

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST
B E T W E E N

JOHN CHRISTOPHER DEPP II

Claimant

and

(1) NEWS GROUP NEWSPAPERS LTD

(2) DAN WOOTTON

Defendants

**ANNEX F TO CLAIMANT'S CLOSING SKELETON ARGUMENT –
AMBER HEARD SHIFTS THE BLAME**

1. It was a feature of Ms Heard's testimony that she sought to shift the blame away from herself and onto others in relation to a varied and substantial number of matters. Ms Heard often sought to shift the blame onto the Claimant, but on occasions it was onto others.
2. In order to make good that submission, below is a schedule of examples from the cross-examination of Ms Heard will demonstrate that that was the case. Some parts of this evidence is also relied upon in relation to other matters but is collated in the table below.

No.	Extract	Transcript reference [Day/Page]	Incident / theme
Day 10 – 21 July			
1.	<p>13 Q. "... have been fighting non-stop since he confirmed his need</p> <p>14 for a pre-nup on their way to the airport going to Japan to</p> <p>15 promote his movie. She tried to push up the date of the</p> <p>16 wedding to avoid all this, but the reality is he'll need a</p> <p>17 pre-nup. If she fails to sign, they won't get married. Both</p> <p>18 behaved like super triple D types." Then it went on about the</p> <p>19 behaviour on the flight. There was an argument, was there</p> <p>20 not?</p> <p>21 A. There was an argument in the hotel room in Tokyo that resulted</p> <p>22 in Johnny kneeling on my back and hitting me in the back of</p> <p>23 the head, but that argument, actually, well, he toggled</p> <p>24 between it being in relation to -- he mentioned more, it was</p> <p>25 more about Christi, his sister, who handled most of his</p>	Day 10/1528, 1529	Pre-nuptial agreement – Ms Heard sought to shift responsibility onto Mr Depp, his sister and his lawyers, rather than taking responsibility for the fact that no prenup was signed.

2 affairs. He said it was Christi that had brought this up,
3 that Christi's concerns were this, that he did not want that,
4 that he trusted me, and that he said time and time, as he said
5 to me time and time again, the only way out of this was death

6 ----

7 Q. You did not --

8 A. And ----

9 Q. Carry on?

10 A. Sorry, he said this to me, to which I responded, that of
11 course I would sign whatever we needed to sign. It could be a
12 pre-nup. I would be happy to sign a post-nup. I even hired
13 an attorney to do so, who wrote a draft and was sending it
14 back and forth, or sent it to Johnny's team. I told Johnny
15 this on that occasion, but then Johnny was also accusing me of
16 having an affair with a co-star, and that is what led to the
17 actual fight, the argument that you reference. It did not

18 become physical on the plane. It got physical in the hotel
19 room when he shoved me and everything else proceeded in the
20 closet.

21 Q. All right, let us get back to the question. You had a row and
22 it was over the pre-nup? It started ----

23 A. It was not over the pre-nup.

p. 1531

13 Q. How then, bearing in mind you did not mind at all signing it

14 ----

15 A. Not at all.

16 Q. ---- did it not get signed?

17 A. Because it was left on Johnny's team's desk. No one did
18 anything and someone forgot about it.

19 MR. JUSTICE NICOL: Just a minute. Yes.

20 MS. LAWS: It was left on someone's desk and overlooked?

21 A. I do not presume it was overlooked since a considerable amount
22 of people in his life seem to be concerned about it, but I did
23 hire the lawyer, we drafted it, we sent it, and I did

	<p>24 everything I could to make sure that we would be able to get</p> <p>25 married at this time. The reason it was important, the</p> <p style="text-align: center;">1531</p> <p>2 timing, and the reason that I feel it should be clarified on</p> <p>3 the record is that Mr. Kipper, Dr. Kipper, was mistaken when</p> <p>4 he said that I tried to move the wedding date up. I never</p> <p>5 tried to move the wedding date up. That is not something</p> <p>6 I had the power to do.</p>		
2.	<p>15 Q. Without going into matters I do not need to go into, after you</p> <p>16 deal with Mr. Depp, you have given a history either to Erin</p> <p>17 Burin or Dr. Kipper that had you abstained from all substances</p> <p>18 since the detoxification -- he had rather, you admitted though</p> <p>19 to a history of anxiety, eating disorder, ADHD, et cetera; is</p> <p>20 that right?</p> <p>21 A. That is a mistake.</p> <p>....</p>	Day 10/1541, 1542, 1543	Medical history – Ms Heard sought to shift the blame from what appeared in her medical records on to Erin Boerum and Dr Kipper for (so she contended) writing up notes incorrectly and/or not taking her history.

	<p>Q. So, Dr. Kipper has either lied or got it wrong, is that right,</p> <p>23 when passing your history on to Erin Burin?</p> <p>24 A. I did not spend much time with Kipper. I do not even know</p> <p>25 when he actually spoke to me about my history, but in all</p> <p style="text-align: center;">1542</p> <p>2 doctors I do give a brief summary of my family history and my</p> <p>3 own history. I have never had an eating disorder. I have</p> <p>4 never been diagnosed with bipolar. I have never had a history</p> <p>5 of substance abuse or a problem with liquor, to be honest.</p> <p>6 I do report and have reported that I have a family history of</p> <p>7 that, as both my parents are alcoholics and addicts.</p> <p>...</p> <p>20 Q. And the note is wrong?</p> <p>21 A. The note does not reflect my personal history.</p> <p>22 Q. You suggest it is wrong because Erin Burin took a note from</p> <p>23 Dr. Kipper and did not take a history from you; is that right?</p> <p>24 A. She did not take a history from me.</p> <p>25 Q. I am going to suggest that must be incorrect, that you would</p>		
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1543

2 have seen her on the, we have 27th August and you would have
3 gone through your history with her in quite some detail; is
4 that right, yes or no?

5 A. No, it is not. I just had met her at this point, fairly
6 recently, and it was about Johnny, these were Johnny's nurses,
7 Johnny's doctor, and I was kind of given someone to talk to
8 occasionally, to, you know, I guess, accompany me at times.
9 The part she got right is I did have some anxiety and
10 insomnia.

11 Q. This is Dr. Kipper's, effectively, second mistake or lie, is
12 it? The first one being the argument being about the pre-nup;
13 the second one being about your history of abuse?

14 A. I can understand how he would be mistaken about that, if he
15 was just given this information from Johnny's team.

16 Q. So, it is Dr. Kipper's mistake. Can I ask you to go to

	<p>17 page 211 in the bottom right-hand corner. Stay in the same</p> <p>18 tab. By now we are in November 2016.</p>		
3.	<p>17 Q. All right. Let us go on to the rest of the entry there, at</p> <p>18 page 211. It is in relation to your illegal drug abuse.</p> <p>19 "Client admits to illicit drug use during the trip and states</p> <p>20 she ingested mushrooms and MDMA simultaneously while also</p> <p>21 consuming alcohol ...(reads to the words)... client reported</p> <p>22 that her husband was not aware of male visitors nor her</p> <p>23 illicit drug use." Can I ask you, is that entry correct or</p> <p>24 has Erin Burin got any of that wrong?</p> <p>25 A. I do not think she had anything wrong.</p> <p>...</p> <p style="text-align: center;">1549</p> <p>15 A. I have no idea what I told Erin or what she understood. But</p> <p>16 in looking at the date, I think it is fair to say I did not</p> <p>17 partake in both of those, so shortly after having such a</p> <p>18 terrible time doing them.</p>	Day 10 / 1547, 1549, 1550	Drugs – Ms Heard sought to shift the blame on to Erin Boerum for writing up notes incorrectly, rather than admitting that they were an accurate record of her use of illegal drugs.

