

TRANSCRIPT OF THE POOL TV FEED FROM DEPP v HEARD

FAIRFAX COUNTY COURT Thursday 19 May 2022

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Judge Azcarate: Are we ready for the jury then?

Man: Yes, Your Honor.

Judge Azcarate: Okay. All right, good morning, ladies and gentlemen. All right, your next witness.

Ms. Bredehoff: Your Honor, we'd like to call Bruce Witkin and it's by deposition designation.

Judge Azcarate: All right. And who's first on...?

Ms. Bredehoff: I think we are. I think we ask the questions first.

Judge Azcarate: All right, thank you.

Ms. Bredehoff: Thank you. Sorry, Your Honor.

Judge Azcarate: That's all right.

Man: Will counsel please stipulate that in lieu of formally swearing in the witness, the reporter will instead ask the witness to acknowledge that their testimony will be true under the penalties of perjury, that counsel will not object to the admissibility of the transcript based on proceeding this way, and that the witnesses verified that he is, in fact, Bruce Witkin.

Attorney 1: Yes.

Bruce: Yes, I am.

Man: Mr. Chew?

Mr. Chew: So agree.

Attorney 1: And could you please state your name and business address for the record, please?

Bruce: Bruce Witkin, California, 91607.

Attorney 1: And how did you meet Mr. Depp?

Bruce: He joined the band that I was in in Florida.

Attorney 1: And did that band become family?

Bruce: To me? Yeah.

Attorney 1: Who's the first person that married?

Bruce: Myself, Lori Anne Allison, yes.

Attorney 1: Okay. And was that around the time...?

Bruce: Right when we moved out here, 1984.

Attorney 1: Okay. So, how long have you known Mr. Depp? How many years?

Bruce: Gotta be over 40, from '82 to now.

Attorney 1: And would you consider yourself friends with Mr. Depp?

Bruce: We were till about four years ago, yeah.

Attorney 1: Okay. And before four years ago, were you close friends?

Bruce: Yeah, I would consider him my best friend. Yeah.

Attorney 1: Was he like a brother to you before four years ago?

Bruce: I mean, yeah, we were brothers. He would call me his brother, I'd call him my brother, yeah. We had a lot in common.

Attorney 1: Is it fair to say that he was like family before four years ago?

Bruce: Yeah, I mean, he was friends with my mom, my mom loved him. I mean, we're as close as you can get.

Attorney 1: And do you agree to tell the truth today regardless of your close past friendship with Mr. Depp?

Bruce: I'll tell the truth either way, yes.

Attorney 1: From about 2011 until 2016, how often do you think that...how often do you estimate that you would have communicated with Mr. Depp?

Bruce: A lot, we've worked on a lot of music together, we did a film together, or he did the film, I just have to record some stuff. A lot of time between that era. But him and I spent a lot of time from around 2001 till 2015, you know?

Attorney 1: Based on your personal observations from 2011 to 2016, did Mr. Depp ever abuse illicit drugs?

Bruce: Yeah, I mean, I think the abuse is the wrong word but, you know, I think that, yeah, it was going on, you know, it wasn't like crazy rock and roll house. No, it was just...but I won't call it abuse.

Attorney 1: What word would you use instead of abuse?

Bruce: Getting high.

Attorney 1: What? Oh.

Bruce: Getting high.

Attorney 1: Okay. Getting high on cocaine?

Bruce: Yeah, once in a while, if I saw it, you know? I mean, a handful of times, I saw it. I don't think he liked to do it in front of me.

Attorney 1: Did you ever observe forgetfulness in Mr. Depp after he'd been drinking or using substances?

Bruce: Forgetfulness? No, I think that he's got a pretty good memory but, you know, my personal experience with him? No.

Attorney 1: Did Mr. Depp's drugs or alcohol ever impact the band when you were bandmates or its music performances?

Bruce: We were all young, you know, we were kids, we all did bad stuff then.

Attorney 1: Are you aware of Mr. Depp achieving any period of sobriety during the years that you've known him?

Bruce: Yeah.

Attorney 1: And when was that?

Bruce: It's hard for me to...I mean, it was right around...we'd have to look it up when he did "Lone Ranger." He seemed really kind of focused and he wasn't drinking. I went to visit him when he was at New Mexico, Amber was there, everything was, like, different. You know, he was proud of it, he wasn't drinking. I think he was smoking a little weed but that was it.

Attorney 1: And do you remember what year that was?

Bruce: I'm feeling it's 2013 but I'd have to look to see when "Lone Ranger" was.

Attorney 1: Is there a time that you believe that Mr. Depp needed help with substance abuse?

Bruce: As a friend? Yeah.

Attorney 1: And do you know who Dr. Kipper is?

Bruce: Oh, yeah.

Attorney 1: And what do you know about Dr. Kipper in relation to Mr. Depp?

Bruce: I don't have a strong opinion of Dr. Kipper, but I'll be honest as I can. He was a doctor brought on, I believe, to help him get sober, the sober doctor, and I believe he had a nurse with Johnny and a nurse with Amber at the time. I thought it was a scam, I thought it was a complete rip-off, but that's just me.

Attorney 1: Please bring up Exhibit 3. Okay, and does this look like a true and accurate copy of this exchange?

Bruce: Yeah.

Attorney 1: And regarding the lines, "I'm real worried about him and this Dr. Kipper," what did you mean by that?

Bruce: Like I said, I didn't trust this guy.

Attorney 1: And were you ever worried about Mr. Depp's health?

Bruce: Yeah, I mean, I would be. You know, I love the guy. I didn't know what he was taking, but they just both seem like zombies.

Attorney 1: And why were you concerned?

Bruce: Just because I saw how he looked and know what he's going through. And so, yeah, I was concerned but I couldn't get back in there to try and help.

Attorney 1: Were you nervous for him in relation to drugs and alcohol?

Bruce: Yes.

Attorney 1: So, you did have some health concerns or not?

Bruce: Well, yeah. I mean, like I said, we're not as young as we used to be and, you know, there was a part during that time that he hit it pretty hard, you can tell. And I just didn't want anything to happen to him.

Attorney 1: And those concerns related to Mr. Depp's health?

Bruce: Yeah.

Attorney 1: And Mr. Depp's...they related to Mr. Depp's drug and alcohol use?

Bruce: Yes.

Attorney 1: Back to Kipper for a moment. Do you know when Dr. Kipper prescribed drugs, you know, would Mr. Depp also take anything else besides that? For example, would Mr. Depp drink alcohol or use other drugs in addition to prescription drugs from 2011 to 2016?

Bruce: Yeah, absolutely, yes. It just seemed odd to me that there was weed and wine and soberness. It didn't make sense.

Attorney 1: And hasn't Amber been nice to you since you've met her?

Bruce: Amber was always very nice to me, yes.

Attorney 1: And would you consider Mr. Depp to be a romantic person?

Bruce: Yeah, I think so.

Attorney 1: And why do you say that?

Bruce: Just by the way I've seen him act, you know?

Attorney 1: And have you noticed a certain intensity of Mr. Depp's relationships?

Bruce: Yes.

Attorney 1: And have you ever observed Mr. Depp exhibit any jealousy when he's been in a relationship?

Bruce: Yes.

Attorney 1: And do you remember when?

Bruce: We can go all the way back to my sister-in-law. I mean, he definitely have a jealous streak in him.

Attorney 1: Can you remember any specific examples?

Bruce: You know, when he was younger, he was jealous of Nic Gage or jealous of Adam Ant because my sister-in-law knew them.

Attorney 1: And besides that initial time period, did he ever tell you about any jealousy with any other women? Or any other times?

Bruce: Yeah, he brought up a few with Vanessa, which were ridiculous. A lot of it was in his head and not in reality. You know what I mean?

Attorney 1: And what about with Amber? Did you ever encounter any talk from JD of jealousy with respect to Amber?

Bruce: Yeah, there were a couple of mentions if she was doing a movie with some guy or stuff like that.

Attorney 1: In terms of jealousy, would anything make Mr. Depp more bothered or less bothered?

Bruce: Like I said, it would...if she was on a film or doing something that he couldn't be around to see what was going on, I think he'd worked himself up, you know?

Attorney 1: Can we please bring up Exhibit 6? In the very top line, if you can see that, Mr. Witkin.

Bruce: Right.

Attorney 1: Your name is in the "Participant" column and him or Mr. Depp is in the "From" column, that's dated February 4th, 2014. Did Mr. Depp ever tell you that he had a big fight with Amber at any time?

Bruce: He would mention when shit was rough, yeah. You know, when they were having issues, yeah, he would mention it.

Attorney 1: Do you have any personal knowledge of observing Mr. Depp And Mr. Manson together?

Bruce: Yeah, but you can't blame somebody's drug abuse on somebody else. But, yeah, him and Manson would hit pretty hard as well.

Attorney 1: And they would...by "hit it hard," they would do...?

Bruce: They would drink and smoke weed. I don't know if I ever saw Manson do both, but I would assume that he did. He's done everything else.

Attorney 1: Okay. But you would see them drink together?

Bruce: Yeah, I work with them both on a few things.

Attorney 1: Let's go to Exhibit 8, please. You can see that it's the same date, it's February 3rd, 2014, a text exchange between you and Amber. And do you have a...?

Bruce: I have a vague memory of him at Manson's house for a couple of days.

Attorney 1: Do you know what kind of professional help more specifically?

Bruce: I mean, yeah, to kind of clean up. I mean, he tried to clean up a couple of times and he did. I think he needed that and he needed therapy, you know, and I recommended that to him. He did it a little bit but then he stopped because, from my experience, it's deep-rooted issues that he's dealt with that has nothing to do with that. That's my opinion.

Attorney 1: Okay. So, you were referring to two types of professional help there, one was therapy and one was cleaning up for drugs. Is that fair?

Bruce: Yeah.

Attorney 1: Could we please bring up Exhibit 9? So, this is actually a continuation of that same date exchange for February 3rd, 2014. And I'll give you a minute to read it, they're texts between you and Amber.

Bruce: All right.

Attorney 1: Do you think that you were going over there out of concern?

Bruce: I mean, obviously, she was concerned, so I was concerned and, you know, going to Manson's would have been interesting because I don't know if he would have left. But I was trying to get there, I know it looks like I was trying to get through the mansion and find out where they were.

Attorney 1: Okay. Could we pull up Exhibit 10, please? Do you remember this exchange? It's sort of part of the continuation of the last exchange.

Bruce: Yeah, probably what I was doing is reaching out to the assistants to see where the fuck he was and how he was because obviously, I didn't get any real answers.

Attorney 1: Can I please bring up Exhibit 12? April 28th of 2016.

Bruce: Okay.

Attorney 1: How often were you around Mr. Depp at this time in April of 2016?

Bruce: Probably a bit depending on if we were rehearsing or recording. Well, my dates are a little squirrely, but, yeah, probably a bit.

Attorney 1: Do you have any memories of this time of Mr. Depp getting high or drunk?

Bruce: I mean, drinking while we were working, yeah. Smoking weed. Yeah.

Attorney 1: So, I think your prior testimony was that you've not observed arguments between Mr. Depp and Amber, is that correct or is that wrong?

Bruce: I've never seen them physically abusing each other, no.

Attorney 1: And did you say this was at 3:00 in the morning when you call?

Bruce: It was late. I can't tell you exactly but it was later than I imagined that I got the call, so I thought it was, you know, something bad. So, yeah, I went down.

Attorney 1: So, Stephen called at around 3:00 in the morning and then you went down and your understanding...you went down after that call?

Bruce: Yeah.

Attorney 1: And what was your understanding of the reason you were called?

Bruce: Yeah, there was just crazy arguing and stuff going on down there and for some reason, he thought I could help.

Attorney 1: What was crazy about it?

Bruce: I mean, I'd say what was crazy to me is that's the first time that ever happened, you know, the first time Stephen ever called me for help like that. You know, usually, it's just to come and record or go do this or go do that, but for some reason, he wanted me to come.

Attorney 1: And when Stephen called you, did he make any references to anything being thrown around?

Bruce: That, I don't remember. No. It was almost like, "Shit going crazy down here, can you come?"

Attorney 1: Did he say that he wanted you to come urgently?

Bruce: Yes.

Attorney 1: How long did it take you to get there?

Bruce: What I asked at downtown at 3:00 in the morning, maybe 20 minutes.

Attorney 1: Did you ever talk to Amber when you went over that morning?

Bruce: Not really. It was just a lot of walking around and people going in and out of the bedroom and I don't remember if people were crying, I don't remember any of that stuff, it was just like a blur to me. You know, I don't remember if I talked to her, I'm sure I probably said, "Everything is gonna be all right." Like, by the time I got there, you can tell there was a vibe in the house but there's nothing I can witness.

Attorney 1: What was the vibe in the house?

Bruce: Yeah, just people a little bit of an edge. And look, I got called down there at 3:00 in the morning and there's nothing. I mean, it was, obviously, to me, something went down but I didn't see anything.

Attorney 1: And if we could pull up Exhibit 13, please? And do you recognize the person in this picture?

Bruce: Yep.

Attorney 1: Who is it?

Bruce: Amber Heard.

Attorney 1: This picture is ALH, in case you can't see, 7101, it's dated March 23rd, 2013. Mr. Witkin, you mentioned previously that you had seen bruises on Amber's upper arm?

Bruce: One time, yes.

Attorney 1: One time. Does this look like the bruise you saw on Amber's upper arm? Mr. Witkin, what did the bruise that you saw on Amber look like?

Bruce: I mean, it looks similar to that but it didn't look like a...it looked like a grab, not a punch. Like, just somebody grabbed her arm.

Attorney 1: Do you remember what year or timeframe that bruise that you saw was?

Bruce: I have to go through the dates. We were working on a Keith Richards documentary and Johnny and her showed up to the studio and I noticed it on her arm. I don't know if it's the same date or not.

Attorney 1: Did the bruise look like this bruise?

Bruce: Yeah, it's in the same vicinity but I don't know if that's the one.

Attorney 1: Can you tell me more specifics about that bruise? What did it look like?

Bruce: Like I said, it just looked like she was grabbed, that's all. That's what it seemed to me, finger marks.

Attorney 1: And did you ever talk to Amber about that bruise?

Bruce: No.

Attorney 1: And when did you see Mr. Depp with a fat lip?

Bruce: I'm thinking it sometime in 2015 or '16 during rehearsal.

Attorney 1: Could have been...can you be more precise of the month? Do you think it could have been in the spring of 2015?

Bruce: Yeah, I remember we toured spring into summer, so yeah, maybe it's the spring of '15 or '16. I think it was '16. I think. We did do other rehearsals for others spot gigs, so I could be off by a year.

Attorney 1: If we could bring up Exhibit 15, please? If you look at the first text, Mr. Witkin, it's from Mr. Depp, it says, "I'm good, just got a fuck finger."

Bruce: Right

Attorney 1: And the second text.

Bruce: That's from the dudes, yeah.

Attorney 1: And you didn't remember what you would have been concerned about?

Bruce: Just the fact that somehow, a finger got cut off and he's got doctors around him that is supposed to be making him sober and everything is supposed to be better and it wasn't.

Attorney 1: Did Mr. Depp ever talk to you about that, about sobering up?

Bruce: A little bit. He just said, you know, it wasn't his cup of tea, he didn't believe in a higher power.

Attorney 1: He didn't believe sobering up was his cup of tea?

Bruce: Well, he just didn't believe in a higher power. If he was going to do it, he'd do it his own way.

Attorney 1: Do you remember any specific incidents of Amber...of anger with Amber?

Bruce: I mean, he would talk about frustrations or whatever and we would try and talk through it. But it wasn't as much anger as it was much like confusion and sadness and, "Why is this not working?" But no, he would never...very rarely would it be a specific reason why.

Attorney 1: And did you notice any increase or decrease in Mr. Depp's anger when he was drinking or on drugs?

Bruce: I didn't notice much of a difference, you know?

Attorney 1: Did you ever see Mr. Depp doing drugs with other bandmates?

Bruce: Yes.

Attorney 1: Did you ever see Mr. Depp doing drugs with Joe Perry?

Bruce: Yes.

Attorney 1: And what types of drugs did you see them do?

Bruce: They were doing cocaine.

Attorney 1: And how do you know they were doing cocaine?

Bruce: Because I was in the room.

Attorney 1: And around what time was that?

Bruce: It was pretty late.

Attorney 1: What year?

Bruce: That had to be 2016 because that's when we're on the road.

Attorney 1: Have you ever seen Mr. Depp do cocaine before 2016?

Bruce: Yes.

Attorney 1: And when was that?

Bruce: Probably 2014 was the first time I saw him do it because I was quite surprised because when we were kids, he hated that stuff. But

then after that, when I kind of said, "Why you're doing this?" He kind of hid it from me for a long time until, I believe, in 2016.

Attorney 1: And do you have any recollection of steps Mr. Depp took in December 2015 to try to assist in decreasing spending?

Bruce: I don't know all the details about it, it was obviously another lawsuit with that whole thing. But I do know leading up to that time he needed to slow down on spending, I heard about that.

Attorney 1: Did Mr. Depp tell you about that?

Bruce: Yeah.

Attorney 1: What did he say?

Bruce: Just something about the business manager and, you know, "I've been spending too much and I need to slow down or do more movies," or whatever.

Attorney 1: Have you been involved in any of Mr. Depp's prior lawsuits?

Bruce: Yes, I have. I was part of the first one against The Management Group and then I was deposed in a lawsuit with his lawyer, Jake Bloom.

Attorney 1: Did you testify...do you remember testifying about drug and alcohol use by Mr. Depp in that deposition?

Bruce: Yes.

Attorney 1: And what was that about?

Bruce: I was at Johnny's house, things are going good, we're hanging out and talking. And I guess Waldman came in and Johnny introduced me and I just remember Waldman saying, "Hey, nice to meet you," and Johnny had told Waldman that I was part of Unison Music, which was named in the lawsuit, and if they needed any paperwork from me that I had all my paperwork and tax returns. And Waldman turned right to me, he looked me in the eye, and just said, "You got any shit on the Mandels?" And then I said, "No." Yeah, that was the last time I saw him.

Attorney 1: And you also testified in the Bloom case, is that right?

Bruce: Yeah.

Attorney 1: Did you testify to Mr. Depp's drug and alcohol use in that testimony?

Bruce: I believe I did.

Attorney 1: How did Mr. Depp respond to your testimony?

Bruce: Not happy.

Attorney 1: Not happy? And what's your relationship with Mr. Depp now? What happened in the last four years?

Bruce: Honestly, I don't know. Somehow, I started to feel a distance. End of 2017, we had a gig and I saw him but he was really kind of distant and kind of fucked up. And, like, he wrote me this weird text saying I stabbed him in the back and badmouth him and I'm like, "What are you talking about?" And he wouldn't explain it. And pretty much, I haven't seen him since 2018. We didn't even get to have the old grown-up argument, just cut off, can't get through to him, no return text, no nothing, no email. My daughter even got married and he ignored me. So, I think there's some people behind the scenes talking shit about me because everybody always tried to position themselves, "Oh, who's the best friend?" And who is this or that when I was just there to be his friend. And I think there were some lies and bullshit said about me that he actually believed, which is surprising. And I've yet to have the conversation with him to go, "What are you talking about?" I know that he wasn't happy about my testimony but I wasn't gonna lie.

Attorney 1: And did you ever try and help Mr. Depp?

Bruce: Oh, yeah, I tried.

Attorney 1: Do you ever have tried to help him with substance abuse?

Bruce: I mean, I got him with a therapist but I never tried an intervention and nothing like that, no. We would just talk about it and he would just be, "I'll be all right, I'll be all right," and then I said, "Well, you're not all right." And shit would just move on to the next conversation.

Attorney 1: Did you observe anyone else trying to help Mr. Depp with substance abuse?

Bruce: I mean, I know Christi, his sister was always concerned with his well-being, whether it was substance abuse or not. And everybody, I think, deep down inside was but like I said, the people on payroll won't say much. They'll try but, you know, they don't want to lose their job. And I'm not saying they all fall into that category, you know, but it's a strange thing around people like him, everybody wants something.

Attorney 1: And I think today you've testified to seeing a bruise, but is it fair to say that you have no knowledge one way or another of violence?

Bruce: Not personal knowledge, no.

Attorney 1: You mentioned before that Mr. Depp has pushed you away in the last four years, is that right?

Bruce: Yes.

Attorney 1: Has Mr. Depp ever admitted being violent to you?

