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FAIRFAX, VA

Transcript of Laura Divenere

Date: January 15, 2021
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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Transcript of Laura Divenere
Conducted on January 15, 2021

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT OF FAIRFAX COUNTY 3 4 JOHN C. DEPP, II, } 5 Plaintiff, } 6 v. } Civil Action No.: 7 AMBER LAURA HEARD, } CL-2019-0002911 8 Defendant. } 9 10 11 12 13 Deposition of LAURA DIVENERE 14 Conducted Virtually 15 Friday, January 15, 2021 16 12:04 p.m. 17 18 19 20 Job No: 344477 21 Pages: 1-173 22 Reported by: Tracy Obering, RPR/CCSR</p>	<p>1 A P P E A R A N C E S 2 ON BEHALF OF THE PLAINTIFF: 3 (Present Via Videoconference) 4 CAMILLE VASQUEZ, ESQUIRE 5 STEPHANIE CALNAN, ESQUIRE 6 SAMUEL A. MONIZ, ESQUIRE 7 BROWN RUDNICK, LLP 8 2211 Michelson Drive 9 Irvine, California 92612 10 (949) 752-7100 11 12 ON BEHALF OF THE DEFENDANT: 13 (Present Via Videoconference) 14 J. BENJAMIN ROTTENBORN, ESQUIRE 15 WOODS ROGERS, PLC 16 10 South Jefferson Street 17 Suite 1800 18 Roanoke, Virginia 24011 19 (540) 983-7540 20 21 22</p>
<p>1 Deposition of LAURA DIVENERE, conducted 2 virtually. 3 4 5 Pursuant to notice, before Tracy 6 Obering, Registered Professional 7 Reporter/California Shorthand Reporter. 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 A P P E A R A N C E S (Continued) 2 ON BEHALF OF THE WITNESS: 3 (Present Via Videoconference) 4 LEE A. SHERMAN, ESQUIRE 5 CALLAHAN, THOMPSON, SHERMAN 6 & CAUDILL, LLP 7 2601 Main Street 8 Suite 800 9 Irvine, California 92614 10 (949) 261-2872 11 12 ALSO PRESENT VIA VIDEOCONFERENCE: 13 AMBER HEARD, DEFENDANT 14 ALEX SUSSMAN, PLANET DEPOS TECHNICIAN 15 JEAN-LOUIS ZIESCH, VIDEOGRAPHER 16 17 18 19 20 21 22</p>

Transcript of Laura Divenere
 Conducted on January 15, 2021

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22

7

1 Divenere, who is also present.

2 THE VIDEOGRAPHER: The court reporter

3 today is Tracy Obering, representing Planet Depos.

4 Would the court reporter please swear in

5 the witness.

6 LAURA DIVENERE,

7 having been duly sworn, testified as follows:

8 EXAMINATION BY COUNSEL FOR THE DEFENDANT

9 BY MR. ROTTENBORN:

10 Q. Good afternoon, Ms. Divenere. Again, my

11 name is Ben Rottenborn. I represent Ms. Heard.

12 Ms. Heard is -- is present for today's deposition,

13 and we appreciate your being here.

14 Have you ever been deposed before?

15 A. No.

16 Q. Is there any -- any condition or

17 circumstance that would keep you from

18 understanding my questions or being able to

19 completely and truthfully answer them today?

20 A. No.

21 Q. What's your -- what's your occupation?

22 A. I'm an interior designer.

6

1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: This is the beginning

3 of video number one of the videotaped deposition

4 of Laura Divenere in the matter of John C. Depp,

5 II, versus Amber Heard in the Circuit Court of

6 Fairfax County, Case Number CL-2019-0002911.

7 Today's date is January 15, 2021. The time on the

8 video monitor is 12:04 p.m. Eastern Standard Time.

9 The certified videographer today is

10 Jean-Louis Ziesch, representing Planet Depos.

11 This video deposition is taking place remotely.

12 Would counsel please identify yourself

13 and state -- and state whom you represent.

14 MR. ROTTENBORN: Hi. My name is Ben

15 Rottenborn from Woods Rogers and I represent

16 Ms. Heard.

17 MS. VASQUEZ: Good morning. Camille

18 Vasquez, joined with Stephanie Calnan, from Brown

19 Rudnick, and we represent Mr. Depp.

20 MR. SHERMAN: Good morning. This is Lee

21 Sherman from Callahan, Thompson, Sherman &

22 Caudill, and I represent the witness, Laura

8

1 Q. How long have you been an interior

2 designer?

3 A. Twenty years.

4 Q. Okay. And you did work for Amber Heard

5 and Mr. Depp?

6 A. I did.

7 Q. Have you done work for other celebrities

8 in California or elsewhere?

9 A. Yes.

10 Q. Who are some of those?

11 MR. SHERMAN: Wait a minute. Hold on.

12 Hold on. I couldn't -- I tried to get to the

13 spacebar to levee an objection.

14 I don't see any lead to admissible

15 discovery by way of who the rest of her clientele

16 is. So I would object on privacy grounds and

17 instruct her not to answer.

18 MR. ROTTENBORN: I'm just asking for

19 basic background, but we can -- we can ask some

20 different questions. That's fine.

21 BY MR. ROTTENBORN:

22 Q. Where -- where is the geographic scope

R

R

<p>9</p> <p>1 of the work you do, Ms. Divenere?</p> <p>2 A. In California.</p> <p>3 Q. Okay. Mostly around L.A.?</p> <p>4 A. Correct.</p> <p>5 Q. How did you first -- well, you -- is it</p> <p>6 correct that you met Amber Heard before you met</p> <p>7 Johnny Depp?</p> <p>8 A. Yes.</p> <p>9 Q. And how did you meet Amber?</p> <p>10 A. Through her PR person. I had done some</p> <p>11 work for her.</p> <p>12 Q. And what's the name of that PR person?</p> <p>13 A. Jodi Gottlieb.</p> <p>14 Q. Okay. Do you remember approximately</p> <p>15 when you begin doing work for Amber Heard?</p> <p>16 A. Probably about eight years ago.</p> <p>R 17 Q. Okay. 2000 --</p> <p>18 A. Maybe nine.</p> <p>19 Q. 2011, 2012, that time frame?</p> <p>20 A. I believe so.</p> <p>21 Q. Okay. And was that before she was</p> <p>22 involved with Mr. Depp?</p>	<p>11</p> <p>1 they -- if she was coming in or something, and I</p> <p>2 would go to the flower market. We would do</p> <p>3 flowers, just to fresh up, you know, rooms, things</p> <p>4 like that.</p> <p>5 Q. So if she were out of town, sometimes it</p> <p>6 wasn't uncommon for you to bring flowers on your</p> <p>7 own and put them in her apartment or wherever she</p> <p>8 was coming back to?</p> <p>9 A. Yeah. No, I would definitely have done</p> <p>10 that.</p> <p>11 Q. Okay. And you lived in the Eastern</p> <p>12 Columbia building in 2016; right?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. Do you still live there?</p> <p>15 A. No.</p> <p>16 Q. Okay. So -- and I know that you've</p> <p>17 given some testimony in this case before, and</p> <p>18 we're going to get to how you fit into the case.</p> <p>19 But during the time in question, when</p> <p>20 Ms. Heard was married to Mr. Depp and then split,</p> <p>21 filed for divorce from Mr. Depp, you lived in the</p> <p>22 Eastern Columbia building; right?</p> <p>R</p>
<p>10</p> <p>1 A. Yes.</p> <p>2 Q. Is it fair to say you got along well</p> <p>3 with Ms. Heard?</p> <p>4 A. Yes.</p> <p>R 5 Q. She treated you well?</p> <p>6 A. Yes.</p> <p>7 Q. Describe your relationship -- working</p> <p>8 relationship generally, what type of work you did</p> <p>9 for her, what your relationship was like,</p> <p>10 et cetera.</p> <p>11 A. I -- she would always give me a new task</p> <p>12 to do, or she had moved into an apartment and we</p> <p>13 were trying to get the apartment to feel like home</p> <p>14 for her, and I pretty much was always on call</p> <p>15 whenever she needed.</p> <p>16 I -- I mean, if it was, you know, just</p> <p>17 to fluff something up or to redo a room, you know,</p> <p>18 my services can run the full gamut. I can -- you</p> <p>19 know, I'll even do flowers sometimes.</p> <p>20 Q. What just -- what do you mean by doing</p> <p>21 flowers?</p> <p>22 A. I mean, just I would, you know, if</p>	<p>12</p> <p>1 A. I did.</p> <p>2 Q. Okay. So you were going in and out of</p> <p>3 that building every day?</p> <p>4 A. Not every -- going into the building?</p> <p>5 Yes, every day.</p> <p>6 Q. Right. And your comings and goings from</p> <p>7 that building didn't necessarily have anything to</p> <p>8 do with Ms. Heard or Mr. Depp or anyone else --</p> <p>9 A. No.</p> <p>10 Q. -- who lived there?</p> <p>11 A. No.</p> <p>12 Q. Okay.</p> <p>13 MR. SHERMAN: Laura, wait until he's</p> <p>14 completely finished with his question. Okay?</p> <p>15 Normal conversation, that's -- that's</p> <p>16 perfectly fine, but the court reporter can only</p> <p>17 take down one of you talking at a time.</p> <p>18 THE WITNESS: Okay. I apologize.</p> <p>19 MR. SHERMAN: So let him completely</p> <p>20 finish, and then you can give your answer. Okay?</p> <p>21 THE WITNESS: Uh-huh.</p> <p>22 MR. SHERMAN: Thanks.</p> <p>R</p>

13
1 BY MR. ROTTENBORN:
2 Q. Without disclosing anything to me about
3 what you and Mr. Sherman talked about, what did
4 you do to prepare for your deposition today?
5 **A. I did --**
6 MR. SHERMAN: Well, I'm going to object
7 that it does call for attorney/client privilege
8 generally, but you can answer the question.
9 THE WITNESS: I didn't prepare.
10 BY MR. ROTTENBORN:
11 Q. Okay. Did you speak to anyone who
12 wasn't your attorney in preparation for today's
13 deposition?
14 **A. No.**

R 15 Q. Okay. When did you -- and I know that
16 your attendance today is -- is reluctant. That's
17 fair to say; right?
18 **A. It is. It's not my comfort zone.**
19 Q. Right. Right. I get it.
20 And your involvement in this case
21 generally has been reluctant and out of your
22 comfort zone too; right?

14
1 **A. True.**
2 Q. When did you first become involved in --
3 and when I say, "this case," you understand that
4 I'm referring to the lawsuit pending between
5 Mr. Depp and Ms. Heard in Virginia; correct?
6 **A. Correct.**
7 Q. When did you first become involved in
8 this case?
9 **A. When I received a text from Mr. Waldman.**
10 Q. And Mr. Waldman is Mr. Depp's -- one of
11 Mr. Depp's attorneys?
12 **A. Correct.**

13 Q. I'm going to ask Alex to pull up the
14 exhibit that's been uploaded that's called,
15 "Waldman Text to Laura D."
16 And, Ms. Divenere, the way this is going
17 to work is you're going to -- I'm going to show
18 you a few documents today. It won't be many, but
19 a few. And I'm going to put them up, or the
20 Planet Depos tech person is going to put them up
21 on the screen like this.
22 MR. ROTTENBORN: And if you can enlarge

15
1 that, particularly the -- the large yellow text at
2 the top. Yep, just scroll down a little bit.
3 (Deposition Exhibit Number 1
4 was marked for identification)
5 BY MR. ROTTENBORN:
6 Q. And if you ever need anything enlarged
7 or if you need --
8 **A. I'm good.**
9 Q. All right. Just let us know. Okay?
10 **A. Uh-huh. Thank you.**
11 Q. Is this --
12 MR. ROTTENBORN: Can you shrink that a
13 little bit, Alex, so we can see a little more of
14 it? Thanks.

15 BY MR. ROTTENBORN:
16 Q. Is this the text that you were just
17 referring to, Ms. Divenere?
18 **A. Yes.**
19 Q. What was your reaction to receiving this
20 text?
21 **A. You know, I was a little horrified. I**
22 **was, you know, I was concerned, just because I**

16
1 **felt like I really -- you know, it was a couple**
2 **years later. I didn't really, you know, I didn't**
3 **know why I was involved with it. And I -- I felt**
4 **a little threatened by it, to be honest.**
5 Q. Did this text make you feel
6 uncomfortable?
7 **A. Yes.**
8 Q. And did it -- did it make you feel like
9 you were being put under pressure by Mr. Waldman
10 to make a Declaration in Mr. Depp's favor?

11 MS. VASQUEZ: Objection. Leading the
12 witness.

13 MR. ROTTENBORN: You can answer.
14 THE WITNESS: Yes. L, R, H, F/A

15 BY MR. ROTTENBORN:
16 Q. Did you feel pressured by Mr. Waldman to
17 say things that were unfavorable about Ms. Heard? L, R, H, F/A

18 MS. VASQUEZ: Objection, leading.

19 BY MR. ROTTENBORN:

20 Q. You can answer.

21 **A. Yes.** L, R, H, F/A

22 Q. And I believe you testified to this, but

L, Vague/ Ambig., R, F/A, Improper Opinion	17 1 did you feel that Mr. Waldman was threatening you 2 with some negative consequences personally if you 3 didn't cooperate with him? 4 MS. VASQUEZ: Objection, leading	19 1 THE WITNESS: Okay. 2 MR. SHERMAN: -- and then you answer the 3 question afterwards, unless I instruct you not to. 4 Okay?	
L, Vague/Ambig., F/A, Improper Opinion	5 THE WITNESS: Yes. 6 BY MR. ROTTENBORN:	5 THE WITNESS: Okay. 6 MR. SHERMAN: So go ahead and answer	
L, Vague/ Ambig., R, F/A, Improper Opinion	7 Q. Did you feel that Mr. Waldman's conduct 8 in sending you this text and in getting you to 9 sign a Declaration was appropriate? 10 MS. VASQUEZ: Objection, leading. Vague 11 and ambiguous as to "appropriate." 12 MR. SHERMAN: Yeah, I'm going to object 13 to that as well. It also calls for a legal 14 conclusion in terms of whether -- I don't know 15 whether you mean by "appropriate," appropriate 16 conduct for a lawyer or not, but she wouldn't be 17 able to opine on that. 18 MR. ROTTENBORN: Okay. Well, she can 19 answer the question, so I'll ask it again with 20 your objections noted. 21 BY MR. ROTTENBORN:	7 that question. And if you need it read back or 8 you need to hear it again -- 9 THE WITNESS: Yes. 10 MR. SHERMAN: -- they can do that for 11 you, because it's been a minute. 12 THE WITNESS: Thank you. Can you repeat 13 the question? 14 BY MR. ROTTENBORN:	
L, Vague/Ambig., F/A, Improper Opinion	22 Q. To you, as you understand the word 18 1 "appropriate," Ms. Divenere, did you feel that 2 Mr. Waldman's conduct in sending you this text 3 and getting a Declaration from you was 4 appropriate? 5 MS. VASQUEZ: Same objections. 6 THE WITNESS: No. 7 BY MR. ROTTENBORN: 8 Q. And at any point when you received this 9 text, or since then, have -- have you believed 10 that Ms. Heard somehow concocted a hoax that she 11 was abused by Mr. Depp? 12 MS. VASQUEZ: Objection, leading. 13 Assumes facts not in evidence. It's vague and 14 ambiguous. 15 MR. SHERMAN: Also overbroad. 16 THE WITNESS: I'm -- I'm sorry. Am I 17 supposed to answer this? 18 MR. SHERMAN: Yeah, you can -- 19 THE WITNESS: Okay. 20 MR. SHERMAN: Laura, you answer the 21 questions. When the objections come, just wait 22 and let them get made --	15 Q. Sure, yeah. At any point -- at any time 16 have -- have you believed that Ms. Heard somehow 17 concocted a hoax that she was abused by Mr. Depp? 18 MS. VASQUEZ: Same objections. 19 MR. SHERMAN: Same objections. 20 THE WITNESS: No. 21 BY MR. ROTTENBORN:	L, R, H, F/A
L, Vague/Ambig., F/A, Improper Opinion		22 Q. Now, in this text from Mr. Waldman, he 20	L, R, H, F/A
L, Vague/ Ambig., Overbroad, R,H, F/A, Improper Opinion		1 says that he has you, quote, "all over the 2 surveillance video." Do you see that? 3 A. Yes. 4 Q. Did he ever show you any surveillance 5 videos from this building? 6 A. I don't recall. I believe I might have 7 seen one photo that he had -- that he had shown 8 me. In fact, he did show me one photo of myself 9 in an elevator. 10 Q. Was anyone else in that elevator with 11 you? 12 A. I don't remember. 13 Q. And Ms. Heard wasn't; correct? 14 A. I don't remember. 15 Q. And this building that is being referred 16 to in this text is the Eastern Columbia building 17 in which you resided at that time; correct? 18 A. Correct. 19 Q. Did you -- is it fair to say that this 20 text left you with the impression that if you 21 didn't cooperate, that you were going to have to 22 spend a significant amount on your own attorney?	L, R, H, F/A, SP

<p>L, R, H, F/A 21 1 A. Yes. 2 MS. VASQUEZ: Objection, leading. 3 Sorry, Ms. Divenere. Objection. I apologize, 4 Ms. Divenere. 5 Objection. Leading the witness. 6 Assumes facts not in evidence. 7 THE WITNESS: Yes. 8 BY MR. ROTTENBORN:</p>	<p>23 1 Q. And after you signed the Declaration, 2 you had a conversation in person with Ms. Heard; 3 right? 4 A. I did. 5 MS. VASQUEZ: Objection. Vague and 6 ambiguous as to time. 7 THE WITNESS: Sorry. 8 BY MR. ROTTENBORN:</p>
<p>L, R, H, F/A 9 9 Q. Did you feel like you had a choice other 10 than to cooperate with Mr. Waldman? 11 MS. VASQUEZ: Objection. Leading the 12 witness.</p>	<p>9 Q. I'm sorry. Could you repeat your 10 answer, please? 11 A. I did, yes. 12 Q. And that conversation was in or around 13 June or July of 2019?</p>
<p>L, R, H, F/A 13 13 THE WITNESS: No. 14 BY MR. ROTTENBORN:</p>	<p>14 A. It must have been, yes. 15 Q. Was it at -- at Ms. Heard's house? 16 A. It was. 17 Q. And you are aware that that 18 conversation, or parts of that conversation, were 19 recorded by a phone that was out on the desk 20 between the two of you; is that right?</p>
<p>L, R, H, F/A 15 15 Q. And he eventually got you to sign a 16 Declaration on Mr. Depp's behalf; correct? 17 MS. VASQUEZ: Objection. Assumes facts 18 not in evidence, and it's leading the witness.</p>	<p>21 MS. VASQUEZ: Objection. 22 MR. SHERMAN: Objection. That lacks</p>
<p>L, R, H, F/A 19 19 THE WITNESS: Yes. 20 BY MR. ROTTENBORN:</p>	<p>24 1 foundation and assumes facts, I don't know that 2 are in evidence. 3 You may answer. Let -- let the other 4 lawyer put the objections on, as well, that she 5 has. 6 MS. VASQUEZ: I'm going to join 7 Mr. Sherman's objections.</p>
<p>L, R, H, F/A 21 21 Q. And that Declaration was one that was 22 written for you?</p>	<p>8 THE WITNESS: I -- I -- I don't know. I 9 do not recall being taped at all. 10 BY MR. ROTTENBORN:</p>
<p>L, Vague/Ambig., H, SP 1 1 In other words, you didn't type the 2 words or write the words in that Declaration; 3 correct? 4 MS. VASQUEZ: Objection. Objection. 5 Compound, leading the witness. Assumes facts not 6 in evidence. Vague and ambiguous as to, "written 7 for you." 8 MR. SHERMAN: It is compound. And it's 9 also overbroad the way it's phrased, but you can 10 answer the question</p>	<p>11 Q. Do you recall Ms. Heard telling you that 12 she was going to record the conversation to 13 potentially help with a counter-declaration that 14 you had -- had discussed signing? 15 MS. VASQUEZ: Objection, compound. 16 Assumes facts not in evidence. It's overbroad, 17 and vague. 18 THE WITNESS: I -- I don't remember. I 19 don't recall. 20 BY MR. ROTTENBORN:</p>
<p>L, Vague/Ambig., H, SP 11 11 THE WITNESS: Correct. 12 BY MR. ROTTENBORN:</p>	<p>21 Q. Okay. I'm going to ask -- and -- and I 22 know this is going to take a little bit of time,</p>
<p>L, Vague/Ambig., H, SP 13 13 Q. In your conversations with Mr. Waldman 14 relating to this matter, do you feel like he was 15 being malicious towards Ms. Heard? 16 MS. VASQUEZ: Objection. Vague and 17 ambiguous as to "malicious," and leading the 18 witness. 19 MR. SHERMAN: Join as to the vague and 20 ambiguous objection.</p>	<p>21 Q. Okay. I'm going to ask -- and -- and I 22 know this is going to take a little bit of time,</p>
<p>L, Vague/Ambig., H, SP 21 21 THE WITNESS: Yes. 22 BY MR. ROTTENBORN:</p>	<p>22 BY MR. ROTTENBORN:</p>

Transcript of Laura Divenere
Conducted on January 15, 2021

25

27

1 but in light of the fact that this may well be
2 Ms. Divenere's trial testimony, to the extent
3 either party designates her, we're going to play
4 the recording in its entirety.

