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JOHN T. FREY  
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FAIRFAX COUNTY

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

**John C. Depp, II,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **Amber Laura Heard,** )  
 )  
 **Defendant.** )  
 )

**Civil Action No.: CL-2019-0002911**

**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OPPOSITION TO PLAINTIFF AND COUNTERCLAIM DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT RE: COUNTERCLAIM OF AMBER HEARD**

Elaine Charlson Bredehoft (VSB #23766)  
Adam S. Nadelhaft (VSB #91717)  
Clarissa K. Pintado (VSB 86882)  
David E. Murphy (VSB #90938)  
Charlson Bredehoft Cohen Brown & Nadelhaft, P.C.  
11260 Roger Bacon Drive, Suite 201  
Reston, VA 20190  
(703) 318-6800  
[cbredehoft@cbcblaw.com](mailto:cbredehoft@cbcblaw.com)  
[anadelhaft@cbcblaw.com](mailto:anadelhaft@cbcblaw.com)  
[cpintado@cbcblaw.com](mailto:cpintado@cbcblaw.com)  
[dmurphy@cbcblaw.com](mailto:dmurphy@cbcblaw.com)

J. Benjamin Rottenborn (VSB #84796)  
Joshua R. Treece (VSB #79149)  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
(540) 983-7540  
[brottenborn@woodsrogers.com](mailto:brottenborn@woodsrogers.com)

For years, Mr. Depp abused Ms. Heard in all types of ways, before and during their marriage. After Ms. Heard escaped her marriage – only after obtaining a domestic violence restraining order (“DVRO”)– Mr. Depp was not satisfied simply to allow Ms. Heard to move on with her life. Instead, he continued to victimize her by repeatedly telling friends in profanity-laced messages that he would destroy her, would never stop, and wanted her replaced on an upcoming film. Mr. Depp then filed this frivolous lawsuit, claiming he never abused Ms. Heard, and falsely characterizing her allegations as an “elaborate hoax to generate positive publicity for Ms. Heard and advance her career”; “hoax allegations”; an “attention-seeking hoax”; and “false allegations of domestic abuse against Mr. Depp to execute her hoax.” Compl. ¶¶3, 5, 23, 32.

Not content to let a jury decide this lawsuit, Mr. Depp used his attorney, Adam Waldman, to orchestrate a false and defamatory smear campaign against Ms. Heard that has included false and defamatory statements to reporters repeatedly accusing Ms. Heard of being a liar and a hoax artist and accusing Ms. Heard of the crime of perjury. This stream of false and defamatory statements against Ms. Heard is designed to ruin her life and career, simply because she was a victim of domestic abuse and violence at the hands of Mr. Depp and had the courage to finally come forward to end the abuse and violence.

Mr. Depp hoped to hide from liability for his defamation by relying on Mr. Waldman – his agent. But Virginia law does not permit a person to defame someone through his agent and escape liability. *Fuste v. Riverside Healthcare Ass'n, Inc.*, 265 Va. 127, 134 (2003) (defamation founded upon statements made by an authorized agent). Mr. Depp then imposed the attorney-client privilege for questions to Mr. Depp and Mr. Waldman respecting all aspects of the statements (other than to permit Mr. Waldman to admit he made the statements at issue), now contending that Ms. Heard cannot prove that Mr. Waldman’s work for Mr. Depp included the authorization to

make the statements at issue as Mr. Depp's agent. But he cannot impose the shield and then hide behind it. Authorization can be inferred, and here, where Mr. Waldman has been Mr. Depp's lawyer since 2016, where Mr. Waldman prepared false declarations on behalf of Mr. Depp, leaked tapes to the media on behalf of Mr. Depp, and falsely tried to initiate a perjury investigation against Ms. Heard on behalf of Mr. Depp (all of which Mr. Depp was aware of), where Mr. Waldman admitted making the statements at issue, and all three statements at issue identify Mr. Waldman as Mr. Depp's lawyer, authorization is clear. Absent denial, which Mr. Depp chose refuse to respond, authorization can clearly be inferred by the jury.

Mr. Depp is liable for Mr. Waldman's false statements against Ms. Heard, which this Court has already held are not opinions. Moreover, it is for the jury to decide whether the statements were made with actual malice – which they were, because both Mr. Depp and Mr. Waldman knew the statements are false. Finally, the statements constitute defamation *per se*, and therefore damages to Ms. Heard's personal and professional reputation, embarrassment and humiliation, are presumed. Mr. Depp's Motion for Summary Judgment should be denied.

### MATERIAL FACTS

On May 27, 2016, Ms. Heard walked into California state court with bruises on her face to seek the protection of a DVRO against Mr. Depp. Compl. ¶2. Ms. Heard submitted photos and affidavits reflecting Mr. Depp's acts of domestic violence against her, and the court granted Ms. Heard a temporary restraining order on the strength of that showing.

Since that time, Mr. Depp has unlawfully targeted Ms. Heard in an ongoing harassment and online smear campaign to damage her emotionally, reputationally and financially. Mr. Depp has admitted his intention to destroy Ms. Heard's career, stating, that he [REDACTED] [REDACTED] referencing the blockbuster hit *Aquaman*. Att. 1. Also, Mr. Depp

texted his friend Christian Carino (Ms. Heard's former agent and now Mr. Depp's agent) the following about Ms. Heard: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Att. 2.

This is only the tip of the iceberg reflecting Mr. Depp's misogyny, deep inner anger and hatred of Ms. Heard, and his attendant "justification" in his mind, of his violence and abuse towards Ms. Heard. In other texts over the years, Mr. Depp repeated threats to harm Ms. Heard. He told his nurse in 2019 that Ms. Heard was "[REDACTED]" and threatened "[REDACTED]

[REDACTED]" Att. 3. He called Ms. Heard the most horrendous of names, including "[REDACTED]," an "[REDACTED]," a "[REDACTED]," and "[REDACTED]." Atts 4-6.

Mr. Depp also threatened in early 2019 that "[REDACTED]

[REDACTED]

[REDACTED]" Att. 4.

To help accomplish this task of destroying Ms. Heard, Mr. Depp hired Adam Waldman as his attorney. Mr. Waldman has been Mr. Depp's attorney since October 2016, having been referred to Mr. Depp by representatives of Saudi Prince Abdulaziz bin Salman to discuss a financial problem Mr. Depp was having. Att. 7, 11:9-13:15, 15:1-16:2, Att. 8, 601:5-605:7. Mr. Waldman has

represented Mr. Depp in many litigations, including the UK Action, and in this matter. **Att. 7**, 28:2-32:21. Mr. Depp considers Mr. Waldman “a trusted advisor.” **Att. 8**, 605:13-14.

Mr. Waldman, on behalf of Mr. Depp, attempted to intimidate and threaten witnesses to influence their testimony in a manner adverse to Ms. Heard. For example, on June 22, 2019, Mr. Waldman wrote to Laura Divenere

I assume you are fearful of something and you needn't be. I wanted to talk to you specifically because ***I heard from Johnny*** and others that you are a nice person and more importantly, I have you all over the surveillance video immediately after the May 21 ***faked abuse claims***,... You were with her immediately prior to and immediately after ***she created this hoax***.... So the question for you to consider is: do you want to speak with me off the record and we can consider together if and how to use any eyewitness account you provide, regarding which I would be very respectful of your wishes and sensitivities, ***or do you want to remain on the side of the hoax... If it's the latter we will send you a subpoena to compel your appearance in sworn testimony.***

**Att. 9** (emphasis added). Less than a year later, on May 17, 2020, Mr. Waldman, on behalf of Mr. Depp, wrote Ms. Divenere's counsel and threatened legal action when she claimed that she was pressured into agreeing to submit a declaration:

***My name is Adam Waldman, and I represent Johnny Depp.... I read with some surprise the story in today's Hollywood Reporter the assertion that your client claimed I improperly pressured her to participate in her sworn declaration.... I do not let false statements like these, ascribed to your client, about me or any client sit more than one business day without responding with supporting evidence....I intend to take action tonight regarding news reports that I have behaved inappropriately.***

**Att. 10**. Ms. Divenere testified that Mr. Waldman threatened her with negative consequences if she did not cooperate with him, including perjury if she did not sign the declaration he wanted her to sign. **Att. 11**, 15:16-18:6; 30:3-36:15. Ms. Divenere also testified that Mr. Depp represented to the world that her declaration was proof of Ms. Heard lying, when in fact, Ms. Divenere does not believe Ms. Heard lied. *Id.* 41:19-48:7. Ms. Divenere testified that she felt coerced by Mr. Waldman to sign the declaration. *Id.* 31:9-13.

Mr. Waldman was clear that he was performing this work on behalf of Mr. Depp, and that it was Mr. Depp who told Mr. Waldman Amber's abuse allegations were a hoax. For example, Mr. Waldman wrote to one witness, "*Johnny depp's lawyer Adam waldman here.... I know from Johnny, as with other hoax claims* where we have multiple eyewitnesses, that it was amber who assaulted Johnny." **Att. 12**; *See also Att. 13* (Mr. Waldman writes to another witness, "As discussed with Debbie, and then with Johnny, we can send you a friendly subpoena if it helps alleviate any concerns about being legally compelled.")

As part the campaign to smear Ms. Heard, Mr. Waldman and Mr. Depp also contacted the media to falsely call Ms. Heard a liar and a hoax artist. This not only included the main stream media, but also social media accounts, including "That Umbrella Guy," "ThatBrianFella," and "TheRealLauraB," which regularly attacked Ms. Heard. **Att. 7**, 216:15-219:10. Mr. Waldman also regularly Tweeted about the facts of this case, the Counterclaim and Ms. Heard, **Att. 14**, until his Twitter account was revoked for life for his conduct. **Att. 7**, 55:15-56:13.

In November 2018, Mr. Depp invited a *GQ* journalist to interview him to provide "the truth Johnny Depp wants you to hear" because, according to Mr. Heath, Depp was "angry – angry about a lot of things – and he's vengeful." **Att. 15**. Mr. Depp falsely alleged that there was "no truth to [Ms. Heard's judicial statements of abuse] whatsoever" and alleged that Ms. Heard fabricated the bruising on her face and perjured herself in connection with the 2016 DVRO. *Id.*

Mr. Depp then used Mr. Waldman to further the perjury lie. Mr. Waldman informed a German outlet that the "LAPD and Australia are actively pursuing a criminal investigation against Amber Heard." **Att. 16** But the LAPD was not investigating Ms. Heard for perjury or any other criminal activity, which Mr. Waldman now admits. In fact, the only "evidence" of this supposed

“investigation” was that Mr. Waldman brought a binder of information to the LAPD and asked them to investigate Ms. Heard. **Att. 7**, 220:19-231:6.

On April 12, 2019, Mr. Waldman accused Ms. Heard of committing a “hoax” as well as committing “defamation, perjury and filing and receiving a fraudulent temporary restraining order demand with the court,” by accusing Ms. Heard of not being attacked by Depp. **Att. 17**. The article attributed these quotes to “Depp’s lawyer, Adam Waldman.” *Id.*

The defamation by Mr. Depp, through Mr. Waldman continued, when in June 2019, he stated that “Ms. Heard continues to defraud her abused hoax victim Mr. Depp, the #metoo movement she masquerades as the leader of, and other real abuse victims worldwide.” **Att. 18**. Like the previous article, the quote was attributed to “Depp’s attorney, Adam Waldman.” *Id.*

On July 2, 2019, Mr. Depp, through Mr. Waldman, told Blast that Ms. Heard, “went to court with painted on ‘bruises’ to obtain a Temporary Restraining Order on May 27.” **Att. 19**. The next day, Mr. Waldman continued Mr. Depp’s defamation of Ms. Heard when he stated to People magazine that “Ms. Heard’s ‘battered face’ was a hoax.” **Att. 20**. Both articles described Mr. Waldman as Mr. Depp’s attorney.<sup>1</sup>

Mr. Depp, through Mr. Waldman, continued to claim that Ms. Heard was committing perjury, when he stated to the Daily Mail on April 8, 2020 that “Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and shield, depending on their needs. They

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<sup>1</sup> The Court held that all of these statements were defamatory, but dismissed Statements A-E of the Counterclaims as being time-barred. 1/4/21 Op. at 4-10.

have selected some of her sexual violence hoax ‘facts’ as the sword, inflicting them on the public and Mr. Depp.” **Att. 21.** The article attributed the quote to “Adam Waldman, Depp’s lawyer.” *Id.*

Previously, Mr. Waldman and Mr. Depp met with the Daily Mail to leak partial audio recordings of Mr. Depp and Ms. Heard. **Att. 7,** 102:11-122:14. Mr. Waldman testified specifically that “Mr. Depp was with me when we had this meeting.” *Id.* 104:17-20. Mr. Waldman’s *pro hac vice* admission in this case was revoked for leaking confidential information. **Att. 22.**

Then on April 27, 2020, Mr. Depp, again using Mr. Waldman as his conduit, told the Daily Mail that “Quite simply this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn’t do the trick. The officers came to the penthouses, thoroughly searched and interviewed, and left after seeing no damage to face or property. So Amber and her friends spilled a little wine and roughed the place up, got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911.” **Att. 23.** Like all of the other articles, the quote was attributed to “Depp’s lawyer Adam Waldman.” *Id.*

Finally, on June, 24, 2020, Mr. Depp, again through Mr. Waldman, falsely accused Ms. Heard in the Daily Mail of committing an “abuse hoax” against Depp. **Att. 24.** The article stated that the quote was from “Depp’s attorney Adam Waldman.” *Id.* Mr. Waldman’s statements came from him directly, and through Mr. Depp’s longtime publicist, Robin Baum, who forwarded Mr. Waldman’s statements on behalf of Mr. Depp to media outlets. **Att. 25.**

For each of the defamatory statements at issue, Mr. Waldman refused to answer any questions based on privilege: “Did you make that statement on behalf of Mr. Depp?”; “Why did you make the statement?”; “Were you representing Mr. Depp at the time you made this statement?”; “Did you discuss the statement with Mr. Depp before making the statement?”; “Did you discuss the statement with Mr. Depp after making the statement?”; “Was Mr. Depp aware, either before or



after, that you were making this statement?"; "Did you make this statement with Mr. Depp's authorization or agreement?"; "Was Mr. Depp aware that you were speaking with the press?"; "Did Mr. Depp ever ask you to retract or correct this statement?"; and "Did you rely upon any statements or evidence from Mr. Depp in making this statement?" Att. 7 Waldman Tr. 64:4-68:4, 69:12-73:21, 77:4-80:2. Mr. Depp also refused to answer the same questions. Att. 8.

But the evidence is clear that Mr. Depp was well aware of Mr. Waldman's activities on Mr. Depp's behalf. When Mr. Depp's manager told Mr. Depp, "[REDACTED]" Mr. Depp responded:

[REDACTED]

Att. 26 (emphasis added). Mr. Depp is responsible for these actions.

#### LEGAL STANDARD

As the Virginia Supreme Court has long held, "the decision to grant a motion for summary judgment is a drastic remedy which is available only where there are no material facts genuinely in dispute." *Smith by Rosen v. Smith*, 254 Va. 99, 103 (1997) (affirming the trial court's decision denying summary judgment because "there were genuine issues of fact in dispute and that summary judgment was premature at that stage of the proceedings."). This includes cases where a plaintiff files a claim for defamation. *Parson v. Carroll*, 272 Va. 560, 564 (2006) (reversing Circuit Court grant of summary judgment on defamation claim based on alleged physical and sexual abuse and holding that "a circuit court's decision granting a summary judgment motion is an extreme remedy."). Additionally, "in our discovery rules, we have cautioned that discovery ordinarily

should not supplant the taking of evidence at a trial.” *Smith by Rosen*, 254 Va. at 103-04. As the Supreme Court has held, in tort actions, a plaintiff who alleges that she was injured due to the negligence of another has no duty, to defeat a motion for summary judgment, to fully develop her allegations of negligence during discovery. *Owens v. Redd*, 215 Va. 13, 14 (1974) (“The record shows that plaintiff’s allegations of negligence of Coca-Cola and Allegheny were not fully developed in the discovery depositions. She was under no duty to fully develop her allegations of negligence of the defendants at that time); *O’Brien v. Snow*, 215 Va. 403, 405 (1974) (no duty to fully develop claim of willful and malicious conduct in depositions or answers to interrogatories).

In this context, the Supreme Court has repeatedly held that summary judgment is available only when there are no material facts genuinely in dispute. *Fultz v. Delhaize Am., Inc.*, 278 Va. 84, 88 (2009) (citing *Stockbridge v. Gemini Air Cargo, Inc.*, 269 Va. 609, 618 (2005); *Smith*, 254 Va. 99, 103 (1997); *Slone v. General Motors Corp.*, 249 Va. 520, 522 (1995)). Thus, “a trial court considering a motion for summary judgment must ‘accept as true ‘those inferences from the facts that are most favorable to the nonmoving party, unless the inferences are forced, strained, or contrary to reason.’” *Acres v. Serco, Inc.*, 102 Va. Cir. 66, 67 (Fairfax Cir. 2019) (Koontz, Jr., J.) (denying motion for summary judgment) (quoting *Klaiber v. Freemason Assocs.*, 266 Va. 478 (2003)). “[I]f the evidence is conflicting on a material point or if reasonable persons may draw different conclusions from the evidence, summary judgment is not appropriate.” *Fultz*, 278 Va. at 88. As the Supreme Court cautioned “we are increasingly confronted with appeals of cases in which a trial court incorrectly has short-circuited litigation pretrial and has decided the dispute without permitting the parties to reach a trial on the merits.” *Id.* (holding circuit court erred in granting the defendants’ motion for summary judgment.)

## ARGUMENT

### **I. MR. DEPP IS LIABLE FOR THE ACTIONS OF HIS AGENT, MR. WALDMAN**

The Supreme Court recognizes that if a principal instructs his agent to make a public statement defaming the reputation of another person, the principal can be sued for defamation. *Fuste v. Riverside Healthcare Ass'n, Inc.*, 265 Va. 127, 134 (2003) (recognizing that defamation liability may be founded upon statements made by an authorized agent). “Agency is defined as a fiduciary relationship arising from the manifestation of consent by one person to another that the other shall act on his behalf and subject to his control, and the agreement by the other so to act.” *Tingler v. Greystone Homes, Inc.*, 298 Va. 63, 101 (2019). “While the power of control is an important factor to consider in determining whether an agency relationship exists, agency may be inferred from the conduct of the parties and from the surrounding facts and circumstances.” *Transparent GMU v. George Mason Univ.*, 298 Va. 222, 246 (2019). Moreover, “[t]he potential power of control, not the actual exercise of control, is the important element.” *Virginia Employment Comm'n v. A.I.M. Corp.*, 225 Va. 338, 347 (1983). The “apparent authority, so far as third persons are concerned, is the real authority.” *J. C. Lysle Milling Co. v. S. W. Holt & Co.*, 122 Va. 565, 572 (1918).

Nor do labels matter. As the only case cited by Mr. Depp on this issue holds, in finding an agency relationship existed for an independent contractor, “[a]lthough the Agreement specifically stated that Metrix was an independent contractor, and not the ‘legal representative’ of Hartzell, the use of these terms does not end our inquiry. The relationship of parties to a contract does not depend on what the parties themselves call the relationship, but rather on what the relationship actually is in law.” *Hartzell Fan, Inc. v. Waco, Inc.*, 256 Va. 294, 300-01 (1998).

“Agency may be proven in many ways....Frequently it is established and has, of necessity, to be established by circumstantial evidence.” *Royal Indemnity Co. v. Hook*, 155 Va. 956, 970 (1931);

*see also Magallon v. Wireless Unlimited Inc.*, 85 Va. Cir. 460, 464 (Fairfax Cir. 2012) (Thacher, J.) (“an agency relationship may be inferred from the conduct of the parties and surrounding facts”). The Supreme Court has been clear that “direct evidence is not indispensable - indeed frequently is not available - but instead circumstances may be relied on, such as the relation of the parties to each other and their conduct with reference to the subject matter.” *Acordia of Virginia Ins. Agency, Inc. v. Genito Glenn, L.P.*, 263 Va. 377, 385-86 (2002). “Unless the existence of an agency relationship depends on unambiguous documents, or undisputed facts, the question of agency *vel non* is one of fact for the jury.” *Drake v. Livesay*, 231 Va. 117, 121 (1986).

The facts in this case more than establish that Mr. Waldman was Mr. Depp’s agent and was authorized to make the defamatory statements at issue on behalf of Mr. Depp. Both Mr. Waldman and Mr. Depp concede that Mr. Waldman has been Mr. Depp’s attorney since October 2016, and that Mr. Waldman has represented Mr. Depp in all of his matters, including this action and the UK action. **Att. 7**, 11:9-16:2, 28:2-32:21; **Att. 8**, 601:5-605:14. The only representations that Mr. Waldman refused to answer based on supposed privilege grounds is whether Mr. Waldman represented Mr. Depp when he made the statements at issue. **Att. 7**, 65:9-66:7. The refusal to answer those questions is improper, because “[t]he fact of representation is not within the privilege. Indeed, it is a necessary preliminary fact, to be established before any privilege can be asserted.” *Gretsky v. Miller*, 160 F. Supp. 914, 915 (D. Mass. 1958). Nevertheless, despite the improper refusal to answer these questions, the evidence shows that each article quoted Mr. Waldman as representing Mr. Depp, as each stated the quotes came from “Depp’s attorney, Adam Waldman.” **Att. 21** at 9, **Att. 23** at 11, **Att. 24** at 12. Furthermore, the evidence demonstrates that Mr. Waldman gathered false declarations on Mr. Depp’s behalf, claimed that there was a perjury investigation against Ms. Heard on Mr. Depp’s behalf, and leaked partial audio recordings on behalf of Mr.

Depp while in Mr. Depp's presence. Att. 7, 102:11-122:14, 220:19-231:6; Att. 11, 15:16-18:6; 30:3-36:15; Att. 16. As Mr. Depp stated, [REDACTED]

[REDACTED] Att. 26. Mr. Depp is asking this Court to believe he gave Mr. Waldman the authority to do everything on his behalf except make the defamatory statements at issue. Such argument defies logic, and given that the agency relationship has been established, "[w]hether Mr. [Waldman] was permitted such authority is a matter that should be resolved by the finder of fact." *Magallon*, 85 Va. Cir. at 464.

## II. ACTUAL MALICE IS A QUESTION FOR THE JURY

Mr. Depp claims that there is no evidence of actual malice -- knowledge that the statements about Ms. Heard were false or reckless disregard that the statements were false. But the jury could -- and Ms. Heard believes will -- conclude that the facts surrounding Mr. Waldman's statements as summarized above constitute actual malice. The Court has already found that Ms. Heard has shown actual malice on behalf of Mr. Depp. *See* 1/4/21 Op. at 10 ("Ms. Heard has alleged sufficient facts in her Counterclaim to demonstrate that Mr. Depp may have made these statements with actual or constructive knowledge or with reckless disregard for whether they are false."). Discovery has confirmed those allegations. Indeed, if Mr. Depp abused Ms. Heard, as Ms. Heard alleges, then Mr. Depp's statements, through Mr. Waldman, that Ms. Heard's allegations are a "sexual violence hoax" and "hoax" have to be false, and Mr. Depp knows those statements are false. There is no reason for the Court to have to rule again on the same issue.<sup>2</sup>

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<sup>2</sup> The Court previously ruled on 3/24/21 as to Ms. Heard's immunity for her Op-Ed statements based on Virginia's Anti-SLAPP statute that, "whether Ms. Heard made the statements 'with actual or constructive knowledge that they were false or with reckless disregard for whether they were false' will be determined by a jury as part of the trial scheduled to commence on April 11, 2022."

Furthermore, “[b]ecause actual malice is a subjective inquiry, a plaintiff ‘is entitled to prove the defendant’s state of mind through circumstantial evidence.’” *Spirito v. Peninsula Airport Comm’n*, 2019 U.S. Dist. LEXIS 83880, at \*14 (E.D. Va. Apr. 3, 2019) (citing *Harte-Hanks Commc’ns, Inv. v. Connaughton*, 491 U.S. 657, 668 (1989).) Where “possibly subjective evaluations are at issue, as here where a determination of whether Defendants acted with actual malice. . . the Fourth Circuit has cautioned against a Court taking those determinations away from a jury.” *Id.* at \*16 (citations omitted). Here, Mr. Waldman admitted that he had no personal knowledge of what went on during Mr. Depp’s and Ms. Heard’s marriage, and never witnessed any interaction between Mr. Depp and Ms. Heard during their marriage. **Att. 7**, Waldman Tr. 25:1-26:6. Yet, with no personal knowledge, Mr. Waldman told the world on behalf of Mr. Depp that Ms. Heard was engaged in a “sexual violence hoax” and “hoax” against Mr. Depp, falsifying her abuse. When asked anything about these statements, including why Mr. Waldman made these statements, Mr. Depp asserted the attorney-client privilege and Mr. Waldman refused to answer. **Att. 7**, 64:4-68:4, 69:12-73:21, 77:4-80:2. Mr. Depp refused to answer the same questions. **Att. 8**. Given Mr. Waldman’s and Mr. Depp’s refusal to answer these questions based on the attorney-client privilege, it must be inferred that Mr. Depp was involved in the statements; otherwise there would be no privilege attached. That is the fairest and most logical inference, since Mr. Waldman admitted making the statements, he was Mr. Depp’s lawyer, and all three statements identify Mr. Waldman as Mr. Depp’s lawyer at the time of the statements. **Att. 7**, 11:9-13:15, 64:4-68:4, 69:12-73:21, 77:4-80:2, **Atts. 21, 23, 24**. Given that Mr. Depp knows these statements are false, actual malice has been shown.

### **III. THE DEFAMATORY STATEMENTS ARE NOT OPINIONS**

This is the second time Mr. Depp has contended to this Court that the statements at issue are

opinions. Mr. Depp's argument was previously rejected by this Court:

Although Mr. Depp's statements (*and those of his attorney*) can be understood as their opinion of what occurred, these statements nevertheless imply that Mr. Depp did not abuse Ms. Heard. *These statements must survive demurrer because whether Mr. Depp abused Ms. Heard is a fact that is capable of being proven true or false.*

1/4/21 Op. at 6. (Emphasis added). "Whether an alleged defamatory statement is one of fact or opinion is a question of law," *Fuste v. Riverside Healthcare Ass'n, Inc.*, 265 Va. 127, 132 (2003). Thus, the fact that the statements at issue have already been determined to be factual and capable of being proven true or false is the law of case. Mr. Depp is simply improperly seeking reconsideration of that Order. *See Harvey Constr. Co. v. Fairfax County Bd. of Supervisors*, 31 Va. Cir. 177, 178 (Fairfax Cir. 1993) (Stevens, J.) (denying summary judgment because "failure to file a claim with the Board of Supervisors, pursuant to the Procurement Act, was raised on demurrer. Since the demurrer was overruled, the sufficiency of the Motion for Judgment in terms of compliance with the Procurement Act is now the law of the case.")

Mr. Depp claims that the statements at issue are merely Mr. Waldman's opinion or advocacy as to what happened. Again, the Court already heard this argument, and held that while the statements "can be understood as their opinion of what occurred, these statements nevertheless imply that Mr. Depp did not abuse Ms. Heard." 1/4/21 Op. at 6. Indeed, the statements went far beyond opinion and accused Ms. Heard of committing the crime of perjury and fabricating evidence of domestic violence, claiming that before calling 911, "Amber and her friends spilled a little wine and roughed the place up" and that Ms. Heard was carrying out an "abuse hoax." **Atts. 21, 23, 24.** All of these allegations can be proven false, and therefore cannot be opinion. *See e.g., Tronfeld v. Nationwide Mut. Ins. Co.*, 272 Va. 709, 715 (2006) ("The statement "[t]hat [plaintiff] just takes people's money" is capable of disproof by evidence, if adduced, that [plaintiff's] clients received monetary or other relief as a result of his legal services.")

#### **IV. MS. HEARD WAS DAMAGED BY THE DEFAMATORY STATEMENTS**

Mr. Depp also appears to argue Ms. Heard was not damaged by the defamatory statements. Not true. Since publication of the defamatory statements in April 2020, Ms. Heard has been the subject of over one million negative tweets, and has caused reputational damages and economic losses that over a 5-year period range from \$ [REDACTED]. Att. 27; Att. 28 at 71-73. In addition, the defamation has resulted in numerous losses, such as emotional distress, the loss of time and energy; loss of friendships; loss of jobs; and financial loss, all of which greatly impacted Ms. Heard's daily functioning and her capacity to cope. Att. 28 at 71-73. Ms. Heard has also suffered (and continues to suffer) from stress, anxiety, nightmares, crying, flashbacks, feeling afraid, emotional numbing, dissociation, struggles with trusting others, significant sleep disruption, relationship and intimacy problems, interpersonal disconnection, hypervigilance, and intense psychological pain, and the defamation activated long held feelings of shame and humiliation about the abuse. *Id.* Experts will also opine as to the financial and emotional damages the defamatory statements caused. 27.

Furthermore, Ms. Heard is alleging that statements are Defamation *Per Se*. Under Defamation *Per Se*, damages are presumed. *Fleming v. Moore*, 221 Va. 884, 888 n.3 (1981). "Unlike general defamation, defamation *per se* presumes damage to reputation, humiliation, or embarrassment; and such damage need not be proven." *Thomas v. Psimas*, 101 Va. Cir. 455, 456 (Norfolk Cty. Cir. 2018) (citing *Poulston v. Rock*, 251 Va. 254, 260-61(1996)). Therefore, there is no basis to grant summary judgment based on Ms. Heard's damages.

#### **CONCLUSION**

For the foregoing reasons, Ms. Heard requests that Mr. Depp's Motion for Summary Judgment be denied.



March 11, 2022



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Elaine Charlson Bredehoft (VSB #23766)  
Adam S. Nadelhaft (VSB #91717)  
Clarissa K. Pintado (VSB 86882)  
David E. Murphy (VSB #90938)  
Charlson Bredehoft Cohen Brown & Nadelhaft,  
P.C.  
11260 Roger Bacon Drive, Suite 201  
Reston, VA 20190  
(703) 318-6800  
[ebredehoft@cbcblaw.com](mailto:ebredehoft@cbcblaw.com)  
[anadelhaft@cbcblaw.com](mailto:anadelhaft@cbcblaw.com)  
[cpintado@cbcblaw.com](mailto:cpintado@cbcblaw.com)  
[dmurphy@cbcblaw.com](mailto:dmurphy@cbcblaw.com)

J. Benjamin Rottenborn (VSB #84796)  
Joshua R. Treece (VSB #79149)  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
(540) 983-7540  
[broddenborn@woodsrogers.com](mailto:broddenborn@woodsrogers.com)  
[jtreece@woodsrogers.com](mailto:jtreece@woodsrogers.com)

*Counsel to Defendant and Counterclaim-Plaintiff,  
Amber Laura Heard*

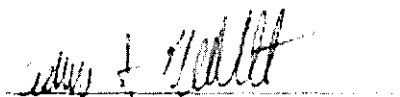
**CERTIFICATE OF SERVICE**

I certify that on this 11<sup>th</sup> day March 2022, a copy of the foregoing was served by email, by agreement of the parties, addressed as follows:

Benjamin G. Chew, Esq.  
Andrew C. Crawford, Esq.  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 536-1700  
Facsimile: (202) 536-1701  
[bchew@brownrudnick.com](mailto:bchew@brownrudnick.com)  
[acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com)

Camille M. Vasquez, Esq.  
BROWN RUDNICK LLP  
2211 Michelson Drive  
Irvine, CA 92612  
Telephone: (949) 752-7100  
Facsimile: (949) 252-1514  
[cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com)

*Counsel for Plaintiff and Counterclaim-Defendant,  
John C. Depp, II*



Adam S. Nadelhaft



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# Transcript of Adam Waldman

**Date:** February 15, 2022

**Case:** Depp, II -v- Heard

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Transcript of Adam Waldman  
Conducted on February 15, 2022

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT FOR FAIRFAX COUNTY 3 4 ----- x 5 JOHN C. DEPP, II, : 6 Plaintiff, : Case No. 7 v. : CL-2019-0002911 8 AMBER LAURA HEARD, : 9 Defendant. : 10 ----- x 11 12 Videotaped Deposition of ADAM WALDMAN 13 Conducted Remotely via Zoom 14 Tuesday, February 15, 2022 15 10:08 a.m. 16 17 18 19 20 Job No.: 427529 21 Pages: 1 - 238 22 Reported By: AMY L. STRYKER, CCR</p>	<p>1 APPEARANCES 2 3 ON BEHALF OF PLAINTIFF JOHN C. DEPP, II: 4 BENJAMIN G. CHEW, ESQ. 5 BROWN RUDNICK LLP 6 601 Thirteenth Street, NW, Suite 600 7 Washington, D.C. 20005 8 (202) 536-1785 9 and 10 CAMILLE M. VASQUEZ, ESQ. 11 SAMUEL A. MONIZ, ESQ. 12 BROWN RUDNICK LLP 13 2211 Michelson Drive 14 Irvine, California 92612 15 (949) 752-7100 16 and 17 KATHLEEN T. ZELLNER, ESQ. 18 LAW OFFICES OF KATHLEEN T. ZELLNER &amp; 19 ASSOCIATES 20 1901 Butterfield Road, Suite 650 21 Downers Grove, Illinois 60515 22 (630) 955-1111</p>
<p>1 Deposition of ADAM WALDMAN, conducted 2 remotely. 3 4 Pursuant to subpoena, before AMY L. 5 STRYKER, Certified Court Reporter and Notary 6 Public of the State of Maryland. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 APPEARANCES CONTINUED 2 3 ON BEHALF OF DEFENDANT AMBER LAURA HEARD: 4 ELAINE CHARLSON BREDEHOFT, ESQ. 5 CHARLSON BREDEHOFT COHEN &amp; BROWN, P.C. 6 11260 Roger Bacon Drive 7 Suite 201 8 Reston, Virginia 20190 9 (703) 318-6800 10 and 11 J. BENJAMIN ROTTENBORN, ESQ. 12 WOODS ROGERS PLC 13 10 S. Jefferson Street, Suite 1800 14 Roanoke, Virginia 24011 15 (540) 983-7540 16 17 ON BEHALF OF THE WITNESS: 18 STEPHEN L. BRAGA, ESQ. 19 BRACEWELL LLP 20 2001 M Street, NW, Suite 900 21 Washington, D.C. 20036-3310 22 (202) 828-5800</p>

<p style="text-align: right;">9</p> <p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: Here begins Disk No. 1</p> <p>3 in the remote deposition of Adam Waldman in the</p> <p>4 matter of John C. Depp, II vs. Amber Laura Heard,</p> <p>5 filed in the Circuit Court of Fairfax County,</p> <p>6 Virginia, Case No. CL-2019-0002911.</p> <p>7 Today's date is February 15, 2022 and the</p> <p>8 time on the video monitor is 10:08 a.m. The</p> <p>9 remote videographer today is Dan Lohaus,</p> <p>10 representing Planet Depos. All parties of this</p> <p>11 video deposition are attending remotely.</p> <p>12 Would counsel now please introduce</p> <p>13 themselves and state whom they represent,</p> <p>14 beginning with the taking attorney.</p> <p>15 MS. BREDEHOFT: Good morning. My name is</p> <p>16 Elaine Bredehoff, and together with Ben Rottenborn</p> <p>17 we represent Amber Laura Heard.</p> <p>18 MR. CHEW: Good morning. Ben Chew and</p> <p>19 Camille Vasquez from Brown Rudnick representing</p> <p>20 Johnny Depp, and our cocounsel is also on the</p> <p>21 line.</p> <p>22 THE VIDEOGRAPHER: I'm sorry, Ms. Zellner,</p>	<p style="text-align: right;">11</p> <p>1 EXAMINATION</p> <p>2 BY MS. BREDEHOFT:</p> <p>3 Q Could you please state your name and</p> <p>4 address.</p> <p>5 A Sure. It's Adam Robert Waldman,</p> <p>6 5163 Tilden Street, Northwest, Washington, D.C.</p> <p>7 Q And what is your date of birth?</p> <p>8 A August 4, 1968.</p> <p>9 Q And what is your current occupation?</p> <p>10 A Attorney. I'm also involved with a skin</p> <p>11 care company in a variety of capacities.</p> <p>12 Q How long have you been an attorney?</p> <p>13 A I think since 1995.</p> <p>14 Q Do you currently represent John C. Depp,</p> <p>15 II, who I will be referring to in this deposition</p> <p>16 as "Mr. Depp" or "Depp"?</p> <p>17 A I do.</p> <p>18 Q And is this representation an attorney-</p> <p>19 client representation?</p> <p>20 A It is.</p> <p>21 Q Does it include any other type of</p> <p>22 representation of Mr. Depp other than as an</p>
<p style="text-align: right;">10</p> <p>1 you are muted.</p> <p>2 AV TECHNICIAN: If you go on the corner on</p> <p>3 the Zoom screen, you'll see an unmute button.</p> <p>4 THE VIDEOGRAPHER: The bottom left-hand</p> <p>5 corner of your screen.</p> <p>6 MS. ZELLNER: No, I got it.</p> <p>7 THE VIDEOGRAPHER: Perfect.</p> <p>8 MS. ZELLNER: I was on another call.</p> <p>9 THE VIDEOGRAPHER: Would you like to</p> <p>10 introduce yourself, Ms. Zellner.</p> <p>11 MS. ZELLNER: Yes. Kathleen Zellner on</p> <p>12 behalf of Johnny Depp.</p> <p>13 THE VIDEOGRAPHER: Thank you.</p> <p>14 MR. BRAGA: Stephen Braga on behalf of the</p> <p>15 witness, Adam Waldman.</p> <p>16 THE VIDEOGRAPHER: The court reporter</p> <p>17 today is Amy Stryker, representing Planet Depos.</p> <p>18 Would the reporter please swear in the</p> <p>19 witness.</p> <p>20 ADAM WALDMAN,</p> <p>21 after having been duly sworn, testified as</p> <p>22 follows:</p>	<p style="text-align: right;">12</p> <p>1 attorney-client?</p> <p>2 MR. CHEW: I would instruct the witness</p> <p>3 not to answer that question on the grounds of</p> <p>4 attorney-client privilege and attorney work</p> <p>5 product. He can't answer that question without</p> <p>6 disclosing communications between himself and his</p> <p>7 client, Mr. Depp. As you're aware, Ms. Bredehoff,</p> <p>8 the Court has ruled that Mr. Depp has not waived</p> <p>9 attorney-client privilege and will not be waiving</p> <p>10 attorney-client privilege. So you're aware of</p> <p>11 that.</p> <p>12 MS. BREDEHOFT: So, Mr. Chew, I'm not sure</p> <p>13 that you heard my question. I was actually asking</p> <p>14 him if he had any other type of representation</p> <p>15 relationship with Mr. Depp other than as an</p> <p>16 attorney-client.</p> <p>17 MR. CHEW: I think he can answer that</p> <p>18 "yes" or "no," but I would -- I would instruct the</p> <p>19 witness on behalf of Johnny Depp not to disclose</p> <p>20 any communications you've had with your client.</p> <p>21 THE WITNESS: No.</p> <p>22 Q Okay. So just so we're clear, since we</p>

13  
1 had a little bit of record back and forth, the  
2 only way in which you represent Mr. Depp is as an  
3 attorney-client representation; is that correct?  
4 MR. CHEW: Objection --  
5 THE WITNESS: I believe --  
6 MR. CHEW: -- asked and answered.  
7 Q I'm sorry, Mr. Waldman?  
8 A I believe that's true.  
9 Q Okay. And you are here today providing  
10 this deposition under a subpoena and then  
11 subsequent notice, correct?  
12 A Yes.  
13 Q And when did you first become Mr. Depp's  
14 counsel?  
15 A I think that it was around October 2016.  
16 Q And what is your role in this case as  
17 counsel for Mr. Depp?  
18 MR. CHEW: Objection --  
19 THE WITNESS: Sure.  
20 MR. CHEW: -- attorney-client privilege,  
21 calls for attorney-client communication. I would  
22 instruct the witness not to answer that question.

14  
1 THE WITNESS: Okay. I'll follow the  
2 instruction.  
3 MS. BREDEHOFT: Okay. I am just going to  
4 cite Rule 8.01-401 for an adverse witness. I  
5 believe we set the standards for that. But I just  
6 wanted to put that on the record.  
7 BY MS. BREDEHOFT:  
8 Q Now, you indicated you met Mr. Depp  
9 approximately October of 2016; is that correct?  
10 MR. CHEW: Objection --  
11 THE WITNESS: That's correct.  
12 MR. CHEW: -- mischaracterizes the  
13 testimony.  
14 MS. BREDEHOFT: You're right. You're  
15 right, Ben. My apologies. I did ask that  
16 incorrectly. Let me go back -- strike that -- and  
17 let me correct it.  
18 Q When did you first meet Mr. Depp as  
19 opposed to first start representing him?  
20 A I first met him in October of 2016.  
21 Q Were you introduced to Mr. Depp by Saudi  
22 Prince Abdulaziz bin Salman?

15  
1 A No.  
2 Q Did -- was there any connection between  
3 Saudi Prince Abdulaziz bin Salman and you at the  
4 time you met Mr. Depp?  
5 MR. CHEW: Objection to the form of the  
6 question; vague, irrelevant.  
7 THE WITNESS: Yes.  
8 Q What was the connection?  
9 A I did some work for the -- legal work for  
10 the Saudi prince, and I worked closely with his  
11 general counsel.  
12 Q Was it your understanding that you were  
13 referred to Mr. Depp by the Saudi prince?  
14 MR. CHEW: Objection --  
15 THE WITNESS: I'm not --  
16 MR. CHEW: -- vague, calls for a legal  
17 conclusion.  
18 THE WITNESS: I'm not sure what you mean  
19 by "referred."  
20 Q How is it that you came to meet Mr. Depp?  
21 A The general counsel that I referenced a  
22 moment ago asked me to go and have a meeting with

16  
1 him, with Mr. Depp, and to talk about a financial  
2 problem that he was having.  
3 Q Did the general counsel describe the  
4 financial problem that Mr. Depp was having in  
5 October of 2016?  
6 MR. CHEW: Objection. I would instruct  
7 the witness not to answer on the grounds that this  
8 is in anticipation of legal representation which  
9 is privileged.  
10 THE WITNESS: Okay. I accept the  
11 instruction.  
12 Q Okay. And so you'll follow that, correct?  
13 A Yes.  
14 Q I don't want to waste a lot of time here.  
15 I'm assuming that when -- just for the record,  
16 when Mr. Chew, who's acting on behalf of Mr. Depp,  
17 objects and instructs you not to answer and you  
18 indicate you'll follow that, that you're not going  
19 to respond.  
20 MS. BREDEHOFT: Can we just have that  
21 agreed upon, Mr. Braga? Is that comfortable for  
22 you?

25

1 Now, you met Mr. Depp after he and Amber  
2 Heard had split up; is that correct?  
3 **A That's correct.**  
4 **Q And you met Mr. Depp after he and Amber**  
5 **Heard had reached a settlement in their divorce;**  
6 **is that correct?**  
7 **A That's my understanding.**  
8 **Q So you have no personal knowledge of**  
9 **anything that went on during their marriage. Is**  
10 **that fair to say?**  
11 **A Well, it depends what you mean by**  
12 **"personal knowledge." I wasn't there, if that's**  
13 **what you mean, correct.**  
14 **Q You never witnessed any interaction**  
15 **between Mr. Depp and Amber Heard prior to**  
16 **October 2016; is that correct?**  
17 **A That's correct.**  
18 **Q And you have no personal knowledge of any**  
19 **conduct by either of them against the other prior**  
20 **to October 2016; is that correct?**  
21 **A Again, if you're asking me do I have any**  
22 **knowledge of their conduct, I think I have**

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1 **knowledge of their conduct. I think maybe you're**  
2 **asking me did I witness conduct.**  
3 **Q I'm asking personal knowledge, which would**  
4 **mean you would have had to have witnessed it.**  
5 **A If you're asking whether I've witnessed**  
6 **it, the answer is no.**  
7 **Q Now, your initial knowledge of the**  
8 **relationship between Mr. Depp and Ms. Heard was**  
9 **based on your interviews with Mr. Depp. Would**  
10 **that be fair to say?**  
11 **MR. CHEW: I would instruct the witness**  
12 **not to answer that question because he can't even**  
13 **answer yes or no without disclosing the substance**  
14 **of communications with his client, Mr. Depp.**  
15 **THE WITNESS: I accept the instruction.**  
16 **Q Once you came into Mr. Depp's life and**  
17 **became his counsel, Mr. Depp filed, with your**  
18 **assistance, a number of lawsuits. Would you**  
19 **agree?**  
20 **A Yes.**  
21 **Q Did Mr. Depp terminate Tracey Jacobs as**  
22 **his agent before or after you became Mr. Depp's**

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1 counsel?  
2 **MR. CHEW: Mr. Waldman, I would instruct**  
3 **you not to answer that question if doing so would**  
4 **require you to disclose any communications you had**  
5 **with Mr. Depp.**  
6 **THE WITNESS: It would.**  
7 **Q How long had Tracey Jacobs been Mr. Depp's**  
8 **agent at the time Mr. Depp terminated Tracey**  
9 **Jacobs?**  
10 **MR. CHEW: And again, Adam, same**  
11 **instruction. To the extent that answering the**  
12 **question requires you to disclose communications**  
13 **that you had with Mr. Depp, I would instruct you**  
14 **not to answer the question.**  
15 **THE WITNESS: It would.**  
16 **Q Was it Mr. Depp's decision to terminate**  
17 **Tracey Jacobs?**  
18 **MR. CHEW: Again, I would instruct you not**  
19 **to answer that question because that could only**  
20 **have come from Mr. Depp in a communication with**  
21 **you.**  
22 **THE WITNESS: I accept the instruction.**

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1 **BY MS. BREDEHOFT:**  
2 **Q After you began representing Mr. Depp,**  
3 **Mr. Depp filed a lawsuit against Joel Mandel,**  
4 **Mr. Depp's former business manager, correct?**  
5 **A That's correct.**  
6 **Q And you represented Mr. Depp in that**  
7 **lawsuit against Joel Mandel and his company, did**  
8 **you not?**  
9 **A I did.**  
10 **Q But it was Mr. Depp's decision on whether**  
11 **to file the lawsuit against Mandel and his**  
12 **company. Would you agree?**  
13 **MR. CHEW: I would instruct the witness**  
14 **not to answer that question because it would**  
15 **require communication -- disclosure of**  
16 **communications between Mr. Depp and Mr. Waldman as**  
17 **to who was advising who as to filing the case**  
18 **against TMG and the Mandel brothers.**  
19 **So I would instruct you not to answer**  
20 **that.**  
21 **THE WITNESS: I accept the instruction.**  
22 **Q Did Mr. Depp have the ultimate**

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1 decision-making ability with respect to the  
2 lawsuit against Mr. Mandel and his company?  
3 MR. CHEW: And, again, I would instruct  
4 you not to answer to the extent it requires you to  
5 disclose attorney-client communication.  
6 THE WITNESS: It would.  
7 Q After you began representing Mr. Depp,  
8 Mr. Depp filed a lawsuit against Jake Bloom,  
9 Mr. Depp's former attorney, correct?  
10 A That's correct.  
11 Q And you represented Mr. Depp in that  
12 lawsuit against Jake Bloom and his law firm, did  
13 you not?  
14 A I did.  
15 Q But it was Mr. Depp's decision on whether  
16 to file the lawsuit against Mr. Bloom and his law  
17 firm; is that correct?  
18 MR. CHEW: Again, I would instruct the  
19 witness not to answer to the extent it requires  
20 him to disclose attorney-client communications.  
21 THE WITNESS: It would.  
22 Q And Mr. Depp, though, was the ultimate

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1 decision-maker in connection with any decisions  
2 made in the litigation against Mr. Bloom and his  
3 law firm. Would you agree?  
4 MR. CHEW: Same instruction not to answer.  
5 It's basically the same question gussied up a bit,  
6 so same instruction not to answer.  
7 THE WITNESS: I accept the instruction.  
8 Q After you began representing Mr. Depp,  
9 Mr. Depp filed a lawsuit against The Sun newspaper  
10 and its editor-in-chief Dan Wootton, correct?  
11 A Correct.  
12 Q And for purposes of this deposition, I may  
13 refer to the lawsuit against The Sun and its  
14 editor, Dan Wootton, as "the U.K. lawsuit" or "the  
15 U.K. litigation." Will you understand those  
16 references to mean this?  
17 A I will.  
18 Q What was your role in the U.K. litigation?  
19 MR. CHEW: I would instruct the witness  
20 not to answer that question because it necessarily  
21 requires him or would require him to disclose his  
22 communications with his client, Johnny Depp.

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1 THE WITNESS: It would.  
2 BY MS. BREDEHOFT:  
3 Q You represented Mr. Depp throughout the  
4 U.K. litigation, correct?  
5 A That's correct.  
6 MR. CHEW: Again, I would instruct the  
7 witness not to answer the question to the extent  
8 that it requires him to disclose attorney-client  
9 privilege.  
10 We have to be consistent. It's all or  
11 nothing, and it's gonna be all.  
12 THE WITNESS: I should have waited for  
13 Mr. Chew's objection. I accept the instruction.  
14 MR. CHEW: I know. I apologize, Adam. I  
15 should have been quicker. But we have to be  
16 consistent, so the instruction is not to answer.  
17 THE WITNESS: I accept the instruction.  
18 Q And Mr. Depp alleged in the U.K.  
19 litigation that The Sun and Dan Wootton had  
20 committed libel by accusing Mr. Depp of being a,  
21 quote, wife-beater, end of quote, and committing  
22 domestic violence against Amber Heard, correct?

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1 A That's true.  
2 Q It was Mr. Depp's decision on whether to  
3 bring the U.K. lawsuit against The Sun and Dan  
4 Wootton, correct?  
5 MR. CHEW: And, again, I would instruct  
6 the witness not to answer any – I would instruct  
7 him not to answer because it, of course, would  
8 require him to disclose attorney-client  
9 communications as to the thought process that went  
10 into filing that particular lawsuit.  
11 THE WITNESS: I accept the instruction.  
12 Q After you began representing Mr. Depp,  
13 Mr. Depp filed suit against Amber Heard, his  
14 former wife, correct?  
15 A That's correct.  
16 Q And you represented Mr. Depp in the  
17 lawsuit against Amber Heard from March 1, 2019 up  
18 until October of 2020; is that correct?  
19 MR. CHEW: You may answer that question  
20 "yes" or "no."  
21 THE WITNESS: Yes.  
22 Q And it was Mr. Depp's decision on whether



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1 of other publications to speak on Mr. Depp's  
2 behalf. Do you recall?  
3 MR. CHEW: Again, I would instruct not to  
4 answer to the extent it requires you to disclose  
5 communications that you had with Mr. Depp.  
6 THE WITNESS: It would, and I accept the  
7 instruction.  
8 Q How many publications did you communicate  
9 with on behalf of Mr. Depp?  
10 MR. CHEW: Same instruction not to answer  
11 based on attorney-client privilege and attorney  
12 work product.  
13 THE WITNESS: I accept the instruction.  
14 Q How many publications did you reach out to  
15 on Mr. Depp's behalf relating to the U.K.  
16 litigation?  
17 MR. CHEW: Same instruction not to answer  
18 on the same grounds.  
19 THE WITNESS: I accept the instruction.  
20 Q How many publications did you reach out to  
21 on Mr. Depp's behalf relating to this litigation?  
22 MR. CHEW: Same instruction on the same

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1 grounds.  
2 THE WITNESS: I accept the instruction.  
3 BY MS. BREDEHOFT:  
4 Q How many publications did you reach out to  
5 concerning allegations that Mr. Depp had abused  
6 Amber Heard?  
7 MR. CHEW: Same instruction; same grounds.  
8 THE WITNESS: I accept the instruction.  
9 Q Mr. Waldman, you had a Twitter account;  
10 did you not?  
11 A I did.  
12 Q When did you begin that Twitter account?  
13 A I'm not sure of the date.  
14 Q Approximately when?  
15 A I'm not even sure of the year.  
16 Q Was it prior to 2005, 2010, 2015?  
17 A Do you want me to speculate?  
18 Q I want you to give me your best estimate.  
19 A Okay.  
20 MR. CHEW: I would caution the witness not  
21 to speculate.  
22 I'm sure Ms. Bredehoft really doesn't want

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1 you to speculate.  
2 THE WITNESS: I'm really not sure of the  
3 year. I couldn't put a specific date on it.  
4 BY MS. BREDEHOFT:  
5 Q Do you recall --  
6 A If you want me to give you ranges, I could  
7 try.  
8 Q Do you recall how many years you had a  
9 Twitter account?  
10 A Not precisely, no.  
11 Q Was it more than a year?  
12 A I think so.  
13 Q Was it more than three years?  
14 A I don't think so.  
15 Q Now, you had your Twitter account  
16 suspended, correct?  
17 MR. CHEW: Objection; lack of relevance,  
18 harassment.  
19 THE WITNESS: Yes, that's true, my Twitter  
20 account was suspended.  
21 Q Do you recall when that was?  
22 A Not with specificity, no.

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1 Q Do you recall why?  
2 A Well, I wrote several letters to Twitter  
3 to ask why I was suspended for life from their  
4 platform. And the response that I received was  
5 multiple violations of their policy. So I asked  
6 could they name one example of those multiple  
7 violations. And they responded by saying now they  
8 were appealing -- without my asking them to do  
9 so -- my suspension, and that's when they sent me  
10 another note that I was suspended for life.  
11 Q Just so the record's clear, so you have  
12 been suspended for life by Twitter?  
13 A Yes.  
14 Q Okay. Do you have a Twitter account now?  
15 A No.  
16 Q Have you used anyone else's Twitter  
17 account since you were suspended?  
18 A No.  
19 Q Have you authorized anyone to publish  
20 anything on a Twitter account on your behalf?  
21 MR. CHEW: Objection; vague.  
22 THE WITNESS: No.

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1 BY MS. BREDEHOFT:  
2 Q Have you written anything for anyone  
3 else's Twitter accounts?  
4 MR. BRAGA: Does this mean, Elaine, after  
5 he was suspended?  
6 MS. BREDEHOFT: Yes.  
7 THE WITNESS: No.  
8 Q Do you still communicate with the press  
9 relating to Mr. Depp?  
10 MR. CHEW: And I would instruct the  
11 witness not to answer the question to the extent  
12 that it requires you to disclose communications  
13 between you and Johnny.  
14 THE WITNESS: It would, so I accept the  
15 instruction.  
16 Q Do you still communicate with the press on  
17 Mr. Depp's behalf?  
18 MR. CHEW: Same instruction; same grounds.  
19 THE WITNESS: I accept the instruction.  
20 Q Has Mr. Depp ever asked you not to speak  
21 to the press?  
22 MR. CHEW: Same instruction; same grounds.

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1 That -- on its face, it would require Mr. Depp --  
2 Mr. Waldman to disclose his communications with  
3 Mr. Depp, which he will not do.  
4 THE WITNESS: It would, and I accept the  
5 instruction.  
6 BY MS. BREDEHOFT:  
7 Q Would you have followed Mr. Depp's  
8 direction if he had asked you not to speak to the  
9 press?  
10 MR. CHEW: Objection; improper  
11 hypothetical, and I will instruct the witness not  
12 to answer because it's an end-around the  
13 attorney-client privilege. Clever, but I'm going  
14 to instruct the witness not to answer.  
15 THE WITNESS: I accept the instruction.  
16 Q Has Mr. Depp ever asked you not to speak  
17 to the press about issues involving he and Amber  
18 Heard?  
19 MR. CHEW: I would instruct the witness  
20 not to answer the question on attorney-client  
21 privilege.  
22 THE WITNESS: I accept the instruction.

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1 BY MS. BREDEHOFT:  
2 Q Would you have followed Mr. Depp's  
3 direction if he had asked you not to speak with  
4 the press about issues involving he and Amber  
5 Heard?  
6 MR. CHEW: Improper hypothetical, and I  
7 will instruct not to answer on the grounds of  
8 attorney-client privilege.  
9 THE WITNESS: I accept the instruction.  
10 Q Has Mr. Depp ever asked you to correct or  
11 retract any statements you made to the press  
12 relating to Mr. Depp or Mr. -- or Amber Heard?  
13 MR. CHEW: I would instruct the witness  
14 not to answer on the grounds of attorney-client  
15 privilege.  
16 THE WITNESS: I accept the instruction.  
17 Q Would you have followed Mr. Depp's  
18 direction if he had asked you to correct or  
19 retract any statements you made to the press  
20 relating to Mr. Depp or Amber Heard?  
21 MR. CHEW: Same instruction; same grounds.  
22 THE WITNESS: And I accept the

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1 instruction.  
2 BY MS. BREDEHOFT:  
3 Q Have you ever asked the press to correct  
4 or retract any statements you have made to the  
5 press relating to Mr. Depp or Amber Heard?  
6 MR. CHEW: You may answer that question to  
7 the extent you can do so without disclosing  
8 communications you had with Mr. Depp.  
9 But I would object on attorney-work-  
10 product grounds.  
11 THE WITNESS: I'm -- I want to make sure I  
12 understand the instruction. Are you saying you  
13 instruct not to answer in the event it implicates  
14 privileged conversations with Mr. Depp?  
15 MR. CHEW: Yeah, I think I'm going to  
16 instruct not to answer. And that falls on me;  
17 that doesn't fall on you or Mr. Braga. I'm going  
18 to instruct you not to answer that in an abundance  
19 of caution, because Virginia law is very  
20 unforgiving on waiver, as Ms. Bredehoff is aware.  
21 So I'm going to instruct you not to answer that  
22 question.

