

**A preemptive note:** I am not a court stenographer. I am not an attorney. I do not work for any court or legal system. I am not a professional at this.

These are **NOT** professional court transcripts. I am doing this solely to provide information for others, like myself, who like written information. I am doing this in my spare time. Please, bear with me as I work as efficiently as possible, whilst also being accurate. Thank you. Please let me know if there are any mistakes and I will fix them. I have also attempted to capture any verbal mistakes as they are, even if they are grammatically incorrect or include "um, uh", or the like.

The videos used for these transcripts are from Law and Crime Network's YouTube channel.

Thank you,

Ashley Taylor.

(@ash\_tay19 on Twitter)

[18:23 minutes - Day 1 video of Depp v. Heard Trial on Law and Crime (L&C)]

BAILIFF: Court is now in session. The Honorable Penney Azcarate is presiding. Please be seated [unintelligible; sounds like "and come to work"]

THE COURT: Good morning, Judy, can you hear everything okay today?

COURT REPORTER: Yes.

THE COURT: Okay, good. Alright, good morning.

THE ATTORNEYS: Good morning, your Honor.

THE COURT: Alright, do we have any preliminary matters before the jury comes out?

MR. CHEW: Yes, your Honor. We would just ask your Honor to publish our very demonstrative exhibit.

THE COURT: Alright, there's no objection to that? People have changed places here, I just wanna make sure I look at the right place.

MR. ROTTENBORN: No, your Honor.

THE COURT: Okay.

MR. CHEW: It's just a blank screen right now, so we would ask to publish it now.

THE COURT: Okay. I'm assuming it's...

MR. CHEW: We tried it out beforehand, it seemed to work.

THE COURT: If it's a blank screen, it's hard to see if it's working or not.

MR. CHEW: Understood.

COURT AIDE: It's published.

THE COURT: It is published.

MR. CHEW: Thank you, your Honor.

THE COURT: But it's just a blank screen, I guess, okay. We're going to hope that's it, then. Alright, thank you. Anything other... else we have?

MR. ROTTENBORN: No, your Honor.

THE COURT: Alright, ready for the jury?

MR. CHEW: Yes, your Honor.

THE COURT: Okay, great.

[Jury enters at 20:29]

THE COURT [to the jury]: You can sit down. Alright, good morning, ladies and gentlemen. If I could have you move your water down by your chair, just not have anything there. If we get electronics and we mess up electronics, I get in trouble. So, thank you. I hope you like the seats that you're in, I'd like you to stay in that seat for the duration. I'd appreciate it. I hope you had a good evening, alright. Thank you, and thank you for being punctual, I appreciate it.

THE COURT [to the attorneys]: You can have a seat. Alright, are we ready with opening statements?

MR. CHEW: Yes, your Honor.

THE COURT: Alright, go ahead, sir.

[21:15]

MR. CHEW: Good morning.

THE JURY: Good morning.

MR. CHEW: My name is Ben Chew. My colleagues and I from Brown Rudnick are truly honored to represent the plaintiff in this case, Johnny Depp.

Some of you may recognize Mr. Depp from seeing him portray characters such as Edward Scissorhands or Captain Jack Sparrow from the *Pirates of the Caribbean* movies. For nearly 30 years, Mr. Depp built a reputation as one of the most talented actors in Hollywood. A respected artist whose name was associated with success at the box office. Today, his name is associated with a lie. A false statement uttered by his former wife: the defendant, Amber Heard. That falsely cast Mr. Depp - falsely and unfairly - characterized, cast Mr. Depp as a villain. A man who would violently abuse a woman. This is a defamation case. It's a case about how devastating words can be when they are false and uttered publicly. Under the law, a person who makes a false statement about someone else can be held responsible for the harm that results from that falsehood. That's because words matter. They paint a picture in our mind based on what we have experienced, and what we know, or what we think we know. And because of that, words can evoke strong emotions in the listener and cause irreparable harm to a person's reputation. And when, like Mr. Depp, your career depends upon your image and your reputation, or whether movie producers want their films associated with you, that harm can be particularly devastating. This is a case about the impact of Amber Heard's words on Johnny Depp. Specifically, the words that she used in an op-ed published in The Washington Post in December 2018, which is shown on the screens. And the op-ed was published - and this is no accident - the evidence will show, on the eve of her first major acting role, in the movie *Aquaman*. The evidence will show that's no coincidence. The evidence will show the words that Miss Heard used, which are the subject of Mr. Depp's defamation suit against her. And there are three statements that we respectfully ask each of you to focus on. Statement number one: "I spoke up against sexual violence and faced our culture's wrath." Statement number two: "Two years ago, I became a public figure representing domestic abuse." And I wanna repeat that because you're gonna hear that throughout the case. Because the timing here is critical. "Two years ago, I became a public figure representing domestic abuse." Statement number three: "I had the rare vantage point of seeing in real time, how institutions protect men accused of abuse." Ms. Heard did not use Mr. Depp's name in the op-ed. She didn't have to. She didn't have to because the evidence will show that everyone in Hollywood, where Mr. Depp and Ms. Heard both have their careers, and many others outside Hollywood, knew exactly

what she was talking about. When she used the word "two years ago, I became a public figure representing domestic abuse." That's because, as the evidence will show and you will hear, two years earlier, on May 27th, 2016, Ms. Heard had publicly accused Johnny Depp, her husband at the time, of domestic abuse. You will learn during the trial that Ms. Heard's actions were prompted by Mr. Depp's request for a divorce. He wanted out. Which drove her to concoct, to make up a story, that was at first, designed to keep him. And then, when he made it clear that finally, after all he had endured, he was done, was designed to recast herself as an abuse survivor with Mr. Depp as the alleged abuser. The evidence will show that six days after Mr. Depp requested a divorce - and he did so politely - and three days after Ms. Heard's lawyer threatened Mr. Depp with claims of abuse, if he did not agree to her financial demands. Ms. Heard arrived at the courthouse in Los Angeles, California to file for a restraining order alleging abuse. Ms. Heard ...the evidence will show, that Ms. Heard showed up with a mark on her face that mysteriously appeared six days after she last saw Mr. Depp. And six days before she publicly filed a request for a domestic violence restraining order alleging abuse. The evidence will show that her publicist and the paparazzi were there at the courthouse to document the event; to make sure that Johnny Depp's name was forever associated with the image of an innocent, battered woman. It was a jolt. It was a shocking story splashed across front pages across the country. No one had ever, in five decades, accused Johnny Depp of being violent with a woman. No one had ever accused Mr. Depp of being violent with a woman. He had been in other long-term relationships. He had children.

[28:25]

MS. BREDEHOFT: Objection, your Honor.

THE COURT: Excuse me?

MS. BREDEHOFT: May we approach?

[Sidebar with Mr. Chew and Ms. Bredehoft]

[29:32]

MR. CHEW: No one, as I stated before, no one had ever in five decades, no one had ever accused Johnny Depp of being abusive - of any kind, with a woman. That's why it was such a jolt. He had been in other long-term relationships, as I said. He had two children and no one had even suggested ever that he was capable of something like this. By choosing to lie about her husband, for her own personal benefit, Amber Heard forever changed Mr. Depp's life and reputation. And you will hear him tell you, the dreadful impact that it has had on his life. The evidence you will hear at this trial contradicts the story Ms. Heard presented to the world in May 2016 and again in December 2018. The evidence will show that the last time Mr. Depp and Ms. Heard saw each other, before Ms. Heard showed up in court on May 27th, 2016, was May 21st. And that's a very important date. And I will ask you please to remember that through the trial. Mr. Depp's mother, Betty Sue, passed away on May 20th after a long illness, when Johnny and his sister, Christi had been taking care of his mother for a very long period of time. And for reasons that Mr. Depp will personally explain to you, throughout the course of this trial, he had resolved to divorce Ms. Heard. So, on May 21st, Mr. Depp came by the apartment that he shared with Ms. Heard in the Eastern Columbia Building, or the ECB, as some people referred to it. To tell her that, to pick up his things, and to say goodbye. There is no dispute that soon after Mr. Depp ended things with Ms. Heard, and left the apartment on May 21st, he got on a plane to head out on a European tour - a music tour - for months with his band, The Hollywood Vampires. And Ms. Heard knew that he was going off on tour and out of state when she walked into court to get the restraining order. Which she obtained *ex parte*. It's a Latin word, fancy word, but all it means is that Mr. Depp and his lawyer were not there and had no opportunity to be heard. That's what an *ex parte* order is. You will hear from the police officers who responded to a 911 call on May 21st, after Mr. Depp left. The police officers will testify that they saw no injuries on Ms. Heard. Both police officers will testify that they saw no injuries on Ms. Heard. Nor did the police officers see any of the property damages that you will hear Ms. Heard claims existed in the apartments that evening. And you will hear those officers, under oath, testify that there was no violence and there was no crime. You will also hear from multiple witness, who like the police officers, saw Ms. Heard between May 21 and May 26th. Those are the crucial days between the alleged

incident and the day she walked into court with her lawyer and got an *ex parte* order. And those witness will testify that they saw her without any marks, any signs of injuries on her face. And you will hear from multiple witnesses, including Brandon Patterson, who is the manager of the Eastern Columbia Building, where Mr. Depp and Ms. Heard lived together. You will hear Mr. Patterson say that he saw, and others will say as well, that they saw a surveillance video from the week of May 21st that showed Ms. Heard's sister, Whitney, throw a fake punch at Ms. Heard's face. Now let's just stop there. This is a surveillance video you will hear about, where the sister of the alleged victim threw a fake punch at her sister, allegedly, which allegedly occurred, this incident, only a couple of days earlier. Ms. Heard acting out being punched, responding to the fake punch, and the two laughing about it. So, you have the alleged victim and the sister laughing about a fake punch. And you will have to decide for yourself, or we ask that you please decide for yourself, would anyone ever joke about that? If there had been actual abuse, much less, ask yourself, would a sister ever joke with an alleged victim about being punched by her husband? Of course, none of this contradicting evidence was publicly available when Ms. Heard walked in the court on May 27th and got her restraining order. Instead, as you can imagine, the media storm was instantaneous. You will hear about, and see some of that media coverage, which published pictures of Ms. Heard walking into court, and other pictures supposedly showing injuries, supposedly caused by Mr. Depp - a man who had never been accused of abuse of a woman. The evidence will show that Mr. Depp and Ms. Heard eventually settled their divorce out of court. Thereafter, Ms. Heard dismissed her restraining order against Mr. Depp. But Ms. Heard's false claim that Mr. Depp had abused her remained in the public sphere. It didn't go away; the images were permanent. And the evidence will show, that two years later, which is why we're pointing to that, that reference in the op-ed. In the wake of the MeToo movement and just before the release of Ms. Heard's role in the movie *Aquaman*, Ms. Heard chose to remind the world about the festering allegations. This time, under the banner of a national, international newspaper, The Washington Post. In the op-ed, in her op-ed, Ms. Heard again painted herself as the innocent victim of abuse. But this time, this time with a wider audience primed to take action against an industry powerhouses accused of abuse. The evidence will show that the

clear implication in Ms. Heard's op-ed that you have in front of you, was that she was the victim of domestic abuse perpetrated by Mr. Depp. The evidence will show that that was a lie and it remains a lie when it was repeated and republished two years later. Hollywood Studios don't want to deal with the public backlash from hiring someone accused of abuse, even someone with the incredible body of work and record that Mr. Depp can be proud of. A false allegation can devastate a career. And it can devastate a family. And the evidence will show that Ms. Heard's false allegations had a significant impact on Mr. Depp's family and his ability to work in the profession he loved, and loved to bring joy to everyone. Ultimately, this trial is about clearing Mr. Depp's name of a terrible and false allegation. We ask you in the next several weeks to please, please carefully consider the evidence. Assess the reliability and credibility of that evidence. And to make your own determination about what actually happened between Mr. Depp and Ms. Heard. And to tell you more about that, I'm going to turn it over to my colleague, Camille Vasquez, who you had the pleasure of meeting yesterday. Thank you all for, for your attention.

