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VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

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JOHN C. DEPP, II, :  
Plaintiff, : Civil Action No.:  
v. : CL-2019-0002911 :  
AMBER LAURA HEARD, :  
Defendant. : Volume 1  
----- x

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Videotaped Deposition of RAQUEL ROSE PENNINGTON  
Conducted Virtually  
Thursday, January 20, 2022  
9:41 a.m.

Job No.: 424031  
Pages: 1 - 155  
Reported By: Rhonda Norberg, RPR, CSR No. 9265,  
CCRR No. 185

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Transcript of Raquel Rose Pennington, Volume 1

Conducted on January 20, 2022

<p style="text-align: right;">9</p> <p>1 Q You've been deposed before, right?</p> <p>2 A Yes.</p> <p>3 Q And you were deposed in Ms. Heard's divorce</p> <p>4 proceeding from Mr. Depp; is that correct?</p> <p>5 A Yes.</p> <p>6 Q Have you been deposed in any other matter?</p> <p>7 A No.</p> <p>8 Q I know you've been deposed before, but I'm</p> <p>9 nonetheless going to go over some ground rules with</p> <p>10 you so we're all on the same page.</p> <p>11 You understand that you're testifying under</p> <p>12 oath today, correct?</p> <p>13 A Yes.</p> <p>14 Q What is your understanding of what it means</p> <p>15 to testify under oath?</p> <p>16 A To tell the truth.</p> <p>17 Q You understand that you've been sworn --</p> <p>18 you have sworn -- excuse me -- to tell the truth</p> <p>19 under the penalty of perjury; is that correct?</p> <p>20 A Correct.</p> <p>21 Q And do you understand that perjury is a</p> <p>22 crime?</p> <p>23 A Yes.</p> <p>24 Q This deposition will be transcribed by a</p> <p>25 court reporter, meaning that the court reporter will</p>	<p style="text-align: right;">11</p> <p>1 Ms. Heard's counsel may object. Unless you</p> <p>2 specifically are directed by your counsel not to</p> <p>3 answer the question, you should answer after all</p> <p>4 objections have been stated.</p> <p>5 A Okay.</p> <p>6 Q If you need a break, please let me know.</p> <p>7 We can take a break as soon as practical. I only</p> <p>8 ask that we not take a break while a question is</p> <p>9 pending.</p> <p>10 All right?</p> <p>11 A Okay.</p> <p>12 Q Ms. Pennington, if I refer to Ms. Heard or</p> <p>13 Mr. Depp's divorce proceeding, do you know what I'm</p> <p>14 referring to?</p> <p>15 A Yes.</p> <p>16 Q And what is your understanding?</p> <p>17 A Of the divorce proceeding?</p> <p>18 Q Right.</p> <p>19 A That it was a divorce proceeding. It was a</p> <p>20 settlement of divorce.</p> <p>21 Q And I believe you already testified that</p> <p>22 you were deposed in connection with that divorce</p> <p>23 proceeding, correct?</p> <p>24 A Correct.</p> <p>25 Q Did you also submit a declaration in that</p>
<p style="text-align: right;">10</p> <p>1 transcribe my questions and your responses.</p> <p>2 Do you understand that?</p> <p>3 A Yes.</p> <p>4 Q So the court reporter can accurately</p> <p>5 transcribe your answers, please state your response</p> <p>6 clearly and refrain from responding with "uh-huh" or</p> <p>7 shaking your head, as these responses cannot be</p> <p>8 accurately transcribed.</p> <p>9 A Yes.</p> <p>10 Q Because the court reporter cannot</p> <p>11 transcribe two people speaking at once, we must do</p> <p>12 our best not to speak over each other. Please let</p> <p>13 me finish my question before you respond, and I will</p> <p>14 do my best to allow you to finish your answer before</p> <p>15 I ask my next question.</p> <p>16 Fair?</p> <p>17 A Okay.</p> <p>18 Q And if you do not understand my question,</p> <p>19 please let me know and I will try to rephrase.</p> <p>20 All right?</p> <p>21 A Okay.</p> <p>22 Q And if you respond to a question I ask, I</p> <p>23 will assume that you understand the question.</p> <p>24 A Okay.</p> <p>25 Q After I ask my question, your counsel or</p>	<p style="text-align: right;">12</p> <p>1 divorce proceeding?</p> <p>2 A I don't remember what the specific thing</p> <p>3 that I submitted was.</p> <p>4 Q Did you submit -- do you remember</p> <p>5 submitting a written declaration of some form during</p> <p>6 Mr. Depp's and Ms. Heard's divorce proceeding and</p> <p>7 Ms. Heard's obtaining a temporary restraining order?</p> <p>8 A I remember writing something. I don't</p> <p>9 remember what the legal name of it was.</p> <p>10 Q And did you sign that document that you</p> <p>11 wrote?</p> <p>12 A I believe so.</p> <p>13 Q Did you submit that declaration on behalf</p> <p>14 of Ms. Heard?</p> <p>15 MR. BRENNER: Objection; vague and</p> <p>16 ambiguous as to "submit," assumes facts.</p> <p>17 MS. VASQUEZ: You can answer the question,</p> <p>18 Ms. Pennington, if you understand it.</p> <p>19 MR. BRENNER: You can answer if you</p> <p>20 understand.</p> <p>21 THE WITNESS: Oh.</p> <p>22 I guess, yes, please define "submit."</p> <p>23 BY MS. VASQUEZ:</p> <p>24 Q You don't understand my question; is that</p> <p>25 correct?</p>

