

Claim No QB-2018-006323
 IN THE HIGH COURT OF JUSTICE
 QUEEN'S BENCH DIVISION
 MEDIA AND COMMUNICATIONS LIST
 Royal Courts of Justice,
 Strand,
 London, WC2A 2LL.
 Friday, 10th July, 2020
 Before:
 MR. JUSTICE NICOL

 BETWEEN:
 JOHN CHRISTOPHER DEPP II
 Claimant
 -and-
 (1) NEWS GROUP NEWSPAPERS LIMITED
 (2) DAN WOOTTON
 Defendants

 (Transcript of the Stenograph Notes of
 Marten Walsh Cherer Limited, 2nd Floor, Quality House,
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MR. DAVID SHERBORNE, MS. ELEANOR LAWS QC and MS. KATE WILSON
 (instructed by Schillings) appeared for the Claimant.
 MS. SASHA WASS QC, MR. ADAM WOLANSKI QC and MS. CLARA HAMER
 (instructed by Simons Muirhead & Burton) appeared for
 the Defendants.

 P R O C E E D I N G S
 (DAY 4)
 (TRANSCRIPT PREPARED WITHOUT ACCESS TO COURT BUNDLES)

1 DEPP
 2 MR. JOHN CHRISTOPHER DEPP, RECALLED
 3 CROSS-EXAMINATION BY MS. WASS, CONTINUED
 4 MS. WASS: Mr. Depp, good morning.
 5 THE WITNESS: Good morning.
 6 Q. Can I ask you a question about the hoax which you have put
 7 forward as an explanation for Ms. Heard's conduct. As I
 8 understand it, she has put her head together with various
 9 other people to make it look as if you were a wife beater when
 10 the reality was that you were not; is that correct?
 11 A. That is correct.
 12 Q. Could you go to file 7, please, and go to tab 22A. Now,
 13 iO Tillet-Wright, is he one of the people who is part of the
 14 conspiracy with Ms. Heard?
 15 A. Yes. I believe that to be true, yes.
 16 Q. We see here a text exchange. My Lord, it is H134.1 between
 17 Ms. Heard and Mr. Tillet Wright. It is a bit difficult to
 18 read so let me know if you get lost. If you go to the first
 19 hole punch, you can see the name iO, and then a question,
 20 "What the holy fuck happened this time?" Can you see that?
 21 A. Yes, ma'am.
 22 Q. This is, just for the avoidance of doubt, an e-mail exchange
 23 on 11th February 2016, so we are now moving into 2016.
 24 Mr. Tillet Wright says, "What the holy fuck happened this
 25 time?" Ms. Heard says, "He just lost it, literally switching

1 DISCUSSION
 2 MR. JUSTICE NICOL: Ms. Wass, before you start, I hope that you
 3 and Mr. Sherborne received an e-mail from my clerk this
 4 morning.
 5 MS. WASS: We did.
 6 MR. JUSTICE NICOL: I will leave you to discuss how the extra time
 7 will be divided in line with my e-mail.
 8 MS. WASS: Yes.
 9 MR. JUSTICE NICOL: I do not want to take up time dealing with
 10 that now, but I will return to it if there is disagreement.
 11 MS. WASS: Thank you very much.
 12 MR. JUSTICE NICOL: The other matter which I asked my clerk to
 13 pass to you was a request that I had from a journalist, asking
 14 that he be provided with a copy of the transcript that is
 15 being prepared. Again, I do not want to take up time with
 16 that now, but if you have not seen it, a copy of the e-mail
 17 will be passed to you and in due course I would be interested
 18 in your comments.
 19 MS. WASS: Thank you.
 20 MR. JUSTICE NICOL: In accordance with what I said yesterday,
 21 I will expect you to finish your cross-examination by 11.30.
 22 For the avoidance of doubt, that will include anything that
 23 needs to be in private session.
 24 MS. WASS: Yes, I understand that, thank you very much.
 25 MR. JUSTICE NICOL: Yes.

1 DEPP - WASS
 2 personalities like channels on, on a TV. It was nuts."
 3 Mr. Tillet Wright says, "Did he hit you? I thought you guys
 4 weren't seeing each other." Then Ms. Heard says, "No, he
 5 didn't touch me." Do you see that?
 6 A. Yes, I do.
 7 Q. It would appear that Ms. Heard is making a complaint about you
 8 losing it?
 9 A. Yes ma'am.
 10 Q. But not making a complaint that you hit her on that occasion.
 11 Do you agree?
 12 A. Yes, I agree. It is a rare occasion, yes.
 13 Q. A rare occasion that you did not hit her?
 14 A. A rare occasion that she says I did not hit her.
 15 Q. That is what I was going to ask you. How does this fit in
 16 with your idea that she was making up untrue evidence about
 17 your violent behaviour? She is denying you hit her on this
 18 occasion?
 19 A. Yes, she is denying that I hit her on this occasion. I would
 20 not begin to be able to understand exactly why. I suppose she
 21 just -- maybe she was telling the truth for once.
 22 Q. All right. Now, Ms. Heard's birthday was on what date?
 23 A. 22nd April.
 24 Q. And on 22nd April 2016, she would turn 30?
 25 A. Yes.

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1 DEPP - WASS
 2 Q. Obviously a big occasion for her?
 3 A. Yes, ma'am.
 4 Q. And the night before, she gave a little party at the Eastern
 5 Columbia Building with some guests. I think it was to be a
 6 party of 12; do you agree?
 7 A. Something around there, yes.
 8 Q. It was also an important date for you, was it not, because you
 9 had a meeting with your recently hired business manager and
 10 his accountant?
 11 A. Yes, ma'am.
 12 Q. And one of the accountants is Mr. Edward White?
 13 A. Yes, ma'am.
 14 Q. I think your sister Christi was also there?
 15 A. Yes, ma'am.
 16 Q. The meeting took place at the production company Infinitum
 17 Nihil?
 18 A. Yes.
 19 Q. It started at 7.30?
 20 A. The meeting?
 21 Q. Yes.
 22 A. I do not recall. Yes, I believe it was somewhere in that
 23 area, yes.
 24 Q. Let me just help you. That is what Mr. White says.
 25 A. Oh, good. Right.

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1 DEPP - WASS
 2 Q. Mr. White says it ended at about 9.00 to 9.30?
 3 A. Yes, ma'am.
 4 Q. You would not have missed your wife's thirtieth birthday
 5 celebrations unless it had been important, would you?
 6 A. No, I would not. I desperately tried to get out of the
 7 meeting.
 8 Q. I think you were given some rather unfortunate news about your
 9 financial affairs?
 10 A. Yes, ma'am.
 11 Q. Which is obviously stressful?
 12 A. Yes, ma'am.
 13 Q. And after leaving the meeting, did you ingest any recreational
 14 drugs to relieve your stress?
 15 A. Very likely I would have smoked some marijuana to calm myself.
 16 Q. Yes, because when you arrived at the birthday party, and you
 17 arrived about 10 o'clock, a couple of hours late, does that
 18 sound right?
 19 A. Yes, ma'am. I believe I arrived at around 10.15.
 20 Q. All right. I think they were just finishing dinner, were they
 21 not?
 22 A. They were still at the table, yes.
 23 Q. Yes, but the food had been consumed?
 24 A. I do not recall.
 25 Q. You cannot remember, okay. Were you under the influence of

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1 DEPP - WASS
 2 cannabis?
 3 A. I do not remember. It is likely that I might have smoked a
 4 joint of marijuana after that meeting.
 5 MR. JUSTICE NICOL: I am sorry, I did not quite catch your answer.
 6 You have been keeping your voice nice and loud most of the
 7 time, but it dipped there.
 8 A. I am so sorry. It is starting to die! Sorry.
 9 Q. If you need water then?
 10 A. I am fine. I am good.
 11 Q. Sorry, can you repeat your last answer? Were you under the
 12 influence of cannabis when you arrived at the dinner party?
 13 A. I do not recall whether I was or whether I was not, but it is
 14 likely that I would have left the meeting and smoked cannabis
 15 to calm down from the recent news from my business manager.
 16 Q. Thank you.
 17 A. Thank you, sir.
 18 MS. WASS: When you got there, when you got to the party, you were
 19 exhausted, were you not, after the events of your day?
 20 A. Exhausted? I do not recall, but I was most assuredly in a low
 21 state in my mind, yes. It was not a pleasant thing I had just
 22 been through.
 23 Q. Right. There was alcohol being served at the party?
 24 A. Yes, there was wine.
 25 Q. Wine, and you drank some of the wine, as the others did?

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1 DEPP - WASS
 2 A. I believe so.
 3 Q. And there were magnums of wine, were there not?
 4 A. Yes, I believe so.
 5 Q. You know, a lot of people only stick to the 75 mls, but there
 6 were magnums, much bigger bottles on this occasion?
 7 A. Yes. When there are a group of, say, 12 or more, magnums just
 8 make more sense.
 9 Q. Yes, I understand that. Your account of this evening is that
 10 you went to bed after the guests had gone and you began
 11 reading?
 12 A. Yes, ma'am, in bed.
 13 Q. In bed. No conversation with Ms. Heard, as far as you were
 14 concerned?
 15 A. Ms. Heard was voicing her, was voicing how upset she was that
 16 I was so late for her birthday dinner, and that I had made a
 17 fool of her, and that I did not care, and everybody was
 18 talking about how awful it was of me to do such a thing and
 19 that, and then she ramped up, as it were, and it became a bit
 20 more, much more aggressive. She was very, very, very upset
 21 and very angry.
 22 Q. You were just reading, were you, when she was getting upset?
 23 A. I was lying in bed. After the birthday dinner, we went back
 24 to the penthouse. I got in bed and started reading, of course
 25 trying to avoid any confrontation with Ms. Heard.

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<p>1 DEPP - WASS</p> <p>2 Q. You were really reading a book on her thirtieth birthday</p> <p>3 celebrations when she had expressed the fact that she was</p> <p>4 upset that you turned up at her party two hours' late?</p> <p>5 A. I thought that her behaviour regarding the subject of my</p> <p>6 tardiness to her birthday dinner, I thought that it was too</p> <p>7 much, her anger, her rage, for my tardiness, when I had been</p> <p>8 texting Ms. Heard, telling her, "I am so sorry, but I am going</p> <p>9 to be late, I know I am going to be late, and I will get out</p> <p>10 of here as quickly as possible."</p> <p>11 Q. Can I help you on that. I accept fully that you sent such</p> <p>12 texts to Ms. Heard that you were going to be late. There is</p> <p>13 no dispute about that. I have not gone through them because</p> <p>14 I am under pressure of time, as you understand. What I am</p> <p>15 asking you, Mr. Depp, is not whether you told her that you</p> <p>16 were going to be late, because you clearly did, and not</p> <p>17 whether you may not have had a very good reason to be late,</p> <p>18 because it may be you did, but that when she expressed the</p> <p>19 fact that she was upset, your evidence is that you simply read</p> <p>20 a book. You went to bed to read a book. I am challenging</p> <p>21 that; do you understand?</p> <p>22 A. Yes.</p> <p>23 Q. Tell us what you were reading that you were able to absorb</p> <p>24 whilst Ms. Heard was expressing her sadness and upset that you</p> <p>25 had not been present at her thirtieth birthday party?</p>	<p>1 DEPP - WASS</p> <p>2 bit of wine, as everyone there was drinking wine.</p> <p>3 Q. Including you?</p> <p>4 A. Yes.</p> <p>5 Q. Can I put to you an alternative scenario. Do you remember,</p> <p>6 Mr. Depp, that I was explaining how this worked and I will</p> <p>7 suggest to you what happened and at each time, if you can just</p> <p>8 say whether you agree or disagree?</p> <p>9 A. Of course.</p> <p>10 Q. All right?</p> <p>11 A. Yes ma'am.</p> <p>12 Q. What I suggest is that Ms. Heard did raise the issue of you</p> <p>13 being late to her thirtieth birthday party and she was upset?</p> <p>14 A. Yes.</p> <p>15 Q. And I suggest you took that as criticism?</p> <p>16 A. It was indeed criticism.</p> <p>17 Q. And you do not like being criticised?</p> <p>18 A. I do not mind being criticised at all, but that was beyond</p> <p>19 criticism. It was -- she was lighting me up.</p> <p>20 Q. This provoked you to become angry?</p> <p>21 A. No, ma'am.</p> <p>22 Q. You were very near, at the time you became angry, a magnum</p> <p>23 bottle of champagne. Do you remember a magnum bottle of</p> <p>24 champagne being in the PH3 flat that night?</p> <p>25 A. No, I do not, in the bedroom or anywhere else.</p>
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<p>1 DEPP - WASS</p> <p>2 A. I do not recall the book that I was reading or if it was a</p> <p>3 published book or if it was a journal of mine, but the reason</p> <p>4 that I went straight to the bed and started to read was</p> <p>5 because I was trying to avoid yet another confrontation with</p> <p>6 Ms. Heard about something that did not go exactly as she had</p> <p>7 planned or expected, and I did not want to discuss it. She</p> <p>8 was not talking about her sadness in the sense that she was</p> <p>9 devastated by my hour and 15 minutes of lateness or whatever</p> <p>10 it was. She was rather angry and aggressive. Therefore,</p> <p>11 I tried to avoid the conversation or the fight.</p> <p>12 Q. Did you not explain to her why you had been late? Did you</p> <p>13 ever explain to her that night why you were so late?</p> <p>14 A. Yes, several times, even in the texts.</p> <p>15 Q. Leaving aside the texts, I am asking you about the time when</p> <p>16 you went to bed, you say you were reading, she was upset and</p> <p>17 you must have been ignoring her by reading. Why did you not</p> <p>18 say, "Look, I am really sorry I was late. I did not want to</p> <p>19 upset you." Why did you not have a conversation like that?</p> <p>20 A. I am sure we did have a conversation -- well, I am sure I did</p> <p>21 have a retort. I did say things such as, "Look, I could not</p> <p>22 help it, it was beyond my control." I was, again, trying to</p> <p>23 calm her down, so there was an exchange, but anything I said</p> <p>24 was not getting us anywhere other than, as I said, she was</p> <p>25 ramping up and was -- I think she herself had drunk quite a</p>	<p>1 DEPP - WASS</p> <p>2 Q. You got out of bed in order to argue with Ms. Heard. You went</p> <p>3 to bed and then you got out of bed in order to argue with her?</p> <p>4 A. No, ma'am.</p> <p>5 Q. As you have accepted, you were very stressed about the news</p> <p>6 you had received; I think you agreed that?</p> <p>7 A. Yes.</p> <p>8 Q. The last thing you wanted to be told was that you were a</p> <p>9 disappointment to your wife?</p> <p>10 A. I believe that is the last thing any husband would want to</p> <p>11 hear.</p> <p>12 Q. The argument picked up pace and you picked up the magnum</p> <p>13 bottle of champagne and you threw it at her, but it missed?</p> <p>14 A. No, ma'am.</p> <p>15 Q. And glass smashed?</p> <p>16 A. No, ma'am.</p> <p>17 Q. That, I suggest, is how you express yourself when you are</p> <p>18 angry, you smash things. I have said this to you more than</p> <p>19 once.</p> <p>20 A. Yes, you have.</p> <p>21 Q. You have disagreed before, I think; and what do you want to</p> <p>22 say now?</p> <p>23 A. I disagree.</p> <p>24 Q. I understand. After you threw the bottle and the bottle</p> <p>25 smashed, you grabbed Ms. Heard by the hair and pushed her on</p>

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<p>1 DEPP - WASS</p> <p>2 to the bed?</p> <p>3 A. No, ma'am.</p> <p>4 Q. When she tried to leave, you blocked the bedroom door?</p> <p>5 A. No, ma'am.</p> <p>6 Q. And you tried to grab her hair?</p> <p>7 A. No, ma'am.</p> <p>8 Q. She has very thick, long hair, has she not?</p> <p>9 A. Yes.</p> <p>10 Q. And you grabbed her by the hair and pushed her to the ground?</p> <p>11 A. No, ma'am.</p> <p>12 Q. She went into, she went out of the bedroom and then around</p> <p>13 your desk in the office, back to the bedroom, and when you and</p> <p>14 she were near each other, you bumped her chest; do you know</p> <p>15 what I mean by that?</p> <p>16 A. Yes.</p> <p>17 Q. Pushed your chest toward her to collide with her?</p> <p>18 A. No, ma'am.</p> <p>19 Q. And you walked out of the apartment, I think you got your</p> <p>20 security, phoned your security to take you away, or were they</p> <p>21 in the guard's hut there already?</p> <p>22 A. Security was just down the hall. I called and said I ---</p> <p>23 Q. I call that the guard's hut, is that the right word for it?</p> <p>24 A. Yes.</p> <p>25 Q. There was a little area where the security lived on the</p>	<p>1 DEPP - WASS</p> <p>2 you are aware, Ms. Heard did sleep in the bed. You have no</p> <p>3 reason to suggest she did not sleep in the bed.</p> <p>4 A. I do not know. I left at 4.30 in the morning.</p> <p>5 Q. All right. It came to your attention the following day, that</p> <p>6 is the day of Amber's birthday, that the cleaner,</p> <p>7 Hilda Vargas, found faeces in the bed in PH3?</p> <p>8 A. It was on, that was the Saturday, I believe, the 22nd.</p> <p>9 Q. The 22nd is Ms. Heard's birthday?</p> <p>10 A. Yes, I believe it was a Saturday.</p> <p>11 Q. Ms. Heard herself had arranged to go to the Coachella music</p> <p>12 festival.</p> <p>13 MR. JUSTICE NICOL: Sorry, I think you asked the question,</p> <p>14 Ms. Wass, "that it came to your attention", that is Mr. Depp's</p> <p>15 attention, "that Ms. Vargas had found faeces in the bed"; do</p> <p>16 you agree with that?</p> <p>17 THE WITNESS: I do agree with that, but I did not find out myself</p> <p>18 until the Sunday, the following day.</p> <p>19 MS. WASS: All right. The means of communication was that</p> <p>20 Ms. Vargas, the cleaner, found them, she said she was quite</p> <p>21 unhappy about this, for reasons which are probably obvious.</p> <p>22 She photographed them and sent a message to Kevin Murphy and</p> <p>23 Mr. Murphy sent a message to you, with the photographs.</p> <p>24 A. Mr. Murphy sent a message and a photograph to Sean Bett, and</p> <p>25 on the Sunday I got them.</p>
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<p>1 DEPP - WASS</p> <p>2 penthouse floor.</p> <p>3 A. Exactly, it is by penthouse 5.</p> <p>4 Q. You went to them said you wanted to go home to Sweetzer?</p> <p>5 A. I texted and said, got to go, time to get out of here.</p> <p>6 Q. You left a note for Amber, saying "Happy fucking birthday"?</p> <p>7 A. I do not know that I did, but it is very, very possible.</p> <p>8 Q. All right. Now, the dogs were with Ms. Heard in the flat?</p> <p>9 A. Yes.</p> <p>10 Q. Pistol and Boo?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. And Boo, as we know, had a problem with her toilet habits?</p> <p>13 A. No, ma'am.</p> <p>14 MR. JUSTICE NICOL: Just a minute. (Pause) Yes.</p> <p>15 MS. WASS: You deny that Boo would defecate sometimes without</p> <p>16 control, all over the place, including on you at times?</p> <p>17 A. Boo and the other dog, Pistol, both had, I would not say they</p> <p>18 were accidents ---</p> <p>19 Q. They were not very well-trained in the toilet department, is</p> <p>20 that what you are trying to say?</p> <p>21 A. They were very well-trained. Pistol was very well-trained.</p> <p>22 Boo was not as trained as Pistol, but there was not a problem</p> <p>23 with the dog, it was not a constant thing.</p> <p>24 Q. All right. It came to your attention the following day, you</p> <p>25 did not of course sleep in the bed that night, and as far as</p>	<p>1 DEPP - WASS</p> <p>2 Q. Right. These messages that were going round, at first, you</p> <p>3 thought they were hilarious, first you thought ----</p> <p>4 A. Yes.</p> <p>5 Q. ---- it was hilarious. I think there are texts, we can look</p> <p>6 at them if you challenge them, but you say things like, "Not</p> <p>7 sure I've laughed that hard for years, at least the</p> <p>8 photographs are hilarious." There were jokes like, "Amber</p> <p>9 turd", "Amber and the dumps", that sort of thing, going</p> <p>10 between the two of you?</p> <p>11 A. It was one of the most absurd unexpected statements I have</p> <p>12 ever witnessed in my life. So, initially, yes, I did laugh,</p> <p>13 because it was so strange.</p> <p>14 Q. You later tried to blame one of Ms. Heard's friends, you</p> <p>15 suggested one of Ms. Heard's friends had defecated in the bed?</p> <p>16 A. I hate to make fun of it, but it was a mystery grumpy, if you</p> <p>17 will, left on the bed and it was not left by a three or four</p> <p>18 pound dog.</p> <p>19 Q. What I am asking you is whether you accused Ms. Heard's</p> <p>20 friends of defecating in the bed?</p> <p>21 A. I was convinced it was either Ms. Heard herself or one of her</p> <p>22 cohorts, involved in leaving human faeces on the bed, yes.</p> <p>23 Q. You did not accuse Ms. Heard, did you, you accused</p> <p>24 iO Tillet Wright, the person who you say is part of the</p> <p>25 conspiracy to further this hoax?</p>

[4] (Pages 536 to 539)

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1 DEPP - WASS
 2 A. To be quite honest, iO Tillet Wright seemed the only one that
 3 would be crass enough to commit such an act.
 4 Q. All right. We will come to that in a minute. The next time
 5 after this argument on 21st April, the day before Ms. Heard's
 6 thirtieth birthday, the next time you actually saw her was on
 7 21st May, was it not?
 8 A. Yes, ma'am.
 9 Q. You had an arranged on 21st May to go to the flat, PH3, to
 10 discuss the relationship?
 11 A. I was going to retrieve some of my personal things, the more
 12 sensitive things, and Ms. Heard wanted to talk.
 13 Q. What you said in your witness statement is this, and I want to
 14 know if you stand by this: "Since the incident on 22nd April
 15 2016 Ms. Heard repeatedly tried to contact me either directly
 16 or through her sister, Whitney Heard, who continually asked me
 17 to get back in touch with Ms. Heard."
 18 A. Yes, ma'am.
 19 Q. Is that your recollection?
 20 A. Yes, ma'am.
 21 Q. You are suggesting that Ms. Heard was pestering you, but you
 22 did not actually want to contact her; is that how things were?
 23 A. I did not feel pestered. I would not describe it as pestered
 24 at all, but there were attempts to get me, from Whitney Heard
 25 and from Amber and -- or Ms. Heard and her other associates,

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1 DEPP - WASS
 2 to try to go and talk and work out the relationship. That was
 3 what was wanted.
 4 Q. You were also keen to be in contact with her, were you not?
 5 A. With?
 6 Q. With Ms. Heard?
 7 A. With Ms. Heard, Whitney or?
 8 Q. Ms. Heard. I suggested to you, Mr. Depp, that the witness
 9 statement, the passage I have read out, gives the impression
 10 -- and it may be an impression I have wrongly drawn -- that
 11 Ms. Heard was somehow pestering you, let me read it again.
 12 "Since the incident on 22nd April Ms. Heard has repeatedly
 13 tried to contact me either directly or through her sister,
 14 Whitney Heard, who continuously asked me to get in touch with
 15 her."
 16 A. That is true.
 17 Q. It would be wrong to suggest she was pestering you and you
 18 wanted nothing more to do with her; is that right?
 19 A. I was in the mindset that I did not want anything to do with
 20 her any more. I thought that was a fitting, strangely, oddly
 21 fitting end to the relationship.
 22 Q. You wanted nothing to do with her; is that right?
 23 A. As difficult as it was, as I had very strong feelings for
 24 Ms. Heard at the time, it was not an easy decision to make,
 25 but since we had gone back and forth, back and forth, for

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1 DEPP - WASS
 2 years now, I had to leave.
 3 Q. Right. So, it was not a question of her, you saying, in
 4 effect, "Look, she can contact me if she wants, she knows how
 5 to get hold of me", and you not wanting to get hold of her?
 6 A. I did not really, I was not ready to go back there and get
 7 myself in the same situation that I had been in for all those
 8 years. I was not prepared for that.
 9 Q. Can you go to file 9, tab 110, please, K114 at the bottom.
 10 A. 114 tab.
 11 Q. 110 tab, 114 at the bottom.
 12 A. Thank you. Okay, K107 at the bottom?
 13 Q. No, K114 at the bottom.
 14 A. I see, yes.
 15 Q. You are right, it starts at 107. Can you go to K114.
 16 A. Yes.
 17 Q. This is a text you sent on 4th May to somebody called
 18 Christian Carino?
 19 A. Yes.
 20 Q. Who was he?
 21 A. Christian Carino was Ms. Heard's commercial agent.
 22 Q. He was ----
 23 A. CAA.
 24 Q. He was your commercial agent as well, was he not, he was
 25 acting for both of you or certainly wanted to be your

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1 DEPP - WASS
 2 commercial agent?
 3 A. He later became my commercial agent.
 4 Q. At this stage, he was something who was courting your favour;
 5 would that be fair?
 6 A. Courting my favour, an agent in Hollywood, sure, yes.
 7 Q. Okay. So, you seemed to be confiding in him by May in terms
 8 of your relationship with Ms. Heard. Do you agree?
 9 A. Yes.
 10 Q. So, the text that you sent him on 4th May said this, and
 11 I suggest it is about Ms. Heard; all right?
 12 A. Yes, ma'am.
 13 Q. "Look brother, if she needs me, she knows exactly how to get
 14 me ...(reads to the words)... more potent and more durable
 15 than her most legitimate and most deeply felt emotions?" So
 16 you were upset, were you not, that Ms. Heard had not contacted
 17 you, not the other way round?
 18 A. I -- if you are suggesting -- that I was, that I was upset
 19 because Ms. Heard was not contacting me, I was, I was upset
 20 because everything that we had hoped for and tried
 21 desperately, the two of us, to make work was dead.
 22 Q. Yes. But I just want to clarify the position. Do you
 23 remember I suggested to you that your statement appeared to
 24 give the impression that Ms. Heard was pestering you between
 25 the 21st, or 22nd April, when you last saw her, and 21st May?