5 So I'm going to ask Alex to -- to pull
6 up the audio recording that was uploaded this

R, H, AF
F/A

7 morning, and we're going to play the recording.
8 And, Ms. Divenere, when I'm done, I
9 might have some questions for you about it. But
10 the first question or two that I'm going to ask
11 you is, is this -- you know, is this a recording
12 of the conversation that you had with Ms. Heard,
13 and is that your voice on the recording. Okay?

14 A. Uh-huh.

15 MR. ROTTENBORN: And everyone can feel
16 free to put -- put their microphones on mute, if
17 they want, while this is being played.

18 THE VIDEO TECHNICIAN: That's a good
19 suggestion.

20 This is Alex. Please just let me know
21 if the audio is coming through clearly. It should
22 come through clearly. But that is a good

26

1 suggestion by counsel to -- for everyone to mute
2 while this is playing.

3 MR. ROTTENBORN: We'll -- we'll let you
4 know -- we'll let you know if it's not. How about
5 that? If it is, then just keep it rolling.

6 THE VIDEO TECHNICIAN: Sounds good.

7 MR. ROTTENBORN: Thanks.

8 THE VIDEO TECHNICIAN: Rolling now.

9 (Deposition Exhibit Number 2

10 was marked for identification)

11 (Audio recording played)

12 MR. ROTTENBORN: Okay. Alex, I think we
13 can take that down, please.

14 BY MR. ROTTENBORN:

R, H, AF
F/A

15 Q. Ms. Divenere, is that a recording of the
16 conversation that you had with Amber in the summer
17 of 2019?

18 A. Yes.

19 Q. And that's your voice on the tape?

20 A. Yes.

21 Q. And when you were speaking to Amber
22 during that conversation, were you being truthful

1 with her?

L, Vague/Ambig.,
Overbroad, R, H, F/A

2 A. Yes.

3 MS. VASQUEZ: Objection, leading. And
4 it assumes facts not in evidence.

5 BY MR. ROTTENBORN:

6 Q. Can you just repeat your answer, please,
7 Ms. Divenere?

8 A. Yes.

9 Q. And do you stand by everything that you
10 said in that conversation today?

L, Vague/Ambig.,
Overbroad, R, H,
F/A

1 MS. VASQUEZ: Objection. Vague and
2 confusing and assumes facts not in evidence, lacks
3 foundation.

4 MR. SHERMAN: It's also overbroad as to
5 a 19-minute conversation.

6 BY MR. ROTTENBORN:

7 Q. You can answer.

8 A. Yes.

L, Vague/Ambig.,
Overbroad, R, H,
F/A

9 Q. Is there anything that you said in that
10 conversation that, upon reflection, isn't true and
11 correct and that you'd like to correct now?

12 MS. VASQUEZ: Objection, overbroad.

28

1 THE WITNESS: I don't believe so.

L, Vague/Ambig., R, H, F/A

2 BY MR. ROTTENBORN:

3 Q. And Ms. Heard didn't coerce you to say
4 any of that, right?

L, Vague/
Ambig., R,
H, F/A

5 A. No.

6 MS. VASQUEZ: Objection, leading.

7 BY MR. ROTTENBORN:

8 Q. Ms. Heard didn't threaten you with
9 consequences if you didn't say that, right?

L, Vague/Ambig.,
R, H, F/A

10 MS. VASQUEZ: Objection, vague and
11 ambiguous.

12 THE WITNESS: She did not.

L, Vague/Ambig., R, H, F/A

13 BY MR. ROTTENBORN:

14 Q. Ms. Heard didn't say that if you didn't
15 tell her what she wanted to hear, that you'd have
16 to hire an attorney and pay money out of our own
17 pocket, did she?

L, Vague/Ambig.,
R, H, F/A

18 MS. VASQUEZ: Objection, assumes facts
19 not in evidence. Leading.

20 THE WITNESS: Can you repeat the

21 question? No, no, she did not.

L, Vague/Ambig., R, H, F/A

22 BY MR. ROTTENBORN:

29
1 Q. And do you have any personal knowledge
2 of any fact that suggests that Ms. Heard's
3 statements regarding abuse at the hands of Johnny
4 Depp are false?
5 **A. I have --**
6 MR. SHERMAN: Object -- hold on.
7 Objection. It's overbroad and lacks
8 foundation as to this witness.
9 You can answer the question, Laura.
10 MS. VASQUEZ: I join in those
11 objections.
12 THE WITNESS: I'm sorry. Can you repeat
13 the question?
14 BY MR. ROTTENBORN:

H, F/A,
Overbroad
15 Q. Sure. Do you have any personal
16 knowledge of any fact that suggests that
17 Ms. Heard's statements regarding abuse at the
18 hands of Johnny Depp are false?
19 **A. No.**

20 MS. VASQUEZ: Same objection.
21 MR. SHERMAN: Laura, did you answer? I
22 didn't hear you.

30
1 THE WITNESS: Yes. I'm sorry. I said,
2 no.
3 MR. ROTTENBORN: Alex, can you please
4 pull up the document entitled, "Declaration of
5 Laura Divenere Signed," and slowly scroll through
6 it, just so she can see all the pages and her
7 signature at the end, please.
8 (Deposition Exhibit Number 3
9 was marked for identification)
10 BY MR. ROTTENBORN:

L, Vague/Ambig.,
R, H, F/A
11 Q. Ms. Divenere, is this the Declaration
12 that Mr. Waldman had you sign?
13 **A. Yes.**

14 Q. And did --
15 MR. ROTTENBORN: You can scroll back up
16 to the top, please, Alex.
17 BY MR. ROTTENBORN:

L, Vague/
Ambig., R,
H, F/A
18 Q. In your conversations with Mr. Waldman,
19 both in the text that we saw earlier and leading
20 up to signing this Declaration, did Mr. Waldman
21 leave you with the impression that you could be
22 charged with perjury if you didn't sign the

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1 **Declaration he wanted?** L, R, H, F/A, Vague/Ambig.
2 MS. VASQUEZ: Objection, leading.
3 Assumes facts not in evidence. Calls for hearsay.
4 MR. SHERMAN: Also vague the way it's
5 phrased.
6 You can answer, Laura.

7 **THE WITNESS: Yes.** L, R, H, F/A, Vague/Ambig.
8 BY MR. ROTTENBORN:

9 Q. And did you feel coerced to sign this
10 Declaration by Mr. Waldman? L, R, H, F/A,
Vague/Ambig.
11 MS. VASQUEZ: Objection, asked and
12 answered. Assumes facts not in evidence.

13 **THE WITNESS: Yes.** L, R, H, F/A, Vague/Ambig.
14 BY MR. ROTTENBORN:

15 Q. I'd like to go to paragraph 5, please.
16 And paragraph 4 as well.

17 Do you see in paragraph 4 there's a
18 reference to an accusation that Amber Heard made
19 against Mr. Depp regarding an incident that
20 happened on Saturday, May 21st, 2016?
21 **A. Yes.**

22 O. And then in paragraph 5, you talk about

32
1 seeing Ms. Heard in some of the days following
2 that alleged incident; correct?
3 **A. Yes.**

4 Q. You didn't see her -- to the best of
5 your knowledge, you didn't see her on May 21st
6 after the incident, did you?
7 **A. I honestly -- I don't recall.**

8 Q. Okay. And you didn't see her on May
9 22nd after the incident; right?
10 **A. I don't recall. I -- again, I don't --**

11 **these are just dates. And it's been so long, I**
12 **have no concept of that time.**

13 Q. And when -- when you say that you saw
14 her at least on May 23rd, 24th, and 25th, are
15 those -- is that your recollection that you saw
16 her on those days, or did Mr. Waldman tell you
17 that you saw her on those days?

18 MS. VASQUEZ: Objection, calls for
19 hearsay. Lack of foundation. Assumes facts not
20 in evidence. It's also vague and ambiguous as to
21 time. Her recollection when?

22 **THE WITNESS: Those would have been** R, H, F/A, AF,
Vague/Ambig.

33	35
H, F/A, AF 1 dates that Mr. Waldman gave me. Because, again, I 2 don't have any correlation or idea of what those 3 dates were, especially after so many years. 4 BY MR. ROTTENBORN:	1 thanks. It's always -- always interesting with 2 Zoom with the little time delay; right? 3 To your knowledge, Mr. Waldman isn't an 4 expert on spousal abuse or domestic violence; 5 correct? R, F/A, SP, Improper Opinion
H, F/A, AF 5 Q. And when it came to seeing signs of 6 abuse on Ms. Heard's face, Mr. Waldman told you 7 that if there had been abuse, that you would have 8 been able to see signs; right? That was something 9 he said to you? 10 MS. VASQUEZ: Objection, hearsay. 11 Assumes facts not in evidence, misstates the 12 record.	5 6 MS. VASQUEZ: Objection. 7 MR. SHERMAN: Objection. Lacks 8 foundation. Calls for speculation. Calls for a 9 legal conclusion as to the word, "expert," 10 depending on if you use it as a term of art. 11 MS. VASQUEZ: I'll join in those 12 objections.
H, F/A, AF 13 THE WITNESS: Yes. 14 BY MR. ROTTENBORN:	13 BY MR. ROTTENBORN: 14 Q. You can answer.
H, F/A, AF 15 Q. And he told you that any signs of abuse 16 would have been very visible to you; right? 17 MS. VASQUEZ: Object -- same objections.	15 A. Correct. 16 Q. And to your knowledge, Mr. Waldman isn't 17 an expert on what cuts and bruises and swelling 18 and other signs of abuse look like; right? R, F/A, SP, Improper Opinion
H, F/A, AF 18 THE WITNESS: Yes. 19 BY MR. ROTTENBORN:	18 19 MS. VASQUEZ: Same objections.
H, F/A, AF 20 Q. But he never explained to you how or why 21 he would have any personal knowledge or any basis 22 to make such a statement; right?	20 THE WITNESS: Correct. R, F/A, SP, Improper Opinion 21 BY MR. ROTTENBORN: 22 Q. But nonetheless, Mr. Waldman led you to R, F/A, SP, Improper Opinion
34	36
H, F/A, SP, AF 1 MS. VASQUEZ: Same objections. 2 THE WITNESS: Correct. 3 BY MR. ROTTENBORN:	1 believe that if you didn't notice signs of abuse 2 on Ms. Heard's face, that she hadn't been abused; 3 right? R, H, F/A, AF
H, F/A, SP, AF 4 Q. Mr. Waldman wasn't there on May 21st, 5 2016, to your knowledge; right? 6 A. To my knowledge -- 7 MR. SHERMAN: Objection. It lacks 8 foundation. Calls for speculation. 9 MS. VASQUEZ: Join. 10 MR. SHERMAN: You can answer, Laura.	4 MS. VASQUEZ: Objection. Assumes facts 5 not in evidence. Misstates the record. Calls for 6 hearsay. 7 THE WITNESS: Correct. R, H, F/A, AF 8 BY MR. ROTTENBORN: 9 Q. Now, you did -- you mentioned this in 10 your conversation with Ms. Heard. You did see 11 Ms. Heard's face red and swollen on those days in 12 late May 2016 when you saw her; right? R, H, F/A, AF
H, F/A, SP, AF 11 THE WITNESS: Oh, Correct. 12 BY MR. ROTTENBORN:	11 12
H, F/A, SP, AF 13 Q. He never told you that he was there on 14 May 21st, 2016; right? 15 A. Correct. 16 MS. VASQUEZ: Objection. Calls for 17 hearsay. 18 Apologize, Ms. Divenere. I was a bit 19 delayed. 20 THE WITNESS: It's fine. 21 BY MR. ROTTENBORN: 22 Q. To your knowledge, Mr. Waldman --	13 MS. VASQUEZ: Objection. Assumes facts 14 not in evidence. It's compound. 15 THE WITNESS: To my recall, yes. R, H, F/A, AF 16 BY MR. ROTTENBORN: 17 Q. And you have no personal knowledge or 18 reason to believe that if you hadn't seen bruises 19 or cuts on Ms. Heard's face, that somehow she 20 wasn't abused and was making up the allegations of 21 abuse; right? 22 MR. SHERMAN: Objection. It's vague as

<p>37</p> <p>1 phrased. There's too many negatives in the 2 question. I actually didn't follow it. 3 So if you understand it, Laura, you can 4 answer. 5 THE WITNESS: I actually didn't. Can 6 you repeat it? 7 BY MR. ROTTENBORN: 8 Q. Sure, yeah. No, he raises a fair point. 9 Just because -- strike that. 10 Did you see any cuts or bruising on 11 Ms. Heard's face in the days that you saw her in 12 late May 2016? 13 A. No. 14 MS. VASQUEZ: Objection. Assumes facts 15 not in evidence. Compound. 16 BY MR. ROTTENBORN: 17 Q. And just because you didn't see any cuts 18 or bruises on her face, doesn't mean she wasn't 19 abused on May 21st; correct? 20 MR. SHERMAN: Vague. 21 MS. VASQUEZ: Objection. Vague and 22 ambiguous. Assumes facts not in evidence.</p>	<p>39</p> <p>1 Ms. Heard was wearing makeup in the days that you 2 saw her in late May 2016, you did notice her face 3 being red and swollen? 4 MS. VASQUEZ: Objection. Asked and 5 answered. 6 THE WITNESS: Yes. F/A, Know., AF 7 BY MR. ROTTENBORN: 8 Q. If Ms. Heard had been wearing makeup in 9 the days that you saw her in late May 2016, would 10 it surprise you if you hadn't seen bruises or 11 cuts? 12 MS. VASQUEZ: Objection. Calls 13 speculation. Assumes facts not in evidence. 14 THE WITNESS: I'm sorry. Can you repeat 15 the question? 16 BY MR. ROTTENBORN: 17 Q. Sure. If Ms. Heard had been wearing 18 makeup in the days that you saw her in late May of 19 2016, would it surprise you if you hadn't seen 20 bruises or cuts on her face -- 21 MS. VASQUEZ: Same objections. 22 BY MR. ROTTENBORN:</p>
<p>38</p> <p>1 MR. SHERMAN: You can answer if you can, 2 Laura. 3 MS. VASQUEZ: Calling for a conclusion. 4 THE WITNESS: I don't know. 5 BY MR. ROTTENBORN: 6 Q. You don't have an opinion on whether or 7 not -- well, strike that. 8 Now, it wasn't uncommon for Ms. Heard to 9 wear makeup; right? 10 MS. VASQUEZ: Objection. Vague and 11 ambiguous. Compound. 12 THE WITNESS: Correct. 13 BY MR. ROTTENBORN: 14 Q. And are you -- I assume that you're 15 aware that something that people who are the 16 victims of domestic violence can do to conceal 17 signs of abuse is to wear makeup; correct? 18 MS. VASQUEZ: Objection. Assumes facts 19 not in evidence. Calls for speculation. 20 THE WITNESS: Yes. 21 BY MR. ROTTENBORN: 22 Q. But nevertheless, whether or not</p>	<p>40</p> <p>1 Q. -- because it was concealed by makeup? 2 A. Would it surprise me? It would surprise 3 me if I had seen it? 4 Q. Would it surprise you if you -- I'm 5 sorry. Let me ask that again, Ms. Divenere. I'm 6 sorry if that was vague. 7 If Ms. Heard had been wearing makeup in 8 those days when you saw her in late May 2016, 9 would it surprise you if you hadn't seen bruises 10 or cuts because they were concealed by the makeup? 11 MS. VASQUEZ: Objection, vague. Assumes 12 facts not in evidence. Calls for speculation. 13 THE WITNESS: Yeah, I -- I suppose so. 14 MR. SHERMAN: Well, don't suppose, 15 Laura. 16 THE WITNESS: Okay. 17 MR. SHERMAN: If -- if you can answer 18 his question, then you can. But don't guess or 19 speculate about anything. Okay? 20 THE WITNESS: Okay. 21 BY MR. ROTTENBORN: 22 Q. And -- yeah, go ahead.</p>

R, SP, AF 14 Q. And are you -- I assume that you're
15 aware that something that people who are the
16 victims of domestic violence can do to conceal
17 signs of abuse is to wear makeup; correct?

R, SP, AF 20 THE WITNESS: Yes.

R, SP, AF 22 Q. But nevertheless, whether or not

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1 **A. No, I -- I'm still -- I don't know why**
 2 **I'm drawing a blank. Probably because this just**
 3 **is not my thing.**
 4 **So if she was wearing -- could you**
 5 **repeat the question one more time? I'm so sorry.**
 6 Q. Sure.
 7 MR. SHERMAN: And, Ben, not to be
 8 difficult, but -- but I think the problem is
 9 the -- the negatives. There are so many -- the
 10 way the question is phrased in the negative with
 11 multiple negatives in it, it -- it gets confusing,
 12 and I think that's where the problem lies.
 13 So maybe if we could phrase the question
 14 affirmatively, it might be easier. But that's
 15 just a suggestion, and I don't mean to step on
 16 your -- your deposition in any way.
 17 MR. ROTTENBORN: Thanks, Lee.
 18 BY MR. ROTTENBORN:

19 Q. Ms. Divenere, if you -- to the extent
 20 that you didn't notice cuts or bruises on
 21 Ms. Heard's face, in the days that you saw her in
 22 late May 2016, that could be because enough time

F/A, Know
Improper
Opinion, AF,
Vague/
Ambig.

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1 had passed that they were no longer as apparent;
 2 right?
 3 MS. VASQUEZ: Objection. Vague and
 4 ambiguous. It's an improper hypothetical.
 5 BY MR. ROTTENBORN:
 6 Q. You can answer.

F/A, SP, Know,
Improper
Opinion,
AF, Vague/
Ambig.

F/A, SP, Know,
Improper
Opinion, AF,
Vague/Ambig

7 **A. Correct.**
 8 Q. And it could also be because Ms. Heard
 9 was wearing makeup that concealed those cuts and
 10 bruises; correct?
 11 MS. VASQUEZ: Same objections. Calls
 12 for speculation.

F/A, SP, Know, Improper
Opinion, AF, Vague/
Ambig.

F/A, SP, Know,
Improper
Opinion, AF,
Vague/Ambig

13 **THE WITNESS: Correct.**
 14 BY MR. ROTTENBORN:
 15 Q. In your multi-year relationship --
 16 working relationship with Ms. Heard, was it
 17 uncommon for her to wear makeup?
 18 MS. VASQUEZ: Objection. Calls for
 19 speculation.

F/A, SP, Know,
Improper
Opinion, AF,
Vague/Ambig

20 **THE WITNESS: I -- I don't recall. I've**
 21 **seen her with both makeup and with -- and --**
 22 **and -- and not having makeup.**

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1 BY MR. ROTTENBORN:
 2 Q. And does the fact that you didn't --
 3 that you didn't notice cuts or bruises on her face
 4 make you in any way doubt that she was the victim
 5 of domestic violence on May 21st, 2016?
 6 MS. VASQUEZ: Objection. Assumes facts
 7 not in evidence. Calls for a conclusion.
 8 THE WITNESS: Correct.
 9 BY MR. ROTTENBORN:
 10 Q. Does it make you doubt that at all?
 11 MS. VASQUEZ: Objection. Vague and
 12 confusing.
 13 THE WITNESS: Does it make me doubt --
 14 I'm sorry. What does it make me doubt?
 15 BY MR. ROTTENBORN:

16 Q. Does the fact that you -- does the fact
 17 that you did not notice cuts or bruises on
 18 Ms. Heard's face make you doubt at all that she
 19 was the victim of domestic violence on May 21st,
 20 2016?

