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Transcript of Jury Trial - Day 10

Date: April 26, 2022
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

25695

Transcript of Jury Trial - Day 10
Conducted on April 26, 2022

1 (2505 to 2508)

2505	1 VIRGINIA: 2 IN THE CIRCUIT COURT OF FAIRFAX COUNTY 3 -----x 4 JOHN C. DEPP, II, : 5 Plaintiff and : 6 Counterclaim Defendant, : 7 v. : Civil Action No.: 8 AMBER LAURA HEARD, : CL-2019-0002911 9 Defendant and : 10 Counterclaim Plaintiff. : 11 -----x 12 HEARING 13 BEFORE THE HONORABLE PENNEY AZCARATE 14 Fairfax, Virginia 15 Tuesday, April 26, 2022 16 10:00 a.m. EDT 17 TRIAL DAY 10 18 19 20 Job No.: 443891 21 Pages: 2505 -2835 22 Reported by: Judith E. Bellinger, RPR, CRR	2507	1 A P P E A R A N C E S 2 3 ON BEHALF OF THE PLAINTIFF AND COUNTERCLAIM 4 DEFENDANT: 5 BENJAMIN G. CHEW, ESQUIRE 6 BROWN RUDNICK LLP 7 601 Thirteenth Street NW 8 Suite 600 9 Washington, D.C. 20005 10 202.536.1700 11 12 SAMUEL A. MONIZ, ESQUIRE 13 CAMILLE M. VASQUEZ, ESQUIRE 14 BROWN RUDNICK LLP 15 2211 Michelson Drive 16 7th Floor 17 Irvine, CA 92712 18 949.440.0234 19 20 21 22
2506	1 Held at: 2 3 4 CIRCUIT COURT OF FAIRFAX COUNTY 5 4110 Chain Bridge Road 6 Courtroom 5J 7 Fairfax, Virginia 22030 8 703.691.7320 9 10 11 12 13 14 15 16 17 18 19 20 21 22	2508	1 A P P E A R A N C E S C O N T I N U E D 2 3 JESSICA N. MEYERS, ESQUIRE 4 BROWN RUDNICK LLP 5 7 Times Square 6 New York, NY 7 212.209.4938 8 9 REBECCA MACDOWELL LECAROS, ESQUIRE 10 WAYNE F. DENNISON, ESQUIRE 11 BROWN RUDNICK LLP 12 One Financial Center 13 Boston, MA 02111 14 617.856.8149 15 16 17 18 19 20 21 22

2509	1 2 A P P E A R A N C E S C O N T I N U E D 3 O N B E H A L F O F T H E D E F E N D A N T A N D C O U N T E R C L A I M 4 P L A I N T I F F : 5 6 E L A I N E C H A R L S O N B R E D E H O F T , E S Q U I R E 7 A D A M S . N A D E L H A F T , E S Q U I R E 8 D A V I D E . M U R P H Y , E S Q U I R E 9 C H A R L S O N B R E D E H O F T C O H E N B R O W N & 10 N A D E L H A F T , P . C . 11 1 1 2 6 0 R o g e r B a c o n D r i v e 12 S u i t e 2 0 1 13 R e s t o n , V A 2 0 1 9 0 14 7 0 3 . 3 1 8 . 6 8 0 0 15 16 J . B E N J A M I N R O T T E N B O R N , E S Q U I R E 17 W O O D S R O G E R S P L C 18 1 0 S o u t h J e f f e r s o n S t r e e t 19 S u i t e 1 4 0 0 20 P . O . B o x 1 4 1 2 5 21 R o a n o k e , V A 2 4 0 1 1 22 5 4 0 . 9 8 3 . 7 5 4 0	2511
2510	1 C O N T E N T S 2 E X A M I N A T I O N O F T A R A R O B E R T S (V I A W E B E X) P A G E 3 B y M s . C a l n a n 2 5 1 5 4 B y M s . B r e d e h o f t 2 5 4 1 5 B y M s . C a l n a n 2 5 6 5 6 E X A M I N A T I O N O F S H A N N O N C U R R Y , P S Y . D . P A G E 7 B y M r . D e n n i s o n 2 5 6 7 8 B y M s . B r e d e h o f t 2 6 3 9 9 B y M r . D e n n i s o n 2 7 1 3 10 E X A M I N A T I O N O F O F F I C E R M E L I S S A S A E N Z (V I A V I D E O) P A G E 11 B y M s . B r e d e h o f t 2 7 3 3 12 B y M r . P r e s i a d o 2 7 9 4 13 B y M s . B r e d e h o f t 2 8 3 0 14 15 16 17 18 19 20 21 22	1 E X H I B I T S 2 O f f e r e d A d m i t t e d 3 P l a i n t i f f ' s 4 3 4 8 2 5 1 8 2 5 1 8 5 6 D e f e n d a n t ' s 7 7 3 0 2 7 6 0 2 7 6 0 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
2512	1 P R O C E E D I N G S 2 T H E B A I L I F F : A l l r i s e . P l e a s e b e 3 s e a t e d a n d c o m e t o o r d e r . 4 T H E C O U R T : A l l r i g h t . G o o d m o r n i n g . 5 D o w e h a v e a n y p r e l i m i n a r y m a t t e r s b e f o r e w e h a v e 6 t h e j u r y ? 7 M S . B R E D E H O F T : Y o u r H o n o r , m a y w e 8 a p p r o a c h , p l e a s e ? 9 T H E C O U R T : Y e s , m a ' a m . 10 M S . B R E D E H O F T : Y o u r H o n o r , w e r e c e i v e d 11 1 2 6 p h o t o s -- 12 T H E C O U R T : O h , g o o d n e s s . 13 M S . B R E D E H O F T : -- l a s t n i g h t , 14 a l m o s t -- s h o r t l y b e f o r e m i d n i g h t . 15 T H E C O U R T : O k a y . 16 M S . B R E D E H O F T : W e ' r e s t i l l a s s e s s i n g 17 t h e m . 18 T H E C O U R T : I u n d e r s t a n d . 19 M S . B R E D E H O F T : A n d s o w e ' l l d e t e r m i n e , 20 b u t I w a n t e d t h e C o u r t t o k n o w t h a t w e n o w h a v e 21 t h o s e . 22 T H E C O U R T : Y o u h a v e t h e m ? G o o d .	

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3 (2513 to 2516)

2513	2515
<p>1 MS. BREDEHOFT: And we're going to 2 figure out -- 3 THE COURT: How you're going to use 4 them? Good. That's fine. 5 And he's still under -- 6 THE WITNESS: (Indiscernible), yeah. 7 And we -- 8 THE COURT: You might do the same 9 thing. Okay. 10 MS. BREDEHOFT: And then Officer Saenz 11 will be by video this afternoon. I'm trying to 12 work with counsel to work off those exhibits 13 because that was before we started -- 14 THE COURT: All right. 15 MS. BREDEHOFT: -- working those with 16 Your Honor, so we're going to see if we can get 17 those figured out if there's any we disagree on, 18 we want to argue about those before we do the 19 deposition. 20 THE COURT: Okay. 21 THE WITNESS: We should be able to work 22 that out.</p>	<p>1 her. Excuse me. 2 See if she's on mute or not. 3 Can you hear me, Ms. Roberts? 4 THE WITNESS: Yes, I can. 5 THE COURT: Okay. Great. Can you 6 raise your right hand for me. 7 TARA ROBERTS, 8 being first duly sworn, was examined 9 and testified as follows: 10 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 11 COUNTERCLAIM DEFENDANT 12 THE COURT: Thank you, ma'am. We can't 13 see her on the big screen. 14 Just do a split screen so we can start, 15 please. All right. Go ahead and ask your 16 questions. Go ahead. That's the best we're going 17 to do right now. 18 MS. CALNAN: Okay. 19 BY MS. CALNAN: 20 Q Good morning. Would you please state 21 your name for the record. 22 A Tara Lee Roberts.</p>
2514	2516
<p>1 THE COURT: Right. And it's a remote 2 witness first, and then you're going to have a 3 live witness before the deposition? 4 THE WITNESS: Yes. 5 MS. BREDEHOFT: Correct. 6 THE COURT: Okay. So that'll work out. 7 MS. BREDEHOFT: Thanks. 8 THE WITNESS: Thank you, Your Honor. 9 THE COURT: We can go ahead and bring 10 the jury in. 11 (Whereupon, the jury entered the 12 courtroom and the following proceedings took 13 place.) 14 THE COURT: All right. Thank you. 15 Good morning, ladies and gentlemen. 16 All right. Your next witness. 17 MS. CALNAN: Good morning, Your Honor. 18 Plaintiff calls Tara Roberts. 19 THE COURT: All right. Let's see if we 20 can get her on here. 21 Ms. Roberts, can you hear me? Can you 22 hear me, Ms. Roberts? Ms. Roberts? I can see</p>	<p>1 Q Ms. Roberts, how do you know Johnny 2 Depp? 3 A I manage his island in the Little 4 Hall's Pond Cay in the Bahamas for the past 15 5 years. 6 Q Ms. Roberts, where do you live? 7 A I live on the island, and I have a home 8 in Nassau and in Long Island, Bahamas, which I try 9 to get to as frequently as possible. 10 Q Can you please describe Mr. Depp's 11 private island, generally? 12 A My duties on the private island would 13 be to maintain the island, the buildings, the 14 housing, logistics, not included or limited to 15 provisioning fuel, gas, groceries, just day-to-day 16 operations, staff, and kind of like an estate just 17 in the middle of nowhere. 18 Q Okay. 19 MS. CALNAN: Your Honor, I would like 20 to pull up Plaintiff's Exhibit 49 which has 21 previously been submitted into evidence. 22 THE COURT: Okay.</p>

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<p>2517</p> <p>1 MS. CALNAN: And, Mr. Gibson, if you 2 could, play this. 3 And, Your Honor, if we could, publish 4 this to the jury. 5 (Whereupon, a video was shown.) 6 MS. CALNAN: Thank you. We can take 7 that down. 8 Q Ms. Roberts, do you recognize what is 9 shown in that video. 10 A Yeah. That's Johnny's house on the 11 island. 12 Q Okay. Thank you. 13 MS. CALNAN: Mr. Gibson, can you please 14 pull up Plaintiff's Exhibit 348. And this hasn't 15 been submitted into evidence yet, so let's first 16 just play it for Ms. Roberts. 17 THE COURT: All right. 18 (Whereupon, a video was shown.) 19 Q Ms. Roberts, do you recognize what is 20 shown in that video? 21 A That's his house and closet area. 22 Q Okay.</p>	<p>2519</p> <p>1 THE COURT: No, the witness. There we 2 go. 3 BY MS. CALNAN: 4 Q Thank you. Ms. Roberts, how are you 5 compensated for your work on the island? 6 A I receive a monthly salary. 7 Q Other than this monthly salary, what 8 other sources of income do you have? 9 A I get dividends of rental from family 10 properties and businesses that we have. 11 Q Since you've been working for Mr. Depp, 12 how often have you seen him? 13 A On average, two, three times a year. 14 Sometimes it was longer, more visits; sometimes I 15 didn't see him for a period of time, depending on 16 what his schedule was or what was happening on the 17 island. 18 Q And how would you describe your 19 interactions with Mr. Depp? 20 A The island is a very friendly 21 atmosphere, dinners together; he's very social, 22 funny, humorous, very kind with all of us, and</p>
<p>2518</p> <p>1 MS. CALNAN: Your Honor, I would like 2 to -- plaintiff moves to submit this into 3 evidence. 4 UNKNOWN SPEAKER: No objection. 5 THE COURT: All right. 348 in 6 evidence. Do you wish to have it published? 7 MS. CALNAN: Yes, please publish that 8 to the jury. 9 Q And, Ms. Roberts, what is that doorway 10 with the beads that was just shown in that video? 11 A That's the entrance to the closet. 12 Q Okay. Thank you. 13 MS. CALNAN: We can take that down. 14 A In his house. 15 Q Ms. Roberts, I believe you mentioned 16 that you managed staff on the island. How many 17 people work with you on the island? 18 A Myself and three others, Jason Majors 19 goes by CJ, Stephen Farrow and Rico Major. 20 MS. CALNAN: I believe the witness is 21 not being shown to the jury right now on their 22 screens. Thank you.</p>	<p>2520</p> <p>1 very outgoing. I've enjoyed working with him and 2 for him. 3 Q When you first started working on 4 Mr. Depp's island, who would come down to the 5 island? 6 A At the beginning, it was Vanessa and 7 the children. When he started dating Amber -- 8 MS. BREDEHOFT: Objection. Relevance. 9 THE COURT: Hold on a minute, ma'am. 10 Objection. 11 MS. BREDEHOFT: Relevance. 12 FEMALE SPEAKER: It goes to just 13 Ms. Roberts's knowledge of who came down to the 14 island. 15 THE COURT: We can move forward. 16 Next question. 17 MS. CALNAN: Okay. 18 BY MS. CALNAN: 19 Q Ms. Roberts, when -- well, Ms. Roberts, 20 are you aware if Mr. Depp brought -- or how often 21 did Mr. Depp bring guests with him to the island? 22 A He had guests, he would bring Amber and</p>

<p style="text-align: right;">2521</p> <p>1 Amber with friends, and also I had on one of the 2 occasions, I had Paul Bettany and his wife and his 3 children here on one of the trips. 4 Q And when did the Bettanys come down to 5 the island? 6 A Sometime in the summer of July 2013. 7 Q What happened when the Bettanys came 8 down? 9 A It was a normal trip. I -- we had an 10 incident where I was asked to have Amber leave the 11 island. I scheduled a flight for her to leave to 12 go to Florida that morning. And then that 13 afternoon, I was told to bring her back, and then 14 I arranged for a flight for her to come back that 15 afternoon to the island. 16 Q When did you first meet Ms. Heard? 17 A I believe it was shortly after they 18 started dating. 19 Q What was your impression of Ms. Heard 20 when you first met her? 21 MS. BREDEHOFT: Objection. 22 A I very much loved her.</p>	<p style="text-align: right;">2523</p> <p>1 luggage, just things evolved and kind of 2 mushroomed a bit. 3 Q How often would you see Ms. Heard on 4 the island when she was in a relationship with 5 Mr. Depp? 6 A On average, every day, taking meals, 7 cleaning houses, sometimes more. 8 Q And how often would Ms. Heard come down 9 to the island? 10 A At the beginning, probably the same, 11 two or three times a year, sometimes three times 12 with her friends and family and Johnny. 13 Q During your interactions with 14 Ms. Heard, what, if any, changes did you observe 15 of Ms. Heard? 16 A The taking care of -- the cooking 17 meals, we had a chef come to cook. It was more of 18 a -- it was more of a formal island with chefs and 19 housekeepers and things like that change, and 20 yeah, pretty much that. 21 Q Ms. Roberts, were you on the island on 22 August 2014 for Mr. Depp's detox?</p>
<p style="text-align: right;">2522</p> <p>1 MS. BREDEHOFT: Relevance. 2 I'll withdraw it. I'll withdraw. 3 THE COURT: Okay. Go ahead. Next 4 question. 5 MS. CALNAN: I think Ms. Bredehoff has 6 withdrawn her objection. 7 THE COURT: Yes. Go ahead. 8 BY MS. CALNAN: 9 Q Okay. So, Ms. Roberts, you can answer. 10 What was your first -- what was your impression of 11 Ms. Heard when you first met her? 12 A I think they were a very nice couple in 13 love. They -- she cooked for him, cleaned up. 14 They took care of each other. They were a very 15 happy couple. 16 Q When, if at all, did that change? 17 A With each visit, it changed. More 18 of -- we were more not like an island life 19 anymore; it was more of wines and more requests, 20 simple things, toiletries, to have things here in 21 place before they came or she came as well. So 22 it, you know, luggage changed, more and more</p>	<p style="text-align: right;">2524</p> <p>1 A Yes, I was. 2 Q Who else was on the island? 3 A I believe I saw and met Johnny, Amber, 4 and Deb. I brought them -- flew them back to the 5 island, and then a couple of -- 6 Q Ms. Roberts, I believe you froze there 7 for a second. I heard you say Johnny, Amber, and 8 Deb, and then you were cut off for a second. 9 A A couple days into -- a couple days 10 later, Dr. Kipper arrived. 11 Q Okay. What do you recall about that 12 time that Mr. Depp came down to the island in 13 August 2014? 14 A That he was going to be here -- they 15 were going to be here for an extended period of 16 time, at least a month or longer, and so we 17 provisioned for a month for the trip, and after 18 about a week or two, they left. 19 Q Where was Mr. Depp staying for the 20 detox? 21 A In his house. 22 Q Is that the same house that was just</p>

<p>1 shown in those videos earlier? 2 A Yes, it was. 3 Q How often would you see Mr. Depp when 4 he was on the island for the detox? 5 A Every day, but not face-to-face, just 6 from delivering some – replenishing the house, 7 delivering supplies, water, things like that, 8 linens and changing things out. So glimpses of 9 him, not a conversation as it used to be. 10 Q How was Mr. Depp when you saw him? 11 A He was always asleep on the couch. 12 Q While Ms. Heard was on the island for 13 the detox, what, if any, injuries did you observe 14 on Ms. Heard? 15 A I didn't see anything. 16 Q After Mr. Depp and Ms. Heard left the 17 island, what happened next? 18 A We would go into the house and break it 19 down, empty out refrigerators, change the linens, 20 collect the laundry, straighten the house back up 21 again. 22 Q After they left, what, if any, property</p>	<p>2525</p>	<p>1 to better help me with the scheduling and 2 provisioning of what would be on the island, 3 beverages and food and things like that. We were 4 given the schedule for daily -- things were going 5 to happen each day, what time foods were, when 6 people were coming in, how many people would be at 7 meals just so I had a better idea of planning what 8 was happening. It was detailed. It was what was 9 happening each day on -- and then it was the 10 rehearsal night and there would be, you know, we 11 had scheduled there would be dinner, dancing, 12 drugs, music. And then the wedding, they were 13 very conscious about doing the -- the next day we 14 were doing the wedding, the ceremony, and we were 15 specific on time, privacy was very important. We 16 were very careful of people taking pictures. I 17 think everybody was given disposable cameras and 18 asked not to take pictures. 19 I was concerned about that also, but we 20 were doing the ceremony at sunset, so there really 21 wouldn't be an issue with paparazzi people and 22 things like that. And shortly when the ceremony</p>	<p>2527</p>
<p>1 damage did you observe? 2 A There wasn't any. 3 Q Ms. Roberts, to what extent were you 4 involved in Mr. Depp and Ms. Heard's wedding in 5 February 2015 on the island? 6 A Pretty much all aspects of it, 7 logistics, work permits, getting things set up 8 onto the island, to the island staff, provisions, 9 building of the tents, and organizing 10 transportation of guests to and from the island. 11 Q When did you first hear that Mr. Depp 12 and Ms. Heard were getting married on the island? 13 MS. BREDEHOFT: Objection. Calls for 14 hearsay and relevance. 15 THE COURT: What's the relevance of 16 when she heard? 17 MS. CALNAN: I can move on. 18 THE COURT: Okay. 19 Next question. 20 Q What communications, if any, did you 21 have with Ms. Heard about the wedding? 22 A We were given information on a schedule</p>	<p>2526</p>	<p>1 was about to happen, it actually happened earlier. 2 When it was scheduled, the bridal party and Amber 3 showed up early, and we were still scrambling for 4 flowers and setting up and getting beverages and 5 snacks down there, and there was a plane circling 6 overhead and it just kept on circling and circling 7 and taking pictures, and the ceremony proceeded 8 earlier than was scheduled. 9 Q Did you observe Mr. Depp drinking 10 alcohol at the wedding? 11 MS. BREDEHOFT: Objection. Leading. 12 THE COURT: All right. I'll sustain 13 the objection. 14 MS. CALNAN: Okay. 15 Q Ms. Roberts, as part of the 16 provisioning for the wedding, did you order 17 alcohol for the wedding? 18 MS. BREDEHOFT: Objection. Leading. 19 THE COURT: Sustained. 20 MS. CALNAN: Okay. 21 Q Ms. Roberts, what did you order for the 22 wedding in February 2015?</p>	<p>2528</p>

2529	<p>1 A I was given a list of food. I was 2 given a list of beverages for wine, champagne. I 3 was asked to have Dr. Pepper and sugar-free Red 4 Bull here because at that time, that was what 5 Mr. Depp, or Johnny, was drinking was Dr. Pepper 6 and sugar-free Red Bull.</p> <p>7 Q Okay. Did you observe Ms. Heard 8 drinking alcohol at the wedding?</p> <p>9 MS. BREDEHOFT: Objection. Leading. 10 THE COURT: Sustained.</p> <p>11 Q Who did you observe drinking alcohol at 12 the wedding?</p> <p>13 A Pretty much everybody was drinking and 14 doing shots and celebrating. It was a party.</p> <p>15 Q Ms. Roberts, I'd like to discuss with 16 you when Mr. Depp and Ms. Heard were on the island 17 in December of 2015, who came down to the island 18 with them?</p> <p>19 A I flew to Nassau to meet them, which is 20 what I normally do, I meet himself, Johnny, and 21 whoever comes to the island, I fly to Nassau to 22 meet them just to make sure that the transition is</p>	2531	<p>1 Q What, if any, makeup did you observe 2 Ms. Heard wearing when you first interacted with 3 her?</p> <p>4 A I don't recall if she was or was not 5 wearing makeup. She -- if she wore makeup, it was 6 very natural. I don't think often she wore makeup 7 on the island. I don't recall her wearing makeup.</p> <p>8 Q What, if any, injuries did you notice 9 on Ms. Heard?</p> <p>10 A I didn't notice any.</p> <p>11 Q Ms. Roberts, you mentioned that 12 Gregory, a photographer, came to the island during 13 that time. How often did you observe Gregory on 14 the island?</p> <p>15 A I interacted every day as meals went 16 down and changing the sheets and cleaning the 17 rooms. So I see everybody every day there.</p> <p>18 Q And when you saw him, what was he 19 doing?</p> <p>20 A They were doing -- there was a photo 21 shoot on the island. Amber was wearing the 22 clothes -- Amber was wearing Alice's clothes, and</p>
2530	<p>1 smooth with customs and immigration. So I flew to 2 Nassau, and I met Johnny, Amber, his children, and 3 a friend of theirs -- of the children -- and 4 loaded the luggage onto the caravan plane, and we 5 loaded the plane and came to the island. And a 6 couple days into the trip, Alice and Greg and 7 Alice's three children and a nanny came to the 8 island as well.</p> <p>9 Q Who are Alice and Greg?</p> <p>10 A Alice is a clothes designer, and Greg 11 was her partner. I believe he's a photographer.</p> <p>12 Q When did you first interact with 13 Ms. Heard when she came to the island in 2015?</p> <p>14 A At the airport when I flew to Nassau to 15 meet everybody, just when they come off the plane, 16 you know, there's hugging and kissing and chatting 17 for a couple minutes while the luggage is 18 transferred.</p> <p>19 Q How close are you to Ms. Heard?</p> <p>20 A Close. Hug, kiss, you know, "How are 21 you?" Talk, same with everybody. So 22 face-to-face, cheek to cheek.</p>	2532	<p>1 they were doing a photo shoot on the beach and 2 Greg was taking pictures.</p> <p>3 Q What, if anything, do you remember 4 about that particular time that Mr. Depp and 5 Ms. Heard came down to the island?</p> <p>6 A We had a -- there was an incident 7 between Johnny and Amber here during that trip.</p> <p>8 Q Okay. Can you please describe that 9 incident?</p> <p>10 A One evening, we've kind of called it a 11 night. Dinner was finished, we wrapped everything 12 up down here at the staff area in the kitchen. 13 Myself and CJ came to the office later on that 14 evening, and Johnny was in the office up here and 15 he was agitated, kind of walking back and forth. 16 I'd asked him if he needed anything, because I 17 figured -- I wasn't sure if he was up here to get 18 something or was looking for something, which 19 wouldn't be unusual for people to come up here. 20 So he was here. We talked for a couple 21 minutes, the three of us, and a couple minutes 22 later, Amber came into the office with -- into the</p>

<p style="text-align: right;">2533</p> <p>1 office, and we were – the three of us were in the 2 office and Amber came in and she was asking him 3 to – telling him to come back to the house. 4 "Please come back. I'm sorry. Come back." 5 And he stood here, reluctant to go. 6 Didn't want to go. And a little exchange back and 7 forth. He left the office and got into his 8 vehicle and started it up, and Amber went outside 9 and stood in front of the vehicle so that – 10 didn't drive away. She was standing – Amber was 11 standing in front of it and, again, it was – she 12 was asking him to "Don't leave. I'm sorry. Come 13 back to the house." 14 After a couple minutes, she got in the 15 vehicle, and they left to go back up to the house. 16 Q What happened after they went back up 17 to the house? 18 A CJ and I were still in the office and 19 weren't really sure – decided that maybe it would 20 be best if we just drove up there just to make 21 sure that everything was okay, and so we got in 22 the golf cart and we drove up to the house, got to</p>	<p style="text-align: right;">2535</p> <p>1 sorry, please come back in the house. And he 2 didn't come out of his seat, and she was hugging 3 and kissing him and "I love you. I love you." 4 She was telling him, "I loved you." 5 He didn't react. Johnny sat there, 6 eventually got out of the John Deere, and 7 proceeded to start to walk away. At that time, 8 Amber started to grab at him and his shirt and 9 trying to call him back to the house, just 10 basically viciously trying to pull him back and 11 get him back to the house and yelling at him. 12 And at that point, I was between them 13 and felt it was best and -- I was getting worried 14 about what was going to happen, and it was best 15 that I remove him from the situation. And so CJ 16 took Amber back to the house, and I walked Johnny 17 over to the cafe, which was basically 30 seconds 18 away from the house because it was the only place 19 I could take him to at the time. 20 Q And you mentioned that Ms. Heard was 21 viciously trying to pull Mr. Depp back. Can you 22 explain what you mean by that?</p>
<p style="text-align: right;">2534</p> <p>1 the parking lot, and his vehicle was in the 2 parking lot. And you could hear them -- you could 3 hear them inside the house -- you could hear 4 inside the house yelling, her yelling, Amber 5 yelling and Johnny answering back, but you 6 couldn't really hear what was being said. 7 We stood there for a couple minutes, CJ 8 and myself, and then you started to hear, it 9 became audible. Amber was telling him that he was 10 a washed-up actor, he was going to die a fat, 11 lonely old man. Then you heard, "You hit me with 12 a can." You heard Johnny say, "You hit me with a 13 can," and then he came down the steps, and Amber 14 was behind him and she had a bottle in her hand, 15 was removed, and it was a brief pause the moment, 16 I think, of initial shock or uncertainty of why -- 17 we were there. Neither Johnny nor Amber knew that 18 we were there. 19 He proceeded to walk back to the John 20 Deere, and she, again, walked -- he was just 21 sitting in the seat. Amber came up to him and was 22 asking him to come back to the house, and she was</p>	<p style="text-align: right;">2536</p> <p>1 A It was like clawing, grabbing his 2 clothes, grabbing his hair, trying to pull him 3 back like an angry -- he was leaving. And "Come 4 back." He couldn't leave in the vehicle because 5 the keys had been taken out. So there was no way 6 for Johnny to drive away. The only way was for 7 him to -- for him to walk away. And it wasn't a 8 pleasant situation of wanting him to not leave. 9 And Amber just yelling, you know, "Come back. 10 Come back. Don't leave," and things like that. 11 Q At any point, did Mr. Depp hit or touch 12 Ms. Heard? 13 MS. BREDEHOFT: Objection. Leading. 14 THE COURT: All right. Sustain the 15 objection. 16 Q Ms. Roberts, how did Mr. Depp react to 17 Ms. Heard viciously grabbing him? 18 A He didn't. He stood there with his 19 arms by his side, and he -- he didn't do anything. 20 Q Okay. Ms. Roberts, when you were back 21 in the cafe with Mr. Depp, what happened next? 22 A I was concerned because he -- I had</p>

2537	<p>1 heard him say – 2 MS. BREDEHOFT: Objection. Objection 3 to her being concerned because that's not 4 responsive to the question. 5 THE COURT: I'll sustain as to 6 concerned. 7 Q Ms. Roberts, without testifying how you 8 felt, what did you observe when you went back to 9 the cafe with Mr. Depp? 10 A We went back to the cafe. He had a 11 mark across the bridge of his nose. I got a bag 12 of ice to put on his – on it so that it wouldn't 13 swell, just to make sure that it wasn't bleeding, 14 and I – he walked over to the love seat of the 15 cafe, and he laid down and went to sleep. And CJ 16 came back over, and I asked CJ to stay there for 17 the remainder of the evening, for the remainder of 18 the morning. And I left CJ inside the cafe, and I 19 left Johnny on the couch. 20 Q When did you next see Ms. Heard? 21 A That morning. I saw her that morning. 22 Q How close were you to Ms. Heard when</p>	2539	<p>1 left that afternoon. 2 Q After Ms. Heard and Mr. Depp left the 3 island, what did you do next? 4 A Our usual. We go into the buildings, 5 and we break them down. We empty out the 6 refrigerators, garbage, take all of the 7 perishables out of the house, straighten things 8 up, take linens away, things like that. 9 Q What did you observe when you went 10 through that process? 11 A I mean, the island was – the island 12 was as it was when they arrived. The only thing 13 that was different was the – there was a liquid 14 on the deck with a can, I believe, of mineral 15 spirits or something there next to it which had 16 leaked out onto the deck, and over the railing 17 were paintbrushes and art supplies, paintbrushes, 18 paint tubes, jars that the paints are in, and 19 those were all scattered in the bush. 20 Q Ms. Roberts, when is the first time you 21 provided testimony about this incident in December 22 2015?</p>
2538	<p>1 you interacted with her the next morning? 2 A Conversation in a couple feet away. 3 Q When you saw her, how did she appear? 4 A They had guests leaving, and it was 5 kind of a normal morning, going down to the beach 6 to see the guests leave. 7 Q What, if any, makeup was Ms. Heard 8 wearing? 9 A Again, I'm not sure if she wore makeup 10 on the island. If it was, it was very natural 11 looking. 12 Q What, if any, injuries did you observe 13 on Ms. Heard? 14 A I didn't observe any. 15 Q What, if any, injuries did you observe 16 on Mr. Depp? 17 A The marking across the bridge of his 18 nose. 19 Q After -- and when did Ms. Heard and 20 Mr. Depp leave the island? 21 A I believe they left that afternoon. 22 The guests left in the morning, and I believe they</p>	2540	<p>1 A I believe it was for another case in 2 May 2020. 3 Q Ms. Roberts, how often have you seen 4 Mr. Depp drink alcohol on the island? 5 A I mean, there's some periods of time 6 when he's here and he doesn't drink. It's 7 non-alcoholic, Beck's or something like that. It 8 varies. Sometimes he drinks when he's here; 9 sometimes he doesn't. 10 Q How often have you seen Ms. Heard drink 11 alcohol on the island? 12 A She drank wine. She drank wine with – 13 her drink was wine with dinner, maybe in the 14 afternoon, but I know definitely with dinner. 15 Q Did you observe Ms. Heard drinking 16 alcohol when Mr. Depp was not drinking alcohol? 17 MS. BREDEHOFT: Objection. Leading. 18 THE COURT: Sustain as to leading. 19 MS. CALNAN: Okay. 20 Q How often have you seen Mr. Depp drunk? 21 A I wouldn't know his tolerance for 22 alcohol. I haven't seen him passed-out drunk or</p>

2541	<p>1 anything like that. So he drinks, but I haven't 2 seen him passed-out drunk. 3 Q Thank you, Ms. Roberts. Nothing 4 further. 5 THE COURT: All right. 6 Cross-examination. 7 MS. BREDEHOFT: Thank you, Your Honor. 8 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 9 COUNTERCLAIM PLAINTIFF 10 BY MS. BREDEHOFT: 11 Q Ms. Roberts, the salary you receive for 12 managing the Bahama island is approximately 13 \$10,000 a month, correct? 14 A Correct. 15 Q Okay. And so that comes out to 120,000 16 a year? 17 A Correct. 18 Q Okay. And you -- 19 A Yes. 20 Q And you've been receiving that salary 21 for many years, correct? 22 A Correct.</p>	2543	<p>1 managing this island for 15 years for Mr. Depp; is 2 that correct? 3 A Approximately, yes. 4 Q All right. Now, let's talk for a 5 moment about those two videos that you testified 6 to were part of the house. 7 The first video was missing both the 8 closet and the bathroom, correct? 9 A I don't remember. I would have to look 10 at it again. 11 Q All right. And the second -- 12 A Sorry. Go ahead. 13 Q Go ahead. I'm sorry. You didn't come 14 through. Go ahead. 15 A No, I'm sorry. I think in the first 16 video, the beads were the closet, and then there 17 was the bathroom next to the closet. 18 Q Okay. That was the -- 19 A Is that what you asked me? 20 Q That was the second video. 21 A Oh, sorry. 22 Q Do you know who took those videos?</p>
2542	<p>1 Q Correct. In fact I think you got a 2 raise to \$10,010 in 2018. 3 Do you remember that? 4 A No. I don't know the exact number, but 5 I know I get that a month. 6 Q Okay. And that's in addition to all of 7 the expenses, correct, for running the island? 8 A The expenses? 9 Q Of running the island. 10 A I get a salary every month. I'm not 11 sure what you're asking me. 12 Q So the other people that are on the 13 island, to the extent they work, they get a 14 different salary, right? 15 A Yes. 16 Q Okay. And all of the expenses you 17 have -- you talked about what you have to do to 18 provision the island and everything else and run 19 it -- all of those expenses are paid separately, 20 correct? 21 A Correct. 22 Q Okay. And you said you've been</p>	2544	<p>1 A Oh, I did. 2 Q Okay. When did you take those videos? 3 A Oh, it would have to be -- I'm not 4 sure, a couple years ago, maybe longer. I'm not 5 sure. 6 Q Okay. Did you take those videos for 7 the U.K. trial? 8 A I don't recall if it was for that. 9 Q All right. Is there a reason that the 10 closet and the bathroom were left out of the first 11 video? 12 A No. I -- no. I stood in the house and 13 did a circle-around of the house. 14 Q Okay. Who asked you to make that 15 video? 16 A I'm not sure. I'm not sure. 17 Q Was it Mr. Waldman, Adam Waldman? 18 A I -- I don't -- I'm not sure. I don't 19 know. 20 Q Can't recall? 21 A I'm not sure who asked me. No, I 22 can't.</p>

<p>2545</p> <p>1 Q Now, the second video, that shows the 2 closet and then there's a door there. 3 Would you agree that door opens up into 4 a bathroom? 5 A Next to the closet, yes. 6 Q Okay. And we don't have a video of the 7 bathroom, correct? 8 A I don't believe there was a video for 9 the bathroom. 10 Q And no one asked you to make a video of 11 the bathroom, correct? 12 MS. CALNAN: Objection, relevance. 13 THE COURT: I'll overrule it. 14 Go ahead. 15 Q Correct? 16 A I'm sorry. I'm not sure if anybody 17 asked me -- I don't believe I videotaped the 18 bathroom. 19 Q And my question was "And no one asked 20 you to videotape the bathroom, correct?" 21 A Correct. 22 Q Okay. Now, let's talk for a moment</p>	<p>2547</p> <p>1 yes. 2 Q Okay. How far away is that from the 3 cafe and the house? 4 MS. CALNAN: Objection. Compound. 5 THE COURT: I'll sustain the objection. 6 Q How far away is it from the house? 7 A Where I stay? 8 Q Yes. 9 A Probably a three-minute golf cart ride, 10 five-minute walk. 11 Q Okay. And then when other guests come, 12 I think you were talking about tents. Do they 13 stay in tents? 14 A No. The tents were -- the tents were 15 erected for the wedding, and then they were 16 dismantled. And sometimes we would erect them if 17 we were asked to just in case somebody wanted to 18 stay there. But people didn't stay in the tents; 19 they stayed in the buildings here. 20 Q Okay. So how much accommodation can 21 you handle in the buildings for other guests? I'm 22 not talking about the house, Mr. Depp's house;</p>
<p>2546</p> <p>1 about the logistics of the island. 2 So, Mr. Depp's house, we've seen the 3 inside of, and you said that the cafe was a 4 30-second walk, I think you said. How many yards? 5 A Yeah. I don't know. I walk it. It's 6 just outside his house, through the parking lot, 7 and a walkway to the cafe. 8 Q Okay. 9 A I don't know. 10 Q Okay. And the cafe is where Mr. Depp 11 would regularly have his meals, correct? 12 A Right. All the guests would have their 13 meals there. 14 Q Okay. Including Mr. Depp and Ms. Heard 15 if she was there, and their children, correct? 16 A Correct. 17 Q Okay. 18 A Yes. 19 Q And then you were located on the other 20 side of the island, correct? That's where you 21 stayed? 22 A Or I stay in the middle of the island,</p>	<p>2548</p> <p>1 we've seen that. But how many people can actually 2 be accommodated in the buildings? 3 A We have a two-bedroom yurt on Brando 4 Beach, we have a beach house which has a bed in 5 it, and then we have what we call a round house 6 which has a bed in it as well. 7 Q Okay. Now, when Mr. Depp and Ms. Heard 8 were visiting, whether they had the children there 9 or not, typically, would you bring the meals to 10 the cafe for each of the meals? 11 A Sometimes I would take them to the 12 house depending on where they wanted to eat. 13 Q All right. And then, typically, would 14 you join them for the meal? Or would you leave 15 the meal and then come back and clean up 16 afterwards? 17 MS. CALNAN: Objection. Compound. 18 THE COURT: All right. I'll sustain 19 the objection. 20 Q All right. We'll take that one at a 21 time. 22 Typically would you bring the meals to</p>

2549	1 them? 2 A Myself or one of the other workers here 3 would take the meals. 4 Q Okay. How often was it you that would 5 take them? 6 A How often? Maybe every other day, 7 every day. It depended on how -- if people were 8 eating in their buildings or eating together. 9 Q All right. And would you stay and eat 10 the meal with them? Or would you leave? 11 A If we were invited for dinner, we would 12 all eat together. Usually we would take the food 13 to the places and leave. 14 Q Okay. And then would you be called to 15 come pick them up? 16 A No. No. We would sometimes go back in 17 the evenings on our own and clean up and turn some 18 of the lights off, and sometimes we would do it in 19 the morning. It depended on what was happening. 20 Q Okay. So other than bringing the 21 meals, and it could be you or somebody else, how 22 often did you interact with Mr. Depp and Ms. Heard	2551	1 Q You wouldn't know whether Mr. Depp was 2 taking drugs, correct? 3 A Correct. 4 Q And you wouldn't know whether Mr. Depp 5 was drinking, correct? 6 A I would only know by cleaning up. 7 Q And you wouldn't know -- well, you 8 wouldn't know from cleaning up necessarily whether 9 it was Mr. Depp, Ms. Heard, or somebody else, 10 would you? 11 MS. CALNAN: Objection, compound. 12 THE COURT: Overruled. I'll allow it. 13 Go ahead. 14 Q Please continue. 15 A Unless I would know what it was by what 16 was in the garbage or left out. Who consumed or 17 what was consumed, I would be able to know. 18 Q Okay. And you wouldn't know what 19 arguments, if there were any, were taking place in 20 that house behind closed doors, right? 21 A Correct. 22 Q And you wouldn't know whether there was
2550	1 during the day when they were on the island? 2 A On average, every day? 3 Q In what context other than delivering 4 the meals and picking them up? 5 A Oh. Just see if anything was needed, 6 if they were all right, things like that, 7 generally passing them if they were in the office 8 or on the beach. 9 Q Now, would it be fair to say that you 10 weren't spending 24/7 with them? 11 A No. I didn't live with them, no. 12 Q Okay. And would it be fair to say that 13 you don't know what they were doing during the 14 times that you weren't passing them by or bringing 15 meals? 16 A Yes. Unless they were on the beach, 17 then I would know. 18 Q Okay. So you wouldn't know what 19 happened, what would be taking place within the 20 house, for example, when you weren't there, 21 correct? 22 A Correct.	2552	1 any kind of physical abuse that was taking place 2 behind those closed doors, correct? 3 A I wouldn't know, correct. 4 Q Okay. Now, let me just take you for a 5 moment to the December 2015 time frame. 6 How much advance notice are you 7 typically given for when Mr. Depp and his 8 entourage are going to arrive and for how long 9 they're going to stay? 10 MS. CALNAN: Objection. Compound. 11 THE COURT: All right. I'll sustain 12 the objection. 13 Q All right. Let's break it down. 14 How much notice are you given when 15 Mr. Depp and his entourage are coming? 16 A It varies. Sometimes it's a couple 17 days; sometimes it's a couple weeks. 18 Q So how much notice were you given in 19 December of 2015 to who would be coming for 20 Christmas on the Bahama island? 21 A I believe sometime in November -- 22 Q Okay.

