

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

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Civil Action No.: CL-2019-0002911

DECLARATION OF KATE JAMES

I, **KATE JAMES**, declare as follows:

1. I work as a personal assistant to high profile people in the entertainment industry. I have been working in that capacity in Los Angeles for approximately 20 years. I worked for Amber Heard from around March 2012 until February 2015.
2. Unless stated otherwise, the facts and matters referred to in this witness statement are within my own knowledge and true or are true to the best of my knowledge, information and belief based on sources stated within this witness statement.
3. I make this witness statement in support of the Claimant's claim in these proceedings.
4. I do not know the full details of the Claimant's claims against the Defendants in these proceedings.

Start of my employment by Amber Heard

5. I had not heard of Amber at the time that I was hired. My son was 4 years old at the time, and Amber was looking for someone part-time and she lived in the same neighbourhood as me which is an important factor in LA with the traffic to consider. The terms suited me as I would be able to pick up my son from school every day. A similar part-time and flexible position is extremely difficult to find in my line of work. I recall being surprised when she chose to hire me since I am almost 20 years her senior, I briefly pondered on why she didn't choose a candidate closer in age to her. However I needed the work and accepted it.
6. Amber was already dating Johnny when I started working for her. At first, Amber didn't tell me who Johnny was, and would speak in disparaging terms about him. She would say that she was "*dating this old man*" and suchlike. She then disclosed that it was Johnny Depp, and I met him shortly after that. My first impression of him was how softly spoken and peaceful he was, almost a bit shy. He was very pleasant and courteous upon meeting me.
7. Part of my role at the beginning was to help with the redesign of Amber's duplex apartment. Amber had decided to transform it into a very bohemian vibe and had an interior decorator, Laura Divenere working on it to change the look completely in that way. I believe Laura was practically working for free, in the hopes of generating more clientele (ie Johnny) as a result. When I first visited Johnny's home, I couldn't believe how similar it was to what Amber was in the process of trying to create. It was almost identical. She went on and had Laura purchase an old-fashioned typewriter after she saw that Johnny had one. She threw away all paperback books and began curating an extensive collection of First Edition hardcover books (which I believe Johnny purchased for her at great expense). I found all this behaviour to be quite bizarre.
8. When I first met Amber, her clothing style was what I would call preppy. Very soon afterwards, that also drastically changed, almost overnight, as she tried to morph into a bohemian way of dressing, wearing more and more silver jewelry, eventually adding a repertoire of hats, which also appeared to me to be mimicking Johnny's style.

9. Amber obviously knew that I had a young son and in the beginning would ask me if I could bring him to her apartment so that she could bake cookies with him. I thought this was strange but sweet at first, however, I then realised that she was taking photos with him, almost as a prop, to send to Johnny. I felt as though my son was being used by Amber to portray herself as having maternal attributes.
10. Often I would find Amber and her sister spending a long time getting very dressed up just to go to The Grove, a local shopping centre, for example. I soon realised that she must have tipped off paparazzi who would then be waiting to take photos of her, after I would see the photos in the following weeks tabloids. On one occasion, my son was used during one of these staged paparazzi shoots, Amber didn't care that he was terrified. I had no idea that Amber was going to do that at the time. One aspect of my job was to go to the local newsstand and purchase multiple copies of every magazine that she was in every week. I was instructed to hide them in the garage so that Johnny wouldn't see them. Once I left some out in the apartment by mistake and Amber flipped out at me over that, she didn't want Johnny to know how obsessed she was with her new found increasing fame thanks to her association with him.
11. Amber relished the fame that came with dating Johnny. She quickly realised that she could ask for free designer clothing on the basis that she was his girlfriend. A large part of my job was contacting various brands with her requests for free clothing. She would spend hours handpicking the requests she would then send to me so I could reach out. If the brand offered a discount rather than completely for free, she would refuse. She eventually took over an entire penthouse apartment in one of Johnny's penthouses at the Eastern Columbia building to house her massive collection of designer clothes, shoes, bags and jewelry.
12. From observing Amber and Johnny from the start of my employment, it seemed as though Amber was smothering him. She would follow him everywhere. She appeared to be constantly worried that he might leave her and would try to be in his physical presence as much as possible. When they moved to the Eastern Columbia building, it seemed like a convenient set up as she could station her friends and her sister in all of the neighbouring apartments and establish a permanence of herself there. She essentially created her own social life within the confines of the building. Meanwhile, Amber hated me talking to Johnny, even if it was just