IC,
Unintelligible

21 MS. VASQUEZ: Objection. Vague and
 22 confusing. Lacks foundation. Assumes facts not

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1 in evidence.
 2 **THE WITNESS: No.**
 3 BY MR. ROTTENBORN:

F/A, SP, R, H, AF

4 Q. Now, you're aware that Mr. Depp has
 5 tried to use your Declarations to suggest that
 6 Ms. Heard wasn't abused and is lying about her
 7 allegations of abuse; correct?

F/A,
SP, R,
H, AF

8 MS. VASQUEZ: Objection, compound.
 9 Assumes facts not in evidence.
 10 **THE WITNESS: Correct.**

F/A, SP, R, H, AF

11 BY MR. ROTTENBORN:
 12 Q. Do you feel like anything in your
 13 Declaration suggests in any way that Ms. Heard is
 14 lying about her abuse allegations or wasn't abused
 15 by Mr. Depp?

16 MS. VASQUEZ: Objection, compound.
 17 We're talking about a three-page document with how
 18 many paragraphs? Ten?

19 MR. ROTTENBORN: Camille, cut out the
 20 speaking objections. Just make your objections
 21 for the record, but don't do any more speaking
 22 objections. Those aren't allowed in Virginia.

<p>45</p> <p>1 MS. VASQUEZ: All right. Well, we are 2 in California, Ben, and they are allowed. 3 THE WITNESS: I'm sorry, can you please 4 repeat the question? 5 BY MR. ROTTENBORN:</p>	<p>47</p> <p>1 MS. VASQUEZ: Objection, vague. 2 THE WITNESS: I've -- I've never -- I 3 mean, from -- from my personal experience with 4 Amber, there was never a reason for me to 5 disbelieve her, if that's what you're asking. 6 BY MR. ROTTENBORN: 7 Q. And is it okay with you that this 8 Declaration has been used in social media posts to 9 suggest that Ms. Heard is a liar? 10 MS. VASQUEZ: Objection. Assumes facts 11 not in evidence. 12 THE WITNESS: No.</p>
<p>R, F/A, SP, H, AF</p> <p>6 Q. Do you feel like anything in your 7 Declaration, Ms. Divenere, is suggesting that 8 Ms. Heard is lying about her allegations of abuse?</p>	<p>6 BY MR. ROTTENBORN: 7 Q. And is it okay with you that this 8 Declaration has been used in social media posts to 9 suggest that Ms. Heard is a liar? 10 MS. VASQUEZ: Objection. Assumes facts 11 not in evidence. 12 THE WITNESS: No.</p>
<p>R, F/A, SP, H</p> <p>9 MS. VASQUEZ: Objection, compound. 10 THE WITNESS: No. 11 BY MR. ROTTENBORN:</p>	<p>10 MS. VASQUEZ: Objection. Assumes facts 11 not in evidence. 12 THE WITNESS: No. 13 BY MR. ROTTENBORN: 14 Q. Do you feel like you were misled into 15 signing this Declaration about what -- 16 MS. VASQUEZ: Objection, vague. I'm 17 sorry. I apologize, Ben. 18 BY MR. ROTTENBORN: 19 Q. I'll ask it again.</p>
<p>R, F/A, SP, H, AF</p> <p>12 Q. Are you calling Ms. Heard a liar in your 13 Declaration? 14 A. No.</p>	<p>12 THE WITNESS: No. 13 BY MR. ROTTENBORN: 14 Q. Do you feel like you were misled into 15 signing this Declaration about what -- 16 MS. VASQUEZ: Objection, vague. I'm 17 sorry. I apologize, Ben. 18 BY MR. ROTTENBORN: 19 Q. I'll ask it again. 20 Do you feel like you were misled into 21 signing this Declaration? 22 MS. VASQUEZ: Objection. Vague and</p>
<p>15 MS. VASQUEZ: Objection. Lack of 16 foundation. 17 THE WITNESS: No. 18 BY MR. ROTTENBORN: 19 Q. And how do you feel personally about 20 this Declaration that you've testified was coerced 21 from you as the result of threats being used to 22 paint Ms. Heard as a liar in her domestic abuse</p>	<p>15 signing this Declaration about what -- 16 MS. VASQUEZ: Objection, vague. I'm 17 sorry. I apologize, Ben. 18 BY MR. ROTTENBORN: 19 Q. I'll ask it again. 20 Do you feel like you were misled into 21 signing this Declaration? 22 MS. VASQUEZ: Objection. Vague and</p>
<p>46</p> <p>1 allegations? 2 MS. VASQUEZ: Objection, compound. 3 Assumes facts not in evidence. Vague and 4 confusing. 5 THE WITNESS: I'm sorry. Repeat the 6 question. 7 BY MR. ROTTENBORN:</p>	<p>48</p> <p>1 ambiguous. Assumes facts not in evidence. 2 THE WITNESS: Yes. 3 BY MR. ROTTENBORN: 4 Q. And if you had to do it all over again, 5 Ms. Divenere, would you sign this same 6 Declaration? 7 A. No.</p>
<p>R, F/A, SP, H, AF</p> <p>8 Q. How do you feel about your Declaration 9 here, Ms. Divenere, that you've testified was the 10 result of threats and coercion, being used to 11 paint Ms. Heard as a liar with respect to her 12 domestic violence allegations?</p>	<p>8 Q. Why not? 9 A. I -- again, I was, you know, completely 10 naive about so many things apparently. No, I, you 11 know -- where do I even begin? 12 MR. SHERMAN: You've answered the 13 question. 14 THE WITNESS: Okay. Thank you. 15 BY MR. ROTTENBORN: 16 Q. Well, if you have a further answer, you 17 can -- you can give it. 18 A. No, I'm good with that.</p>
<p>R, F/A, SP, H, AF</p> <p>13 MS. VASQUEZ: Same objections. 14 THE WITNESS: Well, I don't love it. 15 I'm not sure how I'm supposed to respond to that. 16 I mean --</p>	<p>14 THE WITNESS: Okay. Thank you. 15 BY MR. ROTTENBORN: 16 Q. Well, if you have a further answer, you 17 can -- you can give it. 18 A. No, I'm good with that. 19 Q. Other than Mr. Waldman, have you had 20 communications with anyone on -- representing 21 Mr. Depp, whether an attorney or anyone else, 22 relating to this matter?</p>
<p>17 BY MR. ROTTENBORN: 18 Q. Just tell me how you feel. 19 MS. VASQUEZ: Is there a question? 20 BY MR. ROTTENBORN: 21 Q. Just tell me how you feel. 22 A. Okay.</p>	<p>16 Q. Well, if you have a further answer, you 17 can -- you can give it. 18 A. No, I'm good with that. 19 Q. Other than Mr. Waldman, have you had 20 communications with anyone on -- representing 21 Mr. Depp, whether an attorney or anyone else, 22 relating to this matter?</p>

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1 MR. SHERMAN: It's vague as to your use
2 of the term, "representing." I'm not sure if you
3 mean that in, you know, as a lawyer or like an
4 agent or somebody else, so --
5 MR. ROTTENBORN: We're going to break it
6 down a little.
7 MR. SHERMAN: -- it's vague and
8 ambiguous the way it's phrased.
9 MS. VASQUEZ: I'll join.
10 MR. ROTTENBORN: We're going to break it
11 down a little bit, Lee.
12 BY MR. ROTTENBORN:
13 Q. But as my initial question,
14 Ms. Divenere, have you -- have you communicated
15 with anyone representing or working for Mr. Depp
16 relating to this matter, other than Mr. Waldman?
17 MR. SHERMAN: Vague. You can answer
18 if -- if you follow.
19 MS. VASQUEZ: Join.
20 THE WITNESS: I'm not sure. So any
21 other attorney?
22 BY MR. ROTTENBORN:

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1 Q. No, just anyone working for Mr. Depp
2 about this matter.
3 MR. SHERMAN: Okay. It -- okay. It's
4 still vague and it lacks foundation. If you have
5 an answer, you understand, you can answer.
6 THE WITNESS: Yes.
7 BY MR. ROTTENBORN:
8 Q. And who -- who is that?
9 A. Kevin Murphy.
10 Q. Who is Kevin Murphy?
11 A. He had worked with Johnny, and he was
12 the person that I usually had a lot of direction,
13 as far as, you know, things that might need to be
14 done. And I maintained my friendship with him
15 after -- after the divorce -- or not -- well,
16 after they broke up, whenever that might be.
17 Q. Was he Mr. Depp's house manager?
18 A. Yes.
19 MS. VASQUEZ: Objection, leading.
20 BY MR. ROTTENBORN:
21 Q. And just detail for me your
22 communications with Mr. Murphy about this dispute.

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1 MR. SHERMAN: Overbroad.
2 MS. VASQUEZ: Objection. Vague and
3 ambiguous. Lacks foundation. Calls for hearsay.
4 THE WITNESS: I -- I don't know. Can
5 you repeat the question? Sorry.
6 BY MR. ROTTENBORN:
7 Q. Yeah. Just tell -- tell me about your
8 communications with Mr. Murphy relating to this
9 dispute, or allegations --
10 MS. VASQUEZ: Same -- same objections.
11 THE WITNESS: He had contacted me
12 almost -- quite honestly, very soon after I heard
13 from Mr. Waldman, which caught me by surprise,
14 but, again, I've kept my friendship up with him.
15 You know, we would touch base every once in a
16 while.
17 And he kind of just was -- I was under
18 the impression that he was guiding me and helping
19 me understand what it was that Mr. Waldman was
20 requesting.
21 BY MR. ROTTENBORN:
22 Q. And what did he say to you and what did

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1 you say -- or let's break it down.
2 What did -- what specifically, if you
3 recall, did Mr. Murphy say to you about what
4 Mr. Waldman was requesting?
5 MS. VASQUEZ: Objection. Calls for
6 hearsay.
7 MR. SHERMAN: Also overbroad and
8 compound, but you can answer.
9 THE WITNESS: I'm trying to recall
10 again, but he was -- he was just mentioning that,
11 you know, it was a good thing that -- because
12 after I had received that text from Mr. Waldman, I
13 literally looked up into my calendar that showed
14 that I wasn't in Africa at that time. I was also
15 moving, as well, so I had a lot going on during
16 that -- that time.
17 And he said it was a good thing, you
18 know, that -- that I had literally explained to
19 him that I wasn't trying to mislead Mr. Waldman;
20 that, you know, that -- that I went ahead and --
21 and -- and addressed him.
22 And then he literally said it was kind

<p>53</p> <p>1 of -- that it was in my best interest to literally 2 move forward with this deposition -- or 3 Declaration. Sorry. 4 BY MR. ROTTENBORN: 5 Q. And what was your understanding of what 6 he meant by it being in your best interest to move 7 forward with the Declaration? 8 MS. VASQUEZ: Objection. Vague and 9 ambiguous. Lack of personal knowledge and calls 10 for hearsay. 11 BY MR. ROTTENBORN: 12 Q. You can answer. 13 A. Just that he, you know, he -- he just 14 said that they had an excellent case and that he 15 wasn't asking -- because I kept saying I really, 16 you know, my personal experience with Amber had 17 not -- had been nothing but pleasant. I always 18 had enjoyed her. 19 And, you know, I -- in retrospect, I 20 should have realized that it was coming from -- 21 MR. SHERMAN: He didn't ask you about 22 retrospect. He asked you a specific question.</p>	<p>55</p> <p>1 was up at the Eastern, in their penthouse, I did 2 not -- nobody was there. 3 You know, so, again, I didn't have any 4 knowledge of any basis. I mean, I was truthful in 5 the fact that, you know, I had no issue with 6 anyone. 7 Q. Let's -- thank you. Let's go back to 8 the -- to the Declaration, paragraph 6, please. 9 You see that first sentence that says, 10 "In all my many interactions with Amber over a 11 period of years, she did not ever mention any 12 allegation of violence or other abuse to me." 13 A. Yes. 14 Q. Does the fact that -- that you wrote 15 that -- well, first of all, is that -- is that 16 sentence true? 17 A. Yes. 18 Q. And does the fact that she didn't 19 mention allegations of violence or other abuse to 20 you make you believe that somehow she was lying 21 about allegations of violence or abuse? 22 MS. VASQUEZ: Objection. Lack of</p> <p>H, F/A, SP</p>
<p>54</p> <p>1 MR. ROTTENBORN: Hey -- hey -- hey, Lee, 2 that's inappropriate to cut her off mid answer. 3 MR. SHERMAN: It -- it is when she's 4 veering from the question that you've asked. Her 5 job is to answer the questions that you've asked. 6 And my job is to make sure that those questions 7 are appropriate and that she answers the questions 8 that you've asked. And I'll do my job. Thank 9 you. 10 BY MR. ROTTENBORN: 11 Q. Ms. Divenere, in retrospect, what did 12 you -- what were you going to say about what you 13 realized in retrospect? 14 A. Just that I -- I feel he had definitely 15 taken a side in the case, and I was just coming 16 from a place that I honestly didn't feel I knew 17 anything in particular. 18 I truly, honestly just worked for them, 19 but I didn't -- I -- I wasn't privy -- there 20 were just a few occasions that I would, you know, 21 most of the time I was, you know, there just doing 22 my job and working. And most of the time when I</p>	<p>56</p> <p>1 foundation. Calls for speculation. 2 THE WITNESS: No. 3 BY MR. ROTTENBORN: 4 Q. Later in that paragraph, there's a 5 reference to interactions that you had with 6 Amber's close friends Rocky Pennington, io Tillet 7 Wright, and her sister Whitney Heard. Do you see 8 that? 9 A. Yes. 10 Q. Would you have expected, based on your 11 relationship with those three people, and the 12 interactions with them that you described in the 13 recording that we listened to, would it -- does it 14 surprise you that they wouldn't have mentioned 15 domestic violence to you? 16 MS. VASQUEZ: Objection. Vague, 17 confusing. Calls for speculation. 18 THE WITNESS: No. 19 BY MR. ROTTENBORN: 20 Q. You wouldn't -- you didn't have the type 21 of relationship with those three that you would 22 have expected them to tell you that Ms. Heard was</p> <p>H, F/A, SP, R</p> <p>R, H, F/A, SP</p> <p>R, H, F/A, SP</p>

Transcript of Laura Divenere
 Conducted on January 15, 2021

15 (57 to 60)

	57	59	
R, H, F/A, SP	1 assaulted by Mr. Depp on May 21st; correct?	1 Kate James was very poor at her job; right?	R, H, F/A, SP
	2 MS. VASQUEZ: Objection. Vague, 3 confusing. Lack of personal knowledge. Assumes 4 facts not in evidence. Calls for hearsay.	2 MS. VASQUEZ: Objection. Misstates the 3 record.	
R, H, F/A, SP	5 THE WITNESS: Correct.	4 THE WITNESS: She wasn't well-suited for 5 the job.	R, H, F/A, SP
	6 BY MR. ROTTENBORN:	6 BY MR. ROTTENBORN:	
R, H, F/A, SP	7 Q. Now, in paragraph 8, it references Kate 8 James. Do you see that?	7 Q. And you felt pressured by Mr. Waldman to 8 give some sort of evidence adverse to Ms. Heard 9 about Ms. Heard's treatment of Kate James; right?	R, H, F/A, SP
	9 A. Yes.	10 MS. VASQUEZ: Objection. Vague and 11 ambiguous.	
	10 Q. Now, in the recording that we just 11 listened to, am I correct that -- that you told 12 Ms. Heard that, while she had yelled over the 13 phone at Ms. James at one point because she had -- 14 had screwed something up, that you didn't observe 15 Ms. Heard being verbally abusive to Ms. James; 16 right?	12 THE WITNESS: I don't recall 13 specifically.	R, H, F/A, SP
	17 MS. VASQUEZ: Objection. Misstates the 18 record. The document speaks for itself.	14 MR. ROTTENBORN: Alex, if we could 15 please pull up the exhibit that's called, "UK 16 Trial Day 9 Divenere Testimony." 17 And if you could go to page 1,467. 18 It's in the lower left, one of those quadrants. 19 And I'm going to have you blow it up when you get 20 there, please.	R, H, F/A, SP
	19 THE WITNESS: Can you repeat the 20 question?	21 (Deposition Exhibit Number 4 22 was marked for identification)	
	21 BY MR. ROTTENBORN:		
R, H, F/A, SP	22 Q. Yeah. In the recording that we just		
	58	60	
R, H, F/A, SP, Vague, Ambig.	1 listened to, you told Ms. Heard that while you had 2 heard Ms. Heard yell at Ms. James over the phone 3 for a mistake that she had made during a move, 4 that it wasn't Ms. Heard being verbally abusive 5 toward Kate James; right?	1 BY MR. ROTTENBORN: 2 Q. And while he's doing that, Ms. Divenere, 3 do you remember giving testimony in the 4 proceedings in the United Kingdom this summer? 5 A. Yes. 6 Q. And was that -- were you doing that over 7 video or phone? 8 A. Video. 9 Q. Okay. And you remember taking an oath 10 to tell the truth to the best of your ability 11 during that -- those proceedings? 12 A. Yes. 13 Q. And you did so, to the best of your 14 ability; right? 15 A. Correct. 16 Q. And is there anything you recall about 17 that testimony that you recall saying that -- that 18 looking back, you think was erroneous or untrue? 19 MS. VASQUEZ: Objection, compound. 20 MR. SHERMAN: Overbroad. Join. 21 THE WITNESS: I don't recall 22 specifically. I don't try and remember that day	R, H, F/A
	6 MS. VASQUEZ: Same objections.		
R, H, F/A, SP, Vague, Ambig.	7 THE WITNESS: Correct. I mean, it 8 was -- it was just -- it was a very angry phone 9 call, that was it. I wasn't even in the room. It 10 was down the hall.		
	11 BY MR. ROTTENBORN:		
R, H, F/A, SP, Vague, Ambig.	12 Q. Right. And when -- when this 13 Declaration uses the words, "verbally abusive," 14 those were words that weren't written by you; 15 correct? 16 A. Correct. 17 Q. And -- and while you may have heard some 18 yelling going on, you wouldn't -- sitting here 19 today, you wouldn't classify that as verbal abuse 20 by Ms. Heard towards Ms. James; right? 21 A. No. 22 Q. And you testified that, in your opinion,		

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1 that well.
2 BY MR. ROTTENBORN:
3 Q. Fair enough. Fair enough.
4 I'd like to direct your attention to the
5 page on the left, 1,467. On line 11 you were
6 asked the question, "Did you feel under pressure
7 to give some sort of evidence adverse to Ms. Heard
8 about Ms. Heard's treatment of Kate James," and
9 your answer was, "Yes."
10 Do you see that?
11 **A. Yes.**
12 Q. Does that -- does that refresh your
13 recollection that at the UK trial you testified
14 that you did feel under pressure to give evidence
15 adverse to Ms. Heard about Ms. Heard's treatment
16 of Kate James?
17 **A. I don't remember that question, other
18 than there were -- every question that Mr. Waldman
19 asked me, there was -- I felt pressure. So
20 that -- I believe that would have been absolutely,
21 yes.**

R, H, F/A

1 **felt like he definitely had said, you know, or
2 implied that I should have been privy to more
3 episodes.**

4 Q. And in those conversations, did you feel
5 pressured by Mr. Waldman to tell him what he
6 wanted to hear?

7 MS. VASQUEZ: Objection. Vague and
8 ambiguous.

9 THE WITNESS: I'm sorry. Repeat the
10 question.

11 BY MR. ROTTENBORN:

12 Q. Did you feel pressure by Mr. Waldman to
13 tell him what he wanted to hear?

R, H, Vague/
Ambig.

14 MS. VASQUEZ: Objection. Vague and
15 ambiguous.

16 THE WITNESS: Yes.

R, H, Vague/Ambig.

