

Officer Melissa Saenz
July 18, 2016

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No: BD641052

Respondent: JOHN CHRISTOPHER DEPP
II (AKA JOHNNY DEPP)

DEPOSITION OF OFFICER MELISSA SAENZ

July 18, 2016

2:03 p.m. - 2:45 p.m.

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

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22
23
24
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INDEX TO EXAMINATION

WITNESS:- OFFICER MELISSA SAENZ

EXAMINATION	PAGE
BY MS. BERK	5, 37
BY MS. SPECTOR	36

INFORMATION REQUESTED

(NONE)

DOCUMENTS REQUESTED

(NONE)

WITNESS INSTRUCTED NOT TO ANSWER

(NONE)

1
2
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4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO EXHIBITS

OFFICER MELISSA SAENZ

DEPP V. DEPP

Monday, July 18, 2016

Pamela J. Felten, CSR No. 5189

MARKED	DESCRIPTION	PAGE
Exhibit A	Deposition Subpoena for Personal Appearance issued to Officer Saenz	8
Exhibit B	Photograph of Amber Heard	19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
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Los Angeles, California

Monday, July 18, 2016, 10:16 a.m.

OFFICER MELISSA SAENZ,

having been first administered an oath, was
examined and testified as follows:

EXAMINATION

BY MS. BECK:

Q Good afternoon, Officer. My name is Blair Berk
and I represent Johnny Depp and I'm going to be asking
you some questions this afternoon.

A Okay.

Q There is something I need to read that's more
formal in terms of instructions. So bear with me and let
me get through it, and if there's anything you don't
understand, just let me know. Okay?

A Perfect.

Q This proceeding in which you're about to give
testimony here today is known as a deposition. Our
purpose in taking a deposition is to obtain facts and
information within your knowledge related to matters
involved in this lawsuit or proceeding. We do not seek
to trick you or to trap you. We do not wish to cause you
discomfort.

1 The person transcribing the deposition is the
2 certified shorthand reporter. At the onset, you'll be
3 placed under oath, which you already have been, and you
4 will then be asked questions which you're expected to
5 answer fully and truthfully under oath.

6 Please do not guess. We request your best
7 present recollection of the facts about which you will be
8 questioned. We will presume, therefore, that whatever
9 you testify to today is your best present recollection
10 and not a guess. Although this deposition is being held
11 in the informality of these lovely law offices, this
12 deposition does have all the solemnity of courtroom
13 testimony. Since you're under oath, your testimony here
14 today will have the same force and effect and be subject
15 to the same penalties as if you were testifying in a
16 courtroom before a judge. And among such penalties to
17 which you're subject is the penalty of perjury. Perjury
18 is defined as willfully and contrary to an oath
19 administered stating as true a material fact which one
20 knows to be false. Perjury is a crime. The penalties
21 for perjury are set forth in the Penal Code.

22 Everything said during your deposition will be
23 taken down and transcribed by the court reporter. Every
24 question we ask, every answer or comment you give,
25 everything said by you all will be duly transcribed. It

1 therefore is vital that if at any time you do not hear or
2 do not understand any question, you just tell us. And we
3 will have the opportunity to immediately repeat or
4 rephrase any question to you. Obviously, if you do not
5 promptly tell us otherwise, we'll have no choice but to
6 presume that you did clearly hear and understand each
7 question and that your answer to each question is based
8 upon your complete and full understanding. Please
9 remember that the court reporter is only able to
10 transcribe audible responses, so please don't nod or
11 shake your head or say merely uh-uh or uh-huh.

12 A Okay.

13 Q Please also remember that the court reporter
14 can record the words of only one person speaking at a
15 time. So allow for my questions to be completed before
16 you begin to respond. If you are inadvertently
17 interrupted by me or anyone else before you finish your
18 answer, please tell me immediately. Otherwise we'll
19 assume that you've completed the answer.

20 At the conclusion of this session, the reporter
21 will transcribe what's been said into a booklet form.
22 You'll have an opportunity to read it and make any
23 changes in the form or substance of any of the answers to
24 any question that you feel is necessary.

25 At the time of trial, if there is a trial,

1 you'll be questioned before the judge as to why you made
2 such changes and we'll contend at the time of trial that
3 your memory and recollection here today are as good or
4 better than at any time later.

