

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

**DECLARATION OF KEVIN MURPHY**

I, Kevin Murphy, hereby declare as follows:

1. I am providing this declaration pursuant to a subpoena. I am over the age of 18 and not a party to this action. The facts set forth in this Declaration are personally known to me and I have firsthand knowledge of them. If called upon as a witness, I would and could competently testify to the facts set forth herein.

2. I was previously employed by Johnny Depp (hereinafter "Johnny") for nearly eight years as an Estate Manager. I have worked in a similar capacity for other ultra-high-net worth individuals for over twenty years. I ceased working for Johnny in 2016.

3. As Johnny Depp's Estate Manager, I managed many things including all real properties, which meant I had multiple daily contacts with staff, security and various vendors. I also assisted with personal tasks when necessary. I interacted constantly with Johnny as well as with Johnny's then-wife Amber Lynn Heard (hereinafter, "Amber").

4. When I was formerly employed by Johnny, I spent more time with Johnny and Amber than any other member of their staff. And during my time employed, I witnessed first hand Amber's commission of both violence and verbal abuse of Johnny on multiple occasions. I never once

witnessed Johnny abuse Amber in any way, whether physical or verbal. I never once saw Johnny abuse anyone, male or female, during my entire tenure. I never saw Johnny raise his voice towards anyone during my entire tenure.

5. On Oct 11 and 12, 2015, Amber asked me to call a witness, her former assistant Kate James (hereinafter "Kate"), and ask her on Amber's behalf to lie under oath to an Australian court that was criminally prosecuting Amber. I told Amber that I was uncomfortable with obtaining a false statement, and accordingly, I did not do so. Specifically, Amber wanted Kate to give a false statement that Amber was unaware it would be illegal for her to bring her dogs into Australia. Amber was aware it was illegal, because I had informed her repeatedly by email, phone conversation and in person conversation. Before asking me to call Kate and solicit her perjury to submit to a court, Amber forwarded me an email she had received from her attorney Marty Singer, dated October 11, 2015 at 7:29 AM and attached hereto as Exhibit A. That email from Marty Singer to Amber said: *"if you could get Kate to sign a statement, it could be helpful. I don't know what your relationship with her is at this time since you fired her. You will have to be careful that she will cooperate and will not go public, if you ask her not to be truthful."* Amber responded the same day at 8:58 AM: *"Marty – I'm waiting to hear back from you before I reach out to Kevin to liaise with Kate. AH"* Another email from Amber to me, copying Marty Singer, states "Kevin, do you think you could get her to do it?" Although I did not attempt to solicit perjury from Kate Amber appeared very nervous and concerned when she subsequently told me there was too much risk that Kate would go public with the truth regarding her knowledge that the dogs could not travel to Australia.

6. Shortly after Amber's request that I obtain a false statement from Kate, Amber demanded that I myself make a fraudulent, false witness statement regarding the dogs (Boo and Pistol's)

illegal entrance into Australia. Again I expressed that I was extremely uncomfortable, but was met with the threatening statement from Amber “Well I want your help on this .... I wouldn’t want you to have a problem with your job.” I now felt a lot of anxiety and extreme uneasiness as I knew I had instructed Amber on several occasions by email ( that Johnny’s legal team possesses), in person conversation and numerous phone calls that she could not take the dogs to Australia because the paperwork and proper permits were not complete and the required 10 day quarantine arrangements had not been put in place. I also informed her that the criminal penalties for knowingly smuggling in animals without the proper paperwork could be very severe. I also again reminded her that the requirements were much more stringent and the penalties much more severe than the Bahamas as she had smuggled the dogs in to the Bahamas on a prior occasion without any paperwork.

7. One day I was informed by Johnny in person that Amber had committed a very specific act of violence against Johnny on the deck of one of Johnny’s properties just two minutes before I arrived. Johnny told me that Amber became enraged and threw a heavy television remote control so hard into Johnny’s forehead that the remote control broke and left the round, swelling lump with a laceration on his forehead that I could clearly see. Johnny had no reaction to being assaulted in this way. In fact he jokingly tried to say “it’s no big deal” and simply handed me the broken remote control and asked me if I could get it fixed or replaced. I could tell he was uncomfortable and embarrassed.

8. I read the Declaration submitted by Amber to the Court on May 27, 2016, including events described by Amber that she claimed took place on the evenings of December 15, 2015, April 21, 2016 and May 21, 2016. I recall feeling stunned because had the events occurred as Amber claimed, there would have been noticeable damage both to Amber personally and to property in

the penthouses that I was responsible for, which I could clearly see that there was no physical damage to Amber or any of the properties.