<p style="text-align: right;">57</p> <p>1 A I don't know.</p> <p>2 Q Can you think of any specific instances</p> <p>3 where Mr. Drew and Ms. Heard spent time together</p> <p>4 without you or Mr. Depp present?</p> <p>5 A I -- no, I don't recall any specific times.</p> <p>6 Q Did you ever feel like Ms. Heard was</p> <p>7 flirting with Mr. Drew?</p> <p>8 A No.</p> <p>9 MR. BRENNER: Object to form.</p> <p>10 BY MS. VASQUEZ:</p> <p>11 Q Did the way Ms. Heard interacted with any</p> <p>12 of your partners ever make you feel uncomfortable?</p> <p>13 A No.</p> <p>14 Q During the course of your friendship with</p> <p>15 Ms. Amber Heard, did you ever get in a fight with</p> <p>16 each other?</p> <p>17 A Did her and I ever get into a fight with</p> <p>18 each other?</p> <p>19 Q That's the question, yes.</p> <p>20 A We argued, yes.</p> <p>21 Q Do you recall any specific instances where</p> <p>22 you and Ms. Heard argued?</p> <p>23 A Yes.</p> <p>24 Q Okay. Can you briefly list any arguments</p> <p>25 that you can recall?</p>	<p style="text-align: right;">59</p> <p>1 Ms. Heard at Holly House; is that correct?</p> <p>2 A Uh-huh.</p> <p>3 Q What was this argument about?</p> <p>4 A I think that we were setting up for</p> <p>5 Thanksgiving and we were looking for, maybe, some</p> <p>6 glasses or some dishware. We had just moved in.</p> <p>7 And we couldn't find them anywhere; and then she</p> <p>8 finally found them in a place that I thought I had</p> <p>9 looked, and we started arguing about that.</p> <p>10 She thought that I wasn't looking hard</p> <p>11 enough, I think. And I told her that I had thought</p> <p>12 that I looked there.</p> <p>13 Yeah, I think that's what the argument was</p> <p>14 about.</p> <p>15 Q Was this just a verbal altercation or did</p> <p>16 you get physical with each other?</p> <p>17 A Yeah, I believe that we -- I believe that I</p> <p>18 pushed her.</p> <p>19 Q How did Ms. Amber Heard react to that?</p> <p>20 A She -- she either pushed or hit me back.</p> <p>21 Yeah.</p> <p>22 Q Do you know where -- where she hit you?</p> <p>23 MR. BRENNER: Objection; assumes facts,</p> <p>24 lacks foundation.</p> <p>25 THE WITNESS: I think it was on my cheek.</p>
<p style="text-align: right;">58</p> <p>1 A We had an argument in London when I was</p> <p>2 traveling with her and Johnny. We had an argument</p> <p>3 at Holly House.</p> <p>4 Q Are those the only two that you can</p> <p>5 remember?</p> <p>6 A Specifically, yeah.</p> <p>7 Q Let's go through them one by one.</p> <p>8 The argument in London, when did this fight</p> <p>9 occur?</p> <p>10 A 2015.</p> <p>11 Q What was this argument about?</p> <p>12 A I think we were planning on leaving London</p> <p>13 on a certain date and I wanted to get home because I</p> <p>14 had a -- an obligation, and we were going to be</p> <p>15 extending our trip. And, yeah, I think I felt like</p> <p>16 it was -- like inconvenient, inconsiderate.</p> <p>17 I was going to have to cancel on a lot of</p> <p>18 people because we were going to be staying longer.</p> <p>19 Q Was this just a verbal altercation?</p> <p>20 A Yes.</p> <p>21 Q Did either of you get physical?</p> <p>22 A No.</p> <p>23 Q And how was this argument resolved?</p> <p>24 A We talked it out.</p> <p>25 Q And you recalled another argument with</p>	<p style="text-align: right;">60</p> <p>1 BY MS. VASQUEZ:</p> <p>2 Q Do you recall any other physical</p> <p>3 altercations that you had with Ms. Amber Heard?</p> <p>4 MR. ROTTENBORN: Object to form;</p> <p>5 mischaracterizes testimony.</p> <p>6 THE WITNESS: No.</p> <p>7 BY MS. VASQUEZ:</p> <p>8 Q Do you recall any specific instances when</p> <p>9 you saw Amber Heard get into a fight with someone</p> <p>10 else?</p> <p>11 A No.</p> <p>12 Q Do you recall any specific instances when</p> <p>13 Amber Heard did something that made you feel bad,</p> <p>14 even if it didn't result in a fight, where you felt</p> <p>15 she was being callous?</p> <p>16 MR. BRENNER: Objection; vague, compound.</p> <p>17 MR. ROTTENBORN: Same.</p> <p>18 THE WITNESS: Yeah, can you clarify the</p> <p>19 meaning of the question, or rephrase?</p> <p>20 BY MS. VASQUEZ:</p> <p>21 Q So can you recall any specific instance</p> <p>22 when Ms. Heard did something that made you feel bad?</p> <p>23 MR. ROTTENBORN: Same objection.</p> <p>24 THE WITNESS: Sure. Yes.</p> <p>25 BY MS. VASQUEZ:</p>

