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FAIRFAX, VA

Transcript of Hearing

Date: April 29, 2022
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Transcript of Hearing
Conducted on April 29, 2022

<p>1 VIRGINIA: 2 IN THE CIRCUIT COURT FOR FAIRFAX COUNTY 3 -----x 4 JOHN C. DEPP, II, 5 Plaintiff, 6 v. Case No. CL2019-0002911 7 AMBER LAURA HEARD, 8 Defendant. 9 -----x 10 11 HEARING 12 Before the HONORABLE PENNEY S. AZCARATE, Judge 13 Fairfax, Virginia 14 Friday, April 29, 2022 15 8:00 a.m. EST 16 17 18 19 20 Job No.: 443894 21 Pages: 1 - 446 22 Transcribed by: Bobbi J. Fisher, RPR</p>	<p>1 APPEARANCES 2 ON BEHALF OF THE PLAINTIFF, MR. DEPP: 3 BENJAMIN G. CHEW, ESQ. 4 JESSICA N. MEYERS, ESQ. 5 SAMUEL A. MONIZ, ESQ. 6 CAMILLE VASQUEZ, ESQ. 7 STEPHANIE CALNAN, ESQ. 8 BROWN RUDNICK, LLP 9 601 Thirteenth Street, NW, Suite 600 10 Washington, DC 20005 11 12 ON BEHALF OF THE DEFENDANT, MS. HEARD: 13 ELAINE BREDEHOFT, ESQ. 14 BENJAMIN ROTTENBORN, ESQ. 15 CLARISSA K. PINTADO, ESQ. 16 ELAINE McCAFFERTY, ESQ. 17 KAREN STEMLAND, ESQ. 18 JOSH TREECE, ESQ. 19 CHARLSON BREDEHOFT COHEN & BROWN, PC 20 11260 Roger Bacon Drive, Suite 201 21 Reston, VA 20190 22</p>
<p>1 Hearing held at: 2 3 Fairfax County Circuit Court 4 4110 Chain Bridge Road 5 Fairfax, Virginia 22030 6 7 8 Pursuant to Docketing, before Ashley Meredith, 9 Digital Court Reporter and Notary Public in the 10 Commonwealth of Virginia. 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 INDEX 2 PAGE 3 Defense's Motion 6 4 In re: Ben Wizner 71 5 In re: Anthony Romero 75 6 In re: Joel Mandel (Part 1) 77 7 In re: Bruce Witkin 95 8 In re: Adam Waldman 114 9 In re: Jacob Bloom 141 10 In re: Robin Baum 143 11 In re: Tina Newman (Part 1) 179 12 In re: Joel Mandel (Part 2) 231 13 In re: Alan Blaustein (Part 1) 254 14 In re: Tracy Jacobs 265 15 In re: Armand Lemoyne 287 16 In re: Det. Marie Sadanaga 291 17 In re: Cornelius Harold 297 18 In re: Laura Divenere 304 19 In re: Walter Hamada 314 20 In re: Alan Blaustein (Part 2) 336 21 In re: Dr. Connell Cowan 346 22 In re: Children's Hospital 356</p>

5	7
1 INDEX (Continued)	1 It also is going to come in later -- and
2 PAGE	2 I'll reference that -- but the important thing here
3 In re: Laura Divenere (Part 2) 362	3 is Mr. Depp testified -- they told us two weeks ago
4 In re: Amy Banks 374	4 that they were going to limit his damages to
5 In re: Laura Divenere (Part 3) 395	5 November 2, 2020. You have not heard a word of
6 In re: Jessica Kovacevic 402	6 that in any of the testimony that's come out. And,
7	7 in fact, Mr. Depp has testified that he's never had
8	8 an opportunity to speak his truth before. That's
9	9 100 percent false. He has four witness statements
10 EXHIBITS	10 and four days of testimony in the UK.
11 (None.)	11 He then testified that all of these
12	12 accusations, that's what's causing him all this
13	13 reputational damage. But, Your Honor, nine months
14	14 before the op-ed -- and if I may approach, Your
15	15 Honor.
16	16 THE COURT: Mm-hmm.
17	17 MS. BREDEHOFT: Nine months before the
18	18 op-ed, this article came out. This is the one with
19	19 Dan Wootton and The Sun, Your Honor. It's
20	20 exceedingly detailed. It calls him a wife beater.
21	21 It has pictures of Amber's bruising. It goes into
22	22 detail with her allegations that she made back in
6	8
1 PROCEEDINGS	1 the 2016 time frame and talks about all of this.
2 (The court reporter was duly sworn.)	2 This is in the press in April of 2018. So all of
3 THE COURT: Good morning.	3 these allegations are now out there. And, by the
4 MS. BREDEHOFT: Good morning, Your Honor.	4 way, they're referenced in two of the
5 MR. MONIZ: Good morning, Your Honor.	5 depositions --
6 THE COURT: All right. How are we doing?	6 THE COURT: Well, he was -- Mr. Depp was
7 MS. BREDEHOFT: Great. Your Honor, I	7 cross-examined on quite a few articles.
8 have a motion that I would like to bring. I was	8 MS. BREDEHOFT: But he wasn't -- Your
9 going to bring it yesterday, but I didn't want to	9 Honor restricted us from not bringing up this
10 take any time away from the jury on this.	10 lawsuit. Remember, I wanted to bring it up in the
11 THE COURT: Okay. Sure, sure.	11 opening.
12 MS. BREDEHOFT: And this is that I	12 THE COURT: Right, but -- I mean, there
13 believe, at this point, the door has been	13 was lawsuit -- I mean, there was --
14 completely opened on the UK article, the lawsuit,	14 MS. BREDEHOFT: This article, Your Honor
15 and the UK judgment, and I'd like to be able to	15 prohibited us -- when I brought it up in my
16 present this to the Court.	16 opening, Your Honor stopped me and said I was not
17 THE COURT: Okie-doke.	17 entitled to talk about the article, the lawsuit, or
18 MS. BREDEHOFT: So, initially, Your	18 the judgment. Your Honor said it was all --
19 Honor, you might have noticed that it came in both	19 THE COURT: Right, but we have been
20 in Christian Carino's designations and in	20 talking about the lawsuit.
21 Dougherty's designations, both the article itself,	21 MS. BREDEHOFT: Right. And so we --
22 the lawsuit, that Depp brought the lawsuit.	22 THE COURT: And we talked about all these

<p style="text-align: right;">9</p> <p>1 articles, too, so I'm not sure what you're looking 2 for.</p> <p>3 MS. BREDEHOFT: Well, we haven't talked 4 about this one because Your Honor told us we 5 couldn't. And that's why I'm asking to be able to 6 do that, and I think we need to be able to bring it 7 out. We need to be able to introduce it.</p> <p>8 The jury is going to be very, very 9 confused at this point, because there's illusions 10 to it, and we haven't been able to fairly 11 cross-examine Mr. Depp on this. Your Honor will 12 recall that on his redirect -- on 13 cross-examination, Mr. Rottenborn questioned him on 14 Disney 6. Remember that Disney 6 has not come out 15 yet. In fact, Mr. Depp said it's "dangling," were 16 his words.</p> <p>17 THE COURT: Right, right.</p> <p>18 MS. BREDEHOFT: Then, in redirect, he 19 comes back and is now trying to claim damages for 20 Pirates 6, which hasn't even been made yet, way 21 after November 2, 2020. And the evidence will 22 show -- and Your Honor will see it this morning in</p>	<p style="text-align: right;">11</p> <p>1 THE COURT: I understand. What I want to 2 know is -- because I already made a ruling on that 3 before. So the question is, What has happened that 4 opened the door? Just give me the specifics that 5 opened the door, because that's where we're at 6 right now.</p> <p>7 MS. BREDEHOFT: Okay. Mr. Depp, his 8 testimony has -- he testified that he has never had 9 the opportunity to discuss these. He testified 10 that the accusations themselves have caused him -- 11 he and his family and his children irreparable 12 harm -- irreparable harm to his reputation, to 13 Pirates 6, all of that. And he's not limited to 14 before November 2, 2020. But even if he had 15 limited to before 2020, this all came out before 16 November 2, 2020. The article itself, the lawsuit, 17 the publicity surrounding the trial. The trial was 18 in July of 2020. There was enormous publicity.</p> <p>19 Mr. Carino testified, Your Honor -- this 20 is part of this -- he testified that it's not just 21 the lawsuit or filing the lawsuit that caused the 22 damage. It's all the publicity surrounding those.</p>
<p style="text-align: right;">10</p> <p>1 the deposition designations -- Disney does not even 2 have on its radar the op-ed, but it did get the 3 judgment, and that's the other part of this.</p> <p>4 So Mr. Depp then files a lawsuit against 5 The Sun in June of 2018. This is still six months 6 before the op-ed. And, in it, he claims the 7 publication of the words complained of on the 8 online and hard copy articles has caused serious 9 harm to the claimant's personal and professional 10 reputation. In addition to relying on the 11 seriousness of the meaning and the huge extent of 12 the publication, the claimant will rely on the 13 effect of the accusations of violence against women 14 in the context of the widely known Me Too/Time's Up 15 movement.</p> <p>16 It goes on to say that, "In addition to 17 reputational harm caused to the claimant, the 18 claimant has been caused significant distress and 19 embarrassment by the publication of the words 20 complained of."</p> <p>21 This is six months before the op-ed. We 22 have to have the opportunity --</p>	<p style="text-align: right;">12</p> <p>1 THE COURT: Right. I think you can get 2 into the publicity of the lawsuit. I don't think 3 that's barred. It's just the judgment itself.</p> <p>4 MS. BREDEHOFT: And so I think, at this 5 point, Your Honor, the door's been open for the 6 judgment itself as well, because they have not 7 limited it to pre-November 2, '20. Instead, what 8 they have done is Mr. -- he got back on, on 9 redirect, and says, "Oh, no, I really wanted to do 10 more Pirates. That was in my -- you know, that was 11 something I wanted to do." Pirates 6 hasn't 12 happened yet. That's way past November 2, 2020.</p> <p>13 And I have -- and I'm arguing the Disney 14 corporate designee. They have the judgment, that 15 they circulated the judgment among them. They have 16 the judgment. They know that was decided against 17 him. They don't have the op-ed.</p> <p>18 THE COURT: Right.</p> <p>19 MS. BREDEHOFT: So that's -- it's got to 20 come in at this point. If he's going to claim 21 reputational damages -- and he didn't limit them to 22 pre-November 2, how can he possibly say that it's</p>

13	15
1 unfairly prejudicial when a judge makes a 2 determination that he has committed domestic 3 violence at least 12 times against Amber Heard? 4 That's out there. It's public, Your Honor. It was 5 126-page opinion, 585 -- 6 THE COURT: That's not coming in, 7 Ms. Bredehoft. 8 MS. BREDEHOFT: Okay. But the rest -- 9 THE COURT: It's not coming in. 10 MS. BREDEHOFT: Surely, Your Honor, we 11 should be able to bring in the article, the 12 lawsuit, the trial, all the publicity 13 surrounding -- 14 THE COURT: I agree with all of that. 15 MS. BREDEHOFT: But, see, based on Your 16 Honor's -- 17 THE COURT: But not the judgment. 18 MS. BREDEHOFT: -- ruling in the 19 opening -- 20 THE COURT: Right. 21 MS. BREDEHOFT: -- we believed we were 22 not allowed to do that.	1 THE COURT: Pirates 6. 2 MS. BREDEHOFT: -- and were right in the 3 Disney 6, and, "Yes, I wanted to continue on the 4 Disney franchise" -- 5 THE COURT: Pirates 6. 6 MS. BREDEHOFT: -- and he's not in any 7 way said, "Oh, and my damages stopped on November 8 2nd, 2020." He said, oh, my reputation, my family. 9 I have never had an opportunity -- 10 THE COURT: And still continue to this 11 day kind of. 12 MS. BREDEHOFT: Excuse me? 13 THE COURT: And still continue to this 14 day, is what you're saying. 15 MS. BREDEHOFT: Right. Correct, correct. 16 So we are going to call him in our case. 17 THE COURT: I understand. 18 MS. BREDEHOFT: And I would like to be 19 able to then question him on that or 20 Mr. Rottenborn, more or less does it. We'd like to 21 be able to bring all this in. 22 THE COURT: Okay. All right.
14	16
1 THE COURT: Okay. 2 MS. BREDEHOFT: And so we need to be able 3 to have that clarification. 4 THE COURT: Right. Well, I think -- I 5 think you can get into everything except the actual 6 judgment itself. 7 MS. BREDEHOFT: Then I think even the 8 judgment -- 9 THE COURT: I think -- 10 MS. BREDEHOFT: The whole world knows 11 that was made -- that determination was made. That 12 has to impact his reputation. It has to impact 13 what Disney does. It has to impact what all of 14 them do. 15 THE COURT: Well, I understand that. The 16 issue is, did it open the door? Because, in the 17 motion in limine, not supposed to ask for damages 18 after the judgment. So that's why the judgment 19 wasn't going to come in. 20 MS. BREDEHOFT: But they clearly have not 21 limited themselves. They have asked for damages, 22 and he said Disney 6. They came back and --	1 MR. MONIZ: All right. Well, I mean, I 2 don't think there's anything new here, Your Honor. 3 There's been no opening of the door as to damages. 4 We have made very clear -- 5 THE COURT: Well, I mean, he did testify 6 Pirates 6 and he would have done it and Pirates 6 7 hasn't happened yet. 8 MR. MONIZ: His testimony -- his 9 testimony, Your Honor, was I think that he wouldn't 10 do Pirates 6 for \$300 million and a million 11 alpacas. The point -- 12 THE COURT: Not on redirect it wasn't. 13 MR. MONIZ: The point was -- the point 14 was, Your Honor, that the damage was complete as of 15 the op-ed, and once he was fired by Disney after 16 the op-ed, at that point, the Disney -- the Disney 17 issue was done and that was the damage. 18 We have already stip -- we have already 19 indicated to counsel that we're prepared to 20 stipulate that there are no damages after 21 Pirates -- after the date of the UK judgment. To 22 the extent that there is any suggestion that

<p style="text-align: right;">17</p> <p>1 Pirates -- I mean, they're perfectly able to argue 2 that Pirates 6 has not been made yet and that we 3 haven't established that damages related to Pirates 4 6 have been established, but the idea that somehow 5 we have opened the door -- there's been no change 6 to the testimony, Your Honor. 7 And the Court has always drawn a very 8 clear distinction between the trial in the UK, the 9 publicity surrounding the trial in the UK. 10 THE COURT: Well, the publicity should 11 come in. 12 MR. MONIZ: Of course the publicity 13 should come in, and we have never suggested 14 otherwise. 15 THE COURT: Right. Right. 16 MR. MONIZ: This is a jury instruction, 17 Your Honor. This is just you're not allowed to 18 award Mr. Depp damages after this date. And 19 that's -- that's all there is. And if they want to 20 argue that Pirates 6 hasn't been made, therefore, 21 you can't calculate that, that's an argument they 22 can make.</p>	<p style="text-align: right;">19</p> <p>1 mean, I think -- 2 MR. ROTTENBORN: And that was one of the 3 ones we took out when I read in all those articles 4 the other day. 5 THE COURT: Well, you didn't show it to 6 me. It must have been before you took it out. I 7 didn't see this. 8 MR. ROTTENBORN: It was in the packet 9 that Your Honor was looking through -- 10 THE COURT: I don't have this one. 11 MR. ROTTENBORN: It was in the packet of 12 when we went through and took out -- 13 THE COURT: I mean, I'm telling you, they 14 look differently because -- 15 MR. ROTTENBORN: Maybe it was a different 16 printout -- 17 THE COURT: I never saw this one before, 18 so... 19 MS. BREDEHOFT: It was a version of that. 20 THE COURT: Okay. 21 MR. MONIZ: But, regardless, Your Honor, 22 I think the key point here is we're not suggesting</p>
<p style="text-align: right;">18</p> <p>1 But the bottom line is that there's 2 been -- counsel has not cited anything Mr. Depp has 3 done that would open the door. I mean, there's 4 been no change. The mere facts that Mr. Depp 5 indicated that he believed that Pirates 6 was lost 6 as of the date of the op-ed, that doesn't open the 7 door. That was many, many months before the UK 8 judgment. 9 As far as all this commentary about the 10 article and then the Dan Wootton article, I mean, I 11 don't believe the Court has ever excluded -- 12 excluded that type of publicity. That's, again, 13 all prior to the UK judgment. 14 THE COURT: But this -- I never saw a Dan 15 Wootton article; correct? 16 MR. MONIZ: But that -- yeah -- 17 MS. BREDEHOFT: Your Honor -- 18 THE COURT: I mean, I never ruled on 19 this; right? It feels like -- 20 MS. BREDEHOFT: Your Honor did -- in my 21 opening, Your Honor -- 22 THE COURT: Well, that -- yeah, but I</p>	<p style="text-align: right;">20</p> <p>1 that publicity surrounding the trial, publicity 2 surrounding the prior allegations, publicity 3 surrounding the Dan Wootton article itself, that's 4 fine. 5 THE COURT: And the article itself. 6 MR. MONIZ: Yeah, sure. But -- 7 MS. BREDEHOFT: And the lawsuit. 8 MR. MONIZ: But the lawsuit has come 9 in -- 10 THE COURT: I think the problem I have is 11 the actual judgment itself of the lawsuit. 12 MR. MONIZ: Yeah. 13 THE COURT: That just really shouldn't 14 come in, what was decided in that case, because 15 we're -- the jury needs to decide this -- 16 MR. MONIZ: And the prejudicial impact of 17 that, Your Honor, is incalculable. 18 THE COURT: I think we can structure 19 something that works here. 20 MS. BREDEHOFT: Your Honor, while I 21 respectfully disagree on the judgment, I understand 22 Your Honor's ruling --</p>

21	23
1 THE COURT: Right.	1 fact of that judgment.
2 MS. BREDEHOFT: -- and respect that. Can	2 MR. MONIZ: Your Honor, if I --
3 the fact of the judgment come in?	3 MS. BREDEHOFT: And that, I think, is
4 MR. MONIZ: No.	4 important to come in that they did that. And
5 THE COURT: Not the results of the	5 the -- because -- and the other thing, Your Honor,
6 judgment, no. Anything the judge said, no.	6 is one day after the judgment came down, he lost
7 MS. BREDEHOFT: Not even that he lost it?	7 Fantastic Beasts 3. He's not going to be employ --
8 MR. MONIZ: Your Honor, again, the	8 THE COURT: But he didn't testify about
9 prejudicial impact, the jury has to understand that	9 Fantastic Beasts 3.
10 it's making up -- that would open the door to such	10 MR. MONIZ: We're not claiming damages
11 a complicated tangle of legal issues and trying to	11 related to Fantastic Beasts.
12 somehow communicate to the jury the differences	12 THE COURT: Did he testify --
13 between the evidentiary standards and the legal	13 MR. ROTTENBORN: That's why he can't get
14 issues.	14 Pirates 6.
15 THE COURT: Well, no, I don't think it	15 MS. BREDEHOFT: Because he never --
16 does. But the question is did -- so you're saying	16 MR. MONIZ: Your Honor, and if -- and if
17 that this deposition -- because this is coming in	17 I may address the Disney point, Your Honor. The
18 through the deposition; I assume that's why	18 Disney produced PM -- a corporate designee who
19 we're -- the Disney deposition.	19 quite literally on, I think, every single topic or
20 MS. BREDEHOFT: The Disney deposition is	20 all but one of the topics maybe that Ms. Bredehoft
21 going to --	21 ran through, said, "I have no knowledge of this."
22 THE COURT: Somebody in the Disney	22 And the facts that an article was circulated, I
22	24
1 deposition says the judgment was the reason that --	1 mean, it's hearsay. It doesn't -- and certainly
2 MR. MONIZ: That is kind of --	2 the fact that Disney executives were circulating an
3 MS. BREDEHOFT: No, what they're saying,	3 article, even if that came in, that doesn't open
4 Your Honor, if I may --	4 the door to the judgment.
5 MR. MONIZ: Of course.	5 THE COURT: Judgment is what she's
6 MS. BREDEHOFT: What they're saying, Your	6 talking about.
7 Honor, is that they -- we had exhibits come in.	7 MS. BREDEHOFT: And, Your Honor, may I
8 They produced documents. We subpoenaed documents	8 approach with -- this is their amended expert
9 from Disney. We had a corporate designee. In the	9 designation for their damages.
10 documents that we subpoenaed, they had an email	10 MR. MONIZ: Oh, one additional point,
11 that was circulated among the decision-makers that	11 Your Honor. Counsel subpoenaed the wrong -- the
12 the top people at Disney, they had the judgment	12 wrong Disney entity.
13 that referenced the judgment, that he lost the	13 MS. BREDEHOFT: In any event, Your Honor,
14 judgment. They also didn't have any -- anything on	14 if you look at this, this was the amended one after
15 the op-ed article, but they had the judgment and	15 they claimed that -- may I?
16 are aware of the judgment.	16 MR. MONIZ: Yes, of course.
17 Disney -- I mean, you'll find these	17 MS. BREDEHOFT: After they claimed that
18 studios are a little, "Well, we haven't made any	18 they were going to stop everything on November 2,
19 decisions yet. We haven't -- you know, it hasn't	19 2020. They didn't. And if Your Honor goes to the
20 been." But that was something that they had	20 third page of this, look at -- and the summary of
21 circulated significant enough to go to their top	21 the grounds of Mr. Spindler's opinion, on sub 8 at
22 person, their CEO, the top people circulated the	22 the very bottom: "During the period of 2019

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1 through 2021," and they give Mr. Depp's earnings.
2 And then if Your Honor goes to the
3 following page where they have their bar code, if
4 you see that, they still are claiming damages in
5 2020 and 2021.
6 THE COURT: That's fine.
7 MR. MONIZ: But we're not claiming --
8 MS. BREDEHOFT: And then if you go -- if
9 Your Honor goes to the attached charts, which you
10 have to go quite a ways back. They don't have a
11 page on it, but this is what it looks like.
12 THE COURT: Okay. Got it.
13 MS. BREDEHOFT: Then they have here --
14 and they're showing the spikes -- and the spike in
15 10/2020 and 1/2021 is quite high because it's right
16 after the judgment came out. We have to be able to
17 cross-examine him on that.
18 And then they say, on the next page, they
19 cite three articles -- 3 November 20, which is the
20 day after the judgment came out, "The Fall of
21 Johnny Depp: How's the World's Most Beautiful
22 Movie Star." Then 6 November 20, "Johnny Depp

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1 Loses Court Case Against Newspaper." And then
2 6/2020, "Johnny Depp to Depart the Fantastic Beasts
3 Franchise," CNN. They cite -- this is their
4 expert, their amended expert report after they're
5 supposed to be allegedly stacking the damages on
6 November 2nd, but these are all highly relevant to
7 the fact that he can't get any work now because he
8 lost that judgment.
9 MR. MONIZ: Your Honor --
10 MS. BREDEHOFT: It's not unfairly
11 prejudicial.
12 MR. MONIZ: We have made very clear,
13 we're prepared to stipulate to a jury instruction
14 that cuts off damages in 2020.
15 THE COURT: But is he going to testify to
16 something after the judgment? Because if he's
17 testifying after the judgment, it doesn't --
18 MR. MONIZ: Well, first of all, Your
19 Honor, he hasn't testified yet. If he wants to
20 argue that his testimony opens the door, they have
21 to wait for him to testify.
22 THE COURT: But you're saying this is the

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1 way he's going to testify. That's why we do these
2 so they know what they're going to testify to.
3 MR. MONIZ: What was that?
4 MS. VASQUEZ: He's not going to testify
5 to that.
6 MR. MONIZ: He's not going to testify to
7 that.
8 THE COURT: Then why is it in his
9 designation then after my ruling?
10 MR. MONIZ: Well, Your Honor, I'm not
11 exactly sure why that was included, off the top of
12 my head, because, again, I was not provided with
13 any kind of notice of this motion.
14 THE COURT: But the problem is, this is
15 what I see, and I'm doing depositions today for
16 their case, so I have to be able to rule --
17 MR. MONIZ: I can represent to the Court
18 the testimony -- we're not claiming damages after
19 November 2nd, 2020. We are not presenting
20 testimony on that. We will not be presenting
21 testimony on that, and we will not be claiming
22 damages after that date.

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1 So I can't speak to exactly why -- I
2 mean, I'm not exactly sure. I don't even have that
3 in front of me.
4 Do you have a copy for me?
5 MS. BREDEHOFT: I can give it to you.
6 MR. MONIZ: But the bottom line is, Your
7 Honor, we're not claiming damages after that date.
8 THE COURT: You can say you're not
9 claiming, but what I want to say is, you know,
10 what -- you say you're not claiming it but --
11 you're saying witnesses are not going to testify to
12 it, but then you have an expert that he is going to
13 testify to it.
14 MR. MONIZ: Well, no, I don't think -- I
15 don't think that's what it says, Your Honor. I
16 mean, I think --
17 THE COURT: He clearly says that.
18 MS. BREDEHOFT: And, on top of it, Your
19 Honor -- and on top of that, Mr. Depp has already
20 testified, by definition, they're claiming Pirates
21 6. And it hasn't come out yet.
22 MS. CALNAN: So, first of all, Pirates 6,

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1 we have a statement from Sean Bailey, the head of
2 production, in December of 2018 saying that they're
3 moving in the direction --
4 MS. BREDEHOFT: Your Honor, that --
5 MS. CALNAN: -- of Johnny Depp. And
6 then, with respect to this chart -- I'm trying to
7 find the exact email, but Mike Spindler, the reason
8 why he included this is because, if he didn't
9 include 2021, it actually was not going to be
10 accurate and more favorable to Johnny Depp, and so
11 that's why he included that.
12 If we want to cut that off, we can --
13 THE COURT: Well, you're supposed to cut
14 it off, not if you want to.
15 MS. CALNAN: But this isn't for future.
16 It was historical earnings projected forward but
17 based on past earnings. I'm sorry; they're CPA
18 terms. I'm trying to find the email, but there was
19 a reason why he did it, and he felt that --
20 THE COURT: But if he did it and he put
21 it as part of his expert designation, then that
22 opens the door. Why doesn't it -- I think it's

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1 pretty clear.
2 MR. MONIZ: I think the point, Your
3 Honor, is -- and Stephanie can correct me if I'm
4 wrong -- but I think this is based on -- this is
5 like back-end payments.
6 MS. CALNAN: Yes.
7 MR. MONIZ: So this is not -- this is not
8 projecting future income based on a future project.
9 This is projecting Mr. Depp's income --
10 THE COURT: But he used the judgment in
11 his analysis.
12 MS. CALNAN: No, he doesn't.
13 MR. MONIZ: He doesn't, Your Honor. I
14 don't believe he does. I don't believe the
15 judgment is referenced. And even if you could
16 somehow characterize this as doing that, which I
17 don't believe you can, any problem here is
18 addressed through a jury instruction.
19 THE COURT: No, that's not true.
20 MR. MONIZ: Well -- well, certainly, Your
21 Honor, until he testifies --
22 THE COURT: The motion in limine was

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1 clear that there wouldn't be any testimony of
2 damages past the judgment date, and that's why the
3 judgment doesn't come in. But if the door is
4 open --
5 MR. MONIZ: But this --
6 THE COURT: -- comes in. Nothing about a
7 jury instruction.
8 MR. MONIZ: Okay. I understand that,
9 Your Honor. I think the point here is there has
10 been no testimony about damages. And as this
11 chart, the facts that it goes to 2021 doesn't mean
12 we're claiming damages or testifying about damages
13 post-2021. As I understand what Ms. Calnan just
14 indicated to me, and I have not been directly
15 involved in this -- this aspect of the case, but as
16 I understand what Ms. Calnan is indicating here to
17 the Court, that these red bars -- and you will note
18 that they are a different color -- are based on
19 past earnings, participation from past projects,
20 indicating his income from past projects. It does
21 not indicate that Mr. Depp is claiming damages from
22 those subsequent dates or is projecting what his

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1 income would have been from additional projects
2 after the UK judgment.
3 So, Your Honor, in no way does that open
4 the door to anything after the UK judgment. There
5 has been no change in the damages we're claiming.
6 We have always been clear -- and this has been the
7 case for at least a couple of weeks now -- that --
8 MS. BREDEHOFT: Your Honor, that --
9 MR. MONIZ: Excuse me, counsel.
10 This has been the case for at least a
11 couple of weeks now, and we have made clear we're
12 not claiming damages after that. I mean,
13 Ms. Bredehoff has not cited any testimony at all
14 that has been presented to the jury that, in any
15 way, opens the door to the UK judgment. There has
16 been no claim of damages after the UK judgment.
17 The claim has been that Pirates was lost
18 in 2018 and that Mr. Depp suffered damages based on
19 those original statements. And the notion --
20 again, Your Honor, the prejudicial impact of the UK
21 judgment is beyond -- it's so incredibly
22 prejudicial that --

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1 THE COURT: I'm just at the opening doors 2 box. I have already -- I have already made my 3 ruling on the UK judgment. The only thing that 4 gets the UK judgment is in the opening the door. 5 That's where I'm at. I'm not at prejudicial. I'm 6 not -- 7 MR. MONIZ: I understand. 8 THE COURT: -- anything else. It's "Has 9 the door been opened?" And when you give me an 10 answer in designation that looks like it's talking 11 about damages based on a judgment -- 12 MR. MONIZ: Well, Your Honor, again, to 13 be clear -- to be clear, I believe that this is 14 a -- this is a misunderstanding of what the expert 15 designation is intended to present. And the expert 16 designation is not intended to present a claim for 17 damages now for 2021, nor has it intended to 18 project what Mr. Depp's income would have been from 19 future projects after the UK judgment. It's 20 entirely based on what Mr. Depp's profit and 21 participation would have been in prior -- based on 22 prior projects that predate the UK judgment, and	1 and file -- present the Court on -- 2 THE COURT: I have to do depositions 3 today. Today is the day for depositions. 4 MS. CALNAN: We can call Mike Spindler 5 right now and get the explanation. 6 THE COURT: I don't care for the 7 explanation. This is your explanation right here. 8 I'm looking at it. 9 MR. MONIZ: Well, Your Honor -- 10 MS. BREDEHOFT: They're amended. 11 THE COURT: I know. 12 MS. CALNAN: Well, we took out the 13 Fantastic Beasts damages, which the damages he's 14 claiming is on page 5. This is historical 15 earnings. This is not -- 16 THE COURT: This is when he's testifying. 17 MR. MONIZ: Yeah -- 18 THE COURT: Is Mr. Spindler going to 19 testify? 20 MR. MONIZ: Mr. Spindler will not testify 21 regarding -- 22 THE COURT: No, I know. That's not the
34	36
1 it's simply included -- 2 THE COURT: What's the date of the UK 3 judgment? I'm sorry. 4 MR. MONIZ: 2020. 5 MS. BREDEHOFT: November 2, 2020. 6 THE COURT: Okay. So November 2, 2020. 7 And this is a summary of his opinion: During the 8 period of 2019 through 2021, Mr. Depp has earned 9 approximately 68 million, or 22.7 million per year. 10 MS. CALNAN: Right. That's his 11 historical earnings. So we're not basing our 12 damages off of that. 13 THE COURT: Then why is he testifying? 14 MS. CALNAN: I can pull up the email, but 15 he was saying it was more accurate, and if you take 16 out what he hasn't earned in 2021, it was going to 17 be more favorable to Mr. Depp, and he felt that 18 that was not accurate or fair. 19 MR. MONIZ: Your Honor -- 20 MS. CALNAN: So we can get rid of that, 21 if that's -- 22 MR. MONIZ: Your Honor, may we consult	1 question. No, no. Is he testifying in this case? 2 MS. CALNAN: Yes. 3 THE COURT: This is his designation. And 4 this goes through 2021. 5 MR. MONIZ: But, again, Your Honor, the 6 facts that he's -- okay. So the fact that the 7 designation includes an explanation of what he -- 8 THE COURT: And Courts go by 9 designations. I mean, that's what we do. They 10 rely on your designations. Everybody relies on 11 designations. 12 MR. MONIZ: The fact that his designation 13 includes a reference to income from past -- from 14 past projects that was paid in 2021 does not open 15 the door to the judgment because it doesn't involve 16 anything that Mr. Depp was involved in post the 17 judgment. It's based on prior -- it's based on 18 prior projects. 19 So, Your Honor, to the extent that there 20 is any -- and counsel has not cited anything in 21 this document that suggests that we're claiming 22 damages -- what's that?

<p style="text-align: right;">37</p> <p>1 MS. VASQUEZ: Your Honor, if I may just 2 quickly be heard, Your Honor, and I'll -- 3 THE COURT: I don't know how many 4 attorneys are going to be here. 5 MS. VASQUEZ: I'm so sorry. I'm sorry. 6 MR. MONIZ: Past earnings, Your Honor -- 7 yeah, so past earnings are Mr. Depp's profit 8 participation and back-end payments based on 9 projects that have been done previously dating 10 back, frankly, decades. 11 MS. VASQUEZ: That's income that's 12 already earned. 13 MR. MONIZ: Yeah, that's income that's 14 already been earned. Mr. Depp participates in a 15 film and then royalties for the next, you know, 16 however many years come rolling in. And whenever 17 the film was played, he gets a check, etc. 18 Whenever a film appears on TV, he gets a check. 19 That's the concept. 20 And so the profit participation, these 21 three red bars -- as I understand it, these three 22 red bars are a reference to past earning -- to his</p>	<p style="text-align: right;">39</p> <p>1 The second one is Bania. What I was referencing 2 for Your Honor was his -- the second part of that, 3 yes, that's Bania. That's their other expert. 4 He's the one that's got these -- if Your Honor 5 looks at that page, the fall of Johnny Depp on the 6 world's most beautiful movie star, Johnny Depp 7 loses court case against the newspaper, Johnny Depp 8 to depart the Fantastic Beasts franchise. 9 The issue here, Your Honor -- and there's 10 no definitive evidence that he was knocked off 11 Pirates 6 because of the op-ed. That's their 12 argument, Your Honor, and that's a jury decision. 13 The jury gets to decide whether he loses Pirates 6 14 because of the op-ed or because of alternative 15 causation. And the alternative causation that we 16 would say is the op-ed had nothing to do with it. 17 If anything, it was the article in The Sun, the 18 lawsuit, the publicity surrounding the lawsuit, the 19 fact that he lost that lawsuit, and those -- and 20 then lost Fantastic Beasts, which means Warner 21 Bros. isn't going to touch him. Why would Disney 22 touch him after that?</p>
<p style="text-align: right;">38</p> <p>1 earnings in those years but based on those prior -- 2 based on those prior earnings. 3 MS. BREDEHOFT: Your Honor, if I may -- 4 MR. MONIZ: Contracts that long predated 5 the 2020 judgment. Some contracts probably for 6 decades. In other words, these red bars reflect 7 payments that Mr. Depp was still receiving for 8 Pirates 1 back in 2003. 9 MS. BREDEHOFT: Your Honor, if -- 10 MR. MONIZ: So there's nothing, Your 11 Honor, in here that opens the door, and there's 12 nothing in here, Your Honor, that suggests that 13 Mr. Spindler is going to testify about damages 14 from, for instance, the loss of Fantastic Beasts or 15 anything else that post dates the UK judgment. 16 We have always been clear that we're not 17 seeking damages after the UK judgment. 18 MS. BREDEHOFT: They have been clear as 19 mud about that. But, Your Honor, if I may talk for 20 a moment. 21 THE COURT: Okay. 22 MS. BREDEHOFT: There's two experts here.</p>	<p style="text-align: right;">40</p> <p>1 But all of that -- I mean, it's not 2 unfairly prejudicial. Mr. Depp brought the 3 lawsuit. That was his choice. 4 MR. MONIZ: Your Honor, that's nothing 5 new. 6 MS. BREDEHOFT: But, excuse me, it's my 7 turn. You have been talking nonstop. 8 THE COURT: Go ahead. Go ahead. 9 MS. BREDEHOFT: So, Your Honor, the other 10 part of this is, after they said, Oh, we'll stop at 11 November 2, 2020, Mr. Depp got on that stand and 12 didn't stop anything in November 2, 2020. "Oh, my 13 reputation. Oh, the publicity of these accusations 14 has ruined my reputation and my children's 15 reputation, and I have never been able to take the 16 stand, I have never been able to tell the truth. 17 I'm seeking the truth." 18 And then he comes back on redirect and 19 says, yes, Pirates 6, I wanted Pirates 6, it's 20 dangling, is what he said. And there's nothing 21 definitive that he is not going to be in Pirates 6, 22 Your Honor, but he said that of course that he</p>

<p style="text-align: right;">41</p> <p>1 wasn't. 2 But all of that is a jury decision, the 3 alternative causalities here. We have to be able 4 to present that there are other reasons why, 5 including the fact that he was adjudicated by his 6 own case in the UK that he chose to bring in the 7 UK. 8 MR. MONIZ: Your Honor, it's a gross 9 overstatement to suggest that Mr. Depp's commenting 10 that the op-ed damaged his reputation or that the 11 initial allegations in 2016 damaged his reputation 12 or damaging to his children. 13 MS. BREDEHOFT: That's what he's saying. 14 MR. MONIZ: Yes, of course he's saying 15 that, Counsel, but that's not the point. The point 16 is -- 17 MS. BREDEHOFT: Then the jury gets to be 18 able to decide all of it. 19 MR. MONIZ: The point -- the point is 20 that none of that opens the door. He testified 21 that it was upsetting to his kids when the 22 allegations came out in 2016 --</p>	<p style="text-align: right;">43</p> <p>1 about Mr. Depp's testimony -- 2 THE COURT: No, this is not a motion to 3 reconsider. 4 MR. MONIZ: Well, this is a -- 5 THE COURT: No, this is a motion saying 6 that he opened the door -- that the evidence has 7 opened the door -- that this expert -- you know, 8 I'm not inclined that Mr. Depp opened the door, 9 although I think there's some extra evidence that 10 now can come in based on his redirect. I think 11 that is clear that that now the article comes in, 12 the publicity comes in. Everything involving the 13 trial comes in. Okay? But the -- 14 MR. MONIZ: And to be clear, Your Honor, 15 I don't think we were ever opposing -- as long as 16 our understanding was that that could come in. 17 THE COURT: I want to talk now. 18 MR. MONIZ: Understood. 19 THE COURT: Thank you. All right. But 20 the problem I have is, because we're doing these 21 depositions ahead of time, I can't wait for him to 22 testify to see what he's going to testify to</p>
<p style="text-align: right;">42</p> <p>1 MS. BREDEHOFT: Was it upsetting to them 2 in 2018? 3 MR. MONIZ: That doesn't open the door to 4 the UK judgment and saying -- for him saying he 5 wants to speak his truth. I mean, that, in no way, 6 opens the door to the UK judgment. Of course he 7 wants to speak his truth. That's fine. They're 8 free to -- they're free to argue that the 9 allegations are true. They're free to argue all of 10 those kinds of things, but there's nothing in what 11 they cited about Mr. Depp's testimony that remotely 12 opens the door. 13 And as for Pirates 6, again, the plan is 14 that the damage was complete as of the op-ed when 15 Disney announced -- 16 MS. BREDEHOFT: And that's evidence. 17 MR. MONIZ: -- that they -- 18 MS. BREDEHOFT: That's for the jury to 19 decide. 20 MR. MONIZ: But, again, Your Honor, 21 there's nothing new here. This is a motion for 22 reconsideration. They have not cited anything new</p>	<p style="text-align: right;">44</p> <p>1 because I have to do these designations. That's 2 only fair to their side that I do the designations 3 in that light. 4 The Court relies on designations. What 5 I'm going to do is I can exclude him from 6 testifying to anything about -- anything after the 7 judgment. Period. 8 MR. MONIZ: Your Honor -- 9 THE COURT: And if he can't base -- but 10 if he can't -- but then that means he probably 11 can't testify, because if he's basing his analysis 12 on things after the judgment, then he can't 13 testify. 14 MR. MONIZ: Well, Your Honor, I don't 15 think he's -- 16 MS. BREDEHOFT: There's two -- 17 THE COURT: Both of them can't testify. 18 MR. MONIZ: We can -- 19 MS. VASQUEZ: They're not going to 20 testify to that. 21 MR. MONIZ: They're not going to testify 22 post judgment. I think I can -- I think I can --</p>

45	1 MS. BREDEHOFT: But this was amended 2 after they made that representation, Your Honor. 3 This is what we have to cross-examine. 4 THE COURT: A Court can exclude expert 5 testimony if it doesn't correspond with our 6 pretrial orders. 7 MR. MONIZ: Understood, Your Honor. I 8 think that he can still testify as to prior -- 9 THE COURT: Not if he based -- not if he 10 based his expert opinion on damages or any issues 11 that arised after the judgment. 12 MR. MONIZ: Your Honor, I think -- again, 13 it's not based on -- it's not based on post 14 judgment. It's based on -- it's based on -- 15 THE COURT: But he's got a graph here 16 that spikes right after the UK judgment. So you're 17 saying that he can testify to everything about that 18 but then they can't cross-examine as to the spike 19 that he has on his graph that he relied upon. 20 MR. MONIZ: Well, Your Honor, again, I 21 think that the graph is included purely for 22 purposes of completeness to show -- to show that --	47	1 THE COURT: What page? Oh, it doesn't 2 have a page. 3 MS. BREDEHOFT: This is schedule -- it is 4 Exhibit D, Schedule 1. If I may approach, perhaps 5 I can show you. 6 THE COURT: Yeah, sure. 7 MS. BREDEHOFT: It's right here, then, 8 this is the -- this is where he refers to judgment. 9 It's -- Exhibit C. Exhibit C. So there's the 10 spike on that page. And then here's the 11 explanation. 12 THE COURT: Oh. After it or before it? 13 MS. BREDEHOFT: After it. So this is 14 the -- 15 THE COURT: Oh, okay. 16 MS. BREDEHOFT: And then the white mark, 17 and then it's right there. 18 THE COURT: Oh, okay. 19 MR. MONIZ: Can you direct us to the 20 page, Counsel? 21 THE COURT: There's no page numbers. 22 That's the problem. It's Exhibit D, Schedule 1.
46	1 THE COURT: But you understand, Counsel, 2 he relied on. They should be able to cross-examine 3 on "Well, here's a spike here. Isn't this spike 4 here because of the judgment in the UK?" 5 MS. CALNAN: I'm sorry, Your Honor. What 6 chart are you referring to? 7 THE COURT: You can share with -- 8 MS. CALNAN: Because the only one that 9 has 2021 is Mike Spindler's chart, and, again, that 10 was based on Mr. Depp's historical earnings. Doug 11 Bania's chart does not have it. He has three 12 articles that he meant to exclude from the chart 13 that he didn't, that we can amend and exclude that 14 immediately. 15 MR. MONIZ: Okay. And not getting -- 16 MS. CALNAN: The chart -- 17 MS. BREDEHOFT: But where is he 18 testifying -- 19 MS. CALNAN: No, not a line on it. 20 MR. MONIZ: There's not a line on it. 21 MS. CALNAN: Doug's chart, if you look -- 22 MS. BREDEHOFT: This is Bania's.	48	1 Exhibit D or C? 2 MS. BREDEHOFT: D. Exhibit D, Schedule 3 1. 4 THE COURT: Exhibit D as in "David," 5 Schedule 1. 6 MS. BREDEHOFT: That's where he 7 references the judgment. 8 MR. MONIZ: So I think that -- I think 9 that that was intended to be removed, is my 10 understanding. 11 MS. CALNAN: I'm sorry, Your Honor. I 12 perhaps attached the wrong chart. We amended a new 13 chart that ended in 2020. I have that and I can 14 send it to you right now. 15 THE COURT: Well, let me see that chart. 16 MS. CALNAN: Okay. 17 MR. ROTTENBORN: Are you talking about 18 the lost earnings? 19 MR. MONIZ: So the point is, Your Honor, 20 not only -- neither expert is going to be 21 testifying about damages post '20 -- post the 22 judgment.

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1 MS. BREDEHOFT: He's claiming 21 million
2 in lost earnings, which how can we not -- and
3 that's assuming Pirates 6.
4 MR. ROTTENBORN: Not even doing Pirates
5 6.
6 THE COURT: I don't think Pirates 6 is in
7 here.
8 MS. BREDEHOFT: Non-franchise. That's
9 non-franchise. I mean, how can we not say that he
10 losing that judgment would not impact him being
11 able to get business?
12 THE COURT: I mean, is he going to
13 testify -- I mean, the problem is, during the
14 period of 2019 through 2021, Mr. Depp has earned
15 approximately 68 million, and he's going to --
16 that's Mr. Spindler's opinion. Where's the other
17 opinion for the other person here?
18 MR. MONIZ: So, again, the reference to
19 2020 -- '19, '20, '21 is based on prior earnings.
20 MS. BREDEHOFT: That is on page 10, Your
21 Honor, to look at the other one.
22 THE COURT: Okay.

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1 MS. BREDEHOFT: And he's the one that
2 references Exhibit C, which is the one with the
3 chart.
4 MR. MONIZ: But, again, that's not what
5 he relied on. And to the extent that the Court
6 wants him to -- to the extent that the Court wants
7 to exclude testimony post -- post judgment,
8 that's -- I don't think that's a problem.
9 THE COURT: That's what it should have
10 been when you did this designation.
11 MR. MONIZ: Well, I think that was the
12 intention, Your Honor. I think what we're talking
13 about here is a scrivener's error. That's all.
14 THE COURT: Well, it's not a scrivener's
15 error because "as reflected in the chart below,
16 Mr. Depp has suffered additional damage of
17 approximately \$23.8 million as a result of lost
18 business opportunities," but it doesn't say
19 anything about the dates.
20 MR. MONIZ: Well, yeah, but that's,
21 again, Your Honor, it's been clear that the
22 intention is to testify that that's based on the

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1 op-ed that's pre -- prejudgment.
2 THE COURT: Through November 2020.
3 MR. MONIZ: Yeah. There's nothing in
4 there, Your Honor. Yeah, that's clearly what his
5 testimony is. It's prior to the judgment.
6 Now, they are free to cross-examine him
7 on whether that's --
8 THE COURT: Well, they're not free to
9 cross-examine him because --
10 MS. BREDEHOFT: First of all, they
11 didn't -- I mean, remember, Your Honor, they didn't
12 even want to give us amended ones. I had to come
13 in to court to get them.
14 MR. MONIZ: That's -- well, I don't think
15 that's accurate.
16 MS. BREDEHOFT: They're amended, and this
17 is what we're supposed to rely on. And one other
18 question I have is: When are they finishing their
19 case? They said a week to a week and a half. And
20 we don't even have these experts yet. Are they
21 going to be on Monday? And we don't have -- then
22 are we going to be able to cross-examine them based

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1 on what they gave us?
2 MR. MONIZ: I think the expert
3 designations are clear here, Your Honor, that the
4 experts are testifying regarding damages incurred
5 through the date of the UK judgment. I think
6 that's clear in both. The inclusion of a chart, I
7 think, out of error, was the wrong chart, possibly.
8 That doesn't open the door. It's not what they
9 relied on. It's not what they're going to testify
10 to.
11 THE COURT: If you're saying --
12 MR. MONIZ: They're going to testify --
13 THE COURT: Okay. If you're saying it's
14 a wrong chart, I need to see the one that's
15 supposed to be attached to it so we can figure out
16 from there.
17 MR. MONIZ: Yeah, I believe we're pulling
18 that up. But even so, on that slide, Your Honor, I
19 mean, the testimony at trial is going to be damages
20 through and stopping definitively --
21 THE COURT: Okay.
22 MR. MONIZ: -- as of the date of the UK

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1 judgment. There has been no opening of the door.
2 And Mr. Depp's testimony certainly didn't open it.
3 MS. BREDEHOFT: It certainly did, Your
4 Honor. He didn't stop at November 2, 2020. He
5 said all of these -- these are -- had
6 irreparable -- "I haven't had an opportunity to
7 speak to these, but I have suffered irreparable
8 injury as a result of these accusations."
9 THE COURT: Right. Well, I think -- when
10 you call him, your opportunity to speak, you did
11 testify in the UK trial, you can say there was
12 publicity with the UK trial and everything. I just
13 don't want to get to the judgment aspect -- the
14 judgment. I know you don't agree with me on that,
15 but right now, I don't -- if this witness gets up
16 there and says something -- anything on direct that
17 even comes close to saying it, it's going to open
18 the door.
19 MS. BREDEHOFT: But we also need to know
20 what he's going to say.
21 THE COURT: Yeah, I mean, we need to have
22 exactly --

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1 MS. CALNAN: I'm working on that.
2 MR. MONIZ: We'll get a chart.
3 THE COURT: Today.
4 MS. CALNAN: Yeah. Yes.
5 MR. ROTTENBORN: And, at this point, I
6 think they're going to Monday or Tuesday, I assume.
7 MS. BREDEHOFT: I mean, this is just
8 unfair prejudice.
9 THE COURT: I understand.
10 MS. BREDEHOFT: Can you exclude both --
11 MR. MONIZ: There's been no unfair
12 prejudice. Your Honor, we have been telling
13 counsel for weeks we're cutting off damages at that
14 date. There's no surprise here.
15 MS. BREDEHOFT: Yes, because --
16 MR. MONIZ: Counsel -- counsel --
17 MS. BREDEHOFT: -- they have given us as
18 a basis those facts.
19 MR. MONIZ: Counsel, with all due regard,
20 I mean, you knew -- Ms. Heard was well aware of the
21 fact -- Ms. Heard was well aware of the fact that
22 we were coming off damages as of November 2nd,

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1 2020.
2 THE COURT: Right.
3 MR. MONIZ: And this trying to seize on
4 an ambiguity in the expert's disclosure --
5 THE COURT: Well, it's not an ambiguity,
6 and I don't like you discounting it as that.
7 MR. MONIZ: Well --
8 THE COURT: Because this is something
9 that the Court relies on too.
10 MR. MONIZ: I --
11 THE COURT: So I'm taking this a lot more
12 serious than you should -- than you --
13 MR. MONIZ: No, Your Honor, I am taking
14 this very seriously, and I certainly do not mean to
15 suggest to the Court that I'm not. I do take this
16 seriously.
17 THE COURT: All right. Well, you have to
18 take some responsibility for it because this
19 does --
20 MR. MONIZ: Understood, Your Honor. And
21 we take responsibility --
22 THE COURT: When the Court looks at this,

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1 it looks like he's relying on things after the UK
2 judgment. Okay? So that's why I'm going to
3 exclude his testimony at this point. But you're
4 saying you attached the wrong chart. Okay. So let
5 me see the chart that's supposed to be attached to
6 it, and then I can decide from there.
7 MR. MONIZ: Absolutely, Your Honor.
8 MS. BREDEHOFT: And also the -- so
9 Spindler's designation is this first one that says
10 -- that goes into 2021, and then Bania is the one
11 that's got the chart there. And then Spindler is
12 the one on page 5.
13 So it's both experts, Your Honor. It's
14 not just one. Both of them are --
15 THE COURT: So let me see what you come
16 up with within the next couple of hours, and I'll
17 decide whether or not we're going to let those
18 people testify.
19 MR. MONIZ: Understood, Your Honor.
20 Thank you.
21 MR. ROTTENBORN: Your Honor, if I may,
22 just one last thing. It looks like his new -- his

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1 new chart says total lost bookings non-franchise --
2 this is on page 5.
3 MS. BREDEHOFT: Page 5, Your Honor.
4 THE COURT: Page 5.
5 MR. ROTTENBORN: 21.3 million. But at
6 his -- at his deposition, Michael Spindler that I
7 took a couple of months ago, he says -- or last
8 one -- he had in that chart, which I don't have in
9 front of me but I have his transcript, he had 23.8
10 million of this non-franchise earning, and he said
11 that that would have -- he said, "We are taking a
12 look at roughly a two-year period, 23 and a half
13 months. We have calculated what a 23 and a half
14 month annual would have been, what income would
15 have been. That's \$34 million, and we have
16 compared that to his actual bookings during that
17 2019-2020 time period, and that came to 10.6
18 million."
19 So I guess my point is, if they really
20 cut it off at November 2nd, 2020, how come the
21 non-franchise bookings has only gone down --
22 actually, it's -- it says 23.7 million in the -- on

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1 the top of page 5.
2 So I'm not sure -- I'll have to look.
3 I'm not sure he's changed that at all in light of
4 Your Honor's ruling that they have to narrow the
5 damages.
6 THE COURT: But you're saying, during
7 deposition, there was no limitation as to damages
8 when you did the deposition?
9 MR. ROTTENBORN: No, that's correct. And
10 I'm not -- what I'm struggling to get my bearings
11 on here is how far in advance -- how -- what time
12 period after December 18th, 2018, he was taking
13 those damages out. But my point is that, in
14 that -- in his -- in that piece of it was 23.8
15 million. And if you look at the chart in the new
16 designation I gave you, it's 23.8 million, rounded
17 up. 23.7.
18 So I'm not sure that he's modified that
19 at all, but I have to compare the two.
20 MR. MONIZ: Your Honor, I don't have the
21 number -- the calculations in front of me, nor am I
22 the person who would be equipped to explain that.

