgment, 129 pages, it's	15:45:06
4	the judgment that was issued in the Depp v. Sun	15:45:11
5	case -- there's probably the better way to phrase	15:45:17
6	it, but the News Group Newspapers and Dan Wootton	15:45:20
7	on November 2nd, 2020. When did you become aware	15:45:24
AF 8	of this?	15:45:28
9	MS. VASQUEZ: Objection; assumes facts not	15:45:30
10	in evidence.	15:45:32
11	Q Well, did you become aware of this? Do	15:45:35
12	you know today about this judgment?	15:45:39
13	A Can I ask, is this the ruling in the -- in	15:45:40
14	London on the case over there?	15:45:43
15	Q Yes. It's 129 pages, 585 paragraphs.	15:45:45
16	A I believe I became aware of it when it	15:45:54
17	came out.	15:45:57
18	Q Okay. And did you read this opinion?	15:45:57
19	A Not in its entirety.	15:46:02
20	Q Did you read -- how much would you say you	15:46:05
21	read?	15:46:09
22	A Actually of the opinion, zero. I've never	15:46:10

Transcript of Jack Whigham
Conducted on January 20, 2021

150

1	seen this document. I think I read maybe what was	15:46:15
2	reported in the press.	15:46:18
3	Q All right. As a result of this, were you	15:46:20
R, OB 4	contacted by anyone in connection with Mr. Depp's	15:46:23
5	role in the Fantastic Beasts 3?	15:46:29
6	MS. VASQUEZ: Objection; overbroad.	15:46:34
7	A Yes, we were.	15:46:39
H, R, OB 8	Q And what do you recall?	15:46:41
9	MS. VASQUEZ: Objection; overbroad.	15:46:48
10	A Sorry, can I ask a question? I see the	15:46:52
11	date --	15:46:55
12	Q It's confusing. The British are a little	15:46:57
13	different than us.	15:47:01
14	A Okay. Sorry, that messed me up.	15:47:03
15	Q So it's November 2nd, 2020, they just --	15:47:04
16	A Got it. Okay. Sorry, what was the	15:47:08
17	question?	15:47:13
18	Q The first question was were you contacted	15:47:15
19	by anyone in connection with Mr. Depp's continuing	15:47:18
20	role as Grindelwald in Fantastic Beasts 3?	15:47:22
21	A Yes.	15:47:28
22	Q Who were you contacted by?	15:47:28

1 A Courtney Valente, I believe, from Warner 15:47:31

2 Brothers. 15:47:35

3 Q Okay. And who -- was that by telephone? 15:47:35

4 A Yes. 15:47:38

5 Q And you were on the phone? 15:47:38

6 A I was. 15:47:41

7 Q Can you please tell me what transpired in 15:47:43
H

8 that phone call? 15:47:47

9 MS. VASQUEZ: Objection. Calls for 15:47:49

10 hearsay. 15:47:51

11 A She said that they were going to have to 15:47:53

12 move in a different direction. 15:48:01

H 13 Q Is that the phrase she used? 15:48:06

14 MS. VASQUEZ: Calls for hearsay. 15:48:17

15 A I don't know if that's the phrase or I'm 15:48:19

16 applying that to her, basically that they were 15:48:23

17 going to have to recast the role. 15:48:25

H 18 Q Did she tell you why? 15:48:26

19 MS. VASQUEZ: Same objection. 15:48:28

20 A She -- I believe she insinuated that 15:48:28

21 because of this ruling. 15:48:34

22 Q So Warner Brothers reached out to you and 15:48:35
H

1 told you that they were going to recast the role 15:48:38
2 that Mr. Depp was currently in in Fantastic 15:48:42
H 3 Beasts 3 because of the UK decision; is that 15:48:45
4 accurate? 15:48:51

5 MS. VASQUEZ: Objection; misstates his 15:48:52
6 testimony. 15:48:55

7 A My memory of the call was, this is 15:48:57
8 painful, we love Johnny, and we are going to have 15:49:00
9 to recast the role. You know, it was timed when 15:49:04
10 this came out. 15:49:13

11 Q I'm sorry, when you say it was timed when 15:49:13
12 this came out, what do you mean by that? 15:49:16

13 A The call was made soon after this came 15:49:18
14 out. 15:49:20

15 Q Are we talking within a day or two or 15:49:20
16 longer? 15:49:24

17 A I think it was within a day, yeah. 15:49:26

18 Q And so Mr. Depp no longer was going to be 15:49:28
19 filming Fantastic Beasts 3; correct? He stopped 15:49:35
20 at that point; is that correct? 15:49:39

21 A Yes. Yes. 15:49:41

22 Q And was he paid for the role in any event 15:49:42
AF

1 because it was a pay and play? 15:49:45

2 MS. VASQUEZ: Objection; assumes facts not 15:49:48
AF
3 in evidence. 15:49:49

4 A It became a conversation immediately on 15:49:52
5 that, and it's still playing out. 15:49:56

6 Q What do you mean by that? 15:50:04

7 A Our position was that he should be paid in 15:50:06
8 full because the movie, you know, he was pay or 15:50:09
9 play, as you said, and the movie had just started. 15:50:12
10 And they were of the mindset that they agreed, but 15:50:15
11 then we had to work out payment schedule, amount, 15:50:20
12 the whole thing. 15:50:25

13 Q And was the amount that he is being paid 15:50:26
14 15 million? 15:50:30

15 A I kicked -- once I -- once it got into the 15:50:33
16 details, it was kicked to his business managers 15:50:38
17 who were discussing that. I actually don't 15:50:42
18 remember the exact deal because it was -- like I 15:50:46
19 said, it was negotiated -- you know, it was done 15:50:51
20 by UTA. I can't remember if it was 15 or 17 and a 15:50:55
21 half. 15:51:00

22 Q Okay. Thank you. I just have a couple of 15:51:00

FSPK, C	1 2 3 4 5	more questions for you. Do you believe or are you aware of whether this decision by the High Court in London in the action reflected in Whigham 30 negatively affected Mr. Depp's personal and professional reputation or career?	15:51:02 15:51:09 15:51:13 15:51:20 15:51:27
	6 7	MS. VASQUEZ: Objection; compound; calls for speculation.	15:51:28 15:51:33
	8 9	A Yeah, I would speculate. My opinion is that this ruling was not a good thing.	15:51:33 15:51:37
	10	Q For Mr. Depp?	15:51:40
	11	A Correct.	15:51:41
FSPK C	12 13	Q Has it impacted Mr. Depp in his personal or professional reputation or career?	15:51:42 15:51:47
	14 15	MS. VASQUEZ: Objection; calls for speculation.	15:51:51 15:51:53
FSPK, C	16	Q Sorry. Since November 2nd, 2020?	15:51:53
	17 18	MS. VASQUEZ: Calls for speculation; it's compound.	15:52:00 15:52:02
	19 20 21	A I think it -- yes, it continued -- yes, it was mostly -- probably most damaging professionally.	15:52:04 15:52:09 15:52:13
	22	Q Most damaging professionally, what do you	15:52:13