17 BY MR. ROTTENBORN:

18 Q. And in --

19 MR. ROTTENBORN: Let's go back to the
20 previous exhibit, please, Alex.

21 BY MR. ROTTENBORN:

22 Q. If you look at paragraph 9, it says, "I

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1 you -- do you mean you felt pressure to give him
2 an answer that was satisfactory to him and
3 favorable to Mr. Depp?
4 MS. VASQUEZ: Objection, compound.
5 Assumes facts not in evidence. Calls for
6 speculation.
7 THE WITNESS: I'm sorry. Can you repeat
8 the question?
9 BY MR. ROTTENBORN:
10 Q. When you say you were -- well, let's ask
11 it this way: When you say you were under pressure
12 from Mr. Waldman, what do you mean by that?
13 **A. He would -- he always seemed to have a
14 backstory to certain things. So if -- and I
15 honestly don't remember. I don't remember that
16 part of the conversation completely with -- in
17 terms of Kate.**
18 I know he -- he described, I believe, if
19 I recall correctly, that he had talked about
20 numerous events with Kate, and I said that I had
21 not been -- that I had only been aware of one, and
22 that was, you know, several years prior. And I

1 am aware from news articles that Amber was
2 arrested and spent the night in jail for
3 domestically abusing her former wife."

4 Do you see that?

5 **A. Yes.**

6 Q. That was -- before your conversation
7 with Mr. Waldman, had you ever heard that?

8 **A. No.**

9 Q. Mr. Waldman told you that fact and then
10 had you attest to it as if you had independent
11 personal knowledge of that, didn't he?

12 MS. VASQUEZ: Objection, hearsay.
13 Assumes facts not in evidence.

14 THE WITNESS: Yes.

15 BY MR. ROTTENBORN:

16 Q. Did that seem appropriate to you for him
17 to do that?

18 MS. VASQUEZ: Objection. Vague and
19 ambiguous.

20 MR. SHERMAN: Calls for speculation and
21 lacks foundation.

22 THE WITNESS: No.

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1 BY MR. ROTTENBORN:
2 Q. And when you wrote that paragraph -- or
3 when you signed a Declaration that contained that
4 paragraph, that was Mr. Waldman's idea to include
5 in the Declaration; right?
6 A. Yes.
7 Q. And other than Mr. Waldman telling you
8 that fact, or his version of that fact, you have
9 no independent personal knowledge of that, in
10 paragraph 9; right?
11 A. Correct.
12 Q. And you didn't write those words;
13 correct?
14 A. Correct.
15 Q. When was the last time you had a
16 conversation with Kevin Murphy?
17 A. I -- I don't recall. It would have
18 definitely been before the UK trial at some point,
19 maybe two or three weeks. I -- I don't know
20 specifically.
21 Q. And was it about your testimony in the
22 UK?

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1 A. I don't recall. I'm -- I'm sure -- I'm
2 sure it involved it.
3 Q. Okay. Do you recall specifically, as
4 you can remember, what did you talk about during
5 that --
6 MS. VASQUEZ: Objection. Calls --
7 objection. Calls for hearsay.
8 THE WITNESS: I -- I don't remember.
9 BY MR. ROTTENBORN:
10 Q. Do you remember anything that Mr. Murphy
11 may have said to you about this case or the
12 dispute in the UK or your testimony in that case?
13 MS. VASQUEZ: Objection, compound.
14 Calls for hearsay.
15 THE WITNESS: No.
16 BY MR. ROTTENBORN:
17 Q. Do you recall having any communications
18 with any other person working for Mr. Depp
19 relating to this dispute, other than Mr. Waldman
20 and Mr. Murphy?
21 MR. SHERMAN: Lack of foundation. Calls
22 for speculation.

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1 THE WITNESS: No.
2 BY MR. ROTTENBORN:
3 Q. When was the last time you had
4 communication with Kevin Dees?
5 A. Oh, God. I have no idea. Honestly, I
6 don't know. Probably at the time the Eastern was
7 up for sale, the penthouse. Penthouse 3, I
8 believe.
9 Q. Okay. So this would have been right
10 after the divorce?
11 A. Yeah. I'm not even sure when the
12 divorce went through, to be honest with you.
13 Q. Okay.
14 A. My guess, early fall.
15 Q. Of 2016?
16 A. Yes.
17 Q. Okay. Did you ever discuss the -- this
18 dispute or any allegations of domestic violence
19 with -- with Mr. Dees?
20 A. No.
21 MR. ROTTENBORN: What I'd like to do,
22 Ms. Divenere, if it's okay, is to take about a

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1 five-minute break. I just want to look through my
2 notes and see if I -- I may be done. And if I
3 don't have any other questions, then Ms. Vasquez
4 may have some questions for you.
5 But if we can just go off the record for
6 about five -- it's 1:22 Eastern. So why don't we
7 come back at 1:30, 9:30 Pacific.
8 THE VIDEOGRAPHER: It's 1:22 p.m. We're
9 going off the record.
10 MR. ROTTENBORN: Thank you.
11 (Pause in proceedings)
12 THE VIDEOGRAPHER: This is the beginning
13 of video number 2 of the testimony of Laura
14 Divenere. It is 1:34 p.m. We are back on the
15 record.
16 MR. ROTTENBORN: Okay. Ms. Divenere, I
17 don't have any further questions for you at this
18 time. Ms. Vasquez may have some, and then I may
19 have some others, or your counsel may have some.
20 But I appreciate it -- you being here today.
21 Before I turn it over, though, I wanted
22 to just confirm that the documents that were shown

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1 are the deposition exhibits. So the first one is
2 the text message -- or how many -- let me ask the
3 court reporter or videographer, how many exhibits
4 do you have marked?
5 THE VIDEO TECHNICIAN: Certainly. This
6 is Alex, the tech speaking.
7 There are four exhibits marked total.
8 Would you like me to name them, sir?
9 MR. ROTTENBORN: Yes, please.
10 THE VIDEO TECHNICIAN: Exhibit 1 is the
11 Waldman text to Laura Divenere. Exhibit 2 is the
12 audio recording. Exhibit 3 is the Declaration of
13 Laura Divenere signed. And Exhibit 4 is the UK
14 Trial Day 9 Divenere testimony.
15 MR. ROTTENBORN: Got it. Yep, that's
16 it. Okay. Thank you.
17 THE VIDEO TECHNICIAN: Certainly.
18 EXAMINATION BY COUNSEL FOR THE PLAINTIFF
19 BY MS. VASQUEZ:
20 Q. Good morning, Ms. Divenere. My name is
21 Camille Vasquez, and as you heard at the beginning
22 of this, I represent Mr. Depp.

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1 **A. I don't have specific dates.**
2 Q. Was it sometime in the time frame
3 between maybe July of 2014 and sometime in 2016?
4 **A. That sounds about right.**
5 Q. Did you stop working for Mr. Depp after
6 Ms. Heard filed for divorce and sought a temporary
7 restraining order against him?
8 **A. Yes.**
9 MR. SHERMAN: Hold on.
10 Objection. It lacks of foundation and
11 it's compound the way it's phrased. And it calls
12 for speculation on Ms. Divenere's part as to the
13 timing of when Ms. Heard may or may not have done
14 different things.
15 MS. VASQUEZ: Sure.
16 MR. SHERMAN: Go ahead, Laura.
17 BY MS. VASQUEZ:
18 Q. Do you need the question read back?
19 **A. No. Yes.**
20 Q. I'm sorry. You said "no" and "yes."
21 **A. Oh, I'm sorry. No, I don't need it**
22 **repeated. And the answer is yes.**

R

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1 How were you referred to Amber Heard as
2 a client?
3 **A. How was I referred to -- through her PR**
4 **person.**
5 Q. And how did you know Ms. Heard's PR
6 person?
7 **A. I think through somebody that knew her,**
8 **I was working for. I did some work for her PR**
9 **person.**
10 Q. And was it Ms. Heard who introduced you
11 to Mr. Depp?
12 **A. Yes.**
13 Q. And did you work for Mr. Depp as an
14 interior decorator for his units in the Eastern
15 Columbia building?
16 **A. Yes.**
17 Q. How long did you work for Mr. Depp?
18 **A. Two years.**
19 Q. Do you remember approximately the time
20 frame of those two years?
21 **A. I -- honestly, I don't.**
22 Q. Okay.

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1 Q. Why did you stop working for Mr. Depp
2 after Ms. Heard filed for divorce and sought a
3 temporary restraining order?
4 **A. I don't know. I don't honestly recall.**
5 **The work just -- it ended. I basically had**
6 **finished Penthouse 3, so it was pretty much, you**
7 **know, unless if I got the next directive, which**
8 **never came, so it just took its natural course.**
9 Q. Understood. And while Mr. Depp was a
10 client of yours, did you directly interact with
11 him?
12 **A. On occasion.**
13 Q. Can you give me a best estimate as to
14 how many times you did actually interact with
15 Mr. Depp?
16 **A. Oh, God. That's tough. Probably a**
17 **dozen.**
18 MR. SHERMAN: Just to be clear, Camille,
19 are you -- by "interact," you mean face-to-face?
20 MS. VASQUEZ: Yes. Thank you, Lee.
21 BY MS. VASQUEZ:
22 Q. Let me rephrase the question.

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1 **A. I would say about a dozen.**
2 Q. So over a two-year period while he was
3 your client, you interacted with Mr. Depp about a
4 dozen times. Is that your testimony?
5 **A. Correct. They were gone for an extended**
6 **period of time during that two-year period at some**
7 **point, I believe when Pirates was being filmed.**
8 Q. And when you say, "they," I assume you
9 are referring to both Mr. Depp and Ms. Heard?
10 **A. Correct.**
11 Q. And would you characterize these
12 interactions with Mr. Depp as professional in
13 nature?
14 **A. Yes.**
15 MR. ROTTENBORN: Object to form.
16 Leading.
17 THE WITNESS: Sorry. Yes.
18 BY MS. VASQUEZ:
19 Q. Did you ever interact with Mr. Depp in a
20 way that was not professional in nature? In other
21 words, social.
22 **A. No.**

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1 Q. Did you ever interact with Ms. Heard on
2 a social basis?
3 **A. No.**
4 Q. Sitting here today, have you ever
5 interacted with Ms. Heard on a social basis?
6 **A. Not purely social, no.**
7 Q. What do you mean by that?
8 **A. I mean, I – I would see her and then,**
9 **you know, and sometimes, you know, there would**
10 **just be – honestly, professionally. No. It was**
11 **always professional.**
12 Q. Were there times that you drank alcohol
13 together?
14 **A. I think in the entire eight years, there**
15 **might have been one glass of wine at some point,**
16 **and that's it.**
17 Q. When you did interact with Mr. Depp,
18 what was his behavior or demeanor?
19 **A. It was always pleasant.**
20 MR. SHERMAN: Vague -- hold on. Hold
21 on. Hold on. Just give me half a second. Okay?
22 Question is vague, lacks foundation.

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1 You can answer.
2 THE WITNESS: It was pleasant.
3 BY MS. VASQUEZ:
4 Q. And when you say, "pleasant," do you
5 mind expanding on that? What do you mean by
6 "pleasant"?
7 **A. It was cordial. He was friendly.**
8 Q. Did you ever witness Mr. Depp being
9 aggressive towards anyone?
10 **A. No.**
11 Q. Did you ever witness Mr. Depp raising
12 his voice?
13 **A. No.**
14 Q. Did you ever see Mr. Depp drink
15 excessively?
16 **A. No.**
17 MR. SHERMAN: Objection. Hold on.
18 THE WITNESS: Sorry.
19 MR. SHERMAN: Lacks foundation. It's
20 vague as to "excessively."
21 You can answer.
22 THE WITNESS: No.

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1 BY MS. VASQUEZ:
2 Q. Did you ever see Mr. Depp take any
3 prescription or -- let's start with prescription
4 drugs.
5 MR. SHERMAN: Lacks foundation as to how
6 she would know anything is prescription or not,
7 but -- so calls for speculation.
8 You can -- you can answer, if you can.
9 THE WITNESS: No.
10 BY MS. VASQUEZ:
11 Q. Did you ever see Mr. Depp take any
12 medication in your presence?
13 **A. No.**
14 Q. Did you ever see Mr. Depp throw
15 something in anger?
16 **A. No.**
17 Q. Did you ever see Mr. Depp raise his
18 voice at Ms. Heard?
19 **A. No.**
20 Q. How would you describe Mr. Depp's
21 relationship with Ms. Heard, based on your
22 observations?

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O 1 MR. SHERMAN: Vague and it lacks
2 foundation.

3 THE WITNESS: The times that -- the
4 times that I saw them, they were -- they were very
5 nice to each other. They were sweet.

6 BY MS. VASQUEZ:
7 Q. Did you think Mr. Depp was doting
8 towards Ms. Heard?
9 A. I'm sorry?
10 MR. SHERMAN: Objection.
11 MR. ROTTENBORN: Objection. Vague.
12 MR. SHERMAN: I will join in the vague
13 objection, and it also lacks foundation.
14 BY MS. VASQUEZ:
15 Q. Did you catch my question, Ms. Divenere?
16 A. No, I didn't. I'm sorry.
17 Q. That's okay.
18 Did you find that Mr. Depp was doting
19 towards Ms. Heard?

O 20 MR. ROTTENBORN: Objection. Leading and
21 vague.
22 THE WITNESS: God, I don't know. It's

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1 been awhile. Doting? Yeah, I would say I've
2 witnessed that.

3 BY MS. VASQUEZ:
4 Q. Did you witness Mr. Depp be sweet
5 towards Ms. Heard?

O 6 MR. ROTTENBORN: Objection. It's
7 vague.
8 MR. SHERMAN: I will join in the vague
9 objection.

10 THE WITNESS: Yes.
11 BY MS. VASQUEZ:
12 Q. Did you ever witness Ms. Heard yell at
13 Mr. Depp?
14 A. No.
15 Q. Did you ever witness her speak
16 unpleasantly towards him?
17 MR. ROTTENBORN: Objection. Leading,
18 vague.
19 THE WITNESS: No.
20 MR. SHERMAN: Join the vague objection.
21 BY MS. VASQUEZ:
22 Q. Did Ms. Heard ever complain to you about

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1 Mr. Depp during the relationship?
2 A. No.
3 Q. Do you still work for Ms. Heard?
4 A. No.
5 Q. When did that relationship cease?
6 A. Probably after sometime -- I guess
7 that -- that -- that -- that summer, I believe. I
8 mean, again, there wasn't any work with Penthouse
9 3. I helped her just for small stuff. It wasn't
10 like nothing of any immediate recall.

R 11 Q. And when you say "that summer,"
12 Ms. Divenere, I just want to make sure I have a
13 clear record. Do you mean summer of 2016?
14 A. Correct. Yeah, I believe -- I believe
15 she had gone to film Aquaman that fall, so that
16 would have been, again, just the time that things
17 just -- that I stopped, because Penthouse 3 was
18 going up -- was put on the market.
19 Q. Ms. Divenere --

20 MR. ROTTENBORN: Is that the dog with a
21 squeaky toy? Is that what that is?
22 THE WITNESS: No, I wish to God -- you

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1 don't even want to know. It's a one-eyed bird.
2 MR. SHERMAN: Okay.
3 THE WITNESS: And if I put her out of
4 the cage, she's going to end up coming out. And
5 since I've been working out of home this week,
6 she's not -- I know.
7 MR. SHERMAN: Okay. Okay. Don't --
8 THE WITNESS: I have the dog too, so...
9 MR. SHERMAN: Don't worry about it. I
10 was just -- I was just curious if that's what that
11 sound was.
12 THE WITNESS: I wish.
13 MR. SHERMAN: Go ahead, Camille. I'm
14 sorry. I apologize.
15 MS. VASQUEZ: It's all right.
16 BY MS. VASQUEZ:
17 Q. Ms. Divenere, we've talked a bit about
18 Penthouse 3. Is that the penthouse that Mr. Depp
19 owned in the Eastern Columbia Building?
20 A. Correct.
21 Q. And between Ms. Heard and Mr. Depp, who
22 would you say was making most of the design

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1 decisions for Penthouse 3?
2 **A. I would say Amber.**
3 Q. And who was paying your bills,
4 Ms. Divenere, to remodel Penthouse 3?
5 **A. Johnny.**
6 Q. And who was purchasing the majority of
7 the furniture, to your best recollection?
8 **A. It would be Johnny.**
9 Q. We talked a bit about the phone call
10 that you overheard between Amber and Kate James.
11 Do you recall that testimony?
12 **A. Yes.**
13 Q. You testified, I believe, that you were
14 in another room for part of that call; is that
15 correct?
16 **A. Yes, we were in --**
O 17 **MR. SHERMAN: Misstates testimony.**
18 **THE WITNESS: Sorry. Yeah.**
19 BY MS. VASQUEZ:
20 Q. Where were you when this phone call took
21 place?
22 **A. Living room.**

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1 Q. Living room of where?
2 **A. Of her apartment.**
3 Q. When you say "her apartment," do you
4 mean Ms. Heard's apartment?
5 **A. Ms. Heard's apartment on Orange Street.**
6 Q. Were you in another room the entirety of
7 that phone call?
8 **A. Yes.**
9 Q. And while being in the other room, you
10 heard Ms. Heard raise her voice at Kate James?
O 11 **MR. ROTTENBORN: Objection, leading.**
12 **THE WITNESS: Yes.**
13 BY MS. VASQUEZ:
14 Q. Did you hear Ms. Heard curse at
15 Ms. James?
16 **MR. ROTTENBORN: Objection, leading.**
17 **THE WITNESS: I don't recall.**
18 BY MS. VASQUEZ:
19 Q. How would you describe Ms. Heard's tone
20 on that phone call with Ms. James?
O 21 **MR. ROTTENBORN: Objection, vague.**
22 **THE WITNESS: She was angry.**

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1 BY MS. VASQUEZ:
2 Q. Had you ever seen Ms. Heard be angry
3 before?
4 **A. Never --**
5 **MR. SHERMAN: Objection. It's vague.**
6 **THE WITNESS: Sorry.**
7 **MR. SHERMAN: Go ahead.**
8 **THE WITNESS: No, I -- personally, no.**
9 BY MS. VASQUEZ:
10 Q. So were you surprised by Ms. Heard's
11 anger at Kate James?
12 **MR. ROTTENBORN: Objection, vague.** O
13 **Leading, misstates the testimony.**
14 **THE WITNESS: Yes.**
15 BY MS. VASQUEZ:
16 Q. What was surprising about it? IU
17 **MR. SHERMAN: Lacks foundation. Assumes**
18 **facts.**
19 **THE WITNESS: I think -- you know, I**
20 **don't know. It's just I hadn't heard her raise**
21 **her voice before, and so that -- that -- that's**
22 **the only reason I found it surprising.**

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1 BY MS. VASQUEZ:
2 Q. Would you describe Ms. Heard's tone as
3 aggressive with Kate James?
4 **MR. ROTTENBORN: Objection, leading.**
5 **Vague, asked and answered.**
6 **MR. SHERMAN: Join in the vague.**
7 **THE WITNESS: I -- I -- I don't know. I**
8 **don't -- I don't know the causation or the reason** IU
9 **that -- that -- that the argument was -- had**
10 **occurred.**
11 BY MS. VASQUEZ:
12 Q. Described it as an argument. Did you IU
13 hear Ms. James yelling at Ms. Heard?
14 **A. No, she was -- if I remember, she was**
15 **more defensive, but I honestly don't remember what**
16 **the call was about. That's all I got.**
17 Q. You will recall, Ms. Divenere, when we
18 heard the 20-minute recording between you and
19 Amber Heard, that you brought up a person by the
20 name of Kevin Dees. Do you recall that part of
21 the recording?
22 **A. Yes. Uh-huh.**

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1 Q. I believe you described Ms. Heard being
2 verbally abusive towards Kevin Dees about some
3 draperies?
4 MR. SHERMAN: Objection. Misstates the
5 testimony.
6 MR. ROTTENBORN: Objection. Misstates
7 the testimony and the recording.
8 THE WITNESS: I don't -- I -- I -- I
9 don't -- I mean, it was -- it was a disagreement.
10 I don't -- I don't remember much of the phone
11 call.
12 BY MS. VASQUEZ:
13 Q. Let me ask you about that. So did you
14 witness a phone call between Ms. Heard and
15 Mr. Dees?
16 **A. Did I witness a phone call between Amber**
17 **and Mr. Dees? Was I there for a phone call?**
18 Q. Right.
19 **A. Not that I remember.**
20 Q. Did the interaction between Ms. Heard
21 and Mr. Dees take place in front of you in person?
22 **A. I don't think so, no.**