	<p>19 Q. Just a moment ago you said the note was correct. Do we take</p> <p>20 it now that you would like to say that the note may not be</p> <p>21 correct; yes or no?</p> <p>22 A. With reference to particular detail?</p> <p>23 Q. Yes.</p> <p>24 A. I do not know if that is correct.</p> <p>25 Q. So, Erin Burin has made a mistake in that regard?</p> <p style="text-align: center;">1550</p> <p>2 A. Yes, it seems to be. But everything else seems to be correct.</p> <p>3 I was responding to the first half of the paragraph that you</p> <p>4 were asking me about before.</p>		
4.	<p>16 know, celebrate with his groomsmen, that was separate. And my</p> <p>17 friends and I all passed around a bag of mushrooms, and had</p> <p>18 what we called a cuddle puddle, we just giggled and laid on</p> <p>19 the beach. Johnny was not a part of that, so in that part,</p> <p>20 Dr. Kipper's note is correct when he mentions the mushrooms.</p>	Day 10 / 1552, 1553	Drugs use recorded in medical notes – Ms Heard sought to shift the blame on to either Dr Kipper for recording incorrect information or on to Mr Depp for

	<p>21 He just did not understand that I did not participate in it</p> <p>22 with Johnny. And he was also incorrect ----</p> <p>23 Q. Just a minute. (Pause) Yes.</p> <p>24 A. He was also incorrect when he said I participated in it with</p> <p>25 Johnny in Australia, because he was going off of what Johnny</p> <p style="text-align: center;">1553</p> <p>2 told him and Johnny was his client, and his priority.</p> <p>3 MS. LAWS: So, we have now, we are building up a picture of</p> <p>4 several medical professionals either lying or misrepresenting</p> <p>5 things in relation to your drug abuse, do we?</p> <p>6 A. I do not fault them for what Johnny told them.</p>		<p>passing false information on to Dr Kipper.</p>
5.	<p>7 Q. Moving on then to drinking. Just for the moment, sticking</p> <p>8 with Coachella in 2016, was Starling Jenkins lying when he</p> <p>9 says he saw you vomiting in a parking lot?</p> <p>10 A. He was mistaken.</p> <p>11 Q. He was mistaken?</p> <p>12 A. Yes, I think he got my sister and I mixed up. We were wearing</p>	<p>Day 10 / 1553, 1554, 1555, 1558</p>	<p>Ms Heard denied vomiting at Coachella (although even Ms Pennington agreed that she had albeit 'privately'). Ms Heard shifting the blame on to her sister Whitney</p>

<p>13 very similar outfits, and she was pregnant at the time, hence</p> <p>14 the request for ginger ale and crackers and such. Whitney was</p> <p>15 vomiting.</p> <p>16 Q. I suggest he knew full well the difference between the two of</p> <p>17 you and it was you that was vomiting?</p> <p>18 A. I have never vomited in a parking lot in my life.</p> <p>19 Q. Do you remember saying to that Erin Burin, that you had</p> <p>20 vomited that weekend.</p> <p>21 A. I remember telling her I felt awful and I remember ----</p> <p>22 MR. JUSTICE NICOL: Just go slower. You recall telling her that</p> <p>23 you felt awful?</p> <p>24 A. I did, I felt awful. Not a good time to do those substances.</p> <p>25 I remember saying that -- well, we were all talking about my</p> <p style="text-align: center;">1554</p> <p>2 sister, also have been morning sickness, or stomach sickness</p> <p>3 as she was pregnant at the time.</p>		<p>Henriquez. It is suggested that this shift of the blame was to distract from her own drug/alcohol over-consumption.</p> <p>More directly, she blamed Erin Boerum for her medical notes reflecting her alcohol/drug consumption.</p>
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4 Q. Whitney was pregnant at the time, did you say?

5 A. Yes, my Lord.

....

23 Q. So: "Client admits to illicit drug use during the trip and

24 states she ingested mushrooms and MDMA ...(reads to the

25 words)... reminded client illicit drug use will not be

1555

2 tolerated." Let me break this down. You are telling Erin

3 Burin that it was you that was vomiting and you that was high

4 for at least 24 hours straight; is that right?

5 A. Can I look at the same document you are looking at?

6 Q. Page K211 ----

7 A. I closed it up. So, I do not have the same page.

8 Q. I am sorry, I thought you had the document there.

9 A. No.

10 Q. It was in fact the entry you were at a moment ago, it is

11	halfway down the page. K211, halfway through, just read it		
12	again, because you did not have it in front of you. "Client		
13	admits to illicit drug use during the trip states she ingested		
14	mushrooms and MDMA ...(reads to the words)... and was high		
15	for at least 24 hours straight." According to what you have		
16	just said, she must have got that wrong?		
17	A. I did tell her I felt like vomiting, I said I felt like		
18	vomiting, and I was not high for 24 hours. I laid in bed for		
19	24 hours feeling the effects of that horrible decision to take		
20	both of those, while also going through a break-up.		
21	MR. JUSTICE NICOL: You told her that you felt like vomiting, and		
22	then what else did you say, please?		
23	A. That I spent the next 24 hours in bed regretting the horrible		
24	decision that was taking both of those things amidst a		
25	break-up.		
...			
11	Q. What you are saying is that you did not vomit, that is your		

	<p>12 evidence; yes?</p> <p>13 A. I did not vomit.</p> <p>14 Q. Starling Jenkins is wrong, it was your sister; yes?</p> <p>15 A. Absolutely.</p> <p>16 Q. And this note is incorrect, somehow Erin Burin has got</p> <p>17 completely the wrong end of the stick; is that your account?</p> <p>18 A. She is missing two words.</p> <p>19 Q. What are the two words?</p> <p>20 A. "Felt like".</p> <p>21 Q. Are you telling the court the truth?</p> <p>22 A. Yes.</p>		
6.	<p>7 Q. "I regret that the precious time...(reads to the words)... to</p> <p>8 continue discovering our beautiful country." Those are your</p> <p>9 words, are they not?</p> <p>10 A. Although I did not write the words, they did reflect the</p> <p>11 truth, so I signed the document.</p> <p>12 MR. JUSTICE NICOL: Just a minute. (Pause) Yes.</p>	Day 10 / 1573	Homeland security letter – Ms Heard sought to deflect her own involvement in the letter to Homeland Security by saying that her assistant and in fact drafted it and she had just signed it.

	<p>13 MS. LAWS: You are saying that the 18 year-old Savannah wrote this</p> <p>14 letter; yes?</p> <p>15 A. I am saying that. I only smile because it seems very much</p> <p>16 like Savannah.</p> <p>17 MR. JUSTICE NICOL: The language was Savannah's.</p> <p>18 A. But I did sign it because I thought it reflected the truth.</p> <p>19 While I may have chosen different words and worded things</p> <p>20 differently, because I thought it was truthful, I signed it.</p> <p>21 MS. LAWS: Was it Savannah's idea to try and get this fraudulent</p> <p>22 report removed from the record or yours?</p> <p>23 A. It was Savannah's.</p>		
7.	<p>10 Q. This is the page we have looked at before, 27th August 2014.</p> <p>11 So, it is the first visit with Erin Burin that we have looked</p> <p>12 at before, all right, so that has to put it in context. The</p> <p>13 final paragraph says: "Per report from JD, Debbie RN,</p> <p>14 Dr. Kipper. Client AH has reportedly been experiencing</p> <p>15 increased anxiety and agitation recently and has had several</p> <p>16 outbursts of anger and rage, her mood has been labile."</p>	Day 10 / 1553 - 1558	Jealousy / Medical notes – Ms Heard shifted the blame on to Erin Boerum for incorrectly writing up notes and alleged that contrary to what the notes reported, it should have said that Mr Depp for being the one who is jealous

17 I will finish that next sentence: "Both client and fiancé, JD,
18 report an increase in verbal disagreements resulting from
19 client's anxiety and emotional lability. Client expressed
20 concern to husband and Dr. Kipper that she is nervous about
21 being alone while husband is working on movie set in London
22 and expressed she has difficulty dealing with feelings of
23 insecurity and jealousy when not in the presence of her
24 husband." Let us break it down. What it looks like there is
25 that Erin Burin is reporting partly what you have said to her

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2 and partly what others have said to her. Would you agree with
3 that?

4 A. In that last paragraph?

5 Q. In the part I have just read out to you. Just deal with the

6 latter part, do you agree that you expressed to Erin Burin

7 concern about Mr. Depp going away on set in London and that

	<p>8 you felt insecure and jealous when you were not in the 9 presence of your husband; did you say that?</p> <p>10 A. Not exactly. I expressed concerns about the travel, the 11 distance, because it was a trigger for Johnny when I would 12 travel and when we would work apart on different locations. 13 Johnny did not want me to work, and so it always increased our 14 likelihood of having disputes and disagreements and it would 15 increase his propensity to fall off the wagon, as it were, and 16 use those, that distance as an excuse to, as he would put it, 17 twist off, which would be a kind of way of saying, to start 18 using again.</p> <p>19 Q. Let us just get back to what is wrong in this note, then, 20 shall we from what you have just said. Erin Burin, yet again 21 has made a mistake. What should she have written then? What 22 would you have said to her? Which bit is wrong? Let us go 23 through it. "Client expressed concern to husband and 24 Dr. Kipper that she is nervous about being alone while husband</p>		
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25 is working"; is that bit accurate?

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2 A. Yes, I do not think Erin made a mistake. I was just trying to

3 explain the context more of how you represented it, that

4 seemed to be ----

5 Q. Let us work out what is wrong and what is right in that note.

6 Would you accept that the first bit is right, that you

7 expressed concern to your husband and Dr. Kipper that you were

8 nervous about being alone while your husband is working on set

9 in London; is that bit correct?

10 A. I was nervous about being away from him or being away from him

11 while he was working because it always caused fights.

12 Q. So, is that bit correct?

13 A. Yes, if that is your understanding of the way I just described

14 it, yes.

15 Q. So we can move on then, that bit is correct. "And expressed

16 she has difficulty with feelings of insecurity and jealousy",
17 that is the bit she has got wrong, is it not, according to
18 what you just said?