1 mean by that? 15:52:17

2 A You asked -- you kind of lumped the two of 15:52:17

3 them together; right? 15:52:21

4 Q Okay. I understand. Okay. And does it 15:52:25
FSPK

5 continue to impact Mr. Depp and his professional 15:52:28

6 reputation or career? 15:52:35

7 MS. VASQUEZ: Objection; calls for 15:52:37

8 speculation. 15:52:40

9 A I guess I would say, I don't know what -- 15:52:40

10 there's a -- there's a negative -- yeah, it's 15:52:43

11 tough right now, and I don't know how much is 15:52:48

12 correlated to any one thing, but in terms of -- 15:52:53

13 you know, you're asking about this ruling, I would 15:52:59

14 say yes, it is -- you know, it is -- there's been 15:53:03

15 a negative impact. 15:53:08

16 Q On Mr. Depp's reputation and career? 15:53:09

17 A On the professional -- on my ability to 15:53:14

18 get the special jobs that I'm going after. 15:53:22

19 Q For Mr. Depp? 15:53:25

20 A Correct. 15:53:27

21 Q Okay. Thank you. Okay. So I am going to 15:53:27

22 cease my -- I'm keeping my promise in ceasing my 15:53:31

Transcript of Jack Whigham
Conducted on January 20, 2021

156

1	questioning at this point. Obviously I'll reserve	15:53:36
2	for at the end, and I believe Mr. Derin wanted a	15:53:40
3	break -- this is the break time, Mr. Derin, is	15:53:44
4	that what you wanted?	15:53:49
5	MR. DERIN: Yeah, why don't we --	15:53:49
6	Jean-Louis, what's our time right now?	15:53:53
7	THE VIDEOGRAPHER: Three hours and 20	15:53:56
8	minutes.	15:53:57
9	MR. DERIN: Okay. Terrific. Thank you.	15:53:58
10	Yeah, why don't we take our lunch break now, if	15:53:58
11	that works for you, Camille.	15:54:01
12	MS. VASQUEZ: That works.	15:54:04
13	MR. DERIN: Jack, you probably have things	15:54:08
14	to do over the lunch break. What works for	15:54:10
15	everybody? 30 minutes? 45 minutes? What makes	15:54:14
16	sense for you?	15:54:16
17	MS. VASQUEZ: I defer to Mr. Whigham.	15:54:17
18	He's been in the hot seat.	15:54:17
19	THE WITNESS: I -- you know, as soon as --	15:54:22
20	I can keep going. I just want to -- as soon we	15:54:22
21	can get it over, so if people want to break for	15:54:22
22	30 minutes, that's fine. However -- how long do	15:54:25

Transcript of Jack Whigham
Conducted on January 20, 2021

157

1	we think we have left?	15:54:27
2	MS. VASQUEZ: I have maybe an hour's worth	15:54:30
3	of questions.	15:54:33
4	THE WITNESS: Okay. If you want to grab	15:54:36
5	some food, I'm fine.	15:54:38
6	MR. DERIN: Elaine will have maybe a	15:54:40
7	little bit of follow-up, but she's done the bulk	15:54:41
8	of whatever she has in her examination would be	15:54:44
9	restricted to follow-up on Camille. Paul, if we	15:54:46
10	take half an hour, is that good for you in terms	15:54:50
11	of --	15:54:50
12	MS. BREDEHOFT: We should ask our court	15:54:50
13	reporters. Is 30 minutes enough for you all?	15:55:04
14	Okay.	15:55:04
15	MR. DERIN: Okay. All right.	15:55:06
16	THE VIDEOGRAPHER: It is 3:55 p.m. We go	15:55:06
17	off the record.	15:55:09
18	(Off the record from 3:55 p.m. to 4:37	15:55:09
19	p.m.)	16:37:00
20	THE VIDEOGRAPHER: It is the beginning of	16:37:00
21	media number four in the testimony of Jack	16:37:02
22	Whigham. It is 4:37 p.m. We're back on the	16:37:06

1	record.	16:37:06
2	EXAMINATION BY COUNSEL FOR THE PLAINTIFF	16:37:06
3	BY MS. VASQUEZ:	16:37:06
4	Q Hi, Mr. Whigham. Just to remind you, I am	16:37:10
5	-- my name is Camille Vasquez, I represent	16:37:14
6	Mr. Depp in this litigation. Would you say that	16:37:21
7	you have a personal relationship with Mr. Depp?	16:37:23
8	A Yes.	16:37:26
9	Q And how would you describe that	16:37:26
10	relationship?	16:37:27
11	A Pleasant, trusting, respectful.	16:37:28
12	Q Do you consider Mr. Depp to be a friend?	16:37:39
13	A Yeah, I do.	16:37:43
14	Q How long how known Mr. Depp?	16:37:45
15	A I met him for the first time in 2016.	16:37:53
MIL, O, 16	Q And since 2016 to the present, how would	16:37:59
F/A, R	you describe Mr. Depp's personality?	16:38:03
17		
18	MR. DERIN: Object as vague and ambiguous.	16:38:07
19	MS. BREDEHOFT: Objection; relevance. Go	16:38:10
20	ahead.	16:38:15
21	A Very pleasant, always artistic, extremely,	16:38:15
22	just very nice. Generous with -- every client is	16:38:24

Transcript of Jack Whigham
Conducted on January 20, 2021

159

MIL, O, F/A, R	1	a little different, but he tends to show interest	16:38:31
	2	in other people, interest -- you know, he's nice,	16:38:34
	3	he's very generous with thought and spirit.	16:38:37
	4	Q Would you agree with me that Mr. Depp's	16:38:40
	5	personality is consistent with his reputation in	16:38:43
	6	the industry?	16:38:49
	7	MS. BREDEHOFT: Objection; leading.	16:38:51
	8	A My opinion on his reputation, which I	16:38:54
	9	stated earlier, I find -- I think -- let me go	16:39:00
	10	back. I think in the -- having represented other	16:39:06
	11	artists, directors, and actors, and some of who	16:39:10
	12	have worked with him, they have a very favorable	16:39:13
	13	opinion of who he is as a person and as an artist,	16:39:16
	14	and I would say that that's consistent with my	16:39:20
	15	interaction with him.	16:39:25
	16	MS. BREDEHOFT: Objection. Move to	16:39:26
	17	strike. Nonresponsive, besides leading, but also	16:39:29
	18	contains hearsay -- inadmissible hearsay.	16:39:33
	19	MR. DERIN: I'm sorry, I didn't hear -- it	16:39:35
	20	doesn't matter if I heard it.	16:39:38
	21	MS. BREDEHOFT: Can you guys hear me? Am	16:39:41
	22	I coming out okay?	16:39:41

Transcript of Jack Whigham
Conducted on January 20, 2021

160

1	THE WITNESS: Yes, Elaine, I heard it.	16:39:48
2	Sorry, I don't know if anybody else...	16:39:48
3	MS. BREDEHOFT: Thank you.	16:39:57
R,L,O 4	Q Have you ever seen Mr. Depp be violent?	16:39:57
5	MS. BREDEHOFT: Objection; leading.	16:40:01
6	THE WITNESS: Sorry, I'll pause, Elaine.	16:40:04
7	MS. BREDEHOFT: Thanks.	16:40:07
8	A I have not seen him be violent, no.	16:40:07
9	Q Have you ever seen Mr. Depp be angry?	16:40:10
10	MS. BREDEHOFT: Objection; leading.	16:40:12
11	A I've never seen him angry, no.	16:40:15
12	Q Have you ever seen or heard Mr. Depp raise	16:40:18
13	his voice?	16:40:22
14	MS. BREDEHOFT: Objection; leading.	16:40:25
15	A I've never heard him raise his voice, no.	16:40:28
16	Q Is Ms. Heard the only woman that has ever	16:40:31
17	accused Mr. Depp of domestic violence?	16:40:45
18	MS. BREDEHOFT: Hold on. Objection;	16:40:50
19	leading; hypothetical; calls for speculation;	16:40:51
20	calls for hearsay; foundation as well. That's a	16:40:57
21	lot of objections for me to make, but it's all	16:41:01
22	there.	16:41:03