2553	1 A – for that trip. 2 Q All right. And in November, how many 3 people were you told were coming for Christmas on 4 the island? 5 A I don't recall how many. I don't 6 recall how many people. 7 Q It was a lot more than Amber, Johnny, 8 Lily-Rose, Jack, and Lily-Rose's boyfriend, wasn't 9 it? 10 A Yes, it was. 11 Q In fact, it was Amber's parents, 12 correct? 13 A I believe so. 14 Q And it was Rocky Pennington and Josh 15 Drew, correct? 16 A I believe they were on the list. 17 Q And Rocky Pennington's parents? 18 A Yes. I believe they were on the list. 19 Q Do you recall them canceling? 20 MS. CALNAN: Objection, hearsay. 21 A I recall – 22 MS. BREDEHOFT: How is that hearsay?	2555	1 Q What, if anything, were you told about 2 why they canceled? 3 MS. CALNAN: Objection. Hearsay. 4 MS. BREDEHOFT: Party opponent 5 admission. 6 THE COURT: Lay the foundation. 7 MS. BREDEHOFT: Okay. 8 Q Who told you that Amber's parents, her 9 best friend and fiancé, and her best friend's 10 parents were suddenly canceling coming for 11 Christmas on the island? 12 MS. CALNAN: Objection. Compound. 13 THE COURT: I'll allow that. Go ahead. 14 A I don't know who told me, but I did 15 receive information that they weren't coming and 16 there were other – somebody else was coming 17 instead. 18 Q And who was that "somebody else coming 19 instead"? 20 A It would be Alice and Greg and the 21 children and the nanny. 22 Q And they were coming later, right?
2554	1 THE COURT: I'll overrule the 2 objection. Go ahead. 3 A I recall there was a change to the 4 guests. 5 Q When did you learn of that? 6 A I don't recall. Maybe a couple weeks 7 after, maybe beginning of December, maybe, middle 8 of December, I'm not sure. 9 Q Do you recall if it was after 10 December 15? 11 A I don't recall. 12 Q Did you think that was a little 13 strange? That here these people were going to be 14 there at Christmas -- 15 MS. CALNAN: Objection. 16 Q -- on the island, and suddenly they 17 cancel? 18 MS. CALNAN: Objection. Relevance. 19 MS. BREDEHOFT: I think it's highly 20 relevant. 21 THE COURT: I'll sustain the objection. 22 Next question.	2556	1 A They would be joining, I think were the 2 words. 3 Q Okay. So on the December trip, you 4 testified about a few arguments between Amber and 5 Johnny, right? 6 Do you recall that testimony? 7 A Yes, I do. 8 Q Okay. You weren't present when Johnny 9 sustained the gash on his nose, correct? 10 A I wasn't there, no. 11 Q Okay. And you weren't present when the 12 mess was made through the paints that you've 13 described, correct? 14 A No. 15 Q And so you don't know whether there had 16 been a physical altercation and -- that led to 17 throwing a paint can to try to slow down Johnny, 18 right? 19 A No. I just heard yelling in the house. 20 Q Okay. But that yelling in the house 21 wasn't necessarily the same time, was it? You 22 don't know, do you?

2557	<p>1 A No. It was all in the same time.</p> <p>2 Okay, no.</p> <p>3 Q Okay. Now, let's talk about the summer</p> <p>4 of 2013.</p> <p>5 Are you aware of that Paul Bettany</p> <p>6 claims he's never met Amber?</p> <p>7 MS. CALNAN: Objection. Relevance.</p> <p>8 THE COURT: What's the relevance?</p> <p>9 MS. CALNAN: And calls for hearsay.</p> <p>10 MS. BREDEHOFT: She testified that he</p> <p>11 was there on the island with her.</p> <p>12 MS. CALNAN: And calls for hearsay.</p> <p>13 MS. BREDEHOFT: I can ask the question,</p> <p>14 see what she says.</p> <p>15 THE COURT: All right. I'll allow the</p> <p>16 question. Go ahead.</p> <p>17 A Can you repeat it?</p> <p>18 Q Are you aware of that Paul Bettany has</p> <p>19 said that he never met Amber Heard?</p> <p>20 A No, I'm unaware.</p> <p>21 Q All right.</p> <p>22 A I didn't know that.</p>	2559	<p>1 MS. CALNAN: Objection. Hearsay and</p> <p>2 compound.</p> <p>3 MS. BREDEHOFT: I'm asking if she has a</p> <p>4 recollection of this.</p> <p>5 THE COURT: I'll allow the question.</p> <p>6 A Can you ask me it again?</p> <p>7 Q Do you have a recollection of Lily-Rose</p> <p>8 and Jack being upset on the yacht and wanting to</p> <p>9 leave it immediately so you arranged for a</p> <p>10 helicopter to come in to fly them away with Amber?</p> <p>11 MS. CALNAN: Objection. Compound.</p> <p>12 THE COURT: I'll allow it. Please</p> <p>13 answer.</p> <p>14 A I don't know if Lily-Rose and Jack were</p> <p>15 upset. I do know that I did arrange for</p> <p>16 transportation off the island at the time.</p> <p>17 Q And, in fact, Amber went with</p> <p>18 Lily-Rose, correct?</p> <p>19 A It was Amber and her friend and</p> <p>20 Lily-Rose.</p> <p>21 Q Okay. And Jack decided at the last</p> <p>22 minute to stay back, correct?</p>
2558	<p>1 Q Well, let's stay on the summer of 2013,</p> <p>2 if we can. Do you have a recollection of Amber</p> <p>3 and Johnny, Lily-Rose, and Jack taking one final</p> <p>4 trip on the yacht that Johnny was going to be</p> <p>5 selling to JK Rowling?</p> <p>6 A I don't know what year that was. I</p> <p>7 don't know what year that was, but I do remember</p> <p>8 the yacht being sold.</p> <p>9 Q If I tell you it was July of 2013, does</p> <p>10 that help refresh your recollection, July 9?</p> <p>11 A Yeah, I --</p> <p>12 Q All right. Now --</p> <p>13 A I just know the yacht was sold.</p> <p>14 Q And you made arrangements, did you not,</p> <p>15 for a captain to captain the yacht and for them to</p> <p>16 go out on the yacht?</p> <p>17 A No. I didn't have any responsibility</p> <p>18 for the yacht and the crew on the yacht.</p> <p>19 Q Okay. Do you have a recollection of</p> <p>20 being called because Lily-Rose and Jack were</p> <p>21 upset, and they wanted to leave the yacht and have</p> <p>22 a helicopter take them away?</p>	2560	<p>1 A I don't know if he decided last minute.</p> <p>2 He stayed.</p> <p>3 Q Okay. Do you recall Lily-Rose telling</p> <p>4 you that she was upset because her father was</p> <p>5 drinking and trying to hide it from him -- from</p> <p>6 her?</p> <p>7 MS. CALNAN: Objection. Hearsay.</p> <p>8 MS. BREDEHOFT: I'm asking whether she</p> <p>9 has --</p> <p>10 THE COURT: I'll sustain the objection.</p> <p>11 MS. BREDEHOFT: Okay. Then I'll ask</p> <p>12 the next one.</p> <p>13 Q Do you recall Mr. Depp passing out in</p> <p>14 the sand face first?</p> <p>15 A I recall that he was passed out on the</p> <p>16 beach. He was -- yeah, he was out on the beach,</p> <p>17 yes.</p> <p>18 Q Okay. And do you recall Jack calling</p> <p>19 you because he was concerned?</p> <p>20 MS. CALNAN: Objection. Hearsay.</p> <p>21 MS. BREDEHOFT: That's just asking if</p> <p>22 he called. I haven't asked what he said.</p>

2561	1 THE COURT: You did. I'll sustain the 2 objection. 3 Q Do you have a recollection of Jack 4 being present when Mr. Depp was passed out face 5 first in the sand? 6 A Yes. 7 Q And do you have a recollection of Jack 8 being upset? 9 A I don't have a recollection of him 10 being upset. 11 Q Do you have a recollection of him being 12 happy about it? 13 A I - no. I didn't speak with Jack 14 about it. 15 Q Okay. But you recall that Mr. Depp was 16 passed out face first in the sand, correct? 17 MS. CALNAN: Objection. Asked and 18 answered. 19 THE COURT: I'll sustain the objection. 20 Next question. 21 MS. BREDEHOFT: All right. Thank you. 22 Q Let's talk about makeup for a moment.	2563	1 on the island, that we provided. 2 Q And do you know whether Amber brought 3 her own as well? 4 A I don't know. 5 Q Do you know whether Amber had a skin 6 condition? 7 A I wasn't told. 8 Q Okay. But I take it you didn't ask. 9 A No. I wouldn't have asked if somebody 10 had a skin condition. 11 Q Okay. The wedding, the wedding was 12 planned at sunset, correct? 13 A Correct. 14 Q And, in fact, it went forward at 15 sunset, correct? 16 A It went earlier. It was earlier than 17 sunset. 18 Q So your recollection is that there's no 19 sunset pictures at the wedding? 20 A I mean, there was -- yeah, there was 21 sunset pictures. 22 Q Okay. So last couple questions.
2562	1 So you don't know what type of makeup 2 regimen Amber uses every day, correct? 3 A Correct. 4 Q Okay. And, in fact, you don't know, 5 you said at one point you're not sure, but it's a 6 natural look. 7 Do you recall that? 8 A Yes, I do. 9 Q Okay. And would you agree that there 10 are a number of different types of makeup you can 11 use that would still give you a natural look? 12 MS. CALNAN: Objection. Calls for 13 speculation. 14 THE COURT: I'll allow it. 15 A I'm guessing there is, yes. 16 Q Okay. And there's sun in the Bahamas, 17 right? 18 A Most of the time. 19 Q Do you know what Amber wears for 20 sunscreen? 21 A I think it was -- at one point I had a 22 brand, Shiseido, or something like that that was	2564	1 The makeup or not makeup, you were 2 asked whether you observed any injuries on Amber 3 in the December 2015 time frame. Do you believe 4 Amber would cover up bruises to hide them from the 5 kids? 6 MS. CALNAN: Objection. Calls for 7 speculation. 8 THE COURT: I'll sustain it. 9 Q Do you have any understanding, based on 10 your knowledge of Amber, whether she would try to 11 cover up any bruises or cuts -- 12 MS. CALNAN: Same objection. 13 THE COURT: I'll sustain the objection. 14 Q -- to keep them from the kids? 15 You said that you believed that Amber 16 wasn't wearing much makeup, but you said she 17 participated in a photo shoot in December 2015. 18 Do you recall that? 19 A Yes, I do. 20 Q Do you know whether Amber was wearing 21 any makeup for a photo shoot? 22 A I'm not sure. The part that I saw, she

2565	<p>1 was in and out of the water.</p> <p>2 Q Do you know whether Amber would want to</p> <p>3 show bruises or cuts in a photo shoot?</p> <p>4 MS. CALNAN: Objection. Calls for</p> <p>5 speculation.</p> <p>6 THE COURT: I'll sustain the objection.</p> <p>7 MS. BREDEHOFT: I have no further</p> <p>8 questions. Thank you.</p> <p>9 THE COURT: All right. Redirect.</p> <p>10 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND</p> <p>11 COUNTERCLAIM DEFENDANT</p> <p>12 BY MS. CALNAN:</p> <p>13 Q Ms. Roberts, how many times have you</p> <p>14 seen Mr. Depp consume drugs?</p> <p>15 MS. BREDEHOFT: Objection. Leading.</p> <p>16 THE COURT: All right. Sustained.</p> <p>17 Q Ms. Bredehoff asked you about Mr. Depp</p> <p>18 passed out on the beach. How would you describe</p> <p>19 Mr. Depp when you saw him on the beach?</p> <p>20 A He was passed out. I picked him up and</p> <p>21 brushed him off, and he sat – I left him</p> <p>22 underneath, I believe in a hammock. And I believe</p>	2567	<p>1 MS. CALNAN: C-U-R-R-Y, yes.</p> <p>2 THE COURT: Okay. Thank you.</p> <p>3 THE CLERK: The witness will be with us</p> <p>4 momentarily.</p> <p>5 SHANNON CURRY,</p> <p>6 Being first duly sworn, was examined</p> <p>7 and testified as follows:</p> <p>8 THE COURT: All right.</p> <p>9 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND</p> <p>10 COUNTERCLAIM PLAINTIFF</p> <p>11 BY MR. DENNISON:</p> <p>12 Q Good morning, Dr. Curry.</p> <p>13 A Good morning.</p> <p>14 Q I'm Wayne Dennison.</p> <p>15 Could you state your full name for the</p> <p>16 record?</p> <p>17 A Shannon Curry.</p> <p>18 Q What do you do for a living?</p> <p>19 A I am a clinical and forensic</p> <p>20 psychologist.</p> <p>21 Q What's your educational background?</p> <p>22 A I received – well, I started college</p> <p>at Georgetown University. I then transferred to</p>
2566	<p>1 he had fallen asleep or he was asleep, and the</p> <p>2 hammock had overturned. And I know I picked him</p> <p>3 up and brushed him off and left him on the beach</p> <p>4 with Jack.</p> <p>5 MS. CALNAN: Okay. No further</p> <p>6 questions.</p> <p>7 Thank you, Ms. Roberts.</p> <p>8 THE COURT: Okay. Subject to recall?</p> <p>9 Ms. Roberts.</p> <p>10 MS. CALNAN: Yes, potentially.</p> <p>11 THE COURT: All right. Ms. Roberts,</p> <p>12 since you're subject to recall, do not discuss</p> <p>13 your testimony with anybody and do not watch</p> <p>14 anything about this case, okay, ma'am?</p> <p>15 THE WITNESS: Okay. Thank you very</p> <p>16 much.</p> <p>17 THE COURT: All right. Thank you.</p> <p>18 All right. Your next witness.</p> <p>19 MS. CALNAN: Dr. Shannon Curry.</p> <p>20 THE COURT: Doctor who?</p> <p>21 MS. CALNAN: Shannon Curry.</p> <p>22 THE COURT: Is it C-U-R-R-Y.</p>	2568	<p>1 the University of California Irvine, where I</p> <p>2 received my bachelor's degree in psychology and</p> <p>3 social behavior. I completed my master's degree</p> <p>4 in psychology at the – at Pepperdine University.</p> <p>5 I went on to complete my doctoral degree in</p> <p>6 clinical psychology at Pepperdine University,</p> <p>7 which included several training rotations at</p> <p>8 different practicum sites; those are essentially</p> <p>9 clinical rotations we do to learn various types of</p> <p>10 psychology. You learn how to do psychological</p> <p>11 assessment, counseling, et cetera, and you do that</p> <p>12 in a variety of different settings.</p> <p>13 And then I completed a year-long</p> <p>14 doctoral internship at an American Psychological</p> <p>15 Association-accredited doctoral internship. You</p> <p>16 do this a year before you get your degree. And</p> <p>17 that was at Tripler Army Medical Center. It's</p> <p>18 traditionally a military internship. They did</p> <p>19 admit two civilians; I was lucky enough to be one</p> <p>20 of them.</p> <p>21 I then completed two years of</p> <p>22 postdoctoral training at Hawaii State Hospital, a</p>

<p style="text-align: right;">2569</p> <p>1 locked forensic psychology facility, and that's 2 where you essentially have individuals with severe 3 mental illness who have committed crimes. 4 Q Have you done any additional coursework 5 or educational work? 6 A I have. So after I completed my 7 doctorate and my postdoctoral training, I obtained 8 a -- it's called a postdoctoral master of science 9 degree in clinical psychopharmacology. That is 10 for partial fulfillment of prescription 11 privileges, meaning that it's part of what we need 12 to be able to prescribe medication as 13 psychologists because psychologists don't 14 traditionally prescribe, and we can do that with 15 certain military jurisdictions in other states. 16 I also obtained advanced training in 17 the Gottman method of couples therapy. I 18 completed all three levels of training, and then 19 I'm also a Gottman educator for several workshops 20 involving helping parents learn how to prepare to 21 bring their baby home and helping couples without 22 serious problems improve their relationships.</p>	<p style="text-align: right;">2571</p> <p>1 post-traumatic stress disorder, traumatic stress. 2 A lot of my training has been with psychological 3 assessment and testing, and then my training 4 during practicum and then in my postdoctoral work 5 was dedicated to working with trauma populations 6 and also conducting forensic psychological 7 assessments. 8 Oftentimes -- forensic psychological 9 assessments actually refers to doing testing and 10 an interview and a couple other things for 11 purposes related to law. So it's the application 12 of psychology to the courts, to legal issues. And 13 sometimes that also involves doing assessments for 14 the military to determine whether somebody has 15 sustained a mental disability after combat. 16 Q You indicated that you did some work at 17 Tripler. What's Tripler? And what's the work you 18 did? 19 A So Tripler Army Medical Center is a 20 hospital in Honolulu, Hawaii, if anybody's ever 21 gotten to have a vacation in Hawaii, it's in a 22 giant pink building there. And it's one of the</p>
<p style="text-align: right;">2570</p> <p>1 Q What's the Gottman method? 2 A The Gottman method is a highly 3 research-based method of couple's therapy. It's 4 very structured, so different than what many 5 people expect when they think about couples 6 therapy. I always tell me clients I don't want 7 them to come in, just tell each other all their 8 problems, and then have an awkward, silent drive 9 home. In this therapy, they come in, they 10 complete a really structured assessment in the 11 beginning, so they complete a bunch of questions. 12 It gives me a ton of information about their 13 relationship before we even get started and really 14 identifies the areas we're going to target with 15 structured interventions during each session. I 16 think of it almost like a class. 17 Q Okay. Did you get, in the course of 18 your education, any specialized training? 19 A Any what? 20 Q Specialized training. 21 A I did. So my internship specifically 22 was dedicated to essentially working with</p>	<p style="text-align: right;">2572</p> <p>1 top training sites for military psychologists. I 2 was very, very lucky to be able to train there. 3 They have wonderful funding and a lot of new 4 research going on, particularly for PTSD, but 5 really for all areas of mental health. 6 While I was there, I did rotations in 7 family psychology, so doing family therapy, I 8 worked with children. But I also did a 9 neuropsychology rotation learning really the ins 10 and outs of advanced psychological assessment, 11 identifying not just mental issues, mental -- sort 12 of mental illness, but also traumatic brain 13 injuries after trauma and doing those PTSD 14 evaluations and then also working with service 15 members who were struggling with a whole host of 16 issues, military stressors, normal life stressors, 17 and then also those who sustained tremendous 18 trauma from combat. 19 Q Do you still continue to work with the 20 military? 21 A I do. Actually our practice -- my 22 practice is very focused on military service</p>

<p style="text-align: right;">2573</p> <p>1 members, veterans, and their families. 2 Q Okay. What work have you done in prior 3 litigation matters? 4 A Well, most of my litigation -- if we're 5 talking about civil work, that has mostly been 6 reports, so this is my first time testifying in a 7 civil matter. The majority of my forensic work 8 has been in criminal law or providing 9 psychological assessment, and then I produce a 10 really methodical report which is typically 11 reviewed by a judge, and a determination is made 12 or usually there's a settlement beforehand. 13 Q Okay. Do you work in connection with 14 any particular courts? 15 A I do. So I'm actually not sure if I'm 16 on the list anymore in Honolulu, but I'm a 17 certified forensic evaluator for the State of 18 Hawaii, which means that I have been appointed by 19 the Court to conduct evaluations for matters that 20 are presented, and then I'm also on the list of 21 forensic evaluators in several courts in Southern 22 California. And then I'm also -- I am contracted</p>	<p style="text-align: right;">2575</p> <p>1 close to you, a family member or a friend. And 2 then there's also a provision for people who are 3 first responders. If they're encountering really 4 traumatic information regularly, that qualifies as 5 a trauma. 6 Now, there are a number of symptoms 7 that can develop. 8 Q We'll talk about that -- 9 A Sure. 10 Q -- some more. 11 A Okay. 12 Q Do you hold any credentials relevant to 13 the work that you do? 14 A Well, I am a licensed psychologist. 15 Q Where? 16 A In California and Hawaii. 17 Q Okay. Any other certifications or 18 other credentials? 19 A Not that I can think of off the top of 20 my head other than the training with the Gottman 21 method of couples therapy. 22 Q Okay. Have you worked with the Hawaii</p>
<p style="text-align: right;">2574</p> <p>1 by the military, Department of Defense, now again 2 for evaluations of PTSD of service members. 3 Q Okay. You mentioned PTSD a couple of 4 times now. 5 A Yes. 6 Q What are you referring to there? 7 A So PTSD is a mental illness. It can 8 develop after a person has been exposed to a 9 traumatic event, and our Diagnostic Statistical 10 Manual, the DSM, is sort of the authoritative 11 manual of mental illnesses. It's considered our 12 bible of mental illness. We go there for 13 diagnoses. 14 And according to that, there's a 15 specific type of trauma that a person must 16 experience for them to be able to qualify for a 17 diagnosis of PTSD. And that's an event that is 18 life-threatening. It can also involve sexual 19 assault, and you can experience that either 20 directly, but you can also be traumatized if 21 you've seen it happen to somebody else or if it's 22 happened unexpectedly or violently to somebody</p>	<p style="text-align: right;">2576</p> <p>1 Department of Courts and Corrections? 2 A Yes, I have. 3 Q In what capacity? 4 A Well, I am -- so that, I guess, would 5 be a credential. So I am a certified forensic 6 evaluator for the State of Hawaii. 7 Q In connection with your doctorate, was 8 there a research component? 9 A There was. So would you like me to 10 tell you about it? 11 Q Yes, please. 12 A Okay. So I conducted a research study 13 while I was at Pepperdine completing my doctorate. 14 It's called a dissertation, so when you're 15 obtaining your doctorate, you contribute something 16 to the scientific field that you're in. And 17 typically that involves doing what we call "novel 18 science," so you're doing an experiment. You're 19 finding out new information and helping the field 20 progress. 21 So I did research in Peru, and I was 22 essentially looking at the effectiveness of the</p>

<p>2577</p> <p>1 therapy intervention there for kids who were 2 growing up in this community called Ayacucho which 3 was exposed to 20 years of guerrilla warfare, the 4 longest guerrilla war in the history of the world. 5 And there were a lot of issues in that community, 6 tremendous trauma, and my research was around 7 finding interventions that were really effective 8 for that community.</p> <p>9 Q Where do you work now?</p> <p>10 A I work for the Curry Psychology Group.</p> <p>11 Q And what does the Curry Psychology 12 Group do?</p> <p>13 A We're a multispecialty mental health 14 center, so we have neuropsychologists who do 15 testing of kids. We have therapists, individual 16 therapist, couples therapists, family therapists. 17 We even have a meditation teacher. We basically 18 try to meet the needs of our community, and we 19 highly specialize in working with military 20 personnel and their families.</p> <p>21 Q Who's the Curry in Curry Psychology 22 Group?</p>	<p>2579</p> <p>1 Q How did you get involved in this case?</p> <p>2 A I was contacted by Ms. Camille Vasquez, 3 one of the attorneys for Mr. Depp.</p> <p>4 Q Okay. And what was the nature of the 5 contact?</p> <p>6 A Ms. Vasquez called me and indicated 7 that she might be interested in having me meet the 8 legal team so that I could discuss my expertise 9 and possibly provide my opinions related to the 10 matter.</p> <p>11 Q Okay. What were you asked to provide 12 expert opinion on?</p> <p>13 A So initially, my role that I understood 14 at the time was to review the case materials and 15 provide my opinions regarding anything that I 16 noticed that was consistent or even inconsistent 17 with the psychological science that exists today 18 on intimate partner violence in Mr. Depp's and 19 Ms. Heard's relationship.</p> <p>20 Q You used a phrase there, "intimate 21 partner violence." What are you talking about?</p> <p>22 A So there are a multitude of different</p>
<p>2578</p> <p>1 A I'm Dr. Curry.</p> <p>2 Q How many people work for you?</p> <p>3 A As of right now, I believe it's 13.</p> <p>4 Q Okay. How long have you been doing 5 this kind of work?</p> <p>6 A For about 15 years.</p> <p>7 Q How much of your therapy practice 8 focuses on treating individuals?</p> <p>9 A I would say about half of it is 10 individuals, half is couples.</p> <p>11 Q Okay. Do you do any training of 12 students?</p> <p>13 A I do.</p> <p>14 Q What's that?</p> <p>15 A So we have several unlicensed 16 professionals at our office, and they're earning 17 their additional hours so that they can get 18 licensed. So they're able to see clients, and I 19 meet with them regularly to supervise them; 20 discuss their cases; provide them with information 21 about different diagnoses, interventions, and 22 treatment methods.</p>	<p>2580</p> <p>1 definitions depending on the source or the state. 2 But essentially intimate partner violence is 3 abuse. It can be physical, psychological, and 4 it's from one partner to another in an intimate 5 relationship.</p> <p>6 Q Okay. Did your role in this case 7 evolve over time?</p> <p>8 A Yes. It shifted. So I was retained at 9 the end of January 2021 and then had just barely 10 begun to review the documents. The case was 11 postponed, and then in October 2021, I was asked 12 by counsel to provide a psychological evaluation 13 of Ms. Heard.</p> <p>14 Q Okay. Were you ever asked to do a 15 psychological evaluation of Mr. Depp?</p> <p>16 A No.</p> <p>17 THE COURT: Okay.</p> <p>18 Q What types of documents did you 19 consider in this analysis?</p> <p>20 A So I reviewed quite a few documents as 21 part of my evaluation. That included all of the 22 case documents: Ms. Heard's medical records by</p>

<p style="text-align: right;">2581</p> <p>1 Dr. Kipper, her prior mental health treatment 2 records, I believe I reviewed records from Dr. Amy 3 Banks, Dr. Bonnie Jacobs, Dr. Cowan – Connell 4 Cowan. And also a significant portion of my 5 review involved notes from nurse Erin Falati, at 6 the time Erin Boerum, who spent a significant time 7 with Ms. Heard in her direct company. 8 I also viewed exhibits, quite a few 9 audio recordings, a video recording – several 10 video recordings or possibly photographs; I might 11 be getting them confused – and multiple witness 12 statements, testimony, and declarations. 13 Q Did there come a time when you met 14 directly with Ms. Heard? 15 A Yes, I did. So in conducting my 16 evaluation, I met with Ms. Heard on two separate 17 dates: December 10th and December 17th, 2021. 18 Q Approximately how much time have you 19 spent with Ms. Heard? 20 A So the evaluation – we spent 12 hours 21 directly with one another; however, there were 22 more – there were more hours involved in the</p>	<p style="text-align: right;">2583</p> <p>1 symptoms that a person's experiencing, and along 2 with that set of symptoms, it tells other 3 professionals a lot about how those symptoms might 4 have developed, how that person might behave, 5 perceive the world. It also drives treatment. 6 The real purpose is to determine what sort of 7 interventions will be most effective for the 8 person. 9 Q Previously you made reference to I 10 think you called it the DSM-5. 11 A Yes. 12 Q What's that? 13 A So the DSM-5, that stands for the 14 Diagnostic Statistical Manual, Version 5, and that 15 contains every diagnosis we use in mental health, 16 and we -- it's the authoritative manual of mental 17 diagnoses. 18 Q Is performing diagnoses something you 19 typically do in your line of work? 20 A Yes. 21 Q Thank you. So you referenced two 22 personality disorders. What's a personality</p>
<p style="text-align: right;">2582</p> <p>1 evaluation with some breaks. So we spent seven 2 hours together on the first day, December 10th. 3 Not necessarily together because there was a 4 one-hour lunch break and about a half hour with 5 breaks split up through the day. And then on the 6 17th, we spent a little more than eight hours in 7 the evaluation from start to finish with a 8 one-hour break and another half hour of breaks 9 distributed throughout the day. 10 Q As a result of the work that you 11 performed, did you form any opinions with respect 12 to Ms. Heard? 13 A I did. 14 Q What were those opinions? 15 A The results of Ms. Heard's evaluation 16 supported two diagnoses: Borderline personality 17 disorder and histrionic personality disorder. 18 Q What is a diagnosis? 19 A A diagnosis is a way that we 20 essentially – that psychologists, psychiatrists, 21 anybody in the mental health field thinks about a 22 disorder. It helps us to communicate a set of</p>	<p style="text-align: right;">2584</p> <p>1 disorder? 2 A To understand a personality disorder, I 3 think it could be helpful for us to kind of define 4 personality. So personality, something we take 5 for granted but these are the traits, the 6 characteristics, the way we think, we feel, and we 7 act, that make us who we are. And these traits 8 are pretty stable over time and across situations. 9 We might, you know, be sure to mind our Ps and Qs 10 when we're meeting somebody new, but overall if 11 somebody were to describe, or if we were to 12 describe ourself, we have a pretty good sense of 13 who we are. Sometimes an easy way to think of it 14 is imagining how you might describe a brother or 15 sister or a child if you have children; their 16 personalities are pretty clear to you. 17 A personality disorder is some sort of 18 dysfunction in those enduring traits, so as 19 opposed to other types of mental illness, when you 20 think about something like depression, that's 21 episodic. It comes and it goes, and when it's 22 treated with medication it can pretty much be</p>