Bruce: No.

Attorney 1: With anyone?

Bruce: No.

Judge Azcarate: All right. Yes, ma'am, your next witness?

Ms. Bredehoff: Our next witness, Your Honor, we'd like to call Tracey Jacobs. She's also by deposition designation and it begins with me.

Judge Azcarate: I'm sorry. One more time.

Ms. Bredehoff: Your Honor, we'd like to call Tracey Jacobs. She's also by deposition designation and it begins with me asking questions.

Judge Azcarate: All right, thank you.

Ms. Bredehoff: Please state your name and address for the record.

Tracey: Tracey Renee Jacobs, Los Angeles, California.

Ms. Bredehoff: And what is your current occupation?

Tracey: Talent agent.

Ms. Bredehoff: And how long have you been a talent agent?

Tracey: Thirty-four years.

Ms. Bredehoff: Ms. Jacobs, when did you first begin representing Mr. Depp?

Tracey: When I was at another agency at ICM, I think...I represented him for 30 years. So, now since he's been gone almost five years, you can subtract 35 years. And then when I came to UTA, I believe it was 1998, he came with me. And I've been at UTA for...well, now it's been 22 years minus the last 4 he was with me from the beginning.

Ms. Bredehoff: During the time that you represented Mr. Depp as his talent agent, please describe the types of jobs and responsibilities you perform for him.

Tracey: I was his agent, so my job, as all agents are, was to find, procure, and negotiate jobs for him, acting jobs for him initially.

Ms. Bredehoff: Well, I'm assuming if you were his talent agent that you would know what his...how his career was tracking over that 30 years you were with him, would you not?

Tracey: He became the biggest star in the world.

Ms. Bredehoff: And do you take any credit for that?

Tracey: Yes.

Ms. Bredehoff: And why? What do you think your contributions were to Mr. Depp becoming the biggest star?

Tracey: Well, A, that he was extraordinarily talented, and B, that my talent was compatible with his in terms of understanding the kinds of roles and scripts and filmmakers that would make sense for him to work with and being able to master the two and put them together.

Ms. Bredehoff: What is your understanding of the reason why Mr. Depp terminated you?

Tracey: I really don't know. All I know is he terminated essentially everyone in his life, so I was along for the ride, I guess.

Ms. Bredehoff: Line 20 said...I'm directing your attention to line 20 of Mr. Depp's deposition on November 2020. "And why did you leave Tracey Jacobs in October 2016?" If we go down. And Mr. Depp's answer was, "Ms. Jacobs, in the same attempt to corral the thievery and the injustice that was practiced upon me by Mr. Mandel and Mr. Bloom, at a certain point, Tracey Jacobs began to sort of revealed as...I won't say co-conspirator, necessarily, but she was part of that little group. And it seemed in my best interest to walk away from that relationship because her interests were quite different than when they started...when we started. I believe she even stated that the reason she kept me for so long was "the money." She stated otherwise, she said I was not an easy client to represent or something to that extent. And so, yes, I had to leave the agent." Would you agree with Mr. Depp's characterization of your representation of him?

Tracey: Oh, I understand that this is the first time I'm hearing or seeing this in five years. No is the answer.

Ms. Bredehoff: And why do you not agree with this?

Tracey: Because it's all untrue.

Ms. Bredehoff: And then I asked him after asking if he sued you and you said no...well, he did sue Mr. Mandel and Jake Bloom, so I thought it was prudent to ask. Then I asked him, "Did Tracey Jacobs say why she did not consider you to be an easy client to represent?" And the answer, "She certainly never...she never expressed any of those things to me. These are things that she was able, I guess, she came to the realization that I was not easy to represent after I fired her. And Ms. Jacob, there was conflicts of interest all over the place. She'd been represented by Joel Mandel, she was also to some degree represented by Jake Bloom. So, therefore, there's an obvious great, huge conflict of interest, which I lived with for a little while and thought, "No, no, this is not a good idea." Now, my question to you is, do you agree with Mr. Depp's characterization that you only expressed that he was a difficult client to work for after he fired you?

Tracey: Absolutely not.

Ms. Bredehoff: Do you agree that you have conflicts of interest all over the place in representing Mr. Depp as he states here?

Tracey: No.

Ms. Bredehoff: Do you agree that you had been represented by Joe Mandel?

Tracey: No, never.

Ms. Bredehoff: Was Mr. Depp a difficult client to represent?

Tracey: He wasn't initially and it became far more complicated in the last 10 years of my representing him.

Ms. Bredehoff: And how did it become far more complicated in the last 10 years of you representing him?

Tracey: His unprofessional behavior.

Ms. Bredehoff: Anything else?

Tracey: I think that covers a multitude of things.

Ms. Bredehoff: And that's going to be my next question. What do you mean by Mr. Depp's unprofessional behavior in the last 10 years of you representing him?

Tracey: Showing up late to set consistently on virtually every movie. I would get yelled at. I never said to him, "You're a difficult client," I never use those words but I was very honest with him and said, "You've got to stop doing this, this is hurting you," and it did and...yeah.

Ms. Bredehoff: Even with your speaking to Mr. Depp about him consistently showing up late for set, did he correct that behavior during that last 10 years?

Tracey: No.

Ms. Bredehoff: And what types of difficulties did that cause for Mr. Depp?

Tracey: Well, initially, crews loved him because he was always so great with the crew but crews don't love sitting around for hours and hours and hours waiting for the star of the movie to show up. And it also got around town. I mean, people talk, it's a small community, and it made people reluctant to use him toward the end.

Ms. Bredehoff: And when you say toward the end, was that toward the end of your representation of Mr. Depp?

Tracey: Yes.

Ms. Bredehoff: Do you recall difficulties that Mr. Depp had during "Pirates 5?"

Tracey: Yes.

Ms. Bredehoff: Did you have just one conversation with Sean Bailey or did you have more than one conversation with Sean Bailey about Mr. Depp and "Pirates 5?"

Tracey: More than one, I'm sure. I don't recall.

Ms. Bredehoff: Okay. Do you have a recollection of the production of "Pirates 5" having to suspend for several weeks while Mr. Depp had surgery on his finger?

Tracey: Yes.

Ms. Bredehoff: Did you go to Australia at any point during the filming of "Pirates 5?"

Tracey: Twice.

Ms. Bredehoff: Yes, was there something that caused you to determine that that was the time you should get on the plane and fly to Australia?

Tracey: Yes.

Ms. Bredehoff: What do you recall that being?

Tracey: The complaints about what I stated earlier about the lateness, not showing up, to talk to him about it.

Ms. Bredehoff: When you were talking earlier about there being a change in Mr. Depp's behavior over the last 10 years of your representation and he becoming more unprofessional, was part of the unprofessional behavior is increased use of alcohol and drugs?

Tracey: Yes.

Ms. Bredehoff: Was part of the unprofessional behavior that you witnessed increasing over the last 10 years of representation of Mr. Depp is increasing anger and tendency towards violence?

Tracey: No.

Ms. Bredehoff: Do you know who referred Dr. Kipper to Mr. Depp?

Tracey: I did.

Ms. Bredehoff: And why did you refer Dr. Kipper to Mr. Depp?

Tracey: He has had a lot of experience with high-profile people and really helping them seriously get and stay sober.

Ms. Bredehoff: Did you observe in your dealings with Mr. Depp as his representative that he romanticizes the entire drug culture?

Tracey: Yes.

Ms. Bredehoff: I'm asking for your observations. Based on your dealings with Mr. Depp, was it your observation that Mr. Depp has fundamental issues with anger?

Tracey: Yeah.

Ms. Bredehoff: And in your observation of Mr. Depp having fundamental issue with anger, did that worsen over the time of your representation or was it relatively the same?

Tracey: Yes, it worsened over time.

Ms. Bredehoff: Did you observe Mr. Depp lacking patience when he didn't get his needs met?

Tracey: Yes, but...yes.

Ms. Bredehoff: Do you recall a time while you were representing Mr. Depp that he started having earpieces so people could feed him his lines during filming?

Tracey: Yes.

Ms. Bredehoff: Do you recall that that became a regular thing for Mr. Depp that he needed to use earpieces so lines could be fed to him during filming?

Tracey: Yes.

Ms. Bredehoff: Do you have a recollection of issues associated with "London Fields?"

Tracey: Yes.

Ms. Bredehoff: I'm going to ask you to take a look of Deposition Exhibit 8. Ms. Jacobs, I'm going to...I'll take you to the second page first and if you could see that frame. And then here's where I'm going to direct your attention. This is from Mr. Depp to you on Saturday, August 29th, 2015. Do you see that?

Tracey: Yes.

Ms. Bredehoff: Okay. And when Mr. Depp would write to you in emails, would you regularly have parts of it all capitals and exclamation marks?

Tracey: Yes.

Ms. Bredehoff: Pardon me, when he says, "Fucking Harley," what is he talking about?

Tracey: I think he's referring to...I don't know, I think he might be referring to the daughter of the director friend of his but I'm not sure.

Ms. Bredehoff: So, do you have an understanding of what he's talking about with "The Matthew Cullen version?"

Tracey: Matthew Cullen was the director. I don't know about no nudity, although clearly, that was the case according to his understanding. And I guess he was trying to get me to kill it.

Ms. Bredehoff: Okay. And then you responded to him, "I'm already on it with lawyers and lobbyists, has spoken to Matthew Cullen twice, he also wants him to stop, we are doing everything to shut this down." Was there another version of...?

Tracey: Oh, I'm sorry, I have to correct myself. He made a typo here, which is why...Harley, he means Hanley, they were the producers.

Ms. Bredehoff: And as you sit here today, can you recall anyone at Disney committing in any way that Johnny Depp would be in "Pirates 6?"

Tracey: No.

Ms. Bredehoff: You testified at the beginning of this deposition that while you represented Mr. Depp, that he was, I think, the biggest star in the world. Do you recall that testimony?

Tracey: Yes.

Ms. Bredehoff: And what would you say the reputation of Johnny Depp is today?

Tracey: These lawsuits don't help.

Ms. Bredehoff: And what do you mean by that?

Tracey: I mean, it's endless. But I don't know because I'm not out there selling him anymore.

Ms. Bredehoff: Have you ever seen Mr. Depp engage in angry behavior?

Tracey: Yes.

Ms. Bredehoff: Now, were you aware that Mr. Depp filed a lawsuit in the United Kingdom against "The Sun" newspapers and Dan Wootton, the editor, because they call him a wife beater?

Tracey: Yes.

Mr. Chew: Have you ever seen Mr. Depp hit a woman?

Tracey: No.

Mr. Chew: Have you ever seen Mr. Depp throw anything at a woman?

Tracey: No.

Mr. Chew: Have you ever seen Mr. Depp kick a woman?

Tracey: No.

Mr. Chew: Other than Amber Heard, do you know of any other woman who ever accused Mr. Depp of physical abuse?

Tracey: No.

Mr. Chew: Had you ever seen in person any marks on Amber Heard?

Tracey: No.

Mr. Chew: Ms. Jacobs, you testified, and please correct me if I'm wrong, that in the last 10 years of your representation of Mr. Depp, there was more unprofessional behavior by Mr. Depp, is that correct?

Tracey: Yes.

Mr. Chew: During that period of time, the last 10 years you represented him, was he ever fired from a movie?

Tracey: No.

Mr. Chew: Have you ever seen this document before?

Tracey: I don't recall this exact document but I know there were conversations going on.

Mr. Chew: What were you referring to when you said at the top of this document, Depp Exhibit 5, "This is good news?"

Tracey: That we were able to help him out when he was in financial desperation.

Mr. Chew: When you say, "Help him out," who was him?

Tracey: Johnny Depp.

Mr. Chew: And what particularly was good news

Tracey: That we were able to secure a loan for him through Bank of America when Ed White couldn't get him any money and it was very helpful to him.

Mr. Chew: What was the final deal for "Murder on the Orient Express?"

Tracey: \$5 million for four consecutive weeks, plus a great back end which he has received significant money on subsequently.

Mr. Chew: What was Mr. Depp's upfront compensation for "Pirates 5?"

Tracey: Yeah, he got paid 25 million with the back end.

Ms. Bredehoff: Would it be fair to say that you cannot say one way or the other whether Mr. Depp has hit, punched, kicked, headbutted, or choked Amber Heard?

Tracey: Yes.

Ms. Bredehoff: Can you say one way or the other whether Mr. Depp has ever hit punched, kicked, headbutted, or choked anyone else?

Tracey: Yes.

Ms. Bredehoff: Can you say one way or the other? Do you know?

Tracey: No.

Ms. Bredehoff: Would it be fair to say that you were continuing to bring in good solid work for Mr. Depp right up to the time Mr. Depp terminated you?

Tracey: Correct, yes.

Ms. Bredehoff: And earlier you said that Mr. Depp's reputation that he became the greatest actor in the world, right?

Tracey: That's not what I said. I said he became the biggest movie star in the world.

Ms. Bredehoff: Movie star? Thank you, forgive me. So, as of the time that you were terminated by Mr. Depp in October 2016, did you still believe that Mr. Depp was the greatest movie star in the world?

Tracey: No.

Ms. Bredehoff: Why not?

Tracey: Because his star had dimmed due to it's getting harder to get him jobs given the reputation that he had acquired due to his lateness and other things.

Ms. Bredehoff: And what were the other things?

Tracey: Just, you know, people were talking and the question was out there about his behavior.

Ms. Bredehoff: And that behavior included?

Tracey: I think I've described it several times.

Ms. Bredehoff: Would that behavior include alcohol and drug use?

Tracey: Yes.

Ms. Bredehoff: Mr. Chew asked you about "City of Lies" and you indicated that you didn't believe it was released. Are you aware that Mr. Depp was accused of punching a local manager in the face during the filming of "City of Lies?"

Tracey: I read that. I don't know.

Ms. Bredehoff: Do you have any understanding of why Mr. Depp needed that loan in January 2016?

Tracey: Yes, he had said...he had come in and met with us and he had asked for \$20 million.

Ms. Bredehoff: Did Mr. Depp tell you when he met with you why he needed \$20 million?

Tracey: Not specifically other than he just needed the money.

Ms. Bredehoff: Was there any general discussion as to why he needed \$20 million in January of 2016?

Tracey: Not as to why, he just expected us to do it.

Ms. Bredehoff: So, Mr. Depp came in and said, "I want you to get \$20 million for me?"

Tracey: Actually, it was, "I want you to give me \$20 million." It was not discussed. The question was not asked as a loan.

Ms. Bredehoff: And what did you say in response?

Tracey: I didn't. Jeremy Zimmer and Jim Berkus spoke directly to that point, I was just in the meeting.

Ms. Bredehoff: And in the meeting, do you recall what Jeremy and Jim said to Mr. Depp when he asked them for \$20 million?

Tracey: Yes, they said, "We're not in a position to give our clients that kind of money, we're not a bank."

Ms. Bredehoff: Did Mr. Depp explain why he thought that you should just give him \$20 million as opposed to a loan?

Tracey: Yes. He made a lot of money for us and that we should just do it because of how much money he had made over the duration of his being at UTA.

Ms. Bredehoff: Do you ever had any other client who has ever made that kind of a demand?

Tracey: No.

Ms. Bredehoff: And do you believe the Rolling Stone interview, the article, damaged Mr. Depp's reputation?

Tracey: Yeah.

Ms. Bredehoff: Are you aware of any significant role that Mr. Depp has starting since you were terminated that you did not negotiate and get for him?

Tracey: No.

Ms. Bredehoff: Did Mr. Depp get "The Invisible Man?"

Tracey: They didn't make it. They made it much lower budget with a woman as it turns out for Universal with Blumhouse.

Ms. Bredehoff: You were asked about whether there was any option contract for "Pirates 6" and I just want to make sure I understand your answer. Were you involved in any kind of negotiation with Disney for any kind of options contract for "Pirates 6" with Mr. Depp?

Tracey: Not that I can recall, no.

Judge Azcarate: Yes, ma'am, your next witness.

Ms. Bredehoff: Your Honor, our next witness is Joel Mandel...

Judge Azcarate: Again, Ms. Bredehoff. Thank you.

Ms. Bredehoff: Your Honor, our next witness is Joel Mandel, he's also by deposition designation, and we start the questioning.

Judge Azcarate: All right, thank you.

Ms. Bredehoff: Please state your name and business address.

Joel: It's Joel Mandel, with M-A-N-D-E-L, it's 8383 Wilshire Boulevard.

Ms. Bredehoff: Now, Mr. Mandel, you are here under subpoena, is that correct? Testifying under subpoena?

Joel: Correct.

Ms. Bredehoff: Okay. Could you please describe a little bit about your educational background and work experience?

Joel: I graduated from Brown University in 1980. I graduated from the University of California Berkeley School of Law in 1983. I went to work for a law firm in Century City from '83 to '87 called [inaudible 00:53:22], and I left in March of '87 to form this company with my brother.

Ms. Bredehoff: Could you please describe a little bit about your experience in the field of the business management, the types of clients represented, your reputation in Hollywood business field?

Joel: I'll cut to where we are today, you can ask me different questions. I mean, we're a full...what I would describe as a full-service business management firm, which means that we provide a wide array of financial, you know, administrative advisory kinds of services, and we pay bills and we do tax returns, and we assist people with purchases of cars and boats and art and planes. And, you know, we help people with outside professionals on estate planning matters and we work with brokers on house purchases, and then with contractors on renovations. And so, it's a wide range of financial...primarily financial services, but financial and personal services that we provide to our clients.

Ms. Bredehoff: And what types of clients are those?

Joel: Our business is primarily entertainment. So, I don't have a percentage, you know, my guess is it's probably something like 80%, but that means people that work in the entertainment business broadly speaking.

Ms. Bredehoff: How long have you been a business manager in LA?

Joel: Since 1987.

Ms. Bredehoff: When did you first meet Mr. Depp?

Joel: In, I believe, 1999.

Ms. Bredehoff: So, if you could take us, to make this ran a little more smoothly, start with what you provided in the earlier time, and if it changed over time, just kind of take me through if that's possible.

Joel: Well, let me do my best job. I would describe things initially as being the way I described our services generally. I mean, the broad range of things that we do for all of our folks, you know, we did for Mr. Depp. You know, what changed was that reasonably early on, so within the first few years, his life and career exploded in size. And so, you know, as I said, our relationship started in '99. I think he did the first "Pirates" film in 2003. And so, you know, it had already...you know, he

was on a very successful trajectory, the success of the "Pirates" films obviously catapulted him to an entirely different level of success.

And that was a career thing, it was also a financial thing. And so, there was money made from the "Pirates" movies, and all of a sudden, you know, what he was going to now make moving forward was going to be significantly greater. His life changed. And so, what did that translate? That translated into a variety of things. And I don't want to mix dates, it's a long stretch of time, but that meant a bigger life, it meant more employees, it meant buying additional real property, it meant buying additional personal property, it meant a bigger life, and a more expensive one.

Ms. Bredehoff: Can you please describe for me the day-to-day logistics of communicating with Mr. Depp relating to your services?

Joel: Sure. So, I'll explain this, but early on, Mr. Depp had made it clear that just as my initial introduction to him had been through his sister, that his sister was acting in a...what I would call a gatekeeper-like role and that she was going to play an instrumental part of his life in interfacing with people like me, like his agents, like his lawyers. And so, there was interface on a constant basis with Christi in the role that he sort of placed her in, the conversations and communications were constant daily. With Mr. Depp, they were where they needed to be. And so, we talked often, we met often, but not with the same kinds of frequency, you know, the daily kinds of frequency that I communicate with Christi.

Ms. Bredehoff: Please describe the challenges presented in serving as the business manager for Mr. Depp.

Joel: They changed over time. And so, the challenges early on were the exciting challenges of somebody whose life and career were getting, you know, very big very quickly. And that's a professional challenge but it's a lovely, wonderful professional challenge. You know, that being someone's traveling a lot, again, you know, income and expense have grown dramatically or there's more staff or more real properties, there's more...I mean, it exponentially grows the size of the job. But, you know, that's what I do for a living. So, that's, you know, all changes and challenges but good changes and good challenges.

My sense of the challenge of this representation and my description of the challenge would change probably sometime around 2010. And I say that because it was the time after he had shot the film "Rum Diaries," and he had come back from that picture and what had always been slightly difficult in arranging meetings became more difficult. And what I

had always experienced as someone who liked to enjoy his wine at the end of the day became consumption that seemed excessive and the ability to coordinate and find times when he would meet became more difficult.