[39:24]

THE COURT: Alright, Ms. Vasquez.

MS. VASQUEZ: Thank you, Ben.

THE COURT: You might have to turn it up a little bit.

MS. VASQUEZ: Hello, your Honor, may I approach? -

THE COURT: Sure.

MS. VASQUEZ: Oh, there we go, thank you. [Unintelligible] Thank you, Ben, and good morning.

THE JURY: Good morning.

[40:08]

MS. VASQUEZ: Good morning. Over the course of this trial, you're going to have an opportunity to get to know Johnny Depp. Not the characters

he's portrayed, but the man himself. You will hear from Mr. Depp directly, but you will also hear from his friends, his family, and employees. You will hear from people who have known him for decades. They have seen him at his best and they have seen him at his worst. And they will tell you, each of them, that he is a kind soul who has never and would never, raise a hand to a woman. You will hear that Mr. Depp learned at a very young age how to coexist with an abusive woman. You will learn from Mr. Depp's sister, Christi, and from Mr. Depp, that their mother, Betty Sue, lived in a constant state of anger that would boil over daily in vicious words and violence, directed at her husband and their children. And you will hear how Mr. Depp, who had the personality of his father, cope with that abuse, in the same way his father did - he just took it. The evidence will show that Mr. Depp learned that the best way to deal with violence was to leave, to get away from it, give her time to cool down. But he never turned his back on his mother; Mr. Depp loved his mother and he cared for her until the day she died. You will hear how Mr. Depp came to Los Angeles as a teenager. He first planned to be a musician, then became an actor, and eventually, thanks to his talent, his dedication, and a lot of hard work, grew into one of the biggest movie stars in the world. He had relationships with major figures in Hollywood and elsewhere like Winona Ryder, Kate Moss. And before he met Amber Heard, he was with the same woman, Vanessa Paradis, for fourteen years. He had two children with her, and even though he was a mega star, they had a quiet, domestic life. In fact, you'll hear, as Mr. Chew already told you, that Mr. Depp's, in Mr. Depp's 58 years, not a single woman has ever accused him of violence. And nobody in Hollywood or the world had any reason to believe he was an abuser until Ms. Heard publicly accused him in 2016. You're also going to hear evidence about Ms. Heard; you're going to learn that she's a profoundly troubled person who manipulates the people around her just like she manipulated Mr. Depp. Ms. Heard came to Los Angeles and sought a career in acting after Mr. Depp was well established as a movie star. Mr. Depp and Ms. Heard first met in 2009 on the set of the film *The Rum Diary*. There was a significant age difference between them and at first, he avoided her advances. But she pursued him, she wooed him. The evidence will show that Ms. Heard went to great lengths to win him over by playing the dotting girlfriend and it worked. He fell head over heels in love with her. Those who watched

this relationship developed saw red flags, all over the place. You will hear from them in this trial and over time, the real Ms. Heard began to emerge. She would berate him, scream at him. He would try to appease her, and sometimes, just sometimes, things would get better. But it would always happen again. The evidence will show that Mr. Depp started coping with Ms. Heard in the same way he did as a child. He would try to get away, avoid the conflict. But his trying to leave enraged Ms. Heard. She would resort to physical violence: throwing things at him, hitting him. She would tell him he was a coward. She would tell him he wasn't man enough, because he wouldn't stay and fight with her. You will see that Ms. Heard equated anger and violence with passion. She would apologize with poetic excuses, as if the violence just proved how fierce and overwhelming her love for him was. And you're going to hear that when Ms. Heard got violent, Mr. Depp would just retreat. Just as he did with his mother. He would try to leave, to get away from her. In her words, Ms. Heard's words, he would split. Mr. Depp would often retreat into bathrooms, lock the doors, wait out Ms. Heard's aggression. But his leaving just provoked her more. You will hear from Mr. Depp's security people, like Sean Bett, about how they'd often had to remove Mr. Depp from scenes with Ms. Heard screaming at him, chasing him, trying to keep him from leaving. You're going to hear evidence that when Mr. Depp and Ms. Heard traveled, together, his team routinely had to book an extra room for him, so that he had somewhere to go when Ms. Heard became enraged. You'll hear from other witness, including Mr. Depp and Ms. Heard's marriage counselor. Her name is Dr. Laurel Anderson, who perceived Ms. Heard as the aggressor in the relationship. Ms. Heard as the aggressor in the relationship. The one who would strike Mr. Depp to try to keep him from leaving. You'll hear from medical professionals who were with Mr. Depp and Ms. Heard, often on a daily basis. For years. Including their doctor, David Kipper, and Ms. Heard's personal nurse. Her personal, assigned nurse, Erin Boerum Falati, who did not see any signs of injuries that Ms. Heard later testified to in graphic detail. Ms. Heard wants you to ignore the testimony of these medical professionals, who saw her in real time. Just as she wants you to ignore the testimony of the police officers, who testified under oath, who saw her on May 21<sup>st</sup>, 2016. Without any injuries. But it is up to you, ladies and gentlemen of this jury, to judge the credibility of these witness and that of Ms. Heard. In this

trial, Ms. Heard will undoubtedly present photos that supposedly show injuries she sustained as a result of the claimed abuse by Mr. Depp. Here's what you should keep in mind when you see these photographs. First, the evidence and expert testimony from a forensic pathologist, a doctor, will show that the injuries reflected in these photographs are not consistent with the brutal allegations of abuse Ms. Heard has alleged. Second, there are multiple, multiple witnesses, including medical professionals, and police officers, who will testify that they did not observe the injuries supposedly reflected in these photographs. And you may be wondering, how can that be? Well, you will hear expert testimony that none of these photographs are the originals. Not one. And many were stored in an editing program. So, they could have been manipulated and cannot be confirmed as authentic. Importantly, you will not see a single photograph of the vast majority of the abuse alleged by Ms. Heard. Not one. And there is not a single photograph or video showing Mr. Depp becoming physically violent towards Ms. Heard. The only medical report of an injury during their relationship was a severe one, and it was sustained by Mr. Depp. After an argument, shortly after their marriage, while the couple was in Australia. You will hear evidence that the people who cared about Mr. Depp were encouraging him to have a prenuptial agreement with Ms. Heard. But she rushed the wedding date and he agreed to get married without one. After the wedding, again, people close to Mr. Depp encouraged him to consider a postnuptial agreement. When the topic came up, Ms. Heard became outraged. As she always did, at the suggestion that Mr. Depp might leave her. She berated him. And when he tried to leave, she became violent. She became so violent, in fact, she threw a vodka bottle at him, that hit his hand and exploded. It severed the end of one his fingers. You'll see pictures of Mr. Depp's severed finger and learn about his emergency medical treatment for that injury. And then you'll learn, and this is important, years later, after the false claims of abuse, that caused Mr. Depp to file very this lawsuit. Ms. Heard came up with an elaborate story about what actually happened, according to her, in Australia. And what she said happened was that it was a three-day hostage affair; an episode where she was violently attacked and then sexually assaulted by Mr. Depp. You will see for yourself that the evidence does not support the story she told, after she was sued. You will learn that there came a time when Mr. Depp was done. And you will

learn from him and he will tell you why. The evidence will show that on May 20th, 2016, Mr. Depp's mother, Betty Sue, passed away. You will hear from Mr. Depp that his mother's passing was a wakeup call that helped confirm what he already knew. That the relationship with Ms. Heard wasn't working. And that Ms. Heard was not going to change. If you've ever lost a parent, you understand how much this experience can change your perspective, and what is important for your own well-being. So, Mr. Depp resolved to finally divorce Ms. Heard. And told her that very day, that he would do so respectfully, and most importantly, discreetly. The evidence will show that on May 21st, 2016, when Mr. Depp went over to the Eastern Columbia Building to gather his things, Ms. Heard caused a final dramatic scene. In the wreckage of their relationship, Ms. Heard spun the final encounter between them into a tale of domestic abuse. Now I understand that many of you may be asking yourselves why. Why would Ms. Heard say that Mr. Depp abused her during their relationship if it didn't actually happen? Why would she make up the detailed, dramatic tales of abuse that you will surely hear in this courtroom over the coming weeks. By the end of this trial, you will have the answer to that question. The evidence will show exactly who Ms. Heard is. You will hear from Mr. Depp and other witness, including their marriage counselor, Dr. Laurel Anderson, that Ms. Heard would go to great lengths and even resort to physical violence to stop Mr. Depp from leaving her. But once Mr. Depp did leave, Ms. Heard tried to avoid public humiliation and present herself as a noble survivor and representative of the MeToo movement. You will hear evidence, including the testimony of Ms. Heard's former personal assistant, Kate James, that Ms. Heard is obsessed with her public image. It's her number one priority. And you will see evidence that after she received a seven-million-dollar divorce settlement from Mr. Depp, Ms. Heard released a public statement claiming she wanted nothing from him, and would donate the entire settlement to two charities: The Children's Hospital of Los Angeles in California and the American Civil Liberties Union, also known as the ACLU. But then she did not make the donations. Quite simply, Ms. Heard had publicly cast herself in the role of a domestic abuse survivor. There was no going back. When Mr. Depp finally stood up and fought for his good name in court by filing this lawsuit, Ms. Heard, because she couldn't back down, went all in. After this lawsuit was filed - it's important the timeline here - after this lawsuit was

