

Claim No: QB-2018-006323

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

MEDIA AND COMMUNICATIONS LIST

BETWEEN:

John Christopher Depp II

Claimant

-and-

(1) News Group Newspapers Ltd

(2) Dan Wootton

Defendants

WITNESS STATEMENT OF JOSHUA DREW

I **JOSHUA DREW** of [REDACTED] Los Angeles, California 90013, USA,
WILL SAY AS FOLLOWS:

1. I am a Hospitality Development Consultant.
2. The facts and matters set out in this statement are within my own knowledge and belief unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, a source of the information is identified. Facts and matters derived from these other sources are true to the best of my knowledge and belief. I make this statement in support of the Defendants' defence of these proceedings.
3. I met Amber Heard and Johnny Depp when I started dating Raquel (Rocky) Pennington. Rocky and I later got married but have since divorced.

4. I was deposed on 19 November 2019 in John C. Depp v Amber Laura Heard Civil Action No: CL-2019-002911 in the Circuit Court of Fairfax County Virginia. I attach the transcript of the deposition as a true record of it.
5. I first met Amber in June 2014. I met Johnny sometime soon after that. Rocky was living at the Eastern Columbia Building at that time, in one of the apartments next to Amber and Johnny. I met Johnny shortly after at their home.
6. Over the course of 2014-2015 I was a regular visitor at the Eastern Columbia Building. Rocky and I were engaged in the summer of 2015 and later that year I moved into the Eastern Columbia Building with her and we remained there until after the incident on 21 May 2016. Over this period, I spent a lot of time with Amber there. I also saw Johnny regularly and spent time hanging out with them both.
7. I have had very limited contact with Amber in the past two years since my divorce. I have not been in contact with Johnny. I consider myself to be independent from both parties.
8. I understood from our interactions that Johnny was jealous. Rocky told me, based on her conversations with Amber, that Johnny had a particular issue with James Franco because he and Amber had some intimate scenes in a project they were filming, which Johnny did not want her doing. His name came up often and it would cause fights between them. They were arguing about it very regularly.
9. Johnny was using drugs during the period I knew him – opioids and ecstasy. From time to time, I saw him take various drugs. He wasn't always sober and he had private treatment to try to remain sober. He was often drinking to excess.
10. I overheard them fighting. For example, during a trip to France I heard Johnny shouting at Amber about a role she had done. Johnny was shouting about a nudity rider in the film that she claimed was fraudulent and he accused her of knowing about and going against his wishes to include it. I knew from what had been discussed with Rocky and Amber that Johnny had demanded that Amber stop doing nudity in her films and that she cut down on intimate scenes with co-stars. Rocky told me about various fights they had had over the years and said that Johnny was jealous of Amber's co-stars.
11. Amber called Johnny "the monster" when he would get angry and yell at her and hurt her. I was aware and had been told about incidents in which Johnny had hit Amber, most likely

by Rocky. I observed there to be a significant amount of empathy among Amber and Rocky and a genuine belief that Johnny's drug and alcohol use caused his behaviour and that he would somehow lose control.

2014, Plane incident

12. This took place before I met Rocky, but I subsequently heard about it after the incident on 21 May 2016. Rocky told me that Johnny had kicked Amber on a plane after a fight about one of her projects. Rocky said that Johnny had blacked out on the plane and had cried when he was later told by his assistant Stephen Deuters that he had kicked Amber.

2015, Australia

13. Rocky told me what Amber had told her about this incident: that there had been a huge knockdown, drag out fight and that, in the course of it, Johnny had cut his finger off.

15 December 2015, Los Angeles

14. Rocky was due to meet Amber that evening and when she hadn't had a response to her text messages, she let herself into PH3 to go looking for Amber to check on her. I went with her and we found things out of order, with things strewn across the kitchen. I remember seeing the words "Why be a fraud? All is bullshit" written on the countertop in handwriting I recognised to be Johnny's.
15. Rocky told me that something wasn't right and sent me home while she looked for Amber. About 10-15 minutes later I received a message from Rocky saying something like "he beat the shit out of her again" and told me she was looking after her. I remember being told that they had reached out to a nurse to do a concussion check.
16. Rocky told me that there was a big fight and Johnny had head butted Amber, ripped out pieces of her hair and smothered her and that they had to call Dr Kipper's office to get Amber a concussion check. I also talked to Amber about it.
17. I saw Amber that night and the next day saw her injuries: she had bruising around both eyes which extended down the bridge of her nose and her forehead was red. I remember

her being terrified about how she looked because she had to appear on TV that day or the next day and her injuries were visible, but she couldn't pull out of it. Melanie Inglessis, her make-up artist, was brought over to try to cover up the injuries.

18. I was with Rocky when she took the pictures of Amber's injuries.

21 April 2016, birthday party, Los Angeles

19. We had a birthday party for Amber for her 30th on 21 April 2016. I catered the party. Johnny turned up hours late and Amber was making excuses for him. He turned up eventually and was clearly intoxicated. He was slurring and swaying a bit. Amber seemed upset about him showing up late and drunk.

20. The next morning I heard about what had happened after we had all left. The thrust of it was that there had been a big fight after everyone had left the party.

21 May 2016, Los Angeles

21. I was with Rocky in the apartment we lived in (PH5) with Liz Marz. We were made aware that Johnny was coming over to see Amber and I remember Rocky being concerned, after the incident after Amber's birthday party, that she should be there to support Amber. Amber told Rocky just to be around and that she would text her if there was a problem.

22. Rocky received a text message to go over to help Amber at 8.06pm and she bolted over there. I did not observe what happened but learned about it shortly afterwards from Rocky and Amber. Shortly after I heard a large noise, which I later discovered was the sound of a wine bottle being slammed into our door of PH1. I heard Johnny shouting and swearing at his security guards to let him in. He came in and was shouting and screaming at me, cursing right in my face. I left calmly. Liz was still in the apartment, but I saw her bolt upstairs to hide from him.

23. I don't recall exactly the sequence of events; Amber was in a state when I located her and Rocky. Rocky and I ushered her into our apartment – by this time Johnny had left our apartment – and we deadbolted the door to keep him out and keep her safe until Johnny

had left the building. Rocky told me Johnny had shoved her. I got angry and went outside and banged on the door of PH5, but he had already left.

24. I then went back to PH1 to talk to Amber and Rocky and I heard more about what had happened. Amber had Johnny's phone and I took it from her – she told me that he had thrown it at her and hit her in the face with it then left it behind. I was told that iO had been on the phone with Amber and Johnny to talk about Johnny's accusation about excrement being left in his bed. At some point while iO was on the phone, Johnny had hit Amber in the face with the iPhone and iO had called the police. I later learned he had wound his arm back and thrown a cell phone into her face. Rocky went over there and got between Johnny and Amber to stop him hitting Amber.
25. About five minutes later, his security officer, Jerry Judge, called my mobile and told me his boss had left his cell phone and asked me if I knew where it was and I told him that I had it. They wanted to come back to get it and I said that they could come back to get it, but words to the effect of they could not set foot in the building. I met Jerry downstairs and gave him the phone. He took a few steps to walk away and then turned and asked me *"Is she okay?"*. I said something like, *"Are you fucking kidding me? He beat the shit out of her again and you guys stood by and watched it"*. He started to demur and then said something along the lines of it's not his business, they are husband and wife, he barely touched her. I said something to him like, *"get the fuck out of here, be real proud of yourself; get the fuck out"*.
26. Rocky called Amber's lawyer Samantha Spector to ask her what we should do. We were told to make a contemporaneous note of what had happened. We went back into their apartment and took pictures of the damage. Amber also called her publicist, Jodi Gottlieb.
27. Later, I greeted the police officers who arrived about 15 minutes later and showed them around the apartments. I showed them broken glass, walking past the large wine stain in the hallway. I showed them various damage to the property: a wine bottle dent in the door of our apartment (PH1), then a tour of PH5 where there was broken picture frames, smashed glass and Rocky's jewellery and other things strewn across the apartment. They acknowledged that something had clearly happened. I watched the female officer take Amber aside and speak to her privately.
28. As the female officer was speaking to Amber, I spoke to the male officer. I asked him what could be done, because we were obviously upset about what had happened. He told me

that there was damage in the apartments and Amber's face was red, so there was enough to pick Johnny up if she filed a report. I told him she was not going to file a report, but that I appreciated what he had said. As the officers left, they told me Amber had declined to give them a report.

29. After this we cleaned up some of the broken glass in PH3 that was on the kitchen floor so the dogs wouldn't be hurt. Other things, like piles of books strewn about, we left as it was.

30. I greeted the second set of officers who arrived and told them there had already been a police visit and showed the business card. They said they had to do a check of the property. I took them for a walk through the apartment and they spoke with Amber in private.

31. The next day Rocky had a jewellery show, so I cleared my schedule so I could be there to help Amber if she needed it and to be with her so she wasn't alone and so I could be sure she was safe. I remember seeing the marks on Amber's face: a red mark and small bruise on her cheekbone and red marks just above her eyebrow. She also had some swelling.

32. I understand that Johnny has submitted a statement in the US libel proceedings to the effect that I said Rocky had lied about where she was before Amber texted for her help at 8.06pm and that she was, in fact, hiding in PH3 waiting for Johnny to return. This is false. I never said this to Johnny.

STATEMENT OF TRUTH

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



Joshua Drew

Date:

2/12/20

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MEDIA AND COMMUNICATIONS LIST

BETWEEN:

John Christopher Depp II

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(1) News Group Newspapers Ltd

(2) Dan Wootton

Defendants

Exhibit JD 1

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1 IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

2
3 _____
4 JOHN C. DEPP, II,
5 Plaintiff,

6 vs.

Civil Action No.:
CL-2019-0002911

7 AMBER LAURA HEARD,
8
9 Defendant.
10 _____
11
12
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14

15 CONFIDENTIAL VIDEO DEPOSITION OF JOSHUA DREW
16 Irvine, California
17 Tuesday, November 19, 2019
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21
22

23 Reported by:
24 MICHELLE BULKLEY
25 CSR #13658
Job #3773164
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<p>1 2 3 Confidential Video Deposition of JOSHUA 4 DREW, taken on behalf of Plaintiff, at 2211 5 Michelson Drive, 7th Floor, Irvine, California, 6 beginning at 11:08 a.m. and ending at 6:22 p.m. on 7 Tuesday, November 19, 2019, before Michelle Bulkley, 8 Certified Shorthand Reporter Number 13658. 9 * * * 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 2</p>	<p>1 APPEARANCES (Continued): 2 3 For Defendant: 4 KAPLAN HECKER & FINK LLP BY: ROBERTA A. KAPLAN, ESQ. 5 BY: THOMAS A. RAWLINSON, ESQ. BY: JOHN C. QUINN, ESQ. 6 350 Fifth Avenue, Suite 7110 New York, NY 10118 7 212.763.0883 rkaplan@kaplanhecker.com 8 trawlinson@kaplanhecker.com jquinn@kaplanhecker.com 9 - and - 10 SUSMAN GODFREY LLP 11 BY: DAVIDA BROOK, ESQ. 1900 Avenue of the Stars, Suite 1400 12 Los Angeles, CA 90067-6029 310.789.3105 dbrook@susmangodfrey.com 13 14 Also Present: 15 JOSHUA YASKO, Videographer 16 MONA GOODARZI, Law Clerk 17 RANDY SMITH, Brown Rudnick 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 4</p>
<p>1 APPEARANCES: 2 3 For Plaintiff: 4 BROWN RUDNICK LLP BY: BENJAMIN G. CHEW, ESQ. 5 601 Thirteenth Street, NW Suite 600 Washington, DC 20005 6 202.536.1785 bchew@brownrudnick.com 7 - and - 8 BROWN RUDNICK LLP 9 BY: CAMILLE VASQUEZ, ESQ. 2211 Michelson Drive, 7th Floor 10 Irvine, CA 92612 949.752.7100 cvasquez@brownrudnick.com 11 - and - 12 THE ENDEAVOR GROUP 13 BY: ADAM R. WALDMAN, ESQ. 1775 Pennsylvania Ave. NW, Suite 350 14 Washington, DC 20006 202.715.0924 15 16 For the Witness: 17 HUANG YBARRA GELBERG & MAY LLP BY: EMILY VIGLIETTA, ESQ. 18 550 South Hope Street, Suite 1850 Los Angeles, CA 90071 19 213.884.4900 emily.viglietta@hygmlaw.com 20 21 22 23 24 25</p> <p style="text-align: right;">Page 3</p>	<p>1 INDEX TO EXAMINATION 2 3 WITNESS: JOSHUA DREW 4 EXAMINATION PAGE 5 By Mr. Chew 9 6 By Ms. Kaplan 132 7 By Mr. Chew 257 8 9 10 DOCUMENTS REQUESTED 11 PAGE 12 131 13 275 14 15 16 WITNESS INSTRUCTED NOT TO ANSWER 17 (NONE) 18 19 20 INFORMATION REQUESTED 21 (NONE) 22 23 24 25</p> <p style="text-align: right;">Page 5</p>

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<p>1 INDEX TO EXHIBITS</p> <p>2 MARKED DESCRIPTION PAGE</p> <p>3 Exhibit 1 Drawing showing the locations of 28 Penthouse 1, Penthouse 3, and 4 Penthouse 5</p> <p>5 Exhibit 2 Testimony of Officer Melissa 97 Saenz</p> <p>6</p> <p>7 Exhibit 3 Testimony of Officer Tyler 111 Hadden</p> <p>8 Exhibit 4 Telephone record 117</p> <p>9 Exhibit 5 Declaration of Raquel Rose 120 Pennington dated May 27, 2016</p> <p>10</p> <p>11 Exhibit 6 Text messages between Joshua 128 Drew and Amber Heard</p> <p>12 Exhibit 7 Declaration of Amber Laura 154 Heard</p> <p>13</p> <p>14 Exhibit 8 Portion of a text conversation 166 between Joshua Drew and Amber Heard dated March 12, 2015</p> <p>15</p> <p>16 Exhibit 9 Text messages between Joshua 168 Drew and Amber Heard</p> <p>17 Exhibit 10 Photograph of kitchen 174</p> <p>18 Exhibit 11 Amber Heard's declaration with 184 attached photos</p> <p>19</p> <p>20 Exhibit 12 Amber Heard's declaration with 191 two photos attached</p> <p>21 Exhibit 13 Photographs 223</p> <p>22 Exhibit 14 Photographs 234</p> <p>23 Exhibit 15 Comparison photographs 236</p> <p>24 Exhibit 16 Email from Joshua Drew to Amber 241 Heard dated 5-22-2016, Subject: 25 Statement from J.D. and R.P.</p> <p style="text-align: right;">Page 6</p>	<p>1 Irvine, California</p> <p>2 Tuesday, November 19, 2019; 11:08 a.m.</p> <p>3</p> <p>4 THE VIDEOGRAPHER: Good morning. We are</p> <p>5 on the record. This is the recorded videotaped</p> <p>6 deposition of Joshua Drew in the matter of John C.</p> <p>7 Depp v. Amber Laura Heard.</p> <p>8 This deposition is taking place at 2211</p> <p>9 Michelson Drive, 7th floor, Irvine, California,</p> <p>10 92612 on November 19th, 2019, at 11:08 a.m.</p> <p>11 My name is Joshua Yasko. I'm the legal</p> <p>12 videographer with Veritext. Video and audio</p> <p>13 recording will be taking place unless all counsel</p> <p>14 have agreed to go off the record.</p> <p>15 Would everyone please introduce themselves</p> <p>16 beginning with the witness.</p> <p>17 THE WITNESS: Joshua Drew.</p> <p>18 MS. VIGLIETTA: Emily Viglietta, attorney</p> <p>19 for nonparty Joshua Drew.</p> <p>20 MS. BROOK: Davida Brook of Susman Godfrey</p> <p>21 on behalf of the Defendant Amber Heard.</p> <p>22 MS. GOODARZI: Mona Goodarzi, associate at</p> <p>23 Brown Rudnick.</p> <p>24 MR. RAWLINSON: Tom Rawlinson, associate</p> <p>25 at Kaplan Hecker & Fink.</p> <p style="text-align: right;">Page 8</p>
<p>1</p> <p>2 INDEX TO EXHIBITS (Continued)</p> <p>3 MARKED DESCRIPTION PAGE</p> <p>4 Exhibit 17 Architectural rendering of 245 penthouses</p> <p>5</p> <p>6 Exhibit 18 Text messages - Exhibit 9 to 248 Ms. Heard's 2019 declaration</p> <p>7 Exhibit 19 Declaration of John Christopher 254 Depp, II</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 7</p>	<p>1 MR. QUINN: John Quinn of Kaplan Hecker &</p> <p>2 Fink for Ms. Heard.</p> <p>3 MS. KAPLAN: Robbie Kaplan, Roberta</p> <p>4 Kaplan, Kaplan Hecker & Fink, for Ms. Heard.</p> <p>5 MS. VASQUEZ: Camille Vasquez, Brown</p> <p>6 Rudnick, on behalf of Mr. Depp.</p> <p>7 MR. WALDMAN: Adam Waldman, Endeavor Law</p> <p>8 Firm, on behalf of Mr. Depp.</p> <p>9 MR. CHEW: Ben Chew of Brown Rudnick on</p> <p>10 behalf of Mr. Depp.</p> <p>11 THE VIDEOGRAPHER: Thank you.</p> <p>12 The certified court reporter is Michelle</p> <p>13 Bulkley. Would you please swear in the witness.</p> <p>14 (Witness sworn.)</p> <p>15 THE VIDEOGRAPHER: Please proceed.</p> <p>16 JOSHUA DREW,</p> <p>17 having been first duly sworn, was examined and</p> <p>18 testified as follows:</p> <p>19 EXAMINATION</p> <p>20 BY MR. CHEW: 11:10</p> <p>21 Q Good morning, Mr. Drew.</p> <p>22 A Good morning.</p> <p>23 Q Thank you very much for coming here today.</p> <p>24 Since you're very ably represented by counsel, I</p> <p>25 will dispense with the usual instructions, other 11:10</p> <p style="text-align: right;">Page 9</p>

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<p>1 than to say that I plan to examine you for a period 11:10</p> <p>2 of time, after which Ms. Heard's counsel will</p> <p>3 examine you, and I may have some follow-ups.</p> <p>4 So I'm going to reserve some of my time</p> <p>5 for the end of your deposition, if necessary. We've 11:10</p> <p>6 agreed to split the time between counsel. Mr. --</p> <p>7 MS. KAPLAN: I'm sorry. I'm going to</p> <p>8 interrupt, because I'm not very good at math. So</p> <p>9 how many hours -- what time -- how are we splitting</p> <p>10 up the time? 11:10</p> <p>11 MR. CHEW: Three and one-half hours each.</p> <p>12 And I'll just note for the record, you-all have --</p> <p>13 you can have as many lawyers as you want here, but</p> <p>14 only one can speak for Ms. Heard and one can speak</p> <p>15 for the witness so we can keep on schedule. 11:10</p> <p>16 BY MR. CHEW:</p> <p>17 Q In what city do you live?</p> <p>18 A Los Angeles.</p> <p>19 Q What is your occupation?</p> <p>20 A I run my own hospitality development 11:10</p> <p>21 consulting firm.</p> <p>22 Q Are you also a chef?</p> <p>23 A Not anymore.</p> <p>24 Q How old are you, Mr. Drew?</p> <p>25 A 36. 11:11</p> <p align="right">Page 10</p>	<p>1 A Correct. 11:11</p> <p>2 Q When was that?</p> <p>3 A That would have been in summer of 2015, I</p> <p>4 believe.</p> <p>5 Q Do you recall the exact date? 11:11</p> <p>6 A The exact date? If I was still married to</p> <p>7 her, yes.</p> <p>8 Q So I take it you were divorced?</p> <p>9 A I am, yes.</p> <p>10 Q Do you recall when you were divorced from 11:12</p> <p>11 Rocky?</p> <p>12 A Officially September 24th of last year.</p> <p>13 We separated officially October of the previous</p> <p>14 year.</p> <p>15 Q That was going to be my next question. 11:12</p> <p>16 Who is iO Tillett Wright?</p> <p>17 A A friend of Amber's.</p> <p>18 Q When did you first meet Mr. Wright?</p> <p>19 A Probably sometime in 2014. I couldn't</p> <p>20 give you the exact time frame. 11:12</p> <p>21 Q Putting aside the precise time frame, what</p> <p>22 were the circumstances of your meeting Mr. Wright?</p> <p>23 A I do not recall.</p> <p>24 Q What profession does Mr. Wright have, if</p> <p>25 any? 11:12</p> <p align="right">Page 12</p>
<p>1 Q What, if any, education have you had since 11:11</p> <p>2 high school?</p> <p>3 A I have my associate's of science in</p> <p>4 culinary arts.</p> <p>5 Q And from what institution? 11:11</p> <p>6 A Johnson & Wales University.</p> <p>7 Q Did you receive a degree from there?</p> <p>8 A I did.</p> <p>9 Q In what year?</p> <p>10 A That would have been 2003. 11:11</p> <p>11 Q Who is Raquel Rose Pennington?</p> <p>12 A My ex-wife.</p> <p>13 Q Because I want to be respectful, how</p> <p>14 should I refer to her, Ms. Pennington, Rocky, or</p> <p>15 Raquel? 11:11</p> <p>16 A Rocky or Raquel is perfectly fine.</p> <p>17 Q Okay. You were married to Rocky, so there</p> <p>18 came a time when you began to date Rocky; correct?</p> <p>19 A Correct.</p> <p>20 Q When did you start dating Rocky? 11:11</p> <p>21 A That would have been June of 2014 --</p> <p>22 Q And did --</p> <p>23 A -- I believe.</p> <p>24 Q And did there come a time when you became</p> <p>25 engaged to Rocky? 11:11</p> <p align="right">Page 11</p>	<p>1 A A public figure, pretty eclectic. Not 11:12</p> <p>2 when I officially met her at the time. That</p> <p>3 developed over our relationship.</p> <p>4 Q When you say "her," to whom are you</p> <p>5 referring? 11:12</p> <p>6 A At that time when I met her, it was "her"</p> <p>7 as opposed to being "him" now. I want to be</p> <p>8 respectful of that.</p> <p>9 Q I do too.</p> <p>10 A Okay. 11:13</p> <p>11 Q But I -- I want to be precise.</p> <p>12 A Okay.</p> <p>13 Q So Mr. Wright was born male?</p> <p>14 A Born female.</p> <p>15 Q And became male? 11:13</p> <p>16 A Correct.</p> <p>17 Q Was Mr. Wright ever violent with Rocky</p> <p>18 Pennington?</p> <p>19 A There was one incident on -- at Johnny --</p> <p>20 at the wedding on the island. I did not witness it 11:13</p> <p>21 firsthand. It was told to me secondhand what had</p> <p>22 transpired, and quite frankly, I did not get a clear</p> <p>23 story of exactly what had happened. They were both</p> <p>24 upset about something that had transpired and that</p> <p>25 in some way iO had been physical towards her. 11:13</p> <p align="right">Page 13</p>

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<p>1 Q And when you're referring to the wedding, 11:13</p> <p>2 are you referring to the wedding between Mr. Depp</p> <p>3 and Ms. Heard?</p> <p>4 A Correct.</p> <p>5 Q You were invited to the wedding? 11:13</p> <p>6 A Correct.</p> <p>7 Q Ms. -- Rocky had been invited as well?</p> <p>8 A Correct.</p> <p>9 Q Did you hear the story at the time, or did</p> <p>10 you hear it later? 11:13</p> <p>11 A I heard it fairly -- fairly recently --</p> <p>12 immediately following. I would say within a half an</p> <p>13 hour of it occurring.</p> <p>14 Q Who informed you of that?</p> <p>15 A I don't recall exactly. Yeah, to be 11:14</p> <p>16 honest with you, I don't recall exactly who informed</p> <p>17 me.</p> <p>18 Q Did you have any discuss- -- putting aside</p> <p>19 who informed you, what, if any, discussions did you</p> <p>20 have with Rocky about the alleged incident? 11:14</p> <p>21 A I just made sure she was okay. To be very</p> <p>22 honest with you, there had been quite a bit of</p> <p>23 interpersonal drama over the preceding days that I</p> <p>24 wanted to extricate myself from, so I kind of kept</p> <p>25 myself out of it. 11:14</p> <p style="text-align: right;">Page 14</p>	<p>1 Q What, if anything, did you discuss with 11:15</p> <p>2 your wife about that? Do you remember any of the</p> <p>3 particulars?</p> <p>4 A I just wanted to make sure that she was</p> <p>5 okay and that she didn't need me to do anything. As 11:15</p> <p>6 much as she is my wife, at the same time, she's</p> <p>7 still a -- she was still a grown, adult woman, at</p> <p>8 that time. She doesn't always need the man in her</p> <p>9 life to take care of matters for her.</p> <p>10 So I deferred to her as to whether she 11:15</p> <p>11 wanted me to be involved or whether she wanted to</p> <p>12 address it herself. And I was there to support her.</p> <p>13 Q Did you ever speak with iO about the</p> <p>14 alleged incident?</p> <p>15 A I did not. 11:16</p> <p>16 Q Was iO a man or woman at the time of the</p> <p>17 alleged incident?</p> <p>18 A I couldn't recall.</p> <p>19 Q Have you ever heard iO having the nickname</p> <p>20 "I slap Rocky"? 11:16</p> <p>21 A This would be the first time.</p> <p>22 Q To your knowledge, did iO have any</p> <p>23 interactions -- well, strike that.</p> <p>24 Who is Lily-Rose Depp?</p> <p>25 A Johnny's daughter. 11:16</p> <p style="text-align: right;">Page 16</p>
<p>1 Q When you say "interpersonal drama," are 11:14</p> <p>2 you referring to interpersonal drama between you and</p> <p>3 Rocky, or other people?</p> <p>4 A No. Other people in the group. It was a</p> <p>5 pretty large group in pretty tight circumstances and 11:14</p> <p>6 a very stressful time for everybody. Lots of</p> <p>7 travel, big wedding, things of that nature. There</p> <p>8 was, you know, the normal -- the normal</p> <p>9 interpersonal issues that occur between very close</p> <p>10 friends and family on a wedding weekend. 11:14</p> <p>11 Q I know it was a certain -- it was a</p> <p>12 substantial period of time ago, but if -- it's a</p> <p>13 matter of some significance if you hear that</p> <p>14 somebody has beat your wife; correct?</p> <p>15 A I wouldn't characterize it that way. 11:15</p> <p>16 Q Somebody has been violent with your wife;</p> <p>17 correct?</p> <p>18 A I wouldn't characterize it that way</p> <p>19 either.</p> <p>20 Q Well, how would you characterize it? 11:15</p> <p>21 A I would characterize it as there was some</p> <p>22 kind of physical contact, and, quite frankly, I --</p> <p>23 it didn't seem serious. They didn't portray it that</p> <p>24 way, they portrayed it differently, and I trusted</p> <p>25 them. 11:15</p> <p style="text-align: right;">Page 15</p>	<p>1 Q To your knowledge, did iO have any 11:16</p> <p>2 interactions with Lily-Rose Depp?</p> <p>3 A Probably. I can say that there were --</p> <p>4 more than likely, at some point, I was present for</p> <p>5 them being in the same place at the same time, but, 11:16</p> <p>6 definitively, I couldn't say.</p> <p>7 Q Do you know whether iO put a photo of</p> <p>8 Lily-Rose Depp on an Instagram account?</p> <p>9 MS. VIGLIETTA: Objection. Lacks</p> <p>10 foundation; calls for speculation. 11:16</p> <p>11 MR. CHEW: That's why I'm asking whether</p> <p>12 he knows.</p> <p>13 BY MR. CHEW:</p> <p>14 Q Do you know?</p> <p>15 A I very -- I very vaguely recall an 11:16</p> <p>16 incident pretty early on into my integration with</p> <p>17 the group where iO had put -- she had this photo</p> <p>18 series, the name of which escapes me, T-shirts</p> <p>19 printed.</p> <p>20 The whole marketing was about people 11:17</p> <p>21 that -- people that identified as somewhere on the</p> <p>22 spectrum of homosexuality or bisexuality or anything</p> <p>23 in that vein. And there was a photo series of</p> <p>24 people wearing these shirts that she would post to</p> <p>25 Instagram and -- okay. Now that we're talking 11:17</p> <p style="text-align: right;">Page 17</p>

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1 through it, actually, I do distinctly remember that 11:17	1 time; correct? 11:19
2 photo being posted and there being some issues	2 A Correct.
3 around it.	3 Q Wasn't that also upsetting to Mr. Depp?
4 Q And Johnny wore one of those shirts out of	4 MS. VIGLIETTA: Objection. Calls for
5 solidarity to iO; correct? 11:17	5 speculation; lacks foundation. 11:19
6 A I don't remember distinctly, but it's	6 BY MR. CHEW:
7 certainly possible. They were pretty close.	7 Q You may answer.
8 Q Didn't he wear one on the Ellen show to	8 Did you know that he was upset about that?
9 show his solidarity with iO's cause?	9 A Honestly, I really don't recall the
10 MS. VIGLIETTA: Hold on. I'm just going 11:17	10 substance of what he was upset about really, outside 11:19
11 to object. Calls for speculation; lacks foundation,	11 of the fact that iO had posted the photo without
12 particularly as to asking the witness why Johnny	12 getting his explicit permission.
13 Depp might have worn a certain shirt or what his	13 Q Was that an unreason -- was it
14 intentions were.	14 unreasonable for Mr. Depp to have been upset about
15 BY MR. CHEW: 11:18	15 that? 11:19
16 Q Well, let me reframe.	16 A Again, I -- I don't see the value of my
17 Do you know whether Mr. Depp, in fact,	17 personal opinion in --
18 wore one of iO's T-shirts supporting her cause on	18 (Simultaneous speakers.)
19 the Ellen show?	19 Q It doesn't matter whether you see the
20 A No. 11:18	20 value or not. Was it reasonable for Mr. Depp to be 11:19
21 Q You don't know one way or the other?	21 upset about it?
22 A I don't know one way or the other.	22 A Certainly.
23 Q In addition to posting -- how old was	23 Q I sure would.
24 Lily-Rose at the time that iO posted her photo on	24 Who is Elizabeth Marz?
25 Instagram? 11:18	25 A Elizabeth Marz is a friend of my ex-wife. 11:20
Page 18	Page 20
1 A I couldn't say. 11:18	1 Q What is her profession? 11:20
2 Q Wasn't she 15?	2 A I don't know that she has one.
3 MS. VIGLIETTA: Objection. He said he	3 Q Does she make jewelry?
4 doesn't know.	4 A Again, I don't know what she actually
5 BY MR. CHEW: 11:18	5 does. We haven't spoken in years. 11:20
6 Q Would it be reasonable for a father to be	6 Q Who is Amanda de Cadenet?
7 upset if someone placed a photograph of his daughter	7 A Friend of Amber's.
8 on Instagram without parental permission?	8 Q Do you know what profession, if any, she
9 MS. VIGLIETTA: Objection. It calls for	9 has?
10 speculation and lacks foundation. 11:18	10 A I don't. 11:20
11 BY MR. CHEW:	11 Q Do you know that she's a photographer?
12 Q You may answer.	12 A It's certainly possible.
13 A I have no idea. I wasn't present for -- I	13 Q I'm -- I'm not asking you to speculate.
14 wasn't present for any conversations prior to or	14 I --
15 related to that fact, so I can't really speculate. 11:18	15 A Yeah. 11:20
16 Q But you were aware that Mr. Depp was upset	16 Q -- I -- I --
17 about that.	17 (Simultaneous speakers.)
18 A Correct.	18 A I honestly don't know.
19 Q And that's -- well, I don't want to get	19 Q Who is Melanie Inglessis?
20 ahead of myself, but you are aware, correct, that 11:19	20 A Makeup artist who became a very close 11:20
21 Mr. Depp was upset with iO for posting a picture of	21 friend of Amber and Raquel's.
22 his young daughter on Instagram without the	22 Q Did she also do makeup for Amber?
23 permission of either parent; correct?	23 A Correct.
24 A Correct.	24 Q Did she ever do makeup for Raquel?
25 Q iO also discussed her sexuality at the 11:19	25 A Maybe on a few rare occasions but not 11:20
Page 19	Page 21

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<p>1 regularly. 11:20</p> <p>2 Q You mentioned Amber, and I apologize for</p> <p>3 being lawyerly, but we have to lay a foundation.</p> <p>4 Who -- who is Amber Heard?</p> <p>5 A Johnny's ex-wife. 11:21</p> <p>6 Q When did you first meet Amber Heard?</p> <p>7 A Probably about three or four weeks after</p> <p>8 Raquel and I had started dating very early on.</p> <p>9 Q Is it fair to say that Amber Heard and</p> <p>10 Rocky were friends? 11:21</p> <p>11 A They were, yes.</p> <p>12 Q In fact, isn't it fair to say they were</p> <p>13 best friends?</p> <p>14 A Yes.</p> <p>15 Q Do you understand that they met back in 11:21</p> <p>16 2003?</p> <p>17 A Yes.</p> <p>18 Q And you know that because Rocky told you</p> <p>19 that at some point, correct?</p> <p>20 A Correct. 11:21</p> <p>21 Q Who is Johnny Depp?</p> <p>22 A Amber's ex-husband.</p> <p>23 Q When did you first meet Johnny Depp?</p> <p>24 A Shortly after I met Amber. I want to say,</p> <p>25 if memory serves, about five or six weeks after 11:21</p> <p style="text-align: right;">Page 22</p>	<p>1 It's -- it's not that it was infrequent, so much as 11:22</p> <p>2 it was sporadic and, honestly, for a large portion</p> <p>3 of it, fairly casual. Not the kind of thing where</p> <p>4 you would just count the number of times. It was</p> <p>5 regular interactions over various periods of time. 11:22</p> <p>6 Q Well, your counsel is not going to let you</p> <p>7 speculate, but I'm going to ask you to get a range.</p> <p>8 Is it more than 10 times?</p> <p>9 A Yes.</p> <p>10 Q More than 50 times? 11:23</p> <p>11 A Yes.</p> <p>12 Q More than a hundred times?</p> <p>13 A That I might -- that might push the</p> <p>14 boundaries.</p> <p>15 Q From the time that you first met Mr. Depp 11:23</p> <p>16 on movie night until this very moment sitting here</p> <p>17 today, have you ever seen Mr. Depp strike Amber</p> <p>18 Heard?</p> <p>19 A No.</p> <p>20 Q Have you ever seen him throw a telephone 11:23</p> <p>21 at her?</p> <p>22 A No.</p> <p>23 Q Have you ever seen him hit her with a</p> <p>24 fist?</p> <p>25 A No. 11:23</p> <p style="text-align: right;">Page 24</p>
<p>1 Raquel and I started dating. 11:21</p> <p>2 Q Again, I understand it was a long time</p> <p>3 ago, but do you recall under what circumstances you</p> <p>4 met him?</p> <p>5 A Funny enough, I actually do very clearly. 11:21</p> <p>6 I had come over under the auspice of what was called</p> <p>7 family movie night, and it was Amber and Johnny and</p> <p>8 Jack. I honestly don't remember whether Lily-Rose</p> <p>9 was there. She might have come later at a certain</p> <p>10 point. And it was just us in their apartment eating 11:22</p> <p>11 burgers and watching movies.</p> <p>12 Q What movie did you watch?</p> <p>13 A I couldn't tell you.</p> <p>14 Q Is Jack the younger --</p> <p>15 A Correct. 11:22</p> <p>16 Q -- sibling of Lily-Rose?</p> <p>17 A Correct.</p> <p>18 Q Do you know approximately how many years</p> <p>19 younger Jack is than Lily-Rose?</p> <p>20 A I want to say three or four, but I don't 11:22</p> <p>21 know distinctly.</p> <p>22 Q Since that time, on how many occasions</p> <p>23 have you seen and interacted with Johnny Depp from</p> <p>24 that very first time on movie night?</p> <p>25 A I couldn't even speculate the number of. 11:22</p> <p style="text-align: right;">Page 23</p>	<p>1 Q You testified that you attended the 11:23</p> <p>2 wedding, and I apologize if you've already said the</p> <p>3 date, but do you know approximately when that was?</p> <p>4 A I want to say it was February of 2015, or</p> <p>5 February of 2016. 11:23</p> <p>6 Q Sitting here today, do you know when they</p> <p>7 got divorced?</p> <p>8 A Officially? I mean, I know when they</p> <p>9 separated, obviously. Couldn't tell you. I want to</p> <p>10 say it was between three and five months after that 11:24</p> <p>11 May 21st incident.</p> <p>12 Q Is it your understanding that Mr. Depp and</p> <p>13 Ms. Heard separated on or after May 21, 2016?</p> <p>14 A I'm aware of that, yes.</p> <p>15 Q Did Mr. Depp ever come -- well, I'm 11:24</p> <p>16 getting ahead of myself.</p> <p>17 Have you ever lived at a building located</p> <p>18 at 849 South Broadway in Los Angeles, known as the</p> <p>19 Eastern Columbia Building?</p> <p>20 A Correct. 11:24</p> <p>21 Q Did you live in the condo known as</p> <p>22 Penthouse 1?</p> <p>23 A Correct.</p> <p>24 Q With whom did you live in the Penthouse 1?</p> <p>25 A Raquel Pennington. 11:24</p> <p style="text-align: right;">Page 25</p>

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<p>1 Q From when to when did you live in 11:24</p> <p>2 Penthouse 1 with Rocky Pennington?</p> <p>3 A Again, my memory is a little bit foggy of</p> <p>4 the exact dates. You'll have to bear with me a</p> <p>5 minute here. 11:25</p> <p>6 So while I was a frequent guest, I didn't</p> <p>7 actually live there until, I want to say, about</p> <p>8 October or November of 2015.</p> <p>9 Q Was Rocky already living in Penthouse 1</p> <p>10 when you started visiting and ultimately moved in 11:25</p> <p>11 there?</p> <p>12 A Yes.</p> <p>13 Q Did Ms. Pennington move into Penthouse 1</p> <p>14 in or about June of 2014?</p> <p>15 A I couldn't tell you with any specificity, 11:25</p> <p>16 but I believe it's around that time frame.</p> <p>17 Q And you know that because she told you,</p> <p>18 correct?</p> <p>19 A Correct.</p> <p>20 Q Who owned Penthouse 1 at the time? 11:25</p> <p>21 A Johnny Depp.</p> <p>22 Q Did -- to your knowledge, did iO Tillett</p> <p>23 Wright live at any of Mr. Depp's properties?</p> <p>24 A I had overheard or been told sort of</p> <p>25 secondhand that at a certain point, she had lived, I 11:25</p> <p style="text-align: right;">Page 26</p>	<p>1 Q Did you consider the refusal of your offer 11:27</p> <p>2 to be a generous gesture by Mr. Depp?</p> <p>3 A Exceedingly.</p> <p>4 Q In your experience, is Mr. Depp generally</p> <p>5 generous to his friends? 11:27</p> <p>6 A Yes.</p> <p>7 Q Is he generous to people generally?</p> <p>8 A Yes.</p> <p>9 Q While you lived at 849 South Broadway --</p> <p>10 oh, you've already answered this question. 11:27</p> <p>11 Did Ms. Marz ever -- to your knowledge,</p> <p>12 ever work in -- in Penthouse 5?</p> <p>13 A Not to my knowledge, no.</p> <p>14 Q Did Mr. Depp own Penthouse 5?</p> <p>15 A Yes. 11:27</p> <p>16 Q Would your key have opened Penthouse 5?</p> <p>17 A Yes.</p> <p>18 Q Mr. Drew, I am going to hand you a blank</p> <p>19 piece of paper, and I was wondering whether you</p> <p>20 would please draw for us a diagram showing the 11:28</p> <p>21 locations of Penthouse 1, Penthouse 3, and</p> <p>22 Penthouse 5. It doesn't have to be sophisticated,</p> <p>23 but just something to give us some understanding of</p> <p>24 where the relative penthouses were.</p> <p>25 A You couldn't get leasing diagrams from -- 11:28</p> <p style="text-align: right;">Page 28</p>
<p>1 believe, at one of the Sweetzer houses, but I could 11:26</p> <p>2 be mistaken.</p> <p>3 Q Do you know from when to when she lived</p> <p>4 there?</p> <p>5 A I couldn't tell you. 11:26</p> <p>6 Q Do you know whether she paid any rent to</p> <p>7 Mr. Depp?</p> <p>8 A I couldn't tell you.</p> <p>9 Q While you and Rocky lived together in</p> <p>10 Penthouse 1, did -- did you or she have a key that 11:26</p> <p>11 allowed you access to all of the penthouses on that</p> <p>12 floor?</p> <p>13 A Everything except PH 2, yes.</p> <p>14 Q Did -- at the time, did Mr. Depp and</p> <p>15 Ms. Heard live together in PH 3? 11:26</p> <p>16 A Sporadically, yes.</p> <p>17 Q The key that -- to which you and Rocky had</p> <p>18 access allowed either of you to enter PH 3; correct?</p> <p>19 A Correct.</p> <p>20 Q Did it -- who was in PH 5 at the time? 11:26</p> <p>21 A Nobody. Nobody lived in PH 5 for the</p> <p>22 entirety of our time there.</p> <p>23 Q Did you or Rocky ever pay Mr. Depp any</p> <p>24 rent to live in PH 1?</p> <p>25 A Offered and refused. 11:27</p> <p style="text-align: right;">Page 27</p>	<p>1 MS. KAPLAN: Mr. Chew, we have one. It 11:28</p> <p>2 may make sense to use the document that we have</p> <p>3 which --</p> <p>4 (Simultaneous speakers.)</p> <p>5 MR. CHEW: That's all right. I'm asking 11:28</p> <p>6 him to do this.</p> <p>7 THE WITNESS: Okay.</p> <p>8 (The witness complied.)</p> <p>9 BY MR. CHEW:</p> <p>10 Q Great. Thank you very much. 11:29</p> <p>11 MS. KAPLAN: Can we get copies made for</p> <p>12 counsel, please?</p> <p>13 MR. CHEW: We will at the next break.</p> <p>14 MS. KAPLAN: No. I want it here during</p> <p>15 the testimony. 11:29</p> <p>16 MR. CHEW: Well, you're going to have to</p> <p>17 wait.</p> <p>18 MS. KAPLAN: Well, then I'm going to stand</p> <p>19 over your head while you question the witness.</p> <p>20 MR. CHEW: I would be honored if you did 11:29</p> <p>21 that.</p> <p>22 MS. KAPLAN: John, come over here.</p> <p>23 BY MR. CHEW:</p> <p>24 Q When you and Rocky were living here in</p> <p>25 Penthouse 1, did you ever notice that there were 11:29</p> <p style="text-align: right;">Page 29</p>

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1 security personnel standing outside the door of 11:29	1 and I really appreciate you doing the diagram -- if 11:31
2 Penthouse 3 when Mr. Depp was in Penthouse 3?	2 you could just -- if you could darken where you say
3 A Not normally, no.	3 "PH 3" and just show a little bit more the outline
4 Q Did you ever see the security personnel	4 of PH 3.
5 standing outside of his door? 11:29	5 A (The witness complied.) 11:31
6 A On very rare occasion. Normally they were	6 Q And if you could mark -- I understand that
7 in a storage room off to the side of PH 5.	7 you said it was on rare occasions where you saw
8 Q Would you show us where that is?	8 Mr. Depp's security personnel standing guard, as it
9 A It is somewhere over here near the	9 were, outside of PH 3. On those rare occasions, can
10 elevator. 11:29	10 you please mark with an "X" where they -- where they 11:31
11 Q Okay. All right. Have you ever had -- do	11 were located?
12 you know who Mr. Depp's security personnel were at	12 A (The witness complied.)
13 the time?	13 Q Thank you very much.
14 A The -- there were a number of people. The	14 A To answer your question, almost never were
15 ones that I do recall interacting with were Sean, 11:30	15 they ever standing guard outside the door. They 11:31
16 Jerry, Malcolm, intermittently, and I want to say I	16 were almost always in store -- in the storage room.
17 interacted with anywhere between four and seven --	17 Q But you -- but where -- you said that you
18 oh, and Leonard specifically, who I know was	18 had seen them outside.
19 Lily-Rose's security. Anywhere from four -- four to	19 A A handful of occasions.
20 six other guys whose names I don't recall at the 11:30	20 Q Okay. Moving aside from Mr. Bett and 11:31
21 time.	21 Mr. Judge, while you stayed at the East Columbia
22 Q And when you refer to Sean, are you	22 Building, did you come to know any of the employees
23 referring to Sean Bett?	23 of the building?
24 A Correct.	24 A Casually.
25 Q Do you know anything about Mr. Depp's 11:30	25 Q Who is Trinity Esparza? 11:32
Page 30	Page 32
1 [sic] background prior to becoming a security -- 11:30	1 A She was one of the front desk people. 11:32
2 A Mr. Bett's?	2 Q Did you have communications with her?
3 Q Mr. Bett's.	3 A In the course of living there, yes.
4 A Yes. He was an LAPD detective, is my	4 Q Did you find her to be pleasant?
5 understanding. 11:30	5 A No. 11:32
6 Q And do you know for what period of time --	6 Q What -- what -- how was she unpleasant?
7 A I do not.	7 A She was not particularly polite or
8 Q -- he served in that capacity?	8 accommodating to me or Raquel or any of Amber's
9 A I do not.	9 friends. I wasn't there specifically, but I heard
10 Q Do you know that he served in law 11:30	10 similar things from Amber in her interactions with 11:32
11 enforcement for 18 years?	11 her as well, throughout the course of our time
12 A I -- I'm learning that now.	12 there.
13 Q What about Jerry? Do you -- do you -- are	13 Q Putting aside her unpleasantness, are --
14 you referring to Jerry Judge?	14 sitting here today, are you -- are you aware of any
15 A Correct. 11:30	15 instance in which she told an untruth to you? 11:32
16 Q Did you have any communications with	16 A Not that I'm aware of.
17 Mr. Judge over the -- your tenure?	17 Q Are -- is it -- are you aware of
18 A Quite a bit.	18 Ms. Esparza telling an untruth to anybody else?
19 MS. KAPLAN: Mr. Chew, I -- I hate to	19 A Not that I'm aware of, but, again, I --
20 interrupt you, but I've already worked out this 11:31	20 I'm not privy to her conversations outside of -- 11:33
21 morning, so when you go back to the exhibit, if you	21 Q I'm just asking what you know.
22 could notify me and then I'll come back, so I won't	22 Do you know -- did you ever have any
23 have to stand the whole time.	23 interactions with Brandon Patterson?
24 BY MR. CHEW:	24 A Brandon Patterson, I couldn't tell you.
25 Q All right. I -- I will just ask you -- 11:31	25 Q Have you ever met Alejandro Romero? 11:33
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<p>1 A Correct. 11:33</p> <p>2 Q On how many occasions did you speak with</p> <p>3 him?</p> <p>4 A Again, in the course of spending -- of</p> <p>5 being there pretty regularly and living there, 11:33</p> <p>6 dozens.</p> <p>7 Q Do you know what capacity he worked at the</p> <p>8 building?</p> <p>9 A Similar to Trinity.</p> <p>10 Q Did -- was he unpleasant? 11:33</p> <p>11 A No. He was actually quite -- very polite</p> <p>12 and very helpful.</p> <p>13 Q Are you aware of any instances in which</p> <p>14 Mr. Romero was untruthful to you?</p> <p>15 A Not that I'm aware of. 11:33</p> <p>16 Q And without asking you to speculate, are</p> <p>17 you specifically aware of any circumstances in which</p> <p>18 he was untruthful to anybody else?</p> <p>19 A Not that I'm aware of.</p> <p>20 Q Have you ever met someone named Cornelius 11:33</p> <p>21 Harrell?</p> <p>22 A The name doesn't ring a bell.</p> <p>23 Q So you don't know whether you've had any</p> <p>24 communications with him?</p> <p>25 A I couldn't tell you. There were -- there 11:34</p> <p align="right">Page 34</p>	<p>1 objection, but can you give us a ballpark? More 11:35</p> <p>2 than five?</p> <p>3 A I'm not going to speculate on that.</p> <p>4 Q Fair enough. Did you have occasion to</p> <p>5 observe her on the weekend of her wedding with 11:35</p> <p>6 Mr. Depp in the Bahamas?</p> <p>7 A I'm sorry. What's the question?</p> <p>8 Q Let me improve the question.</p> <p>9 Did you observe Amber Heard during her</p> <p>10 wedding to Mr. Depp at the Bahamas? 11:35</p> <p>11 A Yes.</p> <p>12 Q Was she intoxicated at any time during the</p> <p>13 wedding weekend?</p> <p>14 A Yes, as were we all.</p> <p>15 Q That wasn't my question, but that's -- 11:35</p> <p>16 did -- was she intoxicate -- on how many times was</p> <p>17 she intoxicated during the weekend?</p> <p>18 MS. VIGLIETTA: I'm going to object.</p> <p>19 Lacks foundation; calls for speculation.</p> <p>20 You can answer what you observed, but you 11:35</p> <p>21 obviously don't know.</p> <p>22 THE WITNESS: Couldn't tell you.</p> <p>23 MR. CHEW: Well, I mean, you shouldn't</p> <p>24 coach him as to what he said. He testified that he</p> <p>25 saw her intoxicated. 11:36</p> <p align="right">Page 36</p>
<p>1 were, I want to say over the course of time there, 11:34</p> <p>2 three or four other people at the front desk that I</p> <p>3 probably spoke to at any various times, but I -- I</p> <p>4 don't recall their names. Alex and Trinity were the</p> <p>5 only -- were mostly present and were there for most 11:34</p> <p>6 of my interactions.</p> <p>7 Q And because you don't recall ever speaking</p> <p>8 with Cornelius Harrell, you can't testify one way or</p> <p>9 the other as to his truthfulness; true?</p> <p>10 A No. 11:34</p> <p>11 Q While you lived in Penthouse 1, did you</p> <p>12 have the opportunity to interact often with Amber</p> <p>13 Heard?</p> <p>14 A Yes.</p> <p>15 Q Did you and Rocky see Ms. Heard 11:34</p> <p>16 frequently?</p> <p>17 A Yes.</p> <p>18 Q Did you ever see her drinking alcohol?</p> <p>19 A Yes.</p> <p>20 Q Did you ever see her drink to excess? 11:34</p> <p>21 A Yes.</p> <p>22 Q On how many occasions did she drink to</p> <p>23 excess?</p> <p>24 A Honestly, I couldn't tell you.</p> <p>25 Q Again, I'm going to get a speculation 11:35</p> <p align="right">Page 35</p>	<p>1 BY MR. CHEW: 11:36</p> <p>2 Q So what I'm asking is: Did you see her</p> <p>3 intoxicated during the weekend on one occasion or</p> <p>4 more than one occasion?</p> <p>5 A Honestly -- 11:36</p> <p>6 MS. VIGLIETTA: Same objections.</p> <p>7 THE WITNESS: -- I couldn't tell you.</p> <p>8 BY MR. CHEW:</p> <p>9 Q Don't know.</p> <p>10 Was she taking drugs that weekend? 11:36</p> <p>11 MS. VIGLIETTA: Same objections.</p> <p>12 THE WITNESS: It's possible, but nothing</p> <p>13 that I saw directly.</p> <p>14 BY MR. CHEW:</p> <p>15 Q Isn't it true that she ordered drugs for 11:36</p> <p>16 the wedding?</p> <p>17 A More --</p> <p>18 MS. VIGLIETTA: Same objections.</p> <p>19 MR. CHEW: Please don't interrupt the</p> <p>20 witness. 11:36</p> <p>21 MS. VIGLIETTA: No. I'm going to get my</p> <p>22 objections on the record.</p> <p>23 And I would remind you just to pause for a</p> <p>24 minute so I can get objections on the record.</p> <p>25 I'm going to object on the grounds that it 11:36</p> <p align="right">Page 37</p>

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<p>1 lacks foundation, and it calls for speculation. 11:36</p> <p>2 MR. CHEW: I'm asking whether he knows.</p> <p>3 THE WITNESS: Directly? No. Is it</p> <p>4 possible? Yes.</p> <p>5 BY MR. CHEW: 11:36</p> <p>6 Q Why do you say it's possible?</p> <p>7 A It's transpired before.</p> <p>8 Q What drugs has she used, to your</p> <p>9 knowledge?</p> <p>10 MS. VIGLIETTA: Objection. Calls for 11:36</p> <p>11 speculation; lacks foundation.</p> <p>12 THE WITNESS: I'm not going to answer</p> <p>13 that.</p> <p>14 BY MR. CHEW:</p> <p>15 Q You have to answer that, and you can't be 11:37</p> <p>16 coached -- she's not instructing you not to answer.</p> <p>17 And the foundation is not a proper objection.</p> <p>18 You said that she's used drugs. I'm</p> <p>19 asking you on -- how many times you have seen her or</p> <p>20 were aware that she was using drugs. 11:37</p> <p>21 A All due respect, I understand. I'll</p> <p>22 remind you this is the first time I've been through</p> <p>23 this process, so I would ask for a little bit of</p> <p>24 patience. I would also ask for the benefit of the</p> <p>25 doubt. 11:37</p> <p style="text-align: right;">Page 38</p>	<p>1 The question here: How many times have 11:38</p> <p>2 you seen her or were aware that she was using drugs</p> <p>3 is the question that's pending.</p> <p>4 BY MR. CHEW:</p> <p>5 Q And -- 11:38</p> <p>6 A I couldn't tell you with any specificity.</p> <p>7 Q Do you have any general knowledge of how</p> <p>8 many times?</p> <p>9 A Couldn't tell you with any specificity.</p> <p>10 Q Which drugs did she use? 11:38</p> <p>11 A Are we referring to that weekend</p> <p>12 specifically, or are we talking --</p> <p>13 Q Well, let's start with the weekend, and</p> <p>14 then we'll go general.</p> <p>15 What drugs was she using that weekend? 11:38</p> <p>16 A To my knowledge, mushrooms and wine.</p> <p>17 Q Now let's broaden it out. Putting aside</p> <p>18 the wedding, what drugs did she use?</p> <p>19 MS. VIGLIETTA: Objection. Calls for</p> <p>20 speculation; lacks foundation. 11:39</p> <p>21 The question is: In general, what drugs</p> <p>22 does Ms. Heard use? So to the extent that you know.</p> <p>23 THE WITNESS: Mushrooms, LSD, cocaine,</p> <p>24 Ecstasy.</p> <p>25 BY MR. CHEW: 11:39</p> <p style="text-align: right;">Page 40</p>
<p>1 And I would also ask the respect that's 11:37</p> <p>2 being shown from this side of the table would be</p> <p>3 responded to from the other side, if you would be so</p> <p>4 kind.</p> <p>5 Q I will be so kind. 11:37</p> <p>6 A Okay. Thank you.</p> <p>7 Q And I -- and I will show respect to you,</p> <p>8 and I appreciate you being here. I really do. But</p> <p>9 your counsel has the right to object, but unless and</p> <p>10 until she instructs you not to answer, you have to 11:37</p> <p>11 answer the question.</p> <p>12 And what I'm trying to get at --</p> <p>13 A All due respect, I'm going to follow my --</p> <p>14 my counsel's direction.</p> <p>15 Q Right. And when she instructs you not to 11:37</p> <p>16 answer, you don't answer no matter what I do. But</p> <p>17 if she doesn't instruct you not to answer and she</p> <p>18 file -- she lodges her objection, which she has</p> <p>19 every right to do, you have to answer the question,</p> <p>20 subject to her objection. 11:38</p> <p>21 MS. VIGLIETTA: He knows that. There --</p> <p>22 you can also look right at the screen if you want to</p> <p>23 see the question, because you changed the question,</p> <p>24 and there is no objection to the question that's</p> <p>25 pending. 11:38</p> <p style="text-align: right;">Page 39</p>	<p>1 Q On how many occasions were you aware of 11:39</p> <p>2 that -- did she use Ecstasy?</p> <p>3 A Again, I couldn't speculate on the number</p> <p>4 of times, to be very honest with you.</p> <p>5 Q Fair enough. 11:39</p> <p>6 When she was under the influence, as far</p> <p>7 as you knew, did her behavior change?</p> <p>8 A Yes.</p> <p>9 Q How did it change?</p> <p>10 A I mean, it's not one generalized change. 11:39</p> <p>11 It's different circumstances, different instances</p> <p>12 each time. There were times where it was</p> <p>13 happy-go-lucky, having a good time. There was times</p> <p>14 where it was a little bit darker. There were times</p> <p>15 it was the full range of emotions, to be very honest 11:39</p> <p>16 with you.</p> <p>17 Q How much, approximately, does Amber Heard</p> <p>18 weigh?</p> <p>19 MS. VIGLIETTA: Objection. Calls for</p> <p>20 speculation. 11:40</p> <p>21 BY MR. CHEW:</p> <p>22 Q If you know.</p> <p>23 A Man, I would say maybe a hundred to</p> <p>24 110 pounds.</p> <p>25 Q But not more than 120 pounds? 11:40</p> <p style="text-align: right;">Page 41</p>

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1 A Certainly not. 11:40	1 Q Have you ever heard the term "borderline 11:42
2 Q Did Ms. Heard also take an amphetamine	2 personality"?
3 called Provigil?	3 A Have I ever heard the term?
4 A I have no idea.	4 Q Yes.
5 Q Did Rocky ever tell you that Ms. Heard 11:40	5 A Out of context, yes. 11:42
6 used Provigil?	6 Q Have -- did you and Rocky ever discuss the
7 A Directly, no.	7 relationship between Amber Heard and Johnny Depp?
8 Q She testified to that. Are you aware of	8 A Yes.
9 that?	9 Q On how many occasions?
10 A I'm not. 11:40	10 A Honestly, probably hundreds, if not 11:42
11 Q Do you have any reason to believe that	11 thousands.
12 Rocky would make that up if that were in her	12 Q What, if anything, can you recall about
13 testimony?	13 those conversations?
14 A No.	14 A I don't think we have enough time in this
15 Q Did you ever hear at any time Amber Heard 11:40	15 deposition to probably parse all that. 11:42
16 yell at Mr. Depp?	16 Q That's fair enough, and I will be
17 A Yes.	17 respectful of that because we have a limited period
18 Q On how many occasions?	18 of time.
19 A I couldn't tell you the number of	19 Are there any salient things that you can
20 occasions. 11:40	20 remember off the top of your head? 11:42
21 Q Did you ever see her strike Mr. Depp?	21 A I mean, all relationships are tumultuous.
22 A No.	22 All relationships have their ups and downs. There
23 Q Did you -- were you present when she	23 were periods within the relationship where things
24 kicked a bathroom door into his head?	24 were really, really good, and the conversations were
25 A No. Or I should say not to my knowledge. 11:41	25 positive and supportive and everything within that 11:43
Page 42	Page 44
1 Q Who was Tasya van Ree? 11:41	1 vein. 11:43
2 A Amber's ex-wife.	2 There were other times when things were
3 Q Did you ever meet her?	3 not good, and there were arguments, or there were
4 A Maybe once or twice in passing.	4 fights, and things were not going well. And the
5 Q When did you meet her? 11:41	5 context varied based on circumstances. 11:43
6 A Couldn't tell you.	6 Q Mr. Drew, moving to April 21, 2016, do you
7 Q Are you aware that Ms. Heard was arrested	7 recall that there was to have been a birthday
8 for assault on Ms. van Ree on or about	8 celebration that night?
9 September 14th, 2009?	9 A Yes.
10 A I am. 11:41	10 Q Was that Amber Heard's birthday? 11:43
11 Q What, if any, conversations have you --	11 A Yes.
12 did you have with Rocky about that incident?	12 Q Do you recall which birthday it was or how
13 A Very little, to be very honest with you.	13 old she was?
14 Q Do you recall anything about it?	14 A It was her 30th. I catered it.
15 A Only -- to be honest, I only recall it 11:41	15 Q What do you recall about that evening? 11:43
16 coming up specifically following the final incident	16 A I recall it was held in PH 5. Johnny was
17 with Johnny, and that even in meeting her in passing	17 hours late, and Amber spent the better part of the
18 previously, it actually hadn't been brought up at	18 evening making excuses for him. And he came very
19 all. They were friendly.	19 obviously intoxicated and put on a show for
20 Q And she didn't mention it to you? 11:42	20 everybody. 11:44
21 A Correct.	21 And when the party was over, everybody
22 Q Did Rocky ever tell you, in words or	22 left, cleaned up, and the next morning we heard
23 substance, that Amber Heard has a personality	23 about what had transpired after the fact.
24 disorder?	24 Q Thank you for that. And let's unpack it
25 A No. 11:42	25 piece by piece. 11:44
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<p>1 So Johnny was supposed to have attended 11:44</p> <p>2 the dinner; correct?</p> <p>3 A Correct.</p> <p>4 Q And at what time did the dinner begin?</p> <p>5 A I don't recall. 11:44</p> <p>6 Q You and Rocky were guests at the dinner?</p> <p>7 A Correct.</p> <p>8 Q Who else was invited to the dinner?</p> <p>9 A Again, you'll have to forgive me. It was</p> <p>10 quite some time ago. I remember Amber's friend, 11:44</p> <p>11 Brandon, being there; Amber's friend Iggy, a rabbi.</p> <p>12 I want to say that Whitney was there as well. To be</p> <p>13 very honest, I can't say with specificity whom else</p> <p>14 was there.</p> <p>15 Q When you say "Whitney," are you referring 11:44</p> <p>16 to Whitney Heard?</p> <p>17 A Correct.</p> <p>18 Q Is Whitney Heard Amber's younger sister?</p> <p>19 A Correct.</p> <p>20 Q Do you know approximately how many years 11:45</p> <p>21 younger she is than -- than Amber?</p> <p>22 A I think it's less than two years.</p> <p>23 Q And you said that Iggy was a rabbi. Do</p> <p>24 you recall Brandon's last name?</p> <p>25 A McCulloch. 11:45</p> <p align="right">Page 46</p>	<p>1 A Couldn't tell you. 11:46</p> <p>2 Q Did she seem intoxicated during -- at any</p> <p>3 time during the evening?</p> <p>4 A Yes.</p> <p>5 Q At -- at approximately what time -- or -- 11:46</p> <p>6 or strike that.</p> <p>7 How much, prior to Mr. Depp's arriving</p> <p>8 very late for the dinner, did you notice Ms. Heard</p> <p>9 getting intoxicated?</p> <p>10 A I can't speak to what was consumed before 11:46</p> <p>11 the dinner started, but during dinner, it was --</p> <p>12 there were a couple bottles of wine. But, again, I</p> <p>13 don't recall exactly what was consumed and how much</p> <p>14 was consumed.</p> <p>15 Q Did you see Mr. Depp hit Amber Heard that 11:47</p> <p>16 night?</p> <p>17 A No.</p> <p>18 Q Did you see him shove Amber Heard onto the</p> <p>19 floor?</p> <p>20 A No. 11:47</p> <p>21 Q Did you see Amber Heard have any marks on</p> <p>22 her face or body that night, that you observed?</p> <p>23 A I don't recall.</p> <p>24 Q Did you see Mr. Depp throw a magnum-sized</p> <p>25 champagne bottle at the wall? 11:47</p> <p align="right">Page 48</p>
<p>1 Q Where did he fit into the picture? 11:45</p> <p>2 A As I understand it, when Raquel and</p> <p>3 Amber -- or when Raquel had first gotten to</p> <p>4 Los Angeles some time ago, Brandon was a bartender</p> <p>5 that Amber had befriended just in the course of 11:45</p> <p>6 living her life. They became friends, and he came</p> <p>7 into her orbit as a friend.</p> <p>8 Q Putting aside the state or condition in</p> <p>9 which Johnny arrived, do you recall, sitting here</p> <p>10 today, approximately when Johnny arrived for dinner? 11:45</p> <p>11 A I really couldn't tell you with any</p> <p>12 specificity, but I can say it was quite a few hours</p> <p>13 after the party had started.</p> <p>14 Q Did he provide any excuse or explanation</p> <p>15 to the group as to why he was late? 11:46</p> <p>16 A No.</p> <p>17 Q Did he say, in words or substance, that he</p> <p>18 was meeting with Ed White, who was his new business</p> <p>19 manager?</p> <p>20 A No. 11:46</p> <p>21 Q Putting aside Mr. Depp's intake of alcohol</p> <p>22 that evening, had Ms. Heard been drinking before</p> <p>23 Mr. Depp arrived?</p> <p>24 A Yes.</p> <p>25 Q Do you know how much? 11:46</p> <p align="right">Page 47</p>	<p>1 A No. 11:47</p> <p>2 Q Did you see Amber Heard the next morning,</p> <p>3 April 22nd, 2016?</p> <p>4 A I believe so, yes.</p> <p>5 Q Did you notice any marks on her face or 11:47</p> <p>6 elsewhere that morning?</p> <p>7 A I don't recall.</p> <p>8 Q That morning, April 22nd, did you and</p> <p>9 Ms. Pennington and Amber Heard drive together to</p> <p>10 Coachella? 11:47</p> <p>11 A They did. I did not.</p> <p>12 Q Did you -- strike that.</p> <p>13 Are you still in contact with Amber Heard?</p> <p>14 A Sporadically, yes.</p> <p>15 Q And -- and just -- just to be clear -- and 11:48</p> <p>16 I'm sorry to jump around -- when you say -- strike</p> <p>17 that.</p> <p>18 Are you -- you say "sporadically." How</p> <p>19 frequently are you in contact with her?</p> <p>20 A We didn't speak for about two years 11:48</p> <p>21 following my divorce, and she reached out to me to</p> <p>22 make amends about -- I want to say about two months</p> <p>23 ago, if memory serves.</p> <p>24 Q I'm going to come back to that. When you</p> <p>25 said you don't recall seeing marks on the morning of 11:49</p> <p align="right">Page 49</p>