And it became clear over time that there were issues with alcohol and drugs, and that translated into more erratic behavior, more stressful behavior, there were times when it was difficult to engage in the kinds of conversations I needed to do my job. And so, it became more of a challenge for a variety of those reasons after 2010. And quite frankly, the other thing that happened, and this is in '13-'14, you know, I mean, his meteoric sort of career rise had started to...you know, there were some pictures that were not well received.

And for anybody...this is whether you're an actor or a director, I mean, you're only judged by your last picture and there were a number of pictures in a row that were not successful, and so there was a combination of events. What felt like professional pressures, what felt like some professional dissatisfaction, what I sense was likely strains in his relationship with Amber, the use of alcohol and drugs made my job more challenging.

Ms. Bredehoff: You indicated that you were having more difficulty arranging meetings. What, if any, role did increased use of alcohol and drugs have on your ability to be able to arrange and engage in meetings with Mr. Depp?

Joel: There were stretches of time when it appeared clear to me that the use of alcohol and drugs was a daily event. And so, there were obviously various times when I needed to communicate directly with Mr. Depp, and so some of my conversations with the people I've described involve finding good days and good parts of days when he and I could engage in conversations that he and I needed to engage in, where I knew he would be clear-minded and sober.

Ms. Bredehoff: All right. So, were there any periods that you can recall between 2010 and the end of your relationship with Mr. Depp that Mr. Depp had any periods of sobriety?

Joel: There were certainly stretches of time when he seemed better. There were days and weeks, there were stretches of time when he was better, and I couldn't tell you the dates, but there were stretches of time when he was better and more often not.

Ms. Bredehoff: As the business manager, you would have been responsible for paying Dr. Kipper's expenses, is that correct?

Joel: Correct.

Ms. Bredehoff: Can you recall approximately how much per year Mr. Depp spent on Dr. Kipper and his staff?

Joel: I think the fee was around \$100,000 a month.

Ms. Bredehoff: Describe for me what you observed of Mr. Depp engaging in what you would call erratic behavior.

Joel: What I mean are a variety of ways in which responses to things seemed disproportionate to the things. And so, you know, there were times when he would be upset about something and he would be very, very, very upset and seemingly to me disproportionate to that something. Again, erratic is a funny word. You know, I felt like things were less predictable, I felt like...you know, I was, I guess, professionally in a place where I never knew day-to-day what to say.

Ms. Bredehoff: You said that Mr. Depp was sometimes...his responses seem to be disproportionate and that he would be very, very upset. What, if any, observations did you make about Mr. Depp expressing anger?

Joel: When he was angry at someone, he would let them know. And was that sent my direction? Very rarely, but at times, you know, and certainly on a handful of occasions in 2015. But if he was upset about a contractor, he would vent, if he was upset with a security person, he would vent, he would...you know, he seemed to become increasingly less filtered and increasingly...you know, the notion of...I want to answer you accurately.

You know, people moderate their behavior, they may moderate their behavior in public because things are, you know, inappropriate in a particular setting. People may be upset with an employee, but they're constrained in how the employee is chastised. My experience was that Mr. Depp became increasingly less constrained, less concerned with whether he was going to upset someone's feelings, but just increasingly comfortable venting in an aggressive way when he was upset or disappointed about something.

Ms. Bredehoff: And did that increase over time beginning...I think you said around 2010?

Joel: It began to change in about 2010 and it increased over time, and then increased to the point where our relationship began to be impacted in 2015 and was eventually obviously separated in 2016.

Ms. Bredehoff: When Mr. Depp would express his anger and upset, did he use profanity?

Joel: Sure.

Ms. Bredehoff: Did you observe any increase in Mr. Depp's expressions of anger and upset associated with any increase in financial difficulties or having to discuss financial difficulties?

Joel: Yes, his financial circumstances in 2015 had reached a point where I was extremely concerned and was on a very, very regular basis expressing that concern. And it seemed as I increase my level of expressing that concern, there was anger directed, you know, in my direction. And so, my warnings in 2015 that we were in very dire financial circumstances were not met very favorably.

Ms. Bredehoff: So, did there come a time that you observed as Mr. Depp's business manager that his spending habits became more increased, perhaps excessive, extravagant?

Joel: Yes.

Ms. Bredehoff: And when did you observe that? When did that begin?

Joel: Again, in the time frame I've described in that 2010 and on timeframe, as I recall, income was very significant, spending was very significant. And, again, the spending levels have grown very, very, very large and required that level of incredibly high income to be maintained and when it brought off, the disconnect became untenable.

Ms. Bredehoff: And what, if anything, did you say or do to try to assist Mr. Depp in curbing that spending?

Joel: Those conversations were constant.

Ms. Bredehoff: And were Nathan Holmes, Kevin Murphy, and Stephen Deuters part of the \$300,000 a month full-time staff?

Joel: Yes.

Ms. Bredehoff: Okay. Do you know roughly how much each of them were paid?

Joel: It's been a long time. If I had to guess, Kevin Murphy was probably paid about a quarter of a million dollars a year, and Stephen and Nathan, probably about \$125,000 a year.

Ms. Bredehoff: Do you know how much Jerry Judge was being paid by Mr. Depp as a security guard?

Joel: We paid Jerry by the day. I think Jerry made something like \$10,000 a day.

Ms. Bredehoff: Did Mr. Depp spend any money on charities?

Joel: Some, not very much.

Ms. Bredehoff: And approximately how much?

Joel: No specific recollection.

Ms. Bredehoff: Less than 50,000?

Joel: I don't recall writing large charity checks. It was more his style to show up at an event or sort of lend his name to something rather than write checks.

Ms. Bredehoff: Mr. Mandel, did Mr. Depp ever acknowledge that he needed to change his spending patterns and improve the situation?

Joel: Yes, at various times when we would have these conversations, he would acknowledge that he understood what was being communicated and would make expressions of a commitment to sort of work with me to do what was necessary.

Ms. Bredehoff: And were there occasions that Mr. Depp would apologize and say he was going to do better?

Joel: That happened on occasion, yes.

Ms. Bredehoff: And what, if any, observations did you make about whether Mr. Depp ultimately did improve and work with you to try to get his spending under control?

Joel: That never seemed to happen. And so, there would be at times expressions of appreciation, expressions of an understanding, expressions of a willingness to do what was necessary but there never seem to be any follow through when the things would be...you know, the thing that had to happen to make those words real. There was no follow-up.

Ms. Bredehoff: Now, let's talk about the tax returns for a moment. Did you and TMG file tax returns on Mr. Depp and his company's behalf while you were his business manager?

Joel: Yes.

Ms. Bredehoff: Are you aware that Mr. Depp testified under oath that you did not file his tax returns for 17 years?

Joel: I'm aware that you're telling me.

Ms. Bredehoff: Is it true that you did not file his tax returns or those on behalf of his company for 17 years?

Joel: No, that's not true.

Ms. Bredehoff: Were there times that you were unable to pay some or some or all of Mr. Depp's taxes on time? What is your understanding of what "or his numerous other vices" meant?

Joel: The use of alcohol and drugs.

Ms. Bredehoff: Do you know how much Mr. Depp spent on prescription drugs during the time that you were his business manager?

Joel: There were periods of time when prescriptive spending was, from just my experience, very high, thousands of dollars a month, but I can't tell you the time periods.

Ms. Bredehoff: Do you have a recollection of whether TMG had to pay for property damage and other rental properties or hotel properties that Mr. Depp used because of damage to the property?

Joel: Specifics? No. But did we pay damages in various times over the years? Absolutely, yes.

Ms. Bredehoff: And do you recall that Mr. Depp from time to time did commit property damage in the rentals that he was in or hotels? And you recall that there were times you did have to pay for damage to Mr. Depp's rentals, is that correct, or hotels?

Joel: There were times.

Ms. Bredehoff: Okay. Now, you had testified a little bit earlier about needing 25 million by the end of the year. Are you aware of whether Mr. Depp was able to sign on for any movies and obtain 25 million by the end of the year without the assistance of a lending entity? So, the first time that you as the business manager were unable to pay Mr. Depp's taxes by October 15 was October 15, 2015. Is that correct?

Joel: Correct.

Ms. Bredehoff: And you consider that to be an increasingly difficult and alarming situation that you were trying to resolve into late January 2016, is that correct?

Joel: That's correct.

Ms. Bredehoff: I showed you earlier Exhibit 8, which was the video clip of Mr. Depp, slamming doors and pouring wine, etc., in the kitchen. Do you recall that video?

Joel: I recall the video, yes.

Ms. Bredehoff: Okay. Do you have a recollection of giving Mr. Depp very bad news on the morning of February 10, 2016?

Joel: I don't recall a specific meeting with a specific date. As I've indicated, there were a variety of meetings in groups and conversations alone and in groups regarding, you know, how these very dire financial circumstances purporting to be addressed. And as I've indicated, the tone of these conversations became more intense as time went on and these issues were not being addressed.

Ms. Bredehoff: And is it fair to say in the first half of February of 2016, the conversations that you have just described were taking place?

Joel: More specifically, Mr. Depp and I began having conversations and it took on a more heated turn in July of '15 when it became clear that he was not willing to sell the property in the south of France. And the tone of those conversations became more heated and more contentious as time went on because the circumstances were more dire.

Ms. Bredehoff: And would it be fair to say that your perception was that the circumstances continued to become more dire between July 2015 up through the time of your termination in March 2016?

Joel: It did.

Ms. Bredehoff: How did you learn of TMG's termination?

Joel: Edward White had a colleague, an employee, someone in his office came into our office physically and hand-delivered a letter.

Ms. Bredehoff: And who was the letter from?

Joel: I think they were hand-delivered, like, one letter on the 15th and one on the 16th, so there was a letter signed by Mr. Depp indicating that our services had been terminated and then there was a letter from

Edward White's office, I recall saying that they were the new people and we should coordinate a transition.

Ms. Bredehoff: Did you have any familiarity with Edward White as of the time of the termination?

Joel: I had not heard of him.

Ms. Bredehoff: And did Mr. White accept your offers of assistance?

Joel: For the most part, no.

Ms. Bredehoff: Now, approximately how much did Mr. Depp earn during the period of time you represented him?

Joel: I recall the amount being reported to be something like \$600 million and I believe that amount was probably, you know, close to that.

Ms. Bredehoff: Did you steal \$650 million from Mr. Depp?

Joel: No.

Ms. Bredehoff: Did you steal anything from Mr. Depp?

Joel: No.

Ms. Bredehoff: Mr. Mandel, did TMG or you take any money other than the fees that you were entitled to from Mr. Depp?

Joel: No.

Ms. Bredehoff: Mr. Mandel, were you ever found adjudicated by any court, any kind of legal entity, any agency to have committed malpractice, malfeasance, or embezzlement?

Joel: No.

Judge Azcarate: All right, why don't we go ahead and take our morning recess at this point...or at least let's just take our morning recess. Do not discuss the case and don't do any outside research, okay? Thank you. Again, the court is still in session if we could...the court is still in session. Thank you. Thank you. All right, we'll go ahead and take a recess until 11:15. All right, thank you. Recess.

Bailiff: All rise.

Judge Azcarate: All right. All right, we're ready for the jury then? Okay. All right, be seated. Your next witness?

Ms. Bredehoff: Your Honor, our next witness is Adam Waldman. And I will start the questioning and then Mr. Rottenborn split that with me, and we'll be questioning next, and then it will be Mr. Depp's counsel.

Judge Azcarate: All right. Thank you.

Ms. Bredehoff: Good morning, my name is Elaine Bredehoff, and together with Ben Rottenborn, we represent Amber Laura Heard. Will you please state your name and address?

Adam: Sure. It's Adam Robert Waldman, Washington DC.

Ms. Bredehoff: And what is your current occupation?

Adam: Attorney. I'm also involved with a skincare company in a variety of capacities.

Ms. Bredehoff: How long have you been an attorney?

Adam: I think since 1995.

Ms. Bredehoff: Do you currently represent John C. Depp The Second who I will be referring to in this deposition as Mr. Depp or Depp?

Adam: I do.

Ms. Bredehoff: And is this representation an attorney-client representation?

Adam: It is.

Ms. Bredehoff: Does it include any other type of representation of Mr. Depp other than as an attorney-client?

Mr. Chew: I would instruct the witness not to answer that question on the grounds of attorney-client privilege and attorney work product. He can't answer that question without disclosing communications between himself and his client, Mr. Depp. As you're aware, Ms. Bredehoff, the court has ruled that Mr. Depp has not waived attorney-client privilege and will not be waiving attorney-client privilege. So, you're aware of that?

Ms. Bredehoff: So, Mr. Chew, I'm not sure that you heard my question. I was actually asking him if he had any other type of representation relationship with Mr. Depp other than as an attorney-client.

Mr. Chew: I think he can answer that yes or no but I would instruct the witness on behalf of Johnny Depp not to disclose any communications you've had with your client.

Adam: No.

Ms. Bredehoff: So, just so we're clear since we had a little bit of record back and forth, the only way in which you represent Mr. Depp is as an attorney-client representation, is that correct? I'm sorry, Mr. Waldman.

Adam: I believe that's true.

Ms. Bredehoff: Okay. And you are here today providing this deposition under a subpoena and then subsequent notice, correct?

Adam: Yes.

Ms. Bredehoff: And when did you first become Mr. Depp's counsel?

Adam: I think that it was around October 2016.

Ms. Bredehoff: And what is your role in this case as counsel for Mr. Depp?

Mr. Chew: Objection, I would instruct the witness not to answer that question.

Adam: Okay, I'll follow the instruction.

Ms. Bredehoff: When did you first meet Mr. Depp as opposed to first start representing him?

Adam: I first met him in October of 2016.

Ms. Bredehoff: How is it that you came to meet Mr. Depp?

Adam: The general counsel that I referenced a moment ago asked me to go and have a meeting with him, with Mr. Depp, and to talk about a financial problem that he was having.

Ms. Bredehoff: Did you enter into a written representation agreement with Mr. Depp when you began your representation?

Mr. Chew: I would instruct the witness not to answer that question that calls for attorney-client privilege.

Adam: Okay, I follow the instruction.

Ms. Bredehoff: Have you entered into more than one representation agreement with Mr. Depp during the course of your representation?

Mr. Chew: Same instruction, not to answer, he can't answer that without disclosing attorney-client communications and attorney work product.

Ms. Bredehoff: Mr. Waldman, when did you consider your attorney-client relationship with Mr. Depp to have begun?

Adam: I believe it began the night I met him actually.

Ms. Bredehoff: Sometime in October 2016?

Adam: Yes, ma'am.

Ms. Bredehoff: Has the relation...has the attorney-client relationship between you and Mr. Depp been severed at any point between October 2016 and the present?

Mr. Chew: I would instruct the witness not to answer that question on the grounds that you can't answer that question without disclosing attorney-client communications.

Adam: Okay, I accept the instruction.

Ms. Bredehoff: As Mr. Depp's attorney, you have provided him with advice. Is that fair to say?

Adam: That's correct.

Ms. Bredehoff: And you have charged Mr. Depp for your advice, correct?

Mr. Chew: I would instruct the witness not to answer that question, he can't answer that without disclosing attorney-client communications. And the fee arrangement, in any event, is irrelevant but I'm instructing him not to answer on the grounds of privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Mr. Waldman, when you provide legal services in an attorney-client relationship, your understanding of that is that you provide advice and your client in turn compensates you in some manner. Would that be fair to say?

Adam: Yes, as a general matter, that's how I understand the attorney-client relationship, yes.

Ms. Bredehoff: And has Mr. Depp paid you for your advice?

Mr. Chew: I do instruct the witness not to answer on the grounds of attorney-client privilege. You can't answer that question without disclosing your communications with Mr. Depp.

Adam: I accept the instruction.

Ms. Bredehoff: Well, let's go general again and see if maybe we can work on it from that perspective. So, in your relationship with your clients, you provide advice, and it's up to the client to determine whether to follow that advice. Would that be fair to say?

Adam: As a general matter, I do agree with that statement, yes.

Ms. Bredehoff: All right. And by the same token, it would be up to the client to determine whether to reject your advice in the whole park, correct?

Mr. Chew: You're still speaking in general?

Ms. Bredehoff: Correct.

Adam: In general, yes.

Ms. Bredehoff: Okay. Now, did your relationship with Mr. Depp, and I'm talking about your attorney-client relationship, deviate from those general principles that in some way Mr. Depp is not permitted to follow or reject your advice?

Mr. Chew: I would instruct the witness not to answer the question based on attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Now, Mr. Depp has the right to terminate your representation at any time, is that correct?

Adam: But yes, I think it's true. Mr. Depp would be free to terminate at any time.

Ms. Bredehoff: My apologies, Mr. Waldman, I didn't realize you were still talking. Did you finish?

Adam: Yes, I did. Thank you.

Ms. Bredehoff: Now, has Mr. Depp terminated your representation of him at any time between October 2016 and the present?

Mr. Chew: That's the same question that I instructed Mr. Waldman not to answer before, just stated in a slightly different way. So, I would instruct the witness not to answer that question.

Adam: I accept the instruction.

Ms. Bredehoff: Now, Mr. Depp as the client in your relationship is in the position to make the final decision regardless of your advice, would you agree?

Mr. Chew: I would instruct the witness not to answer that question. I don't know that he...well, I know he can't answer that question without disclosing communications with Mr. Depp. So, I instruct the witness not to answer.

Adam: I accept the instruction.

Ms. Bredehoff: Mr. Waldman, if you were advising a client and an attorney-client relationship and you were in settlement negotiations, would it be you or the client who has the ultimate decision-making ability?

Adam: To speculate about the question, yes, generally, the client would be responsible for deciding, you know, the ultimate outcome of settlement.

Ms. Bredehoff: Now, you met Mr. Depp after he and Amber Heard had split up, is that correct?

Adam: That's correct.

Ms. Bredehoff: And you met Mr. Depp after he and Ms. Heard had reached a settlement in their divorce, is that correct?

Adam: That's my understanding.

Ms. Bredehoff: So, you have no personal knowledge of anything that went on during their marriage, is that fair to say?

Adam: Well, it depends on what you mean by personal knowledge. I wasn't there if that's what you mean, correct.

Ms. Bredehoff: You never witnessed any interaction between Mr. Depp and Amber Heard prior to October 2016, is that correct?

Adam: That's correct.

Ms. Bredehoff: And you have no personal knowledge of any conduct by either of them against the other prior to October 2016, is that correct?

Adam: Again, if you're asking me do I have any knowledge of their conduct, I think I have knowledge of their conduct. I think maybe you're asking me did I witness a conduct?

Ms. Bredehoff: I'm asking your personal knowledge, which would mean you would have had to have witnessed it.

Adam: If you're asking whether I've witnessed it, the answer is no.

Ms. Bredehoff: Now, your initial knowledge of the relationship between Mr. Depp and Ms. Heard was based on your interviews with Mr. Depp, would that be fair to say?

Mr. Chew: I would instruct the witness not to answer that question because he can't even answer yes or no without disclosing the substance of communications with his client, Mr. Depp.

Adam: I accept the instruction.

Ms. Bredehoff: Once you came into Mr. Depp's life and became his counsel, Mr. Depp filed with your assistance a number of lawsuits. Would you agree?

Adam: Yes.

Ms. Bredehoff: Did Mr. Depp terminate Tracey Jacobs as his agent before or after you became Mr. Depp's counsel?

Mr. Chew: Mr. Waldman, I would instruct you not to answer that question if doing so would require you to disclose any communications you had with Mr. Depp.

Adam: It would.

Ms. Bredehoff: How long had Tracey Jacobs been Mr. Depp's agent at the time Mr. Depp terminated Tracey Jacobs?

Mr. Chew: And again, Adam, same instruction to the extent that answering the question requires you to disclose communications that you had with Mr. Depp, I would instruct you not to answer the question.

Adam: It would.

Ms. Bredehoff: Was it Mr. Depp's decision to terminate Tracey Jacobs?

Mr. Chew: Again, I would instruct you not to answer that question because that could only have come from Mr. Depp in the communication with you.

Adam: I accept the instruction.

Ms. Bredehoff: After you began representing Mr. Depp, Mr. Depp filed a lawsuit against Joel Mandel, Mr. Depp's former business manager, correct?

Adam: That's correct.

Ms. Bredehoff: And you represented Mr. Depp in that lawsuit against Joel Mandel's company, did you not?

Adam: I did.