Transcript of Jack Whigham
Conducted on January 20, 2021

161

1 A I actually don't know. My -- 16:41:04

2 Q Let me ask you -- I'm sorry, Mr. Whigham, 16:41:08

3 I'll let you finish. 16:41:11

4 A My specific answer is it's the only 16:41:13

5 accusation I know of, so I can't speak to anyone 16:41:17

6 else. 16:41:22

7 Q And that's how I was going to rephrase my 16:41:22

R, L, O, 8 question. Do you know of any other woman that has 16:41:26
H, F/A

9 accused Mr. Depp of physical or emotional abuse? 16:41:29

10 MS. BREDEHOFT: Objection; leading; calls 16:41:34

11 for hearsay; foundation. Go ahead. 16:41:36

12 A I have no knowledge of any other 16:41:38

13 accusation. 16:41:40

14 Q When you first learned of Ms. Heard's 16:41:41

15 allegations of domestic abuse, were you surprised? 16:41:59

16 MS. BREDEHOFT: Objection; leading; 16:42:03

17 hearsay; relevance; foundation; authenticity. 16:42:04

18 A I guess my issue in answering the question 16:42:09

19 is I don't remember when I first learned of that, 16:42:12

20 if it was prior to us representing him. So I hate 16:42:16

21 to give an opinion because I can't totally 16:42:26

22 correlate it to when I started representing him. 16:42:29

Transcript of Jack Whigham
Conducted on January 20, 2021

162

R, L,
O, H

1	Q Having represented Mr. Depp since 2016, do	16:42:33
2	you -- do Ms. Heard's allegations of domestic	16:42:40
3	violence surprise you --	16:42:45
4	MS. BREDEHOFT: Objection.	16:42:45
5	Q -- knowing Mr. Depp?	16:42:47
6	MS. BREDEHOFT: Sorry. Are you done?	16:42:48
7	Objection; leading; calls for -- well, relevance;	16:42:49
8	and calls for potentially hearsay. Go ahead.	16:42:53
9	A Based on my knowledge and interaction of	16:42:57
10	Johnny, it's not consistent. I find the	16:43:02
11	accusations not consistent with my experience.	16:43:05
12	Q We spoke about the movie -- I know it has	16:43:09
13	different titles, but City of Lies or the Biggie	16:43:24
14	Smalls film earlier today?	16:43:34
15	A Yes.	16:43:35
16	Q Is it your understanding that the City of	16:43:36
17	Lies movie or the Biggie Smalls film was not	16:43:38
18	released as a result of the lawsuit filed by	16:43:43
19	Mr. Rocky Brooks?	16:43:48
20	MS. BREDEHOFT: Objection; leading and	16:43:50
21	hearsay. Calls for hearsay. Go ahead.	16:43:57
22	A As I stated before, I -- and I was	16:44:00

Transcript of Jack Whigham
Conducted on January 20, 2021

163

1 reminded with the document that was presented to 16:44:01
2 me that it was pulled from their release slate 16:44:04
3 fairly soon after the report of that lawsuit. 16:44:09
4 That said, in my conversations with them, they 16:44:17
5 cited that, they cited troubling headlines, and we 16:44:26
6 pushed very hard to understand exactly if that was 16:44:33
7 the sole basis, and it was also my opinion that 16:44:37
8 they also had financial trouble. So it's a 16:44:41
9 longwinded way of saying I can't totally say 16:44:46
10 exactly. 16:44:51

MIL, 11 Q Is it your observation that Mr. Depp has 16:44:53
R,O, started to receive more negative press after 16:45:16
F/A,SP 12 Ms. Heard made allegations of abuse against him in 16:45:22
13 2016? 16:45:26
14

15 A Yes. I -- my observation is the 16:45:30
16 allegation of domestic abuse took the negative 16:45:35
17 affects on him press wise in the community to a 16:45:44
18 different level. 16:45:49

19 Q And when you say a different level, what 16:45:51
20 do you mean by that? 16:45:55

21 A I -- in my experience, certain allegations 16:45:55
22 tend to -- my word -- ratchet up the difficulty on 16:46:11

MIL,	1	someone's ability to get work and to participate	16:46:20
R,O,			
F/A,SP ²	2	in the artistic community, and domestic abuse is	16:46:26
	3	one of those.	16:46:32
	4	Q I'm going to take you to some of the	16:46:45
	5	conversations you had with Jerry Bruckheimer and	16:46:47
	6	Disney, to that part of your testimony. Based on	16:46:49
	7	your conversations with Jerry Bruckheimer, did you	16:46:53
	8	understand that Disney was not going to cast	16:46:55
	9	Mr. Depp in the Pirates 6 film as a result of	16:46:58
	10	Ms. Heard's domestic violence abuse allegation?	16:47:02
	11	MS. BREDEHOFT: Objection; leading and	16:47:08
	12	hearsay. Go ahead.	16:47:10
	13	A Again, consistent sort of with my memory	16:47:13
	14	and testimony, in the period -- I was having two	16:47:16
	15	conversations about this, one with Jerry and one	16:47:24
	16	with Sean Bailey, and as I stated previously, I	16:47:29
	17	felt, based on those conversations, there was	16:47:39
	18	resistance in the studio for Johnny to proceed on,	16:47:44
	19	and Jerry -- Jerry seemed to -- you know, some of	16:47:48
	20	that impression was based on my conversation with	16:47:53
	21	Jerry as well.	16:47:57
	22	Q Do you know of any other reason why Disney	16:48:00

Transcript of Jack Whigham
Conducted on January 20, 2021

165

MIL, 1	would not cast Mr. Depp in Pirates 6?	16:48:02
R, O,		
F/A, SP2	A I don't. I don't -- you know, I can't say	16:48:10
3	for sure of any specific other reason.	16:48:23
4	Q Did either Mr. Bruckheimer or Mr. Bailey	16:48:28
5	at Disney tell you of any other reasons as to why	16:48:32
6	Mr. Depp was not going to be cast in Pirates 6?	16:48:36
7	MS. BREDEHOFT: Objection. Besides	16:48:40
8	leading, it's suggesting facts not in evidence in	16:48:41
9	the assumption of it. So it lacks the foundation	16:48:50
10	for it; and it calls for hearsay. Go ahead.	16:48:55
11	A No, there was no other specifics	16:49:01
12	discussed.	16:49:04
13	Q When you say no other specifics discussed,	16:49:04
14	do I understand that you are testifying that	16:49:13
15	Disney or Jerry Bruckheimer told you that it was	16:49:16
16	as a result of Ms. Heard's domestic violence	16:49:24
17	allegations --	16:49:30
18	MS. BREDEHOFT: Objection.	16:49:30
19	Q -- as the reason --	16:49:30
20	MS. VASQUEZ: Sorry, Elaine, I'm not done.	16:49:30
21	Q -- as a reason for not casting Mr. Depp in	16:49:31
22	Pirates 6?	16:49:34

Transcript of Jack Whigham
Conducted on January 20, 2021

166

1	MS. BREDEHOFT: Objection; leading; form	16:49:35
2	of the question; hearsay.	16:49:38
3	A Let me make sure I understood the	16:49:39
4	question. Because I thought I was answering a	16:49:43
5	question regarding were there were any other	16:49:45
6	reasons -- we were talking about allegations of	16:49:47
7	domestic abuse, put that in one category; were	16:49:51
8	there any other -- I was answering there was	16:49:55
9	nothing else discussed. And then with respect to	16:49:58
10	the domestic abuse allegations I would just rely	16:50:10
11	on my earlier testimony.	16:50:13
12	MS. VASQUEZ: Alex, may I have you please	16:50:17
13	pull up what's been previously marked as Whigham	16:50:20
14	Exhibit 22.	16:50:27
15	Q Mr. Whigham, just reminding you this is	16:50:49
16	the Washington Post op-ed written by Amber Heard,	16:50:52
17	published on December 18th, 2018, that we showed	16:50:58
18	you -- that Ms. Bredehoft showed you earlier	16:51:02
19	today. I believe your testimony was that you did	16:51:03
20	read this op-ed; is that correct?	16:51:06
21	A Yes, ma'am.	16:51:13
22	Q Okay. Do you remember, Mr. Whigham, the	16:51:14