<p style="text-align: right;">61</p> <p>1 THE WITNESS: Okay. Thank you. I 2 understand. I accept the instruction. 3 MS. BREDEHOFT: Lucien, could we bring up 4 Exhibit No. 4. 5 AV TECHNICIAN: Stand by. 6 (Exhibit 4, Daily MailOnline article, 7 Published April 8, 2020, was marked for 8 identification and is attached to the transcript.) 9 AV TECHNICIAN: Showing Exhibit 4 on the 10 screen. 11 MS. BREDEHOFT: Thank you. 12 BY MS. BREDEHOFT: 13 Q Mr. Waldman, I'm going to ask you to take 14 a look at what has been marked as Exhibit No. 4. 15 I think I'm going to try to blow it up just a 16 touch. It's kind of hard to read. Okay. 17 And it's an article from July 3, 2020 from 18 MailOnline. This is Daily MailOnline. Do you see 19 that? 20 <b>A I do.</b> 21 Q Okay. And I'm going to ask you to turn to 22 what would be -- I forgot my page numbers here.</p>	<p style="text-align: right;">63</p> <p>1 bottom. 2 AV TECHNICIAN: Click on the screen again. 3 I had to unmute. 4 THE WITNESS: Ahh, there we go. Thank 5 you. 6 I was wrong; it's a long article. 7 MR. CHEW: I would just note for the 8 record it's not one of the three articles that 9 remained in Ms. Heard's counterclaim, so I would 10 object -- make a threshold objection on relevance 11 grounds. 12 THE WITNESS: Okay. I think I've read the 13 article. I'm not going to read the transcript of 14 the audiotape unless -- I'll read that, I guess, 15 if we have questions about it. 16 BY MS. BREDEHOFT: 17 Q No. No, actually, if -- I'm just going to 18 go to page 8. 19 MS. BREDEHOFT: Lucien, if you can take me 20 to page 8, that will move it faster. 21 Q And I'm going to make it a little bit 22 larger. And I'm going to --</p>
<p style="text-align: right;">62</p> <p>1 <b>A Ms. Bredehoft, if we're going to talk</b> 2 <b>about this article, may I read it? I assume it's</b> 3 <b>not too long.</b> 4 Q Yes. Yeah, absolutely. In fact, why 5 don't you take control, Mr. Waldman, and that way 6 you can scroll at your -- 7 <b>A This is dangerous giving me -- giving me</b> 8 <b>control.</b> 9 Q And, Mr. Waldman -- 10 <b>A Do I scroll down with my scroll button?</b> 11 Q You can. And, Mr. Waldman, you can also 12 blow it up a little bit more. It's at 75 percent. 13 So if you need to be able to see it better, you 14 can do that as you scroll. Go ahead and take your 15 time and then I will -- 16 <b>A I can use my cursor to scroll?</b> 17 MR. CHEW: Mr. Waldman, if you click on 18 the screen, you'll be able to use -- yeah, there 19 you go. 20 THE WITNESS: Okay. Thank you. I'm able 21 to, thank you. 22 It's stopping me from going down to the</p>	<p style="text-align: right;">64</p> <p>1 MS. BREDEHOFT: I need control. There we 2 go. Thank you. Oops, that's the wrong one. 3 BY MS. BREDEHOFT: 4 <b>Q I'm going to ask you to take a look at the</b> 5 <b>following: It says, Adam Waldman, Depp's lawyer,</b> 6 <b>said afterwards, quote, Amber Heard and her</b> 7 <b>friends in the media use fake sexual violence</b> 8 <b>allegations as both a sword and a shield,</b> 9 <b>depending on their needs.</b> 10 <b>They have selected some of her sexual</b> 11 <b>violence hoax facts -- quote, facts, end of quote,</b> 12 <b>as the sword, inflicting them on the public and</b> 13 <b>Mr. Depp.</b> 14 <b>Do you see that?</b> 15 <b>A I do.</b> 16 <b>Q Did you make that statement?</b> 17 <b>A I believe I did.</b> 18 <b>Q Did you make that statement on behalf of</b> 19 <b>Mr. Depp?</b> 20 <b>MR. CHEW: I would instruct the witness</b> 21 <b>not to answer that question on attorney-client</b> 22 <b>privilege grounds.</b></p>

<p style="text-align: right;">65</p> <p>1 THE WITNESS: I accept the instruction. 2 BY MS. BREDEHOFT: 3 Q Why did you make the statement? 4 MR. CHEW: Same instruction; same 5 rationale. 6 You can't answer the "why" question 7 without disclosing attorney-client privilege, so I 8 would instruct you not to answer. 9 Q Were you representing Mr. Depp at the time 10 you made this statement? 11 MR. CHEW: Objection; asked and answered. 12 And -- in any event, I'm going to instruct the 13 witness not to answer that question on 14 attorney-client privilege grounds. 15 THE WITNESS: I apologize, I actually 16 didn't hear the question. I can agree with the 17 instruction, but I probably should hear the 18 question. 19 MR. CHEW: Fair enough. 20 MS. BREDEHOFT: Amy, could you read that 21 back, please. Thank you. 22 (The court reporter read the pertinent</p>	<p style="text-align: right;">67</p> <p>1 Mr. Depp's authorization or agreement? 2 MR. CHEW: Same instruction; same grounds. 3 THE WITNESS: I accept the instruction. 4 Q Was Mr. Depp aware that you were speaking 5 with the press? 6 MR. CHEW: Same instruction; same grounds. 7 THE WITNESS: I accept the instruction. 8 Q Did Mr. Depp ever ask you to retract or 9 correct this statement? 10 MR. CHEW: Same instruction; same grounds. 11 THE WITNESS: I accept the instruction. 12 Q If Mr. Depp had asked you to retract or 13 correct the statement, would you have retracted or 14 corrected it? 15 MR. CHEW: Same instruction; same grounds. 16 THE WITNESS: I accept the instruction. 17 Q If Mr. Depp had told you that the 18 statement was not correct, would you have 19 corrected or retracted it? 20 MR. CHEW: Same instruction; same grounds. 21 THE WITNESS: I accept the instruction. 22 Q Did you rely upon any statements or</p>
<p style="text-align: right;">66</p> <p>1 part of the record.) 2 MR. CHEW: I would instruct the witness 3 not to answer on attorney-client privilege 4 grounds. 5 THE WITNESS: And thank you. 6 I accept the instruction. Sorry for the 7 repetition. 8 BY MS. BREDEHOFT: 9 Q Did you discuss the statement with 10 Mr. Depp before making the statement? 11 MR. CHEW: Same objection; same grounds. 12 THE WITNESS: Yeah, I accept the 13 instruction. 14 Q Did you discuss the statement with 15 Mr. Depp after making the statement? 16 MR. CHEW: Same instruction; same grounds. 17 THE WITNESS: I accept the instruction. 18 Q Was Mr. Depp aware, either before or 19 after, that you were making this statement? 20 MR. CHEW: Same instruction; same grounds. 21 THE WITNESS: I accept the instruction. 22 Q Did you make this statement with</p>	<p style="text-align: right;">68</p> <p>1 evidence from Mr. Depp in making this statement? 2 MR. CHEW: Same instruction; same grounds. 3 THE WITNESS: Yes, I accept the 4 instruction. 5 MS. BREDEHOFT: Thank you. You can take 6 this one down, Lucien. 7 And if you can bring up Exhibit No. 5. 8 AV TECHNICIAN: Stand by. 9 (Exhibit 5, Daily MailOnline article, 10 Published April 27, 2020, was marked for 11 identification and is attached to the transcript.) 12 AV TECHNICIAN: Showing Exhibit 5 on the 13 screen. 14 BY MS. BREDEHOFT: 15 Q Mr. Waldman, I'm going to be asking you a 16 question about a specific statement in this one. 17 If you would like to read the article first, you 18 are certainly at liberty to, and you can take 19 control now and do that. 20 A Thank you. I will. 21 MR. CHEW: And, again, I would just note 22 for the record this is not one of the three</p>

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1 statements, F, G, or H, that is still at issue in  
2 the litigation.  
3 THE WITNESS: Okay. Thank you. I've read  
4 it.  
5 MS. BREDEHOFT: All right. I'm going to  
6 ask Lucien to take control and take me to page 9.  
7 And then I'm going to ask to take control so I can  
8 do my highlighter. And I'm going to go down to --  
9 there we go. It's page 10, actually, I guess,  
10 here.  
11 BY MS. BREDEHOFT:  
12 Q It says -- and this is -- I guess I didn't  
13 set the stage here. This was the Daily Mail  
14 published on July 3, 2020 [sic]. And I'm going to  
15 now direct your attention to page 9. Depp's  
16 lawyer Adam Waldman said the various discrepancies  
17 proved that nothing Heard and her friends said  
18 about the events of May 21, 2016 could be  
19 considered credible.  
20 Do you see that?  
21 MR. CHEW: Objection; hearsay.  
22 THE WITNESS: I do.

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1 Q Then I'm going to direct your attention,  
2 Mr. Waldman, to the next statement. Quote, Quite  
3 simply this was an ambush, a hoax. They set  
4 Mr. Depp up by calling the cops but the first  
5 attempt didn't do the trick.  
6 MR. CHEW: Objection; hearsay.  
7 MS. BREDEHOFT: Excuse me, I'm not done.  
8 Q The officers came to the penthouses,  
9 thoroughly searched and interviewed, and left  
10 after seeing no damage to face or property.  
11 So Amber and her friends spilled a little  
12 wine and roughed the place up, got their stories  
13 straight under the direction of a lawyer and a  
14 publicist, and then placed a second call to 911.  
15 Do you see that statement?  
16 MR. CHEW: Objection; hearsay.  
17 THE WITNESS: I do.  
18 Q Did you make those statements?  
19 A There are two parts to what you've shown  
20 me. The first part didn't have quotation marks  
21 around it.  
22 Q And I'm not asking about that.

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1 A Okay.  
2 Q I'm sorry --  
3 A Where it said, nothing could be considered  
4 credible, that's not quoting me.  
5 Q Right.  
6 A The part with the quote marks, I believe I  
7 said that, yes.  
8 Q So starting from "quite simply" through  
9 "911," you stated all that; is that correct?  
10 MR. CHEW: Objection; vague and ambiguous.  
11 THE WITNESS: Yes, I believe so.  
12 Q Okay. Did you make this -- these  
13 statements on Mr. Depp's behalf?  
14 MR. CHEW: Instruct the witness not to  
15 answer on the grounds of attorney-client  
16 privilege.  
17 THE WITNESS: I accept the instruction.  
18 Q Why did you make these statements?  
19 MR. CHEW: Same instruction; same reason.  
20 THE WITNESS: I accept the instruction.  
21 Q What were you trying to convey to the  
22 press in making these statements?

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1 MR. CHEW: Same instruction; same reason.  
2 THE WITNESS: I accept the instruction.  
3 BY MS. BREDEHOFT:  
4 Q Did you discuss this statement with  
5 Mr. Depp before making these statements?  
6 MR. CHEW: Same instruction; same reason.  
7 THE WITNESS: I accept the instruction.  
8 Q Did you discuss these statements with  
9 Mr. Depp following making these statements?  
10 MR. CHEW: Same instruction; same  
11 rationale.  
12 THE WITNESS: Yes, I accept the  
13 instruction.  
14 Q Was Mr. Depp aware, either before or  
15 after, that you were making these statements?  
16 MR. CHEW: Same instruction; same reason.  
17 THE WITNESS: I accept the instruction.  
18 Q Did you make these statements with  
19 Mr. Depp's authorization or agreement?  
20 MR. CHEW: Same instruction; same basis.  
21 THE WITNESS: I accept the instruction.  
22 Q Was Mr. Depp aware you were speaking with

<p style="text-align: right;">73</p> <p>1 the press?</p> <p>2 MR. CHEW: Same instruction; same basis.</p> <p>3 THE WITNESS: I accept the instruction.</p> <p>4 Q Did Mr. Depp ever ask you to retract or</p> <p>5 correct these statements?</p> <p>6 MR. CHEW: Same objection; same basis.</p> <p>7 THE WITNESS: I accept the instruction.</p> <p>8 Q If Mr. Depp had asked you to retract or</p> <p>9 correct these statements, would you have retracted</p> <p>10 or corrected them?</p> <p>11 MR. CHEW: Same instruction; same basis.</p> <p>12 THE WITNESS: I accept the instruction.</p> <p>13 Q If Mr. Depp had told you these statements</p> <p>14 were not correct, would you have corrected or</p> <p>15 retracted them?</p> <p>16 MR. CHEW: Same objection; same basis.</p> <p>17 THE WITNESS: I accept the instruction.</p> <p>18 Q Did you rely upon any statements or</p> <p>19 evidence from Mr. Depp in making these statements?</p> <p>20 MR. CHEW: Same instruction; same basis.</p> <p>21 THE WITNESS: I accept the instruction.</p> <p>22 Q Okay.</p>	<p style="text-align: right;">75</p> <p>1 MS. BREDEHOFT: I got it, too.</p> <p>2 AV TECHNICIAN: Just click on the screen</p> <p>3 and try not to click on the text.</p> <p>4 THE WITNESS: Okay. I got the box again.</p> <p>5 MS. BREDEHOFT: Could we maybe take a</p> <p>6 break and, Lucien, you can see if you can figure</p> <p>7 that out -- help figure that out.</p> <p>8 AV TECHNICIAN: Sure.</p> <p>9 THE VIDEOGRAPHER: We are -- stand by. We</p> <p>10 are now going off the record. The time is</p> <p>11 11:22 a.m.</p> <p>12 (Recess was held.)</p> <p>13 THE VIDEOGRAPHER: We are now going back</p> <p>14 on the record. The time is 11:31 a.m.</p> <p>15 BY MS. BREDEHOFT:</p> <p>16 Q Mr. Waldman, we were looking at Waldman</p> <p>17 Exhibit No. 6, and it's the Daily Mail from July</p> <p>18 -- I just lost it there -- July 3, 2020. And you</p> <p>19 were going to scroll through it and I think we had</p> <p>20 some technical difficulties so we took a break.</p> <p>21 Have you had an opportunity to review it or do you</p> <p>22 need to now?</p>
<p style="text-align: right;">74</p> <p>1 MS. BREDEHOFT: Lucien, you can take that</p> <p>2 one down, and let's go to Exhibit No. 6.</p> <p>3 AV TECHNICIAN: Stand by.</p> <p>4 (Exhibit 6, Daily MailOnline article,</p> <p>5 Published June 24, 2020, was marked for</p> <p>6 identification and is attached to the transcript.)</p> <p>7 AV TECHNICIAN: I'm showing Exhibit 6 on</p> <p>8 the screen.</p> <p>9 BY MS. BREDEHOFT:</p> <p>10 Q Mr. Waldman, I'm going to ask you to take</p> <p>11 a look at Exhibit No. 6. This was another Daily</p> <p>12 MailOnline, July 3, 2020 [sic]. And if you would</p> <p>13 like to go ahead and read the article, this would</p> <p>14 be a good time to do it.</p> <p>15 A Thank you.</p> <p>16 MR. CHEW: And while he's doing that, I</p> <p>17 would just note for the record this is not one of</p> <p>18 the three articles that contain statements that</p> <p>19 are still at issue in the case in Ms. Heard's</p> <p>20 counterclaims.</p> <p>21 THE WITNESS: I'm getting a security block</p> <p>22 message.</p>	<p style="text-align: right;">76</p> <p>1 A No, Ms. Bredehoft, I -- I just saw the</p> <p>2 screen for the first time. So may I read it now?</p> <p>3 Q Absolutely.</p> <p>4 MR. CHEW: And, Elaine, while he's doing</p> <p>5 that, let me make a correction. I had -- I stated</p> <p>6 with a couple of the last exhibits that these were</p> <p>7 not the statements at issue because I was thrown</p> <p>8 off by the date at the top of the exhibits. So</p> <p>9 some of the statements are at issue in the</p> <p>10 counterclaims. That was not the basis of any of</p> <p>11 my instructions not to answer. All the</p> <p>12 instructions not to answer were based on</p> <p>13 attorney-client privilege. So I just wanted to</p> <p>14 make that clear.</p> <p>15 THE WITNESS: Okay. May I read now?</p> <p>16 Q Oh. I thought you were reading while Ben</p> <p>17 was talking. But go ahead.</p> <p>18 A Oh, sorry. Okay. I've -- there. It's</p> <p>19 controlling the document. Thank you.</p> <p>20 Okay. Thank you. I've read it.</p> <p>21 Q Okay. Mr. Waldman --</p> <p>22 MS. BREDEHOFT: I'm going to ask for</p>

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1 control of the screen, Lucien, if you could.  
2 Thank you.  
3 BY MS. BREDEHOFT:  
4 Q I'm going to ask you to turn to what is  
5 the 11th page, the last page you just finished  
6 reading, and I'm going to direct your attention to  
7 some specific words that are attributed to you.  
8 Do you see it says, Depp's attorney Adam Waldman  
9 said, right here?  
10 I'm trying to get that color, but...  
11 AV TECHNICIAN: Oh, yeah, I -- the ability  
12 to highlight is not -- you'll have to use a  
13 different tool to -- yeah, you'll have to draw.  
14 Yeah.  
15 Q Okay. Do you see, Depp's attorney Adam  
16 Waldman said? Do you see that there, Mr. Waldman?  
17 A I do.  
18 Q Okay. And then I'm going to direct your  
19 attention to specifically: the end of Ms. Heard's  
20 abuse hoax against Johnny Depp.  
21 Do you see that?  
22 A I do.

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1 Q Did you speak the words, quote, the end of  
2 Ms. Heard's abuse hoax against Johnny Depp?  
3 MR. CHEW: Objection; hearsay.  
4 THE WITNESS: I'm -- I'm not sure. It  
5 appears as I look at this that there are quote  
6 marks around the statement, and that suggests that  
7 I did. I don't remember saying these particular  
8 words, but it appears so.  
9 Q Do you have any reason to believe that you  
10 did not say, the end of Ms. Heard's abuse hoax  
11 against Ms. -- Johnny Depp?  
12 MR. CHEW: Objection; asked and answered,  
13 calls for speculation.  
14 THE WITNESS: No, I have no reason to --  
15 no reason to doubt that.  
16 Q What was -- were you representing Mr. Depp  
17 at the time you made this statement? I'm going to  
18 refer to it as a "statement." I'm taking specific  
19 words: Ms. Heard's abuse hoax against Johnny  
20 Depp. But were you representing Mr. Depp at the  
21 time you made the statement that included  
22 "Ms. Heard's abuse hoax against Johnny Depp"?

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1 MR. CHEW: Instruct the witness not to  
2 answer based on attorney-client privilege.  
3 THE WITNESS: I accept the instruction.  
4 Q Why did you make the statement?  
5 MR. CHEW: Same instruction; same basis.  
6 THE WITNESS: I accept the instruction.  
7 Q What were you trying to convey to the  
8 press in making this statement?  
9 MR. CHEW: Same instruction; same basis.  
10 THE WITNESS: I accept the instruction.  
11 Q Did you make the statement on Mr. Depp's  
12 behalf?  
13 MR. CHEW: Same instruction; same basis.  
14 THE WITNESS: I accept the instruction.  
15 Q Did you discuss this statement with  
16 Mr. Depp before making the statement?  
17 MR. CHEW: Same instruction; same basis.  
18 THE WITNESS: I accept the instruction.  
19 Q Did you discuss this statement with  
20 Mr. Depp following making the statement?  
21 MR. CHEW: Same instruction; same basis.  
22 THE WITNESS: I accept the instruction.

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1 Q Was Mr. Depp aware, either before or  
2 after, that you were making this statement?  
3 MR. CHEW: Same instruction; same basis.  
4 THE WITNESS: I accept the instruction.  
5 Q Did you make the statement with Mr. Depp's  
6 authorization or agreement?  
7 MR. CHEW: Same instruction; same basis.  
8 THE WITNESS: I accept the instruction.  
9 Q Was Mr. Depp aware you were speaking with  
10 the press?  
11 MR. CHEW: Same instruction; same basis.  
12 THE WITNESS: I accept the instruction.  
13 Q Did Mr. Depp ever ask you to retract or  
14 correct this statement?  
15 MR. CHEW: Same instruction; same basis.  
16 THE WITNESS: I accept the instruction.  
17 Q If Mr. Depp had asked you to retract or  
18 correct the statement, would you have done so?  
19 MR. CHEW: Same instruction; same basis.  
20 THE WITNESS: I accept the instruction.  
21 MS. BREDEHOFT: All right. We're going to  
22 go ahead and take this one down. And let's go

<p style="text-align: right;">101</p> <p>1 him.</p> <p>2 MR. ROTTENBORN: Yeah, I'm back.</p> <p>3 MS. BREDEHOFT: Great. Welcome back, Ben.</p> <p>4 All right. I'm going to ask you to bring</p> <p>5 up Exhibit No. 11.</p> <p>6 AV TECHNICIAN: Stand by.</p> <p>7 (Exhibit 11, Text messages and e-mail</p> <p>8 between Adam Waldman and Keith Bishop dated</p> <p>9 January 28, 2020, Bates Nos. ARW_000676 through</p> <p>10 ARW_000678, was marked for identification and is</p> <p>11 attached to the transcript.)</p> <p>12 AV TECHNICIAN: Showing Exhibit 11 on the</p> <p>13 screen.</p> <p>14 BY MS. BREDEHOFT:</p> <p>15 Q Mr. Waldman, I'm going to ask you to take</p> <p>16 a look at what has been marked as Deposition</p> <p>17 Exhibit No. 11. And if you want to take a moment,</p> <p>18 I'm going to try to make it --</p> <p>19 MS. BREDEHOFT: If you can give me control</p> <p>20 for just a minute, Lucien, so I can make it</p> <p>21 bigger. Okay.</p> <p>22 Q Mr. Waldman, I'm just going to ask you --</p>	<p style="text-align: right;">103</p> <p>1 at the top, conversation; six messages, three</p> <p>2 parties, over 209 minutes. And it has -- this</p> <p>3 first one, it has a date and a time and it has a</p> <p>4 telephone number. Do you see that?</p> <p>5 <b>A I do.</b></p> <p>6 Q Okay. And then it has some e-mail</p> <p>7 messages -- text messages, it looks like -- it</p> <p>8 starts with Keith Bishop. Do you know who Keith</p> <p>9 Bishop is?</p> <p>10 <b>A I do.</b></p> <p>11 Q And who is he?</p> <p>12 <b>A Keith Bishop is a -- a publicist who lives</b></p> <p>13 <b>in London.</b></p> <p>14 Q And for what -- what publication?</p> <p>15 <b>A Oh, no, he's a -- he's a -- he's a</b></p> <p>16 <b>publicist, he's an advisor, on media.</b></p> <p>17 Q I see. Did you -- at any time, did you or</p> <p>18 Mr. Depp ever employ Keith Bishop in any kind of</p> <p>19 public relations role?</p> <p>20 MR. CHEW: Mr. Waldman, I would instruct</p> <p>21 you not to answer any -- I would instruct you not</p> <p>22 answer the question to the extent that it would</p>
<p style="text-align: right;">102</p> <p>1 it's kind of two and a half pages. Go ahead and</p> <p>2 take a moment to review it, and then I'll ask you</p> <p>3 some questions.</p> <p>4 <b>A Thank you.</b></p> <p>5 <b>Okay. Thank you. I've read it.</b></p> <p>6 Q Okay. So directing your attention to</p> <p>7 Exhibit No. 11.</p> <p>8 MS. BREDEHOFT: Now I can't -- I need</p> <p>9 control, Lucien. Sorry.</p> <p>10 There we go.</p> <p>11 Q Mr. Waldman, I'm going to ask you kind of</p> <p>12 a technical question first. In your document</p> <p>13 production there is what appears to be text</p> <p>14 messages and then there also appear to be e-mails</p> <p>15 that are the same date and time. Could you -- do</p> <p>16 you have an explanation for that?</p> <p>17 <b>A I -- I don't. I actually don't know. I'm</b></p> <p>18 <b>not sure I understand precisely what you're</b></p> <p>19 <b>saying, but I don't --</b></p> <p>20 Q So I'll -- because there is a number of</p> <p>21 these, so maybe we can just clear it up right from</p> <p>22 the start. So we have conversation -- if you look</p>	<p style="text-align: right;">104</p> <p>1 require you to disclose any communications you had</p> <p>2 with Johnny, either receiving or giving.</p> <p>3 THE WITNESS: I would not be able to</p> <p>4 answer without doing so, so I accept the</p> <p>5 instruction.</p> <p>6 Q And Mr. Depp says, and this is on</p> <p>7 1/28/2020, Adam I can confirm a meeting with The</p> <p>8 Mail Online for Monday 17th February at 10 a.m.</p> <p>9 Do you see that?</p> <p>10 <b>A I do.</b></p> <p>11 Q So did you, in fact, have a meeting with</p> <p>12 the MailOnline on 17th February?</p> <p>13 <b>A I couldn't say sitting here now</b></p> <p>14 <b>definitively that we met on Monday, the 17th of</b></p> <p>15 <b>February, no. But I see this and it wouldn't</b></p> <p>16 <b>surprise me if we had.</b></p> <p>17 Q And was Mr. Depp with you when you had the</p> <p>18 meeting?</p> <p>19 <b>A I believe Mr. Depp was with me when we had</b></p> <p>20 <b>this meeting.</b></p> <p>21 Q And you were representing Mr. Depp at the</p> <p>22 time, correct?</p>



<p style="text-align: right;">105</p> <p>1 MR. CHEW: I would instruct the witness 2 not to answer that question based on attorney- 3 client privilege. 4 THE WITNESS: I accept the instruction. 5 Q Now, going -- scrolling down a little bit 6 further, it says you have -- Something new has 7 come up. I just obtained an audio tape of Johnny 8 Depp and Amber Heard, and it is clear that both 9 parties know the tape is being made, and the 10 recording is made by Amber on her phone - on the 11 tape she -- on the tape she confesses. It will be 12 the end of this case. And I possess more tapes, 13 with more confessions. Is there a reliable source 14 to give this to who will run it properly? 15 Do you see that? 16 MR. CHEW: Objection; hearsay. 17 THE WITNESS: I do. 18 Q Did you write that? 19 <b>A I believe I did.</b> 20 Q When did you obtain the audiotape that 21 you're referencing in this text message? 22 MR. CHEW: Objection on the grounds of</p>	<p style="text-align: right;">107</p> <p>1 recordings were that you gave to the Daily Mail? 2 <b>A No.</b> 3 Q Do you recall whether it was approximately 4 two and a half minutes? 5 <b>A Forgive me, did I give them a tape that</b> 6 <b>was two and a half minutes long?</b> 7 Q Yes. 8 <b>A No, I don't recall anything two and a half</b> 9 <b>minutes.</b> 10 Q How long were the tape recordings? 11 <b>A I think they were -- my recollection is</b> 12 <b>they were hours.</b> 13 Q Both tapes were hours? 14 <b>A No. I think maybe I'm speaking about them</b> 15 <b>in tandem. My recollection, it may be off, but I</b> 16 <b>think maybe they were 30 or so minutes each. They</b> 17 <b>could be -- they could have been longer; they</b> 18 <b>could have been shorter. But they were</b> 19 <b>substantial in length.</b> 20 Q All right. Do you recall what the dates 21 of the two audio recordings were? 22 <b>A I'm sorry, I don't understand the</b></p>
<p style="text-align: right;">106</p> <p>1 attorney-client -- of attorney work product. 2 And I would instruct you not to answer the 3 question to the extent it would require you to 4 disclose any communications you had with Mr. Depp, 5 your client. 6 THE WITNESS: It would, and so I won't be 7 able to answer the question. 8 Q What tape did you provide to the 9 MailOnline, the Daily Mail? 10 <b>A In this -- are you asking, forgive me, in</b> 11 <b>this instance relating to this text?</b> 12 Q Yes. 13 <b>A My recollection is that I gave a pair of</b> 14 <b>audiotapes, actually, to them. Whether that</b> 15 <b>occurred sequentially or at the same time, I don't</b> 16 <b>remember, but I provided them two tapes.</b> 17 Q And did you provide them with the full 18 tape recordings or just partial tape recordings? 19 <b>A I'm not aware of any partial tape</b> 20 <b>recordings. I provided the full tape recordings</b> 21 <b>to them.</b> 22 Q Do you remember how many minutes the tape</p>	<p style="text-align: right;">108</p> <p>1 <b>question.</b> 2 Q Yeah. Let me -- let me take them one at a 3 time. 4 The tape you provided to the Daily Mail in 5 this context where you were meeting with them on 6 the 17th of February and you believe with 7 Mr. Depp, do you recall which tape you provided to 8 the Daily Mail then? 9 <b>A I -- I don't. As I -- as I mentioned a</b> 10 <b>moment ago, my recollection is I provided two</b> 11 <b>tapes, and the sequence of -- the provision of</b> 12 <b>them, I don't -- I don't recall.</b> 13 Q Well -- and I'm going to ask you more 14 about your best recollection on the sequence. 15 Is it your recollection that you provided 16 both tapes to them in this time frame between 17 1/28/2020 and February 17th, when you were meeting 18 with the Daily Mail with Johnny Depp, or do you 19 recall giving them one and then another one at 20 some other time? 21 MR. CHEW: Objection; vague and ambiguous. 22 THE WITNESS: I don't -- I don't remember,</p>

<p style="text-align: right;">109</p> <p>1 actually, which thing on which date. I'm not -- 2 I'm not certain. If you have documents, it would 3 be easier to, you know, refresh my recollection. 4 But as I sit here today, I'm not sure exactly 5 which tape, which date. 6 Q Do you remember -- so, I just want to make 7 sure I have your best recollection. Do you have a 8 recollection of giving both tapes at the same time 9 or one tape followed by another tape? 10 <b>A I don't remember which it was.</b> 11 Q Okay. And if you gave them one followed 12 by another, do you recall what time period expired 13 between the giving of the first tape and the 14 second tape? 15 MR. CHEW: Objection; calls for 16 speculation. 17 THE WITNESS: I was just going to say: Do 18 you want me to speculate? Because I don't 19 remember precisely. 20 Q I want your best recollection. 21 <b>A I -- as I said, I don't remember whether</b> 22 <b>they were provided at the same time or separately,</b></p>	<p style="text-align: right;">111</p> <p>1 to answer to the extent that it would require you 2 to disclose any communications between you and 3 Mr. Depp. 4 THE WITNESS: It would, and so I won't 5 respond. 6 Q Did you play the entire tapes for the 7 Daily Mail? 8 MR. CHEW: Objection; asked and answered. 9 THE WITNESS: When you say -- just to 10 clarify your question, if I may. When you say did 11 I play it for them, what do you mean exactly? 12 Q When you were in the meeting, did you -- 13 did you press the "play" and play the entirety of 14 the conversations? 15 <b>A No. Again, my recollection is there were</b> 16 <b>no tapes played in the meeting.</b> 17 Q All right. And you say here, I possess 18 more tapes with more confessions. How many tapes 19 did you possess that you contend to have 20 confessions? 21 MR. CHEW: And, again, Adam, I would 22 instruct you not to answer to the extent it would</p>
<p style="text-align: right;">110</p> <p>1 <b>so it's impossible for me to put a date on</b> 2 <b>which/when in light of that.</b> 3 Q Do you remember whether they were days, 4 weeks, months, or years apart? 5 <b>A Well, I know you want my best estimation.</b> 6 <b>Not years, not months. If it -- if they even were</b> 7 <b>given separately, perhaps it would have been a</b> 8 <b>week or two, but I'm -- I'm really not certain.</b> 9 Q How did you come to possess the tapes? 10 MR. CHEW: And, again, I would instruct 11 you, Adam, not to answer any questions to the 12 extent it would require you to disclose any 13 communications you had with -- with Mr. Depp. 14 THE WITNESS: It would, and so I cannot. 15 Q Did you play one or both of the tapes 16 during the meeting with the MailOnline at which 17 you recall Mr. Depp also being present? 18 <b>A No, I don't recall doing so. No, I -- in</b> 19 <b>fact, I'm reasonably certain I did not do so.</b> 20 Q Do you recall the approximate dates that 21 the tapes were made? 22 MR. CHEW: Again, I would instruct you not</p>	<p style="text-align: right;">112</p> <p>1 require you to disclose attorney-client 2 communications. 3 THE WITNESS: It would. 4 Q So you're accepting his instruction? 5 <b>A I am.</b> 6 Q In totality, how many tapes did you 7 provide to any press entity or individual? 8 <b>A Well, as I sit here, my best recollection</b> 9 <b>is four.</b> 10 Q And what do you recall of the content of 11 those four tapes? 12 Let me take them one by one. When is the 13 first -- when is -- let's take one by one. So 14 we're going to go with the first tape that you 15 recall. When did you provide the first tape to 16 any press entity or individual? 17 <b>A My recollection -- again, I'll repeat what</b> 18 <b>I said earlier -- that I'm not sure if I provided</b> 19 <b>two together or -- or sequentially. Whether it</b> 20 <b>was sequential or the two together, my</b> 21 <b>recollection is that this was February, early</b> 22 <b>February, I think, of -- of 2020.</b></p>

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1 Q And to whom did you provide the one or two  
2 tapes?  
3 **A I provided them to the Daily Mail, U- -**  
4 **the U.S. division of the Daily Mail.**  
5 Q Did you provide those two tapes to any  
6 other press entity or individual other than the  
7 Daily Mail?  
8 **A I did.**  
9 Q Who?  
10 **A Let me think about that for a moment**  
11 **before I answer too quickly.**  
12 **Well, strike that. Actually, no. I gave**  
13 **it only to the Daily Mail.**  
14 Q Now let's talk about tape number three.  
15 When did you provide tape number three to any  
16 press entity or individual?  
17 **A I - I really don't have a date on this.**  
18 Q Was it before or after February 2020?  
19 **A I think it was after February 2020.**  
20 Q Was it days, weeks, months, years?  
21 **A I'm not sure of the precise time frame.**  
22 Q Can you narrow it down any more than that?

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1 **A I don't think so. I'm sure there will be**  
2 **documents, and when I look at them it will remind**  
3 **me. But no, as I sit here now I couldn't say**  
4 **definitively.**  
5 Q To whom did you provide tape number three?  
6 MR. CHEW: Objection; asked and answered a  
7 few times.  
8 THE WITNESS: Tape number three was also  
9 provided to the Daily Mail, as I recall.  
10 Q And how long was tape number three?  
11 **A This is a slightly difficult question to**  
12 **answer precisely because my recollection is the**  
13 **tape was maybe five hours long, but it had really**  
14 **significant dead - dead space in the middle of**  
15 **it; white noise, I suppose you call it.**  
16 Q And why did you provide tape number three  
17 to the Daily Mail?  
18 MR. CHEW: I would object and instruct  
19 Mr. Waldman not to answer to the extent that it  
20 requires the disclosure of any attorney-client  
21 communications.  
22 THE WITNESS: It would.

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1 BY MS. BREDEHOFT:  
2 Q So you're accepting his instruction?  
3 **A I am.**  
4 Q Why did you provide tape number one to the  
5 Daily Mail?  
6 MR. CHEW: Same instruction; same basis.  
7 THE WITNESS: I accept the instruction.  
8 Q Why did you provide tape number two to the  
9 Daily Mail?  
10 MR. CHEW: Same instruction; same basis.  
11 THE WITNESS: I accept the instruction.  
12 Q Let's go to tape number four. When did  
13 you provide tape number four to any press entity  
14 or individual?  
15 **A I'm not - I'm not certain of the date and**  
16 **I'm - I'm not actually certain that it was I who**  
17 **provided tape number four to the press. I think**  
18 **it may well have been your side that did. But I'm**  
19 **not - I'm not certain.**  
20 Q What do you recall of tape number four?  
21 **A Tape number four was an audiotape of a**  
22 **229-1-1 call made by a friend of Ms. Heard's,**

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1 according to the contents of the tape, downstairs  
2 from the Eastern Columbia Building, the night of  
3 May 21, 2016.  
4 Q And as you sit here today, can you recall  
5 whether you provided that to a press entity or  
6 someone else?  
7 **A I - I can't, actually. My - my**  
8 **recollection is that you guys provided it and I**  
9 **responded - I responded to the story. But I'm**  
10 **not - I'm not certain.**  
11 Q All right. Let's back up to tape one.  
12 What - what was the subject matter in tape one?  
13 **A The subject matter of tape one - I want**  
14 **to make sure I don't have my tape one and tape two**  
15 **mixed up, which could happen.**  
16 **The subject matter of tape one was**  
17 **conversation between Ms. Heard and Mr. Depp, and**  
18 **they were arguing about things that had happened.**  
19 **And in the - in the - it's a tape, as I said,**  
20 **that goes on - it's hard to characterize all of**  
21 **it. I don't have it memorized. But Ms. Heard on**  
22 **that tape confesses to quite a lot of violence**

<p style="text-align: right;">117</p> <p><b>1 against Mr. Depp and, you know, also -- also</b> <b>2 taunts him about that violence.</b> 3 Q And that's your characterization, having 4 listened to the tape, correct? 5 MR. CHEW: Objection; argumentative. 6 THE WITNESS: I think it would be the 7 characterization of anybody who listened to it. 8 And I think it was how the world characterized it. 9 MS. BREDEHOFT: Move to strike. 10 Q Let's go to tape two. 11 So what time frame was tape one recorded 12 in? <b>13 A I don't know. I wasn't there for the</b> <b>14 recording.</b> 15 Q Right. But is there anything that would 16 have -- did you look to see on any of the metadata 17 or any of the other information associated with it 18 for what the dates were on it? <b>19 A I -- I don't know the answer to the</b> <b>20 question. I don't know what date it was recorded.</b> 21 Q Okay. Let's talk -- what was the subject 22 matter on tape two?</p>	<p style="text-align: right;">119</p> <p><b>1 evidence anyone has ever assembled in a domestic</b> <b>2 violence case. And so that's -- that's the sort</b> <b>3 of, you know, general context of the second tape.</b> 4 Q Now, you characterize that as taunting, 5 but do -- are you able to recognize sarcasm? 6 MR. CHEW: Objection; argumentative. 7 THE WITNESS: The question is do I think I 8 can recognize sarcasm? 9 Q Are you able to? <b>10 A I think so.</b> 11 Q Do you know whether you can? <b>12 A Yeah, I think I'm -- I think I'm able to</b> <b>13 recognize sarcasm, yes.</b> 14 Q Did you listen to the full content of 15 either tape one or tape two? <b>16 A Many times, yes.</b> 17 Q And it's not -- and you don't pull from 18 that that there's sarcasm in there from Ms. Heard? <b>19 A No, I don't think I would call it sarcasm</b> <b>20 about such a serious topic. She's confessing to</b> <b>21 violent attacks on him. He's suggesting the two</b> <b>22 of them go talk to somebody who works for them.</b></p>
<p style="text-align: right;">118</p> <p><b>1 A Again, making sure that I -- hoping that I</b> <b>2 don't have the two -- don't conflate the two</b> <b>3 tapes, the second tape was a bit -- a bit -- the</b> <b>4 tape was made a bit later. I don't know precisely</b> <b>5 when. But it seemed to be sometime after</b> <b>6 Ms. Heard had filed for divorce. And the second</b> <b>7 tape, among other things, taunted Johnny and said,</b> <b>8 Nobody's going to believe you are an abuse victim</b> <b>9 because you're a man. And there is a judge and a</b> <b>10 jury and they'll see how big you are and, you</b> <b>11 know, they won't -- they won't believe you. It's</b> <b>12 Ms. Heard giving Mr. Depp PR advice at times. And</b> <b>13 that's one piece of it right there: Nobody's</b> <b>14 going to believe you.</b> 15 She is saying that the public would not 16 believe that she had been sort of planning this 17 out. She called it, I think, a secret fight club, 18 that she had been planning it out for years. And 19 so it's a -- it's a -- kind of a very taunting- 20 oriented tape. 21 She professes to having lots of evidence. 22 I think she says at one point it's the most</p>	<p style="text-align: right;">120</p> <p>And her response to that is: You know, 2 why don't you go jerk him off. I didn't think 3 that was really sarcasm. 4 He says something like -- I'm 5 paraphrasing -- you lied. And she said, You're 6 right, great investigator, I lied. 7 So, no, I -- I think the topic is really 8 serious, kind of sad. It's a -- it's a discussion 9 of her abusing him and it's her exhibiting -- 10 exhibiting an attempt to either bully him or 11 direct him not to pursue, you know, vindication of 12 what she accused him of. 13 Q This is all your characterization of this, 14 correct? 15 MR. CHEW: Objection; argumentative. 16 THE WITNESS: Well, I think you asked for 17 my characterization. But I also think that's 18 the -- that's the general characterization of 19 anybody who's listened to it. 20 Q Those tapes were played in the U.K. 21 proceeding, were they not? <b>22 A I don't recall that they were played in</b></p>

<p style="text-align: right;">121</p> <p>1 <b>their entirety. I may be wrong about that. I –</b> 2 <b>it may be that – just portions. I'm not sure how</b> 3 <b>much of them were played.</b> 4 Q And Mr. Depp's attorneys had full 5 opportunity to play these in the U.K. proceedings, 6 did they not? 7 MR. CHEW: Objection; lack of foundation, 8 assumes facts not in evidence. 9 THE WITNESS: Sure, actually. I'm not an 10 expert on U.K. procedural law, but it's relatively 11 byzantine and you're not allowed to -- there are 12 significantly more restrictions on what you can 13 present in the U.K. than you can in the United 14 States. 15 Q Actually, Mr. Waldman, the opposite was 16 true in this case, wasn't it? You were present 17 for the U.K. proceeding, were you not? 18 MR. CHEW: Objection; argumentative, 19 assumes facts not in evidence, lack of foundation. 20 THE WITNESS: I was present. 21 Q And, in fact, every one of those tape 22 recordings was evidence in the case, weren't they?</p>	<p style="text-align: right;">123</p> <p>1 MR. CHEW: Objection; vague and ambiguous. 2 THE WITNESS: No. 3 MS. BREDEHOFT: I'm going to ask, 4 Lucien -- 5 THE WITNESS: Mr. Braga looks like he's 6 trying to speak, but his mute button was on. 7 MR. BRAGA: Yes. Sorry about that. 8 Thanks for noticing that, Adam. 9 And I apologize for my technical 10 incapacities to everyone. 11 I'm going to add an objection here, Adam, 12 that I'd like you to answer this question "yes" or 13 "no," but not to go into any attorney-client 14 privileged information with respect to any 15 domestic abuse representations you may have had. 16 MS. BREDEHOFT: I think he already 17 answered it anyway with a "no," so I think 18 we're -- did you hear that, Stephen? Did you hear 19 his "no"? 20 MR. BRAGA: That's fine. Thank you. 21 MS. BREDEHOFT: Okay. All right. 22 Lucien, we can go ahead and take this down</p>
<p style="text-align: right;">122</p> <p>1 They were trial exhibits in the trial bundle -- 2 MR. CHEW: Objection. 3 Q -- correct? 4 MR. CHEW: Objection; argumentative, 5 assumes facts not in evidence, lack of foundation, 6 lack of relevance. 7 THE WITNESS: Yes, those tapes were all in 8 the evidence bundles. 9 Q And, in fact, every one of those tapes had 10 been transcribed and the transcriptions were also 11 evidence in the trial bundles, were they not? 12 MR. CHEW: Objection to the form of the 13 question; argumentative, lack of foundation, 14 assumes facts not in evidence. 15 THE WITNESS: Yes, that's true. 16 Q Okay. What training have you had in 17 domestic violence? 18 <b>A None.</b> 19 Q Have you ever represented any clients who 20 have either been accused of domestic violence 21 or -- or had domestic violence committed on them 22 other than Mr. Depp?</p>	<p style="text-align: right;">124</p> <p>1 and let's go to Exhibit No. 2. 2 AV TECHNICIAN: Stand by. 3 (Exhibit 2, Subpoena, was marked for 4 identification and is attached to the transcript.) 5 AV TECHNICIAN: Showing Exhibit 2 on the 6 screen. 7 THE WITNESS: May I add something to my 8 previous response about them being in the 9 evidence? 10 BY MS. BREDEHOFT: 11 Q No. Actually, your attorneys can ask you 12 questions on that. We're past that question for a 13 bit. But I'm sure they can ask you on a break or 14 something. 15 Let's go to Exhibit No. 2. 16 You know what, Mr. Waldman, go ahead. 17 What did you want to say about the trial bundle? 18 <b>A I just wanted to add – the question that</b> 19 <b>was posed was: Weren't these tapes in evidence in</b> 20 <b>the U.K.? And I – the answer was: Yes, they</b> 21 <b>were. I simply wanted to add that the judge in</b> 22 <b>his ruling claimed he didn't give them very much</b></p>

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1 for some judge to decide, and neither you nor I  
2 are wearing the robes at this point in our  
3 careers.  
4 BY MR. ROTTENBORN:  
5 Q Who is Jen Antonelli, Mr. Waldman?  
6 A **I'm not sure, actually. The name rings a**  
7 **bell, but I'm not sure.**  
8 Q I will -- I want to -- in interest of  
9 time, I want to -- I'll represent to you that you  
10 produced a text communication with a Jen Antonelli  
11 at NBCUniversal, but I didn't see any e-mails --  
12 that references e-mails.  
13 MR. ROTTENBORN: So this is more of a  
14 statement to Mr. Braga again, and we can talk  
15 about this after the deposition, but I think that  
16 the production is incomplete.  
17 Q Do you recall ever sending e-mails to a  
18 Jen Antonelli at NBCUniversal?  
19 A **I don't, no.**  
20 Q Who is Tracey Mattock?  
21 A **Tracey Mattock is a -- I guess you would**  
22 **say a social media advisor to our skin care**

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1 **company. A consultant. I suppose you would say a**  
2 **consultant to our skin care company.**  
3 Q Did you ever -- has she ever provided  
4 services to Mr. Depp?  
5 A **You'd have to define what you mean by**  
6 **"services."**  
7 Q Has she ever provided social media  
8 services to Mr. Depp?  
9 A **It's a difficult question to answer.**  
10 **Shall I -- shall I try? I'm not sure I could**  
11 **answer --**  
12 Q Yeah.  
13 A **-- as to the way you asked it, but I think**  
14 **I understand the thrust of your question.**  
15 **She made an introduction for me to**  
16 **Instagram when Mr. Depp wanted to launch his own**  
17 **Instagram account.**  
18 Q What about any other social media services  
19 that she may have provided to Mr. Depp? Anything  
20 else?  
21 A **No, I don't remember any others besides**  
22 **that.**

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1 Q Now, we touched on social media a bit this  
2 morning with Ms. Bredehoff. But you frequently  
3 communicate with other social media contacts who  
4 post information about this case, correct?  
5 MR. CHEW: Objection; argumentative,  
6 assumes facts not in evidence, lack of foundation,  
7 calls for attorney work product.  
8 THE WITNESS: I don't think I agree with  
9 the characterization. I might need to hear it --  
10 may I hear it again? I communicate frequently...  
11 Q Let's -- let's drop the adverb.  
12 Have you communicated with other social  
13 media users about this case other than public  
14 messaging platforms?  
15 Let me ask that differently. Have you  
16 communicated privately with other social media  
17 users about this case?  
18 A **Other social media -- I want to make sure**  
19 **I'm precise. Other social media users?**  
20 Q Yes.  
21 A **That would -- that would -- that group**  
22 **would include almost everybody on Earth.**

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1 Q Have you provided information about this  
2 case to other social media personalities who then  
3 post that information?  
4 A **I've provided information episodically to**  
5 **what I would -- what I would call Internet**  
6 **journalists. And I'll define that as journalists**  
7 **who are not affiliated with -- you mentioned, I**  
8 **think, NBC a moment ago, or a mainstream media**  
9 **outlet.**  
10 Q And I think this question was asked  
11 before, but have you ever used social media to  
12 make posts about this dispute or the U.K. dispute  
13 from an account that doesn't contain your name?  
14 A No.  
15 Q **Have you communicated with a social media**  
16 **user who goes by the name of That Umbrella Guy?**  
17 A **I've had several phone calls with a --**  
18 **with the person who goes by the name That Umbrella**  
19 **Guy. I don't actually know his real name.**  
20 Q Have you communicated with him other than  
21 through phone calls?  
22 A **I don't remember doing so, no.**

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1 Q What are other -- well, let me ask you  
2 this: Do you -- have you communicated in a  
3 similar fashion with someone on social media that  
4 goes by the name ThatBrianFella?  
5 A Yes.  
6 Q What about someone who goes by the name  
7 TheRealLauraB?  
8 A Yes.  
9 Q And what about something -- or someone  
10 who's to -- who -- whose name is The Right Side of  
11 the Roaring Rapids?  
12 A No.  
13 Q What are some other, if any, whether you  
14 know real name or social media handle,  
15 quote/unquote, Internet journalists that you have  
16 communicated about this case with?  
17 MR. CHEW: Objection; vague and ambiguous.  
18 THE WITNESS: There aren't any others that  
19 come to mind besides the one you listed -- the  
20 ones you've listed.  
21 MR. BRAGA: Could we take down the  
22 document if we're done with it, please.

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1 MR. ROTTENBORN: Yeah. Good idea.  
2 MR. BRAGA: Thank you.  
3 MR. ROTTENBORN: Thanks, Stephen.  
4 BY MR. ROTTENBORN:  
5 Q And have you communicated to those  
6 individuals listed evidence that you believe  
7 suggests that Ms. Heard's allegations are hoaxes?  
8 A I would say I communicate with the  
9 Internet journalists -- because we put them in a  
10 category calling them that, I've done that --  
11 exactly the same way I would communicate with  
12 mainstream media. If they have questions about  
13 evidence or the facts, I'll -- you know, I'll --  
14 I'll inform them.  
15 Q And have you -- when you communicate with  
16 them, you do so -- you testified some by phone,  
17 correct?  
18 A Yes.  
19 Q Do you do so by text or messenger  
20 platform?  
21 A Largely, I think, by phone. But if I --  
22 if I communicated in writing, it would be probably

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1 by Signal.  
2 Q Do you know if those communications were  
3 searched for and produced in response to the  
4 subpoena you received in this case?  
5 A I -- I don't know.  
6 Q Would your -- did you provide your  
7 attorneys access to any such communications to  
8 search for and produce if, in fact, they did  
9 exist?  
10 A I did.  
11 MR. ROTTENBORN: Can you please pull up  
12 the exhibits ALH 17001 to -2, please.  
13 AV TECHNICIAN: Stand by.  
14 ALH? I'm not seeing that.  
15 MR. ROTTENBORN: I was told it was  
16 uploaded earlier today. I'm sorry, AH.  
17 AV TECHNICIAN: Oh, AH. Okay. 00017001?  
18 MR. ROTTENBORN: Yes. Sorry about that.  
19 AV TECHNICIAN: Okay. Stand by.  
20 (Exhibit 24, Tweets, Bates Nos.  
21 ALH\_00017001 through ALH\_00017002, was marked for  
22 identification and is attached to the transcript.)

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1 AV TECHNICIAN: Showing on the screen  
2 Exhibit 24.  
3 BY MR. ROTTENBORN:  
4 Q And, Mr. Waldman, you can take control of  
5 this if you want. The next page is just a larger  
6 screenshot of the -- what I'm going to ask you  
7 about, which is in that -- that sort of different  
8 color text at the top.  
9 A May -- may I ask that we make it a little  
10 larger?  
11 Q Yeah. Well, that's what I was going to  
12 say, make it larger if you want. But if you  
13 wanted to go to the next page, it's even bigger.  
14 A Okay. I'll take a moment to read it.  
15 Q Sure.  
16 A Okay, I've read the -- I've read the  
17 little off-colored box. Is there -- is there more  
18 below to read?  
19 Q No. My question -- well, my first  
20 question is: Is that -- in that box where it  
21 says, First on the record statement from me  
22 regarding the body cam to RTL, Adam Waldman,

<p style="text-align: right;">221</p> <p>1 Johnny Depp's attorney, is that a statement that 2 you made to a German media outlet called RTL? 3 <b>A Yes.</b> 4 Q And in that statement you say that LAPD 5 have now opened up a criminal investigation into 6 perjury of Ms. Heard, correct? 7 <b>A Yes.</b> 8 Q What evidence do you have that LAPD 9 allegedly opened up a criminal investigation into 10 perjury? 11 MR. CHEW: Objection to the extent that it 12 calls for attorney work product. 13 THE WITNESS: The evidence that I have is 14 that the LAPD told me that. 15 Q Who at the LAPD told you that? 16 <b>A I don't know the name of the desk officer,</b> 17 <b>but it was somebody in the Foothill, a branch</b> 18 <b>office of the LAPD.</b> 19 Q Who at the LAPD have you had 20 communications with about this case? 21 <b>A This -- this person that I'm referring to,</b> 22 <b>the desk officer, who then told me that, in fact,</b></p>	<p style="text-align: right;">223</p> <p>1 THE WITNESS: Yeah, I -- I was not at that 2 moment aware of the length of the statute of 3 limitations. I wondered about it, and I'm also 4 generally familiar with the notion of the 5 discovery rule; when a thing is discovered, 6 sometimes that's when the clock starts, so... 7 BY MR. ROTTENBORN: 8 Q You have no knowledge whether the 9 discovery rule applies to perjury charges in 10 California, correct? 11 MR. CHEW: Objection to the extent that it 12 purports to call for a legal conclusion about the 13 particulars of California law. 14 THE WITNESS: That's correct. 15 Q Did you -- did you make a correction to 16 RTL when you learned that the LAPD wasn't, in 17 fact, investigating Ms. Heard for perjury? 18 <b>A Well, the way you've characterized it is</b> 19 <b>not exactly what I would agree with. The LAPD</b> 20 <b>told me that they were investigating the perjury</b> 21 <b>claim at that time, then sequentially came the</b> 22 <b>statement, then came notification from the LAPD</b></p>
<p style="text-align: right;">222</p> <p>1 it was not the LAPD -- subsequently told me that 2 it was not the LAPD that was going to investigate 3 it, it was the LA sheriff's department because 4 they had jurisdiction over the courts. 5 And what -- the perjury referred to here 6 is the false under-oath statements by Amber -- 7 Amber Heard's best friend, Rocky Pennington, about 8 wine sloshed all over the walls and furniture, 9 et cetera, and Ms. Heard's statements to obtain a 10 temporary restraining order for abuse for domestic 11 violence against Mr. Depp on May 27, 2016. 12 Q So what your testimony is, is that someone 13 at -- someone said that the statements that were 14 being investigated for perjury were statements 15 made by Ms. Heard and Ms. Pennington in May 16 of 2016? 17 <b>A That's correct.</b> 18 Q Did -- were you aware that the statute of 19 limitations for perjury is three years in 20 California? 21 MR. CHEW: Objection to the extent that it 22 calls for legal conclusion, argumentative.</p>	<p style="text-align: right;">224</p> <p>1 that it was actually the LA sheriff's department 2 that was investigating it. And that was the last 3 I heard about it. 4 Q And who notified you from the LAPD that it 5 was allegedly the sheriff's department who was 6 investigating it? 7 <b>A The same -- the same desk officer at</b> 8 <b>Foothill. And when I say he's the desk officer, I</b> 9 <b>don't know if -- that's not necessarily the job</b> 10 <b>title.</b> 11 Q How did you find his -- well, do you have 12 his contact information? 13 <b>A I don't think I do. I don't know. But I</b> 14 <b>don't -- well, I'm not sure.</b> 15 Q And the time frame for this communication 16 from this desk officer would have been sometime 17 after the U.K. ruling came down, is that right, 18 since above it there is a statement from you about 19 the U.K. ruling as well? 20 <b>A I mean, that's -- that's a reasonable --</b> 21 <b>that's a reasonable conclusion. I'm not sure as I</b> 22 <b>sit here today. But if you say that's what I've</b></p>



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1 **said, then probably yes.**  
2 Q And I'm sorry if I asked you this. How  
3 did you come into contact with this desk officer?  
4 **A I brought a binder of information**  
5 **including the statements that had been made and**  
6 **the evidence showing that those statements were**  
7 **false.**  
8 Q In your view.  
9 MR. CHEW: Objection; argumentative.  
10 Q So you took a binder to the LAPD and spoke  
11 to this desk officer?  
12 **A Correct.**  
13 Q And was that the only time that you spoke  
14 to this person?  
15 **A The two times.**  
16 Q Were they both in person?  
17 **A Oh, maybe it's three – two or three**  
18 **times.**  
19 **No. No, two times were on the phone.**  
20 Q Was the first meeting in person when you  
21 brought this binder?  
22 **A No. The first was on the telephone.**

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1 Q At what meeting were you allegedly told  
2 that LAPD was investigating Ms. Heard for perjury?  
3 **A When I spoke – when I spoke on the phone**  
4 **the – with the LAPD desk officer I asked what**  
5 **will happen with this.**  
6 **And he said this – an investigation will**  
7 **be opened up.**  
8 **And I said, What happens next?**  
9 **And he said, Well, Ms. Pennington and**  
10 **Ms. Heard, we'll seek them out and we'll seek**  
11 **their – we'll seek their evidence, we'll**  
12 **interview them. And my recollection is he said**  
13 **that sort of has to happen within some period of**  
14 **time. It was relatively short.**  
15 **And whether that ever happened or not, I**  
16 **don't know.**  
17 Q So the investigation was opened up at your  
18 request after you brought this binder to the desk  
19 officer; is that right?  
20 **A I didn't ask him – I didn't ask him to**  
21 **open an investigation. I filed a claim with the**  
22 **LAPD regarding these perjurious statements that**

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1 **Ms. Heard and her best friend, Rocky Pennington,**  
2 **had made to a court.**  
3 Q Was that claim that you filed in writing?  
4 **A Yes.**  
5 Q Do you know whether that claim was  
6 produced as part of this -- your document  
7 production in this case? Because I certainly  
8 haven't seen it.  
9 **A I don't know that I ever received a copy**  
10 **of it. It was filed in writing with the LAPD, but**  
11 **I don't – I don't recall that I ever received a**  
12 **copy of it.**  
13 Q Did you draft it?  
14 **A No.**  
15 Q So what was -- you were talking to the  
16 desk officer and he was taking down notes, and is  
17 that the writing you were referring to?  
18 **A Yes.**  
19 Q Did you ever see this alleged written  
20 claim?  
21 **A Yes.**  
22 Q Did you sign it?