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1 I mean, the expert is going to explain --
2 THE COURT: Well, that's the problem.
3 What he's saying is, when he did the deposition for
4 him, when there were no limits, the number is the
5 same exact as you're saying as there are limits.
6 MR. MONIZ: Again, without having the
7 full context of the deposition in front of me, Your
8 Honor, I don't have an explanation --
9 THE COURT: Well --
10 MR. MONIZ: -- off of my head for the
11 numbers, but -- but what I can say is that they are
12 free to -- well, what I can say is the testimony --
13 the intended testimony --
14 THE COURT: Well, I need to see a
15 designation that that is the testimony, and I need
16 to see it within the next two hours.
17 MR. MONIZ: We're working on it.
18 THE COURT: We'll have amended
19 designation in the next two hours for everybody to
20 see, and then we'll see where we're at. But the
21 numbers have to be different, I assume. Okay?
22 So --

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1 MS. BREDEHOFT: But everything else comes
2 in; right?
3 THE COURT: Okay. Everything --
4 everything comes in other than the actual judgment
5 itself. At this point, yes, articles come in, the
6 publicity, whatever else with the UK trial comes
7 in. We're just not -- we're going to stop at the
8 judgment.
9 MS. BREDEHOFT: Okay. Thank you, Your
10 Honor.
11 THE COURT: All right. And we have the
12 depositions today. I know we had to get that
13 decided so we could do the depositions.
14 MS. BREDEHOFT: And I have two more
15 things. One of them is the pictures. What we
16 would like to do on the Australian pictures, Your
17 Honor, there were 126. What we would like to do is
18 be able to introduce those in our case, the ones we
19 want to, without having a foundation or
20 authenticity issue. There's some that we would
21 like to introduce, and we would like to restrict
22 the plaintiff from introducing -- they can use

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1 whatever we put in, but I don't think they should	1 evidence.
2 be able to introduce any others, because we had two	2 MS. VASQUEZ: No, Your Honor.
3 court orders -- not one, but who court orders --	3 THE COURT: Okay. All right. Let's do
4 THE COURT: Right.	4 that.
5 MS. BREDEHOFT: -- for them to turn those	5 MS. VASQUEZ: That's fine.
6 over. And I would like to bar Mr. King from	6 THE COURT: I'm not going to limit
7 testifying further.	7 anybody for the photos based on his testimony.
8 THE COURT: Okay. First, I would just	8 MS. VASQUEZ: Thank you, Your Honor.
9 say, from the testimony of Mr. King that I heard,	9 THE COURT: Whatever you want to put in,
10 he had them on his phone. He hadn't given them to	10 there's going to be no objection. Get in whatever
11 anybody, and I don't think there's any evidence	11 pictures you want to.
12 that they were given to any attorney.	12 MS. BREDEHOFT: Okay. Thank you, Your
13 MS. BREDEHOFT: He testified that they	13 Honor.
14 asked --	14 MS. VASQUEZ: Thank you, Your Honor.
15 THE COURT: That they had --	15 MS. BREDEHOFT: The last thing is, we'd
16 MS. BREDEHOFT: He gave them 15 to 20.	16 like to have -- remember they said that they were
17 THE COURT: 10 to 20 is what he said.	17 going to tell us at the end of yesterday what
18 MS. BREDEHOFT: And they didn't produce	18 they're doing on their case, because we're trying
19 those to us.	19 to plan --
20 THE COURT: Okay. Well --	20 THE COURT: Okay. Yes. We need to
21 MS. VASQUEZ: May I be heard?	21 figure this out. What's going on?
22 THE COURT: Ms. Vasquez --	22 MS. VASQUEZ: Again, Your Honor, we
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1 MS. BREDEHOFT: They produced three.	1 anticipate closing and resting our case either at
2 MS. VASQUEZ: No, Your Honor, that's	2 the end of Monday or Tuesday --
3 false. We produced -- how many? Because I looked	3 THE COURT: Okay.
4 this up. We at least produced -- we produced	4 MS. VASQUEZ: -- sometime in the
5 everything Mr. King provided to us. He provided	5 afternoon. We provided, you know -- or we will
6 them to me. I'm an officer of this court. I can	6 provide, by 5:00 today, the list of deponents --
7 guarantee Your Honor we produced everything that	7 THE COURT: The final list.
8 Mr. King gave to us.	8 MS. VASQUEZ: Yes, Your Honor.
9 THE COURT: All right.	9 THE COURT: Okay.
10 MS. VASQUEZ: As to Mr. Depp's control of	10 MS. VASQUEZ: We'll include the last
11 Mr. King, he's not an employee of his --	11 five. I think -- I mean, I can recite them now.
12 THE COURT: I'm not too concerned.	12 THE COURT: Five people left?
13 MS. VASQUEZ: Right. But to the	13 MS. VASQUEZ: I believe so.
14 extent -- I mean, we shouldn't be punished for not	14 THE COURT: Okay. Because I know we
15 producing photographs that we had -- that we never	15 didn't get to one yesterday.
16 had that were in the control and possession of a	16 MS. VASQUEZ: That's right. So Travis
17 third-party witness.	17 McKernan is going up first.
18 THE COURT: I understand. So how many --	18 THE COURT: And then you have Whigham?
19 so you found some that you want to put in evidence?	19 MS. VASQUEZ: Jack Whigham.
20 MS. BREDEHOFT: Yes, yes.	20 THE COURT: Okay.
21 THE COURT: Okay. I assume there's no	21 MS. VASQUEZ: And then we have, with Your
22 objection to any of these pictures coming into	22 Honor's, of course -- after you have reviewed the

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65	1 amended designations -- 2 THE COURT: Right. 3 MS. VASQUEZ: -- we're anticipating 4 calling Richard Marks, Spindler. 5 THE COURT: Okay. 6 MS. VASQUEZ: And then Bania or perhaps 7 Bania before Spindler. And then, finally, Erin 8 Boreum Falati by depo designation. 9 THE COURT: All right. How long is that 10 depo deposition of Falati? 11 MS. MEYERS: It's about an hour and a 12 half, Your Honor. 13 THE COURT: Hour and a half. 14 MS. VASQUEZ: So that might take us into 15 Tuesday around lunch. 16 THE COURT: Tuesday. You're very -- 17 there's no way this is all one day. I assume it's 18 going to be maybe an hour, remote testimony? 19 MS. VASQUEZ: 45 minutes to an hour. 20 THE COURT: 45 minutes. Okay. 45 21 minutes. 22 Whigham? Who is Whigham? I'm sorry.	67	1 THE COURT: All right. So make it an 2 hour. All right. So maybe we can get -- by 3 Tuesday -- looks like Tuesday afternoon -- have the 4 witness available for Tuesday afternoon to start. 5 MS. BREDEHOFT: Yes, Your Honor. 6 MS. VASQUEZ: That was our prediction. 7 THE COURT: That sounds good. I don't 8 think this is one day, but I think you can get 9 it -- 10 MS. VASQUEZ: No, no, no. Probably by 11 Tuesday. 12 THE COURT: All right. So Tuesday 13 afternoon, have a witness available, and we'll get 14 going from there. Okay? All right. That's fine. 15 Okay. Now, depositions. Right? 16 MS. BREDEHOFT: There is one, Your 17 Honor -- I learned this morning when I woke up that 18 they're apparently going to try to put the Warner 19 Bros. corporate designee on today. I don't even 20 have the transcript. Haven't looked at it. I'm 21 not ready for it. I think it's just 100 percent 22 leading, and Your Honor should throw the whole
66	1 MS. VASQUEZ: Jack Whigham. He is 2 Mr. Depp's current agent. 3 THE COURT: And how long do you -- 4 MS. VASQUEZ: 45 minutes, Your Honor. 30 5 to 45 minutes. 6 THE COURT: Direct? 7 MS. VASQUEZ: Correct. 8 THE COURT: Well, in that case, so we're 9 talking an hour and a half probably. 10 And Mr. Mark? 11 MS. VASQUEZ: Richard Marks? Probably an 12 hour. 13 THE COURT: And so, let's see, two and a 14 half hours. 15 Spindler? 16 MS. VASQUEZ: Less. 45 minutes probably, 17 Your Honor. 18 THE COURT: All right. We'll make that 19 an hour and a half for cross. 20 And then Bania? 21 MS. VASQUEZ: He's less. He's 30 22 minutes, Your Honor.	68	1 thing out, but I don't have it today. 2 We were supposed to tell each other these 3 things last week. 4 THE COURT: Okay. 5 MS. BREDEHOFT: And we have done our best 6 on that. 7 THE COURT: Okay. 8 MS. VASQUEZ: I believe we did inform 9 counsel last week that we had one. They had 18. 10 They represented -- we said we had one, and it was 11 Warner Bros. 12 MS. BREDEHOFT: But they didn't tell us 13 that. 14 MS. VASQUEZ: I was here. 15 THE COURT: Well, can we get the 16 deposition so we can get it done today or 17 something? 18 MS. VASQUEZ: Yes. It's a short 19 deposition. We were limited to three hours, Your 20 Honor, in California. 21 THE COURT: Can you get the deposition 22 somewhere?

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18 (69 to 72)

69	71
1 MS. BREDEHOFT: I mean, I guess we can	1 from Woods Rogers as well.
2 try to --	2 THE COURT: Good morning, ma'am.
3 THE COURT: Let's try to get it and get	3 MR. ROTTENBORN: They have been helping
4 it done. I would like to get a list of the	4 out at times.
5 depositions we're going to do so I can pull them	5 THE COURT: All right. Go ahead. I'm
6 all as you guys are looking at them.	6 glad. Okay. So why don't we go ahead and pull all
7 What's the Warner Bros. one?	7 these and give you guys some time. Is this the
8 MS. VASQUEZ: Warner Bros., the	8 order you want to do them in or is this a different
9 corporation designee is Hamada, is the last name.	9 order? Or I guess it depends on which attorney --
10 THE COURT: H-a...	10 MS. BREDEHOFT: I think it depends on
11 MS. VASQUEZ: ...m-a-d-a, I believe.	11 which --
12 THE COURT: Hamada. Okay. And that's --	12 THE COURT: Okay. I will pull all of
13 that's it; right?	13 them, and I'll get Samy to bring them in here, and
14 MS. VASQUEZ: That's it. And Mr. Depp	14 we'll be ready to go. All right? Just let me know
15 only intends to call Mr. Hamada by deposition in	15 when you're ready.
16 his rebuttal case.	16 (A brief recess was taken from 8:50 a.m.
17 THE COURT: That's for rebuttal.	17 to 10:27 a.m.)
18 MS. BREDEHOFT: And I'm -- just to give	18 THE COURT: So which one are we doing?
19 you a preview, I don't think we're going to reach	19 MS. PINTADO: Mr. Wizner first, and then
20 any agreement on Hamada because every single	20 we'll go to Romero, Your Honor. And those are both
21 question was leading.	21 ACLU --
22 THE COURT: Yeah, when we get to that,	22 THE COURT: Wizner?
70	72
1 we'll see what designations you have. I'm sure	1 MS. BREDEHOFT: Wizner.
2 you're putting your designations now.	2 THE COURT: Wizner.
3 MS. VASQUEZ: Of course.	3 MS. MEYERS: I think it is Wizner.
4 THE COURT: Writing them down.	4 MS. PINTADO: And it's Romero.
5 MS. VASQUEZ: We actually withdrew almost	5 MS. MEYERS: Anthony Romero, Your Honor.
6 all our designations --	6 MS. PINTADO: Yes.
7 THE COURT: Okay. Good.	7 THE COURT: Okay.
8 MS. VASQUEZ: -- for those 18 or 19 that	8 MS. MEYERS: Okay. So with respect to
9 were listed.	9 Mr. Wizner, there's really only one dispute.
10 THE COURT: Okay. Perfect.	10 THE COURT: Okay.
11 MS. VASQUEZ: Mr. Depp has.	11 MS. MEYERS: And it's on page 331.
12 THE COURT: All right. So I need to go	12 THE COURT: 331.
13 grab these. Are you ready for these, or do you	13 MS. MEYERS: Yes. And we are maintaining
14 need some time?	14 our hearsay objection to Mr. Wizner testifying
15 MS. BREDEHOFT: Is there anyone ready?	15 about the contents of an email he received from
16 We brought a big team today.	16 Mr. Anthony Romero.
17 THE COURT: I appreciate it.	17 THE COURT: Okay.
18 MR. ROTTENBORN: I just want to	18 MS. PINTADO: Yes, Your Honor. And we're
19 introduce, this is Karen Stenland from Woods	19 not offering this email for any truth that's in it.
20 Rogers.	20 The email said that, you know, that Mr. Romero's
21 THE COURT: Good morning, Ms. Stenland.	21 email had been hacked, and that's why his emails
22 MR. ROTTENBORN: And Elaine McCafferty	22 had appeared in the press. That's not why we're

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73	75
1 offering it.	1 though; correct?
2 If you read further, it explains that	2 MS. PINTADO: It is a statement. It is a
3 these emails appeared on Mr. Waldman's Twitter	3 signed, sworn statement.
4 account, and so that goes to the general malice of	4 MS. MEYERS: We're maintaining it's a
5 Mr. Waldman's campaign.	5 hearsay objection.
6 MS. MEYERS: Your Honor, we have	6 THE COURT: I'll sustain the objection to
7 withdrawn our objections to those portions.	7 that, to 1032.
8 THE COURT: Okay. There's just one?	8 Anything else on this deposition?
9 MS. MEYERS: Yeah. We're just	9 MS. PINTADO: That's it.
10 maintaining it's lines --	10 THE COURT: 18 to go. All right.
11 THE COURT: Line 11? I'm sorry.	11 MS. MEYERS: For Anthony Romero, I
12 MS. MEYERS: Yes. Page 331, lines 11	12 believe there's also only one --
13 through 15.	13 THE COURT: Okay.
14 THE COURT: So Mr. Wizner is saying	14 MS. MEYERS: -- objection that we are
15 something that Mr. Romero told him?	15 sustaining -- or maintaining. It's on page 365.
16 MS. MEYERS: Yes.	16 THE COURT: 365.
17 THE COURT: Right? Am I reading that	17 MS. PINTADO: Yes, Your Honor. Here,
18 right?	18 Mr. Romero is the president of the ACLU, so we
19 MS. MEYERS: Yeah, in an email.	19 asked, "Was this op-ed a matter of public concern?"
20 MS. PINTADO: Yes. Again, we're not	20 He answered, "Yes."
21 asserting that it was, in fact, hacked.	21 MS. MEYERS: Your Honor, first of all,
22 THE COURT: So that's what's the	22 this is a leading objection. They are leading a
74	76
1 relevance, then?	1 witness that was closely affiliated with them, and
2 MS. PINTADO: It's just explaining -- he	2 it's also lack of foundation, speculation, lack of
3 goes on -- the next sentence says, "I gently	3 personal knowledge. Mr. Romero did not write the
4 explained to him that that was most likely not the	4 op-ed, he was not involved in it, and they're
5 explanation."	5 asking for his essential speculation about what
6 MS. MEYERS: Which is also hearsay, Your	6 it --
7 Honor.	7 MS. PINTADO: He oversees the entire
8 THE COURT: I'll sustain the objection.	8 organization, Your Honor.
9 Okay.	9 THE COURT: I'll sustain the objection.
10 MS. PINTADO: We also are offering this	10 Legal argument as well. All right.
11 declaration of Ben Wizner.	11 MS. MEYERS: Do we still have exhibits?
12 THE COURT: What is that?	12 THE COURT: What's the next one? I'm
13 MS. PINTADO: It is 1032.	13 sorry?
14 THE COURT: Exhibit 1032.	14 MS. MEYERS: Did we agree on the
15 MS. MEYERS: And we are maintaining our	15 exhibits?
16 hearsay objection to that, Your Honor.	16 MS. PINTADO: We agreed on the exhibits.
17 THE COURT: Declaration. So...	17 MS. MEYERS: Okay. Sorry. I was just
18 MS. PINTADO: It was entered in this	18 confirming we were all set on the exhibits for
19 case, Your Honor, so it would be in the public	19 Romero.
20 records exception.	20 THE COURT: All right. Done with Romero.
21 MS. MEYERS: Your Honor, this has been --	21 Next one?
22 THE COURT: But it's his statement,	22 MS. MEYERS: We can do Mandel if

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77	79
1 Ms. Bredehopt is prepared.	1 MS. BREDEHOFT: It seems very clear to me
2 MS. BREDEHOFT: Yep.	2 that the use of alcohol and drugs was a daily event
3 THE COURT: Okay. Mandel's up.	3 and that --
4 MS. MEYERS: This one is going to be a	4 MS. MEYERS: It says, "In some of my
5 little lengthier, Your Honor.	5 conversations with people I have described involved
6 THE COURT: Okay. That's fine.	6 finding good days or parts of days I could engage
7 MS. MEYERS: But I do believe that,	7 in conversation with him."
8 actually, a preliminary ruling on some of this may	8 THE COURT: I'll overrule the objection.
9 enable us to resolve.	9 Okay. Next one?
10 THE COURT: Okay. Who is Mr. Mandel?	10 MS. BREDEHOFT: Next one is page 37. And
11 MS. BREDEHOFT: Mr. Mandel was the former	11 it's line 4.
12 business manager of Mr. Depp.	12 THE COURT: Line 4.
13 THE COURT: Former business manager.	13 MS. MEYERS: Your Honor, this is asking
14 MS. BREDEHOFT: And he testified --	14 Mr. Mandel about Mr. Depp's periods of sobriety.
15 THE COURT: Gotcha. Okay. All right.	15 He can't possibly have any personal knowledge of
16 MS. BREDEHOFT: I think we start on page	16 that. And even if he were told that, it's based
17 28, line 21.	17 off of hearsay.
18 THE COURT: 28. All right. 28, line 21.	18 MS. BREDEHOFT: It's his observations,
19 MS. MEYERS: Yes. And this is just a	19 and he's his business manager.
20 relevance objection, Your Honor. This is just him	20 THE COURT: Okay. Overruled. I'll allow
21 explaining the challenges associated with	21 that.
22 representing Mr. Depp as a business manager that	22 MS. BREDEHOFT: The next one is page 40.
78	80
1 are really challenges that are not at issue in this	1 THE COURT: Page 40.
2 case.	2 MS. BREDEHOFT: That goes 40 through 42.
3 MS. BREDEHOFT: I don't agree, Your	3 THE COURT: Okay. The question on line
4 Honor. As you see, he goes through and explains	4 4?
5 it. And then if you look at page 30, Your Honor --	5 MS. BREDEHOFT: Yes. No, that's been
6 THE COURT: It's about "The Rum Diary" --	6 withdrawn. It starts on line 16.
7 I'll overrule the objection.	7 THE COURT: Okay. Question. Okay.
8 MS. BREDEHOFT: Thank you.	8 MS. MEYERS: We can withdraw our
9 And then the next one I have is page --	9 objection here.
10 well, that's probably the same one. And then the	10 THE COURT: All right. Next one?
11 next one is page 34.	11 MS. BREDEHOFT: The next one's page 46.
12 THE COURT: Line 18?	12 THE COURT: Page 46.
13 MS. MEYERS: Yes.	13 MS. MEYERS: Oh, I believe on page 42,
14 MS. BREDEHOFT: Yes.	14 there's a different --
15 MS. MEYERS: Your Honor, this, we're	15 THE COURT: 42?
16 maintaining our foundation and lack of personal	16 MS. MEYERS: -- question that we're
17 knowledge information. The testimony prior to this	17 maintaining our objection to.
18 and subsequent to this indicates that any knowledge	18 MS. BREDEHOFT: Oh, I'm sorry. I thought
19 he has about the role of drugs and alcohol and	19 you withdrew it.
20 making it difficult to arrange meetings with	20 THE COURT: That was -- actually, it
21 Mr. Depp is based off of hearsay. And so he	21 starts on page 42, line 22?
22 doesn't have any personal knowledge of that.	22 MS. MEYERS: Yes. But, actually, now

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21 (81 to 84)

81	1 that I see this, I think it's consistent with Your 2 Honor's ruling on the other one. I apologize. 3 THE COURT: All right. Next we're up 4 to -- 5 MS. BREDEHOFT: I think we're at 46, Your 6 Honor. 7 THE COURT: 46? 8 MS. BREDEHOFT: Yes. 9 THE COURT: Line 13 or line 6? 10 MS. MEYERS: It's line 6, Your Honor. 11 THE COURT: Okay. 12 MS. BREDEHOFT: And then we have 13 highlighted 12 accidentally -- hit line 12 for 14 "yes" the answer. 15 THE COURT: I gotcha. So it's 6 through 16 12 that you're objecting to. 17 MS. MEYERS: So, Your Honor, we can 18 withdraw our objections to 6 through 12 and most of 19 the testimony that comes after 13. I'm just 20 looking on the next page, 47. "And tell me what 21 you were telling him," that would be hearsay. 22 THE COURT: What line are you on? I'm	83	1 THE COURT: Yes, because that was the 2 question. 3 MS. MEYERS: And, Your Honor, this is the 4 portion that I think gets to sort of the 5 foundational question that will address a number 6 of -- 7 MS. BREDEHOFT: I would agree. 8 THE COURT: On page 50? 9 MS. MEYERS: On page 50. So this is -- 10 they are showing Mr. Mandel a cross-complaint that 11 they filed against Mr. Depp in connection with 12 Mr. Depp suing them over mismanagement of his 13 business affairs. They filed a cross-claim. And 14 this is literally reading the cross-claim into the 15 record and asking if it's accurate. 16 MS. BREDEHOFT: So -- and here's exactly 17 what I did. You'll notice, Your Honor, there are 18 no objections -- contemporaneous objections to any 19 of this. What I did was try to get this in a lot 20 faster than asking him each of these questions 21 about each of these financial aspects of this. I 22 would have asked him, though, if the person had
82	1 sorry? 2 MS. MEYERS: Oh, sorry. Page 47, line 5, 3 and then the answer that follows in lines 8 through 4 22. 5 So this is Mr. Mandel relaying what he 6 says or indicates to Mr. Depp. 7 THE COURT: All right. So objection, 8 hearsay, to what he said. 9 MS. BREDEHOFT: So he has mixed in 10 here -- and he has mixed in here what Mr. Depp said 11 back to him, so it's context for Mr. Depp then. If 12 you look in here, he says, "It ended with him 13 telling me he loved me and, you know, I was able to 14 show him this and then I secured his agreement and 15 that was the end of the meeting." I mean, I don't 16 know that it's... 17 MS. MEYERS: Your Honor, the question 18 was, "What were you telling him?" 19 THE COURT: The question is hearsay, so 20 I'll sustain the objection. 21 MS. BREDEHOFT: Okay. Understood. So 22 that would apply to that whole thing.	84	1 objected to my doing this, but the attorney that 2 was defending did not object to any of these. 3 So I read in -- I would read part of the 4 paragraph from the cross complaint, and then I 5 would say, "Is this accurate?" And he would say, 6 "Yes." So I got it in a lot faster and it was a 7 much shorter deposition as a result of it, because 8 I showed then that I could get this in because 9 there's no contemporaneous objections. 10 MS. MEYERS: Your Honor, we're not 11 obligated to maintain hearsay, relevance objections 12 on the record in a deposition. This is -- 13 MS. BREDEHOFT: These are all Mr. Depp's 14 financial aspects. Mr. Wright just testified to 15 all of -- you know, a number of financial things 16 and what was spent and everything with Mr. Depp on 17 the stand yesterday. It's no different. He's 18 just -- this is him talking about, for example, we 19 go through how much he spends in terms of his 20 residences, how much he did on the -- you know, how 21 much he spent in terms of the yacht, how much he 22 spent -- and look, Your Honor, on page 52 at line

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85	<p>1 13. \$30,000 per month on expensive wines that he 2 had flown in which directly, Your Honor, addresses 3 what Mr. Wright was testifying on the stand 4 yesterday. 5 Because there was no objections, I 6 continued to do this through then, and it was the 7 best way to get it in. 8 MS. MEYERS: Your Honor, first of all, 9 they could have just asked these questions as 10 questions instead of reading it from a complaint. 11 Reading what someone has alleged in a legal 12 document is hearsay. If they had asked does he 13 spend X amount of money on wine, that would be one 14 matter. You know, I think, as we have gone through 15 this process, we all have been confronted with the 16 way we ask questions and take our depositions. 17 This wasn't the right way. This is improper. You 18 can't just read a complaint into a deposition and 19 have it submitted. 20 There's also a relevance issue here, Your 21 Honor. You know, what Mr. Depp's business managers 22 that he was suing alleged in their cross-claim is</p>	87	<p>1 MS. MEYERS: But, Your Honor, first of 2 all -- 3 MS. BREDEHOFT: It's also -- 4 MS. MEYERS: Again, I don't believe that 5 everything here is relevant. Second of all, I want 6 to just make clear: We were not obligated to 7 maintain hearsay and relevance objections on the 8 record in deposition. We only need to maintain 9 form objections. So this notion that somehow we 10 have waived these objections because she didn't 11 know we were going to object to them is, frankly, a 12 little ridiculous. 13 I have not heard any exceptions to the 14 hearsay rule that would permit this document to be 15 read to a witness. If she wants to maintain that, 16 "Is paragraph X accurate?", "Yes, that's accurate," 17 that's fine, but reading the contents of the 18 cross-complaint into the record is hearsay. I 19 think most of it is irrelevant, and, you know, we 20 have to abide by the testimony that we obtained at 21 the deposition, and this is what is here. 22 MS. BREDEHOFT: This is also relevant,</p>
86	<p>1 not relevant to any issues here. We understand his 2 financial status maybe, but what they're alleging 3 in response to his complaint against him is 4 entirely irrelevant. And if they had asked 5 questions that were specific to his spending habits 6 or whatever they believe is relevant in his 7 complaint, that would be another matter, but, 8 instead, they read the entire complaint into the 9 record, which is improper. 10 MS. BREDEHOFT: I read select paragraphs, 11 Your Honor, and if I had received an objection to 12 them, I would have asked it just differently. This 13 is relevant for a number of reasons. The financial 14 stressors relate directly to the abuse of 15 Ms. Heard. The stressors, the erratic behavior, 16 the drinking, the meetings that led to abuse 17 situations. 18 And in addition to that, Your Honor, we 19 have repeatedly through this case read emails and 20 then said, "Do you see that?" and asking questions 21 about it. Your Honor's allowed that all the way 22 through in theirs.</p>	88	<p>1 Your Honor, because it was a cross-complaint, and 2 that was litigation. We have already had Christian 3 Carino testifying specifically about the Mandel 4 litigation and the impact of the publicity 5 surrounding it. 6 But the important thing here, Your Honor, 7 is it's not hearsay, and it's the same testimony 8 that Mr. White gave on the stand yesterday. It's 9 the business manager saying these are the things, 10 this is what he said. 11 THE COURT: But his answer might not be 12 hearsay. The problem is the question is asking 13 for -- the document itself is hearsay and you're 14 reading from it. I think if you had just said, 15 "Look at this cross-complaint, and is that accurate 16 and can you explain that to me," I think is a 17 little different. 18 MS. BREDEHOFT: But if -- and I had been 19 objected to, I would have done it that way. That's 20 the whole point, is you have to have 21 contemporaneous objections if you're going to say, 22 "No, you can't do it that way." That's what we</p>

89	91
<p>1 have done, you know, so that you have the 2 opportunity to reframe it. But there was no 3 objections to the way I did it, so I continued to 4 do it that way because it was efficient, we were 5 able to get through it, I was able to cover a lot 6 of territory. 7 THE COURT: Well, I understand the 8 efficient part, but do you agree that you don't 9 have to object to hearsay on a deposition? 10 MS. BREDEHOFT: It depends, Your Honor. 11 I think there are circumstances where you do. But 12 I think, in this case, it's not hearsay -- it's not 13 hearsay, the cross-complaint. What I'm saying is, 14 you know, these things you have said, are they 15 accurate? Are these accurate statements? 16 So then it is the same -- it's the same 17 thing as if I had said, "How much is he spending on 18 his residences? How much is he spending on his 19 wine? How much is he spending?" It's the same 20 thing, Your Honor. And Mr. White was allowed to 21 testify to that yesterday. 22 MS. MEYERS: Mr. White was allowed to</p>	<p>1 it's been refreshing recollection even has been put 2 in and it's been there. 3 THE COURT: Right, because those are -- 4 because are exceptions to -- 5 MS. BREDEHOFT: Right, but that would be 6 manifestly unfair for me not to be able to elicit 7 this testimony when they didn't object to it on any 8 basis at the time. There's no objection stated to 9 these. 10 MS. MEYERS: Your Honor, I -- 11 MS. BREDEHOFT: It's important 12 information. 13 MS. MEYERS: They haven't heard 14 Ms. Bredehoff clarify. And I think, Your Honor, as 15 I said, we do not need to maintain hearsay, 16 relevance -- anything other than a form objection 17 we do not need to maintain in the deposition. She 18 proceeded at her own risk in asking the questions 19 in this way. 20 MS. BREDEHOFT: I don't agree with that. 21 I think the rules on hearsay are that you do, under 22 certain circumstances, and don't under others. But</p>
90	92
<p>1 testify to that with response to proper questions 2 that did not contain hearsay. If these had been 3 proper questions that said how much did he spend on 4 X, how much did he spend on Y, then we wouldn't be 5 having this argument, Your Honor. 6 The testimony has been read into the 7 question. As I said, I would have happy to have 8 the hearsay portions of those questions removed, 9 but I think the evidentiary value would be missing 10 at that point, given the fact that it's just a 11 paragraph. 12 MS. BREDEHOFT: We have been doing the 13 same thing with witness statements. There's been 14 questions asked, "Didn't you say this in your 15 witness statement? Didn't you say this in an 16 email? Didn't you say this?" It's the exact same 17 thing -- 18 THE COURT: But that's impeachment. 19 Most of the times, it's been coming in as 20 impeachment. 21 MS. BREDEHOFT: No, a lot of times -- 22 that's -- already, it's been -- a number of times</p>	<p>1 we have a -- I mean, this is exactly the same 2 testimony that Mr. White was allowed to testify to 3 yesterday. 4 THE COURT: But it's different answers. 5 The testimony, I agree, it is -- but it's the 6 question that are the issue. 7 MS. BREDEHOFT: I mean, could we -- 8 THE COURT: If you're able to work it out 9 without the hearsay -- 10 MS. BREDEHOFT: So should I take out, 11 "I'm turning you to paragraph 4"? 12 THE COURT: I mean, the answers are fine. 13 Yeah, the answers are fine, if you can get a 14 context there somehow. 15 MS. BREDEHOFT: All right. So if we just 16 work on the question to -- 17 THE COURT: I mean, it's probably going 18 to be only, "Do you see this?" and "Did I read that 19 correctly?", which might be a little off-putting 20 but -- and then "Okay, is that an accurate 21 statement?" and then he answers, I mean, I'll allow 22 the answer. We can do it that way.</p>

93	95
1 MS. BREDEHOFT: So, for example, if I	1 MS. BREDEHOFT: Thank you.
2 said -- well, let's go down to -- this might be	2 THE COURT: Do we have another one, then?
3 easier. Page 51.	3 MS. BREDEHOFT: I have Newman ready, but
4 THE COURT: Okay.	4 I don't know what Mr. Moniz is.
5 MS. BREDEHOFT: Down on line 18. If I	5 MR. NADELHAFT: I think Sam went with --
6 started at, "Mr. Depp spent in excess of 75 million	6 MS. STEMLAND: We can do Baum, though, if
7 to acquire improve, furnish, etc.," and take out	7 Clarissa is here.
8 "did I read this correctly" but say, "Is that an	8 MR. NADELHAFT: I can maybe get them.
9 accurate statement?" We can go pair those then.	9 MS. BREDEHOFT: Yeah, why don't we go get
10 THE COURT: That's --	10 them.
11 MS. BREDEHOFT: Okay.	11 THE COURT: If we have one -- I mean,
12 MS. MEYERS: Well, the problem is it's	12 there has to be 18, and I see a lot of attorneys
13 saying it says that Mr. Depp spent in excess --	13 here. Somebody has to be ready for something.
14 MS. BREDEHOFT: Well, I'll take out "I	14 MR. CRAWFORD: We can do Bruce Witkin.
15 think it says that." We can just start at	15 THE COURT: Whitney? Witkin, you said?
16 "Mr. Depp."	16 MR. CRAWFORD: Yes, Your Honor.
17 THE COURT: Okay.	17 THE COURT: Bruce Witkin. All right.
18 MS. BREDEHOFT: All right. Well, that, I	18 What are we up to here?
19 think, will give us guidance --	19 MS. STEMLAND: Good morning, Your Honor.
20 MS. MEYERS: Your Honor, I don't think	20 THE COURT: Good morning.
21 that that's proper, and that's -- and the question	21 MR. CRAWFORD: Page 61, Your Honor.
22 that's asked here is, "Did I read that correctly?"	22 THE COURT: Page 61.
94	96
1 It's not, "Is that accurate?"	1 MR. CRAWFORD: Line 19, going on to page
2 MS. BREDEHOFT: No, I'll take out "Did I	2 62. I have got a speculative objection.
3 read that correctly?"	3 THE COURT: I'm sorry? Page 61, line 12?
4 THE COURT: It says, "And is this an	4 MR. CRAWFORD: Line 19.
5 accurate statement?"	5 THE COURT: Okay.
6 MS. BREDEHOFT: Right.	6 MR. CRAWFORD: The answer on page 62,
7 THE COURT: That is the question.	7 speculative.
8 MS. BREDEHOFT: All right. I think we	8 THE COURT: And who is Bruce Witkin?
9 can go --	9 MS. STEMLAND: Bruce Witkin was
10 THE COURT: Okay. That's fine.	10 Mr. Depp's best friend for, like, 20 or 30 years.
11 MS. BREDEHOFT: -- for the rest of them.	11 THE COURT: Okay.
12 THE COURT: All right.	12 MS. STEMLAND: He grew up with him.
13 MS. BREDEHOFT: Thank you, Your Honor.	13 Mr. Depp married his sister-in-law originally. It
14 THE COURT: Okay. Is that it for this	14 was his first wife.
15 one, then?	15 THE COURT: Mr. Depp married his
16 MS. BREDEHOFT: There are a couple near	16 sister-in-law. Okay. All right. "So in terms of
17 the end that are --	17 jealousy, would anything make Mr. Depp more
18 MS. MEYERS: Yeah. So maybe with your	18 bothered or less bothered?" Okay.
19 guidance, we'll go back and we can --	19 MS. STEMLAND: And, Your Honor, I contend
20 MS. BREDEHOFT: Yeah, we'll work through	20 it's based on his personal observations and his
21 it and then we may have a few more.	21 friendship with Mr. Depp that he would know.
22 THE COURT: All right.	22 MR. CRAWFORD: I'd argue that it's

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97	1 speculative. How could he know what made Mr. Depp 2 more or less bothered in terms of jealousy? It 3 says in his answer, "You know, I think he'd work 4 himself up." 5 MS. STEMLAND: And it also goes to 6 whether or not Mr. Depp was bothered by Amber Heard 7 working, which it says that he was. 8 THE COURT: All right. I'll overrule the 9 objection. I'll allow it. 10 All right. Next one? 11 MR. CRAWFORD: Page 73, Your Honor. 12 THE COURT: 73. 13 MR. CRAWFORD: Line 22. So Ms. Stemland 14 has offered to withdraw some of the stuff, saying 15 that it's from a text, but, you know, this is -- 16 it's hearsay. It's a question that's based on a 17 text. 18 THE COURT: So he's looking at a text 19 between himself and who? 20 MS. STEMLAND: It's a text written by 21 Mr. Depp. The text is an exhibit that I'd like 22 to --	99	1 MS. STEMLAND: There's two exhibits in 2 that one, that's correct. 3 THE COURT: All right. And that exhibit, 4 I'll sustain the objection. 5 MS. STEMLAND: Okay. 6 THE COURT: Next one? 7 MR. CRAWFORD: I have page 79, Your 8 Honor. 9 THE COURT: Okay. 10 MR. CRAWFORD: Again, another hearsay 11 objection here. 12 THE COURT: Is this another text? 13 MS. STEMLAND: It's not -- 14 THE COURT: It says, "It says." What's 15 "it?" 16 MS. STEMLAND: Yeah, I crossed out the 17 first two lines of the question, so the only 18 question remaining would be, "Do you know what kind 19 of professional help, more specifically," and then 20 it talks about the kind of professional help. 21 MR. CRAWFORD: And I have also got a 22 relevance objection here, Your Honor. He says at
98	1 THE COURT: All right. So it's a text 2 from Mr. Depp to Mr. Witkin? 3 MR. CRAWFORD: No. It's a text from 4 Mr. Witkin to Ms. Heard saying what Mr. Depp said. 5 MS. STEMLAND: That's right. There are 6 two texts. 7 THE COURT: Okay. So, this one, we're 8 talking about one he sent to Ms. Heard. 9 MR. CRAWFORD: Correct. 10 THE COURT: Talking about what Mr. Depp 11 said. 12 MR. CRAWFORD: Correct. 13 THE COURT: And it's an objection to 14 hearsay based on the contents of that. 15 MR. CRAWFORD: Correct, Your Honor. 16 MS. STEMLAND: And I crossed out my 17 question, so the only part of the question is, "He 18 said you and him hit it hard last night." And that 19 was Mr. Depp's party admission. 20 THE COURT: No, but it's not him saying 21 it. It's Mr. Witkin saying that Mr. Depp is saying 22 it. Am I getting that correct?	100	1 the end of this answer, you know, "That's my 2 opinion." 3 MS. STEMLAND: But he has firsthand 4 knowledge of Mr. Depp, a long-term friend, of 5 whether or not he -- there's two kinds of therapy. 6 One is professional therapy and one is drug 7 related. 8 THE COURT: All right. I'll overrule the 9 objection. I'll allow that. 10 Okay. Next one? 11 MR. CRAWFORD: Page 93, Your Honor. 12 THE COURT: 93. Okay. 13 MR. CRAWFORD: Hearsay objection. "Did 14 anyone ever ask you for help resolving a fight?" 15 THE COURT: Okay. 16 MS. STEMLAND: Your Honor, there's a 17 hearsay exception that applies. The next three 18 pages go on to explain that, at 3 a.m., Mr. Witkin 19 was called. Basically, the adjectives were 20 frantic, craziness was going on, it was 3:00 in the 21 morning. 22 THE COURT: But the question was, "Did

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101	1 anyone ever ask you for help in resolving a fight 2 between Mr. Depp and Amber?" So what's the hearsay 3 exception to that question, basically? 4 MS. STEMLAND: I guess it would be what 5 Mr. -- what Mr. Witkin was aware of in terms of the 6 fighting. So not offered for the truth of the 7 matter. 8 MR. CRAWFORD: Mr. Witkin's state of mind 9 is not at issue. 10 THE COURT: All right. I'll sustain the 11 objection. 12 All right. Next one? 13 MS. STEMLAND: 96/21. 14 MR. CRAWFORD: Another hearsay objection, 15 Your Honor. 16 THE COURT: "And what else did Steven say 17 about that?" 18 MS. STEMLAND: And I would say that 19 there's a hearsay exception for -- I mean, he's 20 explaining that it was made -- that Steven was an 21 excited utterance, call at 3 a.m. 22 THE COURT: Okay. I'll sustain the	103	1 security team means. 2 MS. STEMLAND: Because they called up 3 3:00 in the morning, you know, saying things were 4 crazy, mayhem, and things were going down. 5 MR. CRAWFORD: He can say they called 6 him, but his reasons why -- 7 THE COURT: I mean, he does say that on 8 the page before; right? He says it on page 96, 9 "The first time Steven ever called me for help." 10 So he's already said that. And then, "Why would 11 Mr. Deuters, his assistant, need anyone else?" 12 MR. CRAWFORD: So I agree he can testify 13 as to the fact that they did call, but why they 14 called, he does not know. It's speculative. 15 MS. STEMLAND: But he knows that they 16 called him to come resolve the fight. 17 THE COURT: That's in, but why he would 18 call you, I don't -- I think that is speculative, 19 and it just draws an opinion from a fact witness. 20 I'll sustain the objection. 21 Next one? 22 MR. CRAWFORD: 98, line 11, Your Honor.
102	1 objection. 2 Next one? 3 MS. STEMLAND: The next one -- 4 MR. CRAWFORD: 97, line 15, Your Honor. 5 THE COURT: "And why would Dr. Deuter -- 6 Mr. Deuters, who is an assistant, need anyone 7 else?" 8 MR. CRAWFORD: And I have a speculative 9 objection here. 10 THE COURT: Okay. 11 MS. STEMLAND: Mr. Witkin would have 12 known that Mr. Depp's security -- the issue, why 13 does Mr. Depp's security team need anyone else to 14 help break up a fight between Mr. Depp and Amber? 15 And it goes to, you know, why would he be calling 16 Mr. Witkin in the middle of the night to come break 17 up a fight? It's relevant to both the nature of 18 the fight and why Mr. Depp's security team 19 basically couldn't help, and that's relevant to 20 this case. 21 MR. CRAWFORD: I think it's speculative 22 as to how would Mr. Witkin know what Mr. Depp's	104	1 Another hearsay objection. Mr. Deuters can get 2 another call. 3 MS. STEMLAND: And, again, you know, you 4 can tell by the answer that it says, "Shit's going 5 crazy down here. Can you come -- come urgently 6 over?" You know, I can tell that this is an 7 excited utterance and present sense impression 8 hearsay objection. 9 THE COURT: I'm sorry; there's no 10 statement here, is there? There's no statement. 11 He's just talking about... 12 MS. STEMLAND: I agree, there's no 13 statement. 14 THE COURT: So there's no -- so, "And 15 when Steven called you, did he make any reference 16 to anything being thrown around?" 17 "That, I don't remember." 18 MR. CRAWFORD: I think he's referring to 19 what Mr. Deuters said. And then, you know, on line 20 16 and 17 as well, "Did he want you to come over?" 21 "Yeah." 22 So it's clearly premised, I think -- the

105	107
1 response is premised on his discussion with 2 Mr. Deuters. 3 MS. STEMLAND: I think it goes to his 4 understanding of why he's calling -- 5 THE COURT: Yeah, I'll overrule the 6 objection. 7 Next one? 8 MR. CRAWFORD: 102/11. 9 THE COURT: "Have you ever heard that 10 things had gotten physical with any incident?" 11 "Have you ever heard that things had gotten 12 physical with any incident?" 13 MS. STEMLAND: And if you look at his -- 14 Your Honor, my contention is that that goes to his 15 understanding of physical. In his answer, you can 16 tell he's not talking about hearsay. He's talking 17 about actually observing bruises. 18 THE COURT: But the question is kind of 19 soliciting hearsay; right? "Have you ever heard?" 20 The objection's hearsay? 21 MR. CRAWFORD: That's the objection, Your 22 Honor, yes. And speculative as well to the extent	1 THE COURT: Right. 2 MR. CRAWFORD: You'll see on page 106, 3 you know, "Oh, it's in the same vicinity. I don't 4 know if that's the one." I think there's a 5 foundation, speculative nature to this. He's not 6 able to recognize that bruise. He's being shown a 7 picture, and he's not sure that it was the same 8 thing that he saw or not. 9 MS. STEMLAND: But it's relevant that he 10 said it's similar, and he testifies to the way the 11 bruise looks. 12 THE COURT: I'll overrule the objection. 13 I'll allow it. 14 All right. Next one? 15 MS. STEMLAND: And the next one is 138. 16 THE COURT: All right. Which line? 17 MS. STEMLAND: 20, I think. 18 MR. CRAWFORD: 20, Your Honor. 19 THE COURT: Okay. "And why did you 20 disagree?" And this goes into his opinion, I 21 assume? 22 MR. CRAWFORD: It does. So relevance.
106	108
1 he says, you know, "I never witnessed anything." 2 MS. STEMLAND: But he did say he did 3 witness -- witnessed -- he said he witnessed Amber 4 having some bruises on her arms. 5 THE COURT: I understand. I understand. 6 Okay. I'll sustain the objection as to the 7 question and the form. Okay? 8 Next one? 9 MS. STEMLAND: The next one is 104. 10 THE COURT: 104. "This picture..." 11 Okay. So he's showing a picture of 12 Ms. Heard. 13 MS. STEMLAND: And this is the picture 14 with Ms. Heard's bruise on her arm. 15 THE COURT: Right. Right. Okay. 16 MS. STEMLAND: And he had testified 17 previously to having seen a bruise, so I asked him 18 if that was similar to the bruise that he saw. 19 THE COURT: Okay. 20 MR. CRAWFORD: Yeah, Your Honor. So this 21 is essentially 104 to 106, and he's being shown a 22 picture here.	1 So witness's opinion about Mr. Depp's -- it's about 2 a lawsuit, one of the prior lawsuits that Mr. Depp 3 filed, and why this witness disagreed with whether 4 Mr. Depp brought that lawsuit. So there is a 5 relevance objection here. 6 THE COURT: Okay. What would be the 7 relevance of why he disagreed? 8 MS. STEMLAND: This goes to Mr. Depp's 9 security team, and basically, it goes to bias of 10 Mr. Depp. It goes to his view of 17 years with his 11 security team and how, you know, he basically -- 12 his security team does what he asks. 13 THE COURT: All right. To the question, 14 "Why do you disagree," I'll sustain the objection 15 as to relevance. 16 All right. Next one? 17 MR. CRAWFORD: 140, Your Honor, line 9. 18 THE COURT: "And what was Mr. Depp's 19 reaction to your testimony and your position with 20 respect to that?" 21 MR. CRAWFORD: Speculative objection, 22 Your Honor, and relevance as well.