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1 Q. So in the recording that we listened to
2 where you're describing to Amber an interaction
3 she had with Mr. Dees, what was the source of
4 that?
5 **A. I -- I -- Mr. Dees had called -- had**
6 **called because he had -- he had called me directly**
7 **wanting to know, I believe -- because at the time,**
8 **Amber had wanted window treatments and the light**
9 **fixtures. And Mr. Dees was like that was part of**
10 **this -- the property that was being put up for**
11 **sale.**
12 **And that's all I really recall. There**
13 **was that conversation. And I had tried to explain**
14 **it to Amber that -- you know, that that is usually**
15 **the norm, but, you know, I don't know what was**
16 **agreed upon, so...**
17 Q. So was it Mr. Dees that told you
18 Ms. Heard --
19 **A. It was, if I remember. He had called me**
20 **directly. I don't know if he had any direct**
21 **conversation with Amber. He might have; I just**
22 **don't know about it.**

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1 Q. I believe it was your testimony earlier
2 today, Ms. Divenere, that you don't recall what
3 days exactly you saw Ms. Heard after May 21st,
4 2016; is that correct?
5 **A. Correct.**
6 Q. Okay. But do you have some recollection
7 that you did see Ms. Heard sometime the week after
8 May 21st, 2016?
9 MR. ROTTENBORN: Objection, leading.
10 Misstates her testimony.
11 MR. SHERMAN: It does misstate her
12 testimony. Join in that one.
13 THE WITNESS: Yes. I saw her at some
14 point. I just, again, don't have any connection
15 of what days or what.
16 **MS. VASQUEZ: Alex, if I may ask you to**
17 **please pull up Divenere Exhibit -- a recording,**
18 **It should be a Windows media file. Is it Exhibit**
19 **10?**
20 MR. SHERMAN: Well, I don't mean to get
21 into your guys' deposition, but the last one
22 marked I think was 4. So I don't know if you're

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1 using numbers or not, but just -- just pointing it
2 out.
3 MS. VASQUEZ: Thank you, Lee. This is
4 for purposes of Alex and trying to find the
5 exhibit.
6 MR. SHERMAN: Okay.
7 MS. VASQUEZ: Perfect. Thanks, Alex.
8 BY MS. VASQUEZ:
9 Q. So, Ms. Divenere --
10 MS. VASQUEZ: Actually, Alex, I'm going
11 to have you bring the time stamp, if you would,
12 please, to --
13 MS. CALNAN: 13:51?
14 MS. VASQUEZ: Yeah, that -- about 13 --
15 yeah, let's do 13:50, if we could, please.
16 Perfect.
17 And before we play it, Alex --
18 BY MS. VASQUEZ:
19 **Q. Ms. Divenere, do you recognize this**
20 **elevator that's depicted in the recording?**
21 **A. Yes.**
22 **Q. Okay. And how do you recognize it?**

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1 **A. It's the Eastern elevator.**
2 MS. VASQUEZ: Go ahead, Alex, and let's
3 play the video.
4 (Video played)
5 MS. VASQUEZ: Alex, can I ask you to
6 pause it, please? Thank you.
7 BY MS. VASQUEZ:
8 Q. Ms. Divenere, do you see a date at the
9 bottom left of that video?
10 **A. Uh-huh.**
11 Q. What is the date there?
12 **A. 5/25/2016.**
13 MS. VASQUEZ: Okay. I'm going to mark
14 this exhibit next in order, Alex.
15 (Deposition Exhibit Number 5
16 was marked for identification)
17 BY MS. VASQUEZ:
18 Q. Do you recognize anybody in this
19 elevator, Ms. Divenere?
20 **A. Well, I've got faces on the -- covering**
21 **the right. I think that was Amber, I don't know.**
22 **Is that Rocky?**

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UN

90

1 Q. Did you see yourself?
2 **A. If it was a ponytail --**
3 MR. SHERMAN: Objection, leading.
4 **THE WITNESS: Honestly, I -- you can**
5 **rewind it and I can take a look at it again.**
6 MR. SHERMAN: Can you play it back
7 slowly one more time?
8 BY MS. VASQUEZ:
9 Q. Yes or no? And then, yes. Okay. So
10 that's a no.
11 MS. VASQUEZ: Alex, may I ask you to
12 please rewind it a bit. There we go. And then we
13 can play it from that point.
14 Thank you, Alex. So pause it there,
15 Alex, please. Thank you.
16 BY MS. VASQUEZ:
17 Q. Ms. Divenere, do you see the woman --
18 **A. Yes, that looks like me.**
19 Q. Actually, let me finish my question.
20 **A. Okay.**
21 Q. So Ms. Divenere, the woman with the bun
22 in her hair carrying the box, who does that appear

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1 to be?
2 **A. That looks like Amber.**
3 Q. And just to clarify so we have a clean
4 record, you mean Ms. Heard; correct?
5 **A. Correct.**
6 Q. And then the woman with a ponytail
7 wearing a white sweater with the back -- with her
8 back to the camera, who is that?
9 **A. That would be me.**
10 MR. SHERMAN: Well, I'm going to object
11 and say it -- it lacks foundation, only because --
12 I mean, I don't know if you're certain that's you
13 or not. If you are, you can say so.
14 **THE WITNESS: No, I'm not certain, but**
15 **I --**
16 MR. SHERMAN: Okay.
17 **THE WITNESS: -- I assumed it was.**
18 BY MS. VASQUEZ:
19 Q. We'll keep playing it and perhaps you
20 might be certain.
21 MS. VASQUEZ: So, Alex, if I may please
22 ask you to continue playing the video. Do you

IU
ICD

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1 mind pausing the video quickly? Oopsie.
2 THE VIDEO TECHNICIAN: Sorry about that.
3 MS. VASQUEZ: Okay. We can pause it
4 there for a minute.
5 BY MS. VASQUEZ:
6 **Q. Now, Ms. Divenere, we have a clear shot**
7 **of the woman on the right. Who is the person on**
8 **the right?**
9 **A. Ms. Heard.**
10 Q. And who is the woman in the center of
11 the frame?
12 **A. I believe it's Rocky.**
13 MS. VASQUEZ: Okay. Alex, if I may have
14 you just continue playing the video.
15 (Video played)
16 MS. VASQUEZ: I'm going to have you
17 pause the video, Alex.
18 BY MS. VASQUEZ:
19 Q. Ms. Divenere, just to confirm, did you
20 see yourself enter the elevator?
21 **A. Yes.**
22 Q. And to confirm as well, is

IU, ICD

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1 Ms. Pennington, Rocky Pennington, also depicted,
2 and Ms. Heard, in the elevator?
3 **A. Yes.**
4 MS. VASQUEZ: Thank you, Alex. We can
5 keep playing it.
6 (Video played)
7 MS. VASQUEZ: Okay. Thank you, Alex.
8 BY MS. VASQUEZ:
9 Q. Ms. Divenere, do you see the timestamp
10 at the bottom of that video?
11 **A. Yes.**
12 Q. And do you mind telling me what the
13 timestamp says?
14 **A. 13:53, 5/25/2016.**
15 Q. Do you recognize that to be 1:53 in the
16 afternoon?
17 **A. Correct.**
18 MS. VASQUEZ: Okay. Thank you, Alex.
19 We can remove that.
20 BY MS. VASQUEZ:
21 **Q. Ms. Divenere, after watching this video,**
22 **does this refresh your recollection as to your**
meeting with Ms. Heard on May 25th, 2016?

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1 MR. ROTTENBORN: Object to form --
2 MR. SHERMAN: Vague as to "meeting" and
3 assumes facts not in evidence.
4 MR. ROTTENBORN: -- and vague. Join.
5 **THE WITNESS: I don't honestly know.**
6 **That -- that -- that might have happened a dozen**
7 **times. Doesn't give me like, oh, that happened on**
8 **May 25th. I would have been in the elevator, you**
9 **know, often.**
10 BY MS. VASQUEZ:
11 Q. Do you have any reason to believe --
12 MR. SHERMAN: Wait for a question.
13 MS. VASQUEZ: Yeah. Thanks, Lee.
14 BY MS. VASQUEZ:
15 **Q. Do you have any reason to believe,**
16 **Ms. Divenere, that that video isn't accurately**
17 **depicting May 25th, 2016?**
18 **A. No.**
19 MR. ROTTENBORN: Objection. Form,
20 foundation.
21 BY MS. VASQUEZ:

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1 Q. I'm going to show you what's been --
2 what's Divenere Number -- Exhibit Number 4.
3 MS. VASQUEZ: Alex, Divenere 4.
4 (Deposition Exhibit Number 6
5 was marked for identification)
6 BY MS. VASQUEZ:
7 Q. Ms. Divenere, I'm going to represent to
8 you that I am showing you a report of text
9 messages that Ms. Heard has produced in this
10 matter between you and Ms. Heard. If I can have
11 you take a look at the date in the center of that
12 report.
13 Do you mind telling me what the date is?
14 **A. 5/25/2016.**
15 Q. And what time does it say the messages
16 begin at?
17 **A. 11:01.**
18 Q. Is that a.m.?
19 **A. A.M.**
20 Q. Ms. Divenere, may I ask you to read the
21 text message?
22 MR. SHERMAN: Did you want her to read

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1 it to herself so you can ask her questions, or do
2 you want her to read it into the record?
3 MS. VASQUEZ: No, I'd like her to read
4 it to herself.
5 BY MS. VASQUEZ:
6 Q. I'm sorry, Ms. Divenere, I wasn't clear.
7 MR. SHERMAN: Okay.
8 MS. VASQUEZ: Of course.
9 MR. SHERMAN: Laura, if you need them to
10 scroll down so you can finish reading through it,
11 just ask the -- the tech and he will scroll down
12 for you.
13 THE WITNESS: Okay. I don't know --
14 yeah, I don't know what's below, "You good."
15 Thank you. Okay.
16 BY MS. VASQUEZ:
17 Q. Ms. Divenere, is this a true and
18 accurate copy of text messages that you exchanged
19 with Ms. Heard?
20 MR. SHERMAN: Objection. Lacks
21 foundation. Calls for speculation.
22 You may answer, if you can.

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1 THE WITNESS: I believe so.
2 BY MS. VASQUEZ:
3 Q. And based on these text messages that
4 you just read to yourself, Ms. Divenere, is it a
5 fair assumption that you arranged to meet with
6 Ms. Heard at the Eastern Columbia building on May
7 25th, 2016?
8 MR. ROTTENBORN: Objection, leading.
9 Document speaks for itself.
10 THE WITNESS: Yeah, I -- I -- it
11 doesn't -- it doesn't -- nothing refreshes my
12 memory as far as what happened from that. I -- I
13 don't -- I couldn't tell you.
14 BY MS. VASQUEZ:
15 Q. Do you have any reason to believe that
16 you didn't meet with Ms. Heard on May 25th, 2016?
17 MR. ROTTENBORN: Objection, leading.
18 THE WITNESS: If she wasn't available,
19 but I honestly don't know.
20 BY MS. VASQUEZ:
21 Q. Do you recall the video surveillance
22 footage that we just watched?

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1 **A. Yeah.**
2 Q. Do you recall the date of that video
3 surveillance footage?
4 **A. Same day.**
5 Q. Okay. Would you agree with me that
6 Ms. Heard's hair was up and out of her face in the
7 video surveillance footage that we just watched
8 from May 25th, 2016?
9 **A. Yes.**
10 MR. SHERMAN: Objection, foundation.
11 BY MS. VASQUEZ:
12 Q. Did it appear to you that Ms. Heard was
13 wearing makeup on May 25th, 2016?
14 **A. I honestly don't -- I don't know. I**
15 **don't remember. I don't recall what she looked**
16 **like that day. I don't remember. I don't**
17 **remember the elevator ride.**
18 Q. Based on watching the video, though,
19 today, did it appear to you that Ms. Heard was
20 wearing makeup?
21 MR. ROTTENBORN: Objection, form.
22 MR. SHERMAN: Go ahead, Ben. I'm sorry.

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1 MR. ROTTENBORN: No, no, I -- go, go
2 ahead, Lee. I just object to form.
3 MR. SHERMAN: Yeah, I was going to
4 object that lacks foundation. And based on her
5 prior testimony, calls for speculation.
6 **THE WITNESS: I couldn't tell from that**
7 **photo -- I mean, from the video.**
8 BY MS. VASQUEZ:
9 Q. Did Ms. Heard seem like she was dressed
10 up and going somewhere?
11 MR. ROTTENBORN: Objection, leading.
12 The video speaks for itself. Assumes facts not in
13 evidence, vague.
14 THE WITNESS: I have no idea.
15 MR. SHERMAN: I will join in those and
16 add that it lacks any foundation for -- for
17 Ms. Divenere to give that testimony.
18 BY MS. VASQUEZ:
19 Q. Ms. Divenere, I didn't hear your answer.
20 **A. I -- I -- I have -- I have no idea.**
21 Q. Would you say Ms. Heard was the type of
22 celebrity that was concerned about her appearance

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1 and seen -- being seen in public?
2 MR. ROTTENBORN: Objection, leading.
3 Vague.
4 MR. SHERMAN: Objection.
5 MR. ROTTENBORN: Foundation.
6 THE WITNESS: I --
7 MR. SHERMAN: I will -- hold on.
8 THE WITNESS: Okay.
9 MR. SHERMAN: I will join in the -- in
10 the -- in the vague and foundation objections.
11 Go ahead, Laura.
12 THE WITNESS: I don't know.
13 BY MS. VASQUEZ:
14 Q. How often did you see Ms. Heard wearing
15 makeup, Ms. Divenere?
16 **A. Again, I -- I don't know. I -- I -- I**
17 **couldn't tell you.**
18 Q. Every time you saw her, was she -- did
19 she appear to be wearing makeup?
20 **A. No.**
21 MR. ROTTENBORN: Objection, asked and
22 answered.

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<p>1 MR. SHERMAN: Objection, compound. 2 Vague. 3 BY MS. VASQUEZ: 4 Q. Ms. Divenere, I'm sorry, I didn't catch 5 that. 6 A. No. 7 Q. I'm entitled to your best estimate. So 8 the number of times that you met with her, how 9 many times would you estimate that she was wearing 10 makeup? 11 MR. ROTTENBORN: Objection. Badgering 12 the witness. 13 THE WITNESS: I honestly couldn't -- 14 MR. SHERMAN: Hold on one second. Hold 15 on one second, Laura. Stop. 16 THE WITNESS: Okay. 17 MR. SHERMAN: You're entitled to an 18 estimate, Ms. Vasquez, if the witness has the 19 foundation to provide one. The witness has 20 testified that she doesn't have any personal 21 knowledge or ability to provide an estimate on 22 this. So your question now calls for speculation.</p>	<p>1 it's compound, in that there's more than one 2 penthouse apparently. 3 And secondly, the question's vague, in 4 terms of, "what the lighting was like." I mean, I 5 don't know if you're asking her if she can measure 6 lumens or, you know, what -- what you want -- what 7 you want to ask exactly. 8 If you have the ability to answer the 9 question based on your understanding of it, Laura, 10 you may. 11 THE WITNESS: I don't. I mean, it -- 12 it -- there was a lot of low lighting. But I 13 mean, it wasn't a dark apartment, if that's what 14 you're going for. Or, you know, not quite sure 15 how else to answer it. 16 BY MS. VASQUEZ: 17 Q. What was the lighting like inside the 18 Eastern Columbia building elevator that we just 19 saw the video of? 20 MR. SHERMAN: Same objections. 21 THE WITNESS: Yeah, I -- I don't recall. 22 It wasn't really bright, if I remember, but that's</p>
<p>1 It lacks foundation. 2 If the witness has an ability to provide 3 you an estimate, she may. But based on what she's 4 already said so far, I think that it would be pure 5 speculation. 6 But I'll leave that to you, Laura. 7 THE WITNESS: Yeah, I -- I honestly 8 would have no idea. I mean, I've known Amber for 9 many years. So I've seen her with makeup. I've 10 seen her without. I couldn't even begin to tell 11 you what that percentage would be. 12 MS. VASQUEZ: All right. Alex, if we 13 can take away the exhibit. 14 BY MS. VASQUEZ: 15 Q. Ms. Divenere, do you recall what the 16 lighting was like at the Eastern Columbia building 17 in the penthouses? 18 A. Inside the penthouses? 19 MR. SHERMAN: Objection. 20 BY MS. VASQUEZ: 21 Q. Inside the penthouses. 22 MR. SHERMAN: Hold on. Overbroad and</p>	<p>1 to my best recall. I haven't lived there for a 2 few years. 3 BY MS. VASQUEZ: 4 Q. Just to confirm your testimony, 5 Ms. Divenere, the week after May 21st, 2016, when 6 you interacted with Ms. Heard, you don't recall 7 seeing any marks on her face; is that correct? 8 MR. ROTTENBORN: Objection to form. 9 MR. SHERMAN: Objection. Misstates her 10 testimony. 11 MR. ROTTENBORN: Join. Foundation too. 12 THE WITNESS: To my -- to the best of my 13 recall, I don't recall any marks. 14 BY MS. VASQUEZ: 15 Q. Do you recall seeing bruising on 16 Ms. Heard's face the week after May 21st, 2016? 17 A. No. 18 MR. ROTTENBORN: Objection. Asked and 19 answered. 20 THE WITNESS: Sorry. 21 BY MS. VASQUEZ: 22 Q. Do you recall seeing any cuts on</p>

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1 Ms. Heard's face the week after May 21st, 2016?
2 A. No.
3 Q. Do you recall seeing any swelling on
4 Ms. Heard's face the week after May 21st, 2016?
5 MR. ROTTENBORN: Asked and answered.
6 THE WITNESS: I do. I do. I -- I
7 recall that. I attributed it to that she had been
8 upset and she had been crying. It wasn't a happy
9 time for her.
10 BY MS. VASQUEZ:
11 Q. You attributed it to the fact that
12 Ms. Heard had appeared upset and had been crying.
13 Was the entirety of her face swollen?
14 MR. ROTTENBORN: Objection. Misstates
15 her testimony in that question.
16 THE WITNESS: I -- I don't believe so.
17 I -- I just gave an overall -- I just remember
18 being, again, red, puffy like she had been crying.
19 That's -- that's -- that's what I remember.
20 MR. SHERMAN: I cry a lot. If you wait
21 10 minutes or so, we can probably get an example
22 of it.

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1 BY MS. VASQUEZ:
2 Q. Do you recall any part of her face being
3 more puffy than another part?
4 A. No, but I -- I certainly -- no.
5 Q. Do you recall any part of Ms. Heard's
6 face being more red than any other part?
7 A. No.
8 Q. I believe you described Ms. Heard as
9 being upset. It wasn't a happy time in her life.
10 How would you describe her demeanor the
11 week after May 21st, 2016?
12 MR. ROTTENBORN: Objection. Broad and
13 vague.
14 MR. SHERMAN: Objection. Join.
15 You can answer, Laura.
16 THE WITNESS: I'm sorry. Can you repeat
17 the question?
18 BY MS. VASQUEZ:
19 Q. Yeah, absolutely.
20 How would you describe Ms. Heard's
21 demeanor after May 21st, 2016?
22 MR. ROTTENBORN: Same objection.

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1 THE WITNESS: I believe she -- she was
2 upset. You know, she was sad, upset. Again, just
3 was not -- was not a happy -- it was clearly not a
4 happy time for her. I don't know how else to
5 describe it.
6 BY MS. VASQUEZ:
7 Q. What did Ms. Heard tell you about why
8 she was sad or unhappy?
9 MR. SHERMAN: Facts not in evidence.
10 Lacks foundation.
11 MR. ROTTENBORN: Same objections.
12 THE WITNESS: I don't remember. I --
13 I -- I don't remember.
14 BY MS. VASQUEZ:
15 Q. Sitting here today, had Ms. Heard told
16 you that Johnny Depp had been physically abusive
17 towards her, would you remember that?
18 MR. SHERMAN: It's compound. You asked
19 two questions there, Ms. Vasquez.
20 THE WITNESS: Can you repeat the
21 question? Sorry.
22 BY MS. VASQUEZ:

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1 Q. Yeah. I'll break them down.
2 Had Ms. Heard told you that Mr. Depp had
3 been abusive towards her, would you remember that?
4 MR. ROTTENBORN: Object to form.
5 MR. SHERMAN: Lacks foundation. Calls
6 for speculation.
7 THE WITNESS: I -- I believe so. And --
8 but I don't know if I had heard it from somewhere
9 before she did, and I don't know when she did.
10 Again, I have such a horrible frame of
11 time during this period. I -- I couldn't tell you
12 when or how or -- I should have remembered it. I
13 just don't.
14 MS. VASQUEZ: Alex, may I have you
15 please pull up Divenere 5?
16 MR. SHERMAN: Camille, just to be
17 clear --
18 MS. VASQUEZ: Yes.
19 MR. SHERMAN: -- you referred to the
20 last text exchange as Divenere 4 when you pulled
21 it up. I don't know that you marked it. So since
22 there is already a 4, you may want to mark it.