19 A. No, I did not say that.

20 Q. Has she got that bit right?

21 A. To be clear, it was Johnny's insecurity and jealousy. He is
22 extremely jealous and extremely insecure about me working and
23 me being away while he worked. It was extremely problematic,
24 or me working away from him was extremely difficult for the
25 peace and stability in our home. It was always very

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2 problematic.

3 Q. This is another example of when it is not you that is
4 suffering from jealousy or anger, it is Mr. Depp?

5 A. Yes. Ms. Laws, I was explaining to Erin, it seems here, what
6 the difficulty was in our marriage and therefore in my sense

7 of wellbeing.

8 Q. Let us go back to the note. What she has wrong, it should
9 say: "Client has expressed concern to husband and Dr. Kipper
10 that she is nervous about being alone while husband is working
11 in London" -- that bit is correct -- "and expressed [he] has
12 difficulty with feelings of insecurity and jealousy when not
13 in the presence of [his wife]." That is what it should be
14 saying, is it not?

15 A. No. He did not have problems feeling that way, apparently.
16 I had the problems in dealing with it.

17 Q. Who was insecure or jealous?

18 A. Johnny.

19 Q. So, it should read: "[He] has difficulty with feelings of
20 insecurity and jealousy, when not in the presence of [his
21 wife]"; that is the way it should read, is it not?

22 A. I had the difficulty. I had the difficulty with his feelings
23 of insecurity and jealousy, it caused so many fights in my

24 relationship with Johnny.

25 Q. So it should say: "She has difficulty with [his] feelings of

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2 insecurity and jealousy, when not in the presence of her

3 husband."

4 A. He had those feelings, I had problems that he had those

5 feelings, it was extremely difficult to deal with that in the

6 relationship that I was in.

7 Q. As a result ----

8 MR. JUSTICE NICOL: Just a minute. (Pause) So, do I understand

9 your evidence that you are saying that Mr. Depp had feelings

10 of insecurity and jealousy when you were apart, that in turn

11 created difficulties for you?

12 THE WITNESS: Yes, that was the biggest problem. One of the

13 biggest problems in the relationship, one of the biggest

14 triggers in the relationship, that it would inspire the drug

15 and alcohol binges that he was prone to. I also, as a person,
16 in the relationship, had moments where I too felt insecure and
17 I too felt jealous, that is obviously something I felt at
18 times too. But in reading this note, I do not think that it
19 is fair to say that that was what I was imparting or
20 reflecting to her, because that was not a structural problem
21 in our relationship for me, it was structural problem in our
22 relationship from Johnny.

23 MS. LAWS: So she has turned it around?

24 A. I do not think she turned it around.

25 Q. What has she actually got wrong in that note then?

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2 A. I do not think she got it wrong. I think it is about how it
3 is read.

4 Q. It is how you would like to explain it now, but you think she
5 might have got it wrong?

6 A. I do not think it is wrong.

8.	<p>21 Q. Halfway through that paragraph, there is a passage:</p> <p>22 "RN reflected change in coping mechanisms...(reads to the</p> <p>23 words)... compulsive anger and (unclear)." In fact, what you</p> <p>24 are dealing with there, in that entry, if we go up higher, is</p> <p>25 that you spent the day participating in an online college</p> <p style="text-align: center;">1592</p> <p>2 course, attending a meeting, studying, you took your</p> <p>3 medications at the proper time, then you went out shopping</p> <p>4 with Erin Burin "and with the client's assistant". Who was</p> <p>5 that?</p> <p>6 A. Savannah McMillen, my friend.</p> <p>7 Q. You have described her here as your assistant, though?</p> <p>8 A. I did not.</p> <p>9 Q. So that is another mistake by ----</p> <p>10 A. That is Erin, yes.</p>	Day 10 / 1591, 1592	Savannah Mcmillan – Ms Heard blamed Erin Boerum for incorrectly noting down that Savannah Mcmillan is Ms Heard’s assistant.
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9.	<p>15 Q. I think there was some -- behind the scenes, it was being</p> <p>16 suggested, not by you, but by Ms. van Ree, when she came out</p> <p>17 to give a statement on your behalf, that in fact the arrest</p> <p>18 itself was as a result of homophobic attitudes; do you</p> <p>19 remember that?</p> <p>20 A. Yes, I do. She made that statement shortly after my divorce</p> <p>21 proceedings when this information, although it had been</p> <p>22 private for years before, suddenly wound up in the news.</p> <p>23 Q. I can take you to the article, but you seem to remember it,</p> <p>24 where Ms. van Ree was saying that the arrest appeared to be as</p> <p>25 a result of misogynist attitudes (plural), who appeared to be</p> <p style="text-align: center;">1622</p> <p>2 homophobic when they found out we were partners, so the</p> <p>3 reference is to two officers being homophobic?</p> <p>4 A. I do not know what Ms. van Ree intended. I cannot speak to</p> <p>5 that. However, there was ultimately more than one officer</p> <p>6 involved in the incident, although only one was there and only</p>	Day 10 / 1621 to 1626	Arrest for domestic violence in relation to incident with Tasya van Ree – Ms Heard sought to shift the blame on to apparently homophobic police officers
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7 one made the arrest.

8 Q. When you gave your deposition, in fact what you were then

9 saying was ----

10 MR. JUSTICE NICOL: Which deposition are we talking about?

11 MS. LAWS: This is the deposition on 13th August. I will show you

12 exactly what you say in a moment. You then indicate it was

13 the male police officer that put you in handcuffs; is that

14 right?

15 A. That is right.

16 Q. I am going to suggest that that was a bit of a shift as a

17 result of some publicity that came to light, to which I am

18 going to take you, from one of the arresting officers. Could

19 you go to ----

20 MR. JUSTICE NICOL: Just a moment.

21 MS. LAWS: Sorry.

22 A. May I put ----

23 MR. JUSTICE NICOL: Just a moment, please. (Pause) Sorry, did you

24 want to answer that question?

25 A. I was going to ask Ms. Laws if I can put one of these binders

1623

2 away.

3 MS. LAWS: Yes, please put file 11 away.

4 MR. JUSTICE NICOL: Do you need to keep out file 11?

5 MS. LAWS: No, you can put file 11 away and take out file 5.1.

6 MR. JUSTICE NICOL: Did you say take out 5.1?

7 MS. LAWS: Sorry, my mistake. Put back 5.1 and take out 5. If

8 you have got that, could you go to 178B. In fact, I will take

9 you to 178A first, if I may. In the bottom right-hand corner,

10 the page number should be F1140.6.

11 MR. JUSTICE NICOL: No, I am missing something because 148A is

12 simply in my bundle F1140.

13 MS. LAWS: Sorry, it is 178A.

14 MR. JUSTICE NICOL: 178A is F1140 with nothing after it.

15 MS. LAWS: That is right. This is an article, we can see, after
16 Ms. van Ree indicated that the arrest ----
17 MR. JUSTICE NICOL: This is dated 6th September.
18 MS. LAWS: 6th September 2016. Just to put it in context, so that
19 we know the context of this in the chronology, Ms. van Ree had
20 indicated that the arrest of you was a homophobic arrest
21 because the officers had misogynistic attitudes. It is after
22 that that this article appears. What we have at the bottom is
23 a picture of an Officer Leonard, who was one of your arresting
24 officers, was he not, one of the officers who was there?
25 A. Was not the arresting officer. She did show up later and what

1624

2 Tasya said was that there were hints misogyny and homophobia.
3 Q. But she said the word "they"?
4 A. I do not know ----
5 MR. JUSTICE NICOL: Are we helped by this, Ms. Laws?

6 MS. LAWS: My Lord, it is a small point but ----

7 MR. JUSTICE NICOL: Well, I do think it is a rather small point.

8 If you want to ask further questions, of course you may, but

9 I am beginning to feel that its smallness is of diminishing

10 value.

11 MS. LAWS: I take the point. There is one point then in relation

12 to this. If you can flick over to F 1140, we can deal with

13 the point fairly swiftly. The officer is basically saying she

14 is not homophobic because she is a lesbian, but at the bottom

15 ----

16 MR. JUSTICE NICOL: Now, where is this going, Ms. Laws?

17 MS. LAWS: There is a description of the actual incident at the

18 very bottom.

19 MR. JUSTICE NICOL: But this is a description in a newspaper, not

20 a description by the witness. Am I going to be helped by

21 this?

22 MS. LAWS: It depends if the witness agrees with the description.

23 Clearly, if the witness does not, we can move on.

24 MR. JUSTICE NICOL: Right. So, where do you want me to look at?

25 MS. LAWS: Just the final paragraph.

1625

2 MR. JUSTICE NICOL: "Although Tasya claims the incident was

3 minor", is that the paragraph?

4 MS. LAWS: That is right. "... and shows the actual property

5 damaged. A pendant was damaged during the scuffle. The

6 documents also show that Tasya was extremely upset with you."