5 Can you think of any reason, Officer Saenz, why
6 you'd be unable to provide me with accurate and
7 comprehensive answers today?

8 A I cannot.

9 Q Okay. Officer Saenz, have you ingested any
10 alcohol at any time in the last 12 hours?

11 A No, I have not.

12 Q Okay. Do you believe -- have you taken any
13 medication in the last 12 hours?

14 A No, I have not.

15 Q Okay. Do you feel that you are of sufficient
16 mind to answer my questions today?

17 A Yes, I do.

18 Q Okay.

19 MS. SPECTOR: Very good.

20 MS. BERK: Very good. I'm going to show you a
21 copy of your deposition subpoena marked as --

22 THE REPORTER: Mark it A.

23 MS. BERK: -- Exhibit A.

24 (Exhibit A marked)

25 BY MS. BERK:

1 Q Do you recognize that?

2 A Yes, I do.

3 Q And do you remember when you first saw that
4 document?

5 A Not the exact date. Approximately two to three
6 weeks ago.

7 Q And is this the document that brought you here
8 today?

9 A Correct.

10 Q Okay. And I assume there's a separate -- you
11 didn't ever see the Subpoena Duces Tecum for documents,
12 correct? That goes to a different division?

13 A Correct. I just get this, I initial it, and
14 then they take it back.

15 Q No worries. Very good.

16 If you'll just hand that to the court reporter.

17 Okay. Officer Saenz, let's start with where
18 you're employed. Could you tell us where you're
19 employed?

20 A Sure. I am a police officer for the City of
21 Los Angeles. I am a training officer at Central
22 Division.

23 Q How long have you been so employed?

24 A Seven years.

25 Q Okay. You look very young.

1 A Thank you.

2 Q In your seven years, how -- for how many of
3 those seven years, have you been a supervisor or a
4 train- -- someone who is training officers?

5 A It's been eight months.

6 Q Okay. And in your capacity as a training
7 officer, were you working in that capacity on May 21 of
8 2016?

9 A Yes, I was.

10 Q Okay. And before we get there, could you tell
11 us a little bit about your own training? Tell us about
12 your training to be a police officer.

13 A Well, we -- to become a police officer, we go
14 through a six-month academy where we get trained on
15 various law enforcement subjects. And after our six
16 months, we graduate, we go to a probationary period for a
17 year, and after that we go to -- we get chosen to go to
18 whatever division they need us at within the city.

19 Q And in your training, Officer Saenz, in the
20 academy, are you -- did you receive training in the
21 detection of -- investigation and detection of crimes of
22 suspected domestic violence?

23 A Yes, we did.

24 Q Okay. And in your field training, did you
25 receive field training in the investigation and detection

1 of crimes of domestic violence?

2 A Yes, we did.

3 Q Okay. And in your capacity as an officer,
4 would it be fair to say that you've responded to dozens
5 and dozens of calls related to the investigation and
6 detection of domestic violence?

7 A Yes.

8 Q Do you have any idea of how many calls related
9 in your seven or eight years of work as a Los Angeles
10 police officer?

11 MS. SPECTOR: Misstates testimony.

12 THE WITNESS: I honestly wouldn't be able to
13 put a number. Many.

14 BY MS. BERK:

15 Q Okay.

16 A Many, many.

17 Q Over a hundred?

18 A Yes.

19 Q Okay.

20 A Over a hundred, yes.

21 Q Okay. Officer Saenz, I'd like to draw your
22 attention to May 21, 2016 and a call that I understand
23 from dispatch you responded to at 8:49 South Broadway.
24 Do you recall that evening?

25 A Yes, I do.

1 Q Okay. And you were on duty that night with
2 Officer Hadden as your -- as your trainee partner?

3 A Yes, I was.

4 Q Do you recall the dispatch call itself?

5 A Yes, I do.

6 Q Okay. What do you recall the dispatch call
7 stating or relating to you prior to arrival at 849 South
8 Broadway?

9 MS. SPECTOR: Compound.

10 THE WITNESS: I believe it was a third person
11 caller that gave an address and just stated it was a
12 possible domestic incident at a penthouse and no room
13 number, just a penthouse.