filed, Ms. Heard started making up more and more alleged incidents of abuse. And if you'll recall, ladies and gentlemen, the headline of the op-ed references sexual violence. But Ms. Heard had never made that accusation against Mr. Depp. It was never part of her allegations of abuse. So, what changed? What changed between 2016 and 2018? We submit to you, and the evidence will show, when she realized the seriousness of what she had alleged, she panicked and she alleged sexual assault. Ms. Heard and her lawyers are going to tell you some truly horrific tales of abuse before this trial is over. But the horrific details are designed. They're designed to shock you and overwhelm you. They are designed to be explosive and they are designed to distract you from the evidence and most importantly, from common sense. That tells you... the common sense and the evidence will tell you, that it is all a lie. That none of this, not one single alleged incident of abuse, could have happened as Ms. Heard claims. Ms. Heard's pattern is consistent. She tells a lie, then covers up that lie with still more lies; in a constantly changing, evolving, evermore dramatic story. You're going to hear a lot about Mr. Depp during this trial. Ms. Heard is going to tell you a lot of things about him. That he abused drugs and alcohol. That he used bad and offensive language. And it's true that Mr. Depp has had real struggles with substance abuse in his life; he's not denying that. You may know people close to you who have struggled, too. But struggling with drugs and alcohol doesn't make you an abuser. He has also used some very colorful language. He uses words that I don't use, and you probably don't use. And he uses them frequently. Mr. Depp, like all of us, is not perfect. But he did not abuse Ms. Heard. All of this is just meant to distract you from what this case is about: this case is about what Ms. Heard said in her op-ed. The evidence will show that Ms. Heard painted a picture of herself as a heroic, innocent survivor of abuse by Mr. Depp. A beaten woman who finally stood up to her tormenter. The evidence will show that Ms. Heard used her allegations against Mr. Depp to raise her own profile and to advance her own career. The very same day that the op-ed was published under the title, "I spoke up against sexual violence", she posted that article, that's now displayed on your screens, and the title on her Twitter page right along with an announcement that she was becoming an ACLU ambassador on women's rights to make sure that "women and girls can live free from violence". She presented herself as the face of the MeToo Movement. The

virtuous representative of innocent women across the country and the world who have truly suffered abuse. The evidence will show that was a lie. And the evidence will show that Ms. Heard betrayed Mr. Depp as a representative of abusers everywhere. The agent of her suffering, the villain in her heroic journey, that was a lie too. And more than just a lie, it was an act of cruelty. Mr. Depp will go to his grave knowing that whatever he does, there are people out there in this world who will always believe that he abused a woman. This is a case about what Ms. Heard said. It's also a case about what a man named Adam Waldman said. Adam Waldman is a lawyer who has worked for Mr. Depp. After, again timeline, after Mr. Depp filed this case against her, Ms. Heard filed her own claim against Mr. Depp, which is the also the subject of this trial. In her claim, Ms. Heard says that Mr. Depp defamed her because Adam Waldman, his attorney, made some statements to reporters denying the truth of her claims of abuse. Adam Waldman is not in this courtroom. Ms. Heard chose not to name him in her claim. And I won't take up too much of your time with a discussion of her claim against Mr. Depp, except to say a few things. The evidence will show that those statements weren't even made by Mr. Depp. They were made by Adam Waldman and Mr. Waldman, the evidence will show, is not under Mr. Depp's control. The statements were merely Mr. Waldman's opinions made in justified defense of his client and friend, Mr. Depp. Mr. Waldman believed those statements. And finally, at the end of the day, Mr. Waldman's statements merely reflected the reality that we intend to prove in this trial. That Ms. Heard's portrayal of herself as a victim of domestic violence at the hands of Mr. Depp is a lie. Ms. Heard, as you know, is an actress. When she accused Mr. Depp of abuse and painted herself before the world, as a representative of abuse victims everywhere. Ms. Heard took on the role of a lifetime. She can't back down. She has been living and breathing this lie for years now. And she has been preparing to give the performance of her life in this trial. But this trial is about the evidence. It's about a man's reputation. And it's about his whole life. His ability to walk down the street, look people in the eye without having to think he's an abuser. It's about the truth. And the truth will come out in this trial. At the end of this trial, we will ask you to render a verdict for Mr. Depp. We will ask you to tell the world that he is not the abuser she described.

And that she is not the victim she portrayed. And we will ask you to tell Ms. Heard that what she did was wrong. Thank you very much.

[1:02:27]

THE COURT: Alright, thank you, Miss Vasquez. Alright, ladies and gentlemen, it's a little early, but maybe we should go ahead and take our morning break. Just since it's a natural point to have a break before we have the second opening statement, okay. So, why don't we go ahead and take a fifteen-minute recess. Just, remember do not discuss the case and don't do any outside research. Okay, alright, you're free to go.

[All rise for jury to leave; fifteen-minute recess begins at 1:03:00]

[1:19:40 - Court is back in session, the judge is already sitting and waiting for the jury to re-enter. The rest of the courtroom stands right before the jury comes in]

[1:20:39]

THE COURT: Alright, thank you [once the jury sits and the rest of the courtroom also sits]. Alright, opening statements.

MR. ROTTENBORN: Yes, your Honor.

THE COURT: Mr. Rottenborn.

MR. ROTTENBORN: May I approach? [to the jury]

THE COURT: Yes, sir.

[1:21:02]

MR. ROTTENBORN: Good morning, everyone.

THE JURY: Good morning.

[1:21:06]

MR. ROTTENBORN: My name is Ben Rottenborn and together with Elaine and Adam [gestures to them], I represent Amber Heard. In a few minutes, Elaine will get up here and she'll introduce you to Amber. And she'll address the allegations that you just heard in Mr. Chew and Ms. Vasquez's opening statement. And she'll explain to you, why all those inflammatory things, are things that are designed to mislead you, mislead you from the truth. She'll explain to you what the evidence will show. And that's something that we're going to focus on in this trial. Not attempts to distract you. We're going to focus on the evidence. Not what we wish the evidence showed. Not some crazy conspiracy theories, but what the evidence and the facts actually show. And as you assess the evidence in this trial, I would ask that you keep one question in mind above all else, which is this. Why are you here? What are you being asked to decide? You're being asked to decide a very simple question. And that question is: were the words that Amber used in the December 18, 2018 opinion piece, that was published in The Washington Post, protected free speech under the first amendment, or not. That is the question. And that's what you're being asked to decide. At the end of the trial, the judge will explain to you what the law is on defamation and what Mr. Depp's burden is to prove in order to establish defamation. And she'll tell you a lot of things about the law. But among them, she'll have to, she will tell you that Mr. Depp will have to prove that the words Ms. Heard used were about him and that they were false. If he can't do that and if he can't meet the other elements of the claim, then he loses that claim. And he can't do that. He can't come close to doing that. And for that reason, you're going to hear in this trial, Mr. Depp's team is going to make it about trying to distract you from that very simple question. Mr. Depp's team is going to try to turn this case into a soap opera. Why? I'm not really sure because the evidence isn't pretty for Mr. Depp. It's not. You're going to see who the real Johnny Depp is. Behind the red carpets, behind the fame, behind the money, behind the pirate costumes. You're going to see who that man really is [gestures to Johnny Depp]. Amber is going to tell you about it. You're going to hear who really is from other witnesses. And you're going to hear who he really is in his own words. In the vile, graphic, terrible messages that he wrote about Amber and ways he used to describe Amber and what he wanted to do to Amber. From the earliest days that they were dating, through their marriage, and after their marriage. You're going to hear about that. But this case isn't about that. This case isn't about a day-to-day

chronicle of their marriage. It's not about who is the better spouse. It's not about who you like more. It's not about which party can sling more mud. But you're gonna hear a lot of that in this trial. You're going to hear that, because that's what Mr. Depp wants to turn this case into. He wants to turn this case into a six-week long public spectacle of the most intimate aspects of their relationship and their marriage. And you know what? I'm sorry for that. I'm sorry. I'm sorry that we're going to have to do that. I'm sorry that you're going to have to listen to all of it. And I'm sorry that Amber's going to have to relive that. But that's the case that Johnny Depp chose to bring. And we're not going to stand idly by, and let him sling mud at our client, and make inflammatory and false statements, like you just heard in opening and not let those go unresponded to. But ultimately, what this case is about, is about the first amendment. About that December 18, 2018 op-ed piece and whether Ms. Heard's freedom of speech and the first amendment give her the right to say the words that she said. That right, that freedom of speech, is what Amber Heard is asking you to uphold and protect in this lawsuit. And that's a very simple question. The question you could decide this afternoon. And it does not require you to stand and serve as the umpire of two movie stars' imperfect marriage. It doesn't. And so, we're going to focus on those words. We're going to look at those words. And as we look at those words, I'd ask you to keep this in mind. Keep in mind what you just saw on the screen from Mr. Chew, when he put up those words. Keep in mind what you didn't see. You didn't see the rest of the opinion piece. And what we'd ask, is that as you look at those words, that you look at them in the context of the piece in which they were written. Now, whether you look at them individually or in the context of the piece, doesn't really matter because the words are true. But context matters. And so, what I'm gonna do, is I'm gonna ask Heather [gestures to Heather] to put up the article, put up the opinion piece, and I'm going to read that to you. And we're going to look at those words in the context of what this piece was about. Because Mr. Depp's team wants to make you think that this was, that this opinion piece was designed to destroy Johnny Depp. That this was designed to maliciously talk about him and their life together. And it wasn't. So, let's take a moment to look, to look this. And I'm gonna read it to you. And I'd ask that you follow along if you can, but either way, let's take a look at what the piece as a whole says. This is the piece that Amber wrote. "I was exposed to abuse at a very

young age. I knew certain things early on, without ever having to be told. I knew that men have the power - physically, socially, and financially - and that a lot of institutions support that arrangement. I knew this long before I had the words to articulate it, and I bet you learned it young too. Like many women, I had been harassed and sexually assaulted by the time I was of college age. But I kept quiet - I did not expect filing complaints to bring justice. And I didn't see myself as a victim. Then, two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture's wrath for women who speak out. Friends and advisers told me I would never again work as an actress - that I would be blacklisted. A movie I was attached to recast my role. I had just shot a two-year campaign as the face of a global fashion brand, and the company dropped me. Questions arose as to whether I would be able to keep my role of Mera in the movies 'Justice League' and 'Aquaman'. I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse. Imagine a powerful man as a ship, like the Titanic. That ship is a huge enterprise. When it strikes an iceberg, there are a lot of people onboard desperate to patch up holes - not because they believe in or even care about the ship, but because their own fates depend on the enterprise. In recent years, the MeToo movement has taught us about how power like this works, not just in Hollywood but in all kinds of institutions - work places, places of worship or simply in particular communities. In every walk of life, women are confronting these men who are buoyed by social, economic and cultural power. And these institutions are beginning to change. We are in a transformative political moment. The president of our country has been accused by more than a dozen women of sexual misconduct, including assault and harassment. Outrage over his statements and behavior has energized a female-led opposition. MeToo started a conversation about just how profoundly sexual violence affects women in every area of our lives. And last month, more women were elected to congress than ever in our history, with a mandate to take women's issues seriously. Women's rage and determination to end sexual violence are turning into a political force. We have an opening now to bolster and build institutions protective of women. For starters, Congress can reauthorize and strengthen the Violence Against Women Act. First passed in 1994, the act is one of the most effective pieces of legislation enacted to fight domestic violence and sexual assault. It creates support systems for people who report abuse, and provides funding for rape crisis