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28 (109 to 112)

<p style="text-align: right;">109</p> <p>1 MS. STEMLAND: And I'd argue that he 2 observed Mr. Depp's reaction and that it affected 3 their friendship and it goes to their relationship 4 and Mr. Depp's position on the issue. 5 MR. CRAWFORD: I think he doesn't know 6 Mr. Depp's position. I mean, he's speculating as 7 to Mr. Depp's position. He says, you know, "I'm 8 sure that's why," and then... 9 THE COURT: "And what was Mr. Depp's 10 reaction?" So it wasn't talking to Mr. Depp or by 11 seeing Mr. Depp? It was just what he felt? Is 12 that -- I just want to make sure I got it in 13 context. I don't know the whole deposition. 14 MR. CRAWFORD: Yeah. And he says, you 15 know, "I felt a real disconnect from him." In this 16 answer, he goes on to talk about Mr. Waldman and if 17 he's still involved and "I wouldn't trust this guy 18 as far as I could throw him." 19 THE COURT: All right. I'll sustain it. 20 MS. STEMLAND: But it goes -- 21 THE COURT: I'll sustain the objection to 22 his reaction to the testimony.</p>	<p style="text-align: right;">111</p> <p>1 MS. STEMLAND: Well, I think it's 2 relevant to what Mr. Waldman's -- 3 THE COURT: All right. I'll overrule the 4 objection. I'll allow it. 5 All right. Next one? 6 MR. CRAWFORD: I believe this is the last 7 one, Your Honor. Line -- or page 149. 8 THE COURT: 149. Okay. 9 MR. CRAWFORD: Another speculative 10 objection as to what this witness believed -- why 11 this witness believed Mr. Depp was pushing him 12 away. 13 THE COURT: "Do you think there's any 14 correlation between your outspokenness about 15 concerns for his health, drug, and alcohol, and 16 whether that correlates to Mr. Depp pushing you 17 away?" 18 When we start with "do you think," there 19 maybe an issue. But yes, ma'am? 20 MS. STEMLAND: I'm just asking for his 21 understanding of why his relationship with Mr. Depp 22 ended.</p>
<p style="text-align: right;">110</p> <p>1 Okay. 2 MR. CRAWFORD: 141, Your Honor, line 7. 3 THE COURT: What was that about? What 4 are we talking about here? Oh, "Did you ever meet 5 Mr. Waldman?" 6 "Yes, one time." 7 "And what was that about?" 8 MR. CRAWFORD: Relevance as to this 9 personal -- this witness's interactions with 10 Mr. Waldman on this one occasion in reference to a 11 prior lawsuit unrelated to the current suit. 12 MS. STEMLAND: And I believe it's 13 relevant to our counterclaim. It's relevant to 14 Mr. Waldman. 15 MR. CRAWFORD: This witness's personal 16 view of Mr. Waldman is not relevant to the 17 counterclaim. 18 MS. STEMLAND: Well, it talks about 19 Mr. Waldman's admission as an agent of Mr. Depp and 20 said, "Have you found any shit on my 21 (indiscernible)?" 22 MR. CRAWFORD: Not relevant to this case.</p>	<p style="text-align: right;">112</p> <p>1 THE COURT: All right. I'll sustain the 2 objection then. 3 All right. That's it for this one? 4 MS. STEMLAND: Yes, Your Honor. 5 MR. CRAWFORD: That's it, Your Honor. 6 Thank you. 7 THE COURT: Thank you. 8 MS. STEMLAND: May I admit an exhibit 9 too, please? 10 THE COURT: Yes. The other text I 11 assume, from Mr. Depp? 12 MS. STEMLAND: Yep. It's Exhibit 213. 13 It says, "Amber, it's..." 14 May I approach? 15 THE COURT: All right. We don't need to 16 put it in evidence right now. I just want to make 17 sure -- there's no objection to the 213? 18 MR. CRAWFORD: No objection to that one 19 text message. 20 THE COURT: Right. So it will get 21 redacted to just that one text? 22 MR. CRAWFORD: Correct.</p>

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29 (113 to 116)

113	1 MS. STEMLAND: And with the identifiers 2 reacted. 3 THE COURT: Please, please. 4 MS. STEMLAND: And I would like to admit 5 the picture of Amber's arm that's bruised. 6 THE COURT: All right. 7 MR. CRAWFORD: We have not seen -- I 8 don't think we have a copy of that picture. 9 MS. STEMLAND: It was an exhibit to the 10 deposition, but I can get you a picture. 11 THE COURT: Well, you could -- if you 12 want to discuss about it. I mean, is this going to 13 happen after Ms. Heard is going to be on the stand? 14 It's probably already going to be in evidence by 15 that time. 16 MR. ROTTENBORN: It will be in evidence, 17 yes. 18 THE COURT: Okay. All right. 19 MS. STEMLAND: Thank you, Your Honor. 20 MR. CRAWFORD: Thank you, Your Honor. 21 THE COURT: Thank you. Next one? 22 MR. ROTTENBORN: Jessica, do you want to	115	1 objected on the grounds of attorney-client 2 communication. 3 THE COURT: Right. 4 MS. MEYERS: And then, you know, they 5 say, "Are you accepting that instruction?" He 6 says, "I am." And then they move on. 7 And so the evidence -- there shouldn't be 8 these lines of questions in which the 9 attorney-client privilege was asserted are not 10 relevant. 11 THE COURT: Well, but if he had come in 12 person to testify and they asked him a question, he 13 would say that on the stand. 14 MS. MEYERS: Yes. 15 THE COURT: In front of the jury. 16 MS. MEYERS: Yes. 17 THE COURT: And we would keep going. So 18 why would he not have it in here, I guess? 19 MS. MEYERS: Well, because the issue is 20 is that this was a deposition. If they had wanted 21 to move for -- you know, move to have an answer or, 22 like, challenge the attorney -- the assertion of
114	1 do Waldman or do you -- 2 MS. MEYERS: Oh, yes, Your Honor. 3 THE COURT: You're back. Which one are 4 we doing? Mr. Waldman? 5 MS. MEYERS: Yes. And just as a bit of a 6 preview, Mr. Rottenborn and I have sat down and 7 gone through -- we have withdrawn a lot -- 8 THE COURT: Okay. 9 MS. MEYERS: But I think there's sort of 10 a preliminary ruling that we -- 11 THE COURT: Okay. 12 MS. MEYERS: -- need from Your Honor that 13 would guide us. 14 THE COURT: That's fine. What page are 15 we on? Or is it just a generic ruling? 16 MS. MEYERS: So I think the best example 17 or the first example is that -- maybe on page 20. 18 Oh, or 18 perhaps. 19 THE COURT: Page 18? 20 MS. MEYERS: I guess it's even earlier. 21 Essentially, Your Honor, there's numerous instances 22 where they ask Mr. Waldman a question. Mr. Chew	116	1 attorney-client privilege, they had an opportunity 2 to do that and bring him back to get the answers to 3 these questions. But the fact that an attorney 4 claim -- the fact that something is being -- that 5 the attorney-client privilege is being asserted is 6 not -- should not -- is not relevant. There's no 7 evidentiary value. There's no relevance to that 8 testimony where they're asking a question. It's -- 9 THE COURT: Well, it explains to the jury 10 why there's not an answer. 11 MS. MEYERS: But shouldn't -- but I 12 believe they moved on a motion in limine to say 13 there should not be inferences drawn from the 14 assertion of the attorney-client privilege. 15 THE COURT: No. The motion in limine was 16 that they shouldn't be able to testify to anything 17 that they invoked the attorney-client privilege for 18 in their deposition. 19 MS. MEYERS: Okay. Well, we here 20 maintaining that it's irrelevant. 21 THE COURT: I'll overrule the objection, 22 because, if he was a live witness, that's what the

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117	119
1 jury would hear.	1 MR. ROTTENBORN: I think we have been
2 MR. ROTTENBORN: Okay. In light of that,	2 able to significantly narrow this based on Your
3 it may make sense for us to take ten minutes.	3 Honor's ruling.
4 THE COURT: Sure, sure, sure.	4 THE COURT: Okay.
5 MR. ROTTENBORN: I think we can	5 MR. ROTTENBORN: The first one --
6 streamline it.	6 Jessica, if I'm wrong -- I believe is on page 27.
7 THE COURT: That's fine.	7 MS. MEYERS: I believe it starts on the
8 MR. ROTTENBORN: Because that's the bulk	8 bottom of 26 but mostly is on 27. These are
9 of the --	9 questions about Mr. Depp terminating Ms. Jacobs
10 THE COURT: Okay. I'll take that and put	10 during Mr. Waldman's employ as his attorney, and
11 it over here by Mr. Mandel.	11 we're maintaining our relevance objection to those.
12 MR. ROTTENBORN: Thank you, Your Honor.	12 THE COURT: Okay.
13 THE COURT: All right. Next one?	13 MS. MEYERS: Particularly given the fact
14 MS. MEYERS: Your Honor, I think that the	14 that there was an answer.
15 next one was going to be Baum, and I know that	15 THE COURT: All right. What's the
16 Clarissa and Sam are still working on it. This may	16 relevance?
17 be a good time to break.	17 MR. ROTTENBORN: Waldman was the one who
18 THE COURT: Another break for me?	18 came in and helped him decide to -- recommended to
19 MR. MURPHY: Your Honor, Elaine	19 Mr. Depp that he sue Amber, that he sue The Sun,
20 McCafferty is ready if Darling is ready.	20 and that he fire everyone who had been working for
21 MS. MEYERS: Jerilynn is --	21 him. So -- including his agent of 30 years, Tracy
22 MR. MURPHY: Oh, Jerilynn. I'm sorry.	22 Jacobs and --
118	120
1 THE COURT: Oh, Jerilynn?	1 THE COURT: But that's not his answer. I
2 MS. MEYERS: Yeah. I think we can loop	2 understand that.
3 that in with the next one, just given where we're	3 MR. ROTTENBORN: Right.
4 at right now, but I can go see...	4 THE COURT: The relevance is -- what's
5 THE COURT: Okay. So I'll take for a	5 the relevance of asking these questions?
6 moment and then we'll go there. All right. Thank	6 MR. ROTTENBORN: This guy came into
7 you.	7 Mr. Depp's life and then orchestrated all of this.
8 (A brief recess was taken from 11:07 a.m.	8 He even testifies at some point about the Coretech
9 to 11:46 a.m.)	9 (ph) lawsuits that he helped Mr. Depp win, and this
10 THE COURT: All right. Okay. Which ones	10 decision to fire Tracy Jacobs is just part of that
11 are we doing?	11 influence and agency that he has --
12 MR. ROTTENBORN: Adam Waldman first.	12 MS. MEYERS: That's their speculation.
13 THE COURT: Okay.	13 There's no testimony to that effect in here.
14 MR. ROTTENBORN: Your Honor, before we	14 MR. ROTTENBORN: Correct.
15 get to that, we still don't have the expert	15 MS. MEYERS: And I don't believe that
16 designation. It's been three hours.	16 Mr. Depp has testified to that. So, again, the
17 MS. MEYERS: It should be there	17 relevance of the timing of Mr. Depp's termination
18 momentarily.	18 of Ms. Jacobs, asking that of Mr. Waldman, and
19 THE COURT: All right. Let's go.	19 especially given that there's no response is, you
20 MS. MEYERS: They're literally in	20 know, we maintain that's irrelevant, Your Honor.
21 transit.	21 THE COURT: Would this be tied in with
22 THE COURT: Okay. In transit.	22 another witness at some point?

<p style="text-align: right;">121</p> <p>1 MR. ROTTENBORN: Well, there's been 2 testimony that Tracy Jacobs was fired by Mr. Depp. 3 There's already been testimony in the case. Would 4 it be tied in with Jacobs' deposition? 5 MS. BREDEHOFT: Yes. 6 MS. MEYERS: So Ms. Jacobs obviously 7 testified -- 8 THE COURT: I mean, if there's a 9 relevance objection, if it's tied in with some 10 other testimony, it might be relevant. That's why 11 I'm just -- 12 MR. ROTTENBORN: Yeah. Ed White 13 testified yesterday that Tracy -- Johnny fired 14 Tracy Jacobs, didn't he? 15 MS. MEYERS: Yes. So the fact of her 16 termination -- if you're asking Mr. Waldman about 17 her termination and him not giving an answer is 18 entirely irrelevant. 19 MR. ROTTENBORN: Because all of this 20 thing happened when he came in with Mr. Waldman -- 21 THE COURT: Okay. I'll allow it. That's 22 fine.</p>	<p style="text-align: right;">123</p> <p>1 engineering these things, but Depp's ultimately 2 making the decision, because they're going to argue 3 that Waldman couldn't have possibly spoken on 4 behalf of Depp. 5 THE COURT: All right. I'll allow it. 6 That's fine. Go ahead. 7 MR. ROTTENBORN: So I think that that 8 takes us through to page -- bottom of page 31. Is 9 that right? 10 MS. MEYERS: Yes, that's true. This is 11 asking Mr. Waldman a question about what Mr. Depp 12 alleged in the UK. That's not relevant. 13 MR. ROTTENBORN: I think, after this 14 morning, it's been established it is relevant. 15 THE COURT: All right. I'll allow it. 16 Next one? 17 MS. MEYERS: Oh, Your Honor, there is 18 a -- questions of Mr. Waldman here about a 2018 19 Rolling Stone article that is not the subject of -- 20 THE COURT: I'm sorry; what line are we 21 on? 22 MS. MEYERS: Oh, I'm really sorry. It's</p>
<p style="text-align: right;">122</p> <p>1 All right. Next one? 2 MR. ROTTENBORN: Go ahead. 3 THE COURT: Which page? 4 MS. MEYERS: So we have continued to 5 asking questions about Mr. Waldman was representing 6 Mr. Depp during the initiation of the Bloom 7 lawsuit, the Mandel lawsuit, and, Your Honor, I 8 think, again, we're just maintaining that this is 9 irrelevant who his attorney -- you know, that there 10 was representation during these lawsuits, 11 particularly given that there's no answer. 12 And they're asking specifically about 13 Mr. Depp's decision to file the lawsuits, not 14 whether he was -- I think we have withdrawn our 15 objections to the portion where they establish that 16 he was representing Mr. Depp during these lawsuits 17 but asking whether it was Mr. Depp's decision to 18 file the lawsuit and him not answering, we 19 maintain, is irrelevant. 20 MR. ROTTENBORN: Again, it just goes 21 towards the Agency and the relationship between 22 Waldman and Depp with Waldman helping in</p>	<p style="text-align: right;">124</p> <p>1 on page 39, Your Honor. 2 THE COURT: 39. Okay. 3 MS. MEYERS: And there's sort of a series 4 of questions here. It's asking about Mr. Waldman's 5 presence during the interview of this -- that was 6 the subject of this article. It's long before any 7 of the counterclaims at issue here. It's actually 8 I believe before the op-ed was even published. And 9 Mr. Waldman's involvement in Mr. Depp's interview 10 with the Rolling Stone, I'm unclear as to the 11 relevance, and so we're standing on that ground. 12 THE COURT: What's the relevance of the 13 Rolling Stone article? 14 MR. ROTTENBORN: It goes towards whether 15 Mr. Waldman was serving as Mr. Depp's agent. I 16 think if you look at page 41, that probably says it 17 better than I can, the question about what the 18 article says, which is it was Adam Waldman who 19 first contacted Rolling Stone. So we're -- 20 MS. MEYERS: It says, "Who first 21 contacted Rolling Stone?" "Mr. Depp." 22 MR. ROTTENBORN: Right, I know. But the</p>

125	1 question -- the relevance of the question and 2 answer about that. And the article was definitely 3 before the op-ed, because this article was -- 4 MS. MEYERS: Again, Your Honor, I 5 don't -- I'm not seeing the relevance of 6 Mr. Waldman's involvement with Mr. Depp in an 7 interview prior to the op-ed. 8 MR. ROTTENBORN: Because he didn't just 9 become his agent to make three defamatory 10 statements that are in the counterclaim. 11 THE COURT: So you're saying that he 12 represented him during the Rolling Stone. 13 MR. ROTTENBORN: Right, right. 14 THE COURT: And he was his agent. Okay. 15 I'll allow it. All right. 16 MS. MEYERS: Your Honor, we're also 17 maintaining our relevance objection on 43, lines 19 18 through 20, and the answer that follows on page 45. 19 It's asking Mr. Waldman whether he considers 20 himself to be Mr. Depp's close -- his confidant, 21 and I would maintain that Mr. Waldman's 22 understanding is not material.	127	1 and then the rest of 44 that hasn't been 2 undesignated. 3 THE COURT: All right. Next one? 4 MS. MEYERS: I believe the next one is on 5 page 147, Your Honor. 6 THE COURT: 147. 7 MS. MEYERS: Oh, excuse me, 8 Mr. Rottenborn, I must be missing something. 9 MR. ROTTENBORN: I'm sorry, Jessica; I 10 couldn't hear what you said. 11 THE COURT: 147. 12 MR. ROTTENBORN: Okay. 13 MS. MEYERS: 147, is that the next that 14 you have? 15 MR. ROTTENBORN: It is. 16 MS. MEYERS: Okay. 17 MR. ROTTENBORN: So, here -- and Your 18 Honor, it may be helpful to just read 147, line 20, 19 through -- it's the same argument that goes through 20 153, if you read the blue. I mean, this is him 21 testifying -- he wasn't there during any of the 22 events in question, and he's basically just giving
126	1 THE COURT: What page are you on? 2 MS. MEYERS: I'm sorry. At the very 3 bottom of 44. 4 THE COURT: Oh, 44, I'm sorry. 5 MS. MEYERS: Lines 19 through 20. 6 THE COURT: Okay. "Do you consider 7 yourself..." 8 Okay. All right. 9 MR. ROTTENBORN: It's just asking about 10 something stated in the article and whether he 11 agreed with that. 12 MS. MEYERS: That wasn't -- it's asking 13 whether he considers him -- 14 THE COURT: I'll sustain the objection to 15 that. 16 MR. ROTTENBORN: Okay. So that will take 17 out 43 -- 44, line 11. 18 THE COURT: Okay. 19 MR. ROTTENBORN: Take that question and 20 answer out. 21 THE COURT: Okay. 22 MR. ROTTENBORN: And then the rest of 43	128	1 a summary of what he believed the best evidence to 2 be on behalf of Mr. Depp. And it's highly 3 inappropriate, and he's talking about -- he's 4 giving testimony for other witnesses. 5 MS. MEYERS: Your Honor, Mr. Waldman is 6 the individual who made these statements, which are 7 the subject of Ms. Heard's counterclaim. 8 THE COURT: I understand that. 9 MS. MEYERS: And so his state of mind and 10 whether he acted with actual malice is at issue 11 here. And so his knowledge, his understanding is 12 relevant here. 13 So, in this case, this is truly not being 14 offered for the truth but to go to the fact that 15 Mr. Waldman had information that he believed 16 supported the accuracy, the truth of the statement 17 that he made that is the subject of the 18 counterclaim. 19 MR. ROTTENBORN: And he's giving just a 20 speech. It's like he's giving a closing argument, 21 Your Honor, as to evidence that hasn't come in. 22 He's talking about witnesses who aren't going to

129	1 be -- haven't been called, aren't going to be 2 called. And I'm not conceding that it's 3 Mr. Waldman. I think it could be Waldman's malice 4 or it can be Depp's malice in deputizing Waldman to 5 make statements that he knows are false and not 6 doing anything to stop it. 7 I mean, this is just -- it's -- he's just 8 giving his -- a stump speech on why he thinks -- 9 THE COURT: Okay. All right. 10 MS. MEYERS: Unfortunately, what he 11 believes in his -- you know, I don't believe this 12 is a stump speech. I believe this is him -- this 13 is in response to, I believe, Mr. Rottenborn's 14 question about the eyewitness that he referred to 15 that he believed disproved Ms. Heard's claims of 16 abuse, and so he's listing out the eyewitness that 17 he's identified that he believes disproved the 18 claim. This goes to his state of mind. And I 19 understand that whether it's Mr. Waldman's state of 20 mind or Mr. Depp's state of mind that is relevant 21 for purposes of the counterclaim, that's an issue 22 that has yet to be determined.	131	1 MS. MEYERS: Your Honor -- 2 MR. ROTTENBORN: That it's Mr. Waldman 3 just giving a speech about what he thinks 4 eyewitness show. 5 THE COURT: Okay. 6 MS. MEYERS: Your Honor, this is, again, 7 Mr. Waldman's state of mind, whether Mr. Waldman 8 acted with actual malice, meaning that he knew the 9 statements he made -- were making was false is at 10 issue in this case with respect to Ms. Heard's 11 counterclaim. 12 So him listing out the witnesses that he 13 understood disprove what Ms. Heard was saying, 14 which is essentially the gist of the counterclaim 15 statements that he made that this was a hoax, is 16 entirely relevant -- it's highly relevant. 17 THE COURT: Okay. I'm going to overrule 18 the -- overrule the objection. 19 All right. Next one? 20 MS. MEYERS: I believe the next one, Your 21 Honor, is on page 188. And this is, again, asking 22 Mr. Waldman about information that he received that
130	1 And so Mr. Waldman's state of mind, when 2 he made the allegedly defamatory counterclaim 3 statements, is potentially highly relevant here. 4 And they may have to prove that he acted with 5 actual malice when he made these, and this is -- 6 this is in defense of that, that he did not, that 7 he truly believed them and actually had a basis in 8 evidence to make those statements. 9 MR. ROTTENBORN: And if you look at page 10 145, which I forgot to mention as part of it, I 11 mean, he says, "I never saw any element or elements 12 of things she claimed. Did you mean did I ever see 13 any evidence with my own eyes or something that she 14 was saying was false?" 15 And then he says, "Yes, to some extent I 16 have seen evidence of things that show her 17 statements to be false." And then he just gives 18 his closing argument. I mean, that's highly 19 inappropriate for him to be able to do that. The 20 jury is going to hear him talk about things that 21 haven't been put into evidence and also that just 22 are false.	132	1 he believes disproved Ms. Heard's allegations. So 2 I think consistent with Your Honor's ruling on the 3 last one. 4 MR. ROTTENBORN: Well, Your Honor, in 5 light of your last ruling, I'm willing to concede, 6 as to that -- "as to that incident, Thanksgiving, 7 perhaps '13, I think those videos and photographs, 8 yes, demolished her claim." 9 But when he's talking about "she just 10 dropped the claim," he's talking about what he -- 11 MS. MEYERS: We can strike that portion. 12 THE COURT: Okay. Strike that portion. 13 MR. ROTTENBORN: -- in the UK. So when 14 we say "more than that, she just dropped the claim, 15 there was no need to demolish it" ... 16 THE COURT: We'll take that out. 17 MS. MEYERS: Yeah, we'll take that out. 18 THE COURT: I agree. 19 MS. MEYERS: And, Your Honor, the final 20 portion here, I believe -- yes, I believe the final 21 objection is just with respect to page 224, 22 lines -- starting at line 15 onto 225, line 1.

133	1 This -- we would just ask, depending on what 2 happens this afternoon, Your Honor, that the 3 reference to the UK ruling be stricken. 4 THE COURT: Okay. 5 MR. ROTTENBORN: And I'm not saying -- 6 the question doesn't give an indication of what the 7 UK ruling is. It's just part of -- so, basically, 8 after Depp lost in the UK, Waldman goes into the 9 LAPD and talks to a desk officer and says Amber 10 Heard perjured herself. 11 Then he talks to this German media 12 outlet, which, apparently, doesn't follow the 13 two-source rule, so that he could say Amber Heard 14 is being investigated for perjury by the LAPD. 15 So he ginned up his own evidence, walked 16 in the LAPD, gave them this file, then talks to a 17 media outlet that says Amber Heard is being 18 investigated for perjury. I mean, it's -- it's 19 entirely in bad faith. 20 And so the question is just, at the time 21 from this communication from this desk officer 22 would have been sometime after the UK ruling came	135	1 All the conduct that Mr. Rottenborn just 2 characterized is that -- Mr. Waldman's testimony 3 about that, we have withdrawn our objections to 4 that. So I think our ask here is just very limited 5 and consistent with Your Honor's ruling on the 6 motion in limine. 7 THE COURT: All right. 8 MR. ROTTENBORN: You know my argument. 9 THE COURT: I know your argument. 10 All right. I'll sustain the objection. 11 MR. ROTTENBORN: And that's just to 224. 12 THE COURT: That's just line 15 -- 13 MS. MEYERS: 224, lines 15, through 225, 14 line 1. 15 MR. ROTTENBORN: Okay. All right. Thank 16 you, Your Honor. 17 THE COURT: All right. Thank you. 18 All right. What's next? That's it with 19 Mr. Waldman? 20 MR. ROTTENBORN: Yes. 21 THE COURT: Mr. Chew? 22 MR. CHEW: Thank you, Your Honor.
134	1 down. 2 MS. MEYERS: So -- 3 MR. ROTTENBORN: It doesn't say what the 4 ruling is. It has nothing to do with the ruling, 5 but that contextualizes what he did, and that 6 conduct is -- I mean, it's just -- it goes 7 toward -- look, if they get to introduce evidence 8 going to Mr. Waldman's malice on their behalf, this 9 goes directly towards the malice that he has -- 10 MS. MEYERS: Your Honor, we have 11 withdrawn -- 12 MR. ROTTENBORN: It's outrageous 13 behavior. 14 MS. MEYERS: We have withdrawn our 15 objection to the other testimony about his conduct. 16 We have acknowledged that they can put that in. 17 The only thing that we are maintaining our 18 objection to is this portion where they reference 19 the UK ruling and his answer, it's not even clear 20 he knows whether his conduct occurred before or 21 after the ruling. And so that's the only portion 22 we're asking -- we're maintaining our objection on.	136	1 THE COURT: Yes, sir. 2 MR. CHEW: I have two apologies to make 3 to the Court. 4 THE COURT: Okay. 5 MR. CHEW: Number one, I am sorry that I 6 wasn't here this morning. I was supposed to attend 7 the memorial service for the father of one of my 8 best friends, so I apologize for not being here. 9 Had I known about this issue, obviously, I wouldn't 10 have made plans to do that, but Ms. Bredehoff 11 didn't apprise us of that, which I know this is our 12 problem -- this is our mistake, not hers, but had I 13 known, I would have been here. 14 Secondly, Your Honor, if I might 15 approach. 16 THE COURT: Sure. Do you have something 17 for Ms. Bredehoff too? 18 MR. CHEW: She has it. I'm sorry. 19 THE COURT: Oh, okay. 20 MR. CHEW: These are what we respectfully 21 requested. 22 THE COURT: Okay.

137	1 MR. CHEW: If Your Honor will accept as 2 the second amended expert disclosures for Michael 3 Spindler and Doug Bania. They were produced to 4 Ms. Bredehoff and her team about 15 minutes ago 5 electronically and were just produced in hard copy. 6 So they haven't gotten an opportunity to review 7 them, but these are the same methodology. The only 8 difference in these two proposed amended reports is 9 that there's a more restricted data set. 10 So with respect to Mr. Spindler's expert 11 opinion, he's the CPA, as Your Honor might recall. 12 THE COURT: Right. 13 MR. CHEW: The number of damages goes 14 down from 42 million to 40.3 million. So we 15 respectfully submit, Your Honor -- I apologize that 16 that mistake was made. It's my responsibility. I 17 think Your Honor said at the beginning of the case 18 that Ms. Bredehoff and me that she and I are 19 responsible for the conduct of this case. And so I 20 take that seriously. So this was my fault. There 21 was no disrespect intended by me, by Mr. Depp, or 22 by anybody on our team. I respectfully submit that	139	1 question, Your Honor, is: The copy that I have, 2 which the plaintiffs were responsible for 3 providing, has only their designations and their 4 objections, and it's missing our designations and 5 our objections. So I wanted to know whether Your 6 Honor also has this copy that she's working with. 7 I did mention it into Mr. Moriz, and he said he was 8 going to try to get us a copy, but I just -- 9 MS. VASQUEZ: We're printing it, Your 10 Honor. 11 THE COURT: Okay. I think you're going 12 to have to print one for me, too, because I just 13 have the purple blocks. 14 MS. BREDEHOFT: Yeah, the blue, right. 15 THE COURT: I mean, the purple -- no, I 16 mean, those are blue, but I mean the -- oh, you 17 don't have -- your designations aren't in here. 18 MS. BREDEHOFT: It doesn't have any 19 designations or our objections. 20 THE COURT: Yeah, I just want to see the 21 purple objections, and I don't see -- okay, but 22 you're printing it out. Okay. All right.
138	1 there is no prejudice, much less unfair prejudice, 2 by allowing this amendment because, again, it's the 3 same methodology. It's just a lower number. 4 And so I would respectfully submit leave 5 to submit these two amended disclosures and, again, 6 I apologize to the Court. 7 THE COURT: I assume you need time to 8 look at them. 9 MS. BREDEHOFT: Correct. 10 THE COURT: Okay. All right. I have 11 your argument. I can wait on your argument until 12 after you have had time. You don't have to rush, 13 Mr. Murphy. It's okay. 14 MR. MURPHY: Thank you. 15 MR. CHEW: Thank you, Your Honor. 16 THE COURT: Thank you, Mr. Chew. 17 MS. BREDEHOFT: I just have a question 18 that's probably better suited for Samy, but I don't 19 know if Your Honor knows. On Hamada, I had my 20 office bring out the -- 21 THE COURT: Okay, yes. 22 MS. BREDEHOFT: But the logistical	140	1 MS. VASQUEZ: That's correct. 2 THE COURT: So, as soon as we get that, 3 we'll both have it. 4 MS. BREDEHOFT: And then we can work on 5 it. 6 THE COURT: Okay. Do we have any other 7 depositions ready? 8 MS. McCAFFERTY: If you'd like, we can 9 proceed with Bloom, but if Ms. Heard's counsel 10 would like time to take a break and review that -- 11 THE COURT: Can somebody do Bloom while 12 they take a look? Okay. 13 MS. MEYERS: We'd like to proceed with 14 Baum. 15 MS. McCAFFERTY: We can do Bloom and then 16 Baum. 17 MS. MEYERS: Okay. 18 THE COURT: Bloom and then which one? 19 MS. MEYERS: And then it would be Robin 20 Baum. 21 THE COURT: Okay. Let me... 22 MS. McCAFFERTY: We're going to start on

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141	<p>1 page 46, lines 20 to 22. 2 THE COURT: Page 46. Okay. And who is 3 Jacob Bloom? A lawyer, obviously. 4 MS. McCafferty: He's Mr. Depp's former 5 attorney, provided entertainment law services. 6 THE COURT: Okay. Thank you. 7 MS. Meyers: And, Your Honor, as a little 8 bit of background, Mr. Bloom's deposition was the 9 subject of one of our motions in limine. It became 10 very clear during the deposition that he had some 11 form of dementia, and so a lot of the answers 12 are -- 13 THE COURT: Okay. 14 MS. Meyers: With respect to this answer 15 on 46, we can withdraw our objection. I think it's 16 consistent with Your Honor's prior ruling. 17 THE COURT: All right. Next one? 18 This was a good argument, Counsel. 19 MS. McCafferty: I think page 70. Is 20 that Your Honor's understanding? Because we said 21 if 46 comes -- if 46 comes in, the one on 60 comes 22 in. Was that communicated to you?</p>	143	<p>1 Okay. Fair enough. All right. 2 MS. Pintado: The first one in 3 contention, Your Honor, is at page 46, I believe. 4 And so, backing up, Robin Baum is Johnny 5 Depp's long-time publicist. 6 THE COURT: Okay. Still publicist or 7 previous publicist? 8 MS. Pintado: Previous. 9 THE COURT: Oh, previous. 10 MS. Meyers: She still is. 11 MS. Pintado: Yes, Your Honor. 12 THE COURT: Still is? 13 MS. Meyers: Still is. 14 THE COURT: Got it. All right. 15 MS. Pintado: So, 46, we have a 16 discussion about the Mandel company and Depp suing 17 the Mandel company. They have withdrawn -- Depp 18 has withdrawn 6 through 13, his objections to 19 those. 20 THE COURT: Okay. 21 MS. Pintado: So the remaining on that 22 page we have is just --</p>
142	<p>1 MS. Meyers: So, on 60, I see -- okay. 2 MS. McCafferty: I agree to take out the 3 settlement, but we would keep in the "go to trial." 4 We agreed that would come in if the one we just 5 argued came in. 6 MS. Meyers: That's fine. 7 THE COURT: Okay. All right. 8 MS. McCafferty: Just to be clear, 60, 9 line 4 through 9 is out and you're not offering 10 that? 11 MS. Meyers: Yes. 12 MS. McCafferty: Okay. That's fine. 13 That brings us to page 70, line 6 to 10. 14 MS. Meyers: It does not get to the 15 content, so we can withdraw that. 16 MS. McCafferty: Okay. 17 THE COURT: Well, that was my favorite 18 deposition so far. 19 All right. 20 MS. Pintado: This is not going to be 21 your favorite. 22 THE COURT: Not going to be my favorite.</p>	144	<p>1 THE COURT: Information about the Mandel. 2 MS. Pintado: Exactly. 3 THE COURT: All right. So what's the 4 relevance of what the Mandel suit was about? 5 MS. Pintado: So, Your Honor, if you go 6 to page 48, you'll see that she is asked about 7 fielding media inquiries about that Mandel 8 litigation. So whether that litigation -- we have 9 already had testimony from Carino saying that the 10 publicity around the litigation was what damaged 11 his reputation. 12 THE COURT: Well, I think the question 13 is -- the question at line 17, "What did he sue 14 them for, if you remember," is that what the 15 objection is for? 16 MS. Meyers: The objection is lack of 17 personal knowledge. You know, this can come in 18 through the Mandels, as I think we might have 19 previewed to Your Honor this morning, but asking 20 his publicist about what she understood the lawsuit 21 to be. 22 THE COURT: If you could take out 17 and</p>

145	1 18 and maybe go to question 19. 2 MS. PINTADO: Sure, we can do it that 3 way. 4 MS. MEYERS: Yes, Your Honor. And, Your 5 Honor, I think her response indicates that she 6 doesn't actually know how much. 7 THE COURT: I'll allow it. That's fine. 8 I'll allow it. 9 Next one? 10 MS. PINTADO: And so 48, I would assume 11 based on that ruling, that you would also overrule 12 their objections too? 13 THE COURT: Yeah, I'll allow it. 14 All right. Next one? 15 MS. PINTADO: The next one I have, Your 16 Honor, is at page 80, and it's all of page 80. And 17 then through page 81. 18 THE COURT: What are we looking at here? 19 MS. PINTADO: Yes. Okay. So this is -- 20 if you back up a couple of pages, this is the 21 Rolling Stone article, I believe. 22 THE COURT: Okay. So you're looking at	147	1 MS. PINTADO: So we established that 2 she -- previously that she has to respond to media 3 inquiries. So... 4 THE COURT: But she didn't respond to 5 this media inquiry. I mean, this is -- you're kind 6 of asking for her opinion in this particular -- 7 MS. PINTADO: They haven't objected, Your 8 Honor, on opinion grounds. 9 MS. MEYERS: Well, we objected on 10 foundational grounds. 11 THE COURT: I'll sustain the objection. 12 Next one? 13 MS. PINTADO: The next one is at 84. I'm 14 guessing you're going to have the same ruling on 15 that one. 16 THE COURT: Okay. Moving on. 17 MS. MEYERS: That was 84? I'm sorry. 18 THE COURT: 84. I think she believes I 19 would sustain the objection, so... 20 MS. PINTADO: Yes. 21 THE COURT: Okay. 22 MS. PINTADO: I wasn't positive.
146	1 the Rolling Stone article. Okay. 2 MS. PINTADO: So she's looking at the 3 Rolling Stone article, and I asked about some 4 contents of the Rolling Stone article which say 5 that Mr. Depp was facing financial woes, there were 6 reports that he couldn't remember his lines and had 7 to be fed through an earpiece. And then I asked, 8 "Was this negative publicity?" 9 So, again, this isn't going to the truth 10 of those statements -- and they have an objection 11 on hearsay, so I don't need to address that, but, 12 obviously, this is relevant to what's being 13 reported on him in the media and how much publicity 14 that is getting. 15 MS. MEYERS: Your Honor, this is an issue 16 of relevance and foundation and asking Ms. Baum to 17 speculate about whether an article is negative 18 publicity and, you know, how widespread that 19 publicity is. 20 MS. PINTADO: Your Honor, she is his 21 publicist. 22 THE COURT: Right.	148	1 THE COURT: Okay. 2 MS. PINTADO: And then, Your Honor, that 3 continues onto 85 at the top, so... 4 THE COURT: Okay. 5 MS. PINTADO: The next one I have, Your 6 Honor, is 86, 5 through 22. So this is asking her 7 about the Greg Brooks litigation, which, again, has 8 already come up. 9 THE COURT: Is Mr. Brooks the one where 10 he says he was assaulted? 11 MS. PINTADO: That's correct, Your Honor. 12 THE COURT: Okay. Just trying to keep 13 up. Questioned his story. Okay. All right. I 14 gotcha. 15 MS. PINTADO: So my questions here are, 16 "Do you know who Greg Brooks is?" 17 "Yes," she answers. 18 "Did he sue Depp?" 19 "Yes." 20 So, for that, I think that's highly 21 relevant. I think she has enough knowledge as a 22 publicist to know that.

149	1 MS. MEYERS: Yes, but then when they get 2 into asking about the, "What do you recall about 3 the litigation," this is a foundational issue. 4 THE COURT: So you don't have a problem 5 from 5 to 13, but then when we get into line 18; 6 correct? 7 MS. MEYERS: Yes. 8 THE COURT: Okay. What about getting 9 into the litigation? 10 MS. PINTADO: I mean, I think that's also 11 relevant. "Do you recall that there was an 12 allegation that Mr. Depp punched him twice in the 13 ribs?" And he says yes. 14 THE COURT: I'll sustain the objection as 15 to that. 16 Next one? 17 MS. PINTADO: The next one is at 90. 18 THE COURT: 90. 19 MS. PINTADO: So this is talking about 20 publicity around that. 21 THE COURT: Which -- is this a different 22 article?	151	1 publicist. This is within her knowledge. 2 THE COURT: The audience of GQ, I'll 3 sustain the objection to that. 4 MS. PINTADO: I actually have you 5 withdrawing that, but okay. 6 MS. MEYERS: I withdrew through 92, 7 line 1. 8 MS. PINTADO: Okay. 9 MS. MEYERS: Yes, but I maintained this 10 objection. 11 THE COURT: Okay. Next one? 12 MS. PINTADO: Okay. Thank you. 13 MS. MEYERS: And we can withdraw our 14 objection on 93. 15 THE COURT: All right. 16 MS. PINTADO: The next one would be on 17 101, I believe, Your Honor. 18 MS. MEYERS: I believe we're on 95. 19 THE COURT: 95. 20 MS. MEYERS: The highlighted ones in 21 here, but our objections are there. 22 THE COURT: The box is there.
150	1 MS. PINTADO: It's the same one, Your 2 Honor. 18 through 20. So it's asking whether he 3 saw publicity around -- 4 THE COURT: The Rolling Stone article. 5 MS. MEYERS: No, I believe this was 6 Brooks still. 7 MS. PINTADO: This is Brooks. 8 THE COURT: Okay. 9 MS. MEYERS: And we can withdraw this, 10 because it's just asking if she saw it. 11 MS. PINTADO: Got it. 12 THE COURT: Next one? 13 MS. PINTADO: And I think it would be the 14 same for the next one. 15 MS. MEYERS: Same for 91. We can 16 withdraw this. 17 THE COURT: Okay. 18 MS. MEYERS: 92, however, Your Honor, 19 we're maintaining our objection to lines 2 through 20 5, which is asking Ms. Baum about the audience of 21 GQ. 22 MS. PINTADO: Yes, Your Honor. She's a	152	1 MS. PINTADO: Yes. So, I mean, I think 2 this is consistent with your ruling this morning. 3 It should be let in. It's asking, "Are you aware 4 that Depp brought a lawsuit in the UK against The 5 Sun and Mr. Wootton?" She says she doesn't know 6 the date, but she's aware of the lawsuit. 7 MS. MEYERS: Your Honor, I think we're 8 fine with acknowledging she knows the lawsuit but 9 then asking what the lawsuit is without -- 10 THE COURT: All right. Consistent with 11 my other rulings, then I'll allow 1 through 17, and 12 I'll sustain the objection to 18 and 19. Okay? 13 MS. MEYERS: Then we'll withdraw our 14 objection on 96 too. 15 THE COURT: All right. 16 MS. PINTADO: So then 98, I believe? 17 MS. MEYERS: No, it's 99. 18 THE COURT: 99? 19 MS. MEYERS: Yeah, the question is on 98, 20 though, if that's helpful. 21 MS. PINTADO: So for this one, Your 22 Honor, her -- the question is, "Had allegations of

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1 Mr. Depp's abuse of Ms. Heard been widely
2 publicized before December 18th, 2018?" And the
3 response -- part of it, I would say, is responsive.
4 I would say the other part is not.
5 She says, "I would say that there was a
6 lot of press around 2016 and then a pause before
7 the op-ed." So the second part of that is not
8 responsive to the question.
9 MS. MEYERS: I believe it's entirely
10 responsive. They're asking about the how
11 publicized the allegations of abuse were.
12 THE COURT: I'll overrule the objection.
13 Next one?
14 MS. PINTADO: The next one, Your Honor,
15 is on page 101.
16 MS. MEYERS: Your Honor, this is asking
17 Ms. Baum about the timeline of, you know,
18 Mr. Depp's divorce, The Sun article, the op-ed.
19 This is -- I mean, this can be brought in through
20 other witnesses who have actual knowledge of this.
21 This doesn't need to be -- she doesn't have any
22 personal knowledge of this.

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1 THE COURT: Line 10? Is that where we're
2 at?
3 MS. PINTADO: Your Honor, she says she
4 does have personal knowledge, so...
5 THE COURT: What line are we on?
6 MS. PINTADO: If you go back to page 100,
7 lines 14 through 70, that's the original question.
8 THE COURT: Okay.
9 MS. PINTADO: And she's -- so it says --
10 THE COURT: There's no question. Where's
11 the original question? 99? This is just the
12 witness.
13 MS. PINTADO: Let's see. There's a lot
14 of in between. I believe it's on 99. It's right
15 after the one we just -- so he said that it was
16 raised again in the public eye when the lawsuit was
17 filed, isn't that correct, in the UK? So this is
18 talking about the abuse.
19 She says, "I'm not clear of the
20 timeline." And then she says, "And her op-ed was
21 before the lawsuit, The Sun." And I correct her.
22 And then she says, "So on divorce, The Sun, her

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1 op-ed." And I said, "That's correct."
2 MS. MEYERS: Your Honor, this is
3 Ms. Pintado testifying to the witness --
4 THE COURT: "You are asking if there was
5 a lot of questions about her allegations prior to
6 the op-ed?" "Correct."
7 MS. PINTADO: She goes on to say -- I
8 then ask, "Is it fair to say that there was a
9 tremendous amount of publicity about Mr. Depp
10 abusing Ms. Heard -- allegations of Mr. Depp
11 abusing Ms. Heard in 2016 and 2017; isn't that
12 correct?"
13 And she says there was a lot of press in
14 2016 around her initial allegations.
15 MS. MEYERS: So, Your Honor, I have no
16 issue to that question and answer.
17 THE COURT: Okay. It was the everything
18 prior?
19 MS. MEYERS: Yes.
20 THE COURT: There does seem to -- I mean,
21 the question's on line 18, but then I guess the
22 witness asked the question, "You're asking me if

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1 there's a lot of press about her allegations prior
2 to the op-ed?"
3 "Correct."
4 "And her op-ed was before the lawsuit,
5 The Sun?"
6 "No, incorrect."
7 It's basically, I guess, the witness
8 asking many of the questions. "So one divorce, The
9 Sun, the op-ed" --
10 MS. PINTADO: That's fair, Your Honor.
11 We'll --
12 THE COURT: Can we maybe take that out?
13 I think what you really want is what they're
14 agreeing to.
15 MS. PINTADO: I mean, yes. I mean, the
16 other issue is that they didn't object to anything
17 on 100, so...
18 THE COURT: Well, I think the box is --
19 MS. MEYERS: The answer, that's sort of
20 this exchange in the --
21 THE COURT: It kind of goes all the way
22 back to page 99, line 18, I think.

157	1 MS. MEYERS: Well, the question itself 2 isn't objectionable. It's sort of this exchange 3 between the witness and the attorney. 4 THE COURT: Right. 5 MS. MEYERS: That's the issue, so... 6 THE COURT: I understand. If you're 7 willing to take that out, I think that's -- clears 8 things up. 9 MS. PINTADO: I'm willing -- yeah, I'm 10 willing to take it. 11 THE COURT: Perfect. 12 MS. PINTADO: So, just to clarify what 13 I'm taking out, I'm taking out -- is it 122? 14 MS. MEYERS: It's 122 -- 15 THE COURT: Well, it starts on page 99 16 with the question. 17 MS. PINTADO: Actually, I think it's -- 18 yeah, okay. I see. You're right. 19 THE COURT: Okay. 20 MS. PINTADO: Taking out 18. Okay. 21 Fine. 22 THE COURT: Okay. Next one?	159	1 are maintaining our hearsay objections. And then 2 it's also asking her about the truth of the 3 statements that were in Mr. Depp and Ms. Heard's 4 joint statement when they dissolved their marriage 5 or their divorce, rather. And so that's -- again, 6 we'll also maintain our foundation, lack of 7 personal knowledge and speculative objection with 8 respect to Ms. Baum knowing what Mr. Depp and 9 Ms. Heard were referring to and whether those 10 statements were accurate. 11 THE COURT: Okay. 12 MS. PINTADO: Your Honor, the issue here 13 is that she's forwarding this statement to the 14 press and that is what we're trying to get at here. 15 THE COURT: Well, I think she's -- I 16 think you can get part of -- I mean, I think you 17 can get part in and say, "Is this a document..." 18 "Yes, I forwarded this to the L.A. Times 19 and that was their statement. She just forwarded 20 it." 21 MS. PINTADO: And I think it's also 22 relevant that, you know, that she did not inquire
158	1 MS. PINTADO: Okay. Page 120. And this 2 is the People magazine article. 3 THE COURT: Okay. 4 MS. PINTADO: So, again, I'm asking her 5 if she remembers this article. She says she does 6 and explains what it is. So I'm not sure what 7 the -- 8 MS. MEYERS: Your Honor, I think we can 9 withdraw our objection, but we would maintain for 10 "When you say that People magazine has a wide 11 readership." 12 THE COURT: All right. So everything 13 comes in. We'll just -- 14 MS. PINTADO: I'll withdraw that. 15 THE COURT: Okay. Perfect. 16 Next one? 17 MS. PINTADO: The next one, Your Honor, 18 is page 126. 19 MS. MEYERS: Yes. And, Your Honor, this 20 is sort of asking about an email, and the questions 21 about this goes on to, I believe, 128. And so on 22 these -- when we start getting into the content, we	160	1 into the truth of the statement. She says -- 2 MS. MEYERS: I don't understand the 3 relevance. 4 THE COURT: What's the relevance if she 5 thought it was true or false? She's just -- she's 6 not here -- she's not a defendant, is she, please? 7 No. Want to be sure. 8 MS. PINTADO: So we have 126 -- 9 THE COURT: Okay. So page 126 is fine. 10 I don't know if you want her email in or not, 11 but... 12 MS. PINTADO: I took that out. 13 THE COURT: Okay. All right. 14 And, then, on page 127... 15 MS. PINTADO: Are you withdrawing? 16 MS. MEYERS: I believe that line -- 17 THE COURT: It goes up to line 19. 18 MS. MEYERS: -- 5 through 8. 19 THE COURT: Oh, "Is this true, to your 20 knowledge?" 21 MS. MEYERS: Yeah, 5 through 13 should 22 come out. And I'm okay with "What you forwarded

161	1 it --" 2 THE COURT: Okay. 3 MS. MEYERS: "-- to the L.A. Times?" 4 "Yes." 5 And then the question about, "You have no 6 idea whether it was true or false or not," I think 7 the testimony about that, I think, is consistent 8 with your ruling would come out. 9 THE COURT: Okay. So page 126 is in. 10 And then to 127, we would have line 14. 11 MS. MEYERS: So line -- yeah, 14 through 12 19 will come in. 13 THE COURT: Okay. 14 MS. MEYERS: And then everything on 28 15 [verbatim], I believe, asking about whether 16 Ms. Baum thought that was true or false or not. 17 And I believe that should come out, Your Honor. 18 THE COURT: Okay. 19 MS. PINTADO: Your Honor, I still think 20 this goes to whether she publicizes true -- whether 21 she inquires into the accuracy of the statements 22 that she's putting out to the press.	163	1 about anything in the email; right? 2 MS. PINTADO: Correct. 3 MS. MEYERS: Yes, that's on the next 4 page. 5 THE COURT: Okay. So we're okay with 6 everything on those two pages. 7 MS. MEYERS: On 135 and 134, yes. 8 THE COURT: Okay. Now, 136? 9 MS. PINTADO: And then, at 136, 10 obviously, we're not trying to prove the truth that 11 Amber Heard's allegation for a hoax and that she's 12 trying to keep a hoax alive. So I don't think this 13 is hearsay, Your Honor. We're not offering this 14 for the truth of the matter. 15 MS. MEYERS: Actually, Your Honor, I 16 would note that, on 135, the question at 19 through 17 22 into 6, this is a foundational issue. "It's 18 fair to say the statement was in response to the 19 link?" 20 THE COURT: Oh, okay. 21 MS. MEYERS: And she said, "I would 22 assume that's why the link is there." But this is
162	1 THE COURT: Okay. I'm going to sustain 2 the objection to that part. 3 Okay. Next one? 4 MS. PINTADO: The next one is on page 34. 5 And -- 6 THE COURT: What is she looking at here? 7 MS. PINTADO: So this one is an email 8 with a statement from Mr. Waldman that describes 9 her allegations of abuse as a hoax. And she says 10 here, "I remember getting statements from Adam 11 Waldman to send out." She remembers -- so -- and 12 she confirms that it is her email. So I don't 13 think there's any foundation issue here. 14 MS. MEYERS: Your Honor, we're okay with 15 the -- 16 THE COURT: Sending it on to -- 17 MS. MEYERS: Sending it -- but we would 18 ask that the contents of any emails be stricken as 19 hearsay. 20 MS. PINTADO: We're not there yet. 21 THE COURT: Okay. Well, here, I mean, 22 you're showing her the email, but it doesn't talk	164	1 outside her personal knowledge. She would be 2 speculating on that. 3 THE COURT: Do you see that part, 4 Counsel, on 19? 5 MS. PINTADO: I'm all right with taking 6 that out. 7 THE COURT: Okay. All right. So now 8 we're up to line 8 on page 136? 9 MS. MEYERS: Yes. 10 THE COURT: "What does The Sun do to keep 11 Amber Heard's focus alive? Do you see that?" Is 12 that part of the article? 13 MS. MEYERS: I believe that's the 14 headline of the article. 15 THE COURT: Oh, okay. 16 MS. MEYERS: It is the content of the 17 email, Your Honor, and we maintain that that's 18 hearsay. 19 MS. PINTADO: This is what Adam Waldman 20 is telling Ms. Baum to send to the press. So, in 21 other words, it's not hearsay. This is not -- 22 we're not trying to, obviously, again say that --

165	1 THE COURT: Wait. 2 MS. PINTADO: -- the allegations are a 3 hoax, so we're trying to show that this was the 4 process, that Adam Waldman was giving Ms. Baum 5 statements to send out to the press. 6 THE COURT: Well, he -- 7 MS. MEYERS: I believe, Your Honor, 8 that's established by the testimony that's already 9 coming in. 10 MS. PINTADO: In particular, statements 11 that Amber was orchestrating a hoax. 12 MS. MEYERS: Your Honor, this is -- 13 THE COURT: Is this the statements that 14 are coming in with Mr. Waldman's? I mean... 15 MS. MEYERS: This is not one of the 16 counterclaim statements. 17 THE COURT: Oh, okay. 18 MS. PINTADO: Correct. But it is very 19 near in time to that, Your Honor, and I think it 20 shows that this was the process. 21 MS. MEYERS: I think the process is 22 established without reading what the content of the	167	1 MS. PINTADO: That's correct. But that's 2 not offered for its truth. 3 THE COURT: It's hearsay. I'll sustain 4 the objection. 5 MS. PINTADO: Okay. The next one is at 6 138. 7 MS. MEYERS: It starts on 137 onto 138, 8 unless this was already resolved. We can withdraw 9 on 137, if we didn't already. 10 MS. PINTADO: So which ones are you -- 11 MS. MEYERS: So we're maintaining our 12 objection on 138, lines 4 through 5, and then the 13 answer, I believe, isn't until page 140. And -- 14 MS. PINTADO: I think that she had -- 15 it's a foundation/speculation objection, Your 16 Honor, and I think it's been made clear that she 17 was -- had some understanding of Mr. Waldman's 18 role. 19 THE COURT: All right. I'll overrule the 20 objection. I'll allow it in. 21 Next one? 22 MS. PINTADO: Okay. Next one is at 143,
166	1 email is. And I haven't heard a hearsay exception 2 that would allow this to come in. 3 THE COURT: Well, I think you get line 4 12, though, through 18. 5 MS. MEYERS: And, yes, I agree with that. 6 MS. PINTADO: Your Honor, why exactly 7 would the 8 through 11 come out? 8 THE COURT: Well, hearsay is the 9 objection and that's what -- 10 MS. PINTADO: How is this hearsay, Your 11 Honor? 12 MS. MEYERS: It's an out-of-court 13 statement that's included in this email 14 communication. 15 MS. PINTADO: Not being -- not being 16 offered for the truth of what it's asserted. 17 MS. MEYERS: I think it is. It's being 18 offered to show that this is what Mr. Waldman said. 19 MS. PINTADO: Your Honor, we are not 20 trying to say that she orchestrated a hoax. 21 THE COURT: No, you're trying to say that 22 he said that.	168	1 Your Honor. 2 MS. MEYERS: I believe that was just 3 resolved by Your Honor's ruling to withdraw our 4 objection on those. 5 THE COURT: All right. 6 MS. PINTADO: The next one, Your Honor, 7 is at 165. 8 THE COURT: 165. Okay. 9 MS. PINTADO: And this is -- right. I 10 think I know how you're going to go on this one, 11 but 165, so this is an email exchange between 12 Christi Dembrowski, and so here she says -- 13 Ms. Baum writes, so she -- "She's so gross more so 14 because, you know, she said that. She's awful. I 15 can't wait to kill her in court." 16 So this one, Your Honor, Ms. Baum, again, 17 an agent of Depp, she's -- 18 MS. MEYERS: Not an agent. 19 MS. PINTADO: -- writing this. You know, 20 I don't think -- this is more going toward her 21 bias, if anything. So it's talking about how she 22 feels about Amber.