14 BY MS. BERK:

15 Q Okay. And were you given any other specific
16 details about what was being claimed?

17 A No, I did not.

18 Q Upon arriving at the location, 849 South
19 Broadway, could you tell me what you first did?

20 A Yes. I responded with my partner up to the
21 penthouse to try to make contact with the possible victim
22 or suspect.

23 Q Okay. Before you got up to the penthouse, did
24 you have any interaction with anyone downstairs in the
25 first level of the building?

1 A I believe we asked the receptionist if we can
2 get up to the penthouse and I believe she scanned us up.
3 But other than that, we did not.

4 Q Okay. So prior to getting in the elevator, you
5 did not have any contact with any man or woman in the
6 lobby other than whoever assisted you in getting into the
7 elevator?

8 A Correct.

9 Q Okay. And did you travel in the elevator with
10 Officer Hadden?

11 A Yes, I did.

12 Q Okay. And was there anybody else in the
13 elevator?

14 A No, there was not.

15 Q Okay. Can you tell us, Officer Saenz, what
16 happened when you arrived at the penthouse level in the
17 elevator and left the elevator?

18 A Yes. We exited the elevator and we attempted
19 to door-knock the penthouse, and we did not receive an
20 answer. So we tried to listen for possible signs of
21 domestic violence. Glass breaking, fighting, shouting.
22 We heard nothing. So we responded to the outdoor
23 courtyard and we tried to make contact, tried to see if
24 there was anyone outside. There was a woman in the gym,
25 but it was obvious she was not related to the incident.

1 So we re-responded back into the hallway and we were met
2 by a gentleman. A male white.

3 Q And the male white, could you describe his
4 physical appearance other than male white?

5 A You know what, I don't recall details of him.
6 Just generic male white. He didn't look like he was
7 under distress or anything.

8 Q Okay. Did he give you his name? Do you
9 recall?

10 A No, he did not give me his name.

11 Q Okay. And what did he tell you, if anything?

12 A He actually approached us as we were walking
13 back into the hallway and he asked if we were here for a
14 call. And we advised him that we were here for a
15 possible domestic violence incident. And he just stated,
16 "She's in -- she's in my apartment."

17 And I said, "Okay. Who is 'she'?"

18 He said, "The one that lives here."

19 So I asked him if he could explain to us what
20 happened, and he didn't give us any details. He said,
21 "Everything is okay. It's fine. And she's in my
22 apartment with my girlfriend."

23 And I said, "Okay, I need to speak to her,
24 whoever she is."

25 And he said, "Okay. Just wait here and I'll go

1 inside and grab her."

2 So me and my partner waited outside --

3 Q Okay. Let me --let me just stop and just --

4 A Okay.

5 Q -- slow you down a little bit.

6 A Okay.

7 Q Okay? Did you ask him to describe what had
8 happened, if anything?

9 A Yes.

10 Q Okay. And what did he tell you, if anything?

11 A He gave us no details.

12 Q Okay.

13 A He just stated, "Everything is fine."

14 Q Okay. When you say he said, "Everything is
15 fine," was that -- was he indicating that your services
16 were not needed or that everything was just fine and he
17 was going to arrange for you to talk to Ms. Heard?

18 A You know what, my perception was he just wanted
19 us to go, that he got it -- had it under control.

20 Q I see.

21 A But I let him know that we had to speak to
22 whoever the female was.

23 Q Okay. And did he say anything about what the
24 incident -- what the nature of the incident was?

25 A No, he did not.

1 Q Okay. You began to describe making contact
2 with the female.

3 A Correct. He -- the gentleman re-responded to
4 his apartment, which is across the hall from Ms. Heard's
5 apartment.

6 MS. BERK: Excuse me. Can we go off record for
7 a second.

8 (Discussion off the record.)

9 BY MS. BERK:

10 Q Starting again, Officer Saenz.

11 The gentleman you describe, had he described to
12 you this was his apartment?

13 A Yes. As I recall, he said, "She's in my
14 apartment."

15 Q Okay. And you had -- prior to entering the
16 apartment, you had had the opportunity to walk the
17 hallway with your fellow officer; is that correct?

18 A Correct.

19 Q Okay. While walking the hallway, did you walk
20 the full length of the hallway to see if you heard any
21 sounds or any activity?