polite small-talk, she would give me the evil eye if she found me having a conversation with him. She was very controlling and paranoid about anyone else being in his space and also about being observed by his security, perhaps another reason she preferred the Eastern Columbia Building.

My employment role

13. Despite it being a part-time role, and that I was being paid lower than market rate even for a part-time role, in fact I was often working around 80-hour weeks, meaning I spent a significant amount of time with her each week. The flexible hours meant that I was reluctant to complain, although I did once ask for a raise. Amber enlisted her accountant to berate and abuse me due to this request, however I persevered, and once a figure was agreed upon, the next time I saw her she started screaming at me incessantly, berating me, shaming me and humiliating me. It was particularly humiliating as the revised wage was still far below market rate for the hours I was doing with the level of experience I had. The humiliation was even worse due to that fact that Laura Divinere's handyman Victor was in the apartment at the time. I had quite a close relationship with Victor at that time, as he often worked in Ambers apartment and I felt mortified and particularly ashamed that he would hear her screaming at me in that way, and that I allowed her to do so without retaliation. I found it difficult to look Victor in the eye ever again after that incident due to the shame I felt at allowing her to abuse me in such an extreme way.
14. Amber was regularly verbally and mentally abusive and would often scream at me in that way, over the smallest things. She would fly into blind rages where no-one could reason with her, and even if I was trying to offer an explanation, I didn't think that she could hear me as she was so angry. It was like she thought regular things that can go wrong in any person's life on any given day didn't apply to her. Everything that went wrong was always my fault. I remember one occasion where she missed a connection on a flight on or around Christmas Day in 2012. My aunt was visiting from Australia at that time. She was screaming abuse at me for literally hours as though I had made it snow and caused the disruptions to the flight. She had no issue screaming at me for hours at Christmas time when I had a family member visiting. The following Christmas Eve, in 2013, I had to hire someone to drive me around as she left

everything to the last minute and it became almost impossible to keep up with her last minute demands for gifting. Ultimately Amber had me wrapping up countless large, framed photographs of herself to give to people as Christmas presents. I was there in her apartment until midnight, and my son, who was 6 years old at the time, had to stay up with me until I finished. She didn't care at all that my 6 year old son and I were forced to spend Christmas Eve in that way. It was also baffling that Amber thought people would want framed photographs of herself, but I simply did what I was told.

Drug and alcohol abuse

15. In the course of my work I became aware that Amber was taking a drug named Provigil, a drug that is prescribed for narcolepsy. I never observed Amber having issues with narcolepsy, however I would see her routinely take around three times the prescribed dose every day and would panic if she was out and didn't have any on her. I thought it odd at the time that she was obtaining Provigil with prescriptions from multiple doctors. I attach examples of some text exchanges at pages [1-2 of KJ 1] where I was asked to meet her with the pills, regardless of where she or I was. She would flip out if she didn't have them. Provigil is quite well-known in the industry as being misused as a weight loss aid, as it can cause a loss of appetite. Eventually when Amber's demands would have me working around the clock, I tried taking half of one tablet in an attempt to keep up with her. Even that half of one tablet felt like I had drunk 20 cups of coffee. I can attest that Amber was taking at least three whole tablets each day during my employ.
16. It is my understanding that Provigil acts as an amphetamine. Amber's over-use of it would mean that it would be difficult for her to then feel sleepy at night. She would therefore need a significant amount of wine to wear off the effects of the drug. She would drink vast quantities of red wine each night. Meanwhile, she would ask me to buy Johnny non-alcoholic beer, as that's all that she would allow him to drink.
17. Amber also took Accutane, which is generally prescribed for severe acne. My understanding is that whenever it is prescribed, it's supposed to only be taken for a short amount of time as it's so harsh on the body. It can't be taken if you are trying to conceive as there have been links between the drug and birth defects. Her doctor required monthly blood tests to confirm she

