

TRANSCRIPT OF THE POOL TV FEED FROM DEPP v HEARD

FAIRFAX COUNTY COURT Wednesday 18 May 2022

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Bailiff: ...Court of Fairfax County is now in session. The Honorable Penney Azcarate presiding. Please be seated.

Judge Azcarate: All right, good morning.

Man: Good morning, Your Honor.

Judge Azcarate: Do we have any preliminary matters before the jury comes out? Okay. All right, sure.

Man: May we approach?

Judge Azcarate: Yes, sir. All right, we're ready for the jury then?

Woman: Yes, Your Honor.

Judge Azcarate: Okay. Good morning, ladies and gentlemen. All right. As you remember, we were in the middle of a witness last evening, so we'll continue with her testimony, okay? All right. Thank you.

Ms. Vasquez: Did you see Ms. Heard shortly after she returned from Australia?

Raquel: Yes.

Ms. Vasquez: How soon after she arrived back from Australia did you see her?

Raquel: I believe it was immediately upon her return.

Ms. Vasquez: And she visited you in your apartment at Eastern Columbia buildings. Is that right?

Raquel: Yes.

Ms. Vasquez: You testified that you observed injuries on Ms. Heard on this occasion. Is that right?

Raquel: Yes.

Ms. Vasquez: What injuries did you observe?

Raquel: She had these deep cuts on the backs of her forearms and, yeah, they were very, very deep, long cuts on the backs of her forearms.

Ms. Vasquez: Do you see her feet?

Raquel: On that first one that she came over, she had shoes on, and then she showed me her feet, yeah.

Ms. Vasquez: What specifically do you recall seeing on Ms. Heard's feet?

Raquel: They were just...they were cut, it was smaller cuts than the ones on her arms.

Ms. Vasquez: Were both feet cut?

Raquel: I don't remember if it was both or one.

Ms. Vasquez: You testified that Ms. Heard told you that she got these injuries from glass from broken bottles. Is that correct?

Raquel: Yes.

Ms. Vasquez: You were not in Australia with Ms. Heard when she allegedly sustained these injuries. Is that correct, Ms. Pennington?

Raquel: I was not in Australia.

Ms. Vasquez: But your only understanding as to how Ms. Heard sustained these injuries is what she told you, right?

Raquel: That is my understanding.

Ms. Vasquez: You've testified that you attended a Thanksgiving dinner with Mr. Depp and Ms. Heard in November of 2015. Is that correct?

Raquel: Yes.

Ms. Vasquez: And this dinner was held in Penthouse 5 at the Eastern Columbia building, right?

Raquel: Yes.

Ms. Vasquez: And just for clarification, Penthouse 5 was not Mr. Depp and Ms. Heard's primary residence, correct?

Raquel: All of the penthouses are connected.

Ms. Vasquez: Mr. Depp and Ms. Heard lived in Penthouse 3. Is that correct?

Raquel: Well, technically, they lived in all of them. They were all connected.

Ms. Vasquez: Where did they have their bedroom? In which penthouse?

Raquel: Their bedroom was in 3.

Ms. Vasquez: Who attended this Thanksgiving dinner?

Raquel: I think that...well, Josh, myself, Amber. Johnny. There were a couple of Johnny's friends. I think Amber's dad was there. Jack, Johnny's son. I don't remember anyone else specifically.

Ms. Vasquez: Do you recall what time you all sat down to eat dinner?

Raquel: No.

Ms. Vasquez: You testified at some point late in the meal, Amber went upstairs to look for Johnny and stayed up there for a long time, correct?

Raquel: Yes.

Ms. Vasquez: And did Mr. Depp sit down to dinner with all of you?

Raquel: I don't know if we all actually sat down at one point.

Ms. Vasquez: Did you see Mr. Depp at some point leave the dinner?

Raquel: I don't remember him leaving, I remember noticing that he was gone.

Ms. Vasquez: Did you see where Mr. Depp left to? Where he went?

Raquel: Either upstairs or out the front door. I didn't see it happen so I don't know.

Ms. Vasquez: You observed Ms. Heard consume any alcohol before she went to look for Mr. Depp?

Raquel: Yes.

Ms. Vasquez: What was she drinking?

Raquel: Red wine.

Ms. Vasquez: Does she seem drunk when she went to look for Mr. Depp?

Raquel: No.

Ms. Vasquez: Did you observe any injuries to Ms. Heard when she returned?

Raquel: No.

Ms. Vasquez: Did you observe any injuries to Mr. Depp when he returned?

Raquel: No.

Ms. Vasquez: Do you remember that when Mr. Depp and Ms. Heard came downstairs, they were wearing different clothes?

Raquel: I don't remember Johnny changing clothes. I do remember that Amber changed clothes.

Ms. Vasquez: Do you remember anyone that was still there when Mr. Depp and Ms. Heard came back downstairs?

Raquel: I believe Josh and myself, David Heard, and I don't remember anyone else specifically who was still there.

Ms. Vasquez: You also testified that when, "You went to look and found that a full bottle of wine had hit and broken piece of art that Amber really loved above the bed, and that broken glass was scattered all over the bed."

Raquel: Did I testify that?

Ms. Vasquez: Yes.

Ms. Vasquez: Yes.

Ms. Vasquez: Is that an accurate description of what you saw?

Raquel: Yes.

Ms. Vasquez: And where did you see this? In what room?

Raquel: In their bedroom of PH 3.

Ms. Vasquez: How did you get to this penthouse from Penthouse 5?

Raquel: I went upstairs in Penthouse 5 across the top story, which all three penthouses were connected, through to Penthouse 3. The bedroom was also on the top story and all the way through and around.

Ms. Vasquez: Do you recall seeing any spilled wine?

Raquel: I think there was wine...yeah, I think there was also spilled wine on the bed and on the ground.

Ms. Vasquez: Do you remember whether that bottle of wine was broken or not?

Raquel: I don't remember that the bottle was broken but there's also plenty of glasses around with wine in them that could have been part of that. There was glass everywhere.

Ms. Vasquez: So, you specifically remember glass being everywhere upstairs, is that fair?

Raquel: On the bed mostly.

Ms. Vasquez: What kind of wine bottle was it? Magnum? Red? Do you remember?

Raquel: It would have been red.

Ms. Vasquez: Was it a Magnum bottle?

Raquel: I don't think so.

Ms. Vasquez: What picture had been damaged?

Raquel: I think it was one of Leonor Fini, I believe

Ms. Vasquez: Apologies, Ms. Pennington. What did it look like?

Raquel: I don't remember which one.

Ms. Vasquez: You saw the aftermath?

Raquel: The aftermath, fair.

Ms. Vasquez: But you don't know that Mr. Depp actually threw the bottle, right?

Raquel: I don't know.

Ms. Vasquez: Ms. Heard could have thrown the bottle, true?

Raquel: She could have.

Ms. Vasquez: I'm sorry, I didn't catch that. You said she could have had?

Raquel: She could have.

Ms. Vasquez: And was the evening still happening after you return from observing the bedroom?

Raquel: Yes.

Ms. Vasquez: Do you recall any other issues happening, any further problems during the evening?

Raquel: I don't recall any, no.

Ms. Vasquez: Do you remember providing deposition testimony about this Thanksgiving incident when you were deposed in the divorce proceeding?

Raquel: If you have a transcript of that original deposition, I could take a look at it and recall.

Ms. Vasquez: Do you have any independent recollection of testifying during the divorce proceeding about Thanksgiving?

Raquel: Are you talking about the deposition or testifying?

Ms. Vasquez: I'm talking about your deposition during the divorce proceedings.

Man: She's actually...

Raquel: I remember the depo but it was a very long depo and a lot of topics were covered.

Ms. Vasquez: So, do you remember during the depo testifying that Mr. Depp and Ms. Heard returned to dinner, Mr. Depp was, "acting like nothing had happened." Do you remember that testimony?

Raquel: I don't remember the specifics of the testimony.

Ms. Vasquez: Okay. So, videographer, would you mind, or tech, pulling up Ms. Pennington's July 14th, 2016 deposition transcript?

Man: December?

Ms. Vasquez: July 14th, 2016, it's volume two.

Raquel: Where am I looking in the document?

Ms. Vasquez: Yeah, if you could please scroll down to page 238. Ms. Pennington, if you could look on page 238 of your deposition transcript from July 14th, 2016, line 23.

Man: You have control. You have control?

Raquel: Yeah. Sorry, I don't have like the scrolly things. What am I reading down to? Okay. Yeah, the night has faded in my memory but as I read this, yeah.

Ms. Vasquez: Is that an accurate description of what you observed Mr. Depp that evening?

Raquel: This description?

Ms. Vasquez: Yeah. Well, they're your observation on the evening of thanksgiving and you couldn't tell whether Mr. Depp was drunk or angry, that he just put on a facade.

Raquel: Yeah, I couldn't tell what he was feeling. I didn't know what was going on.

Ms. Vasquez: And you couldn't tell if he was drunk, correct?

Raquel: I couldn't tell.

Ms. Vasquez: And you couldn't tell if he was angry that evening either?

Raquel: Well, I can't say what anybody else's emotions are at any time.

Ms. Vasquez: So, you didn't perceive him being angry in front of you that evening?

Raquel: At me? No.

Ms. Vasquez: At anyone?

Raquel: Not that I recall.

Ms. Vasquez: So, fair to say that Mr. Depp not seem angry to you when he came down there after the Thanksgiving dinner, right?

Raquel: He didn't seem any particular way to me.

Ms. Vasquez: So, you testified in December of 2015, Amber called you over to her apartment so that you could check her out. Is that a correct statement? You testify to that?

Raquel: Yes.

Ms. Vasquez: Okay. My question was after you arrived, you observed injuries to Ms. Heard, right?

Raquel: Yes.

Ms. Vasquez: Do you remember seeing that her head was bloody where a chunk of hair had been ripped out of the back of her head?

Raquel: Yeah. Yes.

Ms. Vasquez: Was her head actively bleeding when you saw her?

Raquel: It wasn't like dripping down her head but it was raw and red.

Ms. Vasquez: Was it actively bleeding, do you remember?

Raquel: Defined actively bleeding.

Ms. Vasquez: Was there blood?

Raquel: Yes.

Ms. Vasquez: How could you tell hair had been ripped out of her head?

Raquel: There was a bloody patch with hair missing.

Ms. Vasquez: Where was her face red?

Raquel: Her whole face.

Ms. Vasquez: Could the redness had been from crying?

Raquel: It could have been.

Ms. Vasquez: Where did her nose appear to be swollen?

Raquel: Maybe like the upper bridge.

Ms. Vasquez: Did you observe that Ms. Heard had any black eyes?

Raquel: Not that I recall.

Ms. Vasquez: Was there blood on her lips when you saw her?

Raquel: It was cut open.

Ms. Vasquez: Was there blood coming out of that cut?

Raquel: I don't remember there was blood coming out of it at that point.

Ms. Vasquez: Was it on the top or bottom lip?

Raquel: It was the bottom.

Ms. Vasquez: Before we go there, do you have any independent recollection of being a laceration on Ms. Heard's forehead?

Raquel: There were many times that I saw injuries on her. If you would like to show me a photo or point me to another place where I can remember which injury was and which instance, then I can answer the question.

Ms. Vasquez: So, you testified that Ms. Heard had a laceration on her forehead when you saw her, correct?

Raquel: Yes.

Ms. Vasquez: If you remember, where on her forehead was this laceration?

Raquel: By the hairline.

Ms. Vasquez: Was it on the right or left side?

Raquel: I don't remember.

Ms. Vasquez: Was the laceration bleeding?

Raquel: I don't think so.

Ms. Vasquez: Sitting here today, did you observe any other injury to Ms. Heard that evening that you remember?

Raquel: No.

Ms. Vasquez: If we can go back to Ms. Pennington's witness statement in the United Kingdom, that would be great. So, on Paragraph 20, Ms. Pennington, you testify that after you saw Ms. Heard, you "called for assistance from a private nurse who was part of the concierge medical service which Johnny and Amber use." Is that correct?

Raquel: Yes.

Ms. Vasquez: Is Erin Burham [SP] the private nurse you're referring to here?

Raquel: Yes.

Ms. Vasquez: Do you know approximately at what time you call Ms. Burham?

Raquel: Evening.

Ms. Vasquez: Do you recall Ms. Burham coming over to the penthouses that night as well?

Raquel: I don't know if she came over that night.

Ms. Vasquez: Do you recall Ms. Burham providing any advice or recommendation to you on the phone?

Raquel: I think she said to maybe not let her go to sleep and to listen to her speech, keep an eye on her.

Ms. Vasquez: And you did that?

Raquel: Yes.

Ms. Vasquez: You testified in Paragraph 20 that on December 15th, 2015, you took pictures of Ms. Heard's injuries on your phone, is that correct?

Raquel: Yes. I don't know if it was on my phone or her phone.

Ms. Vasquez: You see, the third line down, you say, "with my phone?"

Raquel: Then, it was my phone.

Ms. Vasquez: Did you alter the photographs in any way, Ms. Pennington?

Raquel: No.

Ms. Vasquez: Do you recall sending the photographs to anyone?

Raquel: No.

Ms. Vasquez: Do you recognize this photograph?

Raquel: Yes, Amber's face with swelling on her nose, bruising underneath her eyes.

Ms. Vasquez: To confirm, you don't recognize whether you took the photograph or not, right?

Raquel: I don't know if I took that one.

Ms. Vasquez: Okay. I'm gonna show you a document that will be marked Pennington Exhibit 3. Do you recognize this photograph?

Raquel: Yes.

Ms. Vasquez: Do you recognize this photograph?

Raquel: Yeah, yes.

Ms. Vasquez: Let's pull up Pennington Exhibit 6. Do you recognize this photograph?

Raquel: Yes.

Ms. Vasquez: Did you take the photograph?

Raquel: Yes.

Ms. Vasquez: What is this photograph depicting?

Raquel: The part of her scalp where the hair was ripped out.

Ms. Vasquez: You've testified previously that you photographed a big clump of hair on the floor which is blonde in color and clearly belonged to Amber. Do you remember testifying to that?

Ms. Vasquez: Yes, I remember.

Raquel: Where did you see this clump of hair?

Ms. Vasquez: It was in PH 4 in the bedroom.

Raquel: And just to confirm, PH 4, is this where Ms. Heard used that penthouse as a closet?

Raquel: No.

Ms. Vasquez: Which penthouse did Ms. Heard use as a closet?

Raquel: Penthouse 5.

Ms. Vasquez: How did you know that the hair clearly belongs to Amber?

Raquel: The hair had been ripped out of her scalp and it was her color on the floor of her apartment.

Ms. Vasquez: But you didn't see the hair get ripped out of her head, right?

Raquel: Correct.

Ms. Vasquez: And so, your understanding that this was Ms. Heard's hair that was ripped out of her head was based on what Ms. Heard told you, right?

Raquel: My understanding that it was Ms. Heard's hair was what I saw on her body and on the floor.

Ms. Vasquez: And the fact that it had been "ripped out of her head," that was based on what Ms. Heard told you, right?

Raquel: Yes, and common sense.

Ms. Vasquez: And if we could pull up Pennington Exhibit 7, please? Ms. Pennington, do you recognize this photograph?

Raquel: Yes.

Ms. Vasquez: Is this a picture of a clump of hair on the floor that you referenced in your prior testimony?

Raquel: Yes.

Ms. Vasquez: Is this a picture of a clump of hair on the floor that you've referenced in your prior testimony?

Mr. Rottenborn: Objection, vague.

Raquel: Yes.

Ms. Vasquez: Did you take this photograph?

Raquel: Yes.

Ms. Vasquez: Did you take it on your phone?

Raquel: Yes.

Ms. Vasquez: And before you took this photograph, did you move the hair in any way?

Raquel: No.

Ms. Vasquez: So, the picture is the clump of hair exactly as you found it, right?

Raquel: Correct.

Ms. Vasquez: And when did you take the photograph?

Raquel: When I was taking the other photographs.

Ms. Vasquez: You didn't alter this photo in any way, correct?

Raquel: I did not alter this photo.

Ms. Vasquez: Do you recall taking a photograph of a wooden platform bed which had a partially broken bed frame?

Raquel: I do.

Ms. Vasquez: And did you photograph the bed just as you found it?

Raquel: Yes.

Ms. Vasquez: You didn't move anything off or onto the bed?

Raquel: No.

Ms. Vasquez: Where was the bed broken, if you remember?

Raquel: It was a platform bed and the edge of the platform had like a long shard of wood off the corner or like off the edge.

Ms. Vasquez: Where was the broken bed? In which penthouse?

Raquel: Four.

Ms. Vasquez: In which room?

Raquel: The bedroom.

Ms. Vasquez: I want to show you a document that will be marked Pennington Exhibit 8, the base number Pennington 5. Do you recognize this photograph, Ms. Pennington?

Raquel: Yes.

Ms. Vasquez: Did you take this photograph?

Raquel: Yes.

Ms. Vasquez: Do you see that on the left side of what I assume is the mattress and the comforter and there appears to be something on the bed?

Raquel: Is it possible to zoom in?

Ms. Vasquez: Sure. Can you see in the picture, there appears to be something on the bed?

Raquel: Yes.

Ms. Vasquez: Is it something that was already there when you found the bed?

Raquel: I don't remember seeing that before.

Ms. Vasquez: It's not something that you put on the bed, right?

Raquel: No.

Ms. Vasquez: And you don't know what that is?

Raquel: No.

Ms. Vasquez: So, I believe you already testified that the next day Ms. Heard was going on the James Corden show, right?

Raquel: Which testify? Which testify?

Ms. Vasquez: Today.

Man: Today.

Raquel: Oh, today. The next day, yes.

Ms. Vasquez: And you were with Ms. Heard when she was getting ready for the show at her apartment, true?

Raquel: True.

Ms. Vasquez: And was this in Penthouse 3?

Raquel: Five.

Ms. Vasquez: Do you remember that Samantha, Melanie, and Adir were there assisting Ms. Heard in getting ready?

Raquel: Yes.

Ms. Vasquez: Who is Samantha?

Raquel: Samantha is Johnny's stylist and was also doing styling for Amber.

Ms. Vasquez: And who was Melanie?

Raquel: Amber's makeup artist.

Ms. Vasquez: And who was Adir?

Raquel: Amber's hairstylist.

Ms. Vasquez: Do you recall anybody else being there?

Raquel: No.

Ms. Vasquez: Did you hear Ms. Heard tell any one of these people about her injury?

Raquel: I remember her showing the injuries.

Ms. Vasquez: Who did she show the injuries to?

Raquel: She showed Melanie her lip and Adir the missing hair on her head.

Ms. Vasquez: Ms. Pennington, I want to talk to you about Ms. Heard's birthday in April 2016. Do you remember that after Ms. Heard's birthday dinner, you and Ms. Heard and some other friends were scheduled to leave for Coachella the day after?

Raquel: Yes.

Ms. Vasquez: So, after the dinner...I know you attended the dinner, but after the dinner, the next day when you arrive to the penthouse, you notice shattered glass on Ms. Heard's bedroom floor?

Raquel: Correct

Ms. Vasquez: What kind of glass was it?

Raquel: I don't know.

Ms. Vasquez: Can you tell where it comes from?

Raquel: I couldn't tell where it comes from.

Ms. Vasquez: Did you notice any other damage in the bedroom?

Raquel: A broken lamp.

Ms. Vasquez: Ms. Heard had two dogs at the time, correct?

Raquel: At the time of this?

Ms. Vasquez: Yes.

Raquel: Yes.

Ms. Vasquez: And do you recall where the dogs were when you were in the bedroom with Ms. Heard on April 22nd, 2016?

Raquel: In the bed.

Ms. Vasquez: Were you concerned about the dogs injuring themselves on the glass?

Raquel: Yes.

Ms. Vasquez: Did she look upset?

Raquel: When I arrive?

Ms. Vasquez: Yes.

Raquel: She was asleep.

Ms. Vasquez: When she woke up, did she look upset to you?

Raquel: Yes.

Ms. Vasquez: What made you think that she was upset or looked upset?

Raquel: She started crying.

Ms. Vasquez: Now, let's turn to the events of May 21, 2016. Okay, at some point, did Ms. Heard tell you that Mr. Depp wanted to come to the penthouse to get some stuff on May 21st, 2016?

Raquel: I don't remember what exact day she said that but she said that.

Ms. Vasquez: I'll make the representation to you that we're talking about May 21st, 2016 when Ms. Heard alleged that Mr. Depp threw a phone at her. So, do you recall knowing that Mr. Depp was planning to come by Eastern Columbia Building on or about May 21st, 2016 to collect some stuff?

Raquel: I remember that she told me that he wanted to come over.

Ms. Vasquez: Do you remember who was at the penthouse before Mr. Depp came over?

Raquel: On when?

Ms. Vasquez: On May 21st, 2016. You were there obviously, correct?

Raquel: Yes.

Ms. Vasquez: And Ms. Heard was there?

Raquel: Yes.

Ms. Vasquez: Was Josh Drew there?

Raquel: Yes.

Ms. Vasquez: Was Elizabeth Marz there?

Raquel: Yes.

Ms. Vasquez: Were you all...were you preparing for a jewelry show the next day that you were doing, Ms. Pennington?

Raquel: I was preparing.

Ms. Vasquez: Was anybody assisting you prepare for that show?

Raquel: Yes.

Ms. Vasquez: And you were in Penthouse 5 on May 21st, 2016 preparing for that show?

Raquel: We were in and out of Penthouse 5 and Penthouse 1.

Ms. Vasquez: At some point, Ms. Heard left Penthouse 1 and Penthouse 5 she went to Penthouse 3, correct, at some point that evening?

Raquel: Yes.

Ms. Vasquez: Sometime after Ms. Heard left to go back to Penthouse 3, you received a text message from her, correct?

Raquel: Yes.

Ms. Vasquez: Do you remember where you were when you receive this message?

Raquel: PH 1. Penthouse 1.

Ms. Vasquez: Where was Mr. Drew?

Raquel: With me in PH 1.

Ms. Vasquez: And where was Ms. Marz?

Raquel: She was either with us in PH 1 or in PH 5.

Ms. Vasquez: And do you remember what you were doing when you receive this message?

Raquel: No.

Ms. Vasquez: What did you do after you receive this message from Ms. Heard?

Raquel: I went straight over to PH 3.

Ms. Vasquez: Could you hear when you went straight over to PH 3, Mr. Depp and Ms. Heard yelling?

Raquel: Sorry, would repeat just the beginning of the question? You broke up a bit.

Ms. Vasquez: When you went to Penthouse 3, could you hear Mr. Depp and Ms. Heard yelling?

Raquel: Yes.

Ms. Vasquez: Do you recall what they were saying to each other?

Raquel: No.

Ms. Vasquez: Do you recall the door being locked to Penthouse 3 when you got there?

Raquel: The door was always locked.

Ms. Vasquez: Did you have a key?

Raquel: Yes.

Ms. Vasquez: Did you use the key to open the door?

Raquel: Yes.

Ms. Vasquez: I believe you previously testified that Penthouses 3, 4, and 5 were all connected, is that correct?

Raquel: Correct.

Ms. Vasquez: And so, you can get from Penthouse 5 to Penthouse 3 without going out the main hallway, is that right?

Raquel: Correct.

Ms. Vasquez: When you entered Penthouse 3, only Mr. Depp and Ms. Heard were in the penthouse, right?

Raquel: Yes.

Ms. Vasquez: Do you know where Mr. Depp was standing?

Raquel: Yes.

Ms. Vasquez: Where was he?

Raquel: In the living room.

Ms. Vasquez: What part of the living room?

Raquel: Sort of like the entry, like, in between from the kitchen to the living room.

Ms. Vasquez: And where was Ms. Heard?

Raquel: On the other side of the living room.

Ms. Vasquez: Was she at a couch?

Raquel: Yes.

Ms. Vasquez: And where they approximately how far apart?

Raquel: Eight feet, 10 feet.

Ms. Vasquez: And they were both standing when you first came in?

Raquel: Yes.

Ms. Vasquez: What's the first thing you remember, Ms. Pennington, when you went to the penthouse?

Raquel: The first thing I remember was just hearing them. I don't remember what they were saying but it was verbal argument and then he continued to yell and I went over to her and then steps between them.

Ms. Vasquez: Where was Mr. Depp when you step between them?

Raquel: The sofa is an L in the corner of the living room, the coffee table fit into the L shape. Amber was on the far side, Johnny was on the other side of the L with the coffee table between them.

Ms. Vasquez: At some point, Mr. Depp's security team came in, is that correct?

Raquel: Correct.

Ms. Vasquez: And that would be Jerry Judge and Sean Bett?

Raquel: Yes.

Ms. Vasquez: Where was Mr. Depp standing when they entered the apartment?

Raquel: In the space between the living room and the kitchen.

Ms. Vasquez: And you were with Ms. Heard on the sofa?

Raquel: Yes.

Ms. Vasquez: Mr. Depp eventually left Penthouse 3, was that correct?

Raquel: Eventually, yes.

Ms. Vasquez: And he left you and Ms. Heard in Penthouse 3?

Raquel: Yes.

Ms. Vasquez: From the moment you entered Penthouse 3 until Mr. Depp left, did you see Mr. Depp touch Ms. Heard?

Raquel: I didn't see him touch her.

Ms. Vasquez: Did you see him throw anything at her?

Raquel: I didn't see him throw anything at her.

Ms. Vasquez: What did you do after Mr. Depp left Penthouse 3?

Raquel: We took Amber to Penthouse 1.

Ms. Vasquez: Is that where Mr. Drew and Ms. Marz were?

Raquel: I don't know where they were specifically, I don't know if they were in different places or which apartment they were in.

Ms. Vasquez: What did you do once you and Ms. Heard got back to Penthouse 1?

Raquel: She wanted her purse, so I asked Josh to go find her purse in PH 3.

Ms. Vasquez: Are there any property damage in any of the penthouses?

Raquel: Yes.

Ms. Vasquez: What damage did you observe in Penthouse 3?

Raquel: He had smashed a bunch of the...on his way out, I saw this. On his way out, he had knocked over a bunch of items that were on the kitchen island, fruit baskets and bottles and things like that. That was the main damage in PH 3.

Ms. Vasquez: What damage did you see in PH 5?

Raquel: In PH 5, there were photos that had been smashed off the wall, items that I had been working on on a table that had been thrown against the wall. Yeah.

Ms. Vasquez: You also observed injuries on Ms. Heard's face, correct?

Raquel: Yes.

Ms. Vasquez: What did you see?

Raquel: Her cheek was red and swelling.

Ms. Vasquez: Do you recall when you noticed her cheek?

Raquel: No.

Ms. Vasquez: But you didn't see how this occurred, right?

Raquel: I didn't see.

Ms. Vasquez: At some point, two police officers arrived, is that correct?

Raquel: At two points, two police officers arrived.

Ms. Vasquez: Before the first set of police officers showed up, have you cleaned up any of the damage in Penthouse 3 or 5?

Raquel: I don't remember.

Ms. Vasquez: Where were you when the police officers arrived, the first set?

Raquel: PH 3.

Ms. Vasquez: Did you see Ms. Heard speak to the officer? The first set.

Raquel: Yes.

Ms. Vasquez: Did you see the officers enter Penthouse 3?

Raquel: Yes.

Ms. Vasquez: They look around Penthouse 3?

Raquel: Yes.

Ms. Vasquez: Did they enter Penthouse 5, the first set of police officers?

Raquel: I'm not sure.

Ms. Vasquez: Is it your testimony, Ms. Pennington, that the first set of police officers saw the damage you alleged Mr. Depp caused in Penthouse 5?

Raquel: I don't know what they saw but there was damage there.

Ms. Vasquez: And another set of two officers came later in that night, is that correct?

Raquel: Correct.

Ms. Vasquez: Between the first set of officers leaving and the second set of officers arriving, how much time had passed?

Raquel: I don't remember exactly.

Ms. Vasquez: Do you have an approximation of how much time had passed? An hour? Two? Less than that?

Raquel: Less than three.

Ms. Vasquez: Three hours? Less than three hours?

Raquel: Less than three.

Ms. Vasquez: In this time, do you recall cleaning up any of the damage to Penthouse 3 or 5?

Raquel: I don't recall.

Ms. Vasquez: Do you recall Ms. Heard speak to either of the second set of officers?

Raquel: No, I don't remember she did or not.

Ms. Vasquez: Did these officers, the second set, look around Penthouse 3?

Raquel: I guess so. I don't know.

Ms. Vasquez: Ms. Pennington, have you ever personally witnessed Mr. Depp physically attack Ms. Heard?

Raquel: Yeah, can you be specific to physically attacked?

Ms. Vasquez: Did you ever witness Mr. Depp strike Ms. Heard?

Raquel: No.

Ms. Vasquez: Did you ever witness Mr. Depp throw anything at Ms. Heard?

Raquel: I never witnessed him throw anything at her or around her, yes.

Ms. Vasquez: The question is did you ever witness Mr. Depp throw anything at Ms. Heard?

Raquel: No.

Ms. Vasquez: Did you ever witness Mr. Depp kick Ms. Heard?

Raquel: No.

Ms. Vasquez: Did you ever see Mr. Depp physically injured Ms. Heard or cause her an injury?

Raquel: I didn't see it.

Ms. Vasquez: So, that's a no, right?

Raquel: I didn't see it.

Mr. Rottenborn: Your Honor, at this point, I started asking Ms. Pennington some questions, so we'll play that. But may we just approach just to get straight on some exhibits, please?

Judge Azcarate: Okay.

Mr. Rottenborn: Thank you, Your Honor. Are we ready to start?

Judge Azcarate: Yes. Yes, sir.

Mr. Rottenborn: Now, I understand that you've testified a number of times about some of the events that we touched on yesterday, right?

Raquel: Yes.

Mr. Rottenborn: Has there ever been anything in any of those prior sworn statements or testimony that you've given that has prevented you from telling the truth?

Raquel: No.

Mr. Rottenborn: And is all of your prior sworn testimony including the testimony you gave yesterday true and accurate to the best of your knowledge?

Raquel: Yes.

Mr. Rottenborn: Are you here today on behalf of one side or the other? And by that, I mean on behalf of Amber or on behalf of Johnny.

Raquel: No.

Mr. Rottenborn: All right. Would you consider yourself adverse or hostile to either party?

Raquel: No.

Mr. Rottenborn: Any other time that you can remember?

Raquel: Not specifically, no.

Mr. Rottenborn: Was there a name for what you describe as Mr. Depp's different self?

Raquel: Yes.

Mr. Rottenborn: What was that name?

Raquel: We called it the monster.

Mr. Rottenborn: Who was we?

Raquel: All of us, me, Johnny, Amber, and anyone else in the inner circle that was privy to the private things that happened.

Mr. Rottenborn: How do you know that Johnny called it the monster?

Raquel: He named it that.

Mr. Rottenborn: You heard him refer to this other version of himself as the monster directly?

Raquel: Either heard or saw it written in a text.

Mr. Rottenborn: Did you receive texts from Mr. Depp referring to this other version of himself as the monster?

Raquel: I can't remember specifically any of them.

Mr. Rottenborn: But you do recall hearing or reading Mr. Depp directly referring to himself as the monster?

Raquel: Yes.

Mr. Rottenborn: And why did you do that?

Raquel: She asked for my help.

Mr. Rottenborn: And over the course of your relationship, when Amber needed your help, you tried to be there for her, right?

Raquel: Yes.

Mr. Rottenborn: What do you mean by scary?

Raquel: I was scared for Amber, I was sad for Amber, and I was also sad for Johnny because he is my friend too and I really wanted them to be able to get it together.

Mr. Rottenborn: Why were you scared for Amber?

Raquel: He could be very unpredictable and she didn't have a lot of self-preservation.

Mr. Rottenborn: Specifically, what type of harm were you worried about for Amber?