22 A Yes, I did.

23 Q Was the hallway -- did it have lights? Was it
24 a lighted hallway?

25 A Yes, it was well-lit.

1 Q Okay. At any time when you first inspected
2 that area to listen for sounds or to observe the
3 surroundings, did you see any indication of vandalism or
4 property damage?

5 A No, I did not.

6 Q Did you see any broken glass or broken bottles
7 anywhere in the hallway?

8 A No, I did not.

9 Q Did you see any splashed wine on the floor or
10 the walls?

11 A No, I did not.

12 Q Okay. When you made entry to the apartment
13 described as the gentleman's apartment that you had
14 encountered earlier, did he open the door and let you in?

15 A No, we never made entry into that apartment.

16 Q Okay. You never went inside the apartment at
17 all?

18 A Correct.

19 Q Okay. What happened when you got to the
20 apartment described as that of the gentleman?

21 A He asked us to wait. He opened his door. He
22 shut it, and I could hear talking. I heard voices.

23 Q Did you hear what was said?

24 A No, I didn't. I heard a female. It was --
25 sounded like female voices. So I assumed it was his --

1 what he said was his girlfriend and Ms. Heard.

2 Q Okay.

3 A After I heard the voices, I knocked again. I
4 said, "Sir, I need you to open the door." And that's
5 when Ms. Heard came out with his girlfriend and he
6 re-responded to the hallway, too, as well.

7 Q Okay. When you say you knocked again, how long
8 were you left waiting when he first shut the door and
9 when you knocked again?

10 A It was probably about 30 to 40 seconds.

11 Q Okay. And then you knocked again?

12 A Correct.

13 Q And did he immediately answer or did you have
14 to wait again?

15 A Immediately one of the females opened the door
16 and came out --

17 Q Okay.

18 A -- into the hallway. I can't recall which
19 female it was..

20 Q Okay. And eventually did you make contact with
21 somebody you came to know as Amber Heard?

22 A Yes, I did.

23 Q Okay. Let's talk about that.

24 A Okay.

25 MS. BERK: Showing you what will be marked as

1 Exhibit B.

2 (Exhibit B marked)

3 BY MS. BERK:

4 Q Do you recognize this person?

5 A Yes, I do.

6 Q And is that the person you came to know at some
7 point was Amber Heard?

8 A Yes.

9 Q Okay. Tell me, Officer Saenz, when Ms. Heard
10 first came out of the apartment, did you speak with her?

11 A Yes, I did.

12 And just for the record, the last question was
13 did I know it was Amber Heard. I didn't -- the entire
14 call she would not give me her name and I did not
15 recognize her. I didn't know who she was. And I found
16 out probably two weeks later.

17 Q Okay.

18 A So . . .

19 Q And I meant to see, if I didn't, who you later
20 came to learn was Amber Heard --

21 A Yes, I later learned.

22 Q -- because that was my understanding as well.

23 When you first made contact with Ms. Heard, can
24 you tell me, were you speaking to her directly or was
25 your partner?

1 A I was.

2 Q Can you tell me what you said to her?

3 A Well, she was crying. And I asked her, "Are
4 you okay?"

5 And she said, "Yes."

6 And from her body language it was very clear
7 that she did not want to speak to us. She looked upset.
8 So I asked her, "Do you want to go into your apartment so
9 we can talk in private?" And usually as a female
10 officer, the females will open up with us in private.
11 And she said, "Yes. Can my friend come?"

12 I said, "Yes."

13 So Ms. Heard, her friend and I went into her
14 apartment.

15 Q Okay. Now, before you go into the apartment,
16 Officer Saenz, did you have the opportunity to be close
17 to Ms. Heard and look at her physically?

18 A Yes, I did.

19 Q Okay. And you had the opportunity to observe
20 her face and her body --

21 A Correct.

22 Q -- to the extent you could see anything?

23 Do you recall what she had on?

24 A I do not recall what she had on. I don't
25 recall if I seen her arms. I just know I seen her -- her

1 face --

2 Q Okay.

3 A -- and she had no injuries.

4 Q Okay. Let's talk about that a second.

5 You -- as part of your training in the
6 investigation of a potential domestic violence incident,
7 I'm assuming you deal with plenty of folks who indicate
8 that nothing happened when something happened, correct?

9 A Correct.

10 Q And, likewise, you deal with folks who indicate
11 that something happened when possibly nothing happened,
12 correct?

