

TRANSCRIPT OF THE POOL TV FEED FROM DEPP v HEARD

FAIRFAX COUNTY COURT Tuesday 26 April 2022

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Bailiff: Circuit Court of Fairfax County is now in session. You have Penney Azcarate to preside.

Judge Azcarate: [inaudible 00:00:04].

Bailiff: Please be seated.

Judge Azcarate: All right. Good morning.

Together: Good morning, Your Honor.

Judge Azcarate: Do we have any preliminary matters before we have the jury?

Elaine: Yes, Your Honor. May we approach, please.

Judge Azcarate: Yes, sure. All right. Thank you. Good morning, ladies and gentlemen. All right, next witness.

Stephanie: Good morning, Your Honor. Plaintiff calls Tara Roberts.

Judge Azcarate: All right. Let's see if we can get her on here. Ms. Roberts, can you hear me? Can you hear me, Ms. Roberts? Ms. Roberts? I can see her.

Man: [inaudible 00:00:50].

Judge Azcarate: Excuse me?

Man: [inaudible 00:00:54].

Judge Azcarate: Yeah. Can you bring him in? See if she's on mute or not.

[00:01:02]

[Silence]

[00:01:18]

Stephanie: [inaudible 00:01:19].

Judge Azcarate: She's right there. Oh, can you hear me, Ms. Roberts?

Tara: Yes, I can.

Judge Azcarate: Okay. Great. Can you raise your right hand for me? Do you swear or affirm to tell the truth under penalty of law?

Tara: Yes, I do.

Judge Azcarate: Okay. Thank you, ma'am. We can't see her on the big screen. Just do it split screen so we can start, please.

Man: Press the button.

Judge Azcarate: All right. Go ahead and ask your question. Go ahead. It's the best we can do right now.

Stephanie: Okay. Good morning. Would you please state your name for the record?

Tara: Tara Lee Roberts.

Stephanie: Ms. Roberts, how do you know Johnny Depp?

Tara: I manage his island in the Exuma Cays in The Bahamas for the past 15 years.

Stephanie: Ms. Roberts, where do you live?

Tara: I live on the island, and I have a home in Nassau and in Long Island, The Bahamas, which I try to get to as frequently as possible.

Stephanie: Can you please describe Mr. Depp's private island, generally?

Tara: My duties on the private island would be to maintain the island, the buildings, the house, his logistics, not included or limited to provisioning fuel, gas, groceries, just day-to-day operations, staff, and kind of like an estate just in the middle of nowhere.

Stephanie: Okay. Your Honor, I would like to pull up Plaintiff's Exhibit 49, which has previously been submitted into evidence.

Judge Azcarate: Okay.

Stephanie: And Mr. Gibson, if you could play this. And, Your Honor, if we could publish this to the jury. Thank you. We can take that down.

Ms. Roberts, do you recognize what is shown in that video?

Tara: Yes, that's Johnny's house on the island.

Stephanie: Okay. Thank you. Mr. Gibson, can you please pull up Plaintiff's Exhibit 348? And this hasn't been submitted into evidence yet, so let's first just play that for Ms. Roberts.

Judge Azcarate: All right.

[00:03:53]

[Video]

[00:04:08]

Stephanie: Ms. Roberts, do you recognize what is shown in that video?

Tara: Yeah. That's his house and closet area.

Stephanie: Okay. Your Honor, plaintiff moves to submit this into evidence.

Elaine: No objection.

Stephanie: All right, 348 in evidence.

Judge Azcarate: Do you wish to have it published?

Stephanie: Yes. Can we please publish that to the jury? And Mr. Gibson, once it's published, if you could play that again.

[00:04:34]

[Video]

[00:04:49]

And, Ms. Roberts, what is that doorway with the beads that was just shown in that video?

Tara: That's the entrance to the closet.

Stephanie: Okay. Thank you. We can take that down.

Tara: In his house.

Stephanie: Thank you. Ms. Roberts, I believe you mentioned that you manage staff on the island. How many people work with you on the island?

Tara: Myself and three others. There's Jason Major, who goes by CJ, Steven Farrow, and Rico Major.

Stephanie: I believe the witness is not being shown to the jury right now on their screens. Thank you.

Judge Azcarate: No, the witness. There you go.

Stephanie: Thank you. Ms. Roberts, how are you compensated for your work on the island?

Tara: I receive a monthly salary.

Stephanie: Other than this monthly salary, what other sources of income do you have?

Tara: I get dividends and rental from family properties and businesses that we have.

Stephanie: Since you've been working for Mr. Depp, how often have you seen him?

Tara: On average, two, three times a year. Sometimes, it was longer, more visits. Sometimes, I didn't see him for a period of time, depending on what his schedule was or what was happening on the island.

Stephanie: And how would you describe your interactions with Mr. Depp?

Tara: The island was a very family atmosphere, dinners together. He's very social, funny, humorous, very kind with all of us, and very outgoing, enjoyed working with him and for him.

Stephanie: When you first started working on Mr. Depp's island, who would come down to the island?

Tara: At the beginning, it was Vanessa and the children. When he started taking Amber...

Elaine: Objection, relevance.

Judge Azcarate: All right. Hold on a minute, ma'am. The objection?

Elaine: Relevance.

Stephanie: It goes to just Ms. Robert's knowledge of who came down to the island with Mr. Depp.

Judge Azcarate: We can move forward. Next question.

Stephanie: Okay. Well, Ms. Roberts, are you aware if Mr. Depp brought...or how often did Mr. Depp bring guests with him to the island?

Tara: I guess he would bring Amber and Amber with her friends. And also, on one of the occasions, I had Paul Bettany and his wife and his children here on one of the trips.

Stephanie: And when did the Bettanys come down to the island?

Tara: Sometime in the summer of July 2013.

Stephanie: What happened when the Bettanys came down?

Tara: It was a normal trip. We had an incident where I was asked to have Amber leave the island. I scheduled a flight for her to leave to go to Florida that morning. And then that afternoon, I was told to bring her back, and I arranged for a flight for her to come back that afternoon to the island.

Stephanie: When did you first meet Ms. Heard?

Tara: I believe it was shortly after they started dating.

Stephanie: What was your impression of Ms. Heard when you first met her?

Elaine: Objection.

Tara: Oh, they were very much in love.

Elaine: Relevance. Oh, it was all right.

Judge Azcarate: Okay. Go ahead, next question. Go ahead.

Stephanie: I think Ms. Bredehoff withdraw her objection.

Judge: Yes, go ahead.

Stephanie: Okay. So, Ms. Roberts, you can answer. What was your impression of Ms. Heard when you first met her?

Tara: Oh, they were very nice, a couple in love. She cooked for him, cleaned up, they took care of each other. They were a very happy couple.

Stephanie: When, if at all, did that change?

Tara: With each visit, it changed more of... It was not like an island life anymore. It was more of wines and more requests, simple things, toiletries, to have things here in place before they came or she came as well. So, you know, luggage change, we got more and more luggage. I mean, just things evolved and kind of mushroomed a bit.

Stephanie: How often would you see Ms. Heard on the island when she was in a relationship with Mr. Depp?

Tara: On average, every day, taking meals, cleaning houses, sometimes more.

Stephanie: And how often would Ms. Heard come down to the island?

Tara: At the beginning, probably the same, two or three times a year, sometimes three times with her friends and family and Johnny.

Stephanie: During your interactions with Ms. Heard, what, if any, changes did you observe of Ms. Heard?

Tara: The taking care of, the cook and the meals... We then had a chef come to cook. It was more of a formal island with chefs and housekeepers and things like that changed. And, yeah, pretty much that.

Stephanie: Ms. Roberts, were you on the island in August 2014 for Mr. Depp's detox?

Tara: Yes, I was.

Stephanie: Who else was on the island?

Tara: I flew to Nassau and met Johnny, Amber, and Deb. I brought them, flew them back to the island, and then couple...

Stephanie: Ms. Roberts, I believe you froze there for a second. I heard you say Johnny, Amber, and Deb, and then you were cut off for a second.

Tara: A couple of days later, Dr. Kipper arrived.

Stephanie: Okay. What do you recall about that time that Mr. Depp came down to the island in August 2014?

Tara: That he was gonna be here, they were gonna be here for extended period of time, at least a month or longer. And so, we provisioned for a month for the trip. And after about a week or two, they left.

Stephanie: Where was Mr. Depp staying for the detox?

Tara: In his house.

Stephanie: Is that the same house that was just shown in those videos earlier?

Tara: Yes, it was.

Stephanie: How often would you see Mr. Depp when he was on the island for the detox?

Tara: Every day, but not face-to-face, just from delivering, replenishing the house, delivering supplies, water, and things like that, linens and changing things out, so glimpsing him, not a conversation as it used to be.

Stephanie: How was Mr. Depp when you saw him?

Tara: He was always asleep on the couch.

Stephanie: While Ms. Heard was on the island for the detox, what, if any, injury did you observe on Ms. Heard?

Tara: I didn't see anything.

Stephanie: After Mr. Depp and Ms. Heard left the island, what happened next?

Tara: We would go into the house and break it down, empty out the refrigerators, change the linens, collect the laundry, straighten the house back up again.

Stephanie: After they left, what, if any, property damage did you observe?

Tara: There wasn't any.

Stephanie: Okay. Ms. Roberts, to what extent were you involved in Mr. Depp and Mrs. Heard's wedding in February 2015 on the island?

Tara: Pretty much all aspects of it, logistics, work permits, getting things set up on the island, to the island staff, provisions, building of the tents, and organizing transportation of guests to and from the island.

Stephanie: When did you first hear that Mr. Depp and Ms. Heard were getting married on the island?

Elaine: Objection, calls for hearsay and relevance.

Judge Azcarate: What's the relevance when she heard?

Stephanie: I can move on.

Judge Azcarate: Okay. Next question.

Stephanie: What communications, if any, did you have with Ms. Heard about the wedding?

Tara: We were given information on a schedule to better help me schedule and the provisioning of what would be on the island, beverages, and food, and things like that. We were given a schedule for daily, things were gonna happen each day, what time foods were when people were coming in, how many people would be at meals, just so I had a better idea of planning of what was happening. It was detailed. It was what was happening each day. And then it was the rehearsal night, and there would be, you know, we had schedule, like it would be dinner, dancing, drugs, music. And then the wedding, we were very conscious about doing the wedding.

The next day, we were doing the wedding and the ceremony, and we were specific on time. Privacy was very important. We were very careful of people taking pictures. I think everybody was given disposable cameras and asked not to take pictures.

I was concerned about that also, but we were doing the ceremony at sunset, so there really wouldn't be issue with, what, paparazzi people and things like that. And shortly when the ceremony was about to happen, it actually happened earlier than it was scheduled. The bridal party and Amber showed up early, and we were still scrambling for flowers and setting up and getting beverages and snacks down there. And there was a plane circling overhead, and it would just... It kept on circling and circling and taking pictures, and the ceremony proceeded earlier than was scheduled.

Stephanie: Did you observe Mr. Depp drinking alcohol at the wedding?

Elaine: Objection, leading.

Judge Azcarate: All right. I'll sustain the objection.

Stephanie: Okay. Ms. Roberts, as part of the provisioning for the wedding, did you order alcohol for the wedding?

Elaine: Objection, leading.

Judge Azcarate: Sustained.

Stephanie: Okay. Ms. Roberts, what did you order for the wedding in February 2015?

Tara: I was given a list of food, I was given a list of beverages for wine, champagnes. I was asked to have Dr. Pepper and sugar-free Red Bull here because, at that time, that was what Mr. Depp or Johnny was drinking was Dr. Pepper and sugar-free Red Bull.



Stephanie: Okay. Did you observe Ms. Heard drinking alcohol at the wedding?

Elaine: Objection, leading.

Judge Azcarate: Sustained.

Stephanie: Who did you observe drinking alcohol at the wedding?

Tara: Pretty much everybody was drinking and doing shots and celebrating. It was a party.

Stephanie: Ms. Roberts, I'd like to discuss with you when Mr. Depp and Ms. Heard were on the island in December of 2015. Who came down to the island with them?

Tara: I flew to Nassau to meet them, which is what I normally do. I meet himself, Johnny, and whoever comes to the island. I fly to Nassau to meet them just to make sure that the transition is smooth with customs and immigration. So, I flew to Nassau, and I met Johnny, Amber, his children, and a friend of the children, and load the luggage onto the caravan plane, and we boarded the plane and came to the island. And a couple of days into the trip, Alice and Greg and Alice's three children, and a nanny came to the island as well.

Stephanie: Who are Alice and Greg?

Tara: Alice is a clothes designer, and Greg was her partner. And I believe he's a photographer.

Stephanie: When did you first interact with Ms. Heard when she came to the island in December 2015?

Tara: At the airport, when I flew to Nassau to meet everybody. Usually, when they come down off the plane, you know, there's hugs and kisses and chatting for a couple of minutes while the luggage is transferred.

Stephanie: How close were you to Ms. Heard?

Tara: Close, hug, kiss, you know, how-are-you talk, the same with everybody, so face-to-face, cheek to cheek.

Stephanie: What, if any, makeup did you observe Ms. Heard wearing when you first interacted with her?

Tara: I don't recall if she was or was not wearing makeup. If she wore makeup, it was very natural, but I don't think often she wore makeup on the island. I don't recall her wearing makeup.

Stephanie: What, if any, injuries did you notice on Ms. Heard?

Tara: I didn't notice any.

Stephanie: Ms. Roberts, you mentioned that Gregory, a photographer, came to the island during that time. How often did you observe Gregory on the island?

Tara: I interacted every day because meals went down and changing the sheets and cleaning the room. So, I see everybody every day there.

Stephanie: And when you saw him, what was he doing?

Tara: There was a photo shoot on the island. Amber was wearing Alice's clothes, and they were doing a photo shoot on the beach, and Greg was taking the pictures.

Stephanie: Okay. What, if anything, do you remember about that particular time that Mr. Depp and Ms. Heard came down to the island?

Tara: There was an incident between Johnny and Amber here during that trip.

Stephanie: Okay. Can you please describe that incident?

Tara: One of the evening, we kind of called it a night. Dinner was finished. We wrapped everything up down here at the staff area and the kitchen. Myself and CJ came to the office later on that evening. And Johnny was in the office up here, and he was agitated, kind of walking back and forth. I'd asked him if he needed anything, because I wasn't sure what...if he was up here to get something or was looking for something, which wouldn't be unusual for people to come up here.

So, he was here, talked for a couple of minutes, the three of us. And a couple of minutes later, Amber came into the office. And the three of us were in the office and Amber came in and she was asking him to...telling him to come back to the house. "Please, come back, I'm sorry, come back." And he stood here, reluctant to go, didn't wanna go.

And a little exchange back and forth. He left the office and got into his vehicle and started it up. And Amber went outside and stood in front of the vehicle so that he didn't drive away. She was standing, Amber was standing in front of it. And again, she was asking him to, "Don't leave. I'm sorry. Come back to the house." After a couple of minutes, she got in the vehicle, and they left to go up back to their house.

Stephanie: What happened after they went back up to the house?

Tara: CJ and I were still in the office and weren't really sure, decided that maybe it would be best if we just drove up there just to make sure that everything was okay. And so, we got in the golf cart, and we drove up to their house. We've gone to the parking lot, and his vehicle was in the parking lot.

And you could hear them inside the...you could hear inside the house yelling, Amber yelling, and Johnny answering back. You could really hear what was being said. We stood there for a couple of minutes, CJ and myself. And then you started to hear, it became audible, Amber was telling him that he was a washed-up actor, he was gonna die a fat, lonely old man. Then you heard, "You hit me with a can." We heard Johnny say, "You hit me with a can."

And then he came down the steps and Amber was behind him, and she had a bottle in her hand. It was removed and there was a brief pause, the moment, I think, of initial shock or uncertainty of why, you know, that we were there. Neither Johnny nor Amber knew that we were there.

He proceeded to walk back to the John Deere, and she again walked... He was sitting in the seat. Amber came up to him and was asking him to come back in the house that she was sorry. "Please, come back in the house." And he didn't come out of the seat, and she was hugging and kissing him and, "I love you. I love you." She was telling him, "I loved you." He didn't react. Johnny sat there, eventually got out of the John Deere and proceeded to...started to walk away.

At that time, Amber started to grab at him and his shirt and trying to pull him back to the house, just basically, viciously, trying to pull him back and get him back into the house and yelling at him. And at that point, I was between them and felt it was best... And I was getting worried about what was gonna happen and it was best that I remove him from the situation. And so, CJ took Amber back to the house, and I walked Johnny over to the café, which was basically 30 seconds away from the house, because it was the only place, I could take him to at the time.

Stephanie: And you mentioned that Ms. Heard was viciously trying to pull Mr. Depp back. Can you explain what you mean by that?

Tara: It was like clawing, grabbing on his clothes, grabbing his hair, trying to, like, pull him back like a angry... Like, he was leaving and, "Come back." He couldn't leave in the vehicle because the keys had been taken out. So, there wasn't a way for Johnny to drive away. The only way was for him to walk away. And it wasn't a pleasant situation of

wanting him to not leave and angry and just yelling, you know, "Come back. Come back. Don't leave," and things like that.

Stephanie: At any point, did Mr. Depp hit or touch Ms. Heard?

Elaine: Objection, leading.

Judge Azcarate: All right, I'll sustain the objection.

Stephanie: Ms. Roberts, how did Mr. Depp react to Ms. Heard viciously grabbing him?

Tara: He didn't. He stood there with his arms by his side, and he didn't do anything.

Stephanie: Okay. Mr. Roberts, when you were back in the café with Mr. Depp, what happened next?

Tara: I was concerned because I had heard him say that he got [inaudible 00:26:35].

Elaine: Objection. Objection to her being concerned because that's not a response to the question.

Judge Azcarate: I'll sustain as to concerned, all right?

Stephanie: Okay. Ms. Roberts, without testifying as how you felt, what did you observe when you went back to the café with Mr. Depp?

Tara: When we went back to the café, he had a mark across the bridge of his nose. I got a bag of ice to put on it just so that it wouldn't swell, just to make sure that it wasn't bleeding, and he walked over to the love seat at the café, and he laid down and went to sleep. And CJ came back over, and I asked CJ to stay there for the remainder of the evening, for the remainder of the morning. And I left CJ inside the café, and I left Johnny on the couch.

Stephanie: When did you next see Ms. Heard?

Tara: That morning. I saw her that morning.

Stephanie: How close were you to Ms. Heard when you interacted with her the next morning?

Tara: Conversation, a feet away.

Stephanie: When you saw her, how did she appear?

Tara: They had guests leaving, and it was kind of a normal morning, going down to the beach to see the guests leave.

Stephanie: What, if any, makeup was Ms. Heard wearing?

Tara: Again, I'm not sure if she wore makeup on the island. If it was, it was very natural-looking.

Stephanie: What, if any, injuries did you observe on Ms. Heard?

Tara: I didn't observe any.

Stephanie: What, if any, injuries did you observe on Mr. Depp?

Tara: The marking across the bridge of his nose.

Stephanie: When did Ms. Heard and Mr. Depp leave the island?

Tara: I believe they left that afternoon. The guests left in the morning, and I believe they left that afternoon.

Stephanie: After Ms. Heard and Mr. Depp left the island, what did you do next?

Tara: Our usual, we go into the buildings, and we break them down. We empty out the refrigerators, garbage, take all the perishables out of the house, straighten the place up, take the linens away, things like that.

Stephanie: What did you observe when you went through that process?

Tara: The island was as it was when they arrived. The only thing that was different was there was the liquid on the deck with a can, I believe, of mineral spirits or something there next to it, which had leaked out onto the deck. And then, over the railing, were paint brushes and art supplies. Paint brushes, paint tubes, big jars of the paint's serine, and those were all scattered in the bush.

Stephanie: Ms. Roberts, when was the first time you provided testimony about this incident in December 2015?

Tara: I believe it was for another case in May 2020.

Stephanie: Ms. Roberts, how often have you seen Mr. Depp drink alcohol on the island?

Tara: He goes through periods of time where he's been here and he doesn't drink, and it's non-alcoholic Becks or something like that. It varies. Sometimes he drinks when he is here, sometimes he doesn't.

Stephanie: How often have you seen Ms. Heard drink alcohol on the island?

Tara: She drank wine. She drank wine with her... Her drink was wine with dinner, maybe in the afternoon, but I know definitely with dinner.

Stephanie: Did you observe Ms. Heard drinking alcohol when Mr. Depp was not drinking alcohol?

Elaine: Objection, leading.

Judge Azcarate: Sustained, it's leading.

Stephanie: Okay. How often have you seen Mr. Depp drunk?

Tara: I wouldn't know. He has a huge tolerance for alcohol. I haven't seen him passed out drunk or anything like that. So, he drinks, but I haven't seen him passed out drunk.

Stephanie: Okay. Thank you, Ms. Roberts. Nothing further.

Judge Azcarate: All right. Cross-examination.

Elaine: Thank you, Your Honor. Ms. Roberts, the salary you receive for managing the Bahama island is approximately \$10,000 a month, correct?

Tara: Correct.

Elaine: Okay. And so, that comes out to \$120,000 a year, correct?

Tara: Correct, yes.

Elaine: Okay. And you've been receiving that salary for many years, correct?

Tara: Correct.

Elaine: Right. In fact, I think you got a raise to \$10,010 in 2018. Do you remember that?

Tara: No. I don't know the exact number, but I know I get that a month.

Elaine: Okay. And that's in addition to all of the expenses, correct? For running the island?

Tara: The expenses?

Elaine: Of running the island.

Tara: I get a salary every month. I'm not sure what you're asking me.

Elaine: So, the other people that are on the island, to the extent they work, they get a different salary, right?

Tara: Yes.

Elaine: Okay. And all of the expenses you have, you talked about what you have to do to provision the island and everything else and run it. All of those expenses are paid separately, correct?

Tara: Correct.

Elaine: Okay. And you said you've been managing this island for 15 years for Mr. Depp, is that correct?

Tara: Approximately, yes.

Elaine: All right. Now, let's talk for a moment about those two videos that you testified to were part of the house. The first video was missing both the closet and the bathroom, correct?

Tara: I don't remember. I'd have to look at it again.

Elaine: All right. And the second...

Tara: It was a [inaudible 00:33:20]. Sorry, go ahead.

Elaine: Go ahead. I'm sorry. You didn't come through. Go ahead.

Tara: No. I'm sorry. I think in the first video, the beads were the closet, and then there was the bathroom next to the closet. Isn't that what you asked me?

Elaine: Okay. That was the second video.

Tara: Oh, sorry.

Elaine: Do you know who took those videos?

Tara: Oh, I did.

Elaine: Okay. When did you take those videos?

Tara: Oh, it would have to be... I'm not sure, a couple of years ago, maybe longer.

Elaine: Okay.

Tara: I'm not sure.



Elaine: Okay. Did you take those videos for the UK trial?

Tara: I don't recall if it was for that.

Elaine: All right. Is there a reason that the closet and the bathroom were left out of the first video?

Tara: No. No, I stood in the house and did a circle around of the house.

Elaine: Okay. Who asked you to make that video?

Tara: I'm not sure. I'm not sure.

Elaine: Was it Mr. Waldman? Adam Waldman?

Tara: I'm not sure. I don't know.

Elaine: Can't recall?

Tara: I can't remember who asked me. No, I can't.

Elaine: Okay. Now, the second video that shows the closet and then there's a door there. Would you agree that door opens up into a bathroom?

Tara: Next to the closet? Yes.

Elaine: Okay. And we don't have a video of the bathroom, correct?

Tara: I don't believe there was a video of the bathroom.

Elaine: And no one asked you to make a video of the bathroom, correct?

Stephanie: Objection, relevance.

Judge Azcarate: I'll overrule it. Yeah. Okay.

Elaine: Correct?

Tara: Oh, sorry. I'm not sure if anybody asked me to. I don't believe I videotaped the bathroom.

Elaine: And my question was, and no one asked you to videotape the bathroom, correct?

Tara: Correct.

Elaine: Okay. Now, let's talk for a moment about the logistics of the island. So, Mr. Depp's house, we've seen the inside of, and you said that the café was a 30-second walk, I think you said? How many yards?



Tara: Yeah. I don't know. I walk it. It's just outside his house, through the parking lot and walkway to the café.

Elaine: Okay. And...

Tara: I don't know.

Elaine: Okay. And the café is where Mr. Depp would regularly have his meals, correct?

Tara: Correct. All the guests would have their meals there.

Elaine: Okay. Including Mr. Depp and Ms. Heard, if she was there, and their children, correct?

Tara: Correct.

Elaine: Okay. And then...

Tara: For dinners, yes.

Elaine: And then you were located on the other side of the island, correct? That's where you stay?

Tara: Or I stay in the middle of the island, yes.

Elaine: Okay. How far away is that from the café and the house?

Stephanie: Objection, compound.

Judge Azcarate: I'll sustain the objection.

Elaine: How far away is it from the house?

Tara: Where I stay?

Elaine: Yes.

Tara: Probably a three-minute golf-cart ride.

Elaine: Okay.

Tara: A five-minute walk.

Elaine: Okay. And then when other guests come, I think you were talking about tents, do they stay in tents?

Tara: No. The tents were erected for the wedding and then they were dismantled. And sometimes, we would erect them if we were asked to, just in case somebody wanted to stay there. But people didn't stay in the tents. They stayed in the buildings here.

Elaine: Okay. So, how much accommodation can you handle in the buildings for other guests? I'm not talking about the house, Mr. Depp's house. We've seen that. But how many people can actually be accommodated in the buildings?

Tara: We have a two-bedroom near on Brando Beach, we have a beach house, which has the bed in it, and then we have what we call a roundhouse, which has a bed in it as well.

Elaine: Okay. Now, when Mr. Depp and Ms. Heard were visiting, whether they had the children there or not, typically, would you bring the meals to the café for each of the meals?

Tara: Though sometimes I would take them to the house, it depended on where they wanted to eat.

Elaine: All right. And then, typically, would you join them for the meal, or would you leave the meal and then come back and clean up afterwards?

Stephanie: Objection, compound.

Judge Azcarate: All right. I'll sustain the objection.

Elaine: All right. We'll take that one at a time. Typically, would you bring the meals to them?

Tara: Myself or one of the workers here would take the meals.

Elaine: Okay. How often was it you that would take them?

Tara: How often? Maybe every other day. Every day, it depended on how and if people were eating in their buildings or eating together.

Elaine: All right. And would you stay and eat the meal with them, or would you leave?

Tara: If we were invited for dinner, we would all eat together. Usually, we would take the food to the places and leave.

Elaine: Okay. And then, would you be called to come pick them up?

Tara: No. No. We would sometimes go back in the evenings on our own and clean up and turn some of the lights off, and sometimes we would do it in the morning. It depended on what was happening.

Elaine: Okay. So, other than bringing the meals, and it could be you or somebody else, how often did you interact with Mr. Depp and Ms. Heard during the days when they were on the island?

Tara: On average, every day.

Elaine: In what context other than delivering the meals and picking them up?

Tara: Oh, just to see if anything was needed, if everything was all right, things like that. Generally, passing them if they were walking or in the office, or on the beach.