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<p>1 April 22nd, is that because you didn't see any marks 11:49</p> <p>2 on Ms. Heard, or you didn't see her at all that</p> <p>3 morning?</p> <p>4 A I -- I honestly don't recall the state of</p> <p>5 her the next morning. If memory serves, it was -- I 11:49</p> <p>6 was made aware that there had been an incident the</p> <p>7 night prior but that the girls were hustling to get</p> <p>8 everything together to go out to Coachella. So it</p> <p>9 was a pretty frantic morning.</p> <p>10 I -- I couldn't say with any specificity 11:49</p> <p>11 whether I interacted with her that morning before</p> <p>12 they departed. But I was aware that there had been</p> <p>13 some kind of incident from the night prior.</p> <p>14 Q And, Mr. Drew, you said that Ms. Heard</p> <p>15 reached out to you. When was -- when did she reach 11:49</p> <p>16 out to you?</p> <p>17 A Sometime in the last two months.</p> <p>18 Q What did she say when she reached out to</p> <p>19 you?</p> <p>20 A To paraphrase, it was something akin to 11:49</p> <p>21 letting me know that, you know, her and Raquel</p> <p>22 were -- hadn't spoken in some time and to tell me</p> <p>23 that she loved me and that she missed me and she</p> <p>24 just wanted to make amends and, you know, reconnect.</p> <p>25 Q Did she mention anything about this 11:50</p> <p style="text-align: right;">Page 50</p>	<p>1 did meet in person for a glass of wine. 11:51</p> <p>2 Q Did you communicate by email as well or</p> <p>3 just text?</p> <p>4 A Just text.</p> <p>5 Q And when you had a glass of wine -- again, 11:51</p> <p>6 only lawyers remember these things, but do you</p> <p>7 recall approximately when you had a glass of wine</p> <p>8 with her?</p> <p>9 A Probably about five or six weeks ago. Oh,</p> <p>10 I'm sorry. It will be longer than that. Probably 11:51</p> <p>11 about two months ago.</p> <p>12 Q Do you recall where that took place?</p> <p>13 A Bar Bandini in Echo Park.</p> <p>14 Q How long did you meet with her at Bar</p> <p>15 Bandini? 11:51</p> <p>16 A Maybe two hours.</p> <p>17 Q What transpired during that meeting?</p> <p>18 A The sort of basics, how are you, so on and</p> <p>19 so forth with somebody, you know, you spent most of</p> <p>20 your life with for four years and then haven't seen 11:52</p> <p>21 in two.</p> <p>22 I'll be honest, we -- we did speak about</p> <p>23 this case for maybe three minutes, but trivial and</p> <p>24 petty, nothing of any specificity.</p> <p>25 And the rest of the time was spent talking 11:52</p> <p style="text-align: right;">Page 52</p>
<p>1 lawsuit? 11:50</p> <p>2 A Not in the initial interaction.</p> <p>3 Q How did you respond to her in this initial</p> <p>4 interaction when she said she wanted to make amends?</p> <p>5 A I didn't for some time. I think I waited 11:50</p> <p>6 about a week and a half before I responded, and</p> <p>7 before I could, I did get a -- a note from her</p> <p>8 letting me know that she had tried to keep me out of</p> <p>9 it, but more than likely, people were going to be</p> <p>10 contacting me, either about being deposed or a 11:50</p> <p>11 statement of some kind.</p> <p>12 There was nothing explicit about whom it</p> <p>13 would be coming from, whether it was from Johnny's</p> <p>14 side or her side, only that somebody would more than</p> <p>15 likely be reaching out to me. 11:50</p> <p>16 Q Do you remember anything else about what</p> <p>17 she said to you since she reconnected two months</p> <p>18 ago?</p> <p>19 A Honestly, it's sort of been just a</p> <p>20 friendly interaction between two old friends who 11:50</p> <p>21 have reconnected. Silly, petty things. We have not</p> <p>22 discussed this at all.</p> <p>23 Q Did -- were these communications oral, or</p> <p>24 were they in writing?</p> <p>25 A A large portion of it in text message. We 11:51</p> <p style="text-align: right;">Page 51</p>	<p>1 about the things that had transpired between myself 11:52</p> <p>2 and Raquel and her part in that and trying to find a</p> <p>3 measure of closure.</p> <p>4 Q Well, you know I have to ask about the</p> <p>5 three minutes -- 11:52</p> <p>6 A Certainly.</p> <p>7 Q -- or you'd be disappointed.</p> <p>8 A Certainly.</p> <p>9 Q What do you recall about the three minutes</p> <p>10 of conversation? 11:52</p> <p>11 A It was nothing of any specificity.</p> <p>12 Honestly, it was more -- I might regret using this</p> <p>13 word, but it was sort of gallows humor in response</p> <p>14 really towards the absurdity of it.</p> <p>15 Q Do you recall anything specific? 11:52</p> <p>16 A Anything specific, no.</p> <p>17 Q Did you discuss -- strike that.</p> <p>18 Did Amber explain to you, either when you</p> <p>19 met at the Bar Bandini or anytime since you've been</p> <p>20 reacquainted, why she and Rocky did not speak or 11:52</p> <p>21 were no longer speaking?</p> <p>22 A Yes.</p> <p>23 Q What did she say about that?</p> <p>24 A My understanding is that at the</p> <p>25 dissolution of our relationship, she left the 11:53</p> <p style="text-align: right;">Page 53</p>

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<p>1 apartment that we lived -- that we shared together 11:53</p> <p>2 and moved in with Amber shortly thereafter. I can't</p> <p>3 say specifically because Raquel and I were not in</p> <p>4 regular contact.</p> <p>5 And the story that I got from Amber 11:53</p> <p>6 specifically was a long, drawn-out, dramatic</p> <p>7 sequence of events where she was intermittently in</p> <p>8 New York for jobs, and she was in Australia or</p> <p>9 worldwide doing press for Aquaman, all sorts of</p> <p>10 different things while Raquel and her new boyfriend 11:53</p> <p>11 lived in Amber's apartment.</p> <p>12 And over the course of that time, Raquel</p> <p>13 had been given a debit card by Amber. Her boyfriend</p> <p>14 at the time had also signed for a car that had been</p> <p>15 sent for Amber that Amber refused repeatedly and 11:54</p> <p>16 that, ostensibly, they were subsidizing their</p> <p>17 lifestyle out of Amber's petty cash and that -- that</p> <p>18 there were a variety of incidents, loud parties,</p> <p>19 damage to the house, arguments with the landlord,</p> <p>20 arguments with the neighbor of which -- and, again, 11:54</p> <p>21 I wasn't present for any of this.</p> <p>22 My understanding is that Amber was present</p> <p>23 for some of it but not present for most of it. And</p> <p>24 I don't know the specific incidents that predicated</p> <p>25 it, but at a certain point towards the end of it, 11:54</p> <p style="text-align: right;">Page 54</p>	<p>1 morning or the afternoon -- rolled over into 11:55</p> <p>2 excrement and believed that one of the group,</p> <p>3 specifically iO, had -- I can't believe I'm going to</p> <p>4 have to say this out loud.</p> <p>5 Q I'm sorry, but I have to ask about it. 11:56</p> <p>6 A Had specifically gone into a toilet to</p> <p>7 remove one of their own turds and place it in the</p> <p>8 bed as a practical joke. And this became a gigantic</p> <p>9 argument between the whole group. Johnny blaming</p> <p>10 iO, blaming -- blaming Amber for this. 11:56</p> <p>11 At a certain point down the line, claiming</p> <p>12 that he had had his house manager, Kevin, take</p> <p>13 samples and send it off to a DNA lab to be tested,</p> <p>14 and it came back as positive that it was human DNA,</p> <p>15 even though they had two little Yorkshire terriers 11:56</p> <p>16 that were never housebroken, and their homes were --</p> <p>17 pretty much, at some point during the day, had dog</p> <p>18 piss or excrement on their couch, on the bed, on the</p> <p>19 floor, anywhere the dogs could get to.</p> <p>20 Q Regrettably, I'm going to have to break 11:56</p> <p>21 this down. How are you sure that Mr. Depp -- that</p> <p>22 Mr. Depp was there in bed at the time?</p> <p>23 A What I know, I know secondhand from Raquel</p> <p>24 and Amber and iO.</p> <p>25 Q Did you ever see the scene of the 11:57</p> <p style="text-align: right;">Page 56</p>
<p>1 Amber kicked out Raquel's boyfriend and shortly 11:54</p> <p>2 thereafter kicked her out and that they hadn't</p> <p>3 spoken since.</p> <p>4 Q What is the name of Rocky's boyfriend who</p> <p>5 was kicked out? 11:54</p> <p>6 A I know his first name. It's Kelly.</p> <p>7 That's all I know.</p> <p>8 Q Do you think that Ms. Heard was justified</p> <p>9 in throwing Rocky and Kelly out?</p> <p>10 A I mean, I'm obviously a little biased 11:54</p> <p>11 here, but I'm going to say yes.</p> <p>12 Q Are you still in contact with Rocky?</p> <p>13 A I am not.</p> <p>14 Q Mr. Drew, I want to turn your attention to</p> <p>15 another incident in April 2016 after the birthday 11:55</p> <p>16 party of which you may or may not be aware. And if</p> <p>17 you are not aware, I'm not going to pursue it.</p> <p>18 Do you recall an incident in which</p> <p>19 Mr. Depp complained about excrement being put on his</p> <p>20 bed in Penthouse 3? 11:55</p> <p>21 A Yes.</p> <p>22 Q What, if anything, do you know about that?</p> <p>23 A My understanding is that following Amber</p> <p>24 and the girls' departure for Coachella, Johnny had</p> <p>25 woken up -- I couldn't tell you whether it was the 11:55</p> <p style="text-align: right;">Page 55</p>	<p>1 excrement on the bed? 11:57</p> <p>2 A No.</p> <p>3 Q What, if anything, did Rocky tell you</p> <p>4 about the incident?</p> <p>5 A What I just paraphrased for you. 11:57</p> <p>6 Q Is Rocky a truthful person?</p> <p>7 MS. VIGLIETTA: Objection. Calls for</p> <p>8 speculation.</p> <p>9 BY MR. CHEW:</p> <p>10 Q You were married to her. Did you find her 11:57</p> <p>11 to be a truthful person?</p> <p>12 A I -- to be very honest with you, I -- I</p> <p>13 don't know if I can answer that question without</p> <p>14 being biased because of my own experience with her.</p> <p>15 Q Well, putting -- putting aside that -- we 11:57</p> <p>16 understand you're divorced -- did she ever lie to</p> <p>17 you?</p> <p>18 A Not that I'm aware of, but more than</p> <p>19 likely, yes.</p> <p>20 Q Did she have an affair? 11:57</p> <p>21 A Yes.</p> <p>22 Q Did she tell you about the affair while</p> <p>23 she was having it?</p> <p>24 A No.</p> <p>25 Q Was it the affair with this creep called 11:57</p> <p style="text-align: right;">Page 57</p>

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<p>1 Kelly? 11:57</p> <p>2 A Correct.</p> <p>3 Q What did -- if anything, did Amber Heard</p> <p>4 tell you about the incident with the excrement?</p> <p>5 A Again, what I just paraphrased for you 11:58</p> <p>6 previously.</p> <p>7 Q Did you ever discuss the incident with iO?</p> <p>8 A Not that I recall, but it's certainly</p> <p>9 possible in passing but not with any specificity.</p> <p>10 Q Do you recall what -- I'm not being 11:58</p> <p>11 disrespectful -- was "he" a "he" at the time or a</p> <p>12 "she"?</p> <p>13 A I believe a "he."</p> <p>14 Q Do you recall what iO Tillett Wright -- he</p> <p>15 said about the incident? 11:58</p> <p>16 A I don't recall with any specificity, but I</p> <p>17 can tell you, at that point, I wanted as little to</p> <p>18 do with any of it as possible.</p> <p>19 Q I don't blame you. Let me just ask you</p> <p>20 one more question. Who -- when you mentioned Kevin, 11:58</p> <p>21 are you referring to Kevin Murphy?</p> <p>22 A Yes.</p> <p>23 Q Did you have any interactions with Kevin</p> <p>24 Murphy?</p> <p>25 A Throughout our time there, yes. 11:58</p> <p style="text-align: right;">Page 58</p>	<p>1 Was Mr. Depp at the condo at the East 11:59</p> <p>2 Columbia Building that day prior to the evening?</p> <p>3 A Not to my knowledge.</p> <p>4 Q Did you see him arriving at the condo that</p> <p>5 night? 12:00</p> <p>6 A No.</p> <p>7 Q Did you see Mr. Bett and Mr. Judge that</p> <p>8 evening?</p> <p>9 A Yes.</p> <p>10 Q When did you first see them? 12:00</p> <p>11 A I saw them when he ordered them to open</p> <p>12 the door to PH 5 following the incident.</p> <p>13 Q When you say "he," to whom are you</p> <p>14 referring?</p> <p>15 A Johnny. 12:00</p> <p>16 Q Did you ever see them that night somewhere</p> <p>17 outside the door of PH 3?</p> <p>18 A No.</p> <p>19 Q Did Rocky ever testify about the events of</p> <p>20 that evening? 12:00</p> <p>21 MS. VIGLIETTA: Objection. Calls for</p> <p>22 speculation.</p> <p>23 Testi- -- what do you mean by "testify"?</p> <p>24 BY MR. CHEW:</p> <p>25 Q Do you know whether she gave a deposition 12:00</p> <p style="text-align: right;">Page 60</p>
<p>1 Q What -- what, again, was his role? 11:58</p> <p>2 A I believe he was Johnny's house manager.</p> <p>3 Q Did you have good interactions with him?</p> <p>4 A Always.</p> <p>5 Q Was he a pleasant person? 11:59</p> <p>6 A Yes.</p> <p>7 Q To your knowledge, was he an honest</p> <p>8 person?</p> <p>9 A To me, yes. I know there had been some</p> <p>10 friction with -- with a variety of people in 11:59</p> <p>11 Johnny's life, but I was never present or privy to</p> <p>12 it. I always had pleasant interactions with him.</p> <p>13 Q Understanding that you weren't with him</p> <p>14 all the time, did you ever know Mr. Murphy to lie to</p> <p>15 anyone? 11:59</p> <p>16 A I don't want to answer that. That's going</p> <p>17 to force me to speculate.</p> <p>18 Q Okay. Well, your -- your lawyer is not</p> <p>19 going to allow you to speculate.</p> <p>20 Without speculating, can you cite any 11:59</p> <p>21 example of him lying to someone?</p> <p>22 A No.</p> <p>23 Q Mr. Drew, let's please change subjects and</p> <p>24 move to the evening of May 21, 2016, which you had</p> <p>25 referenced previously. 11:59</p> <p style="text-align: right;">Page 59</p>	<p>1 in -- relating to the events of that night? 12:00</p> <p>2 A If memory serves, I don't believe so, but</p> <p>3 I could be mistaken.</p> <p>4 Q Putting aside whether she testified, do</p> <p>5 you know whether she received a text from Amber 12:01</p> <p>6 Heard at 8:06 p.m. asking that she come over to</p> <p>7 Penthouse 3?</p> <p>8 A I can't certify the time, but the text</p> <p>9 message itself and the receipt, yes.</p> <p>10 Q Were you with Rocky when she received that 12:01</p> <p>11 text?</p> <p>12 A Yes.</p> <p>13 Q Wasn't she already in Penthouse 3 as of</p> <p>14 8:06 p.m.?</p> <p>15 A When she received the text, she was not in 12:01</p> <p>16 Penthouse 3. She was in Penthouse 5 with me. But,</p> <p>17 again, I can't -- I -- I can't recall with</p> <p>18 specificity the exact time of these events.</p> <p>19 Q How do you explain why Mr. Bett and</p> <p>20 Mr. Judge never saw Ms. Pennington enter PH 3 that 12:01</p> <p>21 evening?</p> <p>22 MS. VIGLIETTA: Objection. Lacks</p> <p>23 foundation; calls for speculation; assumes facts not</p> <p>24 in evidence.</p> <p>25 THE WITNESS: I'm not going to speculate. 12:02</p> <p style="text-align: right;">Page 61</p>

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1 BY MR. CHEW: 12:02	1 after everything had transpired, I wanted to know 12:04
2 Q You don't know. You don't know one way or	2 what had -- what had happened. And to be very
3 the other?	3 honest with you, I can't recall specifically whether
4 A I'm not going to speculate on that.	4 I was told at that time or whether it was relayed to
5 Q At any time, including that night, did you 12:02	5 me at some point later in the evening, that iO had 12:04
6 ever see Mr. Depp strike Rocky Pennington?	6 been on the phone specifically to explain to Johnny
7 A No.	7 in regards to the excrement incident, and that at
8 Q If he had, you would have decked him,	8 some point while iO was on the phone, Johnny had hit
9 wouldn't you?	9 her in the face with the iPhone while Raquel was
10 A I would have given it an effort. In all 12:02	10 there. 12:04
11 likelihood, probably not, considering who Johnny had	11 And I don't know whether somebody yelled
12 next to him.	12 to call the police, but she was the one who called
13 Q That evening, did you see Mr. Depp smash	13 the police, is what it was relayed to me.
14 bottles of wine?	14 Q But all that was relayed to you; nothing
15 A No. 12:02	15 you observed? 12:05
16 Q Did you see him break furniture?	16 A I was not witness to it, no.
17 A No.	17 Q Going back to the Latina officer, was
18 Q Did you see him kick a hole through a	18 there another officer with her?
19 solid door?	19 A Yes. There was a bald gentleman, white.
20 A No. 12:02	20 Q Was his name -- do you recall that his 12:05
21 Q Do you recall when Mr. Depp, Mr. Bett, and	21 name was Tyler Hadden?
22 Mr. Judge left the building that night?	22 A I know that now from reading the
23 A If we're starting -- if -- if we're	23 proceedings, but I couldn't recall directly.
24 presuming that that text was received from Raquel at	24 Q Did you know -- did one of the two
25 8:06, they had left the building within 30 minutes, 12:03	25 identify herself as the senior officer? 12:05
Page 62	Page 64
1 to my recollection. 12:03	1 A No, not to my knowledge. 12:05
2 Q So it would be approximately sometime	2 Q With which officer, if -- if any, did you
3 around 8:30, 8:29?	3 speak that night?
4 A Thereabouts, but I don't recall	4 A Both.
5 specifically. 12:03	5 Q What did you say them -- to them, if you 12:05
6 Q What else do you remember about the events	6 recall?
7 of the evening of May 21?	7 A When they arrived, I greeted them at the
8 A I mean, I can -- I can tell you	8 door. I walked them through PH 3 to show them the
9 contemporaneously from the start, if there's	9 damage, show them the broken glass. They had
10 something specific you'd like me to expound on. 12:03	10 already walked through the hallway, over the 12:05
11 Q Who is Officer Melissa Saenz?	11 gigantic wine stain throughout the entire hallway.
12 A My understanding, it was the name of the	12 I took them through PH 3, like I said, to
13 Latina officer that first responded with her	13 show them the damage. I took them back out into the
14 partner.	14 hallway. Showed them the dent in the door shaped
15 Q When did she arrive at the scene, if you 12:03	15 like the bottom of a wine bottle in PH 1. 12:06
16 recall?	16 Took them into PH 5 to see broken picture
17 A Vaguely I remember them arriving about	17 frames, smashed glass, Raquel's jewelry and things
18 45 minutes to an hour after Johnny had left, but,	18 like that strewn about the apartment. And then I
19 again, exact times I'm a little foggy.	19 brought them back to PH 3, at which point they
20 Q Do you know why -- strike that. 12:04	20 separated. 12:06
21 Do you know who, if anyone, called it in?	21 The Latina officer pulled Amber aside
22 A My understanding is that iO called	22 specifically to speak to her one-on-one. The door
23 remotely.	23 was closed. I was outside with the other officer.
24 Q What is the basis of that understanding?	24 So I can't say with any specificity what happened
25 A Well, when I encountered Amber and Rocky 12:04	25 inside. I don't know whether anybody was in 12:06
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<p>1 earshot. I don't know whether anybody else was 12:06</p> <p>2 around. They told me specifically it was</p> <p>3 one-on-one.</p> <p>4 And I was outside the door with the male</p> <p>5 officer, and specifically my communication with him 12:06</p> <p>6 was asking what, if anything, could be done, because</p> <p>7 we were obviously upset.</p> <p>8 And his comment to me specifically was</p> <p>9 there's damage in these apartments. Her face is</p> <p>10 red. If she wants to file a report, we have enough 12:06</p> <p>11 here to go pick him up.</p> <p>12 Q Do you recall telling one or both of the</p> <p>13 officers that everything is fine?</p> <p>14 A No.</p> <p>15 Q Do you have any reason, sitting here 12:07</p> <p>16 today, to believe that Officer Saenz would commit</p> <p>17 perjury?</p> <p>18 A No.</p> <p>19 Q Do you have any reason, sitting here</p> <p>20 today, to know why Officer Hadden would commit 12:07</p> <p>21 perjury?</p> <p>22 A I'm really not comfortable speculating on</p> <p>23 the behavior of LAPD officers. I know what I saw.</p> <p>24 I know what I heard. I know what my interactions</p> <p>25 were. And I know what I've read in the 12:07</p> <p align="right">Page 66</p>	<p>1 you aware of anyone in the world who has accuse -- 12:08</p> <p>2 any woman in the world who has accused Johnny of</p> <p>3 hitting her?</p> <p>4 A Again, I'm not going to -- I'm not going</p> <p>5 to go back to tabloid fodder throughout the history 12:08</p> <p>6 of it. If memory serves, there were one or two</p> <p>7 other pieces of public record that had stated</p> <p>8 something akin to that without saying it directly,</p> <p>9 ex-girlfriends.</p> <p>10 Q Did Vanessa Paradis ever commit -- accuse 12:09</p> <p>11 him of hitting her?</p> <p>12 A I couldn't tell you.</p> <p>13 Q Did Wynona Ryder ever accuse her of --</p> <p>14 A I couldn't tell you.</p> <p>15 Q -- him of hitting her? 12:09</p> <p>16 (Reporter clarification.)</p> <p>17 Q Did Kate Moss ever accuse him of hitting</p> <p>18 her?</p> <p>19 A I couldn't tell you, but if memory serves,</p> <p>20 she was one of the declarat- -- or one of the public 12:09</p> <p>21 figures that had alluded to it, but, again, I -- I</p> <p>22 don't recall with any specificity.</p> <p>23 Q Do you recall having a conversation with</p> <p>24 Rocky and Amber after Mr. Depp and his security</p> <p>25 personnel left the building but before Officer Saenz 12:09</p> <p align="right">Page 68</p>
<p>1 declarations. 12:07</p> <p>2 Q What declarations have you read?</p> <p>3 A I received the declaration specifically</p> <p>4 that was filed in court that's public record on</p> <p>5 Amber's side, as well as Johnny's side. 12:07</p> <p>6 Q Which declarations did you read?</p> <p>7 A Specifically for -- for this case. I</p> <p>8 couldn't tell you which it is. Whatever is public</p> <p>9 record.</p> <p>10 Q Did you read Rocky's declaration? 12:08</p> <p>11 A I didn't even know there was one.</p> <p>12 Q Did you read Amber's declaration?</p> <p>13 A Yes.</p> <p>14 Q Did you assume it to be true?</p> <p>15 A I don't assume anything when it comes down 12:08</p> <p>16 to all of this. I know what I saw, I know what I've</p> <p>17 been told, and I take that as it is.</p> <p>18 Q But you've never seen Johnny hit Amber?</p> <p>19 A That's correct. And I've affirmed it to</p> <p>20 everybody that I've spoken to. I've been explicit 12:08</p> <p>21 about that.</p> <p>22 Q And you've never seen Johnny hit any</p> <p>23 woman?</p> <p>24 A Correct.</p> <p>25 Q And other than Rocky and Amber Heard, are 12:08</p> <p align="right">Page 67</p>	<p>1 and Officer Hadden arrived? 12:09</p> <p>2 A Yes.</p> <p>3 Q Tell us about that.</p> <p>4 A You'll have to forgive me again. My -- my</p> <p>5 memory of these acts, circums of events -- sequence 12:10</p> <p>6 of events -- I'm sorry -- that transpired after all</p> <p>7 this is -- is a little foggy.</p> <p>8 If memory serves, Amber was damn near</p> <p>9 catatonic after all of this. We had gotten her into</p> <p>10 PH 1 so we could deadbolt the door and keep her safe 12:10</p> <p>11 until he left.</p> <p>12 A few minutes thereafter, I had gotten a</p> <p>13 little bit of a rundown from Raquel over what had</p> <p>14 transpired. Raquel got her to call her lawyer,</p> <p>15 Samantha Spector, to find out what to do. 12:10</p> <p>16 And if memory serves, Samantha's</p> <p>17 recommendation was that we immediately put together</p> <p>18 a contemporaneous, matter-of-fact statement together</p> <p>19 of what had transpired that night and that</p> <p>20 ultimately it was up to Amber as to what she wanted 12:10</p> <p>21 to do with the police or whatever it may be.</p> <p>22 Q Is Samantha Spector a criminal lawyer?</p> <p>23 A I couldn't tell you what she specializes</p> <p>24 in.</p> <p>25 Q She's a divorce lawyer; right? 12:11</p> <p align="right">Page 69</p>

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<p>1 MS. VIGLIETTA: Objection. Calls for 12:11</p> <p>2 speculation; lack of foundation.</p> <p>3 He just said he doesn't know.</p> <p>4 BY MR. CHEW:</p> <p>5 Q Didn't Amber also text her makeup artist 12:11</p> <p>6 Ms. Inglessis?</p> <p>7 A I can't say.</p> <p>8 Q Didn't she also call her publicist Jodi</p> <p>9 Gottlieb?</p> <p>10 A Yes. 12:11</p> <p>11 Q Is that an ordinary thing for a woman to</p> <p>12 do who's allegedly been beaten?</p> <p>13 A I'm not --</p> <p>14 MS. VIGLIETTA: Objection. Sorry. Calls</p> <p>15 for speculation; lacks foundation. 12:11</p> <p>16 THE WITNESS: Do I need to answer this?</p> <p>17 MS. VIGLIETTA: Sure, if you know.</p> <p>18 THE WITNESS: I'm not going to speculate</p> <p>19 on any motives, but I can tell you specifically,</p> <p>20 Melanie and Jodi were not just employees of Amber. 12:11</p> <p>21 They served a function, and they served a purpose.</p> <p>22 They were close, dear friends.</p> <p>23 So I can't speculate on the motive for</p> <p>24 calling a publicist per se, but I can speculate on</p> <p>25 the motive for calling a dear friend who had been 12:12</p> <p style="text-align: right;">Page 70</p>	<p>1 Q You may answer the question. 12:13</p> <p>2 A To -- to what my attorney said</p> <p>3 specifically, it was not about getting stories</p> <p>4 straight. Like I said, it was a contemporaneous,</p> <p>5 matter-of-fact statement of what had transpired 12:13</p> <p>6 throughout the night. Individual, not one general.</p> <p>7 One for me, one for Raquel, one for Liz, one for</p> <p>8 Amber, to be sent separately.</p> <p>9 Q Was there a conversation among the four of</p> <p>10 you about what happened so you would have a unified 12:13</p> <p>11 story?</p> <p>12 A I mean, me personally, I wanted to know</p> <p>13 what the hell had happened in that room. It wasn't</p> <p>14 specifically to do that. And I didn't speculate</p> <p>15 specifically on what I hadn't seen. My account was 12:13</p> <p>16 only what I had actually witnessed, not what I had</p> <p>17 been told. I can't speak to -- I can't speak to</p> <p>18 their accounts. I didn't read them. I only went</p> <p>19 through mine.</p> <p>20 Q You referred, Mr. Drew, to iO Tillett. Do 12:14</p> <p>21 you recall that?</p> <p>22 A Correct.</p> <p>23 Q And you said that she may have called the</p> <p>24 incident in -- the incident in remotely. Do you</p> <p>25 recall that? 12:14</p> <p style="text-align: right;">Page 72</p>
<p>1 with Amber for years and had been there throughout 12:12</p> <p>2 this whole thing. And quite frankly, they're both</p> <p>3 public figures.</p> <p>4 So me personally, I would fully understand</p> <p>5 why somebody would want to speak to their team about 12:12</p> <p>6 what had transpired. It's not just something that</p> <p>7 she can maintain private.</p> <p>8 BY MR. CHEW:</p> <p>9 Q Was Ms. Spector -- strike that.</p> <p>10 Were Ms. Heard and Ms. Spector on a 12:12</p> <p>11 speakerphone? Could you hear the conversation?</p> <p>12 A No.</p> <p>13 Q So you -- and, again, just tell me whether</p> <p>14 I'm right or wrong. Is it fair to say that you only</p> <p>15 heard Amber's side of the conversation? 12:12</p> <p>16 A I gave her privacy. So I didn't hear any</p> <p>17 of it directly.</p> <p>18 Q Did Amber explain to you or Rocky why</p> <p>19 Ms. Spector said it was necessary for you all to get</p> <p>20 your stories straight? 12:12</p> <p>21 MS. VIGLIETTA: Objection.</p> <p>22 Mischaracterizes the testimony.</p> <p>23 I don't think you ever said anything about</p> <p>24 getting your stories straight.</p> <p>25 BY MR. CHEW: 12:13</p> <p style="text-align: right;">Page 71</p>	<p>1 A That's my understanding, yes. 12:14</p> <p>2 Q Where was iO Tillett at the time of the</p> <p>3 incident?</p> <p>4 A I couldn't tell you.</p> <p>5 Q Why would she have called -- why would she 12:14</p> <p>6 have called it in remotely?</p> <p>7 A Oh. I mean, she wasn't present, and she</p> <p>8 was scared for her friend.</p> <p>9 Q How do you know that she was scared for</p> <p>10 her friend? 12:14</p> <p>11 A Basic human nature.</p> <p>12 Q Did you ever hear Amber Heard -- strike</p> <p>13 that.</p> <p>14 Are you aware that Amber Heard spoke to</p> <p>15 Officer Saenz and Officer Hadden that evening? 12:15</p> <p>16 A Yes.</p> <p>17 Q Were you present when she was speaking to</p> <p>18 them?</p> <p>19 A No.</p> <p>20 Q Do you recall her saying to anyone that 12:15</p> <p>21 night, in words or substance, that -- that "I</p> <p>22 decline to give a statement on advice of counsel"?</p> <p>23 A I did not hear that directly. All I was</p> <p>24 told by the officers as they left, that she's</p> <p>25 declining to file a complaint. 12:15</p> <p style="text-align: right;">Page 73</p>

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<p>1 Q Did Amber file the complaint that night? 12:15</p> <p>2 A No.</p> <p>3 Q Did the police arrest Mr. Depp?</p> <p>4 A No.</p> <p>5 Q Did they issue a warrant for his arrest? 12:15</p> <p>6 A Not that I'm aware of.</p> <p>7 Q Mr. Drew, let's turn for the moment to</p> <p>8 May 22nd, 2016. Did you see Ms. Heard at all that</p> <p>9 day?</p> <p>10 A Yes. 12:15</p> <p>11 Q When did you see her?</p> <p>12 A At various points throughout the day. If</p> <p>13 memory serves, Raquel had committed to a jewelry</p> <p>14 show somewhere -- I want to say it was downtown. I</p> <p>15 might be mistaken. It might have been on Venice. 12:16</p> <p>16 Somewhere in Los Angeles. So she was out most of</p> <p>17 the day.</p> <p>18 So I cleared my schedule to be able to be</p> <p>19 there should Amber need anything. If memory serves,</p> <p>20 either her attorney or somebody in her -- in her 12:16</p> <p>21 group hired a -- had a friend come over with a</p> <p>22 locksmith to change the locks just to be safe, and I</p> <p>23 was there to make sure that that happened and, like</p> <p>24 I said, be there for Amber should she need anything,</p> <p>25 just so she wasn't alone. 12:16</p> <p align="right">Page 74</p>	<p>1 see marks anywhere else, other than the ones you've 12:17</p> <p>2 described?</p> <p>3 A No.</p> <p>4 Q Did you have any discussion with Ms. Heard</p> <p>5 today about her appearance? 12:17</p> <p>6 A I'm sorry. Could you repeat the question?</p> <p>7 Q Did you have any discussion, did you talk</p> <p>8 with Ms. Heard about the prior evening's events?</p> <p>9 A Not a second.</p> <p>10 MS. VIGLIETTA: Sorry. I just want to 12:17</p> <p>11 make sure that the testimony is clear. You said</p> <p>12 today. You're asking whether he had that</p> <p>13 conversation with Ms. Heard today?</p> <p>14 MR. CHEW: Let me -- let me clarify.</p> <p>15 BY MR. CHEW: 12:18</p> <p>16 Q Did -- on -- at any time on May 22nd, did</p> <p>17 you discuss with Ms. Heard the events of the prior</p> <p>18 evening?</p> <p>19 A It's certainly possible, but I distinctly</p> <p>20 remember not doing that to try and give her a break 12:18</p> <p>21 from what I knew was going to be a pretty arduous</p> <p>22 process.</p> <p>23 Q Do you know whether Ms. Heard ever went to</p> <p>24 an emergency room for treatment?</p> <p>25 A My understanding is no. 12:18</p> <p align="right">Page 76</p>
<p>1 Q And do you recall the name of the person 12:16</p> <p>2 who came over to --</p> <p>3 A I don't.</p> <p>4 Q -- help?</p> <p>5 A It was an older gentleman. I want to say 12:16</p> <p>6 late 50s, early 60s.</p> <p>7 Q When you saw Amber on May 22nd, you don't</p> <p>8 know whether it was the morning or the afternoon; is</p> <p>9 that right?</p> <p>10 A It was sporadic throughout the day. I 12:17</p> <p>11 think it was some point late morning and throughout</p> <p>12 the afternoon.</p> <p>13 Q When you first saw her, did you notice any</p> <p>14 marks on her face?</p> <p>15 A Yes. 12:17</p> <p>16 Q Describe the marks, please.</p> <p>17 A To be very honest with you, I don't</p> <p>18 actually remember which side of her face it was, but</p> <p>19 I do distinctly remember there being a red mark and</p> <p>20 a small bruise on her cheekbone and red marks just 12:17</p> <p>21 above her eyebrow and to the right side -- or to the</p> <p>22 side of her eyebrow.</p> <p>23 Q Did you see any swelling?</p> <p>24 A A little bit.</p> <p>25 Q Can you remember anything else -- did you 12:17</p> <p align="right">Page 75</p>	<p>1 Q Do you know whether Ms. Heard ever went to 12:18</p> <p>2 a medical doctor for treatment?</p> <p>3 MS. VIGLIETTA: Objection. Lacks</p> <p>4 foundation; calls for speculation.</p> <p>5 MR. CHEW: Not really, but let me -- let 12:18</p> <p>6 me make it a better question anyway.</p> <p>7 BY MR. CHEW:</p> <p>8 Q Do you know one way or the other whether</p> <p>9 Ms. Heard went to a medical doctor for alleged</p> <p>10 injuries arising from the night of May 21st? 12:18</p> <p>11 A Not to my knowledge, no.</p> <p>12 Q Do you know whether Ms. Heard ever sought</p> <p>13 any psychological counseling relating to alleged</p> <p>14 abuse by Mr. Depp at any time?</p> <p>15 MS. VIGLIETTA: Same objections. 12:19</p> <p>16 BY MR. CHEW:</p> <p>17 Q You may answer.</p> <p>18 MS. VIGLIETTA: Lacks foundation; calls</p> <p>19 for speculation.</p> <p>20 Go ahead. 12:19</p> <p>21 BY MR. CHEW:</p> <p>22 Q But you may answer.</p> <p>23 A That's -- I know, invariably, she had</p> <p>24 therapists that she spoke to. I can't say whether</p> <p>25 it was one, whether it was a number of that she 12:19</p> <p align="right">Page 77</p>

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<p>1 utilized throughout my friendship with her. I can't 12:19</p> <p>2 say with any specificity the reasons for why she was</p> <p>3 going to do that, but I can understand why somebody</p> <p>4 would want and need a therapist in general, so...</p> <p>5 Q I do too, but I -- just to be clear, 12:19</p> <p>6 you're not aware, sitting here today, that she ever</p> <p>7 sought the help of a therapist relating to the</p> <p>8 events of May 21; correct?</p> <p>9 A No. That's correct.</p> <p>10 Q And you're not aware, sitting here today, 12:19</p> <p>11 whether she ever thought -- sought therapy relating</p> <p>12 to her allegations of abuse by Mr. Depp?</p> <p>13 A In that instance, no.</p> <p>14 Q Are you aware of -- of any instance in</p> <p>15 which she sought therapy relating to alleged abuse? 12:20</p> <p>16 A I'm aware of her going to a therapist to</p> <p>17 deal with any variety of personal issues, as well as</p> <p>18 relationship-related issues.</p> <p>19 In regards to abuse, emotional or</p> <p>20 physical, I can't say specifically. I wasn't privy 12:20</p> <p>21 to those conversations.</p> <p>22 Q So you don't -- you don't know for sure</p> <p>23 why she went to seek therapy; correct?</p> <p>24 A Correct.</p> <p>25 Q I mean, there are a million reasons why 12:20</p> <p style="text-align: right;">Page 78</p>	<p>1 to what I'm asking about, but on May 22nd, the day 12:21</p> <p>2 after the alleged event, did you or Rocky attend a</p> <p>3 party hosted by Amanda de Cadenet?</p> <p>4 A I did not. I honestly don't recall. I</p> <p>5 don't think Raquel went. 12:21</p> <p>6 Q Do you know whether Ms. Heard went?</p> <p>7 A I believe so, yes.</p> <p>8 Q Did -- are you aware that Mr. Harrell has</p> <p>9 testified about Mr. Heard's appearance that day?</p> <p>10 A I don't know who that is. 12:22</p> <p>11 Q He's one of the employees at the -- at the</p> <p>12 building.</p> <p>13 A Sure. I -- I don't -- I don't recall who</p> <p>14 this person is, and I can't say who testified to</p> <p>15 what. 12:22</p> <p>16 MR. CHEW: All right. Well, I think we've</p> <p>17 been going for about an hour and 20 minutes, and we</p> <p>18 do have some -- I think it's probably a good time</p> <p>19 for a lunch break. I think we're on schedule.</p> <p>20 THE WITNESS: Okay. 12:22</p> <p>21 MR. CHEW: So why don't we go off the</p> <p>22 record.</p> <p>23 THE VIDEOGRAPHER: We're now going off the</p> <p>24 record --</p> <p>25 MS. KAPLAN: While we're still on the 12:22</p> <p style="text-align: right;">Page 80</p>
<p>1 people righteously [sic] should seek therapy; true? 12:20</p> <p>2 A Certainly.</p> <p>3 (Reporter clarification.)</p> <p>4 THE WITNESS: Certainly.</p> <p>5 BY MR. CHEW: 12:20</p> <p>6 Q Do you recall any conversations you had</p> <p>7 with Rocky that day, May 22nd, about the events of</p> <p>8 May 21?</p> <p>9 A Again, I think, if memory serves, it was</p> <p>10 very much similar in regards to my answer to Amber. 12:20</p> <p>11 They had been through something that I believe --</p> <p>12 that was very, very traumatic to both of them, and</p> <p>13 kind of beating that drum seemed to me to be not the</p> <p>14 best course of action; that it might be prudent for</p> <p>15 somebody to just treat them like regular human 12:21</p> <p>16 beings, business as usual, and try and maintain some</p> <p>17 measure of normalcy.</p> <p>18 So if memory serves, to be very candid, I</p> <p>19 do believe we kept it very light for that day at</p> <p>20 least. 12:21</p> <p>21 Q Going back to the evening of May 21, did</p> <p>22 you hear Amber Heard scream that night?</p> <p>23 A No.</p> <p>24 Q Sorry to jump around. It's just the</p> <p>25 nature of the beast, and I'll try to be specific as 12:21</p> <p style="text-align: right;">Page 79</p>	<p>1 record, for a matter of housekeeping, can we mark 12:22</p> <p>2 the drawing that Mr. Chew made as Drew 1, please?</p> <p>3 MR. CHEW: That's an excellent idea.</p> <p>4 That's -- if we can mark that, and we can make</p> <p>5 copies for everybody during the lunch break. 12:23</p> <p>6 THE VIDEOGRAPHER: We're now going off the</p> <p>7 record. The time on the video monitor is 12:23 p.m.</p> <p>8 (Luncheon recess.)</p> <p>9 THE VIDEOGRAPHER: We are now going back</p> <p>10 on the record. The time on the video monitor is 01:12</p> <p>11 1:12 p.m. This is the beginning of Media 2 in the</p> <p>12 videotaped deposition of Joshua Drew.</p> <p>13 BY MR. CHEW:</p> <p>14 Q Good afternoon, Mr. Drew.</p> <p>15 You testified before the breaks [sic] that 01:12</p> <p>16 you saw certain marks on Ms. Heard's face on May 22;</p> <p>17 correct?</p> <p>18 A Correct.</p> <p>19 Q You have no firsthand knowledge of how</p> <p>20 they got there; correct? 01:12</p> <p>21 A Correct.</p> <p>22 Q Are you aware that Cornelius Harrell</p> <p>23 testified that there were no marks -- that he</p> <p>24 observed no marks on Ms. Heard that day?</p> <p>25 A I'm not aware of that, no. 01:12</p> <p style="text-align: right;">Page 81</p>

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<p>1 Q Are you aware that he testified under oath 01:12</p> <p>2 that she looked beautiful, radiant, and refreshed</p> <p>3 that day?</p> <p>4 A I am not aware of that.</p> <p>5 Q Are you aware -- are you aware that 01:12</p> <p>6 Alejandro Romero testified that either on May 23rd</p> <p>7 or May 24th, that he saw no swelling or marks on</p> <p>8 Ms. Heard?</p> <p>9 A I'm aware very loosely of the varieties of</p> <p>10 testimonies of the concierge staff at other stages 01:13</p> <p>11 of what they have, but with any specificity, I can't</p> <p>12 say for any of them.</p> <p>13 Q How did you become aware of the</p> <p>14 testimonies of the concierge staff?</p> <p>15 A Through the -- the public record 01:13</p> <p>16 statement -- or not -- not statement. I -- I</p> <p>17 don't -- you'll have to forgive me. I don't know</p> <p>18 the exact word for what it was. Whatever -- the</p> <p>19 complaint maybe.</p> <p>20 Q Who showed you the complaint? 01:13</p> <p>21 A I was provided it by my attorney.</p> <p>22 Q Did you ever discuss that during your</p> <p>23 brief conversation with Amber about the case?</p> <p>24 A No.</p> <p>25 Q Are you aware that Trinity Esparza also 01:13</p> <p style="text-align: right;">Page 82</p>	<p>1 MS. VIGLIETTA: Objection. Lacks 01:14</p> <p>2 foundation; calls for speculation.</p> <p>3 He said he doesn't know.</p> <p>4 THE WITNESS: Yeah. I don't know. I have</p> <p>5 no idea. 01:14</p> <p>6 BY MR. CHEW:</p> <p>7 Q He didn't have an opportunity to be heard;</p> <p>8 correct?</p> <p>9 MS. VIGLIETTA: Objection.</p> <p>10 BY MR. CHEW: 01:15</p> <p>11 Q Do you know if he had an opportunity to be</p> <p>12 heard?</p> <p>13 MS. VIGLIETTA: Objection. It lacks</p> <p>14 foundation. It calls for speculation. It's vague,</p> <p>15 ambiguous. I don't even know what you mean by 01:15</p> <p>16 "opportunity to be heard."</p> <p>17 BY MR. CHEW:</p> <p>18 Q Do you know whether he submitted any</p> <p>19 papers to the Court?</p> <p>20 A I have no idea what occurred with the 01:15</p> <p>21 proceedings outside of her filing for that.</p> <p>22 Q Do you know what role, if any, Rocky had</p> <p>23 with respect to the filing of the TRO?</p> <p>24 A I don't. Outside of confidante.</p> <p>25 Q Outside of what? 01:15</p> <p style="text-align: right;">Page 84</p>
<p>1 testified that on May 23rd or May 24th, she saw no 01:13</p> <p>2 swelling or other marks on Ms. Heard's face?</p> <p>3 A No.</p> <p>4 Q Are you aware that on May 27th,</p> <p>5 Ms. Esparza testified that she suddenly saw red 01:13</p> <p>6 marks under Ms. Heard's right eye?</p> <p>7 A I'm aware secondhand that something like</p> <p>8 that had transpired.</p> <p>9 Q How did you become aware of that</p> <p>10 secondhand? 01:14</p> <p>11 A I honestly can't recall.</p> <p>12 Q Did you see Mr. Depp on May 27th?</p> <p>13 A No.</p> <p>14 Q He -- he never returned to the penthouses;</p> <p>15 correct? 01:14</p> <p>16 A I have not seen him since the incident</p> <p>17 that evening.</p> <p>18 Q Were you aware that Ms. Heard was seeking</p> <p>19 an ex parte temporary restraining order?</p> <p>20 A Yes. 01:14</p> <p>21 Q Do you know where Mr. Depp was when</p> <p>22 Ms. Heard obtained her ex parte temporary</p> <p>23 restraining order?</p> <p>24 A No.</p> <p>25 Q He was out of the country, wasn't he? 01:14</p> <p style="text-align: right;">Page 83</p>	<p>1 A Confidante, just being her friend. 01:15</p> <p>2 Q You don't --</p> <p>3 (Simultaneous speakers.)</p> <p>4 A I don't -- I don't know if she played any</p> <p>5 official role. I don't know what her participation 01:15</p> <p>6 was in any way.</p> <p>7 Q While you were married to Rocky, was it</p> <p>8 common for them to email each other?</p> <p>9 A I can't say.</p> <p>10 Q Was it common for them to text each other? 01:15</p> <p>11 A Yes.</p> <p>12 Q Do you know whether Rocky ever deleted any</p> <p>13 texts from Amber?</p> <p>14 A I have no idea.</p> <p>15 Q Do you know whether Amber ever deleted any 01:15</p> <p>16 texts from Rocky?</p> <p>17 A I have no idea.</p> <p>18 Q Mr. Drew, let's move back to the time</p> <p>19 period when you lived with Rocky in Penthouse 3 --</p> <p>20 or strike that -- in Penthouse 1. 01:16</p> <p>21 Did you ever notice anyone visiting Amber</p> <p>22 Heard at night while Mr. Depp was away?</p> <p>23 A During the time that I was living there?</p> <p>24 Q Yes.</p> <p>25 A Yes. 01:16</p> <p style="text-align: right;">Page 85</p>

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1 Q On how many occasions? 01:16	1 recognize Elon Musk? 01:18
2 A I wouldn't even be able to estimate.	2 A Yes.
3 Q Was it more than 10?	3 Q When did you first see Elon Musk at
4 A Yes.	4 Penthouse 3?
5 Q Was it more than 20? 01:16	5 A I'm a little -- again, I'm -- I'm not 01:18
6 A Yes.	6 quite clear exactly, but I want to say it was about
7 Q Was it more than 30?	7 three to four weeks after the restraining order was
8 A Yes.	8 filed.
9 Q Was it more than 50?	9 Q But while Mr. Depp and Ms. Heard were
10 A Again, I -- I can't really speculate. I 01:16	10 still married; correct? 01:18
11 was there for quite some time.	11 A Yes.
12 Q When did that first occur?	12 Q Did you ever see Mr. Musk there in the
13 A I mean, I'm not -- again, I'm not privy to	13 early morning?
14 her comings and goings, and she had other friends	14 A No.
15 than us that were coming to see her, so... 01:16	15 Q Are you aware that Mr. Romero testified 01:18
16 Q And, again, to be specific, I'm just	16 that Mr. Musk was spending the night as of March of
17 talking about visitors at night when Mr. Depp was	17 2015, well prior to the restraining order?
18 away.	18 A I'm not.
19 A Again, I can't say with any specificity.	19 Q How often -- or strike that.
20 Q When did that first happen that you are 01:17	20 How many times did you see Mr. Musk at 01:19
21 aware of?	21 Ms. Heard's condo -- or strike that -- at Mr. Depp's
22 A I mean, I would say pretty early on, but,	22 condo?
23 again, I -- there's no context to it.	23 A A -- again, it's tough to speculate. A
24 The other consideration that I would say	24 handful of times. Maybe four or five, if memory
25 is that the hallway between all of these penthouses 01:17	25 serves. 01:19
Page 86	Page 88
1 was a public right-of-way going to the pool. So my 01:17	1 Q Do you recall seeing Mr. Musk at 01:19
2 understanding of people coming and going, it might	2 Penthouse 3 in or about June of 2016?
3 have been the public. It might have been	3 A I can't recall specifically, but it's
4 residents -- or I'm sorry. Not public. It might	4 certainly possible.
5 have been residents in the building. I can't really 01:17	5 Q Do you recall seeing Ms. Heard with marks 01:19
6 say with any specificity.	6 on her face, throat, and arm in or about mid June of
7 Q But you had a pretty good view of	7 2016?
8 Penthouse 3; correct?	8 A I don't recall, no.
9 A Well, no. I mean, walls and doors.	9 Q After May 22nd, 2016, did you ever see any
10 They're -- it's not translucent. 01:17	10 marks on Ms. Heard? 01:20
11 Q But once you're outside of your apartment,	11 A Not to my knowledge, no.
12 you could see the doorway to Penthouse 3; correct?	12 Q Did you ever discuss the relationship
13 A How much time does anybody spend outside	13 between Mr. Musk and Amber Heard with Rocky?
14 of their apartment standing in a hallway?	14 A Yes.
15 Q I don't know. I'm asking you. 01:17	15 Q What did you-all discuss? 01:20
16 A Not at all.	16 A My answer is going to be similar to when
17 Q Well --	17 you asked this of Amber and Johnny's relationship.
18 A I wasn't standing --	18 Like anything else, it had its ups and downs and
19 Q -- you said you saw guests coming --	19 tumultuous elements to it. So it really depended on
20 A No. I can hear guests. I can hear people 01:17	20 what the local circumstance was, whether things were 01:20
21 walking by. I'm not standing at the keyhole.	21 good, whether things were not good, and so on and so
22 Q Who is Elon Musk?	22 forth.
23 A Elon Musk was a gentleman that Amber dated	23 Q Did Rocky tell you that Mr. Musk and Amber
24 intermittently following the restraining order.	24 Heard were having an affair?
25 Q When did you -- can you -- can you 01:18	25 A No. 01:20
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<p>1 Q Did she tell you that Mr. Musk was 01:20</p> <p>2 spending the night with Amber Heard while she was</p> <p>3 still married to Mr. Depp?</p> <p>4 A That's a tricky question, again, because</p> <p>5 the only knowledge I have of Mr. Musk coming to the 01:21</p> <p>6 penthouse specifically, the only time I ever</p> <p>7 observed it was after the restraining order had been</p> <p>8 filed.</p> <p>9 So technically to your question, yes, but</p> <p>10 not prior to the restraining order, to my knowledge. 01:21</p> <p>11 Q So Rocky had told you that at some point</p> <p>12 prior -- or strike that.</p> <p>13 Rocky told you, at some point after the</p> <p>14 restraining order but while Amber and Johnny were</p> <p>15 still married, that Amber and Elon Musk were having 01:21</p> <p>16 an affair; correct?</p> <p>17 A Correct.</p> <p>18 Q Do you know -- did she tell you how long</p> <p>19 that affair lasted?</p> <p>20 A No. 01:21</p> <p>21 Q Did she tell you that Amber was having</p> <p>22 affairs with people other than Elon Musk while she</p> <p>23 was still married to Johnny Depp?</p> <p>24 A Not to my knowledge, no.</p> <p>25 Q Who is Ms. Cara Delevingne? I'm 01:21</p> <p style="text-align: right;">Page 90</p>	<p>1 Q So other than these multiple affairs, can 01:22</p> <p>2 you speak to any other affairs that Ms. Heard was</p> <p>3 having while living in Johnny's apartment?</p> <p>4 A You'll have to bear with me for a second</p> <p>5 just to sort of go through. 01:22</p> <p>6 Honestly, no, I don't recall. Just those</p> <p>7 two.</p> <p>8 Q Who is James Franco?</p> <p>9 A A costar and friend of Amber's.</p> <p>10 Q Did you ever see Mr. Franco at 01:23</p> <p>11 Penthouse 3?</p> <p>12 A No.</p> <p>13 Q Did you ever discuss Amber's relationship,</p> <p>14 if any, with James Franco with Rocky?</p> <p>15 A Yes, but not an intimate relationship. 01:23</p> <p>16 Q What -- how did Rocky describe Amber's</p> <p>17 relationship with James Franco?</p> <p>18 A The way it had been described to me</p> <p>19 specifically was that they had been costars at a</p> <p>20 certain point very early in Johnny and Amber's 01:23</p> <p>21 relationship, and it made Johnny very, very jealous,</p> <p>22 because I guess they had some intimate scenes that</p> <p>23 they were filming, which he was not fond of her</p> <p>24 doing, and it -- it was a lingering point of</p> <p>25 contention in their relationship. 01:24</p> <p style="text-align: right;">Page 92</p>
<p>1 mispronouncing her name. 01:21</p> <p>2 A I don't know if anybody can pronounce her</p> <p>3 last name, to be honest.</p> <p>4 Q Who is she?</p> <p>5 A A friend of Amber's. 01:21</p> <p>6 Q Did she also spend the night with Amber</p> <p>7 Heard?</p> <p>8 A It's possible, but I don't recall</p> <p>9 specifically.</p> <p>10 Q Did Rocky tell you that Amber Heard was 01:22</p> <p>11 having an affair with Cara Delevingne while she was</p> <p>12 still married to Johnny Depp?</p> <p>13 A Yes.</p> <p>14 Q Did she ever tell you that the three of</p> <p>15 them, Elon Musk, Cara Delevingne spent the night 01:22</p> <p>16 with Amber in November of 2016?</p> <p>17 A To a specific date, I can't say.</p> <p>18 Q Did she ever tell you, in words or</p> <p>19 substance, while Amber was still married to Johnny</p> <p>20 Depp, that the three of them, Amber Heard, Elon 01:22</p> <p>21 Musk, and Cara Delevingne spent the night together?</p> <p>22 A Yes.</p> <p>23 Q So they were having, what, a three-way</p> <p>24 affair; correct?</p> <p>25 A My understanding, yes. 01:22</p> <p style="text-align: right;">Page 91</p>	<p>1 Just the mention of his name would cause 01:24</p> <p>2 issues between the two of them. And I believe at</p> <p>3 one point she was doing a project with him, and</p> <p>4 Johnny was not happy about it, and they were arguing</p> <p>5 about it pretty regularly. 01:24</p> <p>6 Q Do you remember the time frame of when</p> <p>7 Amber was doing the project with Mr. Franco?</p> <p>8 A I want to say it would have been sometime</p> <p>9 in 2015 or 2016, but, again, I'm not -- I'm not</p> <p>10 fully clear on it. 01:24</p> <p>11 Q Do you know -- or strike that.</p> <p>12 Did Rocky tell you that Amber had any kind</p> <p>13 of a physical relationship with James Franco, short</p> <p>14 of an affair?</p> <p>15 A What was communicated to me by Raquel was 01:24</p> <p>16 the exact opposite, that they hadn't had any type of</p> <p>17 physical relationship, and that just exacerbated</p> <p>18 Johnny's jealousy and frustration with it.</p> <p>19 Q And the source of Rocky's information</p> <p>20 was -- was Amber Heard; correct? 01:25</p> <p>21 A That's my understanding, yes.</p> <p>22 Q Have you ever known Amber Heard to say</p> <p>23 something that was not truthful?</p> <p>24 A Yes.</p> <p>25 Q On how -- on what occasions did Ms. Heard 01:25</p> <p style="text-align: right;">Page 93</p>

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<p>1 say something that was not truthful? 01:25</p> <p>2 A Well, specifically my -- my firsthand</p> <p>3 knowledge is -- again, most of it is really sort of</p> <p>4 secondhand. There was -- there were some -- there</p> <p>5 was an incident specifically around the -- what 01:25</p> <p>6 predicated my divorce from Raquel, for which I</p> <p>7 didn't actually hear anything from her, but</p> <p>8 secondhand there were things that were said and</p> <p>9 things that I saw that I knew not to be true.</p> <p>10 Q Can you remember anything sitting here 01:26</p> <p>11 today?</p> <p>12 A Not specifically, to be very honest with</p> <p>13 you.</p> <p>14 Q Was she aware that your wife was having an</p> <p>15 affair? 01:26</p> <p>16 A Yes.</p> <p>17 Q Was this some -- and she did not disclose</p> <p>18 that to you; correct?</p> <p>19 A No.</p> <p>20 Q Isn't this something a friend should 01:26</p> <p>21 disclose to another friend?</p> <p>22 A Yes.</p> <p>23 Q Did -- and I'm not asking you to</p> <p>24 speculate. I'm just asking you one way or the</p> <p>25 other. 01:26</p> <p align="right">Page 94</p>	<p>1 Penthouse 1; correct? 01:27</p> <p>2 A I believe so. To be very honest,</p> <p>3 everything that really transpired at a certain point</p> <p>4 legally between the two of them, I extricated myself</p> <p>5 from a lot of it. 01:27</p> <p>6 So I can't say with any specificity when</p> <p>7 specific things happened, like the divorce was</p> <p>8 finalized or the settlement was signed. It's -- I</p> <p>9 want to say was settled, like, within six months of</p> <p>10 the -- of the restraining order. 01:27</p> <p>11 Q Do -- did you recall seeing Ms. Heard</p> <p>12 remove any items from Penthouse 3?</p> <p>13 A Yes.</p> <p>14 Q What do you recall her removing?</p> <p>15 A I don't remember anything specifically. 01:28</p> <p>16 Q Did she remove art?</p> <p>17 A Again, I don't remember anything specific.</p> <p>18 Q Did she remove furniture?</p> <p>19 A It's possible, but, again, I don't</p> <p>20 remember anything specific. 01:28</p> <p>21 Q Isn't it true she would -- she removed</p> <p>22 everything of value from Penthouse 3?</p> <p>23 A I have no knowledge of that.</p> <p>24 Q Do you recall whether there were yellow</p> <p>25 stickers adorning the belongings? 01:28</p> <p align="right">Page 96</p>
<p>1 Do you know that Ms. Heard disclosed to 01:26</p> <p>2 Mr. Depp that she was having an extramarital affair</p> <p>3 with Elon Musk?</p> <p>4 A I have no knowledge of that.</p> <p>5 Q And do you know whether Ms. Heard informed 01:26</p> <p>6 her husband that she was having an affair with Cara</p> <p>7 Delevingne?</p> <p>8 A I have no knowledge.</p> <p>9 Q Is this something that a spouse should be</p> <p>10 entitled to know? 01:26</p> <p>11 MS. VIGLIETTA: Objection. Calls for --</p> <p>12 BY MR. CHEW:</p> <p>13 Q You take vows; right?</p> <p>14 A Yeah.</p> <p>15 Q And one of them is fidelity; correct? 01:27</p> <p>16 A Correct.</p> <p>17 Q So wouldn't that -- something you would</p> <p>18 reasonably expect your -- your husband or wife to</p> <p>19 tell you?</p> <p>20 A One would hope. 01:27</p> <p>21 Q I would hope so too.</p> <p>22 Did there come a time when Mr. Depp and</p> <p>23 Ms. Heard divorced?</p> <p>24 A Yes.</p> <p>25 Q And were -- you were still living at -- in 01:27</p> <p align="right">Page 95</p>	<p>1 A That, I don't recall. 01:28</p> <p>2 Q Okay. Now I'm going to show you a few</p> <p>3 exhibits. This will be marked Drew No. 2 for</p> <p>4 identification.</p> <p>5 (Exhibit 2 marked.) 01:29</p> <p>6 Q I'll represent to you, in the interest of</p> <p>7 time, that this is the testimony of Officer Melissa</p> <p>8 Saenz that she gave in the context of the divorce.</p> <p>9 And you're certainly free to read as much</p> <p>10 or as little as you want. I'm just going to ask you 01:29</p> <p>11 about some entries. So I want you want to read</p> <p>12 that, and then if you need context, read as much as</p> <p>13 you wish.</p> <p>14 A Okay.</p> <p>15 Q I will first direct your -- well, first of 01:29</p> <p>16 all, was -- to your knowledge, was Officer Melissa</p> <p>17 Saenz one of the officers to whom you spoke on the</p> <p>18 evening of May 21, 2005?</p> <p>19 A I learned after the fact, yes.</p> <p>20 Q And was she the Latina officer to whom you 01:29</p> <p>21 referred?</p> <p>22 A That is my understanding, yes.</p> <p>23 Q Okay. If I could ask you please to move</p> <p>24 ahead in the transcript to page 14. And in the</p> <p>25 interest of time, the context here is that she met a 01:30</p> <p align="right">Page 97</p>