<p style="text-align: right;">2585</p> <p>1 completely mitigated or minimized in a person's 2 life, and their personality is still there, 3 separate from the depression. 4 When we have a personality disorder, 5 there are going to be disturbances in several 6 different areas that are visible in almost all 7 different facets of their life. 8 Q Is there a manner which personality 9 disorders are commonly diagnosed? 10 A Yes. So they can be diagnosed in a 11 treating environment, a treating psychologist or a 12 therapist or a psychiatrist simply does a 13 diagnostic interview which involves assessing 14 multiple areas of a person's history back down 15 through childhood. 16 Q I'm going to stop you for a second 17 there. 18 A Yes. 19 Q What's a treating environment? 20 A Sometimes I'll slip into these words. 21 I apologize. So a treating environment, in 22 therapy, if somebody is going in for treatment,</p>	<p style="text-align: right;">2587</p> <p>1 differently. 2 You integrate that with the same 3 interview I was telling you that people would do 4 for therapy. We do that as well. And then in a 5 courtroom setting, you're going to look at all the 6 legal records, all of those documents, 7 corroborating information, to sort of check your 8 hypotheses that may be developing and also check 9 against the examinee's statements to confirm 10 whether you have enough evidence on of a certain 11 diagnosis. 12 Q So what's a clinical interview? 13 A A clinical interview is a very 14 comprehensive interview. It includes a person's 15 entire life history as well as very specifically 16 looks at any symptoms they might have. This can 17 start as far back as birth. You might find out if 18 there were any issues with their delivery, any 19 genetic issues, any intellectual issues. How did 20 they do – what was their home life like? How was 21 discipline handled? What's their relationship 22 with their primary caregivers? Were they raised</p>
<p style="text-align: right;">2586</p> <p>1 the mental health provider will ask them questions 2 to find out what sort of symptoms they've 3 experienced and what sort of things have occurred 4 in their life that might be consistent with these 5 disorders or rule out those disorders, prove that 6 there's no reason for these disorders to be 7 considered. They might also pay attention to 8 their observations of the client over time and new 9 information the client provides them. 10 The most reliable way, however, to ever 11 come about a diagnosis really is through a 12 comprehensive psychological assessment. And I 13 might use the words "assessment," "examination," 14 "testing," interchangeably. They all mean the 15 same thing. It's combining information from 16 multiple different sources. One main source is 17 psychological testing using validated objective 18 measures. That means that they've been tested, 19 they've been shown to be accurate for testing what 20 you want to test, and in the environment you're 21 testing. So they're measured specific for court 22 environments where someone might respond</p>	<p style="text-align: right;">2588</p> <p>1 by an aunt, an uncle, their parents? How many 2 siblings do they have? How do they get along with 3 their siblings? How many times did they have to 4 move? Was there any abuse? Did they have any 5 really significant life experiences that come to 6 mind when they think about their childhood? How 7 were they as a student? Did they need special 8 services? Did they get in trouble in school? 9 And you do this. You continue on to 10 high school. Were there hobbies? Did they play 11 sports? How many friends did they have? Did they 12 have any trouble keeping those friendships? 13 Then you get into adulthood. Did they 14 go to college? Did they not go to college? How 15 come? What sorts of jobs have they held? How did 16 those jobs go? How did they end? That's an 17 important question. 18 What sort of romantic relationships 19 have they been involved in? How do they identify 20 sexually? culturally? 21 Let's see. What else? What sort of 22 symptoms have they experienced? You go through</p>

<p style="text-align: right;">2589</p> <p>1 the entire gamut of some of the main symptoms. 2 You might screen for depression, any disorganized 3 thinking, that means thinking that isn't 4 necessarily in touch with reality, and any current 5 distress they may be having today. 6 Q How did you conclude that Ms. Heard 7 suffers from the personality disorders that you 8 identified? 9 A So there was information that supported 10 it from multiple sources. I conducted testing 11 including – one of the main tests that I used, 12 she obtained scores that were consistent with 13 those diagnoses, and then I also – there was 14 evidence of those diagnoses in her records and in 15 her self-report. 16 Q Okay. 17 THE COURT: Counsel, why don't we just 18 go ahead and pause for a second? Why don't we go 19 ahead and take our morning recess? Okay. 20 Ladies and gentlemen, we're going to go 21 ahead and take our 15-minute morning recess. Do 22 not discuss the case and do not do any outside</p>	<p style="text-align: right;">2591</p> <p>1 MR. DENNISON: Yes, Your Honor. 2 THE COURT: Okay. 3 (Whereupon, the jury entered the 4 courtroom and the following proceedings took 5 place.) 6 THE COURT: All right. You may have 7 your seat. 8 And your next question, sir. 9 MR. DENNISON: Thank you, Your Honor. 10 BY MR. DENNISON: 11 Q Dr. Curry, before the break, you were 12 talking about some of the factors that you 13 considered in determining whether Ms. Heard 14 suffers from personality disorders. One of them, 15 I think the last one you said before we left, was 16 self-report. What do you mean by that? 17 A So the self-report would be things that 18 Ms. Heard indicated to me specifically. So there 19 were a couple of characteristics that she noted in 20 her self-report that were consistent with these 21 personality disorders. The first was actually my 22 own behavioral observations of her based on her</p>
<p style="text-align: right;">2590</p> <p>1 research, okay? 2 MR. DENNISON: Your Honor, when would 3 you like to reconvene? 4 THE COURT: Give me a moment, sir. 5 (Whereupon, the jury exited the 6 courtroom and the following proceedings took 7 place.) 8 THE COURT: All right. Doctor, since 9 you're on the stand now, do not discuss your 10 testimony with anybody to include the attorneys at 11 this time. 12 Okay. Let's go ahead and come back at 13 11:45, okay? 14 MR. DENNISON: Thank you, Your Honor. 15 THE COURT: Okay. 16 THE BAILIFF: All rise. 17 (Recess taken from 11:27 a.m. to 18 11:46 a.m.) 19 THE BAILIFF: All rise. Please be 20 seated and come to order. 21 THE COURT: All right. Ready for the 22 jury?</p>	<p style="text-align: right;">2592</p> <p>1 self-report. So one of the hallmark 2 characteristics of histrionic borderline – 3 sorry – histrionic personality disorder is sort 4 of a overly dramatic presentation. It's called 5 this impressionistic speech, so it tends to be 6 very flowery. It uses a lot of descriptive words 7 like "magical," "wonderful," and it can go on for 8 quite some time. And yet it really lacks any 9 substance. So at the end you're left wondering 10 what was just said or what the answer is to the 11 actual question. 12 So that occurred a number of times, and 13 it also represented the quick shifts you'll see 14 between emotions. So she would suddenly be one 15 way, and then she would become very animated or 16 very sad, and when people are displaying these 17 emotions with this personality disorder, there's a 18 sense of shallowness to it. People who are 19 observing them will feel like it's always 20 playacting, and they might not be able to put 21 their finger on it, but part of it is because of 22 the rapidness with which the person can switch</p>

<p style="text-align: right;">2593</p> <p>1 emotions and also the lack of substance. They 2 don't really refer to "I feel this way." They 3 might describe emotions. They might describe 4 events, but very rarely, and Ms. Heard did not 5 say, "I feel vulnerable." She never really 6 indicated a vulnerable feeling of her own. 7 Then the substance of her self-report, 8 so when I was asking her information about her 9 history -- 10 Q We're going to ask more about that 11 later. I was just trying to get a sense of what a 12 self-report was. 13 A Oh, okay. 14 Q What psychological tests did you 15 perform? 16 A Okay. So psychological tests, I -- 17 I'll just go in order. So first of all, I asked 18 her a couple questions from something called the 19 Mini-Mental Status Exam [sic]. That's really just 20 a fancy way of saying that I wanted to make sure 21 that she was alert and oriented to we call it 22 person, place, and time. That means she knew who</p>	<p style="text-align: right;">2595</p> <p>1 setting, people have a lot of incentive to present 2 themselves in a way that's going to benefit their 3 case. And they may want to look like they're 4 sicker than they really are. They may want to 5 look much healthier than they really are, and some 6 of those incentives, they may not even realize 7 that they're intending to do that. So it can be 8 conscious or unconscious, but you really need to 9 have a test that can check for that. 10 And the MMPI-2 has a set of validity 11 scales, we call them. These are scales that 12 measure, really, the truthfulness and accuracy 13 with which a person is approaching the test. And 14 these scales on this particular test have been so 15 well researched over many decades that they've 16 been nuanced, and they can tell us a lot about if 17 somebody's, for instance, exaggerating. Are they 18 elevating one of the scales that shows that 19 they're exaggerating on purpose? Are they 20 exaggerating in a manner that's more like a cry 21 for help? Are they exaggerating in a manner 22 that's clever and sophisticated or more obvious?</p>
<p style="text-align: right;">2594</p> <p>1 she was. She knew who I was. She knew where we 2 were, and she knew the date. That way I can 3 ensure that she's able to participate in the 4 evaluation and understand what's happening. 5 I then administered something called 6 the Minnesota Multiphasic Personality Inventory-2. 7 The 2 means that it's the second edition. And 8 this is something we call an objective measure. 9 So it asks 567 questions, or statements, and the 10 person either agrees or disagrees with them how 11 much this statement represents them. And this 12 test has been around since 1943. There are more 13 than 10,000 studies showing that it is appropriate 14 for determining somebody's personality traits. It 15 measures all of those things I sort of mentioned: 16 How a person thinks, feels, and behaves in 17 multiple different aspects of their lives. It 18 also measures very accurately any signs of mental 19 illness or dysfunction. 20 And the reason I also really like this 21 test, whenever you're using a test for an 22 evaluation that's going to be used in a forensic</p>	<p style="text-align: right;">2596</p> <p>1 And then the same exact thing goes for trying to 2 minimize symptoms. We have a number of scales 3 that can show us all the different -- if 4 somebody's trying to say they're the most 5 wonderful person on Earth or trying to deny 6 problems and if they're doing that, again, in a 7 very clever way or more of an obvious way. 8 So that test was my choice for this 9 case. There's one other reason I'd like to add is 10 that part of my evaluation was -- one of the 11 reasons was to assess whether Ms. Heard has 12 post-traumatic stress disorder, which I told you 13 about earlier, as a result of the incidents that 14 these allegedly occurred by Mr. Depp. 15 And that's a really tough disorder to 16 find out if somebody's faking it or not. It's one 17 of the most easily faked disorders. Most of us 18 know what it feels like to feel anxious, and a lot 19 of people have seen war movies and movies that 20 depict somebody having PTSD. In fact, some 21 research has shown that if you give someone a 22 diagnostic checklist of things that show that you</p>

<p style="text-align: right;">2597</p> <p>1 have PTSD, they can do it 96 percent of the time, 2 just someone on the street. 3 So you really need a test that's very 4 sensitive to that, and MMPI-2 has been shown in 5 multiple studies to be excellent at detecting 6 those attempts. 7 Q Okay. You keep using "MMPI-2." That's 8 the abbreviation that you folks use for... 9 A The -- I'm sorry if I hadn't said that. 10 That's the Minnesota Multiphasic Personality 11 Inventory. 12 Q Okay. What other psychological testing 13 did you perform? 14 A So I also performed the 15 Clinician-Administered PTSD Scale dash 5, and that 16 dash 5 makes it to the diagnosis for PTSD in our 17 current diagnostic manual, the fifth version. To 18 do that test, you first administer something 19 called the life events checklist, and the life 20 events checklist -- both of these tests, by the 21 way, were developed by the National Center for 22 PTSD with the Department of Veterans Affairs. But</p>	<p style="text-align: right;">2599</p> <p>1 similar types of events, like seeing combat, then 2 you might use that as the worst one, the multiple 3 similar. So that looks like you describe an 4 anchor, we call it, to do the testing, and we 5 would maybe describe the anchor as "the worst of 6 my combat experience," okay? 7 Now, if somebody had multiple different 8 traumas from different times in their life, like 9 childhood abuse, and then went to combat and had 10 some horrible things happen there, you would do 11 the Clinician-Administered PTSD Scale test, the 12 one that comes after, you do one for the childhood 13 event and a separate one for the adulthood event. 14 Q Does this Clinician-Administered PTSD 15 Scale have a handy abbreviation? 16 A It does. We'll call it the CAPS-5. 17 That's actually what it goes by. 18 Q Okay. How common is the use of the 19 MPPI -- MMPI-2, in your profession? 20 A The MMPI-2 is actually the most 21 commonly used assessment worldwide by mental 22 health professionals and in forensic settings for</p>
<p style="text-align: right;">2598</p> <p>1 the life events checklist lists 16 different very 2 stressful life events that people can go through 3 that are often -- can be associated with 4 developing PTSD. And then it also has a 17th item 5 that you can fill in if you feel like you've been 6 through something really difficult that wasn't 7 included. 8 Now, I like to also add something 9 called the life events checklist 5 interview which 10 digs a little bit deeper into the person's 11 childhood as well to find out if they -- what sort 12 of -- there are so many different things that can 13 be difficult growing up. And also it's very 14 important that you have the person determine which 15 of the events they've listed -- let's say they 16 have a number of different types of traumas -- 17 which one do they feel like was the most traumatic 18 for them? Which one still causes them to feel 19 distressed when they talk about it? And sometimes 20 they can't just identify one. 21 And then that has -- that leads to your 22 next decision. So if they have multiple different</p>	<p style="text-align: right;">2600</p> <p>1 the Court. 2 Q Why do you use it? 3 A I use it for that purpose and for its 4 excellent validity in those settings across 5 genders, across ethnicities, for different 6 reasons, and when I keep saying "validity," by the 7 way, what I mean is accuracy or -- and I'll try to 8 work that in, but then also for detecting the 9 accuracy with which a person reports PTSD. 10 Q Okay. Is that scaled in some way? 11 A I'm sorry. What was that? 12 Q Does that make use of a scale in some 13 way? 14 A The MMPI-2? Do you mean specifically 15 for PTSD? 16 Q Yes. 17 A There's actually a combination of 18 scales you want to look for. You would never make 19 the diagnosis just based on one scale alone or 20 even on the test alone. You'd integrate other 21 data. 22 Q All right. How did you administer the</p>

<p>1 MMPI-2 to Ms. Heard? 2 A I provided her the test on an iPad. 3 She essentially had her own little desk area and 4 then an iPad. She hit start. It provides her 5 with the instructions, and then the -- it gives 6 her 567 statements in order. For each one she 7 taps "true" or "false." 8 Q What did you learn about Ms. Heard from 9 the results of the MMPI-2? 10 A Quite a bit. I wrote up a 25-page 11 interpretation outline. It has numerous, numerous 12 scales. So one of the reasons I like this measure 13 so much is that it can tell you so much about 14 multiple different traits and tendencies and 15 mental issues. 16 One of the primary things I learned was 17 that she had a very sophisticated way of 18 minimizing any personal problems. I also learned 19 that she tends to -- well, there were a number of 20 characteristics that were consistent with the 21 eventual diagnoses, but some of the primary 22 characteristics -- I'm going to try to condense 25</p>	<p>2601 2603 1 of attention, acceptance, approval. They tend to 2 distance people who are close to them. Initially 3 they may seem very charming; they're very socially 4 sophisticated actually; that was a major component 5 on there. They have a capacity to kind of offer 6 some of their faults, but in a way -- but only the 7 ones that people think of lightly and can all 8 relate to. And so they can present as very fair 9 and balanced, but in actuality, they really might 10 be very judgmental of others and unaware of 11 problems in their behavior and their thinking. 12 Q So after you provide the examination 13 via the iPad, what do you do? 14 A So once they've completed the test, you 15 can have it scored by the computer immediately. 16 It's a very, very complex test to interpret, but 17 right away, you'll get a list of what's called 18 "critical items," and these are just some -- a 19 couple of the items, the statements that are 20 presented that were more clearly symptom based, 21 and I always follow up with the examinee. Some of 22 these might have to do with suicide. Some of them</p>
<p>2602 1 pages here -- were essentially externalization of 2 blame, tending to have a lot of inner hostility 3 that is attempted to be controlled, a tendency to 4 be very self-righteous but to also deny that 5 self-righteousness and to judge others critically 6 against these sort of high standards for moral 7 value, but also to deny doing that. Essentially 8 to claim that one is very nonjudgmental and 9 accepting and yet very full of rage, really. 10 And these aren't facts, but her scores 11 essentially correlated, so they were consistent 12 with other people who obtained these scores who 13 have been shown through many, many, many studies 14 to have these very specific traits. 15 So externalization of blame, a lot of 16 inner anger and hostility. Sometimes that anger, 17 among these groups with similar scores, these 18 people might have that anger kind of explode out 19 at times. They tend to be very 20 passive-aggressive. They may be self-indulgent, 21 very self-centered. They could use manipulation 22 tactics to try to get their needs met, very needy</p>	<p>2604 1 have to do with other symptoms that you'd just 2 like to get a little bit more information on 3 because sometimes an examinee might tell you 4 they're fine when you're doing your interview with 5 them and they have no symptoms, and then when they 6 take the test, it says that they're having trouble 7 sleeping or they struggle with nausea all the time 8 or they feel very anxious, so you want to follow 9 up on that. 10 Q Okay. What's a code type? 11 A A code type, let me think of how to 12 explain this very, very simply. So the main 13 scales, I keep referring to "scales." These are 14 just the main scores that come up on this test, we 15 can refer to them as codes. And when I was saying 16 that Ms. Heard's scores could be compared to 17 certain groups of people that had been researched 18 before and obtained similar scores, the research 19 has shown that certain people will have certain 20 scores that kind of spike on us, okay? And so all 21 of those traits that I was describing, those are 22 traits found in these code types. So it means</p>

<p style="text-align: right;">2605</p> <p>1 that Number 2, score number 2 was high, and score 2 Number 6 was high. And so if we have those two 3 scores were both high, then that's a 2-6 code 4 type, and the code type -- 5 Q What code type was Ms. Heard? 6 A Ms. Heard had -- the clearest code type 7 was 3-6, but then she also had some other code 8 types that were less significant. 9 Q What characteristics are associated 10 with a 3-6 code type? 11 A So a 3-6 code type, a lot of that anger 12 is expressed in this code type. There can be 13 actually a lot of cruelty. Usually with people 14 who are less powerful, actually, when you see this 15 code type, you want to, if you can, to follow up 16 with subordinates, co-workers, people who may have 17 observed their behavior more closely. 18 The 3-6 code type is very concerned 19 with their image, very attention seeking, very 20 prone to externalizing blame to a point where it's 21 unclear whether they can even admit to themselves 22 that they do have responsibility in certain areas.</p>	<p style="text-align: right;">2607</p> <p>1 their partner or anybody else in their environment 2 and they have this disorder, they'll make 3 desperate attempts to prevent that from happening. 4 And those desperate attempts could be physical 5 aggression. It could be threatening. It could be 6 harming themselves. But these are behaviors that 7 are usually very extreme and very concerning to 8 the people around them. 9 The anger is typically what -- sadly, 10 it's counteractive, right? So the thing these 11 people fear most is being abandoned, but over 12 time, the anger, that explosive anger that they've 13 shown when somebody is needing space or when 14 somebody is really not doing anything wrong -- 15 because a lot of times they read into things that 16 they perceive as being a slight to them or 17 somebody intending to harm them that actually 18 isn't happening -- they'll exaggerate it, and 19 they'll explode, react in this heightened manner 20 that is just exhausting for their partners. 21 Oftentimes their partners will try to make them 22 happy at first and really allow themselves to be a</p>
<p style="text-align: right;">2606</p> <p>1 A lot of suppressed and denied anger, but the 2 anger is very present, will explode out, and a lot 3 of issues in their close relationships. 4 Q How does Ms. Heard's code type fit in 5 with your overall opinion as to personality 6 disorders? 7 A Well, this might be an appropriate time 8 to describe a little bit about these personality 9 disorders because I think what you'll hear is that 10 there's a lot of consistency there. 11 So borderline personality disorder is a 12 disorder of stability. It's instability. And 13 it's instability in personal relationships. It's 14 instability in their emotions. It's instability 15 in their behavior, and it's instability in their 16 sense of self and their identity. And that 17 instability is really driven by this underlying 18 terror of abandonment. 19 So one of the key features also of this 20 disorder, all of it is like pistons of an engine 21 kind of firing off and igniting one another. But 22 when somebody is afraid of being abandoned by</p>	<p style="text-align: right;">2608</p> <p>1 punching bag, thinking that they can somehow solve 2 this problem, that somehow they can make this 3 better. And eventually it just overwhelms them. 4 Histrionic personality disorder is -- 5 Q Before we move on -- 6 A Okay. 7 Q -- are you familiar with the term 8 "emotional reactivity"? 9 A I am. 10 Q What is that? 11 A So emotional reactivity is very common 12 in the diagnosis. So essentially, like I said, 13 there's instability in emotions. People with 14 borderline personality disorder are often 15 misdiagnosed as having bipolar disorder because 16 they can be up and down. They can look very 17 depressed, and they can look very elated. But 18 these changes are happening within a matter of 19 hours. Somebody with bipolar disorder, this is a 20 clinical depression lasting days, weeks, a 21 clinical mania where sometimes they even need to 22 be hospitalized because they're so grandiose, they</p>

<p style="text-align: right;">2609</p> <p>1 clear out their bank account and go to Vegas and 2 spend it all, they're acting in some very bizarre 3 ways. 4 With borderline personality disorder, 5 you're having these fluctuating moods constantly, 6 and again, this hypersensitivity to being slighted 7 or feeling offended really driven by the fear that 8 if you're offended or slighted, if the therapist 9 comes in two minutes late, or if somebody shows up 10 to dinner two minutes late, that they might be 11 abandoning you. And it's not as if the borderline 12 is considering themselves abandoned in that 13 moment, but they just know that they have this 14 overwhelming emotion, and there are no attempts to 15 control that emotion. 16 There's no -- there are no attempts to 17 regulate it. So if they're in the middle of the 18 restaurant and they feel offended, they're going 19 to start the fight. People are going to see it, 20 or they might just start crying or break down. 21 But they'll make a lot of accusations, and that 22 reactivity is when you're going to just -- you're</p>	<p style="text-align: right;">2611</p> <p>1 Again, they're not consciously thinking, "I'm 2 going to keep my partner from leaving right now." 3 They're just thinking, "I can't stand this. I 4 hate my partner." They went from idealizing to 5 suddenly devaluing because of the hurt, and 6 they'll do anything to express that big emotion of 7 anger. 8 MR. DENNISON: Your Honor, may we 9 approach? 10 THE COURT: All right. Yes, sir. 11 (Sidebar.) 12 MR. DENNISON: Your Honor, I'm going to 13 ask her about what other parts of her review led 14 her to make the borderline diagnosis, and among 15 the issues that the witness will testify to is 16 that Ms. Heard made a self-report of arrests. And 17 the issue was raised previously in Motions in 18 Limine. I did not want to raise it in front of 19 the Court until I talked with you about it. 20 MS. BREDEHOFT: Your Honor, Ms. Heard 21 arrest -- charges were dropped in 2000 -- 22 THE COURT: I think it's highly</p>
<p style="text-align: right;">2610</p> <p>1 going to see a lot of this escalation of bizarre 2 behavior. They can react violently. They can 3 react aggressively. They will often physically 4 prevent their partner from trying to leave if 5 their partner want to get space from all of this 6 intense emotions, and oftentimes they will be 7 abusive to their partners in these situations. 8 Sometimes they'll physically restrain 9 them from leaving and become injured that way, but 10 also people with borderline personality disorder, 11 it seems to be a predictive factor for women who 12 implement violence against their partner, and one 13 of the most common tactics that they'll use is 14 actually physically assaulting and then getting 15 harmed themselves. But mostly we call this 16 "administrative violence," the -- essentially this 17 is saying that they'll make threats using the 18 legal system. 19 So they might say that they are going 20 to file a restraining order or claim abuse, or 21 they might do these things to essentially try to 22 keep their partner from leaving in the moment.</p>	<p style="text-align: right;">2612</p> <p>1 prejudicial, so I'm not going to allow that. Do 2 you think you can do that without informing your 3 witness not to... 4 MR. DENNISON: Yeah. 5 THE COURT: Okay. 6 MR. DENNISON: Thank you. 7 (Open court.) 8 BY MR. DENNISON: 9 Q Okay. You indicated -- you were 10 talking about emotional reactivity. What, if any, 11 emotional reactivity did you observe in your 12 review? And let's do this one at a time. 13 A Okay. So there were a couple 14 indications to me. First, I can sort of think 15 about it with the treatment record. So 16 particularly, Dr. Cowan Connell -- am I getting it 17 right? I feel like for some reason in my mind, I 18 might have just reversed it -- but Dr. Cowan's 19 records -- I did reverse it -- he actually refers 20 to this reactivity quite a bit and to Ms. Heard's 21 temper, and that temper is often branded, or being 22 hotheaded, is really characteristic of borderline</p>

<p>2613</p> <p>1 personality disorder, as is their very charming, 2 personable nature. This is a disorder of 3 contradictions. 4 In Nurse Falati's notes, she had -- I 5 thought there was something interesting. She 6 references a night when they're out to dinner, I 7 believe in London, and she provided positive 8 reinforcement to Ms. Heard because Ms. Heard had 9 been disappointed by a mistake made by the server, 10 and it sort of references how previously she might 11 have criticized the server, become upset by that 12 and that she didn't this time and so that that had 13 been some sort of a step forward. 14 And there was also an indication, 15 actually, in Dr. Hughes's -- Dr. Hughes is a 16 forensic psychologist who had been appointed by 17 Ms. Heard to conduct an evaluation as well. In 18 Ms. Hughes's [sic] interview of Ms. Heard, 19 Ms. Heard disclosed that she had cut her arm in 20 the past, which is a typical reactive-type thing 21 somebody with this diagnosis can do. It's one of 22 the symptoms.</p>	<p>2615</p> <p>1 the testimony, I thought, was pretty consistent. 2 And then Ms. Heard's own self-description -- 3 Q Okay. I'm going to ask you a question 4 about -- 5 A Sure. 6 Q You indicated Ms. Pennington was a 7 former friend -- 8 A Yes. 9 Q -- of Ms. Heard. Is there a 10 relationship between borderline personality 11 disorder and intimate relationships? 12 A Yes. So the instability definitely 13 translates to their relationships. You'll see 14 relationships start very intensely. People 15 will -- somebody with borderline personality 16 disorder sees the relationship as extremely close. 17 This pattern of idealizing and devaluing is 18 definitely displayed. They do this with their 19 lovers and also with their friends, and so this 20 might be the perfect person, their perfect soul 21 mate friend, perfect soul mate partner, and their 22 engagement in the relationship is very alluring,</p>
<p>2614</p> <p>1 And that's sort of all I can think of 2 top of my mind from the treatment records. 3 Moving into some of the declarations, 4 or deposition testimony, what struck me was 5 Ms. Raquel Pennington's testimony. She's a former 6 friend of Ms. Heard's, and she indicated -- she 7 told a story about I suppose that they were 8 shopping for Thanksgiving accoutrements, something 9 to prepare for Thanksgiving, and Ms. Heard struck 10 her in the face sort of out of the blue, which 11 is -- I thought was interesting because that is 12 one of those signs of borderline personality 13 disorder where if a friend or loved one isn't 14 meeting your needs in that moment, borderline -- 15 people with borderline personality disorder can be 16 really caring in their relationships as long as 17 their needs are being met. They feel that their 18 needs to be met when they want them met at a 19 specific level, and if they're not, then that 20 anger, that sense of harm causes them to react. 21 So the striking Ms. Pennington, per 22 Ms. Pennington's report in the declaration -- or</p>	<p>2616</p> <p>1 very charming to the other person, and so 2 initially everything seems great. 3 But what occurs is that reality sets 4 in. People are not perfect, even when we have a 5 lot in common with them. Whereas most of us can 6 accept somebody as a whole, somebody who has a 7 little bit of flaws and still thinks, "This is my 8 great friend who always is constantly running late 9 for dinner," the person with borderline 10 personality disorder, things are in these 11 extremes, this black-and-white call it splitting. 12 And so that person goes from being idealized, the 13 perfect person, to dumpster. They are totally 14 devalued. "They are the worst friend. They don't 15 care anything about me. I have better people 16 around." And then there will be a repair because 17 the person with this disorder does feel remorseful 18 after they have these reactions, angry, tell their 19 friend off. 20 But over time, it wears away at these 21 relationships, and so what you'll usually see is 22 many, many transitions in their friendships over</p>

<p style="text-align: right;">2617</p> <p>1 the years, people who have sort of fallen by the 2 wayside who were really very close-knit at one 3 time, and then -- but there's not a lot of 4 consistency in the long-term. You'll also see 5 that intimate relationships, many, many 6 relationships, but none that are particularly 7 long-term.</p> <p>8 Q How does borderline personality 9 disorder relate to identity issues?</p> <p>10 A So, again, that instability also 11 travels toward identity. When I was describing 12 personality earlier, I was talking a little bit 13 about those traits we have that help us know who 14 we are. When you have borderline personality 15 disorder, that actually is not something you 16 understand.</p> <p>17 So people with this disorder actually 18 take on the identity of the people they're 19 spending time with because it's comforting. It's 20 very uncomfortable to not know who you are. Some 21 people with this disorder describe a feeling of 22 emptiness when they feel like they've been</p>	<p style="text-align: right;">2619</p> <p>1 clusters. It's a way to organize personality 2 disorders in that DSM, and this cluster is 3 described as the personality disorders that are 4 dramatic, they're erratic, and emotional, okay? 5 So unpredictable but really having to do with 6 emotions and relationships. They're very similar.</p> <p>7 Whereas I was saying that borderline 8 personality disorder, a lot of the key features 9 that you're going to notice are instability, when 10 it comes to histrionic, a lot of the key features 11 are going to be drama and shallowness. Similarly, 12 with borderline personality disorder, there's this 13 under -- this underlying drive of avoiding 14 abandonment. With histrionic personality 15 disorder, that underlying drive is to always be 16 the center of attention. Because if you don't 17 have that attention on you, it feels similarly to 18 borderline personality disorder; you feel pretty 19 empty, like you don't have that sense of being or 20 of value, okay?</p> <p>21 So whereas borderline personality 22 disorder might have more the visible reactivity if</p>
<p style="text-align: right;">2618</p> <p>1 abandoned because now they don't know who they are 2 in the world. And so when somebody with this 3 disorder is going through that initial enmeshment 4 phase with new people and they're idealizing them, 5 they often will take on the identities of those 6 people, so they may mimic them in a lot of ways. 7 They might mimic them in the way they dress, their 8 interests, the way they talk. And for this 9 reason, the people around somebody with this 10 disorder kind of from the outside may feel like, 11 "Wait, I thought you were this way. Now you're 12 advocating for this, and this is your new main 13 interest in life or the thing you're throwing 14 yourself into all completely." Music tastes might 15 change. Hobbies will change, the way they dress.</p> <p>16 Q Okay. In addition to borderline 17 personality disorder, I understand that you 18 diagnosed another personality disorder. What's 19 that?</p> <p>20 A So histrionic personality disorder -- 21 and these are really two sides of the same coin. 22 They belong to the same cluster, we call these</p>	<p style="text-align: right;">2620</p> <p>1 somebody seems to be leaving, with histrionic 2 personality disorder, what you're going to see is 3 extreme discomfort with not being the center of 4 attention, extreme efforts to be the center of 5 attention, and when they feel they're not the 6 center of attention, you will see some strange 7 things, making up stories to try to get attention, 8 often taking on a victim or a princess role, those 9 two roles in particular are pretty consistent, 10 seeking caretaking.</p> <p>11 Borderline personality disorder is 12 similar because with borderline personality 13 disorder, the shifts of identity and the 14 splitting, you might see somebody go from being -- 15 in the DSM it describes it as "a needy supplicant 16 of help," seeking the perfect caretaker, to 17 suddenly being the avenger against injustice or 18 thinking that their partner is a terrible person.</p> <p>19 With histrionic, what you'll see is 20 somebody who wants to be the center of attention, 21 has sort of that impressionist speech, very 22 flowery, very enthusiastic, but nothing's really</p>

<p style="text-align: right;">2621</p> <p>1 being said. The moment your attention wears away, 2 because they're so demanding for attention, that's 3 when they might take the victim role or the 4 princess role and even make up stories. Sometimes 5 those stories are to bolster the victim role. 6 Sometimes those stories are just to make them look 7 more interesting or accomplished in their mind so 8 that they can get respect and attention that way. 9 Q Is there a relation between histrionic 10 personality disorder and attractiveness? 11 A There is, strangely. And this is 12 always one of the trickiest things to talk about 13 because how do you -- I mean, how is that a 14 symptom? But characteristically people with this 15 disorder are very, very interested in looks, but 16 more importantly, they utilize their looks to get 17 that attention, to get that respect that they're 18 seeking. And so this type of a personality might 19 be flirtatious with everybody. Characteristically 20 they actually could even be subtly -- and when I 21 say flirtatious, I'm not talking overtly sexy, but 22 kind of inappropriately flattering. Sometimes</p>	<p style="text-align: right;">2623</p> <p>1 all over the place and yell at you in the middle 2 of a session. But it's so -- it's not tailored. 3 It's so much easier to work with because of that 4 just openness and rawness of it, genuineness. 5 Sometimes you'll have a more 6 sophisticated presentation. There are nine 7 symptoms, and only five have to be met. There are 8 a lot of different combinations and different ways 9 that it can present. And sometimes you'll have 10 more of a petulant version of this where it really 11 shows when you push the button and you're kind of, 12 "Woah, what was that?" So somebody who's really 13 productive, high functioning, successful, and you 14 get to know them and you think they're fantastic 15 because they're so interested in you too, and you 16 might not realize this, but they're mimicking you 17 perfectly. So you're really just kind of falling 18 in love with this new friend who is being you. 19 But then all of a sudden, you know, you 20 say something that they think is offensive, and 21 you can't, even in your wildest thoughts, 22 understand how that could have offended somebody,</p>
<p style="text-align: right;">2622</p> <p>1 they act in kind of a girlish way to be cute and 2 to engender attention. 3 And this will even occur in their 4 therapy relationships as a way to sort of avoid 5 getting negative feedback or criticism. Other 6 times, they'll bring the therapist gifts or be 7 distracting if they engage in therapy because they 8 just don't want any criticism. They want the 9 therapist to like them. 10 Q Does the intelligence of the affected 11 person bear on the manner in which these disorders 12 present? 13 A Excuse me. I choked a little bit on my 14 water. 15 Yes. And I think one way to think 16 about it that's probably a little more accurate 17 than just intelligence is in psychology, we would 18 describe this more as sophistication, so street 19 smarts, so to speak. The way -- for instance, 20 I've had many clients who have borderline 21 personality disorder who are messy and really 22 clearly suffering, and they might be difficult and</p>	<p style="text-align: right;">2624</p> <p>1 but their reaction is so strong that you kind of 2 buy into it. "Gosh, maybe I did say something 3 offensive," and you feel bad about it. So that 4 sophisticated version, they can be a little bit 5 more calculated in the way they present. They 6 tend to kind of hit you where it hurts a little 7 bit more, and they can be actually very, very 8 destructive. 9 Q What conclusions were you able to draw 10 about Ms. Heard's sophistication from her testing? 11 A Well, from her testing and from her 12 presentation, she was very likeable, but her 13 testing, in particular, showed that she approached 14 it in a manner that -- remember I told you about 15 those scales that are pretty neat -- she 16 approached it in a manner that very clearly 17 minimized any psychological dysfunction, not just 18 that, but really presented herself free of any 19 problems. And she did so in a way that was very, 20 very sophisticated, not obvious, by responding to 21 questions that most people might not notice were 22 trying to detect that.</p>