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1 **A I don't recall if I did.**  
2 Q Did you ever call the sheriff's department  
3 to -- after you allegedly learned that they were  
4 investigating this perjury allegation?  
5 **A No.**  
6 Q Why not?  
7 **A I don't think there was any – I didn't**  
8 **think there was anything else really for me to do.**  
9 **In my earlier life I worked at the Department of**  
10 **Justice and I don't think you get too involved in**  
11 **law enforcement matters. I filed a claim that she**  
12 **had – she had perjured herself to the courts. I**  
13 **provided abundant evidence, overwhelming, in my**  
14 **opinion, that those statements were false and that**  
15 **that was perjury. And I was told that they were**  
16 **going to look into it. My role in it was over at**  
17 **that point.**  
18 Q And as specifically as you can recall,  
19 what specific communication was made to you  
20 that -- based on your filing of a complaint, that  
21 an investigation had been opened?  
22 **A Precisely that, that this opens an**

<p style="text-align: right;">229</p> <p>1 investigation. It's open now. And then, as I 2 mentioned a moment ago, we're going to interview 3 the two primary witnesses. 4 Q And it was opened as a result of your 5 filing that complaint? 6 A That was my understanding, yes. 7 Q Have you had communications about this 8 case with anyone else from the LAPD or LA 9 sheriff's office? 10 A No, not that I can think of. 11 Q Have you ever spoken with Officer Saenz or 12 Hadden? 13 A No. 14 Q And you said that the desk officer to whom 15 you made this report was in the Foothill office; 16 is that right? 17 A I think so, yes. I think that's what it's 18 called. 19 Q And other than this desk officer, you 20 never spoke to anyone else about this alleged 21 perjury investigation? 22 A I'm not going to be able to answer that</p>	<p style="text-align: right;">231</p> <p>1 Q Did you ever hear anything more about this 2 perjury investigation, to the extent it existed 3 from anyone -- any other third party who claimed 4 that they had spoken to anyone in LAPD or the LA 5 sheriff's office? 6 A No, I don't think so. 7 MR. ROTTENBORN: I think with that -- 8 Mr. Waldman, appreciate your time. I don't have 9 any further questions at this point. Mr. Chew may 10 have some questions, and that may spur other 11 questions by us, but thank you. 12 THE WITNESS: Thank you, Mr. Rottenborn. 13 MR. CHEW: Adam, I just have a few 14 questions if now is a good time. 15 THE WITNESS: Sure. 16 MR. CHEW: Just a few. 17 EXAMINATION 18 BY MR. CHEW: 19 Q Mr. Waldman, do you have a professional 20 license? 21 A I do. 22 Q Do you have your own law firm?</p>
<p style="text-align: right;">230</p> <p>1 without revealing an attorney-client privilege. 2 MR. CHEW: I would instruct you not to 3 answer further, then. Thank you for spotting 4 that. 5 Q Did you ever speak to anyone other than 6 your client about this alleged perjury 7 investigation -- other than your client and the 8 desk officer? 9 A Well, I think this quote that you've shown 10 me to the media would constitute speaking about 11 it. 12 Q Fair enough. What I'm trying to get at is 13 anyone -- did you speak with anyone in the LAPD or 14 LA sheriff's office other than this desk officer 15 about this perjury complaint or investigation? 16 A I don't think so. 17 Q Did you ever hear anything about this 18 investigation or lack thereof from anyone else who 19 you understood to have spoken with anyone in LAPD 20 or the LA sheriff's office? 21 A I'm sorry, I just couldn't follow the 22 question.</p>	<p style="text-align: right;">232</p> <p>1 A I do. 2 Q What is the name of your law firm? 3 A Endeavor Law Firm. 4 Q When was Endeavor Law Firm formed? 5 A I think it was in 2005. 6 Q And who was it who formed your law firm? 7 A It was I who did it. 8 Q And who owns your law firm? 9 A I do. 10 Q What is your title at the Endeavor Law 11 Firm? 12 A Managing member, I believe. 13 Q And it's -- it's none of our business who 14 your clients are, but does the Endeavor Law Firm 15 have other clients other than Mr. Depp? 16 A Yes. 17 Q Do your clients dictate the -- strike 18 that. 19 Do your clients dictate exactly when you 20 take breaks? 21 MS. BREDEHOFT: Objection; leading, 22 relevance, hearsay, foundation.</p>

Transcript of John C. Depp, II  
Conducted on November 10, 2020

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT OF FAIRFAX COUNTY 3 4 ----- x 5 JOHN C. DEPP, II, : 6 Plaintiff, : 7 v. : Case No. 8 AMBER LAURA HEARD, : CL-2019-0002911 9 Defendant. : 10 ----- x 11 Videotaped Deposition of JOHN C. DEPP, II 12 Reston, Virginia 13 Tuesday, November 10, 2020 14 10:40 a.m. 15 Volume 1 16 CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER 17 18 19 20 Job No. 328692 21 Pages 1 - 266 22 Reported by: Karen Young</p>	<p>1 APPEARANCES 2 ON BEHALF OF JOHN C. DEPP, II: 3 BENJAMIN G. CHEW, ESQUIRE 4 BROWN RUDNICK, LLP 5 601 Thirteenth Street, Northwest 6 Suite 600 7 Washington, D.C. 20005 8 (202) 536-1700 9 10 CAMILLE M. VASQUEZ, ESQUIRE 11 BROWN RUDNICK, LLP 12 2211 Michelson Drive, Seventh Floor 13 Irvine, California 92612 14 (949) 752-7100 15 16 17 18 19 20 21 22</p>
<p>1 Videotaped Deposition of JOHN C. DEPP, II, 2 held at the offices of: 3 CHARLSON BREDEHOFT COHEN &amp; BROWN, P.C. 4 11260 Roger Bacon Drive 5 Suite 201 6 Reston, Virginia 20190 7 (703) 318-6800 8 9 10 11 12 Pursuant to notice, before Karen Young, 13 Notary Public of the Commonwealth of Virginia. 14 15 16 17 18 19 20 21 22</p>	<p>1 ON BEHALF OF AMBER LAURA HEARD: 2 ELAINE CHARLSON BREDEHOFT, ESQUIRE 3 CHARLSON BREDEHOFT COHEN &amp; BROWN, P.C. 4 11260 Roger Bacon Drive 5 Suite 201 6 Reston, Virginia 20190 7 (703) 318-6800 8 9 BENJAMIN ROTTENBORN, ESQUIRE 10 WOODS ROGERS, PLC 11 10 South Jefferson Street 12 Suite 1400 13 Roanoke, Virginia 24011-1319 14 (540) 983-7600 15 16 ALSO PRESENT: 17 Dustin Thomason, Videographer 18 Amber Laura Heard, by mobile videoconference 19 Leslie Hoff, Charlson Bredehoft Cohen &amp; Brown, P.C. 20 21 22</p>

Conducted on November 12, 2020

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1 **and made. So Jack has been, yeah, integral and**  
 2 **very important.**  
 3 Q Jack Whigham moved to another agency  
 4 recently; is that correct?  
 5 A Yes, he did.  
 6 Q And do you know the name of the new  
 7 agency?  
 8 A No, I don't.  
 9 Q Are you still with him even though he has  
 10 moved?  
 11 A I will definitely go with Jack, yes, of  
 12 course.  
 13 Q That just hasn't come up yet for you?  
 14 A No, as far as I'm concerned, Jack Whigham  
 15 is my agent whether he's at CAA or not, he's my  
 16 film agent. At present, it's entirely normal and  
 17 possible that Christian Carino could remain my  
 18 commercial agent, as they say, in CAA.  
 19 Q And what role does Bryan Lourd play?  
 20 A Bryan Lourd is the -- he's the head of  
 21 CAA. He's the chairman I suppose, chairman of CAA.  
 22 Q Does he do anything personally for you

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1 with your career?  
 2 A Bryan Lourd?  
 3 Q Yes.  
 4 A No, not very much, no.  
 5 Q Okay. When did you first meet Adam  
 6 Waldman?  
 7 A First met Adam Waldman, was it 2016? I'm  
 8 thinking.  
 9 Q Was it in the time frame of Tracey Jacobs  
 10 -- the Tracey Jacobs switch, was it around that  
 11 same time frame?  
 12 A I can't remember if Tracey was still in  
 13 my life at that moment. I believe that she was  
 14 not, and I met Adam with Ed White, at Ed White's  
 15 house, and --  
 16 Q Did Ed White introduce you to Adam  
 17 Waldman?  
 18 A Adam Waldman was someone that was brought  
 19 up -- his name was brought up as a -- as a very  
 20 capable and brilliant attorney, and he was someone  
 21 that I wanted to talk with regarding the Mandel  
 22 situation at that time, first and foremost, the

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1 Mandel situation, and though Jake Bloom's thing was  
 2 coming out as -- it wasn't looking great, I waited  
 3 because I -- because I loved Jake Bloom in many  
 4 ways, and I couldn't bring myself to believe that  
 5 he would have done that to me, though when it came  
 6 to light, yes, Adam Waldman started with me  
 7 basically around then as an outside Hollywood  
 8 attorney, which I did not want a Hollywood  
 9 attorney.  
 10 MR. CHEW: And Mr. Depp, these questions  
 11 are fine, but I just want to --  
 12 THE WITNESS: Remind me that --  
 13 MR. CHEW: -- advise you --  
 14 THE WITNESS: Yes.  
 15 MR. CHEW: -- that when Adam became your  
 16 attorney, your communications are 100 percent --  
 17 THE WITNESS: Of course.  
 18 MR. CHEW: -- privileged.  
 19 THE WITNESS: Of course. Thank you.  
 20 BY MS. CHARLSON BREDEHOFT:  
 21 Q Who recommended Adam Waldman to you?  
 22 A It was kind of a -- it was a guy that I'd

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1 met who turned out to be a very, very sweet man who  
 2 understood my dilemma and felt that I was being  
 3 dealt a dirty hand, and he recommended someone  
 4 named Adam Waldman and --  
 5 Q What's the name of that man that  
 6 recommended him?  
 7 A He was like a -- it was an attorney in  
 8 the U.K. that I'd met.  
 9 Q You don't recall his name?  
 10 A No, I don't. I don't recall his name.  
 11 Q So how is it that you ended up meeting  
 12 Adam Waldman at Ed White's house?  
 13 A I requested to meet with Mr. Waldman. I  
 14 believe it was Ed White who facilitated that  
 15 meeting because there was a dinner held at Ed  
 16 White's house.  
 17 Q Had Ed White worked with Adam Waldman  
 18 before?  
 19 A I don't believe so, no.  
 20 Q Okay. So do you recall when you first  
 21 hired Adam Waldman?  
 22 A Well, after -- after our first discussion

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1 **and after he -- he had received enough information**  
 2 **on the case and enough -- enough facts, he gave it**  
 3 **some thought and then he got back to me on his --**  
 4 **what he felt I had to -- what he felt was the right**  
 5 **thing to do.**  
 6 Q Do you remember approximately when this  
 7 was?  
 8 A **I mean --**  
 9 Q Are we still in 2016 or are we --  
 10 A **Yes, I believe we're still in 2016, yes.**  
 11 Q All right.  
 12 A **It wasn't long after that that I -- once**  
 13 **I discussed the case with Mr. Waldman, I felt that**  
 14 **he was the man for the -- for the job.**  
 15 Q And is this before or after you resolved,  
 16 for lack of a better word, your divorce with Amber  
 17 that you met Mr. Waldman?  
 18 A **Oh, boy. Oh, before we broke up or**  
 19 **before the divorce?**  
 20 Q Before the August settlement. August  
 21 2016 is when you reached the settlement.  
 22 A **That's the settlement, okay, so it was**

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1 **after.**  
 2 Q Okay, so sometime between August 2016 and  
 3 the end of 2016 is when you met Adam Waldman and  
 4 hired him.  
 5 A **I'm going to guess -- I think it was**  
 6 **somewhere in the -- I think it was around**  
 7 **Octoberish.**  
 8 Q All right, and has Adam Waldman worked  
 9 for you since that time?  
 10 A **Yes, ma'am.**  
 11 Q Okay. Consistently?  
 12 A **Yes, ma'am.**  
 13 Q And you consider him a trusted advisor?  
 14 A **Oh, yes, ma'am.**  
 15 Q Okay. Is he -- is Adam Waldman  
 16 authorized to speak on your behalf?  
 17 MR. CHEW: Objection to the form of the  
 18 question. It calls for a legal conclusion. It's  
 19 also vague as to instance.  
 20 A **Instance is very important. Is he**  
 21 **allowed to speak on my behalf? Well, of course,**  
 22 **there's a yes and a no in there. It depends on the**

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1 **situation, it depends on what -- you know, what's**  
 2 **presented.**  
 3 Q Is Adam Waldman authorized to speak on  
 4 your behalf with respect to your position on Amber  
 5 Heard and her statements?  
 6 MR. CHEW: Objection. Same objection.  
 7 Objection to the form of the question to the extent  
 8 it calls for a legal conclusion and to the extent  
 9 it depends -- it's vague as to instance.  
 10 A **I think -- just --**  
 11 Q You know what?  
 12 A **Excuse my ignorance. Is that also not**  
 13 **privileged?**  
 14 MR. CHEW: Yes, any communications you  
 15 had with Mr. --  
 16 THE WITNESS: I do feel like --  
 17 MR. CHEW: Any -- I'll instruct you not  
 18 to answer --  
 19 THE WITNESS: -- we're entering the arena  
 20 of privilege.  
 21 MR. CHEW: Yeah, Mr. Depp, I will  
 22 definitely instruct you not to answer any questions

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1 about communications you had to or from Adam  
 2 Waldman or any of your attorneys.  
 3 BY MS. CHARLSON BREDEHOFT:  
 4 Q Let me do it this way. I think this  
 5 might be the easiest way. When Mr. -- were you  
 6 familiar with some requests for admissions that we  
 7 served in this case that you filed responses last  
 8 Friday to? Let me phrase it a little differently  
 9 because based on the look on your face, no.  
 10 A **Yes, I was confused, yes.**  
 11 Q Okay. We filed a series of what we call  
 12 request for admissions, and we attached the  
 13 articles that Mr. -- one that you had made  
 14 statements in, the GQ article, and then we also  
 15 attached the articles in which Mr. Waldman had made  
 16 statements. We asked whether those were genuine  
 17 and authentic and -- and the specific quotes were  
 18 genuine and authentic, and the responses to those  
 19 were yes, they were genuine and authentic.  
 20 I'm going to go through, because I --  
 21 just to make it move as quickly as possible, and  
 22 then that way Mr. Chew can, you know, figure -- to

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<p style="text-align: right;">608</p> <p>1 help you where you know you want to be instructed                  2 or not, I'm just trying to make this as transparent                  3 as possible. I'm going to go through and ask you                  4 on each of these whether Mr. Waldman was authorized                  5 to make these statements, okay? So --                  6 MR. CHEW: And just so you know -- and                  7 first of all, it would be helpful if we had the                  8 document to which you're referring. Secondly, I                  9 will instruct him not to answer any specific                  10 question about what he communicated to or from Mr.                  11 Waldman, but you can go through this for the                  12 record.                  13 MS. CHARLSON BREDEHOFT: I'm not going to                  14 ask him that so that we don't get into that issue.                  15 That's what I'm trying to --                  16 MR. CHEW: Okay.                  17 MS. CHARLSON BREDEHOFT: When I say I'm                  18 trying to be transparent, I'm literally going                  19 through the statements and just saying was Mr.                  20 Waldman authorized on your behalf to say X.                  21 MR. CHEW: Right, and I will give the                  22 appropriate instruction, so please --</p>	<p style="text-align: right;">610</p> <p>1 she masquerades as the leader of, and other real                  2 abuse victims worldwide," end of quote.                  3 MR. CHEW: Mr. Depp, I would instruct you                  4 not to answer that question on the basis of                  5 attorney-client communication.                  6 A Indeed.                  7 Q On July 2nd, 2019, was Adam Waldman                  8 authorized on your behalf to tell The Blast that                  9 Ms. Heard, quote, "Went to court with painted on                  10 bruises to obtain a temporary restraining order on                  11 May 27," end of quote?                  12 MR. CHEW: Mr. Depp, I would instruct you                  13 not to answer that question based on                  14 attorney-client privilege.                  15 A Absolutely, Ben.                  16 Q So you're -- just for the record, so you                  17 are, based on the instructions of your counsel, you                  18 are declining to answer each of these questions,                  19 correct? I just want to make sure the record is                  20 clear.                  21 MR. CHEW: Yes, he's going to follow my                  22 instruction.</p>
<p style="text-align: right;">609</p> <p>1 MS. CHARLSON BREDEHOFT: That's --                  2 MR. CHEW: Please delay your answer.                  3 MS. CHARLSON BREDEHOFT: Yeah, that's --                  4 MR. CHEW: I know it's somewhat                  5 artificial, but she has to make a record on this.                  6 THE WITNESS: Sure thing.                  7 BY MS. CHARLSON BREDEHOFT:                  8 Q So on April 12, 2019, was Adam Waldman                  9 authorized on your behalf to make the quote in page                  10 6, accusing Ms. Heard of committing, quote,                  11 "Defamation, perjury and filing and receiving a                  12 fraudulent temporary restraining order demand with                  13 the court," end of quote?                  14 MR. CHEW: Mr. Depp, I will instruct you                  15 not to answer that question because you cannot do                  16 so without disclosing your communications with Adam                  17 Waldman.                  18 A Thank you, Ben.                  19 Q On June -- in June of 2019, was Adam                  20 Waldman authorized on your behalf to tell The Blast                  21 that, quote, "Ms. Heard continues to defraud her                  22 abused hoax victim, Mr. Depp, the Me Too movement</p>	<p style="text-align: right;">611</p> <p>1 A It seems pointless for me to sit here and                  2 go against my counsel -- my counsel's wishes.                  3 Q I wasn't asking you to go against it. I                  4 just --                  5 MR. CHEW: He's going to follow the                  6 instructions of counsel, as I'm sure Mr. Heard will                  7 when her turn comes.                  8 MS. CHARLSON BREDEHOFT: I just want a                  9 clear record is all I'm trying to --                  10 MR. CHEW: She's entitled to ask.                  11 THE WITNESS: Oh, no, I --                  12 MR. CHEW: And I will make an objection                  13 to each one. She has to make her record.                  14 THE WITNESS: I get you.                  15 BY MS. CHARLSON BREDEHOFT:                  16 Q On July 3, 2019, was Adam Waldman                  17 authorized on your behalf to state to People                  18 Magazine that, quote, "Ms. Heard's battered face                  19 was a hoax," end of quote?                  20 MR. CHEW: I respectfully direct Mr. Depp                  21 -- instruct Mr. Depp not to answer that question                  22 based on attorney-client privilege.</p>

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1 **A Thank you.**  
 2 **Q** And you are following your counsel's  
 3 instructions not to answer, correct?  
 4 **A Yes, ma'am, I'll follow my counsel's**  
 5 **instructions, thank you.**  
 6 **Q** Okay. Then on April 8, 2020, was Adam  
 7 Waldman authorized on your behalf to say, quote,  
 8 "Amber Heard and her friends in the media use fake  
 9 sexual violence allegations as both a sword and a  
 10 shield depending on their needs. They have  
 11 selected some of her sexual violence hoax facts as  
 12 the sword, inflicting them on the public and Mr.  
 13 Depp," end of quote.  
 14 **MR. CHEW:** I would instruct -- you're  
 15 asking whether he authorized that, and I would  
 16 instruct him not to answer that question based on  
 17 attorney-client communication.  
 18 **MS. CHARLSON BREDEHOFT:** And just -- I  
 19 neglected to say in The Daily Mail in --  
 20 **MR. CHEW:** I apologize, I --  
 21 **MS. CHARLSON BREDEHOFT:** No, no.  
 22 **MR. CHEW:** I jumped the gun.

613

1 **MS. CHARLSON BREDEHOFT:** No, no, that was  
 2 my fault. So can we just amend that and have the  
 3 --  
 4 **MR. CHEW:** Sure.  
 5 **MS. CHARLSON BREDEHOFT:** -- same  
 6 instruction?  
 7 **MR. CHEW:** Same instruction.  
 8 **BY MS. CHARLSON BREDEHOFT:**  
 9 **Q** On April 27, 2020, was Adam Waldman  
 10 authorized on your behalf to tell The Daily Mail  
 11 that, quote, "Quite simply, this was an ambush, a  
 12 hoax. They set Mr. Depp up by calling the cops,  
 13 but the first attempt didn't do the trick. The  
 14 officers came to the penthouses, thoroughly  
 15 searched and interviewed and left after seeing no  
 16 damage to face or property, so Amber and her  
 17 friends spilled a little wine and roughed the place  
 18 up, got their stories straight under the direction  
 19 of a lawyer and publicist and then placed a second  
 20 call to 911," end of quote.  
 21 **MR. CHEW:** I would instruct the witness  
 22 not to answer the question based on attorney-client

614

1 privilege.  
 2 **A I'll -- I'll take Ben's advice. Thank**  
 3 **you.**  
 4 **Q** Okay. On June 24, 2020, was Adam Waldman  
 5 authorized on your behalf to accuse Ms. Heard in  
 6 The Daily Mail of committing a, quote, "abuse  
 7 hoax," end of quote, against you?  
 8 **MR. CHEW:** And I would instruct Mr. Depp  
 9 not to answer that question based on  
 10 attorney-client privilege.  
 11 **THE WITNESS:** Thank you, Ben. I will --  
 12 I take your advice and I appreciate it. Thank you.  
 13 **MR. CHEW:** You're most welcome.  
 14 **MS. CHARLSON BREDEHOFT:** And now with  
 15 respect to each of those that I just asked, I want  
 16 to just phrase it a little bit differently, but to  
 17 save time and us having to go through it --  
 18 **MR. CHEW:** Sure.  
 19 **MS. CHARLSON BREDEHOFT:** I would just  
 20 substitute the word "authorized" to was he acting  
 21 as your agent when he said. Do you want me to go  
 22 through all of them again and ask that or --

615

1 **MR. CHEW:** I'm going to -- first of all,  
 2 it would call for a legal conclusion, but I would  
 3 give the same instruction --  
 4 **MS. CHARLSON BREDEHOFT:** Okay.  
 5 **MR. CHEW:** -- for him not to answer --  
 6 **MS. CHARLSON BREDEHOFT:** So --  
 7 **MR. CHEW:** -- whether you're asking as an  
 8 agent or an attorney.  
 9 **MS. CHARLSON BREDEHOFT:** So for the  
 10 record purposes, we can agree that I was going to  
 11 go back and then ask for each of those same ones  
 12 acting as your agent, and you would have instructed  
 13 him also on attorney-client privilege not to  
 14 answer, and he would have followed your advice.  
 15 **MR. CHEW:** Yes, to spare your time --  
 16 **THE WITNESS:** Yes, indeed.  
 17 **MR. CHEW:** Let's do that.  
 18 **MS. CHARLSON BREDEHOFT:** Okay.  
 19 **THE WITNESS:** The one thing that I am  
 20 confused about, I'd love to have defined in a way,  
 21 as an attorney, there's that, but agent -- what --  
 22 what is the definition of agent in this -- in this

616

1 instance? An agent as in Tracey Jacobs, a Jack  
2 Whigham or a --  
3 MR. CHEW: It's confusing. We can talk  
4 --  
5 MS. CHARLSON BREDEHOFT: Speaking on your  
6 behalf.  
7 MR. CHEW: We can talk --  
8 THE WITNESS: Okay.  
9 MR. CHEW: -- about it off the record.  
10 THE WITNESS: I just didn't know, yeah.  
11 MR. CHEW: It's confusing because agent  
12 -- an attorney can also be an agent, so it's  
13 tricky, but I'll give the instruction just so that  
14 we don't have to --  
15 THE WITNESS: It's just -- the one thing  
16 is he's not my -- not a -- he's not a talent agent  
17 or he's not a --  
18 MS. CHARLSON BREDEHOFT: No.  
19 THE WITNESS: -- an agent of my -- has  
20 anything to do with --  
21 MS. CHARLSON BREDEHOFT: And I think Mr.  
22 Chew and I knew.

617

1 THE WITNESS: Okay, yeah.  
2 MR. CHEW: It's -- the -- the --  
3 THE WITNESS: This is just my --  
4 MR. CHEW: The confusing thing about  
5 agent, as you said, agent can be a commercial  
6 agent, can be a talent agent, and technically we  
7 lawyers can be agents in a different context.  
8 THE WITNESS: Of course.  
9 MR. CHEW: But I think we're clear on --  
10 THE WITNESS: Yeah, I just wanted the  
11 context.  
12 MR. CHEW: No, it's very -- yeah.  
13 THE WITNESS: I need to know the  
14 definition.  
15 MR. CHEW: Context is key. Sorry.  
16 MS. CHARLSON BREDEHOFT: But for your  
17 purposes, Mr. Chew, just me substituting and asking  
18 in each of those questions if Mr. Waldman was  
19 acting as Mr. Depp's agent in making those same  
20 statements --  
21 MR. CHEW: Same instruction not to answer  
22 because he was --

618

1 MS. CHARLSON BREDEHOFT: Attorney-client  
2 privilege.  
3 MR. CHEW: Attorney-client privilege.  
4 BY MS. CHARLSON BREDEHOFT:  
5 Q And Mr. Depp, you are following your  
6 counsel's instructions with respect to all of that,  
7 correct?  
8 A Yes, ma'am. Thank you.  
9 Q Okay. Do you have a social media team?  
10 A No, I have a -- social media's something  
11 I've never -- I've never participated in. It  
12 wasn't until the Covid pandemic started to hit and  
13 then people were stuck in isolation that I -- that  
14 I thought if there was ever a time to open an  
15 account like an Instagram account to be able to  
16 talk directly to the people to try to lighten at  
17 least their moment with a couple of posts, this or  
18 that, thanking them for various things, that's the  
19 first time I've ever had any kind of social --  
20 social media experience, and to be honest, I don't  
21 have a team. I have -- there's a woman friend of  
22 mine's misses who runs it for me. I myself don't

619

1 even know how -- I don't see it, I don't know how  
2 to log into it. I don't -- I'm not particularly  
3 tech savvy, so --  
4 Q I'm going to back up for a minute. I  
5 forgot to ask one more series on that set of the --  
6 MR. CHEW: Okay.  
7 BY MS. CHARLSON BREDEHOFT:  
8 Q -- counterclaims, and my apologies for  
9 the inconvenience.  
10 A Sure thing.  
11 Q With respect to each of the quotes that I  
12 just gave, and to make it easier, beginning with  
13 the April 12, 2019 statement to page 6, for each of  
14 those statements, do you adopt those statements or  
15 have you adopted those statements that Mr. Waldman  
16 made?  
17 MR. CHEW: I'm going to instruct him not  
18 to answer based on attorney-client privilege as to  
19 each of the statements that Mr. Waldman made.  
20 That's excluding the GQ statement, which I  
21 believe's the first one in --  
22 MS. CHARLSON BREDEHOFT: Correct.



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1 MR. CHEW: Okay.

2 MS. CHARLSON BREDEHOFT: All right.

3 MR. CHEW: I think we're clear. I think

4 the record's clear on that.

5 MS. CHARLSON BREDEHOFT: All right, yeah,

6 and it's -- the paragraph where I read these from

7 is paragraph 66A through F of the counterclaim.

8 MR. CHEW: No, understood. It's a little

9 difficult because you haven't provided us a copy,

10 but I think we're clear.

11 MS. CHARLSON BREDEHOFT: Okay, so that

12 same question of do you adopt or have you adopted

13 these statements also would be imposing

14 attorney-client privilege --

15 MR. CHEW: Correct.

16 MS. CHARLSON BREDEHOFT: -- and

17 instructing him not to answer, correct?

18 MR. CHEW: Correct.

19 BY MS. CHARLSON BREDEHOFT:

20 Q And Mr. Depp, you would not answer based

21 on your counsel's direction?

22 A **That is correct. Thank you.**

621

1 MR. CHEW: And I assume Ms. Heard will do

2 the same at her deposition. She will follow your

3 instructions. I don't think I'll ask --

4 MS. CHARLSON BREDEHOFT: I was going to

5 say, I don't know that I can speak for her just yet

6 on that.

7 MR. CHEW: No, but I -- I don't think you

8 need to ask him that each time.

9 MS. CHARLSON BREDEHOFT: Oh, you know, it

10 depends -- depends upon the judge, but some of them

11 require that on the record. That's -- that's why.

12 MR. CHEW: I think Mr. Depp is going to

13 follow my instructions, right or wrong.

14 MS. CHARLSON BREDEHOFT: Okay, great.

15 MR. CHEW: So the house will fall upon me

16 and not upon him.

17 BY MS. CHARLSON BREDEHOFT:

18 Q That makes it -- that makes it easier,

19 okay. So let me go back to the social media, and I

20 apologize for --

21 A **Not at all.**

22 Q -- jumping around a little bit, but let

622

1 me -- do you have a publicist?

2 A **I do. I've had a publicist for a number**

3 **of years. I've been with a woman named Robin Baum,**

4 **and -- and --**

5 Q What does she do for you?

6 A **Well, that's a good question. Since the**

7 **-- ever since the -- Ms. Heard's allegations and**

8 **accusations and the People Magazine cover and**

9 **reporting me to be a monster and a wife-beater and**

10 **all that, since then, Ms. Baum's work or her**

11 **responsibilities or her representation of me, our**

12 **communication lessened a great deal.**

13 **We did speak a couple of times. I think**

14 **she was overwhelmed -- I think Ms. Baum was**

15 **overwhelmed with the -- with what appeared to be**

16 **the imminent death of me, and therefore, didn't**

17 **really take much -- well, many many many many many**

18 **people in Hollywood were scared to take a stand on**

19 **anyone because it could cost them their livelihood,**

20 **it could cost -- if you back someone who's been**

21 **defined as a ne'er-do-well, you know, I mean, and**

22 **that's a -- it's not enough to say a ne'er-do-well.**

623

1 **Fear was rampant throughout Hollywood of**

2 **-- you know, people suddenly realize yeah, I like**

3 **Johnny, but you know what? I don't have a dog in**

4 **this race and I don't want to get in trouble and --**

5 **you know, so yeah, I was -- I was not a safe bet,**

6 **or I was not a safe person to represent, let's say.**

7 Q So is there a point where Ms. Baum

8 stopped being your publicist? I'm just a little

9 confused.

10 A **Well, there's a point where she stopped**

11 **being my publicist, but she's still technically my**

12 **publicist because I have not -- I have not, you**

13 **know, relieved her of her duties because she's not**

14 **doing anything, so I just -- she is there if I --**

15 **if I need to call her, but I have had no need to**

16 **call her, as she's not really been involved in any**

17 **of my attempts to get the truth out there into the**

18 **world.**

19 Q Did you ask Robin Baum to assist you in

20 getting your truth out?

21 A **I asked. I certainly asked her for**

22 **advice and asked her, you know, what is the -- how**

652

1 **and that's still what it's for.**  
2 Q So who were the people that were in --  
3 I'm trying to figure out who set it up for you.  
4 **A I don't know.**  
5 Q How can -- how would -- where would we be  
6 able to look to find out who set up your Instagram  
7 account?  
8 **A I would say the man to ask for that is Ed**  
9 **White.**  
10 Q Because he would have paid for it, right?  
11 **A Oh, I think, yeah, at the end of the day,**  
12 **everything's going to come back to Ed.**  
13 Q Did you discuss setting up the Instagram  
14 account with Adam Waldman?  
15 MR. CHEW: You may answer that yes or no.  
16 THE WITNESS: I can answer that?  
17 MR. CHEW: You can answer yes or no. You  
18 shouldn't disclose your communications with Mr.  
19 Waldman.  
20 THE WITNESS: Oh, I see, so yes, of  
21 course, yes.  
22 BY MS. CHARLSON BREDEHOFT:

653

1 Q Do you -- with the Instagram account, do  
2 you have any Twitter account?  
3 **A No.**  
4 Q Have you ever Tweeted?  
5 **A I've never Tweeted in my life.**  
6 Q Have you ever accessed somebody's Twitter  
7 account to read other people's Tweets?  
8 **A No, ma'am, I don't -- I don't read -- I**  
9 **don't read things in newspapers, I don't -- I don't**  
10 **-- I don't -- I don't know what Twitter or Tweeter**  
11 **is.**  
12 Q Okay.  
13 **A I'm --**  
14 Q Do you have a Facebook account?  
15 **A No.**  
16 Q Do you have any other kind of -- other  
17 than the Instagram, do you have any other kind of  
18 social media account?  
19 **A I mean, I have the ability to text and**  
20 **send e-mails, and that's -- that's about as far as**  
21 **I can get with a computer.**  
22 Q Okay. So other than the conversation

654

1 that you told me -- or conversations you had with  
2 Ms. Baum, Robin Baum, about how to deal with the  
3 publicity after the obtaining of the temporary  
4 restraining order, did you speak with anyone about  
5 how to -- how to handle in the press and in the  
6 public this type of situation?  
7 MR. CHEW: Objection to the form of the  
8 question.  
9 MS. CHARLSON BREDEHOFT: You know, I  
10 asked it pretty terribly. I agree with you, so let  
11 me ask --  
12 MR. CHEW: I didn't say it was terrible.  
13 I was just going to say it was ambiguous.  
14 MS. CHARLSON BREDEHOFT: It was nice of  
15 you to use restraint on that one. I appreciate  
16 that, Ben.  
17 MR. CHEW: Thank you.  
18 BY MS. CHARLSON BREDEHOFT:  
19 Q I think we've established that Ms. Baum  
20 hasn't done anything for you by way of publicity  
21 since May 27, 2016, correct?  
22 **A That's safe, yeah, to say.**

655

1 Q Has anyone else done anything for you by  
2 way of publicity since May 27, 2016?  
3 **A No, that's really the job of the**  
4 **publicist. When -- yeah, when you're -- when**  
5 **you're not particularly allowed in the door to**  
6 **discuss that kind of thing and you know that the**  
7 **person that you should be discussing it with has a**  
8 **bad case of the fear because of the situation,**  
9 **anything that I wanted to say I couldn't say so I**  
10 **didn't say for a very long time.**  
11 I kept stum, as it were. I kept my mouth  
12 closed because I would rather -- it was my feeling  
13 that I would rather just continue to take the hits  
14 and then deal with them when I got -- when it got  
15 to a point where you could deal with a lot, as  
16 opposed to it becoming a he said she said. I was  
17 not remotely interested in a he said she said or  
18 any kind of contest about it. I wanted the truth  
19 out there, and my truth was not going to be heard  
20 by the mainstream media, so I went on tour, kept my  
21 mouth shut and did that for quite a long time.  
22 Q And then you filed the lawsuit against

704

1 A No.

2 Q Did that stop at the same time in around  
3 October 2018?

4 A Yes, right around the time that, yes,  
5 everything went down with Mr. Bloom.

6 Q What was the reason that you stopped the  
7 relationship with Marty Singer?

8 A Marty Singer's essentially Jake Bloom's  
9 fix-it, henchman.

10 Q And I apologize. I said the wrong date.  
11 I said October 2018. I meant October --

12 A Oh.

13 Q -- 2016.

14 A '16, of course. Sorry. I missed that  
15 too. Thank you though.

16 Q I had asked you a series of questions  
17 earlier about Adam Waldman, but there were a couple  
18 more that I needed to -- for the record, and I'm  
19 anticipating -- wake up, Ben.

20 MR. CHEW: I'm awake.

21 MS. CHARLSON BREDEHOFT: I'm just teasing  
22 you.

705

1 MR. CHEW: I'm writing my summary.

2 BY MS. CHARLSON BREDEHOFT:

3 Q So I just want to ask you a few more  
4 questions here with respect to Adam Waldman. So  
5 was Adam Waldman acting as your agent or with your  
6 authority in contacting potential witnesses in this  
7 litigation?

8 MR. CHEW: I would -- I would first  
9 object because it calls for a legal conclusion, and  
10 then I would instruct Mr. Depp not to answer  
11 because that would require disclosing  
12 attorney-client privilege, so I would instruct you  
13 not to answer, and he will, as he said earlier,  
14 follow my instructions.

15 A Thank you.

16 Q I have like several here, and they're all  
17 in a row. I just need to put them on the record.

18 A Yes, ma'am.

19 Q Did Adam Waldman act as your agent or  
20 with your authority in drafting declarations for  
21 potential witnesses that had the header from this  
22 litigation?

706

1 MR. CHEW: Same instruction not to  
2 answer, attorney-client privilege.

3 BY MS. CHARLSON BREDEHOFT:

4 Q Okay. Did Adam Waldman act as your agent  
5 or with your authority in communicating with the  
6 press relating to this litigation and to the Sun  
7 and Wootton litigation?

8 MR. CHEW: Instruct Mr. Depp not to  
9 answer the question.

10 MS. CHARLSON BREDEHOFT: On the grounds  
11 of attorney-client privilege again, right?

12 MR. CHEW: Yes.

13 MS. CHARLSON BREDEHOFT: I just want to  
14 make sure.

15 MR. CHEW: I'm sorry, yeah, all of these  
16 are attorney-client privilege.

17 THE WITNESS: And I'll of course follow  
18 Ben's --

19 MR. CHEW: Thank you.

20 MS. CHARLSON BREDEHOFT: The -- I think  
21 we raised it off the record, and I just want to  
22 make another on the record. My understanding was

707

1 that you were going to think more about  
2 confidentiality of the settlements on the Mandel  
3 suit and the Brooks -- not the Brooks.

4 MR. CHEW: Yes.

5 MS. CHARLSON BREDEHOFT: The Mandel suit  
6 and the --

7 MR. CHEW: Yeah, unfortunately --

8 MS. CHARLSON BREDEHOFT: Jake --

9 MR. CHEW: Unfortunately --

10 MS. CHARLSON BREDEHOFT: -- Bloom.

11 MR. CHEW: They both have Draconian  
12 confidentiality provisions.

13 MS. CHARLSON BREDEHOFT: And so you're  
14 instructing him not to answer.

15 MR. CHEW: Yes, because doing so would  
16 subject him and -- well, more importantly him, and  
17 also me, but more importantly him, to Draconian  
18 penalties.

19 MS. CHARLSON BREDEHOFT: Even though we  
20 have a protective order.

21 MR. CHEW: Despite having a protective  
22 order.

Conducted on November 12, 2020

<p style="text-align: right;">716</p> <p>1 A — on the phone with Amber Heard's —                  2 Q Okay.                  3 A — person that we introduced her to so                  4 that she would understand what a postnup is.                  5 That's it.                  6 Q Do you -- did Adam Waldman act as your                  7 agent or with your authority in any conduct                  8 associated with computers that related to Amber                  9 Heard?                  10 MR. CHEW: I would instruct Mr. Depp not                  11 to answer on the grounds of attorney-client                  12 privilege.                  13 BY MS. CHARLSON BREDEHOFT:                  14 Q And you are following your counsel's                  15 instructions, correct?                  16 A Yes, I'm going to do that. Thank you                  17 very much.                  18 Q When did Amber Heard move into the                  19 penthouse?                  20 A I don't know exactly the date.                  21 Q Do you remember the year?                  22 A I feel like it's maybe 2014 maybe. I</p>	<p style="text-align: right;">718</p> <p>1 wanted to do basically.                  2 Q So timing wise, were you engaged at the                  3 time that Amber Heard moved into the penthouse?                  4 A I don't know if we were officially — no,                  5 we weren't officially engaged, no.                  6 Q When did you get officially engaged?                  7 A I don't know exactly, but it wasn't that                  8 early.                  9 Q When you said officially, is there some                  10 distinction between engaged and officially engaged?                  11 A Well, no, I think this just — I don't                  12 think if someone is my girlfriend, you know, if the                  13 word "engaged" comes in, are you obligated to                  14 change that to my fiancée? Then you get married                  15 and you're obligated to change it to your wife?                  16 Why these rules — she's my girl, I'm her guy, and                  17 I don't want to think about it — about something                  18 as abstract and as beautiful as love in official                  19 kind of status and names.                  20 Q You said yesterday I believe that you                  21 believed that Elon Musk was behind Amber's                  22 allegations of domestic violence and domestic</p>
<p style="text-align: right;">717</p> <p>1 believe it's somewhere in 2014. Very difficult to                  2 —                  3 Q Did you move in at the same time with                  4 Amber to the penthouse?                  5 A It was a penthouse that I'd bought years                  6 before, so I had already taken residence there. It                  7 was a place that I would go to and stay from time                  8 to time.                  9 Q Did you and Amber decorate it for her --                  10 in preparation for her moving in, redecorate?                  11 A Well, sure, yes.                  12 Q Okay, so do you remember approximately                  13 when that was, when the redecoration took place?                  14 A Well, I would say from the git-go, she                  15 had — she had free rein to choose where — where                  16 she wanted to be, where she wanted her things up.                  17 Of course, all of that would have been done. In                  18 fact, her — her decision to use the master bedroom                  19 and the guest bedroom in penthouse 5 as her shoe                  20 closet and her clothing closet might have taken me                  21 a little by surprise, but no, that was all                  22 provided, and she had a choice of whatever she</p>	<p style="text-align: right;">719</p> <p>1 abuse. Why do you believe that?                  2 MR. CHEW: Objection to the form of the                  3 question. I think that mischaracterizes his                  4 testimony, but you may correct me.                  5 A I don't know. I don't know that —                  6 exactly. What you're asking me is — is far away                  7 from what I stated. So there is perfect proof that                  8 the transcript is all of our saving grace, so maybe                  9 if you want to look back in the transcript and see                  10 what I said —                  11 Q Well --                  12 A — then that could help you.                  13 Q Why don't you just tell me what you                  14 think. Do you think Elon Musk has any -- has any                  15 role in --                  16 A Any role?                  17 Q In Amber Heard's decision to move forward                  18 with the temporary restraining order against you                  19 and --                  20 A I never said that once.                  21 Q And domestic violence?                  22 A Never said that once, ma'am.</p>

<p style="text-align: right;">988</p> <p>1 partial, I don't know. If something ended up not 2 to your liking, I don't know. 3 Q Did Adam Waldman represent you as of 20 4 March 2020? 5 A I think -- I think we might be getting 6 into something that's attorney-client privilege, 7 and I -- didn't the judge also just recently find 8 that kind of an unpleasant thing for you to be -- 9 MR. CHEW: I would -- I would instruct the 10 witness not to answer any questions about any 11 communications between you and Adam Waldman, who 12 Ms. Bredehopt knows better than anybody is one of 13 your counsel. So, I instruct you not to answer 14 and we can move on. 15 Q Well -- well, we've got to move backwards. 16 A I'm invoking attorney-client privilege. 17 Q Mr. Depp, I'm going to ask you one more 18 time. Did you provide a partial audio recording 19 of the 26 March 2015 audio recording that you've 20 identified as paragraph -- in paragraph 7A of your 21 witness statement to The Daily Mail? Yes or no, 22 did you provide it to them?</p>	<p style="text-align: right;">990</p> <p>1 Q Mr. Depp -- 2 MR. CHEW: (Indecipherable) he did not. 3 Q Mr. Depp, did you provide a partial of the 4 audio recording on 4 January 2016 that you 5 identified in paragraph 7B of your witness 6 statement to The Daily Mail? 7 MR. CHEW: Objection. It assumes facts 8 not in evidence, misstates his testimony, lack of 9 foundation, and contradicts the document, and 10 asked and answered. 11 Q What's your answer? 12 A I told you that's (indecipherable). 13 Q You need to answer the question. 14 MR. CHEW: You may answer the question 15 again if you understand. 16 A Did you -- did you -- maybe you were 17 working up a -- 18 Q Are you refusing to answer the question, 19 Mr. Depp? 20 MR. CHEW: No, he already answered the 21 question. 22 MS. BREDEHOFT: No, he didn't, Mr. Chew.</p>
<p style="text-align: right;">989</p> <p>1 A My devices were given to my attorneys. 2 Q That's not the question I'm asking you. 3 Did you give a partial of the audio recording to 4 The Daily Mail? 5 A Did I personally give an audio recording 6 to anyone? No. 7 Q Do you know who did? 8 MR. CHEW: No, I'm going to instruct you 9 not to answer that question. You've already -- 10 you've already answered the one question she asked 11 that she was entitled to ask. You said you didn't 12 do it. Let's move on. 13 A I think she said -- she's getting -- she's 14 getting into territory where the judge has 15 already -- I think the judge has made an order 16 about -- 17 Q Mr. Depp, did you provide -- 18 A I'm sorry. I was just talking. 19 Q But you weren't answering the question. 20 Mr. Depp -- 21 A You think that I answered your question 22 wrong --</p>	<p style="text-align: right;">991</p> <p>1 He answered the one that's 7A, not 7B. 2 THE WITNESS: Austin, I know you're the 3 gentleman -- Vicky, Ms. Wilson, is it possible, 4 are you able to read back -- 5 Q No, you don't get to ask that question. 6 A I'm not asking you, ma'am. 7 Q Have you made any effort at all to try to 8 locate the full recordings that you've identified 9 here in paragraph 7A and B of your witness 10 statement? 11 MR. CHEW: Objection. Asked and answered. 12 Lack of foundation. Argumentative. Misstates the 13 document. He said what he did with his devices 14 three or four times. 15 MS. BREDEHOFT: That's not what I'm 16 asking. 17 Q Have you made any effort at all to find 18 out where the full recordings are of the audio 19 recording from 26 March 2015 and the audio 20 recording from 4 January 2016? 21 MR. CHEW: Objection. Argumentative. 22 Lack of foundation. Assumes facts not in</p>

992	<p>1 evidence. Assuming partial recordings.</p> <p>2 A I just looked at a piece of paper that you</p> <p>3 showed me with these file names on them. You even</p> <p>4 yourself skipped through the file names because</p> <p>5 it's a bunch of numbers. You're saying one is</p> <p>6 partial. Did I make it partial or did I give it?</p> <p>7 I don't know what these are.</p> <p>8 So, I don't -- I cannot tell you</p> <p>9 1,000 percent what these things are, so I cannot</p> <p>10 answer your questions in any way that's going to</p> <p>11 please you and make you jump for joy. I can only</p> <p>12 tell you, as I did say --</p> <p>13 Q But the answer is no. The answer is no,</p> <p>14 you have not made any effort --</p> <p>15 MR. CHEW: Ms. Bredehopt, please let --</p> <p>16 please let him finish. You say --</p> <p>17 MS. BREDEHOFT: He's not answering the</p> <p>18 question. He's being --</p> <p>19 MR. CHEW: He was trying. He was trying</p> <p>20 to answer your question.</p> <p>21 MS. BREDEHOFT: He's not trying.</p> <p>22 All right. Let's go. Take this one out,</p>	994	<p>1 something. What are you looking at?</p> <p>2 A It's a drawing.</p> <p>3 Q All right. Other than your attorneys, did</p> <p>4 you have any communications with anyone about the</p> <p>5 op-ed between December 18, 2018, and March 1,</p> <p>6 2019, when you filed this lawsuit? I'm asking for</p> <p>7 anyone other than your attorneys.</p> <p>8 A I don't recall.</p> <p>9 Q Okay. Now, between the time of the op-ed</p> <p>10 being published on December 18, 2018, and March 1,</p> <p>11 2019, when you filed the lawsuit, did you lose any</p> <p>12 roles or career opportunities?</p> <p>13 A Yes --</p> <p>14 Q What?</p> <p>15 A -- I did. Well, I had a decent -- a</p> <p>16 decent run with Disney for a while there on a</p> <p>17 series of films called Pirates of the Caribbean</p> <p>18 that I was removed from after the op-ed was</p> <p>19 released.</p> <p>20 Q Has there been a Pirates of the Caribbean</p> <p>21 6?</p> <p>22 A Not just yet. I think they're trying to</p>
993	<p>1 Austin.</p> <p>2 MR. CHEW: Now you're just being nasty,</p> <p>3 and if you continue --</p> <p>4 MS. BREDEHOFT: I'm not being nasty.</p> <p>5 You're intentionally trying to drag this out so</p> <p>6 that I don't get to ask the questions, and you</p> <p>7 know it.</p> <p>8 MR. CHEW: You're projecting your value or</p> <p>9 lack thereof onto me.</p> <p>10 BY MS. BREDEHOFT:</p> <p>11 Q All right. Let's talk about the op-ed,</p> <p>12 all right, that Amber Heard published in The</p> <p>13 Washington Post. Do you recall that?</p> <p>14 A When the article was published in the</p> <p>15 Washington Post was December 18th, 2000 --</p> <p>16 December something 2018, was it?</p> <p>17 Q I'm asking -- okay. Let's just go to the</p> <p>18 next question. Yes, that's correct. Okay. Other</p> <p>19 than --</p> <p>20 A That's good. My memory worked. That's</p> <p>21 great.</p> <p>22 Q So, other than -- you're looking down at</p>	995	<p>1 figure out exactly how to do it.</p> <p>2 Q Has anyone spoken with you from Disney</p> <p>3 about any role that you may have in Pirates 6?</p> <p>4 A No.</p> <p>5 Q Now, after the U.K. judgment, you were</p> <p>6 asked to resign from Fantastic Beast 3, and you</p> <p>7 testified about that earlier, and I'm not going to</p> <p>8 go through all of that again. What has your</p> <p>9 career been like since you were asked to leave the</p> <p>10 Fantastic Beast 3 and the U.K. judgment was</p> <p>11 released?</p> <p>12 MR. CHEW: Objection. Ambiguous. Vague.</p> <p>13 A The only way that I can explain it is --</p> <p>14 well, it's very simple. Everybody is told, "Turn</p> <p>15 off. Flick that light. There's no -- he doesn't</p> <p>16 exist no more. Out," you know. Basically, it --</p> <p>17 yes, it's been -- I've been -- yeah, it was kind</p> <p>18 of -- I'm a leper in Hollywood.</p> <p>19 Q Okay. Have you had any roles? Have you</p> <p>20 received any roles since the U.K. judgment came</p> <p>21 out in November 2 of 2021?</p> <p>22 A From --</p>

996	<p>1 Q Sorry.</p> <p>2 A From-- from Hollywood?</p> <p>3 Q Yes, anyone, anywhere.</p> <p>4 A Not from Hollywood, no. I have a</p> <p>5 production company, and we've developed a number</p> <p>6 of projects, one of which, Minamata, we did --</p> <p>7 shot a film and it was released, although had --</p> <p>8 back from MGM because they wouldn't release it</p> <p>9 because of the situation with my name being linked</p> <p>10 to leper colonies.</p> <p>11 Q And this is after the U.K. judgment.</p> <p>12 A Yes, it is. It is after the U.K.</p> <p>13 judgment.</p> <p>14 Q All right. I'm going to jump to Tokyo for</p> <p>15 a moment.</p> <p>16 A Boy, that's hard.</p> <p>17 Q Do you recall -- do you recall going to</p> <p>18 Tokyo in January of 2015 with Amber Heard?</p> <p>19 A Oh, yes.</p> <p>20 Q Okay. Do you recall what the movie was</p> <p>21 that you were going to for the premier?</p> <p>22 A Tokyo. No, ma'am, I don't. I don't.</p>	998	<p>1 Q All right. Do you recall where you stayed</p> <p>2 in Tokyo?</p> <p>3 A I -- I have a feeling that it was the Park</p> <p>4 Hyatt, I believe.</p> <p>5 Q And did the children stay in the same room</p> <p>6 with you?</p> <p>7 A The children stayed in -- we had adjoining</p> <p>8 rooms, but it was sort of like a -- it was like a</p> <p>9 nightly sleepover. You know, there was --</p> <p>10 everyone would gather in the living room, couches</p> <p>11 and chairs, and sleep on floors and pillows and</p> <p>12 things like that.</p> <p>13 Q And that was true of Brittany and Steven</p> <p>14 Deuters, as well?</p> <p>15 A No, Steven keeps to himself. Brittany</p> <p>16 Eustice is -- was a very close friend of -- of</p> <p>17 Ms. Heard's and -- and she was -- she was very</p> <p>18 good with kids. My kids liked her, Brittany.</p> <p>19 Q Okay.</p> <p>20 A I can't remember if there was anyone --</p> <p>21 there might have been. I don't remember if her</p> <p>22 sister, Ms. Enriques was there or not.</p>
997	<p>1 It's a -- there's a lot -- I've been to Tokyo a</p> <p>2 number of times for premieres. I can't remember</p> <p>3 which --</p> <p>4 Q Do you recall whether your children --</p> <p>5 A Yes, my children --</p> <p>6 Q -- with you on that trip?</p> <p>7 A Yes, they were with us, yes.</p> <p>8 Q Was there anyone else besides Amber Heard,</p> <p>9 your children, and you that went on that trip to</p> <p>10 Tokyo in 2015?</p> <p>11 A Yes, there was her friend Brittany</p> <p>12 Eustice.</p> <p>13 Q Okay. Anyone else?</p> <p>14 A I believe one of the -- one or two of the</p> <p>15 guys from my camp, maybe Steven Deuters, or one of</p> <p>16 security, maybe. I can't remember. Maybe it was</p> <p>17 Jerry Jost. I don't -- I don't remember.</p> <p>18 Q Did anyone else accompany the children?</p> <p>19 A The children were with -- no, pretty</p> <p>20 much -- so, I don't -- no, we didn't bring a nanny</p> <p>21 there. They were older -- they were old enough to</p> <p>22 not have a nanny.</p>	999	<p>1 MS. BREDEHOFT:</p> <p>2 Q Okay. Austin, can you bring up</p> <p>3 Exhibit 51, please?</p> <p>4 REMOTE TECH: Stand by.</p> <p>5 (Depp Exhibit 51, previously marked, is</p> <p>6 attached to the transcript.)</p> <p>7 Q Mr. Depp, I'm going to ask you to look --</p> <p>8 take a look at what has been marked as Depp</p> <p>9 Exhibit Number 51. It's page 12 of Amber Heard's</p> <p>10 counterclaim. And, in particular, I'm just going</p> <p>11 to ask you, and this is my last series of</p> <p>12 questions and then I'm done, but I'm going to ask</p> <p>13 you to take a look at paragraphs 45, 46, and 47</p> <p>14 for a moment. And let me make that a little bit</p> <p>15 larger.</p> <p>16 A Oh, that's good. Yeah.</p> <p>17 Q Oops. Oops. I'll scroll down so you can</p> <p>18 see it. Okay. Do you see -- let me know when</p> <p>19 you're done.</p> <p>20 A Yes, I'm -- I've finished.</p> <p>21 Are you finished?</p> <p>22 Q Was -- was Adam Waldman acting as your</p>

<p style="text-align: right;">1000</p> <p>1 attorney when these statements were made?  2 MR. CHEW: Mr. Depp, I'm instructing you  3 not to answer that question based on  4 attorney-client privilege.  5 Q Did Adam Waldman have the authority to  6 speak on your behalf in making these statements  7 that are reflected in paragraphs 45 through 47 of  8 the counterclaim?  9 MR. CHEW: Mr. Depp, I'm instructing you  10 not to answer that question based on the  11 attorney-client privilege.  12 Q Did you authorize Adam Waldman to make  13 these statements that are reflected in paragraphs  14 45, 46, and 47 of the counterclaim?  15 MR. CHEW: I respectfully instruct you not  16 to answer that question based on attorney-client  17 privilege.  18 Q Have you at any time -- I'm sorry.  19 Have you at any time -- I'm assuming  20 you're taking your -- your attorney's advice and  21 that's why I'm not making you say more. Fair  22 enough?</p>	<p style="text-align: right;">1002</p> <p>1 A True. Yes, I said it before but you  2 started early, so I just went with it.  3 Q Okay. Is Adam -- have you ever asked Adam  4 Waldman to retract these statements that are  5 reflected in paragraphs 35, 36, and 37?  6 MR. CHEW: I would instruct you not to  7 answer the question based on attorney-client  8 privilege.  9 Q Is Adam Waldman still your attorney and  10 agent?  11 MR. CHEW: Objection to the form of the  12 question. It's compound and calls for a legal  13 conclusion.  14 A Is Adam Waldman still my -- is still legal  15 counsel for me?  16 Q Yes.  17 A Yes.  18 Q Okay. And that has not changed at any  19 point between April 8, 2020, and the present; is  20 that correct?  21 A No, ma'am.  22 MS. BREDEHOFT: Okay. I think that I</p>
<p style="text-align: right;">1001</p> <p>1 A Yes.  2 Q Do you -- have you ever retracted these  3 statements reflected in paragraphs 45, 46, and 47?  4 MR. CHEW: Assumes facts not in evidence.  5 He didn't make the statements.  6 Q Do you remember the question?  7 A Yes, I remember the question.  8 Q Have you at any time retracted these or  9 said these were false?  10 MR. CHEW: Objection to the form of the  11 question. Compound.  12 And I would instruct you not to answer the  13 question to the extent it would require you to  14 disclose attorney-client privilege. So, I'm going  15 to instruct you not to answer. So, I instruct you  16 not to answer.  17 MS. BREDEHOFT: Okay. And, Ben, just so  18 we're clear on the record, when you instruct him  19 not to answer, we're assuming he's accepting your  20 instruction; correct? So, I don't have to say,  21 "Are you following your attorney's advice"; right?  22 MR. CHEW: Correct.</p>	<p style="text-align: right;">1003</p> <p>1 might be out of time.  2 John, what is the running time here? I'm  3 trying to respect my time here.  4 MR. CHEW: There's no rule requiring you  5 to fill out the time.  6 MS. BREDEHOFT: Yeah, I know, but I'm also  7 going to respect if I only have three-and-a-half,  8 I think I've hit that. If I didn't, though, I  9 have more questions. That's why I'm asking John.  10 John, would it be better if we go off the  11 record and then check that and then we'll see?  12 MR. CHEW: I think we should stay on the  13 record.  14 MS. BREDEHOFT: Oh, okay. I thought he  15 said last time he had to go off in order to  16 calculate.  17 THE VIDEOGRAPHER: Yeah, to get an  18 accurate precise calculation, I'd have to go off  19 the record to stop the recording.  20 MS. BREDEHOFT: All right. Let's do that  21 real quick and check because I do think I'm out  22 and I don't want to --</p>



Conversation (Native Messages), 1 messages, 3 parties, over 0 minutes

Parties: Adam Waldman <+1 202-550-4507> (Owner); Adam Waldman <awaldman@theendevorgroup.com> (Owner); Laura Divenere Elin Musk And Amber Heard Decorator <+1 323-401-0427>

First Message: 6/22/2019 7:04:12 AM +00:00

Last Message: 6/22/2019 7:04:12 AM +00:00

Adam Waldman <+1 202-550-4507>

Dear Laura

I assume you are fearful of something and you needn't be.