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1 gentleman, a white male. I don't think she's being	01:30	1 independently investigating indeed --	01:32
2 disparaging, but she described him as a generic		2 indicia that a crime had been committed."	
3 white male.		3 She says she is looking to see whether a	
4 A A spades a spade.		4 crime had been committed.	
5 Q Is -- to your understanding, was she	01:30	5 Do you have any reason to believe that	01:32
6 referring to you?		6 Officer Saenz was not dutifully investigating	
7 A Yeah.		7 whether a crime had been committed?	
8 MS. VIGLIETTA: Objection. Lacks		8 A I would like to read some of the preceding	
9 foundation; it calls for speculation.		9 lines just to --	
10 He's asking you what she meant in this	01:30	10 (Simultaneous speakers.)	01:32
11 single sentence that you just looked at.		11 Q You -- please.	
12 BY MR. CHEW:		12 A -- go over the context.	
13 Q Well, you did come out to greet Officer		13 Q Absolutely. Take your time.	
14 Saenz that night; correct?		14 A (Reviewing document.)	
15 A That's correct.	01:30	15 Okay. Can you repeat your question?	01:32
16 Q And moving down to para- -- to line 21,		16 Q Do you have any reason to believe that	
17 she's quoting you as saying, quote:		17 Officer Saenz was not making a good-faith	
18 "Everything is okay. It's fine. And she		18 investigation to determine whether a crime had been	
19 is in my apartment with my girlfriend."		19 committed that night?	
20 Did you say that, in words or substance,	01:30	20 A No.	01:33
21 to Officer Saenz?		21 MS. VIGLIETTA: Objection. Lacks	
22 A It's possible, yes.		22 foundation; calls for speculation.	
23 Q And when you said, "She's in my		23 BY MR. CHEW:	
24 apartment," were you referring to Ms. Heard?		24 Q Do you have any reason to believe that she	
25 A Yes.	01:31	25 wasn't acting in good faith?	01:33
Page 98		Page 100	
1 Q Did you identify her by name?	01:31	1 A No.	01:33
2 A I don't recall.		2 Q Moving on to the next page, Officer Saenz	
3 Q And when you said that Ms. -- when you		3 is describing what she saw on Amber's face, and she	
4 said that "She's in the apartment with my		4 says she does not see any marks, swelling, or	
5 girlfriend," "my girlfriend" refers to Rocky	01:31	5 bruises.	01:33
6 Pennington; correct?		6 Do you have any reason, sitting here	
7 A Correct.		7 today, to disbelieve Officer Saenz's sworn	
8 Q All right. And then moving ahead to		8 testimony?	
9 page 15, she's asked about what you told her, and		9 MS. VIGLIETTA: Objection. It lacks	
10 she said that you said, "Everything is fine." Does	01:31	10 foundation. It calls for speculation.	01:33
11 that sound right to you?		11 BY MR. CHEW:	
12 A Yes.		12 Q Do you have any reason or knowledge that	
13 Q Then she -- and perhaps she's speculating,		13 she was not telling the truth?	
14 but, if I direct your attention to line 18, Officer		14 MS. VIGLIETTA: Same objections.	
15 Saenz testifies:	01:31	15 Go ahead.	01:33
16 "You know what? My perception was that		16 THE WITNESS: I have stated what I	
17 he" -- meaning you -- "just wanted us to		17 observed. I'm not going to speculate on her	
18 go, that he -- that he'd gotten it -- he		18 motivations.	
19 had it under control."		19 BY MR. CHEW:	
20 Was her perception correct?	01:31	20 Q But you're not alleging that she is	01:33
21 A Yes.		21 somehow corrupt; right?	
22 Q Let's move ahead, please, to page 21,		22 A I am not going to allege or speculate on	
23 line 14 through line 18. The questioner asks:		23 anything related to the LAPD.	
24 "I'm assuming that whatever Ms. Heard was		24 Q But sitting here today, you -- you cannot	
25 telling you, you were independent --	01:32	25 point us to anything specific that says she was	01:34
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1 lying under oath, which is a crime. 01:34	1 no wine bottles on the floor or broken in any 01:36
2 A I know what I saw. I know what I	2 manner?
3 observed. I have sworn to be truthful under threat	3 A Yes.
4 of perjury, sitting here with everybody in this	4 Q Do you see where she testified there was
5 room, and I've stated counter to that. So you can 01:34	5 no -- there were no signs of spilled wine or any 01:36
6 take that as you will.	6 spilled liquids of any kind?
7 Q All right. Let's move on to page 24. She	7 A Yes.
8 testified that you assisted her in doing a security	8 Q Do you have any reason to believe that was
9 sweep of the floor; is that correct?	9 false?
10 A That's correct. 01:34	10 Don't -- don't look to her. I know -- I 01:36
11 Q And you showed her, meaning Officer Saenz,	11 know you're telling -- I know you're doing your best
12 through Penthouse 3 where the alleged incident	12 to tell the truth, but you have to --
13 occurred; correct?	13 A You're going to get the same response that
14 A Correct.	14 I gave you about 90 seconds ago, which is I am not
15 MS. VIGLIETTA: Can I just pause for a 01:35	15 going to speculate about the motivations of LAPD 01:36
16 minute? I want to make sure I understand. You're	16 officers. I'm under oath.
17 asking about what actually happened, not asking him	17 Q Fair enough.
18 what she testified to; right?	18 A I've told you what I observed, what I saw,
19 BY MR. CHEW:	19 which is counter to what is being presented here.
20 Q I think we're understanding each other. 01:35	20 Q Understood. And I'm not trying to be 01:37
21 Did you also take her into Penthouse 1?	21 provocative.
22 A No.	22 Is it your testimony that there was any
23 Q Did you take her into Penthouse 5?	23 cleanup of Penthouse 3 done between the call and the
24 A Yes.	24 time that Officer Saenz and Officer Hadden arrived?
25 Q So let's move ahead, please, to 01:35	25 A I honestly can't recall. The directions 01:37
Page 102	Page 104
1 paragraph 24 of her testimony. 01:35	1 specifically, or what we did specifically, was to 01:37
2 MS. KAPLAN: You mean page 24?	2 take photos of everything, and -- so we had some
3 MR. CHEW: Thank you. It's page 24.	3 kind of documentary record of what had transpired.
4 BY MR. CHEW:	4 Q I appreciate that, but was there any -- is
5 Q And here she is testifying about 01:35	5 it your testimony that there was cleanup done 01:37
6 Penthouse 3. And I would just ask you to read to	6 between the time of the alleged incident and the
7 yourself lines 6 through 17.	7 time that Officer Saenz arrived?
8 MS. VIGLIETTA: Where does she say --	8 A I honestly don't recall. We were not
9 where does she say that she's testifying about	9 expecting police officers, so we weren't looking to
10 Penthouse 3 here? 01:35	10 preserve -- to preserve anything. 01:37
11 BY MR. CHEW:	11 Q So you don't know if there was any cleanup
12 Q Well, she -- she goes back on 23. There	12 done?
13 is a sofa located inside of the penthouse. Is there	13 A I don't recall.
14 a sofa in Penthouse 3?	14 Q Do you know what prompted Officer Saenz
15 MS. VIGLIETTA: Okay. So long as you 01:36	15 and Officer Hadden to arrive at the scene? 01:38
16 understand.	16 A Again, my understanding is that somebody
17 BY MR. CHEW:	17 had called the police. I was told it had been iO
18 Q So now we're on page 24, and she's talking	18 remotely, which is what they were responding to.
19 about Penthouse 3. Do you see where she testifies	19 Q Well, we'll show you that. That's
20 that she didn't see any broken glass? 01:36	20 actually two hours later. 01:38
21 A Yes.	21 So I'm asking whether anybody else called
22 Q Do you see where she testified there were	22 it in, to your knowledge.
23 no broken picture frames?	23 A Not to my knowledge.
24 A Yes.	24 Q Okay.
25 Q Do you see where she testified there were 01:36	25 MS. KAPLAN: Objection. Foundation. 01:38
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1 MR. CHEW: That's okay. We'll lay the 01:38	1 A My recollection of events is the 01:40
2 foundation. And this is a deposition.	2 sequencing is a little bit different. I personally
3 MS. KAPLAN: Actually, it's trial	3 walked with both officers through PH 3, ground
4 testimony. I think he --	4 floor -- or not ground floor -- the -- the lower
5 MR. CHEW: It's both. You're right. It 01:38	5 level, upper level, and I took them myself, both, 01:40
6 is -- it's both. That's -- that's a good point.	6 through PH 5.
7 BY MR. CHEW:	7 Q So you would agree that Officer Saenz did
8 Q Move ahead, please, to page 26. Officer	8 see the entirety of Penthouse 3; correct?
9 Saenz, referring to Amber, says, she asked her:	9 A Correct.
10 "Are you hurt? Do you need an ambulance?" 01:38	10 Q And she saw the entirety of Penthouse 5? 01:40
11 And Ms. Heard shook her head again no.	11 A Correct.
12 Do you have any reason, sitting -- sitting	12 Q Putting aside whether you agree with her
13 here today, to doubt Officer Saenz's testimony?	13 conclusions.
14 A I'm -- I'm sorry. If you can give me a	14 A Correct.
15 second, if you can point me -- 01:39	15 Q If you move on to the next page -- and I'm 01:41
16 Q Sure.	16 just going to paraphrase -- she testifies that she
17 A -- to where you want --	17 did not see any signs of a struggle, no broken
18 Q Oh, yeah. Sorry.	18 bottles, no broken glass. Do you see that?
19 A -- the reference, give me an opportunity	19 A Yes.
20 to go through it and then ask the question, it will 01:39	20 MS. VIGLIETTA: I don't see -- I don't see 01:41
21 probably be easier on everybody, if you'd be so	21 the word "struggle" or "signs of struggle" on this
22 kind.	22 page, so I'm just going to object that it seems to
23 Q I will be so kind, and it's a reasonable	23 mischaracterize the document, your question.
24 request.	24 BY MR. CHEW:
25 If you would move ahead, please, to 01:39	25 Q Actually, the question is at the top on 01:41
Page 106	Page 108
1 page 26 -- 01:39	1 line 1: 01:41
2 A Okay.	2 "Did you see at the time any signs of a
3 Q -- line 16 through line 18.	3 struggle or vandalism in the penthouse
4 A Okay.	4 apartment?"
5 Q Officer Saenz asked Amber: 01:39	5 "The Witness: No, I did not." 01:41
6 "Are you hurt? Do you need an ambulance?"	6 Am I reading that correctly?
7 And Amber shakes her head and says no.	7 A On the transcript, yes.
8 Do you have any reason to believe that	8 Q Okay. And let's move ahead -- we're
9 that did not occur?	9 almost mercifully through this exhibit, but let's
10 MS. VIGLIETTA: Objection. Foundation; 01:39	10 move ahead, please, to page 31. 01:41
11 speculation.	11 And I believe she's testifying here about
12 THE WITNESS: I wasn't present for it, so	12 Penthouse 5, and she's answering the same questions.
13 I can't say.	13 And, again, she sees no sign of a struggle, no wine
14 BY MR. CHEW:	14 bottles on the floor, no spills.
15 Q And if you could move ahead into the last 01:39	15 Do you see that? 01:42
16 two lines on page 28, lines 24 and 25. Officer	16 MS. VIGLIETTA: Counsel, where does it say
17 Saenz testifies that she went into all the rooms.	17 "Penthouse 5"? We need to slow down a little. I --
18 It's your understanding that she went into	18 I couldn't read the pages as fast as you were just
19 Penthouse 3 and Penthouse 5; correct?	19 talking.
20 MS. VIGLIETTA: Just take your time. Make 01:40	20 BY MR. CHEW: 01:42
21 sure you read where he's pointing.	21 Q Well, did you -- was there any -- or
22 THE WITNESS: You said lines 24 and 25 on	22 strike that.
23 page 28?	23 Do you -- do you know which penthouse
24 BY MR. CHEW:	24 she's referring to here?
25 Q Yes, the last two lines. 01:40	25 A You'd have to reference specifically where 01:42
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<p>1 you want to start in the transcript for me to be 01:42</p> <p>2 able to answer.</p> <p>3 Q Well, why don't we start at the bottom of</p> <p>4 page 30 -- oh, no, strike that. Let's move -- let's</p> <p>5 move to page 30, line 15. Okay. 01:42</p> <p>6 "In your entry to the place where they had</p> <p>7 described making jewelry and clothing, did</p> <p>8 you see any other people as you and</p> <p>9 Officer Hadden went in?"</p> <p>10 Isn't it true that there was jewelry 01:43</p> <p>11 making and clothing in Penthouse 5?</p> <p>12 A I'm sorry. What's your question?</p> <p>13 Q My question is: Was someone making</p> <p>14 jewelry and had racks of clothing in Penthouse 5?</p> <p>15 A Yes. 01:43</p> <p>16 Q Okay. Does that -- does that context help</p> <p>17 you understand that -- that Officer Saenz was</p> <p>18 testifying about Penthouse 5 in this passage?</p> <p>19 A Affirmative.</p> <p>20 Q And do you see her testimony that she 01:43</p> <p>21 found no broken glass or wine bottles or wine</p> <p>22 spilled in Penthouse 5?</p> <p>23 MS. VIGLIETTA: So now you're moving from</p> <p>24 page 30 on to page --</p> <p>25 MR. CHEW: Yeah. 01:43</p> <p style="text-align: right;">Page 110</p>	<p>1 verbal argument only, and that it was between a 01:45</p> <p>2 husband and a wife?</p> <p>3 Do you see that?</p> <p>4 MS. VIGLIETTA: What lines are you on?</p> <p>5 MR. CHEW: I'm on lines 12 through 16, 01:45</p> <p>6 page 15.</p> <p>7 THE WITNESS: I do see that, yes.</p> <p>8 BY MR. CHEW:</p> <p>9 Q And I believe you testified -- and correct</p> <p>10 me -- that iO had called it in at some point that 01:45</p> <p>11 night because he believed Ms. Heard was in danger;</p> <p>12 correct?</p> <p>13 A That's my understanding as I was told</p> <p>14 secondhand.</p> <p>15 Q So does this suggest to you that there was 01:45</p> <p>16 another call by somebody else?</p> <p>17 A I really don't want to speculate on that</p> <p>18 because I wasn't present for it.</p> <p>19 Q Fair enough.</p> <p>20 If you could move ahead, please, to 01:45</p> <p>21 page 27 -- or, actually, start, for context, on --</p> <p>22 on page 26, line 23. The questioner says to Officer</p> <p>23 Hadden:</p> <p>24 "You had an opportunity to observe her and</p> <p>25 described just now she was crying and 01:46</p> <p style="text-align: right;">Page 112</p>
<p>1 MS. VIGLIETTA: -- 31? 01:43</p> <p>2 MR. CHEW: Directly to the next part.</p> <p>3 BY MR. CHEW:</p> <p>4 Q Do you see that?</p> <p>5 A Starting on page 30 through 31? 01:44</p> <p>6 Q Yes.</p> <p>7 A Okay.</p> <p>8 Q So she -- you understand that, right or</p> <p>9 wrong, she's referring to Penthouse 5; true?</p> <p>10 A Correct. 01:44</p> <p>11 Q Okay. Let's now move to the next</p> <p>12 officer's testimony, which we'll mark as Number 3.</p> <p>13 (Exhibit 3 marked.)</p> <p>14 MS. VIGLIETTA: Counsel, do you have a</p> <p>15 copy? 01:44</p> <p>16 MR. CHEW: I do. Sorry about that. Brain</p> <p>17 freeze, intermittent fast casualty.</p> <p>18 MS. VIGLIETTA: Thank you.</p> <p>19 BY MR. CHEW:</p> <p>20 Q And, again, same thing. Read as much as 01:44</p> <p>21 you need for context. I'm just going to ask you a</p> <p>22 couple of questions about this.</p> <p>23 First, on page 15 -- and, again, your</p> <p>24 counsel counseled you not to speculate, but do you</p> <p>25 see where he's describing the call-in, that it's a 01:45</p> <p style="text-align: right;">Page 111</p>	<p>1 red-faced." 01:46</p> <p>2 And then moving on to the next page, do</p> <p>3 you see his sworn testimony that he saw no swelling</p> <p>4 of any kind on Ms. Heard's face?</p> <p>5 A I do see that, yes. 01:46</p> <p>6 Q And do you see that he also testified that</p> <p>7 there was no indication of bruising or other injury</p> <p>8 to her face?</p> <p>9 A Yes, I see that.</p> <p>10 Q And then moving ahead, please, to page 35, 01:46</p> <p>11 lines 16 through line 20, do you see his testimony</p> <p>12 that he saw no signs of vandalism or spilled wine in</p> <p>13 the kitchen?</p> <p>14 A Yes, I do.</p> <p>15 Q And let's move ahead, please, sir, to 01:47</p> <p>16 page 46, lines 20 through 25:</p> <p>17 "Question: Officer Hadden, I understand a</p> <p>18 second patrol vehicle responded to the location</p> <p>19 subsequent to you and Officer Saenz. Are you aware</p> <p>20 of that?" 01:47</p> <p>21 Let me just ask you, are you aware that</p> <p>22 there was a second set of officers who were</p> <p>23 dispatched to the location later?</p> <p>24 A Yes. They responded, I want to say, like,</p> <p>25 about two hours after these two -- these two primary 01:47</p> <p style="text-align: right;">Page 113</p>

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<p>1 officers. 01:47</p> <p>2 Q And what -- would you please describe your</p> <p>3 interaction, if any, with them.</p> <p>4 A It was very, very brief. We let them know</p> <p>5 that there had been two officers there earlier. She 01:47</p> <p>6 had declined to file a report. Amber had asked me</p> <p>7 to greet both sets of officers because she didn't</p> <p>8 want to speak to the police, so she had hoped that I</p> <p>9 would be able to speak to them and they would leave,</p> <p>10 which, of course, they couldn't. 01:48</p> <p>11 So the second officers came. I greeted</p> <p>12 them. We let them know that two officers had</p> <p>13 already been. We showed them the business card of</p> <p>14 one of them that had arrived. They said, "We</p> <p>15 appreciate you letting me know. We still have to do 01:48</p> <p>16 a check-through, and we still have to speak to her."</p> <p>17 So if memory serves, I walked them through</p> <p>18 in a similar fashion to the primary two officers,</p> <p>19 and then they spoke to Amber -- or one or both spoke</p> <p>20 to Amber in private and they departed. 01:48</p> <p>21 Q Did they do a full tour of Penthouse 3 and</p> <p>22 Penthouse 5?</p> <p>23 A If memory serves, I walked them through in</p> <p>24 the same fashion as the primary responding officers.</p> <p>25 Q Do you know whether they reached any 01:48</p> <p style="text-align: right;">Page 114</p>	<p>1 undertaken before the primary officers. The only 01:49</p> <p>2 cleanup efforts taken were between the responding</p> <p>3 officer -- between the sets of responding officers.</p> <p>4 Q Would you please describe, as -- as far as</p> <p>5 you can remember, what cleanup efforts were 01:49</p> <p>6 undertaken and by whom?</p> <p>7 A Well, myself. In Penthouse 3, there was a</p> <p>8 number of pieces of broken glass and items strewn</p> <p>9 about the counters and the floor in the kitchen.</p> <p>10 Only in the kitchen. It was sort of around the 01:50</p> <p>11 kitchen island.</p> <p>12 In the hallway, outside of the penthouses,</p> <p>13 was quite a bit of spilled wine. I don't believe we</p> <p>14 dealt with that at all.</p> <p>15 And then in PH 5, all of Raquel's things 01:50</p> <p>16 had been strewn about pretty dramatically, so we did</p> <p>17 our best to sort of put that back together and pack</p> <p>18 everything back up.</p> <p>19 And there were, you know, things like</p> <p>20 piles of books and picture frames were broken and -- 01:50</p> <p>21 or piles of books were strewn about and picture</p> <p>22 frames were broken and things like that. We just</p> <p>23 picked the glass up off the floor so the dogs didn't</p> <p>24 get hurt, and I think we left everything else for</p> <p>25 the time being. 01:50</p> <p style="text-align: right;">Page 116</p>
<p>1 different conclusions than Officer Saenz and Officer 01:48</p> <p>2 Hadden?</p> <p>3 MS. VIGLIETTA: Objection. Lacks</p> <p>4 foundation; calls for speculation.</p> <p>5 And slow down a little bit so the court 01:48</p> <p>6 reporter can get everything you're saying.</p> <p>7 THE WITNESS: Apologies.</p> <p>8 I'm sorry. Would you mind asking the</p> <p>9 question again?</p> <p>10 BY MR. CHEW: 01:49</p> <p>11 Q Did -- did they issue an arrest warrant</p> <p>12 for Mr. Depp after they made their tour?</p> <p>13 A They did not.</p> <p>14 Q Did you show them the entirety of</p> <p>15 Penthouse 3 where all the alleged destruction 01:49</p> <p>16 occurred?</p> <p>17 A If memory serves, yes, but after the first</p> <p>18 officers came, we did clean up the broken glass off</p> <p>19 the floor just -- the dogs were there and just for</p> <p>20 safety's sake. 01:49</p> <p>21 Q But the cleanup -- just to be very, very</p> <p>22 clear for the record because it's important, there</p> <p>23 was no cleanup, to your knowledge, before Officer</p> <p>24 Saenz and Officer Hadden made their observations?</p> <p>25 A I have no recollection of any cleanup 01:49</p> <p style="text-align: right;">Page 115</p>	<p>1 Q Did you actually see who strewn about -- 01:50</p> <p>2 that's not the right verb, but did you actually see</p> <p>3 the person who threw her clothes around?</p> <p>4 A I didn't witness firsthand any destruction</p> <p>5 of any kind. 01:50</p> <p>6 Q Officer Hadden testifies here at the</p> <p>7 bottom of page 46:</p> <p>8 "I was unaware until I was told that --</p> <p>9 when we found out about the case and it</p> <p>10 being actually Johnny Depp and Amber 01:51</p> <p>11 Heard."</p> <p>12 Do you have any reason to believe that</p> <p>13 Officer Hadden was not telling the truth at the</p> <p>14 time?</p> <p>15 MS. VIGLIETTA: Calls for speculation; 01:51</p> <p>16 lacks foundation.</p> <p>17 BY MR. CHEW:</p> <p>18 Q Do you know of any reason that he was not</p> <p>19 telling the truth?</p> <p>20 A No. 01:51</p> <p>21 Q Okay.</p> <p>22 MR. CHEW: Let's now mark this as Drew 4,</p> <p>23 please, for identification.</p> <p>24 (Exhibit 4 marked.)</p> <p>25 BY MR. CHEW: 01:51</p> <p style="text-align: right;">Page 117</p>

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1 Q I ask you whether you've ever seen this 01:51	1 second set of officers who came to the scene after 01:53
2 document before.	2 Officer Saenz and her junior partner?
3 A No.	3 MS. VIGLIETTA: Objection. Foundation;
4 Q Directing your attention to the upper	4 calls for speculation.
5 right-hand corner, do you see iO Tillett Wright's 01:52	5 THE WITNESS: It's a reasonable 01:54
6 name referenced anywhere here?	6 assumption.
7 A The last name?	7 MR. CHEW: Let's mark this, please, Drew
8 Q Yes. Do you see that?	8 Exhibit 5.
9 A Yes.	9 (Exhibit 5 marked.)
10 Q And directing your attention to the date 01:52	10 BY MR. CHEW: 01:54
11 on the left-hand side, there are a series of entries	11 Q Mercifully, I think I'm only going to ask
12 which are highlighted. The first eight entries	12 you one question, but this, I will represent to you,
13 are -- are highlighted. Do you see a time	13 is a declaration that your former wife submitted --
14 associated with the calls?	14 or, actually, let me ask you, looking at the -- at
15 A The ones that are highlighted you're 01:52	15 page 3 of her declaration -- 01:54
16 referring to?	16 A May I ask you first and foremost what the
17 Q Yes, please.	17 date of this declaration is?
18 A Yes.	18 Q Well, let -- let's go -- oh, it -- it
19 Q And what time does that refer to?	19 purports to be May 27th, 2016, which was the date, I
20 A 10:09 p.m. 01:52	20 think all counsel will agree, that she made the 01:55
21 Q Does this suggest to you that	21 ex parte TRO application.
22 Mr. Tillett's call -- remote call to the police,	22 A Okay.
23 wasn't made until 10:09 p.m. that evening?	23 Q But what I was going to ask you -- and
24 MS. KAPLAN: Objection. Foundation.	24 that was a fair question -- was: Do you see on the
25 BY MR. CHEW: 01:53	25 second version of page 3, there purports to be a 01:55
Page 118	Page 120
1 Q You may answer. 01:53	1 signature over the signature line saying in all caps 01:55
2 A Based on what I'm seeing here, this is	2 Raquel Rose Pennington?
3 what it says, so I have no knowledge otherwise.	3 Do you see that?
4 Q And 646 is a New York area code; correct?	4 A Yes.
5 A I have no idea. 01:53	5 Q Is that your former wife's signature? 01:55
6 Q Mr. Wright was in New York at the time;	6 A Honestly, I have no idea.
7 correct?	7 Q Does it -- does it look like it?
8 MS. VIGLIETTA: Objection. Foundation.	8 A I'm really not sure I want to answer that,
9 I think he already testified that he	9 to be honest with you. I have no idea.
10 doesn't know where Mr. Wright was at the time. 01:53	10 Q Okay. Okay. Sit -- sitting here today, 01:55
11 MS. KAPLAN: I assume we're following the	11 do you have any reason to believe that this is not
12 protocol that one objection made by one counsel	12 her signature?
13 applies to all?	13 MS. VIGLIETTA: Objection. Foundation;
14 MR. CHEW: Yes.	14 speculation.
15 MS. VIGLIETTA: Yes. 01:53	15 BY MR. CHEW: 01:56
16 BY MR. CHEW:	16 Q All right. Well, let's -- let's go to the
17 Q Do you have, sitting here today, any	17 one question I -- I really have about this document,
18 reason to believe that this is not an authentic	18 which is paragraph 4. She testifies --
19 record?	19 A On which page?
20 MS. KAPLAN: Objection. Foundation. 01:53	20 Q On page 1. 01:56
21 BY MR. CHEW:	21 Ms. Pennington testifies:
22 Q I'm just asking whether you know.	22 "On May 21, 2016, I was in my condominium
23 A I have no reason to believe or think	23 with Joshua when I received a text message
24 otherwise.	24 from Amber at approximately 8:06 p.m.,
25 Q And wouldn't this explain why there was a 01:53	25 asking me to come over to her condominium 01:56
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1 unit." 01:56	1 Q What, if anything, do you know about that 01:59
2 Now, I know you've already testified about	2 incident?
3 that. I'm not going to ask you about that again.	3 A So my recollection of that is Raquel and I
4 I'm going to ask a very specific question.	4 had come back to the penthouses. From where, I
5 Have you ever told anyone that Rocky was 01:56	5 don't recall specifically. Sometime, I want to say, 01:59
6 already in Penthouse 3 at the time she received	6 late afternoon, early evening.
7 Amber's text -- text at 8:06 p.m.?	7 And Raquel was supposed to meet with Amber
8 A I'm sorry. Could you repeat the question?	8 as soon as they came back. Amber had not been
9 MR. CHEW: Would you please read it back?	9 responding to her text messages for some time. So
10 (Whereupon the record was read as follows: 01:56	10 we let ourselves in to PH 3 together to go check on 01:59
11 "Have you ever told anyone that Rocky was	11 her and make sure everything was okay.
12 already in Penthouse 3 at the time she	12 When we came in, the kitchen was
13 received Amber's text at 8:06 p.m.?)	13 completely -- I wouldn't say it's trashed, but it
14 MS. VIGLIETTA: I'm just going to object	14 was out of order enough for something to be off.
15 for the record that it mischaracterizes testimony 01:57	15 And then when we turned the corner, on the section 01:59
16 and lacks foundation and calls for speculation	16 of counter next to the kitchen sink, there was
17 and -- because I believe the witness already	17 something written on the counter.
18 testified that he doesn't know the exact time that	18 And I don't know -- I can't remember what
19 any text came in, and I think the only evidence of	19 material it was. And to be honest, I can't actually
20 the timing of any text was from counsel, not your 01:57	20 recall exactly what was written. It was something 01:59
21 own testimony.	21 very, very weird, like, "All is such a fraud" or
22 But go ahead.	22 something akin to that.
23 THE WITNESS: At the time the text was	23 And Raquel took one look at that, and she
24 received, I was present. I can't tell you exactly	24 goes, "Something is not right." And she's, like,
25 at what time that text was received. All I can say 01:57	25 "Go back to our place" and booked it upstairs to 02:00
Page 122	Page 124
1 is I was with her when it happened, and we were in 01:57	1 Amber. 02:00
2 PH 5 together with Liz.	2 I didn't get a response probably for about
3 BY MR. CHEW:	3 10, 15 minutes, after which, if memory serves, I got
4 Q Right. And I get that. And the	4 a text from her saying something akin to, "He beat
5 objections may have muddled the question. 01:57	5 the shit out of her again." 02:00
6 A Well, the -- I think the issue that I took	6 Q That's something that -- that Rocky told
7 and the reason I asked for it to be repeated is the	7 you?
8 premise of the question was confusing to me,	8 A Via text message, yes.
9 specifically because it's completely counter to what	9 Q You never saw Mr. Depp strike Amber Heard
10 I've testified. 01:57	10 on or about December 15 -- 02:00
11 Q I know, and I understand your testimony.	11 A No.
12 I'm not going to ask you -- I'm just asking whether	12 Q -- 2016; correct?
13 you ever told anybody ever that Rocky was already in	13 A Correct.
14 Penthouse 3 at the time she received the text.	14 Q Did you see her -- did you see Ms. Heard
15 A No. 01:58	15 that night? 02:00
16 MR. CHEW: Okay. Let's go for Drew 6, I	16 A Yes.
17 believe.	17 Q Did you notice any bruising or other signs
18 While you're making copies, which I	18 of injury?
19 appreciate, let me ask about something else so I	19 A Yes. Pretty significant.
20 don't waste time. If we can have three copies of 01:58	20 Q What did you observe? 02:00
21 that. Thank you.	21 A I noticed specifically she had -- she had
22 BY MR. CHEW:	22 pretty significant bruising on the inside of both --
23 Q Are you aware that Ms. Heard alleged that	23 of both eye sockets kind of extending down the
24 Mr. Depp hit her on or about December 15?	24 bridge of her nose, and her forehead was red.
25 A Yes. 01:59	25 Q But you have no firsthand knowledge of how 02:01
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1 that injury occurred; correct? 02:01	1 Q And you're not aware of her testimony one 02:03
2 A That's correct.	2 way or the other?
3 Q Are you aware that she made a -- Amber	3 A Well, let me rephrase that. I might have
4 Heard made a television appearance the next day?	4 met her in passing, but I can't say that I've ever
5 A Yes. 02:01	5 had any interaction with her. 02:03
6 Q And how did she look on -- did you watch	6 Q So you don't know whether she's a truthful
7 it?	7 person or not?
8 A I think so. I honestly don't recall, to	8 A Exactly.
9 be honest with you. I know that she spent the	9 Q Okay.
10 preceding day and the day before that absolutely 02:01	10 (Exhibit 6 marked.) 02:03
11 terrified. If memory serves, I think it was Jimmy	11 Q Showing you, Mr. Drew -- I'm just going to
12 Kimmel Live she was on. Maybe I'm mistaken. Yeah.	12 ask you about the first page of this.
13 She was terrified because of how she looked.	13 A Can you give me a moment --
14 Q How did she look on Jimmy Kimmel?	14 Q Oh, please.
15 A Couldn't tell. 02:01	15 A -- read through it? 02:03
16 Q Couldn't tell what?	16 Q Yeah, yeah, yeah.
17 A Couldn't tell that she had any injuries.	17 A (Reviewing document.)
18 Q Did she report that alleged incident to	18 Okay. Your question?
19 the police?	19 Q Do you -- have you ever seen this before?
20 A No, or not to my knowledge. 02:01	20 A I mean, my number is on here. It's true. 02:04
21 Q Do you know whether Ms. Heard sought	21 If you're filing into the record, I'm assuming it's
22 medical treatment?	22 correct, so I wrote it, apparently.
23 MS. VIGLIETTA: Objection. Foundation;	23 Q Well, this particular one -- are you
24 speculation.	24 looking at ALH 443?
25 BY MR. CHEW: 02:02	25 A No. 02:04
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1 Q I'm just asking whether you know. Did she 02:02	1 (Simultaneous speakers.) 02:04
2 seek medical treatment?	2 A I'm looking at ALH 441 and 442.
3 A Again, I vaguely remember her reaching out	3 Q I'm -- do you see the text where she's
4 to a nurse so they could conduct a concussion test	4 saying:
5 over the phone, because she claimed that he had 02:02	5 "Hey, Josh, I hope you and Rocky got some 02:04
6 headbutted her.	6 sleep last night?"
7 Q Did she go to a doctor or a nurse?	7 A Yeah. That's 441, though.
8 MS. VIGLIETTA: Objection. Foundation;	8 Q Gotcha. Well, that's the one I'm asking
9 speculation.	9 you about.
10 THE WITNESS: Not to my knowledge. 02:02	10 A Okay. 02:04
11 BY MR. CHEW:	11 MS. KAPLAN: Are we marking -- Counsel,
12 Q Were you present during the alleged	12 are we marking this as Drew 6?
13 conversation with the alleged nurse?	13 MR. CHEW: 6, Drew 6.
14 A No.	14 BY MR. CHEW:
15 Q So the -- the source of your information 02:02	15 Q Was that from Amber to you? 02:04
16 was Rocky?	16 MS. VIGLIETTA: Objection. Foundation.
17 A And Amber.	17 MR. CHEW: I'm asking him.
18 Q And Amber.	18 BY MR. CHEW:
19 Are you aware that Samantha McMillen,	19 Q Was that -- did you receive this from
20 Ms. Heard's stylist, testified that she was 02:02	20 Amber on or about May 22, at 10:58? 02:05
21 uninjured at that time?	21 A I don't specifically recall, but that is
22 MS. VIGLIETTA: Objection. Foundation.	22 my number, and it rings a bell.
23 THE WITNESS: I've never met Samantha	23 Q She says:
24 McMillen, so...	24 "I don't want to bother her on her big
25 BY MR. CHEW: 02:03	25 day." 02:05
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1 Is "her" Rocky? 02:05	1 to let you know, trial in this matter begins on 02:07
2 MS. VIGLIETTA: Objection. Lacks	2 February 3 in Fairfax, Virginia. Do you currently
3 foundation; calls for speculation.	3 have any plans to be in Fairfax, Virginia, on
4 THE WITNESS: Yes.	4 February 3?
5 BY MR. CHEW: 02:05	5 A No. 02:07
6 Q Okay. What -- if you know, what was Amber	6 Q Where will you be, if you know?
7 referring to about Rocky's "big day"?	7 A Anywhere but there.
8 MS. VIGLIETTA: Objection. Lacks	8 MR. CHEW: Fair enough.
9 foundation and calls for speculation.	9 Until later this afternoon, thank you very
10 THE WITNESS: It was her first jewelry 02:05	10 much, Mr. Drew. 02:08
11 show to the public for her new company.	11 MS. VIGLIETTA: Can we do a brief break?
12 BY MR. CHEW:	12 MR. CHEW: Of course.
13 Q She -- she says to you:	13 MS. VIGLIETTA: I've got to use the
14 "The lawyers are asking for brief	14 restroom.
15 statements from you guys as witnesses so 02:05	15 THE VIDEOGRAPHER: We are now going off 02:08
16 that they can file the appropriate way for	16 the record. The time on the video monitor is
17 a restraining order."	17 2:08 p.m.
18 Does this refresh your recollection about	18 (Recess.)
19 when the lawyers asked you for your statements?	19 THE VIDEOGRAPHER: We're now going back on
20 A Candidly, I'm going to stick with my 02:06	20 the record. The time on the video monitor is 02:32
21 earlier testimony, which was that we were asked to	21 2:32 p.m. This is the beginning of Media 3 in the
22 do it the night before, and what I'll add to that	22 videotaped deposition of Joshua Drew.
23 specifically is that she had just been through quite	23 EXAMINATION
24 a bit of trauma and was trying to keep it together.	24 BY MS. KAPLAN:
25 So I'm going to suppose here that 02:06	25 Q Mr. Drew, let me say two things. My name 02:32
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1 her recoll- -- or not even her recollection, but her 02:06	1 is Robbie Kaplan. Well, Roberta Kaplan, but 02:32
2 self-organization at that time was lacking. We had	2 everybody calls me Robbie.
3 been asked to do it the night before, and this was a	3 Let me say two things at the beginning.
4 follow-up.	4 As you know, I represent Amber Heard in this case.
5 Q She's asking you to write a brief 02:06	5 I'm actually originally from Ohio, but 02:32
6 statement. Did you ever write a brief statement?	6 I've lived all of my adult life in New York. And I
7 A I did.	7 know there was some complaint about you speaking
8 MR. CHEW: I think that's something that	8 quickly. I'm probably much, much guiltier of that
9 we had requested. We would request, again, a copy	9 than you are. I have a tendency to speak like a
10 of that statement. 02:06	10 New Yorker. 02:33
11 MS. VIGLIETTA: He did --	11 So I will try very hard to modulate my
12 (Simultaneous speakers.)	12 speaking velocity, but if I ever say something --
13 MS. KAPLAN: We did produce it to you,	13 I'm going too fast, or you don't understand me for
14 Counselor, in our production, unlike your	14 any reason, please feel free to stop me, and I'll
15 production, which produced nothing. 02:06	15 rephrase it. 02:33
16 MS. VIGLIETTA: The witness searched his	16 The second thing, which you probably don't
17 files for that statement and anything else	17 believe me about, but this is not intended to be an
18 responsive to your subpoena.	18 endurance contest or torture. So if you need to
19 MR. CHEW: Okay. I think we've got	19 take a break at any time, for bathroom, whatever,
20 probably about an hour and a half left, so I'm going 02:07	20 please just let us know, and we'll be happy to 02:33
21 to reserve my time and allow Ms. Heard's counsel to	21 accommodate you.
22 proceed.	22 A Thank you.
23 BY MR. CHEW:	23 Q During the course of your questioning by
24 Q Oh, let me -- let me ask two questions	24 Mr. Chew, there were a number of times where your
25 first before I temporarily yield, and that is, just 02:07	25 voice was raised a little bit or you spoke a little 02:33
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1 quickly. It -- it seemed to me that you were upset 02:33	1 the time you knew him, did you know how much 02:36
2 during several portions of -- of the questioning.	2 Mr. Depp weighed?
3 Is it -- was I perceiving that correctly?	3 A To be very honest, his -- his weight
4 MR. CHEW: Objection to the	4 fluctuated pretty rapidly throughout the time I knew
5 characterization of the witness's testimony. 02:34	5 him, depending on what he was using and how much he 02:36
6 BY MS. KAPLAN:	6 was using, or whether he was sober and whether he
7 Q You can answer.	7 was filming.
8 A I wouldn't say I was upset. I think at	8 So, I mean, I can speculate. Probably
9 times that I might have raised my voice or I'll say	9 somewhere between 140 and 180 pounds.
10 maybe gotten a little bit passionate or innocuous or 02:34	10 Q Would it be -- 02:36
11 related to specific events that maybe -- I guess	11 MR. CHEW: Move to strike as speculation.
12 it's hard to speculate, to be honest with you.	12 BY MS. KAPLAN:
13 Q Okay. And I think you just said that	13 Q Would it be fair to say, Mr. Drew, that
14 maybe you got a little passionate about specific	14 during the time that you knew and socialized with
15 events. Were there certain events that you 02:34	15 both Mr. Depp and Ms. Heard, that Mr. Depp weighed 02:36
16 testified about this morning that you find to be	16 more than Ms. Heard did?
17 upsetting?	17 A Yes.
18 A I mean, honestly, all of it, to be honest.	18 Q Would it be fair to say that he was
19 If I'm really being honest about it, all of it.	19 generally bigger, taller than Ms. Heard --
20 It's -- yeah. I -- I could go on about it. This is 02:34	20 A Yes. 02:36
21 a horror show, and I'm stuck in the middle of it.	21 Q -- was?
22 Q Obviously, Mr. Drew, I would take it you	22 Same question for Mr. Depp's bodyguards
23 find -- or anyone would find your divorce from Rocky	23 whose names were mentioned today. Is it fair to say
24 upsetting; fair to say?	24 that Mr. Depp's bodyguards weighed more than
25 A Yes. 02:35	25 Ms. Heard did? 02:37
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1 Q Obviously, having to sit here and be 02:35	1 A They're bigger than me. 02:37
2 questioned about things like your divorce is	2 Q And that would be true for all the
3 upsetting; fair to say?	3 bodyguards who you mentioned -- who you discussed
4 A Yes.	4 earlier with Mr. Chew this morning?
5 Q What other events that you testified about 02:35	5 A If you're asking the question that all of 02:37
6 this morning do you find upsetting?	6 the bodyguards are larger than Ms. Heard, yes.
7 A I think the one that's foremost in my mind	7 Q Okay. Now, you just mentioned that -- you
8 is specifically the conversation that was had around	8 said that Mr. Depp's weight would fluctuate
9 the tran- -- the LAPD transcripts as it relates to	9 depending on a variety of factors, and the first
10 my own testimony. 02:35	10 factor that you mentioned was whether -- whether he 02:37
11 This has been a point of contention both	11 was using or not. What -- what do you mean by that?
12 personally, as well as within the group at large	12 A Narcotics and drinking.
13 when there was a group at large, specifically	13 Q Okay. Let's start with narcotics. When
14 because of -- of the -- what was put out publicly	14 you knew -- when you -- again, I'm going to try to
15 and what we knew to have transpired. 02:35	15 ask all my questions, and the reference should be, 02:37
16 Q Now, do you remember this morning Mr. Chew	16 just so you know, during the time that you knew and
17 asking you a question about Amber Heard's weight?	17 socialized with Mr. Depp and Ms. Heard.
18 A Yes.	18 During that period, what was your
19 Q Do you recall that testimony?	19 understanding -- I take it your understanding was
20 And I think -- correct me if I'm wrong, 02:36	20 that Mr. Depp was using drugs? 02:37
21 but my recollection of what you said is you didn't	21 A Yes.
22 know exactly how much she weighs.	22 Q And do you know which kinds of drugs
23 A Correct.	23 Mr. Depp was using?
24 Q Do you have any sense -- and I assume the	24 A Some type of opioids -- I don't know which
25 answer is going to be the same, but any reason -- at 02:36	25 ones specifically -- and Ecstasy. 02:38
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<p>1 Q Anything else? 02:38</p> <p>2 A I'm vaguely aware that there were other</p> <p>3 pills and other substances, but I can't say with any</p> <p>4 specificity.</p> <p>5 Q And were you -- following up on that 02:38</p> <p>6 question, were you aware that, in addition to drugs</p> <p>7 that may have not been by prescription, that he was</p> <p>8 taking other drugs that were by prescription?</p> <p>9 A Yes.</p> <p>10 Q And were you aware, without saying what 02:38</p> <p>11 they were, that there was a fairly long list of</p> <p>12 prescription drugs that he was taking --</p> <p>13 MR. CHEW: Objection. Leading.</p> <p>14 MS. KAPLAN: Can you please not interrupt</p> <p>15 my questioning? 02:38</p> <p>16 MR. CHEW: I can object. You're leading</p> <p>17 the --</p> <p>18 (Simultaneous speakers.)</p> <p>19 MS. KAPLAN: Not -- during the</p> <p>20 questioning. 02:38</p> <p>21 MR. CHEW: You can stop leading him. I</p> <p>22 know this is a very friendly --</p> <p>23 MS. KAPLAN: You led him all morning long.</p> <p>24 MR. CHEW: -- conspiratorial --</p> <p>25 MS. KAPLAN: You led him all morning long. 02:38</p> <p style="text-align: right;">Page 138</p>	<p>1 list of prescription drugs that he was taking daily. 02:39</p> <p>2 A Yes.</p> <p>3 Q Did you ever see Mr. Depp take drugs,</p> <p>4 either prescription drugs or drugs that were not by</p> <p>5 prescription? 02:39</p> <p>6 A Yes.</p> <p>7 Q How many times?</p> <p>8 A I can't speculate on the number of times,</p> <p>9 to be honest.</p> <p>10 Q There was some questioning before where 02:39</p> <p>11 people were asking you about emphasizing how many</p> <p>12 times. Is it fair to say more than 10 times?</p> <p>13 A Yes.</p> <p>14 Q Fair to say more than 20 times?</p> <p>15 A Yes. 02:39</p> <p>16 MR. CHEW: And not to interrupt, but we</p> <p>17 are going to designate certain portions of this</p> <p>18 transcript as protected under the very limited</p> <p>19 protective order we have.</p> <p>20 MS. KAPLAN: Yeah. I don't think those 02:40</p> <p>21 questions under the protective order we have are</p> <p>22 legitimately designated as protected.</p> <p>23 MR. CHEW: Well, we have the -- we have</p> <p>24 the right to designate, and you have the right to</p> <p>25 challenge. 02:40</p> <p style="text-align: right;">Page 140</p>
<p>1 MR. CHEW: This is -- this is a hostile 02:38</p> <p>2 witness for me, not for you.</p> <p>3 MS. KAPLAN: You can -- you didn't know</p> <p>4 that when you started.</p> <p>5 MR. CHEW: Well, I know it now. 02:38</p> <p>6 MS. KAPLAN: You can raise that with the</p> <p>7 judge. I'm going to finish answering [sic] my</p> <p>8 question.</p> <p>9 MR. CHEW: Try not to lead.</p> <p>10 MS. KAPLAN: Try to stop interrupting. 02:38</p> <p>11 We'll call the judge if you keep interrupting me.</p> <p>12 MR. CHEW: Please.</p> <p>13 MS. KAPLAN: You can make your objection</p> <p>14 after the question.</p> <p>15 BY MS. KAPLAN: 02:39</p> <p>16 Q The question, Mr. Drew, is: Were you</p> <p>17 aware, during the time that you socialized with</p> <p>18 Mr. Heard and Ms. Depp, that Mr. [sic] Heard had a</p> <p>19 relatively long list of prescription medications</p> <p>20 that he was taking daily? 02:39</p> <p>21 A You mean -- the names are misplaced. I</p> <p>22 just want to make sure that everything is on the</p> <p>23 level. You said "Mr. Heard" and --</p> <p>24 Q Ah, withdrawn. Thank you. Thank you for</p> <p>25 pointing -- that Mr. Depp was taking -- had a long 02:39</p> <p style="text-align: right;">Page 139</p>	<p>1 MS. KAPLAN: Well, we're -- then we 02:40</p> <p>2 designate everything this morning, and you can</p> <p>3 challenge that. I hope you haven't already leaked</p> <p>4 it to anyone because we're now designating the</p> <p>5 entire morning testimony confidential. 02:40</p> <p>6 MR. CHEW: That's fine. If you want to --</p> <p>7 MS. KAPLAN: So that's designated --</p> <p>8 (Simultaneous speakers.)</p> <p>9 MR. CHEW: If you want to make frivolous</p> <p>10 motions -- you've already made several. 02:40</p> <p>11 MS. KAPLAN: Well, we're now talking about</p> <p>12 designation. If you are designating testimony that</p> <p>13 the judge has not said has --</p> <p>14 MR. CHEW: I'm just -- I'm just --</p> <p>15 (Simultaneous speakers.) 02:40</p> <p>16 MS. KAPLAN: I don't want to waste my time</p> <p>17 arguing with you.</p> <p>18 MR. CHEW: Okay. I'm just putting you on</p> <p>19 notice that we're going to put -- that it's very</p> <p>20 limited what's protected under the protective order. 02:40</p> <p>21 I'm just letting you know that -- that that which</p> <p>22 relates to the medical records, there's a certain</p> <p>23 carve-out, as you know.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q Did you see Mr. Depp take drugs that were 02:40</p> <p style="text-align: right;">Page 141</p>

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<p>1 not prescribed by doctors? 02:40</p> <p>2 MS. VIGLIETTA: Objection. Lacks</p> <p>3 foundation.</p> <p>4 THE WITNESS: Yes, but I can't say what.</p> <p>5 BY MS. KAPLAN: 02:40</p> <p>6 Q Did you see that more than 10 times?</p> <p>7 MS. VIGLIETTA: Same objections. Calls</p> <p>8 for speculation.</p> <p>9 THE WITNESS: Honestly, I don't know. I</p> <p>10 don't recall. 02:41</p> <p>11 BY MS. KAPLAN:</p> <p>12 Q Okay. Now, you also said, Mr. Drew, that</p> <p>13 Mr. Depp's weight would fluctuate depending upon</p> <p>14 what he -- whether he was sober. Do you recall that</p> <p>15 testimony? 02:41</p> <p>16 A Correct.</p> <p>17 Q What did you mean by that?</p> <p>18 A That -- that for the time that I knew</p> <p>19 Johnny, he struggled immensely with substance abuse</p> <p>20 and addiction, and at various times and the time 02:41</p> <p>21 that I knew him, he was undergoing specific</p> <p>22 treatment to try and regain and maintain his</p> <p>23 sobriety, and it would ebb and flow.</p> <p>24 There would be times when he was using</p> <p>25 heavily. There would be times when he was sober and 02:41</p> <p align="right">Page 142</p>	<p>1 Ms. Heard? 02:43</p> <p>2 A Yes.</p> <p>3 Q Can you tell me which -- when you recall</p> <p>4 that and what happened?</p> <p>5 A I can't tell -- I can't say with any 02:43</p> <p>6 specificity the number of times. There is one</p> <p>7 incident specifically that I do recall.</p> <p>8 Myself and Raquel were vacationing in</p> <p>9 France with the two of them, and they were -- we</p> <p>10 were staying separately, separate houses, and the 02:43</p> <p>11 two of them were having a very, very loud argument</p> <p>12 with one another, screaming at each other, that we</p> <p>13 could hear through the walls.</p> <p>14 Q And I -- I appreciate it was some number</p> <p>15 of years ago, Mr. Drew, but what do you recall 02:43</p> <p>16 Mr. Depp saying, and what do you recall Ms. Heard</p> <p>17 saying?</p> <p>18 A I couldn't hear anything specific as to</p> <p>19 what they were yelling at each other about, but I</p> <p>20 did know what had predicated the argument. 02:43</p> <p>21 Q And what had predicated the argument?</p> <p>22 A I don't know what project it was for</p> <p>23 specifically. It was something that Amber was</p> <p>24 doing, and it had something to do with a nudity</p> <p>25 rider that had been slipped into her contract that 02:44</p> <p align="right">Page 144</p>
<p>1 doing private treatment to remain sober, and other 02:41</p> <p>2 times when he was using different measure of things.</p> <p>3 Sometimes just drinking and smoking cigarettes, so</p> <p>4 on and so forth.</p> <p>5 Q And during those -- that period when you 02:42</p> <p>6 knew him, were there -- I take it from your answer,</p> <p>7 there were occasions where you knew him to be using</p> <p>8 either prescription or nonprescription medication,</p> <p>9 or alcohol, to excess?</p> <p>10 A Yes. 02:42</p> <p>11 Q And when you observed Mr. Depp in that</p> <p>12 condition, how did he behave?</p> <p>13 A Again, really the full spectrum. There</p> <p>14 would be times when he would just be really sweet</p> <p>15 and really kind and fun-loving and pleasant to be 02:42</p> <p>16 around, and there would be other instances where he</p> <p>17 would be ornery and so on and so forth.</p> <p>18 But to be very honest with you, he was</p> <p>19 also a very private person, and a lot of that</p> <p>20 behavior was done in private. I didn't witness a 02:42</p> <p>21 lot of it.</p> <p>22 Q Did you ever hear Mr. Heard -- I keep</p> <p>23 doing that. I apologize. I've got my genders all</p> <p>24 mixed up.</p> <p>25 Did you ever hear Mr. Depp yell at 02:43</p> <p align="right">Page 143</p>	<p>1 she claimed was fraudulent, and he accused her of 02:44</p> <p>2 knowing about it and going against his wishes to</p> <p>3 include it.</p> <p>4 Q Just so I understand because I'm not at</p> <p>5 all in involved in the entertainment industry -- 02:44</p> <p>6 A I mean, me neither.</p> <p>7 Q Let me see if I understand what that</p> <p>8 means.</p> <p>9 I take it from what you said that there</p> <p>10 had been some rider put into a contract that there 02:44</p> <p>11 was going to be some nudity as part of some kind of</p> <p>12 a movie or other project?</p> <p>13 A Yes.</p> <p>14 Q Is that what they were fighting about?</p> <p>15 A Yes. 02:44</p> <p>16 Q How long do you recall, approximately,</p> <p>17 that yelling lasted for?</p> <p>18 A I want to say, that I witnessed</p> <p>19 personally, maybe 30 minutes.</p> <p>20 Q And what was your understanding of why 02:45</p> <p>21 Mr. Depp was angry that there was a supposed</p> <p>22 fraudulent nudity clause in Ms. Heard's contract?</p> <p>23 MR. CHEW: Objection. Lack of foundation;</p> <p>24 calls for speculation.</p> <p>25 BY MS. KAPLAN: 02:45</p> <p align="right">Page 145</p>

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<p>1 Q You can answer. 02:45</p> <p>2 A So the -- what was -- what was -- what was</p> <p>3 told to me was specifically that -- and I knew this</p> <p>4 from previous instances, was that when the two of</p> <p>5 them got together, Johnny demanded of her that she 02:45</p> <p>6 cut down on intimate scenes with costars and that</p> <p>7 she not do nudity anymore, and that there was a</p> <p>8 project -- and she didn't argue the point with him,</p> <p>9 to my knowledge, in my experience.</p> <p>10 And in this instance, for one of these 02:45</p> <p>11 projects, these directors had required her to do it.</p> <p>12 She refused. It wasn't in the contract. It had</p> <p>13 then been inserted to it.</p> <p>14 And she claimed that she knew nothing</p> <p>15 about it. She had had it removed, and they had put 02:45</p> <p>16 it in fraudulently, and he was accusing her of the</p> <p>17 opposite.</p> <p>18 Q During the time that you knew and, again,</p> <p>19 socialized with Mr. Depp and Ms. Heard, was it</p> <p>20 your -- were you aware that Mr. Depp was frequently 02:46</p> <p>21 jealous of Ms. Heard in connection with her costars?</p> <p>22 MS. VIGLIETTA: Objection.</p> <p>23 MR. CHEW: Objection. Lack of foundation;</p> <p>24 lack of --</p> <p>25 MS. VIGLIETTA: Lacks foundation; calls 02:46</p> <p align="right">Page 146</p>	<p>1 Q When you say "friends and family," was 02:47</p> <p>2 Rocky the only person who told you these things?</p> <p>3 A No.</p> <p>4 Q Who else told you?</p> <p>5 A I can't say with any specificity, and 02:47</p> <p>6 Raquel is the one who's foremost in my mind. I</p> <p>7 don't know if I want to speculate on this. There</p> <p>8 were other people in that circle, but I can't say</p> <p>9 with any specificity.</p> <p>10 Q Did you have any conversations with Amber 02:47</p> <p>11 about these issues?</p> <p>12 A Honestly, I can't recall.</p> <p>13 Q Did Amber ever tell you that Johnny would</p> <p>14 frequently yell and scream at her?</p> <p>15 A Her directly, no. 02:47</p> <p>16 Q Did Rocky tell you that?</p> <p>17 A Yes.</p> <p>18 Q Did Rocky or anyone else -- that's -- I'm</p> <p>19 going to object to my own question. It's compound.</p> <p>20 Did Rocky ever tell you that Amber and 02:48</p> <p>21 Johnny called this part of his personality, when he</p> <p>22 would get angry and yell, "the monster"?</p> <p>23 MR. CHEW: Objection. Hearsay.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q You can answer. 02:48</p> <p align="right">Page 148</p>
<p>1 for speculation. 02:46</p> <p>2 MR. CHEW: Thank you.</p> <p>3 BY MS. KAPLAN:</p> <p>4 Q You can answer.</p> <p>5 MS. VIGLIETTA: That works both ways. 02:46</p> <p>6 THE WITNESS: Yes.</p> <p>7 BY MS. KAPLAN:</p> <p>8 Q And how were you aware of that?</p> <p>9 A Secondhand.</p> <p>10 Q Well, how? How was it secondhand? 02:46</p> <p>11 A In the course of just communication with</p> <p>12 Raquel about sort of past history and understanding</p> <p>13 events that were ongoing, arguments, so on and so</p> <p>14 forth, to better understand why things are happening</p> <p>15 or what's going on or what's actually going on, it's 02:46</p> <p>16 colored.</p> <p>17 I didn't really witness any of these</p> <p>18 things specifically, so I'm hearing it from friends</p> <p>19 and family and things of that nature.</p> <p>20 But, again, very similar, jealous of -- or 02:46</p> <p>21 what I was told was predicated on jealousy related</p> <p>22 to her costars.</p> <p>23 MR. CHEW: Move to strike. Lack of</p> <p>24 foundation; hearsay.</p> <p>25 BY MS. KAPLAN: 02:47</p> <p align="right">Page 147</p>	<p>1 A Yes. 02:48</p> <p>2 Q Did you have conversations with Rocky</p> <p>3 about the fact that Johnny and Amber called him "the</p> <p>4 monster" when he acted this way?</p> <p>5 A Yes. 02:48</p> <p>6 Q More than once?</p> <p>7 A Yes.</p> <p>8 Q What do you recall about those</p> <p>9 conversations?</p> <p>10 A Specifically -- well, I'm sorry. I'm 02:48</p> <p>11 being too generous to myself. I vaguely remember</p> <p>12 the conversations. There were a few of them over</p> <p>13 the course of time.</p> <p>14 Specifically -- and I think it was part</p> <p>15 of -- there was this really extreme empathy with 02:48</p> <p>16 everybody specifically because there was a genuine</p> <p>17 belief that the substance abuse sort of predicated</p> <p>18 this.</p> <p>19 And he was so apologetic and so contrite</p> <p>20 after all of this, but there was a genuine belief 02:49</p> <p>21 that he, at some point, would lose -- really</p> <p>22 genuinely lose control. And it wasn't just -- I</p> <p>23 wasn't just told that it was discussed between us;</p> <p>24 it was also that he was made aware of it and in that</p> <p>25 context. 02:49</p> <p align="right">Page 149</p>

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<p>1 MR. CHEW: Move to strike. Hearsay; lack 02:49</p> <p>2 of foundation; lack of personal knowledge.</p> <p>3 BY MS. KAPLAN:</p> <p>4 Q Did anyone -- did Rocky ever tell you that</p> <p>5 Mr. Depp had been diagnosed with manic depression? 02:49</p> <p>6 A No.</p> <p>7 MR. CHEW: Objection. Hearsay.</p> <p>8 BY MS. KAPLAN:</p> <p>9 Q Were you aware that -- if he had any</p> <p>10 psychiatric diagnoses other than substance abuse? 02:49</p> <p>11 A Vaguely.</p> <p>12 Q Did you ever hear borderline personality</p> <p>13 disorder -- that was the phrase that was used this</p> <p>14 morning -- in connection with Mr. Depp?</p> <p>15 A Not specifically, no. 02:49</p> <p>16 Q What about bipolar?</p> <p>17 A Not specifically, no.</p> <p>18 Q You were asked some questions this morning</p> <p>19 about your opinion about various things. Should a</p> <p>20 woman be faithful to her husband? Should a -- a 02:50</p> <p>21 friend of a woman tell another friend when they --</p> <p>22 they were having an affair, things like that.</p> <p>23 Do you remember those questions?</p> <p>24 A Yes.</p> <p>25 Q I want to ask you some similar questions 02:50</p> <p style="text-align: right;">Page 150</p>	<p>1 A No. 02:51</p> <p>2 Q Kick her?</p> <p>3 A No.</p> <p>4 Q If a wife had, quote, visitors at night</p> <p>5 while her husband was away, would that justify, in 02:51</p> <p>6 your mind, Mr. Drew, the husband hitting her?</p> <p>7 A No.</p> <p>8 Q Your wife had an affair on you -- with --</p> <p>9 that you didn't know about; is that correct?</p> <p>10 A Correct. 02:51</p> <p>11 Q Did you ever hit your wife?</p> <p>12 A No.</p> <p>13 Q Would the fact that the wife had visitors</p> <p>14 at night while her husband was away -- would that</p> <p>15 justify any of the forms of physical abuse that I 02:51</p> <p>16 have specified --</p> <p>17 A No.</p> <p>18 Q -- previously?</p> <p>19 If a woman actually -- let's go past</p> <p>20 visitors -- actually had an affair, either with a 02:52</p> <p>21 man or a woman while she was married to a man, would</p> <p>22 that justify the man taking any physical action</p> <p>23 whatsoever with respect to his wife?</p> <p>24 A No.</p> <p>25 Q Now, I think you testified earlier that 02:52</p> <p style="text-align: right;">Page 152</p>
<p>1 like that today. 02:50</p> <p>2 So if a woman yells at her boyfriend or</p> <p>3 husband, in your personal opinion, is it okay for</p> <p>4 the husband to punch her?</p> <p>5 A No. 02:50</p> <p>6 Q Is it okay for him to punch her wearing</p> <p>7 heavy metal rings on his fingers?</p> <p>8 A No.</p> <p>9 Q Is it okay for him to kick her?</p> <p>10 A No. 02:50</p> <p>11 Q Is it okay for him to headbutt her?</p> <p>12 A No.</p> <p>13 Q Is it okay for him to choke her?</p> <p>14 A No.</p> <p>15 Q Is it okay for him to slap her? 02:50</p> <p>16 A No.</p> <p>17 Q If the -- if -- if the man at the time is</p> <p>18 either intensely inebriated or high on drugs, would</p> <p>19 any of your answers change?</p> <p>20 A No. 02:51</p> <p>21 Q If a woman dating a guy or married to a</p> <p>22 guy had taken mushrooms, would it be okay for the</p> <p>23 guy or husband to smack her?</p> <p>24 A No.</p> <p>25 Q Hit her? 02:51</p> <p style="text-align: right;">Page 151</p>	<p>1 you looked at two documents, as I recall -- I'm 02:52</p> <p>2 going to try and get it right -- prior to this</p> <p>3 deposition today.</p> <p>4 A Three documents.</p> <p>5 Q Okay. What were those three? 02:52</p> <p>6 A One was the subpoena that I received in</p> <p>7 person, one was the public declaration by Amber, and</p> <p>8 the other one -- again, I'm not sure on the</p> <p>9 verbiage -- was the public record complaint filed by</p> <p>10 Johnny's team. 02:53</p> <p>11 Q Okay. And I don't want to --</p> <p>12 (Reporter clarification.)</p> <p>13 Q I don't want to delve into privilege in</p> <p>14 any way, Mr. Drew, but did I provide -- other than</p> <p>15 the subpoena, did I provide those documents to 02:53</p> <p>16 you --</p> <p>17 A No.</p> <p>18 Q -- or anyone from Ms. Heard?</p> <p>19 MS. KAPLAN: Okay. I'm going to mark as</p> <p>20 Drew 7 the declaration of Amber Heard. 02:53</p> <p>21 BY MS. KAPLAN:</p> <p>22 Q By the way, while we're waiting, did</p> <p>23 Mr. Depp often wear heavy rings that you noticed on</p> <p>24 his fingers?</p> <p>25 A Yes. 02:53</p> <p style="text-align: right;">Page 153</p>

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<p>1 Q More than one? 02:53</p> <p>2 A Yes.</p> <p>3 Q And they were large. Is that fair to say?</p> <p>4 A If memory serves, yes.</p> <p>5 Q Thank you. 02:53</p> <p>6 MS. KAPLAN: Can we mark this as Drew 7?</p> <p>7 (Exhibit 7 marked.)</p> <p>8 BY MS. KAPLAN:</p> <p>9 Q Mr. Drew, I've put a document in front of</p> <p>10 you. I'm going to do this the old-fashioned, 02:54</p> <p>11 corporate law way somewhat. It's -- it's entitled</p> <p>12 the "Declaration of Amber Laura Heard."</p> <p>13 And if you turn to page 14, right at the</p> <p>14 bottom, it says: "Executed this 10 day of April,</p> <p>15 2019 at Los Angeles, California." There's a perjury 02:54</p> <p>16 line, and then it's got a -- purports to have the</p> <p>17 signature of Amber Heard.</p> <p>18 Do you see that there, sir?</p> <p>19 A Yes.</p> <p>20 Q Okay. Have -- is this the document that 02:54</p> <p>21 you read in preparation for this deposition here</p> <p>22 today that you were just talking about?</p> <p>23 A I mean, based on the information provided,</p> <p>24 I can't say definitively. I'd have to read through</p> <p>25 it. 02:54</p> <p style="text-align: right;">Page 154</p>	<p>1 Q I think you also testified -- and please 02:57</p> <p>2 correct me if I'm wrong -- that you were aware,</p> <p>3 however, of incidents of abuse -- physical abuse of</p> <p>4 Ms. Heard by Mr. Depp; is that also correct?</p> <p>5 MR. CHEW: Objection. Assumes facts not 02:57</p> <p>6 in evidence; mischaracterizes his testimony; and</p> <p>7 there's an utter lack of foundation. He says he has</p> <p>8 no firsthand knowledge.</p> <p>9 BY MS. KAPLAN:</p> <p>10 Q You can answer. 02:57</p> <p>11 A Yes, I've been made aware of incidents.</p> <p>12 Q Okay. Now, I think your testimony was --</p> <p>13 I want to get it right -- that you met -- let me go</p> <p>14 back to my notes -- that you started dating your</p> <p>15 former wife, Rocky, in June 2014. 02:57</p> <p>16 A To my recollection, yes.</p> <p>17 Q So if you look at this affidavit, on</p> <p>18 pages 1 and 2, "Describe events that occurred" -- if</p> <p>19 I'm doing my calendar correctly, and I think I am --</p> <p>20 "before you met and started dating Rocky"; is 02:58</p> <p>21 that -- is that correct?</p> <p>22 A That would be correct.</p> <p>23 Q And so for any of those incidents -- and</p> <p>24 I'll just read it into the record.</p> <p>25 There's one that says, "Late 2012, early 02:58</p> <p style="text-align: right;">Page 156</p>
<p>1 Q Take your time. 02:54</p> <p>2 A Okay.</p> <p>3 (Reviewing document.)</p> <p>4 It appears to be, yes.</p> <p>5 Q Okay. Now, you testified this morning 02:56</p> <p>6 that you never saw Mr. Depp hit or physically abuse</p> <p>7 Ms. Heard, although you were aware of such events.</p> <p>8 Is that a fair --</p> <p>9 MR. CHEW: No. That's a complete</p> <p>10 mischaracterization. 02:56</p> <p>11 MS. KAPLAN: Can you not interrupt my</p> <p>12 questioning, sir.</p> <p>13 (Simultaneous speakers.)</p> <p>14 MR. CHEW: You're -- well, you're --</p> <p>15 MS. KAPLAN: You can object when I'm done 02:56</p> <p>16 asking the question. That's the way the rules work.</p> <p>17 MR. CHEW: Be honest about his testimony.</p> <p>18 BY MS. KAPLAN:</p> <p>19 Q Mr. Drew, let me have you answer the</p> <p>20 question. Did you testify -- let's start over. 02:56</p> <p>21 Did you testify this morning that you</p> <p>22 never saw Mr. Depp hit or strike or physically abuse</p> <p>23 Ms. Heard in your presence; correct?</p> <p>24 A I have never witnessed firsthand any</p> <p>25 physical abuse between either party. 02:57</p> <p style="text-align: right;">Page 155</p>	<p>1 2013, Los Angeles, California." 02:58</p> <p>2 Then on page 2, it says, "March 8, 2013,</p> <p>3 Los Angeles, California."</p> <p>4 Later on that same page, page 2, "May 24,</p> <p>5 2014, flight from Boston, Massachusetts, to 02:58</p> <p>6 Los Angeles, California."</p> <p>7 Were you later, once you had started to</p> <p>8 date Rocky, made aware of any of those incidents?</p> <p>9 A The only one would be the -- the flight</p> <p>10 from Boston. 02:58</p> <p>11 Q Okay. And how did you become aware of</p> <p>12 that?</p> <p>13 A I honestly couldn't tell you the exact</p> <p>14 circumstance that predicated it, and honestly, I</p> <p>15 couldn't tell you whether it was early on in the 02:58</p> <p>16 relationship or whether it came up following that</p> <p>17 final May 21st incident.</p> <p>18 I'm -- I'm trying to take myself out of</p> <p>19 it, because, obviously, reading the context adds</p> <p>20 information to it. The only thing that I really was 02:59</p> <p>21 told at that time was that they had had an argument.</p> <p>22 It was related to one of her projects and that at a</p> <p>23 certain point, he kicked her.</p> <p>24 And it was in -- one of the few incidents</p> <p>25 that actually happened in front of people that 02:59</p> <p style="text-align: right;">Page 157</p>

