

TRANSCRIPT OF THE POOL TV FEED FROM DEPP v HEARD

FAIRFAX COUNTY COURT Monday 25 April 2022

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Bailiff: All rise. The Circuit Court of Fairfax County is now in session. The Honorable Penney Azcarate presiding. Please be seated.

Judge Azcarate: All right. Good morning. Everything good now, Judy? All good? All right, thanks. All right, do we have any preliminary matters before the jury?

Mr. Rottenborn: Just two preliminary matters, Your Honor.

Judge Azcarate: Okay.

Mr. Rottenborn: One, here we have with redacted exhibits from the Court last week and we've given them to Ms. Meyers this morning and they've confirmed that they look okay to them.

Judge Azcarate: Okay. All right.

Mr. Rottenborn: Here's our paper copies of the thumb drive contains electronic copies of these as well as the excerpted audio recordings that were admitted.

Judge Azcarate: Okay. Well, I kind of need a thumb drive for each audio recording but...

Mr. Rottenborn: It's separate thumb drive for each...

Judge Azcarate: It's marked as different exhibits, so I have to have it as different exhibits.

Mr. Rottenborn: We can have that to you by tomorrow.

Judge Azcarate: Okay, good, and we'll go through them and see what we have. And you have yours as well?

Ms. Meyers: Yes, Your Honor. If I may approach, I have...this is exhibit 40, redacted, and the photographs that were in this exhibit...

Judge Azcarate: The knives?

Ms. Meyers: Yeah.

Judge Azcarate: Okay, perfect. All right. Great, we'll go through those and if we need anything else, we'll let you know, okay?

Mr. Rottenborn: And each of the excerpted recordings are on separate audio files on the thumb drive, so if you like it separate...I understand you said you like a separate physical...

Judge Azcarate: Just so we can have them numbered that way, correct?

Mr. Rottenborn: Sure.

Judge Azcarate: All right. I can keep Jimmy happy. Yes.

Mr. Rottenborn: No problem.

Judge Azcarate: Okay. All right, thank you.

Mr. Rottenborn: And I just have one more issue that I'd like to approach Your Honor about.

Judge Azcarate: Okay, sure. All right. Thank you, you can be seated. All right. Just a reminder, Mr. Depp, you're still under oath, okay, sir?

Johnny: Yes. Yes, Your Honor?

Judge Azcarate: All right. Cross-examination?

Mr. Rottenborn: Thank you, Your Honor.

Judge Azcarate: All right.

Mr. Rottenborn: Morning, everyone. I hope you had a nice weekend. Mr. Depp, we've talked about this a little bit, but you've testified that abuse can come in many forms, correct? Physical being one of them? Right?

Johnny: Yes, indeed.

Mr. Rottenborn: Emotional?

Johnny: Indeed.

Mr. Rottenborn: Verbal?

Johnny: Indeed.

Mr. Rottenborn: Psychological abuse?

Johnny: Indeed, some of those sort of flew into the other...

Mr. Rottenborn: I'd like to talk...understood, I'd like to talk about some of that abuse. Can we pull up Exhibit 582, please? Your Honor, this is a recording, Defendant's Exhibit 582 that we will play the entirety of.

Judge Azcarate: All right, any objection to 582?

Ms. Meyers: No Objection, Your Honor.

Mr. Rottenborn: All right, 582 in evidence.

Amber: Put your fucking cigarette down on someone else. You fucking have consequences of your actions and that's it.

Johnny: Shut up, fat ass.

Amber: Yeah, you got me there.

Mr. Rottenborn: Can you play that one more time, please, Michelle?

Ms. Meyers: Objection, Your Honor.

Judge Azcarate: I'll sustain the objection, move on.

Mr. Rottenborn: Mr. Depp, when Ms. Heard tells you in that recording to go put your cigarettes out on someone else, you don't deny that, but instead, you simply say, "Shut up, fat ass." Is that correct?

Johnny: I think that was another grossly exaggerated moment of Ms. Heard. I did not put a cigarette out on her or throw a cigarette at her.

Mr. Rottenborn: Let's pull up Exhibit 581, please. This is another recording that will play the entirety of with Your Honor's leave.

Judge Azcarate: Any objection to 581?

Ms. Meyers: No objection.

Judge Azcarate: 581.

Amber: Well, I fucked up and cry in my bedroom after I dumped you a fucking week prior, a fucking week prior after you beat the shit out of me. And then a week later, you show in my...show up at my doorstep in my room saying you want to say goodbye. Okay, say goodbye.

Johnny: Oh, I said it?

Amber: Yes, you did said it. I'll go to the text messages so that we're clear the date.

Johnny: Yes, but you said it before to me.

Amber: Okay. No doubt, but you did not say...you didn't come over to say bye?

Johnny: I didn't say that.

Amber: You didn't say that to me?

Johnny: [inaudible 00:04:29]

Amber: You didn't say that to me?

Johnny: I won't do it again.

Amber: What's the mistake then? Did you or did you not say you're coming over to say bye?

Mr. Rottenborn: Can we please pull up Exhibit 598?

Judge Azcarate: This is another audio?

Mr. Rottenborn: It is, Your Honor, and I will give the excerpts that we propose to play. And I'll say, Your Honor, this is a...it's a lengthy recording where...

Judge Azcarate: Well, I already have 598A in evidence.

Mr. Rottenborn: Right, and I just wanted to clarify, I spoke with Ms. Meyers this morning, we're going to speak at a break that it's a...we're trying to be very careful about whether there's a third party on the tape. This is one where at the very end, someone else comes in. But Ms. Meyers and I will speak and we may be...to the extent if Your Honor's agreeable, we may be agreeable to just entering the whole thing as evidence. But for now, since there's a very small portion at the end that we're not going to play of a third party, I'll just give you the excerpts if that works.

Judge Azcarate: We're gonna need 598B and I need to know what the time of the excerpts are and...

Mr. Rottenborn: We'll prepare that for you, Your Honor. Thank you.

Judge Azcarate: Well, I need it now I mean.

Mr. Rottenborn: I have the excerpts. So, this would be 598B, and it's seconds 1 through 20. And then it's minutes 30 minutes and 2 seconds through 31 minutes and 45 seconds.

Judge Azcarate: Okay. All right. Any objections to 598B then?

Ms. Meyers: No objection, Your Honor.

Judge Azcarate: Thank you.

Amber: I meant what I said.

Johnny: You have not been able to do...

Amber: No, I meant exactly what I said.

Johnny: What did you say?

Amber: At least I'm not doing it behind your back and tell you. You gave me shit that I was recording and I said, "Yeah, I'm recording but I'm telling you."

Johnny: Okay.

Amber: And if you'd asked me not to, I wouldn't.

Johnny: Well, record it.

Mr. Rottenborn: Okay, so the next excerpt is minute 30 and...30 minutes and 2 seconds.

Johnny: ...where I die. Walking away is necessary, is necessary, especially between you and I. It is of utmost importance because the next move, if I don't walk away or just go out for a little while, it's just gonna be a bloodbath, like it was on the island, of course, but it was...you know, it's not worth it. Why be miserable, can we just have some understanding?

Amber: Please, can we? Because I'm not trying to say...hey, by the way, no one in their right mind is going to choose bloodbath over walking away. Obviously, if you're given the option between the two...

Johnny: Then why is it that we've chosen some of these options?

Amber: That's normal. It is not a distinct choice that either one of us makes at any discernible point.

Johnny: No, it's stubbornness and...

Amber: You know, and it build, right? Like you build, I build. You know, it isn't like at one moment, either of us signing certificate of saying or like signing the contract or say, "Okay, now a bloodbath." No. So, acting as though there's a choice between the two is irrelevant. I'm not asking you to stay over having a bloodbath. I'm asking you...I mean over walking

away, I'm not asking you to have a bloodbath over walking away. I'm asking you to work it out over prolonging it to making it bigger.

Mr. Rottenborn: Can you please pull up Defense Exhibit 161, which was admitted evidence on Thursday, Your Honor, I believe?

Judge Azcarate: Okay. Yes, it was.

Mr. Rottenborn: Thank you. Now that recording that we just heard, Mr. Depp, isn't the first time that you refer to an argument as a bloodbath. In fact, in this text exchange that we saw on Friday when you inform Ms. Heard that there exists a book entitled "Disco Bloodbath" and she asks you, "If it is about last Friday night by any chance?" You say, "How can you make me smile about such a hideous moment? Yes, it is. Funny bitch." Did I read that right?

Johnny: You certainly did, sir. Thank you.

Mr. Rottenborn: Can we pull up Exhibit 586, please? Your Honor, the portion of this exhibit that we plan to play, it's a recording, is Minute 7:35 to 8:21.

Judge Azcarate: Okay, but I already have a 586A, so...

Mr. Rottenborn: So, this will be 586B if...

Judge Azcarate: 7:35 to what?

Mr. Rottenborn: 8:20.

Judge Azcarate: Thank you. And no objection to 586B?

Ms. Meyers: No objection, Your Honor.

Judge Azcarate: All right, 586B.

Amber: Yes, you do because you wouldn't have used that as a way of pulling my heart out? What do you do? Let me get it, let me get it. Stab it here. That what you saw, huh? Listen to me cry, right? And now I can get hurt. Is that what you think? Or you just do without thinking? You do without thinking, huh? Stab and let me [inaudible 00:10:46]. You throw a sweet little [inaudible 00:10:48] and it would went better when I'm on the floor because that's when it's really good to hit someone.

Mr. Rottenborn: Can you please pull up Plaintiff's Exhibit 366? This is another recording, Your Honor, that we would propose to admit all of although we will only be playing Minute 3:20 through 3:38.

Judge Azcarate: All right, so no objection to 366 in its entirety, is that correct?

Ms. Meyers: That's correct, Your Honor.

Judge Azcarate: All right, 366 in evidence. Are you going to play in part? Oh, Plaintiff's, I'm sorry.

Amber: You can talk louder. Every other man I know, every other [inaudible 00:12:08] I know, and it's like, "Ooh, him, you go louder," every single man...

Johnny: Because you're a fucking cunt.

Mr. Rottenborn: Can you please pull up Plaintiff's Exhibit 396? Your Honor, portions of this were used on Thursday, so with your leave, we'd like to introduce this as 396B with the following excerpts, 2:44 and 0 seconds through 2:44 and 16 seconds and then 2:49 and 30 seconds through 2:49 and 55 seconds.

Judge Azcarate: All right, any objection to 396B?

Ms. Meyers: No objection, Your Honor.

Judge Azcarate: All right, 396B.

[00:13:02]

[silence]

[00:13:27]

Johnny: Please what? This is not helping. Did you ask me? Did you ask [inaudible 00:13:32]?

Amber: [inaudible 00:13:34]

Johnny: This is not helping, you stupid fuck. This is not helping.

Mr. Rottenborn: If you could please go to 2:49 and 30 seconds, please?

Johnny: [inaudible 00:14:08], I don't want to see [inaudible 00:14:09].

Amber: [inaudible 00:14:11]

Johnny: I don't fucking care, you shut up with that.

Amber: You shut up. [inaudible 00:14:15].

Johnny: [inaudible 00:14:17].

Amber: Get off. Get off me.

Johnny: Impossible. I'll talk to you later.

Amber: [inaudible 00:14:24]

Johnny: I'll talk to you later. Talk to you later.

Mr. Rottenborn: You heard Ms. Heard say, "Get off me," right?

Johnny: No, I did not. I heard distanced screaming and I heard, "I'll talk to you later, I'll talk to you later."

Mr. Rottenborn: Let's look at Exhibit 857, please.

Judge Azcarate: That's Defendant's 857?

Mr. Rottenborn: Yes, Your Honor.

Judge Azcarate: Okay. It's another audio file, or not?

Mr. Rottenborn: It's not, no.

Judge Azcarate: Okay.

Mr. Rottenborn: Mr. Depp, I'd like to direct your attention to the second to last text on this. This is a text from you to your agent Christian Carino on August 15th, 2016, correct?

Johnny: That's correct, that's what it looks like, yes.

Ms. Meyers: Objection, Your Honor, relevance and prejudice.

Judge Azcarate: If you can approach.

[00:15:34]

[silence]

[00:16:15]

Mr. Rottenborn: Your Honor, for the sake of time, I'll go ahead and may I ask the witness about the portions that we discussed and then we can provide a redacted version?

Judge Azcarate: Okay.

Mr. Rottenborn: Mr. Depp, in this text message from you to Christian Carino, your agent, on August 15th 2016, you tell him...you go on at some length about Amber but you say, "She will hit the wall hard," four exclamation points. And then later down, you say, "I can only hope that

karma kicks in and takes the gift of breath from her." Did I read that right?

Ms. Meyers: Objection, compound.

Judge Azcarate: I'll allow it. Let's move on.

Johnny: You read that correctly.

Mr. Rottenborn: And this wasn't the first time that you talked about Amber's hitting the wall hard. Let's pull up Exhibit 213, please.

Johnny: Hitting the wall hard based on the altercation that she...

Mr. Rottenborn: Let's take a look at the next exhibit, Mr. Depp.

Johnny: I'm sorry, I was talking. Is that all right?

Mr. Rottenborn: You had answered my question, we'll take a look at the next exhibit. Thank you.

Johnny: As long as you're happy, sir.

Mr. Rottenborn: Mr. Depp, this is a text that you sent to Bruce Witkin on February 4th, 2014, the text at the top...

Johnny: Where am I looking, sir?

Mr. Rottenborn: On your screen, please.

Johnny: I figured that out.

Mr. Rottenborn: The top text on the screen.

Johnny: Okay, I didn't know if there was a specific...if it was third from the bottom or somewhere around the corner. What would you like me to do?

Mr. Rottenborn: This is a text that you sent to Bruce Witkin and on February 4th 2014, correct?

Johnny: February 4th, 2014, yes. Yes.

Mr. Rottenborn: Your Honor, I move for admission of this exhibit with just that text displayed.

Ms. Meyers: With the redactions applied and also the identifiers.

Judge Azcarate: Okay, redaction and identifiers?

Mr. Rottenborn: Yeah, we have that ready.

Judge Azcarate: All right, 213 in evidence with redactions.

[00:18:26]

[silence]

[00:18:50]

Mr. Rottenborn: Move for the admission of this. Permission to publish, Your Honor?

Judge Azcarate: It is in evidence, you can publish it.

Mr. Rottenborn: Mr. Depp, on February 4th, 2014, you Tell Mr. Witkin, "Amber and I hit the wall hard." Do you see that?

Johnny: I do, sir.

Mr. Rottenborn: And that's the same phrase that you used in your text to Mr. Carino from 2016 that we just read, correct?

Johnny: They're similar words, but they have different meanings. I don't know if that makes sense to you but...

Mr. Rottenborn: Can we pull out Exhibit 498, please?

[00:19:28]

[silence]

[00:19:51]

Mr. Rottenborn: Mr. Depp, is this a text exchange that you had with Ms. Heard on or about October 28th, 2015?

Johnny: Yes, sir.

Mr. Rottenborn: And I'd like to direct your attention to the third text down.

Johnny: Yes.

Mr. Rottenborn: Your Honor, I'd move for the admission of Defendant's Exhibit 498 with identifiers redacted.

Judge Azcarate: Any objection?

Ms. Meyers: Relevance, Your Honor. May we approach?

Judge Azcarate: Okay, sure.

[00:20:33]

[silence]

[00:20:53]

Mr. Rottenborn: Can you pull up Exhibit 330, please?

[00:20:55]

[silence]

[00:21:15]

Mr. Rottenborn: Mr. Depp, I'd like to turn your attention to the middle texts on this page, which is a text from you to someone named Ryan A. on January 12th, 2015. Do you see that?

Johnny: January, the second one from the last?

Mr. Rottenborn: Yes.

Johnny: The January 12th?

Mr. Rottenborn: Yes.

Johnny: Yes, sir.

Mr. Rottenborn: Is that Ryan Adams? The singer?

Johnny: Yes, it is.

Mr. Rottenborn: Your Honor, move for admission of Defendant's Exhibit 330, just plan on asking him about that text.

Ms. Meyers: Objection, relevance, Your Honor.

Mr. Rottenborn: Your Honor, I'm happy to approach if you want?

[00:21:56]

[silence]

[00:22:14]

Mr. Rottenborn: Can you pull up Exhibit 620, please?

[00:22:17]

[silence]

[00:22:38]

Mr. Rottenborn: Mr. Depp, I'd like to turn your attention to text number 40.

Johnny: Okay.

Mr. Rottenborn: It's the third one down.

Johnny: Yes.

Mr. Rottenborn: This is a text from you to Malcolm Connolly. Is that right?

Johnny: That's correct.

Mr. Rottenborn: Your Honor, I'd move for admission of this document with the third text down.

Ms. Meyers: If I just...

Judge Azcarate: Sure.

Mr. Rottenborn: And I'm happy to approach to discuss if Your Honor would like.

Ms. Meyers: Relevance, objection again, Your Honor.

Judge Azcarate: Okay, you want to approach? Redact it.

[00:23:27]

[silence]

[00:23:50]

Ms. Meyers: Your Honor, is that coming in with, like, the contextual text messages as well, if we might take a look, please.

Mr. Rottenborn: I'm sorry?

Ms. Meyers: We would like to take a look and just make sure the contextual text messages are coming in with the one that you're directing Mr. Depp to.

Mr. Rottenborn: I'm just going to address the court, that was the text message that I would like to get into. I'm not sure what she's asking, Your Honor.

Judge Azcarate: We'll just go forward with that text message for now. Okay?

[00:24:22]

[silence]

[00:24:40]

Mr. Rottenborn: Mr. Depp, you remember last week, the jury saw the video of you, as you called it, assaulting a cupboard in that kitchen on Sweetser Avenue.

Johnny: Yes, sir. Very well said.

Mr. Rottenborn: And that was on or about February 10th, 2016, correct?

Ms. Meyers: Objection, calls for speculation.

Judge Azcarate: I'll allow it, you can answer it.

Johnny: I don't know when that is, I have asked for the metadata, I've asked for the date and receive nothing.

Mr. Rottenborn: Okay. This text that you sent on February 10th, 2016 to Malcolm Connelly. Malcolm Connelly is one of your security guards, correct?

Johnny: Yes, he is.

Mr. Rottenborn: And in this text, you say, "Thanks, dear Mal, I'm just at the point where I feel like I'm going to puke all the time. Once I get this shit moving and get meself out of her level of shit, I will never mention this cunt's name again ever again. And the first prick that asks about her gets a warning. Should the single celled prick decide to push it, he never forgets me and will always be remembered throughout his life as the guy that got his fucking nose bit off, chewed up, and swallowed by Johnny Depp. While I do have some civilized bones in my body, just on a matter of principle, I must force him to watch me fulfill this promise of mangling his motherfucker of a Beezer. Love you, X." Did I read that right?

Johnny: You did.

Mr. Rottenborn: I'd like to turn to your views on Ms. Heard's career. Can you please pull up Exhibit 195?

[00:26:22]

[silence]

[00:26:44]

Mr. Rottenborn: I'd like to direct your attention to the second to last text from the bottom. This is a text message exchange between you and Ms. Heard on October 29th, 2013. Correct?

Johnny: It looks like it, yes.

Mr. Rottenborn: Your Honor, I move for the admission of Defendant's Exhibit 195 with the appropriate identifiers redacted.

Ms. Meyers: We would object to relevance ground, Your Honor.

Mr. Rottenborn: Your Honor, this is him expressing his views on her taking a meeting about a movie, her career. His views...

Judge Azcarate: Approach, just come on to the bench. So, 195 will be in evidence with redacted identifiers.

[00:27:32]

[silence]

[00:27:48]

Mr. Rottenborn: Mr. Depp, you see the text from Amber that says, "I'm at a coffee meeting now." Do you see that?

Johnny: I do, sir.

Mr. Rottenborn: Right there. So, she tells you at 12:41 p.m., "I'm at a coffee meeting now, will be home soon." And then you respond, "Holly crack whore? No God damn meetings, no movies, why? Why do you deviate from our agreement? What species of meeting? Fuck it, just tell me when you get home." Did I read that right?

Johnny: You did, but a coffee meeting...

Mr. Rottenborn: You didn't want her to take the meeting that she was taking that day, correct?

Johnny: It seems as though we had an agreement...what seems like we have an agreement to do something together. I'm actually asking what species of meeting. So, this is not necessarily an angry text, it's just, "Why do you deviate from our agreement?" It's not about her doing films. How do you think she got "Aquaman," sir?

Mr. Rottenborn: You tell her, "No God damn meetings, no movies," because you didn't want her acting, you wanted to control her career, correct?

Ms. Meyers: Objection, compound.

Judge Azcarate: Hold on, Mr. Depp, sir. All right, yes, I'll sustain the objection. Next question.

Johnny: Sorry.

Mr. Rottenborn: We can move on. Exhibit 394, please. Defendant's Exhibit.

Judge Azcarate: Thank you.

Mr. Rottenborn: Mr. Depp, if you can take a look at the fourth text down. This is a text from you to Dr. Kipper on...within the timestamp issued, I believe it was sent on March 8th, 2015, an Australia timestamp, March 7th, 2015. Do you see that?

Johnny: I do, sir.

Mr. Rottenborn: Your Honor, I'd move for the admission of 394.

Ms. Meyers: No objection with the proper redactions of the rest of the text messages and the identifiers.

Judge Azcarate: Okay.

Mr. Rottenborn: Thank you, Your Honor.

Judge Azcarate: 394 in evidence with redactions.

Mr. Rottenborn: Permission to publish?

Judge Azcarate: All right, yes. Yes sir.

Mr. Rottenborn: Mr. Depp, on this date right after you had suffered an injury to your finger, you text Dr. Kipper, and you say, "Hi. Fucked, man. Had another one. I just cannot live like this. She is as full of shit as a Christmas Goose. I'm done. No more. The constant insults, the demeaning, belittling, most heartbreaking spew that is only released from a malicious, evil, and vindictive cunt. But you know what? Far more hurtful than her venomous and degrading, endless educational ranting is her hideously and purposely hurtful tirades and her goddamn shocking treatment of the man she was meant to love, above all. Here's the real deal, mate. Her obsession with herself is far more important. She is so fucking ambitious. She's so desperate for success and fame. That's probably why I was acquired, mate. Although she has hammered me with what a sad old man has been I am, Cowan has done me the most cruel of favors. I'm so very sad. I cut the top of my middle finger off.

What should I do? Except, of course, go to a hospital. I'm so embarrassed for jumping into anything with her. Fuck the world." Do I read that right?

Johnny: Yes, Mr. Rottenborn.

Mr. Rottenborn: So, even as you are ranting about Ms. Heard to Dr. Kipper, even as you were talking about her ambition and expressing your objections to that, you still admit to him that you cut the top of your middle finger off, correct?

Ms. Meyers: Objection, compound.

Judge Azcarate: All right, I'll sustained it's a compound.

Mr. Rottenborn: You're complaining about her ambition in this text to her...to Dr. Kipper, correct?

Johnny: I'm realizing that her ambition is far stronger than her supposed feelings for me, yes.

Mr. Rottenborn: And there's nothing about this text that's trying to protect her?

Johnny: Protect her? From what?

Mr. Rottenborn: And you tell Dr. Kipper, "I cut the top of my middle finger off," in this text, correct?

Johnny: It's just the way it was worded. It doesn't mean that I actually literally cut my finger off. After at the age of 12, finding the only thing that gave me peace, which is playing the guitar, very unlikely. Why didn't I start lopping off digits when I was 13 then?

Mr. Rottenborn: Just the way it was worded. Now, Ms. Heard wasn't the only one who had a problem with you...you can take that down. Ms. Heard wasn't the only one who had a problem with your drinking and abuse of alcohol. Correct?

Ms. Meyers: Objection, compound.

Judge Azcarate: All right, yeah, I'll sustained the objection.

Mr. Rottenborn: Ms. Heard wasn't the only one who had a problem with your drinking. Correct?

Johnny: If anyone had a problem with my drinking at any time in my life, it was me. The only person that I've ever abused in my life is myself.

Mr. Rottenborn: In fact, you tried to hide your drinking from your daughter, Lily-Rose, didn't you?

Ms. Meyers: Objection, relevance.

Judge Azcarate: That's irrelevance.

Johnny: When your nerves are pushed...

Mr. Rottenborn: May we approach, Your Honor?

Judge Azcarate: Okay.

Mr. Rottenborn: Can you pull up Exhibit 207, please? Can you scroll down, please? Thank you. Mr. Depp. I'd like to direct your attention to the last text on this page. It's a text from you to Kevin Murphy. He was your estate manager, correct?

Johnny: He was.

Mr. Rottenborn: This is a text from you to Kevin Murphy on January 21st, 2014. Correct?

Johnny: Yes, sir.

Mr. Rottenborn: Your Honor, I'd move for the admission of that portion of Defendant's Exhibit 207 with redactions.

Ms. Meyers: With identifiers redacted, that's fine. Thank you.

Judge Azcarate: 207.

[00:34:55]

[silence]

[00:35:33]

Mr. Rottenborn: Permission to publish?

Judge Azcarate: Yes, sir.

Mr. Rottenborn: And in this text to Kevin Murphy on February...or, sorry, January 21st, 2014. You say, "Just trying to get over my shocking discussion with Vanessa that lasted five-plus hours." Vanessa is your former partner, correct?