169	1 MS. MEYERS: Your Honor, it's hearsay. 2 There's no exception to it. There's -- this is 3 inadmissible. I have no issue with the 4 establishing the emails, who it was to and from, 5 but the contents that is read into the record here 6 is hearsay and that should not come in. 7 THE COURT: All right. Anything further? 8 MS. PINTADO: Again, not offering it for 9 the truth, so... 10 THE COURT: All right. I'll sustain the 11 objection. 12 Next one? 13 MS. PINTADO: I think that takes care -- 14 we'll withdraw on 168, based on your ruling. 15 THE COURT: Okay. 16 MS. PINTADO: 186. So this is an email 17 exchange, and if you go to 189, it's talking about 18 the disclosure of Bettany texts in the UK. And I 19 ask, "Did this disclosure generate a lot of 20 publicity?" She responds that, yes, it did. 21 I will withdraw on the negative publicity 22 based on your prior ruling.	171	1 generated a lot of publicity, and her answer is 2 yes. 3 MS. MEYERS: We can withdraw on 17 4 through 18. 5 THE COURT: Right. 6 MS. MEYERS: But then on page 190, asking 7 about the contents of the texts, we would -- that's 8 hearsay, Your Honor, or multiple levels of hearsay. 9 MS. PINTADO: I'll withdraw on -- 10 THE COURT: Line 11? 11 MS. PINTADO: Through 16. 12 THE COURT: Okay. Thank you. 13 MS. PINTADO: Okay. And the last one, 14 Your Honor, is at 201. 15 THE COURT: Last one. I like that. 16 Okay. 201. 17 MS. PINTADO: And this one -- I have 18 asked if Ms. Baum is aware of any actor improving 19 their reputation by publicizing that they're a 20 victim of domestic violence. 21 MS. MEYERS: Your Honor, the relevance of 22 that is Ms. Baum's opinion of that is -- or
170	1 THE COURT: Okay. 2 MS. MEYERS: So, Your Honor, on page 3 186 -- and I apologize if I'm misunderstanding, but 4 we would be -- we're maintaining our hearsay 5 objection to the contents of this email that's 6 reflected on page 186 and 187. 7 MS. PINTADO: On 186, there isn't a 8 hearsay objection, Your Honor. 9 MS. MEYERS: No, no, no. On page 187 10 where they actually read the contents of the email 11 there is. 12 MS. PINTADO: Yeah, so I'll withdraw on 13 that one, based on your prior rulings. 14 THE COURT: Okay. All right. 15 Next one? 16 MS. PINTADO: The next ones would be on 17 189 to 190, which we just talked about, which I 18 think would come in, based on your prior rulings. 19 THE COURT: Okay. 20 MS. MEYERS: I'm sorry? 21 THE COURT: Line 17 through 22 on page 22 189 where it asks if the disclosure of these texts	172	1 knowledge with respect to that is -- 2 MS. PINTADO: I think that they have 3 raised previously that she was trying to -- that 4 this was a publicity stunt. 5 MS. MEYERS: But what Ms. Baum's opinion 6 of that is not relevant. 7 THE COURT: I'll sustain the objection. 8 MS. PINTADO: We have exhibits, Your 9 Honor. 10 THE COURT: All right. 11 MS. PINTADO: Jess, do you want to -- 12 THE COURT: Do you want to look through 13 the exhibits together maybe? 14 MS. PINTADO: Go through them one or time 15 or are you -- 16 THE COURT: As to the rulings? 17 MS. PINTADO: Standing on your objections 18 to these? 19 MS. MEYERS: We are, yes. 20 MS. PINTADO: So I think the first five, 21 Your Honor -- 22 THE COURT: Why don't we just do it up

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173	<p>1 here. That's fine. 2 MS. PINTADO: So those, Your Honor, are 3 articles that -- 4 THE COURT: Can you hear us okay? 5 COURT REPORTER: Yes, I can. 6 THE COURT: Okay. Thank you. 7 All right. Go ahead. 8 MS. PINTADO: I think that we have 9 been -- I don't know what your objections are, but 10 I'm assuming hearsay. 11 THE COURT: Right. I allowed you to 12 reference them. Getting them in evidence is a 13 different -- 14 MS. MEYERS: Maybe this is something that 15 we should go back over based off of the ruling. 16 THE COURT: Changed your mind. Okay. 17 All right. 18 MS. MEYERS: I'm sorry. 19 THE COURT: No problem. 20 All right. Next one? 21 MS. BREDEHOFT: Your Honor, we're ready 22 with Newman.</p>	175	<p>1 MS. BREDEHOFT: The main objection here 2 is hearsay, and I'm just wondering if Your Honor, 3 you know, could give us a little bit of guidance on 4 that one. That might help us how we deal with 5 Jessica Kovacevic today. 6 MS. MEYERS: Your Honor, we do plan to 7 stand on our hearsay objections. Obviously, there 8 may be circumstances in there where there's an 9 applicable exception or it's really not being 10 offered for the truth, but I think, consistent with 11 your rulings, when Mr. Depp was testifying about 12 what he heard from, you know, for instance, Disney 13 and Sean Bailey, I think, consistent with that -- 14 THE COURT: I'm pretty sure I'll be 15 consistent on Monday, too. 16 MS. BREDEHOFT: And that's why we're 17 asking. I mean, it's pretty dense. It's a pretty 18 dense deposition. 19 THE COURT: Right. 20 MS. BREDEHOFT: But it is largely based 21 on -- 22 THE COURT: Hearsay objections.</p>
174	<p>1 THE COURT: Newman? 2 MS. BREDEHOFT: Yeah. Mr. Murphy is 3 getting Sam out in the hallway. 4 THE COURT: Okay. Newman. 5 MS. BREDEHOFT: Your Honor, while we're 6 waiting for him, I have a big-picture question that 7 will make a big difference on another deposition. 8 THE COURT: Okay. 9 MS. BREDEHOFT: We have Jessica 10 Kovacevic, who is -- she is Ms. Heard's agent, and 11 she was the corporate designee for William Morris 12 Agency. 13 THE COURT: Okay. 14 MS. BREDEHOFT: The plaintiff has 15 objected to virtually all of her testimony on the 16 basis of hearsay, including her testimony about 17 Aquaman 2, what Warner Bros. has said about Aquaman 18 2, all of those different things. 19 You know, we're going to have the same 20 issue with Jack Whigham testifying on Monday 21 because he's the agent for Mr. Depp. 22 THE COURT: Okay.</p>	176	<p>1 MS. BREDEHOFT: Yes. 2 THE COURT: Anything that they heard from 3 other corporate would be sustained as hearsay so if 4 that helps -- 5 MS. BREDEHOFT: Outside. 6 THE COURT: Right, for that one, and for 7 on Monday. 8 MS. BREDEHOFT: Okay. 9 THE COURT: And for Mr. Depp's -- 10 MS. BREDEHOFT: That's very helpful. 11 Thank you. 12 THE COURT: Yeah, I mean, I'll be 13 consistent. 14 MS. BREDEHOFT: All right. Thank you, 15 Your Honor. 16 THE COURT: Okay. 17 MS. BREDEHOFT: Okay. So I guess we'll 18 go ahead and Newman if you want to -- 19 MS. MEYERS: Well, if we're raising 20 consistency questions, Your Honor, I think that 21 Dr. Cowan -- and they have a number of 22 Ms. Heard's -- well, Dr. Cowan was Ms. Heard's</p>

<p style="text-align: right;">177</p> <p>1 therapist, and I think, consistent with Your 2 Honor -- a lot of it is hearsay. A lot of the 3 contents of Dr. Cowan's testimony is information 4 that Ms. Heard told him, and I think that, 5 consistent with your rulings on Dr. Anderson and 6 Dr. Kipper, that what Ms. Heard told Dr. Cowan 7 during her sessions should be stricken as hearsay, 8 and I think if we have your ruling on that, that 9 would be --</p> <p>10 THE COURT: That's what Mr. Nadelhaft --</p> <p>11 MR. NADELHAFT: I know you have -- we 12 just have a bench brief, and it's --</p> <p>13 THE COURT: Oh, I love bench briefs.</p> <p>14 MR. NADELHAFT: Right, I'm sure you do. 15 Well, I'll give Ms. Meyers a chance to --</p> <p>16 MR. NADELHAFT: Of course, of course, of 17 course. But I would just say that the thing is, 18 for the therapy sessions for both Mr. Depp and 19 Ms. Heard, Ms. Heard-Depp went to a therapist as 20 well. They went to these sessions well before 21 there was litigation, and there is an exception for 22 medical. And it's the reliability of the -- that's</p>	<p style="text-align: right;">179</p> <p>1 therapist, we were allowed to do that as a 2 statement of a party opponent, just as they were 3 allowed to offer statements that Mr. Depp made to 4 Dr. Kipper or Dr. Anderson as a statement of a 5 party opponent.</p> <p>6 The issue here is they are trying to 7 offer Ms. Heard's statements to her therapist as -- 8 they are trying to offer it, we are not, and that's 9 hearsay. And I think, consistent with Your Honor's 10 ruling --</p> <p>11 THE COURT: Okay. Why don't you take a 12 chance to read the bench brief, I'll take a chance 13 to read the bench brief, and we'll come back and 14 address this one. Okay?</p> <p>15 MR. NADELHAFT: Thank you, Your Honor.</p> <p>16 MS. BREDEHOFT: All right. I think we're 17 ready with Newman.</p> <p>18 THE COURT: Okay.</p> <p>19 MS. BREDEHOFT: And Newman is the 20 corporate designee for Disney.</p> <p>21 THE COURT: All right.</p> <p>22 MS. BREDEHOFT: And the first objections</p>
<p style="text-align: right;">178</p> <p>1 the key. It's the reliability. And it seems a 2 little difficult to believe that, you know, they 3 can look through all these therapy sessions and 4 something that they want as an admission somehow 5 reliable, but all the other statements are somehow 6 not reliable, and I think that's what the medical 7 exception there for, for the therapy. And you can 8 see the bench brief.</p> <p>9 But that would be our position. And it 10 would be the same for Mr. Depp as the same for -- 11 the same consistency.</p> <p>12 THE COURT: But they have had their 13 witnesses.</p> <p>14 MS. MEYERS: Exactly.</p> <p>15 MR. NADELHAFT: But they actually kept 16 out -- they kept out our -- they kept out our 17 stuff. They haven't have anything -- they kept out 18 the things we would want. They weren't prejudiced 19 at all.</p> <p>20 MS. MEYERS: So, Your Honor, I think, 21 being consistent with your ruling, what we wanted 22 to offer a statement that Ms. Heard made to a</p>	<p style="text-align: right;">180</p> <p>1 are on 29 through 31.</p> <p>2 MR. MONIZ: Your Honor, if I may, there 3 are just a couple of preliminary points about this 4 deposition.</p> <p>5 THE COURT: Okay.</p> <p>6 MR. MONIZ: The primary issue, I think we 7 have here -- and this is kind of something of a 8 global point -- is that this witness is from a 9 Disney entity that I don't believe is the correct 10 Disney entity. That's the first point.</p> <p>11 She effectively testified at her 12 deposition that she had no knowledge as to any of 13 the deposition topics that counsel had identified, 14 and she testified that she had no knowledge really 15 of any of the document production. There were a 16 couple of exceptions there. She may have had 17 knowledge on one general topic, but she wasn't even 18 able to identify, I don't believe, the entity on 19 which she was being produced to testify on behalf 20 of.</p> <p>21 So there's a real lack of foundation. I 22 mean, basically, there's no foundation anywhere in</p>

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1 this deposition, I don't believe, for this witness
2 to actually be testifying or to be characterized as
3 being on behalf of Disney --
4 THE COURT: Wouldn't this be a motion
5 pretrial? Wouldn't have been a motion?
6 MR. MONIZ: Well, I think it's also
7 appropriately raised that there's no foundation in
8 the actual deposition testimony, Your Honor.
9 THE COURT: All right.
10 MR. MONIZ: It could have a motion in
11 limine, but to be honest, Your Honor, I mean, we
12 already had so many that I think --
13 THE COURT: Well, that's not a basis but
14 okay.
15 MR. MONIZ: But if I can just briefly
16 point Your Honor. So, if you look at page 29 of
17 this transcript, starting on page 29 -- well,
18 actually -- actually, I'm sorry, I was just
19 starting on page 33. And there you'll see,
20 starting on page 33, counsel for Ms. Heard runs
21 through some kind of topics, including, you know,
22 the knowledge of this case, the impact of the op-ed

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1 on Mr. Depp and his relationship with Disney.
2 And essentially what the witness
3 testifies here is that she has no knowledge of any
4 of that. She's had no discussions with anyone at
5 Disney about its relationship with Mr. Depp. And
6 then she has had -- she has no knowledge about
7 anything to do with Pirates 6. She says that all
8 of those decisions, quote, "doesn't fall within my
9 job responsibility. It's above my head, is the
10 best way to say it."
11 She -- when asked what entity is
12 associated with Pirates of the Caribbean, I believe
13 she is unable to answer. She's unable to answer
14 which entity she's testifying on behalf of, I
15 think, or -- so she was testifying on behalf of the
16 Walt Disney Motion Pictures Group, Inc., I believe.
17 She's asked, "What is the relationship of that
18 entity to Pirates of the Caribbean?" That's on
19 page 41.
20 If you drop down to her response, it
21 says, "Okay. It's not directly associated with my
22 department, but it could be a subsidiary of the

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1 parent company."
2 But she goes and testifies, she doesn't
3 know what actual corporation it is. Essentially --
4 essentially, the global point here, Your Honor, is
5 I don't think there's any actual foundation in this
6 deposition for her to be testifying about anything.
7 It's basically a string of I-don't-knows.
8 THE COURT: But she does say that she's
9 the corporate designee in here.
10 MS. BREDEHOFT: Correct, Your Honor.
11 MR. MONIZ: Well, she's the corporate
12 designee --
13 MS. BREDEHOFT: She has been -- she has
14 been selected by Disney on their behalf to testify
15 on this subject matter.
16 MR. MONIZ: But Disney is not just one
17 entity.
18 MS. BREDEHOFT: And their point is if
19 they don't -- if she doesn't know, they don't know.
20 THE COURT: Okay. Well, I'm going to
21 overrule that objection. Let's go to the
22 deposition.

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1 MS. BREDEHOFT: Okay. Thank you, Your
2 Honor.
3 So we're at 29. As Your Honor -- okay.
4 We're at 29.
5 THE COURT: Okay.
6 MS. BREDEHOFT: Starting with line 10.
7 THE COURT: Okay.
8 MS. BREDEHOFT: And this is the -- where
9 I'm asking for her to look at the topics on there.
10 THE COURT: Okay.
11 MR. MONIZ: I mean, here, Your Honor, we
12 have a relevance objection. I mean, the question
13 posed is, "Do you recall seeing in any of the
14 documents reviewed? Do you recall seeing an op-ed
15 written by Ms. Heard?" The answer is no.
16 But she previously testifies that -- I
17 think -- and I apologize again, but I think if we
18 flip back to page -- page 13 -- might be 14 -- the
19 question, "Were you involved in gathering any
20 documents that Disney might have had responsive to
21 what is in paragraph 1 of Deposition Exhibit No.
22 1?"

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185	1 Answer is no. 2 MS. BREDEHOFT: She doesn't have to be 3 involved in the gathering, but she's prepared for 4 it. 5 THE COURT: I'm going to overrule the 6 objection. 7 Next one? 8 MS. BREDEHOFT: Thank you. Then the next 9 one is, down at the bottom, it's -- well, the next 10 one was 30, "Do you recall in your preparation any 11 document referred to in the manner of an op-ed?" 12 It's the same thing. 13 THE COURT: All right. I'll overrule the 14 objection. 15 Next one? 16 MS. BREDEHOFT: Thank you. And the next 17 one is page 38. I'm asking about her knowledge of 18 Pirates 6. She says, "Like I said, I just know 19 it's a project that is possibility in development 20 at the studio." That's it. 21 MR. MONIZ: Wait, what -- same 22 objections? So I assume you'll overrule, Your	187	1 so, as I understand it, Falati's deposition is 2 going Monday. There was a question I had about an 3 exhibit; I thought we could maybe get this done. 4 THE COURT: All right. Question about 5 somebody that's coming on for that deposition? 6 MS. BREDEHOFT: And what is the motion 7 that's going to be at 2:00? 8 THE COURT: No, no, just on the experts. 9 MS. BREDEHOFT: Oh, oh. Thank you. 10 THE COURT: So everybody should have time 11 to review it. 12 MS. MEYERS: I would appreciate if we 13 could have the lunch period to look at the portion 14 of the testimony where that's -- 15 THE COURT: Okay. Sure. 16 MR. NADELHAFT: That's fine. That's 17 fine. Thank you. 18 THE COURT: All right. Be back at 2:00 19 then. All right. Thank you. 20 (A lunch recess was taken from 12:50 p.m. to 2:00 p.m.) 21 MS. BREDEHOFT: I think we're back at 22 Newman.
186	1 Honor? 2 THE COURT: Overruled. 3 MS. BREDEHOFT: And then 39 -- 4 MR. MONIZ: Your Honor, given the -- 5 given the trend that these are on, perhaps it would 6 make sense for us to go off and talk. 7 THE COURT: I like that. All right. 8 Next one? Does anybody have anyone 9 ready? Or is it lunchtime? It is quiet in there. 10 MS. MEYERS: Lunchtime. 11 THE COURT: You want lunch? Ms. Meyers 12 wants lunch. That's fine; you have been going 13 since 8:00. I understand that. All right. Do you 14 want to come back at 2:00 and then keep going from 15 there? We seem to be doing pretty well. 16 MS. BREDEHOFT: We are. I mean, there's 17 progress being made. 18 THE COURT: Okay. And I'll come back at 19 2:00 and we can address -- if everybody has time 20 for the motion with Mr. Chew, we can do that too. 21 Do you want to do yours at 2:00 too? 22 MR. NADELHAFT: No, no, I was going to --	188	1 THE COURT: Okay. Back at Newman. Did 2 you want to -- did we want to address the 3 designations? 4 MS. BREDEHOFT: I can, Your Honor. I can 5 do some of it. Obviously, we'd have to look at 6 more detail, but I still think they open up the 7 door, because the designations clearly still say 8 Pirates 6. The experts are relying on them saying 9 that the newspaper article says that, you know, a 10 few days after the op-ed, it says that Pirates is 11 being -- that he's being withdrawn from Pirates. 12 Remember, Your Honor, that we also showed 13 an October 2016 article that said he was out. 14 THE COURT: Right, right, right. 15 MS. BREDEHOFT: And if I may approach, 16 Your Honor -- and this is actually going to come up 17 in Newman as well -- there is also -- and this is 18 one of the reasons why this is so critical here is 19 this is an article -- 20 MR. CHEW: May we see it, please? Excuse 21 me. 22 MS. BREDEHOFT: Oh, he said he already

189	<p>1 has it.</p> <p>2 This is an article from November 5th,</p> <p>3 2020, which is three days after the judgment that</p> <p>4 says, Disney reportedly scraps plans for Depp's</p> <p>5 POTC 6 return.</p> <p>6 So we now have at least three articles</p> <p>7 in: One that says he's out in October 2016, one</p> <p>8 that says he's out on December -- I think it's 20th</p> <p>9 or 21st, and then we have this one that says he's</p> <p>10 out right after the judgment comes out.</p> <p>11 So they can't go -- they can't do Pirates</p> <p>12 6. This is going to be a factual issue for the</p> <p>13 jury. And Disney is not going to say they're out</p> <p>14 as a result of the op-ed. In fact, Your Honor has</p> <p>15 already seen, Disney doesn't -- the op-ed isn't</p> <p>16 even on the radar screen, and we're going to be</p> <p>17 through a series of articles about that that are on</p> <p>18 their radar screen but not the op-ed.</p> <p>19 You know, if they're going to claim --</p> <p>20 and that's clearly where they're going with their</p> <p>21 damages, Your Honor, is they're going to claim lost</p> <p>22 income from the franchise, and that's what Mr. Depp</p>	191	<p>1 conflated here, Your Honor.</p> <p>2 Would you mind sitting down?</p> <p>3 MS. BREDEHOFT: Yeah.</p> <p>4 MR. CHEW: Thank you.</p> <p>5 Your Honor, I think the first issue is</p> <p>6 the proposed amendment of the two expert reports.</p> <p>7 And as we said previously, Your Honor, the</p> <p>8 methodology is unchanged. We have limited the data</p> <p>9 set. The damages are lower. As Your Honor -- and</p> <p>10 we certainly haven't opened the door.</p> <p>11 As Your Honor is aware, the testimony has</p> <p>12 not come in yet, so the door has not been open. As</p> <p>13 Your Honor pointed out last week, the jury can only</p> <p>14 find damages based on evidence that Mr. Depp offers</p> <p>15 at trial. And as properly amended, the Spindler</p> <p>16 and Bania expert disclosures end September 2020</p> <p>17 before the November 2nd, 2020, date of the UK</p> <p>18 judgment.</p> <p>19 With respect to Mr. Spindler -- and I'll</p> <p>20 just try to run through this briefly -- there are</p> <p>21 two changes from last week. One, we have removed</p> <p>22 the reference to 2021 historical earnings, and we</p>
190	<p>1 testified to. And they're also going to claim</p> <p>2 other lost opportunities.</p> <p>3 The economics that they're using there,</p> <p>4 Your Honor, is they're taking what he made in 2017</p> <p>5 and then just projecting that out into 2018, 2019,</p> <p>6 up into the 2021, which, you know, they can't do.</p> <p>7 I mean, that we're -- if they do do that, Your</p> <p>8 Honor, I think it's completely fair game to bring</p> <p>9 in the judgment.</p> <p>10 THE COURT: All right.</p> <p>11 MR. CHEW: Your Honor, may I, please?</p> <p>12 THE COURT: Are you done, Ms. Bredehoff?</p> <p>13 MS. BREDEHOFT: Yeah.</p> <p>14 THE COURT: Okay.</p> <p>15 MS. BREDEHOFT: Except I have all my</p> <p>16 Newman stuff there.</p> <p>17 THE COURT: Okay. That's fine. You can</p> <p>18 just leave that there.</p> <p>19 MR. CHEW: Sure. May I have a little</p> <p>20 space here, please? Thank you. It's always</p> <p>21 delightful.</p> <p>22 So I think a lot of things are being</p>	192	<p>1 reduced the lost bookings and non-franchise films,</p> <p>2 which reduced the claimed damages in that category</p> <p>3 from 23.8 million to 22.3 million. Again, the</p> <p>4 methodology for Mr. Spindler to seek today is</p> <p>5 unchanged, just a slightly reduced number.</p> <p>6 So the damages number actually comes down</p> <p>7 from 42 million to 40.3. It's all same. We just</p> <p>8 took out the improper 2021.</p> <p>9 With respect to Mr. Bania, you know,</p> <p>10 arguably, there was more of a mistake because there</p> <p>11 was a whole year included that shouldn't have been.</p> <p>12 That's now been corrected. Today's amendment</p> <p>13 removes all the November 2020 forward data points,</p> <p>14 does not change the methodology for a substance.</p> <p>15 It merely eliminates one of the 25 spikes that he</p> <p>16 analyzed. 1/25th of his opinion does not change</p> <p>17 his overall conclusions. He has removed the</p> <p>18 references to web pages, articles analyzed after</p> <p>19 October 2020.</p> <p>20 And, Your Honor, I'll just add and</p> <p>21 request Your Honor to exercise her discretion.</p> <p>22 Your Honor will recall when Ms. Heard, two days</p>

Transcript of Hearing
Conducted on April 29, 2022

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1 before the start of the trial, issued the Instagram
2 where she gave what apparently is her major defense
3 in this case that the op-ed didn't mention
4 Mr. Depp. That's her major defense in this case,
5 which she published on Instagram. Now, granted,
6 that was destroyed yesterday by the ACLU, which
7 made it very clear that Ms. Heard was pushing back
8 references to Mr. Depp, because that was the whole
9 point.
10 And, Your Honor, I would also say that,
11 you know, Your Honor, will recall Mr. Dennison
12 coming up to the bench during our expert's
13 testimony to seek the Court's guidance on
14 Ms. von Ree, even though Ms. Heard self-reported
15 to --
16 MS. BREDEHOFT: Your Honor, this has
17 nothing to do --
18 MR. CHEW: No --
19 MS. BREDEHOFT: -- with the experts.
20 He's trying to --
21 MR. CHEW: Would you please --
22 MS. BREDEHOFT: He's trying to get

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1 something on the public --
2 MR. CHEW: May I just -- would she
3 please --
4 THE COURT: Go ahead. Go ahead.
5 MR. CHEW: Thank you. If she could
6 please stay out of my space for one moment, that
7 would be delightful. And I apologize, Your Honor.
8 My point about Ms. von Ree is that we
9 have bent over backwards to seek the Court's
10 guidance not to come close to running afoul of the
11 Court's rules.
12 Ms. Heard has done this intentionally.
13 The Court exercised its discretion. This was a
14 mistake for which we apologize, but it was only a
15 mistake, and it was only a mistake that damaged
16 Mr. Depp, not damaged Ms. Heard. So we
17 respectfully request that the Court exercise its
18 discretion, allow us to submit these amended
19 disclosures. There's no prejudice. And we
20 certainly have not opened the door.
21 With respect to Ms. Bredehoff's point
22 about Pirates 6, yes, there were some articles in

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1 October of 2018 questioning whether Mr. Depp would
2 have a role in Pirates 6. I think the testimony
3 will be that Disney's decision came shortly after
4 the op-ed; in fact, directly after the op-ed. And
5 that, in no way -- in no way does Disney's
6 decision, in December of 2018, to cut Mr. Depp from
7 Pirates 6, in no way is that affected by the
8 November 2, 2020, judgment. That came two years
9 later.
10 THE COURT: Okay.
11 MR. CHEW: Thank you, Your Honor.
12 MS. BREDEHOFT: So, Your Honor, just a
13 few points here. The -- we have got three
14 different articles, including this one. The jury
15 is entitled to determine causality --
16 THE COURT: Well, I understand, but the
17 jury's already heard about the other articles that
18 were before the op-ed.
19 MS. BREDEHOFT: Correct. And they're
20 going to hear about this one. And then they're
21 going to have to decide if and when Disney
22 decides --

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1 THE COURT: Right. And that's a question
2 for the jury.
3 MS. BREDEHOFT: Right. But there's -- it
4 would be unfairly prejudicial for us not to rely on
5 Defendant's 134, which is the article that says
6 November 5, 2020, that Disney reportedly scraps
7 him.
8 Your Honor, we're arguing right now
9 Disney's corporate designee. They said they don't
10 know even now.
11 And then we have, Your Honor, Marks, who,
12 from what I understand, is the third expert they're
13 going to have testify on Monday.
14 THE COURT: Right.
15 MS. BREDEHOFT: If I may approach, Your
16 Honor. This is my only copy. But you'll notice
17 his opinion is also -- he's including the
18 assumption that Disney -- you know, not recasting
19 him in any further Disney movies.
20 So we have got them claiming a
21 significant amount of their damages in this case on
22 Pirates 6, and we have to be able to -- we cannot

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1 be hamstrung. We have to be able to give the jury
2 full causation because Pirates 6 hasn't been
3 determined even now.
4 So I think it does open up the door, and
5 it may be that it doesn't open up the door until we
6 get there. I don't know what Whigham is going to
7 say if he's allowed to say anything on Monday, but
8 I think, if they open up the door, I think it's
9 fair game.
10 MR. CHEW: Your Honor, may I please?
11 THE COURT: All right. Okay.
12 MR. CHEW: Your Honor, I don't see how
13 testimony that Disney -- hearsay is a different
14 issue, but if it was Mr. Whigham's understanding,
15 in December of 2018 or very early 2019 that Disney,
16 in fact, had made the decision not to use Mr. Depp,
17 how we can be precluded from arguing that, because
18 that's the fact.
19 THE COURT: No, I don't think that -- the
20 question is, if you're precluded from arguing that.
21 The question is she's saying that it opens up the
22 door because there is other evidence that says that

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1 he was dropped after the UK judgment, is what she's
2 saying.
3 MR. CHEW: I don't know --
4 THE COURT: But all I have is just a
5 newspaper --
6 MR. CHEW: I don't know of any such
7 evidence, and this is from, you know, Mr. Depp's
8 agent who has a real reason to know when Disney
9 made that decision.
10 MS. BREDEHOFT: He's not going to --
11 based on Your Honor's ruling earlier today, he's
12 not going to be able to testify to that. That
13 would be hearsay.
14 MR. CHEW: It depends on the source of
15 this information.
16 THE COURT: Well, I don't know. It
17 sounds like it might be hearsay if it's not Disney
18 themselves saying it. But, it comes down to can
19 they present evidence that, after the UK judgment,
20 that that's when Disney dropped him.
21 MR. CHEW: Well, I mean, to the extent
22 they're not referencing the UK judgment. I mean,

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1 that would violate the Court's --
2 THE COURT: Well, that's what she wants
3 to -- she wants to know if that opens up the door
4 to it because you're talking about the Pirates
5 franchise.
6 MR. CHEW: Yeah, Your Honor, I think this
7 is clearly a pretext for them to want -- to get
8 around the Court's order on the motion in limine.
9 I mean, on the one hand, you heard Ms. Bredehft
10 say -- and they're murmuring behind me -- that
11 Disney has never made that decision at all, in
12 which case the UK judgment is -- is a non sequitur.
13 THE COURT: But your evidence is they
14 have made in decision.
15 MR. CHEW: Yes.
16 THE COURT: And that's what you're going
17 to argue.
18 MR. CHEW: That's what we hope to argue,
19 yes.
20 THE COURT: Right.
21 MR. CHEW: And we don't think that opens
22 the door. They can still argue that Disney hasn't

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1 made the decision.
2 THE COURT: Well, they want to argue that
3 Disney made the decision after the UK judgment.
4 MR. CHEW: I guess it goes back to the
5 hearsay issue, Your Honor, because if that's not
6 coming in -- if that's hearsay, that doesn't come
7 in anyway, so it doesn't open the door.
8 MS. BREDEHOFT: All the evidence right
9 now is hearsay. The October 2016 article is
10 hearsay. The December 21 is hearsay. This article
11 that I put in front of Your Honor just now,
12 Defendant's 134 --
13 THE COURT: And that's why they're not
14 coming into evidence, but you were able to use them
15 for impeachment purposes when the testimony came
16 up.
17 MS. BREDEHOFT: Right. And we should be
18 able to do so with these -- if these experts say
19 we're assuming they lost Pirates because of the
20 op-ed, you know, here we have one that's right
21 after the judgment. And we don't even know whether
22 they definitively have decided not to use him. And

201	1 if they haven't -- whether they have decided to use 2 them or not decided to use them, then everything 3 that's going on now is still relevant. It hasn't 4 been made yet. 5 So they can't claim that they have lost 6 it because of her op-ed any differently than we can 7 say, if they lost it, they lost it because of the 8 judgment or they lost it because of The Sun 9 article, which that would be the time sequence for 10 the October 2016. 11 They cannot -- Your Honor, they don't 12 have to claim Pirates as damages. They're choosing 13 to do that. And it's a huge amount of their 14 damages. And if they're going to do that, then I 15 think they do open the door. That's their choice. 16 THE COURT: All right. 17 MR. CHEW: Your Honor, I think -- there's 18 no problem -- Your Honor has already allowed 19 testimony in about the trial. Certainly they can 20 argue -- and we anticipate that they will cross 21 Mr. Whigham based on The Sun article, i.e., wasn't 22 it The Sun article that caused all the problem, and	203	1 Pirates 6. 2 MS. BREDEHOFT: And we can also say that 3 the reason Disney hasn't made the decision yet is 4 because of the UK judgment. And it's not hearsay, 5 Your Honor. It's actually -- we even filed it as a 6 judicial notice. But it's not hearsay. The fact 7 that they made the decision -- 8 THE COURT: The news article? 9 MS. BREDEHOFT: No, no, no. No, no, the 10 judgment. The UK judgment. 11 THE COURT: All right. This is what -- 12 okay. Are we done? I just want to make sure. 13 MS. BREDEHOFT: Yes. 14 THE COURT: All right. Thank you. 15 All right. This is what I think. I 16 don't think they have opened the door for the 17 actual UK judgment or any information about the UK 18 judgment, but I do think you can cross-examine as 19 to saying, Didn't the UK lawsuit be the basis for 20 the damages -- that he was involved in the UK 21 lawsuit, couldn't that have been basis of the 22 damages? I think that appropriate based on
202	1 he can explain why it's different, if it isn't 2 different. 3 So clearly fair game to use The Sun. 4 Clearly fair game for them to refer to the trial. 5 What we respectfully submit and what Your Honor has 6 ruled isn't fair game is the UK judgment because 7 it's hearsay and it's wildly prejudicial. We might 8 as well not have this trial at all if the UK 9 judgment, you know, comes before the jury. 10 So she's still able to -- her main 11 defense appears to be here that Disney has not made 12 its decision yet. And she can argue that. And she 13 can argue that The Sun article is what caused 14 Disney -- well, I guess she's saying the decision 15 hasn't been made yet, so I guess she can say that 16 The Sun article is one of the reasons that Disney 17 hasn't recommitted to Johnny or -- 18 So I think that's how we -- I think 19 that's the way to navigate, Your Honor, but we 20 certainly haven't opened the door, and I don't 21 think we opened the door by maintaining that the 22 op-ed was why he -- he lost Disney -- why he lost	204	1 everything. 2 And the publicity from the lawsuit and -- 3 MS. BREDEHOFT: Everything else. 4 THE COURT: -- his testimony from the 5 lawsuit -- he got to say his piece at the UK. I 6 think that's all fair game. But I think that's 7 where I'm going to draw the line right now. 8 And, again, something else might happen 9 in this trial. Yes, something else may happen, but 10 right now, I think just saying that, I still don't 11 want to go to UK judgment or any aspect of what 12 that judge ruled. Okay? 13 MS. BREDEHOFT: To save us time on 14 Monday, Your Honor -- 15 MR. CHEW: Thank you, Your Honor. 16 THE COURT: Okay. 17 MS. BREDEHOFT: To save us time on 18 Monday, if they're going to put Mr. Whigham on and 19 they think that Mr. Whigham is going to say it's 20 his understanding that they weren't -- that's still 21 hearsay. 22 THE COURT: Well, I don't know. We have

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1 to cross that bridge when we get to it.
2 MS. BREDEHOFT: All right.
3 THE COURT: That one, I can't do right
4 now.
5 MR. CHEW: I think we can guarantee there
6 will be no more vaping.
7 THE COURT: Please, please. If any of
8 these depositions that I'm doing today have
9 anything that I need to know about, just let me
10 know.
11 MR. CHEW: I think it was Ms. Bredehoff
12 who drove him to vaping.
13 THE COURT: I'm not big on surprises,
14 so...
15 MS. BREDEHOFT: Certainly there was
16 driving in that video.
17 THE COURT: Yeah, there was all kinds of
18 things in that video. Oh, goodness, okay.
19 Also, if we can just talk about the
20 medical treatment. I know -- I just don't think --
21 I'm sure you have a great argument, Ms. Meyers, but
22 I just don't think at this point I can make a

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1 blanket decision on that. I think I have to go --
2 because I think there are some that will fall under
3 the exception of the medical exception. I do think
4 there will be some. There were some with
5 Dr. Curry's. There was some with Dr. Kipper's.
6 There was some with the counselor; I forget her
7 name.
8 So I think there are some that are going
9 to come in because that's going to be the basis of
10 how they did their treatment. It might only be
11 parts of their statement, what they use for the
12 treatment, not maybe particularly who did the
13 abuse, but I think there are some statements that
14 is will come in and some that won't, but I can't do
15 a blanket.
16 If you want anything on the record,
17 though, Ms. Meyers, you can.
18 MS. MEYERS: Just briefly, Your Honor.
19 THE COURT: Okay.
20 MS. MEYERS: So, first of all, with
21 respect to Dr. Anderson, I understood that the
22 basis for either Mr. Depp or Ms. Heard's statements

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1 to Dr. Anderson coming in was that it was a
2 statement of a party opponent. And with respect to
3 Dr. Kipper, he offered Mr. Depp's statement as to
4 what he told Dr. Kipper happened while he was being
5 treated, and that was ruled out under the -- that
6 was found not to fall under the medical exception.
7 THE COURT: And, again, it was who did it
8 to him, which I don't think you base your opinion
9 on who did it to you.
10 MS. MEYERS: But what has caused the
11 injury was included in that statement, which was
12 the bottle. And I think that they're also trying
13 to relitigate Ms. Lloyd and Ms. Falati's, which
14 Your Honor has already ruled on.
15 THE COURT: I'm not going backwards.
16 Everybody knows that.
17 MR. NADELHAFT: We weren't trying to do
18 that. We were trying to -- we were talking about
19 the ones going forward.
20 THE COURT: I just have to -- it depends.
21 This is, I guess, a therapist. I don't know if
22 she's giving an expert system, so that's going to

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1 depend on it. I just don't know.
2 MR. NADELHAFT: Just so -- and I didn't
3 mean to cut -- if you're -- you can continue. I
4 didn't mean to cut you off.
5 MS. MEYERS: I would just add as well
6 that Dr. -- we believe that Dr. Cowan falls into a
7 different category than Dr. Banks, because
8 Dr. Banks was not a treating psychiatrist. She
9 was, like, a life coach or something like that.
10 She wasn't her patient.
11 THE COURT: Well, that's why we have to
12 just go by --
13 MR. NADELHAFT: And this will help, I
14 think, just so I can understand your --
15 THE COURT: Okay.
16 MR. NADELHAFT: -- decision. As I'm
17 understanding it, if somebody is saying what
18 caused -- who did something to me, for the most
19 part, you're ruling that --
20 THE COURT: Well, I can't say "for the
21 most part."
22 MR. NADELHAFT: Okay, okay.

209	1 THE COURT: Because if it's a life coach, 2 I don't know if that's for medical treatment. I 3 don't know about that. 4 MR. NADELHAFT: I guess my question, 5 would it be even if it's more medical treatment? 6 Like if Ms. Heard said to Mr. Cowan -- to 7 Dr. Cowan, Johnny knocked me down, are you -- would 8 you be saying that that was hearsay or -- I'm just 9 trying to -- 10 THE COURT: I don't know, in the context. 11 It's very hard because you guys are doing this by 12 deposition. 13 MR. NADELHAFT: Sure. 14 THE COURT: In a normal case, I would 15 have the expert come in, and I would be able to, 16 outside the presence of the jury, be able to voir 17 dire this expert and find out exactly what the 18 basis of their foundation was, how reliable it is, 19 but that's not what I have. 20 MS. MEYERS: Well, I would just say these 21 are all fact witnesses. These are not -- these are 22 all fact witnesses.	211	1 psychiatrist, but... 2 THE COURT: Okay. All right. Thank you. 3 Yeah, I don't think that gives you any 4 guidance. 5 MR. NADELHAFT: I think it gives some. 6 THE COURT: Okay. All right. 7 MS. MEYERS: I think so as well. 8 THE COURT: All right. Okay. There we 9 go. 10 All right. Now you want to do to Newman? 11 MS. BREDEHOFT: Thank you, Your Honor. I 12 think we're at page 59. 13 THE COURT: 59. 14 MS. BREDEHOFT: Actually, he withdrew the 15 objections on that one, so we are now at page 80. 16 MR. MONIZ: I think that designation was 17 withdrawn. 18 THE COURT: Okay. 19 MS. BREDEHOFT: Oh, Your Honor ruled on 20 that. 21 THE COURT: Okay. 22 MS. BREDEHOFT: So I think we're at 90.
210	1 MR. NADELHAFT: This would be her 2 psychiatrist. 3 THE COURT: Okay. So if it's just a fact 4 witness, they're not giving any opinion? 5 MR. NADELHAFT: Well, she was giving 6 that -- 7 MS. MEYERS: That's correct. 8 MR. NADELHAFT: I mean, she went to the 9 doctor for treatment, and that's -- 10 THE COURT: But it would -- okay. So it 11 would only come in if it was used for their medical 12 treatment on a basis for what they're treating them 13 for. So, again, if it's not an expert opinion, if 14 it's just a fact witness, I'm not sure how much 15 comes in. 16 MR. NADELHAFT: Okay. I'm just trying to 17 make sure so that, when we go back -- 18 THE COURT: Right. I was thinking as a 19 basis of experts, because I was thinking of 20 Dr. Carino. 21 MS. MEYERS: And just as a point of 22 clarification, Dr. Cowan was a psychologist, not a	212	1 My apologies. 2 THE COURT: Page 90? 3 MS. BREDEHOFT: Yes. 4 THE COURT: All right. 5 MS. BREDEHOFT: Oops, that one is gone. 6 THE COURT: Okay. Moving on. 7 MS. BREDEHOFT: 99. 8 THE COURT: Okay. 9 MS. BREDEHOFT: Wait, wait. My 10 apologies, Your Honor. We went through this, and I 11 should be a little bit more organized than this. 12 No, no, it is 99. 13 THE COURT: Okay. 99. Line... 14 MS. BREDEHOFT: It's 99, line 20. The 15 exhibit, Your Honor, if I may approach. It's 16 easier to go through these. 17 THE COURT: And this is, for the record, 18 just 862. This is an email. 19 MS. BREDEHOFT: And it's a business 20 records exception, which is set up through the 21 question. There's two different parts that are 22 significant -- actually three different parts of

<p style="text-align: right;">213</p> <p>1 this series that's significant. First of all, it 2 is a -- I wanted to establish that the person 3 testifying -- the corporate designee, her direct 4 report was Phillip Stewart, who was the EVP at the 5 time and now he's the president of production. So 6 that -- part of that is relevant for that. 7 The rest of this -- a chunk of it is to 8 establish that it's a business records exception, 9 that this is in the regular course of business. 10 And then I'm trying to establish that they took two 11 deductibles because of this. And so I ask her how 12 much of the deductibles were, and that's what goes 13 into 101 and 102. And she says somewhere between 14 250 and 500,000 were reflected. 15 THE COURT: Okay. What's the objection? 16 MR. MONIZ: Well, so it's a hearsay 17 objection. To be clear, as far as page 100, lines 18 4 through 9, we'll withdraw the objection. We 19 don't have a problem with her asking the identity 20 of that person. 21 With respect to the document itself, the 22 document is hearsay. It's an email. The business</p>	<p style="text-align: right;">215</p> <p>1 MS. BREDEHOFT: So the article itself is 2 not offered to prove the truth of the matter. It's 3 obviously Johnny cut off his finger or whatever. 4 That's not offered to prove the truth of the 5 matter. It's bringing up the deductibles. And 6 then I'm asking her, in a context, what are the 7 deductibles. The two deductibles. 8 MR. MONIZ: First of all -- I apologize, 9 but first of all, I mean, the emails really don't 10 generally fit the definition of "regularly 11 conducted business activity" anyway. And even 12 assuming that, I mean -- 13 THE COURT: Okay. 14 MS. BREDEHOFT: This is to Tina Newman, 15 who is testifying. 16 THE COURT: I understand that. But as 17 the other emails that we have been going through, 18 she was using it to look at it, but then she can 19 talk about whatever you -- 20 MS. BREDEHOFT: Okay. 21 THE COURT: We'll get to it, but I'm not 22 going to put it into evidence.</p>
<p style="text-align: right;">214</p> <p>1 records exception doesn't negate the fact that the 2 document -- even assuming it applies to an email, 3 which is atypical, I think -- but even assuming 4 that, Your Honor, it doesn't negate the fact that 5 the document itself contains hearsay and what it's 6 being offered for is the truth of the statement 7 that, quote, "You took two deductibles because of 8 this." 9 This is an email among, you know, third 10 parties. It's clearly, on its face, hearsay, 11 offered for the truth. And so, on that basis, we 12 don't think it's appropriately brought into 13 evidence. 14 THE COURT: All right. 15 MS. BREDEHOFT: So the following are not 16 excluded by the hearsay rule, and it goes 17 specifically into records of a regularly conducted 18 activity, No. 6, Your Honor. 19 THE COURT: Well, that gets the record 20 in, but if the record has hearsay inside the 21 record, then it still has to hit the hurdle of 22 hearsay objections.</p>	<p style="text-align: right;">216</p> <p>1 MS. BREDEHOFT: Okay. So keeping the 2 questions, but I can't get these in. 3 THE COURT: Keeping the questions, I 4 think, for deductibles. 5 MS. BREDEHOFT: All right. 6 MR. MONIZ: Counsel, is that sufficient 7 guidance for us to go back out and talk, or do we 8 need to keep going here? 9 MS. BREDEHOFT: I think we have got to 10 keep going, because the next ones are not the same. 11 THE COURT: Okay. What's the next one? 12 MS. BREDEHOFT: Okay. The next one is 13 132. I mean, 133. 14 THE COURT: 133. 15 MS. BREDEHOFT: Because he withdrew the 16 one on 132. 17 And 133 is -- obviously, this is a pretty 18 important one, "Would Disney entertain paying 19 Mr. Depp more than \$300 million and provide him 20 with more than a million alpacas to be able to 21 obtain his services for any future Pirates of the 22 Caribbean role?" And she says no. And that was a</p>

217	1 specific topic area in the corporate designee 2 because Mr. Depp testified to that in his 3 deposition, and he was also crossed on the stand 4 about his testimony to that, and he said that's 5 correct. 6 MR. MONIZ: And I have no objection. 7 THE COURT: Okay. 8 MR. MONIZ: Well, I -- I would submit 9 that that is speculation and there's no foundation, 10 like, for her -- 11 THE COURT: I'll allow it. 12 MR. MONIZ: Yeah. 13 MS. BREDEHOFT: Okay. Then the next one 14 is 141. 15 THE COURT: I have said "alpacas" more 16 this last month than I have in my whole life. 17 MS. BREDEHOFT: I'm right with you. 18 THE COURT: Next one? I'm sorry. 19 MS. BREDEHOFT: Next one is -- it's going 20 to be -- this is another -- if I may approach, Your 21 Honor -- another exhibit. And I have given 22 Mr. Moniz these copies already.	219	1 it to all these primary people because it's Depp. 2 And I establish that through these questions. 3 And the reason for showing it, Your 4 Honor -- and the next series of them -- is that 5 they did circulate things about Johnny Depp. They 6 did not circulate the op-ed. The op-ed is not even 7 in their database. 8 THE COURT: I assume you tell her that. 9 I assume you ask her that at some point. 10 MS. BREDEHOFT: Yes, I did. 11 THE COURT: Okay. 12 MS. BREDEHOFT: I asked, and she answered 13 it's not. 14 THE COURT: Okay. 15 MS. BREDEHOFT: And then I show others -- 16 which is part of this whole alternative causality, 17 Your Honor, of if Disney decides not to employ him 18 in Pirates 6, what are the reasons for it? These 19 are the things they're looking at. 20 THE COURT: And I agree with you that you 21 can ask the questions about referencing the 22 questions, whether the email itself comes into
218	1 THE COURT: All right. Exhibit, for the 2 record, 1597? 3 MS. BREDEHOFT: Yes, 1597. 4 And the next series is this one and then 5 some others. These are emails where they're 6 including The Hollywood Reporter or others of 7 articles about Johnny Depp. And so you can see 8 that there they're circulating it, and I ask who 9 the people are on this. This is produced by 10 Disney. 11 THE COURT: They're circulating -- but 12 you agree the article itself is hearsay that's in 13 the email. 14 MS. BREDEHOFT: Well, it's not offered to 15 prove the truth of the matter asserted at all. 16 It's showing that that -- that they're circulating 17 that particular article. And that's what's 18 significant, because the people that are being 19 circulated here are the heads of Disney, the top 20 people. 21 And I ask her, I go through that the 22 communications person, Angela Shah (ph) is sending	220	1 evidence. 2 MS. BREDEHOFT: Well, in this instance, 3 Your Honor -- I mean, I think we have to show what 4 they saw, because that might have -- you know, all 5 I'm doing here is I'm referencing it. I'm going 6 through all these people and showing that this is 7 the article they saw. But I don't have a -- 8 MR. MONIZ: Your Honor, consistent with 9 prior rulings, I mean, these articles haven't been 10 coming in. It is hearsay. 11 MS. BREDEHOFT: But it's not offered to 12 prove the truth of the matter asserted. It is 13 business -- I have already established these are 14 kept in the ordinary course of business. They're 15 circulated in the ordinary course of business 16 there. And it's showing that the top people at 17 Disney, including Sean Bailey, including the people 18 that are making the decisions on Pirates, they're 19 all looking at these articles. And that's what's 20 it's offered to prove here is that these are being 21 cycled. 22 MR. MONIZ: These articles just haven't