centers, legal assistance programs and other critical services. It improves responses by law enforcement, and it prohibits discrimination against LGBTQ survivors. Funding for the act expired in September and has only been temporarily extended. We should continue to fight sexual assault on college campuses, while simultaneously insisting on fair processes for adjudicating complaints. Last month, Education Secretary Betsy DeVos proposed changes to Title IX rules governing the treatment of sexual harassment and assault in schools. While some changes would make the process for handling complaints more fair, others would weaken protections for sexual assault survivors. For example, the new rules would require schools to investigate only the most extreme complaints, and then only when they are made to designated officials. Women on campuses already have trouble coming forward about sexual violence - why would we allow institutions to scale back supports? I write this as a woman who had to change my phone number weekly because I was getting death threats. For months, I rarely left my apartment, and when I did, I was pursued by camera drones and photographers on foot, on motorcycles and in cars. Tabloid outlets that posted pictures of me spun them in a negative light. I felt as though I was on trial in the court of public opinion - and my life and livelihood depended on myriad judgments far beyond my control. I want to ensure that women who come forward to talk about violence receive more support. We are electing representatives who know how deeply we care about these issues. We can work together to demand changes to laws and rules and social norms - and to right the imbalances that have shaped our lives." I know that was a lot, but that is the central issue in this case. Are those words that Amber wrote, are those protected by the first amendment? And the answer is very clearly, yes. So, let's talk about that article for a minute. First of all, the article doesn't mention Depp by name. It never once contains his name in that article. It is not about Amber's relationship with Mr. Depp. There are no details of any abuse in that article. The article is about proposed legislation and strengthening of government laws and policies designed to protect abuse victims, and people who report abuse. That's what the article's about. And it was written in the midst of a social movement, in which the American Civil Liberties Union, the ACLU, asked Amber to use her platform to speak on these important issues. And that's what she did. To do so, she drew on her experiences as someone who had reported domestic abuse. And there's no question, there is no dispute, that she did in fact report domestic

abuse in 2016. Depp's side admits that. She talked about her negative personal experiences and her reactions and opinions after being someone in Hollywood who reported abuse and the consequences that flowed from that. She talked about what she experienced in the days and months following that abuse. That's what the article is about. The article isn't about Johnny Depp. The article is about the social change for which she is advocating and that the first amendment protects. And so, I hope you remember, as this case goes on, that you saw, from Mr. Chew, only the three statements in isolation. Because they want you to forget that. They don't want you to pay attention to what the article is about. Now, if it'd been Amber's intention to use this article to detail the abuse that she suffered, and that you'll hear about, over the course of this trial, believe me, the article would've looked very, very different. She could fill a book with those details. She probably would have started out by calling out Mr. Depp by name. She probably wouldn't have published it in The Washington Post. She would have described in great detail the man who has described himself, the violent side of himself, as the monster. That's what she would have done. The monster. She would have told you about the monster. But she didn't. That wasn't the point of this article. And she was careful to avoid that, even having her lawyer review the article to make sure that it was okay, and she relied on that lawyer's advice. And you'll hear testimony on that during the trial. But because Johnny Depp brought this case, and asked for it, all of that is going to come out. Just know that Amber Heard never wanted to unearth for the public, who the real Johnny Depp is. But that's going to come out over the course of this trial. I'd like you to also take into consideration who isn't here today. You don't see The Washington Post sitting here as a defendant in this courtroom. Depp didn't sue The Washington Post. He had no interest in doing that. He only sued Amber. He could have sued The Washington Post; they published the article, but he didn't. And he chose to bring Amber to court, here in Virginia. Where she has no ties, has never lived, he's never lived, where they never spent any time, because he wanted to make her life hard. He wanted to ruin her life. He wanted to destroy her. That's what he did. And I wish I could say that that's surprising. It's certainly disturbing, but it's not surprising. Because the evidence will show, that for years, all Mr. Depp has wanted to do is humiliate Amber, to haunt her, to wreck her career. That's what the evidence will show, in his words. That's what he wanted, but he made a mistake bringing this

case in Virginia, because you're the people who are going to hear this case - a qualified, prepared jury who respects the first amendment. And with that, even though we've looked at the article as a whole, I'd like to spend a few minutes looking at the individual statements that were made, just as Depp's side showed you. Because I think it's important to do that as well. Can we pull up slide one, please? "Then two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture's wrath for women who speak out." There's absolutely nothing false about that statement. First of all, the evidence will show that Amber did suffer domestic abuse at the hands of Johnny Depp, and it took many forms. Physical, sure, but also emotional, verbal, psychological abuse. It's all domestic abuse that she suffered, at his hands. So, that's the truth. But what else is the truth is that on May 27th, 2016, two years before this opinion piece was published, Amber walked into a courtroom in California with bruises on her face that were given to her by Johnny Depp, on that incident in May 21st, 2016 that Elaine's going to tell you more about. That absolutely were given to her and she took out a domestic violence restraining order, that she obtained from the court in California, to protect herself. And she was of course a public figure. She was a movie star. She didn't want the paparazzi, the press photos. She got those, of course. Who wants to be photographed with a bruised face, walking out of court? She didn't want that and the evidence will show that. But she was a public figure, and two years before she wrote this article, she was a public figure representing domestic abuse. That is one hundred percent true. And try as he might, to take it away, Amber's freedom of speech gives her the right to say that. Can we pull up slide two, please? This is the second statement. "I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse." Once again, that statement is one hundred percent true. Amber did accuse Johnny of abuse, and she saw how he was protected at the same time that her career took a downturn. And that he did everything that he could to try to wreck her career as the evidence we'll see. But she accused him of abuse. That statement is true. You don't need to relive every intimate detail of their marriage. You don't need to decide what happened on any individual day of their marriage to determine that the first amendment protects that statement because it is true. He wants you to forget that. Don't take the bait. Let's pull up the third statement, please. Now this statement was in the headline of the online edition of the article. "I

spoke up against sexual violence - and faced our culture's wrath. That has to change." The undisputed evidence in this case will be that Amber did not write these words, did not review these words, did not approve these words. That's how op-eds work. She wrote the article; she didn't write this headline. And for that reason, that reason alone, it's not defamatory. But here's the thing, like the first two statements, tragically, it's true. Amber did suffer sexual violence at the hands of Depp. And Ms. Vasquez tried to minimize that and tried to make you think that it's all made up, but it's not. You will hear in the most graphic and horrifying terms, about the violence that she suffered. You'll hear that straight from her. She will get on the stand, and she will tell you that. It happened. And by taking out that domestic violence restraining order; by obtaining that from the court, she did speak out against it. And all the other abuse that she suffered and she said enough is enough, I need to protect myself. She didn't want to do that. She didn't want to be forced to get that restraining order, but she did. She spoke out against the abuse by doing that. And the evidence will show that she did face her culture's wrath, perhaps illustrated no more clearly by the fact that she's here today, facing this lawsuit, brought by an obsessed ex-husband, hell-bent on revenge. That's why she's here. That's why she's facing our culture's wrath. And as you consider whether these statements are true, I'd ask you to keep this in mind as well. The evidence will show that in May of 2016, when she obtained the restraining order, Mr. Depp never denied the allegations. And in fact, he signed a statement that Amber hasn't made any false statements for financial gain. He signed a statement saying she hadn't made any false statements. And you'll see that in evidence, in this trial. And it was only two years later, as his career was in free fall, and her career was taking off, that he pounced. That he chose to bring this lawsuit. After saying that she hadn't made any false statements. And one thing that you'll be instructed at the end of the trial, but that Mr. Depp's side will try to distract you from, is that any damages that he suffered and any defamation has to flow from that 2018 opinion piece. This case isn't about the statements made in 2016, even though they're true. This case is about the December 2018 opinion piece. That's what the case is about. And I have to say, it's pretty ironic. It's pretty ironic that a piece that briefly discussed Amber moving on from Johnny Depp, that briefly discussed her life experiences after Johnny Depp, is the very vehicle that he uses to try to keep her

from moving on. To try to keep her from living that life. Rather than give her her life back, rather than take personal responsibility for his own actions. It's ironic that he uses that piece to do that. But like I said, it's not surprising, because you will see clear and graphic evidence of his intentions, dating back years. Now in five or six weeks, Elaine [gestures to Elaine] or I will get up here at closing argument, and we'll remind you. We'll remind you what this case is about. We'll remind you that this case is about one piece of paper - Amber's words in this article. It wasn't about Depp, wasn't about her marriage, wasn't about her relationship, but it was about life after that. It's about the freedom of speech. It's not about the soap opera that Depp will turn this case into. It's not about who you like better. It's not even about whether you agree with the words that she wrote. It's about her right to speak them. Now, before I sit down, I'd like to briefly discuss some of the damages that Depp alleges in this case. Because he can't win the case if he can't show damages. And the evidence will show that he has not suffered one cent of damages from this op-ed. Not one. Now, make no mistake, Johnny Depp's reputation is in tatters. His career is in free fall, but it's because of problems that he created. Problems that he is responsible for and he's here in court asking you to blame Amber for them, but it's not Amber's fault. They're from the choices that he made. You'll hear a lot of evidence in this trial about those choices. You'll hear evidence of crushing drug and alcohol abuse. You'll hear evidence of Depp taking more drugs than you can count. You'll hear evidence that before one of the instances of abuse, a cross-country plane flight in May 2014, from Boston to Los Angeles, when he kicked Amber in the back on a private jet. You'll hear evidence that he had had no food for days, that he had used cocaine, that he had had half a bottle of whiskey, that he had had countless Red Bulls and vodkas, that he had taken pills. And on the plane, decided to top all that off with two bottles of champagne. You'll hear evidence of that. And he blacked out on the plane, and he abused Amber, and didn't remember anything about it when he woke up. You'll hear evidence of drug binges with his good friend, Marilyn Manson. You'll hear evidence of that three-day blackout in Australia that Ms. Vasquez tried to minimize and tell you was false. A three-day blackout in which he abused and sexually assaulted Amber. All because she had the courage to confront him about his drinking. Imagine that. A concerned spouse confronts her husband about his drinking and gets rewarded with that. That is what the evidence will show. That is

what happened to my client. That three-day blackout that led her to be so in fear for her life, that she barricaded herself in her room. That same three-day blackout that kept him from being able to do what he was in Australia to do, which was to film *Pirates of the Caribbean Five*. His behavior on that trip, both before the blackout, and during it, kept him from being a reliable actor. He showed up late to the set, and after that blackout, he was gone from the set for a long time. Now he did cut off his finger, but the evidence will show my client did not do it. And just imagine this, what Ms. Vasquez is trying to get you to buy. That Amber Heard somehow developed a major league level fastball, and cut off his finger with a bottle? You'll see the evidence. You'll see that that doesn't make any sense, and you'll hear from Ms. Heard's experts who testify, including orthopedic hand specialists who testify there was no way that that happened. You'll also see pictures of what Mr. Depp did after he cut off his finger. When he dipped it in blood and paint, and wrote graffiti all around the house. That's what you're going to see he did. And you're going to ask yourself, how can someone that is blacked out, how can they deny that they abuse someone? How can they deny what they were told that they did? He has no credibility when he gets up here now in this court, and tells you he didn't do this or do that, when he was blacked out. So just remember that. Those were problems that he created. You'll hear evidence that the same addictions that led him to abuse Amber, also led to the demise of his career as an actor. Like I said, as you saw with Disney, as you, as the evidence will show with Disney, he was unreliable as an actor. And those same self-destructive led to financial distress. Quite simply, he was running out of money, and that distress fueled his abusive tendencies toward Amber. And it led the public to think less and less of him. And you will see a parade of witnesses who testify in Johnny's case that all have one thing in common. They all rely on him, they're all on his payroll, for the most part, or they rely on him for some sort of luxury in their life. And you'll see that, of these witnesses. So, in a lot of ways, Amber previewed the parade of witnesses when she said in her op-ed, and I'm gonna read from it and quote it here. She said, you remember when I said this, "imagine a powerful man as a ship, like the Titanic. That ship is a huge enterprise. When it strikes an iceberg, there are lot of people on board desperate to patch up holes - not because they believe in or even care about the ship, but because their own fates depend on the enterprise." Remember that, as