Elaine: Okay. Now, would it be fair to say that you weren't spending 24/7 with them?

Tara: No, I didn't live with them. No.

Elaine: Okay. And would it be fair to say that you don't know what they were doing during the times that you weren't passing them by or bringing meals?

Tara: Yes. Unless they were on the beach, then I would know, but...

Elaine: Okay. So, you wouldn't know what happened, what would be taking place within the house, for example, when you weren't there, correct?

Tara: Correct.

Elaine: And you wouldn't know whether Mr. Depp was taking drugs, correct?

Tara: Correct.

Elaine: And you wouldn't know whether Mr. Depp was drinking, correct?

Tara: I would only know by cleaning up.

Elaine: Well, you wouldn't know from cleaning up necessarily whether it was Mr. Depp, Ms. Heard, or somebody else, would you?

Tara: [Inaudible 00:41:28]

Stephanie: Objection, compound.

Judge Azcarate: Overruled. I'll allow it. Go ahead.

Elaine: Please continue.

Tara: Unless I would know what it was by what was in the garbage or left out of who consumed or what was consumed, I would be able to know.

Elaine: Okay. And you wouldn't know what arguments, if there were any, were taking place in that house behind closed doors, right?

Tara: Correct.

Elaine: And you wouldn't know whether there was any kind of physical abuse that was taking place behind those closed doors, correct?

Tara: I wouldn't know. Correct.

Elaine: Okay. Now, let me just take you for a moment to the December 2015 timeframe. How much advanced notice are you typically given for when Mr. Depp and his entourage are going to arrive and for how long they're going to stay?

Stephanie: Objection, compound.

Judge Azcarate: All right. I'll sustain the objection.

Elaine: All right. Let's break it down. How much notice are you given when Mr. Depp and his entourage are coming?

Tara: It varies. Sometimes it's a couple of days, sometimes it's a couple of weeks.

Elaine: So, how much notice were you given in December of 2015 to who would be coming for Christmas on the Bahama island?

Tara: I believe sometime in November for that trip.

Elaine: All right. In November, how many people were you told were coming for Christmas on the island?

Tara: I don't recall how many people.

Elaine: It was a lot more than Amber, Johnny, Lily-Rose, Jack, and Lily-Rose's boyfriend, wasn't it?

Tara: Yes. It was.

Elaine: In fact, it was Amber's parents, correct?

Tara: I believe so.

Elaine: And it was Rocky Pennington and Josh Drew, correct?

Tara: I believe they were on the list.

Elaine: And Rocky Pennington's parents?

Tara: Yes. I believe they were on the list.

Elaine: Do you recall them canceling?

Stephanie: Objection, hearsay.

Tara: I recall...

Elaine: How is that hearsay?

Judge Azcarate: I'll overrule the objection. Go ahead.

Tara: I recall there was a change to the guests.

Elaine: When did you learn of that?

Tara: I don't recall. Maybe a couple of weeks after, maybe it's beginning of December, maybe middle of December. I'm not sure.

Elaine: Do you recall if it was after December 15?

Tara: I don't recall.

Elaine: Did you think that was a little strange that, here, these people were gonna be...

Stephanie: Objection.

Elaine: ...for Christmas on the island and suddenly they cancel?

Stephanie: Objection, relevance.

Elaine: I think it's highly relevant.

Judge Azcarate: I'll sustain the objection. Next question.

Elaine: What, if anything, were you told about why they canceled?

Stephanie: Objection, hearsay.

Elaine: I [inaudible 00:45:06] admission.

Judge Azcarate: Well, if you lay the foundation for it.

Elaine: Okay. Who told you that Amber's parents, her best friend and fiancé, and her best friend's parents were suddenly canceling coming for Christmas on the island?

Stephanie: Objection, compound.

Judge Azcarate: I'll allow that. Go ahead.

Tara: I don't know who told me, but I did receive information that they weren't coming and there were other...somebody else was coming instead.

Elaine: And who was that somebody else coming instead?

Tara: That it would be Alice and Greg and the children and the nanny.

Elaine: And they were coming later, right?

Tara: They would be joining, I think, was the words.

Elaine: Okay. So, on the December trip, you testified about a few arguments between Amber and Johnny, right? Do you recall that testimony?

Tara: Yes, I do.

Elaine: Okay. You weren't present when Johnny sustained the gash on his nose, correct?

Tara: I wasn't there. No.

Elaine: Okay. And you weren't present when the mess was made through the paints that you've described, correct?

Tara: No.

Elaine: And so you don't know whether there had been a physical altercation that led to throwing a paint can to try to slow down Johnny, right?

Tara: No. I just heard yelling in the house.

Elaine: Okay. But that yelling in the house wasn't necessarily the same time, was it? You don't know, do you?

Tara: No. It was all the same. Okay. No.

Elaine: Okay. Now, let's talk about the summer of 2013. Are you aware that Paul Bettany claims he's never met Amber?

Stephanie: Objection, relevance and calls for hearsay.

Judge Azcarate: What's the relevance?

Elaine: It all means that she testified that he was there on the island.

Stephanie: And calls for hearsay.

Elaine: I can ask the question and see what she says.

Judge Azcarate: All right. I'll allow the question. Go ahead.

Tara: Can you repeat it?

Elaine: Are you aware that Paul Bettany has said that he never met Amber Heard?

Tara: No. I'm unaware. I don't know that.

Elaine: Okay. Well, let's stay on the summer of 2013, if we can. Do you have a recollection of Amber and Johnny, Lily-Rose, and Jack taking one final trip on the yacht that Johnny was going to be selling to J.K. Rowling?

Tara: I don't know what year that was. I don't know what year that was, but I do remember the yacht being sold.

Elaine: Well, if I tell you it was July of 2013, does that help refresh your recollection? July 9?

Tara: Yeah, I...

Elaine: All right. Now...

Tara: July... It doesn't. I just know the yacht was sold.

Elaine: Okay. And you made arrangements, did you not, for a captain to captain the yacht and for them to go out on the yacht?

Tara: No. I didn't have any responsibility for the yacht and the crew on the yacht.

Elaine: Okay. Do you have a recollection of being called because Lily-Rose and Jack were upset and they wanted to leave the yacht and have a helicopter take them away?

Stephanie: Objection, hearsay and compound.

Elaine: I'm asking whether she has a recollection of this.

Judge Azcarate: I'll allow the question.

Tara: Can you ask me it again?

Elaine: Do you have a recollection of Lily-Rose and Jack being upset on the yacht and wanting to leave it immediately, so you arranged for a helicopter to come in to fly them away with Amber?

Stephanie: Objection, compound.

Judge Azcarate: I'll allow it. Okay. Let's just hear.

Tara: I don't know if Lily-Rose and Jack were upset. I do know that I did arrange for transportation off the island at the time.

Elaine: And in fact, Amber went with Lily-Rose, correct?

Tara: It was Amber and her friend and Lily-Rose.

Elaine: Okay. And Jack decided at the last minute to stay back, correct?

Tara: I don't know if he decided last minute. He stayed.

Elaine: Okay. Do you recall Lily-Rose telling you that she was upset because her father was drinking and trying to hide it from her?

Stephanie: Objection, hearsay.

Elaine: I'm asking whether she has a recollection.

Judge Azcarate: I'll sustain the objection to that.

Elaine: Okay. Then I'll ask the next one. Do you recall Mr. Depp passing out in the sand face-first?

Tara: I recall that he was passed out on the beach. Yeah, he was out on the beach. Yes.

Elaine: Okay. And do you recall Jack calling you because he was concerned?

Stephanie: Objection, hearsay.

Elaine: That's just asking if he called. I haven't asked what he said.

Judge Azcarate: No. You did. I'll sustain the objection.

Elaine: Okay. Do you have a recollection of Jack being present when Mr. Depp was passed out face-first in the sand?

Tara: Yes.

Elaine: And do you have a recollection of Jack being upset?

Tara: I don't have a recollection of him being upset.

Elaine: Do you have a recollection of him being happy about it?

Tara: No. I didn't speak with Jack about it.



Elaine: Okay. But you recall that Mr. Depp was passed out, face-first, in the sand, correct?

Stephanie: Objection, asked and answered.

Judge Azcarate: I'll sustain the objection. Next question.

Elaine: All right. Thank you. Let's talk about makeup for a moment. So, you don't know what type of makeup regimen Amber uses every day, correct?

Tara: Correct.

Elaine: Okay. And in fact, you don't know, you said, at one point, you're not sure, but it's a natural look. Do you recall that?

Tara: Yes, I do.

Elaine: Okay. And would you agree that there are a number of different types of makeup you can use that would still give you a natural look?

Stephanie: Objection, calls for speculation.

Judge Azcarate: I'll allow it.

Tara: I'm guessing there is, yes.

Elaine: Okay. Okay. And there's sun in The Bahamas, right?

Tara: Most of the time.

Elaine: Do you know what Amber wears for sunscreen?

Tara: I think it was, at one point, I had a brand, Shiseido or something like that, that was on the island that we provided.

Elaine: And do you know whether Amber brought her own as well?

Tara: I don't know.

Elaine: Do you know whether Amber had a skin condition?

Tara: I wasn't told.

Elaine: Okay. But I take it you didn't ask?

Tara: No. I wouldn't have asked if somebody has skin condition.

Elaine: Okay. The wedding was planned at sunset, correct?

Tara: Correct.

Elaine: And in fact, it went forward at sunset, correct?

Tara: It went earlier. It was earlier than sunset.

Elaine: So, your recollection is that there's no sunset pictures at the wedding?

Tara: I think some. Yeah, there were sunset pictures.

Elaine: Okay. So, last couple of questions. The makeup or not makeup, you were asked whether you observed any injuries on Amber in the December 2015 timeframe. Do you believe Amber would cover up bruises to hide them from the kids?

Stephanie: Objection, calls for speculation.

Judge Azcarate: I'll sustain this because it didn't...

Elaine: Do you have any understanding, based on your knowledge of Amber, whether she would try to cover up any bruises or cuts...

Stephanie: Same objection.

Elaine: ...to keep them from the kids?

Judge Azcarate: I'll sustain the objection.

Elaine: You said that you didn't believe that Amber was wearing much makeup, but you said she participated in a photo shoot in December 2015. Do you recall that?

Tara: Yes, I do.

Elaine: Do you know whether Amber was wearing any makeup for a photo shoot?

Tara: I'm not sure. The part that I saw, she was in and out of the water.

Elaine: Do you know whether Amber would want to show bruises or cuts in a photo shoot?

Stephanie: Objection, calls for speculation.

Judge Azcarate: I'll sustain the objection.

Elaine: I have no further questions. Thank you.

Judge Azcarate: Okay. All right. Redirect.

Stephanie: Redirect. Thank you. Ms. Roberts, how many times have you seen Mr. Depp consume drugs?

Elaine: Objection, leading.

Judge Azcarate: All right. Sustained.

Stephanie: Ms. Bredehoff asked you about Mr. Depp passed out on the beach. How would you describe Mr. Depp when you saw him on the beach?

Tara: He was passed out. I picked him up and brushed him off, and I left him underneath the...I believe he was in a hammock and I believe he had fallen asleep or he was asleep and the hammock had overturned. And I picked him up and brushed him off and left him underneath the lanai with Jack.

Stephanie: Okay. No further questions. Thank you, Ms. Roberts.

Judge Azcarate: This witness is subject to recall, Ms. Roberts?

Stephanie: Yes, potentially.

Judge Azcarate: Ms. Roberts, since you're subject to recall, do not discuss your testimony with anybody and just do not watch anything about this case. Okay, ma'am?

Tara: Okay. Thank you very much.

Judge Azcarate: All right. Thank you. All right. Your next witness.

Stephanie: Dr. Shannon Curry. She'll come right now.

Judge Azcarate: Doctor who?

Stephanie: Shannon Curry.

Judge Azcarate: Is it C-U-R-R-Y?

Stephanie: C-U-R-R-Y. Yes.

Judge Azcarate: Okay. Thank you.

Wayne: Good morning, Dr. Curry.

Dr. Curry: Good morning.

Wayne: I'm Wayne Dennison. Could you state your full name for the record?

Dr. Curry: Shannon Curry.

Wayne: What do you do for a living?

Dr. Curry: I am a clinical and forensic psychologist.

Wayne: What's your educational background?

Dr. Curry: I received...well, I started college at Georgetown University. I then transferred to the University of California, Irvine, where I received my bachelor's degree in psychology and social behavior. I completed my master's degree in psychology at Pepperdine University. I went on to complete my doctoral degree in clinical psychology at Pepperdine University, which included several training rotations at different practicum sites. Those are essentially clinical rotations we do to learn various types of psychology. You learn how to do psychological assessment, counseling, etc., and you do that in a variety of different settings.

And then I completed a year-long doctoral internship at an American-Psychological-Association-accredited doctoral internship. You do this a year before you get your degree. And that was at Tripler Army Medical Center. It's traditionally a military internship. They did admit two civilians. I was lucky enough to be one of them. I then completed two years of post-doctoral training at Hawaii State Hospital, a locked forensic psychology facility, and that's where you essentially have individuals with severe mental illness who have committed crimes.

Wayne: Have you done any additional coursework or educational work?

Dr. Curry: I have. So, after I completed my doctorate and my post-doctoral training, I obtained a...it's called a post-doctoral master of science degree in clinical psychopharmacology that is for partial fulfillment of prescription privileges, meaning that it's part of what we need to be able to prescribe medications as a psychologist because psychologists don't traditionally prescribe. And we can do that with certain military jurisdictions in other states.

I also obtained advanced training in The Gottman Method of Couples Therapy. I completed all three levels of training, and then I'm also a Gottman educator for several workshops involving helping parents learn how to prepare to bring their baby home and helping couples without serious problems improve their relationships.

Wayne: What's the Gottman Method?

Dr. Curry: The Gottman Method is a highly researched-based method of couples therapy. It's very structured, so different than what many people expect when they think about couples therapy. I always tell my clients, I don't want them to come in, just tell each other all their problems, and then have an awkward, silent drive home. In this therapy, they come in, they complete a really structured assessment in the beginning. So, they complete a bunch of questions. It gives me a ton of information about their relationship before we even get started and really identifies the areas we're gonna target with structured interventions during each session. I think of it almost like a class.

Wayne: Okay. Did you get, in the course of your education, any specialized training?

Dr. Curry: Any what?

Wayne: Specialized training.

Dr. Curry: I did. So, my internship specifically was dedicated to, essentially, working with post-traumatic stress disorder, traumatic stress. A lot of my training has been with psychological assessment and testing. And then my training during practicum and then in my post-doctoral work was dedicated to working with trauma populations and also conducting forensic psychological assessments. Oftentimes, forensic psychological assessments actually refer to doing testing in an interview and a couple of other things for purposes related to law. So, it's the application of psychology to the courts, to legal issues. And sometimes that also involves doing assessments for the military to determine whether somebody has sustained a mental disability after combat.

Wayne: You indicated that you did some work at Tripler. What's Tripler and what's the work you did?

Dr. Curry: So, Tripler Army Medical Center is a hospital in Honolulu, Hawaii. If anybody's ever gotten to have a vacation in Hawaii, it's a giant pink building there. And it's one of the top training sites for military psychologists. I was very, very lucky to be able to train there. They have wonderful funding and a lot of new research going on, particularly for PTSD, but really for all areas of mental health.

While I was there, I did rotations in family psychology. So, doing family therapy, I worked with children, but I also did a neuropsychology rotation, learning really the ins and outs of advanced psychological assessment, identifying not just mental issues, sort of mental illness, but also traumatic brain injuries after trauma and doing those PTSD evaluations, and then also working with service members who were

struggling with a whole host of issues, military stressors, normal life stressors, and then also those who sustained tremendous trauma from combat.

Wayne: Do you still continue to work with the military?

Dr. Curry: I do. Actually, my practice is very focused on military service members, veterans, and their families.

Wayne: Okay. What work have you done in prior litigation matters?

Dr. Curry: Well, most of my litigation, if we're talking about civil work, that has mostly been reports. So, this is my first time testifying in a civil matter. The majority of my forensic work has been in criminal law or providing psychological assessments, and then I produce a really methodical report, which is typically reviewed by a judge. And a determination is made or, usually, there's a settlement beforehand.

Wayne: Okay. Do you work in connection with any particular courts?

Dr. Curry: I do. So, I'm actually not sure if I'm on the list anymore in Honolulu, but I am a certified forensic evaluator for the state of Hawaii, which means that I have been appointed by the court to conduct evaluations for matters that are presented. And then I'm also on the list of forensic evaluators in several courts in Southern California. And then I'm also, I'm contracted by the military, the Department of Defense, now and again for evaluations of PTSD from service members.

Wayne: Okay. You mentioned PTSD a couple of times now. What are you referring to there?

Dr. Curry: So, PTSD is a mental illness. It can develop after a person has been exposed to a traumatic event. And our Diagnostic Statistical Manual, the DSM, is sort of the authoritative manual of mental illnesses. It's considered our bible of mental illness. We go there for diagnoses.

And according to that, there's a specific type of trauma that a person must experience for them to be able to qualify for a diagnosis of PTSD. And that's an event that is life-threatening. It can also involve sexual assault, and you can experience that either directly, but you can also be traumatized if you've seen it happen to somebody else, or if it's happened unexpectedly or violently to somebody close to you, a family member, or a friend. And then there's also a provision for people who are first responders. If they're encountering really traumatic information regularly, that qualifies as a trauma. Now, there are a number of symptoms that can develop.

Wayne: Well...

Dr. Curry: Sure.

Wayne: We'll talk about that some more.

Dr. Curry: Okay.

Wayne: Do you hold any credentials relevant to the work that you do?

Dr. Curry: Well, I am a licensed psychologist.

Wayne: Where?

Dr. Curry: In California and Hawaii.

Wayne: Okay. And any other certifications or other credentials?

Dr. Curry: Not that I can think of off the top of my head, other than the training with The Gottman Method of Couples Therapy.

Wayne: Okay. Have you worked with the Hawaii Department of Courts and Corrections?

Dr. Curry: Yes. I have.

Wayne: In what capacity?

Dr. Curry: Well, I am...so that, I guess, would be a credential. So, I am a certified forensic evaluator for the state of Hawaii.

Wayne: In connection with your doctorate, was there a research component?

Dr. Curry: There was. So, would you like me to tell you about it?

Wayne: Yes, please.

Dr. Curry: Okay. So, I conducted a research study while I was at Pepperdine completing my doctorate. It's called a dissertation. So, when you're obtaining your doctorate, you contribute something to the scientific field that you're in. And typically, that involves doing what we call novel science. So, you're doing an experiment. You're finding out new information and helping the field progress.

So, I did research in Peru, and I was essentially looking at the effectiveness of a therapy intervention there for kids who were growing up in this community called Ayacucho, which was exposed to 20 years of guerrilla warfare, the longest guerrilla war in the history of the world. And there were a lot of issues in that community, tremendous trauma.



And my research was around finding interventions that were really effective for that community.

Wayne: Where do you work now?

Dr. Curry: I work for the Curry Psychology Group.

Wayne: What does the Curry Psychology Group do?

Dr. Curry: We're a multi-specialty mental health center. So, we have neuropsychologists who do testing for kids. We have therapists, individual therapists, couples therapists, family therapists. We even have a meditation teacher. We basically try to meet the needs of our community, and we highly specialize in working with military personnel and their families.

Wayne: Who's the Curry in the Curry Psychology Group?

Dr. Curry: I'm Dr. Curry.

Wayne: How many people work for you?

Dr. Curry: As of right now, I believe it's 13.

Wayne: Okay. How long have you been doing this kind of work?

Dr. Curry: For about 15 years.

Wayne: Okay. How much of your therapy practice focuses on treating individuals?

Dr. Curry: I would say about half of it is individuals, half is couples.

Wayne: Okay. Do you do any training of students?

Dr. Curry: I do.

Wayne: What's that?

Dr. Curry: So, we have several unlicensed professionals at our office and they're earning their additional hours so that they can get licensed. So, they're able to see clients and then I meet with them regularly to supervise them, discuss their cases, provide them with information about different diagnoses, interventions, and treatment methods.

Wayne: How did you get involved in this case?

Dr. Curry: I was contacted by Ms. Camille Vasquez, one of the attorneys for Mr. Depp.



Wayne: Okay. And what was the nature of the contact?

Dr. Curry: Ms. Vasquez called me and indicated that she might be interested in having me meet the legal team so that I could discuss my expertise and possibly provide my opinions related to the matter.

Wayne: What were you asked to provide expert opinion on?

Dr. Curry: So, initially, my role that I understood at the time, was to review the case materials and provide my opinions regarding anything that I noticed that was consistent or even inconsistent with the psychological science that exists today on intimate partner violence in Mr. Depp and Ms. Heard's relationship.

Wayne: All right. You used a phrase there, intimate partner violence. What are you talking about?

Dr. Curry: So, there are a multitude of different definitions depending on the source or the state. But essentially, intimate partner violence is abuse. It could be physical, psychological, and it's from one partner to another in an intimate relationship.

Wayne: Did your role in this case evolve over time?

Dr. Curry: Yes. It shifted. So, I was retained at the end of January 2021. And then had just barely begun to review the documents, the case was postponed. And then, in October 2021, I was asked by counsel to provide a psychological evaluation of Ms. Heard.

Wayne: Okay. Were you ever asked to do a psychological evaluation of Mr. Depp?

Dr. Curry: No.

Wayne: What types of documents did you consider in this analysis?

Dr. Curry: So, I reviewed quite a few documents as part of my evaluation that included all of the case documents, Ms. Heard's medical records by Dr. Kipper. Her prior mental health treatment records, I believe, I reviewed records from Dr. Amy Banks, Dr. Bonnie Jacobs, Dr. Connell Cowan. And also, a significant portion of my review involved notes from Nurse Erin Falati, at the time Erin Boerum, who spent a significant time with Ms. Heard in her direct company. I also reviewed exhibits, quite a few audio recordings, a video recording, several video recordings, or possibly, photographs, I might be getting them confused, and multiple witness statements, testimony, and declarations.

Wayne: Did there come a time when you met directly with Ms. Heard?

Dr. Curry: Yes, I did. So, in conducting my evaluation, I met with Ms. Heard on two separate dates, December 10th and December 17th, 2021.

Wayne: Approximately how much time have you spent with Ms. Heard?

Dr. Curry: So, the evaluation, we spent 12 hours directly with one another. However, there were more hours involved in the evaluation with some breaks. So, we spent seven hours together on the first day, December 10th. Not necessarily together, because there was a one-hour lunch break and about a half-hour with breaks split up through the day. And then on the 17th, we spent a little more than eight hours in the evaluation from start to finish, with a one-hour break and another half-hour breaks distributed throughout the day.

Wayne: As a result of the work that you performed, did you form any opinions with respect to Ms. Heard?

Dr. Curry: I did.

Wayne: What were those opinions?

Dr. Curry: The results of Ms. Heard's evaluations supported two diagnoses, borderline personality disorder and histrionic personality disorder.

Wayne: What is a diagnosis?

Dr. Curry: A diagnosis is a way that we essentially...that psychologists, psychiatrists, anybody in the mental health field thinks about a disorder. It helps us to communicate a set of symptoms that a person is experiencing. And along with that set of symptoms, it tells other professionals a lot about how those symptoms might have developed, how that person might behave, perceive the world. It also drives treatment. The real purpose is to determine what sort of interventions will be most effective for the person.

Wayne: Yeah. Previously, you made reference to, I think you called it the DSM-5. What's that?

Dr. Curry: Yes. So, the DSM-5, that stands for the Diagnostic Statistical Manual version 5. And that contains every diagnosis we use in mental health, and it's the authoritative manual of mental diagnoses.

Wayne: Is performing diagnoses something you typically do in your line of work?

Dr. Curry: Yes.

Wayne: Thank you. So, you referenced two personality disorders. What's a personality disorder?

Dr. Curry: To understand a personality disorder, I think it can be helpful first to kind of define personality. So, personality, something we take for granted, but these are the traits, the characteristics, the way we think, we feel, and we act that make us who we are. And these traits are pretty stable over time and across situations. We might be sure to mind our Ps and Qs when we are meeting somebody new.

But overall, if somebody were to describe us or if we were to describe ourselves, we have a pretty good sense of who we are. Sometimes an easy way to think of it is imagining how you might describe a brother or sister or a child if you have children. Their personalities are pretty clear to you.

A personality disorder is some sort of dysfunction in those enduring traits. So, as opposed to other types of mental illness, when you think about something like depression, that's episodic. It comes and it goes. And when it's treated with medication, it can pretty much be completely mitigated or minimized in a person's life and their personality is still there, separate from the depression. When we have a personality disorder, there's gonna be disturbances in several different areas that are visible in almost all different facets of their lives.

Wayne: Is there a manner in which personality disorders are commonly diagnosed?

Dr. Curry: Yes. So, they can be diagnosed in a treating environment. Treating psychologist or a therapist or a psychiatrist simply does a diagnostic interview, which involves assessing multiple areas of a person's history, back down through childhood.

Wayne: I'm gonna stop you for a second.

Dr. Curry: Yes.

Wayne: What's a treating environment?

Dr. Curry: Sometimes, I'll slip into these words. I apologize. So, a treating environment, in therapy, if somebody is going in for treatment, the mental health provider will ask them questions to find out what sort

of symptoms they've experienced and what sort of things have occurred in their life that might be consistent with these disorders, or rule out these disorders, prove that there's no reason for these disorders to be considered. They might also pay attention to their observations of the client over time and new information the client provides them.

The most reliable way, however, to ever come about a diagnosis really is through a comprehensive psychological assessment. And I might use the words assessment, examination, testing interchangeably. They all mean the same thing. It's combining information from multiple different sources. One main source is psychological testing using validated objective measures. That means that they've been tested, they've been shown to be accurate for testing what you wanna test and in the environment you're testing. So, there are measures specific for court environments where someone might respond differently.

You integrate that with the same interview, I was telling you, that people would do for therapy. We do that as well. And then in a courtroom setting, you're gonna look at all the legal records, all of those documents, corroborating information to sort of check your hypotheses that may be developing and also check against the examinee statements to confirm whether you have enough evidence of a certain diagnosis.

Wayne: So, what's a clinical interview?

Dr. Curry: A clinical interview is a very comprehensive interview. It includes a person's entire life history, as well as very specifically looks at any symptoms they might have. This can start as far back as birth. You might find out if there were any issues with their delivery, any genetic issues, any intellectual issues. How did they do? What was their home life like? How was discipline handled? What's their relationship with their primary caregivers? Were they raised by an aunt, an uncle, their parents? How many siblings do they have? How did they get along with their siblings? How many times did they have to move? Was there any abuse? Did they have any really significant life experiences that come to mind when they think about their childhood? How were they as a student? Did they need special services? Did they get in trouble at school?

And you do this. You continue on high school. What were their hobbies? Did they play sports? How many friends did they have? Did they have any trouble keeping those friendships?

Then you get into adulthood. Did they go to college? Did they not go to college? How come? What sort of jobs have they held? How did those jobs go? How did they end? That's always an important question. What sort of romantic relationships have they been involved in? How do they identify sexually, culturally? Let's see, what else? What sort of symptoms have they experienced?