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221	1 been coming in, I don't think, Your Honor. 2 MS. BREDEHOFT: For different reasons, 3 though. These are clearly showing that the top 4 people there are looking at these articles and not 5 the op-ed. 6 THE COURT: When does it -- is this 7 Exhibit 22 on -- no. 8 MS. BREDEHOFT: This is Exhibit 52. 9 THE COURT: What page are we on? 10 MS. BREDEHOFT: Page 141, Your Honor. 11 THE COURT: 141. Let me just see the 12 questions that were asked. 13 Well, you say -- it says, subject, Johnny 14 Depp, a star in crisis ... missing millions. Do 15 you see that? 16 MS. BREDEHOFT: I see that there. 17 THE COURT: Okay. I mean, you show it to 18 her. She testifies to it. You get it in that way, 19 but the email itself doesn't come in. I'll sustain 20 the objection. 21 MS. BREDEHOFT: Okay. Thank you, Your 22 Honor.	223	1 the Rolling Stones one. That's the next one. And 2 so -- but the "talking about" can come in; right? 3 THE COURT: Correct. 4 MS. BREDEHOFT: And then the next one is 5 1033 -- Defendant's 1033. 6 MR. MONIZ: And just one issue on that 7 one: Can you direct me -- I apologize, but can you 8 direct me in the transcript to where -- 9 MS. BREDEHOFT: Page 164. And I do have 10 the title in there, so I'm okay on that one. And 11 then -- 12 MR. MONIZ: Well, hold -- hang on, hang 13 on one second. 14 THE COURT: Okay. 15 MR. MONIZ: So, based on Your Honor's 16 ruling on the UK judgment, the title of this 17 document is, "Johnny Depp Loses Battle to Challenge 18 Wife-beater Libel Ruling." 19 MS. BREDEHOFT: Yeah. 20 MR. MONIZ: So can we strike this out? 21 THE COURT: Okay, yes. So we can -- all 22 right. Thank you. That's 1033.
222	1 THE COURT: Then the next one -- 2 MR. MONIZ: I think there's a series like 3 this. If that's Your Honor's ruling, we can 4 probably apply that. 5 MS. BREDEHOFT: The issue is I'm not sure 6 that I say that on all of these. Although, let me 7 see, Your Honor, I'm looking -- because I'm on 153 8 now, just looking to see what we... 9 MR. MONIZ: Just so I understand Your 10 Honor's ruling, is the concept that the testimony 11 can generally come in but the document itself 12 generally doesn't come in? 13 THE COURT: Right, exactly. 14 MS. BREDEHOFT: Okay. The next one -- 15 okay. And I do say it on the next one. And then 16 the next one -- so just for Your Honor's -- because 17 these are the documents. 18 THE COURT: Okay. 19 MS. BREDEHOFT: So we'll just put it on 20 the record. 21 THE COURT: Sure, yes, ma'am. 22 MS. BREDEHOFT: The exhibits are 906, is	224	1 MS. BREDEHOFT: So this is one of the 2 reasons, Your Honor, that I think that we should be 3 able to -- 4 THE COURT: I know. We're not going 5 backwards. 6 MS. BREDEHOFT: Okay. 7 MR. MONIZ: Should we just -- I think the 8 entire question might not need to go on this one, 9 Your Honor. I'm not sure how to rephrase that. 10 MS. BREDEHOFT: I mean, this is -- 11 THE COURT: It's another one, I know. 12 MS. BREDEHOFT: Yeah, the hard part about 13 this one, Your Honor, is they clearly circulated 14 that at Disney. 15 THE COURT: Right. 16 MS. BREDEHOFT: And they claim Disney 6. 17 THE COURT: Well, we can -- 18 MS. BREDEHOFT: Pirates 6. 19 THE COURT: We can figure this out. What 20 page are we on for this one? 21 MS. BREDEHOFT: Page 167. 22 THE COURT: 167. Yeah, let's figure this

225	1 out. 2 MS. BREDEHOFT: And the title is, "Johnny 3 Depp Loses Battle on the Challenge of Wife-beater 4 Libel Ruling." And it was circulated. 5 THE COURT: I don't know how to fix this. 6 MR. MONIZ: I'm just going to note, Your 7 Honor, that the testimony to the actual question 8 posed is, "Do you recall receiving this?" And the 9 answer is, "Honestly, no. I'm not one to dive into 10 reading most of the articles that I receive, to be 11 honest." 12 THE COURT: Right. I understand that. 13 MR. MONIZ: So that's kind of a relevance 14 issue also. 15 THE COURT: All right. I'm going to 16 overrule that. Let's see. Yeah, there's too much 17 going on here. I mean, I think you can get the 18 date in because I understand your argument for it, 19 but just to keep with it, I think it's -- like, 20 this is on 3/25/2021, "Do you see that?" I think 21 that's where it comes. So you can argue that they 22 were doing them after the -- they were circulating	227	1 the remainder of the page 168? 2 MS. BREDEHOFT: Right, right. We had 3 already -- 4 THE COURT: Oh, you had already agreed to 5 take out 168. 6 MS. BREDEHOFT: Right. 7 MR. MONIZ: I'm sorry. Just so I can 8 make sure I'm following along correctly -- and I 9 apologize -- but page 167 -- 10 THE COURT: Could you turn to the 11 microphone for me? 12 MR. MONIZ: I'm so sorry -- 13 MS. BREDEHOFT: So, on 167, I stop after 14 it says, "Johnny Depp." Take out "lose battle" and 15 I take out -- and down below, it says "Johnny Depp 16 has failed in attempt to challenge the ruling." 17 And just leave in "yes." 18 THE COURT: Yes. 19 MR. MONIZ: Okay. 20 THE COURT: Or you can leave in, "Do you 21 see that?" And "yes." 22 MR. MONIZ: Perfect. Understand. Okay.
226	1 these. 2 MS. BREDEHOFT: So 3/25/21 -- 3 THE COURT: "Do you see that?" Because 4 she says, "Honestly, no." 5 But the next question: "Do you remember 6 that Johnny Depp lost his case in the UK?" That 7 can't come in. 8 MS. BREDEHOFT: Well, that -- you know, 9 we understand that. We took that out. What I'm 10 looking in here, Your Honor, is can I -- and I'm 11 just going to ask you to take a look at this. It 12 says here -- this is on 3/25/21. That statement 13 says, "Johnny Depp," and then take out the rest? 14 THE COURT: Yeah, and it says, "Johnny 15 Depp" and that's all you want? I mean, that's 16 all -- 17 MR. MONIZ: That's fine with us, Your 18 Honor. 19 THE COURT: Okay. That works. 20 MS. BREDEHOFT: Okay. And then the next 21 one is -- 22 THE COURT: And you're going to take out	228	1 Thank you. 2 MS. BREDEHOFT: And then, Your Honor, 3 134, if I may approach. 4 THE COURT: Okay. And this is 134. 5 MS. BREDEHOFT: This is the one we were 6 talking about earlier. And that is going to be at 7 page 169. 8 THE COURT: 169. So it's Exhibit 60 in 9 the deposition? Defendant's Exhibit? 10 MS. BREDEHOFT: Correct, correct. 11 THE COURT: Okay. Well, I think, again, 12 you get to line 20. 13 MS. BREDEHOFT: Okay. Through line 20. 14 THE COURT: And then I think you're all 15 the way down to page 170, line 13, "Do you see 16 that?" 17 MS. BREDEHOFT: So can I -- Your Honor, 18 how about if I say -- if I take out and it goes on 19 to say, "Depp lost his libel suit against the 20 Britain Sun newspaper publisher." Can I say, "Walt 21 Disney Studios has reportedly decided they want 22 nothing to do with him if the Pirates of the

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1 Caribbean franchise gets its rumor to be bootied?"
2 I mean, it's not saying why.
3 MR. MONIZ: Well, I'm assuming Your Honor
4 is going to overrule the hearsay objection on that.
5 That does seem to be reading a lot of hearsay into
6 the record, but to the extent that that objection
7 is going on overruled -- as long as we keep out the
8 references to the judgment.
9 MS. BREDEHOFT: And then the next part,
10 "It would seem that, although Depp wasn't being
11 considered for a starting role in the as-of-yet
12 untitled sixth Pirates of the Caribbean film,
13 Disney executives were thinking about casting him
14 in a smaller part or even a cameo as the iconic
15 Captain Sparrow," then I would take out, "following
16 that verdict of the lawsuit." And then I would
17 want, "However, Disney has apparently abandoned
18 ship in regard to this idea."
19 MR. MONIZ: I mean, I would maintain the
20 hearsay objection, just reading this into the
21 record.
22 MS. BREDEHOFT: But this is the corporate

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1 designee.
2 THE COURT: No, I know, but, I mean,
3 we're reading the article, which I don't usually
4 do. We were just doing title before. And I don't
5 blame you, but I think --
6 MR. MONIZ: I would suggest, I mean,
7 stopping at 20 gets her what she needs, I think.
8 MS. BREDEHOFT: I think that it goes into
9 1 through 4, saying they reportedly decided they
10 wanted nothing to do with him.
11 THE COURT: No, that is hearsay, so I'm
12 going to agree. It's just going to -- letting the
13 title in and then we skip down to page 170, line
14 13. Do you see that? And I don't know of anything
15 else. Okay.
16 MS. BREDEHOFT: All right. And then the
17 next one, Your Honor, is at a bottom of page 172.
18 My question is at line 21. "As you sit here today,
19 are you aware of any documents from Disney's emails
20 in their IT system or anybody that contains Amber
21 Heard's..."
22 MR. MONIZ: I think we'll just withdraw

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1 our objections on that.
2 THE COURT: Okay. They're withdrawing
3 that.
4 MS. BREDEHOFT: And then same thing, "Are
5 you aware of any decision-maker ... not casting any
6 other role because of Amber's..."
7 THE COURT: They're withdrawing that too.
8 MS. BREDEHOFT: Okay. And then the last
9 one too?
10 THE COURT: Okay. I think that was the
11 last one, wasn't it?
12 MS. BREDEHOFT: Okay.
13 MR. MONIZ: I thought it was, Your Honor.
14 THE COURT: I was hoping it was.
15 MS. BREDEHOFT: All right.
16 Next one?
17 MS. BREDEHOFT: Are we ready on Mandel?
18 MS. MEYERS: Your Honor, just as a little
19 bit of a preview, I think we are -- for the one
20 that you ruled on, which is on page 51 --
21 THE COURT: Okay.
22 MS. MEYERS: -- lines 3 through 16, I

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1 think we can agree that that's an appropriate and
2 relevant factual issue.
3 THE COURT: Okay.
4 MS. MEYERS: The issue that I have
5 with -- it doesn't really resolve a lot of the
6 issues with the other areas where she's reading a
7 complaint into the record and asking the witness.
8 You know, I understand this is how she chose to ask
9 the questions, but we were only objecting to the
10 question that was in front of us. And so, now,
11 there is issues where there's, you know, multiple
12 factual issues that are being asked of this
13 third-party witness. There's no foundation laid.
14 THE COURT: Are we still on page 51?
15 MS. MEYERS: This goes on for quite some
16 pages, and I'm just previewing this to Your Honor
17 that I think there's still issues of relevance,
18 foundation, and there's also portions where,
19 because this is from a complaint, it's -- you know,
20 they're saying that is categorically untrue. It's
21 like -- it's the type of language you expect to see
22 in someone's complaint. It's not just did Mr. Depp

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1 spend X amount of money or did he not have enough 2 money for Y. 3 THE COURT: You saying in the answer? 4 MS. MEYERS: In the question. And then, 5 the answer, "Is this an accurate statement?" And 6 so, you know, because it was asked in this manner, 7 we weren't objecting on foundation grounds. This 8 was asking is this an accurate statement in this 9 complaint. 10 THE COURT: I thought the ruling was all 11 the hearsay had to come out of the question. 12 MS. MEYERS: I agree, yes. 13 THE COURT: So it doesn't turn out to be 14 much of a question, but... 15 MS. MEYERS: Right. And so, with 16 these -- a little bit of background, what 17 Ms. Bredehopt has suggested is that she's just 18 striking out the reference to the cross-claim -- 19 THE COURT: No, I think it all comes out. 20 MS. MEYERS: It all needs to come out. 21 THE COURT: Right. The question would -- 22 that's what I'm saying. You take the hearsay out	1 including the 45-acre chateau in the south of 2 France, a chain of islands in the Bahamas, multiple 3 houses in Hollywood, several penthouses in downtown 4 Los Angeles, and a fully functioning horse farm -- 5 THE COURT: But that's not you talking 6 and not -- 7 MS. BREDEHOFT: Then I'm asking him if 8 that's accurate. 9 THE COURT: Right. But then you're just 10 reading the whole complaint, which is hearsay. 11 MS. BREDEHOFT: Well, I didn't read the 12 whole complaint. I mean, it's here. And what I 13 did was I selected certain -- because I could have 14 asked him -- 15 THE COURT: I know and -- 16 MS. BREDEHOFT: -- differently. And it's 17 no different than Ed White. He testified to how 18 much money was spent, how much was spent on -- 19 THE COURT: Right. But his question was 20 asked how much money you have spent, not -- 21 MS. BREDEHOFT: Your Honor, if you look 22 at page 52, it's got there that he spent, you know,
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1 of the question and there's not much left there, 2 but you get -- but it's enough to get an answer. 3 MS. BREDEHOFT: What I understood, Your 4 Honor, because there was no objection at the time 5 to the form or anything, so what I understood Your 6 Honor to say is that I have to take out all the 7 things that are complaint or paragraph or whatever 8 or statements, and so I can still get the factual 9 part of it in and ask him if it's accurate. That 10 was my understanding of the ruling. 11 THE COURT: No, I had ruled that the 12 question itself was hearsay -- it was based on 13 hearsay, so the question itself. And then, at one 14 point, Ms. Meyers said I'm willing to take out the 15 hearsay out of the question and go from there. And 16 I was like, "Okay. Let's just take a hearsay out 17 of the question." 18 MS. BREDEHOFT: For example -- and I 19 thought Your Honor ruled on this particular one, 20 when we were on 51 through 52, that we just started 21 and that Mr. Depp spent in excess of 75 million to 22 acquire and improve and furnish 14 residences,	1 18 million to acquire -- 2 THE COURT: Right. But that's not the 3 witness testifying. That's you asking a question. 4 MS. BREDEHOFT: I'm using his words. 5 THE COURT: His words out-of-court -- I 6 mean, that are hearsay. 7 MS. BREDEHOFT: But then I'm asking him 8 is that accurate. I would have -- if I had been 9 in -- I mean, if they had objected, then I would 10 have said, "How much do he spend on wine? How much 11 do he spend on this? How much do he spend on 12 that?" which would have been the same questions 13 that Mr. White -- 14 THE COURT: Right. 15 MS. BREDEHOFT: -- testified to. 16 THE COURT: I agree. 17 MS. BREDEHOFT: But I -- I didn't get any 18 objections. None whatsoever. And so that was a 19 very fast, efficient way to do it. Just say, "Is 20 this accurate? Did he do this?" 21 And I cut all that out. I cut all the 22 paragraphs, and I went through it very carefully

237	1 and took all the paragraphs, all the references to 2 cross -- some of them I couldn't, so I just took 3 them completely out because I couldn't rehabilitate 4 it. There was just too much in there, you know, 5 about cross-complaint, whatever. But I think I did 6 a fair job so that I could get -- and elicit the 7 same thing that they were able to elicit from 8 Mr. White. 9 You know, had I had the benefit of a 10 contemporaneous objection saying, "No, you can't do 11 it that way" or "I object to that, the way you're 12 doing it," then I would have corrected it. 13 MS. MEYERS: Your Honor, do I need to 14 respond to this? 15 THE COURT: Well, go ahead. 16 MS. MEYERS: I don't have to if I don't 17 need to, but, you know, Ms. Bredehopt asked the 18 questions in this manner. She is -- I'm not 19 obligated to correct her questions. No one is in 20 the deposition. Unless it was a form objection, we 21 had no obligation to raise the hearsay relevance. 22 And, you know, when we were objecting to this, we	239	1 THE COURT: 57. 2 MS. BREDEHOFT: Line 9. They don't 3 object to that question where Nathan Holmes, Kevin 4 Murphy, and Stephen Deuters parted with 300,000 a 5 month on full time staff. Answer: "Yes." 6 And then I say, "Okay. Do you know 7 roughly how much each of them were paid?" And 8 that's objected to. 9 MS. MEYERS: Well, it says here, "If I 10 had to guess," so the witness is clearly 11 speculating. 12 THE COURT: I'll allow it. All right. 13 MS. BREDEHOFT: And then the next one 14 is -- 15 MS. MEYERS: Line 69. I believe this is 16 the issue with the complaint again, so I think is 17 consistent with Your Honor's ruling. 18 THE COURT: All right. 19 MS. MEYERS: I think the same thing for 20 what remains of page 70 and 71. 21 MS. BREDEHOFT: And, Your Honor, if I can 22 just draw Your Honor's attention to 71.
238	1 were objecting based off of the question asked, not 2 a sliced-up version. And so, you know, there's 3 also foundation issues here as well, but I think 4 primarily, as Your Honor ruled, it's hearsay. 5 THE COURT: And I understand your 6 question, Ms. Bredehopt, and I can empathize with 7 it, but I have to do what's in front of me, and 8 what's in front of me is an objection to hearsay, 9 and I have to sustain that. All right? So let's 10 move on. 11 MS. MEYERS: I believe there are some 12 others in here, but I think this does take care of 13 most of them. 14 THE COURT: Do you want to pass this for 15 a moment, or do we... 16 MS. MEYERS: I'll defer to Ms. Bredehopt, 17 but I think we can proceed, because I think this 18 actually does take care of most of them and we can 19 identify them as we go. 20 MS. BREDEHOFT: I think, then, the next 21 one, Your Honor, is -- they have an objection on 22 page 57.	240	1 THE COURT: Yes, 71. 2 MS. BREDEHOFT: Line 11 and 12. Because 3 I asked him, "When you say these are accurate 4 statements, on what basis are you saying they're 5 accurate statements?" "17 years of working." So I 6 certainly had the foundation. That's what they 7 were arguing. 8 THE COURT: Right. We can move on. 9 MS. BREDEHOFT: All right. 10 MS. MEYERS: I think -- 11 MS. BREDEHOFT: So then we're down to 12 page 72, line 8. 13 THE COURT: 72, line 8. 14 MS. MEYERS: And we're standing on our 15 relevance objection, Your Honor. Whether Mr. Depp 16 acknowledged a need to change his spending habits 17 is irrelevant. Mr. Depp's spending isn't an issue 18 here. 19 THE COURT: I'll overrule the objection. 20 We definitely heard evidence of it. 21 MS. BREDEHOFT: Okay. Then I would 22 assume that goes into the next page too, 73.

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241	1 THE COURT: All right. 2 MS. BREDEHOFT: And then the next one 3 is -- 4 MS. MEYERS: On 78, I believe this is 5 also from the complaint, so I believe this would 6 come out. And on 79. 7 THE COURT: All right. 8 MS. BREDEHOFT: All right. And then we 9 have -- okay, then they withdrew the next one. 10 That's right. And then -- 11 MS. MEYERS: I believe 94 is out as well. 12 MS. BREDEHOFT: All right. Just trying 13 to catch up. Yeah, based on the Court's ruling. 14 MS. MEYERS: That covers 94 and 95 15 through -- 16 MS. BREDEHOFT: No, wait, wait. 95, 17 yeah, lines 15, 16. That's all I got left of it, 18 but... 19 MS. MEYERS: Well, 15 is asking what's 20 your understanding of -- and it quotes from the 21 complaint. 22 THE COURT: I'll allow it. That's fine.	243	1 MS. BREDEHOFT: Then I have page 133. 2 MS. MEYERS: I'm sorry, Elaine, did page 3 129 come out? 4 MS. BREDEHOFT: I'm sorry? 5 MS. MEYERS: Page 129. It looks like 6 this is from the -- 7 MS. BREDEHOFT: Yeah, the Court already 8 sustained that. 9 MS. MEYERS: Okay. 10 MS. BREDEHOFT: I took that out already. 11 So 133. 12 MS. MEYERS: We can withdraw our 13 objection. 14 THE COURT: Okay. 15 MS. BREDEHOFT: Then we have page 149, 16 line 5. 17 MS. MEYERS: I'm sorry, Elaine. I'm 18 sorry, what page? 19 MS. BREDEHOFT: 149, line 5 -- or line 6. 20 I think we have -- "So the first time..." 21 MS. MEYERS: So 149, lines 6 through 10, 22 we can withdraw our objection.
242	1 MS. BREDEHOFT: Thank you, Your Honor. 2 THE COURT: Next one? 3 MS. BREDEHOFT: The next one is -- 4 MS. MEYERS: 102 is also the complaint. 5 MS. BREDEHOFT: I had already taken that 6 one out. 7 MS. MEYERS: Oh, I apologize. 8 MS. BREDEHOFT: And I'm coming up to 122, 9 line 6. 10 MS. MEYERS: We're maintaining our 11 hearsay objection, Your Honor. This is what 12 Mr. Mandel allegedly told Mr. Depp. 13 MS. BREDEHOFT: Yeah, well, I would agree 14 with that. 15 THE COURT: All right. Sustain the 16 objection. 17 MS. BREDEHOFT: Then we have another one 18 of these on 129. So that's sustained. 19 MS. MEYERS: What about 123, lines 10 20 through 124, line 6? 21 MS. BREDEHOFT: I already took that out. 22 MS. MEYERS: Okay.	244	1 THE COURT: Okay. 2 MS. MEYERS: And I'm just unclear if 11 3 through 14 was withdrawn as a designation, because 4 I see that, at least according my notes, the answer 5 was withdrawn. But that may be incorrect. 6 MS. BREDEHOFT: No, I have -- no, 11 7 through 17 on page 149 is still in. 8 MS. MEYERS: Okay. That's fine. We can 9 withdraw our objection to that as well. 10 MS. BREDEHOFT: Okay. And then, next one 11 is page 155. 12 THE COURT: Okay. 13 MS. BREDEHOFT: And it's line 16. 14 MS. MEYERS: Your Honor, this is, I 15 believe, Ms. Bredehoft showing Mr. Mandel -- she 16 had shown him the video of Mr. Depp slamming the 17 cabinets. I'm willing to -- 18 MS. BREDEHOFT: I'm not trying to get it 19 in here. I'm just asking him about it. 20 THE COURT: About the video. Okay. 21 MS. BREDEHOFT: The significance of this, 22 Your Honor, is he said he received some very bad

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245	1 news -- that Mr. Depp has testified that he 2 received some very bad news. And so I'm asking -- 3 and he couldn't recall what it was. So I'm asking 4 Mr. Mandel. 5 THE COURT: Okay. 6 MS. MEYERS: I would just ask -- well, 7 first of all, she's representing the date of the 8 video here, which I think is improper, and I would 9 also ask that Mr. Depp's -- the reference to 10 Mr. Depp's testimony come out. 11 The question, "Do you have a recollection 12 of giving Mr. Depp very bad news the morning of 13 February 10, 2016," I have no issue with that. 14 Well, actually, I do, because then that gets 15 into -- to the extent he relays that conversation, 16 it's hearsay. To the extent he doesn't, which I 17 don't believe he does, we're fine with it. But 18 this sort of testimony before the question, I would 19 ask to be stricken as improper. 20 THE COURT: Do you have a response? 21 MS. BREDEHOFT: I don't think it's 22 improper to ask him about the video clip and -- or,	247	1 one that I have is page 168. 2 MS. MEYERS: Yes, Your Honor. This is -- 3 we're maintaining our hearsay objection. It's -- 4 the question was what assistance was provided to 5 Mr. White, and Mr. Mandel goes on to relay the 6 communications he had. 7 MS. BREDEHOFT: I think Your Honor would 8 probably -- 9 THE COURT: Okay. 10 MS. BREDEHOFT: I mean, it was 11 "assistance" as opposed to "discussions" but -- 12 THE COURT: Okay. 13 MS. BREDEHOFT: I'm okay with that 14 because we have it in there on the next page, so... 15 THE COURT: All right. That's the same 16 objection. 17 Next one? 18 MS. BREDEHOFT: Then the next one is 174, 19 line 7. But I took out that I'm going to ask the 20 question -- I just wanted to establish that they 21 settled their disputes. 22 MS. MEYERS: Your Honor, we're going to
246	1 you know, organize that. And I don't think it's 2 improper to ask him if he gave him very bad news. 3 THE COURT: I think she agrees. 4 MS. MEYERS: I agree with that. What I'm 5 asking for is on 156 -- 6 THE COURT: Line 2. 7 MS. MEYERS: Line 2 through lines 4. 8 THE COURT: Just take out those three 9 lines and start with, "Okay. Do you have a 10 recollection of giving Mr. Depp very bad news," I 11 think. 12 MS. BREDEHOFT: Oh, okay. I don't have a 13 problem with that. 14 THE COURT: All right. Let's do that. 15 MS. BREDEHOFT: Okay. So that will -- 16 THE COURT: Okay. 17 MS. BREDEHOFT: And then the next one 18 would be -- is that withdrawn on 157, line 16 as 19 well? 20 MS. MEYERS: We can withdraw on 157 with 21 that, yes. 22 MS. BREDEHOFT: Okay. And then my next	248	1 maintain our relevance. 2 THE COURT: All right. What's the 3 relevance to the settlement disputes? 4 MS. BREDEHOFT: The relevance is all 5 these lawsuits that Waldman engineered with Depp 6 that settled so there's not an issue outstanding. 7 Actually, the relevance would be more in the next 8 several, so if Your Honor can put a pin in that 9 ruling and look at the next ones. 10 THE COURT: Okay. What's the next one? 11 MS. BREDEHOFT: The next one is right up 12 on the next page. So 175. Well, they have 13 withdrawn their questions there on how much, and 14 then I go down to Mr. Depp's deposition transcript, 15 and that's at the bottom. That's 176, lines 14. 16 MS. MEYERS: Well, we have maintained our 17 objection on 175 to line 11 through the question on 18 176 at line 2. 19 MS. BREDEHOFT: Actually, I took that 20 out, 11 through 14 on that page, and 1 through 2. 21 I X'd that out. 22 MS. MEYERS: All right.

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249	1 MS. BREDEHOFT: So I'm down at the bottom 2 there, and I think, based on your -- and I'm 3 quoting Mr. Depp, saying that he had a lot money 4 stolen. 5 MS. MEYERS: The question is merely, "Do 6 you see that?" And -- 7 MS. BREDEHOFT: And then I say. 8 MS. MEYERS: And then he asked whether 9 Mr. Mandel stole money from Mr. Depp. I'm unclear 10 as to the relevance to this litigation. 11 THE COURT: What's the relevance to that? 12 MS. BREDEHOFT: Because he's blaming him 13 for stealing -- he's exaggerating. And after he 14 settled the case, he's claiming that he stole all 15 of the money he made over the entire period of 20 16 years. 17 MS. MEYERS: Your Honor, that's not -- I 18 understand that, in certain instances, his 19 financial condition, but the allegations he made 20 against his business manager are irrelevant. 21 THE COURT: I'm going to sustain the 22 objection as to references to that.	251	1 MS. BREDEHOFT: We're at the end here, 2 Your Honor, but if we look at the last one, it 3 says -- on page 183. 4 THE COURT: Okay. 5 MS. BREDEHOFT: "Did TMG or you take any 6 money other than the fees you were entitled to from 7 Mr. Depp?" 8 THE COURT: Okay. Is there an objection 9 to that? 10 MS. MEYERS: We can withdraw that, but I 11 don't see how that deals with the settlement. 12 THE COURT: Yeah, we're just going back 13 to 174. If you can strike the settlement 14 information out of that. 15 MS. BREDEHOFT: Okay. I understand. 16 THE COURT: Okay. 17 MS. BREDEHOFT: And then the last one we 18 have -- 19 MS. MEYERS: Well, there's 181 through 20 182, and this is asking whether Mr. -- 21 MS. BREDEHOFT: I already struck that. 22 MS. MEYERS: Oh, okay.
250	1 MS. MEYERS: Would that deal with 174? 2 MS. BREDEHOFT: Can I keep in, "Would you 3 steal \$650 million from Mr. Depp?" 4 THE COURT: Where is that at? 5 MS. BREDEHOFT: That's at page 177, 6 line 4. 7 THE COURT: "And then did you steal 8 anything from Mr. Depp?" 9 MS. MEYERS: We have no objection, Your 10 Honor. 11 THE COURT: Okay. That's fine. Perfect. 12 MS. MEYERS: I mean, I believe this would 13 deal with the 174, the remaining portion would come 14 out there as well? 15 THE COURT: Page 174? 16 MS. MEYERS: The portion about the 17 settlement. 18 MS. BREDEHOFT: Oh, the settlement? 19 THE COURT: Page 174, line 7. 20 MS. BREDEHOFT: Well, let's look at 21 the -- 22 THE COURT: Put a pin in it.	252	1 THE COURT: Okay. Good. 2 MS. BREDEHOFT: So then we're at 183. 3 Oh, I think you -- did you withdraw that question? 4 No. 5 MS. MEYERS: We withdrew our objection to 6 183, lines 4 through 8. 7 MS. BREDEHOFT: Okay. Then we have the 8 one -- the next one -- I'll take that one out 9 because I'm, obviously, not going to introduce that 10 as an exhibit. If we go down to 184, line 22 -- 11 THE COURT: 184, line 22. 12 MS. MEYERS: Your Honor, this is asking 13 if Mr. Mandel is aware that Mr. Depp testified that 14 he had embezzled money, and he says, "I'm not 15 aware." There's no relevance. 16 MS. BREDEHOFT: I'll agree to take that 17 one out, Your Honor, because I think what I'd like 18 to hold onto is 186, line 5, because, there, I just 19 ask him what -- because Mr. Depp testified to it. 20 That's the relevance of it. But I'll take out that 21 he testified to it. But then I ask him if that's 22 true.

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253	1 MS. MEYERS: This is just asking whether 2 Mr. Mandel has ever been found guilty of 3 malpractice. 4 THE COURT: Line 5 through 10 on page 5 186. 6 MS. BREDEHOFT: Correct. 7 MS. MEYERS: We can withdraw our 8 objection to that. 9 THE COURT: Okay. That's in. 10 MS. BREDEHOFT: And then my last one was 11 on page 187, asking him how this impacted him. 12 MS. MEYERS: There's no relevance, Your 13 Honor. 14 THE COURT: Yeah, I'll sustain the 15 objection. Okay. 16 MS. BREDEHOFT: All right. That's it for 17 Mandel. 18 THE COURT: Next one? 19 MR. NADELHAFT: I guess we can do 20 Blaustein. 21 THE COURT: Okay. Which one are we 22 doing? I'm sorry.	255	1 39, line 19. 2 THE COURT: Page 39, line 19. Okay. "Do 3 you recall having any conversations that Mr. Depp 4 was bipolar?" 5 "... but I do remember any specifics." 6 Okay. 7 MR. CRAWFORD: I'd argue, Your Honor, 8 that this is speculative. It's not even clear that 9 this is Mr. Depp's statement. If you look a little 10 further on page 40, "Do you recall having a 11 conversation with Mr. Depp about a bipolar 12 diagnosis?" 13 "No." 14 So it's speculative and it's not 15 Mr. Depp's own statement either. 16 MR. NADELHAFT: Well, I mean, I think 17 he -- I was asking him about the statements he -- 18 THE COURT: I'll overrule the objection. 19 Next one? 20 MR. NADELHAFT: So just -- Andrew, you're 21 keeping in the designation that says -- 22 MR. CRAWFORD: Yes.
254	1 MR. NADELHAFT: Blaustein. Alan 2 Blaustein. 3 THE COURT: Oh, got it. 4 MR. NADELHAFT: And I think it was just 5 going to be -- I think it can be a few, and we may 6 able to come back. 7 THE COURT: Okay. Perfect. Where are we 8 at? 9 MR. NADELHAFT: Your Honor -- 10 THE COURT: And just who is 11 Dr. Blaustein? 12 MR. NADELHAFT: So Dr. Blaustein was the 13 therapist for Mr. Depp. 14 THE COURT: Therapist for Mr. Depp. 15 MR. NADELHAFT: He's a psychiatrist in 16 the 2015 -- 17 THE COURT: 2015 time frame. 18 MR. NADELHAFT: Yes. For a few months, 19 yeah. 20 THE COURT: For a few months. Okay. Got 21 it. All right. I'm with you now. 22 MR. CRAWFORD: Your Honor, I think page	256	1 MR. NADELHAFT: Okay. Got it. And I 2 just want to make sure, for 38, 5 through 10, are 3 you keeping that -- are you dropping the objection 4 for that? Or -- I would think it's the same. 5 MR. CRAWFORD: 38, I have withdrawn. 6 MR. NADELHAFT: Okay. Great. 7 MR. CRAWFORD: So let's just scratch that 8 one. 9 Page 50, Your Honor, 3 through 7. 10 THE COURT: Page 50. Okay. "In working 11 with Mr. Depp, was he ever suspicious of Amber 12 having affairs?" 13 MR. CRAWFORD: And speculative and a 14 non-responsive answer. And he answers about 15 jealousy. He doesn't remember if it was about 16 affairs. 17 THE COURT: I'll overrule the objection. 18 That's fine. 19 MR. CRAWFORD: 81, Your Honor, line 18. 20 THE COURT: 81, line 18. "I'm showing 21 you what's Exhibit 4." 22 MR. CRAWFORD: So this, I believe, is

257	1 in -- and Mr. Nadelhaft can correct me if I'm 2 wrong -- but this is an email from Debbie Lloyd to 3 Dr. Blaustein with a list of the medications that 4 Mr. Depp was taking. 5 THE COURT: Okay. 6 MR. CRAWFORD: So there's a hearsay 7 objection. 8 THE COURT: You're objecting to the -- 9 not this question. You're objecting to the 10 evidence coming in. 11 MR. CRAWFORD: Well, the evidence coming 12 in, and I suppose to the extent that the questions 13 are based on that evidence. 14 Can I approach, Your Honor? 15 THE COURT: Yes. 16 MR. CRAWFORD: I'm not sure if this is 17 the actual, but this is, like, the... 18 THE COURT: Okay. So this is Defendant's 19 Exhibit 331? 20 MR. CRAWFORD: Right. 21 THE COURT: All right. And it's from 22 Debbie Lloyd to the doctor and just gives the	259	1 psychiatrist to know the medications that a patient 2 is taking." 3 MR. CRAWFORD: And we'll address -- so 4 this is actually leaks onto page 85 as well, Your 5 Honor. I mean, he's not being offered as an 6 expert. He never made any diagnosis of Mr. Depp in 7 the time that he was treating him. 8 And if you look at page 85, Your Honor, 9 beginning lines, you know, 8 through 22, "Why is it 10 important for you to know what medication Mr. Depp 11 was on?" 12 And he says, "I'm going to trip into 13 expert testimony here, but I think it's incumbent 14 for any physician to know the totality of 15 medications." 16 MR. NADELHAFT: I mean, but -- he was -- 17 I mean, he was requ- -- in treating Mr. Depp, he 18 was requesting this information from Debbie Lloyd. 19 It's wasn't -- he's not -- 20 THE COURT: But it's not -- I know. If 21 you're looking for an exception from hearsay, which 22 is what you are, made for purposes of medical
258	1 current meds as of January 15, 2015. Okay. What's 2 the objection to this coming into evidence? 3 MR. CRAWFORD: Hearsay. 4 MR. NADELHAFT: And actually, Your 5 Honor -- I made a mistake, Your Honor. I'm sorry. 6 It would be 301 that would be the first one. 7 THE COURT: Okay. So 301. Okay. 8 Gotcha. October 26, 2014. 9 MR. NADELHAFT: Correct. And so, here, I 10 think this -- you know, if you continue on -- and 11 maybe this would be -- I think we'd have to go back 12 because I think we skipped forward. Doctor -- 13 well, maybe this is it. Okay. 14 THE COURT: I guess the -- for your 15 Exhibit 301, I guess the objection is hearsay. 16 What's your response to that? 17 MR. NADELHAFT: Well, so I think, in this 18 case, it would be for his -- for his diagnosis 19 because if you go on to 84, it says -- on page 84 20 of his testimony, he says, "Why was it important to 21 Mr. Depp's care of what medications that he's on?" 22 "I think it's fundamental to a	260	1 diagnosis or treatment and describing medical 2 history or past pain or sensations. 3 Okay. So... 4 MR. NADELHAFT: And it's for his 5 treatment of Mr. Depp. I think that's the second 6 part. 7 THE COURT: But he's not going to testify 8 to his treatment. Is that what I have? 9 MR. CRAWFORD: He was very clear about 10 that. Here is here as a fact witness, not an 11 expert witness. He did not discuss his medical 12 opinions at all. It was what he observed. 13 THE COURT: Then I'm going to sustain 14 the. 15 MR. NADELHAFT: Okay, then -- okay. 16 That's fine, Your Honor. Thank you. 17 THE COURT: Does that give you enough to 18 go work on this? 19 MR. NADELHAFT: I think there was one 20 more or two more. 21 THE COURT: Okay. 22 MR. CRAWFORD: Page 131, Your Honor.

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261	1 THE COURT: Okay. 2 MR. CRAWFORD: Pretty much from this 3 point in the deposition on, Dr. Blaustein is 4 effectively reading portions of his notes. There's 5 13 to 15 pages of notes that he just reads from. 6 And then there are some follow-up questions to 7 those. 8 So, Your Honor, we have got hearsay 9 objections to those to the extent he's just reading 10 from his notes. We have also got a speculative 11 objection because there are many instances 12 throughout this where he really can't even read his 13 own notes, doesn't recall what they say, and 14 there's potentially important context missing. And 15 you see that, Your Honor, on pages 131 to 132. You 16 know, on page 132, line 7, he says, you know. 17 "Correct. Catch-22 fiancée. Against 18 self-destructive behavior. Did not, something, to 19 get, don't know." So, you know, there's context 20 missing there. He can't read his own notes. And I 21 also would argue that it's hearsay. 22 MR. NADELHAFT: I mean, it's his notes of	263	1 answering the question. He's not -- I mean, he's 2 answering it. He's saying -- he's answering the 3 question. I mean, he's talking about his notes, 4 and he's -- I mean, the fact that he said I would 5 think so, yes, he's answering his questions about 6 his notes. It's not speculation. He's answering 7 it. 8 THE COURT: But he's saying I would think 9 so. But that sounds -- that's clearly speculative, 10 so I'll sustain the objection as to speculative, if 11 someone says "I would think so." 12 MR. NADELHAFT: So you're -- so 3 13 through -- 14 THE COURT: 3 through 5. 15 MR. NADELHAFT: 3 through 5? 16 THE COURT: Mm-hmm. 17 MR. NADELHAFT: Okay. 18 Okay. I think that does it, Your Honor. 19 THE COURT: Okay. 20 MR. CRAWFORD: Thank you, Your Honor. 21 THE COURT: Thank you. I'll pass that 22 one.
262	1 his conversations with Mr. Depp, and then he 2 explains what -- 3 THE COURT: That's fine. I'll allow it. 4 MR. NADELHAFT: Okay. 5 THE COURT: And what other issue is 6 there? 7 MR. CRAWFORD: I think 133, 1 through 5, 8 Your Honor. So, if I understand Your Honor's 9 ruling correctly -- 10 THE COURT: Okay. 11 MR. CRAWFORD: -- so, one, he says, "What 12 does it say?" 13 ANSWER: "Such a pain in the ass." 14 So that is reading from his notes. So 15 that's okay, it sounds like. 16 THE COURT: Okay. 17 MR. CRAWFORD: But 3 through 5, he says, 18 "Is he referring to Amber?" 19 "I would think so, yes." 20 I argue that's speculative, which he does 21 at various points throughout. 22 MR. NADELHAFT: I mean, he's still	264	1 Next one? 2 MR. NADELHAFT: Oh, wait, I apologize 3 because I think this -- actually -- 4 THE COURT: Okay. You'll talk about it? 5 Okay. 6 MR. MURPHY: I think this is an issue of 7 Andrew. We need him all in different places. 8 We're ready on Tracy Jacobs for Your Honor. 9 THE COURT: Okay. But he needs to work 10 on -- 11 MR. MURPHY: He needs to work with Adam. 12 THE COURT: Okay. Do you want to do 13 Tracy Jacobs quickly? 14 MR. MURPHY: Andrew is just wearing too 15 many hats today, Your Honor. 16 THE COURT: All right. So on Tracy 17 Jacobs, I actually had three transcripts. 18 MR. MURPHY: Yes. Your Honor excluded 19 the two motions in limine. 20 THE COURT: Okay. Thank you. 21 MR. MURPHY: So this is the one -- the 22 only one that was actually taken in this case:

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1 January 28, 2021.	1 characterization of your representation of him?"
2 THE COURT: All right. Let me just find	2 MR. MURPHY: Correct, Your Honor. And
3 the January 28, 2021. Okay. Got it. Okay.	3 the response, "I understand. This is the first
4 MR. MURPHY: And we have been working.	4 time I'm here seeing it." That was the answer.
5 We narrowed this for Your Honor.	5 "Why?"
6 THE COURT: I appreciate that,	6 "Because it's all untrue."
7 Mr. Murphy.	7 So the issue here, Your Honor, is we
8 MR. MURPHY: So the first issue, Your	8 don't know what Mr. Depp is going to say in our
9 Honor -- correct me if I'm wrong, Andrew --	9 case. We don't know what he's going to say in
10 THE COURT: And Tracy Jacobs is --	10 their rebuttal. So if he's going to in any way
11 MR. MURPHY: Yes. Mr. Depp's former -- I	11 talk about his termination of Tracy, why he
12 don't know if talent agent is the right word.	12 terminated her, any of that, this is only
13 THE COURT: Another -- a different agent.	13 opportunity for the only witness who was the other
14 Okay.	14 party to that transaction to respond. That's the
15 MR. MURPHY: Yes.	15 issue and why it should come in.
16 THE COURT: Another agent. Okay.	16 If they're going to stipulate that he's
17 Gotcha. All right. Thank you.	17 not going to go into any of that, that's a
18 MR. MURPHY: So, Your Honor, just so	18 different story, but I can't know that.
19 I'm -- this is my first one to argue to argue in	19 THE COURT: Okay.
20 front of you. When I refer to pages, does Your	20 MR. CRAWFORD: It's a relevance
21 Honor warrant me to refer to the page, page, or you	21 objection, Your Honor. The witness's opinion
22 know that -- because it's a mini transcript --	22 about, you know, whether she agrees with Mr. Depp's
266	268
1 THE COURT: Yeah, just the --	1 characterization of her is not relevant. It's
2 MR. MURPHY: The mini page, got it.	2 opinion testimony. And that continues through --
3 THE COURT: Right, right, right.	3 THE COURT: Okay. So why would it be
4 MR. MURPHY: Okay. We are page 27.	4 relevant?
5 THE COURT: Okay.	5 MR. MURPHY: The relevance, Your Honor,
6 MR. MURPHY: Lines 1 through 2.	6 is if Mr. Depp goes into on the stand why he
7 MR. CRAWFORD: Well, and this really --	7 terminated Tracy Jacobs, and then we try to
8 THE COURT: Starts on -- okay. Go ahead.	8 cross-examine him on that, it would, probably from
9 MR. CRAWFORD: And Your Honor probably	9 Your Honor, draw a hearsay objection of what Tracy
10 wants to read on 26 for the context, which is not	10 said in response to that. So this is the only
11 at issue.	11 opportunity for that response to come in.
12 THE COURT: And what are we looking at	12 And I can't know what he's going to say
13 here, line 20? What is it?	13 for the next month, and this needs to be decided
14 MR. MURPHY: This is portions of	14 now. So it's relevant to that, Your Honor, unless
15 Mr. Depp's deposition being read in, which the	15 they're going to say he's not going to go into
16 objections to that have been withdrawn. The other	16 that.
17 objections at issue are the questions that follow.	17 MR. CRAWFORD: But they can't impeach
18 THE COURT: Deposition from this case.	18 Mr. Depp with Tracy Jacobs' testimony.
19 MR. MURPHY: Correct.	19 THE COURT: Right. I'm not --
20 THE COURT: Okay. All right. Okay.	20 MR. CRAWFORD: It's not an impeachment
21 "Why did you leave Tracy Jacobs?" So the question	21 issue.
22 is: "Would you agree with Mr. Depp's	22 THE COURT: We're going down a long

269	1 rabbit hole there. Let's just go back to this 2 question. All right. I'm going to overrule the 3 objection. I'm going to allow it in. Okay? 4 MR. MURPHY: Thank you, Your Honor. 5 Moving along -- 6 MR. CRAWFORD: 32? 7 THE COURT: 32. 8 MR. CRAWFORD: I believe. 15 through -- 9 MR. MURPHY: Just so we're clear, Andrew, 10 that takes us through 31? 11 MR. CRAWFORD: Yeah, I think those were 12 all relevance objections as to Ms. Jacobs. 13 MR. MURPHY: Okay. Great. So bottom of 14 32? I think Your Honor commented on this earlier, 15 so 32, line 15. 16 THE COURT: Okay. 17 MR. MURPHY: "What you recall..." 18 "Basically he wouldn't show up at all." 19 And then the rest of that page up to the 20 top of page 33. 21 MR. CRAWFORD: It's a hearsay objection. 22 "How is this being expressed to you?"	271	1 MR. CRAWFORD: Yes, Your Honor. 2 THE COURT: Okay. I have faith in you. 3 That's fine. 4 MR. MURPHY: So then, yes, we are onto 5 page 76. 6 THE COURT: All right. 76. 7 MR. MURPHY: I think that, you know, 8 based on what Your Honor just ruled, I understand 9 this is a conversation with Jerry Bruckheimer. I 10 would argue, Your Honor, this is a presence sense 11 impression from the person. This is different than 12 Sean Bailey, so that one is, you know, the head the 13 studio, you know, things being relayed from set. 14 This is Jerry Bruckheimer, who is on the 15 Pirates set, relaying to Tracy Jacobs. So as far 16 as Mr. Bruckheimer, it's a present sense impression 17 and even potentially an excited utterance, but I 18 think present sense impression with the one -- we 19 would really rest on present sense impression. 20 He's seeing what he's experiencing with Mr. Depp. 21 You know, they're fighting over whose 22 responsibility is to get Mr. Depp on time. So that
270	1 "The head of Disney Studios called me to 2 complain." 3 THE COURT: Okay. I'll sustain the 4 objection. 5 MR. CRAWFORD: I think 76, Mr. Murphy? 6 Does that look right to you? 7 MR. MURPHY: I believe so. 8 THE COURT: What page was it? 9 MR. CRAWFORD: 76, Your Honor. 10 MR. MURPHY: Before we get there, Your 11 Honor, so, Your Honor is aware, we -- there's an 12 exhibit being admitted with this on page 70. 13 THE COURT: What exhibit? 14 MR. MURPHY: I have a copy of it. And we 15 have already said there's no issue. They have 16 agreed to what we have agreed to redact it. I 17 don't know if Your Honor wants to look at that now 18 or just let us deal with it later. 19 THE COURT: No, as long as you -- 20 MR. MURPHY: We are on the same page. 21 THE COURT: You're on the same page with 22 it?	272	1 will be a present sense impression -- 2 THE COURT: Present sense impression, a 3 spontaneous statement describing or explaining an 4 event or condition made contemporaneously with or 5 while the declarant was perceiving the event or 6 condition. 7 MR. MURPHY: Yes, Your Honor. So the 8 spontaneous nature is he's calling the agent as 9 this is going on saying, "What are you doing? Get 10 onto set." 11 THE COURT: I'll sustain the objection. 12 Next one. 13 MR. MURPHY: Understand, Your Honor. 14 THE COURT: All right. 15 MR. CRAWFORD: I believe it's page 94, 16 Your Honor. 17 THE COURT: 94. Okay. 18 MR. CRAWFORD: 14, 15, with an answer on 19 19. Relevance. He's referring to Ms. Jacobs here. 20 MR. MURPHY: Yes. The relevance here, 21 Your Honor, is -- just goes to his termination that 22 Ms. Jacobs was just let in. And, also, this goes

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273	1 to Mr. Depp's treatment and opinions regarding 2 women, which is clearly an essential issue in this 3 case. The declaration below that is not in. I'm 4 just trying to bring this one in about Ms. Jacobs. 5 THE COURT: All right. I'll sustain the 6 objection. 7 Next one? 8 MR. CRAWFORD: 99, I believe, Your Honor. 9 THE COURT: Okay. 10 MR. MURPHY: Yes. So 99, that she no 11 longer works with him but, as a talent agent, 12 you're aware of reputation of movie stars. This is 13 literally what she does for a living. 14 "And what would you say the reputation of 15 Mr. Depp is today?" 16 "These lawsuits don't help." 17 So that goes to causation of his damages, 18 his reputation, which was everything we just 19 argued. 20 THE COURT: All right. 21 MR. CRAWFORD: I'd argue it's 22 speculative, Your Honor. So if you look up on line	275	1 MR. MURPHY: Is that fair, Your Honor? 2 THE COURT: Yes, sir. 3 MR. MURPHY: And as far as what goes into 4 126, I understand Your Honor's ruling. I 5 understand what's in Your Honor's ruling. This is 6 not coming in, but I just want to put on the record 7 that we maintain our designation for this, and I 8 would assume Your Honor is overruling that one 9 based on your rulings today. 10 THE COURT: Yes. Yes, sir. 11 MR. CRAWFORD: And the same for 127 and 12 128. 13 THE COURT: Yes. 14 MR. MURPHY: So, Your Honor would be -- 15 MR. CRAWFORD: And 129. 16 MR. MURPHY: -- overruling our 17 designations based on their objections about 18 Mr. Depp losing the lawsuit, Fantastic Beasts -- 19 THE COURT: Or sustaining the objection. 20 Either way you want to look at it. 21 MR. MURPHY: Understood, Your Honor. 22 MR. CRAWFORD: And then 129, terrible
274	1 3, she's asked about his reputation. She says, "I 2 don't work with him. I don't know." 3 If you look down at line 16, Your Honor, 4 on page 99, "I'm not out there selling him anymore. 5 I don't know." 6 So I'd just argue it's speculative. She 7 doesn't -- 8 THE COURT: I'll overrule the objection. 9 Next one? 10 MR. MURPHY: Next one is bottom of 101. 11 MR. CRAWFORD: I have 125, but 101. 101 12 I have withdrawn. 13 MR. MURPHY: Okay. Great. So we're 14 good. 15 MR. CRAWFORD: 125. So this is -- 16 MR. MURPHY: Yeah, this is -- I 17 understand -- so page 125, I -- 18 MR. CRAWFORD: We put pin in this 19 earlier, Your Honor, based on the discussion. It 20 sounds like the stuff on 125 could come in. 21 Mixture. 22 THE COURT: Okay.	276	1 judgment, same. 2 THE COURT: Yes. 3 MR. MURPHY: Understood. 4 THE COURT: Okay. Next one? 5 MR. CRAWFORD: 134, Your Honor, 3 through 6 8. 7 MR. MURPHY: So this is a pretty 8 straightforward one, Your Honor. "Other than Amber 9 Heard, do you know of any other woman who has ever 10 accused Mr. Depp of physical abuse?" 11 "No." 12 The objections are leading, number one; 13 foundation, and hearsay. To me, all of those 14 objections to this question, "Do you know of any 15 other woman who has accused Mr. Depp of physical 16 abuse?" 17 MR. CRAWFORD: It's asking, you know, do 18 you know of any, so it's -- you know, she's got 19 foundation to answer that question. As for the 20 leading objection, this is an adverse witness. 21 She's Mr. Depp's former agent. She's got a lot 22 after very unfriendly testimony.