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1 quote, get off his woman, end quote, what did you  
 2 personally observe Mr. Depp do that was, quote,  
 3 angry and aggressive, end quote?  
 4 **A That was -- that was what happened.**  
 5 **Then I think Amber -- I think they were --**  
 6 **Kelly and Amber were hugging on a chair out by the**  
 7 **fire. He came out of nowhere, said that, and then I**  
 8 **think that Amber and Johnny went back to the -- to**  
 9 **their trailer.**  
 10 Q Okay. My question is a little bit more  
 11 specific.  
 12 Other than hearing Mr. Depp say something  
 13 to the effect of "Get off my woman," what did you  
 14 personally observe Mr. Depp do that was, quote,  
 15 angry and aggressive?  
 16 **A That's it.**  
 17 Q Okay. How did Amber Heard react to  
 18 Mr. Depp's behavior?  
 19 MR. BRENNER: Object to form, vague.  
 20 BY MS. VASQUEZ:  
 21 Q Was she embarrassed?  
 22 **A I wouldn't call it embarrassed.**  
 23 Q Did she seem angry with Mr. Depp?  
 24 **A No.**  
 25 Q Did you hear Amber say anything to

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1 Mr. Depp?  
 2 **A I don't remember her saying anything.**  
 3 Q Did you hear Amber Heard raise her voice  
 4 when speaking to Mr. Depp?  
 5 **A No.**  
 6 Q What, if anything, do you remember about  
 7 Amber's reaction to Mr. Depp's behavior?  
 8 **A She was trying to comfort him.**  
 9 Q How was she trying to comfort him?  
 10 **A She got up and, you know, like gave him a**  
 11 **hug and just tried to calm him down, say it's okay;**  
 12 **and then I believe that's when she took him back to**  
 13 **their trailer to cool off.**  
 14 Q This evening at Hicksville, did you ever  
 15 see Amber Heard consume any drugs or alcohol?  
 16 **A I didn't see it.**  
 17 Q When you said you didn't see it, did you  
 18 assume she was doing drugs or drinking alcohol?  
 19 MR. BRENNER: Object to form, foundation.  
 20 THE WITNESS: I assumed she was drinking  
 21 wine.  
 22 BY MS. VASQUEZ:  
 23 Q You didn't see Ms. Heard drink any wine?  
 24 MR. BRENNER: Object to form, asked and  
 25 answered.

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1 THE WITNESS: Yeah, I don't -- I don't  
 2 remember a specific time watching her take a sip of  
 3 a drink.  
 4 BY MS. VASQUEZ:  
 5 Q Was she holding a drink?  
 6 **A I don't remember.**  
 7 Q This evening in Hicksville, did you see  
 8 Mr. Depp consume any drugs or alcohol?  
 9 **A I-- I didn't see -- I don't have a**  
 10 **specific image in my mind of him consuming.**  
 11 Q You testified that, quote, you learned from  
 12 Amber the next morning that Mr. Depp had been in a  
 13 rage and trashed the trailer; is that correct?  
 14 **A I did testify that, yeah.**  
 15 Q Did you personally witness Mr. Depp, quote,  
 16 in a rage, unquote, that Ms. Heard described?  
 17 MR. BRENNER: Objection; vague.  
 18 MR. ROTTENBORN: Same objection.  
 19 THE WITNESS: Did I personally witness the  
 20 rage in the trailer?  
 21 BY MS. VASQUEZ:  
 22 Q Yes.  
 23 **A No.**  
 24 Q Did you hear Mr. Depp yelling in the  
 25 trailer?