Johnny: She's the mother of my children, yes.

Mr. Rottenborn: The mother of your children, that's right. And then you say, "I feel ill and have invested my guts into some side corner." Now, Lily-Rose hates me because she thinks I'm drinking and she's right, but I can admit or I fucking die in her eyes. Thanks for that one, Vanessa. Come to Master in Main House." Did I read that correctly?

Johnny: You did, sir.

Mr. Rottenborn: Can you pull up Exhibit 1092, please?

[00:36:28]

[silence]

[00:36:47]

Mr. Rottenborn: Mr. Depp, is this a picture of you passed out in the chair during daylight hours?

Johnny: Again, isn't passed out...that's a very specific term. Sleep could be one, passed out...

Mr. Rottenborn: Let's try it this way. This is a picture of you in a chair, correct?

Johnny: That is correct.

Mr. Rottenborn: Move for the admission of 1092, Your Honor.

Judge Azcarate: Any objection?

Ms. Meyers: Relevance, Your Honor.

Mr. Rottenborn: Your Honor, I'm trying to move this along and when we stopped with relevance every...

Judge Azcarate: Well, do you want to lay a foundation? I just don't...

Mr. Rottenborn: This is a picture of Mr. Depp that we've introduced on Thursday another picture that...

Johnny: What is the date of this photograph? I'm sorry.

Mr. Rottenborn: Can you take that down and put up Exhibit 470, Michelle, please? Mr. Depp, is the bottom text on this page a text exchange...or a text message from you to your personal assistant, Stephen Deuters on September 3rd, 2015?

Johnny: That's what it looks like, yes, sir.

Mr. Rottenborn: Your Honor, I'd move for the admission of this exhibit with just that text and the appropriate redactions. Exhibit 470.

Ms. Meyers: Again, irrelevance, Your Honor. And cumulative.

Judge Azcarate: I'll allow this one.

Mr. Rottenborn: Thank you, Your Honor.

Judge Azcarate: With the redactions.

[00:38:47]

[silence]

[00:39:18]

Mr. Rottenborn: Permission to publish, Your Honor?

Judge Azcarate: All right.

Mr. Rottenborn: Thank you. Mr. Depp, in the effort to move this long, I'm not going to read the whole thing but I'm going to start with the word, "Main bits," which is five lines down. You write to Mr. Deuters on September 3rd, 2015, "Main bits needed are Xanax and Adderall. And I want no judgment from Kipper or Debbie." Kipper means Dr. David Kipper, correct?

Johnny: That's correct.

Mr. Rottenborn: And Debbie means Debbie Lloyd, your sobriety nurse, correct?

Johnny: That is correct.

Mr. Rottenborn: "Just found out from Joel, last night, how much I spent on having Kipper and Debbie around. Millions and fucking millions, mate. All the while, Debbie just hung around broad bch and gave me new meds like every two weeks. She was on set maybe four times. Wow." And five money symbols. "Sorry, just how it is." Did I read that right?

Johnny: You did.

Mr. Rottenborn: Can we pull up Exhibit 587, please? This is a recording, Your Honor.

Judge Azcarate: I already have 587A, so this is 587B?

Mr. Rottenborn: 587B, Your Honor. The excerpts to be played are 19:40 through 19:53 and 23:04 through 23:29.

Judge Azcarate: Any objections?

Ms. Meyers: No objection, Your Honor.

Judge Azcarate: All right, 587B in evidence.

Amber: [inaudible 00:41:10], if you can keep clean and sober, then it will fix all of our problems.

Johnny: I'm never getting clean and sober.

Amber: I know.

Mr. Rottenborn: In that clip, Mr. Depp, you told Ms. Heard, "I'm never getting clean and sober," correct?

Johnny: It sounds like, to me, that...yes, either that or, "I have never been clean and sober."

Mr. Rottenborn: Thank you. Let's play 23:04, please.

Amber: And the big picture, the big scheme of things, it does nothing but hurt us. And why? Because the coke and booze doesn't make it easier for you to see how clearly that it's...

Johnny: You got to stop, you got to stop with the coke and the booze.

Amber: All the coke you've done today and all the booze you drink today, has it helped you? Has it helped us?

Johnny: That just got to go.

Amber: Has it helped us?

Johnny: [inaudible 00:42:14]

Amber: Yeah, I know because yesterday, you are 1,000 times better. Yesterday, did we...

Mr. Rottenborn: I'd like to turn now to a few more of your words around the time that you went into detox, about how you viewed Amber's role in that process, Mr. Depp. Can you please pull up Plaintiff's Exhibit 120_40? And Your Honor, 120_41 was admitted the other day, but I'd like to introduce this as a separate exhibit.

Judge Azcarate: So, 120B, and that would be _40, you said? Four-zero?

Mr. Rottenborn: Yes, Your Honor.

Judge Azcarate: Okay. Any objection to that?

Ms. Meyers: If I may? It just came up on the screen.

Judge Azcarate: Okay.

Mr. Rottenborn: Mr. Depp, while they're looking at that, is the second text from the bottom, a text that you sent to Amber's mom, Paige on August 19th, 2014?

Johnny: Yes, that's correct, sir.

Mr. Rottenborn: And this is when you were either in the middle of or finishing up your detox process from Roxicodone, correct?

Johnny: That is correct.

Judge Azcarate: All right, no objection?

Ms. Meyers: No objection.

Judge Azcarate: Okay, 120B in evidence. Do you want to publish? Oh, you did? As is, correct?

Ms. Meyers: With the other text messages redacted.

Judge Azcarate: All right.

Ms. Meyers: Thank you.

Mr. Rottenborn: Oh, with the...okay. Yeah, sure. And in this text message that you write Amber's mom on August 19th 2014, you say, "My dearest Paige, how unbelievably kind and pure your message was. I am beyond thankful to have you in my life. There is no luckier man on this earth to have the strength that Amber gives me and the full support of each of you individually, that I've gotten, helps immeasurably. I don't need to explain the horrors to you. You know as well as I. What you do need to know that your daughter has risen far above the nightmarish task of taking care of this poor old junkie. Never a second has gone by that she didn't look out for me or have her eyes on me to make sure that I was okay. ynwords are truly feeble in attempting to explain her heroism in a text, suffice to say that I have never met or loved a woman or a thing more. She has the strength of a thousand men. And that is due to no one or nothing but you, sweetheart. Thank you. I love you. Your son out-law." Did I read that correctly?

Johnny: You did, sir.

Mr. Rottenborn: I'd like to take a look at another document, Exhibit 272, please.

[00:45:13]

[silence]

[00:45:41]

Mr. Rottenborn: Is this a text message that you shared...a text message exchange between you and Amber the following day on April 20th, 2014?

Johnny: Yes, sir.

Mr. Rottenborn: Your Honor, permission to...I'd move for the admission of Exhibit 272 and ask for permission to publish.

Ms. Meyers: With the identifiers removed, we have no objection.

Judge Azcarate: All right, remove the identifiers. All right, 272 in evidence as redacted.

Mr. Rottenborn: Now, Mr. Depp, you testified on Thursday that you saw nothing wrong with referring to Amber as a lesbian camp counselor when she was trying to get you to stop using drugs. But let's take a look at what you say in this text.

Johnny: She has used that term before.

Mr. Rottenborn: In this text. Mr. Depp, you say, "Just to let you know that I'm fine, my angel. I miss you, of course, but this was the right thing to do to speed up the process. I love you more than life. Yours, Steve." Did read that correctly?

Johnny: You did.

Mr. Rottenborn: You can take that down. Now, you've brought this lawsuit about the op-eds specifically but for years prior to the date that Ms. Heard wrote that op-ed, there were numerous negative news stories about you. You'd agree with that, correct?

Ms. Meyers: Objection, compound.

Judge Azcarate: All right, I sustained, it's a compound.

Mr. Rottenborn: For years prior to 2018 when Amber wrote the op-ed, there were numerous negative news stories about you that were released in the public, correct?

Ms. Meyers: Objection, calls for speculation.

Judge Azcarate: I'll allow it, you can answer.

Johnny: By 2018, are you saying?

Mr. Rottenborn: Correct.

Johnny: Yes, it all started with Ms. Heard going directly to a court to get a TRO, which is...with a bruise on her face and paparazzi, that was the sort of beginning of the ball rolling down the hill and gaining momentum...

Mr. Rottenborn: There were lots of negative stories about you prior to May 27th, 2016 when Amber went into court, correct?

Ms. Meyers: Objection, asked and answered.

Judge Azcarate: Now, it's 2016, I'll allow it.

Mr. Rottenborn: There are plenty of negative stories about you prior to that date, weren't there?

Johnny: So, I've been in the racket of Hollywood since 1984, my...

Mr. Rottenborn: Mr. Depp, I'm asking you a yes or no question. There were plenty of negative news stories about you prior to May 27th, 2016, correct?

Johnny: From 1984 up until then, there were both. So, of course, people write negative stories.

Mr. Rottenborn: Sure. And you just testified to the jury that it all started on May 27th, 2016, so that's why I asked you to clarify about the negative stories prior to that day. And you'd agree that there were, correct?

Johnny: Can you be specific about the stories? Of course, there have been negative stories.

Mr. Rottenborn: Permission to approach, Your Honor?

Judge Azcarate: All right.

Mr. Rottenborn: Your Honor, I have here numerous exhibits in one sort of compendium, all press articles about Mr. Depp. If I may approach?

Judge Azcarate: All right.

Johnny: Thank you so much.

Ms. Meyers: Your Honor, having received this, I would like to preemptively illogic, hearsay, lack of foundation, and...

Judge Azcarate: He hadn't admitted it to evidence. Are you moving this to evidence?

Mr. Rottenborn: No, I'm happy to approach but they're certainly not being admitted for the truth of the matter asserted but I'm happy to approach if you like.

Judge Azcarate: All right.

Mr. Rottenborn: Mr. Depp, if you could please take a look at the stack of articles in front of you?

Johnny: Yes, it's a stack of hit pieces generated by Ms. Heard's publicity team.

Mr. Rottenborn: Mr. Depp, we're going to try to get through this as quickly as possible. I'm going to ask you about this one. We're going to talk about them. The first one is entitled...this is from "The Guardian." You see that?

Johnny: "Apparently drunk."

Mr. Rottenborn: Yes, and this is an article from November 15th, 2014, entitled, "Apparently drunk, Johnny Depp cut off at Hollywood Film Award Ceremony." Correct?

Johnny: That's what it says, yes, sir.

Mr. Rottenborn: And the next article is an article from May 7th, 2016, it's entitled, "Johnny Depp: Friends and Family Seriously Concerned About Him, Here's Why."

Johnny: Yes, how did they know?

Mr. Rottenborn: The next article from May 1st, 2017 before Ms. Heard filed for a restraining order a year and a half before she published...no, sorry, this would be after May 1st, 2017. The headline is, "Johnny Depp Has a "Clear and Epic" Sense of Entitlement, Ex-Managers Say," published in "The Hollywood Reporter." Correct?

Johnny: I was in a lawsuit with them.

Mr. Rottenborn: The next article from May 10th, 2017 is entitled, "Johnny Depp: A Star in Crisis and the Insane Story of His "Missing" Millions." Did I read that right?

Johnny: That's straight from the same lawsuit.

Mr. Rottenborn: The next article also from May 10th, 2017, a year and a half before the op-ed was published says, "Johnny Depp reportedly drank heavily and was constantly late on the new "Pirates" movie set." Did I read that right?

Johnny: You did, "reportedly."

Mr. Rottenborn: The next article also from May 10th, 2017...

Johnny: This is a pathetic attempt.

Mr. Rottenborn: Mr. Depp, please just respond to the question that I'm asking you.

Johnny: What's your question, Mr. Rottenborn?

Mr. Rottenborn: The next document, an article published in "Vanity Fair" on May 10th 2017, it's entitled, "Johnny Depp's Financial Woes Might Sink the Next "Pirates of the Caribbean." Did I read that right?

Johnny: You did. I don't know how my financial woes will do that.

Mr. Rottenborn: The next article, May 25th, 2017, a year and a half before the op-ed was published, an article entitled, "Where did it all go wrong for Johnny Depp? After a string of flops and a ton of bad press, Johnny Depp's star power looks as wobbly as Jack Sparrow on a plank." Did I read that right?

Johnny: You read that very, very well.

Mr. Rottenborn: The next one, "Hollywood Reporter," May 27th, 2017, headline, "Pirates of the Caribbean," The Diminishing Returns of Johnny Depp." Did I read that right?

Johnny: You certainly did, "Hollywood Reporter" were very nice to me...

Mr. Rottenborn: July 12th, 2017, "Why Are All of Johnny Depp's Movies Bombing at the Box Office?" Did I read that right?

Johnny: You certainly did.

Mr. Rottenborn: November 4th, 2017, a year and a month before Amber published the op-ed, headline, "Johnny Depp Allegedly Showed Up drunk to Movie Premiere, Reports Say." Did I read that correct?

Johnny: "Allegedly, report say." This is hearsay, is it not?

Mr. Rottenborn: June 21st, 2018, six months before the op-ed was published, "Vanity Fair" article, "The Real Reason Johnny Depp Use an Earpiece on a Film Set."

Johnny: I think that was explained in the court the other day.

Mr. Rottenborn: Did I read that correctly?

Johnny: Oh, you did, yeah.

Mr. Rottenborn: June 21st, 2018, six months before the op-ed was published, a "Rolling Stone" article entitled, "The Trouble with Johnny Depp, multimillion-dollar lawsuits, a haze of booze and hash, a marriage gone very wrong and a lifestyle he can't afford. Inside the trials of Johnny Depp." Did I read that right?

Johnny: You did. You should read the article, it's wonderful.

Mr. Rottenborn: And the last one, June 22nd, 2018, "The Daily Mail," "Vodka for breakfast, 72-hour drug binges and spending sprees that beggar belief: Alison Boshoff reveals why Hollywood's reeling over what's being called Johnny Depp's career suicide note." Did I read that correctly?

Johnny: You did. Who is Alison Boshoff and how does she know?

Mr. Rottenborn: Mr. Depp, you can't name a single actress who has benefited in her career by coming forward and stating that she was the victim of domestic violence, can you?

Johnny: I'm sorry, what was that?

Ms. Meyers: Objection, calls for speculation.

Judge Azcarate: I'll sustained the objection, next question.

Mr. Rottenborn: When Amber made abuse accusations against you in May 2016, fair to say you got a lot of press attention, right?

Ms. Meyers: Objection, calls for speculation.

Judge Azcarate: All right, I'll sustained objection. Next question.

Mr. Rottenborn: When Amber made abuse accusations against you in May 2016, you became aware that it got a lot of press attention, correct?

Johnny: Very quickly, I became aware.

Mr. Rottenborn: And she became associated with those abuse accusations that she made against you in May 2016, correct? To your knowledge?

Ms. Meyers: Objection, calls for speculation.

Judge Azcarate: I'll sustained the objection. Next question.

Mr. Rottenborn: You became associated with those domestic abuse accusations that she made against you, correct?

Johnny: I think that's clear.

Mr. Rottenborn: And you understood that she became associated with those same accusations that she made, correct? You've testified to that.

Johnny: Well, she had a choice, I didn't.

Mr. Rottenborn: And you've talked about the immediate impact that those accusations on May 27th, 2016 allegedly had on your career, correct?

Johnny: Yes.

Mr. Rottenborn: You testified earlier in your examination on direct that when Amber made those accusations in 2016, you said you lost "nothing less than everything," correct?

Johnny: That is correct, sir.

Mr. Rottenborn: But you didn't try to get the restraining order lifted in 2016, did you?

Johnny: I don't...if she wanted restraint...

Mr. Rottenborn: It's a yes or no question. You didn't try to get the restraint...

Johnny: No, why would I?

Mr. Rottenborn: And you didn't have a divorce trial where you could respond to Amber's accusations of abuse in 2016, did you?

Ms. Meyers: Objection, calls for legal conclusion.

Mr. Rottenborn: I'm asking him if he had a trial as of that.

Judge Azcarate: I'll allow it.

Mr. Rottenborn: You didn't have a divorce trial where you could respond to Amber's accusations of abuse, did you?

Johnny: No, there were no charges pressed against me. She didn't tell the police that I had done anything, she didn't mention my name.

Mr. Rottenborn: And you didn't have a California divorce judge decide these facts, did you?

Ms. Meyers: Objection, asked and answered.

Judge Azcarate: I'll sustain the objection.

Mr. Rottenborn: You chose not to try to clear your name at that time through any sort of legal proceeding, correct?

Ms. Meyers: Objection, asked and answered.

Judge Azcarate: I'll sustain the objection, next question.

Mr. Rottenborn: And you chose to sign a divorce agreement in which you stated that Amber had not made any false statements about you for financial gain. We looked at that, correct?

Ms. Meyers: Objection, asked and answered.

Judge Azcarate: Asked and answered, I'll sustain the objection. Next question.

Mr. Rottenborn: In fact, you waited until Amber wrote the op-ed in "The Washington Post" in December of 2018 to file a lawsuit against her, correct?

Johnny: That is correct.

Mr. Rottenborn: Can you pull up Plaintiff's Exhibit 2, please?

Johnny: It was the only time that I was able to speak and use my own voice.

Mr. Rottenborn: You chose not to sue "The Washington Post" in this lawsuit, correct?

Ms. Meyers: Objection, relevance, asked and answered.

Mr. Rottenborn: It's not been asked and answered.

Judge Azcarate: I'll sustain the asked and answered but I'm not sure about the relevance.

Mr. Rottenborn: You chose to sue only Ms. Heard and not the newspaper that published this article, correct?

Ms. Meyers: Objection, compound.

Judge Azcarate: All right, I'll sustained it's a compound.

Mr. Rottenborn: You chose not to sue "The Washington Post," correct?

Ms. Meyers: Objection, relevance.

Judge Azcarate: I'll sustained the objection.

Mr. Rottenborn: You only sued the author of this article, Amber Heard, correct?

Johnny: Which seems she was the one making the statements, yes, I had the opportunity to fight back.

Mr. Rottenborn: Permission to publish Exhibit 2, Your Honor.

Judge Azcarate: All right, Exhibit 2 is already in evidence, so we will publish it.

Mr. Rottenborn: Mr. Depp, you realize that the only job for this jury to decide, its only job is to determine whether this op-ed and this op-ed alone is defamatory?

Ms. Meyers: Objection, calls for legal conclusion.

Judge Azcarate: I'll sustain the objection.

Mr. Rottenborn: This is the only writing that you are...that's the subject of this lawsuit that you brought, correct?

Ms. Meyers: Same objections.

Mr. Rottenborn: It's a fact, Your Honor, he fully brought the lawsuit.

Judge Azcarate: I'll allow that question. I'll allow that question.

Johnny: This is a version of that story of the op-ed that I've never seen. The one that was published before, the one that...the only one I've ever seen is the one that was published prior to this. They changed the title because they were in fear of trouble.

Mr. Rottenborn: Well, I moved to strike that last testimony, Your Honor. Whether it's the online edition or this edition in the paper, this article is the only statement, the only publication of anything that's the subject of the lawsuit that you brought, correct?

Ms. Meyers: Objection, asked and answered.

Judge Azcarate: I'll sustained the objection.

Mr. Rottenborn: This op-ed, Mr. Depp, does not discuss any of the details of your relationship that we've seen in texts and emails and recordings over the past few days, does it?

Ms. Meyers: Objection, compound and asked and answered.

Judge Azcarate: And I'll sustained both objections.

Mr. Rottenborn: In fact, this article doesn't contain any details of your relationship with Ms. Heard?

Ms. Meyers: Objection, asked and answered.

Judge Azcarate: I'll sustained the objection.

Mr. Rottenborn: The only thing that this article states, Mr. Depp, is that in 2016, Amber made accusations of domestic abuse, correct?

Johnny: It was clear that she made allegations in 2016...

Mr. Rottenborn: And she did that when she obtained a restraining order against you in 2016, correct?

Johnny: Yes, I suppose. Yes.

Mr. Rottenborn: And even if you disagree with the accusations that she made against you in May 2016, it is a true fact that she did make those accusations in 2016 and got a restraining order against you, correct?

Ms. Meyers: Objection, compound, asked and answered.

Judge Azcarate: I'll sustained the objections. Next question.

Mr. Rottenborn: To your knowledge, the words that Ms. Heard used in this article about getting a restraining order against you in 2016, those are true, correct?

Johnny: I'm sorry?

Ms. Meyers: Objection, [crosstalk 01:01:11] document.

Judge Azcarate: All right, I'll sustained the objection.

Mr. Rottenborn: Can you go to the third paragraph? Pull up the third paragraph, please? The statement that then two years ago Ms. Heard became a public figure representing domestic abuse, that is true, isn't it?

Johnny: I'm not sure what we're looking at.

Ms. Meyers: Objection.

Johnny: Oh, I see it.

Ms. Meyers: Calls for a legal conclusion.

Judge Azcarate: I'll sustained the objection. I'll sustained the objection.

Mr. Rottenborn: And in 2016 for the first time publicly, Ms. Heard accused you of domestic abuse, correct?

Johnny: In 2016?

Mr. Rottenborn: Yes.

Johnny: That's correct.

Mr. Rottenborn: No further questions.

Judge Azcarate: All right. Ladies and gentlemen, while we go ahead and take our morning recess for 15 minutes, do not do any outside research and do not talk to anybody about the case. Okay? We'll come back in 15 minutes. All right, be seated and redirect.

Ms. Meyers: Good afternoon, Mr. Depp.

Johnny: Hi.

Ms. Meyers: Can we please pull up Plaintiffs Exhibit 1? Mr. Depp, is this the version of the op-ed that you recognize?

Johnny: Yes, ma'am. That's the one.

Ms. Meyers: I would move Plaintiff's Exhibit 1 into evidence and ask that it be published to the jury.

Judge Azcarate: Any objection?

Mr. Rottenborn: No objection.

Judge Azcarate: All right, 1 in evidence and published.

Ms. Meyers: Mr. Depp, when did you see Ms. Heard's December 18th, 2018 op-ed for the first time?

Johnny: It was presented to me by one of my team, I can't remember, but it was within a day or so of it...a couple of days of it having been written, I believe.

Ms. Meyers: And what was your reaction when you saw it?

Johnny: Shock.

Ms. Meyers: Why were you shocked?

Johnny: Because at that point, it had been a good solid two or so years of the accusations, of the allegations planted firmly on my back, so it's something that I've had to carry with me. And I just couldn't believe that it was continuing...that it was continuing in such a way that it was clear that the more bad press, the more hit pieces that came out on me, the more of these stories of Ms. Heard and her righteous chase against me, that it wasn't stopping and it's difficult to...once you've chewed on it for a couple of years, it becomes pretty difficult to swallow anymore as it was completely untrue.

Ms. Meyers: How did you feel when you saw the op-ed for the first time?

Mr. Rottenborn: Objection, asked and answered just now.

Ms. Meyers: My prior question was about his reaction.

Judge Azcarate: All right, I'll allow it.

Johnny: It hurts. Yeah, a blinding hurt. It was like somebody hit me in the back of the head with a two by four. And as I've said, I had no ability to speak prior to because even if I had done an interview to try to explain myself, it turned into a headpiece. So, my mouth was shut and this was the opportunity where I thought something's got to be done. It's just got to be done. I couldn't take it anymore.

Ms. Meyers: When did you first learn that Disney was not going to recast you in the "Pirates" franchise?

Johnny: It was probably two or three days after this op-ed appeared. One of my crew...again, I don't remember who had sent me...excuse me, had sent me a piece that was in some magazine and Sean Bailey, who was the number three...

Mr. Rottenborn: Objection, hearsay.

Judge Azcarate: I don't know yet. I'll overrule it at this point.

Mr. Rottenborn: Thank you.

Johnny: May I continue, Your Honor?

Judge Azcarate: Yes, sir.

Johnny: Thank you. Sean Bailey, who was the third in line, I suppose, in the upper echelon of Disney just basically said in the...

Mr. Rottenborn: Objection, hearsay.

Mr. Rottenborn: What Sean Bailey said.

Ms. Meyers: Your Honor, this is about him learning about this, it's not for the truth.

Mr. Rottenborn: It is the truth, she was asking...

Judge Azcarate: Do you want to approach?

Ms. Meyers: Mr. Depp, could you please explain to the jury who Sean Bailey is? I think you were starting to.

Johnny: Yes, I'll try it again. Sean Bailey is the number three or was at the time, I don't know what his status is anymore. But at the time, he was the number three sort of upper echelon of Disney top dogs and Sean Bailey was quoted as saying that...

Mr. Rottenborn: Objection, hearsay.

Ms. Meyers: Mr. Depp, where was Sean Bailey quoted without getting into what he was quoted as saying?

Johnny: He was quoted in whatever the article was that I was...that was brought to my attention.

Ms. Meyers: And can you please just clarify what article you're referring to?

Johnny: I don't know what journal it came from, I don't know what magazine, I don't know any of that. So, I don't know. I don't know who did the interview with him.

Mr. Rottenborn: Objection, lack of foundation.

Judge Azcarate: I'll overrule the objection. Go ahead.

Ms. Meyers: Mr. Depp, how did you feel when you learned that you were being dropped from the "Pirates of the Caribbean" franchise?