wasn't pregnant in order to continue to prescribe it to her. I remember a time when Amber attempted to stop taking it, and then she got a pimple. She freaked out and went straight back on it. During periods where Amber was having rages particularly frequently, I remember reading that Accutane had been associated with a variety of psychiatric effects, including severe mood swings and violent behaviour. Amber took both the Provigil and the Accutane pills excessively during the entire time I worked for her. The quantities of Provigil that she would take were far beyond the prescribed amount, and in the case of the Accutane, for far longer than advised as she was so paranoid and determined to have flawless skin.

18. Amber often took other drugs during the time of my employment, such as mushrooms and MDMA. She was open about it, almost to the point of bragging.
19. The assortment of drugs and a great deal of wine would mean that when I woke up in the morning, there would almost always be a barrage of incoherent abuse sent to me from Amber by text between around 2am and 4am. I discovered later that she had gone ahead and deleted all evidence of abusive texts from that iCloud account. I remember on one occasion where Amber screamed at me for sending her messages as an SMS text message, instead of the (iCloud) iMessage format. I only realised a long time afterwards that this was because she knew she would not be able to delete SMS messages remotely and would have been concerned that she did not have the ability to delete those exchanges.
20. On one occasion, it was my birthday and my mother had come to visit me from Australia. As usual, I woke up to a barrage of abuse, so for once I stood up to her and wrote to her that it's my birthday, please not today, could we give it a rest. I remember my hands were shaking as I wrote that, as I was so afraid of her by that time. Amber was outraged and asked how she should know it was my birthday, so I said it's in the calendar – meaning her own iCloud calendar. That apparently gave her more license to abuse me despite the fact it was my birthday. There was no remorse or understanding. By this point she seemed to relish and delight in the daily humiliation and abuse towards me.

My experience of Amber and Johnny's relationship

21. In the three years that I worked for Amber, I would go to her house almost every day, including on weekends. I would not announce when I was going to attend the apartment to drop things off or pick things up, so it would regularly be without notice. I never saw any sign of an altercation, or even the aftermath of a serious and messy fight in the way that Amber describes in her statements.
22. I never saw any physical violence by either Amber or Johnny. I saw Amber much more frequently than Johnny, almost every day for three years apart from when she was out of town. I understand that the period of my employment overlaps with the majority of incidents in which Amber has alleged that Johnny was violent towards her. I never once saw any bruising, swelling, or any evidence of what could have resulted from violence. I would often see her naked, or semi-naked, when she was getting dressed or at fittings. I was around her a lot, often 7 days a week.
23. Amber would always be very jealous and paranoid about anyone who Johnny might be talking to. She would at times ask me to find out who someone was who had contacted him, after she'd been snooping on his phone. I attach an example of this behaviour at [page 3 of KJ 1](#).
24. In contrast, Johnny was calm and quite shy in all of my experiences of him. He was always thoughtful and kind, and a genuinely decent person. I remember on more than one occasion where I had to bring my son back to work with me after picking him up from school. Johnny would be there and would hang out with him, teaching him how to play the guitar. He would be patient and kind with him. I would never have left my son with Johnny while I was working if I had any concerns about him whatsoever. Johnny would come back from travelling with gifts like little skull necklaces for his children, and he would always bring an extra one back for my son. I thought this was very thoughtful and kind, particularly considering that Amber was my employer and not him. Where as my son was always very fond of Johnny and enjoyed spending time with him, he grew to refuse to want to be in Amber's presence, and I would often have to spend time on the drive over to see her, persuading him to at least try to pretend he felt comfortable around her. He as such a small child had witnessed so much verbal and mental abuse on her behalf towards his mother he couldn't stand her. He hated being around