1	allegations Ms. Heard made in this op-ed as it	16:51:21
2	related to being a victim of domestic violence?	16:51:25
3	MS. BREDEHOFT: Objection; leading; and	16:51:29
4	it's an improper form of the question because it's	16:51:39
5	-- the document speaks for itself and you're	16:51:42
6	asking for a characterization. Go ahead.	16:51:44
7	A I vaguely remember what I would think of	16:51:49
8	of the contents of it and reminded reading it now.	16:51:54
9	MS. VASQUEZ: Alex, do you mind giving me	16:52:01
10	control, please? Thank you, Alex.	16:52:02
11	Q Mr. Whigham, I'm going to highlight for	16:52:30
12	you a specific paragraph. Ms. Heard writes here,	16:52:32
13	then two years ago, I became a public figure	16:52:34
14	representing domestic abuse, and I felt the full	16:52:39
15	force of our culture's wrath for women who speak	16:52:39
16	out. Friends and advisors told me I would never	16:52:47
17	work again. I'm sorry, I would never again work	16:52:49
18	as an actress, that I would be blacklisted.	16:52:52
19	Do you see that, those three sentences	16:52:56
20	there, Mr. Whigham?	16:53:02
21	A Yes, I see them.	16:53:03
22	Q What did you understand Ms. Heard to mean	16:53:04

Transcript of Jack Whigham
Conducted on January 20, 2021

168

1	by those two sentences?	16:53:13
2	MS. BREDEHOFT: Objection; improper	16:53:16
3	question of this witness, what he understands; the	16:53:18
4	document speaks for itself. Go ahead.	16:53:24
5	A I -- I -- I think it leads to an	16:53:30
6	assumption that, if you just do the math, two	16:53:40
7	years prior to December 18th Ms. Heard was in a	16:53:46
8	relationship with Johnny Depp, and there's an	16:53:50
9	inference that there was domestic abuse involved	16:53:55
10	and she was thrust into the spotlight as a	16:54:00
11	result of that. I -- you asked about both	16:54:03
12	sentences. On the second sentence, I don't really	16:54:07
13	have an opinion on that other than to take that	16:54:11
14	statement very seriously and with sensitivity as	16:54:14
15	someone who works in the community, represents	16:54:19
16	artists, actresses, and I have no -- I have no	16:54:23
17	real opinion on it other than it's a serious	16:54:29
18	statement and would be taken seriously.	16:54:35
19	MS. VASQUEZ: Alex, may I please have you	16:54:50
20	pull up what was previously marked as Exhibit 19.	16:54:52
21	Q Mr. Whigham, do you recognize these emails	16:55:30
22	as having sent and received emails between you and	16:55:34

Transcript of Jack Whigham
Conducted on January 20, 2021

169

1	Robin Baum, and I believe...	16:55:37
2	A Sorry, do you want --	16:55:45
3	Q Go ahead.	16:55:47
4	A I don't remember them with specificity,	16:55:49
5	but seeing them, just because we send so many	16:55:52
6	emails and receive so many, but it looks authentic	16:55:56
7	and I can -- I think I can speak to it.	16:56:00
H,L,O 8	Q Would you agree with me that as of	16:56:05
9	October 26th, 2018, based on your conversations	16:56:11
10	with Jerry Bruckheimer, it was not official that	16:56:15
11	Disney was not yet -- was not going to cast	16:56:19
12	Mr. Depp in Pirates 6?	16:56:23
13	MS. BREDEHOFT: Objection; leading and	16:56:28
14	hearsay. Go ahead.	16:56:32
15	A I think that's an accurate statement.	16:56:32
16	MS. VASQUEZ: Alex, may I have you please	16:56:36
17	pull up what's been previously marked as	16:56:38
18	Exhibit 23.	16:56:40
19	Q Mr. Whigham, would you -- based on this	16:57:04
20	email where it was reported in, I think it's	16:57:06
21	movieweb.com, that Disney was not going to cast	16:57:12
22	Mr. Depp in Pirates 6 --	16:57:19

Transcript of Jack Whigham
Conducted on January 20, 2021

170

1	MS. BREDEHOFT: Objection; leading.	16:57:24
2	MS. VASQUEZ: I'm not done, Elaine.	16:57:25
3	MS. BREDEHOFT: My apologies.	16:57:27
4	MS. VASQUEZ: Okay. Thank you. Sorry.	16:57:30
5	Q I'm just going to start over.	16:57:34
6	Based on this email, Mr. Whigham, is it	16:57:35
7	fair to say that after December 20th, 2018, it was	16:57:48
8	official that Disney was not going to cast	16:57:51
9	Mr. Depp in Pirates 6?	16:57:54
10	MS. BREDEHOFT: Objection; leading and	16:57:58
11	hearsay. Go ahead.	16:57:59
12	A As I understand the question, I don't know	16:58:04
13	based on this date if there was -- if it's fair to	16:58:08
14	say it was official. Because there was a lot of	16:58:10
15	speculation from the trades and from the	16:58:19
16	reporting, and I was trying to get, as I	16:58:21
17	testified, clarity as much as possible from Disney	16:58:26
18	while also pursuing an agenda, which was to keep	16:58:31
19	Johnny involved. And my belief is that it became	16:58:37
20	clearer and clearer that they were not going to	16:58:43
21	involve him. And so -- you know, it's hard for me	16:58:46
22	to say exactly, but it became more clear based on	16:58:56

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Transcript of Jack Whigham
Conducted on January 20, 2021

171

1 those conversations although Disney was somewhat 16:59:01
2 sensitive to try to not have to do something 16:59:10
3 official. 16:59:13

4 Q When you say not have to do something 16:59:13
5 official, what do you mean by that? 16:59:18

6 A There was no press release, you know, 16:59:21
7 there was -- there wasn't a call, like, with 16:59:29
8 Warner Brothers that we discussed to say he's out, 16:59:31
9 they just started going in a different direction. 16:59:34

H,L,O 10 Q Is it safe to say, though, Mr. Whigham, 16:59:39
11 that it was after December 20th, 2018, that Disney 16:59:43
12 confirmed that they were going in a different 16:59:54
13 direction in not casting Mr. Depp in Pirates 6? 16:59:56

14 MS. BREDEHOFT: Objection; leading and 17:00:01
15 hearsay. Go ahead. 17:00:03

16 A Based on my memory, I think it would be a 17:00:04
17 safe statement to say after December 20th it 17:00:06
18 became clear that they were going in a direction 17:00:10
19 without him. 17:00:13

20 Q You testified earlier that Jerry 17:00:20
21 Bruckheimer is the producer of the Pirates 17:00:24
22 franchise; is that correct? 17:00:26

Transcript of Jack Whigham
Conducted on January 20, 2021

172

1 A Yes. 17:00:29

2 Q How would you describe Jerry Bruckheimer's 17:00:30
3 relationship with Disney? Is it a close 17:00:35
4 relationship based on your observation? 17:00:38

5 MS. BREDEHOFT: Objection; leading; and 17:00:44
6 calls for hearsay and foundation. 17:00:46

7 A I think Jerry Bruckheimer is a very 17:00:48
8 well-respected, very beloved producer and has 17:00:52
9 tremendous relationships all over town, and I 17:00:57
10 think Disney is one of those relationships. 17:01:00

MIL, 11 Q You also testified earlier that based on 17:01:20
F/A, 12 your understanding, UTA, Johnny Depp's former 17:01:22
H,L 13 agency, had negotiated or started negotiations 17:01:34
14 with Disney for Johnny to star in Pirates 6 and 17:01:38
15 received compensation of -- was it \$22.5 million; 17:01:46
16 is that correct? 17:01:50

17 A No. What I testified was that they had 17:01:50
18 started a negotiation for an option, as an option 17:01:53
19 for the Pirates 6, that we finished that 17:01:57
20 negotiation. And obviously the film didn't happen 17:02:01
21 or has not happened, the payment has not happened, 17:02:06
22 so there's never been any money transferred or 17:02:10