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1 **A No.**  
 2 Q Did you hear Ms. Heard yelling in the  
 3 trailer?  
 4 **A No.**  
 5 Q Did you personally see that the trailer  
 6 was, quote, trashed, as Ms. Heard described?  
 7 **A The next morning?**  
 8 Q Yes.  
 9 **A Yes.**  
 10 Q What specifically did you see in the  
 11 trailer?  
 12 **A The thing I remember specifically was the**  
 13 **light fixtures had been knocked off.**  
 14 Q But you didn't see Mr. Depp knock off the  
 15 light fixtures in the trailer; is that correct?  
 16 **A I did not see it.**  
 17 Q So the only thing you know about what  
 18 happened in that trailer is what Ms. Heard told you  
 19 and your observations of the light fixtures being  
 20 knocked off; is that correct?  
 21 MR. BRENNER: Objection; compound.  
 22 THE WITNESS: The only thing I know about  
 23 what happened in the trailer is what she told me and  
 24 what I saw the next morning.  
 25 ///

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1	THE WITNESS:	Yeah, I don't -- I don't	11:49:09
2	remember	a specific time watching her take a sip of	11:49:10
3	a drink.		11:49:13
4	BY MS. VASQUEZ:		11:49:16
5	Q	Was she holding a drink?	11:49:16
6	A	I don't remember.	11:49:18
7	Q	This evening in Hicksville, did you see	11:49:21
8	Mr. Depp	consume any drugs or alcohol?	11:49:24
9	A	I -- I didn't see -- I don't have a	11:49:26
10	specific image	in my mind of him consuming.	11:49:31
11	Q	You testified that, quote, you learned from	11:49:36
12	Amber	the next morning that Mr. Depp had been in a	11:49:38
13	rage and	trashed the trailer; is that correct?	11:49:40
14	A	I did testify that, yeah.	11:49:46
15	Q	Did you personally witness Mr. Depp, quote,	11:49:48
16	in a rage,	unquote, that Ms. Heard described?	11:49:51
17	MR. BRENNER:	Objection; vague.	11:50:00
18	MR. ROTTENBORN:	Same objection.	11:50:02
19	THE WITNESS:	Did I personally witness the	11:50:04
20	rage in the	trailer?	11:50:06
21	BY MS. VASQUEZ:		11:50:06
22	Q	Yes.	11:50:07
23	A	No.	11:50:09
24	Q	Did you hear Mr. Depp yelling in the	11:50:10
25	trailer?		11:50:15

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<p style="text-align: right;">85</p> <p>1 Q Did you observe Ms. Heard consume any 2 alcohol before she went to look for Mr. Depp? 3 A Yes. 4 Q What was she drinking? 5 A Red wine. 6 Q Did she seem drunk when she went to look 7 for Mr. Depp? 8 A No. 9 Q Did she take anything with her when she 10 went to look for Mr. Depp? 11 A I don't know. 12 Q How long were they both gone? 13 MR. ROTTENBORN: Objection; vague. 14 THE WITNESS: Less than an hour, more than 15 30 minutes. 16 BY MS. VASQUEZ: 17 Q Okay. And they returned together, correct? 18 A I don't know. 19 Q Did you observe any injuries to Ms. Heard 20 when they returned? 21 A No. 22 Q Did you observe any injuries to Mr. Depp 23 when they returned? 24 A No. 25 Q Now, you testified previously during your</p>	<p style="text-align: right;">87</p> <p>1 Q Do you remember anyone that was still there 2 when Mr. Depp and Ms. Heard came back downstairs? 3 A I believe Josh and myself, David Heard, and 4 I-- I don't remember anyone else specifically who 5 was still there. 6 Q Do you recall if Jack was still there? 7 A I don't know. 8 Q Did anyone comment on the change of 9 clothes? 10 A I don't -- I don't remember. 11 Q You testified previously, quote, that when 12 you asked Amber what happened, she told you that 13 Johnny had thrown a bottle of wine at her in the 14 bedroom; is that correct? 15 MR. ROTTENBORN: Objection to the question. 16 It's improper either impeachment or refreshing of 17 recollection. Whatever -- whatever you're trying to 18 do is inappropriate. 19 MR. BRENNER: Objection; compound. 20 THE WITNESS: Sorry. May -- can you ask 21 the question again? 22 MS. VASQUEZ: You testified that when you 23 asked Amber what happened, she told you that Johnny 24 had thrown a bottle of wine at her in the bedroom. 25 Q Do you remember that testimony,</p>
<p style="text-align: right;">86</p> <p>1 deposition in July of 2016 that they were both 2 wearing different clothes. 3 Do you remember that testimony? 4 MR. ROTTENBORN: Objection; form. 5 If you want to ask her about that, show it 6 to her. 7 THE WITNESS: Yes, please show that to me. 8 It -- it's different than the document I'm looking 9 at it? 10 MS. VASQUEZ: Yes. Let me ask it this way. 11 Q Do you remember when Mr. Depp and Ms. Heard 12 came downstairs, they were wearing different 13 clothes? 14 MR. ROTTENBORN: Objection; improper 15 attempt to refresh recollection and impeach what 16 you're trying to do. 17 THE WITNESS: Time to answer now? 18 MS. VASQUEZ: Yes. 19 THE WITNESS: I don't remember Johnny 20 changing clothes. I do remember that Amber changed 21 clothes. 22 BY MS. VASQUEZ: 23 Q Mr. Depp and Ms. Heard's guests were still 24 present when they returned; is that right? 25 A I don't remember who was still there.</p>	<p style="text-align: right;">88</p> <p>1 Ms. Pennington? 2 A The testimony that I'm looking at right 3 now, Paragraph 17? 4 Q My -- my question is do you remember 5 testifying that when you -- when you asked Amber 6 what had happened, she told you that Johnny had 7 thrown a bottle of wine at her in the bedroom? 8 MR. ROTTENBORN: Same objections. 9 MR. BRENNER: Join. 10 THE WITNESS: Same question. This 11 testifying on Paragraph 17? 12 MR. BRENNER: I think I can clear this up. 13 Sorry my video stopped working. 14 I think the disconnect is she doesn't know 15 if you're asking her about did she testify about 16 that before or if you're asking about her 17 recollection of the incident now, so that's -- 18 that's the disconnect here you're walking into. 19 MS. VASQUEZ: Got it. 20 MR. BRENNER: And I'll try to get my 21 video -- 22 BY MS. VASQUEZ: 23 Q Do you remember Amber telling you that 24 Johnny had thrown a bottle of her -- a bottle of 25 wine at her in the bedroom?</p>