13 A Correct.

14 Q Okay. In this incident, I am assuming whatever
15 Ms. Heard was telling you, you were still independently
16 investigating any indicia, any signs that a crime had
17 been committed, correct?

18 A Correct.

19 Q Okay. And part of the reason that you look at
20 the person and look to see their physical condition is
21 to determine whether there had been a potential assault,
22 correct?

23 A Correct.

24 Q When you first encountered Ms. Heard, you
25 testified earlier that she was crying, correct?

1 A Correct.

2 Q And -- but that you looked at her face,
3 correct?

4 A Correct.

5 Q And could you describe -- did you see any marks
6 of any kind on her face at all?

7 A No, I did not.

8 Q Did you see any signs of swelling or injury to
9 her face at all?

10 A No, I did not.

11 Q Okay. Did you see any bruises or marks under
12 either eye?

13 A No, I did not.

14 Q Did you see any bruises or marks of any kind on
15 her cheeks?

16 A No, I did not.

17 Q Okay. At the point that you discussed with her
18 speaking, you began to testify earlier that you went to
19 another location?

20 A We went just across the hall --

21 Q Okay.

22 A -- to where her apartment was.

23 Q Okay. And is that where she said the incident
24 had occurred?

25 A She never stated that the incident occurred.

1 She didn't give me any details.

2 Q Okay. So she just -- you -- who suggested they
3 go to her apartment?

4 A I asked her if she would like to go next door.
5 I asked if she lived there. She said yes -- she nodded
6 her head. I said, "Okay. Would you like to talk in
7 there?" And she said, "Yes."

8 Q Okay. When you got to the door, did she open
9 the door?

10 A Yes, she did.

11 Q Okay. And you went inside the penthouse?

12 A Yes, I did.

13 Q Okay. And did your partner go inside the
14 penthouse?

15 A He did after a couple minutes.

16 Q Okay. Okay. And who else went inside, if
17 anyone, besides you and Amber Heard?

18 A Her unknown female friend that was next door
19 with her.

20 Q Okay. And when you got inside the apartment,
21 did you have an opportunity to see the -- the inside of
22 the penthouse?

23 A Yes, I did.

24 Q Okay. Can you describe for me was there a sofa
25 located in the penthouse?

1 A Yes, there was.

2 Q Okay. Is that where you spoke with Ms. Heard
3 or somewhere else?

4 A Yes. She was standing in front of a sofa in
5 the entryway.

6 Q Okay. And as you were inside the penthouse,
7 did you see any broken glass of any kind?

8 A No, I did not.

9 Q Did you see any broken picture frames of any
10 kind?

11 A No, I did not.

12 Q Did you see any wine bottles on the floor or
13 broken in any manner?

14 A No, I did not.

15 Q Did you see any spilled wine of any kind or
16 spilled liquids of any kind?

17 A No, I did not.

18 Q Okay. And you had an opportunity to observe
19 the various parts of that penthouse?

20 A Yes. I advised her -- when she refused to
21 speak to me, I advised her if -- that I would need to
22 check the location to make sure that there was nobody
23 hurt and there was no suspects. And she agreed and
24 her -- her male friend pointed us to where we could
25 check, and check inside the house.

1 Q Okay. Now, while you're still in the living
2 room of the penthouse, am I correct that there is also a
3 kitchen in that area?

4 A Yes. It's one large space.

5 Q Okay. And did you have an opportunity to
6 equally inspect that area?

7 A Yes, I did.

8 Q And was there any shattered glass anywhere?

9 A No, there was not.

10 Q Were there any broken bottles of any kind?

11 A No, there was not.

12 Q Were there any broken picture frames of any
13 kind?

14 A No, there was not.

15 Q Was there any spilled wine of any kind?

16 A No, there was not.

17 Q Or other liquids that were on the floor --

18 A Not that --

19 Q -- that you could detect?

20 A Not that I seen.

21 Q Okay. Did you sit with Ms. Heard at any point
22 on the sofa to speak with her?

23 A No, I did not.

24 Q Okay. Did she sit on any -- at any time on the
25 sofa while she was speaking with you?

1 A I believe after we checked the location, she
2 sat down on the sofa with her friend.

3 Q Okay. So we'll get back to that. Before you
4 did a -- a sweep or a check of the rest of -- of the
5 penthouse, did you have any opportunity to speak with
6 Ms. Heard when you were in the apartment?