<p>2625</p> <p>1 Q How did you determine that? 2 A So that's based on a particular scale 3 on the MMPI-2 that is designed specifically to 4 detect a type of responding that's a little bit 5 more clever, a little bit more sophisticated, 6 minimizing problems in a way that most laypeople 7 probably wouldn't understand – and even 8 providers, very difficult to detect. 9 Q You mentioned that one of the 10 characteristics of borderline personality disorder 11 is emotional reactivity. How might that present 12 in an intimate relationship? 13 A So I think it probably presents 14 mostly – or you'd see the bulk of it in intimate 15 relationships because of that regular interaction 16 and the desire for your partner to meet all of 17 your needs, to be the perfect caretaker. Also 18 that the hallmark of the disorder with the 19 splitting, so idealizing, devaluing, and the 20 perceiving of all sorts of neutral events as 21 somehow demeaning or disrespectful. 22 It's regular escalations of anger,</p>	<p>2627</p> <p>1 Ms. Heard's general mental status, any 2 psychological issues that were present, I very 3 specifically was assessing to determine whether 4 post-traumatic stress disorder was present, and it 5 was not. 6 Q How do you know that? 7 A So first of all, from multiple 8 information sources, right? So I was integrating 9 the interview, my review of the data, the case 10 records, other people's testimony, her treatment 11 records. And then I also conducted – in addition 12 to the MMPI-2 and looking at that data, I also 13 conducted the Clinician-Administered PTSD Scale, 14 the CAPS-5, which is the gold standard PTSD 15 assessment developed by the National Center for 16 PTSD, shown to be valid, accurate for use not just 17 with service members, but also with civilians, 18 men, women, all genders, and also all ethnicities 19 and then also specifically for use in a courtroom 20 setting. 21 Q How do you conduct the CAPS-5? 22 A So the CAPS-5 is a standard interview.</p>
<p>2626</p> <p>1 frustrated, complaints, criticisms of your 2 partner. But because the person with borderline 3 personality disorder, first of all, they're more 4 sensitive to things. They feel distress more 5 strongly, and then that distress lasts longer. So 6 these types of blowups go on forever, and they're 7 very cyclic. It feels like you can't just get a 8 resolution, and eventually, the partner will try 9 to leave, will want to leave to get a break. It 10 wears them down, and that's when the borderline 11 might explode and act very aggressively or 12 violently to try to prevent them from leaving. 13 Q Okay. In addition to diagnosing 14 Ms. Heard with these two personality disorders, 15 did you form another opinion about Ms. Heard's 16 mental status? 17 A Yes. So there were – go ahead. 18 Q If the answer to that is yes, I'm going 19 to now ask you, "What was that?" 20 A Okay. Yes, I did. 21 Q Okay. What is it? 22 A So in addition to looking for</p>	<p>2628</p> <p>1 What that means is that it's an interview with 2 very clear questions that are scripted. And you 3 ask those same questions every time you test a 4 person. 5 So because you're doing that, you're 6 actually taking something that would typically be 7 kind of subjective, an interview with somebody, 8 and you're making it more objective. When you ask 9 those same questions in the same way every time 10 somebody's assessed with this, now you can apply a 11 scoring protocol and actually score their 12 responses. 13 Q Okay. As a result of applying those 14 protocols, what did you conclude? 15 A Ms. Heard did not have PTSD. And there 16 were also pretty significant indications that she 17 was grossly exaggerating symptoms of PTSD when 18 asked about them. 19 Q How did you make that latter 20 conclusion? 21 A So one of the strengths of this test, 22 as I mentioned, the important thing about any test</p>

<p style="text-align: right;">2629</p> <p>1 used when you're doing an evaluation in forensics 2 is to make sure that the person is responding 3 accurately. And this test does that by not just 4 asking people whether they have a symptom, but 5 asking follow-up questions that draw out very 6 detailed accounts of every single symptom of PTSD. 7 And when you're really familiar with 8 this disorder, which you need to be to administer 9 this test, there are nuances in the way a person 10 will describe their symptoms that have been shown 11 repeatedly to indicate exaggeration or faking. 12 There are also indications when somebody is 13 clearly giving you a genuine response. 14 Q Okay. What, if any, symptoms of PTSD 15 did you observe in Ms. Heard? 16 A So there are 20 kind of core symptoms 17 that somebody might -- can manifest with PTSD; you 18 don't have to have all of them. Ms. Heard 19 initially said that she had, in the first 20 question, you say, "Do you ever have this?" before 21 you get to the more nuanced follow-up questions. 22 When I asked that question on each item, she</p>	<p style="text-align: right;">2631</p> <p>1 your brain is forming, if you constantly feel 2 unsafe, if your parents are abusive, or if they're 3 not present, if you're neglected, you can develop 4 certain physiological responses that can stay for 5 a long time in your life. 6 So I noted that. That seems like a 7 very genuine, accurate account where she stays in 8 this state of kind of hyperarousal, has a hard 9 time calming down if she gets surprised. 10 Q You mentioned nightmares as well. 11 A Yes. 12 Q Did she recount for you the nature of 13 the nightmares? 14 A So they were vague. She indicated that 15 she has recurrent nightmares and that she feels as 16 though she's being held down. And there were some 17 conflict in that account because even though that 18 could be a PTSD symptom, it is fairly vague, but I 19 still scored it as present. And in her initial 20 treatment with Ms. -- I'm sorry, with Dr. Bonnie 21 Jacobs, which I believe started before she began 22 dating Mr. Depp, she had indicated to Dr. Jacobs,</p>
<p style="text-align: right;">2630</p> <p>1 initially said, "Yes, I have that," to 19 of the 2 20 symptoms. That's not typical even of somebody 3 with the most disabling form of PTSD. 4 When we eventually sort of dialed it 5 down, she had three remaining symptoms, and having 6 symptoms of any disorder is common for all of us. 7 Some of us struggle with sleep. Some of us get 8 anxious. It could be several different disorders. 9 It could just be that you have this struggle in 10 your life. 11 But she had three specific symptoms 12 that I scored as present. Off the top of my 13 head -- I might miss one, but one was sleep 14 disturbance. So she reported that she had 15 frequent nightmares. Another one that she says 16 she tends to have is a startle response, so if she 17 gets startled or surprised, she tends to stay in 18 sort of a hyper-startled mode for quite a while, 19 and that's consistent with a couple of things. It 20 can be consistent with PTSD if other criteria are 21 met. It's also consistent with childhood complex 22 trauma, which is something that can occur -- when</p>	<p style="text-align: right;">2632</p> <p>1 according to Dr. Jacobs's notes, that she was 2 having repetitive nightmares back then and that 3 they were related to her childhood trauma. And so 4 that came up several times in the notes. 5 Dr. Jacobs kept mentioning that. 6 Q Thank you. What is feigning? 7 A Feigning is essentially faking or 8 exaggerating symptoms that aren't present. 9 Q Does the CAPS-5 control for that? 10 A It doesn't necessarily control for it. 11 It can expose it by -- 12 Q And how is that -- how does that work? 13 A Because you're not just simply handing 14 the person a checklist that says, "Here are all 15 the symptoms of PTSD. Just check off the ones you 16 have," which clearly if you're trying to look like 17 you had PTSD, you would just check them all. The 18 CAPS-5, because it requires them to describe in 19 detail how they experience the symptom, where it 20 shows up, what it looks like, what sort of 21 examples they can give you, how many times it's 22 happened in the last couple weeks, how many times</p>

<p style="text-align: right;">2633</p> <p>1 it's happened in the last month, by the end of 2 each symptom, you've gotten a very good picture of 3 a couple things: One, does it meet the definition 4 of the symptom? Are they getting it right? 5 Right. Is this actually the symptom? Or are they 6 kind of confusing this with something else? 7 Number two, are they giving you very 8 vague accounts? Are they giving you kind of a 9 stereotyped idea of what the symptom is based on 10 media or movies or something that actually is 11 completely different from genuine experiences of 12 this symptom? Or are they giving you a very 13 genuine, heartfelt -- sometimes minimizing, but 14 it's ticking all the boxes, their mannerisms while 15 they're describing it, the actual very specific, 16 very nuanced, symbolic ways they're describing it, 17 a lot of times it's smells; it's sounds. That all 18 appears in genuine accounts, and it's something 19 that people really get wrong when they're 20 feigning. 21 Q All right. In addition to your 22 conclusion that Ms. Heard does not have PTSD, did</p>	<p style="text-align: right;">2635</p> <p>1 conditions; or, C, by other stressful life events 2 that might have occurred? 3 So the main symptoms that I was looking 4 at didn't meet criteria for PTSD, right? There 5 was also, you know, substantial evidence of this 6 sort of emotional dysregulation, emotional 7 disorganization, the shallowness, the dramatic 8 affect. Now, when you have a lot of childhood 9 trauma, you can actually have some similar-type 10 presentation in adulthood. There are some 11 differences, though. 12 But also that's not something that 13 would have occurred after this relationship. So 14 now I was looking at are there indications that 15 these types of things that she's described, this 16 transient anxiety, the issues with sleep, were 17 these there prior? And sure enough, Ms. Heard, in 18 her own self-report, stated to me that when she 19 first got to LA, she was seeking treatment for, in 20 her words, "blanket anxiety and depression." She 21 also reported that she was taking medications in 22 general. None of them were helpful.</p>
<p style="text-align: right;">2634</p> <p>1 you make a conclusion with respect to her 2 symptoms? 3 A Yes, actually, I did. So, you know, 4 just because somebody doesn't have PTSD doesn't 5 mean that they weren't harmed psychologically by 6 whatever is being alleged. In this case, 7 Ms. Heard is alleging that she was psychologically 8 harmed and that she had suffered PTSD because of 9 abuse that she alleges occurred by Mr. Depp. 10 So I also -- the MMPI-2 is helpful 11 because it shows you kind of everything, any other 12 symptoms, and then in Ms. Heard's own self-report 13 and her prior treatment record, I knew that she 14 had reported to me that she had had some other 15 symptoms. 16 So now what becomes really important is 17 determining -- and let me clarify one thing here, 18 not so much a diagnosis, but did she start to 19 experience symptoms during the relationship and 20 after? Did they worsen after? Or could these 21 types of symptoms or reports be explained by other 22 factors? A, by feigning; B, by preexisting</p>	<p style="text-align: right;">2636</p> <p>1 That's actually very typical of 2 borderline personality disorder. Medications 3 typically aren't very helpful for somebody with a 4 disorder. They really need an intensive, lifelong 5 type of therapy which is not necessarily as 6 relevant to this. 7 But interestingly also, people with 8 borderline personality disorder often respond 9 really positively to stimulant medications that 10 are given for ADD or ADHD. And in one of Nurse 11 Falati's notes, she reported that Ms. Heard told 12 her that none of the medications were working for 13 her except for one, Provigil, which is often 14 prescribed as stimulant medication, and I had just 15 thought that was interesting and sort of 16 consistent with more of these lifelong personality 17 disorders that aren't necessarily caused by a 18 harm, by any allegations but have been there and 19 will remain there, typically. 20 The other issue, you know, so the 21 anxiety, she's had already indicated that that had 22 been there prior, but the form of the anxiety, so</p>

<p style="text-align: right;">2637</p> <p>1 looking at Dr. Hughes's testing and then also 2 looking at the scores on the MMPI, when you look 3 at all these little combination of the scores, you 4 can actually learn a lot about is the anxiety 5 related to an event? Or is this more a person who 6 tends to be an anxious person regardless of what's 7 going on in their life and somebody might describe 8 them as a worry wart? And the scores, the little 9 combination of scores that she obtained actually 10 indicated that it was the latter, that her anxiety 11 tends to be separate from events and more just 12 kind of a constant, and it comes and goes but its 13 more of a trait. 14 MR. DENNISON: I have no further 15 questions for this witness. 16 THE COURT: All right. Maybe -- why 17 don't we go ahead and, Ms. Bredehopt, go ahead and 18 have our lunch break? Might be a good idea to 19 break it up there. 20 MS. BREDEHOFT: I didn't even get 21 there. 22 THE COURT: Okay. I could see you</p>	<p style="text-align: right;">2639</p> <p>1 seated and come to order. 2 THE COURT: All right. Are we ready 3 for the jury? 4 THE WITNESS: Yes, Your Honor. 5 THE COURT: All right. Great. Thank 6 you. 7 (Whereupon, the jury entered the 8 courtroom and the following proceedings took 9 place.) 10 THE COURT: All right. Have your 11 seats. 12 All right. Cross-examination. 13 You can sit down, ma'am. 14 MS. BREDEHOFT: Thank you, Your Honor. 15 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 16 COUNTERCLAIM PLAINTIFF 17 BY MS. BREDEHOFT: 18 Q Dr. Curry, you're not board certified, 19 correct? 20 A No, I'm not. 21 Q Not in clinical psychology or in 22 forensic psychology, correct?</p>
<p style="text-align: right;">2638</p> <p>1 jumping up. All right. 2 Ladies and gentlemen, let's go ahead 3 and take our lunch recess. Again, do not do any 4 outside research and don't discuss the case with 5 anybody, okay? And we'll meet back here. 6 (Whereupon, the jury exited the 7 courtroom and the following proceedings took 8 place.) 9 THE COURT: All right. And, again, 10 Dr. Curry, since you're in the middle of your 11 testimony, please do not discuss your testimony 12 with anybody at this time. 13 THE WITNESS: Okay. 14 THE COURT: All right. Let's just -- 15 why don't we come back at 1:50, okay? Come back 16 at 1:50, okay? 17 THE WITNESS: Thank you, Your Honor. 18 MS. BREDEHOFT: Thank you, Your Honor. 19 THE BAILIFF: All rise. 20 (Recess taken from 12:40 p.m. to 21 1:47 p.m.) 22 THE BAILIFF: All rise. Please be</p>	<p style="text-align: right;">2640</p> <p>1 A No. I'm a licensed clinical 2 psychologist. 3 Q But you're not board certified? 4 A No. 5 Q Okay. And you also have only been 6 practicing, approximately, eight years; is that 7 correct? 8 A That's not correct. 9 Q How many years? 10 A I've been licensed for ten years. 11 Q Okay. 12 A And I've been practicing for about 13 15 years. 14 Q Okay. And that includes what you went 15 through with your different trials in Hawaii and 16 everything else that you testified to, correct? 17 A Yes. 18 Q Okay. Now, you went to Mr. Depp's home 19 for dinner and drinks before you were hired as an 20 expert in this case, correct? 21 A That's not quite right. I was 22 interviewed at Mr. Depp's home by his legal team.</p>

<p style="text-align: right;">2641</p> <p>1 Dinner was served. 2 Q In attendance with Mr. Depp was Adam 3 Waldman, correct? 4 A Yes. 5 Q Ben Chew, correct? 6 A Yes. 7 Q Camille Vasquez? 8 A Yes. 9 Q Okay. And the dinner lasted, 10 approximately, three to four hours, correct? 11 A Yes, the interview. 12 Q And it included drinks, correct? 13 A Yes. Dinner and, I believe, drinks 14 were served. 15 Q Okay. And this was before you were 16 hired as an expert, correct? 17 A Yes, this was an interview so that they 18 could make an informed decision as to whether or 19 not to retain me. 20 Q And don't you think that's a little 21 odd, that you're getting interviewed by Mr. Depp 22 to decide whether you're going to testify</p>	<p style="text-align: right;">2643</p> <p>1 Depp. 2 Q You knew of him? 3 A I had seen several of his movies. 4 Q You knew who he was, correct? 5 A Yes. 6 Q And you believed he was a good actor, 7 correct? 8 A Yes. 9 Q And then you provided an expert 10 designation in this case before ever seeing Amber 11 or having an opportunity to review any documents 12 or records; isn't that correct? 13 A I did not provide an expert 14 designation. That's an attorney thing. My 15 opinions are contained in my report. 16 MS. BREDEHOFT: Let's pull up 17 Plaintiff's Exhibit 884, please. 18 Q This was plaintiff's designation, 19 identification of expert witnesses in this case, 20 and this is dated February 2021, that's a year 21 after you went to dinner at Mr. Depp's house, 22 correct?</p>
<p style="text-align: right;">2642</p> <p>1 adversely against Amber Heard? 2 A I was interviewed by the legal team. 3 Q And Mr. Depp was present, it was his 4 home, correct? 5 A Yes. 6 Q And he was serving dinner and drinks, 7 correct? 8 A He was not serving dinner and drinks. 9 Q Well, it was at his house, at his 10 behest, correct? 11 A Yes, it was at his house. 12 Q Okay. And you were contacted by 13 Camille Vasquez, somebody you knew in the 14 community, in February of 2020; is that correct? 15 A I knew of Ms. Vasquez professionally. 16 We live in the same city, and I work with many 17 attorneys. 18 Q Okay. And at that time, you not only 19 knew Johnny Depp, you'd seen a number of his TV 20 and movie roles and you believed he was a good 21 actor, correct? 22 A Not correct. I did not know Johnny</p>	<p style="text-align: right;">2644</p> <p>1 A Yes. 2 Q Okay. And it attributes, if you go to 3 page 13, it says you have three opinions. The 4 first of those is that Amber Heard "exhibits 5 patterns of behavior that are consistent with 6 co-occurring Cluster B Personality Disorder 7 traits, especially Borderline Personality 8 Disorder." 9 Did I get that right? 10 A I'm reading that here. That's not my 11 opinion. It's a current opinion, but this was not 12 an opinion of mine then. I did not have any 13 opinions at that time. 14 Q It says "Dr. Curry will testify," 15 correct? 16 A That's what it says, yes. 17 Q And this is a signed pleading, correct, 18 on behalf of Mr. Depp? 19 A I'm not sure I understand what that 20 means. 21 Q You don't understand what a signed 22 pleading is?</p>

<p style="text-align: right;">2645</p> <p>1 A No.</p> <p>2 Q Do you understand that Mr. Depp's</p> <p>3 counsel prepared this and served it on Ms. Heard's</p> <p>4 counsel?</p> <p>5 A I'm not an attorney. I don't</p> <p>6 understand, necessarily, all of these procedures.</p> <p>7 Q Okay. Are you aware that Mr. Depp is</p> <p>8 on an audio recording, years earlier, taunting</p> <p>9 Amber Heard that she has a borderline personality</p> <p>10 disorder?</p> <p>11 A I was made aware of that in this case,</p> <p>12 yes. Actually, not necessarily taunting, but I do</p> <p>13 recall hearing that Mr. Depp had used that phrase.</p> <p>14 Q So, it's a coincidence that you now</p> <p>15 think she has those attributes, after the</p> <p>16 attorneys listed it in February 2021, before you'd</p> <p>17 looked at anything, and Mr. Depp had made that</p> <p>18 accusation to Ms. Heard years earlier?</p> <p>19 A My opinion –</p> <p>20 MR. DENNISON: Objection.</p> <p>21 THE COURT: There's an objection.</p> <p>22 MR. DENNISON: Compound.</p>	<p style="text-align: right;">2647</p> <p>1 Q Tell me what's right.</p> <p>2 A Okay. So there are more women who have</p> <p>3 been diagnosed with bipolar disorder than men,</p> <p>4 it's more prevalent in women.</p> <p>5 Q And trauma can cause borderline</p> <p>6 personality disorder, can't it?</p> <p>7 A No.</p> <p>8 Q Never?</p> <p>9 A Right now, we know that there are</p> <p>10 people who have borderline personality disorder</p> <p>11 who have sustained childhood trauma. There are</p> <p>12 also people who have borderline personality</p> <p>13 disorder who have had no childhood trauma.</p> <p>14 So, like most personality disorders,</p> <p>15 and really like most mental health issues in</p> <p>16 general, there seems to be both a biological</p> <p>17 component, in this case, with borderline</p> <p>18 personality disorder, the research tends to</p> <p>19 support a genetic component and possibly a</p> <p>20 neurological component, and then there's also,</p> <p>21 possibly, an environmental component triggering</p> <p>22 those genetic marks.</p>
<p style="text-align: right;">2646</p> <p>1 THE COURT: I'll sustain the objection.</p> <p>2 MS. BREDEHOFT: All right.</p> <p>3 Q It's a coincidence, then, that you came</p> <p>4 up with symptoms of borderline personality</p> <p>5 disorder years later, after Mr. Depp had been</p> <p>6 taunting Ms. Heard in an audiotape?</p> <p>7 A I can't speak to whether or not there's</p> <p>8 a coincidence. What I can tell you is, my</p> <p>9 opinions are based on the results of my</p> <p>10 evaluation.</p> <p>11 Q And it's a coincidence that Mr. Depp's</p> <p>12 counsel attributed that to you, that to you, in</p> <p>13 February 2021, before you'd looked at anything,</p> <p>14 correct?</p> <p>15 A I'm not sure.</p> <p>16 Q Okay. Now, would you agree that a</p> <p>17 disproportionate number of women are tagged with a</p> <p>18 diagnosis of borderline personality disorder?</p> <p>19 A No. That's not quite right.</p> <p>20 Q 75 percent?</p> <p>21 A The way you phrased it is not quite</p> <p>22 right.</p>	<p style="text-align: right;">2648</p> <p>1 Q Do you know the percentage of women who</p> <p>2 are victims of IPV, intimate partner violence, or</p> <p>3 domestic abuse who are diagnosed with borderline</p> <p>4 personality disorder?</p> <p>5 A I can't tell you the percentage off the</p> <p>6 top of my head, but I do know that there is a</p> <p>7 larger – women with borderline personality</p> <p>8 disorder tend to have a higher prevalence of being</p> <p>9 involved in intimate partner violence</p> <p>10 relationships, being the receiver of violence and</p> <p>11 being the perpetrator of violence.</p> <p>12 Q Now, you've never been asked to testify</p> <p>13 or serve as an expert with respect to whether</p> <p>14 someone has a bipolar disorder; is that correct?</p> <p>15 A A bipolar disorder?</p> <p>16 Q Yes.</p> <p>17 A That's not correct.</p> <p>18 Q Okay.</p> <p>19 MS. BREDEHOFT: Bear with me. Your</p> <p>20 Honor, may I approach?</p> <p>21 THE COURT: Yes, ma'am. Thank you.</p> <p>22 THE WITNESS: Thank you.</p>

2649	1 Q Do you recall having your deposition 2 taken in this case? 3 A Yes. 4 Q On March 21, 2022? 5 A I believe that was the date, yes. 6 Q And were you under oath at that time? 7 A Yes. 8 Q All right. I'm going to ask you to 9 turn to page 207. And the question was, "Have you 10 ever been asked to testify, or serve as an expert, 11 with respect to whether someone has bipolar 12 disorder?" And your answer, at that time, will 13 you please read to the jury? 14 A I'm sorry. Page 207? 15 Q 207, line 5. 16 A Ah. "No." 17 Q Could you -- okay. Thank you. 18 Now, when this designation was served 19 in February of 2021, you had not rendered an 20 opinion that "Ms. Heard exhibits patterns of 21 behavior that are consistent with co-occurring 22 Cluster B Personality Disorder traits, especially	2651	1 partner violence, IPV, toward Mr. Depp over the 2 course of their relationship." 3 Did I read that correctly? 4 A It says perpetrated, but other than 5 that, yes. 6 Q Okay. And so, is it correct that this 7 pleading says, in February 2021, that you are 8 going to testify to that? 9 A This document, yes. 10 Q Okay. 11 A It says that. 12 Q And you have never been asked to 13 testify as to whether anyone has behaviorally or 14 characterologically conducted -- conduct that 15 suggest they might have been an IPV perpetrator, 16 correct? 17 I have to ask that again because I 18 stumbled. 19 A Thank you. 20 Q I can't do characterologically. 21 A Thank you. 22 Q That's a tough one for me.
2650	1 Borderline Personality Disorder," correct? 2 A I'm sorry, I missed the first part. 3 What was that? 4 Q When this designation was served, that 5 you have in front of you as Plaintiff's 6 Exhibit 884 -- 7 A Oh, okay. 8 Q -- you had not rendered an opinion that 9 "Ms. Heard exhibits patterns of behavior that are 10 consistent with co-occurring Cluster B Personality 11 disorder traits, especially Borderline Personality 12 Disorder," correct? 13 A No, I didn't render any opinions. My 14 opinions weren't finalized until after my 15 evaluation. 16 Q When this came out, you had not 17 rendered that opinion? 18 A I had not rendered that opinion. 19 Q Okay. The second opinion that's listed 20 in the February 2021, is that Ms. Heard 21 "repeatedly and characterologically perpetuated 22 [sic] severe physical and psychological intimate	2652	1 You have never been asked to testify as 2 to whether anyone has behavioral or 3 characterological conduct that suggests they may 4 have been an IPV perpetrator, correct? 5 A No, I've never been asked to testify to 6 that. 7 Q Okay. And that was not your opinion in 8 February 2021, correct? 9 A No. 10 Q In fact, you do not hold that opinion 11 now, and you were not even asked to provide such 12 an analysis or opinion; isn't that correct? 13 A No. That is correct, yes. 14 Q That is correct, okay. 15 And you have never held that opinion, 16 correct? 17 A No. That is correct, yes. 18 Q Okay. And your third opinion, if we 19 can go to page 14, was that Ms. Heard "exhibits 20 patterns of behavior that suggest her allegations 21 of abuse against Mr. Depp are false." 22 Do you see that?

<p>1 A I see that. You said it's my third 2 opinion. That is not my opinion. 3 Q All right. But in this pleading, it 4 says that you will testify to that, correct? 5 A Yes, that's what this says. 6 Q Okay. And that was not your opinion in 7 February 2021, was it? 8 A No. As I said, I had not formed any 9 opinions at that time. I had just been retained. 10 Q Okay. And, in fact, you have never 11 arrived at this opinion as an expert witness in 12 this case, correct? 13 A In terms -- no, the opinions that I've 14 rendered are provided in my report. 15 Q And you have -- 16 A They're what I'm testifying to today. 17 Q And you have never arrived at this 18 opinion as an expert witness in this case, 19 correct? 20 MR. DENNISON: Objection. Vague. 21 THE COURT: I'll sustain it. 22 Q You have never arrived at the opinion</p>	<p>1 And you answered, at that time, no, 2 correct? 3 A That is correct. 4 Q And then I asked, "Have you ever 5 arrived at that opinion in the time that you have 6 served as an expert witness in this case?" 7 And your answer was? Can you read that 8 for the jury, please? 9 A Yes. "So, no, it's not the task" -- I 10 was cut off -- essentially, what I wrote -- what I 11 said then was -- 12 Q Dr. Curry. 13 A "No. That's not the task of -- that 14 was never my task to determine." 15 Can I say what that means? 16 Q No. 17 And then the question is, "So, is it 18 fair to say that you have never arrived at an 19 opinion that 'Ms. Heard exhibits patterns of 20 behavior that suggest her allegations of abuse 21 against Mr. Depp are false?'" 22 And what was your answer?</p>
<p>1 that Ms. Heard exhibits patterns of behavior that 2 suggest her allegations of abuse against Mr. Depp 3 are false, correct? 4 A That's correct. 5 Q Okay. And, in fact, you've said that 6 has never been my opinion, correct? 7 A What I'm saying is that this, the 8 opinions in here, these are not my opinions. My 9 opinions are provided in my report. 10 Q Can you, please, turn to page 255 of 11 your deposition. 12 And if we can start on 254 to give the 13 context. 14 A I don't have that page, I'm sorry. 15 Q 254, line 11? 16 A Oh, okay. 17 Q And the question is, "Now, the next one 18 is 'Ms. Heard exhibits patterns of behavior that 19 suggest her allegations of abuse against Mr. Depp 20 are false.' 21 "Was that your opinion in February of 22 2021?"</p>	<p>1 A Well, there was an objection. 2 Q All right. I'll read it for you, if 3 you're having difficulty. 4 A No, no. 5 Q Your answer was, under oath, "Correct. 6 That is not my opinion. That has never been my 7 opinion." 8 Isn't that what you said -- 9 A Correct. 10 Q -- under oath on March 21st? Okay. 11 And then I wrote -- then I'm going to 12 ask you, "Do you know who wrote this portion of 13 the designation suggesting that these were your 14 opinions in February of 2021?" 15 And what was your answer? 16 A I said, "No." 17 Q Okay. Now, as of the time of this 18 initial expert designation, you had not reviewed 19 any materials, reached any opinions, correct? 20 A I believe I had just started to review 21 materials. I believe that I indicated that in my 22 deposition. I had not, yet, rendered any</p>

<p style="text-align: right;">2657</p> <p>1 opinions. I hadn't completed my review, and I 2 hadn't conducted an evaluation. 3 Q And, in fact, you've never testified as 4 an expert on IPV, intimate partner violence; isn't 5 that correct? 6 A I believe that is correct. But I may 7 not be remembering all of my cases. 8 Q Well, let's go to page 200. 9 A Okay. 10 Q Line 17. My question was, "Have you 11 ever testified as an expert on IPV?" 12 And your answer, under oath, then, at 13 line 22, was what? 14 A Gosh, let me catch up. Line 22. 15 "No." 16 Q And you've never testified as an expert 17 on emotional distress damages associated with IPV; 18 is that correct? 19 A That's correct. 20 Q And you've never been asked to testify 21 with respect to emotional damages associated with 22 domestic violence or abuse; isn't that correct?</p>	<p style="text-align: right;">2659</p> <p>1 Q Okay. And you have never qualified as 2 an expert to speak to whether a person suffered 3 from IPV, intimate partner violence, or was a 4 victim or survivor of IPV; is that correct? 5 A That's outside the task of a 6 psychologist, to determine whether an event 7 occurred. We assess behavior, we assess mental 8 status, we don't detect crimes. 9 Q So you have not been asked to testify 10 to that, correct? 11 A It's not something that occurs, so, no, 12 I have not. 13 Q And you were not ultimately asked to 14 provide any opinions on that, correct? 15 A No, I was not. 16 Q Okay. Now, you did not disclose in any 17 of the designations, or your report, that you had 18 met with and had dinner and drinks with Mr. Depp, 19 did you? 20 A I'm sorry. Can you repeat that one 21 more time? 22 Q Yes.</p>
<p style="text-align: right;">2658</p> <p>1 A Again, that -- I'm reluctant to say 2 that's correct because with 15 years of 3 experiences -- experience, a lot of my cases have 4 been complex, and that may have been a component. 5 But I don't remember, explicitly, a case being 6 just about that. 7 Q Let's go to page 199, line 20. My 8 question to you was, "Have you ever been asked to 9 testify with respect to emotional damages 10 associated with domestic violence or abuse?" 11 And your answer, under oath, at that 12 time, was? 13 A No. 14 Q "I've not," right? 15 A I hadn't gone to the page in time. 16 Q You said, "No, I've not." 17 A But I have not. 18 Q Okay. Now, you also have never been 19 asked to testify on whether an individual's being 20 truthful in saying that they are a survivor of 21 IPV; is that correct? 22 A That's correct.</p>	<p style="text-align: right;">2660</p> <p>1 A Excuse me. 2 Q You did not disclose in any of the 3 designations, or in your report, that you had 4 dinner and drinks with Mr. Depp, correct? 5 A I did not disclose that I was 6 interviewed by the legal team, no. 7 Q I asked a different question. 8 Are you trying to resist that you 9 didn't have dinner with Mr. Depp and drinks? 10 A I'm not trying to resist that, but it's 11 not quite right. 12 Q You did have dinner with Mr. Depp; did 13 you not? 14 A I did. With his legal team. 15 Q And you had drinks with Mr. Depp; did 16 you not? 17 A And what? 18 Q You had drinks with Mr. Depp; did you 19 not? 20 A Drinks were served. This was over 21 two years ago. I may have had a drink with 22 dinner, yes.</p>

<p>2661</p> <p>1 Q In fact, you thought you had a mule 2 something, right? 3 A Possibly. 4 Q And you didn't disclose that you had 5 met with Mr. Depp, Mr. Waldman, Mr. Chew, and 6 Ms. Vasquez at Mr. Depp's house for three to 7 four hours and had dinner and drinks? 8 A I did not disclose that. It's not 9 significant to the report. 10 Q You don't think that's significant, 11 correct? 12 A I don't. 13 Q Okay. But you've never been asked to 14 meet with a client and his counsel before being 15 retained as an expert, either before or after, 16 have you? 17 A No. 18 Q And you justified that it was okay in 19 this case because it was a high-profile case? 20 A That's not quite right. I justified 21 it, in this case, actually, I sought consultation 22 about it. First of all, the person who had</p>	<p>2663</p> <p>1 correct? 2 A Yes. 3 Q And then I said, "Had you ever done 4 that before?" 5 And you said, "No," correct? 6 A Correct. 7 Q And then I said, "Have you ever done it 8 since?" 9 And you said, "No," correct? 10 A Correct. 11 Q Now, would you agree that if you did 12 not find something that would be in favor of 13 Mr. Depp and negative to Ms. Heard, that you 14 wouldn't be an expert in this case? 15 A That's not true. 16 Q You're not coming into court if you're 17 going to say Ms. Heard is right and Mr. Depp is 18 wrong, correct? 19 A So, as a forensic psychologist, my 20 obligation is to the Court, is to the fact finder. 21 I present science, regardless of what that science 22 may be. Now, when I take a case, my retainer</p>
<p>2662</p> <p>1 retained his attorneys was unable to come to my 2 office with his attorneys, and, yes, this is a 3 very visible case, it's been going on a very long 4 time, and I understood that there would be a need 5 to interview me and determine – make an informed 6 decision about my qualifications. 7 Q Can you look at page 240, please. Line 8 3 is my question. "Would you agree it's highly 9 irregular to meet with a subject in a litigation?" 10 And your answer, on that occasion, was 11 "I would not say it's highly irregular. I would 12 say it's not something that I would typically do. 13 However, I had not yet been retained on the case. 14 This was a large, high-profile case, and I 15 understood that I believed that it was appropriate 16 for a person retaining me with such a high profile 17 to meet me, able to vet me, essentially, with the 18 attorneys present prior to retaining me on his 19 case." 20 Do you recall that? 21 A Yes. 22 Q That's what you said under oath,</p>	<p>2664</p> <p>1 agreement is explicit about that and – 2 Q Dr. Curry, I'm just asking you, I'm 3 asking you a question. I'd like you to try to 4 answer my question. 5 A Okay. 6 Q You understand that if you found 7 favorably to Ms. Heard and negatively to Mr. Depp, 8 you wouldn't be here, right, you wouldn't be 9 testifying? 10 MR. DENNISON: Objection. Speculative. 11 A No, I would – sorry. 12 THE COURT: The objection is 13 speculation? 14 MS. BREDEHOFT: That's not speculation. 15 THE COURT: I'll sustain the objection. 16 If you want to ask it differently. 17 MS. BREDEHOFT: Okay. That goes to 18 bias, Your Honor. 19 THE COURT: I sustained the objection. 20 Next question. 21 MS. BREDEHOFT: All right. 22 Q You were, in fact, so excited about</p>

<p>2665</p> <p>1 being involved in this case that you told your 2 husband, even though this was a highly 3 confidential matter, that you were going to be 4 conducting the examination of Ms. Heard, didn't 5 you? 6 A That is not accurate. 7 Q You not only told your husband but you 8 told Ms. Heard that you told your husband, 9 correct? 10 A Ms. Bredehopt, that is not accurate. 11 Q What is accurate? 12 A You're incorrect. That is not correct. 13 Q Is your testimony today, under oath, 14 that you did not tell your husband that you were 15 going to be conducting the examination of Amber? 16 A That is my testimony. 17 Q Okay. Let's go to page 306. 18 So the question that was asked was 19 because you brought muffins, you said, from your 20 husband, right, and you gave those to Ms. Heard, 21 correct? 22 A May I clarify what occurred so we can</p>	<p>2667</p> <p>1 us? 2 A 305 and 306? 3 Q Yeah, that's where we're talking about. 4 A Is there a line you want me to look at? 5 Q You can start with 15, line 15, 305. 6 Just read through that and tell me whether you 7 said, anywhere in there, that you have a lot of 8 high-profile examinations, you do this frequently? 9 MR. DENNISON: Objection. Improper 10 impeachment. 11 MS. BREDEHOFT: I don't agree. 12 THE COURT: I want you to approach, 13 please. 14 (Sidebar.) 15 THE COURT: Which statement are you 16 trying to impeach here? 17 MS. BREDEHOFT: I'm trying to 18 impeach -- she added into, the one that's on 19 page 304 to 306, she added in that she has lots of 20 high-profile clients that she does this for, 21 closes the office. She doesn't say that in there. 22 THE COURT: Why don't you ask you</p>
<p>2666</p> <p>1 stop talking about muffins? What happened was 2 that I was getting ready that morning, I 3 frequently bring muffins to the office, my husband 4 did happen to know that there was going to be a 5 celebrity client coming in because on the morning 6 that that occurs, which often occurs, we have to 7 actually clear the office and move the staff to 8 the other office. So, yes, on the one hand, he 9 was aware of that. I was getting ready. I asked 10 him to go to the bakery near our house and pick up 11 the muffins for me because I was running late. He 12 often has to do that because I often do run late. 13 He brought the muffins back to the house, I 14 brought them into the office, Ms. Heard and I 15 enjoyed the muffins together. I think I made the 16 comment to her along the lines, like, we can thank 17 my husband -- or my husband got these for us 18 today, meaning he purchased the muffins, we are 19 now enjoying them because of him. 20 Q Did you say, on pages 305 and 306, that 21 you frequently have examinations of high-profile 22 clients? You want to take a quick look and tell</p>	<p>2668</p> <p>1 didn't say that before -- 2 MS. BREDEHOFT: I'll ask her. 3 THE COURT: I don't know. 4 MS. BREDEHOFT: It starts on page 305 5 and then her answer is on 306. She doesn't say in 6 there that she sees lots of high-profile clients. 7 She added it in there. She added she has many 8 high-profile clients. 9 MR. DENNISON: The way to answer the 10 question exactly the way opposing counsel 11 suggests. If she wants to ask the question about 12 whether you said that before -- 13 THE COURT: You mentioned that. 14 MS. BREDEHOFT: I will. 15 THE COURT: Okay. Thank you. 16 (Open court.) 17 BY MS. BREDEHOFT: 18 Q So, why did your husband get the 19 muffins for Amber Heard? 20 A He did not get the muffins for Amber 21 Heard. 22 Q Okay. He knew you had a high-profile</p>