Ms. Bredehoff: But it was Mr. Depp's decision on whether to file a lawsuit against Mr. Mandel and his company, would you agree?

Mr. Chew: I would instruct the witness not to answer that question because it would require disclosure of communications between Mr. Depp and Mr. Waldman as to who was advising who as to filing the case against TMG and the Mandel brothers, so I would instruct you not to answer that.

Adam: I accept the instruction.

Ms. Bredehoff: Did Mr. Depp have the ultimate decision-making ability with respect to the lawsuit against Mr. Mandel and his company?

Mr. Chew: And again, I would instruct you not to answer to the extent it requires you to disclose attorney-client communication.

Adam: It would.

Ms. Bredehoff: After you began representing Mr. Depp, Mr. Depp filed a lawsuit against Jake Bloom, Mr. Depp's former attorney, correct?

Adam: That's correct.

Ms. Bredehoff: And you represented Mr. Depp in that lawsuit against Jake Bloom and his law firm, did you not?

Adam: I did.

Ms. Bredehoff: But it was Mr. Depp's decision on whether to file the lawsuit against Mr. Bloom and his law firm, is that correct?

Mr. Chew: Again, I would instruct the witness not to answer to the extent that it requires him to disclose attorney-client communication.

Adam: It would.

Ms. Bredehoff: And Mr. Depp, though, was the ultimate decision maker in connection with any decisions made in the litigation against Mr. Bloom and his law firm, would you agree?

Mr. Chew: Same instruction not to answer, it's basically the same question gussied up a bit. So, same instruction, not to answer.

Adam: I accept the instruction.

Ms. Bredehoff: After you began representing Mr. Depp, Mr. Depp filed a lawsuit against "The Sun" newspaper and its editor-in-chief, Dan Wootton, correct?

Adam: Correct.

Ms. Bredehoff: For the purposes of this deposition, I may refer to the lawsuit against "The Sun" and its editor Dan Wootton as the UK lawsuit or the UK litigation. Will you understand those references to mean this?

Adam: I will.

Ms. Bredehoff: What was your role in the UK litigation?

Mr. Chew: I would instruct the witness not to answer that question because it necessarily requires him or would require him to disclose his communications with his client, Johnny Depp.

Adam: It would.

Ms. Bredehoff: You represented Mr. Depp throughout the UK litigation, correct?

Mr. Chew: Again, I would...

Ms. Bredehoff: Mr. Depp alleged in the UK litigation that "The Sun" and Dan Wootton had committed libel by accusing Mr. Depp of being a "wife beater," and "committing domestic violence against Amber Heard, correct?

Adam: That's true.

Ms. Bredehoff: It was Mr. Depp's decision on whether to bring the UK lawsuit against "The Sun" and Dan Wootton, correct?

Mr. Chew: And again, I would instruct the witness not to answer any...I would instruct him not to answer because it would require him to disclose attorney-client communications as to the thought process that went into filing that particular lawsuit.

Adam: I accept the instruction.

Ms. Bredehoff: After you began representing Mr. Depp, Mr. Depp filed suit against Amber Heard, his former wife, correct?

Adam: That's correct.

Ms. Bredehoff: And you represented Mr. Depp in the lawsuit against Amber Heard from March 1, 2019, up until October of 2020, is that correct?

Adam: Yes.

Ms. Bredehoff: And it was Mr. Depp's decision on whether to file the lawsuit against Amber Heard, is that correct?

Mr. Chew: I would instruct the witness not to answer that question based on attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: And Mr. Depp is alleging in this lawsuit that Amber Heard defamed him by suggesting that he had committed domestic abuse against her, correct?

Adam: Yes.

Ms. Bredehoff: As part of your representation of Mr. Depp, you contacted potential witnesses, is that correct?

Mr. Chew: Again, I would...that is attorney work product and that is protected in Virginia, so I would object on that basis. But you can answer that question, yes or no?

Adam: Yes.

Ms. Bredehoff: You also spoke with the press on Mr. Depp's behalf, did you not?

Mr. Chew: And I would instruct the witness not to answer to the extent that it requires disclosure of any communications between yourself and Mr. Depp.

Adam: It would.

Ms. Bredehoff: And therefore?

Adam: And therefore, I accept the instruction.

Ms. Bredehoff: How frequently did you communicate with the press on Mr. Depp's behalf?

Mr. Chew: I would instruct the witness not to answer that question because impossible to do so without disclosing attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Why did you communicate with the press?

Mr. Chew: Same instruction not to answer on the same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: What were you hoping to gain?

Mr. Chew: Same instruction not to answer the question.

Adam: I accept the instruction.

Ms. Bredehoff: You remain Mr. Depp's primary counsel for all of his affairs, isn't that correct?

Mr. Chew: I'm going to instruct the witness not to answer that because I don't think you can answer that without disclosing your communications with Mr. Depp and we have to be consistent.

Adam: That's true, and I accept the instruction.

Ms. Bredehoff: Mr. Waldman, I'm going to ask you to take a look at what has been marked as Exhibit 3. Did there come a time in 2018, that you contacted "Rolling Stone" about writing an article about Mr. Depp?

Mr. Chew: And to the extent that you cannot answer it without disclosing communications with Mr. Depp, I would instruct you not to answer.

Adam: I think it would implicate discussions with Mr. Depp, so I accept your instruction.

Ms. Bredehoff: The author of this article, which was published on June 21, 2018, is Stephen Roderick. Were you present when Mr. Roderick interviewed Mr. Depp?

Mr. Chew: You may answer that question. Yes or no?

Adam: It's not yes or no, I was there for some of it.

Ms. Bredehoff: Okay. Was the "Rolling Stone" interview before or after Mr. Depp filed suit against "The Sun" and Dan Wootton?

Adam: I'm not sure.

Ms. Bredehoff: Do you recall whether the publication of this "Rolling Stone" article was before or after Mr. Depp filed the lawsuit against "The Sun" and Dan Wootton?

Adam: I don't

Ms. Bredehoff: I'm going to ask you to take a look at page 10 and it says on page 10, "It was Adam Waldman who first contacted "Rolling Stone" about writing a story about the injustice being done to Depp's reputation and bottom line." Do you see that? Before you go there, Mr. Waldman, I asked you a question. I just read that and said, "Do you see that with that?" Can you answer that question?

Adam: I thought I answered yes but yes, ma'am.

Ms. Bredehoff: Okay, thank you very much. And is that an accurate statement?

Adam: No.

Ms. Bredehoff: What is inaccurate about it?

Adam: It says, "It was Adam Waldman who first contacted "Rolling Stone." That's incorrect.

Ms. Bredehoff: What is correct?

Adam: What is correct is that I was not the first to contact "Rolling Stone."

Ms. Bredehoff: Who first contacted "Rolling Stone?"

Adam: Mr. Depp.

Ms. Bredehoff: I'm going to ask the question to understand why did Mr. Depp contacted "Rolling Stone?"

Mr. Chew: I would instruct you not to answer that question.

Adam: I accept the instruction.

Ms. Bredehoff: Did Mr. Depp authorize you to have communications with "Rolling Stone" to set up this interview?

Mr. Chew: I would instruct you not to answer that question on the grounds of attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Did you assist Mr. Depp with publicity on Mr. Depp's behalf?

Mr. Chew: I would instruct you not to answer on the grounds of attorney-client communications.

Adam: I accept the instruction.

Ms. Bredehoff: In your view, does assisting Mr. Depp with publicity constitute legal work?

Mr. Chew: The witness has already testified he had one engagement for Mr. Depp and that was a legal engagement. So, I'm going to instruct him not to answer any questions about his communications with Mr. Depp.

Adam: I accept the instruction.

Ms. Bredehoff: In participating in the interview with "Rolling Stone," were you speaking on Mr. Depp's behalf?

Mr. Chew: And I'm going to instruct not to answer because again, I don't think you can answer that question without disclosing your communications with Mr. Depp about authority. So, I'm instructing you not to answer the question.

Ms. Bredehoff: It was Mr. Depp's choice whether you said anything to the press relating to Mr. Depp, would you agree?

Mr. Chew: I instruct the witness not to answer.

Adam: I accept the instruction.

Ms. Bredehoff: Mr. Waldman, you reached out to a number of other publications to speak on Mr. Depp's behalf. Do you recall?

Mr. Chew: Again, I would instruct not to answer to the extent it requires you to disclose communications that you had with Mr. Depp.

Adam: It would, and I accept the instruction.

Ms. Bredehoff: How many publications did you communicate with on behalf of Mr. Depp?

Mr. Chew: Same instruction not to answer based on attorney-client privilege and attorney work product.

Adam: I accept the instruction.

Ms. Bredehoff: How many publications did you reach out to on Mr. Depp's behalf relating to the UK litigation?

Mr. Chew: Same instruction not to answer on the same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: How many publications did you reach out to on Mr. Depp's behalf relating to this litigation?

Mr. Chew: Same instruction on the same ground.

Adam: I accept the instruction.

Ms. Bredehoff: How many publications did you reach out to concerning allegations that Mr. Depp had abused Amber Heard?

Mr. Chew: Same instruction, same grounds

Adam: I accept the instruction.

Ms. Bredehoff: Mr. Waldman, you had a Twitter account, did you not?

Adam: I did.

Ms. Bredehoff: When did you begin that Twitter account?

Adam: I'm not sure of the date.

Ms. Bredehoff: Approximately when?

Adam: I'm not even sure of the year.

Ms. Bredehoff: Is it prior to 2005? 2010? 2015?

Adam: Do you want me to speculate?

Ms. Bredehoff: I want you to give me your best estimate.

Adam: Okay. I'm really not sure of the year. I couldn't put a specific date on it.

Ms. Bredehoff: Do you recall...

Adam: If you want to give me ranges, I could try.

Ms. Bredehoff: Do you recall how many years you had a Twitter account?

Adam: Not precisely, no.

Ms. Bredehoff: Was it more than a year?

Adam: I think so.

Ms. Bredehoff: Was it more than three years?

Adam: I don't think so.

Ms. Bredehoff: Now, you had your Twitter account suspended, correct?

Adam: Yes, that's true, my Twitter account was suspended.

Ms. Bredehoff: Do you recall when that was?

Adam: Not with specificity, no.

Ms. Bredehoff: Do you recall why?

Adam: Well, I wrote several letters to Twitter to ask why I was suspended for life from their platform and the response that I received was multiple violations of their policy. So, I asked could they name one example of those multiple violations and they responded by saying now they were appealing without my asking them to do so, my suspension, and that's when they sent me another note that I was suspended for life.

Ms. Bredehoff: So, just so the records clear, so you have been suspended for life by Twitter?

Adam: Yes.

Ms. Bredehoff: Okay. Do you have a Twitter account now?

Adam: No.

Ms. Bredehoff: Do you still communicate with the press relating to Mr. Depp?

Mr. Chew: And I would instruct the witness not to answer the question to the extent that it requires you to disclose communications between you and Johnny.

Adam: It would, so I accept the instruction.

Ms. Bredehoff: Do you still communicate with the press on Mr. Depp's behalf?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: Has Mr. Depp ever asked you not to speak to the press?

Mr. Chew: Same instruction, same grounds. On its face, it would require Mr. Waldman to disclose his communications with Mr. Depp, which he will not do.

Adam: It would, and I accept the instruction.

Ms. Bredehoff: Would you have followed Mr. Depp's direction if he had asked you not to speak to the press?

Mr. Chew: I will instruct the witness not to answer because it's in or around the attorney-client privilege. Clever, but I'm going to instruct the witness not to answer.

Adam: I accept the instruction.

Ms. Bredehoff: Has Mr. Depp ever asked you not to speak to the press about issues involving he and Amber Heard?

Mr. Chew: I would instruct the witness not to answer the question on attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Would you have followed Mr. Depp's direction if he had asked you not to speak with the press about issues involving he and Amber Heard?

Mr. Chew: And I will instruct not to answer on the grounds of attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Has Mr. Depp ever asked you to correct or retract any statements you made to the press relating to Mr. Depp or Amber Heard?

Mr. Chew: I would instruct the witness not to answer on the grounds of attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Would you have followed Mr. Depp's direction if he had asked you to correct or retract any statements you made to the press relating to Mr. Depp or Amber?

Mr. Chew: Same instruction, same grounds.

Adam: And I accept the instruction.

Ms. Bredehoff: Have you ever asked the press to correct or retract any statements you have made to the press relating to Mr. Depp or Amber Heard?

Adam: I want to make sure I understand the instruction. Are you saying you instruct not to answer in the event it implicates privileged conversations with Mr. Depp?

Mr. Chew: Yeah, I think I'm going to instruct not to answer.

Adam: Okay, thank you. I understand and I accept the instruction.

Ms. Bredehoff: Mr. Waldman, I'm going to ask you to take a look at what has been marked as Exhibit 4, and I think I'm going to kind of blow it up just a touch because it's kind of hard to read. And it's an article from July 3, 2020, the Mail Online, this is Daily Mail Online. Do you see that?

Adam: I do.

Ms. Bredehoff: No, no, actually, if I'm just gonna go to page eight. I'm going to ask you to take a look at the following that says, "Adam Waldman, Depp's lawyer, said afterwards, "Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and a shield depending on their needs. They have selected some of her sexual violence hoax "facts" as the sword, inflicting them on the public and Mr. Depp." Do you see that?

Adam: I do.

Ms. Bredehoff: Did you make that statement?

Adam: I believe I did.

Ms. Bredehoff: Did you make that statement on behalf of Mr. Depp?

Mr. Chew: I would instruct the witness not to answer that question on attorney-client privilege grounds.

Adam: I accept the instruction.

Ms. Bredehoff: Why did you... Were you representing Mr. Depp at the time you made this statement?

Mr. Chew: And in any event, I'm going to instruct the witness not to answer that question on attorney-client privilege.

Adam: I apologize, I actually didn't hear the question. I can agree with the instruction but I probably should hear the question.

Mr. Chew: Fair enough.

Ms. Bredehoff: Amy, could you read that back, please?

Amy: One moment. Mr. Depp at the time you made this statement?

Mr. Chew: I would instruct the witness not to answer on attorney-client privilege.

Adam: And thank you, I accept the instruction. Sorry for the repetition.

Ms. Bredehoff: Did you discuss this statement with Mr. Depp before making the statement?

Mr. Chew: Same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: Did you discuss the statement with Mr. Depp after making the statement?

Mr. Chew: Same instruction, same grounds

Adam: I accept the instruction.

Ms. Bredehoff: Was Mr. Depp aware either before or after that you were making this statement?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: Did you make this statement with Mr. Depp's authorization or agreement?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: Was Mr. Depp aware that you were speaking with the press?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: Did Mr. Depp ever ask you to retract or correct the statement?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: If Mr. Depp had asked you to retract or correct the statement, would you have retracted or corrected it?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction.

Ms. Bredehoff: If Mr. Depp had told you that the statement was not correct, would you have corrected or retracted it?

Mr. Chew: Same instruction, same grounds.

Adam: I accept the instruction

Ms. Bredehoff: Did you rely upon any statements or evidence from Mr. Depp in making the statement?

Mr. Chew: Same instruction, same grounds.

Adam: Yes, I accept the instruction.

Ms. Bredehoff: And if you could bring up Exhibit 5. Mr. Waldman, I'm going to be asking you a question about a specific statement in this one. If you would like to read the article first, you are certainly at liberty, so you can take control now and do that.

Adam: Thank you. I will.

Ms. Bredehoff: And this is...I guess I just need to set the stage here. This was "The Daily Mail" published on July 3rd, 2020, and I'm going to now direct your attention to page nine. "Depp's lawyer, Adam Waldman, said, "The various discrepancies prove that nothing Heard and her friend said about the events of May 21, 2016, can be considered credible." Do you see that?

Mr. Chew: Hearsay.

Ms. Bredehoff: Then I'm going to direct your attention, Mr. Waldman, to the next statement, "Quite simply, this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn't do the trick. The officers came to the penthouses, thoroughly searched and interview, and left after seeing no damage to face or property. So, Amber and her friends spilled a little wine and roughed the place up, got their story straight under the direction of a lawyer and a publicist, and then placed a second call to 911." Do you see that statement?

Adam: I do.

Ms. Bredehoff: Did you make those statements?

Adam: There are two parts to what you've shown me. The first part didn't have quotation marks around it.

Ms. Bredehoff: And I'm not asking about that.

Adam: Where it said, "Nothing could be considered credible, that's not quoting me. The part with the quote marks, I believe I said that, yes.

Ms. Bredehoff: So, starting from "Quite simply," through "911," you stated all that, is that correct?

Adam: Yes, I believe so.

Ms. Bredehoff: Okay. Did you make these statements on Mr. Depp's behalf?

Mr. Chew: I instruct the witness not to answer on the grounds of attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Why did you make these statements?

Mr. Chew: Same instruction, same reason.

Adam: I accept the instruction.

Ms. Bredehoff: What were you trying to convey to the press in making these statements?

Mr. Chew: Same instruction, same reason.

Adam: I accept the instruction.

Ms. Bredehoff: Did you discuss the statement with Mr. Depp before making these statements?

Mr. Chew: Same instruction, same reason.

Adam: I accept the instruction.

Ms. Bredehoff: Did you discuss these statements with Mr. Depp following making these statements?

Mr. Chew: Same instruction, same rationale.

Adam: Yes, I accept the instruction.

Ms. Bredehoff: Was Mr. Depp aware either before or after that you were making these statements?

Mr. Chew: Same instruction, same reason.

Adam: I accept the instruction.

Ms. Bredehoff: Did you make these statements with Mr. Depp's authorization or agreement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Was Mr. Depp aware you were speaking with the press?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did Mr. Depp ever ask you to retract or correct the statements?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: If Mr. Depp had asked you to retract or correct these statements, would you have retracted or corrected them?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: If Mr. Depp had told you these statements were not correct, would you have corrected or retracted them?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did you rely upon any statements or evidence from Mr. Depp in making these statements?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Mr. Waldman, I'm going to ask you to take a look at Exhibit 6. This was another Daily Mail Online, July 3, 2020. And if you

would like to go ahead and read the article, this could be a good time to do it.

Adam: Thank you.

Ms. Bredehoff: Mr. Waldman, we were looking at Waldman Exhibit 6, and it's the Daily Mail from July...I got lost there a little bit, July 3rd, 2020, and you were going to scroll through it and I think we had some technical difficulties, so we took a break. Have you had an opportunity to review it or do you need to now?

Adam: No, Ms. Bredehoff, I just saw the screen for the first time. So, may I read it now?

Ms. Bredehoff: Absolutely. I'm going to ask you to turn to what is the 11th page, the last page you just finished reading, and I'm going to direct your attention to some specific words that are attributed to you. Do you see that it says, "Depp's attorney, Adam Waldman, said?" Okay. Do you see, "Depp's attorney, Adam Waldman, said?" Do you see that there, Mr. Waldman?

Adam: I do.

Ms. Bredehoff: Okay. And then I'm going to direct your attention to specifically, "The end of Ms. Heard's abuse hoax against Johnny Depp." Do you see that?

Adam: I do.

Ms. Bredehoff: Did you speak the words "The end of Ms. Heard's abuse hoax against Johnny Depp?"

Adam: I'm not sure. It appears, as I look at this, that there are quote marks around the statement and that suggests that I did. I don't remember saying these particular words, but it appears so.

Ms. Bredehoff: Do you have any reason to believe that you did not say, "The end of Ms. Heard's abuse hoax against Johnny Depp?"

Adam: No, I have no reason to doubt that.

Ms. Bredehoff: Were you representing Mr. Depp at the time you made this statement? I'm going to refer to it as a statement, I'm taking specific words, "Ms. Heard's abuse hoax against Johnny Depp." Were you representing Mr. Depp at the time he made the statement that included, "Ms. Heard abuse hoax against Johnny Depp?"

Mr. Chew: Instruct the witness not to answer based on attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: Why did you make this statement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: What were you trying to convey to the press in making the statement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did you make the statement on Mr. Depp's behalf?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did you discuss the statement with Mr. Depp before making this statement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did you discuss the statement with Mr. Depp following making the statement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Was Mr. Depp aware either before or after you're making the statement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did you make the statement with Mr. Depp's authorization or agreement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Was Mr. Depp aware you were speaking with the press?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Did Mr. Depp ever ask you to retract or correct this statement?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: If Mr. Depp had asked you to retract or correct the statement, would you have done them?

Mr. Chew: Same instruction, same basis.

