

### **DECLARATION OF BRANDON PATTERSON**

I, Brandon Patterson, provide the following Declaration based on personal knowledge, or information that has been provided to me by others with personal knowledge, of the matters set forth herein:

1. I am the General Manager of the Eastern Columbia Building located at 849 South Broadway, Los Angeles, California, 90014.

2. I have been the General Manager of the Eastern Columbia Building since November 2015.

3. I was the General Manager during the period of time when Johnny Depp and Amber Heard resided in the Building in Penthouse 3.

4. I am aware that Ms. Heard has claimed that Mr. Depp physically assaulted her in the Eastern Columbia Building on May 21, 2016.

5. As detailed below, Ms. Heard was repeatedly observed in the Eastern Columbia Building in the multiple days following the alleged assault without bruises, cuts, redness, swelling or any other injuries to her face. These observations were made by people working at the front desk at the Eastern Columbia Building who interacted with Ms. Heard in person and also saw images of her on the Building's surveillance cameras.

6. As further detailed below, Ms. Heard directly requested in 2016 that I and one of my colleagues make a statement to her “sources” at *People Magazine*.

7. One of the surveillance videos, taken the evening of Tuesday, May 24, showed Amber Heard, her sister Whitney Heard, and her friend Raquel Pennington entering the building’s mezzanine. Trinity Esparza showed me a video at the front desk with a pretend punch to the face from one of Ms. Heard’s two companions, and the three of them laughed hard. They then entered the penthouse elevator, where Ms. Heard’s face was clearly visible. There were similarly no bruises, cuts, redness, swelling visible on Ms. Heard’s face.

8. Surveillance video from the Eastern Columbia Building that captured footage of Ms. Heard in the days following the alleged assault without any injuries to her face was collected, preserved, and produced pursuant to subpoena.

**MS. HEARD WAS OBSERVED WITHOUT ANY INJURIES TO HER FACE IN THE DAYS AFTER SHE CLAIMED THAT MR. DEPP PHYSICALLY ASSAULTED HER**

9. For the convenience of residents, the Eastern Columbia Building operates a front desk in the Building’s lobby. Among other things, the front desk performs concierge services, accepts packages for residents and provides access to the building for the residents’ guests.

10. Because of the functions that the front desk performs, front desk staff regularly interacts with Building residents.

11. The Building’s front desk staffing is provided by Tri Provide, LLC and 1 front desk personnel employed by Action Property Management.

12. In 2016, the Building’s front desk was staffed from 8 am to 1 am Monday through Thursday and 24 hours per day on Fridays, Saturdays, and Sundays.

13. As General Manager, one of my job responsibilities is to oversee the third-party contractors that provide services to the Building. I see the people that Tri Provide and Action

Property Management put to work in the Building on a day-to-day basis and receive regular reports from them concerning their work in the Eastern Columbia Building, including their interactions with and observations of the Building's residents and everything related to the property ground.

14. In the following days after Ms. Heard publicly accused Mr. Depp of physically assaulting her on May 21, 2016, at least two of the people who work at the front desk reported to me that, in carrying out their job functions in the Eastern Columbia Building, they interacted with Ms. Heard at various times after the alleged assault.

15. Both Trinity Esparza of Tri Provide and Alejandro Romero of Action Property Management stated to me that they did not observe any bruises, cuts, redness, swelling or any other injuries to Ms. Heard's face when they repeatedly interacted with her in person between May 21, 2016 and May 26, 2016.

16. Ms. Esparza told me that Ms. Heard was not wearing makeup when she interacted with her. It is my understanding that both Ms. Esparza and Mr. Romero were issued subpoenas and testified to their observations of Ms. Heard.

17. Ms. Esparza also reported to me that another Tri Provide contractor, Cornelius Harrell, had interacted with Ms. Heard one on one for between 5-8 minutes around 1 pm on Sunday May 22, the day after the alleged assault and did not observe any injuries on Ms. Heard's face. It is my understanding that Mr. Harrell was issued a subpoena and testified to this observation of Ms. Heard.

18. In addition, Ms. Esparza reported to me that she first observed Ms. Heard with what appeared to be a cut and bruises on her face several days after Ms. Heard alleges that she

was physically assaulted by Mr. Depp, having witnessed Ms. Heard with no cut, bruises or injury in the preceding days.

19. Trinity Esparza informed me that Elon Musk came to Mr. Depp's penthouse shortly after the May 21 incident.

**SURVEILLANCE VIDEOS OF MS. HEARD SHOW HER WITHOUT ANY INJURIES  
IN THE DAYS FOLLOWING HER ALLEGED ASSAULT BY MR. DEPP**

20. For the convenience of residents, the Eastern Columbia Building is outfitted with surveillance cameras that monitor and record activities in, and around the Building, including in its elevators, lobby, and mezzanine level mailroom that exits to the parking garage. In 2016, there were 26 surveillance cameras in all.