Johnny: Well, it was the "Pirates of the Caribbean" franchise, it was...the character that...Captain Jack Sparrow was a character that I had built from the ground up and was something that I, of course, put a lot of my...as you do with all characters, but you put a lot of yourself into the character. And also, having worked on these films with these people and

having added much of myself, much of my own rewriting of the dialogue and scenes and the jokes and whatever they are, I didn't quite understand how after that long relationship and quite a successful relationship, certainly for Disney, that they would...but suddenly I was guilty until proven innocent.

Ms. Meyers: Up until the point that you learned that you were not going to be in the "Pirates of the Caribbean" franchise any longer, what was your intention with respect to future Pirates movies?

Johnny: The last thing that I knew from the...I'd say there's the producer team and there's the creative team, and there were many discussions. I, in fact, had been approached to take part in writing Pirates 6.

Mr. Rottenborn: Objection, hearsay.

Ms. Meyers: Mr. Depp, what was your intention with respect to future Pirates movies, aside from what you've been asked to do?

Johnny: My feeling was that these characters should be able to have their proper goodbye, as it were. A franchise can only last for so long and there's a way to end a franchise like that and I thought that the characters deserve to have their way out of...to end the franchise on a very good note and I plan on continuing until it was time to stop.

Ms. Meyers: Mr. Depp, last week Mr. Rottenborn asked you about a quote where you said you wouldn't come back to the Pirates franchise for \$300 million and a million alpacas. Do you remember that?

Johnny: I do.

Ms. Meyers: When relative to learning that you would no longer be a part of the Pirates franchise did you make that statement?

Johnny: I think long before I made the statement, there was a very deep and distinct sense of having been betrayed by the people that I had been working with, the people that I had worked hard for, the people that I delivered a character to, that they initially despised but somehow, you know, I stuck to my guns with the character and it seemed to work.

Ms. Meyers: Do you recall when specifically you made that statement about the \$300 million and the 100 alpacas?

Mr. Rottenborn: Objection, asked and answered.

Judge Azcarate: Overruled, I'll allow it.

Johnny: I believe I made that statement during a press conference in the San Sebastian Film...at the San Sebastian Film Festival when I was asked about my, well, situation.

Ms. Meyers: And what year would that have been if you can recall?

Johnny: I believe it was last year or so.

Ms. Meyers: Can we please pull up Plaintiff's Exhibit 804? Mr. Depp, do you recognize this document?

Johnny: As soon as my eyes go on, I hopefully will. Warner Brothers, yes. Pirates 4 and 5, yes.

Ms. Meyers: What is this document?

Johnny: I don't quite know, I'd have to read it to get some understanding of it.

Ms. Meyers: Could we can we scroll through so Mr. Depp can look at the rest of this document?

Johnny: There it goes. This appears to me to be some species of contract.

Ms. Meyers: Is this a contract that you entered into?

Johnny: With Disney.

Ms. Meyers: Your Honor, I have asked that Plaintiff's Exhibit 804 be moved into evidence and published.

Judge Azcarate: Any objection?

Mr. Rottenborn: I think it's outside the scope of direct or cross-examination.

Judge Azcarate: Okay, I'll overrule on that objection.

Mr. Rottenborn: Okay, and I'll reserve other objections to portions of the document depending on what she's going to ask about, it could be hearsay.

Judge Azcarate: But she's asked me to put it all in evidence right now.

Mr. Rottenborn: Well, then, I would object to that at this point.

Judge Azcarate: All right, do you want to come forward so we can... If I can just get a redacted copy of that at some point. Okay, thank you.

Ms. Meyers: Mr. Depp, if I could direct your attention to Section 6 of the contract, which is on pages 8 through 10 of the document? Mr. Depp, what does this reflect?

Johnny: Sorry. It appears to be the agreement of Pirates 4 and 5, compensation and merchandise.

Ms. Meyers: Mr. Depp, at this time, how many other franchise films had you been a part of?

Johnny: At that time, I was "Alice in Wonderland." Boy. "Alice in Wonderland." I'm so pathetic when it comes to knowing what movies I've done. I'm sorry. I don't watch them, I feel better not watching them. What was the question again?

Ms. Meyers: How many other...?

Judge Azcarate: Order in the court or I will have you removed. Understood? Thank you.

Ms. Meyers: How many other franchise films have you been a part of at the time of this contract?

Johnny: There was a third. There was Pirates. There was...oh, sorry, with Warner Brothers, "Fantastic Beasts and Where to Find Them," and then "Crimes of Grindelwald."

Ms. Meyers: And how does the compensation reflected in this contract compared to what you receive for the other franchises that you've been a part of?

Mr. Rottenborn: Objection, foundation.

Ms. Meyers: He just established that he was a member of other franchise films at this point.

Mr. Rottenborn: He hasn't established a foundation that he knows how he was compensated.

Judge Azcarate: I'll overrule the objection, you can answer.

Johnny: I believe the compensation, obviously, all the pay and backend and all those things are negotiated by agents/lawyers, and this was...comparatively, this is my salary on that film and other salaries were of a similar status, I suppose.

Ms. Meyers: If I could direct your attention to the 12th page of the document?

Johnny: Yes.

Ms. Meyers: Is this your signature, Mr. Depp?

Johnny: Yes, it is.

Ms. Meyers: Okay. You can take this down, thank you. Mr. Depp, I recall that you testified that you don't know during a given period what movies you were working on. So, my question is who would know that?

Johnny: Well, first and foremost is my agent or agents. I do recall a couple of the other films that I'd made after. One was initially called "Richard Says Goodbye," and that was...they changed the name to "The Professor" and during all of the nastiness over the past six years, that film went straight to pay-per-view. There was another film called "Minamata" that was produced...it was my company, Infinitum Nihil, we had developed a film called "Minamata" about Eugene Smith and the Minamata...well, the mercury poisoning of a very small fishing village in southern Japan. There was that one. And then there was a film called "Waiting for the Barbarians" with Mark Rylance and Robert Pattison. Those were the three films that I've done.

Ms. Meyers: Mr. Depp, during your cross-examination, Mr. Rottenborn showed you a number of text messages between you and Paul Bettany. Do you remember that?

Johnny: I do.

Ms. Meyers: Could you please explain to the jury what your relationship with Mr. Bettany is?

Johnny: Mr. Bettany and I had...we'd met while I was making a film called "The Tourist" in Venice and we were...it was an instant connection. He's born and bred in the UK and has that English sort of dry, kind of obtuse abstract sense of humor, and that was one of the things that we connected on. Even if it was a difficult or unpleasant situation, we would, you know, do our best to deal with it with humor as opposed to just a constant complaint or whining or anything of that nature. We dealt with it with humor, albeit sometimes in...as these are private texts, there was a lot of...in context, it's important to know that none of it was ever intended to be real.

And the language that's used, which, yes, I am ashamed that it has to be spread on the world like peanut butter. For example, the text that is about burning Ms. Heard, it's directly from Monty Python in the sketch about burning witches and then drowning the witches. This is a film that

we'd all watched when we were 10 and it's just irreverent and abstract humor. That's what we were referring to in those texts.

Ms. Meyers: The text message that you just referenced, other than Mr. Bettany, who else saw that text message at the time that it was sent?

Johnny: No one. Of course not.

Ms. Meyers: Based on your own observations, how would you describe Mr. Bettany's relationship with Ms. Heard while you and Ms. Heard were together?

Johnny: Abominable.

Ms. Meyers: Why was that?

Johnny: Ms. Heard despised Mr. Bettany mainly because we had become such close friends. And for her, he was a threat and would take me away from her with regard to if Paul Bettany was getting the attention from me, that was a showstopper, it would cause all kinds of unpleasantries to the point of where when we were on the island with Mr. Bettany, his wife, and his four children, Ms. Heard and Mr. Bettany got into some debate over lunch. And I just remember that whenever Mr. Bettany tried to make a point, she would talk over him, and then it started to get quite rude, she got mean and she got loud.

And then I believe it was his 18-year-old boy who was getting ready to go to a really...he's a very bright, brilliant kid. He entered the conversation because this was something to do with what he'd studied in school and he knew quite a lot about it, and he voiced his opinion and Ms. Heard demeaned that young man to the point of where he burst into tears and walked away. And it was at that point that I had spoken to Ms. Heard and said, "That's just unacceptable, that behavior is unacceptable, you have no right to demean that boy. You cannot always be right. You should try being wrong sometimes because you might learn something." And then I asked her to...I thought it would be best that she leave the island.

Ms. Meyers: Can we please pull up Defendant's Exhibit 245? And Mr. Depp, I believe this is another text message with Mr. Bettany that you were shown on your cross-examination.

Johnny: Yeah, yeah.

Ms. Meyers: And directing your attention to the text message at the top of the page from May 30th, 2014. Do you recognize this text message you sent to Paul Bettany?

Johnny: Yes, I do.

Ms. Meyers: And could you please describe to the jury what you're conveying to Mr. Bettany in this message?

Johnny: This, again, is a...I suppose an example of the way that I write and express myself. That is to say you stretch your situation out to give him the understanding that you're drowning, essentially. So, everything that I say here is, in fact, an impossibility for the human body. I would have been...well, I would have certainly at least, had to be rushed to the hospital for a stomach pump. There's a line here that if you don't mind I say it, when I say, "I'm done, I am admittedly too fucked," pardon me, "fucked in the head to spray my rage at the one I love for a little reason as well. I'm too old to be that guy, but pills are fine."

Pills that were referenced were the pills that I had had to...that I was coming off of, and they were the only thing that could give me some semblance of the same numbing effect that I searched for as a child with my mother. And saying that I was too messed up in the head was...it's kind of like if you've been told since you were a child that everything you do is wrong and that you shouldn't have even been alive or whatever, you know, joyous little treats that my then very sick and very ill mother brought to me, Ms. Heard was well aware of my past, my childhood, therefore, was very adept at knowing exactly which buttons to push.

So, at this point, I mean, I felt like, well, I was that little boy again in my head like, "I guess I am incapable of doing anything right, I guess I will never be happy, I guess that this is who I am, I can't get along with this person." But it was...it's confusion, you know? It's nothing that you can...it's nothing that anyone could sustain for any length of time. It's nothing that anyone should have to sustain for any length of time when you're being demeaned, berated, judged, and treated like a lesser animal.

I'm treated as if I'm only surrounded by yes men and that I'm a bad father and that was...these things are endless, they were endless, and there was no call for them. It's hard to understand why someone that is supposed to love you could be that cruel. And there's also times where you just say, "Okay, I'm gonna try to not have a...I won't fall for the argument, I won't participate in the argument," because I knew where it would go into her circular pattern of psychological abuse.

Ms. Meyers: Mr. Depp, what do you mean when you use the term blackout in this text message?

Johnny: Blackout? Yes, because I'm talking about 1,000 Red Bulls and vodkas, 1,000 of them, 2 bottles of champagne, no food for days, half a bottle of whiskey. Those things, had that been all absolutely true, would have not only caused a blackout, but it would have caused a severe alcohol poisoning, overdose. I would have had to have gone immediately...if that were true, I would have had to have been taken to a hospital or I'll just die. So, you know, blackout is when someone gets so drunk on alcohol, essentially, on alcohol. But the pills that I was...that I had my addiction...that I was addicted to, the Roxicodone, which are very, very powerful opiates, I took two of those, it would knock me out.

That is to say, so there's blackout, which is you can be...a person could be wide awake and wreaking havoc or having a giggle in a blackout and never remember it. But when you go...when you are...when you've taken the prescription medication, it knocks you out, you are certainly not...well, you are not in any condition to, first of all, swing at anyone. You're out, you go on what's called the nod, and then it takes you away into sleep. It's just a very deep sleep. And I found that much more accepting than having to hear constant badgering and insults.

Ms. Meyers: Mr. Depp, I'd like to show you Defendant's Exhibit 153, which I believe Mr. Rottenborn also showed you last week.

Johnny: Yes.

Ms. Meyers: Do you remember seeing this during Mr. Rottenborn's examination of you last week?

Johnny: Yeah, yes, I do.

Ms. Meyers: Okay. Now, I'd like to show you the full-text exchange, which is in Plaintiff's Exhibit 120. And since there has been a number of text messages drawn from this document, this would be Plaintiff's Exhibit 120C.

Judge Azcarate: And which page would that be or underscore, do you know?

Ms. Meyers: This would be four and five, Your Honor.

Judge Azcarate: Four and five, thank you.

Ms. Meyers: Mr. Depp, Do you recognize these text messages?

Johnny: Yes, I do.

Ms. Meyers: Your Honor, I move Plaintiff's 120C into evidence and ask that it be published to the jury.

Mr. Rottenborn: No objection.

Judge Azcarate: All right, 120C in evidence and published.

Ms. Meyers: Mr. Depp, who are you communicating with in these text messages?

Johnny: In fact, though it says Marino, these are texts between my ex, that is to say, Vanessa Paradis, the mother of my children. And this is, again, abstract humor that we're conveying back and forth to one another. This was all...it was a joke, it wasn't about...it certainly wasn't about Ms. Heard, we didn't speak of her much together.

Ms. Meyers: Do you recall what you were talking about?

Johnny: I don't recall who it was, but it was someone who had, for some reason...I think it was...oh, I think the possibility is that...2013? It might have been we had a nanny at one point who, in fact, we found her...she was caught stealing even from, at the time, my, yeah, maybe 10, 11-year-old boy, Jack, who was bright enough because he knew it. He was bright enough. He had a \$5 bill that he waddled up and put on his desk in his bedroom and when he came home from school...

Mr. Rottenborn: Your Honor, I'm just gonna object on relevance. The question was who was this about.

Ms. Meyers: Yep, we can move on.

Judge Azcarate: Okay.

Ms. Meyers: Mr. Depp, I'd also like to show you Defendant's Exhibit 143, which I believe Mr. Rottenborn also showed you last week. Do you remember seeing this email exchange? If you could scroll down as well, please? Thank you.

Johnny: Oh, yes. Yes. Yes.

Ms. Meyers: Who are you exchanging these emails with?

Johnny: Stephen Deuters, who was at the time my assistant.

Ms. Meyers: And what are you and Mr. Deuters discussing here?

Johnny: Gobbly-goo, essentially. It was a...as I remember, it was a day of work and there were times when I would send a text to Mr. Deuters...because he's the worrisome type, I would send him a text in

jest, of course, and to get a rise out of him, to get some reaction out of him. So, you know, I would tell him things like, you know, "I woke up and I'm bleeding profusely from the inside of my ear, is that normal?" You know, it would be things like that. So, this is exactly the same kind of thing. I think we're even referencing "The Hangover," the film "The Hangover" in part of this about Mike Tyson and sort of bizarre circus that I was telling him that I had in my room and that there was blood everywhere. It was a joke to just sort of throw him off worrying and make...ultimately, it was a joke and we were laughing about it.

Ms. Meyers: Mr. Depp, what, if any, portion of this email exchange is literally true?

Johnny: "We're all set to leave here at approximately 1:30 p.m., hope you rested well."

Ms. Meyers: Mr. Depp, I'd like to talk to you about some text messages that Mr. Rottenborn showed you where you refer to the monster and this is in the context of in conversations that don't include Ms. Heard. Do you remember seeing some of those communications?

Johnny: Yes.

Ms. Meyers: Okay. First, I'd like to show you Defendant's Exhibit 427, please, which is a text message from you to Jerry Judge. How are you using the term monster in this context when you're communicating with Mr. Judge?

Johnny: The monster could essentially...the monster could...it could be two separate things. The monster in her eyes was my...

Mr. Rottenborn: Objection as to what the monster was in Ms. Heard's eye, Your Honor.

Judge Azcarate: All right, I'll sustain, "As to her eyes." If you want to rephrase?

Johnny: The monster was defined by Ms. Heard as this out of control...

Amber: Same objection, Your Honor. What Ms. Heard's view of the monster was is not for this witness to say.

Ms. Meyers: Mr. Depp, how do you know how Ms. Heard defined the word monster?

Johnny: She said the words to me.

Ms. Meyers: And what words did she say with respect to the term monster?

Johnny: It was her go-to phrase. And it was the go-to phrase for me being, again, you know, as has been embellished and elaborated, the drug use or the drink or whatever, but the monster was for me. And again, you start to think about these things and you put it in your own head what the real context is, the monster was sobriety. The monster was trying to be sober because I was plagued by these requests to stop drinking. But the monster could also be...if a conversation...if something starts as a conversation, which will quickly ramp up to quite an antagonizing argument, if I responded to her, if I took part in the verbal back and forth where people do in life end up saying obscenities, screaming obscenities at one another or calling them names or...

When it gets to that point, I mean, the monster was just...for me, it was just the guy who actually was dumb enough to continue to take part in arguments that would ultimately get nowhere. So, that is one of the reasons why I would try to get away from Ms. Heard and not participate in her debates and the knowledge that she wanted to express to me and the circular and painful insults that were constant, it was rapid fire. So, I stopped participating in those, I tried to walk away, I tried to go to another room, even to the point of locking myself in a room so that she just could pound on the door and scream. That was clearly...I should have never fallen for that or taking the bait to allow myself to get into a conversation which led to an argument, which led to physical violence. It was not going to be good. So, I would just walk away, which drove her through the roof.

Ms. Meyers: So, Mr. Depp, why would you use the term monster when communicating with people other than Ms. Heard?

Johnny: Well, because I heard it all the time. I mean, it was...as I said, that was her go-to, the monster, "The monster's here," "The monster's back," the monster. So, I would refer to the monster, again, in terms of with Elton or with a friend, Patti Smith, the monster was...like, with Elton, the monster was, you know, I let the monster creep back into something. That is sobriety, that's what I'm telling him is I have failed and I've had a drink or I have been drinking. But my drinking, again, was not to excess...I would never went into blackouts or anything of that nature. I was disappointed in myself for not staying there, although when you were constantly in a position to be harassed by your beloved other, what else could I do? I wanted to be numb. I didn't want to hear that. I didn't

want to feel that, especially from one who had professed such love for me but gave me mostly hatred.

Ms. Meyers: Your Honor, I'm about to switch subjects. So, this would be a good time for the lunch break.

Judge Azcarate: All right, we started a little later, so I don't mind going a little further. If you want to do that, go ahead.

Ms. Meyers: Mr. Depp, I'd like to show you Defendant's Exhibit 161, I believe Mr. Rottenborn showed you this last week and again today.

Johnny: Yes, yes.

Ms. Meyers: Do you recognize these text messages as between you and Ms. Heard?

Johnny: Yes, I do. Yes, I do.

Ms. Meyers: Why are you informing Ms. Heard that there's a book called "Disco Bloodbath?"

Johnny: When I texted her, yeah, 2:30 in the afternoon, I was in a bookstore, a used bookstore, a bookstore that had a lot of first editions and things like that, which was sort of a passion. And I saw a book called "Disco Bloodbath," and I thought it was a funny title. I can't say that I was necessarily referencing anything other than I thought it was a funny title, "Disco Bloodbath." It sounded like sort of a bad slasher movie to me. So, I said, "Just thought you should know that there exists a book titled "Disco Bloodbath," that's all. And then she said, "We need that book," and then she asked me, "Is it about last Friday night by any chance?"

And then my answer to her, "How can you make me smile about such a hideous moment?" The fact is this is a light-hearted exchange that she's even saying, "We need that book." Then she makes reference to last Friday night, which I don't recall what last Friday night was or whatever, so I just... "How can you make me smile about such a hideous moment?" A hideous moment could have been some grotesque thing that we saw on television. It could have been anything. I don't recall now, but all I was saying is...and it even says at the end of my text, "That's all, "Disco Bloodbath." You know? So, this was not a...we were not butting heads in this exchange whatsoever, it was very light-hearted.

Ms. Meyers: Mr. Depp, I'd like to show you Defendant's Exhibit 375 which is another document Mr. Rottenborn showed you last week.

Johnny: Yes.

Ms. Meyers: Could you please remind the jury what's reflected in this photograph?

Johnny: This is from Australia on March 8th, I believe it was, where after my finger had been...the tip of my finger had been taken off, I began to...I was in such shock, I just started writing on the mirror, on walls. And basically, what these were for me to Ms. Heard were reminders of moments in our past where I had caught her...caught her? Where it was revealed to me even by her that she had been caught in lies that she had told me. So, that's what these are in reference to. The red lipstick that says, "Call Carly Simon, she said it better, babe," in reference to "You're so Vain," I am imagining. But I didn't...the Carly Simon message is not mine, that's Ms. Heard's.

Ms. Meyers: So, let's just break this down a little bit. Who wrote the text that's in black on the mirror?

Johnny: That will be me.

Ms. Meyers: And what does that say?

Johnny: I don't know, it's like, "Naked Hollywood," or something, "An artist of..." I don't know what the rest says. But what that is, is Ms. Heard had come to me and she was seriously...seemed to be seriously concerned about how she was being portrayed in Hollywood. She was concerned that because she had done films where there was kind of arbitrary nudity and things of that nature, she had voiced to me that she did not want to be...she didn't want to be looked upon that way in the industry, she wanted to be able to escape the chains of being objectified by the Hollywood system, which is a difficult thing for any woman, certainly, unfortunately.

But she asked me, "How can I avoid being stereotyped as the beautiful blonde who gets her breasts out or just goes naked and has to scoop people in movies?" And I gave her my advice on it, on how to avoid it, which I thought was pretty accurate. And her ambition was stronger than what she received from my advice is what it was. My advice that I thought long and hard about because I did care for her and I did understand, I didn't want her to have to do that.

And early on in my career, I was put in a position where, you know, I could have gone off...I could have been just a guy who was on a TV series for a couple of years and then, you know, what was going to be left of me would be on lunchboxes and thermoses and posters and teen

idol things, and I've fought that tooth and nail because I didn't...that's not who I was. So, I had experienced something similar in terms of being looked upon as something that you're not, and so I fought against it in the very beginning and it worked out for me, you know, for a while there and I was giving her basically the same advice.

Ms. Meyers: Now, Mr. Depp, you said that you did not write this portion that's in red here that says, "Call Carly Simon, she said it better, babe." Is that right?

Johnny: Yes, no, that's not mine.

Ms. Meyers: How do you know that it was Ms. Heard that wrote that?

Mr. Rottenborn: Objection, lack of foundation.

Judge Azcarate: Overruled, you can answer.

Johnny: Well, first, it looks like it's trying to match my handwriting but my handwriting is a lot more of a scribble. And also, there's another photograph of this where she went in to make sure that there were...that the red was more prominent. I believe there's also a napkin down there where someone wiped...

Mr. Rottenborn: Objection, Your Honor, lack of foundation. He's referring to exhibits that aren't in evidence and I have no idea whether they even exist.

Judge Azcarate: I'll sustain the objection now. Next question.

Ms. Meyers: Do you recall whether the lipstick writing was on the mirror when you wrote the black paint?

Johnny: No, of course, no. No.

Ms. Meyers: Mr. Depp, I'd like to show you one of the text messages that Mr. Rottenborn showed you concerning the injury to your finger. So, if we could please pull up Defendant's Exhibit 398. This is a text message from you to Dr. Kipper that I believe Mr. Rottenborn showed you on cross-examination. Do you remember that?

Johnny: Yes.

Ms. Meyers: Okay. And why are you apologizing to Dr. Kipper in this message?

Johnny: I believe that at that point, in my brain and in my life and in my heart, I was completely and utterly frustrated with how I had to...or how I

was living my life, and I had had some disagreements with Dr. Kipper and I was apologizing to him for having gone against his wishes or going against his advice, let's say.

Ms. Meyers: What did you mean when you said, "I have chopped off my left middle finger as a reminder that I should never cut my right finger off again?"

Johnny: Again, it's my way of dealing with a painful situation, it's my way of dealing with a painful situation where I resort to humor. So, I had lost the tip of my right finger. And so, I'm saying to him, "I've now cut off my left finger to remind me never to cut my right finger off again." I mean, when you say, "I got my finger cut off," or, "I cut my finger off," or this or that, it doesn't necessarily mean that you did it yourself. And again, I'm a guitarist and have been since I was 12 and that was the only piece that I found in my life at the age of 12 where I knew what I...I knew that I could escape into music and learn music and the last thing...I mean, guitar, I mean, I still play the guitar, it's still my first love.

Aside for my children, it's still my first love. There's no reason in the world why I literally would cut my own finger off to ruin this beautiful opportunity that I was given at 12 to learn how to play the guitar. And again, why would I start lopping off digits in my 50s if I, as Mr. Rottenborn suggests, am a kind of, you know, walking tantrum? When I was younger, why wouldn't I just start chopping off fingers? Or some kind of...why would I ruin the only thing that was really good in my life aside from my children? So, when this finger went, the tip of this finger went, the only thing I could think in my mind was, "Thank God, it wasn't the left hand," which is the fret hand.

I'm right-handed, so that's the fret...that's where the fretboard is. If you lose a finger from your left hand...you know, I'm not Django Reinhardt who had only two fingers to play with. If I lost a finger from here, I would have had to relearn how to play the guitar all over again. It's just not the case. Even though I say, "I've chopped my finger off," it's like saying, you know, "I bumped into a knife," or something. You know, it's not...I'm not admitting to...I think if I was going to admit to someone that I actually chopped my finger off, this text wouldn't be as it is. I think it would have been a long explanation as to why I got to that point. But no, I can't take responsibility for what I now call Little Richard, my chopped finger.