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1 MS. VASQUEZ: Yes, I'm going to mark
2 them at the end, Lee.
3 MR. SHERMAN: Oh, okay.
4 MS. VASQUEZ: And we'll clarify. I'm
5 just using these numbers --
6 MR. SHERMAN: No, that's -- that's fine.
7 I -- I apologize for sticking my nose in. It's
8 your depo.
9 MS. VASQUEZ: No, no, no. I appreciate
10 it, Lee. You're looking out for all of us.
11 MR. SHERMAN: Well, I just don't want
12 there to be any confusion that requires
13 Ms. Divenere in any way to have to participate
14 further in this. So I want to make sure you guys
15 get everything you need to get and get it in
16 order.
17 MS. VASQUEZ: Yeah, duly noted. Thanks,
18 Lee.
19 (Deposition Exhibit Number 7
20 was marked for identification)
21 BY MS. VASQUEZ:
22 Q. Ms. Divenere and Alex, may I -- or

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1 actually, Ms. Divenere, may I have you please look
2 at the date of this text message report.
3 A. Uh-huh.
4 Q. What is -- what is the date there?
5 A. The 26th.
6 Q. Okay. Is that May 26th, 2016?
7 A. Correct.
8 Q. And the start time of the text messages
9 appear to be 1:22 in the afternoon; is that
10 correct?
11 A. Correct. Right.
12 Q. Ms. Divenere, may I have you please read
13 to yourself the text messages between what appear
14 to be you and Ms. Heard?
15 A. Okay. Okay. Okay.
16 MS. VASQUEZ: Alex, may I have you
17 please bring the document up. Scroll up. Thank
18 you, Alex.
19 BY MS. VASQUEZ:
20 Q. Ms. Divenere, if I may please ask you to
21 look at the first message.
22 Do you see where you texted Ms. Heard

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1 saying, "Checking to make sure you're okay."
2 A. Yes.
3 Q. Do you recall --
4 MR. SHERMAN: One second, Camille,
5 please.
6 MS. VASQUEZ: Yes, of course.
7 MR. SHERMAN: I just want to levy an
8 objection to -- to the text exchange. The
9 foundation has not been laid yet, without --
10 MS. VASQUEZ: Let me -- let me lay --
11 thanks, Lee.
12 BY MS. VASQUEZ:
13 Q. Ms. Divenere, is this a true and
14 accurate copy of your text message conversations
15 with Ms. Heard on May 26th, 2016?
16 A. I believe so.
17 Q. So now drawing your attention to the
18 first text message where you appear to write to
19 Ms. Heard, "Checking to make sure you're okay."
20 Why were you checking in on Ms. Heard?
21 A. I'm sure because she -- she must -- I
22 mean, I'm sure that she had been really upset.

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1 And, again, I -- you know, I've known her for many
2 years. So obviously, if she was upset at any
3 given point, I felt protective and would check in.
4 I don't -- I don't know what the nature
5 of that -- of that particular thing was. So if
6 you're going back to, well, did she say anything
7 the day before, I don't -- I don't recall
8 anything.
9 Q. Do you recall when was the first time
10 that you learned that Ms. Heard had made
11 allegations against Mr. Depp of abuse?
12 A. I don't --
13 MR. SHERMAN: Objection. It's been
14 asked and answered.
15 THE WITNESS: I don't remember.
16 BY MS. VASQUEZ:
17 Q. Was the first time that you learned that
18 Ms. Heard had made allegations of abuse against
19 Mr. Depp, when the media reported it?
20 MR. ROTTENBORN: Objection. Asked and
21 answered, literally, one question ago.
22 MR. SHERMAN: Lack of foundation and

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1 calls for speculation.
2 THE WITNESS: I don't know.
3 BY MS. VASQUEZ:
4 Q. If the first time you had heard that
5 Ms. Heard had made allegations of abuse against
6 Mr. Depp was in People Magazine, for example,
7 would you remember that?
8 MR. SHERMAN: Objection. It lacks
9 foundation. Calls for speculation. Assumes facts
10 not in evidence.
11 MR. ROTTENBORN: Same objection.
12 THE WITNESS: Yeah. I mean, again, I --
13 I don't get People Magazine. I don't know. I had
14 a lot going on at that time, so I -- I don't
15 recall where I heard it or how I heard it first.
16 MS. VASQUEZ: Alex, may I please have
17 you bring up what's been previously marked as the
18 Declaration of Laura Divenere? It's Plaintiff's
19 Exhibit 1, so that we don't have the exact same
20 exhibits. Thank you, Alex.
21 MR. SHERMAN: I am very sorry,
22 everybody. I apologize.

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1 MS. VASQUEZ: No, we're sorry.
2 Terrible.
3 MR. ROTTENBORN: No problem.
4 MS. VASQUEZ: Alex, do you mind going to
5 the very top of it, please?
6 BY MS. VASQUEZ:
7 Q. Ms. Divenere, you signed this
8 Declaration; correct?
9 A. Yes.
10 Q. And did you understand when you signed
11 it that you were signing it under the penalty of
12 perjury?
13 A. Yes.
14 Q. Did you understand what "the penalty of
15 perjury" means?
16 MR. ROTTENBORN: Object to form.
17 MR. SHERMAN: Vague as phrased.
18 MR. ROTTENBORN: Vague, foundation.
19 MR. SHERMAN: Yeah, join.
20 THE WITNESS: I mean, I'm not -- I'm not
21 sure. I tried to be as honest as I possibly
22 could, to my knowledge -- best of my knowledge.

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1 BY MS. VASQUEZ:
2 Q. I believe your testimony was that
3 Mr. Waldman wrote the Declaration; is that
4 correct, Ms. Divenere?
5 A. Yes.
6 Q. Did you review the Declaration before
7 you signed it?
8 A. Yes.
9 Q. Did you make any edits to the
10 Declaration before you signed it?
11 A. Yes.
12 Q. Were those edits incorporated into the
13 Declaration that you signed?
14 A. Yes.
15 Q. Do you recall how many times you
16 exchanged drafts with Mr. Waldman?
17 A. No.
18 Q. More than once?
19 A. Yes.
20 Q. More than five times?
21 A. I don't believe so.
22 Q. Did Mr. Waldman accept each of your

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1 edits into the final Declaration that you signed?
2 MR. ROTTENBORN: Object to form, lack of
3 foundation.
4 MR. SHERMAN: And I think that it's --
5 the way it's phrased, it's overbroad and compound.
6 You can answer the question if you
7 understand it.
8 MS. VASQUEZ: Let me rephrase.
9 BY MS. VASQUEZ:
10 Q. Is there any change that you made to the
11 Declaration that Mr. Waldman did not incorporate
12 into the final Declaration that you signed?
13 A. There was --
14 MR. ROTTENBORN: Same objections.
15 THE WITNESS: There was no change, to my
16 knowledge, no.
17 BY MS. VASQUEZ:
18 Q. Sorry, I'm a little confused. Let me
19 ask the question a different way.
20 Is there any change, Ms. Divenere, that
21 you asked Mr. Waldman to make to this Declaration
22 that was not made in the final version of the

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<p>IR 1 Declaration that you signed? 2 A. No. 3 Q. Turning your attention, Ms. Divenere -- 4 MS. VASQUEZ: And, Alex, paragraph 5 on 5 page 2 of the Declaration. 6 BY MS. VASQUEZ:</p>	<p>117 119 1 BY MS. VASQUEZ: 2 Q. Going on to the next sentence that says, 3 "I never saw Amber injured in any way. Although, 4 I am now aware that she has made many different 5 abuse claims." 6 Is that sentence accurate and truthful? 7 MR. SHERMAN: Same objection, for 8 clarification. But go ahead. 9 THE WITNESS: It is, but -- yeah -- yes, 10 but the, "I am now aware that she has made many 11 different abuse claims" came from Mr. Waldman 12 giving me -- citing examples, because I had no 13 prior knowledge of any of those stories.</p>
<p>IR 7 Q. Ms. Divenere, the sentence that's kind 8 of in the middle of paragraph 5 that starts, "I 9 have never seen Ms. Heard with any signs of 10 physical abuse or injury, including redness, 11 swelling, cuts, bruising, or damage of any kind." 12 Do you see that? 13 A. Yes. 14 Q. Is that a truthful and honest statement?</p>	<p>14 BY MS. VASQUEZ: 15 Q. Ms. Divenere, you previously testified 16 in the UK proceeding; correct? 17 A. Yes. 18 Q. And during that proceeding, did you 19 attest to the truthfulness of this Declaration? 20 A. Yes.</p>
<p>O IR 15 MR. ROTTENBORN: Object to form. 16 Misstates her prior testimony in which she said 17 she did see redness and swelling. 18 MR. SHERMAN: Well, not to be -- not to 19 be contrarian with you, Ben, but I think the 20 distinction here is that the sentence says, 21 "physical abuse or injury." 22 So I think her prior testimony was she,</p>	<p>15 Q. Ms. Divenere, you previously testified 16 in the UK proceeding; correct? 17 A. Yes. 18 Q. And during that proceeding, did you 19 attest to the truthfulness of this Declaration? 20 A. Yes. 21 MS. VASQUEZ: Alex, may I please have 22 you pull up Plaintiff's Exhibit 8?</p>
<p>O IR 1 in her own mind, equated the redness and swelling 2 with Amber being upset or crying, not physical 3 abuse or injury. 4 But you can answer the question, Laura. 5 MR. ROTTENBORN: Yeah, Lee, I hear you. 6 I was making an objection that she testified she 7 had seen redness or swelling and assumed what the 8 cause was, but said that she didn't know. 9 MR. SHERMAN: Okay. Well, we don't need 10 to hash it out. I just wanted to make sure that 11 was -- that was clear on the record. 12 BY MS. VASQUEZ: 13 Q. Ms. Divenere -- 14 MR. SHERMAN: Do you need the -- do you 15 need the question again, Laura?</p>	<p>118 120 1 MR. SHERMAN: By the way, this question 2 is for -- for Ben or Camille, I don't know. Which 3 one of you is the plaintiff in this thing? 4 MS. VASQUEZ: Mr. Depp is the plaintiff. 5 MR. SHERMAN: Okay. Thank you. 6 MS. VASQUEZ: Actually, Ms. Heard has a 7 cross-claim also now against Mr. Depp. 8 MR. SHERMAN: Okay. But you were just 9 referring to the exhibits as plaintiff's, and I 10 just didn't know which one of you was technically 11 the plaintiff. 12 MR. ROTTENBORN: Mr. Depp is the 13 plaintiff. 14 MS. VASQUEZ: Sure, sure. Mr. Depp is 15 the plaintiff for purposes --</p>
<p>IR 16 THE WITNESS: No. I mean, that -- that 17 is correct. I had attributed it to, when 18 Mr. Waldman was discussing it, he was talking 19 about, you know, complete physical signs of abuse. 20 And I did not -- from my best -- my best recall, I 21 did not attribute the redness or swelling to a 22 sign of physical abuse.</p>	<p>16 MR. SHERMAN: Thank you. 17 MS. VASQUEZ: -- of communicating with 18 Alex, our very skilled technician. 19 MR. SHERMAN: All right. Thank you. 20 MS. VASQUEZ: Of course. 21 Alex, may I please have you expand this 22 exhibit so it becomes a little bit more legible?</p>

<p style="text-align: right;">121</p> <p>1 Thank you. 2 And I know Lee is going to be all over 3 me about this one. 4 MR. SHERMAN: Yeah, he is. 5 MS. VASQUEZ: I know. Well, all right. 6 MR. SHERMAN: We would -- we would 7 object on -- on privilege grounds. 8 I think that Ms. Divenere was misled by 9 somebody that had a de facto agency relationship 10 with -- with Mr. Waldman in some capacity to 11 forward private privileged emails. And we would 12 object to the use of this email in any way, shape, 13 or form, as it was privileged between myself and 14 my client. To the extent that -- 15 MS. VASQUEZ: Well, it was privileged 16 until your client sent it. Sorry, go ahead. 17 MR. SHERMAN: Well -- 18 MS. VASQUEZ: I'll let -- I'll let you 19 state your objections on the record, and then I'll 20 explain. 21 MR. SHERMAN: Well, you can explain all 22 you want, and I'll --</p>	<p style="text-align: right;">123</p> <p>1 appreciate it. 2 MS. VASQUEZ: Yeah, of course. 3 The only thing I will say is that, you 4 know, to the extent -- the response I will have is 5 to the extent that you are assuming that 6 Mr. Murphy has a de facto agency relationship with 7 Mr. Waldman and -- 8 MR. SHERMAN: Well, I don't know what -- 9 MS. VASQUEZ: -- we disagree with that 10 assessment. 11 MR. SHERMAN: Yeah, I don't know what 12 discovery has been done into communications 13 between Mr. Waldman and Mr. Murphy, but I suspect 14 if -- if discovery was done in that regard, we 15 would see that there was communication going on in 16 the midst of this -- this -- this time period, and 17 I think that my client was misled by Mr. Murphy in 18 terms of that. 19 But be that as it may, ask your 20 question. 21 BY MS. VASQUEZ: 22 Q. Yeah. Ms. Divenere, to your knowledge,</p>
<p style="text-align: right;">122</p> <p>1 MS. VASQUEZ: I'll respond. 2 MR. SHERMAN: I know the position is 3 that my client sent this to Kevin Murphy, but I 4 think my client was misled by Kevin Murphy as to 5 his affiliation or connection with Mr. Waldman in 6 doing so, and I -- I don't think -- you know, I 7 think my client was misled, frankly, into sending 8 this email. 9 So we have a privileged objection. 10 That's it. It is what it is. It's on the record. 11 You can now ask your questions. 12 MS. VASQUEZ: Thank you. Thanks, Lee. 13 I appreciate it. 14 MR. SHERMAN: Sure. 15 MS. VASQUEZ: I wanted to give you an 16 opportunity, because I -- 17 MR. SHERMAN: No, I know. I know, and I 18 appreciate that. 19 MS. VASQUEZ: Just have to go through 20 the motions. 21 MR. SHERMAN: Yeah, you're -- you're -- 22 you're being professional about it, and I</p>	<p style="text-align: right;">124</p> <p>1 Mr. Murphy is not an attorney; correct? 2 A. Correct. 3 MR. SHERMAN: Calls for speculation. 4 Lacks foundation. 5 BY MS. VASQUEZ: 6 Q. Do you know if Mr. Murphy still works 7 for Mr. Depp, Ms. Divenere? 8 A. I don't believe so, but I don't know. 9 Q. Why do you say that you don't believe 10 that Mr. Murphy is still employed by Mr. Depp? 11 A. I mean, I -- I don't -- I don't know. I 12 just, I don't know if he is or if he isn't. I 13 assumed he was no longer working with Johnny, but 14 I don't know. 15 Q. And what's the basis of that assumption? 16 A. Because he -- because I do feel he 17 specifically -- I was always under the impression 18 that Mr. Murphy was helping and guiding me through 19 this because I'm so naive to all of this. And -- 20 and he had cited that he had been through this a 21 few times and he was giving me advice. And I took 22 it as I considered him a friend.</p> <p style="text-align: right;">H R FSPK</p>

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1 Q. Okay. I don't think you're answering my
2 question, so I'm going to reask it.
3 What is the basis of your assumption
4 that Mr. Murphy is no longer employed by Mr. Depp?
5 A. I have none.
6 (Deposition Exhibit Number 8
7 was marked for identification)
8 BY MS. VASQUEZ:

IR 9 Q. Okay. Ms. Divenere, I'm going to show
10 you a document -- well, showing you a document on
11 the screen that's been BATES stamped Depp 00010145
12 through 10148. And do you recognize this
13 document?
14 A. This one right in front of us?
15 Q. Yes.
16 A. Yes.
17 Q. Is this a true and accurate copy of an
18 email from you to Mr. Murphy, dated March 10th,
19 2020, at 1:16 p.m., with a subject line, "Forward:
20 1782 Application"?
21 A. Yes.

22 MS. VASQUEZ: Okay. And, Alex, perhaps
126
1 it might make sense at this point to scroll down,
2 just to allow Ms. Divenere an opportunity to
3 review the first page. Thank you, Alex.
4 May I have you scroll up, please?
5 Perfect.
6 BY MS. VASQUEZ:

IR 7 Q. Ms. Divenere, did you send Mr. Murphy
8 this email?
9 A. I clearly did. I don't recall it
10 offhand. Mr. Murphy had on occasion asked me to
11 forward him some of my -- some of whatever was
12 going on at the time, so -- and under the guise
13 that he was there to help me.