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<p>1 weren't bodyguards, and that either she locked 02:59</p> <p>2 herself in a room or he locked himself in a room and</p> <p>3 that there had been communication with one of</p> <p>4 Johnny's assistants, Stephen Deuters, after the</p> <p>5 fact. 02:59</p> <p>6 And he didn't -- he had blacked out. He</p> <p>7 didn't remember the incident. And when Stephen told</p> <p>8 him, he got very, very upset. And, again, that's</p> <p>9 what I recall about being told about the incident.</p> <p>10 MR. CHEW: Move to -- 02:59</p> <p>11 THE WITNESS: And I'm trying not to parse</p> <p>12 it into what's written.</p> <p>13 MR. CHEW: Move to strike. Multiple</p> <p>14 hearsay; lacks personal knowledge.</p> <p>15 BY MS. KAPLAN: 03:00</p> <p>16 Q Who told you that?</p> <p>17 A If memory serves, it was Raquel.</p> <p>18 Q And --</p> <p>19 MR. CHEW: Move to strike. Hearsay.</p> <p>20 BY MS. KAPLAN: 03:00</p> <p>21 Q And you say you don't recall exactly when</p> <p>22 you became aware of -- let's call it the -- the</p> <p>23 plane incident. Are you -- and then you said it</p> <p>24 could even have been as late as May 21.</p> <p>25 A Somewhere afterwards, yes. 03:00</p> <p style="text-align: right;">Page 158</p>	<p>1 remember a time period where he was on the island 03:01</p> <p>2 doing a very hard-core detox with one to two of his</p> <p>3 private nurses and Amber.</p> <p>4 I don't know whether it was this specific</p> <p>5 incident, to be very honest with you, because what I 03:02</p> <p>6 do actually remember is one of the -- during this</p> <p>7 incident, I was actually communicating with him via</p> <p>8 text message just to check in on him. But I don't</p> <p>9 think it would have been this new to having just met</p> <p>10 him. 03:02</p> <p>11 Q So there was an incident that you recall</p> <p>12 where he was on his island in the Bahamas</p> <p>13 detoxing --</p> <p>14 A Yes.</p> <p>15 Q -- with a nurse -- 03:02</p> <p>16 A Yes.</p> <p>17 Q -- and you were concerned about him, so</p> <p>18 you would text him to check in?</p> <p>19 A Yes.</p> <p>20 Q Do you recall anything else about your 03:02</p> <p>21 text -- what he said -- what you said to him in</p> <p>22 those texts or what he said back to you?</p> <p>23 A My best friend is a -- is a heroin addict</p> <p>24 who's been sober for 15 years, so I reached out to</p> <p>25 my friend to ask him sort of what he -- what he had 03:02</p> <p style="text-align: right;">Page 160</p>
<p>1 Q Sitting here today, are you confident that 03:00</p> <p>2 you weren't told that within the last year?</p> <p>3 A Correct.</p> <p>4 Q You mentioned Stephen Deuters. Who is</p> <p>5 that? 03:00</p> <p>6 A I don't remember his exact title. I think</p> <p>7 it was Johnny's, like, road manager or something, in</p> <p>8 his production company. It was -- it was -- he had</p> <p>9 three guys that really worked for him, Nathan, Kevin</p> <p>10 and Stephen, in varying capacities. 03:00</p> <p>11 Q Did you personally ever meet or know</p> <p>12 Mr. Deuters?</p> <p>13 A Yes.</p> <p>14 Q When you had this conversation -- and you</p> <p>15 may not remember, Mr. Drew, but when you had this 03:01</p> <p>16 conversation with -- with Rocky when she told you</p> <p>17 about this incident, were you alone with Rocky, or</p> <p>18 was Amber there?</p> <p>19 A I honestly don't recall.</p> <p>20 Q Okay. The -- the next incident is on 03:01</p> <p>21 page 3 of the affidavit. It's right above</p> <p>22 paragraph 9. It says, "August 2014, Bahamas."</p> <p>23 Sitting here today, were you aware of this incident</p> <p>24 prior to attending your deposition?</p> <p>25 A I'm a little foggy on this one. I do 03:01</p> <p style="text-align: right;">Page 159</p>	<p>1 gone through and what had helped when he was going 03:02</p> <p>2 through his rehab and his detox so that I could</p> <p>3 maybe offer some words of encouragement, and offer</p> <p>4 something to Johnny that might have helped somebody</p> <p>5 who had been through something similar because I 03:03</p> <p>6 knew he was trying to kick opioids.</p> <p>7 Q And do you recall ever learning that at</p> <p>8 least one of these incidents where he was on the</p> <p>9 island detoxing with a nurse and with Amber, that he</p> <p>10 had been abusive -- physically abusive to Amber? 03:03</p> <p>11 MR. CHEW: Objection. Lack of personal</p> <p>12 knowledge; assumes facts not in evidence; and</p> <p>13 hearsay; utter lack of foundation.</p> <p>14 BY MS. KAPLAN:</p> <p>15 Q You can answer. 03:03</p> <p>16 A No. I was not made aware of any -- any</p> <p>17 physical violence. The only information I really</p> <p>18 knew about it was that it was just -- he was loud</p> <p>19 and upset, and they couldn't handle him on their</p> <p>20 own. 03:03</p> <p>21 Q Let's go to the next incident on -- in</p> <p>22 this affidavit on page 3. It says, "December 17,</p> <p>23 2014, Los Angeles."</p> <p>24 A I -- I couldn't tell you.</p> <p>25 Q Do you ever recall Johnny calling himself 03:04</p> <p style="text-align: right;">Page 161</p>

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1 in any conversation "a fucking savage"? 03:04	1 something that I might have misremembered. 03:05
2 A Yes.	2 Q No. I don't want you to. I only want you
3 Q That's something you heard him say?	3 to tell me what you knew prior to reading this --
4 A Personally, no.	4 A The very --
5 Q But you heard someone else tell -- someone 03:04	5 (Simultaneous speakers.) 03:06
6 else told you that he called himself a --	6 MR. CHEW: He didn't know anything. I
7 A In recount --	7 move to strike as double hearsay. One liar to
8 (Simultaneous speakers.)	8 another liar to him does not constitute testimony or
9 MR. CHEW: Hearsay.	9 knowledge.
10 BY MS. KAPLAN: 03:04	10 MS. KAPLAN: You know -- 03:06
11 Q Go ahead. You can answer.	11 THE WITNESS: I'm going to say this flat
12 A In recounting the story, yes.	12 out: If you guys want to argue across the table, by
13 MR. CHEW: Move to strike. Hearsay.	13 all means, we will sit here, but I won't be spoken
14 THE WITNESS: I can't say specifically	14 to that way, and I won't be spoken about that way.
15 whether it was for this incident. I actually don't 03:04	15 MR. CHEW: I'm not speaking about you, 03:06
16 really know what incident this is referring to.	16 sir. I was -- I was -- I would move to strike --
17 MR. CHEW: Move to strike. Lack of	17 let me just move to strike on the grounds of double
18 personal knowledge.	18 hearsay. I was not referring to you, sir. I was
19 BY MS. KAPLAN:	19 not.
20 Q Someone told you about an incident in 03:04	20 BY MS. KAPLAN: 03:06
21 which Mr. Depp called himself "a fucking savage"?	21 Q You can answer, Mr. Drew.
22 MR. CHEW: Objection. Hearsay.	22 A Can you repeat the question, please?
23 THE WITNESS: Yes.	23 Q Yeah. I was saying to you that I -- I
24 BY MS. KAPLAN:	24 don't want -- what I don't want today -- and I
25 Q You can answer. 03:04	25 understand that memory is a tricky thing and that, 03:06
Page 162	Page 164
1 And who told you that? 03:04	1 you know, thinking is complicated. I -- I do not 03:06
2 A If memory serves, it was Raquel.	2 want any information, you to tell me anything that
3 Q Let's go to the next page, page 4.	3 you learned from this affidavit.
4 There's an incident described in Tokyo, Japan. Do	4 A The only thing I --
5 you know -- sitting here today, do you know anything 03:04	5 (Simultaneous speakers.) 03:06
6 about that incident?	6 Q I'm only trying to test what you knew
7 A Reading this document was the first I	7 prior to this affidavit about the events described
8 learned of this incident.	8 in this affidavit.
9 Q Okay. "March 2015, Australia." Sitting	9 A The only thing I'm comfortable stating
10 here today, do you have knowledge about that 03:05	10 about this incident was that I was made aware 03:06
11 incident, about "March 2015, Australia"?	11 secondhand that something had happened. They had
12 A Yes.	12 had a major fight in Australia; big knockdown,
13 Q Can you tell me what you know?	13 drag-out.
14 A What I was told firstly, specifically, was	14 Johnny cut off his finger at some point.
15 that there had been some giant fight, and in the 03:05	15 It was a whole mess. He refused to get medical 03:07
16 course of it, Johnny had cut his finger off, and bit	16 treatment. And even when they flew him back, it was
17 by bit after the fact, more information was shared	17 still with his hand wrapped in duct tape that he had
18 with me via Raquel. Never directly via Amber, but	18 done himself, and his team couldn't get him to go
19 through Amber specifically. But I really don't	19 see a doctor. And honestly that was really it.
20 recall a lot of specific details. 03:05	20 MR. CHEW: Move to strike. Hearsay. 03:07
21 And to be very honest with you, I'm	21 MS. KAPLAN: I'm going to mark as
22 probably going to be more conservative in my	22 Drew 7 --
23 response here because, reading this account, I	23 MS. VIGLIETTA: 8.
24 learned exponentially more than I had been made	24 MS. KAPLAN: I'm really bad, as you can
25 aware of previously, and I don't want to speak about 03:05	25 tell, since I became a lawyer -- Drew 8, a series -- 03:07
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<p>1 it's a document bearing the Bates stamp ALH -- what? 03:07</p> <p>2 Oh, it doesn't have a Bates number. A document -- a</p> <p>3 series of texts. I'm sorry.</p> <p>4 (Exhibit 8 marked.)</p> <p>5 BY MS. KAPLAN: 03:08</p> <p>6 Q So I've shown you a document that's been</p> <p>7 parked -- marked as Drew 8, and I'm going to ask</p> <p>8 you, Mr. Drew, if you can identify it for me.</p> <p>9 A I'm sorry. Could you repeat the question?</p> <p>10 Q Yeah. Can you tell me what the document 03:08</p> <p>11 in front of you is.</p> <p>12 A If you can give me a second --</p> <p>13 Q Sure.</p> <p>14 A -- to get through it.</p> <p>15 Q Please take your time. 03:08</p> <p>16 A (Reviewing document.)</p> <p>17 It appears to be a text conversa- -- or</p> <p>18 snippet of a text conversation between myself and</p> <p>19 Amber.</p> <p>20 Q Okay. And it's dated March 12, 2015; 03:08</p> <p>21 correct?</p> <p>22 A Correct, per this document.</p> <p>23 Q Right. And do you have any reason to</p> <p>24 believe that this isn't an accurate copy of the text</p> <p>25 that you and -- and Ms. Heard exchanged on this -- 03:08</p> <p style="text-align: right;">Page 166</p>	<p>1 Rocky spending more time with Amber upon her return 03:09</p> <p>2 from Australia with Mr. Depp?</p> <p>3 A Yes.</p> <p>4 Q And in your reply where it begins:</p> <p>5 "Think nothing of it, sweetie. I know how 03:10</p> <p>6 important the two of you are to each other</p> <p>7 and I'd never stand in the way of that,</p> <p>8 especially when one of you needed the</p> <p>9 other, as I'm sure you do right now."</p> <p>10 The "two of you" referenced in that text 03:10</p> <p>11 were Amber and Rocky; is that correct?</p> <p>12 A Correct.</p> <p>13 Q When Ms. Heard sent this text to you, what</p> <p>14 do you remember knowing about the really rough time</p> <p>15 she was having? Unbearably rough time. Excuse me. 03:11</p> <p>16 A I think, candidly, it's going to go back</p> <p>17 to my previous statement about what I'm comfortable</p> <p>18 recalling, and I'm going to stick to that.</p> <p>19 Q Okay.</p> <p>20 MS. KAPLAN: We'll mark the document as 03:11</p> <p>21 No. 9.</p> <p>22 (Exhibit 9 marked.)</p> <p>23 BY MS. KAPLAN:</p> <p>24 Q I'm trying to do this story</p> <p>25 chronologically, Mr. Drew, so I apologize for this. 03:12</p> <p style="text-align: right;">Page 168</p>
<p>1 on this day, March 12, 2015? 03:08</p> <p>2 A No.</p> <p>3 Q Okay. In the top text, Ms. Heard says to</p> <p>4 you:</p> <p>5 "Hey, there" -- and I'm just reading from 03:08</p> <p>6 the text -- "I just wanted to say thank</p> <p>7 you for sharing Rocky with me so much the</p> <p>8 past few days. I have been going through</p> <p>9 a really tough time, unbearably rough at</p> <p>10 times, and wouldn't be able to get through 03:09</p> <p>11 it without her.</p> <p>12 "And I know it has been taking time from</p> <p>13 you. I'm so sorry for that. I want you</p> <p>14 to know how much that means to me and how</p> <p>15 much I appreciate you being so fucking 03:09</p> <p>16 generous and supportive and sweet. It's</p> <p>17 not lost on me. Thank you so much from</p> <p>18 the bottom of my heart."</p> <p>19 Sitting here today, does anything about</p> <p>20 this text refresh your recollections -- your 03:09</p> <p>21 recollection of texts that you -- or communications</p> <p>22 you had with Ms. Heard after they returned from</p> <p>23 Australia?</p> <p>24 A Not particularly.</p> <p>25 Q Okay. Do you, sitting here today, recall 03:09</p> <p style="text-align: right;">Page 167</p>	<p>1 I'm going to go back a little bit to January 2015, 03:12</p> <p>2 and I'm going to tell me if you can -- I'm going to</p> <p>3 ask you if you can identify the document in front of</p> <p>4 you.</p> <p>5 A It purports to be a text message 03:12</p> <p>6 conversation between myself and Amber.</p> <p>7 Q And am I correct that in this exchange</p> <p>8 between you and Amber, you make the suggestion of</p> <p>9 making dinner for her and Johnny?</p> <p>10 A If you can give me a minute to read 03:12</p> <p>11 through.</p> <p>12 Q Sure, please. I apologize.</p> <p>13 A (Reviewing document.)</p> <p>14 MR. CHEW: Can I ask why there's no Bates</p> <p>15 stamps on this? 03:12</p> <p>16 MS. KAPLAN: I don't think they've been</p> <p>17 produced yet.</p> <p>18 MR. CHEW: Why not?</p> <p>19 MS. KAPLAN: Because you will be getting</p> <p>20 production from this week, and you haven't produced 03:12</p> <p>21 any documents about any of the witnesses who we --</p> <p>22 testified this morning either, and we are working as</p> <p>23 fast as we can to get ready for the dates that you</p> <p>24 insisted on going forward with this week.</p> <p>25 MR. CHEW: So it's a deliberate hide the 03:13</p> <p style="text-align: right;">Page 169</p>

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1 ball. 03:13	1 chef's knives? 03:15
2 (Reporter clarification.)	2 A Those are -- they're Japanese knives.
3 MS. KAPLAN: No, it's not, and as Mr. Drew	3 They are mine.
4 said, I think we should refrain from having these	4 Q And am I -- is it -- am I correct that for
5 arguments while I'm trying to depose the witness. 03:13	5 a chef, like, your knives are kind of a big deal? 03:15
6 MR. CHEW: Just asking a question about	6 A Yes.
7 the providence of the document.	7 Q Let's go back to Drew 7.
8 THE WITNESS: (Reviewing document.)	8 A Is that the declaration?
9 Okay.	9 Q Yeah. I apologize.
10 BY MS. KAPLAN: 03:13	10 A Okay. 03:16
11 Q So was I correct in -- in reading this to	11 Q The declaration.
12 be an offer by you to make dinner for Ms. Heard and	12 The next incident that's described is on
13 Mr. Depp?	13 page 6. It says, at the top, "March 2015,
14 A Correct.	14 Los Angeles."
15 Q In this text exchange, Ms. Heard talks 03:13	15 And, again, keeping in mind the same 03:16
16 about having -- needing time to talk with Mr. Heard.	16 instruction I gave you earlier, Mr. Drew, separate
17 A Mr. Depp.	17 and apart from whatever you may have learned from
18 Q I mean -- excuse me -- Mr. Depp. Do you	18 reading this document, did you know about this event
19 recall -- sitting here today, do you recall what she	19 prior to the deposition?
20 was referring to? 03:14	20 A I don't have any recollection of this 03:16
21 A I don't.	21 event.
22 Q Do you -- sitting here today, do you have	22 Q Okay. Same thing for the next one, which
23 any reason to believe that this dinner that you were	23 is just a small paragraph where it says, "August
24 discussing having and inviting -- making for them,	24 2015, Thailand and Malaysia."
25 didn't happen? 03:14	25 A Only thing I know is that they did take 03:17
Page 170	Page 172
1 A No. I actually do remember it 03:14	1 that train trip, but this is the first I learned of 03:17
2 specifically because of the reference to the tattoo.	2 this incident.
3 Q And what -- tell me what you remember	3 Q Next one, which is Thanksgiving,
4 about that night.	4 essentially Thanksgiving 2015, in Los Angeles. Same
5 A I remember that night, we did have dinner 03:14	5 question. 03:17
6 a little bit later, and Johnny was having an old	6 A Again, the same. I actually don't have
7 buddy, a famous tattoo artist in Los Angeles, a	7 any knowledge of this incident.
8 gentleman named Mark Mahoney come over to do like	8 Q "December 15, 2015, Los Angeles,"
9 a -- he was going to come and do like a -- sort of	9 California which is the next page, and you'll see in
10 a -- an old-school sort of cabaret-type tattoo of 03:14	10 paragraph 23, in case it refreshes your 03:17
11 Amber on Johnny's arm at the house.	11 recollection, there's a specific reference to Rocky.
12 Q And were you there when the -- when he did	12 What knowledge do you have about this incident?
13 that?	13 A Specifically coming -- coming home, I want
14 A Yes.	14 to say late afternoon, early evening. It was myself
15 Q Do you recall anything else unusual -- I 03:15	15 and Raquel. Melanie was not present. Amber had not 03:18
16 mean, obviously, having a tattoo, that was	16 been responding to Raquel for some time, and they
17 relatively unusual. Anything else unusual about	17 were supposed to hang out, the three of them.
18 that dinner?	18 So we let ourselves into PH 3 to check on
19 A Not to my recollection.	19 her and make sure everything was okay. And we came
20 Q Okay. And there are -- just so the record 03:15	20 inside. The kitchen and the dining table were a 03:18
21 is clear, there are some -- do you have a photo of	21 mess. Like the kitchen -- like the kitchen island
22 some knives --	22 area, things were strewn about, outside of the norm.
23 A Yes.	23 And there was something written on the
24 Q -- tattoo?	24 counter adjacent to the kitchen sink, like I stated
25 I'm just assuming that those are your 03:15	25 previously, something like "All is such a fraud" or 03:18
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<p>1 something in that vein. We realized something was 03:18</p> <p>2 off right away.</p> <p>3 Raquel told me to go back to our place and</p> <p>4 then booked it upstairs. I didn't hear from her for</p> <p>5 about 10, 15 minutes, which I was obviously 03:18</p> <p>6 concerned about.</p> <p>7 And, again, if memory serves, the first</p> <p>8 text I received from Raquel was: "He beat the shit</p> <p>9 out of her again. I'm taking care of her."</p> <p>10 MR. CHEW: Move to strike. Hearsay. 03:18</p> <p>11 BY MS. KAPLAN:</p> <p>12 Q And just so the record is clear, that's</p> <p>13 the -- the incident you were discussing previously</p> <p>14 with Mr. Chew; correct?</p> <p>15 A You're going to have to be more specific. 03:19</p> <p>16 Q The -- the incident you just testified</p> <p>17 about, you talked about the kitchen being -- with</p> <p>18 Mr. Chew about the kitchen being a mess on one</p> <p>19 incident. Is this the same incident you were</p> <p>20 referencing -- 03:19</p> <p>21 A Correct.</p> <p>22 Q -- then? Okay.</p> <p>23 MS. KAPLAN: We're on Drew 8? Drew 10,</p> <p>24 please.</p> <p>25 (Exhibit 10 marked.) 03:19</p> <p style="text-align: right;">Page 174</p>	<p>1 foundation. He can't recognize his wife's 03:20</p> <p>2 handwriting, but he can recognize sketching on a</p> <p>3 countertop. Lack -- objection.</p> <p>4 BY MS. KAPLAN:</p> <p>5 Q So when -- 03:20</p> <p>6 MR. CHEW: Lack of foundation. Move to</p> <p>7 strike.</p> <p>8 BY MS. KAPLAN:</p> <p>9 Q When you used the preposition "his" in</p> <p>10 that answer, you meant Mr. Depp? 03:20</p> <p>11 A Correct.</p> <p>12 Q And why -- and are you saying that you</p> <p>13 recognized at the time that it was his</p> <p>14 handwriting --</p> <p>15 A Correct. 03:20</p> <p>16 Q -- when you saw it?</p> <p>17 And why do you -- how were you able to</p> <p>18 recognize Mr. Depp's handwriting?</p> <p>19 A He has a very unique mode of penmanship.</p> <p>20 Q And you had seen that mode of penmanship 03:21</p> <p>21 previously?</p> <p>22 A Many times.</p> <p>23 MR. CHEW: Move to strike. Lack of</p> <p>24 foundation.</p> <p>25 BY MS. KAPLAN: 03:21</p> <p style="text-align: right;">Page 176</p>
<p>1 BY MS. KAPLAN: 03:19</p> <p>2 Q So I think you testified that when you</p> <p>3 came and you saw some writing on -- in the</p> <p>4 kitchen -- I showed you a document, which is a</p> <p>5 photograph that we've marked as Drew 10, and ask you 03:19</p> <p>6 if that's what you were referring to earlier.</p> <p>7 A Yes.</p> <p>8 Q And did you come to learn, Mr. Drew, who</p> <p>9 had written this language -- is this the kitchen --</p> <p>10 withdrawn. 03:20</p> <p>11 Is this the kitchen counter?</p> <p>12 A It's -- yeah. It's the kitchen counter</p> <p>13 next to the kitchen sink.</p> <p>14 Q And this is in the apartment of Ms. Heard</p> <p>15 and Mr. Depp? 03:20</p> <p>16 A PH 3.</p> <p>17 Q And did you come to learn who had written</p> <p>18 these words -- these words in -- on the kitchen</p> <p>19 counter?</p> <p>20 A I'm sure there will be an objection to 03:20</p> <p>21 this response, but I -- I knew it was his writing.</p> <p>22 (Reporter clarification.)</p> <p>23 THE WITNESS: I knew it was his</p> <p>24 handwriting.</p> <p>25 MR. CHEW: Move to strike. Lack of 03:20</p> <p style="text-align: right;">Page 175</p>	<p>1 Q Can you read what is written on the 03:21</p> <p>2 countertop in Drew 10?</p> <p>3 A "Why be a fraud? All is such bullshit."</p> <p>4 Q Is this Drew 10 an accurate photograph of</p> <p>5 what you recall seeing that day? 03:21</p> <p>6 A To my recollection, yes.</p> <p>7 Q Was anything else written on the</p> <p>8 countertop?</p> <p>9 A Not that I remember.</p> <p>10 Q When you saw the -- when you came to the 03:21</p> <p>11 apartment and saw the mess in the kitchen and saw</p> <p>12 these words written on the countertop, were you</p> <p>13 concerned?</p> <p>14 A Immediately.</p> <p>15 Q And what were you concerned about? 03:21</p> <p>16 A That something very, very bad had</p> <p>17 happened.</p> <p>18 Q And that's in part because you assumed</p> <p>19 immediately that Mr. Depp had written these words?</p> <p>20 A Yes. 03:22</p> <p>21 Q Can you read in -- oh, you read into the</p> <p>22 record what it says. Just correct me if I'm wrong.</p> <p>23 That little kind of red thing there in the top</p> <p>24 right-hand corner of the photograph, do you recall,</p> <p>25 is that a lipstick, part of a lipstick? 03:22</p> <p style="text-align: right;">Page 177</p>

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<p>1 A Couldn't tell you. 03:22</p> <p>2 Q At the time did you have any idea of what</p> <p>3 this was written in? Do you recall?</p> <p>4 A Looking at it, I can answer. I don't</p> <p>5 recall from the time, so I'm going to say no. 03:22</p> <p>6 Q And I take it, Mr. Drew, you didn't take</p> <p>7 this photograph.</p> <p>8 A No.</p> <p>9 Q Do you know if Rocky did?</p> <p>10 A I don't know. 03:22</p> <p>11 Q And when you say you were concerned that</p> <p>12 something very bad had happened, what do -- what do</p> <p>13 you mean by that?</p> <p>14 A You walk into somebody's house, and it</p> <p>15 looks like they've vandalized it, and things are 03:22</p> <p>16 amiss -- or things are strewn about, it's -- it</p> <p>17 doesn't portend anything good.</p> <p>18 Q Did you go anywhere else in Mr. Depp and</p> <p>19 Ms. Heard's apartment other than the kitchen that</p> <p>20 day? 03:23</p> <p>21 A The living room later.</p> <p>22 Q So, again, to the best of your</p> <p>23 recollection -- and I understand it's a long time</p> <p>24 ago, and I understand these aren't exactly happy</p> <p>25 memories, but can you tell me, chronologically, what 03:23</p> <p style="text-align: right;">Page 178</p>	<p>1 What I remember being told after the fact, 03:24</p> <p>2 the only piece of information I received from</p> <p>3 Raquel, was that they had gotten into a huge</p> <p>4 argument, that he had headbutted her, that he ripped</p> <p>5 pieces of her hair out and smothered her -- or 03:24</p> <p>6 smothered her face into a pillow, wrote that and</p> <p>7 left and that they were calling the nurse and</p> <p>8 Dr. Kipper to get a -- to try and figure out if she</p> <p>9 had a concussion or whether she had -- they had to</p> <p>10 take her to the emergency room or whatever it is. 03:25</p> <p>11 MR. CHEW: Move to strike. Double</p> <p>12 hearsay; lack of foundation.</p> <p>13 BY MS. KAPLAN:</p> <p>14 Q So you gave some testimony earlier in</p> <p>15 questioning from Mr. Chew about whether your former 03:25</p> <p>16 wife had ever lied to you. Do you recall that</p> <p>17 testimony?</p> <p>18 A Yes.</p> <p>19 Q And there was some testimony about her</p> <p>20 having an affair and not having told you about it, 03:25</p> <p>21 et cetera --</p> <p>22 A Yes.</p> <p>23 Q -- all that.</p> <p>24 Let me ask you two questions. When --</p> <p>25 when Rocky told you this in December -- on 03:25</p> <p style="text-align: right;">Page 180</p>
<p>1 happened? 03:23</p> <p>2 You let yourselves into the apartment.</p> <p>3 You saw this. Just tell me the story again to the</p> <p>4 best of your recollection of what happened when.</p> <p>5 A How I remember it is that we -- like I 03:23</p> <p>6 said, we came home late afternoon, early evening.</p> <p>7 Hadn't heard from Amber in some time, which was out</p> <p>8 of character for her.</p> <p>9 Let ourselves in to go check. Saw that</p> <p>10 written on the counter. Saw the kitchen amiss. 03:23</p> <p>11 Raquel looked at me and said specifically,</p> <p>12 "Something is not right. Go back to our place. I'm</p> <p>13 going to go check on her." Bolted upstairs.</p> <p>14 I was sitting over in PH 1, in our</p> <p>15 apartment, waiting, and I heard from her. Again, I 03:24</p> <p>16 don't remember exactly. I want to say it was about</p> <p>17 10 or 15 minutes later, stating something akin to</p> <p>18 "He beat the shit out of her again. I'm taking care</p> <p>19 of her," something like that.</p> <p>20 And I really -- I -- I really don't 03:24</p> <p>21 remember what my response was. I don't remember</p> <p>22 what transpired after that, other than there was</p> <p>23 some time that she was over there. I don't remember</p> <p>24 when or even if Melanie came over at any point</p> <p>25 during that evening. 03:24</p> <p style="text-align: right;">Page 179</p>	<p>1 December 15, 2015, do you think she was lying to 03:25</p> <p>2 you?</p> <p>3 A I had no reason to.</p> <p>4 Q Sitting here today, do you believe that</p> <p>5 she was lying to you about it? 03:25</p> <p>6 A No.</p> <p>7 Q Now, you said previously as well that --</p> <p>8 that obviously both Ms. Heard and Mr. Depp were</p> <p>9 public figures; correct?</p> <p>10 A Correct. 03:25</p> <p>11 Q And Mr. Depp, in fact, was a huge movie</p> <p>12 star -- was and is a huge movie star; right?</p> <p>13 A Correct.</p> <p>14 Q Was there -- do you recall there being</p> <p>15 discussion, either that time or any other time, 03:26</p> <p>16 about how to make sure that this didn't get out to</p> <p>17 the tabloids and become a big problem for Mr. Depp's</p> <p>18 career, or even for Ms. Heard's career?</p> <p>19 A Yes.</p> <p>20 MR. CHEW: Objection. Leading. 03:26</p> <p>21 BY MS. KAPLAN:</p> <p>22 Q What do you recall about that?</p> <p>23 A I do remember that conversation</p> <p>24 specifically because she had a public appearance the</p> <p>25 next day. I don't remember who exactly. I want to 03:26</p> <p style="text-align: right;">Page 181</p>

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<p>1 say it was on Jimmy Kimmel Live. I don't remember 03:26</p> <p>2 what she was promoting.</p> <p>3 And I remember it specifically because she</p> <p>4 had pretty significant visible facial injuries and</p> <p>5 didn't know if she was going to be in a state to do 03:26</p> <p>6 it, or didn't know whether she was even going to</p> <p>7 be -- to have the -- the physical appearance to be</p> <p>8 able to do it.</p> <p>9 Q Okay. And when you say these things --</p> <p>10 first of all, "she" in those statements is Amber 03:26</p> <p>11 Heard; correct?</p> <p>12 A Yes.</p> <p>13 Q And was this -- you're all hearing this</p> <p>14 secondhand from Rocky, or did you actually have</p> <p>15 those conversations with Ms. Heard? 03:26</p> <p>16 A I was in and out of a conversation with</p> <p>17 Amber and Rocky. I can't tell you specifically</p> <p>18 which came from Rocky secondhand and which was</p> <p>19 specifically that I was a witness to with Amber</p> <p>20 directly. 03:27</p> <p>21 MR. CHEW: Move to strike. Hearsay and</p> <p>22 double hearsay.</p> <p>23 BY MS. KAPLAN:</p> <p>24 Q And do you recall Ms. Heard saying that</p> <p>25 she was worried that her injuries would appear on 03:27</p> <p align="right">Page 182</p>	<p>1 BY MS. KAPLAN: 03:28</p> <p>2 Q Let's explore that. Did you see</p> <p>3 Ms. Heard's face that day?</p> <p>4 A Yes.</p> <p>5 Q Do you have good vision? 03:28</p> <p>6 A I -- I didn't have glasses, and I</p> <p>7 didn't -- I didn't need them then, so yes.</p> <p>8 Q Are you capable of recognizing an injury</p> <p>9 on another human being's body?</p> <p>10 A It's going to be objected to, but I would 03:28</p> <p>11 believe so, yes.</p> <p>12 MR. CHEW: Objection. Lack of foundation.</p> <p>13 Move to strike.</p> <p>14 MS. KAPLAN: I'm going to mark as Drew --</p> <p>15 and, again, Mr. Drew, to the extent you ever want to 03:28</p> <p>16 take a break, please do, because this is -- you're</p> <p>17 the one who's working harder today than any of us.</p> <p>18 THE WITNESS: Might as well rip the</p> <p>19 Band-Aid off.</p> <p>20 MS. KAPLAN: This is Drew 11. 03:28</p> <p>21 (Exhibit 11 marked.)</p> <p>22 BY MS. KAPLAN:</p> <p>23 Q So I'm handing you a document that we've</p> <p>24 marked as Drew 11. You can see from the top page,</p> <p>25 this was attached to Ms. Heard's depo-- 03:29</p> <p align="right">Page 184</p>
<p>1 the show, but she couldn't back out of it for her 03:27</p> <p>2 career?</p> <p>3 A Yes.</p> <p>4 MR. CHEW: Objection. Hearsay.</p> <p>5 BY MS. KAPLAN: 03:27</p> <p>6 Q And if I were to tell you that it was</p> <p>7 actually James Corden's show, which the Internet</p> <p>8 will prove just by a Google search, would that</p> <p>9 refresh your recollection?</p> <p>10 A Sure. 03:27</p> <p>11 Q What -- do you know if efforts were made</p> <p>12 by Rocky or Melanie or anyone else to put on</p> <p>13 sufficient makeup for Ms. Heard to cover over her</p> <p>14 injuries?</p> <p>15 A Yes, I do. 03:27</p> <p>16 Q Did you see her injuries that day?</p> <p>17 A I did.</p> <p>18 Q Did they look like the kinds of injuries</p> <p>19 that someone would give themselves?</p> <p>20 A No. 03:27</p> <p>21 Q Did they look to you to be serious</p> <p>22 injuries?</p> <p>23 A Yes.</p> <p>24 MR. CHEW: Move to strike. Lack of</p> <p>25 foundation. 03:27</p> <p align="right">Page 183</p>	<p>1 affidavit -- declaration as Exhibit 13. 03:29</p> <p>2 And according to the affidavit, these are</p> <p>3 the photos taken that day. And I want you to look</p> <p>4 at the photos of -- of Ms. Heard's face and tell --</p> <p>5 tell the jury, Mr. Drew, if those were consistent 03:29</p> <p>6 with what you observed on her face that day.</p> <p>7 MR. CHEW: Objection. Lack of foundation.</p> <p>8 THE WITNESS: It is.</p> <p>9 MR. CHEW: Move to strike. Lack of</p> <p>10 foundation. 03:29</p> <p>11 THE WITNESS: I was with Raquel when she</p> <p>12 took the pictures.</p> <p>13 BY MS. KAPLAN:</p> <p>14 Q And the pictures were taken, what, on</p> <p>15 Raquel's iPhone or photo -- camera? 03:29</p> <p>16 A To my -- to my recollection, yes. They</p> <p>17 could have been taken on Amber's phone so there</p> <p>18 wouldn't be any potential accusation of bias or</p> <p>19 anything like that.</p> <p>20 Q And you described earlier to Mr. Chew that 03:30</p> <p>21 there was, as I recall, kind of color under both of</p> <p>22 her eyes?</p> <p>23 A Yes.</p> <p>24 Q And when I say "her," I mean Ms. Heard.</p> <p>25 If you look at the one, two, three, four, 03:30</p> <p align="right">Page 185</p>

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1 five, sixth photo, this one -- I'm sorry. I'm going 03:30	1 the photos of the face? 03:32
2 to hold it up.	2 A I can't say definitively.
3 A Yes.	3 Q Okay. But there are some photos you were
4 MR. CHEW: Objection. Move to strike.	4 there for that are here --
5 Lack of foundation. 03:30	5 A Correct. 03:32
6 MS. KAPLAN: Well, I haven't asked	6 Q That was a bad -- let me get that right.
7 anything yet.	7 Sorry.
8 MR. CHEW: Well, because it's all based on	8 But at least some of the photos in
9 hearsay and lack of foundation.	9 Drew 11, you recall being there and personally
10 BY MS. KAPLAN: 03:30	10 observing Ms. Pennington take them? 03:32
11 Q Did you personally observe that day this	11 A Correct.
12 injury on Ms. Heard's face --	12 Q And are you aware of any efforts by Rocky
13 A I did.	13 or anyone else to manipulate the photos that were
14 Q -- on December -- in December 2015?	14 taken that day with Photoshop or any other method of
15 A I did. 03:30	15 changing a photograph? 03:32
16 Q Thank you.	16 A If I had any knowledge of that or even
17 And you said before, you were there when	17 suspected it, this would be a very different
18 Ms. Pennington was taking the photos?	18 interview.
19 A Yes.	19 Q It's a deposition, but yes.
20 Q Was there any discussion -- well, 03:30	20 A Or very different deposition, whatever. 03:32
21 withdrawn.	21 Q Were you -- that day, do you recall
22 There's a couple more photos in there. It	22 observing or being aware of efforts being made to
23 looks like there's a busted lip. Do you see those	23 put enough makeup on Amber's face so that she --
24 photos?	24 would not appear that she'd been injured when she
25 A Yes. 03:31	25 appeared on the James Corden show? 03:33
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1 Q Do you recall seeing that personally on 03:31	1 A Yes. 03:33
2 Ms. Heard's face that day?	2 Q And who was doing that?
3 A Honestly, I -- I don't remember without	3 A To my recollection, it would have been
4 looking at this photo, so I'm --	4 Melanie -- Melanie Inglessis.
5 Q Okay. 03:31	5 Q And, again, you saw Melanie Inglessis do 03:33
6 A -- more comfortable saying I don't know.	6 that?
7 Q Okay. There's -- if you look at the last	7 A Honestly, I don't recall actually
8 picture, it's kind of a picture of -- looks like the	8 witnessing it happen, and I can't even say with
9 top of someone's scalp and there's some red marks.	9 specificity whether I interacted with Melanie that
10 Do you recall there being discussion about the fact 03:31	10 day or the next morning, but I do know, from being 03:33
11 that Mr. Heard had grabbed -- Mr. Depp -- excuse	11 told by Raquel, that was the plan, and I do know
12 me -- had grabbed Ms. Heard by her hair?	12 that Melanie was with her the next day prior to the
13 MR. CHEW: Objection. Hearsay.	13 show.
14 BY MS. KAPLAN:	14 MR. CHEW: Move to strike. Hearsay; lack
15 Q You can answer, sir. 03:31	15 of personal knowledge. 03:33
16 A That, I don't recall. What was relayed to	16 THE WITNESS: And I'll add specifically to
17 me was that he had pulled her hair at some point in	17 put makeup on her before they actually left to the
18 some way and had pulled chunks of it out, but	18 studio because they obviously couldn't show up that
19 dragging her by the hair, I don't recall.	19 way.
20 MR. CHEW: Move to strike. Lack of 03:31	20 MR. CHEW: Same objection. Same motion to 03:34
21 foundation.	21 strike.
22 BY MS. KAPLAN:	22 BY MS. KAPLAN:
23 Q And, Mr. Drew, were you there -- do you --	23 Q And just so -- for people who don't
24 does it refresh your recollection that you were	24 understand this, I -- I take it from your last
25 there when all of these photos were taken or just 03:31	25 answer, what you mean is they put additional makeup 03:34
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<p>1 on in the studio, but she wanted to have something 03:34</p> <p>2 done even before she got to the green room; is</p> <p>3 that --</p> <p>4 A They made the extra effort to prevent</p> <p>5 anybody from even having an inkling that anything 03:34</p> <p>6 had transpired, so they put --</p> <p>7 MR. CHEW: Move to -- go ahead.</p> <p>8 Move to strike. Lack of personal</p> <p>9 knowledge; lack of foundation; hearsay.</p> <p>10 MS. KAPLAN: Just like you shouldn't 03:34</p> <p>11 interrupt me, Mr. Chew, you shouldn't interrupt the</p> <p>12 witness either.</p> <p>13 THE WITNESS: I think it's time for a</p> <p>14 break.</p> <p>15 MS. KAPLAN: Yeah. Let's take a break. 03:34</p> <p>16 THE VIDEOGRAPHER: We're now going off the</p> <p>17 record. The time on the video monitor is 3:34.</p> <p>18 (Recess.)</p> <p>19 THE VIDEOGRAPHER: We are now going back</p> <p>20 on the record. The time on the video monitor is 04:01</p> <p>21 4:01 p.m. This is the beginning of Media 4 in the</p> <p>22 videotaped deposition of Joshua Drew.</p> <p>23 MR. CHEW: And, Robbie, just before you</p> <p>24 start, we have done a search, and we cannot find the</p> <p>25 Drew declaration. So we would ask whether you -- 04:02</p> <p style="text-align: right;">Page 190</p>	<p>1 talking about, and there are two photos attached, 04:03</p> <p>2 and I'm just going to ask you if you -- if those</p> <p>3 photos refresh your recollection in any way about</p> <p>4 the -- the events of that day.</p> <p>5 A I don't recall these photos. I don't 04:03</p> <p>6 recall ever having seen them either.</p> <p>7 Q Okay.</p> <p>8 MR. CHEW: May we have a copy of</p> <p>9 Exhibit 12, please?</p> <p>10 MS. KAPLAN: Oh, yeah. I'm sorry. 04:03</p> <p>11 MR. CHEW: Thank you.</p> <p>12 BY MS. KAPLAN:</p> <p>13 Q Going back to Drew 11, which is the other</p> <p>14 series of photos, in -- in seeing Ms. Heard that day</p> <p>15 and being involved in taking at least some of these 04:03</p> <p>16 photos, which I think is your testimony, did you</p> <p>17 observe any makeup on Ms. Heard's face to make it</p> <p>18 look as if she'd been injured?</p> <p>19 A I can't recall. I don't believe so,</p> <p>20 though. 04:04</p> <p>21 Q Did you believe then that Ms. Heard had</p> <p>22 harmed herself to cause these injuries, at least,</p> <p>23 you know, to her -- under her eyes --</p> <p>24 A Absolutely not.</p> <p>25 Q Do you believe that your ex-wife Rocky 04:04</p> <p style="text-align: right;">Page 192</p>
<p>1 one of your -- 04:02</p> <p>2 MS. KAPLAN: Yeah. You can give it to him</p> <p>3 now. I actually misspoke about that, so --</p> <p>4 MR. CHEW: Okay.</p> <p>5 MS. KAPLAN: -- the Drew statement that we 04:02</p> <p>6 have -- hold on. We can give you the copies of that</p> <p>7 now.</p> <p>8 MS. VIGLIETTA: Do you have another copy</p> <p>9 with you?</p> <p>10 MS. KAPLAN: Yeah, absolutely. 04:02</p> <p>11 MR. CHEW: Thank you.</p> <p>12 MS. GOODARZI: But to clarify, it hasn't</p> <p>13 been produced?</p> <p>14 MS. KAPLAN: No. I -- I misspoke. It</p> <p>15 will be. And I think -- when is our next production 04:02</p> <p>16 going out? This week.</p> <p>17 Okay. So have we marked this one yet?</p> <p>18 No.</p> <p>19 Okay. So I'm handing you a document to</p> <p>20 mark as Drew -- Drew 12. 04:02</p> <p>21 (Exhibit 12 marked.)</p> <p>22 BY MS. KAPLAN:</p> <p>23 Q So I'm handing you a document, Mr. Drew,</p> <p>24 that was Exhibit 12, as you can see on the cover</p> <p>25 page to Amber Heard's declaration that we've been 04:03</p> <p style="text-align: right;">Page 191</p>	<p>1 Pennington was capable of injuring Amber in such a 04:04</p> <p>2 way as -- so as to cause these injuries?</p> <p>3 A No.</p> <p>4 MR. CHEW: Objection. Lack of foundation.</p> <p>5 BY MS. KAPLAN: 04:04</p> <p>6 Q Sitting here today, sir, do you -- do you</p> <p>7 still have that view about both Rocky and Amber?</p> <p>8 A Yes.</p> <p>9 Q Now, I think we've touched on this</p> <p>10 earlier, but I just want to make it clear. You 04:04</p> <p>11 testified earlier about reaching out to Johnny when</p> <p>12 he was trying to do detox and checking in on him.</p> <p>13 Is it fair to say that you were friends</p> <p>14 with Johnny?</p> <p>15 A I would like to believe so, yes. 04:05</p> <p>16 Q Did you and Johnny ever do things</p> <p>17 one-on-one?</p> <p>18 A On a few rare occasions, yes.</p> <p>19 Q What kinds of things did you do?</p> <p>20 A Drink, talk, smoke, watch football. 04:05</p> <p>21 Q I know I asked some questions about</p> <p>22 prescription and nonprescription drugs before, and</p> <p>23 we talked a little bit about Mr. Depp's weight</p> <p>24 fluctuating based on how much he was drinking.</p> <p>25 What did -- when you were with Johnny, 04:05</p> <p style="text-align: right;">Page 193</p>

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1 either alone or with others, what did Mr. Depp like 04:05	1 likable, charismatic, entertaining. Is -- is that a 04:08
2 to drink?	2 fair way of describing him?
3 A Red wine.	3 MR. CHEW: Objection to the testimony
4 Q Did he drink a lot of red wine?	4 offered by counsel.
5 A On some occasions, yes. 04:05	5 BY MS. KAPLAN: 04:08
6 Q Did he drink red wine frequently?	6 Q Let me withdraw it and -- and ask it a
7 A At certain points, yes.	7 different way.
8 Q I think you have said on a couple of	8 What were the best qualities about
9 occasions today that you saw Mr. Depp and he seemed	9 Mr. Depp that you observed?
10 stoned or inebriated. What did he do about either 04:06	10 A Johnny could be an incredibly generous, 04:08
11 the way he moved or the way he spoke that signaled	11 loving, thoughtful, gracious guy to be around, and
12 that to you?	12 it wasn't like he had to be the center of attention.
13 MR. CHEW: Objection to the form of the	13 He was just -- he was -- I don't know if I'd say he
14 question as vague; calls for speculation.	14 was charismatic, like, in private so much as he was
15 BY MS. KAPLAN: 04:06	15 just like -- he was -- there was a sense of 04:08
16 Q Let me ask a -- a cleaner question.	16 genuineness with a person that you were around, and
17 Is there anything you recall observing	17 quite frankly, you didn't see a lot of that.
18 about Johnny when you believed he was intoxicated	18 I did spend time with him -- I did have an
19 that signaled that to you?	19 opportunity to spend time with him in other
20 A I -- I mean, nothing specific outside of 04:06	20 circumstances where he was around other people and 04:08
21 sort of the -- the generalized behavior you see from	21 he was guarded, and you were able to see this really
22 people who are inebriated, stumbling,	22 distinct difference between when there was this --
23 discombobulated, slurring his words.	23 when he was playing a part, when he was a persona,
24 You know, Johnny was a really loving, you	24 versus when you were getting what I hoped and
25 know, funny guy. He wanted to be the center of 04:06	25 believed was a generous part of him. He's great to 04:09
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1 attention, but there were times when he was a little 04:06	1 be around. 04:09
2 like -- he just got really loose, so to speak. I --	2 Q At the end of this declaration about the
3 I know that's not too specific, but...	3 December incident --
4 Q Do you recall any -- having any	4 A What page?
5 understanding that, as a result of using drugs or 04:07	5 Q Page 9. I'm sorry. 04:09
6 drinking, Mr. Heard from time to time would have	6 Ms. Heard references a visit to
7 difficulty with his memory?	7 Dr. Kipper's office to get a concussion check. Do
8 A Mr. Depp?	8 you ever recall learning about that?
9 Q Yeah, Mr. Depp.	9 A Honestly, I don't know what actually
10 A Again, I only -- at no point did -- was 04:07	10 transpired. I know that after the fact, they had 04:09
11 this ever expressed to me from him. It was only	11 made a call to one of the nurses. I don't remember
12 relayed secondhand either through Amber or through	12 whether it was Aaron or whether it was the other
13 Raquel or through a few small -- through -- through	13 one, whose name escapes me, to do a concussion check
14 other people in the small circle that he genuinely	14 over the phone, and they talked about her going to
15 did not have a recollection of what had transpired 04:07	15 see Dr. Kipper, but I don't actually know what 04:09
16 when he had a really bad incident --	16 happened after the fact.
17 MR. CHEW: Move --	17 MR. CHEW: Move to strike. Lack of
18 THE WITNESS: -- or when there was a	18 personal knowledge by the witness's own admission.
19 really bad incident.	19 BY MS. KAPLAN:
20 MR. CHEW: Move to strike. Lack of 04:07	20 Q I'm going to turn now to the incident on 04:10
21 foundation; hearsay and double hearsay.	21 April 21, 2016 in connection with Ms. Heard's
22 BY MS. KAPLAN:	22 birthday party. I think it was a 30th birthday
23 Q I've heard it described that when Mr. Depp	23 party.
24 is not drunk or stoned and wants -- and is -- you	24 And there's been a lot of -- today a lot
25 kind of said it yourself. He can be enormously 04:08	25 of kind of disjointed -- and that -- that's -- no 04:10
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<p>1 one is to blame for that -- kind of disjointed 04:10</p> <p>2 questions and answers by -- at various points in</p> <p>3 time, and what I'd like, if you can, Mr. Drew, is</p> <p>4 for you to tell me in your own words, again,</p> <p>5 separate and apart from anything that's in 04:10</p> <p>6 Ms. Heard's declaration, what you recall happening</p> <p>7 that day and what you did, saw, and observed.</p> <p>8 A So if memory serves, it was Amber's 30th</p> <p>9 birthday. She wanted to have a dinner party at</p> <p>10 the -- at the apartments, just close friends, and I 04:11</p> <p>11 offered to cook dinner for everybody. There had</p> <p>12 been some mention that he had appointments or he had</p> <p>13 some things, but that he would be there and so and</p> <p>14 so forth.</p> <p>15 I really don't recall specifically who the 04:11</p> <p>16 appointment was with, what they were for, and what</p> <p>17 time they were and anything like that. Quite</p> <p>18 frankly, any talk of schedule with either Amber or</p> <p>19 Johnny was pretty much moot, to be very honest.</p> <p>20 Everybody arrived. We were sort of -- I 04:11</p> <p>21 think we waited for a little bit of time, expecting</p> <p>22 him to show up, and at a certain point, I think -- I</p> <p>23 don't know who made the decision. They were just,</p> <p>24 like, let's just -- let's sit down and have dinner,</p> <p>25 and he'll get here whenever he gets here. And we 04:11</p> <p style="text-align: right;">Page 198</p>	<p>1 really get too many stories about it. 04:13</p> <p>2 Q You cooked the dinner that night?</p> <p>3 A Correct.</p> <p>4 Q What did you cook?</p> <p>5 A Oh, I don't remember that. Actually, I do 04:13</p> <p>6 remember.</p> <p>7 Q What did you cook?</p> <p>8 A I -- I did -- I made tacos, actually.</p> <p>9 Don't ask me why I remember what I made, but I -- I</p> <p>10 did -- Amber wanted -- she wanted Mexican food, so I 04:13</p> <p>11 did a big Mexican spread.</p> <p>12 Q When you say that when Mr. Depp walked in,</p> <p>13 he appeared inebriated. Do you recall, was he</p> <p>14 swaying? What do you -- was his voice -- his words</p> <p>15 slurred? What do you recall? 04:13</p> <p>16 A Because I had come to know him pretty well</p> <p>17 at that point, he was pretty good at hiding it with</p> <p>18 people who didn't know him all that well, but you</p> <p>19 could sort of see that -- if you spent enough time</p> <p>20 around him, you could see the little ticks, slurring 04:13</p> <p>21 his words a little bit -- little bit extra, swaying,</p> <p>22 being a little bit more discombobulated and being a</p> <p>23 little bit more -- what's the word? Like just</p> <p>24 gregarious and loose is not his normal mode.</p> <p>125 Q I have heard that the guests that night 04:14</p> <p style="text-align: right;">Page 200</p>
<p>1 had the party in PH 5. We sat outside. 04:11</p> <p>2 I want to say he showed up not towards the</p> <p>3 end of the evening but pretty close to. And, again,</p> <p>4 this is just my observation, but it appeared that he</p> <p>5 was inebriated in some way. I won't say whether he 04:12</p> <p>6 had been drinking, on pills, or whatever it was, but</p> <p>7 he did have the appearance that he was inebriated in</p> <p>8 some way. She did not react to it.</p> <p>9 Q "She" being Amber?</p> <p>10 A Amber, yeah. Played nice. He sat down. 04:12</p> <p>11 And honestly, the rest of the evening was quite</p> <p>12 pleasant. He -- you know, he does what he always</p> <p>13 does when he comes and sits down at dinners, put on</p> <p>14 a show and connect with everybody and, you know, be</p> <p>15 entertaining and be pleasant and polite. 04:12</p> <p>16 And her the same thing. You would have</p> <p>17 never known there was an issue, even though some of</p> <p>18 us candidly did know that she was probably a little</p> <p>19 upset that he was late and that he showed up drunk.</p> <p>20 And then I didn't hear anything until the 04:12</p> <p>21 next morning, and I knew that there was a scramble.</p> <p>22 The girls were leaving the next day for Coachella,</p> <p>23 which I did not attend with, but all I knew is that</p> <p>24 they had gotten into a pretty big argument, but</p> <p>25 because of the rush to get out that day, I didn't 04:13</p> <p style="text-align: right;">Page 199</p>	<p>1 told stories about Amber, about how they met Amber. 04:14</p> <p>2 Do you recall that sitting here?</p> <p>3 A I don't.</p> <p>4 Q Okay. What do you recall -- again, I'm</p> <p>5 sorry if some of this is necessarily repetitive, and 04:14</p> <p>6 I apologize, but what do you recall about the next</p> <p>7 morning?</p> <p>8 A I'm really not clear on what I do</p> <p>9 remember. Like, again, the main thrust of it is</p> <p>10 that I was made aware that there had been some big 04:15</p> <p>11 fight the night before.</p> <p>12 But unlike previous incidents, there</p> <p>13 really wasn't much time to dwell on it because they</p> <p>14 were putting a caravan together to drive out to the</p> <p>15 desert. So it was sort of, like, more triage mode, 04:15</p> <p>16 get everything together, get her set and get out to</p> <p>17 the desert.</p> <p>18 MR. CHEW: Move to strike that portion of</p> <p>19 the testimony relating to a big fight the night</p> <p>20 before. Hearsay -- or double hearsay. 04:15</p> <p>21 THE WITNESS: I -- I do actually remember</p> <p>22 one thing specifically. I believe that she threw</p> <p>23 his phone off the roof.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q The previous night? 04:15</p> <p style="text-align: right;">Page 201</p>

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<p>1 A Yes. 04:15</p> <p>2 Q And what do you recall -- how did you hear</p> <p>3 that -- or how did you learn of that?</p> <p>4 A I believe it was a story -- and, again,</p> <p>5 I -- I might be misplacing this. It did happen with 04:15</p> <p>6 one of these fights. Johnny, he had a -- he had a</p> <p>7 wallet phone, so, like, all his credit cards and his</p> <p>8 ID was attached to his cell phone.</p> <p>9 And I -- again, I could be mistaken, but I</p> <p>10 do remember that happening around this, mainly 04:16</p> <p>11 because there was a story a couple weeks later that,</p> <p>12 you know, they had -- somebody had actually tried to</p> <p>13 use the credit card, which was -- we thought was</p> <p>14 really funny that somebody would use -- would try to</p> <p>15 use Johnny Depp's credit card at a local Bodega. 04:16</p> <p>16 Q Oh, you mean so it had fallen onto the</p> <p>17 sidewalk or something, and someone had picked it up?</p> <p>18 A Yes.</p> <p>19 Q Anything else you recall?</p> <p>20 A That's it. 04:16</p> <p>21 Q Okay. I hate to go back into what I'm</p> <p>22 going to refer to as the poop incident, but I think</p> <p>23 you testified earlier that you observed on a number</p> <p>24 of occasions dog poop or dog pee in Mr. Depp and</p> <p>25 Ms. Heard's apartment; is that correct? 04:16</p> <p style="text-align: right;">Page 202</p>	<p>1 going to be home or, you know, they were out of the 04:17</p> <p>2 house and they weren't going to be back for longer</p> <p>3 than expected, that we could just go over and let</p> <p>4 them out, sort of just the neighborly stuff.</p> <p>5 Q And correct me if I'm wrong. They're two 04:17</p> <p>6 Yorkies?</p> <p>7 A Yes.</p> <p>8 Q What rooms in the -- again, I can't</p> <p>9 believe I'm asking these questions, but what rooms</p> <p>10 in the apartment did you observe pee -- pee and poop 04:18</p> <p>11 from the -- from the dogs?</p> <p>12 A Usually only on the ground floor. One of</p> <p>13 them couldn't climb the stairs.</p> <p>14 Q And -- but one of them could?</p> <p>15 A Sometimes. 04:18</p> <p>16 Q They were old?</p> <p>17 A No. They're just tiny and not terribly</p> <p>18 bright.</p> <p>19 UNIDENTIFIED WOMAN: Now, now.</p> <p>20 BY MS. KAPLAN: 04:18</p> <p>21 Q Okay. We're almost at the end of the --</p> <p>22 of the declaration. Let's go to the May 21</p> <p>23 incident, which is covered on pages 10 through 13,</p> <p>24 which is from June 7.</p> <p>25 Again, same thing that we did for 04:19</p> <p style="text-align: right;">Page 204</p>
<p>1 A In perpetuity. 04:16</p> <p>2 Q When you say "in perpetuity," what do you</p> <p>3 mean?</p> <p>4 A It's pretty much constant. I have cleaned</p> <p>5 up my fair share in that apartment. 04:16</p> <p>6 Q And I think you testified that the dogs</p> <p>7 weren't trained to only poop on the sidewalk.</p> <p>8 A They weren't trained at all. They had</p> <p>9 their run, and they'd be left at home for large</p> <p>10 portions of the day sometimes and -- if there was 04:17</p> <p>11 nobody there to take care of them.</p> <p>12 And at some point, they -- there was pee</p> <p>13 and poop on everything; couches, sofas, chairs, the</p> <p>14 bed, you name it.</p> <p>15 Q Did you -- putting aside the cleaning up 04:17</p> <p>16 of the pee and the poop, did you and Rocky have any</p> <p>17 role in kind of helping to take care of the dog?</p> <p>18 A Sure.</p> <p>19 Q And what did you do?</p> <p>20 A On the -- on occasion, when -- sometimes 04:17</p> <p>21 the -- the dogs would be left with us for a couple</p> <p>22 days at a time. When they were taking a short trip</p> <p>23 and just needed somebody to watch them, we would</p> <p>24 gladly do it.</p> <p>25 Other times when, you know, they weren't 04:17</p> <p style="text-align: right;">Page 203</p>	<p>1 April 21. I would like it, Mr. Drew, if you could 04:19</p> <p>2 just tell me the story of your role, what you saw,</p> <p>3 what you observed, what you did chronologically --</p> <p>4 A Okay.</p> <p>5 Q -- in connection with this incident. 04:19</p> <p>6 A I don't know what day of the week it was.</p> <p>7 It was either a Friday or a Saturday. I want to say</p> <p>8 it was a Saturday, because I was not in the office.</p> <p>9 Raquel had a jewel -- her first jewelry</p> <p>10 show the next day, and the plan was for her and her 04:19</p> <p>11 friend Liz, who would come over to help her</p> <p>12 specifically get set up for this -- Amber was</p> <p>13 around -- they were going to sit in PH 5 and do yoga</p> <p>14 and paint and make necklaces and things like that.</p> <p>15 And I was sort of in and out most of the day hanging 04:19</p> <p>16 out with them.</p> <p>17 At a certain point in the afternoon, I was</p> <p>18 made aware, just through overhearing Raquel and</p> <p>19 Amber's conversation, that at some point, Johnny was</p> <p>20 going to come over later that day so that they could 04:20</p> <p>21 have a talk. They hadn't spoken, like legitimately</p> <p>22 had not spoken in almost a month, since the</p> <p>23 Coachella incident.</p> <p>24 And Raquel was concerned because of the</p> <p>25 nature of that incident and prompt -- you know, 04:20</p> <p style="text-align: right;">Page 205</p>

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<p>1 asked her if she wanted her to be there, be present 04:20</p> <p>2 with her when they had this conversation to support</p> <p>3 her, and Amber demurred on that and said, "You know,</p> <p>4 just be over here. If I need you, I'm going to text</p> <p>5 you." And I said that I would -- you know, I would 04:20</p> <p>6 stick around as well just in case just so -- you</p> <p>7 know, whatever support we could provide.</p> <p>8 Again, I don't remember exactly what time</p> <p>9 Johnny came to the house. She got a text, and I</p> <p>10 believe that he was already over in the apartment 04:20</p> <p>11 when she walked over, as opposed to walking over and</p> <p>12 waiting for him to arrive.</p> <p>13 Very soon thereafter, Raquel got a text</p> <p>14 saying, "I need you" or something akin to that. I</p> <p>15 didn't see it. I didn't receive it. And she bolted 04:20</p> <p>16 over there through the hallway to go get over there.</p> <p>17 And pretty rapidly thereafter -- I don't</p> <p>18 think it was more than, like, 10 or 15 minutes</p> <p>19 before I heard a door open in the hallway, and then</p> <p>20 a couple of seconds later, I heard a really, really 04:21</p> <p>21 loud slam, which I later learned was a wine bottle</p> <p>22 being smashed into our door in PH 1.</p> <p>23 And then I heard keys jingling and Johnny</p> <p>24 shouting at one of his security to open this -- is</p> <p>25 it all right if I swear? I mean, I'm telling you 04:21</p> <p style="text-align: right;">Page 206</p>	<p>1 with him. I -- I just want to stop there, and we'll 04:22</p> <p>2 continue with this story.</p> <p>3 But I -- had -- had Mr. Depp ever done</p> <p>4 this to you before?</p> <p>5 A No. 04:22</p> <p>6 Q Did he -- how close was he to you when he</p> <p>7 was -- when he entered your apartment and was</p> <p>8 screaming at you?</p> <p>9 A Close enough for it to be aggressive.</p> <p>10 Q Within a foot? 04:22</p> <p>11 A Yes.</p> <p>12 Q And why -- what was your understanding of</p> <p>13 why Mr. Depp was directing his anger at you?</p> <p>14 MR. CHEW: Objection. Calls for</p> <p>15 speculation. 04:23</p> <p>16 BY MS. KAPLAN:</p> <p>17 Q You can answer.</p> <p>18 A I mean, I can't -- I can't suppose what</p> <p>19 was going on in his head. The only thing I can say</p> <p>20 is that sometimes when you're really, really angry, 04:23</p> <p>21 it's -- anything that's in front of you is going to</p> <p>22 catch the brunt of it.</p> <p>23 Q And you said that you originally heard him</p> <p>24 say, you know, "Open the fucking door." When he was</p> <p>25 spitting and screaming at you, what was -- what do 04:23</p> <p style="text-align: right;">Page 208</p>
<p>1 here. That's okay? 04:21</p> <p>2 Q You should say the words exactly as they</p> <p>3 were said --</p> <p>4 A As I remember, he said, "Open this fucking</p> <p>5 door and get me in here." 04:21</p> <p>6 And he came in, caught eyes with me right</p> <p>7 away and beelined for me; screaming, cursing,</p> <p>8 spitting in my face. I walked calmly to leave,</p> <p>9 realized that I had forgotten my keys and the dog.</p> <p>10 So I turned around and walked back to go get both. 04:21</p> <p>11 He stayed and followed with me; walking, pacing,</p> <p>12 screaming, cursing, spitting in my face, and I left</p> <p>13 calmly.</p> <p>14 At that point, Liz was still in the</p> <p>15 apartment, and the last look I saw of her is that 04:22</p> <p>16 she bolted around the corner and went upstairs to</p> <p>17 hide from him.</p> <p>18 I went over to PH 1 --</p> <p>19 Q Let me stop you there.</p> <p>20 MR. CHEW: Well, let -- if you're stopped, 04:22</p> <p>21 I'm going to move to strike. Narrative; lack of</p> <p>22 personal knowledge; hearsay, double, triple hearsay;</p> <p>23 lack of foundation. I think that covers it.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q Okay. I'm not -- I'm not going to argue 04:22</p> <p style="text-align: right;">Page 207</p>	<p>1 you recall him saying? 04:23</p> <p>2 A I couldn't tell you. Honestly, it sounded</p> <p>3 like gibberish. At that point, I don't think I was</p> <p>4 really hearing anything. It was just, how can I get</p> <p>5 the hell out of here without something else 04:23</p> <p>6 happening?</p> <p>7 Because, quite frankly, like the reali- --</p> <p>8 like even though he's standing there in front of my</p> <p>9 face, he's also got, you know, two body guards right</p> <p>10 there with him that are bigger than me. What's 04:23</p> <p>11 really going to happen here?</p> <p>12 Q Right. So what -- what were you feeling</p> <p>13 when this was going on? And I'm trying to -- I want</p> <p>14 to get it in your own words.</p> <p>15 A I mean, I don't think -- I didn't 04:24</p> <p>16 really -- I didn't feel threatened. I'll say that</p> <p>17 flat out. It just -- it seemed really, really</p> <p>18 silly. I wasn't really surprised. I just wanted to</p> <p>19 get out and make sure that the girls were okay.</p> <p>20 Q And sometimes -- you can say someone is 04:24</p> <p>21 spitting at you because they're, like, performing on</p> <p>22 the stage and they're --</p> <p>23 A He wasn't, like, actively spitting in my</p> <p>24 face.</p> <p>25 Q Right. 04:24</p> <p style="text-align: right;">Page 209</p>