Ms. Meyers: Mr. Depp, at the time that you sent this text message to Dr. Kipper, had you told him what had actually happened to your right finger?

Johnny: Oh, yes. Yeah.

Ms. Meyers: And when did you tell him that?

Johnny: He was aware of that that day, the day that it happened. Malcolm was aware of it. Jerry was aware of it, Stephen was...everyone was aware of it. And, of course, yes, when I went to the doctor, the emergency room, I lied to them because I didn't think it's wise to cause a ruckus, implicate Ms. Heard, and then have eight million stories out in the press about how she has thrown a bottle of vodka at me and it smashed all the bones in the tip of my finger and cut off...it was all sliced down through, you've seen the pictures. It was pretty horrible. And I didn't want to put her in that situation, I didn't want to put any of us in that situation, I didn't want to put the film in that situation. That was why I said it was crushed in an accordion door and it was only the second doctor who actually told me what he...

Mr. Rottenborn: Objection, Your Honor, hearsay.

Johnny: I haven't finished my sentence. How do you know?

Judge Azcarate: I'll allow it. Go ahead, yeah.

Ms. Meyers: Go ahead.

Johnny: Thank you. The emergency room doctor was first. The next day I went to see a specialist hand surgeon, and this was still in Australia, and he had recognized that my excuse for the finger being gone...

Mr. Rottenborn: Objection, Your Honor, hearsay. What the doctor conveyed to him about his thoughts on the finger injury, that's classic hearsay.

Ms. Meyers: Your Honor, it's in the context of medical treatment.

Judge Azcarate: No, I'll sustain that objection.

Ms. Meyers: Okay. Your Honor, I think this is a good stopping point. Yes.

Judge Azcarate: All right, ladies and gentlemen, we'll go ahead and take our lunch recess. Again, do not do any outside discussions and don't talk to each other about it, okay? And we'll see you after lunch, okay? If everybody in the courtroom could still be quiet, please. The court is in session. Thank you. All right. So, we can take a recess till 2:20. Just for planning purposes, though, I plan to go to 5:30 today since we had a late start, so just let you know. And I know you plan on having a remote witness, which is fine, just let us know so we can set that up. But also

make sure your remote witness knows that this is a courtroom. I don't expect them to be any outside noises or anything else going on and direct attention. And also, if they would know that if there's an objection, for them to hold off answering until that's resolved. That goes for all remote witnesses when we get to them. Okay? All right, it's 2:20 then. Thank you.

Bailiff: All rise.

Judge Azcarate: All right, are we ready for the jury? Sure. All right. Are we ready for the jury then?

Woman: Yes.

Judge Azcarate: Okay. All right, thank you. And be seated. Your next question.

Ms. Meyers: Mr. Depp, before the break, we were talking about how your finger got injured in Australia. Do you remember that?

Johnny: Yes.

Ms. Meyers: Okay. I'd like to pull up Defendant's Exhibit 394, please. Mr. Depp, do you recall Mr. Rottenborn showing you this exhibit during your cross-examination?

Johnny: Yes, I do.

Ms. Meyers: And can you please explain when relative to your finger injury you sent this text message?

Johnny: That's the day before. Is it? Am I correct?

Ms. Meyers: At the bottom, it says, "I cut the top of my finger off, what should I do except, of course, go to a hospital?"

Johnny: Oh, Australia. Exactly. The time is...sorry. Yes, that's what I said.

Ms. Meyers: And so, when relative to when your finger was injured did you send this text message, to your best recollection?

Johnny: This looks like it's at the time, to me.

Ms. Meyers: And in the middle here it says, "Her obsession with herself is far more important, she's so fucking ambitious, she's so desperate for success and fame. That's probably why I was acquired, mate." What do you mean by that?

Johnny: Unfortunately, I meant exactly what I said in this text. It become clear that there were...she seemed to take more care and importance in going on auditions, going to the Met ball, or going to any sort of premiere or opening or whatever where she could be...

Mr. Rottenborn: Objection, went out of the scope of the question, Your Honor.

Judge Azcarate: All right.

Ms. Meyers: I believe he was responding to what he meant by what he wrote in his text message.

Mr. Rottenborn: And then he said, "I meant exactly what the words said," and now he's going to beyond the scope...

Judge Azcarate: All right, I'll sustain the objection. Next question.

Johnny: Thank you, Mr. Rottenborn.

Judge Azcarate: Sir, if you could just answer the question, Mr. Depp, please. Direct your attention just to your attorney. Okay?

Johnny: I'm sorry, Your Honor.

Ms. Meyers: Mr. Depp last week. Mr. Rottenborn showed you an audio recording where you referenced your finger getting cut off in Australia. Do you recall that?

Johnny: Yes.

Ms. Meyers: Okay. I'd like to play a different portion of that recording that came before the portion that Mr. Rottenborn played. So, if we could please pull up Plaintiff's Exhibit 343. And we will be playing the portion at 1 hour, 54 minutes, 11 seconds to 1 hour, 56 minutes, 10 seconds.

Amber: It's early, it's quick, it's so not...you're not interested in not waiting, you're guaranteeing a fight when you do that. And I've told you this so many times, you guarantee...if you were interested in not fighting, you would be respectful. If you needed the space, you would be careful not to perpetuate the fight longer by saying, "I need a few minutes," and then actually honoring that. How can I trust you that it will be a few minutes when you've done this in the past and disappeared for hours? You know, I got mad at you in Australia about this. I've said, "Baby, I want to trust you. It's hard for me not to try and work it out." If you want to be the person that's like, "I need to cool down," help me do that...I can

give that to you. But I can't give it to you if you always let me down and fucked up and forget...

Johnny: Because I give you a time limit because I said I'll be back in three minutes, so I'm just...

Amber: No, it's different.

Johnny: If it happens...

Amber: No, it's different, you never...

Johnny: If it happens, I'm just gonna say, "Look, I need some time." And that's it.

Amber: I'm telling you, that will make it worse.

Johnny: No.

Amber: I guarantee you it will.

Johnny: If you're fucking throwing punches...

Amber: I'm not talking about throwing punches, I'm talking about an argument.

Johnny: Right. In arguments, you tend to throw punches.

Amber: I'm talking about arguments. I'm not talking about the times when it's quite physical. I'm talking about arguments. I'm talking about arguments. I'm talking about arguments.

Johnny: Yeah, and our arguments...

Amber: You left earlier and earlier and earlier, and now, you'll split and take off right away and you don't deal with the issue, you don't deal with the confrontation, and you split. Whether it is...and then you do it for an undetermined amount of time, you do it without actually respecting when you do give me a time, like you say, "I need a few minutes," you never...

Ms. Meyers: Mr. Depp whose voices can you hear in that audio recording?

Johnny: Ms. Heard and myself.

Ms. Meyers: And there was a mention about Ms. Heard getting mad about something in Australia. What did Ms. Heard get mad at you about in Australia?

Johnny: There were many instances where Ms. Heard would get upset, angry, and argumentative and violent in Australia. There were many times. The one that was the day when the tip of my finger disappeared, that had to do with a phone call. When she arrived in Australia, she complained that an attorney who was explaining to her the...

Amber: Objection, Your Honor, is hearsay as to what he alleges her attorney was explaining to her. That's clearly...

Ms. Meyers: We can move on, Your Honor.

Judge Azcarate: Okay, yes, ma'am.

Ms. Meyers: In the context of this audio recording that we just heard, what to your understanding is Ms. Heard referencing when she says, "You split?"

Johnny: I would leave, I would excuse myself from the situation, I would try to get away so that nothing escalated. Because if given the chance to allow things to escalate, Ms. Heard would take it to the very extreme, which ended up with my finger being chopped off. So, I really thought it was the best idea to avoid things like that.

Ms. Meyers: Mr. Depp, I'd like to show you what's been marked as Defendant's Exhibit 272. I believe this is another document that you saw during your cross-examination. Do you recognize these text messages?

Johnny: Yes.

Ms. Meyers: And these were after your detox on the island, is that right?

Johnny: That's correct.

Ms. Meyers: Now where it says here, "This was the right thing to do to speed up the process," what are you referring to there?

Johnny: When we were on the island and I was going through the process of detox, the detoxing from the opiates, which was a very unpleasant and powerful, painful process, it wasn't working with Ms. Heard there. I could not properly detox as every day was another problem or this or that. So, I asked that we leave the island and go back to Los Angeles. And I asked Ms. Heard if she would please allow me to get a bungalow at the Beverly Hills Hotel where she and her friends could go for...I needed five days, six days, seven days, anything I could get where I could finish the detox by myself without any unnecessary interruptions or unpleasant interruptions.

To which she replied that she felt like I was throwing her out and abandoning her after all she had done for me when the fact is no matter what I wrote to her mother and to her, I needed the time because I would have gone straight back to the pills. I would have not been able to detox properly without that time alone. And she reluctantly gave me the time and I sent her and her friends to Beverly Hills Hotel and the bungalows and went through the detox by myself in the penthouse for the next five or six days.

Ms. Meyers: Mr. Depp, last week, Mr. Rottenborn showed you a video that was taken of yourself where you're slamming some cabinets. Do you recall that?

Johnny: Yes, I do.

Ms. Meyers: First of all, where are you in that video?

Johnny: That's the kitchen at a house that I've...on Sweetser that I've lived in since mid-90s.

Ms. Meyers: And do you recall what you were upset about in that video?

Mr. Rottenborn: Objection, leading.

Judge Azcarate: Overruled.

Johnny: I don't recall as I don't know the date of...there's no metadata that I am aware of for that tape. Also, apparently looking for any metadata is impossible as it is not our own...

Mr. Rottenborn: Your Honor, beyond the scope of the question.

Judge Azcarate: I'll sustain the objection. Do you want to ask the question again?

Ms. Meyers: Mr. Depp, what do you remember...what, if anything, do you remember being upset about that resulted in what was seen in that video?

Johnny: I can't recall if it was bad news about my mother's health. I can't recall if it was something to do with my former business managers, you know, finding out that they've taken me for a very nasty ride. I don't recall exactly what it was about. What I do know is that it didn't have anything to do with her...

Mr. Rottenborn: Objection, beyond the scope of the question.

Judge Azcarate: Overruled, I'll allow it. It's fine.

Johnny: There was nothing between us before she entered that room. It was me alone.

Ms. Meyers: Okay. Do you know where Ms. Heard was before she entered the room?

Johnny: I assumed that she was up in the...you know, she'd gotten out of bed and gotten dressed and come downstairs.

Ms. Meyers: Mr. Depp, earlier today Mr. Rottenborn played a recording where you can hear Ms. Heard seeming to claim that you put a cigarette out on her. Do you remember that?

Johnny: I remember hearing that, yes.

Ms. Meyers: I'd like to play you another recording which is Plaintiff's Exhibit 365. And this is, for the record, an 11-second recording so we'll be putting in the entire...

Judge Azcarate: All right, any objection to 365?

Mr. Rottenborn: No, Your Honor.

Judge Azcarate: All right, 365 in evidence.

Amber: Couch. Couch. Couch. You give me one couch. I gave you three other couches. Two? Two couches. What do you want? Please, give me a couch.

Johnny: What do you want?

Amber: A couch.

Johnny: A couch. All right, what do you want?

Amber: I want a couch.

Johnny: We sit on one.

Amber: I want a couch. Agree, please. You said you agreed before you started talking.

Johnny: Couch, agreed.

Amber: [inaudible 02:25:26]

Johnny: Have I been [inaudible 02:25:30]?

Amber: Yes.

Mr. Rottenborn: Yes, Your Honor, she said this was 11-second.

Amber: Everything you said has been nasty and thought-provoking and mean-spirited, and...

Johnny: Not you.

Amber: No, I'm not saying that...

Ms. Meyers: I'm sorry, I think I misspoke. It may have been 45, I may have misremembered.

Mr. Rottenborn: She said it was 11 seconds long and that went way longer.

Ms. Meyers: I apologize, I misremembered.

Judge Azcarate: All right, it's in evidence.

Mr. Rottenborn: It may help if...could we ask them to move the media player so we can see it too because we can have it in one screen, so...

Judge Azcarate: [crosstalk 2:26:00] because we didn't publish it. There we go. Okay. Okay.

Ms. Meyers: Can we play that? Thank you.

Amber: Couch. Couch. Couch. You give me one couch. I gave you three other couches. Two? Two couches. What do you want? Please, give me a couch.

Johnny: What do you want?

Amber: A couch.

Johnny: A couch. All right, what do you want?

Amber: I want a couch.

Johnny: We sit on one.

Amber: I want a couch. Agree, please. You said you agreed before you started talking.

Johnny: Couch, agreed.

Amber: [inaudible 02:26:41]

Johnny: Have I been [inaudible 02:26:44]?

Amber: Yes. Everything you said has been nasty and thought-provoking and mean-spirited, and...

Johnny: Not you.

Amber: No, I'm not saying that. You asked me yours. By the way, you just threw a fucking cigarette on me.

Ms. Meyers: Mr. Depp, Do you recognize what's in that recording?

Johnny: Do I recognize what's in the recording?

Ms. Meyers: Yes.

Johnny: It seems pretty clear that she's ordering me to the couch and I didn't want to go through with any...again, avoiding confrontation, trying to avoid confrontation in any way. I can certainly say that without hesitation, there is no way under the sun that I would flick a cigarette at her or burn her with a cigarette. If I flicked ashes and ash got on her, she certainly not screaming out in pain as if a cigarette has been put out on her. That's ludicrous.

Ms. Meyers: Do you recall the situation that's reflected in that audio recording?

Johnny: I believe that's Montreal...excuse me, Toronto, which was right after the Venice Film Festival, we're at the Toronto Film Festival.

Ms. Meyers: Mr. Depp, I'd like to ask you about a couple of text messages from May 20...excuse me, May 22nd, 2016 that Mr. Rottenborn asked you about earlier. And before I do, could you please remind the jury what was going on between you and Ms. Heard...between you and Ms. Heard on May 22nd, 2016?

Johnny: On May 22nd. On May 21st, I hadn't seen her since the 22nd of April, her birthday, which was when I left at 4:30 in the morning.

Mr. Rottenborn: Objection, Your Honor, this is cumulative. He's already gone through all of this in his direct examination and she asked him what was happening on May 22nd and he's getting into what happened on May 21st. We've already been through this.

Ms. Meyers: I believe that he's providing context for where they were on the 22nd but...

Judge Azcarate: We can go with the 22nd.

Ms. Meyers: If you could, Mr. Depp, please explain where you were on the 22nd of May in 2016.

Johnny: As far as I can remember, on May 22nd, 2016, I was either preparing to leave for New York for rehearsals and then a tour with the Hollywood Vampires. I was either preparing to leave or I had left.

Ms. Meyers: Can we please pull up Defendant's Exhibit 736, please? And do you recall sending this next message to Ms. Heard on May 22nd, 2016, at 6:19 p.m.?

Johnny: Yes, I do.

Ms. Meyers: Okay. What did you mean when you told her, "Nothing I have to say to you should elicit anything but a sense of ease?"

Johnny: It was essentially...for me it was a...I was bringing up what I had spoken to her about before, which was a peaceful resolution to the problems, a peaceful resolution in terms of a peaceful and private and quiet and calm divorce. And so, that's why I say it shouldn't elicit anything but a sense of ease because it was not about...I didn't want to argue, I didn't want anything but to end the marriage in the kindest way possible for all her family, my family, her, myself, etc.

Ms. Meyers: And what did you mean when you said, "All my love and profound apologies?"

Johnny: "Profound apologies," is that it just didn't work. We just could not work, there was no way, and I had to try to put a peaceful end, a peaceful stop to the endless opportunities for these constant arguments. If I didn't put a stop to it, then...I mean, if I didn't try to put a peaceful stop to it, a peaceful end to it, if you don't stop it yourself, it'll stop you. It will stop you and you don't know what that could be, but it was horrific and I wanted her out of it and I wanted out of it. No one deserves to live like that, no one deserves to live like that. Not her, not me, not anyone. So, I just wanted a smooth exit for both of us. That's all I was looking for.

Ms. Meyers: Mr. Depp, last week, Mr. Rottenborn played a clip from an audio recording where Ms. Heard told you that you vomit in your sleep a lot. Do you remember that recording?

Johnny: Yes, I do.

Ms. Meyers: And what's your response to that?

Johnny: When someone tells you that you vomit...she didn't tell me, I heard it in the court, when someone brings up the fact that you vomit in

your sleep every night, well, at first, I think you'd be aware of it. And also, I think the first thing that I would do is seek medical attention. It didn't exist, I never vomited in my sleep every night. There were times when I would get, yes, physically ill from the endless shots that you take, when you're just...you're unable to take it anymore and it does affect you physically after a while. So, I would have to leave and go and vomit when the fights got into these surreal and absurd and horrible places. But it still confounds me as to why she would record that. I don't know why anyone would record that.

Ms. Meyers: Mr. Depp, the portion...the clip that Mr. Rottenborn played was from Defendant's Exhibit 839. And just for the record, this is a portion of a larger recording, which is reflected in Plaintiff's Exhibit 342. So, with the Court's permission, I'd like to play a clip from Plaintiff's Exhibit 342 and the portion I'd like to play is that 19 minutes, 40 seconds to 25 minutes, 25 seconds.

Judge Azcarate: All right, do we have 342 already in evidence or...?

Ms. Meyers: I don't believe so, Your Honor.

Judge Azcarate: No, so you want to put 342, just the entire audio in?

Ms. Meyers: Yes, I don't believe that there's anyone else in this audio recording, Your Honor.

Judge Azcarate: "I don't believe." I hear this before. Okay, 342, any objection?

Mr. Rottenborn: As long as there's no one else in the audio recording, no objection.

Ms. Meyers: We can confirm afterwards. So, if Your Honor would...if it's more comfortable, we can put it in as 342A.

Judge Azcarate: Okay. And what was the...let's put 342A, I'm sorry, what's the part that you're going to play?

Ms. Meyers: It's 19 minutes, 40 seconds to 25 minutes, 25 seconds.

Judge Azcarate: All right. And there's just the two of them and this is just excerpted?

Ms. Meyers: That's correct.

Judge Azcarate: All right, that's 342A in evidence, and thank you.

Johnny: I don't care.

Amber: Do you understand why 10 minutes downstairs didn't seem real?

Johnny: I don't care.

Amber: Did you hear what I said?

Johnny: I don't care. I don't care.

Amber: You do care.

Johnny: There's plenty of things you've done, plenty of things you fucking done that were absolutely fucking lies and I didn't fuck with you about it. So, anyway, I am leaving. See you in a bit, okay?

Amber: Is that what matters to you?

Johnny: Your lies?

Amber: Is this what matters to you and your party?

Johnny: Your lies, lies, lies

Amber: I never lied to you. And what we're talking about tonight, is what? Who are you? Why? Why are you doing this?

Johnny: I'm leaving. I'll be back.

Amber: Why?

Johnny: Because I'm leaving.

Amber: What is it that is so important, always, to run away to? Why?

Johnny: To run away? Yeah, I run because I'm a coward.

Amber: Why don't you stay? You asked me once not to leave and I'm asking you. So, why every 5 seconds do I get "I'm leaving because there's a fucking movie party that I got to go to." I have never prioritized you behind that. And you of all people, of all people, all this talk about not being that guy, you have done nothing over the last two days but tell me that your movie parties are more important, including the night before last, when I said to you the same thing, stay. And today you apologize and said, "I love you," "I'm so sorry," and then today it takes you 2 second, it takes you 20 seconds at most, to go, "Fuck that, I hate you, I don't want to be with you. Goodbye, I'm leaving. I'm running away, but I'm not running, I am walking away."

Johnny: Well, the one thing is for sure, I don't want to be with you. I don't. I really don't.

Amber: Then if you don't want to be with me in life, then you need to actually do it. You need to actually take off your ring and forget that five hours ago you said the opposite. Otherwise, you can't keep throwing that around. You can't keep saying to me that this is something you care about.

Johnny: There you go.

Amber: Is that what it's worth to you?

Johnny: Yeah. Yeah. For you, from all this bitching, from all these rules, all these...

Amber: Rules? Because I asked you to stay? Because I asked you to stay?

Johnny: No, because you're a fucking...

Amber: What was it when you asked me to stay?

Johnny: Because you're a pain in the ass

Amber: What was it when you asked me to stay?

Johnny: I can't stand it no more

Amber: What was it when you asked me to stay? In Australia, you said, "You promise me not to leave," you said, "You promise me not to leave." What did I do?

Johnny: I thought you would change

Amber: What did I do?

Johnny: Not change

Amber: What did I do?

Johnny: Not change

Amber: Did I stay or did I leave? Did I stay or did I leave?

Johnny: You stayed and you didn't change and you were a fucking pain in the ass and you were a cunt.

Amber: So, I stayed and I've been a cunt ever since, which is why you told me about every other day how you couldn't imagine your life without me, including today. Does that seem normal to you? Does that seem normal to you? You told me tonight that you couldn't imagine your life

without me and now you're throwing your ring on the ground. Does that seem normal?

Johnny: That's how you tell me...

Amber: Does that seem sober? You seem normal?

Johnny: You gave me the definition of normal. You.

Amber: Does that seem normal?

Johnny: You.

Amber: Does that seem normal to you?

Johnny: Borderline personality disorder.

Amber: I am borderline personality disorder now.

Johnny: Without question.

Amber: When I've been consistent all night saying, "Don't go, don't fuck this all up." I'm not fighting with you anymore. I've been saying this to you the whole night, I'm really sorry we disagreed. You're not perfect. I said this two hours ago. I'm not perfect. You're not perfect.

Johnny: I love that you put me first.

Amber: But we don't have to do this every time we disagree.

Johnny: No. No, we don't but we did it.

Amber: Please

Johnny: But we did it.

Amber: Please, come here.

Johnny: And you have every insulting...

Amber: Please, come here. I'm not insulting you now. I have not been insulting you. I love you. Johnny, what do you need me to do? I love you. Stop.

Johnny: You want to smack me in the ear again?

Amber: I love you.

Johnny: You want to smack me my ear again? It's a fucking resound in my fucking cranium. You like that?

Amber: I love you.

Johnny: Well?

Amber: I love you. I'm sorry I hit you. I love you.

Johnny: I love you too. No. No. I don't love you that much.

Amber: You do love me.

Johnny: No. I don't. I do not love you that much to give up myself. No, I do not. I will not give up myself. And you want me to fucking be some kind of perched goddamn parrot or a fucking weird frenzied dog. No, I won't be it.

Amber: I don't want you to be a frenzied dog. I'm trying to talk to...

Johnny: Or your goddamn fucking lover, Tasha, Fantasia.

Amber: Calm down.

Johnny: I'm not going to be that shit.

Amber: Baby, stop.

Johnny: No, I don't want to be with you. If these are the fucking rules, fuck that.

Amber: There are no rules. You're making this whole thing up. No one's fighting you.

Johnny: I'm making this up? Really? Okay. That, above all else, is an insult.

Ms. Meyers: Mr. Depp, what are you and Ms. Heard discussing in this recording?

Johnny: It is another argument that is apparently not an argument to her. The screeching of her voice, the demand that things go her way and only her way, I was done. And I think I stated clearly, "I don't want to be with you, I don't want to be with you." I am not going to be a parrot on her...or some, you know, little dog that runs the hoops, I ain't gonna do that and I wanted out. She said, "Take your ring off." She still wouldn't let me...I did and she still wouldn't let me leave. So, it's just another example of kind of being nailed in one spot and not allowed to do anything but react to her screaming and...screaming like a banshee and then telling me to calm down when I had been pretty calm, I thought.

Ms. Meyers: Where were you trying to go, if you can recall?

Johnny: Anywhere. Away.

Ms. Meyers: And why did you ask Ms. Heard if she wanted to smack you in the ear again?

Johnny: She had given me a good chop in the ear, you know, one of those where leaves ringing, you know? And was not long before that, and so I thought, "Maybe this will make you happy. Will it make you happy to...would you like to hit me in the ear again? Would that make you feel better? Will that make you stop this?" I would have done anything to stop it, outside of taking anything to some physical level. I disagree with that wholeheartedly because that's not me. It's not who I've ever been, it's not who I'll ever be.

Ms. Meyers: Mr. Depp, I'm going to play another audio recording. This is a different portion from what Mr. Rottenborn played for you today. It's DX 598. I believe the portion Mr. Rottenborn played was designated 598B, so this will be 598C.

Johnny: Okay.

Ms. Meyers: And first I'd like to play the portion from 31 minutes, 14 seconds to 33 minutes, 4 seconds.

Judge Azcarate: All right, any objection to 598C?

Mr. Rottenborn: No, Your Honor.

Ms. Meyers: And then we will go on and play the second portion which is 56 minutes, 27 seconds to 59 minutes, 54 seconds.

Judge Azcarate: Okay. All right, 598C in evidence.

Amber: You know, and it build, right? Like you build, I build. You know, it isn't like at one moment, either of us signing certificate of saying or like signing the contract or say, "Okay, now a bloodbath." No. So, acting as though there's a choice between the two is irrelevant. I'm not asking you to stay over having a bloodbath. I'm asking you...I mean over walking away, I'm not asking you to have a bloodbath over walking away. I'm asking you to work it out over prolonging it to making it bigger. I mean, at least that's how I see it.