Adam: I accept the instruction.

Ms. Bredehoff: Mr. Waldman, I'm going to ask you to take a look at what has been marked as Deposition Exhibit 11. And if you want to take a moment, I'm going to try to make it... Mr. Waldman, I'm just going to ask you, it's just kind of two and a half pages, go ahead and take the moment to review it, and then I'll ask you some questions.

Adam: Thank you.

[02:00:50]

[silence]

[02:01:24]

Adam: Okay, thank you, I've read it.

Ms. Bredehoff: Okay. So, directing your attention to exhibit number 11. Because there's a number of days, so maybe we can just clear it up right from the start. So, we have conversations, if you look at the top, conversation, six messages, three parties, over 209 minutes. And it has...this first one, it has a date and a time and it has a telephone number. Do you see that?

Adam: I do.

Ms. Bredehoff: Okay. And then it has some email messages or text messages. It looks like it starts with Keith Bishop. Do you know who Keith Bishop is?

Adam: I do.

Ms. Bredehoff: And who is he?

Adam: Keith Bishop is a publicist who lives in London.

Ms. Bredehoff: And for what publication?

Adam: No, he's a publicist, he's an advisor on media.

Ms. Bredehoff: I see. At any time, did you or Mr. Depp ever employ Keith Bishop in any kind of public relations role?

Mr. Chew: Mr. Waldman, I would instruct you not to answer any...I would instruct you not to answer the question to the extent that it would require you to disclose any communications you have with Johnny either receiving or giving.

Adam: I would not be able to answer without doing so, so I accept the instruction.

Ms. Bredehoff: Okay. And then Mr. Bishop says, and this is on 12/8/2020, "Adam, I can confirm a meeting with the Mail Online for Monday, 17th February, 10:00 a.m." Do you see that?

Adam: I do.

Ms. Bredehoff: So, did you, in fact, have a meeting with the Mail Online on 17 February?

Adam: I couldn't say sitting here now definitively that we met on Monday 17th February, no, but I see this and it wouldn't surprise me if we had.

Ms. Bredehoff: And was Mr. Depp with you when you had the meeting?

Adam: I believe Mr. Depp was with me when we had this meeting.

Ms. Bredehoff: And you were representing Mr. Depp at the time, correct?

Mr. Chew: I would instruct the witness not to answer that question based on attorney-client privilege.

Adam: I accept the instruction.

Ms. Bredehoff: When did you obtain the audio tape that you're referencing in this text message?

Mr. Chew: And I would instruct you not to answer the question to the extent it would require you to disclose any communications you have with Mr. Depp, your client.

Adam: It would, and so I won't be able to answer the question.

Ms. Bredehoff: What tape did you provide to the Mail Online, The Daily Mail?

Adam: In this, are you asking...forgive me, in this instance, relating to this text?

Ms. Bredehoff: Yes.

Adam: My recollection is that I gave a pair of audio tapes actually to them. Whether that occurred sequentially or at the same time, I don't remember but I provided them two types.

Ms. Bredehoff: What training have you had in domestic violence?

Adam: None.

Ms. Bredehoff: Have you ever represented any clients who have either been accused of domestic violence or had domestic violence committed on them other than Mr. Depp?

Adam: No.

Mr. Rottenborn: Of course, you hadn't...you never saw any as we would say element or elements of things that Ms. Heard claimed, correct?

Adam: I never saw any element or elements of things she claimed. Do you mean did I ever see evidence with my own eyes that something she was saying was false?

Mr. Rottenborn: Yes.

Adam: Yes, to some extent, I have seen evidence of things that show her statements to be false.

Mr. Rottenborn: While we get there, as best you can recall today, who are the eyewitnesses that you...the 29 or so that you referred to in the text to Christian Carino that you believe disprove Ms. Heard's claims of abuse by Johnny Depp?

Adam: Okay, good. It's also probably easier to answer by taking a particular incident rather than just thinking of names of people. So, maybe this is a good illustration, right? It's a helpful answer. On May 21st, 2016...and I always view this as one of her central claims, it was the one she put on the cover of "People" magazine, it's the one she led with when she went to get her temporary restraining order. The phone to the face incident on May 21st, 2016, that's her claim that she was further beaten by some appendage of Mr. Depp in the face and her hair was

pulled and she showed up on the 27th in court with a lot of bruises on her face.

So, there are two police officers, one domestic violence trained female police officer who testified over and over and over that there was no damage to the penthouse which Ms. Heard claimed was destroyed. That's a direct quote, destroyed. There are, that I can think of, nine other witnesses, the majority of whom are either neutral or actually Ms. Heard's own witnesses who have testified in various forums at various times that there were no injuries to her face whatsoever between the 21st and the 27th when suddenly, there were bruises.

Mr. Rottenborn: Who are those nine?

Adam: Let's see. Laura Divenere, Melanie Inglessis, Amber's own primary makeup artist. Laura Divenere was Ms. Heard's assistant and decorator and now works for Elon Musk.

Hilda Vargas, Mr. Depp and Ms. Heard's at the time housekeeper. Samantha McMillan, who was Ms. Heard and Mr. Depp's stylist, a good friend of Ms. Heard. Isaac Baruch, Ms. Heard's and Mr. Depp's friend, close friend and Ms. Heard's neighbor in the penthouses. Okay, so continuing on the witnesses, a list of some witnesses to the 21st to her claims of violence and damage to the apartment. Trinity Esparza who was the head of the concierge desk at the Eastern Columbia Building and a friend of Ms. Heard also. Cornelius Harrell, who I think also worked for the concierge desk or in any event, work for the Eastern Colombia Building and met with Ms. Heard on the 22nd of May, which meeting was captured on CCTV also.

Alejandro Romero who I believe is head of security at the Eastern Colombia Building. And I think Brandon Patterson also testified about the absence of bruises. And I should even distinguish...because we're talking about the notion of a hoax, I should distinguish these people specifically have given testimony that she was...Ms. Heard was uninjured between the 21st of May up into perhaps the 25th or 26th of May and then, of course, she appeared bruised again on the 27th. Some of them have testified that even after the 27th, they were with her and that she appeared bruised. But during that period between the 21st and the 27th, I'm not sure if I've listed nine plus the two police officers, but I think that's an illustration of what I was referring to in the question you asked me about.

Mr. Rottenborn: Can you please pull up the document labeled ARW 660, please? But you do believe that the pictures and videos Marilyn Manson sent you help disprove Ms. Heard's allegations, correct?

Adam: As to that incident, Thanksgiving, perhaps 2013, I think those videos and photographs, yes, demolished her claim.

Mr. Rottenborn: Have you communicated with other social media users about this case other than public messaging platforms? Let me ask that differently. Have you communicated privately with other social media users about this case?

Adam: Other social media...I want to make sure I'm precise, other social media users?

Mr. Rottenborn: Yes.

Adam: That group would include almost everybody on Earth.

Mr. Rottenborn: Have you provided information about this case to other social media personalities who then post that information?

Adam: I've provided information episodically to what I would call internet journalists and I'll define that as journalists who are not affiliated with...you mentioned, I think, NBC a moment ago or, you know, a mainstream media outlet.

Mr. Rottenborn: Have you communicated with a social media user who goes by the name of ThatUmbrellaGuy?

Adam: I've had several phone calls with the person who goes by the name ThatUmbrellaGuy, I don't actually know his real name.

Mr. Rottenborn: Have you communicated with him other than through phone calls?

Adam: I don't remember doing so, no.

Mr. Rottenborn: What are other...well, let me ask you this, have you communicated in a similar fashion with someone on social media who goes by the name of ThatBrianFella?

Adam: Yes.

Mr. Rottenborn: What about someone who goes by the name of TheRealLauraB?

Adam: Yes.

Mr. Rottenborn: And have you communicated to those individuals listed evidence that you believe suggests that Ms. Heard's allegations are hoaxes?

Adam: I would say I communicate with the internet journalists, because we put them in a category calling them that, I've done that, exactly the same way I would communicate with mainstream media. If they have questions about evidence or the facts, you know, I'll inform them.

Mr. Rottenborn: And have you...when you communicate with them, you do so...you testified some by phone, correct?

Adam: Yes.

Mr. Rottenborn: Do you do so by text or messenger platform?

Adam: Largely I think by phone but if I communicated in writing, it would be probably by Signal.

Mr. Rottenborn: Can you please pull up the exhibits ALH 17001 to 02, please?

Man: They are on the screen, Exhibit 24?

Mr. Rottenborn: Now, my question is...well, my first question is that in that box where it says, "First on the record statement, for me regarding the body cam to RTL, Adam Waldman, Johnny Depp's attorney," is that a statement that you made to a German media outlet called RTL?

Adam: Yes.

Mr. Rottenborn: And in that statement, you say that LAPD have now opened up a criminal investigation into perjury of Ms. Heard, correct?

Adam: Yes.

Mr. Rottenborn: Did you make a correction to RTL when you learn that the LAPD wasn't in fact investigating Ms. Heard for perjury?

Adam: Well, the way you characterize it is not exactly what I would agree with. The LAPD told me that they were investigating the perjury claim at that time, then sequentially came the statement, then came a notification from the LAPD that it was actually the LA Sheriff's department that was investigating it, and that was the last I heard about it.

Mr. Rottenborn: And who notified you from the LAPD that it was allegedly the sheriff's department who was investigating it?

Adam: The same desk officer. And when I say it's the desk officer, I don't know if that's not necessarily the job title.

Mr. Rottenborn: How did you find his...well, do you have his contact information?

Adam: I don't think I do. I don't know but I don't...well, I'm not sure.

Mr. Rottenborn: I'm sorry if I asked you this, how did you come into contact with this desk officer?

Adam: I brought a binder of information, including the statements that had been made and the evidence showing that those statements were false.

Mr. Rottenborn: In your view. So, you took a binder to the LAPD and spoke to this desk officer?

Adam: Correct.

Mr. Rottenborn: And was that the only time that you spoke to this person?

Adam: The two times.

Mr. Rottenborn: Were they both in person?

Adam: Maybe it's three...it's two or three times. No. No, two times were on the phone.

Mr. Rottenborn: Was the first meeting in person when you brought this binder?

Adam: No, the first was on the telephone.

Mr. Rottenborn: So, the investigation was opened up at your request after you brought this binder to the desk officer, is that right?

Adam: I didn't ask him to open an investigation. I filed a claim with the LAPD regarding these perjurious statements that Ms. Heard and her best friend, Rocky Pennington, had made to a court.

Mr. Rottenborn: Was that claim that you filed in writing?

Adam: Yes.

Mr. Rottenborn: Do you know whether that claim was produced as part of your document production in this case? Because I certainly haven't seen it.

Adam: I don't know that I ever received a copy of it. It was filed in writing with the LAPD but I don't recall that I ever received a copy of it.

Mr. Rottenborn: Did you draft it?

Adam: No.

Mr. Rottenborn: So, you were talking to the desk officer and he was taking down notes, and is that the writing you're referring to?

Adam: Yes.

Mr. Rottenborn: Did you ever see this alleged written claim?

Adam: Yes.

Mr. Rottenborn: Did you sign it?

Adam: I don't recall if I did.

Mr. Rottenborn: Did you ever speak to anyone other than your client about this alleged perjury investigation, other than your client and the desk officer?

Adam: Well, I think this quote that you've shown me to the media would constitute speaking about it.

Mr. Rottenborn: Did you ever hear anything more about this perjury investigation to the extent it existed from anyone, any other third party who claimed that they had spoken to anyone in LAPD or the LA sheriff's office?

Adam: No, I don't think so.

Mr. Chew: Mr. Waldman, do you have a professional license?

Adam: I do.

Mr. Chew: Do you have your own law firm?

Adam: I do.

Mr. Chew: What is the name of your law firm?

Adam: Endeavor Law Firm.

Mr. Chew: When was Endeavor Law Firm formed?

Adam: I think it was in 2005.

Mr. Chew: And who was it who formed your law firm?

Adam: It was I who did it.

Mr. Chew: And who owns your law firm?

Adam: I do.

Mr. Chew: What is your title at the Endeavor Law Firm?

Adam: Managing member, I believe.

Mr. Chew: And it's none of our business who your clients are, but does the Endeavour Law Firm have other clients other than Mr. Depp?

Adam: Yes.

Mr. Chew: Does Johnny Depp issue you a Form W-2?

Adam: I don't think so, no.

Mr. Chew: Do you receive legal training from Johnny Depp or any of your other clients?

Adam: I suppose the practice of law, in general, is legal training but if I understand your question correctly, no.

Mr. Chew: Fair point. Have you ever listed Johnny Depp as your employer on any filings with the IRS?

Adam: No.

Mr. Chew: But you offer legal services to clients, correct?

Adam: Yeah.

Mr. Chew: All right, I'll say do you offer legal services to the general public?

Adam: Probably not to the general public, but I offer legal services. I think that's your question.

Judge Azcarate: All right. Yes, ma'am?

Ms. Bredehoff: Your Honor, our next one would be Detective Sandanaga, S-A-N-D-A-N-A-G-A, at about 20 minutes.

Judge Azcarate: All right, let's go ahead and have that witness. And is that...go ahead.

Ms. Bredehoff: We start the questioning.

Judge Azcarate: All right, thank you.

Ms. Bredehoff: Your name and your business address for the record, please.

Marie: Marie Sandanaga, M-A-R-I-E, Sandanaga, S-A-N-D-A-N-A-G-A, and my business address is 100 West First Street, Los Angeles, California.

Ms. Bredehoff: And what is your current occupation?

Marie: I am a detective with the Los Angeles Police Department, and I'm the department's domestic violence coordinator.

Ms. Bredehoff: What does it mean to be the domestic violence coordinator for the department?

Marie: So, I am recognized as the person most knowledgeable in domestic violence. I oversee how our department as a whole responds to domestic violence. So, I don't investigate cases right now myself, I just make sure that officers and detectives are responding to domestic violence how California State Penal Code wants us.

Ms. Bredehoff: And how long have you been with the LAPD?

Marie: Seventeen years.

Ms. Bredehoff: What, if any, policies, procedures, and protocols are in place at the LAPD for domestic violence cases separate from other types?

Marie: So, once we determine there is domestic violence, we have to determine whether there is a crime. Every time we respond to a domestic violence call, per state law, we need to document whether it's a crime or just an incident, which would be when there is not a crime but there's still paperwork done. So, that is part of the officer's investigation.

Ms. Bredehoff: Now, I had asked a little earlier about when the victim is reluctant to press charges. If the control officers saw property damage or marks on the face of the victim, even if the victim was not cooperating and did not want to press charges, what would the patrol officer's obligations be back in May 2016 on a domestic violence call?

Marie: If officers determined that there was domestic violence, even if a victim is reluctant, our policy is they still make that arrest if a suspect is there or take a report.

Ms. Bredehoff: So, if there are...when the patrol officers arrive at the scene, and this is May 2016, and there are four people that are present

at the scene, how many of those individuals are the patrol officers obligated to interview? So, I'm going to show you the incident call here and if it goes down and it has, "Domestic dispute," and then it says, "Met with victim, looks like check location, verified husband left, victim advise verbal dispute and refused to give any further information, issued business card." Do you see that?

Marie: Yes.

Ms. Bredehoff: Okay. In May of 2016, was the language, "Victim advise verbal dispute," language that patrol officers were trained to provide when they were not going to document anything from the scene?

Marie: It can vary, but officers would commonly use the phrase "verbal dispute" to document when a report was not taken.

Ms. Bredehoff: I'm going to ask you to take a look at what has been marked as Deposition Exhibit 8, and it's dated November 24, 2014. And the subject, "Domestic violence supplemental report," and it says, "The Domestic Violence Supplemental Report form 15.4.02 has been revised to provide a more concise picture of the history and needs of the victim for the purpose of investigating the crime of domestic violence." Do you see that?

Marie: Yes.

Ms. Bredehoff: What is your understanding of why the LAPD decided that they needed to create a supplemental report form that will give a more concise picture of the history and needs of the victim for the purpose of investigating the crime of domestic violence?

Marie: Right, the supplemental includes a lot of questions that are required by California state law, so we included that on it. And the original supplemental was actually created a lot earlier, I believe in 1999. This revision of it added some specific questions to help us look at...kind of to do our risk assessment. I'm not sure if the supplemental is attached to this form. But on the supplemental, there's a section where I believe there's like seven yes or no questions. That is what was added during this revision.

Ms. Bredehoff: Detective Sandanaga, I'm going to show you what has been marked as Deposition Exhibit 9. And do you recognize this supplemental report?

Marie: Yes.

Ms. Bredehoff: Is this the supplemental form that was referred to in Exhibit 8?

Marie: Yes.

Ms. Bredehoff: Okay. Now, if we look at this, and we start out on the left-hand column, and it has a number of different observations to make of the victim, and it includes shaking, unresponsive, crying, scared, angry, fearful, calm, agitated, nervous, threatening, apologetic, under the influence of alcohol, under the influence of drugs or other observations, and it says, "Document in narrative." All right, are these typically characteristics of victims of domestic violence?

Marie: Yes.

Ms. Bredehoff: I'm going to turn your direction to the crime scene now, and the same question, there's a number of different items on here, including location vandalized, ransacked, and personal property damaged, furniture disarray, broken. What is your understanding of why these are included on this list?

Marie: My understanding is that these are things that are typically at a crime scene or can occur, so things that we want officers to look for and mark when they take their crime report.

Ms. Bredehoff: And as with the questions I had on the characteristics that are on the list of the victims, are these items that are also discussed with the police officers in their training to look for and even making the determination whether a crime has taken place?

Marie: Yes, they are.

Ms. Bredehoff: Is there a scenario under which the patrol officers decide that there's no crime when they see property damage and injury and take photographs?

Marie: I mean, every situation is different. I believe one way if we have a situation like that that occurred, then there should be a domestic violence incident report so that there is a place to document your observations and statements from people and the reason to have those photographs.

Ms. Bredehoff: Even if ultimately the officers determined that it wasn't a crime?

Marie: Yes, that's why...domestic violence incident reports are reports where there are no crime and that is why we have them so we can

document and have a history of calls and see in case there is another call in the future that there is a prior history of any type of domestic call even if it was not ultimately involved a crime.

Ms. Bredehoff: Would that incident report include if there were interviews with witnesses and if there were any photographs or notes taken?

Marie: Yes, there is still a narrative that is written where everything, the officer's investigation and observations and any photographs are listed.

Ms. Bredehoff: And was there an incident report in place in May of 2016 for patrol officers to use in domestic violence cause?

Marie: Yes.

Ms. Bredehoff: Could you please describe the purpose of an incident report as of May 2016 and what was included typically in an incident report?

Marie: So, the purpose of domestic violence incident reports were to record when officers responded to a call of domestic violence that did not result in a crime. They are actually required by state law for us to document every domestic violence incident that we respond to. And in that report, it's the same...I keep calling it a face sheet, that's sort of the official term, but the same as a crime report that we would take it on, but you fill out the information, you just did not list a suspect because we have no crime. It's the victim who was in fear that the other party may cause some type of danger to them and that other party is then listed as a witness.

And then there is a narrative that is included...the same type of narrative that would be in a crime report where you would write down your source of activity, the officers would put their source of activity, and then document their investigation. The statements that anyone made as we ask on domestic violence calls, what type of relationship it is, how long, you know, they've been together, any prior incidents of domestic violence, all that would be included in the narrative of an incident report.

Ms. Bredehoff: And would any photographs or other notes also be included in that incident record?

Marie: Yes, they can be if there was anything that they saw that officers believed needed to be documented in there.

Ms. Bredehoff: And where would an incident report...and I'm again back in May 2016, where would that be filed or stored once the patrol officers were done with their shift for the day?

Marie: The officers would turn in their reports, including any incident reports, to the watch commander who would read over it and sign it off. And if it is approved, it would go to our records unit at that division to create a report number on it, and then it does get assigned to a detective just so that we have it on file in case there's any future incidents.

Attorney 2: Do officers at some point have to make a determination as to whether domestic violence has occurred?

Marie: Yes, they do.

Attorney 2: Okay. What criteria do officers use to make that evaluation?

Marie: They use the interviews with the parties that are there, what they observe at the scene, even what they observe, like, the demeanor of the victims and the suspects. Every situation is different, but it's really like taking in the whole 360 of where you are and what's occurred so they can get all information to make that educated determination of the crimes occurred.

Attorney 2: Can you just generally describe for me the circumstances under which a domestic incident report is used?