7 So, claim the responding cops; is that accurate?

8 A. No, Tasya was not upset with me at all. In fact, she tried to

9 intervene immediately. She told the gentleman who arrested me

10 that he was overreacting, that she tried to clarify, as did I,

11 that we were having a verbal disagreement and what he took as

12 any sort of indication of physicality was misunderstood in the

13 moment to him. To be honest, she just walked the opposite

14 way. We had walked on a busy street. He had overheard us

	<p>15 arguing verbally some time before that in the airport when we</p> <p>16 were stuck on an escalator together and we walked out on to</p> <p>17 the busy streets. We missed our van. We had been looking</p> <p>18 ----</p> <p>19 MR. JUSTICE NICOL: I have heard enough, Ms. Heard. You disagree</p> <p>20 with the description of the account?</p> <p>21 A. Totally.</p>		
Day 11 – Tuesday 22 July			
10.	<p>12 MR. JUSTICE NICOL: I think what is being put to you, Ms. Heard,</p> <p>13 is that had Mr. Depp been violent to you on more than the</p> <p>14 three occasions that are mentioned in this letter, your lawyer</p> <p>15 would have referred to those.</p> <p>16 A. Oh. No, she specifically told me that this was a short</p> <p>17 application, we only had a certain amount of pages, a certain</p> <p>18 amount of space, and that there was frankly no need to,</p> <p>19 because if you hit a person, a partner, your wife once, it</p> <p>20 would be, it would qualify me for the restraining order I was</p>	Day 11 / 1725, 1726	TRO declaration – Rather than acknowledge that her legal filings did not contain a full history of the domestic violence which she now alleges, Ms Heard sought to say that the legal advice she received was to be brief and that she had been told to limit the amount of information to provide to the court in support of

	<p>21 seeking. So, for ease, comfort to my own wellbeing and mental</p> <p>22 health, she just said, "Give me the last, you know, last</p> <p>23 couple" and that is what I did.</p> <p>24 MS. LAWS: No, what she is saying here is that in the last six</p> <p>25 months, there have been three incidents, so that suggests that</p> <p style="text-align: center;">1725</p> <p>2 you did not tell her there were any more than that, did you?</p> <p>3 A. She told me I did not need to tell her everything, that I just</p>		<p>her application against Mr Depp.</p>
<p>11.</p>	<p>Q. You thought that he would file for divorce, we see that at the</p> <p>14 end of the text, do we not?</p> <p>15 A. I do not know what our communication exactly had been in the</p> <p>16 months, days, weeks, leading up to that and on our phone</p> <p>17 calls, I do not know what we had talked about to be honest.</p> <p>18 I wanted it to be as private as possible. And from what</p> <p>19 I understood at the time from my solicitors is that the way</p> <p>20 the procedure works it that there is a chance that there could</p> <p>21 be exposed quickly or there is a chance it can fly under the</p>	<p>Day 11 / 1739, 1740</p>	<p>Filing for divorce – Ms Heard sought to explain her decision to file for divorce by shifting the blame on to Mr Depp saying he was the one who wanted to file for divorce.</p>

22 radar for a certain amount of time. As naive as it is,
23 looking back on it from where I sit now, a few days would not
24 have made huge difference, but at the time a few days of
25 privacy would have made an enormous difference to me. And

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2 that is all I was asking for is procedural, is to lean into
3 any sort of procedural thing we could do that best protected a
4 chance of a few days of it being private.

5 Q. The last question was quite straightforward, and we will get
6 through this a lot quicker, it was: and you put in the text
7 that you thought he had filed for divorce; is that correct,
8 yes or no?

9 A. I think I said "I thought you were going to file".

10 Q. "I thought you had filed" is what you said.

11 MR. JUSTICE NICOL: The text says: "I thought you had filed", and
12 that is a reference, is it ----

13 THE WITNESS: Divorce.

	<p>14 Q. ---- to you thinking that Mr. Depp had filed for divorce?</p> <p>15 A. Or that he was going to. It might be just a misprint in my</p>		
12.	<p>Q. Halfway down, you are talking on that page about when the</p> <p style="text-align: center;">1751</p> <p>2 police were called, so the 21st May. Halfway down, you say,</p> <p>3 "I'm sorry, I'm sorry, because the last time it got</p> <p>4 crazy...(reads to the words)... I thought the first time." Do</p> <p>5 you remember Mr. Depp's response there: "Amber, I lost a</p> <p>6 fucking finger...(reads to the words)... thrown at my nose".</p> <p>7 You say, "You can please tell people it was a fair</p> <p>8 fight...(reads to the words)... I'm a victim too of domestic</p> <p>9 violence." He says, "Yes, it's a fair fight. ...(reads to the</p> <p>10 words)...it doesn't matter, a fair fight, my arse." Then you</p> <p>11 go on to say about him being bigger and stronger. So, in</p> <p>12 there, there is a reference he makes to you about him losing</p> <p>13 his finger and you being violent to him, essentially, is it</p>	Day 11 / 1750 to 1754	<p>Ms Heard's words on telephone call – Shifting the blame on to Mr Depp for her use of words on the telephone call</p> <p>And</p> <p>Shifting the blame on to Mr Depp for severing his own finger</p>

14 not? That is what he is referring to?

15 MR. JUSTICE NICOL: Well, I am sorry, Ms. Laws, if the question is

16 about what the transcript shows, then I can read what the

17 transcript shows for myself. If the question is to the

18 witness about whether something in the transcript is correct,

19 that is a different matter.

20 MS. LAWS: What I was saying was that what you were talking about,

21 both of you, so I have read the transcript ----

22 MR. JUSTICE NICOL: I am sorry, Ms. Laws, I am going to stop you

23 because I do not find it helpful to ask the witness about what

24 is being said in the telephone call because I can read that

25 for myself.

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2 MS. LAWS: Yes.

3 MR. JUSTICE NICOL: But if there is a question about something

4 based on what was said, that is a different matter.

	<p>5 MS. LAWS: My Lord, what I was going to ask, and what I was 6 setting the foundation for, was essentially to ask her whether 7 she considers that he was telling her about violence and 8 whether Ms. Heard was simply accepting it or not. That was 9 breaking down the question, which clearly needs to be done in 10 two parts. So, having read it out, and having heard what 11 I have just said, there are two parts to that question. That 12 is what is on the record, but what effectively he was saying 13 was that you had been violent to him and you did not deny it, 14 did you?</p> <p>15 A. That is not what we were speaking about. I was not in a place 16 to deny or agree with him. That was not the point of the 17 conversation. So, what he was saying is different. The 18 conversation he was wanting to have with me is different than 19 what I was responding to. I was trying to point out to him 20 the reality of the situation. Johnny had a nuanced 21 relationship with reality and I was just trying to point out</p>		
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22 to him how bad, how violent, how nasty this whole thing has
23 been, and how despite the fact that Johnny surrounded himself
24 with, had to surround himself with people who never could, or
25 would, hold him accountable to his actions, and even though he

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2 could not see what the reality of the damage he had done to me
3 or to us or to even to himself had been, to the world it would
4 be different. To the outside world that he was almost never
5 in contact with, it would be different.

6 You know, Johnny did not -- not only did he sever his
7 own finger while punching me and the wall, but he also only
8 had a can of mineral spirits, as he says, thrown at him
9 because he was attacking me and I had to escape. It seemed so
10 preposterous to me at the time that his perception of his
11 place in our dynamic, in our relationship, could be so skewed
12 that even he would not understand until it was too late

	<p>13 exactly how absurd it would be that he could claim any sort of</p> <p>14 victimhood. Johnny was twice my size and beat me up for five</p> <p>15 years. It seemed preposterous to me that he could or would</p> <p>16 ever think that his claims of victimhood were real or would</p> <p>17 work. I was trying to save him the embarrassment and this,</p> <p>18 frankly.</p>		
13.	<p>13 Q. Hilda Vargas had been looking after those dogs and cleaning up</p> <p>14 after them on a daily basis, had she not, up to the 21st?</p> <p>15 A. No, that is not true. Hilda did ----</p> <p>16 Q. Regularly ----</p> <p>17 MR. JUSTICE NICOL: Just a moment. (Pause) You say that is not</p> <p>18 true.</p> <p>19 THE WITNESS: That is not true. She occasionally might have to</p> <p>20 pick up after the dogs have -- Boo had had an accident</p> <p>21 downstairs, or around the house. But on the occasions in</p> <p>22 which Johnny's dog would lose control over its bowels in bed,</p>	Day 11 / 1764 to 1768	Human excrement in the bed – Shifting the blame on to Mr Depp for leaving cannabis out which Boo ate and shifting the blame on to Boo

	<p>23 which was a common occurrence with this dog, since she was a</p> <p>24 puppy, since the weed, she ----</p> <p>25 MR. JUSTICE NICOL: Just a minute. (Pause) When you say "since</p> <p style="text-align: center;">1766</p> <p>2 the weed", we have heard something about one of the dogs</p> <p>3 eating cannabis; is that what you are referring to?</p> <p>4 A. Yes. Johnny had bags of cannabis, you know, I guess they are</p> <p>5 called buds, the flowering -- the flowering part of the</p> <p>6 marijuana plant and when she was a puppy, she ate one, and we</p> <p>7 had to have ----</p>		
14.	<p>22 MS. LAWS: So, you have admitted punching him in the face there;</p> <p>23 that is right?</p> <p>24 THE WITNESS: No.</p> <p>25 Q. You have actually admitted violence there and you are not</p> <p style="text-align: center;">1770</p>	Day 11 / 1769 to 1773	Bathroom door tape (Exhibit Q) – Shifting the blame for her violence with the door on to Mr Depp by claiming (incomprehensibly) it was self-defence