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1	Ms. Pennington?	12:07:22
2	A The testimony that I'm looking at right	12:07:24
3	now, Paragraph 17?	12:07:27
4	Q My -- my question is do you remember	12:07:29
5	testifying that when you -- when you asked Amber	12:07:32
6	what had happened, she told you that Johnny had	12:07:34
7	thrown a bottle of wine at her in the bedroom?	12:07:37
8	MR. ROTTENBORN: Same objections.	12:07:42
9	MR. BRENNER: Join.	12:07:42
10	THE WITNESS: Same question. This	12:07:43
11	testifying on Paragraph 17?	12:07:45
12	MR. BRENNER: I think I can clear this up.	12:07:49
13	Sorry my video stopped working.	12:07:51
14	I think the disconnect is she doesn't know	12:07:53
15	if you're asking her about did she testify about	12:07:54
16	that before or if you're asking about her	12:07:56
17	recollection of the incident now, so that's --	12:07:58
18	that's the disconnect here you're walking into.	12:08:00
19	MS. VASQUEZ: Got it.	12:08:04
20	MR. BRENNER: And I'll try to get my	12:08:10
21	video --	12:08:13
22	BY MS. VASQUEZ:	12:08:13
23	Q Do you remember Amber telling you that	12:08:14
24	Johnny had thrown a bottle of her -- a bottle of	12:08:16
25	wine at her in the bedroom?	12:08:18

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Transcript of Raquel Rose Pennington, Volume 1  
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1	A	Yes.	12:08:20
2	Q	And you testified in Paragraph 17 to that	12:08:23
3		effect, correct?	12:08:28
4	A	Yes.	12:08:29
5	Q	You also testified that when -- quote, you	12:08:33
6		went to look and found that a full bottle of wine	12:08:45
7		had hit and broken a piece of art that Amber really	12:08:47
8		loved above the bed, and that broken glass was	12:08:53
9		scattered all over the bed.	12:08:55
10	A	Did I testify that?	12:08:57
11	Q	Yes.	12:08:59
12	A	Yes.	12:08:59
13	Q	Is that an accurate description of what you	12:09:02
14		saw?	12:09:04
15	A	Yes.	12:09:04
16	Q	And where did you see this? In what room?	12:09:07
17	A	In their bedroom of PH3.	12:09:10
18	Q	How did you get to this penthouse from	12:09:14
19		Penthouse 5?	12:09:21
20	A	I went upstairs in Penthouse --	12:09:22
21		Penthouse 5, across the top story, which all three	12:09:33
22		penthouses were connected, through to Penthouse 3 --	12:09:38
23		the bedroom was also on the top story -- and all the	12:09:43
24		way through and around.	12:09:49
25	Q	Did Ms. Heard come with you when you went	12:09:53