Johnny: Indeed, but if things get heated and it looks like it's going somewhere nasty and the name-calling begins and all that stuff, I've got to get away because I don't want to be ever in a situation, again, like that. Never.

Amber: Me too.

Johnny: Never. So, don't freak out if we do have a fight and I walk away.

Amber: I'm not going to do that. I'm asking you to stay when you feel that you're also in the interest of working it out.

Johnny: I think it's a good idea for us to take a moment or two...I mean, a moment and take some time, takes some time to think by ourselves without being, you know, barraged by each other's fucking bullshit, whatever. Let's take a break from it and then come back, trying to be calm, and walk through the thing. But I'm not gonna stand and fight with you. I will not.

Amber: I don't want that.

Johnny: You can call me a coward, you can call me anything you want, all those names? Do it, but I will not do it again.

Amber: Please stop asking...I mean, please, can you stop for the sake of this conversation...

Johnny: No, I'm just saying I won't do it again, that's all. Okay, great. Then let's take our space and let's not do this anymore because I'm really getting frustrated and I'm really, really, really sick of this argument.

Amber: Stop. I'm sorry.

Johnny: Okay? So, let me go and you go, and I'll speak to you in a couple hours. Okay? Okay?

Amber: Stop.

Johnny: Why are you saying stop? May I go?

Amber: Please, it causes me so much hurt when you leave...when you walk away from me with that, it's like you're...you don't understand how much worse you're making this.

Johnny: I can't believe this.

Amber: Please, you're making it worse for me.

Johnny: Okay, I'm sorry for you.

Amber: Please, I'm only trying to tell you so that you know, you're causing me immense stress right now when you walk away like that. There's no reason to be mad.

Johnny: Well, then say goodbye. I haven't walked away, you're not saying goodbye, you won't let me fucking leave. Let me leave.

Amber: Stop pushing me, stop pushing me in the corner and then poking me with this stick and then saying, "Why are you using the words you want me to say?" Stop poking me, stop brushing me, stop throwing me against the wall and going, "What? You don't like that wall? You don't like the fucking wall?" Stop pushing me.

Johnny: Amber, I'm not pushing you. I'm not brushing you. I said, "I need space, I don't want this conversation anymore right now." I need space and I will take my space. Whether you like it or not, I will take it. And you will take your space. But if you keep halting this and continuing with the rhetoric...

Amber: I'm not continuing it, I'm begging you to stop.

Johnny: Okay, stop. Stop. Stop. Now I have to go. Okay? So, we will speak to each other in a couple of hours. Okay? That'll give some kind of revelation makes you feel better. You know? And I hope I do too but we'll just see when I get home if we should talk or we won't talk, or we'll finish this or we won't finish it. This is not happiness, this is not...

Amber: Please stop doing this. Please, you're causing me so much stress. I'm gonna die. I'm gonna fucking die. You're causing me so much stress. Please stop. Please. I really need [inaudible 02:51:00] almost every day. Please stop. Please stop doing it. Please stop being so fucking mean. You're a fucking bully, stop. Please stop. Please stop, I've been begging you to not fight. I just said, "Can we please have a normal argument?" Even a normal conversation, like the normal argument, and for the last hour, I've been begging you to please leave it at that, let's go on with our night, I would have been able to come in with you, we would have been able to let it go in a few minutes and it would have been fine. It would just be louder instead of the fucking normal arguments. Please, you're killing me with this. You're killing me. You're fucking killing me. Fuck.

Johnny: Sean, could you...please, I want you to just go. I want you to take your medicine or whatever. I'm sorry that I've upset you.

Amber: You know, I think...thank you, Shawn. I'm ready to go, Thank you so much.

Ms. Meyers: Mr. Depp, in the beginning...well, first of all, do you know where you are when you're having this discussion with Ms. Heard?

Johnny: Excuse me, the only glue that I have is that Shawn is being called, I called Shawn and said, "Drive her home." I believe it was probably at Sweetser, so then she could drive back...he would drive her back to downtown and honestly, she didn't seem in any shape to drive to me.

Ms. Meyers: And earlier in the clip, there was a reference to a bloodbath. What does that mean in the context of that conversation?

Johnny: I don't know. Again, it seems like some words that became part of...

Mr. Rottenborn: Objection, Your Honor, he said he doesn't know.

Judge Azcarate: All right, I'll sustain the objection. Next question.

Ms. Meyers: Mr. Depp, at the end of the day on Thursday, Mr. Rottenborn played an audio recording for you where you were heard saying you were going to hurt yourself. Do you remember that?

Johnny: Yes, I do.

Ms. Meyers: Okay. And I'm not going to play that audio recording again, it seemed upsetting to you, but I do want to ask you a couple questions about that, okay?

Johnny: Sure.

Ms. Meyers: Could you please tell the jury when that recording is from?

Johnny: The recording is from July of 2016. This was a couple of months, a few months after the restraining order had been put on me. I had been on tour through Europe and then coming through the States, I got messages from Christian Carino who was both of our former agent saying that Ms. Heard wanted to meet with me in San Francisco, because we had a...one of our last dates on the tour was San Francisco. And I was confused as to why Ms. Heard wanted to meet with me, especially since I was under a court order not to come within, I don't know, 100, 200 feet or something of her. So, at first, I said...

Mr. Rottenborn: Objection, Your Honor. The question was simply, "Do you remember when that was from?" It's beyond the scope.

Ms. Meyers: Okay. So, where were you when that recording was taken?

Johnny: That was in San Francisco at a hotel room. So, we went to a hotel room so we could finish the discussion that she wanted to have with me.

Ms. Meyers: And how did that discussion go?

Johnny: Not particularly well. I was quite confused as to why I had been summoned to her at that point, since all the news was just about the fact that I had allegedly done all these horrible things to her. And so, I was talked into going there, I went and met with her in the hopes that she would retract her lies that the world was now fed...that had been fed, and in no way was she ready to do that and I couldn't understand why I was there. Everything had been taken from me. My children couldn't escape the fact that all this had gone down. So, I was just...

Mr. Rottenborn: Objection, Your Honor, the question was how did the discussion go and he's talking about his children. It's way beyond the scope.

Judge Azcarate: Sir, just wait for the objection.

Ms. Meyers: I think he's describing the context around that conversation.

Judge Azcarate: All right.

Mr. Rottenborn: It's way beyond the scope of the question.

Judge Azcarate: All right, I'll sustain the objection. Next question.

Ms. Meyers: Mr. Depp, why were you threatening to hurt yourself in that audio recording?

Johnny: In fact, I wasn't threatening to hurt myself. I thought that Ms. Heard had brought me to San Francisco, at that point, it was clear under false pretenses. I don't know what she was after. So, I had a knife in my pocket and I just took the knife out and I said, "Here, cut me. That's what you want to do. Ultimately, you've taken everything. You want my blood? Take it. Have my blood." And then she said, "No, no." And then I said, "Look, if you're not gonna take it, you want it, I know you want it. That's all I've got left. Take it." If she wasn't gonna do it, I would have done it because that's psychologically, emotionally where I was.

I was at the end. I was broken. Not only had I had to deal with everything coming in from...you know, arrows from all over the world, but now she is...I don't know what she was trying to do. So, I just thought the only answer is, "Here, cut me, take my blood, that's all I've got left to give you." And obviously, there was no threat to Ms. Heard with that knife. It was about spilling my blood because I thought that's what she...the only thing she didn't have at that point. And I was broken and really just at the end, just at the end, I couldn't take it anymore. I mean, everybody, I know that that's his job but that was quite a cruel...

Mr. Rottenborn: Objection, Your Honor. well beyond the scope.

Judge Azcarate: All right, I'll sustain the objection. Next question.

Ms. Meyers: Finally, I'd like to play a portion from Plaintiff's Exhibit 357, specifically the portions at 18 minutes, 43 seconds through 21 minutes, 46 seconds.

Judge Azcarate: 357, is that correct?

Ms. Meyers: 357, yes.

Judge Azcarate: All right, so is this going to be another one where it's going to be an A or is this going to be...all that's going to be offered?

Ms. Meyers: Why don't we go with A to be safe?

Judge Azcarate: We're going with A. Okay, can you give me the numbers again just so I have it for the record? What are you gonna play?

Ms. Meyers: It is 357 beginning at 18 minutes, 43 seconds through 21 minutes, 46 seconds.

Judge Azcarate: All right, any objection to 357A?

Mr. Rottenborn: No, Your Honor.

Judge Azcarate: All right, 357A in evidence.

Johnny: This has been going on too long and we're just gonna stop this. We're just gonna stop this.

Amber: I don't know how to get my reputation back.

Johnny: We write a letter together saying that we're going to take this out of the public eye, saying that we're going to try to work this out on our own, saying that the media has created such a fucking hateful storm, that it's sickening, that we love each other, and that we want to make sure each other is okay. How we had fights in the past that we had or whatever, fuck it, they already know all that shit, it don't matter. Here's the deal...

Amber: It matters. I have been...you have no idea, every ounce of my credibility has been taken from, I mean, and done so in a dishonest way. You know?

Johnny: Amber, but the abuse thing is...we've got to deal with that, yeah. We've got to deal with that, Amber.

Amber: They don't have any weigh of...it's my credibility, you know...

Johnny: Then why did you put that out there?

Amber: I did not, you forced me, your team forced me to by going on the offense...

Johnny: I didn't force you too...

Amber: [crosstalk 03:01:33] from the very beginning. Look up the timelines, everything you said...forget it. Forget it. You don't believe what I say, you don't believe what I say, right? I did not put...I did not choose this. Every step of the way, it's been an offense...

Johnny: I did not put this anywhere, I didn't...let me talk to the fucking team.

Amber: I think they called the cops, I think they will state that...

Johnny: IO called the cops.

Amber: I did not call the cops.

Johnny: You told IO to call the cops.

Amber: I did not call the cops and I did not give them any statement when they came, I've been trying to protect you...

Johnny: You told IO to call the cops.

Amber: When? With what was happening?

Johnny: Yeah.

Amber: Oh, I'm sorry. I'm sorry because a lot of time that it's got crazy between us, I really did think I was gonna lose with my life and I thought you would do it on accident and I told you that. I said, "Oh, my God, I thought the first time..."

Johnny: Amber, I lost a fucking finger, man. Come on. I had a fucking, I had a fucking mineral can, a jar, a can of mineral spirits thrown at my nose.

Amber: You can please tell people that it was a fair fight and see what the jury and judge thinks. Tell the world, Johnny. Tell them Johnny Depp, "I, Johnny Depp, a man, I'm a victim too of domestic violence and, you know, it's a fair fight," and see how many people believe or side with you.

Johnny: It doesn't matter, fair fight, my ass...

Amber: Exactly, because you're...

Ms. Meyers: Mr. Depp, when did you have the conversation reflected in this recording with Ms. Heard?

Johnny: I don't recall exactly when it was.

Ms. Meyers: What's your best estimate?

Johnny: My best estimate is that it was long before...quite a while before the meeting in San Francisco in July. Excuse me.

Ms. Meyers: How far after May 21st, 2016 do you think that conversation was?

Mr. Rottenborn: Objection, calls for speculation. I'm sorry, he said he doesn't remember when it was.

Ms. Meyers: I'm asking for his best estimate.

Judge Azcarate: I'll allow it, you can answer it.

Johnny: Sorry, could you ask it again? I was distracted.

Ms. Meyers: How long after May 21st, 2016 do you believe that conversation took place?

Johnny: I would say that it was not too far, maybe a couple of months. It was far enough to where the world media was already bombarding me. So, it was an attempt to try to make all the...

Mr. Rottenborn: Objection, Your Honor, beyond the scope.

Judge Azcarate: All right, I'll sustain the objection. Next question.

Ms. Meyers: What are you referring to when you said you and Ms. Heard will write a letter together?

Johnny: I was trying to make a peaceful settlement.

Ms. Meyers: And what are you referring to when you say you lost a finger?

Johnny: A very large bottle of vodka severing my middle finger in Australia.

Ms. Meyers: And what were you referring to when you said a can of mineral spirits was thrown at your nose?

Johnny: One of the arguments on the island where Ms. Heard had been howling at me with some argument and she picked up a can of mineral spirits about yay big and heaved it at me and it struck me on the bridge of the nose and right there, you know, the forehead.

Ms. Meyers: And what did you say in response when Ms. Heard said, "Tell the world, Johnny, tell them, Johnny Depp, I, Johnny Depp, a man, I'm a victim too of domestic violence?"

Johnny: I said yes.

Ms. Meyers: I have nothing further, Your Honor.

Judge Azcarate: All right, so you can have a seat next to your attorney, please.

Johnny: Thank you, Your Honor.

Ms. Meyers: All right, your next witness.

Man: I'm gonna call Ben King, Your Honor.

Judge Azcarate: Ben King? Somebody's gonna go get Mr. King...

Johnny: Can I do away with this?

Judge Azcarate: You can take it with you. You can leave that there.

Johnny: Okay.

Bailiff: Do you solemnly swear or affirm to testify truthfully in this case in the penalty of law?

Ben: I do.

Judge Azcarate: Gi ahead, sir.

Mr. Moniz: All right. Then, good afternoon, Mr. King.

Ben: Good afternoon.

Mr. Moniz: Would you please state your full name for the record?

Ben: Ben King.

Mr. Moniz: And Mr. King, can you briefly tell us where you're from?

Ben: London, central London.

Mr. Moniz: And can you tell us a little bit about your background? What's your occupation?

Ben: I'm a house manager, personal assistant presently with an individual who also lives in central London.

Mr. Moniz: Okay. Can you lean into the microphone a little bit? Yeah. Now, did you say you're a house manager?

Ben: That's right, personal assistant, house manager.

Mr. Moniz: And can you just tell those of us in the courtroom who aren't familiar, what does that mean?

Ben: I work presently for a gentleman who's in the entertainment industry who...and I manage his property, a large apartment in central London. Take care of the daily needs and running of the site, of the staff, and traveling with him when needed and things like that.

Mr. Moniz: And how long have you been in this occupation?

Ben: Since about 1991, I started in private services, if you like, in house management and butlering and, you know, that stuff.

Mr. Moniz: Typically based around London?

Ben: Correct, I started work in London was my first big job at Buckingham Palace, funnily enough, for four years, and then I continued in different positions full-time and self-employed freelance capacity for many years as well.

Mr. Moniz: Okay. Just generally, can you tell us and without getting into any specifics, but what type of people would you say you typically provide these services for?

Ben: Generally high net worth people, individuals or families' residencies.

Mr. Moniz: Okay. Are you familiar with the plaintiff in this case, Johnny Depp?

Ben: Yes, I am.

Mr. Moniz: And how are you familiar with Mr. Depp?

Ben: I met and worked for Mr. Depp in 2014 and subsequently a couple of times after that.

Mr. Moniz: Okay, and can you briefly just explain to the jury how it came to be that you were working for Mr. Depp?

Ben: Sure. Yes, at that point, I was working in a freelance self-employed capacity. A lot of my jobs came through friends of friends, you know, personal recommendations, etc. And I was asked by a friend of a friend on this occasion, would I be available to go and manage a property where Mr. Depp was going to be staying for about a month in central London, was I available? Would I be willing to do it? And I was available at that point, and so I said, "Yeah, absolutely."

Mr. Moniz: And just to make sure we're on the same page, what timeframe are we talking about here?

Ben: That was August 2014.

Mr. Moniz: Okay. And did you, in fact, end up working for Mr. Depp in that timeframe?

Ben: I did, yes.

Mr. Moniz: Now, just to clarify, were you employed by Mr. Depp?

Ben: No.

Mr. Moniz: So, who was your employer?

Ben: I was paid through a large hotel, which was close by to the house who also...they provided the housekeeper who was working with us for that month as well. So, I was paid through them.

Mr. Moniz: Okay. Can you just generally explain to us what kind of work you were doing for Mr. Depp and Ms. Heard in this timeframe?

Ben: Sure. Yeah, set up of the house basically...sorry, setting up the house initially, which meant ahead of the principals arriving, which meant making sure all the linens were in place for the bedrooms, it was a sizable property, and just organizing everything ahead of their arrival. Once they arrived, it was the management of that property, the oversight of it, and the day-to-day running of some service, you know, like butler service and managing the housekeeper, day-to-day through that whole month.

Mr. Moniz: And when you refer to the principals, who are you referring to?

Ben: Mr. Depp and Ms. Heard.

Mr. Moniz: Okay. Where exactly were you working in London at this point? Just kind of describe for us the house, I guess.

Ben: This house, this is in Mayfair, it's a large townhouse in an old building but it was very contemporary inside and modern...furnished in a very modern sort of way. It's quite spacious, maybe four or five bedrooms, I think, a small indoor pool, a small gym. Quite an open plan layout throughout the house.

Mr. Moniz: Okay. And how long were they there?

Ben: For the month, essentially, yes.

Mr. Moniz: Okay. Can you tell us just generally what hours you would typically work in a day while you were working for them in London in this timeframe?

Ben: Yeah, approximately depended on what was going on, but, I mean, generally 7:00 or 8:00 in the morning till 7:00 or 8:00 in the evening. Typically, there was a chef employed as well. Russel, brilliant chef. He tended to stay after I left in the evening, he would cook dinner, served dinner, and thankfully cleaned up after dinner so I could leave sort of early to mid-evening usually most days. Unless we had guests, sorry, unless there were guests or other things going on.

Mr. Moniz: All right. During your time managing the house for Mr. Depp and Ms. Heard in 2014, did you have occasion to observe the interactions between Mr. Depp and Ms. Heard?

Ben: Yes, absolutely.

Mr. Moniz: How often?

Ben: Daily, I would say, pretty much most days through that period.

Mr. Moniz: And did you yourself interact with Mr. Depp and Ms. Heard?

Ben: Yes, also daily, I would say.

Mr. Moniz: Which of them would you say...or did you see one of them more often than the other?

Ben: Ms. Heard was there, Mr. Depp was...the reason I think they rented the house was because Mr. Depp was working at a studio, I think it was "Mordecai," the movie. So, Ms. Heard was there at the house most of the days, Mr. Depp often went to work and came back later on in that evening or that day.

Mr. Moniz: Okay. How would you generally describe the interactions that you observed between Mr. Depp and Ms. Heard?

Ben: Initially, very sort of loving towards each other. You know, a nice couple. Mr. Depp was always a gentleman and keen to make sure Ms. Heard was taken care of anything she needed, often for a glass of wine for her. Just nice, you know, pleasant.

Mr. Moniz: How about your own interactions with the couple? How did you get along with them both?

Ben: I think very well. Yeah, they were really open to me. I mean, my background is quite formal, so it was quite an informal setting. I was able to ask questions to either of them. Ms. Heard especially was really helpful to get information about what time they wanted dinner, you know, basic stuff like that, or anything. It was good interaction all the time with the both of them.

Mr. Moniz: Okay. Now, you mentioned the wine. Can you tell us to what extent did you observe either of them consume alcohol over the course of these four weeks?

Ben: Sure. When I started that job or when I was taking that job on, I was told, I think, by Mr. Depp's assistant that he was...

Mr. Nadelhaft: Objection, Your Honor, hearsay.

Ben: Oh, sorry.

Mr. Moniz: Can you answer without telling what you were told?

Ben: I was made aware that Mr. Depp was...

Mr. Nadelhaft: Same objection, Your Honor.

Judge Azcarate: Could you put your microphone on.

Mr. Nadelhaft: Same objection, he's explaining what he was been told, now he just said, "I was informed."

Mr. Moniz: I don't think it's offered for the truth, Your Honor. I think it's just offered to explain his own behavior towards the couple.

Mr. Nadelhaft: Can we approach?

Judge Azcarate: Okay.

Mr. Moniz: All right, so, Mr. King, moving past the conversation, let's not touch on that. But just in general, can you describe the alcohol consumption that you personally observed and what you personally witnessed?

Ben: Sure. I didn't see Mr. Depp consume any alcohol during that time in London. There was a large consignment of wine that had been delivered to the house at the start of the visit, many cases that I had to store, I had to find a place to store. And generally speaking, on a day-to-day, about one or two bottles of red wine was consumed per day. I think that's fair to say.

Mr. Moniz: Did you ever observe Mr. Depp drink any of the wine?

Ben: No, I didn't.

Mr. Moniz: Did you ever observe Ms. Heard drink any of the wine?

Ben: Yes, I did.

Mr. Moniz: Regularly?

Ben: Daily.

Mr. Moniz: Now, I think you already testified that you observed the interactions with Mr. Depp and Ms. Heard and you generally found them to be friendly. Is that fair?

Ben: Very much so, yes.

Mr. Moniz: Were there any exceptions to that?

Ben: Towards me?

Mr. Moniz: I'll rephrase.

Judge Azcarate: Okay.

Mr. Moniz: Did you ever observe any arguments between the two?

Ben: Yes, I did.

Judge Azcarate: I'll allow it. That's fine. Go ahead.

Mr. Moniz: You can answer it.

Ben: Oh, yes, I did. Yeah.

Mr. Moniz: Okay. And can you describe for us the arguments that you observed?

Ben: I can describe two of them, certainly. There were a few arguments on that during that month.

Mr. Moniz: Let's just start with those two.

Ben: Okay. The first one I remember was at an evening...actually, both the ones I recalled were and I was close to were at evenings. First particular evening, the couple were due to go out for dinner, I guess. I know the car was waiting in the little courtyard there, ready for them to go, and security were waiting to take them. I was waiting to see them out into the car on the ground level, the ground floor level, to wait to see them out, essentially. And I heard...the first thing I heard was Ms. Heard shouting upstairs in the master suite where they were getting ready to leave.

I heard her shout something, I don't recall what, you know, I was in the vicinity, I wasn't really there to listen. And I heard footsteps, loud footsteps sort of going across...there's like a corridor, if you like, at the top of those stairs that went around the master suite. Loud footsteps, and then more footsteps following, more shouting, and that sort of went on for some time. I mean, I knew what time they needed to leave. I don't recall what time that was but I knew they need...they were supposed to have left already and it went on for a bit.

Mr. Moniz: Do you recall how that first fight or argument resolved?

Ben: No, not necessarily. I mean, I know that they left eventually, albeit late. I don't know how it really resolved because I sort of made myself busy but not going too far away from the door to make sure I saw them out.

Mr. Moniz: All right, and then what about the second argument that you mentioned?

Ben: Second one, I was pretty much in the same vicinity, the same room on the ground floor. Again, the couple were in the TV room, I think, which was off the main sitting room, early evening, and I was going about my early evening duties, replenishing drinks close by, you know, lighting the fire, lighting candles, whatever it might have been. I was close enough to hear Ms. Heard say, "Why did you take your hand away from me, Johnny? Don't you love me anymore?" Like, not in a playful way I might add. And I think he replied, "Of course, I do, don't be silly. Yeah, of course, I do." And it kind of launched from that point and at one point, Mr. Depp got up and went to the bathroom or went upstairs and I was sort of scuttling around out of the way because, you know, I wasn't there listening, I was just there doing my stuff in and around them. Yeah, a strange and sort of banal way to start an argument, but...

Mr. Moniz: How would you describe Ms. Heard's tone when she said, "Why did you take your hand away, Johnny?"

Ben: Accusatory. Spoiled teenage child, maybe. Is that fair? It's pretty, you know, not playfully, let's put it that way. More angrily.

Mr. Moniz: Over the course of the four weeks in August and September 2014 when you were working with Mr. Depp and Ms. Heard in London, did you ever observe any physical violence of any kind between the two of them?

Ben: No, I didn't.

Mr. Moniz: Did you ever observe any injuries on either one?

Ben: No, neither of them.

Mr. Moniz: Okay. After those four weeks, did you ever work for Mr. Depp or Ms. Heard again?

Ben: I did, a couple of occasions. The following year was the first one, and then the following spring.

Mr. Moniz: Okay, and where was that?

Ben: In Australia.

Mr. Moniz: And was it unusual for you to be in Australia?

Ben: In Australia, maybe, but not unusual for me to travel with clients for my assignments to wherever it was needed.

Mr. Moniz: Okay. How exactly did it come about that you were in Australia with Mr. Depp and Ms. Heard?

Ben: Towards the end of the London visit, Mr. Depp kindly said, "You know, thanks so much for looking after us, we really like you, maybe if you're free next year, we can arrange it, we can make it happen, perhaps you'll be able to come to Australia with us, I've got to film Pirates 5." So, I said, "Great, I'd love to," you know, obviously. I was freelance at the time, so it was going to be about four months' work I think it was billed as, so I thought, "Yes, I wouldn't mind some of that, thank you very much."

Mr. Moniz: And where in Australia were you staying?

Ben: Gold Coast. It's a Brisbane area. Brisbane was the main airport, so it's about an hour's drive south of Brisbane.

Mr. Moniz: Okay. And do you recall when you arrived?

Ben: I arrived on February the 4th, I know I flew on that day.

Mr. Moniz: Okay. How did your job responsibilities in Australia compared to your job responsibilities in London?

Ben: Much the same just on a bigger scale, the house was larger, there was a bit more setup to do, but essentially the same oversight of the house, you know, responsible for it during the whole gig.

Mr. Moniz: And were you employed by Mr. Depp or Ms. Heard?

Ben: No.

Mr. Moniz: Who were you employed by?

Ben: Essentially, by Disney, a production company affiliated with Disney who were making the movie. I think their name was Herschel was the production company.