Depp's witnesses take the stand, none of whom know what happened behind closed doors between him and Amber. None of whom can testify to that. But remember, that these are people who care about their own financial well-being, just as Amber previewed in that article. And they know what happens to people who stand up to Depp. They know what happens, because they've seen it. They've seen it with Amber and they've seen it with other people in his life who had the courage to ask him to change, and who he lashed out against. These are people who helped enable the man who describes himself as the monster. Make no mistake, this man's poor choices have brought him to this courtroom. His own bad behavior. His own refusal to commit to sobriety. His own violence. His poor choices. And the people who have spoken up against it, they've, they're the ones that have suffered the consequences. You'll hear evidence that he fired his longtime agent, that he got rid of his business managers, and his law firms that had represented him for years. And no one has suffered from his refusal to take accountability more than Amber Heard. You'll hear evidence that two years before the op-ed, two years before that, Mr. Depp brought someone else into his life who helped convince him to blame other people. That man, Adam Waldman, who Ms. Vasquez introduced you to, had never met Mr. Depp while he was in a relationship with Ms. Heard, or while he was represented by his agents or his former business managers. But he convinced him, that all these bad things that are happening, happening in his life, he helped convince him of this, were other people's faults. And you'll hear evidence of that. Rather than take responsibility for cleaning himself up, Depp chose to blame other people. That's why we're here and the evidence will show you crystal clearly that the op-ed had nothing to do with damages that he suffered. He's going to try to make it sound like this caused him to lose *Pirates of the Caribbean Six*, that, which is a movie that hasn't been made. But that Disney wasn't gonna cast him in it, because of Amber's article, but there's no evidence of that. The evidence will actually show that months before the op-ed, it was reported that Disney was considering dropping him from *Pirate's Six*. The evidence will show that Disney had a dossier on him that had articles from the press, had other information about Mr. Depp, and they didn't have this article at all in their files; didn't register with them. Just as it didn't register with the public. The public had known since 2016 what Amber had to say about Johnny Depp. This didn't change any of that. The evidence will also show that he said he would not make *Pirate's Six*, even if Disney

paid him far more money that he'd ever made on a film. That's what the evidence will show. So, any damages that he suffered in his career are not because of this op-ed. And it's time to make Johnny take responsibility. To tell him, Mr. Depp, stop blaming other people for your self-created problems, to take responsibility for your own life. And it's up to you, ladies and gentlemen, to make him do that. It's up to you, because you are uniquely qualified to do that. No one else has the power to do that, only you. To tell him, enough is enough. To stand up for the first amendment, to stand up for the truth, and Amber's right to speak it. Thank you.

[1:55:20]

THE COURT: Alright, thank you, Mr. Rottenborn. Uh, Ms. Bredehft.

MS. BREDEHOFT: Switch out that [unintelligible; gestures to the mic on Mr. Rottenborn's jacket]

THE COURT: Okay.

MS. BREDEHOFT: Good morning, still. It's good to see you all again, and thank you again very much. Ben told you we will be relying on the evidence rather than the hyperbole and the personal attacks, and he was right. The evidence in this case, simply put, is overwhelming and compelling. In the six weeks, we're going to try to show you as much as we possibly can. There are many, many, many photographs. Now you've heard Ms. Vasquez try to say: "O-oh, you can't trust those, it's not the originals". She's got that wrong. It's not from the original devices. Ms. Heard took all kinds of photographs and her friends took photographs, and all of those remained on the cloud. And all of them have been imaged and all of them have been examined by their IT experts. And they cannot discredit one photograph. Then she says: "Oh, and i-it's got a photo editing thing". Well, all iPhones have the photo editing. It's where you can make it a little lighter or darker. You can move it to the center or not. That doesn't discredit the photographs, and we will have an IT expert who will testify that all of these are legitimate, authentic photographs. Not only that, but Ms. Heard produced all of her different devices over the years, including her most recent laptop and they were pulled from many, many sources. And all of them are identical. So, if she was going to go in and

try to manipulate, she would have had to do it everywhere. And Ms. Heard will tell you she doesn't have that level of talent. There may be a couple of you, on the, on the jury who have that talent. She does not have that talent. They're all very legitimate photographs and listen carefully to the evidence from the experts and you will find every single piece is authenticated and is true. And they show bruises and they show cut lips. They show hair pulled out of her hair. They pull, they show all kinds. They show two black eyes when he headbutted her. Those are all going to be there. We also are going to show you a video and I'll talk about the timeframe of it. Ms. Heard took that on her iPad, um, and it was one day when she was in the build - the kitchen with Mr. Depp. And it was February 10th, 2016. And he's on a tear. And he's going around, he's yelling at her, and being abusive to her, and he's slamming the kitchen cupboards and their glass. And you can hear them rattling and you can hear them breaking. Then he goes over with a big glass of wine and he has a huge bottle of wine, and he pours more in there. And then she says: "Did you drink all of that?" And then he sees that he's - she's videotaping him and bam. That's going to be a pretty graphic one for you to see. Then you're going to hear audio tapes which are pretty significant, too. Ben told you about the May 2014 plane - Boston plane incident - we call it. Where he kicked her. Where he was so drunk and he blacked out. Well, Amber audio taped him when he went to the back of the plane and passed out, and was moaning loudly. You will hear that. You will also hear some other audiotapes that are very significant. One of them in Australia, at the end of the three-day hostage situation. You will hear, apparently, Mr. Depp turned on Ms. Heard's iPhone. She was never allowed to have a password, by the way. He would never let her do that during their relationship, but he must have inadvertently turned it on. There's five hours of audiotape. It's during the cleanup of all the broken glass, and the liquor, and the urine, and the blood stains, and everything else in that house. And you can hear his handlers talking about it. You can hear them talking about trying to find his finger. And that you can hear them say "she's stone cold sober". You will hear all of that. It's very, very significant evidence. What this is going to tell you is the story of a very different Johnny Depp. It's one who is always, uh, always - well I can't say always. Because he has the charis-charis-charismatic side that Amber fell in love with. But he has an enormous amount of rage. You will see the medical records and hear from the psychiatrists that talk to him

for a while in 2014. Where he admits that he has rage, that he's like a demon. That he views his, his wife Amber like his mother and his sister that he hates. Um, that's, that's what you will see. You will see that and it'll be fueled by the alcohol and the drugs. Ben told you a little bit about that. You're gonna see a list of his prescription drugs that his concierge doctor and team, who charge them a hundred-thousand-dollars a month, and have since 2014. And they are still his concierge doctors. That's the list of medications he takes in one day that they prescribe. That doesn't include the cocaine. It doesn't include the ecstasy, the MDMA, the mushrooms, and all of the others. Now, it's during these rages that Mr. Depp engaged in verbal, emotional, physical, and sexual abuse of Amber. Let me introduce you to Amber, the lesser-known person here. And I know when we were doing the *voir dire*, none of you had even watched as much as three of her movies. So, I'm going to tell you a little bit about Amber. She's 35-years-old, she's from Austin, Texas. She grew up outside of Austin, Texas. She has a daughter, Oonagh, who turned one last week. Amber grew up in a-an area; her father was a construction worker, primarily a painter. B-but he would break horses a-as part-time. They lived out on a-a ranch area. Her mother, Paige, who died two years ago, at age 63, dropped out of medical to marry Amber's father. She worked for the state of Texas in internet communications. Um, they grew up very poor. Amber has a sister, Whitney, who's sixteen months younger than her. Um, and you will see and hear from Whitney later. Because unfortunately, she also witnessed some of the abuse. Amber rode horses with her father; she tried to work with him to help him break the horses. She remembers having a broken arm at least four times - being in casts during that time. But there were some things she learned from breaking those horses that was very significant. Her father taught her she couldn't show fear, she couldn't show pain, and she couldn't show emotion. That's how she could break those horses. It's significant for you to know that so you can understand how Amber could have remained in this relationship with Mr. Depp for as long as she could and the dynamics of some of the abuse you're going to hear about. Because that's what would be her instinct, is to stand up and not let him show that's he's caused the pain, that he's caused the fear, that he's caused the humiliation. You'll hear about a long line of jobs that Amber started from back, you know, age twelve, as soon as she could. Working in a soup kitchen, well that was volunteer, but then she took all kinds of miscellaneous jobs - lifeguards, everything

oelse, trying to improve herself. She's not somebody who had a great break. What happened was, she got recognized by a Hollywood agent who expressed some interest in her. She took her hundred-eighty dollars that she'd saved up and she went to LA. That's all she had to her name. The testimony will be she worked all kinds of different jobs when she was in LA. Anything that she could get, and she would go on buses - but she didn't have a vehicle. She would go on busses. She would go up to six, six different auditions in one day. She'd have a map and she'd have, in the bus, and then she would just go around. She had a big sweater so she could change underneath it to whatever the role was, so that she could get things. And she wasn't going for, you know, famous actor roles. She was taking one-liners. She was taking extras. She was doing anything she could to make money to survive. And then you know what she did with it? She gave a bunch of it back to her parents. She started helping support them. Then when Whitney graduated from high school, she brought her out to LA and, and put a house - roof over her house. And put her through community college. She took care of her family with what she made. When she met Johnny Depp in 2009, when he hired her for *Rum Diaries*, to s-star across from him. She felt like she was pretty successful. She'd starred in some roles. She had a, she had an apartment. She had a vehicle - a Mustang. She could go to Starbucks - she could afford Starbucks. She viewed herself as doing pretty well at that point. Now, during *The Rum Diaries* sh-she got to know Mr. Depp. Not true that she was pursuing him or anything else. She was in the long-term relationship with Tasya Van Ree and he was in a long-term relationship with Vanessa Paradis. Neither of them had any kind of romantic relationship at that time. When she departed from 2000 - fr-from *The Rum Diaries* in 2009, Johnny started pursuing her. In fact, he sent her a number of gifts. One of them was a guitar, and she returned it. Now, two years later - fast forward. That's when the press junket started and that's when she had to come back and meet with him and they ran on the press tours. At that point, she had ended the relationship with Tasya Van Ree and he said he had ended his relationship with Vanessa Paradis. So, during the press trips, that's when they started dating. And by both accounts, fell madly in love. She loved the side of Johnny that we see in the movies - the charismatic one, the charming one, the generous one. That's the man she fell in love with. But sadly, the monster came in the way. Um, and that monster would come out when he was drinking, and, and when he would take the drugs. Amber