Transcript of Jack Whigham
Conducted on January 20, 2021

173

MIL, F/A, H,L	1	commissioned.	17:02:13
	2	Q And how would you -- what is an option?	17:02:15
	3	A So oftentimes when a studio typically	17:02:18
	4	connected to a franchise type of film where they	17:02:25
	5	may envision sequels, so they will obtain what we	17:02:29
	6	call sequel options on an actor and prenegotiate a	17:02:37
	7	deal so that they can control the process as much	17:02:43
	8	as possible and sometimes dictate, you know, the	17:02:46
	9	scheduling.	17:02:49
	10	Q Did the option contract that was	17:03:01
	11	negotiated include any type of back end or	17:03:02
	12	residual compensation from Mr. Depp?	17:03:05
	13	MS. BREDEHOFT: Objection; hearsay.	17:03:11
	14	A It would have, yes.	17:03:11
	15	Q And that was in addition to the	17:03:12
	16	22.5 million?	17:03:22
	17	MS. BREDEHOFT: Objection; leading and	17:03:23
	18	hearsay.	17:03:25
	19	A Yes. Just to be clear, when you say in	17:03:25
	20	addition, the way it usually works is the cash is	17:03:43
	21	in essence a version of an advance against the	17:03:48
	22	back end.	17:03:51

Transcript of Jack Whigham
Conducted on January 20, 2021

174

1	Q Thank you for that clarification. And you	17:03:56
2	might have testified about this previously,	17:04:09
3	Mr. Whigham, and if so I apologize, but are there	17:04:11
4	any other opportunities that you can think of	17:04:14
5	Mr. Depp has lost in addition to Pirates 6 and	17:04:16
6	Fantastic Beasts since 2016?	17:04:24
7	A I guess just so I understand the question,	17:04:26
8	it's similar to what I asked Elaine -- Elaine, I'm	17:04:28
9	sorry to call you by your first name.	17:04:33
10	MS. BREDEHOFT: That's quite all right.	17:04:35
11	No reason --	17:04:39
12	A In that I felt that Elaine asked a similar	17:04:39
13	question in terms of something that was codified	17:04:44
14	or likely to happen based on a contract, so that's	17:04:46
15	one answer to the question. If you're asking	17:04:49
16	about the world of potential projects, that would	17:04:53
17	be a separate question. Sorry to answer the	17:04:56
18	question with a question.	17:05:01
19	Q In the world of potential projects, in	17:05:03
20	your world of potential projects that you're aware	17:05:06
21	of, are there other opportunities that Mr. Depp	17:05:08
22	has lost since 2016?	17:05:11

Transcript of Jack Whigham
Conducted on January 20, 2021

175

1 MS. BREDEHOFT: Objection; calls for 17:05:16
2 hearsay and speculation; hypothetically. Go 17:05:18
3 ahead. 17:05:23

4 A I think Mr. Depp has been severely damaged 17:05:23
5 in terms of his ability to create opportunities 17:05:28
6 for himself since 2016. So the -- it would be 17:05:30
7 many films. 17:05:35

8 Q Any specifically that come to mind? 17:05:42

9 A I think that would actually require such a 17:05:46
10 leap in speculation that I wouldn't feel 17:05:50
11 comfortable. 17:05:54

MIL, 12 Q Has it been your experience as Mr. Depp's 17:05:55
F/A, 13 agent and now manager that there's been a decrease 17:05:58
H,O,SP 14 of opportunities being presented to him? 17:06:02

15 MS. BREDEHOFT: Objection; leading. 17:06:07

16 Q Since 2016? 17:06:10

17 MS. BREDEHOFT: Sorry. 17:06:11

18 MS. VASQUEZ: It's okay. 17:06:13

19 MS. BREDEHOFT: Objection; leading and 17:06:14
20 speculation; hearsay. But go ahead. 17:06:16

21 A I'll try to answer it really specifically. 17:06:18

22 So anything prior to 2016 would not be my personal 17:06:21

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Transcript of Jack Whigham
Conducted on January 20, 2021

176

MIL,	1	knowledge, it would be me speculating that Johnny	17:06:26
F/A,			
H,O,SP	2	had a lot of opportunity because he was one of the	17:06:30
	3	most famous successful actors in the community.	17:06:33
	4	my experience since 2016 has been that it would be	17:06:40
	5	much reduced vis-à-vis the previous assessment and	17:06:47
	6	it has slowly -- I shouldn't say slowly, his	17:06:58
	7	opportunities feel less today than they did in	17:07:04
	8	2016.	17:07:07
	9	MS. VASQUEZ: Thank you, Alex, we can	17:07:13
	10	remove that from the screen.	17:07:15
	11	Q And do you attribute that loss in interest	17:07:24
	12	to anything in particular?	17:07:31
	13	MS. BREDEHOFT: Objection; calls for	17:07:35
	14	hypothetical; speculation. Go ahead.	17:07:36
	15	A Yes.	17:07:43
	16	Q What do you attribute it to?	17:07:43
	17	MS. BREDEHOFT: Same objection. Go ahead.	17:07:51
	18	A Damaging headlines with the most damaging	17:07:51
	19	being allegations of domestic violence.	17:07:59
	20	Q And just to be really specific, the	17:08:04
	21	allegations you're referring to are the	17:08:11
	22	allegations made by Ms. Heard; correct?	17:08:13

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40573

Transcript of Jack Whigham
Conducted on January 20, 2021

177

MIL,
F/A,
H,O,SP

1

MS. BREDEHOFT: Objection both to leading

17:08:15

2

and foundation. And the form of the question is

17:08:19

3

unclear what you mean by that. But go ahead.

17:08:25

4

A Just I know -- those are the only

17:08:29

5

allegations I know of regarding domestic violence.

17:08:32

6

Q And those were the only allegations that

17:08:35

7

have been reported in the press; correct?

17:08:43

8

MS. BREDEHOFT: Objection; leading. Go

17:08:45

9

ahead. Calls for speculation.

17:08:47

10

A That I know of, yes. Yes, that I know of.

17:08:47

11

Q Mr. Whigham, that is all I have for you.

17:08:51

12

I promised you I'd keep it short.

17:09:19

13

A Thank you.

17:09:23

14

MS. BREDEHOFT: I'm going to be pretty

17:09:23

15

quick on the way back here.

17:09:25

16

THE WITNESS: Okay.

17:09:29

17

EXAMINATION BY COUNSEL FOR THE DEFENDANT

17:09:30

18

BY MS. BREDEHOFT:

17:09:30

19

Q Just so we're clear, you believe that

17:09:32

20

Mr. Depp's career has been severely damaged in his

17:09:35

21

ability to create opportunities since 2016; is

17:09:39

22

that correct?