Mr. Moniz: Okay. Okay. Now, I think you said you arrived in Australia on February 4th, 2015. Did I have that right?

Ben: Yes.

Mr. Moniz: Okay. How about Mr. Depp and Ms. Heard? When did they arrive?

Ben: The setup for us was about a few weeks, so I think they arrived towards the end of February 2015.

Mr. Moniz: And between your arrival and their arrival, what have you been doing?

Ben: Just setting up the house. I lived on-site, there was a guest house on the site. Two bedrooms, single-story guest house that I stayed in for those first couple of weeks, setting up the house and just getting everything ready during that time. And then I moved out to apartments, which we all had. We, I mean, a lot of the crew, the chef had an apartment, we all had apartments about a 30-minute drive south of the house.

Mr. Moniz: Okay. And so, we're talking about this house in Australia. So, can you kind of describe that property to us?

Ben: Yes, it was a large house on a few acres of land. A three-story house, five bedrooms, with two or three buildings within the grounds as well. A good size house. Beautiful house, beautiful location.

Mr. Moniz: How many entrances would you say it had?

Ben: Entrances? Many. I mean, many certainly on the lower ground level out to the garden. On the first or on the main floor level, there was many entrances. I mean, every room in that house had a balcony at least. Every room on the lower ground floor had a sliding door or a door out to the utility room, the garage, the gym, everything. Obviously, the front door. Many. On the main level, the large glass sliding doors out to the pool area which had a gazebo and the steps down to the ground.

Mr. Moniz: Okay. And once Mr. Depp and Ms. Heard first arrived to stay at this house, was anybody else staying in the house?

Ben: Staying in the house? No.

Mr. Moniz: Was anybody else staying on the grounds?

Ben: On the property? Yes. I mean, there was a couple there, a caretaking couple, Shawn and his wife Sandra who worked for the owner of the house, they lived on-site essentially all the time. They were there pretty much throughout. And their house was, whatever, a couple of hundred yards away from the main house. And, yes, security were there also.

Mr. Moniz: All right, sticking with the caretaker just briefly, about how long would it take...would you estimate it would take to walk from the main house to the caretaker's house?

Ben: Under five minutes. I mean, yeah, no more than five minutes.

Mr. Moniz: Okay. And then you mentioned security. What was the security setup?

Ben: Security was set up by Jerry Judge. They were employed...they stayed in the grounds for the duration. They didn't come into the house, they had a little sort of shack around by the perimeter wall where they would start their patrols from, walk around the grounds around the exterior of the house at certain times of the day, write their reports, and go back and stay in their shack.

Mr. Moniz: And how many security guards would be on-site at any particular time?

Ben: I think one in the day and one in the night, so they did 12 hours or about, as I remember it.

Mr. Moniz: But it was 24/7?

Ben: Yes, definitely.

Mr. Moniz: Okay. Do you know whether those were local employees? Or were they regularly employed...?

Ben: I believe they were Australian, yes.

Mr. Moniz: Okay. Now, I think you said you were not on the property 24/7, right? You've got an apartment elsewhere?

Ben: Correct, yeah, I kept the same hours as I did in London, essentially. You know, Monday to Friday, 9:00 to 5:00...not quite, but 7:00, 8:00 a.m. till evening, till everything was set up and I could leave.

Mr. Moniz: Okay. And did you have an opportunity when you were in Australia to observe Mr. Depp and Ms. Heard's interactions with each other?

Ben: Yes, of course.

Mr. Moniz: And how would you describe them?

Ben: Initially, very good, you know, like in London, seemed very pleasant towards each other.

Mr. Moniz: Did you observe any arguments?

Ben: Yes. Several.

Mr. Moniz: Okay, can you tell us a little bit about those?

Ben: Yes, similar pattern it seemed to London arguments. One in particular was very similar to the second one in London, started in the TV room, funnily enough, loud voices and Mr. Depp leaving the room, shutting the door, go into another room to play his guitar or, you know, to a bathroom, whatever. And Ms. Heard closely following and opening the door or certainly rapping on the door. It seemed to continue.

Mr. Moniz: Can you give us an estimate about how many arguments you think you observed in this timeframe approximately?

Ben: Several. I mean, we were there for several months, so, certainly, many more than in London.

Mr. Moniz: Did you observe any alcohol consumption in Australia by either of them?

Ben: Yes. Again, Ms. Heard...again, part of my responsibilities was to provision the house and have everything set up for that. So, I regularly brought red wine for Ms. Heard, which she consumed, you know, the same amount as in London, I think, generally speaking.

Mr. Moniz: And what amount is that?

Ben: One or two bottles a day.

Mr. Moniz: Okay. Did you ever observe Mr. Depp start any arguments with Ms. Heard?

Ben: No...

Judge Azcarate: Hold on, objection.

Ben: Oh, sorry.

Judge Azcarate: Can you put your mic up? There we go.

Mr. Nadelhaft: Leading. Objection, leading.

Judge Azcarate: I'll sustain it's a leading. If you want to...

Mr. Moniz: Okay, we can move on.

Judge Azcarate: New question? Okay.

Mr. Moniz: Do you remember anything about Friday, March 6th, 2015?

Ben: It was essentially a normal Friday, if you like, end of the week. Yeah, nothing extraordinary about that day.

Mr. Moniz: Did you come into work that day?

Ben: Yes. Yeah, I was there.

Mr. Moniz: Okay. Do you recall about what time you would have left the house on that date?

Ben: I remember taking a photo of the beautiful sunset over the pool, the sun would set over the pool and the creek. I took a photo of that around early evening, so 6:30, 7:00 I would think. I wouldn't have left much later than that.

Mr. Moniz: Was Mr. Depp there when you left?

Ben: I don't think so. I think Mr. Depp was at the studio still on that day, I can't remember sort of seeing him to say, "Goodbye, you know, have a good weekend."

Mr. Moniz: How about Ms. Heard? Do you recall if she was there when you left?

Ben: Yes, she was.

Mr. Moniz: Did anything unusual happen that weekend?

Ben: Yeah, let's say something pretty unusual happened.

Mr. Moniz: Can you tell us about that?

Ben: Yeah, I can.

Mr. Nadelhaft: Foundation.

Judge Azcarate: All right, foundation, you will lay a foundation.

Mr. Moniz: At some point, did you become aware that something had happened before Mr. Depp...

Mr. Nadelhaft: It calls for hearsay.

Judge Azcarate: All right, I'll sustain that objection.

Mr. Moniz: All right, turning to the following Sunday...

Judge Azcarate: Mr. Moniz, how much more do you have because it's time for our afternoon break?

Mr. Moniz: I think we can...I have a little bit more, Your Honor, so I think maybe this could be a good time for a break.

Judge Azcarate: All right, let's go ahead and take our afternoon 15-minute break, ladies and gentlemen. Again, do not talk to anybody about the case, don't do any outside research. Okay? You're excused. Thank you. All right, we're ready for the jury? All right, thank you. All right, have a seat. Your next question, sir.

Mr. Moniz: Thank you, Your Honor. Mr. King, before we went on break, we were discussing Friday, March 6th, 2015.

Ben: Right.

Mr. Moniz: After you left the house that evening, when did you next see Ms. Heard?

Ben: Sunday the 8th.

Mr. Moniz: And where did you see Ms. Heard?

Ben: At the house.

Mr. Moniz: What were your typical hours?

Ben: Monday to Friday, from 7:0 or 8:00 a.m. till the end of day each evening, early evening, usually.

Mr. Moniz: Why were you at the house that Sunday?

Ben: I was called to the house by one of Mr. Depp's assistants.

Mr. Moniz: And about what time did you arrive at the house?

Ben: Around 2:00, 2:30.

Mr. Moniz: Who was there when you arrived?

Ben: Debbie Lloyd was there. David Kipper was there. Amber Heard was there. Jerry Judge was there.

Mr. Moniz: And I think by now probably everybody's familiar, but can you just very quickly say who those people are?

Ben: Sure. Debbie Lloyd was a nurse, David Kipper was Dr. David Kipper, Ms. Heard was Ms. Heard, and Jerry Judge was head of security.

Mr. Moniz: And when you arrived at the house on Sunday, March 8th, 2015, what did you do?

Ben: I just popped up and went into the house.

Mr. Moniz: And did you observe anything when you went into the house?

Mr. Moniz: Yeah, I mean, initially, I walked into the front door, initially I heard rather than saw anything, I could hear pretty hysterical sobbing, crying, which sounded like Ms. Heard to me. I heard Jerry Judge's voice. There's a few steps as you go up into the house, so you can't immediately see what's going on. So, I went up the steps, I could see then Ms. Heard over on the right-hand side towards the TV room with Jerry Judge. David Kipper was in the kitchen area, which was pretty much directly ahead as you walk up those steps.

Mr. Moniz: And were you able to visually see Ms. Heard?

Ben: Yes.

Mr. Moniz: And you were able to hear as well?

Ben: Absolutely.

Mr. Moniz: How would you describe her demeanor?

Ben: Hysterical, probably the best way to describe it. Crying a lot and, you know, just crying uncontrollably I think it's fair to say.

Mr. Moniz: And how would you describe Jerry Judge's demeanor when he was speaking with her?

Ben: He was keeping her calm, saying, "It's all right, love, it will be all right." Jerry was good, like, he have a big heart, Jerry. He's a good guy. He was calm. Jerry was always calm, mostly.

Mr. Moniz: And what did you do next?

Ben: I saw they were engaged across a way there, so I went into the main kitchen area, which, as I said, was just directly ahead of those main steps spoke to David Kipper.

Mr. Moniz: And following that conversation, what did you do?

Ben: Well, he told me that Mr. Depp had...

Mr. Nadelhaft: Objection, hearsay.

Judge Azcarate: All right.

Mr. Moniz: Your Honor, may we approach?

Judge Azcarate: Okay.

Mr. Moniz: So, you can answer the question, what did you do next?

Ben: So, I spoke to David Kipper who was in the kitchen area, seemingly rummaging through a bin. He said that Mr. Depp had sustained an injury to his finger, one of his fingers, and he was looking for the fingertip that he said had been severed. So, I said, "Well, should I help you?" You know, as one would. And he said, "Yeah, that'd be a good idea." I left him in the kitchen, he said there was a lot more damage downstairs, so I went to...you know, we split up, left him in the kitchen and I went downstairs to search.

Mr. Moniz: At some point, was Mr. Depp's fingertip found?

Ben: Yes.

Mr. Moniz: Who found it?

Ben: I did.

Mr. Moniz: And where did you find it?

Ben: Downstairs in the bar area, the games room area.

Mr. Moniz: So, can you walk us through how you found it?

Ben: Yes, so I walked down the stairs and there's a bit of damage down the steps, a big chunk have been taken out of the marble staircase on my way down, remnants of what looked like a plant pot or something around it, smashed. Walking down into the bar, I could see the damage that Dr. Kipper had told me about, a broken ping pong table sort of collapsed onto the floor, and lots of glass and broken glasses and cans strewn around the bar area.

Mr. Moniz: And where exactly was the finger in the bar area?

Ben: Directly below the bar. I mean, the bar was set up like a conventional bar that stuck out from a wall with a marble top, there's a big chunk out of that as well like on this staircase. Directly at the end of the bar, there was a scrunched-up piece of kitchen paper, if you'd like, a tissue, with lots of blood around it and on it. So, I thought that's probably a pretty good place to look. And it was within that scrunched-up piece of paper on the tiled floor at the end of the bar, the base of the bar by one of the bar stools.

Mr. Moniz: Was there any property damage around the finger?

Ben: Yes, a fair bit. On the floor around the area, there were puddles of what smelled like alcohol to me, it seemed like several drinking glasses, a couple of bottles, one was a Stolichnaya vodka bottle. And at the end of the bar on the...as I said, there was a big chunk out of the bar itself, the bar marble top. At the end of the bar, there was plaster damage right at the end of the bar on the wall. Behind the bar, a smashed and cracked mirror...there's a blue mirror that stretched that whole span behind the bar. Lots of cans again behind the bar on the floor, broken window at the end of the bar, and more plasterwork damage on the wall above the sink, sort of a kitchenette bar, if you like, as well.

Mr. Moniz: You mentioned a bottle of vodka. Was the vodka bottle intact?

Ben: No, nothing was really intact. The top of it...you know, the top of the bottle, it had a label on it, which is how I knew it was a Stolichnaya bottle, it has that sort of squiggly sort of yellow top. There was a large chunk of a bottle, which I guess was the rest of that. And several other...I mean, lots of other broken glass around the area.

Mr. Moniz: After you found the fingertip in the bar area, what did you do next?

Ben: Well, I gathered it up in that kitchen paper and sort of took it upstairs. I might have shouted up to David Kipper, "I found it," I'm not sure. But I walked back upstairs to the kitchen and put it...got a bag, you know, a little plastic bag, put the fingertip in there, set it on top of some ice in this plastic kitchen container, and pretty much handed it over to David Kipper and Jerry Judge, I think, at the time who were keen to get it to the hospital quickly to see if it could be reattached.

Mr. Moniz: Do you recall about what time you found Mr. Depp's finger in the bar area?

Ben: It was about an hour after I got there, so it would have been around 3:30 I would think, 3:20, 3:30.

Mr. Moniz: Now, you've told us a little bit about the state the house was in when you arrived.

Ben: Yes.

Mr. Moniz: Can you generally describe for us and maybe go level by level through the house, what damage you observe?

Ben: Sure, do you want me to start at the lower ground floor in that bar area? I mean, I've described a lot of that.

Mr. Moniz: Sure, that's fine.

Ben: It was pretty extensive down there, all that broken glass, the blood, a lot of blood drips across that floor, it's kind of cream-colored tiled floor in that whole games area. As I said, the ping pong table was collapsed, blood drips across the floor and around the bar. And the damage on the walls, as I said, the plasterwork at the end of the bar, behind the bar, and the chunk out of the marble top. So, on the ground, that was the predominant damage in that area on that level. On the next floor, on the main floor where David Kipper was, in the kitchen itself, again, a few broken glasses and cans on the floor, soda cans behind the kitchen island, the chef's kitchen island, liquid puddles.

There was a sitting room with a couch, a cream-colored couch which had a fair amount of blood drips on the cushions and, you know, that was obvious. The TV which was directly in front of that, a wall-mounted TV, was cracked with what seemed like remnants of a coffee cup embedded in some of it and the rest was below, it looked like coffee splattered behind and underneath the TV and on the floor as well. Through there, we'd set up an art studio, so a lot of the art materials from that, you know, paint brushes, paint, various art materials were on

the floor, a lot of paint on the floor, blood drips throughout that area as well, especially over the...it was a vast sort of wooden parquet floor, there was a lot of oil paint and blood drips up to the staircase.

In one of the bedrooms, there were two bedrooms off of the main kitchen area. One of those bedrooms had blood drips on the duvet and a lamp had seemingly been broken, the shade was removed. There were a couple of lampshades in the art studio area on the floor. That was about the extent of the damage. Going upstairs to the next level, there was a few blood smears on the wall and on this...drips off the stairs going up, again, a cream-colored carpet, which is not ideal. And so, the top floor was the master bedroom, master suite floor, and two bedrooms also up there.

Outside the master bedroom, there was damage to the plasterwork on a pillar outside on the wall. Blood drips into the master bedroom, across the master bedroom floor. Going into the master bathroom, there was a his-and-her sink and a mirror, a large mirror above each of the sinks had writing on each of them. Again, one of the bedrooms or both of the bedrooms I think had blood on the duvet covers and another lamp was broken. And Mr. Depp's guitar was in one of those bedrooms, bloodstained guitar, his iPad was standing up on one of the beds in one of those bedrooms. I mean, that's about the extent of it on each level.

Mr. Moniz: That's the damage...?

Ben: Yeah.

Mr. Moniz: Whose job was it to clean all that up?

Ben: It was mine. It was my responsibility. The house was essentially my responsibility.

Mr. Moniz: So, you were familiar...were you familiar with the damage generally throughout the house?

Ben: I got a pretty good idea as I walked around and saw it all, yes.

Mr. Moniz: Did you observe any damaged phones?

Ben: No.

Mr. Moniz: Did you observe any damage to a wall where a phone might have been ripped off the wall?

Ben: No.

Mr. Nadelhaft: Objection, leading.

Judge Azcarate: Right. Maybe the next one.

Mr. Moniz: Was there any artwork in this house, decorating the house?

Ben: The owners had left their art in the house, yes. Mr. Depp and Ms. Heard had done some artwork themselves, yes. But yes, there were some that came with the house, if you like.

Mr. Moniz: Focusing just on the artwork that came with the house, did you observe any damage to any of that?

Ben: No, nothing that I needed to repair or replace, certainly not. Thank goodness.

Mr. Moniz: Is there any other damage that comes to mind?

Ben: Just a lot of blood, a lot of repairs. The floor, as I said, was quite heavily with blood and paint. Yeah.

Mr. Moniz: And in terms of bodily fluids, it was just blood that you've observed? No urine or anything else?

Ben: Yes, absolutely.

Mr. Nadelhaft: Objection.

Judge Azcarate: All right, I'll sustain, strike the answer from the records.

Mr. Moniz: No other damage. Does any other damage come to mind?

Ben: No.

Mr. Moniz: Okay. Can we take a look at Defendant's Exhibit 375, which I believe is already in evidence? And can we publish this to the jury?

Judge Azcarate: Okay.

Mr. Moniz: Mr. King, are you familiar with the image that's on the screen in front of you?

Ben: Yes, that's one of the mirrors I was telling you about in the master bathroom.

Mr. Moniz: And so, were you involved in cleaning any of this up?

Ben: I clean both of those mirrors at some point that evening or that night, yes.

Mr. Moniz: Were you able to tell what was used or what substance the...I guess what sort of ink that's used on the black writing there?

Ben: That was the same oil paint that was on the floor and the parquet floor downstairs and various other places, it was the same oil paint.

Mr. Moniz: All right, how about the red writing that says, "Call Carly Simon, she said it better, babe," were you able to tell what was used to make that writing?

Ben: Lipstick, I believe.

Mr. Nadelhaft: Foundational. Objection, foundation.

Mr. Moniz: He's testified that he was cleaning...

Judge Azcarate: I'll allow it. That's fine. Go ahead.

Ben: It certainly seemed like lipstick to me, red lipstick. It was quite waxy. I remember taking that off. It seemed like lipstick.

Mr. Moniz: Okay, we can take that down. Mr. King, about how long were you at the house on that Sunday?

Ben: Quite a long time. It actually went into the early hours of Monday morning, so at least I got there around 2:00 in the afternoon of Sunday, I don't think I left there until 2:00 or 3:00 the next morning of the night.

Mr. Moniz: Over the course of the time that you were there that day, did you have any interactions with Ms. Heard?

Ben: Yes, I certainly did.

Mr. Moniz: Can you describe those for us, please?

Ben: Yes. Not too much initially, she was very, as I said, quite hysterical and crying a lot and Jerry Judge was taking care of her, keeping her calm. Later in the evening, it was suggested that Ms. Heard go to a local hotel, to leave the house, go to a local hotel, which then became a suggestion that she go back to LA. And that's, I think, when I started interacting in terms of at some point, I volunteered to travel with her to LA.

Mr. Moniz: How did Ms. Heard respond to this suggestion that she leave for Los Angeles?

Ben: She was resistant to both of those suggestions, very resistant, she really didn't want to go and said, "I can't leave, I can't leave, you know, it'll be the end if I leave," those sorts of things. So, it was just...these went over a few hours those negotiations, if you like, and eventually, Ms. Heard agreed that I would fly with her.

Mr. Moniz: And did you, in fact, fly with her?

Ben: I did, on Monday the 9th.

Mr. Moniz: Okay. Sticking with Sunday, when you were interacting with her on that Sunday, how close were you to her?

Ben: Very close, you know, like, very close in front of her.

Mr. Moniz: And do you recall observing any injuries on Ms. Heard?

Ben: No, none whatsoever.

Mr. Moniz: Did you notice anything unusual about her physically at all?

Ben: No. I mean, she was obviously crying a lot, she had red eyes, but no, otherwise, no.

Mr. Moniz: Okay. So, what happens the following day, that Monday, March 9th I guess it would be, 2015?

Ben: Right. So, I mean, it was eventually agreed that I would fly with Ms. Heard, so I had to, at some point, go back to my apartment, drive to my apartment to pick up my passport, which funnily enough, I hadn't brought with me, and some clothes, you know, a bag to take. So, I think I left the house in the early hours, as I said, 2:00 or 3:00, it may have been a bit later. I drove back to my apartment, which was 30 minutes' drive south, picked up those things. I mean, I didn't know what I was...how long I was gonna go for but I knew I was traveling, so passport, a quick shower, pick up a bag of clothes, and I drove back up to the house. I don't recall exactly what time I arrived there but I knew we had to leave...all the arrangements will be made by the travel agent and Jerry Judge was liaising with them to make the flight arrangements, which I believe was going mid to late morning. So, I think we had to leave the house around 7:00 or 8:00 a.m. that morning, Monday the 9th.

Mr. Moniz: And did you travel to the airport with Ms. Heard?

Ben: Yes, yes, we were driven.

Mr. Moniz: How would you describe her demeanor that morning?

Ben: Calmed down a fair bit and she was mostly on the phone, to be honest, for pretty much the whole of that car journey to various people, one of which I believe was Mr. Depp.

Mr. Moniz: Do you recall her saying anything on the ride to the airport about what had happened the night prior?

Ben: Nothing really mentioned in that as a way of an explanation, no.

Mr. Moniz: What happened when you got to the airport if anything?

Ben: We were running a bit late, I remember that. Luckily, we were traveling first class, so the driver knew to pull up to a kind of, for want of a better word, VIP check-in point, and so the car got pretty close to where the desk was. Ms. Heard was still on the phone, and so we'd sat there for a bit with the driver and Ms. Heard was talking, I don't know who to, at that point. And I was thinking we need to make this flight actually pretty soon because we were already running a bit late, so I decided to go in, maybe I can go in check in our bags ahead, and then come back and get Ms. Heard and she should be finished by then, which is what I did.

Mr. Moniz: And did you eventually get on the plane?

Ben: Eventually, we did. It was a close call, to be honest.

Mr. Moniz: Once you were on the plane, did you have any conversations with Ms. Heard?

Ben: Yes, I mean, not initially. She took some time in the bathroom, she was on the phone again to the point where the cabin crew had to sort of tap on the door and say, "We need to leave now, everybody needs to sit down," and she did come to sit down, you know, after 10 or 15 minutes in there. And so, eventually, and luckily, as I said, we were flying first class, which was lovely. She was in the window seat, like, I think it was 1A, 1B, window seat, I had the aisle seat. And finally, we could both sit down and in way of conversation, it wasn't a great deal, to be honest. I did sort of say finally, "So, what happened?" You know, obviously, referring to the house.

I mean, she didn't give much explanation, if any. She did say, "Ben, have you ever been so angry with someone you've just lost it with them?" And I sort of said, "No, actually, I'm pretty calm, you know, even-tempered guy." But she did repeat it, she looked pretty incredulous that I hadn't and she repeated it, "You mean you've never lost it with somebody? Got so angry with someone that you just lost it with them?" And I said, "No, unless you count the sort of time when I was 14 years old and I hit the light switch in my bedroom because I wasn't allowed out that night or something. With a person? No, never." And that was pretty much the end of the conversation. She dropped it then.

Mr. Moniz: How would you describe her tone when she asked those questions of you?

Ben: To me, incredulous would be fair to say. Surprised that I hadn't lost it with somebody.

Mr. Moniz: Does anything else stand out about that flight?

Ben: It was fairly calm. After that, it was calm but I mean, we were both exhausted. I certainly was. And I think...I can't remember eating even, I just slept most of the flight until, obviously, we landed or were close to landing.

Mr. Moniz: At any point did you observe anything about Ms. Heard physically on that flight?

Ben: Yes, I did. Right, so just before we landed, I noticed some marks on her arm, her left forearm.

Mr. Moniz: And how would you describe those?

Ben: Long, kind of uniform, evenly spaced sort of long, thin marks. Very uniform, in fact.

Mr. Moniz: And when did you first notice those?

Ben: On the plane. Towards coming into the landing, you know, we're gathering the stuff up, I noticed them then.

Mr. Moniz: What did you do after you landed in Los Angeles?

Ben: Once I fired up my phone on landing, I saw the arrangements that we would be picked up by one of Mr. Depp's security personnel who I think was Travis McGivern. McGivern? McGivern. So, I made contact with him and he met us in the place that had been arranged. We walked through, you know, the arrivals lounge and met him at the end of that, got in the car with him, and drove to the Eastern Columbia building.

Mr. Moniz: And how did Ms. Heard...how would you describe Ms. Heard's demeanor in Los Angeles?

Ben: Yeah, pretty calm. I mean, she's seemed, I mean, obviously, a lot calmer from the house, but pleasant towards Travis certainly in the car, obviously, they knew each other. When we got to the building, she was kind enough to show me around the apartment I'd never been before. She showed me around the penthouse, a little tour. She wrote down some restaurant recommendations...because she knew I'd be staying a few days probably and I don't really know LA that well. So, she recommended a few restaurants. And then I left and I said, "If you need

anything," as usual, as I always, "If you need anything, give me a shout out, I'll be staying fairly close by, just give me a call or a text."