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<p style="text-align: right;">89</p> <p>1 A Yes.</p> <p>2 Q And you testified in Paragraph 17 to that</p> <p>3 effect, correct?</p> <p>4 A Yes.</p> <p>5 Q You also testified that when -- quote, you</p> <p>6 went to look and found that a full bottle of wine</p> <p>7 had hit and broken a piece of art that Amber really</p> <p>8 loved above the bed, and that broken glass was</p> <p>9 scattered all over the bed.</p> <p>10 A Did I testify that?</p> <p>11 Q Yes.</p> <p>12 A Yes.</p> <p>13 Q Is that an accurate description of what you</p> <p>14 saw?</p> <p>15 A Yes.</p> <p>16 Q And where did you see this? In what room?</p> <p>17 A In their bedroom of PH3.</p> <p>18 Q How did you get to this penthouse from</p> <p>19 Penthouse 5?</p> <p>20 A I went upstairs in Penthouse --</p> <p>21 Penthouse 5, across the top story, which all three</p> <p>22 penthouses were connected, through to Penthouse 3 --</p> <p>23 the bedroom was also on the top story -- and all the</p> <p>24 way through and around.</p> <p>25 Q Did Ms. Heard come with you when you went</p>	<p style="text-align: right;">91</p> <p>1 THE WITNESS: No mention of any spilled</p> <p>2 wine, correct.</p> <p>3 BY MS. VASQUEZ:</p> <p>4 Q Do you recall seeing any spilled wine?</p> <p>5 A I think there was wine -- yeah, I think</p> <p>6 there was also spilled wine on the bed and on the</p> <p>7 ground.</p> <p>8 MR. BRENNER: Can I just ask for a break</p> <p>9 when you're at a good breaking point?</p> <p>10 MS. VASQUEZ: Sure. Just a couple more</p> <p>11 questions.</p> <p>12 MR. BRENNER: Sure.</p> <p>13 MS. VASQUEZ: You testified that it was,</p> <p>14 quote, a full bottle of wine.</p> <p>15 Q Do you remember whether that bottle of wine</p> <p>16 was broken or not?</p> <p>17 A I don't remember that the bottle was</p> <p>18 broken, but there's also plenty of glasses around</p> <p>19 with wine in them that could have been part of that.</p> <p>20 There was glass everywhere.</p> <p>21 Q So you specifically remember glass being</p> <p>22 everywhere upstairs; is that fair?</p> <p>23 A On the bed mostly.</p> <p>24 Q What kind of wine bottle was it? A magnum?</p> <p>25 Red?</p>
<p style="text-align: right;">90</p> <p>1 to take a look?</p> <p>2 A I believe so.</p> <p>3 Q Did anyone else come with you?</p> <p>4 A No.</p> <p>5 I actually -- can I actually go back? I</p> <p>6 don't know if she was with me.</p> <p>7 Q Do you remember --</p> <p>8 A I might have gone by myself. I don't</p> <p>9 remember.</p> <p>10 Q That's okay.</p> <p>11 Was the bottle of wine broken?</p> <p>12 A I don't remember.</p> <p>13 Q But in this witness statement in the UK,</p> <p>14 you testified, quote, a full bottle of wine had hit</p> <p>15 and broken a piece of art.</p> <p>16 There's no mention of any spilled wine --</p> <p>17 correct? -- in that witness statement in</p> <p>18 Paragraph --</p> <p>19 MR. ROTTENBORN: Object to form, incomplete</p> <p>20 reading of that.</p> <p>21 THE WITNESS: I'm sorry. Repeat it one</p> <p>22 more time?</p> <p>23 MS. VASQUEZ: Do you mind having the</p> <p>24 question read back, Rhonda?</p> <p>25 (The question was read.)</p>	<p style="text-align: right;">92</p> <p>1 Do you remember?</p> <p>2 A It would have been red.</p> <p>3 Q Was it a magnum bottle?</p> <p>4 A I don't think so.</p> <p>5 Q What picture had been damaged?</p> <p>6 A I think it was one of -- a Leonor Fini, I</p> <p>7 believe.</p> <p>8 Q What did -- apologies, Ms. Pennington.</p> <p>9 What did it look like?</p> <p>10 A I don't remember which one.</p> <p>11 Q You didn't witness Mr. Depp throw a bottle</p> <p>12 of wine at Ms. Heard that evening, correct?</p> <p>13 A Correct.</p> <p>14 Q And this is just what Ms. Heard told you,</p> <p>15 right?</p> <p>16 MR. ROTTENBORN: Object to form, misstates</p> <p>17 testimony.</p> <p>18 MR. BRENNER: Join.</p> <p>19 THE WITNESS: The incident is just what she</p> <p>20 told me?</p> <p>21 BY MS. VASQUEZ:</p> <p>22 Q The fact that Mr. Depp -- Mr. Depp threw a</p> <p>23 bottle at Ms. Heard that evening, you didn't see</p> <p>24 that happen, so it's just based on what Ms. Heard</p> <p>25 told you, correct?</p>

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1	Do you remember?	12:12:55
2	A It would have been red.	12:12:55
3	Q Was it a magnum bottle?	12:13:01
4	A I don't think so.	12:13:02
5	Q What picture had been damaged?	12:13:06
6	A I think it was one of -- a Leonor Fini, I	12:13:11
7	believe.	12:13:31
8	Q What did -- apologies, Ms. Pennington.	12:13:31
9	What did it look like?	12:13:36
10	A I don't remember which one.	12:13:37
11	Q You didn't witness Mr. Depp throw a bottle	12:13:38
12	of wine at Ms. Heard that evening, correct?	12:13:41
13	A Correct.	12:13:45
14	Q And this is just what Ms. Heard told you,	12:13:46
15	right?	12:13:51
16	MR. ROTTENBORN: Object to form, misstates	12:13:51
17	testimony.	12:13:53
18	MR. BRENNER: Join.	12:13:56
19	THE WITNESS: The incident is just what she	12:13:57
20	told me?	12:13:59
21	BY MS. VASQUEZ:	12:14:02
22	Q The fact that Mr. Depp -- Mr. Depp threw a	12:14:05
23	bottle at Ms. Heard that evening, you didn't see	12:14:06
24	that happen, so it's just based on what Ms. Heard	12:14:08
25	told you, correct?	12:14:11