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<p>1 DEPP - WASS</p> <p>2 What I am trying to establish is that is not the case, and in</p> <p>3 fact we see evidence that you were upset that she had not</p> <p>4 contacted you?</p> <p>5 A. Based on one line here: "I have heard nothing from her, is</p> <p>6 her ego and pride more potent and durable than her most</p> <p>7 legitimate and most deeply felt emotions?" That was a valid</p> <p>8 question in terms of Ms. Heard's attitude towards things.</p> <p>9 Q. Go to the text schedule in file 6, tab 119 at page 156. You</p> <p>10 know the text schedule I am talking about.</p> <p>11 A. Yes. I have that.</p> <p>12 Q. Page 156 at the bottom.</p> <p>13 A. Nearly there, sorry. (Pause) Yes, ma'am.</p> <p>14 Q. You say, at five from the bottom, there is text communication</p> <p>15 between you.</p> <p>16 A. Yes.</p> <p>17 Q. You say: "Call me when you get this. Goodnight." 15th May.</p> <p>18 She then said: "Just woke up. I'm assuming you're still</p> <p>19 sleep. Sore I missed you [sorry] was shooting" -- she was</p> <p>20 obviously doing a film -- "I will try later. Are you still in</p> <p>21 Europe?" You said: "Still in London."</p> <p>22 A. Yes.</p> <p>23 Q. Over the page: "Can you talk?" You say: "In a meeting, I'll</p> <p>24 be out in half an hour. Good for you."</p> <p>25 A. Yes.</p>	<p>1 DEPP - WASS</p> <p>2 of you pestering you in any way, was it?</p> <p>3 A. I never used the word "pester".</p> <p>4 Q. I accept that, I was just talking about the impression one</p> <p>5 might have got from the way your statement was phrased.</p> <p>6 A. "I wish you nothing but good" -- "All my love and regrets,</p> <p>7 I wish you nothing but good, Johnny." That is what I felt.</p> <p>8 I did not want, I did not think there needed to be any poison</p> <p>9 at that time, because the bad part was over, which was the</p> <p>10 relationship. Now we just had to finish it.</p> <p>11 Q. Please go to 158, and just to put that in context, I think,</p> <p>12 sadly, your mother lapsed into a coma?</p> <p>13 A. Yes, ma'am.</p> <p>14 Q. On or around 18th May; is that right?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. In fact, it must have been just before then, because you</p> <p>17 arrived back from London. You were working in London and you</p> <p>18 got a plane to bring you back to LA?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. You arrived back on the 17th?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. You sent Ms. Heard a text, 158, please, telling her that. At</p> <p>23 58 in the middle, four from the bottom, your mother was called</p> <p>24 Betty Sue?</p> <p>25 A. Yes, ma'am.</p>
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<p>1 DEPP - WASS</p> <p>2 Q. So this was not Ms. Heard asking her sister to try and get</p> <p>3 back in touch with Ms. Heard, as you said in your statement.</p> <p>4 You were in touch with Ms. Heard?</p> <p>5 A. We were in touch, though it was not on the same level as our</p> <p>6 relationship was not -- it was virtually -- well, it was</p> <p>7 non-existent.</p> <p>8 Q. Do you see that long text in the middle of 157?</p> <p>9 A. Yes.</p> <p>10 Q. Again, I do not dispute that it was quite clear to you that</p> <p>11 the relationship was really on its last legs, but you end by</p> <p>12 saying: "All my love and my regrets, I wish you nothing but</p> <p>13 good. Johnny."</p> <p>14 A. I am looking for it.</p> <p>15 Q. Okay. Do you see the long text?</p> <p>16 A. On 157?</p> <p>17 Q. Yes.</p> <p>18 A. Sorry, yes.</p> <p>19 Q. The last line.</p> <p>20 A. Last line? The big text? "I wish you nothing but good".</p> <p>21 Q. Yes, before that, it says: "All my love and regrets".</p> <p>22 A. Yes.</p> <p>23 Q. From you to her?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. So you were talking in a civilised way, it was not a question</p>	<p>1 DEPP - WASS</p> <p>2 Q. You sent Ms. Heard this text: "I'm with Betty Sue, this will</p> <p>3 be it, the end is nigh. I've spoken your words of love and</p> <p>4 respect for her and then some. She's ready to split. Thank</p> <p>5 you for loving her."</p> <p>6 A. Yes.</p> <p>7 Q. In fact, Ms. Heard had been very kind to your mother, had she</p> <p>8 not?</p> <p>9 A. Yes, she had.</p> <p>10 Q. Sadly, your mother passed away shortly after that, on</p> <p>11 20th May?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. Did you deal with the stress and the sadness of losing your</p> <p>14 mother by numbing the pain with the usual methods?</p> <p>15 A. No, ma'am.</p> <p>16 Q. No?</p> <p>17 A. No, ma'am. There was quite a lot going on, aside from the</p> <p>18 fact that I had, I was in very bad financial straits as my</p> <p>19 business managers and lawyers had conspired to steal a lot of</p> <p>20 money. My mum was in a coma, she then passed away. Amber and</p> <p>21 I were on the outs and it was looking like forever on the</p> <p>22 outs, but I tried to maintain a good relationship with</p> <p>23 Ms. Heard, a friendly relationship.</p> <p>24 Q. My question was, you have answered it partially, there was an</p> <p>25 awful lot of stress going on in your life, business-wise, your</p>

[6] (Pages 544 to 547)

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1 DEPP - WASS
 2 mother, your marriage?
 3 A. Yes.
 4 Q. It was all coming on top at the same time, was it not?
 5 A. Yes, ma'am.
 6 Q. I am suggesting to you that the combination of those things
 7 would have created a lot of pain and a lot of stress, and I am
 8 suggesting that you dealt with the pain and the stress in the
 9 way you have always done, which is by hitting controlled drugs
 10 and hitting the alcohol?
 11 A. My answer to that is that is not the case. There was so much
 12 to deal with that on such profoundly important and sensitive
 13 levels that I could not escape into any drug-induced pain-free
 14 setting. I did not inebriate myself to the point of numbness.
 15 I had too much to deal with and I had to be on the ball, if
 16 you will pardon the expression.
 17 Q. On 21st May, you went to see Ms. Heard in the evening?
 18 A. Yes, ma'am.
 19 Q. You said because you wanted to collect some of your private
 20 belongings?
 21 A. Yes, ma'am.
 22 Q. I think you said sensitive belongings, and you came with two
 23 members of your security, Jerry Judge, who, as we know, has
 24 passed away, and Sean Bett?
 25 A. Yes, ma'am.

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1 DEPP - WASS
 2 Q. When you got to the flat, the floor where the penthouses are,
 3 they would have waited in what I have called the guard's room;
 4 is that the proper name for it?
 5 A. Guard's room or security shack.
 6 Q. All right. That is where they would wait when you were in
 7 PH3, then if you needed them you could ---
 8 A. On this particular occasion, I did not, they were not in the
 9 security shack, the guard house, as it were. I asked them if
 10 they would wait outside the front door of penthouse 3 with the
 11 door unlocked, so that the second they heard screaming, I was
 12 worried Ms. Heard was going to start screaming and start a
 13 fight, so I asked them to stay outside the door, and the
 14 second they heard any sign, any screams, to please enter and
 15 stop what was happening.
 16 Q. So, you went there expecting trouble?
 17 A. I went there and I knew that I had to be cautious of what
 18 might occur under the circumstances.
 19 Q. What you said in your statement -- my Lord, it is paragraph 92
 20 of the second statement -- "Once I arrived into apartment,
 21 I telephoned Mr. Murphy from downstairs" -- that is
 22 downstairs, the penthouse is in two floors, there is a
 23 downstairs, kitchen/living room area, and then upstairs where
 24 there is bedroom in PH3 you offices were.
 25 A. That is correct.

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1 DEPP - WASS
 2 Q. "I texted Mr. Murphy from downstairs to confirm to Ms. Heard
 3 what he had earlier told me about her confession that the
 4 defecation incident on 22nd April was just a harmless prank."
 5 All right?
 6 A. Yes.
 7 Q. Is that the first subject of conversation that was brought up
 8 when you saw Ms. Heard on this day that you went round to the
 9 flat?
 10 A. I do not recall exactly what the first conversation was.
 11 I remember arriving, there was a bottle of wine open, there
 12 were glasses. We did not have any, or I did not have any
 13 wine. I sat down on one side of the couch. The couch was
 14 L-shaped. I was on one side of the L and she was on the other
 15 side.
 16 Q. Can I just ask you about the conversation rather than where
 17 everyone was sitting.
 18 A. I am explaining. It was from her phone that Mr. Murphy was
 19 contacted.
 20 Q. Right. I am asking you not about that. So, can you try to
 21 take this in the right order. Was the first topic of
 22 conversation that you had with Ms. Heard that night on the
 23 subject of who had defecated in the bed?
 24 A. No, ma'am.
 25 Q. How long after you were there did that subject come up?

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1 DEPP - WASS
 2 A. It was not very long, because I was not there for very long.
 3 Q. How long were you there for?
 4 A. I would say I was there for no more than 30 minutes.
 5 Q. 30 minutes?
 6 A. Maximum.
 7 Q. So, within that 30-minute time, you considered it appropriate
 8 to bring up the subject of one of her friends defecating in
 9 the bed, which is what you believed to be the case?
 10 A. Ms. Heard brought up the subject, and then I said, "Let's call
 11 Kevin Murphy and see what he has to say about it." She then
 12 dialled Mr. Murphy and we spoke to him on speaker phone.
 13 I asked Mr. Murphy to tell her what she had told him and he
 14 said that Ms. Heard had told him it was just a harmless prank,
 15 which she had denied to me.
 16 Q. She denied to Mr. Murphy, as well?
 17 A. Yes, quite vividly she denied it, yes.
 18 Q. The point I am asking you, and may I make it plain, as your
 19 statement says: "Once I arrived into the apartment,
 20 I telephoned Mr. Murphy from downstairs to confirm to
 21 Ms. Heard what he had said earlier about the confession of the
 22 defecation incident", is that you raised what is here referred
 23 to as "the defecation incident" pretty much as soon as you
 24 arrived at the flat?
 25 A. No, ma'am.

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1 DEPP - WASS
 2 Q. You did that for the sole reason of provoking an argument?
 3 A. No, ma'am.
 4 Q. I mean, looking back now, feeling sensitive about whether
 5 Ms. Heard might get angry during that meeting, do you think it
 6 was a sensible thing to do to start accusing her friends of
 7 defecating in the bed?
 8 A. I am sorry, do I think it was ----
 9 Q. Was it a wise thing to do? You say you were worried about her
 10 conduct, and most of the meeting, actually, involved
 11 discussions about who had defecated in the bed, as it turns
 12 out, did it not?
 13 A. We had conversations, Ms. Heard was, she was very much looking
 14 forward to clearing that matter up, by saying that it was the
 15 dogs who had done it, which is physically impossible. That is
 16 when I suggested we call Mr. Murphy.
 17 Q. Right.
 18 A. But I, within the context of what I was going through, this is
 19 a day and a half or two after my mother had passed away, I can
 20 promise you that I was not going into Ms. Heard's space
 21 looking for an argument.
 22 Q. Right. Now, what I am going to ask you now is to say whether
 23 you agree or disagree about what happened next, so that we can
 24 get through this part of the evidence. Do you understand?
 25 A. Sure.

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1 DEPP - WASS
 2 Q. I suggest you arrived at the apartment at around 7 o'clock.
 3 You had had a drink and you were under the influence of some
 4 drugs.
 5 A. Not correct. Not true.
 6 Q. You were not incapacitated by drugs, but you were angry?
 7 A. No, ma'am.
 8 Q. You were spoiling for a fight?
 9 A. No, ma'am.
 10 Q. That is why you immediately launched into accusations that one
 11 of Ms. Heard's friends had defecated in the bed; yes or no, if
 12 you possibly can?
 13 A. Someone had defecated on the bed, a human being had defecated
 14 on the bed and that was in question and ----
 15 Q. Can I ask the question again because you are not answering it.
 16 A. Okay.
 17 Q. You launched the conversation ----
 18 A. No, ma'am.
 19 Q. ---- that someone had defecated in the bed?
 20 A. No, ma'am.
 21 Q. You did that in order to cause a fight?
 22 A. No, ma'am. Ms. Heard brought up the defecation, the incident
 23 of the defecation on the bed, trying to explain to me that it
 24 was ----
 25 Q. I do not think we need the explanation again?

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1 DEPP - WASS
 2 A. ---- the dogs -- I am terribly sorry, you asking me a
 3 question.
 4 Q. I said I was going to put the allegations to you and I asked
 5 you, if possible, if you can say yes or no. You have already
 6 explained ----
 7 MR. JUSTICE NICOL: I have your evidence that it was Ms. Heard who
 8 brought up the issue of the defecation.
 9 THE WITNESS: Thank you.
 10 MS. WASS: Can we try to stick to that in order to get through
 11 this because there is pressure of time.
 12 A. It is not a race for me.
 13 Q. Sorry?
 14 A. This is not a race for me. I do not mean to be disrespectful
 15 in any way.
 16 Q. No, it is not a race for you but, by the same token, I am sure
 17 you do not want to be obstructive or appear to be obstructive?
 18 A. No, ma'am. I do not mean any disrespect.
 19 MR. JUSTICE NICOL: Mr. Depp, let us move on to Ms. Wass's next
 20 question.
 21 THE WITNESS: Yes, sir.
 22 MS. WASS: You were actually in the flat for the best part of an
 23 hour and a half, not 30 minutes.
 24 A. No, ma'am, that is not true.
 25 Q. Once the subject of the defecation in the bed came up, you

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1 DEPP - WASS
 2 were ranting and raving?
 3 A. I believe Ms. Heard was screaming at Mr. Murphy when I asked
 4 her not to.
 5 Q. You arrived at 7 o'clock and Mr. Murphy's call was at 7.45?
 6 A. I do not know what time the call was, but I did not arrive at
 7 7 o'clock.
 8 Q. You are sure you did not arrive at 7 o'clock, are you?
 9 A. I am fairly positive that I was there for a very short period
 10 of time.
 11 Q. At 8.06, Ms. Heard sent a text to Rocky Pennington, who lived
 12 in PH1?
 13 A. Yes.
 14 Q. Saying, "Can you come over now"?
 15 A. Okay.
 16 Q. You have seen that text?
 17 A. I have seen the text.
 18 Q. You know about it. I am not going to take you to it because
 19 ----
 20 A. Time, yes, I understand.
 21 Q. The time is 8.06. Can you think of any reason why Ms. Heard
 22 may have asked for her friend to come over now, i.e.,
 23 immediately?
 24 A. I can, yes.
 25 Q. You can?

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1 DEPP - WASS
 2 A. I can think of a reason why she would ask her to come over
 3 immediately, yes.
 4 Q. And is it part of the hoax?
 5 A. Yes, ma'am.
 6 Q. Ms. Heard sent three texts then to Mr. Tillet Wright after she
 7 sent the text to Ms. Pennington, but before Ms. Pennington
 8 arrived at the flat. The text to Mr. Tillet Wright was
 9 saying, "Call me, please".
 10 A. I am not familiar with those texts.
 11 Q. Do you accept there was a telephone call between Ms. Heard and
 12 Mr. Tillet Wright?
 13 A. Yes, there was.
 14 Q. And the phone was put on loudspeaker by Ms. Heard?
 15 A. Yes, ma'am.
 16 Q. And Ms. Heard repeated the suggestions that you had made that
 17 it was Mr. Tillet Wright who had defecated in the bed?
 18 A. Yes and no. It was, she used the term that we or someone, she
 19 may also have said, "He thinks you did it", but I do not
 20 recall exactly.
 21 Q. I think we can accept that certainly as far as you were aware,
 22 she said to Mr. Tillet Wright, "He thinks you did it",
 23 something along those lines, and Mr. Tillet Wright was
 24 laughing at your suggestion, was he not, and laughing at you?
 25 You could hear this on the speaker phone?

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1 DEPP - WASS
 2 A. I was upstairs at the time gathering my things. I came down
 3 and heard them, saw Amber, or Ms. Heard rather, laughing.
 4 Q. At you?
 5 A. Yes, and Mr. Tillet Wright. Yes, laughing ----
 6 Q. They were laughing at you, the two of them. What you said in
 7 your statement was this: "So I took the phone in order to
 8 speak to Mr. Wright and told him, 'You've got what you want,
 9 you can have her, I don't care, it's over'?"
 10 A. Yes.
 11 Q. Is that what you said?
 12 A. "You've got what you want, you can have her, it's over",
 13 something to that degree, yes.
 14 Q. You were angry, even on your own account, at this stage?
 15 A. Peeved, yes, yes; angry, yes.
 16 Q. And you were screaming insults at Mr. Tillet Wright?
 17 A. I had very little conversation with Mr. Tillet Wright as
 18 Mr. Tillet Wright and I have not spoken in probably two years.
 19 Q. Then you threw the phone on to the sofa?
 20 A. I was -- yes. I was walking away and then I sort of flipped
 21 the phone on to the couch, next to Ms. Heard.
 22 Q. Ms. Heard retrieved the phone?
 23 A. Yes, ma'am. Yes, ma'am.
 24 Q. And Mr. Tillet Wright, still on loudspeaker, was telling
 25 Ms. Heard to get out of the flat?

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1 DEPP - WASS
 2 A. He may have been. What I recall is Ms. Heard, or at a certain
 3 point, Ms. Pennington arrived.
 4 Q. I am coming to that in a minute.
 5 A. I do not recall Mr. Tillet Wright saying, "Get out of the
 6 house".
 7 Q. All right. I suggest at that stage, you grabbed the phone
 8 from Ms. Heard for a second time?
 9 A. No, ma'am.
 10 Q. And you threw it not at the sofa this time, but you wound your
 11 arm round, like someone bowling a baseball, and you threw the
 12 phone at Ms. Heard's face and it made contact with the right
 13 side of her face?
 14 A. Not correct.
 15 Q. The phone call was still live at this stage and you said you
 16 wanted to see her face where she said she had been hit?
 17 A. No.
 18 Q. And then you asked her how she would like it if you pulled her
 19 hair back?
 20 A. No, ma'am.
 21 Q. And Ms. Heard then shouted to Mr. Tillet Wright, who was still
 22 on the call, to call 911?
 23 A. Yes, ma'am.
 24 Q. And Mr. Tillet Wright sent a text saying, "Call 911"?
 25 A. I do not know that. I am not familiar with that.

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1 DEPP - WASS
 2 Q. There were texts, I suggest, between Mr. Tillet Wright and
 3 Rocky Pennington, who we will come to in a moment, saying, "JD
 4 attacking Amber. She told me to call 911." Have you got the
 5 text messages in front of you?
 6 A. I do, yes.
 7 Q. Go to 162, please. It is the third from the bottom. Do you
 8 see that?
 9 A. Yes, ma'am.
 10 Q. "JD attacking Amber, she told me to call 911, I am doing it."
 11 This is all from Mr. Tillet Wright; yes?
 12 A. Yes, I see that.
 13 Q. As I understand it, your suggestion is that these series of
 14 texts are a carefully choreographed hoax?
 15 A. A choreographed hoax for sure, yes.
 16 Q. Ms. Pennington, so Rocky Pennington, who lived in PH1, arrived
 17 at the flat at this stage and physically put herself between
 18 you and Ms. Heard so that you would not hurt Ms. Heard any
 19 more. Did Ms. Pennington come between you and Ms. Heard?
 20 A. Ms. Heard was on the couch and I was about 20 feet away, in
 21 the kitchen by the island, so between us, no, she did not.
 22 Q. And you pushed Ms. Pennington out of the way. At that stage,
 23 Ms. Heard was collapsed on the sofa and, at that stage,
 24 Ms. Heard was comforted by Ms. Pennington. I realise I have
 25 put three things to you. Let me just put them one at a time

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<p>1 DEPP - WASS</p> <p>2 and you can say whether they happened or not?</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. So Ms. Pennington was pushed by you?</p> <p>5 A. No, ma'am.</p> <p>6 Q. Ms. Heard collapsed on to the sofa?</p> <p>7 A. No, ma'am.</p> <p>8 Q. And was being comforted by Ms. Pennington?</p> <p>9 A. She was being comforted by Ms. Pennington.</p> <p>10 Q. You were screaming at Ms. Heard to get up?</p> <p>11 A. No, ma'am.</p> <p>12 Q. You picked up a magnum bottle of wine and started swinging it</p> <p>13 around and smashing things with the bottle?</p> <p>14 A. No, ma'am.</p> <p>15 Q. It was only at that stage that Sean Bett came in with</p> <p>16 Jerry Judge?</p> <p>17 A. No, ma'am.</p> <p>18 Q. As soon as they came in ----</p> <p>19 MR. JUSTICE NICOL: Sorry, swinging the bottle of wine and ----</p> <p>20 MS. WASS: Smashing things with it.</p> <p>21 MR. JUSTICE NICOL: And you disagree?</p> <p>22 A. I disagree, sir. Thank you.</p> <p>23 MS. WASS: As soon as the guards came in, Ms. Heard said to</p> <p>24 Mr. Judge, "If he hits me one more time, I will call the</p> <p>25 police."</p>	<p>1 DEPP - WASS</p> <p>2 Ms. Heard's cheek at the front of that?</p> <p>3 A. Yes.</p> <p>4 Q. Do you see a slight red mark on that cheek?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. That was caused by you throwing the telephone?</p> <p>7 A. I am sorry, but it was not.</p> <p>8 Q. You have accepted there is a red mark on her cheek?</p> <p>9 A. I see a red mark on her cheek.</p> <p>10 Q. You see a red mark and we know that that photograph was taken,</p> <p>11 if you turn over the page, on 21st May 2016, so the date that</p> <p>12 we are talking about now?</p> <p>13 A. The time looks like midnight, I guess.</p> <p>14 Q. Do not worry about the time. It was taken on that date. Can</p> <p>15 you explain the reddening on Ms. Heard's cheek?</p> <p>16 A. No, I cannot.</p> <p>17 Q. When Ms. Heard went to the court for a domestic violence</p> <p>18 restraining order, the mark had come up considerably more than</p> <p>19 that, had it not?</p> <p>20 A. It was a mark of a different nature, yes.</p> <p>21 Q. It was a bruise that had come up later. Have a look at page</p> <p>22 F894.222. It is the same section, but you will have to</p> <p>23 go through the photographs.</p> <p>24 A. Yes, yes.</p> <p>25 MR. JUSTICE NICOL: For some reason, my pagination is on one side.</p>
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<p>1 DEPP - WASS</p> <p>2 A. Mr. Judge and Mr. Bett came into the, ran into the flat when</p> <p>3 they heard Ms. Heard screaming, "Stop hitting me, Johnny, stop</p> <p>4 hitting me, Johnny". They ran in and when they ran in, she</p> <p>5 was still screaming, "Stop hitting me, Johnny" and I was 20</p> <p>6 feet away from her, standing in front of the refrigerator by</p> <p>7 the kitchen island. When she saw them, she then changed it to</p> <p>8 the past tense, "You'll never hit me again, now you'll never</p> <p>9 hit me again" and Jerry Judge said, "Boss, let's get out of</p> <p>10 here" and we left.</p> <p>11 Q. That last bit is agreed. So, security took you out of PH3?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. We know that the police arrived later. Can I ask you to look</p> <p>14 at some photographs, please, in bundle 6.</p> <p>15 A. Bundle 6?</p> <p>16 Q. Yes. That is the one with all the texts in, but go behind</p> <p>17 divider E, please?</p> <p>18 A. Yes, ma'am.</p> <p>19 MS. WASS: My Lord, can I make the observation that we have had</p> <p>20 copies of the photographs. The photographs are much better</p> <p>21 quality on the electronic form and it may be that when we come</p> <p>22 to submissions, I will ask the court to look at the electronic</p> <p>23 copies as well, but not now.</p> <p>24 MR. JUSTICE NICOL: Yes.</p> <p>25 MS. WASS: You have gone behind divider E. Can you see</p>	<p>1 DEPP - WASS</p> <p>2 What was the page reference again, please?</p> <p>3 MS. WASS: F894.222.</p> <p>4 THE WITNESS: Yes, ma'am, I have located it.</p> <p>5 MS. WASS: Have you got that? It is on sideways.</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. We can see from the metadata on F894.221 that it was taken the</p> <p>8 following day, the 22nd, and you can see the red mark becoming</p> <p>9 more pronounced; yes?</p> <p>10 A. I cannot say that I see the red mark becoming more pronounced.</p> <p>11 Q. All right, but you can see a red mark?</p> <p>12 A. Yes, ma'am, I have seen the red mark.</p> <p>13 Q. That is on the 22nd. Go to F894.233.</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. That is taken at court when she went to get the domestic</p> <p>16 violence restraining order on 27th May?</p> <p>17 MR. JUSTICE NICOL: 233.</p> <p>18 THE WITNESS: 233 is the metadata. That is what I have on mine.</p> <p>19 MR. JUSTICE NICOL: That is what I have got.</p> <p>20 MS. WASS: Okay. My 233 is different. What about 237?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. Or 235. They are all a series of photographs, are they not, a</p> <p>23 series of photographs of Ms. Heard?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. All taken, I suggest, on 27th May, all showing the red mark on</p>

[10] (Pages 560 to 563)

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1 DEPP - WASS
 2 her cheek?
 3 A. This is 27th May.
 4 Q. Yes.
 5 A. Yes.
 6 Q. Again, do you accept that there was a red mark on her cheek?
 7 A. I see a red mark, yes.
 8 Q. On her cheek. So 21st, 22nd and 27th are photographs of a red
 9 mark on her cheek. I suggest you caused that red mark when
 10 you threw the phone at her?
 11 A. No, ma'am. It is not true.
 12 Q. After you left the flat that night, you went over to PH5, did
 13 you not?
 14 A. Yes, ma'am. I left around 8.29, 8.30.
 15 Q. We have got the ----
 16 A. I went to Penthouse 5, yes.
 17 Q. You saw Rocky Pennington there? Sorry, you saw that Rocky
 18 Pennington had been working there on some bead-making that she
 19 had been doing. Do you remember that?
 20 A. Oh, yes. Ms. Pennington, who lived in Penthouse 1, had set up
 21 her beading business in Penthouse 5.
 22 Q. It was not her beading business. Penthouse 5 was where
 23 Ms. Heard kept her wardrobe?
 24 A. Penthouse 5 upstairs was Ms. Heard's closets. Penthouse 5
 25 downstairs was another place, another dwelling, if you will.

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1 DEPP - WASS
 2 Q. Another dwelling, which was not occupied?
 3 A. No.
 4 Q. In any event, let us not argue about whether it was a business
 5 or she was simply using it that night, but that night ----
 6 A. I believe she used that word ----
 7 Q. I am sorry?
 8 A. I believe Rocky Pennington used the words "her bead business".
 9 Q. She had a bead business and was running a bead fair the next
 10 day. Let us not get diverted as far as that is concerned.
 11 Did you see Mr. Drew, who was her fiance?
 12 A. Yes, I did.
 13 Q. Did you see Liz Marz?
 14 A. I saw a ----
 15 Q. Another woman who I think you did not know?
 16 A. A woman. I did not know who she was. She was beading very
 17 long strands, yes.
 18 Q. Were you very angry at that stage?
 19 A. Yes, ma'am.
 20 Q. By the time you came to leave the house, leave the flat, you
 21 said you left at 29 minutes past 8?
 22 A. Or 8.30.
 23 Q. We have the timing on the CCTV, which we are presuming is
 24 correct, but we will be corrected if that is not right. We
 25 can see you here leaving the flat. You were about to come in.