Raquel: In the beginning, I wasn't worried. Towards the end when the physical abuse was more evident, I was worried. I was worried for her

physical safety, I was worried that when he turned, he might accidentally do something that was worse than he ever intended.

Mr. Rottenborn: When you're talking about abuse, is this the signs of abuse that you personally observed?

Raquel: Can you explain what you mean specifically by that?

Mr. Rottenborn: Did you observe physical effects on Amber of that abuse?

Raquel: Yes.

Mr. Rottenborn: You testified a little bit yesterday about an incident between Johnny and Amber that took place in Hicksville, you remember that?

Raquel: Yes.

Mr. Rottenborn: Tell me as best you can everything that you remember about that.

Raquel: We were sitting around the campfire. I don't remember who the larger group was. And Amber and Kelly Sue were sitting on a chair together hugging and Johnny came up and said, "Get your hands off my woman." And it was surprising because it was a very benign two friends sitting on the same chair hanging out. And it was also surprising because Johnny had been hanging out with everybody in a friendly way and a switch flips when that happens. And Amber got up, went to go comfort Johnny, and then they went back to their trailer.

Mr. Rottenborn: How would you describe Johnny's tone when he said, "Get off my woman?"

Raquel: At first, I thought it was a joke. I thought he was kidding because it was so unexpected from the way that the rest of the night had been going. And then at some point, I think Amber realized that it was not a joke and got up to defuse the situation.

Mr. Rottenborn: Did you perceive Kelly Sue to be acting inappropriately in any way toward Ms. Heard?

Raquel: No.

Mr. Rottenborn: Had you seen...when you said a switch flipped in Mr. Depp, that was your testimony, right?

Raquel: Just now?

Mr. Rottenborn: Yeah, just now.

Raquel: Yeah.

Mr. Rottenborn: Was it surprising to you to see?

Raquel: No.

Mr. Rottenborn: And why not?

Raquel: He switched sometimes.

Mr. Rottenborn: And what do you mean by that when you say he switched?

Raquel: Johnny would be acting like his wonderful self for a certain portion of an occasion where people were hanging out or sometimes just privately at home and I never knew what caused it, the switch would happen to where he would either disappear or go somewhere off by himself or his mood would change to something darker and...yeah.

Mr. Rottenborn: What do you recall...and we'll get to specific incidents in a little bit. But when you say his mood would change to something darker, do you remember any specific examples of times that you witnessed when his mood changed to something darker?

Raquel: I can't remember at this moment a specific time when it would happen. Generally, he would go away from where the rest of the people were, Amber would follow to comfort, sometimes they wouldn't come back, sometimes they would.

Mr. Rottenborn: Tell us about the next morning at Hicksville, what you saw and observed.

Raquel: I went to the trailer to go knock on the door. I think they'd already left, though. I went in and I saw the disarray.

Mr. Rottenborn: Describe the disarray as best you can.

Raquel: Like I said yesterday, the light fixtures had been knocked off, things were strewn about the trailer, cushions off the couch, I think.

Mr. Rottenborn: Over the course of...now you've known Ms. Heard since 2003, right?

Raquel: Yes.

Mr. Rottenborn: Have you ever known her to knock light fixtures off a wall?

Raquel: No.

Mr. Rottenborn: Have you ever known her to throw pillows and cushions off couches?

Raquel: No.

Mr. Rottenborn: Have you ever known her to get in a rage and destroy property?

Raquel: No.

Mr. Rottenborn: Have you ever known her to threaten someone's life?

Raquel: No.

Mr. Rottenborn: What did Amber tell you...well, did you ever have a conversation with Ms. Heard about what happened in that trailer in Hicksville?

Raquel: Yes.

Mr. Rottenborn: I'd like to fast forward a little bit in time, Ms. Pennington, to an episode that we talked about yesterday to some extent. Do you remember being with Amber after something that happened the day before she went on the James Corden show in December 2015?

Raquel: Yes.

Mr. Rottenborn: What do you remember? And I know this is painful and emotional but give me your best recollection of what do you recall from that time period.

Raquel: From the night before?

Raquel: Were you with Amber the night before the James Corden appearance?

Raquel: Yes.

Mr. Rottenborn: And were you with her the day of the James Corden appearance?

Raquel: Yes.

Mr. Rottenborn: And did you observe Ms. Heard and Ms. Heard's residence the day before the James Corden appearance and the day of the James Corden appearance?

Raquel: Yes.

Mr. Rottenborn: So, with that, told me everything that you can remember starting with the day before. And I may interrupt you and ask you to clarify certain things but told me everything you remember.

Raquel: So, she asked me to come over to her residence, PH 3 or PH 5, I don't remember which one I entered. And she was very upset. Her face is red, swollen, her hair had been ripped out of her head. I went through all of the penthouses. She didn't cancel. I don't think I even slept that night watching her just to make sure she didn't...

Mr. Rottenborn: Is that because you were worried she had a concussion?

Raquel: Yes.

Mr. Rottenborn: Why did you tell her that you are going to go take pictures throughout the penthouses?

Raquel: Why wouldn't I?

Mr. Rottenborn: Ms. Pennington, I'm going to...you saw a few selected pictures yesterday, I'm going to show you a number of pictures today that we need to go through and I'll ask you some questions about it, okay?

Man: Are you able to see exhibit 15?

Mr. Rottenborn: Yeah, I can see it. Can you, Ms. Pennington?

Raquel: Yes.

Mr. Rottenborn: Ms. Pennington, does this picture truly and accurately depict Ms. Heard's appearance on December 2015 during the night that you just discussed?

Raquel: Yes.

Mr. Rottenborn: Do you know whether or not you took this picture?

Raquel: I do not.

Mr. Rottenborn: But you were with Ms. Heard that evening after the incident?

Raquel: I was.

Mr. Rottenborn: What room was this taken in?

Raquel: This is the bathroom of Johnny and Amber's bedroom in PH 3.

Mr. Rottenborn: What injuries, if any, do you observe on Ms. Heard in this picture?

Raquel: Her right eye has a mark and a bruise. Her nose is swollen. There's bruising on her left eye as well.

Mr. Rottenborn: And Exhibit 16 is up. What is this picture, Ms. Pennington?

Raquel: It's the picture of Amber's face with bruising and a mark on her right eye, swelling on her nose, bruising on the left eye in the same bathroom.

Mr. Rottenborn: And when was this picture taken?

Raquel: I assume the same night.

Mr. Rottenborn: Is that the night in December 2015 that you've been testifying about the last few minutes?

Raquel: Yeah.

Mr. Rottenborn: Do you see behind Ms. Heard's left ear, there's a picture on the wall and then a writing, a note above the picture?

Raquel: Yes.

Mr. Rottenborn: What is that note signed, if you can tell?

Raquel: Steve.

Mr. Rottenborn: Do you understand who is Steve?

Raquel: Johnny.

Mr. Rottenborn: And what does it say right above that?

Raquel: It says, "Your Steve."

Mr. Rottenborn: What's the line above that said?

Raquel: "Occasionally, something always up," three exclamation points. "Love you eternally, your Steve."

Mr. Rottenborn: And Steve in that note refers to the same man that you understood to have inflicted these injuries on Ms. Heard, correct?

Raquel: Yes.

Mr. Rottenborn: And does this picture truly and accurately reflect what you observed on Ms. Heard in that night in December 2015?

Raquel: Partially.

Mr. Rottenborn: When you said, "Partially," what do you mean by that?

Raquel: Can't see the rest of the injuries.

Mr. Rottenborn: What other injuries are you referring to?

Raquel: The hair being pulled up.

Man: Exhibit 17 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: Amber's face turned at a slight profile with a bruise on her eye, swelling on her nose.

Mr. Rottenborn: And when was this picture taken?

Raquel: The same night a moment after the previous two pictures.

Mr. Rottenborn: Does this picture fairly and accurately depict at least in part Ms. Heard's appearance on that night?

Raquel: Yes.

Man: Exhibit 18 is up.

Mr. Rottenborn: What is this document, Ms. Pennington?

Raquel: It's a photo of Amber's face with two black eyes and swollen bottom lip. And swollen nose.

Mr. Rottenborn: Did you take this photo?

Raquel: I don't remember.

Mr. Rottenborn: You said a swollen nose?

Raquel: Yes.

Mr. Rottenborn: Does this picture fairly and accurately depict at least in part Ms. Heard's appearance on that night in December 15th, 2015?

Raquel: Yes. Yes.

Mr. Rottenborn: Did you take pictures of Ms. Heard that night?

Raquel: Yes.

Mr. Rottenborn: Do you believe that you took this picture?

Raquel: I don't know.

Mr. Rottenborn: But in any event, it accurately reflects Ms. Heard's appearance from that evening?

Raquel: Yes.

Man: Exhibit 19 is up.

Mr. Rottenborn: And I'm sorry this is so hard, Ms. Pennington. We just need to get through it as best we can. What is this picture?

Raquel: This is Amber's face, turn a profile, showing more of her bottom bloody lip and her right bruised eye.

Mr. Rottenborn: And what night does this...or when does this show Amber?

Raquel: It appears to be the same night and the same series of photos as before.

Mr. Rottenborn: Where was this picture taken, if you know?

Raquel: It's in the bedroom facing the...she's sitting on the bed and it's facing the windows.

Mr. Rottenborn: Was anyone with you and Amber that night after you came over?

Raquel: No, I don't think so. No.

Mr. Rottenborn: So, is it fair to assume that either you or Amber took this picture?

Raquel: Yes.

Mr. Rottenborn: Does it look like Ms. Heard took this picture?

Raquel: No.

Mr. Rottenborn: Do you recall taking this picture?

Raquel: I took a lot of pictures. It would be yes.

Mr. Rottenborn: Dis Ms. Heard's lower lip look like it's just chapped?

Raquel: No, it does not.

Mr. Rottenborn: Does it look like she just has a cold sore?

Raquel: It does not look like a cold sore.

Man: Exhibit 20 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: This is a picture of Amber's hairline, a scratch injury on the hairline, and my thumb holding the hair back so that you can see it.

Mr. Rottenborn: Does this picture depict marks that you saw on Amber the night in December 2015 that we've been discussing?

Raquel: Or the next morning.

Mr. Rottenborn: One or the other?

Raquel: Yes.

Mr. Rottenborn: And look, if you could just go back really quickly to the last picture, please, Pennington 19. I may have asked you this, Ms. Pennington but I just want to make clear for the record. Does this picture fairly and accurately depict Ms. Heard's appearance on that night in December 15th, 2015 that we've been discussing?

Raquel: Yes.

Man: Exhibit 21 is up.

Mr. Rottenborn: What is this is a picture of, Ms. Pennington?

Raquel: This is a closer picture of the side of Amber's nose and mouth.

Mr. Rottenborn: Go ahead, go ahead.

Raquel: She has a swelling and an injury on her bottom lip.

Mr. Rottenborn: Are there any other injuries you observe in this picture?

Raquel: You could see at the top of the photo, a bruising on her eye and the small mark underneath her bottom eyelid.

Mr. Rottenborn: Did Ms. Heard...did she typically have that small mark underneath her eye or bruising around her eyes?

Raquel: She did not usually have that small mark or bruising underneath her eyes.

Mr. Rottenborn: Did she typically have injuries to her lip?

Raquel: Sometimes.

Mr. Rottenborn: And over the course of your friendship with Ms. Heard, during the time that she was in a relationship with Mr. Depp, how often would you all communicate?

Raquel: Sorry, can you repeat that question?

Mr. Rottenborn: During the time that Ms. Heard was in a relationship with Mr. Depp, how often would you communicate with Ms. Heard? Like every day?

Raquel: When she was filming, less. When she was home, all the time.

Mr. Rottenborn: And you just testified, I believe, it wasn't the only incident in which you observed injuries to Ms. Heard's face or lips, correct?

Raquel: Correct.

Mr. Rottenborn: Were there any other times that you observed injuries to Ms. Heard's face or lips?

Raquel: Yes.

Man: Exhibit 22 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: The picture is hair pulled back to show the abrasion on the scalp where hair has been removed.

Mr. Rottenborn: Whose head is that?

Raquel: That's Amber's head.

Mr. Rottenborn: Do you know when this picture was taken?

Raquel: Either the night of the event or the next day.

Mr. Rottenborn: And by event, you're referring to the event in December of 2015 that we've been talking about?

Raquel: Yes.

Mr. Rottenborn: Do you recall taking this picture, Ms. Pennington, of Ms. Heard's scalp?

Raquel: Yes.

Mr. Rottenborn: Does this picture fairly and accurately depict the top of Ms. Heard's scalp during the day of or at the day after the December 2015 incident that you've been giving testimony about?

Raquel: Yes.

Man: Exhibit 23 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: It's a picture of a clump of Amber's hair on the black carpet of the bedroom in PH 4 with my finger there to show the scale of the hair.

Mr. Rottenborn: Did you take this picture?

Raquel: Yes.

Mr. Rottenborn: When did you take this picture?

Raquel: Either the night of the events...the night of the event, the occurrence that we've been talking about.

Mr. Rottenborn: In December of 2015?

Raquel: Yes.

Mr. Rottenborn: And how did you know that that was Amber's hair?

Raquel: The hair had been ripped out of her head, this is the color of her hair, it's her home.

Mr. Rottenborn: You said it was in the bedroom of Penthouse 5?

Raquel: Four.

Mr. Rottenborn: Have you ever known Ms. Heard to pull out clumps of her own hair?

Raquel: No.

Mr. Rottenborn: Did Ms. Heard ever paint on bruises or use makeup to make it appear as if she had a bruise when in fact she didn't?

Raquel: No, the opposite.

Mr. Rottenborn: What do you mean when you say the opposite?

Raquel: She often had to cover bruises and injuries on her face with makeup.

Mr. Rottenborn: Did you see her cover bruises on her face with makeup?

Raquel: Yes.

Mr. Rottenborn: Can we pull up the document titled December 2015 ALH 28_B, please? What is this picture, Ms. Pennington?

Raquel: It's a picture of Amber. She has a visible mark underneath her right eye. They were in the kitchen, she's in the kitchen of PH 3.

Mr. Rottenborn: Do you know when or approximately when this picture was taken?

Raquel: The day following the December event or the day after, maybe. I don't know exactly when.

Mr. Rottenborn: And did you take this picture?

Raquel: I don't know.

Mr. Rottenborn: Does it fairly and accurately depict Amber's appearance on the day you described?

Raquel: On one of the days following, yes.

Man: Exhibit 25 is up.

Mr. Rottenborn: Do you know what this a picture of, Ms. Pennington?

Raquel: This is a picture of the nightstand on the right side of the bed in Johnny and Amber's bedroom in PH 3. It has a lamp that's fallen down, a book of rolling papers, half a lemon, a plastic coffee mug of Infinitem Nihil, Johnny's production company, a bottle of Tom's, a bottle of tea, broken glass, and a small blue book on the floor that I can't make out with that is.

Mr. Rottenborn: Did you ever know Amber to break glass next to her bed?

Raquel: No.

Mr. Rottenborn: What's your knowledge about Mr. Depp's tendency to break things made of glass?

Raquel: My knowledge is that I saw him do it once and then I saw the aftermath of him breaking glass many times.

Mr. Rottenborn: And all that evening in December 2015, did you see...that we've been discussing, did you see broken glass around the residence?

Raquel: Yes.

Mr. Rottenborn: Let's go to the next picture, December 2015 ALH_509_B. You've seen this picture before. What's this a picture of, Ms. Pennington?

Raquel: This is a picture of the platform bed in the bedroom of Penthouse 4. The edge of the platform bed has a shard of wood that has broken off onto the floor.

Mr. Rottenborn: Did you take this picture?

Raquel: Yes.

Mr. Rottenborn: When did you take it?

Raquel: Either the night of the event or the next day.

Mr. Rottenborn: And when you say, "Event," are you referring to...what are you referring to?

Raquel: The December '15 event that we've been speaking about.

Mr. Rottenborn: You said December '15, do you mean December 2015?

Raquel: Yes, sorry. 2015.

Mr. Rottenborn: And where is this bed in the residence?

Raquel: This is in Penthouse 4, it's the middle penthouse between the main residence PH 3, Amber's closet, PH 5, this is one of the rooms that you walk through to get to...to go through the upper story of the homes.

Mr. Rottenborn: Have you ever known Ms. Heard to destroy a bed frame?

Raquel: No.

Mr. Rottenborn: Have you ever known...go ahead, sorry.

Raquel: No.

Mr. Rottenborn: Have you ever known Ms. Heard to destroy furniture generally?

Raquel: No.

Mr. Rottenborn: Ms. Pennington, in all the photos that you have taken of evidence or incidents or the aftermath of incidents between Amber and Johnny, have you ever done anything to alter those photos or, you know,

make them appear to depict something that wasn't actually there or wasn't actually real?

Raquel: No.

Mr. Rottenborn: I want to talk about the day of "The Late Late Show." When I say that, do you understand I'm referring to Amber's appearance on the James Corden show?

Raquel: Yes.

Mr. Rottenborn: "The Late Late Show with James Corden." Were you with Amber when she got ready for her appearance on that show?

Raquel: Yes.

Mr. Rottenborn: Who else was present?

Raquel: Adir, who's her hairstylist, Melanie, her makeup artist, and Samantha, her stylist.

Mr. Rottenborn: Were you there when her hair and makeup was being styled or put on before her appearance on James Corden?

Raquel: Yes.

Mr. Rottenborn: Did you see anyone paint on a wound on her lip or put makeup on her face to make it appear that there was a wound on her lip?

Raquel: No.

Mr. Rottenborn: Did you observe anyone ripping clumps of her hair out of her head?

Raquel: No.

Mr. Rottenborn: Ms. Pennington, did you...to the extent that it's alleged that Ms. Heard had no injuries when she went on the James Corden show, what is your reaction to that?

Raquel: My reaction is that is a false assessment or statement.

Mr. Rottenborn: And what's the basis for that testimony?

Raquel: Because I saw injuries on her body from the time directly after they happened and throughout the next night, the next day, and as they continue to heal.

Mr. Rottenborn: In the time that you spent with Johnny, did he ever express a similar sense sentiment that he was through, "a fuck up," in his words?

Raquel: Yes.

Mr. Rottenborn: And what did you...tell me what you can remember about the instances when he said that and what your understanding was of what he meant?

Raquel: My understanding was that he was sorry and apologetic and...

Mr. Rottenborn: For what?

Raquel: For his behavior.

Mr. Rottenborn: When you say behavior, what are you referring to?

Raquel: Verbal arguments, physical arguments.

Mr. Rottenborn: And that was what he made clear to you in things that he said to you, is that right?

Raquel: What he made clear to me in our conversations was that he was very sorry and that he was working to get clean and get better, and that he was asking for forgiveness and trying to think that he was gonna get better.

Mr. Rottenborn: Did you ever see him get better?

Raquel: Yeah.

Mr. Rottenborn: When?

Raquel: A lot of times.

Mr. Rottenborn: But did you ever see him get better permanently?

Raquel: No.

Mr. Rottenborn: Your Honor, at this point, we start questioning Ms. Pennington about May 21st. We're happy to keep going but if you wanted to take a break...I think we're about halfway through this volume.

Judge Azcarate: Okay, let's go and take our morning recess for 15 minutes. Again, do not discuss the case with anybody and don't do any outside research, okay?

[01:31:28]

[silence]

[01:31:44]

Judge Azcarate: All right, let's just come back at 11:00 then, okay? All right, thank you. ...the jury?

Mr. Rottenborn: Yes, Your Honor.

Judge Azcarate: Okay. All right, you can be seated. Continue with the witness?

Mr. Rottenborn: Yes, we'll resume with the testimony of Raquel Pennington, Your Honor.

Judge Azcarate: All right, thank you.

Mr. Rottenborn: I want to talk about the events of May 21st, 2016. Do you remember that night, Ms. Pennington?

Raquel: Yes.

Mr. Rottenborn: Walk us through what you recall about the evening of May 21st, 2016.

Raquel: So, in PH 5, I was getting things ready for an artist craft show that I had and making jewelry, and my friend Liz was there, Josh was there, Amber was helping. We were set up in the downstairs living room if PH 5.

Mr. Rottenborn: Liz Marz?

Raquel: Liz Mars, yes.

Mr. Rottenborn: Okay. And your fiance, Joshua Drew, is that right?

Raquel: Yes. And at some point, Amber got a message from Johnny that said that he wanted to come over and talk or pick something up. I don't remember what the exact message was and I just thought it was a really bad idea but can't stop somebody from coming over to their own home. And so, Amber went upstairs to get ready for him to come over. And eventually, he showed up. I didn't see him show up, I didn't hear him show up. He went to PH 3. And then at some point, I got a text from her or I might have checked in, or I got a text from her that said, "Come over." So, I tried to come over there and the door was locked, their front door was locked, so I went to go get my key.

I have a master key to...I had a master key to all of the apartments. And I came back, unlocked the door, and he was yelling, and I don't

remember exactly what he was saying and she was just...she was calling for help and that had never happened before, saying, "Help me." I went and I cut through the space between the coffee table and the sofa. And I went up to him and he was yelling and yelling and I put my hands up on his chest and I was like, "Stop, just stop," just trying to calm him down. He hit my hands away, and so I just went straight over to Amber.

She sat down on the couch, she was crying, and I just put my body over her and he came a little bit closer to us and he was yelling at her to like get up or I don't know, "Quit cry," or, "Get up," or something and it was really loud and he was getting closer and closer. And I remember thinking there was this, like, big orange ceramic ashtray on the coffee table and I was thinking, if he gets any closer, I'm just gonna pick up the ashtray and hit him with it because he was so close over us. And then at that point, Jerry and Sean came in from the front door of PH 3 and came in and, you know, they were like, "Boss, boss, you know, come on, let's get out of here."

And Jerry always called him boss, he's like, "Boss, come on. Come on, boss. Let's go, let's go." And then Johnny grabbed his litter bag off the stool that was by the island and he had a big Magnum bottle of wine and he was just, like, smashing stuff off the island and yelling. I don't remember exactly what he was saying. And then, they finally left and I can hear out in the hall of just, like, banging and smashing and clattering around. I was just holding Amber, sort of just waiting for it to pass and clear until a little bit later and then I think Josh came in.

Mr. Rottenborn: Why did you get between...and put your hands on Mr. Depp and get between him and Ms. Heard?

Raquel: I just thought I could calm him down.

Mr. Rottenborn: And when he hit your hands away and then you went and laid on her, why did you do that?

Raquel: It's just the thing to do.

Mr. Rottenborn: How would you describe Mr. Depp's mood?

Raquel:irate.

Mr. Rottenborn: Were you afraid that Mr. Depp was going to hurt Ms. Heard?

Raquel: Yes.

Mr. Rottenborn: And when he stood over you...you testified a little bit to it, but describe what he was yelling as he stood over the couch.

Raquel: I don't remember everything that he said. The thing that sticks out the most is that he was just yelling at her to get up, to get the fuck up.

Mr. Rottenborn: Did you let her?

Raquel: No.

Mr. Rottenborn: And where were you...just to be clear, where were you when you received the message from Amber asking you to come over to Penthouse 3?

Raquel: In either PH 5 or PH 1.

Mr. Rottenborn: You weren't already in Penthouse 3 when you got that text?

Raquel: No.

Mr. Rottenborn: To the extent that there are allegations that you were lying in wait in Penthouse 3 before Johnny walked into that penthouse, how do you respond to those?

Raquel: That is not true.

Mr. Rottenborn: I will also represent to you, Ms. Pennington, that Mr. Depp's lawyer has been quoted as saying, "Amber Heard and her friend Rocky Pennington staged the May 21st crime scene to prove the abuse allegation against Johnny Depp." Is that statement true?

Raquel: No.

Mr. Rottenborn: Did you stage anything about May 21st, 2016?

Raquel: No.

Mr. Rottenborn: Did Amber stage anything, to your knowledge, about May 21, 2016?

Raquel: No.

Mr. Rottenborn: Describe for us the damage that you observed Mr. Depp cause to the penthouses, the Penthouse 3.

Raquel: In 3, stuff had been knocked off the kitchen counter, stuff had been knocked off a bar cart.

Mr. Rottenborn: By him?

Raquel: By Johnny, I saw this happen on his way out. He was smashing stuff.

Mr. Rottenborn: With what?

Raquel: With the wine bottle.

Mr. Rottenborn: What other damage can you remember Mr. Depp causing?

Raquel: In the hallway, there was wine splash spilled on the hallway, there was a dent on the outside of PH 1's door, front door, and then in PH 5 where we had been getting stuff ready for my craft fair, my jewelry and materials had been thrown against the wall and everything that was on the table was, like, strewn off of the table or thrown down.

Mr. Rottenborn: I'd like to go through with you some photographs of the incident that we talked about. So, can you pull up May 21st, 2016 ALH 7051, please? And while he's pulling that off, Ms. Pennington, did you or either yourself or anyone else take photographs in the aftermath of this incident?

Raquel: Yes.

Mr. Rottenborn: Who took photographs?

Raquel: Josh Drew. That's the only person that I can say for sure.

Mr. Rottenborn: Were you with Mr. Drew when he was taking photographs?

Raquel: I can't remember.

Mr. Rottenborn: Did you go through the penthouses to see where the damage has been done?

Raquel: Eventually.

Mr. Rottenborn: Ms. Pennington, what is this a picture of if you know?

Raquel: This is a picture of the living room in PH 5 with the back corner of the sofa, it has the beads that I had been working on and the stand that I use to display them thrown to the wall. Some of the beads are on the windowsill. The stand is broken.

Mr. Rottenborn: And does this fairly and accurately reflect the damage that you saw to Penthouse 5 on May 21st, 2016?

Raquel: Yes.

Man: Exhibit 30 is up.

Mr. Rottenborn: And what is this a picture of if you know?

Raquel: This is a picture of Johnny and Amber's bed, bedroom, bed in PH 3. It has several photos, framed photos stacked on it.

Mr. Rottenborn: And do those photos appear to be intact?

Raquel: These do, yes.

Mr. Rottenborn: In your experience, do those photos normally sit on the bed?

Raquel: No.

Mr. Rottenborn: Did you witness...well, was this part of the aftermath of what Mr. Depp did in Penthouse 3?

Raquel: I didn't see him take these down but they were not down before he came over.

Mr. Rottenborn: Does it fairly and accurately depict what you witnessed the night of May 21st, 2016?

Raquel: I didn't see this happen but I did see this scenario.

Mr. Rottenborn: You saw the pictures. That's my question, does this fairly and accurately depict something that you personally saw on May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: All right, let's pull up 7053, please. So, my question, Ms. Pennington, will be what is this a picture of?

Raquel: You know, can the info thing move off to the side?

Mr. Rottenborn: You know what? Not in this version of the pictures, so I apologize for that. If you need it zoomed in or out...

Raquel: It's the landing of one of the staircases.

Mr. Rottenborn: And what do you see on the picture?

Raquel: It's broken glass and something spilled on the landing of one of the staircases. I can't tell if it's P3 or P5.

Mr. Rottenborn: Okay. Does this picture fairly and accurately depict something that you observed on the night of May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: You'd never ever know Ms. Heard to smash glasses on staircases?

Raquel: No.

Mr. Rottenborn: Did you find that question vague and ambiguous, Ms. Pennington?

Raquel: No.

Man: Exhibit 32 is up.

Mr. Rottenborn: What is this picture of, Ms. Pennington?

Raquel: These are stairs of the same staircase with broken glass on them.

Mr. Rottenborn: Does this picture fairly and accurately depict something that you personally observed the night of May 21st, 2016?

Raquel: Yes.

Man: 33 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: This is a picture of the floor mat in front of the doors that will lead out to the balcony of PH 3 and it has a broken what looks like a top of a martini glass on it.

Mr. Rottenborn: Did you see this glass or material around this being broken on the evening of May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: And who broke this glass?

Raquel: Johnny did.

Mr. Rottenborn: And does this photo fairly and accurately depict something you observed after Mr. Depp left Penthouse 3 on May 21st, 2016?

Raquel: Yes.

Man: Exhibit 34 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: This is the space between the cabinets and the refrigerator and the kitchen islands. It has a rug on it and then it has a fruit basket and fruit on the ground.

Mr. Rottenborn: And do you know who knocked that fruit on the ground?

Raquel: Yes.

Mr. Rottenborn: Who?

Raquel: Johnny.

Mr. Rottenborn: And does this fairly and accurately depict the damage that you saw on May 21st, 2016?

Raquel: Yes.

Man: Exhibit 35 is up.

Mr. Rottenborn: Thank you. What is this a picture of, Ms. Pennington?

Raquel: This is the landing of PH 5 that Amber's office was set up on and this is her desk and her files and boxes have been upturned and there's papers all over the floor.

Mr. Rottenborn: And is this how Ms. Heard normally kept her office area?

Raquel: No.

Mr. Rottenborn: Does this fairly and accurately depict the damage that you observed on May 21st, 2016?

Raquel: Yes.

Man: 36 is up.

Mr. Rottenborn: Is this that same office area?

Raquel: Yes.

Mr. Rottenborn: And is this an accurate depiction of what you observed on May 21st, 2016?

Raquel: Yes.

Man: 37 is up.

Mr. Rottenborn: What is this a picture of, Ms. Pennington?

Raquel: This is a picture of two photos on the column and the staircase leading up to Amber's office. The top photo is a group photo of Savannah, Whitney, iO, myself, Amber, Aaron, Brittany, Morgan when we were in London. The glass is smashed. The bottom photo is a photo of Amber and me in France.

Mr. Rottenborn: Does this photo fairly and accurately depict the damage that you observed on May 21st, 2016?

Raquel: Yes.

Man: 38 is up.

Mr. Rottenborn: What is this a picture of?

Raquel: It's a picture of a large bottle of wine on the floor.

Mr. Rottenborn: On May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: Is this the bottle he was swinging, if you know?

Raquel: I don't know.

Mr. Rottenborn: But it accurately depicts something you observed on May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: Did you notice...you or Ms. Heard or anyone that you were with spilling wine in penthouses that night in order to stage the damage?

Raquel: No.

Mr. Rottenborn: And by, "What is this a picture of?" I meant the whole scene.

Raquel: Oh. It's a picture on the floor.

Mr. Rottenborn: Do you know what penthouse that is in?

Raquel: Can you zoom out again, please? Three.

Mr. Rottenborn: Do you know who knocked this picture on the floor?

Raquel: I didn't see it knocked down.

Mr. Rottenborn: Other than Mr. Depp, did you see anyone causing any damage or knocking anything down in any of the penthouses on May 21st, 2016?

Raquel: No.

Mr. Rottenborn: And did you see Mr. Depp knocking things down?

Raquel: Yes.

Mr. Rottenborn: Does this picture fairly and accurately describe something that you observed on May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: Okay. Can you describe did you see any injuries on Amber on May 21st, 2016?

Raquel: Just a swollen...like, red swollen cheek.

Mr. Rottenborn: Let's pull up the May 21st, 2016 ALH 7077, please. And while he's doing that, did you...and we talked about pictures of damage in the penthouses, did you take pictures of Ms. Heard that evening?

Raquel: I don't remember if it was me or Josh.

Mr. Rottenborn: Were you present when pictures were taken of Ms. Heard on May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: Does this picture fairly and accurately reflect observations you made of Ms. Heard on May 21st, 2016?

Raquel: Yes.

Man: 42 is up.

Mr. Rottenborn: What is this a picture of, Ms. Paddington?

Raquel: This is Amber's face. It's red. The right cheek and eye is more red and swollen. Her right, my left.

Mr. Rottenborn: Does this fairly and accurately depict Ms. Heard's condition that you observed that evening?

Raquel: Yes.

Mr. Rottenborn: Can you pull up 7083, please? What is this picture of?

Raquel: This is Amber's face turned at a slight profile. Her eye is red and bruised. The eyebrow, temple, and cheekbone.