will never forget the first event of abuse. She was sitting in his house in Sweetzer, on the sofa, and he was across from her. And they were talking about a tattoo that he had, that had had Winona - "Winona Ryder Forever". He had altered that to "Wine Forever", after he broke up with Winona Ryder. Just an aside, he had "Slim", which was his nickname for Amber. When they broke up, he turned it to "Scum". But in any event, he had that on there. And Amber thought he was making a joke when he was talking about it. And she laughed. And he up and slapped her. Now, you see the rings that Mr. Depp has on him - hurts, when he slaps - and she was stunned. She had no idea what to think. And she kind of laughed, thinking, well maybe that was a joke. What just happened? And he slapped her again. And then she just froze. And just looked, and then he hit her again, and this time it knocked her right off the sofa onto the ground. And she remembers - her face was in this dirty, filthy carpet. That's what she remembers and fixated on - the dirty carpet. And she's thinking, "oh my god, I have to leave. I have to leave. But I love him. I have to leave, but I love him". And she sat there, for the longest time. She laid there for the longest time. Then Johnny came off the sofa, got on his knees, started crying. Told her he was very, very sorry that he had done this; it would never happen again. And he said some very significant words - "I thought I had put the monster away for good". That's what he said to her that day. Well, Amber ended up leaving that day, and she went out to her car, her Mustang. And she remembers that it was cold and she sat in the car for the longest time. And she remembers watching her breath, because it was cold. And she was thinking, "I have to leave him, but I love him". She just kept thinking that. She finally drove away. But Amber made the mistake that millions before her and millions after her have, who are victims of domestic abuse. She chose to stay and try to fix the problem, and thinking she could do that. So, she stayed. Now, Amber was also - she grew up in an abusive family. Her father abused her mother and sometimes she and Whitney. So, she had that cycle in there, just as you've heard that Johnny had that cycle in his house. And so, what's the normal to them is a little bit more difficult for than, some of us, can understand. You will hear witness - expert witness testimony about the cycles of violence. And what happens with these people a-and how they react, and, and, all the dynamics of thinking they can fix them. She thought all the way through, she could fix him if she can just get him sober and clean, then everything was going to be that wonderful side that

she fell madly in love with. And she kept trying, and she kept trying. She went to Al-Anon meetings. She went to therapists. She tried to do couples' therapy - you'll hear about their tape-recording sessions to try to resolve fights or de-escalate them so he wouldn't get mad at her for anything. Um, but you'll hear that he gets mad at her for all kind of things. But he got - he didn't want her to work. Here she is, a budding actor who wants to be out there and succeed, and he doesn't want her to take roles. He starts controlling what she wears. He starts looking at her lines when she tries out for places. He nixes any romance scenes, sex scenes. Uh, he gets mad and accuses her of sleeping with every single one of her costars. Um, i-it became a cycle of that - control, as well, emotional abuse as you go. But what's also significant in that, is the property damage. And that's a hard one for Mr. Depp to be able to escape when he's claiming he's such a docile thing and that it's all Ms. Heard. You're gonna see pictures. He writes on mirrors - horrible things to her. Writes on lamp shades, you know, on clothing, on counter tops. In Australia - when you heard Ben talk about Australia - he wrote th-the third day, as Amber comes out after she's barricaded herself and gone through a lot, and I'll back up on that in a minute. She comes out. He's got mashed potatoes spread across the top. He's got - he's written along the wall of the staircase, going down. All kinds of nasty things about her, and "Billy Bob Thornton", the last one she was in a costar with. And you know, "fucking ambition", and all kinds of things like that. Then he's written on the lamp shades downstairs. And then he's got more on the mirrors. And then, on top of it, you've got all the broken glass everywhere and you've got the liquor everywhere. A-And it's, it's just, a-and then he's urinated - tried to urinate messages to her. That's the Johnny Depp; that's the other side. Now you're going to hear that Amber tried to protect him, all the way through. She didn't want the public to know this. She didn't want his kids to know this. And so, she didn't tell people about it. And so, let's go back. The first event I told you about was 2011 and how do we know that it was in 2011? Because Amber was going to her therapist, Bonnie Jacobs. And Bonnie Jacobs has therapy notes o-of her sessions with Amber. And in those therapy notes, she chronicles the first time that Amber tells her that Johnny hit her. And it goes through into 2012, 2013, 2014. And you will see, and you will hear from Bonnie Jacobs, her saying: "you know, this is a cycle of violence. This is a cycle of abuse. Y-you can't enable him. You need to, you need to stand up

for yourself." Amber will testify about Johnny would get so drunk and so drugged out that he would vomit all over himself and worse - lose control of his bowels. She would clean him up, and, and you'll see Bonnie Jacobs and these notes say: "Don't do that, you're enabling him. Don't do it, leave him there." But what would happen would his handlers would then take care of him if she left him. So, that's t-the story you're going to hear on that. Let me just tell you about a few of the events. And I'm going to start in Australia. That's the three-day hostage - she gets there. Now, y-you will hear Mr. Depp testify, under oath, that for fifteen to eighteen months before the March 2015 Australia event, when he's there filming, that, that he's been sober. Clean and sober. Then you'll see all the text messages for the last eighteen months in which he's scoring drugs. In which you'll hear testimony from people in which he's gotten drunk. And, and, and you know, taken all kinds of different drugs. The whole time; he doesn't get clean and sober. But he claims that he was clean and sober. That she came there. This is a month after they just got married. She flew in from filming *The Danish Girls*. She's there and he claims that was just sitting there calmly and he just - she was haranguing him so he took a shot glass of vodka. And when she - when he did that, she got mad, took the bottle of vodka, was eight to ten feet - about where I am from you - and hurled it at him. And it happened to just take off the bottom part of his finger. And then he says she came and burned a hole in his, in his cheek. The testimony is going to be that he self-mutilated on a number of occasions and burned himself on the cheek. And also cut himself, but Amber never did that. And you're going to hear from the experts testifying about this finger injury and how fantastic this version is. But the other part of it was he was with Marilyn Manson for the week before, scoring on cocaine. You'll have - you'll see text messages of him getting it from his handlers. The cocaine and the liquor. And you'll hear so much before that. But Amber gets there and instead what he does is he takes eight to ten tablets of ecstasy, almost immediately. And the next three days are just a, a cycle of, of, of very, very, very violent activity by him. And Amber keeps trying to calm him down. She tries to get him eat. She tries to get him to sleep. She tries to do these things. And he would - just at different - he was, you know, at times delusional, paranoid. He would be, you know, mad at somebody else, then he'd be mad at her. And by the way, we'll talk about the prenup, but he called her lawyer. Who she had because she wanted to give

him a prenup and then they got married too quickly, so she was gonna give him a postnup. He called the lawyer from Australia; called her a bitch and fired her. You'll hear the testimony from the lawyer on that. Um, that's the type of Johnny Depp that was there and he didn't want the postnup. He didn't want the prenup. But now they're going to tell you that's, that it was her that it was mad. You're gonna hear that she had a lawyer and she was cooperating completely on that. So, as you go through those three days of Australia, some pretty horrendous things happened to her. He rips off her nightgown. He has her jammed up against a bar. He has hurled bottles and bottles at her. He has dragged her across the floor on the broken bottles and the liquor. He has punched her. He has kicked her. He tells her he's gonna "fucking kill her", he "fucking hates her". He's pounding at her, pounding her. And then he penetrates her with a liquor bottle. That's the Johnny Depp that you're gonna hear about in this case. Now, after that, Amber goes to the airport and what does she do? She buys a book by a, by a psychiatrist who's talking about couples' therapy. She's already trying to figure out a way to fix it again, fix this marriage that's only a month old and her husband has just done these horrible things to her. Now, they go back to uh, to uh LA, he's got to get his finger fixed. So, he has to stop filming *Pirates Five*. They get there and there's another fight, in just two weeks from there. He's still using at this point; he's still drunk. But Amber finds o-on a TV screen, his monitor, she finds pictures of another woman. Naked pictures of a woman and text messages which show that he's clearly having an affair. She gets extremely mad - average, yeah - she can be jealous too, she can get angry. You know, she's half his age and you know, she's, she's you know, defiant and we're not going to say she's perfect. She was mad as can be when she saw that, and she confronted him. The two of them were screaming at each other. Now her sister Whitney happened to be in the house. She was summoned - she literally was awakened to come and try to resolve this fight between the two of them. While she's there, Johnny starts hitting Amber. Um, and Whitney ends up getting in between them and Amber thinks that Johnny's going to throw her down, push her down the stairs because he's in that position. So, Amber actually gets up and punches Johnny in the face. She'll tell you that's the only time she has ever laid one on him. You know, in an aggressive manner. But it's after he's already been hitting her and it's in defense of her sister. And she'll admit she got him that time and she actually did have an impact on

him. She'll testify about how many times they were in their fights. And she said, you know, she's almost half his size. So, he, you know, she said: "If I pushed him, he doesn't move. He pushes me, I go flying across the room". There isn't any, you know, any ability on her part to be the abuser. Um, what she'll also tell you is it took her awhile to ever fight back. That many times before that, she would do what she did when she was breaking the horses. She wouldn't show fear, she wouldn't show pain. She would look at him, she would just be defiant. And all it would do is piss him off more. She'll tell you that she tried everything. She tried everything. You know, from trying to be nice, trying to get away from him. You know, she would throw things in his way to get him from running after her. She would, she would try to, you know, flail back. She would use her hands and legs and she would go and try to fight him. She'd run into a room and try to barricade, and push his hands and everything out of there. She'd try all those things. But she couldn't figure out what could get him to calm down. I'm going to fast forward now to the next one and that is, um, I'm going to jump you up to after the stair incident and Johnny had to get surgery on his finger. That's the longest period of time he stayed sober. It was almost three months. You're going to hear that he has never been through rehab. Even though he has been a lifelong drug addict and alcoholic. Never has he gone through a rehab plan. Instead, there's twice that he went to some New York hospital and did a cleansing. One time it was for three days and one d-time it was for five days and that's it. He's never made any effort whatsoever to get sober or, or stop the drugs. But this particular time, he did for almost three months. And you'll see the text messages. We're going to take you through this whole story and all the text messages, and all the emails, and all the testimony that you're going to get. So, fast forward to December 2015. That was one of the worst - Australia was pretty bad - but this one was even worse. In this particular occasion, he gets angry for some reason, and he starts dragging her by her hair through the apartment, uh, kicking her, punching her, tearing her hair out. At one point she gets up and looks at him, and he headbutts her, and she gets two black eyes from it. Then he goes and grabs, drags her up the stairs, puts her on the bed, puts his foot and knee in the back of her. Then he continues to punch her, telling her he's "fucking hating her" and he's "fucking going to kill her". And he's got his boot stuck in the bed frame as he's doing it. And the force of what he's doing to her causes the bed frame to splinter.