[Page 566]

1 DEPP - WASS
 2 I am going suggest, just so that you know, that you were wired
 3 up and angry in this footage. That is Mr. Bett, is it not?
 4 A. Yes, ma'am, that is Sean Bett.
 5 Q. That is you there with the hat on?
 6 A. Yes, ma'am, and Jerry Judge.
 7 Q. And Jerry Judge?
 8 A. Yes, ma'am.
 9 Q. Do you accept that you were angry? Were you clenching your
 10 fists? You can see them when you go forward towards the door
 11 of the lift?
 12 A. I can safely say I was very upset, yes. I was angry and
 13 upset.
 14 Q. All right, thank you for that; so angry that you left the
 15 building without your phone, and I think Mr. Judge had to go
 16 back and Mr. Drew gave it back to him. Do you remember that
 17 exchange?
 18 A. Yes, ma'am.
 19 Q. Can I just ask you, please, at 167 ----
 20 MR. JUSTICE NICOL: Sorry, 167 of?
 21 MS. WASS: Sorry, of the text bundle.
 22 MR. JUSTICE NICOL: So we are going back to 119, still in
 23 volume 6.
 24 THE WITNESS: 167?
 25 MS. WASS: Yes. You sent an angry text not only to Ms. Heard,

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1 DEPP - WASS
 2 Slim -- 167, at the top, I am looking at, Mr. Depp -- but to
 3 Rocky Pennington and Josh Drew?
 4 A. Yes.
 5 Q. This was sent in the early hours of the following morning:
 6 "That was it, the last encounter forever, you were always
 7 ready to strike----
 8 A. "Already", "You were already ready to strike."
 9 Q. "You were already ready to strike".
 10 A. Thank you.
 11 Q. "Why did I even come there in the first place, to be yelled at
 12 by you? I'm an idiot. PH5 is Rocky's studio. You are
 13 shameless. I tried to make it work and you just turned more
 14 and more into a spoilt brat. All you wanted was to make me
 15 fucking miserable. Well, I'm finally there. I'll never be
 16 able to understand how I fell in love with you. You are not
 17 her. I loved you more than anything. I did everything I
 18 could, but you never fucking loved me. It was merely
 19 convenient for you. I hope our divorce goes as quickly as
 20 possible and that it is as painless as possible. Sorry you
 21 were as unhappy with me as you were. Obviously, the purity of
 22 whatever was has gone for a long time. I will miss the
 23 moments of beauty and truth. Goodbye, Amber. What the fuck
 24 was I thinking? I wish you all merit" and it is signed, "The
 25 former him"?"

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<p>1 DEPP - WASS</p> <p>2 A. "I wish you all your merit".</p> <p>3 Q. And it is signed "The former him"?</p> <p>4 A. "The former him", yes.</p> <p>5 Q. You also contacted Ms. Heard on a number of other occasions.</p> <p>6 Can you go to 169, two days later, on 23rd May?</p> <p>7 A. 23rd -- (Pause)</p> <p>8 MR. JUSTICE NICOL: Which page, sorry?</p> <p>9 MS. WASS: 169. It is the penultimate text, second from the</p> <p>10 bottom: "Let me just know when you have a minute and I'll</p> <p>11 give you a call. Nothing I have to say should elicit anything</p> <p>12 but a sense of ease. All my love and profound apologies."</p> <p>13 A. Yes.</p> <p>14 Q. You explained yesterday that you would apologise to Ms. Heard</p> <p>15 simply to placate her, to keep her happy, to humour her. Why</p> <p>16 were you placating her at this stage? There was no need to</p> <p>17 placate her. Why did you apologise?</p> <p>18 A. That was a sincere apology. I was not placating her at that</p> <p>19 time. There was no need to.</p> <p>20 Q. It was a sincere apology?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. For hitting her in the face with the telephone?</p> <p>23 A. No, ma'am. That is not why I was apologising. I was</p> <p>24 apologising to Ms. Heard essentially because the relationship</p> <p>25 was gone, it was dead, and that is why I said "All my love and</p>	<p>1 DEPP - WASS</p> <p>2 Q. After this date, a petition was formed, which attracted</p> <p>3 400,000 signatures that she should be removed from that film?</p> <p>4 A. I believe the petition happened years later.</p> <p>5 Q. You orchestrated that, did you not? You wanted to get your</p> <p>6 own back on her, which is why you said, "I want her replaced</p> <p>7 on that film"?</p> <p>8 A. No, ma'am, I did not orchestrate the petition. By saying I</p> <p>9 wanted her replaced on the Aquaman film, I had been</p> <p>10 characterised globally as, as the The Sun put it, "a wife</p> <p>11 beater" and I went from, if you pardon the analogy, Cinderella</p> <p>12 to Quasimodo in 0.6 seconds and I was without a voice at that</p> <p>13 point. Ms. Heard had made sure that the news media had caught</p> <p>14 it and that is where I was in my life at that point, so it was</p> <p>15 very unpleasant place to be.</p> <p>16 Q. Go, please, to text 193?</p> <p>17 MR. JUSTICE NICOL: Ms. Wass, it is a matter for you, but I have</p> <p>18 said you will need to finish your cross-examination by 11.30.</p> <p>19 MS. WASS: Yes. My Lord, can I just explain where I am going. I</p> <p>20 am going to put ----</p> <p>21 MR. JUSTICE NICOL: Well, as I say, I do not want to take time.</p> <p>22 It is a matter for you.</p> <p>23 MS. WASS: I am aware of that, and I am working to that deadline.</p> <p>24 I am grateful for the reminder.</p> <p>25 Mr. Depp, I am going to read this text out to you on</p>
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<p>1 DEPP - WASS</p> <p>2 profound apologies." I could not make it work; she could not</p> <p>3 make it work.</p> <p>4 Q. By June 4th, you had become very bitter towards Ms. Heard, had</p> <p>5 you not?</p> <p>6 A. June 4th?</p> <p>7 Q. Yes?</p> <p>8 A. I was feeling quite bitter, yes.</p> <p>9 Q. Go to 188 of the texts, please?</p> <p>10 A. Sorry, which page?</p> <p>11 Q. Page 188. Do you see that third one down from you?</p> <p>12 A. Yes.</p> <p>13 Q. To your sister?</p> <p>14 A. Yes.</p> <p>15 Q. Who is also involved in your business life: "I want her</p> <p>16 replaced on that WB film"?</p> <p>17 A. Yes, I see that.</p> <p>18 Q. That is a message about Ms. Heard?</p> <p>19 A. Yes, it is.</p> <p>20 Q. And it is a message about the Warner Brothers film she did,</p> <p>21 Aquaman.</p> <p>22 A. Yes.</p> <p>23 Q. There was going to be a sequel of Aquaman that was originally</p> <p>24 going to have Ms. Heard in it?</p> <p>25 A. I did not know -- oh, yes, right. Yes, she is, yes, I see.</p>	<p>1 DEPP - WASS</p> <p>2 page 193.</p> <p>3 A. Yes.</p> <p>4 Q. 194, my fault, the top of 194. In fact, let us read it out</p> <p>5 first before I ask the question. This is dated 15th August,</p> <p>6 which was the date of the divorce settlement. Do you agree?</p> <p>7 A. I do not recall the exact date of the divorce settlement.</p> <p>8 Q. That is a matter of record.</p> <p>9 A. Right.</p> <p>10 Q. "She is begging for total global humiliation. She's gonna to</p> <p>11 get it. I'm gonna need you texts about San Francisco,</p> <p>12 brother, I'm even sorry to ask ...(reads to the words)...</p> <p>13 when I slice it off."</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. You wrote that text to Christian Carino; do you agree?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. He was the person who was very keen to get your business as an</p> <p>18 agent and did get your business as an agent?</p> <p>19 A. He did indeed. Christian Carino was attempting to be the</p> <p>20 mediator between myself and Ms. Heard.</p> <p>21 Q. In fact, he was present at those July meetings which I do not</p> <p>22 have time to deal with.</p> <p>23 A. He was present at the first meeting, yes.</p> <p>24 Q. Just one question, since you have raised the meetings, do you</p> <p>25 remember a passage when you were playing with a knife during</p>

[12] (Pages 568 to 571)

[Page 572]	[Page 574]
<p>1 DEPP - WASS</p> <p>2 those meetings in July?</p> <p>3 A. Where I was playing with a knife?</p> <p>4 Q. Yes.</p> <p>5 A. No, I do not.</p> <p>6 Q. I am going to ask that that is played, then. My Lord, it is</p> <p>7 the media file ----</p> <p>8 A. Is this a transcript?</p> <p>9 Q. It is not a text. There is a transcript, and I am going to</p> <p>10 find it. It is file 5, 146 -- sorry, 161L.</p> <p>11 A. Sorry, I am not there just yet. Yes.</p> <p>12 Q. Within that, I will ask you to go, please, to F1009.12.18.</p> <p>13 MR. JUSTICE NICOL: My section does not have that page number.</p> <p>14 MS. WASS: I am going to ask that we listen to it.</p> <p>15 MR. JUSTICE NICOL: Just a minute, I think I may have the wrong</p> <p>16 one.</p> <p>17 MS. WASS: Have you got L, Mr. Depp, 161L?</p> <p>18 THE WITNESS: Yes, I do. What is the page?</p> <p>19 Q. It is F1009.12.18.</p> <p>20 A. Yes.</p> <p>21 Q. Can we in that case play it. The passage should begin at</p> <p>22 about the second hole punch down on that page.</p> <p>23 (Recording played to the court)</p> <p>24 Pause it there. Now you have heard that, more</p> <p>25 importantly, we have seen the transcript because the</p>	<p>1 DISCUSSION</p> <p>2 defence position is.</p> <p>3 MR. JUSTICE NICOL: Let me ask whoever is going to deal with this.</p> <p>4 Mr. Wolanski, is it you?</p> <p>5 MR. WOLANSKI: It is, my Lord. (Unclear)</p> <p>6 MR. JUSTICE NICOL: I am very grateful to both of you for that</p> <p>7 cooperation. The transcript will be provided when it is</p> <p>8 available. Good. Thank you.</p> <p>9 MR. SHERBORNE: The second procedural matter just deals with</p> <p>10 something that I want to ask Mr. Depp about in re-examination.</p> <p>11 If your Lordship turns to, probably the easiest way to do this</p> <p>12 is just to take you to file 5.</p> <p>13 MR. JUSTICE NICOL: Just a moment.</p> <p>14 MR. SHERBORNE: Of course. (Pause) It is tab 171, and behind</p> <p>15 that, your Lordship should find a document on page F1037,</p> <p>16 there should be the transcript of an ABC News profile</p> <p>17 programme which was put to Mr. Depp very early on in his</p> <p>18 cross-examination. Your Lordship may recall that at one</p> <p>19 stage, and this really was the purpose of this whole document,</p> <p>20 it was suggested to Mr. Depp that he had failed to put right a</p> <p>21 suggestion by the interviewer in one of her questions when he</p> <p>22 answered that question. Mr. Depp tried to explain to Ms. Wass</p> <p>23 on more than one occasion that this was not a simple question</p> <p>24 and answer interview in the way that she was presenting it to</p> <p>25 him.</p>
[Page 573]	[Page 575]
<p>1 DISCUSSION</p> <p>2 audibility is bad. Do you see you are threatening to cut</p> <p>3 yourself in front of Ms. Heard and you were actually holding a</p> <p>4 knife at that time?</p> <p>5 A. I was asking her to cut me. Yes.</p> <p>6 Q. Yes. All right.</p> <p>7 A. If she was not going to, I would cut myself, because I felt</p> <p>8 that is what she was doing anyway.</p> <p>9 MS. WASS: Can we then go into private for the last five minutes,</p> <p>10 please?</p> <p>11 MR. JUSTICE NICOL: Yes. This part of the trial is going to be in</p> <p>12 private and therefore we will terminate the link to the</p> <p>13 spill-over courtrooms, other than the courtroom where the</p> <p>14 lawyers are. We will announce when it is going to be coming</p> <p>15 back into open session. Thank you.</p> <p>16 (See separate transcript for proceedings In Private)</p> <p>17 MR. JUSTICE NICOL: I understand we are back in the public session</p> <p>18 and the other spill-over courts are linked up. Yes.</p> <p>19 MR. SHERBORNE: My Lord, can I raise then two matters before</p> <p>20 I begin my re-examination of Mr. Depp. They are procedural</p> <p>21 matters. The first, possibly we should deal with, is the</p> <p>22 application, as I understand it, by a particular journalist</p> <p>23 for the transcript of the proceedings. Can I make it plain</p> <p>24 that on behalf of the claimant, we have absolutely no</p> <p>25 objection at all to that application. I do not know what the</p>	<p>1 DISCUSSION</p> <p>2 MR. JUSTICE NICOL: This was about the voiceover, was it.</p> <p>3 MR. SHERBORNE: My Lord, it was. Given the suggestion that was</p> <p>4 made by Ms. Wass, which was that Mr. Depp had failed to put</p> <p>5 the interviewer straight when it was suggested by the</p> <p>6 interviewer that this damage done to a vase and pushing a sofa</p> <p>7 in an expensive hotel room was actually a spat with his</p> <p>8 girlfriend at that time, and that he did not say anything</p> <p>9 about the fact that a friend of his had screwed him over,</p> <p>10 which was the way he had explained this -- it was therefore</p> <p>11 put to him, this interview, to test that -- we say it is only</p> <p>12 right that Mr. Depp should be played -- it is a very, very</p> <p>13 short clip indeed, but he should be played -- the actual</p> <p>14 interview to demonstrate whether, when he said it was not a</p> <p>15 question put to him so there was no need to put the</p> <p>16 interviewer straight, whether he was right or wrong about</p> <p>17 that. We have managed to find it. It only arose because of</p> <p>18 the way in which Ms. Wass decided she was going to</p> <p>19 cross-examine Mr. Depp. We have managed to obtain that very</p> <p>20 short clip and we want to play it so that Mr. Depp has the</p> <p>21 opportunity to say something about that interchange which</p> <p>22 Ms. Wass relied on.</p> <p>23 MR. JUSTICE NICOL: Yes.</p> <p>24 MR. SHERBORNE: Now, Ms. Wass, as I understand it, is going to say</p> <p>25 that was not disclosed. Well, your Lordship will understand</p>

[13] (Pages 572 to 575)

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1 DISCUSSION
 2 that given it arose in the course of cross-examination, and to
 3 be honest cross-examination as to credit, there is therefore
 4 no obligation to disclose it. This is not something which we
 5 have had in our possession. It is something that we managed
 6 to obtain, as I understand it, yesterday evening or yesterday
 7 afternoon when considering Mr. Depp's re-examination. So,
 8 those are the reasons. As I say, it is probably going to take
 9 me longer to argue about this than it is to simply play it.
 10 MR. JUSTICE NICOL: Let me ask, is Ms. Wass going to be dealing
 11 with this?
 12 MS. WASS: I am dealing with this. There are a number of short
 13 observations. One is that it has not been disclosed. There
 14 is no challenge about that. Secondly, other matters have been
 15 disclosed this morning and indeed have been the subject of
 16 ---
 17 MR. JUSTICE NICOL: Can we just stick with the film clip at the
 18 moment.
 19 MS. WASS: Yes. The point I am making is that we have had
 20 disclosure this morning about new matters that have arisen as
 21 a result of cross-examination, and for some reason this clip
 22 did not form part of that disclosure. I have not seen this
 23 film clip. In principle, it is not right that a document or a
 24 piece of footage should be put in evidence which has not been
 25 disclosed to the other side.

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1 DISCUSSION
 2 Perhaps the most important point is that once Mr. Depp
 3 made it plain that there was a voiceover, I did not seek to
 4 contradict that. So, if that is the sole point of this being
 5 played then it is a complete waste of time, but as things
 6 stand at the moment, I have not seen that clip, and I would
 7 ask at the very least that it is disclosed before it is put in
 8 evidence.
 9 MR. JUSTICE NICOL: Right. Thank you.
 10 MR. SHERBORNE: My Lord, I can undertake that we will provide it
 11 by way of disclosure if that deals with the concern. It does
 12 worry me, and I will say no more than that at the moment, that
 13 Ms. Wass was able to put the question she put in the way she
 14 did to Mr. Depp without anyone on her side watching the
 15 underlying footage, but I am going to leave that if I may.
 16 MR. JUSTICE NICOL: Ms. Wass, I am minded to allow Mr. Sherborne
 17 to re-examine on this point if he wishes.
 18 MS. WASS: Without us seeing it at all? Can I ask that question?
 19 MR. JUSTICE NICOL: Well, you can see it at the same time as I do,
 20 but it does seem to me that it is taking up time that could be
 21 used more usefully.
 22 MS. WASS: My Lord, I entirely agree, but these are very simple
 23 straightforward rules and we would simply ask that the proper
 24 rules are followed in terms of disclosure with any matters
 25 that are put before the court.

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1 DISCUSSION
 2 MR. JUSTICE NICOL: Well, of course you are right in principle,
 3 and of course that should be followed, and my decision now not
 4 taken as a precedent, but I think it is just simplest if
 5 Mr. Sherborne is allowed to ask this aspect in re-examination.
 6 MS. WASS: My Lord, thank you.
 7 MR. JUSTICE NICOL: All right. Yes.
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1 DEPP
 2 RE-EXAMINED BY MR. SHERBORNE
 3 MR. SHERBORNE: Mr. Depp, I am going to ask you a number of
 4 questions that arise from matters that were put to you by
 5 Ms. Wass, and I am going to do so in the same sequence as she
 6 took them largely, not least because that is easier for the
 7 court and his Lordship to follow. I am going to take this as
 8 quickly as I can because you have heard, on more than one
 9 occasion, that the court has expressed the view that we need
 10 to keep to the timetable, so I hope you are going to forgive
 11 me given that if, a number of times, I may say to you, when I
 12 ask a question, can you answer yes or no. If you need to
 13 expand, please do. Otherwise, if we can follow that process,
 14 it will probably get things through much quicker.
 15 A. Certainly.
 16 Q. I am grateful. Now, your cross-examination started with the
 17 suggestion that people who you employ, it was said, you
 18 surrounded yourself with a group of people who all say yes to
 19 you about everything and never say no or stop you. Now, first
 20 of all, Mr. Depp, do you accept that as a characterisation of
 21 the people who work for you -- actually to be fair, you said
 22 work with you? Do you accept that as an accurate description;
 23 yes or no?
 24 A. No, it is not an accurate description of the people around me.
 25 Q. And a number of them are obviously going to give evidence, so

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<p>1 DEPP - SHERBORNE</p> <p>2 Ms. Wass can put it to them, but let me ask you this. If you</p> <p>3 were being violent to a woman, would you expect your security</p> <p>4 team or assistants to turn a blind eye or let you get away</p> <p>5 with it?</p> <p>6 A. Never.</p> <p>7 Q. The next topic Ms. Wass turned to was the suggestion that you</p> <p>8 are a violent man, something which you have repeatedly denied</p> <p>9 in this court. Ms. Wass took us to a number of old press</p> <p>10 cuttings on this subject, and can I just touch on them quite</p> <p>11 briefly. The first one -- and we may not need to go to all of</p> <p>12 them in terms of the actual documents -- was a press report</p> <p>13 where it was suggested that you were arrested on suspicion of</p> <p>14 assaulting a male security guard in 1989. Do you remember</p> <p>15 that? You were shown that press report.</p> <p>16 A. Yes. Yes, sir.</p> <p>17 Q. I think you said that you accepted full responsibility for</p> <p>18 that; yes or no?</p> <p>19 A. Yes, sir.</p> <p>20 Q. What happened? Were any charges brought against you?</p> <p>21 A. In '89, the security guard took me to court. I hired a QC.</p> <p>22 This was in Vancouver Canada, British Columbia. I hired a QC</p> <p>23 and we went to trial about two or three months later. When</p> <p>24 the security guard arrived with his representatives, he had a</p> <p>25 neck brace on, and this is three months after the incident.</p>	<p>1 DEPP - SHERBORNE</p> <p>2 Q. We have here another article about this hotel room incident.</p> <p>3 You will see here, do you see the final paragraph, "Depp's</p> <p>4 lawyer"?</p> <p>5 A. Yes.</p> <p>6 Q. "Depp's lawyer said the damage to the hotel room only amounted</p> <p>7 to about \$2,000, but that Mr. Depp agreed to pay the larger</p> <p>8 amount" -- I think that is the 9,000 odd -- "to make up for</p> <p>9 leaving the hotel before his reservation was up."</p> <p>10 A. Yes.</p> <p>11 Q. To be fair to you, you did say to Ms. Wass that the \$10,000,</p> <p>12 when she put it to you, was a total bill. Does this article</p> <p>13 help you remember or not what the actual figure for the damage</p> <p>14 done was?</p> <p>15 A. Yes, at the time, I was pretty sure that the damage was far</p> <p>16 less than what had been reported.</p> <p>17 Q. Mr. Depp, can I ask you this. Did you try to avoid paying</p> <p>18 damages for what you did?</p> <p>19 A. No, sir.</p> <p>20 Q. Did you refuse to accept responsibility for the damage you</p> <p>21 caused to those items?</p> <p>22 A. No, I actually told the security guard when he came to the</p> <p>23 room that I was more than willing to pay for everything that</p> <p>24 I had broken.</p> <p>25 Q. So you volunteered that it had happened and that you were</p>
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<p>1 DEPP - SHERBORNE</p> <p>2 Essentially, it was thrown out.</p> <p>3 Q. Thank you, Mr. Depp. You were then taken to an incident some</p> <p>4 five years later in 1994. Ms. Wass put it to you that you</p> <p>5 trashed a hotel room. Do you remember that, that that was put</p> <p>6 to you?</p> <p>7 A. Yes, sir.</p> <p>8 Q. You explained that you believed you had broken a vase and you</p> <p>9 had shoved a sofa across the floor of the hotel room?</p> <p>10 A. Yes, sir.</p> <p>11 Q. You were shown an article -- I do not need to take you to it</p> <p>12 now -- which suggested that \$10,000 worth of damage was done</p> <p>13 and it was suggested to you that the vase and the sofa was a</p> <p>14 deliberate underplaying given the \$10,000 that was said to be</p> <p>15 the damage. Do you remember that was put to you?</p> <p>16 A. Yes.</p> <p>17 Q. Can I just take you to a further press report? It is in</p> <p>18 bundle 5. I do not know if that is the bundle you have in</p> <p>19 front of you?</p> <p>20 A. I do, yes.</p> <p>21 Q. It is page 168?</p> <p>22 MR. JUSTICE NICOL: Do you have a tab number, please?</p> <p>23 MR. SHERBORNE: I just gave your Lordship the tab number by</p> <p>24 mistake. It is tab 168.</p> <p>25 A. Yes, sir.</p>	<p>1 DEPP - SHERBORNE</p> <p>2 going to pay; is that what you are saying?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Ms. Wass asked you next about the reason why you caused this</p> <p>5 damage and you said that a friend had screwed you over. That</p> <p>6 was what you said was the reason?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And she asked you if Ms. Moss -- you were going out with Kate</p> <p>9 Moss at the time, as it says there?</p> <p>10 A. Yes, sir.</p> <p>11 Q. She asked you if Ms. Moss had been there and witnessed the</p> <p>12 damage and you explained. Where was Ms. Moss at the time that</p> <p>13 you caused the damage to these items?</p> <p>14 A. Yes, she was in the bedroom, sleeping.</p> <p>15 Q. Before we leave that incident, which has been described a</p> <p>16 number of times as "trashing the hotel room", can I just take</p> <p>17 you to an interview that was put to you by Ms. Wass. It is an</p> <p>18 ABC News interview. Do you have it at tab 171 of the same</p> <p>19 file?</p> <p>20 A. Yes, I do. F1370 at the bottom; right?</p> <p>21 Q. Yes. If I can just take you to a particular part of that,</p> <p>22 F1041 is the part that we need to start with. Do you have</p> <p>23 that?</p> <p>24 A. Yes.</p> <p>25 Q. Right at the bottom of F1041, you have Elizabeth Vargas saying</p>

[15] (Pages 580 to 583)

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1 DEPP - SHERBORNE
2 you were not really a bad boy. You say, "Oh, I do not think,
3 I mean, I don't think so, no. Ask my mum, you know. I don't
4 think so."
5 A. Yes.
6 Q. Then you have Elizabeth Vargas, and it says "voiceover", "No
7 one was laughing when Depp trashed a fancy New York hotel room
8 after a spat with his then girlfriend, model Kate Moss,
9 causing nearly 10,000 worth of damage. What was all that
10 about?" You will see you say, "It was a bad day, you know,
11 you have bad days", and you make a reference to, "You know,
12 some guys play golf, some guys, you know, smash hotel rooms."
13 You described yesterday that it was a joke. I am not going to
14 ask you to repeat your evidence. But it was said to you by
15 Ms. Wass, "Instead of putting this chap who was interviewing
16 you, in fact it was a woman interviewing you, instead of
17 putting the record straight, you went along with this
18 suggestion that it was a spat with your girlfriend." Now,
19 Mr. Depp, just answer this: were you going along with the
20 interviewer's question; yes or no?
21 A. What are we referring to?
22 Q. Right at the top of page 1042, there is the voiceover. That
23 was said by Ms. Wass to be a question put to you by the
24 interviewer. Then she took you to the answer and said that
25 you were not putting the interviewer straight when the

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1 DEPP - SHERBORNE
2 question was asked about whether that incident in the hotel
3 room, where you caused damage to some property, was about Kate
4 Moss. You did not mention, she said, a friend screwing you
5 over. I ask you this: were you, in your answer, going along
6 with a question from the interviewer; yes or no?
7 A. I was going along with my truth, I did not -- Ms. Moss was not
8 involved in any of it. There was no spat. So I was not
9 reacting to Elizabeth Vargas as -- we were not in front of one
10 another.
11 Q. My Lord, can I then just play the actual broadcast that is
12 transcribed in front of you?
13 MR. JUSTICE NICOL: This is the point that we were discussing
14 before the break?
15 MR. SHERBORNE: My Lord, yes. It is about 20 or 30 seconds long
16 at most.
17 MR. JUSTICE NICOL: Yes.
18 MR. SHERBORNE: Before it is played, just to show you where it is
19 on the transcript, my Lord, I think it starts at the bottom of
20 1041 and if we can now play it. (Recording played) Can I ask
21 you this, Mr. Depp. How long did you go out with Kate Moss
22 for?
23 A. Three and a half years.
24 Q. And given the insinuation, did you at any time during those
25 three and a half years ever hit Ms. Moss?