7 A Yes, I did.

8 Q Okay. Could you tell us about that
9 conversation?

10 A Sure. I asked her, "What happened?" Opening
11 question.

12 She said, "Nothing," and she continued to cry.

13 I said, "Who do you live here with?"

14 She shook her head as if she did not want to
15 answer.

16 I asked her, "Are you hurt? Do you need an
17 ambulance?"

18 And she shook her head again no.

19 At that point, I asked her if she mind -- if
20 she would mind if I checked her apartment. And that's
21 when she said no.

22 Q At any time during that conversation, did she
23 say that she had been struck with any object or hit by
24 any person?

25 MS. SPECTOR: Compound.

1 THE WITNESS: No, she did not.

2 BY MS. BERK:

3 Q Okay. And did she say that she had been
4 assaulted in any way by any other human being?

5 A No, she did not.

6 Q Was there any reference to a verbal dispute at
7 any time that she had had?

8 A I believe I asked her if she had a verbal
9 dispute. Often when victims deny any sort of physical
10 altercation, I ask if it was verbal. Again, I got the
11 same response. She just shook her head. She did not
12 want to talk to me.

13 Q Okay. Did you ever ask her who her husband
14 was?

15 A I believe so. I got no answer. She refused --

16 Q Okay.

17 A -- to give me any answer.

18 Q Okay. Was she otherwise cooperative or would
19 you describe her demeanor as uncooperative?

20 MS. SPECTOR: Vague as to "cooperative,
21 uncooperative."

22 BY MS. BERK:

23 Q During your encounter with her.

24 MS. SPECTOR: Same objection.

25 THE WITNESS: I don't want to call her

1 uncooperative, but she was not forthcoming, she refused
2 to speak to me, she didn't answer any of my questions. I
3 guess -- yeah, I guess you could call her uncooperative.

4 BY MS. BERK:

5 Q Okay. Fair enough. Fair enough.

6 Was there anything else she told you prior to
7 under- -- you undertaking a sweep of the apartment?

8 A No.

9 Q Okay. And did you ask her prior to undertaking
10 a sweep of the apartment specifically if anyone had
11 assaulted her?

12 A Can you repeat that question?

13 Q Had you asked her prior to taking a sweep of
14 the apartment had anyone assaulted her?

15 A Yes, I did ask her.

16 Q And what did she say?

17 A Again, I got no answer. Just . . .

18 Q Okay. And you then at the some point undertook
19 a sweep?

20 A Yes.

21 Q Okay. And you inspected the upstairs and
22 downstairs of this penthouse?

23 A Yes, I did.

24 Q Okay. And you went in all of the rooms?

25 A Yes, I did.

1 Q Did you see at any time any signs of a struggle
2 or vandalism in the -- in the penthouse apartment?

3 MS. SPECTOR: Compound.

4 THE WITNESS: No, I did not.

5 BY MS. BERK:

6 Q Okay. Did you see at any time in your
7 inspection of the premises broken glass?

8 A No, I did not.

9 Q At any time in your inspection of the premises
10 did you see any spilled wine of any kind?

11 A No, I did not.

12 Q At any time during your inspection of the
13 premises, did you see any broken bottles?

14 A No, I did not.

15 Q At any time during your inspection of the
16 premises, did you see any broken pictures or glass
17 picture frames or wooden picture frames?

18 A No, I did not.

19 Q Did you also undertake an inspection of other
20 penthouses connected to this residence?

21 A Yes, I did.

22 Q Okay. Tell me about that. How did that occur?

23 A After we completed the sweep of the first
24 penthouse that we were all standing in, the male advised
25 me that the next door penthouse also belonged to

1 Ms. Heard, and he walked us over, unlocked the door, and
2 my partner and I did a sweep of that --

3 Q Okay.

4 A -- penthouse as well.

5 Q Okay. And could you describe what you saw in
6 that penthouse?

7 A Yes. It was many racks with a lot of white
8 clothing and I remember asking the male, "Oh, do they
9 sell clothing? Are they" -- he's like, "Oh, yeah, they
10 design clothing and jewelry."