You go through the entire gamut of some of the main symptoms you might screen for depression, any disorganized thinking that means thinking that isn't necessarily in touch with reality, and any current distress they may be having today.

Wayne: How did you conclude that Miss Heard suffers from the personality disorders that you identified?

Dr. Curry: So, there was information that supported it from multiple sources. I conducted testing, including... One of the main tests that I used, she obtained scores that were consistent with those diagnoses. And then I also...there was evidence of those diagnoses in her records and in her self-report.

Wayne: Okay.

Judge Azcarate: All right, Counsel, why don't we just go ahead and pause for a second? Why don't we go and take our morning recess? Okay. Ladies and gentlemen, we'll go ahead and take our 15-minute morning recess. Do not discuss the case and do not do any outside research, okay?

Wayne: Your Honor, when would you like to reconvene?

Judge Azcarate: Give me a moment, sir. And, Doctor, since you're on the stand now, do not discuss your testimony with anybody to include the attorneys at this point. Okay?

Dr. Curry: I understand.

Judge Azcarate: All right. Let's go ahead and we'll come back at 11:45. Okay?

Dr. Curry: All right. Thank you.

Wayne: Thank you, Your Honor.

Bailiff: All rise.

Judge Azcarate: All right. Have your seat. And your next question, sir.

Wayne: Thank you, Your Honor. Dr. Curry, before the break, you were talking about some of the factors that you considered in determining that Ms. Heard suffers from personality disorders. One of them, I think the last one you said before you left, was self-report. What do you mean by that?

Dr. Curry: So, the self-report would be things that Ms. Heard indicated to me specifically. So, there were a couple of characteristics that she noted in her self-report that were consistent with these personality disorders.

The first was actually my own behavioral observations of her based on her self-report. So, one of the hallmark characteristics of histrionic personality disorder is sort of an overly dramatic presentation. We call this impressionistic speech. So, it tends to be very flowery. It uses a lot of descriptive words like magical, wonderful, and it can go on for quite some time, and yet it really lacks any substance. So, at the end, you're left wondering what was just said, or what the answer is to the actual question. So, that occurred a number of times, and it also represented the quick shifts you'll see between emotions.

So, she would suddenly be one way, and then she would become very animated or very sad. And when people are displaying these emotions with this personality disorder, there's a sense of shallowness to it. People who are observing them will feel like it's almost playacting, and they might not be able to put their finger on it. But part of it is because of the rapidness with which the person can switch emotions and also the lack of substance. They don't really refer to, "I feel this way." They might describe emotions, they might describe events, but very rarely.

And Ms. Heard did not say, "I feel vulnerable." She never really indicated a vulnerable feeling of her own. Then the substance of her self-report. So, when I was asking her information about her history...

Wayne: We're gonna ask more about that later. I was just trying to get a sense of what a self-report was.

Dr. Curry: Oh, okay.

Wayne: What psychological tests did you perform?

Dr. Curry: Okay. So, psychological tests, I'll just go in order. So, first of all, I asked her a couple of questions from something called the Mini-Mental Status Exam. That's really just a fancy way of saying that I wanted to make sure that she was alert and oriented to, we call it, person, place, and time. That means she knew who she was, she knew who I was, she knew where we were, and she knew the date. That way,



I can ensure that she's able to participate in the evaluation and understand what's happening.

I then administered something called the Minnesota Multiphasic Personality Inventory-2, the two means that it's the second edition, and this is something we call an objective measure. So, it asks 567 questions, more statements, and the person either agrees or disagrees with them how much the statement represents them.

And this test has been around since 1943. There are more than 10,000 studies showing that it is appropriate for determining somebody's personality traits. It measures all of those things, I sort of mentioned, how a person thinks, feels, and behaves in multiple different aspects of their lives. It also measures very accurately any signs of mental illness or dysfunction.

And the reason I also really like this test, whenever you're using a test for an evaluation that's gonna be used in a forensic setting, people have a lot of incentive to present themselves in a way that's gonna benefit their case. And they may want to look like they're sicker than they really are, they may want to look much healthier than they really are. And some of those incentives, they may not even realize that they're intending to do that. So, it can be conscious or unconscious, but you really need to have a test that can check for that.

And the MMPI-2 has a set of validity scales, we call them. These are scales that measure really the truthfulness and accuracy with which a person is approaching the test. And these scales, on this particular test, have been so well researched over many decades that they've become very nuanced, and they can tell us a lot about if somebody is, for instance, exaggerating. Are they elevating one of the scales that shows that they're exaggerating on purpose? Are they exaggerating in a manner that's more like a cry for help? Are they exaggerating in a manner that's clever and sophisticated or more obvious?

And then the same exact thing goes for trying to minimize symptoms. We have a number of scales that can show us all the different...if somebody's trying to say they're the most wonderful person on earth, or if they're just trying to deny problems, and if they're doing that again in a very clever way or more of an obvious way.

So, that test was my choice for this case. There's one other reason, I'd like to add, is that part of my evaluation was...one of the reasons was to assess whether Ms. Heard has post-traumatic stress disorder, which I told you about earlier as a result of the incidents that she's alleged

occurred by Mr. Depp. And that's a really tough disorder to find out if somebody's faking it or not. It's one of the most easily faked disorders. Most of us know what it feels like to feel anxious, and a lot of people have seen war movies and movies that depict somebody having PTSD.

In fact, some research has shown that if you give someone a diagnostic checklist and said, "Show that you have PTSD," they can do it 96% of the time, just someone on the street. So, you really need a test that's very sensitive to that. And the MMPI-2 has been shown in multiple studies to be excellent at detecting those attempts.

Wayne: Okay. You keep using MMPI-2. That's the abbreviation that you folks use for?

Dr. Curry: I'm sorry if I hadn't said that. That's the Minnesota Multiphasic Personality Inventory.

Wayne: Okay. What other psychological testing did you perform?

Dr. Curry: So, I also performed the Clinician-Administered PTSD Scale-5, and that -5 links it to the diagnosis for PTSD in our current diagnostic manual, the 5th version. To do that test, you first administer something called the Life Events Checklist. Both of these tests, by the way, were developed by the National Center for PTSD, with the Department of Veterans Affairs. But the Life Events Checklist lists 16 different, very stressful life events that people can go through that are often can be associated with developing PTSD. And then it also has a 17th item that you can fill in if you feel like you've been through something really difficult that wasn't included.

Now, I like to also add something called The Life Events Checklist 5 Interview, which digs a little bit deeper into the person's childhood as well to find out if they...what sort of... There are so many different things that can be difficult growing up. And also, it's very important that you have the person determine which of the events they've listed.

Let's say they have a number of different types of traumas, which one do they feel like was the most traumatic for them? Which one still causes them to feel distressed when they talk about it? And sometimes, they can't just identify one. And then that leads to your next decision.

So, if they have multiple different similar types of events, like seeing combat, then you might use that as the worst one, the multiple similar. So, that looks like you describe an anchor, we call it, to do the testing, and we would maybe describe the anchor as "the worst of my combat experience." Okay? Now, if somebody had multiple different traumas



from different times in their life, like childhood abuse and then went to combat and had some horrible things happen there, you would do the Clinician-Administered PTSD Scale test. The one that comes after, you do one for the childhood event and a separate one for the adulthood event.

Wayne: Does this Clinician-Administered PTSD Scale have a handy abbreviation?

Dr. Curry: It does. We'll call it the CAPS-5. That's actually what it goes by.

Wayne: Okay. How common is the use of the MMPI-2 in your profession?

Dr. Curry: The MMPI-2 is actually the most commonly used assessment worldwide by mental health professionals and in forensic settings for the court.

Wayne: Why'd you use it?

Dr. Curry: I used it for that purpose and for its excellent validity in those settings, across genders, across ethnicities, for different reasons. And when I keep saying validity, by the way, what I mean is accuracy or...and I'll try to work that in, but then also for detecting the accuracy with which a person reports PTSD.

Wayne: Okay. Is that scaled in some way?

Dr. Curry: I'm sorry. What was that?

Wayne: Does that make use of a scale in some way?

Dr. Curry: The MMPI-2, do you mean specifically for PTSD?

Wayne: Yes.

Dr. Curry: There's actually a combination of scales you wanna look for. You would never make the diagnosis just based on one scale alone, or even on the test alone, you'd integrate other data.

Wayne: All right. How did you administer the MMPI-2 to Ms. Heard?

Dr. Curry: I provided her the test on an iPad. She essentially had her own little desk area and then an iPad. She hits start, it provides her with the instructions, and then it gives her 567 statements in order for each one she taps true or false.

Wayne: What did you learn about Ms. Heard from the results of the MMPI-2?

Dr. Curry: Quite a bit. I wrote up a 25-page interpretation outline. It has numerous, numerous scales. So, one of the reasons I like this measure so much is that it can tell you so much about multiple different traits, and tendencies, and mental issues.

One of the primary things I learned was that she had a very sophisticated way of minimizing any personal problems. I also learned that she tends to...well, there were a number of characteristics that were consistent with the eventual diagnoses. But some of the primary characteristics, and I'm gonna try to condense 25 pages here, were essentially externalization of blame, tending to have a lot of inner hostility that is attempted to be controlled, a tendency to be very self-righteous but to also deny that self-righteousness and to judge others critically against these sort of high standards for moral value, but also to deny doing that, essentially to claim that one is very non-judgmental and accepting and yet very full of rage really.

And these aren't facts, but her scores essentially correlated. So, they were consistent with other people who obtained these scores, who have been shown through many, many, many studies to have these very specific traits. So, externalization of blame, a lot of inner anger and hostility... Sometimes that anger among these groups with similar scores, these people might have that anger kind of explode out at times. They tend to be very passive-aggressive. They may be self-indulgent, very self-centered. They could use manipulation tactics to try to get their needs met. They are very needy of attention, acceptance, approval. They tend to distance people who are close to them.

Initially, they may seem very charming. They're very socially sophisticated, actually. That was a major component on there. They have a capacity to kind of offer some of their faults, but only the ones that people think of lightly and can all relate to. And so, they can present as very fair and balanced but, in actuality, they really might be very judgmental of others and unaware of problems in their behavior and their thinking.

Wayne: So, after you provide the examination via the iPad, what do you do?

Dr. Curry: So, once they've completed the test, you can have it scored by the computer immediately. It's a very, very complex test to interpret, but right away you get a list of what's called critical items. And these are

just a couple of the items, the statements that are presented that are more clearly symptom-based. And I always follow up with the examinee. Some of these might have to do with suicide, some of them might have to do with other symptoms that you'd just like to get a little bit more information on, because sometimes an examinee might tell you they're completely fine when you're doing your interview with them and that they have no symptoms. And then when they take the test, it says that they're having trouble sleeping, or they struggle with nausea all the time, or they feel very anxious. And so, you wanna follow up on that?

Wayne: Okay. What's a code type?

Dr. Curry: A code type... Let me think of how to explain this very, very simply. So, the main scales, and I keep referring to scales, these are just the main scores that come up on this test. We can refer to them as codes. And when I was saying that Ms. Heard's scores could be compared to certain groups of people that had been researched before to obtain similar scores, the research has shown that certain people will have certain scores that kind of spike on this. Okay.

And so, all of those traits that I was describing, those are traits that are found in these code types. So, it means that number two, score number two was high, and score number six was high. And so, if we have those two scores were both high, then that's a 2-6 code type. And these code types...

Wayne: What code type was Ms. Heard?

Dr. Curry: Ms. Heard had the clearest code type was 3-6, but then she also had some other code types that were less significant.

Wayne: What characteristics are associated with a 3-6 code type?

Dr. Curry: So, a 3-6 code type, a lot of that anger is expressed in this code type. There can be actually a lot of cruelty, usually with people who are less powerful. Actually, when you see this code type, you want to, if you can, to follow up with subordinates, coworkers, people who may have observed their behavior more closely. The 3-6 code type is very concerned with their image, very attention-seeking, very prone to externalizing blame to a point where it's unclear whether they can even admit to themselves that they do have responsibility in certain areas, a lot of suppressed and denied anger, but the anger is very present, will explode out, and a lot of issues in their close relationships.

Wayne: How does Ms. Heard's code type fit in with your overall opinion as to personality disorders?

Dr. Curry: Well, this might be an appropriate time to describe a little bit about these personality disorders because I think what you'll hear is that there's a lot of consistency there. So, borderline personality disorder is a disorder of stability. It's instability. And it's instability in personal relationships, it's instability in their emotions, it's instability in their behavior, and it's instability in their sense of self and their identity. And that instability is really driven by this underlying terror of abandonment.

So, one of the key features is also of this disorder... And all of it is like pistons of an engine kind of firing off and igniting one another, but when somebody is afraid of being abandoned by their partner or by anybody else in their environment and they have this disorder, they'll make desperate attempts to prevent that from happening. And those desperate attempts could be physical aggression, it could be threatening, it could be harming themselves. But these are behaviors that are usually very extreme and very concerning to the people around them.

The anger is typically what... Sadly, it's counteractive, right? So, the thing these people fear most is being abandoned but, over time, the anger, the explosive anger that they show when somebody is needing space or when somebody is really not doing anything wrong, because a lot of times they read into things that they perceive as being a slight to them or somebody intending to harm them that actually isn't happening, they'll exaggerate it and they'll explode. They'll react in this heightened manner that is just exhausting for their partners.

Oftentimes, their partners will try to make them happy at first and really allow themselves to be a punching bag, thinking that they can somehow solve this problem, that somehow, they can make this better. And eventually, it just overwhelms them. Histrionic personality disorder is very similar.

Wayne: Before we move on to that, are you familiar with the term emotional reactivity?

Dr. Curry: I am.

Wayne: What is that?

Dr. Curry: So, emotional reactivity is very common in the diagnosis. So, essentially, like I said, there's instability in emotions. People with borderline personality disorder are often misdiagnosed as having bipolar disorder because they can be up and down. They can look very depressed, and they can look very elated, but these changes are happening within a matter of hours.

Somebody with bipolar disorder, this is a clinical depression lasting days, weeks, a clinical mania where sometimes they even need to be hospitalized because they're so grandiose. They clear out their bank account and go to Vegas and spend it all. They're acting in some very bizarre ways.

With borderline personality disorder, you're having these fluctuating moods constantly. And again, this hypersensitivity to being slighted or feeling offended, really driven by the fear that if you're offended or slighted, if the therapist comes two minutes late, or if somebody shows up to dinner two minutes late, that they might be abandoning you. And it's not as if the borderline is considering themselves abandoned in that moment, but they just know that they have this overwhelming emotion and there are no attempts to control that emotion. There are no attempts to regulate it.

So, if they're in the middle of the restaurant and they feel offended, they're gonna start the fight. People are going to see it, or they might just start crying or break down, but they'll make a lot of accusations. And that reactivity is when you're gonna just...you're gonna see a lot of this escalation in the bizarre behavior. They can react violently, they can react aggressively. They will often physically prevent their partner from trying to leave if their partner wants to get space from all of this intense emotion. And oftentimes, they will be abusive to their partners in these situations. Sometimes they'll physically restrain them from leaving and become injured that way.

But also, people with borderline personality disorder, it seems to be a predictive factor for women who implement violence against their partner. And one of the most common tactics that they'll use is actually physically assaulting and then getting harmed themselves. But mostly, we call this administrative violence.

Essentially, this is saying that they'll make threats using the legal system. So, they might say that they are going to file a restraining order or claim abuse, or they might do these things to essentially try to keep their partner from leaving. In the moment, again, they're not consciously thinking, "I'm gonna keep my partner from leaving right now," they're just thinking, "I can't stand this. I hate my partner." They went from idealizing to suddenly devaluing because of the hurt. And they'll do anything to express that big emotion of anger.

Wayne: Your Honor, may we approach?

Judge Azcarate: All right. Yes, sir.

Wayne: Okay. You indicated...you were talking about emotional reactivity. What, if any, emotional reactivity did you observe in your review? And let's do this one at a time.

Dr. Curry: Okay. So, there were a couple of indications to me. First, I can sort of think about it with the treatment records. So, particularly, Dr. Cowan Connells. Am I getting the name, right? I feel like, for some reason in my mind, I might have just reversed it. But Dr. Cowan's records...I did reverse it. He actually refers to this reactivity quite a bit and to Ms. Heard's temper. And that temper is often branded or being hotheaded is really characteristic of borderline personality disorder, as is they're very charming, personable nature. This is a disorder of contradictions.

In Nurse Falati's notes, she had...I thought there was something interesting. She references a night when they're out to dinner, I believe in London, and she provided positive reinforcement to Ms. Heard because Ms. Heard had been disappointed by a mistake made by the server. And it sort of references how previously she might have criticized the server, become upset by that, and that she didn't this time. And so, that had been some sort of a step forward.

And there was also an indication actually in Dr. Hughes's... Dr. Hughes is a forensic psychologist who had been appointed by Ms. Heard to conduct an evaluation as well. In Ms. Hughes's interview of Ms. Heard, Ms. Heard disclosed that she had cut her arm in the past, which is a typical reactive-type thing somebody with this diagnosis can do. It's one of the symptoms. And that's sort of all I can think off top of my mind from the treatment records.

Moving into some of the declarations or deposition testimony, what struck me was Ms. Raquel Pennington's testimony. She's a former friend of Ms. Heard's and she indicated...she told a story about, I suppose, they were shopping for Thanksgiving accoutrements, something to prepare for Thanksgiving and Ms. Heard struck her in the face sort of out of the blue, which is I thought was interesting because that is one of those signs of borderline personality disorder where if a friend or a loved one isn't meeting your needs in that moment...

People with borderline personality disorder can be very caring in their relationships as long as their needs are being met. They feel that their needs should be met when they want them met at a specific level. And if they're not, then that anger, that sense of harm, causes them to react. So, the striking Ms. Pennington as per Ms. Pennington's report in the



declaration or the testimony, I thought, was pretty consistent. And then Ms. Heard's own self-descriptions.

Wayne: Okay. I'm gonna ask you a question about...

Dr. Curry: Sure.

Wayne: You indicated Ms. Pennington was a former friend of...

Dr. Curry: Yes.

Wayne: ...of Ms. Heard? Is there a relationship between borderline personality disorder and intimate relationships?

Dr. Curry: Yes. So, the instability definitely translates to their relationships. You'll see relationships start very intensely. Somebody with borderline personality disorder perceives the relationship as extremely close. This pattern of idealizing and devaluing is definitely at play. They do this with their lovers and also with their friends. And so, this might be the perfect person, their perfect soulmate friend, perfect soulmate partner, and their engagement in the relationship is very alluring, very charming to the other person. And so, initially, everything seems great.

But what occurs is that reality sets in. People are not perfect, even when we have a lot in common with them. Whereas most of us can accept somebody as a whole, somebody who has a little bit of flaws and still think, "This is my great friend who's always constantly running late for dinner." The person with borderline personality disorder, things are in these extremes, this black and white. We call it splitting.

And so, that person goes from being idealized, the perfect person, to dumpster. They are totally devalued. They are the worst friend. "They don't care anything about me. I have better people around." And then there will be a repair because the person with this disorder does feel remorseful after they have these reactions, angry, tell their friend off.

But over time, it wears away at these relationships. And so, what you'll usually see is many, many transitions in their friendships over the years, people who have sort of fallen by the wayside who were really very close-knit at one time, but there's not a lot of consistency in the long term. You'll also see that with their intimate relationships, many, many relationships, but none that are particularly long-term.

Wayne: How does borderline personality disorder relate to identity issues?



Dr. Curry: So, again, that instability also travels toward identity. And when I was describing personality earlier, I was talking a little bit about those traits we have that help us know who we are. When you have borderline personality disorder, that actually is not something you understand. So, people with this disorder actually take on the identity of the people they're spending time with because it's comforting. It's very uncomfortable to not know who you are. Some people with this disorder will describe a feeling of emptiness when they feel like they've been abandoned because now they don't know who they are in the world.

And so, when somebody with this disorder is going through that initial enmeshment phase with new people and they're idealizing them, they often will take on the identities of those people. So, they may mimic them in a lot of ways. They might mimic the way they dress, their interests, the way they talk. And for this reason, the people around somebody with this disorder kind of from the outside may feel like, "Wait, I thought you were this way. Now you're advocating for this." And this is your new main interest in life or the thing you're throwing yourself into all completely. Music tastes might change, hobbies will change, the way they dress.

Wayne: Okay. In addition to borderline personality disorder, I understand that you diagnosed another personality disorder. What's that?

Dr. Curry: So, histrionic personality disorder... And these are really two sides of the same coin. They belong to the same cluster. We call these clusters. It's a way to organize personality disorders in the DSM. And this cluster is described as the personality disorders that are dramatic, erratic, and emotional. So, unpredictable, but really having to do with emotions and relationships. They're very similar.

Whereas I was saying that borderline personality disorder, a lot of the key features that you're gonna notice are instability. When it comes to histrionic, a lot of the key features are going to be drama and shallowness. Similarly, with borderline personality disorder, there's this underlying drive of avoiding abandonment. With histrionic personality disorder, that underlying drive is to always be the center of attention. Because if you don't have that attention on you, it feels, similarly to borderline personality disorder, you feel pretty empty. You don't have that sense of being or value.

So, whereas borderline personality disorder might have more of the visible reactivity if somebody seems to be leaving. With histrionic personality disorder, what you're going to see is extreme discomfort with not being the center of attention, extreme efforts to be the center of

attention. And when they feel that they're not the center of attention, you will see some strange things. Making up stories to try to get attention, often taking on a victim or a princess role. Those two roles in particular are pretty consistent.

Seeking caretaking. Borderline personality disorder is similar because, with borderline personality disorder, these shifts of identity and the splitting, you might see somebody go from being in the DSM, I describe it as a needy supplicant of help, seeking the perfect caretaker, to suddenly being the avenger against injustice or thinking that their partner is a terrible person. With histrionic, what you'll see is somebody who wants to be the center of attention, has sort of that impressionistic speech, very flowery, very enthusiastic, but nothing is really being said.

The moment your attention wears away because they're so demanding for attention, that's when they might take the victim role or the princess role and even make up stories. Sometimes those stories are to bolster the victim role. Sometimes those stories are just to make them look more interesting or accomplished in their mind so that they can get respect and attention that way.

Wayne: Is there a relation between histrionic personality disorder and attractiveness?

Dr. Curry: There is, strangely. And this is always one of the trickiest things to talk about because how do you...I mean, how is that a symptom? But characteristically, people with this disorder are very, very interested in looks. But more importantly, they utilize their looks to get that attention, to get the respect that they're seeking. And so, this type of personality might be flirtatious with everybody. Characteristically, they actually couldn't even be subtly... And when I say flirtatious, I'm not talking overtly sexy, but kind of inappropriately flattering. Sometimes they act in a kind of a girlish way to be cute into a gender attention.

And this will even occur in their therapy relationships as a way to sort of avoid getting negative feedback or criticism. Oftentimes, they'll bring the therapist gifts or be distracting if they engage in therapy, because they just don't want any criticism. They want the therapist to like them.

Wayne: Does the intelligence of the affected person bear on the manner in which these disorders present?

Dr. Curry: Excuse me, I choked a little of my water. Yes. And I think one way to think about it that's probably a little more accurate than just intelligence is, in psychology, we would describe this more as sophistication, so, street smart, so to speak. For instance, I've had many

clients who have borderline personality disorder who are messy and really clearly suffering. And they might be difficult and all over the place and yell at you in the middle of a session, but it's not tailored. It's so much easier to work with because of that just openness and rawness of it, genuineness.

Sometimes you'll have a more sophisticated presentation. There are nine symptoms, and only five have to be met. There are a lot of different combinations and different ways it can present. And sometimes you'll have more of a petulant version of this where it really shows when you push the button and you're kind of, "Whoa, what was that?"

So, somebody who's really productive, high-functioning, successful, and you get to know them, and you think they're fantastic because they're so interested in you too. And you might not realize it, but they're mimicking you perfectly. So, you're really just kind of falling in love with this new friend who is being you.

But then, all of a sudden, you know, you say something that they think is offensive, and you can't, even in your wildest thoughts, understand how that could have offended somebody. But their reaction is so strong that you buy into it. "Gosh, maybe I did say something offensive." And you feel bad about it.

So, that sophisticated version, they can be a little bit more calculated in the way they present. They tend to hit you where it hurts a little bit more, and they can be actually very, very destructive.

Wayne: What conclusions were you able to draw about Ms. Heard's sophistication from her testing?

Dr. Curry: Well, from her testing and from her presentation, she was very likable. But her testing, in particular, showed that she approached it in a manner that... Remember I told you about those scales that are pretty neat? She approached it in a manner that very clearly minimized any psychological dysfunction. Not just that, but really presented herself free of any problems. And she did so in a way that was very sophisticated, not obvious, by responding to questions that most people might not notice. We're trying to detect them.

Wayne: How did you determine that?

Dr. Curry: So, that's based on a particular scale on the MMPI-2 that is designed specifically to detect a type of responding that's a little bit more clever, a little bit more sophisticated, minimizing problems in a way that

most lay people probably wouldn't... and even providers, very difficult to detect.

Wayne: You mentioned that one of the characteristics of borderline personality disorder is emotional reactivity. How might that present in an intimate relationship?

Dr. Curry: So, I think it probably presents mostly, or you'd see the bulk of it in intimate relationships because of that regular interaction and the desire for your partner to meet all of your needs, to be the perfect caretaker, also that the hallmark of the disorder with the splitting. So, idealizing, devaluing, and the perceiving of all sorts of neutral events as somehow demeaning or disrespectful. It's regular escalations of anger, frustrated complaints, criticisms of your partner. But because the person with borderline personality disorder, first of all, they're more sensitive to things, they feel distress more strongly, and then that distress lasts longer.

So, these types of blowups go on forever, and they're very cyclic. It feels like you just can't get a resolution. And eventually, the partner will try to leave, will want to leave to take a break. It wears them down, and that's when the borderline might explode and act very aggressively or violently to try to prevent them from leaving.

Wayne: Okay. In addition to diagnosing Ms. Heard with these two personality disorders, did you form another opinion about Ms. Heard's mental status?

Dr. Curry: Yes. So... Go ahead.

Wayne: If the answer to that is yes, I'm gonna now ask you what was that?

Dr. Curry: Okay. Yes, I did.

Wayne: Okay. What is it?

Dr. Curry: So, in addition to looking for Ms. Heard's general mental status, any psychological issues that were present, I very specifically was assessing to determine whether post-traumatic stress disorder was present, and it was not.

Wayne: How do you know that?

Dr. Curry: So, first of all, well, from multiple information sources, right? So, I was integrating the interview, my review of the data, the case records, other people's testimony, and her treatment records. And then I

also conducted, in addition to the MMPI-2 and looking at that data, I also conducted the Clinician-Administered PTSD Scale, the CAPS-5, which is the gold standard PTSD assessment developed by the National Center for PTSD shown to be valid, accurate for use not just with service members but also with civilians, men, women, all genders, and also all ethnicities, and then also specifically for use in a courtroom setting.

Wayne: How do you conduct the CAPS-5?