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1 DEPP - SHERBORNE
2 A. No, sir, never.
3 Q. So, just then moving from that one, we have looked at an
4 incident in 1989 and that one in 1994. You were referred to a
5 third press report in February 1999. I do not need to take
6 you to it. Do you remember you were in London for filming,
7 I think, Fear and Loathing?
8 A. It was Sleepy Hollow.
9 Q. And you told this court that you had had dinner with a very
10 pregnant Ms. Paradis?
11 A. Yes.
12 Q. And some close friends, who were going to be the godparents of
13 your unborn baby?
14 A. Yes, they had just arrived in town so we went out for a
15 celebratory dinner.
16 Q. Ms. Wass put to you that you were yelling obscenities at these
17 poor photographers, who were just doing their job, because
18 they wanted to get photographs of you in a public place. Do
19 you remember that was put to you?
20 A. Yes, sir, what they wanted was the novelty photograph of my
21 pregnant fiancée or girlfriend and myself and I was not
22 comfortable with it being turned into a circus.
23 Q. Can you just tell the court how many photographers you are
24 talking about were there?
25 A. There were about 15, roughly.

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1 DEPP - SHERBORNE
2 Q. And you described how, when you were in the loading bay, they
3 were trying to force open the door and you were trying to stop
4 them?
5 A. Yes, sir.
6 Q. Can I ask this: was the loading bay a public place or not; yes
7 or no?
8 A. The loading bay was -- it was through the restaurant's kitchen
9 and down the other side. They were outside trying to pull the
10 door on the street, they were on the sidewalk, and I was in
11 inside trying to hold it.
12 Q. Where did the door take them to?
13 A. The door?
14 Q. The door they were trying to open. If they had got through
15 that, where would they have got into?
16 A. Just a very dark little area that I was standing in. It was
17 pitch black in there.
18 Q. And you said that they were yelling obscenities at you?
19 A. Yes.
20 Q. Can you help the court as to what kind of obscenities they
21 were saying?
22 A. Sort of the usual when you run into the aggressive sort of
23 paparazzi. They attempt to poke and prod and get you to do
24 something out of character or -- well, they want an
25 interesting photograph and what is more interesting than

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1 DEPP - SHERBORNE
 2 someone screaming or freaking out so, yes.
 3 Q. Thank you, Mr. Depp.
 4 A. The obscenities, I cannot remember the exact words, but they
 5 were quite aggressive and pretty snotty about it.
 6 Q. You described that there was a degree of unpleasant feeling,
 7 I think is the way in which you put it when Ms. Wass asked you
 8 about what was going on between you and the fifteen
 9 photographers?
 10 A. Oh, yes, sir. Yes, sir. They were ravenous and they were
 11 also quite upset that I had ruined their opportunity for that
 12 photograph because I had distracted them at the loading dock,
 13 or at the loading door, as Ms. Paradis and our friends that
 14 had come to dinner with us were safely in the car.
 15 Q. Thank you, Mr. Depp.
 16 A. They were upset that they did not get that photograph.
 17 Q. Just moving on from that incident, so we had the security
 18 guard allegation in 1989, the hotel room in 1994, fending off
 19 paps in 1999, and then there was one final press cutting that
 20 was shown to you by Ms. Wass. We have to fast-forward, I
 21 think, 20 years from the last incident to 2018 and a claim
 22 being brought against you by someone called Greg Rocky Brooks?
 23 A. Yes.
 24 Q. Who is said to be a crew member who claims that you punched
 25 him. Do you remember you were asked some questions about

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1 DEPP - SHERBORNE
 2 that; yes or no?
 3 A. Yes, I do.
 4 Q. I am going to take this fairly briefly, Mr. Depp. Unlike
 5 these other incidents we talked about, you said that you had
 6 not in any way physically touched him?
 7 A. Yes, sir.
 8 Q. You explained the circumstances in which you encountered
 9 Mr. Brooks on the set of the film City of Angels.
 10 A. City of Lies.
 11 Q. It was because, you said, of his bad behaviour towards I think
 12 an African/American lady you said?
 13 A. Yes, she was very, she was a little elderly African/American
 14 woman who I was not quite sure if she was an extra or a
 15 homeless woman. We were shooting downtown, and he was very,
 16 very, he was incredibly rude to her.
 17 Q. I am not going to ask you, I can tell you would rather not say
 18 it, I am not going to ask you exactly what words he used, but
 19 can you describe the nature of what he said?
 20 A. He, he was very, very rude, and essentially was hurling around
 21 what I suppose he felt was his position, his power as a
 22 location manager and he was brushing her off in an incredibly
 23 disrespectful way, and I approached him about it.
 24 Q. And you approached him and you told us yesterday, well,
 25 perhaps you can just say in one sentence what you said to him

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1 DEPP - SHERBORNE
 2 as a result of hearing this?
 3 A. In essence, what I said to Mr. Brooks was, "What gives you the
 4 right to speak to this woman in this way, what gives you the
 5 right to be so disrespectful to this woman, what gives the
 6 right to be disrespectful to anyone? It is a film set, you
 7 are not in control." He was rather feisty and unpleasant to
 8 deal with, but never did I touch him.
 9 Q. It is suggested, but you have clearly stated that you did not
 10 touch him. Can I ask you, that of course is his allegation
 11 against you in this claim he is bringing at the moment?
 12 A. Yes, sir.
 13 Q. Can I just ask you to look at one document. It should be in
 14 your bundle 5, tab 5.1.
 15 A. Sorry, volume, 5 ----
 16 Q. Yes.
 17 A. Sorry. What page, sorry?
 18 Q. Give me one moment. I do not think it has found its way into
 19 the bundle yet. It was disclosed this morning. It is one of
 20 the documents Ms. Wass says has been disclosed.
 21 MR. JUSTICE NICOL: Sorry, is this in 5.1 yet or not?
 22 MR. SHERBORNE: No, it should go behind 114.34.
 23 MR. JUSTICE NICOL: Which tab number?
 24 MR. SHERBORNE: It should go behind tab 181, however your Lordship
 25 wants to number it, maybe 114.3A.

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1 DEPP - SHERBORNE
 2 MR. JUSTICE NICOL: Just a minute. (Pause) Rather a lot of
 3 documents have been handed up to me.
 4 MR. SHERBORNE: I think your Lordship may have multiple copies, so
 5 I apologise. You may have more than one person's copy. That
 6 all I can say. (Pause) Does your Lordship have a photograph
 7 and then a text below the photograph?
 8 MR. JUSTICE NICOL: I am will show you what I have, but I do not
 9 think it accords with what you have said.
 10 THE WITNESS: I do not have the text on the photograph.
 11 MR. SHERBORNE: I think there is a similar document that has
 12 been ----
 13 MR. JUSTICE NICOL: I am going to pass down the bunch of documents
 14 that was given to me.
 15 MR. SHERBORNE: I am sorry. It should be one page, but I think
 16 one is a slightly better version. (Pause) I can see they are
 17 all in there. (Pause) I think your Lordship, for some reason,
 18 may be the only person with -- I do not think Mr. Depp has
 19 ----
 20 MR. JUSTICE NICOL: Mr. Sherborne, I am very tolerant about
 21 glitches that occur, but the witness and I do need to be able
 22 to see the document you are referring to; and if you are not
 23 able to do it at this stage, can I suggest that you move on to
 24 another topic and come back to this after lunch.
 25 MR. SHERBORNE: I can do it without both versions of this; I can

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<p>1 DEPP - SHERBORNE</p> <p>2 do it with just one version. (Pause) I think Mr. Depp now has</p> <p>3 that one.</p> <p>4 MR. JUSTICE NICOL: Well, I am waiting.</p> <p>5 MR. SHERBORNE: Yes. There is only one copy with the actual text</p> <p>6 on, but we do not need the text, my Lord. Can I ask you to</p> <p>7 explain -- I think his Lordship has a copy already.</p> <p>8 Mr. Depp, you should have in front of you now a large</p> <p>9 colour photograph. Can you identify the two people there?</p> <p>10 THE WITNESS: That is myself and the location manager, Rocky</p> <p>11 Brooks.</p> <p>12 Q. So, you are on the right-hand side, and Mr. Brooks, who is the</p> <p>13 person who has accused you, is bringing a claim against you</p> <p>14 for assault, he is on the left-hand side?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Can you help the court in this way, Mr. Depp. Was this</p> <p>17 photograph taken before or after the so-called incident?</p> <p>18 A. It was taken after the incident, at the end of the night.</p> <p>19 Q. So, this photograph of the two of you with your arms around</p> <p>20 each other was taken after the incident for which he is suing</p> <p>21 you?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Can you just explain very briefly how this photograph came</p> <p>24 about?</p> <p>25 A. At the end of the night, when I was wrapped from work, I had</p>	<p>1 DEPP - SHERBORNE</p> <p>2 MR. SHERBORNE: Other than Ms. Heard's allegation, which we are</p> <p>3 here to decide, has any woman ever accused you of hitting them</p> <p>4 in your 57 years?</p> <p>5 THE WITNESS: No, sir.</p> <p>6 Q. It was put to you, Mr. Depp, by Ms. Wass, that you had anger</p> <p>7 management issues, you had an anger management condition and</p> <p>8 you said, "I laugh, it does not mean I have a humour</p> <p>9 condition." Do you remember that exchange?</p> <p>10 A. Yes, sir.</p> <p>11 Q. You also said that Ms. Heard on occasions was angry. Do you</p> <p>12 remember that?</p> <p>13 A. Yes, I do.</p> <p>14 Q. Can I just ask you, then, to look at file 4, tab 108, and it</p> <p>15 is page F622. Is that box collapsing or is it okay?</p> <p>16 A. I think we are okay, thanks.</p> <p>17 Q. I will warn you if I can see it about to collapse.</p> <p>18 A. 11?</p> <p>19 Q. Tab 108.</p> <p>20 A. Yes, sir.</p> <p>21 Q. And it is page F622 in the right-hand side.</p> <p>22 A. Yes, sir.</p> <p>23 Q. These are medical notes that we have seen various of them</p> <p>24 before. This is in relation to Ms. Heard.</p> <p>25 A. Yes, sir.</p>
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<p>1 DEPP - SHERBORNE</p> <p>2 asked my assistants to grab a bottle of wine and to find out</p> <p>3 if Mr. Brooks was still at the location. He was. I went and</p> <p>4 found Mr. Brooks. I had two cups, plastic cups, and I wanted</p> <p>5 to apologise to him for having reprimanded him for his</p> <p>6 actions. I did not want there to be any bad blood or</p> <p>7 continuing animosity. So, I went to speak with him and make</p> <p>8 sure we could be, that we were okay. And then we toasted one</p> <p>9 another with the wine and then he asked if he could have a</p> <p>10 selfie with me.</p> <p>11 Q. He asked you for this photograph with him?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Thank you, Mr. Depp. You see, Mr. Depp, the reason I am</p> <p>14 asking about this is Ms. Wass put this to you to suggest that</p> <p>15 you are the type of person who becomes extremely angry and</p> <p>16 then violent when you are challenged.</p> <p>17 A. Yes, that is her suggestion. It is not true. It is her</p> <p>18 suggestion.</p> <p>19 Q. Mr. Depp, I am going to ask you a different question, but one</p> <p>20 that Ms. Wass hinted at a number of occasions. However angry</p> <p>21 you have been, Mr. Depp, in your life, have you ever hit a</p> <p>22 woman?</p> <p>23 A. Never.</p> <p>24 MR. JUSTICE NICOL: Just a minute. (Pause) You said no.</p> <p>25 THE WITNESS: I said no. Yes, sir.</p>	<p>1 DEPP - SHERBORNE</p> <p>2 Q. You will see Ms. Heard I think is just, you have the date at</p> <p>3 the top. Do you see?</p> <p>4 A. 27th August 2014.</p> <p>5 Q. Yes.</p> <p>6 A. Yes, sir.</p> <p>7 Q. 27th August 2014. It has: "The registered nurse has been</p> <p>8 hired to provide private nursing care for Amber Heard", she is</p> <p>9 the client?</p> <p>10 A. Yes.</p> <p>11 Q. "Amber Heard will hereafter be referred to as 'client' or</p> <p>12 'AH'."</p> <p>13 A. Yes, sir.</p> <p>14 Q. Then it says that she is currently under the care of</p> <p>15 Dr. Kipper and is attended to by the private nurse Debbie</p> <p>16 Lloyd?</p> <p>17 A. Yes.</p> <p>18 Q. I do not think there is any dispute, this nurse is Erin</p> <p>19 Burin(?)?</p> <p>20 A. Exactly, Erin ----</p> <p>21 MR. JUSTICE NICOL: Sorry, who is Erin Burin?</p> <p>22 MR. SHERBORNE: She was a registered nurse who looked after</p> <p>23 Ms. Heard.</p> <p>24 MR. JUSTICE NICOL: Yes.</p> <p>25 MR. SHERBORNE: I do not think there is any dispute about this,</p>

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1 DEPP - SHERBORNE
 2 she became friendly with Ms. Heard, did she not?
 3 THE WITNESS: Yes, she did.
 4 Q. Just fast-forwarding for a moment, she is one of the people
 5 that said was at Ms. Heard's birthday dinner in April 2016.
 6 A. That is correct.
 7 Q. Here she is, taking a patient history from Ms. Heard. You
 8 will see in the third paragraph -- if we go in the middle
 9 between the two punch holes.
 10 A. Yes.
 11 Q. You will see that AH reports (that is Ms. Heard) her history
 12 of substance abuse.
 13 MR. JUSTICE NICOL: Just a moment, where are we now?
 14 MR. SHERBORNE: In the middle, between the two punch holes.
 15 "Client discusses moving from Austin to New York when she was
 16 17, to pursue a career in modelling. Moved to Los Angeles in
 17 her early 20s to continue her modelling career and pursue an
 18 acting career. Client states she works on one to three films
 19 per year...(reads to the words)... AH reports history of
 20 substance abuse" -- this is in 2014 -- "including an addiction
 21 to cocaine and liquor."
 22 Just pausing for a minute there, you will recall that
 23 Ms. Wass said to you that it was a lie when you denied the
 24 fact that Ms. Heard was saying she had not taken any cocaine
 25 since the age, since she was a teenager. Do you remember it

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1 DEPP - SHERBORNE
 2 was put to you that you were lying when you said that she had?
 3 A. Yes.
 4 Q. So, here we have the registered nurse, Ms. Heard is telling
 5 her she reports a history of substance abuse, including an
 6 addiction to cocaine and liquor. "Client reports abstaining
 7 from cocaine for a couple of years" -- this is 2014 -- "but
 8 was unable to report exact dates. Client does not smoke
 9 cigarettes. She reports consuming one to three glasses of red
 10 wine each day." I will come back to that in a little while.
 11 Then, she reports a familial history of substance abuse, both
 12 her mother and father abused, became dependent on stimulants,
 13 opiates and alcohol. Then it refers to your history of abuse
 14 and then it says: "Client admits to a history of anxiety,
 15 eating disorder, bipolar disorder, insomnia", and so on. Then
 16 her report from JD, Debbie, registered nurse, Dr. Kipper:
 17 "Client AH has reportedly been experiencing increased anxiety
 18 and agitation recently and has had several outbursts of anger
 19 and rage."
 20 A. Yes, sir.
 21 Q. Then says this: "Her mood has been labile" -- this is in 2014,
 22 August -- "Both client and fiancé report an increase in verbal
 23 disagreements" -- verbal disagreements -- "resulting from
 24 client's anxiety and emotional lability. ...(reads to the
 25 words)... and expressed she has difficulty dealing with

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1 DEPP - SHERBORNE
 2 feelings of insecurity and jealousy when not in the presence
 3 of her husband." To your knowledge, Mr. Depp, does this
 4 accord with how you experienced Ms. Heard or not?
 5 A. Yes.
 6 Q. Can I then return, that was a slight side route, just because
 7 we are on that topic. It was then put to you by Ms. Wass, or
 8 there was a deposition put to you by Ms. Wass from Ellen
 9 Barkin; do you remember we looked at that?
 10 A. Yes, I do.
 11 Q. We were shown some excerpts. So we are dealing with this in
 12 the right context, to be fair to Ms. Wass, it was not remotely
 13 suggested by Ms. Barkin that you ever hit her or tried to do
 14 so, was it?
 15 A. No, it was not.
 16 Q. Even though she gave unfavourable testimony against you in her
 17 deposition to support Ms. Heard, was it in the Virginia libel
 18 trial?
 19 A. I believe that is what it was for, yes.
 20 MR. JUSTICE NICOL: Just a minute, please. I think you said the
 21 trial, but it is the Virginia libel proceedings. It has not
 22 got to a trial yet.
 23 MR. SHERBORNE: No, my Lord, it has not. There is no trial date
 24 as far as I am aware. Maybe some time next year.
 25 THE WITNESS: January.

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1 DEPP - SHERBORNE
 2 Q. It has been fixed in January?
 3 A. I believe so, yes, early January.
 4 Q. Ms. Wass put to you a particular incident, which I think is
 5 the most we hear from Ms. Barkin, that a bottle of wine, she
 6 says, was thrown, not at her, but was thrown by you, and you
 7 denied that?
 8 A. Yes, I do deny it.
 9 Q. In her deposition, I can take you to it, but it may be quicker
 10 to do it this way, perhaps for the moment, we were told that
 11 she used a phrase, nothing more than a phrase, "There is just
 12 a world of violence", she said. Now, can I ask you this. Was
 13 there any so-called violence in your relationship with
 14 Ms. Barkin; yes or no?
 15 A. No, not at all. We had been friends for a number of years.
 16 Q. Can I take you to -- I will actually, it is probably easier to
 17 do it this way, my Lord. Do you have file 4 still open?
 18 A. Yes.
 19 Q. Can I take you to tab 107. It should be the deposition.
 20 A. Yes.
 21 Q. Can we go to, I do not know which is the easiest way. It is
 22 F573, internal page 39. So, Mr. Depp, you will see that on
 23 each page there are four pages of deposition.
 24 A. Yes.
 25 Q. If you turn to F573.

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1 DEPP - SHERBORNE
 2 A. Yes. Page 39?
 3 Q. Page 39. It is just line 8 I think is the best place to
 4 start. These are questions being put to Ms. Barkin. It says:
 5 "Did Mr. Depp ever hit you?"
 6 MR. JUSTICE NICOL: Sorry, just a minute. (Pause) Yes. Found
 7 that.
 8 MR. SHERBORNE: This is questions being asked: "Did Mr. Depp ever
 9 hit you?" "No, he did not", said Ms. Barkin. "(Q) Did he
 10 ever kick you? (A) No, he did not. (Q) Did he ever cause
 11 anything to physically touch you in an assaulted way, to
 12 actually touch you? (A) No, he did not." Then it moves on
 13 to another subject.
 14 Now, you made it clear to Ms. Wass that you took issue
 15 with the evidence of Ms. Barkin in terms of the throwing of
 16 the wine glass or wine decanter. You were asked about whether
 17 she had a reason to lie, and you said that you did not want to
 18 call anyone a liar, "But I can tell you that it did not
 19 happen", is what you said.
 20 A. That is correct.
 21 Q. It was put to you then by Ms. Wass that if Ms. Barkin was
 22 coming along to give this evidence for Ms. Heard in this
 23 deposition, then, on your account, she must have some sort of
 24 grudge against you. You said that she did bear a grudge, but
 25 you were not asked what the basis was for you saying that.

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1 DEPP - SHERBORNE
 2 Can you help the court, Mr. Depp, as to what you believe was
 3 the reason for Ms. Barkin holding a grudge against you?
 4 A. Ms. Barkin and I had been friends for a number of years, in
 5 fact I had known her and her former husband, Gabriel Byrne.
 6 When they were divorced many years, a couple of years later,
 7 Ellen and I were hanging, just spending time together, and a
 8 relationship sort of, continuing the friendship of course, but
 9 a sexual element began with Ms. Barkin, which lasted for a
 10 couple of months on and on off, really, because she was making
 11 a film at the time. I was making the film Fear and Loathing
 12 in Las Vegas and I suppose her desires were, she wanted more
 13 than, she wanted a relationship, she wanted a proper
 14 relationship with me, and I did not want that. I did not feel
 15 the same about her, as she did me. And I suppose I, from that
 16 moment on, she became very, very angry since then I have
 17 not spoken to Ms. Barkin; nor has Ms. Barkin spoken to me.
 18 Q. Fair enough. Those were what I would call the examples, the
 19 incidents that were put to you by Ms. Wass to suggest that you
 20 were a violent man. Then Ms. Wass took us to footage, I think
 21 it is the only footage there is, of what is said to have been
 22 you being violent. We saw a very short clip yesterday of you
 23 are slamming a cupboard door and pouring yourself a large
 24 glass of wine.
 25 A. Yes, sir.

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1 DEPP - SHERBORNE
 2 Q. You remember the footage?
 3 A. Yes, I do.
 4 Q. Can you help us in this way, Mr. Depp. Where was that footage
 5 taken?
 6 A. That footage was taken in the kitchen of my, of the main house
 7 where I have lived for a long time.
 8 Q. Is that Sweetzer?
 9 A. On Sweetzer, yes. That was in the kitchen of Sweetzer.
 10 Q. When do you believe that footage was taken?
 11 A. I believe that footage was taken much earlier, and it was
 12 somewhere around the time of a film that I had made, that
 13 Ms. Heard had accompanied me to, when I was making the film
 14 The Lone Ranger, I believe that footage is somewhere around
 15 that time, because of the length of hair and the cowboy hat
 16 that I was wearing.
 17 MR. JUSTICE NICOL: Just a minute. (Pause) The length of your
 18 hair?
 19 THE WITNESS: Yes.
 20 Q. And you were wearing the cowboy hat?
 21 A. Yes, sir, it was through that period, having been in New
 22 Mexico for a long time.
 23 MR. SHERBORNE: That was the look you were sporting?
 24 A. Yes, it was sort of consistent with the role that I had
 25 played.

[Page 603]

1 DEPP - SHERBORNE
 2 Q. It was suggested to you that footage was from 2016?
 3 A. Yes.
 4 Q. Am I right in saying, I am sure it is not a matter of dispute,
 5 that The Lone Ranger was in about 2013, that was being filmed?
 6 A. Yes, sir.
 7 Q. When you were asked some questions about it, why you had
 8 slammed the door and so on, you said that you were having a
 9 bad day?
 10 A. I had had a bad night and was very, it was proving to be a
 11 very bad day already, yes.
 12 Q. Do you remember why -- I appreciate it is an incident, one
 13 isolated matter in 2013 -- do you remember why you were having
 14 a bad day?
 15 A. I do not remember exactly off the top of my head, but it had
 16 -- no, I do not believe it had had anything to do with
 17 Ms. Heard at all, as she was -- well, I was not angry at her
 18 and yelling at her. I was in my kitchen and slamming things
 19 and she arrived in the morning. She came downstairs in the
 20 morning and found me there and then she filmed me.
 21 Q. Does it look like she felt you were being angry at her?
 22 MR. JUSTICE NICOL: Well, that is a matter for comment, is it not?
 23 MR. SHERBORNE: Sorry, my Lord. (To the witness) Did you have any
 24 reason to believe that she thought you were being angry at
 25 her?

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1 DEPP - SHERBORNE
 2 THE WITNESS: No.
 3 Q. Can I ask you this, more importantly, Mr. Depp, did you know
 4 you were being filmed?
 5 A. No, I did not. And that is clear from my reaction to -- she
 6 kept trying to either hide, step in front of the phone to hide
 7 it when I got close, and then she would change the angle and
 8 then I finally saw that she was filming me. And, yes, that
 9 made me very upset, because I could not understand why she
 10 would be filming me.
 11 Q. Is that the only time that you found out Ms. Heard was filming
 12 or recording you without your knowledge; yes or no?
 13 A. No, that is not the only time.
 14 Q. Can I ask you a few questions ---
 15 MR. JUSTICE NICOL: Just a minute.
 16 MR. SHERBORNE: I am sorry, my Lord. (Pause)
 17 MR. JUSTICE NICOL: Yes.
 18 MR. SHERBORNE: Can I ask you this, Mr. Depp. Was Ms. Heard
 19 someone who rarely used her phone, moderately used her phone,
 20 used her phone a lot?
 21 THE WITNESS: Constantly, yes, all the time.
 22 Q. Constantly used her phone. Similarly, was Ms. Heard someone
 23 who rarely took photos or videos of herself or moderate
 24 amounts or lots of photos and videos of herself?
 25 A. Lots. Quite a lot.

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1 DEPP - SHERBORNE
 2 Q. Thank you, Mr. Depp.
 3 A. Thank you.
 4 Q. Can I take you then to the next topic that you were asked
 5 questions about, and that was the so-called term "the
 6 monster".
 7 A. Yes.
 8 Q. I am not going to repeat every question and every answer you
 9 gave, because you said to Ms. Wass, do you remember, that one
 10 of the number of times you were asked about it, you said that
 11 the word "monster" can mean many things. Do you remember
 12 saying that?
 13 A. Yes.
 14 Q. Then you explained in that context, you said that when it came
 15 to arguments with Ms. Heard, the word "monster" meant the side
 16 of you which would rather than placate her and just say yes,
 17 you would argue back with her.
 18 A. Yes. Yes.
 19 Q. And that as a result, the arguments, you said, would escalate
 20 and get heated and you would sometimes shout obscenities at
 21 each other. Is that an accurate reflection of that or not?
 22 A. Yes, quite accurate.
 23 Q. Can I just ask you very briefly to give the court an example
 24 of the kind of thing that would set off this kind of argument?
 25 A. It could be anything. This is an odd example, but I think

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1 DEPP - SHERBORNE
 2 that it is representative on the whole, so I will take a very
 3 small incident. Ms. Heard was in the habit, when I would
 4 return home from work and sit down on the couch or chair,
 5 wherever, that she would come over to me and take my boots
 6 off, unlace my boots and take them off me, which was a
 7 beautiful gesture. I always thought it was a very kind and
 8 loving gesture. At one point I came home and I sat on the
 9 couch and she was doing something, I cannot remember, so I
 10 took my boots off, just took them off and laid them aside.
 11 She approached me and said, "What did you do? Why did you
 12 take your boots off? That is my job." I said, "Well, you were
 13 busy; I just took them off." That made her very upset and
 14 that became an argument, became an escalated argument. So,
 15 taking off one's boots is a very small and mundane issue, so
 16 if anything were above that, you can imagine where it would
 17 go.
 18 Q. You described taking off your boots as a loving gesture and
 19 you said you were sitting on the sofa. When the two of you
 20 were sitting in the house on the sofa together, as you have
 21 said, and you have talked about loving gestures, were you
 22 close, were you far apart, did you interact? Just to give the
 23 court a flavour, what would happen?
 24 A. Normally, when we were at home, we would have dinner in front
 25 of the television and lay on the couch together, or sit on the

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1 DEPP - SHERBORNE
 2 couch together, and that was normal for us; it was what we
 3 would do. But on occasion, out of nowhere, if my hand was not
 4 holding Ms. Heard's hand or if I did not have my arm around
 5 her or whatever, she would reach over and grab my hand and put
 6 it on her thigh, so that I was then feeding her the attention
 7 that she wanted. She complained that she needed more
 8 affection and she needed more attention and it went on from
 9 there to other various things.
 10 Q. When you say "it went on from there", is this another example
 11 or is this ---
 12 A. It was almost as if there were rules, you know. She has a
 13 routine and if that routine is not met to her standards, then
 14 there is going to be a problem.
 15 Q. So if you removed your hand and you did not put it on her and
 16 you were breaking the rule, what would happen then?
 17 A. An argument would ensue and all hell would break loose.
 18 Q. When you were asked another time about the word "monster", you
 19 said to Ms. Wass that it was something Ms. Heard grabbed on to
 20 and clung on for dear life, that term. Can you just explain
 21 to the court, again very briefly, what you meant by that
 22 phrase?
 23 A. The monster story was something that Ms. Heard, she rather
 24 liked the idea that I was the monster, and if someone is
 25 explaining, if you have had an argument and you are trying to

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1 DEPP - SHERBORNE
 2 explain your position in an argument, and things do escalate,
 3 that, for her, would become the monster. Any time I did not
 4 comply with or agree with what was her position, then she
 5 would call it the monster, and then the monster grew from
 6 there into this, well, whatever she wanted it to be; and she
 7 used it quite a lot.
 8 Q. Ms. Wass took you in this context to an e-mail exchange
 9 between you and Mr. Deuters. It is file 8, tab 62E?
 10 MR. JUSTICE NICOL: Just a minute. (Pause) Yes.
 11 MR. SHERBORNE: It is 62E and it is page IO.9.
 12 A. Yes, sir.
 13 Q. If you just turn over to I O.10 ----
 14 A. Yes, sir.
 15 Q. ---- you will see the start of that e-mail exchange. We
 16 looked at this and I am just going to ask you a couple of
 17 questions. Mr. Deuters is writing to you at 10.45 in the
 18 morning, at the top of page IO.10, "We are all set to leave
 19 here approximately 1.30 p.m. Hope you rested well, MD." You
 20 said that Mr. Deuters, you called Master Deuters?
 21 A. Yes, Master Deuters. It is a strange name to pronounce.
 22 Q. Can we turn to page IO.9. Ms. Wass took you to what you
 23 responded, where you said, "I got drunk and destroyed my room.
 24 There are hookers and animals in here."
 25 MR. JUSTICE NICOL: Just a minute. Where is this?