Mr. Moniz: How long were you in LA?

Ben: Less than a week. I think I flew back to Australia on the 14th or 15th, so about five days, six days tops.

Mr. Moniz: And when you got back to Australia, what were you doing?

Ben: Pretty much putting the house back together, repairing all the damage with the help of professional contractor, the vendors that I brought in, and just getting the house back as it was originally.

Mr. Moniz: At some point, did Mr. Depp and Ms. Heard return to Australia?

Ben: Yes, they did.

Mr. Moniz: Were you there when they returned?

Ben: Yes.

Mr. Moniz: Did you observe them interacting with each other after they came back to Australia?

Ben: Yes. Yeah.

Mr. Moniz: And how would you describe their interactions?

Ben: Again, initially, those first few days were certainly very pleasant, almost honeymoon-like I would say. They stroll around the grounds a bit and they seemed fine with each other.

Mr. Moniz: Did you ever observe any arguments after they returned?

Ben: Yes. I mean, many. Several more. Yeah.

Mr. Moniz: And how would you describe those?

Ben: Not dissimilar to the London arguments in terms of the pattern of those...you know, the sort of provocation and the reaction, leaves the room, Mr. Depp leaving the room, going to another room, playing his guitar, it seemed to follow the same pattern as I witnessed those two times in London.

Mr. Moniz: All right. Nothing further.

Judge Azcarate: All right, cross-examination.

Mr. Nadelhaft: Good afternoon.

Ben: Good afternoon.

Mr. Nadelhaft: So, to understand your testimony, is it your testimony that Amber and Mr. Depp arrived together in Australia in February of 2015.

Ben: Initially, together? I don't think so. I think Mr. Depp arrived ahead of Ms. Heard, actually.

Mr. Nadelhaft: Mr. Depp arrived first, correct?

Ben: I think so. Yeah.

Mr. Nadelhaft: And isn't it true that Ms. Heard, Amber didn't arrive until March 5th, 2015 to Australia?

Ben: I can't remember the date that she arrived, to be honest.

Mr. Nadelhaft: But she could have arrived on March 5th, 2015, isn't that true?

Mr. Moniz: Objection, foundation, speculation.

Judge Azcarate: I'll allow it, you can answer it.

Ben: Sorry, what was the question?

Mr. Nadelhaft: Ms. Heard could have arrived on March 5th, 2015, correct?

Ben: It's possible, I suppose.

Mr. Nadelhaft: And isn't it true then that you didn't see any arguments between Ms. Heard and Mr. Depp before the injury that occurred to Mr. Depp's finger in Australia?

Ben: I saw them argue.

Mr. Nadelhaft: You saw them argue when they came back, when they came back in April, correct?

Ben: I certainly saw them argue in April and through most of the months they were there, yes.

Mr. Nadelhaft: But you don't remember...you can't recall any arguments in February or March of 2015 between Ms. Heard and Mr. Depp, correct?

Ben: Specific days, not necessarily, no.

Mr. Nadelhaft: Right, so you don't know...you can't say that there were any arguments before you came to the house on March 8th, 2015, correct?

Ben: I think there were. I mean...

Mr. Nadelhaft: Excuse me, say that again?

Ben: I think there were.

Mr. Nadelhaft: But you don't even know when she arrived, correct?

Ben: Specifically the day? Not necessarily, no.

Mr. Nadelhaft: Okay. And you said when you arrived at the house on March 8th, when you eventually found the finger, it was wrapped in paper. Is that right?

Ben: Wrapped, I mean it was loosely wrapped. The paper was opened by that point, the blood had dried up, and it was sitting in the sort of nest of this paper, yes.

Mr. Nadelhaft: So, like someone had put the finger on a piece of paper?

Ben: I didn't know. I mean, it was in that piece of paper.

Mr. Nadelhaft: It was in a piece of paper, okay. But again, like, someone had wrapped it up, is that right?

Ben: I don't know, it was within that scrunched-up piece of paper, kitchen paper, tissue.

Mr. Nadelhaft: It was in kitchen paper, is that right?

Ben: Tissue paper. It was white with a lot of blood on it.

Mr. Nadelhaft: So, like a paper towel?

Ben: Like a piece of kitchen towel.

Mr. Nadelhaft: When you say kitchen towel, our language is...even though we both speak English, I may say it a little different. It's like a paper towel?

Ben: Yeah, like kitchen paper, kitchen towel. Yes, like a tissue.

Mr. Nadelhaft: And was there that sort of paper towel in the kitchen at the house at the time?

Ben: Yes, in both areas of the kitchen and the bar.

Mr. Nadelhaft: Okay. You said you were in Australia starting in February of 2015. Correct?

Ben: Correct, I arrived on the 4th of February.

Mr. Nadelhaft: And Mr. Depp arrived sometime after that, is that right?

Ben: Correct.

Mr. Nadelhaft: Okay. Did you see Marilyn Manson while you were there?

Ben: No, I didn't.

Mr. Nadelhaft: You don't know if Mr. Depp was with Marilyn Manson in late February, early March 2015?

Mr. Moniz: Objection, foundation, speculation, relevance.

Mr. Nadelhaft: I'm just asking if he saw...he said he saw him every day, so I was asking if he saw...

Judge Azcarate: I'll allow the question. You can answer it, that's fine.

Ben: Marilyn Manson didn't come to the house. I didn't see him at any point.

Mr. Nadelhaft: Do you know if Mr. Depp left to be with Marilyn Manson?

Ben: I don't know. I didn't always know where he was going. If he went out either to work or...the security would go with him, I wouldn't generally go. In fact, I don't think I went out with him at all in Australia.

Mr. Nadelhaft: And then you didn't go out with Mr. Depp at all when he was in Australia, correct?

Ben: I don't recall it. I saw him on set once or twice, yeah.

Mr. Nadelhaft: So, you don't know what Mr. Depp was doing in Australia unless he was...unless you saw him at the house or on set, is that right?

Ben: I saw him at the house, yes, every day.

Mr. Nadelhaft: But you don't know what Mr. Depp was doing when he left the house, correct?

Ben: Generally going to work on "Pirates of the Caribbean 5," film, yes.

Mr. Nadelhaft: And you were with him?

Ben: No, but the security with him and I have to liaise with them for when he would go and when he would come back for the driver, etc.

Mr. Nadelhaft: But you weren't there when Mr. Depp left the house, correct?

Ben: Generally, I didn't leave the house with Mr. Depp on those days, no.

Mr. Nadelhaft: And I just want to make sure...I want to be clear, there were two kinds of periods that Mr. Depp was in Australia in 2015, right?

Ben: Sorry, say it again.

Mr. Nadelhaft: Mr. Depp was in Australia from sometime in February 2015 until about March 8th or March 9th when he injured his finger, is that right?

Ben: Correct, yeah.

Mr. Nadelhaft: And then Mr. Depp left Australia too, correct?

Ben: At some point, he flew to LA, yes.

Mr. Nadelhaft: And then Mr. Depp returned to Australia on April 21st, right?

Ben: It sounds about that time. I don't know the specific date, I don't recall.

Mr. Nadelhaft: And the filming of "Pirates of the Caribbean 5" continued filming on April 21st, right?

Mr. Moniz: Objection, foundation, speculation.

Judge Azcarate: I'll sustain the objection.

Mr. Nadelhaft: You recall testifying for that in the UK that the filming of "Pirates of the Caribbean 5" continued filming on April 21st, 2015?

Ben: I wasn't involved in the filming schedule. I didn't know when it resumed, to be honest. I knew Mr. Depp would come back to resume filming for sure.

Mr. Nadelhaft: You didn't live with Mr. Depp in his house in Australia, correct?

Ben: Live with? No, I wasn't a resident there.

Mr. Nadelhaft: Now, when you arrived at the house, you saw a significant amount of damage, correct?

Ben: Yes, through the course of...yeah, after I arrived. Yep.

Mr. Nadelhaft: Okay. And you were...the thing was chaos, correct?

Ben: Chaos? I mean, there was a fair amount of damage.

Mr. Nadelhaft: The house was wrecked?

Ben: There was a lot of damage in the house, yes.

Mr. Nadelhaft: And the house was not in a good state, correct?

Mr. Moniz: Asked and answered.

Ben: There was a lot of damage throughout the house.

Judge Azcarate: You're gonna object first and then attach your objection, Mr. Moniz. Stand, it helps. Okay, I'll overrule the objection. Go ahead, next question.

Mr. Nadelhaft: Okay. And you said there was glass on the floor, correct?

Ben: In a few areas, predominantly in the bar, yes. Down on the lower ground floor, correct?

Mr. Nadelhaft: Okay, and there was blood on the walls, correct?

Ben: In various places, blood on the floor, blood on the walls.

Mr. Nadelhaft: And there was blood on the walls throughout the three stories of the house, isn't that right?

Ben: No, I wouldn't say that was the extent of it. There was smears up the staircase going up to the master from the main level, there was smears and drips on the carpet.

Mr. Nadelhaft: So, there were smears from the master level up to the bedroom area? I mean, from the main level up to the bedroom areas, is that right?

Ben: Up to the third floor? Yes.

Mr. Nadelhaft: Like someone had walked from the main floor up to the bedroom floor, correct?

Ben: There was blood going up the stair...on the staircase and some of the walls, you know, smears where you might have done that.

Mr. Nadelhaft: As if someone was walking from the main level up to the master bedroom, correct? Is that what the blood was like?

Ben: Yeah, maybe, I don't know. Or down. I mean, but there's blood on that staircase...

Mr. Nadelhaft: But from the main level to the third floor, correct?

Ben: Correct, yes.

Mr. Nadelhaft: And you said the sofas were damaged, is that right?

Ben: One sofa in that sitting room, which was just off the kitchen, it was quite an open plan thing. So, off that, there was a sofa with a large TV on the...a wall-mounted TV in front of that sofa.

Mr. Nadelhaft: And the sofa was on the main level, correct?

Ben: Correct, just by the main kitchen.

Mr. Nadelhaft: And where the sofa was damaged, was that with what?

Ben: Blood.

Mr. Nadelhaft: Blood? Okay, and the lights were damaged?

Ben: Some lamps, a couple of lamps. Yes.

Mr. Nadelhaft: Okay. And there were bottles of alcohol in and out of the fridge, correct?

Ben: Sorry, what do you mean?

Mr. Nadelhaft: Did you see bottles of alcohol in and out of the fridge?

Ben: Yes. I mean, there was...I don't completely understand what you mean.

Mr. Nadelhaft: You saw that, correct?

Ben: There was alcohol bottles, yes. In the fridge, I mean, there may have been a bottle of wine, I don't know.

Mr. Nadelhaft: And the floors were ruined, correct?

Ben: Ruined? I mean, there was a lot of damage on the floor down in the bar area and the staircase and on the main floor area, the wooden parquet floor. Correct.

Mr. Nadelhaft: And the floors were going to have to be sanded, correct?

Ben: I eventually got them sanded, yes.

Mr. Nadelhaft: Okay. And it took you...I think you've testified, it took you about 12 to 13 hours in the house cleaning up, correct?

Ben: Correct.

Mr. Nadelhaft: Okay. And you said that there was...is it your testimony that you didn't see any other paintings damaged?

Ben: The existing paintings from the owner, from the house? No, none of them are damaged.

Mr. Nadelhaft: You didn't see any paintings with a painting of a penis drawn on it?

Ben: I did not and thankfully, that was something I didn't have to replace any paintings.

Mr. Nadelhaft: Do you know if anyone else saw that?

Mr. Moniz: Objection, speculation.

Ben: I mean, I would have seen it...

Judge Azcarate: When there's objections, Mr. King, you just stop.

Ben: Oh, I'm so sorry.

Judge Azcarate: That's all right.

Ben: I'm sorry.

Judge Azcarate: All right, if you stand, we can see you better when you do that.

Mr. Moniz: Understood, Your Honor.

Judge Azcarate: Okay, I'll sustain the objection. Next question.

Mr. Nadelhaft: Okay. And you said that Jerry Judge was at the house, correct?

Ben: Correct.

Mr. Nadelhaft: And he's the head of Mr. Depp's security, correct?

Ben: Correct.

Mr. Nadelhaft: And Dr. Kipper was at the house?

Ben: Yes, he was.

Mr. Nadelhaft: And Debbie Lloyd was at the house as well, correct?

Ben: Yes, she was.

Mr. Nadelhaft: Okay. Now, you understood that Mr. Judge saw scratches on Ms. Heard on March 8th, correct?

Mr. Moniz: Objection, hearsay, speculation, foundation.

Judge Azcarate: All right, I'll sustain the objection. Next question.

Mr. Nadelhaft: Did you have...the cleaning lady was going to be coming to the house, correct?

Ben: The housekeeper?

Mr. Nadelhaft: Yes, the housekeeper.

Ben: The resident housekeeper? Yes, she was going to be...I mean, yes, she was employed through the week. Again, she wasn't there on weekends.

Mr. Nadelhaft: There was concern about the cleaning lady coming to the house and seeing everything that was in the house, correct?

Mr. Moniz: Objection, speculation, foundation.

Judge Azcarate: I'll allow it, you can answer it. You can answer it.

Ben: Thank you. Sorry...

Mr. Nadelhaft: There was concern about the cleaning lady coming to the house and seeing all the damage that had been done, correct?

Ben: I know that when I left to fly to LA with Ms. Heard, I told both the chef and the housekeeper, they didn't need to be coming to the house because we said that essentially the principles weren't there. Mr. Depp wasn't there, Ms. Heard was obviously with me at that point, so I said they didn't need to come to the house.

Mr. Nadelhaft: Isn't it true that you told Mr. Judge that you thought you could get the cleaning lady to swear to silence about what the house looked like?

Mr. Moniz: Objection, hearsay.

Mr. Nadelhaft: It's his own statement.

Judge Azcarate: His own statement, I'll allow it.

Mr. Nadelhaft: Isn't it true that you told Mr. Judge that you thought you could get the cleaning lady to swear to silence about what the house looked like?

Ben: I think I probably made a comment about, you know, I should just come back and deal with this myself, if that's what you mean, and just get it cleaned up.

Mr. Nadelhaft: And make sure that she wouldn't say anything, correct?

Ben: I don't know. I trusted her and the chef anyway, they were good team members.

Mr. Nadelhaft: As the house manager, part of your job is to...you said you work with high-profile people, correct?

Ben: High profile, high net worth, I think is what I actually said.

Mr. Nadelhaft: Would you agree that one part of your job is to keep things discreet for your clients?

Ben: Of course, it's part of my job, trust and discretion. Yeah.

Mr. Nadelhaft: And Mr. Depp was your client, right?

Ben: I've worked on assignment...on those occasions, yes, but I was self-employed at the time.

Mr. Nadelhaft: But in March 8th, 2015 in Australia, Mr. Depp was your client, correct?

Ben: Correct, essentially. Yeah. And Ms. Heard, both of them, the principles.

Mr. Nadelhaft: Okay. And you know how...who paid for your services?

Ben: As I said before, I was paid through Disney who were making the "Pirates of the Caribbean," their production company, which I believe was called Herschel.

Mr. Nadelhaft: Okay. And can we put up Defendant's Exhibit 377, which is already in evidence?

Judge Azcarate: All right.

Mr. Nadelhaft: Mr. King, do you see Defendant's Exhibit 377 in front of you?

Ben: I do, yes.

Mr. Nadelhaft: And do you recognize this as a lampshade that was in the house in Australia on March 8th, 2015?

Ben: Yes, it was, I believe, one of the lampshades that was missing from one of the lamps.

Mr. Nadelhaft: Okay. And you saw...did you see this painting on the lampshade?

Ben: I did. Yeah, it was part of my walk around to see...

Mr. Nadelhaft: And what floor was the lampshade on?

Ben: This was on where the art studio was on that main level.

Mr. Nadelhaft: So, on the main level? Okay.

Ben: Yes. Excuse me.

Mr. Nadelhaft: And did you notice that it was dark paint that was on the lampshade?

Ben: It certainly looked like it, yes.

Mr. Nadelhaft: Okay. And did you take this picture?

Ben: I believe I did. Yeah, without seeing the metadata.

Mr. Nadelhaft: Okay. And can we put up Defendant's Exhibit 374, please? And you recognize Defendant's Exhibit 374 as a mirror that was in the house in Australia on March 8th, 2015, correct?

Ben: Yes, I do.

Mr. Nadelhaft: And this mirror was in the bathroom, correct?

Ben: Correct, there were two mirrors in the bathroom above each sink.

Mr. Nadelhaft: And this was on the top floor, correct?

Ben: The master bathroom.

Mr. Nadelhaft: The master bathroom. And the master bathroom, just so I'm clear, was on the top floor, right?

Ben: Top floor, correct.

Mr. Nadelhaft: And this painting said, "Starring Billy Bob," is that right? Is that what you recall?

Ben: Yeah, I didn't know, it's a writing.

Mr. Nadelhaft: And was this in...the writing, was it in paint?

Ben: I believe it was the same paint, the oil paint that was used on the other mirror that we saw earlier.

Mr. Nadelhaft: Okay. And did you take this picture?

Ben: Again, possible. I haven't seen the metadata, but yes, probably.

Mr. Nadelhaft: And let's put back up Defendant's Exhibit 375. This writing was also in the master bathroom, correct?

Ben: Correct, yeah.

Mr. Nadelhaft: Okay. And could you tell if the black paint was on top of the red or under the red?

Ben: I didn't really analyze it, to be honest. I just knew I was gonna have to clean it up at some point.

Mr. Nadelhaft: Right, your whole concern was just cleaning up the house, correct?

Ben: Correct.

Mr. Nadelhaft: Okay. And you don't know who wrote what on the mirror, correct?

Ben: No, I know that one was oil paint and the other red writing was lipstick.

Mr. Nadelhaft: And lipstick, you're not even sure of that, you just saw it was something sticky, is that right?

Ben: I'm pretty sure it's waxy, you know, like, lipstick-like, same as the oil paint was oil paint-like.

Mr. Nadelhaft: Okay. Did you see also any writing in blood?

Ben: Writing? No, not necessarily.

Mr. Nadelhaft: Okay. Now, did you have...when Ms. Heard was leaving to go back to LA, you were with her, correct?

Ben: Correct.

Mr. Nadelhaft: Did you help her pack?

Ben: I think I may have done at that point. Yes, I think I did.

Mr. Nadelhaft: Did you see...weren't Ms. Heard's clothes ruined?

Ben: I didn't see any ruined clothes.

Mr. Nadelhaft: There wasn't paint on her clothes?

Ben: Not that I could see so much. Yeah, not at that point of packing. I mean...

Mr. Nadelhaft: There was paint in the tub, correct?

Ben: Say it again, sorry.

Mr. Nadelhaft: There was paint in the tub in the bathroom, correct?

Ben: I don't recall that.

Mr. Nadelhaft: You don't recall one or the other?

Ben: I don't recall there being paint in the tub.

Mr. Nadelhaft: And it's your testimony that there was no paint or blood on Ms. Heard's clothes, is that what you're saying?

Mr. Moniz: Asked and answered.

Judge Azcarate: I'll allow it.

Mr. Nadelhaft: Now, you said you were in charge of the cleanup, correct?

Ben: Yes, it was my responsibility. The house was.

Mr. Nadelhaft: And you were working with Mr. Judge in cleaning up the house, is that right?

Ben: On the day that I arrive there?

Mr. Nadelhaft: Yes.

Ben: Mr. Judge did help me at some point, yes, sweeping up glass, etc.

Mr. Nadelhaft: And were there photos taken of more than the three pictures you've been shown?

Ben: Photos?

Mr. Nadelhaft: Photos of the house.

Ben: By whom?

Mr. Nadelhaft: Did you take any pictures of the house?

Ben: I took a few, yeah. I mean, yes.

Mr. Nadelhaft: And did you take pictures other than the three that we saw?

Ben: I think I probably did as I was going around.

Mr. Nadelhaft: Do you know who you gave those pictures to?

Ben: No.

Mr. Nadelhaft: Do you know what you took the photos with?

Ben: My phone.

Mr. Nadelhaft: And who would you have sent those photos to?

Ben: I didn't send them to anybody at that point.

Mr. Nadelhaft: You just kept them?

Ben: Yes.

Mr. Nadelhaft: Did you show the photos to anyone?

Ben: No.

Mr. Nadelhaft: Do you still have the photos?

Ben: Yes.

Mr. Nadelhaft: Were they in your phone still?

Ben: They were in one of my devices, yes.

Mr. Nadelhaft: Okay. Did you take a photo of the vodka bottle that you said was broken?

Ben: Yes.

Mr. Nadelhaft: And you have that photo?

Ben: Yes.

Mr. Nadelhaft: Okay. And you didn't give that to anybody?

Ben: I have a few photos. I can show it to you now if you want.

Mr. Nadelhaft: How many photos that you have on your phone?

Ben: I don't remember the number but, I mean, probably more than 10.

Mr. Nadelhaft: Did anyone ever ask you for the photos?

Ben: Several of them, yes. I was...yes.

Mr. Nadelhaft: Did you give them to the people who asked?

Ben: Some of them? Yes.

Mr. Nadelhaft: Not all of them?

Ben: I don't recall how many.

Mr. Nadelhaft: Who asked you for the photos?

Ben: I was involved in a case in London a couple of years ago.

Mr. Nadelhaft: Did you give the photo of the vodka bottle to the people that you were involved with in the case in London?

Mr. Moniz: Objection, relevance, Your Honor.

Judge Azcarate: Overruled, I'll allow it.

Ben: Say it again, sorry.

Mr. Nadelhaft: Did you give a photo of the vodka bottle to the people you were working with in London?

Ben: I don't recall which photos I sent or gave.

Mr. Nadelhaft: So, did you take photos of the walls?

Ben: The walls, certainly the smears. The blood and the damage, the plasterwork damage, yes.

Mr. Nadelhaft: So, you took photos of the walls with blood on it, is that right?

Ben: Yes.

Mr. Nadelhaft: And you took photos of the plaster, right, that was damaged?

Ben: At the end of the bar and behind the bar by the sink? Yes.

Mr. Nadelhaft: And did you take photos of the ping-pong table that you said was broken?

Ben: Yes, it's part of the bar area, I'm sure.

Mr. Nadelhaft: And you take photos of...there was a glass table that was broken too, correct?

Ben: A glass table? I don't recall a glass table.

Mr. Nadelhaft: Okay. Did you take photos of all the damage that was around the house?

Ben: Probably most of it, yes.

Mr. Nadelhaft: Okay. And the only time you gave those photos to anyone you're saying was in the UK case a couple of years back?

Ben: I had never shared them with anybody else, yes.

Mr. Nadelhaft: Okay. And it cost between...it cost about \$75,000 to clean up the damage, isn't that right?

Ben: The exact cost, I think I calculated at the time, you know, after all the vendors have been and done there, I think it's about 50,000 I seem to recall.

Mr. Nadelhaft: Okay. Now, you said you flew back to Australia with Ms. Heard, correct?

Ben: I didn't fly back with Ms. Heard.

Mr. Nadelhaft: You flew back to LA from Australia, thank you, with Ms. Heard, correct?

Ben: Correct.

Mr. Nadelhaft: Okay. And you were asleep for most of the flight, correct?

Ben: For a lot of it. I think it's a 14-hour flight, so I think we both slept for quite a lot of it, yeah.

Mr. Nadelhaft: You were exhausted from the 13 hours you were working on the house, right?

Ben: Correct.

Mr. Nadelhaft: And your testimony was that Ms. Heard said to you, "Have you ever been so angry with someone that you just lost it," correct?

Ben: After I asked, "So, what happened?"

Mr. Nadelhaft: But you didn't inquire as to what she was referring to, right?

Ben: I mean, by, "What happened?" It was pretty clear what I was referring to.

Mr. Nadelhaft: Let me ask again, you did not inquire as to what she was referring to, did you?

Ben: With her answer?

Mr. Nadelhaft: Correct.

Ben: She didn't inquire as to my reason for asking but it was pretty obvious to both of us what I was asking and what her reply was regarding.

Mr. Nadelhaft: Do you have the copy?

Judge Azcarate: Yes, that's fine, sir. Thank you.

Ben: Thank you.

Mr. Nadelhaft: Now, Mr. King, you testified on behalf of Mr. Depp in the UK, correct?

Ben: Correct.

Mr. Nadelhaft: Okay. And you provide two witness statements, correct?

Ben: Correct.

Mr. Nadelhaft: And then you provided testimony in court, correct?

Ben: Correct.

Mr. Nadelhaft: Okay. And if you take a look at page 1103 of your testimony. You see how the pages go in four?

Ben: Yeah. No.

Mr. Nadelhaft: Do you see, it's actually on the...

Ben: Bottom right.

Mr. Nadelhaft: The bottom right, you see that?

Ben: Yeah, I've got it.

Mr. Nadelhaft: And if you actually look at, you see, starting at the bottom of 1102, this was a statement when you said you did not...you say Ms. Heard asked you, "Have you ever been so angry with anyone that you lost it?" Your answer, "That's correct." "And you specifically remember

that, do you?" "Yes." "You said it never happened to you?" Answer, "That is correct." Question, "She did not...I mean, nothing was said about who she was talking about, was it?" Answer, "She was asking me a question." Question, "She was asking you a question?" Answer, "Yes." Question, "You did not inquire as to what she was referring to, did you?" "I do not recall asking, I know that she was asking a question and I gave her an answer." You see that?