Dr. Curry: So, the CAPS-5 is a standard interview. What that means is that it's an interview with very clear questions that are scripted, and you ask those same questions every time you test a person. So, because you're doing that, you're actually taking something that would typically be kind of subjective, an interview with somebody, and you're making it more objective when you ask those same questions in the same way every time somebody is assessed with this. Now you can apply a scoring protocol and actually score their responses.

Wayne: Okay. As a result of applying those protocols, what did you conclude?

Dr. Curry: Ms. Heard did not have PTSD. And there were also pretty significant indications that she was grossly exaggerating symptoms of PTSD when asked about them.

Wayne: How did you make that latter conclusion?

Dr. Curry: So, one of the strengths of this test, as I mentioned, the important thing about any test used when you're doing an evaluation in forensics is to make sure that the person is responding accurately. And this test does that by not just asking people whether they have a symptom but asking follow-up questions that draw out very detailed accounts of every single symptom of PTSD. And when you're really familiar with this disorder, which you need to be to administer this test, there are nuances in the way a person will describe their symptoms that have been shown repeatedly to indicate exaggeration or faking. There are also indications when somebody is clearly giving you a genuine response.

Wayne: Okay. What, if any, symptoms of PTSD did you observe in Ms. Heard?

Dr. Curry: So, there are 20 core symptoms that somebody can manifest with PTSD. You don't have to have all of them. Ms. Heard initially said that she had....in the first question, you say, "Do you ever have this?" before you get to the more nuanced follow-up questions. When I asked



that first question on each item, she initially said, "Yes. I have that" to 19 of the 20 symptoms. That's not typical even of somebody with the most disabling form of PTSD.

When we eventually sort of dialed it down, she had three remaining symptoms. And having symptoms of any disorder is common for all of us. Some of us struggle with sleep, some of us get anxious. It could be several different disorders, it could just be that you have this struggle in your life. But she had three specific symptoms that I scored as present.

Off the top of my head, I might miss one, but one was sleep disturbance. So, she reported that she has frequent nightmares. Another one was that she said that she tends to have a startle response. So, she gets startled or surprised. She tends to stay in sort of a hyper-startle mode for quite a while. And that's consistent with a couple of things. It can be consistent with PTSD, if other criteria are met. It's also consistent with childhood complex trauma, which is something that can occur when your brain is forming. If you constantly feel unsafe, if your parents are abusive or if they're not present, if you're neglected, you can develop certain physiological responses that can stay for a long time in your life. So, I noted that. That seems like a very genuine, accurate account where she stays in the state of hyperarousal, has a hard time calming down if she gets surprised.

Wayne: You mentioned nightmares as well.

Dr. Curry: Yes.

Wayne: Did she recount for you the nature of the nightmares?

Dr. Curry: So, they were vague. She indicated that she has recurrent nightmares and that she feels as though she's being held down. There was some conflict in that account because, even though that could be a PTSD symptom, it is fairly vague, but I still scored it as present. And in her initial treatment with Dr. Bonnie Jacobs, which I believe started before she began dating Mr. Depp. She had indicated to Dr. Jacobs, according to Dr. Jacobs's notes, that she was having repetitive nightmares back then, and that they were related to her childhood trauma. And so, that came up several times in the notes. Dr. Jacobs kept mentioning that.

Wayne: Thank you. What is feigning?

Dr. Curry: Feigning is essentially faking or exaggerating symptoms that aren't present.

Wayne: Does the CAPS-5 control for that?

Dr. Curry: It doesn't necessarily control for it. It can expose it by drawing out...

Wayne: And how does that work?

Dr. Curry: Because you're not just simply handing the person a checklist that says, "Here are all the symptoms of PTSD. Just check off the ones you have," which clearly, if you're trying to look like you have PTSD, you would just check them all. The CAPS-5, because it requires them to describe in detail how they experience the symptom, where it shows up, what it looks like, what sort of examples they can give you, how many times it's happened in the last couple weeks, how many times it's happened in the last month. By the end of each symptom, you've gotten a very good picture of a couple of things.

One, does it meet the definition of the symptom? Are they getting it right? Is this actually the symptom or are they kind of confusing this with something else? Number two, are they giving you very vague accounts? Are they giving you kind of a stereotyped idea of what the symptom is based on media or movies or something that actually is completely different from genuine experiences of this symptom? Or are they giving you a very genuine, heartfelt, sometimes minimizing, but it's ticking all the boxes, their mannerisms while they're describing it, the actual, very specific, very nuanced symbolic ways they're describing it, a lot of times its smells, its sounds. That all appears in genuine accounts, and it's something that people really get wrong when they're feigning.

Wayne: All right. In addition to your conclusion that Ms. Heard does not have PTSD, did you make a conclusion with respect to her symptoms?

Dr. Curry: Yes. Actually, I did. So, you know, just because somebody doesn't have PTSD doesn't mean that they weren't harmed psychologically by whatever is being alleged. In this case, Ms. Heard is alleging that she was psychologically harmed and that she suffered PTSD because of abuse that she alleges occurred by Mr. Depp. So, I also...the MMPI-2 is helpful because it shows you everything, any other symptoms. And then, in Ms. Heard's own self-report and her prior treatment records, I knew that she had reported to me that she had had some other symptoms.

So, now what becomes really important is determining. And let me clarify one thing here. Not so much a diagnosis, but did she start to experience symptoms during the relationship and after? Did they worsen after? Or could these types of symptoms or reports be explained by other factors,



A) by feigning, B) by pre-existing conditions, or C) by other stressful life events that might have occurred?

So, the main symptoms that I was looking at didn't meet criteria for PTSD, right? There was also substantial evidence that this sort of emotional dysregulation, emotional disorganization, the shallowness, the traumatic affect. Now, when you have a lot of childhood trauma, you can actually have some similar-type presentation in adulthood. There are some differences though, but also that's not something that would have occurred after this relationship.

So, now I was looking at, are there indications that these types of things that she's described, this transient anxiety, the issues with sleep, were these there prior? And sure enough, Ms. Heard, in her own self-report, stated to me that when she first got to LA, she was seeking treatment for, in her words, blanket anxiety and depression. She also reported that she was taking medications. In general, none of them were helpful. That's actually very typical of borderline personality disorder.

Medications typically aren't very helpful for somebody with the disorder. They really need an intensive lifelong type of therapy, which is not necessarily as relevant to this. But interestingly also, people with borderline personality disorder often respond really positively to stimulant medications that are given for ADD or ADHD. And in one of Nurse Falati's notes, she reported that Ms. Heard told her that none of the medications were working for her except for one, Provigil, which is often prescribed as stimulant medication. And I just thought that was interesting and consistent with more of these lifelong personality disorders that aren't necessarily caused by a harm, by any allegations, but have been there and will remain there, typically.

The other issue, you know... So, the anxiety, she had already indicated that had been there prior, but the form of the anxiety. So, looking at Dr. Hughes's testing, and then also looking at the scores on the MMPI, when you look at all these little combinations of the scores, you can actually learn a lot about, is the anxiety related to an event, or is this more a person who tends to be an anxious person, regardless of what's going on in their life? And somebody might describe them as a worrywart. And the scores, the little combination of scores that she obtained actually indicated that it was the latter, that her anxiety tends to be separate from events and more just kind of a constant, and it comes and goes, but it's more of a trait.

Wayne: I have no further questions for this witness.

Judge Azcarate: All right. Why don't we go ahead and [inaudible 02:10:36] go ahead and have our lunch break. It might be a good idea to break it up there.

Woman: Why did you get there?

Judge Azcarate: Okay. I know. I can see you jumping up. All right. Ladies and gentlemen, let's go ahead and take our lunch recess. Just again, do not do any outside research and don't discuss the case with anybody, okay? We'll have you back here. And again, Dr. Curry, you're in the middle of your testimony. Please do not discuss your testimony with anybody at this time, okay?

Dr. Curry: [inaudible 02:10:58]

Judge Azcarate: All right. Let's just...Well, we come back at 1:50, okay? Come back at 1:50? All right. Thank you.

All right. Have your seats. All right. Cross-examination. You can sit down, ma'am.

Elaine: Okay. Thank you, Your Honor. Dr. Curry, you're not board-certified, correct?

Dr. Curry: No, I'm not.

Elaine: Not in clinical psychology or in forensic psychology, correct?

Dr. Curry: No. I'm a licensed clinical psychologist.

Elaine: But you're not board-certified?

Dr. Curry: No.

Elaine: Okay. And you also have only been practicing approximately eight years. Is that correct?

Dr. Curry: That's not correct.

Elaine: How many years?

Dr. Curry: I've been licensed for 10 years, and I've been practicing for about 15 years.

Elaine: Okay. And that includes what you went through with your different trials in Hawaii and everything else that you testified to, correct?

Dr. Curry: Yes.

Elaine: Okay. Now, you went to Mr. Depp's home for dinner and drinks before you were hired as an expert in this case, correct?

Dr. Curry: That's not quite right. I was interviewed at Mr. Depp's home by his legal team. Dinner was served.

Elaine: In attendance with Mr. Depp was Adam Waldman, correct?

Dr. Curry: Yes.

Elaine: Ben Chew, correct?

Dr. Curry: Yes.

Elaine: Camille Vasquez?

Dr. Curry: Yes.

Elaine: Okay. And the dinner lasted approximately three to four hours, correct?

Dr. Curry: Yes.

Elaine: And it included drinks...

Dr. Curry: The interview.

Elaine: ...correct?

Dr. Curry: Yes. Dinner and, I believe, drinks were served.

Elaine: Okay. And this was before you were hired as an expert, correct?

Dr. Curry: Yes. This was an interview so that they could make an informed decision as to whether or not to retain me.

Elaine: And don't you think that's a little odd that you're getting interviewed by Mr. Depp to decide whether you are going to testify adversely against Amber Heard?

Dr. Curry: I was interviewed by the legal team.

Elaine: Okay. And Mr. Depp was present. It was his home, correct?

Dr. Curry: Yes.

Elaine: And he was serving dinner and drinks, correct?

Dr. Curry: He was not serving dinner and drinks.

Elaine: Well, it was at his house at his behest, correct?

Dr. Curry: Yes. It was at his house.

Elaine: Okay. And you were contacted by Camille Vasquez, somebody you knew in the community, in February of 2020. Is that correct?

Dr. Curry: I knew of Ms. Vasquez professionally. We live in the same city, and I work with many attorneys.

Elaine: Okay. And at that time, you not only knew Johnny Depp, you'd seen a number of his TV and movie roles, and you believed he was a good actor, correct?

Dr. Curry: Not correct. I did not know Johnny Depp. I had seen several of his movies.

Elaine: Well, you knew of him? You knew who he was?

Dr. Curry: Yes.

Elaine: Right. And you believed he was a good actor, correct?

Dr. Curry: Yes.

Elaine: Okay. And then you provided an expert designation in this case before ever seeing Amber or having an opportunity to review any documents or records, isn't that correct?

Dr. Curry: I did not provide an expert designation. That's an attorney thing. My opinions are contained in my report.

Elaine: Let's pull up Plaintiff's Exhibit 884, please. This was plaintiff's designation, identification of expert witnesses in this case. And this is dated February 2021. That's a year after you went to dinner at Mr. Depp's house, correct?

Dr. Curry: Yes.

Elaine: Okay. And it attributes, if you go to page 13, it says you have 3 opinions. The first of those is that Amber Heard "exhibits patterns of behavior that are consistent with co-occurring cluster B personality disorder traits, especially borderline personality disorder." Did I get that right?

Dr. Curry: I'm reading that here. That is not my opinion.

Elaine: Okay.

Dr. Curry: Well, it's a current opinion, but this was not an opinion of mine then. I didn't have any opinions at that time.

Elaine: It says Dr. Curry will testify, correct?

Dr. Curry: That's what it says. Yes.

Elaine: Okay. And this is assigned pleading, correct, on behalf of Mr. Depp?

Dr. Curry: I'm not sure I understand what that means.

Elaine: You don't understand what assigned pleading is?

Dr. Curry: No.

Elaine: Okay. Do you understand that Mr. Depp's counsel prepared this and served it on Ms. Heard's counsel?

Dr. Curry: I'm not an attorney. I don't understand necessarily all of these procedures.

Elaine: Okay. Are you aware that Mr. Depp is on an audio recording years earlier taunting Amber Heard that she has a borderline personality disorder?

Dr. Curry: I was made aware of that in this case. Yes.

Elaine: So, is that one of the audio [inaudible 02:15:44]?

Dr. Curry: Actually, not necessarily taunting, but I do recall hearing that Mr. Depp had used that phrase.

Elaine: So, it's a coincidence that you now think she has those attributes after the attorneys listed it in February 2021, before you'd looked at anything, and Mr. Depp had made that accusation to Ms. Heard years earlier.

Dr. Curry: My opinions aren't based on coincidence.

Judge Azcarate: It's objection. I'm sorry, doctor.

Wayne: Compound.

Judge Azcarate: Compound? I'll sustain the objection.

Elaine: All right. It's a coincidence then that you came up with symptoms of borderline personality disorder years later, after Mr. Depp had been taunting Ms. Heard in an audiotape [inaudible 02:16:24].

Dr. Curry: I can't speak to whether or not there's a coincidence, but I can tell you is my opinions are based on the results of my evaluation.

Elaine: And it's a coincidence that Mr. Depp's counsel attributed that to you in February 2021, before you'd looked at anything, correct?

Dr. Curry: I'm not sure.

Elaine: Okay. Now, would you agree that a disproportionate number of women are tagged with a diagnosis of borderline personality disorder?

Dr. Curry: No. That's not quite right.

Elaine: Seventy-five percent?

Dr. Curry: The way you phrased it is not quite right.

Elaine: Tell me what's right.

Dr. Curry: Okay. So, there are more women who have been diagnosed with bipolar disorder than men. It's more prevalent in women.

Elaine: Okay. And trauma can cause borderline personality disorders, can't it?

Dr. Curry: No.

Elaine: Never?

Dr. Curry: Right now, we know that there are people who have borderline personality disorder who have sustained childhood trauma. There are also people who have borderline personality disorder who have had no childhood trauma. So, like most personality disorders and really like most mental health issues in general, there seems to be both a biological component... In the case with borderline personality disorder, the research tends to support a genetic component and possibly a neurological component. And then there is also possibly an environmental component triggering those genetic markers.

Elaine: Do you know the percentage of women who are victims of IPV, intimate partner violence, or domestic abuse who are diagnosed with borderline personality disorders?

Dr. Curry: I can't tell you the percentage off the top of my head, but I do know that there is a larger.... Women with borderline personality disorder tend to have a higher prevalence of being involved in intimate partner violence relationships, being the receiver of violence, and being the perpetrators of violence.

Elaine: Now, you've never been asked to testify or serve as an expert with respect to whether someone has a bipolar disorder. Is that correct?

Dr. Curry: A bipolar disorder?

Elaine: Yes.

Dr. Curry: That's not correct.

Elaine: Okay. Bear with me. Your Honor, may I approach?

Judge Azcarate: Yes ma'am. Thank you.

Dr. Curry: Thank you.

Elaine: Dr. Curry, do you recall having your deposition taken in this case?

Dr. Curry: Yes.

Elaine: On March 21, 2022?

Dr. Curry: I believe that was the date. Yes.

Elaine: And were you under oath at that time?

Dr. Curry: Yes.

Elaine: All right. I'm going to ask you to turn to page 207. And the question was, have you ever been asked to testify or serve as an expert with respect to whether someone has bipolar disorder? And your answer at that time, will you please read to the jury?

Dr. Curry: I'm sorry. Page 207?

Elaine: 207, line 5, could you read?

Dr. Curry: No.

Elaine: Okay. Thank you. Now, when this designation was served in February of 2021, you had not rendered an opinion that "Ms. Heard exhibits patterns of behavior that are consistent with co-occurring cluster B personality disorder traits, especially borderline personality disorder," correct?

Dr. Curry: I'm sorry. I missed the first part. What was that?

Elaine: When this designation was served that you have in front of you as Plaintiff's Exhibit 884.

Dr. Curry: Oh, okay.



Elaine: You had not rendered an opinion that "Ms. Heard exhibits patterns of behavior that are consistent with co-occurring cluster B personality disorder traits, especially borderline personality disorder," correct?

Dr. Curry: No. I had not rendered any opinions. My opinions weren't finalized until after my evaluation.

Elaine: So, when this came out, you had not rendered that opinion?

Dr. Curry: I had not rendered that opinion.

Elaine: Okay. The second opinion that's listed in the February 2021 is that "Ms. Heard repeatedly and characterologically perpetuated severe physical and psychological intimate partner violence, IPV, toward Mr. Depp over the course of their relationship." Did I read that correctly?

Dr. Curry: It says perpetrated, but other than that, yes.

Elaine: Okay. And so, is it correct that this pleading says, in February 2021, that you are going to testify to that?

Dr. Curry: This document? Yes.

Elaine: Okay.

Dr. Curry: It says that.

Elaine: And you have never been asked to testify as to whether anyone has behaviorally or characterologically conduct that suggests they may be an IPV perpetrator, correct? I have to ask that again because I stumbled. I can't do characterologically. That one's just a tough one for me. Okay. You have never been asked to testify as to whether anyone has behavioral or characterological conduct that suggests they may have been an IPV perpetrator, correct?

Dr. Curry: No. I've never been asked to testify for that.

Elaine: Okay. And that was not your opinion in February 2021, correct?

Dr. Curry: No.

Elaine: And in fact, you do not hold that opinion now, and you were not even asked to provide such an analysis or opinion. Isn't that correct?

Dr. Curry: No. Oh, that is correct. Yes.

Elaine: That's correct. Okay. And you have never held that opinion, correct?

Dr. Curry: No. That is correct. Yes.

Elaine: Okay. In your third opinion, if we can go to page 14, was that "Ms. Heard exhibits patterns of behavior that suggest her allegations of abuse against Mr. Depp are false." Do you see that?

Dr. Curry: I see that you said it's my third opinion. That is not my opinion.

Elaine: All right. But in this pleading, it says that you will testify to that, correct?

Dr. Curry: Yes. That's what this says.

Elaine: Okay. And that was not your opinion in February 2021, was it?

Dr. Curry: No. As I said, I had not formed any opinions at that time. I had just been retained.

Elaine: Okay. And in fact, you have never arrived at this opinion as an expert witness in this case, correct?

Dr. Curry: In terms... No. The opinions that I've rendered are provided in my report, and they're what I'm testifying to today.

Elaine: And you have never arrived at this opinion as an expert witness in this case, correct?

Wayne: Objection, vague.

Judge Azcarate: I'll sustain.

Elaine: You have never arrived at the opinion that Ms. Heard exhibits patterns of behavior that suggest her allegations of abuse against Mr. Depp are false, correct?

Dr. Curry: That's correct.

Elaine: Okay. And in fact, you've said that has never been my opinion, correct?

Dr. Curry: What I'm saying is that these, the opinions in here, these are not my opinions. My opinions are provided in my report.

Elaine: Can you please turn to page 255 of your deposition? And if we can start on 254, to give the context.

Dr. Curry: I don't have that page. I'm sorry.

Elaine: 254, line 11.

Dr. Curry: Oh, okay.

Elaine: And the question is, now, the next one is, "Miss Heard exhibits patterns of behavior that suggest her allegations of abuse against Mr. Depp are false." Was that your opinion in February 2021? And you answered at that time, "No," correct?

Dr. Curry: That is correct.

Elaine: And then I asked, "Have you ever arrived at that opinion in the time that you have served as an expert witness in this case?" And your answer was... Could you read that to the jury, please?

Dr. Curry: Yes. So, no. It's not the task I was cut off. Essentially, what I said then was, "No. That's not the task of\_\_\_. That was never my task to determine." Can I say what that means?

Elaine: No. And then the question is, so is it fair to say that you have never arrived at an opinion that "Ms. Heard exhibits patterns of behavior that suggest allegations of abuse against Mr. Depp are false."? And what was your answer?

Dr. Curry: Well, there is an objection.

Elaine: All right. I'll read it for you if you're having difficulty. Your answer was, under oath, "Correct. That is not my opinion. That has never been my opinion." Isn't that what you said under oath on March 21st?

Dr. Curry: Correct. Yes.

Elaine: Okay. And then I'm gonna ask you, do you know who wrote this portion of the designation suggesting that these were your opinions in February of 2021? And what was your answer?

Dr. Curry: I said no.

Elaine: Okay. Now, as of the time of this initial expert designation, you had not reviewed any materials, reached any opinions, correct?

Dr. Curry: I believe I had just started to review materials. I believe that I indicated that in my deposition. I had not yet rendered any opinions. I hadn't completed my review and I hadn't conducted an evaluation.

Elaine: Okay. And in fact, you've never testified as an expert on IPV, intimate partner violence. Isn't that correct?

Dr. Curry: I believe that is correct, but I may not be remembering all of my cases.

Elaine: Let's go to page 200.

Dr. Curry: Okay.

Elaine: Line 17. My question was, "Have you ever testified as an expert on IPV?" And your answer under oath then at line 22 was what?

Dr. Curry: Oh, gosh, let me catch up. Line 22. No.

Elaine: And you've never testified as an expert on emotional distress damages associated with IPV. Is that correct?

Dr. Curry: That's correct.

Elaine: Okay. And you've never been asked to testify with respect to emotional damages associated with domestic violence or abuse, isn't that correct?

Dr. Curry: Again, I'm reluctant to say that's correct, because with 15 years of experience, a lot of my cases have been complex and that may have been a component, but I don't remember explicitly a case being just about that.

Elaine: Let's go to page 199, line 20. My question to you was, "Have you ever been asked to testify with respect to emotional damages associated with domestic violence or abuse?" And your answer under oath at that time was?

Dr. Curry: No.

Elaine: "I've not," right, isn't that what you said?

Dr. Curry: Sorry, I hadn't found the page in time.

Elaine: Okay. You said, "No. I have not," correct?

Dr. Curry: But I have not.

Elaine: Okay. Now, you also have never been asked to testify on whether an individual is being truthful in saying that they are a survivor of IPV. Is that correct?

Dr. Curry: That's correct.

Elaine: Okay. And you have never qualified as an expert to speak to whether a person suffered from IPV, intimate partner violence, or was a victim or survivor of IPV. Is that correct?

Dr. Curry: That's outside of the task of a psychologist to determine whether an event occurred. We assess behavior. We assess mental status. We don't detect crimes.

Elaine: So, you have not been asked to testify to that, correct?

Dr. Curry: It's not something that occurs. So, no, I have not.

Elaine: And you were not ultimately asked to provide any opinions on that, correct?

Dr. Curry: No, I was not.

Elaine: Okay. Now, you did not disclose in any of the designations or your report that you had met with and had dinner and drinks with Mr. Depp, did you?

Dr. Curry: I'm sorry. Can you repeat that one more time? That confused me.

Elaine: Yes. You did not disclose in any of the designations or in your report that you had dinner and drinks with Mr. Depp, correct?

Dr. Curry: I did not disclose that I was interviewed by the legal team. No.

Elaine: I asked a different question. Are you trying to resist that you didn't have dinner with Mr. Depp, and drinks?

Dr. Curry: I'm not trying to resist that, but it's not quite right what you're stating.

Elaine: You did have dinner with Mr. Depp, did you not?

Dr. Curry: I did with his legal team and Mr. Depp.

Elaine: And you had drinks with Mr. Depp, did you not?

Dr. Curry: And what?

Elaine: You had drinks with Mr. Depp, did you not?

Dr. Curry: Drinks were served. This was over two years ago. I may have had a drink with dinner. Yes.

Elaine: In fact, you thought you had a Mule something, right?

Dr. Curry: Possibly.

Elaine: Yes. Okay. And you didn't disclose that you had met with Mr. Depp, Mr. Waldman, Mr. Chew, and Ms. Vasquez at Mr. Depp's house for three to four hours and had dinner and drinks, correct?

Dr. Curry: I did not disclose that. It's not significant to the report.

Elaine: You don't think that's significant, correct?

Dr. Curry: I don't.

Elain: Okay. But you've never been asked to meet with a client and his counsel before being retained as an expert either before or after, have you?

Dr. Curry: No.

Elaine: And you justified that it was okay in this case because it was a high-profile case.

Dr. Curry: That's not quite right. I justified it in this case. Actually, I sought consultation about it. First of all, the person who had retained his attorneys was unable to come to my office with his attorneys. And yes, this is a very visible case. It's been going on a very long time, and I understood that there would be a need to interview me and make an informed decision about my qualifications.

Elaine: Can you look at page 240, please, line 3 is my question, "Would you agree it's highly irregular to meet with the subject in a litigation?" And your answer on that occasion was, "I would not say it's highly irregular, I would say it's not something that I would typically do. However, I had not yet been retained on the case. This was a large, high-profile case. And I understood that I believed that it was appropriate for a person retaining me with such a high profile to meet me to be able to vet me, essentially with the attorneys present prior to retaining me on his case." Do you recall that?

Dr. Curry: Yes.

Elaine: That's what you said under oath, correct?

Dr. Curry: Yes.

Elaine: And then I said, "Have you ever done that before?" And you said, "No," correct?

Dr. Curry: Correct.

Elaine: And then I said, "Have you ever done it since?" And you said, "No," correct?

Dr. Curry: Correct.

Elaine: Okay. Now, would you agree that if you did not find something that would be in favor of Mr. Depp and negative to Ms. Heard that you wouldn't be an expert in this case?

Dr. Curry: Essentially...

Elaine: There not gonna bring you into court if you're gonna say that Ms. Heard is right and Mr. Depp is wrong, correct?

Dr. Curry: So, as a forensic psychologist, my obligation is to the court, is to the fact finder. I present science, regardless of what that science may be. Now, when I take a case, my retainer agreement is explicit about that, and I discuss that with the attorneys.

Elaine: Dr. Curry, I'm just asking you. I'm asking you a question. I'd like you to try to answer your question. You understand that if you found favorably to Ms. Heard and negatively to Mr. Depp you wouldn't be here, right? You wouldn't be testifying.

Wayne: Objection, speculative.

Dr. Curry: No, I... Okay. Sorry.

Judge Azcarate: Hold on. The objection is speculation.

Elaine: That's not speculation.

Judge Azcarate: Oh, I'll sustain the objection if you wanna ask.

Elaine: Okay. It goes to bias, Your Honor.

Judge Azcarate: I sustain the objection. Next question.

Elaine: Okay. All right. You were, in fact, so excited about being involved in this case that you told your husband, even though this was a highly confidential matter, that you were going to be conducting the examination of Ms. Heard, didn't you?

Dr. Curry: That is not accurate.

Elaine: You not only told your husband, but you told Ms. Heard that you told your husband, correct?

Dr. Curry: Ms. Bredehoft, that is not accurate.



Elaine: What is accurate?

Dr. Curry: You're incorrect. That is not correct.

Elaine: Is your testimony today under oath that you did not tell your husband that you were going to be conducting the examination of Amber?

Dr. Curry: That is my testimony.

Elaine: Okay. Let's go to page 306. So, the question that was asked was because you brought muffins, you said from your husband, right? And you gave those to Ms. Heard, correct?

Dr. Curry: May I clarify what occurred so that we can stop talking about the muffins? What happened was that I was getting ready that morning. I frequently bring muffins to the office. My husband did happen to know that there was going to be a celebrity client coming in because, on the mornings that that occurs, which often occurs, we have to actually clear the office and move the staff to the other office.