Mr. Rottenborn: Does this fairly and accurately depict Ms. Heard's condition that you witnessed on May 21st, 2016?

Raquel: Yes.

Mr. Rottenborn: And were you present when the police arrived?

Raquel: Yes.

Mr. Rottenborn: Were there two sets of police officers?

Raquel: Yes.

Mr. Rottenborn: And what penthouse did they come in?

Raquel: Penthouse 3 both times.

Mr. Rottenborn: How close were you to the police officer?

Raquel: In the same room.

Mr. Rottenborn: Okay. Could you see the damage that he had caused while you were standing there when the police officers were present?

Raquel: Yes.

Mr. Rottenborn: Did you ever hear Ms. Heard express any financial motivations for wanting to remain in this relationship with Mr. Depp?

Raquel: No.

Mr. Rottenborn: Did Ms. Heard ever express that if she went public with what happened on May 21st, 2016, that she stood to gain financially from doing so?

Raquel: No.

Mr. Rottenborn: Now, at some point after May 21st, 2016, Ms. Heard filed for divorce from Mr. Depp, right?

Raquel: Correct.

Mr. Rottenborn: And at some point, she filed for a domestic violence restraining order against him, is that right?

Raquel: Yes.

Mr. Rottenborn: And I'm going to come back to that line of questioning in a second. But before I forget, you mentioned Jerry and Sean Bett on the night of May 21st, right? Was there a space in the upper floor of the ECB where they would wait for Mr. Depp when he was in one of the penthouses?

Raquel: Yes.

Mr. Rottenborn: And what was that space?

Raquel: We call it the guard shack, and it was a vestibule separate from the penthouses except that a door from the vestibule also connected to the door of the patio of PH 5.

Mr. Rottenborn: Okay. If someone were in the vestibule or the guard shack as you called it, would they have seen you go into Penthouse 3 when Amber requested that you do so?

Raquel: No.

Mr. Rottenborn: Did you see Jerry or Sean or any security guards when you entered Penthouse 3 that evening?

Raquel: No.

Mr. Rottenborn: Okay. Going back to the domestic violence restraining order, did you accompany Ms. Heard to court when she got that order?

Raquel: Yes.

Mr. Rottenborn: I'd like you to pull up, please, May 2016 Court Pennington 1292, please. And while he's doing that, do you know if Ms. Heard wore any make-up that morning?

Raquel: I don't remember seeing her put on any makeup.

Mr. Rottenborn: Was that rare for Ms. Heard not to wear makeup?

Raquel: Yes.

Mr. Rottenborn: What is this a picture of?

Raquel: This is Amber and Jodie, her publicist, sitting on the bench in the hallway waiting room of the courthouse.

Mr. Rottenborn: When?

Raquel: The day that the restraining order was filed.

Mr. Rottenborn: Do you see any injuries on Ms. Heard?

Raquel: I do.

Mr. Rottenborn: Describe what you see.

Raquel: On her cheekbone, right cheekbone is bruised.

Mr. Rottenborn: And how long after May 21st was this approximately?

Raquel: I don't know, I don't remember.

Mr. Rottenborn: In a matter days, weeks?

Raquel: Less than a week.

Mr. Rottenborn: Did you ever see any makeup artists paint on this bruise? Put a fake bruise on Ms. Heard's face?

Raquel: No.

Mr. Rottenborn: Can you please pull up Pennington 1295, please? And before we...actually, before we do, does this picture fairly and accurately depict Ms. Heard's condition the morning she...or the day she applied for the domestic violence restraining order?

Raquel: Yes.

Mr. Rottenborn: Do you know whether you took this picture?

Raquel: To the best of my recollection, I took that.

Mr. Rottenborn: Okay. And I'm gonna ask you the same thing about this next picture 1295.

Raquel: To the best of my recollection, I took that.

Mr. Rottenborn: And does that fairly and accurately depict Ms. Heard's condition on that morning?

Raquel: Yes.

Man: 46 is up.

Mr. Rottenborn: What is that a picture of?

Raquel: It is Amber at a slight profile in the same courthouse with her own hairs behind her ear, you can see a picture of a bruise on her cheekbone. She looks like a skeleton.

Mr. Rottenborn: Did you take this picture?

Raquel: Yes.

Mr. Rottenborn: Based on your personal knowledge, is there any truth to the allegation that Amber did this because she's "a gold digger?"

Raquel: No.

Mr. Rottenborn: Ms. Pennington, you came to understand at some point...well, at some point, did you learn that Mr. Depp had lost the tip of his finger in Australia?

Raquel: Yes.

Mr. Rottenborn: And what is that other way that you learned that Mr. Depp had cut the tip of his finger off?

Raquel: He showed it to me.

Mr. Rottenborn: In addition to showing you, how did you learn from Mr. Depp that he had cut off the tip of his own finger?

Raquel: He told me.

Mr. Rottenborn: What did he tell you?

Raquel: He said...I don't remember how he said he cut the tip of his finger off. But while the nurse was dressing it, I wanted to see it. I also had a very small injury on the tip of my finger. And I continued to see it throughout its healing process but I don't remember how he told me how he cut it off.

Mr. Rottenborn: But you remember that he told you that he cut it off?

Raquel: Yes.

Mr. Rottenborn: Ms. Pennington, I'll finish where we started, which is you've given a number of...you testified a number of times about the events that we talked about today and I really appreciate you being here today and talking about these, I know it was tough and it was emotional at times. Is there anything that you would change about any of the testimony that you've given today or previously about any of these events?

Raquel: No.

Mr. Rottenborn: And you've done your best every time you've testified about this, to tell the full truth about everything that you know, everything that you saw, everything that you heard, everything that you've observed, right?

Raquel: I have done the very best to tell the absolute truth exactly as I remember it at all of the points of time.

Judge Azcarate: All right. Yes, sir, your next witness?

Mr. Rottenborn: Yes, Your Honor. That concludes the testimony of Raquel Pennington. Ms. Heard calls Joshua Drew as our next witness.

Judge Azcarate: Okay.

Mr. Rottenborn: And if we may approach just to discuss a couple of exhibits?

Judge Azcarate: All right, and that's by deposition, is that correct?

Mr. Rottenborn: It is by deposition, yes, Your Honor.

Judge Azcarate: All right. Okay.

Judge Azcarate: Are we ready? Not quite? Okay.

Mr. Rottenborn: Yes, Your Honor.

Judge Azcarate: Okay.

Mr. Rottenborn: Ms. Heard calls Joshua Drew.

Judge Azcarate: Thank you.

Mr. Rottenborn: Thank you.

Mr. Chew: Where do you live?

Joshua: Los Angeles.

Mr. Chew: What is your occupation?

Joshua: I run my own hospitality development consulting firm.

Mr. Chew: Are you also a chef?

Joshua: Not anymore.

Mr. Chew: What, if any, education have you had since high school?

Joshua: I have my associates of science in culinary arts.

Mr. Chew: And from what institution?

Joshua: Johnson and Wales University.

Mr. Chew: Did you receive a degree from them?

Joshua: I did.

Mr. Chew: In what year?

Joshua: That would have been 2003.

Mr. Chew: Who is Raquel Rose Pennington?

Joshua: My ex-wife.

Mr. Chew: Because I want to be respectful, how should I refer to her?
Ms. Pennington, Rocky, or Raquel?

Joshua: Rocky or Raquel is perfectly fine.

Mr. Chew: Okay. You were married to Rocky, so there came a time when you began to date Rocky, correct?

Joshua: Correct.

Mr. Chew: When did you start dating Rocky?

Joshua: It would have been June of 2014.

Mr. Chew: And did there comes a time when you became engaged to Rocky?

Joshua: Correct.

Mr. Chew: When was that?

Joshua: That would have been in the summer of 2015, I believe.

Mr. Chew: Do you recall when you were divorced from Rocky?

Joshua: Officially, September 24th of last year, we separated officially October of the previous year.

Mr. Chew: When did you first meet Amber Heard?

Joshua: Probably about three or four weeks after Raquel and I have started dating very early on.

Mr. Chew: When did you first meet Johnny Depp?

Joshua: Shortly after I met Amber. I want to say, if memory serves, about five or six weeks after Raquel and I started dating.

Mr. Chew: Again, I understand it was a long time ago, but do you recall under what circumstances you met him?

Joshua: Funny enough, I actually do, very clearly. I had come over under the auspices of what was called family movie night, and it was Amber and Johnny and Jack. I honestly don't remember whether Lily Rose was there, she might have come later at a certain point. And it was just us in their apartment, eating burgers and watching movies.

Mr. Chew: Since that time, on how many occasions have you seen and interacted with Johnny Depp, from that very first time on movie night?

Joshua: I couldn't even speculate the number of. It's not that it was infrequent so much as it was sporadic. And honestly, for a large portion, it's fairly casual, not the kind of thing where you would just count the number of times, it was regular interactions over various periods of time.

Mr. Chew: Well, your counsel is not going to let you speculate but I'm going to ask you to get it arranged. Is it more than 10 times?

Joshua: Yes.

Mr. Chew: More than 50 times?

Joshua: Yes.

Mr. Chew: From the time that you first met Mr. Depp on movie night until this very moment sitting here today, have you ever seen Mr. Depp strike Amber Heard?

Joshua: No.

Mr. Chew: Have you ever seen him throw a telephone at her?

Joshua: No.

Mr. Chew: Have you ever seen him hit her with a fist?

Joshua: No.

Joshua: Have you ever lived at a building located at 849 South Broadway in Los Angeles known as the Eastern Columbia Building?

Joshua: Correct.

Mr. Chew: Did you live in the condo known as Penthouse 1?

Joshua: Correct.

Mr. Chew: With whom did you live in Penthouse 1?

Joshua: Raquel Pennington.

Mr. Chew: From when to when did you live in Penthouse 1 with Rocky Pennington?

Joshua: Again, my memory is a little bit foggy on the exact dates. You'll have to bear with me a minute here. So, while I was a frequent guest, I didn't actually live there until, I want to say, about October or November of 2015.

Mr. Chew: Was Rocky already living in Penthouse 1 when you started visiting and ultimately moved in there?

Joshua: Yes.

Mr. Chew: Did Ms. Pennington move into Penthouse 1 in or about June of 2014?

Joshua: I couldn't tell you with any specificity, but I believe it's around that timeframe.

Mr. Chew: Who owns Penthouse 1 at the time?

Joshua: Johnny Depp.

Mr. Chew: While you and Rocky lived together and Penthouse 1, did you or she have a key that allowed you access to all of the penthouses on that floor?

Joshua: Everything except PH 2, yes.

Mr. Chew: At the time, did Mr. Depp and Ms. Heard lived together in PH 3?

Joshua: Sporadically, yes.

Mr. Chew: The key to which you and Rocky had access allowed either of you to enter PH 3, correct?

Joshua: Correct.

Mr. Chew: Who was in PH 5 at the time?

Joshua: Nobody. Nobody lived in PH 5 for the entirety of our time there.

Mr. Chew: Did you or Rocky ever pay Mr. Depp any rent to live in PH 1?

Joshua: Offered and refused.

Mr. Chew: Did you consider the refusal of your offer to be a generous gesture by Mr. Depp?

Joshua: Exceedingly.

Mr. Chew: In your experience, is Mr. Depp generally generous to his friends?

Joshua: Yes.

Mr. Chew: Was he generous to people generally?

Joshua: Yes.

Mr. Chew: Did Mr. Depp own Penthouse 5?

Joshua: Yes.

Mr. Chew: Would your key open Penthouse 5?

Joshua: Yes.

Mr. Chew: When you and Rocky were living here in Penthouse 1, did you ever notice that there were security personnel standing outside the door of Penthouse 3 when Mr. Depp was in Penthouse 3?

Joshua: Not normally, no.

Mr. Chew: Did you ever see the security personnel standing outside of his door?

Joshua: On very rare occasions. Normally they were in a storage room off to the side of PH 5.

Mr. Chew: Moving aside from Mr. Bett and Mr. Judge, while you stay at the East Columbia Building, did you come to know any of the employees of the building?

Joshua: Casually?

Mr. Chew: Who is Trinity Esparza?

Joshua: She was one of the front desk people.

Mr. Chew: Did you have communications with her?

Joshua: In the course of living there, yes.

Mr. Chew: Did you find her to be pleasant?

Joshua: No.

Mr. Chew: How was she unpleasant?

Joshua: She was not particularly polite or accommodating to me or Raquel or any of Amber's friends. I wasn't there specifically, but I heard similar things from Amber in her interactions with her as well throughout the course of our time there.

Mr. Chew: While you lived in Penthouse 1, did you have the opportunity to interact often with Amber Heard?

Joshua: Yes.

Mr. Chew: Did you and Rocky see Ms. Heard frequently?

Joshua: Yes.

Mr. Chew: Did you ever see her drinking alcohol?

Joshua: Yes.

Mr. Chew: Did you ever see her drink to excess?

Joshua: Yes.

Mr. Chew: Did you observe Amber Heard during her wedding to Mr. Depp at the Bahamas?

Joshua: Yes.

Mr. Chew: Was she intoxicated at any time during the wedding weekend?

Joshua: Yes. As were we all.

Mr. Chew: Did you ever hear at any time Amber Heard yell at Mr. Depp?

Joshua: Yes.

Mr. Chew: On how many occasions?

Joshua: I couldn't tell you the number of occasions.

Mr. Chew: Did you ever see her strike Mr. Depp?

Joshua: No.

Mr. Chew: Did you and Rocky ever discuss the relationship between Amber Heard and Johnny Depp?

Joshua: Yes.

Mr. Chew: By how many occasions?

Joshua: Honestly, probably hundreds, if not thousands.

Mr. Chew: Mr. Drew, moving to April 21, 2016, do you recall that there was to have been a birthday celebration that night?

Joshua: Yes.

Mr. Chew: Was that Amber Heard's birthday?

Joshua: Yes.

Mr. Chew: Do you recall which birthday it was or how old she was?

Joshua: It was her 30th. I catered it.

Mr. Chew: What do you recall about that evening?

Joshua: I recall it was held in PH 5. Johnny was hours late and Amber's spent the better part of the evening making excuses for him. And he came very obviously intoxicated and put on a show for everybody. And when the party was over there, we left to clean up, and the next morning, we heard about what had transpired after the fact.

Mr. Chew: So, Johnny was supposed to have attended the dinner, correct?

Joshua: Correct.

Mr. Chew: And at what time did the dinner begin?

Joshua: I don't recall.

Mr. Chew: You and Rocky were guests at the dinner?

Joshua: Correct.

Mr. Chew: Who else was invited to the dinner?

Joshua: Again, you'll have to forgive me, it was quite some time ago. I remember Amber's friend, Brandon, being there. Amber's friend, Iggi or Rabbi. I want to say that Whitney was there as well. To be very honest, I can't say with specificity who else was there.

Mr. Chew: When you say Whitney, are you referring to Whitney Heard?

Joshua: Correct

Mr. Chew: Is Whitney Heard Amber's younger sister?

Joshua: Correct.

Mr. Chew: Putting aside the state for the condition in which Johnny arrived, do you recall sitting here today approximately when Johnny arrived for dinner?

Joshua: I really couldn't tell you with any specificity but I can say it was quite a few hours after the party started.

Mr. Chew: Did he provide any excuse or explanation to the group as to why he was late?

Joshua: No.

Mr. Chew: Putting aside Mr. Depp's intake of alcohol that evening, had Ms. Heard been drinking before Mr. Depp arrived?

Joshua: Yes.

Mr. Chew: Do you know how much?

Joshua: I couldn't tell you.

Mr. Chew: Did she seem intoxicated at any time during the evening?

Joshua: Yes.

Mr. Chew: Did you see Amber Heard the next morning, April 22nd, 2016?

Joshua: I believe so, yes.

Mr. Chew: Did you notice any marks on her face or elsewhere that morning?

Joshua: I don't recall.

Mr. Chew: That morning, April 22nd, did you and Ms. Pennington and Amber Heard drive together to Coachella?

Joshua: They did, I did not.

Mr. Chew: Are you still in contact with Ms. Heard?

Joshua: Sporadically, yes.

Mr. Chew: And just to be clear, and I'm sorry to jump around, when you say...let's strike that. When you say sporadically, how frequently are you in contact with her?

Joshua: We didn't speak for about two years following my divorce and she reached out to me to make amends about...I want to say about two months ago, if memory serves.

Mr. Chew: I'm going to come back to that. When you said you don't recall seeing marks on the morning of April 22nd, is that because you didn't see any marks on Ms. Heard or you didn't see her at all that morning?

Joshua: I honestly don't recall the state of her the next morning. If memory serves, the girls were hustling to get everything together to go out to Coachella, so it was a pretty frantic morning. I couldn't say with any specificity whether I interacted with her that morning before they departed.

Mr. Chew: And Mr. Drew, you said that Ms. Heard reached out to you. When did she reach out to you?

Joshua: Sometime in the last two months.

Mr. Chew: What did she say when she reached out to you?

Joshua: To paraphrase, it was something akin to letting me know that, you know, her and Raquel hadn't spoken in some time, to tell me that she loved me and that she missed me and she just wanted to make amends and, you know, reconnect?

Mr. Chew: Did she mention anything about this lawsuit?

Joshua: Not in the initial interaction.

Mr. Chew: How did you respond to her in this initial interaction when she said she wanted to make amends?

Joshua: I didn't for some time, I think I waited about a week and a half before I responded. And before I could, I did get a note from her letting me know that she had tried to keep me out of it but more than likely, people were going to be contacting me either about being deposed or statement of some kind. There was nothing explicit about whom it would be coming from, whether it was from Johnny's side or from her side, only that somebody would more than likely be reaching out to me.

Mr. Chew: And when you had a glass of wine...again, only if you remember these things, but do you recall approximately when you've had a glass of wine with her?

Joshua: Probably about five or six weeks ago. No, I'm sorry, it will be longer than that, probably about two months ago.

Mr. Chew: Mr. Drew, let's please change subjects and move to the evening of May 21, 2016, which you had referenced previously. Was Mr. Depp at the condo at the Eastern Columbia Building that day prior to the evening?

Joshua: Not to my knowledge.

Mr. Chew: Did you see him arriving at the condo that night?

Joshua: No.

Mr. Chew: Did you see Mr. Bett and Mr. Judge that evening?

Joshua: Yes.

Mr. Chew: When did you first see them?

Joshua: I saw them when he ordered them to open the door to PH 5 following the incident.

Mr. Chew: When you say, "he," to whom are you referring?

Joshua: Johnny.

Mr. Chew: Did you ever see them that night somewhere outside the door of PH 3?

Joshua: No.

Mr. Chew: Do you know whether she received a text from Amber Heard at 8:06 p.m.?

Joshua: I can't certify the time but the text message itself and the receipt, yes.

Mr. Chew: Were you with Rocky when she received that text?

Joshua: Yes.

Mr. Chew: Wasn't she already in Penthouse 3 as of 8:06 p.m.?

Joshua: When she received the text, she was not in Penthouse 3, she was in Penthouse 5 with me. But again, I can't recall with specificity the exact time of these events.

Mr. Chew: Anytime including that night, did you ever see Mr. Depp strike Rocky Pennington?

Joshua: No.

Mr. Chew: That evening, did you see Mr. Depp smashed bottles of wine?

Joshua: No.

Mr. Chew: Did you see him break furniture?

Joshua: No.

Mr. Chew: Did you see him kick a hole through a solid door?

Joshua: No.

Mr. Chew: Do you recall when Mr. Depp, Mr. Bett, and Mr. Judge left the building that night?

Joshua: If we're starting...if we're presuming that that text was received from Raquel at 8:06, they had left the building within 30 minutes, to my recollection.

Mr. Chew: So, it'd be approximately sometime around 8:30, 8:29?

Joshua: Thereabouts, but I don't recall specifically.

Mr. Chew: What else do you remember about the events of the evening of May 21?

Joshua: I mean, I can tell you contemporaneously from the start if there's something specific you'd like me to expand on.

Mr. Chew: Who is Officer Melissa Saenz?

Joshua: My understanding, it was the name of the Latina officer that first responded with her partner.

Mr. Chew: When did she arrive at the scene, if you recall?

Joshua: Vaguely, I remember them arriving about 45 minutes to an hour after Johnny left. But again, exact times, I'm a little foggy.

Mr. Chew: Going back to the Latina officer, was there another officer with her?

Joshua: Yes, there was a bald gentleman, white.

Mr. Chew: With which officer, if any, did you speak that night?

Joshua: Both.

Mr. Chew: What do you say to them if you recall?

Joshua: When they arrived, I greet them at the door. I walked them through PH 3 to show them the damage, show them the broken glass. They had already walked through the hallway over the gigantic wine stain throughout the entire hallway. I took them through PH 3, like I said, to show them the damage and took them back out of the hallway, showed them the dent in the door shaped like the bottom of a wine bottle in PH 1, took them into PH 5 to see broken picture frames, smashed glass, Raquel's jewelry and things like that strewn about the apartment.

And then I brought them back to PH 3, at which point they separated. The Latina officer pulled Amber aside specifically to speak to her one on one. The door was closed, I was outside with the other officer, so I can't say with any specificity what happens inside. I don't know whether anybody was in earshot. I don't know whether anybody else was around. They told me specifically it was one-on-one and I was outside the door with the male officer. And specifically, my communication with him was asking what, if anything, could be done because we were obviously upset. And his comment to me specifically was there's damage in these apartments, her face is red, if she wants to file a report, we have enough here to go pick him up.

Mr. Chew: But you've never seen Johnny hit Amber?

Joshua: That's correct, and I've affirmed it to everybody that I've spoken to, I've been explicit about that.

Mr. Chew: And you've never seen Johnny hit any woman?

Joshua: Correct.

Mr. Chew: Do you recall having a conversation with Rocky and Amber after Mr. Depp and his security personnel left the building but before Officer Saenz and Officer Hadden arrived?

Joshua: Yes.

Mr. Chew: Tell us about that.

Joshua: You'll have to forgive me again my memory of the exact circles of events...sequence of events, I'm sorry, that transpired after all this is a little foggy. If memory serves, Amber was damn near catatonic after all this. We had gotten her into PH 1 so we can deadbolt the door and keep her safe until he left. A few minutes thereafter, I had gotten a little bit of a rundown from Raquel over what had transpired. Raquel got her to call her lawyer, Samantha Spector, to find out what to do. And if memory

serves, Samantha's recommendation was that we immediately put together a contemporaneous matter-of-fact statement together of what transpired that night and that ultimately was up to Amber as to what she wanted to do with the police or whatever it may be.

Mr. Chew: Are you aware that Amber Heard spoke to Officer Saenz and Officer Hadden that evening?

Joshua: Yes.

Mr. Chew: Were you present when she was speaking to them?

Joshua: No.

Mr. Chew: Did Amber file a complaint that night?

Joshua: No.

Mr. Chew: Did the police arrest Mr. Depp?

Joshua: No.

Mr. Chew: Did they issue a warrant for his arrest?

Joshua: Not that I'm aware of.

Mr. Chew: Mr. Drew, let's turn for the moment to May 22nd, 2016. Did you see Ms. Heard at all that day?

Joshua: Yes.

Mr. Chew: When did you see her?

Joshua: At various points throughout the day. If memory serves, Raquel had committed to a jewelry show somewhere...I want to say it was downtown, I might be mistaken. It might have been on Venice, somewhere in Los Angeles, so she was out most of the day. So, I cleared my schedule to be able to be there should Amber need anything. If memory serves, either her attorney or somebody in her group had a friend come over with a locksmith to change the locks just to be safe and I was there to make sure that that happened and just, like I said, be there for Amber should she need anything just so she wasn't alone.

Mr. Chew: When you saw Amber on May 22nd, you don't know whether it was the morning or the afternoon, is that right?

Joshua: It was sporadic throughout the day. I think it was some point late morning and throughout the afternoon.

Mr. Chew: When you first saw her did you notice any marks on her face?

Joshua: Yes.

Mr. Chew: Describe the marks.

Joshua: To be very honest with you, I don't actually remember which side of her face it was but I do distinctly remember there being a red mark and a small bruise on her cheekbone and red marks just above her eyebrow and to the right side...or to the side of her eyebrow.

Mr. Chew: Did you see any swelling?

Joshua: A little bit.

Mr. Chew: Can you remember anything else? Did you see marks anywhere else other than the ones you've described?

Joshua: No.

Mr. Chew: Did you ever notice anyone visiting Amber Heard at night while Mr. Depp was away?

Joshua: During the time that I was living there?

Mr. Chew: Yes.

Joshua: Yes.

Mr. Chew: On how many occasions?

Joshua: I wouldn't even be able to estimate.

Mr. Chew: Was it more than 10?

Joshua: Yes.

Mr. Chew: Was it more than 20?

Joshua: Yes.

Mr. Chew: Was it more than 30?

Joshua: Yes.

Mr. Chew: Was it more than 50?

Joshua: Again, I can't really speculate. I was there for quite some time.

Mr. Chew: When did that first occur?

Joshua: I mean, again, I'm not privy to her comings and goings and she had other friends than us that were coming to see her.

Mr. Chew: And again, to be specific. I'm just talking about visitors at night when Mr. Depp was away.

Joshua: Again, I can't say with any specificity.

Mr. Chew: When did that first happen that you were aware of?

Joshua: I mean, I would say pretty early on, but again, there's no context to it. The other consideration that I would say is that the hallway between all of these penthouses was public right of way going to the pool. So, my understanding of people coming and going, it might have been the public, it might have been residents...I'm sorry, not public, it might have been residents in the building. I can't really say with any specificity.

Mr. Chew: Who is Elon Musk?

Joshua: Elon Musk was a gentleman that Amber dated intermittently following the restraining order.

Mr. Chew: When did you...can you recognize Elon Musk?

Joshua: Yes.

Mr. Chew: When did you first see Elon Musk at Penthouse 3?

Joshua: Again, I'm not quite clear exactly what I want to say it was about three to four weeks after the restraining order was filed.

Mr. Chew: But while Mr. Depp and Ms. Heard were still married, correct?

Joshua: Yes.

Mr. Chew: After May 22nd, 2016, did you ever see any marks on Ms. Heard?

Joshua: Not to my knowledge, no.

Mr. Chew: Would you please describe, as far as you can remember, what cleanup efforts were undertaken and by whom?

Joshua: Well, myself. In Penthouse 3, there was a number of pieces of broken glass, and items strewn about the counters on the floor in the kitchen. Only in the kitchen, sort of around the kitchen islands. In the hallway outside of the penthouses, there was quite a spilled wine. I don't believe we've dealt with that at all. And then in PH 5, all of Raquel's

things have been strewn about pretty dramatically, so we did our best to sort of put that back together and pack everything back up. And there were, you know, things like piles of books and picture frames were broken...or piles of books were strewn about and picture frames were broken and things like that. We just picked the glass up off the floor so the dogs didn't get hurt and I think we left everything else for the time being.

Mr. Chew: Did you actually see who strewn about...that's not the right verb, but did you actually see the person who threw her clothes around?

Joshua: I didn't witness firsthand any disruption of any kind.

Mr. Chew: Are you aware that Ms. Heard alleged that Mr. Depp hit her on or about December 15th?

Joshua: Yes.

Mr. Chew: What, if anything, do you know about that incident?

Joshua: So, my recollection of that is Raquel and I had come back to the penthouses, from where, I don't recall specifically, sometimes I want to say late afternoon, early evening, and Raquel was supposed to meet with Amber. As soon as they came back, Amber had not been responding to her text messages for some time, so we let ourselves into PH 3 together to go check on her and make sure everything was okay. When we came in, the kitchen was completely...I wouldn't say it's trashed, but it was out of order enough for something to be off. And then when we turn the corner on the section of the counter next to the kitchen sink, there was something written on the counter. And I don't know, I can't remember what material it was and to be honest, I can't actually recall exactly what was written. It was something very, very weird, like, "All was such a fraud," or something akin to that.

Mr. Chew: You never saw Mr. Depp strike Amber Heard on or about December 15th, 2019, correct?

Joshua: Correct.

Mr. Chew: Did you see her...did you see Ms. Heard that night?

Joshua: Yes.

Mr. Chew: Did you notice any bruising or other signs of injury?

Joshua: Yes, pretty significant.

Mr. Chew: What did you observe?

Joshua: I noticed specifically she had pretty significant bruising on the inside of both eye sockets, kind of extending down the bridge of her nose, and her forehead was red.

Mr. Chew: But you have no firsthand knowledge of how that injury occurred?

Joshua: That's correct.

Mr. Chew: Are you aware that she made a...Amber Heard made a television appearance the next day?

Joshua: Yes.

Ms. Bredehoff: Do you see Mr. Depp take drugs, either prescription drugs or drugs that were not by prescription?

Joshua: Yes.

Ms. Bredehoff: How many times?

Joshua: I can't speculate on the number of times, to be honest.

Ms. Bredehoff: We have some questioning before where people were asking you about emphasizing how many times. Is it fair to say more than 10 times?

Joshua: Yes.

Ms. Bredehoff: Fair to say more than 20 times?

Joshua: Yes, but to be really honest with you, he was also a very private person, and a lot of that behavior was done in private. I didn't witness a lot.

Ms. Bredehoff: But did you ever hear Mr. Depp yell at Ms. Heard?

Joshua: Yes.

Ms. Bredehoff: Can you tell me when you recall that and what happened?

Joshua: I can't tell...I can't say with any specificity the number of times. There was one incident specifically that I do recall. Myself and Raquel were vacationing in France with the two of them. And they were...we were staying separately at separate houses and the two of them were having a very, very loud argument with one another, screaming at each other that we could hear through the walls.

Ms. Bredehoff: How long do you recall approximately that yelling lasted for?

Joshua: I want to say, that I witnessed personally, maybe 30 minutes.

Ms. Bredehoff: Did Mr. Depp often wear heavy rings that you noticed on his fingers?

Joshua: Yes.

Ms. Bredehoff: More than one?

Joshua: Yes.

Ms. Bredehoff: And were they large? Is that fair to say?

Joshua: If memory serves, yes.

Ms. Bredehoff: December 15th, 2015, which is the next page, and you'll see in Paragraph 23 in case it refreshes your recollection, it has a specific reference to Rocky. What knowledge do you have about this incident?

Joshua: Specifically, coming home, I want to say late afternoon, early evening, it was myself and Raquel, Nellie was not present. Amber's not been responding to Raquel for some time, they were supposed to hang out, the three of them. So, we let ourselves into PH 3 to check on her and make sure everything was okay. And we came inside the kitchen and the dining table were a mess. Like, the kitchen island area, things were strewn about outside of the norm and there was something written on the counter adjacent to the kitchen sink. Like I stated previously, something like, "All was such a fraud," or something in that vein. We realized something was off right away. Raquel told me to go back to our place and then bolted upstairs. I didn't hear from her for about 10-15 minutes, which I was obviously concerned about.

Ms. Bredehoff: The incident you just testified about, you talked about the kitchen being...with Mr. Chew, about the kitchen being a mess on one incident. Is this the same incident that you were referencing?

Joshua: Correct.

Ms. Bredehoff: Okay. So, I think you testified that when you came in, you saw some writing in the kitchen. I've showed you a document, which is a photograph that was marked as Drew 10, and ask you if that's what you are referring to earlier?

Joshua: Yes.

Ms. Bredehoff: And did you come to learn, Mr. Drew, who had written this language? Withdrawn, is this the kitchen counter?

Joshua: Yeah, it's the kitchen counter next to the kitchen sink.

Ms. Bredehoff: And this is in the apartment of Ms. Heard and Mr. Depp?

Joshua: PH 3.

Ms. Bredehoff: And did you come to learn who had written these words on the kitchen counter?

Joshua: I'm sure there'll be an objection to this response but I knew that's his handwriting.

Ms. Bredehoff: When you use the preposition "his" in that answer, you meant Mr. Depp?

Joshua: Correct.

Ms. Bredehoff: And are you saying that you recognize at the time that it was his handwriting?