11 And I said, "Oh, okay. Just making
12 conversation. I said, "Okay." And I remember continuing
13 upstairs and we checked the whole loft and everything
14 seemed ordinary.

15 Q Okay. In your entry to the place where they
16 had described making jewelry and clothing, did you see
17 any other people as you and Officer Hadden went in?

18 A No, we did not.

19 Q Was the gentleman with you at that time?

20 A Yes, he was.

21 Q Okay. When you walked into that area, did you
22 see at any time any signs of a struggle --

23 A No, I did not.

24 Q -- having occurred?

25 Did you see any signs of vandalism to any of

1 the property in that location?

2 A No, I did not.

3 Q Did you see any -- did you see any broken glass
4 of any kind?

5 A No, I did not.

6 Q Did you see any wine bottles on the floor,
7 broken or unbroken?

8 A No, I did not.

9 Q Did you see any wine spilled on the floor of
10 any kind?

11 A No, I did not.

12 Q Okay. And you and Officer Hadden cleared that
13 location, as well?

14 A Yes, we did.

15 Q Okay. After you cleared that location, Officer
16 Saenz, what did you do next?

17 A We -- my partner and I re-responded to the
18 original penthouse where Ms. Heard was standing by.

19 Q Okay. When you arrived back at the original
20 penthouse, did you encounter Ms. Heard again?

21 A Yes, I did.

22 Q Okay. Is it true to say that you had an
23 opportunity to observe her face a second time when you --
24 when you encountered her?

25 A Yes, I did.

1 Q Okay. At this point, were there any signs on
2 her face that you could see that she had any injury to
3 her face?

4 A There were no signs of injury.

5 Q Did you see any red marks of any kind under
6 either eye on her face?

7 A No, I did not.

8 Q Did you see any bruising on her face?

9 A I did not.

10 Q Did you see any swelling of any kind on her
11 face?

12 A I did not.

13 Q And did you talk to her a second time?

14 A Yes, I did.

15 Q Okay. Could you describe for us that
16 conversation?

17 A Yes. So I advised her that we had checked both
18 of the lofts or the penthouses and, again, I asked her,
19 "Are you sure you don't want to speak to me? I'll have
20 everyone exit the room."

21 She was still -- she was still crying and she
22 said, "No, I don't -- I don't want anything."

23 I said, "Okay, ma'am, I'm going to write you a
24 business card in case you change your mind. If you
25 change your mind at any time, you can call us back and

1 we'll respond."

2 And I had my partner write out a business card
3 and I issued her one and I issued her neighbors one, as
4 well. And that was it. I asked them if they had any
5 questions. No one had any questions. The gentleman
6 walked me and my partner to the elevator and we left the
7 location.

8 Q Okay. Before we get to you leaving the
9 apartment, is it true that in your response to a dispatch
10 of suspected domestic dispute that you are looking for
11 any probable cause to believe a crime had been committed?

12 A Correct.

13 Q Okay. And in doing so, you are looking for
14 evidence that a crime has been committed? Physical
15 evidence?

16 A Correct.

17 Q And that includes injuries to the person who
18 you are encountering, correct --

19 A Correct.

20 Q -- who was involved in whatever the alleged
21 dispute was? And any signs of property damage or
22 vandalism correct?

23 A Correct.

24 Q Okay. At the point that you gave your card to
25 Ms. Heard, did you have any probable cause to believe any

1 crime whatsoever had been committed?

2 A No, I did not.

3 Q Okay. At any time did you tell Amber Heard
4 that you believed a crime had been committed and you were
5 willing to go out and arrest her husband?

6 A No, I did not.

7 Q Did you at any time say any words to that
8 effect to her?

9 A Excuse me. No, I did not.

10 Q Okay. Did you say any words to that effect to
11 anyone else you encountered at the penthouse?

12 A No, I did not.

13 Q And I am assuming, whether Ms. Heard cooperated
14 or not, if you had seen physical injuries to Ms. Heard,
15 that would be in and of itself enough to proceed with a
16 further investigation of a crime, correct?

17 A Correct.

18 Q And you did not proceed with further
19 investigation of a crime at that point, correct?

20 A Correct.

21 Q Okay. When you exited the apartment, did
22 someone show you down from the apartment?

23 A The gentleman involved walked us to the
24 elevator and we parted ways from there.

25 Q Okay. And did you talk to anybody else before

1 you left the building?