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1 DEPP - SHERBORNE
 2 MR. SHERBORNE: If you go to I O.9, your response to Mr. Deuters,
 3 when he said, "Are you going to be ready, I hope you rested
 4 well", was to say, "I got drunk and I destroyed my room.
 5 There are hookers and animals in here." Then Mr. Deuters
 6 replies, "Watch out for Mike Tyson." Do you know what that is
 7 a reference to?
 8 A. Yes. It was a reference to Ms. Heard.
 9 Q. And then we ----
 10 MR. JUSTICE NICOL: Just a minute, please. (Pause) Yes.
 11 MR. SHERBORNE: Then you were taken to your response,
 12 particularly, "I've had to kill a few of the animals for
 13 sustenance" when Mr. Deuters has asked you, "Have you eaten?"
 14 "I have made quite a mess. There is blood and animal tracks
 15 everywhere."
 16 A. Yes.
 17 Q. Then we have Mr. Deuters responding. There is another joke in
 18 there about condoms, but I am not sure I am really going to
 19 read that out. "As for the beastly residue", says
 20 Mr. Deuters, just where the first punch hole is, "I'll grab
 21 some kitchen roll and a can of Febreze. It'll be great?"
 22 A. Yes.
 23 Q. Then he says, "If all else fails, we'll point the finger at
 24 Nathan. He was so drunk last night, he would probably just
 25 assume responsibility anyway for the animals."

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1 DEPP - SHERBORNE
 2 A. Yes.
 3 Q. Now, just to ask you this question Mr. Depp, because it was
 4 put to you by Ms. Wass that this was a serious statement, was
 5 this a serious statement or was it, as you said, an example of
 6 dark humour, messing around with your friends?
 7 A. It was exactly that. It was ludicrous exchanges.
 8 Q. Were you killing animals in your room?
 9 A. No, sir.
 10 Q. Did you have hookers in there?
 11 A. No, sir.
 12 Q. Did you -- I do not need to ask you any more. The one more
 13 topic before we break for lunch is this. Again, on this topic
 14 of how horrible and disrespectful you are, you were shown some
 15 texts in file 6. Do you remember file 6, which has that
 16 composite text schedule in it?
 17 A. Yes.
 18 Q. You can put away file 4. Can you just take file 6. To put
 19 this in context, it is tab 119, and it is page 4. You were
 20 shown at some length on page 4, 697.4. Do you have that?
 21 A. I do now, yes.
 22 Q. We have 2013 as the legend?
 23 A. Yes.
 24 Q. Then you have, "Take some days, get yourself better, do you
 25 need anything, Jewish penicillin", which I assume is chicken

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1 DEPP - SHERBORNE
 2 soup?
 3 A. Yes, some soup, yes.
 4 Q. Then we have a series of texts, starting with, "I'll bring
 5 some cash over to pay and tip the bitch." Then the person you
 6 are texting says, "Yes, sloppy slut." Then you write back,
 7 "Fucking ugly fat whore" and then the person, who is called
 8 Marino, says, "Bring the cash and the whore" and you say, "For
 9 the idiot cow" and then you say, "Will do. I'll smack the
 10 ugly cunt around before I let her in, don't worry." Then,
 11 "Did that (unclear) arrive?" These are messages passed
 12 between you and Marino. You will recall that Ms. Wass said to
 13 you -- you said that this, you believed, was Vanessa Paradis,
 14 your other half?
 15 A. Initially, I thought it was with my sister Christi until
 16 Ms. Wass was reading it and she said, "Marino or, as you say,
 17 your sister, replies with that, 'Yes, sloppy slut.'" My
 18 sister is -- I realised at that moment that it was not my
 19 sister because my sister has never said a cross word in her
 20 life.
 21 Q. It was not the kind of joke you would have with your sister;
 22 is that what you are saying?
 23 A. She would never speak that way. So then I looked at the phone
 24 number and I realised that it was Vanessa. This was an
 25 exchange ----

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1 DEPP - SHERBORNE
 2 MR. JUSTICE NICOL: Just a minute.
 3 MR. SHERBORNE: Just take it a little slower because his Lordship
 4 is making a note.
 5 MR. JUSTICE NICOL: You realised the phone number was the phone
 6 number of Vanessa Paradis?
 7 A. Yes, your Honour.
 8 MR. SHERBORNE: I am going to show you something in a moment, but
 9 before I do, you will recall that Ms. Wass said to you at
 10 least four times, "Are you sure, Mr. Depp? Are you sure that
 11 you are texting here with Ms. Paradis?" Do you remember that
 12 she suggested that maybe you were lying about this?
 13 A. Yes, sir.
 14 Q. Can I take you then to file 10, please. This is the last
 15 thing I will do before the adjournment my Lord.
 16 MR. JUSTICE NICOL: File 10.
 17 MR. SHERBORNE: File 10. It is 095. Do you have page 095?
 18 (Pause)
 19 A. Yes. Yes, sir.
 20 Q. Just looking at some of these texts, can you see the first
 21 one? In the third column, it has "From Marino"?
 22 MR. JUSTICE NICOL: Just a moment. Yes.
 23 MR. SHERBORNE: You will see these are messages passing with
 24 Stephen Deuters: "Hello, we have lost track of Jack's phone",
 25 says Marino. Can you explain to the court, it may not need

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1 DEPP - SHERBORNE
 2 saying that you were able to have an extra half a day, either
 3 for further re-examination of Mr. Depp and/or for the
 4 cross-examination of Ms. Heard when she comes to give her
 5 evidence.
 6 MR. SHERBORNE: My Lord, yes.
 7 MR. JUSTICE NICOL: And I think that you responded this morning
 8 that you would like to take the first hour this afternoon with
 9 continuing your re-examination of Mr. Depp.
 10 MR. SHERBORNE: My Lord, yes, and I will speed up a bit this
 11 afternoon for obvious reasons. It may take a little bit over
 12 the hour, but I will try to keep it as quick as possible. We
 13 started a little bit later than when we were going to start
 14 after the break.
 15 MR. JUSTICE NICOL: The reason I asked that was because on the
 16 original schedule, we were due to liaise with people overseas.
 17 MR. SHERBORNE: Yes.
 18 MR. JUSTICE NICOL: After you had completed your re-examination.
 19 MR. SHERBORNE: My Lord, yes. We have moved Mr. McGivern to next
 20 week, as I understand it, so the only evidence this afternoon
 21 is the two police officers, which is due to start at
 22 3 o'clock. Can I say this as a practical way forward. I do
 23 not know how long that evidence is going to take. As I say,
 24 I will try to complete the re-examination by the time they
 25 give evidence. If I do not, simply because of the

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1 DEPP - SHERBORNE
 2 it, who Jack is?
 3 A. Jack is my son.
 4 Q. Your son with?
 5 A. Sorry, yes, my son with Vanessa Paradis.
 6 Q. I know you know who it is, but it is just that the court needs
 7 to know too?
 8 A. Yes, I am sorry.
 9 Q. If you look at the next text, Stephen Deuters is saying, "Hey
 10 Vanessa, do you know who bought and set it up?", talking about
 11 an iPhone?
 12 A. Yes.
 13 Q. Then if you go down to number 5, again Marino, "Good morning,
 14 did anyone read my email from Sunday about Jack's school?"
 15 Then you have got Mr. Deuters, at no. 6, saying, "Good
 16 morning, Vanessa, yes, messages received"?
 17 A. Yes.
 18 Q. This is an exchange between Marino and Mr. Deuters and having
 19 seen this, can you confirm to this court, Mr. Depp, the
 20 identity of the Marino you were having this conversation with
 21 about a sloppy slut and an ugly fat whore?
 22 A. It is in fact Vanessa Paradis, the mother of my children.
 23 MR. SHERBORNE: Thank you very much. My Lord, I do not know if
 24 that is a convenient moment.
 25 MR. JUSTICE NICOL: Yes. Now, Mr. Sherborne, you have my message

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1 DEPP - SHERBORNE
 2 practicalities of it, it is whether it would be worth then
 3 continuing the re-examination shortly, if there is only a
 4 short amount left, after they have finished giving evidence,
 5 so at least they are not inconvenienced at 3 o'clock. I am
 6 entirely in your Lordship's hands. If you want to wait to see
 7 where we get to at ten to three, I would entirely understand.
 8 MR. JUSTICE NICOL: I think I will take that course.
 9 MR. SHERBORNE: I am grateful. Thank you, my Lord.
 10 MR. JUSTICE NICOL: All right. I will say five past two.
 11 (Adjourned for a short time)
 12 MR. JUSTICE NICOL: Mr. Sherborne.
 13 MR. SHERBORNE: My Lord, we had reached day 2 of the
 14 cross-examination, just so we know where we are. You may
 15 recall, Mr. Depp, at the beginning of the second day, on
 16 Wednesday, Ms. Wass challenged you when you said that
 17 Ms. Heard was not always entirely supportive in terms of the
 18 challenges you faced with alcohol and drugs?
 19 A. Yes.
 20 Q. She read to you a paragraph of your witness statement. You do
 21 not need to turn it up. It is 18(c), just for your Lordship's
 22 note, at D27, where you said, "As I explain at the paragraphs
 23 below, although I was in recovery from drug addiction during
 24 significant parts of my marriage to Amber, instead of
 25 supporting my sobriety, she often encouraged me to drink

[23] (Pages 612 to 615)

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1 DEPP - SHERBORNE
 2 alcohol and to take drugs, even though she knew my
 3 relationship with alcohol and drugs was a difficult one for
 4 me." It was suggested to you that this was untrue; it would
 5 not be further from the truth, Ms. Wass said. It was denied
 6 that she drank anything other than a very small amount of
 7 alcohol or took any real drugs at all. You started to give an
 8 example in response to Ms. Wass about how right from the
 9 outset of your relationship, when you were staying at
 10 Ms. Heard's apartment in Orange Avenue, I believe?
 11 A. Yes.
 12 Q. That she would have whisky in the freezer and you were stopped
 13 because Ms. Wass wanted to move to a different question. Can
 14 you just explain to us what that example meant?
 15 A. I wanted to give an example of simply that Ms. Heard kept
 16 whisky, a bottle of whisky, Bulleit Bourbon, in her freezer
 17 for me, and in a similar way to the boots coming off, a shot
 18 would be poured when I arrived. Even if Ms. Heard was asleep
 19 when I arrived, there would be a shot of whisky on the
 20 nightstand by her bed.
 21 Q. And Ms. Wass said that she was trying to stop you drinking,
 22 she was concerned, and you replied by saying, "For someone who
 23 was saying she wanted me to stop, her actions were sometimes
 24 the opposite." Do you remember saying that?
 25 A. Yes.

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1 DEPP - SHERBORNE
 2 Q. You were explaining that because, while you were trying to
 3 stay sober, she was drinking. Ms. Wass asked you how much she
 4 was drinking and you said two or three bottles, and it was
 5 suggested you were lying?
 6 A. Yes.
 7 Q. And that she was drinking one or two glasses. Was it one or
 8 two glasses or one or two bottles, Mr. Depp?
 9 A. Normally, it was two bottles a night.
 10 Q. And as far as drugs were concerned, it was suggested to you
 11 several times that you were lying when you suggested she took
 12 drugs. I am just going to refer to the transcript and I can
 13 give your Lordship the references. I am just going to give a
 14 couple of passages on Wednesday. It is page 181. It starts
 15 at line 18. This is Ms. Wass asking you questions. She said,
 16 "Where I want your help" and then she quotes from that
 17 paragraph of your witness statement I just read, "Instead of
 18 supporting my sobriety, she often encouraged me to drink
 19 alcohol and take drugs, even though she knew my relationship
 20 with alcohol and drugs was a difficult one for me.' Do you
 21 maintain that was true? (A) Yes. (Q) So, you are saying she
 22 was actually encouraging you to fall off the wagon at times?
 23 (A) I would say her actions were not of one who was
 24 supporting."
 25 Then again, you said, later on on page 182, line 20, "I

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1 DEPP - SHERBORNE
 2 would say if that was supportive, it was a strange way to
 3 support me." Then it was put to you: "You would go round and
 4 take cocaine at her house, would you not? Sorry, I should
 5 have been specific -- at Orange Avenue." You said,
 6 "Quite likely, on occasion." Ms. Wass put to you, "Can we be
 7 quite clear, Ms. Heard had told you that when she was 18, she
 8 was regularly taking cocaine. Do you remember that; do you
 9 agree with that?" You said that actually she told you it was
 10 16.
 11 A. Yes.
 12 Q. Ms. Wass said, "She was worried about the cocaine habit that
 13 she had developed and she stopped altogether....and she never
 14 took cocaine ever in your presence or your company or, as far
 15 as you knew, during the time of your relationship?" You said,
 16 "Yes, she did." Ms. Wass challenged you and then his Lordship
 17 said that she needed to just ask the question again.
 18 "Maybe I should be more careful", said Ms. Wass, and you
 19 said, "No, no. I would like to say that she did. Because
 20 there were many times in our relationship early on where not
 21 only did she chop the cocaine with the razor blade into lines,
 22 she would then take the cocaine on her finger and rub it on
 23 her gums." Then Ms. Wass said, "I suggest that she never took
 24 cocaine after she stopped taking it as a teenager" and you
 25 said, "My eyes have seen the action."

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1 DEPP - SHERBORNE
 2 Now, we looked shortly ago, just before lunch, at the
 3 notes, if you remember, of the Registered Nurse, Erin
 4 Burin(?)?
 5 A. Yes.
 6 Q. Where she said that Ms. Heard reports a history of substance
 7 abuse, including an addiction to cocaine and liquor. She
 8 reports, "Abstained from cocaine for a couple of years, but
 9 was unable to report exact dates." I am going to show you some
 10 examples of Ms. Heard's use of drugs and I am going to ask you
 11 some questions. Can we start with, do you remember
 12 Hicksville? It was said to be around your birthday and you
 13 said it was not to do with your birthday. Do you remember in
 14 Hicksville in 2013, in June 2013, you joined Ms. Heard and
 15 some of her friends?
 16 A. Yes.
 17 Q. Can I just take you to a document? It is file 8, tab 163B.
 18 A. Tab 163B?
 19 Q. Yes.
 20 A. I do not see it in 8.
 21 MR. JUSTICE NICOL: We have tabs going up not as far as that.
 22 MR. SHERBORNE: Maybe it is 63B. That is what I originally had.
 23 Does your Lordship have a 63B.
 24 MR. JUSTICE NICOL: I do. (Pause) Yes.
 25 MR. SHERBORNE: Yes, it is there. I am sorry. Do you have

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1 DEPP - SHERBORNE
 2 page 11.4?
 3 MR. JUSTICE NICOL: I think that is the first page of the tab.
 4 MR. SHERBORNE: I am grateful. We see here, at the bottom, that
 5 this is an e-mail from Nathan Holmes to Amber Heard and Kate
 6 James. That was Ms. Heard's assistant. In fact, you can see
 7 it is her assistant because if you look at Kate James' e-mail
 8 address, it says, "amberheardassistant@", and I will not read
 9 out the rest although I do not think it is a live e-mail
 10 address any more. These are plans, info directions to
 11 Hicksville for Thursday?
 12 A. Yes.
 13 Q. This is 2013. Then you see Amber Heard's e-mail at the top,
 14 to Kate James, and she says this: "Can you please send this
 15 e-mail to the following people and ask that they RSVP." You
 16 have Rocky; that is Raquel Pennington?
 17 A. Yes.
 18 Q. You have got Sis, which is Whitney Heard?
 19 A. Yes.
 20 Q. And Sean?
 21 A. Yes.
 22 Q. Was Sean her boyfriend at the time?
 23 A. At the time, yes.
 24 Q. You have got Helen -- I do not know who Helen is -- and
 25 Britney Eustace and Christi. Is that Christi Sexton?

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1 DEPP - SHERBORNE
 2 A. Yes.
 3 Q. And these are all friends of Ms. Heard or?
 4 A. Yes.
 5 Q. And then it says this: "And please include in the e-mail to
 6 bring some food, booze and drug of choice. Yay!" Do you see
 7 that?
 8 A. I do indeed, sir, yes.
 9 Q. We will come back to this on Hicksville. That the first
 10 document I wanted to show you. Does that accord with your
 11 understanding of what Ms. Heard and her friends like to do
 12 when they want to party?
 13 A. Yes.
 14 Q. Can I take you to another document. It is in file 10. It is
 15 099 and it should be a series of text messages?
 16 A. Yes.
 17 Q. And these are text messages sent from your phone to Raquel
 18 Pennington, is that right, Rocky?
 19 A. Yes, sir.
 20 Q. Does your Lordship have that? If you look at the first text,
 21 lat us set in context what this is. You will see from Rocky
 22 to you: "Steve, it's Rocky" -- Steve was the affectionate
 23 name that Ms. Heard used for you and you used "Slim" for her;
 24 that is right, is it not?
 25 A. Yes.

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1 DEPP - SHERBORNE
 2 Q. "Happy birthday dear sweet friend" -- this is from Rocky to
 3 you -- "changed my life, I'm so grateful you're in the world.
 4 Hope you have a wonderful day." It is quite clear from the
 5 response: "I am happy you are happy, doll, that's all that
 6 matters. Slim and I just fucking adore you." You are with
 7 Ms. Heard?
 8 A. Yes.
 9 Q. We then see a number of texts, can I take you to text
 10 number 5.
 11 A. Yes, sir.
 12 Q. Perhaps look at 4 just above -- no, number 5. Can you see the
 13 date there, it is 6th August?
 14 A. Yes.
 15 Q. 2014. This is just before you go to the Bahamas, is it not,
 16 or maybe it is when you are in the Bahamas on your detox?
 17 A. Yes, that is exactly it. That is the time, yes, that was the
 18 period.
 19 Q. Then, on 5, it is: "Hey, just called you" -- this is from
 20 Rocky -- "Do you have any mushrooms? We're planning on
 21 cooking on the island."
 22 A. Yes, I see that.
 23 Q. And then that is the response from your phone from Rocky:
 24 "Oh, that was you." Then we have a series of texts on the
 25 next page.

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1 DEPP - SHERBORNE
 2 MS. WASS: I think Mr. Sherborne suggested it was from Ms. Heard.
 3 It was from him, it says ----
 4 MR. SHERBORNE: Yes, I understand. (To the witness) Then, if you
 5 carry on down to 17.
 6 THE WITNESS: Yes, sir.
 7 Q. If you look there, that is still 6th August 2014, and it is
 8 from your phone number to Ms. Pennington; yes?
 9 MR. JUSTICE NICOL: Just a minute, 17?
 10 MR. SHERBORNE: 17.
 11 MR. JUSTICE NICOL: Is the body: "It's Amber and I always get
 12 what I want."
 13 MR. SHERBORNE: Exactly. (To the witness) Can you help us as to
 14 who sent that text: "It's Amber and I always get what I
 15 want", did you send that or did Ms. Heard send that text?
 16 THE WITNESS: Ms. Heard clearly sent the text.
 17 Q. On your phone?
 18 A. Yes.
 19 Q. To her friend Rocky?
 20 A. Yes.
 21 Q. "It's Amber and I always get what I want." You are discussing
 22 here over this text, going all the way from 5-17: "There's
 23 some in the drawer, do you know if we can have Steve and
 24 contact someone to procure more mushrooms" -- you will see
 25 that at 9 -- "Where are yours? Don't you dare ...(reads to

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1 DEPP - SHERBORNE
 2 the words)... money" and so on. This is Ms. Heard asking for
 3 mushrooms. "It's Amber and I always get what I want." Can
 4 I take you to the next document.
 5 MR. JUSTICE NICOL: Sorry, was that a question?
 6 MR. SHERBORNE: Yes. Was this Ms. Heard? What was Ms. Heard
 7 asking for here, Mr. Depp?
 8 THE WITNESS: It seems she was looking for, trying to acquire
 9 drugs, mushrooms, and such.
 10 Q. This is on your detox trip?
 11 A. August, beginning of August 2014.
 12 Q. Can I just take you, then, to the last document.
 13 MS. WASS: Sorry to interrupt, the detox trip, according to
 14 Dr. Kipper's notes, began on 8th August.
 15 MR. SHERBORNE: This is just a couple of days before you fly off
 16 to the detox trip?
 17 THE WITNESS: Yes.
 18 Q. You have seen reference there to the island?
 19 A. Yes.
 20 Q. Planning cooking on the island. Can I then just take you to
 21 the last document, about Ms. Heard's supportive attitude on
 22 drug challenges. It is file 8, tab 76A1. Do you have 76A1?
 23 MR. JUSTICE NICOL: Just a minute. (Pause)
 24 MR. SHERBORNE: I am told it is now in -- oh. Does your Lordship
 25 have a tab 94 in file 8?

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1 DEPP - SHERBORNE
 2 MR. JUSTICE NICOL: Not in file 8.
 3 MR. SHERBORNE: No, neither did I. That is why I did wonder. It
 4 could be in file 9. I think there is a difference between the
 5 electronic bundles -- no, it is not there. (Pause)
 6 MR. JUSTICE NICOL: Do you want to come back to that point,
 7 Mr. Sherborne?
 8 MR. SHERBORNE: Would your Lordship allow me one minute to just
 9 find out -- (Pause) I will come back to that, my Lord. It
 10 should have found its way into the bundle. It was disclosed.
 11 Can we turn, then, to the first incident, the alleged
 12 incident, when you are supposed to have been physically
 13 violent towards Ms. Heard. The first one was said to be to do
 14 with your tattoo.
 15 A. Yes.
 16 Q. I am not going to ask you about the allegations, because they
 17 were merely, it was one of those examples where they were
 18 merely read out to you and you were asked to deny or accept
 19 every single one of them, and you denied them all. I am going
 20 to ask you a few questions, though, because it was said that
 21 the argument arose from Ms. Heard, criticising your tattoo, or
 22 making fun of your tattoo?
 23 A. That is the allegation.
 24 Q. This supposed incident is said to have taken place in March
 25 2013. Am I right in saying that at that time you had been

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1 DEPP - SHERBORNE
 2 seeing Ms. Heard for at least 18 months?
 3 A. Somewhere in that area, I would say, yes.
 4 Q. Is the tattoo, which we are talking about, in a hidden place
 5 on your body?
 6 A. No, sir. Well, it is on my upper ----
 7 Q. It is on your upper arm there?
 8 A. On my shoulder up here, yes.
 9 Q. Visible or not visible?
 10 A. Visible if I have no sleeves or if my shirt is off.
 11 Q. When did you get the tattoo changed from "Winona" to "wino
 12 forever", was it the beginning of 2013?
 13 A. No, sir. The tattoo was altered in about 1993.
 14 Q. 1993?
 15 A. Yes.
 16 Q. So, throughout your relationship in the 18 months or so before
 17 2013, that is the incident we are talking about, the tattoo
 18 had always read "wino forever"; yes or no?
 19 A. Yes, that is correct.
 20 Q. Was March 2013 the first time Ms. Heard had ever seen your
 21 tattoo?
 22 A. No, sir.
 23 MR. JUSTICE NICOL: Just a moment. (Pause) Yes.
 24 MR. SHERBORNE: It is suggested to you, Mr. Depp, that this
 25 incident in March 2013; Ms. Heard teased you about this tattoo

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1 DEPP - SHERBORNE
 2 saying "wino forever" and you got so cross that you hit her,
 3 as I said, three times so hard that her eye almost popped out
 4 is how she described it. By this time, can you explain how
 5 many times Ms. Heard would have seen your tattoo saying
 6 "wino forever"?
 7 THE WITNESS: By that time, it would be countless.
 8 Q. Countless times?
 9 A. Endless times. My tattoos are, they are not going anywhere,
 10 they are not moving.
 11 Q. Can I turn then to the second incident that is said to have
 12 occurred. Now, here we have, and it was put to you, a new
 13 account as to the second incident. Originally, and there can
 14 be no dispute about this, it was said that there was an
 15 incident on 8th March where there was an argument about the
 16 painting and you got so angry about this painting of
 17 Ms. Heard's former wife hanging up in her flat, that you hit
 18 her and bust her lip, as well as other injuries. That was an
 19 overnight argument which ended on the day you were meant to be
 20 on shoot with Keith Richards, for the documentary.
 21 A. Yes. Sir.
 22 Q. It was put to you, in the course of your cross-examination,
 23 that they were separate incidents. So, I am going to come to
 24 the Keith Richards day argument, if I can call it that, in a
 25 moment. But can we deal first then with the supposed setting

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1 DEPP - SHERBORNE
 2 fire to the painting.
 3 A. Yes.
 4 Q. Now, it was said to you, Mr. Depp, that you were so extremely
 5 angry with Ms. Heard for having a painting from her former
 6 wife hanging up in her flat that you set fire to it, that is
 7 the allegation; yes?
 8 A. I believe so, yes, sir.
 9 Q. Can I just show you the painting, so we know what we are
 10 talking about. It should be in file 7.
 11 MS. WASS: My Lord, may I make it plain, I know what you are going
 12 to be shown, it was put to Mr. Depp there was more than one
 13 painting, the painting that you are about to be shown is not
 14 the painting that was attempted to be ----
 15 MR. SHERBORNE: My Lord ----
 16 MR. JUSTICE NICOL: Mr. Sherborne, you put the question in your
 17 re-examination.
 18 MR. SHERBORNE: Thank you.
 19 MR. JUSTICE NICOL: Which tab in volume 7?
 20 MR. SHERBORNE: It is tab 2B2.
 21 MR. JUSTICE NICOL: Yes.
 22 MR. SHERBORNE: Mr. Depp, I am going to ask you some questions
 23 about what is written on it in a moment. Do not worry about
 24 what is written on it.
 25 MR. JUSTICE NICOL: Sorry, which ----

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1 DEPP - SHERBORNE
 2 MR. SHERBORNE: Sorry, H23, 4C is probably the best one. So,
 3 there is the first one.
 4 THE WITNESS: Yes.
 5 Q. Then, if you turn over the page, you get a very clear view.
 6 Now, looking at this painting, I will come to what is written
 7 in a minute, did you at any stage set fire to this painting?
 8 A. No, sir. It is suggested that I tried to light a wooden frame
 9 with a glass front on it on fire with a cigarette lighter.
 10 No, I did not.
 11 Q. Can you just explain -- so you did not?
 12 A. No.
 13 Q. You explain it is suggested that you tried to set fire to a
 14 wooden frame with glass. Why did you make reference to the
 15 wooden frame with glass?
 16 A. When I first heard the allegation that I tried to set the
 17 painting on fire, I thought it was -- the image in my mind was
 18 rather ridiculous, the idea of taking a cigarette lighter to a
 19 glass-framed picture.
 20 Q. As far as you are aware, is this the painting that you saw
 21 that you raised some concern with and asked Ms. Heard whether
 22 she would think about moving it?
 23 A. Yes.
 24 Q. That is in your witness statement, and that was put to you.
 25 A. Yes.