<p>2669</p> <p>1 client and you were preparing for a very long 2 time, and you asked him to pick up the muffins, 3 correct? 4 A I asked him to pick up the muffins for 5 me, yes. 6 Q Okay. Now, would you agree that 7 domestic abuse can be verbal? 8 A Absolutely. Yes. 9 Q Would you agree that domestic abuse can 10 be emotional? 11 A Yes, certainly. 12 Q Would you agree that domestic abuse can 13 be psychological? 14 A Yes. 15 Q Would you agree that domestic abuse can 16 be physical? 17 A Yes. 18 Q Now, you indicated, and I believe you 19 testified in your direct, that it is very 20 important to review the treatment records before 21 forming opinions; is that correct? 22 A Yes.</p>	<p>2671</p> <p>1 diagnosis that Amber Heard suffers from either 2 borderline personality disorder or histrionic 3 personality disorder, correct? 4 A That's not correct. 5 Q In fact, your report says Ms. Heard 6 demonstrates psychological symptoms of a combined 7 borderline and histrionic personality disorder; 8 would you agree? 9 A Yes, I did say that. And also, what 10 designation was that, I believe January 18th, that 11 report was included? Yes. 12 Q Okay. And that's what you said, at 13 that time, correct? 14 A Yes. 15 Q Okay. 16 A I said a little bit more than that, as 17 well. 18 Q You said, and I'll read it, I'll quote 19 it, "Based on the combined results of my interview 20 with Ms. Heard, behavioral observations, 21 psychometric test data and review of the available 22 records, Ms. Heard demonstrates psychological</p>
<p>2670</p> <p>1 Q Okay. In fact, that's the first thing 2 you would do, correct? 3 A Not necessarily the first, but it's 4 part of the evaluation. 5 Q Let's go to page 261. And let's go to 6 260, because that's where I start the question. 7 The question I asked was, "Do you 8 recall whether you reviewed any of these 9 designations on February 19, 2021?" 10 And you said, "Okay. I can't say for 11 certain. What I can tell you is that knowing my 12 normal procedure, I would have reviewed the 13 treatment records first." 14 Did you testify to that under oath 15 then? 16 A Yes. 17 Q Okay. Now, before we start getting 18 into the ones that you testified about, I just 19 want to be really clear about what you actually 20 have as an opinion with respect to the borderline 21 personality disorder and the histrionic. You 22 didn't diagnose, you didn't actually have a DSM-5</p>	<p>2672</p> <p>1 symptoms of a combined borderline and histrionic 2 personality disorder, BHPD." 3 A Yes. 4 Q That's what you wrote in your report as 5 one of your conclusions, correct? 6 A And that's the DSM-5 diagnosis. 7 Q And it did not say that you were 8 diagnosing with the DSM-5 for borderline 9 personality disorder or histrionic personality 10 disorder, did it? 11 A That's what it says in different 12 semantics. 13 Q Oh, so what you meant to say? 14 A It did not use the words you just said. 15 Q Now, let's talk about the treatment 16 records that you said that you reviewed. But I'm 17 going to start with Rocky Pennington. Your 18 testimony was that, out of the blue, Amber hit 19 Rocky Pennington, correct? 20 A I can't remember exactly what I said. 21 But I did reference Ms. Pennington's deposition, 22 that Ms. Heard struck Ms. Pennington in the face.</p>

<p>2673</p> <p>1 Q In fact, Ms. Pennington testified that 2 she hit Ms. Heard, and in response to that, she 3 can't recall, but Ms. Heard either pushed or 4 slapped her, correct? 5 A I don't recall. 6 Q That's a pretty important distinction; 7 don't you think? 8 A My recollection is that there was some 9 sort of violence both ways in the relationship. 10 Either way, it seemed that both of them might have 11 been unstable, but I was only evaluating 12 Ms. Heard. 13 Q Oh, so, now we have an evaluation of 14 Rocky Pennington? 15 A No. I just said that that was not 16 relevant to my opinion because I'm only evaluating 17 Ms. Heard. 18 Q But you testified to that on direct, 19 that that was a factor, right? 20 A Yes. 21 Q Well, wouldn't it make a big difference 22 if Amber struck first or just responded back?</p>	<p>2675</p> <p>1 that he received a text message, contemporaneous, 2 that Johnny did a number on me tonight. I'm safe 3 in my support tonight, but I need some real help. 4 Do you remember him testifying to that? 5 A I don't remember the testimony, but I 6 do remember seeing that text message as one of the 7 exhibits. 8 Q And do you remember Dr. Cowan 9 testifying that on another occasion, Amber sent 10 him a text, "Johnny beat me up pretty good last 11 night"? 12 MR. DENNISON: Objection. Hearsay. 13 MS. BREDEHOFT: Not in this -- she can 14 rely on it. 15 THE COURT: Overruled. 16 MS. BREDEHOFT: Thank you. Thank you, 17 Your Honor. I didn't mean to argue that far, I 18 guess. 19 Q Do you recall that? 20 A Again, I don't recall the testimony, 21 but I do remember that being an exhibit. I've 22 seen it.</p>
<p>2674</p> <p>1 A Given the dynamic, not necessarily. 2 No, it would not have. 3 Q So now you're an expert on Rocky 4 Pennington and her dynamics with Amber Heard? 5 MR. DENNISON: Objection. 6 Argumentative. 7 MS. BREDEHOFT: I'll withdraw. 8 THE COURT: Sustained. 9 MS. BREDEHOFT: Okay. 10 Q So, now, let's talk about Dr. Cowan. 11 You not only reviewed his treatment records and 12 his text messages and documents, but you also 13 attended his deposition; did you not? 14 A Yes. 15 Q Okay. And do you recall Dr. Cowan 16 testifying that Amber told him about Depp 17 physically abusing her, contemporaneous with the 18 events? 19 A I don't recall, specifically, his 20 words, but I remember him recalling that she had 21 disclosed abuse in their treatment, yes. 22 Q And do you recall Dr. Cowan testifying</p>	<p>2676</p> <p>1 Q Do you recall Dr. Cowan testifying that 2 not only did he believe Amber in her reporting of 3 the abuse by Depp, but that she had no ulterior 4 motive? 5 A I actually don't recall that. I'm not 6 saying that it didn't occur. 7 Q Do you recall Dr. Cowan testifying that 8 he believed the relationship was toxic and he was 9 concerned for Amber's physical well-being? 10 A I do recall him saying that he believed 11 the relationship was toxic. 12 Q And you don't recall Dr. Cowan -- 13 A I do not. 14 Q -- saying that he was concerned for 15 Amber's physical well-being? 16 A I don't remember those exact words. 17 Q Do you believe -- do you recall 18 Dr. Cowan testifying, in that deposition that you 19 were present for, referring to Mr. Depp, "his 20 controlling nature, jealousy, and suspiciousness, 21 addiction to drugs and alcohol and violent and 22 indulgent temper"? Do you recall him using those</p>

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1 terms to describe Mr. Depp?
2 **A I remember thinking that would be an**
3 **inappropriate impression for a treating provider**
4 **of a different person to give. But I do recall**
5 **him making that statement.**
6 Q Do you recall Dr. Cowan testifying that
7 if he pushed her, she was going to push him back,
8 and I never had the impression that she was the
9 provocateur, but that she was indicating to me she
10 had a hard time, you know, deescalating these
11 types of situation?
12 **A Yes.**
13 Q And do you also recall him saying that
14 she didn't say she pushed him, she just said, I
15 got right back up. She told me that he pushed her
16 down and she got back -- right back up.
17 **A I remember him saying that Ms. Heard**
18 **told him that, yes.**
19 Q And do you recall him testifying, you
20 could interpret it that way, I kind of interpreted
21 more, you know, metaphorically, that when somebody
22 comes at her, she goes back at them, you know, in

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1 a similar way, whether it's verbally or she
2 protects herself.
3 Do you recall that?
4 **A I may -- I recall something along those**
5 **lines, but it was a six or seven-hour deposition,**
6 **so the specifics are not fresh in my mind.**
7 Q Do you recall Dr. Cowan specifically
8 testifying that he believed Amber Heard when she
9 reported the physical abuse by Mr. Depp?
10 **A I recall him saying that and following**
11 **it up with a statement that you have to take the**
12 **patient at their word when you're the therapist.**
13 Q You recall that?
14 **A Yes.**
15 Q Do you recall him saying he took her --
16 that he believed her? That he found her
17 believable?
18 **A Yes, yes, that he found her believable.**
19 Q Okay. Now, you also testified about
20 Amy Banks.
21 Do you recall that?
22 **A Yes.**

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1 Q And before we go there. Dr. Cowan has
2 been a clinical psychologist for 40 years,
3 correct?
4 **A I'm not sure.**
5 Q Okay. Well, he testified to that,
6 didn't he, in the deposition?
7 **A I don't recall.**
8 Q And he also saw Amber Heard for over
9 two years, correct?
10 **A Yes.**
11 Q From 2014, approximately, August 2014
12 through 2016, correct?
13 **A Yes, he did.**
14 Q For a period of time; would you agree?
15 **A Uh-huh.**
16 Q Okay. And he also testified that he
17 did not diagnose Amber with borderline personality
18 disorder.
19 Do you recall that testimony?
20 **A He also testified that he doesn't use**
21 **diagnoses. But, yes, I do recall that.**
22 Q And do you recall that it was in --

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1 those words were in his notes, but he said he had
2 written that down but then he discounted it and
3 determined that that was not correct for her?
4 MR. DENNISON: Objection, Your Honor.
5 THE COURT: Do you want to approach?
6 (Sidebar.)
7 THE COURT: Yes, sir.
8 MR. DENNISON: So many elements to that
9 question that I couldn't follow it.
10 MS. BREDEHOFT: I'll withdraw that one.
11 THE COURT: Okay.
12 (Open court.)
13 BY MS. BREDEHOFT:
14 Q Okay. Now let's jump to Amy Banks.
15 Dr. Banks is a psychologist, correct?
16 **A Yes.**
17 Q In fact, she went to medical school at
18 Georgetown and she did her psychiatric training at
19 Harvard Medical School, correct?
20 **A I believe that's correct. I don't**
21 **recall a hundred percent.**
22 Q She was a psychiatrist in Massachusetts

<p>1 that Amber Heard had reached out to. 2 A Yes. 3 Q After the Australia incident, to try to 4 help her relationship with Mr. Depp, correct? 5 MR. DENNISON: Objection, Your Honor. 6 MS. BREDEHOFT: Let me back up. 7 Q You attended Dr. Banks' deposition as 8 well; did you not? 9 A Yes, I did. 10 Q And Dr. Banks testified to that, 11 correct? 12 A I don't remember if she testified to 13 that. I don't have the notes right in front of me 14 or the deposition transcript. 15 Q All right. Do you recall Dr. Banks 16 testifying that she understood that Amber was in a 17 relationship with Johnny Depp that had gotten 18 violent and out of control? 19 A I don't recall specifically, no. 20 Q Do you recall Amy Banks testifying that 21 they had physical altercations and his drug use 22 had escalated and Amber felt she was at risk?</p>	<p>2681</p>	<p>1 I'm not saying it didn't occur. I just can't 2 recall it. 3 Q All right. And you recall that 4 Mr. Depp was in sessions with Ms. Heard with 5 Dr. Banks, correct? 6 A I -- yes. 7 Q Okay. 8 A My understanding, however, is that they 9 met with Dr. Banks, and then it was primarily 10 Ms. Heard meeting with Dr. Banks for treatment 11 after prescriptions and therapy. 12 Q All right. And do you recall Dr. Banks 13 saying that she was not surprised that Amber was 14 seeking a restraining order because of the 15 violence that she knew existed in the 16 relationship? 17 A I do recall that. And it would be 18 impossible to know that violence exists, as a 19 treating therapist or as a psychologist. Again, 20 we're not investigators. However, I do recall 21 that she said that because I remember having that 22 thought.</p>	<p>2683</p>
<p>1 A I don't recall. 2 Q Do you recall Amy Banks testifying that 3 Amber was reporting the violence by Mr. Depp and 4 it was not consensual? 5 A I recall Dr. Banks stating that 6 Ms. Heard was reporting violence to her, yes. I 7 do not recall a statement about consent. 8 Q Do you recall Dr. Banks testifying that 9 there was discussion about Mr. Depp cutting off 10 his finger, and she said only that it was the 11 middle of one of these very kind of 12 out-of-control, escalated fights and that did make 13 a fairly big impact on me? 14 A I remember something like that. 15 Q All right. And do you recall Dr. Banks 16 saying it was a whole other level, as I remember 17 it, he told me he actually cut off a part of his 18 finger during one of these altercations, meaning, 19 to me, the way I digested that, if you will, was 20 that things had gotten particularly out of 21 control? 22 A I do not recall that exact statement.</p>	<p>2682</p>	<p>1 Q And do you recall Amy Banks -- and 2 she's a psychiatrist, right? 3 A Psychiatrist. 4 Q Right. 5 Do you recall Amy Banks saying that it 6 was clear to her that Mr. Depp was the one who 7 initiated the violence? 8 A I don't recall that. 9 Q All right. 10 Do you recall that Dr. Banks said that 11 she knew, for certain, that Mr. Depp was the one 12 who had committed the violence because Ms. Heard 13 reported it in the presence of Mr. Depp and he did 14 not contradict? 15 A I do not recall that. 16 Q Okay. 17 Do you recall that Dr. Banks ultimately 18 concluded that it was her belief that Amber was a 19 victim of domestic violence at the hands of 20 Mr. Depp? 21 MR. DENNISON: Objection, Your Honor. 22 THE COURT: Yes, do you want to</p>	<p>2684</p>

<p>1 approach? 2 (Sidebar.) 3 THE COURT: Yes, sir. 4 MR. DENNISON: I understand the desire 5 to get in the expert testimony, but that's going 6 to come in. All she's asking about is whether she 7 recalls certain statements -- 8 THE COURT: What's the objection? 9 MR. DENNISON: The objection is 10 duplicative of -- I'm sorry. It's speculative 11 given the lack of clear foundation. 12 THE COURT: You can redirect her on 13 that. That's fine. I'll allow the questions. 14 I assume you're near the end of those 15 questions? 16 MS. BREDEHOFT: Excuse me. 17 THE COURT: I'm assuming you're near 18 the end of those questions? 19 MS. BREDEHOFT: Yes. I'm going to be 20 going to something different. 21 THE COURT: All right. I've gotcha. 22 (Open court.)</p>	<p>2685</p>	<p>1 A I don't recall that specifically. 2 Q Okay. And do you recall Dr. Anderson 3 saying that she had witnessed her face being 4 bruised after the December 15, 2015 incident? 5 A I don't recall that. 6 Q You don't recall that, okay. 7 And do you recall that Dr. Anderson 8 said that Amber had reported that he had pulled 9 out her hair, bruised her face, kicked her leg, 10 and hit her in the head? 11 A Yes, Ms. Heard did report that to her, 12 according to her testimony. 13 Q Okay. And do you recall that Amber 14 Heard said that Mr. Depp was scaring her? 15 A I don't recall that specifically. 16 Q Okay. And do you recall that 17 Dr. Anderson said she believed that Amber Heard 18 was a victim of domestic abuse at the hands of 19 Mr. Depp? 20 A I recall -- no, I don't recall that 21 statement. 22 Q All right. Let's go to Bonnie Jacobs.</p>	<p>2687</p>
<p>1 BY MS. BREDEHOFT: 2 Q And what was your answer to that last 3 one, I'm sorry? 4 A I think I can't recall, but I also 5 can't recall that last question. 6 Q Do you recall that Dr. Banks concluded 7 that Amber was a victim of domestic violence at 8 the hands of Mr. Depp? 9 A I don't recall that. 10 Q You also reviewed the records of Laurel 11 Anderson, and you reviewed her deposition; is that 12 correct? 13 A Let me refresh my memory for a moment. 14 I reviewed Dr. Anderson's deposition, 15 yes. 16 Q Okay. And do you recall that she 17 reported that Amber Heard had reported physical 18 violence by Mr. Depp to her? 19 A I recall that she said that Ms. Heard 20 had reported that, yes. 21 Q Okay. And do you recall that she said 22 that it changed over time?</p>	<p>2686</p>	<p>1 You said that you reviewed the notes from Bonnie 2 Jacobs, correct? 3 A Yes. 4 Q And what you testified to was that you 5 discounted these because the first notes from 6 Bonnie Jacobs indicated that she already had all 7 of these symptoms, correct? 8 A Just, I'm sorry, I don't understand 9 what you're saying. I discounted? 10 Q Tell me why you discounted Bonnie 11 Jacobs' notes. 12 A I did not discount Bonnie Jacobs' 13 notes. 14 Q You said that she -- that Bonnie 15 Jacobs, in her notes, had already determined that 16 the symptoms were present for Amber Heard before 17 the relationship with Mr. Depp; did you not? 18 A What I recall saying was that within 19 Dr. Jacobs' notes, she's documented instances in 20 which Ms. Heard reported to her, over the course 21 of therapy, that she was experiencing nightmares, 22 recurrent nightmares, in fact, about childhood</p>	<p>2688</p>

<p style="text-align: right;">2689</p> <p>1 abuse. 2 Q Okay. Now, the very first entry on 3 Bonnie Jacobs' notes, and these are the notes, 4 right? Do you recognize these? 5 A I do. And we received more sort of at 6 the tail end, just a couple months ago. 7 Q All right. So the first of Bonnie 8 Jacobs' notes is on 10/17/2011. 9 Do you recall that? 10 A I don't recall the exact date. I don't 11 have anything in front of me. 12 Q And she was already, Amber Heard, was 13 already in the relationship with Johnny Depp at 14 this point; was she not? 15 A I believe she was, yes. 16 Q Okay. And in Bonnie Jacobs' notes, she 17 documents -- 18 A However -- oh, go ahead. 19 Q She documents multiple, multiple 20 occasions that Amber Heard reports, to her, 21 physical violence upon her by Mr. Depp; does she 22 not?</p>	<p style="text-align: right;">2691</p> <p>1 A And I recall that there was quite a bit 2 of information because these were copious notes 3 spanning back in time from her relationship with 4 Tasya. 5 Q Dr. Curry, please, answer my question. 6 How many occasions do you recall Dr. -- 7 A I don't know. 8 Q -- Dr. Jacobs documenting Amber 9 reporting physical abuse? 10 A I don't know. 11 Q Now, you also said that you listened to 12 audiotapes, correct? 13 A Yes. 14 Q Did you hear Mr. Depp admitting to 15 headbutting Ms. Heard? 16 A That is not what I heard. 17 Q You didn't hear that? 18 A I heard a conversation about 19 headbutting. I did not hear him, as you said, 20 admit to headbutting Ms. Heard. 21 Q Okay. That's your characterization of 22 it, correct?</p>
<p style="text-align: right;">2690</p> <p>1 A There are several notes that indicate 2 that Ms. Heard has reported violence by Mr. Depp, 3 yes. 4 Q Many, many, correct? 5 A I wouldn't quantify it as "many, many." 6 I'm not sure what you mean by "many, 7 many." 8 Q How many would you say? 9 A I don't know. I don't have the notes 10 in front of me. 11 Q Okay. Well, what do you recall in 12 deciding to make your opinions in this case? 13 A Well, I'm confused about the dates 14 because I know that Dr. Jacobs treated Ms. Heard 15 even while she was in her prior relationship, 16 leaving her prior relationship with her last wife. 17 Q Dr. Curry, I'm not going to ask you to 18 try to bring in extraneous things. I'm asking you 19 what you recall of these notes. 20 A But the dates would have been 21 different, based on that alone. 22 Q Okay.</p>	<p style="text-align: right;">2692</p> <p>1 A Yes. 2 Q Okay. Did you see the videotape of 3 Mr. Depp in the kitchen? 4 A Yes. 5 Q Okay. Did Ms. Heard imagine that or 6 create that or was she responsible for that 7 somehow? 8 MR. DENNISON: Objection, Your Honor. 9 Speculative. 10 THE COURT: I'll sustain the objection. 11 Next question. 12 MS. BREDEHOFT: Okay. 13 Q What, if any, impact did that have on 14 your opinions, watching Mr. Depp in that video? 15 A I'm not sure -- it was one of many 16 pieces of the exhibits and other collateral data 17 that I considered. I'm not sure what the direct 18 impact was or if that could be measured. 19 Q All right. Now, counsel asked you 20 whether you had conducted any type of examination 21 on Mr. Depp, and I believe your answer was no, 22 correct?</p>

<p>2693</p> <p>1 A No.</p> <p>2 Q You did not review any medical records</p> <p>3 or psychological records from Mr. Depp either, did</p> <p>4 you?</p> <p>5 A I reviewed all of the records that were</p> <p>6 available.</p> <p>7 Q Do you recall reviewing medical and</p> <p>8 psychological records of Mr. Depp?</p> <p>9 A I – yes.</p> <p>10 Q Do you recall Dr. Blaustein referring</p> <p>11 to Mr. Depp having rage?</p> <p>12 A No, I actually recall him referring to</p> <p>13 Ms. Heard in that note.</p> <p>14 Q Your testimony is that Dr. Blaustein</p> <p>15 was referring to Amber Heard as having rage?</p> <p>16 A I transcribed several of the notes and</p> <p>17 I may be missing a time when he – said that about</p> <p>18 Mr. Depp. The handwriting was very difficult to</p> <p>19 transcribe, but there was one instance in which I</p> <p>20 recall transcribing him stating that Mr. Depp</p> <p>21 reported that Ms. Heard had rage.</p> <p>22 Q Dr. Blaustein's deposition was taken;</p>	<p>2695</p> <p>1 A There was – that's not my task.</p> <p>2 Q Okay. Let me go to IPV perpetrators.</p> <p>3 Would you agree that accusations of</p> <p>4 infidelity can be considered one of the</p> <p>5 characteristics of a personality perpetrator of</p> <p>6 IPV?</p> <p>7 A It can be a characteristic of a lot of</p> <p>8 things. It is something that can be weaponized if</p> <p>9 somebody is trying to or is having rage towards</p> <p>10 their partner.</p> <p>11 Q Let's go to page 270.</p> <p>12 Line 3, my question was, "Are</p> <p>13 accusations of infidelity considered one of the</p> <p>14 characteristics of a perpetrator, a personality</p> <p>15 perpetrator of IPV?"</p> <p>16 MR. DENNISON: Objection, Your Honor.</p> <p>17 THE COURT: The objection?</p> <p>18 MR. DENNISON: The question is vague</p> <p>19 and ultimately ambiguous.</p> <p>20 MS. BREDEHOFT: I don't understand the</p> <p>21 objection.</p> <p>22 THE COURT: I'll overrule the</p>
<p>2694</p> <p>1 was it not?</p> <p>2 A I don't recall.</p> <p>3 Q Do you recall -- so I take it, then,</p> <p>4 you don't recall him testifying that Mr. Depp told</p> <p>5 him he had rage and demons?</p> <p>6 A I don't recall.</p> <p>7 Q Okay. Do you recall Dr. Blaustein</p> <p>8 testifying that Mr. Depp looked at his wife,</p> <p>9 Amber, like his mother or his sister that he</p> <p>10 didn't like?</p> <p>11 A I haven't seen his deposition. I don't</p> <p>12 recall that.</p> <p>13 Q Okay. Now, did you see and do you know</p> <p>14 whether Mr. Depp has ever been diagnosed with any</p> <p>15 personality disorders?</p> <p>16 A My – that's not relevant to my task to</p> <p>17 conduct an evaluation of Ms. Heard. So I do not</p> <p>18 know that he has had one. It's not in the records</p> <p>19 that he did.</p> <p>20 Q So, one way or the other, you don't</p> <p>21 know whether Mr. Depp suffers from any personality</p> <p>22 disorders?</p>	<p>2696</p> <p>1 objection.</p> <p>2 Q And your answer, under oath --</p> <p>3 A Can you remind me of the page?</p> <p>4 Q Page 270, line 3 was where my question</p> <p>5 was.</p> <p>6 A Okay.</p> <p>7 Q And your answer's at line 8.</p> <p>8 You said, "It can be," correct?</p> <p>9 A Uh-huh, yes.</p> <p>10 Q Okay. And interrogating your partner</p> <p>11 about unfounded accusations of infidelity can be</p> <p>12 abusive; would you agree?</p> <p>13 A It can be, if they're unfounded, yes.</p> <p>14 Q Okay. And psychological consequences</p> <p>15 for a victim of IPV can include diminished</p> <p>16 self-esteem, correct?</p> <p>17 A Yes.</p> <p>18 Q Depressed mood?</p> <p>19 A Yes.</p> <p>20 Q Anxiety?</p> <p>21 A Yes.</p> <p>22 Q Fearfulness?</p>

2697	<p>1 A Certainly.</p> <p>2 Q Diminished self-agency?</p> <p>3 A Yes.</p> <p>4 Q Feeling powerless?</p> <p>5 A Yes.</p> <p>6 Q Loss of sleep?</p> <p>7 A Yes.</p> <p>8 Q And IPV is a traumatic stressor; would</p> <p>9 you agree?</p> <p>10 A It is.</p> <p>11 Q And IPV is capable of resulting in</p> <p>12 PTSD; is it not?</p> <p>13 A It is.</p> <p>14 Q Okay. And IPV is capable of resulting</p> <p>15 in other trauma-based disorders, correct?</p> <p>16 A Yes.</p> <p>17 Q Okay. Now, Amber's medical</p> <p>18 examination, she was cooperative, correct.</p> <p>19 A Her psychological? Yes. She was</p> <p>20 cooperative and polite.</p> <p>21 Q And in the two full days of</p> <p>22 examination, you felt she was polite and answered</p>	2699	<p>1 it's inconsistent with the question you had just</p> <p>2 asked me.</p> <p>3 Q And would you agree that appearing for</p> <p>4 this examination with an expert who had been</p> <p>5 retained by Mr. Depp more than a year earlier</p> <p>6 might be a little stressful?</p> <p>7 A Yes.</p> <p>8 Q Okay. And, in fact, not only had you</p> <p>9 been retained by Mr. Depp, but what had been</p> <p>10 communicated by Mr. Depp's team was that you had</p> <p>11 called Amber Heard a liar and a perpetrator of</p> <p>12 abuse, correct?</p> <p>13 A First of all, I would like to clarify</p> <p>14 that I was not retained by Mr. Depp, I was</p> <p>15 retained by Mr. Depp's counsel. And what I can</p> <p>16 say that, yes, any examinee, in a forensic</p> <p>17 context, you would consider that they're probably</p> <p>18 stressed.</p> <p>19 Q All right. Would you agree that all</p> <p>20 perpetrators of IPV have anger management issues?</p> <p>21 A Yes.</p> <p>22 Q And a large portion of IPV perpetrators</p>
2698	<p>1 all your questions, except in one instance where</p> <p>2 she furrowed her brow when you were asking about</p> <p>3 friendships in high school, correct?</p> <p>4 A That's not correct.</p> <p>5 Q All right. Let's go to page 275.</p> <p>6 So we start on 274 with the, was she</p> <p>7 polite? You said yes. Was she cooperative? Yes.</p> <p>8 Did she answer your questions? For the most part,</p> <p>9 yes. This is -- now we're on page 275, lines 4</p> <p>10 and 5.</p> <p>11 And then my question was. "Did she, at</p> <p>12 any time, become combative or unfriendly with you</p> <p>13 or angry?"</p> <p>14 And your answer was, "There was one</p> <p>15 instance in which she appeared annoyed and the</p> <p>16 posturing forward a bit, more assertive tone,</p> <p>17 furrowed brow when I was questioning something,</p> <p>18 following up on data that had been inconsistent</p> <p>19 about friendships in high school. Other than</p> <p>20 that, she was very polite."</p> <p>21 Is that your answer at that time?</p> <p>22 A That was my answer at that time. And</p>	2700	<p>1 have substance abuse issues?</p> <p>2 A Not -- it's one of many factors that</p> <p>3 correlates with intimate partner violence, but</p> <p>4 there are certainly many people who perpetuate</p> <p>5 intimate partner violence who do not have</p> <p>6 substance abuse issues.</p> <p>7 Q All right. Let's go to 131, line 17.</p> <p>8 A 131, you said?</p> <p>9 Q Yes. Line 12 is what I have here.</p> <p>10 And I'm talking about you said, and</p> <p>11 just to give context, remember I was asking you</p> <p>12 how many, what percentage of people you treat that</p> <p>13 are perpetrators, and you said 5 percent.</p> <p>14 Do you recall that? Just for</p> <p>15 substance.</p> <p>16 A I see that here.</p> <p>17 Q Okay. And then I said, "Of the</p> <p>18 5 percent that are IPV perpetrators that you've</p> <p>19 treated over the last eight years, how many of</p> <p>20 these perpetrators have substance abuse issues?"</p> <p>21 And your answer was?</p> <p>22 A I see that I answered with a figure of</p>

<p>2701</p> <p>1 speech, "a large portion." 2 Q Okay. Thank you. 3 And it's common for the perpetrator to 4 essentially gaslight the victim, accuse them of 5 being the perpetrator; would you agree? 6 A Are you in a different area or are you 7 asking me a different question? 8 Q I'm asking you a question. And it's 9 common -- 10 A Can you, please, repeat that? 11 Q Yes. 12 And it's common for the perpetrator to 13 essentially gaslight the victim, accuse them of 14 being the perpetrator; would you agree? 15 MR. DENNISON: Objection. Compound. 16 MS. BREDEHOFT: That's exactly how it 17 was asked in the deposition. 18 THE COURT: It is a compound question. 19 I'll sustain the objection. 20 MS. BREDEHOFT: Okay. 21 Q Is it common for the perpetrator to 22 essentially gaslight -- I don't think that's --</p>	<p>2703</p> <p>1 Q It causes them a lot of fear? 2 A Certainly. 3 Q And it causes them a lot of distress? 4 A Absolutely, yes. 5 Q And, in fact, they feel falsely 6 accused, correct? 7 A Yes. 8 Q And they feel paranoid? 9 A Yes. 10 Q And they feel frightened? 11 A Yes. 12 Q Afraid that everyone's going to believe 13 the perpetrator, correct? 14 A Yes. 15 Q And, in fact, they're afraid they're 16 going to lose their security, correct? 17 A Can you clarify what you mean by 18 "security"? 19 Q I'll ask the next one. 20 And they're afraid they're going to 21 lose their reputation, correct? 22 A Yes.</p>
<p>2702</p> <p>1 MS. BREDEHOFT: Your Honor, I think 2 it's just one question. Let me try it. 3 Q To gaslight the victim, isn't it? 4 A That's a characteristic of 5 psychological abuse, yes. 6 Q And it's common, then, for them to 7 accuse them of being the perpetrator, the victim? 8 A That's a characteristic of abuse from 9 women perpetrated against men. It's actually 10 very, very common. About 90 percent of male 11 victims of IPV have reported that a female partner 12 who abuses them makes threats to report their 13 partner as an abuser. It's less common for men to 14 make that statement to female partners, just 15 because there's less potential consequences. 16 Q Isn't it true, though, that some form 17 of gaslighting is often present in these 18 personality-based IPV scenarios? 19 A Yes. 20 Q Okay. And it's distressing for the 21 victim to be accused; is it not? 22 A Absolutely.</p>	<p>2704</p> <p>1 Q Okay. Now, let's talk about the 2 testing for a moment. 3 You talked about the MMPI-2. But 4 that's not the most recent MMPI, is it? 5 A No. It's the most researched. 6 Q Okay. Now, you -- you need to have an 7 elevated -- on the MMPI, there was only one 8 section that had elevated scores, correct? 9 A No, that's not correct. 10 Q It was the K section, correct? 11 A That's not correct. 12 Q Okay. And was there any elevated score 13 over 65 on the MMPI? 14 A I would need to take a look at it. You 15 know, I provided a 25-page interpretation outline. 16 If you're able to pull that up, I'd be happy to go 17 over any of the individual scores for you. 18 Q Can you recall any clinical scales for 19 the MMPI-2 for Amber Heard that were above 65, as 20 you sit here today? 21 A Again, there are multiple, multiple 22 scales on this test, 25 pages worth, listed. So</p>

<p>2705</p> <p>1 if you can pull it up, then I can review and give 2 you a competent answer. 3 Q What can you recall, as you sit there? 4 A I'm hesitant to do that because I don't 5 want to make an error by ignoring hundreds of 6 scale scores. 7 Q And would you agree that you can't make 8 a pathological determination or diagnosis if the 9 scales are not elevated on the MMPI? 10 A I would not agree with that. 11 Q Okay. Now, one of the answers that 12 Amber gave is that it's hard for her to feel safe, 13 correct? 14 A Where are we? Are you talking about 15 the MMPI-2? 16 Q Yes. 17 A Again, I don't recall. There are 567 18 items on that. I would need to see her results. 19 Q Well, it's a common trauma symptom, 20 isn't it, to not feel safe? 21 A Sure. 22 Q And safety concerns are common among</p>	<p>2707</p> <p>1 aspect of the traumatic event"; am I correct? 2 A Yes. 3 Q And memory difficulty is a symptom of 4 PTSD, correct? 5 A Certain types of memory difficulties, 6 yes. 7 Q Okay. Now, do you recall when Amber 8 says the first incident of abuse took place? 9 A I believe it was -- oh, the first 10 incident in which she -- yes. So, she stated that 11 it was early on in their relationship. 12 Q Okay. Do you recall it -- 13 A I don't recall an exact date off the 14 top of my head. 15 Q Do you recall it being a tattoo, 16 something related to a tattoo? 17 A I do. 18 Q Okay. Now, if someone had been 19 subjected to a four-year relationship 20 characterized by repeated IPV, they can have 21 symptoms, correct? 22 A Yes.</p>
<p>2706</p> <p>1 women who have been victimized, correct? 2 A Women and men, yes. 3 Q And common, especially, for sexually 4 victimized people; would you agree? 5 A Any type of victimization, yes. 6 Q Okay. And hard to trust; that's a 7 common after-effect of 8 interpersonal-violence-related trauma, correct? 9 A Sure. 10 Q And memory difficulties. Amber said 11 she felt she had holes. 12 Do you recall that? 13 A I do. 14 Q Okay. 15 A And her account was different than 16 typical memory difficulties with trauma. 17 Q It is common for individuals who have 18 experienced trauma to not -- 19 A It's actually not common, no. It's a 20 symptom, but it's the least common. 21 Q In fact, a DSM-5 diagnosis for PTSD 22 includes a "inability to remember an important</p>	<p>2708</p> <p>1 Q Intense anxiety? 2 A Yes. Certainly. 3 Q Depressed or irritable states? 4 A Actually, it's not so much states. 5 When you're looking at real trauma reaction, it's 6 pretty persistent. It's less of these transient 7 states. 8 Q Intimate problems? 9 A Yes. 10 Q Relationship difficulties? 11 A Yes. 12 Q And these are symptoms you're also 13 attributing to the personality disorder, correct? 14 A Yes, there are some key differences. 15 Q Okay. Now let's talk, for a moment, 16 specifically about a couple of the profiles on the 17 MMPI. 18 This is not an exaggerated profile for 19 her, is it? 20 A No. Actually, that was something 21 unique. When she completed objective broadband 22 measures, where the questions, you don't know what</p>