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<p>1 A It was just the nature of how close he was 04:24</p> <p>2 and the way in which he was acting.</p> <p>3 Q Okay. So you go get your keys. You</p> <p>4 get -- you guys have your own dog, I take it?</p> <p>5 A Yes. 04:24</p> <p>6 Q You have your dog. You go out. What</p> <p>7 happens next?</p> <p>8 A I walked down to the hallway, and to be</p> <p>9 very, very candid, I really -- I don't remember in</p> <p>10 this instance whether I went to PH 3 to go check on 04:24</p> <p>11 them or whether I went into PH 1.</p> <p>12 The sequence of events after that as to</p> <p>13 when I actually got to Raquel and Amber or whether</p> <p>14 they came to me, I really don't remember that</p> <p>15 sequence of events offhand. I -- I couldn't tell 04:24</p> <p>16 you.</p> <p>17 Q So when you got to Raquel and Amber, what</p> <p>18 did you observe?</p> <p>19 A I remember first speaking to them</p> <p>20 specifically in PH 1, in our place, but how -- like 04:25</p> <p>21 I said, how it is we got there, I don't remember. I</p> <p>22 remember deadbolting the door, and Amber was, like,</p> <p>23 catatonic. She was just, like, a thousand yards</p> <p>24 there, just done.</p> <p>25 And Raquel was, like, trying to calm down 04:25</p> <p style="text-align: right;">Page 210</p>	<p>1 assuming he was still in there, but they were 04:26</p> <p>2 already gone.</p> <p>3 Q So what sparked you to go back to try to</p> <p>4 go after Mr. Depp was hearing from Rocky that</p> <p>5 Mr. Depp had pushed her -- 04:26</p> <p>6 A Correct.</p> <p>7 Q -- as opposed to Ms. Heard?</p> <p>8 A Correct.</p> <p>9 Q And by --</p> <p>10 MR. CHEW: Move to strike. Hearsay. 04:26</p> <p>11 BY MS. KAPLAN:</p> <p>12 Q -- by the time you got over there, he had</p> <p>13 already left?</p> <p>14 A Yes.</p> <p>15 Q You said that -- that Amber -- when you 04:26</p> <p>16 saw them, that Amber and Rocky -- I think you said</p> <p>17 Amber seemed catatonic?</p> <p>18 A Yeah. She had like -- she was just a</p> <p>19 ghost.</p> <p>20 Q How did Rocky seem? 04:26</p> <p>21 A From what I remember, sort of like when</p> <p>22 somebody is coming down from an adrenaline rush.</p> <p>23 She was just sort of like -- she didn't really know</p> <p>24 what to do, couldn't sit still, just sort of</p> <p>25 standing there and shaking. 04:27</p> <p style="text-align: right;">Page 212</p>
<p>1 herself, as -- what the fuck just happened? And she 04:25</p> <p>2 started to recount a little bit. And as soon as she</p> <p>3 told me that Johnny had shoved her, I went red. And</p> <p>4 I went right out the door and started banging on the</p> <p>5 door to do something regrettable. He was already 04:25</p> <p>6 gone at that point.</p> <p>7 Q Just so I understand it, you banged on the</p> <p>8 door --</p> <p>9 A PH 5.</p> <p>10 Q I want to go to Drew 1, if you don't mind, 04:25</p> <p>11 your -- your incredible architectural drawing,</p> <p>12 Mr. Drew.</p> <p>13 So tell me where you are -- where he was,</p> <p>14 where you went.</p> <p>15 A I was in here when Johnny came in. The 04:25</p> <p>16 door is -- door is right here.</p> <p>17 Q The witness should reflect -- the record</p> <p>18 should reflect the witness is pointing to PH 5.</p> <p>19 A The door was right there. This is in</p> <p>20 PH 5. The living room is a little bit larger. I 04:26</p> <p>21 came out of the door, the door to PH 1 right smack</p> <p>22 in the middle.</p> <p>23 So I was standing in there when Raquel</p> <p>24 told me that he had shoved her, and I went red. And</p> <p>25 I went back, started banging on the door of PH 5, 04:26</p> <p style="text-align: right;">Page 211</p>	<p>1 Q So after you had gone to try to find 04:27</p> <p>2 Johnny, he had already left, what happened next?</p> <p>3 A I went right back to the girls to make</p> <p>4 sure that they were okay after my own little selfish</p> <p>5 outburst. 04:27</p> <p>6 Q And they were, at that point, still in</p> <p>7 your apartment?</p> <p>8 A They were still in my apartment. I came</p> <p>9 in. Amber had started to come out of it a little</p> <p>10 bit. Raquel started to calm down a little bit. I 04:27</p> <p>11 started to get a little bit of information as to</p> <p>12 what happened. The thing I remember most distinctly</p> <p>13 was that Amber had Johnny's cell phone in her hand.</p> <p>14 So I took it from her.</p> <p>15 Q What was your understanding of why she had 04:27</p> <p>16 his cell phone in her hand?</p> <p>17 A I honestly don't know whether I knew at</p> <p>18 that point. I think I was told when -- let me</p> <p>19 rephrase it.</p> <p>20 I did -- when I saw that, I didn't know 04:27</p> <p>21 why. When I saw that, I took it from her. I said,</p> <p>22 "Well, why do you have this, and why did he leave it</p> <p>23 here?" And then they told me that he threw it and</p> <p>24 hit her in the face with it, and then left without</p> <p>25 it. 04:28</p> <p style="text-align: right;">Page 213</p>

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1 And it couldn't have been more than 04:28	1 between husband and wife. He barely touched her." 04:29
2 five minutes later, maybe a little bit more, that I	2 And then I looked at him. I said
3 got a call on my cell phone from Jerry Judge saying	3 something akin to, "Why don't you just get the fuck
4 something like, "The boss left his cell phone. Do	4 out of here. Be real proud of yourself. Get the
5 you have it?" And I said, "Yeah. I have it in my 04:28	5 fuck out of here." 04:29
6 hand."	6 MR. CHEW: Move to strike. Hearsay,
7 MR. CHEW: Move to strike. Hearsay.	7 double hearsay.
8 BY MS. KAPLAN:	8 BY MS. KAPLAN:
9 Q Jerry Judge is no longer alive?	9 Q This conversation you had with Mr. Judge,
10 A Correct. 04:28	10 who is now deceased, that happened before the police 04:30
11 Q Are -- where -- did you subsequently meet	11 arrived?
12 Jerry Judge?	12 A Yes.
13 A Yeah. He called and said, "Do you have	13 Q So after you had that exchange with
14 the boss's cell phone? I think he left it there."	14 Mr. Judge outside the building, I take it you went
15 I said, "Yeah, I have it in my hand." And 04:28	15 back into the building? 04:30
16 he goes --	16 A Yes.
17 (Reporter clarification.)	17 Q And when did you first learn about the
18 THE WITNESS: Jerry called me on my	18 police?
19 personal cell phone. He said, "Do you have the	19 A We were in PH 1. I believe, at that point
20 boss's cell phone" -- or something -- maybe not 04:28	20 when I came back upstairs, Amber was already on the 04:30
21 that.	21 phone with her attorney. And we asked her where she
22 He said, "You know, the boss left his cell	22 wanted to be. She said, "I want to go back to my
23 phone. Do you have it, or does Amber have it, or is	23 place."
24 it at the house?"	24 We went back to go take pictures of all
25 I said, "I have it in my hand." 04:28	25 the damage, took pictures of the wine stain in 04:30
Page 214	Page 216
1 He said, "We're coming back to get it." 04:28	1 the hall -- 04:30
2 And my response was, "You can come back to	2 Q Let me pause for a second.
3 get it, but you don't fucking set foot in this	3 Is that the first time you saw the damage
4 building. I will meet you outside."	4 in her place, or had you already kind of seen it in
5 Q And when he said that to you, when he 04:29	5 the -- kind of the back and forth? 04:30
6 mentioned "boss's cell phone," "boss" was Mr. Depp?	6 A Again, I'm a little -- I'm a little foggy
7 A That was what he called Johnny, yeah.	7 on that. I want -- I can't say definitively whether
8 Q And then did you subsequently meet him	8 I'd seen it before or whether that was when I saw it
9 outside the building?	9 for first time.
10 A Yeah. I came downstairs. I met them 04:29	10 Q Okay. So you went back to Amber's? 04:30
11 right out front of the Eastern Building on Broadway.	11 A We asked her specifically what -- where
12 Q And did you have a conversation with	12 she wanted to be. Not "What do you want to do,
13 Mr. Judge outside?	13 where do you -- like, do you want to stay here? Do
14 A I did.	14 you want to go back to your place? What's going
15 Q And to the best of your recollection, what 04:29	15 to -- what's going to make you feel safe?" 04:30
16 did you say to him; what did he say to you?	16 So she said, "I want to go back. Let's go
17 A He came up to me. I handed him the cell	17 back to the living room."
18 phone. He thanked me. And then he took a couple of	18 So we took her back to PH 3. We took
19 steps away and then turned around and said, "Is she	19 photos of the damage inside. And I want to say the
20 okay?" 04:29	20 first responders came pretty shortly thereafter, 04:31
21 And I looked at him and said, "Are you	21 maybe -- again, I'm -- I'm really guessing here. I
22 fucking kidding me? He beat the shit out of her	22 want to say 20 or 30 minutes at the most.
23 again, and you guys stood by and watched it."	23 Q And you've kind of gone into great detail
24 And then he started to demur and say	24 with Mr. Chew about the back and forth --
25 something akin to, "It's not my business. It's 04:29	25 A Yes. 04:31
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<p>1 Q -- with the police officers. 04:31</p> <p>2 The first set of police officers who were</p> <p>3 there, how long do you recall them staying?</p> <p>4 A Maybe 15 minutes. I was asked to greet</p> <p>5 the officers specifically because Amber didn't want 04:31</p> <p>6 to file a report. And I said that I would speak to</p> <p>7 them to see if they -- if I could, you know, get</p> <p>8 them to leave and say that everything is okay, even</p> <p>9 though we -- honestly, we all knew that there was no</p> <p>10 way that they could do that. I told her that I 04:31</p> <p>11 would go and greet them first.</p> <p>12 Q Okay. So two questions. Why did you know</p> <p>13 that there was no way that they could do that?</p> <p>14 Question -- let me ask you that question first.</p> <p>15 A Survivor of domestic violence myself. 04:32</p> <p>16 Q And I don't want to in any way invade your</p> <p>17 privacy, but I take it from what you said that there</p> <p>18 were incidents where police were called to</p> <p>19 situations you were involved in?</p> <p>20 A Correct. 04:32</p> <p>21 Q And that when there's a domestic violence</p> <p>22 issue, police have some responsibility to do</p> <p>23 something.</p> <p>24 A Correct.</p> <p>25 Q Why was Amber telling you that she did -- 04:32</p> <p style="text-align: right;">Page 218</p>	<p>1 Q Based on your observations. 04:33</p> <p>2 A They were very professional. They were</p> <p>3 stoic. It seemed like they were there to</p> <p>4 dispassionately do their job.</p> <p>5 Q And it was -- withdrawn. 04:33</p> <p>6 Was it your understanding that if -- if</p> <p>7 they had concluded that a crime was committed, that</p> <p>8 they would have had to go arrest Mr. Depp?</p> <p>9 A My understanding directly from them was</p> <p>10 that she would have to file a complaint for them to 04:34</p> <p>11 go arrest him.</p> <p>12 Q And her response to that was?</p> <p>13 A That she didn't want to file a complaint.</p> <p>14 Q What else, if anything, Mr. Drew, do</p> <p>15 you -- do you remember either the female Hispanic 04:34</p> <p>16 police officer or the Caucasian gentleman saying</p> <p>17 that evening?</p> <p>18 A I remember -- I was the one who walked</p> <p>19 them through PH 3 where the original incident had</p> <p>20 occurred. I showed them the broken glass. They had 04:34</p> <p>21 already walked over the wine stain in the hallway --</p> <p>22 or the -- the big spill of wine.</p> <p>23 And I showed them the bolt in the door you</p> <p>24 could see looked like the bottom of a wine bottle.</p> <p>25 I took them into PH 5 and showed them through. 04:35</p> <p style="text-align: right;">Page 220</p>
<p>1 or why was Amber saying she didn't want a report -- 04:32</p> <p>2 a police report?</p> <p>3 A Because even after all that, specifically,</p> <p>4 she didn't want to have him arrested.</p> <p>5 Q What was your understanding of why she 04:32</p> <p>6 didn't want to have him arrested?</p> <p>7 A She was still protecting him.</p> <p>8 Q Did you ever say to Amber and Rocky that</p> <p>9 Johnny was -- couldn't take responsibility for his</p> <p>10 actions, wasn't able to take responsibility for his 04:33</p> <p>11 actions?</p> <p>12 A I couldn't tell you explicitly, but it</p> <p>13 certainly sounds like something I would say.</p> <p>14 Q When the first set of cops were there -- I</p> <p>15 don't want to say cops. Withdrawn. 04:33</p> <p>16 When the first set of police officers were</p> <p>17 there, what was their reaction? What was your</p> <p>18 observation of their reaction? Were they concerned?</p> <p>19 What --</p> <p>20 A They -- 04:33</p> <p>21 MR. CHEW: Objection. Calls for</p> <p>22 speculation.</p> <p>23 How does he know --</p> <p>24 (Simultaneous speakers.)</p> <p>25 BY MS. KAPLAN: 04:33</p> <p style="text-align: right;">Page 219</p>	<p>1 Their communication to me throughout was 04:35</p> <p>2 me just pointing things out to them and them</p> <p>3 responding in the affirmative or speaking to each</p> <p>4 other and say, "Yes, there's broken glass. That</p> <p>5 looks like something that's been shoved. It looks 04:35</p> <p>6 like something has transpired here."</p> <p>7 They came back and they said, "We have to</p> <p>8 speak to Ms. Heard in priv-" -- or "we have to speak</p> <p>9 to -- to the" -- it wasn't Ms. Heard. They didn't</p> <p>10 even know who she was. I don't even remember what 04:35</p> <p>11 they called her. They have to speak to the --</p> <p>12 the -- whatever they called her. I don't want to</p> <p>13 say victim, because that wasn't the word they used</p> <p>14 either. They needed to speak to her in private. No</p> <p>15 problem. 04:35</p> <p>16 The Caucasian police officer pulled me</p> <p>17 outside solo. I can't say what happened internally,</p> <p>18 so I don't know whether anybody was in earshot,</p> <p>19 whether it was just Amber and the officer having a</p> <p>20 one-on-one or whether there was anybody else around 04:35</p> <p>21 them.</p> <p>22 I don't know what was said either</p> <p>23 specifically outside of what I might have heard</p> <p>24 secondhand, which has already been talked about</p> <p>25 ad nauseam. 04:35</p> <p style="text-align: right;">Page 221</p>

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<p>1 What happened with the white office- -- 04:35</p> <p>2 the Caucasian officer specifically, I just -- I --</p> <p>3 we were helpless. What can we do? It's her</p> <p>4 decision to do, but ultimately, like, she was still</p> <p>5 thinking about ways to protect this person, and we 04:36</p> <p>6 wanted to help her to help herself.</p> <p>7 So I asked the officer one-on-one. I</p> <p>8 said, "What can we do here?" And he looked at me</p> <p>9 flat out and he said, "You've walked us around.</p> <p>10 There's damage in the apartments. She has marks on 04:36</p> <p>11 her face. If she wants to file a report, we will go</p> <p>12 pick him up."</p> <p>13 And I looked at him and I said, "She's not</p> <p>14 going to file a report, but I appreciate you saying</p> <p>15 that." 04:36</p> <p>16 MS. KAPLAN: We can do this two ways. We</p> <p>17 can show them to you one by one, or we can group</p> <p>18 them. These all came from one exhibit to -- one</p> <p>19 exhibit to the declaration? Oh, these were all</p> <p>20 produced to you. Sorry. 04:37</p> <p>21 So let us -- I think it might be more</p> <p>22 efficient if we -- if we can have, like, a</p> <p>23 five-minute break and we'll group them as one</p> <p>24 exhibit. We're going to put them with their Bates</p> <p>25 numbers. And you do already have these. And then 04:37</p> <p style="text-align: right;">Page 222</p>	<p>1 declaration, these are -- they're not -- they're not 04:52</p> <p>2 in her declaration. These are -- these are just</p> <p>3 produced. And I'm going to ask you if you</p> <p>4 remember -- if you can tell me what these photos</p> <p>5 are. 04:52</p> <p>6 A These are photos taken of her the night of</p> <p>7 the incident.</p> <p>8 Q And on the first photo -- withdrawn.</p> <p>9 Who took the photos?</p> <p>10 A Some were taken by me; some were taken by 04:52</p> <p>11 Raquel.</p> <p>12 Q And when you say "the night of the</p> <p>13 incident" --</p> <p>14 A May 21.</p> <p>15 Q May 21. 04:53</p> <p>16 And are you -- sitting here today, can you</p> <p>17 distinguish which were taken by you and which were</p> <p>18 taken by --</p> <p>19 A No.</p> <p>20 Q Were you present when they were all taken? 04:53</p> <p>21 A I can't say that definitively.</p> <p>22 Q Okay. Do you -- were you present when</p> <p>23 photos were taken of -- of Ms. Heard's face, like</p> <p>24 you see on the first page of this?</p> <p>25 A Yes. 04:53</p> <p style="text-align: right;">Page 224</p>
<p>1 I'm going to ask Mr. Drew a series of questions, if 04:37</p> <p>2 that's okay.</p> <p>3 MS. VIGLIETTA: That's okay.</p> <p>4 MS. KAPLAN: Save the court reporter time.</p> <p>5 MR. CHEW: May we take a copy of this and 04:37</p> <p>6 make copies?</p> <p>7 MS. VIGLIETTA: Oh, sure.</p> <p>8 THE VIDEOGRAPHER: We're now going off the</p> <p>9 record. The time on the video monitor is 4:37 p.m.</p> <p>10 (Recess.) 04:37</p> <p>11 (Exhibit 13 marked.)</p> <p>12 THE VIDEOGRAPHER: We are now going back</p> <p>13 on the record. The time on the video monitor is</p> <p>14 4:52 p.m.</p> <p>15 BY MS. KAPLAN: 04:52</p> <p>16 Q You have in front of you, Mr. Drew, a</p> <p>17 series of photographs that we've marked as Drew 13.</p> <p>18 They've been produced to the other side. You can --</p> <p>19 you don't need to know, it's a lawyer thing, but the</p> <p>20 Bates stamps are attached. 04:52</p> <p>21 And I think I'm just going to take you</p> <p>22 through them one by one, if that's okay with you?</p> <p>23 A Sure.</p> <p>24 Q So the first photo -- before I begin, let</p> <p>25 me tell you that -- I will say that in her 04:52</p> <p style="text-align: right;">Page 223</p>	<p>1 Q And is this image of Ms. Heard's face on 04:53</p> <p>2 May 21 consistent with your recollection of what her</p> <p>3 face looked like?</p> <p>4 A Yes.</p> <p>5 Q And am I correct that unlike -- it's a 04:53</p> <p>6 little hard to see because there's shadow on the</p> <p>7 right, but unlike the prior incident that we looked</p> <p>8 at where there were photos here, the injury looks</p> <p>9 like it's mostly on one side.</p> <p>10 A Correct. 04:53</p> <p>11 Q And when you took these photos, did you</p> <p>12 have an understanding of what caused that injury?</p> <p>13 A I was aware at that point what had</p> <p>14 transpired.</p> <p>15 Q And what -- what were you aware of? 04:53</p> <p>16 A My understanding was that he had wound up</p> <p>17 and thrown a cell phone into her face -- thrown his</p> <p>18 cell phone into her face.</p> <p>19 MR. CHEW: Move to strike. Hearsay; lack</p> <p>20 of foundation. 04:54</p> <p>21 He's already testified repeatedly he never</p> <p>22 saw Mr. Depp strike with her -- or throw anything at</p> <p>23 her or be violent in any way.</p> <p>24 BY MS. KAPLAN:</p> <p>25 Q The cell phone that you handed to Jerry 04:54</p> <p style="text-align: right;">Page 225</p>

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<p>1 Judge that night, was that -- just to -- what was 04:54</p> <p>2 the size of it? You told me his phone was connected</p> <p>3 somehow to his credit cards? How does that --</p> <p>4 A It was like a -- it was like a black</p> <p>5 leather folding wallet. So the phone was on one 04:54</p> <p>6 side, and the other side were slots for credit cards</p> <p>7 and his ID.</p> <p>8 Q And how big was it?</p> <p>9 A The size of whatever iPhone was current at</p> <p>10 that point. Call it 3x5, 3x6, something like that. 04:54</p> <p>11 Q And was the wallet part-leather? How</p> <p>12 was -- how were the credit cards attached?</p> <p>13 A Leather, black leather.</p> <p>14 Q So it was like a leather iPhone holder</p> <p>15 with credit cards in -- 04:54</p> <p>16 A Like a booklet. It folded over to cover</p> <p>17 the screen.</p> <p>18 Q Let's look at the next photo. Tell me if</p> <p>19 you can remember what that is -- or if you can</p> <p>20 identify what that is. 04:55</p> <p>21 A These are the pictures pulled off the wall</p> <p>22 and placed onto their bed in their bedroom.</p> <p>23 Q And were you -- do you have an</p> <p>24 understanding at the time that you or Rocky took</p> <p>25 this photo, as to who had pulled the photos off the 04:55</p> <p style="text-align: right;">Page 226</p>	<p>1 Q And did you get any explanation that night 04:56</p> <p>2 about how that had happened?</p> <p>3 A Again, my understanding was that it had</p> <p>4 happened by Johnny after I had left Penthouse 5.</p> <p>5 MR. CHEW: Move to strike. 04:56</p> <p>6 BY MS. KAPLAN:</p> <p>7 Q Well, let me -- let me --</p> <p>8 MR. CHEW: Hearsay; lack of foundation.</p> <p>9 BY MS. KAPLAN:</p> <p>10 Q Let me go back. 04:56</p> <p>11 Starting with the first photo of</p> <p>12 Ms. Heard's face, is that what her -- is that what</p> <p>13 Ms. Heard's face looked like when the police</p> <p>14 arrived?</p> <p>15 A Yes. 04:56</p> <p>16 Q With the next photo of the pictures on the</p> <p>17 bed and the broken picture frame on the wall, did</p> <p>18 you show these to the -- you personally show these</p> <p>19 to the -- the first group of police officers that</p> <p>20 night? 04:56</p> <p>21 A Honestly, this one, I -- I really can't</p> <p>22 say whether I did show them to the officers. I</p> <p>23 don't recall this.</p> <p>24 Q And just so the record is clear, you're</p> <p>25 pointing to the photos on the bed? 04:56</p> <p style="text-align: right;">Page 228</p>
<p>1 wall? 04:55</p> <p>2 A It's going to be objected, but my</p> <p>3 understanding was that it was Johnny.</p> <p>4 MR. CHEW: Move to strike. Lack of</p> <p>5 foundation; hearsay. 04:55</p> <p>6 BY MS. KAPLAN:</p> <p>7 Q We're trying to get you ready for law</p> <p>8 school.</p> <p>9 MR. CHEW: It's kind of first-year -- it's</p> <p>10 first-year law school. It's not even third-year law 04:55</p> <p>11 school.</p> <p>12 BY MS. KAPLAN:</p> <p>13 Q It's hard to see in the -- in the</p> <p>14 pictures, but was -- were some of the glass frames</p> <p>15 broken when you took the photos? 04:55</p> <p>16 A I honestly don't recall.</p> <p>17 Q Okay. Let's go to the next photo where</p> <p>18 it's clearer.</p> <p>19 Do you recall seeing this on the night of</p> <p>20 May 21? 04:55</p> <p>21 A Yes. This is on the column in PH 5 going</p> <p>22 up the stairs.</p> <p>23 Q And there, there -- the glass on the</p> <p>24 pictures were shattered?</p> <p>25 A Yes. 04:56</p> <p style="text-align: right;">Page 227</p>	<p>1 A Correct. 04:56</p> <p>2 Q What about the photos on the wall?</p> <p>3 A The third photo, yes, I showed them</p> <p>4 personally.</p> <p>5 Q Can you tell me what the next photo is? 04:56</p> <p>6 A This one looks like --</p> <p>7 Q Oh, withdrawn. Hold on. I'm going to ask</p> <p>8 you another question.</p> <p>9 For the photos on the wall, you had been</p> <p>10 in the apartment prior to this? 04:57</p> <p>11 A Yes.</p> <p>12 Q Was the glass broken when you had left --</p> <p>13 A No.</p> <p>14 Q -- the apartment?</p> <p>15 Okay. Go to the next one. What's that? 04:57</p> <p>16 A This is broken glass. I believe this is</p> <p>17 from the landing directly beneath the photo shown</p> <p>18 in -- the third photo.</p> <p>19 Q And it's a landing on a staircase?</p> <p>20 A Yes. 04:57</p> <p>21 Q Did you show -- was that photo taken by</p> <p>22 either you or Rocky?</p> <p>23 A Yes.</p> <p>24 Q Did you show that glass to the police</p> <p>25 officers who came -- the first group of police 04:57</p> <p style="text-align: right;">Page 229</p>

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1 officers who came that night? 04:57	1 A Yes. 04:59
2 A Yes, I did.	2 Q Which apartment is this in?
3 Q Next photo.	3 A I believe this is in PH 5.
4 And I take it -- even I can see that.	4 Q Which room?
5 That's a stairway -- 04:57	5 A In the living room. 04:59
6 A Yeah.	6 Q As I asked with the other series of photos
7 Q -- I think?	7 that we saw -- first of all, were any -- are you
8 And that photo was, again, taken by either	8 aware of anyone who made any efforts to Photoshop or
9 you or Rocky?	9 otherwise manipulate these photos to make the
10 A Correct. 04:57	10 incident and the circumstances look worse than they 04:59
11 Q And was this picture of broken glass on	11 were?
12 the stairway shown to -- withdrawn.	12 A Not to my knowledge.
13 Was the broken glass on the stairway	13 Q Were you aware -- did any -- were you --
14 depicted in this photograph showed to the first	14 did you have any understanding that evening, looking
15 group of police officers that night? 04:58	15 at the first photo of Ms. Heard's face, that anyone 05:00
16 A Yes, it was.	16 had somehow put makeup on her face to make it look
17 Q What's the next photo?	17 like she had an injury under her eye?
18 A This is the hallway where there would have	18 MS. KAPLAN: Would the court reporter read
19 been spilled wine right outside the door of PH 1.	19 back -- mind reading back the question?
20 Q And is -- do you see spilled wine in this 04:58	20 (Mr. Smith enters the room.) 05:00
21 photo?	21 THE WITNESS: I'm sorry. Who is this?
22 A Yes.	22 MS. VIGLIETTA: He's another attorney.
23 Q Can you indicate for the record where that	23 MS. KAPLAN: I think another attorney from
24 is?	24 Mr. Heard's team.
25 A Here and here and here. 04:58	25 MR. SMITH: Randy Smith of Brown Rudnick. 05:00
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1 MS. KAPLAN: Counsel, indicate where he -- 04:58	1 THE WITNESS: Okay. 05:00
2 he's pointing. I'm sorry.	2 MS. KAPLAN: Could -- would the court
3 MS. VIGLIETTA: No. He's pointing to the	3 reporter mind reading back that question?
4 sort of middle of the photograph on the right side,	4 (Whereupon the record was read as follows:
5 on the floor, on the stripes. 04:58	5 "Did you have any understanding that 05:00
6 BY MS. KAPLAN:	6 evening, looking at the first photo of
7 Q And was this a -- a photograph taken by	7 Ms. Heard's face, that anyone had somehow put
8 either you or -- or your then wife?	8 makeup on her face to make it look like she
9 A Yes.	9 had an injury under her eye?")
10 Q And did the police officers -- the first 04:58	10 THE WITNESS: No. 05:01
11 group of police officers who came, see this on that	11 BY MS. KAPLAN:
12 evening?	12 Q Sitting here today, Mr. Drew, do you
13 A They would have walked through it before	13 believe that Ms. Heard injured herself so as to
14 they even got to the door.	14 create those markings under her eye?
15 Q But that's not something you showed them? 04:58	15 A No. 05:01
16 A No.	16 Q Sitting here today, Mr. Drew, do you
17 Q Last photo in this series, can you tell me	17 believe that your ex-wife Rocky Pennington did
18 what that is? Sorry.	18 anything to create those marks you see in the photo
19 A That is a wine bottle and spilled wine on	19 under Ms. Heard's eye?
20 the floor. 04:59	20 A No. 05:01
21 Q Is this a photo that was taken by either	21 MR. CHEW: Objection. Calls for
22 you or -- or Rocky?	22 speculation.
23 A Yes.	23 BY MS. KAPLAN:
24 Q Is this something that you showed the	24 Q With respect to these photographs
25 first group of police officers that evening? 04:59	25 generally that we've looked at in Drew 13, was there 05:01
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1 any effort to stage the photographs in any way? 05:01	1 happens in both of the photos. 05:04
2 A Absolutely not.	2 So just so the record is very clear, I'm
3 Q And do you know how the photographs got	3 going to mark as Drew 15, which I only have one copy
4 ultimately to Ms. Heard?	4 of, the same photos that I had brought from my
5 A I do not. 05:01	5 office where the coloration is very different. 05:04
6 MS. KAPLAN: We're on Drew 14. So let's	6 I'm not going to ask you about Drew 15
7 mark this as Drew 14.	7 because I only want copies just for the record. And
8 (Exhibit 14 marked.)	8 I guess we can show it to the witness, and he can
9 MR. CHEW: Is this a composite exhibit, or	9 see -- and I guess, Mr. Drew, you can agree with me
10 is this just one? 05:02	10 that just -- Drew 15 is very -- is much redder, and 05:04
11 MS. KAPLAN: It's two.	11 it has very different coloration than Drew 4 -- than
12 BY MS. KAPLAN:	12 Drew 14.
13 Q Okay. Let me first apologize both with	13 MR. CHEW: Objection. Leading; lack of
14 Drew --	14 foundation.
15 MS. KAPLAN: This is 14; right? 05:02	15 MS. KAPLAN: Okay. But I want to make 05:05
16 MR. CHEW: Uh-huh.	16 sure I get the numbers right. This is -- this is
17 MS. KAPLAN: Drew 14 and Drew 13 and some	17 Drew 16. I apologize. Right? The next exhibit is
18 of the other photos, these were printed at our hotel	18 16?
19 nearby printer, and the colors -- you can see in an	19 (Reporter clarification.)
20 earlier copy I have, the colors just change very 05:03	20 MS. KAPLAN: Oh, Drew 15. Okay. So Drew 05:05
21 significantly.	21 15 and Drew 14. I think the record's clear.
22 We can maybe put this in as a model. Each	22 (Exhibit 15 marked.)
23 time you copy -- or each time you print them,	23 BY MS. KAPLAN:
24 depending on the quality of the printer.	24 Q So I think you testified earlier with
25 So I'll mark this just as a comparison as 05:03	25 Mr. Chew, Mr. Drew -- I'm rhyming here -- that you 05:05
Page 234	Page 236
1 Drew -- this is Drew 14, the one we have right in 05:03	1 were in contact, in the building, with Ms. Heard on 05:06
2 front of us?	2 the day of May 22nd.
3 I'm just going to mark as a comparative --	3 A Yes.
4 we can make copies. I just had these in my files --	4 Q And I'll represent to you that the photos
5 as Drew 15 so you can kind of see -- I don't want 05:03	5 in Drew 14 were taken on that day. 05:06
6 there to be any misunderstanding of how the coloring	6 Sitting here today, do you know who took
7 changes based on the quality of your printing	7 these photos?
8 technology. And I apologize for that.	8 A We're talking about the two I have in
9 So we'll just mark this as Drew 15, and	9 front of me --
10 then if you guys want copies -- I'm not going to do 05:03	10 Q Yes. 05:06
11 anything with it other than to show the coloration	11 A -- right now?
12 differences.	12 Q Yes.
13 MR. CHEW: I'm -- this is kind of a dog's	13 A It was either me or Raquel.
14 breakfast. I -- I don't know what we're looking at.	14 Q Is this consistent with your recollection
15 MS. KAPLAN: Okay. So let me be -- let me 05:03	15 of how Ms. Heard looked the next day on May 22nd? 05:06
16 try to be very clear just so we have it for the	16 A Yes.
17 record for the court reporter.	17 MR. CHEW: Objection. Lack of foundation.
18 We've marked a document -- an exhibit as	18 (Reporter clarification.)
19 Drew 14, which were photos produced to Mr. Depp with	19 MS. KAPLAN: 22nd.
20 the Bates stamp shown, and our records indicate that 05:04	20 MR. CHEW: Objection. Lack of foundation. 05:06
21 those photos were taken on May 22nd, next day.	21 Move to strike.
22 But both with Drew 14 and Drew 13, I	22 BY MS. KAPLAN:
23 apologize. We printed those last night from our	23 Q Did you see Ms. Heard's face on
24 hotel printer, and the hotel printer is clearly not	24 May 22nd --
25 that good, so there's kind of a reddening that 05:04	25 A Yes. 05:06
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<p>1 Q -- 2015 [sic]? 05:06</p> <p>2 Again -- and you recall -- withdrawn.</p> <p>3 Did you or your ex-wife take photos of</p> <p>4 Ms. Heard's face on that day?</p> <p>5 A Yes, to my recollection. 05:07</p> <p>6 Q And similar to questions I've asked in the</p> <p>7 past, was any effort made to stage those photos in</p> <p>8 any way?</p> <p>9 A Not to my knowledge, no.</p> <p>10 Q Was any effort made to put makeup on 05:07</p> <p>11 Ms. Heard's face to make the injuries look redder or</p> <p>12 more serious?</p> <p>13 A Not to my knowledge, no.</p> <p>14 Q Was any manipulation of the photos done</p> <p>15 either using Photoshop or any other similar method? 05:07</p> <p>16 A Not to my knowledge, no.</p> <p>17 Q Now, there was -- did you have occasion to</p> <p>18 see Ms. Heard on the days following this incident</p> <p>19 from, say, the 23rd to the 27th?</p> <p>20 A I believe so, but I don't remember 05:07</p> <p>21 explicitly.</p> <p>22 Q Do you have -- sitting here today, do you</p> <p>23 recall what her face -- if you do or if you don't, I</p> <p>24 understand, but what her face looked like on those</p> <p>25 days? 05:08</p> <p align="right">Page 238</p>	<p>1 R.P. 05:09</p> <p>2 MS. VIGLIETTA: I actually don't have my</p> <p>3 copy.</p> <p>4 MS. KAPLAN: Oh.</p> <p>5 MR. CHEW: Oh, yes, we do. 05:09</p> <p>6 MS. VIGLIETTA: And do you have yours?</p> <p>7 THE WITNESS: I wasn't given one.</p> <p>8 MS. VIGLIETTA: Okay. Making sure.</p> <p>9 MR. CHEW: So this is Drew 16?</p> <p>10 MS. KAPLAN: Yes. 05:09</p> <p>11 (Reporter clarification.)</p> <p>12 MS. KAPLAN: Do we have an extra one to</p> <p>13 mark?</p> <p>14 MR. CHEW: Is this the two-page</p> <p>15 document -- is this -- 05:10</p> <p>16 MS. KAPLAN: It's three pages total.</p> <p>17 There's a cover email, and then it's got two</p> <p>18 statements attached.</p> <p>19 MR. CHEW: Okay. They're separate</p> <p>20 statements? 05:10</p> <p>21 MS. KAPLAN: I want to hear from the</p> <p>22 witness.</p> <p>23 MS. VIGLIETTA: Ours is a little</p> <p>24 scrambled, so I'm not sure which one goes first.</p> <p>25 MS. KAPLAN: Yeah. 05:10</p> <p align="right">Page 240</p>
<p>1 A I don't. 05:08</p> <p>2 Q There was some testimony earlier with</p> <p>3 Mr. Chew. I think he showed you Drew 6. If you</p> <p>4 don't mind picking that up.</p> <p>5 And there was some discussion -- you had 05:08</p> <p>6 some back and forth with Mr. Chew about a statement</p> <p>7 that was made and -- when the issue first came up.</p> <p>8 Do you recall that testimony?</p> <p>9 A Briefly.</p> <p>10 Q And you said -- I think you testified that 05:08</p> <p>11 you did receive this text from Ms. Heard on</p> <p>12 May 22nd, asking for statements?</p> <p>13 A To my vague recollection, yes.</p> <p>14 Q Okay. I'm going to hand you a new</p> <p>15 document that we'll mark as Drew -- 05:08</p> <p>16 THE REPORTER: 16.</p> <p>17 MS. KAPLAN: -- 16. I think everyone has</p> <p>18 it, but it's the email --</p> <p>19 MR. CHEW: You said the same thing about</p> <p>20 the declaration, so let's trust but verify. 05:09</p> <p>21 MS. KAPLAN: Okay. So it's the email that</p> <p>22 we sent out attaching -- the email from Josh --</p> <p>23 Joshua Drew to Amber Heard dated 5-22-2016, sent,</p> <p>24 according to the email, at 9:43, 30 -- 9:43 p.m.,</p> <p>25 subject to the email says statement from J.D. and 05:09</p> <p align="right">Page 239</p>	<p>1 (Simultaneous speakers.) 05:10</p> <p>2 MS. KAPLAN: Do you guys need another one?</p> <p>3 MR. CHEW: No. I think we've got one now.</p> <p>4 MS. KAPLAN: Okay. Making sure this is</p> <p>5 the same as mine. 05:10</p> <p>6 Yeah. Okay. So why don't we use this.</p> <p>7 (Exhibit 16 marked.)</p> <p>8 BY MS. KAPLAN:</p> <p>9 Q Take your time and review this document,</p> <p>10 Mr. Drew, if you would. 05:10</p> <p>11 A (Reviewing document.)</p> <p>12 MS. KAPLAN: I have one more copy. Do you</p> <p>13 guys want one?</p> <p>14 THE WITNESS: Okay.</p> <p>15 BY MS. KAPLAN: 05:12</p> <p>16 Q Mr. Drew, can you identify Drew 16 for --</p> <p>17 for the record? Can you tell me what it is? Sorry.</p> <p>18 A This looks like a statement that I wrote</p> <p>19 either that evening or the next day, and Raquel's,</p> <p>20 same circumstance. 05:12</p> <p>21 Q Okay. And you wrote yours. Who wrote</p> <p>22 Raquel's?</p> <p>23 A My understanding, it was her.</p> <p>24 Q Let's -- and -- and you forwarded these</p> <p>25 over to Amber sometime that evening? 05:12</p> <p align="right">Page 241</p>

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<p>1 A Correct. 05:12</p> <p>2 Q When we -- when I asked you some questions</p> <p>3 earlier about when John -- Mr. Depp -- excuse me --</p> <p>4 was kind of coming at you, you said you couldn't</p> <p>5 recall what he said to you. 05:12</p> <p>6 Here in the -- in the statement, you say</p> <p>7 that he said -- or along the lines of, quote, "Get</p> <p>8 the fuck out of my house." Quote, "You</p> <p>9 mother-fuckers fucking sold me out," so on and so</p> <p>10 forth. 05:13</p> <p>11 Does this refresh your recollection that</p> <p>12 that's what he said to you?</p> <p>13 A That sounds pretty appropriate.</p> <p>14 Q And in this document, I asked you how</p> <p>15 close he was. You said it was about a foot. 05:13</p> <p>16 Here -- or within a foot. Here it says about</p> <p>17 6 inches. Is that -- sitting here today, does that</p> <p>18 refresh your recollection?</p> <p>19 MR. CHEW: Objection. Leading.</p> <p>20 BY MS. KAPLAN: 05:13</p> <p>21 Q You can answer.</p> <p>22 A Yes.</p> <p>23 Q And at the bottom of the statement,</p> <p>24 there's a sentence that says, "We had a verbal</p> <p>25 confrontation in the process of handing off the 05:13</p> <p style="text-align: right;">Page 242</p>	<p>1 and figure out what each of you were going to say? 05:14</p> <p>2 A Not to my recollection, no. I think the</p> <p>3 only -- let me rephrase that.</p> <p>4 The only thing that was discussed</p> <p>5 specifically was that very first -- when things 05:14</p> <p>6 actually transpired, because we all had different</p> <p>7 time interpretations, specifically, as to when</p> <p>8 everything had actually started.</p> <p>9 Q And you had that discussion with -- with</p> <p>10 your ex-wife? 05:14</p> <p>11 A Correct. Just with Raquel.</p> <p>12 Q Can you turn to -- I think it was the</p> <p>13 first exhibit marked, that yellow piece of paper,</p> <p>14 Drew 1.</p> <p>15 So we did our homework -- or I should say 05:15</p> <p>16 my team did the homework, and we actually found an</p> <p>17 architectural rendering of the penthouse. I have</p> <p>18 two copies here.</p> <p>19 MS. KAPLAN: So let's mark this one -- is</p> <p>20 it okay if -- let's mark it as -- what's our next -- 05:15</p> <p>21 THE REPORTER: 17.</p> <p>22 MS. KAPLAN: Drew 17. And I'm going to</p> <p>23 actually ask the witness to write on it, if that's</p> <p>24 okay, so he can kind of -- we have a more accurate</p> <p>25 version of it than Drew 1. 05:15</p> <p style="text-align: right;">Page 244</p>
<p>1 phone, which I can provide further details should 05:13</p> <p>2 the need arise."</p> <p>3 Do you see that?</p> <p>4 A Correct.</p> <p>5 Q Is that the conversation you discussed 05:13</p> <p>6 earlier with us, with Mr. Judge, who is now</p> <p>7 deceased?</p> <p>8 A Yes.</p> <p>9 Q Did anyone tell you what to say in this</p> <p>10 declaration? 05:14</p> <p>11 A No.</p> <p>12 Q Did any lawyer draft it for you?</p> <p>13 A No.</p> <p>14 Q Did Samantha Spector in any way indicate</p> <p>15 to you what you should -- what should be in here? 05:14</p> <p>16 A The only statement that was provided to us</p> <p>17 specifically was to be as dispassionate and</p> <p>18 contemporaneous as possible, in putting forward to</p> <p>19 remove as much emotion -- or remove all of the</p> <p>20 emotion from it and just be as matter of fact as 05:14</p> <p>21 possible, and that was the only direction we were</p> <p>22 given.</p> <p>23 Q And this was your effort to do that?</p> <p>24 A Correct.</p> <p>25 Q And did you and Rocky mainly get together 05:14</p> <p style="text-align: right;">Page 243</p>	<p>1 Okay. So let's mark that as 17. 05:15</p> <p>2 (Exhibit 17 marked.)</p> <p>3 BY MS. KAPLAN:</p> <p>4 Q What I'd like you to do, just so the</p> <p>5 record is clear, is show -- is indicate -- and you 05:16</p> <p>6 can just do it in writing on the document. You have</p> <p>7 a pen there? -- what apartment was yours and</p> <p>8 Rocky's.</p> <p>9 A PH 1.</p> <p>10 Q Okay. And which one was the ones that 05:16</p> <p>11 were -- was Penthouse 5? And what was Penthouse 5</p> <p>12 used for?</p> <p>13 A On the upper levels, it was Amber's</p> <p>14 closet, and there was a little, like, mid-level</p> <p>15 landing that she used -- her desk was. 05:16</p> <p>16 And then the ground floor, there was a</p> <p>17 little secluded patio that wasn't used for anything.</p> <p>18 There was a storage room that was tucked behind the</p> <p>19 elevator in the stairs. That was storage, but that</p> <p>20 was where security stayed when they were there. 05:17</p> <p>21 And then the rest of the ground floor was</p> <p>22 just sort of there. It wasn't really used all that</p> <p>23 often, but, you know, sometimes with, like, a --</p> <p>24 large dinner parties or Thanksgiving or whatever, we</p> <p>25 would use that space. 05:17</p> <p style="text-align: right;">Page 245</p>

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1 Q And what was -- what was between -- 05:17	1 MS. KAPLAN: Okay. We're on 18? 05:19
2 there's like a box between Penthouse 5 and	2 THE REPORTER: Yes.
3 Penthouse 3. What was that?	3 THE WITNESS: Am I giving this back to
4 A PH 4.	4 somebody?
5 Q And who lived there, if anyone? 05:17	5 MS. KAPLAN: Just put it on the pile. 05:19
6 A For the most part, nobody. At certain	6 Let's mark this as 18.
7 points, they would have guests stay there. For some	7 (Exhibit 18 marked.)
8 period of time, Whitney, Amber's sister, lived there	8 BY MS. KAPLAN:
9 very briefly.	9 Q Okay. I'm showing you a document that's
10 Q And can you -- can you mark Penthouse 4 on 05:17	10 been marked as Drew 18. It was Exhibit 9, just for 05:20
11 your version of the exhibit?	11 the record, to Ms. Heard's 2019 declaration.
12 A Yeah. (The witness complied.)	12 And I'm not asking you to focus on the
13 Q Thank you.	13 texts, because the texts weren't between you and
14 And -- and have we marked Penthouse 3?	14 anyone else, but I'm directing your attention to the
15 Okay. Can you mark Penthouse 3? 05:17	15 photos there and asking if you can identify where 05:20
16 A (The witness complied.)	16 these photos were taken.
17 Q And that's the -- the apartment where	17 MR. CHEW: Objection. Lack of foundation.
18 Mr. Depp and Ms. Heard lived?	18 THE WITNESS: The photo on the first page,
19 A Correct.	19 honestly, I'm not sure. I don't really remember
20 Q I think you said occasionally or 05:18	20 which stairwell this was from, from which penthouse. 05:21
21 sporadically or something like that?	21 BY MS. KAPLAN:
22 A That was their primary residence.	22 Q Okay. So each -- each penthouse had a
23 Q Okay. And on top -- if you're looking at	23 stairwell?
24 it -- I actually have it backwards. If you're	24 A Yes.
25 looking at it kind of with the wording on top, 05:18	25 Q Okay. Next one? 05:21
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1 what's the apartment kind of beneath Penthouse 3, 05:18	1 A Both of these photos are taken from PH 5 05:21
2 the other --	2 where Amber's closet was located -- or what Amber
3 A PH 2. That was where Johnny's friend,	3 used as her closet, I should say.
4 Isaac, lived.	4 Q Next page. Same thing, Amber's closet?
5 Q And what's Isaac's full name? 05:18	5 A Same thing. 05:21
6 A Isaac Baruch.	6 Q Next page, at least the top one?
7 Q Okay. And show me -- it says "pool," so	7 A The top one, same.
8 the pool is down to the -- in the bottom part of	8 Q Bottom photo on that page?
9 this drawing?	9 A Bottom photo is taken from -- it looks
10 A Yes. It was actually a level up. 05:18	10 like it's taken from the landing on the stairwell of 05:21
11 So the -- the penthouse where we lived in	11 PH 5 towards the kitchen, towards the Broadway side.
12 PH 1, there was a -- there was a small outdoor area	12 Q And the next page just seems like similar
13 directly behind, and then probably about 8 to	13 copies.
14 10 feet above our floor level was where the pool	14 Were you ever made aware, Mr. Drew, of --
15 was. 05:18	15 of anyone destroying Amber Heard's closet this way? 05:22
16 MS. KAPLAN: It's a terrible habit, when	16 A Not to my knowledge.
17 I'm in a deposition, to misplace documents.	17 Q I think Mr. Chew asked you a series of
18 Let's mark this.	18 questions this afternoon about various people in the
19 Thank you.	19 building, including -- and I hope I got them all
20 BY MS. KAPLAN: 05:19	20 right here -- Trinity Esparza, Brandon Patterson, 05:22
21 Q This, I told you, was a drawing we found,	21 Alejandro Alex Romero, Cornelius Harrell, and Galen
22 but does this look like an accurate drawing of -- of	22 Summerland.
23 the premises that we've been talking about for most	23 Do you recall that testimony?
24 of the time today?	24 A Yes.
25 A It does. 05:19	25 Q And I think he represented to you that 05:23
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<p>1 Trinity -- at least Trinity Esparza said that on the 05:23</p> <p>2 morning of May 22nd, Ms. Heard looked radiant and</p> <p>3 beautiful and had no marks.</p> <p>4 Do you recall that question?</p> <p>5 A That characterization came from one of the 05:23</p> <p>6 gentlemen, not Alex and not Trinity, if memory</p> <p>7 serves me right.</p> <p>8 MR. CHEW: Yeah. You misstated his</p> <p>9 testimony.</p> <p>10 BY MS. KAPLAN: 05:23</p> <p>11 Q Do you recall which person? We can look</p> <p>12 it up on the -- the --</p> <p>13 (Simultaneous speakers.)</p> <p>14 A I don't recall this one. It was either --</p> <p>15 it was either Cornelius, or it was the other 05:23</p> <p>16 gentleman, but it wasn't Alex or Trinity.</p> <p>17 MS. KAPLAN: Hold on a sec. The wonders</p> <p>18 of modern technology.</p> <p>19 BY MS. KAPLAN:</p> <p>20 Q So Cornelius Harrell. I think you got it 05:23</p> <p>21 right. Right, is the -- the question was:</p> <p>22 Cornelius Harrell said she looked radiant and</p> <p>23 beautiful and no marks?</p> <p>24 A That's my recollection, yes, from the</p> <p>25 testimony. 05:24</p> <p align="right">Page 250</p>	<p>1 iO Tillett. 05:25</p> <p>2 Do you recall that?</p> <p>3 A Yes.</p> <p>4 Q And how would you describe your knowledge</p> <p>5 of the relationship between Rocky Pennington and iO 05:25</p> <p>6 Tillett during this period that we've been</p> <p>7 discussing today?</p> <p>8 A Tumultuous.</p> <p>9 Q Can you give me more detail?</p> <p>10 A They're both very stubborn, strong-willed 05:25</p> <p>11 individuals, and they had periods where they were</p> <p>12 really good friends, and they had periods where they</p> <p>13 didn't like each other very much.</p> <p>14 Q We talked about your declarations -- or</p> <p>15 your statements on May 22nd. Sitting here today, 05:25</p> <p>16 are you aware of any efforts by Rocky Pennington and</p> <p>17 iO Tillett to, quote, get their stories straight?</p> <p>18 A Not to my knowledge.</p> <p>19 Q Are you aware of any efforts between and</p> <p>20 among Rocky Pennington, iO Tillett, Melanie 05:26</p> <p>21 Inglessis, Elizabeth Marz, or Amanda de Cadenet to,</p> <p>22 quote, get their stories straight?</p> <p>23 A Not to my knowledge.</p> <p>24 Q Have you had any outreach from any of</p> <p>25 those people that I just mentioned to you, to 05:26</p> <p align="right">Page 252</p>
<p>1 Q Based on the photos that we've now just 05:24</p> <p>2 been reviewing in excruciating detail, is that the</p> <p>3 way she looked to you that day?</p> <p>4 MR. CHEW: Objection to the question.</p> <p>5 THE WITNESS: Not in my interaction, no. 05:24</p> <p>6 BY MS. KAPLAN:</p> <p>7 Q And the answer you just gave me was based</p> <p>8 on your own observation of Amber Heard's face that</p> <p>9 day?</p> <p>10 A Correct. 05:24</p> <p>11 MR. CHEW: Objection. Leading.</p> <p>12 BY MS. KAPLAN:</p> <p>13 Q Now, there was also some discussion about</p> <p>14 interrelationships, for lack of a better term, about</p> <p>15 the group of friends who you socialized from time to 05:24</p> <p>16 time during this period.</p> <p>17 For example, I think easily established,</p> <p>18 and you responded to Mr. Chew that you are now</p> <p>19 divorced from Rocky Pennington.</p> <p>20 A Correct. 05:25</p> <p>21 Q Is it -- how would you describe your</p> <p>22 relationship with Rocky Pennington today?</p> <p>23 A Nonexistent.</p> <p>24 Q And I think Mr. Chew also asked questions</p> <p>25 about the relationship between Rocky Pennington and 05:25</p> <p align="right">Page 251</p>	<p>1 coordinate your story or your recollection or your 05:26</p> <p>2 testimony about the things you testified to here</p> <p>3 today?</p> <p>4 A No. I did receive a phone call from iO, I</p> <p>5 want to say, maybe three months ago that was to 05:26</p> <p>6 catch up.</p> <p>7 Q And did you discuss during that phone</p> <p>8 conversation your recollection of the events that</p> <p>9 we've been discussing here?</p> <p>10 A No. 05:27</p> <p>11 Q Sitting here today, Mr. Drew, can you</p> <p>12 think of any reason why any of the people I just</p> <p>13 mentioned would engage in a conspiracy to fabricate</p> <p>14 allegations of domestic abuse against Johnny Depp?</p> <p>15 MR. CHEW: Objection. Calls for 05:27</p> <p>16 speculation.</p> <p>17 THE WITNESS: No.</p> <p>18 MS. KAPLAN: I'm going to -- we'll take a</p> <p>19 break. I'm going to see if I have anything else,</p> <p>20 but I think -- I have the time reserved, but we'll 05:27</p> <p>21 see if there's anything else before -- before</p> <p>22 Mr. Chew gets you here.</p> <p>23 THE VIDEOGRAPHER: We are now going off</p> <p>24 the record. The time on the video monitor is</p> <p>25 5:27 p.m. 05:27</p> <p align="right">Page 253</p>

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1 (Recess.) 05:33	1 reaction. 05:48
2 (Exhibit 19 marked.)	2 The sentence reads:
3 THE VIDEOGRAPHER: We are now going back	3 "Ms. Pennington's ex-husband who was
4 on the record. The time on the video monitor is	4 present in Penthouse 5 advised that
5 5:45 p.m. This is the beginning of Media 5 in the 05:45	5 Ms. Pennington lied about being summoned 05:48
6 videotaped deposition of Joshua Drew.	6 by Ms. Heard at 8:06 by text because
7 BY MS. KAPLAN:	7 Ms. Pennington was, in fact, hiding in my
8 Q So during the break, Mr. Drew, we marked	8 Penthouse 3 all along."
9 and I just handed it to the other side, a document,	9 Do you see that statement?
10 Exhibit 19. Exhibit 19, do you have that in front 05:45	10 A Yes. 05:48
11 of you?	11 Q And are you the ex-husband of
12 A Yes.	12 Ms. Pennington?
13 Q Okay. And the first page of the document	13 A As far as I know.
14 says Declaration of John Christopher Depp, II.	14 Q Did you -- sitting here today, sir, did
15 A Correct. 05:46	15 you ever have -- say that to Johnny Depp? 05:48
16 Q Do you see that?	16 A Absolutely not.
17 And is this one of the documents -- I	17 Q Do you have any basis for -- for why
18 think there's a little bit of confusion in the	18 Mr. Depp would write in a sworn statement that
19 record.	19 that's what you said to him?
20 Is this one of the documents you reviewed 05:46	20 A I'm not going to speculate on that one. 05:48
21 before this deposition, or was it the complaint or	21 Q Is the sentence that I read to you,
22 something else?	22 referencing you, true or false, sir?
23 A I believe so, yes.	23 A False, with the exception of that I was in
24 Q You believe you reviewed this?	24 Penthouse 5.
25 A Yes. 05:46	25 Q Thank you. 05:49
Page 254	Page 256
1 Q Okay. If you could or if you would, 05:46	1 MS. KAPLAN: No further -- no further 05:49
2 please, sir, if you could turn to paragraph 18 that	2 questions.
3 begins on page 7 and read that paragraph, which is	3 FURTHER EXAMINATION
4 quite long. I apologize. And then I'm going to ask	4 BY MR. CHEW:
5 you one or two questions about it. 05:46	5 Q Mr. Drew, I have -- I have a few more 05:49
6 A Paragraph 18 --	6 questions. We're going to jump around from topic to
7 Q Yes.	7 topic, but that's what happens at the end of a
8 A -- on page 7?	8 deposition. I think these are going to be the last
9 Q 7 to 8.	9 questions I ask about the dogs, no -- no -- no
10 A Okay. 05:46	10 promise there. 05:49
11 Q To 9, actually. So a super paragraph.	11 You testified that the dogs were too small
12 A "Ms. Heard put iO Tillet" --	12 to climb the stairs; is that --
13 Q No, no. Read to yourself. You don't have	13 A Correct.
14 to read it out loud.	14 Q -- correct?
15 A Oh, okay. 05:46	15 And if the dogs, in fact, were too small 05:49
16 MR. CHEW: That's what my son does. He	16 to climb the stairs, how would they be able to jump
17 just reads. I say, "No, no, you can read to	17 on the bed?
18 yourself."	18 A One of them was. One of them was not.
19 THE WITNESS: (Reviewing document.)	19 Q So it's your testimony that one of the
20 Okay. 05:48	20 dogs could -- had the ability to climb the stairs 05:49
21 BY MS. KAPLAN:	21 and jump on the bed, and the other had neither?
22 Q Okay. So on page 8, Mr. Drew, about	22 A Correct.
23 two-thirds of the way down there on that page,	23 Q Correct me if I'm wrong, but I believe you
24 there's a reference to you, and I'm just going to	24 testified earlier that you had heard Amber Heard
25 read it into the record and then ask you your 05:48	25 yell at Mr. Depp on various occasions; correct? 05:50
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<p>1 A Yes. 05:50</p> <p>2 Q Did you ever see Ms. Heard strike</p> <p>3 Mr. Depp?</p> <p>4 A No.</p> <p>5 Q Did you ever see her kick him? 05:50</p> <p>6 A No.</p> <p>7 Q You testified -- did Liz Marz attend</p> <p>8 Ms. Heard's birthday party on April 21?</p> <p>9 A I do not recall.</p> <p>10 Q You testified that you saw Ms. Heard throw 05:50</p> <p>11 Mr. Depp's phone off the roof on occasion?</p> <p>12 A That's not what I testified. What I</p> <p>13 testified is that I had been told that that is what</p> <p>14 had transpired after one of these arguments.</p> <p>15 Q Who told you that? 05:51</p> <p>16 A I believe it was Raquel.</p> <p>17 Q Do you recall which argument it was and</p> <p>18 what date that was?</p> <p>19 A I want to say it was related to the 30th</p> <p>20 birthday party, but I'm not a hundred percent 05:51</p> <p>21 certain.</p> <p>22 Q Let's turn now -- if you could look at</p> <p>23 Exhibit 16, I believe, which is your statement.</p> <p>24 A Okay.</p> <p>25 Q You testified here in the second 05:51</p> <p style="text-align: right;">Page 258</p>	<p>1 PH 3. When you say "both of his security team," are 05:52</p> <p>2 you referring to Mr. Bett and Mr. Judge?</p> <p>3 A Yes.</p> <p>4 Q Can you show us on Drew Exhibit 1 from</p> <p>5 where Mr. Judge and Mr. Bett were coming? And if 05:52</p> <p>6 you could just do the initials S.B. for Sean Bett</p> <p>7 and J.J. for Jerry Judge.</p> <p>8 A To be very honest with you, like I said,</p> <p>9 there's a lot about this evening that I'm really not</p> <p>10 clear on. I'll be very honest with you. Reading 05:53</p> <p>11 some portion of this statement is refreshing my</p> <p>12 memory, so to speak, but I'm still a little foggy on</p> <p>13 that.</p> <p>14 So specifically with that, they would</p> <p>15 have -- sorry. Bear with me a second here. 05:53</p> <p>16 So the door to PH 5 would have been about</p> <p>17 here.</p> <p>18 Q Okay.</p> <p>19 A And if they rushed past -- like I said,</p> <p>20 the storage room where security would normally wait 05:53</p> <p>21 would be somewhere around here. So they would have</p> <p>22 been coming in this direction.</p> <p>23 Q Why -- Mr. Depp and Ms. Heard were in</p> <p>24 PH 3?</p> <p>25 A Correct. 05:54</p> <p style="text-align: right;">Page 260</p>
<p>1 paragraph. You say: 05:51</p> <p>2 "Approximately 15 minutes later, we heard</p> <p>3 Johnny shouting."</p> <p>4 MS. VIGLIETTA: What paragraph are you in?</p> <p>5 MR. CHEW: It's the second paragraph on 05:51</p> <p>6 the first and only page.</p> <p>7 BY MR. CHEW:</p> <p>8 Q You testified that you heard Johnny</p> <p>9 shouting.</p> <p>10 Did you -- do you see that? 05:51</p> <p>11 A I do.</p> <p>12 Q But you never heard Amber Heard shouting</p> <p>13 at any time that night?</p> <p>14 A That's correct.</p> <p>15 Q Then you said you saw it through the 05:52</p> <p>16 peephole. To what peephole are you referring?</p> <p>17 A Based on this, it would be the door for</p> <p>18 PH 5.</p> <p>19 Q Why were you looking through the peephole?</p> <p>20 A I heard shouting in the hallway. 05:52</p> <p>21 Q Why didn't you just go out into the</p> <p>22 hallway?</p> <p>23 A Honestly, I don't know.</p> <p>24 Q Then you testified that you saw both of</p> <p>25 his security team rush over in the direction of 05:52</p> <p style="text-align: right;">Page 259</p>	<p>1 Q Both -- well, Mr. Bett has testified and 05:54</p> <p>2 Mr. Judge had stated -- he's not alive and cannot</p> <p>3 testify -- that they both were stay -- were</p> <p>4 stationed right outside of PH 3.</p> <p>5 Doesn't that make sense, if they're 05:54</p> <p>6 supposed to be guarding Mr. Depp, that they're in a</p> <p>7 position where they could defend him or protect him</p> <p>8 if anybody broke into PH 3?</p> <p>9 MS. VIGLIETTA: Objection. Lacks</p> <p>10 foundation; calls for speculation. 05:54</p> <p>11 THE WITNESS: I'm not going to speculate</p> <p>12 on the way they behaved. And like I have told you,</p> <p>13 I was there for quite a long time, and I can tell</p> <p>14 you unequivocally, I can probably count on one hand</p> <p>15 the number of times that security was actually ever 05:54</p> <p>16 stationed outside of a door for any period of time</p> <p>17 whatsoever.</p> <p>18 When they came in, they made sure that</p> <p>19 Johnny and Amber were settled, and they went back to</p> <p>20 the storage room in PH 5 where they had a TV, couch, 05:54</p> <p>21 and a refrigerator. They were almost never</p> <p>22 stationed outside the door.</p> <p>23 BY MR. CHEW:</p> <p>24 Q So your testimony is that Ms. -- that</p> <p>25 Mr. Bett is lying about where he was stationed that 05:55</p> <p style="text-align: right;">Page 261</p>

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<p>1 night; correct? 05:55</p> <p>2 A I'm not going to accuse anybody of lying.</p> <p>3 I can only say specifically what I observed and</p> <p>4 based on what's written in my statement.</p> <p>5 Q And I understand the recollection issues, 05:55</p> <p>6 though, it's -- where did you first see Mr. Bett and</p> <p>7 Mr. Judge coming through the peephole?</p> <p>8 A Based on this statement, it would have</p> <p>9 been coming in the direction that I've drawn the</p> <p>10 arrow, which is ostensibly from the direction of the 05:55</p> <p>11 door of PH 5 towards the door of PH 3 down the</p> <p>12 hallway.</p> <p>13 Q Moving down the page, you say that</p> <p>14 Mr. Depp told you to get the F out of his house;</p> <p>15 right? 05:55</p> <p>16 A Correct.</p> <p>17 Q It was his house; right?</p> <p>18 A Correct.</p> <p>19 Q Nobody in that building paid any rent;</p> <p>20 right? 05:55</p> <p>21 A Correct.</p> <p>22 Q He was letting everybody live there for</p> <p>23 free.</p> <p>24 A Correct.</p> <p>25 Q You testified, in response to some of 05:56</p> <p style="text-align: right;">Page 262</p>	<p>1 Q You testify in the fourth paragraph, you 05:57</p> <p>2 say:</p> <p>3 "After I had left, I heard him screaming</p> <p>4 and smashing things inside the apartment."</p> <p>5 You never saw him smash anything, did you? 05:57</p> <p>6 A Not to my recollection, no.</p> <p>7 Q In fact, in your entire tenure of living</p> <p>8 at the East Columbia Building, you never saw</p> <p>9 Mr. Depp smash anything; correct?</p> <p>10 A That's correct. 05:57</p> <p>11 Q Now, you testified earlier that there was</p> <p>12 a conversation involving Samantha Spector; correct?</p> <p>13 A Correct.</p> <p>14 Q And that occurred during the interval</p> <p>15 between the alleged incident and the arrival of the 05:57</p> <p>16 police. How long a period was that?</p> <p>17 MS. VIGLIETTA: Hold on. Which set of</p> <p>18 police are you talking about?</p> <p>19 MR. CHEW: The first set of police.</p> <p>20 MS. VIGLIETTA: Go ahead. 05:58</p> <p>21 BY MR. CHEW:</p> <p>22 Q Officers Saenz and Hadden.</p> <p>23 A If memory serves, the first conversation</p> <p>24 started when I was on my way, or when I was already</p> <p>25 downstairs, to give the phone to Jerry. So I can't 05:58</p> <p style="text-align: right;">Page 264</p>
<p>1 Ms. Kaplan's questions, that Mr. Depp didn't act 05:56</p> <p>2 exact -- didn't really spit in your face, did he?</p> <p>3 A It was just the course of --</p> <p>4 MS. VIGLIETTA: That mischaracterizes the</p> <p>5 testimony. That's my objection -- 05:56</p> <p>6 BY MR. CHEW:</p> <p>7 Q You -- all right. Let me -- let me clean</p> <p>8 it up.</p> <p>9 You say in your affidavit that "the whole</p> <p>10 time no more than 6 inches from my face, spitting in 05:56</p> <p>11 my face the whole time." He wasn't spitting at you,</p> <p>12 was he?</p> <p>13 A No. It was -- the course of being angry</p> <p>14 and yelling and the proximity to me, it was spittle</p> <p>15 when somebody is shouting. 05:56</p> <p>16 Q You would agree with me that having saliva</p> <p>17 inadvertently come out of your mouth is different</p> <p>18 from having somebody spit at you, which is about the</p> <p>19 most offensive thing you could possibly do; correct?</p> <p>20 A I wouldn't characterize it that way, but 05:57</p> <p>21 it's pretty bad.</p> <p>22 Q And -- and it's not your testimony that</p> <p>23 Mr. Depp was spitting on you, as angry as he may</p> <p>24 have been?</p> <p>25 A Correct. 05:57</p> <p style="text-align: right;">Page 263</p>	<p>1 say specifically how long that conversation lasted. 05:58</p> <p>2 Honestly, I don't remember. I don't recall how long</p> <p>3 the conversation was.</p> <p>4 Q What other advice did Ms. Spector convey</p> <p>5 to you--all other than to work out the timing of your 05:58</p> <p>6 account?</p> <p>7 A I never spoke to Ms. Spector, so I can't</p> <p>8 say specifically. The only thing that was relayed</p> <p>9 to me explicitly was in regards to the statement and</p> <p>10 the matter of fact, the motion -- or dispassionate 05:58</p> <p>11 nature of that --</p> <p>12 Q And that --</p> <p>13 A -- while it was still fresh in our minds.</p> <p>14 Q And that was conveyed to you through</p> <p>15 Ms. Heard? 05:58</p> <p>16 A Correct.</p> <p>17 Q I believe -- and I -- I apologize if I'm</p> <p>18 misstating your testimony -- that you said you were</p> <p>19 surprised when Officers Saenz and Hadden showed up?</p> <p>20 A Yes. 05:59</p> <p>21 Q Why were you surprised?</p> <p>22 A I didn't know at that point that anybody</p> <p>23 had actually called the police.</p> <p>24 Q And sitting here today, you don't know</p> <p>25 that anyone, other than iO Tillett, called the 05:59</p> <p style="text-align: right;">Page 265</p>