her. She was oblivious, since she didn't really care about him at all. In fact, despite her claims of being an advocate for children and a regular volunteer at the Childrens Hospital LA, she actually had me cancel almost all her agreed upon volunteer dates and to my recollection went only once or perhaps twice to do volunteer work at the Childrens Hospital in the 3 years that I worked with her, and that was only right in the beginning.

Letter to the Department of Homeland Security, September 2014

25. Amber asked me to send a letter she had drafted to Homeland Security in September 2014. She had hired a girl called Savannah McMillan to work as her set assistant. Savannah, a British citizen, had been held in immigration and questioned about the frequency that she had been coming and going from the USA. Amber's letter falsely claimed that Savannah was just a friend, and not an employee, so it was correct that she only had a tourist visa.
26. In Amber's letter, she called it fraudulent that it was being alleged that Savannah was working for Amber unlawfully. She said that as Savannah's "friend" she could *"say truthfully and unequivocally that this allegation is entirely false ... I would like to go on the record saying that Savannah McMillen is a personal friend, and to my knowledge, has never worked unlawfully or otherwise in the United States. Or for me."* I knew this to be untrue, and that Amber was therefore wilfully lying to the US immigration department. I took a photograph of the letter and one of the pay checks from Amber to Savannah. A copy of these photographs is attached at pages 4-5 of KJ1.

Australia, 2015

27. I am aware that shortly after Amber fired me, she got into trouble for unlawfully smuggling her dogs into Australia. We had previously used a dog transportation company who were hired to sort out the necessary paperwork and guide us through the process of preparing the dogs. This had worked well in 2014 when Amber took the dogs to England. When it became clear that Amber was intending to go to Australia, we were advised that it's a six-month process to prepare the dogs' immigration and began the process. Ultimately as the departure time approached, we became aware that there would be a discrepancy of around 10 days for the

dogs to travel by private jet to Australia, the only other option being that they would have to travel in the hold on a commercial flight on the correct date.

28. I would attempt to talk to Amber about the date discrepancy frequently while we were trying to sort out the logistics, but her eyes would glaze over, and she would walk away. I discussed with Kevin Murphy about my concerns about the deadline, and Kevin in turn also then emailed Amber to explain that there would be a problem if they travelled before the correct departure date and that it would be illegal. Amber chose to ignore both of us. She deliberately smuggled the dogs into Australia. As in several circumstances which I observed, it was as if she felt that she was above the law.
29. It is my understanding that someone then took them to a local grooming parlour in Australia and started bragging that they were Johnny Depp's dogs. The owner posted about it on Facebook, and Amber got found out.
30. I remember the huge uproar at the time. I was told that Johnny had to send the dogs back to Los Angeles on a private jet, which would have cost a fortune from Australia. Ultimately, I woke up one morning many months later to find an email from my mother with an attachment of a newspaper article from my home town of Brisbane. I was devastated when I found out that Amber had blamed me in court. I broke down in tears at the thought that she blatantly lied in court in my home town and blamed me. Obviously I knew that was a complete lie and yet she had no problem in apparently perjuring herself in order to avoid responsibility.
31. I have been told about the discussion that took place where Amber contemplated asking Kevin to ask me to sign a false statement to support her position that she did not know the dogs were not ready to be taken into Australia. Amber knew they weren't ready, yet chose to take them anyway. The fact that she was willing to ask me to sign such a statement under oath, especially as an Australian who cares and understands about the laws of my own country, is a reflection of her approach to me (and anyone in fact) in general. She did not care about throwing anyone under the bus, if it meant saving her own skin. Even if it meant lying in Court and to authorities. I believe it would have been obvious to Amber that I would not lie for her and so she decided not to approach me.