<p style="text-align: right;">2709</p> <p>1 the questions are getting at, they seem completely 2 random, she raised scores that indicated that she 3 was trying to minimize any mental issues and 4 appear completely free of pathology. When she 5 took tests that asked questions that were specific 6 to trauma, that's when you'd see these extreme 7 exaggerations. 8 Q All right. Let's go to page 337. 9 My question, on line 7, "This is not an 10 exaggerated profile, is it, for her?" 11 And your answer, under oath, at that 12 time, was, "No. It was not an exaggerated 13 profile." 14 Do you see that? 15 A Yes. I'm talking about the MMPI here. 16 Q And you testified -- 17 A Yes. 18 Q You testified under oath at that time, 19 correct? 20 A Yes, that's correct. 21 Q Now, the profile is also not consistent 22 with malingering, correct?</p>	<p style="text-align: right;">2711</p> <p>1 A Correct. That's outside the scope of 2 psychology. 3 Q Okay. And you cannot testify whether 4 Amber Heard suffered any emotional distress as a 5 result of any of the defamatory comments that she 6 has alleged Mr. Waldman made through Mr. -- 7 Mr. Depp made through Mr. Waldman, correct? 8 A What I can testify is that there was no 9 indication of a decline in psychological 10 functioning showing any injury since she's been 11 with Mr. Depp. 12 Q You cannot testify, one way or the 13 other, on that, correct? 14 MS. BREDEHOFT: Your Honor, may we 15 approach? 16 THE COURT: Okay. 17 (Sidebar.) 18 THE COURT: All right. 19 MS. BREDEHOFT: Your Honor, she was 20 specifically prohibited from testifying to any 21 emotional distress related to defamation. She was 22 trying to throw in a little extra there.</p>
<p style="text-align: right;">2710</p> <p>1 A The MMPI-2 profile, it's specific to 2 how she approached this test, and you're correct, 3 for this test, it was a defensive profile, not an 4 exaggerated profile. 5 Q So my question, on line 10, was, "This 6 is not a profile consistent with malingering, 7 correct?" 8 And your answer, under oath, at that 9 time, was, "Correct. On this test, it is not 10 consistent with malingering," right? 11 A Yes. 12 Q That was your full answer? Okay. 13 Now, is it your testimony, under oath 14 today, that you have not been asked to testify 15 concerning Ms. Heard's behavior in the context of 16 her relationship with Mr. Depp, including any 17 abuse? 18 A That's correct. 19 Q Okay. And you have not made any 20 determinations, including any opinions that 21 Ms. Heard abused Mr. Depp or Mr. Depp abused 22 Ms. Heard, correct?</p>	<p style="text-align: right;">2712</p> <p>1 MR. DENNISON: Well, you asked the 2 question directly. 3 MS. BREDEHOFT: I did because I wanted 4 to establish she can't. 5 THE COURT: Well, if you ask the 6 question, though, I'm not -- you're saying she's 7 banned from answering but then you ask the 8 question. 9 MS. BREDEHOFT: All right. I will 10 clear it up, then. I think she can't. 11 THE COURT: She can if you ask her the 12 question, though. That's the problem. 13 MS. BREDEHOFT: I don't agree with 14 that. She didn't give that opinion 15 (indiscernible), she didn't give that in her 16 designation. 17 THE COURT: But if you ask the 18 question, she's going to answer it. 19 MS. BREDEHOFT: Okay, Your Honor. I'll 20 clean it up and then I'm done. 21 MR. DENNISON: Thank you, Your Honor. 22 THE COURT: Yep.</p>

<p>2713</p> <p>1 (Open court.) 2 BY MS. BREDEHOFT: 3 Q Dr. Curry. 4 A Yes. 5 Q In your report, nowhere in your report 6 did you provide any opinion of whether Ms. Heard 7 suffered emotional distress as a result of the 8 defamatory statements; is that correct? 9 A That's correct. 10 Q Okay. Thank you. 11 MS. BREDEHOFT: I have no further 12 questions. 13 THE COURT: All right. Redirect. 14 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 15 COUNTERCLAIM DEFENDANT 16 BY MR. DENNISON: 17 Q Dr. Curry, you were just asked a 18 question about malingering. 19 A Yes. 20 Q And made reference to the MMPI-2. 21 Is there another test that you did to 22 make a determination with respect to malingering?</p>	<p>2715</p> <p>1 You were asked about intimacy problems, 2 relationship difficulties associated with IPV, and 3 you, then, said there were some key differences. 4 A Yes. 5 Q What are those? 6 A So, what you see, when we're talking 7 about the personality disorders, is there is a 8 very consistent pattern of the aggression, the 9 violence, the irritability. First of all, it's 10 escalated. But second of all, it occurs when 11 there is either, for the borderline component, a 12 threat of abandonment, a perceived slight, feeling 13 like the person is about to leave you, about to 14 walk away to get some space from an argument. It 15 also occurs to a less -- more mild extent, but 16 when there's a loss of attention and a need to 17 manipulate to try to get that attention back. But 18 it's not -- when somebody has PTSD, that 19 irritability is sort of at a low, constant level, 20 or it's completely random. For instance, you 21 might have a Vietnam vet who went straight to 22 bars, for a period, to get into fights, with the</p>
<p>2714</p> <p>1 A Yes. So, I also -- well, malingering 2 is a term that most psychologists, we try to be 3 careful of it because it indicates an intent for 4 secondary gain. I prefer feigning, which you 5 brought up earlier, because it indicates someone 6 is intentionally exaggerating but I don't know, 7 necessarily, why. So, I think that's a more 8 accurate term, in general. 9 On the MMPI-2, yes, there was no 10 exaggerated profile. I also gave her the CAPS-5, 11 I don't know if you'll remember, but that is the 12 clinician-administered PTSD scale consistent with 13 the DSM-5. And on that, there were signs of gross 14 exaggeration. 15 I also looked at the test results that 16 were provided by Dr. Hughes, and on an objective 17 test of trauma, there is a scale specific to 18 intentional exaggeration on that test, and 19 Ms. Heard was in the 98th profile -- 20 98th percentile, meaning that she is -- she -- she 21 had engaged in extreme levels of exaggeration. 22 Q Thank you.</p>	<p>2716</p> <p>1 hope that he would kill somebody and just 2 self-destruct. So, it's a very different type of 3 presentation. 4 IPV, it might be more irritability, but 5 that's actually less of a symptom for female IPV 6 victims. Usually, what you'll see is somatic 7 symptoms, the depression, a lot of fearfulness and 8 anxiety, but, typically, more complaints about 9 somatic symptoms. 10 Q Okay. You testified that some of the 11 professionals involved in this case had to take 12 their patient at her word. 13 What did you mean by that? 14 A So, when you're providing therapy, 15 you're in a very different role than an examiner. 16 When you're the forensic examiner, you're just 17 really looking at data to make a decision. When 18 you're a therapist, you're an advocate for your 19 client's well-being, and, in fact, it's considered 20 extremely unethical for a treating provider to 21 ever provide opinion testimony, like I'm 22 providing, because it's so well known in our field</p>

<p style="text-align: right;">2717</p> <p>1 that you're going to have an automatic bias for 2 your client. It's almost a sense of protection, 3 advocacy, wanting their best, which is why we also 4 know that it's very inappropriate to convey any 5 sort of opinion about whether a crime occurred, 6 whether abuse occurred. We can certainly believe 7 our clients. We can support them in their therapy 8 and take them at their word, but when giving 9 opinions and consultations, we have to be very, 10 very cautious and really only provide the facts. 11 We would state things in terms of my client did 12 report this, I saw this, here was our treatment 13 plan, here was the diagnosis. We just -- we're 14 taught, we're trained, to stay away from making 15 any sort of opinions, understanding that most of 16 the time, and most of Ms. Heard's providers were 17 just treating Ms. Heard. They had never so much 18 as done an initial interview with Mr. Depp and 19 gotten his whole life story or his symptoms, his 20 side of any of it. And they're going to be 21 advocating, and the treatment relationship is 22 about helping your client achieve well-being, not</p>	<p style="text-align: right;">2719</p> <p>1 MR. DENNISON: Oh, yes, through 2 rebuttal. 3 THE COURT: Since you're subject to 4 recall, Dr. Curry, please, do not discuss your 5 testimony with anybody and, please, do not watch 6 anything about this trial, okay? 7 THE WITNESS: Okay. 8 THE COURT: Ladies and gentlemen, we're 9 going to go ahead and take our afternoon recess 10 for 15 minutes. Do not do any outside research, 11 and do not talk to anybody, okay? 12 (Whereupon, the jury exited the 13 courtroom and the following proceedings took 14 place.) 15 THE COURT: All right. Let's go ahead 16 and take our recess until 3:20. Your next witness 17 is by deposition; is that correct? 18 We'll get you all set up, then. 19 MS. BREDEHOFT: Your Honor, that's the 20 one where we do have some exhibit, but we need to 21 argue before that. 22 THE COURT: Okay. We'll come back at</p>
<p style="text-align: right;">2718</p> <p>1 making formal psychological or psychiatric 2 opinions. 3 Q So you were asked a question about the 4 series of doctors. 5 Dr. Cowan, treating physician? 6 A Yes, he was a psychologist. 7 Q Dr. Banks, treating physician? 8 A Dr. Banks, yes, treating psychiatrist. 9 Q Dr. Anderson? 10 A Yes, treating psychologist. 11 Q Every one of them had to take Amber 12 Heard at her word, right? 13 THE COURT: Excuse me. 14 MS. BREDEHOFT: Leading. 15 THE COURT: Oh, overrule. I'll allow 16 it. 17 MR. DENNISON: Thank you. No further 18 questions. 19 THE COURT: Is this witness subject -- 20 MS. BREDEHOFT: Sorry. 21 THE COURT: That's okay. Is this 22 witness subject to recall?</p>	<p style="text-align: right;">2720</p> <p>1 3:20. Before the jury comes back out, we'll 2 discuss your exhibits, okay? Thank you. 3 MR. CHEW: Thank you, Your Honor. 4 MS. BREDEHOFT: Thank you, Your Honor. 5 THE BAILIFF: All rise. 6 (Recess taken from : 7 to :) 8 THE BAILIFF: All rise. Please be 9 seated and come to order. 10 THE COURT: Okay. So, which exhibits 11 are we? 12 MS. BREDEHOFT: Do you want us to 13 speak? 14 MR. MONIZ: Do you want to approach? 15 Sure. 16 THE COURT: Are they agreed on? 17 (Sidebar.) 18 MR. MONIZ: So there are just a couple 19 of general disagreements that I think once you put 20 rulings on, that will educate us on which way the 21 Court's going. 22 There are a few LAPD documents like</p>

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2724)

2721	1 this. 2 THE COURT: Okay. 3 MR. MONIZ: These are, basically, LAPD 4 forms. So, we're not -- let me back up. 5 Officer Saenz is the next deposition. 6 THE COURT: Right. 7 MR. MONIZ: She was one of the officers 8 who came. These are, like, LAPD forms. This is 9 not something that was provided to Ms. Heard. 10 This is, like, more like the general LAPD 11 procedures. Our view is that given that it 12 wasn't -- no report was made based on this and it 13 wasn't provided to her, it's not relevant. So we 14 would suggest that documents like that don't come 15 in. The other side disagrees. That's kind of the 16 first. 17 THE COURT: Were these shown to her at 18 some point? 19 MR. MONIZ: They were shown to her in 20 the deposition. Those portions of the deposition 21 testimony are coming in. We don't think the 22 document, itself, is relevant, since it doesn't	2723	1 into evidence. 2 MS. BREDEHOFT: Okay. 3 MR. MONIZ: Okay. So that takes care 4 of 758, 756. I guess that's taking care of 759. 5 And does that take care of 757 or do we all agree 6 on that? 7 THE COURT: A lot of paper flying here. 8 MR. MONIZ: Sorry. 9 THE COURT: That's okay. 10 MR. MONIZ: This one, we're fine on. 11 THE COURT: Which one is this one? 12 MR. MONIZ: The incident report. 13 THE COURT: 730? 14 MR. MONIZ: 730. 15 THE COURT: So, no objection to 730. 16 MR. MONIZ: 730 can come into evidence, 17 yes, as far as we're concerned, I think. 18 THE COURT: Plaintiff's 730 or 19 Defendant's? 20 MR. MONIZ: Defendant's 730, Your Honor. 21 THE COURT: I'm just getting this for 22 Jamie.
2722	1 pertain to anything that the officers actually 2 did. 3 THE COURT: I mean, why would the 4 document come in? 5 MS. BREDEHOFT: The document is because 6 we're reading from it -- 7 THE COURT: I mean, you can read from 8 it. I understand that. But why does it actually 9 come into evidence if it was never shown to her? 10 MS. BREDEHOFT: It was shown to her. 11 MR. MONIZ: It was never provided to 12 Ms. Heard. 13 THE COURT: So, it was never shown to 14 Ms. Heard? 15 MS. BREDEHOFT: Because it's their 16 policies and procedures. 17 MR. MONIZ: These are fact witnesses. 18 These are fact witnesses. They're not testifying 19 about general procedures. 20 THE COURT: I understand. You can, 21 obviously, talk about it, I guess that's in the 22 deposition already, but it's not going to come	2724	1 MS. BREDEHOFT: The next few, I'm 2 showing her these pictures and asking her whether 3 she sees injuries, she sees property damage. 4 THE COURT: Okay. 5 MS. BREDEHOFT: They are not in yet 6 because we haven't had our case. Of course, I 7 would put this in, in our case, after Amber, since 8 we put everything together. But it won't make any 9 sense to the jury unless we can show it and say, 10 do you see an injury? 11 THE COURT: Yep. 12 MS. BREDEHOFT: Do you see any damage? 13 THE COURT: Okay. 14 MS. BREDEHOFT: Do you consider it part 15 of (indiscernible) and then there's more pictures. 16 I mean, there are -- go ahead. 17 MR. MONIZ: I would just say, and this 18 is another general point, Your Honor, that this is 19 not -- the witness has no knowledge of these 20 photographs. These are just photographs that are 21 being flashed up. 22 THE COURT: Okay.

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1 MR. MONIZ: I mean, they can probably 2 get these in, I'm sure, you know, in their case, 3 through Ms. Heard. I don't see that it's 4 appropriate to get these in through a witness that 5 has no knowledge of the photographs themselves. 6 THE COURT: Ms. Bredehopt, if the 7 witness was here live, like testifying, and you 8 showed her these pictures on the witness stand, 9 and she was like, I did not see it, I don't 10 recognize these, would they come in at that point? 11 MS. BREDEHOFT: No, but she didn't say 12 I didn't -- 13 MR. MONIZ: She wasn't even asked that 14 question. 15 MS. BREDEHOFT: No, she was asked, do 16 you see any injuries? And, again, the thing to 17 remember is that in the time frame she's there -- 18 MR. CHEW: It's still foundation on 19 all. 20 MR. MONIZ: And metadata is another 21 issue. 22 THE COURT: I think they are going to	1 photographs with this witness. I mean, she can't 2 define as to the -- there is -- I apologize. 3 I was going to say there is another 4 issue with the metadata. The metadata testimony 5 has all been stricken out of the transcript. I 6 mean, even if this photo were to come in, and I 7 don't think it should, because, again, the witness 8 hasn't seen this photograph -- or the witness has 9 no knowledge of the photograph, she's just being 10 shown a series of photographs that she can't 11 testify to. But even if that came in, this should 12 certainly be redacted, I think, because there's no 13 foundation or authentication of the metadata and 14 it was stricken out of the testimony. 15 THE COURT: You'd agree that, 16 eventually, it's coming into evidence in this 17 case, correct? 18 MR. MONIZ: I would presume that it 19 will eventually come in through Ms. Heard. 20 THE COURT: Redact or not redacted. I 21 mean, it's going to be coming in. 22 MR. MONIZ: I would assume, at some
2726	2728
1 be coming in eventually, I just don't think -- 2 what's the foundation here? 3 MS. BREDEHOFT: Could we put Ms. Heard 4 on the stand outside the presence of the jury just 5 to lay the foundation? 6 MR. MONIZ: It doesn't lay any 7 foundation for using it with this witness. I mean 8 she can put it in for her case, but -- 9 MR. ROTTENBORN: I think the problem is 10 that given the -- 11 THE COURT: The sequence of everything. 12 I understand. 13 MR. ROTTENBORN: (Indiscernible) 14 planning to (indiscernible) just one time. That 15 makes it a little (indiscernible). We were 16 breaking it up and we were putting this part in, 17 in our case. 18 MS. BREDEHOFT: After we put -- 19 MR. ROTTENBORN: So we can 20 (indiscernible) the jury to be -- 21 MR. MONIZ: That doesn't alter the fact 22 that there's no foundation for using these	1 point, it's coming in through Ms. Heard, but using 2 it with this witness just seems inappropriate. 3 MR. CHEW: This officer didn't see any 4 marks. 5 MS. BREDEHOFT: It's credibility. It's 6 all credibility of showing her these pictures. 7 No, I don't see an injury. No, I don't see it 8 (indiscernible) carpeting. No, I don't see it. 9 You know, that's what she's saying; no, I don't 10 see it. No, I don't see the damage. It's 11 credibility. Credibility is huge. 12 THE COURT: Well, I understand. And in 13 closing arguments, I'm sure you're going to put 14 these pictures up and say the officer didn't see 15 anything on these pictures. 16 MR. MONIZ: I mean, Ms. Heard can 17 testify as to the photos. She has an expert who 18 can opine as to whether or not it's an injury. I 19 don't see why she's using it with -- 20 MR. ROTTENBORN: To your point, Your 21 Honor, that's exactly why the pictures need to 22 come in now. Otherwise, the jury's not going to

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2732)

2729	1 know what Officer Saenz is talking about. In 2 closing, when the officer says she didn't see 3 anything in these pictures, they're going to have 4 no idea. 5 MS. BREDEHOFT: And they're not going 6 to know which pictures. 7 MR. MONIZ: They don't need that from 8 the officer. Ms. Heard can testify to the extent 9 she is able to testify this picture was taken this 10 date, this is what I looked like. That's the way 11 to get the testimony in, not by asking an officer, 12 in the abstract, do you see an injury on this 13 photo that you've never seen before? 14 MR. ROTTENBORN: Which we would be able 15 to do if we accept these after -- 16 THE COURT: But this officer is their 17 witness coming in, in this their case. 18 MS. BREDEHOFT: She's our witness too, 19 so we would have designated the testimony. We 20 have more designated testimony than they do. 21 MR. MONIZ: I mean, it doesn't matter 22 who designated more testimony. It doesn't make it	2731	1 talked about comes in before? 2 MR. MONIZ: I think that's the only 3 exhibit. 4 THE COURT: 730. 5 MR. MONIZ: 730, Defendant's 6 Exhibit 730. 7 MS. BREDEHOFT: Are we able to put that 8 on the screen? 9 MR. MONIZ: We can do that for you. If 10 I miss it, because I'm working over here -- 11 THE COURT: Are there redactions that 12 need to be done on it? 13 MR. MONIZ: I think -- well, can you 14 make sure we have that copy, actually, because I'm 15 a little concerned -- 16 MS. BREDEHOFT: I actually gave you 17 that copy. I gave that, this morning, to you. 18 MR. MONIZ: Did you give that 19 electronically? Because I don't want to be 20 publishing something with inappropriate -- with 21 something unredacted that should be. 22 MS. BREDEHOFT: I'm almost certain.
2730	1 appropriate for this witness. 2 MR. CHEW: She didn't see any of this. 3 MR. MONIZ: I just don't see how you 4 can raise that with this witness. 5 MS. BREDEHOFT: We didn't ask that 6 question. We asked her if -- 7 THE COURT: Right. But, I mean, it 8 wouldn't have come into evidence with this witness 9 in your case, it would already have been in 10 evidence with your client, is what they're saying. 11 MS. BREDEHOFT: Then we would put it in 12 front of us -- 13 THE COURT: I understand. But I have 14 to sustain your objection at this time. 15 MR. CHEW: Thank you, Your Honor. 16 THE COURT: But, again, at closing, or 17 whenever, you can bring it up. I can't do it at 18 this time. 19 MR. CHEW: Thank you, Your Honor. 20 MR. MONIZ: Thank you, Your Honor. 21 THE COURT: All right. 22 MS. BREDEHOFT: So the incident we	2732	1 But I am pretty sure we can get -- 2 MR. MONIZ: Is it important to play 3 this -- and I'll defer to you on this, obviously? 4 Is it important to play this -- understanding it's 5 coming into evidence, does it need to come into 6 evidence during the deposition? 7 MS. BREDEHOFT: I think it would be 8 helpful because we're talking about an incident. 9 THE COURT: We'll have to stop the 10 deposition since it's not split. 11 MR. MONIZ: Understood. Can you -- on 12 the off-chance that I miss it, can you just make 13 sure to -- 14 MS. BREDEHOFT: I'll tell you what. 15 I'll tell you where it is. So, it is 247-52. 16 MR. MONIZ: 247-52. I don't have that 17 at all. 18 THE COURT: Okay. All right. I'm out. 19 MS. BREDEHOFT: Thank you, Your Honor. 20 (Open court.) 21 THE COURT: All right. Are we ready 22 for the jury?

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<p style="text-align: right;">2733</p> <p>1 (Whereupon, the jury entered the 2 courtroom and the following proceedings took 3 place.) 4 THE COURT: All right. Thank you. 5 Your next witness. 6 MR. MONIZ: We call Officer Melissa 7 Saenz by deposition designation. Just so the jury 8 is aware, for the first hour or so, what we'll 9 hear is questioning by Ms. Heard's counsel. We 10 will, then, shift to questioning by Mr. Depp's 11 counsel. 12 THE COURT: All right. Thank you. 13 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND COUNTERCLAIM PLAINTIFF 14 BY MS. BREDEHOFT: 15 Q Please state your name and your 16 business address. 17 A Yes. Officer Melissa Saenz, 1546 West 18 Martin Luther King Jr. Boulevard, Los Angeles, 19 California. 20 Q And what is your occupation? 21 A I am a police officer. 22 Q Okay. And how long have you been a</p>	<p style="text-align: right;">2735</p> <p>1 A Approximately, I believe, four months. 2 Q And who was the first officer you 3 trained once you became a training officer at the 4 LAPD? 5 A I don't recall. 6 Q When did you start training 7 Officer Hadden? 8 A I don't recall the exact month. 9 Q Do you have an approximate? 10 A If the incident was in May, then it's 11 going to be within two months of May, before or 12 after. 13 Q So, are you suggesting that you may not 14 have started training Officer Hadden until 15 two months after the May 21st, 2016 incident, so 16 he wasn't there? 17 A No, I'm not. 18 Q Was it two months or less from the time 19 you started training Officer Hadden before the 20 May 21, 2016 incident? 21 A Yeah. So I have a probationer for 22 two months, so May could have been the second</p>
<p style="text-align: right;">2734</p> <p>1 police officer? 2 A Going on 12 years. 3 Q When -- what year did you begin as a 4 police officer? 5 A 2009. 6 Q And was that with the LAPD? 7 A Yes, it was. 8 Q Did you have any law enforcement 9 experience prior to coming to the LAPD in July of 10 2009? 11 A No, I did not. 12 Q As of May 21, 2016, what was your rank? 13 A Can you repeat the date? 14 Q May 21st, 2016. 15 A I was a training officer. 16 Q And was that a P3? 17 A Correct. 18 Q And as a training officer, were you 19 considered a Field Training Officer? 20 A Correct. 21 Q And for how long a period of time had 22 you been a training officer as of May 21, 2016?</p>	<p style="text-align: right;">2736</p> <p>1 month I had him or the first month I had him. 2 Q But you don't recall, as you sit here 3 today, how long you had been training 4 Officer Hadden as of the May 21st, 2016 incident? 5 A Correct. 6 Q What does Central Division include? 7 A They encompass downtown Los Angeles. 8 Q In May of 2016, what shift were you on? 9 A I was working nights. 10 Q And what would the night shift entail? 11 What was the time, from when to when? 12 A It is approximately 6:45 p.m. to 13 6:45 a.m. 14 Q And how many days a week would you work 15 the shift? 16 A Usually three days a week. 17 Q Typically, what was the range of the 18 number of units that were working on your shift in 19 May of 2016, in Central division? 20 A I don't recall. 21 Q I mean, are we talking less than five, 22 more than ten, more than 25?</p>

<p style="text-align: right;">2737</p> <p>1 A There would be at least five units. 2 How high over that, I wouldn't know that. Again, 3 every night is different. The city pulls from 4 different divisions if there's special events 5 going on, so it's constantly changing. 6 Q Okay. But it's usually at least five 7 and maybe somewhere between five and ten, if 8 there's not a special event. Would that be a fair 9 estimate? 10 A Correct. 11 Q What was the process for checking out 12 equipment in May 2016, after roll call? 13 A We would walk to the window and give 14 them our name and serial number, and they would 15 present us with equipment for the shift. 16 Q And what equipment were you given in 17 May 2016, after roll call? 18 A I don't recall. 19 Q You don't recall any of the equipment 20 you were -- you checked out in May of 2016, after 21 roll call? 22 A I don't remember that specific day that</p>	<p style="text-align: right;">2739</p> <p>1 June of 2016. 2 Q Why do you think it was June of 2016 3 that you were first assigned body-worn video 4 equipment? 5 A Because that's the time frame that I 6 remember having to use it. It was new to me. I 7 never used body-worn before. 8 Q When did LAPD start issuing body-worn 9 equipment for Central Division? 10 A I don't know that date. 11 Q When, approximately? 12 A I don't know. I couldn't give you a 13 date. 14 Q Can you name any other officer who did 15 not have body-worn equipment that was on your 16 shift at any time between November 2015 and 17 June 2016, other than you? 18 A I cannot. 19 Q Have you had more than one body-worn 20 video equipment? 21 A Body-worn camera? Is that what you're 22 asking?</p>
<p style="text-align: right;">2738</p> <p>1 I checked out equipment. I can tell you what I 2 typically check out, if that's what you'd like. 3 Q All right. Let's start there. 4 A I usually check out a police vehicle, a 5 taser, a less-lethal beanbag shotgun, and a 6 regular shotgun. 7 Q Anything else? 8 A No, nothing else. 9 Q Do you check out body-worn video 10 equipment? 11 A Yes. If you were trained in body-worn 12 video, then, yes, you would check that out. 13 Q Were you trained in body-worn video 14 equipment? 15 A I was not. 16 Q Have you ever been assigned body-worn 17 video equipment? 18 A Yes, I have. 19 Q When? 20 A I don't remember the specific date. 21 Q What is your best estimate? 22 A If I had to guess, it would probably be</p>	<p style="text-align: right;">2740</p> <p>1 Q Yes. 2 A I have had two, one in Central 3 Division, and, now, a new one at Southwest 4 Division, where I currently am. The camera stays 5 at their respective divisions. 6 Q While you were at Central Division, did 7 you ever get assigned more than one body-worn 8 video camera? 9 A Not to my knowledge. 10 Q So, to the best of your knowledge, you 11 had the same body-worn video camera throughout the 12 time that you were at Central Division; is that 13 correct? 14 A Correct. 15 Q Do you have a recollection of, at any 16 time, while you were at Central Division, your 17 body-worn video camera not working, so you 18 couldn't turn it on during an incident? 19 A I do not recall that. 20 Q What tools were available to you, in 21 May of 2016, for investigating calls, answering 22 and investigating calls?</p>

<p>1 A Can you specify what you mean by 2 "tools"? 3 Q Well, did you have a notebook, for 4 example? 5 A Yes. We carry field officer notebooks. 6 Q Okay. And did you have your own field 7 officer notebook? 8 A Yes. 9 Q Can you describe what your field 10 officer notebook looked like in May of 2016? 11 A It's a small, just paper pad that we 12 keep in our pockets to write on. 13 Q And do you carry a pencil or a pen with 14 it so that you can take them out during a call and 15 take notes? 16 A I do. 17 Q What do you do with your notebooks once 18 you have filled them? 19 A You can turn them into the kit room and 20 they can store them. 21 Q Is that what you have done? 22 A I have – I have my same officer's –</p>	<p>2741</p> <p>1 types of reports, incident reports in various 2 forms, diagrams, things of that nature, in case 3 you needed them? 4 A Yes, I did. 5 Q And where were those kept while you 6 were on a shift? I'm talking about May 2016. 7 A I usually keep extra spare reports in 8 my bag, and I also keep them in my vest. 9 Q So, when you answered calls in May of 10 2016, you had reports material in your vest as you 11 answered calls; is that correct? 12 A Yes. 13 MS. BREDEHOFT: Defendant's Exhibit 14 Number 14. It's a multiple-page document. I'm 15 just asking her if she recognizes this document. 16 A Yes, I do. 17 Q Okay. When is the last time you 18 reviewed this document? 19 A About a week ago. 20 Q All right. And what were the 21 circumstances under which you reviewed this 22 document a week ago?</p>
<p>2742</p> <p>1 field officer's notebook in my locker. 2 Q Did you just start it? 3 A No, I have several different ones, but 4 I usually keep them in my locker. 5 Q So for the field officer's notebook 6 that you had in May 2016, that would be in your 7 locker? 8 A It should be, yes. 9 Q How many field officer notebooks have 10 you filled since you've been a police officer? 11 A Not many. Probably less than – less 12 than five. 13 Q And do you recall how many, roughly, 14 how many pages are in each field officer notebook? 15 A I – no, I don't recall. 16 Q Did you have access to D.A.R.T.? 17 A I don't recall what hours they worked 18 at Central Division. 19 Q And what does D.A.R.T. stand for? 20 A I don't know the specific acronym, but 21 I know it's the domestic violence car. 22 Q Did you also have access to reports,</p>	<p>2744</p> <p>1 A For this testimony. 2 Q Now, I asked you some questions about 3 the body-worn video. 4 Are you aware of anyone, any other 5 officer, being assigned your body-worn video under 6 your serial number? 7 A I'm not aware. 8 Q Is there any chance that you could be 9 mistaken about when you were assigned body-worn 10 video? 11 A No, there's not. 12 Q And why do you say that? 13 A Because everything is recorded and 14 documented on evidence.com, under my serial 15 number. So if a supervisor wanted to enter the 16 database under my serial number, they could watch 17 my videos and see the specific date and time my 18 videos started to record and when the date of my 19 last video was, to this date. 20 Q All right. And did you go back and 21 look to see what date you started? 22 A I did.</p>

<p>1 Q What was the date that you were 2 assigned body-worn video equipment in Central 3 Division? 4 A So the first day that I took out 5 body-worn video was June 16th of 2016. 6 Q I'm going to show you this second page 7 of what has been marked as Deposition Exhibit 8 Number 1. 9 It has you summoned to attend and give 10 testimony at a deposition and, also, to produce 11 certain documents. 12 Do you recall this being issued? 13 A Yes, I do. 14 Q And here we go. Documents to be 15 produced. The first of those was all video 16 footage recorded by you relating to any incident 17 at 849 S. Broadway, Los Angeles, California 90014 18 on May 21, 2016, including all video footage 19 relating to incident number, and it has the 20 number, on May 21, 2016. 21 Did you conduct any type of search or 22 any kind of effort to see if you had any video</p>	<p>2745</p> <p>1 Q Could you tell me what that consists 2 of? 3 A We received training in the police 4 academy. 5 Q Anywhere else? Did you have any other 6 type of domestic violence training, other than 7 when you were in the police academy? 8 A Other than my experience in the field 9 dealing with domestic violence, no, not that I can 10 recall. 11 Q And as of May of 2016, would you agree 12 that you had answered over 100 domestic violence 13 calls? 14 A About -- yeah, we -- yeah, I -- yes, I 15 got a lot of domestic violence calls every day. 16 Q Okay. And you consider yourself to be 17 a specialist in domestic violence; is that 18 accurate? 19 A I don't understand the title 20 "specialist." I don't consider myself a 21 specialist. 22 Q In May of 2016, what was the police</p>
<p>1 footage on May 21, 2016, relating to this 2 incident? 3 A The answer's no. 4 Q I'm going to ask you to take -- did 5 anyone at the LAPD, at any point, supervisors, 6 watch commanders, commanders, anyone connected 7 with the LAPD, ever ask you whether you had any 8 video footage from the incident of May 21, 2016? 9 A No. 10 Q I'm going to ask you to take a look at 11 number 2 here. It says "All documents and/or 12 communications (including, without limitations, 13 any notes, memoranda, reports, filings, and/or 14 summaries) relating to any incident at 849 S. 15 Broadway, Los Angeles, California 90014, on 16 May 21, 2016." 17 Are you aware of any documents or 18 communications that would fit this description? 19 A No. 20 Q Now, Officer Saenz, you've had training 21 on domestic violence, correct? 22 A Correct.</p>	<p>2746</p> <p>1 officer supposed to do when the victim of a 2 domestic violence would not respond to questions 3 or cooperate with pursuing charges after a call 4 was placed and the police officers had arrived? 5 A If an individual is uncooperative, we 6 are to check the location to make sure that the 7 suspect isn't hiding, for the safety of the 8 potential victim, and offer a business card if 9 they decide to speak to us later. 10 Q In May of 2016, was it your 11 understanding that if you saw evidence of injury 12 or property damage in disarray, that you were to 13 file a report, even if the victim was not 14 cooperating? 15 A Correct. 16 Q I'm going to show you what's been 17 marked as Exhibit Number 8, and this is something 18 that was dated November 24, 2018 [sic]. It's to 19 all department personnel from the chief of police, 20 domestic violence supplemental report form. And 21 it starts out with domestic violence supplemental 22 report form, and it has the number of it, has been</p>