I wanted to talk to you specifically because I heard from Johnny and others that you are a nice person and more importantly, I have you all over the surveillance video immediately after the May 21 faked abuse claims, have witness testimony about you, and possess other written and testimonial evidence of your constant interactions with amber and acting on her behalf after she claimed to be beaten but before she filed for a domestic violence restraining order and Johnny had already left the country. You were with her immediately prior to and immediately after she created this hoax. You also know she left Johnny for Mr. Musk and when that first happened (although as a legal matter we don't care much about that) and that Ms Heard destroyed this man's reputation for her own selfish gains. You were with her on Monday and Tuesday May 23/24 before she went public with the false allegations, not in Africa. So the question for you to consider is: do you want to speak with me off the record and we can consider together if and how to use any eyewitness account you provide, regarding which I would be very respectful of your wishes and sensitivities, or do you want to remain on the side of the hoax and indirectly facilitate her suppression of the truth that continues to create catastrophic damage to Johnny Depp? if it's the latter we will send you a subpoena to compel your appearance in a sworn deposition. Please call me if it's the former on 2025504507. Adam

6/22/2019 7:04 AM (GMT)

Status bar  
Signal strength

Conversation (Native Messages), 1 messages, 3 parties, over 0 minutes

Parties: Adam Waldman <+1 202-550-4507> (Owner); Adam Waldman <awaldman@theendeavorgroup.com> (Owner); Laura Divenere Elin Musk And Amber Heard Decorator <+1 323-401-0427>

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6/22/2019 7:04:12 AM +00:00

Start of text  
Start of text



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# Transcript of Laura Divenere

**Date:** January 15, 2021

**Case:** Depp, II -v- Heard

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Transcript of Laura Divenere  
Conducted on January 15, 2021

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

<p style="text-align: right;">13</p> <p>1 BY MR. ROTTENBORN: 2 Q. Without disclosing anything to me about 3 what you and Mr. Sherman talked about, what did 4 you do to prepare for your deposition today? 5 <b>A. I did --</b> 6 MR. SHERMAN: Well, I'm going to object 7 that it does call for attorney/client privilege 8 generally, but you can answer the question. 9 THE WITNESS: I didn't prepare. 10 BY MR. ROTTENBORN: 11 Q. Okay. Did you speak to anyone who 12 wasn't your attorney in preparation for today's 13 deposition? 14 <b>A. No.</b> 15 Q. Okay. When did you -- and I know that 16 your attendance today is -- is reluctant. That's 17 fair to say; right? 18 <b>A. It is. It's not my comfort zone.</b> 19 Q. Right. Right. I get it. 20 And your involvement in this case 21 generally has been reluctant and out of your 22 comfort zone too; right?</p>	<p style="text-align: right;">15</p> <p>1 that, particularly the -- the large yellow text at 2 the top. Yep, just scroll down a little bit. 3 (Deposition Exhibit Number 1 4 was marked for identification) 5 BY MR. ROTTENBORN: 6 Q. And if you ever need anything enlarged 7 or if you need -- 8 <b>A. I'm good.</b> 9 Q. All right. Just let us know. Okay? 10 <b>A. Uh-huh. Thank you.</b> 11 Q. Is this -- 12 MR. ROTTENBORN: Can you shrink that a 13 little bit, Alex, so we can see a little more of 14 it? Thanks. 15 BY MR. ROTTENBORN: 16 Q. Is this the text that you were just 17 referring to, Ms. Divenere? 18 <b>A. Yes.</b> 19 Q. What was your reaction to receiving this 20 text? 21 <b>A. You know, I was a little horrified. I</b> 22 <b>was, you know, I was concerned, just because I</b></p>
<p style="text-align: right;">14</p> <p>1 <b>A. True.</b> 2 Q. When did you first become involved in -- 3 and when I say, "this case," you understand that 4 I'm referring to the lawsuit pending between 5 Mr. Depp and Ms. Heard in Virginia; correct? 6 <b>A. Correct.</b> 7 Q. When did you first become involved in 8 this case? 9 <b>A. When I received a text from Mr. Waldman.</b> 10 Q. And Mr. Waldman is Mr. Depp's -- one of 11 Mr. Depp's attorneys? 12 <b>A. Correct.</b> 13 Q. I'm going to ask Alex to pull up the 14 exhibit that's been uploaded that's called, 15 "Waldman Text to Laura D." 16 And, Ms. Divenere, the way this is going 17 to work is you're going to -- I'm going to show 18 you a few documents today. It won't be many, but 19 a few. And I'm going to put them up, or the 20 Planet Depos tech person is going to put them up 21 on the screen like this. 22 MR. ROTTENBORN: And if you can enlarge</p>	<p style="text-align: right;">16</p> <p>1 <b>felt like I really -- you know, it was a couple</b> 2 <b>years later. I didn't really, you know, I didn't</b> 3 <b>know why I was involved with it. And I -- I felt</b> 4 <b>a little threatened by it, to be honest.</b> 5 Q. Did this text make you feel 6 uncomfortable? 7 <b>A. Yes.</b> 8 Q. And did it -- did it make you feel like 9 you were being put under pressure by Mr. Waldman 10 to make a Declaration in Mr. Depp's favor? 11 MS. VASQUEZ: Objection. Leading the 12 witness. 13 MR. ROTTENBORN: You can answer. 14 THE WITNESS: Yes. 15 BY MR. ROTTENBORN: 16 Q. Did you feel pressured by Mr. Waldman to 17 say things that were unfavorable about Ms. Heard? 18 MS. VASQUEZ: Objection, leading. 19 BY MR. ROTTENBORN: 20 Q. You can answer. 21 <b>A. Yes.</b> 22 Q. And I believe you testified to this, but</p>

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

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1 Q. And do you have any personal knowledge  
2 of any fact that suggests that Ms. Heard's  
3 statements regarding abuse at the hands of Johnny  
4 Depp are false?  
5 **A. I have --**  
6 MR. SHERMAN: Object -- hold on.  
7 Objection. It's overbroad and lacks  
8 foundation as to this witness.  
9 You can answer the question, Laura.  
10 MS. VASQUEZ: I join in those  
11 objections.  
12 THE WITNESS: I'm sorry. Can you repeat  
13 the question?  
14 BY MR. ROTTENBORN:  
15 Q. Sure. Do you have any personal  
16 knowledge of any fact that suggests that  
17 Ms. Heard's statements regarding abuse at the  
18 hands of Johnny Depp are false?  
19 **A. No.**  
20 MS. VASQUEZ: Same objection.  
21 MR. SHERMAN: Laura, did you answer? I  
22 didn't hear you.

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1 THE WITNESS: Yes. I'm sorry. I said,  
2 no.  
3 MR. ROTTENBORN: Alex, can you please  
4 pull up the document entitled, "Declaration of  
5 Laura Divenere Signed," and slowly scroll through  
6 it, just so she can see all the pages and her  
7 signature at the end, please.  
8 (Deposition Exhibit Number 3  
9 was marked for identification)  
10 BY MR. ROTTENBORN:  
11 Q. Ms. Divenere, is this the Declaration  
12 that Mr. Waldman had you sign?  
13 **A. Yes.**  
14 Q. And did --  
15 MR. ROTTENBORN: You can scroll back up  
16 to the top, please, Alex.  
17 BY MR. ROTTENBORN:  
18 Q. In your conversations with Mr. Waldman,  
19 both in the text that we saw earlier and leading  
20 up to signing this Declaration, did Mr. Waldman  
21 leave you with the impression that you could be  
22 charged with perjury if you didn't sign the

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1 Declaration he wanted?  
2 MS. VASQUEZ: Objection, leading.  
3 Assumes facts not in evidence. Calls for hearsay.  
4 MR. SHERMAN: Also vague the way it's  
5 phrased.  
6 You can answer, Laura.  
7 THE WITNESS: Yes.  
8 BY MR. ROTTENBORN:  
9 Q. And did you feel coerced to sign this  
10 Declaration by Mr. Waldman?  
11 MS. VASQUEZ: Objection, asked and  
12 answered. Assumes facts not in evidence.  
13 THE WITNESS: Yes.  
14 BY MR. ROTTENBORN:  
15 Q. I'd like to go to paragraph 5, please.  
16 And paragraph 4 as well.  
17 Do you see in paragraph 4 there's a  
18 reference to an accusation that Amber Heard made  
19 against Mr. Depp regarding an incident that  
20 happened on Saturday, May 21st, 2016?  
21 **A. Yes.**  
22 Q. And then in paragraph 5, you talk about

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1 seeing Ms. Heard in some of the days following  
2 that alleged incident; correct?  
3 **A. Yes.**  
4 Q. You didn't see her -- to the best of  
5 your knowledge, you didn't see her on May 21st  
6 after the incident, did you?  
7 **A. I honestly -- I don't recall.**  
8 Q. Okay. And you didn't see her on May  
9 22nd after the incident; right?  
10 **A. I don't recall. I -- again, I don't --**  
11 **these are just dates. And it's been so long, I**  
12 **have no concept of that time.**  
13 Q. And when -- when you say that you saw  
14 her at least on May 23rd, 24th, and 25th, are  
15 those -- is that your recollection that you saw  
16 her on those days, or did Mr. Waldman tell you  
17 that you saw her on those days?  
18 MS. VASQUEZ: Objection, calls for  
19 hearsay. Lack of foundation. Assumes facts not  
20 in evidence. It's also vague and ambiguous as to  
21 time. Her recollection when?  
22 THE WITNESS: Those would have been

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



<p style="text-align: right;">41</p> <p>1 <b>A. No, I – I'm still – I don't know why</b> 2 <b>I'm drawing a blank. Probably because this just</b> 3 <b>is not my thing.</b> 4 <b>So if she was wearing – could you</b> 5 <b>repeat the question one more time? I'm so sorry.</b> 6 Q. Sure. 7 MR. SHERMAN: And, Ben, not to be 8 difficult, but -- but I think the problem is 9 the -- the negatives. There are so many -- the 10 way the question is phrased in the negative with 11 multiple negatives in it, it -- it gets confusing, 12 and I think that's where the problem lies. 13 So maybe if we could phrase the question 14 affirmatively, it might be easier. But that's 15 just a suggestion, and I don't mean to step on 16 your -- your deposition in any way. 17 MR. ROTTENBORN: Thanks, Lee. 18 BY MR. ROTTENBORN: 19 Q. Ms. Divenere, if you -- to the extent 20 that you didn't notice cuts or bruises on 21 Ms. Heard's face, in the days that you saw her in 22 late May 2016, that could be because enough time</p>	<p style="text-align: right;">43</p> <p>1 BY MR. ROTTENBORN: 2 Q. And does the fact that you didn't -- 3 that you didn't notice cuts or bruises on her face 4 make you in any way doubt that she was the victim 5 of domestic violence on May 21st, 2016? 6 MS. VASQUEZ: Objection. Assumes facts 7 not in evidence. Calls for a conclusion. 8 THE WITNESS: Correct. 9 BY MR. ROTTENBORN: 10 Q. Does it make you doubt that at all? 11 MS. VASQUEZ: Objection. Vague and 12 confusing. 13 THE WITNESS: Does it make me doubt -- 14 I'm sorry. What does it make me doubt? 15 BY MR. ROTTENBORN: 16 Q. Does the fact that you -- does the fact 17 that you did not notice cuts or bruises on 18 Ms. Heard's face make you doubt at all that she 19 was the victim of domestic violence on May 21st, 20 2016? 21 MS. VASQUEZ: Objection. Vague and 22 confusing. Lacks foundation. Assumes facts not</p>
<p style="text-align: right;">42</p> <p>1 had passed that they were no longer as apparent; 2 right? 3 MS. VASQUEZ: Objection. Vague and 4 ambiguous. It's an improper hypothetical. 5 BY MR. ROTTENBORN: 6 Q. You can answer. 7 <b>A. Correct.</b> 8 Q. And it could also be because Ms. Heard 9 was wearing makeup that concealed those cuts and 10 bruises; correct? 11 MS. VASQUEZ: Same objections. Calls 12 for speculation. 13 THE WITNESS: Correct. 14 BY MR. ROTTENBORN: 15 Q. In your multi-year relationship -- 16 working relationship with Ms. Heard, was it 17 uncommon for her to wear makeup? 18 MS. VASQUEZ: Objection. Calls for 19 speculation. 20 THE WITNESS: I -- I don't recall. I've 21 seen her with both makeup and with -- and -- 22 and -- and not having makeup.</p>	<p style="text-align: right;">44</p> <p>1 in evidence. 2 THE WITNESS: No. 3 BY MR. ROTTENBORN: 4 Q. Now, you're aware that Mr. Depp has 5 tried to use your Declarations to suggest that 6 Ms. Heard wasn't abused and is lying about her 7 allegations of abuse; correct? 8 MS. VASQUEZ: Objection, compound. 9 Assumes facts not in evidence. 10 THE WITNESS: Correct. 11 BY MR. ROTTENBORN: 12 Q. Do you feel like anything in your 13 Declaration suggests in any way that Ms. Heard is 14 lying about her abuse allegations or wasn't abused 15 by Mr. Depp? 16 MS. VASQUEZ: Objection, compound. 17 We're talking about a three-page document with how 18 many paragraphs? Ten? 19 MR. ROTTENBORN: Camille, cut out the 20 speaking objections. Just make your objections 21 for the record, but don't do any more speaking 22 objections. Those aren't allowed in Virginia.</p>

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1 MS. VASQUEZ: All right. Well, we are  
2 in California, Ben, and they are allowed.  
3 THE WITNESS: I'm sorry, can you please  
4 repeat the question?  
5 BY MR. ROTTENBORN:  
6 Q. Do you feel like anything in your  
7 Declaration, Ms. Divenere, is suggesting that  
8 Ms. Heard is lying about her allegations of abuse?  
9 MS. VASQUEZ: Objection, compound.  
10 THE WITNESS: No.  
11 BY MR. ROTTENBORN:  
12 Q. Are you calling Ms. Heard a liar in your  
13 Declaration?  
14 **A. No.**  
15 MS. VASQUEZ: Objection. Lack of  
16 foundation.  
17 THE WITNESS: No.  
18 BY MR. ROTTENBORN:  
19 Q. And how do you feel personally about  
20 this Declaration that you've testified was coerced  
21 from you as the result of threats being used to  
22 paint Ms. Heard as a liar in her domestic abuse

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1 allegations?  
2 MS. VASQUEZ: Objection, compound.  
3 Assumes facts not in evidence. Vague and  
4 confusing.  
5 THE WITNESS: I'm sorry. Repeat the  
6 question.  
7 BY MR. ROTTENBORN:  
8 Q. How do you feel about your Declaration  
9 here, Ms. Divenere, that you've testified was the  
10 result of threats and coercion, being used to  
11 paint Ms. Heard as a liar with respect to her  
12 domestic violence allegations?  
13 MS. VASQUEZ: Same objections.  
14 THE WITNESS: Well, I don't love it.  
15 I'm not sure how I'm supposed to respond to that.  
16 I mean --  
17 BY MR. ROTTENBORN:  
18 Q. Just tell me how you feel.  
19 MS. VASQUEZ: Is there a question?  
20 BY MR. ROTTENBORN:  
21 Q. Just tell me how you feel.  
22 **A. Okay.**

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1 MS. VASQUEZ: Objection, vague.  
2 THE WITNESS: I've -- I've never -- I  
3 mean, from -- from my personal experience with  
4 Amber, there was never a reason for me to  
5 disbelieve her, if that's what you're asking.  
6 BY MR. ROTTENBORN:  
7 Q. And is it okay with you that this  
8 Declaration has been used in social media posts to  
9 suggest that Ms. Heard is a liar?  
10 MS. VASQUEZ: Objection. Assumes facts  
11 not in evidence.  
12 THE WITNESS: No.  
13 BY MR. ROTTENBORN:  
14 Q. Do you feel like you were misled into  
15 signing this Declaration about what --  
16 MS. VASQUEZ: Objection, vague. I'm  
17 sorry. I apologize, Ben.  
18 BY MR. ROTTENBORN:  
19 Q. I'll ask it again.  
20 Do you feel like you were misled into  
21 signing this Declaration?  
22 MS. VASQUEZ: Objection. Vague and

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1 ambiguous. Assumes facts not in evidence.  
2 THE WITNESS: Yes.  
3 BY MR. ROTTENBORN:  
4 Q. And if you had to do it all over again,  
5 Ms. Divenere, would you sign this same  
6 Declaration?  
7 **A. No.**  
8 Q. Why not?  
9 **A. I -- again, I was, you know, completely**  
10 **naive about so many things apparently. No, I, you**  
11 **know -- where do I even begin?**  
12 MR. SHERMAN: You've answered the  
13 question.  
14 THE WITNESS: Okay. Thank you.  
15 BY MR. ROTTENBORN:  
16 Q. Well, if you have a further answer, you  
17 can -- you can give it.  
18 **A. No, I'm good with that.**  
19 Q. Other than Mr. Waldman, have you had  
20 communications with anyone on -- representing  
21 Mr. Depp, whether an attorney or anyone else,  
22 relating to this matter?

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

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

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

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

Conversation (Native Messages), 1 messages, 3 parties, over 0 minutes

Parties: Adam Waldman <awaldman@theendeavorgroup.com> (Owner); Adam Waldman <+1 202-550-4507> (Owner); Matt <+1 310-741-8383>

First Message: 6/26/2019 12:43:36 PM +00:00

Last Message: 6/26/2019 12:43:36 PM +00:00

Adam Waldman <+1 202-550-4507>

Hey Matt it's nat's friend and Johnny depp's lawyer Adam waldman here. Hope you are doing well. Matt Would you mind looking at your flight log for May 24 2014 - there was apparently a flight from Boston to LA on which amber claims to have been violently assaulted by Johnny before he passed out unconscious in the bathroom. I know from Johnny - as with other hoax claims where we have multiple eyewitnesses. that it was amber who assaulted Johnny by punching him in the face after throwing red wine in his face. Do you have any relevant records of this. and in a perfect world a Flight attendant I could have a quick chat with? Thank you!!! Adam

6/26/2019 12:43:36 PM (UTC-07:00)

Status: Sent  
 Sent From:

Conversation (Native Messages), 1 messages, 3 parties, over 0 minutes

Parties: Adam Waldman <+1 202-550-4507> (Owner); Adam Waldman <awaldman@theendeavorgroup.com> (Owner); Nurse Erin <+1 323-821-2795>

First Message: 7/8/2019 8:51:28 AM +00:00

Last Message: 7/8/2019 8:51:28 AM +00:00

Adam Waldman <+1 202-550-4507>  
Hi Erin how's it coming in determining which date amber came to you with the dry lips and called it abuse? That I think is the really useful testimony from you and Debbie.  
As discussed with Debbie, and then with Johnny, we can send you a friendly subpoena if it helps alleviate any concerns about being legally compelled. We don't want any privileged medical information, only percipient witness information.  
Thank you again, Adam

7/8/2019 8:51:28 AM +00:00

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**Adam Waldman**  
 @waldman  
 6,988 followers

...and right on cue in Ms Heard's Counterclaim are the allegations of fake petitions and non-human bots and trolls and some kind of dastardly Cyrillic Russian involvement!! And the spiders from Mars...

**Adam Waldman** · 3:37

Is this a real Counterclaim or am I getting Punk'd?

**Done Counterclaims w Exhibits A-H (8 1...**

...and right on cue in Ms Heard's Counterclaim are the allegations of fake petitions and non-human bots and trolls and some kind of dastardly Cyrillic Russian involvement!! And the spiders from Mars...

**Adam Waldman** · 3:37

...and right on cue in Ms Heard's Counterclaim are the allegations of fake petitions and non-human bots and trolls and some kind of dastardly Cyrillic Russian involvement!! And the spiders from Mars...

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**What's happening**

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- #TheStrangerQuibi
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Tweet

**Adam Waldman**  
 @adamwaldman

The penalty for perjury in the UK is up to 7 years imprisonment.

Retweeted by @mattmoss

428 Retweets 122 Replies 2.3K Views

**Nikki Harrison**  
 @nikkiharrison

DO THEY USUALLY GO AFTER ANYONE THAT HAS LIED ON THE STAND UNDER OATH KNOWINGLY IN THE UK ???!

**Cristina**  
 @cristinac

What about Australia and USA? If charged in all those countries, who gets preference sending the person to jail? Is that chronological order? Or by severity?

**ayca gurelman**  
 @aycagurelman

Thank God. I think a lawyer commenting on twitter or youtube was saying that imprisonment was applicable only in important governmental cases otherwise it was not followed up - which was quite disheartening. I would be more than happy to see the conspirators be punished by law.

Relevant people

**Adam Waldman**  
 @adamwaldman

What's happening

Alexei Navainy posts first image since poisoning incident

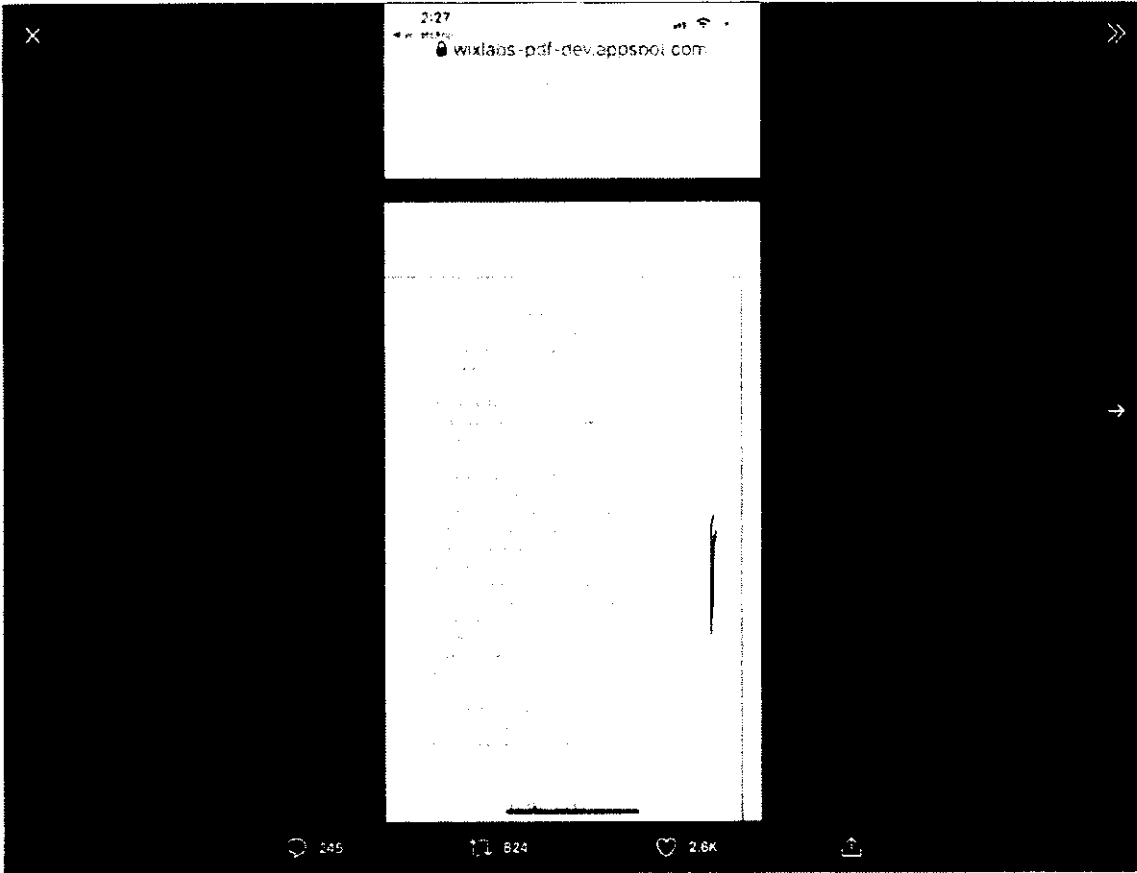
#UnlockPotential

#TheMandalorian

Esquire UK  
 Beliebers are going crazy for Justin's long hair

Prince Harry

Messages



245

824

2.6K



**Adam Waldman**  
Verified account

Ms Heard claims to have been hit so hard in the mouth by a heavily ringed Johnny Depp fist that blood splattered onto the wall next to the "SMEG" refrigerator in March 2013. That's a fine detail. Yet the SMEG was not purchased until October 19, 2014. [Evidentiary](#)

[View all 10 photos](#)

824 Retweets · 2.6K Likes

[View all 10 photos](#)



**Adam Waldman** · Nov 2, 2014  
Retweeted  
Correction: October 9, 2014

[View all 10 photos](#)



**Anja Aehlig** · Nov 2, 2014

but according to the small injury to the lip (from A.H.'s lip photo), I cannot imagine that so much blood should splash from it  
justice for Jonny Depp



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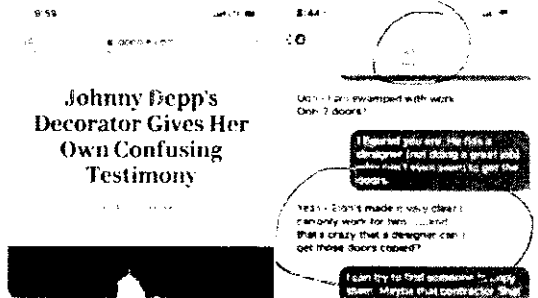
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Adam Waldman

Adam Waldman @awaldm  
This photo was taken March 23, 2013 ONE DAY AFTER Ms Heard alleges Johnny Depp backhanded her in the face with heavy rings on his fingers.



Adam Waldman @awaldm  
"Johnny Depp's Decorator" is actually Elon Musk's decorator. The devil is in the details. #



What's happening

What's happening

Bride 'happy to be alive' after wedding video captures Beirut blast

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Financial Times

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### Adam Waldman

**Adam Waldman** · 12/11/20 · 12/11/20  
In Memoriam  
Hoax Incident #14 - May 21, 2016 "Injury" in shape of iPhone. Thank you Officer Melissa Saenz, LAPD.

What are hand-dresses? I hope to make it safe for you?

**Adam Waldman** · 12/11/20 · 12/11/20  
"Handling PR" about a Hoax that spawned a thousand smears into a media that nobody trust or even reads anymore is a fool's errand. The People are not stupid.

## Powerscourt represents Amber Heard in Johnny Depp legal battle

Powerscourt is handling PR for Amber

### What's happening

The US State Department lifts level 4 health advisory for international travel

#StarTrekLowerDecks

CNBC Politics  
Where do stimulus talks stand?

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The New York ...  
Could My Symptoms Be Covid-19?

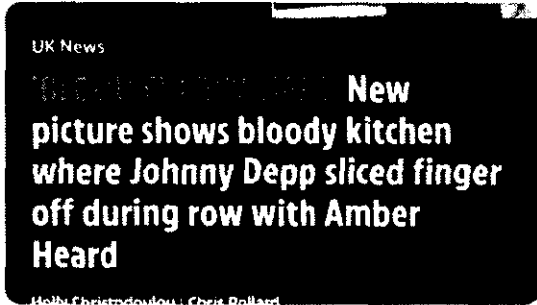
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### Adam Waldman

**Adam Waldman** (@adam\_waldman) · 1.2M followers · 1.2K tweets · 1.2K retweets · 1.2K replies

In Memoriam - "False media! We don't need it do we? It's Fake that's what it be to ya, dig me?" -



**Adam Waldman** · 1.2M followers · 1.2K tweets · 1.2K retweets · 1.2K replies

As

**Adam Waldman** · 1.2M followers · 1.2K tweets · 1.2K retweets · 1.2K replies

To those who say after you've pulled the plug, it's a little late to get back in the plane



### What's happening

**Bride 'happy to be alive' after wedding video captures Beirut blast**



**#StarTrekLowerDecks**

**CNBC Politics**

Where do stimulus talks stand?



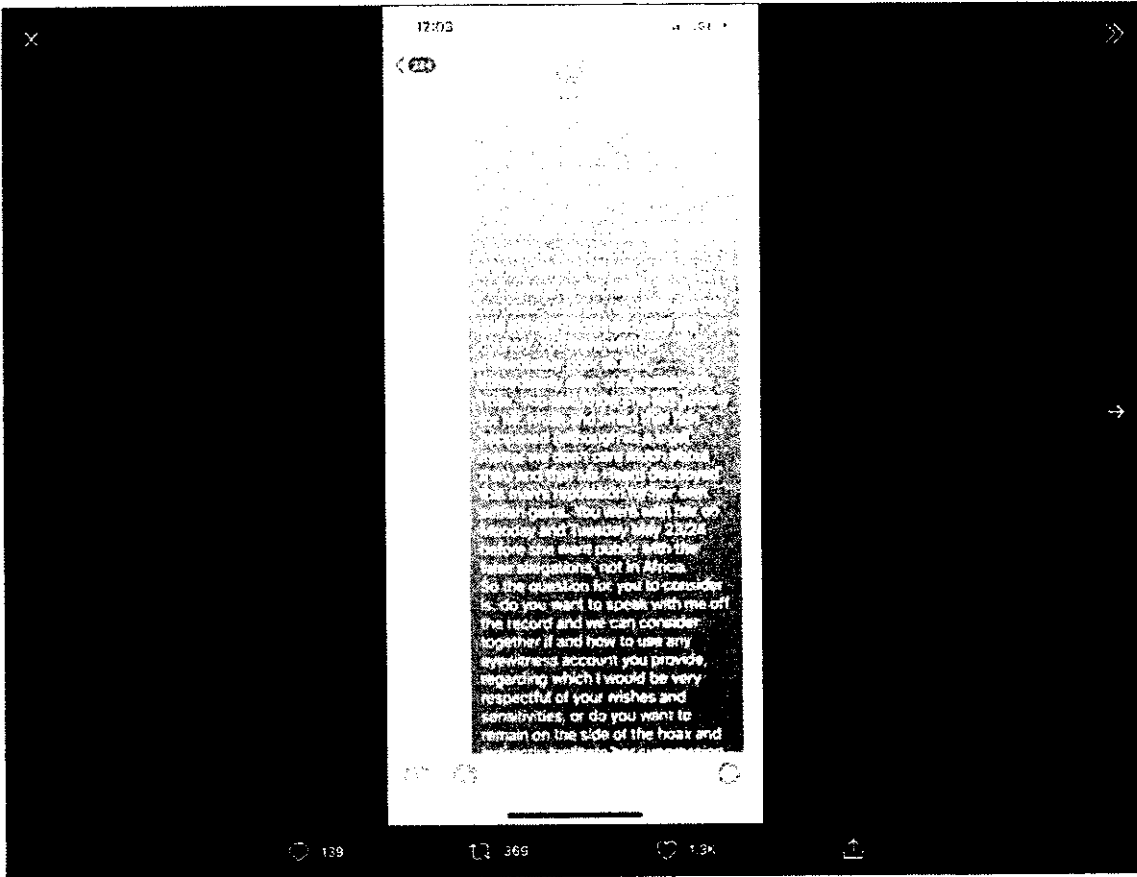
**Chipotle**

**Financial Times**

Here's everything you need to know about the Beirut explosion



### Messages



**Adam Waldman**  
@adamwaldman

Amber Heard and her legal dream team continue trying to concoct something from this conversation w Elon Musk's decorator Laura Divenere, who testified against her anyway. The truth is, this conversation started with a lie. She wasn't in Africa. She was with Ms Heard post-hoax.

328 replies · 41 retweets · 1.3K likes

**Lare'va #Kali Lemorte** · Sep 10  
Replying to @adamwaldman  
Prove to me @elonmusk is still involved n this and I'll believe it.. I think otherwise for Good reason.

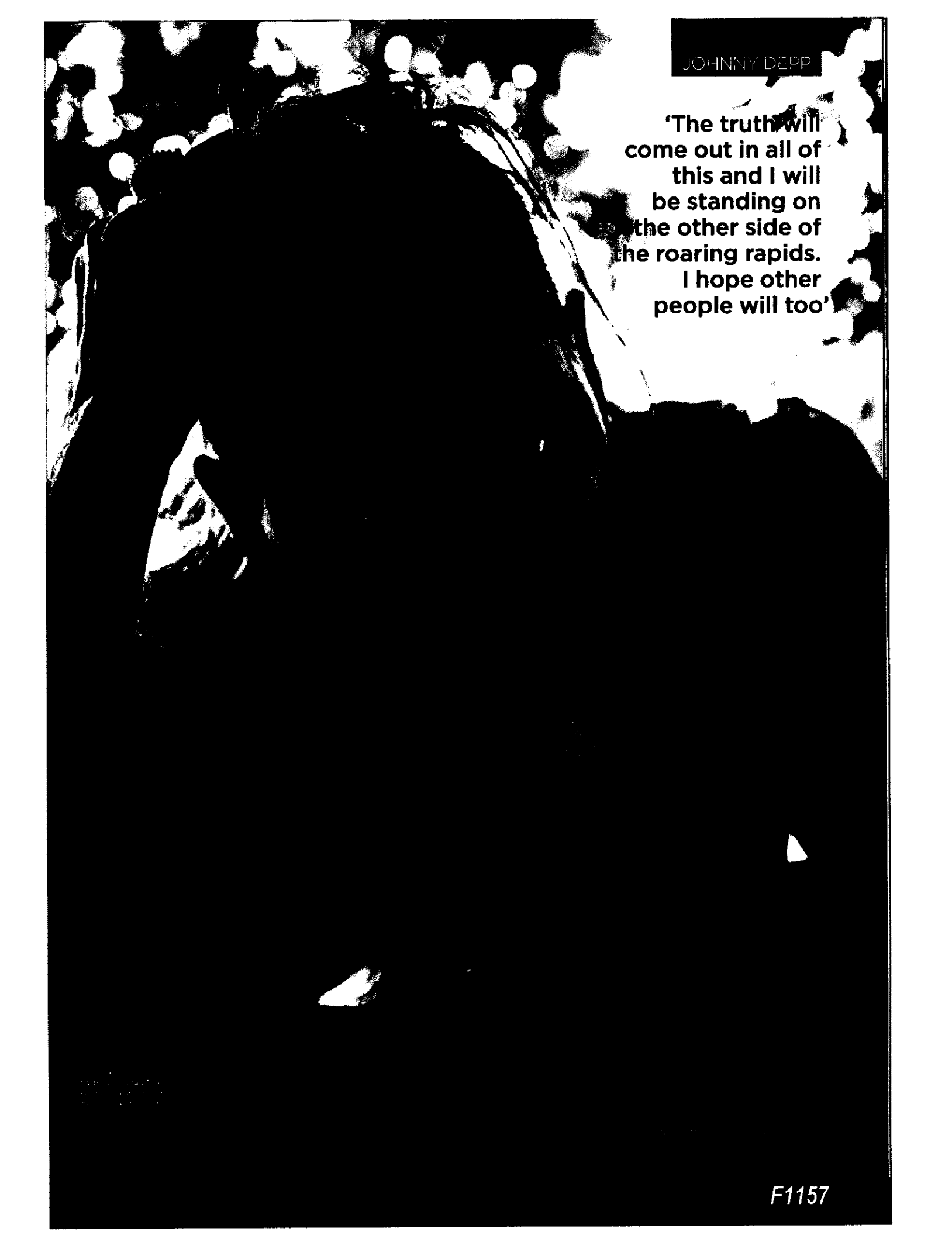
**Mea parvitas** · Sep 10  
The conversation was a lie. She was with Ms Heard post-hoax.

# JOHNNY DEPP WILL NOT BE BURIED

**Hollywood divorce: where acrimony meets alimony somewhere on the highest, most exposed precipice. And when those disputes are embittered further by costly lawsuits against once-trusted advisors and accusations of domestic violence, the truth - as presented by either side - will take the fall. We don't know the truth. But following an invitation to spend time with the face of one multibillion-dollar franchise and a whole rogue's gallery of tender, oddball tales at the French village he once bought to share with another former partner, we now know his version of it. Aggrieved, aggressive and vulnerable, by turns it's all these things. He spoke, we listened and here, presented verbatim, is the truth Johnny Depp wants you to hear**

Story by **Jonathan Heaf**

Photographs by **Greg Williams**



JOHNNY DEPP

**'The truth will  
come out in all of  
this and I will  
be standing on  
the other side of  
the roaring rapids.  
I hope other  
people will too'**

The death metal begins at 2.43pm. It's loud. And it is coming from inside the church. The noise is a proud, ungovernable fury, like a prize bull being dragged to the slaughterhouse by its copper nose ring. The idyllic quiet of the southern French countryside, the soft rub of the *cigales* and the warm breeze rolling off the Mediterranean is torn down the spine by wailing, demonic vocals and pedal distortion. Everyone outside, some drinking small glasses of *pastis de Marseille* in the 37C heat, turn to look at the church door and then at one another.

Despite the rupture, the shattered tranquillity, it is a positive sign for those who want an audience with our host. The man rumoured to be sleeping inside the small, single-storey chapel – its original confessional area transformed into a closet, its cloister now used as an artist's studio with large, unfinished canvases leaning against the perimeter – must surely be awake. No one could sleep through what sounds like Satan's own alarm bell.

Two weeks ago there was an invitation, confirmed late yesterday, to come to Johnny Depp's villa and talk openly and without caveats. If you rise at 5am in North London, get the first Nice-bound British Airways flight out of Heathrow around 7.45am and then take a taxi for an hour due east along the scorched yellow coast, past Cannes, past Fréjus and not quite to Saint-Tropez, you will find yourself in the rural town of Le Hameau De Gassin, hemmed in by rows of young, short vines, forming tracks like nature's braids, their bruise-coloured fruit just beginning to swell and sag with new weight.

Depp's complex of around seven or eight small stone abodes sits above this quiet, unremarkable old town, with a view that stretches out over the rippling Ligurian Sea. On a clear day you can walk out to one of the several high, rocky outcrops on the estate, squint and see the island of Corsica and, beyond that, waters rich with fables and myth, where scholars believe Homer's Odysseus ordered his crew to tie him to his own mast to hear for himself the song of the Sirens.

Squint harder and you might catch Italy's west coast twinkling, with Pisa, Genoa and, beyond that, the beauty and corruption of Florence. Earlier, I arrived at the compound's gates, passing director Tim Burton and his family, who were off out on a boat trip with various children, sun-kissed and grinning. Burton has been staying with Depp these past weeks, enjoying the baked, private utopia.

Having been buzzed in, a golf cart driven

by a native named Daniele takes me up to the main set of buildings. Daniele – a man in his late sixties with an impressive whipped-cream moustache and a long, ivory ponytail who, it must be noted, looks astonishingly like Asterix from René Goscinny and Albert Uderzo's famous French comics – is the man from whom Depp bought the land and original 19th-century houses 20 years ago. It was purchased by Depp and Vanessa Paradis, his then partner, as a sanctuary, a place to escape with children, to play freely away from the full beams of Los Angeles and Paris.

When the estate was listed on the market in 2015 for \$63 million – a warning shot of the actor's financial problems – many of the news reports described the property as being a "village-like compound". As our tyres crunch their way up the wide gravel path towards the collection of stone buildings, it's easy to see why.

There is a modest main house with weathered blue shutters, almost entirely covered in rippling, bright-green foliage. There's a hidden pool, a gazebo, a stone terrace with wooden shade and a jumble of around

## 'That happened with Pirates. If the studio isn't worried then I'm not doing my job properly'

four or five bedrooms and bathrooms. The slanted, near-flat roof is terracotta tiled, while on the lower flank a heavy wooden door leads into a *cave à vin*, now converted into a cosy – if you find crypts cosy. The space is peppered with candle drippings and cowhide throws.

From here we turn hard right, pulling inside what feels like the estate's main courtyard, or village square, a place where the road widens and comes to a natural point of congregation, a patch of gravel with a small tree at its centre.

In front of us, 30 feet away, is the church, silent with its door locked, while to our left is what appears to be a quintessential French café, a building that was originally intended to be a garage. The café's brown fabric awning has a name across it in an art-nouveau period type, "Chez Marceline", which refers to Marceline Lenoir, Paradis' long-standing acting agent.

At a polished wooden table outside the café, two men are sitting sipping Evian. Their names are John Evans and Daniel Rolle and they are expecting us. Evans' and Rolle's looks are route-one Mayfair hedge on an off-site:

crisp, pale-blue shirts (tucked in), narrow but not-too-skinny indigo jeans, a woven belt at the hips and a vintage Rolex on the wrist. It's clean, tasteful and quietly refined, rather than anything ostentatious or flash.

Evans and Rolle have been the point men in regard to today's logistics. They work for a London-based company called Hawthorn, a public-relations firm that, among other things, specialises in dealing with crisis management for companies and high-net-worth individuals. Hawthorn advised on "strategic communications" for En+, for example, the Russian energy company owned by controversial oligarch Oleg Deripaska.

Deripaska was once worth \$14 billion, although that figure is now £2.6bn. One of Hawthorn's partner companies in the US has been consulting on the sale of the Weinstein Company, but it's worth mentioning that Evans himself advised against such a move, despite the "ludicrous fee" offered. Firms such as Hawthorn don't do minor skirmishes or call editors seeking corrections in the entertainment pages; they are a firm who exceptionally wealthy clients call if there's no one else to call. They are the Harvey Keitels of this world: wolf men, fixers, public-image adjustment specialists, polymath corporate strategists.

Ben Elliot, nephew of the Duchess Of Cornwall, is a cofounder and partner of Hawthorn. He also set up Quintessentially, the concierge service for the wealthy elite – think heli-skiing off Everest's Hillary Step or a balcony suite with a view of the Monaco Grand Prix. It was Elliot who made initial contact to ask whether *GQ* would be interested in meeting and talking to Depp.

Despite Depp being someone who has long underscored his disdain for the media – someone who once took on the paparazzi with a plank of wood outside a London restaurant – we were informed that he wanted to talk. Or, at least, he was advised that he should seem like he wanted to talk, that he wanted to set certain records straight, not least concerning his image in the press and the various battles on which he has been fighting of late.

It's about two months after the publication of a widely read *Rolling Stone* interview, entitled "The Trouble With Johnny Depp". It is an article that Depp will talk about later, addressing it as he does most topics, with a sort of vengeful nonchalance. This is a man, I will come to understand, who will happily spill his guts all over the table, yet remain flippant about cause and effect. This "coolness", one suspects, is his armour. >>

JOHNNY DEPP

DEPP'S REPUTATION  
AS A RISKY, OFF-THE-ROCK  
STAR HAS BEEN A SOURCE  
OF INSPIRATION FOR  
MANY OTHER ACTORS



'The Rolling Stone  
article was a sham.  
I was shafted. The  
guy walked in  
with absolutely  
one intention'

F1159





F1160

>> The actor refers to the *Rolling Stone* article as "a sham". In fact, he goes much further. "I was shafted. The guy [journalist Stephen Rodrick] walked in with absolutely one intention. And I could see it and I thought maybe I could help him understand, you know?"

"I trusted Jann Wenner [cofounder and publisher of *Rolling Stone*], as I knew him through Hunter [S Thompson, the late writer and a mentor of Depp]. I trusted what the magazine stood for, or what it used to stand for. I wanted Jann to see if he could write, to see if a piece could be written... to put things in perspective. That's all, just to put things in perspective."

**P**erspective can be a treacherous thing. It can be hoodwinked. It can be manipulated. Perspective, after all, is inherently subjective. Yet Depp was right to be belligerent. Anyone who didn't know any better would have read that *Rolling Stone* profile – together with a steadily accumulating digital silo of cuttings and clickbait about the star's life of late, his financial woes, his savage and hostile divorce from American actor Amber Heard, accusations of domestic violence and that videotape – and come away with a pretty bleak picture of the 55-year-old.

The article stated Depp was near to broke: having made \$650m on films that netted around \$3.6bn, yet "almost all of it is gone". Up until a few weeks ago Depp was suing his longtime business partner Joel Mandel and his brother Roger (and their firm, The Management Group [TMG]) for negligence, breach of fiduciary duty and fraud.

The suit claimed that under TMG's watch Depp had accumulated (and paid) nearly \$5.6m in late fees to the IRS, something that the star claimed he knew nothing about. Depp's suit also pointed at TMG's conflicts of interests, their alleged wrongful investment of the star's money in companies with which they had a relationship and their enabling of Depp's immediate family members to spend his fortune without proper authority or knowledge – not least his sister Christi. TMG counterclaimed against Depp for breach of contract and fraud, saying that it was the actor who was responsible for any financial turmoil in which he found himself.

By the time I reach Depp in his French villa the litigation has reached a settlement and, later this month, in August, he will win the first stage of a separate case against his longtime lawyer, Jake Bloom, regarding "handshake" agreements and contingency fee agreements, or lack thereof. The >>

'To find they were screwing me? These people used to come to my babies' birthday parties'



>> latter appears to be a vindication of sorts for Depp, almost certainly having wider effects on the industry and how business is conducted between management and talent.

Sitting with the Hawthorn executives in Chez Marceline, waiting for Depp to emerge from his quaint, nondenominational lair, there is also continued talk of stories emerging about Heard and the pair's acrimonious split. Heard filed for divorce in May 2016, only 15 months after the couple got married in February 2015. Court records filed by Heard cited "irreconcilable differences", with a temporary restraining order granted against Depp, who Heard accused of domestic violence. A much-circulated leaked video claimed to show Depp "throwing a wine glass" at Heard and the 32-year-old's lawyers previously claimed that Depp "violently attacked" her.

The outrages then go from the disturbing to the downright bizarre. Although the couple's divorce settlement was reached in August 2016 – with Depp paying a reported \$7m and the restraining order lifted – even this morning, on my way to

Depp's compound, the most peculiar story yet emerged from their volatile relationship, that Heard allegedly defecated in the star's bed after a particularly nasty row in April 2016. Heard has come out with a statement last night claiming the incident was far from a dirty protest on her part, but rather blamed the deposit on her dog, Boo, who suffers bowel problems.

As I hear the satanic noise blare out from Depp's church in France, it makes one wonder: who, or what, am I about to encounter today, at his home, inside his sanctuary? An actor who is crippled by fame, money and excess? A relic of an old Hollywood star system that is broken and growing old disgracefully? Someone who simply doesn't fit into the brave new era, an era when scandal and stories can no longer be hidden away or buried under an avalanche of enforced NDAs?

Or is Johnny Depp simply a man who, for all his faults, has been wronged and harbours a genuine desire to set out to protect his name and his past work so that he can begin to bring himself back from what has been a period of his life he'd sooner forget?

Does he seek vengeance against an industry – and certain individuals – that he claims took advantage of his naivety and confessed contractual carelessness?

Is this a man who still believes in trying to be the outsider, an artist who desperately wants to be free of responsibility, something that might be mistaken for isolation and eccentricity but is actually something closer to a belief in romantic rebellion?

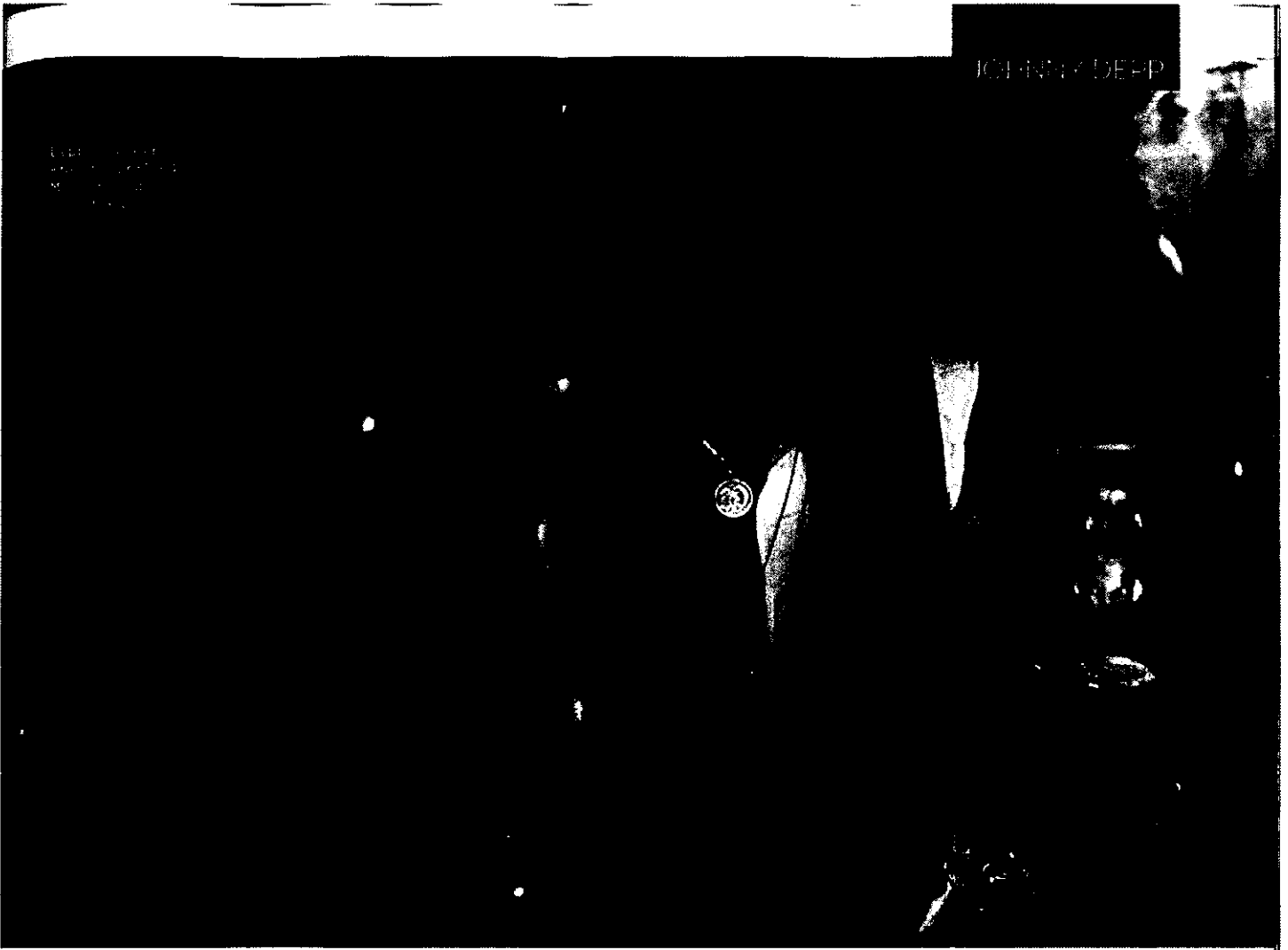
**I**t's time. He's ready."

As I'm led towards the church where the demonic wall of noise has finally been silenced, I realise, perhaps for the first time, that I have no idea who or what will appear, blinking into the hot white light. It feels like stepping inside the eye of everything that tornadoes around this one man and his astonishing life. As the church door opens and I hear a cough, I wonder: where does the myth of Johnny Depp end and the truth of who Johnny Depp really is begin?

"Are you a John or a Jonathan?"

"I'm Jonathan," I say. "You must be Johnny."

"Johnny, John... I'm a John. Is it Jon-a-*than*"



or Jon-a-thon? I'm John Christopher Depp II. I have a number after my name which makes me sound... I don't know, grander than I should be." Immediately there's that smile, one that hovers between charm and mischief, heroic and villainous. His eyes will remain behind an enormous pair of reflective aviator shades for the next four hours. "Shall we go and sit in the sun, talk, get heatstroke, vomit and die?" A pause. And then the head goes right back with the laugh. "Maybe later. Come on, Jonathan, there's a really cool little spot I want to show you..."

Depp has emerged from his slumber looking if not healthy then certainly healthier than I expected. Friends I had spoken to about my assignment voiced concerns over Depp's mental and physical state – most with little to no actual factual insight, it should be said – many referring to an image taken of the star recently while on tour round Europe with his band, Hollywood Vampires.

The photograph, taken by a fan, showed Depp gaunt, pallid and in need of some sleep – or at least a large green juice and once round the block on a SoulCycle. Not only that, but, perhaps even more disturbingly, his

## 'Shall we go and sit in the sun, talk, get heatstroke, vomit and die? Maybe later'

usual battered fedora had been replaced with a baseball cap, a baseball cap with the word "fugly" emblazoned on it. Johnny Depp? In a baseball cap?

Today, however, Depp's skin is clear and absent of bloat or puffiness. It must be added, however, that his clothes are less intact. He is wearing a baseball cap and his shirt in particular appears to have had its arms pulled off, as if it was once the property of an irate Bruce Banner pre-anger management classes. In fact, the shirt is like nothing I have ever seen before: part dress shirt, but with a mandarin collar, yet no sleeves. Over his shirt is a pinstripe blue waistcoat and around his neck are various chains, trinkets and talismans.

On the end of one necklace is a silver "gonzo

fist", the icon characterised by two thumbs and four fingers holding a peyote button originally used by Hunter S Thompson's 1970 campaign for sheriff of Pitkin County, Colorado. Through Thompson's prolific life and writing style, the fist has become a symbol of gonzo journalism as a whole. For Depp it is both a memento of his late friend, someone he once lived with in a basement in Owl Farm, Thompson's base camp in Aspen, Colorado, and a reminder of how one should work and live, with a strong sense of the individual and unhinged from corporate or fiscal systems. As Depp so often says, "Beat the system from the inside out."

The jeans are baggy and a patchwork of blues, holes that have been mended and stitched innumerable times. Depp's trouser-wearing history has always been, well, patchy, to say the least, always looking like he's just come from break-up sex with a werewolf. He was once taking a child to a birthday party in Los Angeles when he realised his jeans had a hole the size of a hubcap across the rear-end. Rather than change, which would have been the sensible thing, he grabbed a roll of silver gaffer tape and fashioned his own filler. >>

**D**epp's belt is something else. It's worn brown leather, but the buckle is attached to the side rather than the front. It's unusual, I note, as we walk towards a huge stone table where we will sit and talk in the shade for the afternoon. "This? Well, it's no Texas Belt Buckle. You know what Texas Belt Buckle is?" I have to confess I do not. "Well, a Texas Belt Buckle is where you have to pull your scrotum up over the top of your jeans without undoing them. All the way up and over. Oh, the horror of it all... You have to bring your cock back around and stick it through... Your cock has to go around the bend in a sort of semi fruit basket and then, well, then you're fucked. You pull your testicles out over the top and leave them just resting there. That's a Texas Belt Buckle. Then, of course, there's a Dirty Sanchez, which is something else entirely. 'Dirty Sanchez', which I managed to sneak into *Pirates*..."

For those in the dark about what a Dirty Sanchez might be, all you need to know is that it's a term that originated in the spit'n'grind of the LA porn industry, something that could occur when certain protruding members are stuck into certain orifices and then into certain other holes. I'll let your imagination run dark, but let's just say it's unfathomably gross and a term for an obscene sex act that couldn't be less suitable for inclusion in a \$300m Disney film about a pirate, itself based on a family-friendly theme park ride in Florida.

"Yeah, I [said] it in *Pirates* and they never caught it when it went out to the theatres," Depp chuckles as we take our seats opposite one another. "They caught it when it went to DVD. I did it because I wanted to see who would be the one at Disney to find it..." As to why Depp wanted to find out who would be the person to red flag such a thing is unclear, although the fact he is still proud to have got the obscene term included in that first blockbuster – albeit as a mumbled, near incoherent entry – and past corporate eyeballs (and ears) is not insignificant.