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<p>1 police; correct? 05:59</p> <p>2 A I have no knowledge of that.</p> <p>3 Q You testified that the first officers --</p> <p>4 first pair of officers who arrived at the scene,</p> <p>5 Officer Saenz and Hadden, were dispassionate and 05:59</p> <p>6 professional; correct?</p> <p>7 A Correct.</p> <p>8 Q And yet you've seen that their testimony</p> <p>9 is diametrically opposed to yours with respect to</p> <p>10 Amber not having any marks on her face. 05:59</p> <p>11 You saw that?</p> <p>12 A Correct.</p> <p>13 Q And I didn't misstate their testimony,</p> <p>14 correct, assuming I showed you an accurate</p> <p>15 transcript? 05:59</p> <p>16 A Correct.</p> <p>17 Q How do you account for that?</p> <p>18 MS. VIGLIETTA: Objection. Calls for</p> <p>19 speculation; lacks foundation; and it's asked and</p> <p>20 answered. 06:00</p> <p>21 BY MR. CHEW:</p> <p>22 Q Well, Ms. Kap- -- do you remember when</p> <p>23 Ms. Kaplan asked you the question of what the</p> <p>24 motivation would be of yourself, Rocky, and others,</p> <p>25 to fabricate allegations? I'm asking you the flip 06:00</p> <p style="text-align: right;">Page 266</p>	<p>1 A I'm really not comfortable with that 06:01</p> <p>2 statement.</p> <p>3 Q It's a question.</p> <p>4 A It's more of a statement than it is a</p> <p>5 question. I'm not comfortable with it, and I'm not 06:01</p> <p>6 going to respond to it.</p> <p>7 Q You would agree with me that your accounts</p> <p>8 are diametrically opposed, not only in terms of</p> <p>9 Ms. Heard's physical condition but also with respect</p> <p>10 to the condition of Penthouse 3 and Penthouse 5; 06:01</p> <p>11 true?</p> <p>12 A On that I would agree.</p> <p>13 Q Okay. How long after Mr. Depp left did</p> <p>14 the first set of officers, Officer Saenz and Hadden,</p> <p>15 arrive? 06:01</p> <p>16 A If memory serves, it was somewhere between</p> <p>17 40 minutes to an hour, but, again, I'm -- I'm not</p> <p>18 quite -- I'm not a hundred percent certain.</p> <p>19 Q Are you aware that Ms. Pennington</p> <p>20 testified that she went to Penthouse 5 to get her 06:02</p> <p>21 keys? Do you recall that?</p> <p>22 A No.</p> <p>23 Q But your testimony was that the guards</p> <p>24 were in Penthouse 5; correct?</p> <p>25 A Can I go to the exhibit to show you -- 06:02</p> <p style="text-align: right;">Page 268</p>
<p>1 side. 06:00</p> <p>2 A That was not the nature of the question.</p> <p>3 If we're going to do that, I would say let's go back</p> <p>4 to the transcript and --</p> <p>5 (Simultaneous speakers.) 06:00</p> <p>6 Q Okay. Then let's -- let me just ask you</p> <p>7 the question again.</p> <p>8 A Okay.</p> <p>9 Q You're testifying -- you're testifying</p> <p>10 essentially that Officer Saenz and Hadden lied under 06:00</p> <p>11 oath; right?</p> <p>12 A I am not going to accuse the LAPD of</p> <p>13 anything. What I'm going to say, again, for now the</p> <p>14 fourth time is that I've entered under penalty of</p> <p>15 perjury what I witnessed, what I experienced. They 06:00</p> <p>16 did the same thing. And that's it.</p> <p>17 I'm not going to presuppose as to what</p> <p>18 their motivations are. I'm not going to presuppose</p> <p>19 what might have transpired that would predicate</p> <p>20 that. I'm not going to accuse the LAPD or an LAPD 06:00</p> <p>21 officer of anything. I'm only going to stand by the</p> <p>22 testimony that I provided.</p> <p>23 Q But you would agree with me that they are</p> <p>24 correct or you are correct; both of you cannot be</p> <p>25 correct? 06:01</p> <p style="text-align: right;">Page 267</p>	<p>1 Q Yes. 06:02</p> <p>2 A -- where that difference is?</p> <p>3 Q Absolutely.</p> <p>4 A Okay. So part of --</p> <p>5 MS. BROOK: Can we state on the record 06:02</p> <p>6 what exhibit we're looking at?</p> <p>7 MR. CHEW: It's Exhibit 17.</p> <p>8 THE WITNESS: Ready?</p> <p>9 BY MR. CHEW:</p> <p>10 Q Yes. 06:02</p> <p>11 A Okay. So Penthouse 5 is a little bit</p> <p>12 different than the rest of the penthouses. So you</p> <p>13 can see where I've marked here specifically. This</p> <p>14 is the main living room. This is where I was. This</p> <p>15 is where Liz was. This is where the damage 06:02</p> <p>16 occurred.</p> <p>17 This section right here is actually a</p> <p>18 little outdoor patio. And then this section here,</p> <p>19 this little storage closet that's tucked behind the</p> <p>20 stairs and the elevator, that's the portion of PH 5 06:02</p> <p>21 where the guards would normally be. Those -- they</p> <p>22 have their own doors. They have their own access.</p> <p>23 They have their own infrastructure, so to speak, in</p> <p>24 that space.</p> <p>25 Q And is it true that you led Officer Saenz 06:03</p> <p style="text-align: right;">Page 269</p>

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1 and Hadden through the entirety of PH 5?	06:03	1 Divenere --	06:05
2 A Correct. Let me rephrase that. I led		2 UNIDENTIFIED WOMAN: Cara.	
3 them through the main part of PH 5. I did not take		3 BY MR. CHEW:	
4 them into the guard shack or the exterior space.		4 Q Divenere.	
5 Q And you took them through the entirety	06:03	5 UNIDENTIFIED WOMAN: Cara.	06:05
6 of -- of Penthouse 3; correct?		6 BY MR. CHEW:	
7 A To my recollection, yes.		7 Q Cara Divenere.	
8 Q Where the argument occurred.		8 MS. KAPLAN: No. I don't think the	
9 A To my recollection, yes.		9 person --	
10 Q Switching gears now, was Isaac Baruch --	06:03	10 BY MR. CHEW:	06:05
11 well, strike that.		11 Q Okay. Who is Laura Divenere?	
12 Do you know who Isaac Baruch is?		12 A I have no idea.	
13 A I do.		13 Q And, Mr. Drew, I -- I don't want to get	
14 Q And he lived, I think you said, in		14 into this. I just want to ask one -- maybe more	
15 Penthouse 4?	06:03	15 than one question, but I don't -- I don't want to	06:06
16 A 2.		16 pry into your -- your personal life. But you had --	
17 Q 2.		17 you had testified that you were a survivor of	
18 Was he a friend of Amber's?		18 domestic violence.	
19 A He was a friend of Johnny's. They had		19 A That's correct.	
20 grown up together in Florida.	06:03	20 Q And my -- my question is: Was -- was	06:06
21 Q Was he also a friend of Amber's?		21 Rocky the perpetrator of that?	
22 A I believe so, yes.		22 A No.	
23 Q Did Mr. Baruch and Amber ever do things		23 Q Were -- were either of the parties in this	
24 socially together?		24 case the perpetrators of that?	
25 A Never without Johnny.	06:04	25 A No.	06:06
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1 Q But --	06:04	1 MR. CHEW: Okay. I think we're going to	06:06
2 A To my -- to my knowledge.		2 take a short break, very short.	
3 Q But Amber did socialize with Mr. Baruch?		3 MS. VIGLIETTA: Very short.	
4 A In group settings, yes.		4 MR. CHEW: Okay.	
5 Q Did you and Rocky also socialize with	06:04	5 MS. BROOK: Can we go off the record?	06:06
6 Mr. Baruch?		6 THE VIDEOGRAPHER: We're now going off the	
7 A In group settings, yes, and very, very		7 record. The time on the video monitor is 6:06 p.m.	
8 rarely, on occasion, just casual check-ins as		8 (Recess.)	
9 neighbors.		9 THE VIDEOGRAPHER: We are now going back	
10 Q Did Mr. Baruch ever lie to you?	06:04	10 on the record. The time on the video monitor is	06:15
11 A Not to my knowledge.		11 6:15 p.m.	
12 Q Did you ever -- you've already testified		12 BY MR. CHEW:	
13 you never saw Ms. Heard hit Johnny. Did you ever		13 Q Good evening, Mr. Drew. We just have a	
14 see her hit anybody else?		14 few more questions.	
15 A No.	06:04	15 First, with respect to the photographs	06:15
16 Q Did you ever see her throw something at		16 Ms. Kaplan showed you today, the exhibits that she	
17 somebody else?		17 used, the photographs that you identified --	
18 A Not to my knowledge. No, not to my		18 A Which exhibits?	
19 recollection.		19 Q All of the exhibits where there were	
20 Q Did you ever hear that she had done that?	06:05	20 photographs.	06:15
21 A Not to my recollection, no.		21 A Okay.	
22 Q And, Mr. Drew, I don't mean -- did -- you		22 Q We can go through each one, but were all	
23 testified earlier about Laura Divenere; correct?		23 of those photographs taken on Ms. Heard's phone?	
24 A I'm sorry?		24 A I can't say definitively.	
25 Q Do you recall any questions about Laura	06:05	25 Q Maybe we should go through them then.	06:16
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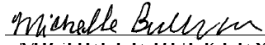
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<p>1 A I am going to probably give you the same 06:16</p> <p>2 answer. I couldn't identify which -- which phone</p> <p>3 was used to take which photograph.</p> <p>4 Q Okay. Are -- do you know what metadata is</p> <p>5 as it relates to photographs? 06:16</p> <p>6 A I understand the general concept of the</p> <p>7 digital tags associated with things like photos and</p> <p>8 text messages, and so on and so forth.</p> <p>9 Q So it would -- it would have time, date,</p> <p>10 origin? 06:16</p> <p>11 A (Nods head.)</p> <p>12 Q With respect to any of these exhibits</p> <p>13 containing photographs, did you see any metadata?</p> <p>14 A I wouldn't even know if you showed me.</p> <p>15 Q Okay. Well, we would -- do you have any 06:16</p> <p>16 idea whether the phones on which those photographs</p> <p>17 were taken still exist?</p> <p>18 A I have no idea.</p> <p>19 MR. CHEW: We would ask -- this is a</p> <p>20 question really for -- for Ms. Kaplan. We would ask 06:16</p> <p>21 that all the photographs be produced in their native</p> <p>22 format.</p> <p>23 MR. RAWLINSON: They were produced in</p> <p>24 their native format.</p> <p>25 MS. KAPLAN: I believe they were. 06:17</p> <p style="text-align: right;">Page 274</p>	<p>1 Q Yes. 06:18</p> <p>2 A Not to my knowledge.</p> <p>3 Q Oh, strike that. I may have misspoken.</p> <p>4 Did Ms. Pennington tell you that Ms. Heard</p> <p>5 had spent the night with Mr. Depp -- try again. 06:18</p> <p>6 That Ms. -- did Ms. Pennington tell you</p> <p>7 that Ms. Heard spent the night with Mr. Musk during</p> <p>8 the week after the May 21 incident?</p> <p>9 A I don't recall exactly, but it would have</p> <p>10 been either that time or shortly thereafter. 06:18</p> <p>11 Q So he was spending the night with her in</p> <p>12 Penthouse 3 within a week or so of the alleged</p> <p>13 incident, while she was still married to Mr. Depp;</p> <p>14 true?</p> <p>15 A I would be comfortable saying within three 06:18</p> <p>16 weeks of the incident, to my recollection.</p> <p>17 Q Did you ever tell anybody that Mr. Musk</p> <p>18 spent the night with Ms. Heard within one week of</p> <p>19 that incident?</p> <p>20 A No. 06:19</p> <p>21 Q Mr. Drew, are you paying your legal fees</p> <p>22 with relate -- with respect to this deposition?</p> <p>23 A No.</p> <p>24 Q Who is?</p> <p>25 A Ms. Heard. 06:19</p> <p style="text-align: right;">Page 276</p>
<p>1 MR. CHEW: Well, you said the same thing 06:17</p> <p>2 with respect to the statement that wasn't, so we</p> <p>3 haven't seen them in native format, but we will --</p> <p>4 we will make that request.</p> <p>5 BY MR. CHEW: 06:17</p> <p>6 Q These photographs were taken for the</p> <p>7 purpose of preserving evidence; correct?</p> <p>8 A Correct.</p> <p>9 Q Okay. Well, that makes metadata all the</p> <p>10 more important. 06:17</p> <p>11 You testified earlier today that you</p> <p>12 understood from Ms. Pennington that Ms. Heard had an</p> <p>13 affair with Elon Musk while she was still married to</p> <p>14 Mr. Depp; correct?</p> <p>15 A Yes. 06:17</p> <p>16 Q And wasn't she spending the night with</p> <p>17 Mr. Depp the week of May 21st after the alleged</p> <p>18 incident?</p> <p>19 MS. VIGLIETTA: Objection. Calls for</p> <p>20 speculation. 06:17</p> <p>21 BY MR. CHEW:</p> <p>22 Q Didn't Ms. Pennington tell you that she</p> <p>23 was spending the night with Mr. Depp that week after</p> <p>24 that?</p> <p>25 A After the May 21st incident? 06:18</p> <p style="text-align: right;">Page 275</p>	<p>1 MR. CHEW: Thank you very much. I have 06:19</p> <p>2 nothing further unless Ms. Kaplan has more, in which</p> <p>3 case I'll have redirect.</p> <p>4 MS. VIGLIETTA: I actually -- I actually</p> <p>5 want to speak quickly to him about potentially 06:19</p> <p>6 making a clarification. So we can go off the record</p> <p>7 and I'll step out.</p> <p>8 MR. CHEW: Certainly.</p> <p>9 THE VIDEOGRAPHER: We are now going off</p> <p>10 the record. The time on the video monitor is 06:19</p> <p>11 6:18 p.m.</p> <p>12 (Recess.)</p> <p>13 THE VIDEOGRAPHER: We are now going on the</p> <p>14 record. The time on the video monitor is 6:21 p.m.</p> <p>15 MS. VIGLIETTA: Mr. Drew wanted to make a 06:21</p> <p>16 small clarification about some earlier testimony</p> <p>17 from when Ms. Kaplan was questioning him.</p> <p>18 THE WITNESS: In regards to Exhibit 19, I</p> <p>19 testified that I had reviewed the document that was</p> <p>20 put in front of me, the declaration of John 06:21</p> <p>21 Christopher Depp, II.</p> <p>22 I was mistaken in that. I was not</p> <p>23 provided this document previously. What I was</p> <p>24 provided was the complaint that was in the public</p> <p>25 record by my counsel. I have not actually seen or 06:21</p> <p style="text-align: right;">Page 277</p>

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<p>1 reviewed this document until it was put in front of 06:21 2 me. That's it. 3 MR. CHEW: Thank you very much. 4 MS. BROOK: Off the record. 5 THE VIDEOGRAPHER: This concludes the 06:21 6 videotaped deposition of Joshua Drew. Total media 7 used today was five. Time on the video monitor is 8 6:22 p.m. We are now off the record. 9 (Deposition concluded at 6:22 p.m.) 10 (Exhibit 1 marked.) 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>Page 278</p>	<p>1 I, the undersigned, a Certified Shorthand 2 Reporter of the State of California, do hereby 3 certify: 4 That the foregoing proceedings were taken 5 before me at the time and place herein set forth; 6 that any witnesses in the foregoing proceedings, 7 prior to testifying, were administered an oath; that 8 a record of the proceedings was made by me using 9 machine shorthand which was thereafter transcribed 10 under my direction; that the foregoing transcript is 11 a true record of the testimony given. 12 I further certify that I am neither 13 financially interested in the action nor a relative 14 or employee of any attorney or any party to this 15 action. 16 IN WITNESS WHEREOF, I have this date 17 subscribed my name. 18 Dated: November 25, 2019 19 20 21 22  23 MICHELLE BULKLEY 24 CSR No. 13658 25 The dismantling of transcript will void Reporter's certificate.</p> <p>Page 280</p>
<p>1 DECLARATION OF PENALTY OF PERJURY 2 3 4 5 I, JOSHUA DREW, do hereby certify under penalty 6 of perjury that I have read the foregoing transcript 7 of my deposition taken on November 19, 2019; that I 8 have made such corrections as appear noted herein; 9 that my testimony as contained herein, as corrected, 10 is true and correct. 11 12 13 DATED this ____ day of _____, 20____, 14 at _____, California. 15 16 17 18 _____ 19 JOSHUA DREW 20 21 22 23 24 25</p> <p>Page 279</p>	

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California Code of Civil Procedure
Article 5. Transcript or Recording
Section 2025.520

(a) If the deposition testimony is stenographically recorded, the deposition officer shall send written notice to the deponent and to all parties attending the deposition when the Original transcript of the testimony for each session of the deposition is available for reading, correcting, and signing, unless the deponent and the attending parties agree on the record that the reading, correcting, and signing of the transcript of the testimony will be waived or that the reading, correcting, and signing of a transcript of the testimony will take place after the entire deposition has been concluded or at some other specific time.

(b) For 30 days following each notice under subdivision (a), unless the attending parties and the deponent agree on the record or otherwise in writing to a longer or shorter time period, the deponent may change the form or the substance of the answer to a question, and may either approve the transcript of the deposition by signing it, or

refuse to approve the transcript by not signing it.

(c) Alternatively, within this same period, the deponent may change the form or the substance of the answer to any question and may approve or refuse to approve the transcript by means of a letter to the deposition officer signed by the deponent which is mailed by certified or registered mail with return receipt requested. A copy of that letter shall be sent by first-class mail to all parties attending the deposition.

(d) For good cause shown, the court may shorten the 30-day period for making changes, approving, or refusing to approve the transcript.

(e) The deposition officer shall indicate on the original of the transcript, if the deponent has not already done so at the office of the deposition officer, any action taken by the deponent and indicate on the original of the transcript, the deponent's approval of, or failure or refusal to approve, the transcript. The deposition officer shall also notify in writing the parties attending the deposition of any changes which the deponent timely made in person.

(f) If the deponent fails or refuses to approve the transcript within the allotted period, the

deposition shall be given the same effect as though it had been approved, subject to any changes timely made by the deponent.

(g) Notwithstanding subdivision (f), on a seasonable motion to suppress the deposition, accompanied by a meet and confer declaration under Section 2016.040, the court may determine that the reasons given for the failure or refusal to approve the transcript require rejection of the deposition in whole or in part.

(h) The court shall impose a monetary sanction under Chapter 7 (commencing with Section 2023.010) against any party, person, or attorney who unsuccessfully makes or opposes a motion to suppress a deposition under this section, unless the court finds that the one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust.

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Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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PHD

SHD

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HHO

HHO

SHD

EXHIBIT 1
Joshua Drew
11/19/19
Michelle Bulkley, CSR 13658

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and No. BD641052

Respondent: JOHN CHRISTOPHER DEPP
II (AKA JOHNNY DEPP)

DEPOSITION OF OFFICER MELISSA SAENZ

July 18, 2016

2:03 p.m. - 2:45 p.m.

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

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(800) 993-4464

EXHIBIT Z

Joshua Drew

11/1/2016

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7 INFORMATION REQUESTED

8 (NONE)

13 DOCUMENTS REQUESTED

14 (NONE)

18 WITNESS INSTRUCTED NOT TO ANSWER

19 (NONE)

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E297

Los Angeles, California
Monday, July 18, 2016, 10:16 a.m.

OFFICER MELISSA SAENZ,
having been first administered an oath, was
examined and testified as follows:

EXAMINATION

BY MS. BECK:

Q Good afternoon, Officer. My name is Blair Berk
and I represent Johnny Depp and I'm going to be asking
you some questions this afternoon.

A Okay.

Q There is something I need to read that's more
formal in terms of instructions. So bear with me and let
me get through it, and if there's anything you don't
understand, just let me know. Okay?

A Perfect.

Q This proceeding in which you're about to give
testimony here today is known as a deposition. Our
purpose in taking a deposition is to obtain facts and
information within your knowledge related to matters
involved in this lawsuit or proceeding. We do not seek
to trick you or to trap you. We do not wish to cause you
discomfort.

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The person transcribing the deposition is the
certified shorthand reporter. At the onset, you'll be
placed under oath, which you already have been, and you
will then be asked questions which you're expected to
answer fully and truthfully under oath.

Please do not guess. We request your best
present recollection of the facts about which you will be
questioned. We will presume, therefore, that whatever
you testify to today is your best present recollection
and not a guess. Although this deposition is being held
in the informality of these lovely law offices, this
deposition does have all the solemnity of courtroom
testimony. Since you're under oath, your testimony here
today will have the same force and effect and be subject
to the same penalties as if you were testifying in a
courtroom before a judge. And among such penalties to
which you're subject is the penalty of perjury. Perjury
is defined as willfully and contrary to an oath
administered stating as true a material fact which one
knows to be false. Perjury is a crime. The penalties
for perjury are set forth in the Penal Code.

Everything said during your deposition will be
taken down and transcribed by the court reporter. Every
question we ask, every answer or comment you give,
everything said by you all will be duly transcribed. It

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therefore is vital that if at any time you do not hear or
do not understand any question, you just tell us. And we
will have the opportunity to immediately repeat or
rephrase any question to you. Obviously, if you do not
promptly tell us otherwise, we'll have no choice but to
presume that you did clearly hear and understand each
question and that your answer to each question is based
upon your complete and full understanding. Please
remember that the court reporter is only able to
transcribe audible responses, so please don't nod or
shake your head or say merely uh-uh or uh-huh.

A Okay.

Q Please also remember that the court reporter
can record the words of only one person speaking at a
time. So allow for my questions to be completed before
you begin to respond. If you are inadvertently
interrupted by me or anyone else before you finish your
answer, please tell me immediately. Otherwise we'll
assume that you've completed the answer.

At the conclusion of this session, the reporter
will transcribe what's been said into a booklet form.
You'll have an opportunity to read it and make any
changes in the form or substance of any of the answers to
any question that you feel is necessary.

At the time of trial, if there is a trial,

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you'll be questioned before the judge as to why you made
such changes and we'll contend at the time of trial that
your memory and recollection here today are as good or
better than at any time later.

Can you think of any reason, Officer Saenz, why
you'd be unable to provide me with accurate and
comprehensive answers today?

A I cannot.

Q Okay. Officer Saenz, have you ingested any
alcohol at any time in the last 12 hours?

A No, I have not.

Q Okay. Do you believe -- have you taken any
medication in the last 12 hours?

A No, I have not.

Q Okay. Do you feel that you are of sufficient
mind to answer my questions today?

A Yes, I do.

Q Okay.

MS. SPECTOR: Very good.

MS. BERK: Very good. I'm going to show you a
copy of your deposition subpoena marked as --

THE REPORTER: Mark it A.

MS. BERK: -- Exhibit A.

(Exhibit A marked)

BY MS. BERK:

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1 Q Do you recognize that?

2 A Yes, I do.

3 Q And do you remember when you first saw that

4 document?

5 A Not the exact date. Approximately two to three

6 weeks ago.

7 Q And is this the document that brought you here

8 today?

9 A Correct.

10 Q Okay. And I assume there's a separate -- you

11 didn't ever see the Subpoena Duces Tecum for documents,

12 correct? That goes to a different division?

13 A Correct. I just get this, I initial it, and

14 then they take it back.

15 Q No worries. Very good.

16 If you'll just hand that to the court reporter.

17 Okay. Officer Saenz, let's start with where

18 you're employed. Could you tell us where you're

19 employed?

20 A Sure. I am a police officer for the City of

21 Los Angeles. I am a training officer at Central

22 Division.

23 Q How long have you been so employed?

24 A Seven years.

25 Q Okay. You look very young.

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1 A Thank you.

2 Q In your seven years, how -- for how many of

3 those seven years, have you been a supervisor or a

4 train- -- someone who is training officers?

5 A It's been eight months.

6 Q Okay. And in your capacity as a training

7 officer, were you working in that capacity on May 21 of

8 2016?

9 A Yes, I was.

10 Q Okay. And before we get there, could you tell

11 us a little bit about your own training? Tell us about

12 your training to be a police officer.

13 A Well, we -- to become a police officer, we go

14 through a six-month academy where we get trained on

15 various law enforcement subjects. And after our six

16 months, we graduate, we go to a probationary period for a

17 year, and after that we go to -- we get chosen to go to

18 whatever division they need us at within the city.

19 Q And in your training, Officer Saenz, in the

20 academy, are you -- did you receive training in the

21 detection of -- investigation and detection of crimes of

22 suspected domestic violence?

23 A Yes, we did.

24 Q Okay. And in your field training, did you

25 receive field training in the investigation and detection

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1 of crimes of domestic violence?

2 A Yes, we did.

3 Q Okay. And in your capacity as an officer,

4 would it be fair to say that you've responded to dozens

5 and dozens of calls related to the investigation and

6 detection of domestic violence?

7 A Yes.

8 Q Do you have any idea of how many calls related

9 in your seven or eight years of work as a Los Angeles

10 police officer?

11 MS. SPECTOR: Misstates testimony.

12 THE WITNESS: I honestly wouldn't be able to

13 put a number. Many.

14 BY MS. BERK:

15 Q Okay.

16 A Many, many.

17 Q Over a hundred?

18 A Yes.

19 Q Okay.

20 A Over a hundred, yes.

21 Q Okay. Officer Saenz, I'd like to draw your

22 attention to May 21, 2016 and a call that I understand

23 from dispatch you responded to at 8:49 South Broadway.

24 Do you recall that evening?

25 A Yes, I do.

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1 Q Okay. And you were on duty that night with

2 Officer Hadden as your -- as your trainee partner?

3 A Yes, I was.

4 Q Do you recall the dispatch call itself?

5 A Yes, I do.

6 Q Okay. What do you recall the dispatch call

7 stating or relating to you prior to arrival at 849 South

8 Broadway?

9 MS. SPECTOR: Compound.

10 THE WITNESS: I believe it was a third person

11 caller that gave an address and just stated it was a

12 possible domestic incident at a penthouse and no room

13 number, just a penthouse.

14 BY MS. BERK:

15 Q Okay. And were you given any other specific

16 details about what was being claimed?

17 A No, I did not.

18 Q Upon arriving at the location, 849 South

19 Broadway, could you tell me what you first did?

20 A Yes. I responded with my partner up to the

21 penthouse to try to make contact with the possible victim

22 or suspect.

23 Q Okay. Before you got up to the penthouse, did

24 you have any interaction with anyone downstairs in the

25 first level of the building?

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1 A I believe we asked the receptionist if we can
2 get up to the penthouse and I believe she scanned us up.
3 But other than that, we did not.
4 Q Okay. So prior to getting in the elevator, you
5 did not have any contact with any man or woman in the
6 lobby other than whoever assisted you in getting into the
7 elevator?
8 A Correct.
9 Q Okay. And did you travel in the elevator with
10 Officer Hadden?
11 A Yes, I did.
12 Q Okay. And was there anybody else in the
13 elevator?
14 A No, there was not.
15 Q Okay. Can you tell us, Officer Saenz, what
16 happened when you arrived at the penthouse level in the
17 elevator and left the elevator?
18 A Yes. We exited the elevator and we attempted
19 to door-knock the penthouse, and we did not receive an
20 answer. So we tried to listen for possible signs of
21 domestic violence. Glass breaking, fighting, shouting.
22 We heard nothing. So we responded to the outdoor
23 courtyard and we tried to make contact, tried to see if
24 there was anyone outside. There was a woman in the gym.
25 but it was obvious she was not related to the incident.

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1 So we re-responded back into the hallway and we were met
2 by a gentleman. A male white.
3 Q And the male white, could you describe his
4 physical appearance other than male white?
5 A You know what. I don't recall details of him.
6 Just generic male white. He didn't look like he was
7 under distress or anything.
8 Q Okay. Did he give you his name? Do you
9 recall?
10 A No, he did not give me his name.
11 Q Okay. And what did he tell you, if anything?
12 A He actually approached us as we were walking
13 back into the hallway and he asked if we were here for a
14 call. And we advised him that we were here for a
15 possible domestic violence incident. And he just stated,
16 "She's in -- she's in my apartment."
17 And I said, "Okay. Who is 'she'?"
18 He said, "The one that lives here."
19 So I asked him if he could explain to us what
20 happened, and he didn't give us any details. He said,
21 "Everything is okay. It's fine. And she's in my
22 apartment with my girlfriend."
23 And I said, "Okay, I need to speak to her,
24 whoever she is."
25 And he said, "Okay. Just wait here and I'll go

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1 inside and grab her."
2 So me and my partner waited outside --
3 Q Okay. Let me --let me just stop and just --
4 A Okay.
5 Q -- slow you down a little bit.
6 A Okay.
7 Q Okay? Did you ask him to describe what had
8 happened, if anything?
9 A Yes.
10 Q Okay. And what did he tell you, if anything?
11 A He gave us no details.
12 Q Okay.
13 A He just stated, "Everything is fine."
14 Q Okay. When you say he said, "Everything is
15 fine," was that -- was he indicating that your services
16 were not needed or that everything was just fine and he
17 was going to arrange for you to talk to Ms. Heard?
18 A You know what, my perception was he just wanted
19 us to go, that he got it -- had it under control.
20 Q I see.
21 A But I let him know that we had to speak to
22 whoever the female was.
23 Q Okay. And did he say anything about what the
24 incident -- what the nature of the incident was?
25 A No, he did not.

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1 Q Okay. You began to describe making contact
2 with the female.
3 A Correct. He -- the gentleman re-responded to
4 his apartment, which is across the hall from Ms. Heard's
5 apartment.
6 MS. BERK: Excuse me. Can we go off record for
7 a second.
8 (Discussion off the record.)
9 BY MS. BERK:
10 Q Starting again, Officer Saenz.
11 The gentleman you describe, had he described to
12 you this was his apartment?
13 A Yes. As I recall, he said, "She's in my
14 apartment."
15 Q Okay. And you had -- prior to entering the
16 apartment, you had had the opportunity to walk the
17 hallway with your fellow officer; is that correct?
18 A Correct.
19 Q Okay. While walking the hallway, did you walk
20 the full length of the hallway to see if you heard any
21 sounds or any activity?
22 A Yes, I did.
23 Q Was the hallway -- did it have lights? Was it
24 a lighted hallway?
25 A Yes, it was well-lit.

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1 Q Okay. At any time when you first inspected
2 that area to listen for sounds or to observe the
3 surroundings, did you see any indication of vandalism or
4 property damage?
5 A No. I did not.
6 Q Did you see any broken glass or broken bottles
7 anywhere in the hallway?
8 A No, I did not.
9 Q Did you see any splashed wine on the floor or
10 the walls?
11 A No, I did not.
12 Q Okay. When you made entry to the apartment
13 described as the gentleman's apartment that you had
14 encountered earlier, did he open the door and let you in?
15 A No, we never made entry into that apartment.
16 Q Okay. You never went inside the apartment at
17 all?
18 A Correct.
19 Q Okay. What happened when you got to the
20 apartment described as that of the gentleman?
21 A He asked us to wait. He opened his door. He
22 shut it, and I could hear talking. I heard voices.
23 Q Did you hear what was said?
24 A No, I didn't. I heard a female. It was --
25 sounded like female voices. So I assumed it was his --

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1 what he said was his girlfriend and Ms. Heard.
2 Q Okay.
3 A After I heard the voices, I knocked again. I
4 said, "Sir, I need you to open the door." And that's
5 when Ms. Heard came out with his girlfriend and he
6 re-responded to the hallway, too, as well.
7 Q Okay. When you say you knocked again, how long
8 were you left waiting when he first shut the door and
9 when you knocked again?
10 A It was probably about 30 to 40 seconds.
11 Q Okay. And then you knocked again?
12 A Correct.
13 Q And did he immediately answer or did you have
14 to wait again?
15 A Immediately one of the females opened the door
16 and came out --
17 Q Okay.
18 A -- into the hallway. I can't recall which
19 female it was.
20 Q Okay. And eventually did you make contact with
21 somebody you came to know as Amber Heard?
22 A Yes, I did.
23 Q Okay. Let's talk about that.
24 A Okay.
25 MS. BERK: Showing you what will be marked as

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1 Exhibit B.
2 (Exhibit B marked)
3 BY MS. BERK:
4 Q Do you recognize this person?
5 A Yes, I do.
6 Q And is that the person you came to know at some
7 point was Amber Heard?
8 A Yes.
9 Q Okay. Tell me, Officer Saenz, when Ms. Heard
10 first came out of the apartment, did you speak with her?
11 A Yes, I did.
12 And just for the record, the last question was
13 did I know it was Amber Heard. I didn't -- the entire
14 call she would not give me her name and I did not
15 recognize her. I didn't know who she was. And I found
16 out probably two weeks later.
17 Q Okay.
18 A So . . .
19 Q And I meant to see, if I didn't, who you later
20 came to learn was Amber Heard --
21 A Yes, I later learned.
22 Q -- because that was my understanding as well.
23 When you first made contact with Ms. Heard, can
24 you tell me, were you speaking to her directly or was
25 your partner?

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1 A I was.
2 Q Can you tell me what you said to her?
3 A Well, she was crying. And I asked her, "Are
4 you okay?"
5 And she said, "Yes."
6 And from her body language it was very clear
7 that she did not want to speak to us. She looked upset.
8 So I asked her, "Do you want to go into your apartment so
9 we can talk in private?" And usually as a female
10 officer, the females will open up with us in private.
11 And she said, "Yes. Can my friend come?"
12 I said, "Yes."
13 So Ms. Heard, her friend and I went into her
14 apartment.
15 Q Okay. Now, before you go into the apartment,
16 Officer Saenz, did you have the opportunity to be close
17 to Ms. Heard and look at her physically?
18 A Yes, I did.
19 Q Okay. And you had the opportunity to observe
20 her face and her body --
21 A Correct.
22 Q -- to the extent you could see anything?
23 Do you recall what she had on?
24 A I do not recall what she had on. I don't
25 recall if I seen her arms. I just know I seen her -- her

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1 face --
2 Q Okay.
3 A -- and she had no injuries.
4 Q Okay. Let's talk about that a second.
5 You -- as part of your training in the
6 investigation of a potential domestic violence incident,
7 I'm assuming you deal with plenty of folks who indicate
8 that nothing happened when something happened, correct?
9 A Correct.
10 Q And, likewise, you deal with folks who indicate
11 that something happened when possibly nothing happened,
12 correct?
13 A Correct.
14 Q Okay. In this incident, I am assuming whatever
15 Ms. Heard was telling you, you were still independently
16 investigating any indicia, any signs that a crime had
17 been committed, correct?
18 A Correct.
19 Q Okay. And part of the reason that you look at
20 the person and look to see their physical condition is
21 to determine whether there had been a potential assault,
22 correct?
23 A Correct.
24 Q When you first encountered Ms. Heard, you
25 testified earlier that she was crying, correct?

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1 A Correct.
2 Q And -- but that you looked at her face,
3 correct?
4 A Correct.
5 Q And could you describe -- did you see any marks
6 of any kind on her face at all?
7 A No, I did not.
8 Q Did you see any signs of swelling or injury to
9 her face at all?
10 A No, I did not.
11 Q Okay. Did you see any bruises or marks under
12 either eye?
13 A No, I did not.
14 Q Did you see any bruises or marks of any kind on
15 her cheeks?
16 A No, I did not.
17 Q Okay. At the point that you discussed with her
18 speaking, you began to testify earlier that you went to
19 another location?
20 A We went just across the hall --
21 Q Okay.
22 A -- to where her apartment was.
23 Q Okay. And is that where she said the incident
24 had occurred?
25 A She never stated that the incident occurred.

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1 She didn't give me any details.
2 Q Okay. So she just -- you -- who suggested they
3 go to her apartment?
4 A I asked her if she would like to go next door.
5 I asked if she lived there. She said yes -- she nodded
6 her head. I said, "Okay. Would you like to talk in
7 there?" And she said, "Yes."
8 Q Okay. When you got to the door, did she open
9 the door?
10 A Yes, she did.
11 Q Okay. And you went inside the penthouse?
12 A Yes, I did.
13 Q Okay. And did your partner go inside the
14 penthouse?
15 A He did after a couple minutes.
16 Q Okay. Okay. And who else went inside, if
17 anyone, besides you and Amber Heard?
18 A Her unknown female friend that was next door
19 with her.
20 Q Okay. And when you got inside the apartment,
21 did you have an opportunity to see the -- the inside of
22 the penthouse?
23 A Yes, I did.
24 Q Okay. Can you describe for me was there a sofa
25 located in the penthouse?

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1 A Yes, there was.
2 Q Okay. Is that where you spoke with Ms. Heard
3 or somewhere else?
4 A Yes. She was standing in front of a sofa in
5 the entryway.
6 Q Okay. And as you were inside the penthouse,
7 did you see any broken glass of any kind?
8 A No, I did not.
9 Q Did you see any broken picture frames of any
10 kind?
11 A No, I did not.
12 Q Did you see any wine bottles on the floor or
13 broken in any manner?
14 A No, I did not.
15 Q Did you see any spilled wine of any kind or
16 spilled liquids of any kind?
17 A No, I did not.
18 Q Okay. And you had an opportunity to observe
19 the various parts of that penthouse?
20 A Yes. I advised her -- when she refused to
21 speak to me, I advised her if -- that I would need to
22 check the location to make sure that there was nobody
23 hurt and there was no suspects. And she agreed and
24 her -- her male friend pointed us to where we could
25 check, and check inside the house.

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1 Q Okay. Now, while you're still in the living
2 room of the penthouse, am I correct that there is also a
3 kitchen in that area?

4 A Yes. It's one large space.

5 Q Okay. And did you have an opportunity to
6 equally inspect that area?

7 A Yes, I did.

8 Q And was there any shattered glass anywhere?

9 A No, there was not.

10 Q Were there any broken bottles of any kind?

11 A No, there was not.

12 Q Were there any broken picture frames of any
13 kind?

14 A No, there was not.

15 Q Was there any spilled wine of any kind?

1 Q Did you see at any time any signs of a struggle
2 or vandalism in the -- in the penthouse apartment?
3 MS. SPECTOR: Compound.
4 THE WITNESS: No, I did not.
5 BY MS. BERK:
6 Q Okay. Did you see at any time in your
7 inspection of the premises broken glass?
8 A No, I did not.
9 Q At any time in your inspection of the premises
10 did you see any spilled wine of any kind?
11 A No, I did not.
12 Q At any time during your inspection of the
13 premises, did you see any broken bottles?
14 A No, I did not.
15 Q At any time during your inspection of the
16 premises, did you see any broken pictures or glass
17 picture frames or wooden picture frames?
18 A No, I did not.
19 Q Did you also undertake an inspection of other
20 penthouses connected to this residence?
21 A Yes, I did.
22 Q Okay. Tell me about that. How did that occur?
23 A After we completed the sweep of the first
24 penthouse that we were all standing in, the male advised
25 me that the next door penthouse also belonged to

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1 Ms. Heard, and he walked us over, unlocked the door, and
2 my partner and I did a sweep of that --
3 Q Okay.
4 A -- penthouse as well.
5 Q Okay. And could you describe what you saw in
6 that penthouse?
7 A Yes. It was many racks with a lot of white
8 clothing and I remember asking the male, "Oh, do they
9 sell clothing? Are they?" -- he's like, "Oh, yeah, they
10 design clothing and jewelry."
11 And I said, "Oh, okay. Just making
12 conversation. I said, "Okay." And I remember continuing
13 upstairs and we checked the whole loft and everything
14 seemed ordinary.
15 Q Okay. In your entry to the place where they
16 had described making jewelry and clothing, did you see
17 any other people as you and Officer Hadden went in?
18 A No, we did not.
19 Q Was the gentleman with you at that time?
20 A Yes, he was.
21 Q Okay. When you walked into that area, did you
22 see at any time any signs of a struggle --
23 A No, I did not.
24 Q -- having occurred?
25 Did you see any signs of vandalism to any of

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1 the property in that location?
2 A No, I did not.
3 Q Did you see any -- did you see any broken glass
4 of any kind?
5 A No, I did not.
6 Q Did you see any wine bottles on the floor,
7 broken or unbroken?
8 A No, I did not.
9 Q Did you see any wine spilled on the floor of
10 any kind?
11 A No, I did not.
12 Q Okay. And you and Officer Hadden cleared that
13 location, as well?
14 A Yes, we did.
15 Q Okay. After you cleared that location, Officer
16 Saenz, what did you do next?
17 A We -- my partner and I re-responded to the
18 original penthouse where Ms. Heard was standing by.
19 Q Okay. When you arrived back at the original
20 penthouse, did you encounter Ms. Heard again?
21 A Yes, I did.
22 Q Okay. Is it true to say that you had an
23 opportunity to observe her face a second time when you --
24 when you encountered her?
25 A Yes, I did.

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1 Q Okay. At this point, were there any signs on
2 her face that you could see that she had any injury to
3 her face?
4 A There were no signs of injury.
5 Q Did you see any red marks of any kind under
6 either eye on her face?
7 A No, I did not.
8 Q Did you see any bruising on her face?
9 A I did not.
10 Q Did you see any swelling of any kind on her
11 face?
12 A I did not.
13 Q And did you talk to her a second time?
14 A Yes, I did.
15 Q Okay. Could you describe for us that
16 conversation?
17 A Yes. So I advised her that we had checked both
18 of the lofts or the penthouses and, again, I asked her,
19 "Are you sure you don't want to speak to me? I'll have
20 everyone exit the room."
21 She was still -- she was still crying and she
22 said, "No, I don't -- I don't want anything."
23 I said, "Okay, ma'am, I'm going to write you a
24 business card in case you change your mind. If you
25 change your mind at any time, you can call us back and

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1 we'll respond."
2 And I had my partner write out a business card
3 and I issued her one and I issued her neighbors one, as
4 well. And that was it. I asked them if they had any
5 questions. No one had any questions. The gentleman
6 walked me and my partner to the elevator and we left the
7 location.
8 Q Okay. Before we get to you leaving the
9 apartment, is it true that in your response to a dispatch
10 of suspected domestic dispute that you are looking for
11 any probable cause to believe a crime had been committed?
12 A Correct.
13 Q Okay. And in doing so, you are looking for
14 evidence that a crime has been committed? Physical
15 evidence?
16 A Correct.
17 Q And that includes injuries to the person who
18 you are encountering, correct --
19 A Correct.
20 Q -- who was involved in whatever the alleged
21 dispute was? And any signs of property damage or
22 vandalism correct?
23 A Correct.
24 Q Okay. At the point that you gave your card to
25 Ms. Heard, did you have any probable cause to believe any

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1 crime whatsoever had been committed?
2 A No, I did not.
3 Q Okay. At any time did you tell Amber Heard
4 that you believed a crime had been committed and you were
5 willing to go out and arrest her husband?
6 A No, I did not.
7 Q Did you at any time say any words to that
8 effect to her?
9 A Excuse me. No, I did not.
10 Q Okay. Did you say any words to that effect to
11 anyone else you encountered at the penthouse?
12 A No, I did not.
13 Q And I am assuming, whether Ms. Heard cooperated
14 or not, if you had seen physical injuries to Ms. Heard,
15 that would be in and of itself enough to proceed with a
16 further investigation of a crime, correct?
17 A Correct.
18 Q And you did not proceed with further
19 investigation of a crime at that point, correct?
20 A Correct.
21 Q Okay. When you exited the apartment, did
22 someone show you down from the apartment?
23 A The gentleman involved walked us to the
24 elevator and we parted ways from there.
25 Q Okay. And did you talk to anybody else before

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1 you left the building?
2 A No, I did not.
3 MS. SPECTOR: I have a few questions.
4 MS. BERK: Wait.
5 (Discussion off the record.)
6 BY MS. BERK:
7 Q I think we may have covered this, Officer
8 Saenz, but just to be clear. At no point from the moment
9 you received the dispatch to when you described you
10 conducted your investigation, cleared the building, and
11 left Ms. Heard at the apartment and exited the building,
12 am I correct at no time during that period were you aware
13 of either Amber Heard or that the matter involved Johnny
14 Depp? Is that correct?
15 A Correct.
16 Q Okay. And did I hear you say earlier that you
17 did not know this matter involved Johnny Depp until a
18 couple of weeks later?
19 A Correct.
20 MS. BERK: Okay. No further questions at this
21 time.
22 Go ahead.
23 MS. SPECTOR: Could I ask you a few questions?
24 THE WITNESS: Sure.
25

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1 EXAMINATION
2 BY MS. SPECTOR:
3 Q You've been discussing this white male -- white
4 gentleman that you were dealing with when you were at the
5 building that evening on May 29th -- May 21st. Do you
6 recall approximately how tall he was?
7 A I don't. I do not recall.
8 Q Do you recall if he was wearing any glasses?
9 A I do not.
10 Q Do you recall if he had any facial hair?
11 A I do not recall.
12 Q A goatee?
13 A I don't recall.
14 Q Earlier you testified that you spoke to
15 Ms. Heard; is that correct?
16 A Correct.
17 Q Do you recall anything in particular about her
18 hair?
19 A I do not.
20 MS. SPECTOR: Thank you. No further questions.
21 MS. BERK: Okay.
22 MS. SPECTOR: Thank you.
23 MS. BERK: Officer, I hope this wasn't too
24 painful.
25 Can we go off the record?

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1 (Discussion off the record.)
2 MS. BERK: I offer the following stipulation:
3 That the court reporter be relieved of responsibility
4 with respect to the original transcript and that the
5 original be transcribed and signed by the deponent under
6 penalty of perjury; the original will be sent -- you know
7 what, we did forget something. May we go off record for
8 just a second?

9 (Discussion off the record.)

10 FURTHER EXAMINATION

11 BY MS. BERK:

12 Q Officer Saenz, I did neglect to ask you one
13 question.

14 You indicated before that you all -- you and
15 Officer Hadden had given Ms. Heard a card, a business
16 card. And that card had a telephone number on it?

17 A Yes, it did.

18 Q Did you become aware at any time -- did you
19 become aware at any time that any other patrol responded
20 to the same location?

21 A About two weeks later when I became aware that
22 who was involved.

23 Q Okay. And how did you -- what did you come to
24 learn about a second patrol responding?
25

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1 A I had a supervisor advise me that a second
2 patrol unit got dispatched there, as well, and their
3 findings were the same as ours.

4 Q Okay.

5 A And that is it.

6 Q Okay. And did you have any indication who
7 those officers were that responded?

8 A No, I did not. He just said another unit and I
9 had no idea who responded.

10 Q Okay. And are you aware of any call made by
11 Ms. Heard to the police following your contact with her?

12 A No, I'm not aware.

13 MS. BERK: Okay. That's it. Okay. If we can
14 go off record again.

15 MS. SPECTOR: No.

16 MS. BERK: I'm sorry?

17 THE REPORTER: You didn't finish the --

18 MS. SPECTOR: You never --

19 MS. BERK: The original will be sent to counsel
20 for the deponent and read, corrected and signed within 30
21 days of receipt; if not notified of changes in writing
22 within the time frame, the original shall be deemed
23 signed and correct; the notice of corrections you can fax
24 to me if you choose; the original transcript shall be
25 maintained by the deponent and shall be made available at

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1 the time of hearing without notice; if not available,
2 then a certified copy of same corrected -- or if the
3 original shall be otherwise lost, mutilated, altered or
4 destroyed, a certified copy of same as corrected may be
5 used in place and instead of the original and used for
6 all purposes for which the original could have been used.

7 This basically means we're going to send you a
8 copy of the transcript and if there's any corrections
9 you'd like to make, just let us know and we'll make sure
10 they're corrected.

11 THE WITNESS: Okay.

12 MS. BERK: This session is adjourned and
13 suspended.

14 MS. SPECTOR: So stipulated.

15 (Deposition concluded at 2:45 p.m.)
16
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1 DECLARATION UNDER PENALTY OF PERJURY

2 I, OFFICER MELISSA SAENZ, do hereby certify
3 under penalty of perjury that I have read the foregoing
4 transcript of my deposition taken on July 18, 2016; that
5 I have made such corrections as appear noted on the
6 Deposition Errata Page, attached hereto, signed by me;
7 that my testimony as contained herein, as corrected, is
8 true and correct.
9

10 Dated this ____ day of _____,
11 2016, at _____, _____.
12 (City) (State)

13
14
15
16
17
18 OFFICER MELISSA SAENZ
19
20
21
22
23
24
25

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DEPOSITION ERRATA PAGE

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OFFICER MELISSA SAENZ

Dated _____

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss

I, PAMELA J. FELTEN, a Certified Shorthand
Reporter, do hereby certify:

That prior to being examined, the witness in
the foregoing proceedings was by me duly sworn to
testify to the truth, the whole truth, and nothing
but the truth;

That said proceedings were taken before me at
the time and place therein set forth and were taken
down by me in shorthand and thereafter transcribed
into typewriting under my direction and supervision;

I further certify that I am neither counsel
for, nor related to, any party to said proceedings,
nor in anywise interested in the outcome thereof.

In witness whereof, I have hereunto subscribed
my name.

Dated: July 26, 2016

Pamela J. Felten

PAMELA J. FELTEN
CSR No. 5189

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP
II (AKA JOHNNY DEPP)

DEPOSITION OF OFFICER TYLER HADDEN

July 18, 2016

10:16 a.m. - 11:06 a.m.

2049 Century Park East, Suite 800
Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

U.S. LEGAL SUPPORT
(800) 993-4464

EXHIBIT 3
Joshua Drew
7/19/16
Verdict: CSR 13658

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INFORMATION REQUESTED
(NONE)

DOCUMENTS REQUESTED
(NONE)

WITNESS INSTRUCTED NOT TO ANSWER
(NONE)

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OFFICER TYLER HADDEN

DEPP V. DEPP

Monday, July 18, 2016

Pamela J. Felten, CSR No. 5189

MARKED	DESCRIPTION	PAGE
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E314

Los Angeles, California
Monday, July 18, 2016, 10:16 a.m.

OFFICER TYLER HADDEN,
having been first administered an oath, was
examined and testified as follows:

EXAMINATION

BY MS. BECK:

Q Good morning, Officer Hadden. I'm Blair Berk
and I represent the respondent in this case. I'm going
to be asking you some questions, and first I'm going to
read you some instructions, and if you have any
questions, just let me know. Okay?

A Yes.

Q Okay. This proceeding in which you're about to
give testimony here today is known as a deposition. Our
purpose in taking your deposition is to obtain facts and
information within your knowledge related to matters
involved in this lawsuit or proceeding. We do not seek
to trick or to trap you. We do not wish to cause you
discomfort.

The person transcribing the deposition is a
certified shorthand reporter.

A Okay.

Q This very handsome lady right here.

At the onset, you will be placed under oath.
You will then be asked questions which you're expected to
answer fully and truthfully under oath. Please do not
guess. We request your best present recollection of the
facts and events about which you will be questioned. We
will presume, therefore, that whatever you testify today
is your best present recollection and not a guess.

Although this deposition is being held in the
informality of these beautiful law offices, this
deposition does not have all the solemnity of courtroom
testimony. Since you're under oath, your testimony here
today will have the same force and effect, however, and
be subject to the same penalties as if you were
testifying in a courtroom before a judge. Among such
penalties to which you're subject is the penalty of
perjury. Perjury is defined as willfully and contrary to
an oath administered stating as true a material fact
which one knows to be false. Perjury is a crime, as you
know. Penalties for perjury are set forth in the
California Penal Code.

Everything said during your deposition will be
taken down and transcribed by the court reporter. Every
question that we ask, every answer or comment that you
give, everything said by your attorney all will be duly

transcribed.

It is therefore vital if at any time you do not
hear or do not understand any question, you tell us at
once so that we may have the opportunity immediately to
repeat or rephrase our question to you. Obviously if you
do not promptly tell us otherwise, we'll have no choice
but to presume that you did clearly hear and understand
each question and that your answer to each question is
based upon such complete and full understanding by you.

Please remember that the court reporter is only
able to transcribe audible responses. So do not of
share -- I think it's shake your head, not share your
head -- or say merely uh-huh or uh-huh.

A Okay.

Q Please also remember that the court reporter
can record the words of only one person speaking at a
time so allow for the question fully to be completed
before you seek to respond. If you inadvertently are
interrupted before you finish your answer, please tell me
immediately. Otherwise, we must assume that your answer
was complete and that you had nothing further to say on
the subject.

A Okay.

Q At the conclusion of this session, the reporter
will transcribe what has been said into booklet form.

You'll have an opportunity to read that booklet and make
any changes in the form or substance of the answer to any
question that you feel is necessary. Be advised that at
the time of trial, you'll be questioned before the judge
as to why you made such changes, and we will contend at
the time of trial that your memory and recollection here
today is as good or better than at any time later.

A Okay.

Q Can you think of any reason why you've been
unable to provide me with accurate and comprehensive
answers today?

A No.

Q Have you ingested any alcoholic beverages in
the last 12 hours?

A No.

Q Okay. Do you believe that your consumption of
alcohol could affect -- in the past 24 hours could affect
your ability to testify here today?

A No.

Q Have you taken any medication in the last 12
hours?

A No.

Q Do you feel that you are of sufficient mind to
answer questions today?

A Yes.

1 Q Okay. I show you a copy -- do we have his
2 deposition notice?
3 MS. SUTTON: I'll pull one for you.
4 MS. BECK: I appreciate that.
5 Q I show you your own copy of the deposition --
6 MS. SUTTON: That's for -- that's for the
7 hearing on the 15th.
8 MS. BECK: Oh, it is?
9 MS. SUTTON: Yes. That's separate.
10 MS. BECK: Okay.
11 MS. SUTTON: I can get you --
12 MS. BECK: Okay.
13 MS. SUTTON: -- one of his --
14 BY MS. BECK:
15 Q I show you --
16 MS. SUTTON: I will show you.
17 BY MS. BECK:
18 Q -- a notice which I'm sure your sergeant or
19 the --
20 A Liaison.
21 Q -- court liaison told you about and never even
22 showed you, but we'll mark it as an exhibit and go from
23 there.
24 A Okay.
25 MS. SPECTOR: You want to go off the record?

1 THE REPORTER: You want to go off the record?
2 MS. BECK: Yeah, we'll go off the record for a
3 second.
4 (Discussion off the record.)
5 BY MS. BECK:
6 Q Officer Hadden, good morning again. I show you
7 what will be marked as Exhibit A.
8 Do you recognize that document?
9 A Yes.
10 Q Okay. And is that the -- when did you first
11 see this document?
12 A I would say, approximate, three weeks ago, four
13 weeks ago.
14 Q Okay. And did you receive the subpoena to
15 bring documents with you today?
16 A No, I did not.
17 Q That was sent to a different agency in your
18 department?
19 A Um, this is the only thing that I've seen.
20 Q Okay.
21 Do we need to do anything else on it?
22 MS. SUTTON: I don't think so.
23 MS. BECK: Okay.
24 MS. SUTTON: Can we give -- can you hand it to
25 Pam so she can mark it?

1 (Exhibit A marked)
2 MS. SPECTOR: I don't think there is a
3 document --
4 MS. BECK: No.
5 MS. SUTTON: There was a separate for --
6 MS. BECK: Yeah. They have --
7 MS. SUTTON: -- records.
8 MS. BECK: -- two different agencies --
9 MS. SPECTOR: Okay.
10 MS. BECK: -- for records.
11 MS. SUTTON: No, no. That's his.
12 MS. BECK: Oh, that's his? Okay.
13 Q Okay, Officer Hadden. Could you tell us where
14 you're employed?
15 A Los Angeles Police Department.
16 Q And could you tell us what you do for the
17 Los Angeles Police Department?
18 A I am a P-1 at the Central Division. I'm
19 currently P-1 probationer, meaning I'm with a training
20 officer who is a P-3.
21 Q And is that training officer an Officer Saenz?
22 A Yes.
23 Q And, Officer Hadden, could you tell us a little
24 bit about the training you've gone through in order to be
25 a sworn police officer?

1 A Sure. I've gone through a six-month academy, a
2 time where we physically -- we learn arrest control, we
3 learn Penal Code, we go through extensive training, how
4 to recognize certain crimes. And now I'm on my third
5 month in the field and so, with that, I've had one
6 training officer and now I'm currently on a new training
7 officer. And that's hands on. And that's -- you're in
8 the field learning and they guide you with what -- what
9 you're supposed to recognize and what things are that's
10 different from the academy.
11 Q Okay. And let's start with the academy and
12 then we'll talk about your field training.
13 A Sure.
14 Q Okay? You mentioned before that in the academy
15 you're recognized -- you're trained and educated about
16 recognizing certain crimes?
17 A Yes.
18 Q Is one of those crimes that you're trained and
19 educated about domestic violence?
20 A Yes.
21 Q Could you tell us a little bit about your
22 training in domestic violence and the detection of
23 domestic violence?
24 A Yes. We spend a good portion of the academy,
25 it's a focus in the academy, we read about it and we get

1 presentations about it and special guests about it. And
2 then towards the end of the academy, we go through a
3 scenario that is domestic violence and we have to be able
4 to detect what the crime is, what the appropriate actions
5 are, and how we handle the situation.

6 Q And in terms of your field training, I suspect
7 a number of your dispatch calls involve suspected
8 domestic violence?

9 A Yes. Where the radio will come out as domestic
10 violence and it's not always domestic violence.

11 Q Very good. Thank you.

12 Let me draw your attention to the evening of
13 May 21, 2016.

14 A Okay.

15 Q You were on duty that night?

16 A Yes.

17 Q Okay. And could you tell us who you were on
18 duty with?

19 A My partner at the time was Officer Melissa
20 Saenz.

21 Q And were you and Officer Saenz in a patrol
22 vehicle?

23 A Yes.

24 Q Okay. And do you have a certain area of the
25 city that you are assigned to?

1 A Yes. Our area -- our unit is 181, and that's
2 the -- most of the northern part of downtown.

3 Q Okay?

4 A That's Central area.

5 Q Okay. And do you recall on the evening of
6 May 21, 2016 receiving a dispatch call?

7 A Yes.

8 Q Okay. And how did the dispatch call come
9 through? It comes through --

10 A Um, we got it through our -- our computer
11 that's in the police vehicle. So it wasn't necessarily
12 coming through the radio. It came through our computer
13 in the vehicle.

14 Q Okay. And do you, as you sit here today,
15 recall anything about the dispatch call that came
16 through?

17 A I do not recall.

18 MS. BECK: Okay. Showing you what -- what will
19 be marked as Exhibit B for respondent.

20 (Exhibit B marked)

21 BY MS. BECK:

22 Q Do you recognize this document?

23 A Yes.

24 Q Okay.

25 MS. SPECTOR: May I see it?

1 MS. BECK: Yes.

2 MS. SPECTOR: Thank you. Okay. Thank you.

3 BY MS. BECK:

4 Q And is that what is known as a dispatch log or
5 incident recall?

6 A Yes.

7 Q Okay. And looking at that document, does that
8 in any way refresh your recollection about what you
9 were -- what information you were given in the dispatch
10 on May 21?

11 A Yes.

12 Q Okay. Could you tell us what that is?

13 A Just that it's a verbal argument only. And
14 that's in the comments. And, um, the location that we
15 were given. And just that it was between a husband and
16 wife.

17 Q Okay. And what was the location given for the
18 dispatch?

19 A I don't recall off the top of my head. I know
20 that it was on Broadway.

21 Q Okay. And if I told you that the residence was
22 at 849 South Broadway, does that refresh your
23 recollection?

24 A Yes.

25 Q Okay. And is that where you arrived that

1 evening with Officer Saenz?

2 A Yes. About half a block down, because that's
3 where we parked, and then we walked to the building.

4 Q Okay. When you entered the building on the
5 evening of May 21, could you tell us what you did first?

6 A Yes. We entered the building and we met with
7 the security guard. I don't remember her name. It was a
8 female. And we just asked how we could get to the
9 penthouse. And she guided us to the elevator and told us
10 how to get there.

11 Q Okay. Did you see or speak to anyone else
12 other than the security personnel that guided you to the
13 apartment on your way up to the building?

14 A No. No -- she was the only one we made contact
15 with before we got to that floor.

16 Q Okay. And did she accompany you up to the
17 penthouse or did you ride along in the elevator with
18 Officer Saenz?

19 A Just Officer Saenz.

20 Q I'm sorry. Officer Saenz?

21 A Yes.

22 Q Like S-i-g-n-s?

23 A Yes.

24 Q When you got up to the top floor to the
25 penthouse and the elevator opened, could you tell us what

1 you did next?

2 A Oh, my partner and I checked around the
3 location. We walked around and just kind of listening to
4 hear if we could hear any screaming or any sense of
5 urgency. We went -- there was a back patio kind of area
6 to the west of the building, I believe it was. And so we
7 walked outside. And as we came back in, that's when we
8 first made contact with someone.

9 Q Okay. So just to be clear, you rode up in an
10 elevator, correct?

11 A Yes.

12 Q You got off the elevator. And what did you
13 see. Was it a hallway?

14 A Yes. It was kind of a U-shaped hallway and we
15 walked through the hallway listening again for -- we
16 didn't -- I believe it was -- I can't recall the
17 penthouse numbers. But we walked through the hallway and
18 listening for screaming or crying or objects being thrown
19 because those are signs of domestic violence calls. And
20 so we listened to that prior to making contact. We
21 didn't hear anything. So then we searched -- a
22 protective sweep outside of the patio, the common ground
23 area. And after that, that's when we went back into the
24 hallway.

25 Q Did you see anybody outside in the common

1 ground area?

2 A No.

3 Q Did you see anybody in the hallways?

4 A No.

5 Q Okay. What was the first moment -- were you
6 still out in the hallway when you first saw someone?

7 A We -- we left the hallway to go outside, and as
8 we were walking back into the hallway, back inside, is
9 when we made contact with one of the neighbors.

10 Q Okay. And was that a male neighbor?

11 A Yes.

12 Q Okay. And did he identify himself? Do you
13 recall?

14 A I can't recall if he gave me his name or not.

15 Q Okay.

16 A I do not remember.

17 Q Okay. And could you tell us what was said with
18 the male neighbor?

19 A We -- he had directed us and grabbed our
20 attention and he had said that the victim of the call was
21 inside his house. And so we wanted to speak with her.
22 And so he guided us to his apartment.

23 Q Okay. Officer Hadden, if you could, and if you
24 don't remember, that's fine, but did -- did he actually
25 use the word victim or did he say something else --

1 A I --

2 Q -- to describe --

3 A I cannot recall if he used the exact word
4 victim.

5 Q Okay. Okay. And what did he look like?

6 A He was tall, white male, dark brown hair. And
7 that's -- that's about the description I can remember.

8 Q Okay. And when you say, "He told us where this
9 person was," do you remember how he told you or what he
10 said about where she was?

11 A I don't recall exactly how he brought it to our
12 attention.

13 Q Okay.

14 A He had just -- we -- he got our attention by
15 saying the wife -- exactly, I don't -- I don't -- can't
16 recall the exact words, but basically that the wife was
17 in his penthouse.

18 Q Okay. And you followed him at that point?

19 A Yes. But he had told us that she didn't want
20 to meet with us. And so he was more of just kind of
21 telling us that she's okay and that everything's okay.

22 Q Okay. So he intercepted you in the hallway --

23 A Yes.

24 Q -- before you ever made entry to any of the
25 other penthouses --

1 A Yes.

2 Q -- correct?

3 And he told you that the wife was in his --

4 A A friend of theirs.

5 Q A friend of his?

6 A Yes.

7 Q And in his penthouse?

8 A Yes.

9 Q And that she was uninterested in meeting with
10 you?

11 A Yes.

12 Q Okay. And did you ask him any questions?

13 A Um, my -- we -- my partner and I both
14 eventually just trying to get contact with her. We never
15 entered that penthouse. She eventually walked out
16 because we wanted to see where her -- where she lived to
17 see if the possible suspect was still in the building.
18 And so my partner was in the east side of the hallway and
19 I was on the west side of the hallway, and we separated
20 the two, because she eventually came out. And I spoke
21 with the contact male that initially contacted us and my
22 partner spoke with the possible victim.