So, yes. On the one hand, he was aware of that. I was getting ready. I asked him to go to the bakery near our house and pick up the muffins for me because I was running late. He often has to do that because I often do run late. He brought the muffins back to the house, I brought them into the office. Ms. Heard and I enjoyed the muffins together. I think I made a comment to her along the lines like, "We can thank my husband. He brought..." Or, "my husband got these for us today," meaning he purchased the muffins. We are now enjoying them because of him.

Elaine: Did you say on pages 305 and 306 that you frequently have examinations of high-profile clients? You wanna just take a quick look and tell us?

Dr. Curry: What 305, 306?

Elaine: Yeah. That's where we're talking about it.

Dr. Curry: Is there a line you'd like me to look at?

Elaine: You can start with 15, line 15, 305. Just read through that and tell me whether you said anywhere in there that you have a lot of high-profile examinations. You do this frequently.

Wayne: Objection, to remove collaborate impeachment.

Elaine: I don't agree.

Judge Azcarate: I want you to approach, please.

Elaine: So, why did your husband get the muffins for Amber Heard?

Dr. Curry: He did not get the muffins for Amber Heard.

Elaine: He knew you had a high-profile client, and you were preparing for a very long time, and you asked him to pick up the muffins, correct?

Dr. Curry: I asked him to pick up the muffins for me. Yes.

Elaine: Okay. Now, would you agree that domestic abuse can be verbal?

Dr. Curry: Absolutely. Yes.

Elaine: Would you agree that domestic abuse can be emotional?

Dr. Curry: Yes. Certainly.

Elaine: Would you agree that domestic abuse can be psychological?

Dr. Curry: Yes.

Elaine: Would you agree that domestic abuse can be physical?

Dr. Curry: Yes.

Elaine: Okay. Now, you indicated, and I believe you testified in your direct, that it's very important to review the treatment records before forming opinions. Is that correct?

Dr. Curry: Yes.

Elaine: Okay. In fact, that's the first thing you would do, correct?

Dr. Curry: Not necessarily the first, but it's part of the evaluation.

Elaine: Let's go to page 261 and let's go to 260 because that's where I start the question. The question I asked was, "And do you recall whether you'd review any of these by the designation on February 19th, 2021?" And you said, "Okay. I can't say for certain. What I can tell you is that knowing my normal procedure, I would've reviewed the treatment records first." Did you testify to that under oath then?

Dr. Curry: Yes.

Elaine: Okay. Now, before we start getting into the ones that you testified about, I just wanna be really clear about what you actually have as an opinion with respect to the borderline personality disorder and the histrionic. You didn't diagnose, you didn't actually have a DSM-5

diagnosis that Amber Heard suffers from either borderline personality disorder or histrionic personality disorder, correct?

Dr. Curry: That's not correct.

Elaine: In fact, your report says, "Ms. Heard demonstrates psychological symptoms of a combined borderline and histrionic personality disorder." Would you agree?

Dr. Curry: Yes. I did say that in also...what designation was that? I believe January 18th that report was included.

Elaine: Yes. Okay. And that's what you said at that time, correct?

Dr. Curry: Yes.

Elaine: Okay.

Dr. Curry: I said a little bit more than that as well.

Elaine: You said, and I'll read it. I'll quote it. "Based on the combined results of my interview with Ms. Heard, behavioral observations, psychometric test data, and review of the available records, Ms. Heard demonstrates psychological symptoms of a combined borderline and histrionic personality disorder, BHPD."

Dr. Curry: Yes.

Elaine: That's what you wrote in your report as one of your conclusions, correct?

Dr. Curry: And that's a DSM-5 diagnosis.

Elaine: And it did not say that you were diagnosing with a DSM-5 for borderline personality disorder or a histrionic personality disorder. Did it?

Dr. Curry: That's what it says in different semantics.

Elaine: Oh. So, what you meant to say...?

Dr. Curry: It did not use the words you just said.

Elaine: Now let's talk about the treatment records that you said that you reviewed, but I'm gonna start with Rocky Pennington. Your testimony was that, "Out of the blue, Amber hit Rocky Pennington," correct?

Dr. Curry: I can't remember exactly what I said, but I did reference Ms. Pennington's deposition that Ms. Heard struck Ms. Pennington in the face.

Elaine: In fact, Ms. Pennington testified that she hit Ms. Heard. And in response to that, she can't recall, but Ms. Heard either pushed or slapped her, correct?

Dr. Curry: I don't recall.

Elaine: That's a pretty important distinction. Don't you think?

Dr. Curry: My recollection is that there was some sort of violence, both ways, in the relationship. Either way, it seemed that both of them might have been unstable. I'm only evaluating Ms. Heard.

Elaine: So, now we have an evaluation of Rocky Pennington from...

Dr. Curry: No, I just said, but that was not relevant to my opinion, because I'm only evaluating Ms. Heard.

Elaine: But you testified to that on directed that that was a factor, right?

Dr. Curry: Yes.

Elaine: Okay. Well, wouldn't it make a big difference if Amber struck first or just responded back?

Dr. Curry: Given the dynamic, not necessarily, no, it would not have.

Elaine: So, now you're an expert on Rocky Pennington and her dynamics with Amber Heard.

Wayne: Objection [inaudible 02:40:04].

Elaine: I'll withdraw.

Judge Azcarate: Sustained.

Elaine: Okay. So, now let's talk about Dr. Cowan. You not only reviewed his treatment records and his text messages and documents, but you also attended his deposition, did you not?

Dr. Curry: Yes.

Elaine: Okay. And do you recall Dr. Cowan testifying that Amber told him about Depp physically abusing her contemporaneous with the events?

Dr. Curry: I don't recall specifically his words, but I remember him recalling that she had disclosed abuse in their treatment. Yes.

Elaine: And do you recall Dr. Cowan testifying that he received a text message contemporaneous that, "Johnny did a number on me tonight.

I'm safe in my support tonight, but I need some real help." Do you remember him testifying to that?

Dr. Curry: I don't remember the testimony, but I do remember seeing that text message as one of the exhibits.

Elaine: And do you remember Dr. Cowan testifying that on another occasion, Amber sent him a text, "Johnny beat me up pretty good last night."

Dr. Curry: Again I...

Wayne: Objection, hearsay.

Elaine: Not in this. It's constant. She can rely on it. She testified.

Judge Azcarate: Overruled.

Elaine: Thank you. Thank you, your honor. I didn't need to argue that far, I guess. Do you recall that?

Dr. Curry: Again, I don't recall the testimony, but I do remember that being an exhibit. I've seen it.

Elaine: Do you recall Dr. Cowan testifying that not only did he believe Amber in her reporting of the abuse by Depp, but that she had no ulterior motive?

Dr. Curry: I actually don't recall that. I'm not saying that it didn't occur.

Elaine: Okay. Do you recall Dr. Cowan testifying that he believed the relationship was toxic and he was concerned for Amber's physical wellbeing?

Dr. Curry: I do recall him saying that he believed the relationship was toxic.

Elaine: And you don't recall Dr...

Dr. Curry: I do not.

Elaine: ...Cowan saying that he was concerned for Amber's physical wellbeing?

Dr. Curry: I don't remember those exact words.

Elaine: Do you recall Dr. Cowan testifying in that deposition that you were present for referring to Mr. Depp, "His controlling nature, jealousy and suspiciousness, addiction to drugs and alcohol, and violent and

indulgent temper." Do you recall him using those terms to describe Mr. Depp?

Dr. Curry: I remember thinking that would be an inappropriate impression for a treating provider of a different person to give. But I do recall him making that statement.

Elaine: Do you recall Dr. Cowan testifying that "If he pushed her, she was going to push him back, and I never had the impression that she was the provocateur, but that she was indicating to me she had a hard time deescalating these types of situations"?

Dr. Curry: Yes.

Elaine: Okay. And do you also recall him saying that "She didn't say she pushed him, she just said I got right back up. She told me that he pushed her down and she got right back up"?

Dr. Curry: I remember him saying that Ms. Heard told him that. Yes.

Elaine: And do you recall him testifying, "You could interpret it that way. I kind of interpret it more metaphorically that when somebody comes at her, she goes back at them in a similar way, whether it's verbally or she protects herself." Do you recall that?

Dr. Curry: I recall something along those lines, but it was a six or seven-hour deposition, so the specifics are not fresh in my mind.

Elaine: Do you recall Dr. Cowan specifically testifying that he believed Amber Heard when she reported the physical abuse by Mr. Depp?

Dr. Curry: I recall him saying that and following it up with a statement that you have to take the patient at their word when you're the therapist.

Elaine: You recall that?

Dr. Curry: Yes.

Elaine: Do you recall him saying that he believed her, that he found her believable?

Dr. Curry: Yes. Yes. That he found her believable.

Elaine: Okay. Now, you also testified about Amy Banks. Do you recall that?

Dr. Curry: Yes.

Elaine: And before we go there, Dr. Cowan has been a clinical psychologist for 40 years, correct?

Dr. Curry: I'm not sure.

Elaine: Okay. Well, he testified to that, didn't he, in the deposition?

Dr. Curry: I don't recall.

Elaine: And he also saw Amber Heard for over two years, correct?

Dr. Curry: Yes.

Elaine: From approximately August 2014 to 2016, correct?

Dr. Curry: Yes. He did.

Elaine: For a period of time, would you agree?

Dr. Curry: Mm-hmm.

Elaine: Okay. And he also testified that he did not diagnose Amber with borderline personality disorder. Do you recall that testimony?

Dr. Curry: He also testified that he doesn't use diagnoses, but yes, I do recall that.

Elaine: And do you recall that those words were in his notes, but he said he had written that down, but then he discounted it and determined that that was not correct for her?

Wayne: Objection, Your Honor.

Judge Azcarate: Oh, you wanna approach?

Elaine: All right. Now let's jump to Amy Banks. Dr. Banks is a psychiatrist, correct?

Dr. Curry: Yes.

Elaine: And in fact, she went to medical school at Georgetown, and she did her psychiatric training at Harvard Medical School, correct?

Dr. Curry: I believe that's correct. I don't recall a hundred percent.

Elaine: All right. And she was a psychiatrist in Massachusetts that Amber Heard had reached out to.

Dr. Curry: Yes.



Elaine: After the Australia incident, to try to help her relationship with Mr. Depp, correct?

Wayne: Objection, Your Honor.

Elaine: Let me back up. You attended Dr. Banks's deposition as well. Did you not?

Dr. Curry: Yes, I did.

Elaine: And Dr. Banks testified to that, correct?

Dr. Curry: I don't remember if she testified to that. I don't have the notes right in front of me or the deposition transcript.

Elaine: All right. Do you recall Dr. Banks testifying that she understood that Amber was in a relationship with Johnny Depp that had gotten violent and out of control?

Dr. Curry: I don't recall specifically. No.

Elaine: Do you recall Amy Banks testifying that they had physical altercations and his drug use had escalated and Amber felt she was at risk?

Dr. Curry: I don't recall.

Elaine: Do you recall Amy Banks testifying that Amber was reporting the violence by Mr. Depp, and it was not consensual?

Dr. Curry: I recall Dr. Banks stating that Ms. Heard was reporting violence to her. Yes. I do not recall a statement about consent.

Elaine: Do you recall Dr. Banks testifying that there was discussion about Mr. Depp cutting off his finger and she said, "Only that it was a middle of one of these very out of control, escalated fights, and that did make a fairly big impact on me."?

Dr. Curry: I remember something like that.

Elaine: All right. And do you recall Dr. Banks saying, "It was a whole other level. As I remember, he told to me he actually cut off a part of his finger during one of these altercations. Meaning to me, the way I digested that, if you will, was that things had gotten particularly out of control."?

Dr. Curry: I do not recall that exact statement. I'm not saying it didn't occur. I just can't recall it.

Elaine: All right. And you recall that Mr. Depp was in sessions with Ms. Heard with Dr. Banks, correct?

Dr. Curry: Yes. My understanding, however, is that they met with Dr. Banks and then it was primarily Ms. Heard meeting with Dr. Banks for treatment after prescriptions and therapy.

Elaine: All right. And do you recall Dr. Banks saying that she was not surprised that Amber was seeking a restraining order because of the violence that she knew existed in the relationship?

Dr. Curry: I do recall that, and it would be impossible to know that violence exists as a treating therapist or as a psychologist. Again, we're not investigators. However, I do recall that she said that because I remember having that thought.

Elaine: And do you recall Amy Banks, and she's a psychiatrist, right? [Inaudible 02:48:06].

Dr. Curry: Psychiatrist.

Elaine: Okay. And do you recall Amy Banks saying that it was clear to her that Mr. Depp was the one who initiated the violence?

Dr. Curry: I don't recall that.

Elaine: All right. Do you recall that Dr. Banks said that she knew for certain that Mr. Depp was the one who had committed the violence because Ms. Heard reported it in the presence of Mr. Depp and he did not contradict?

Dr. Curry: I do not recall that.

Elaine: Okay. And do you recall that Dr. Banks ultimately concluded that it was her belief that Amber was a victim of domestic violence at the hands of Mr. Depp?

Wayne: Hearsay.

Judge Azcarate: You wanna approach?

Elaine: What was your answer to that last one? I'm sorry.

Dr. Curry: I can't recall, but I also can't recall that last question.

Elaine: Do you recall that Dr. Banks concluded that Amber was a victim of domestic violence at the hands of Mr. Depp?

Dr. Curry: I don't recall that.

Elaine: Okay. Now, you also reviewed the records of Laurel Anderson, and you reviewed her deposition. Is that correct?

Dr. Curry: Let me refresh my memory for a moment. I reviewed Dr. Anderson's deposition. Yes.

Elaine: Okay. And do you recall that she reported that Amber Heard had reported physical violence by Mr. Depp to her?

Dr. Curry: I recall that she said that Ms. Heard had reported that. Yes.

Elaine: Okay. And do you recall that she said that it changed over time?

Dr. Curry: I don't recall that specifically.

Elaine: Okay. And do you recall Dr. Anderson saying that she had witnessed her face being bruised after the December 15th, 2015, incident?

Dr. Curry: I don't recall that.

Elaine: You don't recall that. Okay. And do you recall that Dr. Anderson said that Amber had reported that he had pulled out her hair, bruised her face, kicked her leg and hit her on the head?

Dr. Curry: Yes. Ms. Heard did report that to her according to her testimony.

Elaine: Okay. And do you recall that Amber Heard said that Mr. Depp was scaring her?

Dr. Curry: I don't recall that specifically.

Elaine: Okay. And do you recall that Dr. Anderson said she believed that Amber Heard was a victim of domestic abuse at the hands of Mr. Depp?

Dr. Curry: No, I don't recall that statement.

Elaine: All right. Let's go to Bonnie Jacobs. You said that you reviewed the notes from Bonnie Jacobs, correct?

Dr. Curry: Yes.

Elaine: And what you testified to was that you discounted these because the first notes from Bonnie Jacobs indicated that she already had all of these symptoms, correct?

Dr. Curry: I'm sorry. I don't understand what you're saying, I discounted.

Elaine: Tell me why you discounted Bonnie Jacobs's notes.

Dr. Curry: I did not discount Bonnie Jacobs's notes.

Elaine: You said that Bonnie Jacobs, in her notes, had already determined that these symptoms were present for Amber Heard before the relationship with Mr. Depp. Did you not?

Dr. Curry: What I recall saying was that within Dr. Jacobs's notes, she's documented instances in which Ms. Heard reported to her over the course of therapy, that she was experiencing nightmares, recurrent nightmares, in fact about childhood abuse.

Elaine: Okay. Now, the very first entry on Bonnie Jacobs's notes, these are the notes. Do you recognize these?

Dr. Curry: I do. And we received more, sort of at the tail end, just a couple months ago.

Elaine: All right. So, the first of Bonnie Jacobs's notes is on 10-17-2011. Do you recall that?

Dr. Curry: I don't recall the exact date. I don't have anything in front of me.

Elaine: And she was already, Amber Heard was already in the relationship with Johnny Depp at this point. Was she not?

Dr. Curry: I believe she was, yes.

Elaine: Okay. And in Bonnie Jacobs's notes, she documents...

Dr. Curry: However,... Oh, go ahead.

Elaine: She documents multiple, multiple occasions that Amber Heard reports to her physical violence upon her by Mr. Depp. Does she not?

Dr. Curry: There are several notes that indicate that Ms. Heard has reported violence by Mr. Depp. Yes.

Elaine: Many, many, correct?

Dr. Curry: I wouldn't qualify it as "many, many." I'm not sure what you mean by "many, many."

Elaine: How many would you say?

Dr. Curry: I don't know. I don't have the notes in front of me.

Elaine: Okay. Well, what do you recall in deciding to make your opinions in this case?

Dr. Curry: Well, I'm confused about the dates, because I know that Dr. Jacobs treated Ms. Heard even while she was in her prior relationship, leaving her prior relationship with her last wife.

Elaine: Dr. Curry, I'm not gonna ask you to try to bring in extraneous things. I'm asking you what you recall of these notes.

Dr. Curry: But the dates would've been different based on that alone. And I recall that there was quite a bit of information because these were copious notes spanning back in time from her relationship with Tasha.

Elaine: So, Dr. Curry, please answer my question. How many occasions do you recall...

Dr. Curry: I don't know.

Elaine: ...Dr. Jacobs documenting Amber reporting physical abuse?

Dr. Curry: I don't know.

Elaine: Now, you also said that you listened to audio tapes in this case, correct?

Dr. Curry: Yes.

Elaine: Did you hear Mr. Depp admitting to head-butting Ms. Heard?

Dr. Curry: That is not what I heard.

Elaine: You didn't hear that?

Dr. Curry: I heard a conversation about head-butting. I did not hear him, as you said, admit to head-butting Ms. Heard.

Elaine: Okay. That's your characterization of it, correct?

Dr. Curry: Yes.

Elaine: Okay. Did you see the video tape of Mr. Depp in the kitchen?

Dr. Curry: Yes.

Elaine: Okay. Did Ms. Heard imagine that or create that, or was she responsible for that somehow?

Wayne: Objection, speculation.

Judge Azcarate: I'll sustain the objection. Next question.

Elaine: Okay. What, if any, impact did that have on your opinions watching Mr. Depp in that video?

Dr. Curry: I'm not sure. It was one of many pieces of the exhibits and other collateral data that I considered. I'm not sure what the direct impact was or if that could be measured.

Elaine: All right. Now, counsel asked you whether you had conducted any type of examination on Mr. Depp, and I believe your answer was no, correct?

Dr. Curry: No.

Elaine: You did not review any medical records or psychological records from Mr. Depp either. Did you?

Dr. Curry: I reviewed all of the records that were available.

Elaine: Do you recall reviewing medical and psychological records on Mr. Depp?

Dr. Curry: Yes.

Elaine: Do you recall Dr. Blaustein referring to Mr. Depp having rage?

Dr. Curry: No. I actually recall him referring to Ms. Heard in that note.

Elaine: Your testimony is that Dr. Blaustein was referring to Amber Heard as having rage.

Dr. Curry: I transcribed several of the notes, and I may be missing a time when he said that about Mr. Depp. The handwriting was very difficult to transcribe, but there was one instance in which I recall transcribing him stating that Mr. Depp reported that Ms. Heard had rage.

Elaine: Dr. Blaustein's deposition was taken. Was it not?

Dr. Curry: I don't recall.

Elaine: So, I take it then you don't recall him testifying that Mr. Depp told him he had rage and demons?

Dr. Curry: I don't recall.

Elaine: Do you recall Dr. Blaustein testifying that Mr. Depp looked at his wife, Amber, like his mother or his sister that he didn't like?

Dr. Curry: I haven't seen his deposition. I don't recall that.

Elaine: Okay. Now, did you see, and do you know whether Mr. Depp has ever been diagnosed with any personality disorders?

Dr. Curry: That's not relevant to my task to conduct an evaluation of Ms. Heard. I do not know that he has had one. It was not in the records that he did.

Elaine: All right. So, one way or the other, you don't know whether Mr. Depp suffers from any personality disorders?

Dr. Curry: That's not my task.

Elaine: Okay. Let me go to IPV perpetrators. Would you agree that accusations of infidelity can be considered one of the characteristics of a personality perpetrator of IPV?

Dr. Curry: It can be a characteristic of a lot of things. It is something that can be weaponized if somebody is trying to or is having rage toward their partner.

Elaine: Let's go to page 270, line 3, my question was, "Are accusations of infidelity considered one of the characteristics of a perpetrator or personality perpetrator of IPV?"

Wayne: Objection, Your Honor.

Judge Azcarate: The objection.

Wayne: The question is vague and ultimately ambiguous.

Elaine: I don't understand the objection.

Judge Azcarate: I'll overrule the objection.

Elaine: Okay. And your answer under oath at that time...

Dr. Curry: Can you remind me of the page? I thought...

Elaine: Page 270, line 3 was where my question was.

Dr. Curry: Okay.

Elaine: And your answer is at line eight, you said, "It can be," correct?

Dr. Curry: Mm-hmm, yes.

Elaine: Okay. And interrogating your partner about unfounded accusations of infidelity can be abusive. Would you agree?

Dr. Curry: It can be if they're unfounded. Yes.



Elaine: Okay. And psychological consequences for a victim of IPV can include diminished self-esteem, correct?

Dr. Curry: Yes.

Elaine: Depressed mood?

Dr. Curry: Yes.

Elaine: Anxiety?

Dr. Curry: Yes.

Elaine: Fearfulness?

Dr. Curry: Certainly.

Elaine: Diminished self-agency?

Dr. Curry: Yes.

Elaine: Feeling powerless?

Dr. Curry: Yes.

Elaine: Loss of sleep?

Dr. Curry: Yes.

Elaine: And IPV is a traumatic stressor. Would you agree?

Dr. Curry: It is.

Elaine: All right. And IPV is capable of resulting in PTSD, is it not?

Dr. Curry: It is.

Elaine: Okay. And IPV is capable of resulting in other trauma-based disorders, correct?

Dr. Curry: Yes.

Elaine: Okay. Now, Amber's medical examination. She was cooperative, correct?

Dr. Curry: Her psychological, yes. She was cooperative and polite.

Elaine: Okay. And in the two full days of examination, you felt she was polite and answered all your questions, except in one instance where she furrowed her brow, when you were asking about friendships in high school, correct?

Dr. Curry: That's not correct.

Elaine: All right. Let's go to page 275. So, we start on 274 with the, "Was she polite?" You said yes. "Was she cooperative?" Yes. "Did she answer your questions?" "For the most part, yes." Now we're on page 275, lines 4 and 5. And then my question was, "Did she at any time become combative or unfriendly with you or angry?" And your answer was, "There was one instance in which she appeared annoyed and the posturing forward a bit more assertive tone, furrowed brow when I was questioning something, following up on data that had been inconsistent about friendships in high school. Other than that, she was very polite." Is that your answer at that time?

Dr. Curry: That was my answer at that time, and it's inconsistent with the question you had just asked me.

Elaine: And would you agree that appearing for this examination with an expert who had been retained by Mr. Depp more than a year earlier might be a little stressful?

Dr. Curry: Yes.

Elaine: Okay. And in fact, not only had you been retained by Mr. Depp, but what had been communicated by Mr. Depp's team was that you had called Amber Heard a liar and a perpetrator of abuse, correct?

Dr. Curry: First of all, I'd like to clarify that I was not retained by Mr. Depp. I was retained by Mr. Depp's counsel. And what I can say that, yes, any examinee in a forensic context, you would consider that they're probably stressed.

Elaine: All right. Would you agree that all perpetrators of IPV have anger management issues?

Dr. Curry: Yes.

Elaine: And a large portion of IPV perpetrators have substance abuse issues?

Dr. Curry: It's one of many factors that correlates with intimate partner violence, but there are certainly many people who perpetuate intimate partner violence who do not have substance abuse issues.

Elaine: All right. Let's go to 131, line 17.

Dr. Curry: 131, you said?

Elaine: Yes. Line 12 is what I have here. And I'm talking about, you said, and just to give context, remember, I was asking you how many, what percentage of people you treat that are perpetrators, and you said 5%. Do you recall that just for substance?

Dr. Curry: I see that here.

Elaine: Okay. And then I said, "Of the 5% that are IPV perpetrators that you've treated over the last eight years, how many of these perpetrators have substance abuse issues?" And your answer was?

Dr. Curry: I see that I answered with a figure of speech, "a large portion."

Elaine: Okay. Thank you. And it's common for the perpetrator to essentially gaslight the victim, accuse them of being the perpetrator. Would you agree?

Dr. Curry: Are you in a different area or are you asking me a separate question?

Elaine: I'm asking you a question.

Dr. Curry: Oh.

Elaine: And it's common...

Dr. Curry: Sorry. Can you please repeat it?

Elaine: Yes. And it's common for the perpetrator to essentially gaslight the victim, accuse them of being the perpetrator. Would you agree?

Wayne: Objection, a compound question.

Elaine: That's exactly how it was asked on the deposition, so I'm trying [inaudible 03:03:07].

Judge Azcarate: I understand it is a compound question. I'll sustain the objection.

Elaine: And it's common for the perpetrator to essentially gaslight... I don't think that's... Your honor, I think it's just one question. Let me try it. To gaslight the victim. Isn't it?

Dr. Curry: That's a characteristic of psychological abuse. Yes.

Elaine: Okay. And it's common then for them to accuse them of being the perpetrator, the victim?

Dr. Curry: That's a characteristic of abuse from women perpetrated against men. It's actually very, very common. About 90% of male victims of IPV have reported that a female partner who abuses them makes threats to report their partner as an abuser. It's less common for men to make that statement to female partners just because there's less potential consequence.

Elaine: Isn't it true, though, that some form of gaslighting is often present in this personality based IPV scenarios?

Dr. Curry: Yes.

Elaine: Okay. And it's distressing for the victim to be accused, is it not?

Dr. Curry: Absolutely.

Elaine: It causes them a lot of fear?

Dr. Curry: Certainly.

Elaine: And it causes them a lot of distress?

Dr. Curry: Absolutely, yes.

Elaine: And, in fact, they feel falsely accused, correct?

Dr. Curry: Yes.

Elaine: And they feel paranoid?

Dr. Curry: Yes.

Elaine: And they feel frightened?

Dr. Curry: Yes.

Elaine: Afraid that everyone's going to believe the perpetrator, correct?

Dr. Curry: Yes.

Elaine: And in fact, they're afraid they're going to lose their security, correct?

Dr. Curry: Can you clarify what you mean by security?

Elaine: I'll ask the next one and they're afraid they're going to lose their reputation, correct?

Dr. Curry: Yes.

Elaine: Okay. Now, let's talk about the testing for a moment. You talked about the MMPI-2, but that's not the most recent MMPI, is it?

Dr. Curry: No, it's the most researched.

Elaine: Okay. Now, you need to have an elevated... On the MMPI, there was only one section that had elevated scores, correct?

Dr. Curry: No, that's not correct.

Elaine: It was the K section, correct?

Dr. Curry: That's not correct.

Elaine: Okay. And was there any elevated score over 65 on the MMPI?