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1 DEPP - SHERBORNE
 2 Q. It was suggested to you by Ms. Wass that you upset Ms. Heard
 3 enormously when you disparaged her former wife, Ms. van Ree,
 4 that this caused a massive argument. You said, that actually,
 5 Ms. Heard had had some bad things to say herself, particularly
 6 just after she had split from Ms. van Ree?
 7 A. Yes. She had, when they broke up, she told me that
 8 Ms. van Ree had become quite upset, quite angry, and had
 9 changed the locks, and kept all of her furniture, all of her
 10 things, paintings, art, drawings, diaries, and that yes, she
 11 was having trouble with Ms. van Ree, she could not get her
 12 things out.
 13 Q. Ms. Wass challenged you when you said that actually Ms. Heard
 14 had some bad things herself to say, and said that was
 15 nonsense. Can I take you back to H23, 4B. To establish what
 16 this is, these are texts that appear to come from Sis; is Sis
 17 a reference to someone?
 18 A. That is Ms. Heard's sister.
 19 Q. Whitney Heard?
 20 A. Whitney.
 21 Q. This is Whitney Heard texting to you: "I love you precious",
 22 is that her to you or you to her?
 23 A. That is me to her, I believe -- no. Yes.
 24 Q. Have a read of it, I think it is the other way round.
 25 MR. JUSTICE NICOL: Just a minute. Mr. Depp, take the time if you

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1 DEPP - SHERBORNE
 2 need to read it. It is being put to you that the text in the
 3 blue box is, it is being asked of you, who wrote that?
 4 "I love you precious." If you do not know, then say you do
 5 not know.
 6 THE WITNESS: It is probably the best answer, but I -- I am
 7 thinking that I sent the, must have sent the photo to her.
 8 MR. SHERBORNE: Yes, that is what I assumed, the photo is on the
 9 left-hand side in the text. It does not matter much, to be
 10 honest. So, let us go to the photo, who sent the photo, you
 11 to Whitney or Whitney to you?
 12 THE WITNESS: I believe that I sent the photo to Whitney, because
 13 Whitney, Ms. Heard's sister, was not particularly enthusiastic
 14 about Ms. van Ree, and they had had problems over the years
 15 and she, she hated her.
 16 Q. If you look at H23, 4C, which is the second page, you send the
 17 photo. There is a photo saying -- who wrote that, "Tasya van
 18 Pee(?)", over the "Ree"?
 19 A. I wrote on the glass "Pee".
 20 Q. That is a photograph taken of something you did?
 21 A. Yes, it is.
 22 Q. Then there is the text saying: "Well done, my friend, well
 23 done."
 24 A. Yes.
 25 Q. Then we see on the next page, do you have H23, 4D?

[27] (Pages 628 to 631)

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1 DEPP - SHERBORNE
 2 A. Yes, I do.
 3 Q. Then, there is a text saying: "By the way, you never
 4 responded to my other text, the van Pee painting earned you
 5 20 points in my book, cunardo." What does that mean?
 6 A. Cunardo. I believe it is an affection term -- I do not know
 7 what that means.
 8 Q. Is it your word or Whitney Heard's word?
 9 A. Those are Ms. Heard's.
 10 Q. She is on the left, saying: "By the way, you never respond to
 11 my other text" -- that is her text about the van Pee?
 12 A. Yes.
 13 Q. "Earned you 20 points" -- then you say -- "Subtle, ay, made me
 14 laugh as I was doing it, thanks sweetheart, can't stand that
 15 hovering vulture". Then we have the response from Sis, from
 16 Whitney Heard saying: "She's the worst, did Sis notice the
 17 van Pee yet?" Who is the Sis in that?
 18 A. That would have been Ms. Heard.
 19 Q. Amber Heard?
 20 A. Amber Heard, yes.
 21 Q. This is your response: "Oh, yes, she laughed her arse off."
 22 A. Yes.
 23 Q. What are you saying there, Mr. Depp?
 24 MR. JUSTICE NICOL: Mr. Sherborne, the text stands for itself.
 25 MR. SHERBORNE: I do not need to ask anything more.

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1 DEPP - SHERBORNE
 2 It was put to you, Mr. Depp, that you were insanely
 3 jealous of Ms. van Ree.
 4 THE WITNESS: Yes.
 5 Q. And that you upset Ms. Heard enormously when you disparaged
 6 her. Do you accept that is correct or not?
 7 A. No, it is incorrect.
 8 Q. Can I then turn to the second incident, as it has been
 9 pleaded, just to remind you of what has actually been the
 10 defendants' case. It says this: "At one point during this
 11 incident, which went overnight and into the following day,
 12 Mr. Depp hit Ms. Heard so hard that blood from her lip ended
 13 up on the wall and at various points Mr. Depp grabbed her
 14 hard, shook her, shoved her into a wall. Ms. Heard's sister
 15 was asked to come over to try to intervene, which she did."
 16 You were supposed to be on set for the Keith Richards
 17 documentary, but you kept everyone waiting and were behaving
 18 irresponsibly. That is the allegation against you, do you
 19 understand?
 20 A. Yes, I do.
 21 Q. It is accepted by Ms. Heard that that incident took place on
 22 22nd March, not 8th March, as she originally said. Now, on
 23 this occasion, you were, as you have said, in the middle of
 24 filming the Keith Richards documentary; is that right?
 25 A. Yes.

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1 DEPP - SHERBORNE
 2 Q. It was put to you that there was some argument between you and
 3 Ms. Heard that had happened overnight, and it was suggested it
 4 was something to do with someone called Marie de Villepin, you
 5 said it was not, it was a nasty argument but it was not about
 6 that. You were not asked what it was about. Can I ask you to
 7 look at your third witness statement, please. It should be
 8 tab 11 of bundle 2. Sorry, tab 38 of bundle 2.
 9 MR. JUSTICE NICOL: Tab 38 is the second witness statement.
 10 MR. SHERBORNE: Your Lordship is right, it should be the third
 11 witness statement. I have it separately. Mr. Depp's third
 12 witness statement is 54. It is paragraph 11, so that should
 13 be on page D175.
 14 A. Yes.
 15 Q. You see there it says: "At paragraphs 57 and 60 of
 16 Ms. Heard's statement, she says 'I was late for the filming of
 17 the Keith Richards documentary ...(reads to the words)... she
 18 has denied that she used to be in relationship with him, which
 19 I found out was untrue."
 20 A. Yes.
 21 Q. Can you explain to this court then, what was the actual
 22 argument that took place over the night and into the next
 23 morning of the day that you were meant to be on set for the
 24 Keith Richards documentary?
 25 A. The night prior to Ms. Heard had had a dinner party with all

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1 DEPP - SHERBORNE
 2 of her friends over. And it was, a Hispanic woman, a girl,
 3 who was a friend of Amber's and we struck up a conversation
 4 and she started to speak of a mutual friend of theirs in
 5 Spain, I believe his name was Raphael, he was a police
 6 officer. But Ms. Heard had explained to me he was an old
 7 friend.
 8 Q. Slow down slightly, his Lordship is taking a note.
 9 A. Pardon me. Ms. Heard explained to me she was going to visit
 10 him in Spain at one point that he was just a friend, all that,
 11 that nothing had ever happened between them and she went and
 12 stayed with him for, I believe it was ten days, two weeks. On
 13 the night before the Keith Richards documentary day, I had,
 14 the young lady had told me of a ----
 15 Q. This is the Hispanic friend?
 16 A. Yes. I cannot remember her name, sorry. She had told me that
 17 she also, that he is a very nice guy, that she also goes and
 18 stays there, and that they all sort of slept in his bed and
 19 Ms. Heard was -- she put it to me that Ms. Heard had been in
 20 a, had had an affair with him before. So, I for all intents
 21 and purposes had found Ms. Heard to be lying about the
 22 situation and her relationship with this man.
 23 Q. That was the night before. Did that give rise to a
 24 conversation between you and Ms. Heard?
 25 A. Yes. There was -- because I brought the truth up to Ms. Heard

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1 DEPP - SHERBORNE
 2 at the time, Ms. Heard was very upset. The young lady was
 3 very upset, and I thought that we should sit and discuss it
 4 and get to the bottom of it, and so that I could know the
 5 truth, I wanted just the truth. She was still very reluctant
 6 to give that to me. So, I wanted to stay until we got to the
 7 bottom of it. I called ----
 8 Q. I was going to ask, you said you wanted to stay. It was put,
 9 or suggested in the witness statement -- I am not sure it was
 10 put to you, but it is suggested in Ms. Heard's witness
 11 statement that you were deliberately keeping everyone waiting
 12 and that was irresponsible. Did you or did you not have any
 13 contact with the film set?
 14 A. I did. Once the argument had commenced, I called my first
 15 assistant director and my director of photography and the gent
 16 who pulls focus on the camera, and since it was not a day
 17 where I had to interview Keith Richards, it was a day of Keith
 18 Richards and Tom Waits were at my studio and they were
 19 recording and playing and we were documenting it. So, I just
 20 told them, there is nothing that I can do there, I am going to
 21 be a bit late. All you have to do is point the camera and
 22 shoot, just capture whatever Mr. Waits and Mr. Richards are
 23 willing to give.
 24 Q. I will not take you to the text as we do not need to go there.
 25 So that is the argument that you were talking about, when you

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1 DEPP - SHERBORNE
 2 said "the nasty argument" in answer to Ms. Wass?
 3 A. Yes.
 4 Q. You said that during the course of this, Ms. Heard poured you
 5 a drink and cut you lines of cocaine, and it was suggested to
 6 you that that was nonsense that she did that. Do you say that
 7 she did or she did not do that?
 8 A. She definitely poured me whisky. The lines of cocaine, early
 9 in our relationship, it was again, at that time, it was sort
 10 of very much like the boots thing. She would chop the cocaine
 11 for me, but she would not ingest it through her nose. What
 12 she would do is the finger.
 13 Q. You did a gesture. As his Lordship has said to you before,
 14 unfortunately, gestures are not picked up on the microphone?
 15 A. I am terribly sorry. She would rub it on her gums, as I said
 16 before.
 17 Q. Was this an instance of her being supportive to you in
 18 relation to the consumption of drink or drugs?
 19 A. She was helping me to get something to drink.
 20 Q. Was there a reason for her helping you to get something to
 21 drink during this argument?
 22 A. I do not know. I suppose she probably would like ----
 23 MR. JUSTICE NICOL: Mr. Depp, it is not so helpful for you to
 24 guess. So, if you do not know why she was doing something,
 25 then you can say that to me.

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1 DEPP - SHERBORNE
 2 A. I do not know then.
 3 MR. SHERBORNE: It was suggested to you, Mr. Depp, that you said
 4 that you were not going to go to the film set, to the
 5 documentary set, unless Amber Heard and Whitney Heard came
 6 with you. You were not going to leave without them; is that
 7 true or not true?
 8 A. Not true, sir.
 9 Q. Did you ask them to come or did they ask you?
 10 A. They just came.
 11 Q. We have a photograph of that occasion. Can we turn to file 9.
 12 It is tab 94A and it is J10.1?
 13 MR. JUSTICE NICOL: Just a minute, 94A?
 14 THE WITNESS: Yes.
 15 MR. SHERBORNE: Do you have that?
 16 A. I do, yes.
 17 Q. Can you just identify who those four people are?
 18 A. That is Ms. Heard's sister on the right-hand side, Whitney
 19 Heard, there is Keith Richards in the centre of Ms. Heard and
 20 her sister, and myself to the right of Ms. Heard.
 21 Q. Now, Mr. Depp, the allegation against you was that on the
 22 night or in the early hours of the morning of that day, the
 23 night before the early hours of the morning, you hit Ms. Heard
 24 so hard that it bust her lip so blood was left on the wall as
 25 a result. That is what Ms. Heard said.

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1 DEPP - SHERBORNE
 2 A. Yes.
 3 Q. Looking at that photo, were you aware of any mark to
 4 Ms. Heard's face at the time?
 5 A. No, sir. There was no mark, as I remember it.
 6 Q. Ms. Heard says, in her account of this, that everyone was so
 7 annoyed that the shooting of the documentary was held up, but
 8 they were too scared to say anything to you; is that correct?
 9 A. That is not correct. I was not particularly necessary there
 10 on that day.
 11 Q. Can I ask you this, Mr. Depp. If Keith Richards was annoyed
 12 at you for messing him around, would he be worried to tell you
 13 that you had messed him around?
 14 A. No.
 15 Q. Thank you, Mr. Depp. Can I move on, then, to another topic.
 16 Perhaps this is a convenient moment, my Lord, because it is
 17 the document, because we now have copies of it, that should
 18 have been in the bundle. (Pause) It should be a
 19 two-page e-mail. Yes, sorry, it is a one-page. I have a
 20 little bit of addition on the bottom.
 21 A. Yes.
 22 Q. This should be an e-mail from Ms. Heard. Just to remind you,
 23 this was one of the three documents I was showing you when I
 24 was putting to you the suggestion that Ms. Wass had made that
 25 it was nonsense that Ms. Heard took ----

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<p>1 DEPP - SHERBORNE</p> <p>2 MR. JUSTICE NICOL: Just a minute. Rather than have loose</p> <p>3 documents, is there a convenient place for this to go,</p> <p>4 Mr. Sherborne?</p> <p>5 MR. SHERBORNE: Yes, I think it should be file 8. Let me just do</p> <p>6 the journey with you so that I can be sure. (Pause) We</p> <p>7 originally had it in file 8, 76, A1.</p> <p>8 MR. JUSTICE NICOL: Just a minute. (Pause) The numbers have now</p> <p>9 become rather complicated, but I have got a 76 A1 and the</p> <p>10 first page of that is labelled J10A. Are you suggesting that</p> <p>11 I put it just before then?</p> <p>12 MR. SHERBORNE: My Lord, yes. I think that would be sensible.</p> <p>13 THE WITNESS: Sorry, under 76A1?</p> <p>14 MR. SHERBORNE: Yes.</p> <p>15 A. Put it under that?</p> <p>16 Q. Yes. Thank you, Mr. Depp.</p> <p>17 A. Certainly.</p> <p>18 Q. Can you help us with this. This is an e-mail from Ms. Heard,</p> <p>19 from AH, to a number of individuals, including her -- if you</p> <p>20 look at the CC, it is to the official organisers of the</p> <p>21 wedding; is that right?</p> <p>22 A. Yes, sir.</p> <p>23 Q. This is about your wedding in February 2015?</p> <p>24 A. Yes, sir.</p> <p>25 Q. And it is CC'd to her friend, Rocky Pennington, and also to</p>	<p>1 DEPP - SHERBORNE</p> <p>2 A. I am sorry?</p> <p>3 Q. Is that correct or was there some other arrangement?</p> <p>4 A. This is -- I certainly did not see this at the time. I was</p> <p>5 not copied on this, but that seems to be the plan.</p> <p>6 Q. Were there drugs at the wedding and the rehearsal dinner?</p> <p>7 A. Yes.</p> <p>8 MR. SHERBORNE: Thank you, Mr. Depp. It is three o'clock. I do</p> <p>9 not know whether the sensible thing now would be to break off.</p> <p>10 MR. JUSTICE NICOL: Well, yes, I was just wondering that. I was</p> <p>11 also wondering whether it is realistic to get to the witnesses</p> <p>12 via video link after the break?</p> <p>13 MR. SHERBORNE: After the break?</p> <p>14 MR. JUSTICE NICOL: I thought that you wanted from three o'clock</p> <p>15 onwards to get to witnesses ---</p> <p>16 MR. SHERBORNE: My Lord, yes, I was going to suggest that now</p> <p>17 would be a time to break off for the witnesses and see how</p> <p>18 long they are. I do not know how long Ms. Wass has with them.</p> <p>19 MR. JUSTICE NICOL: Well, I have been wondering, but I will hear</p> <p>20 from the two of you, as to whether it would not be better for</p> <p>21 Mr. Depp to complete his re-examination and for us, I am</p> <p>22 afraid, to postpone the witnesses until that has happened.</p> <p>23 MS. WASS: My Lord, can I raise a matter. I do not, in principle,</p> <p>24 submit that that is anything other than sensible, but I think</p> <p>25 there is a problem with the officers. Could I just take</p>
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<p>1 DEPP - SHERBORNE</p> <p>2 her sister, Whitney Heard?</p> <p>3 A. Yes, sir.</p> <p>4 Q. This is the schedule for the weekend of your wedding?</p> <p>5 A. Yes.</p> <p>6 Q. You have a schedule there and if you go down to 7 p.m.,</p> <p>7 "Rehearsal dinner"?</p> <p>8 A. Yes.</p> <p>9 Q. And then after, "Dance party and drugs and music"?</p> <p>10 MR. JUSTICE NICOL: Sorry, where is that now?</p> <p>11 MR. SHERBORNE: 7.00 p.m., rehearsal dinner, if you look at the</p> <p>12 schedule for the weekend.</p> <p>13 THE WITNESS: Just under the middle part of the binder, the top</p> <p>14 one.</p> <p>15 MR. JUSTICE NICOL: Just a moment. (Pause) I have got "7.15. Sit</p> <p>16 for dinner". Should I be above there?</p> <p>17 MR. SHERBORNE: 7.15? Oh, yes, quite a way above that, my Lord.</p> <p>18 So if you go up to about halfway down the schedule ---</p> <p>19 MR. JUSTICE NICOL: I see, yes, it is "Rehearsal dinner".</p> <p>20 MR. SHERBORNE: "Rehearsal dinner. After dance party and drugs and</p> <p>21 music".</p> <p>22 MR. JUSTICE NICOL: Yes.</p> <p>23 MR. SHERBORNE: So, this is Ms. Heard wanting to arrange drugs for</p> <p>24 her friends as part of the weekend wedding celebrations, is</p> <p>25 that correct, or was there some other arrangement?</p>	<p>1 DEPP - SHERBORNE</p> <p>2 instructions from behind me and relay them to the court?</p> <p>3 MR. JUSTICE NICOL: Please do, yes.</p> <p>4 MS. WASS: Thank you. (Pause for instructions) My Lord, can I</p> <p>5 explain what the position is. The officers are attending</p> <p>6 under a subpoena from the United States District Court of</p> <p>7 California. They are subpoenaed to attend here at three</p> <p>8 o'clock. I ought to say that they require, under the law, 48</p> <p>9 hours' advance notice before the time of attending. If the</p> <p>10 link was formally set up and they were sworn, for example, the</p> <p>11 matter could be adjourned until another date without requiring</p> <p>12 any further legal documents to be prepared.</p> <p>13 MR. JUSTICE NICOL: Ms. Wass, I posited that it would be sensible</p> <p>14 for Mr. Depp to complete his re-examination before they were</p> <p>15 called, but I am not enthusiastic about calling them, swearing</p> <p>16 them and then adjourning. These are people who have attended,</p> <p>17 albeit under a subpoena, but there is still an element of</p> <p>18 cooperation that the court ought to give to them, having come</p> <p>19 to give their evidence. If they are called for three o'clock,</p> <p>20 then I think we should try to accommodate them.</p> <p>21 MS. WASS: Very well. I am grateful.</p> <p>22 MR. JUSTICE NICOL: Mr. Sherborne, what I am proposing to do is</p> <p>23 just rise for five minutes while the link with -- it is</p> <p>24 California, is it not?</p> <p>25 MR. SHERBORNE: Yes. As I understand it, it is not us organising</p>

[30] (Pages 640 to 643)

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1 DEPP - SHERBORNE
 2 it.
 3 MR. JUSTICE NICOL: Yes, the link with California is established
 4 and clarified, to make sure that it is working all right, and
 5 then we will resume, but with the officers' evidence.
 6 MR. SHERBORNE: Yes.
 7 MR. JUSTICE NICOL: Mr. Depp is still being re-examined by you.
 8 MR. SHERBORNE: Yes.
 9 MR. JUSTICE NICOL: Mr. Depp, what I have said to you previously
 10 about not talking to anybody about your evidence will
 11 continue.
 12 THE WITNESS: Yes, sir.
 13 MR. JUSTICE NICOL: I think you have understood that I am going to
 14 take the evidence of these people from California now because
 15 they have been asked to come to give their evidence at this
 16 particular time.
 17 THE WITNESS: Yes, I understand. Thank you.
 18 MR. JUSTICE NICOL: All right. Good. So I will rise just for
 19 five minutes while this is sorted out.
 20 (A short break)
 21
 22
 23
 24
 25

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1 DISCUSSION
 2 MR. JUSTICE NICOL: Yes. Now, Mr. Sherborne, these are your
 3 witnesses, although I think they are giving evidence at the
 4 request that the defendants want to cross-examine.
 5 MR. SHERBORNE: My Lord, that is right. Shall I just explain
 6 where the hearsay notice is, just to give one minute of
 7 introduction?
 8 MR. JUSTICE NICOL: I do not think you need to take time to do
 9 that, but we do need the witness to be sworn.
 10 MR. SHERBORNE: My Lord, that is right. Yes.
 11 MR. JUSTICE NICOL: Now. Can the officer in Los Angeles hear me?
 12 THE WITNESS: Yes, I can. How are you?
 13 MR. JUSTICE NICOL: Hello. My name is Mr Justice Nicol. I am the
 14 judge in this trial, which is taking place in London. First
 15 of all, thank you very much for taking the time to give
 16 evidence before me today and I am sorry that it is probably a
 17 rather uncomfortable time in the early morning for you. So
 18 that is double thanks.
 19 THE WITNESS: No problem.
 20 MR. JUSTICE NICOL: Now, the first stage for a witness who is
 21 giving evidence is that they must either take an oath or, if
 22 you prefer -- and it is completely a matter for you -- you can
 23 affirm, which is a solemn promise to tell the truth. I am
 24 going to ask now, please, the court clerk, who is in London,
 25 to take you through whichever you prefer.

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1 SAENZ
 2 MS. MELISSA SAENZ, AFFIRMED
 3 CROSS-EXAMINED BY MS. WASS
 4 (Through TV link)
 5 MR. JUSTICE NICOL: Officer, you are about to be cross-examined by
 6 Ms. Wass QC, who is the representative of the defendants in
 7 this action. Yes, Ms. Wass.
 8 MS. WASS: Miss Saenz, can you hear me all right?
 9 A. Yes, I can.
 10 Q. I understand you are an officer of the Los Angeles Police
 11 Department specialising in domestic violence?
 12 A. That is correct.
 13 Q. And you have had some training on the very complex subject of
 14 domestic violence?
 15 A. Yes, I have had training in the Police Academy.
 16 Q. I am sorry?
 17 A. Yes, I have had training in the Police Academy.
 18 Q. In the Police Academy. Thank you. Domestic violence is quite
 19 a specialist area, do you agree?
 20 A. Correct.
 21 Q. Because the relationship between the victim and the
 22 perpetrator involves a very complex relationship?
 23 A. Correct.
 24 Q. And a victim may be in fear of a perpetrator and yet love the
 25 perpetrator at the same time?

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1 SAENZ - WASS
 2 A. Correct.
 3 Q. And a victim may be motivated by a desire to protect the
 4 perpetrator?
 5 A. Correct.
 6 Q. And would you agree that it is not unusual for a victim to
 7 refuse to engage with police even in cases where the victim
 8 themselves has called for the help of the emergency services?
 9 A. Yes, that is common.
 10 Q. The police have the difficult job of trying to tread a path of
 11 helping the victim, but at the same time respecting the very
 12 complex situation that the victim is in?
 13 A. Yes, that is correct.
 14 Q. In this case, are you able to confirm -- have you got any
 15 documents with you? You look as though you are in a very bare
 16 room. Are there documents with you?
 17 A. No, I do not have any documents.
 18 Q. All right. I am going to try and do this without documents,
 19 or without you seeing the documents, and if at any stage you
 20 feel at a disadvantage, I want you to tell me; all right?
 21 A. Okay, yes.
 22 Q. Now, this case that you are about to give evidence in respect
 23 of was a case that was actually reported to the New York
 24 Police Department. The 911 call was made and recorded in the
 25 New York Police Department. Do you know that?