	<p>2 saying it is in self-defence, are you?</p> <p>3 A. That is exactly what I am admitting to throughout the entire</p> <p>4 tape, is that it was in defence. You are seeing two things</p> <p>5 here, Ms. Laws. You are saying an example, an excerpt of a</p> <p>6 conversation which I would say reflects one of many</p> <p>7 conversations that Johnny and I had during the course of our</p> <p>8 relationship. It is also, as you admitted, was taken out of a</p> <p>9 bigger context but I will do my best to explain. In this</p> <p>10 particular moment, as Johnny was falling on to the door or</p> <p>11 falling on to the floor and screaming incoherently, I did not</p> <p>12 know it was happening, if he was passing out again. I had</p> <p>13 previously slept and rested next to the door, locked doors, in</p> <p>14 order to make sure he did not choke on his vomit while passed</p> <p>15 out. He falls against a door, it opens briefly, I try to get</p> <p>16 into the bathroom. I think we might have all done this, where</p> <p>17 someone on the other side cannot see you, you make contact</p> <p>18 with each other on the door, Johnny either pushes or falls</p>		
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19 against it and it runs over my toes. I, because there is a
20 door and him coming against me, pushing more on to my feet and
21 more on to me, I do anything I can out of instinct to push the
22 door and the weight of the door off of me in order to, in
23 order to get that off of me and causing more damage. That was
24 it. I tried to apologise, I tried to assert to him, over and
25 over again, I am not intending to hurt him. And I push his

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2 arms away from me and outside, and push the door frankly to
3 put, that was putting pressure on my body, to get it off of
4 me. If you knew how it was, have communication with Johnny
5 about our violence or our fights or anything in between, I
6 knew better than to fight with him about the details of the
7 fight and what he perceived as insult, injuries, or grievances
8 that fallen on him. My job was to just try to say, sorry, and
9 let us move on to the bigger point. Let us keep him on track

10 and talk about the other things. I had to, or else I would
11 have had -- I would not, only would I not have been able to
12 finish the conversation with Johnny, I would have made him
13 more mad, more enraged and he would have gotten even more
14 violent with me.

15 Q. Every time you are faced with a record or a tape of you
16 admitting to violence, or starting fights, you turn it around
17 and say you are defending yourself, do you not; that is what
18 you do, is it not?

19 A. I was there, and I remember it. I am just giving you context.

20 Q. Because in that tape you are clearly saying that you hit him?

21 A. I had to make contact with his arms in order to prevent him
22 from hurting me worse. That happens in these situations.

23 That is what happens when you are in this situation. That is
24 the truth. I was not wanting to get punched again, by

25 disagreeing with him. And that is exactly what would have

	2	happened if I had.		
15.	20	MR. JUSTICE NICOL: Well, you have asked whether Ms. Heard	Day 11 / 1844 to 1846 ... 1850 to 1852	Recording in Australia – Shifting the blame on to Mr Depp saying he was the one who made the audio recording despite it being on her phone
	21	recorded both recordings, and she has said no. Do you want to		
	22	ask her whether she recorded anything?		
	23	MS. LAWS: Did you record anything?		
	24	A. I do not recall.		
	25	Q. You do not remember?		
		1845		
	2	A. I did not know there were two recordings until you said so.		
	3	Q. Can we put it the other way round then. Did you record		
	4	anything? It sounds as if you are unsure?		
	5	A. I am unsure.		
	6	Q. You are not sure, so you might have done some recording?		
	7	A. I have no idea. I did not do the one I am aware of, but I do		
	8	not know what the other one is so I cannot speak to certainty		
	9	about its origin.		

10 Q. Have a think about it. You have described a really graphic
11 three days of severe violence and a hostage-type situation.

12 At any point during that, did you record it?

13 A. If I may, we only record, Johnny and I recorded each other
14 throughout the relationship, and that was only when there
15 would be some sort of therapeutic benefit to come from it at a
16 later date. However, Johnny had taken a massive amount, maybe
17 eight to ten MDMA just that first night alone ----

18 Q. Can I just ask you ----

19 A. ---- and then on the second night ----

20 Q. ---- to answer?

21 A. I am trying to. On the second night, he took even more, and
22 he did both in front of me. So there was no value, there was
23 no valuable conversation that was being had between us that
24 would have warranted recording. Therefore, I do not imagine
25 how I would have pushed "Record" on anything intentionally

2 because the only reason to do so was to, at a later date, be
3 able to speak about some of the issues that plagued the
4 relationship, primarily the drug and alcohol abuse.

5 MR. JUSTICE NICOL: Ms. Heard, I think we have had your answer
6 now, that you are not aware of having recorded anything, and
7 that when you did record things with Mr. Depp, it was for
8 purposes that you did not think would be served by recording
9 these incidents. Is that the answer; is that a summary of
10 your answer?

11 A. Yes. Yes.

...

4 A. I was not the one to make the recording. Johnny picked up
5 what I believe is my phone, and at the time, I could not have
6 any lock or password on my phone. It would have been a whole
7 other war. He picked up my phone and he was not saying many
8 coherent things. I was trying to understand him. He pushed

9	"Record", hence why I did not know this recording existed		
10	until way into my divorce or after.		
11	MR. JUSTICE NICOL: Just a minute. (Pause)		
12	MS. LAWS: So we have an acceptance by you that there was a		
13	recording done on your phone? I think that is what you are		
14	saying.		
15	A. That I found out about years later.		
16	Q. That you just found out later that Mr. Depp had done?		
17	A. It was years later. I remember him picking up the phone and		
18	saying he was going to record, but I could not possibly		
19	imagine that he would actually have figured that out in the		
20	state he was in. He was rambling incoherently. I thought he		
21	threw it, but maybe he just threw it down, I cannot recall.		
22	Then I went home some time later and found out about this		
23	recording out of the sheer length. It went on for, as I		
24	recall, seven or eight hours because the application on which		
25	you record just runs in the background until you turn it off		

	<p style="text-align: center;">1851</p> <p>2 or the phone dies, so unbeknownst to frankly anyone, it was</p> <p>3 sitting out on the floor or on the table at some point. No</p> <p>4 one knew it was recording.</p> <p>5 MR. JUSTICE NICOL: I think you have said that it was not you who</p> <p>6 pressed the record button.</p> <p>7 A. That is right.</p> <p>8 Q. But you think it was done on your phone?</p> <p>9 A. Because it later came up in my divorce proceedings.</p> <p>10 MS. LAWS: Yes, it is on your phone.</p> <p>11 A. Yes.</p> <p>12 Q. You are just making this up as you go along, are you not?</p> <p>13 A. No, ma'am.</p> <p>14 Q. None of that is in your statement, none of it?</p>		
16.	<p>Day 10:</p> <p>10 Q. You were given two weeks' worth of prepared day medication</p>	Day 10 / 1545 to 1546, Day 11 / 1849	Being medicated by Mr Depp's doctors – Shifting

<p>11 boxes for your travel to New York, that is the first bot of</p> <p>12 the entry. Do you have that?</p> <p>13 A. Yes.</p> <p>14 Q. "Client is visiting with assistant Savannah", Savannah is</p> <p>15 noted as being your assistant. Do you see that?</p> <p>16 A. Yes, I do.</p> <p>17 Q. And friends, Rocky and Josh?</p> <p>18 A. Yes.</p> <p>19 Q. Medication boxes, you were throughout the period of your</p> <p>20 marriage, and I am going to suggest before, taking a variety</p> <p>21 of quite strong medication, were you not?</p> <p>22 A. Johnny's doctor, Dr. Kipper, put me on all sorts of</p> <p>23 medications and, frankly, I have lost track of which ones.</p> <p>24 Q. Is the answer "yes"?</p> <p>25 A. Yes.</p> <p>1545</p>		the blame on to Mr Depp and his doctors
--	--	---

2 Q. I think we can hear on one of the tapes, but we will come on
3 to it, in fact during one of your rows with Mr. Depp, you
4 indicate that you had always taken the same medication, you
5 hardly varied it?

6 A. I have.

7 Q. So, I am going to suggest to you that you would have been
8 taking the medication you were on ----

9 MR. JUSTICE NICOL: Just a minute, please. When you said "yes",
10 do you mean that you did vary or you agree that did you not
11 vary the medication?