Joshua: Correct.

Ms. Bredehoff: And why do you...well, how were you able to recognize Mr. Depp's handwriting?

Joshua: He has a very unique mode of penmanship.

Ms. Bredehoff: And you have seen that mode of penmanship previously?

Joshua: A lot of times.

Ms. Bredehoff: Can you read what is written on the countertop in Drew 10?

Joshua: "Why be a fraud?" "All is such bullshit."

Ms. Bredehoff: Is Drew 10 an accurate photograph of what you recall seeing that day?

Joshua: To my recollection, yes.

Ms. Bredehoff: Was anything else written on the countertop?

Joshua: Not that I remember.

Ms. Bredehoff: When you saw these...when you came to the apartment and saw the mess in the kitchen and saw these words written on the countertop, were you concerned?

Joshua: Immediately.

Ms. Bredehoff: And what were you concerned about?

Joshua: That something very, very bad had happened.

Ms. Bredehoff: And that's in part because you assumed immediately that Mr. Depp had written these words?

Joshua: Yes.

Ms. Bredehoff: Can you read...you read into the record what it says. Just correct me if I'm wrong, that little kind of red thing there in the top right-hand corner of the photograph, do you recall, is that a lipstick? A part of a lipstick?

Joshua: I couldn't tell you.

Ms. Bredehoff: Okay, at the time, did you have any idea of what this was written in? Do you recall?

Joshua: Looking at it, I can answer. I don't recall from the time, so I'm going to say no.

Ms. Bredehoff: And I take it, Mr. Drew, you didn't take this photograph?

Joshua: No.

Ms. Bredehoff: Do you know if Rocky did?

Joshua: I don't know.

Ms. Bredehoff: And when you say you were concerned that's something very bad had happened, what do you mean by that?

Joshua: You walk into somebody's house and it looks like they vandalized it and things are a mess or things are strewn about, it doesn't portend anything good.

Ms. Bredehoff: Did you go anywhere else in Mr. Depp and Ms. Heard's apartments other than the kitchen that day?

Joshua: The living room later.

Ms. Bredehoff: So, getting to the best of your recollection, I understand it's a long time ago and I understand these aren't exactly happy

memories, but can you tell me chronologically what happened? You let yourself into the apartment, you saw this, just tell me the story again to the best recollection of what happened.

Joshua: How I remember it is that we came home late afternoon, early evening, we hadn't heard from Amber in some time, which was out of character for her. We let ourselves in to go check, saw that written on the counter, saw the kitchen in a mess, Raquel looked at me and said specifically, "Go back to our place, I'm gonna go check on her," bolted upstairs. I was sitting over in PH, 1 in our apartment, waiting. And I heard from her...again, I don't remember exactly, I want to say it was about 10 or 15 minutes later. I really don't remember what my response was, I don't remember what transpired after that other than there was some time that she was over there. I don't remember when or even if Melanie came over at any point during that evening.

Ms. Bredehoff: What do you recall about that?

Joshua: I mean, I remember specifically because she had pretty significant visible facial injuries and didn't know if she was going to be in a state to do it or didn't know whether she was even going to be...to have the physical appearance to be able to do it.

Ms. Bredehoff: Can you see these things...wait, first of all, she in those statements is Amber Heard, correct?

Joshua: Yes.

Ms. Bredehoff: Can you see Ms. Heard's face that day?

Joshua: Yes.

Ms. Bredehoff: Do you have good vision?

Joshua: I didn't have glasses and I didn't need them then, so, yes.

Ms. Bredehoff: So, I'm handing you a document that was marked as Drew 11. You can see from the top page, it was attached to Ms. Heard's affidavit declaration as Exhibit 13, and I want you to look at the photos of Ms. Heard's face and tell the jury, Mr. Drew, if those look consistent with what you observed on her face that day.

Joshua: It is. I was with Raquel when she took the pictures.

Ms. Bredehoff: And the pictures were taken on Raquel's iPhone? Or photo.

Joshua: To my recollection, yes, but they could have been taken on Amber's phone, so there wouldn't be any potential accusation of bias or anything like that.

Ms. Bredehoff: And you described earlier to Mr. Chew that there was, as I recall, a kind of color under both of her eyes?

Joshua: Yes.

Ms. Bredehoff: And I'd say what I mean is if you look at the one, two, three, four, five, six photos, [inaudible 02:43:18] to what you've talked about?

Joshua: Yes.

Ms. Bredehoff: Did you personally observed that day this injury on Ms. Heard's face in December 21st?

Joshua: I did.

Ms. Bredehoff: And you said before that you were there when Ms. Pennington was taking the photo?

Joshua: Yes.

Ms. Bredehoff: There's a couple more photos in there. It looks like there's a busted lip. See those photos?

Joshua: Yes.

Ms. Bredehoff: Do you recall seeing that personally on Ms. Heard's face that day?

Joshua: Honestly, I don't remember without looking at this photo. So, I'm more comfortable saying I don't know.

Ms. Bredehoff: Mr. Drew, were you there...just to refresh your recollection, you were there when all of these photos were taken, or just the photos of the face?

Joshua: I can't say definitively.

Ms. Bredehoff: Okay. But for some photos, you were there for that?

Joshua: Correct.

Ms. Bredehoff: But at least some of the photos in Drew 11, do you recall being there and personally observing Ms. Pennington take that?

Joshua: Correct.

Ms. Bredehoff: And are you aware of any efforts by Rocky or anyone else to manipulate the photos that were taken that day with Photoshop or any other method of changing a photograph?

Joshua: If I had any knowledge of that or even suspected it, this will be a very different interview.

Ms. Bredehoff: It's a deposition.

Joshua: A very different deposition, whatever.

Ms. Bredehoff: I'm going to turn now to the incident on April 21, 2016 in connection with Ms. Heard's birthday party, Ms. Heard's 30th birthday party. What I like, if you can, Mr. Drew, is for you to tell me in your own words, again, separate and apart from anything that's in Ms. Heard's declaration, what you recall happening that day and what you did see and observe.

Joshua: So, if memory serves, it was Amber's 30th birthday, she wanted to have a dinner party at the apartments, just close friends, and I offered to cook dinner for everybody. There had been some mentioned that he had appointments or he has some things but that he would be there and so on and so forth. I really don't recall specifically who the appointments with, what they were for, or what time they were, anything like that. And quite frankly, any talk of schedule with either Amber or Johnny was pretty much removed to be very honest.

Everybody arrives, we were sort of...I think we waited for a little bit of time, expecting him to show up. And at a certain point, I think...I don't know who made the decision, they're just like, "Let's sit down and have dinner, he'll get here whenever he gets here." And we had the party in PH 5, we sat outside. I want to say he showed up, not towards the end of the evening, but pretty close to. Again, this is just my observation, but it appeared that he was inebriated in some way. I won't say whether he'd been drinking, on pills, or whatever it was, but he did have the appearance that he was inebriated in some way. She did not react to it.

Ms. Bredehoff: She being?

Joshua: Amber, yeah, played nice. He sat down and honestly, the rest of the evening was quite pleasant. You know, he does what he always does when he comes and sit down at dinner, put on a show, and connect with everybody and, you know, be entertaining, be pleasant and polite and her, the same thing, you would have never known that there was an issue. And then I didn't hear anything until the next morning. And I knew that there was a scramble, the girls were leaving the next day for

Coachella which I did not attend with. But all I knew was that they had gotten into a pretty big argument, but because of the rush to get out that day, I didn't really get too many stories about it.

Ms. Bredehoff: You cook the dinner that night?

Joshua: Correct.

Ms. Bredehoff: What did you cook?

Joshua: Oh, I don't remember that. Actually, I do remember it.

Ms. Bredehoff: What did you cook?

Joshua: I made tacos, actually. Don't ask me why I remember what I made but she wanted Mexican food, so I did a big Mexican food.

Ms. Bredehoff: When you say that when Mr. Depp walked in, he appeared inebriated, do you recall was he swaying? Was his voice...was his word slurred? What do you recall?

Joshua: Because I come to know him pretty well at that point, he was pretty good at hiding it with people who didn't know him all that well. But you can sort of see that...if you've spent enough time around with him, you can see the little ticks, slurring his words a little bit, a little bit extra swaying, being a little bit more discombobulated, and being a little bit more...what's the word? Just gregarious and loose, just not his normal mode.

Ms. Bredehoff: Okay, I hate to go back into what I'm gonna refer to as the poop incident. But I think you testified earlier that you observed on a number of occasions dog poop or dog pee in Mr. Depp and Ms. Heard's apartments, is that correct?

Joshua: In perpetuity.

Ms. Bredehoff: And when you say in perpetuity, what do you mean?

Joshua: It's pretty much constant. I've cleaned up my fair share in that apartment.

Ms. Bredehoff: And I think you testified that the dogs weren't trained to only poop on the sidewalk.

Joshua: They weren't trained at all. They run and they'd be left at home for large portions of the day sometimes, and if there was nobody there to take care of them, at some point, there was pee and poop on everything, couches, sofas, chairs, the bed, you name it.

Ms. Bredehoff: Let's go to the May 21 exhibit, which is covered on pages 10 through 12. Drew 7. Again, the same thing that we did for April 21, I would like, Mr. Drew, if you could just tell me the story of your role, what you saw, what you observe, what you did, chronologically in connection with this incident.

Joshua: I don't remember what day of the week it was, it was either a Friday or Saturday. I want to say it was a Saturday because I was not in the office. Raquel had her first jewelry show the next day, and the plan was for her and her friend Liz who would come over to help her specifically get set up for this. Amber was around, they were going to sit in PH 5, and do yoga and paint and make necklaces and things like that, and I was sort of in and out most of the day hanging out with them. And pretty rapidly thereafter, I don't think it was more than like 10 or 15 minutes before I heard a door open in the hallway, and then a couple of seconds later, I heard a really, really loud slam, which I later learned was a wine bottle being smashed into our door at PH 1. And then I heard keys jangling and Johnny shouting at one of his security to open this...is it all right if I swear when I'm telling you here? That's okay?

Ms. Bredehoff: You just say the words exactly as they were said.

Joshua: As I remember, he said, "Open this fucking door, get me in here." And he came in, caught eyes with me right away, and beeline for me screaming, cursing, spitting in my face. I walked calmly to leave, realized that I forgot my keys and the dog, so I turned around and walked back to go get both. He stayed and followed with me, walking, pacing, screaming, cursing, spitting in my face, and I left calmly. At that point, Liz was still in the apartment and the last look I saw of her is that she bolted around the corner and went upstairs to hide from him.

Ms. Bredehoff: Had Mr. Depp ever done this to you before?

Joshua: No.

Ms. Bredehoff: How close was he to you when he was...when he entered your apartment and was screaming at you?

Joshua: Close enough for it to be aggressive.

Ms. Bredehoff: In a foot.

Joshua: Yes.

Ms. Bredehoff: And you said that you originally heard him say, you know, "Open the fucking door." When he was spitting and screaming at you, what do you recall him saying?

Joshua: I couldn't tell you. Honestly, it sounded like gibberish. At that point, I don't think I was really hearing anything. It was just how can I get the hell out of here without something else happening. Because, quite frankly, like, even though he's standing there in front of my face, he's also got, you know, two bodyguards right there with him that are bigger than me. What's really gonna happen here?

Ms. Bredehoff: What were you feeling when this was going on? I'm trying to...

Joshua: I mean, I don't think...honestly, I didn't feel threatened. I'll say that flat out, it seemed really, really silly. I wasn't really surprised. I just wanted to get out and make sure that the girls were okay.

Ms. Bredehoff: And sometimes, you can say someone is spitting at you because they're, like, performing on the stage and...

Joshua: He wasn't, like, actively spitting in my face, it was just the nature of how close he was and the way in which he was acting.

Ms. Bredehoff: Okay, so you go get your keys, you get your...you had your own dog, I take it?

Joshua: Yes.

Ms. Bredehoff: You get you do, you go out, what happens next?

Joshua: I walk down the hallway, and to be very, very candid, I don't remember in this instance whether I went to PH 3 to go check on them or whether I went into PH 1. The sequence of events after that as to when I actually got to Raquel and Amber or whether they came through me, I really don't remember that sequence of events offhand. I couldn't tell you.

Ms. Bredehoff: But when you got to Raquel and Amber, what did you observe?

Joshua: I remember first speaking to them specifically in PH 1, in our place, but how we...like I said, how it is we got there I don't remember. I remember deadbolting the door and Amber was, like, catatonic. She was just like a thousand yards stare, just done. And Raquel was, like, trying to calm down herself and I was like, "What the fuck just happened?" And she started to recount a little bit and I went right out the door and started banging on the door to do something regrettable. He was already gone at that point.

Ms. Bredehoff: Just so I understand it, you banged on the door of?

Joshua: PH 5.

Ms. Bredehoff: I'm gonna go to Drew 1, if you don't mind. To your incredible architectural drawing, Mr. Drew. So, tell me where you are, where he was, where you went?

Joshua: I was in here when Johnny came in. The door was right here.

Ms. Bredehoff: The witness should reflect...I mean, the record should reflect the witness pointing to PH 5.

Joshua: The door was right there, this is in PH 5, the living room is a little bit larger. I came out of the door, the door to PH 1, right smack in the middle, and I went back and started banging on the door of PH 5 assuming he was still in there but they were already gone.

Ms. Bredehoff: So, what sparked you to go back to try to go after Mr. Depp was hearing from Rocky that Mr. Depp had pushed her as opposed to Ms. Heard?

Joshua: Correct.

Ms. Bredehoff: By the time you got over there, he already left?

Joshua: Yes.

Ms. Bredehoff: You said that Amber...when you saw them, that Amber and Rocky...I think he said the Amber seemed catatonic?

Joshua: Yeah, it was like she was just a ghost.

Ms. Bredehoff: How did Rocky seemed?

Joshua: From what I remember, sort of like when somebody's coming down from an adrenaline rush. She was just sort of like...she didn't really know what to do, couldn't sit still, just sort of standing there and shaking.

Ms. Bredehoff: So, after you've had gotten to try to find Johnny, he already left, what happened next?

Joshua: I went right back to the girls to make sure that they were okay after my own little selfish outburst.

Ms. Bredehoff: And they were, at that point, still in your apartment?

Joshua: They were still in my apartment, I came in, Amber started to come out of it a little bit, Raquel started to calm down a little bit, I started to get a little bit of information as to what happens. The thing I remember

most distinctly was that Amber had Johnny's cell phone in her hand, so I took it from her.

Ms. Bredehoft: And when did you first learn about the police?

Joshua: We were in PH 1, I believe, at that point. When I came back upstairs, Amber was already on the phone with her attorney. We went back to go take pictures of all the damage, took pictures of the wine stain in the hall.

Ms. Bredehoft: Is that the first time he saw the damage in her place, or had you already seen it in kind of the back and forth?

Joshua: Again, I'm a little foggy on that. I can't say definitively whether I'd seen it before or whether that was when I saw it for the first time. So, we took her back to PH 3, we took photos of the damage inside, and I want to say the first responders came pretty shortly thereafter. Again, I'm really guessing here, I want to say 20 or 30 minutes at the most.

Ms. Bredehoft: The first set of police officers who were there, how long do you recall them staying?

Joshua: Maybe 15 minutes. I was asked to greet the officer specifically because Amber didn't want to file a report and I said that I would speak to them to see if I could, you know, get them to leave and say that everything is okay, even though, honestly, we all knew there was no way they could do that. I told her that I would go and greet them first.

Ms. Bredehoft: Okay, so two questions. Why did you know that there was no way they could do that? I want to ask you that question first.

Joshua: I'm a survivor of domestic violence myself.

Ms. Bredehoft: What was your understanding of why she didn't want to...?

Joshua: She was still protecting him.

Ms. Bredehoft: What else, if anything, Mr. Drew, do you remember either the female Hispanic police officer or the Caucasian gentleman saying anything?

Joshua: I remember I was the one who walked them through PH 3 where the original incident had occurred. I show them the broken glass. They had already walked over the wine stain in the hallway...or the big still of wine, and I showed them the bolt in the door, you could see, it looked like the bottom of a wine bottle. I took them into PH 5 and

showed them through. Their communication to me throughout was me just pointing things out to them. The Caucasian police officer pulled me outside solo. I can't say what happened internally, so I don't know whether anybody was in earshot or whether it was just Amber and the officer having a one-on-one, or whether there was anybody else around them. I don't know what was said either specifically outside of what I might have heard secondhand, which has already been talked about ad nauseam.

Ms. Bredehoff: And you have in front of you, Mr. Drew, a series of photographs that we've marked as Drew 13. And I think I'm just going to take you through them one by one if that's okay with you and I'm going to ask you if you remember...if you can tell me what these photos are.

Joshua: These are photos taken of her the night of the incident.

Ms. Bredehoff: Who took the photos?

Joshua: Some were taken by me, some were taken by Raquel.

Ms. Bredehoff: And when you say the night of the incidents...

Joshua: May 21.

Ms. Bredehoff: And as you're sitting here today, can you distinguish which were taken by you and which were taken by...?

Joshua: No.

Ms. Bredehoff: Were you present when they were all taken?

Joshua: I can't say that definitively.

Ms. Bredehoff: Okay. Were you present when photos were taken of Ms. Heard's face like you see on the first page of this?

Joshua: Yes.

Ms. Bredehoff: And is this image of Ms. Heard's face on May 21 consistent with your recollection of what her face looked like?

Joshua: Yes.

Ms. Bredehoff: And am I correct that unlike...it's a little hard to see because there's a shadow on the right, but unlike the prior incident that we looked at where there were photos, here, the injury looks like it's mostly on one side.

Joshua: Correct.

Ms. Bredehoff: Let's look at the next photo. Tell me if you can remember...or if you can identify anything.

Joshua: These are pictures pulled off the wall and placed onto their bed in their bedroom.

Ms. Bredehoff: Let's go to the next photo where it's clear. Do you recall seeing this on the night of May 21?

Joshua: Yes, this is on the column in PH 5 going up the stairs.

Ms. Bredehoff: And there, the glass on the pictures were shattered?

Joshua: Yes.

Ms. Bredehoff: Starting with the first photo of Ms. Heard's face. Is that what Ms. Heard's face look like when the police arrived?

Joshua: Yes.

Ms. Bredehoff: With the next photo of the pictures on the bed and the broken picture frame on the wall, did you show these to the...you personally show these to the first group of police officers that night?

Joshua: Honestly, this one I really can't say whether I did show them to the officers. I don't recall this.

Ms. Bredehoff: Just so the record is clear, you're pointing to the photos on the bed?

Joshua: Correct.

Ms. Bredehoff: What about the photos on the wall?

Joshua: The third photo? Yes, I showed them personally.

Ms. Bredehoff: For the photos on the wall, you had been in the apartment prior to this?

Joshua: Yes.

Ms. Bredehoff: Was the glass broken when you had last entered into the apartment?

Joshua: No.

Ms. Bredehoff: Okay. Go to the next one.

Joshua: This is broken glass, I believe, this is from the landing directly beneath the photo shown in the third photo.

Ms. Bredehoff: And it's a landing on a staircase?

Joshua: Yes.

Ms. Bredehoff: Did you show...was that photo taken by either you or Rocky?

Joshua: Yes.

Ms. Bredehoff: Did you show that glass to the police officers who came...the first group of police officers who came that night?

Joshua: Yes, I did.

Ms. Bredehoff: Next photo. I take it...even I can figure that, that's the stairway, right?

Joshua: Yep.

Ms. Bredehoff: And that photo was, again, taken by either you or Rocky?

Joshua: Correct.

Ms. Bredehoff: Was the broken glass on the stairway depicted in this photograph shown to the first group of police officers that night?

Joshua: Yes, it was.

Ms. Bredehoff: What's the next photo?

Joshua: This is the hallway where there would have been spilled wine right outside the door of PH 1.

Ms. Bredehoff: And do you see spilled wine in this photo?

Joshua: Yes.

Ms. Bredehoff: Can you indicate for the record where that is?

Joshua: Here and here and here.

Woman: He's pointing to the sort of middle of the photograph on the right side, on the floor, on the stripes.

Ms. Bredehoff: And was this a photograph taken by either you or Raquel?

Joshua: Yes.

Ms. Bredehoff: And did the police officers...the first group of police officers that came see this on that evening?

Joshua: They would have walked through it before they even got to the door.

Ms. Bredehoft: But that's not something you should know?

Joshua: No.

Ms. Bredehoft: Last photo in the series. Can you tell me what that is?

Joshua: That is a wine bottle and spilled wine on the floor.

Ms. Bredehoft: Is this a photo that was taken by either you or Rocky?

Joshua: Yes.

Ms. Bredehoft: Is this something that you showed to the first group of police officers that evening?

Joshua: Yes.

Ms. Bredehoft: Which apartment is this in?

Joshua: I believe this is in PH 5.

Ms. Bredehoft: Which room?

Joshua: In the living room.

Ms. Bredehoft: As I asked with the other series of photos that we saw, first of all, are you aware of anyone who made any efforts to Photoshop or otherwise manipulate these photos to make the incident and the circumstances look worse?

Joshua: Not to my knowledge.

Ms. Bredehoft: Did you have any understanding that evening, looking at the first photo of Ms. Heard's face, that anyone had somehow put makeup on her face to make it look like she had an injury under her eye?

Joshua: No.

Ms. Bredehoft: With respect to these photographs generally that we've looked at in Drew 13, was there any effort to stage the photographs in any way?

Joshua: Absolutely not.

Ms. Bredehoft: Do you know how the photographs got ultimately to Ms. Heard?

Joshua: I do not.

Ms. Bredehoff: So, I think you testified earlier with Mr. Chew, Mr. Drew...I'm flailing here, that you were in contact with the building with Ms. Heard on the day of May 22nd.

Joshua: Yes.

Ms. Bredehoff: And I'll represent to you that the photos in Drew 14 were taken on that day. Sitting here today, do you know who took these photos?

Joshua: We're talking about the two I have in front of me right now?

Ms. Bredehoff: Yeah.

Joshua: It was either me or Raquel.

Ms. Bredehoff: Is this consistent with your recollection of how Ms. Heard looked the next day on May 23?

Mr. Chew: Objection, lack of...

Ms. Bredehoff: Did you see Ms. Heard's face on May 22nd?

Joshua: Yes.

Ms. Bredehoff: Did you or your ex-wife take photos of Ms. Heard's face on that day?

Joshua: Yes, to my recollection.

Ms. Bredehoff: And similar to questions I've asked in the past, was any effort made to stage those photos in any way?

Joshua: Not to my knowledge, no.

Ms. Bredehoff: Was any effort made to put makeup on Ms. Heard's face to make the injuries look redder or more serious?

Joshua: Not to my knowledge, no.

Ms. Bredehoff: Was any manipulation of the photos done either using Photoshop or any other similar method?

Joshua: Not to my knowledge, no.

Ms. Bredehoff: I'm showing you a document that's been marked as Drew 18 and directing your attention to the photos there and asking if you can identify where these photos were taken.

Joshua: The photo on the first page...honestly, I'm not sure. I don't really remember which stairwell this was from, from which penthouse.

Ms. Bredehoft: Each penthouse had a stairwell?

Joshua: Yes.

Ms. Bredehoft: Next one.

Joshua: Both of these photos are taken from PH 5 where Amber's closet was located or what Amber used as her closet, I should say.

Ms. Bredehoft: Next page. The same thing, Amber's closet?

Joshua: The same thing.

Ms. Bredehoft: Next page, at least the top one.

Joshua: The top one, the same.

Ms. Bredehoft: Bottom photo on that page?

Joshua: The bottom photo is taken from...it looks like it's taken from the landing on the stairwell of PH five towards the kitchen, towards the Broadway side

Ms. Bredehoft: And the next page seems like similar copies. Were you ever made aware, Mr. Drew, of anyone destroying Amber Heard's closet this way?

Joshua: Not to my knowledge.

Ms. Bredehoft: Are you aware of any efforts between and among Rocky Paddington, iO Tillet, Melanie Inglessis, Elizabeth Marz, or Amanda de Cadenet to "get their stories straight?"

Joshua: Not to my knowledge.

Ms. Bredehoft: Have you had any outreach from any of those people that I just mentioned to you to coordinate your story or your recollection or your testimony about the things you've testified here today?

Joshua: No. I did receive a phone call from iO, I want to say maybe three months ago. That was to catch up.

Ms. Bredehoft: And did you discuss during that whole conversation your recollection of the events that we've been discussing?

Joshua: No.

Mr. Chew: You testified that the dogs were too small to climb the stairs, is that correct?

Joshua: Yes.

Mr. Chew: And if the dogs, in fact, were too small to climb the stairs, how would they be able to jump on the bed?

Joshua: One of them was, one of them was not.

Mr. Chew: So, it's your testimony that one of the dogs could have the ability to climb the stairs and jump on the bed and the other had neither?

Joshua: Correct.

Judge Azcarate: All right. Ladies and gentlemen, that completes the testimony of that witness, so we'll go ahead and have our lunch break. Again, during our lunch break, do not discuss the case with anybody and don't do any outside research, okay? Thank you, we'll see you in an hour. All right, please be seated. All right, your next witness.

Ms. Bredehoff: Your Honor, we'd like to call Whitney Henriquez to the stand.

Judge Azcarate: All right. Foreman?

Bailiff: Can you stand right here? Raise your hand.

Woman: Do you solemnly swear or affirm to testify truthfully in this case under the penalty of law?

Whitney: I do.

Judge Azcarate: Thank you. All right. Yes, ma'am.

Ms. Bredehoff: Thank you, Your Honor. Will you please state your name for the record?

Whitney: Whitney Henriquez.

Ms. Bredehoff: And where do you live?

Whitney: In Glendale, California.

Ms. Bredehoff: And you're Amber's sister?

Whitney: I am.

Ms. Bredehoff: How old are you?

Whitney: 34.

Ms. Bredehoff: So, you're her younger sister?

Whitney: Yes.

Ms. Bredehoff: Okay. Are you married and do you have any children?

Whitney: I am. I'm married with two small children.

Ms. Bredehoff: Okay, how old are your children?

Whitney: A three-year-old and a newborn, he's just over two months old.

Ms. Bredehoff: Okay. And what is your profession?

Whitney: Before the pandemic, I worked in hotels doing various food and beverage management jobs, primarily events as well.

Ms. Bredehoff: Okay. Now, I'm going to take you to Mr. Depp and Amber, the early stages. When did you first meet Mr. Depp?

Whitney: I met him sometime in 2011 for "The Rum Diary" press tour but I did not meet him until 2012 as Amber's boyfriend.

Ms. Bredehoff: And were you living with Amber at the time?

Whitney: Yes, we had an apartment together on Orange Avenue. I split my time between there as well as an apartment I shared with my boyfriend at the time.

Ms. Bredehoff: Okay. Now, describe your relationship with Mr. Depp in the early stages.

Whitney: We get along really well at first. He was sober at the time and Johnny when he's sober is very bright and beautiful and lovely and kind and generous and he was very easy to get to know, and frankly, we all fell in love with him at first.

Ms. Bredehoff: Now, describe your observations of Amber and Mr. Depp's relationship in the early stages.

Whitney: Again, at first, that was wonderful. They were incredibly in love. I actually, to this day, have never seen my sister fall so madly for somebody. And things were wonderful, they seem to really understand each other and get along well. But very quickly, this pattern emerged as their relationship went on that if Johnny was using, there almost always was a fight, there was always...

Ms. Lecaroz: Objection, Your Honor, calls for speculation, lack of foundation

Judge Azcarate: As to foundation, if you want to lay a foundation?

Ms. Bredehoff: What, if any, changes in their relationship did you observe?

Whitney: That when Johnny was using, there would be a fight. I saw it firsthand...

Ms. Lecaroz: Objection, Your Honor, same objection.

Judge Azcarate: Overruled, that's fine.

Ms. Bredehoff: Thank you. Please continue.

Whitney: If he was using or if he was drinking, there was almost always a fight, there was always an argument, there was always a period where they weren't getting along, and it seemed to oscillate pretty quickly. He would be sober for a little bit and then almost just as quickly fall off the wagon and start to use or drink and there'll be some big blowout and it seemed to go back and forth pretty frequently. There was never an extended period of time where it was one or the other.

Ms. Bredehoff: What, if any, changes did you observe in Amber over the period of her relationship with Johnny?

Whitney: At first, Amber was Amber, she was loud, fun, funny. She laughed a lot. She was just this happy, bright, fun-loving thing, always surrounded by friends. And then it was a progression that took over such a long period of time and it was so slow. In hindsight, it was like watching a slow-motion gunshot. She suddenly stopped sleeping as much, she wasn't as funny, she wasn't as loud, she wasn't as gregarious as she used to be. Cut to the end of their relationship, she was so physically unwell, she maybe weighed 100 pounds soaking wet, she was emaciated, she wasn't sleeping, she had developed a heart condition and her eyes were sunken in. She just looked different...

Ms. Lecaroz: Objection, Your Honor, lack of foundation, calls for hearsay.

Ms. Bredehoff: She's giving her observation.

Judge Azcarate: Heart condition, I'll sustain as to the heart condition.

Ms. Bredehoff: Okay, other than the heart condition, please continue.

Whitney: If you were to do a photograph side by side, you would see two very different people. And people that knew her throughout the entirety of their relationships saw the same thing.

Ms. Bredehoff: What, if any, observations did you make about Mr. Depp exhibiting controlling behavior over the course of their relationship relating to Amber's clothing?

Ms. Lecaroz: Objection, Your Honor, leading.

Ms. Bredehoff: What, if any, observations did you make about...

Judge Azcarate: I'll sustain the objection.

Ms. Bredehoff: What, if any, observations did you make about Mr. Depp's treatment of Amber relating to clothing?

Whitney: At first, you know, it would be like light jokes or, you know, she left the house wearing something and like, "Oh, you're gonna wear that?" You know, or just some joke, it was very subtle, you know? And then over time, again, just like the progression of their relationship, it just intensified. Then suddenly, you know, they have the same stylist...and I forgot her name. But suddenly, they have the same stylist and he had been essentially controlling what she wore to events and things like that. So, she went from being able to wear whatever the hell she wanted, and then suddenly, she's wearing anything that his stylist wanted her to wear or wanted him to wear. And her style, over time, just got more and more conservative.

Ms. Bredehoff: Okay. What, if any, observations did you make about Mr. Depp with respect to Amber's work?

Whitney: That, too, was one thing at first, he was saying he was protective over the kinds of jobs she was taking, you know, "Oh, that's not going to be good for her career," "That's not going to be good for this," "That's not going to be good for that." And then suddenly, he has a problem with her taking any sort of job or any sort of audition, and then it became every time that she even thought about taking a meeting, it was another fight. He would often say things like, "I don't even understand why she needs to work, I'll take care of her, I'll take care of you, I'll take care of everyone else, she doesn't need to work at all." It was one of those things that he was, at the end, vehemently against her working at all.

Ms. Bredehoff: What, if any, observations did you make about Mr. Depp's treatment of Amber with respect to friends?

Whitney: Again, these are all things that just very slowly over time just changed. You know, at first, you know, he was very inclusive of all of us. At one point, we all lived downtown together in these beautiful lofts. You know, at first, that was part of the relationship was getting to know him and him getting to know us. And then just, again, slowly over time, he took issue with Brandon at one point, and then Brandon wasn't allowed in the fold. Time went on, he had an issue with iO, iO isn't allowed in the fold anymore. And then at some point, even me, he had accused me of doing something horrendous that I had never done, and then suddenly, I'm not allowed around anymore. And just over time, she had such a small network of people that were there to support her. It was hard to watch.

Ms. Bredehoff: What, if any, observations did you make about Mr. Depp's attitude or treatment of Amber with respect to health, her health?