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1 SAENZ - WASS
 2 A. I did not know that.
 3 Q. You did not know that. All right.
 4 A. No, I did not.
 5 Q. My Lord, there are a number of documents which show the
 6 genesis of this, which I will deal with ---
 7 MR. JUSTICE NICOL: You can come to those later.
 8 MS. WASS: Yes, thank you very much. The report I am going to
 9 read to you, whether or not you knew where it came from,
 10 because is it right to say that the information in a police
 11 report would be relayed to you before going to any premises?
 12 A. There are some instances where we get a great (unclear) of
 13 calls, with very vague information in very (unclear) that were
 14 (unclear).
 15 MR. JUSTICE NICOL: Sorry, Ms. Wass, can I just interrupt you.
 16 You said a moment ago the New York Police Department.
 17 MS. WASS: Yes.
 18 MR. JUSTICE NICOL: Was that intended to be New York rather than
 19 California?
 20 MS. WASS: Yes. Can I just, in a sentence, explain that the 999
 21 call was made to the New York Police Department, who
 22 transferred it to the LAPD.
 23 MR. JUSTICE NICOL: I think you mean the 911 call.
 24 MS. WASS: That is exactly what I mean, yes. Ms. Saenz, the
 25 information on the computerised material that we have been

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1 SAENZ - WASS
 2 provided suggests this, that somebody said that a friend of
 3 hers was being assaulted by her husband and the friend states
 4 that her friend was hit with a phone and then she screamed,
 5 calling 911. Was that information provided to you before your
 6 visit on 21st May 2016?
 7 A. No, it was not.
 8 Q. Did the name iO Wright -- was that mentioned to you?
 9 A. Not that I recall, no.
 10 Q. So, as far as you were concerned, what was it that you were
 11 going to on 21st May 2016?
 12 A. It was a possible domestic incident, and the caller was a
 13 third party from out of state, and we were given an address,
 14 and the description of the word "penthouse".
 15 Q. Okay.
 16 A. And that is all we got.
 17 Q. So, a third party out of state, so that is outside the state
 18 of California; correct?
 19 A. Yes, ma'am.
 20 Q. You were given the address that you actually went to?
 21 A. Correct.
 22 Q. Now, when you arrived at the address, do you remember now what
 23 time it was?
 24 A. I do not recall the exact time, but it was the evening.
 25 Q. It was in the evening. Did you make a note at the time of

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1 SAENZ - WASS
 2 your interaction with anyone at that address?
 3 A. It would have been on the business card that I issued
 4 Ms. Heard.
 5 Q. Apart from the business card that you issued Ms. Heard, did
 6 you create any other sort of record about your visit to the
 7 penthouse flat?
 8 A. There would be an online incident generated with the time in
 9 our system for every single radio call, so there is a record.
 10 Q. Is that a computerised document called an incident recall?
 11 A. Yes, ma'am.
 12 Q. It is a document which has the dates down one side, the time,
 13 and then information is inputted by presumably somebody at a
 14 central station; is that right?
 15 A. Correct, ma'am.
 16 Q. Is this incident recall, which in fact we have got, and I am
 17 sorry you do not have a copy of it, is that incident recall
 18 the only document that was generated by you as far as your
 19 activities on 21st May 2016?
 20 A. Yes, it is.
 21 Q. All right. Now, you gave a deposition in the United States
 22 about this on 18th July 2016.
 23 A. Correct.
 24 Q. About eight weeks after the incident itself; agreed? .
 25 A. Yes, ma'am.

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1 SAENZ - WASS
 2 Q. In that, you told the court in America that you were met by a,
 3 what you described as a generic white male who took you
 4 upstairs to the penthouse level of the building?
 5 A. I met with him when I arrived at the penthouse.
 6 Q. This generic white male, you had a certain amount of
 7 interaction with him; do you agree?
 8 A. Correct.
 9 Q. Did you ever ask his name?
 10 A. No, I did not.
 11 Q. Presumably, then, you did not make a record of his name?
 12 A. No.
 13 Q. There was another woman, also, other than Ms. Heard, who was
 14 in that complex of penthouse suites, that you interacted with;
 15 do you agree?
 16 A. Yes.
 17 Q. Did you ever ask her name?
 18 A. No, I did not.
 19 Q. When you arrived at the penthouse level, you were met by the
 20 generic white male, as you called him; yes?
 21 A. Yes, ma'am.
 22 Q. And he told you that his girlfriend was with Ms. Heard?
 23 A. Yes.
 24 Q. I think you did not know, you had not heard of Ms. Heard as an
 25 actress before you attended this call?

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1 SAENZ - WASS
 2 A. Correct.
 3 Q. And I presume you had heard of Johnny Depp as an actor, but
 4 you certainly did not know he was involved in the incident you
 5 were dealing with?
 6 A. Correct.
 7 Q. You saw Ms. Heard in her apartment; yes?
 8 A. Can you repeat that, sorry.
 9 Q. You met Ms. Heard, you were taken to Ms. Heard by the generic
 10 white male?
 11 A. She was inside his apartment, not her own apartment.
 12 Q. You are absolutely right, I stand corrected. She was inside
 13 his apartment and she was crying?
 14 A. Correct.
 15 Q. And she had her face down and was not giving you eye contact;
 16 would you agree?
 17 A. Yes, I do.
 18 Q. And she was red-eyed and, the way people look when they cry;
 19 do you agree?
 20 A. Correct.
 21 Q. And you asked her a few questions, and it was quite clear that
 22 she did not want to speak to police?
 23 A. Correct.
 24 Q. And that is something which no doubt you have encountered in
 25 many, many domestic violence situations?

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1 SAENZ - WASS
 2 A. Yes, I have.
 3 Q. You offered her the opportunity to speak in private?
 4 A. Yes, I did.
 5 Q. Because of course the generic white male was there at the
 6 time, and she said she wanted her female friend to be present
 7 when she spoke to you?
 8 A. Yes, she did.
 9 Q. Then the female friend, whose name you do not know, and
 10 Ms. Heard went to another apartment, which was her apartment?
 11 A. Correct.
 12 Q. Now, you have said to the court in America that you did not
 13 see any sign of injury on Ms. Heard. Her face was ----
 14 A. Correct.
 15 Q. Her face was red and blotchy, we have established that;
 16 agreed?
 17 MR. JUSTICE NICOL: Well, I do not know that the officer can agree
 18 or disagree.
 19 MS. WASS: (To the witness) Her face was red from crying; yes?
 20 THE WITNESS: Her face appeared red from crying, but it did not
 21 appear that she was injured or (unclear).
 22 MR. JUSTICE NICOL: Sorry, officer, can you repeat your last
 23 answer, please?
 24 THE WITNESS: Yes. Her face was red, it was clear that she was
 25 crying, but it did not appear redness as if it would have been

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1 SAENZ - WASS
 2 from an injury, from my training and experience.
 3 MR. JUSTICE NICOL: Sorry, it did not appear that there was injury
 4 on her face, is that what you are saying?
 5 THE WITNESS: Correct, no injuries.
 6 MS. WASS: Let me ask you a little bit about that. She was not
 7 making eye contact with you.
 8 MR. JUSTICE NICOL: I think you have established that, Ms. Wass.
 9 MS. WASS: You did not see her full face on at any time, did you,
 10 she had her face down and she was upset?
 11 THE WITNESS: There were times when she made eye contact. She was
 12 visibly upset, so she would look down, and sometimes she would
 13 look up when she spoke to me. It was back and forth. So,
 14 I did get a look at her entire face.
 15 Q. What was the lighting like in this apartment?
 16 A. It was very well lit.
 17 Q. Did you ask her to go towards a light so you could examine her
 18 face?
 19 A. When I was in the hallway before we entered her home, that was
 20 the brightest room during the entire call. So, I was able and
 21 I was comfortable with seeing that she had no injuries on her
 22 face.
 23 Q. Did you ask her ----
 24 A. So, no, we did not ----
 25 Q. Sorry, sorry?

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1 SAENZ - WASS
 2 A. Go ahead.
 3 Q. It is my fault. You said that the light in the hallway was
 4 the best light and then you were about to say "So, I did not"
 5 and I am very sorry, I interrupted you, so can you finish that
 6 sentence, please?
 7 A. I was just going to say to answer your question, no, I did not
 8 take her individually faced to a light (unclear).
 9 Q. So the best light was in the hall, and in the hall, you were
 10 with ----
 11 A. Yes, correct.
 12 Q. ---- you were walking from one apartment to another?
 13 A. Yes. There were across the hall from one another.
 14 Q. And you did not stand still at any stage, you walked from one
 15 apartment to another?
 16 A. No, we stood and I spoke with her when she exited her
 17 neighbour's apartment. That was my first encounter. I spoke
 18 to her for several minutes, and she refused to answer any
 19 questions, which is why I asked her if she would like to speak
 20 in private in her apartment. And I asked her that in hopes
 21 that maybe she would give me some information if we were in a
 22 private setting, without the males present. However, that did
 23 not happen.
 24 Q. How thorough do you think your examination of her face was?
 25 A. Can you repeat that, sorry?

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1 SAENZ - WASS
 2 Q. How thorough do you think your examination of her face was?
 3 A. Extremely thorough.
 4 Q. She clearly had no cuts or serious injuries, but would you
 5 agree that bruising can be an injury which takes a little
 6 while to come up?
 7 A. In some instances, yes, every individual has different
 8 (unclear).
 9 Q. You agree. Did you see the sign of some reddening to her
 10 cheek which could have been the genesis of ac bruise?
 11 A. What I observed was, like, her face was flushed and red from
 12 the crying. I did not at any time during the call (unclear)
 13 that she had any bruising on her face, or any injury.
 14 Q. You saw some reddening to the face, which you attributed to
 15 being flushed from crying?
 16 A. Correct.
 17 Q. I understand. When you were talking to her in the hall, it
 18 was at that stage that she made it plain she did not want to
 19 talk to you?
 20 A. Correct.
 21 Q. It was at that stage that she was not making eye contact with
 22 you?
 23 A. Like I said, it was back and forth. I cannot say it was ever
 24 down the entire time, it was just up and down, she was upset.
 25 Q. Now, you obviously were not able to see any other part of her

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1 SAENZ - WASS
 2 body, because she was fully clothed?
 3 A. Correct.
 4 Q. So, you were not able to say one way or another whether she
 5 had any injuries to any other part of her body?
 6 A. Correct.
 7 Q. But she made it plain that she was no not going to make a
 8 complaint against the person in respect of whom the 911 call
 9 was made?
 10 A. Correct.
 11 Q. Did you say to her words to the effect, and I am not getting
 12 the exact words, just the gist, Ms. Saenz, that if she were to
 13 give you the name and identity of the perpetrator, you would
 14 be able to arrest him?
 15 A. I do not recall telling her that.
 16 Q. Would that be something that you would routinely say to
 17 victims of domestic abuse in order to reassure them?
 18 A. Yes, it is something I would tell them.
 19 Q. All right. You were first asked about this case two months
 20 after it happened; yes?
 21 A. Yes, correct.
 22 Q. Eight weeks, to be absolutely correct. You had no notes of
 23 your visit to the Eastern Columbia Building?
 24 A. Correct.
 25 Q. The only document, other than the incident record we have, was

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1 SAENZ - WASS
 2 a visiting card, if that is the right word for it, which you
 3 gave to Ms. Heard, in effect saying, "Look, if you change your
 4 mind, these are my details"?
 5 A. Correct.
 6 Q. Other than telling Ms. Heard your identity, did you tell
 7 anybody else in the building your identity?
 8 A. No, I did not.
 9 Q. You did not give your name to reception?
 10 A. No, I did not.
 11 Q. So, it is safe to assume that other than knowing that there
 12 was a visit by police, your name, Melissa Saenz, would be
 13 something that was only shared with Ms. Heard and possibly the
 14 two people who were looking after her?
 15 A. Correct.
 16 Q. Is there a protocol in the United States about how to record
 17 incidents of domestic violence, or should I say, allegations
 18 of domestic violence?
 19 A. Yes, there is.
 20 Q. Are there screening factors that should be taken into
 21 consideration?
 22 A. Yes, there is.
 23 Q. Should a report be prepared in allegations of domestic
 24 violence, in all allegations of domestic violence?
 25 A. Well, we have to look at evidence, talk to witnesses and then

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1 SAENZ - WASS
 2 we will make a determination whether it arises to, whether a
 3 report is (unclear) or not.
 4 MR. JUSTICE NICOL: Sorry, officer, can you repeat your last
 5 answer, please?
 6 THE WITNESS: No problem. Yes, when we arrive, we interview the
 7 victim and witnesses and we identify if there is evidence of
 8 domestic violence and we determine if a report is sufficient
 9 or not.
 10 MS. WASS: In this case you prepared no report.
 11 A. Correct.
 12 Q. But you did provide a card to the victim?
 13 A. Correct.
 14 Q. Why did you do that, unless you thought there was something
 15 more that the victim might want to tell you at a later date?
 16 A. Can you repeat that?
 17 Q. Why did you leave your visiting card or your business card
 18 with Ms. Heard, unless you believed that she might want to
 19 give you more information at a later date?
 20 A. I give my business card to every individual that I meet on
 21 radio calls, as a courteous. All (unclear) and if they have
 22 any questions, they can call the police station. It is common
 23 practice. I leave my business card for domestic violence
 24 victims.
 25 Q. In any event, in this case, the case was closed, we have the

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1 SAENZ - WASS
 2 records here, at about 20 past 9, 9.22. What the incident
 3 report says is, it is the last entry, "Incident closed"; all
 4 right?
 5 A. Yes.
 6 Q. So, when you came to give your evidence in the United States,
 7 as far as you were concerned, this was a non-crime; is that
 8 right?
 9 A. Correct.
 10 Q. Because had there been any allegation of criminality, even
 11 just damage to property, you would have been duty bound to
 12 make a report?
 13 A. Correct.
 14 Q. But it was obvious to you and your colleague that this case
 15 was not likely to be going anywhere; do you agree?
 16 A. Can you repeat that?
 17 Q. Ms. Heard made it plain she was not going to file a formal
 18 complaint against her husband?
 19 A. Correct.
 20 Q. You did not have the identity of her husband?
 21 A. Correct.
 22 Q. And in your professional opinion, the case was not going
 23 anywhere?
 24 A. At that moment, at that time, no, it was not. She was
 25 uncooperative.

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1 SAENZ - WASS
 2 Q. She was not co-operative, and the case was not going anywhere.
 3 Do you remember that, in fact, the generic white male did take
 4 you around the flat and just show you some broken glass and
 5 some books and some items in the house that were in a state of
 6 disarray?
 7 A. No, he did not.
 8 Q. I am going to suggest he did and, as far as you were
 9 concerned, that did not alter your opinion that this case was
 10 going nowhere, and you and your colleague left.
 11 A. That is not what happened.
 12 Q. How long do you think you were in that building, Ms. Saenz?
 13 A. I do not recall. I mean, if I had to give a vague guess,
 14 I would say 30-60 minutes.
 15 Q. We have, and unfortunately, because you have not been provided
 16 with the bundles, but we have CCTV evidence of you and Officer
 17 Hadden arriving at 9.04 on the clock of the CCTV in the lift,
 18 and leaving at 9.19. You were shown to the lift by the
 19 generic white male. Do you remember him shaking hands as you
 20 were getting into the lift?
 21 A. I do not remember shaking his hand, but yes, he did help us
 22 up.
 23 Q. So, you were there for a considerably shorter time than you
 24 recall?
 25 A. Yes.

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1 SAENZ - WASS
 2 Q. Yes. So, what I am suggesting to you is that perhaps you did
 3 not give the care to this case that you say you did. At the
 4 time you did not think it was going anywhere, and you had no
 5 idea whatsoever that you would ever be giving evidence in
 6 court about your visit to the flat that evening.
 7 A. I do not agree with that statement.
 8 Q. But, in fact, Ms. Heard had a mark to her right cheek, whether
 9 you saw it or whether you did not look carefully, I cannot
 10 say. What do you say about that?
 11 A. She did not have any injuries at the time.
 12 Q. And that there was damage to the flat, in the form of items
 13 that had been tossed around the flat and there was broken
 14 glass in the flat?
 15 A. I searched the entire flat and there was no damage and there
 16 was no broken glass. There was nothing to report and nothing
 17 out of the ordinary.
 18 Q. Do you know how anybody got hold of your name as the person
 19 who visited the flat that night, because it was recorded on
 20 police documents but those documents are confidential, are
 21 they not?
 22 A. I believe they are.
 23 Q. They would be accessible only to somebody within the LAPD or
 24 somebody who had influence within the LAPD; do you agree?
 25 A. Yes.

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1 SAENZ - WASS
 2 Q. Does the name Sean Bett mean anything to you?
 3 A. Never heard of Sean Bett.
 4 Q. The court has been told that he was, had worked for the LAPD.
 5 Are you able to say one way or another how your identity was
 6 released to people outside the LAPD?
 7 A. I am not aware. I do not know who Sean Bett is.
 8 MS. WASS: All right. Thank you very much indeed Ms. Saenz for
 9 answering my questions.
 10 MR. JUSTICE NICOL: Officer, if you could just wait there a
 11 moment, Mr. Sherborne, who represents Mr. Depp, now has the
 12 right to ask you any further questions to clarify things that
 13 you have said to Ms. WASS. Do you understand?
 14 THE WITNESS: Yes. Thank you.
 15 MR. JUSTICE NICOL: Thank you. Yes, Mr. Sherborne.
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[Page 664]

1 SAENZ - SHERBORNE
 2 RE-EXAMINED BY MR. SHERBORNE
 3 Q. Officer Saenz, I am just going to ask you two or three
 4 questions, if I may.
 5 A. No problem.
 6 Q. Thank you. Ms. Wass, on behalf of the defendants, suggested
 7 to you that somehow you did not get a proper look at
 8 Ms. Heard's face. So, I am going to ask you, because I am not
 9 sure how good the transcript is of what you are saying,
 10 because of the time delay and the mask, it is not your fault,
 11 you have to wear a mask. Did you or did you not get a clear
 12 look at Ms. Heard's face on the occasion that you spoke to her
 13 in the hallway?
 14 A. I did get a clear look at Ms. Heard's face.
 15 Q. Did you see any marks at all of any kind suggesting any injury
 16 on her face?
 17 A. No, I did not.
 18 Q. In your deposition, you say that you had a second opportunity
 19 to look at Ms. Heard's face; is that correct?
 20 A. Correct.
 21 Q. In that second opportunity, again, did you see any injury, any
 22 marks or any signs at all that she had any injuries on her
 23 face of any kind?
 24 A. No, I did not observe any injuries.
 25 MR. SHERBORNE: Thank you, Officer Saenz. I have no further

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1 SAENZ - SHERBORNE
 2 questions.
 3 MR. JUSTICE NICOL: Officer, on behalf of the court in England,
 4 can I thank you very much for coming to give your evidence,
 5 and for doing so at such an uncomfortable time of day. That
 6 completes your evidence. Thank you very much indeed for
 7 coming. You may now leave the room.
 8 (The witness withdrew)
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[Page 666]

1 DISCUSSION
 2 MS. WASS: My Lord, there is another officer due to give evidence.
 3 Given the answers of this officer, I do not any more require
 4 him to give evidence.
 5 MR. JUSTICE NICOL: Is that Officer Hadden?
 6 MS. WASS: Miss Saenz was the domestic violence trained officer.
 7 The other one was a probation officer.
 8 MR. JUSTICE NICOL: Right. Could I ask that that be communicated
 9 to Officer Hadden. It may be easier if I just rise for a few
 10 minutes while that is done.
 11 (A short break)
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[Page 667]

1 DEPP
 2 MR. JOHN CHRISTOPHER DEPP, RECALLED,
 3 RE-EXAMINATION BY MR. SHERBORNE, CONTINUED
 4 MR. JUSTICE NICOL: Yes, Mr. Sherborne.
 5 MR. SHERBORNE: I am going to try and take this very, very
 6 quickly.
 7 MR. JUSTICE NICOL: All right.
 8 MR. SHERBORNE: So, Mr. Depp, you will not take it badly if I just
 9 ask you yes or no.
 10 A. Yes/no is fine.
 11 Q. I understand. We are on Hicksville. You said earlier that
 12 was a trip with Ms. Heard and her friends. You were asked
 13 various questions by Ms. Wass about the use of controlled
 14 drugs and everyone's consumption and you said everyone had
 15 their drug of choice. We showed you that e-mail from
 16 Ms. Heard to Kate James, where she says, "Please include in
 17 the e-mail to everyone to bring food, booze and drug of
 18 choice."
 19 You were asked, therefore, questions about what you
 20 took. You were asked whether you had taken cocaine and you
 21 said not at that time. Then you were asked about your
 22 consumption of MDMA and you said that it was a waste of time
 23 so you did not do much of it; it was more Ms. Heard's drug of
 24 choice. When you said "waste of time", can you just briefly
 25 explain why MDMA is a waste of time?

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1 DEPP - SHERBORNE
 2 A. For me?
 3 Q. For you, yes?
 4 A. For me, MDMA is a waste of time because it does not affect me
 5 very much. It does not really affect me so much.
 6 Q. So it does not give you the high and that?
 7 A. Not so much, and also they had very little to go around so I
 8 did not want to waste what they were interested in.
 9 Q. You said the same about mushrooms. For you, they are largely
 10 a waste of time?
 11 A. Largely. As I said, I had a few stems but no effect.
 12 Q. No effect on MDMA, no effect on mushrooms. Marijuana, you
 13 were asked about and the effect of that. What is the effect
 14 of marijuana on you? Why do you take marijuana?
 15 A. Marijuana, I find a far better replacement than prescribed
 16 medications, if you can avoid medications to calm yourself, to
 17 be calm.
 18 Q. It calms you; that is what it does?
 19 A. Yes.
 20 Q. Does it turn you into a paranoid tailspin?
 21 A. No, not remotely, no.
 22 Q. You said although not now, at various times you have taken
 23 cocaine. Does cocaine have an effect? Does it make you
 24 crazed and hyped up?
 25 A. No, sir, my cocaine use was really, over the period of time

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1 DEPP - SHERBORNE
 2 with Ms. Heard, after kicking the ---
 3 Q. The Roxys?
 4 A. Detoxing off the Roxicodone. It is a replacement, in a way,
 5 for serotonin and dopamine. So you have a choice as to
 6 whether ---
 7 MR. JUSTICE NICOL: Just a moment.
 8 A. I am so sorry. (Pause)
 9 MR. JUSTICE NICOL: Yes.
 10 THE WITNESS: After having been addicted to the Roxicodone, I was
 11 not looking so forward to taking Adderall as the answer to
 12 dopamine and serotonin, as they are far more addictive than
 13 cocaine. Cocaine is not necessarily an addictive drug.
 14 MR. SHERBORNE: So, it is a serotonin replacement? It keeps you
 15 happy.
 16 A. Yes, my body does not traduce it.
 17 Q. Yes, you explained that. That is why I am cutting it short
 18 because you explained that.
 19 A. No, that is fine, yes.
 20 Q. No, no, we need to get to the various points we have to get
 21 through. Now, it was put to you that there was an argument
 22 that arose because there was a girl there called Kelly Sue and
 23 you asked her to take her hands off your girlfriend because
 24 you said you thought it was inappropriate. You thought they
 25 were very high and were not necessarily realising what they

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1 DEPP - SHERBORNE
 2 were doing. The argument back in the cabin is what was then
 3 put to you. You explained to Ms. Wass. The allegations were
 4 put to you, you denied them, and you explained to her that it
 5 started because Ms. Heard was telling you off for embarrassing
 6 her in front of friends, I presume?
 7 A. Embarrassing her in front of her friends and for ruining
 8 everyone's weekend.
 9 Q. Exactly, and there is no dispute that you caused some damage
 10 to a bathroom sconce, which is a light fitting thing?
 11 A. Yes, sir.
 12 Q. Now, you say it was out of frustration. Why were you in the
 13 bathroom, Mr. Depp?
 14 A. The bathroom mirror and the sconce was in the trailer section
 15 and then the bathroom would have been just the toilet. There
 16 was a door for just the toilet and there was a sink outside
 17 the bathroom. That is where the sconce was.
 18 Q. I see.
 19 A. It was in the proper trailer itself, not the bathroom.
 20 Q. And as with the hotel in New York incident, did you admit to
 21 what you had done or did you deny what you had done in terms
 22 of damage?
 23 A. No, I admitted it, of course.
 24 Q. Have you tried, as Ms. Wass suggested, to play down the extent
 25 of the damage that you caused?