Marie: Oh, we take a incident report when we determined there is no crime but that one of the parties is in fear that, you know, their life was in danger or they could be a victim of some type of serious bodily injury. And so, the third incident you would have where we don't take the incident report is where both parties state it was an argument, there was no physical injury, and both parties say we weren't afraid that the other was going to do any type of harm.

Attorney 2: Okay. And so, in that case, in that third case that you just described, would there be any documentation required typically?

Marie: On that third one when we don't have the fear so it makes it no incident report, it's only documented on that daily field activity record.

Attorney 2: Ms. Bredehoft asked a line of questions earlier on in the deposition about victims of domestic violence being reluctant to come forward and speak up. Do you recall that?

Marie: Yes.

Attorney 2: Is that a significant problem in dealing with domestic violence calls?

Marie: Yes.

Attorney 2: Is that a problem that you have personally experienced on your own calls?

Marie: Yes.

Attorney 2: When confronted with a person who is unwilling to make a statement, is there much that a police officer can really do if you have somebody who just refuses to make a statement and refuses to indicate that they have suffered violent abuse?

Marie: It's not too much, usually. We try to...we teach them to talk about the cycle of violence and power and control and see if we can, you know, start a report with the victim and get them to discuss but if they really don't want to tell us what happened, we can't force them.

Attorney 2: If a potential victim has visible injuries or there are indications at the scene that there has been some sort of violent episode, does the fact that the potential victim declines to make a statement mean that the officers can't go forward?

Marie: No, not necessarily because they would need to investigate more, but you do have the visible injury and, you know, evidence of some type of struggle, so they would need to try to get that probable cause to determine that it was a crime that created that injury.

Ms. Bredehoff: There were a number of questions asked about if observed injury, if observed property damage, back and forth, and both of us have asked you a lot of questions about this. And so, I just want to make sure that it's very clear. If a police officer responding to a domestic violence call sees injury, regardless of whether the victim cooperates, what is the police officer's obligation? And this is as of May 2016.

Marie: To do an investigation to determine if that injury was a result of a crime.

Ms. Bredehoff: And that investigation would include what?

Marie: It would include interviewing anyone that is at the scene, seeing if there's any type of physical evidence of altercation or depending on the story that was given, if there's corroboration of that, seeing if there's any witnesses. It kind of depends, each one is different but just doing a thorough investigation.

Ms. Bredehoff: If one of the other witnesses showed the officers through the entire premises and showed broken glass, spilled wine, and a

number of areas of disturbance and vandalism, what would the officer's obligations be then?

Marie: The officers will still need to determine if there was enough evidence there from these witness statements and the things that they're seeing to determine if this injury is a result of a crime.

Ms. Bredehoft: What discretion do the police officers have when they see an injury on the victim when they recorded to a domestic violence call, and this is as of May 2016?

Marie: The officers still need to do an investigation. If there is a visible injury, basically, they have to determine if it was a crime.

Ms. Bredehoft: So, one of your roles, if I understand it, is to make a determination of the LAPD as a whole, you're overseeing how they respond to domestic violence calls, correct?

Marie: Yes.

Ms. Bredehoft: And let me ask it just a little bit differently. In making the determination of whether to create an incident report, what, if any, factors can the officer consider if the victim does not want to press charges but the officer still believes that an incident report is appropriate under the circumstances?

Marie: If an officer determines that there was not a crime yet there was enough there...and I guess what I'm trying to say, I mean, the purpose...we have to think about that we tell the officers the purpose of domestic violence incident report is for documentation of incidents because we know with domestic violence, there's usually a series of incidents that happen and not all of those are crimes. So, for us as officers, we document those so in the future, if there is a crime, we can go back and say, "There have been all these other incidents." So, as officers, we're going to take that into our analysis of the scene and if we can't determine whether a crime has happened, we have to think about, "Do we need to document this so maybe sometime in the future people know that this happened?"

Judge Azcarate: All right, thank you. And ladies and gentlemen, let's go ahead and take our lunch break at this time. Again, do not do any outside research and do not discuss the case with anybody, okay? We'll see you back in an hour. All right, so we'll be back at 1:45. Is your next witness on a deposition or...?

Ms. Bredehoft: It's gonna be live.

Judge Azcarate: It's gonna be live? All right, so we'll take care of the TV then. All right, see you at 1:45. Thank you.

Man: Thank you, Your Honor.

Judge Azcarate: All right, so we're ready for the jury?

Ms. Bredehoff: Yes, Your Honor.

Judge Azcarate: Okay. All right, be seated. Your next witness?

Mr. Nadelhaft: We call Ron Schnell.

Judge Azcarate: Okay.

Mr. Nadelhaft: S-C-H-N-E-L-L.

Judge Azcarate: Thank you, sir. All right.

Mr. Nadelhaft: Please introduce yourself to the jury.

Ron: I'm Ron Schnell.

Mr. Nadelhaft: And what is your current job title, Mr. Schnell?

Ron: I'm a director at Berkeley Research Group.

Mr. Nadelhaft: And could you briefly describe your educational background since high school?

Ron: I have a master's degree in computer science.

Mr. Nadelhaft: Do you have an undergraduate degree?

Ron: I do not.

Mr. Nadelhaft: And can you explain to the jury, why not?

Ron: When I was a kid, there was a lot of publicity about me because I was a professor at NYU when I was 14. NYU actually offered me to go into their freshman class when I was 14 but I decided that I wanted to experience the social aspect of high school, so I turned them down. But by the time I got to college, they skipped me from undergraduate to graduate.

Mr. Nadelhaft: So, when did you receive your master's degree from Syracuse University?

Ron: It wasn't until 2008, actually.

Mr. Nadelhaft: And why wasn't it until 2008?

Ron: So, because of my previous background while I was at Syracuse, including I did work at MIT in the Artificial Intelligence Lab for the two founders of Artificial Intelligence, Patrick Winston and Marvin Minsky, I was immediately lured to industry even while I was in graduate school and eventually, they offer you enough money where you have to take them up on it.

Mr. Nadelhaft: So, when you were lured away from Syracuse University, what did you do?

Ron: I worked at Bell Labs on something called the Unix operating system. Unix is an operating system, which is the core of the computer, what makes everything work. Microsoft Windows is an operating system, Mac OS is an operating system. You may have heard of Linux, which is, you know, Unix was the predecessor to Linux. So, I worked on the kernel of the Unix operating system at Bell Labs.

Mr. Nadelhaft: And when was that approximately? What year?

Ron: 1986.

Mr. Nadelhaft: And how long did you work at Bell Labs?

Ron: A couple of years.

Mr. Nadelhaft: And what did you do after Bell Labs?

Ron: After that, I was lured away to IBM, so I worked at IBM on their version of the Unix operating system, which was called AIX, also working on the kernel and managing other programmers working on the kernel.

Mr. Nadelhaft: And can you just briefly explain what the kernel is?

Ron: Right, the kernel is the center of the operating system, so it actually controls the piece of software that controls the whole computer. So, it gets down to the bit level where it's actually, really, everything that goes on the computer has to go through the kernel.

Mr. Nadelhaft: And what do you do after IBM?

Ron: After IBM, I founded a startup company.

Mr. Nadelhaft: What was the name of that startup company?

Ron: It was called Secure Online Systems.

Mr. Nadelhaft: And what did Secure Online Systems do?

Ron: It was a company that wrote software for mainframe computers running the various versions of the Unix operating system.

Mr. Nadelhaft: And were there any other investors in Secure Online Systems, Inc.?

Ron: Yeah, my business partner in that was Sylvester Stallone.

Mr. Nadelhaft: And what eventually happened to Secure Online Systems?

Ron: Well, it was, as I said, a software product that ran on mainframe computers running Unix and we actually completed the product and it ran very well, but mainframes running Unix kind of ceased to exist back then, so we had to shut it down.

Mr. Nadelhaft: So, what did you do after the company shut down?

Ron: Then I went to work at Sun Microsystems working on their version of Unix, which is called Solaris, also working on the kernel.

Mr. Nadelhaft: And approximately how long were you there, at Sun?

Ron: Approximately five years.

Mr. Nadelhaft: And did you also work for Drivers Aces, Inc.?

Ron: Right, coincident with that, I also found another startup called Driver Aces and we wrote what are called device drivers to run on the Unix operating systems. A device driver actually teaches the computer how to talk to hardware devices, so it also runs within the kernel.

Mr. Nadelhaft: Have you found any other startups?

Ron: Yes.

Mr. Nadelhaft: And what was the other startup? What was at least one of the other startups?

Ron: So, the last startup I founded was called mailcall.com, M-A-I-L, and that was a startup that allowed you to read and manage your email on your cellular phone before there were smartphones. So, a computerized voice would read you your email, and you could speak or apply into the phone or send it to a fax machine, basically let you manage your email on the road.

Mr. Nadelhaft: And what happened to mailcall.com?

Ron: I sold that to a public company in 2000.

Mr. Nadelhaft: Okay. And what do you do after that?

Ron: After that, I ended up working at Equifax, one of the three credit bureaus in the United States running software development for their internet marketing division.

Mr. Nadelhaft: And how long you were in that position?

Ron: Until 2005.

Mr. Nadelhaft: [inaudible 02:48:31]

Ron: Although since COVID, I haven't been doing that.

Mr. Nadelhaft: And have you published any scholarly articles?

Ron: Yes, I have two published articles, one related to computer security and another relating to antitrust enforcement using technology.

Mr. Nadelhaft: And what experience do you have in statistical or forensic analysis of social media?

Ron: A bunch of the consulting work I've done involves analyzing data from social media. Most of them have been consulting for litigation, some of them are consulting for non-litigation. Yeah.

Mr. Nadelhaft: And is that work both in civil and criminal matters?

Ron: Yes.

Mr. Nadelhaft: And can you describe the work just a bit more in terms of what you've performed regarding statistical or forensic analysis of social media?

Ron: I can't talk about the specific cases because I haven't testified on them and some of them are awaiting indictment most likely. But in general, it's really the same sort of stuff I've been doing here, analyzing data from the social networks.

Mr. Nadelhaft: And what social media platforms have you performed forensic analysis?

Ron: All of the major ones.

Mr. Nadelhaft: And what are the major ones?

Ron: Twitter, Instagram, Facebook, Reddit.

Mr. Nadelhaft: Okay. How much of your expert work is for plaintiffs versus work for defendants?

Ron: Well, I don't consider myself working for either plaintiff or defendant, I take my role as an independent expert extremely seriously. But looking at whose counsel has hired me over the, you know, nine or so years I've been doing this, it's almost exactly equal.

Mr. Nadelhaft: And how many times have you been a consulting expert?

Ron: Including litigation and non-litigation, hundreds.

Mr. Nadelhaft: How many times you've been qualified in court arbitration or in sworn court testimony to provide expert testimony?

Ron: Eight times.

Mr. Nadelhaft: Have you ever been disqualified as an expert by a court?

Ron: No.

Mr. Nadelhaft: Do you believe that your testimony will be helpful in assisting the jury understand the facts of this case?

Ron: I do.

Mr. Nadelhaft: Your Honor, at this time, I tend to Mr. Schnell as an expert in the fields of statistical and forensic analysis of social media.

Judge Azcarate: Any objection?

Mr. Dennison: Your Honor, can we be heard?

Judge Azcarate: Do you want to voir dire?

Mr. Dennison: Yes, I do.

Judge Azcarate: Okay, you can voir dire.

Mr. Dennison: Thanks. Sir, my name is Wayne Dennison. Good afternoon.

Ron: Good afternoon.

Mr. Dennison: You may hear an analysis of certain tweets and hashtags, right?

Ron: Right.

And you made no effort to connect those tweets and hashtags to the statements being made by Adam Waldman?

Judge Azcarate: I'll sustain the objection, a voir dire is just to put his qualifications as an expert.

Mr. Dennison: Can we be heard, Your Honor?

Judge Azcarate: If you want to come forward?

Mr. Dennison: Thank you.

Judge Azcarate: All right, so Mr. Dennison, do you have any objection moving him in as an expert?

Mr. Dennison: No.

Judge Azcarate: All right, then I'll move him in as an expert in statistical and forensic analysis of social media, okay? Yes, sir, your question.

Mr. Nadelhaft: Mr. Schnell, what were you asked to do in this in this matter?

Ron: So, I was asked to do several things. I used the official Twitter APIs to bring in data over several different time spans. Initially, it was April of 2020 to January of 2021, and analyzed various hashtags and things like that.

Mr. Nadelhaft: And what is significant about April 2020?

Ron: I understand that April 2020 is related to the alleged defamatory statements by Mr. Waldman.

Mr. Nadelhaft: And you talked about APIs, what does that mean?

Ron: So, API stands for Application Programming Interface. That is a service that's provided by companies like Twitter so that professionals can write programs to query Twitter to ask for various things. In this case, I use two of their APIs. One of them is called the Search API, and that allows you to get search terms and it will return all the tweets containing those search terms through a certain date range. The other one is called Accounts API, and I use that, again, through a certain date range to return any tweet that contained that hashtag.

Mr. Nadelhaft: And you just...

Ron: I should add that it may not be obvious why you need to do this, but if you just do a search on Twitter itself, it's not going to return everything, it's going to return a subset of what is out there. But using these APIs, which you pay a lot of money for, they sort of guarantee that...you'll almost guarantee that you'll get everything.

Mr. Nadelhaft: And you mentioned hashtags, I know a lot of people know what that was. But for those who don't know, what's a hashtag?

Ron: Well, hashtags are a function of Twitter. They're really just part of the text of a tweet or a profile. And it's convenient to put things in hashtags so that when somebody searches, they can search for a particular hashtag and it'll come up.

Mr. Nadelhaft: And did you choose particular hashtags to search for?

Ron: I did.

Mr. Nadelhaft: And how did you choose which hashtags to use?

Ron: Well, initially, I was looking at tweets that would be negative towards Ms. Heard, so I looked through tweets that were negative towards Ms. Heard and I found that a supermajority of them were using one or four different hashtags.

Mr. Nadelhaft: And so, overall, what did your analysis find regarding negative hashtags about Ms. Heard from April 2020 until the end of January 2021?

Ron: Well, there were over 1,243,000 and change uses of those hashtags during that timeframe you just mentioned.

Mr. Nadelhaft: And did you perform an analysis of the negative hashtags from April 2020 until January 2022?

Ron: Yes, I did.

Mr. Nadelhaft: And what was the result of that?

Ron: There were over another million, so, you know, 2.38 million, I think.

Mr. Nadelhaft: And how did you determine that the tweets were negative about Ms. Heard?

Ron: Well, you know, I haven't been asked that until later on in this, but I didn't think that that would be in controversy. I mean, some of these hashtags are pretty rude and it would really surprise me that anyone would think that they wouldn't be negative towards Ms. Heard. But when I was asked about it later, I actually took a random sampling and looked at them and could not find any that were not negative towards Ms. Heard.

Mr. Nadelhaft: And what was the random sampling that you use?

Ron: I did two of them, they were 1,000 each.

Mr. Nadelhaft: And how did you determine which 1,000 tweets to review in each search?

Ron: I wrote a program that truly selected them at random.

Mr. Nadelhaft: And in your experience, is 2,000 tweets a meaningful sample?

Ron: If they're chosen at random in this universe, yes.

Mr. Nadelhaft: Okay. In addition to the four hashtags for Ms. Heard, did you review any other...did you look at any other hashtags?

Ron: I did.

Mr. Nadelhaft: And what type of hashtags that you looked for?

Ron: I looked at what I found to be six hashtags that would be negative towards Mr. Depp.

Mr. Nadelhaft: Okay. Michelle, could you put up Demonstrative 1, which is on the fifth page of Attachment 4 of Mr. Schnell's designation? Mr. Schnell, did you create this chart?

Ron: I did.

Mr. Nadelhaft: And what data is this chart based on?

Ron: This is based on the Search API from Twitter, and it rolls up the number of tweets with the various hashtags by month of these two years, yeah, three years.

Mr. Nadelhaft: Your Honor, I'd like to make this a demonstrative, Schnell Demonstrative 1, or do you want it to be...?

Judge Azcarate: If I could get it one of the numbers since it's gonna be part of the record?

Mr. Nadelhaft: Okay, can we call it Schnell Demonstrative 1 and then I will give you a number?

Judge Azcarate: Well, the last number I have is 1837. I don't know...

Mr. Nadelhaft: Do we know if that's the last...? How about we make it 1900? That way it's not...can we just make it 1900?

Judge Azcarate: That's perfect.

Mr. Nadelhaft: Okay.

Judge Azcarate: All right, 1900 is in. Any objections to demonstrative?

Mr. Dennison: No, Your Honor.

Judge Azcarate: All right, you can publish that.

Mr. Nadelhaft: And is this a chart you made, Mr. Schnell?

Ron: It is.

Mr. Nadelhaft: Okay. And at the top here, there are hashtags that are in yellow, you see that?

Ron: I do.

Mr. Nadelhaft: Okay. And if we go all the way to the right. But first, let's scroll over to the left here, I apologize. You see, in 2020, there's the month of June and July?

Ron: I do.

Mr. Nadelhaft: Okay. And what are these columns first, tell the jury what they represent.

Ron: So, each of these is the number of tweets with the hashtags...with the corresponding hashtag during that month.

Mr. Nadelhaft: Okay. And if we look at the first one in yellow, you see that first hashtag, the fourth one over?

Ron: I do.

Mr. Nadelhaft: And are there any...what does it show from 2018 to July of 2020?

Ron: There were none.

Mr. Nadelhaft: And then what happens in August of 2020?

Ron: Well, there's a remarkable jump from July to August of 2020, it goes from zero to 13,878.

Mr. Nadelhaft: And if we scroll to the right, the last three hashtags and which are highlighted, it shows the difference between June and July. What did your analysis show?

Ron: Well, you can see that June is about at its steady state. In July, there's also a remarkable jump.

Mr. Nadelhaft: And that's for all three of those hashtags?

Ron: That's correct.

Mr. Nadelhaft: Okay. And the hashtags...the hashtags that are in blue are the ones related to Mr. Depp, correct?

Ron: Correct.

Mr. Nadelhaft: Okay. Oh, by the way, what is your understanding of when the last alleged defamatory statement was made by Mr. Depp through Mr. Waldman?

Ron: My understanding is that it was the end of June of that year.

Mr. Nadelhaft: Of 2020?

Ron: Yes.

Mr. Nadelhaft: Now, looking at the hashtags that are highlighted in blue for Mr. Depp. For the months of November and December of 2018 and January of 2019, what did your analysis...what is your analysis show?

Ron: I see a remarkable jump in November of 2018 and then it starts to...well, it goes way down in December of '18 and January of '19.

Mr. Nadelhaft: Okay. And do you know when Ms. Heard wrote the op-ed in this matter?

Ron: My understanding is that it was December of 2018.

Mr. Nadelhaft: Okay. And if we go to November of 2020 for the hashtags related to Mr. Depp. If you see the difference between October of 2020 and November of 2020, what do you see there?

Ron: I also see a large jump from October to November of 2020.

Mr. Nadelhaft: Okay. And if we look at the last hashtag in blue that says "JohnnyDeppisawifebeater," what does that show in terms...what did your analysis find in terms of tweets with those hashtags?

Ron: It looks to me that also...I mean, there are none prior to...well, a little here and there, they're single-digit ones, but prior to November of 2020, there are basically none, and then it jumps up to over 2,000.

Mr. Nadelhaft: And do you know what happened in November of 2020?

Ron: My understanding is that's when the UK trial ended.

Mr. Nadelhaft: Okay, we can take this down. And can you put up Demonstrative 2, which we'll make 1901 if it...which we'll identify as 1901.

Judge Azcarate: That's fine, 1901. Any objection?

Mr. Dennison: No, Your Honor.

Judge Azcarate: All right, 1901 can be published.

Mr. Nadelhaft: And Mr. Bania, what data is this chart based on? Oh, I did the same thing. Mr. Schnell, what data is this chart based on?

Ron: This chart is actually based on the data we just looked at but up until January of 2022, and it's just another way of displaying the numbers in graphical form so that we can see peaks and valleys.

Mr. Nadelhaft: And what are the dotted lines?

Ron: So, if you look at the top, you can see that the dashed lines are the negative hashtags towards Ms. Heard and the solid ones are the negative hashtags towards Mr. Depp.

Mr. Nadelhaft: And what is being shown here...in your analysis, what is shown with the tweets related to Ms. Heard?