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110	<p>1 MS. VASQUEZ: If you could go to Page 28 of</p> <p>2 the PDF, specifically Page 2309, which is on the top</p> <p>3 right of the page.</p> <p>4 Ms. Pennington, if I could have you read to</p> <p>5 yourself from Line 5 through -- actually, I'm going</p> <p>6 to have you start on Page 2308, which is the bottom</p> <p>7 left. Apologies for how annoying and confusing this</p> <p>8 document is; but if I could have you start on Line 9</p> <p>9 and read through Line 4 on 2310.</p> <p>10 So if you'll read the bottom left box, the</p> <p>11 bottom -- the top right box, and halfway down the</p> <p>12 bottom right box.</p> <p>13 Q So you testified that Ms. Heard had a</p> <p>14 laceration on her forehead when you saw her,</p> <p>15 correct?</p> <p>16 A Yes.</p> <p>17 Q If you remember, where on her forehead was</p> <p>18 this laceration?</p> <p>19 A By the hairline.</p> <p>20 Q Was it on the right or left side?</p> <p>21 A I don't remember.</p> <p>22 Q Was the laceration bleeding?</p> <p>23 A I don't think so.</p> <p>24 Q Sitting here today, did you observe any</p> <p>25 other injury to Ms. Heard that evening that you</p>	112	<p>1 penthouse that night as well?</p> <p>2 A I don't know if she came over that night.</p> <p>3 Q Do you recall at any point Erin Boerum</p> <p>4 saying to you that Ms. Heard had had a concussion?</p> <p>5 MR. ROTTENBORN: Object to form,</p> <p>6 foundation.</p> <p>7 THE WITNESS: I don't believe she -- she</p> <p>8 wasn't there to diagnose.</p> <p>9 BY MS. VASQUEZ:</p> <p>10 Q Do you recall Ms. Boerum providing any</p> <p>11 advice or recommendations to you on the phone?</p> <p>12 A I think she said to, maybe, not let her go</p> <p>13 to sleep and to listen to her speech, keep an eye on</p> <p>14 her.</p> <p>15 Q And you did that?</p> <p>16 A Yes.</p> <p>17 Q You testified in Paragraph 20 that on</p> <p>18 December 15th, 2015, you took pictures of</p> <p>19 Ms. Heard's injuries on your phone; is that correct?</p> <p>20 A Yes.</p> <p>21 Q Did you --</p> <p>22 A I don't -- I don't know if it was on my</p> <p>23 phone or her phone.</p> <p>24 Q Do you see the third line down, you say "my</p> <p>25 phone"?</p>

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1	Q	How did you know that the hair clearly	01:17:31
2		belonged to Amber?	01:17:38
3	A	Hair had been ripped out of her scalp and	01:17:41
4		it was her color on the floor of her apartment.	01:17:50
5	Q	But you didn't see the hair get ripped out	01:17:57
6		of her head, right?	01:18:00
7	A	Correct.	01:18:02
8	Q	So your understanding that this was	01:18:04
9		Ms. Heard's hair that was ripped out of her head was	01:18:09
10		based on what Ms. Heard told you, right?	01:18:11
11	MR. BRENNER:	Objection; misstates	01:18:15
12		testimony.	01:18:17
13	MR. ROTTENBORN:	Same objection.	01:18:17
14	THE WITNESS:	Repeat the question, please?	01:18:21
15	MS. VASQUEZ:	Could I have it read back,	01:18:21
16		please?	01:18:21
17		(The question was read.)	01:18:39
18	THE WITNESS:	My understanding that it was	01:18:39
19		Ms. Heard's hair was what I saw on her body and on	01:18:41
20		the floor.	01:18:45
21	BY MS. VASQUEZ:		01:18:46
22	Q	And the fact that it had been, quote,	01:18:51
23		ripped out of her head, that was based on what	01:18:54
24		Ms. Heard told you, right?	01:18:56
25	MR. BRENNER:	Same objection.	01:19:00