Whitney: She was a pretty healthy person at first. She didn't have any medical issues, you know, didn't need intervention of any sort. But in one of Johnny's attempts to get sober, he had employed Dr. Kipper who had these nurses and he had a personal nurse that would, like, administer medication. And, you know, I think the intention was to make sure that he stayed clean and...

Ms. Lecaroz: Objection, Your Honor, calls for speculation.

Judge Azcarate: I'll sustain the objection.

Ms. Bredehoff: Without discussing what the intentions were, just go ahead and give us what your observations were with respect to Mr. Depp with respect to Amber's health.

Whitney: Sure. All of a sudden for really unclear reasons, Amber had her own personal nurse just administering medication. And from what I saw, it was strange, I didn't think Amber needed, you know, medication on the daily or whatever. And then all of a sudden, she has a therapist that is employed by Dr. Kipper. Even her medical treatment was somehow controlled by or paid for by Johnny.

Ms. Lecaroz: Objection, Your Honor, calls for speculation with respect to the control.

Judge Azcarate: As to control but paid for, I'll allow it. Go ahead.

Ms. Bredehoff: Okay, thank you. What, if anything, did Mr. Depp say about Amber's electronic devices?

Whitney: Well, every time they fought or had an argument, a device was gonna get smashed and she would lose a phone, a tablet, a computer, you could almost guarantee that something would get destroyed when they fought. Very often, the fights were, at least in part, surrounded by text messages or something that he would find on her phones or, you know, whatever. And at some point, she wasn't even allowed to have passwords on her phone. Or if she did have a password, it was something really simple that he memorized but there was zero expectation of privacy for her in terms of what was on her device or accessibility for devices.

Ms. Bredehoff: How many times did you observe Mr. Depp drunk?

Whitney: Countless. I mean, too many times for me to quantify.

Ms. Bredehoff: How many times did you observe Mr. Depp high on drugs?

Whitney: Again, it would be really hard to put a number to that it was a lot.

Ms. Bredehoff: And what types of drugs did Mr. Depp use to your knowledge and your observation?

Whitney: Well, personally, I've done cocaine and drink with him on a number of occasions, so that. He almost always had weed of some sort, marijuana, like, you know, joints or whatever. I have seen him take MDMA on an occasion, shrooms as well. I once saw him consume a bag of...a Ziploc bag that had a bunch of just unknown pills, some prescription, some not. He just took them all at once to see what would happen and he laughed about it. So, those are what I can recall.

Ms. Bredehoff: Okay. Now, you said that you also did cocaine with Mr. Depp. Is that correct?

Whitney: Yes.

Ms. Bredehoff: What, if any, observations did you make as to what Mr. Depp carried in his pocket?

Whitney: Well, he always had...he always had cigarettes or rolling papers. When I say cigarettes, I mean, the tobacco and rolling papers, he always had a joint on him. If he was in a phase of using coke, he would carry around a little pillbox that had his cocaine in it. He always had a pocket knife, a lighter, and, yeah, it's about what I can recall.

Ms. Bredehoff: Okay. What, if any, behavior changes did you observe when Mr. Depp had been drinking alcohol or using drugs?

Whitney: Like I said, it was, you know, a completely different version. You know, he was almost unrecognizable when he was drinking and using to an excess. If it was alcohol and coke, he would slur, he would go on these paranoid delusional rants about things that didn't make any sense. You know, his speech would be slurred. I almost never knew him to use cocaine without drinking. Those were generally combined. When he would smoke weed, he was much more relaxed, he was kind of what you would expect, happy on the couch laughing. But when he was drinking, he would just get very angry and he would just say really nasty, unkind things and it almost didn't...usually about Amber, sometimes about me, but it almost didn't matter if she was in the room or not, he would just say really horrible, horrible things about her or to her.

Ms. Bredehoff: Can you give the jury a few examples that you can recall?

Whitney: Pardon my language, "Fucking cunt," he called her a fucking used-up trash bag. Slimy whore, saggy whore. You know, fucking cunt was thrown out a bunch. Just horrible things like that.

Ms. Bredehoff: Okay. I'm going to take you to March 21st, 2013, we called it the painting or Keith Richards incident. When did you arrive at the Orange apartment on March 21st, 2013?

Whitney: It was sometime in the afternoon, sometime in the afternoon. I came in and Orange was typically a very neat clean place. But as soon as I walked in, there was a bunch of...there was smoke in the air. I remember it smelled like cigarette smoke and there was smoke in the air, so somebody has been smoking inside, which was odd because Amber and I don't smoke and Johnny used to always just go outside to smoke. But walking a little bit further in, there was like furniture askew. Going into the kitchen, there was, you know...Johnny sat at our little breakfast nook table that we had there.

And he was wearing glasses, he had...you know, there was cocaine in front of him, there was booze in front of him, journal, like newspaper, things like that just kind of scattered around at the table. And I sat down to talk to him to see what was going on and it was really hard to understand what he was getting at. It was really clear that he had been drinking for some time, his speech was slurred, and again, he was really...it was really hard to follow what he was trying to tell me. At first,

he seemed to be upset that my sister had been photographed with our friend, Marie, in France.

He then started saying that it must have meant that she was having an affair with her and, you know, everyone would be laughing at her. And this woman, her father was a French politician, so he then starts rambling on about, "Oh, he knows what her father is up to," this, that, and the other. And again, it was just this strange, paranoid tailspin is the only way I can describe it, but it wasn't true, my sister wasn't having an affair with this person...

Ms. Lecaroz: Objection, Your Honor, I think it's pretty non-responsive at this point.

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

Ms. Bredehoff: Please describe what your conversations were and your observations were with Mr. Depp.

Whitney: So, as I'm sitting there talking to him, Amber is in the kitchen and, you know, she's not sat at the table or anything, she's kind of hanging back and Johnny's still talking to me about what the problem was. And then all of a sudden, the focus shifts to this painting that has been on the wall ever since Amber and I moved in, and the painting was done by one of my sister's exes. So, he was convinced that it was on the wall to taunt him, to tease him, and how disrespectful that he had to wake up next to this painting and it surely meant that Amber and Tasha were back together again, which, of course, was not true. But he was then upset about that, he was upset about this painting that was on the wall. I was trying to talk to him not only to just try to figure out what was going on, but I was trying to get him out of the house because he was already very late for filming this documentary that was being shot at one of his houses.

Ms. Bredehoff: Was that with Keith Richards?

Whitney: Correct.

Ms. Bredehoff: Okay.

Whitney: That was my understanding of it.

Ms. Bredehoff: Please continue.

Whitney: So, for hours we sat there, I was trying to, you know, talk to him, make him feel like everything was okay, just try to get him out of the house. His assistant kept coming in and out at one point. And all the

while, Amber is just in the kitchen. Again, she's like giving us space but she's in earshot and he's saying these things about her. And at one point, she tries to come over to, like, check on him and she kind of embraces him from behind and he's just like, "Fuck off," and, you know, continues to say these things about her. And again, we sat there forever. And eventually, we did get him to leave the house but he insisted that Amber come too and that if they were going to work it out, she'd have to be there and they would talk about it at some other point, I guess.

Ms. Bredehoff: Let me just stop you for a minute. What, if any, injuries did you observe on Amber at that time?

Whitney: At the time, it was before I had a real understanding of what was going on. It was pretty...I didn't know, frankly. And her face was swollen but I didn't...and it was kind of red, I thought she had just been crying. And her lip did appear to be cut but again, at the time, it wasn't what we were trying to do. It wouldn't have been appropriate to, you know, talk to her about it or anything. That wasn't my focus, frankly. My focus was just sitting there and trying to figure out what he was upset about and get him out of the house.

Ms. Bredehoff: So, how long were you at Orange with Mr. Depp and Amber before he left to go to the Keith Richards?

Whitney: A few hours. I couldn't say...maybe around, like, four or five hours. It took a minute.

Ms. Bredehoff: Now, did you accompany Mr. Depp over to the recording or did you stay?

Whitney: I did.

Ms. Bredehoff: Did Amber go too?

Whitney: Correct, that was part of the condition of him leaving that Amber had to go with us.

Ms. Bredehoff: All right. Well, please describe to the jury what happened next then on your ride over there.

Whitney: So, Amber and Johnny were sitting in the back, I was in the front with Starling, the driver. And they weren't saying much back there, there was music playing pretty loudly, so I couldn't really hear what was going on back there. But at some point, I heard the back door open...or the back window open, and Johnny is holding our dog out the window. And I froze, I was scared because I just remember thinking I knew how inebriated he was and the dog was very small, I thought if she twitched

or, you know, if he lost her somehow, she was just gonna go out the window. And Amber, of course, was just saying...

Ms. Lecaroz: Objection, Your Honor.

Ms. Bredehoff: It's offered to prove the truth of the matter asserted, Your Honor.

Judge Azcarate: I'll sustain the objection.

Ms. Bredehoff: Okay, don't say what Amber said, just go ahead and continue with your observations.

Whitney: He brought the dog back into the car and he was just laughing, this really scary, loud, it was almost like a cackle. And he then made some joke about putting her in the microwave. And that was the joke after that was putting the dog in the microwave.

Ms. Bredehoff: Okay. So, during the year 2013, what, if any, marks did you observe on Amber? Any injuries or signs of markings, anything like that?

Whitney: Occasionally, I'd see bruising, cutlets, split lips, weird marks, burns, I don't know, on her arm, scratches on her arm, things like that. It was just weird and it was periodic, it wasn't like a constant thing, but there were injuries to her.

Ms. Bredehoff: And what, if anything, did you do? Did you ask her about them?

Whitney: I did at some point confront her and ask her and she...

Ms. Lecaroz: Objection, Your Honor, hearsay.

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

Ms. Bredehoff: Okay. But you did ask her about them?

Whitney: Yes.

Ms. Lecaroz: Objection, Your Honor. Same objection.

Judge Azcarate: Next question. No, it's fine. Overruled.

Ms. Bredehoff: Okay, thank you, Your Honor. All right, I'm going to take you to June 2013 Hicksville. Were you in attendance at that event with Mr. Depp and Amber?

Whitney: Yes.

Ms. Bredehoff: Please describe for the jury what you can recall from that event.

Whitney: So, Hicksville is like this...it's just like a collection of themed Airstreams. It's like a little...it's in the middle of the desert, just like a fun little place to go, so we went with a group of our friends. And, yeah, so each one of us had our own little Airstream or whatever. So, my partner and I at the time, we got there last. So, as we were going around checking out the different Airstreams...because, again, each one of them had a different theme so it was kind of fun to see, you know, who was staying in which theme or whatever. I open Amber and Johnny's and there's cocaine on the table.

And I didn't really think much of it at the time, I was just like, "All right, fine, we're all here to have fun." And that night, you know, we sat around the campfire, everyone was drinking. Some people were taking shrooms, you know? And then, I drank too much and I went to bed early before everyone else. And then the next day, you know, when everyone was cleaning up, I had heard about something that had happened the night before and an altercation that...

Ms. Lecaroz: Objection, Your Honor, hearsay.

Ms. Bredehoff: Don't tell us what you heard, go ahead and just tell the jury what you observed.

Whitney: I observed people cleaning up after what appeared to be just a night of friends hanging out. I then went to my sister's trailer where she was staying with Johnny and it looked like a bomb went off in there. There was broken things, things have been skewed, it just looked incredibly messy, it looked like somebody had ransacked it. That's what I observed.

Ms. Bredehoff: Okay. Now, I'm going to take you to September 2013. What, if anything, did you do with Mr. Depp relating to going to London?

Whitney: So, September 2013, that was around the time of my birthday. Amber was filming in London and she wasn't able to make it back for my birthday. And it was also a friend of ours...iO also has a birthday at the same time, or around the same time as me. And Johnny thought it would be great to load up and surprise Amber on set. He thought she would really enjoy it. And so, that's what we did. We loaded up, we went on a plane that he chartered, and I believe my father was with us as well. And, yeah, Johnny and I drank and did a lot of cocaine on that plane and I ended up passing out but we get to London.

And, you know, it was wonderful to see Amber and we had a dinner that night at the hotel that we were staying at or it was either that night or the next night, I can't remember exactly. But at one point, Johnny picked up a steak knife and he hurled it at his assistant. Missed him, but obviously, Nathan got upset and he left and he was sad as well. And a fight broke out between Amber and Johnny that night. I didn't witness it, I wasn't there, I knew that they were...

Ms. Lecaroz: Objection, Your Honor, lack of foundation.

Judge Azcarate: All right, I sustained the objection, next question.

Ms. Bredehoff: So, you can't tell us about it if you weren't there.

Whitney: Okay.

Ms. Bredehoff: So, what happened next that you are aware of?

Whitney: I left sometime after that and when I touched down in Los Angeles, I learned that they had...

Ms. Lecaroz: Objection, Your Honor.

Ms. Bredehoff: It's not offered to prove the truth of the matter, Your Honor.

Judge Azcarate: I sustained the objection. Next question.

Ms. Bredehoff: When did they get engaged?

Whitney: They got engaged at some point when I was on the plane. I left London. By the time I landed in London, they were engaged.

Ms. Bredehoff: Okay. Thank you. Now, I'm going to jump all the way to November 2014, the 2014 Hollywood Film Awards. What, if any, involvement did you have with Mr. Depp relating to the Hollywood Film Awards?

Whitney: I was called over to where he was getting ready, AD.

Ms. Bredehoff: And when you say, AD, are we talking about Sweetser?

Whitney: Yes, that's one of the houses that is on that street that Johnny had. He had several houses on that street, AD was the one that he referred to as like the man cave. That's where he spent a lot of time. So, I was summoned to AD, again, following a fight that he and my sister were having and...

Judge Azcarate: Objection, Your Honor, lack of foundation.

Ms. Bredehoff: Just don't talk about what you weren't a party to. You got there, please tell the jury...

Judge Azcarate: I sustained the objection, go ahead.

Ms. Bredehoff: Okay, please tell the jury what you observed, what happened when you were there?

Whitney: Sure. When I got there, Johnny was outside and he was very drunk already and he was continuing to drink. He was, again, rambling about my sister having affairs with people that just wasn't true. And just kept saying things, you know, that she doesn't need to work and he doesn't understand why she continues to take jobs, she must be doing it to insult him or to hurt him or she's only taking these jobs because, you know, she wants to meet people. I don't know. The entire time that we were talking, his sister and his, you know, assistant at one point, everyone was trying to get him out of the house because he was already very late for this. But eventually, they did get him to leave the house and yeah, I saw the award show later at some point.

Ms. Bredehoff: And what did you observe when you watch the award show?

Whitney: Unfortunately, an extension of what I had seen at the house, he was still very drunk. Actually, a little bit more drunk than when I saw him at the house.

Ms. Bredehoff: And what was he doing to cause you to believe he was very drunk?

Whitney: Well, he was drinking the entire time that we were talking. And, you know, in general, at this point, I had understood what Johnny looks like when he's drunk. He's stammering, the speech was hard to understand, he was slurring, he was super unsteady on his feet. Yeah, I recognize what it looks like when he's drunk.

Ms. Bredehoff: Okay. Now, I'm going to take you to March 23rd, 2015. And at this time, were you living at the penthouse suite?

Whitney: I was. Excuse me, sorry.

Ms. Bredehoff: When approximately did you move into the penthouse suite?

Whitney: I actually don't know for sure when I moved in. That would take me a minute to remember. It was sometime in 2014, I think.

Ms. Bredehoff: Okay. And so, as of March 23rd, 2015, you were living there, correct?

Whitney: Yes.

Ms. Bredehoff: And where are you living in those penthouse suites? What does it call?

Whitney: So, I was in what they call PH 4. The layout is, you know, the entire top floor of this building, Johnny owns them all and he was kind enough to let us all live there. So, I was in PH 4, Amber and Johnny were in PH 3, I believe Isaac was in 2, and Rocky and Josh were in 1. But the only ones that actually connected were 3, 4, and 5. So, again, I was kind of sandwiched between where Johnny and Amber stayed and Amber's basically closet. So, basically, you have to cut through to get to one point to the other. So, I was sleeping, I woke up to Amber in my bedroom saying, "Can you believe he's cheating on me?"

Ms. Lecaroz: Objection, Your Honor.

Ms. Bredehoff: It was not offered to prove the truth of the matter asserted.

Judge Azcarate: Overruled.

Ms. Bredehoff: Thank you. Please continue.

Whitney: She said something?

Ms. Bredehoff: She said overruled, it's okay for you to say what...just briefly what you've just explained.

Whitney: I woke up to her saying, "Can you believe he's cheating on me? Your fucking brother is cheating on me." I got up. I told her to stay right there...

Ms. Lecaroz: Objection, Your Honor, hearsay

Ms. Bredehoff: it's not offered to prove the truth of the matter asserted.

Judge Azcarate: Overruled for that statement. Go ahead.

Ms. Bredehoff: Please continue.

Whitney: I instructed her to stay in my apartment while I go and talk to Johnny. So, I leave PH 4, I leave her in PH 4...

Ms. Bredehoff: And let me just stop. Are you sober? Drunk? Have you been drinking?

Whitney: Oh, rare occasions where I was sober. It was in the middle of the night, I was asleep.

Ms. Bredehoff: I'm sorry, I'm not sure that I understood your question. So, you were sober?

Whitney: Oh, absolutely. Yes.

Ms. Bredehoff: Okay. Please continue.

Whitney: So, I go to PH 5 where Amber...I'm sorry, Johnny, Debbie, and Travis were all standing in the kitchen of PH 5. I went down there to talk to him and again, I can tell he's clearly drunk and he has a bottle of alcohol of some sort in front of him as well. And again, he's talking to me about how Amber found these text messages between him and a woman called Rochelle and then he started saying that this woman was meaningless, it wasn't anything special, she's nothing special. But then he immediately shifted to, "Well, Amber pushed, Amber made me do it, of course, I'm cheating on her," you know, whatever, and it suddenly became about Amber making him do it. At some point, then Amber is on the mezzanine level of PH 5. So, she is...it's kind of hard to explain, so the kitchen is down here and the mezzanine is up here. So, she's there, it's her little office, you know, and she started shouting at him saying...

Ms. Lecaroz: Objection, Your Honor, hearsay.

Ms. Bredehoff: It's not offered to prove the truth of the matter asserted, Your Honor, she's screaming expletives at him. I mean, that's not offered...

Judge Azcarate: All right, overruled.

Ms. Bredehoff: Thank you. Please continue.

Whitney: They're saying horrible things to one another, "Fuck you," you know, he's calling her a fucking whore, fucking cunts, used-up trash bag, you know, whatever...they were saying horrible things to one another. She was calling him old and fat. It was a fight, they were saying really nasty things to one another. I leave them in the kitchen to go up the stairs. I was trying to calm Amber down and hopefully get her back into my apartment. And Debbie had come up with me.

Ms. Bredehoff: And Debbie, who is Debbie?

Whitney: Debbie was his nurse at the time.

Ms. Bredehoff: Debbie Lloyd?

Whitney: Yes, I believe that was her name.

Ms. Bredehoff: Okay.

Whitney: So, we're with Amber on the mezzanine level...

Ms. Bredehoff: I'm sorry, just so we know who "we're" is, is it you and Debbie that are with Amber or...?

Whitney: Yes, Debbie, Amber, and I are on the little mezzanine area and as I mentioned, the mezzanine overlooks the kitchen and the living room. So, Johnny then hurls a Red Bull can and it hits Debbie in the back. She didn't even react, she didn't really seem to notice. But I'm standing up there talking...or I'm standing up there, I'm at the top of the stairs with my back to the stairs, and that's when Johnny runs up the stairs. And, again, I'm facing Amber, he comes up behind me, strikes me in the back, kind of just somewhere over here, he strikes me in the back.

I hear Amber shout, "Don't hit my fucking sister," she smacks him, lands one, and then he grabs...at that point, that's when Travis runs up the stairs after Amber landed one. But by that time, Johnny had already grabbed Amber by the hair with one hand and was whacking her repeatedly in the face with the other as I was standing there. Travis pulls them apart. I get Amber into mine. I close the doors behind me and lock them. I then hear Johnny's voice shouting...

Ms. Lecaroz: Never mind, twitched arm.

Judge Azcarate: Okay, sorry.

Whitney: I hear Johnny's voice shouting, "I fucking hate you, I hate you both, you fucking cunts, you fucking whores." And I hear crashing, I hear crashing and banging and smashing and he started screaming like an animal. And I then just moved Amber into the next room and I just kept her there all night. The next day, I go and I see her closet has been completely destroyed. Racks were overturned, one of the clothing racks had been, like, toss down the stairs, there was art off the wall. And down in the kitchen, there was broken glass, like, just the place was destroyed.

Ms. Bredehoff: Michelle, can you bring up Defendant's Exhibit 400?
Whitney, do you recognize this text exchange here?

Whitney: I do.

Ms. Bredehoff: Okay, and it's on March 23rd, 2015 at 6:57, is that correct?

Whitney: Yes.

Ms. Bredehoff: Okay, could you describe...

Ms. Lecaroz: Objection, Your Honor, sorry, on hearsay grounds.

Judge Azcarate: All right, you want to approach? Let's take a look.

[03:42:56]

[silence]

[03:44:00]

Ms. Bredehoff: Can we publish, Your Honor?

Judge Azcarate: Yes, it's in evidence. Yes.

Ms. Bredehoff: Thank you. So, Whitney, this is dated March 23rd, 2015, 6:57. Do you see that?

Whitney: Mm-hmm.

Ms. Bredehoff: Okay. And that's to Kevin. Who is Kevin?

Whitney: Kevin Murphy, he was Johnny's estate manager.

Ms. Bredehoff: Okay. And then, Michelle, if you can scroll up. So, let's stop at the first one. Can you please describe to the jury what this is?

Whitney: That is one of Amber's clothing racks on the stairs that lead up to the bedroom area.

Ms. Bredehoff: And you took this picture?

Whitney: I did.

Ms. Bredehoff: Okay. Michelle, can you scroll up again? And please describe for the jury what's depicted in this photo.

Whitney: These are more of Amber's racks, these were her shoes and purses and such, those were all, like, taken off the walls. And you can see here, all of her clothes are on the floor, or shoes.

Ms. Bredehoff: Okay, thank you. And we're up to the next one. Can you please describe what the next picture depicts?

Whitney: More of the same, clothing racks that have been kind of toppled over or moved. They used to...they were, like, neat and looked

like, you know, a closet room. But these ones were just toppled over or moved. This is the room that had joined my room.

Ms. Bredehoff: Okay. Let's go to the next one. And could you describe for the jury, please, what this is?

Whitney: That's another clothing rack that has been taken down and taken apart kind of.

Ms. Bredehoff: Okay. And we'll go to the next one. And please describe for the jury what's depicted here.

Whitney: More, just more clothing racks that have been taken down or moved.

Ms. Bredehoff: ...depicted here.

Whitney: Same thing, just more clothing racks that were toppled over.

Ms. Bredehoff: All right, and if we go to the next one.

Whitney: And this is the kitchen area. This is taken from the mezzanine level that I was describing earlier but that looks like broken glass or something blue ceramic broken.

Ms. Bredehoff: Okay, and if we go up, and the top one there looks like part of what was earlier...let's go to the bottom one, I think we have a bigger picture there. Does that help in what's depicted there?

Whitney: I still can't tell what it was, maybe a plate of some sort, but there's also a rolled cigarette, a couple bottles of water. But yeah, whatever that blue thing is, it was broken, it's what all over the kitchen there and also next to the stove.

Ms. Bredehoff: Okay. Thank you, after the staircase incident, what, if anything, did Mr. Depp ask you to sign?

Whitney: There was an NDA on my kitchen table.

Ms. Bredehoff: Can you tell the jury what an NDA is?

Whitney: It's a nondisclosure agreement. It's basically...my understanding is it's a contract to keep things private, to keep your mouth shut, essentially.

Ms. Bredehoff: All right. And you were given one or asked to sign one?

Whitney: I was asked to sign one. I don't believe I signed it. I left sometime after.

Ms. Bredehoff: So, you moved out after that?

Whitney: Yes, it was after this point that Johnny had accused me of selling stories to the media, which were absolutely untrue, but I moved out after that point.

Ms. Bredehoff: Okay. Now, did there come a time that Amber asked you to move back in?

Whitney: Yes, February 2016, she texted me asking me to come back.

Ms. Bredehoff: Okay. And so, you were living with her from sometime in February 2016 forward?

Whitney: I think on and off. I think I had my own apartment by then but I spent a lot more time at the Eastern after that.

Ms. Bredehoff: Okay. I'm going to take you to April 21, 2016, Amber's 30th birthday party. Were you present for that?

Whitney: I was.

Ms. Bredehoff: Can you please describe to the jury what you observed that night?

Whitney: It was her 30th birthday, so we wanted to make it, excuse me, really special. We had made this beautiful dinner, you know, and it was great. All of her close friends were there and everyone was having a really good time or was having fun. You know, Johnny showed up very, very late and he was drunk when he showed up. Amber was obviously sad about it. But there came a time in the party where we all went around the table and said our favorite thing about Amber, you know, just funny memories or whatever. When it came to Johnny's turn, he told this story about how they first met when they met for "The Rum Diary."

So, you know, he had the story about how she came into his office and she sat on the couch, and her perfect ass left a perfect imprint on the couch and he wouldn't let anyone sit there after she left that day. And it was one of those stories that everyone was kind of embarrassed. You know, we had all gone around the table saying really nice things about her and it gets to him and he's talking about her ass. We were all kind of embarrassed.

Ms. Bredehoff: And when did you leave the party that night?

Whitney: I left pretty shortly after that and I went home.

Ms. Bredehoff: What, if any, conversation did you have with Mr. Depp about his plans to attend Coachella the next day?

Whitney: He was planning on coming to Coachella with us. You know, at some...you know, whenever, at some point, we were talking about what was happening the next day and so that night, he told us he was going to come to Coachella with us the next day.

Ms. Bredehoff: Okay. And did he ultimately come to Coachella with you the next day?

Whitney: Nope.

Ms. Bredehoff: Okay. I'm gonna jump forward to talk about some statements on the counterclaim. What, if any, observations did you make about how the statements...we're talking about the three statements from Adam Waldman, impacted Amber, and I'm asking for your observations. Just tell the jury what your observations were of how these statements impacted Amber.

Ms. Lecaroz: Objection, Your Honor, compound, lack of foundation, speculation.

Judge Azcarate: Overruled, that's fine.

Ms. Bredehoff: Thank you.

Whitney: Amber has worked so hard to overcome everything that she went through in the duration of their relationship. She has really, really tried her best to move past it. And anybody that knows Amber at all knows that some of the most important things to her are honesty, integrity, her reputation is all she has. She doesn't have piles of money and private islands or...

Ms. Lecaroz: Objection, Your Honor, non-responsive.

Judge Azcarate: I sustained the objection.

Whitney: She was devastated by these. To say that they're not true, it devastated her. And also, we had just buried our mother, you know, so, Amber, she started having panic attacks randomly, she was not sleeping...

Ms. Lecaroz: Objection, Your Honor, hearsay.

Ms. Bredehoff: These are her observations.

Judge Azcarate: Overruled.

Ms. Bredehoff: Thank you. Please continue.

Whitney: These statements devastated her. They devastated her because they weren't true and they were just very, very, very much affecting her.

Ms. Bredehoff: And you talked about panic attacks. What else did you observe that she would do as a result of these? Physical.

Whitney: She was just, like, hurt, like periodically, just break into tears. I don't know how else to describe it. She was so unwell, she stopped sleeping again, she was super anxious, she couldn't relax, she couldn't sit still. It was very similar to the Amber that I had seen back in 2016 as she was trying to get out of this relationship. It launched her back into this space where she was just so physically unwell and she cried a lot.

Ms. Bredehoff: Thank you. I have no further questions.

Judge Azcarate: All right, cross-examination.

Ms. Lecaroz: Good afternoon, Ms. Henriquez. We haven't met before. My name is Rebecca Lecaroz, I'm one of the lawyers representing Mr. Depp in this case. You grew up in Texas with your sister and your parents, right?

Whitney: Correct.

Ms. Lecaroz: And you were really close with Ms. Heard growing up?

Whitney: We were.

Ms. Lecaroz: And you're still close now, right?

Whitney: We are.

Ms. Lecaroz: And you love her?

Whitney: Of course.

Ms. Lecaroz: And your childhood, though, had some difficult moments, right?

Whitney: It wasn't perfect.

Ms. Lecaroz: Your father hit you and your sister at times, right?

Whitney: Yes.

Ms. Lecaroz: And your sister would protect you from that abuse when she could, wouldn't she?

Whitney: We would protect each other for sure.

Ms. Lecaroz: And when you graduated from high school, you moved out to Los Angeles, right?

Whitney: I did.

Ms. Lecaroz: And your sister gave you a place to live in LA?

Whitney: Yes.

Ms. Lecaroz: And she helped support you?

Whitney: In part, I also was working myself and...yeah.

Ms. Lecaroz: And you're grateful to her for being there when you need it, right?

Whitney: Of course.

Ms. Lecaroz: And just like she protected and cared for you, you want to protect and care for her, right?

Whitney: When I can, of course, but...yeah.

Ms. Lecaroz: You testified to having a great relationship with Mr. Depp when he first started dating your sister, right?

Whitney: Correct.

Ms. Lecaroz: And you thought of him as a brother?

Whitney: Yes.

Ms. Lecaroz: He called you, "Sis?"

Whitney: Yes.

Ms. Lecaroz: And you had affectionate nicknames for him too, didn't you?

Whitney: A number of them, yes. Yeah.

Ms. Lecaroz: And you testified that for a time you lived in the ECB penthouses with Mister...

[03:55:04]

[silence]

[03:55:35]

Whitney: ...metaphorically, but yes, I have been in arguments with my sister.

Ms. Lecaroz: And you have wanted to run away for days, right?

Whitney: Sure.

Ms. Lecaroz: And not have her there fighting with you?

Whitney: Sure.

Ms. Lecaroz: You talked a little bit about the incident in March 2013, right?

Whitney: Which one?

Ms. Lecaroz: That was the one before you went to the Keith Richards documentary set.

Whitney: Yes.

Ms. Lecaroz: And you were present with Mr. Depp at Orange that day?

Whitney: I was.

Ms. Lecaroz: Didn't you do cocaine with Mr. Depp that afternoon?

Whitney: Yes.

Ms. Lecaroz: And you said Mr. Depp's already intoxicated?

Whitney: He was by the time I got there.

Ms. Lecaroz: And he was fighting with your sister?

Whitney: He wasn't doing much of anything. He sat at the table, he was telling me about the fight that they had.

Ms. Lecaroz: So, he'd been fighting with your sister that day when you arrived?

Whitney: That was my understanding.

Ms. Lecaroz: And you said she had a puffy face?

Whitney: Yes.

Ms. Lecaroz: And despite all of that, you decided it was a good idea to do cocaine with Mr. Depp at that juncture?

Whitney: I hadn't yet connected the dots. I hadn't yet understood what that meant or what that would do.

Ms. Lecaroz: That was a yes? Yes, you took cocaine with Mr. Depp?

Whitney: I did. Yes, I already said that.

Ms. Lecaroz: You testified that you had suspicions that Mr. Depp was allegedly hitting your sister by some point in 2013, right?

Whitney: Suspicions.

Ms. Lecaroz: And notwithstanding that, in June 2013, you were actually joking with Mr. Depp about hitting your sister, right?

Whitney: Regrettably over a text message, yes.

Ms. Lecaroz: You are encouraging him to hit her?

Whitney: I was not literally encouraging him to hit her.

Ms. Lecaroz: But you were joking about it?

Whitney: Regrettably, yes. Again, I did not have an understanding fully of what that was. I never would have said that now, knowing what I know.

Ms. Lecaroz: But that was around the time that you allegedly became aware that he was causing injuries on your sister that caused you to have suspicions?

Whitney: I don't know if it was around the same time.

Ms. Lecaroz: Turning to the staircase incident in March 2015. You testified that Mr. Depp allegedly hit you during that incident, right?