It serves to illustrate what has been, and what still is, at Depp's moral core, a conflict that boils and foams beneath the actor's surface: the tussle of being true to his artistic sensibilities while also being a willing participant in and figurehead of a billion-dollar franchise. It is the age-old problem faced by many successful creatives, that of art vs commerce.

Jack Sparrow was for Johnny Depp what Iron Man would eventually become for Robert Downey Jr: a global hit that pivoted the actor – or at least his image – from that of a young, somewhat surly indie misfit who >>





JOHNNY DEPP

In the cave, a via  
blunderbuss the master  
building in Depp's  
village compound

'There's a common  
thread going through  
my characters.  
They're all judged in  
a condescending  
manner, in a bad way'

by David Karger for EW.COM

F1165

>> had already illustrated a distaste for being a teenage pin-up (via *21 Jump Street*), wore oversized vintage leather jackets and smoked Marlboro Reds while smooching wild fashion cats such as Kate Moss, into a global megastar with his own merchandise line, including a 25cm-high pirate figurine with removable cutlass and leather booties.

It was the moment the man who played Ed Wood turned into Mickey Mouse, albeit Mickey Mouse with a fondness for a bottle of Château Calon Ségur (2014). "I was freaked out by it," he admits when he realised where acting was going to take him, rather than music, which had always been his main creative outlet. "I mean, at the beginning I genuinely didn't give a fuck about acting. But I began to enjoy it. I enjoyed creating those characters up there, being in the trenches and sparring with collaborators, actors, directors... The trouble with working with these big studios is they can get uncomfortable about certain creative decisions you make. That happened with *Pirates*. My view is if the studio isn't worried then I'm not doing my job properly."

Did Disney try to alter his *Pirates* performance? "Disney hated me. [They were] thinking of every way they could to get rid of me, to fire me. 'Oh, we're going to have to subtitle him.' 'We don't understand Captain Jack Sparrow. What's wrong with him?' 'What's wrong with his arms?' 'Is he drunk?' 'Is he mentally fucking stupefied?' 'Is he gay?'"

I ask Depp directly: did Disney ask if Jack Sparrow was being played as openly homosexual in *Pirates*? "They asked me, 'Is he gay?' and I answered the question over the phone. It was a lady called Nina Jacobson from Disney at the time [Jacobson is herself gay, it should be noted, and has long campaigned for greater diversity within the all-male club of old Hollywood boardrooms] and she asked me a couple of questions and then said, 'What is it, Johnny? Is he gay?' My tendency, of course, is to be irreverent so I said, 'Nina, didn't you know all my characters are gay?' That was a pretty abrupt end to the conversation. And I just continued shaping Jack the way I believed was best."

Was Depp angry at Disney for its lack of vision? Its lack of trust? "No. I told them, 'Look, you don't like what I'm doing, fire me. You hired me to do a job and play the character and this is what I want to do.' This is the work. I mean, hadn't they seen any of the work I'd done previously? You might want to take a look at that before you hire a motherfucker, you know?"

Did he feel vindicated once it was clear his treatment for Jack was going to

work, when audiences fell in love with him? "I knew I was right. Even the very first time when they came back to me saying, 'No, no, what is this?' it felt right. Even when the other actors were looking at me like I was an absolute menace, I stayed with it. I mean, the older actors were probably thinking, 'Jesus Christ, he's wrecked.' Because I would tear up the script on set. I'd go rogue. I'd fly for a little bit to see where things went. And not everyone appreciates this way of working. Oliver Stone didn't appreciate it when I changed all the lines he wrote for me in *Platoon* and that's no doubt probably why most of my stuff ended up on the cutting-room floor."

Depp and I are sitting under what can only be described as a tent or canopy of green vines. We are about 150 metres from the main house. Inside the tent is a huge, monolithic stone table and benches that resemble something dragged from the palaeolithic age, pockmarked and grooved from years of wear and deterioration. Depp bought it when they acquired the house. "I did a

## 'Spit out what you need to spit out and my attorneys will take care of the rest'

film with Roman Polanski [*The Ninth Gate*] in Paris with Vanessa. We were supposed to stay two months and we ended up staying ten years."

As we talk, Depp keeps his cap and his shades on. Occasionally he seems a little sleepy, stifling a yawn, although after a while he shakes off the sleep and is engaging, coherent and certain. He twists and moves rarely, maybe tucking his legs to one side or sitting cross-legged like a sort of skater/war vet/yogi. Otherwise, he is entirely still. He takes care with his answers, speaking at a steady pace, unafraid to be patient and wait until the right word arrives from his consciousness and escape into the ether.

A man, maybe a housekeeper, brings us refreshments in one of those light-blue plastic laundry baskets: sweet, bottle-green tea, Coca-Cola, water. No alcohol. Later I ask Depp if he believes he has a problem with alcohol: "Do I like a drink? Yes. Do I need a drink? No." The only visible vice is the rolling tobacco that he smokes in liquorice papers; he'll roll one up every 20 minutes or so and often not light it immediately. He lets it hang from his mouth, the paper sticking to his lower lip as he talks

and answers questions. He has all the tobacco warnings, all the images of blackened lungs, scribbled out by an assistant. His fingers are cluttered with rings and his arms are full of black ink.

The tattoos have been much discussed: the "Wino Forever" on the upper right bicep being perhaps the most infamous, an alteration of what originally was "Winona Forever", which Depp got when he was dating Winona Ryder, the pair having worked together on Tim Burton's *Edward Scissorhands* in 1990. A more recent tattoo read "Slim" in a gothic font, a letter on each of the proximal phalanges (the finger bones closest to the palm of the hand). Slim was the name Depp used to call his ex-wife Amber Heard. After the divorce he had it amended to "Scum" and more recently "Scam".

**B**efore flying out here I was told that Depp categorically didn't want to discuss his recent divorce. But there's something about the torment of the past few years that, intentionally or not, shakes such spiky subjects – his break-up, his reputation, his financial problems – to the surface. Quite simply, they are in the air. I can feel it. Depp can feel it. And without even being nudged, the topics fall onto the table and demand to be picked at.

Depp, one can tell, feels he has suffered, sounding at times like a wounded animal who has healed and is now ready to bite back. He is also, although he may deny it, angry – angry about a lot of things – and he's vengeful and absolutely, categorically certain of his position and his standing.

"The last three or four years has felt like a perverse situation that was inflicted on me. It hurts." How did the actor take the claims about his long-term managers eviscerating his trust, their relationship in that way? "I was with my business managers for 17 or 18 years, I think. To find they were screwing me up the arse? These people used to come to my two- and five-year-old babies' birthday parties.

"It is crass to speak about money but, I mean, when I found out the *Pirates 5* film had just been finished, right before the business manager started to go, 'Oh, you've got to sell the house in France! Oh, my god! Shit's hitting the fan!' Now, my front fee – I am even embarrassed to say it – for *Pirates 5* alone was £35m. And then I went on my honeymoon after that film and while I was on honeymoon that's when I got the call from the guy and I was like, 'What? I don't understand? How could this be?'"

TMG claimed that they did what they could to handle Depp's finances responsibly and repeatedly warned him that he >>



JOHNNY DEPP

'An episode like  
this takes time  
to get over.  
It's a mourning,  
a betrayal'

F1167





>> was overspending, but he has a different perspective. "My belief was that I needed to not envelop myself in the notion of money, how much I was making, how much was there. I just knew that I was making enough money in salary and back-end that everything should be tickety-boo. Nothing should have gone as sideways as it did. And when I found out, that is when the war began. It was from every angle. The judge, you know, called them on all the petty personal allegations and said you are trying to decapitate this man in a public forum. That is not what you do."

Depp has a theory, however, about a wider conspiracy being fuelled by the troubles surrounding his finances and deteriorating marriage, a theory that points to the Hollywood industry itself, "this vile fucking circus", as the actor calls it. "But did it stop all the power mongers in Hollywood who were interested in shutting me up? Big money was being thrown about. People suing me at every opportunity. I mean, it's all so obvious. Listen, I know I was never going to be Cinderella – I know this and accept it. But it felt like within a very, very short

## 'If I catch you, I will eat your nose and swallow it in front of you. Then you'll think about it next time'

period of time that suddenly this version – for lack of a better word – of Cinderella had been immediately turned into the beast. He's Quasimodo.

"I could feel people look at me differently, because of the accusations towards you. And then people start putting things in magazines: 'He's insane. He needs to take a sanity test...' You know, ludicrous stuff. But the only thing that I could do was know what I still know. Ultimately, the truth will come out in all of this and I will be standing on the right side of the roaring rapids. I hope other people will be too. I know the truth and if I had to walk away from all of it today, the job, the career, all of it, and go toodle-oo, then fine.

"I've got nothing to prove to anyone, because I've never been in competition with anyone. I don't buy into that shit. I'm not interested in receiving any spray-painted action figures. You know, maybe whatever this thing is, whatever I leave behind, you know, my legacy to my kids or the people, I haven't watched 98 per cent of that shit. It may be completely insane. It may be crap. It may be interesting. I don't fucking know what it is. But what I do know is that I did something, and I tried something different, for a period of years. Did it work? Who the fuck knows? But I did it and I'm fine to stop.

"I love the process of creating a character. I love the safety of, you know, being that character. I mean, there was great safety in being as open as you could possibly make yourself on *Edward Scissorhands* and to try to see things, mundane, normal things, as beautiful and new, you know? Captain Jack was a different animal, Ed Wood, a different animal, Mad Hatter [from *Alice In Wonderland*], Willy Wonka [*Charlie And The Chocolate Factory*]...

"Yet there's a common thread going through



all these characters. There's a filament that connects them. Even though they're all very different, they're all very much the same, because it all has to come out of some sort of truth, you know? And the truth is they're all fucking misfits. They're all misfits and they're all misunderstood. And judged in a condescending manner, in a bad way."

The message is loud and clear as to what Depp believes went down with his long-term management and business partners. I wonder: does he worry about his reputation, his legacy, not least in regards to women? Is he concerned that so much of what has been put out in the press, so much of the scandal, has caused an irreversible erosion of his good name? Or does he simply not worry because, as he says, he never wanted to be put on some pedestal or claim to be a role model, a Cinderella figure?

"Do you know... I'll tell you..." The following pause is long. Depp and I sit in silence. The question hovers over us. Then, he seems to simply decide to talk.

"It's not about being a role model. No, it's not that at all. The tape that came out..." He stops and chuckles and repeats his words,

"The tape that came out, or the tape that someone made, that miraculously appeared on YouTube, taken from someone's phone. That was not Downtown [LA, where he lived with Amber Heard]. She [Heard] wanted to make like it was recent. It was an older video and [what happened in it] had to do with finding out that I had been ripped off for hundreds and hundreds of millions of dollars."

The video in question, blurry, clandestine, shows Depp banging around an apartment, filling a large beaker with red wine and then grabbing Heard's phone after seeing she is recording. The video was "leaked" or released by showbiz gossip channel TMZ in the States, although compared to Heard's other allegations against Depp the video content seems unexceptional or certainly the least disturbing.

Although the pair have now settled out of court, what Heard alleges to have happened in April 2016 still reverberates throughout my meeting with Depp. Heard alleged that on Saturday 21 May, Depp attacked his wife and threw an iPhone at her face. Heard phoned the police, who found "no evidence

of any crime". However, Heard claims to have taken a selfie later that day showing bruising around her right eye and cheek. The following Wednesday she filed for divorce.

I feel like I have to broach the subject with Depp. Does the actor consider himself a violent man? An aggressive man? Can he lose his temper or is he prone to if intoxicated? "The thing that hurt me is the treachery, the betrayal of being presented as something that you're really as far away from as you could possibly get, you know? I have freely admitted and it's known, yes, I have been arrested for assaulting a hotel room [worker] once and I smacked the location manager [on the set of a new, stalled project, *City Of Lies*, a film about the murder of Biggie Smalls] and he called the cops on me. I went to jail in New York. OK, great, fine.

"Then there was that time when the paparazzi were trying to take a photograph of Vanessa and she's pregnant with Lily-Rose and I was not going to let them make a circus out of it. So I did what I had to do. Got her in the car, they didn't get the picture, and I said, 'Take a fucking picture because then I'll stove your fucking head in. You've got your >>

>>cameras out. First one click. Let's go.' And that's just the truth. I would've. I've even said before, if a paparazzo gets a shot, they're far away and they get a shot of me and my kid, whatever, that's their thing. But if I catch you, I will eat your nose. I will eat your nose, chew it up and swallow it in front of you and then you'll fucking think about it next time. I fucking mean it. But to..."

Depp goes quiet again. It seems like he needs to take stock every so often, to recharge, to get back into a specific lane or mood every time the conversation veers into talking about the volatile relationship with Heard and the results of its breakdown. "To harm someone you love? As a kind of bully? No, it didn't, it couldn't even sound like me. So, initially, I just kept my mouth shut, you know? I knew it was going to stick on me and it would get weirder. Keep going, you know? Go nuts. I ain't going to get into a pissing contest with someone about it. Spit out what you need to spit out and, you know, my attorneys will take care of the rest. I never went out and spoke about the shit.

"But of course I care what my family and my kids think. I mean, you realise right away, essentially, that what is being done is the commencement of what they hope is to be your funeral. They want to ruin your life and to take away the opportunity ever to work again, and take away everything that you've built for the last 30 years." Depp is still talking at a measured pace, in his low, cool tones, but his words are just a little clipped at the ends. His vowels just a little firmer.

"And worse than that, to take away future earnings that are for my kids, you know? I do this shit for my kids, man. How could someone, anyone, come out with something like that against someone, when there's no truth to it whatsoever? I'm sure it wasn't easy for my 14-year-old boy to go to school, you know what I mean? With people going, 'Hey, look at this magazine, man. What, your dad beats up chicks or something?' Why did he have to go through that? Why did my daughter have to go through that?" I tell Depp I can see how that would anger him. "She didn't..." Depp is often all too aware that some of the intricacies of his and Heard's relationship need to be put in the third person. This is why, at times, he will start off using a subjective pronoun but switch to something more objective, swapping a "she" for "that person".

"Why didn't that person speak to the police?" continues Depp. "I mean, they spoke to the police, but the police saw nothing and they offered her an emergency medical technician. She said no. Police see nothing on her. Police see nothing broken in the place, no marks, and then they offer her an EMT to have a look at her and she says no and I

don't know if it was the next day or a couple of days later, but then there was a bruise. There was a red mark and then there was a brown bruise."

Depp suffered a catastrophic amount of physical abuse at the hands of his own mother when he was very young. The impact of an object on human flesh and bone is a physiology, a biology, he claims to know only too well. "I've been hit in the eye a bunch with fists and boots and anything else that anyone in my family could throw at me or beat me with," he tells me about his childhood. "I know bruises. They close up and they go purple and they go black and they go green and they go yellow and they go yellow-brown like a banana and then they start to fade away. And that process is probably about 12 days or two weeks."

A day after the alleged phone-throwing took place, Heard was seen at a party, specifically Amanda de Cadenet's 44th birthday party. De Cadenet posted a picture of herself, with Heard smiling brightly on her

## 'I've been hit in the eye a bunch with fists and boots and anything else. I know bruises'

right and model Amber Valletta to her left. Heard is tagged in the photo; her hair is brushed over her left eye and cheek. At some point, however, the image was deleted. Depp is emphatic about his version of events. "She was at a party the next day. Her eye wasn't closed. She had her hair over her eye, but you could see the eye wasn't shut. Twenty-five feet away from her, how the fuck am I going to hit her? Which, by the way, is the last thing I would've done. I might look stupid, but I ain't fucking stupid."

To suggest that a woman, a man or anyone might have made up such a serious allegation is a tremendously dangerous and damaging thing to do. If we as a global community are striving for equality and acceptance to run through every part of our lives, through all races, cultures and genders, then we need to believe those who stand up and claim to have been subjected to physical or verbal abuse.

Let me be clear: this is not a piece of investigative reporting. It is merely a snapshot, a chance to sit down and talk to a person of immense interest and talent, who has, it must be noted, brought joy to millions of film lovers all over the world, ever since he moved from Kentucky to LA and a friend,

Nicolas Cage, told him he should go and see his acting agent.

This isn't a piece claiming to know with any authority about what happened between Johnny Depp and Amber Heard in May 2016 or at any other time between the pair in private. All I wanted to do was come to Depp and ask him to give his side of the story, which up until now has not been properly heard. Before we met, it was agreed with his advisors at Hawthorn that both parties would go into this meeting with one simple aim: to record what happens candidly. From my side, this is what I saw and this is the conversation we had.

"We probably shouldn't be talking about this," continues Depp, "but I am worried. I worry about the people that bought it and I worry about her. It's just not right. I will never stop fighting. I'll never stop. They'd have to fucking shoot me. An episode like this takes time to get over. It's a mourning, a betrayal by someone you thought was..."

Again, a pause and quiet. All I can hear is the blood rushing about my skull, nitroed by adrenaline and the swirling white nicotine clouds.

The love of his life?

"Well, something. I did marry her somehow."

Is he single now?

"Yeah," he says, chuckling and sounding somewhat relieved.

Does that feel good?

"Yeah."

Does he think about wanting to find love ever again?

"No."

**I** need to take a leak. Depp tells me I can use his bathroom and that I'll find it back at the church. He gives me a set of instructions and directions, although with the electricity of the conversation we have just had still ping-ponging about in my hot skull I nod and smile but when I actually arrive at the church I realise that I wasn't really paying attention. I walk in through the main door and that's when I realise I am standing slap bang in the middle of Johnny Depp's bedroom. Alone. With a full bladder.

Actually, I am not quite in his bedroom yet. I am in a small kitchenette. There's a sink and a box of tissues on a small table and beyond that a door that leads to the bedroom. I can see it's the bedroom because I can see the huge four-poster bed against the far wall. I venture further in, thinking that there must be an en suite somewhere and now I really am in the middle of Johnny Depp's bedroom, inside his church, which he had built in the compound he bought with his ex-partner 20 years ago. It makes one's head spin to be

alone in someone's private space. It's so intimate, like climbing inside their head or diary and riffling through their thoughts without telling them you're doing so.

I take a quick scan of the room. There's a jumble of family photographs, a guitar on a stand and clothes strewn about like a teenager just home from school. Down the far end, towards the main church door, which is blocked, two sofas face one another. On the sofa closest to me, down the right-hand side is the most intriguing object of all: a black vintage typewriter with round, silver keys.

To the left of the machine is a pile of notes and typed pages. I had heard a rumour that Depp was writing a memoir, a book of his life, and had been doing so for the past few years. It's a book about the abuse he suffered at the hands of his junkie, desperately violent late mother; about how, in anger, he used to take a baseball bat from the garage as a kid and just spend an hour wailing it against a palm tree in their yard; a book about the work, the films that never made it; about his relationships, his friendships; about when Allen Ginsberg called the actor as he was dying; about Bob Dylan, his friend; about *Edward Scissorhands*; about the industry, the circus; about the corruption, the excess and the sordid beautiful truth about it all.

There's a page spooled into the machine already. There are a handful of sentences typed, the black ink speckled and smudged on the grained, ivory paper. What is written is private. It's also eloquent. It reads like someone trying to write vividly, someone desperate to get it out, get it down, so he might hold it up and scream, "Look! This is what happened!" This feels like snooping. I make a swift exit and go back to the bathroom in the café. Eventually I wander back to Depp, the smoke signals from his cigarette indicating he is still where I left him.

"You know, on the road with the band, it's impossible to bring oil paints," explains Depp. "Mineral spirit stinks up the fucking place, you know? So I've just been doing watercolours and odd drawings. I've also been doing a lot of writing. I kind of started a book, a couple of months before I broke up with Amber."

Fiction? Memoir? A play?

"I've written around 300 pages. I have about 300 more pages more to go. I am halfway. They are more memories. And some of the beauty and the knowledge that I've been able to glean or sponge off of some of these magic fucking people I know, from Brando to Hunter to Patti Smith to Dylan to Ginsberg. I have been so lucky to have met all these folk. I don't have cards or make notes really. No structure is blocked out. I have reminders. I'll make a list of reminders."

Of events he wants to remember?

"Yes, but it's not written in any kind of linear form. It should be more like the unplanned telling of a story around the campfire."

I ask Depp if he finds it hard writing about some of the more painful memories.

"Sure. I mean my childhood was dark. My mum wouldn't edit. There was no editing. She would say what she meant, what she felt, in that instant. No matter how wrong it might have been even, or how hideously evil it was in the moment, she didn't edit. It came out: bleugh! She was out of her mind, obviously, and she didn't know what the fuck she was doing. She got four kids and she hated the world. Was there fuck loads of verbal abuse? Yeah, man. Was there fuck loads of physical abuse? Yes. And never-ending, to the point that pain, physical pain, was just a given. But the last four, five years that I was involved, let's say... Well, that was quite a dark time too.

"I mean, you can write about those things and what's interesting is you write about

## 'At a certain point one must be able to say, "What else can any of you do to hurt me?"'

those things early on and once you've had a few years away from that chapter you go back and reread what you've done so far. And then you realise that you do feel the same way you did, but you're so far beyond it. It puts everything else into perspective. Because at a certain point one must be able to say, "What the fuck else can any of you do now? What else can any of you do to hurt me?"

The patter has changed. He is still calm, still warm, but the emotions are right here on the table with us, right in our faces. Maybe it's just Depp's natural charisma, but the intensity of the conversation feels like lifting weights. Not because it's difficult to talk or that it isn't natural, but simply because of the rawness, the emotional density of the topics. We sit in silence. Depp doesn't move, not a single muscle flinches. It's like he's looked into the Gorgon Medusa's eyes to see for himself life's savage reality.

The cigarette hangs unlit, like a stogie to be chewed on or soaked with spit. "What was it that Dylan Thomas said, 'To begin at the beginning' right? And Ernest Hemingway, "All you have to do is write one

true sentence" – one of the hardest things in the world to do. And [Allen Ginsberg's] "First thought, best thought."

Depp has taken his writing lessons from brilliant yet often difficult men. He has strung them together like bunting: to begin at the beginning, all you have to do is write one true sentence: first thought, best thought... Much like Ginsberg, Depp has that ability to perform, to unspool himself and all his kinks. A drive into Depp's memories, one suspects, would be like trying to control a car on a winding mountain road with its brakes cut, thrilling yet perilous.

"And Hunter. Hunter! He was right in the centre of every story. And all those stories were true. I have all the tapes and the napkins. Hunter wanted me to buy his archives, but I'm its custodian. They belong to Hunter's grandson, Will. I think we are going to take it on the road, to show people, to show people the reality, the madness and the goddamn beauty of it all."

For the first time, Depp takes off his shades. He rubs his eyes, which aren't bloodshot or kohl-lined, but are clear, backlit and luminous. "I want the truth. That's really my biggest obsession in the world. It's just the fucking truth."

Yet to live on impulses, to put down all the raw facts unedited as they come out, well, that's a powerful type of storytelling. As Hunter himself warned of such precision reporting: "Absolute truth is a very rare and dangerous commodity."

The truth has no time for perspective. Or rather, truth is not about perspective as a point of view. But to see the whole truth? The whole story? Now, that sort of perspective will allow you to get the entire picture: the correct height, depth and position of all the facts in relation to one another, something that is absolute.

There is no doubt Depp is seeking the truth. That is his mission. One day, maybe he will find the right words, in a conversation or in a book, and when he does they will be simple. **GG**

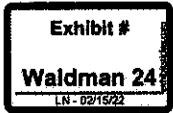
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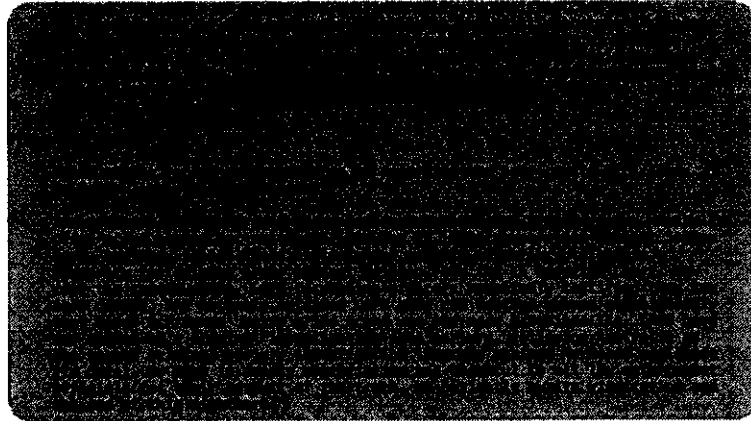


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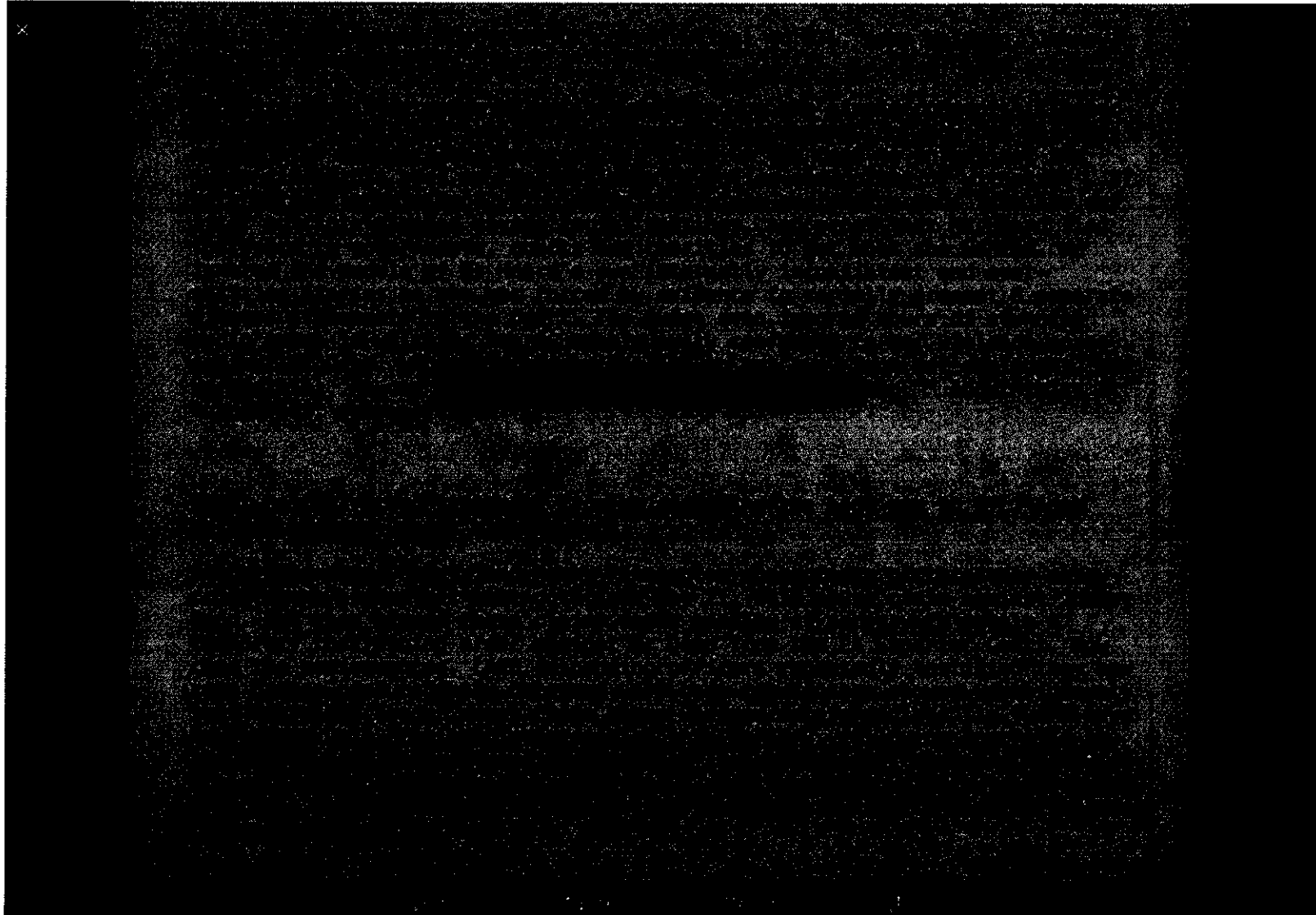
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Let's see he get it do not allow anyone to bully or troll you on any platform we know the truth about AH and her friends keep the faith #JusticeForJohnnyDepp



**EMILY SMITH**

EXCLUSIVE

## Warner Bros. 'freaking out' Depp suit will harm Harry Potter films

By Emily Smith

April 12, 2019 | 6:42pm



Johnny Depp

Getty Images

Warner Bros. is "freaking out" over its hit Harry Potter movie franchise's connection to Johnny Depp after Amber Heard's new court documents described in painstaking detail how he allegedly beat, choked and tormented her during their relationship, sources told The Post on Friday.

Depp — who denies abusing Heard — is slated to star in "Fantastic Beasts 3," the next installment of J.K.Rowling's Harry Potter movies. The script has been completed, although filming, which was due to start this summer, has been delayed to the fall of next year.

"Executives at Warner Bros. are wondering how to deal with the backlash of the Depp matter on the Harry Potter franchise," a source said. "High-level female execs at the studio are extremely worried about working with Depp and the message it sends to the public, especially after the recent sordid departure of CEO Kevin Tsujihara," who last month announced he was leaving amid a casting couch scandal.

"This is yet another blow to the morale of female employees at the studio," the source said. "If Warner Bros. continues to stick by Depp, it would reveal a lot about the values the company holds."

While reps at Warner Bros. didn't respond to multiple requests for comment from The Post, insiders said executives are unsure how to proceed, since author J.K. Rowling came out strongly in support of Depp's casting in a previous Potter flick in 2017 after his marriage to Heard crumbled.

"Many at Warner Bros. wish that Rowling hadn't come out so strongly behind Depp, because having made her opinion so public boxes them into a corner," a source said.

Rowling broke her silence on the controversy surrounding Depp's casting as the villain Grindelwald when she wrote on her website in December 2017, "When Johnny Depp was cast as Grindelwald, I thought he'd be wonderful in the role. However, around the time of filming his cameo in the first movie, stories had appeared in the press that deeply concerned me and everyone most closely involved in the franchise.

"Harry Potter fans had legitimate questions and concerns about our choice to continue with Johnny Depp in the role. As David Yates, long-time Potter director, has already said, we naturally considered the possibility of recasting. I understand why some have been confused and angry about why that didn't happen."

Rowling added that while "the huge, mutually supportive community that has grown up around Harry Potter is one of the greatest joys of my life," she found it "difficult, frustrating and at times painful" to remain silent on the Depp issue.

Referring to Depp and Heard's divorce agreement, she added, "However, the agreements that have been put in place to protect the privacy of two people, both of whom have expressed a desire to get on with their lives, must be respected. Based on our understanding of the circumstances, the filmmakers and I are not only comfortable sticking with our original casting, but genuinely happy to have Johnny playing a major character in the movies."

Rowling concluded, "I accept that there will be those who are not satisfied with our choice of actor in the title role. However, conscience isn't governable by committee. Within the fictional world and outside it, we all have to do what we believe to be the right thing."

"Fantastic Beasts: The Crimes of Grindelwald" starring Depp was released in November 2018 and grossed \$653 million worldwide, making it the 10th-highest-grossing movie of that year but the lowest in the Harry Potter franchise.

Depp's lawyer, Adam Waldman, has insisted to The Post that Heard's allegations against Depp are "a hoax" — and that the superstar intends to prove it.

"Ms. Heard has a new problem besides defamation, perjury and filing and receiving a fraudulent temporary restraining order demand with the court: We are now interviewing other women who have come forward claiming they are victims of horrific acts of violence and other abuse at the hands of Amber Heard, in addition to Johnny Depp and Tasya van Rhee, the latter of whom Ms. Heard was previously arrested and incarcerated for assaulting," Waldman said in a statement.

"We have now issued subpoenas to Amber Heard, her hoax assisting friends, Elon Musk and other witnesses to explain the avalanche of video, audio, photographic and testimonial evidence with which we intend to confront them."

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## Amber Heard Accuses Johnny Depp of Lying About Police Calls On Night of Massive Fight



**Amber Heard** is responding to **Johnny Depp** in their million dollar defamation lawsuit, and the actress claims he is lying to the court about a very important moment that went down during their huge blowout argument.

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According to legal documents obtained by The Blast, Amber says that Johnny has "clearly perjured

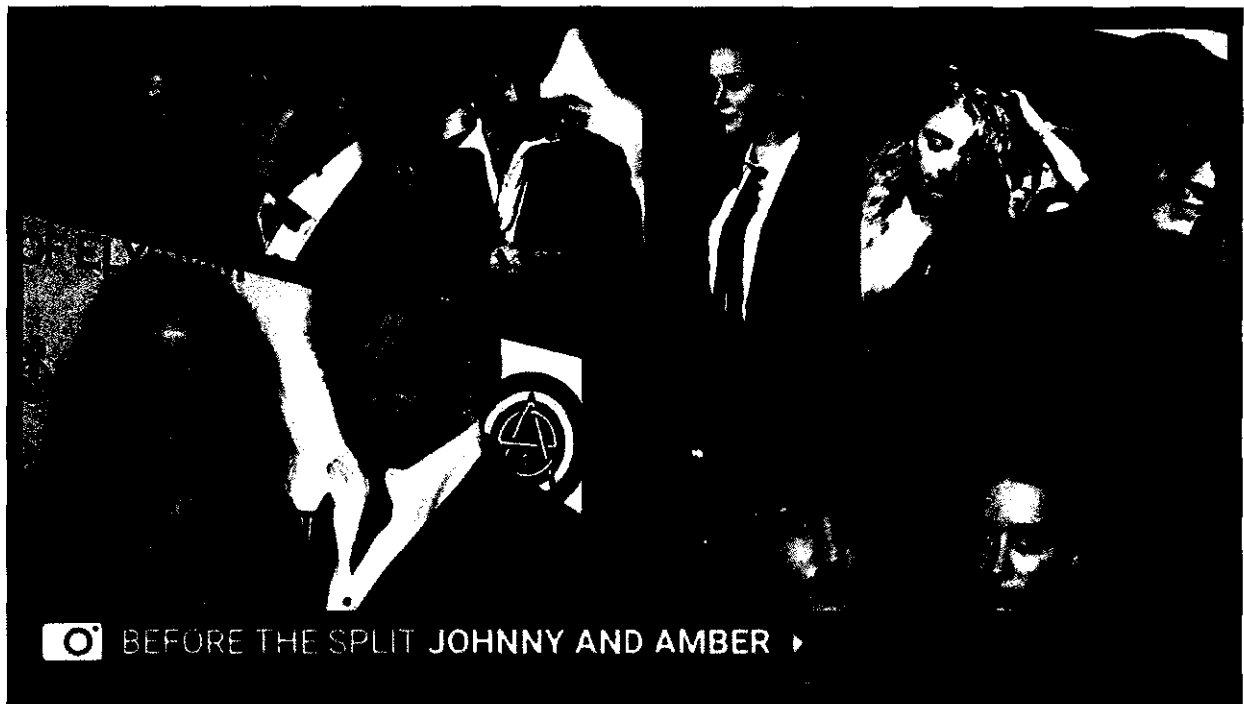


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The filing by the "Aquaman" star's team states, "Readily obtainable public records of LAPD call logs from that evening show that iO Tillet Wright called 911 at 8:30 PM to report Mr. Depp's violent and destructive behavior that evening, confirming the eyewitness accounts of how iO heard that Mr. Depp was becoming violent toward Ms. Heard over the phone and then called 911."



Getty

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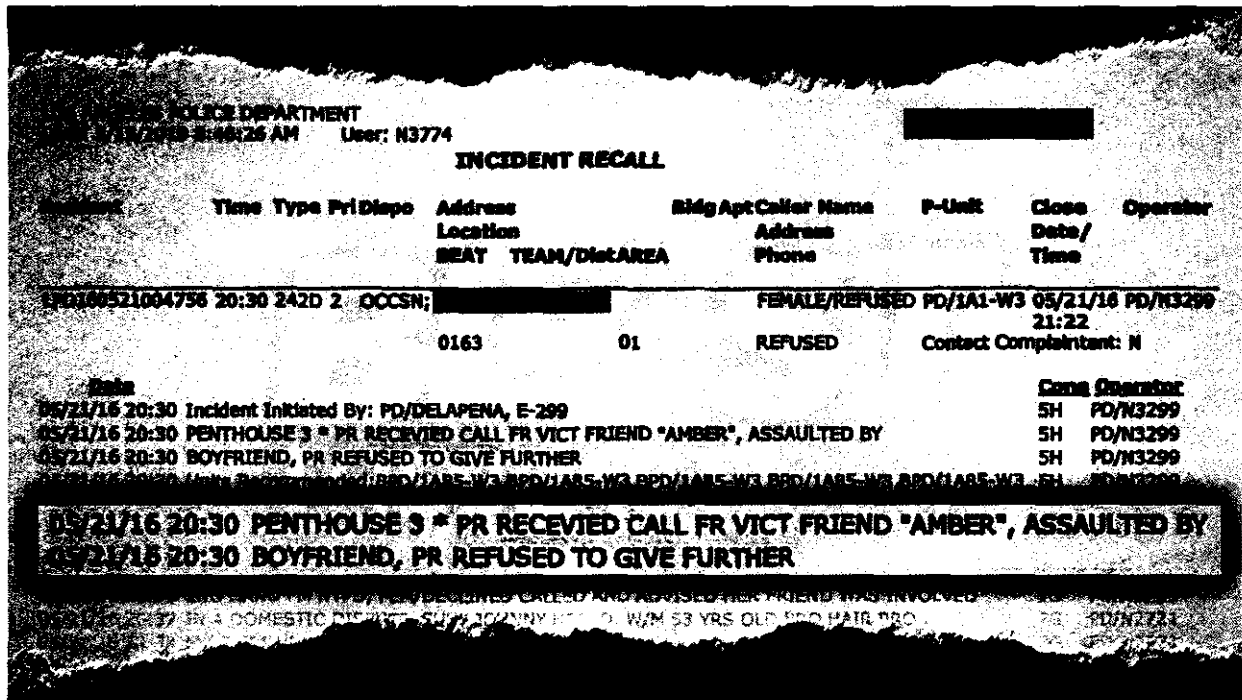
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Heard disagrees with her ex-husband and filed LAPD incident logs of her own. According to the new documents, there does appear to be a call made during the time the argument between the two was going down.

According to Heard's records, a call was made at exactly 8:30 pm on the night of May, 21 2016. The log states, "received call fr victim friend "Amber", Assaulted by boyfriend, refused to give further."



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According to records, a second call was then made at 10:09 PM which reads, "female stated she was on phone with her friend and she began screaming at her husband, subj Amber Heard, Husband Johnny Heard."

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Incident	Time	Type	Pri	Dispo	Address Location	Bldg Apt	Caller Name	P-Unit	Class	Operator
					BEAT TEAM/Dist/AREA		Address Phone		Date/Time	
LPD160521005437	22:09	620D	2	GOASH;			TELETYPE/MYPD PD/1A61-W3 PR/JO WOODRUF 646		05/22/16 03:01	PD/V8970
					0163 01				Contact Complainant: Y	
<b>Data</b>										<b>Cont Comment</b>
05/21/16 22:09 Incident Initiated By: PD/GUERRERO, R-970										J7 PD/V8970
05/21/16 22:09 TELETYPE FROM NYPD ICAD #D16052125292, FEMALE STATED SHE WAS ON PHONE										J7 PD/V8970
05/21/16 22:09 WITH HER FRIEND AND SHE BEGAN SCREAMING AT HER HUSBAND, SUBJ ^AMBER										J7 PD/V8970
05/21/16 22:09 HEARD^, HUSBAND ^JOHNNY HEARD^ M/W 53 YRS, 511, NPD/NPI										J7 PD/V8970
<b>05/21/16 22:09 TELETYPE FROM NYPD ICAD #D16052125292, FEMALE STATED SHE WAS ON PHONE</b>										
<b>05/21/16 22:09 WITH HER FRIEND AND SHE BEGAN SCREAMING AT HER HUSBAND, SUBJ ^AMBER</b>										
05/21/16 22:18 Stacked IncAck'd LPDLPD160521005437 By:PD/1A61-W3										
05/21/16 22:17 Rec'd DS PD/1A5										

TheBlast.com

Interestingly in the records filed by Amber, one of the last logs published by LAPD claims officers, "met w/vict. chckd loc. verified husband left. loc vict advised verbal dispute and refused to give any furthr info. issue bus card."

Depp's legal team has pointed out that Amber told police the two were only engaged in a "verbal dispute," and have filed statements by LAPD officers on the call who claim they did not see any evidence of physical abuse suffered by Heard.

Incident	Time	Type	Pri	Dispo	Address Location	Bldg Apt	Caller Name	P-Unit	Class	Operator
					BEAT TEAM/Dist/AREA		Address Phone		Date/Time	
LPD160521004736	20:30	242D	2	OCCSN;			FEMALE/REFUSED REFUSED	PD/1A1-W3	05/21/16 21:22	PD/N3299
					0163 01				Contact Complainant: N	
<b>Data</b>										<b>Cont Comment</b>
05/21/16 20:30 Incident Initiated By: PD/DELAPENA, E-299										SH PD/N3299
05/21/16 20:30 PENTHOUSE 3 * PR RECEIVED CALL FR VICT FRIEND "AMBER", ASSAULTED BY										SH PD/N3299
05/21/16 20:30 BOYFRIEND, PR REFUSED TO GIVE FURTHER										SH PD/N3299
05/21/16 20:30 Units Recommended: BPD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3										SH PD/N3299
<b>05/21/16 21:22 MET W/ VICT, CHCKD LOC. VERIFIED HUSBAND LEFT LOC. VICT ADVISED VERBAL</b>										
<b>05/21/16 21:22 DISPUTE AND REFUSED TO GIVE ANY FRTHR INFO. ISSUE BUS CARD</b>										
05/21/16 20:37 IN A DOMESTIC DISPUTE, SUSP JOHNNY HEARD, W/M 53 YRS OLD BRO HAIR BRO										W3 PD/N3221



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With the filing of the new police logs, Heard wants Depp to be, "held responsible for submitting provably false and misleading, and in any event, irrelevant -statements in his declaration," adding, "These signal an intention by Mr. Depp to litigate in the court of public opinion."

She continues, "The true impetus of this lawsuit is not the alleged defamation but that three years after the fact, Mr. Depp found 'new evidence' he wanted to present to a court some 3,000 miles from where any evidence or witnesses are found."

Depp's attorney, **Adam Waldman**, tells The Blast, "Ms. Heard says she 'will not be silenced,' and then remains silent for months as her hoax is buried by the avalanche of evidence." He adds, "As for her hoax-assisting friends, willing to perjure themselves for her 3 years ago — where are they now?"

Waldman says, "Ms. Heard continues to defraud her abused hoax victim Mr. Depp, the #metoo movement she masquerades as the leader of, and other real abuse victims worldwide."

A judge will now make the decision on whether the case will remain in Virginia or be moved to California.


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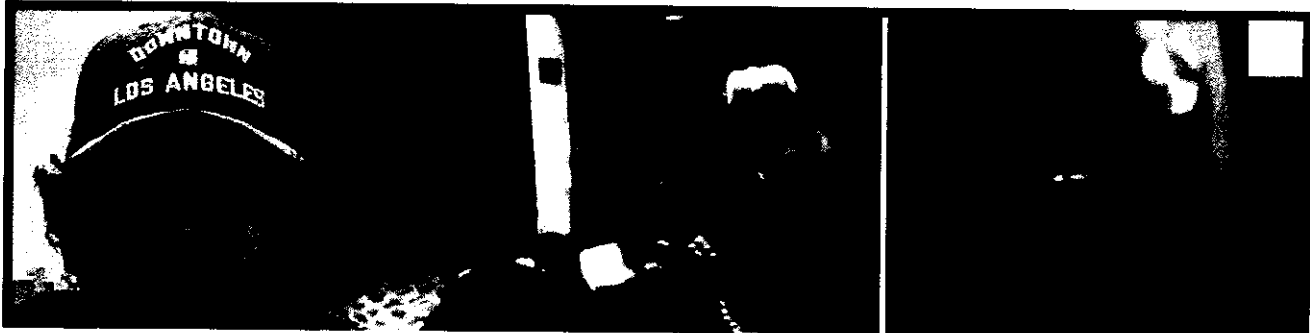
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## Surveillance Video Shows James Franco With Amber Heard One Day After Blowout Fight With Johnny Depp



By [Mike Walters](#)



Johnny Depp is sending a subpoena to James Franco after surveillance video from the apartment Depp used to share with ex-wife Amber Heard allegedly shows Franco meeting up with Heard just 24 hours after the blowout fight that ended the couple's marriage.

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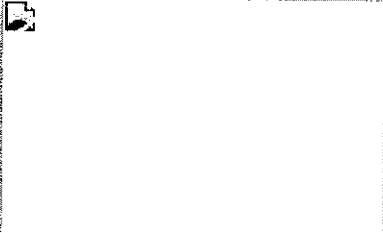


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## The Surveillance Video



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camera, and moves in close as she appears to be speaking with him while he keeps his head down.

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Franco and Heard exit the elevator together on the penthouse floor, where the Depp's apartment with Heard was located. Depp's legal team wants to question Franco to see if he and Heard discussed the blowout fight or if Franco saw whether or not Heard had injuries to her face from the previous night.

In the video, Franco is seen wearing a hat and shirt he was seen wearing during the same time period in 2016. The hat is from The Ace Hotel in downtown Los Angeles and it, along with his shirt, is seen in photographs taken at a book signing in the same area.

Getty

Depp's legal team is calling James Franco a "witness" and plan to grill him under penalty of perjury



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As The Blast first reported, Telsa and Space X founder Elon Musk was also **seen entering the building** in the weeks following Heard's restraining order filing in Los Angeles.

We are told Depp will issue a civil subpoena to Franco to sit for a deposition in **the \$50 million defamation lawsuit** that Depp filed against Heard.

As far as why Franco and Heard would be together the night after the alleged violent incident with her husband, Heard's legal team claims Franco lived in the building at the time or prior to the incident. So it makes sense he would be riding up that specific elevator.

Heard's lawyer, Eric George, tells The Blast, "This bogus story is just another lame attempt by Johnny Depp and his team to spread deliberately misleading information through the media so that he can continue to attack and abuse his ex-wife."

George continues, "Amber Heard and James Franco once lived in the same apartment complex and were simply taking an elevator at the same time. Period."

He ends with a parting shot, "It's pathetic."

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Depp's lawyer disagrees, telling The Blast, "Surveillance footage and sworn witnesses place Mr. Musk and Mr. Franco separately sneaking into Johnny Depp's penthouse in the nights after Amber Heard's May 21 face beating claims. Ms. Heard's team has now admitted Mr. Franco is the man cuddling with a nightgown-clad, perfect-faced Ms. Heard and hiding from the elevator surveillance camera at 11:00 PM on May 22, the day after her face beating hoax. Lies beget lies. Ms. Heard's absurd pre-textual excuse for Mr. Franco's presence in the elevator to Mr. Depp's penthouse floor is that it was a chance encounter because James Franco 'lived in the building.'"

He continues, "That is a lie. Mr. Franco didn't and doesn't live in the building. Nor does he live in the hallway of Mr. Depp's private penthouse floor to which elevator 3 goes."

As The Blast previously reported, the judge in the defamation case set a trial date for next year. The judge estimates the trial will last 12 days.

In a restraining order she filed following the incident, Heard claims on the night of May 21, 2016, Depp threw a phone that hit the actress in the face.

## Amber's Harrowing Deposition



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**In her response** to the defamation suit Depp filed, Heard claimed that Depp began to abuse drugs and alcohol about a year into their relationship. She claims he frequently went in and out of "alcohol dependency medical care" and claims the drug use made him "a totally different person" that she dubbed "the Monster."

Heard claims that the first time Depp hit her was in late 2012 or early 2013, saying she laughed at something he had said and he responded by slapping her across the face multiple times.

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In the suit, Depp said, "I have denied Ms. Heard's allegations vehemently since she first made them in May 2016...when she walked into court to obtain a temporary restraining order with painted-on bruises that witnesses and surveillance footage show she did not possess each day of the preceding week. I will continue to deny them for the rest of my life. I never abused Ms. Heard or any other woman."

Depp says he decided to file the lawsuit "not only to clear my name and restore my reputation, but to attempt to bring clarity to the women and men whose lives have been harmed by abuse and who have been repeatedly lied to by Ms. Heard purporting to be their spokesperson."

It's unclear if Franco will answer any of the questions or fight the subpoena.

The Blast reached out to James Franco and his representatives, so far no comment.

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# Why Johnny Depp Wants James Franco to Testify in His Defamation Suit Against Amber Heard

Johnny Depp's ongoing litigation with ex Amber Heard is now involving James Franco

By [Alexia Fernandez](#)

July 03, 2019 12:33 PM

Johnny Depp's lawyer is interested in speaking to James Franco after the actor was seen in surveillance footage with Amber Heard and plans to issue a subpoena for Franco, 41, to give testimony in Depp's ongoing defamation lawsuit against his ex-wife.

Franco was seen stepping into an elevator with Heard, 33, from the apartment building the actress once shared with Depp, 56, according to surveillance footage obtained by *The Blast*.

The video was captured on May 22, 2016, and featured Heard and Franco speaking to each other in the elevator 24 hours after the actress and Depp had a fight that ended their marriage, according to the outlet. Depp is now suing Heard for defamation over her allegations that he was violent towards her, which Depp has denied.

The actor's attorney Adam Waldman confirmed to PEOPLE he plans to subpoena Franco and Elon Musk as "fact witnesses" on behalf of his client. "We already know from 87 surveillance videos and 31 eyewitnesses what Elon Musk and James Franco saw the week of May 21 — that Ms Heard's 'battered face' was a hoax," Waldman said.

A rep for Franco did not immediately respond to PEOPLE's request for comment.

Regarding the subpoena, Heard's attorney Eric George told PEOPLE, "This bogus story is just another lame attempt by Johnny Depp and his team to spread deliberately misleading information through the tabloid media so that he can continue to attack and abuse his ex-wife."

George continued, "Amber Heard and James Franco once lived in the same apartment complex and were simply taking an elevator at the same time. Period.

Johnny Depp and his team have been trying — and failing — to place a salacious story based on this irrelevant footage for weeks. It's pathetic."

RELATED: Johnny Depp Accuses Ex-Wife Amber Heard of Having 'Painted-On Bruises': 'I Was the Victim'

In March, Depp accused Heard of beginning a romantic relationship with Tesla founder Musk "no later than one month after" she and Depp married. The claims came from Depp's defamation lawsuit against Heard, in which he is seeking \$50 million in damages after the *Aquaman* actress wrote an op-ed characterizing herself as a domestic abuse victim. In the lawsuit obtained by PEOPLE, Depp claims Heard received "late night" visits from billionaire businessman at the L.A. penthouse.

A rep for Musk denied the entrepreneur was involved with Heard at the time of her split from Depp.

"Elon and Amber didn't start seeing each other until May 2016, and even then it was infrequent," the rep said in a statement to PEOPLE at the time. "Their relationship didn't become romantic until some time later."

RELATED: Amber Heard 'Will Not Be Silenced' After Johnny Depp Claims Her Abuse Allegations Were a 'Hoax'

George previously denied Depp's allegations regarding Heard's accusations of physical abuse.

Heard and Depp married in 2015. In May 2016, she filed for a domestic violence restraining order against him, accusing him of abusing her. Depp denied the claims, and the former couple settled their divorce out of court in August 2016 for \$7 million, which she donated to charity. Both actors signed NDAs barring them from discussing their relationship publicly.

Depp sued her for defamation after she wrote an op-ed for the *Washington Post* in December 2018 in which she described being an alleged victim of domestic violence. While she never mentioned Depp by name, the actor's lawsuit called her allegations against him a "hoax."



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## Amber Heard's 'sexual violence' evidence against Johnny Depp will be kept secret in his libel claim against The Sun despite him arguing claims should be made public

Site  Web

- Amber Heard, 33, is to give evidence at Johnny Depp's libel trial at High Court
- Depp, 56, is suing The Sun's publisher News Group Newspapers for 2018 article
- In it the tabloid's executive editor Dan Wootton called him a 'wife-beater'
- At a Skype hearing on Wednesday the judge ruled Ms Heard's evidence relating to allegations of sexual violence will be heard in private at forthcoming trial
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By ROSS IBBETSON FOR MAILONLINE

PUBLISHED: 21:26, 8 April 2020 | UPDATED: 14:51, 9 April 2020

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Amber Heard's 'sexual violence' evidence against **Johnny Depp** will be kept secret at his libel trial against The Sun newspaper despite him arguing that the claims be made public.

The Pirates Of The Caribbean star is suing the tabloid's publisher, News Group Newspapers (NGN), and its executive editor Dan Wootton over an April 2018 article which referred to the 56-year-old as a 'wife-beater'.

A two-week trial was due to start in **London** on March 25 at which the actor, Ms Heard, 33, and a number of Hollywood figures would have had to give evidence, but it was put on hold due to the **COVID-19** pandemic.



At a remote Skype hearing on Wednesday, Mr Justice Nicol ruled part of Ms Heard's evidence relating to allegations of sexual violence will be heard in private during the forthcoming trial.

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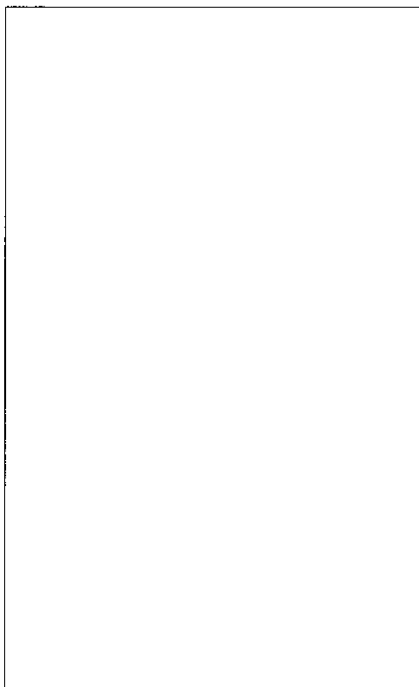
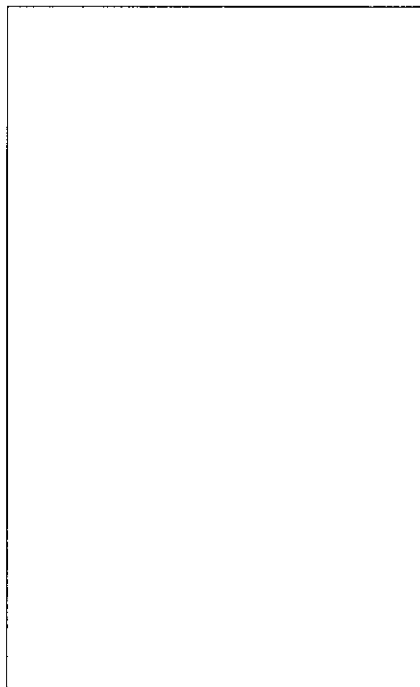


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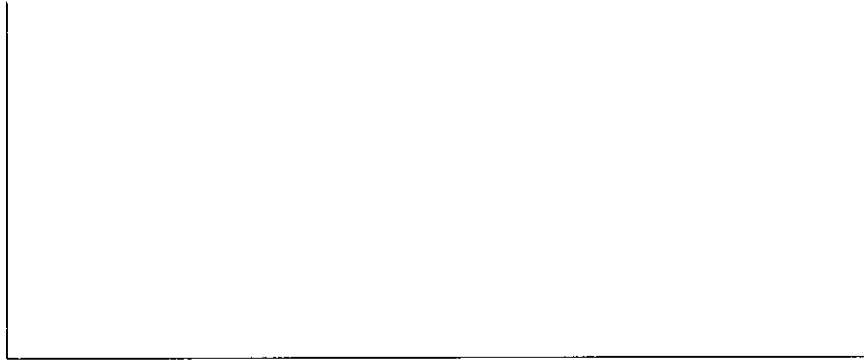
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**Amber Heard's 'sexual violence' evidence against Johnny Depp will be kept secret at his libel trial against The Sun newspaper despite him arguing that the claims be made public**





**At a remote Skype hearing on Wednesday, Mr Justice Nicol ruled part of Ms Heard's evidence relating to allegations of sexual violence will be heard in private during the forthcoming trial (pictured: the High Court in London)**

He made his ruling following an application by lawyers for NGN, saying the orders sought by the publishers were 'necessary and proportionate'.

Mr Justice Nicol said: 'I stress that nothing in this judgment will pre-judge the issues that I will have to decide at trial. Neither party will be disadvantaged by the fact that part of the trial will take place in private.'

'Either in public, or in private, the claimant (Mr Depp) will have a full opportunity, so far as is proper, to challenge the evidence of Ms Heard by cross-examination.'

NGN's counsel Adam Wolanski QC told the court Ms Heard, who is a defence witness in the case, had said she found the prospect of having to give evidence in public on the confidential matters 'terrifying'.

He said: 'Your lordship will know this case has generated a great deal of publicity already and one of Ms Heard's concerns... is that she has been the subject of a great deal of vilification in the press, in particular on social media.'

'She is very concerned that the nature of these allegations is such that that would be the case if this confidential material is reported.'

David Sherborne, for Mr Depp, argued that allegations Ms Heard has made of both sexual and physical violence against her former husband - which Mr Depp vehemently denies - have been published previously and aired in open court.

He said Ms Heard was 'no ordinary witness', adding: 'She has consistently promoted herself as a victim... and characterised her allegations as being not just about physical abuse, but sexual violence.'