Ron: Well, you can see that there's a huge spike in February of 2020, which I believe Mr. Waldman just testified that that's when he leaked an audio tape of some kind. There's also a notable remarkable spike in July of 2020, in November of 2020, and then in March of 2021.

Mr. Nadelhaft: And the spike in February 2020, that came before the alleged defamatory statements, correct?

Ron: Which one?

Mr. Nadelhaft: Sorry, the spike in, yeah, February of 2020.

Ron: That is correct.

Mr. Nadelhaft: And even though that spike came in before the alleged defamatory statements, even taking account for that spike, what time period has more negative tweets about Ms. Heard before or after April 2020?

Ron: Right, so even taking into account this really large spike in February 2020 and you look at it from the beginning of 2018 until the beginning of 2022, there are...a majority of the negative tweets are between April of 2020 through the beginning of 2022.

Mr. Nadelhaft: And do you recall at your deposition being asked that a spike in negative hashtags occurring before April 8th, right before April 8th, 2020?

Mr. Dennison: Objection, hearsay.

Mr. Nadelhaft: I was asking about his attorney...

Judge Azcarate: Overruled, go ahead.

Ron: I remember questions regarding particular dates, yes.

Mr. Nadelhaft: And what's your understanding as to why there was more negative tweets in April 6th and April 7th than April 8th, 2020?

Mr. Dennison: Objection, no foundation.

Mr. Nadelhaft: Was there more negative tweets on April 6th and April 7th than in April 8th, 2020, as it relates to Ms. Heard?

Ron: Right, if you look at the day-by-day counts, which I supplied to Mr. Depp, you can see that there's a spike that begins on April 6th and it goes for a few days. And April 6 is, to my understanding, before what people are calling the alleged defamatory statement.

Mr. Nadelhaft: And did you look at the tweets for April 6th and April 7th?

Ron: I did.

Mr. Nadelhaft: And what did you find?

Ron: I found that there are Waldman's statements that are the same as on the 8th on the 6th and the 7th, "The Daily Mail" on the 6th and "Vanity Fair" on the 7th.

Mr. Nadelhaft: And what terms were being used?

Ron: Well, "hoax" is certainly used in each of them. I think "abuse hoax" is used in one of them. I don't have it in front of me but generally speaking, in the 7th, I think it's the same exact terms that are used in the one on the 8th, the 6th may be slightly different but it has the word "hoax."

Mr. Nadelhaft: Okay. And if we can go to the second page of this demonstrative? What's being shown in the second page of this demonstrative?

Ron: So, this is generally...it's the same data as the first one, but I've removed one hashtag, the "JusticeForJohnnyDepp" hashtag because it

kind of overwhelms all the others because there are so many of them. And by removing it, it sort of rescales the graph and you can see the others much better. And even though they looked really tiny in the previous page, you can see that they're big numbers, you know, over 100,000 and stuff. So, really, this shows...and if you look between the two, you can see that the curves are the same, so it shows like a mathematical correlation between all the hashtags.

Mr. Nadelhaft: So, what do you mean by mathematical correlation?

Ron: Well, they're correlated, you can see the numbers go up and down at the same place.

Mr. Nadelhaft: So, I'm understanding the hashtags are essentially all going up and down at the same times?

Ron: Correct.

Mr. Nadelhaft: Okay. Thank you. And can we put up Demonstrative Exhibit 3?

Judge Azcarate: Which we'll make 1902?

Ms. Nadelhaft: 1902. Yes, thank you.

Judge Azcarate: All right, any objection to 1902?

Mr. Dennison: None, this is demonstrative.

Judge Azcarate: Okay. You can publish that.

Mr. Nadelhaft: Mr. Schnell, did you create this chart?

Ron: I did.

Mr. Nadelhaft: And what does this chart show?

Ron: So, what I did was I took the data that I supplied to Mr. Depp, which was the original data from April of 2020 through January of 2021, and I searched it for certain key terms. Specifically, hoax, fake, and fraud. That's what it's representing, the top part anyway.

Mr. Nadelhaft: And the top part, if you look at the...for hoax, fake, and fraud within the...and this is within the negative hashtags for Ms. Heard?

Ron: Right, this is only searching through the ones that have one of these four hashtags in them.

Mr. Nadelhaft: Okay. And if you look at the total...oops, I'm putting that in blacks. Let's clear that. But you saw the line there. What's the total number of times it was used in the negative tweets, either hoax, fake, or fraud?

Ron: 81,121.

Mr. Nadelhaft: And did you perform any other searches on the data?

Ron: Yes.

Mr. Nadelhaft: And what searches did you perform?

Ron: So, I also looked in that same data for references to Waldman by itself, or Wald and then followed by anything, followed by mignon or minion, depending how you want to pronounce, it's sort of a portmanteau of Waldman and filet mignon, I guess, or minions, and looked for those in the same data.

Mr. Nadelhaft: And in terms of the percentage of the amount of times Waldman or Wald-mignon was used in the negative hashtags from April 2020 through...is it January 2021?

Ron: The percent?

Ms. Nadelhaft: Yeah, what's the percentage?

Ron: Yeah, so I found over 25% of the negative hashtag tweets, or one out of every four on average had either Waldman or Wald-mignon.

Mr. Nadelhaft: And I see you ran searches for hoax, fake, fraud rather than abuse hoax in quotes or sexual violence hoax in quotes. Why didn't you run those searches?

Mr. Dennison: Objection, compound.

Judge Azcarate: Overruled.

Ron: So, if I put them in quotes like that, say abuse hoax in quotes, that would require that it show up in exactly that way with the same spacing in the same order. So, if it said something like there was abuse and there was a hoax, it wouldn't get caught. So, if I take the quotes out and search for them separately, search for things separately, that'll cover it and make sure that I catch everything.

Mr. Nadelhaft: And based on your analysis of these searches within the negative hashtags, what are the results of these searches mean?

Ron: Well, obviously, I can't read what's in people's minds but, you know, when I read the disclosure of Mr. Depp's expert, Mr. Bania, he stated that if these terms, in particular the Waldman term...

Mr. Dennison: Objection, hearsay.

Mr. Nadelhaft: He's an expert.

Judge Azcarate: Overruled.

Ron: If these terms had shown up a lot of times in the negative hashtag tweets, then that could show that they were, you know, I'm paraphrasing, the impetus of why people tweeted these. So, I sort of adopted Mr. Bania's opinion on that and found this large number. So, I agree with Mr. Depp's expert that this could show a substantial correlation.

Mr. Nadelhaft: And to what level of confidence do you hold the opinions you just provided to the jury?

Ron: To a reasonable degree of scientific certainty.

Mr. Nadelhaft: Thank you, Mr. Schnell. I have no further questions.

Judge Azcarate: All right, cross-examination.

Mr. Dennison: Sir, this is the first time that you've testified as an expert in the field of statistical and forensic analysis of social media, isn't it?

Ron: I've consulted on litigation for it but it never got to testimony, that's correct.

Mr. Dennison: So, this is your first testimony?

Ron: Testimony, yes.

Mr. Dennison: And this is...and you've never been involved in a defamation case before?

Ron: That's correct.

Mr. Dennison: Okay. And you're being compensated for your time here today and the work you did, correct?

Ron: Berkeley Research Group is being compensated, yes.

Ms. Dennison: At \$600 an hour?

Ron: That's what they're getting paid.

Mr. Dennison: Right. And you're aware that Mr. Depp is being sued based on allegedly defamatory statements. What are the dates of those statements?

Ron: My understanding is there was something around April 8th, I believe, April 27th, and June 24th, somewhere in the end of June.

Mr. Dennison: Okay. And where do you understand those statements to have resided?

Ron: In the public media.

Mr. Dennison: In any particular article or...?

Ron: I didn't consider that.

Mr. Dennison: All right. So, you're not offering an opinion on how widely the articles that contain those statements were read?

Ron: That's correct.

Mr. Dennison: And you're not offering an opinion as to how many people actually saw the language that's been attributed to Mr. Waldman?

Ron: Only a minimum number of people who could have seen it based on the tweets that referenced him.

Mr. Dennison: Okay. And you don't know even where those references appear in the articles?

Ron: I'm not sure what you mean.

Mr. Dennison: There are statements by Mr. Waldman that appear in articles. Do you understand that?

Ron: I do.

Mr. Dennison: Do you know in what portion of the articles the statements appear?

Ron: I've looked at the articles and from that, I've seen where they appear.

Mr. Dennison: And where, in general, do they appear? In the middle? The end? What's your sense?

Ron: That I'm not sure. I mean, the ones I looked at on the 6th and 7th, I think they were towards the top.

Mr. Dennison: All right. So, you testified that you reviewed a number of hashtags that you deemed were negative towards Ms. Heard. That's right?

Ron: Yes.

Mr. Dennison: And the four you picked, at least the negative ones, JusticeforJohnnyDepp, that's from one of them, right?

Ron: That's right.

Mr. Dennison: AmberHeardisanabuser. That's one of them?

Ron: That is one of them.

Mr. Dennison: Wejustdon'tlikeyouAmber, that's one of them?

Ron: That is one of them.

Mr. Dennison: And the last one was AmberTurd, right?

Ron: That is another one.

Mr. Dennison: Okay. And these four hashtags you identified and searched for, you have no...you don't believe they have any connection or you testified that you have no connection to these three Waldman's statements. The hashtags aren't connected to Waldman, right?

Ron: I did an additional analysis that did show how many of those had Waldman connected to them and I found that one out of four of them did.

Mr. Dennison: Right, but when you were deposed, you were asked whether these were related...these particular hashtags were related to any of the Waldman's statements, and you said no at that time.

Ron: I said more than that. I said I didn't know and then I said I'm basing my...I'm looking at Mr. Bania's opinion where he says they would be if they were in large number, and I'm adopting his opinion, I'm agreeing with him that they must be connected.

Mr. Dennison: So, you're adopting an opinion that hasn't been rendered in this case yet by anybody but you?

Ron: Well, I know that Mr. Bania...

Mr. Dennison: Has testified?

Ron: Okay, what I'm saying is I know that Mr. Bania's disclosure says that he is expected to come to that opinion.

Mr. Dennison: All right. But the only person who has ever expressed this opinion today in this courtroom is you, correct?

Ron: I would not, I haven't watched everything. I've watched a bit.

Mr. Dennison: So, you're adopting your own opinion?

Ron: No, I'm adopting the opinion that I read in Mr. Bania's disclosure.

Mr. Dennison: And that's not the opinion you had during your deposition?

Ron: I think I did make reference in my deposition to what Mr. Bania said and that I agreed with that.

Mr. Dennison: All right. And you indicated in deposition, you didn't take into account statements made in the media, correct?

Ron: Made in what?

Mr. Dennison: You said you did not take into account in your analysis statements made in the media?

Ron: Media. Yes, in the analysis where I gathered data and decided which data to gather, I did not take into account statements in the media.

Mr. Dennison: All right. So, you looked at data, you produce charts, you did analysis relating to the data, but you had no reason at the time you did this to consider any particular statements. Isn't that true?

Ron: That's true, I think that's an appropriate scientific methodology to not...to first gather as much data as possible and then drill down on the data.

Mr. Dennison: All right. And the Twitter data you collected shows that the four hashtags you identified were in existence before Mr. Waldman made the first statement in April 2020, right?

Ron: That's correct.

Mr. Dennison: Right.

Ron: In very small number.

Mr. Dennison: But JusticeforJohnnyDepp has been around since 2013, correct?

Ron: That sounds correct.

Mr. Dennison: Yeah. AmberHeardisanabuser and AmberTurd first appeared in 2016, correct?

Ron: I don't recall actually.

Mr. Dennison: All right. Do you recall if there was any portion of Mr. Waldman's statement that made any reference to Amber Turd?

Ron: Not that I've seen.

Mr. Dennison: All right. People can form a negative view of Ms. Heard without reading Mr. Waldman's statements, correct?

Ron: People can form a negative opinion of anyone without reading anything, that's correct.

Mr. Dennison: And you didn't consider whether there was negative publicity around Ms. Heard other than the Waldman's statements?

Ron: Well, what I did was to report on correlation with these hashtags and certain search terms in particular, I wasn't trying to read anyone's mind as to why they use them.

Mr. Dennison: All right. You didn't form any opinion that of the million tweets, a million-plus tweets that you looked at were connected in some way to Mr. Waldman's statements?

Ron: I did eventually, yes.

Mr. Dennison: You did eventually after you read somebody else's report relative to testimony that hasn't been given here.

Ron: Well, I did it before my deposition.

Mr. Dennison: All right. You have a demonstrative that counsel play for you. Can we put up Plaintiff 1901 again? This is yours, right?

Ron: Correct.

Mr. Dennison: Yeah. The biggest spikes, by far the biggest spikes here are attributable to what hashtag?

Ron: JusticeforJohnnyDepp hashtag.

Mr. Dennison: Yeah. And there are spikes that existed considerably before Mr. Waldman's statement? You were asked about that by counsel.

Ron: One of them did, that was the date that Mr. Waldman leaked the audio tape.

Mr. Dennison: The biggest spike was before the statements?

Ron: Right, the date he leaked the audio.

Mr. Dennison: And then there were many statements that...or there are many hashtags or uses of the hashtag that follow the statement?

Ron: You have to be more specific.

Mr. Dennison: Well, so you looked at 1,000,002 of these hashtags, right?

Ron: Right.

Mr. Dennison: In your chart, didn't 980,000 of these plus belong to JusticeforJohnnyDepp?

Ron: That sounds about right. You'd have to show me but I'll take your word for it.

Mr. Dennison: All right. But the vast majority of them were JusticeforJohnnyDepp?

Ron: A majority of them were.

Mr. Dennison: Well, wasn't the majority so large that you had to draw another chart?

Ron: The reason we're drawing another chart is because the numbers were high at particular points so you wouldn't be able to see the other hashtags.

Mr. Dennison: Right, literally, this is your chart and all of the other activity at the bottom, you can barely see in comparison to the #JusticeforJohnnyDepp.

Ron: Right, as I testified, you can barely see them because of these spikes in the JusticeforJohnnyDepp hashtag. But when you look at the other chart, you can see that those others are still very large numbers.

Mr. Dennison: So, you're not offering any opinion as to what caused these spikes?

Ron: That's correct.

Mr. Dennison: Right, so you're not opining as to why these spikes are there?

Ron: I'm only talking about correlation.

Mr. Dennison: Right, you're talking about a mathematical connection.

Ron: That's right.

Mr. Dennison: Right. And you don't purport to be in anybody's head such that you know why they did a particular post with a particular hashtag?

Ron: That's correct.

Mr. Dennison: All right. There's a second spike that appears to be in July of 2020.

Ron: Yes. The pointer was pointing to a different one but yes.

Mr. Dennison: Yeah. Were you aware there was a trial in the UK in 2020?

Ron: I'm aware.

Mr. Dennison: And in July.

Ron: You're saying it was in July?

Mr. Dennison: No, but as of the time of that spike, there was publicity around the trial, correct?

Ron: I don't know how much publicity there was. I know the trial was going on then.

Mr. Dennison: All right. There were a number of things called out in your chart relative to particular dates, December 17th, February 11th, February 14th, you see all those?

Ron: I do.

Mr. Dennison: But your chart makes absolutely no reference to and does not identify the dates of any of the Waldman's statements, does it, sir?

Ron: No, it doesn't call those out if that's what you're asking.

Mr. Dennison: It calls up a whole bunch of other dates, but nothing relative to Waldman's statements?

Ron: Correct.

Mr. Dennison: All right. All right, at some point, you ran searches for additional search terms, hoax, fraud, I think you've said fake. And then you don't know why those terms appeared, do you?

Ron: I'm not sure what you mean by that question. Are you asking me...?

Mr. Dennison: You could not perform a scientific analysis of the reason why those terms appeared in the tweets you were looking at?

Ron: Right, I can only show mathematical correlation.

Mr. Dennison: Right, you can show a correlation but you don't have any idea why they're there?

Ron: I can't get into people's heads.

Mr. Dennison: Right. And just because the tweet contains one of the terms does not mean the tweet was in some way prompted by Mr. Waldman, right?

Ron: Well, there are a few things I searched for, the ones you just mentioned and then the Waldman and Wald-mignon terms. So, you know, it's not that big a stretch to say that it's related to Mr. Waldman if it's his name and Wald-mignon or minion.

Mr. Dennison: Wait a minute, is the new standard is not that big a stretch?

Ron: No. I'm trying to speak...

Mr. Dennison: You're trying to [inaudible 03:23:41], right?

Ron: Yes.

Mr. Dennison: All right. So, you're not suggesting that you know why Mr. Waldman's name appearing in any of these tweets?

Ron: Well, if you look at the tweets that have Wald-mignon, you know, and I looked at a large sample of them...

Mr. Dennison: A large sample was 2,000 out of 1,000,002?

Ron: No, I looked at more than that of these, but that's another thing that I wouldn't expect to be in controversy. You know, when people are saying that they're part of the Wald-mignons or things like that, I would expect everybody to agree without arguing that it has to do with Mr. Waldman.

Mr. Dennison: And nobody asked whether it had anything to do with Mr. Waldman, I'm wondering how do you know that it had anything to do with Mr. Waldman's statements?

Ron: But I was under the impression, I was informed that nobody really knew who Mr. Waldman was before all of this. I wouldn't expect it to be anything else, I didn't think it was in controversy.

Mr. Dennison: It wasn't in controversy whether everyone knew who Mr. Waldman was, is that your testimony?

Ron: No, I'm saying it wasn't in controversy that if somebody was suddenly talking about him that it had to do with this case.

Mr. Dennison: All right, but again, it didn't have to do with this case, it's did it have to do with the allegedly defamatory statements? You have no idea, do you, sir?

Ron: I can't get into anyone's mind, I can only talk about the science of it.

Mr. Dennison: Right. And so, you identified all of these hashtags as negative towards Ms. Heard, right?

Ron: Right.

Mr. Dennison: JusticeforJohnnyDepp is not negative towards Ms. Heard, is it?

Ron: No, but the tweets that use that hashtag are.

Mr. Dennison: No, but the hashtag itself, the hashtag that predominates through your analysis is not, in fact, negative towards Ms. Heard?

Ron: I'm not talking...I'm not opining on the hashtag itself, I'm talking about the tweets that contain that hashtag.

Mr. Dennison: But that hashtag itself is not negative?

Ron: That's not part of my opinion one way or the other.

Mr. Dennison: But do you have an opinion as to whether JusticeforJohnnyDepp is a good thing?

Ron: That's not part of my assignment.

Mr. Dennison: Okay, but you'll agree with me, justice, in general, is a good thing?

Ron: Big fan of justice.

Mr. Dennison: All right, me too. No further questions.

Judge Azcarate: All right, redirect.

Mr. Nadelhaft: [inaudible 03:26:19]

Judge Azcarate: Okay, yes, sir.

Mr. Nadelhaft: Mr. Schnell, you reviewed a large sampling of tweets with JusticeforJohnnyDepp, correct?

Ron: I did.

Mr. Nadelhaft: And the tweets that had the hashtag JusticeforJohnnyDepp, how many of them were negative toward Ms. Heard?

Ron: All of them.

Mr. Nadelhaft: Okay And what percentage of the tweets with negative hashtags between April 2020 and January 31st, 2021 contain the terms Waldman or Wald-mignon?

Mr. Dennison: Objection, [inaudible 03:26:54].

Mr. Dennison: Overruled, I'll allow it.

Ron: Over 25%, one out of four.

Mr. Nadelhaft: And in your analysis, how far in times are the tweets containing the terms Waldman or Wald-mignon go? Like, how far to now?

Mr. Dennison: Beyond the scope of cross.

Mr. Nadelhaft: He was asking about...

Judge Azcarate: Overruled.

Ron: So ,I think I disclosed at my deposition that I looked further into 2022 and found that it continued to go on, I didn't see any end to it at all.

Mr. Nadelhaft: Okay. And based on your analysis, again, what period of time had more negative tweets against Ms. Heard before after April 2020?

Ron: It was clearly double as many from April to 2021.

Mr. Nadelhaft: And that's even including the February 2020 spike, correct?

Ron: That's right, and that happened before April, obviously. So, even if you put that in there, it's still a lot more after April of 2020. And there are fewer months in that time period, I think there are 20...or 15 months in that time period and 27 months in the first part.

Mr. Nadelhaft: And based on your analysis, what, if any, end do you see the negative tweets toward Ms. Heard?