<p>2749</p> <p>1 revised to provide a more concise picture of the 2 history and needs of the victim for the purpose of 3 investigating the crime of domestic violence. 4 Was this a document that you recall 5 receiving at some point? 6 A Yes. 7 Q Okay. And do you understand -- do you 8 have any understanding of why this was 9 supplemented on November 24, 2014? 10 A I do not. 11 Q I'm going to ask you, Officer, to take 12 a look at what's been marked as Exhibit Number 9, 13 and it's called "Los Angeles Police Department 14 Domestic Violence Supplement Report." 15 Do you recognize this document? 16 A Yes. 17 Q And what is your understanding of what 18 this document is? 19 A It's a supplemental document that we 20 add to a police report for domestic violence. 21 Q All right. And is this one of the 22 reports that you would carry in your vest when you</p>	<p>2751</p> <p>1 notations for domestic violence supplement report? 2 A To identify the crime scene at the time 3 of the incident. 4 Q Okay. And was it your understanding 5 that these items, that they have on here, may be 6 significant in assisting and determining whether 7 there was, in fact, domestic violence and in 8 proving the case? 9 A Correct. 10 Q I direct your attention, specifically, 11 to the evidence section. And it indicates 12 witnesses present during domestic violence, 13 statements taken, evidence collected, photos taken 14 on there. 15 What is your understanding of what the 16 significance of this -- collecting this 17 information? 18 A It's significant to tell a story about 19 what happened at the domestic violence incident. 20 Q Okay. And then, if you can scroll down 21 a little bit further to additional questions, 22 there's a series of those, including, has suspect</p>
<p>2750</p> <p>1 answered calls? 2 A Yes. 3 Q I'm going to ask you to take a look at, 4 if you can, at the very left-hand column, where it 5 has a number of different categories here, and it 6 has victim shaking, unresponsive, crying, scared, 7 angry, fearful. 8 Do you know why these are included on 9 this supplemental domestic violence report? 10 A To identify somebody's emotional state 11 during an investigation. 12 Q And this is specifically with respect 13 to domestic violence, correct? 14 A Correct. 15 Q Okay. And then, if you can turn over 16 to the crime scene section, on the right-hand 17 side, you'll notice that there are some categories 18 that include location, vandalized/ransacked, 19 personal property damages, furniture 20 disarray/broken. 21 What is your understanding of why those 22 categories are included in there for making</p>	<p>2752</p> <p>1 threatened to kill you, do they possess firearms, 2 have they ever attempted to smother, strangle, or 3 suffocate you, and things of that nature. 4 What is your understanding of why 5 you're supposed to ask those questions? 6 A Give you a background on the 7 relationship and idea of what the victim and the 8 suspect have been through. 9 Q Okay. Thank you. Just let me ask you 10 a question, Officer Saenz. You did not fill out 11 that supplemental report when you responded on 12 May 16, 2020 -- May 21, 2016, to the Broadway 13 call, correct, with Amber Heard? 14 A Correct. It did not meet criteria. 15 Q The question I asked was, did you fill 16 out one of those forms? 17 A No, I did not. I did not -- 18 Q Officer Saenz, I'm going to ask you to 19 take a look at what has been marked as 20 Exhibit Number 10. And if I can direct your 21 attention to the top. It says "Domestic Violence, 22 Standards of Review." And it has field notebook</p>

<p>1 divider, domestic violence laws, LAPD Form 2 No. 18.30.02. 3 Are you familiar with that? 4 A Yes. 5 Q It has case preparation, and it says 6 "Note the complainant's emotional and physical 7 condition." 8 Do you see that? 9 A Yes, I do. 10 Q And then, "Ensure all evidence is 11 gathered and preserved, e.g. bloodied clothing, 12 damaged phones/property." 13 Do you see that? 14 A Yes, I do. 15 Q And it also says "Ensure photographs 16 are taken of injuries or lack of injury to the 17 complainant and accused," and then suggests both a 18 day or two after. 19 What is your understanding for the 20 reason for collecting this evidence? 21 A Because these are proofs of a crime? 22 Q I'm sorry, I didn't --</p>	<p>2753</p>	<p>1 and local law enforcement." 2 Do you see that? 3 A Yes, I do. 4 Q And what would be the reason for 5 canvassing the location and interviewing all 6 witnesses? 7 A That would be further evidence. 8 Q All right. And what is your 9 understanding of what "fresh complaint" means. 10 A I wouldn't -- I couldn't tell you. 11 Q Okay. And then, if we go down a little 12 bit further, it also has "Complainant Questions," 13 and it has questions such as length and nature of 14 relationship. But, also, prior incidents of 15 domestic violence, reported and unreported, and 16 what form of violence or abuse has taken. 17 Do you see that? 18 A Yes, I do. 19 Q And what is your understanding of why 20 that would be important? 21 A Because its gives us an idea of 22 background on their relationship.</p>	<p>2755</p>
<p>1 A These are proof of a crime. If there 2 is a crime, this is important to prove that a 3 crime was committed. 4 Q What do you mean by fruits [sic] of a 5 crime? 6 A If we're talking domestic violence, the 7 location would be evidence. So if there's, you 8 know, a house is ransacked, that should be noted 9 in the report. That would be considered evidence. 10 Q All right. Then we are going to go to 11 the second page here, "Ensure photographs are 12 taken of scene and damaged property, e.g., broken 13 furniture, damaged phones, phone cord, evidence of 14 alcohol consumption, general disarray." 15 Do you see that? 16 A Yes, I do. 17 Q And what is your understanding of why 18 that would be important? 19 A Same thing. Proof of a crime. 20 Q Okay. Then it also says "Canvass 21 location and interview all witnesses, including 22 children, 'fresh complaint' witnesses, neighbors,</p>	<p>2754</p>	<p>1 Q Okay. And then we go to the next page, 2 and we have a little bit more here, we have the -- 3 well, I went too far. And that says how long 4 these incidents has been occurring, any logs or 5 diaries, is there a pattern of alcohol or 6 substance abuse. 7 What is your understanding of why those 8 would be relevant? 9 A Again, because it gives us background 10 on what we're dealing with, what type of 11 relationship this is. 12 Q And may help with the proof of the 13 crime? 14 A Correct. 15 Q Okay. And then we have "Identify the 16 person who first saw the complainant after the 17 incident." And it says, in parentheses, "fresh 18 complaint witness," so I'm kind of guessing that 19 must be the definition. 20 But why would it be important to 21 interview or identify the person who first saw the 22 complainant after the incident?</p>	<p>2756</p>

<p style="text-align: right;">2757</p> <p>1 A They probably have the best 2 recollection. 3 Q Okay. And also has "Identify the 4 person with whom the complainant first spoke about 5 the incident (fresh complaint witness)." 6 What is your understanding of why that 7 would be important? 8 A Same thing. Best recollection. 9 Q Okay. And then we have "What have 10 neighbors seen or heard?" 11 Why would that be important? 12 A Because it would prove to us that there 13 was an incident. If there was other people with 14 the same story as the victim. 15 Q Okay. And then, we also have "Did 16 witness observe how physical injury occurred?" 17 Why would that be important? 18 A Because that would tell us that there 19 was a crime, that somebody got injured. 20 Q Okay. And then we have "Statements by 21 the complainant and/or accused after the 22 incident."</p>	<p style="text-align: right;">2759</p> <p>1 program." 2 Did you have a copy of that pamphlet? 3 Was that something that was given to you? 4 A Yes. 5 Q And was that something that you 6 typically provided, then, as it says you should, 7 to victims of domestic violence? 8 A Yes. 9 Q What is your understanding of why you 10 were to provide the pamphlet? 11 Do you understand the question? 12 A Yes. Because it gives resources to the 13 victim, domestic violence resources, like shelters 14 and phone numbers to provide help. 15 Q I'm going to show you what has been 16 marked as Exhibit Number 11. 17 Do you recognize this document? 18 A Yes, I do. This is the VINE. 19 Q Okay. When you say "VINE," is this the 20 pamphlet that we've been referring to? 21 A Yes. 22 Q Is it your understanding that you were</p>
<p style="text-align: right;">2758</p> <p>1 Why would that be important? 2 A Because we're getting our story from 3 the complainant, so what they say is everything 4 with the crime. 5 Q All right. Let's look at 12 for a 6 moment. This is Deposition Exhibit Number 12. 7 It's office of the Chief of Police, April 9, 2020, 8 and it's a domestic violence victim's memo. And 9 it says "Purpose: The department is legislatively 10 mandated to provide specific information to 11 victims of domestic violence crimes," and then 12 they go on to describe that. 13 What is your understanding of -- well, 14 let me go a little further because I'm not trying 15 to -- I'm going to try to move through this a 16 little quicker. So, it says "To mitigate this 17 issue, the department has begun to use the Victim 18 Identification Notification Everyday (VINE) 19 pamphlet to accomplish not only the domestic 20 violence information requirements under 21 Section 13701 of the California Penal Code, but 22 also to provide information regarding the VINE</p>	<p style="text-align: right;">2760</p> <p>1 supposed to be giving that pamphlet to victims of 2 domestic violence on calls; is that correct? 3 A Correct. 4 Q Did you provide a copy of this pamphlet 5 to Amber Heard? 6 A I did not. I didn't identify her as a 7 victim of domestic violence. 8 Q Is that the sole reason why you did not 9 give that to Amber Heard? 10 A Yes. We only give them to the victims 11 of domestic violence. 12 MR. MONIZ: At this point, Your Honor, 13 Ms. Heard's counsel is asking to move into 14 evidence, and publish to the jury, Defendant's 15 Exhibit 730. And Mr. Depp has no objection. 16 THE COURT: All right. 730 in 17 evidence, and it can be published. Okay. 18 BY MS. BREDEHOFT: 19 Q First page of Exhibit Number 3, it's an 20 incident recall from, specifically, May 21st, 21 2016. 22 Do you recognize this document?</p>

2761	<p>1 A Yes, I do.</p> <p>2 Q And what -- please explain to me what</p> <p>3 it is.</p> <p>4 A It's a summary of our radio call.</p> <p>5 Q All right. And how is this recorded?</p> <p>6 A By dispatch.</p> <p>7 Q And how is it communicated to you?</p> <p>8 A A computer in our car.</p> <p>9 Q Okay. So, I'm going to ask you to take</p> <p>10 a look at the very beginning of this. It</p> <p>11 starts -- well, it starts out -- it obviously has</p> <p>12 an incident number.</p> <p>13 Is this your understanding of the</p> <p>14 incident recall for the report to 2849 S. Broadway</p> <p>15 involving Amber Heard?</p> <p>16 A Yes.</p> <p>17 Q It starts out with 5/21/16 at 20:35:58,</p> <p>18 which is 8:30:58, or almost 8:31, and it says</p> <p>19 "Incident initiated by:" Such and such.</p> <p>20 Do you see that?</p> <p>21 A Yes, I do.</p> <p>22 Q Okay. And the next thing that's</p>	2763	<p>1 Q Okay. So would that be when you and</p> <p>2 Officer Hadden arrived at 849 S. Broadway?</p> <p>3 A Correct.</p> <p>4 Q And then, it has -- the next entry is</p> <p>5 5/21/2016. It has 21:22:57. So, that would be</p> <p>6 9:22?</p> <p>7 A Correct.</p> <p>8 Q Okay. And it says -- go ahead. I'll</p> <p>9 have you read this.</p> <p>10 What does it say next?</p> <p>11 A "Met with vict. Check loc. Verified</p> <p>12 husband left loc. Vict advised verbal."</p> <p>13 Q Okay. Go ahead and go into the next</p> <p>14 page, or next line. Go ahead.</p> <p>15 A "Dispute and refused to give any</p> <p>16 further info. Issued business card."</p> <p>17 Q Who wrote those two lines?</p> <p>18 A I don't recall.</p> <p>19 Q And what does that mean to you, those</p> <p>20 two lines that you just read?</p> <p>21 A It's a disposition of what happened at</p> <p>22 the call.</p>
2762	<p>1 communicated is penthouse 3, "PR received call</p> <p>2 from victim's friend, Amber, assaulted by</p> <p>3 boyfriend. PR refused to give further."</p> <p>4 Do you see that?</p> <p>5 A Yes, I do.</p> <p>6 Q Now, when you were out on the road, did</p> <p>7 you see that right away or did you have to look</p> <p>8 this up later, when it was you that was going to</p> <p>9 respond?</p> <p>10 A We review the calls as we're driving to</p> <p>11 the call.</p> <p>12 Q Okay. Then, we have, at 5/21, 20:37,</p> <p>13 which is 8:35, a duplicate call.</p> <p>14 Do you see that?</p> <p>15 A I do.</p> <p>16 Q Let's go down to 5/21/2016.</p> <p>17 Officer Saenz, can you go where I just highlighted</p> <p>18 here, and it's 20:57, which would be what time?</p> <p>19 A 8:57.</p> <p>20 Q All right. And it has "Stat: AS."</p> <p>21 What does that mean?</p> <p>22 A I believe it means at scene.</p>	2764	<p>1 Q Okay. Can you tell me what that means?</p> <p>2 I mean, just tell me, in real-person's words, what</p> <p>3 those words are.</p> <p>4 A Yes. We met the victim, we checked the</p> <p>5 location, the husband wasn't there, and that the</p> <p>6 victim advised us that she just had an argument</p> <p>7 and that she wasn't going to give us any further</p> <p>8 information. And because we didn't identify a</p> <p>9 crime, we issued her a business card, letting her</p> <p>10 know that she could reach out to us later if she</p> <p>11 changed her mind and wanted to cooperate.</p> <p>12 Q Okay. And at what point did you close</p> <p>13 this incident?</p> <p>14 A Whatever it says on the screen. Let's</p> <p>15 see, 9:22:57.</p> <p>16 Q Okay. And what did "incident closed"</p> <p>17 mean?</p> <p>18 A That we cleared from the location.</p> <p>19 We're complete. Done.</p> <p>20 Q Okay. Now, if we can go to page</p> <p>21 Bates-stamped number 12.</p> <p>22 And do you recognize this document?</p>

<p style="text-align: right;">2765</p> <p>1 A I do. It's a summary of all our calls 2 from that day. 3 Q And I believe you testified earlier 4 that you reviewed this document in preparation for 5 this deposition; is that correct? 6 A Yes, I did. Correct. 7 Q Okay. And if we can go down to right 8 here. That's 9:22, correct, at the end of that? 9 A Correct. 10 Q All right. And it says "242D-domestic 11 violence." 12 What is that? 13 A It's a code for domestic violence. 14 Q And what does the 242D mean? 15 A That's battery. 16 Q Officer Saenz, when we broke before the 17 lunch break, I had just asked you about whether or 18 not you believed that you were at the penthouse on 19 May 21st, 2016, for 30 to 60 minutes. 20 Do you recall me asking that? 21 A Yes, I do. 22 Q And do you recall testifying that</p>	<p style="text-align: right;">2767</p> <p>1 Do you recall that? 2 A Yes, I did. 3 Q And you saw there was a woman in the 4 gym that was not related to the incident. 5 Do you recall that? 6 A Yes. 7 Q How did you know the woman was not 8 related to the incident? 9 A Because she seemed unfazed. She was 10 just working out. 11 Q Did you speak with her? 12 A No, I didn't. 13 Q Do you recall what she looked like? 14 A I don't. 15 Q Now, did you take any notes during the 16 entire 15 minutes from when you got off the 17 elevator to when you got back on the elevator? 18 A I did not. 19 Q Did Officer Hadden, to your knowledge? 20 A Not to my knowledge, no. 21 Q Did you take pictures or record 22 anything?</p>
<p style="text-align: right;">2766</p> <p>1 that's what you thought was the time that you and 2 Officer Hadden spent at the penthouse on May 21st, 3 2016? 4 A Yes, I recall. 5 Q And in fact, it was significantly less, 6 correct? 7 A Correct. 8 Q Okay. And, in fact, it was -- you 9 entered from the elevator at 9:04 p.m. and went 10 back into the elevator at 9:19, for a total of 15 11 total minutes, correct? 12 A Correct. 13 Q Okay. And we've seen the video clips 14 of you getting on the elevator and getting off, 15 and that's where those time stamps come from. 16 Now, once you got off the elevator at 17 9:04 p.m., the first thing you did was listen for 18 some noise, correct? 19 A Correct. 20 Q And then you went around and checked 21 out the outdoor courtyard to see if anyone was 22 outside.</p>	<p style="text-align: right;">2768</p> <p>1 A I did not. 2 Q So, after you saw the woman in the gym 3 and looked at the property, you went back to the 4 hallway and you met with what you called a white 5 male who's generic. 6 Do you recall using that term? 7 A They asked me to describe him, yes. 8 Q And you said generic, correct? 9 A Correct. 10 Q What do you mean by "generic"? 11 A He didn't have any identifying -- I 12 don't know, nothing that I could remember. I just 13 remember a male, white. Nothing out of the 14 ordinary. 15 Q What color was his hair? 16 A I don't even remember now. 17 Q Did he have facial hair, a beard or 18 mustache? 19 A I don't remember. 20 Q Do you recall how tall he was, roughly? 21 A I don't remember anything about him. 22 Q Did you ask him his name?</p>

2769	<p>1 A I don't recall.</p> <p>2 Q Now, the generic white male talked with</p> <p>3 you.</p> <p>4 Do you recall that?</p> <p>5 A Yes, I do.</p> <p>6 Q And when you first saw Amber Heard, she</p> <p>7 was crying, red-eyed, and was not making eye</p> <p>8 contact with you, correct?</p> <p>9 A Correct.</p> <p>10 Q And you asked her a few question, and</p> <p>11 it was quite clear that she did not want to speak</p> <p>12 to the police; is that correct?</p> <p>13 A Correct.</p> <p>14 Q Now, Amber Heard was visibly upset, so</p> <p>15 she would look down, sometimes look up to you when</p> <p>16 she spoke, but it was back and forth, correct?</p> <p>17 A Correct.</p> <p>18 Q What was Amber Heard wearing that</p> <p>19 night?</p> <p>20 A I don't recall.</p> <p>21 Q What hairstyle did Amber Heard have</p> <p>22 that night?</p>	2771	<p>1 violence calls in those two months?</p> <p>2 A I don't know that number.</p> <p>3 Q And if you saw any signs of injury on</p> <p>4 Amber Heard, or even just damage to the property,</p> <p>5 would you have been duty bound to make a report?</p> <p>6 A Correct.</p> <p>7 Q Now, your recollection is that there</p> <p>8 was no damage to the flat. You searched the</p> <p>9 entire flat, and there was no damage, broken</p> <p>10 glass, or anything out of the ordinary; would you</p> <p>11 agree?</p> <p>12 A Correct.</p> <p>13 Q Did you see anything, did you observe</p> <p>14 anything out of the ordinary during this</p> <p>15 particular call that you answered at the penthouse</p> <p>16 on May 21, 2016?</p> <p>17 A I did not.</p> <p>18 Q When you left that call, when you got</p> <p>19 back into that elevator, do you recall what you</p> <p>20 were thinking?</p> <p>21 A I remember being impressed by the</p> <p>22 penthouse, how big and beautiful it was, yes.</p>
2770	<p>1 A I don't recall.</p> <p>2 Q Now, when was the first time you were</p> <p>3 asked to provide details of the events of May 21,</p> <p>4 2016?</p> <p>5 A I don't recall.</p> <p>6 Q Do you recall providing your testimony</p> <p>7 at a deposition in July of 2016?</p> <p>8 A Correct.</p> <p>9 Q Is that the first time you were asked</p> <p>10 to provide any details of what your recollection</p> <p>11 was of the events of May 21, 2016?</p> <p>12 A Correct.</p> <p>13 Q And that was, roughly, two months</p> <p>14 later; is that correct?</p> <p>15 A Correct.</p> <p>16 Q And how many shifts had you worked in</p> <p>17 that two-month period?</p> <p>18 A I'm not aware. I don't know.</p> <p>19 Q How many calls had you answered in</p> <p>20 those two months?</p> <p>21 A I don't know that number.</p> <p>22 Q How many of those calls were domestic</p>	2772	<p>1 Q But anything else?</p> <p>2 A No, nothing.</p> <p>3 Q And just so we can stay on that for a</p> <p>4 minute, you did not -- you had not heard of Amber</p> <p>5 Heard at the time of this report, right, of</p> <p>6 May 21st, 2016?</p> <p>7 A Correct.</p> <p>8 Q But you did know that Johnny Depp was</p> <p>9 an actor, right?</p> <p>10 A Correct.</p> <p>11 Q And you didn't know that that was</p> <p>12 Johnny Depp's penthouse when you reported there,</p> <p>13 correct?</p> <p>14 A Correct.</p> <p>15 Q But you, as you just said, were</p> <p>16 impressed with the penthouse. Would it be fair to</p> <p>17 say that you thought somebody with some wealth</p> <p>18 lived there?</p> <p>19 A Correct.</p> <p>20 MS. BREDEHOFT: Can you bring up</p> <p>21 Plaintiff's Exhibit Number 23.</p> <p>22 Q Officer Saenz, do you recognize this</p>

<p style="text-align: right;">2773</p> <p>1 elevator at all?</p> <p>2 A Yes, I do.</p> <p>3 Q What do you recall?</p> <p>4 A That's the elevator from the location.</p> <p>5 Q Okay.</p> <p>6 MS. BREDEHOFT: Alex, I'm going to ask</p> <p>7 you to go to 21:19:40. And as you're moving</p> <p>8 that --</p> <p>9 Q Officer Saenz, I'm going to ask you to</p> <p>10 take a look at this and see if you can tell me</p> <p>11 what you are saying to Officer Hadden in this</p> <p>12 video clip.</p> <p>13 That's you; is that correct?</p> <p>14 A Correct.</p> <p>15 Q And Officer Hadden, you recognize?</p> <p>16 A Correct.</p> <p>17 Q Officer Saenz, can you tell what you</p> <p>18 were saying to Officer Hadden?</p> <p>19 A I cannot.</p> <p>20 Q Does it look like you might have said,</p> <p>21 at the beginning, "That was crazy"?</p> <p>22 A I can't tell what I was saying.</p>	<p style="text-align: right;">2775</p> <p>1 Do you recall that?</p> <p>2 A Yes, I do.</p> <p>3 Q Do you recognize the person here?</p> <p>4 A Yes, I do. Amber Heard.</p> <p>5 Q Okay. And do you see any signs of</p> <p>6 injuries on Amber Heard's face in this picture?</p> <p>7 A I do not.</p> <p>8 Q Is it your testimony that you do not</p> <p>9 perceive this cheek to be reflecting an injury on</p> <p>10 Amber?</p> <p>11 A Correct. No injury.</p> <p>12 Q I'm going to ask you to take a look at</p> <p>13 this section here with the eyelid. I'm going to</p> <p>14 ask you to take a look at that eyelid.</p> <p>15 Is it your perception that that eyelid</p> <p>16 does not reflect an injury?</p> <p>17 I'm sorry, what was your answer,</p> <p>18 Officer Saenz?</p> <p>19 A Correct, no injury.</p> <p>20 Q And then up above, on the forehead</p> <p>21 level, where the redness is and it looks like</p> <p>22 there's a couple of bumps, is it your perception</p>
<p style="text-align: right;">2774</p> <p>1 Q Would you agree, though, that you were</p> <p>2 quite animated in your discussion with</p> <p>3 Officer Hadden?</p> <p>4 A No, I wouldn't agree.</p> <p>5 Q How would you describe your demeanor?</p> <p>6 A Comfortably talking to my partner.</p> <p>7 Q All right. I'm going to ask you to</p> <p>8 take a look at Plaintiff's Exhibit Number 17. And</p> <p>9 while Alex is bringing that up, so your best</p> <p>10 recollection is that you saw no injuries on Amber</p> <p>11 Heard, correct?</p> <p>12 A Correct.</p> <p>13 Q And your best recollection is you saw</p> <p>14 no property damage, nothing in disarray, nothing</p> <p>15 out of the ordinary, correct?</p> <p>16 A Correct.</p> <p>17 Q And if you had seen either of those,</p> <p>18 you would have had to file a report, correct?</p> <p>19 A Correct.</p> <p>20 Q Officer Saenz, let me ask you this</p> <p>21 question: So we've established that you got off</p> <p>22 the elevator on the penthouse level at 9:04 p.m.</p>	<p style="text-align: right;">2776</p> <p>1 that does not reflect an injury?</p> <p>2 A Correct.</p> <p>3 Q Officer Saenz, I'm going to ask you to</p> <p>4 take a look at what's been marked as Defendant's</p> <p>5 Exhibit Number 18, close to the time that you</p> <p>6 alighted from the elevator, correct?</p> <p>7 A Correct.</p> <p>8 Q Please describe for me what you see in</p> <p>9 this photograph.</p> <p>10 A A striped carpet with discoloration on</p> <p>11 the right-hand side of the photo, and what I</p> <p>12 perceive as -- I don't know if that's a</p> <p>13 reflection -- some sort of mark.</p> <p>14 Q Now, you believed and testified, in</p> <p>15 fact, that you considered the hallways to be very</p> <p>16 well lit that night, correct?</p> <p>17 A Right.</p> <p>18 Q Did you see this, those stains?</p> <p>19 A No. Not that I recall.</p> <p>20 Q Would you agree that there's a reddish</p> <p>21 stain on the right side?</p> <p>22 A Correct.</p>

<p>2777</p> <p>1 Q What does that look like, from your 2 experience? 3 A Like a stain from – like a liquid. 4 Q Red wine, possibly? 5 A It could be, yes. 6 Q Okay. But you don't recall seeing that 7 in the hallway after you got off the elevator? 8 A I do not. 9 Q And you did not investigate this or 10 take any pictures or record anything about it, 11 correct. 12 A Correct. 13 Q Okay. Now, let's go to Number 19. Do 14 you recognize what is depicted in 15 Exhibit Number 19? 16 A Yes. It's our business card. 17 Q And it has 1A1 on the front of it. 18 What is that? 19 A That's our unit designation. 20 Q And then it has Hadden and a badge 21 number. Is that his badge number? 22 A That is his serial number.</p>	<p>2779</p> <p>1 Do you recognize this? What's depicted 2 in this picture? 3 A Yes, I do. It's the back of the 4 business card. 5 Q All right. And it says 5/21/2016 and 6 the time is 9:16 p.m. 7 Is that the time that the card -- that 8 it was written? 9 A Correct. 10 Q Okay. And do you recognize the 11 handwriting on this side? 12 A It looks like my handwriting. 13 Q Okay. Now, it says "radio call of 14 dispute." 15 Do you see that? 16 A I do. 17 Q Why didn't you put verbal dispute? 18 A It didn't – verbal dispute, it's the 19 same thing to me. 20 Q And you have "refused report" on here, 21 correct? 22 A Correct.</p>
<p>2778</p> <p>1 Q Okay. Serial number. Thank you. 2 It has your name, and is that your 3 serial number? 4 A Correct. 5 Q Who wrote this on the card? 6 A I don't recall. 7 Q Would it have been either you or 8 Officer Hadden? 9 A Correct. 10 Q Do you recognize this handwriting? 11 A I can't tell from this. 12 Q Now, I think you indicated, when you 13 were looking at the incident recall and the CAD 14 Summary, that a business card had been left. 15 Do you recall that? 16 A Yes, I do. 17 Q And why did you leave a business card? 18 A I advised Amber Heard that she could 19 contact us at any time if she changed her mind and 20 decided that she wanted to speak to us and 21 cooperate. 22 Q All right. Let's go to number 20.</p>	<p>2780</p> <p>1 Q Could you just read this next part that 2 you wrote on here? 3 A Sure. "Advised can call at later time 4 if changes mind." 5 Because she was uncooperative and 6 didn't want to speak so us. 7 Q Okay. Now, why did you say "if changes 8 mind"? 9 A Because I was giving her the 10 opportunity to have a resource if she changed her 11 mind. 12 Q But if Amber Heard had no injuries and 13 there was no evidence of any type of physical 14 property issues, disarray, breakage, et cetera, 15 then why would it matter if she change her mind? 16 A It's a courtesy that I choose to give 17 people when I go to calls. 18 Q Now, if Amber Heard had called you 19 later, you had already closed this out and had not 20 written a report and had taken no notes, correct? 21 A Correct. 22 Q But if I'm understanding your earlier</p>

<p style="text-align: right;">2781</p> <p>1 testimony, that if you saw evidence of injury, or 2 if you saw injury -- evidence of property damage, 3 even if the victim did not cooperate, you would 4 write a report, correct? 5 A Correct. 6 Q And we'll go to Number 21. 7 Officer Saenz, this is just a picture. 8 Do you recognize you and Officer Hadden here? 9 A Yes, I do. 10 Q Okay. Officer Saenz, is the time stamp 11 on here of 9:19 p.m -- :49 p.m., does that comport 12 with your recollection of when you left? 13 A I don't recall what time I left. I'm 14 just going based on the video that is in front of 15 me. 16 Q Okay. Do you have any reason to 17 believe that is incorrect? 18 A I don't. 19 Q Officer Saenz, I'm going to ask you to 20 take a look at Exhibit Number 24. 21 Do you recognize the person in this 22 photo?</p>	<p style="text-align: right;">2783</p> <p>1 Q You don't think it's consistent with a 2 cell phone being thrown at her? 3 A Correct. It does not look like an 4 injury caused from a cell phone. 5 Q Okay. And why not? 6 A Because it's consistent with somebody 7 crying. Her face is flush. 8 Q This was taken on May 21st. I'm going 9 to ask you to look at what's been marked as 10 Exhibit Number 26. 11 Do you recognize this as Amber Heard? 12 A Yes, I do. 13 Q Officer Saenz, do you see any redness 14 on Amber Heard's cheek and above her eyelid and -- 15 we'll go with those? 16 A I do. 17 Q And what is your perception of what the 18 cause of those is, those red marks? 19 A Consistent with her crying. Her face 20 is flush. 21 Q And is it fair to say that you do not 22 believe that this reflects an injury?</p>
<p style="text-align: right;">2782</p> <p>1 A Yes. Amber Heard. 2 Q Okay. Do you perceive there to be an 3 injury or evidence of injury on Amber's face in 4 this photo? 5 A No, I do not. 6 Q What is your perception of the redness 7 on the cheek and the eyelid and above the eyebrow? 8 A It's consistent with her crying. She's 9 fair-skinned. Her face is flush. 10 Q I'm going to ask you to look at what 11 has been marked as Exhibit Number 25. 12 Do you recognize this as Amber Heard? 13 A Yes, I do. 14 Q Do you see a red mark on Amber Heard's 15 cheek and above her eyelid and above her eyebrow 16 on this picture? 17 A Her face looks flush. Yes, it's 18 redness. 19 Q What's your perception of what that is 20 caused by? 21 A Like I said earlier, it's consistent 22 with what I'd seen, her crying.</p>	<p style="text-align: right;">2784</p> <p>1 A Correct. 2 Q And would it also be fair to say that 3 you would not consider it sufficient to 4 investigate further, whether it's an injury? 5 A There's nothing that would stop me from 6 investigating. I would continue to ask her 7 questions, and it's up to the victim if they want 8 to cooperate. 9 Q But, so that we -- we're clear here, 10 even if the victim doesn't cooperate, if you see 11 signs of injury, you still, and I believe you 12 testified to this, believe yourself duty bound to 13 write a report, correct? 14 A Yes. 15 Q But in your mind, you don't perceive 16 this as to be reflective of an injury; is that 17 correct? 18 A Correct. 19 Q And I'm going to ask you to take a look 20 at Exhibit Number 27. 21 Again, do you recognize this as Amber 22 Heard?</p>

<p>2785</p> <p>1 A Yes.</p> <p>2 Q Okay. And do you see redness on the</p> <p>3 cheek of Amber Heard on this photo?</p> <p>4 A Yes, I do.</p> <p>5 Q All right. And then you had testified,</p> <p>6 on a number of these other pictures, and on this</p> <p>7 one as well, that this was consistent with crying.</p> <p>8 Do you see any redness on Amber's other</p> <p>9 cheek?</p> <p>10 A Yes, I do.</p> <p>11 Q Is it the same or similar to the</p> <p>12 redness on the cheek, on the right cheek?</p> <p>13 A Based on this photo, it looks like one</p> <p>14 cheek is redder than the other?</p> <p>15 Q But you also don't see any swelling</p> <p>16 with that?</p> <p>17 A Right.</p> <p>18 Q I'm going to ask you to take a look at</p> <p>19 what has been marked as Exhibit 28.</p> <p>20 Do you recognize this as Amber Heard?</p> <p>21 A Yes, I do.</p> <p>22 Q Okay. And do you see redness on the</p>	<p>2787</p> <p>1 MS. BREDEHOFT: Let's take this one</p> <p>2 down. Let's go to Number 30.</p> <p>3 Q Now, you testified earlier that you</p> <p>4 thoroughly searched the penthouse.</p> <p>5 Do you recall that testimony?</p> <p>6 A Yes, I do.</p> <p>7 Q Okay. And Josh Drew, the gentleman</p> <p>8 that you had called a generic male, actually took</p> <p>9 you through and escorted you through the penthouse</p> <p>10 and the series of penthouses, correct?</p> <p>11 A Correct.</p> <p>12 Q Officer Saenz, did you or did you not</p> <p>13 thoroughly search the penthouses on May 21st,</p> <p>14 2016?</p> <p>15 A We did search the penthouse.</p> <p>16 Q And you used the term "thoroughly"; did</p> <p>17 you not?</p> <p>18 A I don't recall.</p> <p>19 Q Do you feel like you conducted a</p> <p>20 thorough search of the penthouses that night?</p> <p>21 A Yes, I did. I did a sweep of the</p> <p>22 location for the suspect.</p>
<p>2786</p> <p>1 right cheek and above the eye?</p> <p>2 A Yes, I do.</p> <p>3 Q And is it your perception that this</p> <p>4 reflects any type of -- or could reflect any type</p> <p>5 of injury?</p> <p>6 A No.</p> <p>7 Q Why not?</p> <p>8 A Because my perception is it was</p> <p>9 consistent with her crying.</p> <p>10 MS. BREDEHOFT: Let's take this down</p> <p>11 and go to 29.</p> <p>12 Q I'm going to ask you the same question.</p> <p>13 Do you recognize this as Amber Heard?</p> <p>14 A Yes.</p> <p>15 Q And do you see any redness in the right</p> <p>16 cheek and above the eyelid?</p> <p>17 A Yes.</p> <p>18 Q And is it your perception that these</p> <p>19 are not indicative of injury?</p> <p>20 A Yes.</p> <p>21 Q And what's your reasoning?</p> <p>22 A Consistent with her crying.</p>	<p>2788</p> <p>1 Q And when you're talking about a sweep</p> <p>2 of the location, did you go through every room?</p> <p>3 A Yes. Every room.</p> <p>4 Q Okay. And was there anyone else</p> <p>5 escorting you through those rooms?</p> <p>6 A Yes. The same male that we met with at</p> <p>7 the beginning of the call.</p> <p>8 Q That you called the generic male,</p> <p>9 correct?</p> <p>10 A Correct.</p> <p>11 Q Now, you also testified, a little</p> <p>12 earlier, that this was a very nice series of</p> <p>13 penthouses, right?</p> <p>14 A Yes.</p> <p>15 Q Did you interview the woman that was</p> <p>16 sitting with Amber Heard?</p> <p>17 A I attempted to. All parties were</p> <p>18 uncooperative.</p> <p>19 Q What did you say to the woman that was</p> <p>20 with Ms. Heard?</p> <p>21 A I don't recall the exact words, but I</p> <p>22 introduced myself to everyone and asked if they</p>

<p style="text-align: right;">2789</p> <p>1 had seen what happened or know what happened, and 2 they all refused to speak to me. 3 Q Did you ask for their names? 4 A I recall, yes. I did ask for the 5 names. Nobody would give me their names. 6 Q Now, that's a little unusual, isn't it? 7 A No, it's not. A lot of people don't 8 like us. 9 Q Well, is it that they don't like you or 10 is it, potentially, that they don't want to -- 11 with a domestic violence situation, are reluctant 12 to press charges? 13 A Every situation is different. Based on 14 my training and experience where I work, it's 15 usually that people do not like us. 16 Q Do you have a recollection of what the 17 woman who was with Amber Heard looks like? 18 A No recollection. 19 Q Do you know what color hair she had? 20 A I have zero recollection. 21 Q Do you know how old she was, how tall 22 she was, what her hairstyle was, what she was</p>	<p style="text-align: right;">2791</p> <p>1 officer safety reasons. If I'm not sure if I'm 2 going to write, I keep my hands free. When I 3 asked the questions, I got no answer; therefore, I 4 didn't take out my notebook or pens. 5 Q Did you have any reason to fear for 6 your safety at the time that you were talking with 7 Amber Heard when you were with her? 8 A I always fear for my safety. A 9 potential suspect could have been in the house. 10 So, yes -- my guard was not down, if that's what 11 you're asking. 12 Q What did you do first? Did you look at 13 the -- throughout the house to ensure that the 14 person wasn't there or did you ask the questions 15 first and then look at the house? 16 A I attempted to ask questions first. I 17 can't just go into a house and start checking it 18 without asking questions. 19 Q So, what questions did you ask first? 20 A I don't recall specific questions. 21 Q Do you recall any of your questions? 22 A I don't.</p>
<p style="text-align: right;">2790</p> <p>1 wearing? Anything about her? 2 A Zero recollection. 3 Q But, somehow, you're sure you tried to 4 interview her and she refused to answer questions? 5 A Yes. It's common practice. I try to 6 interview everyone during my investigation. 7 Q So, did you pull out your notebook, at 8 any time, while you were in the penthouse. 9 A I did not. I had nothing to write. No 10 one would speak to me. 11 Q Well, how did you know that when you 12 started asking questions, that they weren't going 13 to give an answer? 14 A They just looked at me. 15 Q But wouldn't you pull out your notebook 16 first and then ask the questions and then write 17 down the answers as they're giving them to you? 18 A No, I don't put anything in my hand for 19 officer safety issues, until I'm sure that -- 20 COURT REPORTER: I'm sorry, Officer, 21 can you repeat your answer? 22 A I don't put anything in my hand for</p>	<p style="text-align: right;">2792</p> <p>1 Q Do you recall any of the answers that 2 you were given? 3 A I don't recall. 4 Q Now, we went through the domestic 5 violence supplemental report and some of the 6 guidelines for officers on domestic violation. 7 Do you recall that the crime scene, a 8 number of items requested location ransacked, 9 location vandalized, furniture in disarray, 10 personal property damage? Do you remember any of 11 those being on the checklist for the crime scene 12 for domestic violence? 13 A As they pertain to domestic violence 14 reports, yes, I do. 15 Q All right. Now, did you ever speak 16 with the two officers who answered the second call 17 from the townhouse that night? 18 A I did not. 19 Q Did you ever communicate, in any 20 manner, with the two officers who answered the 21 second call to the penthouse? 22 A I did not.</p>

2793

1 Q Did you communicate through a third
2 party to the second set of officers relating to
3 the domestic violence call and your determination?
4 A I did not.
5 Q Did you know the two officers who were
6 responding to the second call?
7 A I did not.
8 Q Do you know who they are to this day?
9 A I do not.
10 Q Have you ever spoken to the other two
11 officers about the -- responding to this call on
12 May 21st, 2016?
13 A I have not.
14 Q Have you ever spoken with anyone else
15 about your response and their response to this
16 call on May 21st, 2016?
17 A I have not.
18 MR. MONIZ: And just so everybody's
19 aware, up until now, you've been listening to
20 questioning from Ms. Heard's counsel. At this
21 point I believe, we're going to shift over to
22 questioning by Mr. Depp's counsel.