14 MS. VASQUEZ: Okay. So Alex, may I
15 please have you scroll down to page 2 of the
16 exhibit?
17 Thanks. Actually -- actually, Alex, do
18 you mind scrolling up just a bit so I can see the
19 "From" and "To" line. Just a bit more up.
20 Perfect. Thank you.
21 BY MS. VASQUEZ:
22 Q. Ms. Divenere, do you recognize that this

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1 is an email from you to Mr. Sherman beginning --
2 MR. SHERMAN: You know --
3 BY MS. VASQUEZ:
4 Q. -- on page Depp 00010145?
5 MR. SHERMAN: I'm going to object to
6 this. And I -- I tried to let some of it go, but
7 our position is that this is privileged
8 communications between counsel and client, and I'm
9 going to object to this on attorney/client
10 privilege.
11 I do believe that my client was misled
12 into disclosing this information, and I think that
13 it is appropriate that I instruct her not to
14 answer questions about private communications that
15 should have been privileged between her and I, and
16 so I'm going to instruct her not to answer.
17 It's not to be obstreperous, but I think
18 this is highly inappropriate. Everybody in this
19 deposition, from a lawyer's perspective, knows
20 that this email should have never been sent and
21 was a mistake, and so I -- I -- I don't think it's
22 appropriate to now be waving it around or

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1 attempting to use it as -- as an exhibit. And I
2 made the same objections, I believe, in the UK
3 trial, and I'm making them now.
4 So I'm going to give her that
5 instruction. It's not to be difficult with you,
6 Camille; it's simply because I think this is
7 highly inappropriate.
8 MR. ROTTENBORN: We join in that
9 objection.
10 MS. VASQUEZ: Of course you do, Ben.
11 Lee, I'm going to respectfully disagree
12 on the record with your instruction, and I'm going
13 to ask the court reporter to please mark this part
14 of the transcript.
15 I do not want to bring back
16 Ms. Divenere, but I do believe that the privilege
17 was broken when she forwarded the email to
18 Mr. Murphy. And I understand, Lee, you and I
19 disagree, but I believe a California judge is
20 going to have to make that call.
21 MR. SHERMAN: Well --
22 MS. VASQUEZ: And I'm going reserve the

Transcript of Laura Divenere
Conducted on January 15, 2021

129	1 right -- Lee, if you will just give me an 2 opportunity to finish. 3 MR. SHERMAN: Sure. 4 MS. VASQUEZ: I'm going reserve the 5 right to bring back Ms. Divenere, should a 6 California judge determine that the privilege was, 7 in fact, broken, so that I may ask her questions 8 about this email. 9 MR. SHERMAN: Well, let me ask you this 10 on the record then. 11 MS. VASQUEZ: Sure. 12 MR. SHERMAN: Is Mr. Waldman and 13 Mr. Murphy, are they going to sit for deposition 14 and answer truthfully under penalty of perjury 15 questions about exactly what communications they 16 were having and why Mr. Murphy was asking 17 Ms. Divenere to send her private communications 18 between her and her lawyer to him and how they 19 directly, then, ended up in Mr. Waldman's 20 possession, which was never disclosed to me until 21 I saw one of those documents in the UK court case. 22 And then saw Mr. Waldman on Twitter, you know,	131	1 THE VIDEOGRAPHER: It is 2:27 p.m., we 2 are off the record. 3 (Pause in proceedings) 4 THE VIDEOGRAPHER: This is the beginning 5 of video number 3 of the testimony of Laura 6 Divenere. It is 2:47 p.m. We are back on the 7 record. 8 MS. VASQUEZ: Mr. Sherman, I understand 9 you went off the record to discuss with your 10 client whether you were going to instruct her not 11 to answer my questions about the exhibit beginning 12 with BATES Number Depp 00010145. 13 MR. SHERMAN: Yeah, I don't know what 14 your BATES numbers are, Camille, because I'm not 15 familiar with your exhibit numbering in your 16 particular case. 17 But I did address the email that was on 18 the screen and -- and potentially others, if there 19 are others, I don't know. But we will go question 20 by question and see if we can work through this. 21 It is not our intention to disrupt the deposition 22 or anything else.
130	1 making some -- some statements about coming into 2 possession of -- of those documents. 3 Unless those fellows do -- and by "do," 4 I mean turn over their phone records and text 5 records and email records and everything else -- 6 and give everybody a fair opportunity to be heard 7 here, I think this is -- I think this is some -- 8 some questionable stuff. And I think my client 9 was misled into turning over -- turning over 10 information, a lot of it which says "Draft" right 11 on it. 12 And so I'll tell you what, Camille, give 13 me -- let's take a five-minute break here. Let me 14 have a conversation with Laura. We will come back 15 on the record, and I'll let you know how we intend 16 to proceed. Okay? 17 MS. VASQUEZ: Okay. Fair. 18 MR. SHERMAN: All right. 19 MS. VASQUEZ: Going off the record, 20 then. 21 MR. SHERMAN: Laura, mute yourself, 22 please.	132	1 I do, however, stand by what I put on 2 the record; that I think this is -- well, let's 3 just say less than Marquess of Queensberry Rules 4 type of behavior here. And I think this 5 information is privileged. I think these emails 6 are privileged and I think this is wholly 7 inappropriate. 8 But we're willing to go question by 9 question and see if we can navigate this, to the 10 best we can. Okay? 11 That's -- that's the best I got for you. 12 MS. VASQUEZ: Okay. And I appreciate 13 that, Mr. Sherman. 14 I will just also respond to you and say 15 that these -- this particular exhibit, this -- 16 these emails have been read out in the UK 17 proceeding. They are part of the public domain. 18 In fact, they were even part of the court's -- the 19 judge's determination and judgment in the UK 20 proceeding. 21 And so it is Mr. Depp's position that 22 the privilege has been waived. It was waived when

<p style="text-align: right;">133</p> <p>1 Ms. Divenere forwarded the email to Mr. Murphy. 2 And it's definitely waived now that it's part of 3 the public domain and a part of Justice Nicol's 4 judgment. 5 MR. SHERMAN: Well, let me -- let's back 6 up for a second, because I will say on the 7 record -- and I don't know if Mr. Rottenborn wants 8 to add into this perhaps. 9 But I will say on the record that I did 10 not read Mr. Justice Nicol's determination. So I 11 don't know what, as part of these documents, are 12 referenced in his determination, if any. 13 What I can tell you is that I was 14 personally present on the day of trial when -- 15 MS. VASQUEZ: As was I. 16 MR. SHERMAN: -- when the email was -- 17 was read. And, in fact, I believe, unless I am 18 mistaken, if you go back and look at the trial 19 transcript, I don't believe that the judge ever 20 ruled one way or the other on the objection that 21 was levied. And I don't believe that Ms. Divenere 22 actually ever answered any question about that</p>	<p style="text-align: right;">135</p> <p>1 The other thing I want to say is, to 2 extent that you ask some questions about this 3 email and I let her answer, it is in no way a 4 waiver of all things -- I'm trying to get through 5 the deposition and I'm trying to let you get done 6 what you need to get done, but I don't want any -- 7 my -- my -- my allowance of Ms. Divenere to answer 8 a question or particular questions about these 9 emails is not to be considered or construed as a 10 waiver of all purposes for any emails between us 11 or any communications or anything else, in terms 12 of attorney/client privilege. 13 Like I say, you know -- and -- and -- 14 and Ms. Divenere was misled. Whether we all want 15 to admit it or not, she was. She was misled into 16 turning over stuff she shouldn't have turned over. 17 She did it without my knowledge and consent. And 18 I think that this whole thing is highly 19 inappropriate. 20 That all being said, my two cents is on 21 the record. I've talked about it with her. We're 22 willing to go question by question and see if you</p>
<p style="text-align: right;">134</p> <p>1 email when it was read in. So I don't think it 2 was ever foundationally admissible in that case. 3 What Mr. Nicol does and what British law 4 is, I can't say. But my recollection is there was 5 the objection and the dispute; and then 6 Mr. Sherborne attempted to read the email into the 7 record. And then shortly thereafter, Ms. Divenere 8 was dismissed with no question. 9 So I think that, unless I'm wrong about 10 what the transcript was from the UK proceeding, I 11 think your -- your response to me on the record at 12 this point misstates what actually transpired in 13 the UK case. 14 Now, once again, I can't say what the 15 determination says or not. Either you or 16 Mr. Rottenborn probably would know better than me, 17 because I didn't read it. But in -- in terms of 18 what actually transpired in that case, that is my 19 recollection of what transpired. It was never 20 ruled -- the objection was never ruled upon. And 21 I don't believe any questions were actually asked 22 of the -- of the email.</p>	<p style="text-align: right;">136</p> <p>1 can get through what you need to get through 2 without us having, you know, a further problem. 3 If we do, we do. That's life. 4 MS. VASQUEZ: All right. Mr. Sherman, 5 just to address one point. 6 The court in the UK, Justice Nicol, did 7 rule on the objections that you lodged during the 8 proceeding. And he wrote in paragraph 557 of the 9 judgment: 10 "As a matter English law, I agree 11 with the following propositions advanced 12 by Mr. Sherborne: The privilege is that 13 of the client here, Ms. Divenere, not of 14 her lawyer, Mr. Sherman. The privilege 15 can be waived by the client. By passing 16 the exchange to Mr. Murphy, Ms. Divenere 17 had waived her privilege." 18 MR. SHERMAN: Okay. Well, to the extent 19 that that's binding on -- on the court in 20 Virginia, then you and Mr. Rottenborn can address 21 that. But as far as I'm concerned, in California, 22 I think that it was unethical and underhanded the</p>

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1 way that this was obtained by whomever on the Depp
2 team obtained it. That's just my opinion. And I
3 think that Mr. Murphy was kind of a part of that,
4 and I think that Ms. Divenere was misled.
5 And like I say, she certainly didn't do
6 this with the knowledge or consent of counsel.
7 And so, you know, we have our objections.
8 I think we've spent enough time beating
9 this horse. Nobody beats horses. I'm just using
10 an expression.
11 I think we've spent enough time on this
12 issue, you know, so why don't you -- why don't you
13 try and ask your questions, and let's see if we
14 can get through it the best we can. Okay?
15 MR. ROTTENBORN: Okay. And I'm just
16 going to quickly say that we -- we take the
17 position that in Virginia, that whatever ruling
18 came out of the UK is not dispositive as to
19 whether this document is admissible or remains
20 attorney/client privilege in America, and in
21 Virginia specifically.
22 MS. VASQUEZ: Okay. I think we've all

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1 had our -- our fun at this.
2 So, Alex, may I please have you pull up
3 the exhibit that was previously on the screen,
4 BATES Number Depp 00010145. Thank you. Great.
5 BY MS. VASQUEZ:
6 Q. Ms. Divenere --
7 MS. VASQUEZ: Alex, may I have you
8 please you scroll down a bit? Thank you.
9 BY MS. VASQUEZ:
10 Q. Ms. Divenere, do you see the email sent
11 on March 10th, 2020, which, if you continue on to
12 the second page of this document, was sent to Lee
13 Sherman?
14 A. Yes.
15 Q. And to confirm, Ms. Divenere, that is an
16 email that you sent to Mr. Sherman; correct?
17 A. Yes.
18 MR. SHERMAN: And just for the record,
19 my objection is to all -- I've got a running
20 objection to all these -- these questions. I'm
21 going to let you go. But as far as I'm concerned,
22 this is -- this is all highly inappropriate, and

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1 I've got a running attorney/client privilege
2 objection to this.
3 MS. VASQUEZ: Okay. Noted. Thank you,
4 Mr. Sherman.
5 BY MS. VASQUEZ:
6 Q. Ms. Divenere, I'd like to turn your
7 attention, if I could, to the third paragraph of
8 your email to Mr. Sherman.
9 Do you see where you wrote:
10 "I want it to be clear to
11 everyone, I gave a Declaration in
12 this case. My Declaration is 100
13 percent truthful and that will not
14 change."
15 Are you referring to the Declaration
16 that you signed and dated on June 28th, 2019?
17 A. Yes.
18 Q. And is that the same Declaration that
19 you were shown in the UK proceeding in which you
20 testified that the statements in the Declaration
21 were true?
22 A. Yes.

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1 Q. And then continuing on in this
2 paragraph, you then wrote:
3 "In retrospect, where I may have
4 thought I was unduly pressured to
5 write and sign my Declaration, I now
6 believe that was not the case. My
7 Declaration went through three iterations
8 with my complete involvement and
9 understanding. Again, I signed knowing
10 that my Declaration was truthful, best to
11 my recollection. I did the best I could."
12 MR. SHERMAN: "Could do."
13 MS. VASQUEZ: "I could do." Thank you,
14 Mr. Sherman.
15 BY MS. VASQUEZ:
16 Q. What did you mean when you said that
17 your Declaration went through three iterations?
18 A. I believe those were the edits that I
19 was trying to change from the original Declaration
20 that Mr. Waldman drew up.
21 Q. So the iterations that you made to the
22 Declaration that Mr. Waldman originally prepared

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1 for you, did you make those iterations to ensure
2 that your Declaration was truthful and accurate?
3 MR. ROTTENBORN: Object to form.
4 Leading, vague.
5 THE WITNESS: I -- can you repeat the
6 question?
7 MS. VASQUEZ: Yeah. Actually, Madam
8 Court Reporter, may I ask you to please read it
9 back?
10 (Record read)
11 THE WITNESS: Yes. Some of the changes
12 requested were because they were also -- if I
13 remember correctly, just really stupid, like --
14 like slighting -- slanting against Amber, that
15 didn't make any sense to me, or hurtful.
16 BY MS. VASQUEZ:
17 Q. And, Ms. Divenere, this is not to offend
18 you, but I'm going to move to strike everything
19 after the word, "yes."
20 That's just something lawyers say --
21 MR. SHERMAN: You asked for an answer
22 and you got it. I don't know why you're moving to

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1 strike, but that's your business.
2 MR. ROTTENBORN: Her answer is her
3 answer.
4 BY MS. VASQUEZ:
5 Q. Ms. Divenere, in the UK proceeding, and
6 actually earlier today, you testified that
7 Mr. Waldman pressured you into signing the
8 Declaration; is that correct?
9 A. Yes.
10 Q. All right. But based on this email to
11 Mr. Sherman, you write -- you're saying that you
12 do not believe that you were unduly pressured to
13 write and sign the Declaration. Is that also
14 correct?
15 MR. SHERMAN: Misstates the document.
16 You can answer.
17 THE WITNESS: Yeah, that's --
18 MR. ROTTENBORN: Same objection.
19 THE WITNESS: -- not necessarily this --
20 what this reflects. In all honesty, it was a
21 draft that I was absolutely frustrated because it
22 seemed like this nightmare was continuing. And,

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1 again, it had been an unpleasant experience, to
2 say the least, from the beginning.
3 And I had had conversations with
4 Mr. Murphy, and this actually -- the verbiage
5 pretty much came through Mr. Murphy saying that
6 this is how I could resolve the case or get myself
7 out of it sooner or easier. And I sent it to Lee
8 to literally -- just, again, go as a draft.
9 I'm completely naive. I didn't even
10 know when I was sending this to Mr. Murphy that
11 that removed my attorney/client privilege. I
12 mean, I'm not stupid apparently.
13 So that's what this is. I -- I
14 wouldn't, you know, once it was done, I knew that
15 it was ridiculous.
16 BY MS. VASQUEZ:
17 Q. I want to be -- I want to understand.
18 Ms. Divenere, you testified several times now that
19 you were -- you felt pressured by Mr. Waldman --
20 A. Yes.
21 Q. -- to sign the Declaration; correct?
22 A. Correct.

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1 Q. Did you feel pressured by Mr. Waldman to
2 say anything untruthful in your Declaration?
3 A. No.
4 MR. ROTTENBORN: Objection. Asked and
5 answered.
6 THE WITNESS: No.
7 BY MS. VASQUEZ:
8 Q. I'm sorry. I just want to understand
9 that answer. Do you mind repeating your answer,
10 Ms. Divenere?
11 A. Can you repeat the question? I'm sorry.
12 MR. SHERMAN: And, Camille, I apologize.
13 I'm trying not to -- I'm going to mute myself
14 unless I have an objection here, so...
15 MS. VASQUEZ: Okay. Poor Lee.
16 Madam Court Reporter, may I have you
17 please read back my question and if you caught the
18 witness' answer, which I believe was, no.
19 (Record read.)
20 THE WITNESS: Correct.
21 MS. VASQUEZ: Okay.
22 MR. SHERMAN: I'm sorry. Can I put a

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1 pause on one second? I've got a delivery.
2 MS. VASQUEZ: Absolutely. Why don't we
3 take a five-minute break.
4 THE WITNESS: Okay. Great. Thank you.
5 THE VIDEOGRAPHER: It is 3:03 p.m. We
6 go off the record.
7 (Pause in proceedings)
8 THE VIDEOGRAPHER: It is 3:08 p.m. We
9 are back on the record.
10 BY MS. VASQUEZ:
11 Q. Ms. Divenere, do you recall the
12 recording that was played earlier in your
13 deposition today?
14 A. Yes.
15 Q. And that was a recording between you and
16 Ms. Heard; is that correct?
17 A. Yes.
18 Q. And to confirm, Ms. Divenere, that
19 recording was made without your permission or
20 consent by Ms. Heard; right?
21 MR. ROTTENBORN: Object to form.
22 Misstates her testimony when she said she didn't

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1 recall.
2 THE WITNESS: I -- I -- I don't --
3 MR. SHERMAN: I don't think that does
4 misstate her testimony.
5 MS. VASQUEZ: It doesn't, but --
6 MR. SHERMAN: You can answer the
7 question, Laura.
8 MS. VASQUEZ: Yeah, it doesn't misstate
9 her testimony, Ben.
10 MR. ROTTENBORN: It does. Let her
11 answer.
12 MR. SHERMAN: All right. Can you repeat
13 the question, Camille, just so it's a clear
14 question/answer?
15 MS. VASQUEZ: Yeah, exactly.
16 Actually it was -- I think it was a good
17 question. So Madam Court Reporter, may I please
18 have you repeat the question, read it back.
19 (Record read)
20 MR. ROTTENBORN: Objection, leading.
21 And misstates her prior testimony.
22 THE WITNESS: Correct, I wasn't aware

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1 that there -- that there was a recording.
2 BY MS. VASQUEZ:
3 Q. And you weren't aware Ms. Heard was
4 recording you; correct?
5 A. Correct.
6 MR. ROTTENBORN: Same objection.
7 BY MS. VASQUEZ:
8 Q. Did you give her permission to record
9 you?
10 A. No.
11 Q. When did you first learn Ms. Heard had
12 recorded you without your permission?
13 A. I believe it went online. Didn't -- I
14 think it went online. I don't know. Everything
15 ended up going online, so I have no -- I believe
16 that that was the case.
17 Q. And how did you feel about the fact that
18 Ms. Heard had recorded you without your
19 permission?
20 MR. ROTTENBORN: Objection, vague.
21 Misstates her testimony.
22 MR. SHERMAN: Yeah, and -- and it's

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1 really not relevant in any way to lead -- her
2 feeling about how she felt about being recorded
3 isn't likely to lead to any discovery of
4 admissible evidence in this case.
5 So even though relevance isn't
6 necessarily a deposition objection, I -- I think
7 this is outside the bounds.
8 You can answer, Laura.
9 THE WITNESS: I was upset.
10 BY MS. VASQUEZ:
11 Q. Why were you upset?
12 A. I just, anything that I had done
13 privately that -- I'm not -- I'm not a very public
14 person. I know you probably can't tell. So yeah,
15 no, I was upset that it was made public.
16 Q. Were you upset that you were recorded
17 without your permission by Ms. Heard?
18 A. Sure, for the very reason that it was
19 going public.
20 Q. Ms. Divenere, do you feel any pressure
21 today, sitting here giving testimony, in light of
22 the fact that Ms. Heard is here with her camera

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1 on?
2 MR. ROTTENBORN: Object to form,
3 foundation.
4 MR. SHERMAN: And I would add, I don't
5 know what the rules are in Virginia, but this is
6 being done under California law. Ms. Heard has an
7 absolute right as a party to sit in on the
8 deposition.
9 MS. VASQUEZ: She has a right, surely,
10 but I'm still entitled to ask a question, if her
11 presence has any effect on Ms. Divenere's
12 testimony.
13 MR. ROTTENBORN: She has the same in
14 Virginia.
15 THE WITNESS: It does not.
16 MS. VASQUEZ: I have no further
17 questions for you, Ms. Divenere, at this time. I
18 assume Mr. Rottenborn may have some questions for
19 you, but thank you very much.
20 THE WITNESS: Thank you.
21 MR. SHERMAN: I have a couple questions
22 for Ms. Divenere, just because of the privilege

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1 issue. So do you two want me to ask those now
2 before you do your second round, or do you want me
3 to wait until the end? I'll do whatever you
4 prefer.
5 MR. ROTTENBORN: I think it makes sense
6 for you to ask your questions now, Lee. And then
7 I have few questions, not many.
8 MR. SHERMAN: Is that okay with you,
9 Camille?
10 MS. VASQUEZ: That's absolutely okay.
11 Thanks, Lee.
12 EXAMINATION BY COUNSEL FOR THE WITNESS
13 BY MR. SHERMAN:
14 Q. Ms. Divenere, I just have a couple of
15 quick questions for you regarding that email that
16 we seen earlier. Okay? The one that includes
17 stuff between you and I. Do you remember it?
18 A. Yeah.
19 Q. Did Mr. Murphy ask you to send him
20 communications between you and I?
21 A. Yes.
22 Q. Did he tell you that he was going to

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1 give those communications to any party or their
2 attorneys in this case?
3 MS. VASQUEZ: Objection. Calls for
4 hearsay.
5 THE WITNESS: No. H, L, R, AF
6 BY MR. SHERMAN:
7 Q. Did he tell you that if you sent those
8 communications to him, there could be an argument
9 that you waived your privilege with me as your
10 attorney --
11 MS. VASQUEZ: Objection.
12 BY MR. SHERMAN:
13 Q. -- on those emails?
14 MS. VASQUEZ: Objection, leading. Calls
15 for hearsay.
16 MR. ROTTENBORN: Hey, Camille, let him
17 finish the question first, please.
18 MS. VASQUEZ: I'm trying, Ben. Trust
19 me. I'm not the only one that's jumped all over
20 somebody's questions.
21 THE WITNESS: No.
22 BY MR. SHERMAN:

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1 Q. And did Kevin Murphy tell you to check
2 with me before -- well, let's -- strike that.
3 Let's back up.
4 You had discussed with Kevin Murphy that
5 you had a lawyer, right?
6 A. Yes.
7 Q. Did Kevin Murphy tell you to check with
8 me before sending him any communications that were
9 private between you and I?
10 MS. VASQUEZ: Objection. Calls for
11 speculation -- or, excuse me, calls for hearsay.
12 THE WITNESS: No. Same
13 MR. SHERMAN: That's all I wanted to ask
14 you, Laura. Thank you.
15 FURTHER EXAMINATION BY COUNSEL FOR THE DEFENDANT
16 BY MR. ROTTENBORN:
17 Q. Ms. Divenere, just to follow up with
18 some -- a few questions about that. H, L, R, AF
19 What did Kevin Murphy tell you to get
20 you to forward privileged communications with your
21 attorney on or about March 10th, 2020?
22 MS. VASQUEZ: Objection. Calls for a