That's how much force. She is suffocating in the pillow. And s-she believes truly she's going to die on this one. She wakes up to her friend being there. She doesn't know how long she was that she was unconscious or subconscious. She doesn't know. But Johnny was gone at that point and her friend's saying: "Are you okay, are you okay?" You'll see the pictures of all of this. You'll see pictures of the hair. Imagine how much that must hurt. The hair out on the ground. And you'll see the pictures of Amber. Now, here's the ironic thing. The next day, she's gotta be at *The James Corden* show. And you'll see the text messages; she's not sure if she can go, she's worried, she's got two black eyes. She's got a split lip, she's got bruising, she's got her hair missing. But her friends rally with her, she's got a makeup artist. You're going to hear from Melanie Inglessis who does the best job of makeup you could imagine to get her through *The James Corden* show. And she does it. But you'll see the pictures. The before and you'll see them then. But that's the resilient Amber who says I'm going to go do this anyway. Now, her friends, she tells iO, you're going to hear about iO Tillet Wright. He was in New York. She texted him and said: "Johnny beat me up really good this time, can you help?" And he says: "I was filming something, I stopped. I got the first flight out of there. I'm flying from New York back to LA. I see her on the James Corden show. I can see the swelling because I know her well. I can see the swelling." And then he said: "Somebody touched her and she flinched on the show". Um, he said that's not like Amber. They got there; they hadn't cleaned up all the mess. He sees the hair, he sees splinter. He sees all of the other things. And he is so upset. He was a good friend of Johnny's as well. He'll testify about all of his friendship with Johnny. But he put his foot down on that one and said: "You need to have consequences; you cannot do this to Amber anymore. I am not your friend anymore." Now, there were several people that were supposed to go to Johnny's Island - Bahama's Island - in December for Christmas. He was gonna bring his two kids, he'd invited Amber's parents, um, who loved Johnny. And unfortunately, her father used to drink and do drugs with Johnny a lot. And he was also gonna take Rocky, her friend who lived next door in a penthouse, and her fiancé, and Rocky's parents. Imagine being able to go to a Bahama's Island for Christmas. What a cool thing to do. But they all were so upset what he did to Amber on December 15th, they said: "No, we're not going. We're not going to condone this. We're not going". But he talked Amber into going. He guilted her into going.

"I'm going to be with my kids, please come, I'll be better, I'm gonna get better." Amber went. And then he ends up assaulting her even there and sexually assaults her, even there. Now, you'll see a video from them of the Bahamas, uh, the Bahamas, t-the place they stayed on his island. The video just conveniently leaves out the wardrobe in the bathroom where he committed the assault. He just goes around and makes it look like it's one room. And his kids were there, and there's no way they could have done that. Bu-but you'll hear the testimony and you'll see the pictures. Then, from then on, things really were bad for Amber. And she was really considering leaving him at this point. And she was talking to her friends and confiding, you'll see. You know, the medical records. Um, and in February 2016, I told you you'd see that video. That same night, before the video, he called iO Tillet Wright and left him a voicemail message that he said was just absolute delusional. It was crazy. He was pretending like he was the property management. Uh, it was just an insane call. And then, the next day, we have the picture of the video. Then we get to April 30th - or April 21st, 2016. Amber's 30th birthday party. She was going to turn 30 the next day. Pretty big event. Her friends had a tape that they put together, of everybody giving her tributes. Johnny doesn't participate. They have a dinner and a party for her that night. Johnny says, uh: "I have a business meeting at 7 PM. Uh, I-I'll be there after that." Well, what kind of business meeting do you have at 7 PM when your wife turns 30? Uh, but that's, that's Johnny, right. Um, and he can't say that it was an important financial one, because he'd fired his financial manager the month before, when, as you heard from Ben, it was blaming him for all his financial problems. So, he's the... he's the problem. So, he shows up late, drunk, drugs. And after everybody - and he's even drinking while he's there and he's telling the other friends, and you'll hear from one of them, that he's saying "hi, here, hide the bottle from Amber. Hide the bottle from Amber." When they all leave, she expresses her disappointment. He gets mad and assaults her again, including sexually assaults her. Then, he goes away and he doesn't come back for a month. Now, this is an important event. May 21, 2016. This is the last one. And this is the final straw that leads up to the DVTRO - the Domestic Violence Temporary Restraining Order. So, he says he's coming over to get some clothes. He's going to go out on tour. She says okay. He comes over um, and he's, his mother died the day before. Um, and he's already in a state. He's been drinking; he's clearly high. And he comes in and he's got on

his mind, this obsession that when she, on her birthday. Go back to her birthday. The next day, she and her friends went to Coachella. But his housekeeper had come in to clean after that, always did. Um, and the housekeeper found so-some, you know, feces on the bed. Um, and had been upset about it and taken a picture and sent it to him. So, all of a sudden, a month later, he's got it in his head that Amber has conspired with her friends to defecate on the bed - human, not dog - even though they got two dogs and one of them has major problems. You'll hear about Boo and Pistol. Um, a-and, somehow Amber was doing this so he would get back there and find it. Even though he had no intention of coming back, and even though the housekeeper was there. And he can-won't lose it, he won't get rid of it. He's just obsessed with it. Then, he decides that it's iO Tillet Wright who did it. Even though iO wasn't at the birthday party and wasn't even in town. So, Amber gets iO on the phone; iO's in New York. And she says: "This is what Johnny says. Can you please just calm him down? Tell him this isn't true. Tell him we didn't do - I don't have a conspiracy here." A-and iO's thinking what? A-and you'll hear from iO. He'll say: "Amber's fecal-phobia. I mean, she can't even, you know, she-she's so embarrassed about that stuff. She would never conspire - never do anything like that, to him". So, they're kind of laughing about at the absurdity of it. And that was the biggest mistake. Cause that triggered his anger. And then h-he started after; he started hitting Amber. He took her - grabbed the cell phone from her, wound it up and bashed it into her face. And you will see the pictures. You will see the bruise there. You'll see t-the form of it there. Now, iO's very, very upset. He's worried because he knows about the December 15, 2015. And he says, he says, "Amber, get out of there. Get out of there. You know, are you safe? You know, ge-get out of there." You know, as Johnny's storming around. Um, and he calls Rocky, who lives next door. And then, uh, he calls 911 and it's not clear. You know, whether Amber said call 911 or he said call 911. But they call - he calls 911. But he's in New York. And he's genuinely concerned for her safety. So, he calls 911 there and he calls a friend in LA and says: "Please call 911 and just tell them this so they get somebody there, so we get somebody fast, I don't know what's going on." So, the police are called twice, essentially. And now, here's what happens next. Johnny goes around and he trashes the apartment before he leaves; he loves to do that. You're going to hear about his penchant for that; he does it a lot. Um, and you'll see a picture of him in the

elevator afterwards, leaving with his bodyguards. And he's a little agitated there. Um, and the police are called. You will see pictures of Amber with metadata on them, both before, during, and after the police officers are there. But what happens is Amber calls her attorney, the one that she had consulted after the December 15 event. And the attorney says: "If you press charges, they'll arrest him." And Amber says: "I ca-can't have that happen. I don't want his kids to know about this. I don't want the public to know. I can't have that happen." So, when the police show up, she refuses to cooperate. She says, "on the advice of my attorney, I'm not going to cooperate." But her friend, Rocky, whose fiancé was there, Josh at this point. Um, he takes them around and shows one of the police officers all the property damage around the house as well. And the police officers say to him: "Look, she's got the red mark on there. You know, if you just give us the name, we-we'll go get him." And he says: "I-I can't, she won't let me." So, they leave. Now, here's what happens and creates all of th-the, you know, noise here that you're going to have to deal with. So, the police officers don't make an incident report. They don't take a report. They don't document the property damage. They don't document the facial damage. Instead, they go out and they write on their CAD, that's their little system in there. They write, "verbal dispute only. Victim uncooperative." That's their language for we don't have to write a report. You'll see that the police officers have another one later, that night, another. And they put "verbal dispute only". That's their magic language. Now, that's notwithstanding that you'll see these pictures. But Amber wasn't cooperating with them and they were quite convinced she wasn't going to, so, as many domestic violence, you know, calls that they take... they're not gonna, you know, they're not gonna... th-this is o-one that th-they figure i-it's gone. Now, the other police officers come two hours later. They've cleaned up the place at this point; they don't know that these police officers are arriving. But when they do arrive there, they try to discourage them even from coming in. Josh answers the door, says: "No, the other lawyers - the other police officers were already here." A-and he says - a-and they, uh, say: "No, but we just have to see her." And they have body cameras, by the way. So, you'll see the body cam footage of this. Um, so they go through a-and they do that. And um, one of the significant things is you'll see on the CAD that, that the two police officer sets are communicating with each other. And the first set says: "I don't think she's going to change her mind." And they

know, they know who the officers were the first time. Because they say Officer Saenz. You'll hear, hear this and you'll see it in the body cam footage. Amber says: "No, everything's fine. You can see on there." And they leave. Now, the reason this is so significant is what they have done with this in creating - and that's part of the counterclaim. And wh-what the-their version o-of the reality is, is that Amber calls the clock - the cops. Then, they don't see any injury, so they mess up the place, splash a little wine. And call another set of cops. Does that sound like the situation here? No. No. And i-it's really important to look at the evidence and think about this. You'll hear from many - actually - I don't know how many of the police officers were put on, but we have, you know, between four and six LAPD police officers and experts. Who will say those police officers, even when she declined to cooperate, should've taken report. They should've documented it; that was police policy. So, when, faced with this big, public, you know, big, public, DVRO and all of the publicity later, now they go back to the police officers and say: "Hey, wait a second. You didn't take a report. You said it was a verbal dispute only." They're stuck. Y-you know, i-if all of that was true, and they admitted it was true, then they violated policy by not doing the report. Because they were supposed to take a report. So, the police officers chose the other, and said no, there was no evidence. But you're gonna watch it. You're gonna see it in real time; you're gonna see it on metadata. So, Amber goes to get the DV, th-the domestic violence TRO. You're going to see the letter that her lawyer wrote to Johnny Depp's lawyer that week, telling them that that's what she would have to - she was going to do. If, b-but, but, giving them opportunity here, to be able to resolve it. To get a mediator, you know, just make sure that she's safe, that she can stay in the residence until they figure things out. That she can drive her vehicle until they figure it out. You know, some attorney's fees, whatever. You're going to see the letter. You're gonna - so they knew, and they say - it says right in there she's going to go in Friday. They chose not to go. They keep saying *ex parte*. But they chose not to appear. And they knew she was going to appear. Well, Amber didn't call TMZ. But somebody called TMZ to take all those photos that day. Now, you also heard them say that all kinds of people saw Amber that week, and she didn't, uh, she didn't have any bruises on her face. Well, let me show you this. [Shows a color corrector from Milani]. This is what Amber carried in her purse for the entire relationship with Johnny Depp. She's an actor. Do