Whitney: Yes.

Ms. Lecaroz: But you aren't sure if that contact was even meant for you, right?

Whitney: I honestly don't. I don't know what he was aiming for, my back was to him.

Ms. Lecaroz: And you weren't injured during that incident, right?

Whitney: No, I wasn't.

Ms. Lecaroz: And you didn't seek medical attention?

Whitney: No.

Ms. Lecaroz: And you said Debbie Lloyd was there during all of that, correct?

Whitney: She was.

Ms. Lecaroz: And Mr. Depp security, Travis McGivern, was there too?

Whitney: Yes, he was.

Ms. Lecaroz: And you saw your sister hit Mr. Depp on the stairs that day, right?

Whitney: After he struck me, yes.

Ms. Lecaroz: You said she landed one, right?

Whitney: Mm-hmm.

Ms. Lecaroz: And then the next day, you found some damage in the adjoining penthouse?

Whitney: Correct.

Ms. Lecaroz: And we saw some pictures of what you saw that day, right?

Whitney: Yes.

Ms. Lecaroz: You thought it was important to document that damage, right?

Whitney: Not to document. It was Kevin's job to kind of clean up the houses, take care of the houses. I took pictures just so he could be aware of what he would need to bring. I didn't know if he had tools here or whatever, I was just preparing him for what he was going to have to fix.

Ms. Lecaroz: But you didn't take any pictures of your sister that day, right?

Whitney: No, I didn't.

Ms. Lecaroz: Now, after March 2015, you continue to have a close relationship with Mr. Depp, right?

Whitney: Yes.

Ms. Lecaroz: And you still loved him?

Whitney: Of course.

Ms. Lecaroz: And you were there for him if he needed you, right?

Whitney: Of course.

Ms. Lecaroz: And in fact, just a couple of weeks after that staircase incident, you were still acting as the marriage counselor, weren't you?

Whitney: At some point, sure.

Ms. Lecaroz: And that fall after the staircase incident, October 2015, you claim you had seen Mr. Depp hitting your sister. And then in October 2015, you were actually still trying to reconcile him and your sister when they were fighting, right?

Whitney: Yes, I was asked to support, I was just trying to help what I felt they both wanted. I was just trying to support...trying my best to support them the way that I thought I could.

Ms. Lecaroz: You still love Mr. Depp at that point, right?

Whitney: I did.

Ms. Lecaroz: And you didn't think that he and your sister were past the point of no return, right?

Whitney: What I thought was irrelevant at that point. Those two were in love and they were working very hard. They wanted to be together it seemed like, so I just helped as best as I could. I don't know how else to describe it.

Ms. Lecaroz: Your sister still wanted to be with Mr. Depp, right?

Whitney: She loved him.

Ms. Lecaroz: And you didn't think they were past the point of no return?

Whitney: I don't know what you mean by that exactly.

Ms. Lecaroz: Okay. Let's take a look at Plaintiff's Exhibit 1283. It's not yet in evidence but we'll just show that to the witness. I've got this...if I might approach, Your Honor? I have this in redacted and unredacted.

Judge Azcarate: Okay, you want to come forward?

[04:01:16]

[silence]

[04:02:14]

Ms. Lecaroz: Can you pull up 1283? And Ms. Henriquez, if I could just direct your attention...if we can go to the third page, please? Do I have control of this or no?

Judge Azcarate: No, you do not. Sorry, we'll put it up for you.

Ms. Lecaroz: And if we can go back to the first page if you'd like or we can take a look at the unredacted version if we need to. But do you recognize these as text messages that you sent to Mr. Depp on October 2nd, 2015?

Whitney: Yeah, I mean, they're clearly my text messages but yeah, I recognize them, I think.

Ms. Lecaroz: And if we can go to the third page, please. And you'll see the second blue box from the bottom there, you texted Mr. Depp and you said, "I love both of you so much and would fucking stay out of it if I thought this shit were past the point of no return, but that's not where you guys are right now." Did I read that right?

Whitney: Oh, "But that's not where you guys are at."

Ms. Lecaroz: Yes.

Whitney: Yeah.

Ms. Lecaroz: So, you didn't think they were past the point of no return in October 2015, right?

Whitney: At that point, clearly, I didn't.

Ms. Lecaroz: You can take that down. You wanted Ms. Heard to stay with Mr. Depp even after you allegedly saw him hit her, right?

Whitney: That's really oversimplifying something that's far from simple. Again, Amber was very much in love, so as Johnny. She's telling me that she wants something, whether or not I agreed to it or not, whether or not I was okay with what was happening, it wasn't my place. If my sister said that she still wanted to be with Johnny and if I could help with that in any way, I was going to support her, I was going to be there for her to support that.

Ms. Lecaroz: You didn't want to contradict your sister, right?

Whitney: Pardon?

Ms. Lecaroz: You didn't want to contradict your sister.

Whitney: I don't know if I characterize it that way. Again, I was trying to support my sister the best that I could or knew how or thought she wanted.

Ms. Lecaroz: And you said you wanted to protect her, though, right?

Whitney: At that point, I don't know if I would categorize it as that, I was just trying to support my sister.

Ms. Lecaroz: You went to Coachella with your sister for her 30th birthday in 2016, right?

Whitney: Yes.

Ms. Lecaroz: And you testified that you were aware, I believe, that she and Mr. Depp had fought the night before?

Ms. Bredehoff: Objection...

Judge Azcarate: If you can turn your microphone on, Ms. Bredehoff?

Ms. Bredehoff: That one's okay, I'll withdraw that objection.

Judge Azcarate: Okay, withdrawn. All right. You can answer the question, ma'am.

Whitney: Yes, I was aware that they had argued the night before.

Ms. Lecaroz: You didn't see any bruises on Ms. Heard at Coachella that year, though, right?

Whitney: No, she was wearing a lot of makeup.

Ms. Lecaroz: You didn't see any marks on her?

Whitney: Not that I can recall.

Ms. Lecaroz: You didn't notice any swelling, right?

Whitney: To the best of my recollection, I don't.

Ms. Lecaroz: And your sister didn't have a working phone on her that day, did she?

Whitney: No, she didn't.

Ms. Lecaroz: But you did?

Whitney: Yes, I did.

Ms. Lecaroz: And you wanted Mr. Depp to know that Ms. Heard's phone wasn't working, right?

Whitney: I believe I reached out to him for her, yeah.

Ms. Lecaroz: And you were encouraging him to reach out to her through you if he was trying to reach her, right?

Whitney: I believe so at one point, yes.

Ms. Lecaroz: You didn't want him to think that he was ignoring her?

Whitney: I'm sorry?

Ms. Lecaroz: You didn't want him to think that he was ignoring her, right?

Whitney: Sure.

Ms. Lecaroz: And you wanted them to reconcile, didn't you?

Whitney: Amber really wanted him there, despite the fact that they had had a fight the night before. It was very complicated, it was very nuanced. You know, they fought, they got back together, they fought, they love each other, they hate each other, they love each other. I just remember her wanting Johnny to come to Coachella at some point. I wasn't trying to reconcile them, I was just trying to help facilitate.

Ms. Lecaroz: And you did that even though you were concerned about marks that you say you'd seen on her since at least 2013 and during the course of their relationship, right

Whitney: Again, that's really oversimplifying something. We all saw this...we all thought that Johnny...we would see Johnny on the other end of this because, again, when he was sober, things were wonderful. When they weren't, when he wasn't sober, they were terrible. Sure, but we all thought that he was just going to get better, we all wanted to just see the other side of that. So yes, sure, if you look at it simply but it's not simple at all. I don't know how else to answer it.

Ms. Lecaroz: And this was after you allegedly saw him hit her, right?

Whitney: Yes.

Ms. Lecaroz: And you knew that they just had another fight, right?

Whitney: Yes.

Ms. Lecaroz: You know who Jennifer Howell is, right, Ms. Henriquez?

Whitney: I do.

Ms. Lecaroz: She's the founder of The Art of Elysium non-profit?

Whitney: She is.

Ms. Lecaroz: And you work there for a time, didn't you?

Whitney: I did.

Ms. Lecaroz: Around May 2015, you actually moved in with Ms. Howell, right?

Whitney: May 2015? Yes.

Ms. Lecaroz: And you moved out of the penthouses because at that point, you and your sister were fighting, right?

Whitney: Yeah, it was around the time that, you know, he had accused me of leaking stories and that was the impetus of me leaving.

Ms. Lecaroz: And you testified earlier, I think, that he had asked you to sign an NDA, right?

Whitney: At some point.

Ms. Lecaroz: And that was around the same time that he was concerned you were leaking stories about their wedding to the media?

Whitney: I believe so.

Ms. Lecaroz: You and Ms. Howell were close?

Whitney: We were.

Ms. Lecaroz: Close enough that you lived with her for around a year?

Whitney: I don't recall if it was that long.

Ms. Lecaroz: And you confide in Ms. Howell, right?

Whitney: About some things, yes. She was my friend.

Ms. Lecaroz: You called her your chosen sister? You claimed to have seen signs of injuries on your sister during the course of a relationship with Mr. Depp, right?

Whitney: Yes.

Ms. Lecaroz: But you never witnessed any incidents that resulted in visible injuries to your sister, right?

Whitney: Other than the staircase incident? I witnessed that incident. What are you asking me exactly?

Ms. Lecaroz: You never witnessed any incidents that resulted in signs of injury that you were concerned about over the course of the relationship?

Whitney: Other than the staircase incident? I did witness that.

Ms. Lecaroz: No, at no other time when you...

Whitney: No, that was the only time that I saw him.

Ms. Lecaroz: And you didn't see what caused any of the injuries you claimed to have seen during the course of their relationship, right, other than the staircase incident?

Whitney: Yes, the staircase incident is the only one that I saw.

Ms. Lecaroz: But you have seen your sister land a blow on Mr. Depp, right?

Whitney: That was the time, yes, after he hit me.

Ms. Lecaroz: No further questions, Your Honor.

Judge Azcarate: All right, redirect.

Ms. Bredehoff: I have no redirect.

Judge Azcarate: All right, is this witness subject to recall?

Ms. Bredehoff: No.

Judge Azcarate: Is subject to recall? No? Okay. All right, ma'am, you are free to go or you can stay in the courtroom, it's up to you. Okay? Thank you. All right.

Ms. Bredehoff: Our next witness, Your Honor, is another deposition designation and it's going to be...

Judge Azcarate: How long is it?

Ms. Bredehoff: This particular one is about 45 minutes.

Judge Azcarate: Okay. All right, why don't we go ahead and...it's early, but why don't we go ahead and take our afternoon recess so that we can get everything ready for you? So, we'll just take our 15-minute break now and then we'll come back and have that deposition, okay? So we'll

see in 15 minutes, don't do any outside research and don't talk to anybody. So, that's 45 minutes and you have another...?

Ms. Bredehoff: Yes, then we have another one and then we have a few more.

Judge Azcarate: Okay, so they're both depositions?

Ms. Bredehoff: Yeah, all the rest of them today are deposition.

Judge Azcarate: Okay, I just want to make sure we don't need any other items from that. Okay, that's fine. We'll come back at 3:05 then? Okay. All right. Thank you. All right, thank you. Be seated. All right, your next witness.

Ms. Bredehoff: Our next witness, Your Honor, is Elizabeth Marz.

Judge Azcarate: Mars, M-A-R-S?

Ms. Bredehoff: M-A-R-Z.

Judge Azcarate: M-A-R-Z. Thank you. All right.

Attorney 1: Please state your full name for the record.

Elizabeth: Elizabeth Ray Marz.

Attorney 1: Between the time that you lived in New York, so let's say 2007, 2008 through 2015-'16, how many times would you estimate that you saw Ms. Heard?

Elizabeth: I don't remember.

Attorney 1: More than four times?

Elizabeth: No.

Attorney 1: In 2015 and '16, do you recall how close you and Ms. Pennington were as friends?

Elizabeth: Yeah, we were pretty close. Pretty close.

Attorney 1: In your previous testimony, I'll represent to you, Ms. Marz, that you testified that at least in July of 2016, you would communicate with Ms. Pennington weekly.

Elizabeth: I don't remember. Maybe at that time, perhaps we were communicating...like I said, there were moments where we were communicating weekly or daily.

Attorney 1: You would agree with me that you would remember something as significant as one of your girlfriends telling you, somebody you've known since Texas when you were young girls, you would remember if Ms. Heard told you that her husband or fiancé or boyfriend was beating her. You would remember that, correct? And your testimony is that you only lived at the Eastern Columbia Building in February of 2016 for two weeks?

Elizabeth: It was around two weeks. I don't know the specific amount of time, but it was definitely a little over two weeks, less than a month. And yes.

Attorney 1: And when you stayed at the Eastern Columbia Building, did you stay in one of the penthouses?

Elizabeth: Yes.

Attorney 1: Okay. And did you understand that that penthouse was owned by Mr. Depp at the time?

Elizabeth: I assumed it was, yes.

Attorney 1: And for what purpose did you go to the Eastern Columbia Building on May 21st, 2016?

Elizabeth: To assist Raquel in getting ready for a beach show that she was going to be doing the following day.

Attorney 1: Do you ever see Mr. Depp be violent towards anyone?

Elizabeth: I experienced him that night as...like, personally, I was scared of him. And that's all I can say from the moment that...the one interaction I had with him that night, it was frightening to me. His behavior was frightening to me.

Attorney 1: No, she wouldn't wear makeup?

Elizabeth: I mean, I don't think of her as someone who wears a lot of makeup, no.

Attorney 1: Yeah, you've known her a long time?

Elizabeth: Right.

Attorney 1: She's never been somebody that wears a lot of makeup, correct?

Elizabeth: Exactly, unless she's going to something that she needs to put makeup on.

Attorney 1: Right. But other than that, she's usually bare-faced and beautiful?

Elizabeth: Yeah.

Attorney 1: So, it's your recollection, your best recollection that Ms. Pennington was with you in Penthouse 5 and never left with Ms. Heard before Mr. Depp arrived, is that correct?

Elizabeth: Correct.

Attorney 1: So, you hear some type of commotion. You don't know where it's coming from, correct?

Elizabeth: It sounds like...yeah, I mean, it sounds like it's coming from...we hear a commotion and then it feels like it's getting closer and closer and closer.

Attorney 1: Did it sound like voices or did it sound like distraction?

Elizabeth: It sounded like voices and distraction.

Attorney 1: That the door was abruptly opened, correct?

Elizabeth: Abruptly open.

Attorney 1: Okay, so you hear the commotion, it feels like it's getting closer and closer. What happened next?

Elizabeth: Then, you know, soon after the door slammed open, and Johnny came, like, bursting through the door.

Attorney 1: Who opened the door?

Elizabeth: Johnny.

Attorney 1: Was Johnny alone?

Elizabeth: There's the two men behind him following him.

Attorney 1: So, Johnny opens the door, he's got his two, what we'll assume are his bodyguards with him. What happens next?

Elizabeth: So, it all happened very fast, he basically...the door kind of burst open and he came in very just...from my perspective, really under the influence of something, drugs or alcohol, because he was very sloppily like...he looks wasted. He was holding a very large bottle of wine, looked like some sort of like a Magnum bottle of wine which is kind of spilling all over the place. And as he opened the door, he just

not...what I remember what he mumbled was, "Get your bitch out of here." And I just remember it all happened very fast, like the door slamming, him saying, "Get your bitch out of here," the wine, that whole...you know, his whole being really frightened me and I almost felt like he was coming towards me from my perspective. Whether he was coming towards me or not, it scared me and I just ran out past him.

Attorney 1: You said Mr. Depp appeared to be either drunk or high. Is that correct?

Elizabeth: He seemed to be intoxicated.

Attorney 1: Okay. Is that different than drunk?

Elizabeth: No. I mean, yeah, I guess. Yeah, he definitely seemed like he was under the influence of something.

Attorney 1: And on May 21st, 2016, how was Mr. Depp's demeanor different?

Elizabeth: It was much more sloppy and all over the place and frightening and, yeah, combative. Felt very angry, he felt angry and...yeah.

Attorney 1: And when you say combative, what was combative specifically about his demeanor?

Elizabeth: Just the way he burst through the room just very forcefully and rushed in very quickly to the point that it made me want to get past him and run out very quickly. Like, it wasn't an...it was very...yeah, it was intense.

Attorney 1: Okay. So, Mr. Depp comes through the door to Penthouse 5 and you hear him say something to the effect of, "Get your bitch out of here," correct?

Elizabeth: Mm-hmm.

Attorney 1: And then you ran out immediately thereafter?

Elizabeth: Yes.

Attorney 1: Did you see Mr. Depp spill any wine in Penthouse 5 before you run out?

Elizabeth: Yes.

Attorney 1: How much wine did you see him spill?

Elizabeth: I don't remember.

Attorney 1: A lot? The entire bottle?

Elizabeth: Not the entire bottle. So, what I remember was it was flailing and there was definitely wine that was coming out.

Attorney 1: Would you say that being sloppy is different than being combative?

Elizabeth: Yeah, I would say sloppy and combative are two different things.

Attorney 1: And it's your testimony that Mr. Depp was, on May 21st, 2016, both combative and sloppy, correct?

Elizabeth: Yeah, I would describe it that there was a little bit of both. Yes, both combative and sloppy.

Attorney 1: Was he more sloppy than he was combative?

Elizabeth: It felt more combative than sloppy.

Attorney 1: And just to clarify, the only thing that was combative was the words he was speaking?

Elizabeth: No, it was completely the way he entered into the room, rushed in, his energy, the way it felt like he was coming after me. Like it almost felt like...from where I was standing, it felt like he was charging towards me and I was scared and it was...it felt, yeah, combative, it felt...I'm trying to look for another word that can describe what I felt but it was, you know, scary. My heart was beating really fast very quickly and I was freaked out.

Attorney 1: Okay, so after you exchanged some text messages with Ms. Pennington, you came out of your hiding spot and then went to Ms. Pennington and Mr. Drew's penthouse, is that correct?

Elizabeth: Correct.

Attorney 1: Okay. So, who was in Penthouse 1 when you got out of the hiding spot and came to Penthouse 1?

Elizabeth: I mean, it was Josh, Raquel, Amber, and I were the people that were at some point in there during that time.

Attorney 1: Okay. Do you remember the first time you saw Ms. Heard after this incident?

Elizabeth: I remember seeing her after that incident, it was in that apartment.

Attorney 1: In Penthouse 1?

Elizabeth: Correct.

Attorney 1: So, the first time you saw Ms. Heard after this incident on May 21st, 2016 was in Penthouse 1. What do you recall seeing...the first thing you saw when you saw Ms. Heard?

Elizabeth: I just remember she looked really upset and disheveled and her hair was a mess and she had a swollen face. Red, she had a red swollen face.

Attorney 1: Okay. Have you ever seen Ms. Heard cry before May 21st, 2016?

Elizabeth: I don't think so. Not that I can remember.

Attorney 1: Okay. What side of her face was swollen?

Elizabeth: I think it was her right side of her face.

Attorney 1: Do you have an independent recollection that it was the right side of her face that was swollen?

Elizabeth: I'm taking myself back there and trying to remember, like, where I was standing versus...you know what I mean? I think it was...Yeah, I think looking at her, it was on my left and her right side.

Attorney 1: Okay. So, let's talk about her hair seemed disheveled, is that what said? Her hair was disheveled?

Elizabeth: Mm-hmm.

Attorney 1: Was she crying?

Elizabeth: Yeah, there was definitely tears.

Attorney 1: Was she animated?

Elizabeth: Yeah, she was visibly really upset.

Attorney 1: Okay. So, visibly very upset means what? She was crying?

Elizabeth: Mm-hmm.

Attorney 1: Okay. And what else?

Elizabeth: Tears, sadness, it felt like confusion, it felt like...those were the main things.

Attorney 1: Would you describe...what did Mr. Drew say, if anything?

Elizabeth: I don't remember what he said. I think everybody was just shaken up.

Attorney 1: So, soon after you went into Penthouse 1, you remember some police officers coming?

Elizabeth: Yeah, I remember there was police officers in the hallway.

Attorney 1: Was Ms. Heard icing her face after the incident but before the police arrived?

Elizabeth: I think so.

Attorney 1: Who gave her the ice?

Elizabeth: I don't remember.

Attorney 1: So, you were in Penthouse 1 when the police came, how do you know that they came? What did you hear? What did you see?

Elizabeth: Because they said the police are here, so I...

Attorney 1: Who said that?

Elizabeth: I don't remember. Again, this is a very long time ago, so specific details are going to be really hard for me to remember. I just know knowing that police were there in the hallway, two of them.

Attorney 1: And in February when you lived at the penthouse for a few weeks, you didn't hear or see any abuse by Mr. Depp towards Ms. Heard, correct?

Elizabeth: Correct.

Attorney 1: Okay. And did you go to Amber and Johnny's penthouse thereafter, or where did you go next?

Elizabeth: So, I just remember at some point ending up...yes, at some point, we were in their penthouse afterwards, in Johnny and Amber's. At some point, we went over there.

Attorney 1: And did you go over there you think after the police came?

Elizabeth: It was after the first two police officers came.

Attorney 1: Okay. Do you remember glass on the floor?

Elizabeth: At this point in time, I don't remember what I saw. I don't remember if it was cleaned up by the time I got there or if there was glass on the floor when I walked in.

Attorney 1: Do you recall seeing wine spilled?

Elizabeth: I recall seeing wine spilled in the hallway, like a lot of wine spilled in the hallway.

Attorney 1: When do you recall seeing the wine spilled in the hallway?

Elizabeth: At some point in the night, maybe after, you know, before...I mean, I don't remember specifically, but I remember seeing wine spilled on the hallway. I remember that being one of the things that I saw that was part of the destruction of whatever happened.

Attorney 1: Okay, so the police come and you stayed in Penthouse 1?

Elizabeth: Correct.

Attorney 1: Okay. It was after the police officers left that you went to Penthouse 3, correct, where Amber and Johnny lived?

Elizabeth: Correct.

Attorney 1: You recall seeing wine spilled in the hallway?

Elizabeth: I remember seeing wine spilled in the hallway, yeah.

Attorney 1: Okay. And you saw the wine after the police officers came, correct?

Elizabeth: I think so.

Attorney 1: Didn't Ms. Pennington take any photographs of the scene?

Elizabeth: I remember Raquel taking photographs of Amber's face.

Attorney 1: Okay. And now going to your description of Ms. Heard's face. You said it was the right side of her face, you said it was, what? Swollen and red?

Elizabeth: Mm-hmm.

Attorney 1: What else?

Elizabeth: Yeah, it was swollen and red.

Attorney 1: Was any part of her face more swollen than others?

Elizabeth: It was around her eye.

Attorney 1: Had bruising developed already?

Elizabeth: No, it was red and swollen.

Attorney 1: Okay. So, you did not see any bruising on Ms. Heard's face the evening of May 21st, 2016, correct?

Elizabeth: I saw a red, swollen, puffy face.

Attorney 1: Okay. And just on the right side, correct?

Elizabeth: Correct.

Attorney 1: But wasn't it your testimony, Ms. Marz, you were inside Penthouse 1 when the first police officers came?

Elizabeth: Correct.

Attorney 1: And how much time do you estimate they spent in the penthouses?

Elizabeth: I don't remember. The second group of officers...there was two sets of officers that came. The second set of officers that I actually...was in the apartment in PH 3 I think it was.

Attorney 1: Did you hear about either Ms. Heard, Mr. Drew, or Ms. Pennington cleaning anything that Mr. Depp allegedly destroyed?

Elizabeth: I don't remember but I do remember that...I'm pretty sure that Josh was helping to clean up. Before I got into the...I remember knowing that the place was cleaned up before I entered in there.

Attorney 1: Before you entered into where?

Elizabeth: Into the main apartment.

Attorney 1: So, you recall Josh Drew cleaning up before you entered Penthouse 3, what was he cleaning up exactly?

Elizabeth: I just remember by the time that I had gotten into that apartment that someone had cleaned up the glass and the wine that had been...that was on the floor.

Attorney 1: Do you recall who told you that Penthouse 3 had been cleaned up?

Elizabeth: I don't know when they specifically told me it was...what I was expressing is that it was cleaned up before I got there for the most part. I just remember that for the most part. I don't remember.

Attorney 1: To clarify, Ms. Marz, when you came into Penthouse 3 after the police officers...the first set of police officers came and left, you did not see silver candlesticks, candelabra sticks broken on the floor, baskets of fruit that had been on the kitchen island, fruit everywhere, baskets on the ground, containers holding the spoons and forks kitchen utensils spilled, a lamb, a little statue thing broken in Penthouse 5? I'm sorry, Penthouse 3.

Elizabeth: Now that I'm reading this, I'm sort of remembering that there was like some stuff that had...like, something that had been broken. Like, the statue thing kind of sounds familiar to me now that I'm reading this. But again, I don't remember when I walked in if there was...I don't remember this being on the floor. I don't remember seeing it.

Attorney 1: Okay. So, you don't remember seeing it?

Elizabeth: Yeah, I don't remember seeing it, I don't remember. But again, as I'm reading this...when I see the statue, I kind of. There's something that's like, "Oh, maybe yeah, I feel like I remember there was some thing that was...some things that were broken," but I don't specifically remember what they were.

Attorney 1: You did not witness firsthand?

Elizabeth: I don't remember firsthand anything. I didn't witness firsthand Johnny abusing Amber.

Attorney 1: But do you recall testifying to that effect that Johnny charged at you and that you were scared?

Elizabeth: He charged towards me and I was scared and I ran past him.

Attorney 1: You didn't run past him because he told everyone in that penthouse to get out of his penthouse?

Elizabeth: I ran past him because he was...because he ran into the unit and it scared the shit out of me because he was wasted and screaming. So, that's why I ran out. If there was a grown-ass man coming at you and saying, "Get your bitch out of here," and swaying a Magnum-sized bottle of wine, I'm sure...I don't know what anyone do, I can't say what anyone do, but I ran out.

Attorney 2: And will you just remind us what side of Ms. Heard's face you recall the marks being on May 21st, 2016?

Elizabeth: The right side of her face.

Attorney 2: Do you feel indebted to Ms. Heard in any way?

Elizabeth: No.

Attorney 2: Have you ever done Ms. Heard's makeup?

Elizabeth: No.

Attorney 2: You testified earlier today that Ms. Heard often, in the times you saw her, would not be wearing makeup. Is that correct?

Elizabeth: Correct.

Attorney 2: Is it possible in some of those times that she was wearing the type of makeup we lady sometimes used to not appear as though we're wearing makeup?

Elizabeth: Yeah.

Attorney 2: So, you wouldn't necessarily be able to tell whether or not she was wearing basic concealer or foundation?

Elizabeth: Correct.

Attorney 2: Talking about the loud noises, what did you hear?

Elizabeth: Yeah, just screaming, yelling, doors slamming, commotion.

Attorney 2: Could you tell whether the screaming and the yelling was a male voice or a female voice?

Elizabeth: From what I can remember, male.

Attorney 2: And could you tell where the screaming and the yelling was coming from?

Elizabeth: I mean, it felt like it was started farther down the hallway and then it was coming, like, closer. So, essentially, I mean, I don't know but it could have been the hallway.

Attorney 2: And so, after you start hearing the screaming and the yelling and the door slamming and the commotion, you testify that Mr. Drew got up and went to the door?

Elizabeth: Mm-hmm, yeah.

Attorney 2: And what did Mr. Drew do?

Elizabeth: He was kind of pacing by the door and looking through the people.

Attorney 2: And what happened next?

Elizabeth: And then the door, like, burst open and Johnny came charging in and screamed...again, holding the Magnum-sized bottle of wine, you know, flailing it around, looked intoxicated, kind of stumbling, and screamed, "Get your bitch out of here," as he ran in my direction. And I was scared, it was very frightening and, you know, just scary and unexpected. And so, I just darted out past him and ran up towards the pool gym area and hid there.

Attorney 2: Prior to the night of May 21st, 2016, had a man ever charged at you holding a Magnum bottle of wine screaming profanities?

Attorney 1: Objection.

Attorney 2: And what was your reaction to this event when it happened on May 21st, 2016?

Elizabeth: Fear.

Attorney 2: Besides the screaming and the door slamming and the wine-waving, do you recall anything else about Mr. Depp's actions that evening? Or during that moment, I guess I should say.

Elizabeth: I would describe it as erratic behavior.

Attorney 2: Was anyone else with Mr. Depp when he charged into Penthouse 5?

Elizabeth: Behind him were two men.

Attorney 2: What about Ms. Heard?

Elizabeth: No.

Attorney 2: And what about Ms. Pennington?

Elizabeth: No.

Attorney 2: So, you testified that after Mr. Depp burst into the apartment and started charging towards you, that you darted out and hid in...I believe it's a communal exercise area. Is that correct?

Elizabeth: Yeah, I darted out and went up the stairs and hid somewhere over by there.

Attorney 2: Why did you hide?

Elizabeth: Because I was scared.

Attorney 2: Sorry, say again, why did you hide?

Elizabeth: Because I was scared.

Attorney 2: What were you scared of?

Elizabeth: I just didn't know what he would do. I didn't know what he would do.

Attorney 2: And the "he" there is who?

Elizabeth: Johnny.

Attorney 2: What were you thinking when you were hiding in the communal exercise area?

Elizabeth: I don't remember, just that I was...I mean, I just remember being scared and not wanting to leave that area until, like, I was clear that there was...that I wasn't going to be attacked.

Attorney 2: And at some point, did you leave the area?

Elizabeth: Yes.

Attorney 2: And what prompted you to leave the area?

Elizabeth: A text with Raquel just telling me to come to her and Josh's apartment.

Attorney 2: And did you do as soon as Ms. Pennington said and go to her and Josh's apartment?

Elizabeth: Yes.

Attorney 2: Sitting here today, do you remember what you were thinking as you were sort of coming out of your hiding spot and walking towards the penthouses again?

Elizabeth: I think the whole thing was just bizarre, like, really frightening and bizarre to me. I don't specifically remember what I was thinking other than like, "Holy shit, what the fuck just happened?" You know? And, "Is he gone?" Maybe I was thinking that, I don't remember specifically.

Attorney 2: And when you say, "Is he gone?" Who's the "he" you're referring to there?

Elizabeth: Johnny.

Attorney 2: When you got to Ms. Pennington and Mr. Drew's penthouse, who did you see? Who was there?

Elizabeth: I don't remember who was specifically there when I first walked in but throughout the time being in there in that moment, definitely Amber, Raquel, and Josh. And maybe, like, just by peeping into the hallway, one of the police officers.

Attorney 2: When you saw Ms. Heard after you came back down from your hiding spot and you're in Mr. Drew and Ms. Pennington's apartment, how did she look?

Elizabeth: She looks frazzled and just completely disheveled, her hair was all over the place, she had a swollen face, it looked like she had been crying and...yeah.

Attorney 2: Do you think the swollen face was a result of her having been crying?

Elizabeth: No.

Attorney 2: What do you think it was a result of?

Elizabeth: It looked like she had been, like, hit in some way. Like, it was definitely...it was not from crying and she had markings on her face.

Attorney 2: Were the marks that you saw in Ms. Heard's face after you came down from your hiding spot present when you had been hanging out with her earlier in the day?

Elizabeth: No.

Attorney 2: You testified earlier today that you witnessed some...I believe it was Ms. Pennington or Mr. Drew, take some photos of Ms. Heard's face, do you remember that?

Elizabeth: Yeah.

Attorney 2: I'd like to mark what will be marked as Exhibit 13. Ms. Marz, as the court reporter hands you Exhibit 13, I'll represent to you that these were some photos taken on the night of May 21st, 2016. So, if we turn to the second photo in the set. Do you recognize the person who was photographed?

Elizabeth: Yes.

Attorney 2: Who is it?

Elizabeth: Amber.

Attorney 2: And do you see any marks on her face in this photograph?