23 Q Okay. Let me stop you there. When -- when
24 this gentleman first told you that she was not interested
25 in speaking with you --

1 A Uh-huh.
2 Q -- did you indicate to him that you would need
3 to speak to her?
4 A Yes. That's how we got contact with her is
5 because it's our job to make sure that she is okay and
6 that there are no injuries. It's legally we have to.
7 Q Okay. And how did you manifest that intention?
8 Did you ask him to bring her out or did you knock on the
9 door? What did you do?
10 MS. SPECTOR: Vague as to "manifest."
11 THE WITNESS: Yes. My -- my partner had
12 instructed that legally we needed to speak to her.
13 Whether she wanted to make a report or not, that was her
14 decision, but we needed to verify and make sure visually
15 and see that she's okay and that there are no injuries,
16 and then also to do a protective sweep of her house to
17 make sure that where she was at, there was no problems
18 inside.
19 BY MS. BECK:
20 Q Okay. How long between the time that the
21 gentleman indicated that she was uninterested in speaking
22 with you did she in fact come out of the apartment? How
23 much time would you estimate went by?
24 A Approximately five to ten minutes.
25 Q Was there any discussion in that intervening

1 five to ten minutes other than --
2 A Yes. My partner, she was speaking with them
3 and trying to get her to understand that we still need to
4 speak with her. And whether she was okay or not, we
5 still need to speak with her one-on-one and not have
6 someone intervene between us.
7 Q Was there any other person who came out during
8 that intervening time or --
9 A The -- the gentleman -- the neighbor. his wife
10 eventually came out, too, but I can't recall if she said
11 anything.
12 Q Okay. Okay. And, eventually, the person you
13 were interested in talking to came out of the apartment?
14 A Yes.
15 Q And was that person a woman named Amber Heard?
16 A At the time, we did not know her name.
17 Q Okay.
18 A We just knew that it was Heard -- yeah, Amber
19 Heard. It was in the call. But, again, we didn't know
20 who that was per se media-wise, but we just knew that we
21 need to speak with Ms. Heard, and that's who we were
22 trying to get in contact with.
23 MS. SPECTOR: I don't know what you said. Your
24 voice went down. Did you say media-wise? Is that what
25 you just said?

1 THE WITNESS: Yeah. Media-wise.
2 MS. SPECTOR: Okay. I'm sorry. I just wanted
3 to make sure that was it.
4 THE WITNESS: So we -- we met with her
5 eventually when she came out.
6 BY MS. BECK:
7 Q And so we can be clear, Officer --
8 A Yes.
9 Q -- am I correct that at the time you met with
10 Ms. Heard --
11 A Yes.
12 Q -- you had no idea that she was possibly
13 someone who was well known --
14 A Correct.
15 Q -- or that her husband was possibly --
16 A Correct.
17 Q -- someone well known?
18 These were just citizens --
19 A Correct.
20 Q -- that you had -- you did not recognize --
21 A No, did --
22 Q -- anyone and --
23 A -- recognize.
24 Q -- did not --
25 MS. SPECTOR: Vague as to time.

1 BY MS. BECK:
2 Q At the time you first responded to the call --
3 A Correct.
4 Q -- correct?
5 A Correct.
6 Q And at the time you first spoke, met and saw
7 Ms. Heard, correct?
8 A Correct.
9 MS. BECK: Okay. And showing you what will be
10 marked as Exhibit C for identification.
11 (Exhibit C marked)
12 BY MS. BECK:
13 Q Do you recognize that person?
14 A Yes.
15 Q Okay. And who is that person?
16 A That is the potential victim that we spoke
17 with.
18 Q Okay.
19 A Or my partner spoke with.
20 Q And did you later come to learn her name was
21 Amber Heard?
22 A Yes.
23 Q Okay.
24 A Yes.
25 Q Okay. So I want to talk about when Ms. Heard

1 first came out of the apartment --

2 A Okay.

3 Q -- that you've described as the gentleman's
4 penthouse.

5 A Yes.

6 Q Okay? How far away from Ms. Heard were you
7 when she first came out?

8 A Um, I was approximately five feet away.

9 Q Okay. Was there lighting in the hallway?

10 A Yes.

11 Q Could you have -- did you have a clear view of
12 Ms. Heard --

13 A Yes.

14 Q -- when she came out?

15 Okay. And did you make any attempt to observe
16 her physical features -- her face, any parts of her
17 body -- in your period of observation of Ms. Heard?

18 A Um, I did real briefly because I didn't
19 interview her, my partner did.

20 Q Okay.

21 A But just from her passing, I could see her, and
22 what I saw was just a red face. She was in tears crying.
23 And that's all that I observed. Again, my partner spoke
24 with her. And towards -- before we left the location, we
25 both spoke with her. And neither time did I see any type

1 of injury.

2 Q Okay. So let's talk about that. You -- you
3 have described that you had two encounters with
4 Ms. Heard, one where you didn't speak to her but were
5 about five feet away?

6 A Yes.

7 Q And then a later encounter where you did speak
8 to her and were -- were equally close; is that correct?

9 A I would say the second time when we encountered
10 her, she was sitting -- we were in her penthouse and she
11 was sitting on her couch approximately five to ten feet
12 away, and I had issued my business card to her. I wrote
13 the time, the date, the incident number, and what we
14 responded for and what we did, and that -- what she had
15 requested, and then I had given her the business card.

16 Q Okay. Very good. I'll come back to that --

17 A Okay.

18 Q -- second time. Let's just talk about the
19 first time.

20 As you passed -- as she passed you on your way
21 to Officer Saenz --

22 A Sure.

23 Q -- you had an opportunity to observe her and
24 described just now she was crying and red-faced --

25 A Yes.

1 Q -- is that fair to say?

2 A Yes.

3 Q Did you see -- as she walked by you, did you
4 see any swelling of any kind on her face?

5 A No, I did not.

6 Q Okay. Did you see any marks of any kind on her
7 face?

8 A No, I did not.

9 Q Any indication of bruising on her face?

10 A No.

11 Q Any indication of any sign whatsoever of any
12 injury to her face?

13 A No.

14 Q Okay. How about Ms. Heard's body, her arms or
15 her legs or any other part of her body? What did she
16 have on?

17 A I don't recall. I believe -- yeah, I don't --
18 I don't recall.

19 Q Okay.

20 A Yeah.

21 Q Did she have arms that were exposed? Do you
22 recall that?

23 MS. SPECTOR: Asked and answered.

24 THE WITNESS: I don't recall.

25 BY MS. BECK:

1 Q Okay. Did you see on her body any other signs
2 of injury?

3 A No.

4 Q Did you look --

5 A I did not initially, no.

6 Q Okay. But you did, it's fair to say, look at
7 her face --

8 A Yes.

9 Q -- for signs of injury?

10 A Yes.

11 Q Okay. Were you able to overhear, as Officer
12 Saenz spoke with Ms. Heard, any of their conversation?

13 A I did not.

14 Q Okay. Did you then engage in another
15 conversation with the gentleman?

16 A Yes, I did.

17 Q Okay. Can you tell us about that conversation?
18 What do you recall?

19 A Yeah. We separated both parties, mostly so
20 that my partner could speak with the victim, not being
21 distracted. And so I spoke with the gentleman and tried
22 to get description of the potential suspect, the husband
23 at the time, and he wasn't very cooperative. He
24 described him as a male, dark hair. And I'd ask, "Where
25 did he go?" He said, "I don't know." He said, "Oh, he

1 just left."
2 And I said, "Okay. Well, can you give me a
3 better description so that when my partner and I leave,
4 we could check the surrounding areas and see if we see
5 him on the street?"
6 And he had said -- it was kind of weird, and he
7 had said, "No, you're not going to find him."
8 And I was like, "Well, you don't know that.
9 Just give me some information and we'll -- my partner and
10 I will go look around when -- when we leave the
11 location."
12 And he said, "No, he's gone. You don't
13 understand."
14 And so -- and at that time, that's when my
15 partner had grabbed me to do a protective sweep.
16 Q Okay. Officer Hadden, you were standing in the
17 hallway outside of -- of the penthouse that the gentleman
18 claimed --
19 A Yes.
20 Q -- was his penthouse?
21 A Yes.
22 Q Did you have an opportunity to look around in
23 the hallway at the time you were having this
24 conversation?
25 A Yes.

1 Q Okay. Did you see any broken glass of any
2 kind --
3 A No.
4 Q -- in the hallway?
5 A No.
6 Q Would you normally look for signs of vandalism
7 or other destruction --
8 A Absolutely.
9 Q -- in investigation of domestic violence --
10 A Absolutely.
11 Q -- calls?
12 MS. SPECTOR: Could I just interrupt for one
13 second?
14 Can you just wait till she finishes her
15 questions so I can insert my objections and then you can
16 answer.
17 THE WITNESS: Yes.
18 MS. SPECTOR: Just doing it for the record.
19 THE WITNESS: Okay.
20 MS. SUTTON: Thank you so much.
21 BY MS. BECK:
22 Q Did you see anything thrown on the ground of
23 any nature?
24 A No.
25 Q Did you see any wine bottles on the floor?

1 A No.
2 Q Did you see any spilled wine on the floor or
3 the walls?
4 A No.
5 Q Did you at some point in speaking to the
6 gentleman ask him who Ms. Heard's husband was?
7 A Yes.
8 Q The name?
9 A Yes.
10 Q And you directly asked him the name?
11 A I asked him what was her husband's name and he
12 wouldn't give it to me.
13 Q He refused --
14 A Yes.
15 Q -- to give you --
16 A Yes.
17 Q -- the name?
18 A Yes.
19 Q Did you ask him to describe what had happened,
20 if anything?
21 A Um, I -- I did. I can't recall exactly word
22 for word what he had said. Yeah.
23 Q Do you recall anything he said?
24 A Um --
25 MS. SPECTOR: Vague as to time.

1 BY MS. BECK:
2 Q At the time you spoke to him in the hallway on
3 the evening of May 21.
4 A From what I can recall was just me trying to
5 gather the description of the potential suspect.
6 Q Okay. And would you have -- based on your
7 training and experience, would you have made a note had
8 the gentleman described any acts of violence at the time
9 you questioned him?
10 A Yes.
11 Q And did you make a note of any description of
12 any acts of violence?
13 A No.
14 Q Okay. If the gentleman had described any acts
15 of vandalism or assault, would you have made note in your
16 investigation of a domestic violence?
17 A Yes.
18 Q And did you make any notes of the gentleman
19 describing any acts of vandalism or other assault?
20 A No, I did not.
21 Q Okay. How long were you with the gentleman in
22 the hallway?
23 A Approximately 10 minutes.
24 Q Okay. And then did you go somewhere next?
25 A Yes.

1 Q Okay. Where did you go?
2 A My partner and I entered Ms. Heard's penthouse.
3 And from there, part of our mandate as police officers is
4 to do a protective sweep of the house to make sure there
5 is no potential suspect or someone else that could harm
6 anyone in there, and -- or any weapons, and so we did a
7 complete protective sweep of the house.
8 Q Okay. Now, before you did that sweep, you had
9 referred earlier to sitting down with Ms. Heard. Do you
10 recall that?
11 A Yeah. That was after the protective sweep?
12 Q Okay. So just so I'm clear on the chronology,
13 Ms. Heard accompanied you to her apartment?
14 A She entered the penthouse with us and then we
15 just said -- asked for them to stay in the I guess you'd
16 say living area by the entrance of the door inside the
17 penthouse, and then my partner and I did the sweep
18 throughout the house.
19 Q Okay. And did you specifically ask her and did
20 she communicate that this is where the incident had
21 occurred?
22 A Yes.
23 Q Okay. And she allowed you to come into the
24 penthouse?
25 A Yes.

1 Q Okay. And when you went into the penthouse,
2 you were with Officer Saenz, correct?
3 A Yes.
4 Q You were with Amber Heard, correct?
5 A Yes. She -- she stayed in the living area.
6 Q Okay.
7 A And then the only person that followed us was
8 the male, the neighbor.
9 Q The neighbor --
10 A Yes.
11 Q -- followed you into Ms. Heard's apartment?
12 A Yes.
13 Q Okay. And do you recall how long you were in
14 there with Ms. Heard before you began your protective
15 sweep?
16 A Minutes. Approximate -- I can't -- I mean, I
17 just -- just minutes because my partner had just finished
18 interviewing her. And at that time, we had entered in
19 order to do a protective sweep. That was the reason why
20 we entered.
21 Q Understood. Understood.
22 Officer Hadden, when you first entered the
23 living area of Ms. Heard's penthouse where she had
24 indicated the incident occurred, could you describe for
25 us -- did you see any broken glass of any kind on the

1 floor?
2 A No.
3 Q Did you see any spilled wine on the floor?
4 A No.
5 Q Did you see any other indicia of vandalism or
6 property destruction when you -- when you observed the
7 living room area of the penthouse?
8 A No.
9 Q Did you inspect the kitchen of the penthouse?
10 A Yes.
11 Q And did you see any shattered glass in the
12 kitchen?
13 A No.
14 Q Did you see any broken bottles in the kitchen?
15 A No.
16 Q Did you see any signs of vandalism or other
17 property destruction in the kitchen?
18 A No.
19 Q Did you see any spilled wine in the kitchen?
20 A No.
21 Q And you then undertook with Officer Saenz to
22 inspect the rest of the rooms of the penthouse?
23 A Yes. It was that penthouse and then one that
24 connects to their penthouse.
25 Q Okay. And am I correct, your intention in

1 doing that sweep is to determine if the person reported
2 in the 911 call, the so-called suspect, is still anywhere
3 on the premises --
4 A Yes.
5 Q -- correct?
6 A Yes.
7 Q And also to see if there are any signs that a
8 crime has been committed --
9 A Yes.
10 Q -- correct?
11 And you undertook the protective sweep for both
12 of those purposes?
13 A Yes.
14 Q Okay. And you went into the penthouse that she
15 had allowed you in, correct?
16 A Yes.
17 Q Okay. And you looked around all the rooms in
18 that penthouse?
19 A Yes.
20 Q Did you go upstairs and downstairs?
21 A Yes.
22 Q Okay. And you mentioned before that you went
23 to other penthouses?
24 A Yes. Their neighboring penthouse.
25 Q Okay. And that was described as also a place

1 where they lived?
2 A Yes. The gentleman that we were -- that we
3 were with, the neighbor, he described it as their working
4 place. He had told us that they were artists and created
5 jewelry.
6 Q Okay. And you specifically went into that
7 penthouse?
8 A Yes.
9 Q Okay. And you were let in by the gentleman or
10 Ms. Heard?
11 A The gentleman.
12 Q Okay. And when you went into that penthouse,
13 did you see any signs of a crime having been committed?
14 A No.
15 Q Did you see any signs of vandalism --
16 A No.
17 Q -- or indication of vandalism?
18 Did you see --
19 MS. SPECTOR: Thank you. Appreciate that.
20 BY MS. BECK:
21 Q Did you see any broken bottles of any kind or
22 shattered glass?
23 A No.
24 Q Did you see any spilled wine of any kind?
25 A No.

1 Q Did you see any furniture overturned or other
2 signs of a struggle?
3 A No.
4 Q Okay. And did you go anywhere else in your
5 protective sweep?
6 A Just the two penthouses.
7 Q Okay. Okay. What did you do when you -- when
8 you concluded your protective sweep?
9 A We acknowledged that it was a safe area to be
10 in and we let Ms. Heard know that, and that there was no
11 one else in the penthouses. Yeah.
12 Q Okay. Now, I want to talk to you a little bit
13 about your -- what you described earlier as your second
14 interaction with -- with Ms. Heard. Do you recall that?
15 A Yes.
16 MS. SPECTOR: Blair, I know you're on a roll,
17 but I need to take a five-minute break.
18 MS. BECK: No worries.
19 MS. SPECTOR: Okay. So I didn't want to -- I
20 thought this was a breaking point.
21 MS. BECK: Yeah. That's fine.
22 MS. SPECTOR: Is it okay?
23 MS. BECK: Sure.
24 MS. SPECTOR: Thank you. I just have to make a
25 call. Thank you.

1 MS. BECK: Can we go off the record?
2 (Recess)
3 MS. BECK: Back on the record.
4 Q So, Officer Hadden, we were just about to get
5 to after your protective sweep when you came back into
6 the penthouse you've described as Ms. Heard's
7 penthouse --
8 A Yes.
9 Q -- and that was the area she described the
10 incident as taking place?
11 A Yes.
12 Q Okay. And where was Ms. Heard when you came
13 back into the penthouse?
14 A She was sitting on her couch with the
15 gentleman's wife and --
16 Q Okay. And was she being comforted physically
17 in any way that you could observe?
18 A From what I can recall, the gentleman's wife
19 was just kind of holding her and kind of embracing her.
20 Q Okay. With her arms around her?
21 A Yes.
22 MS. SPECTOR: Assumes facts not in evidence.
23 BY MS. BECK:
24 Q Okay. Was that yes?
25 A Yes.

1 Q And both you and Officer Saenz came back into
2 the penthouse?
3 A Yes. Well, we -- this is after we did the
4 sweep, and so we were already in the penthouse and at
5 this time we made -- walked towards the front door as if
6 we were wrapping up the investigation.
7 Q Okay. Where was Ms. Heard as you were talking
8 towards the front door?
9 A On the couch.
10 Q Okay. And did you have an opportunity to
11 observe her and talk to her?
12 A My partner again spoke with her.
13 Q Okay.
14 A I was there and I did observe her and -- yeah.
15 Q Okay. Did your partner, to your knowledge, ask
16 her if she had been injured in any way?
17 A Yes.
18 Q Okay. And how did Ms. Heard respond?
19 A She said she wasn't injured and she refused for
20 us medical treatment where we would need to call an
21 ambulance.
22 Q Okay. Did she say that she had been touched or
23 physically assaulted in any way whatsoever?
24 MS. SPECTOR: Compound.
25 THE WITNESS: I do not recall that.

1 BY MS. BECK:
2 Q Okay.
3 A My -- again, my partner did the investigation
4 with her, so I'm not sure what was said --
5 Q Okay.
6 A -- between them.
7 Q Is it fair to say that Ms. Heard at various
8 times in your encounter was being difficult with you?
9 MS. SPECTOR: Objection.
10 THE WITNESS: Yes.
11 MS. SPECTOR: Vague as to difficult. Sorry.
12 Vague as to difficult.
13 BY MS. BECK:
14 Q Do you understand what I mean by difficult?
15 A Yes. Uncooperative.
16 Q Okay. Can you describe specifically how she
17 was uncooperative?
18 A She was uncooperative in -- was -- was being
19 emotional, crying, was refusing that she wasn't hurt, and
20 she didn't know whether initially she wanted a report or
21 not and said that she didn't want a report. And then, as
22 well, the -- the male was also uncooperative, like I had
23 stated earlier. He wasn't cooperative with me giving
24 details about what had happened, what the possible
25 suspect detailed description would have been. And so

1 those were ways that they were both uncooperative.
2 Q Okay. And in terms of this second encounter
3 you had with Ms. Heard, did she describe at any time what
4 had happened?
5 A Not to me, no.
6 Q Okay. Was there any discussion of a verbal
7 argument in your presence?
8 A In front of me, not that I'm aware of.
9 Q Okay. What, if anything, do you recall
10 Ms. Heard saying when you were present with her after the
11 protective sweep?
12 A My partner asking if she wanted a report and
13 she refused a report. She refused any type of medical
14 treatment. She said she was okay. She didn't -- there
15 was nothing wrong, and that she just asked us to leave.
16 At that point, that's where I wrote out our
17 business card, my name, my partner's name, our serial
18 numbers, the unit we were working, the date and time and
19 the incident number and what we responded for, and we
20 also noted that she refused the report.
21 Q And it would be fair to say that she was not
22 forthcoming with information?
23 A Yes.
24 MS. SPECTOR: Vague as to "forthcoming."
25 Can you please just --

1 BY MS. BECK:
2 Q And she did not --
3 MS. SPECTOR: -- give a pause before you
4 answer.
5 THE WITNESS: Sorry.
6 BY MS. BECK:
7 Q And would it be fair to say that she was not
8 cooperative?
9 MS. SPECTOR: Vague as to "cooperative."
10 THE WITNESS: Yes.
11 BY MS. BECK:
12 Q And you had an opportunity to observe her in
13 that second encounter in the -- after the protective
14 sweep?
15 A I would say from her face, yes.
16 Q Okay. And on her face, did you see any
17 swelling of any kind on her face?
18 A No.
19 Q And did you see any injury under her eye of any
20 kind?
21 A No.
22 Q And did you see any red mark or mark of any
23 kind on her face?
24 A No.
25 Q Okay. And other than crying, did you -- were

1 there any -- any signs of injury to Ms. Heard?
2 A No.
3 Q Okay. After you wrote and gave her the card,
4 did you do anything else in the apartment?
5 A We did not -- we -- our last communication with
6 her was if she changes her mind about the report or if
7 the husband returned then to give us a call and we would
8 come back.
9 Q Okay. Did you ever at any time indicate to
10 Ms. Heard that based on what she had relayed, there was
11 enough to arrest her husband for a crime?
12 A I personally didn't. I don't know what my
13 partner had told her.
14 Q Okay. And at that point after writing the
15 card, did you exit the penthouse?
16 A After we had that last discussion about her
17 final refusal of the report and then letting her know to
18 give us a call back if she needed anything, then, yes, we
19 exited the penthouse.
20 Q Did anyone escort you down to the lobby?
21 A The gentleman escorted us to the elevator and
22 that was as far as he went.
23 Q Okay. After you prepared your card -- I missed
24 asking you this.
25 After you prepared your card for Ms. Heard, did

1 you personally give it to her?
2 A My partner gave it to her.
3 Q Okay. And when you said you were observing her
4 face in that last encounter, how far away from her would
5 you describe yourself as being?
6 A Approximately 10 to 12 feet.
7 Q Okay. And did you have an opportunity to
8 see -- have a clear view of her face?
9 A Yes.
10 Q Okay. And there was clear lighting that
11 allowed you to have that clear view?
12 A Yes.
13 Q Okay. And when you were escorted downstairs,
14 did the gentleman ride with you in the elevator
15 downstairs?
16 A No.
17 Q Okay. And did you speak to anyone else in the
18 building before exiting the building?
19 A I believe we just said thank you to the
20 security guard and walked out.
21 Q And the card you left Ms. Heard, did it have
22 any phone number on it?
23 A Yes.
24 Q Where was that phone number to?
25 A To the station.

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1 Q Okay.
2 A To the Central Division station.
3 Q Okay. And you had indicated to her to call
4 that number if -- if she ever wanted to report anything
5 about the incident?
6 A Yes. Or if she had any further questions.
7 Q If she had any further questions. And, to your
8 knowledge, did Ms. Heard ever call that number?
9 A I am not aware. I was told that she had called
10 later on, but not to my personal experience.
11 Q Okay. Who told you that she had called later
12 on?
13 A My partner.
14 Q Okay.
15 Officer --
16 MS. SPECTOR: Just like court.
17 MS. BECK: Oh, The question. Here it is.
18 MS. SPECTOR: The question.
19 BY MS. BECK:
20 Q Officer Hadden, I understand a second patrol
21 vehicle responded to the location subsequent to you and
22 Officer Saenz. Are you aware of that?
23 A I was unaware until I was told that when we
24 found out about this case and it being actually Johnny
25 Depp and Amber Heard.

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1 Q Is it true to say that during the entirety of
2 your response to the Broadway residence in your
3 investigation of this dispatch report that you had no
4 idea this involved Johnny Depp?
5 A Correct.
6 Q Okay. And you learned that at some point after
7 you had left the building?
8 A Yes. It was approximately a week and a half
9 later.
10 MS. BECK: Okay. Thank you, Officer. That's
11 it.
12 THE WITNESS: Thank you.
13 MS. BECK: I'm going to read one more thing.
14 THE WITNESS: Okay.
15 MS. SPECTOR: You're getting good at this,
16 Blair.
17 MS. BECK: I guess at some point civil lawyers
18 memorize this.
19 MS. SPECTOR: Yes, we do.
20 MS. BECK: I offer the following stipulation:
21 That the court reporter be relieved of responsibility
22 with respect to the original transcript and that the
23 original be transcribed and signed by the deponent under
24 penalty of perjury; the original will be sent to the
25 deponent and read, corrected and signed within 30 days of

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1 receipt; if not notified of changes in writing within
2 that time frame, the original shall be deemed signed and
3 correct; the notice of corrections you can fax to me if
4 you choose; the original transcript shall be maintained
5 by counsel or the deponent and shall be made available at
6 the time of hearing without notice; if not available,
7 then a certified copy of the same will be corrected; or
8 if the original shall be otherwise lost, mutilated,
9 altered or destroyed, a certified copy of same as
10 corrected may be used in place and instead of the
11 original and used for all purposes for which the original
12 could be used.
13 This session is adjourned and suspended.
14 THE WITNESS: Okay.
15 THE REPORTER: Do you stipulate?
16 MS. SPECTOR: Stipulate.
17 (Deposition concluded at 11:06 a.m.)
18
19
20
21
22
23
24
25

U.S. LEGAL SUPPORT
(800) 993-4464

221

DECLARATION UNDER PENALTY OF PERJURY

I, OFFICER TYLER HADDEN, do hereby certify
under penalty of perjury that I have read the foregoing
transcript of my deposition taken on July 18, 2016; that
I have made such corrections as appear noted on the
Deposition Errata Page, attached hereto, signed by me;
that my testimony as contained herein, as corrected, is
true and correct.

Dated this ____ day of _____,
2016, at _____, _____.
(City) (State)

OFFICER TYLER HADDEN

DEPOSITION ERRATA PAGE

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OFFICER TYLER HADDEN

Dated

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss

I, PAMELA J. FELTEN, a Certified Shorthand
Reporter, do hereby certify:

That prior to being examined, the witness in
the foregoing proceedings was by me duly sworn to
testify to the truth, the whole truth, and nothing
but the truth;

That said proceedings were taken before me at
the time and place therein set forth and were taken
down by me in shorthand and thereafter transcribed
into typewriting under my direction and supervision;

I further certify that I am neither counsel
for, nor related to, any party to said proceedings,
nor in anywise interested in the outcome thereof.

In witness whereof, I have hereunto subscribed
my name.

Dated: July 26, 2016

Pamela J. Felten

PAMELA J. FELTEN
CSR No. 5189

Officer Tyler Hadden
July 18, 2016

1

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7/7/2016

Incident Details

LOS ANGELES POLICE DEPARTMENT

Date: 7/7/2016 10:54:07 AM User: N2907

LPD160521005437

INCIDENT RECALL

Incident	Time	Type	Pri	Dispo	Address Location BEAT TEAM/Dist AREA	Bldg Apt Address Phone	Caller Name	P-Unit	Close Date/ Time	Operator
LPD160521005437	22:09	620D	2	GOASN;	849 S BROADWAY	3	TELETYPE/NYPD	PD/1A61-W3	05/22/16	PD/V8970
					0163	01	PR/JO WRIGHT		03:01	
							646 644 6847	Contact	Complainant: Y	
<p>Date</p> <p>05/21/16 22:09 Incident Initiated By: PD/GUERRERO, R-970</p> <p>05/21/16 22:09 TELETYPE FROM NYPD ICAD #D16052125292, FEMALE STATED SHE WAS ON PHONE</p> <p>05/21/16 22:09 WITH HER FRIEND AND SHE BEGAN SCREAMING AT HER HUSBAND, SUBJ ^AMBER</p> <p>05/21/16 22:09 HEARD^, HUSBAND ^JOHNNY HEARD^ M/W 53 YRS, 511, NFD/NFI</p> <p>05/21/16 22:09 Units Recommended: BPD/1A85-W3 PD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3</p> <p>05/21/16 22:09 LOC INFO REVIEWED: S</p> <p>05/21/16 22:09 IN PENTHOUSE #3</p> <p>05/21/16 22:09 Apartment Number CHANGED To: 3</p> <p>05/21/16 22:16 Stacked Incident LPDLPD160521005437 To: PD/1A61-W3</p> <p>05/21/16 22:16 Stacked IncAck'd LPDLPD160521005437 By: PD/1A61-W3</p> <p>05/21/16 22:17 Stat: DS PD/1A61-W3 Loc: 849 S BROADWAY</p> <p>05/21/16 22:17 Stat: ER PD/1A61-W3 Loc: 849 S BROADWAY</p> <p>05/21/16 22:17 Primary Unit Changed PD1A61-W3</p> <p>05/21/16 22:17 Unit CHANGED To: PD1A61-W3</p> <p>05/21/16 22:24 Stat: AS PD/1A61-W3 Loc: 849 S BROADWAY</p> <p>05/21/16 23:02 Command : UR PD/1A61-W3 Reassigned</p> <p>05/21/16 23:02 Stacked IncAck'd LPDLPD160521005437 By: PD/1A61-W3</p> <p>05/22/16 03:00 Stat: DS PD/1A61-W3 Loc: 849 S BROADWAY</p> <p>05/22/16 03:01 Stat: AS PD/1A61-W3 Loc: 849 S BROADWAY</p> <p>05/22/16 03:01 RELATED TO PREV INC. VERBAL ARGUMENT ONLY. CHECKED RES.</p> <p>05/22/16 03:01 Stat: CL PD/1A61-W3</p> <p>05/22/16 03:01 Incident Closed: 16/05/22 03:01</p> <p>05/22/16 03:01 Disposition #1 CHANGED To: GOASN:GONE ON ARRIVAL SUPV NO</p> <p>05/22/16 03:01 GOASN:GONE ON ARRIVAL SUPV NO</p>										

Unit Summary

Unit PD/1A61-W3 Dispatch 22:17:02 Enroute 22:17:05 AtScene 22:24:00 Canc Cmp 03:01:39

Dispo GOASN; IncType 620D Int 23:02:33 Tot Int 232 Oper Fr/Dispo PD/N4553

Attached Docs

*Call came from teletype
printout. No 911 call
found from listed phone.*

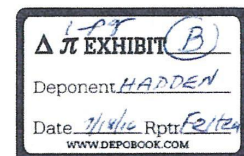
<http://incidents.lapd.lacity.org/incidents/DFAR/IncDetl.aspx?inc=LPD160521005437>

EXHIBIT 4

Joshua Drew

11/19/19

Michelle Bulkley, CSR 13658

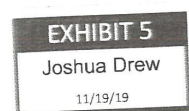


1/1

232

E334

**DECLARATION OF
RAQUEL ROSE PENNINGTON**



Michelle Bulkley, CSR 13658

Heard - MTD Exhibits - 147

233

2 **ATTACHMENT TO FORM DV-100**3 **DECLARATION OF RAQUEL ROSE PENNINGTON**

4 I, RAQUEL ROSE PENNINGTON, declare as follows:

5 1. I have firsthand personal knowledge of the facts stated herein and if called as a
6 witness, I could and would competently testify thereto.7 2. I submit this declaration in support of Petitioner AMBER LAURA DEPP's ("Amber")
8 Request for CLETS Domestic Violence Restraining Orders against Respondent John Christopher
9 Depp II aka Johnny Depp ("Johnny").10 3. I have been friends with Amber since 2003. My fiancé Joshua Drew and I live in
11 one of the condominiums located at 849 South Broadway in Los Angeles. I have a key to the
12 condominium units which Amber shares with Johnny.13 4. On May 21, 2016, I was in my condominium with Joshua when I received a text
14 message from Amber at approximately 8:06 p.m., asking me to come over to her condominium
15 unit.16 5. I immediately went over to Amber's place. When I got to the door, I could hear
17 Amber and Johnny arguing inside. I knocked on the locked door, but there was no answer, so
18 I quickly ran back to my apartment to get my key to open Amber's door.19 6. I returned to Amber's condominium less than a minute later. When I opened the
20 door, I saw Amber by the couch in the living room covering her head with her arms and hands,
21 as Johnny was loudly screaming at her.22 7. I ran over and stood in between Johnny and Amber, begging Johnny to stop yelling
23 at her. I put my hands out in a defensive manner motioning him to stop. Johnny slapped my
24 hands away and screamed foul obscenities at me. I then tried to covered Amber up with my body
25 to protect her from him.26 8. Johnny picked up a magnum size bottle of wine and began swinging it like a
27 baseball bat. Wine was flying all over the walls, floors and furniture, and he began using the
28 bottle to smash everything he could.

2 9. He then charged at Amber, screaming at her to stand up. He repeatedly yelled
3 at Amber to stand up -- about ten times -- and each time, he got closer, louder and more
4 threatening.

5 10. Johnny's security team then arrived, which included Jerry Judge, but they each
6 stood back and did not say or do anything.

7 11. Amber pleaded with Jerry to help and said that if Johnny hit her one more time she
8 was going to call the police.

9 12. Jerry said "Boss. Please."

10 13. Johnny continued screaming and breaking things, before finally walking out of the
11 apartment and into the hallway where he continued screaming and breaking things.

12 14. I could hear Johnny go into Amber's private condominium, where she keeps her
13 personal belongings and artwork, and continue to scream and break things.

14 15. Joshua came into the condominium unit and together we took Amber into our
15 condominium unit for safety.

16 16. I observed that Amber sustained a significant injury to her right eye as a result of
17 the incident with Johnny, as there was redness and swelling. Amber was crying, shaking and very
18 afraid of Johnny.

19 17. Finally, I heard Johnny leave the premises. I then took pictures of Amber's face
20 which are attached as Exhibit "A" to the Declaration of Amber.

21 18. Many times over the past few years, Amber has confided and complained to me
22 about Johnny's abusing her, both physically and verbally.

23 ///

24 ///

25 ///

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2 19. Except as to that which is based on information and belief, I have personal
3 knowledge of the matters set forth herein and, and if sworn as a witness, I could and would
4 competently testify thereto. This declaration is being submitted in lieu of personal testimony
5 pursuant to *Code of Civil Procedure* §§ 2009 and 2015.5, *California Rules of Court*, Rule 5.118(f),
6 and *Reifler v. Superior Court* (1974) 39 Cal.App.3d 479.

7 I declare, under penalty of perjury pursuant to the laws of the State of California, that the
8 foregoing is true and correct. Executed this 27th day of May, 2016 at Los Angeles, California.

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10 see facsimile signature on next page
11 RAQUEL ROSE PENNINGTON
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RAQUEL ROSE PENNINGTON

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EXHIBIT A

Heard - MTD Exhibits - 152

238



Heard - MTD Exhibits - 153

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Heard - MTD Exhibits - 154

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Heard - MTD Exhibits - 155

241

Custodian	Messages	Attachments	Start	End	Time Span
Amber Heard	20	0	5/22/2016 10:58:00 AM	5/22/2016 7:13:05 PM	0:08:15:05

	Contact Info	Short Name	Messages	Attachments
Participant #0	[REDACTED] A H	A H	9	0
Participant #1	[REDACTED] Josh	Josh	11	0

05/22/2016 (Sunday)

FA24_00278998 A H

Hey Josh, I hope you and Rocky got some sleep last night. I don't want to bother her on her big day but the lawyers asking for brief statements from you guys, as witnesses, so that she can file the appropriate way for a restraining order... Is there anyway that you could just write a brief statement this would happen and email it to her or email it to me and I'll forward it to her. Doesn't have to be fancy or even well-written, nothing like that, just basic brief play-by-play of what you saw.. 10:58:00AM

FA24_00278999 A H

I don't ask Rocky for it but maybe I will later after the fleamarket stuff is done 10:58:17AM

FA24_00279000 Josh

No problem sweetheart. We're picking up right now, I'll be back by 10 to be there with you for the locksmith. I'll write something up then, and I'll help her out later this evening 11:04:32AM

FA24_00279001 Josh

How are you doing? Need anything? 11:04:42AM

FA24_00279002 A H

thank you so much 11:05:26AM

FA24_00279003 A H

I'm okay. Just a little shaken up 11:05:49AM

FA24_00279004 Josh

Ok. You think of anything, let me know 11:06:38AM

FA24_00279005 Josh

Do you happen to have any small bills, \$1, \$5, \$10 we can trade you \$20's for? 11:10:16AM

FA24_00279006 A H

Did rocky already check the cash box? 11:11:17AM

FA24_00279007 A H

I'm checking my purse now! 11:11:23AM

FA24_00279008 Josh

EXHIBIT 6

Joshua Drew

11/19/19

Michelle Bulkley, CSR 13658

CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER

ALH 00000441
242

E344

FA24_00279009 Josh Ok 11:11:33AM

FA24_00279010 Josh And she did, yea 11:11:39AM

FA24_00279011 A H ON my way back now 1:03:32PM

FA24_00279012 Josh Great we're just waiting for the locksmith, FYI no rush 1:03:53PM

FA24_00279013 A H Okiedokes 1:04:08PM

FA24_00279014 A H Hey sorry to bother you with yet another thing but do you know where I'm going? 4:09:43PM

FA24_00279015 Josh She never sent me the address 4:09:53PM

FA24_00279016 Josh 647 Mateo Street 4:10:48PM

FA24_00279017 Josh Take 7th all the way over and turn left onto Mateo. You'll see it on the left 4:11:05PM

Hey lady, checking in to see how you're doing. Also, stop by when you get home, I have all of the keys 7:13:05PM

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EXHIBIT 7
Joshua Drew
11/19/19
244
Michael J. Drew, CSR 13658

1 **March 8, 2013, Los Angeles, California:**

2 6. Johnny hit me again on March 8, 2013 in my Los Angeles home. This was just one
3 unfortunate incident in a series around that time where Johnny would become volatile and violent
4 when under the influence of drugs and alcohol, then contrite and apologetic when he would sober
5 up. On this particular incident, Johnny was getting drunk and high alone, and was angry that I had
6 hung up a painting given to me by someone I had formerly dated. He tried to set fire to the
7 painting the following morning. Johnny's team and I asked my sister Whitney to come over to try
8 to intervene with Johnny, which she did. At some point after she left, Johnny resumed his fight
9 with me, and hit me so hard that blood from my lip ended up on the wall. Attached hereto as
10 Exhibit 1 is a true and correct copy of a text message exchange Johnny and I had the following
11 Tuesday. On my phone, I had labeled Johnny as "Steve," and on his phone, he labeled me "Slim,"
12 in part to protect our privacy if anyone else came into possession of our phones.

13 **May 24, 2014, Flight from Boston, Massachusetts to Los Angeles, California:**

14 7. On or about May 24, 2014, I met Johnny in Boston, and we both flew from Boston
15 to Los Angeles on a private plane. Johnny appeared to have been drinking heavily and was
16 holding a bottle of champagne when I met him in the morning. On the flight, Johnny ordered the
17 flight attendants to give him an oxygen tank, and drank heavily. Johnny's handlers told me that he
18 was upset that I was filming a movie with a romantic scene with James Franco the day before.
19 Soon, Johnny began to throw objects at me. Instead of reacting to his behavior, I simply moved
20 seats. That didn't stop him. He provocatively pushed a chair at me as I walked by, yelled at me,
21 and taunted me by yelling out the name "James Franco." At some point, I stood up, and Johnny
22 kicked me in the back, causing me to fall over. Johnny threw his boot at me while I was on the
23 ground. Johnny continued to scream obscenities until he went into the plane bathroom and passed
24 out locked in the bathroom for the remainder of the flight. Attached hereto as Exhibit 2 is a true
25 and correct copy of text messages exchanged between me and Johnny (labeled "Steve") dated May
26 25, 2014. In them, Johnny admitted, "Once again, I find myself in a place of shame and regret.
27 Of course, I am sorry. I really don't know why or what happened. But I will never do it again."
28

1 8. Johnny's assistant Stephen Deuters (labeled "Stephen" on my phone) also texted
2 me on May 25, 2014 to pass along Johnny's apologies for his behavior during the flight. Stephen
3 admitted that Johnny "was appalled. When I told him he kicked you, he cried." Attached hereto
4 as Exhibit 3 is a true and correct copy of the text message exchange between me and Deuters dated
5 May 25, 2014, in which Deuters confirmed my memory of what took place and relayed messages
6 from Johnny to me. Specifically, Exhibit 3 was generated by a forensics expert who extracted
7 these text messages from my phone in 2016 to disprove allegations that I had somehow doctored
8 or fabricated these messages.

9 **August 2014, Bahamas:**

10 9. In August of 2014, Johnny and I took a trip to the Bahamas to try to help Johnny
11 detox under the supervision of his full-time, live-in nurse, Debbie Lloyd. While we were in the
12 Bahamas, Johnny had a number of manic episodes requiring medical attention that Debbie was
13 unable to manage on her own, so we flew in Dr. David Kipper, Johnny's private doctor, to help
14 manage his increasingly severe episodes.

15 10. On August 17, 2014, while in the Bahamas, Johnny and I got into a fight during
16 which Johnny kicked and pushed me to the ground, slapped me with an open hand, and grabbed
17 me by the hair. During his attack, Johnny kicked the door so hard that it splintered Attached
18 hereto as Exhibit 4 are true and correct copies of photographs of the broken door.

19 11. I contacted Dr. Kipper and his assistant Debbie Lloyd for help with Johnny and
20 managing his complex drug regimen. They both arrived on the night of August 17, 2014, and
21 observed my injuries. We all continued to monitor Johnny for several days thereafter. Attached
22 hereto as Exhibit 5 are true and correct copies of text messages I exchanged with Dr. David Kipper
23 and his assistant Debbie Lloyd during that time frame.

24 **December 17, 2014, Los Angeles, California:**

25 12. On December 17, 2014, after Johnny had a particularly violent episode, he
26 apologized for his behavior, calling himself a "fucking savage." Attached hereto as Exhibit 6 are
27 true and correct copies of screenshots of that text message exchange (again, Johnny is "Steve").
28

1 **January 25, 2015, Tokyo, Japan:**

2 13. On or around January 25, 2015, Johnny and I were in a hotel room in Tokyo, Japan.
3 Johnny shoved me, slapped me, and grabbed me by my hair. When I tried to stand up, Johnny
4 muscled me back to the floor. He stood over me and yelled as I cried on the floor.

5 **March 2015, Australia:**

6 14. On March 3, 2015, I arrived in Australia to meet Johnny after I had been filming a
7 movie. It was the first time I had seen Johnny in about a month, and I noticed that Johnny had lost
8 a lot of weight and was behaving erratically. At some point in the next few days, I watched
9 Johnny pull out what I later found out was a bag of MDMA (ecstasy); even though Johnny was
10 supposed to be clean at that time, Johnny told me that I had not explicitly forbidden him from
11 taking ecstasy. The argument heated up, and Johnny pushed me, slapped me, and shoved me to
12 the ground before I retreated to a locked bedroom and went to sleep, as I was jet-lagged from the
13 travel.

14 15. When I woke up the next morning, I went downstairs to find that Johnny was still
15 awake, and that he had stayed up all night, having taken about eight MDMA pills. He was also
16 drinking again. We got into a fight that Johnny made physical, and I barricaded myself in one of
17 the rooms. That didn't stop Johnny from busting through the door of the room I was in. By
18 nightfall, Johnny had hit me multiple times, shoved and pushed me to the ground, choked me, and
19 spit in my face. Johnny then handed me a liquor bottle that he was drinking from, and asked me,
20 "What are you going to do?" I threw the bottle on the floor. Johnny responded by starting to
21 throw cans and unopened glass bottles at me. I wanted Johnny to go to sleep, in hopes that he
22 would sober up. Instead, he began to fight with me about our upcoming marriage. I observed as
23 Johnny then called multiple lawyers and representatives, including Tracey Jacobs, then his agent
24 at the United Talent Agency.

25 16. That night, Johnny shoved me into a ping pong table that collapsed underneath me.
26 Johnny threw bottles through the window panels of a glass door, breaking two panes, and leaving
27 glass everywhere. Johnny then grabbed me, gripping my body and nightgown. He tore the
28 nightgown off, and at some point, I was naked and barefoot, covered in alcohol and glass. Johnny

1 grabbed me by my hair and choked me against the refrigerator in the kitchen. I tried to stand
2 myself up but I was sliding around the glass-strewn floor and countertop. Johnny threw me away
3 from him, and I tried to run away as Johnny continued to throw objects and alcohol at me. In one
4 of the most horrific and scariest moments of this three-day ordeal, Johnny grabbed me by the neck
5 and collarbone and slammed me against the countertop. I struggled to stand up as he strangled
6 me, but my arms and feet kept slipping and sliding on to the spilled alcohol and were dragged
7 against the broken glass on the countertop and floor, which repeatedly slashed my feet and arms.
8 Scared for my life, I told Johnny, "You are hurting me and cutting me." Johnny ignored me,
9 continuing to hit me with the back of one closed hand, and slamming a hard plastic phone against
10 a wall with his other until it was smashed into smithereens. While he was smashing the phone,
11 Johnny severely injured his finger, cutting off the tip of it. I did not throw a vodka bottle—or any
12 other kind of bottle—at Johnny, nor did I cause that injury to Johnny's finger. Once I was able to
13 get away, I barricaded myself in an upstairs bedroom, and tried to go to sleep.

14 17. On the third day of Johnny staying awake without sleeping, I came downstairs to
15 find numerous messages Johnny had written to me around the house, on the walls and on my
16 clothes, written in a combination of oil paint and the blood from his broken and severed finger.
17 Johnny also urinated all over the house in an attempt to write messages. I was only able to capture
18 a few pictures of these messages because I had barricaded myself in my bedroom, even though
19 they had been spread all over the house. Attached hereto as Exhibit 7 are true and correct pictures
20 of messages Johnny had smeared in his blood and paint in the bathroom adjoining the bedroom I
21 had barricaded myself in.

22 18. By the time I got the security guards to come upstairs, it had been almost 24 hours
23 now since Johnny had cut off part of his finger. His team was worried about the blood he had lost,
24 and so he was rushed to hospital. Afterwards, I flew back to Los Angeles, and Johnny returned to
25 his separate house in West Hollywood. I had a busted lip, a swollen nose, and cuts all over my
26 body, which friends, family, medical professionals, and co-workers all witnessed. To this day, I
27 still have scars on my arms and feet from this incident. Attached hereto as Exhibit 8 is a true and
28 correct copy of a picture of scars that are still on my left arm from this incident.

1 **March 2015, Los Angeles, California:**

2 19. Later in March, 2015, Johnny and I were in Los Angeles, California. Johnny's
3 hand was still in a cast following the incident in Australia. After becoming enraged, he began to
4 destroy personal property all over the house, including my belongings in my closet. My sister
5 Whitney was there, so when Johnny lunged to hit me, Whitney placed herself between us. Johnny
6 turned his attention to Whitney, who was standing on the top of a flight of stairs, and moved on
7 her. Acting in defense of my sister, as I was scared for her physical safety, I punched Johnny in
8 the face to draw his attention away from her. That was the only time I ever hit Johnny. At that
9 point, house security intervened and separated us. Attached hereto as Exhibit 9 are true and
10 correct copies of a text message exchange Whitney had with Kevin Murphy (the house manager)
11 following that incident. Attached hereto as Exhibit 10 is a true and correct copy of excerpts of the
12 transcript of my deposition dated August 13, 2016, in which I previously testified under oath about
13 that incident. Attached hereto as Exhibit 11 is a true and correct copy of a video excerpt of that
14 deposition testimony.

15 20. After he attacked me and my sister in March of 2015, Johnny seemed to get clean
16 and quit using everything other than his prescription medications. For some months, things were
17 peaceful. Then, in July of 2015, Johnny started to drink wine and smoke marijuana again.

18 **August 2015, Thailand and Malaysia:**

19 21. In August of 2015, Johnny and I traveled to Southeast Asia. While on the Eastern
20 Oriental train, Johnny picked a fight with me, and started hitting and pushing me against a wall by
21 grasping my throat and holding me there. I remember being afraid that Johnny might not know
22 when to stop, and that he might kill me.

23 **November 26, 2015, Los Angeles, California:**

24 22. On November 26, 2015, which was Thanksgiving, Johnny and I were in Los
25 Angeles, and got into another physical fight. Johnny ripped my shirt, and threw me around the
26 room. He threw a wine glass and a heavy glass decanter at me, which luckily missed. At one
27 point, Johnny pushed me, and I fell over the back of a lounge chair and hit my head against a brick
28

1 wall. I later learned that I had gotten a sizeable lump on the back of my head, and that my lip had
2 busted open.

3 **December 15, 2015, Los Angeles, California:**

4 23. On the night of December 15, 2015, I had plans to meet with my friends Raquel
5 “Rocky” Pennington and Melanie at Johnny’s and my penthouse in Los Angeles. Before they
6 arrived, Johnny picked another fight with me. He threw another decanter at me, knocked items
7 around the room, and punched the wall. He slapped me hard, grabbed me by my hair, and dragged
8 me from a stairwell to the office to the living room to the kitchen to the bedroom and then to the
9 guest room. In the process, he pulled large chunks of hair and scalp out of my head.

10 24. Hoping to avoid the violence, I tried to calm Johnny down, and then went upstairs
11 to try to remove myself from the situation. Johnny followed me, hit me in the back of my head,
12 grabbed me by my hair again, got in front of me on the steps, and then dragged me by my hair up
13 the last few steps. At the top of stairs, Johnny shoved me twice, which made me fear I would fall.
14 I told Johnny that he had broken my wrist in an attempt to get him to stop.

15 25. Johnny kept hitting me, and each time he knocked me down, I chose to react by
16 simply standing up and looking him in the eye. Johnny responded by yelling, “Oh, you think
17 you’re a fucking tough guy?” He reeled back and head-butted me in my face, bashing my nose,
18 which immediately began bleeding, sending searing pain through my face. I instantly started
19 tearing up, and I thought that I would have to go to the hospital. I told Johnny I wanted to leave
20 him, and that I would call the police if he ever touched me again. When I began to walk away
21 toward the guest apartment, he responded by pushing me, then grabbed me and pulled me from
22 one room to the next, gripping me by my hair.

23 26. By the time Johnny had dragged me into the upstairs office, I told Johnny that I was
24 leaving him, since I could not put up with his behavior any longer. Johnny reacted by grabbing
25 me by my throat, pushing me down to the ground, and punching me in the back of my head. He
26 grabbed me by my hair, slapping me in the face, and screaming at me something like, “I fucking
27 will kill you – I’ll fucking kill you, you hear me?” There were chunks of my hair everywhere and
28 indentations in the carpet where I was dragged.

1 27. At some point, the fight continued onto a bed. Johnny got on top of me with his
2 knee on my back and the other foot on the bedframe, while repeatedly punching me in my head,
3 and he screamed—as loudly as I’ve ever heard him scream—“I fucking hate you” over and over
4 again. The bedframe splintered under the weight of the pressure of his boot. Johnny hit me with
5 his closed fists, and I remember being unable to hear myself screaming because he had pushed my
6 face into the mattress. I screamed as loudly as I could, hoping Johnny would realize he was
7 severely hurting me. For a while, I could not scream or breathe. I worried that Johnny was in a
8 blacked-out state and unaware of the damage he was doing, and that he could actually kill me. To
9 this day, I do not know how the fight ended. Attached hereto as Exhibit 12 are true and correct
10 copies of photographs of the hair he pulled out of my head and the bedframe he splintered during
11 the course of this violent episode.

12 28. The first thing I remember after the fight was Rocky coming into my room, and
13 screaming “Oh my god! Oh my god! Oh my god!” as she saw me. Together with Melanie, who
14 had also arrived, we called Erin Boeurum, a nurse, who instructed us on how to conduct a
15 concussion check over the phone. I had severe headaches and other pain for at least a week
16 afterward.

17 29. I later learned, that when Rocky and Melanie arrived, broken glass and chunks of
18 hair were strewn across the downstairs of the penthouse. True and correct copies of pictures of my
19 injuries from that occasion are attached hereto as Exhibit 13.

20 30. Johnny also had written a message on the countertop in our kitchen in gold sharpie
21 that said, “Why be a fraud? All is such bullshit.” A true and correct copy of a picture of that
22 message is attached hereto as Exhibit 14.

23 31. That night, I texted my publicist Jodi Gottlieb (who lives in Los Angeles) to let her
24 know that I had been badly injured, and that I might not be able to make an appearance on the Late
25 Show that was scheduled for the following day depending on the extent of my bruising. I told her,
26 “I had an accident tonight Jodi. I’m really bruised and might have a black eye or two tmrw – same
27 with my nose. . . . But won’t know how bad the bruising is until the morning.” I told Jodi that I
28 had had an accident because, like many who experience abuse, I was afraid of exposing this aspect

1 of my relationship with Johnny to her or the world. A true and correct copy of the text message I
2 sent Jodi is attached hereto as Exhibit 15 (my message in white, Jodi's in blue). I asked Melanie
3 and Rocky to help cover up the bruises, bleeding, and swelling so I could make it to the Late Show
4 appearance without exposing Johnny.

5 32. A day or two later, I went to Dr. Kipper's office to get a concussion check follow-
6 up examination. Lisa Beane, the nurse who saw me followed me out to the parking lot, and told
7 me that she recognized that I "was in trouble," and advised me to call her if I was attacked again.

8 33. Attached hereto as Exhibit 16 are text messages I exchanged with Rocky a few
9 days later, on December 20 and 21, 2015, in which we discussed the attack from the night of
10 December 15, 2015 (my messages are in white, hers are in blue).

11 **April 21, 2016, Los Angeles, California:**

12 34. On April 21, 2016, I was hosting my own 30th birthday party at our penthouse.
13 Johnny arrived to the party late and inebriated, and, after our guests had left, we started to fight.
14 During the course of that fight, Johnny threw a magnum-sized bottle of champagne against the
15 wall, and shattered a glass against the floor. Johnny grabbed me by the shoulders, pushed me onto
16 the bed, and blocked the bedroom door when I tried to leave. He grabbed me by my hair, and
17 violently shoved me to the floor. I later applied for a domestic violence restraining order, and
18 cited that incident as part of the reason I was afraid of Johnny. His lawyers later deposed me and
19 asked about that incident. Attached hereto as Exhibits 17, 18, and 19 are true and correct copies of
20 excerpts of the transcript of my deposition dated August 13, 2016, in which I previously testified
21 under oath about that incident. Attached hereto as Exhibits 20, 21, and 22 are true and correct
22 copies of the video excerpts of that deposition testimony.

23 35. Johnny and I did not speak for a month after my birthday. Nonetheless, during that
24 month, I found myself unable to sleep through the night because I was afraid that Johnny would
25 come home and instigate a fight. I even inquired about the possibility of having my locks changed
26 because Johnny and his team had keys to the house, and I never knew when—or in what state—he
27 would come home.

1 **May 21, 2016, Los Angeles, California:**

2 36. On May 21, 2016, Johnny and I met at our home in Downtown Los Angeles to
3 discuss our relationship. His behavior was erratic, and as I felt increasingly unsafe, I texted Josh
4 and Rocky—who lived next door—to have them come over. I also called our mutual friend iO
5 Tillet Wright to mollify Johnny. Johnny started to scream at iO over the phone, left to go upstairs,
6 then came back downstairs and grabbed my phone, threatening iO and calling him names. At
7 some point, iO yelled at me to “get out of the house.” When Johnny heard that, he wound up like
8 a baseball pitcher and threw the phone in my face, as hard as he could. I yelled, “You hit my
9 face,” and started to cry. I had been sitting on the couch, cross-legged, and Johnny grabbed my
10 hair and started to slap, shake and yank me around the room while I continued to scream. I was
11 questioned about this topic during my August 13, 2016 deposition. Attached hereto as Exhibits 23
12 and 24 are true and correct copies of excerpts of the transcript of my deposition dated August 13,
13 2016, in which I previously testified under oath about that incident. Attached hereto as Exhibits
14 25 and 26 are true and correct copies of the video excerpts of that deposition testimony.

15 37. Rocky had a key to our penthouse, and let herself in. When she entered, Johnny
16 noticed, turned, and let go of me, allowing me to retreat to the corner sofa. Both Johnny and
17 Rocky ran toward me at the same time. Rocky threw herself in between Johnny and me, and
18 raised her arms. Johnny ran into Rocky, and pushed her arms down. She calmly planted herself
19 and said, “Stop, Johnny.” Johnny grabbed Rocky’s arms again and threw them to her sides. I
20 collapsed onto the couch, with Johnny standing over me. Johnny repeatedly screamed at me, “Get
21 the fuck up, Amber.” I did not move, and Johnny got closer, screaming “Get the fuck up, Amber”
22 about 10 times. At some point, Rocky got between us, and placed her arms over me protectively.

23 38. The door opened and someone yelled, “Boss! Boss!” Jerry Judge and Sean Bett,
24 Johnny’s private security guards, came in. Johnny stood up and then I stood up. I ran to the
25 corner of the room and said, “Jerry, he hit me, if he hits me one more time I’m calling the police! I
26 will call the police!” At the time, I did not realize that iO had been on speakerphone since Johnny
27 had thrown my phone at my face. I later learned that, at some point, iO had hung up and called
28 911.

1 39. Johnny smashed various objects around the house with a wine bottle as he left.
2 Josh—Rocky’s fiancé—entered and told Rocky and me to stay in PH 1 (the neighboring
3 Penthouse Josh and Rocky lived in). Josh met Johnny in the hallway, where they squared off.
4 Johnny did not touch Josh. Instead, Johnny smashed more items in the hallway, spilled wine
5 everywhere, and kicked a hole in a solid door. Johnny then demanded to be let into PH 5, my
6 apartment where all of my belongings were at the time. Either Jerry or Sean opened the door,
7 despite my repeated requests not to let Johnny in due to his longstanding history of destroying my
8 possessions when he would get angry. After entering, Johnny destroyed everything he could and
9 chased Liz Marz out of the penthouse carrying a wine bottle. He also destroyed all of Rocky’s
10 beads (which she used in her work) that were supposed to be used in her show the next day.
11 Johnny’s security guards stood by the entire time. Attached hereto as Exhibit 27 is a true and
12 correct copy of an excerpt of the transcript of my deposition dated August 13, 2016, in which I
13 previously testified under oath about Sean and Jerry’s inaction. Attached hereto as Exhibit 28 is a
14 true and correct copy of the video excerpt of that deposition testimony. Attached hereto as Exhibit
15 29 are true and correct copies of photographs of the aftermath of Johnny’s destruction that night.

16 40. At some point during Johnny’s destruction, while I was hiding in PH 1, I called my
17 attorney, Samantha Spector, with whom I had been consulting about my situation with Johnny, to
18 ask for her advice. I was afraid to give the police a statement that would create an international
19 media incident for either Johnny or me, and my instinct was still to protect Johnny and our
20 privacy. When the police officers arrived, I told them “I decline to give any statement at this time
21 as per the advice of my counsel.” The officers repeatedly requested that I cooperate by providing
22 a statement so that they could take action, but I declined. They did, however, conduct a search of
23 the apartments, which they insisted was necessary in order to ensure my safety. Attached hereto
24 as Exhibit 30 is a true and correct copy of an excerpt of the transcript of my deposition dated
25 August 13, 2016, in which I previously testified under oath about that interaction. Attached hereto
26 as Exhibits 31 is a true and correct copy of the video excerpt of that deposition testimony.

27 41. During this time, I also texted Melanie. Attached hereto as Exhibit 32 is a true and
28 correct copy of the text exchange between us that night (my messages in white, hers in blue).

1 42. Attached hereto as Exhibit 33 are true and correct copies of photographs of the
2 injuries I sustained on May 21, 2016, which were taken between May 21 and May 28, 2016.

3 **May 27, 2016, Los Angeles, California:**

4 43. After the May 21, 2016 attack, I resolved to leave Johnny for good. I filed a
5 request for a domestic violence restraining order in Los Angeles Superior Court. Attached hereto
6 as Exhibit 34 are true and correct copies of the Application for Domestic Violence Restraining
7 Order, the Declaration of Amber Laura Depp, the Declaration of Raquel Rose Pennington and the
8 exhibits thereto, and the Declaration of Samantha F. Spector, Esq. Re Ex Parte Notice and In
9 Support Of Petitioner Amber Laura Depp's DVRO Request, all of which were filed on May 27,
10 2016.

11 44. On May 27, 2016, I appeared in Court for a hearing on my request for a domestic
12 violence restraining order. At that time, I was still bruised following Johnny's violent attack six
13 days prior. The Court granted the domestic violence restraining order against Johnny. Attached
14 hereto as Exhibit 35 is a true and correct copy of the Court's Notice of Hearing and Temporary
15 Restraining Order filed on May 27, 2016.

16 **June 2016, Los Angeles, California:**

17 45. In June of 2016, the media began reporting that there were individuals who claimed
18 to have witnessed me between May 21, 2016 and May 26, 2016, and claimed that I did not appear
19 to have been injured. Others claimed that my injuries were faked based on photographs I had
20 taken, in which my bruises had been deliberately covered using my hair. Of course, as I already
21 mentioned, other photographs that were taken of me during that time period show my injuries.
22 Likewise, multiple people I saw at personal and private events noticed my injuries and inquired
23 whether they could help, but also told me they could not comment publicly because they had
24 reason to fear that they would lose their job or livelihood if they cooperated with me.

25 46. As part of Johnny's defense in my divorce lawsuit, his lawyers claimed that I was
26 arrested for a domestic physical altercation with my former wife, Tasya van Ree. That account
27 was deliberately misleading, since the police released me with no charges ever being brought. Ms.
28 van Ree has publicly contradicted the media reports generated by Johnny's team, and said, "In

1 2009, Amber was wrongfully accused for an incident that was misinterpreted and over-
2 sensationalized by two individuals in a power position. I recount hints of misogynistic attitudes
3 toward us which later appeared to be homophobic when they found out we were domestic partners
4 and not just 'friends.' Charges were quickly dropped and she was released moments later. It's
5 disheartening that Amber's integrity and story are being questioned yet again. Amber is a brilliant,
6 honest and beautiful woman and I have the utmost respect for her. We shared 5 wonderful years
7 together and remain close to this day." A true and correct copy of a June 8, 2016 article that
8 appeared on E! Online recounting Ms. van Ree's statement is attached hereto as Exhibit 36.

9 47. On June 6, 2016, iO Tillet Wright—who was on the phone with Johnny and me
10 during the May 21, 2016 fight and called 911—reacted to one of these media accounts on Twitter.
11 iO's Twitter handle is "iOlovesyou." Attached hereto as Exhibit 37 are true and correct copies of
12 the five tweets iO posted on June 6, 2016.

13 48. On June 13, 2016, iO filed a declaration with an accompanying exhibit. Attached
14 hereto as Exhibit 38 is a true and correct copy of the Declaration of iO Tillet Wright and the
15 exhibit thereto.

16 **January 13, 2017, Los Angeles, California:**

17 49. After I obtained the restraining order against Johnny, we proceeded to dissolve our
18 marriage. A true and correct copy of the Stipulated Judgment of Dissolution of Marriage, entered
19 on January 13, 2017, is attached hereto as Exhibit 39.

20 **December 2018, Los Angeles, California:**

21 50. Following my highly-publicized separation from Johnny, I read accounts in the
22 media referring to me as a victim of domestic violence. In response, many people called me a liar
23 (without ever hearing my story). I was dropped from a global fashion brand's upcoming
24 campaign. I lost a part for a movie in which I had already been cast. People I have never met or
25 spoken to threatened me with violence. I received so many death threats I had to change my
26 phone number on a near-weekly basis.

27
28

51. People accused me of having abused Johnny. That simply is not true. I never attacked Johnny other than in self-defense (and in defense of my little sister). I have never physically abused anyone. I know what that does to people.

52. Instead, I have attempted to promote good in the world and to advocate an end to domestic violence. I have sought to use my public persona to speak out on an issue that was extremely meaningful to me and millions of other women and men every year. I have spoken out about violence in public, but I have always avoided specifically referencing Johnny, or recounting his violence against me, not only because I wanted to move past that phase of my life but also because I was constrained by the terms of a strict confidentiality agreement that Johnny had insisted upon as part of our divorce settlement.

53. In early December 2018, while working with the American Civil Liberties Union as the ACLU Ambassador for Women's Rights, I learned of an opportunity to write an Op-Ed about women's rights issues. I agreed to do so.

54. I wrote the Op-Ed in Los Angeles, California, and submitted it to the Washington Post through my contact at the ACLU, who was based in New York. The Op-Ed was published on December 18, 2018.

55. I do not believe I ever even spoke to an editor for the Washington Post, nor did I ever travel to Washington, D.C. or Virginia in connection with the Op-Ed. I never knowingly contacted any employee of the Washington Post who worked from the Washington Post's Virginia office. Nor did I discuss with any Washington Post employee whether or not the Op-Ed would be published in any particular metro edition of the newspaper.

56. To the best of my knowledge, I have never traveled to Virginia in my life.

Executed this 10 day of April 2019, at Los Angeles, California.