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277	1 THE COURT: I'll overrule the objection. 2 Next one? 3 MR. CRAWFORD: 135, 21-22. Again, I 4 think just a quick leading objection. 5 MR. MURPHY: Yeah, so the only issue 6 here, Your Honor, is they asked, "During that 7 period of time in the last ten years you 8 represented him, was he ever fired from a movie?" 9 That's fair. I don't have an objection to that. 10 Right below it, "Was he ever fired from 11 Pirates 5?" That's leading and it's cumulative of 12 the question about it. That's the only issue 13 there. 14 THE COURT: All right. I'll sustain the 15 objection as to 20 and 22. 16 Next one? 17 MR. CRAWFORD: 197. 18 THE COURT: Oh, that was a good jump. 19 MR. CRAWFORD: Good jump. 20 THE COURT: All right. 197. 21 MR. CRAWFORD: Line 19, Your Honor. So 22 back to Mr. Depp's reputation. So this is -- we	279	1 argue that it's speculative and lacks foundation. 2 And it's also hearsay, I would say. 3 MR. MURPHY: There's no hearsay 4 objection, Your Honor. 5 THE COURT: I'll overrule the objections. 6 I'll allow it. 7 MR. MURPHY: Nearly done with this one, 8 Your Honor. 9 MR. CRAWFORD: I believe so. 206, I 10 believe. 11 THE COURT: 206. 12 MR. CRAWFORD: Just at the bottom of the 13 page, going on to 207. 14 MR. MURPHY: That one, I -- based on Your 15 Honor giving that one, I will withdraw that one at 16 this point. 17 THE COURT: Going to withdraw that one? 18 Okay. Great. 19 MR. MURPHY: We didn't know how Your 20 Honor would rule on the one before it. 21 THE COURT: Okay. Makes sense. 22 MR. MURPHY: And then 207, line 12.
278	1 have already seen his testimony. It's cumulative 2 about the -- he says -- and the question earlier 3 said that Mr. Depp's reputation, he became the 4 greatest actor in the world. All right. So it's 5 cumulative. They have already had this discussion 6 before. 7 MR. MURPHY: So, Your Honor, what the -- 8 there's no cumulative objection to the first part 9 of it. The cumulative begins on line 14, is what I 10 had here. So I'm not sure what the issue is with 11 the above stuff, but obviously, this is relevant 12 testimony, talking about Mr. Depp's star dimmed, 13 harder to get him jobs, given the reputation, due 14 to his lateness and other things. That's all while 15 she was his talent agent. That's what she's 16 talking about there. 17 And just so you know -- and it was about 18 his behavior. And then the last one, "Would that 19 behavior include alcohol and drug use?" 20 Response on 199: "Yes." 21 MR. CRAWFORD: And she's basing that off 22 of what people are talking about, she says. So I'd	280	1 THE COURT: Withdraw that one also? 2 MR. CRAWFORD: No, I have not withdrawn 3 that one, Your Honor. "So do you believe the 4 filing of that complaint of that complaint in the 5 ongoing litigation in the Mandel matter negatively 6 impacted Mr. Depp's career?" 7 She responds: "I think it's a collection 8 of the lawsuits." 9 While the response to that might be 10 cumulative, it's a very different question. We're 11 asking about a different complaint, how that 12 affected his reputation. 13 MR. MURPHY: And this is not a cumulative 14 objection, Your Honor. This is a relevance 15 objection. "Do you believe," it's asking for 16 opinion testimony and it's speculative. 17 THE COURT: Okay. I'll sustain the 18 objection. 19 Next one? 20 MR. CRAWFORD: The remainder, Your Honor, 21 I believe, are pretty similar here. 210 to 213, 22 where they effectively go through each lawsuit.

<p style="text-align: right;">281</p> <p>1 You know, "Do you believe." So starting on 210, 2 line 8, "In the collective lawsuits, do you believe 3 it damaged Mr. Depp's reputation, does that include 4 Deputy Bloom?" 5 "Yes." 6 "Does that include..." 7 THE COURT: She already testified that 8 the lawsuits collectively damaged his reputation. 9 MR. MURPHY: Right. So this is saying -- 10 this is, I guess, digging into that testimony, what 11 lawsuits are you referring to? And it's first the 12 Bloom lawsuit. Then, at the bottom of page 210, 13 the bodyguard's lawsuit. Top of 211, the Brooks' 14 lawsuit. Middle of 211, The Sun lawsuit, which -- 15 just the lawsuit, not judgments or no issue there. 16 And then, bottom of 211, this case. And then top 17 of 212, relatedly Rolling Stone article by Adam 18 Waldman. These are all the things she's saying is 19 affecting his reputation. 20 THE COURT: Okay. 21 MR. CRAWFORD: I'm sorry, Your Honor, I 22 may have misheard. On 207, line 12, "Do you</p>	<p style="text-align: right;">283</p> <p>1 as the question on 212. Or 207, excuse me. 2 MR. MURPHY: So there wasn't -- I'm 3 looking for -- I apologize, Your Honor. I believe, 4 on one of the earlier ones, referring to the 5 lawsuits, that that was in. I know the most recent 6 one, Your Honor, just sustained it. 7 THE COURT: Right. 8 MR. MURPHY: I'm trying to go back to 9 that earlier one, but my recollection is Your Honor 10 let in one of those. 11 THE COURT: It was something that came -- 12 MR. MURPHY: Yes, and I'm trying to find 13 it. But the argument would be, Your Honor, this is 14 defining those lawsuits and then relatedly defining 15 the Rolling Stone article, the one that Adam 16 Waldman quotes and saying these are all things that 17 affected his reputation. And I'm looking for that 18 earlier ruling from Your Honor to support what I'm 19 saying right now. 20 MR. CRAWFORD: But, I mean, it's 21 derivative of the question that was just sustained 22 on 207 and 208. "Do you believe that the filing of</p>
<p style="text-align: right;">282</p> <p>1 believe that the filing of the complaint in these 2 litigations impacted Mr. Depp's career?" 3 I have a relevance objection to opinion. 4 Did you sustain or deny that -- overrule that 5 objection? 6 THE COURT: Right. I sustained as to the 7 opinion. 8 MR. CRAWFORD: Yes, right. Okay. 9 THE COURT: But we also -- but somewhere 10 here she said -- I think it's the collection 11 lawsuits, was it, somewhere? 12 MR. CRAWFORD: Right. So that's the 13 answer on 207. So the question on 207, line 12 14 was -- 15 THE COURT: I gotcha, I gotcha. Okay. 16 I'm with you. 17 MR. CRAWFORD: And, so, our position is 18 that these -- the questions from 210 on to 213 are 19 in the same vein as that. Right? It's "Do you 20 believe that these have impacted Mr. Depp's 21 reputation?" So it's opinion testimony. We 22 believe it should be sustained on the same grounds</p>	<p style="text-align: right;">284</p> <p>1 these lawsuits negatively impacted Mr. Depp's 2 career?" 3 "I think it's a collection of all the 4 lawsuits." 5 And then she goes through the lawsuits 6 and says, you know, do you believe this part of the 7 question, this part of the question. 8 THE COURT: Right. All right. I'm going 9 to sustain the objections to these pages then. It 10 makes sense. 11 All right. Moving on. 12 MR. CRAWFORD: Your Honor, I think 13 that -- 14 THE COURT: That takes care of that one? 15 All right. 16 MR. MURPHY: And I think -- well, okay. 17 So that takes care of everything up to 211, Your 18 Honor. 19 THE COURT: Okay. 20 MR. MURPHY: The 212 one is different. 21 THE COURT: Is different? 22 MR. MURPHY: Yeah. It's not relying on</p>

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285	1 that other lawsuits thing. 212, lines 4 through 2 10, talks about the Rolling Stone article. 3 MR. CRAWFORD: Again, how do you believe 4 that article impacted Mr. Depp's reputation? It's 5 opinion testimony. 6 MR. MURPHY: And then the response on 7 213, "Other than the fact that Adam Waldman came 8 across as" -- I apologize, Your Honor -- 9 "ridiculous, pompous ass, the implication from 10 everything said in the interview was that he was 11 doing drugs during the interview. I mean, you 12 don't have to be a rocket scientist. I was shocked 13 when I read that interview." 14 "Do you believe the Rolling Stone article 15 damaged Mr. Depp's reputation?" 16 "Yes. I mean, not only is she a member 17 of the public, she's his talent agent and is 18 clearly competent to be..." 19 It's not speculation to talk about how 20 Mr. Depp's own statements and Mr. Depp's 21 lawyer/legal agent's own statements in the public, 22 in the Rolling Stone publication affect his	287	1 MS. STEMLAND: I think we need a little 2 break. 3 THE COURT: Okay. 4 (A brief recess was taken from 3:25 p.m. 5 to 3:58 p.m.) 6 THE COURT: Okay. Which one are we 7 looking at? 8 MS. CALNAN: Good afternoon, Your Honor. 9 Armand Lemoyne. I'm probably mispronouncing that, 10 but he's one of the LAPD's PMKs. 11 THE COURT: Okay. 12 MS. CALNAN: And just for context, Your 13 Honor, Armand Lemoyne, he was the corporate 14 designee for LAPD. 15 THE COURT: Okay. Oh, hold on. How do 16 you spell his last name? 17 MS. CALNAN: L-e-m-o-y-n-e. 18 THE COURT: Oh, okay. Sorry. Okay. 19 He's the corporate designee? 20 MS. CALNAN: For the LAPD with respect to 21 body-worn cameras, policy and procedures. 22 THE COURT: Okay.
286	1 reputation. That's not speculation with what she 2 does for a living, which is protecting these stars' 3 reputations and making them money. 4 MR. CRAWFORD: It's still -- she says the 5 implication, from everything that I have read. She 6 lacks foundation. It's speculative. She says -- 7 THE COURT: This is what I'm going to do. 8 I'll sustain the objection on page 212, but I'll 9 allow lines 8 through 11. Okay? 10 MR. CRAWFORD: On 213? 11 THE COURT: Yes, on 213. 12 MR. CRAWFORD: Okay. 13 MR. MURPHY: So you're sustaining on the 14 top of 212 as well. 15 THE COURT: Yes. On the top of 213. 16 Yes. 17 MR. CRAWFORD: All right. Thank you, 18 Your Honor. 19 THE COURT: Perfect. Next one? Do we 20 have somebody from both sides or... 21 I can take a little break if you need it 22 or...	288	1 MS. CALNAN: And just for context, on 2 page 8, his answer for what he was specifically 3 designated for, he does say just the body-worn 4 camera footage policy and procedure of the LAPD and 5 does say whether or not those officers were wearing 6 cameras, that's not something I could verify or 7 confirm. 8 THE COURT: Okay. 9 MS. CALNAN: So the only issue we have is 10 on page 69, lines 3 through 10. 11 THE COURT: 69... 12 MS. CALNAN: And this question calls for 13 hearsay. Officer Lemoyne is relying on a website, 14 specifically a statement on the website, for the 15 truth of the matter of whether Officer Hadden or 16 Saenz were assigned body-worn cameras. 17 THE COURT: All right. 18 MR. TREECE: Good afternoon, Your Honor. 19 THE COURT: Yes, sir. 20 MR. TREECE: I'm Josh Treece. I don't 21 think I have had the pleasure -- 22 THE COURT: Mr. Treece, yes, sir.

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289	1 MR. TREECE: So the first point, Your 2 Honor, with respect to the background, we 3 redesignated in our meet-and-confer at the bottom 4 of page 10. And so this individual, Mr. Lemoyne or 5 Officer Lemoyne, is also testifying as to 6 preservation of body cam footage -- 7 THE COURT: Okay. 8 MR. TREECE: -- for Saenz and Hadden. 9 THE COURT: Okay. 10 MR. TREECE: And with respect to the 11 hearsay objection, there's no indication that this 12 is anything other than computer-generated 13 information. As Your Honor is aware, it has to be 14 an oral statement by a person. Computer data is, 15 by definition, not hearsay. 16 THE COURT: And evidence.com, just to 17 fill me in, is that what they use for their -- to 18 keep their -- 19 MR. TREECE: Yeah, that's where they 20 upload videos. And what he's relying on to draw 21 this conclusion, from what he's seen, they were 22 assigned cameras. As he testifies earlier, that	291	1 Next one? 2 MR. TREECE: So then, I believe, we're 3 moving on, Your Honor, to Sadanaga. That was just 4 the one we had -- 5 THE COURT: Okay. That one's done? All 6 right. And spell that last name for me again. 7 MR. TREECE: Sure. S-a-d-a-n-a-g-a. 8 THE COURT: Okay. This one? All right. 9 What page? 10 MR. TREECE: All right. So we have five 11 objections that we need to address. 12 THE COURT: Okay. 13 MR. TREECE: For background, with respect 14 to Sadanaga, Your Honor, Sadanaga is put forward at 15 the person most knowledgeable at the LAPD on LAPD 16 policies and procedures with respect to domestic 17 violence. 18 THE COURT: Gotcha. 19 MR. TREECE: She is their domestic 20 violence coordinator, and she is responsible for 21 how the Department responds to domestic violence. 22 THE COURT: All right.
290	1 they have footage that was uploaded to evidence.com 2 before and after. 3 THE COURT: Okay. 4 MR. TREECE: And so he's not relying on 5 the statement. Yeah, so it's not hearsay. By 6 necessity, it's not an oral statement. It's a 7 computer. 8 MS. CALNAN: First of all, hearsay is not 9 just limited to oral statements. And, second of 10 all -- I mean, for further context, the videos that 11 were uploaded before May 21, 2016, were training 12 videos, and so I just think this would confuse the 13 jury. 14 THE COURT: Is that -- somebody says that 15 I assume that later in the deposition? 16 MS. CALNAN: No. 17 THE COURT: That wasn't asked? 18 MS. CALNAN: I don't believe so, no. Oh, 19 I guess in Saenz and Hadden's depositions. 20 THE COURT: I guess some you knew were 21 training videos, so somewhere it came in. All 22 right. I'll overrule the objection.	292	1 MR. TREECE: And so what we have got, 2 Your Honor, and where the objections lie is kind of 3 collectively the same issue, which is, you know, 4 we're taking issue in this case with how the 5 officers responded and whether they followed 6 policies and procedures and saw what they should 7 have seen. Correct? 8 And so our view is that, had they 9 followed policies and procedures, based on the 10 information available, they would have done X, Y, 11 and Z that would have led them down a different 12 road. Right? 13 So that's our position with respect to 14 this. And her testimony on these issues is simply, 15 if an officer is confronted with these facts, this 16 is how, under our policies and procedures, an 17 officer would be expected to respond. That's 18 factual information within her personal knowledge 19 as the person most knowledgeable of the policies 20 and procedures. 21 If Your Honor thinks about it like labor 22 and employment cases, of which I do a lot, when you

<p style="text-align: right;">293</p> <p>1 have a witness -- an HR Department professional 2 testifying to the policies and procedures, you 3 know, they're asked, if this situation arises, what 4 do your policies and procedures require, and 5 they're permitted to testify as to what the 6 policies and procedures would require. And that's 7 what we have got here, Your Honor, with respect to 8 all these. And I can go through them one by one. 9 THE COURT: Sure. Which one -- 10 MR. TREECE: So the first one is on the 11 bottom of 14, coming over the top of 15. And the 12 question is: "Okay. Now, what did you learn in 13 all of the training that you have had in domestic 14 violence with respect to whether victims of 15 domestic violence may be reluctant to press 16 charges?" 17 "I have learned that it's common for 18 victims to be reluctant to report and even, in 19 personal experience, after taking reports, they're 20 reluctant to continue on -- 21 THE COURT: But that's not policy and 22 procedure, though. That's her opinion.</p>	<p style="text-align: right;">295</p> <p>1 a picture that was shown to Saenz. Saenz 2 testified. She looks at this photo. It's a photo 3 of Amber. And so Saenz testified she looked at the 4 photo, and then that, to her, doesn't indicate that 5 anything further needed to be done pursuant to 6 policies and procedures because she didn't think 7 that was evidence of injury. 8 When you have got their person most 9 knowledgeable looking at that exact same photo, she 10 says it looks like an injury and more needed to be 11 done, pursuant to their policies and procedures. 12 THE COURT: I'll sustain the objection. 13 Again, that's not their policy or procedure; that's 14 her opinion. 15 MR. TREECE: Well, but it's a -- 16 THE COURT: I have made my ruling, sir. 17 MR. TREECE: Okay. Thank you, Your 18 Honor. 19 Let me see if there's anything else. 20 THE COURT: Okay, sure. 21 MR. TREECE: That may have moot -- that 22 moots the next one.</p>
<p style="text-align: right;">294</p> <p>1 MR. TREECE: That is true. That goes 2 to -- 3 THE COURT: So I'll sustain the objection 4 as to that one. 5 MR. TREECE: Okay. 6 THE COURT: So give me the next one. 7 MR. TREECE: All right. 8 MS. CALNAN: So, Josh, just to confirm, 9 you're withdrawing 14, lines 15 through 19 on page 10 14 and lines 2 through 15 on -- 11 MR. TREECE: Yeah. So the Court 12 sustained 15 to 19. 13 MS. CALNAN: Right. 14 MR. TREECE: And 2 to 6 -- 15 THE COURT: Okay. Next one. 16 MR. TREECE: -- on page 15. 17 MS. CALNAN: To 15. 18 MR. TREECE: Correct, correct. 19 All right. And then page 97, so this 20 serves multiple purposes, Your Honor. 21 THE COURT: Okay. 22 MR. TREECE: Deposition Exhibit No. 26 is</p>	<p style="text-align: right;">296</p> <p>1 And, Your Honor, 167, it's asking about, 2 you know, observations and whether that would be 3 indicative of fear in someone trained, essentially. 4 And she thinks it's indicative of fear. 5 MS. CALNAN: And, Your Honor, this again, 6 consistent with the other rulings, I believe you 7 had sustained -- 8 THE COURT: I sustain the objection. 9 MR. TREECE: All right. And then with 10 respect to the last one, it's discussing the cycle 11 of violence. She, of course, has personal 12 knowledge of cycle of violence. 13 MS. CALNAN: She's not an expert in this. 14 THE COURT: The cycle of violence is not 15 their policy and procedure, though; correct? 16 MR. TREECE: Well, but she's the -- she's 17 not just policies. She's the person most 18 knowledgeable -- 19 THE COURT: But she's not designated as 20 an expert. 21 MR. TREECE: She's not designated -- 22 right. She's not designated as an expert.</p>

297	1 THE COURT: All right. I sustain the 2 objection. 3 MR. TREECE: All right. Thank you. 4 MS. CALNAN: So that was lines 172 -- I'm 5 sorry, page 172, line 12 through line 9 on page 6 173? 7 MR. TREECE: I believe all five of yours 8 have been sustained. 9 MS. CALNAN: Great. Thanks. 10 THE COURT: Next one? Mr. Nadelhaft, are 11 you ready or... 12 MR. NADELHAFT: I am, but I think there 13 might be -- 14 THE COURT: Oh, okay. Got something? 15 MR. NADELHAFT: Yeah, Harold. 16 THE COURT: Okay. All right. And who is 17 Cornelius Harold? 18 MS. CALNAN: Cornelius Harold, he's one 19 of the employees of Eastern Columbia Building. 20 Like Alejandro Romero, he worked in -- 21 THE COURT: Don't say anything like 22 Alejandro -- sorry. Too soon.	299	1 times that day, knew what the quality of the makeup 2 was that she had on, and, therefore, under Rule 3 7.01 -- 2.7-101, it's an opinion testimony that's 4 based on his observations of her makeup and also 5 about -- it's helpful to the trier of fact because 6 it helps with his perception of quality and 7 quantity of makeup that she was wearing. 8 MS. CALNAN: And he's not a makeup 9 expert, and that all calls for speculation with 10 regardless of Mr. Harold himself wears makeup. And 11 it's just an improper opinion. 12 MS. STEMLAND: But he's the only one who 13 saw the makeup that she was wearing. So he's the 14 only one -- 15 MS. CALNAN: But there were so many other 16 people who interacted with her that week. 17 THE COURT: All right. The question 18 here: "Had Ms. Heard had the red mark and what 19 appears to be bruising above her eye when you 20 interacted with her, would you suspect that you 21 would have seen that?" Okay. 22 MS. STEMLAND: And it goes to the type of
298	1 MS. CALNAN: Sorry. 2 MS. STEMLAND: So Mr. Harold saw 3 Ms. Heard three times the day of May 22nd. 4 THE COURT: Okay. All right. Thank you. 5 MS. CALNAN: He works the front desk. 6 MS. STEMLAND: So I think the first one 7 is 159. 8 THE COURT: All right. 159. 9 MS. CALNAN: On line 16. 10 THE COURT: 159, line 16. All right. 11 We're showing the photograph. 12 MS. CALNAN: Yes, Your Honor. And we're 13 objecting based on speculation and proper opinion, 14 lack of personal knowledge, and lack of foundation. 15 MS. STEMLAND: And, Your Honor, what's 16 really important about a lot of these we'll be 17 going through is that Mr. Harold testified that 18 Amber Heard was wearing makeup on May 22nd. 19 THE COURT: Okay. 20 MS. STEMLAND: And that he is familiar 21 with makeup, wears makeup himself, and has lots of 22 friends that wear makeup. And he saw her three	300	1 makeup. And if you look at the next question and 2 answer, it basically says that the type of makeup 3 she was wearing could have covered that. 4 MS. CALNAN: But he did not see Ms. Heard 5 personally apply that makeup. He has no personal 6 knowledge of what makeup she used. It calls for 7 speculation. 8 MS. STEMLAND: But he does have personal 9 knowledge because he saw her makeup and he 10 testified to seeing the makeup that day. 11 MS. CALNAN: He saw it on her, but he 12 doesn't know what she used. 13 THE COURT: Hold on. All right. "You 14 would not have seen that or you would have seen 15 that." I'm going to sustain the objection. 16 All right. Next one? 17 MS. STEMLAND: Are you sustaining it to 18 just line 16 through 63? Because the next question 19 is still -- the next question would be 160, line 9 20 through 19. 21 THE COURT: "You would not have seen that 22 or you would have seen that?" It's a follow-up

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1 question. I'll sustain the objection. 2 All right. Next one? 3 MS. STEMLAND: The next one, Your Honor, 4 is page 177. 5 THE COURT: Okay. 6 MS. CALNAN: Oh, 161? 7 MS. STEMLAND: 161 is a designation by 8 Plaintiff. 9 THE COURT: 161? 10 MS. CALNAN: Sorry, and at lines 21. 11 Some of the highlights didn't come through. But 12 page 161, line 21 through line 8 of page 162. 13 MS. STEMLAND: And, Your Honor, my 14 position with respect to this one is that, if he's 15 going to testify to -- so this is -- did you ever 16 see her have an injury on her face as the one 17 depicted in the photograph? 18 THE COURT: Yeah, this was designation 19 based on that, so you're withdrawing this 20 designation; right? This was designated after they 21 designated theirs. 22 MS. CALNAN: But we didn't always have	1 through 9. And, you know, again, I think this goes 2 to his perception of the type of and quality of 3 makeup that -- 4 THE COURT: I'll sustain the objection. 5 Next one? 6 MS. STEMLAND: And the next one is page 7 181. 8 THE COURT: 181 or 191? I'm sorry. 9 MS. CALNAN: 181. 10 THE COURT: 181. Okay. 11 MS. CALNAN: Line 16. And, again, based 12 on Your Honor's ruling, I think you sustained all 13 these. 14 MS. STEMLAND: Again, this is -- he's 15 directly testifying to the type and quality of 16 makeup that she was wearing that day. 17 THE COURT: I'll sustain the objection. 18 Next one? 19 MS. STEMLAND: I think the next one -- is 20 that it? 21 MS. CALNAN: Yes, I believe that is it. 22 MS. STEMLAND: Thank you, Your Honor.
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1 our counter-designation tied to their designation, 2 and I could take out the reference to the -- as the 3 one depicted in the photograph and just leave "When 4 you interacted with Ms. Heard, did you ever see her 5 have an injury on her face" and leave it there? 6 And his answer is no. 7 MS. STEMLAND: And I would say that, if 8 Your Honor keeps that in, then I think it's only 9 fair to include the makeup part, too, because -- 10 for context, because he says -- 11 THE COURT: Well, the makeup will add an 12 opinion to it. But this one, just depicted in the 13 photograph, so I'm just going to sustain the 14 injury -- sustain the objection, focusing on the 15 photograph. So it comes out either way. 16 All right. Next one? 17 MS. STEMLAND: The next one is 177, 18 please. 19 THE COURT: 177. Okay. 20 MS. CALNAN: Based on Your Honor's 21 ruling, I think you would sustain this one as well. 22 MS. STEMLAND: This is 177, line 4	1 THE COURT: Thank you. 2 Next deposition? 3 MR. NADELHAFT: I think we can do -- 4 THE COURT: You keep trying to show up. 5 MR. NADELHAFT: That's fine. 6 THE COURT: Eventually; right? 7 MR. NADELHAFT: Right. 8 THE COURT: Okay. What do we have? 9 MS. CALNAN: Laura Divenere. 10 THE COURT: Okay. 11 MS. CALNAN: She's a friend of Amber 12 Heard and was also her interior designer. 13 THE COURT: Interior designer. Okay. 14 MS. CALNAN: And was with her the week of 15 May 21st, 2016. 16 THE COURT: Okay. 17 MS. CALNAN: And we think, based on your 18 rulings on some of them, we might be able to then 19 meet-and-confer. 20 THE COURT: Okay. Great. 21 MS. McCAFFERTY: And one other 22 introductory point, she is someone that Adam

305	1 Waldman obtained a declaration from. 2 THE COURT: Okay. Gotcha. All right. 3 So where are we starting at? 4 MS. CALNAN: Page 15, line 16. 5 THE COURT: All right. So we're looking 6 at a text. Who is the text between? 7 MS. McCAFFERTY: It's Adam Waldman and 8 Laura Divenere. And we're not going to introduce 9 the text, but this is evidence that she felt 10 coerced by Waldman into providing the declaration. 11 MS. CALNAN: And we would say this calls 12 for hearsay, and also, how Ms. Divenere felt is 13 completely irrelevant and has no bearing on this 14 case. And, also, lacks foundation. 15 THE COURT: Well, I mean, the text is not 16 coming in, so we won't know what the contents of 17 the text is. Is that correct? 18 MS. McCAFFERTY: The text is the first 19 time she -- on page 14, what's designated without 20 objection is this is how her and Waldman -- how she 21 first came into contact with Waldman. But, yes, 22 the text isn't coming in.	307	1 going to -- we're going to argue effect on the 2 listener, but I'll go get the text. 3 THE COURT: Okay. Sure. 4 (Pause in the proceedings.) 5 MS. McCAFFERTY: Can I approach? 6 THE COURT: Okay. Yes, ma'am. That was 7 fast. A lot of boxes back there. All right. 8 MS. CALNAN: This actually isn't a text 9 between Laura and Adam Waldman. This is a text 10 between Laura and Amber Heard. 11 THE COURT: Oh. 12 MS. McCAFFERTY: At the end, it's signed 13 "Adam," so... 14 MS. CALNAN: But this is from Laura 15 copying something presumably from Adam, but we 16 don't know that. 17 MS. McCAFFERTY: Right. So Adam sent 18 Laura a text, and then Laura sent the text that 19 Adam sent her to Laura [verbatim]. 20 THE COURT: Okay. The issue with this is 21 double hearsay, because if she attached it and put 22 it there and not directly from Adam, there's an
306	1 THE COURT: So, if I get it right, it 2 just would go from you received a text -- "I 3 received a text from Mr. Waldman." And then they 4 show her the text. And then, "What was your 5 reaction to the text?" But we don't have any 6 context because we don't have the text coming in 7 because it's hearsay, I assume. 8 So for her to say she was horrified, we 9 have no idea what she's talking about. 10 MS. McCAFFERTY: Okay. 11 THE COURT: Does that make sense? 12 MS. McCAFFERTY: All right. So let me 13 think about this. 14 THE COURT: Okay. 15 MS. McCAFFERTY: I'm going to try to put 16 the text in. Can I -- 17 MS. CALNAN: You're going to introduce 18 the text as an exhibit? 19 MS. McCAFFERTY: Yeah. 20 MS. CALNAN: I mean, we're going to 21 object on hearsay. 22 MS. McCAFFERTY: We're going to -- it's	308	1 issue with it, so I'm going to sustain the 2 objection to it coming in. I'm just not sure... 3 All right. Let's just make it -- I'm 4 going to sustain the objection as to "what's her 5 reaction" as not being relevant. All right? So 6 that that would come out. Let's do it that way. 7 All right. Next one? 8 MS. CALNAN: And that's page 15, line 16 9 through -- is that line 6 on 16? 10 THE COURT: Yes, I think -- well, I -- 11 "Did the text make you feel uncomfortable?" Did 12 you want to keep that in there? 13 MS. McCAFFERTY: Yes. And then 14 continuing to 8 through 10. 15 THE COURT: "Did it make you feel like 16 you were being put under pressure?" 17 MS. McCAFFERTY: So that text is the 18 same. "So did the text make you feel 19 uncomfortable?" 20 THE COURT: I'm going to sustain the 21 objection all the way down to line 10. 22 MS. McCAFFERTY: And then the answer on

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309	1 line 14? 2 THE COURT: Line 14. 3 Objection. Next one? 4 MS. CALNAN: Line 16, "Did you feel 5 pressured by Mr. Waldman to say things that are 6 unfavorable about Ms. Heard?" 7 "Yes." 8 I mean, this is leading. It's hearsay 9 because it calls for how Mr. Waldman or maybe what 10 Mr. Waldman said to Laura. And it also lacks any 11 relevance. It's not relevant how Laura felt. 12 THE COURT: I'll overrule the objection 13 about that. 14 Next one? 15 MS. McCAFFERTY: 17, line 1 to 3. 16 THE COURT: "Did you feel that 17 Mr. Waldman was threatening you..." I'll sustain 18 the objection as to that one. 19 I guess we'll just go through this whole 20 line. 21 "Did you feel that Mr. Waldman's conduct 22 in sending you these texts ... was appropriate?"	311	1 MS. CALNAN: Relevance. Lacks 2 foundation. Excuse me. Leading. It's not 3 relevant how -- what Laura thinks. 4 THE COURT: Okay. 5 MS. McCAFFERTY: This goes to whether he 6 had malice. So, earlier -- 7 THE COURT: How could she say whether he 8 had malice? 9 MS. McCAFFERTY: So there's going to be 10 testimony from Waldman based on the earlier rulings 11 that he relied on Laura as the basis for her 12 opinion that Ms. Heard wasn't telling the truth. 13 So what he did to Laura to get her declaration, 14 whether he coerced her testimony, is relevant to 15 whether -- Mr. Waldman's state of mind. 16 MS. CALNAN: And if you -- and in later 17 parts of this deposition, Laura testifies that, 18 although she felt coerced to actually submit a 19 declaration, all of her statements in those 20 declarations are true. 21 MS. McCAFFERTY: She also makes -- I 22 think we should go line by line, but she makes
310	1 I'll sustain the objection to that one. 2 I guess we're down to the bottom of line 3 22. 4 MS. CALNAN: Yep. 5 THE COURT: Okay. "As you understand the 6 word 'appropriate', did you feel that Mr. Waldman's 7 ... was appropriate?" I'll sustain the objection 8 to that one. 9 MS. McCAFFERTY: Sorry. Are we on -- are 10 we on 17 and -- 11 THE COURT: I'm just keeping going. 12 MS. CALNAN: Yeah, 17 and 18. 13 MS. McCAFFERTY: Okay. And that was -- 14 THE COURT: That was all the way to the 15 page 18, line 7. Because it's all about additional 16 conduct of Mr. Waldman. 17 MS. CALNAN: And then the next one is on 18 page -- 19 THE COURT: Go ahead. 20 MS. CALNAN: Sorry. Page 19 on line 15? 21 THE COURT: Okay. "At any time, have you 22 believed that Ms. Heard concocted a hoax?"	312	1 other statements that show her -- some of the 2 statements weren't true. I mean, the declaration 3 is not going to come in. 4 MS. CALNAN: And, again, state of mind is 5 not relevance for Ms. Divenere's. 6 THE COURT: "At any time, have you 7 believed that Ms. Heard somehow concocted a 8 hoax..." 9 MS. CALNAN: And, again, I don't think 10 she can opine as to Mr. Waldman's statement or 11 whether he had actual malice. 12 THE COURT: All right. I'll sustain the 13 objection as to this one. 14 Is this the same text we're talking 15 about? Are we moving to a different page, or are 16 we just ruling? 17 MS. McCAFFERTY: I think we're on 20 -- 18 the end of 20 now. 19 THE COURT: This is the end of 20? 20 Line -- 21 MS. CALNAN: 19. I think you'll sustain 22 this.

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<p style="text-align: right;">313</p> <p>1 THE COURT: All right. I'll sustain the 2 objection. Moving on. 3 MS. CALNAN: 21, 9 through 13. 4 THE COURT: All right. I'll sustain the 5 objection, 9 through 13. 6 I assume there's no problem with 15. 7 MS. CALNAN: Yeah, we can withdraw the 8 15. 9 THE COURT: Good. 10 MS. CALNAN: 15 and 19. 11 THE COURT: All right. 12 MS. CALNAN: And we're fine with 21 13 through 11 as well. 14 THE COURT: All right. So where are we 15 at now? Or do you guys have to go through this? 16 MS. CALNAN: Yeah, do you want to -- 17 Elaine, do you have a sense? 18 MS. McCAFFERTY: Yeah. 19 THE COURT: Okay. All right. I'll pass 20 that one. 21 MS. CALNAN: Thank you. 22 THE COURT: Next one?</p>	<p style="text-align: right;">315</p> <p>1 time. And as Your Honor may recall from Mandel, 2 you know, you hold us to the questions. 3 THE COURT: Right, right. 4 MS. BREDEHOFT: So this one is leading. 5 MR. MONIZ: So, Your Honor -- and, sorry, 6 Counsel, which page are you on? 7 MS. BREDEHOFT: 17, line 17. 8 MR. MONIZ: So, Your Honor, by way of 9 background, this is Warner Bros. Warner Bros. is 10 Ms. Heard's employer, and -- for the Aquaman 11 contract, she's claiming damages relating to the 12 loss of Aquaman or a temporary -- like a sort of 13 temporary release from Aquaman and, like, the loss 14 of the ability to -- 15 Anyway, so the point here is, on this, we 16 actually had to file a motion with this. This is 17 not a friendly witness to us. There was a motion 18 to quash that was opposed, and so this is not a 19 witness that is under our control or favorable to 20 us. That's the first point. 21 So this is a third-party witness. It's 22 not like our witness under our control. I think</p>
<p style="text-align: right;">314</p> <p>1 MS. BREDEHOFT: We're ready with Hamada, 2 Your Honor. 3 THE COURT: That's fine. Mr. Moniz 4 (indiscernible). 5 MR. MONIZ: That's fine. She caught me. 6 It's okay. No, no, no, it's all right. 7 THE COURT: All right. Which one did you 8 say? Cowan? 9 MS. BREDEHOFT: No, it's Hamada. It's 10 the one -- and they had to bring -- did you guys 11 give the Court that -- 12 THE COURT: Oh, I don't have... 13 Okay. Hamada. Okay. 14 MS. BREDEHOFT: Fortunately, it's a short 15 one. 16 THE COURT: Okay. Good. 17 MS. BREDEHOFT: And the first objection 18 we have -- I'll wait for Sam to get ready, but the 19 first one we have is on page 17. And Your Honor 20 may recall that I made a point of saying that there 21 was a lot of leading questions, and I was quite 22 clear and very distinct in my objections at the</p>	<p style="text-align: right;">316</p> <p>1 it's appropriate to direct leading questions. 2 Secondly, this is not a leading question. 3 It's just asking whether she was ever released. It 4 doesn't suggest the response. 5 THE COURT: The answer. 6 MS. BREDEHOFT: Your Honor, may I speak 7 to that? If Your Honor may recall, counsel for 8 Warner Bros. wrote a letter, and, in fact, they 9 were trying to get that entered, and we have agreed 10 it's not coming in in the deposition. But they 11 wrote a letter saying they were going to say that 12 the reasons that they considered not exercising her 13 option was because of performance issues, because 14 creativity, because of chemistry, and they were 15 going to do a declaration, they were very hostile. 16 And they were very, very friendly to Mr. Depp, very 17 hostile to us in this deposition. 18 MR. MONIZ: I generally have -- it's just 19 not a leading question, and -- 20 MS. BREDEHOFT: And there's no foundation 21 establishing any adverse, under 8.01 -- I'm trying 22 to remember my code section, Your Honor, but they</p>

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317	1 have to establish that there's an adverse 2 relationship, and they did not establish that. 3 THE COURT: It's just not leading, so 4 I'll overrule the objection. 5 Okay. Next one? 6 MR. MONIZ: The next one's leading. 7 MS. BREDEHOFT: I mean, they're asking if 8 him if for a yes/no. 9 MR. MONIZ: And, Your Honor, it's 10 effectively -- I mean, it was a hostile witness. 11 It's not correct for counsel to suggest that this 12 was a friendly witness to us at all. I mean, when 13 we were in motion -- we were with motion with them, 14 and, in any event, again, it's not a leading 15 question. 16 MS. BREDEHOFT: It is a leading question. 17 They ask a lot of leading questions, and they did 18 not establish hostilely or adverse. Every time 19 when we're in this courtroom, Your Honor, if we 20 want to claim that somebody's adverse or hostile, 21 we have to establish the foundation for it and then 22 say, you know --	319	1 THE COURT: All right. I'm going to 2 overrule the objection. 3 Next one? 4 MS. BREDEHOFT: Page 21. 5 THE COURT: Leading, I assume? 6 MS. BREDEHOFT: Correct. And this one is 7 obviously leading. 8 THE COURT: Okay. 9 MR. MONIZ: And, again, we would submit 10 it's not a leading question. It doesn't suggest a 11 response, and, again, we were -- 12 MS. BREDEHOFT: Anything Mr. Depp said 13 about her? 14 MR. MONIZ: We were in motion with this 15 witness. This was not a witness under our control. 16 This is a third party. And it doesn't suggest the 17 response. It's functionally equivalent to the 18 preceding questions. There's a yes -- 19 THE COURT: Well, there's a hearsay 20 objection to it. 21 MS. BREDEHOFT: Yes, there's hearsay as 22 well.
318	1 THE COURT: Well, that's if you call the 2 witness. 3 MS. BREDEHOFT: They called him. This is 4 their witness. 5 THE COURT: In a deposition, it's hard -- 6 it's hard to tell sometimes. 7 MS. BREDEHOFT: It is, certainly, but 8 that's not fair to us. I was all over this. I 9 said leading. 10 THE COURT: Well, to his response, 11 leading would be, "She was released from Aquaman 2 12 contract on or about February 22nd; isn't that 13 correct?" 14 MS. BREDEHOFT: I mean, he puts it all in 15 there. No, this is leading -- it's suggesting the 16 answer, yes or no, was she -- 17 THE COURT: Well, it's suggesting yes or 18 no. 19 MS. BREDEHOFT: Right. And when it's yes 20 or no, it is leading. 21 MR. MONIZ: I mean, it doesn't suggest a 22 response, Your Honor.	320	1 MR. MONIZ: Well, as for hearsay, first 2 of all, it's not restating anything that Mr. Depp 3 said, so I don't think that's an issue, but, also, 4 the question is, it's not about what he said. It's 5 about the impact of what he said. 6 THE COURT: I'll sustain the objection. 7 Okay. Next one? 8 MS. BREDEHOFT: And then the next one is 9 down at line 13, same thing. Leading, hearsay, 10 foundation. 11 THE COURT: Okay. 12 MR. MONIZ: Well, again, this is just 13 going to -- the argument from counsel is that the 14 statements by Mr. Waldman in the Daily Mail 15 articles had an impact on her ability to work for 16 Aquaman. And so this question -- it's not asking 17 for hearsay, Your Honor. It's just asking here 18 whether that's -- whether Mr. Waldman's statements 19 were a factor, essentially. So it's not leading 20 and it's not calling for hearsay. It's not asking 21 for -- it's not asking for the truth. It's just 22 asking whether -- whether Warner Bros. took

321	1 Mr. Waldman's statements into account. 2 MS. BREDEHOFT: And, Your Honor, it's the 3 exact same question as the one above except for it 4 just puts in Mr. Waldman. And it's foundation and 5 hearsay as well. He says he doesn't even know how 6 Adam Waldman is, so how would he know? 7 THE COURT: All right. I'll sustain the 8 objection. 9 Next one? 10 MS. BREDEHOFT: The next one is 22. And 11 it's the same thing. Now they go down and say did 12 anything Mr. Depp or Mr. Waldman say -- 13 THE COURT: Line whatever -- which line 14 am I at? 15 MS. BREDEHOFT: It's line 22 into page 16 22, line 1 through 5. 17 THE COURT: Okay. Oh, starts on... 18 MS. BREDEHOFT: Starts on, yeah, page 21, 19 line 22. 20 THE COURT: All right. I'll sustain the 21 objection. 22 Next one?	323	1 MS. BREDEHOFT: The next one is page 24. 2 THE COURT: Page 24. Okay. Which one? 3 MS. BREDEHOFT: So that's line 5, Your 4 Honor. 5 THE COURT: "Was a role ever produced for 6 any reason?" 7 MR. MONIZ: And, again, Your Honor, 8 that's not leading. 9 MS. BREDEHOFT: Well, if you look, Your 10 Honor, it's leading, hearsay, and foundation. And 11 then he doesn't really answer it. It just says -- 12 THE COURT: All right. I'll overrule to 13 that one. 14 Next one? 15 MS. BREDEHOFT: Then we go to 25. 16 MR. MONIZ: Again, assuming that leading 17 is the primary objection here, Your Honor, it's not 18 leading. 19 MS. BREDEHOFT: That one clearly is. 20 It's saying yes or no. Did they ever plan to 21 portray her, yes or no? 22 THE COURT: I'll overrule the objection.
322	1 MS. BREDEHOFT: And the next one is right 2 down below that, and that's line 7. And that's 3 leading, hearsay, foundation, and calls for 4 speculation or hypothetical. 5 MR. MONIZ: And, again, I mean, Your 6 Honor, this is -- it's not leading. It's not 7 suggesting the response. And it's not relating to 8 any -- it's not offering any statements for the 9 truth. 10 THE COURT: It's basically the same 11 question. I'm going to sustain it. 12 Next one? 13 MS. BREDEHOFT: And then the next one 14 down below. 15 MR. MONIZ: Well, it clearly isn't 16 hearsay, Your Honor, and it doesn't relate to any 17 statement at all. And, again, it doesn't suggest a 18 response. It just asks whether her role was 19 reduced. 20 THE COURT: Okay. I'll overrule the 21 objection to that. 22 Next one?	324	1 I'll allow that. 2 Next one? 3 MR. MONIZ: Is the next one 29? 4 MS. BREDEHOFT: Yes. I don't see an 5 objection to it. I think we -- 6 MR. MONIZ: I see an objection on 29. I 7 think it's the same objection. 8 THE COURT: Which line? What line? 9 MR. MONIZ: Well, I'm assuming it's 29, 10 line 1, Counsel, that you're -- I mean -- 11 MS. BREDEHOFT: I don't think I have any 12 objections there. Oh, line 28. Sorry. My 13 apologies. 14 THE COURT: Line what? 15 MS. BREDEHOFT: Yes, if we go down to 16 line 13. And then these are the same kind of 17 questions that were asked way back before. And now 18 it's compensation. And Your Honor upheld the 19 objection. 20 THE COURT: All right. 21 MR. MONIZ: It's a different question, 22 though, Your Honor. It's just asking was her

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1 compensation for Aquaman affected by anything said	1 MS. BREDEHOFT: It's clearly discussions
2 by Johnny Depp? There's no statement by Johnny Dep	2 and not even saying who the discussions were with
3 that's being offered for the truth.	3 and...
4 MS. BREDEHOFT: It's the same concept.	4 MR. MONIZ: It's not offering the content
5 MR. MONIZ: That's different, Your Honor.	5 of any discussions, Your Honor. It's just offered
6 MS. BREDEHOFT: It's hearsay and	6 for the fact that were discussions about recasting
7 foundation.	7 and the content. And this goes to the
8 THE COURT: Let me go back. What page	8 decision-making process of Warner Bros. internally,
9 were the other ones on?	9 which is, you know, a matter of discussion.
10 MS. BREDEHOFT: The other ones were --	10 And he's -- obviously, you know, he was
11 THE COURT: Oh, here we go.	11 being produced as the corporate designee and has to
12 MS. BREDEHOFT: Page 21.	12 testify.
13 THE COURT: Page 21.	13 MS. BREDEHOFT: Your Honor has not made
14 MS. BREDEHOFT: It's hearsay and	14 any exceptions on that one.
15 foundation. He doesn't even know who Adam Waldman	15 THE COURT: No. All right. I'll sustain
16 is.	16 the objection.
17 MR. MONIZ: I mean, the fact that he	17 Next one?
18 doesn't know Adam Waldman is is, itself, relevant.	18 MS. BREDEHOFT: And then the next one is
19 MS. BREDEHOFT: But it still suggests an	19 below it. Because he does the same thing. He goes
20 answer, yes or no. He's got to say what, if any,	20 into -- it was expressed to him, he goes through
21 impact it didn't have or did her compensation	21 also the hearsay and foundation. And the first
22 change or -- change? What were the reasons for her	22 part of it isn't even responsive. It says there
326	328
1 changes?	1 were concerns. He doesn't say who.
2 MR. MONIZ: The question is simply was	2 MR. MONIZ: I mean, again, Your Honor, I
3 her compensation affected.	3 don't think there's any statement here that's being
4 MS. BREDEHOFT: Right. By anything said,	4 offered for the truth.
5 which is hearsay and foundation as well. It's	5 THE COURT: I'll sustain the objection.
6 awfully generic what was sent. It's just way too	6 Next one?
7 generic.	7 MS. BREDEHOFT: 33 -- it does move pretty
8 And same on the top of 30. And then it's	8 quick in a few more, Your Honor. All of a sudden
9 the representatives of Mr. Depp.	9 you jump.
10 THE COURT: I'm going to overrule the	10 THE COURT: We're going to 83? 33?
11 objection to these.	11 MS. BREDEHOFT: We're at 32 right now.
12 All right. Next one?	12 "Who had concerns about Amber's performance in
13 MS. BREDEHOFT: 31.	13 Aquaman 1?" And that, again, was hearsay. He said
14 THE COURT: 31. Line 18?	14 conversations with producer and director.
15 MS. BREDEHOFT: I think it starts --	15 THE COURT: All right. I'll sustain the
16 THE COURT: Oh, page before?	16 objection.
17 MS. BREDEHOFT: Yeah. This was,	17 Next one?
18 "Describe the conversations about what he asked	18 MS. BREDEHOFT: Next one is 33, the next
19 him," and that's hearsay. He goes into --	19 one down, and that's hearsay again.
20 THE COURT: "Describe the	20 MR. MONIZ: I think, based on Your
21 conversations..."	21 Honor's prior rulings --
22 MR. MONIZ: So, here --	22 THE COURT: Okay. Moving on.