Elizabeth: Yes.

Attorney 2: And do these marks look like the marks that you saw in person on her face on the evening of March 21, 2016?

Elizabeth: Yes.

Attorney 2: And just to clarify, these marks were not on her face when you saw Ms. Heard earlier that same afternoon and were helping Ms. Pennington make beads?

Elizabeth: Correct.

Attorney 2: There are other photos in this set. Why don't we turn back to the first one. Some broken frames on a bed. Do you know what this picture of?

Elizabeth: Yeah, I mean, this is Amber and Johnny's bed and there's photographs on it.

Attorney 2: So, I take it that you've seen Amber and Johnny's bedroom before?

Elizabeth: Yes.

Attorney 2: Do you recall whether you went into Mr. Depp and Ms. Heard's bedroom that night?

Elizabeth: No.

Attorney 2: No, you don't recall or no, you didn't?

Elizabeth: No, I don't recall.

Attorney 2: The next photo on the set is the picture of Ms. Heard. Just after that, there's a photo, bear with me, of what appears to be a hallway. Are you with me?

Elizabeth: Yes.

Attorney 2: Do you recognize what this is an image of?

Elizabeth: Yes.

Attorney 2: What is it an image of?

Elizabeth: It's the hallway between all the penthouse apartments.

Attorney 2: So, you've been on this hallway many times?

Elizabeth: Yes.

Attorney 2: Do you see the sort of red staining on the right-hand corner of the page?

Elizabeth: Yes.

Attorney 2: Do you recall seeing that red staining the night of May 21, 2016?

Elizabeth: Yes.

Elizabeth: And what was it?

Attorney 2: It was wine.

Elizabeth: So, you saw that staining on the night of May 21, 2016?

Elizabeth: Yes.

Attorney 2: Do you recall whether it was there when you arrived in the afternoon?

Elizabeth: I don't remember seeing it now.

Attorney 2: So, when was the first time you remember seeing it?

Elizabeth: I think when I came out of my hiding spot and came downstairs back into Raquel and Josh's apartment.

Attorney 2: But you didn't see the wine gets spilled?

Elizabeth: Not this, no.

Attorney 2: You saw other wine gets spilled?

Elizabeth: Yeah, when he came in the apartment, when he was flailing the wine.

Attorney 2: And the "he" there is?

Elizabeth: Johnny.

Attorney 2: And then the last photo in the set appears to be of some picture frames hanging on the wall. Do you see that?

Elizabeth: Yes. I think it's in Amber and Johnny's apartment, I think, but again, I don't remember if it's in her studio. I don't know.

Attorney 2: Do you recall seeing this photo in one of the penthouses before?

Elizabeth: Yes.

Attorney 2: And when you saw it, was it broken?

Elizabeth: No.

Attorney 2: And what, if anything, do you remember about Ms. Pennington's state?

Elizabeth: Also distraught, upset.

Attorney 2: You've been friends with Ms. Pennington for many years at that point, correct?

Elizabeth: Correct.

Attorney 2: Have you ever seen her similarly distraught?

Elizabeth: Not similarly, but I've seen her sad.

Attorney 2: But have you ever seen her have the same reaction that she had that evening?

Elizabeth: No.

Attorney 2: So, you also testify that you saw Mr. Drew in his and Ms. Pennington's penthouse. What, if anything, do you remember about Mr. Drew's state?

Elizabeth: I just remember him being just a grounding energy, just trying to be supportive to Amber and Raquel and just really trying to be like the man in the situation that was going to really be grounded amongst women that were sort of frightened and sort of a little more frantic. He was very grounded and very, like, clear and I remember, like, feeling safe with him, it was like protection.

Attorney 2: You testified earlier today that "There are some things that I really remember and some things that are a little shady." Which bucket did the marks that you saw on Ms. Heard's face on the evening of May

21, 2016 fall into? The things that were a little shady or the things that you really remember?

Elizabeth: That I really remember.

Judge Azcarate: All right, your next witness.

Ms. Bredehoff: The next witness, Your Honor, is Melanie Inglessis and that is also by video and I will say that that begins with Ms. Vasquez questioning first and then I come back.

Judge Azcarate: All right, and if you can spell the last name just for the court reporter?

Ms. Bredehoff: It's I-N-G-L-E-S-S-I-S.

Judge Azcarate: Thank you.

Ms. Bredehoff: Please state your name and address for the record.

Melanie: My name is Melanie Inglessis.

Ms. Bredehoff: Whoops, it's me first.

Melanie: I'm a makeup artist.

Ms. Bredehoff: And you, in fact, are a professional makeup artist, correct?

Melanie: Correct.

Ms. Bredehoff: When did you first meet Amber Heard?

Melanie: April 2015.

Ms. Bredehoff: And what was the occasion?

Melanie: Tribeca Film Festival in New York.

Ms. Bredehoff: And were you providing makeup services for her on that occasion?

Melanie: Correct.

Ms. Bredehoff: Okay. And did you become friends with Amber Heard after that?

Melanie: I did.

Ms. Bredehoff: Ms. Inglessis, I'm going to show you what has been marked as Exhibit 7. Do you recognize what's depicted in this photograph?

Melanie: Yes, I recall seeing this on the kitchen of the penthouse. When you enter, that's the other bar, kitchenette to the left, and that was there. Yes.

Ms. Bredehoff: But when you came to the penthouse after Amber had texted you, whether it was that night or the next day, you saw this in the kitchen, is that correct?

Ms. Vasquez: Lack of foundation.

Ms. Bredehoff: So, you do recall being there that evening?

Melanie: I do recall being there. You know, my only concern with all of this is that the day before or during another incident. But it says...if my text said I was there the night before, then I was there the night before.

Ms. Bredehoff: Ms. Inglessis, I'm going to ask you to look at what has been marked as Deposition Exhibit 9. Do you recognize what is depicted in this photo?

Melanie: Well, it's a bed it looks like. I mean, it's a very tight picture of the bed but...I mean, it's the bed.

Ms. Bredehoff: And do you recall seeing this the night of December 15th with the broken part of the bedroom?

Melanie: Upstairs? Yes.

Ms. Bredehoff: Okay. And when you say upstairs, what do you mean?

Melanie: Well, the bedroom was upstairs.

Ms. Bredehoff: And the downstairs had the kitchen with the writing. Do you remember where the other property that you saw was? Was that downstairs or upstairs? The property that was damaged, was that upstairs or downstairs?

Melanie: Downstairs.

Ms. Bredehoff: And just so I'm clear, you recall damage to the bed, is that correct?

Ms. Vasquez: Asked and answered.

Ms. Bredehoff: On December 16th, 2015, did you return to Amber Heard's penthouse?

Melanie: Yes.

Ms. Bredehoff: And why did you come to Amber Heard's penthouse on December 16th?

Melanie: It was the James Corden show, she had an appearance, so I went back to work.

Ms. Bredehoff: And when you arrive at the penthouse on December 16th, please describe for me what you observed about Amber Heard's face and any injuries?

Melanie: When I came to the penthouse on December 16th to do Amber's makeup, she had injuries, she had two light...I don't know, I mean, I'm not a medical expert, I don't know how I would describe them but it could have looked like somebody had headbutted her lightly, so she had the discoloration here under both eyes and on the bridge of the nose. And she had what I would call a split lip or something on the lip, like a gash or a split lip.

Ms. Bredehoff: Ms. Inglessis, so I'm going to ask you to look at what has been marked as Exhibit 11. Do you recognize this photo as being Amber Heard's head?

Melanie: Yes.

Ms. Bredehoff: Okay. And could you please describe for me what this photo is showing?

Melanie: It's showing a chunk of missing hair.

Ms. Bredehoff: And what, if anything, did you observe on December 16th about Amber her missing a chunk of hair?

Melanie: I remember this because she showed it to us and I looked at it.

Ms. Bredehoff: Okay. And can you describe what is depicted right along her scalp there?

Melanie: I don't know.

Ms. Bredehoff: Do you recall that there was some bruising along the scalp and some puss, for lack of a better word?

Melanie: I don't recall.

Ms. Bredehoff: Ms. Inglessis, I'm going to ask you to take a look at what has been marked as Exhibit 14. Do you recognize the person in this photo?

Melanie: Yes.

Ms. Bredehoff: And who is that?

Melanie: This is Amber Heard.

Ms. Bredehoff: Okay. And you just described what you saw on the 16th with respect to Amber Heard's injuries. Does this accurately depict what you saw on Amber Heard on December 16th, 2015?

Melanie: Yes.

Ms. Bredehoff: Ms. Inglessis, I'm going to ask you to take a look at what has been marked as Exhibit 16. Again, do you recognize the person in this photo?

Melanie: Yes.

Ms. Bredehoff: And who is that?

Melanie: Amber Heard.

Ms. Bredehoff: Okay. And does this picture reflect the injuries that you saw on Amber Heard on December 16th, 2015?

Melanie: Yes.

Ms. Bredehoff: Okay. And then I'm going to ask you to take a look at one more of those and that is Exhibit 17. And I'm going to ask again, Ms. Inglessis, do you recognize the person in this picture, and maybe to try to move it along, is it Amber Heard?

Melanie: Yes.

Ms. Bredehoff: Okay. And does this reflect what you saw as well on December 16th, 2015?

Melanie: I mean, there's three different...three pictures with very different light but yes.

Ms. Bredehoff: Now, do you also recall there being an injury to Amber Heard's lip?

Melanie: Correct.

Ms. Bredehoff: And Ms. Inglessis, I'm going to ask you to take a look at Exhibit 19. And do you recognize the person in this photograph as Amber Heard?

Melanie: Yes.

Ms. Bredehoff: And does this picture accurately reflect what you saw on Amber Heard on December 16th, 2015?

Melanie: Yes.

Ms. Bredehoff: Ms. Inglessis, could you please describe what you did by way of makeup to prepare Amber Heard for the James Corden show on December 16th, 2015?

Melanie: Yes, we covered...you know, I just did makeup, it's just a little heavier where it needed. So, we covered, you know, the discoloration or the bruises with a little slightly heavier concealer. One that has a little more of a peach undertone, which I would normally don't use on Amber but peach to cancel blue. So, I did that under the eyes. And although Amber always, you know, has a red lip, it's one of her signature look, I remember clearly talking that we had no other option that night but then to use a red blood...like a really red lipstick to, you know, make sure we could cover up the injuries on her lips.

Ms. Bredehoff: And were you able to cover all of the injuries with the makeup that you applied in as you just described?

Melanie: Yes.

Ms. Bredehoff: Ms. Inglessis, if you can look at what has been marked as Exhibit 22. Do you recognize Amber Heard in that picture?

Melanie: Yes.

Ms. Bredehoff: Okay. And is this the picture of her that evening December 16th, 2015 on the James Corden show?

Melanie: Yes.

Ms. Bredehoff: What, if anything, did you observe on the difference in Amber Heard's demeanor before the show and then on the show?

Melanie: That she had the ability to, you know, turn it on, that, you know the ability to do her job and perform how she was supposed to perform on the show.

Ms. Bredehoff: And prior to Amber going on the show and while you were working with her on her makeup, how would you describe Amber's mood and demeanor?

Melanie: Angry, sad, a little erratic, I think through ways of emotions, you know?

Ms. Bredehoff: Do you recall someone named Ms. McMillan having any role in helping to prepare Amber Heard for that James Corden show that night on December 16th?

Melanie: Yes.

Ms. Bredehoff: What do you recall?

Melanie: Samantha was a stylist, so Samantha was there the day of the James Corden show as she was always there to get her ready before an appearance to a show.

Ms. Bredehoff: And did Samantha work on Amber before or after you were applying the makeup?

Melanie: I don't know if she worked on Amber but when I entered the Penthouse 5, Samantha was there with Amber. So, Samantha was there before I entered the house, the penthouse.

Ms. Bredehoff: And do you recall whether Samantha was hugging Amber when you came in?

Melanie: I recall opening the penthouse...so, there's two penthouses, the penthouse where she gets ready, so Amber is in the penthouse where Samantha gets her ready with all Amber's clothes. If I recall properly, that's the penthouse that I enter first just to say hi before I would go set up in the other penthouse. And my recollection as to when I entered, Amber was crying, looked really upset on Samantha's shoulder or they were like...you know, I don't know if hugging is the right way but they definitely had a moment where they were together and Amber looked really upset.

Ms. Bredehoff: Ms. Inglessis, I am going to ask you just a couple more questions about the makeup that you applied on Amber on December 16th, 2015 for the James Corden show. I think you said that you had applied some concealer and that you had some peach undertones with it to cancel out some blue. Did I hear that correctly?

Melanie: Yes.

Ms. Bredehoff: I was asking about...I wrote down that you said that you had applied on Amber concealer, you had some peach undertones to cancel blue. Is that what you said?

Melanie: Right.

Ms. Bredehoff: So, what type of concealer did you apply to Amber, and if you use different color tones, can you please describe why you use the color tones you did?

Melanie: I use a different kind of concealer that I would normally use on Amber, which I used to conceal...that peach undertone, peach undertone concealer are more effective to cover any darkness of blue undertone than a normal concealer.

Ms. Bredehoff: Do you know what type of makeup Amber Heard typically wore?

Ms. Vasquez: Objection.

Ms. Bredehoff: Would you please describe it for me?

Melanie: Yes, she's pretty natural. She has a concealer from a company called...or she used to have a concealer from a company called Cle de Peau. And her makeup would be pretty simple concealer and a little Benefit tint that she used on her lips and she used on her cheeks, very natural.

Ms. Bredehoff: It had a natural look to it, correct?

Melanie: Correct.

Ms. Bredehoff: Okay. But there was...she did wear concealer and what you just described, correct?

Melanie: Do you mean in her daily life or that night?

Ms. Bredehoff: In her daily life.

Melanie: Yes, she has a concealer that she uses all the time and she has a couple of products that she uses all the time daily, yes. Well, I mean, daily...yes, as far as I know.

Ms. Bredehoff: And do you feel confident in what you described that you saw that day of Amber Heard's injuries? And I'm talking about December 16th, 2015?

Melanie: A thousand percent, without a doubt. I just don't remember...you know, it's five years ago, I don't remember the exact date.

Ms. Bredehoff: And could you describe Amber Heard's demeanor in those days before and after the filing for divorce and for the domestic violence restraining order?

Melanie: An area of different emotion, you know, from...I mean, definitely, from sadness to not wanting to go through a divorce, to anger, to being really upset, to being really sad. So, it was just a roller coaster of emotion that I think we were all there those couple of days to help navigate and go through it.

Ms. Bredehoff: I take it from your response today, you still feel very emotional about this. It's very difficult for you, isn't it?

Melanie: It's not difficult for me, no, now no, but it just reminds me at the time how I felt, yes.

Ms. Vasquez: When did you first tell Ms. Heard that you were no longer interested in having her as a client and being friends with her?

Melanie: That's [inaudible 04:56:23], about a month ago.

Ms. Vasquez: How was it then?

Melanie: Well, I just told Amber that, you know, I wish her well and I just have no interest in continuing a relationship, whether it's work-wise or friendship-wise.

Ms. Vasquez: But is there a specific reason other than the birth of your child and the postpartum issues that you described both as client and...?

Melanie: No.

Ms. Vasquez: Ms. Inglessis, what was your impression of Mr. Depp when you first met him?

Melanie: Lovely.

Ms. Vasquez: You thought he was lovely?

Melanie: Yeah.

Ms. Vasquez: Was each of them...well, let me ask the backup question. Did you interact with Mr. Depp...how many times did you interact with Mr. Depp?

Melanie: You mean all in all?

Ms. Vasquez: Yes, the entirety of your interactions. How many were there? Approximately.

Melanie: Five, maybe less than 10.

Ms. Vasquez: And would you describe all your interactions with Mr. Depp as "lovely?"

Melanie: Yes.

Ms. Vasquez: Did you ever see Mr. Depp act in a violent manner?

Melanie: No.

Ms. Vasquez: Did you ever see Mr. Depp yell at Ms. Heard?

Melanie: No.

Ms. Vasquez: Did you ever see him kick Ms. Heard?

Melanie: No.

Ms. Vasquez: Did you ever see Mr. Depp throw an object at Ms. Heard?

Melanie: No.

Ms. Vasquez: Did you ever see Mr. Depp slap Ms. Heard?

Melanie: No.

Ms. Vasquez: Punch her?

Melanie: No.

Ms. Vasquez: Did you ever see Mr. Depp kick Ms. Heard?

Melanie: No.

Ms. Vasquez: So, fair to say, Ms. Inglessis, that you never saw Mr. Depp be physically abusive towards Ms. Heard?

Melanie: Correct.

Ms. Vasquez: And you never saw Mr. Depp cause any injuries to Ms. Heard, correct?

Melanie: Did I ever saw him causing any injuries? No.

Ms. Vasquez: And so, any injuries that you claimed to have seen on Ms. Heard, you don't know one way or another how they were caused, correct?

Melanie: Correct.

Ms. Vasquez: The only source of information that you have is Ms. Heard's own words, correct?

Melanie: Correct.

Ms. Vasquez: Did you hear Mr. Depp and Ms. Heard having a fight on the phone?

Melanie: I was there, I was present in the room.

Ms. Vasquez: But just to confirm, could you hear Mr. Depp's voice?

Melanie: No.

Ms. Vasquez: So, fair to say that the only voice you heard was Ms. Heard, correct?

Melanie: Correct.

Ms. Vasquez: And so, you don't know what Mr. Depp said to Ms. Heard on that phone call, correct?

Melanie: Correct.

Ms. Vasquez: Do you recall any other occasions where you witnessed a fight between Mr. Depp and Ms. Heard or heard about an incident or a fight between Mr. Depp and Ms. Heard other than the three that we've now discussed?

Melanie: I would say, every time. I will say that during my friendship with Amber before she filed for divorce, which, I mean, timeline, I don't know, a year, maybe a year and a half, it was some conflict, some fight, some physical fights, some verbal fights, some kind of problems, some kind of...it's always was a problem...or problematic. It was very consuming for me, it was all-consuming about that relationship, it was a very consuming friendship. And hence, that's why I decided not to continue it.

Ms. Vasquez: But you yourself, Ms. Inglessis, didn't witness any of these altercations, fights, arguments, correct, between Mr. Depp...?

Melanie: Correct.

Ms. Vasquez: I think you've testified that you interacted with Mr. Depp less than 10 times. When you did interact with Mr. Depp, was Ms. Heard present each of those times?

Melanie: All of those times.

Ms. Vasquez: Do you find him particularly loving towards Ms. Heard?

Melanie: Not particularly, no.

Ms. Vasquez: And during these interactions with Mr. Depp and Ms. Heard, at that time, you were aware that Mr. Depp allegedly was abusing Ms. Heard, correct?

Melanie: Well, most of the interactions that I had was towards the end of 2015, right? I'm assuming, so I was not fully aware yet of, I guess, the seriousness of their fight if I can say so. I think, you know, most of the time I saw them together was towards the end of December...towards before December '15, so Thanksgiving by that time and Amber's, I think, birthday, I'm getting through that. So, the few times that I saw Mr. Depp was before I understood the seriousness of this fight.

Ms. Vasquez: Understanding, again, came from Ms. Heard only, correct?

Melanie: Well, Ms. Heard and some of her friends, yes.

Ms. Vasquez: Who were some of her friends?

Melanie: Rocky, Raquel Pennington. iO Tillett, I'm not sure how you pronounced it. Josh Drew, the people that were living...her sister, Whitney. Those were the core group.

Ms. Vasquez: You said you spent Thanksgiving with Mr. Depp and Ms. Heard. Was that Thanksgiving in November 2015?

Melanie: Yes, correct, because they were divorced by May 2016, so, yes.

Ms. Vasquez: How would you describe that evening?

Melanie: Awkward.

Ms. Vasquez: Why?

Melanie: Because Marilyn Manson was there.

Ms. Vasquez: Did you know Marilyn Manson?

Melanie: No, but this was an awkward Thanksgiving sitting there. It was quite intimate, so sitting...yeah, it was just awkward, he's just an awkward being and he's just awkward to be around. It was an awkward evening.

Ms. Vasquez: Do you recall Mr. Depp and Ms. Heard having any type of disagreement or fight that evening?

Melanie: Disagreements, maybe. Yeah, like a disagreement.

Ms. Vasquez: What do you mean by that?

Melanie: Well, I mean, there was...you know, it was such a small intimate surrounding that you pick up on things. And so, I could tell that it was awkward. It was just awkward. I think Mr. Depp and Mr. Manson disappeared for a while and everybody was at the table, so they were wondering...it was just awkward.

Ms. Vasquez: And you're pretty sure they had a fight because Ms. Heard told you after the fact that they had a fight, correct? Because you did not witness Mr. Depp or Ms. Heard having any type of fight the evening of Thanksgiving, correct?

Melanie: Correct.

Ms. Vasquez: Ms. Inglessis, do you have an independent recollection of going to the penthouse in downtown Los Angeles on December 15th, 2015?

Melanie: I have an independent recollection of going to the penthouse before one of the incidents. And at the time, I couldn't recall if it was the day before the James Corden or the day before the phone incident, you know? And that is what I made sure I needed to remember that it was the day before December 16th. Yes. Does that make sense? So, I knew I had come a day before one of the two biggest fights, you know, and I wasn't sure if it was that day or that day, but it was December 15th.

Ms. Vasquez: And sitting here today, you're still not sure if you went to the penthouse on December 15th, 2015 or if it was the day before the May incident in 2016. And when you went to the penthouse on December 15th, I believe you testified before that you didn't see any injuries on Amber Heard that evening, correct?

Melanie: Right, I don't recall seeing any injuries on Amber that day or that night.

Ms. Vasquez: Do you recall Ms. Pennington was at the penthouse that evening?

Melanie: Yes.

Ms. Vasquez: Do you recall if anybody else was at the penthouse that evening?

Melanie: I don't recall.

Ms. Vasquez: But you do remember Ms. Heard being there and Ms. Pennington, correct?

Melanie: Correct.

Ms. Vasquez: Did you take any photographs of Ms. Heard on the evening on December 15th, 2015?

Melanie: No.

Ms. Vasquez: Do you recall being present when any photographs of Ms. Heard were taken on December 15th, 2015?

Melanie: I don't recall.

Ms. Vasquez: Do you remember being present when photographs of Ms. Heard's injuries were taken on December 16th, 2015?

Melanie: No.

Ms. Vasquez: And did you take any pictures of Ms. Heard and her injuries on December 16th, 2015?

Melanie: No.

Ms. Vasquez: So, I don't want to take up the time of showing you all the photographs that Ms. Heard...excuse me, that Ms. Bredehoft showed you earlier today but there were a number of exhibits. I think I've marked them as Exhibits 14 through 20 that you were shown earlier this morning. Just to confirm, you didn't take any of those photographs, correct?

Melanie: Not on my phone, not with my phone, and I do not recall taking Amber's or Rocky's phone to take those pictures. No. Definitely not with my phone. I do not recall taking physically myself those pictures, no. I don't recall.

Ms. Vasquez: Would it be normal for Ms. Heard to have makeup on her face before you arrive to do her makeup ahead of an appearance?

Melanie: It would be normal for me to have concealer on, a little...or that tint, yes, because it is quite normal for Amber to wash her face. She always likes to wash her face before the makeup with the product that she likes, do a toner, you know? So, it wouldn't be abnormal for her to have a little makeup before and then wash his face and start clean.

Ms. Vasquez: But you don't remember one way or another whether Ms. Heard had a fresh face with toner and moisturizer on when you arrived on December 16th, 2015, correct?

Melanie: No, I do not...I don't recall.

Ms. Vasquez: Would she usually wash her face and go through that process in front of you?

Melanie: Yes, I mean, in front of me in her bathroom. But, you know, we were close, so it wouldn't be abnormal for me to be chit-chatting with her while she cleaned her face and...you know, I don't think specifically in front of me or not in front of me. But, yeah, I mean, she would wash her face in the bathroom, which is adjacent to where we get her ready.

Ms. Vasquez: And I want to be really specific, so based on your best recollection, what injuries did you see on Ms. Heard on December 16th, 2015?

Melanie: Amber had a slight discoloration on both eyes and on the top of the bridge of the nose and, hold on, and I do believe the right eye had a little more of a gash right there. It wasn't that strong, it wasn't that swollen, but it was definitely some blue and yellow discoloration there mainly on the inner corner and a little more here. And then she had on the right lips, as I said earlier, I'm not sure the exact medical term, but it looked like a split lip or like a gash here.

Ms. Vasquez: Did you ever see Ms. Heard's lips bleed on December 15th or December 16th?

Melanie: I don't recall.

Ms. Vasquez: But you have a...you remember that it was not bleeding on December 16th when you were applying the makeup, correct?

Melanie: When I was applying the makeup, correct.

Ms. Vasquez: How about before you were applying the makeup? Do you recall it bleeding?

Melanie: I don't recall.

Ms. Vasquez: And I think you described it as either a gash or a split lip.

Melanie: I don't know what would be the medical term for it, I don't know what kind of injury would have caused it since I'm not a medical expert nor a forensic expert, but it was slightly swollen. And by the way, you can see it in that video, so it's crazy to me but it was slightly swollen and there was either a gash or a scab...no, not a scab, but it was swollen with some kind of cut.

Ms. Vasquez: Do you recall Ms. Heard ever having a cold sore on her lips? You said there was slight discoloration under both eyes. Was there swelling under both eyes as well?

Melanie: Well, clarify swelling. Maybe very little but it was mainly discoloration too. I recall mainly discoloration like a bruise. Maybe there was a little tiny swelling on one of the eyes that was a little more injured than the other but not too swelling, no.

Ms. Vasquez: I believe your testimony earlier today was that he likely headbutted her. Is that correct?

Melanie: I wasn't there. I don't know if he likely or not likely headbutted her.

Ms. Vasquez: That was your testimony that it appeared as if she had been "lightly headbutted." Do you remember saying that earlier today?

Melanie: Then you'll be able to quote it. It was not my position to say how headbutted she was or anything and maybe I'm misquoted.

Ms. Vasquez: Okay. And did she show you the hair that was missing?

Melanie: Show us, me and the hairdresser, the hole where the hair was missing on top of her head.

Ms. Vasquez: And was Ms. McMillan there as well?

Melanie: No, Samantha McMillan really never worked when we get ready. So, it was two separate things and Samantha never really come up when we get ready, no.

Ms. Vasquez: But just to confirm, these injuries, right, that you saw on Ms. Heard on December 16th, 2015, you don't know how they were caused, correct?

Melanie: Correct.

Ms. Vasquez: And so, any information you have about the cause of these injuries came Ms. Heard only?

Melanie: From December 16th? Correct.

Ms. Vasquez: Or any injuries other than Ms. Heard and her friends, you never witnessed Mr. Depp being violent or abusive towards Ms. Heard and causing any injuries?

Melanie: Correct.

Ms. Vasquez: So, let's talk about the makeup that you actually used to conceal these injuries on her face on December 16th. I believe you testified you use the concealer with a peach undertone?

Melanie: Mm-hmm.

Ms. Vasquez: Did you have training and experience dealing with injuries or covering up bruising on people? Do you have any specific experience or education?

Melanie: Specific experience? I have experience in doing bruises and cover bruises for special effects. I mean, throughout my career, I have created bruises and I also have covered bruises, you know, with models or re-highlighting whatever it is. So, yeah, I have experience in covering some bruises, yes.

Ms. Vasquez: How about swelling? Same question.

Melanie: I mean it's a lot harder to cover swelling. That would be maybe, you know, try to bring the swelling down. Covering it up would be...will be harder.

Ms. Vasquez: And how about cuts?

Melanie: Yeah.

Ms. Vasquez: Specifically as it relates to Ms. Heard's makeup look on December 16th, do you recall what foundation you used?

Melanie: The brand?

Ms. Vasquez: You probably don't remember the brand but do you recall the shade that you used?

Melanie: How would I? No, it's five years ago, absolutely not.

Ms. Vasquez: But you do have a specific recollection of using a peach undertone concealer.

Melanie: Yes, and I'll tell you why. Because Amber always had in her bag...we have the same concealer, she has a concealer from a brand called Cle de Peau in a specific shade, you know, it's beige. Beige was Amber's color for under her eyes, period. So, the day, December 16th, I didn't use beige, I use...there is another concealer that has a little more peach in it and orange, it's called honey, from the same family and I use that instead. And I think I also use...I have a wheel that has...it's a bruise wheel that has different colors and you pick up the color to gently touch up any darkness.

Ms. Vasquez: Did you make a different choice for her overall look other than the concealer as a result of the injuries that you saw on her face on December 16th?

Melanie: Not a different choice, but I remember we specifically...you know, as I know you read it before, we had a red lip, it was not uncommon for her. We know she has a signature red lip, so it's not suddenly, it was, "Oh, my gosh, she has a red lip." But I remember that day, it was a specifically structural makeup, there's a couple of things we do with Amber. We do a smoky eye and a nude lip already, but I remember specifically thinking of my makeup about we needed to highlight there to try to not draw attention there and the red lips was our only option to cover that red cut that was there. So, that, I remember very specifically thinking that we have to have a red lip, sharp brows, and constructive makeup to take away from here. So, basically, I mean, it doesn't mean nothing to you guys, but just basically a lot of highlights up here to kind of not focus on this. I remember talking about it very clearly.

Ms. Vasquez: And forgive my ignorance, but what did you do to cover up the cut on the lip other than apply a red lip?

Melanie: A red lip? A red lip? It is swollen. I can see it in the video on the James Corden show. So, her lip was swollen, it was big on that side. You can see it. There's nothing I can do about that but we did a really dark red led to match that red gash, cut, whatever that was there.

Ms. Vasquez: Do you recall Ms. Heard being hindered as a result of the injury on her lip? And when I say hindered, I mean, did she have trouble opening her mouth widely or, you know, did she complain about it hurting or splitting open and bleeding? Do you recall any of that?

Melanie: I don't recall.

Ms. Vasquez: And again, just to confirm, on December 15th, 2015, you don't recall seeing any injuries including a split lip on Amber Heard, correct?

Melanie: Correct.

Ms. Vasquez: Do you recall having any specific conversation with the hairstylist that was doing Ms. Heard's hair on December 16th, 2015 as it related to the abuse that Ms. Heard was describing for you?

Melanie: Yeah. Yes, we talked a bit about it. Yes.

Ms. Vasquez: What do you recall about that conversation?

Melanie: I mean, you know, I think everybody was a little like, "Whoa, shit, okay." I think everybody was a little surprised, everybody was a little, like, not knowing how to move forward with it. But we talked...as I said, when Amber was in the chair and Adir was behind her and I was in front of her, I recall the three of us having this conversation and I recall Adir showing me the whole...

Ms. Vasquez: Just to confirm, you don't know how that chunk of hair was missing from Ms. Heard's head? You don't know what caused that chunk of hair to be missing, correct?

Melanie: I don't know it, correct.

Ms. Vasquez: You don't have any personal knowledge, I should say, as to how that chunk of hair came to be missing from her head?

Melanie: I did not witness it, correct.

Ms. Vasquez: Alex, may I please have you bring up Depp 9? Ms. Inglessis, you've testified previously that you see...watching the video clip, right? You see Ms. Heard, you see the swollen lip and you see bruising.

Melanie: Yeah. I've known that face. I know that face so well, I've done it so many times. I can tell where all the bruises are and I can tell where the swollen lip is, correct.

Ms. Vasquez: So, Ms. Inglessis, do you mind please identifying for me, does this photograph accurately depict Ms. Heard on the James Corden show on December 16th, 2015?

Melanie: Yeah.

Ms. Vasquez: But can you describe for me where you see bruising on Ms. Heard's face?