H
L
R
AF

H
L
R
AF

H, L, R, AF

R
H
VA
AF
SS

1 legal conclusion. Assumes facts not in evidence
2 and calls for hearsay.
3 THE WITNESS: I just remember being
4 upset that I had to go ahead and -- and it seemed
5 like I was getting more involved. And I was just
6 like, I can't believe I can't seemingly get out of
7 doing the UK testimony. Because from my vantage
8 point, I still felt like I didn't really have
9 anything that I knew of any particular knowledge.
10 And Kevin had said that I was going
11 about it the wrong way. And he had -- he was
12 like, you know, "Forward your correspondence. I
13 don't feel you're being represented in the way you
14 should." And -- that -- that -- that's how he got
15 that.
16 BY MR. ROTTENBORN:
17 Q. Okay. So I want to break that down and
18 get as specific of a recollection as you can about
19 precisely what Mr. Murphy said to you.
20 So you said that he told you that you
21 were going about it the wrong way?
22 MS. VASQUEZ: Objection. Vague,

R
H
VA
AF
SS

1 ambiguous, calls for hearsay.
2 THE WITNESS: He knew my frustration.
3 He thought that if I took a stance of where I
4 should just say, I'm done with this -- and, again,
5 that's not my verbiage.
6 I'm not good in an aggressive situation.
7 And so I had argued back and forth with him. He's
8 like, "This is how you need to approach it if you
9 want to get -- if you want to finish this."
10 BY MR. ROTTENBORN:
11 Q. And when he said, "This is how you need
12 to approach it," what do you mean by that? Or
13 what did you understand that to mean?
14 A. Pretty much was -- it was actually a
15 softened version that I thought -- like the draft
16 that I had sent Lee.
17 Q. And I'm not going to ask you -- I'm not
18 going to ask us to take a look at that draft. But
19 just so we're clear, Mr. Murphy wrote that draft
20 for you?
21 A. He did.
22 MS. VASQUEZ: Objection. Assumes facts

1 not in evidence.
2 BY MR. ROTTENBORN
3 Q. Your answer was, he did?
4 A. Yes.
5 Q. And some of the facts that were stated
6 in that draft, like the fact that you didn't feel
7 pressure, that's -- that's false; right?
8 A. Yes.
9 MS. VASQUEZ: Objection, leading.
10 Assumes facts not in evidence.
11 THE WITNESS: Yes.
12 BY MR. ROTTENBORN:
13 Q. And those were words that Mr. Murphy
14 told you that you should say in order to get out
15 of having to testify in the UK proceeding?
16 MS. VASQUEZ: Objection, leading.
17 Assumes facts not in evidence.
18 THE WITNESS: Yes.
19 BY MR. ROTTENBORN:
20 Q. Did Mr. Murphy tell you about any
21 communications that he had had with Mr. Waldman or
22 Mr. Depp or anyone on Mr. Depp's team --

R
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1 MS. VASQUEZ: Objection.
2 BY MR. ROTTENBORN:
3 Q. -- about that?
4 MS. VASQUEZ: Sorry, Ben. Objection,
5 compound. Calls for hearsay.
6 THE WITNESS: I'm sorry. Can you repeat
7 the question?
8 BY MR. ROTTENBORN:
9 Q. Did Mr. -- did Mr. Murphy, when he was
10 giving you this advice, did he tell you anything
11 that Mr. Depp or Mr. Waldman or anyone else on
12 Mr. Depp's team had -- had -- had talked to him
13 about?
14 A. No.
15 MS. VASQUEZ: Objection. Vague and
16 ambiguous. Calls for hearsay, and it calls for --
17 it's vague and ambiguous. Compound.
18 THE WITNESS: No, I -- but I knew he
19 had -- I knew he had some sort of correspondence
20 with Mr. Waldman.
21 BY MR. ROTTENBORN:
22 Q. Did you assume that this draft that

<p>FSPK H, R, F/A, L C</p>	<p>157 1 Mr. Murphy gave to you came from Mr. Waldman? 2 MS. VASQUEZ: Objection. Calls for 3 speculation. 4 Sorry, Ms. Divenere. 5 THE WITNESS: I'm sorry. 6 MS. VASQUEZ: I apologize. I'm sorry. 7 I'm trying not to talk over you or Ben. 8 MR. SHERMAN: I would -- I would join in 9 Ms. Vasquez' objection. It does call for 10 speculation and it lacks foundation. 11 MS. VASQUEZ: And it calls for hearsay. 12 MR. SHERMAN: Facts not in evidence. 13 MR. ROTTENBORN: Anymore, guys? 14 MS. VASQUEZ: It's a bad question, Ben. 15 BY MR. ROTTENBORN:</p>	<p>159 1 but the record is what the record is. 2 BY MR. ROTTENBORN: 3 Q. So with that, let me reask the question. 4 The words in that draft email that we're 5 talking about, were Mr. Murphy's words, not your 6 words? 7 A. Yes. 8 MS. VASQUEZ: Objection. Assumes facts 9 not in evidence, compound. Calls for hearsay. 10 MR. SHERMAN: Hey, Laura, I think you 11 can kind of assume that there might be an 12 objection coming -- 13 THE WITNESS: Yes. 14 MR. SHERMAN: -- so just slow down a 15 half a beat and let Ms. Vasquez get her objection 16 on the record. Okay? 17 THE WITNESS: Yes. I'm sorry. 18 MS. VASQUEZ: It's okay. 19 MR. SHERMAN: It's quite all right. 20 She's just trying to -- to get the objection in 21 the proper sequence -- 22 THE WITNESS: Uh-huh.</p>
<p>FSPK H, R, F/A, L, C</p>	<p>158 16 Q. You can answer. 17 A. No, I had no knowledge of that. I 18 didn't believe so. I believed it was coming from 19 Mr. Murphy. 20 MR. SHERMAN: You answered his question. 21 BY MR. ROTTENBORN: 22 Q. Did -- did -- did Mr. Murphy dictate</p>	<p>160 1 MR. SHERMAN: -- so she should go first, 2 not you. 3 THE WITNESS: Uh-huh. 4 MR. SHERMAN: So let's give it a half a 5 beat and let her -- let her do her job. 6 THE WITNESS: Will do. 7 MR. SHERMAN: That's okay. 8 BY MR. ROTTENBORN: 9 Q. The -- those communications with 10 Mr. Murphy in March of 2010, did you have -- 11 strike that. 12 Did you have any other communications 13 with Mr. Murphy between March of 2010 and when you 14 testified in the UK? 15 MR. SHERMAN: Hold on. Give me a 16 second, Camille. 17 Are you including within that, like, 18 phone/email/in-person, or are you limiting this to 19 email because that's what we were talking about? 20 MR. ROTTENBORN: Any communication. 21 MS. VASQUEZ: Also, you were talking 22 about 2010, Ben.</p>
<p>L, H, R, AF, F/A</p>	<p>158 1 that to you over the phone or did he send that to 2 you, those words, that draft? 3 A. God -- 4 MS. VASQUEZ: Objection. Vague and 5 ambiguous, compound. Lack of foundation. Calls 6 for hearsay.</p>	<p>160 1 MR. SHERMAN: -- so she should go first, 2 not you. 3 THE WITNESS: Uh-huh. 4 MR. SHERMAN: So let's give it a half a 5 beat and let her -- let her do her job. 6 THE WITNESS: Will do. 7 MR. SHERMAN: That's okay. 8 BY MR. ROTTENBORN: 9 Q. The -- those communications with 10 Mr. Murphy in March of 2010, did you have -- 11 strike that. 12 Did you have any other communications 13 with Mr. Murphy between March of 2010 and when you 14 testified in the UK? 15 MR. SHERMAN: Hold on. Give me a 16 second, Camille. 17 Are you including within that, like, 18 phone/email/in-person, or are you limiting this to 19 email because that's what we were talking about? 20 MR. ROTTENBORN: Any communication. 21 MS. VASQUEZ: Also, you were talking 22 about 2010, Ben.</p>
<p>same</p>	<p>7 THE WITNESS: I don't recall.</p>	<p>7 MR. SHERMAN: That's okay.</p>
	<p>8 BY MR. ROTTENBORN: 9 Q. But what you do recall is that those 10 words in that draft email we looked at earlier 11 were Mr. Murphy's words, not your words? 12 MS. VASQUEZ: Objection. Misstates 13 prior testimony. It's not a draft email. It's an 14 email Ms. Divenere sent to her attorney. 15 THE WITNESS: It really was a draft. I 16 expected -- 17 MR. SHERMAN: Actually, I think it says 18 "Draft" right on it. And I don't think it was 19 ever sent anywhere besides to me. 20 THE WITNESS: No. 21 MR. SHERMAN: So -- and I think 22 Ms. Divenere referred to it as a draft earlier,</p>	<p>8 BY MR. ROTTENBORN: 9 Q. The -- those communications with 10 Mr. Murphy in March of 2010, did you have -- 11 strike that. 12 Did you have any other communications 13 with Mr. Murphy between March of 2010 and when you 14 testified in the UK? 15 MR. SHERMAN: Hold on. Give me a 16 second, Camille. 17 Are you including within that, like, 18 phone/email/in-person, or are you limiting this to 19 email because that's what we were talking about? 20 MR. ROTTENBORN: Any communication. 21 MS. VASQUEZ: Also, you were talking 22 about 2010, Ben.</p>

<p>161</p> <p>1 MR. ROTTENBORN: Did I say 2010? I 2 meant March 10th, 2020. 3 BY MR. ROTTENBORN: 4 Q. So between March 10th -- 5 MR. VASQUEZ: You said -- 6 MR. ROTTENBORN: All right. Fair 7 enough. Thanks. 8 BY MR. ROTTENBORN: 9 Q. Between March 10th, 2020 and when you 10 testified in the UK, did you have any other 11 communications of any type with Mr. Murphy? 12 A. I believe I had a brief phone call with 13 him wishing me luck a couple of days prior. 14 Q. A couple of days prior to what? 15 A. The testimony. 16 Q. And what did he say to you in that phone 17 call? 18 MS. VASQUEZ: Objection. Calls for 19 hearsay. It's also vague and overbroad. 20 THE WITNESS: I -- I don't recall. It 21 was -- it was short. It wasn't any lengthy time. 22 BY MR. ROTTENBORN:</p>	<p>163</p> <p>1 Do you remember giving that testimony. 2 A. Yes, yes. 3 Q. Can you recall any of those specific 4 things that you asked to be removed from the 5 draft? 6 A. I -- I don't recall offhand. It was 7 kind of in the same way that I had said in my 8 Declaration, that Johnny was delightful, and it 9 was making Amber sound aggressive to where it was 10 not my scope of knowledge. 11 Q. And sitting here today, you don't recall 12 specifically what any of those were? 13 A. I don't. 14 Q. Just tying up the testimony that you 15 just gave. 16 When you forwarded that email between -- 17 email exchange between you and Mr. Sherman to 18 Mr. Murphy, did Mr. Murphy respond to that in any 19 way, that you recall? 20 A. I don't recall, other than he -- if I 21 remember correctly, he said something along the 22 lines like, again, he didn't approve of the</p>
<p>162</p> <p>1 Q. Did you discuss -- or did he discuss 2 with you your expected testimony in the UK during 3 that phone call? 4 MS. VASQUEZ: Objection. Calls for 5 hearsay. 6 THE WITNESS: Sorry. No. 7 BY MR. ROTTENBORN: 8 Q. And since the testimony you gave in the 9 UK, have you had any communications with 10 Mr. Murphy or Mr. Waldman or anyone you understand 11 is working for Mr. Depp? 12 MS. VASQUEZ: Objection, compound. 13 Assumes facts not in evidence. 14 THE WITNESS: No. 15 BY MR. ROTTENBORN: 16 Q. You mentioned earlier the draft 17 Declaration -- or I'm sorry, the Declaration that 18 you signed in this case. And you mentioned in 19 response to one of Ms. Vasquez's questions, that 20 some of the edits that you made involved removing, 21 I think you called them "stupid" things that were 22 hurtful to Amber Heard or insulting toward her.</p>	<p>164</p> <p>1 direction that -- that my representation was 2 going, I guess, and he just thought that there was 3 a better way to go about it and that I was 4 handling it wrong. 5 Q. And what did -- what was your 6 understanding of what he meant by, "there's a 7 better way to go about it"? 8 MS. VASQUEZ: Objection. Calls for 9 speculation and calls for hearsay. 10 THE WITNESS: Pretty much what that 11 draft said. I mean, he was just like, I'm done 12 with this. You know, the way that that was 13 phrased out, that was -- that was how he thought I 14 should approach it. 15 BY MR. ROTTENBORN: 16 Q. Did he think you should fire 17 Mr. Sherman? 18 MS. VASQUEZ: Objection. Calls for 19 speculation. Assumes facts not in evidence. 20 THE WITNESS: I believe he thought I 21 didn't need Mr. Sherman. 22 BY MR. ROTTENBORN:</p>

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<p>165</p> <p>1 Q. Because you could just rely on him to 2 tell you what to do? 3 MS. VASQUEZ: Objection, argumentative. 4 THE WITNESS: I believe he just thought 5 that -- I don't know if he thought he would be the 6 person. I just think he thought that if I sent 7 that letter, it would solve everything. Which 8 didn't really make sense, but I felt desperate at 9 the time, which is -- 10 BY MR. ROTTENBORN: 11 Q. And is one of the reasons -- oh, I'm 12 sorry. Go ahead. 13 A. I'm sorry. No. I was just going to 14 say, which is why I sent the draft to Lee. 15 Q. Sure. And is one of the reasons that 16 you ultimately didn't send that letter, because it 17 wasn't the truth? 18 MS. VASQUEZ: Objection. Assumes facts 19 not in evidence. 20 THE WITNESS: It wasn't -- it wasn't -- 21 it didn't ring true to me. It also does not -- 22 I'm so not that aggressive person, so it just --</p>	<p>167</p> <p>1 cause was of the redness or swelling that you 2 observed on Ms. Heard's face in late May 2016; 3 right? 4 MS. VASQUEZ: Objection. Calls for 5 speculation. 6 THE WITNESS: Correct. 7 BY MR. ROTTENBORN: 8 Q. But the one thing that you can be sure 9 of is that you did see redness and swelling on her 10 face? 11 A. Correct. 12 MR. ROTTENBORN: That's all I have. 13 Thank you very much, Ms. Divenere. 14 I think we're done. 15 THE WITNESS: All right. 16 MS. VASQUEZ: I think we are, as well. 17 Lee, do you want to offer a -- well, 18 actually -- Ben, we offer a stipulation here in 19 California to relieve the court reporter of her 20 duties. 21 I'll ask Lee. Lee, do you want us to 22 send you the transcript and have Ms. Divenere</p>
<p>166</p> <p>1 the whole thing didn't -- it didn't feel right. 2 And I felt, you know, that I should be listening 3 to Lee. 4 BY MR. ROTTENBORN: 5 Q. We've talked a lot about redness and 6 swelling today. I have a few more questions, and 7 then I think I'm -- I think I'm done, 8 Ms. Divenere.</p>	<p>168</p> <p>1 review it and sign it, or are you going to have 2 her waive that? 3 MR. SHERMAN: Well, let me -- let me 4 just ask the court reporter a quick question. 5 I've been unclear on this all day and forgot to 6 ask earlier. 7 But, Ms. Obering, are you in Virginia or 8 are you a California court reporter? 9 THE COURT REPORTER: I am in Maryland. 10 I am also licensed in California, though. 11 MR. SHERMAN: Okay. So my question to 12 you is, the trend recently has been to go by code 13 in California, as opposed to stipulation. Do you 14 have a preference? 15 THE COURT REPORTER: We have the -- in 16 Maryland, we have the attorney just ask if the 17 witness wants to read or sign and -- I mean, read 18 or waive. 19 MR. SHERMAN: Okay. In that case, I 20 would like Ms. Divenere to have the opportunity, 21 if she's so inclined, to read and review the 22 transcript.</p>
<p>H, F/A, SP</p> <p>9 But is one of the -- talking about your 10 Declaration that you signed in this case. Was 11 part of the reason that you didn't attribute the 12 redness and swelling that you observed on 13 Ms. Heard's face to physical abuse because 14 Mr. Waldman had told you that if there had been 15 abuse, you would have had to have somehow seen it? 16 MS. VASQUEZ: Hold on. Objection. 17 Vague, ambiguous. Assumes facts not in evidence. 18 Misstates her testimony. Compound. 19 BY MR. ROTTENBORN: 20 Q. You can answer. 21 A. Yes. 22 Q. And you have no way to know what the</p>	

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169	1 So under those circumstances, I guess I 2 would ask that the transcript be forwarded to me, 3 and I will forward it to Ms. Divenere. And I 4 don't know how much time you guys want to give her 5 to read it. And then I can return the original 6 to, I guess, Ben, right? After -- you want to do 7 that -- 8 MR. ROTTENBORN: Is that customary to 9 return it to the -- I mean, we both noticed it. 10 Yeah, that's fine, if that's what you want to do. 11 MR. SHERMAN: Okay. I can return it to 12 Camille too. I don't care one way or the other. 13 MR. ROTTENBORN: No, that's fine. You 14 can return it to me or you can just send it to 15 John -- to John Koger too if you want to, since -- 16 MR. SHERMAN: Okay. Well, I'll tell you 17 what. My client would like an opportunity to read 18 it and sign it. So why don't you two -- it's your 19 case. Why don't you two put whatever stipulation 20 you want to put on the record, and we will comply 21 with that, whatever it is, as long as my client 22 gets a reasonable opportunity to read it and	171	1 to Mr. Rottenborn, I guess, to notify all parties 2 in the case if there is any changes made to the 3 transcript. 4 MS. VASQUEZ: That's fine. 5 MR. SHERMAN: That okay with you, Ben? 6 MR. ROTTENBORN: Sure, yeah. 7 MR. SHERMAN: Then I guess, Ben, your 8 office will maintain custody and control of the 9 original, and then if it's lost or damaged or 10 something, a certified copy can be used by you 11 guys in its place? 12 MR. ROTTENBORN: Sounds good. 13 MS. VASQUEZ: So stipulated. 14 THE VIDEO TECHNICIAN: This is the end 15 of the testimony of Laura Divenere. It is 3:32 16 p.m. We go off the record. 17 (Off the record at 3:32 p.m.) 18 * * * 19 20 21 22
170	1 review it. Okay? 2 I don't want to dictate the terms of 3 your case. I don't know what your trial date is, 4 whatever else. 5 MS. VASQUEZ: Ben, since you were the 6 first to notice the deposition, would you like the 7 original returned to your office? 8 MR. ROTTENBORN: Sure. 9 MS. VASQUEZ: Okay. So we'll relieve -- 10 we'll stipulate to relieve the court reporter of 11 her duties. We'll give -- the court reporter is 12 to send the transcript to Mr. Sherman for 13 Ms. Divenere to review and make any changes to the 14 transcript and sign it and then return it to 15 Mr. Rottenborn. 16 Lee, do you need two weeks? Three 17 weeks? 18 MR. SHERMAN: Three weeks from my 19 receipt should be good. 20 MS. VASQUEZ: Okay. Within three weeks 21 of Mr. Sherman's receipt. 22 MR. SHERMAN: And then we'll leave it up	172	1 ACKNOWLEDGMENT OF DEPONENT 2 I, LAURA DIVENERE, do hereby acknowledge 3 that I have read and examined the foregoing 4 testimony, and the same is a true, correct and 5 complete transcription of the testimony given by 6 me and any corrections appear on the attached 7 Errata sheet signed by me. 8 9 10 11 12 Date Signature 13 14 15 16 17 18 19 20 21 22

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Conducted on January 15, 2021

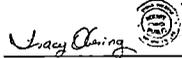
1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

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

14 IN WITNESS WHEREOF, I have hereunto set
15 my hand and affixed my notarial seal this
16 27th day of January, 2021.

17 My commission expires:

18 December 31, 2024

19 

20 _____
21 NOTARY PUBLIC IN AND FOR
22 THE STATE OF MARYLAND