Dr. Curry: I would need to take a look at it. I provided a 25-page interpretation outline. If you're able to pull that up, I'd be happy to go over any of the individual scores for you.

Elaine: Can you recall any clinical scales for the MMPI-2 for Amber Heard that were above 65 as you sit there today?

Dr. Curry: Again, there are multiple, multiple scales on this test, 25 pages-worth listed. So, if you can pull it up, then I can review and give you a confident answer.

Elaine: What can you recall as you sit there?

Dr. Curry: I'm hesitant to do that because I don't wanna make an error by ignoring hundreds of scale scores.

Elaine: And would you agree that you can't make a pathological determination or diagnosis if the scales are not elevated on the MMPI-2?

Dr. Curry: I would not agree with that.

Elaine: Okay. Now, one of the answers that Amber gave is that it's hard for her to feel safe, correct?

Dr. Curry: Are you talking about the MMPI-2?

Elaine: Yes.

Dr. Curry: Again, I don't recall. There are 567 items on that. I would need to see her results.

Elaine: Well, it's a common trauma symptom, isn't it? To not feel safe.

Dr. Curry: Sure.

Elaine: And safety concerns are common among women who have been victimized, correct?

Dr. Curry: Women and men. Yes.

Elaine: Okay. And common, especially for sexually-victimized people. Would you agree?

Dr. Curry: Any type of victimization? Yes.

Elaine: Okay. And hard to trust. That's a common aftereffect of interpersonal violence-related trauma, correct?

Dr. Curry: Sure.

Elaine: And memory difficulties. Amber said she felt she had holes. Do you recall that?

Dr. Curry: I do. And her account was different than typical memory difficulties with trauma.

Elaine: It is common for individuals who have experienced trauma.

Dr. Curry: It's actually not common. No. It's a symptom, but it's the least common.

Elaine: In fact, a DSM-5 diagnosis for PTSD includes a, "Inability to remember an important aspect of the traumatic event." Am I correct?

Dr. Curry: Yes.

Elaine: Okay. And memory difficulties are symptom of PTSD, correct?

Dr. Curry: Certain types of memory difficulties, yes.

Elaine: Okay. Now, do you recall when Amber says the first incident of abuse took place?

Dr. Curry: I believe it was... Oh, the first incident in which she... Yes. So, she stated that it was early on in their relationship.

Elaine: Okay. Do you recall it [inaudible 03:08:20]?

Dr. Curry: I don't recall the exact date off the top of my head.

Elaine: Do you recall it being a tattoo, something related to a tattoo?

Dr. Curry: I do.

Elaine: Okay. Now, if someone had been subjected to a four-year relationship characterized by repeated IPV, they can have symptoms, correct?

Dr. Curry: Yes.

Elaine: Intense anxiety?

Dr. Curry: Yes. Certainly.

Elaine: Depressed or irritable states?

Dr. Curry: Actually, it's not so much states when you're looking at a real trauma reaction, it's pretty persistent. It's less of these transient states.

Elaine: Intimate problems?

Dr. Curry: Yes.

Elaine: Relationship difficulties?

Dr. Curry: Yes.

Elaine: And these are symptoms you're also attributing to the personality disorder, correct?

Dr. Curry: Yes. There are some key differences.

Elaine: Okay. Now, let's talk for a moment specifically about a couple of the profiles on the MMPI. This is not an exaggerated profile for her, is it?

Dr. Curry: No. Actually, that was something unique. When she completed objective broadband measures, where you don't know what the questions are getting at, they seemed completely random. She raised scores that indicated that she was trying to minimize any mental issues and appear completely free of pathology. When she took tests that asked questions that were specific to trauma, that's when you'd see these extreme exaggerations.

Elaine: All right, let's go to page 337.

[03:09:47]

[Silence]

[03:10:16]

My question, on line 7, "This is not an exaggerated profile, is it for her?" And your answer under oath at that time was, "No, it is not an exaggerated profile." Do you see that?



Dr. Curry: Yes. We're talking about the MMPI here?

Elaine: You testified under oath at that time, correct?

Dr. Curry: Yes, that's correct.

Elaine: Okay. Now, the profile is also not consistent with malingering, correct?

Dr. Curry: The MMPI-2 profile, it's specific to how she approached this test and you're correct. For this test, it was a defensive profile, not an exaggerated profile.

Elaine: So, my question on line 10 was, "This is not a profile consistent with malingering, correct?" And your answer under oath at that time was, "Correct. On this test, it is not consistent with malingering." Right?

Dr. Curry: Yes.

Elaine: That was your full answer. Okay. Now, is it your testimony under oath today that you have not been asked to testify concerning Ms. Heard's behavior in the context of her relationship with Mr. Depp, including any abuse?

Dr. Curry: That's correct.

Elaine: Okay. And you have not made any determinations, including any of opinions that Ms. Heard abused Mr. Depp or Mr. Depp abused Ms. Heard, correct?

Dr. Curry: Correct. That's outside of the scope of psychology.

Elaine: Okay. And you cannot testify whether Amber Heard suffered any emotional distress as a result of any of the defamatory comments that she has alleged Mr. Depp made through Mr. Waldman, correct?

Dr. Curry: What I can testify is that there was no indication of a decline in psychological functioning showing any injury since she's been with Mr. Depp.

Elaine: You cannot testify one way or the other on that, correct? Your honor, may we approach?

Judge Azcarate: Okay.

Elaine: Dr. Curry.

Dr. Curry: Yes.

Elaine: In your report, nowhere in your report did you provide any opinion of whether Ms. Heard suffered emotional distress as a result of the defamatory statements. Is that correct?

Dr. Curry: That's correct.

Elaine: Okay. Thank you. I have no further questions.

Judge Azcarate: All right. Redirect.

Wayne: Dr. Curry, you were just asked a question about malingering.

Dr. Curry: Yes.

Wayne: And made reference to the MMPI-2. Is there another test that you did to make a determination with respect to malingering?

Dr. Curry: Yes. Well, malingering is a term that most psychologists, we try to be careful of it, because it indicates an intent for secondary gain. I prefer feigning, which you had brought up earlier, because it indicates that somebody is intentionally exaggerating, but I don't know necessarily why. So, I think that's a more accurate term in general.

On the MMPI-2, yes, there was no exaggerated profile. I also gave her the CAPS-5. I don't know if you'll remember, but that is the Clinician-Administered PTSD scale consistent with the DSM-5. And on that, there were signs of gross exaggeration.

I also looked at the test results that were provided by Dr. Hughes and on an objective test of trauma, there is a scale specific to intentional exaggeration on that test, and Ms. Heard was in the 98th percentile, meaning that she had engaged in extreme levels of exaggeration.

Wayne: Thank you. You were asked about intimacy problems, relationship difficulties associated with IPV, and you then said that there were some key differences.

Dr. Curry: Yes.

Wayne: What are those?

Dr. Curry: So, what you see when we're talking about the personality disorders is there is a very consistent pattern of the aggression, the violence, the irritability. First of all, it's escalated. But second of all, it occurs when there is either, for the borderline component, a threat of abandonment, a perceived slight, feeling like the person is about to leave you, about to walk away to get some space from an argument. It also occurs, to a more mild extent, but when there's a loss of attention

and a need to manipulate to try to get that attention back. But when somebody has PTSD, that irritability is sort of at a low constant level, or it's completely random.

For instance, you might have a Vietnam vet who went straight to bars for a period to get into fights with the hope that he would kill somebody and just self-destruct. So, it's a very different type of presentation. IPV, it might be more irritability, but that's actually less of a symptom for female IPV victims. Usually what you'll see is somatic symptoms, the depression, a lot of fearfulness and anxiety, but typically more complaints about somatic symptoms.

Wayne: Okay. You testified that some of the professionals involved in this case had to take their patient at her word. What did you mean by that?

Dr. Curry: So, when you're providing therapy, you're in a very different role than an examiner. When you're the forensic examiner, you're just really looking at data to make a decision. When you're a therapist, you're an advocate for your client's wellbeing. And in fact, it's considered extremely unethical for a treating provider to ever provide opinion testimony, like I'm providing, because it's so well known in our field that you're going to have an automatic bias for your client. It's almost a sense of protection, advocacy, wanting their best, which is why we also know that it's very inappropriate to convey any sort of opinion about whether a crime occurred, whether abuse occurred.

We can certainly believe our clients. We can support them in their therapy and take them at their word, but when giving opinions and consultations, we have to be very, very cautious and really only provide the facts. We would state things in terms of, "My client did report this. I saw this. Here was our treatment plan. Here was the diagnosis."

We are taught, we're trained to stay away from making any sort of opinions, understanding that, most of the time, and most of Ms. Heard's providers were just treating Ms. Heard. They had never so much as done in initial interview with Mr. Depp and gotten his whole life story or his symptoms or his side of any of it. And they're gonna be advocating, and the treatment relationship is about helping your client achieve wellbeing, not making formal, psychological, or psychiatric opinions.

Wayne: So, you were asked a question about a series of doctors. Dr. Cowan, treating physician?

Dr. Curry: Yes. He was a psychologist.

Wayne: Yeah. Dr. Banks, treating physician?

Dr. Curry: Dr. Banks, yes. Treating psychiatrist.

Wayne: Dr. Anderson?

Dr. Curry: Yes. Treating psychologist.

Wayne: Every one of them had to take Amber Heard's word, right?

Dr. Curry: Yes.

Elaine: Excuse me. Leading.

Judge Azcarate: Oh, overruled on that.

Wayne: Thank you. No further questions.

Judge Azcarate: All right. Is this witness subject...

Elaine: [Inaudible 03:17:53]

Judge: That's right. Is this witness subject to recall?

Wayne: Oh, yeah, [inaudible 03:17:59].

Judge Azcarate: All right. Since you're subject to recall, Dr. Curry, please do not discuss your testimony with anybody and please do not watch anything of this trial. Okay?

Dr. Curry: Okay. Got it.

Judge Azcarate: All right. Thank you.

Dr. Curry: Thank you.

Judge Azcarate: You can stay there for a moment.

Dr. Curry: Okay.

Judge Azcarate: All right. Ladies and gentlemen, we'll go ahead and take our afternoon recess for 15 minutes. Do not do any outside research and don't talk to anybody. Okay? Let's go ahead and take our recess till 3:20. Your next witness is by deposition. Is that correct? We will get you all set up then.

Man: Officer Saenz.

Judge Azcarate: All right. Thank you.

Elaine: Your Honor. That's one. We do have some exhibits that we need to argue before that [inaudible 03:18:30].

Judge Azcarate: Okay. We'll come back at 3:20, before the jury comes back out, I will discuss your exhibits. Okay? All right. Thank you.

Bailiff: All rise.

Judge Azcarate: All right. Thank you. Your next witness?

Man: We call Officer Melissa Saenz by deposition designation.

Judge Azcarate: All right.

Man: And just so the jury is aware, for the first hour or so, what we'll hear is questioning by Ms. Heard's counsel. It will then shift to questioning by Mr. Depp's counsel.

Judge Azcarate: All right. Thank you.

Elaine: Please state your name and your business address.

Melissa: Yes. Officer Melissa Saenz, 1546 West Martin Luther King Jr. Boulevard, Los Angeles, California.

Elaine: And what is your occupation?

Melissa: I am a police officer.

Elaine: Okay. And how long have you been a police officer?

Melissa: Going on 12 years.

Elaine: What year did you begin as a police officer?

Melissa: 2009.

Elaine: And was that with the LAPD?

Melissa: Yes, it was.

Elaine: Did you have any law enforcement experience prior to coming to the LAPD in July of 2009?

Melissa: No, I did not.

Elaine: As of May 21, 2016, what was your rank?

Melissa: Can you repeat the date?

Elaine: May 21st, 2016.

Melissa: I was a training officer.

Elaine: And was that a P3?

Melissa: Correct.

Elaine: And as a training officer, were you considered a field training officer?

Melissa: Correct.

Elaine: And for how long a period of time had you been a training officer as of May 21, 2016?

Melissa: Approximately, I believe, four months.

Elaine: And who was the first officer you trained once you became a training officer at the LAPD?

Melissa: I don't recall.

Elaine: When did you start training Officer Hadden?

Melissa: I don't recall the exact month.

Elaine: Do you have an approximate?

Melissa: If the incident was in May, then it's gonna be within two months of May, before or after.

Elaine: So, are you suggesting that you may not have started training Officer Hadden until two months after the May 21, 2016 incident so he wasn't there?

Melissa: No, I'm not.

Elaine: Was it two months or less from the time you started training Officer Hadden before the May 21, 2016 incident?

Melissa: Yeah. So, I have a probationer for two months. So, May could have been the second month I had him or the first month I had him.

Elaine: But you don't recall, as you sit here today, how long you had been training Officer Hadden as of the May 21st, 2016 incident?

Melissa: Correct.

Elaine: What does Central Division include?

Melissa: It encompass downtown Los Angeles.

Elaine: In May of 2016, what shift were you on?

Melissa: I was working nights.

Elaine: And what would the night shift entail? What was the time from when to when?

Melissa: It is approximately 6:45 PM to 6:45 AM.

Elaine: And how many days a week would you work the shift?

Melissa: Usually three days a week.

Elaine: Typically, what was the range of the number of units that were working on your shift in May 2016 in Central Division?

Melissa: I don't recall.

Elaine: Are we talking less than 5, more than 10, more than 25?

Melissa: There would be at least five units. How high over that, I wouldn't know that. Again, every night is different. The city pools from different divisions, if there's special events going on, so it's constantly changing.

Elaine: Okay. But it's usually at least 5 and maybe somewhere between 5 and 10, if there's not a special event, would that be a fair estimate?

Melissa: Correct.

Elaine: What was the process for checking out equipment in May 2016 after roll call?

Melissa: We would walk to the window and give them our name and serial number, and they would present us with equipment for the shift.

Elaine: And what equipment were you given in May 2016 after roll call?

Melissa: I don't recall.

Elaine: You don't recall any of the equipment you checked out in May of 2016 after roll call?

Melissa: I don't remember that specific day that I checked out equipment. I can tell you what I typically check out if that's what you'd like.

Elaine: All right. Let's start there.



Melissa: I usually check out a police vehicle, a taser, a less lethal beanbag shotgun, and a regular shotgun.

Elaine: Anything else?

Melissa: No. Nothing else.

Elaine: Do you check out body-worn video equipment?

Melissa: Yes. If you were trained in body-worn video, then yes. You would check that out.

Elaine: All right. Were you trained in body-worn video equipment?

Melissa: I was not.

Elaine: Have you ever been assigned body-worn video equipment?

Melissa: Yes, I have.

Elaine: When?

Melissa: I don't remember the specific date.

Elaine: What is your best estimate?

Melissa: If I had to guess, it would probably be June of 2016.

Elaine: Why do you think it was June of 2016, that you first were assigned a body-worn video equipment?

Melissa: Because that's the timeframe that I remember having to use it. It was new to me. I had never used body-worn before.

Elaine: When did the LAPD start issuing body-worn equipment for Central Division?

Melissa: I don't know that date.

Elaine: When approximately?

Melissa: I don't know. I couldn't give you a date.

Elaine: Can you name any other officer who did not have body-worn equipment that was on your shift at any time between November 2015 and June 2016 other than you?

Melissa: I cannot.

Elaine: Have you had more than one body-worn video equipment?

Melissa: Body-worn camera, is that what you're asking?

Elaine: Yes.

Melissa: I have had two, one in Central Division and now a new one at Southwest Division, where I currently am. The camera stays at the respective divisions.

Elaine: While you were at Central Division, did you ever get assigned more than one body-worn video camera?

Melissa: Not to my knowledge.

Elaine: So, to the best of your knowledge, you had the same body-worn video camera throughout the time that you were at Central Division. Is that correct?

Melissa: Correct.

Elaine: Do you have a recollection of, at any time while you were at Central Division, your body-worn video camera not working, so you couldn't turn it on during an incident?

Melissa: I do not recall that.

Elaine: What tools were available to you in May of 2016 for investigating calls, answering and investigating calls?

Man: [Inaudible 03:27:35]

Melissa: Can you specify what you mean by tools?

Elaine: Well, did you have a notebook, for example?

Melissa: Yes, we carry field officer's notebooks.

Elaine: Okay. And did you have your own field officer notebook?

Melissa: Yes.

Elaine: Can you describe what your field officer notebook looked like in May of 2016?

Melissa: It's a small, just paper pad that we keep in our pockets to write on.

Elaine: And do you carry a pencil or a pen with it so that you can take them out during a call and take notes?

Melissa: I do.

Elaine: What do you do with your notebooks once you have filled them?

Melissa: You can turn them into the kit room, and they can store them.

Elaine: Is that what you have done?

Melissa: I have my field officer's notebook in my locker.

Elaine: Since you started?

Melissa: No, I've had several different ones, but I usually keep them in my locker.

Elaine: So, for the field officer's notebook that you had in May of 2016, that would be in your locker?

Melissa: It should be, yes.

Elaine: How many field officer notebooks have you filled since you've been a police officer?

Melissa: Not many, probably less than five.

Elaine: And do you recall, roughly, how many pages are in each field officer's notebook?

Melissa: No, I don't recall.

Elaine: Did you have access to DART?

Melissa: I don't recall what hours they worked at Central Division.

Elaine: And what did DART stand for?

Melissa: I don't know the specific acronym, but I know it's the domestic violence car.

Elaine: Okay. Did you also have access to report, types of reports, incident reports, various forms, diagrams, things of that nature in case you needed them?

Melissa: Yes, I did.

Elaine: And where were those kept while you were on a shift? I'm talking about May 2016.

Melissa: I usually keep spare reports in my bag, and I also keep them in my vest.

Elaine: So, when you answered calls in May of 2016, you had reports material in your vest as you answered calls. Is that correct?

Melissa: Yes.

Elaine: It's Deposition Exhibit 14. It's a multiple-page document. I'm just asking her if she recognizes this document.

Melissa: Yes, I do.

Elaine: Okay. When is the last time you reviewed this document?

Melissa: About a week ago.

Elaine: All right. And what were the circumstances under which you reviewed this document a week ago?

Melissa: For this testimony.

Elaine: Now, I asked you some questions about the body-worn video. Are you aware of anyone, any other officer being assigned your body-worn video under your serial number?

Melissa: I'm not aware.

Elaine: Is there any chance that you could be mistaken about when you were assigned body-worn video?

Melissa: No, there's not.

Elaine: And why do you say that?

Melissa: Because everything is recorded and documented on evidence.com under my serial number. So, if a supervisor wanted to enter the database under my serial number, they could watch my videos and see the specific date and time my videos started to record. And when the date of my last video was to this date.

Elaine: All right. And did you go back and look to see what date you started?

Melissa: I did.

Elaine: What was the date that you were assigned body-worn video equipment in Central Division?

Melissa: So, the first day that I took out body-worn video was June 16th of 2016.

Elaine: I'm gonna show you this second page of what has been marked as Deposition Exhibit 1. It has you summoned to attend and give testimony at a deposition and also to produce certain documents. Do you recall this being issued?

Melissa: Yes, I do.

Elaine: And here we go. The documents to be produced. The first of those was all video footage recorded by you relating to any incident at 849 South Broadway, Los Angeles, California, 90014, on May 21, 2016, including all video footage relating to incident number, and it has the number on May 21, 2016. Did you conduct any type of search or any kind of effort to see if you had any video footage on May 21, 2016 relating to this incident?

Melissa: The answer is no.

Elaine: I'm gonna ask you, did anyone at the LAPD at any point, supervisors, watch commanders, commanders, anyone connected with the LAPD, ever ask you whether you had any video footage from the incident of May 21, 2016?

Melissa: No.

Elaine: I'm going to ask you to take a look at 2 here. It says, "All documents and or communications, including without limitation, any notes, memoranda, reports, filings, and or summaries relating to any incident at 849 South Broadway, Los Angeles, California, 90014 on May 21, 2016." Are you aware of any documents or communications that would fit this description?

Melissa: No.

Elaine: Now, Officer Saenz, you've had training on domestic violence, correct?

Melissa: Correct.

Elaine: Could you tell me what that consists of?

Melissa: We received training in the police academy.

Elaine: Anywhere else? Did you have any other type of domestic violence training other than when you were in the police academy?

Melissa: Other than my experience in the field dealing with domestic violence, no, not that I can recall.

Elaine: And as of May of 2016, would you agree that you had answered over 100 domestic violence calls?

Melissa: About, yeah. Yes, I go to a lot of domestic violence calls every day.

Elaine: Okay. And you consider yourself to be a specialist in domestic violence. Is that accurate?

Melissa: I don't understand the title specialist. I don't consider myself a specialist.

Elaine: In May of 2016, what was the police officer supposed to do when the victim of a domestic violence would not respond to questions or cooperate with pursuing charges after a call was placed and the police officers had arrived?

Melissa: If an individual is uncooperative, we are to check their locations and make sure that the suspect isn't hiding for the safety of the potential victim and offer a business card if they decide to speak to us later.

Elaine: In May of 2016, was it your understanding that if you saw evidence of injury or property damage in disarray, that you were to file a report, even if the victim was not cooperating?

Melissa: Correct.

Elaine: Let me show you what has been marked as Exhibit 8, and this is something that was dated November 24th, 2018. It's to all department personnel from the chief of police, domestic violence supplemental report form. And it starts out with, "The domestic violence supplement report form," and it has the number of it, "has been revised to provide a more concise picture of the history and needs of the victim for the purpose of investigating the crime of domestic violence." Was this a document that you recall receiving at some point?

Melissa: Yes.

Elaine: Okay. And do you have any understanding of why this was supplemented on November 24th, 2014?

Melissa: I do not.

Elaine: I'm going to ask you, officer, to take a look at what has been marked as Exhibit 9, and it's called Los Angeles Police Department, Domestic Violence Supplemental Report. Do you recognize this document?

Melissa: Yes.

Elaine: Okay. And what is your understanding of what this document is?

Melissa: It's a supplemental document that we add to a police report for domestic violence.

Elaine: All right. And is this one of the reports that you would carry in your vest when you answered calls?

Melissa: Yes.

Elaine: I'm gonna ask you to take a look, if you can, at the very left-hand column where it has a number of different categories here, and it has victim shaking, unresponsive, crying, scared, angry, fearful [Inaudible 03:38:00] of why these are included on this supplemental domestic violence report?

Melissa: To identify somebody's emotional state during an investigation.

Elaine: And this is specifically with respect to domestic violence, correct?

Melissa: Correct.

Elaine: Okay. And then if you can turn over to the crime scene section on the right-hand side, you'll notice that there are some categories that include location vandalized/ransacked, personal property damage, furniture disarray, broken. What is your understanding of why those categories are included in there for making notations for domestic violence supplemental report?

Melissa: To identify the crime scene at the time of the incident.

Elaine: Okay. And was it your understanding that these items that they have on here may be significant in assisting, in determining whether there was, in fact, domestic violence and improving the case?

Melissa: Correct.

Elaine: And I direct your attention specifically to the evidence section. And it indicates witnesses present during domestic violence, statements taken, evidence collected, photos taken on there. What is your understanding of the significance of collecting this information?

Melissa: It's significant to tell the story about what happened at the domestic violence incident.

Elaine: Okay. And then if we can scroll down a little bit further to additional questions, there's a series of those, including has suspect



threatened to kill you, do they possess firearms, have they ever attempted to smother, strangle, or suffocate you, and things of that nature. What is your understanding of why you're supposed to ask those questions?

Melissa: To give you a background on the relationship and idea of what the victim and the suspect have been through.

Elaine: Okay. Thank you. Just let me ask you the question, Officer Saenz, you did not fill out that supplemental report when you responded on May 21, 2016 to the Broadway call, correct, with Amber Heard?

Melissa: Correct. It did not meet criteria.

Elaine: The question I asked was, "Did you fill out one of those forms?"

Melissa: No, I did not. It did not meet [inaudible 03:40:43].

Elaine: Officer Saenz, I'm going to ask you to take a look at what has been marked as Exhibit 10. And if I can direct your attention to the top, it says Domestic Violence Standards of Review, and it has field notebook dividers, domestic violence laws, LAPD form number 18.30.02. Are you familiar with that?

Melissa: Yes.

Elaine: It has case preparation. It says, "Note the complainant's emotional and physical condition." Do you see that?

Melissa: Yes, I do.

Elaine: And then, "Ensure all evidence is gathered and preserved, e.g., bloodied clothing, damaged phones, property." You see that?

Melissa: Yes, I do.

Elaine: And it also says, "Ensure photographs are taken of injuries or lack of injury to complainant and accused, and then suggest both a day or two after." What is your understanding of the reasons for collecting this evidence?

Melissa: Because these are fruits of a crime.

Elaine: I'm sorry, I didn't [inaudible 03:41:50].

Melissa: Because these are fruits of a crime. If there's a crime, this is important to prove that a crime was committed.

Elaine: And what do you mean by fruits of a crime?

Melissa: If we're talking domestic violence, the location would be evidence. So, if a house is a ransack, then that should be noted in the report. That would be considered evidence.

Elaine: All right, then we're gonna go to the second page here. And it has, "Ensure photographs are taken of scene and damaged property, e.g., broken furniture, holes in wall, damaged phones, phone card, evidence of alcohol consumption, general disarray." Do you see that?

Melissa: Yes, I do.

Elaine: And what is your understanding of why that would be important?

Melissa: Same thing, fruits of a crime.

Elaine: Okay. And then it also says, "Canvass location and interview all witnesses, including children, fresh complaint witnesses, neighbors, and local law enforcement." Do you see that?

Melissa: Yes, I do.

Elaine: And what would be the reason for canvassing the location and interviewing all witnesses?

Melissa: That would be for evidence.

Elaine: All right. And what is your understanding of what fresh complaint means?

Melissa: I wouldn't, I couldn't tell you.

Elaine: Okay. And then if we go down a little bit further, it also has complainant questions and it has questions such as length and nature of relationship, but also prior incidents of domestic violence reported and unreported. And what form of violence or abuse has taken. Do you see that?

Melissa: Yes, I do.

Elaine: And what is your understanding of why that would be important?

Melissa: Because it gives us an idea and background of their relationship.

Elaine: Okay. And then we go to the next page, and we have a little bit more here. We have the... Too far... And that says, "How long the abuse has been occurring, any logs or diaries, is there a pattern of alcohol or substance abuse?" What is your understanding of why those would be relevant?

Melissa: Again, because it gives us background on what we're dealing with, what type of relationship this is.

Elaine: And may help with proof of the crime?

Melissa: Correct.

Elaine: Okay. And then we have, "Identify the person who first saw the complainant after the incident, and it says, (fresh complaint witness)." So, I'm guessing that must be the definition. But why would it be important to interview or identify the person who first saw the complainant after the incident?

Melissa: They probably have the best recollection.

Elaine: Okay. And also has, "Identify the person with whom the complainant first spoke about the incident, fresh complaint witness." What is your understanding of why that would be important?

Melissa: Same thing, the best recollection.

Elaine: Okay. And then we have, "What have neighbors seen or heard?" Why would that be important?

Melissa: Because it would prove to us that there was an incident if there was other people with the same story as the victim.

Elaine: Okay. And then we also have, "Did witness observe how physical injury occurred?" Why would that be important?