21. The images captured on the surveillance cameras are displayed in real time on monitors that are located at my office as well as the Eastern Columbia Building's front desk.

22. Among other things, the people stationed at the front desk by Tri Provide and Action are responsible for viewing the live footage from the surveillance cameras.

23. In addition to the live stream visible to the front desk staff, the footage captured by the surveillance cameras is recorded and maintained by the Building for a period of time. In 2016, that period of time was 26 days.

24. Generally, I have access to recorded surveillance footage on the DVR from the preceding 26 days, as do the Tri Provide and Action Property Management contractors.

25. In the days after she claims that she was physically assaulted by Mr. Depp, Ms. Heard was repeatedly captured on surveillance footage by the Building's security cameras.

26. I, along with Tri Provide and Action Property Management contractors, have viewed some of the recorded surveillance video footage provided to Mr. Depp's lawyers.

**MS. HEARD REQUESTED THAT THE BUILDING MAKE A**

## COUNTERFACTUAL STATEMENT TO *PEOPLE MAGAZINE*

27. On June 9, 2016, over two weeks after she publicly accused Mr. Depp of physical assault, Ms. Heard came to my office to meet with Ms. Esparza and me in person. Ms. Heard at that time presented with a visible cut, bruise and injury to her face, around her cheek and eye.

28. In that meeting, Ms. Heard asked me, while Ms. Esparza was present, to talk to her source at *People Magazine* to deny that building staff had made statements disputing Ms. Heard's abuse allegations.

29. Specifically, Ms. Heard stated that she had "a source" at *People Magazine* who was writing a story about her allegations against Mr. Depp.

30. At that time, there apparently had been statements reported in the media that suggested that Ms. Heard had been seen by people working in the Eastern Columbia Building without any injuries.

31. Ms. Heard asked me and Ms. Esparza to talk with her source at *People Magazine* and state that the Building would not make any comment about its residents.

32. Professionally, I would never have agreed to make any media statement or talk to a reporter or anyone under any circumstances regarding any resident in my position as the General Manager at the Eastern Columbia.

33. I declined, with Ms. Esparza present, to make the statement to Ms. Heard's source at *People Magazine* and directed Ms. Heard to legal counsel for the Eastern Columbia Lofts.

## COLLECTION, PRESERVATION, AND PRODUCTION OF SURVEILLANCE VIDEOS OF MS. HEARD

34. In the summer of 2016, certain recorded footage from some of the surveillance cameras in the Eastern Columbia Building was collected and preserved pursuant to a subpoena issued in divorce proceedings between Mr. Depp and Ms. Heard.

35. I, along with a Tri Provide and Action contractor working at my direction and under my supervision, began assisting lawyers working on behalf of Eastern Columbia Building resident Mr. Depp in the divorce proceedings in identifying and collecting recorded surveillance video. That Tri Provide contractor was Trinity Esparza and Action employee Alex Romero. However, it was taking up too much time so our video surveillance vendor was provided a list of dates and times specifically requested by the attorneys and saved the video in accordance to the request. Therefore, I did not see all of the video or its content in its entirety.

36. The surveillance footage that was sought by Mr. Depp's divorce lawyers contained images of Ms. Heard recorded in multiple days following May 21, 2016—the date on which Ms. Heard alleges that she was physically assaulted by Mr. Depp. Mr. Depp's divorce lawyers viewed the footage on site at the Eastern Columbia Building, using my office.

37. I was issued a subpoena to provide the 87 video clips that the attorneys' representative had identified as relevant and specifically requested by the lawyers, and provided copies of them to Mr. Depp's divorce lawyers in the summer of 2016.

38. I have maintained the 87 surveillance video clips at the Eastern Columbia Building since the summer of 2016.


39. In January 2019, in the *Depp v. Bloom Hergott* case, I received a subpoena for the 87 surveillance video clips. I complied with the subpoena and provided copies of the 87 surveillance video clips to counsel in that case.

40. A subset of the 87 surveillance video clips that I produced pursuant to the January 2019 subpoena are now preserved on a thumb drive that has been marked as Exhibit 204 in the *Bloom Hergott* case. I have reviewed some of the surveillance video clips on Exhibit 204, and the clips provided are true and correct copies of some of the surveillance videos that I preserved

and provided to Mr. Depp's divorce lawyers in the summer of 2016 and produced again in January 2019 pursuant to the subpoena in the *Bloom Hergott* case.

41. I am generally familiar with the contents of the surveillance video clips on Exhibit 204 because I viewed some of them in the summer of 2016 when they were originally preserved, and I viewed some of them again before producing them in the instant case.

I swear, under penalty of perjury, that the contents of this Declaration are true and correct to the best of my knowledge.

  
Brandon Patterson