17:09:49

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40574

Transcript of Jack Whigham
Conducted on January 20, 2021

178

1 A I want to make sure I understand the 17:09:49
2 question. Just because I felt like you were 17:09:51
3 stating back testimony in mind, that I think his 17:09:53
4 career has been severely damaged -- sorry, could 17:09:58
5 you repeat the question just so I make sure I get 17:10:02
6 it? 17:10:04

7 Q Yeah. I think I heard you say that you 17:10:04
8 believe that Mr. Depp's career has been severely 17:10:06
9 damaged in his ability to create opportunities 17:10:10
10 since 2016; is that what you said? 17:10:13

11 A Yes, I believe that is what I said, and it 17:10:19
12 seems consistent with what I feel. 17:10:24

13 Q You were asked a number of questions about 17:10:26
14 your discussions with Mr. Bruckheimer and 17:10:33
15 Mr. Bailey and the Pirates again, and I know I 17:10:38
16 asked you about them as well, but let me just be 17:10:41

17 clear, did Mr. Bruckheimer or Mr. Bailey ever say 17:10:43
H 18 to you that they were not casting Mr. Depp in the 17:10:48
19 next Pirates because of Ms. Heard's op-ed in the 17:10:52
20 Washington Post in December of 2018? 17:10:59

21 MS. VASQUEZ: Objection; calls for 17:11:02
22 hearsay. 17:11:03

1	A I cannot point to a specific conversation	17:11:06
2	that would reference their speaking to the op-ed	17:11:11
3	in correlation directly with losing that	17:11:17
4	opportunity.	17:11:21
5	Q Okay. Thank you. Are you aware that	17:11:22
6	Mr. Depp has said that he would not, nothing on	17:11:26
7	this earth would get him to go back and work with	17:11:34
8	Disney on a Pirates of Caribbean film?	17:11:38
9	MS. VASQUEZ: Objection; assumes for facts	17:11:42
10	not in evidence; calls for hearsay; lack of	17:11:45
11	foundation.	17:11:47
12	A No. Were you referencing a quote? I have	17:11:48
13	not heard that quote, actually.	17:11:52
14	MS. BREDEHOFT: If you could -- Alex,	17:11:56
15	could you bring up No. 31, please, Exhibit 31.	17:11:59
16	A May I ask what the date was on that?	17:12:07
17	Q Yes.	17:12:10
18	MR. DERIN: Just wait.	17:12:11
19	(WHIGHAM Deposition Exhibit 31 marked for	17:12:11
20	identification and attached to the transcript.)	17:12:12
21	Q This is the -- I'm going to show you	17:12:12
22	what's been marked as Whigham 31, and I'm going to	17:12:14

Transcript of Jack Whigham
Conducted on January 20, 2021

180

1	show you what is part of the transcript of the	17:12:22
2	deposition of Mr. Depp on November 10, 2020. And	17:12:26
3	I'm just going to direct your attention down.	17:12:28
4	Hold on. Hold on. Something happened here.	17:12:40
5	Okay. There we go.	17:12:40
6	I'm going to just direct your attention --	17:12:46
7	so you assume that because of everything that's	17:12:48
8	been continuing on in these allegations that he's	17:12:51
9	not going to be in Pirates 6? Mr. Depp said, I	17:12:55
10	can tell you God's honest truth, right now based	17:12:59
11	on everything, if they came to me with	17:13:05
12	\$300 million and a million alpacas, nothing under	17:13:07
13	this earth -- on this earth would get me to go	17:13:11
14	back and work with Disney on a Pirates of	17:13:13
15	Caribbean film. Do you see that?	17:13:16
16	A I do, yes, ma'am.	17:13:18
17	Q Did Mr. Depp tell you that?	17:13:20
18	A No.	17:13:26
19	MS. BREDEHOFT: Okay. You can take that	17:13:27
20	down, Alex. I'm going to ask you to go to --	17:13:28
21	Alex, can you bring up Exhibit 22 again, the	17:13:41
22	op-ed, please..	17:13:45

1 Q Ms. Vasquez asked you about a specific 17:14:00
2 part of this, so I'm going to go to that. Then 17:14:03
3 two years ago I became a public figure 17:14:06
4 representing domestic abuse and I felt the full 17:14:08
5 force of our culture's wrath for women who speak 17:14:11
6 out. 17:14:16

7 Do you -- are you able to say whether 17:14:16
8 that's true or false? 17:14:20

9 MS. VASQUEZ: Objection; compound. 17:14:23

10 A I don't think I can speak to Ms. Heard's 17:14:26
11 experience or state of mind or anything. 17:14:30

12 Q Okay. Thank you. I'm going to -- you 17:14:37
13 were asked by Ms. Vasquez whether you know of any 17:14:42
14 reasons that Mr. Depp would be -- that Disney 17:14:50
15 would not cast Mr. Depp. Were you aware of 17:14:51
16 alcohol and drug issues by Mr. Depp during the 17:14:55
17 filming of Pirates 5? 17:15:00

18 MS. VASQUEZ: Objection; assumes facts not 17:15:02
19 in evidence; lack of foundation; it's overbroad; 17:15:04
20 compound. 17:15:07

21 A I was not, no. 17:15:08

22 Q Were you aware of significant tardiness by 17:15:11

1	Mr. Depp during the filming of Pirates 5?	17:15:17
2	MS. VASQUEZ: Same objection.	17:15:21
3	A No, I was not.	17:15:22
4	Q Are you aware of that Mr. Depp has a	17:15:22
5	reputation for being tardy on filming location and	17:15:25
6	sets?	17:15:30
7	MS. VASQUEZ: Objection; assumes facts not	17:15:30
8	in evidence; lack of foundation.	17:15:34
9	A I'm not. And I -- to be honest -- my	17:15:37
10	experience in representing him, that was not	17:15:39
11	consistent actually with what the experience has	17:15:41
12	been like.	17:15:48
13	Q Were you aware that Mr. Depp caused	17:15:49
14	Pirates 5 to stop filming for six weeks because of	17:15:54
15	the injury to his finger?	17:15:59
16	MS. VASQUEZ: Objection; assumes facts not	17:16:01
17	in evidence; lack of foundation; and it's	17:16:03
18	compound.	17:16:08
19	A No. With specificity, I vaguely remember	17:16:10
20	there being some reports in the press now that you	17:16:15
21	mention it, but no.	17:16:19
22	Q Do you know how much money Disney lost as	17:16:20

1	a result of having to suspend the filming for over	17:16:23
2	six weeks because of Mr. Depp's injury to his	17:16:26
3	finger?	17:16:29
4	MS. VASQUEZ: Objection; assumes facts not	17:16:31
5	in evidence.	17:16:32
6	A No, ma'am, I don't.	17:16:33
7	Q Were you aware of disputes between	17:16:35
8	Mr. Depp and Mr. Bailey respecting Pirates 5,	17:16:39
9	including --	17:16:46
10	MS. VASQUEZ: Objection.	17:16:48
11	MS. BREDEHOFT: Let me just finish.	17:16:48
12	Q -- including artistic differences of	17:16:50
13	opinion?	17:16:53
14	MS. VASQUEZ: Objection; assumes facts not	17:16:53
15	in evidence; lack of foundation; it's compound.	17:16:55
16	MR. DERIN: And I'll add, asked and	17:16:58
17	answered previously.	17:17:01
18	A No, I wasn't -- no, I was not aware of	17:17:13
19	that.	17:17:15
20	Q Okay. Ms. Vasquez asked you near the	17:17:16
21	beginning about your interactions with Mr. Depp	17:17:21
22	and whether you could -- had ever seen him violent	17:17:25

Transcript of Jack Whigham
Conducted on January 20, 2021

184

1	or angry; have you ever seen Mr. Depp use drugs or	17:17:30
2	drink excessively with alcohol?	17:17:36
3	MS. VASQUEZ: Objection; compound.	17:17:39
4	A No, I have not.	17:17:40
5	MS. BREDEHOFT: Okay. I'm going to ask	17:17:42
6	Alex to bring up number 45. I must have my dates	17:17:43
7	-- let's go to 46. I think I have my numbers	17:18:18
8	wrong. My apologies.	17:18:29
9	Hold on just a second. Bear with me.	17:18:48
10	I've got my -- I've got my numbers wrong.	17:18:51
11	(WHIGHAM Deposition Exhibit 46 marked for	17:18:51
12	identification and attached to the transcript.)	17:18:51
13	Q But while I'm there, Mr. Whigham, have you	17:18:54
14	ever seen Mr. Depp passed out like this in this	17:18:57
15	picture?	17:18:59
16	MS. VASQUEZ: Objection; assumes facts not	17:19:01
17	in evidence. The document -- there's a lack of	17:19:03
18	foundation.	17:19:07
19	A I -- well, I can't tell who that is, but	17:19:09
20	I've never seen Johnny passed out, no.	17:19:14
21	Q Were you aware that there were a lot of	17:19:18
22	pictures and videos and audio tapes that were	17:19:24

FSPK,
VA, 22
AF

Transcript of Jack Whigham
Conducted on January 20, 2021

185

FSPK,
VA, 1
AF

presented in the trial in the UK?