Mr Sherborne said Ms Heard has 'promoted herself as an activist' during an appearance before the United Nations General Assembly, which took place in 2019, and in an opinion article for the Washington Post, which is the subject of separate libel proceedings by Mr Depp in the US.

However, Mr Justice Nicol found the part of her evidence which will remain confidential was 'of a different order' to allegations already in the public domain.

The exact nature of the allegations was not disclosed to the press or public and remain unknown.

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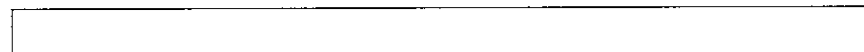
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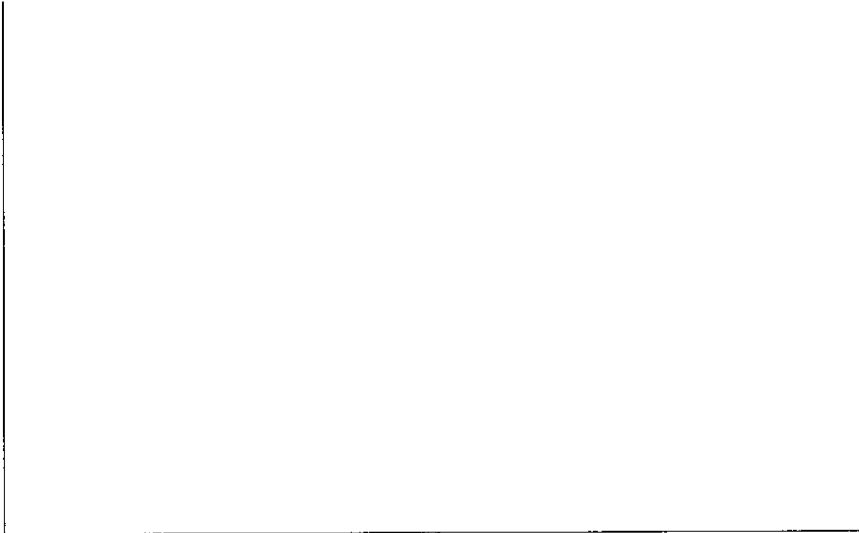
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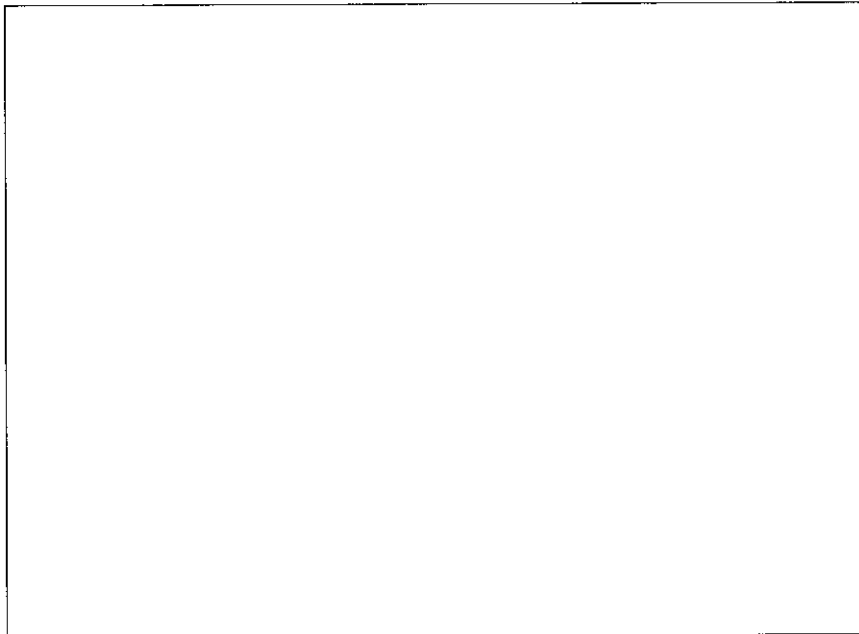
**Kelly Brook looks carefree in a pink floral shift dress and white denim jacket for work**

▶ **after insisting she has a better sex life now**  
that she's older





Mr Depp (pictured leaving the Royal Courts of Justice in February) claims Ms Heard threw a glass bottle at him which smashed and fractured his finger before she 'put a cigarette out on the claimant's right cheek'



The Pirates Of The Caribbean star, 56, (pictured in February) is suing News Group Newspapers - the publishers of The Sun - and its executive editor Dan Wootton over an April 2018 article which alleged he was violent and abusive towards Ms Heard and referred to him as a 'wife-beater'

The libel claim against NGN and Mr Wootton arises out of publication of an article in The Sun in April 2018, under the headline 'Gone Potty - How can JK Rowling be genuinely happy' casting wife-beater Johnny Depp in the new Fantastic Beasts film?

Mr Depp has brought separate libel proceedings against Ms Heard in the US, which the court has previously heard are 'ongoing'.

A spokeswoman for Ms Heard said: 'We welcome Mr Justice Nicol's decision to allow evidence relating to 'sexual violence' to be heard in closed court.

'There is simply no reason for such sensitive evidence to be exposed to the world's press.

'We are pleased that the court made this order despite Mr Depp's troubling

## Timeline of Amber Heard and Johnny Depp's relationship

### February 3, 2015

Johnny Depp and Amber Heard marry in a private civil ceremony at their LA home, four years after they met as co-stars on the set of The Rum Diaries.

that she's older

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argument that Amber should not benefit from the right to privacy in relation to sexual violence, because of her public association with the #metoo movement and her advocacy for victims of sexual violence at the United Nations.'

The former couple met on the set of *The Rum Diary* in 2011, married four years later but split in May 2016 amid a slew of blood-curdling domestic violence allegations and tabloid headlines.

They looked to have put their feud behind them after agreeing to a \$7 million (£5.5 million) divorce settlement in 2017 until Ms Heard wrote her *Washington Post* article in December 2018 about being a domestic abuse victim.

The article did not mention Mr Depp by name but he filed a \$50 million (£40 million) defamation suit in Virginia in March 2019, saying it led to speculation that he was the abuser and caused him to lose the role of Captain Jack Sparrow.

'Ms. Heard is not a victim of domestic abuse; she is a perpetrator,' Mr Depp's US suit claimed.

'She hit, punched and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls and paint thinner cans, which severely injured me.'

The American lawsuit is due to be heard in August.

Mr Depp has always argued that he was the victim of an 'elaborate hoax' instigated by his ex-wife, who 'faked' her injuries with makeup after a blowout May 2016 fight that finally ended their toxic marriage.

Ms Heard responded with a lurid 300-page filing of her own, cataloging the 'horrific' abuse she claims to have suffered at Mr Depp's hands, describing him as 'the monster' and recalling many of the allegations she made during their divorce.

The filing included photos of bruises and scars, clumps of hair apparently torn from Ms Heard's head and pictures of smashed up furniture to illustrate the

The couple celebrate with a lavish reception on an idyllic private island in the Bahamas that Depp bought in 2004 for \$3.6 million.

#### April 21, 2015

Heard breaches Australia's biosecurity laws after she and Depp fail to declare their two Yorkshire terriers when they arrive Down Under on a private jet for the filming of *Pirates of the Caribbean: Dead Men Tell No Tales*. Charges of illegally importing animals are dropped but Heard admits falsifying quarantine documents and is placed on a \$1,000 one month good behavior bond.

#### May 23, 2016

Heard files for divorce after 15 months of marriage, citing irreconcilable differences. Four days later a judge issues a temporary restraining order against Depp over domestic violence allegations. Pictures of Heard's alleged injuries hit the tabloids but the LAPD finds no evidence of a crime.

#### August 16, 2016

Heard retracts her allegations as she and Depp reach a \$7 million divorce settlement. Their marriage was 'intensely passionate and at times volatile, but always bound by love,' the former actors say in a statement. 'There was never any intent of physical or emotional harm'.

#### December 18, 2018

The *Washington Post* publishes an op-ed by Heard, an ambassador for women's rights at for the American Civil Liberties Union, urging support for women who suffer domestic violence. 'Two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture's wrath for women who speak out,' Heard writes.

#### March 1, 2019

Despite not being named in the article, Depp files a \$50 million defamation suit in Fairfax Circuit Court, Virginia saying it insinuated he was an abuser and got him fired from the *Pirates of the Caribbean* franchise. Depp dismisses Heard's allegations as a 'hoax' and claims he was actually the victim of her violence.

#### April 10, 2019

Heard files a motion to dismiss the complaint, cataloging more than a dozen instances of abuse between

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violence she was allegedly subjected to.

Ms Heard had a restraining order slapped on Mr Depp following an altercation on May 27, 2016, during which she claimed the actor threw a cellphone at her face at their downtown Los Angeles condominium.

Ms Heard claimed police had evidence of the attack but two LAPD officers later said in a deposition that they found nothing to suggest a crime took place.

DailyMail.com obtained exclusive tape recordings which were made in 2015, around a year before the alleged fight, as the pair tried to talk through their caustic marriage problems.

Their heart-to-heart quickly descends into bickering as Ms Heard accuses Mr Depp of taking her for granted, behaving like a 'vacation husband' and 'splitting' every time they have an argument.

Mr Depp complains he's forced to leave when she becomes 'manic and angry', telling Ms Heard: 'I'm not going be in a physical f\*\*king altercation with you... you f\*\*king hit me last night.'

He goes on to add: 'I'm not the one who throws pots and whatever the f\*\*k else at me.'

dozen instances of abuse between 2012, when she moved in with Depp, and the May 2016 bust up that preceded their divorce. She refers to him as 'the monster' in the 300-plus page filing.

**May 20, 2019**

Depp hits back against the motion to dismiss claiming Heard painted bruises on her face, scrubbed metadata and fabricated evidence against him. He denies ever abusing any woman and says of her allegations:

'I will continue to deny them for the rest of my life.'

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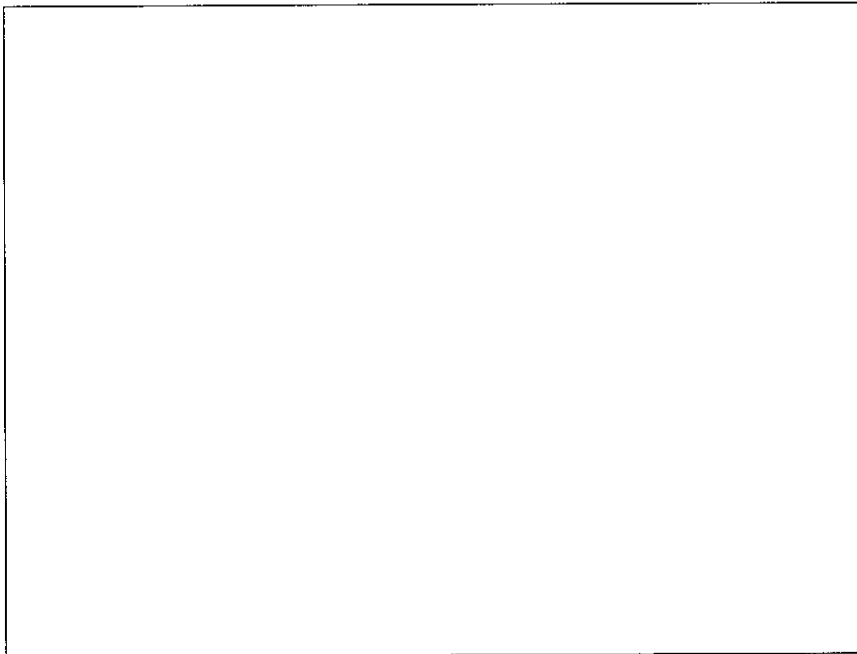
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**The vodka bottle Ms Heard allegedly threw, exploded and tore off Mr Depp's finger (above after surgery). He said he had to undergo multiple surgeries and almost died after contracting MRSA three times**

Ms Heard responds: 'That's different. That's different. One does not negate the other. That's irrelevant, that's a complete non sequitur.

'Just because I've thrown pots and pans does not mean you cannot come and knock on my door.'

When Mr Depp cuts in to suggest he's also had vases hurled at him, she replies: 'Just because there are vases does not mean that you come and knock on the door.'

'Really, I should just let you throw?' Mr Depp replies, tailing off as they carry on sniping.

'The only time I ever threw anything at you was when you f\*\*king threw the cans at me in Australia,' he admits.

Ms Heard asks: 'Why are you trying to justify who throws things based on whether or not you come knocking on the door? I don't get why one informs the other.'

Mr Depp says, raising his voice: 'Because that is a f\*\*king irrational and violent f\*\*king maneuver. So a man would want to get out of that area so that he doesn't get so f\*\*king angry that he actually does pop the f\*\*king wife.'

The exchange doesn't point to any specific event but it has a possible reference to the contentious and bloody incident in which Mr Depp suffered a severed finger one month into their marriage in Australia in March 2015.

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Details of that incident were ventilated at the High Court earlier this month, during which NGN's barrister Mr Wolanski QC said Mr Mr Depp lost the top of his finger 'whilst in an alcohol and drug-addled rage against Ms Heard.'

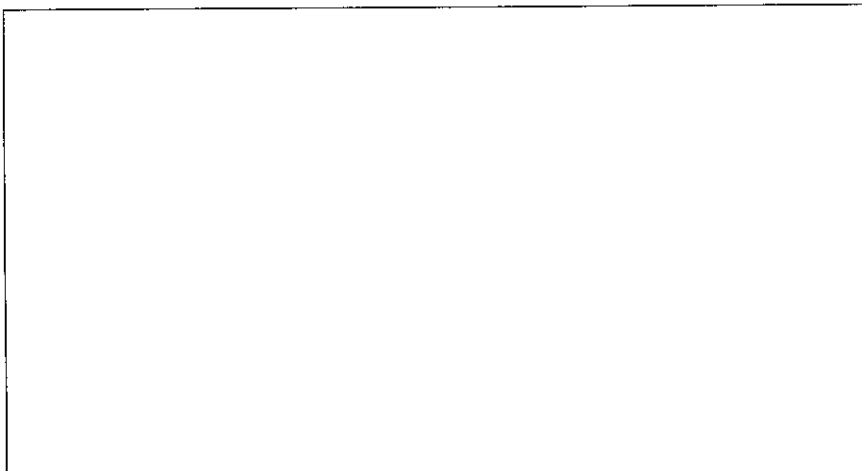
He told the court Ms Heard alleges Mr Depp had 'shoved Ms Heard into a ping-pong table', grabbed her and then 'tore her nightgown' before he 'slammed her against the countertop and strangled her'.

She claims that during the attack, which left her 'scared for her life', Mr Depp 'severely injured his finger, cutting off the top' while he was smashing a telephone against a wall, Mr Wolanski said.

Mr Depp, however, claims Ms Heard threw a glass bottle at him which smashed and fractured his finger before she 'put a cigarette out on the claimant's right cheek'.

Mr Wolanski said there were 'diametrically opposed accounts of what happened' in Australia, and submitted that two 'highly damaging' text messages sent by Mr Depp to his personal doctor, Dr David Kipper, later in March 2015 undermined his account.

One message sent shortly after the incident read: 'I cut the top of my middle finger off... What should I do!?? Except, of course, go to a hospital... I'm so embarrassed for jumping into anything with her... F\*\*\* THE WORLD!!! JD.'



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Two 'diametrically opposed' accounts of how Johnny Depp lost the top of his middle finger in a heated row with ex-wife Amber Heard (pictured together in 2016) is at the centre of his libel battle against The Sun newspaper

A second message, sent around two weeks later, read: 'Thank you for everything. I have chopped off my left middle finger as a reminder that I should never cut my finger off again. I love you brother. Johnny.'

Mr Wolanski said the texts had been disclosed in a separate libel case between the pair in the US but had only recently been disclosed to NGN's lawyers, which he said demonstrated 'the claimant just cannot be trusted when it comes to disclosure'.

The barrister also said that after another alleged attack, Mr Depp had told Ms Heard 'it was as if there was another personality having done it', which he referred to as 'the monster'.

Mr Wolanski added that Ms Heard said: 'He would blame all his actions on a self-created third-party... he would speak about it as if it was another person or personality.'

He applied for further disclosure of Mr Depp's medical records from a psychiatrist and a relationship counsellor who treated him while he was in a relationship with Ms Heard and when, Mr Wolanski said, 'he was under the influence of alcohol, illegal drugs and prescription drugs'.

He added Ms Heard's evidence was that Mr Depp would 'usually when under the influence of drugs and alcohol, but not always, flip and suddenly turn into 'the monster' and it was on those occasions that, she says, he lost control and attacked her'.

Mr Justice Nicol ordered Mr Depp to take further steps to secure evidence from consultations he had with the two doctors.

**Adam Waldman, Depp's lawyer, said afterwards: 'Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and shield, depending on their needs.'**

'They have selected some of her sexual violence hoax 'facts' as the sword, inflicting them on the public and Mr. Depp.

'Today Ms. Heard appropriated important court privacy rules designed to protect real victims as a shield behind which Ms. Heard's most absurd new claims can hide.

'Mr. Depp, contrary to the desperate claims of Ms. Heard, took a 'neutral' position in today's hearing.

'Public or private, it will make no difference to our obliteration of Ms. Heard's new-but-not-improved hoax with mushrooming evidence including her own secretly recorded audio tapes.'

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## What Amber Heard told Johnny



# Depp during 'informal' two-hour therapy session day after actress 'hit' Pirates of the Caribbean star

Johnny Depp: I'm not going be in a physical f\*\*king altercation with you.

**Amber Heard: Don't. Then don't.**

JD: You f\*\*king hit me last night. You f\*\*king...

**AH: What about all the other times you split? C'mon you cannot act like that's about that.**

JD: Well on a plane, I can't split.

**AH: No, and you hit back. So don't act like you don't f\*\*king participate.**

JD: I pushed you.

**AH: I'm not going to get into the details of that fight. You and I both know that you split when there is no physical violence involved and that you do it... like at the very beginning of fights these days. And if you split and you go into a different room and you don't actually leave that house, it does nothing but perpetuate the fight and you don't actually do it respectfully.**

JD: You were f\*\*king screaming at me.

**AH: I'm not going to validate my actions last night. I feel very bad about what I did.**

JD: No, I'm talking about Toronto.

**AH: I did not start screaming until you had f\*\*king said all the s\*\*t - you poke an animal enough, it is eventually, it doesn't matter how friendly it is, it's not cool.**

JD: That's not true. It's the same for me, it's the same for me.

**AH: I stayed cool for so long and you kicked and kicked and kicked.**

JD: I need the same things but when you start flipping out, and I can't get a word in, and it's manic and angry, what the f\*\*k Amber?

**AH: I get angry. I'm human. This is the kind of situation when one gets angry.**

JD: Just try. Let's both try. If there's anger, if there's something really, really poking us in the a\*\* let's try not to f\*\*king fight. Try to address it without jumping down each other's throats because all that's gonna do is build a mountain of f\*\*king, uh, resentment, some species of f\*\*king hatred.

**AH: You take me for granted.**

JD: It's not true. It's not true. I'm not the one who throws pots and whatever the f\*\*king else at me.

**AH: That's different. That's different. One does not negate the other. That's irrelevant. That's a complete non sequitur. Just because I've thrown pots and pans does not mean you cannot come and knock on my door.**

JD: Vases and f\*\*king...

**AH: Just because there are vases does not mean that you come and knock on the door.**

JD: Really, I should just let you throw?

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**AH: No, I'm not saying that. You're saying that. You're putting words in my mouth.**

JD: The only time I ever threw anything at you was when you f\*\*king threw the cans at me in Australia.

**AH: Why are you trying to justify who throws things based on whether or not you come knocking on the door? I don't get why one informs the other.**

JD: Because that is a f\*\*king irrational and violent f\*\*king maneuver. So a man would want to get out of that area so that he doesn't get so f\*\*king angry that he actually does pop the f\*\*king wife.

JD: You're just afraid that the truth will come out.

**AH: What truth?**

JD: That you lied. No, I said to you, tell Travis what you just did, did you punch me in the f\*\*king jaw.

**AH: What are you f\*\*king talking about? I didn't f\*\*king even have a f\*\*king thing to lie about. What are you f\*\*king talking to? Every f\*\*king fight. There's a new thing that you've convinced yourself there's a lie.**

JD: No, I said to you, Amber, tell Travis what you just did. Did you just f\*\*king did you punch me in the f\*\*king jaw? Did you f\*\*king kick? Did you? Did you? And you wouldn't say a f\*\*king, you said I don't know what you're talking about. I never f\*\*king, it never f\*\*king happened.

**AH: I see the lie. I see the lie. You should really run with this. In fact maybe you and Travis can like, go and like do a tell about a, you know an investigative study.**

JD: Listen, I was not high. You lied your a\*\* off.

**AH: You're f\*\*king full of s\*\*t.**

JD: You lied your a\*\* off.

**AH: What conversation did I have with Travis, big, big investigative study you've done. I'm not sitting here fighting with you about the fight that we had last night.**

JD: No I was in a situation with you. After you physically f\*\*king got violent with me, I texted Travis, I said come up here, because I didn't want anything to happen.

**AH: I know, come and save me.**

JD: Come and what, save me?

**AH: No go ahead, continue, Travis to the rescue.**

JD: No, that was the last one. You can go, ah, you can go. That was the last insult.

**AH: Oh yeah, you called me a liar, and yet, yet...**

JD: I watched you lie.

**AH: You called me a liar.**

JD: I watched you lie.

**AH: You're full of s\*\*t. You still haven't told me what lie it is.**

JD: We'll talk to Travis..

**AH: You do this every single f\*\*king time**

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AH: You do this every single f\*\*king time.

JD: We'll talk to Travis...

AH: I'm not f\*\*king talking to nobody. F\*\*k that. You go f\*\*king j\*\*k, go j\*\*k him off. I don't care. I really could care less. It's you every single f\*\*king time, you latch onto some sort of thing. I already told you. I don't know what you're f\*\*king talking about. You don't even know what you're talking about. You still haven't even told me what it is, but run with it. You run with it.

JD: I have told you what it is.

AH: No you haven't.

JD: I said to Travis, I said, no, I said to you, hey tell Travis what just happened.

AH: Oh, you told me to do it. You told me to. You said 'go do that'

JD: I said tell no, tell him what just happened.

AH: And I lied!

JD: And that you that you punched me in the f\*\*king thing.

AH: You're right! You figured it all out!

JD: In the face. And you said, no I f\*\*king didn't. What the f\*\*k are you talking about?' And I watched you lie.

AH: I didn't punch you. I didn't punch you, by the way.

JD: You punched me.

AH: I'm sorry that I didn't, uh, uh, hit you across the face in a proper slap, but I was hitting you, it was not punching you. Babe, you're not punched.

JD: Don't tell me what it feels like to be punched!

AH: I know, you've been in a lot of fights, been around a long time. I know, I know. Yeah.

JD: No! When you have a f\*\*king closed fist.

AH: You didn't get punched. You got hit. I'm sorry I hit you like this. But I did not punch you. I did not f\*\*king deck you. I f\*\*king was hitting you.

JD: You can't deck me.

AH: I don't know what the motion of my actual hand was, but you're fine, I did not hurt you, I did not punch you, I was hitting you.

JD: How are your toes?

AH: What am I supposed to do, do this?

JD: How are your toes?

AH: I'm not sitting here b\*\*\*hing about it am I, you are.

JD: Oh, your poor toes.

AH: That's the difference between me and you, you're a f\*\*king baby.

JD: Because you start physical fights?

AH: You are such a baby! Grow the f\*\*k up Johnny!

JD: Because you start physical fights?

AH: I did start a physical fight.

... dressed in matching black workout gear PDA

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▶ Brian Austin Green shows off his brawny arms as he fetches coffee... after bizarre video with Courtney Stodden fuels romance rumors

▶ Katie Price's daughter Princess, 13, 'set to launch a career as a YouTuber with shopping reviews'... after setting up her own Instagram as a birthday gift

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▶ Jada Pinkett Smith, 48, FINALLY breaks her silence on August Alsina, 27, affair rumours... as she prepares to address shock claims

▶ Joel Edgerton shows off his rugged movie star looks and tattoos as he goes shirtless while working out at Bondi Beach Muscular

▶ Ghislaine Maxwell could be locked up in same jail where Jeffrey Epstein killed himself when she's transferred to NYC to face child sex trafficking charges

▶ Lucy Hale tears up and gets emotional in a

JD: Yeah, you did. So I had to get the f\*\*k out of there.

AH: Yes, you did, so you did the right thing. The big thing, the, you know what? You are admirable. Every single time, what, what's your excuse, when there's not a physical fight, what's your excuse then? You're still being admirable, right, by running away? And you can sit here and call me names, but you get called a name and what do you do - 'that's the last insult!' You're a baby. You're a hypocrite. You don't do anything that you actually do. You

expect from people what you can't give them. If they do something a taste of it to you, you f\*\*king lose it. But yet you dish it out.

JD: I left last night. Honestly, I swear to you because I just couldn't take the idea of more physicality, more physical abuse on each other because I had, we continued it. It would have gotten f\*\*king bad. And baby, I told you this once. I'm scared to death we are a f\*\*king crime scene right now. If we don't get our s\*\*t together by getting our s\*\*t together, that might mean f\*\*king a, we do this and we make it. That might mean Goddamn. You know, you say I've tried and done to Lou, but we've got to get our s\*\*t together as individuals and as a couple. Because I love you and I do not want to leave you. I do not want to divorce, I do not want you out of my life. I just want peace.

JD: If things get physical, we have to separate. We have to be apart from one another. Whether it's for f\*\*king an hour or 10 hours or f\*\*king a day. We must, there can be no physical violence towards each other.

AH: I agree about the physical violence, but separating for a day, taking a night off from our marriage?

JD: All I'm saying is we need to take whatever time we need you. You need, I need, to kind of let things settle for a minute. So that we don't f\*\*king kill each other or f\*\*king worse, you know, f\*\*king really kill each other or f\*\*king break up or whatever.

JD: If the fight escalates to the point of where it's just insulting for both of us, uh, or if it gets to that physical f\*\*king s\*\*t, the violence, that's when we just said, look, let's go to our corners, man, you hang wherever you want, baby. I'm going in the office and I'm just gonna f\*\*king sit there and try and de-jellify my f\*\*king brain.

AH: I can't promise that it will all be perfect. I can't promise you I won't get physical again. God I f\*\*king sometimes I get so mad I lose it. I can f\*\*king promise you I will do everything to change. I promise you. I'm not going to throw around divorce I not say divorce unless I really mean it.

JD: I love you and I want you to be my wife. And I want to be your husband. And I wanna be a good husband. If I haven't been, I'll do everything I can to find out how to be a good husband.

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**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff,

v.

AMBER LAURA HEARD,

Defendant.

Civil Action No.: CL-2019-0002911

**ORDER**

THIS MATTER CAME TO BE HEARD upon the Motion of Defendant Amber Laura Heard, by counsel, for Sanctions Against Adam Waldman, Counsel for Plaintiff; and upon consideration of the briefs, exhibits and argument of counsel, it is hereby

**ORDERED** that Defendant's Motion is **GRANTED in part and DENIED in part**; and it is further

**ORDERED** that the *pro hac vice* admission of Adam Waldman as counsel for Plaintiff in this case is hereby revoked; and it is further

**ORDERED** that the Motion for Protective Order is denied, for the reasons set forth in open court; and it is further

**ORDERED** that Defendant is hereby awarded attorneys' fees and costs for bringing this Motion; and it is further

**ORDERED** that counsel for Defendant shall submit a Declaration of fees and costs associated with bringing this Motion before the Court, within 7 days; and Plaintiff may submit any Opposition to the reasonableness of the fees and costs within 7 days thereafter, and the

no ev. 10/28/20

Plaintiff shall pay to counsel for Defendant the amount set by the Court within 7 days after receipt of the Court's ruling on reasonableness.


**SO ORDERED.**

Dated: October 27, 2020

  
Hon. Bruce D. White  
Chief Judge, Fairfax County Circuit Court

*Compliance with Rule 1:13 requiring the endorsement of counsel of record is modified by the Court, in its discretion, to permit the submission of the following electronic signatures of counsel in lieu of an original endorsement or dispensing with endorsement.*

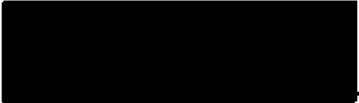
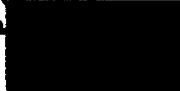
WE ASK FOR THIS:

  
Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
David E. Murphy (VSB No. 90938)  
Charlson Bredehoft Cohen & Brown, P.C.  
11260 Roger Bacon Drive, Suite 201  
Reston, Virginia 20190  
Telephone: (703) 318-6800  
ebredehoft@cbcblaw.com  
anadelhaft@cbcblaw.com  
dmurphy@cbcblaw.com

J. Benjamin Rottenborn (VSB No. 84796)  
Joshua R. Treece (VSB No. 79149)  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
Telephone: (540) 983-7540  
[brotenborn@woodsrogers.com](mailto:brotenborn@woodsrogers.com)  
[jtreece@woodsrogers.com](mailto:jtreece@woodsrogers.com)

*Counsel to Defendant Amber Laura Heard*

SEEN AND AGREED TO IN PART, AND EXCEPTED TO IN PART FOR THE REASONS  
STATED IN OPPOSITION BRIEF AND ORAL ARGUMENT:

 *by*   
Benjamin G. Chew (VSB 29113)  
Andrew C. Crawford (VSB 89093)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 536-1700  
Facsimile: (202) 536-1701  
[bchew@brownrudnick.com](mailto:bchew@brownrudnick.com)  
[acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com)

Camille M. Vasquez (admitted *pro hac vice*)  
BROWN RUDNICK LLP  
2211 Michelson Drive  
Irvine, CA 92612  
Telephone: (949) 752-7100  
Facsimile: (949) 252-1514  
[cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com)

Adam R. Waldman  
THE ENDEAVOR LAW FIRM, P.C.  
1775 Pennsylvania Avenue, N.W., Suite 350  
Washington, DC 20006  
[awaldman@theendeavorgroup.com](mailto:awaldman@theendeavorgroup.com)

*Counsel for Plaintiff John C. Depp, II*

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## EXCLUSIVE: 'I need to report an assault.' Listen to 911 call made the night Johnny Depp and Amber Heard had blowout fight that ended their toxic 18-month marriage - but both claim tape backs up their version of events

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- DailyMail.com has obtained an anonymous 911 call made the night Johnny Depp and Amber Heard had the blowout fight that ended their 18-month marriage
- 'Hi, I need to report an assault right now happening at 849 Broadway at the Eastern building,' the caller says, referring to the couple's home in LA
- The recording was buried in legal files for nearly four years and it raises tantalizing new questions about the former couple's infamous clash around the time
- Timestamped 8:27pm on May 21, 2016, the call appears to have been made when Heard claims Depp hurled a cell phone at her face and tore out her hair
- Heard's attorney says phone records and police logs vindicate Heard's account of the final episode of domestic violence she endured before filing for divorce
- Depp's legal team say this recording does the precise opposite, by raising discrepancies in the various accounts Heard and her allies have given
- Depp, 56, maintains he never laid a finger on his 33-year-old ex-wife and has accused her of fabricating an 'abuse hoax' to boost her profile

By BEN ASHFORD FOR DAILYMAIL.COM

PUBLISHED: 18:45, 27 April 2020 | UPDATED: 13:16, 28 April 2020

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An anonymous 911 call made the night **Johnny Depp** and Amber Heard had the blowout fight that ended their toxic 18-month marriage is published today for the first time.

The recording was buried in legal files for nearly four years but now DailyMail.com can exclusively reveal both its explosive contents and the tantalizing new questions <https://www.dailymail.co.uk/news/article-8246393/Listen-911-call-night-Johnny-Depp-Amber-Heard-blowout-fight.html?printingPage=true>

### DON'T MISS

EXCLUSIVE Pregnant Sophie Turner cradles her baby bump in summer dress as she goes for a walk with husband Joe Jonas and





can exclusively reveal both its explosive contents and the tantalizing new questions it raises about the former couple's infamous clash.

'Hi, I need to report an assault right now happening at 849 Broadway at the Eastern building, it's penthouse three,' the caller begins, referring to the luxurious home Depp and Heard formerly shared in downtown LA.



Refusing to give a name, the caller explains that a friend named Amber is being attacked by a man described merely as a 'boyfriend', saying: 'I happen to know that it's happening and I just need to remain anonymous.'

'So what did she say that this guy assaulted her or hit her?' the LAPD operator replies, explaining she needs more detail.

'Physically assaulting her, yeah,' replies the caller, becoming agitated. 'Send somebody up there please,' the caller adds, reiterating the location of the couple's lavish penthouse before the recording abruptly ends.

Timestamped 8:27:27pm on Saturday May 21, 2016, the call appears to have been placed around the time Heard claims Depp flew into a rage, hurled a cell phone at her face and tore out clumps of her hair.

0:50

family in LA



▶ Nigora Bannatyne, 40, flaunts her incredible figure in a pink cut-out swimsuit as she joins husband Duncan, 71, on luxury yacht in Spain



▶ Christine Lampard is AGHAST as video of woman giving birth in a CAR PARK airs on Loose Women... yet viewers question its authenticity



EXCLUSIVE Katie Price, 42, is dating ex-Love Island contestant Carl Woods, 31, following her split from former fiancé Kris Boyson



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photographer

▶ Prince Andrew lawyers say they've been 'ghosted' by US authorities investigating Jeffrey Epstein - and insist Duke has offered to help numerous times

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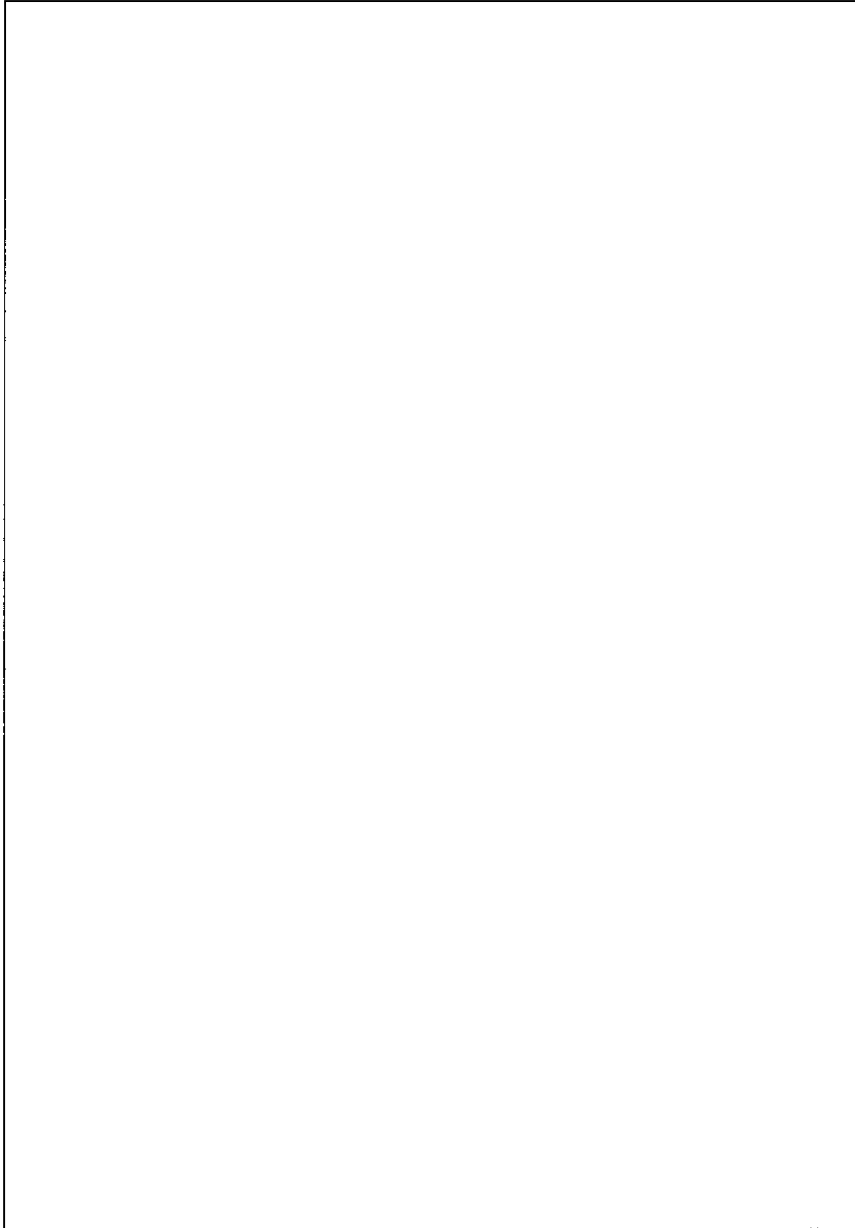
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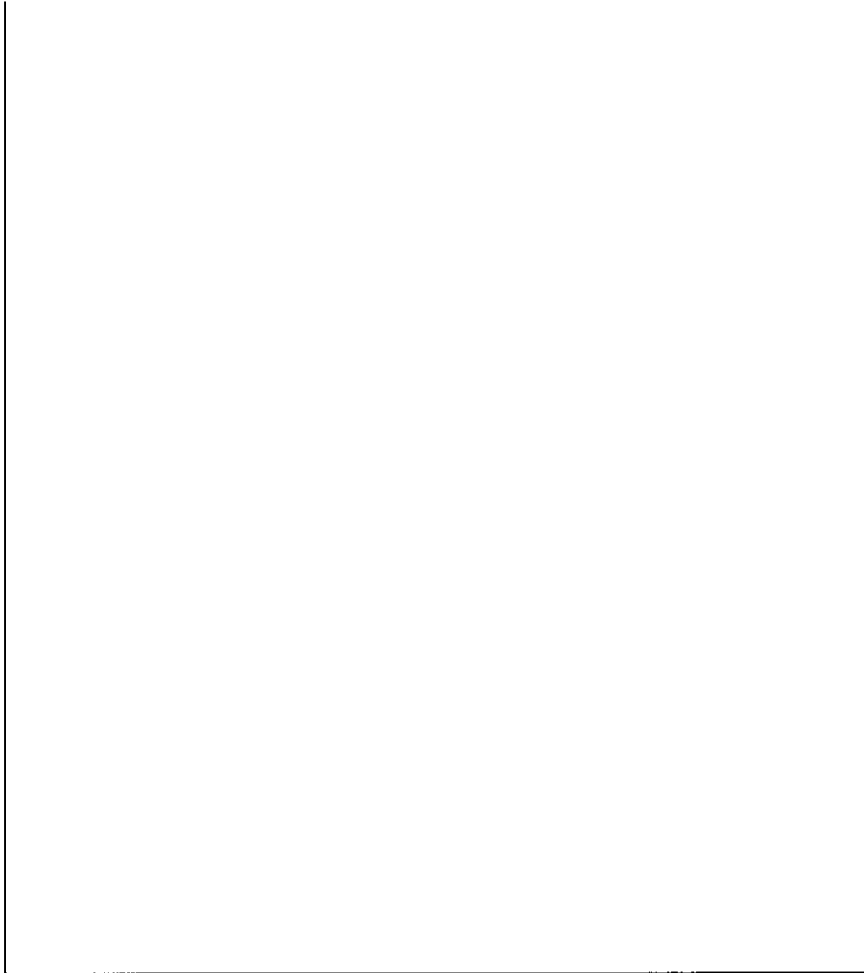
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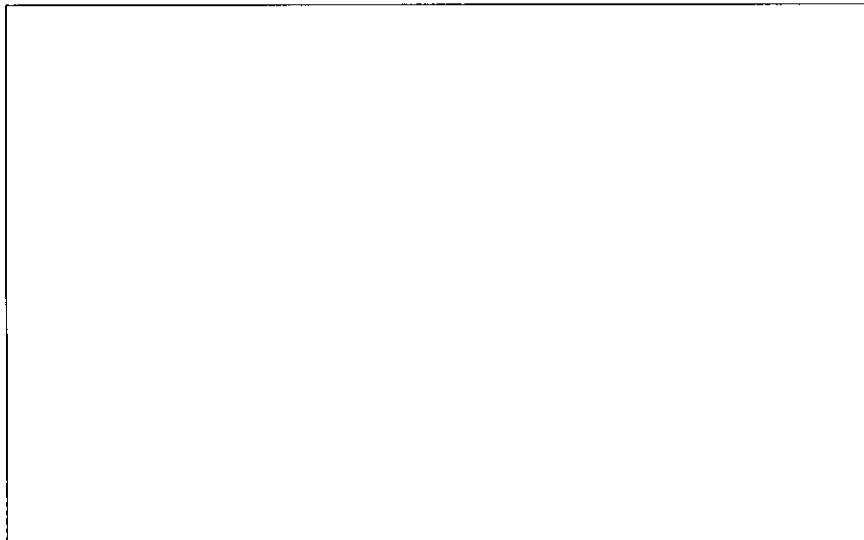
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An anonymous 911 call made the night Johnny Depp and Amber Heard had the blowout fight that ended their toxic 18-month marriage is published today for the first time. The recording was buried in legal files for nearly four years but now DailyMail.com can reveal both its explosive contents and the tantalizing new questions it raises about the couple's clash



Timestamped 8:27:27pm on Saturday May 21, 2016, the call appears to have been placed around the time Heard claims Depp flew into a rage, hurled a cell phone at her face and tore out clumps of her hair. Pictured: Heard leaving the Los Angeles Superior Court with her lawyers after filing a domestic violence restraining order against Depp on May 27, 2016



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**Heard's attorney says phone records and police logs vindicate Heard's account of the final episode of domestic violence she endured before filing for divorce. Pictured: A clump of Heard's hair that she claims Depp ripped from her hair the night of the fight**

0:00

Her attorney says phone records and police department logs vindicate Heard's account of the final shocking episode of domestic violence she endured before filing for divorce.

Depp's legal team say this recording does the precise opposite, however, by raising discrepancies in the various accounts Heard and her allies have given of the notorious dust up.

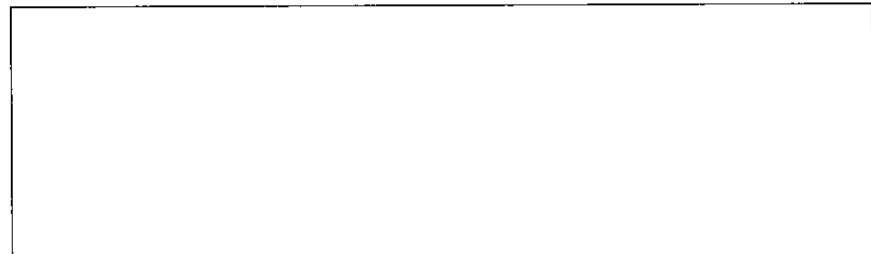
His attorney is also questioning the identity of the caller, pointing out the female voice on the clip does not belong to iO Tillett Wright, a trans activist and Heard confidante who has since gone on record to say he dialed 911.

Depp, 56, maintains he never laid a finger on his 33-year-old ex-wife and has accused her of fabricating an 'abuse hoax' to boost her profile.

The pair are currently battling it out in the courts after Heard penned a 2018 op-ed describing her experiences as a domestic violence survivor and the Pirates of the Caribbean actor responded by filing a \$50 million defamation suit.

Their rival accounts of the May 2016 fight, the bitter, final chapter of their troubled five-year relationship, will likely play a key role in deciding the case, which is due to go before a jury later this year.

Heard has claimed she was on the phone to Tillett Wright when Depp launched his alleged attack, grabbing the device and throwing it at her as she tried to talk to him about their marriage problems.



your health and more with these top 10 wellbeing hacks  
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▶ Sarah Jessica Parker, 55, flashes her youthful figure in a tasteful swimsuit as she catches up on some summer reading at a beach in The Hamptons

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Dance routines breathed life into hundreds of films

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▶ Horse trainer accused of having an affair with Dan Brown by his furious ex-wife of 21-years breaks her silence to say it's a 'private matter'

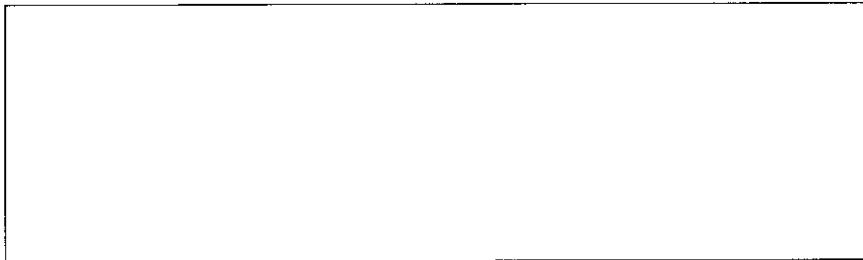
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▶ Benidorm beauty Queen Letizia dons a floral printed dress and goes without a face mask for a visit to the seaside on her tour of Spain with King Felipe



Depp's attorney is also questioning the identity of the caller, pointing out the female voice on the clip does not belong to IO Tillett Wright (pictured), a trans activist and Heard confidante who has gone on record to say he dialed 911



Expanding on the incident in an op-ed for Refinery29, entitled 'Why I called 911', Tillett Wright said he had witnessed Depp abusing Heard on previous occasions

Open main menu

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Former Celebs Go Dating star

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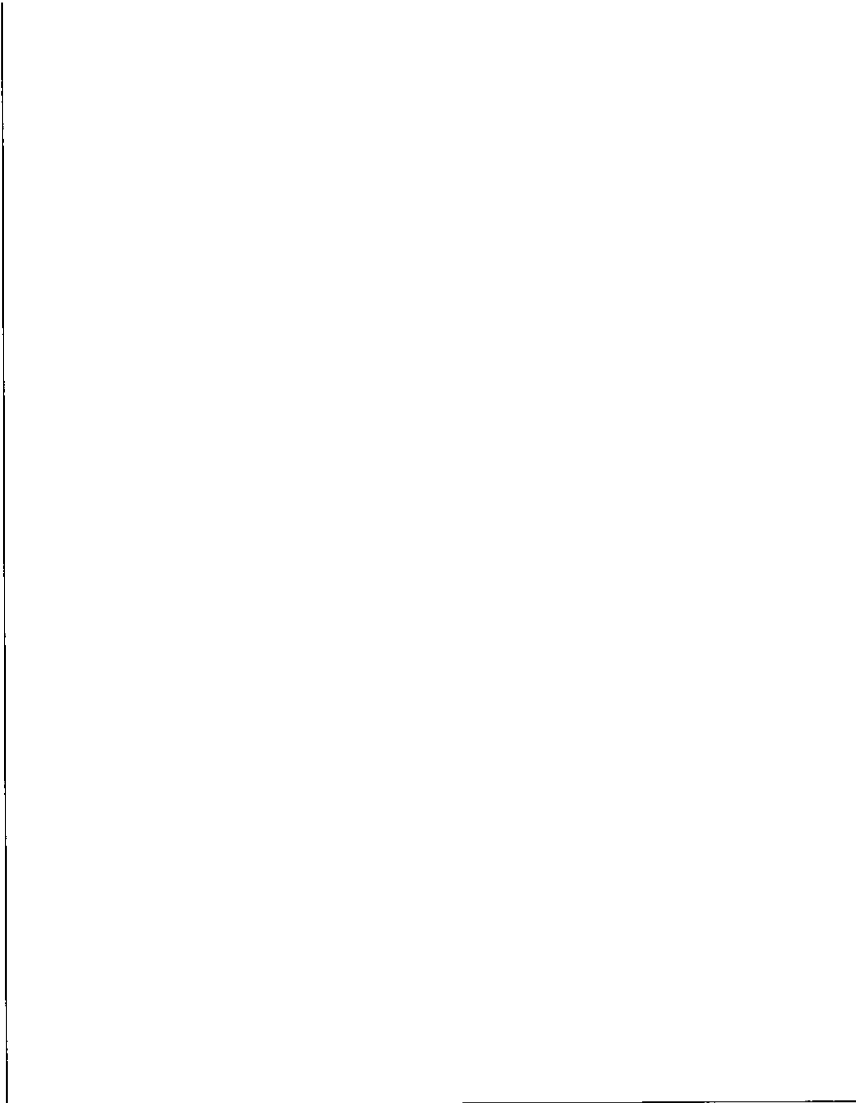
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Meghan Markle felt 'unprotected by the royal institution' because palace press officers couldn't defend

▶ her against TRUE stories that angered her





**They suggest the 8:27pm 911 call was instead placed by a different woman called Raquel Pennington (pictured together), a yoga instructor and close pal of the Aquaman actress who 'lived rent free' in a neighboring apartment also owned by Depp**

'He is smacking my face, moving my face and he's got me by the hair and he's, it's hard to describe it's almost like yanking me from side to side with my hair,' she said in a videotaped deposition for their 2016 divorce case.

'He's still holding on to my head at this time and he said, I don't know if he's trying it grab my face but he's yelling at me, screaming, see how hard I hit you. I am screaming at the top of my lungs, help, help please help.'

That account was corroborated by Tillett Wright who issued a June 2016 declaration through Heard's attorneys saying he listened via speakerphone as Depp launched 'into a cruel and vicious rage'.

'I then heard Amber crying in fear and begging Johnny to stop his attack, thereafter I heard Amber scream out 'Call 911' before the call got disconnected. I called 911 to save Amber's life,' he said.

Expanding on the incident in an op-ed for Refinery29, entitled 'Why I called 911', Tillett Wright said he had witnessed Depp abusing Heard on previous occasions.

'That's why, when it happened again, when I was on the phone with both of them and heard it drop, heard him say, 'What if I pulled your hair back?' and her scream for my help, I wondered like so many times before if I should break the code of silence that surrounds celebrities and invite the police into the situation, and in a split second decided that, yes, I was going to,' he wrote.

▶ **Little Mix's Leigh-Anne Pinnock reveals she broke down in tears after being 'verbally abused' by a stranger during a trip to Waitrose**  
Horrific incident

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Appeared in her element

▶

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▶ **Charlotte Hawkins puts on a leggy display in a floral mini dress as she arrives at Global Studios to present her Classic FM show**  
Stylish as always

▶ **'I want to be really cautious': Ciara showcases her baby bump in a new shoot for**

However Depp's legal team point to an LAPD log that shows that Tillett Wright's call was not registered on their system until 10:09pm, around an hour and a half after the alleged attack.

They suggest the 8:27pm 911 call was instead placed by a different woman called Raquel Pennington, a yoga instructor and close pal of the Aquaman actress who 'lived rent free' in a neighboring apartment also owned by Depp.

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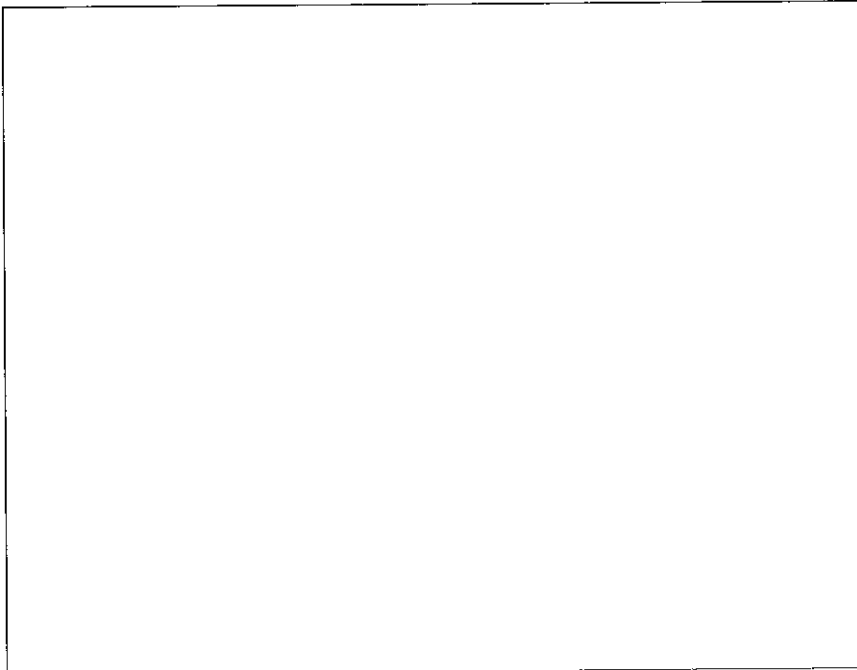
**Emily Atack moans she 'can't squeeze my fat a\*\*e into skinny jeans' after revealing she lost 1 stone 'by accident' during lockdown**

**Raunchy period drama Harlots is set to air on BBC starring Samantha Morton as a brothel owner and mother alongside Liv Ullmann and Lesley Manville**

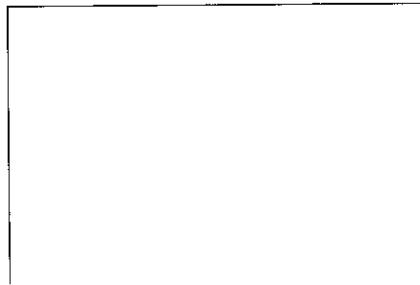
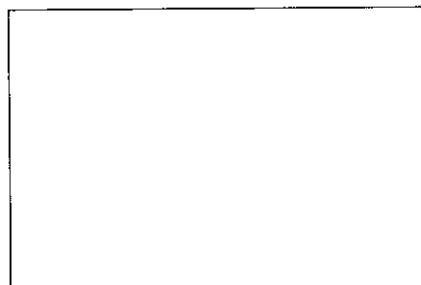
**Suzanne Somers, 73, says hubby Alan Hamel, 84, still 'turns me on' after five decades together: 'I love his sexiness'**  
Happy couple

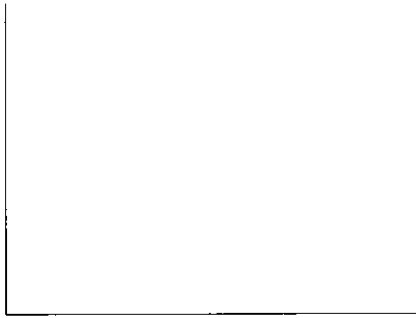
**Tatler's 'most eligible bachelor' Charles Manners turns 21! Duchess of Rutland leads birthday tributes to son the Marquess of Granby**

**Myleene Klass opts for 'casual Fridays' in a**



**'He is smacking my face, moving my face and he's got me by the hair and he's, it's hard to describe it's almost like yanking me from side to side with my hair,' she said in a videotaped deposition for their 2016 divorce case (pictured). The former lovebirds met on the set of The Rum Diary back in 2011, married four years later - but split in May 2016**





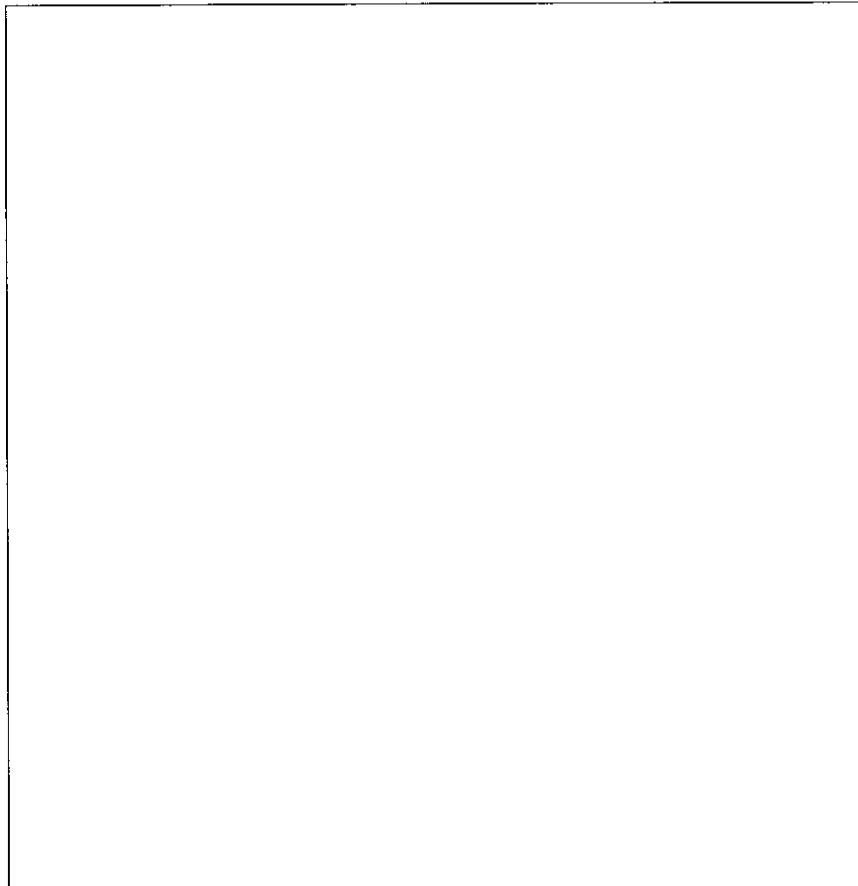
white cami, joggers and punky boots as she arrives at Smooth Radio. Opted for a low-key look while arriving at work

▶ Khloe Kardashian shows off her abs in a nude two-piece after 'giving romance with love rat ex Tristan Thompson another shot'

EXCLUSIVE Zara McDermott admits it

'hasn't been plain sailing' living with boyfriend Sam Thompson but believes they will get MARRIED

Heard cataloged the 'horrific' abuse she claims to have suffered at Depp's hands, describing him as 'the monster' and recalling many of the allegations she made during their divorce. The filing included photos of bruises and scars (left and right)



▶ Jodie Comer QUILTS social media as she admits to 'seeking out negative comments' ahead of soft porn actress role in Talking Heads

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▶ Bella Hadid showcases her taut abs in two skin tight black outfits for Helmut Lang's pre-fall 2020 campaign. Looked stunning

▶ Patrick Schwarzenegger proves himself to be a Kardashian fan as he dons top adorned with image of scantily-clad Kim and Khloe

▶ Love Island's Dr Alex George FINALLY reunites with girlfriend Amelia Bath after staying apart as he battled coronavirus on NHS frontline

'Hi, I need to report an assault right now happening at 849 Broadway at the Eastern building, it's penthouse three,' the caller begins, referring to the luxurious home Depp and Heard formerly shared in downtown LA (pictured)

▶ Love Island's Lucie Donlan flaunts her incredible physique in a skimpy blue swimsuit amid claims she's 'struck up a romance with Luke Mabbott'

Pennington, one of the first people on the scene after the alleged assault, did not respond to a request for comment from DailyMail.com.