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329	331
1 MS. BREDEHOFT: And then 34, same thing. 2 "What are the concerns by Mr. Saffron (ph)?" And 3 then Mr. Ron, right below it.	1 MS. BREDEHOFT: And that was foundation, 2 hearsay, and leading. 3 THE COURT: I'll overrule the objection
4 MR. MONIZ: I would -- again, this is the 5 corporate designee talking about Warner Bros.'s 6 decision-making process. So it's not the contents 7 that particular statements are being offered for 8 the truth. It's that this is what Warner Bros. --	4 to that one. 5 MS. BREDEHOFT: And then we go to -- 6 well, that was in the 39. 7 THE COURT: Okay. 8 MS. BREDEHOFT: And then we jump -- 42.
9 THE COURT: Which line are we on? Page 10 34? I'm sorry.	9 THE COURT: We jump two pages. 10 MS. BREDEHOFT: We jump from 44 to 88, if
11 MS. BREDEHOFT: Line 2. But Your Honor 12 has been consistent on -- I mean, they can say what 13 the reasons were. They can't say what people said 14 or what were expressed by other people. That's 15 hearsay.	11 that helps Your Honor. 12 THE COURT: Okay. We're getting there. 13 I get you. 14 MS. BREDEHOFT: So we're almost there.
16 THE COURT: All right. I'll sustain the 17 objection.	15 THE COURT: All right. 16 MS. BREDEHOFT: Okay. So 42, this is 17 speculation, foundation.
18 MS. BREDEHOFT: Okay. That would be 19 for -- I take it for all three of these?	18 THE COURT: Which line? 19 MS. BREDEHOFT: This is line 8. I'm
20 THE COURT: Well, line 13 is, "Did Warner 21 Bros. believe that those concerns were legitimate?"	20 sorry, Your Honor. 21 THE COURT: Okay.
22 MR. MONIZ: And this is Warner Bros.'s	22 MR. MONIZ: I mean, I think this is
330	332
1 corporate designee, Your Honor. So I don't see how 2 it would come back to be --	1 mirror image of a question Your Honor overrule our 2 objections to on Disney.
3 MS. BREDEHOFT: No reason not to believe 4 the director and the producer of the movie.	3 THE COURT: I'll overrule the objection. 4 Next one?
5 THE COURT: I'll overrule the objection 6 to this.	5 MS. BREDEHOFT: That's going to be 43. 6 THE COURT: 43, line 20?
7 MS. BREDEHOFT: Okay. Then the next one 8 is 35. Not on top, the bottom. "What, if any, 9 creative concerns did Warner Bros. have in 10 recasting?" And then that's hearsay, is what we 11 have got here.	7 MS. BREDEHOFT: Yeah. And that's clearly 8 leading and foundation. From the beginning of 9 history through today?
12 MR. MONIZ: I mean, that's what the 13 concern was concerned about, Your Honor. That's 14 completely legitimate for the corporate designee.	10 MR. MONIZ: That's just setting a time -- 11 MS. BREDEHOFT: And then it's leading. 12 "Release her from her contract."
15 THE COURT: Okay. I'll overrule the 16 objection for that one.	13 MR. MONIZ: These are the kind of -- I 14 mean, I think that these are the kinds of questions 15 that Your Honor has been overruling that objection.
17 MS. BREDEHOFT: And then, after that, 18 Your Honor, we go to 38.	16 THE COURT: Yeah, I'll overrule the 17 objection. 18 Next one?
19 THE COURT: All right. Line --	19 MS. BREDEHOFT: Same thing. So Your
20 MS. BREDEHOFT: And that's down at the 21 bottom, line 18.	20 Honor obviously overruled that one. 21 THE COURT: All right.
22 THE COURT: What's the issue with that?	22 MS. BREDEHOFT: "Beginning of time until

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333	1 now." I should have had an objection for 2 ridiculous. But, anyway... 3 Okay. So now we jump to 88, Your Honor. 4 THE COURT: 88. I like that. All right. 5 MS. BREDEHOFT: This is Sam's objection. 6 THE COURT: All right. 7 MS. BREDEHOFT: It's at line 10, Your 8 Honor. 9 THE COURT: All right. Line 10. Thank 10 you. 11 MR. MONIZ: I think we'll withdraw it, 12 Your Honor. 13 THE COURT: Okay. Withdrawn. 14 Next one? 15 MS. BREDEHOFT: Okay. Then the next one 16 is 90. 17 THE COURT: Okay. 18 MS. BREDEHOFT: It's at the very bottom, 19 line 22, going into 91. That same objection. 20 MR. MONIZ: Well, this, Your Honor, 21 relates to characterizations of a document, so it's 22 hearsay. The question is essentially asking what	335	1 THE COURT: All right. What's the 2 relevance? 3 MS. BREDEHOFT: The relevance is that 4 they did renegotiate him. At the beginning when 5 the question was being asked of him, "Would you 6 have renegotiated?" 7 "No, we don't do that." 8 And then they did renegotiate his. 9 THE COURT: All right. I'll overrule the 10 objection then. 11 Next one? 12 MS. BREDEHOFT: I think that's it, Your 13 Honor. 14 THE COURT: I like that. Okay. 15 Next one? 16 MS. BREDEHOFT: Thank you very much. 17 THE COURT: Thank you. 18 MR. MURPHY: Mr. Nadelhaft asked me to 19 grab him. 20 MR. NADELHAFT: I'm right here. 21 THE COURT: Well, you can go ahead and 22 grab him.
334	1 was meant by an email that was sent, I believe, to 2 Ms. Heard's agent from Warner Bros. And so it's 3 either hearsay or derivative hearsay. 4 MS. BREDEHOFT: So, Your Honor, we took 5 out all the hearsay. We took out the document. We 6 took out what was said. 7 THE COURT: Right. 8 MS. BREDEHOFT: And this is the question 9 that was then asked of him. That's how we cured 10 that. 11 THE COURT: I'll overrule the objection. 12 Next one? 13 MS. BREDEHOFT: Is 94. 14 THE COURT: All right. 15 MS. BREDEHOFT: And that is -- it's line 16 9, and it starts at Jason Momoa. 17 THE COURT: "Jason Momoa was able to 18 negotiate a different compensation structure, was 19 he not, for Aquaman 2?" Okay. 20 MR. MONIZ: And this is -- this is 21 relevance and outside the scope. I mean, it's a 22 different actor. It's just not relevant.	336	1 MR. MURPHY: Sorry, Your Honor. 2 THE COURT: Long day, Mr. Murphy? 3 MR. MURPHY: Long day and long night. 4 THE COURT: Baby keeping you up? 5 MR. MURPHY: A little bit. 6 MS. BREDEHOFT: We might have an 7 employment issue... 8 THE COURT: Yeah. 9 MR. NADELHAFT: So I think it's 10 Blaustein, the rest of Mr. Crawford and I -- 11 THE COURT: Okay. I have it here. Okay. 12 Blaustein. Okay. All right. Where were we at 13 with this one? 14 MR. NADELHOFT: We did work through a 15 fair amount of them. 141, I think, Your Honor, is 16 where we're starting. 17 THE COURT: I like that. Okay. 18 MR. NADELHAFT: See, I told you, we 19 worked through a lot. 20 THE COURT: You did a good job. You did 21 a good job, Mr. Nadelhaft. All right. 22 MR. CRAWFORD: And, Your Honor, so this

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337	1 is all 141 and going onto 142. These -- his 2 answers here are -- and so, Your Honor, just for 3 some context, this is in the latter half of the 4 deposition where Mr. -- or Dr. Blaustein is reading 5 from his notes. 6 THE COURT: Right, right, right. 7 MR. CRAWFORD: At points, he speculates 8 as to what his notes mean. You know, they're six 9 or seven years old at that point. And so there's a 10 lot of waffling on pages 141 and 142 where he's 11 referring to this devil and "here's what I think it 12 means." And then, towards the bottom of the page, 13 he says, "Oh, well, you know, I want to be careful; 14 actually, he never said that." 15 And then going on to page 142, he's like, 16 "I kinda remember monster, but I don't know what he 17 was referring to." So just -- 141 and 142 through 18 line 6, Your Honor, I have as speculative. 19 MR. NADELHAFT: I mean, I think he's 20 answering the question throughout. And actually, I 21 would need -- I think 141, 15 through 17, would 22 need to be highlighted because it's me talking to	339	1 MR. CRAWFORD: -- the objection. 2 THE COURT: And then what's next? 3 MR. CRAWFORD: 150, Your Honor, 3 through 4 19. He doesn't even recall if these were words 5 that Mr. Depp used. He thinks maybe they were 6 things that he was going to ask him about and 7 wasn't sure. 8 THE COURT: Okay. 9 MR. NADELHAFT: I can take that out. 10 THE COURT: Yeah, I'll sustain that 11 objection. Okay. Next one? 12 MR. CRAWFORD: 154, Your Honor. 13 THE COURT: 154. 14 MR. CRAWFORD: Line 5. 15 THE COURT: Okay. Is there a question 16 before that? 17 MR. NADELHAFT: So, it was basically 18 having him read what he was -- he was just reading 19 what was on his -- he's reading what's in his 20 notes. So that's where he's saying "cut her (ph) 21 sharp knife as a kid," and then I ask him the 22 question, "What do you mean?"
338	1 him again. That's where he's saying -- so I said, 2 "So the devil was something horrible inside of 3 himself; correct?" 4 And then he said, "I don't think he said 5 that, but the devil was the representation of the 6 battle (ph) that he had." 7 And he was answering -- he was clearly 8 answering the question and not speculating. 9 MR. CRAWFORD: So, I mean, he testifies 10 that there was something horrible inside himself, 11 and then Mr. Nadelhaft asked the question, "Oh, so 12 the devil was something horrible inside himself?" 13 And he says, "Actually, never mind. I don't think 14 he said that." 15 THE COURT: I'll overrule the objection. 16 I love page 141 in. Is there -- we're moving into 17 142, though, right? 18 MR. CRAWFORD: Yes, Your Honor. 142, 1 19 through 6. It's along those same lines, but I 20 think we can -- based on that ruling, I think we 21 can withdraw -- 22 THE COURT: All right. Withdraw that.	340	1 MR. CRAWFORD: And the answer, again, 2 Your Honor, is I think is speculative. 3 MR. NADELHAFT: I mean, he says, "I 4 believe so." 5 MR. CRAWFORD: And he says, I assume that 6 meant, in line 18 -- line 22." 7 THE COURT: I'm going to sustain the 8 objection as to these. It's very speculative. 9 Don't think he recalls at all. Okay. 10 MR. CRAWFORD: 157 is next, Your Honor. 11 So 157 is mine. It's in the blue. 12 THE COURT: Okay. 13 MR. CRAWFORD: So now, this is -- now 14 Mr. Depp is designating his own statements to his 15 therapist about Amber hitting him. 16 THE COURT: Okay. 17 MR. CRAWFORD: So it should be -- there 18 should be an objection there. It's 157/21 through 19 158/7. 20 THE COURT: I gotcha. 21 MR. NADELHAFT: And I'll just note there 22 isn't a hearsay objection for that.

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341	1 THE COURT: I'll sustain the objection. 2 All right. Next one? 3 MR. CRAWFORD: 163, Your Honor. 4 THE COURT: Okay. 5 MR. CRAWFORD: Beginning on line 14 and 6 running it onto page 164, another speculative 7 objection. He doesn't recall what degree he had 8 this conversation, running on to line -- page 164. 9 "I don't have any specific recollection." He says, 10 "I could have told him this." But, obviously, he 11 doesn't recall what he actually said. 12 THE COURT: All right. Yes, sir? 13 MR. NADELHAFT: Well, I think, if we 14 wanted today -- I mean, he definitely said, "I did." 15 Yes, I did." 16 THE COURT: If we can strike after 17 "recollection, but I would have." We can strike 18 that for the rest. 19 MR. NADELHAFT: Okay. So after "but I 20 would have"? Or after -- 21 THE COURT: The witness just says, "I 22 don't have a specific recollection."	343	1 would have performed. He would have had difficulty 2 remembering these words, but, obviously, doesn't 3 have any specific recollection. 4 MR. NADELHAFT: I don't read him as 5 saying it that way. I read him as saying that he 6 gave him this test, and that, if he couldn't 7 remember -- I mean, he's saying -- then I said, "Do 8 you have the results of this test?" And he said, 9 "No, this is just a conversation. But he was 10 saying that he was doing this." 11 THE COURT: Okay. I'll overrule the 12 objection. 13 Next one? 14 MR. CRAWFORD: 174, Your Honor, 2 through 15 11. Kind of along the same likes. Another mental 16 status examination. And he says he might have been 17 off on today's date. Perhaps that's what he's 18 referring to. So just another speculative 19 objection. 20 MR. NADELHAFT: I mean, it does say off 21 on dates. That's when I would ask him about what 22 date -- what today's date was. I mean, I think
342	1 MR. NADELHAFT: Okay. But how about 2 could I just -- 3 THE COURT: Then he just said, "I could 4 have told him that -- 5 MR. NADELHAFT: No, no, I was just 6 saying -- I was just -- I would just stop at 163/17 7 after, "Yes, I did." 8 THE COURT: Okay. All right. Just take 9 out the -- okay. 10 MR. CRAWFORD: 165, Your Honor, I believe 11 is next, line 13. And I think, based on your prior 12 rulings, this is, I think, another hearsay 13 objection. I'd just note it wasn't noted, so I 14 will -- 15 THE COURT: Okay. All right. 16 MR. CRAWFORD: So that will be sustained. 17 And then I think that is 169, Your Honor, line 6. 18 MR. NADELHAFT: I think you have 6 19 through 22; correct? 20 MR. CRAWFORD: 6 through 22, Your Honor. 21 Another speculative objection. He's trying -- you 22 know, he's talking about this memory test that he	344	1 he's -- 2 THE COURT: I'll overrule the objection. 3 Next one? 4 MR. CRAWFORD: 195, Your Honor. Line 18. 5 THE COURT: Okay. Line 18. "Do you know 6 what is meant by 'not logical approach to Amber's 7 work?'" 8 MR. CRAWFORD: I believe, again, just 9 speculative. He can't -- he says, on page 196, "I 10 can't really recall." 11 THE COURT: All right. I'll sustain the 12 objection to that one. 13 All right. Next one? 14 MR. CRAWFORD: Last one, Your Honor, page 15 197, line 18. 16 THE COURT: 22 minutes late. 17 MR. NADELHAFT: Well, again, he's kind of 18 reading, just so -- 19 THE COURT: Oh, okay. "What did that 20 mean?" 21 "That probably eluded to your prior 22 question that there was a woman who admired her

345	1 that he felt jealous of." 2 MR. NADELHAFT: So he's answering the 3 question and then he says, let's see, the next 4 thing is -- now where he's talking about -- now 5 he's reading again. 6 MR. CRAWFORD: On line 198/1 where it 7 says, "That probably related to your prior 8 question," he's not sure, again, speculating. 9 THE COURT: I'll overrule the objection. 10 All right. 11 MR. CRAWFORD: Thank you, Your Honor. 12 THE COURT: Thank you. 13 And then there were five. Okay. 14 MR. NADELHAFT: Five left? 15 THE COURT: Well, four and a half because 16 we did start Ms. Divenere. 17 MS. MEYERS: Sam, are you ready? 18 THE COURT: All right. Which one are 19 we -- 20 MS. VASQUEZ: Would you like to get some 21 preliminary rulings from -- 22 MR. NADELHAFT: Sure, that's fine.	347	1 MR. NADELHAFT: I guess we'd start at 14, 2 16 through 22. 3 THE COURT: Page 14? 4 MR. NADELHAFT: Page 14, yeah. 5 MS. MEYERS: I apologize; I have these as 6 being withdrawn. 7 MR. NADELHAFT: Well, then I think I 8 emailed you back. I emailed you the other day to 9 say that that one has to be put back in. 10 MS. MEYERS: Okay. 11 THE COURT: Okay. So "in your years of 12 experience, you can tell if the patient is being 13 truthful with you or not." 14 Okay. And then the objection? 15 MS. MEYERS: This is foundation. It 16 calls for speculation and improper opinion. 17 THE COURT: All right. 18 MR. NADELHAFT: I mean, that's just 19 asking him -- I mean, it's asking him as a doctor 20 how he evaluates somebody. 21 THE COURT: I'll sustain the objection. 22 Next one?
346	1 MS. VASQUEZ: Cowan, Your Honor. 2 Dr. Cowan. 3 MS. MEYERS: So, Your Honor, just a 4 little bit of background, Dr. Cowan was Ms. Heard's 5 psychologist that she saw in part during her 6 relationship with Mr. Depp. 7 THE COURT: All right. What is the time 8 frame? 9 MS. MEYERS: She started seeing him -- 10 MR. NADELHAFT: In August -- sorry. 11 MS. MEYERS: -- in August 2014, and I 12 believe she ended her care with him shortly after 13 their relationship ended. He was deposed as a fact 14 witness, not as an expert. 15 THE COURT: So she's a fact witness, and 16 she saw him through the final -- the finality of 17 the divorce or when the divorce was pending? 18 MR. NADELHAFT: Pending. It was through 19 about June of 2016. 20 THE COURT: All right. I got the 21 timetable. Okay. All right. So where do we 22 start?	348	1 MS. MEYERS: I think the next one is 18, 2 line 9 through 13; is that correct? 3 MR. NADELHAFT: Correct. 9 through 13. 4 MS. MEYERS: And, Your Honor, again, this 5 is asking whether -- what's typical of a victim of 6 domestic abuse. Again, we think this is 7 speculative, improper opinion for a fact witness. 8 THE COURT: Okay. 9 MR. NADELHAFT: I mean, he's been working 10 with -- he talked about how he's been working with 11 abuse victims and just asking him, in his 12 experience. 13 THE COURT: I'll sustain the objection. 14 Next one? 15 MR. NADELHAFT: I guess that would be the 16 same. 17 THE COURT: Okay. 18 MR. NADELHAFT: It's going to be the same 19 for 14 through 19. 20 THE COURT: All right. 21 MS. MEYERS: I believe the next sort of 22 category of objections is on page 31. This is

349	1 asking Dr. Cowan a series of questions about 2 Mr. Depp's jealousy. He was treating Ms. Heard. I 3 believe he only met Mr. Depp once. And so, first 4 of all, he has no basis to make that opinion. Any 5 information he had in this regard would be hearsay 6 from Ms. Heard. And, you know, opining on 7 Mr. Depp's state of mind, particularly when he's 8 not treating him, lacks foundation, calls for 9 speculation, and outside of his personal knowledge. 10 MR. NADELHAFT: And looking through the 11 documents of this, and I de-designate 31. 12 THE COURT: Okay. 13 MR. NADELHAFT: All of what's in 32. 14 THE COURT: Okay. 15 MR. NADELHAFT: All of what's in 33. 16 THE COURT: Okay. 17 MR. NADELHAFT: 34, I have all out. And 18 all within 35. So I guess that would take us to 19 36. 20 THE COURT: All right. 36. Line 1? 21 MR. NADELHAFT: Yep, line 1. 22 THE COURT: "In working with Amber,	351	1 incident on the island where he pushed her. 2 And, again, Your Honor, this is 3 Ms. Heard's -- 4 THE COURT: Right. Well, the question I 5 have -- because I knew you'd say it's a medical -- 6 but the locations that things happened, how is that 7 a medical -- exception for medical purposes? 8 MR. NADELHAFT: That's fair. 9 MS. MEYERS: And, Your Honor, the fact 10 that she told him that he pushed her is he wasn't 11 treating for her for abuse if she was saying she 12 felt anxious. This is irrelevant to his treatment. 13 THE COURT: Okay. All right. I'll 14 sustain it on both grounds. 15 Next one? 16 MS. MEYERS: I think, based off of that, 17 unless Adam has another one in mind, I think we 18 should -- it would be most efficient for us to -- 19 MR. NADELHAFT: Could I -- before you -- 20 THE COURT: Sure. 21 MR. NADELHAFT: Just so -- 22 THE COURT: If you have an example of one
350	1 what -- was it your understanding that he was 2 trying to make with relationship with Mr. Depp 3 work?" 4 Okay. What's the objection? 5 MS. MEYERS: Your Honor, this is a 6 foundation issue. Any information he had would be 7 based off of hearsay from Ms. Heard, and this is 8 being offered by Ms. Heard. 9 THE COURT: I understand. I'll overrule 10 the objection and allow that. 11 Okay. Next one? 12 MR. NADELHAFT: I think that's going to 13 be the next 5 through 11 on that same page. 14 MS. MEYERS: Yeah, that's fine. 15 THE COURT: All right. I'll overrule the 16 objection. Next one? 17 MS. MEYERS: I think the next one is 40. 18 And Adam can correct me, but I think, with this 19 ruling we may have enough to go forward, but this 20 is asking Dr. Cowan about what Ms. Heard told him 21 about Mr. Depp's conduct. And, here, he's saying 22 he recalls Amber telling him that there was an	352	1 maybe that medically? 2 MR. NADELHAFT: That's what I was just 3 going to try to -- 4 THE COURT: Okay, sure. 5 MR. NADELHAFT: Just to get your 6 understanding on something. 7 THE COURT: All right. 8 MR. NADELHAFT: Okay. So if we go to 54. 9 THE COURT: Okay. Let's see, 54. 10 MR. NADELHAFT: And this will just help 11 with -- 12 THE COURT: All right. 13 MR. NADELHAFT: Now, these are 14 Dr. Cowan's notes. 15 THE COURT: Okay. 16 MR. NADELHAFT: And he's writing -- he is 17 writing what Amber is telling him, going into 55. 18 And, as you can see from 55, going into 56, it's 19 talking about then he's trying to work with her on 20 a strategy. 21 THE COURT: Right. But he's not -- he's 22 just reading his notes at this point; right?

353	1 MR. NADELHAFT: Well, then, if you see 2 down at the bottom, it says, "The reason I wrote 3 this really was that a note to myself." So, I 4 mean, he was telling him this as a strategy for her 5 to get -- for her treatment. 6 MS. MEYERS: Your Honor, McCall, which is 7 236 Va. 240, it says that the medical exception 8 only applies with psychologists if they say that 9 the statement is the basis of an opinion for a 10 treatment of injury or illness, and there's no 11 testimony. As Dr. Cowan states in his notes, he 12 was just making a note to himself about what 13 Ms. Heard was relaying to him, and I don't see 14 that -- I think, in fact, I believe he states later 15 on in testimony we designated that he didn't form a 16 diagnosis or a medical opinion about Ms. Heard. 17 MR. NADELHAFT: And, under 56, he's 18 talking about how he's trying to teach her how to 19 de-escalate. 20 MS. MEYERS: But that's not -- he's not 21 stating that the fact that she told him about a 22 fight is --	355	1 needs to know what's going on in the relationship 2 to be able to give his advice. I mean, that's why 3 you have the psychologist for. 4 THE COURT: Well, in a way. 5 MR. NADELHAFT: I understand. 6 THE COURT: I'm working with you here. 7 MR. NADELHAFT: Yeah. No, I understand. 8 THE COURT: I think -- this is what I'm 9 going to do. I'm whiting out on page 54, line 16 10 and 17 and 18. And then if you start with line 12 11 on page 55. And then the answer. You can have the 12 answer. Okay? 13 MR. NADELHAFT: Okay. 14 MS. MEYERS: I'm sorry; which portion on 15 page -- so is 53 not -- 53 is out? 16 THE COURT: I don't know where 53 -- oh, 17 I didn't -- okay. Yes. 18 MS. MEYERS: Okay. And then which 19 portion of 54 is in? 20 THE COURT: It's getting late for you 21 guys. 22 MR. NADELHAFT: 16 through 18.
354	1 THE COURT: Right. I don't mind the 2 de-escalate part but -- let me see. But I don't 3 see a question. 4 MR. NADELHAFT: Oh, he's explaining why 5 he wrote it. I asked him if he wrote this, and 6 then he -- 7 THE COURT: I mean, that talks about -- 8 his answer talks what about -- 9 MS. MEYERS: So, Your Honor, I think we 10 don't have an objection to the portions where, on 11 55, lines 12 through 56, line 6, where he's 12 discussing why he wrote this note, what he was 13 trying to do with Ms. Heard, but these portions 14 where he's clearly relaying what Ms. Heard conveyed 15 to him -- altercation with JD, shoving and 16 screaming -- these are hearsay statements by 17 Ms. Heard that are in his notes, that are being 18 offered by Ms. Heard for the truth that they 19 occurred, and they should be -- they're 20 inadmissible as hearsay. 21 THE COURT: All right. So -- 22 MR. NADELHAFT: I mean, I think he -- he	356	1 THE COURT: 16 through 18. And then it 2 skips over to 12. Okay. All right. 3 MS. MEYERS: Understood. 4 THE COURT: All right. Got it. Next 5 one? 6 MS. MEYERS: I think that -- 7 THE COURT: Oh, you can work with that? 8 MR. NADELHAFT: I think we can work with 9 that, yes. 10 THE COURT: Great. 11 MR. NADELHAFT: Thank you. 12 THE COURT: Min-hmm. And I'll put that 13 one to the side. 14 Which one are we doing now? 15 MS. PINTADO: We're back to -- this is 16 Children's Hospital. It's Candy Gibbons (ph) and 17 Nicole Brunt (ph). 18 THE COURT: All right. And what are we 19 starting with? 20 MS. PINTADO: Okay. And we are starting 21 with page 94. 22 THE COURT: That's a great place to

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357	1 start. 2 MS. PINTADO: I thought it wasn't bad. 3 THE COURT: All right. 94. 4 MS. PINTADO: And Plaintiff has withdrawn 5 their designation through "what is this document," 6 line 9. 7 THE COURT: Okay. 8 MS. PINTADO: And then through 13 -- from 9 13 to 25. So it's really just that one question on 10 that page. And it's hearsay and it's not relevant 11 to whether Ms. Heard was actually making the 12 payments. 13 THE COURT: Okay. Which line in then? I 14 got all your lines that were out, but which ones 15 are in? 16 MS. PINTADO: Oh, "What is this document?" 17 It's a letter to Mr. White." 18 THE COURT: Oh, okay. 19 MS. PINTADO: "From myself, inquiring 20 about further installments on the pledge that had 21 not been fulfilled." 22 THE COURT: Okay.	359	1 MS. PINTADO: Okay. The next one is very 2 similar, so I will just withdraw my objections 3 based on your ruling. 4 THE COURT: All right. Next one? 5 MS. PINTADO: Okay. Next one is 168. 6 And this is our designation -- defense designation. 7 THE COURT: Okay. 8 MS. PINTADO: And this is -- 9 THE COURT: Which line? 10 MS. PINTADO: Lines 14 through 24. 11 THE COURT: Okay. 12 MS. PINTADO: We de-designated the top 13 there, so... 14 MR. MONIZ: Sorry. Are you on 168? 15 MS. PINTADO: 168. 16 MR. MONIZ: Okay. I think you might have 17 skipped past 138. 18 MS. PINTADO: Which one? 19 MR. MONIZ: 138. I have an objection on 20 138 still. 21 MS. PINTADO: Okay. 22 THE COURT: 138. Okay. 138.
358	1 MR. MONIZ: And, Your Honor -- 2 THE COURT: Didn't know who was -- 3 Mr. Moniz? 4 MR. MONIZ: It's me again. 5 THE COURT: Yes. 6 MR. MONIZ: I mean, I think, based on 7 your prior rulings, I think it's likely that the 8 document itself was not going to come in, but it 9 seems to me that it is relevant that the Children's 10 Hospital was reaching out to inquire about it, so I 11 think that's acceptable. 12 THE COURT: Overrule -- go ahead. 13 MS. PINTADO: If I may -- 14 THE COURT: Sure, go ahead. 15 MS. PINTADO: It's a letter to Mr. White 16 from myself inquiring about further installments on 17 the pledge that have not been fulfilled, it just 18 seems prejudicial. 19 MR. MONIZ: Well, their own testimony, 20 Your Honor, about the amount -- 21 THE COURT: I'll overrule the objection. 22 All right. Next one?	360	1 MR. MONIZ: You withdrew it? 2 MS. PINTADO: I might have. But you have 3 an objection to mine here. But I thought you 4 withdrew it, so... 5 MR. MONIZ: Well, I think this is reading 6 into the record the contents of a letter. So I 7 think that's -- well, never mind. 8 THE COURT: Moving on. 9 MS. PINTADO: Okay. 10 MR. MONIZ: 168? 11 MS. PINTADO: Yeah, 168. This is just 12 asking if she was aware that this lawsuit was 13 filed. 14 MR. MONIZ: And relevance, Your Honor. 15 Her awareness is not the issue. 16 MS. PINTADO: Well, it is relevant to 17 whether she understood why payments were coming -- 18 were not coming in. 19 THE COURT: Is that asked further down? 20 But she says, "No, I was not aware." All right. 21 I'll sustain the objection. 22 Next one?

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361	1 MR. MONIZ: I think the next one is quite 2 similar, Your Honor. 3 THE COURT: Okay. 4 MR. MONIZ: That's the following -- "Do 5 you know whether that lawsuit has concluded?" And 6 I think it's the same -- 7 MS. PINTADO: Yeah, that one I did 8 withdraw. 9 THE COURT: Okay. 10 MS. PINTADO: So the next one is 174. 11 And it is -- the question is, "Do you have 12 information about whether Amber plans to donate the 13 full 3.5?" 14 And she says, "There has not been any 15 contact with her and we have no knowledge of it." 16 So I think that's obviously relevant. 17 And I don't think it's opinion and I don't think 18 it's speculative, so... 19 MR. MONIZ: And we would just submit that 20 Ms. Heard can testify as to own intentions, but the 21 Children's Hospital really can't. 22 THE COURT: All right. I'll overrule the	363	1 should partially come in. So I want to 2 re-designate lines 19 to 20. And then also, "late 3 May 2016," cut off the rest of the question, and 4 then also and line 8. 5 So it will read: "Ms. Divenere, if 6 you -- to the extent that you didn't notice cuts or 7 bruises on Ms. Heard's face in the days that you 8 saw her in late May 2016, it could also be because 9 Ms. Heard was wearing makeup that concealed those 10 cuts and bruises?" That's how the question will 11 read. And we would say it's a lay opinion. 12 MS. CALNAN: So we're going to stand on 13 our objections. Calls for speculation. We, as you 14 will see, Your Honor, at the bottom page, 42, we 15 withdrew our objection with respect to whether she 16 observed Ms. Heard wearing makeup, but to say that 17 she -- whether she wore makeup to cover cuts or 18 bruises. 19 THE COURT: Okay. 20 MS. McCAFFERTY: The possibility of 21 covering it would be a lay opinion. 22 THE COURT: All right. I'll sustain the
362	1 objection and allow it. 2 All right. Next one? 3 MS. PINTADO: The following, I think, are 4 similar. 5 THE COURT: Okay. 6 MR. MONIZ: And based on Your Honor's 7 ruling, I think we'll withdraw it. 8 THE COURT: All right. Next one? 9 MS. PINTADO: That is it, Your Honor. 10 THE COURT: Perfect. 11 All right. Who is up next? 12 MS. McCAFFERTY: Divenere. 13 THE COURT: Okay. 14 MS. McCAFFERTY: And, Stephanie, we are 15 going to start on 42 with the makeup. 16 THE COURT: 42. All right. 17 MS. McCAFFERTY: This is a little bit 18 complicated, but -- 19 THE COURT: Okay. 20 MS. McCAFFERTY: What I would like to go 21 to is 42/8 through 3. But in order for the 22 question to make sense, the previous question	364	1 objection. 2 Next question? 3 MS. McCAFFERTY: We're going to 47. 4 THE COURT: 47. Line 20? No. 5 MS. McCAFFERTY: Yes. Line 20. 6 THE COURT: Okay. "Did you feel like you 7 were misled into signing this declaration?" Okay. 8 MS. CALNAN: We're standing on our 9 objections for relevance. The declaration isn't 10 coming in, and whether Ms. Divenere felt pressured 11 is irrelevant. 12 THE COURT: I'll overrule the objection. 13 I'll allow it. 14 Next one? 15 MS. McCAFFERTY: Okay. Is that -- and 16 then what about page 48, 4 through 7? Stephanie, 17 do we need -- "If you had to do it all over again, 18 Ms. Divenere, would you sign the same declaration?" 19 "No." 20 MS. CALNAN: I mean, yeah, I think we 21 would stand on our objections as an improper 22 hypothetical.

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365	1 THE COURT: I'll sustain the objection. 2 All right. Next one? 3 MS. McCAFFERTY: Moving to 58, line 22. 4 Okay. So this question is about Kay James, and she 5 testified that Amber was verbally abusive to her by 6 deposition earlier in trial. 7 THE COURT: Okay. 8 MS. McCAFFERTY: So that's the relevance. 9 THE COURT: Ms. James was her personal 10 assistant; right? 11 MS. McCAFFERTY: Mm-hmm. 12 THE COURT: So -- 13 MS. McCAFFERTY: And so Laura Divenere 14 was the interior designer and had some opportunity 15 to view them. 16 MS. CALNAN: Well, I don't think they -- 17 they didn't, first of all, establish the foundation 18 of how many times Ms. Divenere interacted with 19 Ms. James and actually, further, it's in the 20 context of a phone call where -- 21 THE COURT: I'm sorry? A phone call is 22 going to be playing or...	367	1 that. 2 Next one? 3 MS. McCAFFERTY: Okay. All right. That 4 takes care of -- okay. That -- so that means that 5 everything on -- that's outstanding on 59 will be 6 out. 7 THE COURT: Okay. 8 MS. McCAFFERTY: And same with 60, 9 because this was referring about that treatment of 10 Kay James. 11 You're in agreement; right, Stephanie? 12 MS. CALNAN: That you're de-designating 13 that? 14 MS. McCAFFERTY: Yeah. 15 MS. CALNAN: Yes. 16 MS. McCAFFERTY: And 61. Okay. So now 17 we're going to 63, line 12. 18 THE COURT: Wasn't this already -- that 19 was asked on page 15. 20 MS. CALNAN: So we had a disagreement 21 about whether the question was similar. 22 THE COURT: "Did you feel pressured by
366	1 MS. CALNAN: No. We de-designated that. 2 THE COURT: Okay. So in the recording 3 that we just listened to -- so there's no recording 4 that we're listening to? Am I at the wrong place? 5 MS. McCAFFERTY: I don't think we're in 6 the right place. 7 THE COURT: Okay. 8 MS. McCAFFERTY: Okay. Everything on 57 9 and everything on 58, except for line 22. 10 THE COURT: There you go. Okay. I was 11 on the line -- okay. "And you testified, in your 12 opinion, Kay James was very poor at her job; 13 right?" 14 "She wasn't well-suited for that job." 15 MS. CALNAN: And that's an improper 16 opinion. It's not relevant what Ms. Divenere 17 thought. 18 THE COURT: I'll sustain the objection. 19 Next one? Sorry, I was in the wrong place. 20 MS. McCAFFERTY: Still on 59, line 7. 21 "And you felt pressured by Mr. Waldman to give..." 22 THE COURT: I sustain the objection as to	368	1 Mr. Waldman to say things that were unfavorable 2 about Ms. Heard?" 3 MS. CALNAN: It's vague. And that's -- 4 THE COURT: "... tell him what he wanted 5 to hear?" 6 MS. CALNAN: It's vague and ambiguous. 7 It's not clear. 8 THE COURT: All right. I'll sustain the 9 objection. 10 Next one? 11 MS. McCAFFERTY: Moving on to page 113. 12 THE COURT: That was nice. Okay. 113. 13 MS. McCAFFERTY: Okay. So these are 14 Ms. Heard's objections primarily now. 15 THE COURT: Okay. 16 MS. McCAFFERTY: So looking at lines 16. 17 THE COURT: On page 115? 18 MS. McCAFFERTY: 113. 19 THE COURT: 113. Line 16. Okay. 20 MS. McCAFFERTY: Okay. So, in this area 21 of the deposition, counsel for Depp is reading from 22 a declaration.

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369	1 THE COURT: Well, I don't think she's 2 reading from it. She's directing attention to the 3 witness about the declaration. We have had similar 4 witnesses where they show the declaration, "Is this 5 your declaration? Is all statements in this 6 declaration true?" Is that what we're doing here? 7 MS. McCAFFERTY: Okay, yeah, yeah. So 8 I'll withdraw on 113 and 114. 9 THE COURT: Okay. 10 MS. McCAFFERTY: Okay. I'll withdraw on 11 115. 12 THE COURT: All right. 13 MS. McCAFFERTY: On 116, line 20, I mean, 14 this is leading. 15 MS. CALNAN: That wasn't an objection. 16 You left an IR, which I think is improper use of 17 document. Or irrelevant. 18 And, Your Honor, previously, a lot of 19 testimony that she felt pressure to sign this 20 documentation. 21 THE COURT: I'll allow that in. 22 Next one?	371	1 THE COURT: 119. 2 MS. McCAFFERTY: It's reading in 3 testimony and it's improper -- 4 MS. CALNAN: Oh, yeah. 5 MS. McCAFFERTY: You said out. I'm 6 sorry. 7 So I think we're on 142. 8 MS. CALNAN: Correct. 9 THE COURT: 142. 10 MS. McCAFFERTY: All right. And we're 11 looking at line 5. And this is Stephanie's 12 objection. 13 MS. CALNAN: Yes. Well, I think, one, 14 it's needlessly cumulative, because you already 15 have that on page 15. 16 MS. McCAFFERTY: On page 15, what came in 17 was, "Did you feel pressured by Mr. Waldman to say 18 things that were unfavorable about Ms. Heard?" 19 "Yes." 20 So this one is more specific because it 21 says she felt pressured into signing the 22 declaration.
370	1 MS. McCAFFERTY: I think we're at 117, 2 line 7. Okay. So here's -- this is a statement 3 that's being read from the -- 4 THE COURT: From a declaration? 5 MS. McCAFFERTY: Yeah. So we would say 6 that's improper use. It's reading in testimony. 7 MS. CALNAN: I think it just, again, with 8 respect to allowing the testimony that she felt 9 pressured by Mr. Waldman to sign this declaration, 10 I think it should come in. 11 THE COURT: I'll sustain the objection. 12 MS. McCAFFERTY: Okay. So, Stephanie, 13 would you agree that 16 -- essentially everything 14 left on 117 and 118 would come out? 15 MS. CALNAN: Yeah. 16 MS. McCAFFERTY: Because it's all based 17 on the paragraph 5? 18 MS. CALNAN: Right, yeah. Yes. 19 MS. McCAFFERTY: Okay. 20 THE COURT: All right. 21 MS. McCAFFERTY: So we're now on page 19 22 [verbatim], but it's a similar situation. Line 2.	372	1 THE COURT: I'll allow 5 through 9. Is 2 there still objection to 10? 3 MS. McCAFFERTY: No. We withdrew 4 everything else on 142. 5 THE COURT: All right. Next one? 6 MS. McCAFFERTY: That's all we have, I 7 think; right, Stephanie? 8 MS. CALNAN: Yes. 9 THE COURT: All right. Next one? 10 And then there were three. 11 Do we need to take a break? Are 12 people -- 13 MS. STEMLAND: Yes, probably, Your Honor. 14 MR. MURPHY: Just a really quick 15 housekeeping matter, Your Honor. 16 THE COURT: Sure, yes, sir. 17 MR. MURPHY: I could be wrong; I don't 18 believe we ever received signs copies of motion in 19 limine order. We were working on drafts. Nothing 20 urgent, but I think if we could get -- 21 THE COURT: I know I signed them. 22 MR. MURPHY: Yeah, if we can just get --

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1 THE COURT: Samy will look into them.
2 Yeah, no, that's fine. I don't think they have
3 been uploaded to the website either, so...
4 MR. MURPHY: They were under seal.
5 THE COURT: Oh, they're under seal.
6 MR. MURPHY: So they wouldn't be on the
7 website.
8 THE COURT: They're not on the website.
9 So I know I signed them the day you gave them to
10 me. But I -- well, we will find them and make sure
11 copies --
12 MR. MURPHY: Nothing needs to be
13 accomplished right now.
14 THE COURT: Well, actually, Samy can do
15 it now.
16 MR. MURPHY: Thank you, Your Honor.
17 (A brief recess was taken from 5:16 p.m.
18 to 6:22 p.m.)
19 THE COURT: Okay. Which one are we
20 doing?
21 MR. NADELHAFT: The first one -- I think
22 she can come up with me, but that we -- Jessica and

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1 I got through Cowan, and we have nothing for you.
2 THE COURT: Oh, I like it. You're now my
3 favorites forever.
4 MR. NADELHAFT: Right. And that was like
5 318 pages.
6 THE COURT: I know. I saw how big it
7 was. That's what I was concerned about. I was
8 like, oh, maybe I'll be home by 9:00.
9 MR. NADELHAFT: Right. So we did that.
10 THE COURT: All right. Good.
11 MR. NADELHAFT: But we have -- it's Amy
12 Banks.
13 THE COURT: Banks. Got it.
14 MR. NADELHAFT: And she -- she's a
15 psychiatrist but she was a relationship consultant
16 for Mr. Depp and Ms. Heard that saw them for four
17 video conference meetings after -- in March --
18 between March and, I think, June of 2015.
19 THE COURT: So she just saw them for four
20 video conferences in 2015?
21 MR. NADELHAFT: Correct.
22 THE COURT: Okay.

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1 MR. CRAWFORD: And, Your Honor, she made
2 very clear throughout this deposition she was not
3 acting in her capacity as a psychiatrist.
4 THE COURT: Okay. Just a fact witness of
5 some sort.
6 MR. CRAWFORD: Correct.
7 THE COURT: Okay. All right. What do we
8 got then?
9 MR. NADELHAFT: Okay. 19, Your Honor,
10 22, going on through page 20, through line 18.
11 This was a chapter in her book that I would argue
12 just isn't relevant and gets into --
13 THE COURT: She reads a chapter from a
14 book?
15 MR. CRAWFORD: No, no. She -- sorry,
16 she's describing a chapter from a book that
17 she's -- that she has written.
18 THE COURT: Oh, okay.
19 MR. CRAWFORD: But I'd just argue that
20 it's not relevant and gets into the realm of expert
21 testimony. I mean, it's a chapter about
22 neuroscience and trauma and what happens when

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1 you're in a traumatic relationship and trauma cycle
2 and biochemistry here, so...
3 THE COURT: I gotcha.
4 MR. NADELHAFT: I mean, she's just
5 talking about what she -- I mean, she's just
6 talking about a chapter that she wrote. It's just
7 background as to what -- she wrote a chapter.
8 She's talking about what she wrote.
9 THE COURT: I'll sustain the objection.
10 MR. NADELHAFT: Objection.
11 THE COURT: Not going to publicize her
12 book.
13 MR. NADELHAFT: So what do we got? 22?
14 What was that? 22 through 18. Okay.
15 MR. CRAWFORD: 21/11, Your Honor.
16 THE COURT: 21/11. "And in terms of the
17 victim of the abuse, you looked into the psychology
18 of the victim of the abuse."
19 MR. NADELHAFT: That's just her back --
20 that's her background.
21 MR. CRAWFORD: This is more of the same,
22 Your Honor. She's not acting in her capacity as a

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377	<p>1 psychologist, psychology of a victim of abuse. She 2 wasn't treating Mr. Depp, she wasn't treating 3 Mr. Heard -- or Ms. -- excuse me, Ms. Heard. 4 THE COURT: All right. I'll sustain the 5 objection. 6 Next one? 7 MR. CRAWFORD: And then you can just take 8 it through -- so that's -- 9 MR. NADELHAFT: Through 22. 10 THE COURT: Okay. 11 MR. CRAWFORD: 24/8, Your Honor. Another 12 publication. 13 THE COURT: Another book? 14 MR. CRAWFORD: Yes, Your Honor. This one 15 on PTSD, so, again, I'd just -- you know, she -- 16 MR. NADELHAFT: It's not saying that 17 there was PTS -- I mean, it's just briefly 18 explaining what her book was about. 19 THE COURT: But what's the relevance? 20 MR. NADELHAFT: That's fine. Okay. 21 THE COURT: Unless you're getting a cut 22 of it, Mr. Nadelhaft.</p>	379	<p>1 describing her understanding of the relationship 2 between Ms. Heard and Mr. Depp. 3 MR. CRAWFORD: She has no foundation to 4 describe the relationship besides hearsay. 5 MR. NADELHAFT: She did meet with 6 Mr. Depp as well. 7 THE COURT: I mean, you're just talking 8 to line 7? You're okay with line 8; is that 9 correct. 10 MR. CRAWFORD: No, Your Honor. So this 11 is -- it's kind of -- we're maintaining our 12 objections throughout page 37 -- the entirety of 13 page 37. And getting down -- so I guess I was only 14 addressing there line -- the first few lines, 1 15 through 7, but 8 through 10 is also quoting the 16 emails, and that's based on hearsay. And then 7 17 through 22, she's describing violence in the 18 relationship, and she's simply got no foundation 19 for that. Throughout this deposition, she sort of 20 testifies to the violence in the relationship, but 21 that's based entirely on Ms. Heard's statements. 22 So it's hearsay and it's much along the</p>
378	<p>1 MR. NADELHAFT: That's fine. 2 THE COURT: Okay. 3 MR. NADELHAFT: And then I think -- 4 MR. CRAWFORD: 25/15, Your Honor. Her 5 experience as a team psychiatrist in an outpatient 6 trauma center treating people -- victims of abuse. 7 So, again, I just think not relevant. She's not 8 acting as a psychiatrist here. She wasn't treating 9 anyone for trauma here. 10 MR. NADELHAFT: I mean, Dr. Anderson, who 11 was a fact witness, gave her background. This is 12 just her background. It's not enough describing -- 13 it's just her background. 14 THE COURT: All right. I'll allow that. 15 That's fine. Go ahead. 16 Next one? 17 MR. CRAWFORD: 36, line 22, going on to 18 37. This is a hearsay objection, Your Honor. This 19 question is based on an email. It's quoting an 20 email and asking about the email. And does that 21 kind of throughout the page on page 37. 22 MR. NADELHAFT: I mean, I think he's</p>	380	<p>1 lines of, you know, your rulings, Your Honor, on 2 Dr. Blaustein where Mr. Depp tried to introduce a 3 few of his statements to Dr. Blaustein, but those 4 were overruled -- you know, these were stricken on 5 hearsay grounds. So this is Ms. Heard trying to 6 introduce her own statement to a non-medical 7 professional about violence in the relationship. 8 THE COURT: I'll sustain the objection. 9 Next one? 10 MR. NADELHAFT: No, wait, just so I'm -- 11 where are we sustaining? 12 THE COURT: That's page 37. 13 MR. NADELHAFT: All of page 37? 14 THE COURT: Yes. 15 MR. NADELHAFT: Okay. 16 MR. CRAWFORD: 48, Your Honor. 17 THE COURT: 48. 18 MR. CRAWFORD: And the objection here 19 really is only to lines 10 and 11, the language 20 "scared at the escalating violence." Again, she's 21 got no foundation for that. She never witnessed 22 anything. It's based entirely on Ms. Heard's --</p>

<p style="text-align: right;">381</p> <p>1 any knowledge that she had only any violence in the 2 relationship is based entirely on Ms. Heard's 3 disclosure or self-disclosure. 4 MR. NADELHAFT: I mean, I wouldn't say 5 it's based entirely on Ms. Heard, because she did 6 meet with Mr. Depp, too, and she said that there 7 were statements made in front of Mr. Depp and he 8 did not -- of violence that he sat silent through, 9 which would be an admission. 10 MR. CRAWFORD: No, it's not. Mr. Depp 11 never acknowledged any -- any violence in the 12 relationship. There's testimony thought this 13 deposition to that effect. 14 MR. NADELHAFT: Well, if she said he sat 15 silently through... 16 And Ms. Heard reported that Mr. Depp 17 initiated the violence. Mr. Depp never admitted to 18 anything. 19 THE COURT: For this one, it says, "How 20 would you describe Ms. Heard's personality during 21 these sessions?" 22 "I think she answers it for the first</p>	<p style="text-align: right;">383</p> <p>1 The answer, she says, you know, "Amber 2 would acknowledge that it would start -- that, when 3 it would start, she would fight back." So that is 4 clearly hearsay. 5 She concludes with, "It was clear to me 6 that it was a violent relationship." There's a 7 foundation and speculation objection there. 8 As to the first part where she kind of 9 says, yeah, you know, when I talked to both of 10 them, they both acknowledged it. That is 11 contradicted by later testimony in her deposition. 12 THE COURT: I understand, but that's 13 her -- that's her statement. 14 MR. CRAWFORD: But, even at the bottom of 15 the page, I mean, "Did Mr. Depp acknowledge always 16 starting the violence?" 17 "I don't recall that." 18 "Did Mr. Depp acknowledge that he slapped 19 Amber?" 20 "I don't recall that." 21 THE COURT: That's fine. That goes to 22 the weight of it but not to the admissibility. So</p>
<p style="text-align: right;">382</p> <p>1 part of the question. I think she worried..." I 2 would strike from there to the end. Okay? 3 MR. NADELHAFT: Up until "they were 4 concerned about the relationship"? 5 THE COURT: Right. 6 All right. Next one? 7 MR. CRAWFORD: 53, Your Honor. Line 20, 8 "Were there any discussions of Mr. Depp ever using 9 a cigarette to burn himself?" It's a hearsay 10 objection. If you look at the counter-designation 11 on page 54, it's not clear who made the statement 12 that Mr. Depp used a cigarette to burn himself. 13 MR. NADELHAFT: Just talking about it 14 after their meeting with Mr. Depp -- 15 THE COURT: That's all right. I'll 16 overrule the objection. 17 All right. Next one? 18 MR. CRAWFORD: I have 55/21 going onto 19 56/9. And this one is a little tricky, Your Honor. 20 So the question is, "Did Mr. Depp acknowledge in 21 any way that he had been physical with Amber Heard 22 in any way?"</p>	<p style="text-align: right;">384</p> <p>1 I'll allow that, except I'd strike the "and, again, 2 Amber would acknowledge, when it starts, she'd 3 fight back." All right. 4 MR. CRAWFORD: And, Your Honor, I'm 5 sorry, just to be clear, that last sentence, "it 6 was clear to me that it was a violent 7 relationship"? 8 THE COURT: I'll sustain the objection to 9 that as well. Moving on. 10 MR. CRAWFORD: Page 60, Your Honor, line 11 18. "Did you have any reason -- did you have any 12 understanding as to the reason why you were seeking 13 a restraining order?" That's speculative, lacks 14 foundation. She goes on to say in the answer, "I 15 don't know the specifics." 16 THE COURT: All right. 17 MR. NADELHAFT: And that's fine. I 18 mean -- 19 THE COURT: Okay. I'll sustain the 20 objection to that one. 21 MR. NADELHAFT: That's fine. 22 THE COURT: All right. Next one?</p>

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385	1 MR. NADELHAFT: But I do think that it -- 2 "Why did it not surprise you that Amber was seeking 3 a restraining order?" And then she gives her 4 answer. 5 MR. CRAWFORD: But that's, again, based 6 on hearsay that she had no -- 7 MR. NADELHAFT: It's based off of 8 statements -- it's based of her working with both 9 parties. 10 THE COURT: But, I mean, the question is, 11 "Why did it not surprise you?" Why is that 12 relevant? 13 MR. NADELHAFT: Well, it's relevant 14 because it -- they're making it -- they're saying 15 that there was no reason for Amber to have a -- to 16 seek a restraining order, and, here, there's 17 someone who worked Amber and Mr. Depp who is 18 saying, "Yeah, I thought it was reasonable to get a 19 restraining order." 20 MR. CRAWFORD: No, it's not. It's her 21 view as to whether or not she's surprised. It's 22 not relevant. And her answer -- she's got no	387	1 and the answer is irrelevant. I mean, she's 2 talking about standard practice in a domestic 3 violence situation and how, when you get a 4 restraining order, there's often retaliation. I 5 mean, it's not relevant to this case. 6 THE COURT: All right. I'll sustain the 7 objection. 8 Next one? 9 MR. CRAWFORD: 64, Your Honor, line 15. 10 "Do you recall why you were concerned about Amber?" 11 I got a relevance objection. And the answer, 12 again, premised on hearsay and lacks foundation. 13 She says, you know, the relationship had been 14 violent. She never witnessed anything and has no 15 basis to say that. 16 MR. NADELHAFT: But, again, she was 17 working with both of them. I mean, you don't have 18 to witness something to be concerned about it. You 19 don't have to witness an event to be concerned 20 about something -- about somebody. 21 MR. CRAWFORD: The violence -- the only 22 violence that was disclosed is hearsay. It was
386	1 foundation for that answer. She didn't witness 2 anything. 3 MR. NADELHAFT: But she was working with 4 both Mr. Depp and Ms. Heard. It wasn't just with 5 Ms. Heard. 6 THE COURT: But the answer is, "Because 7 of the violent that I knew existed in the 8 relationship." And what's the foundation for that? 9 MR. NADELHAFT: Based on their working 10 with Ms. Heard and Mr. Depp. 11 THE COURT: I'll sustain the objection. 12 Next one? 13 MR. NADELHAFT: The next question too, 14 but -- 15 THE COURT: Okay. 16 MR. NADELHAFT: I'm asking about 61, 10 17 through 20. 18 THE COURT: All right. "And where you 19 wrote, 'I'm hoping that you are safe with friends,' 20 what did you mean by that?" 21 MR. CRAWFORD: So it's quoting an email, 22 and so it's -- the question is premised on hearsay,	388	1 disclosed by Ms. Heard. 2 MR. NADELHAFT: We have already talked -- 3 I mean... 4 MR. CRAWFORD: I mean, it's not relevant. 5 I mean, why were you concerned about Amber? 6 There's no relevance as to why this doctor was 7 concerned about Amber for a particular situation. 8 MR. NADELHAFT: It's not relevant why the 9 relationship consultant that worked with both of 10 them would have been concerned after working with 11 them? 12 MR. CRAWFORD: I mean, she goes on to 13 say, when you try to leave a violent relationship, 14 that's often when women get killed in domestic 15 violence situations. I mean, it's totally 16 irrelevant. It's prejudicial. 17 THE COURT: Prejudicial -- this whole 18 case -- all right. What I'll allow is "I was 19 worried about Amber because the relationship had 20 been violent." And I'll strike the rest of it. 21 Okay? 22 MR. MURPHY: I can take out 65, 5 through