17:19:29

MS. VASQUEZ: Objection; vague and
ambiguous; assumes facts not in evidence.

17:19:36

A I can't say with any specificity, but I
might say vaguely that I -- when you say it like
that, that there was an awareness that there was
things, I don't know, being presented in court
that I just was not aware of, you know. I can't
say with any specificity.

17:19:40

17:19:43

17:19:48

17:19:52

17:19:56

17:19:58

Q Okay. Did you watch any of the press with
the pictures that were shown on a daily basis
after they had been presented in court?

17:20:00

17:20:02

17:20:04

MS. VASQUEZ: Objection; vague and
ambiguous; lack of foundation; assumes facts not
in evidence.

17:20:10

17:20:12

17:20:15

A Yeah. I did not follow it closely
day-to-day, no.

17:20:16

17:20:19

Q Okay. I found my right --

17:20:20

MS. BREDEHOFT: It's 43, Alex. My
apologies on that.

17:20:24

17:20:27

(WHIGHAM Deposition Exhibit 43 marked for
identification and attached to the transcript.)

17:20:27

17:20:28

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1	Q And while he's pulling that up, I'm just	17:20:28
2	going back to the question that I'm following up.	17:20:32
3	Ms. Vasquez had asked you whether you had ever	17:20:38
4	seen Mr. Depp violent or angry, and I think you	17:20:38
5	had indicated you had not; is that correct?	17:20:41
6	A That was my answer, yes.	17:20:44
7	Q Okay. I'm going to ask you to listen to	17:20:46
8	what is Whigham Exhibit 43.	17:20:48
9	MR. DERIN: I'm sorry, can you stop for a	17:20:54
10	moment? What is it we're listening to?	17:20:56
11	MS. BREDEHOFT: It's a videotape. It's a	17:20:59
12	very short videotape. And it's directly related	17:21:02
13	to the question of whether he has ever seen	17:21:05
14	Mr. Depp violent or angry.	17:21:08
15	MR. DERIN: What is it -- from where is	17:21:10
16	this, just so we have some provenance?	17:21:13
17	MS. BREDEHOFT: It was shown at the UK	17:21:16
18	trial, it is public record, and it's been on the	17:21:19
19	YouTube for years. And it was a videotape of	17:21:22
20	Ms. Heard took from her phone of Mr. Depp.	17:21:27
21	All right. Let's go ahead and play it, if	17:21:35
22	you can, Alex.	17:21:37

Transcript of Jack Whigham
Conducted on January 20, 2021

187

1	(From video.)	17:21:37
2	Motherfucker. Motherfucker.	17:21:37
3	What happened?	17:22:00
4	Q Do you recognize that as Mr. Depp,	17:22:02
5	Mr. Whigham?	17:22:04
6	A I think so. You know, I couldn't tell.	17:22:04
7	(From video.)	17:22:04
8	Nothing happened this morning, you know	17:22:39
9	that?	17:22:40
10	To you?	17:22:40
11	No.	17:22:41
12	So then nothing happened to you this	17:22:43
13	morning.	17:22:43
14	Yeah, you're right. I just woke up and	17:22:48
15	you were so sweet and nice. We're not even	17:22:49
16	fighting this morning. All I did was say sorry.	17:22:51
17	Did something happen to you this morning?	17:22:53
18	I don't think so.	17:22:57
19	No, that's the thing.	17:23:04
20	Do you want to see crazy? I'll give you	17:23:06
21	fucking crazy. Here's crazy. Oh, you're crazy.	17:23:09
22	You're crazy.	17:23:09

Transcript of Jack Whigham
Conducted on January 20, 2021

188

1	Have you drunk this whole thing this	17:23:16
2	morning?	17:23:16
3	Have you got this going?	17:23:17
4	I just started it.	17:23:20
5	Oh, really?	17:23:21
6	Yeah.	17:23:21
7	Really?	17:23:27
8	Q Mr. Whigham, have you ever seen this?	17:23:27
9	(From video.)	17:23:27
10	Snapping shit.	17:23:27
11	Q Sorry. I think -- I think it's over. I	17:23:37
12	think it's going again. Have you ever seen this?	17:23:39
13	A What's the question?	17:23:46
14	Q Have you ever seen Mr. Depp act in that	17:23:46
15	manner before?	17:23:49
16	A No.	17:23:50
17	MS. VASQUEZ: Objection; vague and	17:23:50
18	ambiguous.	17:23:51
19	Q Would you agree that in that video	17:23:51
20	Mr. Depp is violent and angry?	17:23:54
21	MS. VASQUEZ: Objection. I mean, assumes	17:23:56
22	facts not in evidence; lack of foundation; calls	17:24:01

1	for a conclusion.	17:24:06
2	A And I don't mean to not answer the	17:24:09
3	question, I hate to even give an interpretation of	17:24:10
4	it, first time I'm seeing it. I've never seen	17:24:14
5	this video.	17:24:17
6	Q But in that video would you say that he	17:24:17
7	was -- Mr. Depp was angry?	17:24:20
8	MS. VASQUEZ: Objection; calls for	17:24:23
9	speculation.	17:24:27
10	MR. DERIN: I'll join all of those,	17:24:27
11	including lack of foundation. I don't know	17:24:30
12	whether Mr. Whigham is even sure who that is in	17:24:33
13	the video.	17:24:36
14	Q Did you recognize that as Mr. Depp,	17:24:38
15	ultimately?	17:24:41
16	A I -- I mean, I basically trust you if	17:24:44
17	you're telling me it's Johnny, it's probably, you	17:24:47
18	know -- I can't totally tell based on the quality	17:24:51
19	of the video, and I also can't tell in the	17:24:55
20	spectrum of what angry normally looks like. I	17:24:59
21	would say that the person maybe doesn't look	17:25:05
22	happy, but they're having like a quiet argument.	17:25:09

Transcript of Jack Whigham
Conducted on January 20, 2021

190

1	You know, there's not much said. The video	17:25:16
2	skipped for me, you know, at one point, so...	17:25:18
3	Q If you had seen Mr. Depp act like that in	17:25:31
4	your presence, when Ms. Vasquez asked you if you	17:25:35
5	had ever seen Mr. Depp act violently or angry,	17:25:42
6	what would your answer have been?	17:25:46
7	MS. VASQUEZ: Objection; incomplete	17:25:47
8	hypothetical; lack of foundation; calls for	17:25:49
9	speculation.	17:25:56
10	A Hard to answer a hypothetical. You know,	17:25:56
11	without knowing the context, so, you know, I don't	17:25:59
12	know how I would quantify. The best way I could	17:26:01
13	answer it is I've only seen Johnny behave very	17:26:07
14	respectful and calm and not raising his voice,	17:26:13
15	so...	17:26:18
16	Q Have you ever seen Johnny Depp act like he	17:26:19
17	acted in that video?	17:26:23
18	MS. VASQUEZ: Objection; vague and	17:26:24
19	ambiguous.	17:26:31
20	A No, I've never been -- I've never been in	17:26:31
21	the kitchen, which is what it looked like. We	17:26:36
22	never had any interactions like that.	17:26:39