you honestly think she would have left her apartment, ever without makeup? Do you think that she ever would have wanted other people to see her bruises and her cuts? This was what she used; she became very adept at it. And you're gonna hear the testimony from Amber about how she had to mix the different colors for the different days of the bruises. As they were, a-as they developed, and the different coloring. And how she would use these to touch those up to be able to cover those. She also used concealer, foundation. You'll hear from her makeup, uh, person, that Amber didn't even leave her bedroom without having foundation on. And one of the people that was at the building testified. He said: "She had makeup on and it would've covered that bruise." So, th-that's the testimony on that. Now, let me talk about the divorce just for a moment. So, they go through. They have the two months of trying to resolve the divorce. Ben already told you that they signed a joint statement in which Mr. Depp admits that she did not make any of these allegations falsely, and not for financial gain. But, th-they brought up the donations. So, I want to talk to you about the donations for a moment. Now, here's the story. Amber didn't have a prenup. She didn't have a postnup. She was more than willing to do that, but as I told you, Mr. Depp fired her lawyers, and said "only 'til death. Th-that's the only way we're going to part is through death. We're not - we don't need a postnup. We don't need a prenup." That's Johnny. It's true, his advisors were all telling him get one. And she said I'll get one and she hired a lawyer. But, anyway, she didn't have a prenup. So, what you're going to hear is that meant, no matter what, wh-whether it was abuse, adultery, irreconcilable differences, abandonment - doesn't matter. She's entitled to fifty percent of everything during that marriage. Well, he did *Pirates Five* and he did two other movies during that time. And you'll see that he made sixty-five million dollars during those two years. Half of that is thirty-two point five. Amber didn't want that. You'll see a letter - you'll see an email from her lawyer that she forwarded onto her agent, who became Johnny's agent later. Saying, um: "I want you to sign this because you're entitled to a whole lot more than seven million. Um, and I don't want you to" - basically, "I don't want you to come back and sue me for malpractice." Um, that's what her lawyer tells her. And then her lawyer says: "I offered them even less than they... I-I-I demanded less than they offered." In other words, the seven million was less than Mr. Depp's team was even offering to her. And she said: "I just want to be left alone. I just wanna get out of this

marriage. I don't want - I'm not doing this for financial gain." So, she didn't take the money. So, she said: "I'm going to donate all seven million of this to charity. Half to ACLU, half to Children's Hospital." And then, what happened was. A-and, by the way, the seven million was paid out over time. It's installments. It was over, you know, you'll see the documents, but it's over a couple years, right. So, her... his business manager, Ed White, you'll see the letters. He sends the first hundred-thousand out of the seven million to each of them, and says: "This is a pledge towards the three point five million dollars that Amber's donating. Uh, she'll be paying that in installments." So, everybody knows she's paying in installments. You're going to hear differently from them now. But you're gonna see that was the admission at the beginning. You're going to hear from Children's Hospital and the ACLU that they assumed this was a pledge - paid over period of time. Because that's what they do, because of tax deductions and things of that nature. So, Amber does make...she makes a two-hundred-and-fifty-thousand-dollar payment to Children's Hospital. Then, she also makes a two-hundred- and fifty-thousand-dollar payment to Art of Elysium, which is another charity that she worked for. Um, a-and, u-used to feed and used to do a lot of arts work with the Children's Hospital. She pays three-hundred-and-fifty-thousand-dollars to the ACLU. Now, in addition to that, she also was dating Elon Musk by this time. You'll find out that Mr. Depp's obsessed with Elon Musk. But she's dating him, so he gives five-hundred-thousand to both of those charities in her honor. Now, she doesn't claim that's part of the seven million. But what happens is that she gets, she makes her payments up through 2018. Mr. Depp sues her again March 1, 2019 in this litigation. She can't afford right now, to be making those pledges. She's gotta defend herself. But she has every intention of continuing to make those payments. She has been a lifelong person who has served charities. She, she used to... to volunteer at children's hospitals three times a week when she could. She's very much that kind of person and she intends to. And both, both ACLU and Children's Hospital will tell you they have no reason to believe she won't be good on her pledges. There's nothing that required her to do a certain amount at a certain time. And she will give it to them, once she's able to afford it again. Now, let me talk about the counterclaim for a minute. And then, I'm gonna... I have to promise to let you go at some point, don't I? So, Mr. Depp has decided... y-you heard from Ben. You're gonna see some really, really

terrible text messages from Johnny Depp on how he viewed Amber Heard. He calls her some horrific names. But in the summer of 2016, he vows, he vows he's gonna hunt her, he vows she's gonna suffer global humiliation. He says he's going to live in her and she will never forget him. And he meant it. So, in the summer of 2018, you heard Ms. Vasquez he wants to clear his name. He can't be called a wife-beater, et cetera. But an article...a-an op-ed appeared on the *Sun Times* in London. They called him a wife-beater. It was written by Dan Wootten, the CEO, or the uh, yeah, chief editor of *The Sun* at the time. And he is writing because Johnny Depp is being cast in *Fantastic Beasts 3*. And so, he's, he's... t-the article is "Why is J.K. Rowling -"

MR. CHEW: Your Honor, may I approach?

MS. BREDEHOFT: genuinely, gen"-

THE COURT: Yes.

[2:39:18: Ms. Bredehoft has a sidebar with the Judge and Mr. Chew]

[2:40:49 Ms. Bredehoft returns to stand in front of the jury and continues her opening statement]

MS. BREDEHOFT: So, you will hear testimony - let me back up a little bit. So, you have heard from Mr. Depp's team that they are going to claim that Amber H-Heard abused Johnny Depp. You are also hearing from them that he says that she cut off his finger. When you look at the text messages and you look at the emails, you will see that in every one of those, that Mr. Depp said to Dr. Kipper, to David Heard, Amber's father, and to others: "I cut off my finger". You will see that. He never, throughout the entire time he was married to Amber, ever claimed that she hit him. He never, ever, throughout the time he was married to Amber Heard claimed that she cut off the finger. Only two years later, does he for the very first time start claiming she abused him and start claiming that she cut off the finger. I'm going to ask you to look hard at the evidence in this case. Because the evidence is going to show that it never, ever came up before. Now, let's talk about the counterclaim for a few minutes. There's a few statements here. Now, they've said: "Why are you suing Adam Waldman?" You heard from, from Ben that Adam Waldman didn't come into Ad - to, uh,

Johnny's Depp's lie until October 2016. He wasn't there for any of their marriage. He doesn't have any personal knowledge of their marriage. Everything he does is based on Johnny Depp. Johnny Depp used Adam Waldman as his agent. And you will see a bunch of texts where he's saying: "Yeah, man, he's going after these people. He's doing all this stuff for me. He's suing my business manager. He's suing the lawyer. He's going af...you know, he's doing all this." He's also going to the press and making all kinds of statements about Amber Heard. And these statements are as follows, and Am - Heather, if you could pull up the first. The first one is: "Adam Waldman, Depp's lawyer, said afterwards, 'Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and a shield, depending on their needs. They have selected some of her sexual violence hoax 'facts' as the sword, inflicting them on the public and Mr. Depp.'" Now, there isn't sexual violence hoax. There isn't any hoax at all. But he's out there, affirmatively stating that she's got this conspiracy with her friends and she's making these things up. And it's very, very damaging and harmful to her. The testimony will be that these Depp fans take and run with these things. And you're gonna hear from an expert who talks about, computer-wise, when you search the hoax and you see that it just spreads out into the internet and the social media and generates a lot of negative publicity for Amber. Statement two, please. This was made in April of 2020. "Depp's lawyer, Adam Waldman said various discrepancies proved that nothing Heard and her friends said about the events of May 21, 2016 could be considered credible. 'Quite simply this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn't do the trick', he told DailyMa-mail.com. 'The officers came to the penthouses, thoroughly searched and interviews, and left after seeing no damage to face or property. 'So Amber and her friends spilled a little wine, roughed the place up, and got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911.'" Now, I've already told you all about the events o-of May 21. But I'm also - you're also going to hear from the second set of officers. There's no way that Amber was trying with her friends to now get charges pressed against Johnny. They'd cleaned everything up, they didn't want them in there. The absolute opposite of what he says there. The third statement, if you may. "Depp's attorney, Adam Waldman said: 'When Amanda de Cadenet,' " - that's a friend of Amber's - "Amber Heard's best friend and MeToo activist recants her support for Ms. Heard and

testifies against her, you know we have reached the beginning of the end of Ms. Heard's abuse hoax against Johnny Depp.'" Amanda de Cadenet never testified against her, but that's not the part that we're claiming is the defamation. It's "abuse hoax against Johnny Depp". In other words, in all of these artic-, in all of these articles, he's saying that she created an abuse hoax. And you're going to make those determinations of whether that's true or not. But what we're going to show you is that that not only was tremendously damaging to Amber, uh, emotionally. And you're going to hear from an expert on domestic violence and inti-, and uh, intimate partner violence, IPV, about how those triggers happen. When you have somebody who's gone through all of this, and she's trying to heal, and she's trying to get past this, and then bam. You c-come in there and you inflict this, and you put this out in the public. And everybody runs with it. There's over a million - we-we're gonna tell you about a million different searches on the Twitter from th-these different hits. How that impacts her emotionally. Every time somebody calls her a liar, for what she went through and how hard she tried to protect Johnny Depp so that his children and the public never found out about that Johnny Depp. And how much that has harmed her. A-a-and how much emotionally that's impacted her and retriggered and retriggered. But we're also going to talk to you about the, uh, the reputational damages for that. Amber made it through the divorce, then she got cast in *Aquaman*. A few of you have saw that. That was a blockbuster. It was the highest grossing movie in DC Films history ever, up to this point. Over, it hit over, a billion dollars in a very short time. It was a mega, mega hit. She was moving forward, then she gets hit with these defamatory statements and all of the Depp followings and the, and the computer and Twitter, and everything else. Nobody wants to touch her. Well, and you're gonna hear from an expert who's gonna say: "Look at Jason Momoa, look at Gal Gadot, look at other people who started coming up in those tracks from *Just-* she was *Justice League* and then *Aqua-Aquaman*. Look at what they're getting. They're getting commercials. They're getting all kinds of different film opportunities. These are the things that she would've gotten. Nobody will touch her, she's a pariah." Um, and we're going to ask you, as Ben said, to hold Mr. Depp responsible. Enough is enough. But we're also going to ask you to hold him responsible and, and try to fully and fairly compensate Amber for what he has done to her. Thank you very much.

[2:47:25]

THE COURT: Alright, thank you, Ms. Bredehoft. Um, based on the time, ladies and gentlemen, I think I'm going to release you for lunch a little early, so we can, um, just start uh, with the first witness when we get back from lunch. I think it's just a natural break, so if you wanna, um, go ahead and go with the deputy. Um, just remember, don't, don't talk to anybody about the case and don't do any outside research, okay. We'll be back here at, let's get, let's get back at, I'll give you a little extra time to 1:45, okay? Just to give you some extra time downstairs, okay? Alright, thank you. If you would go up with Deputy [name unintelligible; sounded like Lucy?]

[All rise for jury to leave]

[Once the jury has left]

THE COURT: Does somebody have the *Motion in Limines* for me? I don't think I've received those signed orders.

[Many people talking. Mr. David Murphy on Heard's team says they agreed after lunch]

THE COURT: Okay, first thing after lunch, I get them?

MR. MURPHY: Yes, your Honor.

THE COURT: Okay, alright, that's perfect. Anything else?

[Collective: No, your Honor]

THE COURT: Alright, we'll be back at 1:45, then. Thank you.

[Collective: Thank you]

[2:48:38]

BAILIFF: ALL RISE.