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1	MR. ROTTENBORN: Join.	01:19:03
2	THE WITNESS: Yes, and common sense.	01:19:05
3	MS. VASQUEZ: Move to strike everything	01:19:09
4	after "Yes."	01:19:10
5	If we could pull up Pennington Exhibit 7,	01:19:11
6	please. It bears the Bates Pennington 13.	01:19:16
7	THE VIDEOCONFERENCE TECHNICIAN: Showing	01:19:28
8	Exhibit 7 on the screen.	01:19:29
9	MR. ROTTENBORN: And I'll just object to	01:19:35
10	those motions to strike just for the record.	01:19:38
11	Obviously, you don't get to strike testimony just	01:19:40
12	because you don't like it.	01:19:42
13	MS. VASQUEZ: And again I'm going to object	01:19:47
14	to your speaking objections. You know better than	01:19:50
15	that, Ben.	01:19:52
16	(Exhibit No. 7 was marked for	01:19:52
17	identification by the	01:19:52
18	videoconference technician;	01:19:52
19	attached hereto.)	01:19:52
20	BY MS. VASQUEZ:	01:19:53
21	Q Ms. Pennington, do you recognize the	01:19:53
22	photograph?	01:19:55
23	A Yes.	01:19:57
24	Q Is this the picture of a clump of hair on	01:20:00
25	the floor that you referenced in your prior	01:20:03

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<p style="text-align: right;">121</p> <p>1 Q How did you know that the hair clearly 2 belonged to Amber? 3 A <b>Hair had been ripped out of her scalp and 4 it was her color on the floor of her apartment.</b> 5 Q But you didn't see the hair get ripped out 6 of her head, right? 7 A <b>Correct.</b> 8 Q So your understanding that this was 9 Ms. Heard's hair that was ripped out of her head was 10 based on what Ms. Heard told you, right? 11 MR. BRENNER: Objection; misstates 12 testimony. 13 MR. ROTTENBORN: Same objection. 14 THE WITNESS: Repeat the question, please? 15 MS. VASQUEZ: Could I have it read back, 16 please? 17 (The question was read.) 18 THE WITNESS: My understanding that it was 19 Ms. Heard's hair was what I saw on her body and on 20 the floor. 21 BY MS. VASQUEZ: 22 Q And the fact that it had been, quote, 23 ripped out of her head, that was based on what 24 Ms. Heard told you, right? 25 MR. BRENNER: Same objection.</p>	<p style="text-align: right;">123</p> <p>1 testimony? 2 MR. BRENNER: Objection; vague. 3 THE WITNESS: Yes. 4 BY MS. VASQUEZ: 5 Q Did you take this photograph? 6 A <b>Yes.</b> 7 Q Did you take it on your phone? 8 A <b>Yes.</b> 9 Q And before you took this photograph, did 10 you move the hair in any way? 11 A <b>No.</b> 12 Q So this picture is the clump of hair 13 exactly as you found it, right? 14 A <b>Correct.</b> 15 Q And when did you take this photograph? 16 A <b>When I was taking the other photographs.</b> 17 Q Did you send this picture to Ms. Heard? 18 A <b>I don't remember.</b> 19 Q Did you send the picture to anyone? 20 A <b>I don't remember.</b> 21 Q And you didn't alter this photo in any way, 22 correct? 23 A <b>I did not alter this photo.</b> 24 Q Do you recall taking a photograph of a 25 wooden platform bed which had a partially broken bed</p>
<p style="text-align: right;">122</p> <p>1 MR. ROTTENBORN: Join. 2 THE WITNESS: Yes, and common sense. 3 MS. VASQUEZ: Move to strike everything 4 after "Yes." 5 If we could pull up Pennington Exhibit 7, 6 please. It bears the Bates Pennington 13. 7 THE VIDEOCONFERENCE TECHNICIAN: Showing 8 Exhibit 7 on the screen. 9 MR. ROTTENBORN: And I'll just object to 10 those motions to strike just for the record. 11 Obviously, you don't get to strike testimony just 12 because you don't like it. 13 MS. VASQUEZ: And again I'm going to object 14 to your speaking objections. You know better than 15 that, Ben. 16 (Exhibit No. 7 was marked for 17 identification by the 18 videoconference technician; 19 attached hereto.) 20 BY MS. VASQUEZ: 21 Q Ms. Pennington, do you recognize the 22 photograph? 23 A <b>Yes.</b> 24 Q Is this the picture of a clump of hair on 25 the floor that you referenced in your prior</p>	<p style="text-align: right;">124</p> <p>1 frame? 2 A <b>I do.</b> 3 Q And did you photograph the bed just as you 4 found it? 5 A <b>Yes.</b> 6 Q You didn't move anything off or onto the 7 bed? 8 A <b>No.</b> 9 Q Where was the bed broken, if you remember? 10 A <b>It was a platform bed and the edge of the 11 platform had like a -- a long shard of wood off the 12 corner -- or like off the edge.</b> 13 Q Where was the broken bed? In which 14 penthouse? 15 A <b>4.</b> 16 Q In which room? 17 A <b>The bedroom.</b> 18 MS. VASQUEZ: I'm going to show you a 19 document that will be marked Pennington Exhibit 8. 20 It bears the Bates number Pennington 5. 21 THE VIDEOCONFERENCE TECHNICIAN: Stand by. 22 (Exhibit No. 8 was marked for 23 identification by the 24 videoconference technician; 25 attached hereto.)</p>