Transcript of Jack Whigham
Conducted on January 20, 2021

191

1	Q Has he ever spoken to you in that tone of	17:26:42
2	voice before --	17:26:45
3	MS. VASQUEZ: Objection.	17:26:46
4	Q -- that's reflected on the video?	17:26:47
5	MS. VASQUEZ: Objection; vague and	17:26:50
6	ambiguous.	17:26:56
7	A I guess I might ask what tone you heard,	17:26:56
8	just because it looked like someone -- the thing	17:27:02
9	forcefully, I didn't hear much of a fight there or	17:27:05
10	an argument other than -- you know, he said --	17:27:08
11	Q I'm asking you very specifically,	17:27:15
12	Mr. Whigham. Has Mr. Depp ever spoken to you in	17:27:18
13	the tone of voice that is reflected on that video	17:27:22
14	that he is speaking to Amber Heard?	17:27:26
15	MS. VASQUEZ: Objection; asked and	17:27:30
16	answered and it's vague.	17:27:31
17	A I just -- all of my conversations with	17:27:39
18	Johnny have been business, mostly around business	17:27:42
19	and just -- yeah.	17:27:47
20	Q That's not what I'm asking. I think you	17:27:51
21	know that that's not what I'm asking. Have you	17:27:53
22	ever -- have you ever -- has Mr. Depp ever spoken	17:27:56

1	to you in that tone of voice that he spoke to	17:27:59
2	Ms. Heard in this video?	17:28:03
3	MS. VASQUEZ: Objection; asked and	17:28:04
4	answered; badgering; argumentative; and it's vague	17:28:07
5	and ambiguous.	17:28:11
6	MR. DERIN: I think the witness has given	17:28:11
7	you his best -- the best answer that he is capable	17:28:15
8	of giving you from what I'm hearing from him.	17:28:16
9	A I just think we may have different	17:28:25
10	conclusions based on that video, so that's maybe	17:28:28
11	where I'm...	17:28:30
12	Q Okay. Well, then let me -- because I want	17:28:30
13	to wrap that up, let me ask that. In your view,	17:28:32
14	based on what you interpreted what Ms. Vasquez	17:28:35
15	asked you if Mr. Depp had ever been angry,	17:28:39
16	watching that video would you have considered that	17:28:44
17	angry or would you have consider that normal so	17:28:49
18	you still would've said no?	17:28:52
19	MS. VASQUEZ: Objection; vague and	17:28:54
20	compound.	17:28:55
21	Q Do you understand what I'm asking?	17:28:57
22	A I think I do. I would say that that looks	17:29:00

Transcript of Jack Whigham
Conducted on January 20, 2021

193

1	slightly more agitated mainly because I'm trying	17:29:06
2	to infer what you're inferring because I didn't	17:29:09
3	hear a lot of audio. I saw a slam of a cabinet,	17:29:14
4	and I've never experienced any slamming of a	17:29:20
5	cabinet or anything like that with Johnny. I just	17:29:24
6	didn't hear a lot of audio there in terms of like	17:29:27
7	a verbal fight. I'm not trying to be obtuse.	17:29:30
8	Q Would it be helpful for you to hear it	17:29:36
9	again? Would you like to see it one more time?	17:29:40
10	A I think I could -- you could play it for	17:29:42
11	me ten times and I'd probably have the same	17:29:45
12	feeling, so...	17:29:48
13	Q Okay.	17:29:49
14	MS. BREDEHOFT: I have no more questions.	17:29:50
15	Thank you very much. We appreciate it.	17:29:54
16	Mr. Derin, he has the option of reading or	17:29:59
17	waiving. I don't know exactly how the California	17:30:04
18	depositions go, but because this will also be used	17:30:08
19	potentially in Virginia, we always have to tell	17:30:10
20	the witnesses they have the right to read or to	17:30:12
21	waive signature, and so I assume you would like to	17:30:15
22	do that or you would like to tell us what he's	17:30:18

Transcript of Jack Whigham
Conducted on January 20, 2021

194

1	doing.	17:30:21
2	MR. DERIN: What -- what we would normally	17:30:21
3	do is have the original transcript sent to me,	17:30:22
4	I'll make it available to the witness, he'll have	17:30:26
5	30 days to review it, make any changes he thinks	17:30:31
6	are necessary or appropriate, sign it under	17:30:34
7	penalty of perjury, and I'll send the original	17:30:39
8	transcript back to whomever you designate. If you	17:30:41
9	don't receive it back within that 30-day period,	17:30:46
10	then the -- a certified copy may be used as if it	17:30:47
11	were an original with no changes having been made.	17:30:52
12	MS. BREDEHOFT: That's -- I think it's --	17:30:55
13	I think it's 21 days in Virginia, but I'm fine	17:30:57
14	with the 30, I have no objection to that. And	17:30:58
15	that may be California -- that's the difference	17:31:01
16	trying to divide those up; but I'm fine with that.	17:31:04
17	MR. DERIN: That's our usual stipulation.	17:31:08
18	If that's fine with you, just tell me to whom I	17:31:10
19	should send it, and I will give you -- because I'm	17:31:14
20	not going to into my office very much these days,	17:31:17
21	I'll send whichever one of you wants my home	17:31:20
22	address, you can send it to me there.	17:31:25

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Transcript of Jack Whigham
Conducted on January 20, 2021

195

1	MS. BREDEHOFT: We'll work on that and if	17:31:28
2	you -- if you -- if we have that, then we can have	17:31:30
3	Planet Depos send it directly to you then. We'll	17:31:33
4	work with you on that. Okay?	17:31:36
5	MR. DERIN: All right. To whom should I	17:31:39
6	send the original back?	17:31:41
7	MS. BREDEHOFT: I think it usually goes to	17:31:44
8	Planet Depos, and it's just the errata sheet. You	17:31:45
9	don't need to send the whole transcript back. And	17:31:45
10	I think that they can also send it to you by	17:31:45
11	email, which will be much more convenient these	17:31:53
12	days.	17:31:53
13	MR. DERIN: All right. However you want	17:31:55
14	to do it, and I'll send back to them, if you'd	17:31:58
15	like, the signature from the witness under penalty	17:32:02
16	of perjury, which is what we do here in	17:32:05
17	California.	17:32:05
18	MS. BREDEHOFT: Okay. Terrific.	17:32:08
19	MR. DERIN: Okay. So one of you, if	17:32:09
20	you've got my -- Alex, are you the one -- I think	17:32:13
21	you had sent me an email yesterday, you'll -- are	17:32:17
22	you the one to whom I should send my -- well, if	17:32:25

1	you're going to send it to me by email, that's	17:32:26
2	fine then, right?	17:32:29
3	PLANET DEPOS TECHNICIAN: That will be	17:32:31
4	through Planet Depos, the office.	17:32:32
5	MS. BREDEHOFT: We can go off the record I	17:32:36
6	think, for this part, if you want to just talk	17:32:37
7	logistics.	17:32:41
8	MR. DERIN: All right. So is that	17:32:41
9	stipulation acceptable to everybody?	17:32:46
10	MS. VASQUEZ: Yes. So stipulated.	17:32:46
11	MS. BREDEHOFT: So stipulated.	17:32:46
12	PLANET DEPOS TECHNICIAN: Jean-Louis, you	17:32:49
13	need to unmute, sir.	17:32:49
14	THE VIDEOGRAPHER: Thank you. So it is	17:32:52
15	the end of the testimony of Jack Whigham. It is	17:32:52
16	5:33 p.m. We go off the record.	17:32:57
17	(Off the record at 5:33 p.m.)	
18		
19		
20		
21		
22		

ACKNOWLEDGMENT OF DEPONENT

I, JACK WHIGHAM, do hereby acknowledge
that I have read and examined the foregoing
testimony and the same is a true, correct and
complete transcription of the testimony given by
me and any corrections appear on the attached
errata sheet signed by me.

(SIGNATURE)

(DATE)

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

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

13
14 IN WITNESS WHEREOF, I have hereunto set my hand
15 and affixed my notarial seal this 26th day of
16 January, 2021.

17
18 My commission expires: June 18, 2023.

19
20 *Paul P. Smakula*



21 NOTARY PUBLIC IN AND FOR
22 THE STATE OF MARYLAND