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1 DEPP - SHERBORNE
 2 A. Not at all, no.
 3 Q. Can I move on then to the next alleged incident, which is on
 4 the plane. That is the plane flight between Boston and
 5 Los Angeles; is that correct?
 6 A. Yes, sir.
 7 Q. And I think, to be fair to you, you said there have been a
 8 number of -- you were asked about an argument on that and you
 9 said there had been a number of arguments on plane trips?
 10 A. Yes, there have been.
 11 Q. This one was said to be about Mr. Franco. I am not going to
 12 ask any questions about that at the moment. Actually, maybe
 13 in the interests of speed, I will ask you about them now. At
 14 that point in July 2013, you said you were suspicious of
 15 Ms. Heard, not because he was just a co-star, but because she
 16 had told you one thing and then was doing another. Do you
 17 remember saying that?
 18 A. Yes.
 19 Q. And that she was all friendly with him in July 2013, but
 20 before, she described him in a certain way, and you used the
 21 word "rapey"; do you remember?
 22 A. Yes, creepy, rapey, sexually aggressive.
 23 Q. Was that her word or your word?
 24 A. Those were the words she used to describe him to me.
 25 MR. JUSTICE NICOL: Just a minute. (Pause)

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1 DEPP - SHERBORNE
 2 MR. SHERBORNE: So the word "rapey" was to suggest sexually
 3 aggressive, made advances towards her?
 4 A. Yes.
 5 Q. That were unwelcome, presumably?
 6 A. That is what she explained to me at the time, yes.
 7 Q. The flight from Boston to LA is roughly how long, do you
 8 think?
 9 A. Four and a half, five hours, I think. Five hours.
 10 Q. How long do you think on a private plane? If you cannot give
 11 a more precise time than that, do not worry.
 12 A. I would say anywhere, depending on headwinds, six hours maybe,
 13 tops.
 14 Q. Given the time, I am not going to go through the number of
 15 people on the flight. Ms. Wass will no doubt cross-examine
 16 them. It was suggested that in that time, during the whole
 17 flight, you did not sit there drawing at all and that that is
 18 something you have made up; is that correct?
 19 A. That is what she suggests. I was drawing. I was sitting and
 20 drawing in my journal.
 21 Q. It was put to you what Ms. Heard's account was and you denied
 22 it. At some point, you went to the bathroom. Why did you go
 23 to the bathroom on the plane?
 24 A. To escape Ms. Heard's onslaught.
 25 Q. Is that a one-off thing? Is that the only time you have ever

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1 DEPP - SHERBORNE
 2 been to a bathroom to escape her onslaught?
 3 A. No, I am loathe to say, but I have slept on many bathroom
 4 floors as a result of trying to avoid any violent
 5 confrontation.
 6 Q. Just as an aside for a second, because we were shown this
 7 photograph of you asleep on the floor next to a bed, do you
 8 always sleep on a bed?
 9 A. In fact, I prefer to sleep on couches myself.
 10 Q. Do you sometimes sleep on the floor or not?
 11 A. Yes, I do.
 12 Q. So, you went to the bathroom. That is effectively how the
 13 flight ended. You were played about 30 seconds, I think it
 14 was, of someone making a moaning noise?
 15 A. Yes.
 16 Q. And you were told by Ms. Wass that that was Ms. Heard's
 17 recording. Had that ever been played to you before?
 18 A. No, sir.
 19 Q. You have never heard that before?
 20 A. No, sir.
 21 Q. So it was a recording made that was never played to you?
 22 A. No, sir, I have never heard that before.
 23 Q. It was suggested to you this came from the Boston flight.
 24 Now, I am going to ask the court just to look at the metadata
 25 from that because your Lordship will recall that I stood up

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1 DEPP - SHERBORNE
 2 and asked, during the course of Mr. Depp's cross-examination,
 3 if we could have the metadata. Your Lordship said, "I would
 4 rather it was dealt with out of court." When we asked, we
 5 were told that we had been provided with it and when I asked
 6 for a raw file, we were not given anything.
 7 This is all that we have. There is no dispute about
 8 this. I wonder whether Mr. Depp can be shown a copy. (Same
 9 handed) This is the defendants' document. It was a document
 10 provided by Ms. Heard to them. All we have in the metadata,
 11 rather strangely, is just a year, 2014. I am not going to ask
 12 any questions about that at the moment, but you did say, to be
 13 fair to you, when you were asked about this by Ms. Wass, that
 14 you were rather puzzled and you said you did not know this was
 15 to do with the Boston flight. Given this says 2014, can you
 16 help us about where, if this was not on the Boston flight,
 17 this moaning noise may have come from?
 18 A. The year on this metadata, on mine, says year 2019.
 19 Q. Ah, that is interesting. That is another question. The ones
 20 we have say 2014?
 21 MR. JUSTICE NICOL: I do not know if you have got the same as me,
 22 but mine also says 2014. It is possible you have been given a
 23 different document.
 24 A. I do not know ----
 25 MR. JUSTICE NICOL: Just wait a minute, please, Mr. Depp. (Pause)

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1 DEPP - SHERBORNE
 2 MR. SHERBORNE: It may be you have been given a different
 3 document.
 4 MR. JUSTICE NICOL: Let the witness be shown the document that you
 5 mentioned.
 6 MR. SHERBORNE: Does your Lordship have a 2014 one?
 7 MR. JUSTICE NICOL: I do. Do I have a bundle with 2014 ----
 8 MR. SHERBORNE: No, a 2014 one, it says 2014 on it?
 9 MR. JUSTICE NICOL: It does, yes.
 10 MR. SHERBORNE: Do you see there it says 2014?
 11 A. Yes.
 12 Q. Can you help us at all as to that moaning sound we heard? Is
 13 there any occasion in 2014 when that sounds familiar?
 14 A. I realised, after I -- the tape stayed in my mind after we
 15 left court, and I was quite confused about it, and then
 16 I realised where that would have been recorded, if that were
 17 me making those sort of animal-like sounds of, I do not know,
 18 strange -- that was from when I was detoxing from the Roxys in
 19 2014 on the island.
 20 Q. So that would be the Bahamas?
 21 A. In the Bahamas, yes.
 22 Q. So when you are detoxing in the Bahamas?
 23 A. Yes.
 24 MR. JUSTICE NICOL: Mr. Sherborne, I have said that loose
 25 documents tend to get lost. Can you suggest a place where we

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1 DEPP - SHERBORNE
 2 might put this?
 3 MR. SHERBORNE: I am going to ask those sitting behind me.
 4 MR. JUSTICE NICOL: Come back to that at the end of the afternoon.
 5 MR. SHERBORNE: I will, only in the interests of speed, but it is
 6 firmly in mind. Just in the context of the flight, you were
 7 shown a document, a text that you sent to Mr. Bettany. It is
 8 bundle 6, tab 119.
 9 A. Yes, I recall it.
 10 Q. It is page 13.4 of the schedule. You were taken through the
 11 first bit of it: "Half a bottle of whisky, 1,000 Red Bull
 12 vodkas and pills, 2 bottles of champagne on the plane, what do
 13 you get? An angry, aggro Injun, in a fucking blackout,
 14 screaming obscenities and insulting any fuck you got near."
 15 It was suggested to you that this somehow demonstrated how you
 16 had been physical on the plane in front of -- you denied it --
 17 you said in front of all the people who were there with me,
 18 the stewardess, the pilot and so on. You denied it, but you
 19 were not taken to this part of the text. I just wanted to ask
 20 you about this phrase: "I'm done. I am admittedly too fucked
 21 in the head to spray my rage at the one I love." What did you
 22 mean by that phrase, "I'm too fucked in the head to spray my
 23 rage at the one I love"?
 24 A. I felt that I could not, I mean, I could not continue arguing
 25 and constantly continue going through the same arguments, the

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1 DEPP - SHERBORNE
 2 same physical assaults, the same verbal assaults, and I do not
 3 want to spray my rage, I do not want to have to react
 4 verbally, and I do not want to fight.
 5 Q. Were you suggesting that you had been physical at all with
 6 Ms. Heard on that flight?
 7 A. No, sir, not at all.
 8 Q. You explained then, in relation to the Deuters text, that you
 9 were trying to placate Ms. Heard at all costs because she was
 10 upset. I just want to show you the text exchange that we were
 11 looking at in that context on page 29 of the schedule?
 12 A. Yes.
 13 Q. We have Deuters texts above it and then, the third one down,
 14 we have your text to Ms. Heard, which we have seen: "Once
 15 again, I find myself in a place of shame and regret. I am
 16 sorry, I really do not know why it happened" and so on. Then,
 17 two below that, you see, "I see that understanding and
 18 forgiveness ain't on the menu. I am disappointed to see that
 19 but not too surprised, I suppose." That is written to
 20 Ms. Heard. What did you mean by that?
 21 A. She was not willing to discuss and talk and make things nice.
 22 She did not accept my apology.
 23 Q. So she was not responding to the placation?
 24 A. No, she was not.
 25 Q. Can I then move to the Bahamas detox incident. We can put,

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1 DEPP - SHERBORNE
 2 I think, file 6 away for a second. Again, I think we can take
 3 this quite quickly because you describe this as being one of
 4 the lowest points of your life when you were trying to kick
 5 the drugs.
 6 A. Yes.
 7 Q. Now, this was a trip that you went on with Dr. Kipper and
 8 Nurse Lloyd and we know that Ms. Heard was there too. Did you
 9 want Ms. Heard there on the island with you?
 10 A. Myself initially, the plan was not to bring Ms. Heard because
 11 of the potential problems that we could have that would be
 12 doing great damage to the process of unleashing the drug from
 13 my body, but Ms. Heard was quite insistent on being there to
 14 take care of me, as it were, and so she came along.
 15 Q. So the answer is, no, you did not want her, but she insisted
 16 on coming anyway?
 17 MR. JUSTICE NICOL: To take care of Mr. Depp.
 18 MR. SHERBORNE: Sorry?
 19 A. Yes.
 20 MR. JUSTICE NICOL: Mr. Depp said she insisted, to take care of
 21 him.
 22 MR. SHERBORNE: Yes, exactly. You explained that you were in a
 23 terrible state. I am not going to take you over that. You
 24 said to Ms. Wass, because she suggested to you that she was
 25 just following orders, that it was cruel not to give you the

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1 DEPP - SHERBORNE
 2 drugs at a time when you were in a bad way. You described
 3 that you in uncontrollable spasms, lying on the floor sobbing,
 4 and you had to throw yourself into a scalding shower to trick
 5 your receptors to the surface of your skin. Do you remember
 6 that; yes or no?
 7 A. I do, yes.
 8 Q. Can I ask you this. Given the condition that you were in, it
 9 is suggested that you were angry, you kicked and pushed
 10 Ms. Heard to the ground during that, you slapped her with an
 11 open hand, you grabbed her by the hair, and so on. Did you do
 12 that; yes or no, Mr. Depp?
 13 A. No.
 14 MR. JUSTICE NICOL: Just a minute. Mr. Sherborne, I have heard
 15 the cross-examination. In your re-examination, it is not
 16 necessary to ask Mr. Depp to go back over the same questions
 17 unless, of course, it is a precursor to eliciting further
 18 evidence from him.
 19 MR. SHERBORNE: I was going to ask, in the condition you
 20 described, could you have done that; yes or no?
 21 A. When you are in that situation, when you are detoxing from a
 22 drug as strong as those opiates, you are incapable of, it is
 23 difficult to walk to the bathroom without every bone in your
 24 body, to the very marrow, it is very painful and
 25 unpredictable. No, I was not in any condition to fight.

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<p>1 DEPP - SHERBORNE</p> <p>2 Q. Thank you. After a number of days, we have heard Ms. Heard</p> <p>3 left the island. Just yes or no, was that her idea or your</p> <p>4 idea for her to leave the island?</p> <p>5 A. That was almost a group idea. I had spoken to Dr. Kipper and</p> <p>6 Debbie and they were starting to understand Ms. Heard a little</p> <p>7 more by then. I suggested that this was not working and they</p> <p>8 knew it was not working, so what I wanted to do was go back to</p> <p>9 Los Angeles and be alone in the penthouse and go through it</p> <p>10 alone without Ms. Heard there, so I got her a hotel room with</p> <p>11 her friends.</p> <p>12 Q. A hotel room with her friends, did you say? Sorry, your voice</p> <p>13 dropped.</p> <p>14 A. I am so sorry. Yes, I asked Ms. Heard if she would go to a</p> <p>15 hotel. I booked a suite or a little house at the Beverly</p> <p>16 Hills Hotel for them and asked her to go there for five days</p> <p>17 so that I could detox by myself.</p> <p>18 Q. Just one last question about ----</p> <p>19 MR. JUSTICE NICOL: Mr. Sherborne, before you leave that topic,</p> <p>20 I have understood that you said that you wanted to be alone in</p> <p>21 order to do the detoxing?</p> <p>22 A. Yes, sir.</p> <p>23 Q. And that was why you booked Ms. Heard into a hotel?</p> <p>24 A. Yes, sir.</p> <p>25 Q. The wish was then for you to be alone so that you could go</p>	<p>1 DEPP - SHERBORNE</p> <p>2 A. Yes.</p> <p>3 Q. How do you remember the time in the hotel with the children</p> <p>4 and Ms. Heard? Did you all interact together or were you very</p> <p>5 separate?</p> <p>6 A. I was doing -- mostly, I was doing press, but when we were all</p> <p>7 together ----</p> <p>8 Q. You were all together?</p> <p>9 A. We were all together and it was fine.</p> <p>10 Q. It was in that context that it was suggested to you -- and I</p> <p>11 will not read out all the allegations again -- that you</p> <p>12 shoved, wrestled her to the floor, grabbed her by the hair,</p> <p>13 yelled at her, Ms. Heard said she was crying on the floor, and</p> <p>14 this happened in hotel. Where would the children have been</p> <p>15 when you were in the hotel bedroom?</p> <p>16 A. They were either in our room or their room at all times.</p> <p>17 Q. If Lily-Rose or Jack had seen any marks or injuries on</p> <p>18 Ms. Heard's face or body at the time, would they have asked</p> <p>19 her about that, do you know?</p> <p>20 A. Certainly they would have.</p> <p>21 Q. It was in that context that you were shown a text. It is file</p> <p>22 6. Sorry, in the context of Tokyo, I should say. You were</p> <p>23 shown a text from Adam Gough to Mr. Deuters. It is 6119,</p> <p>24 page 55.</p> <p>25 A. Yes, sir.</p>
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<p>1 DEPP - SHERBORNE</p> <p>2 through the painful detox process on your own rather than with</p> <p>3 her, is that right?</p> <p>4 A. Yes, sir. That is exactly the ----</p> <p>5 MR. JUSTICE NICOL: Thank you.</p> <p>6 THE WITNESS: ---- motivation.</p> <p>7 MR. SHERBORNE: The hotel you booked for her was in Los Angeles.</p> <p>8 It was the Bel Air Hotel.</p> <p>9 A. Beverley Hills Hotel.</p> <p>10 Q. Excuse me, the wrong hotel. This is the last question about</p> <p>11 the Bahamas. There came a point, as we saw, where you were</p> <p>12 found in a bar area on your own, sitting quietly. Just in one</p> <p>13 sentence, why had you gone to the bar area?</p> <p>14 A. I needed to get away from Ms. Heard.</p> <p>15 Q. Thank you. Can I just move on, then, to Tokyo.</p> <p>16 A. Yes.</p> <p>17 Q. That is in January 2015. You explained that you were on a</p> <p>18 trip to Tokyo and that you went not only with Ms. Heard, but</p> <p>19 also with Lily-Rose, your daughter, and Jack?</p> <p>20 A. That is correct.</p> <p>21 Q. I think, to be fair, at that stage, I think Lily-Rose would</p> <p>22 have been 15 or 16 and Jack 12 or 13?</p> <p>23 A. Somewhere around that.</p> <p>24 Q. Do not worry. You said they were sleeping in an adjoining</p> <p>25 room to yours and Ms. Heard's?</p>	<p>1 DEPP - SHERBORNE</p> <p>2 Q. You were shown a text two up saying, "Did you survive Japan?</p> <p>3 No giant monster attacks, I hope." It was put to you by</p> <p>4 Ms. Wass that this was two of your friends referring to your</p> <p>5 alterego "the monster"; is that correct?</p> <p>6 A. That is what they were saying, yes.</p> <p>7 Q. Were they referring to the giant monster in Japan?</p> <p>8 A. I believed it was a joke about being in Tokyo, Japan, and the</p> <p>9 giant monster films, Godzilla versus, you know ----</p> <p>10 Q. We see a text from Mr. Deuters to Mr. Gough saying, "I wish</p> <p>11 I had been eaten by a monster, probably much more enjoyable in</p> <p>12 comparison to how this month has panned out."</p> <p>13 Just before we turn to Australia, you were asked about</p> <p>14 the film London Fields, which was a film that Ms. Heard was</p> <p>15 making in London. It was put to you that that was one of the</p> <p>16 films that Ms. Heard made which created this conflict, you</p> <p>17 said, between, on the one hand, her saying she wanted to avoid</p> <p>18 being objectified sexually and do meatier acting roles and</p> <p>19 yet, when it came to it in practice, she was doing all this</p> <p>20 nudity on screen. Do you remember that; is that a fair</p> <p>21 summary?</p> <p>22 A. Yes.</p> <p>23 Q. You were asked about this, and what you described as "the</p> <p>24 bullshit actress thing", and it was put to you that you were</p> <p>25 trying to control Ms. Heard. You said, "I only interfered</p>

[40] (Pages 680 to 683)

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1 DEPP - SHERBORNE
 2 when I was asked to give advice"; do you remember those
 3 exchanges with Ms. Wass?
 4 A. Yes, very well.
 5 Q. In that context, it being said you tried to control Ms. Heard
 6 and you disapproved of the London Fields film, can I ask you,
 7 the film London Fields, did you have any role in that film?
 8 A. I did. I, they had lost ----
 9 Q. Sorry, can I pause, were you always meant to be in that film
 10 or not?
 11 A. No, sir, not at all.
 12 Q. Why did you appear in that film?
 13 A. Ms. Heard had presented to me that the actor who was to play
 14 the role had not shown up for work the day and he was
 15 apparently quite inebriated and he was unable to work, so they
 16 needed someone to do the part. And she spoke to me about it,
 17 and I said I agreed that I could do it in a day. Send me the
 18 pages, so that I could, I thought I could help out, simply.
 19 Q. You appeared in a number of scenes in that film?
 20 A. Yes, more than I had imagined, yes.
 21 Q. Only this question, did you choose to be in the film,
 22 Mr. Depp, despite your misgivings because you were being
 23 unsupportive or controlling of Ms. Heard?
 24 A. I was trying to be supportive of her and the film she was
 25 doing.

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1 DEPP - SHERBORNE
 2 Q. 2016, we are moving on -- sorry, 2015, we are moving to
 3 Australia. But just before I do, this was just before, the
 4 wedding was meant to be in February, it was in February?
 5 A. Yes.
 6 Q. Just before the wedding, I am not going to take up lots of
 7 time up about this now, but the issue of a pre-nup came up we
 8 heard about?
 9 A. Yes.
 10 Q. And yes or no, is this something you wanted her to sign?
 11 A. Yes, it was.
 12 Q. Did she sign one or not; yes or no?
 13 A. No, she did not.
 14 Q. It is only fair, perhaps I suggest this to you, because the
 15 case put against you is that you were controlling and
 16 overbearing of Ms. Heard. In that context, can I ask this.
 17 When she said she did not, when she did not sign the pre-nup,
 18 did you want her to sign one, but she chose not to; or was
 19 there some other explanation as to the reason why this was not
 20 signed?
 21 A. I do not recall exactly why it was not signed. It just seemed
 22 to be a -- she just did not sign it or did not get around to
 23 it, or whatever excuses there were.
 24 Q. Given she did not sign it, did you refuse to marry her and
 25 call the whole thing off?

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1 DEPP - SHERBORNE
 2 A. No, sir. The idea of a post-nup was brought up to me.
 3 Q. Did she end up signing that or not?
 4 A. No, sir. We had the argument of March 8th, the Sunday,
 5 I believe where I lost my finger, that is where the argument
 6 was born, from a phone call to my attorneys, where
 7 I reprimanded them and the lawyer who Ms. Heard said had made
 8 her cry and told her that I ----
 9 Q. You told us that, we do not need to rehearse all of that.
 10 Because you told all that yesterday. So, just summarising,
 11 you wanted her to sign a post-nup, and she did not want to do
 12 so and it became a massive source of an argument between the
 13 two of you, on that particular day, 8th March -- we are in
 14 Australia now?
 15 A. Yes, it suddenly became that I, that I did not trust her and
 16 I did not love her enough and she was not in the will and we
 17 did not have credit cards together, et cetera.
 18 Q. You were asked then about coming to Australia, you were asked
 19 about this, it was described as a three-day hostage situation
 20 by Ms. Heard.
 21 A. Yes.
 22 Q. You describe the time it took as being part of one day,
 23 8th March.
 24 A. Yes.
 25 Q. Do you remember giving that evidence?

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1 DEPP - SHERBORNE
 2 A. Yes.
 3 Q. The details of it were put to you by Ms. Wass and you denied
 4 them?
 5 A. Yes.
 6 Q. Given the time, I am not going to take you through the tape
 7 and the various references, but just the mirror. Can I ask
 8 you a question about the mirror.
 9 A. Yes.
 10 Q. Perhaps I do not need to take you to it in the interests of
 11 time. You were quite clear, Mr. Depp, in your evidence, that
 12 your writing in black that we saw on the mirror, first with
 13 the blood from your finger in red and then the writing in
 14 black.
 15 A. Yes.
 16 Q. Then we see in red lipstick there is written the words,
 17 I think you said it was a Carly Simon song?
 18 A. It is a reference to a Carly Simon song, You're So Vain.
 19 Q. Do you know why -- and if you do not then please say you do
 20 not know -- but do you know why Ms. Heard put a Carly Simon
 21 song on the mirror?
 22 A. In my experience with Ms. Heard, it was her practice or her
 23 obsession to always have the last -- she had to speak last.
 24 She had to have the last word. She had to say the last, she
 25 had to have the final say.

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1 DEPP - SHERBORNE
 2 Q. Your evidence you said was that the lipstick goes over the --
 3 was the last thing on that mirror?
 4 A. That lipstick was not there when I painted on the mirror.
 5 Q. Thank you, Mr. Depp. Now, it was suggested to you that in
 6 relation to what happened to your finger, that somehow you
 7 invented the fact that it was Ms. Heard who was responsible
 8 for it and that you never said it to anyone, you have never
 9 said it to anyone. Can I ask you to look at file 6 again --
 10 sorry, it is in front of you.
 11 A. Yes.
 12 Q. Then we will look at schedule 119, and it is page -- I am so
 13 sorry, I have lost my reference. I think it is page 64. If
 14 you look at, we looked at this, but you were taken away from
 15 it just before you answered. It is four lines down, do you
 16 see there is a text from you to Paul Bettany, this is
 17 18th March: "I love you so much, so very much, my Pauly, my
 18 brother, my friend, so just has the tip of me finger lopped
 19 off, as it happens, my all J." Then Mr. Bettany writes back:
 20 "Fuck me, how? Or perhaps not for text." Did you have any
 21 conversation with Mr. Bettany not on text about your finger?
 22 A. Yes, I did.
 23 Q. What did you tell him, just in one sentence, what did you tell
 24 him about it?
 25 A. I explained the argument and where it landed.

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1 DEPP - SHERBORNE
 2 Q. Can I take you to one reference in the transcript, one of the
 3 recordings that was made. It is file 5, and it is F972. I do
 4 not know if your Lordship -- it is file 4, tab 155.
 5 MR. JUSTICE NICOL: 4, 155.
 6 MR. SHERBORNE: Mine is definitely in file 5. I know that we had
 7 this problem before.
 8 MR. JUSTICE NICOL: Which would you like me to ----
 9 MR. SHERBORNE: I am going to take a lucky guess, I think it is in
 10 file 5, my Lord.
 11 THE WITNESS: I have mine in file 4.
 12 MR. SHERBORNE: Yes, I think that is the difference. I think the
 13 witness box one, do you have tab 155?
 14 MR. JUSTICE NICOL: 155 I think is tab 4.
 15 MR. SHERBORNE: I am sorry, then we are at cross-purposes. I am
 16 sorry. It is file 4, tab 155, and it is page F972. Just to
 17 set the scene, this is a recording of a conversation between
 18 you and Ms. Heard, which I think is said to be in July of
 19 2016. Do you have page F972?
 20 A. Yes.
 21 Q. Do you see, between the two punch holes, do you see where you
 22 say, "Amber"?
 23 A. I do.
 24 Q. "Amber, I lost the fucking finger, man, come on, I had a
 25 fucking, I had a fucking a mineral can, a jar of, a can of

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1 DEPP - SHERBORNE
 2 mineral spirits thrown at my nose".
 3 A. Yes.
 4 Q. Do you see Ms. Heard does not deny it, she says: "Please tell
 5 people it is a fair fight, see what the jury and the judge
 6 think. Tell the world, Johnny, tell them 'I, Johnny Depp,
 7 man, I'm a victim too of domestic violence.'" What were you
 8 referring to there where you said "I lost a fucking finger,
 9 man"?
 10 A. Because she was talking about, she has brought up some thing
 11 that she is accusing me of and she thought that she was going
 12 to -- that she had been in fear for her life and it was very
 13 surprising to me, it was not true. I was trying to bring the
 14 reality of the situation, the gravity of it, to the reality of
 15 losing part of your digit in an argument with the one you
 16 love.
 17 Q. The reference to throwing a mineral can?
 18 A. That was on the island in the Bahamas, not the time of the
 19 wedding, prior to that, Ms. Heard and I were, again, there was
 20 an argument, and she, there were oil painting materials and
 21 she grabbed a can of mineral spirits about yay high, about
 22 12 inches by four inches, and threw it at me and hit me just
 23 above the, right on the bridge of my nose.
 24 Q. So, these were a list of the things she had done to you?
 25 A. Yes.

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1 DEPP - SHERBORNE
 2 Q. Can we just then turn to Los Angeles.
 3 MR. JUSTICE NICOL: Just a minute.
 4 MR. SHERBORNE: Sorry, my Lord.
 5 MR. JUSTICE NICOL: Mr. Sherborne, it is 25 to five. I do not
 6 know how much you have, but it is suggested that you were
 7 about to turn to a different subject. I am wondering if that
 8 is a convenient point for us to break for the evening.
 9 MR. SHERBORNE: My Lord, I am trying to work out how much longer
 10 I have. I do not know whether your Lordship would rather
 11 break off now. Obviously one would prefer for the witness not
 12 to have to be still, in effect, giving evidence over the
 13 weekend.
 14 MR. JUSTICE NICOL: Mr. Sherborne, you are in Los Angeles and
 15 there is still quite a bit that you might want to cover I am
 16 anticipating, but I hope not unreasonably.
 17 MR. SHERBORNE: Yes.
 18 MR. JUSTICE NICOL: I do not think it is going to be just a few
 19 minutes. If it is going to be more than just a few minutes,
 20 I think we should complete it next week.
 21 MR. SHERBORNE: Then I am in your Lordship's hands. It is not
 22 going to be very long, but it will be more than a few minutes.
 23 MR. JUSTICE NICOL: Right. Now, can I put some files away before
 24 I turn to where we have got to.
 25 MR. SHERBORNE: My Lord, yes. (Pause)

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DEPP - SHERBORNE

1
2 MR. JUSTICE NICOL: What is the plan for Monday morning?
3 MR. SHERBORNE: Well, we will finish Mr. Depp pretty quickly on
4 Monday morning. Then, as I understand it, Mr. Deuters is due
5 to give evidence, and Mr. Baruch is giving a live video link.
6 Mr. Baruch is giving evidence. I only pause because he is in
7 Los Angeles, so I suspect he is either staying up very late or
8 very early, or he is just being incredibly helpful. One way
9 or another, he is certainly down to give evidence on Monday
10 morning.
11 MR. JUSTICE NICOL: When is the revised time for Mr. McGivern to
12 give his evidence?
13 MR. SHERBORNE: Can I look across, this is the disadvantage of
14 social distancing I have to look across, rather than behind.
15 (Pause)
16 A SPEAKER: Can I say, we have had communications with your clerk
17 and we will be sending a revised timetable over the weekend.
18 MR. JUSTICE NICOL: That would be very helpful. Thank you very
19 much indeed.
20 MR. SHERBORNE: Thank you.
21 MS. WASS: Can I raise one matter, unless Mr. Sherborne has more
22 to say. My Lord has been given, and we were not provided with
23 it beforehand, this report, the entirety of the metadata of
24 the Boston plane freak-out. Mr. Sherborne was saying it is
25 our document. It is our document. It was an electronic

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DEPP - SHERBORNE

1
2 document, and had he scrolled to the bottom, he would have
3 been shown the metadata. What I am going to ask is that
4 my Lord has both copies together, because they are part of one
5 article which should have been either printed together and
6 given to the court, or simply the important part shown to the
7 court. What my Lord has is entirely incomplete. Can I pass
8 up ---
9 MR. JUSTICE NICOL: Well, I think rather than pass it up now,
10 Ms. Wass, if you think Mr. Sherborne has handed up something
11 incomplete, then liaise with him about it and, by all means,
12 raise it with me at a convenient point on Monday.
13 MS. WASS: I will, my Lord.
14 MR. JUSTICE NICOL: Is there anything else that needs to be done
15 this evening?
16 MR. SHERBORNE: My Lord, no, I do not think so.
17 MR. JUSTICE NICOL: Ms. Wass, is there anything as far as you are
18 concerned needs to be done?
19 MS. WASS: No.
20 MR. JUSTICE NICOL: Mr. Wolanski, anything from you? No. Right.
21 Then I will say 10 o'clock on Monday.
22 (Adjourned till 10 a.m. Monday morning)
23
24
25

[43] (Pages 692 to 693)

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