12 THE WITNESS: Thank you for giving me the opportunity to answer.
13 I have one medication that I have been on for most of my adult
14 life, and that has not varied, I have not changed that dose or
15 varied in its application at all. And that was the medication
16 that I had been on before Johnny, and after, and am still on
17 that medication, I take it as prescribed. However, Johnny's
18 doctor had me on a long list of medications, and they were

	<p>19 constantly being updated and changed. I could barely keep up</p> <p>20 with all the medications in order to keep me sedated or keep</p> <p>21 me calm, basically, to keep my body from responding to the</p> <p>22 world I was living in.</p> <p>Day 11:</p> <p>3 Q. Do you remember that now?</p> <p>4 A. No, again, I do not remember having done that. I do remember</p> <p>5 reading it this second, but I do remember that Johnny's</p> <p>6 doctors were trying to give me a lot of medication. They kept</p> <p>7 trying to medicate me. I remember fighting them on that ----</p>		
Day 12 – Wednesday 22 July			
17.	<p>10 Q. And that is a mark from when you stubbed a cigarette out on</p> <p>11 his cheek, is it not?</p> <p>12 A. Johnny did that.</p> <p>13 MR. JUSTICE NICOL: Just a minute. (Pause)</p> <p>14 MS. LAWS: You did it, did you not?</p> <p>15 A. No, Johnny did it right in front of me. He often did things</p>	Day 12 / 1880	Cigarette burn – Shifting the blame on to Mr Depp, claiming that it was self-harm

	<p>16 like that.</p> <p>17 MR. JUSTICE NICOL: I think I have understood that you agree that</p> <p>18 the mark that we can see in photograph 52 is the consequence</p> <p>19 of a cigarette being stubbed out on Mr. Depp's cheek, but you</p> <p>20 say Mr. Depp did that himself and you deny that you did it.</p> <p>21 A. Yes, that is correct.</p>		
18.	<p>16 THE WITNESS: I have referred to losing one's cool, as losing it</p> <p>17 instead of losing one's cool, in my life. I specifically</p> <p>18 denied referencing it to Ben King. I think that was what you</p> <p>19 asked me about yesterday. And I said if I did use that phrase</p> <p>20 or any version like it, I would have been asking about</p> <p>21 Johnny's behaviour, not my own.</p>	Day 12 / 1883	<p>"Have you ever been so angry you've lost it?" – Shifting the blame on to Mr Depp by claiming that these words would have been used in relation to Mr Depp's actions</p>
19.	<p>17 A. No. As you can see from the small amount of correspondence</p> <p>18 that you have just read, this was a process that had been</p> <p>19 going on for about six months, and I was out of the country</p> <p>20 filming a movie, I was not even there with Johnny. So, it was</p> <p>21 quite confusing to me what was going on, since, as I said in</p> <p>22 one of my e-mails to him, I do not understand why we are still</p>	Day 12 / 1889 to to 1904	<p>Australia dogs – Shifting the blame on to Mr Depp's lawyers, Ms Kate James and Mr Kevin Murphy</p>

23 e-mailing about this, if there is an a no go, if that means
24 they cannot simply not, and often as in my experience with
25 Johnny, if Johnny wanted something, it happened. We found a

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2 way to make it work out, and he told me when I landed -- I was
3 only in LA for a matter of hours before we got on his plane,
4 for his movie, on his flight, with his crew, with his staff,
5 for his movie, and I assumed everything had been taken care of
6 when he said it was all taken care of. I had no reason to get
7 any clarity on it.

8 Q. Can you go to file 4, please, tab 142.

9 A. File 4?

10 MR. JUSTICE NICOL: Can we put 2 away?

11 MS. LAWS: Yes, please.

12 MR. JUSTICE NICOL: Which tab in file 4?

13 MS. LAWS: Tab 142.

14 MR. JUSTICE NICOL: 142, page F883?

15 MS. LAWS: That is right. I am just going to ask a question about
16 it in a moment, but we have leapt ahead in time. I suggest to
17 that you it was laid out in black and white what the problem
18 was, that there just was not going to be enough time to take
19 them, unless you took them cargo. I am going to suggest, you
20 took the decision to take them anywhere, did you not?

21 THE WITNESS: It was not my decision.

22 Q. I am going to suggest it was your decision, all these messages
23 are between you and other people acting on your behalf on this
24 matter, are they not?

25 A. Johnny is the boss.

1890

2 Q. You are the boss, are you not, Ms. Heard?

3 A. I did not call any of the shots. This is Johnny's plane, this
4 is Johnny's staff, Johnny's crew for Johnny's travel.

5	MR. JUSTICE NICOL: Just a minute. (Pause) Yes.		
6	MS. LAWS: Let us have a look at these e-mails, because what		
7	followed, we all know, and I can deal with it, deal with it		
8	neutrally, is that you got caught?		
9	THE WITNESS: We both flew in, both Johnny and I with both of our		
10	dogs for his movie on his plane. We brought the dogs in plain		
11	sight.		
12	MR. JUSTICE NICOL: Just a minute. (Pause)		
13	A. We both filled up the same entry cards. We both signed the		
14	same things, and yet I was the only one that took the charges.		
15	Because if Johnny got charges, it would have further		
16	compromised Pirates, which was already comprised.		
17	MR. JUSTICE NICOL: Just a minute. (Pause)		
18	MS. LAWS: Ms. Heard, that is yet another occasion when I ask a		
19	question and you use it as an opportunity to say something		
20	negative about Mr. Depp.		
21	THE WITNESS: I did not say anything negative. I am just trying		

22 to tell you the story.

23 Q. Can I ask you to answer the question, which was you knew full

24 well you should not take those dogs in and you took them in

25 anyway; do you agree or disagree?

1891

2 A. Johnny told me that we could bring the dogs in. I was not

3 even there for more than a few hours. I flew in to ----

4 MR. JUSTICE NICOL: Just a minute. (Pause)

5 MS. LAWS: You did not have a single conversation with anyone

6 about it ----

7 A. Other than Johnny.

8 Q. ---- with your staff, about how they had managed to achieve

9 this?

10 THE WITNESS: Ms. Laws, I did not have a staff.

11 Q. What about Mr. Murphy?

12 A. That is Johnny's staff.

13 Q. All right. You did not have any more conversation with him,

14 the conversation stops there.

15 A. I was very confused. I was shooting another movie and it was
16 not my travel arrangements.

17 MR. JUSTICE NICOL: Just a minute. (Pause)

18 THE WITNESS: I am just trying to be helpful. It was Johnny's
19 plans, it was Johnny's movie, Johnny's staff, and Johnny's
20 dog. It was my dog and Johnny's dog, and we filled out the
21 same forms and I was the only one to get charged.

22 MS. LAWS: Can I ask you then who you were asking to take the
23 blame for this?

24 A. I took the blame. That is why I pled guilty.

25 MR. JUSTICE NICOL: Just a minute, please. (Pause)

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2 MS. LAWS: You were making efforts and you wanted to see if you
3 could shunt the blame on to Ms. James, did you not?

4 THE WITNESS: I pled guilty. Why would I need to do that?

5 Q. According to what you just said, the last you heard about what
6 was happening with the dogs was from Mr. Depp, so you did not
7 know who in fact had sorted it all out. It was a member of
8 his staff who must have done; is that right?

9 A. He had a large staff. There are many people responsible for
10 things at various points of the travel.

11 MR. JUSTICE NICOL: What was being asked was, did you know which
12 particular member of staff had sorted it out?

13 A. No, I did not know it required exactly.

14 MR. JUSTICE NICOL: Thank you.

15 MS. LAWS: So, there is absolutely no reason for you to be
16 e-mailing Martin Carl(?), and contacting Mr. Murphy about
17 trying to get Kate James to write a statement about it?

18 THE WITNESS: No. This is October 2015. This is after Marty
19 Singer, Johnny's lawyer had already stepped in when the
20 authorities were alerted to the dogs' presence, and they were
21 handling all communications. And shortly after we left

	<p>22 Australia I found out that I was going to be faced with the</p> <p>23 charges, and me alone; even though we flew in together and</p> <p>24 filled out the same paperwork and brought the same dogs.</p> <p>25 MR. JUSTICE NICOL: There is a point I have had in mind for a</p> <p style="text-align: center;">1893</p> <p>2 little time now, and I think I can ask Ms. Heard about it. As</p> <p>3 I have understood it, the charge you faced was bringing a dog</p> <p>4 into Australia, although you had said in some form or another</p> <p>5 that you were not bringing a dog into Australia.</p> <p>6 THE WITNESS: The entry card, yes, the entry cards include that</p> <p>7 there are no illegal plants or animals being brought in with</p> <p>8 you, and I had travelled often with the dogs with Johnny, and</p> <p>9 the paperwork often included separate paperwork that did not</p> <p>10 list your travel dogs as one of the things had you to mark on</p> <p>11 the, on the intake forms upon entering. So, I mistakenly, so</p> <p>12 did Johnny, filled out the form thinking that it was separate</p> <p>13 paperwork that needed to be filled out to indicate dogs that</p>		
--	--	--	--

14 we were travelling with as pets. We both filled out these
15 forms. But because Johnny was, had already comprised filming
16 because of his finger and the amount of time that derailed
17 production, it became clear to me through Johnny's attorneys,
18 that if I took the charges, because I am significantly less,
19 you know, have a lesser profile, if you were, in the press,
20 that it would somehow make it so that his job was less
21 threatened than it already was. So, I took the charges, and
22 I accepted that I filled out the form incorrectly and that it
23 represented a falsehood.