Melanie: Well, no, I didn't say I saw a bruise but I saw the discoloration. I can see my makeup. So, I see the discoloration on the right eye, just right under, I see the little dent there. And also, I mean, this is a picture that is, you know, taking...this is not a really accurate picture. She's sideways, the light is one way, you know, but yeah, there's all these better pictures that you can see. But the mouth, I will show you, but there's other still pictures where you can see this visually better, or the swollen lip. So, I mean, I can see this in better pictures where you can see that side of her lip is swollen, this these.

Ms. Vasquez: And when you're pointing, just for the record, you're pointing to the right side of Ms. Heard's lip, correct?

Melanie: Correct. It's here. But as I said, there's better pictures. She's sideways, there's better pictures where you can see what I feel you can see better.

Ms. Vasquez: It might be the same photograph.

Melanie: Yeah, she's still sideways.

Ms. Vasquez: Ms. Inglessis, is it your testimony that you believe you can see swelling on the right side of Ms. Heard's lip?

Melanie: Yes.

Ms. Vasquez: Okay. Do you see any bruising or concealed bruising under her eyes?

Melanie: Well, I mean, I know I've concealed those bruises, so, yeah, I can see them because I know I did it, so that's neither here nor there. But, yeah, I mean, I can see them just under her eyes, under her right eye. I can see the little gash right there. And I can...all that darkness, right? I mean, I don't have the mask anymore but all that darkness right there, that is not eye shadow. And that is neither dark circle from her sleeping, this is part of the little...you know, the danger is showing through.

Ms. Vasquez: Do you see any discoloration or bruising on the bridge of her nose?

Melanie: I do not. No, I must have done a great job then.

Ms. Vasquez: Do you recall anything about Ms. Heard's appearance when you first encountered her in Coachella Valley?

Melanie: No, I don't recall.

Ms. Vasquez: Did you notice any injuries on Ms. Heard?

Melanie: I don't recall.

Ms. Vasquez: Do you recall Ms. Heard discussing any abuse that she had sustained the night of her birthday on April 21st, 2016 by Mr. Depp?

Melanie: Yes.

Ms. Vasquez: What do you recall about that?

Melanie: I recall there was a fight, there was a...I don't exactly recall the fight. I know there was a fight and there was some problem, that's why they were late coming back to Coachella. I don't recall exactly what she told me but there was some problem the night before, yes.

Ms. Vasquez: But you don't remember seeing any injuries on Ms. Heard after her birthday dinner in April of 2016, correct?

Melanie: I don't recall.

Ms. Vasquez: Do you recall seeing any injuries on Ms. Heard's face at that dinner on May 24th, 2016?

Melanie: I don't recall.

Ms. Vasquez: Do you recall Ms. Heard's general demeanor at the dinner on May 24th, 2016?

Melanie: What I remember about that dinner is that she was...and I'll tell you why I remember this clearly, because she was very distraught and she was very confused if she should file or not for divorce. And she was really sad and upset and angry and all of it. And I remember that because that night, I actually physically took her phone, so she should not...so that if Johnny tried to reach out to her again, she wouldn't have a phone that night and she would go through the divorce tomorrow, the next day.

So, I remember physically having her phone and when I dropped them back at the penthouse, she said, "Keep my phone so you can contact me, I won't know, I won't cave, and I will file for divorce tomorrow." So, I went home in my house with her phone and that's why it sticks in my mind. And then the next morning, and you can see in those texts, she

said, "I need my phone," and then I had to drive to the penthouse and give her her phone back. And at the time that day, I'm assuming she filed for divorce and that day, the whole circus started.

Ms. Vasquez: And you believe that Ms. Heard should go through with the divorce, correct?

Melanie: Correct.

Ms. Vasquez: And that was based on what exactly, Ms. Inglessis?

Melanie: On what she told me on her recollection of the marriage.

Ms. Bredehoff: I think you testified earlier, that Amber's practice was to wear concealers, some foundation, moisturizer, things of that nature. Do you have any recollection that Amber strayed from that and did not wear makeup during the week of May 21st, 2016?

Melanie: No.

Ms. Bredehoff: Do you have any recollection that week of thinking, "Oh, my goodness, Amber Heard isn't wearing her makeup this week?"

Melanie: No.

Ms. Bredehoff: So, do you know whether Amber Heard took any steps to reduce her swelling during this...in preparation for the James Corden show?

Melanie: Yes, she took Arnica and we had Arnica gel. I always have Arnica gel in my kit anyway and she had Arnica gel. Yeah, she used Arnica gel and some ice.

Ms. Bredehoff: And what is Arnica gel do with respect to swelling?

Melanie: I use Arnica gel in my kit to bring any swelling area on my client's face down.

Ms. Bredehoff: And how does that typically work? What's your experience?

Melanie: It just brings, you know, the swelling down...I mean, not drastically, but it helps with the swelling a little bit.

Judge Azcarate: All right.

Ms. Bredehoff: Yes, Your Honor, we have another video.

Judge Azcarate: Okay, if you could approach for a moment.

Ms. Bredehoff: Certainly.

Judge Azcarate: All right, your next witness.

Ms. Bredehoff: Your Honor, we're going to call Christy Sexton and this is by video deposition as well.

Judge Azcarate: All right.

Ms. Bredehoff: I think that'll be the last one for the day.

Judge Azcarate: Okay, thank you.

Attorney 3: Ms. Sexton, why don't you state your whole name for the record and your current address?

Kristina: Kristina Lisette Sexton. Queensland, Australia.

Attorney 3: So, how long, Ms. Sexton, have you lived in Australia?

Kristina: I've been at that address since July 2017. There was a transitional period. I met my husband in December of 2015, so '16 and '17, decisions on which country we were going to move to and such. So, I did not establish residency here until July and then I began all my paperwork subsequently when we were married in October of 2017.

Attorney 3: Well, I take it from your last answer, Ms. Sexton that Australia was the lucky winner for which country you and your husband would choose to live in, correct?

Kristina: Yes, indeed.

Attorney 3: And do you currently have a job...you currently work right now in Australia?

Kristina: Yes, I'm an acting coach.

Attorney 3: When was it, to the best of your recollection, that she took a class that you were her TA?

Kristina: I believe it was sometime in 2009.

Attorney 3: So, how long did you remain Amber Heard's primary or exclusive acting coach?

Kristina: I don't know about exclusive, we don't have any sort of exclusivity contracts, she may work with other coaches. The last time we worked on a project together would be "Aquaman," so, 2017. I don't know about exclusive, we don't have any sort of exclusivity contracts,

she may work with other coaches. The last time we worked on a project together would be "Aquaman," so 2017.

Attorney 3: Okay, so the first movie or the TV series, I should say that you recall working as an acting coach with Amber Heard was "The Playboy Club?"

Kristina: Yes.

Attorney 3: So, at that point, 2011?

Kristina: Yes.

Attorney 3: I take it from what you just described that although the frequency varied, it's fair to say, is it not, that you saw Ms. Heard many, many, many times during the period between 2010 and 2011?

Kristina: Oh, yes.

Attorney 3: Would it be fair to say that you saw Ms. Heard during this seven-year period more than 100 times?

Kristina: Easily, yes.

Attorney 3: And when you say easily, would you think it's also fair to say that you saw her more than 200 times?

Kristina: Absolutely, yeah.

Attorney 3: I'm gonna go up with another 100. Same answer for 300 times?

Kristina: Yeah. As I said, when I would see her, it would be multiple times a week in preparation for a project.

Attorney 3: When is the last time that you had a session with Amber Heard as her primary acting coach?

Kristina: Mid-2017.

Attorney 3: During that early period when she lives on Orange Avenue, how would you describe Ms. Heard as an actor?

Kristina: She was really focused on moving to the next level of her career and really stretching herself as an actor, which is why she started coaching so much at that time and initially even went to classes. So, she was really driven to do a lot of work and kind of mine out everything that we could from the techs and go over things a lot. So, she was very driven as an actor to take it to the next phase of her career.

Attorney 3: We're looking at Sexton 1 to refresh your recollection as to when that took place. That's the IMDB page.

Kristina: Yes, it was either 2011 or 2012. If it's saying that it came out in 2011, then the premiere would have been in 2011, so yeah.

Attorney 3: What was the next time you recall seeing Johnny or Mr. Depp?

Kristina: I would say sometime in the middle of the following year.

Attorney 3: So, sometime in the middle of 2012, you think?

Kristina: Yeah.

Attorney 3: Where was that?

Kristina: At her house on Orange, I remember him seeing him quite a bit. In the early period...

Kristina: Again, I'm focusing on the early period. Did you have a cadence for running into Mr. Depp at your coaching sessions with Amber later when she moved into Sweetser Avenue and then at the penthouse in downtown Los Angeles?

Kristina: Yes, I did see him often at both Sweetser and the downtown.

Attorney 3: And over that period of time, did you observe changes in Mr. Depp's behavior?

Kristina: Yeah, Johnny became, I would say, much darker as time went on. He was...like, figuratively and literally, he would sit in dark rooms. The art overall change, like, everything got much darker in the houses with, like, heavy...it was always a little...I don't know what the art form would be, dark. But just like literally, lighting would go down and big curtains would be everywhere and he became much less talkative as time went on. We'd see less and less of him personally. I would hear him in the house but I would see less and less of him interaction-wise and when I did, he wasn't very happy.

Attorney 3: But what you hear from Mr. Depp on those occasions when you can hear him in the house?

Kristina: At different points in time, I heard different things. Sometimes it would just be him milling around the house, sometimes it would be him having conversations with his team, bodyguards, and stuff. Or his friends that were over making music at the Sweetser location.

Sometimes it was him and Amber fighting. Like, I was in his home, so I heard him quite a bit.

Attorney 3: You said a couple of answers ago that from time to time you would hear Mr. Depp and Ms. Heard fighting. Again, keeping in mind that it's a long time ago, can you describe what you heard?

Kristina: I would say I would just hear a lot of him yelling, his voice would carry through kind of the halls of the house. And then like some...I remember one time in specific that I could hear Amber was trying to get out of the room and then the door shut again and then I could just hear muffled yelling on his part.

Attorney 3: In the beginning of their relationship, once Ms. Heard has revealed to you that they were in fact in a relationship, does she talk to you about Mr. Depp's struggle with drugs and alcohol?

Kristina: In the early parts of their relationship, she had said that he was sober and she was trying to support him in his sobriety. And then subsequently throughout their relationship, we would talk about his breaks in sobriety.

Attorney 3: Based on your work as Ms. Heard's acting coach, primary acting coach, was it your understanding that Mr. Depp had opinions about what role Ms. Heard should play?

Kristina: There were a couple of occasions where I actually heard Johnny say, "Why would you want to do that kind of role? My woman isn't going to play that kind of role." Stuff like that I heard a few times from him over the course of time.

Attorney 3: Other than saying that he didn't...hearing Mr. Depp says he didn't want his woman playing a role...playing a role, excuse me, did you ever hear Mr. Depp uses any other language like that about the kind of roles that Ms. Heard was being offered? To focus you in, Ms. Sexton, I'm talking about the period when Amber and Johnny were together in a relationship. And so, you stopped being her acting coach in 2017 and I'm focusing in on what you recalled hearing from Mr. Depp about what role he thought Ms. Heard should play.

Kristina: As I said, he would be sitting...initially, when she lived in the Orange location, sometimes he would be nearby, it was a fairly small house, and he would be nearby in kind of earshot. So, there were times that he was kind of just disparaging, "That's a shitty role, why would you do that?" That kind of thing. But he wasn't super negative then. Later on, as it went on, he was very vocal about the negative terms. Like I said, he

called it a horror part or a trash part or a piece of shit, all sorts of things like that, generally pretty negative if it was something he didn't want her to do.

Attorney 3: Did the number of roles that Ms. Heard auditioned for change during the time that she was involved with Mr. Depp?

Kristina: Yes, it did. It was decreasing as it went and there would be stretches of time where she wasn't auditioning at all or working on anything at all.

Attorney 3: During the time that Mr. Depp and Amber were together, did you observe changes in their relationship over time?

Kristina: Yeah, early on, they were incredibly lovey-dovey and passionate and always together in a positive way. They were very playful and friendly. And then I would see less and less of them together and I would hear a lot of muffled arguments through the walls. And when I did see him, sometimes the balance would shift, it went from being like a normal couple to very tension-filled, especially those last few months that they were together and, yeah.

Attorney 3: Withdrawn. Did the number of times that Ms. Heard was late for or canceled sessions with you change as her relationship with Mr. Depp went on in time?

Kristina: Yeah, as I said earlier, Amber was never late when we worked at the studio. And then, as it went on, I began having to actually build in a cushion of an hour around her appointment. It started out just an extra 15 minutes here and there because she'd be like coming downstairs or they'd be discussing or he had to talk to her at that moment in time. And eventually, as the relationship progressed and the fighting got heavier, I would have to build in time because she'd be sobbing at the beginning of sessions and we couldn't work until we got her together. Yeah, I ended up having to do a lot of cushion time around her just so that we could actually get something accomplished because she was often very upset.

Attorney 3: Did you have occasion to observe Ms. Heard crying naturally, not acting, when you had coaching sessions with her during the time that she was together romantically with Mr. Depp?

Kristina: I would say the last year they were together, probably 80%-90% of our sessions began with her crying. That would be increasing as it went on. Ironically, she has a little difficulty crying acting-wise, which a lot of us do. And so, yeah, we would have to work when we were doing it

acting-wise but there was a lot towards the end there, a lot of crying sessions.

Attorney 3: Based on your testimony here, Ms. Sexton, is the acting...is the crying that she did in a role different than the crying you observed so often in the last year of her relationship with Mr. Depp?

Kristina: Yes, inherently, acting crying is very different unless somebody is working in what's called method, in which that's an entirely different thing where they focus on their own stuff. So, she's not a method actor, so it would be completely different.

Attorney 3: Speaking for your own self, Ms. Sexton, how did you react when you saw Amber at these sessions crying the way you've described it?

Kristina: I have a caretaker personality, so I would prioritize taking care of the person in front of me over doing work, which is why I ended up building in all that extra time because I cared about her as a human and I wanted to be there for her in as much as I could as a friend. So, there's no point on working on something if someone isn't fully there or they're upset. It's more important to deal with the person and take care of them than work.

Attorney 3: And during those sessions, particularly in the last year when you saw Ms. Heard crying so often, what was your understanding of the reason for her tears?

Kristina: I would hear them fighting and then hear her come in and she would be a wreck after she came in. Like, I couldn't make out what they were saying and I personally wasn't trying to listen to their fights, so I would just hear the sounds of his screaming. And her usually...you could tell she would open the door and try to get him to be quiet and then it goes back to him yelling. And so, that would directly occur before she would come down and be upset and trying to pull herself together.

Attorney 3: What do you recall sitting here today she told you that they were fighting about?

Kristina: I was a witness to some of those. He didn't want her going out without any sort of security or any team, he didn't want her going and doing things just on her own.

Attorney 3: You described earlier in your testimony, Ms. Sexton, what Amber Heard was like when you first met her. During this period when

she was involved with Mr. Depp and particularly toward the end of their relationship, did her behavior change?

Kristina: Over the course of time, she became more and more of a hermit and only leaving the house when she had to. Again, as I said earlier, literally, the houses became darker with curtains drawn all the time. I remember one time in particular when she was living at the Eastern Columbia that we went downstairs to get a slice of pizza. I think there were four of us. And Amber gave a homeless kid down there some money and we helped him get to the bus stop and we came back up and Johnny yelled at her about going out and that she knew better than to be going out at night and that kind of thing. And when we tried to kind of be like, "It's fine, we got pizza downstairs of the building across the street," then he just started screaming and getting really angry. So, I made my way out.

Attorney 3: What about her weight? Do you notice any changes during that period in her weight? Just to be clear, Ms. Sexton, I'm asking about the time that she was involved with Mr. Depp.

Kristina: So, Amber is one of those people that loses weight when she's stressed out, so she would drop weight and look skeletal at certain points in time. I remember right before their wedding, she had lost a significant amount of weight to the point that I was asking her if she was eating regularly. So, she's always been fit but she would drop down and get a little gaunt if she was super stressed out.

Attorney 3: And in that last year that she was involved with Mr. Depp, do you notice changes in her weight?

Kristina: Yeah, she lost a significant amount of weight and I noticed it specifically because I had been in Australia during a film and then when I came back...so I had been in Australia since December, I came back in February, and she looked...she was skin and bones, like, she was much thinner than she normally was at that point. So, I know during that time period that she had lost a lot of weight and she was very gaunt.

Attorney 3: Now, I'm gonna shortly move on to specific interests. So, for now, Ms. Sexton, I want to just ask generally about things you observe and saw. And the first question I have in that regard is during the time that you were Amber Heard's acting coach and she was involved with Mr. Depp, did you observe injuries on Ms. Heard?

Kristina: When she came back from Australia, there were a lot of, like, little red marks on her arms that look like freshly healing things. Skin, like red marks on her skin, sorry, on her arms that I saw. And then

subsequently I would see, like, bruises that look like arms being grabbed or her wrist. And I saw that all towards the end.

Attorney 3: Does there comes a time when you were accompanying Amber Heard and Johnny Depp to Hicksville, California?

Kristina: Yes, I went to Hicksville for Johnny's birthday celebration with them.

Attorney 3: And in your own words, can you tell me about that trip and what happened chronologically?

Kristina: We arrived at Hicksville and we have made kind of like a barbecue and drinks. We were having a lovely time, Johnny was playing guitar and singing. And then as the night went on, like around sundown, they started passing around a bag of mushrooms and a bag of white powder. I didn't even partake in the alcohol because I had had surgery a few months before, so I was the only one stone-cold sober. Then, I went to bed early and while my friend and I were in our trailer, we heard the fighting happening, Johnny screaming, and a commotion.

We didn't come out of our trailer and then the quieting down and everyone be like, "Oh, it's okay." The bodyguards, I heard them running over there. And then the next morning when we got up, the group was talking about what had happened that night. And then I kind of left that conversation and went to the trailer to check on Amber and I saw the completely torn apart trailer. Johnny was apologizing for what he had done and he was instructing his bodyguards to just pay it off, let's just take care of it. And I stayed with Amber. She was really shaken up.

Attorney 3: The next day, can you describe for me what the trailer where Amber and Johnny were staying looked like?

Kristina: The inside was in shambles. I remember seeing a light hanging off the wall, there is broken stuff everywhere. Dishes that look like...or not dishes, like, the wood was broken, things were hanging off the wall. It was in shambles on the inside.

Attorney 3: And that next day, I think you said that you had occasion to see Mr. Depp, is that correct?

Kristina: Yeah.

Attorney 3: How does he look that next day when you saw him at the trailer?

Kristina: He looked very worried, he was apologizing, he was saying he would take care of it. He was trying...he was like, "Don't worry about it, babe, we're gonna get this taken care of." And Amber was really, like, closed off and quiet and he just kept kind of apologizing over and over again and then telling his bodyguards to just take care of it, just get it done, whatever it is, just pay for it. And then he went off to go have that conversation with them.

Attorney 3: What was Mr. Depp saying that next day when he was apologizing?

Kristina: I just remember him saying, "I'm so sorry, babe, I'll take care of it," "I know this is bad, but I can take care of it, I'm sorry I did this," that kind of thing.

Attorney 3: I think you testified...I want to make sure the record is clear, did you recall Mr. Depp using the word monster, I think?

Kristina: I heard him on different times making apologies, that he said, "I'm sorry, I turned into a monster." I just remember a profuse amount of apologies. I don't know if that time, in particular, had that verbiage.

Attorney 3: Anything else about Hicksville that you remember that you haven't told me about?

Kristina: I mean, the only thing I stated that I did see him eat the mushrooms, I saw him holding the white bag, I don't know what he did with that, the bag of white powder. Everyone except for me was drinking and different people were partaking in different drugs at that time, so I didn't keep track of that. Yeah, I don't know anything else that I can recall.

Attorney 3: Okay. I want to move forward to another incident and that is the day of April 21, 2016, which I'll represent to you, it was Amber Heard's 30th birthday. Did you have occasion to see Amber Heard that day?

Kristina: Yes, I attended the party.

Attorney 3: And again, you say you attend the party, can you describe the party, who attended, who was there?

Kristina: The party was happening in one of the penthouses, the one that they didn't live in, it's where they did most of their art and we did most of our coaching and I don't remember the number of that one. And there were several friends of Amber's there and we spent the first couple of hours waiting for Johnny. And then eventually, Amber said, "Let's stop

waiting for him, let's just start." So, we went out to the balcony to start dinner and that's when Johnny finally came down and he was severely inebriated when he came down. And Brandon, I can't remember his last name, it starts with an M, escorted him, kind of helped him stay stable, and we went to the table and we started dinner. And I was sitting two seats away from Johnny. Johnny and Amber clearly were very tense and had been...I don't know what they had been doing but they were very tense.

He would try to kind of touch her and she would shy away. And then Rocky was trying to change the tone of the party because it had really gotten very somber at that point and she asked everyone to kind of say their favorite story about Amber and as we went around the table, everyone shared their stories. And when we got to Johnny, he started talking about that he remembered when he first met her, the imprint of Amber's ass on his couch were his words and it just all kind of took a turn from there. She was clearly embarrassed, she asked him to stop, and he kept telling the story and it got really awkward and uncomfortable at that point, and never really recovered any sort of jovial energy. We ate and then I left shortly thereafter.

Attorney 3: I forget to ask you this question about Hicksville. When you saw Mr. Depp and Ms. Heard in the "wrecked" trailer, did Ms. Heard seem embarrassed?

Kristina: Yeah, as I said, Amber was very closed off, she was very quiet. She had said, "Don't come in, I don't want you to see this." So, yeah, she seemed very embarrassed.

Attorney 3: Now, switching forward to Amber's 30th birthday party. I think you testified that Mr. Depp seemed inebriated when he arrived. What's your basis for saying that?

Kristina: He was slurring his words and wobbly on his feet. He ran into a couple of things, which is when Brandon came over and kind of locked arms with him to kind of help him stand up.

Attorney 3: You said you saw her later with a healing blue. Where do you recall seeing healing blue?

Kristina: On her cheek. It was on her right cheek, I think. I think it was right, yeah.

Attorney 3: Do you know how long after the incident that you just discussed with the cell phone you saw Ms. Heard and her face?

Kristina: It was a few days later but I couldn't tell you exactly when. I mean, everyone heals a different way, right? I could still see kind of the yellow and stuff in there.

Attorney 4: When was the last time you speak with Amber? Is that August of this year?

Kristina: Mm-hmm.

Attorney 4: How did you...when was the last time you spoke with her specifically, if you remember?

Kristina: We went over to have...I went over, it was sometime in August, I can narrow it down to August, to have a glass of wine and catch up because, like I said, I think it's been two years since we've physically seen each other.

Attorney 4: Both times that you met with Ms. Heard in August of this year, do you meet with her at her house?

Kristina: Yes.

Attorney 4: Did Ms. Heard mention any of the allegations that Mr. Depp is making against her in relation to this case when you met with her?

Kristina: Only to say to talk to the attorneys about it.

Attorney 4: When you say, "Only to say to talk to the attorneys about it," what specifically did Ms. Heard tell you?

Kristina: Like she said, "Would you be willing to sit down and talk to my attorneys about everything that you witnessed?" And then afterwards, after I kind of talked about it all, it felt really intense to me and I felt incredibly guilty.

Attorney 4: Was it during one of these two times that you met with Ms. Heard in August of this year that Ms. Heard told you for the first time that Mr. Depp had allegedly raped her with a bottle in Australia?

Kristina: Yes, she did talk about the bottle then. Yeah.

Attorney 4: Was it the first meeting that you had with Ms. Heard in August this year that she mentioned that?

Kristina: No, it was after...like, I had come to see her and had a wine night and catch up. And then after I talked to the attorneys, after we had a good cry, we were talking more about what had happened and she

was saying how she didn't even tell me everything. Yeah, that's when it came out.

Attorney 4: And just to confirm, Ms. Sexton, Ms. Heard told you about the bottle incident in Australia where she claimed Mr. Depp penetrated her with it before your deposition, your first deposition in August of 2019?

Kristina: Yes, it was after I talked to the attorneys.

Attorney 4: I think you spoke to these attorneys informally, correct, at her house?

Kristina: Yeah.

Attorney 4: But it was before you were formally deposed in this case on...I believe it was August 30th, 2019?

Kristina: Yes.

Attorney 4: And just to confirm and make the record really clear, this was the first time Ms. Heard had told you that Mr. Depp had allegedly penetrated her with a bottle in Australia, correct?

Kristina: Yeah, she had told me about the assault with a bottle, being hit with the bottle, and the broken glass and everything, and then she had told me about all that many times before, and then this time she started crying and sobbing and started telling me about the assault, the [inaudible 05:58:09] assault.

Attorney 4: And when Ms. Heard told you about this alleged rape that occurred, did she know that you were going to be deposed by her attorney?

Kristina: No, because they were all in the other room. They didn't even tell me that they...like, they were like, "We may have you for a deposition," and that's when I have said to them, "If you're going to do that, I would appreciate it if you did it before I left the States," and they said, "We may or may not need you." And it was a couple of days later that they then sent me the contact and said, "We are going to subpoena you."

Attorney 4: And since you've known Ms. Heard, can you tell me how many times you've spent maybe a significant amount of time with Mr. Depp?

Kristina: I would say probably around like 10 or 20 times

Attorney 4: And of those 10 or 20 times that you saw Mr. Depp and spent maybe more significant times than him just passing through a room, how many times would you say he was or appeared to be sober?

Kristina: Not many. He was coming down to have a conversation, he was pouring a glass of whiskey or rolling a joint or having wine. It always seemed to me that he's not a social animal, if you will, and he would have a drink or smoke in order to go talk to people is what it felt like. So, most of the time I saw him, it was that.

Attorney 4: You would agree with me, though, Ms. Sexton that someone's getting a drink is different than someone appearing drunk, correct? For example, it was his first drink of the day. So, my question is a little bit more specific. Of the 10 or 20 times that you saw Mr. Depp, how many times does he appear inebriated? Not, you know, holding a glass of whiskey or smoking a joint but how many times did he appear inebriated to you?

Kristina: I would say at least half if not more.

Attorney 4: How would you describe Mr. Depp's personality when he was or appears sober versus when he appeared inebriated?

Kristina: He was very quiet when he was sober. And before he would start drinking, he was very quiet, almost a whisper, mumble most of the time. And then he would get very loud when he was inebriated and he would go to, like, boisterous first and telling like cool stories and stuff, that kind of happy drunk, and then it would move into the loud, angry drunk.

Attorney 4: When you say, "Loud, angry, drunk," did you witness Mr. Depp be angry when he was drunk?

Kristina: A couple of times, yeah.

Attorney 4: When was the first time you witness Mr. Depp appears to be angry and inebriated?

Kristina: I couldn't tell you the first time per se. Like, I have images in my head, I remember him, like, yelling and screaming and the bodyguard coming over and be like, "Hey, boss, let's take this to another room."

Attorney 4: Can you tell me as much as you can remember of that incident?

Kristina: I remember being in the kitchen of that house and he came down and he was yelling about something. Amber and I were having a

conversation and we were going to...I think we were going to work on something that day. It was later in the evening where it was really dark in there. Like I said, sometimes they draw all the curtains. In my memory, it's very dark. And he was yelling and that older guy came and, like, scooped his arm around him and it's like, "All right, boss, let's take this to another place," because he was inebriated. I could tell from the way he was talking and he was just kind of yelling. And I don't recall what was...it all kind of happened very quickly, I don't recall what he was yelling about or if it was even at anybody, he was just kind of down there and drunk and [inaudible 06:02:23] scooped him up.

Attorney 4: You anticipated my next question, which were who was he yelling at and what was he yelling about? So, you don't recall, is that correct?

Kristina: No, I don't.

Attorney 4: And you said the other instance that you remember Mr. Depp appearing inebriated and screaming, he was at one of his penthouses in downtown LA, is that correct?

Kristina: Mm-hmm.

Attorney 4: What were the circumstances that you remember about that incident?

Kristina: I remember one time he was mad that people were in the house because I had just gotten there. I don't even remember, it might have been like two people there or something, I don't remember. But, yeah, he was storming up those stairs to his office/bedroom area, and then Amber and I went to the other penthouse to work.

Attorney 4: And in either incident that you saw at Sweetzer and at the penthouse when you saw Mr. Depp appeared to be inebriated and was angry and yelling, did you see him hit Ms. Heard at any point?

Kristina: No, I did not see him hit her.

Attorney 4: Did you see him kick Ms. Heard?

Kristina: I did not see him kick her.

Attorney 4: Did you see him throw something at Ms. Heard?

Kristina: I saw him coming at her, and that's when the bodyguard stepped in, like, coming towards her. But I did not...so throwing himself at, like, but I was not a witness to him throwing objects at her.

Attorney 4: When you say he was coming at her, are you describing the incident at Sweetzer or at the penthouse?

Kristina: Sweetzer. He came in through that hallway and we were sitting at...it was kind of like an island there, like, right in front of the fridge and I was in front of the fridge and he came in from there and was like coming at her and then the bodyguard, like, came in and scooped him up.

Attorney 4: Since the incident, you don't remember what Mr. Depp was yelling about or...?

Kristina: Yes.

Attorney 4: But it appeared to you that Mr. Depp was coming at Ms. Heard, correct?

Kristina: Yeah, she was shaking and upset. It felt like something that had been going on for a while.

Attorney 4: In all the time that you've known Ms. Heard and Mr. Depp, did you ever see Mr. Depp be violent towards Ms. Heard?

Kristina: I never saw him hit her. I heard him use terminology, as I said before, and as I said, come at her, but I never saw him hit her. If he had, I would have called the cops, to be honest.

Attorney 4: You never saw Mr. Depp throw anything at her, any objects at her, correct?

Kristina: No, the only thing I saw was the aftermath. Like, I would see things broken afterwards. And like I said, in Hicksville, I heard the yelling, and then saw the breaking and saw him apologizing for it. But I with my own two eyes did not see him physically break the stuff or throw the stuff.

Attorney 4: When Mr. Depp and Ms. Heard went to Australia, did she tell you that she threw a bottle of vodka at him and that's what severed his finger?

Kristina: No, she had told me that he had broken the bottle and caught himself with a bottle that he had broken.

Attorney 4: When she told you that he had cut himself with a bottle he had broken, did she say that he had taken the bottle and cut off his finger or that it was an accident and that his finger was severed from the broken bottle? Do you understand the distinction?

Kristina: Yeah. She didn't say that he...she didn't indicate that he cut off, like, went purposely to cut it. What it seemed to me is that he had broken the bottle against something and then he was doing things with the bottle, like shaking it around, and that he had cut himself from that. It didn't indicate that he had in any way purposely cut himself.

Attorney 4: Do you recall Johnny ever saying something to you in a conversation with him later about his ability to pass insurance test?

Kristina: I remember a specific time when Amber still lived at Orange and Amber was out with her girlfriends and I had come over too early for the party, so it was just Johnny and I sitting there having some whiskey and he was smoking cigars. And he was talking about that it was...I said something about...he said he had to get up early to do a test and I was like, "Oh, don't you have any sort of, like, concerned about that?" And he was like, "It's easy to fake insurance test, that's why we do what we do." I was talking to him because another client of mine had had to do an insurance test and he was like, "Oh, you can fake a piss test, you can do this," and he just kind of went over a few different ways that it's easy to fake insurance test and made a joke of it.

Judge Azcarate: All right, ladies and gentlemen, we come to the end of the day today. So, have a good evening and we'll see you tomorrow at 9:00 a.m. Again, do not discuss the case with anybody and don't do any outside research, okay? Have a good evening. All right. Do you have any remote witnesses tomorrow that you need to access for? Do you need the WebEx? You don't need the WebEx?

Ms. Bredehoff: We only have deposition designations of live witnesses.

Judge Azcarate: Deposition of live witnesses? Okay. All right, that sounds good. All right, everybody knows their homework, right? Okay, thank you. All right, we'll see you in the morning.