32. I recall a previous occasion in September 2013 when I was asked to speak with Kevin Murphy about amending the dogs' medical records so that they could travel together on 25 September 2013. Amber asked me if I knew a vet she could "grease". I attach the email at page 6 of KJ 1.

The effect of working for Amber Heard

33. With the benefit of hindsight, I now recognise Amber's behaviour towards me as mental abuse. It still makes me extremely emotional to speak of my experience of working for her. I feel that I am permanently scarred by the experience. It was an exercise in daily humiliation. I felt constantly embarrassed that someone so much younger than me could make me feel so worthless. Amber was a classic bully. She enjoyed making me feel stupid. A sample of text messages is attached at pages 7-8 of KJ 1, although these are by far not the worst of what I would receive.
34. Throughout my years working for Amber, I knew that I was witnessing one of the worst scams imaginable. Her callous and calculating ways never ceased to astound me. In some ways, I stayed in order to try to protect Johnny from her. It was so obvious to me that she was manipulating him and using him.
35. My friends and family would often ask me why I wouldn't just quit, when they could see how much Amber's treatment of me was affecting my mental and physical health. I ultimately became emaciated due to the extreme stress and the fact I had no time to eat with the crazy work load she bombarded me with constantly. She would often ask me to purchase lunch for her and her friends without asking me if I had eaten, which I typically hadn't since there wasn't time to eat. My clothes were hanging off me, I was like a stick figure. I went from being a fun loving and outgoing person to being a depressed recluse. The wage she paid me forced me to supplement with credit cards and I remained in debt for many years. Throughout the course of my employment with her and the subsequent months of unemployment after, I suffered from extreme anxiety, had trouble sleeping and was constantly terrified of impending potential homelessness. The truth is that as a single parent, finding work in my field that didn't involve committing to 9am to 7pm straight hours, or to travel extensively with the client, is near-impossible. In my role with Amber, it was agreed at the outset that I would not travel, and could take a short break each day to pick my son up from school at 3pm. Often, I would then

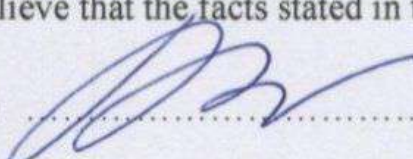
return to work with my son, meaning that I could avoid the costs of after-school care. It is rare to be allowed to do this as a personal assistant. I also believed that once Amber and Johnny were married, I would be part of the team under both of their employ, which would have meant that Johnny had some control over my treatment and the abuse might stop. I knew that the majority of Johnny's team had been with him for decades and loved working for him. He is the polar opposite of difficult or demanding. I was happy to continue working if there was such an end goal, which seemed realistic at the time.

36. Amber fired me on 16 February 2015, pretty much right after she got back from their wedding in the Bahamas. She blindsided me. I was not prepared at all and had no notice. Amber first had me unpack her suitcase. Then she fired me via email that night, I awoke the next morning to receive her email in shock. I pleaded with her to give me some notice, some time to try to find another job, she refused. That day I drove to the Eastern Columbia building to drop off my keys and any documents I had of hers. A day or two after, I received a barrage of abusive texts from her accusing me of failing to unpack a second suitcase, but I hadn't seen one. I ultimately confirmed with the Eastern Columbia building which kept a log of all deliveries that the bag was delivered the day after I had turned my keys in. In this particular barrage of abuse she accused me of 'always being the victim' 'never being accountable.' The truth was in fact the opposite, however as usual I knew there was no benefit in defending myself or arguing with her as I knew it would be futile. Once Amber fell into one of her blind rages there was nothing anyone could do but try to stay out of her way.

37. It took me almost 7 months to find another job that affords a similar level of flexibility and allows me to look after my son, which I started in September 2015. I have been in that same role ever since.

I believe that the facts stated in this witness statement are true.

Signed:



Kate James

Date:

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March 2020