Melissa: Because that would tell us that there was a crime that somebody got injured.

Elaine: Okay. And then we have, "Statements by the complainant and/or accused after the incident." Why would that be important?

Melissa: Because we're getting our story from the complainant, so what they say is everything with the crime.

Elaine: All right. Let's look at 12 for a moment. This is Exhibit 12. It's in the Office of the Chief of Police, April 9th, 2002. And it's a Domestic Violence Victims' Memo. And it says, "Purpose: The department is legislatively mandated to provide specific information to victims of domestic violence crimes." And then they go in to describe that.

What is your understanding of... Well, let me go a little bit further, because I'm just gonna try to move through this a little bit quicker. So, it says, "To mitigate this issue, the department has begun to use the Victim

Information Notification Everyday, VINE pamphlet, to accomplish not only the domestic violence information requirements under Section 13701 of the California Penal Code but also to provide information regarding the VINE program." Did you have a copy of that pamphlet? Was that something that was given to you?

Melissa: Yes.

Elaine: Okay. And was that something that you typically provide it then, as it says, you show it to victims of domestic violence?

Melissa: Yes.

Elaine: What is your understanding of why you were to provide the pamphlet to the... You understand the question?

Melissa: Yes, because it gives resources to the victims, domestic violence resources, like shelters and phone numbers that provide help.

Elaine: I'm gonna show you what's been marked as Exhibit 11. Do you recognize this document?

Melissa: Yes, I do. This is the VINE.

Elaine: Okay. When you say VINE, is this the pamphlet...

Melissa: Yes.

Elaine: ...that would be referred to? Okay. And it's your understanding that you were supposed to be giving that pamphlet to victims of domestic violence on calls? Is that correct?

Melissa: Correct.

Elaine: Did you provide a copy of this pamphlet to Amber Heard?

Melissa: I did not. I did not identify her as a victim of domestic violence.

Elaine: Is that the sole reason why you did not give that to Amber Heard?

Melissa: Yes. We only give them to victims of domestic violence.

Elaine: I'm going ask you to take a look...

Man: At this point, Your Honor, Ms. Heard's counsel is asking to move into evidence publish to the jury, defendant's Exhibit 730, and Mr. Depp has no objection.

Judge Azcarate: All right. 730 in evidence and can be published.

Man: Okay. And then we can...

Judge Azcarate: Okay.

Man: ...keep going.

Elaine: First page of Exhibit 3. It's an incident recall from specifically May 21st, 2016. Do you recognize this document?

Melissa: Yes, I do.

Elaine: And please explain to me what it is.

Melissa: It's a summary of our radio call.

Elaine: All right. And how is this recorded?

Melissa: By dispatch.

Elaine: And how is it communicated to you?

Melissa: A computer in our car.

Elaine: Okay. So, I'm going to ask you to take a look at the very beginning of this. Well, it starts out, it obviously has an incident number. Is this your understanding of the incident recall for the report 2849 South Broadway involving Amber Heard?

Melissa: Yes.

Elaine: It starts out with 5-21-16 at 20:30:58, which is 08:30:58 or almost 8:31. And it says incident initiated by such and such. Do you see that?

Melissa: Yes, I do.

Elaine: Okay. And the next thing that's communicated is "Penthouse three, PR received call from victim's friend, Amber assaulted by boyfriend. PR refused to give further." You see that?

Melissa: Yes, I do.

Elaine: Now, when you were out on the road, did you see that right away, or did you have to look this up later when it was you that was going to respond?

Melissa: We review the calls as we're driving to the call.

Elaine: Okay. Then we have at 5-21, 20:37, which is 8:37, a duplicate call. Do you see that?

Melissa: I do.

Elaine: All right, let's go down to 5-21-16. Officer Saenz, can you go where I just highlighted here, and it's 20:57, which would be what time?

Melissa: 8:57.

Elaine: All right. And it has STAT calling AS. What does that mean?

Melissa: [inaudible 03:50:54].

Elaine: So, would that be when you and Officer Hadden arrived at 849 South Broadway?

Melissa: Correct.

Elaine: And then it has...the next entry is 5-21-2016. It has 21:22:57. So, that would be 09:22?

Melissa: Correct.

Elaine: Okay. And it says... Go ahead. I'll have you read this. What does it say after that?

Melissa: "Met with Vic, checked loc, and verified husband left loc, vic advised, verbal."

Elaine: Okay, go ahead and go into the next page or next line. Go ahead.

Melissa: "Dispute and refuse to give any further info, issued business card."

Elaine: Who wrote those two lines?

Melissa: I don't recall.

Elaine: And what did that mean to you, those two lines that you just read?

Melissa: It's a disposition of what happened at the call.

Elaine: Okay. Can you tell me what that means? Just tell me, in real person's words, what those words are.

Melissa: Yeah. That we met with the victim, we checked the location, the husband wasn't there, and that the victim advised us that she just had an argument and that she wasn't gonna give us any further information. And because we didn't identify a crime, we issued her a business card,

letting her know that she could reach out to us later if she changed her mind and wanted to cooperate.

Elaine: Okay. And at what point did you close this incident?

Melissa: Whatever it says on the screen. Let's see, 09:22:57.

Elaine: Okay. And what did incident closed mean?

Melissa: That we cleared from the location, we're complete. Done.

Elaine: Okay. Now, if we could go to page, date stamp number 12, do you recognize this document?

Melissa: I do. It's a summary of all of our calls on that day.

Elaine: All right. And I believe you testified earlier that you reviewed this document in preparation for this deposition. Is that correct?

Melissa: Yes, I did. Correct.

Elaine: Okay. And if we can go down to, right here, that's 09:22, correct, at the end of that?

Melissa: Correct.

Elaine: All right. And it says 242-D domestic violence. What is that?

Melissa: It's a code for domestic violence.

Elaine: And what does the 242-D mean?

Melissa: That's battery.

Elaine: Officer Saenz, when we broke before the lunch break, I had just asked you about whether you had believed that you were at the penthouse on May 21st, 2016, for 30 to 60 minutes. Do you recall me asking that?

Melissa: Yes, I do.

Elaine: And do you recall testifying that that's what you thought was the time that you and Officer Hadden spent at the penthouse on May 21st, 2016?

Melissa: Yes, I recall.

Elaine: Okay. And in fact, it was significantly less, correct?

Melissa: Correct.



Elaine: Okay. And in fact, you entered from the elevator at 9:04 PM and went back into the elevator at 9:19, the total of 15 total minutes, correct?

Melissa: Correct.

Elaine: Okay. And we've seen the video clips of you getting on the elevator and getting off, and that's where those timestamps come from. Now, once you got off the elevator at 9:04 PM, the first thing you did was listen for some noise, correct?

Melissa: Correct.

Elaine: All right. And then, you went around and checked out the outdoor courtyard to see if anyone was outside. Do you recall that?

Melissa: Yes, I do.

Elaine: And you saw that there was a woman in the gym who was not related to the incident. Do you recall that?

Melissa: Correct.

Elaine: How did you know the woman was not related to the incident?

Melissa: Because she seemed unfazed. She was just working out.

Elaine: Did you speak with her?

Melissa: No, I didn't.

Elaine: Do you recall what she looked like?

Melissa: I don't.

Elaine: Now, did you take any notes during the entire 15 minutes from when you got off the elevator till when you got back on the elevator from the [inaudible 03:55:55].

Melissa: I did not.

Elaine: Did Officer Hadden to your knowledge?

Melissa: Not to my knowledge, no.

Elaine: Okay. Did you take pictures or record anything?

Melissa: I did not.

Elaine: So, after you saw the woman in the gym and looked at the parameter, you went back to the hallway, and you met with what you called a white male, who was generic. Do you recall using that term?

Melissa: They asked me to describe him. Yes.

Elaine: And you said generic, correct?

Melissa: Correct.

Elaine: And what do you mean by generic?

Melissa: He didn't have any identifying... I don't know, nothing that I could remember. I just remember a male white, nothing out of the ordinary.

Elaine: What color was his hair?

Melissa: I don't even remember now.

Elaine: Did he have facial hair, beard, or a mustache?

Melissa: I don't remember.

Elaine: Do you recall how tall he was roughly?

Melissa: I don't remember anything about him.

Elaine: Did you ask him his name?

Melissa: I don't recall.

Elaine: Okay. Now, the generic white male talked with you. And do you recall that?

Melissa: Yes, I do.

Elaine: And when you first saw Amber Heard, she was crying, red-eyed, and was not making eye contact with you, correct?

Melissa: Correct.

Elaine: And you asked her a few questions, and it was quite clear that she did not want to speak to the police. Is that correct?

Melissa: Correct.

Elaine: Now, Amber Heard was visibly upset. So, she would look down sometimes, she would look up at you when she spoke, but was back and forth, correct?

Melissa: Correct.

Elaine: What was Amber Heard wearing that night?

Melissa: I don't recall.

Elaine: What hairstyle did Amber Heard have that night?

Melissa: I don't recall.

Elaine: Okay. Now, when was the first time you were asked to provide details of the events of May 21, 2016?

Melissa: I don't recall.

Elaine: Do you recall providing your testimony at a deposition in July of 2016?

Melissa: Correct.

Elaine: Is that the first time you were asked to provide any details of what your recollection was of the events of May 21, 2016?

Melissa: Correct.

Elaine: Okay. And that was roughly two months later, is that correct?

Melissa: Correct.

Elaine: And how many shifts had you worked in that two-month period?

Melissa: I'm not aware. I don't know.

Elaine: How many calls had you answered in those two months?

Melissa: I don't know that number.

Elaine: How many of those calls were domestic violence calls in those two months?

Melissa: I don't know that number.

Elaine: And if you saw any signs of injury on Amber Heard or even just damage to property, would you have been duty bound to make a report?

Melissa: Correct.

Elaine: Now, your recollection is that there was no damage to the flat. You searched the entire flat and there was no damage, broken glass, or anything out of the ordinary. Would you agree?

Melissa: Correct.

Elaine: Did you see anything, did you observe anything out of the ordinary during this particular call that you answered at the penthouse on May 21, 2016?

Melissa: I did not.

Elaine: When you left that call, when you got back into that elevator, do you recall what you were thinking?

Melissa: I remember being impressed by the penthouse, how big and beautiful it was. Yes.

Elaine: Okay. But anything else?

Melissa: No. Nothing.

Elaine: Okay. And just so we can stay on that for a minute, you had not heard of Amber Heard at the time of this report, right, on May 21st, 2016?

Melissa: Correct.

Elaine: But you did know that Johnny Depp was an actor, correct?

Melissa: Correct.

Elaine: Okay. And you didn't know that that was Johnny Depp's penthouse when you reported that, correct?

Melissa: Correct.

Elaine: But you, as you just said, were impressed with the penthouse. Would it be fair to say you thought probably somebody with some wealth lived there?

Melissa: Correct.

Elaine: Can you bring up plaintiff's Exhibit 23? Officer Saenz, do you recognize this elevator at all?

Melissa: Yes, I do.

Elaine: What do you recall?

Melissa: That's the elevator from the location.

Elaine: Okay, Alex, I'm going to ask you to go to 21:19:40. And as you're moving that, Officer Saenz, I'm going to ask you to take a look at this

and see if you can tell me what you are saying to Officer Hadden in this video clip. That's you. Is that correct?

Melissa: Correct.

Elaine: And officer Hadden, do you recognize him?

Melissa: Correct.

Elaine: Officer Saenz, can you tell what you were saying to Officer Hadden?

Melissa: I cannot.

Elaine: Does it look like you might have said at the beginning, "That was crazy."?

Melissa: I can't tell what I was saying.

Elaine: Would you agree, though, that you were quite animated in your discussion with Officer Hadden?

Melissa: No, I wouldn't agree.

Elaine: How would you describe your demeanor?

Melissa: Comfortably talking to my partner.

Elaine: All right. I'm going to ask you to take a look at plaintiff's Exhibit 17 and while Alex is bringing that up. So, your best recollection is that you saw no injuries on Amber Heard, correct?

Melissa: Correct.

Elaine: And your best recollection is you saw no property damage, nothing in disarray, nothing out of the ordinary, correct?

Melissa: Correct.

Elaine: And if you had seen either of those, you would've had to file a report, correct?

Melissa: Correct.

Elaine: Officer Saenz, let me ask you this question. So, we've established that you got off the elevator on the penthouse level at 9:04 PM. Do you recall that?

Melissa: Yes, I do.

Elaine: Okay. Do you recognize the person here?

Melissa: Yes, I do. Amber Heard.

Elaine: Okay. And do you see any signs of injury on Amber's Heard's face in this picture?

Melissa: I do not.

Elaine: Is it your testimony that you do not perceive this cheek to be reflecting an injury on Amber Heard?

Melissa: Correct. No injury.

Elaine: And I ask you to take a look at this section here above the eyelid. And now I think with the... I would ask you to take a look at that eyelid. Is it your perception that that eyelid does not reflect an injury? I'm sorry. What was your answer, Officer Saenz?

Melissa: Correct. No injury.

Elaine: Okay. And then up above, on the forehead level, where the redness is, and it looks like there's a couple of bumps. Is it your perception that does not reflect an injury?

Melissa: Correct.

Elaine: Officer Saenz, I'm going to ask you to look at what has been marked as Deposition Exhibit 18, close to the time that you alighted from the elevator, correct?

Melissa: Correct.

Elaine: Please describe for me what you see in this photograph.

Man: Objection.

Melissa: That would be a striped carpet with discoloration on the right-hand side of the photo and what I perceive as, I don't know if that's a reflection, some sort of mark.

Elaine: Now, you believed and testified, in fact, that you considered the hallways to be very well lit that night, correct?

Melissa: Correct.

Elaine: Did you see these stains?

Man: Objection.

Melissa: No, not that I recall.

Samuel: Objection.

Elaine: All right. Would you agree that those are reddish stains on the right side?

Melissa: Correct.

Elaine: What does it look like from your experience?

Melissa: Like a stain from a liquid.

Elaine: Red wine, possibly?

Melissa: It could be, yes.

Elaine: Okay. But you don't recall seeing that in the hallway after you got off the elevator?

Melissa: I do not.

Elaine: And you did not investigate this or take any pictures or record anything about it, correct?

Melissa: Correct.

Elaine: Okay. Now let's go to 19. Do you recognize what is depicted in Exhibit 19?

Melissa: Yes, it's our business card.

Elaine: And it has 1A1 on the front of it. What is that?

Melissa: That's our unit designation.

Elaine: Okay. And then it has Hadden and a badge number. Is that his badge number?

Melissa: That is his serial number.

Elaine: Okay. Serial number. Thank you. And it has your name, and is that your serial number?

Melissa: Correct.

Elaine: Who wrote this on the card?

Melissa: I don't recall.

Elaine: Would it have been either you or Officer Hadden?



Melissa: Correct.

Elaine: Do you recognize your handwriting?

Melissa: I can't tell from this.

Elaine: Now, I think you indicated when you were looking at the incident recall and the CAD summary that a business card had been left. Do you recall that?

Melissa: Yes, I do.

Elaine: And why did you leave a business card?

Melissa: I advised Amber Heard that she could contact us at any time if she changed her mind and decided that she wanted to speak to us and cooperate.

Elaine: All right. Let's go to 20. Do you recognize this? What's been depicted in this picture?

Melissa: Yes, I do. It's the back of the business card.

Elaine: All right. And it says 5-21-2016. And the time is 9:16 PM. Is that the time that it was written?

Melissa: Correct.

Elaine: Okay. And do you recognize the handwriting on this side?

Melissa: It looks like my handwriting.

Elaine: Okay. Now, it says, "Radio call of dispute." Do you see that?

Melissa: I do.

Elaine: Why didn't you put verbal dispute?

Melissa: Verbal dispute, dispute, it's the same thing to me.

Elaine: And you have refused report on here, correct?

Melissa: Correct.

Elaine: Could you just read this next part that you wrote on here?

Melissa: Sure. "Advised can call at later time if changes mind because she was uncooperative and didn't wanna speak to us."

Elaine: Okay. Now, why did you say "if changes mind?"

Melissa: Because I was giving her the opportunity to have a resource if she changed her mind.

Elaine: But if Amber Heard had no injuries and there was no evidence of any type of physical property issues, disarray, breakage, etc., then why would it matter if she changed her mind?

Melissa: It's a courtesy that I choose to give people when I go to calls.

Elaine: Now, if Amber Heard had called you later, you had already closed this out and had not written a report and had taken no notes, correct?

Melissa: Correct.

Elaine: But if I'm understanding your earlier testimony, that if you saw evidence of injury or if you saw evidence of property damage, even if the victim did not cooperate, you would write a report, correct?

Melissa: Correct.

Elaine: And we'll go to 21. Officer Saenz, this is just a picture. Do you recognize you and Officer Hadden here?

Melissa: Yes, I do.

Elaine: Okay. Officer Saenz, is the timestamp on here of 09:19:49 PM? Does that comport with your recollection of when you left?

Melissa: I don't recall what time I left. I'm just going based on the video that is in front of me.

Elaine: Okay. You have any reason to believe that's incorrect?

Melissa: I don't.

Elaine: Officer Saenz, I'm gonna ask you to take a look at Exhibit 24. Do you recognize the person in this photo?

Melissa: Yes. Amber Heard.

Elaine: Okay. Do you perceive there to be an injury or evidence of injury on Amber's face in this photo?

Melissa: No, I do not.

Elaine: What is your perception of the redness on the cheek and the eyelid and above the eyebrow?

Melissa: It's consistent with her crying. She has fair skin. Her face is flushed.

Elaine: I'm going to ask you to look at what has been marked as Exhibit 25. Do you recognize this as Amber Heard?

Melissa: Yes, I do.

Elaine: Do you see a red mark on Amber Heard's cheek and above her eyelid and above her eyebrow on this picture?

Melissa: Her face looks flushed. She has redness.

Elaine: Okay. And what is your perception of what that is caused by?

Melissa: Like I said earlier, it's consistent with what I see in her crying.

Elaine: Right. But you don't think it's consistent with a cell phone being thrown at her?

Melissa: Correct. It does not look like an injury caused from a cell phone.

Elaine: Okay. And why not?

Melissa: Because it's consistent with somebody crying, her face is flushed.

Elaine: This was taken at on May 21st. I'm gonna ask you to look at what had been marked as Exhibit 26. Do you recognize this is Amber Heard?

Melissa: Yes, I do.

Elaine: Officer Saenz, do you see any redness on Amber Heard's cheek and above her eyelid? And we'll go with those.

Melissa: I do.

Elaine: And what is your perception of what the cause of those is, those red marks?

Melissa: It's consistent with her crying. Her face is flushed.

Elaine: And is it fair to say that you do not believe that this reflects an injury?

Melissa: Correct.

Elaine: And would it also be fair to say that you would not consider it sufficient to investigate further whether it's an injury?

Melissa: There is nothing that would stop me from investigating. I would continue to ask her questions and it's up to the victim if they wanna cooperate.

Elaine: But just so that we're clear here, even if the victim doesn't cooperate, if you see signs of injury, you still, and I believe you testified to this, I believe yourself, duty-bound to write a report, correct?

Melissa: Yes.

Elaine: Okay. But in your mind, you don't perceive this as to be reflective of an injury. Is that correct?

Melissa: Correct.

Elaine: And I'm gonna ask you to take a look at Exhibit 27. Again, do you recognize this as Amber Heard?

Melissa: Yes. Correct.

Elaine: Okay. And do you see redness on the cheek of Amber Heard on this one?

Melissa: Yes, I do.

Elaine: All right. And then you had testified, on a number of these other pictures and on this one as well, that this is consistent with crying. Do you see any redness on Amber's other cheek?

Melissa: Yes, I do.

Elaine: Is it the same or similar to the redness on the right cheek?

Melissa: Based on this photo, it looks like one cheek is redder than the other.

Elaine: But you also don't see any swelling with that?

Melissa: Correct.

Elaine: I'm going to ask you to take a look at what has been marked as Exhibit 28. Do you recognize this as Amber Heard?

Melissa: Yes, I do.

Elaine: Okay. And do you see redness on the right cheek and above the eye?

Melissa: Yes, I do.

Elaine: Okay. And is it your perception that this reflects any type of or could reflect any type of injury?

Melissa: No.

Elaine: Why not?

Melissa: Because my perception is it was consistent with her crying.

Elaine: All right. Let's take this down. Go to 29. I'm gonna ask you the same questions. Do you recognize this as Amber Heard?

Melissa: Yes.

Elaine: And do you see any redness in the right cheek and above the eyelid?

Melissa: Yes.

Elaine: Okay. And is it your perception that these are not indicative of injury?

Melissa: Yes.

Elaine: And what is your reasoning?

Melissa: It's consistent with her crying.

Elaine: Let's take this one down. Let's go to 30. Now, you testified earlier that you thoroughly searched the penthouse. Do you recall that testimony?

Melissa: Yes, I do.

Elaine: Okay. And Josh Drew, the gentleman that you called the generic male, actually took you through, escorted you through the penthouse and the series of penthouses, correct?

Melissa: Correct.

Elaine: Officer Saenz, did you, or did you not thoroughly search the penthouses on May 21st, 2016?

Melissa: We did search the penthouse.

Elaine: Okay. And you used the term thoroughly, did you not?

Melissa: I don't recall.

Elaine: Okay. Do you feel like you conducted a thorough search of the penthouses that night?

Melissa: Yes, I did. I did a sweep of the location for the suspect.

Elaine: Okay. And when you're talking about a sweep of the location, did you go through every room?

Melissa: Yes. Every room.

Elaine: Okay. And was there anyone escorting you through those rooms?

Melissa: Yes. The same male that we were met with at the beginning of the call.

Elaine: That you called the generic male, correct?

Melissa: Correct.

Elaine: Now, you also testified a little earlier that this was a very nice series of penthouses, right?

Melissa: Yes.

Elaine: Did you interview the woman that was sitting with Amber Heard?

Melissa: I attempted to. All parties were uncooperative.

Elaine: What did you say to the woman that was with Ms. Heard?

Melissa: I don't recall the exact words, but I introduced myself to everyone and asked if they'd seen what happened or know what happened. And they all refused to speak to me.

Elaine: Did you ask for their names?

Melissa: I recall, yes. I did ask for their names. Nobody would give me their names.

Elaine: Now, that's a little unusual, isn't it?

Melissa: No, it's not. A lot of people don't like us.

Elaine: Well, is it that they don't like you or is it potentially that they don't want to, with a domestic violence situation, are reluctant to press charges?

Melissa: Every situation's different. Based on my training experience, where I work, it's usually that people do not like us.

Elaine: Do you have a recollection of like the woman who was with Amber Heard looked like?

Melissa: No recollection.

Elaine: Do you know what color hair she had?

Melissa: I have zero recollection.

Elaine: So, you don't recall how old she was, how tall she was, what her hairstyle was, what she was wearing, anything about her.

Melissa: Zero recollection.

Elaine: But somehow, you're sure you tried to interview her, and she refused to answer questions?

Melissa: Yes. It's common practice. I try to interview everyone during my investigations.

Elaine: So, did you pull out your notebook at any time while you were in the penthouse?

Melissa: I did not. I had nothing to write. No one would speak to me.

Elaine: Well, how did you know that when you started asking the questions that they weren't gonna give an answer?

Melissa: Because they just looked at me.

Elaine: But wouldn't you pull out your notebook first and then ask the questions, then write down the answers as they're giving them to you?

Melissa: No, I don't put anything in my hands for officer safety issues until I'm sure that I have something to write.

Woman: Sorry. I'm sorry, officer. Can you repeat your answer?

Melissa: I don't put anything in my hands for officer safety reasons. If I'm not sure I'm gonna write, I keep my hands free. When I asked the questions, I got no answers. Therefore, I didn't take out any notebooks or pens.

Elaine: Did you have any reason to fear for your safety at the time that you were talking with Amber Heard and the woman with her?

Melissa: I always fear for my safety. A potential suspect could have been in the house. So, yes, my guard was not down if that's what you're asking.



Elaine: What did you do first? Did you look throughout the house to ensure that the person wasn't there? Or did you ask the questions first and then look at the house?

Melissa: I attempted to ask questions first. I can't just go into a house and start checking it without asking questions.

Elaine: So, what questions did you ask first?

Melissa: I don't recall specific question.

Elaine: Do you recall any of your questions?

Melissa: I don't.

Elaine: Do you recall any of the answers that you were given?

Melissa: I don't recall.

Elaine: Now, we went through the domestic violence supplemental report and some of the guidelines for officers on domestic violence. Do you recall that the crime scene, a number of the items reflected, location ransacked, location vandalized, furniture in disarray, personal property damage. Do you remember those being items as the checklist for crime scene for domestic violence?

Melissa: As they pertain to domestic violence reports? Yes, I do.

Elaine: Right. Now, did you ever speak with the two officers who answered the second call to the townhouse that night?

Melissa: I did not.

Elaine: Did you ever communicate in any manner with the two officers who answered the second call to the penthouse?

Melissa: I did not.

Elaine: Did you communicate through a third party to the second set of officers relating to the domestic violence call in your determination?

Melissa: I did not.

Elaine: Did you know the two officers who responded to the second call?

Melissa: Did not.

Elaine: Do you know who they are to this day?

Melissa: I do not.

Elaine: Have you ever spoken to the other two officers about responding to this call on May 21st, 2016?

Melissa: I have not.

Elaine: Have you ever spoken with anyone else about your response and their response to this call on May 21st, 2016?

Melissa: I have not.

Man: And just so everybody's aware, up until now, you've been listening to questioning from Ms. Heard's counsel. At this point, I believe we're going to shift over to questioning from Mr. Depp's counsel.

Mr. Presiado: I want you to focus on the date of the incident that we have been talking about during this deposition, and that is May 21st, 2016. I'll refer to that as the date of the incident. You understand what I mean when I say date of the incident?

Melissa: Yes, I do.

Mr. Presiado: Okay. So, as of the date of the incident, for how long had you been a training officer?

Melissa: Since I believe the end of November of 2015.

Mr. Presiado: So, between six to eight months?

Melissa: Yes.

Mr. Presiado: Prior to the date of the incident for how long had you been a training officer?

Melissa: Four to six months.

Mr. Presiado: Okay. And as of the date of the incident, approximately how many incidents of domestic violence had you come across?

Melissa: I couldn't tell you. I believe it's at the hundreds.

Mr. Presiado: Yes. That's how I understood it from testimony or in previous depositions of you. So, it's in the hundreds?

Melissa: Yes.

Mr. Presiado: Okay. And you indicated that you proceeded to the incident at the Eastern Columbia Building due to what you heard from dispatch. Is that correct?

Melissa: Correct.

Mr. Presiado: And do you recall, as you sit here today, what you were told from dispatch that led you to the Eastern Columbia Building on the date of the incident?

Melissa: I don't have an independent recollection.

Mr. Presiado: Okay. As you sit here today, do you recall that it had something to do with a dispute at that location?

Melissa: Correct.

Mr. Presiado: And when you first arrived at the scene of the incident, what did you first do upon entering the building?

Melissa: We met with a security guard in the lobby who escorted us to the elevator.

Mr. Presiado: Did you ask that security guard any questions about the building...? Strike that. Did you ask that security guard any questions?