▶ David Ginola is dropped from French version of Britain's Got Talent 'due to his huge wages and the cost of his FIVE assistants he demanded'

However she was specifically asked if she had dialed 911 in a July 2016 deposition.

'What steps did you take at any time from the moment you walked into the apartment until now to call the police she was asked, under oath.

Pennington replied: 'The police had already been called by iO.'

It's #HamiltonDay! Viewers flood social media with memes and

Depp's legal team say the Oscar nominee was seen on surveillance video leaving the apartment at 8:29pm and knew nothing about Heard's alleged injuries until she filed for a restraining order six days later and attended court with a bruised face.

▶ excited tweets as Lin Manuel Miranda's hit musical is FINALLY released on Disney+



responded to the 8:27pm call, Melissa Saenz and Tyler Hadden, said they never found any evidence of a crime.

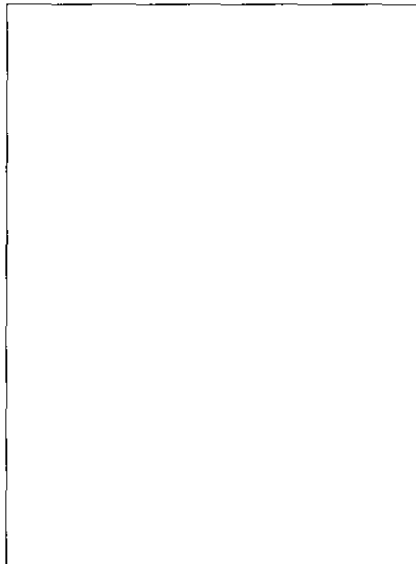
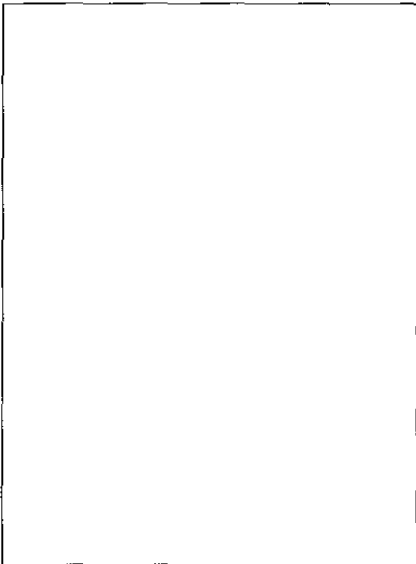
Officer Saenz said in a July 2016 deposition that the pair left behind a business card and didn't know until two weeks later the man involved was Johnny Depp.

Saenz said she also learned that a second patrol visited the penthouse later the same night.

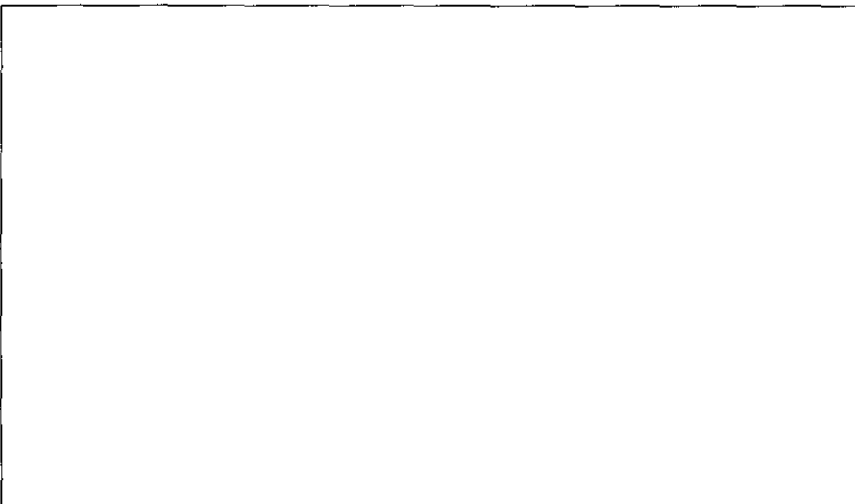
She didn't recall the names of the officers but said in her testimony: 'Their findings were the same as ours.'

Depp's lawyer Adam Waldman said the various discrepancies proved that nothing Heard and her friends said about the events of May 21, 2016 could be considered credible.

'Quite simply this was an ambush, a hoax. They set Mr Depp up by calling the cops but the first attempt didn't do the trick,' he told DailyMail.com.



Depp has always argued that he was the victim of an 'elaborate hoax' instigated by his ex-wife, who 'faked' her injuries with makeup and falsified accounts of abuse. He alleges in his suit: 'Ms. Heard is not a victim of domestic abuse; she is the perpetrator. She hit, punched and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls and paint thinner cans, which severely injured me



Johnny Depp jokes that his severed finger gushed like 'Vesuvius' after it was sliced off during a blood-curdling fight with ex-wife Amber Heard in Australia in exclusive video footage obtained by DailyMail.com

▶ 'She's spent half her life in lockdown': Michael Sheen, 51, reveals his daughter Lyra, eight months, 'went nuts' when she first left confinement

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▶ 'You shouldn't be going to parties!' Laura Whitmore demands a critic 'check their facts' as she is accused of flouting social distancing guidelines

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▶ 'This is messing with my head!' Ant and Dec amuse and confuse fans as they share hilarious Instagram video of Ant being spied on by his co-star

▶ Ashley Graham whips her wet hair around while putting on a sultry dance in red hot bikini Model showcased her stunning post-pregnancy figure

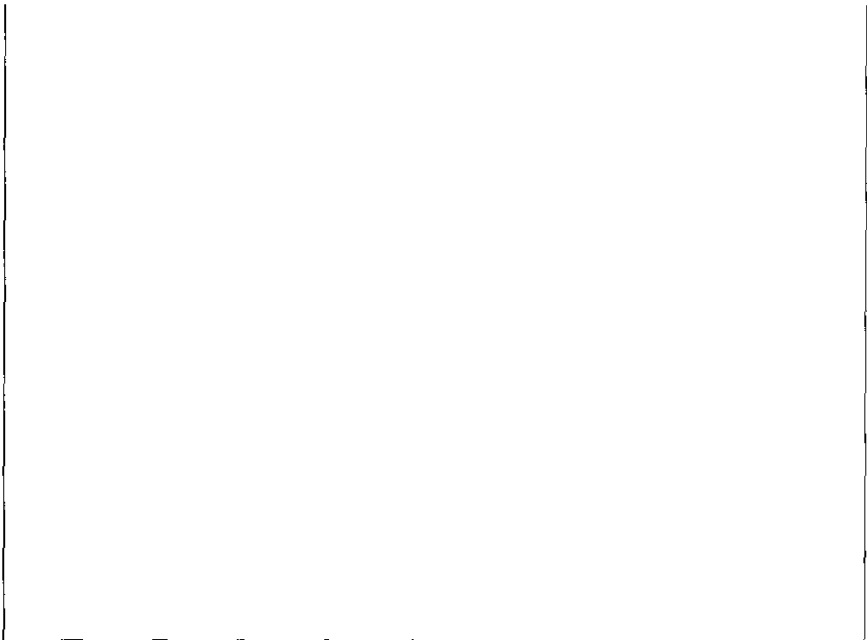
Britney Spears flaunts her toned abs in her 'favourite yellow crop top' and tiny shorts as

▶ she shows struts around and shows off a bouquet of roses

▶ Ben Affleck and Ana de Armas' love parade rolls on as they share a warm embrace while dressed in matching black workout gear PDA

▶ Courteney Cox protects herself with a face mask as she steps out in a casual outfit for a family dinner date Wore denim jeans and a comfy sweater

▶ Angelina Jolie spotted for the first time in months as the actress



DailyMail.com's exclusive video is the first time the Oscar nominee has been seen on camera recalling the violent March 2015 night in his own words. Pictured: Depp's finger after the gruesome injury

masks up for LA shopping trip with daughter Vivienne, 11  
Rare sighting

▶ Sailor Brinkley-Cook flaunts her figure in a teeny pink bikini as she celebrates her 22nd birthday with her boyfriend and model mom Christie

▶ Victoria Beckham tries on outfits for her 21st wedding anniversary celebration with David... and settles for bridal-hued chic in a cream suit

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▶ Jennifer Lopez flaunts her legs in a short skirt and oo oo boots as she

0 00

'The officers came to the penthouses, thoroughly searched and interviewed, and left after seeing no damage to face or property.

'So Amber and her friends spilled a little wine and roughed the place up, got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911.

'But even this didn't have the desired effect because two domestic abuse-trained LAPD police would later provide a pair of sworn depositions saying they saw no evidence of a crime.

'These lies about who made the calls and who are just the tip of the iceberg as the

<https://www.dailymail.co.uk/news/article-8246393/Listen-911-call-night-Johnny-Depp-Amber-Heard-blowout-fight.html?printingPage=true>

### TRANSCRIPT OF THE 911 CALL THE NIGHT OF JOHNNY DEPP'S AND AMBER HEARD'S FINAL FIGHT

OPERATOR: 911 emergency operator two seven eight.

CALLER: Hi, I need to report an assault right now happening at 849 Broadway at the Eastern building, it's penthouse three.

OP: Okay. Are you there right now ma'am?

CL: No, I'm downstairs

which are just the tip of the iceberg as the evidence will show in court.'

Heard's legal team rejected those allegations as 'fantasies'.

'Mr Depp's representations about the 911 calls on the night of May 21, 2016 are false, and Mr Depp and his lawyers

should know better,' said her attorney, Roberta Kaplan.

'All of the evidence - including sworn testimony from multiple witnesses, phone records, and police department logs - are consistent with the truthful account given by Mr Tillett Wright.

'Despite Mr Depp's efforts to misrepresent the facts and to harass and intimidate Ms Heard and various witnesses, we still live in a world where certain things are truth and others are false.

'Here, there are the true facts of what happened and then there are Mr Depp's self-serving fantasies.'

Tillett Wright's attorney Lauren Schwartz told DailyMail.com that her client was in New York on May 21, 2016 and when he dialed 911 he reached the NYPD.

She says he is able to prove he made the call at 11:16pm eastern time - 8:16pm in LA - and that the hour and a half delay was simply the time it took the NYPD to formally hand the incident over to the LAPD.

Schwartz said Tillett Wright had indeed asked a friend living in LA to make a second call, fearing the two police forces would drag their heels while Heard was being assaulted.

She did not name the friend, nor confirm if it was Pennington.

'Mr. Wright stands by his truthful account of the May 21, 2016 events,' said Schwartz.

'Mr Depp's team, desperate to discredit this timeline, has mounted a calculated attack on Mr. Wright. Although they have access to records that corroborate Mr Wright, they are instead releasing only cherry-picked, misleading portions of the record.

'Mr. Depp's effort to paint Mr Wright as a

OP: Okay. And I'm sorry, you said 840 was it north or south Broadway?

CL: Err, I don't know, it's eastern building, downtown LA

OP: All right, hold on, 'cause it's coming up in different areas we have to be sure. Um, somebody was being physically assaulted?

CL: Yes

OP: Who?

CL: A woman

OP: Who was hurting her?

CL: A man

OP: Is that her boyfriend?

CL: A man, that's all I know

OP: Did you witness it?

CL: No, I happen to know that it's happening and I just need to remain anonymous

OP: Okay you can remain anonymous ma'am but I have to be certain what's going on. How do you know this is going on though?

CL: 'cause she called me

OP: Oh okay. So this is a friend of yours?

CL: Yes

OP: So what did she say that this guy assaulted her or hit her?

CL: Physically assaulting her? Yeah

OP: Okay. But this isn't the boyfriend or anything like that?

CL: Yes, it's, it could be, yes

OP: Okay is it her boyfriend, yes or no?  
CL: Yes.

OP: Okay. All right, hold on. Are you between eighth and ninth street? Downtown?

CL: Yes, exactly

OP: Okay, and I'm sorry, what was the suite number?

CL: Penthouse three

OP: Penthouse three, okay. And you wanted to be anonymous, right?

CL: Yes please

OP: And, uh, your friend, did she relay this information to you via text or where you talking to her on the phone?

CL: Err

boards a private plane with Alex Rodriguez and his Labrador

► Kelly Brook, 40, declares sex gets better with age and that boyfriend Jeremy Parisi, 35, likes a 'confident, curvy woman'

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Engaging sight

► Kate Mara wears yellow mini dress and trainers as she takes her daughter for a walk in her ride-on toy car  
Made her daily walk with her daughter extra fun

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Sleepover

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Stayed safe in a face mask

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Shared images on Instagram

► Kylie and Kendall Jenner explain their brand has 'NO RELATIONSHIP' with company accused of failing to pay garment workers in Bangladesh

Mike Tyson, 54, lives up to his 'Iron Mike' moniker as he puts his newly-chiseled physique on display during video shoot on the beach in LA

hoaxer or a liar is simply an effort to re-write history. The truth of Mr Wright's statements will be proven by documents and testimony when this case finally goes to trial.'

Depp and Heard met on the set of The Rum Diary back in 2011 and married four years later before their May 2016 fight proved the final nail in their chaotic relationship.

The estranged couple managed to agree to a \$7 million divorce settlement in August of that year however their feud reignited when Heard's op-ed was published in December 2018.

It didn't mention Depp by name but he nonetheless sued her the following March, saying it led to speculation that he was the abuser and caused him to lose the role of Captain Jack Sparrow.

Depp has always argued that he was the victim of an 'elaborate hoax' instigated by his ex-wife, who 'faked' her injuries with makeup and falsified accounts of abuse.

'Ms. Heard is not a victim of domestic abuse; she is the perpetrator,' his suit alleges.

'She hit, punched and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls and paint thinner cans, which severely injured me.'

Heard responded with a 300-page filing of her own, cataloging the years of alleged abuse she suffered at the hands of 'the monster' and recalling many of the allegations she made during their divorce

These included a blood-curdling account of how Depp cut off his own finger after a booze and ecstasy bender one month into their marriage, an accusation he denies.

**Share or comment on this article: Listen to 911 call made the night Johnny Depp and Amber Heard had blowout fight**

OP: What's her name?

CL: Her name is Amber. That's all I can tell you. I have to go

OP: Okay, well if that's all we have and we can't talk to her there's not much we can do, but we'll send somebody up

CL: What do you mean there's, send somebody up there please

OP: I'm going to send someone, send someone up ma'am, but, you know, if we get up there and she denies it or doesn't want to talk to us

CL: Okay, okay, okay

OP: Just so you know, Okay

CL: Right thank you

OP: So we're coming out to 840 Broadway and penthouse three, okay?

CL: 849

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Very cute

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Taking it easy

Check your privilege, Harry, before lecturing us from your McMansion, writes JAN MOIR  
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Performed one of its hit

## EXCLUSIVE: MeToo activist Amanda de Cadenet drops support for close friend Amber Heard and will no longer testify after listening to her 'verbally abusing' Johnny Depp in bombshell tapes, as she feels 'used and misled' by actress

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- Amanda de Cadenet dropped her support for Amber Heard after listening to her 'verbally abusing' Johnny Depp in audio tapes published by DailyMail.com
- Heard was expecting de Cadenet, a close friend and longtime women's rights activist, to testify against Depp in a series of looming defamation cases
- But British-born TV host de Cadenet changed her mind because she was 'appalled and shocked to hear how Amber was speaking to Johnny'
- In an audio tape, Heard admitted 'clocking' Depp in the jaw and pelting him with pots, pans and vases in recordings made prior to the couple's May 2016 split
- Heard also appeared to be Depp, predicting that nobody would believe his accounts of the violence and telling him: 'You are such a baby. Grow the f\*\*k up'
- De Cadenet is the second prominent MeToo figure to part company with Heard in the space of a week after high-profile Time's Up attorney Roberta Kaplan confirmed her firm is no longer representing her
- Heard's claims of abuse will come under the microscope next month when Depp takes the UK's Sun newspaper to court in London for calling him a 'wife-beater'
- The former couple will square up again next January in Virginia where Depp is suing his ex-wife for defamation for \$50m

By BEN ASHFORD FOR DAILYMAIL.COM

PUBLISHED: 22:28, 24 June 2020 | UPDATED: 14:55, 25 June 2020

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Prominent MeToo supporter Amanda de Cadenet has dropped her support for Amber Heard after listening to her 'verbally abusing' **Johnny Depp** in bombshell audio tapes published exclusively by DailyMail.com.

The 34-year-old actress was expecting de Cadenet, a close friend and longtime women's rights activist, to testify against Depp in a series of looming defamation cases.

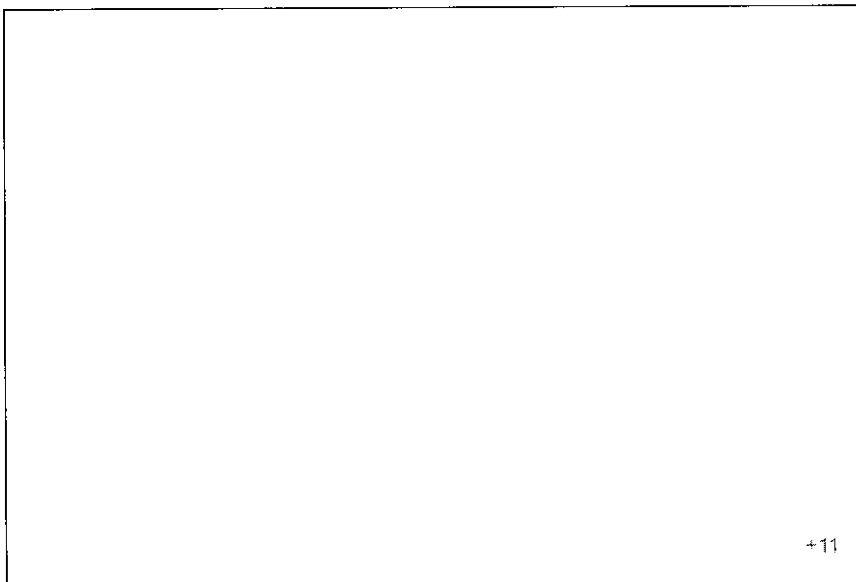
But the British-born TV host, 48, reveals in a new legal declaration that she changed her mind because she was 'appalled and shocked to hear how Amber was speaking to Johnny'.



Her dramatic about-turn came after DailyMail.com released a series of bombshell audio tapes in which the couple were overheard discussing their marriage problems and frequent fights.

The Aquaman beauty admitted 'clocking' her Oscar nominated husband in the jaw and pelting him with pots, pans and vases in various recordings made prior to the couple's May 2016 split.

She also appeared to be goading 57-year-old Depp, predicting that nobody would believe his accounts of the violence and telling him: 'You are such a baby. Grow the f\*\*k up Johnny.'



+11

Amanda de Cadenet dropped her support for Amber Heard after listening to her 'verbally abusing' Johnny Depp in audio tapes published by DailyMail.com. The 34-year-old actress was expecting de Cadenet, a close friend and longtime women's rights activist, to testify against Depp in a series of looming defamation cases.

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Her dramatic about-turn came after DailyMail.com released a series of bombshell audio tapes in which the couple were overheard discussing their marriage problems and frequent fights. The Aquaman beauty admitted 'clocking' her Oscar nominated husband in the jaw and pelting him with pots, pans and vases in various recordings made prior to the couple's May 2016 split

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Amber Heard says she can't promise 'I won't get physical again'



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Kelly Brook looks carefree in a pink floral shift dress and white denim jacket for work

▶ after insisting she has a better sex life now than she's older



De Cadenet is the second prominent MeToo figure to part company with Heard in the space of a week after high-profile Time's Up attorney Roberta Kaplan confirmed her firm is no longer representing her.

A source close to de Cadenet said she was a survivor herself and remained a steadfast advocate of women's rights.

'Amanda feels she was used and misled by Amber and hopes Amber receives the help she needs,' the source added.

'Amanda believes in the power of redemption and reconciliation and hopes both parties are able to achieve that.'

Heard's historical claims of domestic abuse will come under the microscope in defamation cases either side of the Atlantic, beginning next month when Depp takes the UK's Sun newspaper to court in London for calling him a 'wife-beater'.

The former lovebirds will square up again next January in Virginia where Depp is suing his ex-wife for \$50 million over an op-ed she wrote for the Washington Post about surviving domestic violence.

Heard turned to close pal de Cadenet for support after her marriage ended in a May 21, 2016 blowout fight, attending a party at her house the very next day where she was pictured smiling but with hair covering one side of her face.

The photographer and founder of non-binary digital jobs platform, Girlgaze, became a staunch ally, publicly indicating that she believed Heard's claims that she was abused and beaten by Depp.

'As a long time womxn's rights activist and survivor, it is my fundamental position to believe womxn who speak up about domestic or sexual assault,' de Cadenet states in her June 18 declaration, using an alternative spelling for women favored by some feminists and trans activists.

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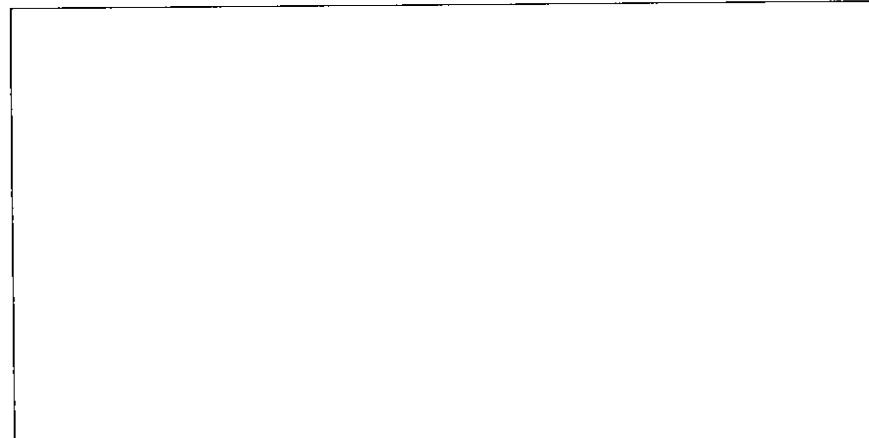
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A source close to de Cadenet said she was a survivor herself and remained a steadfast advocate of women's rights. 'Amanda feels she was used and misled by Amber and hopes Amber receives the help she needs,' the source added. 'Amanda believes in the power of redemption and reconciliation and hopes both parties are able to achieve that'



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Dance routines breathed life into hundreds of films

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**Heard turned to close pal de Cadenet for support after her marriage ended in a May 21, 2016 blowout fight, attending a party at her house the very next day where she was pictured smiling but with hair covering one side of her face (pictured)**

Amber Heard ridicules Johnny Depp for claiming he's the victim



Watch the full video



'Historically womxn's rights in this area have been chronically undermined and womxn have had their voices silenced.

'This is one of the reasons why, when Amber told me her version of the conflict between her and Johnny, it was my inclination to believe her and support her.'

However de Cadenet, who divorced Duran Duran bassist John Taylor in 1997 and is now married to Strokes guitarist Nick Valensi, goes to reveal her abrupt change of heart.

'I recently acknowledged that I will not testifying (sic) in Johnny Depp's upcoming defamation case against the Sun. I also acknowledged that new facts have come to my attention which has changed my perspective on this matter,' she writes in her declaration, obtained exclusively by DailyMail.com.

'When the first audio tape was released, and I heard Amber being verbally abusive to Johnny, I was horrified,' she writes in the statement, obtained exclusively by DailyMail.com.

'I texted Robbie Kaplan, Amber's attorney, and let her know I needed to speak with her urgently. When we spoke, I told her I was appalled and shocked to hear how Amber was speaking to Johnny and that it was not ok with me.

'When I confronted Amber concerning the recording, she informed me it was edited by Johnny's team. I had hoped Amber would take accountability for her behavior but she did not.

'I have not spoken with Amber since this exchange and have come to the very painful realization that someone who I advocated for and believed so wholeheartedly, was not entirely forthcoming with me.'

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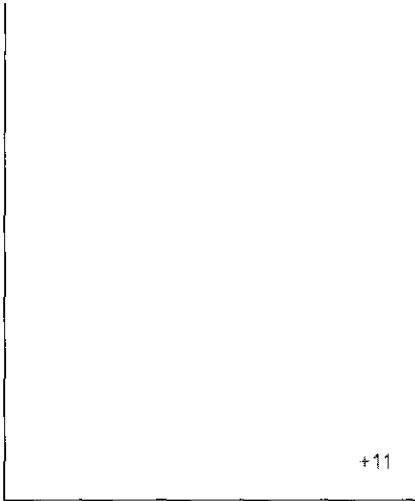
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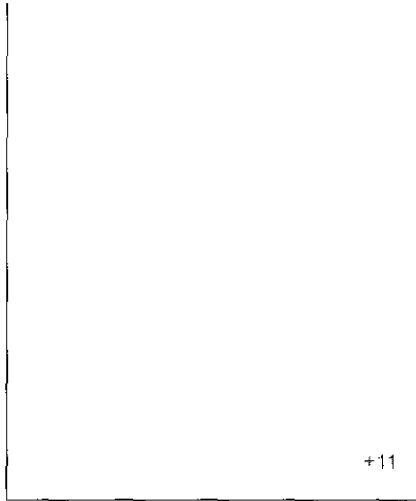
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Former Celebs Go Dating star

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Heard cataloged the 'horrific' abuse she claims to have suffered at Depp's hands, describing him as 'the monster' and recalling many of the allegations she made during their divorce. The filing included photos of bruises and scars (left and right)

... with Maura Higgins and co-star pals

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Carrying on

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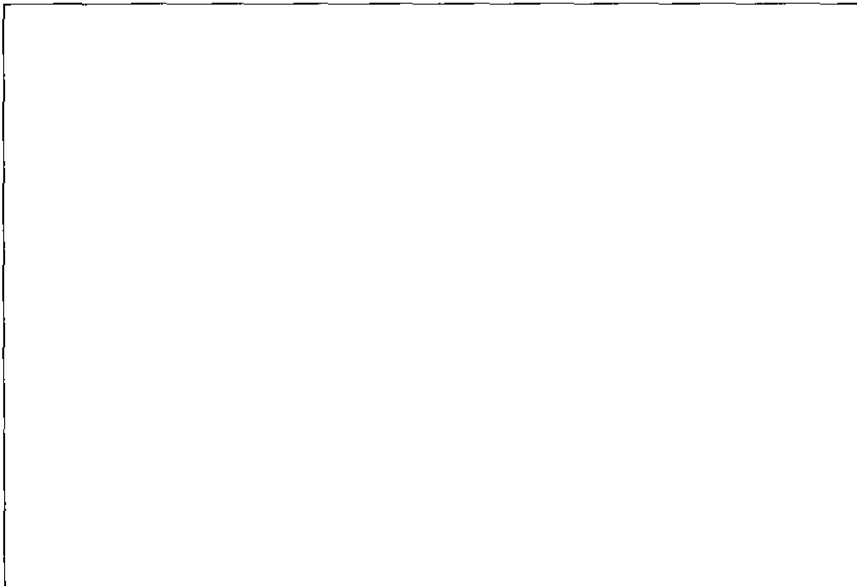
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Horrific incident



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► Love Island Australia's Erin Barnett tells judgmental Brits to 'stop attacking' her as she faces backlash from the other side of the world

► Kate Beckinsale, 46, packs on the PDA with young musician beau Goody Grace, 23, as they keep safe in mask during shopping run  
Inseparable

► Coleen Rooney appears in a chipper mood during shopping



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The estranged couple managed to agree to a \$7 million divorce settlement in August of that year, however their feud reignited when Heard's op-ed was published in December 2018. It didn't mention Depp by name but he nonetheless sued her the following March, saying it led to speculation that he was the abuser and caused him to lose the role of Captain Jack Sparrow

Amber Heard recalls altercation where she 'clocked' Depp in jaw



Watch the full video



LA-based de Cadenet adds: 'I want to emphasize that I have no further personal knowledge of what happened between Johnny and Amber, and no knowledge of the truth of her accusations against him.

'I have made this statement in support of due process and upholding the truth.'

Depp and Heard met on the set of The Rum Diary back in 2011 and married four years later before their May 2016 fight proved the final nail in their chaotic relationship.

The estranged couple managed to agree to a \$7 million divorce settlement in August of that year, however their feud reignited when Heard's op-ed was published in December 2018.

It didn't mention Depp by name but he nonetheless sued her the following March, saying it led to speculation that he was the abuser and caused him to lose the role of Captain Jack Sparrow

ap... after vowing to spend millions to win legal battle against Rebekah Vardy'

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Captain Jack Sparrow.

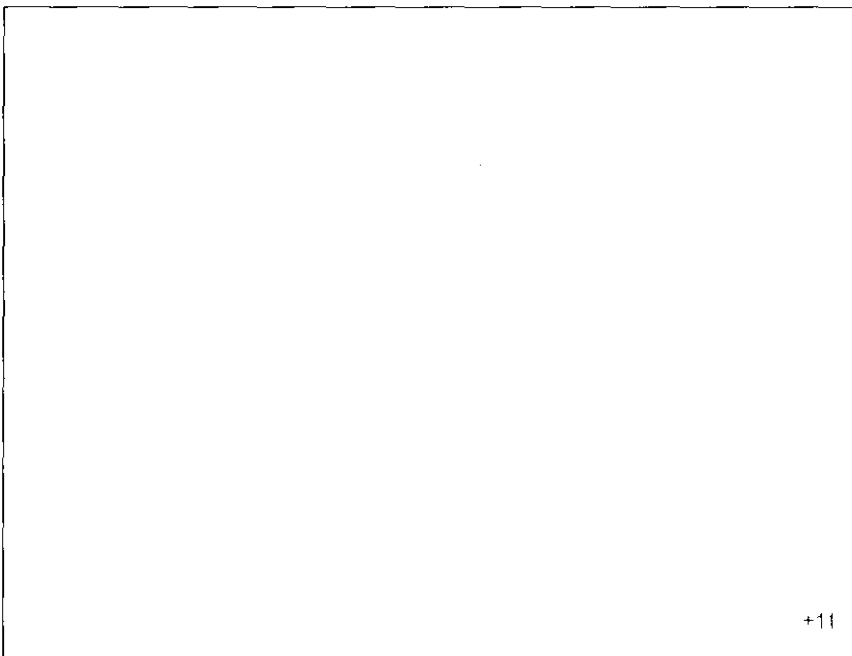
Depp has always argued he was the victim of an 'elaborate hoax' instigated by his ex-wife, who 'faked' her injuries with makeup and falsified accounts of abuse.

'Ms. Heard is not a victim of domestic abuse; she is the perpetrator,' his suit alleges.

'She hit, punched and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls and paint thinner cans, which severely injured me.'

Heard responded with a 300-page filing of her own, cataloging the years of alleged abuse she suffered at the hands of 'the monster' and recalling many of the allegations she made during their divorce.

These included a blood-curdling account of how Depp cut off his own finger after a booze and ecstasy bender one month into their marriage, an accusation he denies.



Heard responded with a 300-page filing of her own, cataloging the years of alleged abuse she suffered at the hands of 'the monster' and recalling many of the allegations she made during their divorce. These included a blood-curdling account of how Depp cut off his own finger after a booze and ecstasy bender one month into their marriage, an accusation he denies.

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The violent incident took place a month after the pair were married and while Depp was filming the fifth installment of the Pirates of Caribbean movie franchise in Australia. The Captain Jack Sparrow actor, 56, chuckles on camera as he reveals how he nicknamed the permanently-damaged digit 'Little Richard.' Pictured: Depp's finger after surgery

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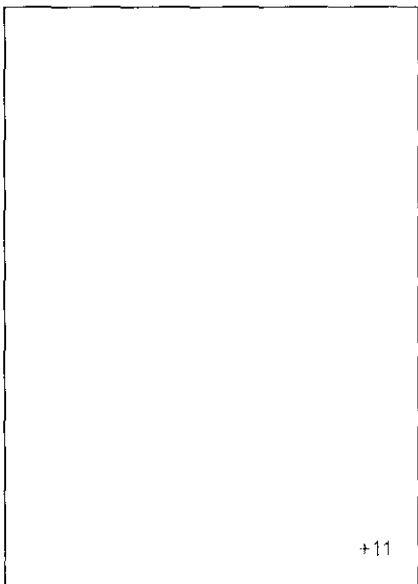
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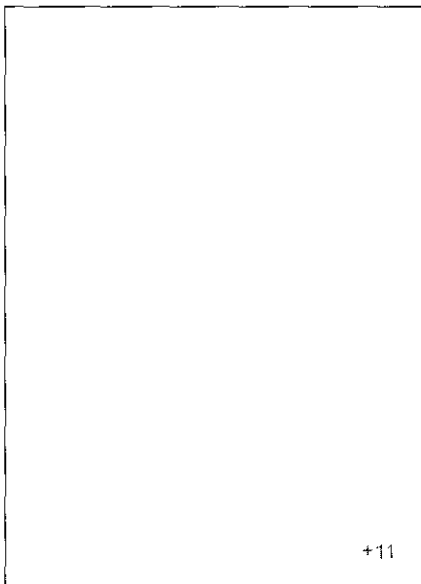
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As part of Depp's \$50m defamation case against Heard, he included images of his own bruised and battered face (pictured) following Heard's alleged attacks

DailyMail.com revealed in January that the couple had a habit of recording their arguments so they could listen back to them later as a form of DIY marriage guidance.

Depp's supporters say they amount to a series of bombshell confessions, with Heard admitting she hit the Pirates of Caribbean actor and telling him on tape: 'See how many people believe you.'

Kaplan, co-founder of the Time's Up Legal Defense Fund and Heard's attorney until two weeks ago, claimed the tapes had been 'doctored'.

She argued it was completely legitimate for victims of repeated physical and emotional abuse to defend themselves.

'We believe Amber and we believe in Amber,' Kaplan's firm insisted last week, despite announcing it was no longer representing her.

'In the strange and unexpected circumstances of today's world, as travel and logistics have become more costly in light of the pandemic, we understand the decision to move the case to local, Virginia-based trial counsel.'

Heard's rep declined to comment on the latest legal development.

**Depp's attorney Adam Waldman said: 'When Amanda de Cadenet, Amber Heard's best friend and #MeToo activist recants her support for Ms Heard and testifies**

**against her, you know we have reached the beginning of the end of Ms. Heard's abuse hoax against Johnny Depp.**

**'But Ms Heard did not execute her hoax without help from her other powerful friends and the media; we will expose their various roles at the trial Mr Depp and I have arrived in the UK to prepare for.'**

**Share or comment on this article: Prominent MeToo activist Amanda de Cadenet drops her support for Amber Heard**

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she shows struts around and shows off a bouquet of roses

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Victoria Beckham tries on outfits for her 21st wedding anniversary celebration with David... and settles for bridal-hued chic in a cream suit

Vampire Diaries star Claire Holt reveals she suffered from postpartum anxiety during first pregnancy - as she prepares to welcome second child

Brian Austin Green shows off his brawny arms as he fetches coffee... after bizarre video with Courtney Stodden fuels romance rumors

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Ghislaine Maxwell could be locked up in

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**From:** Robin Baum  
**Sent:** Friday, April 19, 2019 12:48 PM PDT  
**To:** yohana\_desta@condenast.com  
**Subject:** Johnny Depp Accused of Trying to Get Amber Heard Fired from Aquaman

Please update your story with the below quote from Johnny Depp's lawyer Adam Waldman. Thank you.

“Jake Bloom and Bloom Hergott, being sued for over \$60 million for gross breaches of their fiduciary duties including improperly swiping Johnny Depp’s back end film rights, desperately tried yesterday to join hands with others being sued for abusing Mr. Depp. with media clickbait allegations of “blacklisting” efforts. Grotesquely, it is the opposite of their assertion that is objectively true: according to the New York Post, “senior executives at Warner Bros.,” who are the company’s #Metoo leadership and personally close with Amber Heard, claimed a week ago Warner Bros. will throw Johnny Depp off the Fantastic Beasts franchise in which he stars because of Ms. Heard’s unambiguously disproven abuse hoax. One week later, Warner Bros has notably failed to make any statement correcting this news report. Ms. Heard continues to enjoy the public support of powerful institutions like L’Oréal, ACLU, the UN and the media despite the unambiguous evidence of her hoax and her documented history of violence. Will Warner Bros stand with real abuse victims or with hoaxsters who are chummy with their executives?”

<https://www.vanityfair.com/hollywood/2019/04/johnny-depp-legal-battle-amber-heard-aquaman>

Sent from my iPhone



**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff and Counterclaim Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim Plaintiff.

Civil Action No.: CL-2019-0002911

**COUNTERCLAIM PLAINTIFF AND DEFENDANT'S  
THIRD SUPPLEMENTAL AND REBUTTAL DISCLOSURE OF EXPERT WITNESSES**

Counterclaim Plaintiff and Defendant Amber Heard (“Ms. Heard”) hereby identifies the following individuals who are expected to be called as expert witnesses at trial:<sup>1</sup>

**Dawn M. Hughes, Ph.D., ABPP  
Clinical and Forensic Psychologist  
274 Madison Avenue, Suite 604  
New York, New York 10016  
(212) 481-7044 Telephone  
(212) 481-7045 Facsimile  
[hughes@drdawnhughes.com](mailto:hughes@drdawnhughes.com)**

**Introduction**

Dr. Dawn Hughes was retained by counsel for Amber Heard, in connection with *John C. Depp II v Amber Heard* (Civil Action No. CL-2019-0002911) which is pending in the Circuit Court of Fairfax County, Virginia. Ms. Heard is being sued for defamation by her ex-husband, John C. Depp II (known as “Johnny Depp”), in relation to her authoring an op-ed in the *Washington Post* on being a survivor of domestic violence. Although the op-ed never mentioned Mr. Depp by name, Mr. Depp stated in the complaint in this matter that he “never abused Ms.

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<sup>1</sup> This Expert Designation addresses expert testimony and opinions relating to Ms. Heard’s Counterclaim and Ms. Heard’s defenses.

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Heard.” Ms. Heard then filed a counterclaim against Mr. Depp for defamation. Dr. Hughes was asked to conduct a forensic psychological evaluation of Ms. Heard to assess for the dynamics and consequences of intimate partner violence that may have been present in her relationship with her now ex-husband, Mr. Depp, and to assess for any psychological consequences stemming from the defamatory statements to the media made by Mr. Depp through his attorney and agent, Adam Waldman.<sup>2</sup>

### **Expertise and Qualifications**

Dr. Dawn Hughes is a clinical and forensic psychologist and an expert in interpersonal violence, abuse, and traumatic stress, which includes intimate partner violence, rape and sexual assault, physical assault, childhood maltreatment and abuse, and sexual harassment. For the past 25 years, Dr. Hughes has conducted hundreds of assessments and psychological treatments of

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<sup>2</sup> Specifically, Dr. Hughes will testify as to the psychological consequences on Amber Heard as a result of the following statements (“defamatory statements”) included in the Counterclaim, at Paragraphs 45-47, and at Exhibits F, G and H to the Counterclaim:

45. Depp, through Waldman, continued to claim that Ms. Heard was committing perjury to the Daily Mail, when he stated on April 8, 2020 that “Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and shield, depending on their needs. They have selected some of her sexual violence hoax ‘facts’ as the sword, inflicting them on the public and Mr. Depp.”

46. Then on April 27, 2020, Depp, through Waldman, again told the Daily Mail that “Quite simply this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn’t do the trick. The officers came to the penthouses, thoroughly searched and interviewed, and left after seeing no damage to face or property. So Amber and her friends spilled a little wine and roughed the place up, got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911.”

47. On June, 24, 2020, Depp, through Waldman, falsely accused Ms. Heard in the Daily Mail of committing an “abuse hoax” against Depp.

both male and female victims of intimate partner violence, rape and sexual-assault, childhood sexual abuse, and sexual harassment in the workplace. She has significant training and experience regarding the dynamics and consequences of abuse, intimate partner violence, victimization, sexual harassment, and traumatic stress. Dr. Hughes has made numerous professional presentations, invited addresses, and conducted formal trainings (including judicial trainings) in the areas of interpersonal and intimate partner violence, abuse, and trauma. She is frequently contacted by judges and court administrations to conduct continuing legal education seminars on trauma and was selected by the Appellate Division of the State of New York to conduct their mandatory attorney trainings on intimate partner violence, traumatic stress, and how the psychological impact of exposure to violence and abuse may influence the victim's participation in the legal system. In addition, she routinely attends professional conferences and trainings, obtain continuing-education credits, read journal articles, and consult with peers as part of her general practice as a clinical and forensic psychologist to remain current with developments in her field of practice.

Dr. Hughes is a Clinical Assistant Professor of Psychology in the Department of Psychiatry of New York Presbyterian Hospital-Weill Cornell Medical Center serving on the voluntary faculty for approximately 20 years. In this capacity, she contributes to the psychology training program, teaches an ethics seminar to interns, engages in other intern didactics, and was instrumental and active in the NYP-COPE program which provided much needed psychological first aid and resources to hospital staff who struggled with emotional, psychological, and traumatic effects from being on the front lines in battling the Covid-19 pandemic in NYC.

Dr. Hughes is actively engaged in professional activities in several organizations, such as the American Psychological Association (Trauma Psychology Division and American

Psychology-Law Society), International Society of Traumatic Stress Studies, the Women's Mental Health Consortium, among others. She was a founding member and is President-elect of the Trauma Psychology Division of the American Psychological Association and has served on the Executive Committee for a good portion of the past decade. She recently completed her three-year term as an elected member to the Council of Representatives of the American Psychological Association representing the Trauma Division. Dr. Hughes was a founding member and past-President of the Women's Mental Health Consortium, a NYC-based multidisciplinary organization providing services and resources regarding women's mental health.

Dr. Hughes is Board Certified in Forensic Psychology representing one of approximately 350 psychologists in North America who are board certified in forensic psychology by the American Board of Forensic Psychology, a specialty board of the American Board of Professional Psychology (ABPP). This credential is intended to signify the highest levels of expertise and practice in forensic psychology. Dr. Hughes has been qualified as an expert witness by courts in the States of New York, New Jersey, Connecticut, and Pennsylvania, and in the United States District Courts for the Southern, Eastern, and Northern Districts of New York. She is licensed to practice in the States of New York, Connecticut, and North Carolina. Her curriculum vitae can be found in **Att. 1**.

### **Summary of Opinions**

Dr. Hughes' opinions are based on more than 25 years of clinical and forensic experience assessing and treating victims of intimate partner violence and the empirical and social-science data pertinent to this subject matter. Further, these opinions are based on her forensic psychological evaluation of Amber Heard, a review of copious documents and materials that

have been made available to her in this case, and collateral interviews. The documents that she reviewed and relied on are listed in **Att. 2**. This designation represents a summary of Dr. Hughes' professional analysis and opinions and does not purport to represent all the information and data that was derived from the comprehensive forensic evaluation process. Dr. Hughes' opinions are offered to a reasonable degree of psychological probability and/or certainty.

A brief summary of Dr. Hughes' professional opinions (which are discussed in greater detail below) are as follows:

1. Amber Heard's report of violence and abuse in her relationship with Mr. Depp is consistent with what is known as intimate partner violence, a pattern of manipulation, fear, and control in a relational context that is maintained through the use of multiple abusive behaviors such as physical violence, psychological aggression, coercive control, emotional abuse, and sexual violence.
2. The intimate partner violence inflicted upon Ms. Heard by Mr. Depp is categorized as severe because it consists of strangulation, punching, beating up, sexual violence, threats to kill, an increase in frequency and severity of abuse, and serious injuries such as black eye, facial bruising, nose injury, concussion, and loss of consciousness.
3. Amber Heard has identifiable psychological symptomatology and distress as a result of the defamatory statements (as set forth in ¶¶ 45-47 of the Counterclaim) made to the press and media about her. Each statement has its own properties that elevate psychological distress and emotional dysregulation; however, importantly, the defamatory statements exacerbate Ms. Heard's Posttraumatic Stress Disorder (PTSD) by triggering painful and intrusive reminders of Mr. Depp's past physical, emotional, psychological, and sexual abuse toward her thereby greatly intensifying the psychological impact of each statement. Mr. Depp's defamatory statements are a continuation of the psychological abuse that was prominent in the relationship, such as denial, blame, avoidance of responsibility, and gaslighting.
4. Ms. Heard was assessed to be a reliable historian. Psychological testing revealed that she approached the evaluation in a forthright matter with no evidence of malingering or feigning psychological distress. Additionally, Ms. Heard did not appear to distort or exaggerate the information she provided, nor did she try to portray Mr. Depp as worse than was likely accurate and continued to profess empathy for him and his own psychological struggles. Ms. Heard demonstrated the ability to offer both positive and negative aspects of herself, her behavior, her partner, her relationship, and her life.
5. With respect to intimate partner violence, it is commonly understood that such acts often occur in private with few witnesses and with little external corroboration, however, that

does not appear to be the case in this matter. Dr. Hughes' analysis revealed significant corroborating evidence that is consistent with Ms. Heard's report of intimate partner violence including text messages, photographs, video tape, audio files, medical documentation, therapy records, collateral interviews, and witnesses to the aftermath of the violence.

6. Dr. Hughes will provide expert testimony that is relevant, scientifically based information regarding the common experiences, perceptions, psychological consequences, and actions of individuals exposed to intimate partner violence as well as their participation, or lack thereof, in procedures and sanctions against their partner. In addition, Dr. Hughes' expert testimony will seek to dispel myths and misconceptions about intimate partner violence that are commonly held by lay persons about what the persons in such a relationship "should" do or "shouldn't" do, and why these are not correct assumptions.

In support of these opinions, Dr. Hughes is expected to testify to the following:

### **Methodology**

A standard forensic psychological evaluation of a particular individual contains several parts: psychological testing, comprehensive semi-structured clinical interview, review of materials relevant to the case (legal, medical, psychological), consultations, and interviews with collateral sources (if relevant and if available). Amber Heard was psychologically evaluated on six separate occasions –September 26, 2019; October 11, 2019; November 8, 2019; November 11, 2019; January 18, 2021, and December 27, 2021 – for a total of approximately 30 hours. Ms. Heard was administered several psychological tests which are detailed below. Ms. Heard was also queried as to her functioning with regard to work, motherhood, relationships, and any continued psychological impacts of the defamatory statements. Documents and materials relevant to her case were reviewed and are listed in **Att. 2**. Additionally, collateral interviews were conducted with both her therapists that she was in treatment with during her relationship

with Mr. Depp, including Dr. Bonnie Jacobs and Dr. Connell Cowan. A collateral interview was also conducted with her mother, Paige Heard, who is now deceased.<sup>3</sup>

### **Summary of Psychological Testing**

Dr. Hughes administered multiple psychological assessment measures to Ms. Heard:

1. Personality Assessment Inventory (PAI)
2. Trauma Symptom Inventory – 2 (TSI-2)
3. Miller Assessment of Symptoms Test (M-FAST)
4. Life Events Checklist (LEC)
5. Posttraumatic Stress Disorder Checklist for DSM-5 (PCL-5)
6. Beck Depression Inventory – II (BDI-II)
7. Beck Anxiety Inventory (BAI)
8. Mood Disorder Questionnaire (MDQ)
9. Abusive Behaviors Observations Checklist (ABOC)
10. Conflict Tactics Scale-2 (CTS-2)
11. Danger Assessment Scale (DA)
12. Clinician-Administered Posttraumatic Stress Disorder Scale for DSM-5 (CAPS-5) – Past Month Version

Some of these psychological tests have validity indices that were designed to assess the individual's response style, consistency, carelessness, confusion, defensiveness, reading difficulties, exaggeration, malingering, and other factors that could potentially distort the results of the test. In a forensic context where a motivation may exist to falsely report or distort psychological symptomatology, the issue of malingering and exaggerating psychological distress and/or mental illness was carefully considered. Importantly, the stated objective of Dr. Hughes' initial forensic psychological assessment was not solely to determine whether Ms. Heard was suffering from any psychological effects or PTSD from the IPV by Mr. Depp. Results from psychological testing, when examined within the context of clinical examination, history, and

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<sup>3</sup> Dr. Hughes is expected to testify as to her collateral interviews with Dr. Jacobs, Dr. Cowan, and Paige Heard which helped form her opinions in this case. Dr. Jacobs, Dr. Cowan, and Paige Heard corroborated that Ms. Heard made contemporaneous reports of physical, psychological, and emotional abuse by Mr. Depp.

corroborative data, suggest that Ms. Heard is not malingering or feigning psychological difficulties.

The overall impression of the objective psychological testing suggests several clinically significant difficulties for Ms. Heard that likely cause notable impairments in functioning. Her profile is remarkable for significant anxiety, traumatic stress, fears, affective lability, depressive experiencing, intrusive experiences, defensive avoidance, and difficulties in relationships. She endorsed a symptom picture that is consistent with traumatic stress, particularly interpersonally related trauma.

Ms. Heard was administered the *Posttraumatic Stress Disorder Scale for DSM-5 (PCL-5)*. Intimate partner violence is recognized as a traumatic stressor capable of resulting in posttraumatic stress symptomatology and related difficulties. Ms. Heard's responses on the *PCL-5* support a DSM-5 diagnosis of Posttraumatic Stress Disorder with an etiology of the intimate partner violence she experienced by her former partner, Mr. Depp. Ms. Heard endorsed symptoms in all four clusters of PTSD: intrusive reminders of the trauma, avoidance of reminders of the trauma, negative alterations in cognition and mood, and alterations in arousal and reactivity.

In addition, on December 27, 2021, Ms. Heard was administered the *Clinician-Administered Posttraumatic Stress Disorder Scale for DSM-5 (CAPS-5) – Past Month Version*. The *CAPS-5* is a structured clinical diagnostic tool that was developed at the National Center for PTSD to achieve a valid and reliable diagnosis of PTSD. Results of the *CAPS-5* continue to support a DSM-5 diagnosis of Posttraumatic Stress Disorder utilizing the index trauma of the intimate partner violence by Mr. Depp. Ms. Heard's responses on the *CAPS-5* indicate that she is experiencing symptoms in all four clusters of PTSD.



Multiple alternative hypotheses were considered during previous and this current assessment vis a vis their relationship to these PTSD symptoms and diagnosis. Ms. Heard has experienced other traumatic life events that qualify as a Criterion A traumatic stressor, notably childhood physical and emotional abuse by her father, and witnessing intimate partner violence and abuse by her father toward her mother. Empirical data has demonstrated a strong association between exposure to childhood violence and later adult victimization, such as IPV. Although such a link is not simple or direct, robust research indicates that childhood experiences with violence make an individual vulnerable to new experiences of violence, and abuse and exposure to a subsequent trauma can exacerbate traumatic effects of a new trauma. During previous assessments of Ms. Heard as well as this most recent one, it was determined that these other traumas are not manifesting themselves in current symptomatology and are not currently a source of psychological concern for her. The traumatic event that causes Ms. Heard significant psychological distress and traumatic stress symptoms continues to be the violence and abuse by her former husband, Mr. Depp.

For an assessment of intimate partner violence (IPV) related behaviors, Ms. Heard was administered the *Abusive Behavior Observation Checklist (ABOC)* and the *Conflict Tactic Scale-2*, both of which measure common characteristics of intimate partner abuse. Results revealed the presence of severe IPV including physical abuse, physical injury, sexual violence and abuse, coercion and threats, intimidation, isolation, and minimization and denial of the abuse. She was also administered the *Danger Assessment Scale*, a 20-item measure that assesses for risk factors that have been associated with homicides in violent relationships. The *Danger Assessment Scale* revealed that Ms. Heard was in a very serious situation with Mr. Depp and at risk for serious, repetitive, and deadly intimate partner violence.

### **Analysis of Intimate Partner Violence**

This evaluation and review of the evidence revealed that Ms. Heard's report of her relationship with Mr. Depp is consistent with a pattern of chronic and severe intimate partner abuse, including physical violence, psychological abuse, sexual violence, and controlling behaviors.

The Center for Disease Control (CDC) has determined that intimate partner violence (IPV) remains a serious public health problem that affects millions of Americans. Intimate partner violence is described by the CDC as physical violence, sexual violence, stalking, and psychological aggression (including coercive acts) that are utilized by a current or former intimate partner. Intimate partner abuse is often part of a larger coercive relational dynamic that is characterized by a pattern of manipulation, fear, and coercive control that is maintained through the use of multiple abusive behaviors, such as (1) physical abuse; (2) psychological abuse (i.e., a pattern of behavior that functions to instill fear, intimidate, threaten future harm, and maintain power and control over another individual); (3) emotional abuse (i.e., behaviors that serve to denigrate a person's self-worth through offensive put-downs, slurs, name-calling, insults, constant criticism, humiliation and subjugation); (4) economic abuse (i.e., withholding or making all financial decisions); and (5) sexual abuse (i.e., when one is forced, either by threats, coercion, or physical force, to submit to sexual activity against their will).

The alternating cycle of violence and abuse in the relationship is often interspersed with neutral and/or positive moments and times without violence. These good times keep the victim psychologically attached to their partner and instill false hope for positive change. However, the overarching dynamic of these relationships is the perpetrator's unchecked power, manipulation, and control over the battered victim, and his relentless use of violence and abuse, which

deteriorates the psychological functioning of the victim, diminishing her coping resources and strategies, and ultimately rendering it difficult for her to extricate herself from the abusive relationship.

### ***Physical Violence***

Ms. Heard described a significant amount of physical abuse perpetrated by Mr. Depp throughout the course of their relationship. It is severe based on types of abuse, the duration of the abuse, and the frequency of the violent acts. Specific physically abusive behaviors that were reported in this case include: grabbed, pushed, and shoved her; physically restrained her; pulled her by the hair; strangled her; punched her on her face, head, body; slapped her with the front and back of his hand which was adorned with heavy metal rings; kicked her; headbutted her; slammed her against the wall and floor; dragged her across the floor; threw her into a glass table; threw objects at her; flicked a cigarette at her; pulled her by the hair; and beat her up.

### ***Physical Injury***

Ms. Heard reported sustaining significant pain and numerous injuries as a result of Mr. Depp's physical and sexual assaults. She often did not seek medical evaluation or treatment for assault-related injuries as is common for abuse victims. Notwithstanding, there were several times when she did seek medical treatment from Dr. Kipper's practice and his nurses. In addition, photos were taken of her injuries on multiple occasions by herself and her friends.

Specific injuries that were reported in this case include: excruciating pain; bruises on her face and body; black eyes; busted lip; loss of consciousness; vaginal pain; cuts; concussion; nose injury and pain; lost hair; and cuts on her feet and arms from broken glass.

### ***Psychological Aggression and Abuse***

Ms. Heard reported that Mr. Depp engaged in repeated psychological aggression and abuse which is a pattern of behavior that functions to instill fear, to intimidate, to denigrate a partner's self-worth, to threaten future violence, and to maintain power and control over an intimate partner. Mr. Depp repeatedly demonstrated not only his ability, but his willingness, to use multiple and serious forms of physical assaults and sexual violence against Ms. Heard which decreased her psychological functioning and increased her fear and helplessness.

Mr. Depp's abuse of Ms. Heard was punctuated and exacerbated by his chronic addiction to drugs and alcohol. Whereas alcohol and substance abuse can be present in relationships characterized by intimate partner violence, it does not cause the violence and abuse. What it does do is increase the risk to the victim because one's level of internal controls are markedly reduced when one is intoxicated. This substance-fueled rage also pulled for Ms. Heard to adopt a caretaking role with Mr. Depp and offer herself and others repeated excuses for his behavior thereby obfuscating the abuse and the harm caused to her.

Psychologically abusive behaviors that were reported in this case include but are not limited to: intimidation by throwing things, slamming things, and erratic behavior; antagonistic behaviors about her career; criticized her ambition; constant unreliability then blamed her for not waiting for him or for addressing it; obsessive jealousy about male co-stars; offensive and degrading comments (whore, cunt, bitch, easy, ugly, fat ass); constant accusations of flirting and infidelity; controlling her clothing choices ("no woman of mine if going to dress like a whore"); surveillance and tracking efforts (calling directors and male co-stars to check on her; showing up on set; insisting on using his security detail; having to "prove" things to him; searching her

phone); threats to kill her; criticized her body; and emotional manipulation (threats of suicide; threats and actual engagement of self-harm), among others.

Mr. Depp's psychological instability, as evidenced by his chronic substance abuse, erratic violent outbursts, deranged writing on walls, tables, mirrors, etc., repeated property damage, frequent throwing of objects, acts of violence toward himself and self-harm, and withdrawal from the relationships for long periods of time where he was unreachable, among others, are not only highly dysfunctional, but forms of psychological abuse, intimidation, and emotional manipulation. These acts continued to keep Ms. Heard psychologically unstable, hypervigilant, anxious, emotionally dependent, and often left her walking on eggshells as to what Mr. Depp was going to do next. The illusion of safety and calm was always short lived. Mr. Depp's instability required Ms. Heard to continue to deal with days of chaos and trauma, always trying to calm Mr. Depp first, and then seek safety for herself second. The unpredictability, volatility, and severity of Mr. Depp's behavior increased Ms. Heard's fear of him and his ability to maintain power and control in the relationship. This dynamic created formidable psychological obstacles for Ms. Heard to identify the abuse and extricate herself from the relationship.