Ben: Yes.

Mr. Nadelhaft: Okay. And that was your testimony you gave in the UK two years ago, correct?

Ben: Yes.

Mr. Nadelhaft: Okay. So, you don't know what...and you don't know what Ms. Heard was talking about when she made that statement, correct? You don't know if she was inquiring...that she was making that statement about Mr. Depp, right?

Ben: Like I said, I'd asked the question, "What happened?" referring to the house and she gave me that answer. So, I think we were both...it was pretty clear to both of us what we were talking about. I mean, at that point...

Mr. Nadelhaft: And then you went to sleep and then you had the flight, the rest of...?

Ben: Sometime after that, yeah.

Mr. Nadelhaft: Okay. And you said you saw Ms. Heard with cuts on her arm, is that right?

Ben: That's right, towards the end of the flight, yeah.

Mr. Nadelhaft: Okay. If we could put up 376G. Do you recognize this picture?

Ben: I've not seen this picture before.

Mr. Nadelhaft: Were these the cuts...did you see cuts like this on Ms. Heard?

Ben: Is that Ms. Heard?

Mr. Nadelhaft: Why don't we put up 376C? Do you recognize the person in that picture?

Ben: That's Ms. Heard.

Mr. Nadelhaft: All right, and did you see cuts like that which are on her left arm?

Ben: Similar to that, long...like I described earlier, long, thin cuts, pretty uniform cuts.

Mr. Nadelhaft: These were the cuts...the cuts were like this on her kind of wrist-forearm area, is that right?

Ben: I don't know what the date of this photograph is but they look pretty uniform like they do here, yes.

Mr. Nadelhaft: Okay. I'd like to enter 376C into evidence.

Judge Azcarate: Any objection?

Mr. Moniz: No, no objection.

Judge Azcarate: Okay, 376C in evidence.

Mr. Nadelhaft: Was it? Yeah. And can we put back up 376G? Seeing 376C, is this consistent with the scratches...on 376G, are these consistent with the scratches you saw on Ms. Heard?

Ben: I didn't see a date. Is that the same time? Is that the same date?

Mr. Nadelhaft: My question is, are the scratches similar to what you saw on Ms. Heard?

Ben: These are uniform kind of long, thin scratches, yes.

Mr. Nadelhaft: I'd like to enter 376G into evidence.

Judge Azcarate: Any objection?

Mr. Moniz: I mean, foundation, he hasn't authenticated the document through this witness.

Mr. Nadelhaft: I mean, I'm just asking if the pictures are consistent with...

Judge Azcarate: I'll allow 376G into evidence.

Mr. Nadelhaft: And can you publish it, please?

Judge Azcarate: It is.

Mr. Nadelhaft: Thank you. Okay. Now, you were in the house, you said, for 12 or 13 hours on March 8th, 2015, correct?

Ben: Correct, going into March 9th, 2015.

Mr. Nadelhaft: Okay. And you spoke to Mr. Judge when you were in the house, correct?

Ben: Yeah, I had interaction with Mr. Judge, yes.

Mr. Nadelhaft: And you've had interaction with Dr. Kipper when you were in the house, correct?

Ben: Correct.

Mr. Nadelhaft: And you had interaction with Debbie Lloyd when you were in the house, correct?

Ben: Yes, briefly.

Mr. Nadelhaft: Okay. And isn't it true that in the entire time you were there, you were not informed as to what caused damage to Mr. Depp's finger on March 8th?

Mr. Moniz: Objection, hearsay.

Mr. Nadelhaft: I'm asking what he wasn't told.

Judge Azcarate: I'll sustain the objection. Next question.

Mr. Nadelhaft: You didn't know what could cause damage to Mr. Depp's hand while you were there on March 8th, correct?

Ben: Dr. Kipper told me he sustained an injury on one of his fingers...

Mr. Nadelhaft: Objection, hearsay.

Judge Azcarate: You asked the question.

Mr. Nadelhaft: Oh.

Judge Azcarate: Next question.

Mr. Nadelhaft: Okay, you said he sustained an injury to his fingers but you don't know what caused the injury to his finger...

Ben: One of his fingers.

Mr. Nadelhaft: But you don't know how his finger was injured, right?

Ben: I don't think anybody mentioned it to me at that time.

Mr. Nadelhaft: Right, no one mentioned it to you at that time, correct?

Mr. Moniz: Same objection, Your Honor, hearsay.

Judge Azcarate: Sorry, I'll allow it. Next question. He answered it.

Mr. Nadelhaft: Okay. Now, you understand that there was a phone in the house that was recording during the cleanup, correct?

Ben: Sorry, I didn't hear all that.

Mr. Nadelhaft: Did you come to understand that there was a phone in the house that was recording as people were cleaning up?

Ben: At that time, no.

Mr. Nadelhaft: But you now know that there was a phone that was recording people as they were cleaning up, correct?

Mr. Moniz: Objection, foundation, hearsay.

Mr. Nadelhaft: I'm not asking for particular statements.

Judge Azcarate: That's just fine, I'll allow it if he knows.

Ben: I believe that it came up somewhere later on. At that time, I wasn't aware, but I believe I became aware of it later, yes.

Mr. Nadelhaft: Okay. I would like to put up Defendant's 378. It's a recording and I want to play a couple of times, 12:07 through 13:19.

Judge Azcarate: Is that the only segment you wish to have?

Mr. Nadelhaft: And then I would also use...I'd also like to play 19:51 through 21:38.

Judge Azcarate: And is this going to be used again or is this...?

Mr. Nadelhaft: I think it would be A.

Judge Azcarate: Okay, 378A. Any objection at 378A?

Mr. Moniz: Yes, Your Honor, we do have an objection. I believe this is a recording that has the voices of people other than Ms. Heard and Mr. Depp and, on that basis, it's hearsay unless I'm incorrect about which document we're talking about.

Mr. Nadelhaft: May we approach?

Judge Azcarate: Sure.

Mr. Nadelhaft: Excuse me, sorry about that. Going back to the photos that you took for a moment of that damage in the house. Do you recall giving that testimony?

Ben: Yes.

Mr. Nadelhaft: Okay. Did Mr. Depp ask you for the photos?

Ben: No.

Mr. Nadelhaft: Did you give the photos to counsel for Mr. Depp?

Ben: Some of them, yes. Yeah.

Mr. Nadelhaft: Did you withhold any photos for Mr. Depp or his counsel?

Ben: I didn't withhold any photos from anybody. I didn't withhold.

Mr. Nadelhaft: Did you give all the photos...did you give all of the photos you have on your phone to Mr. Depp and his counsel?

Ben: Not all of the photos on my phone, no.

Mr. Nadelhaft: All the photos of the damage that occurred on March 8th, 2015?

Ben: Probably not all of them, I didn't think so, no.

Mr. Nadelhaft: You didn't give them all to Mr. Depp and his counsel?

Ben: I don't believe I gave all of the photos.

Mr. Nadelhaft: Why not?

Ben: Because there's a decent amount of them. I mean...

Mr. Nadelhaft: So, you pick and chose what photos you want to give to Mr. Depp and his counsel?

Ben: I gave us an amount of photos to them.

Mr. Nadelhaft: Do you know how many photos you gave to Mr. Depp and his counsel?

Ben: I didn't know precisely, no.

Mr. Nadelhaft: Okay. Could you give an estimate as to how many photos you gave?

Ben: I really can't. You know, an amount, I don't recall how many.

Mr. Nadelhaft: More than three?

Ben: Yes.

Mr. Nadelhaft: More than 10?

Ben: Possibly more than 10. Yeah. Yeah, maybe.

Mr. Nadelhaft: Between 10 and 20?

Mr. Moniz: Objection, speculation, asked and answered.

Judge Azcarate: Overruled, I'll allow it.

Mr. Nadelhaft: Do you know?

Ben: Sorry.

Mr. Nadelhaft: She overruled it.

Ben: Oh, okay. Possibly more than 10, yeah.

Mr. Nadelhaft: But somewhere between 10 and 20, is that right?

Ben: Possibly, I honestly don't know.

Mr. Nadelhaft: Could it be more than 20?

Ben: I don't think so.

Mr. Nadelhaft: Did Mr. Depp's counsel ask for all the photos?

Ben: I don't recall.

Mr. Nadelhaft: You don't recall one way or the other what they asked for?

Ben: I gave them some photos, I don't recall how many or how many were asked for or requested.

Mr. Nadelhaft: And those were requested in 2020?

Ben: Correct, prior to that.

Mr. Nadelhaft: Prior to the UK trial?

Ben: Yes.

Mr. Nadelhaft: Did they ask for them in this case?

Ben: I believe I supplied some for this case also, yeah.

Mr. Nadelhaft: You supplied photos for this case to Mr. Depp's counsel?

Ben: I believe I did.

Mr. Nadelhaft: Okay. And was that about the between 10 and 20 photos that you're talking about?

Ben: I don't remember how many for this.

Mr. Nadelhaft: But it was the same...it was the same amount of photos that you gave to Mr. Depp's counsel in the UK?

Ben: I don't know if it's the same amount. I don't recall.

Mr. Nadelhaft: Did Mr. Depp's counsel in this case ask for all the photos you had of the damage of March 8th, 2015?

Ben: All of the photos? I don't think they requested all of the photos.

Mr. Nadelhaft: They didn't ask for all the photos you had of that damage?

Ben: I don't know if they requested them all.

Mr. Nadelhaft: Okay. And was it Mr. Waldman who asked you for the photos?

Ben: Originally, I didn't remember who called...

Mr. Nadelhaft: Did Mr. Waldman ever ask you for the photos?

Ben: I don't know if he asked me specifically. If he was part of that team, I'd assume so.

Mr. Nadelhaft: And you spoke to Mr. Waldman, is that right?

Ben: I did a couple of years ago, yeah.

Mr. Nadelhaft: Okay. And he was part of the team that was asking for the evidence you had of what occurred in Australia in 2015, is that right?

Ben: He was part of that team as I understood it, yeah.

Mr. Nadelhaft: Okay, and as part of that team, he and others were asking for all...were asking for photos from Australia from March 8th, 2015, is that right?

Ben: They requested them at some point, some of them.

Mr. Nadelhaft: And that's when you provided the 10 to 20 photos, is that right?

Ben: An amount of photos, correct.

Mr. Nadelhaft: Okay. And then was there a separate counsel that asked you for the photos in this case?

Ben: Yes.

Mr. Nadelhaft: There was?

Ben: Yeah. I mean, it was essentially the same...

Mr. Nadelhaft: Who was it that asked you for photos in this case?

Ben: I don't recall a name specifically.

Mr. Nadelhaft: Was it a man or a woman?

Ben: Part of the team. I don't recall.

Mr. Nadelhaft: Okay. And when did they make that request?

Ben: When? I don't know a date, I don't know specifically.

Mr. Nadelhaft: Do you know what year?

Ben: This year? Last year? I mean, prior to this, obviously.

Mr. Nadelhaft: So, it could have been in 2022 that they asked you for the photos?

Ben: I think it was prior to that. I didn't recall.

Mr. Nadelhaft: So, maybe late 2021 or early 2022, is that what you're saying?

Ben: I honestly don't recall which part of the year.

Mr. Nadelhaft: But it's either 2021 or 2022, is that right?

Ben: I would imagine that's probably correct.

Mr. Nadelhaft: Okay. And you gave them all...you gave them some of the photos you had?

Ben: As I just said, yes.

Mr. Nadelhaft: Okay, but not all of them?

Ben: Correct.

Mr. Nadelhaft: So, do you have more than 10 to 20 photos on your phone of the damage that occurred in Australia?

Ben: Again, I don't recall the amount.

Mr. Nadelhaft: But you have a larger amount of your phone than what you provided to Mr. Depp's counsel...?

Mr. Moniz: Objection, Your Honor, asked and answered, cumulative.

Judge Azcarate: I'll sustain the objection, it was asked and answered.

Mr. Nadelhaft: Okay. Going to London for a couple of minutes, you didn't live at the house in London, correct?

Ben: I didn't live there, correct.

Mr. Nadelhaft: Okay. Do you know if Ms. Heard had friends over to the house in London?

Ben: She did, they came to stay...yes.

Mr. Nadelhaft: And they stay from September 9th through September 22nd, 2014, correct?

Ben: I don't remember the duration but that's possible.

Mr. Nadelhaft: Okay. And they were staying...they were literally staying at the house, correct?

Ben: They were accommodated at the house, correct.

Mr. Nadelhaft: Right. And so, you don't know who was drinking the bottles of wine that were brought into the house, correct?

Ben: At which point? What do you mean?

Mr. Nadelhaft: When Ms. Heard's friends were there, you don't know who was drinking the wine?

Ben: Oh, they were all enjoying the wine, for sure.

Mr. Nadelhaft: They were all drinking the wine.

Ben: I took care of them as I would take care of any guests that came into any house.

Mr. Nadelhaft: And wasn't it five to seven guests that were at the house with Ms. Heard?

Ben: I don't remember the number, it sounds about right.

Mr. Nadelhaft: Okay, and then at the end of the night, there was one or two bottles of wine finished, right?

Ben: When Mr. Depp and Ms. Heard were there on their own, there was certainly that amount, yes.

Mr. Nadelhaft: Did you know how many...you don't know how many bottles were there when it was Ms. Heard and her friends, correct?

Ben: I would say more.

Mr. Nadelhaft: But you don't know one way or the other, right?

Ben: I didn't recall the count but certainly more than when there were just two of them in the house because there were seven extra people or five people.

Mr. Nadelhaft: But you don't know the count?

Ben: Precisely, no, I don't know.

Mr. Nadelhaft: And do you know how much time Ms. Heard was in London with Mr. Depp not with her friends?

Ben: A fair amount of that time. I don't recall days, no, I don't recall.

Mr. Nadelhaft: So, they were there for a month, correct?

Ben: Thereabout, yeah.

Mr. Nadelhaft: And I mean, when I say "they," Ms. Heard and Mr. Depp were in London for about a month, right?

Ben: Correct, around about a month.

Mr. Nadelhaft: And wasn't it true that for about two to three weeks, Ms. Heard's friends were also staying in London?

Ben: I don't think two or three weeks, I don't recall but I don't think it was that long.

Mr. Nadelhaft: You don't know one way or the other, right?

Ben: I didn't think it was that long.

Mr. Nadelhaft: But you don't have anything to base that on, right? Just what your memory is saying?

Ben: Correct.

Mr. Nadelhaft: Okay. And you don't know what happened in London when you weren't there, correct?

Ben: You mean after I left for the evening?

Mr. Nadelhaft: Yeah.

Ben: Usually, the chef was there still when I left each evening, Russell, who would take care of dinner and leave later each night.

Mr. Nadelhaft: And then after the chef left, you don't know what happened in the house, correct?

Ben: I wasn't there.

Mr. Nadelhaft: Right. And you don't know for certain whether Mr. Depp drank wine or not in London, right?

Ben: I don't believe so. Usually, when it was just the two of them in the house, there was usually only one glass in the morning either on the kitchen sink or on the bedside stand in the master bedroom.

Mr. Nadelhaft: But you don't know who drank from that...you don't know who drank from that glass when you weren't there, right?

Ben: When I wasn't there, correct. But when I usually left the house, I had already poured Ms. Heard a glass of wine before I left invariably.

Mr. Nadelhaft: But once you left, you don't know if Mr. Depp drank wine or not, correct?

Ben: I wasn't there after I left.

Mr. Nadelhaft: Okay. And you don't know what started the fights you talked about in London, correct? Other than that one you said you heard about her hand...

Ben: The second one that I described, I was in the vicinity, I heard the first comment, that was the start of that argument.

Mr. Nadelhaft: And you don't actually know if there was an argument before what you heard, right?

Ben: Of that evening? I didn't hear another one, let's put it that way. It started in that room as I described earlier.

Mr. Nadelhaft: And you don't know what happened in Australia also between March 5th and March 8th, correct?

Ben: The 6th, I left...Friday the 6th was when I left for the weekend.

Mr. Nadelhaft: Okay, so between Friday the 6th and when you got to the house on March 8th, you don't know what happened?

Ben: I wasn't there.

Mr. Nadelhaft: Okay. And you never saw Ms. Heard be violent at any time, right?

Ben: Sorry, say it again.

Mr. Nadelhaft: You never saw Ms. Heard be violent at any time, correct?

Ben: Beyond sort of finger pointing and...violence? I didn't see either of them be violent towards each other.

Mr. Nadelhaft: You never saw Ms. Heard be violent anytime, right?

Ben: I didn't see her be violent depending on your...

Mr. Nadelhaft: I can show you the witness statement where you say you never saw Ms. Heard be violent at any time.

Ben: Violence, yes, I didn't see violence per se.

Mr. Nadelhaft: Okay. All right, thank you, I have nothing further.

Judge Azcarate: All right, redirect.

Ben: Thank you.

Mr. Moniz: Mr. King, have you ever been employed by Mr. Depp?

Ben: No.

Mr. Moniz: So, in each of these situations where you've been around Mr. Depp, you've always been employed by somebody else?

Mr. Nadelhaft: Objection, leading.

Ben: Correct.

Judge Azcarate: All right, I'll sustain that it's a leading, strike the answer. Next question.

Mr. Moniz: Are you based anywhere other than the UK?

Mr. Nadelhaft: Objection, leading.

Mr. Moniz: Where do you live?

Ben: I live in central London.

Mr. Moniz: Have you ever lived anywhere else?

Mr. Nadelhaft: Objection, leading.

Judge Azcarate: I'll sustain the objection. Next question.

Mr. Moniz: Okay. We heard some discussion on cross about photos, which I suspect you remember. Why did you take the photos of the property damage in Australia?

Ben: As I do in a lot of my jobs and the various assignments and jobs through the years, I take photos as points of reference for whatever reason. I mean, if I'm packing suitcases up and they're going to be in transit and I'm not with the suitcases, I'll take a picture of the contents when I send stuff so I know where it's gone and what's gone. I take pictures as points of reference, I sometimes take pictures of table settings that I've done which I knew I can use later on as a reference.

Mr. Moniz: Were the photos of property damage in Australia the first photos that you've taken in the course of working with Mr. Depp and Ms. Heard?

Mr. Nadelhaft: Objection, leading.

Judge Azcarate: All right, I'll sustain it's a leading. Next question.

Mr. Moniz: Have you ever taken photos before?

Ben: Yes.

Mr. Moniz: Have you take...what kinds of things that you taken photos of?

Ben: In London, reference points and dinner table settings. Sometimes Mr. Depp would write notes for Ms. Heard, he leave notes on the sort of kitchen table when he left for work, I believe I took pictures of those, they were, you know, there, things like that. Just setups of...once I set up houses, it's always good to take photos of rooms so I can cross reference later on if I need to.

Mr. Moniz: Did Ms. Heard or her counsel ever ask you for photos of...any of the photos you took in Australia?

Ben: No.

Mr. Nadelhaft: Objection, leading.

Judge Azcarate: All right, I'll sustain it's a leading. Next question.

[04:45:28]

[silence]

[04:45:44]

Mr. Moniz: Can I see Plaintiff's Exhibit 159?

[04:45:46]

[silence]

[04:46:12]

Mr. Moniz: And because I think this is a multi-page document, can you scroll through? I think we have three pages here. Mr. King, do you recognize this document?

Ben: Yes, it's the floor plan of the house in Australia.

Mr. Moniz: And do you recall on cross-examination, you were asked to kind of describe where some of the property damage was?

Ben: Yes.

Mr. Moniz: So, right now, on the screen in front of you, which floor would you say this is?

Ben: This is the top floor, the master suite and two other bedrooms.

Mr. Moniz: Okay, and I believe counsel asked you if there was blood in one of the bathrooms or one of the bathtubs, do you recall that?

Ben: Yes, they did ask that.

Mr. Moniz: Would that have been on this floor?

Ben: I think that we're referring to the master tub. I think that's what he said.

Mr. Moniz: Okay, so can you mark on the screen where that would have been?

Ben: The master tub? It's over here. Can I just dab it out?

Mr. Moniz: You can just dab it, yes.

Ben: Okay, so that looks like the monster tub to me.

Mr. Moniz: And just to clarify, did you recall seeing any blood or damage there?

Ben: In the tub? No.

Mr. Moniz: Okay. Can you mark for us on the screen where you did see the damage that was discussed on cross?

Ben: The mirrors. Can I dot on here again?

Mr. Moniz: Sure.

Ben: Yeah, so these are the sinks, the two mirrors were above each, the mirror above each sink.

Mr. Moniz: Okay. Can we scroll up to the page prior? And can you point out for us on this page...well, first of all, which floor is this?

Ben: This is the main level floor, essentially the second floor if you want.

Mr. Moniz: Okay. And can you point out for us here on this map which of the...where the property damage was?

Ben: Yes. How many dots am I allowed? Around here, kitchen area, this was the TV, the wall-mounted TV on...I ran out of dots.

Mr. Moniz: And I apologize. Actually, Your Honor, can we move this into evidence?

Judge Azcarate: Any objection to 159?

Mr. Nadelhaft: No objection.

Judge Azcarate: All right, 159 in evidence.

Mr. Moniz: Can we publish this to the jury?

Judge Azcarate: Okay.

Mr. Moniz: So, Mr. King, I apologize for interrupting you. So, you were just pointing out where on the...I think this is the second floor?

Ben: Yes, essentially the main level. Yeah.

Mr. Moniz: Okay, so other than these three dots, do you recall any other places where there was damage?

Ben: Yes, where it says "Family room." There was the TV, it was wall mounted on that wall in between Family and Lounge. The sofa was approximately where you've got the red square...red rectangle now, facing towards the TV. The lounge is...sorry, too quick. The lounge was essentially the art studio. And the bedrooms over to the left there where the damaged lamp and shade, blood on the duvet, etc., that I described.

Mr. Moniz: Okay, and then let's go to the first page. And which floor is this?

Ben: This is the lower ground floor.

Mr. Moniz: Okay, and can you point out for us...did you find the finger on this floor?

Ben: Correct.

Mr. Moniz: Can you point out to us where you found the finger?

Ben: Yes, I can. Right here. There. There we go. That's the end of the bar...it was on the tiled floor below that end of the bar.

Mr. Moniz: Okay. And any other significant property damage that you want to point out on this floor?

Ben: Yes, as I said, this was the...can I dab again? Yeah, so that was the most part of the broken glass. That's where the Stolichnaya bottle was, below that bar by the bar stools. There were three bar stools that you could sit out there. On this back wall here, there was plaster damage. Over here above the sink or to the side of the sink was more plaster damage on the walls behind the bar. That mirror was cracked, broken. Ping-pong table was around there, collapsed on the floor. And around those three dots there, I'm going to put another one that was the spillages as well that smelled like alcohol to me, that puddles of alcohol.

Mr. Moniz: Is that it?

Ben: I mean, that was the most part of the damage around that area in front of the bar, especially. I mean as I said, there were blood drips around that white cream-colored tiled floor in the games room. And this is the staircase down, it was this side that the chip was out of the stone step. And if I can get another dab in there right about in the center of that bar, the chunk out of the side of the counter bar top.

Mr. Moniz: How many exits are there on the ground floor?

Ben: All of these were exits. You know, all these...my office was off over here, I think you can just see out, it says, "Study," big glass sliding door. The gym had an exit up here, this went into the garage, there was a button you could press for the automatic doors to come up. The laundry area which is right here, this is actually an exit out into the yard essentially. The gym, all of those rooms had an exit.

Mr. Moniz: Okay. Other than Mr. Depp's counsel, did anybody else ever asked to see your photos?

Mr. Nadelhaft: Objection, leading.

Judge Azcarate: I'll allow it.

Ben: No.

Mr. Moniz: All right. Nothing further, Your Honor.

Judge Azcarate: All right, does witness subject to recall?

Woman: Your Honor, [inaudible 04:53:39].

Man: Subject to recall.

Judge Azcarate: All right, so since you're subject to recall, it's important that you do not discuss your testimony with anybody and do not pay attention to the trial, and don't watch anything about the trial, okay?

Ben: Of course, certainly.

Judge Azcarate: All right, thank you. All right, you can step down, sir.

Ben: Thank you.

[04:53:57]

[silence]

[04:54:13]

Judge Azcarate: Ladies and gentlemen, it comes to the end of our day, so we're going to excuse you for the evening. Again, do not do any outside research and don't talk to anybody and we'll see you tomorrow morning, okay? Have a good evening. All right, thank you. All right, and then I just have one housekeeping matter. We're going through the exhibits you gave me this morning, thank you again for that. But one of them was 485 and I have in my notes that said it was 485A, just the first page, but you gave me all eight pages. Have you both agreed that all pages of this document come in, or is that something that...should I give 485 back and you can try again to give it back to me tomorrow?

Mr. Rottenborn: Sure.

Judge Azcarate: Okay. All right, I'll give that back to you and we'll see what happens tomorrow. All right. Thank you. All right, and then we're gonna start with a remote witness tomorrow. Is that gonna be your first witness?

Man: Yes.

Judge Azcarate: All right, make sure she's signed on by 9:40 so we can have it all set up for 10:00 start, okay?

Man: We will, Your Honor.

Judge Azcarate: All right, thank you.

Man: Thank you, Your Honor.

Bailiff: All rise.