<p style="text-align: right;">389</p> <p>1 12. 2 THE COURT: Okay. Next one? 3 MR. CRAWFORD: 84, line 7, Your Honor. 4 THE COURT: 84, line 7. 5 MR. CRAWFORD: And it goes to the end. 6 So, again, Your Honor, there's no foundation for 7 her answers here. It's speculative. It's based on 8 hearsay. She never saw anything. The testimony 9 about violence in this relationship was exclusively 10 Amber's self-disclosure, which is hearsay. 11 "And it was clear to you who initiated 12 the violence?" 13 "That was clear to me." 14 "Who initiated the violence?" 15 "Mr. Depp." 16 MR. NADELHAFT: Okay. We're on -- 17 THE COURT: It's line 7, page 84. Any 18 response to that? 19 MR. NADELHAFT: Well, so, again, so 7 20 through 10, I think, she -- has been testified to 21 by -- "and you have allowed evidence of it being 22 violent." So 7 through 10 should be in, because</p>	<p style="text-align: right;">391</p> <p>1 she was using substances, particularly that she'd 2 fight back. And those statements were made also in 3 front of Mr. Depp without anybody contradicting 4 them." 5 MR. CRAWFORD: Admission by silence -- 6 MR. NADELHAFT: Sanders vs. Newsome, the 7 fact that a defendant did not -- "A declaration in 8 the presence of a party to a cause becomes 9 evidence, as showing that the party, on hearing 10 such a statement, did not deny its truth; for, if 11 he is silent when he ought to have denied, there is 12 a presumption of his acquiescence." 13 MR. CRAWFORD: That entire line of 14 questioning is hearsay, and the answers that she 15 gives are non-responsive. I mean, the question is, 16 "Isn't it true that you cannot be certain that 17 Mr. Depp initiated the violence just based on 18 Ms. Heard's statement and she does not answer that 19 question. She doesn't answer it in 15 through 22 20 and she doesn't answer it going on to page 86. 21 MR. NADELHAFT: She's answering the 22 question. She's answering why she understood it,</p>
<p style="text-align: right;">390</p> <p>1 that was based off of meeting with both Mr. Depp 2 and Amber Heard. 3 MR. CRAWFORD: But this entire line of 4 questioning, Your Honor, looking at just the bottom 5 of the page, 18 through 20, "Who reported that 6 Mr. Depp initiated" -- 7 THE COURT: Right, I understand. But 7 8 to 10 I'll allow in. I'm going to sustain the 9 objection as to the remainder down to 20. Okay. 10 THE COURT: There's only one more page. 11 MR. NADELHAFT: You have 85. 12 MR. CRAWFORD: 85. Hearsay objection, 13 Your Honor. "Ms. Heard told you that Mr. Depp 14 initiated the violence?" 15 "Correct." 16 MR. NADELHAFT: So, I think 7 through 9, 17 I understand the ruling. 18 THE COURT: Okay. 19 MR. NADELHAFT: And then it says -- and 20 then 85/10 through 21, this is where it's an 21 admission by silence. "Amber Heard told me that 22 Johnny Depp was involved in violence with her when</p>	<p style="text-align: right;">392</p> <p>1 because Amber made the statements in front of 2 Johnny Depp, who didn't say anything. 3 MR. CRAWFORD: No, the question is, "You 4 cannot be certain," and she cannot be certain 5 because she never witnessed anything. She is 6 inferring, based on Amber's statements, which is 7 hearsay. 8 MR. NADELHAFT: In front of Mr. Depp. 9 It's an admission by silence. It's the Supreme -- 10 it's a Virginia Supreme Court case, admission by 11 silence. 12 MR. CRAWFORD: But it's still a non -- 13 it's a non -- it's still a non-responsive answer. 14 THE COURT: You say it comes as a party 15 admission because he didn't say anything? 16 MR. NADELHAFT: I mean, that's what 17 Sanders vs. Newsome, it's -- I mean, that's been 18 the -- 19 THE COURT: Not when you're with a 20 therapist and one person is talking and the other 21 person doesn't say anything. I mean, the case 22 you're talking about is a criminal case where a</p>

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393	1 defendant who -- 2 MR. NADELHAFT: But it doesn't have to be 3 a criminal -- 4 THE COURT: I know, but that was where 5 they asked him questions and he didn't deny it. 6 Right? 7 MR. NADELHAFT: Right, but the whole 8 premise, though, the Amber saying something -- 9 they're saying something in a group setting, and 10 Amber saying, "He is violent to me," and he is 11 sitting there and not saying anything. That's 12 what -- 13 THE COURT: I understand your argument, 14 but I'm going to sustain the objection. 15 MR. CRAWFORD: Is that it, Adam? 16 MR. NADELHAFT: Well, I didn't ask about 17 the last question, 87, 9 through 12. 18 THE COURT: 87, 9 through -- 19 MR. NADELHAFT: The last question. 20 THE COURT: "Was it your belief that 21 Amber was the victim of domestic violence?" 22 MR. CRAWFORD: Relevance.	395	1 MS. CALNAN: Starting at line 9. 2 MS. VASQUEZ: And, Your Honor, if I may 3 be heard on this -- 4 THE COURT: Okay. 5 MS. VASQUEZ: -- since I took the 6 deposition. 7 THE COURT: Sure. 8 MS. VASQUEZ: Your Honor previously ruled 9 on lines -- excuse me, on pages 16, line 16 through 10 21; page 47, lines 20 through page 48, line 2; and 11 then page 142, lines 5 through 9. And just to 12 remind Your Honor and opposing counsel, this is 13 testimony by Laura Divenere that she felt pressured 14 by Mr. Waldman to sign a declaration and give 15 unfavorable testimony. 16 THE COURT: Right. 17 MS. VASQUEZ: In the course of this 18 deposition, I was in possession or Mr. Depp was in 19 possession of an email that Ms. Divenere sent to 20 her attorney -- 21 THE COURT: Okay. 22 MS. VASQUEZ: -- and then forwarded to a
394	1 THE COURT: I'll sustain the objection. 2 All right. Next one? 3 MR. NADELHAFT: And are you taking out, 4 Andrew, the blue on 86? 5 MR. CRAWFORD: 86? No, I'm going to keep 6 that in. 7 MR. NADELHAFT: You're keeping it in? 8 Okay. 9 All right. Thank you. 10 MR. CRAWFORD: Thank you, Your Honor. 11 THE COURT: I have one behind me. 12 MS. CALNAN: I'm sorry, Your Honor, we 13 have to revisit Laura Divenere. 14 THE COURT: I don't go backwards. 15 MS. CALNAN: It wasn't something we 16 argued before, but based on Your Honor's ruling 17 now. 18 THE COURT: All right. What do we got? 19 What page? 20 MS. CALNAN: That's Ms. Heard's 21 objection. It's on page 125. 22 THE COURT: 125.	396	1 non-party, Kevin Murphy. And, in this email, she 2 discloses to her attorney that she did not -- on 3 page, line 4 -- 140, lines 3 through 11, it 4 begins -- Ms. Divenere writes, "In retrospect, 5 where I may have thought I was unduly pressured to 6 write and sign my declaration, I now believe that 7 that was not the case. My declaration went through 8 three iterations of my complete involvement and 9 understanding. Again, I signed knowing that my 10 declaration was truthful and to the best of my 11 recollection. I did the best I could." 12 I believe that this is proper impeachment 13 of a witness, and, to that end, we submit that 14 lines -- 15 THE COURT: Page 125? 16 MS. VASQUEZ: So we start with page 25, 17 lines 9 through 21; page 126, lines 7 through 13; 18 and then we continue, Your Honor, on page 138, 10 19 through 17; 139, lines 6 through 22; 140, lines 1 20 through 22; and then 141, lines 1 through 11. 21 THE COURT: Okay. 22 MS. VASQUEZ: Again, we're not

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397	1 admitting -- asking the admission of the -- 2 THE COURT: Right, document. You just 3 want to impeach her on this subject. 4 MS. VASQUEZ: Correct. 5 MS. McCAFFERTY: We maintain that it's -- 6 THE COURT: Could you turn it on for me? 7 It's right on the bottom of the base. There you 8 go. All right. You can sit down. That's fine. 9 MS. McCAFFERTY: We maintain that it's 10 improper impeachment because she didn't call 11 attention to the witness's statement that she was 12 pressured, so the possible impeachment starts on 13 139. And so she just reads into the record the 14 statement and then says, "Is this true?" She 15 doesn't say -- first, do you recall testifying 16 earlier that, you know, you were pressured into 17 signing the -- 18 THE COURT: I assume you bring that up to 19 her in the next few pages? 20 MS. VASQUEZ: I do, Your Honor. 21 THE COURT: I just want to see. And then 22 you have --	399	1 THE COURT: That's the only one I have 2 got left on my deck, so I think we're doing okay. 3 I think we heard these are all Ms. Heard's 4 different exhibits you might have shown me at 5 different times. You can have them back. 6 MR. NADELHAFT: Thanks. 7 THE COURT: All right. That's fine. All 8 right. I'll take a recess until you guys are 9 ready. Okay? 10 (A brief recess was taken from 6:45 p.m. 11 to 7:56 p.m.) 12 THE COURT: All right. So are we ready? 13 MS. PINTADO: Yes, Your Honor. 14 THE COURT: All right. You have two 15 objections? 16 MS. PINTADO: We forgot to tackle Baum's 17 exhibits earlier, and so I just -- Jessica and I 18 conferred, and we narrowed it down to just three, 19 if I may approach. 20 THE COURT: Sure. 21 MS. MEYERS: And I think ruling on one -- 22 THE COURT: Will take care of the others.
398	1 MS. McCAFFERTY: I'm not sure if I 2 understood the question, but the other point is, if 3 this does come in as impeachment, then -- 4 THE COURT: That's what I was saying, you 5 designated -- if this comes in, you have 6 designations where you followed up that up with 7 her; correct? 8 MS. VASQUEZ: Yeah, yes. 9 THE COURT: So I'll overrule the 10 objection, but I'll allow the designation -- your 11 designations in. 12 MS. VASQUEZ: And that's fine, Your 13 Honor. 14 MS. McCAFFERTY: And we all know -- we 15 are on the same page as to what's coming -- 16 MS. CALNAN: Yeah, your orange and -- 17 THE COURT: Your orange comes in. Okay. 18 MS. CALNAN: And so we just have one 19 more, but we need probably some time to work. 20 THE COURT: Okay. Sure. That's fine. 21 And that is -- 22 MS. CALNAN: Jessica Kovacevic.	400	1 All right. 2 MS. MEYERS: These are the articles. I 3 think Your Honor's prior rulings have been -- they 4 can read the title. 5 MS. PINTADO: Yes, Your Honor. And I do 6 understand the prior ruling. 7 THE COURT: Right. And this one even 8 talks about the judgment. 9 MS. PINTADO: Okay. Fine. We could 10 redact that, Your Honor. How does the -- 11 MS. MEYERS: That's The Sun article. 12 MS. PINTADO: This is The Sun article, 13 yeah. So, yeah, my point that I just want to make 14 is -- 15 THE COURT: Sure. 16 MS. PINTADO: -- that because Baum is 17 talking about the reputational harm, that these are 18 not, obviously, offered by the -- for the truth of 19 the matter. They're just offered for damages. 20 THE COURT: And that would be on both 21 sides. I don't think any articles have -- 22 MS. MEYERS: Except for ones that we

401	403
1 specifically offered with Mr. Depp and they offered	1 right.
2 no objection to, but that was in the context of	2 MS. CALNAN: So the first one, objection,
3 some of the publicity surrounding the initial	3 and there's a lot, and I don't know if Ms. Stemland
4 allegations. Yeah, but when Mr. Rottenborn brought	4 would agree with me, but perhaps, once we get a
5 up the stack of articles, I believe he was allowed	5 sense of your rulings, we'll be able to confer
6 to read the headline.	6 further; otherwise, we might be here for a while.
7 THE COURT: All right.	7 But on page 35, line 17 through 19, the
8 MS. PINTADO: Okay. So could we enter	8 question is, "Did Ms. Heard have a successful
9 them with just the headline or...	9 career at the time you began working with her?"
10 THE COURT: As a basis -- what's the	10 "Yes."
11 basis for getting them in?	11 We object as an improper expert opinion.
12 MS. PINTADO: So the basis would be that	12 Jessica is her agent and Ms. Heard has an expert to
13 they are offered to show damages, in other words.	13 opine as her reputation and career in the
14 Like an alternative source of his reputational	14 entertainment industry already.
15 harm.	15 MS. STEMLAND: And I would just say she's
16 MS. MEYERS: So, in the transcript, I	16 the talent agent. That's her job to know --
17 think the designated portions, she acknowledges	17 THE COURT: Yes, I'll allow it. I do
18 whether she's seen it or not and whether she	18 believe Mr. Depp's former talent agent talked at
19 thought it was positive or negative press, but I	19 length about it.
20 don't think there's any need for the actual article	20 All right. Next one?
21 with the redactions to come into evidence. Up	21 MS. CALNAN: The next one is on page 48,
22 until this point, I don't think that has been the	22 line 14. "Was there any negative views about
402	404
1 process, especially with respect to these articles	1 Ms. Heard's performance in Aquaman?"
2 related to damages.	2 "In the press, you mean?"
3 MS. PINTADO: I mean, I think	3 "Well, in the press or otherwise."
4 Mr. Rottenborn's showing them to Mr. Depp was on	4 "No, there weren't any negative."
5 the fly. We were not redacting, but I think we	5 THE COURT: Okay.
6 could --	6 MS. CALNAN: Hearsay and lack of
7 THE COURT: I'm going to sustain the	7 foundation.
8 objection. You can, obviously, talk about it	8 MS. STEMLAND: And, Your Honor, I would
9 though. Thank you.	9 say it is not offered for its truth. It's just her
10 All right. Next one?	10 role as the talent agent and her success in
11 MS. CALNAN: Good evening, Your Honor.	11 Aquaman. You know, she was successful in Aquaman
12 THE COURT: Yes, it is. Maybe it is.	12 and all the reviews for positive. So I know this
13 MS. CALNAN: Hopefully your last one.	13 is basically just saying that --
14 This is Jessica Kovacevic. This is Ms. Heard's	14 THE COURT: Okay. I'll overrule the
15 agent from WME.	15 objection. I'll allow it.
16 MS. STEMLAND: She's also the corporate	16 Next one?
17 rep for WME.	17 MS. CALNAN: The next one is on page 54,
18 THE COURT: All right. Corporate rep and	18 line 15. They're talking about a conversation or
19 agent. Still agent or no?	19 she's talking about a conversation with Ms. Heard's
20 MS. STEMLAND: I believe she's still the	20 attorney, Carl Austin. Or, yes. And the question
21 agent.	21 on 15 is, "When did he call Warner Bros. to
22 THE COURT: Still the agent. Okay. All	22 renegotiate the next film?"

405	407
1 "It would have been the end of February 2 last year." 3 Just calls for hearsay. She has no 4 knowledge of that phone call. 5 MS. STEMLAND: And, Your Honor, we're 6 only interested in the timing. The question is 7 when, and so we're interested in the timing -- 8 THE COURT: Okay. I'll allow it. 9 Next one? 10 MS. CALNAN: On 56, "At some point, were 11 there press reports that Ms. Heard was getting 12 released from Aquaman 2?" 13 And the answer is, "There were online 14 rumors for awhile that she was being replaced." 15 Again, hearsay. 16 MS. STEMLAND: And, again, Your Honor, 17 we're not offering it for the truth of the matter. 18 We're just trying to establish -- 19 THE COURT: I'll allow it. She's the 20 agent. 21 MS. CALNAN: The next one -- sorry, Your 22 Honor, one moment. On page 70, line 20.	1 Johnny's team was responsible for this in your 2 view?" 3 And she answers, "Adam Waldman," which, 4 again, calls for speculation and -- 5 THE COURT: Okay. 6 MS. STEMLAND: I would say that she does 7 have a basis to know that because she's the talent 8 agent, and it's just a question of her 9 understanding of where this is coming from. 10 THE COURT: All right. I'll sustain the 11 objection. 12 Next one? 13 MS. CALNAN: Okay. The next one is on 14 page 73, line 15. The question is, "What evidence 15 do you have of anything Mr. Waldman or his 16 confederates did that had an impact on Warner 17 Bros.'s decision?" 18 She said she doesn't have any physical 19 evidence, and then she goes on to explain various 20 things. So improper opinion, hearsay, speculation. 21 MS. STEMLAND: Your Honor, I would say 22 this goes to -- this goes to the counterclaim and
406	408
1 THE COURT: Okay. 2 MS. CALNAN: This is based on hearsay and 3 speculation. They're asking about the real reason 4 why Warner Bros. released Ms. Heard from Aquaman, 5 and Jessica is explaining that she thinks there's a 6 difference between the real reason and why they 7 actually did it. 8 THE COURT: All right. 9 MS. STEMLAND: And, Your Honor, we're 10 asking -- she's the corporate rep, and the talent 11 agent rep. We're asking what the understanding 12 was, what their understanding of the reason was 13 regardless of its truth. 14 THE COURT: I'm going to sustain the 15 objection to what we believe the real reason was. 16 I'll sustain the objection. 17 MS. CALNAN: Okay. So just to confirm, 18 on 70, line 20, crossing out from there until 71 19 until -- 20 THE COURT: Line 11. 21 MS. CALNAN: Okay. And then, Your Honor, 22 the next question starting on line 12: "Who on	1 her opinion of what -- of Warner Bros.'s decision 2 as the talent agent and corporate representative. 3 THE COURT: I'll sustain the objection. 4 She said, "I don't have any evidence." 5 All right. Next one? 6 MS. CALNAN: And just to confirm, that's 7 73/15 through 74/19. 8 THE COURT: Okay. 9 MS. CALNAN: Okay. Thank you. 10 And on page -- the next one is on -- that 11 was withdrawn. Sorry. 12 Ms. Stenland, did you cross out on 85, 13 lines 3 through 5? The Sharpie is bleeding through 14 for me. 15 MS. STEMLAND: I didn't cross off 85/19. 16 MS. CALNAN: Okay. So we would object to 17 85, line 3, "At what point did WME understand that 18 Ms. Heard was confirmed to work on Aquaman 2?" 19 "Yes" -- 20 MS. STEMLAND: I'm sorry. That was 21 crossed off. 22 THE COURT: Okay.

409	1 MS. CALNAN: Okay. I'm sorry. 2 MS. STEMLAND: But what's not crossed off 3 is 85, line 19. 4 MS. CALNAN: Okay. Sorry. I 5 misunderstood you. 6 So when WME came to understand that 7 Ms. Heard's role as Mera in Aquaman 2 was 8 diminished in some way, when she was sent the 9 script, she was sent the script directly, which was 10 a common practice for these films; that Ms. Heard 11 was sent a script, I don't know how WME knew her 12 role was diminished. 13 MS. STEMLAND: Your Honor, I would say 14 she's the corporate rep for WME, so we're just 15 asking for this -- 16 THE COURT: I'll allow it. 17 Next one? 18 MS. CALNAN: On page 91, line 12. The 19 question is asking about whether people were 20 alienated to Ms. Heard as of October 2018. 21 THE COURT: Well, when it says "when she 22 writes," who is "she" and further alienated her?	411	1 MS. STEMLAND: And I think it's relevant 2 to the online campaign against Amber Heard, 3 which -- whether or not it's true has been a real 4 challenge, more so than even if it was true. It's 5 the -- it's just the rumors and the online -- and 6 these bots aren't real. They're -- it goes on to 7 talk about fake accounts -- 8 THE COURT: But, I mean -- how would she 9 know -- a lot of things that Adam would put out, 10 how would she know that Adam put out this? It's on 11 line 3. I'm just -- 12 MS. STEMLAND: I think she did research, 13 but we can cross off certain parts of this. 14 MS. CALNAN: No, she didn't. L'Oreal 15 did, and they still didn't connect it to Adam 16 Waldman. It came back to various countries. 17 THE COURT: I'm going to sustain the 18 objection. 19 All right. Next one? 20 MS. CALNAN: So that goes all the way, 91 21 through 92, if you're in agreement, Ms. Stemland. 22 MS. STEMLAND: Can we keep, "What is a
410	1 What are we looking at? 2 MS. CALNAN: Well, it's an article -- 3 excuse me, an email from, I believe -- it's a 4 Mother's Day campaign for L'Oreal from Katie 5 Slater. 6 MS. STEMLAND: And I had crossed off line 7 12, so it was really only 13 and 14. So I wanted 8 the question to be, "Were people alienated to 9 Ms. Heard as of October 2018?" And the real thing 10 that I'm getting at is the bots, not for the truth 11 of the matter, but just the fact that they're -- 12 the rumors, not the truth of them, but, you know -- 13 and as the corporate representative and the talent 14 agent, she would know if they were bots, even if 15 they weren't true. 16 MS. CALNAN: I mean, this has no 17 relevance to Jessica's work as a talent agent for 18 Ms. Heard. It's hearsay, speculation. I don't 19 even know what she's -- like the Instagram post 20 she's referring to here, or bots, and she says, 21 "I'm sure she's referring to, like, Johnny, you 22 know, only, you know, fans and bots."	412	1 bot?" and "Were bots after her?" 2 MS. CALNAN: She's Ms. Heard's talent 3 agent. This is not relevant at all to her and 4 she's not as a corporate designee. 5 MS. STEMLAND: Well, I think bots go to 6 what the talent agents do. I mean, their whole 7 deal is publicity. 8 MS. CALNAN: Their deal is getting deals 9 for their clients. 10 MS. STEMLAND: Right, which is dependent 11 on publicity, whether it's good or bad. 12 MS. CALNAN: There's no foundation for 13 Ms. Kovacevic to be testifying about bots. 14 THE COURT: I'll allow lines 6 through 8. 15 Okay? And nothing else. All right? 16 Moving on. 17 MS. CALNAN: The next one is -- 18 Ms. Stemland, I'm not sure if you're keeping this, 19 but on line 94, you're referring to an email that 20 you want authenticated, and we don't want that 21 email to come in on the basis of hearsay. 22 MS. STEMLAND: Yeah, I'll de-designate

413	1 that. 2 THE COURT: Okay. 3 MS. CALNAN: And then you also have 4 Exhibit 8 on the top of 97. 5 MS. STEMLAND: I'll de-designate. 6 MS. CALNAN: And then, on page 100, lines 7 4, [as read] "When you know Johnny with respect to 8 Ms. Heard's investigation?" I'm actually not sure 9 what that's referring to. And she's saying, "Yeah, 10 I believe she's talking about L'Oreal's 11 investigation. I haven't seen any reports but just 12 a general sentiment that it was there. There were 13 bots. There was a targeted campaign." 14 Again, hearsay, speculation. 15 MS. STEMLAND: And I think this is 16 critical to the counterclaim. I mean... 17 THE COURT: It might be critical to the 18 counterclaim, but it's still speculative. 19 MS. STEMLAND: Well, it's talking about 20 investigation. To the extent that -- 21 THE COURT: Not her investigation. 22 MS. CALNAN: Right. L'Oreal did it. And	415	1 to know why -- why businesses are hesitant. That's 2 not hearsay. 3 MS. CALNAN: It's a hearsay exception. 4 THE COURT: I'm going to sustain the 5 objections. Hearsay. 6 All right. Next one? 7 MS. CALNAN: The next one is on page 103. 8 It's asking how well-known Ms. Heard was. She's 9 saying she was pretty famous. If you would call on 10 anyone and they knew who she was. Speculation. 11 Yeah, improper expert opinion. They have an expert 12 on this, and Jessica is her fact witness in a 13 talent agent for Ms. Heard. 14 MS. STEMLAND: I think her talent agent 15 is -- 16 THE COURT: I'll allow it. 17 Next one? 18 MS. CALNAN: What, if any -- on line 7 -- 19 "What, if any, analysis did you or anyone at WME do 20 to determine Ms. Heard's likeability?" It sounds 21 like they're saying she said L'Oreal did this with 22 respect to e-scores but WME did it. And, again,
414	1 they didn't even connect it to Adam Waldman. 2 MS. STEMLAND: Well, it says Ms. Heard's 3 investigation, but it could be part of the talent 4 agency. 5 THE COURT: I'm going to sustain the 6 objection. 7 All right. Next? 8 MS. CALNAN: 101. "What, if any, 9 understanding did WME have and why they were 10 hesitant" meaning L'Oreal "to use Ms. Heard for 11 their campaign?" Again, speculation, hearsay, and 12 lack of foundation. 13 MS. STEMLAND: I mean, she's the 14 corporate representative for WME, so she should be 15 able to speak to WME's understanding in regard to 16 the truth. 17 MS. CALNAN: But just because she's the 18 designee doesn't mean the hearsay rules don't 19 apply. It's -- her understanding is based on what 20 L'Oreal told her. They could have deposed L'Oreal. 21 They didn't. 22 MS. STEMLAND: I think that it's her job	416	1 that's based on hearsay. That's based on something 2 that someone else did, not what she did, not even 3 anyone within WME. 4 THE COURT: Okay. I'll -- go ahead. 5 MS. STEMLAND: It looks like it might 6 just be a business record that they're referring 7 to. 8 THE COURT: I'll sustain the objection. 9 Next one? 10 MS. CALNAN: On the bottom of 112 -- 11 Ms. Stemland, I'm not sure if you're still 12 designates Exhibit 13, which is, I believe, an 13 email. 14 MS. STEMLAND: I can de-designate that. 15 MS. CALNAN: Okay. And so I would assume 16 that would go to the email thread you then discuss 17 on the bottom of 114 and 115? 18 MS. STEMLAND: Yeah, I can 19 de-designate -- can we just keep the part that 20 says, "And remain us what an e-score is" so they 21 can have that background? 22 MS. CALNAN: Sure.

Transcript of Hearing
Conducted on April 29, 2022

105 (417 to 420)

417	1 Okay. Again, on 119, you have Exhibit 14 2 designated. 3 MS. STEMLAND: Okay. We can cross that 4 off. 5 MS. CALNAN: On 124 -- page 124, 6 there's -- they're showing her a document, and her 7 response is she's never seen the document before 8 but she remembers talking to Katie about it. So 9 hearsay. 10 MS. STEMLAND: Yeah, I can cross that 11 off. 12 THE COURT: Okay. Next one? 13 MS. CALNAN: On 134, excuse me, line 17. 14 It's talking about, How would you characterize the 15 arc (ph) of her career? Again, this is improper 16 expert opinion. 17 MS. STEMLAND: And she's just talking 18 about that Amber was a known actress. 19 THE COURT: I'll allow it. 20 Next? 21 MS. CALNAN: At the bottom of 136, line 22 21, "What evidence, sitting here today, do you have	419	1 MS. CALNAN: So -- we'll just withdraw 2 this. 3 THE COURT: Okay. 4 MS. CALNAN: On page 143, I think we have 5 lines 2 through 5, "Was Ms. Heard's reputation 6 damaged?" She says yes. I think it's an improper 7 expert opinion. 8 MS. STEMLAND: I mean, I think that's her 9 job. Again, you know, she's a talent agent. She's 10 worked with Ms. Heard, and she knows Ms. Heard's 11 career has been damaged, and reputation. Whether 12 or not it's true, that's just her job to know. 13 MS. CALNAN: I mean, that's expert 14 opinion. 15 THE COURT: I'll sustain the objection. 16 All right. Next one? 17 MS. CALNAN: Page 146, line 19. Talking 18 about Adam Waldman. "Can you point to any career 19 opportunities that Ms. Heard has lost because of 20 any statements made by Mr. Waldman?" She then 21 talks about a TV show. And I had this cite and I 22 lost it, but before, she said she couldn't point to
418	1 that caused her career harm?" And it goes on to 2 137. "The evidence and experience of my 3 colleagues, experience of this business, your 4 career takes a turn after something like this. 5 She's very well received in the movie, again, you 6 know, constant tweets." This is all based on 7 hearsay, speculation, improper expert opinion. And 8 she then says, "I don't have a physical piece of 9 paper of evidence." 10 MS. STEMLAND: And I would say that it's 11 her job to know how her career is going and to make 12 sure people are happy with her. That's her job. 13 So she's the best one to testify to that. 14 MS. CALNAN: And while that may be true, 15 that's not a hearsay exception. 16 MS. STEMLAND: It's not hearsay if it's 17 just her job. 18 THE COURT: I'll allow it. 19 Next one? 20 MS. CALNAN: This is just talking about 21 negative press. I'm sorry, 141. 22 THE COURT: 141. Okay.	420	1 any evidence that the statements were connected to 2 Adam Waldman. 3 MS. STEMLAND: But she just connects it 4 here. I mean, she says, I mean, the Amazon movies, 5 for one. So she does connect it right here. So 6 she's testifying to the movies that Amber gets 7 lost. I mean, that's her -- she's the talent 8 agent. 9 THE COURT: I'll overrule the objection. 10 I'll allow it. 11 MS. CALNAN: Your Honor, she can't 12 connect the loss of opportunities to Mr. Waldman. 13 She has that in her testimony before. I can find 14 it. 15 THE COURT: I mean, that's what she's 16 testifying to at this one. It's tangible because, 17 as an example, that is something she had all of it 18 that was taken away or that she had before, all of 19 it that was taken away. I'm going to overrule the 20 objection. 21 Next one? 22 MS. CALNAN: On page 158, line 12, these

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421	1 are the articles for Ms. Heard's counterclaims. 2 And the relevant portion is on page 160. "Was WME 3 aware of Adam's statements -- Mr. Waldman's 4 statements in that particular article?" 5 "Yes." 6 I think that's fine. 7 MS. STEMLAND: And, Your Honor -- 8 THE COURT: She said that's fine. 9 MS. CALNAN: Yeah. 10 THE COURT: All right. Next one? 11 MS. CALNAN: On page 169, line 12, "What, 12 if any, impact did it have on Amber Heard's career 13 and career path to have Mr. Depp's lawyer putting 14 out statements in the press and in tweets that 15 Amber Heard was lying, making things up, created a 16 hoax of abuse" -- 17 MS. STEMLAND: I'm sorry; where are you? 18 THE COURT: At line 12 on 168. 19 MS. CALNAN: She says his comments went 20 on and just added fuel to the fire. There was 21 already so much media coverage. Every time you 22 tweeted, there was just so much more exponentially.	423	1 (indiscernible), that she's a liar, created an 2 abuse hoax, faked sexual violence, faked 3 destruction?" And then she then goes on to answer, 4 "Planted the seed." 5 Again, you know -- and then she talks 6 about Instagram later on. That's not an issue 7 here. Again, this is just speculation, lack of 8 foundation. She has no basis to connect this. And 9 it's an improper opinion. She's Ms. Heard's talent 10 agent, as a fact witness. 11 MS. STEMLAND: And I would say that she's 12 testifying as to the impact on Amber's career as a 13 talent agent, as the career manager. 14 MS. CALNAN: Then that wasn't the 15 question and there's no foundation for that, and 16 Ms. Bredehoft read it in various -- in her question 17 as in a lot of hearsay and not proper questions. 18 THE COURT: Well, I mean, those are the 19 defamatory statements -- alleged defamatory 20 statements in here questions. 21 MS. CALNAN: Well, not all of them. 22 MS. STEMLAND: It's just asking for the
422	1 First of all, his tweets aren't at issue 2 in this case. The Daily Mail articles are. And 3 second of all, again, she can't connect this to 4 Mr. Waldman. Secondly, it's improper opinion, and 5 this is up for the jury to decide. 6 MS. STEMLAND: But it seems to me that 7 she can testify to an impact on her career because 8 she's the career manager. And that's what the 9 question is about, was there an impact. 10 THE COURT: I'll allow the first two 11 lines, but then I'll cross out starting with "every 12 time" to the end. I'll sustain the objection to 13 that part. Okay? 14 MS. STEMLAND: Sorry; that was up to the 15 second line? 16 THE COURT: Right. So you can keep in, 17 "So there was already so much media coverage." 18 Next one? 19 MS. CALNAN: The next one is on page 171, 20 line 5. The question Ms. Bredehoft is reading in, 21 "What, if any, impact did Mr. Depp and Mr. Depp's 22 counsel suggesting, publicly both and	424	1 impact, not the truth. 2 MS. CALNAN: But that's not what the 3 question is. 4 MS. STEMLAND: It says, "What, if any, 5 impact?" 6 MS. CALNAN: Okay. Well, that's an 7 expert opinion, and, again, this is just Ms. -- as 8 a corporate designee and as her agent, as a fact 9 witness, she's not able -- you know, there's no 10 foundation for her to be able to testify to this. 11 MS. STEMLAND: And I would say -- 12 MS. CALNAN: And she says, "I believe 13 it." This is her belief. I mean, it's not based 14 on anything. 15 MS. STEMLAND: I would say she would have 16 the ability to know what impact was on her career 17 because that's her job. 18 MS. CALNAN: That's not her job. 19 THE COURT: All right. I'll sustain the 20 objection. 21 All right. Next one? 22 MS. CALNAN: The next one is on page 185.

425	1 The question -- the real substantive question 2 starts on line 17, "What, if any, performance 3 issues were raised with Ms. Heard" -- or Amber 4 Heard -- "or anyone that was responsible for the 5 filming of Aquaman?" 6 "No performance issues raised 7 whatsoever." 8 Again, based on hearsay. 9 MS. STEMLAND: And I would say this is 10 really not about a truth of the matter. 11 THE COURT: I'll allow it. 12 Next one? 13 MS. CALNAN: Sorry, Your Honor. One 14 moment. 15 MS. STEMLAND: 204/16? 16 MS. CALNAN: Which one? 17 MS. STEMLAND: 204/16? 18 MS. CALNAN: Oh, I have that you crossed 19 that out. 20 MS. STEMLAND: Maybe I did cross -- 21 MS. CALNAN: The next item is on 210. 22 MS. STEMLAND: 210, line 11 to 21. And	427	1 MS. STEMLAND: Well, I mean, she's just 2 asking the witness about a DVI score. 3 MS. CALNAN: No, Ms. Bredehoft -- 4 MS. STEMLAND: "What's the significance 5 of the DVI score?" That was the question, I think, 6 at the end. 7 MS. CALNAN: Well, if you want the 8 question is, "What is the significance of having 9 those three attributes," but you can't read in the 10 email. 11 MS. STEMLAND: I don't think I meant to 12 read in the email. I just -- but it -- 13 MS. CALNAN: So it's literally a quote, 14 "Amber has the highest DVN [verbatim] score" is 15 from this email. 16 THE COURT: You let me know when you 17 start talking to me. Okay? 18 MS. CALNAN: Okay. 19 (Pause in the proceedings. Counsel 20 confer.) 21 THE COURT: Ms. Vasquez, on the second 22 amended designation, have you filed this with the
426	1 she's basically just -- 2 MS. CALNAN: Yeah, I'll withdraw that. 3 And we're withdrawing 215, too, based on 4 Your Honor's rulings. 5 The next one is on page 218, lines -- 6 starts with an answer -- line 4. I don't know if 7 you're going to reconsider since it's based on 8 Exhibit 13 where Ms. Bredehoft is reading in parts 9 of an email. 10 MS. STEMLAND: And I had crossed off, and 11 then it has down below. Just so the question would 12 be, "Among the five European countries, Amber has 13 the highest DVI score," which is a factual issue. 14 MS. CALNAN: Ms. Bredehoft is reading in 15 an email. I can show it to you. 16 MS. STEMLAND: But if we just got -- if 17 we just change the question -- 18 MS. CALNAN: Well, it's based on hearsay, 19 and it's Ms. -- 20 MS. STEMLAND: Well, if it's a fact -- 21 MS. CALNAN: It's not a fact. I can -- 22 do you want me to show you the exhibit?	428	1 Court or is this going to -- filed it court? I can 2 stamp it "filed in court"? 3 MS. VASQUEZ: Yes, Your Honor, thank you. 4 We appreciate that. Thank you. 5 THE COURT: All right. 6 MS. STEMLAND: Your Honor, we were hoping 7 maybe we could just start on line 18. So if we got 8 rid of 10 through 17 and just started from 18 9 through 20. And then 219, 2 through 4, just to 10 what a talent agent understood the significance -- 11 THE COURT: All right. Which page? 12 MS. STEMLAND: Sorry. 218. 13 THE COURT: 218, line 18. "What is the 14 significance of having those three attributes when 15 looking for commercial opportunities?" 16 MS. CALNAN: That's fine, Your Honor. 17 We'll withdraw it. 18 THE COURT: Okay. All right. We're 19 good. Moving on. 20 MS. CALNAN: The next one I have is on 21 page 222, line 16. 22 THE COURT: 222, line 16.

429	1 MS. CALNAN: I think this is an improper 2 expert opinion. It's asking about whether her 3 career trajectory leading up to immediately after 4 this incident -- success of Aquaman 2, how it would 5 either go upward or downward. She expected an 6 upward trajectory. Again, this is an expert 7 opinion. They have experts in this case. She's a 8 fact witness. 9 MS. STEMLAND: But she is Amber's talent 10 manager, and so she would have expectations. And 11 I'm sure they go over that every year about what 12 her career trajectory would be. 13 THE COURT: I'll allow it. 14 Next one? 15 MS. CALNAN: We'll withdraw the next one, 16 based on your ruling. 17 So 225, the answer where she starts 18 talking about Jason Momoa, we would object to that, 19 for her to say, "I mentioned earlier in the 20 conversation, you know, TV and films are so blended 21 now, and there's much less of a..." yeah, that's 22 fine. But starting at line 1 on page 226, we --	431	1 of what was taking place at that time?" 2 And she responds, "She was getting 3 constant harassment by Johnny Depp fans of these 4 accounts. No followers, no posts, just, you know, 5 non-stop, like, Justice for Johnny." 6 (Indiscernible) you know, only from hearsay. 7 Speculation. 8 MS. STEMLAND: And I would say that we're 9 asking for her understanding, not the truth of the 10 matter, and her understanding is as her agent who 11 is responsible for her career. 12 THE COURT: I'll sustain the objection. 13 Next one? 14 MS. CALNAN: The next one is on 240 -- 15 Ms. Stemland, I'm not sure if you're still trying 16 to get this Excel spreadsheet in. 24, line 16. 17 Excuse me, 240, line 16. 18 MS. STEMLAND: I'm going to try -- it 19 looks like a business record. I believe it is. So 20 I'd like to keep it in. 21 MS. CALNAN: It's an Excel document of 22 negative Instagram posts that WME produced. It
430	1 her reference to Jason. 2 THE COURT: So line 1 through 4 -- 3 MS. CALNAN: Yes. 4 THE COURT: On 226? 5 MS. CALNAN: Yes. 6 MS. STEMLAND: I'd be fine with striking 7 that, 1 through 4. 8 THE COURT: Okay. All right. 9 Next one? 10 MS. CALNAN: On page 226, line 8, 11 "Immediately after the success of Aquaman, did you 12 expect Amber to star in more than one project per 13 year, less, or the same?" 14 She goes, "It depends." 15 Again, expert opinion and calls for 16 speculation. She's unable to put a number on it. 17 THE COURT: I'll allow it. 18 Next one? 19 MS. CALNAN: The next one was on page 20 237, line 12. 21 THE COURT: 237, line 12. Okay. 22 MS. CALNAN: "What was your understanding	432	1 has, again, no relevance. And it's based on 2 hearsay. 3 MS. STEMLAND: But it would be a business 4 record if it was WME, and I think it's not offered 5 for the truth. It would just be offered to show 6 impact on the -- of the negative -- the existence 7 of negative press. Not necessarily the truth, but 8 just the existence. 9 THE COURT: You asked her questions about 10 it; correct? 11 MS. CALNAN: She then de-designated all 12 those. 13 MS. STEMLAND: No, I think there's a 14 couple of questions. On page 241. 15 MS. CALNAN: No. And there's also no 16 business records foundation laid in the deposition. 17 MS. STEMLAND: Well, I mean, I think that 18 they have laid the fact that she's the WME 19 corporate rep. 20 THE COURT: Let me take a look at the 21 Excel document. 22 MS. STEMLAND: Sorry, Your Honor. It

433	1 turns out that it's extensive, so we don't have it. 2 THE COURT: All right. Then I'm going to 3 sustain the objection. 4 Next one? 5 MS. PINTADO: Your Honor, if I may, just 6 on that one, it's a really large -- 7 THE COURT: I'm sustaining the objection. 8 Next one. 9 MS. PINTADO: -- native -- 10 THE COURT: I'm sustaining the objection. 11 Next question. 12 MS. CALNAN: The next one is on page 244 13 at the bottom, line 21. "What was your 14 understanding that WME passed on to L'Oreal 15 suggestions to assist them in being able to block 16 some of these harassing Instagrams that they were 17 getting at the time?" 18 "Yes." 19 Again, hearsay. 20 MS. STEMLAND: Sorry; I lost where you 21 were. 22 THE COURT: It's at page 244, line 21.	435	1 hearsay. If they wanted to depose L'Oreal, they 2 could have. And it's only based on what L'Oreal 3 told her. 4 MS. STEMLAND: Well, I think it's a fact, 5 and it's her job as the talent agent to know 6 whether or not L'Oreal has made a decision. I 7 mean, this is a decision. It's not -- it's just 8 what's happening with Amber's career. 9 THE COURT: I'll sustain the objection. 10 Next one? 11 MS. CALNAN: The next one is on page 255, 12 line 14. "What is your understanding of the reason 13 L'Oreal suspended use of Amber for a look (ph) 14 cause at that time?" And she gives an answer. And 15 so I think based on your ruling -- prior ruling, 16 you'd sustain this objection. 17 MS. STEMLAND: I mean, I would say that, 18 you know, as a talent manager or a corporate rep, 19 they should have an understanding whether or not 20 it's true of why L'Oreal suspended Amber post her 21 career -- 22 THE COURT: For their corporation, I
434	1 MS. STEMLAND: And I would just say that 2 we're asking for WME's understanding and they're 3 the corporate rep, so -- and they're in charge -- 4 THE COURT: I'll allow it. 5 Next one? 6 MS. CALNAN: The bottom, line 21 on page 7 24. 8 Ms. Stemland, I'm not sure if you're 9 trying to get in exhibit in, but it's asking about 10 L'Oreal and a Mother's Day -- or, excuse me, 11 Woman's Day campaign, asking about L'Oreal's 12 understanding. 13 THE COURT: Which page? 14 MS. CALNAN: I'm sorry. Page 245. The 15 question starts at line 21. 16 THE COURT: Okay. 17 MS. CALNAN: And I ask, "What, if any, 18 decision did L'Oreal make in this time frame?" 19 And she testifies, they're not going to 20 use her on the International Woman's Day campaign. 21 And they admit that intending on using her to avoid 22 the onslaught of negative comments. Again, this is	436	1 agree with you, but for L'Oreal, I sustain the 2 objection. 3 All right. Next one? 4 MS. CALNAN: The next item is on line -- 5 page 261, line 11. And based on Your Honor's prior 6 ruling, we're going to withdraw those. 7 THE COURT: Okay. 8 Next one? 9 MS. STEMLAND: Sorry, was there -- go 10 back -- 11 MS. CALNAN: Oh, I'm sorry. Line 11 on 12 page 261. 13 MS. STEMLAND: No, I was actually looking 14 at 255. The source of those negative comments 15 (indiscernible) Depp supporters. 16 MS. CALNAN: I thought she just sustained 17 that. 18 MS. STEMLAND: I thought she sustained 19 the one above it. 20 MS. CALNAN: Well, it's a follow-up 21 question. 22 THE COURT: All right. I'll sustain

<p style="text-align: right;">437</p> <p>1 both. 2 Next one? 3 MS. CALNAN: So, Ms. Stemland, we're 4 withdrawing on page 261, lines 11 through 3 on 262? 5 Withdrawing those objections? 6 MS. STEMLAND: On 262? 7 MS. CALNAN: Line 11 on 261 through line 8 3 on 262. 9 MS. STEMLAND: Okay. 10 MS. CALNAN: The next one is on page 265, 11 line 1. It's asking about the change.org petition. 12 And her answer is, "I don't know when I first saw 13 it." And this petition, again, is with L'Oreal and 14 why they dropped her. 15 MS. STEMLAND: But the next question, 16 it's all part of the same. It says, "Were you 17 aware of it in May 27, 2020?" 18 And it's just the fact that she was 19 dropped -- or that they were trying to get -- the 20 fact of them trying to get Amber dropped. Again, 21 not for the truth. Just because this was going 22 on -- the rumors --</p>	<p style="text-align: right;">439</p> <p>1 MS. CALNAN: 275. They're asking about 2 why they were excluding her from, again, the 3 campaign. And she says there's a lot of rumors 4 about her being replaced in Aquaman 2. Again, 5 speculation, hearsay. 6 MS. STEMLAND: So I think we're looking 7 at 275, line 3; right? 8 MS. CALNAN: Yes. 9 MS. STEMLAND: Which was, what is your 10 understanding as the agent and corporate rep of her 11 talent agent -- of the implications for Amber. Not 12 the truth but what the talent agent understood to 13 be -- 14 MS. CALNAN: But her understanding was 15 based -- I'm sorry. Her understanding is based on 16 hearsay of what other people told her, or 17 speculation. I don't even know. There's no 18 foundation for this. 19 THE COURT: So is -- on page 274, that's 20 in? Is that what we're talking about here? 21 MS. CALNAN: They de-designated 274. 22 THE COURT: Okay. So what --</p>
<p style="text-align: right;">438</p> <p>1 THE COURT: I'll allow that. All right. 2 MS. CALNAN: Okay. The next one is on 3 page 267, line 1. Again, asking about the bots. 4 "What was your understanding of these bots at this 5 time?" 6 "Based on my own research, checking on 7 the accounts myself and discussing it amongst the 8 team." 9 "What did you learn?" 10 "I learned negative comments, looking on 11 them. Again, it's following just Amber Heard, 12 Johnny, things like that." 13 Again, it's speculation, not relevant, 14 lack of foundation. Ms. Kovacevic has nothing to 15 do with the bots. 16 MS. STEMLAND: I think that it's -- the 17 bots are important to her job, and she says that 18 it's based off her own research. 19 THE COURT: I'll allow that. 20 MS. CALNAN: So, Ms. Stemland, I believe 21 that takes care of 267 and 268 -- page 267 and 268. 22 MS. STEMLAND: Are we almost done?</p>	<p style="text-align: right;">440</p> <p>1 MS. STEMLAND: It's just -- 2 THE COURT: Well, it says, "implications 3 of this." So what is "this," I guess is my 4 question? 5 MS. STEMLAND: The question after that 6 is, "At this time, were there still a lot of rumors 7 about being replaced in Aquaman 2?" And the answer 8 to that was, "Yes." 9 So we're just talking about rumors and 10 your understanding of the implications of rumors, 11 without talking about the actual rumor itself. 12 MS. CALNAN: No, that was her response. 13 The question is, "What is your understanding of the 14 implications of this to Amber?" And the next 15 question is, "What is your understanding of why?" 16 THE COURT: Yeah, I just don't -- so this 17 is what -- this is what's not -- is Exhibit 41, 18 which is not going to be referenced. All right. 19 I'll sustain the objection. 20 Okay. Moving on. 21 MS. CALNAN: The next one is on page 279, 22 line 6. "What, if any, indications were there from</p>

Transcript of Hearing
Conducted on April 29, 2022

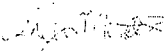
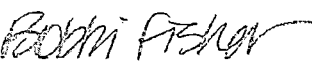
111 (441 to 444)

441	443
<p>1 Warner Bros. that they were not going to exercise 2 Amber's option for Aquaman 2?" 3 "Not until February 2021." 4 Again, based on hearsay and speculation. 5 MS. STEMLAND: And I would say this goes 6 to timing and also, you know -- 7 THE COURT: It's hearsay, though. It 8 goes back to the Disney ones that I have sustained. 9 MS. STEMLAND: Okay. 10 MS. CALNAN: Based on Your Honor's 11 rulings, I believe she would overrule us on page 12 295 and 296, so we'll withdraw those, up to line 13 296, line 9 on page 296. 14 MS. STEMLAND: Up to line 9 on 296? 15 MS. CALNAN: Yeah. All of it, actually, 16 I'm sorry, to line 15. So all of what's on 296 17 that you kept designated. 18 The next one is on page 298, line 6. 19 They're asking if Ms. Kovacevic considers Amaday 20 Amra's (ph) career to be comparable to Amber's. 21 That's an expert opinion and, in fact, Ms. Heard's 22 expert opines to that.</p>	<p>1 impact has Waldman's statements continued to have 2 on Amber's career?" 3 "It's my opinion that they had a very 4 negative impact." 5 Again, improper opinion. This is a thing 6 for the jury to decide. And speculation. She has 7 no foundation for this. 8 MS. STEMLAND: And I would say the 9 opinion is based on her observations of Amber's 10 career. It would be helpful to the extent that 11 she's the manager. 12 MS. CALNAN: But she can't connect it to 13 Adam Waldman. 14 THE COURT: I'll sustain the objection. 15 All right. 16 MS. STEMLAND: Thank you, Your Honor, for 17 your patience. 18 THE COURT: We're done. 19 MS. VASQUEZ: And, Your Honor, just to 20 confirm: This is the last Friday and these are all 21 the depositions. 22 THE COURT: This is it; right? We are</p>
442	444
<p>1 MS. STEMLAND: And I would say that the 2 talent agent would have a basis to know what -- 3 kind of like a real estate agent would be able to 4 show you comparables, the talent agent -- 5 THE COURT: I'll allow it. 6 MS. CALNAN: And then the -- on page 300, 7 line 9, "Did Amber's allegation of domestic abuse 8 help or hurt her career?" 9 Her answer is, "It hurt her career." 10 Expert opinion and speculation. 11 MS. STEMLAND: And I would say that she's 12 the manager -- the talent manager, so she would 13 know whether there's been -- her career as been 14 hurt. 15 THE COURT: I'll sustain that objection. 16 MS. CALNAN: I think this is the last 17 one. 18 THE COURT: It has to be; there's only 19 one page left. 20 MS. CALNAN: I can't see fully, so I 21 wasn't sure. 22 On page 301, line 2, "What, if any,</p>	<p>1 done. So everybody gets their Friday back, not 2 just me; right? 3 MS. VASQUEZ: I just wanted to confirm 4 that. 5 THE COURT: Yes, no. This is it. I 6 won't have any other Fridays. We're done with all 7 depositions; right? We have got all of yours done, 8 and we did your rebuttal one, so we should be good; 9 right? 10 MS. VASQUEZ: That's correct. 11 THE COURT: All right. We're done with 12 depositions. And we're halfway through with the 13 trial. Things to celebrate. 14 All right. Thank you. 15 (At 8:43 p.m., the above hearing 16 concluded.) 17 18 19 20 21 22</p>

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<p style="text-align: right;">445</p> <p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC 2 3 I, Ashley Meredith, the officer before 4 whom the foregoing deposition was taken, do hereby 5 certify that said proceedings were electronically 6 recorded by me; and that I am neither counsel for, 7 related to, nor employed by any of the parties to 8 this case and have no interest, financial or 9 otherwise, in its outcome. 10 IN WITNESS WHEREOF, I have hereunto set my 11 hand and affixed my notarial seal this 15th day of 12 April, 2022. 13 14  15 _____ 16 Ashley Meredith, Notary Public 17 for the Commonwealth of Virginia 18 19 Virginia Notary No. 7930582 20 Virginia Notary Expires: 6/30/2025 21 22</p>	
<p style="text-align: right;">446</p> <p>1 CERTIFICATE OF TRANSCRIBER 2 3 I, Bobbi J. Fisher, do hereby certify that 4 the foregoing transcript is a true and correct 5 record of the recorded proceedings; that said 6 proceedings were transcribed to the best of my 7 ability from the audio recording and supporting 8 information; and that I am neither counsel for, 9 related to, nor employed by any of the parties to 10 this case, and I have no interest, financial or 11 otherwise, in its outcome. 12 13  14 _____ 15 Bobbi J. Fisher, RPR 16 NCRA Registered Professional Reporter (RPR) 17 Prepared: May 1, 2022 18 19 20 21 22</p>	