### ***Sexual Violence***

This evaluation revealed significant sexual violence perpetrated by Mr. Depp toward Ms. Heard. Sexual violence is forcing or attempting to force a partner to take part in a sex act, sexual touching, or a non-physical sexual event (e.g., sexting) when the partner does not want to or cannot consent. Intimate partner sexual abuse is any form of sexual violence that takes place within a current or former intimate relationship and it often co-occurs with other forms of abuse.

Ms. Heard reported that there were multiple instances when Mr. Depp forcibly and aggressively grabbed Ms. Heard's head coercing her to engage in fellatio, and times when he

forcibly performed cunnilingus on her. Whereas she did not say no, Ms. Heard was desperate to make him feel loved, be less mad at her, and make him feel that they were “okay.” Thus, she tolerated these aggressive violations, always hoping that such acts would turn “romantic,” yet they rarely did. She often made excuses for Mr. Depp in order to psychologically shield herself from the reality and psychic pain of these violations.

Mr. Depp also engaged in serious sexual violence during instances of rage and violence in which he forcibly penetrated Ms. Heard’s vagina with the neck of a liquor bottle during one of the most violent episodes in their relationship. Other times, he forcibly and violently thrust his fingers up her vagina, moved her body by holding onto her vagina, and yelled obscenities at her. None of these acts were to initiate sex and none of them consensual. Quite the contrary, they were acts of sexual violence reflecting an abuse of Mr. Depp’s power and control over her, and specifically perpetrated to humiliate and subjugate Ms. Heard. These repeated sexual violations were often accompanied by vulgar and degrading verbal assaults toward her. These sexual violations were psychologically devastating to Ms. Heard and physically painful. The research has suggested that women who are exposed to both physical and sexual violence in an intimate relationship are at risk for more severe psychological and traumatic symptomatology.

### ***Danger Assessment***

The *Danger Assessment Scale* is an empirically validated measure specifically designed to assess for risk factors that have been associated with severe and lethal intimate partner violence. In examining the factors present in this case, there is statistical support to suggest that the intimate partner violence perpetrated by Mr. Depp toward Ms. Heard was serious, severe, and dangerous. When someone scores in that range and is still in the relationship, assertive safety planning and risk reduction strategies are recommended.

Specific lethality risk factors that were identified over the course of the relationship

include:

- an increase in violence and abuse
- threats to kill
- forced sexual violence
- strangulation
- use of illegal drugs and problematic drinking
- controlling behaviors
- persistent jealousy
- destruction of property
- surveillance behaviors
- threats to commit suicide.

There were two very serious abusive incidents worth noting in which Ms. Heard thought Mr. Depp could kill her. The first time was in Australia in March 2015 when Mr. Depp engaged in an all-out assault upon her whereby he hit her, slapped her, threw her around, pinned her on her back on a counter, squeezed her neck strangling her, ripped off her nightgown, and raped her with a Jack Daniels bottle while screaming over and over again, “You ruined my life. I hate you. I’m going to fucking kill you.” As noted above, strangulation, sexual violence, destruction of property, substance abuse, and threats to kill are significant risk factors for severe and lethal intimate partner violence.

Then, in December 2015 in Los Angeles, Mr. Depp perpetrated another severe assault against Ms. Heard wherein he repeatedly punched and slapped her with his ring-adorned hands, dragged her by the hair across the apartment, headbutted her, and strangled her while yelling “I fucking hate you. I hate you. I’m going to fucking kill you.” Making a threat to kill increases the likelihood of an act of serious harm and when combined with a perpetrator’s use of violence, psychological instability, and substance abuse represents a very high-risk and dangerous situation.

### *Coping Responses to Violence and Abuse*

The research has demonstrated that women who are involved in abusive relationships employ a variety of formal, informal, and personal strategies to cope with the abuse, avoid the abuse, protect themselves from the abuse, and escape from the abuse. They do many things - it just does not stop their partner's abuse and victimization. Some strategies represent formal help-seeking behaviors such as calling the police, obtaining protection orders, seeking medical assistance, going to a shelter, obtaining counseling, and terminating the relationship. Commonly, women in abusive relationships attempt to stop and deal with the abuse from within the relationship. Examples of these informal strategies include talking with their partner to try to get him to change, complying with his demands, acquiescing, talking to family members and friends, passive and active forms of self-defense, and physically fighting back. Importantly, the research also demonstrates that it ultimately remains the perpetrator's choice to cease his use of violence and abuse regardless of the strategies employed by the victim.

A woman's difficulty in extricating herself from an abusive relationship does not in any way indicate that she is unconcerned about the abuse or wants it to occur. Rather, the victim *is* absolutely concerned about the abuse but engages in psychological avoidance, minimization, denial, and suppression efforts herself in order to maintain the relational status quo, because she is emotionally attached, and in order to stay safe. An abused woman's decisional analysis to stay or leave is mediated by multiple and complex factors such as personal resources, tangible resources, ongoing abuse, psychological functioning, emotional attachment, love and hope for change, vulnerability factors, and threats of retaliation.

This evaluation revealed that Ms. Heard utilized many formal and informal strategies to cope with the violence and abuse inflicted upon her by Mr. Depp. Informal strategies included



efforts to work with and negotiate with Mr. Depp on ways to stop the violence and abuse. She attempted to please Mr. Depp, appease him, avoid angering him, and comply with his eccentric ways to prevent further abuse and degradation. She hid her scripts and refrained from practicing lines to obviate an altercation. She altered her choice of clothing to satisfy him and prevent being told she dressed like a whore. She avoided going to cast parties, rap parties, and talking with her male co-workers because this made Mr. Depp irrationally jealous, often resulting in verbal and physical fights. She repeatedly tried to talk with Mr. Depp to persuade him to stop his abusive behaviors, stop his significant drug addiction and excessive alcohol abuse, and engage with her in positive ways. She pleaded with him and constantly encouraged him to get treatment for his own abusive childhood which she saw as a contributing factor to his self-loathing, self-destructive tendencies, and his polysubstance abuse. She repeatedly requested that Mr. Depp engage with her in couples therapy which they did on a few occasions of limited duration and minimal success. She repeatedly encouraged and assisted him in obtaining professional treatment and support for his substance abuse.

Other informal and personal coping strategies involve obtaining support from others. Ms. Heard disclosed the abuse to her mother, her sister, and multiple friends, all in an attempt to receive emotional support in the aftermath of an explosive incident. At times, in her conversations with others, Ms. Heard also engaged in minimization, suppression, and denial of the true extent of Mr. Depp's violent and abusive behavior and this is because Ms. Heard knew that others would tell her to leave Mr. Depp. She did not want to be criticized for staying and did not want Mr. Depp to be negatively judged as she still loved him and was committed to working on the relationship despite the abuse, thus she maintained the secret. In addition, Mr. Depp actively sabotaged Ms. Heard's efforts at self-care and external support, vilifying and sometimes

excommunicating those individuals with whom she relied on. Engaging in deliberate behavior that isolates victims from social support is a common tactic of abusers.

Another informal coping strategy utilized by Ms. Heard in response to the violence and abuse by Mr. Depp was her own use of passive and active forms of physical and defensive actions during an abusive incident. This is not uncommon. A high percentage of women in abusive relationships use some form of responsive violence against their partner. Importantly, Ms. Heard's use of defensive physical actions did not prove to be an effective strategy as it did not stop the assault, but rather increased Mr. Depp's anger and violence toward her. It is important to recognize that there is a distinction between relationship "fights" and "assaults." Partner assaults differ from fights because of the motive, dynamics, and consequences. Assaults function to hurt, denigrate, punish, subjugate, exploit, dominate, and control an intimate partner and, importantly, they are not attempts to resolve conflict. Partner assaults are repeated over time, tend to escalate, and have marked asymmetry in the amount of injury sustained. Intimate partner violence has long been understood as comprising more than just hitting, but rather a wide array of abusive tactics, such as psychological degradation, coercion, abuse of power and control, threats, manipulation, the instillation of fear, sexual violence, and surveillance controls. Importantly, when taking Ms. Heard's reactive violence into account, this evaluation revealed that there was a significantly differential impact of the violence and abuse utilized by Mr. Depp. There was a serious imbalance of power and control, a disparity of size and strength, differential perpetration of severe violence, differential threat and risk of serious injury, sexual violence, differential impact of actual physical injury and psychological harm, and an imbalance of fear and danger.

Ms. Heard also engaged in formal strategies to cope with the intimate partner violence including engaging in psychological treatment with multiple providers and engaging with Mr. Depp's providers. She actively spoke with Mr. Depp's medical team, conceptualizing his drug and alcohol addiction as a core dysfunctional aspect of their relationship and a functional cause of the abuse. She attended Al-Anon meetings and actively participated in efforts to help Mr. Depp achieve sobriety. She read countless books about substance abuse, and dysfunctional and abusive relationships. Ms. Heard's efforts to help Mr. Depp get safe and sober were repeated over and over again throughout the course of the relationship thereby funneling her psychological resources to caring for him and away from her own needs and the full realization of the severity of the abuse inflicted upon her.

Another formal strategy was Ms. Heard's own psychological treatment. Ms. Heard engaged in psychotherapy with multiple treatment providers, including Dr. Connell Cowan and Dr. Bonnie Jacobs, over the course of the relationships to try and figure out what *she* could do to stop Mr. Depp's abuse upon her. This is a common misattribution error in cases of intimate partner violence where the abused victim eventually comes to believe her partner's claims that she is the cause of his aberrant behavior. She constantly felt responsible for his abuse, apologized often, and contemplated what she could do "better" to not have him hurt her. Notwithstanding, Ms. Heard spoke to Mr. Depp on countless occasions that she could no longer sustain any further abuse. Sometimes he indicated he understood and promised to do better, and yet other times he denied the abusive incidents even occurred, denied hurting her, minimized the extent of the abuse, and blamed her for his use of violence. Despite desperately wanting him to change, Mr. Depp's alcohol and drug addiction remained chronic and his controlling and violent tendencies persisted. Mr. Depp did not change. In fact, the abuse toward Ms. Heard worsened over time,

increasing in frequency and severity. In the end, she obtained a temporarily restraining order against him.

Importantly, Ms. Heard was embroiled in the profound paradox that is the hallmark of intimate partner violence where love and violence are intertwined. Women can be in love and afraid at the same time and this phenomenon is clinically understood as a tolerance for cognitive inconsistency. It is a myth that women just leave at the first sign of trouble or “should leave” if it is truly that bad. It is normal to give one’s abusive partner second, third, and sometimes unlimited chances to redeem themselves. But, over time, the violent acts become normalized as a central feature of the relationship that needs to be tolerated – not accepted but tolerated. Ms. Heard was no exception. She was caught in a web of love, emotional attachment, genuine loyalty and concern for Mr. Depp, and the illusion that he would finally come to his senses and change for the better. As such, she often concealed and minimized his violence and abuse (to family, friends, and even treatment providers) to protect him, and herself at some point, from public condemnation. She assumed the best and denied the worst in order to hold on to the positive aspects of the relationship and the love she had for Mr. Depp. However, eventually, those psychological defenses broke down and were no longer effective as the physical and psychological injury became too great to bear and the positive aspects became all too infrequent resulting in the decisional analysis for Ms. Heard to finally terminate the relationship.

### **Psychological Impact of Defamation**

In cases of intimate partner violence, leaving the relationship does not always end the violence and abuse. In fact, ending an abusive relationship is statistically a very dangerous point in time for the abused victim. Whereas Ms. Heard left Mr. Depp, filed for a restraining order due to domestic violence, and eventually divorced him, she was not free. Mr. Depp’s psychological

and emotional abuse continued. Mr. Depp's defamation suit and false statements to the media halted her healing from the traumatic effects of victimization and introduced new levels of psychological abuse, intimidation, degradation, and gaslighting which continued that cycle of abuse that she thought she escaped from, this time abusing Ms. Heard through the legal system and through media attacks. The overarching theme of Mr. Depp's attacks are that Ms. Heard is a liar. For a victim of intimate partner violence, fear that they would not be believed ranks among the highest reasons why they do not speak out about their abuse and why violence against women is the most underreported crime. This has had devastating consequences for Ms. Heard.

The psychological impact of three of Mr. Depp's defamatory statements (through Adam Waldman, his attorney and agent) were specifically assessed (April 8, 2020; April 27, 2020; and June 4, 2020). Whereas it was determined that these comments had notable psychological impact, they represent a continuation and exacerbation of the totality of Mr. Depp's abusive behaviors. Ms. Heard suffered repeated attacks on her credibility with Mr. Depp's frequent lies to the media, a particularly significant problem when one is in the public sphere. The problem with every lie is that one must refute that lie, and that requires intense psychological resources. As such, with each unpredictable media comment made by Mr. Depp, havoc and chaos were again thrust into her life to no fault of her own, forcing her to deal with the negative consequences of having to explain and "prove" the lie. These lies resulted in numerous losses, such as the loss of time and energy; loss of friendships; loss of jobs; and financial loss, all of which greatly impacted her daily functioning and her capacity to cope.

As a result of Mr. Depp's defamatory statements (through Adam Waldman, his attorney and agent), Ms. Heard suffered notable psychological distress and an exacerbation of posttraumatic stress disorder that stems from the initial pattern of violence and abuse. Each time

Mr. Depp released a defamatory statement to the media calling her a liar or that her account of violence and abuse in the relationship was a “hoax,” Ms. Heard suffered (and continues to suffer) from stress, anxiety, nightmares, crying, flashbacks, feeling afraid, emotional numbing, dissociation, struggles with trusting others, significant sleep disruption, relationship and intimacy problems, interpersonal disconnection, hypervigilance, and intense psychological pain.

In addition, Mr. Depp’s defamatory statements activated long held feelings of shame and humiliation about the abuse and the relationship in general, common consequences of victimization. This was particularly true with Mr. Depp’s April 8, 2020 remarks about “fake sexual violence” and a “sexual violence hoax.” Rape and sexual violence are one of the most humiliating, violating, and shame inducing experiences that an individual could endure, and it is one of the most powerful predictors of PTSD in both men and women. The sexual violence that Ms. Heard experienced by Mr. Depp is one of the most private, vulnerable, and painful aspects of her life. For Mr. Depp to call her account “fake” and for her to have to refute it, has resulted in significant psychological distress, emotional pain, humiliation, and an exacerbation of PTSD.

While in the abusive relationship, Mr. Depp repeatedly utilized abusive tactics whereby he minimized his abuse and violence, blamed her for the abuse, denied that the abuse even occurred, and reversed the attack on her claiming that he was the victim, and she was the abuser. But Ms. Heard successfully extricated herself from that awful dynamic of violence and abuse and yet Mr. Depp’s abuse continued through his false media comments. This forced her to confront the whole cycle of abuse, violence, blame, gaslighting, and condemnation all over again.

The psychological consequences and harm to women because of partner violence have been well documented, and include decline in general mental health, depression, anxiety,

posttraumatic stress disorder, substance abuse, suicidality, shame, humiliation, self-blame, and diminished self-worth and self-efficacy, among others. This evaluation revealed that Ms. Heard meets DSM-5 criteria for Posttraumatic Stress Disorder (PTSD) with an etiology of the violence and abuse perpetrated by Mr. Depp. Ms. Heard endorsed symptoms in all four clusters of PTSD: intrusive reminders of the victimization, violence, and abuse (flashbacks, memories, nightmares); conscious avoidance efforts to detract her from reliving the violence and abuse; negative effects on her thinking and mood; and an increase in hyperarousal and physiological reactivity.

Importantly, PTSD is a cue-related disorder and environment stimuli serve to trigger the disorder with accompanying psychological reactivity. Each time Mr. Depp released a media statement branding her a liar, that served as a trauma trigger activating memories of the horror and truth of the abusive relationship. Mr. Depp's comments are so inextricably connected to the original trauma that they result in additive psychological and traumatic effects. His statements also activate the PTSD dimension of hyperarousal and hypervigilance as Ms. Heard experiences greater concern for her personal safety, resulting in anxiety, an acute awareness of her surroundings, and continual scanning for danger.

**Errors in Methodology and Analysis of Dr. Shannon Curry, Psy. D. in administration of the CAPS-5 to Ms. Heard on December 17, 2021**

Dr. Curry's conclusion that Ms. Heard does not meet the threshold for PTSD is flawed and incorrect. Given that Dr. Curry administered the *CAPS-5* on December 17, 2021, just ten days earlier from Dr. Hughes' assessment on December 27, 2021, a comparison of findings is warranted. Importantly, Dr. Curry failed to utilize the proper anchor point for the index trauma for Ms. Heard thereby yielding incorrect results. Dr. Curry erroneously utilized only the sexual assaults by Mr. Depp on the *CAPS-5* for all the subsequent symptom queries that were posed to Ms. Heard even though Ms. Heard identified "the worst of the violence in the marriage" as her

trauma. But contrary to standard practice in the field and the instructions and intent of the test, Dr. Curry limited the queries to the sexual assaults by Mr. Depp. As such, Ms. Heard answered truthfully and honestly, not linking specific current symptoms to her sexual assault experiences because Ms. Heard's PTSD encompasses so much more than those incidents.

Ms. Heard's responses on the *CAPS-5* to Dr. Curry do, in fact, demonstrate traumatic stress related to the overall abuse by Mr. Depp, but that was not assessed by Dr. Curry. If you give a limited prompt and restricted anchor, you are going to obtain skewed results. The *CAPS-5* instructions require the identification of a single index trauma(s), or a group of thematically related traumatic events, to serve as the basis of symptom inquiry. Moreover, when the individual indicates that his/her worst trauma exposure was due to multiple incidents of the same type of event (e.g., multiple instances of childhood sexual abuse, multiple combat exposures, or multiple incidents of intimate partner violence), the multiple events of the same type would be treated as a singular exposure. Dr. Curry failed to adhere to the stated instructions and intent of the test and thus did not properly query Ms. Heard's for the full breadth of her trauma-based sequelae.

For the *CAPS-5*, in general, if the symptoms expressed by the individual can be connected to the overall trauma exposure, then it would be counted toward the PTSD diagnosis. Ms. Heard provided enough details to Dr. Curry on the *CAPS-5* as to her symptomatology and functioning as a result of the IPV, and Ms. Heard replied many times, "not in the last month." This should have prompted Dr. Curry to exercise due diligence and administer the Worst Month Version of the *CAPS-5* to truly ascertain the extent of Ms. Heard's trauma-based symptoms. Dr. Curry failed to do so. Moreover, by listening to Ms. Heard's responses, a skilled examiner would have realized that narrowing the range of symptoms to only the sexual assaults was



flawed and thus would have queried, “Are you having any other symptoms in the last month related to the abuse and violence and not just the sexual assaults?” in order to accurately assess for PTSD symptomatology. Dr. Curry again failed to do so. As a result, Dr. Curry’s flawed administration yielded an unreliable and invalid conclusion.

That said, the content of Ms. Heard’s responses on the *CAPS-5* to Dr. Curry on December 17, 2021 was generally consistent with Ms. Heard’s responses to Dr. Hughes’ administration of the *CAPS-5* on December 27, 2021, and with Ms. Heard’s accounting of her trauma symptoms to Dr. Hughes during multiple assessments over the past three years. Dr. Hughes correctly did not limit Ms. Heard’s frame of reference to only the sexual assaults. If one removes that anchor, Dr. Hughes and Dr. Curry yield remarkably similar results with enough symptoms that satisfy PTSD criteria.

### **Prognosis**

Ms. Heard’s prognosis is guarded and her treatment is likely to be long term. Psychological recovery from the traumatic effects of intimate partner victimization is more than just the physical healing of cuts and bruises because the psychological damage from the relational betrayal and emotional abuse runs deep. Ms. Heard has continually availed herself of professional treatment and has been motivated for healing to occur, but her treatment is currently in the infancy stage because it has necessitated a focus on crisis management and psychological stabilization resulting from the defamatory statements by Mr. Depp. Her physical and emotional safety continues to be threatened, thereby exacerbating her PTSD. Interpersonal violence-related PTSD can be a chronic condition, often waxing and waning throughout a person’s life, being triggered by environmental and life stressors. Ms. Heard will require treatment to address and ameliorate these trauma triggers as they arise. In addition, she will require treatment for

victimization-associated traumatic sequelae, such as shame, self-blame, humiliation, intimacy problems, interpersonal disconnection, and trust difficulties. Her psychological care will be palliative and function to remedy the psychological impact of the trauma arising during her life.

**Ronald S. Schnell**  
**Director**  
**Berkeley Research Group**  
**1111 Brickell Ave**  
**Suite 2050**  
**Miami, Florida 33131**  
**(305) 548-8546**  
**[rschnell@thinkbrg.com](mailto:rschnell@thinkbrg.com)**

Mr. Schnell's C.V. is attached as **Att. 3**. Mr. Schnell is an accomplished executive with a history of running large technology organizations, from early stage startups to large divisions of S&P 500 corporations. Mr. Schnell has also served as a testifying and consulting expert witness on high-profile cases in the areas of intellectual property, software licensing, cyber security, and other highly technical matters. He has knowledge of over forty computer languages, and is an adjunct professor at Nova Southeastern University, teaching computer security and operating systems in the computer science department.

Mr. Schnell is expected to testify as an expert in the field of statistical and forensic analysis of social media. As an expert in this field, Mr. Schnell and his firm, Berkeley Research Group, conducted an investigation relating to posts on social media, primarily Twitter, that contained and/or expressed negative comments and negativity ("negative posts" or "posts") about Amber Heard, from April 8, 2020 through the present. Mr. Schnell located and collected, and is expected to testify, that there are over a million negative posts relating to Amber Heard from April 8, 2020 through the present. Specifically, from the beginning of April 2020, until the end of January 2021, there were 1,243,705 negative posts relating to Amber Heard, including one or more of the tags #JusticeForJohnnyDepp, #AmberHeardIsAnAbuser, #AmberTurd, or

**Kathryn Arnold**  
**1155 N. La Cienega Bl., PH 8,**  
**Los Angeles, CA 90069**  
**(323) 610-2029**  
**kathryna2z@gmail.com**

**Expertise and Qualifications**

Ms. Arnold's C.V. is attached as **Att. 5**. She is an award-winning film producer and executive with over twenty years of experience in film production, acquisition, distribution, international sales, and film financing. Ms. Arnold has extensive experience in script development, screenwriting, casting, packaging, contract negotiation, production, sales, distribution and chain of title. She has worked with talent agents, producers, studio and distribution executives, investors, and lawyers in the development, production, financing and distribution of feature film projects, television, and online programming. Ms. Arnold has produced and/or executive produced six feature films, been involved in the development and production of dozens of feature film and television projects, produced a live streaming web series, and directed a documentary film on the iconic band Earth Wind & Fire.

From 1988–1991, she served as an executive at Guber-Peters Entertainment (the company that produced *Rainman*, *Batman*,) based at Warner Brothers Entertainment. From 1991–1996, she served as an executive and head of development for Secondary Modern Motion Pictures based at Universal Studios, and then from 1996–1999 as Head of Production and Development at the independent production company Cineville, LLC. Finally, prior to starting her own entertainment consulting company, she served as head of development and production for Monte Cristo Entertainment from 2000–2008.

Since 2008, Ms. Arnold has provided consultant services to attorneys, financiers, investors, production companies, international sales organizations, and film commissions in all areas related to entertainment industry standards and practices.

In addition to her consulting services, she has served as an expert witness and consultant on cases involving entertainment industry standards and practices, loss of wages, earning capacity, economic and reputational damage analysis, intellectual property rights, copyright issues, chain of title, hiring probabilities, defamation, estate claims, financial forecasting, new media, licensing, contracts, and business practices. Her clients have been both plaintiffs and defendants and have included the OWN Network, Merrill Lynch, Innovative Artists, Hoffman La Roche, the John C. Steinbeck Estate, actors, writers, producers and production companies. She has been qualified and testified as an expert witness in the following courts: Superior Court of California, County of Los Angeles; United States District Court, Los Angeles County; United States District Court, Central District of California; High Court of Justice, Queens Bench Division, Bristol District Registry, England; Circuit Court for the 13<sup>th</sup> Judicial Circuit in and For Hillsborough County Fl., Civil Division; US District Court Southern District of Texas Houston Division; US District Court, North San Diego County; United States International Trade Commission; testified in US State and Federal courts, as well as at arbitration.

Ms. Arnold has also presented an online video course for attorney continuing education for Attorney Credits Online, as well as published a text entitled The Entertainment Industry --- Points to Consider When Evaluating a Case June 22, 2009. Additionally, she has written a series of entertainment industry-related articles and served as an entertainment media consultant to Bloomberg News, MSNBC, CCTV, NPR, and Associated Press International, among others.

### **Summary of Engagement for Counterclaims**

Ms. Arnold has been asked to offer her expert opinion and assess the reputational harm and economic opportunities lost by Ms. Heard as a result of the defamatory statements described in Paragraphs 45-47 of Ms. Heard's Counterclaim and Exhibits F-H attached to the Counterclaims ("the defamation" or "the defamatory statements"). Specifically, Ms. Arnold will testify as to the economic consequences on Amber Heard as a result of the following statements ("defamatory statements") included in the Counterclaim, at Paragraphs 45-47:

45. Depp, through Waldman, continued to claim that Ms. Heard was committing perjury to the Daily Mail, when he stated on April 8, 2020 that "Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and shield, depending on their needs. They have selected some of her sexual violence hoax 'facts' as the sword, inflicting them on the public and Mr. Depp." **Exhibit F.**

46. Then on April 27, 2020, Depp, through Waldman, again told the Daily Mail that "Quite simply this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn't do the trick. The officers came to the penthouses, thoroughly searched and interviewed, and left after seeing no damage to face or property. So Amber and her friends spilled a little wine and roughed the place up, got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911." **Exhibit G.**

47. On June, 24, 2020, Depp, through Waldman, falsely accused Ms. Heard in the Daily Mail of committing an "abuse hoax" against Depp. **Exhibit H.**

### **Sources Consulted**

In conjunction with the rendering of her opinion in this litigation, Ms. Arnold has reviewed pleadings, discovery, documents provided in discovery by both parties, trial and deposition testimony, has spoken with Ms. Heard and her publicist and management team, has conducted research, and has relied on her extensive experience and resources in the entertainment industry. The documents that she reviewed and relied on are listed in Att. 6.

Ms. Arnold has also consulted with Ron Schnell, a forensic expert in computer and social media data, also identified in this Designation. Mr. Schnell has reported to Ms. Arnold that there

are over a million negative posts relating to Amber Heard from April 8, 2020 through the present. Ms. Heard has been the subject of over 1,243,705 negative tweets and posts arising after the defamatory statements, from the beginning of April 2020 until the end of January 2021, including one or more of the tags #JusticeForJohnnyDepp, #AmberHeardIsAnAbuser, #AmberTurd, or #WeJustDontLikeYouAmber. Some of them are overlapping. The total number of distinct tweets that fall into that category is 1,019,433. Mr. Schnell has identified these tweet patterns as an orchestrated “bot” campaign by Depp and his representatives that is triggered by statements in the press by or about Ms. Heard. The bot campaign was specifically used to generate signatories to a “Remove Amber Heard from Aquaman 2” petition.<sup>6</sup>

As Ms. Arnold will testify, this is significant because the entertainment industry relies heavily on the reputation of actors in social media and frequently will run searches on any actors being considered for any role. Likewise, entities considering actors for commercial opportunities place substantial importance on the actor’s reputation in social media in determining the actor to best promote their products and services. The defamatory statements, widely disseminated by the bot campaign, have made it nearly impossible for Ms. Heard to promote herself for personal appearances, speaking engagements and industry events as normal circumstances would permit. The inability for Ms. Heard to promote herself as an actor has further exacerbated her economic damages.

#### **Summary of Ms. Arnold’s Opinions**

Ms. Arnold will testify that film studios and production companies evaluate the reputation of an actor in the public sphere when determining whether to offer an actor a role, and

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<sup>6</sup> Robert Lio, *How Social Bots Created an Anti-Amber Heard & Aquaman Campaign*, Medium.Com, Feb. 17, 2021, available at <https://medium.com/@aquaman-bots/how-social-bots-created-an-anti-amber-heard-aquaman-campaign-e68e16637d3a>.

on what terms to hire that actor. Similarly, Ms. Arnold will testify that companies looking to market products evaluate an actor's reputation in the public sphere to determine whether, and on what terms, to hire an actor to promote such products in advertising. Ms. Arnold will testify to the importance of actor's reputation in the entertainment industry, and the negative impact on Ms. Heard's reputation and the opportunities she may receive when she is accused of the conduct described in Paragraphs 45-47 of the Counterclaim and Exhibits F-H.

Because of the defamatory statements, Ms. Arnold is expected to testify that Ms. Heard incurred reputational damages and economic loss. Ms. Arnold is expected to testify that a reasonable way in the entertainment and commercial industry to calculate the reputational and economic damages suffered by Ms. Heard is to measure against reasonable comparators in the industry. Based on such comparisons, Ms. Arnold is expected to testify that Ms. Heard's economic losses as a result of the defamatory statements over a 5-year period range from \$47 million to \$50 million. Ms. Arnold will also testify that, based on her experience in the entertainment industry, it is difficult to repair an actor's reputation, especially where there has been so much negative reaction in the social media since the defamatory statements, they are not erasable, and it may take many years to repair and/or restore Ms. Heard's reputation.

**Ms. Heard's Career was Flourishing Before the Defamation**

Ms. Arnold's bases for her opinions includes her review of Ms. Heard's career as a working actress. Ms. Heard has been a working actress in film and television for over 15 years with over 50 productions to her credit. Ms. Heard received critical and box office acclaim in movies such as THE DANISH GIRL released in 2015 and most notably her starring roles in JUSTICE LEAGUE (2017) and AQUAMAN (2018) alongside Jason Momoa. Throughout this period, Ms. Heard was able to power through and overcome the negative publicity she received

surrounding her divorce from Mr. Depp in 2016.

Ms. Arnold will also testify as to Ms. Heard's press opportunities before the defamation. Ms. Heard's performances in DANISH GIRL and AQUAMAN created tremendous awareness and momentum throughout the world. Ms. Heard was traveling around the world for press events and was on the cover of a variety of global magazines. Examples include:

After the DANISH GIRL:

- November 2015 – California Style cover story
- December 2015 – Marie Claire cover story
- December 2015 – Elle cover story

After JUSTICE LEAGUE

- December 2017 GQ Australia Collector's Edition Story as "Woman of the year"

After AQUAMAN

- December 2018 – Marie Claire UK cover story
- December 2018 – Shape cover story
- December 2018 – Glamour Mexico cover story (Considered a "role model of the world")
- December 2018 -- In Style Russia cover story
- December 2018 – Porter The Edit
- January 2019 – Glamour US cover story

**Ms. Heard's Reputation and Career Suffered Significant Negative Impact After the Defamation**

Ms. Arnold will testify that Ms. Heard's career gains were severely damaged if not destroyed by the defamatory statements, beginning in April 2020 and continuing through the present. Outside of the AQUAMAN franchise, Ms. Heard has obtained only one role since the release of AQUAMAN in 2018, and it was obtained prior to the defamatory statements.

Ms. Arnold is expected to testify that as a result of Depp's defamatory statements, on February 22, 2021, Ms. Heard was "released" from her AQUAMAN THE LOST KINGDOM



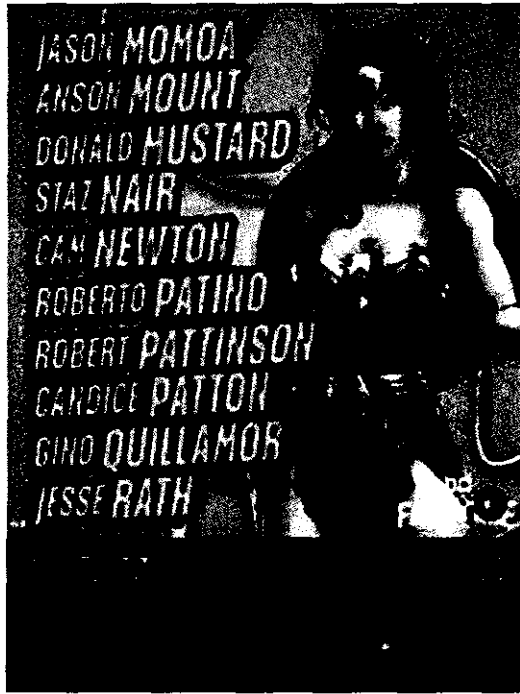
(“AQUAMAN 2”) contract. Ms. Heard was ultimately “re-hired” on the movie, but she was unable to re-negotiate her deal to include a salary increase and bonuses because the effort was focused, necessarily, on keeping her in the film. Ms. Arnold will further testify based on her industry knowledge and experience, such renegotiation is customary in the industry when a film is as successful as AQUAMAN—over \$2 billion in box office to date. Typically, after an actor’s successful film in a franchise, an actor will renegotiate a 50% to 100% increase in her salary.

Ms. Heard’s breakout role was in JUSTICE LEAGUE (2017) which led to roles in the ancillary films, including, AQUAMAN, ZACK SNYDER’S JUSTICE LEAGUE and AQUAMAN 2. Ms. Heard’s contractual salary in AQUAMAN was \$4M. Ms. Arnold will testify that under normal circumstances, Ms. Heard’s salary could be renegotiated to between \$6 and \$8 million. This represents a loss of \$2-4 million on this one film alone. Jason Momoa, an actor with equivalent franchise experience, was able to renegotiate his salary and bonuses for a significant increase, while Ms. Heard was not.

In addition, Ms. Arnold will testify that but for Mr. Depp’s statements, Ms. Heard’s role in the AQUAMAN 2 would have been far more prominent. As written in the original script, which Heard read early on, her role in the sequel was quite extensive. As in the first AQUAMAN, the sequel was to portray Ms. Heard as the co-lead with Momoa, which included a strong romantic arc, as well as an extensive action sequence in Act III, where she played both her character and the arch enemy/clone of her character that battles with Momoa. When Heard was finally re-hired, her part was rewritten and marginalized to a minimal role. Heard had trained 5 hours a day, 5 days a week with a trainer from May 2021 – October 2021 (six months) to get ready for the battle sequence in which she would no longer be participating.

Ms. Arnold is also expected to testify that due to Mr. Depp’s defamatory statements

Warner Brothers also did not include Ms. Heard in the promotion for DC Fandome in October 2021, including posters, promotions, and release events where every other main character was presented, which has exacerbated the damage. An example is below:



The current trailers and promotional videos for AQUAMAN 2 released in October and December 2021 barely include her, if at all. Warner Brothers has cited the press concerns, in other words, the defamatory statements as the cause for her absence. Being absent from the promotional material is a significant setback for Heard, and her public awareness campaign, which is integral to keeping her career alive.

Moreover, in contrast to before the defamatory statements, where Ms. Heard was actively involved in publicity campaigns for every project she was involved in, Ms. Heard starred in the TV series “The Stand,” but, after the defamatory statements, Ms. Heard has not been involved in any press activity surrounding the project due to the negative social media blowback she faces. Even though “The Stand” is based on a Stephen King novel, and all the other lead actors

participated in the publicity campaign, which Ms. Arnold will testify should have garnered tremendous interest for her as well. LA Style magazine, which wrote a piece on the series, was planning to place Ms. Heard on the cover. After the defamatory statements came out, her cover story was pulled. In fact, since the defamatory statements have been released, Ms. Heard's world has been virtually silent — she has received zero press requests. Also due to Depp's defamatory statements Ms. Heard has fewer requests to assist charitable organizations with raising awareness for various causes she is passionate about. She has recently been turned down for many philanthropic opportunities including a campaign to assist Syrian Refugees.

Ms. Heard's endorsements opportunities have also nearly come to a standstill. In April of 2018, between the release of JUSTICE LEAGUE and AQUAMAN, Ms. Heard signed an endorsement deal with L'Oreal for \$1.5 million for a period of two years, with the option to renew for an additional year. Although L'Oreal had the right to utilize Ms. Heard's services for 20 days, it has only utilized Ms. Heard for a few days since the contract was signed. L'Oreal has received significant push back and negative commentary on social media from their community, driven by Depp's defamatory statements, with social media users stating that they won't use L'Oreal product if Heard is the L'Oreal spokesperson. It is essentially impossible for the company to utilize her in any of their marketing campaigns. As a result, Ms. Heard was unable to renegotiate a new contract, which is standard, (*See* "Talent Agreement with L'Oreal USA, P.7(b)). Instead, L'Oreal extended, on the same terms, but has put her on "unpaid" probation until May 2022.

Ms. Arnold is expected to testify that Ms. Heard has not been hired for any other endorsement deals.

**Comparable Actors to Ms. Heard Have Received Many More Projects than Ms. Heard**

Ms. Arnold reviewed Ms. Heard's career trajectory to that of comparable actors during similar time frames. Actors in similar age ranges and acting styles, who broke out around the same time as Ms. Heard, have watched their careers sky-rocket, while the damage to Ms. Heard's reputation has effectively stalled her career. Ms. Arnold will testify to the following comparators:

**Jason Momoa**, Ms. Heard's co-star in AQUAMAN, has worked outside of the franchise and earned significant dollars:

- SEE / Apple+ TV series
- DUNE / feature film with \$165M budget
- SWEET GIRL (Netflix for which he is acting and producing)
- SATURDAY NIGHT LIVE (excellent publicity event)
- THE SIMPSONS (a relevant social marker in today's zeitgeist)

**Gal Gadot**, starred in WONDERWOMAN, a female superhero movie like Ms. Heard, but unlike Ms. Heard, has worked outside of the franchise and earned significant dollars:

- DEATH ON THE NILE / (\$55M budget for Fox)
- RED NOTICE / (\$160M budget for Netflix)
- HEDY LAMARR / Limited series for Apple+, Gadot also Ex. Prod.
- THE SIMPSONS / Voiceover for hit TV show

**Zendaya**, SPIDERMAN, an actress in a superhero movie like Ms. Heard, but unlike Ms. Heard, has worked outside of the franchise and earned significant dollars:

- EUPHORIA on HBO Emmy — Best Actress in a Drama
- THE GREATEST SHOWMAN w/Hugh Jackman (\$84M budget for Fox)
- DUNE – (\$165M Budget) alongside Jason Momoa
- MALCOM & MARIE –\$30M sale to Netflix, owns a piece of the film
- Several animated films

**Ana De Amas**, BLADE RUNNER 2049, an actress in a superhero movie like Ms. Heard, but unlike Ms. Heard, has worked outside of the franchise and earned significant dollars:

- KNIVES OUT (\$40M budget for Lionsgate)
- DEEP WATER (Adriane Lynne directing with a \$49M budget)
- NO TIME TO DIE (the new James Bond film with a budget of \$250M)
- BLONDE (\$41M budget)
- THE GRAY MAN (\$250M budget for Netflix)

**Chris Pine**, STAR TREK BEYOND and WONDER WOMAN:

- WRINKLE IN TIME (\$103M budget for Disney)
- OUTLAW KING (\$120M budget for Netflix)
- SPIDERMAN INTO THE SPIDER VERSE (\$90M budget for Sony)
- WONDERWOMAN 1984 (\$200M budget for WB)
- VIOLENCE OF ACTION
- DON'T WORRY DARLING (\$20M for New Line)
- ALL THE OLD KNIVES (Amazon)

In contrast to these comparables, Ms. Heard has obtained only one project outside of the franchise since 2018 (and prior to the April 2020 statements), and Ms. Arnold will testify that it would be expected that without the defamation and subsequent harm to her reputation, Ms. Heard would have been as active as any one of these actors.

In addition, Ms. Arnold examined these comparables to Ms. Heard in terms of endorsements. Ms. Heard only has had the limited endorsement with L'Oreal. By contrast, the actors listed in the "comparables" section above have entered into multiple endorsement contracts since their break-out hits:

**Jason Momoa**, Heard's co-star in AQUAMAN:

- Rocket Mortgage – Super bowl campaign
- Harley Davidson
- Mananalu Water

- So Ill climbing gear
- + several offers that have been passed on.
- 3-5 appearance engagements at \$250,000 each

**Gal Gadot, WONDER WOMAN:**

- Revlon
- Smart Water
- Huawei
- Reebok
- Tiffanys
- ASUS
- Wix
- Boss Zhphin (China only)
- Bolan (China only)
- Hot TV provider (Israel only)
- + offers that have been passed on

**Zendaya, SPIDERMAN:**

- Lancôme beauty and fragrance
- Tommy Hilfiger fashion collaboration
- Bvlgari jewelry
- Dolce & Gabbana Spring / Summer fashion campaign
- Covergirl<sup>7</sup>

**Rebuttal to Mr. Bania’s Opinion Regarding Q Scores and Social Media of Comparables**

Mr. Bania has failed to analyze the Q scores of the comparable actors within the correct timeframe. Mr. Bania’s analysis uses a vague timeframe of “before April 2020” for all of the comparable actors as the baseline for his analysis of social media followers and Q scores, but the

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<sup>7</sup> This endorsement came out the year before SPIDER-MAN’s release, but after the studio announced she was part of the film. Ms. Arnold is expected to testify that many brands will lock in talent upon hearing they have been cast as part of a large film franchise, so the brand can take advantage and piggy-back off the marketing and publicity of the film. In fact, L’Oreal did this with Ms. Heard – they signed her May 2018 and AQUAMAN was released December 2018.

appropriate baseline should be after the release of Aquaman in 2018, which, but for the defamatory statements, would have been a breakout role for Ms. Heard. Instead, Mr. Bania compares Ms. Heard's "Winter 2019" Q scores with the comparable actors' Q scores at least one year later, in "Winter 2020". Ana de Armas' Q score data used by Mr. Bania is from more than one and a half years after Ms. Heard's. Q scores for Ms. Heard in Mr. Bania's data do not account for the significantly successful Aquaman movie, which was released in December 2018, whereas Jason Momoa's Winter 2020 Q scores account for his rise in popularity from his lead role in the film. Furthermore, many of the comparable actors do not have official Facebook or Twitter pages, so a comparison of that information is likewise not a reliable indicator of Ms. Heard's reputational harm.<sup>8</sup> Mr. Bania is, in essence, comparing apples to oranges, and his analysis is therefore unreliable and unreasonable. Mr. Bania's opinion that Ms. Arnold's selection of comparable actors is "contradictory and unreasonable" therefore is not supported by the data.

#### **Calculation of Ms. Heard's Damages**

Based on Ms. Arnold's review of the materials, knowledge and experience in the film and media industry, she is expected to testify to a reasonable degree of certainty that the defamatory statements have directly caused Ms. Heard to lose acting opportunities, such as a more prominent role in AQUAMAN 2 and a higher salary for the film, and other film and television projects. In order to assess the economic damages the defamation caused to Ms. Heard, Ms. Arnold calculated the money ranges Ms. Heard's comparables have been receiving over the same or similar time period. Based on her review of the materials described above and her knowledge, experience and sources within the industry,

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<sup>8</sup> According to Mr. Bania's data, Jason Momoa does not have an official Facebook or Twitter account. Ana De Armas does not have an official Facebook or Twitter account, and Chris Pine does not have an official Facebook, Twitter, or Instagram account.

Ms. Arnold is expected to testify it is reasonable that but for the defamation, Ms. Heard would have realized as part of her career, during the past 18 months and the next three to five years, the following:

- A renegotiated salary for AQUAMAN 2, earning her an additional \$2-4 million for the film;
- A streaming TV series, earning her at least \$1 million per episode for 8 episodes;
- Starring in several feature films, earning at least \$5 million plus residuals and back end per project;
- Landing several endorsement deals, earning her several million dollars;
- Producing and starring in a movie, earning approximately \$12 million.

Ms. Arnold is also expected to testify that as Ms. Heard performed in more projects, her earning power would have grown exponentially, allowing her to negotiate for even more money per film. In total, Ms. Arnold estimates, based on the above, and specifically considering the comparables, Ms. Heard's economic damages for lost career opportunities range between \$47 and \$50 million.

All of Ms. Arnold's opinions are within a reasonable degree of professional certainty. Ms. Arnold may also testify in response to the testimony and opinions of the Mr. Depp's expert witnesses, if any, and reserves the right to consider and supplement her opinions based on further discovery and documentation or facts which become available to her.

#### **Summary of Engagement of Mr. Depp's Claims**

Ms. Arnold has been asked to offer her expert opinion to analyze John C. Depp II's ("Plaintiff") alleged damages and lost earning capacity due to an Op-Ed piece written by Amber Laura Hard ("Defendant") in the Washington Post distributed online on December 18, 2018 and in print on December 19, 2018 ("Op-Ed"). In her analysis she examined Defendant's reputational damages and loss of earning capacity, if any, due to the Op Ed his career trajectory pre and post Op-Ed; the impact of any negative media publicity and negative social media



reaction from the industry and fans during Plaintiff's overall career leading up to and after the Op-Ed; and loss of career momentum if any post Op-Ed.

### **Summary of Ms. Arnold's Opinions**

Ms. Arnold will testify that Plaintiff did not incur economic or reputational damages as a result of to the publication of the Op-Ed. Similarly, Ms. Arnold will testify that Plaintiff was not fired (taken out of consideration lead role of future installments of the) from the *Pirates of the Caribbean* franchise, nor the *Fantastic Beasts* franchise, as a result of the publication of the Op Ed. Instead, it is Ms. Arnold's opinion that Plaintiff's erratic behavior, including drug and alcohol abuse, over a period of time, his lawsuits and particularly the lawsuit Plaintiff brought against "The Sun" and its Editor in Chief in England, and the resulting Judgment against him in that litigation, and lack of professional conduct on the sets of movies such as *Mortdecai*, *Murder on the Orient Express*, and several of the *Pirates of the Caribbean* movies led to any reputational or economic damage he may have incurred. Ms. Arnold will testify that production overages on *Pirates of the Caribbean: Dead Men Tell no Tales*, the poor box office performance of that film, and story fatigue in the franchise, were predominant factors in Disney letting Plaintiff go from the film franchise. Furthermore, there is no evidence the Op-Ed played any role in Disney's decision not to pursue Plaintiff for a lead role in the sixth *Pirates of the Caribbean* or any other future installments.

### **Overview of the Case**

Plaintiff is a well-known movie star with a long-standing career in movies and television, including leading roles in EDWARD SCISSORHANDS, DONNIE BRASCO and most notably as "Jack Sparrow" in the PIRATES OF THE CARIBBEAN series. Plaintiff is claiming damages

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff and Counterclaim Defendant,

v.

AMBER LAURA HEARD,

Defendant and Counterclaim Plaintiff.

Civil Action No.: CL-2019-0002911

**DEFENDANT AND COUNTERCLAIM PLAINTIFF AMBER LAURA HEARD'S  
OBJECTIONS AND RESPONSES TO PLAINTIFF AND COUNTERCLAIM  
DEFENDANT'S FOURTH SET OF INTERROGATORIES**

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia ("Rules"), Defendant and Counterclaim Plaintiff Amber Laura Heard, by and through her attorneys, submits these objections and responses (the "Responses") to Plaintiff and Counterclaim Defendant John C. Depp, II's Fourth Set of Interrogatories dated February 12, 2021 (the "Interrogatories").

**GENERAL OBJECTIONS**

The following general objections and responses (the "General Objections") are incorporated into each specific objection and response (the "Specific Objections") as if fully set forth therein:

1. Defendant and Counterclaim Plaintiff objects that Plaintiff and Counterclaim Defendant has exceeded the permissible number of Interrogatories, including all parts and subparts, in violation of Rule 4:8(g).
2. Defendant and Counterclaim Plaintiff objects to the Interrogatories to the extent they would require Defendant and Counterclaim Plaintiff to provide or reveal the contents of any document or information privileged from disclosure pursuant to the attorney-client privilege, the qualified immunity provided to litigation work product, or any other applicable privilege. Defendant and Counterclaim Plaintiff will not provide such information.

**RESPONSE:** Subject to and without waiving the objections, as a result of physical and psychological injuries I received at the hands of Johnny, I went to Dr. Kipper, Monroe Tinker, and nurses Debbie Lloyd and Erin Boerum for my physical injuries, while I was in my relationship with Johnny. In addition, many times I tended to my injuries by myself, as I did not want to expose Johnny. I also saw Bonnie Jacobs, Connell Cowan, Laurel Anderson, and Amy Banks because of the psychological injuries I received at the hands of Johnny physical, sexual, and mental abuse.

I also incorporate in by reference my response to Interrogatory Nos. 1-3 of these Fourth Interrogatories, my deposition testimony in this case, the declaration I submitted in this case, my deposition testimony from my divorce litigation, and my sworn witness statements and live testimony I provided in the Sun litigation in the United Kingdom, and the other incorporated information from Interrogatory No. 3. I also incorporate all the documents produced in discovery and the depositions that relate to these issues.

**6. State all facts that support any contention that You have suffered damages, whether monetary, emotional, or otherwise, as a result of any allegedly defamatory statements by Mr. Depp and/or Adam Waldman.**

**OBJECTION:** Defendant and Counterclaim Plaintiff objects to the undefined phrases “otherwise” and “defamatory statements” of this Interrogatory on the grounds that they are vague, ambiguous, and fail to define with particularity the information that they seek, and to the extent they seek a legal conclusion. Defendant and Counterclaim Plaintiff further objects to the form of this Interrogatory as including Interrogatories in compound and with multiple parts and sub-parts by purporting to seek all facts supporting any contention for “monetary,” “emotional,” or “otherwise” damages within one Interrogatory, such that later Interrogatories exceed the number of permitted under Va. Sup Ct. R. 4:8(g), and is overly broad and unduly burdensome for the same reasons. Defendant and Counterclaim Plaintiff further objects to this Request on the grounds and to the extent that it amounts to a demand for facts or information relevant to portions of Defendant and Counterclaim Plaintiff’s Second Counterclaim that are no longer at issue in this case following the Court’s granting, in part, Plaintiff and Counterclaim Defendant’s Demurrer and Plea in Bar.

Defendant and Counterclaim Plaintiff specifically declines to undertake any obligation to produce facts or information in response to requests that are not directly related to the limited portions of the Counterclaim that have survived Plaintiff and Counterclaim Defendant's pleading challenges.

Defendant and Counterclaim Plaintiff further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, and on the grounds that this Interrogatory invades protected litigation work product and would require disclosure of core opinion work product and mental impression of counsel, which is prohibited by 4:1(b)(3) of the Rules of the Virginia Supreme Court. Plaintiff and Counterclaim Defendant has not made the requisite showing under the Rules.

**RESPONSE:** Subject to and without waiving the objections, I have been diagnosed with PTSD because of the intimate partner violence I suffered at the hands of Johnny. But his abuse of me did not stop after I left the relationship with Johnny. Johnny's defamation suit and false statements to the media halted my healing from the traumatic effects of victimization and introduced new levels of psychological abuse, intimidation, degradation, and gaslighting, because he called me a liar about all of the traumatic events that happened to me at his hands. The psychological impact of three of Johnny's defamatory statements, through his attorney, Adam Waldman, had a notable psychological impact on me, as I was again called a liar, and repeatedly attacked my credibility, which has forced me to refute these lies over and over, that has been emotionally taxing on me. These lies resulted in numerous losses, such as the loss of time and energy; loss of friendships; loss of jobs; and financial loss, all of which greatly impacted my daily functioning and my capacity to cope.

As a result of Johnny's defamatory statements, I have suffered (and continue to suffer) from stress, anxiety, nightmares, crying, flashbacks, feeling afraid, emotional numbing, dissociation, struggles with trusting others, significant sleep disruption, relationship and intimacy problems, interpersonal disconnection, hypervigilance, and intense psychological pain. In addition, Johnny's defamatory statements activated long held feelings of shame and humiliation about the abuse and

the relationship in general. Each time Johnny released a media statement branding me a liar, that served as a trauma trigger activating memories of the horror and truth of the abusive relationship. Johnny's comments are so inextricably connected to the original trauma that they result in additive psychological and traumatic effects. His statements also activate the PTSD dimension of hyperarousal and hypervigilance as I experience greater concern for my personal safety, resulting in anxiety, an acute awareness of my surroundings, and continual scanning for danger.

Johnny's defamatory statements also caused me reputational damages and economic losses that over a 5-year period range from \$47 million to \$50 million. I have been a working actress in film and television for over 15 years with over 50 productions to my credit, including movies such as THE DANISH GIRL, JUSTICE LEAGUE and AQUAMAN. Throughout this period, I was able to power through and overcome the negative publicity I received surrounding my divorce from Johnny in 2016. During this time, I had press opportunities that created tremendous awareness and momentum throughout the world, and I traveled around the world for press events and was on the cover of a variety of global magazines. But my career gains were severely damaged, beginning in April 2020 and continuing through the present. Outside of the AQUAMAN franchise, I have obtained only one role since the release of AQUAMAN in 2018, and it was obtained prior to the defamatory statements.

Also, as a result of Johnny's defamatory statements, on February 22, 2021, I was "released" from my AQUAMAN 2 contract. I was ultimately "re-hired" on the movie, but I was unable to renegotiate my deal to include a salary increase and bonuses because the effort was focused, necessarily, on keeping me in the film. Pay increases of as much as 50% to 100% are customary in the industry when a film is as successful as AQUAMAN, and I lost \$2-4 million on this one film alone. In addition, but for Johnny's statements, my role in the AQUAMAN 2 would have been far more prominent. As written in the original script, which I read early on, my role in the sequel was quite extensive. As in the first AQUAMAN, the sequel was to portray me as the co-lead with Jason Momoa, which included a strong romantic arc, as well as an extensive action sequence in Act III,

where I played both my main character and the arch enemy/clone of that character that battles with Mr. Momoa. When I was finally re-hired, my part was rewritten and marginalized to a minimal role. I had trained 5 hours a day, 5 days a week with a trainer from May 2021 – October 2021 (six months) to get ready for the battle sequence in which I would no longer be participating.

Also due to Johnny's defamatory statements, Warner Brothers also did not include me in the promotion for DC Fandome in October 2021, including posters, promotions, and release events where every other main character was presented. And the current trailers and promotional videos for AQUAMAN 2 released in October and December 2021 barely include me at all. Warner Brothers has cited the press concerns, in other words, the defamatory statements as the cause for my absence. Being absent from the promotional material is a significant setback for me, and my public awareness campaign, which is integral to keeping her career alive.

Moreover, before the defamatory statements, I was actively involved in publicity campaigns for every project I was involved in, but after the defamatory statements, I was not involved in any press activity surrounding in the TV series "The Stand," due to the negative social media blowback I faced. All the other lead actors participated in the publicity campaign, but me. And LA Style magazine, which wrote a piece on the series, was planning to place me on the cover of the magazine, but after the defamatory statements came out, the cover story was pulled. In fact, since the defamatory statements have been released, I have received zero press requests.

After the defamation, my endorsements opportunities have also nearly all but evaporated. In April of 2018, between the release of JUSTICE LEAGUE and AQUAMAN, I signed an endorsement deal with L'Oreal for \$1.5 million for a period of two years, with the option to renew for an additional year. Although L'Oreal had the right to utilize my services for 20 days, it has only utilized me for a few days since the contract was signed. L'Oreal has received significant push back and negative commentary on social media from their community, driven by Johnny's defamatory statements, with social media users stating that they won't use L'Oreal product if I am the L'Oreal spokesperson. It is essentially impossible for the company to utilize me in any of their marketing

campaigns. As a result, I was unable to renegotiate a new contract, which is standard in the industry.

I also incorporate in by reference my response to Interrogatory Nos. 1-3 of these Fourth Interrogatories, my deposition testimony in this case, the declaration I submitted in this case, my deposition testimony from my divorce litigation, and my sworn Witness Statements and live testimony I provided in the Sun litigation in the United Kingdom, and the other incorporated information from Interrogatory No. 3. I also incorporate in by reference my deposition testimony in this case. Per Rule 4:8(f) of the Virginia Supreme Court Rules, I also incorporate with this response the Expert Designations of Dr. Dawn Hughes and Kathryn Arnold. I also incorporate all the documents produced in discovery and the depositions that relate to these issues.

February 9, 2022

**AS TO OBJECTIONS:**



Elaine Charlson Bredehoft (VSB No. 23766)  
Adam S. Nadelhaft (VSB No. 91717)  
David E. Murphy (VSB No. 90938)  
Charlson Bredehoft Cohen & Brown, P.C.  
11260 Roger Bacon Drive, Suite 201  
Reston, Virginia 20190  
Telephone: (703) 318-6800  
[ebredehoft@cbcblaw.com](mailto:ebredehoft@cbcblaw.com)  
[anadelhaft@cbcblaw.com](mailto:anadelhaft@cbcblaw.com)  
[dmurphy@cbcblaw.com](mailto:dmurphy@cbcblaw.com)

J. Benjamin Rottenborn (VSB No. 84796)  
Joshua R. Treece (VSB No. 79149)  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
Telephone: (540) 983-7540  
[broddenborn@woodsrogers.com](mailto:broddenborn@woodsrogers.com)  
[jtreece@woodsrogers.com](mailto:jtreece@woodsrogers.com)

*Counsel to Defendant and Counterclaim  
Plaintiff Amber Laura Heard*