9. Amber has publicly claimed that on December 15, 2015 Johnny savagely beat her so hard in the face and body that the bed broke. Amber and some of her friends who stayed rent-free in Johnny's properties later publicly claimed that on that night of December 15, her nose was nearly broken, tufts of her hair were pulled out, her lip was split, and that she had two black eyes. I went over to Johnny's penthouse at Amber's request the day after she alleged this assault occurred, on December 16, 2015. Shortly after I arrived, Amber called to me from upstairs in the master bedroom. When I went upstairs I found her sitting at the edge of the bed crying. I remember standing straight across from her (about 4 feet away) and feeling uncomfortable that she was crying. She began telling me that Johnny had beaten her up. She said "Johnny hit me hard in the face several times and pulled out my hair." I remember my feelings changing from feeling sorry for her tears to some suspicion because there were no marks on her facial area. I could also not see any area where her hair was pulled out nor did she offer to show me any area on her head where hair could have been pulled out. About an hour or so following this discussion Amber said that she wanted to "show me something in the bedroom of the adjoining penthouse" (PH4). I followed her to the upstairs bedroom of (PH4). She pointed to the carpeting where there was a tuft of hair. She said "Johnny pulled out my hair and there it is." Because I was feeling suspicious due to not observing any physical injuries during our previous conversation I immediately took a picture of the hair with my phone. Recently I was somewhat shocked when I saw a photo on the internet produced to the court by Amber showing the hair she claimed was pulled out by Johnny along with an injury to her head from her testimony of the incident. My suspicion was further aroused, as I recalled the hair looking different than the hair she had shown me. When I looked at

the picture I had taken it looked quite different to me from the picture she presented as evidence. A true and correct copy time, date, and location stamped of the two photographs of Amber's hair "evidence" is attached as Exhibit B. Also, her face, on which she appeared to be wearing no makeup in our long, face-to-face interaction on December 16, 2015, was clearly unmarked. I saw no bruise, cut, swelling, redness or other sign of any injury during our meeting that she requested on December 16, 2015.

10. On April 21, 2016, Amber had a birthday celebration at the condominium she was then residing in with Johnny at 849 S. Broadway in Los Angeles. The following day, Amber and her friends were due to and did go to the Coachella Music Festival. Johnny had requested that I provide Amber all the help I could with the party and along with other employees we spent about 5 hours setting up one of the penthouses for her party. Amber later claimed that Johnny had beaten her on April 21, 2016. Johnny's security detail Sean Bett, who had spent 18 years as an LA Sherriff's Department, told me the next day that Amber had in fact become enraged by Johnny arriving late from a business meeting to her birthday dinner, and punched him repeatedly in the face as he lay reading in bed, forcing Mr. Bett to request a pick up and ride back to his West Hollywood home.

11. On April 22, 2016, I spoke on the telephone with Hilda Vargas, Johnny's housekeeper who was cleaning the 849 S. Broadway condominium that day. Hilda told me that she had discovered feces in Amber and Johnny's bed. Shortly after our telephone call, I received photographs from Hilda of a large amount of feces on top of the bed sheet on Johnny's side of the bed. I was on my way down to the penthouse at the time and when I arrived I was shocked and disgusted by what I observed as human feces on the white bed sheets. The feces did not appear to come from either of Johnny and Amber's two small "teacup" Yorkshire terriers, who weigh approximately 4 pounds each, and whose feces I had seen during my time as their Estate Manager, when I walked and

cleaned up after them on many occasions. Years later, Amber publicly blamed the feces on one of the teacup Yorkies.

12. I sent the pictures I had received from Hilda to Johnny's security guard, Sean Bett. I believed that Sean would have an opportunity to speak with Johnny sooner than I would given that Johnny had a busy calendar that day and I was downtown and Johnny was at another location. Within 24 hours, I also spoke with Johnny personally about the pictures.

13. On May 12, 2016, I received a text and then a telephone call from Amber. A true and correct copy of the text message in which she asked if she could call me is attached as Exhibit C. When I spoke with Amber, she sounded very angry. She told me that she needed her privacy, that she and Johnny were having problems and that my sending the pictures from Hilda was not helping with those problems. She also told me that leaving the feces in Johnny's bed had been "just a harmless prank." In addition, she told me that she was thinking of changing the locks to the condominium. I advised her that I would change the locks if both Johnny and she agreed.

14. On May 21, 2016 at approximately 7:46 p.m., I received a telephone call from both Johnny and Amber who were on speakerphone together. Johnny told me that he was sitting there talking to Amber and he asked me to recount to Amber what I had previously told him about the feces incident the month before. I repeated to Amber again that Hilda had discovered feces on top of the bed sheet in Johnny and Amber's bed and that I had also personally gone over to view the feces on the bed and was 100% certain that it did not look like either of the dogs,' but rather appeared to be human feces. I also repeated that Amber had admitted to me she was responsible for what she referred to as a "just a harmless prank." Amber yelled and cursed at me several times, calling me a "fucking liar" over and over. I asked her to stop yelling and swearing at me. I also



heard Johnny in the background quietly saying: "please don't speak to him that way. Be respectful." Then I heard Johnny say that he couldn't do this anymore and wanted a divorce. When Amber would not stop screaming, I hung up the telephone. I received multiple additional telephone calls from the same number in the minutes that followed, but I refused to answer them and take further abuse.

15. Between 8 and 8:15 p.m. that evening, I received a text from Sean Bett indicating that Johnny alone was going to call me shortly from Sean's telephone. A true and correct copy of this text message is attached as Exhibit D. I took the telephone call a few minutes later, and Johnny was extremely apologetic for Amber's behavior and for putting me in the middle of his marital issues. I did not see Johnny that night but during our telephone conversations he was sober, lucid, and calm. He seemed tired and pretty sad, not angry.

Executed this 13 day of May, 2019 in Highwood, Illinois.

I declare under the penalty of perjury under the laws of the United States of America and the State of Virginia that the foregoing is true and correct.

  
Kevin Murphy