24 Q. Just a minute. (Pause) I think that the charge was knowingly
25 making a false statement, and you agreed that you knew it was

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2 false because you knew you had the dog with you?

3 A. Exactly. That is ----

4 MR. JUSTICE NICOL: Just a minute. (Pause) That concludes what

5 I wanted to ask. Wait for Ms. Laws' next question.

6 MS. LAWS: I was about to take you to some e-mails that postdate
7 this, but as we have dealt with that point, I wonder if
8 I could take you -- so you might have to put that file to one
9 side -- just to deal with a particular point about what it was
10 that you did sign, that his Lordship has just raised. If you
11 can, it is file 5.1. So, you can either put it away or put it
12 to one side.

13 A. And 2.1, you previously told me to put to the side. Maybe
14 I can put that away for now.

15 Q. Wherever it can go. (Pause)

16 MR. JUSTICE NICOL: Did you say 2.1?

17 MS. LAWS: The file I have asked for is 5.1. 2.1 was Ms. Heard's
18 reference.

19 MR. JUSTICE NICOL: Yes.

20 MS. LAWS: Tab 201B, it is right at the top. This, my Lord, just
21 to put it in context, is in fact a transcript of proceedings
22 at the magistrates' court in Southport on 18th April 2016.

23 So: "On 21st April 2015, a private plane arrived at the
24 Brisbane airport and was met by quarantine and customs
25 officers ----"

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2 MR. JUSTICE NICOL: You are reading from?

3 MS. LAWS: F1303.5, right at the top. "On 21st April 2015, a
4 private plane arrived at the Brisbane airport and was met by
5 quarantine and customs officers. Ms. Heard was on board that
6 plane, as were the dogs....(reads to the words)... the answer
7 was false."

8 MR. JUSTICE NICOL: That was the nature of the charge.

9 MS. LAWS: That was the nature of the charge that you pleaded
10 guilty to, is it not?

11 THE WITNESS: That is correct.

12 Q. So, just dealing with that point, you knew it was false, you
13 knew you were taking those dogs in and you knew that you were

14 not allowed to, did you not?

15 MR. JUSTICE NICOL: Well, the charge was bringing the dogs in,
16 having said that she was not bringing the dogs in.

17 MS. LAWS: Yes.

18 MR. JUSTICE NICOL: And the plea to that charge of guilty assumes
19 that it was knowingly false.

20 MS. LAWS: Yes.

21 MR. JUSTICE NICOL: What was the question you were asking?

22 MS. LAWS: The question was, you were taking those dogs in there
23 knowing that you did not have the proper paperwork, were you
24 not?

25 THE WITNESS: That is different, no. I thought we had the proper

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2 paperwork.

3 MR. JUSTICE NICOL: Just a minute. (Pause)

4 THE WITNESS: It is different. (Pause) And so did Johnny.

5 MS. LAWS: Put aside Mr. Depp yet again for the moment. It is you

6 we are talking about now.

7 A. We both signed it.

8 Q. Yes, but I am asking you about you. We will get through this

9 a lot quicker if you restrict your answers to the questions

10 that I ask.

11 A. Sure.

12 Q. You knew you did not have the paperwork, otherwise you would

13 not have ticked that box, would you?

14 A. No, I thought because we had that paperwork I should tick that

15 box.

16 MR. JUSTICE NICOL: Just a minute. (Pause) Yes.

17 THE WITNESS: It is that mistake that I pled guilty to.

18 MS. LAWS: It is complete nonsense to suggest that by ticking a

19 box saying you were not bringing animals in, nobody would do

20 that if ----

21 A. I can answer that if you are asking me why.

22 Q. Nobody would do that if they thought they had the paperwork,

23 would they?

24 A. That is how you used to have to fill it out when you entered
25 the United States, it was a different form than the normal one

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2 that was on the intake card, when I used to travel with just
3 (unclear).

4 Q. If you can go back to file 4, can you take that out, please.

5 Do you have that, tab 142?

6 A. I do.

7 Q. You have told us that you did not know which member of staff

8 sorted it out. But what we see here, and I am going to take

9 you through it, are e-mails which show you are trying to find

10 someone to take the blame for you, and that someone is

11 Ms. James, is it not?

12 A. Absolutely not. She did not work for me any more.

13 Q. That is why you were picking on her, because she was no longer

14 working for you?

15 MR. JUSTICE NICOL: Just a minute. The question of whether you

16 were finding somebody to take the blame for you, do you agree

17 or disagree with that?

18 THE WITNESS: No. I had already pled guilty.

19 Q. Then, the question was about Kate James, was Kate James the

20 person that you were asking to take the blame for you?

21 A. No.

22 MS. LAWS: Let us have a look here at these e-mails, because this

23 is what they are all about, is it not? It is you to Martin

24 Carl at F883, my Lord, file 4.

25 MR. JUSTICE NICOL: Which tab?

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2 MS. LAWS: 142.

3 MR. JUSTICE NICOL: Which page do you want to go to at the top?

4 MS. LAWS: We start at the top. October 9th, it is you to

5 Martin/Carl. It is Carl Martin, is it not?

6	A. No.		
7	Q. What is the name of the person you are e-mailing?		
8	A. Carl Austin and Marty Singer.		
9	Q. Sorry. "It was great, I will procure that statement ...(reads		
10	to the words)... that would be great." Overleaf, rather		
11	confusingly, if you go to F884 to the bottom, we have, from		
12	Mr. Singer to you, so underneath the message from Carl Austin,		
13	do you see it, October 11th 2015?		
14	A. Yes.		
15	Q. Carl Austin in fact is your entertainment lawyer, is he not?		
16	A. Yes, he is.		
17	MR. JUSTICE NICOL: Just a minute. (Pause) Yes.		
18	MS. LAWS: If you go to F885 I can read it out easier in full.		
19	"If you look at my e-mail below on October 9 ...(reads to the		
20	words)... if you ask her not to be truthful."		
21	MR. JUSTICE NICOL: This is from Marty Singer, is it?		
22	MS. LAWS: Yes. To you, is it not, Ms. Heard?		

23 THE WITNESS: Yes.

24 Q. So, Ms. James is lying, is she, when she gave an account about
25 this?

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2 A. I do not know -- did she give an account about this?

3 Q. You wanted her, did you not, to make a statement that was a
4 lying statement, to take responsibility?

5 A. No. I did not need to. I was pleading guilty.

6 MR. JUSTICE NICOL: Let me just make -- you wanted her to make a
7 lying statement, and you have denied that was the case?

8 A. That is correct.

9 MS. LAWS: You ended up having to ask, or you did ask Kevin
10 Murphy, and he did it all for you, did he not, he lied?

11 A. I do not know if he was able to reach out to Kate.

12 Q. He ended up making a statement ----

13 MR. JUSTICE NICOL: The question was concerning Mr. Murphy, but

14 what was the question that Ms. Heard was asking Mr. Murphy to
15 do?

16 MS. LAWS: We have dealt with it in the e-mail. You were asking
17 Mr. Murphy to see if Kate James would lie for you, were you
18 not?

19 THE WITNESS: No, I was asking Kevin Murphy to get a statement
20 from Kate, amongst other people that I had worked about, in
21 order to prove that we had many times travelled with the dogs,
22 attempted to follow all legal protocol, and that we had many
23 times, many times before, had tried to do so legally,
24 including this time, when we attempted to start the process in
25 order to show that there was an attempt, a longstanding

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2 attempt to go about this process legally. I did not need to
3 ask anyone to lie for me. Why would I? I had already pled
4 guilty.

5	Q. Mr. Murphy did lie for you. He in fact made a statement, in		
6	fact, essentially blaming the paperwork omission on Kate		
7	James, did he not?		
8	A. I have seen many versions of Kevin Murphy saying things that		
9	contradict himself for various reasons.		
10	Q. Do not worry about whether he contradicts himself; is that		
11	what he did, he seems to suggest that is what he did?		
12	MR. JUSTICE NICOL: If you are asking about Mr. Murphy's statement		
13	for the Australian proceedings, we have that. Can you remind		
14	me where it is?		
15	MS. LAWS: If I may have a moment, it is at the back of his new		
16	statement. I will get a reference for you in a moment, if		
17	I may. (Pause) While we wait for that reference, if		
18	Mr. Murphy ----		
19	MR. JUSTICE NICOL: I think it has been -- do you want to deal		
20	with the reference now?		
21	MS. LAWS: Yes, please, then. If we can put file 4 away and go to		

22 file 2, it is tab 59D. The statement is at D237 .21.