2794

1 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND
2 COUNTERCLAIM DEFENDANT
3 BY MR. PRESIADO:
4 Q So I want you to focus on the date of
5 the incident that we have been talking about
6 during this deposition, and that is May 21st,
7 2016. I'll refer to that as the date of the
8 incident.
9 Do you understand what I mean when I
10 say "date of the incident"?
11 A Yes, I do.
12 Q Okay. So as of the date of the
13 incident, for how long had you been a training
14 officer?
15 A Since, I believe, the end of November
16 of 2015.
17 Q Between six to eight months?
18 A Yes.
19 Q Prior to the date of the incident, how
20 long had you been a training officer?
21 A Four to six months.
22 Q Okay. And as of the date of the

2795

1 incident, approximately how many incidents of
2 domestic violence had you come across?
3 A I couldn't tell you. I mean, I believe
4 I said hundreds.
5 Q Yes, that's how I understood it from
6 testimony, or in previous depositions, at least.
7 So, it's in the hundreds?
8 A Yes.
9 Q Okay. Now, when you -- and you
10 indicated that you proceeded to the incident at
11 Eastern Columbia Building due to what you heard
12 from dispatch; is that correct?
13 A Correct.
14 Q And do you recall, as you sit here
15 today, what you were told from dispatch that led
16 you to the Eastern Columbia Building on the date
17 of the incident?
18 A I don't have an independent
19 recollection.
20 Q Okay. As you sit here today, do you
21 recall that it had something to do with a dispute
22 at that location?

2796

1 A Correct.
2 Q And when you first arrived at the scene
3 of the incident, what did you first do upon
4 entering the building?
5 A We met with a security guard in the
6 lobby, who escorted us to the elevator.
7 Q Did you ask that security guard any
8 questions about the building -- strike that.
9 Did you ask that security guard any
10 questions?
11 A Not that I recall.
12 Q Did the security guard escort you up to
13 the penthouse?
14 A They gave us access through the
15 elevator. I do not believe that they came up to
16 the penthouse with us. I believe they just
17 accessed the elevator.
18 Q Okay. And when you arrived at the
19 penthouse and exited the elevator, was it just you
20 and your partner, Mr. Hadden, Officer Hadden?
21 A Yes.
22 Q Okay. And what did you do next?

2797

1 A We tried to listen for any kind of
2 sounds of domestic violence. We checked the
3 hallways. We didn't observe anyone. We went out
4 to a courtyard, didn't observe anyone. And based
5 on what I was just reminded of, there was a woman
6 in the gym who didn't seem involved, was working
7 out, looked fine. Nothing out of the ordinary.
8 And then we responded to a door in the hallway,
9 and I knocked and was met by a male.

10 Q Okay. Up until that point in time,
11 from exiting the elevator to knocking on that
12 door, did you see anything that indicated a crime?

13 A I did not.

14 Q Up until the point when you knocked on
15 that door, did you see or hear or witness anything
16 indicating that there had been a domestic violence
17 perpetrated?

18 A I did not.

19 Q Up until you knocked on that door, did
20 you see anything which you would have considered
21 out of the ordinary?

22 A I did not.

2798

1 Q And I guess what I'm asking is, walking
2 from the elevator to the gym, and then to the door
3 that you knocked on, was that -- you were in the
4 hallway?

5 A Yes, I was in the hallway.

6 Q Okay. And during that time period,
7 from exiting the elevator through to knocking on
8 the door, was there anything in the hallway that
9 was unusual for you?

10 A Not that I observed, no.

11 Q Did you see any stains on the floor?

12 A Not that I recall.

13 Q Did you see any vandalism in that area?

14 A No, I did not.

15 Q Did you see any broken glass in that
16 area?

17 A I did not.

18 Q And upon knocking on the door, what
19 happened next?

20 A A male opened the door. I don't
21 remember the exact questions and conversation we
22 had, but I remember asking if they called for

2799

1 help, and he said that it was the neighbor and
2 that she was inside of his house, apartment, with
3 his girlfriend. And I asked him if they could
4 step out, and he told me to wait and he shut the
5 door. And we waited -- we waited for them to
6 exit. I don't remember how much time passed by,
7 and they came out, and that's when we were met
8 with his girlfriend and who I now know is
9 Ms. Heard in the hallway.

10 Q Up until that point in time, did you
11 hear anything that led you to believe that a crime
12 had been committed?

13 A I did not.

14 Q Up until that point in time, did you
15 see anything that made you believe that a crime
16 had been committed?

17 A I did not.

18 Q Up until that point in time, did you
19 hear anything that made you believe that there had
20 been an act of domestic violence there?

21 A I did not.

22 Q Up until that point in time, did you

2800

1 see anything that made you believe that there had
2 been an act of domestic violence there?

3 A I did not.

4 Q Okay. So you indicated that after you
5 knocked on the door, you spoke with -- you spoke
6 with a gentleman; is that correct?

7 A Correct.

8 Q And you previously testified to someone
9 as a generic white male.

10 Is that the same person?

11 A Yes.

12 Q So your previous testimony, when you
13 were referring to a "generic white male," that's
14 the person who opened the door when you first
15 knocked on it, correct?

16 A Yes, there was only one male at the
17 location, besides my partner.

18 Q There was only one male for the entire
19 time you were at the location?

20 A Yes.

21 Q So, in the hall, you met with a generic
22 white male, Ms. Heard, and the generic white

<p style="text-align: right;">2801</p> <p>1 male's girlfriend; is that right? 2 A Yes. 3 Q It was just those three folks? 4 A Correct. 5 Q And you were there with your partner, 6 Officer Hadden. 7 A Correct. 8 Q And how -- in the hallway, how far were 9 you standing from Ms. Heard? 10 A It was close, probably, like, two to 11 five feet. 12 Q Okay. And at that time, did you notice 13 any injuries on Ms. Heard? 14 A I did not. 15 Q Okay. Were you looking to see if she 16 had any injuries at that time? 17 A Yes, I was. 18 Q And so, you were looking to see if 19 Ms. Heard had any injuries and you determined that 20 she did not; is that accurate? 21 A Correct. 22 Q Okay. And was the lighting good enough</p>	<p style="text-align: right;">2803</p> <p>1 recollection. Again, it's been so long, I don't 2 remember specific questions. 3 Q Okay. Now, let me just back up a 4 little bit. During the time period from when you 5 left the elevator and about when Ms. Heard came 6 out into the hallway, at any time, did the generic 7 white male tell you that there had been an act of 8 domestic violence? 9 A No, he did not. 10 Q Did he tell you anything that made you 11 think there may have been an act of domestic 12 violence? 13 A No, he did not. 14 Q Did he tell you anything that made you 15 believe that a crime may have been committed? 16 A No, he did not. 17 Q And during that time period, did you 18 ask him what had happened or what was happening? 19 A Yes, I did ask him, and he just refused 20 to give me any information. 21 Q Okay. So, now, fast-forward to what we 22 were talking about with respect to you in the</p>
<p style="text-align: right;">2802</p> <p>1 in the hallway for you to make that determination? 2 A Yes. The hallway was well lit. 3 Q And at the time, were you wearing any 4 sort of corrective lenses? 5 A I was not. 6 Q Although you're not wearing corrective 7 lenses, were you prescribed corrective lenses at 8 the time? 9 A No, I have never worn glasses, and I'm 10 not prescribed. I have good vision. 11 Q Okay. And at that time, did you have 12 good vision? 13 A Yes, I did. 14 Q At the time you were observing 15 Ms. Heard, did you have good vision? 16 A Yes, I did. 17 Q And did you observe any injury at that 18 time? 19 A I did not. 20 Q What did you ask Ms. Heard at that 21 time, if anything? 22 A I don't have an independent</p>	<p style="text-align: right;">2804</p> <p>1 hallway with the generic white male, Ms. Heard, 2 and the generic white male's girlfriend. 3 After you observed her and saw no sign 4 of injury, what did you do next? 5 A I advised her that we would be 6 conducting a protective sweep, just to make sure 7 that there was no one else in the house. And she 8 agreed if her neighbor, the male, could accompany 9 us with the protective sweep. 10 Q Okay. Up until that point in time, did 11 you ask Ms. Heard what happened? 12 A Yes, I did. 13 Q And what was her response? 14 A No response. She was uncooperative. 15 Q And, Officer Saenz, at that time, was 16 Ms. Heard cooperative? 17 A Ms. Heard was uncooperative. 18 Q Thank you. And by "uncooperative," 19 does that mean that when you asked her a question, 20 she wouldn't say a word, or did she say something 21 that made you think she was not cooperating? 22 A She wouldn't say anything.</p>

<p style="text-align: right;">2805</p> <p>1 Q Okay. So, just to be clear, you would 2 ask questions and she wouldn't say anything? 3 A Correct. 4 Q Okay. And what did you do at that 5 point? 6 A After the protective sweep, I asked 7 her, again, if she wanted to talk to me. Has 8 anything happened? Again, I don't remember the 9 specific questions that I asked her, but I asked 10 her questions to establish if there was some sort 11 of crime, who was involved, and, again, she 12 wouldn't give me any information. I attempted to 13 ask her friend, the other woman in the room. I 14 even asked the male to wait in the hallway so it 15 could just be us women in there so we could talk 16 privately, maybe she felt more comfortable that 17 way. Still, she denied there was any crime. They 18 wouldn't answer any specific questions. So I 19 wrote a business card, I advised her, if she 20 changed her mind, that she could call us at any 21 time and we would respond to help her out. 22 Q So backing up a bit to the time you</p>	<p style="text-align: right;">2807</p> <p>1 A Correct. 2 Q Was it more than one penthouse? 3 A There was -- yes, there was two. 4 Q Okay. And this term "sweep" we've been 5 using, is that a technical police officer term? 6 A Yeah. 7 Q And what do you mean by conducting a 8 sweep? 9 A It's called a protective sweep, and we 10 do so to make sure that there's no other 11 individuals that may be victims that are hurt 12 inside the location or a suspect hiding, 13 concealing themselves from officers, that would 14 attack the victim after we left the location. So 15 we go in to verify that any potential suspects are 16 gone from the location, for the victim's safety. 17 Q Thank you. 18 And you conducted a protective sweep of 19 two penthouses, correct? 20 A Correct. 21 Q What is your understanding of who owned 22 or lived in the first penthouse that you performed</p>
<p style="text-align: right;">2806</p> <p>1 were in the hallway with the three of them, and 2 you testified that Ms. Heard was uncooperative, 3 and then you indicated you did a sweep. I want to 4 start with -- from the point of time in the 5 hallway, where she was uncooperative, 6 transitioning to the sweep. 7 How did that occur? Did you ask her if 8 you could look in the penthouse? How did you go 9 from standing in the hallway to conducting a 10 sweep? 11 A I don't recall. 12 Q Now, before you swept the penthouses, 13 did you ask if you could enter the penthouses? 14 A Yes, I did. 15 Q Okay. And who -- and what was the 16 response? 17 A I can't remember if she gave me a 18 response or nodded her head. I can't remember. 19 Q From what you observed or heard from 20 Ms. Heard, you took it that she was permitting you 21 to enter the penthouses and look around; is that 22 accurate?</p>	<p style="text-align: right;">2808</p> <p>1 a protective sweep on? 2 A It was my understanding that Amber 3 Heard, that it was her home. Again, the gentleman 4 directed us. That's why he came with us, so we 5 wouldn't get lost. 6 Q I see. And during your protective 7 sweep, during the first -- of the first penthouse, 8 did anybody accompany you during the entire sweep? 9 A Yes, the male. The only male that was 10 there, besides my partner. 11 Q Okay. And your partner conducted the 12 sweep with you? 13 A Correct. 14 Q Okay. And as to the protective sweep 15 of the first penthouse, did you go into every room 16 of the penthouse? 17 A To my knowledge, yes. 18 Q And was your knowledge based on the 19 generic male leading you out? 20 A Correct. 21 Q Was it your understanding that your 22 protective sweep included you looking at every</p>

<p>1 room in the penthouse? 2 A Correct. 3 Q During the protective sweep of the 4 first penthouse, did you see anything that led you 5 to believe that a crime had been committed? 6 A I did not. 7 Q During the protective sweep of the 8 first penthouse, did you see anything that made 9 you think a crime had been committed? 10 A I did not. 11 Q During the first protective sweep, did 12 you see anything that made you think that an act 13 of domestic violence had occurred? 14 A I did not. 15 Q During the protective sweep of the 16 first penthouse, did you hear or see anything -- 17 I'm sorry, did you hear or see anything that made 18 you believe an act of domestic violence had 19 occurred? 20 A I did not. 21 Q Okay. Upon your completion of this 22 sweep, protective sweep of the first penthouse, up</p>	<p>2809</p>	<p>1 during the entire time period that you were on 2 that call? Do you believe that you had enough 3 time viewing Ms. Heard to determine whether or not 4 she had sustained any injuries? 5 A Yes, I do. 6 Q And did you determine that she 7 sustained any injuries? 8 A I determined that she did not sustain 9 any injuries. 10 Q So, other than the conversation you had 11 with her in the hallway, when you first got there, 12 did you have any other conversations with 13 Ms. Heard? 14 A I did. 15 Q Okay. 16 A Inside of the loft -- or penthouse, 17 sorry. 18 Q Was that before or after the protective 19 sweep? 20 A I believe both, before and after. I 21 attempted. 22 Q Okay. How many conversations, separate</p>	<p>2811</p>
<p>1 until that point in time, from you exiting the 2 elevator up until that point in time, did you hear 3 or see anything that made you believe that a crime 4 had been committed? 5 A I did not. 6 Q Up until that point in time, did you 7 hear or see anything that made you think that an 8 act of domestic violence had occurred? 9 A I did not. 10 Q Now, I want to ask you -- you testified 11 that -- well, you testified to you viewing 12 Ms. Heard and not seeing any signs of injury. 13 Did you review her again after that 14 first viewing? 15 A During the interviews and throughout 16 the entire investigation, I'm constantly standing 17 here and watching, so I can -- if I see any other 18 observations that would indicate any injury of 19 domestic violence. 20 Q And did you see anything like that? 21 A I did not. 22 Q And did you see anything like that</p>	<p>2810</p>	<p>1 conversations did you have with Mr. Heard? 2 A I don't recall. 3 Q There was at least the one in the 4 hallway and there was one before or after the 5 protective sweep, correct? 6 I'm sorry, I missed that answer. 7 A Correct. 8 Q Okay. And during the second 9 conversation you had with her, after the one in 10 the hallway, how close were you to her? 11 A The same, two to five feet. She was 12 right in front of me. 13 Q Were you close enough to get a good 14 view of -- to determine whether or not she had any 15 injury? 16 A Yes, I was. 17 Q Okay. And during that second 18 conversation, did you determine whether or not she 19 had an injury? 20 A I determined that she did not have any 21 injuries. 22 Q At any point in time, during the</p>	<p>2812</p>

<p style="text-align: right;">2813</p> <p>1 incident, during the date of the incident, did she 2 complain of an injury? 3 A She did not. 4 Q During the protective sweep of the 5 penthouse, did you see anything in disarray? 6 A I did not. 7 Q Okay. Now, you indicated -- let me ask 8 you, did you do a protective sweep of a second 9 penthouse? 10 A Yes, I did. 11 Q Okay. Did the generic white male 12 accompany you on that sweep as well? 13 A Yes, he did. 14 Q What was your understanding of who 15 owned or resided in that second penthouse? 16 A I had no idea. 17 Q Okay. Did you, during that second 18 protective sweep, did you walk through every room 19 in that penthouse? 20 A From my understanding, yes, we did. 21 Q Okay. And during that second 22 protective sweep, did you see anything that you</p>	<p style="text-align: right;">2815</p> <p>1 you do? 2 A I responded to where Amber Heard was, 3 and I, again, tried to see if I could get any 4 information from her. I was unsuccessful, and 5 then I issued her the business card and let her 6 know that she could call us back if she wanted to 7 talk. 8 Q Did she answer any of your questions? 9 A No, she did not. 10 Q At any point in time, during the 11 entirety of the incident, did Ms. Heard answer any 12 of your questions? 13 A No, she did not. 14 Q During the entire time of the incident, 15 did Ms. Heard complain of any injury? 16 A No, she did not. 17 Q During the entirety of your time at the 18 incident, did anybody say anything that made you 19 believe a crime had been committed? 20 A No, they did not. 21 Q During the entirety of the time you 22 were at the incident, did anybody say anything</p>
<p style="text-align: right;">2814</p> <p>1 would say was in disarray? 2 A I did not. 3 Q During that second protective sweep, 4 did you see anything that made you believe there 5 had been a crime committed? 6 A I did not. 7 Q During that second protective sweep, 8 did you hear anything that made you think that a 9 crime had been committed? 10 A I did not. 11 Q During the protective sweep of the 12 second penthouse, did you see anything that made 13 you believe an act of domestic violence had 14 occurred? 15 A I did not. 16 Q During the protective sweep of the 17 second penthouse, did you hear or see anything 18 that made you believe a crime had been committed? 19 A I did not. 20 Q After you performed the second 21 protective -- I'm sorry, after you performed the 22 protective sweep of the second penthouse, what did</p>	<p style="text-align: right;">2816</p> <p>1 that made you believe an act of domestic violence 2 had occurred? 3 A No, they did not. 4 Q Okay. During the entirety of your time 5 at the incident, did you see anything that made 6 you believe a crime had occurred? 7 A I did not. 8 Q During the entirety of your time at the 9 incident, did you hear anything that made you 10 believe a crime had been committed? 11 A I did not. 12 Q During the entirety of your time at the 13 incident, did you hear or see anything that made 14 you believe that an act of domestic violence had 15 occurred? 16 A I did not. 17 Q Had you heard of anybody by the name of 18 Ms. Heard at that time? 19 A Never. 20 Q Amber Heard? 21 A No, I had never heard of Amber Heard 22 before that time.</p>

<p>1 Q Okay. Did you recognize any of the 2 people that you encountered during the incident? 3 A I did not. 4 Q At the time of the incident, did you 5 have any reason to believe that anybody who you 6 encountered at the incident was famous? 7 A I did not. 8 Q Okay. And during the entire time that 9 you were at the penthouses during the incident, 10 did you have any reason to believe that Mr. Depp 11 was affiliated or involved in the incident? 12 A I did not. 13 MR. PRESIADO: Madam Reporter, can you 14 repeat my last question, where I was? 15 COURT REPORTER: Sure. 16 "Question: During the entire time you 17 were at the penthouses during the incident, did 18 you witness any bruises on Ms. Heard?" 19 And there was not a response. 20 A I did not observe any injuries on 21 Ms. Heard. 22 Q Okay. Did you observe any swelling on</p>	<p>2817</p>	<p>1 A Yes. 2 Q Okay. And you understood you were 3 under oath, correct? 4 A Correct. 5 Q Okay. 6 MR. PRESIADO: Alex, if you could go to 7 page 26. 8 Q Officer Saenz, do you recall testifying 9 as to -- do you recall testifying that, and I'm 10 talking about today, do you recall just testifying 11 that you can't recall what Ms. Heard said to you, 12 if anything? 13 A I do not have an independent 14 recollection, but I can go off of what I'm seeing 15 here on my screen. 16 Q Okay. 17 MR. MONIZ: Your Honor, we're at 5:00. 18 It looks like we have 18 minutes left. 19 THE COURT: Do you have any problems 20 finishing it tonight? 21 Go ahead and finish it. 22 MR. MONIZ: Okay.</p>	<p>2819</p>
<p>1 Ms. Heard's face? 2 A I did not. 3 Q Did you observe anything that led you 4 to believe that she was a victim of domestic 5 violence? 6 A I did not. 7 MR. PRESIADO: Alex, if you can pull up 8 Exhibit 2. 9 COURT REPORTER: So is this going to be 10 Exhibit 57? 11 MR. PRESIADO: Yes. 12 Q Officer Saenz, do you recall having 13 your deposition taken on July 18th, 2016, in 14 connection with Mr. Depp and Ms. Heard? 15 A Yes. 16 Q Okay. And do you recall giving 17 testimony in connection with that deposition under 18 oath? 19 Did you answer? I'm sorry, Officer? 20 A Yes. 21 Q Okay. And did you give accurate and 22 true testimony at that time?</p>	<p>2818</p>	<p>1 BY MR. PRESIADO: 2 Q And do you agree with me that your 3 memory of the day of the incident was fresher on 4 July 18th, 2016, than it is today? 5 A Yes. That is correct. 6 Q Okay. And the incident was May 21st, 7 2016, this deposition was taken July 18th, 2016. 8 How long after the incident was this 9 deposition taken? 10 A A few months. 11 Q Okay. 12 MR. PRESIADO: Alex, if I can have 13 control. There's a delay, Alex. Can that be 14 fixed, or is that just the way it is? 15 AV TECHNICIAN: This is Alex speaking. 16 Yeah, I'm afraid I can't help that. I'm sorry, 17 Mr. Presiado. 18 MR. PRESIADO: That's fine. 19 Q I'm going to start here. Do you see my 20 cursor? 21 A I do. 22 Q I'm going to start here, at line 3.</p>	<p>2820</p>

<p style="text-align: right;">2821</p> <p>1 The question is, "Okay. So we'll get back to 2 that. Before you did a sweep or a check of the 3 rest of the penthouse, did you have an opportunity 4 to speak with Ms. Heard when you were in the 5 apartment?" 6 "Answer: Yes I did. 7 "Question: Okay. Can you tell us 8 about that conversation? 9 "Answer: Sure. I asked her what 10 happened. Opening question. She said nothing, 11 and she continued to cry. I said, who do you live 12 with -- who do you live here with? She shook her 13 head as if she did not want to answer. I asked 14 her, are you hurt? Do you need an ambulance? And 15 she shook her head, again, no. At that point, I 16 asked her if she mind -- if she would mind if I 17 checked her apartment, and that's when she said 18 no." 19 Officer, does this refresh your 20 recollection of the conversation you had with 21 Ms. Heard at that time? 22 A Yes, it does.</p>	<p style="text-align: right;">2823</p> <p>1 of crime. 2 Q Thank you. 3 During the entire time you were at the 4 penthouse on May 21st, 2016, were you wearing any 5 body-worn video cameras? 6 A I was not. 7 Q Are you certain of that? 8 A I am certain. 9 Q And how is it that you are certain of 10 that? 11 A Because I didn't start using body-worn 12 video until June of 2016. 13 Q And that's after the date of the 14 incident, correct? 15 A Correct. 16 MR. PRESIADO: Alex, if you wouldn't 17 mind putting Exhibit 9 back up. 18 Q Officer Saenz, you were shown this 19 document earlier. 20 What is this document? 21 A It is a domestic violence supplement 22 report.</p>
<p style="text-align: right;">2822</p> <p>1 Q And your testimony that I just read, is 2 that true and accurate? 3 A Yes, it is. 4 Q During the entire time period you were 5 at the penthouses, on May 21st, 2016, did 6 Ms. Heard say that she had been assaulted, in any 7 way, by anybody? 8 A No, she did not. 9 Q During your protective sweep of the two 10 penthouses, did you view anything that you would 11 characterize as vandalism? 12 A I did not. 13 Q During the entire time you were at the 14 penthouses on May 21st, 2016, were you looking for 15 a probable cause to believe that a crime had been 16 committed? 17 A Yes, I was. 18 Q And what did you determine? 19 A I determined there was no crime. 20 Q Did you -- what did you determine with 21 respect to an assessment of probable cause? 22 A There was no probable cause of any sort</p>	<p style="text-align: right;">2824</p> <p>1 Q And do you recall Counsel asked you 2 about the victim column and the crime scene 3 column? 4 A Yes, I do recall. 5 Q Did you also see there's a suspect 6 column in the middle? 7 A Yes. 8 Q Okay. And is there any difference 9 between the victim column and the suspect column 10 with respect to the terms -- the box terms? 11 A No difference. 12 Q Okay. Did you fill out one of these 13 forms in connection with your investigation on 14 May 21st, 2016? 15 A I did not. 16 Q Why not? 17 A Because it was determined there was no 18 crime. 19 Q And, Officer Saenz, just one more 20 question with respect to that Exhibit 9, I know 21 it's not up. But the fact that you did not fill 22 out that form, is that consistent with your</p>

<p>1 training? 2 A Yes, it is. I wouldn't fill that out 3 because there was no crime. It doesn't -- it's 4 not called for. 5 Q When you testified during the London 6 trial, at the time, did you believe your testimony 7 was accurate? 8 A Yes, I do. 9 Q At all times you've testified under 10 oath in any legal proceedings, trials, 11 depositions, do you always give accurate and 12 truthful testimony? 13 A Yes, I do. 14 Q And do you have any reason to not give 15 accurate and truthful testimony in connection with 16 this deposition? 17 A I do not. 18 Q Officer Saenz, do you see these two 19 pictures? 20 A Yes, I do. 21 Q Do you recognize the person in the 22 picture?</p>	2825	<p>1 A Yes, the photo on the left is brighter, 2 causing the redness on the cheeks to, what appears 3 to be brighter, or exaggerated. 4 Q And what did you say with respect to -- 5 concentrate on the picture on the left. 6 Can you read to me what it says in the 7 little box at the very top on the left, under add 8 a title? Do you see a date and a timestamp? 9 A Yes, I see it. 10 Q What's it say, date and timestamp? 11 A Date is May 21st, 2016; timestamp is 12 12 9:25:12 p.m. 13 Q And now, let's look at the other 14 pictures, Exhibit 29, at the same spot. 15 Can you read for me what the timestamp 16 says there? 17 A Yes. It says May 21st, 2016, 18 18 9:25:12 p.m. 19 Q So both exhibits, both pictures are the 20 same exact timestamp, correct? 21 A Correct. 22 Q And even though that's the case, do you</p>	2827
<p>1 A Yes. Amber Heard. 2 Q In both pictures? 3 A Yes. 4 Q Do you see a difference in these 5 pictures -- between these two pictures? 6 A Yes, I do. The lighting of the photos. 7 Q Okay. Do you see any difference in 8 connection with the redness on the cheeks of 9 Ms. Heard as between these two pictures? 10 A Yes, I do. The left side is -- the 11 photo's brighter. 12 Q Okay. And other than that, would you 13 agree with me that these two pictures are the 14 same; in other words, Ms. Heard's face, the 15 position of her face, and everything about her in 16 these pictures is identical, except for the 17 differences that you indicated? 18 A Yes. 19 Q Okay. And even though these are the 20 same pictures, do you see any difference with 21 respect to the redness in -- on Ms. Heard's face 22 with respect to the two pictures?</p>	2826	<p>1 still believe there's a difference between the two 2 pictures, as you previously described? 3 A Yes, I do. 4 Q Officer Saenz, do you see Exhibit 41? 5 A Yes. 6 Q Do you recall counsel asking you 7 questions? 8 A Yes. 9 Q During your protective sweep of the two 10 penthouses on May 21st, 2016, did you see anything 11 in disarray? 12 A No. 13 Q Officer Saenz, I think you answered 14 this, but up until the present, for how long have 15 you been an LA -- Los Angeles police officer? 16 A I will be going on 12 years. 17 Q Officer Saenz, in connection with your 18 investigation at the Eastern Columbia Building on 19 May 21st, 2016, were you in a rush, in any way, to 20 complete the investigation? 21 A No. 22 Q Were you willing to stay as long as</p>	2828

<p style="text-align: right;">2829</p> <p>1 necessary to determine if a crime had been 2 committed? 3 A Yes. 4 Q At any point in time during your 5 investigation on May 21st, 2016, at the 6 penthouses, did Ms. Heard ask you to file a 7 report? 8 A No. 9 Q Did anybody that you spoke with or saw 10 on May 21st, 2016, at the penthouses, ask you to 11 file a report? 12 A No. 13 Q Did you have any cause to file a 14 report? 15 A No. 16 Q And was that determination in line with 17 your training? 18 A Yes. 19 Q If you had witnessed anything that led 20 you to believe that an act of domestic violence 21 had occurred, would you have filed a report? 22 A Yes.</p>	<p style="text-align: right;">2831</p> <p>1 to that. 2 So, I'm going to ask you to take a look 3 at what is Exhibit Number 6. 4 And do you recognize you and 5 Officer Hadden in this picture? 6 A Yes. 7 Q Okay. And what time does the timestamp 8 on this picture say for the elevator? 9 A It says 21:04:43. 10 Q So that's 9:04:43; would that be right, 11 p.m.? 12 A Yes. 13 Q And you looked at this earlier. And 14 I'm going to ask you to take a look at it again, 15 at 21. 16 So this one has what time? 17 A 21:19:49. 18 Q All right. And allowing for your -- 19 and, Officer Saenz, you said, earlier, that you 20 weren't sure whether there were accuracies or 21 inaccuracies in terms of the elevators. But 22 allowing for that there may be any issues at all,</p>
<p style="text-align: right;">2830</p> <p>1 Q And you, in fact, did not file a 2 report, correct? 3 A Yes. Correct. 4 Q And if you had witnessed something that 5 led you to believe that an act of domestic 6 violence had occurred, would you have filed a 7 report, even if Ms. Heard had asked you not to? 8 A Yes. 9 Q And is that in line with your training? 10 A Yes. 11 MR. MONIZ: Just so everybody is on the 12 same page, we have about a minute and a half of 13 questions from Ms. Heard's counsel at this time. 14 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 15 COUNTERCLAIM PLAINTIFF 16 BY MS. BREDEHOFT: 17 Q Officer Saenz, you were asked some 18 questions about when you were -- got off the 19 elevator in the penthouse and when you got on and 20 how much time you spent at the penthouse level. I 21 approached it in my earlier, but based on the 22 cross-examination, I feel like we need to go back</p>	<p style="text-align: right;">2832</p> <p>1 would you agree that it still means that you were 2 on and off that elevator in 15 minutes? 3 A Assuming the times are correct, yes. 4 Q Okay. You were asked to look at a 5 number of the pictures that I had shown you 6 earlier, that were taken on the night of May 21st, 7 2016, both before, during, and after the time that 8 you and Officer Hadden had reported to the -- to 9 Ms. Heard's penthouse. 10 Do you recall seeing those again and 11 being asked about them? 12 A Yes. 13 Q You were asked, by counsel for 14 Mr. Depp, to take a look at those again, correct? 15 A Correct. 16 Q Okay. And he asked you if you had seen 17 any of those photographs before, and you indicated 18 that you had not, correct? 19 A Correct. 20 Q So, other than what was placed in the 21 CAD summary by either you or Officer Hadden, and 22 then, also, went into the incident recall, are you</p>

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<p style="text-align: right;">2833</p> <p>1 aware of any documentation that either you or 2 Officer Hadden collected relating, in any manner, 3 to your visit to the penthouse on May 21, 2016? 4 A No. 5 THE COURT: All right. Thank you. 6 All right. Ladies and gentlemen, that 7 concludes the testimony for today. Please do not 8 do any outside research, and don't talk to anybody 9 about the case. We'll see you tomorrow morning, 10 okay? Thank you. 11 (Whereupon, the jury exited the 12 courtroom and the following proceedings took 13 place.) 14 THE COURT: All right. I still have 15 some outstanding exhibits. So if you could get 16 with Jamie and see what those are so we can get 17 that taken care of, so we don't get backwards and 18 we keep up. 19 All right. We'll see you in the 20 morning. Thank you. 21 THE BAILIFF: All rise. 22 (Whereupon, the trial was recessed at</p>	<p style="text-align: right;">2835</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER 2 I, JUDITH E. BELLINGER, RPR, CRR, the 3 court reporter before whom the foregoing hearing 4 was taken, do hereby certify that the foregoing 5 excerpt transcript is a true and correct record of 6 the proceedings; that said proceedings were taken 7 by me stenographically and thereafter reduced to 8 typewriting under my direction; and that I am 9 neither counsel for, related to, nor employed by 10 any of the parties to this case and have no 11 interest, financial or otherwise, in its outcome. 12 IN WITNESS WHEREOF, I have hereunto set 13 my hand and affixed my notarial seal this 27th day 14 of April, 2022. 15 My Commission Expires: September 30, 2024 16 17 18 <i>Judith E. Bellinger</i> 19 _____ 20 NOTARY PUBLIC IN AND FOR 21 THE COMMONWEALTH OF VIRGINIA 22</p>
<p style="text-align: right;">2834</p> <p>1 5:20 p.m. to reconvene at 10:00 a.m., Wednesday, 2 April 27, 2022.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	