Melissa: Not that I recall.

Mr. Presiado: Did the security guard escort you up to the penthouse?

Melissa: They gave us access to the elevator. I do not believe that they came up to the penthouse with us. I believe they just access the elevator.

Mr. Presiado: Okay. And when you arrived at the penthouse and exited the elevator, was it just you and your partner, Officer Hadden?

Melissa: Yes.

Mr. Presiado: Okay. And what did you do next?

Melissa: We tried to listen for any kind of sounds of domestic violence. We checked the hallways, we didn't observe anyone. Went out to a courtyard, didn't observe anyone. And based on what I was just reminded of, there was a woman in the gym who didn't seem involved, was working out, looked fine, nothing out of the ordinary. And then we responded to a door in the hallway, and I knocked and was met by a male.

Mr. Presiado: Okay. Up until that point of time, from exiting the elevator to knocking on that door, did you see anything that indicated a crime?

Melissa: I did not.

Mr. Presiado: Up until the point where you knocked on that door, did you see or, hear, or witness anything indicating that there had been a domestic violence perpetrated?

Melissa: I did not.

Mr. Presiado: Up until you knocked on that door, did you see anything which you would've considered out of the ordinary?

Melissa: I did not.

Mr. Presiado: And I guess what I'm asking is, walking from the elevator to the gym and then to the door that you knocked on, were you in the hallway?

Melissa: Yes, I was in the hallway.

Mr. Presiado: Okay. And during that time period from exiting the elevator, through to knocking on the door, was there anything in the hallway that was unusual to you?

Melissa: Not that I observed, no.

Mr. Presiado: Did you see any stains on the floor?

Melissa: Not that I recall.

Mr. Presiado: Did you see any vandalism in that area?

Melissa: No, I did not.

Mr. Presiado: Did you see any broken glass in that area?

Melissa: I did not.

Mr. Presiado: Okay. And upon knocking on the door, what happened next?

Melissa: A male opened the door. I don't remember the exact questions and conversation we had, but I remember asking if they called for help. And he said that it was the neighbor and that she was inside of his apartment with his girlfriend. And I asked him if they could step out. And he told me to wait, and he shut the door. And we waited for them to exit. I don't remember how much time passed by and they came out, and that's when we were met with his girlfriend and who I know now Ms. Heard in the hallway.

Mr. Presiado: And up until that point in time, did you hear anything that led you to believe that a crime had been committed?

Melissa: I did not.

Mr. Presiado: Up until that point in time, did you see anything that made you believe that a crime had been committed?

Melissa: I did not.

Mr. Presiado: Up until that point in time, did you hear anything that made you believe that there had been an act of domestic violence there?

Melissa: I did not.

Mr. Presiado: Up until that point in time, did you see anything that made you believe that there had been an act of domestic violence there?

Melissa: I did not.

Mr. Presiado: Okay. So, you indicated that after you knocked on the door, you spoke with a gentleman. Is that correct?

Melissa: Correct.

Mr. Presiado: And you previously testified to someone as a generic white male. Is that the same person?

Melissa: Yes.

Mr. Presiado: So, your previous testimony, when you were referring to a generic white male, that's the person who opened the door when you first knocked on it, correct?

Melissa: Yes. There was only one male at the location besides my partner.

Mr. Presiado: And there was only one male, that's the entire time you were at the location?

Melissa: Yes.

Mr. Presiado: So, in the hall, you met with a generic white male, Ms. Heard, and the generic white male's girlfriend, is that right?

Melissa: Yes.

Mr. Presiado: And it was just those three folks?

Melissa: Correct.

Mr. Presiado: And you were there with your partner, Officer Hadden?

Melissa: Correct.

Mr. Presiado: Okay. And in the hallway, how far were you standing from Ms. Heard?

Melissa: It was close, probably like two to five feet.

Mr. Presiado: Okay. And at that time, did you notice any injuries on Ms. Heard?

Melissa: I did not.

Mr. Presiado: Okay. Were you looking to see if she had an injury at that time?

Melissa: Yes, I was.

Mr. Presiado: So, you were looking to see if Ms. Heard had any injuries, and you determined that she did not. Is that accurate?

Melissa: Correct.

Mr. Presiado: And was the lighting good enough in the hallways for you to make that determination?

Melissa: Yes. The hallways was well lit.

Mr. Presiado: Okay. And at the time, were you wearing any sort of corrective lenses?

Melissa: I was not.

Mr. Presiado: All right. Although you were not wearing corrective lenses, were you prescribed corrective lenses at the time?

Melissa: No. I have never worn glasses and I'm not prescribed. I have good vision.

Mr. Presiado: Okay. And at that time, did you have good vision?

Melissa: Yes, I did.

Elaine: Objection.

Mr. Presiado: At the time you were observing Ms. Heard, did you have good vision?

Melissa: Yes, I did.

Mr. Presiado: And did you observe any injuries at that time?

Melissa: I did not.

Mr. Presiado: What did you ask Ms. Heard at that time if anything?

Melissa: I don't have an independent recollection. Again, it's been so long, I don't remember specific questions.

Mr. Presiado: Okay. Now, let me just back up a little bit. During the time period from when you left the elevator and when Ms. Heard came onto the hallway, at any time did the generic white male tell you that there had been an act of domestic violence?

Melissa: No, he did not.

Mr. Presiado: Did he tell you anything that made you think there may have been an act of domestic violence?

Melissa: No, he did not.

Mr. Presiado: Did he tell you anything that made you believe that a crime may have been committed?

Melissa: No, he did not.

Mr. Presiado: And during that time period, did you ask him what had happened or what was happening?

Melissa: Yes, I did ask him, and he just refused to give me any information.

Mr. Presiado: Okay. So, now fast forward to what we were talking about with respect to you in the hallway with the generic white male and Ms. Heard and the generic white male's girlfriend. After you observed her and saw no sign of injury, what did you do next?

Melissa: I advised her that we would be conducting a protective sweep just to make sure that there was no one else in the house. And she agreed if her neighbor, the male, could accompany us with the protective sweep.

Mr. Presiado: Okay. Up until that point in time, did you ask Ms. Heard what happened?

Melissa: Yes, I did.

Mr. Presiado: And what was her response?

Melissa: No response. She was uncooperative.



Mr. Presiado: And Officer Saenz, at that time, was Ms. Heard cooperative?

Melissa: Ms. Heard was uncooperative.

Mr. Presiado: Thank you. And by uncooperative, does that mean that when you asked her a question, she wouldn't say a word, or she'd say something that made you think she was not cooperating?

Melissa: She wouldn't say anything.

Mr. Presiado: Okay. But just to be clear, you would ask questions and she wouldn't say anything?

Melissa: Correct.

Mr. Presiado: Okay. And what did you do at that point?

Melissa: After the protective sweep, I asked her again if she wanted to talk to me if anything happened. Again, I don't remember the specific questions that I asked her, but I asked her questions to establish if there was some sort of crime, who was involved. And again, she wouldn't give me any information. I attempted to ask her friend, the other woman in the room.

I even asked the males to wait in the hallway so it could just be us three women in there so we could talk privately. Maybe she felt more comfortable that way, still they denied that there was any crime. They wouldn't answer any specific questions. So, I wrote a business card. I advised her, if she changed her mind, that she could call us at any time, and we would respond to help out.

Mr. Presiado: So, backing up a bit to the time you were in the hallway with the three of them, and you testified that Ms. Heard was uncooperative. And then you indicated you did a sweep. I want to start with, from the point of time in the hallway where she was uncooperative transitioning to the sweep. How did that occur? Did you ask her if you could look in penthouses? How did you go from standing in the hallway to conducting a sweep?

Melissa: I don't recall.

Mr. Presiado: Now, before you swept the penthouses, did you ask if you could enter the penthouses?

Melissa: Yes, I did.

Mr. Presiado: Okay. And what was the response?

Melissa: I can't remember if she gave me a response or nodded her head. I can't remember.

Mr. Presiado: From what you observed or heard from Ms. Heard, you took it that she was permitting you to enter the penthouse and look around. Is that accurate?

Melissa: Correct.

Mr. Presiado: Okay. Was it more than one penthouse?

Melissa: Yes. There was two.

Mr. Presiado: Okay. And this term sweep, we've been using, is that a technical police officer term?

Melissa: Yes.

Elaine: Objection.

Mr. Presiado: What do you mean by conducting a sweep?

Melissa: It's called a protective sweep and we do so to make sure that there's no other individuals that may be victims that are hurt inside of the location or suspects hiding, concealing themselves from officers that would attack the victim after we leave the location. So, we go in to verify that any potential suspects are gone from the location for the victim's safety.

Mr. Presiado: Thank you. And you conducted a protective sweep of two penthouses, correct?

Melissa: Correct.

Mr. Presiado: What was your understanding of who owned or lived in the first penthouse that you performed a protective sweep on?

Melissa: It was my understanding that Amber Heard, that it was her home. Again, the gentleman directed us. That's why he came with us, so we wouldn't get lost.

Mr. Presiado: I see. And during your protective sweep of the first penthouse, did anybody accompany you during the entire sweep?

Melissa: Yes, the male, the only male that was there besides my partner.

Mr. Presiado: Okay. And your partner conducted the sweep with you?

Melissa: Correct.

Mr. Presiado: Okay. And as to the protective sweep of the first penthouse, did you go into every room of the penthouse?

Melissa: To my knowledge, yes.

Mr. Presiado: And was your knowledge based on the generic white male leading you around?

Melissa: Correct.

Mr. Presiado: Was it your understanding that your protective sweep included you looking in every room in the penthouse?

Melissa: Correct.

Mr. Presiado: During the protective sweep of the first penthouse, did you see anything that led you to believe that a crime had been committed?

Melissa: I did not.

Mr. Presiado: During the protective sweep of the first penthouse, did you hear anything that made you think a crime had been committed?

Melissa: I did not.

Mr. Presiado: During the first protective sweep, did you see anything that made you think that an act of domestic violence had occurred?

Melissa: I did not.

Mr. Presiado: During the protective sweep of the first penthouse, did you hear or see anything... I'm sorry. Did you hear or see anything that made you believe an act of domestic violence had occurred?

Melissa: I did not.

Mr. Presiado: Okay. Upon your completion of the protective sweep of the first penthouse, up until that point in time, from you exiting the elevator up until that point in time, did you hear or see anything that made you believe that a crime had been committed?

Melissa: I did not.

Mr. Presiado: Up until that point in time, did you hear or see anything that made you think an act of domestic violence had occurred?

Melissa: I did not.

Mr. Presiado: Now, I want to ask you, you testified to you viewing Ms. Heard and not seeing any signs of injury. Did you view her again after that first viewing?

Melissa: During the interviews and throughout the entire investigation, I'm constantly scanning her and watching. So, if I see any other observations that would indicate any injury or domestic violence.

Mr. Presiado: And did you see anything like that?

Elaine: Objection, leading.

Melissa: I didn't.

Elaine: Objection, leading.

Mr. Presiado: And did you see anything like that during the entire time period that you were on that call? And do you believe that you had enough time viewing Ms. Heard to determine whether or not she had sustained any injuries?

Melissa: Yes, I do.

Mr. Presiado: And did you determine if she sustained any injuries?

Melissa: I determined that she did not sustain any injuries.

Mr. Presiado: So, other than the conversation you had with her in the hallway when you first got there, did you have any other conversations with Ms. Heard?

Melissa: I did inside of the loft or penthouse. Sorry.

Mr. Presiado: Okay. Was that before or after the protective sweep?

Melissa: I believe both, before and after, I attempted.

Mr. Presiado: Okay. How many separate conversations did you have with Ms. Heard?

Melissa: I don't recall.

Mr. Presiado: Okay. There was at least the one in the hallway. And there was one before or after the protective sweep, correct? I'm sorry, I missed that answer.

Melissa: Correct.

Mr. Presiado: Okay. And during the second conversation you had with her after the one in the hallway, how close were you to her?

Melissa: The same two to five feet. She was right in front of me.

Mr. Presiado: Were you close enough to get a good view to determine whether or not she had any injury?

Melissa: Yes, I was.

Mr. Presiado: Okay. And during that second conversation, did you determine whether or not she had any injury?

Melissa: I determined that she did not have any injuries.

Mr. Presiado: Okay. At any point in time, during the date of the incident, did she complain of any injury?

Melissa: She did not.

Mr. Presiado: During the protective sweep of the penthouse, did you see anything in disarray?

Melissa: I did not.

Mr. Presiado: Okay. Now, you indicated... Let me ask you, did you do a protective sweep of the second penthouse?

Melissa: Yes, I did.

Mr. Presiado: Okay. Did the generic white male accompany you on that sweep as well?

Melissa: Yes, he did.

Mr. Presiado: What was your understanding of who owned or resided in that second penthouse?

Melissa: I had no idea.

Mr. Presiado: Okay. During that second protective sweep, did you walk through every room in that penthouse?

Melissa: From my understanding, yes, we did.

Mr. Presiado: Okay. And during that second protective sweep, did you see anything that you would say was in disarray?

Melissa: I did not.

Mr. Presiado: During that second protective sweep, did you see anything that made you believe there had been a crime committed?

Melissa: I did not.

Mr. Presiado: During that second protective sweep, did you hear anything that made you think a crime had been committed?

Melissa: I did not.

Mr. Presiado: During your protective sweep of the second penthouse, did you see anything that made you believe an act of domestic violence had occurred?

Melissa: I did not.

Mr. Presiado: During the protective sweep of the second penthouse, did you hear or see anything that made you believe a crime had been committed?

Melissa: I did not.

Mr. Presiado: After you performed the protective sweep of the second penthouse, what did you do?

Melissa: I re-responded to where Amber Heard was. And I again tried to see if I could get any information from her. I was unsuccessful, and then I issued her the business card and let her know that she could call us back if she wanted to talk.

Mr. Presiado: Did she answer any of your questions?

Melissa: No, she did not.

Mr. Presiado: At any point in time during the entirety of the incident, did Ms. Heard answer any of your questions?

Melissa: No, she did not.

Mr. Presiado: During the entire time of the incident, did Ms. Heard complain of any injury?

Melissa: No. She did not.

Mr. Presiado: During the entirety of your time at the incident, did anybody say anything that made you believe a crime had been committed?

Melissa: No, they did not.

Mr. Presiado: During the entirety of the time you were at the incident, did anybody say anything that made you believe an act of domestic violence had occurred?

Melissa: No, they did not.

Mr. Presiado: Okay. During the entirety of your time at the incident, did you see anything that made you believe a crime had occurred?

Melissa: I did not.

Mr. Presiado: During the entirety of your time at the incident, did you hear anything that made you believe a crime had been committed?

Melissa: I did not.

Mr. Presiado: During the entirety of your time at the incident, did you hear or see anything that made you believe an act of domestic violence had occurred?

Melissa: I did not.

Mr. Presiado: Had you heard of anybody by the name of Ms. Heard at that time?

Melissa: Never.

Mr. Presiado: Amber Heard?

Melissa: No. I had never heard of Amber Heard before that time.

Mr. Presiado: Okay. Did you recognize any of the people that you encountered during the incident?

Melissa: I did not.

Mr. Presiado: At the time of the incident, did you have any reason to believe that anybody you encountered at the incident was famous?

Melissa: I did not.

Mr. Presiado: Okay. And during the entire time that you were at the penthouses during the incident, did you have any reason to believe that Mr. Depp was affiliated or involved in the incident?

Melissa: I did not.

Mr. Presiado: [Inaudible 04:46:37] reporter, can you repeat my last question? I lost where I was.



Court Reporter: Sure.

[04:46:40]

[Silence]

04:46:55]

Court Reporter: Question, "During the entire time you were at the penthouses during the incident, did you witness any bruises on Ms. Heard?" And there was not a response.

Melissa: I did not observe any injuries on Ms. Heard.

Mr. Presiado: Okay. Did you observe any swelling on Ms. Heard's face?

Melissa: I did not.

Mr. Presiado: Did you observe anything that led you to believe that she was a victim of domestic violence?

Melissa: I did not.

Mr. Presiado: Alex, if you can pull up Exhibit 2.

[04:47:39]

[Silence]

[04:48:09]

Judge Azcarate: Okay. So, was this gonna be Exhibit 57?

Mr. Presiado: Yes.

Judge Azcarate: Okay.

Mr. Presiado: Officer Saenz, do you recall having your deposition taken on July 18th, 2016 in connection with Mr. Depp and Ms. Heard?

Melissa: Yes.

Mr. Presiado: Okay. And do you recall giving testimony in connection with that deposition under oath? Is that a yes? I'm sorry, officer.

Melissa: Yes.

Mr. Presiado: Okay. And did you give accurate and true testimony at that time?

Melissa: Yes.

Mr. Presiado: Okay. And you understood you were under oath, correct?

Melissa: Correct.

Mr. Presiado: Okay, Alex, if you can go to page 26, Officer Saenz, do you recall testifying that, and I'm talking about today, do you recall just testifying that you can't recall what Ms. Heard said to you, if anything?

Melissa: I did not have an independent recollection, but I can pull off what I'm seeing here on my screen.

Mr. Presiado: Okay.

Man: Your Honor, we're at 5:00. It looks like we have about 18 minutes left. Do you wanna...?

Judge Azcarate: You don't have a problem finishing it tonight, do you? Let's go ahead and finish it.

Man: Okay.

Judge Azcarate: Thank you.

Mr. Presiado: Okay. And do you agree with me that your memory of the day of the incident was fresher on July 18th, 2016 than it is today?

Melissa: Yes, that is correct.

Mr. Presiado: Okay. And the incident was May 21st, 2016. This deposition was taken July 18th, 2016. How long after the incident was this deposition taken?

Melissa: A few months.

Mr. Presiado: Okay. And Alex, if I could have control. It's a little delayed, Alex. Can that be fixed, or is that just the way it is?

Alex: This is Alex speaking. Yeah, I'm afraid I can't help that. I'm sorry, Mr. Presiado.

Mr. Presiado: That's fine. Officer Saenz, I'm gonna start here. Do you see my cursor?

Melissa: Yes, I do.

Mr. Presiado: Okay. I'm gonna start here at line three. The question is, "Okay, we'll get back to that. Before you did a sweep or a check of the rest of the penthouse, did you have an opportunity to speak with Ms. Heard when you were in the apartment?" Answer, "Yes, I did."

Question, "Okay. Can you tell us about that conversation?" Answer, "Sure. I asked her what happened. Opening question, she said nothing, and she continued to cry. I said, 'Who do you live with? Who do you live here with?' She shook her head as if she did not want to answer. I asked her, 'Are you hurt? Do you need an ambulance?' And she shook her head again, 'No.' At that point, I asked her if she would mind if I checked her apartment, and that's when she said, 'No.'"

Officer, does this refresh your recollection of the conversation you had with Ms. Heard at that time?

Melissa: Yes, it does.

Mr. Presiado: And your testimony that I just read, is that true and accurate?

Melissa: Yes, it is.

Mr. Presiado: During the entire time period, you were at the penthouses on May 21st, 2016. Did Ms. Heard say that she had been assaulted in any way by anybody?

Melissa: No, she did not.

Mr. Presiado: During your protective sweep of the two penthouses, did you view anything that you had characterize as vandalism?

Melissa: I did not.

Mr. Presiado: During the entire time you were at the penthouses on May 21st, 2016, were you looking for any probable cause to believe that a crime had been committed?

Melissa: Yes, I was.

Mr. Presiado: And what did you determine?

Melissa: I determined there was no crime.

Mr. Presiado: What did you determine with respect to an assessment of probable cause?

Melissa: There was no probable cause of any sort of crime.

Mr. Presiado: Thank you. During the entire time you were at the penthouses on May 21st, 2016, were you wearing any body-worn video cameras?

Melissa: I was not.

Mr. Presiado: Are you certain of that?

Melissa: I am certain.

Mr. Presiado: And how is it that you are certain of that?

Melissa: Because I didn't start using body-worn video until June of 2016.

Mr. Presiado: And that's after the date of the incident, correct?

Melissa: Correct.

Mr. Presiado: Alex, if you wouldn't mind putting Exhibit 9 back up. Officer Saenz, you were shown this document earlier. What is this document?

Melissa: It is a domestic violence supplemental report.

Mr. Presiado: You do recall counsel asked you about the victim column and the crime scene column?

Melissa: Yes, I do recall.

Mr. Presiado: Do you also see that there's a suspect column in the middle?

Melissa: Yes.

Mr. Presiado: Okay. And is there any difference between a victim column and a suspect column with respect to the box terms?

Melissa: No difference.

Mr. Presiado: Okay. Did you fill out one of these forms in connection with your investigation on May 21st, 2016?

Melissa: I did not.

Mr. Presiado: Why not?

Melissa: Because it was determined there was no crime.

Mr. Presiado: And Officer Saenz, just one more question with respect to that Exhibit 9. I know it's not up, but the fact that you did not fill out that form, is that consistent with your training?

Melissa: Yes, it is. I wouldn't fill that out because there was no crime. It's not called for.

Mr. Presiado: When you testified during the London trial at the time, did you believe your testimony was accurate?

Melissa: Yes, I do.

Mr. Presiado: Okay. At all times you've testified under oath in any legal proceedings, trials, depositions, do you always give accurate and truthful testimony?

Melissa: Yes, I do.

Mr. Presiado: And do you have any reason to not give accurate and truthful testimony in connection with this deposition?

Melissa: I do not.

Mr. Presiado: Officer Saenz, do you see these two pictures?

Melissa: Yes, I do.

Mr. Presiado: Do you recognize the person in the pictures?

Melissa: Yes. Amber Heard.

Mr. Presiado: In both pictures?

Melissa: Yes.

Mr. Presiado: Do you see a difference between these two pictures?

Melissa: Yes, I do the lighting of the photos.

Mr. Presiado: Okay. Do you see any difference in connection with the redness on the cheeks of Ms. Heard between these two pictures?

Melissa: Yes, I do. The left side is the photo is brighter.

Mr. Presiado: Okay. And other than that, would you agree with me that these two pictures are the same? In other words, Ms. Heard's face, the position of her face, everything about her in these pictures is identical except for the differences that you've indicated.

Melissa: Yes.

Mr. Presiado: Okay. And even though these are the same pictures, do you see any difference with respect to the redness on Ms. Heard's face with respect to the two pictures?

Melissa: Yes. The photo on the left is brighter, causing the redness on the cheeks to what appears to be brighter or exaggerated.

Mr. Presiado: What does it say with respect to... Let's concentrate on the picture on the left. Can you read for me what it says in the little box at

the very top on the left under "Add a title?" Do you see a date and a timestamp?

Melissa: Yes, I see it.

Mr. Presiado: What's it say, date and timestamp?

Melissa: Date is May 21st, 2016. Timestamp is 9:25:12 PM.

Mr. Presiado: And now let's look at the other picture, Exhibit 29, at the same spot. Can you read for me what the timestamp says there?

Melissa: Yes, it says May 21st, 2016, 9:25:12 PM.

Mr. Presiado: So, both exhibits, both pictures are the same exact timestamp, correct?

Melissa: Correct.

Elaine: Objection. Leading.

Mr. Presiado: And even though that's the case, you still believe that there's a difference between the two pictures as you previously described?

Melissa: Yes, I do.

Mr. Presiado: Officer Saenz, do you see Exhibit 41?

Melissa: Yes.

Mr. Presiado: Do you recall counsel asking you questions?

Melissa: Yes.

Mr. Presiado: During your protective sweep of the two penthouses on May 21st, 2016, did you see anything in disarray?

Melissa: No.

Mr. Presiado: Officer Saenz, I think you answered this, but up until the present, for how long have you been a Los Angeles police officer?

Melissa: I will be going on 12 years.

Mr. Presiado: Officer Saenz, in connection with your investigation at the Eastern Columbia Building on May 21st, 2016, were you in a rush in any way to complete the investigation?

Elaine: Objection, leading.

Melissa: No.

Mr. Presiado: Were you willing to stay as long as necessary to determine if a crime had been committed?

Melissa: Yes.

Mr. Presiado: At any point in time during your investigation on May 21st, 2016 at the penthouses, did Ms. Heard asking you to file a report?

Melissa: No.

Mr. Presiado: Did anybody that you spoke with or saw on May 21st, 2016 at the penthouses ask you to file a report?

Melissa: No.

Mr. Presiado: Did you have any cause to file a report?

Melissa: No.

Mr. Presiado: And was that determination in line with your training?

Melissa: Yes.

Mr. Presiado: If you had witnessed anything that led you to believe that an act of domestic violence had occurred, would you have filed a report?

Melissa: Yes.

Mr. Presiado: And you, in fact, did not file a report, correct?

Melissa: Yes. Correct.

Mr. Presiado: And if you had witnessed something that led you to believe that an act of domestic violence had occurred, would you have filed the report even if Ms. Heard had asked you not to?

Melissa: Yes.

Mr. Presiado: And is that in line with your training?

Melissa: Yes.

Elaine: Officer Saenz, you were asked some questions.

Man: And just so everybody's on the same page, we have about a minute and a half of questions for Ms. Heard's counsel at this point.

Elaine: Okay. When you got off the elevator in the penthouse, and when you got on, and how much time you spent at the penthouse level, I



approached it in my earlier, but based on the cross examination, I feel like we need to go back to that. So, I'm going to ask you to take a look at what is Exhibit 6, and you recognize you and Officer Hadden in this picture?

Melissa: Yes.

Elaine: Okay. And what time does the timestamp on this picture say for the elevator?

Melissa: It says 21:04:43.

Elaine: Okay. That's 09:04:43. Would that be, right, PM?

Melissa: Yes.

Elaine: And you looked at this earlier. I'm going to ask you to take a look at it again at 21. And so, this one has what time?

Melissa: 21:19:49.

Elaine: All right. And Officer Saenz, you said earlier that you weren't sure whether there were accuracies or inaccuracies in terms of the elevators, but allowing for that there may be any issues at all, would you agree that it still means that you were on and off that elevator in 15 minutes?

Melissa: Assuming the times are correct, yes.

Elaine: Okay. You were asked to look at the number of the pictures that I had shown you earlier that were taken on the night of May 21st, 2016, both before, during, and after the time that you and Officer Hadden had reported to Ms. Heard's penthouse. Do you recall seeing those again and being asked about them?

Melissa: Yes.

Elaine: You were asked by counsel for Mr. Depp to take a look at those again, correct?

Melissa: Correct.

Elaine: Okay. And he asked you if you had seen any of those photographs before, and you indicated that you had not, correct?

Melissa: Correct.

Elaine: So, other than what was placed in the CAD summary by either you or Officer Hadden and then also went into the incident recall, are you aware of any documentation that either you or Officer Hadden

collected, relating in any manner to your visit to the penthouse on May 21, 2016?

Melissa: No.

Judge Azcarate: All right. Thank you. All right, ladies and gentlemen, that includes the testimony for today. Please do not do any outside research and don't talk to anybody about the case, and we'll see you tomorrow morning. Okay? Thank you.

All right. I still have some outstanding exhibits. So, if you could get with Jamie and see when those are, we can get that taken care of, so we don't get backwards and keep up. All right. We'll see you in the morning. All right. Thank you.