23 THE WITNESS: 21?

24 Q. D237.21. Then, you will see the statement of Kevin Murphy,

25 overleaf, it is signed by him dated 20th October 2015. At the

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2 bottom of paragraph 4, just to read out, talking about in

3 connection with travel arrangements: "If the necessary

4 travel-related paperwork cannot be obtained either Ms. James

5 or I would notify Mr. Depp and Mrs. Depp, otherwise Mr. Depp

6 and Mrs. Depp would not be notified." In this case you had

7 been notified initially, had you not? We have just seen

8 messages.

9 A. Are you asking me?

10 Q. Yes, I said "have you not".

11 A. What? I am sorry.

12 Q. You were notified about the problems in the travel by

13 Mr. Murphy ----

14 A. I was notified along the way that there were all sorts of back
15 and forths.

16 Q. "In fact, there have been several instances when the dogs have
17 not travelled internationally because the necessary
18 travel-related paperwork could not be obtained in time
19 ...(reads to the words)... for the dogs to legally travel."

20 That was a complete lie by Mr. Murphy, was it not, at your
21 request?

22 A. I have no idea which of these statements reflect his truth.

23 MR. JUSTICE NICOL: Just a minute. (Pause)

24 MS. LAWS: Even on your version of events, that is a lie
25 because ----

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2 MR. JUSTICE NICOL: Just a minute.

3 MS. LAWS: Sorry.

4	MR. JUSTICE NICOL: You asked whether there was a lie by		
5	Mr. Murphy in relation to the last sentence at paragraph 5,		
6	and Ms. Heard said that she has no idea of whether that was		
7	true. What was the next question, please, Ms. Laws?		
8	MS. LAWS: The next question was, even on your own account, that		
9	would not be correct, because your account is that it was all		
10	Mr. Depp's responsibility, so it was not anyone on your staff		
11	or payroll who was organising this?		
12	A. That is not true. Kate had been fired in early February 2015.		
13	I travelled with Johnny and his staff, on his plane, to go to		
14	shoot his movie or to accompany him on his movie, in April of		
15	2015, some time after my assistant ----		
16	MR. JUSTICE NICOL: There was the time when Mr. Depp injured his		
17	finger, and that was March.		
18	A. Yes.		
19	Q. You then, as we have heard, flew back to Los Angeles with		
20	Mr. King, and then you went out again to Australia, I think,		

21 in April 2015?

22 A. 21st. April 21st, 2015. By that time, my assistant had been
23 fired. She would have had contact and been responsible for
24 handling some version of this and helping Mr. Murphy, who had
25 the primary responsibility in handling such things. However,

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2 she would have stopped doing that after her termination.

3 MS. LAWS: In the messages we have seen -- I do not want to spend
4 too much time on it because the messages are what they are --
5 in the messages that we see between you and Mr. Murphy, he is
6 dealing with the arrangements. At no stage is Ms. James
7 mentioned. You just brought her in for the purpose of these
8 proceedings in Australia, did you not?

9 A. I disagree.

10 MR. JUSTICE NICOL: Just a minute. (Pause)

11 THE WITNESS: In fact, there are many communications between ----

	<p>12 MS. LAWS: If Kevin Murphy had not made that statement, the charge</p> <p>13 against you would have been far more serious.</p> <p>14 A. No, I pled guilty and stood charges as such for that plea.</p>		
20.	<p>18 MS. LAWS: My Lord, what I was asking about is file 2, tab 56,</p> <p>19 please, D197. It is the very last page. Some of the numbers</p> <p>20 may not have been printed on your Lordship's copy. This is an</p> <p>21 e-mail: "Subject: Pistol and Boo", dated 21st September 2013,</p> <p>22 from you to Kate James, when she was your assistant. That is</p> <p>23 right, is it not?</p> <p>24 A. Yes, it appears to be that.</p> <p>25 Q. You say: "Can you maybe help Kevin procure a slightly altered</p> <p style="text-align: center;">1905</p> <p>2 health document that has their shots recorded as two days</p> <p>3 before so they can all leave together on 25th. Do we have a</p> <p>4 vet we can grease? Connection?"</p> <p>5 A. Are you asking me something?</p> <p>6 MR. JUSTICE NICOL: Do you agree, first of all, that you sent that</p>	Day 12 / 1905, 1906	Vet email – Ms Heard sought to avoid responsibility for asking if they was a vet they could “grease” saying she had used Mr Depp’s words and it was sent at his request.

	<p>7 e-mail?</p> <p>8 A. I sent it at Johnny's request. That is his language. You</p> <p>9 see, I was not ----</p> <p>10 Q. You sent that e-mail at Mr. Depp's request.</p> <p>11 A. He told me ----</p>		
21.	<p>7 Q. Moving on then, there is just one point in the restraining</p> <p>8 order, just to come back to a short point. On the restraining</p> <p>9 order -- we have had the footage played to you of 27th May</p> <p>10 yesterday -- there are two questions that I want to ask.</p> <p>11 There is no limitation whatsoever upon you or your lawyers as</p> <p>12 to how much detail is in an application, is there?</p> <p>13 A. I am not sure I ----</p> <p>14 MR. JUSTICE NICOL: Just a minute. (Pause)</p> <p>15 MS. LAWS: Let me rephrase the question. You were not limited in</p> <p>16 any documents you served on the court as to what you could or</p> <p>17 could not say, were you?</p> <p>18 A. That is not true. I was told that we had to keep it brief,</p>	Day 12 / 1991	TRO declaration length – Shifting the blame on to her lawyers for failure to detail alleged full history of abuse in her TRO application

	19 but I am not a lawyer so I was just going off of my attorney's 20 advice.		
22.	25 A. There are a few correct words in here that "no one is ever 2000 2 going to hire you, you're washed up, and you will die", those 3 are correct. 4 MR. JUSTICE NICOL: Just a minute. (Pause) That is correct as 5 something that you said to Mr. Depp? 6 THE WITNESS: No. It is correct in that it was said, that was 7 Johnny saying that to me. Johnny from about a year on ---- 8 Q. Where it is been attributed to you, it is wrong that it was 9 attributed to you, but it is right that those words were said, 10 but actually they were said by Mr. Depp? 11 A. Yes. He continued to say them to me throughout and even after 12 the divorce, as he continued to threaten my job.	Day 12 / 2000, 2001	Denying responsibility for her own words and phrases in argument in the Bahamas – Instead attributing them to Mr Depp and thereby shifting the blame
Re-examination of Amber Heard			
23.	23 MS. WASS: In fact, the answer was, my Lord: "Johnny did it right	Day 12 / 2012, 2013	Cigarette burn on Mr Depp - Shifting

	<p>24 in front of me. He often did things like that." Anyway,</p> <p>25 my Lord has indicated that I can ask about this.</p> <p style="text-align: center;">2012</p> <p>2 (To the witness) You said in answer to Ms. Laws that</p> <p>3 there was an occasion in Australia when Mr. Depp put the</p> <p>4 cigarette out on his face. Was that something that you saw</p> <p>5 with your own eyes?</p> <p>6 THE WITNESS: I was standing right in front of him.</p>		<p>the blame on to Mr Depp claiming he injured himself</p>
<p>24.</p>	<p>15 MS. WASS: Perhaps we can go through the letter and can I just ask</p> <p>16 you some questions about it. This is signed by you, do you</p> <p>17 agree?</p> <p>18 A. Yes, it is.</p> <p>19 Q. Did you compose the letter?</p> <p>20 A. I did not.</p> <p>21 Q. Can you say who did compose the letter?</p> <p>22 A. Savannah.</p> <p>23 Q. Did you read the letter ----</p>	<p>Day 12 / 2024 to 2025 and 2027</p>	<p>Savannah Mcmillan letter – Shifting the blame on to Savannah Mcmillan for writing the letter to Homeland Security</p>

24 MR. JUSTICE NICOL: Sorry, Savannah?

25 A. Savannah composed the letter.

2024

2 Q. When we have been talking about Ms. McMillen, on this subject,
3 we are talking about Savannah McMillen, are we not?

4 A. Yes, it is unfortunate, I know.

5 MS. WASS: It might be easier if I refer to her by her first name
6 for the purposes of this part of the case. So Savannah wrote
7 this letter?

8 A. Yes.

9 Q. Can I just take you to it. It is dated 28th September 2014.
10 It says, "To whom it may concern. My name is Amber Heard.
11 I am a proud, lawful American citizen." Was that your choice
12 of words?

13 A. No.

14 Q. "I am writing this letter in response to a fraudulent report

15 made against my English friend, Savannah McMillen. It has
16 come to my awareness that while spending time visiting me in
17 the United States, someone made a false claim against her,
18 stating without any proof of corroboration, she was unlawfully
19 working for me." Again, was that your choice of words in
20 that?

21 A. Those are not mine, exactly.

22 MR. JUSTICE NICOL: Ms. Wass, you have established that the letter
23 was composed by Savannah McMillen. That is for you, but I am
24 not sure whether it is necessary to go through each phrase.

...

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3 Q. You have told us that this was not your choice of words, this
4 document. Did you have any hesitation about signing the
5 information, putting your name to this information?

6 A. No, while I might have chosen different words, I thought it
7 reflected the truth, so I did.