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



Amber Laura Heard

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Custodian	Messages	Attachments	Start	End	Time Span
Amber Heard	5	0	3/12/2015 5:52:18 PM	3/12/2015 7:06:26 PM	0:01:14:08

	Contact Info	Short Name	Messages	Attachments
Participant #0	[REDACTED] A H	A H	2	0
Participant #1	[REDACTED] Josh	Josh	3	0

03/12/2015 (Thursday)

FA24_00278201 A H Hey there -- I just wanted to say thank you for sharing Rocky with me so much the past few days. I have been going through a really tough time - unbearably rough at times- and wouldn't be able to get through it without her. And I know it has been taking time from you... Im so sorry for that. I want you to know how much that means to me. And how much I appreciate you being so fucking generous and supportive and sweet.. it's not lost on me. Thank you so much from the bottom of my heart. 5:52:18PM

FA24_00278202 Josh Think nothing of it sweetie. I know how important the two of you are to each other, and I'd never stand in the way of that, especially when one of you needed the other as I'm sure you do right now. 6:09:04PM

FA24_00278203 Josh If we don't take care of each other, who will? 6:09:04PM

FA24_00278204 A H thank you so much. there are no words to describe how thankful I am for both of you. she literally saved me last night. and I know that's your time and your life too and I just can't thank you enough for allowing me to poach the one thing that can help me, from you. Im sorry for that. I'll make it up to you, I promise! 6:40:28PM

FA24_00278205 Josh Nothing to make up for, I'm serious. Don't worry about it for a second. 7:06:26PM

EXHIBIT 8

Joshua Drew

11/19/19

Michelle Bulkley, CSR 13658

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E361

Custodian	Messages	Attachments	Start	End	Time Span
- Amber Heard	22	1	1/13/2015 9:03:44 PM	1/13/2015 9:42:08 PM	0:00:38:24

	Contact Info	Short Name	Messages	Attachments
Participant #0	[REDACTED] A H	A H	11	0
Participant #1	[REDACTED] Josh	Josh	11	1

01/13/2015 (Tuesday)

FA24_00278166 Josh Hey lady, I'm going to make us some dinner when I get back from the airport. You or JD interested in joining us? 9:03:44PM

FA24_00278167 A H Duh 9:35:44PM

FA24_00278168 Josh Get the fuck out of here! That's awesome 9:37:52PM

FA24_00278169 Josh No problem. we'll bring it over when it's ready 9:37:52PM

FA24_00278170 A H But Johnny is getting my tattoo tonight at the house 9:37:52PM

FA24_00278171 A H 9:30 would be prefect because it gives j and I time to talk- otherwise know as me threatening his life if he misbehaves while I'm gone 9:40:00PM

FA24_00278172 Josh I think 9:30-ish for dinner probe 9:40:00PM

FA24_00278173 Josh We'll keep an eye on him 9:40:00PM

FA24_00278174 Josh probs* 9:40:00PM

FA24_00278175 Josh I'm picking her up around 8 or so 9:40:00PM

FA24_00278176 A H J and I have to have a little talk tonight when we get home. Probably til like 8, and then we're cool. Rock gets in at 930 right ? you guys want to come over after that and hang and eat and drink ??? 9:40:00PM

FA24_00278177 A H Perfect 9:42:08PM

FA24_00278178 Josh I'll bring them just in case 9:42:08PM

FA24_00278179 A H Good man 9:42:08PM

FA24_00278180 A H Hahahhaha 9:42:08PM

FA24_00278181 A H So pretty 9:42:08PM

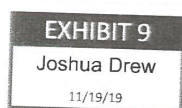
FA24_00278182 A H Oh no. That'd be far too easy 9:42:08PM

FA24_00278183 Josh Oh Amber, you don't use it, you just show them to him 9:42:08PM

FA24_00278184 Josh ATTACHED FILE OR LINK 9:42:08PM

FA24_00278186 A H I guess I could reconsider 9:42:08PM

FA24_00278187 A H Wow 9:42:08PM



Michelle Bulkley, CSR 13658

260
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FA24_00278188 Josh

I have a giant new knife you can borrow if you like 9:42:08PM

261
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262
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EXHIBIT 14

EXHIBIT 10

Joshua Drew

11/19/19

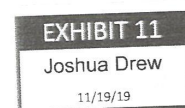
Michelle Bulkley, CSR 13658

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EXHIBIT 13



Michelle Bulkley, CSR 13658

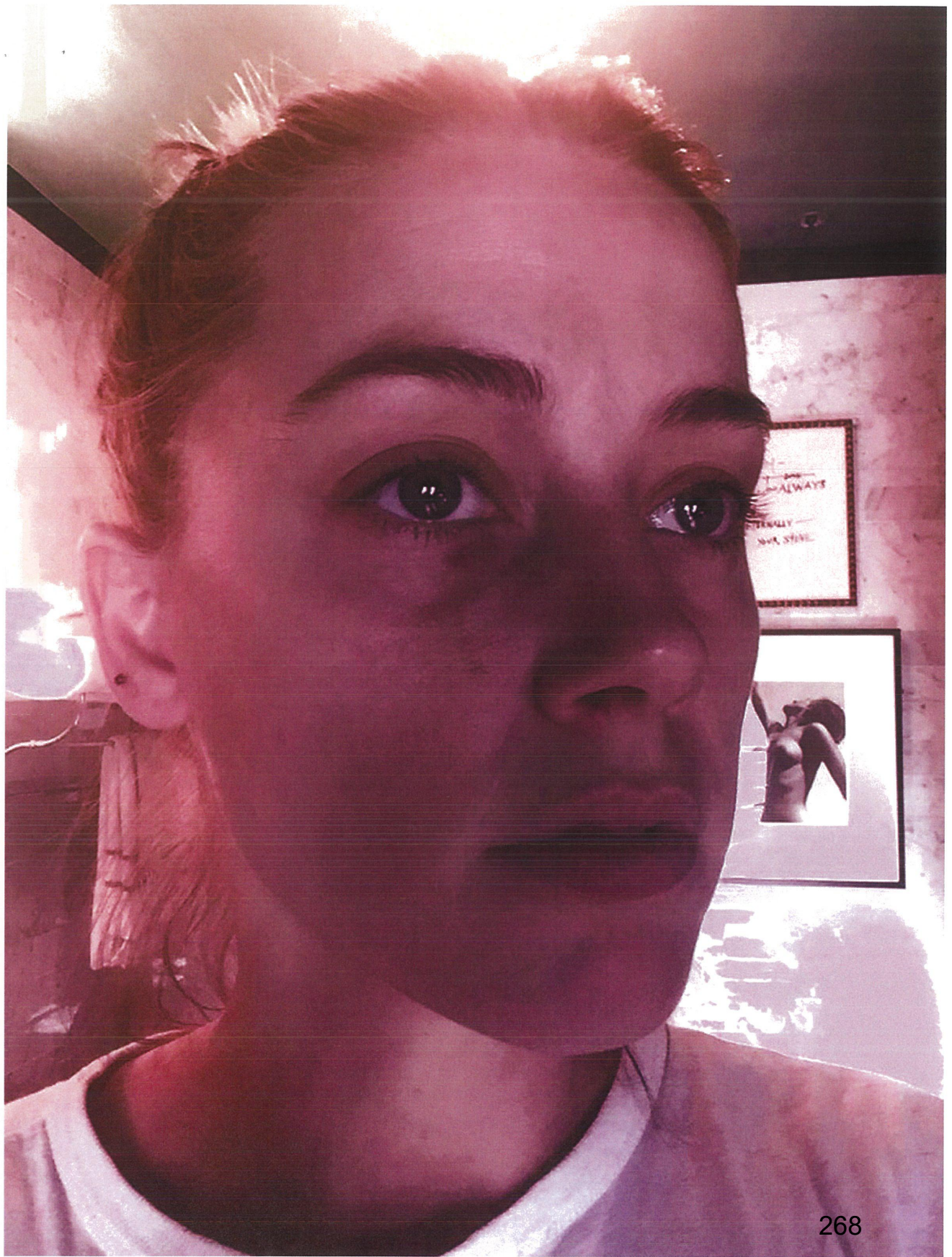
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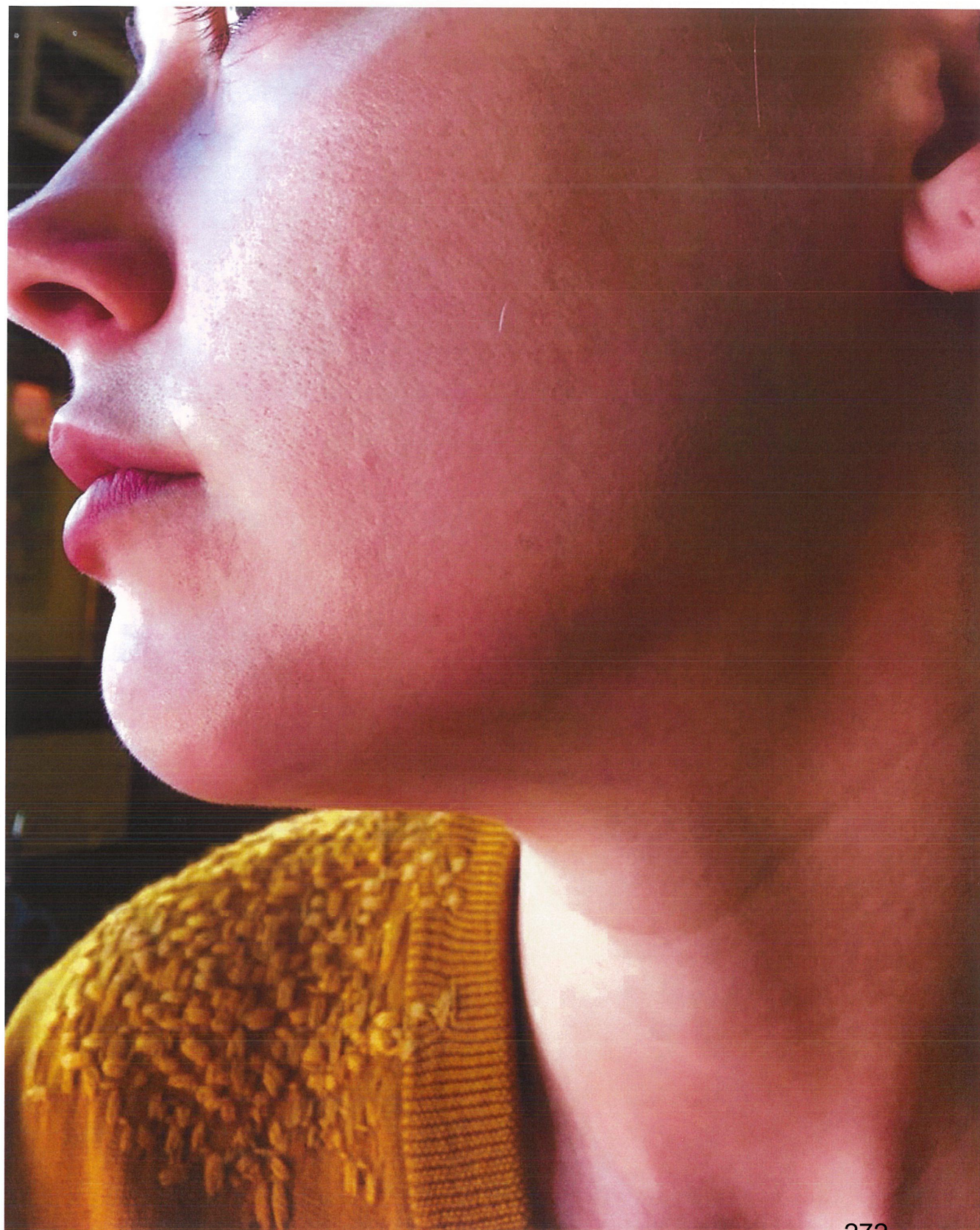
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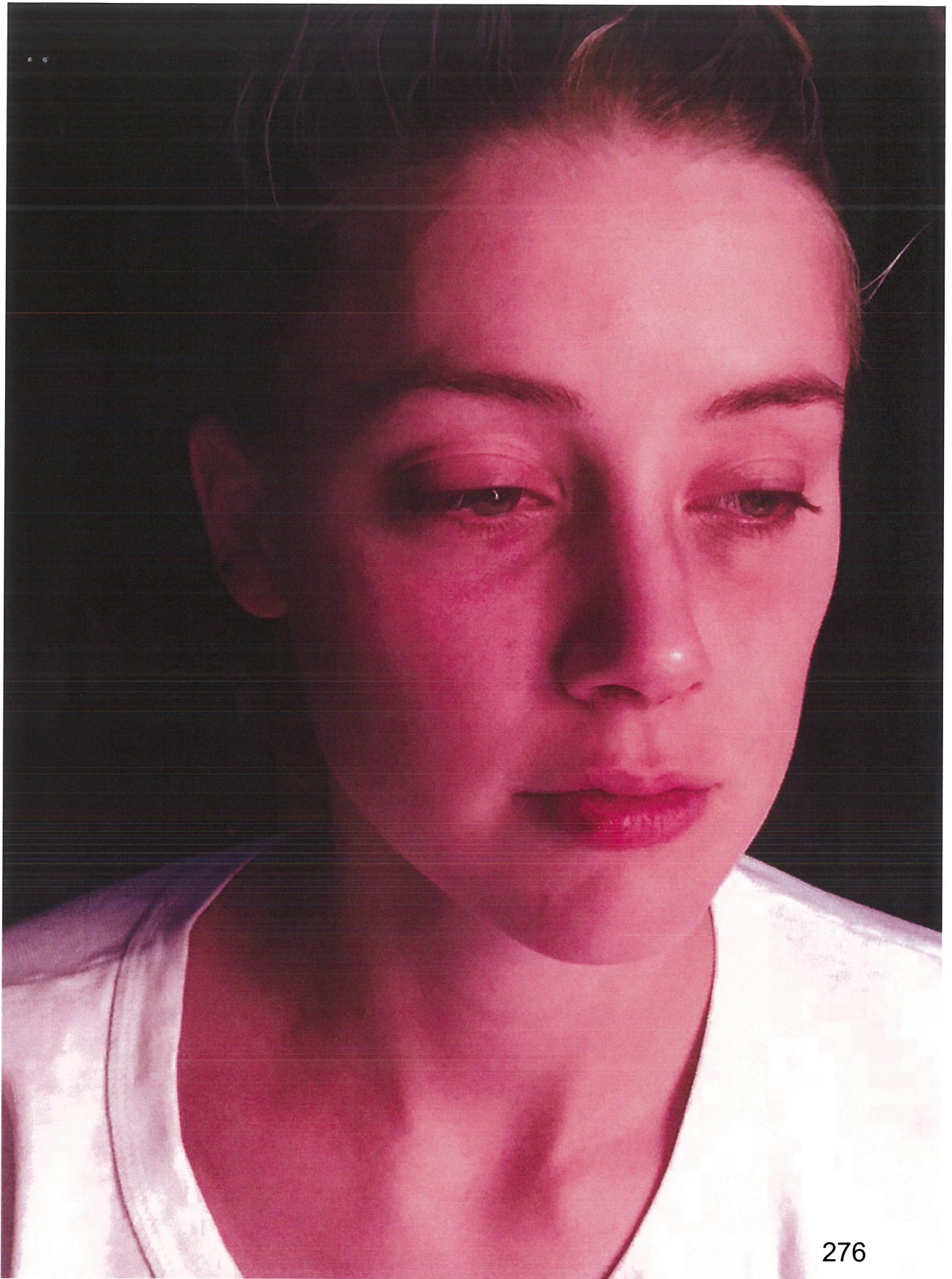
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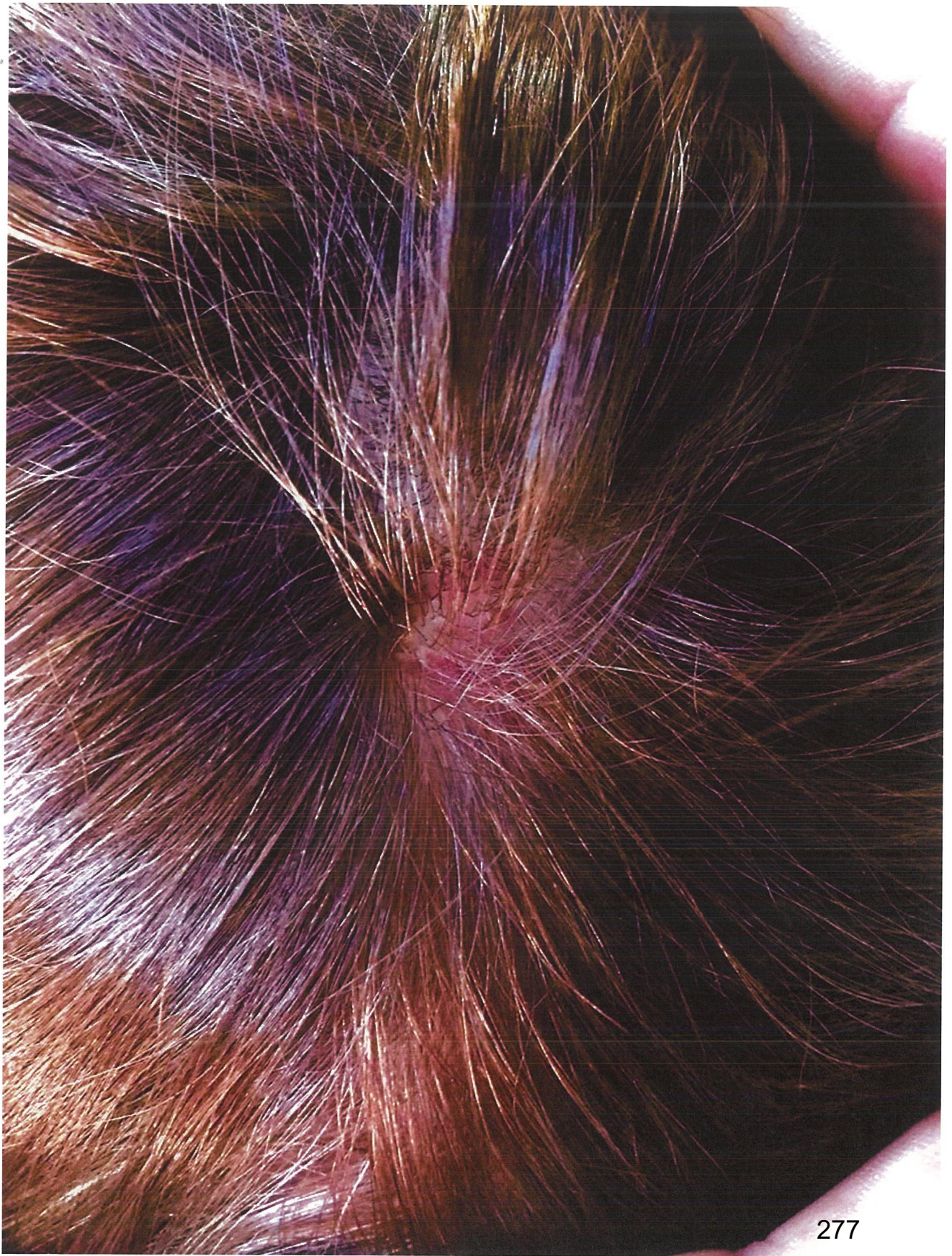


EXHIBIT 12



Michelle Bulkley, CSR 13658

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EXHIBIT 13

Joshua Drew

11/19/19

281

File Bulkley, CSR 13658

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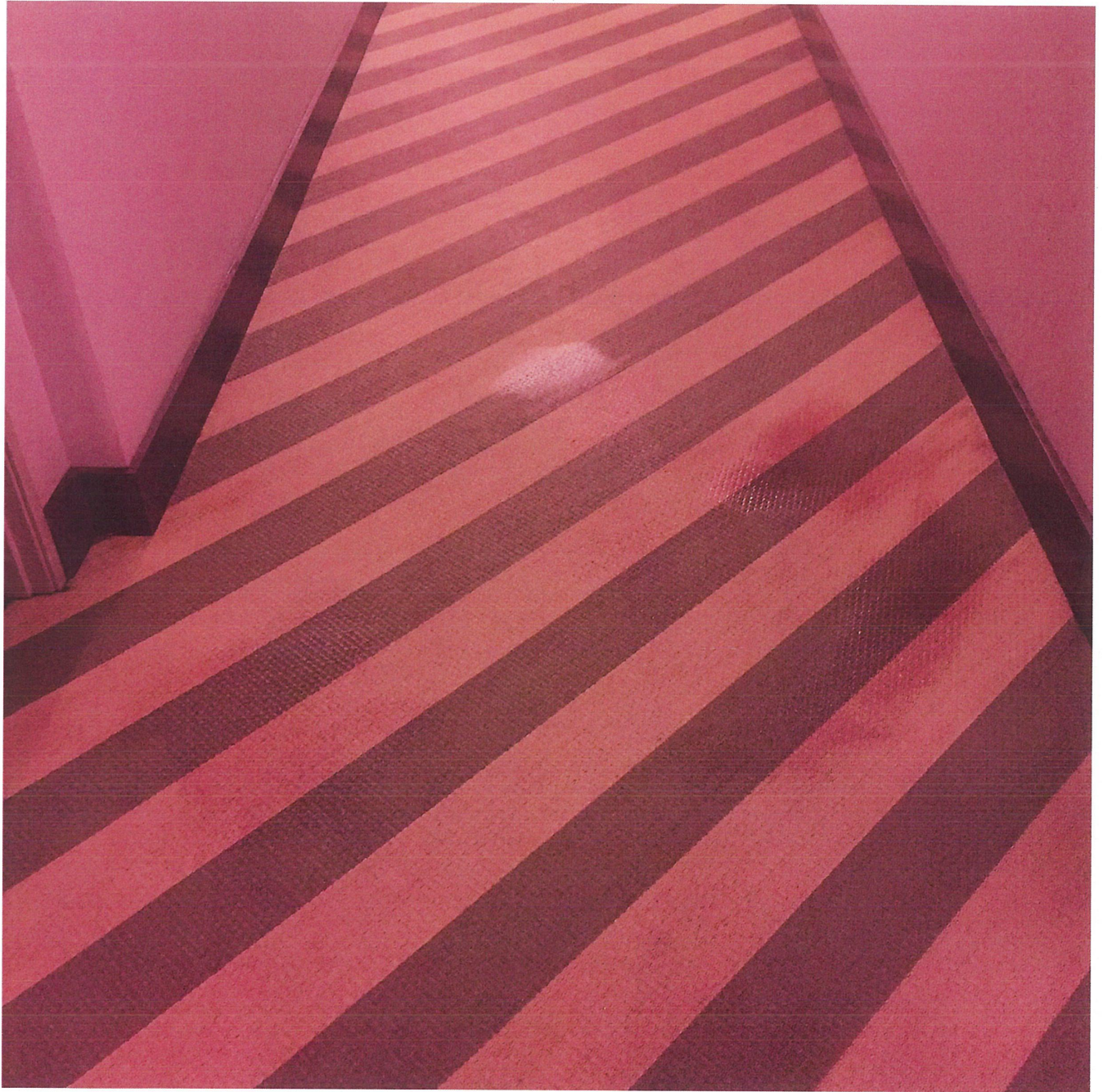
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ALH 00000501
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AHA2980000025



EXHIBIT 15

Joshua Drew

11/19/19

Michelle Bulkley, CSR 13658

299



From: Joshua Drew <[REDACTED]>
To: Amber
Sent: 5/22/2016 9:43:38 PM
Subject: Statement from JD & RP
Attachments: JD Statement.docx; RP Statement.docx

EXHIBIT 16

Joshua Drew

11/19/19

Michelle Bulkley, CSR 13658

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The purpose of this document is to describe, in the best possible manner, my description of events I was directly witness to on the evening of Saturday, May 21.

At 8:06PM, Amber sent a text to Raquel asking her to come over to PH3, where she was engaged in conversation with her husband, Johnny. I was in PH5 with Liz, waiting for them to complete the conversation. Approximately 15 minutes later, we heard Johnny shouting, and saw (through the peephole) both of his security team rush over in the direction of PH3. We heard him continue to shout, as well as what sounded like banging on the walls (which was confirmed with the dents and scratches on the doors, as well as the wine spilled all over the hallway).

During this, I locked the door to PH5 (we left the doors unlocked to let the girls freely travel from apartment to apartment throughout the day). I heard Johnny come up to the door and shout at his security to "open this fucking door, let me in this fucking place." Which they did without hesitation. He walked in and immediately started screaming at me. I can't remember exactly what he was saying, but it was a reputation something along the lines of: "Get the fuck out of my house," "You motherfuckers fucking sold me out," so on and so forth. The whole time, no more than 6" from my face, spitting in my face the whole time. I didn't respond in any way, rather, calmly made my way to the door. I had forgotten my keys, so I turned around to grab them. He followed me every step of the way throughout, screaming and spitting in my face. I did not see where Liz went to, as I thought she was right behind me. He made a beeline to go right at her, and she ran away.

After I had left, I heard him screaming and smashing things inside the apartment as I made my way over to PH3 to check on Raquel & Amber, during which they relayed what had occurred. I moved them over to our apartment PH1, and dead-bolted the door until we were certain he had left. I kept them inside PH1, and went down to the garage to confirm their departure.

At 8:46PM, I started getting calls from his head of security, Jerry, as Johnny had left his phone there, and Jerry wanted me to bring it down for him to pick up. I told him not to pull into the complex, and that I would meet him at the front door. We had a verbal confrontation in the process of handing off the phone, which I can provide further detail should the need arise.

I declare under penalty of perjury that the foregoing is true and correct. Executed on Sunday, May 22.

The purpose of this document is to describe, in the best possible manner, my description of events I was directly witness to on the evening of Saturday, May 21.

At approximately 7:15, Amber informed me that her husband Johnny would be coming over shortly to pick up a few of his personal effects & discuss their current situation.

At 8:06PM I received a text from Amber asking me to come over to PH3 right away.

At 8:09PM I texted back to confirm she needed me immediately.

At 8:11PM I knocked on the door. The door was locked so I went back, grabbed my keys, knocked again, heard Johnny yelling. I immediately unlocked the door and came in to see him standing in the kitchen area. I asked if everything was ok, to which Amber replied "No. Help me."

Johnny had a magnum of wine in his hand, and told me to leave. I looked at Amber holding her face & her head, and she then told me that he threw her phone at her and hit her, and to please help her. He proceeded to argue, deny any and all wrongdoing, all while continuing to move closer to Amber. I stepped in front of him to shield her from him and put my hands on his chest, telling him to "stay away from her." To this, he replied "get your fucking hands off me." He then proceeded shoved my hands out of the way, which I then put back on his chest. He shouted "Oh you want to be fucking tough now, where's your fucking bearded boyfriend, you've got what you want, you've got her to yourself." He then backed away, saying "the DNA test will prove it, We Will Find Out who did this." He walked over to the kitchen area to grab his bag

I then went over to the couch to console Amber, who curled up in my arms, saying "I didn't do anything, I just called lo to confirm the story, I didn't do anything." While holding her on the couch, he starts yelling unintelligibly, ranting obscenities & random accusations specifically at Amber throughout. He grabs his bag & the wine, makes to leave, then turns around and comes back towards us, walks right up in front of us (still on the couch), states "Amber, get up," repeatedly, at least 10 times. All the while, no more than a foot away from us, with me still cradling her. At this point his security, Jerry & Sean came in. As soon as they come in, he retreated away, about 15 feet. Amber got up to head towards the bathroom, telling Jerry that if he "hits me one more time I'm calling the cops." Johnny denied that he had struck her. He said that he had "thrown her phone at her, and that's what she's accusing me of." Amber then repeated what she had said before "I didn't do anything, if he hits me one more time I'm calling the cops."

He then went into the kitchen area and started smashing things at random. His security did nothing but stand behind him. No effort was made to restrain him, no acknowledgment was made of the abuse, nor did they make any verbal effort to try and diffuse the situation or get him to walk away. He then stormed out of the apartment, screaming unintelligibly.

That was the last I saw of him that evening. I heard him yelling and breaking things for the next 15-30 minutes in the hallway and other apartments. When I went to find Amber's phone and purse in PH3 and PH5, still not knowing if he was on the premises, I discovered broken belongings. This included my art that had been thrown against the wall, Amber's office that had been ransacked, framed photos that had been smashed and glass broken, and art that had been taken from the wall and left on the bed in Amber's room.

In the public hallway there were puddles of spilled wine on the floor and splashed on the walls, and dents in the doors.

Amber was in my apartment (PH1) when the police arrived. To my knowledge he had already vacated the premises.

I declare under penalty of perjury that the foregoing is true and correct. Executed on Sunday, May 22.

304
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849 S Broadway

Permit Application #: 08016 - 10000 - 02058

Bldg-Alter/Repair

City of Los Angeles - Department of Building and Safety

Plan Check #: B08LA01065

Apartment

Initiating Office: METRO

Plan Check

PLOT PLAN ATTACHMENT

Printed on: 02/11/08 13:56:58

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)

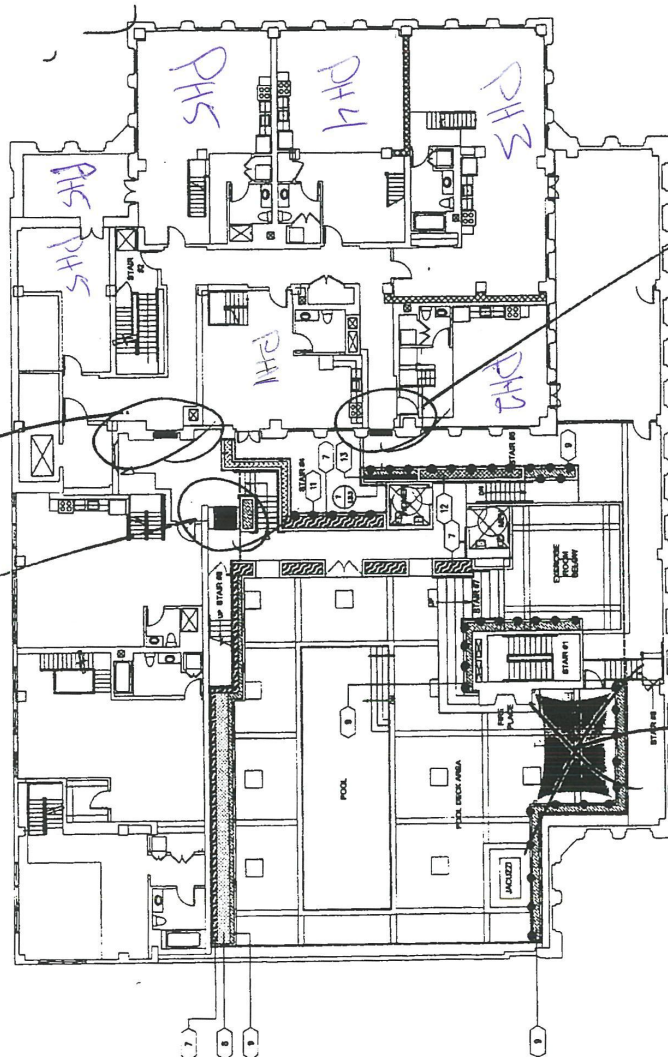


EXHIBIT 17

Joshua Drew

11/19/19

Michelle Bulkley, CSR 13658

COUNCIL DISTRICT: 14

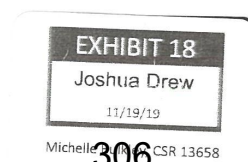
INSPECTION DISTRICT: BIGIM3

PLOT PLAN ATTACHMENT

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305

EXHIBIT 9



[< Messages \(10\)](#)

Kevin

[Details](#)

Mar 23, 2015, 06:57

Good morning, sir... So...um....
Johnny destroyed Amber's closet.
And there's some other damage to
PH5.....

You're the lucky person I should talk
to about that - correct?

I suppose so... I'm up

Insanity. Just, fucking insanity.

Mar 23, 2015, 08:35



iMessage

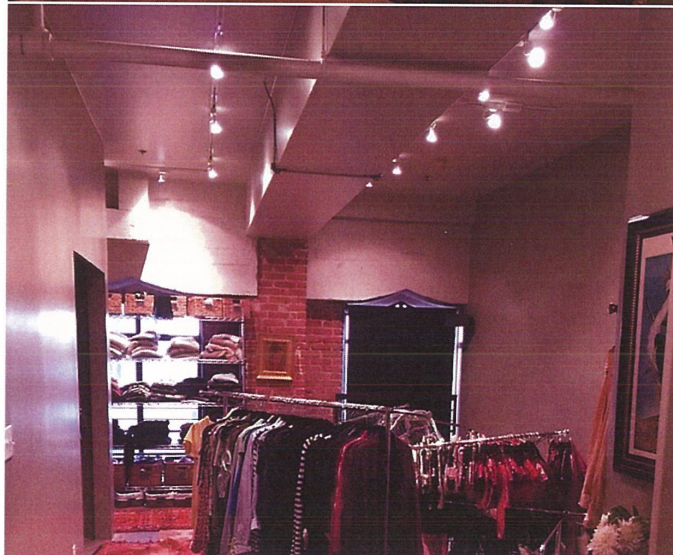


307

← Messages (10)

Kevin

Details



iMessage



308

●○○○○ AT&T

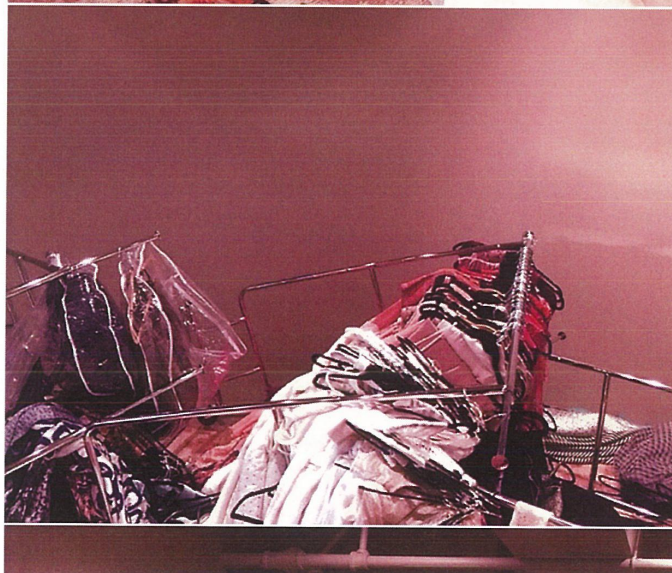
18:42



< Messages (10)

Kevin

Details



iMessage



309

●○○○○ AT&T

18:42



< Messages (10)

Kevin

Details



iMessage



310

< Messages (10)

Kevin

Details



Juuuuuuust to give you an idea

Be down later. I'll call you.



iMessage



311

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

DECLARATION OF JOHN CHRISTOPHER DEPP, II

I, John Christopher Depp, II, declare as follows:

1. I am a party in the above-entitled action. I have firsthand, personal knowledge of the facts set forth below and if called as a witness could competently testify thereto.

2. Ms. Heard's fabricated domestic violence allegations against me are categorically and demonstrably false. I have denied Ms. Heard's allegations vehemently since she first made them in May 2016, when she walked into court to obtain a temporary restraining order with painted-on bruises that witnesses and surveillance footage show she did not possess each day of the preceding week. I will continue to deny them for the rest of my life. I never abused Ms. Heard or any other woman.

3. I am bringing this lawsuit not only to clear my name and restore my reputation, but to attempt to bring clarity to the women and men whose lives have been harmed by abuse and who have been repeatedly lied to by Ms. Heard purporting to be their spokesperson. Fortunately, there is now clear evidence from over two dozen objective third parties, including police officers, former employees and neighbors of Ms. Heard's, and 4 Eastern Columbia building personnel, supported by 87 surveillance camera videos and other written and

photographic that directly refute Ms. Heard's domestic violence allegations against me and other false assertions. The appearance of new evidence not previously in my possession was the impetus for my bringing this lawsuit because, after years of asserting my innocence, I am finally in a position to prove it by dismantling each element of her hoax. I set forth this evidence in detail below.

4. When confronted with direct evidence that exposes her domestic violence claims as a poorly executed yet surprisingly effective hoax, Ms. Heard responded by weaving more fantastical lies to prop up her false narrative that she is a domestic violence victim. Those lies too cannot withstand scrutiny and clear evidence. Ms. Heard's false narratives are dependent on the "evidence" of her word and that of her perjurious, co-conspirator friends who have chosen to assist her in her hoax. Those lies are internally inconsistent, shifting, and directly contradicted by overwhelming sworn testimonial, photographic, audio, video, and other evidence. And Ms. Heard has a documented history, of which I will submit evidence herein, of violence against men and women, of lying to courts and government agencies, and of suborning and attempting to suborn the perjurious testimony of third parties to deliver to courts.

5. Notwithstanding Ms. Heard's false domestic abuse allegations about me, there was actual, documented domestic violence in our relationship: she was the perpetrator, and I was the victim. While mixing prescription amphetamines and non-prescription drugs with alcohol, Ms. Heard committed innumerable acts of domestic violence against me, often in the presence of third party witnesses, which in some instances caused me serious bodily injury. Multiple of these commissions of violence against me she has even admitted to under oath. Multiple episodes of her violence against me are documented and supported by objective evidence, which I set forth below.

Ms. Heard's Well-Documented History And Prior Arrest For Domestic Violence

6. Ms. Heard was arrested in Seattle-Tacoma International Airport in 2009 after police officers observed her committing domestic violence against her then-wife Tasya Van Ree. Ms. Heard's wife asked police to arrest Ms. Heard. The King County prosecutor declined to charge Ms. Heard only because neither she nor her victim were residents of King County, Washington, but not before Ms. Heard spent a night in jail and appeared before a judge in court. Ms. Heard lied about this domestic violence incident under oath, saying "it was a trumped up charge and it was dropped immediately for being such." Ms. Heard also subsequently tried to minimize this arrest for domestic violence to the media, claiming that the police officers were "homophobic" and "misogynists." In fact, the arresting officer was a female, self-described lesbian activist who has publicly disputed Ms. Heard's claims about the circumstances of her arrest. See <https://www.tnz.com/2016/06/07/amber-heard-domestic-violence-arrest-partner-tasya-van-ree/>; see also <https://people.com/movies/amber-heards-arresting-officer-speaks-out-i-am-so-not-homophobic/>

7. Throughout our relationship, Ms. Heard also committed domestic violence against me. She hit, punched, and kicked me. She also repeatedly and frequently threw objects into my body and head, including heavy bottles, soda cans, burning candles, television remote controls, and paint thinner cans, which severely injured me. As part of our divorce case, Ms. Heard was deposed on or about August 13, 2016. Ms. Heard admitted to some of these acts of violence against me in her deposition, although in the cherry-picked, sworn deposition snippet she submitted to this court, she also contradicted her own sworn admissions and further perjured herself by saying she only committed violence against me one single time. Excerpts of Amber

Heard's depositions are attached here as Exhibit A. Ms. Heard also admitted under oath to throwing a can of paint thinner into my head in front of witnesses:

Q: Isn't it true, Ms. Heard, that in front of two different employees at the island you threw the paint thinner and hit him in the head on December 15th?

...

A: Oh, that's true... Exhibit A.

8. There also is an audio recording in which Ms. Heard admits to and apologizes for kicking a door into my head and punching me in the face. After first denying these acts of violence under oath in her deposition, Ms. Heard was forced grudgingly to concede that she did perpetrate the violence against me that she can be heard admitting to only after being confronted with the audio recordings of her confession and apology. Excerpts of Amber Heard's depositions are attached here as Exhibit A.

9. Many people who worked for Ms. Heard and me during our marriage also observed firsthand her violence against me or observed me with injuries that she inflicted upon me immediately after the fact, which in some instances they felt compelled to document by taking photographs of my injuries. Many of them have provided sworn statements attesting to the violence they witnessed Ms. Heard commit against me.

10. Attached here as Exhibit B is a photograph of me with a black eye caused by Ms. Heard punching me in the face on or about April 22, 2016. This photograph was taken by my bodyguard Sean Betts, who is a former 18 year veteran of the LA Sherriff's Department, on April 22, 2016.

11. Attached here as Exhibit C are three photographs of me with scratches on my cheek, chin and nose from an incident that took place on December 15, 2015. These

photographs were taken by Sean Bett at his insistence. Following a pattern she deployed throughout our relationship, Ms. Heard later perversely claimed it was I who committed violence against her on December 15, 2015, splitting her lip, bashing her in the nose so hard it nearly broke, blackening both her eyes and beating her so violently that she claimed I broke the bed in the process. Her account is disputed by multiple witnesses who each provided sworn testimony that they engaged face to face with a makeup-free and clearly uninjured Ms. Heard the following day, December 16, 2016, immediately prior to her appearance on the "James Corden" show, which can also be viewed to see the severe injuries she claims are a lie. These witnesses include Ms. Heard's own stylist Samantha McMillen, who also testified to witnessing Ms. Heard visibly uninjured on other occasions when Ms. Heard claimed I had beaten her.

12. One of Ms. Heard's attacks caused me grave bodily injury. While I was in Australia filming a movie approximately one month after I married Ms. Heard, on a day where my then-lawyer tried to discuss with Ms. Heard the need that she sign a post-nuptial agreement with me, she went berserk and began throwing bottles at me. The first bottle sailed past my head and missed, but then she threw a large glass vodka bottle. The bottle struck the marble countertop where my hand was resting and exploded. The projectile's impact shattered the bone in my finger and entirely severed the tip of my finger. Attached as Exhibit D is a photograph of my finger. I had to have 3 surgeries to reconstruct my finger and contracted MRSA three times. I feared that I would lose my finger, my arm, and my life.

13. To conceal the fact that her domestic violence against me caused me grievous bodily injury, Ms. Heard has concocted various, shifting, false stories claiming that I cut off my own finger. First, in the midst of our divorce case, Ms. Heard caused to be leaked to the media a fake story that I cut off my finger by punching a hole in a wall. Now, Ms. Heard has crafted a

new, but equally fake, story that I cut off my finger by smashing a plastic phone to smithereens while violently beating her in a "three-day ordeal." Neither of these stories is true. I did not beat Ms. Heard in Australia at any time; nor did I cut off my own finger and shatter the bones. The truth is that Ms. Heard threw a glass vodka bottle at me, and the bottle smashed on the marble countertop where my hand was resting. The impact and the broken glass shattered the bone and cut off the end of my finger. To cover for Ms. Heard, I told the emergency room doctor that it happened in "an accident." The doctor knew better, and told me: "this is a wound of velocity."

14. Unfortunately, Ms. Heard's pattern of violence and abuse extends beyond me. Several women who have been in a relationship with Ms. Heard have come forward to share their personal experiences of brutal violence and other abuse at the hands of Ms. Heard. My advisors have and continue to interview these victims, who remain deeply fearful of Ms. Heard, and to collect evidence from these victims.

15. On May 21, 2016, I went to a penthouse in the Eastern Columbia Building that I owned and shared with Ms. Heard. We had not spoken for a month.

16. Our last interaction had been at my penthouse on April 21, 2016, and involved an enraged Ms. Heard physically attacking me because I was late to her birthday dinner that I threw for her and her friends. My lateness had been due to an important business meeting, of which Ms. Heard was aware. Among other violent acts, Ms. Heard punched me repeatedly in the face as I lay in bed reading after the party, leaving me with an egg shaped swelling under my left eye. A photograph of my injured face following her April 21, 2016 attack is attached as Exhibit B. This photograph was taken by Sean Bett on April 22, 2016 after I returned to my West Hollywood home.

17. After I removed myself from Ms. Heard's presence in the penthouse on April 21, 2016, the following morning Ms. Heard or one of her friends defecated in my bed as some sort of a sick prank before they left for Coachella together. Indeed, our Estate Manager Kevin Murphy told me (and later testified under oath) that Ms. Heard admitted to him that the feces was "just a harmless prank." As a result of the years of domestic abuse I had suffered at the hands of Ms. Heard—most recently the April 21 physical attack and defecation on my bed sometime before she and her friends left the next morning—I resolved to divorce Ms. Heard. I went to pick up my things on May 21, 2016, and also resolved to tell her that I was divorcing her. I arrived at the penthouse in the early evening, and brought my two security guards Jerry Judge and Sean Bett as a precautionary measure, asking them to wait just outside the door of penthouse 3. It appeared that Ms. Heard was alone in the penthouse, although according to witness interviews, she was not. Her friend Raquel Pennington was hiding somewhere in the penthouse, although Ms. Pennington later falsely testified that she was summoned by Ms. Heard by text to Penthouse 3 at 8:06 PM, one of their many concocted lies. After I entered and went upstairs to collect personal belongings, Ms. Heard and I called our then-Estate Manager Kevin Murphy together and I asked Mr. Murphy to repeat to Ms. Heard what he had told me about her admission that the defecation in my bed was "just a harmless prank." Upon hearing Mr. Murphy's recount her admission, she went berserk and started screaming and cursing at Mr. Murphy, prompting Mr. Murphy to ultimately hang up the phone. Before he hung up, I told Ms. Heard that I intended to divorce her. She insisted on calling her friend iO Tillett Wright, who had been living rent-free in my properties for years, to try to explain away the feces that she left in my bed.

18. Ms. Heard put iO Tillett Wright on speakerphone. I had no interest in speaking with Mr. Tillett Wright. Nevertheless, both iO Tillett Wright and Ms. Heard had their chance to

badger me, mock me and deny the defecation incident (of which there were multiple sworn eyewitnesses and photographs) as a figment of my imagination. Hearing enough, I took the phone from Ms. Heard. I said into the phone to iO Tillett Wright: "I don't care, it's over." I flipped the phone onto the sofa, and it landed about 4 feet away from where Ms. Heard was sitting. And indeed, even Ms. Heard admitted this occurred in just this way, testifying "he, you know, like tossed it [the phone] on -- in --- tossed it in my direction or something on the table or on the couch." After tossing the phone onto the sofa, I turned around and walked to the other end of the open floor plan room, to the island in the kitchen, approximately 20 feet away from Ms. Heard. Ms. Heard immediately started loudly proclaiming that I had thrown the phone at her and hit her in the face, and screaming "Johnny stop hitting me." I turned to look at Amber trying to understand what was happening. Suddenly, Ms. Pennington comes out of nowhere and runs towards Ms. Heard from behind me and yells: "don't do it, stop it, leave her alone." Because she came from the direction of the front door, and did not come past my security guards outside, she could only have been hiding in the closet, waiting for the signal. Ms. Pennington's ex-husband who was present in penthouse 5 advised that Ms. Pennington lied about being summoned by Ms. Heard at 8:06 by text, because Ms. Pennington was in fact hiding in my penthouse 3 all along. I was shocked and immediately denied this absurd allegation because I had neither thrown the phone at her, nor hit her, nor touched her, nor was I physically anywhere near her. Ms. Heard did not know that my two security guards were posted immediately outside the door of the penthouse. I had asked them to accompany me in case she became violent. At the first sound of her screaming, they rushed inside the penthouse in a second. The two guards surprised Ms. Heard with their entrance, and indeed she appeared shocked. They witnessed her saying "stop

hitting me,” as I stood 20 feet away from her. She then changed her screams and speaking tense to “you better not hit me again!”

19. Although both Ms. Heard and iO Tillett Wright have testified, under penalty of perjury, that Ms. Heard screamed “called 911” and iO Tillett Wright claimed he called 911 instantaneously “to save Amber’s life,” and although Ms. Heard testified under oath that the police arrived just a “few minutes later” after I was seen on surveillance video leaving the building at 8:29 PM, LAPD logs show that 911 was not called until 10:07, 1 hour and 38 minutes after I departed the Eastern Columbia Building. Amber Heard’s and her friend iO Tillett Wright’s sworn 911 call testimony, like the rest of their testimony and hoax, was simply a lie. To further the hoax, iO Tillett Wright even wrote and published a piece in Refinery 29 titled “Why I Called 911.” Mr. Tillett Wright claimed in his article that “when I [he] was on the phone” with Ms. Heard listening to what he claimed was the sounds of violence, he decided to call 911 and “invite the police into the situation ... in a split second.” But LAPD records show this all to be a lie to support the bigger lie. After being confronted by the public on Twitter regarding the gross inconsistencies of his and Ms. Heard’s testimony when held up against the LA Police Department 911 call logs, iO Tillett Wright decided to change his story again and come up with an entirely new story, absurdly posting on May 16, 2019 “I was in nyc when I called 911, which put me through to NYPD. They said they’d have it passed through to LAPD but I worried it wouldn’t be fast enough, so I asked a friend in LA to call anonymously.” In addition to his perjury-explaining, newly concocted, anonymous 911 caller, disproven by the Police Department’s own record that the 911 caller was “Jo Wright” (not as he now was bizarrely claiming, some new, mystery friend) and his and Ms. Heard’s own testimony claiming

the same, Mr. Tillett Wright also tweeted that the inexplicable time gap could somehow vaguely be the fault of the New York Police Department.

20. As Ms. Heard screamed first that I had hit her and then that I better not hit her again, I yelled back that she [Ms. Heard] was crazy, and that I did not touch her, as I had not. My two security guards were both eyewitnesses to this incident, and have testified under oath to it. An excerpt of a deposition given by Ms. Pennington is attached as Exhibit E, in which even she admits that at the time of the incident, I immediately denied hitting Ms. Heard. Ms. Pennington also admits in her deposition that she never saw me hit Ms. Heard. That portion of her deposition is attached as Exhibit E. It is accurate that Ms. Pennington never witnessed what did not happen, but her testimony that she was not present throughout most of Ms. Heard's abuse hoax is a lie, and both other eyewitnesses have so testified that she was present and standing with Ms. Heard by the sofa as soon as Ms. Heard started play-acting abuse. Ms. Heard asserted in her deposition that from the time I left until the "few minutes later" when police arrived, she called and was on the phone with her lawyer. This period was demonstrably not a "few minutes" but in fact nearly 2 hours, according to the surveillance footage of my departure and police logs attached as Exhibits F and G. And a witness who was present in the room after I left described a scene where, guided by Ms. Heard's divorce lawyer on the phone, the co-conspirators got their hoax story straight and were instructed to each "write it down" before 911 was dialed quite some time later.

21. Stunned by the faked abuse allegations, I left penthouse 3 and walked down to my penthouse 5. In penthouse 5, I was shocked to see some sort of bead making, arts and crafts operation littering and strung across the room, along with Raquel Pennington's then-boyfriend Josh Drew, a dog, and a woman I did not know. Based on her later deposition testimony

supporting Ms. Heard's abuse hoax, I later learned that the woman was Ms. Heard's friend Elizabeth Marz, who also lived rent-free in my property. I told Josh Drew and Elizabeth Marz to get off my premises immediately. Then I left the Eastern Columbia Building with my two security guards and returned to my home in West Hollywood. Surveillance footage from the Eastern Columbia Building shows me boarding the penthouse elevator, riding downstairs, and exiting the elevator at 8:29 pm on May 21, 2016.

22. My recollection is that I left Los Angeles, California the following day, May 22 for rehearsals on the east coast. From there I traveled to Europe to tour with my band the Hollywood Vampires, without returning to Los Angeles. I did not return to Los Angeles until late June or early July of 2016.

23. I understand that Ms. Heard claimed under penalty of perjury that her friend, iO Tillett Wright, urgently called 911 in the middle of the hoax fight she absurdly concocted on the evening of May 21, 2016. This 911 call, according to Ms. Pennington's testimony, would have occurred right around 8:06 PM. Both Mr. Wright and Ms. Heard claimed under oath that Mr. Wright was on the phone with Ms. Heard and heard Ms. Heard screaming for someone to call 911 because I was violently attacking her. Ms. Heard claimed under oath that I "wound up my arm like a baseball pitcher" and threw her cell phone into her face as hard as I could from point blank range, "with great aim," and then pulled her hair and further battered her face "with some appendage" of my body. All of these hoax allegations are demonstrably false.

24. Mr. Wright vividly claimed, under penalty of perjury in documents submitted to a court to obtain a temporary restraining order against me, that he called 911 in the middle of this concocted violent fight to "save Amber's life."

25. Ms. Heard and Ms. Pennington also later claimed, in a deposition under the penalty of perjury, that I destroyed two of my own penthouses and the adjoining hallway by picturesquely swinging a magnum-sized bottle of red wine like a baseball bat. Ms. Pennington testified that *"they have a big island in the middle of the kitchen and on there, there's candles and like fruit and, you know, glass – like jars and vases and things like that. And he just was hitting everything with the wine bottle, just smashing it all off. So there was fruit on the floor, and baskets and, you know, glass bottles and flowers."* See Exhibit E. Ms. Heard similarly testified under oath: "Penthouse 5 was destroyed." Exhibit A. So that is two destroyed penthouses they testified to. This vivid scenario they described never happened, and the "crime scene" they invented is just one more disprovable lie, in this instance dismantled by the sworn testimony of the two responding police officers. The female and male domestic abuse-trained police officers, who hours later arrived on the scene in response to these co-conspirators' alleged "emergency call" and did two security sweeps of the penthouses, later testified under oath that they found no damage whatsoever to any of the premises. I understand that Ms. Heard's publicist, years later, tried to explain away this direct contradiction of Ms. Heard's and her friends' story by police by absurdly and falsely claiming to media that my lawyer and I had "paid off" the two dozen sworn eyewitnesses who contradicted her various claims, including the police officers. Ms. Heard tried to weakly explain this inexplicable contradiction in her own deposition to the testimony of the two police officers:

"A: I don't know what they [the two police officers] – what they saw or didn't see. I wasn't ushering them around. They did that by themselves ... but there was extensive damage to which we have plenty of evidence that the officers saw extensive damage.

Q: Is it your testimony here today that the officers saw extensive damage?

A: I don't know what the officers saw." Exhibit A.

26. Ms. Heard and her perjurious, co-conspirator friends whom she invited to live rent-free in my penthouses also testified under oath that Ms. Heard had visible injuries to her face as a result of being struck by a cell phone and further battered by "some appendage" of me on May 21, 2016. Ms. Heard texted her makeup artist later that night, claiming that her face was "swollen" and looked "stupid." Ms. Heard's friend Elizabeth Marz testified under penalty of perjury that on the evening of May 21, 2016 "her eye – just the whole side of her face was like swolled [sic] up and red and puffy and ... it was red and puffy and swollen ... progressively getting worse" which is attached as Exhibit H.

27. I did not violently attack or even touch Ms. Heard, and Ms. Heard's and her friends' poorly fabricated accounts of that night are entirely disproven by the sworn accounts of two domestic abuse-trained police, both of my security guards (one of whom was an 18 year veteran of the Los Angeles Sheriff's Department), and the testimony of a multitude of witnesses whose face to face interactions with Ms. Heard throughout the ensuing week began the following day, May 22, 2016. The accounts of Ms. Heard's and her friends' is also contradicted by 87 surveillance videos that were captured, reviewed and preserved by the management staff of the Eastern Columbia Building.

28. Furthermore, when two LAPD police officers, Officer Melissa Saenz and Officer Tyler Hadden, arrived at 10:24 pm on May 21, 2016 they later testified under oath that Ms. Heard had no injuries to her face following two separate examinations of her face and body. Coupled with their testimony that there was no scene of destruction or indeed any damage whatsoever, both police officers testified under oath that Ms. Heard had no injuries, and they saw no property damage in the penthouse or the hallway. The entirety of their testimony is attached

here as Exhibits I and J. I understand that at 10:24 pm, Ms. Heard texted her makeup artist, Melanie Inglessis, that her face was “swollen” and “looked stupid.”

29. On Monday, May 23, 2016, Ms. Heard filed for divorce from me without making any allegations of domestic violence.

30. On May 25, 2016, Ms. Heard sent me a text message stating, “You and I have the control. And love each other. I thought you filed [for divorce]. You said you were going to and said good-bye. I’m sorry if I’ve hurt you. I have nothing but love for you.” In the text, Ms. Heard also admitted “[j]ust confirmed that cover letter [sent to your lawyer] is completely private and has nothing to do with any public record. (And only included the domestic violence restraining order stuff because I called the lawyer when the cops were here and I didn’t know what to or why -- didn’t know what to or why that happened and was scared). The text message is attached here as Exhibit K. Ms. Heard echoed this sentiment to her former friend and neighbor, Isaac Baruch, who testified that Ms. Heard said to him when he confronted her with her abuse hoax soon after she went public with it on May 27: “the lawyers are doing all of this.” Mr. Baruch’s declaration is attached here as Exhibit L.

31. When I did not accede to her demand for money, Ms. Heard publicly accused me of domestic violence, seeking and receiving a temporary restraining order against me when appearing in Los Angeles Superior Court on Friday, May 27, 2016 with a first-ever-seen prominent bruise and cut on her face that she claimed resulted from being hit in the face by a cell phone thrown by me and further facial battering from “some appendage” of mine on the evening of May 21, 2016.

32. Again, this domestic violence allegation was untrue, and Ms. Heard’s purported injury was staged. In addition to the police officers who observed her on the evening of May 21,

2016, there are over a dozen sworn statements that have been taken from eyewitnesses who interacted with Ms. Heard face to face in the days after May 21, 2016, and testified that she clearly had no injury to her face in the days leading up to going public with her hoax on May 27. Three people who worked in the Eastern Columbia Building have *twice* testified under oath that they had close, daily contact with a makeup-free Ms. Heard, in good light, and she had no visible injuries on her face or otherwise. Their depositions are attached as Exhibits M, N, and O. Brandon Patterson, a fourth building employee and the General Manager of the Eastern Columbia Building whom I do not know personally, stated the same thing under penalty of perjury in a declaration. That declaration is attached here as Exhibit P.

33. The testimony of the Eastern Columbia Building employees is confirmed by surveillance videos that captured images of Ms. Heard's face between May 22, 2016 and May 25, 2016. In each video, Ms. Heard does not have any marks on her face whatsoever. The videos are attached here as Exhibits F. Stills taken from those videos with close up shots of Ms. Heard's face are also attached as Exhibit Q. In one surveillance video, according to sworn testimony from Eastern Columbia Building personnel, Ms. Heard, her sister Whitney Heard, and her co-conspirator Raquel Pennington were captured returning to the building on two separate cameras the night of May 24, 2016. In the first surveillance video, they are laughing, and when Whitney Heard throws a fake punch at Ms. Heard's face, they laugh even harder. They are seen on a different camera continuing to act out the abuse hoax as they enter the elevator. Ms. Heard's face is visibly unharmed, at that point 3 full days after she claimed to have been battered by me. The Eastern Columbia Building employees also testified that they went back and reviewed the surveillance footage after Ms. Heard publicly unveiled her hoax and apparently battered face for the first time on May 27, 2016, as she appeared in court to obtain a temporary

restraining order. The building personnel testified that her injury claims were “false” based on their personal interactions with her between May 22, 2016 and the date she first unveiled her supposedly battered face May 27, 2016.

34. Furthermore, Ms. Heard’s own stylist, Samantha McMillen, has stated in a declaration under penalty of perjury that she interacted with Ms. Heard, face to face, on May 24, 2016, and that she could clearly see that she had no injuries. That declaration is attached as Exhibit R.

35. The first time that Ms. Heard was seen with an injury to her face was May 27, 2016—the day she went to out in public trailed by paparazzi and then to court to obtain the domestic violence restraining order against me. That she was visibly uninjured prior to May 27 was confirmed by the surveillance video footage and the testimony of the multitude of sworn witnesses who testified that they interacted with Ms. Heard throughout the week of May 22, 2016.

36. After I recently began to obtain new, previously hidden evidence to disprove the May 21, 2016 hoax that she presented to the court on May 27 to obtain a temporary restraining order against me, Ms. Heard chose to put further emphasis on other of her abuse claims, hoping that I would not obtain evidence that would dismantle those too. One such claim related to December 15, 2015. On that date, I was at my penthouse and Ms. Heard screamed at me and then violently assaulted me, scratching my cheek, chin and nose. My security guard, a former long time LA Sheriff’s Deputy, whom I called to pick me up the evening of December 15, 2015 insisted on taking photographs of my injuries, which are attached hereto as Exhibit C. There was nothing particularly memorable to me about this incident, given the sheer volume of violent assaults and other abuse I endured from Ms. Heard during our relationship.

37. Consistent with her pattern, Ms. Heard rewrote the story to a false one in which I assaulted her, and split her lip open, nearly broke her nose, blackened both her eyes and hit her so savagely and repeatedly that the bed broke. Unfortunately for Ms. Heard, her December 15 hoax has also been obliterated by two witnesses who have come forward -- her own stylist Samantha McMillen and our former Estate Manager Kevin Murphy - to provide sworn statements of their face to face interactions with a visibly uninjured Ms. Heard the following day, December 16, 2015. Ms. McMillen testified that while styling a makeup-free Ms. Heard the day of December 16, 2015 to prepare her for an appearance that evening on the "James Corden" show, Ms. Heard had no injuries whatsoever to her face. The December 16, 2015 "James Corden" show can be viewed on *Youtube*, and it evidences a visibly uninjured Ms. Heard who bears none of the markings that would exist if Ms. Heard's testimony was true. According to Ms. McMillen's testimony, after the show Ms. Heard said to Ms. McMillen, "can you believe I did that show with two black eyes?" Exhibit R. Ms. McMillen testified that Ms. Heard did not have two black eyes, before the show, during, or immediately after. Exhibit R. Again, Ms. Heard's hoax-assisting friend iO Tillett Wright jumped in to support the lie, writing in his piece in *Refinery 29* that he was with Ms. Heard the following day and witnessed her injuries. But iO Tillett Wright was not in LA on December 15, 2016 according to witnesses, because he was in Ohio filming a show. When confronted on May 16, 2019 by the public on social media about his published, *Refinery 29* lie of Ms. Heard's injuries that he "witnessed" held up against his social media post "geotags" showing he was in Ohio at the time, iO Tillett Wright admitted in a Twitter post that his "geotags" showed him to be out of LA, and confessed that he was "guilty of changing my geotags for sure." Nevertheless, he bewilderingly added he flew back "early" to attend to and witness Ms. Heard and further wrote: "I can change my geotags anytime and

anywhere and it has nothing to do with a case. I wouldn't be so naïve as to think that a lawyer or cop would ever use Instagram geotags because as soon as a judge found out you can change them it would get thrown out."

38. On December 16, 2015, Ms. Heard also summoned our then-Estate Manager Mr. Murphy to my penthouse to complain about the fact that I had beaten her up the night before. Mr. Murphy testified that Ms. Heard's face was utterly uninjured and unmarked, and appeared makeup free, as they spoke face to face and in good light the day after she alleged the brutal attack. Mr. Murphy also testified that Ms. Heard called him back up to the penthouse bedroom specifically to show him a clump of blonde hair on the ground purporting to be hair I had pulled out of her head. Because of Ms. Heard's demeanor and the fact that she showed Mr. Murphy a clump of hair on the floor but not the place that hair was pulled from, Mr. Murphy grew suspicious and took a time- and date-stamped cell phone photograph of the hair clump, and later compared it to the hair clump Ms. Heard submitted to the court under oath. The hair clumps do not resemble each other, as Mr. Murphy testified in his declaration. Mr. Murphy, like other eyewitnesses, also testified to the very real violence Ms. Heard committed against me, that left real injuries.

39. Cynically relying on the concept of #believewomen that that has been promoted as part of the important #metoo movement, Ms. Heard's "evidence" rests primarily on her word and that of her dependent friends. She and they have falsely accused me of violence, although interestingly none of her "witnesses" say they ever witnessed any violence. And they did this despite the inconvenient truth of my possession of eyewitness statements provided under penalty of perjury and photographs of her converse violence committed against me, overwhelming evidence that her various abuse claims and the injuries that she claimed ensued from them are

hoaxes, the fact of her own prior arrest and incarceration for domestic violence against her previous wife, and new witnesses who are now coming forward to describe the brutal violence they suffered at her hands. She also lied about the circumstances of her domestic violence arrest, and the supposedly homophobic motivations of the arresting officer (a self-described lesbian gay rights activist) under oath. Exhibit A.

40. Indeed, lying under oath, and to courts and government agencies, and suborning or attempting to suborn the perjury of her friends and employees to help her get what she wants or to protect her from criminal prosecution, is demonstrably Ms. Heard's *modus operandi*. We recently obtained evidence showing Ms. Heard scheming in an email discussion with her lawyer Marty Singer (also, oddly, my lawyer in my divorce from Ms. Heard) to suborn the perjury of her former assistant Kate James to wiggle out of her criminal dog smuggling case. "*You have to be careful that she [Ms. James] will cooperate and will not go public, if you ask her not to be truthful*" grotesquely advised Mr. Singer in writing. Ms. Heard responded in the same email chain to Mr. Singer, copying Mr. Murphy, on the topic of seeking Kate James' "untruthful" testimony: "*Marty – I'm waiting to hear back from you before I reach out to Kevin to liaise with Kate. AH*". A follow up email was sent by Ms. Heard to Mr. Murphy, copying her lawyer Marty Singer, saying: "*Kevin, what do you think??? Could you possibly reach out to her for us?? Do you think you could get her to do it?*" "It" was Ms. Heard's hoped-for commission of perjury to submit to the Australian court. Mr. Murphy explained this email under oath, testifying that Ms. Heard asked him to suborn perjury from Ms. Heard's former assistant Kate James on Ms. Heard's behalf, and even attempted to bully Mr. Murphy into lying himself on her behalf by threatening his job after Mr. Murphy refused to lie, saying to him: "Well I want your help on this I wouldn't want you to have a problem with your job." Exhibit A to Kevin Murphy's

Declaration. Ms. Heard's attempts to suborn perjury to trick the Australian court are confirmed by the email attached to Mr. Murphy's declaration. In another illustrative incident showing Ms. Heard's relationship with the truth and willingness to defraud the government or anyone else to get what she wants, Ms. Heard sent a signed letter dated September 28, 2014 to the Department of Homeland Security, falsely claiming that her assistant Samantha McMillen, a citizen of the United Kingdom, was merely her "*friend*" traveling to the US on a tourist visa. Attached as Exhibit S is Ms. Heard's signed letter which says among other things: "*My name is Amber Heard. I am a proud American citizen. I am writing this letter in response to a fraudulent report made against my English friend, Savannah McMillen ... It has come to my awareness that while spending time visiting me in the United States someone made a false claim against her stating, without any proof or corroboration, that she was unlawfully working for me. As her friend, I can say truthfully and unequivocally that this allegation is entirely false.... I would like to go on 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 regret that the precious time of our immigration agencies has been bastardized on such a petty personal matter made out of malice, not truth.... I expect the same standards that we hold as pillars in our great justice system, be allied to immigration policies, as they serve at the forefront in representing United States and her values.*" In fact, the story that Savannah was merely her "friend" was a lie Ms. Heard, an "immigration activist," fraudulently wrote to Homeland Security to get what she wanted; Ms. Heard's *assistant* Savannah McMillen was illegally working in America, for Ms. Heard, as a simple Google search or paycheck in my possession would reveal. Lies, deception, and perjury are useful tools to Ms. Heard and her ilk – to obtain money, to accuse me of violent abuse and obtain a false temporary restraining order, to avoid criminal prosecution, to receive

philanthropic invitations and accolades, to obtain illegal immigration rights for her assistant, to achieve and maintain fame, and to explain away evidence of her actions to the media for which there is no lawful or reasonable explanation.

Executed this ____ day of May, 2019 in Los Angeles, California.

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.

[REDACTED]

John Christopher Depp, II

[REDACTED]