2 A No, I did not.

3 MS. SPECTOR: I have a few questions.

4 MS. BERK: Wait.

5 (Discussion off the record.)

6 BY MS. BERK:

7 Q I think we may have covered this, Officer
8 Saenz, but just to be clear. At no point from the moment
9 you received the dispatch to when you described you
10 conducted your investigation, cleared the building, and
11 left Ms. Heard at the apartment and exited the building,
12 am I correct at no time during that period were you aware
13 of either Amber Heard or that the matter involved Johnny
14 Depp? Is that correct?

15 A Correct.

16 Q Okay. And did I hear you say earlier that you
17 did not know this matter involved Johnny Depp until a
18 couple of weeks later?

19 A Correct.

20 MS. BERK: Okay. No further questions at this
21 time.

22 Go ahead.

23 MS. SPECTOR: Could I ask you a few questions?

24 THE WITNESS: Sure.

25

EXAMINATION

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BY MS. SPECTOR:

Q You've been discussing this white male -- white gentleman that you were dealing with when you were at the building that evening on May 29th -- May 21st. Do you recall approximately how tall he was?

A I don't. I do not recall.

Q Do you recall if he was wearing any glasses?

A I do not.

Q Do you recall if he had any facial hair?

A I do not recall.

Q A goatee?

A I don't recall.

Q Earlier you testified that you spoke to Ms. Heard; is that correct?

A Correct.

Q Do you recall anything in particular about her hair?

A I do not.

MS. SPECTOR: Thank you. No further questions.

MS. BERK: Okay.

MS. SPECTOR: Thank you.

MS. BERK: Officer, I hope this wasn't too painful.

Can we go off the record?

1 (Discussion off the record.)

2 MS. BERK: I offer the following stipulation:
3 That the court reporter be relieved of responsibility
4 with respect to the original transcript and that the
5 original be transcribed and signed by the deponent under
6 penalty of perjury; the original will be sent -- you know
7 what, we did forget something. May we go off record for
8 just a second?

9 (Discussion off the record.)

10

11 FURTHER EXAMINATION

12 BY MS. BERK:

13 Q Officer Saenz, I did neglect to ask you one
14 question.

15 You indicated before that you all -- you and
16 Officer Hadden had given Ms. Heard a card, a business
17 card. And that card had a telephone number on it?

18 A Yes, it did.

19 Q Did you become aware at any time -- did you
20 become aware at any time that any other patrol responded
21 to the same location?

22 A About two weeks later when I became aware that
23 who was involved.

24 Q Okay. And how did you -- what did you come to
25 learn about a second patrol responding?

1 A I had a supervisor advise me that a second
2 patrol unit got dispatched there, as well, and their
3 findings were the same as ours.

4 Q Okay.

5 A And that is it.

6 Q Okay. And did you have any indication who
7 those officers were that responded?

8 A No, I did not. He just said another unit and I
9 had no idea who responded.

10 Q Okay. And are you aware of any call made by
11 Ms. Heard to the police following your contact with her?

12 A No, I'm not aware.

13 MS. BERK: Okay. That's it. Okay. If we can
14 go off record again.

15 MS. SPECTOR: No.

16 MS. BERK: I'm sorry?

17 THE REPORTER: You didn't finish the --

18 MS. SPECTOR: You never --

19 MS. BERK: The original will be sent to counsel
20 for the deponent and read, corrected and signed within 30
21 days of receipt; if not notified of changes in writing
22 within the time frame, the original shall be deemed
23 signed and correct; the notice of corrections you can fax
24 to me if you choose; the original transcript shall be
25 maintained by the deponent and shall be made available at

1 the time of hearing without notice; if not available,
2 then a certified copy of same corrected -- or if the
3 original shall be otherwise lost, mutilated, altered or
4 destroyed, a certified copy of same as corrected may be
5 used in place and instead of the original and used for
6 all purposes for which the original could have been used.

7 This basically means we're going to send you a
8 copy of the transcript and if there's any corrections
9 you'd like to make, just let us know and we'll make sure
10 they're corrected.

11 THE WITNESS: Okay.

12 MS. BERK: This session is adjourned and
13 suspended.

14 MS. SPECTOR: So stipulated.

15 (Deposition concluded at 2:45 p.m.)
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