Mr. Dennison: Objection, no foundation.

Mr. Nadelhaft: Based on his analysis up until the time...

Judge Azcarate: I'll sustain the objection.

Mr. Nadelhaft: Okay. Did you see any...based on your analysis, at the end of the time of your analysis, what was happening with the negative tweets toward Ms. Heard?

Ron: They continue to go on.

Mr. Nadelhaft: Okay. Mr. Schnell, after your cross-examination, have any of your opinions in this matter changed?

Ron: No, they have not.

Mr. Nadelhaft: Thank you.

Judge Azcarate: All right. All right, sir, you can have a seat in the courtroom or you're free to go, okay, sir? Thank you. All right, your next witness.

Ms. Bredehoff: Your Honor, may we approach?

Judge Azcarate: Okay, sure.

Ms. Bredehoff: Thank you, Your Honor. We will be calling Michele Mulrooney by deposition designation and we start.

Judge Azcarate: Okay. Just give us a moment.

[03:29:05]

[silence]

[03:29:29]

Judge Azcarate: All right, can you spell the last name for me?

Ms. Bredehoff: It's M-U-L-R-O-O-N-E-Y.

Judge Azcarate: All right. Okay.

Ms. Bredehoff: State your name and address for the record.

Michele: Michele Mulrooney. Los Angeles, California, 90067.

Ms. Bredehoff: Ms. Mulrooney, what is your occupation?

Michele: I'm a partner at Venable LLP, an attorney practicing.

Ms. Bredehoff: Could you just please describe...give me a brief description of your educational background and work history.

Michele: Okay, I attended USC and received my undergraduate degree in 1982. And then I again attended USC and received my law degree in '95. I then worked for Gibson, Dunn, and Crutcher until 1991. And then I worked for an entertainment law firm that was originally called [inaudible 03:30:44] when I joined it, then later morphed into several names. And then in 2011, I joined Venable LLP as a partner.

Ms. Bredehoff: Thank you. What are your areas of practice and expertise?

Michele: I'm the head of the estate planning...the West Coast estate planning group for Venable.

Ms. Bredehoff: And does that estate planning involve any aspect of marital estate planning such as things like prenups and postnups, prenuptials and postnuptials?

Michele: Yes, we frequently do prenups, cohabitation, and post-nups agreements.

Ms. Bredehoff: Would you please briefly describe what a prenuptial is and a postnuptial is?

Michele: A prenuptial agreement is where spouses contract on the economics of their marriage before they are married and they discuss things as the nature of the contract, the things like the nature of the property, community separate, etc., and also things like spousal support. And in a post-nup, the clients do that after they're married, they contract on the same issue.

Ms. Bredehoff: Do you regularly represent actors?

Michele: Yes.

Ms. Bredehoff: I'm asking very narrowly. Did there come a time when Amber Heard contacted you for representation respecting a prenup or a post-nup agreement?

Michele: At some point I was contacted about Amber Heard prenup.

Ms. Bredehoff: Ms. Mulrooney, I'm going to show you what it's been marked as Exhibit 3, and it's an email from you to a Dana Lowry. Do you know who Dana Lowry is?

Michele: Yes.

Ms. Bredehoff: Could you please tell us who Dana Lowry is?

Michele: She's a family law attorney practicing in Los Angeles.

Ms. Bredehoff: And this is dated Monday, February 2, 2015, and it says, "I look forward to working with you, please send me..." This is from you, "Please send me the bullet points for the economics of the deal. When you are back in the office tomorrow, I will have Amber's business manager get her financial information to me ASAP. I also like to exchange two years of tax returns but have not attached them. Is this your general practice? Let me know. Thanks." Who did Dana Lowry represent?

Michele: Johnny Depp.

Ms. Bredehoff: I take it Amber in the actual document is Amber Heard, is that correct?

Michele: Yes.

Ms. Bredehoff: Okay. And if I just direct your attention to the top of the email where it says February...I don't have control. February 2, 2015. What, if anything, does this do to refresh your recollection on when approximately you were contacted about representing Amber Heard in connection with a prenup?

Michele: It makes the approximate date more clear to me.

Ms. Bredehoff: Okay. And based on this, when approximately were you contacted to represent Amber Heard in connection with a prenup or a postnup?

Michele: The early part of February...the late part of January or the early part of February 2015.

Ms. Bredehoff: Ms. Mulrooney, I'm going to ask you to take a look at what has been marked as Exhibit 4. And it is an email from you to Dana Lowry, which is Mr. Depp's counsel, correct?

Michele: During this time period, correct.

Ms. Bredehoff: And it's dated Tuesday, February 3, and I'm going to scroll down first so we get the earliest part of it and the first part of it is an email from Dana Lowry to you dated February 3rd at 10:13 and it says, "J/A deal point." Do you know what J/A means? I'm going to take you first of all to the bottom part, which is the J/A deal points. Do you have an understanding of what J/A means?

Michele: I believe it means Johnny/Amber deal points.

Ms. Bredehoff: Absent a prenuptial agreement or a postnuptial agreement, is California what we call a common law property state?

Michele: No.

Ms. Bredehoff: What is it?

Michele: The community property state.

Ms. Bredehoff: Okay, and what does that mean?

Michele: It generally means that all earnings after the date of marriage are owned...that each party has an undivided 50% interest in those earnings. Yes.

Ms. Bredehoff: What was your understanding of the purpose of the confidentiality agreement?

Michele: It's very standard when you're doing a prenup agreement or postnuptial agreement when either party is disclosing their assets that they asked for a confidentiality agreement.

Ms. Bredehoff: You respond on February 17, "Dana, I have forwarded to Amber, she is filming a movie, but hope to connect with her by the end of the week. I will keep trying to move forward." I'm asking you what you meant by, "I will keep trying to move forward?"

Michele: I assume I meant that we're trying to get a postnuptial agreement signed between the parties and that's what I did prior to [inaudible 03:37:05].

Ms. Bredehoff: I'm showing you what has been marked as Exhibit 7. And I'm gonna start again with going down to show you where the stream is

here. And it says...wait, on February 17, that's the same email we've seen a couple of times now where she's attaching the confidentiality agreement, telling you to have a draft of postnup agreement, but she's getting the signed confidentiality agreement first. And then I'm going to direct your attention to the very top part, and that is Wednesday, February 18, from you to Dana Lowry, and it says, "Amber is sending the signed confidentiality agreement to me, I assume I will receive all the underlying financials and a list of anticipated future revenue streams and documentation pertaining thereto." What did you mean by, "Underlying financials and a list of anticipated future revenue streams and documentation pertaining thereto?"

Michele: This is typical after they have profit participation, back ends, I wanted to have a list of what his future revenue would be. He might have had movies booked that he would render services after marriage, I just wanted to see the profile.

Ms. Bredehoff: What did you mean by back ends?

Michele: Back end is either profit participation or royalties. Sometimes it's blocked off as bonuses. You just have to look at the underlying agreement on each movie, TV show, etc., to track what the revenue will be from each project.

Ms. Bredehoff: And why is that relevant?

Michele: I want to know what they're gonna make during the marriage, I want to know the income during the marriage.

Ms. Bredehoff: And those are all components of what they make during the marriage?

Michele: Correct.

Ms. Bredehoff: Okay. All right, and then you said, "I can't really comment on the document until I get this information." What document were you referring to there?

Michele: The postnup agreement that she would send.

Ms. Bredehoff: How much time expired between when you were sent the confidentiality agreement for Amber Heard was signed and when you indicated back to counsel for Mr. Depp that Amber is sending the signed confidentiality agreement to you?

Michele: The next day.

Ms. Bredehoff: What, if any, communication you receive from Mr. Depp in connection with the postnup agreement?

Michele: I received one telephone call.

Ms. Bredehoff: And who did you receive that telephone call from?

Michele: Mr. Depp.

Ms. Bredehoff: Please describe the telephone call from Mr. Depp.

Michele: My recollection is that he was very mean, that he called me names, and that he fired me on behalf of Amber.

Ms. Bredehoff: When you say that he was very mean, what did you mean?

Michele: Well, my only exact recollection is that he called me a bitch.

Ms. Bredehoff: Mr. Depp called your bitch on that telephone call?

Attorney 3: Hearsay, leading.

Ms. Bredehoff: What, if any, observations did you make during the telephone call from Mr. Depp during which time he called you a bitch?

Michele: I thought he was under the...

Ms. Bredehoff: Why did you think that?

Michele: He was slurring his words and his speech pattern was similar to my children's speech pattern when they were little. I was extremely rattled by the call. Yeah, I was on the phone for a very short time because he was represented by counsel and I didn't want to be rude and hang up, but I told him I had to hang up like after two or three minutes, after I realized what was happening. It took me very off guard and that's all I remember is that it really shook me up.

Ms. Bredehoff: After that phone call, did you perform any further services for Ms. Heard in connection with the postnuptial agreement?

Michele: No.

Ms. Bredehoff: Do you recall ever seeing a postnuptial draft agreement?

Michele: No.

Ms. Bredehoff: Has either Ms. Heard or Mr. Depp contacted you at any time after the call with Mr. Depp respecting in pursuing a postnuptial agreement?

Michele: No.

Attorney 3: Who, if anyone, was paying your legal services?

Michele: I don't recall.

Attorney 3: Was it your understanding that Mr. Depp have the authority to fire you?

Michele: No.

Attorney 3: Did you tell him that?

Michele: I don't recall.

Attorney 3: And isn't it true that he wouldn't have had the authority to fire you even if he were paying for your legal services, is this true?

Michele: True.

Attorney 3: What, if any, communications that you have with Dana Lowry about your conversation with Mr. Depp after the conversation with Mr. Depp?

Michele: I don't recall.

Attorney 3: What do you recall generally, if anything?

Michele: I do recall that I told her that I was no longer representing him. But I don't know if I [inaudible 03:43:47], but somehow, she knew.

Attorney 3: Correct me if I'm wrong, but I believe you testified that Mr. Depp did not have the authority to fire you, correct?

Michele: Correct.

Attorney 3: Ms. Mulrooney, when did your attorney-client relationship with Ms. Heard relating to a potential postnuptial agreement terminate?

Michele: Shortly after that phone call.

Attorney 3: When you say shortly after that phone call, can you give us a timeframe of how long it was after the phone call?

Michele: Within a few days, could be one.

Attorney 3: He didn't have the power to fire you, correct?

Michele: Correct.

Ms. Bredehoff: Do you have any recollection of ever receiving any more communications from Dana Lowry furthering the postnuptial agreement after Johnny Depp called you and told you he was firing you on behalf of Amber and called you names?

Michele: No substantive, I recall that there was no more substantive conversations.

Ms. Bredehoff: Is there any question in your mind that it was Mr. Depp who called you?

Michele: No.

Judge Azcarate: All right. Yes, ma'am, you next witness.

Ms. Bredehoff: Yes, Your Honor, we'd like to call the Disney corporate representative.

Judge Azcarate: All right.

Ms. Bredehoff: Would you please state your name and your business address for the record?

Tina: Tina Newman, Walt Disney Studios Motion Picture Production Live Action, 500, South Buena Vista Street, Burbank, California 91521.

Ms. Bredehoff: And what is your current occupation?

Tina: I'm a production executive.

Ms. Bredehoff: And what is your job title?

Tina: That is my title, production executive. I work in the live-action feature division for Disney.

Ms. Bredehoff: Is it your understanding you're testifying on behalf of Walt Disney Motion Pictures group?

Tina: Yes.

Ms. Bredehoff: Were you involved in the gathering of the documents responsive to the documents of Disney?

Tina: Yes, I did provide some documentation to Alec and his group from our production group.

Ms. Bredehoff: I'm going to ask you to take a look at what I've just highlighted under topic number in subpoena duces tecum, paragraph number two, and it asks for documents relating to this case, in fact, and

then it also says, "Specifically includes the op-ed by Ms. Heard and any impact that it may have had on the above." And that includes, as defined above, including the business relationship with Mr. Depp, including considering Mr. Depp for any work with Disney or future "Pirates of the Caribbean," lesser or greater role, a different role, or a different production. Do you recall seeing in any of the documents you reviewed, either as being involved as a corporate designate or in preparing as a corporate designee, do you recall seeing an op-ed written by Ms. Heard?

Tina: No.

Ms. Bredehoff: Do you recall in your preparation as the corporate designee of Disney and your review of the documents that were produced by Disney, any document that referred in any manner to the op-ed written by Ms. Heard?

Tina: No.

Ms. Bredehoff: Do you remember seeing in any of the documents you reviewed or produced by Disney in response to the subpoena duces tecum the word "op-ed" in any of those documents?

Tina: I don't recall that, no.

Ms. Bredehoff: Did you have any discussions with anyone at Disney about any future "Pirates of the Caribbean" role, a lesser or greater role, a different role, or a different production?

Tina: No.

Ms. Bredehoff: Did you have any discussions with anyone at Disney about the impact of the op-ed by Ms. Heard on the relationship between Disney and Mr. Depp, including considering Mr. Depp for any work with Disney, any future "Pirates of the Caribbean" role, a lesser or greater role, a different role, or a different production?

Tina: No.

Ms. Bredehoff: Do you know whether Mr. Depp is being considered for a role in "Pirates 6?"

Tina: No.

Ms. Bredehoff: And when you say no, I think I have to probably ask for clarification. Does that mean you don't know one way or the other or he has not been considered?

Tina: I don't know one way or the other.

Ms. Bredehoft: I'm sorry, go ahead.

Tina: I was just gonna say that decision doesn't fall within my job responsibility. It's above my head, that's the best way to say it.

Ms. Bredehoft: So, what is the knowledge you have about "Pirates 6?"

Tina: Like I said, I just know that it's a project that's possibly in development at the studio. That's it.

Ms. Bredehoft: Do you know whether anyone at Disney has ever even read the op-ed written by Ms. Heard?

Tina: No.

Ms. Bredehoft: Are you aware of anyone else at Disney who has knowledge of the topic areas in the deposition notice, that's Deposition Exhibit 2, beyond what you know?

Tina: I can't honestly say, I can't speak for someone else. Like I explained earlier, my knowledge and what my job functionality is at the studio had plateaus and there are people that I work under and those particular persons may or may not have more knowledge but I can't speak on behalf of them.

Ms. Bredehoft: Is Disney aware that Mr. Depp has testified under oath that he would not take other "Pirates of the Caribbean" franchise role for \$300 million and a million alpacas?

Tina: No.

Ms. Bredehoft: Will Disney entertain paying Mr. Depp more than \$300 million dollars and provide him with more than one million alpacas to be able to obtain his services for any future "Pirates of the Caribbean" role?

Tina: No.

Ms. Bredehoft: I'm going to show you what has been marked as Deposition Exhibit 52. To Alan Horn, who's that?

Tina: He was our co-chairman.

Ms. Bredehoft: Of Disney?

Tina: Yes.

Ms. Bredehoft: And Alan Bergman, who is he?

Tina: The same, he's the other co-chairman of Disney or was at the time.

Ms. Bredehoff: And then Sean Bailey, you indicated was the president?

Tina: He's our president of production, correct.

Ms. Bredehoff: Okay. And then Ricky Strauss, who is he?

Tina: I believe at the time, he was the head of our marketing group.

Ms. Bredehoff: And Paul Roeder?

Tina: Paul Roeder is the head of communications.

Ms. Bredehoff: All right, and this is from Angela Shaw, and it's dated 5/10/2017. Do you see that?

Tina: Yes.

Ms. Bredehoff: And it says, "Subject, HR, "Johnny Depp, a star in crisis and the insane story of his missing millions." Do you see that?

Tina: Yes.

Ms. Bredehoff: Okay. Do you have any understanding as to why Angela Shaw was sending this communication to this group, the two co-chairmen, the president, the vice president of production, head of communications, on this particular day?

Tina: I don't know what the intent of the email is but obviously, we have a relationship as a company with Johnny, so I assume that's why she may be bringing it to their attention.

Ms. Bredehoff: All right. And just to take that a little bit further, given that Disney has a relationship with Johnny Depp, if there is a publicity relating to Johnny Depp whether it be positive or negative, that would be relevant to Disney, would it not?

Tina: Yeah, I mean, I can't say how it's relevant to Disney but given that Angela is part of communications, it's her job to, you know, keep the studio abreast, I guess, of anything concerning the company. So, that's about as far as I can read into it.

Ms. Bredehoff: Okay. And so, that's your interpretation of why Angela Shaw sent this to that group of people was to keep them apprised of this particular article and Johnny Depp, would you agree?

Tina: Yeah, that would be my assumption.

Ms. Bredehoff: I'm gonna ask you to take a look what had been labeled as Exhibit 53 and it is Disney 114 through 137, and I'm going to ask you if you recognize this document.

Tina: Well, it looks like an internal email, it may be...it may have been part of the disclosure document.

Ms. Bredehoff: This one is from Alan Horn and I think we've identified Alan Horn before...well, actually, it starts with...let's start down here, on June 21st, 2018. All right. And then it has a reply from Sean Bailey, "Sad." Do you see that?

Tina: Yes.

Ms. Bredehoff: What was Mr. Bailey's position with Disney on June 21st, 2018?

Tina: I believe he was the president then.

Ms. Bredehoff: Okay.

Tina: He may have been the EVP, I don't know.

Ms. Bredehoff: Okay. And then we have an email at the top, it's to Sean Bailey, CC Janelle, and then it has some copies to some other people, from Alan Horn. I believe you said he was one of the co-directors, is that correct?

Tina: Co-chairman.

Ms. Bredehoff: Co-chairman. Okay. And Alan Bergman?

Tina: The other co-chairman.

Ms. Bredehoff: Okay. And do you have any recollection of ever reading the "Rolling Stone" article about Johnny Depp back in this timeframe?

Tina: I honestly don't remember if I ever read this document. I may have.

Ms. Bredehoff: Do you have any understanding of why this would be sent from Alan Horn to these other individuals on the top?

Tina: Again, same as before, just because of the fact that we have a relationship with Johnny, so he may have determined it was important to bring it to their attention.

Ms. Bredehoff: All right, Ms. Newman, and I'm going to show you what has been marked as Deposition Exhibit 54. And do you recognize this document?

Tina: Yes, it looks like an email.

Ms. Bredehoff: Please describe it for me.

Tina: It's an email...well, it started from Scott to myself, Scott Sellars is in post-finance, and then I replied to Scott. So, it looks like an email exchange between the two of us.

Ms. Bredehoff: All right, and you said Scott Sellars is in post-finance?

Tina: Correct.

Ms. Bredehoff: What is that?

Tina: He handles all finances once film goes into post-production on any given picture. Also reporting for the studio, internal reporting, finances.

Ms. Bredehoff: All right. And this is July 14, 2018, that he sent this to you, correct?

Tina: Yes.

Ms. Bredehoff: Do you recall reading the story that was in the "Rolling Stone," "The Trouble with Johnny Depp?"

Tina: I mean, to be honest, I don't really remember much about this story but obviously, I must have looked at it and commented.

Ms. Bredehoff: Right, and in fact, you commented, "Depressing."

Tina: Yes.

Attorney 3: Do you see that?

Tina: Yes.

Ms. Bredehoff: Okay. And just to go back to refreshing your recollection on the template, do you see that it has "Importance" and "Received" down this center back?

Tina: Yes.

Ms. Bredehoff: Ms. Newman, I'm going to ask you to take a look at what has been marked as Deposition Exhibit 56, and it is a document also produced by Disney and it bears the bate stamps Disney 167 through 177. And I'm gonna ask you to take a look at the top here, this is to Alan Bergman from...and it has THR's "Today in Entertainment." Do you understand what that is?

Tina: Yes.

Ms. Bredehoff: I'm going to ask you to turn down to 169 where it says, "Johnny Depp's legal team prepares for court hearing about Amber Heard abuse claims. The actor's camp is previewing the evidence that it will present in an upcoming court hearing in the UK this fall tied to the defamation lawsuit against "The Sun" for an article that labeled the actor a "wife beater." Katie Kilkeny reports." Do you see that?

Tina: Yes.

Ms. Bredehoff: Do you have a recollection of learning about this and reading about the UK case in this timeframe? We're talking October 2018.

Tina: I may have seen a headline come across my desk in the same manner as Alan received it, but that's probably as far as it went.

Ms. Bredehoff: Ms. Newman, I'm going to show you what's been marked as Deposition Exhibit 60 and it's dated November 5, 2020, and it says, "Disney reportedly scrapped plans for Depp's POTC 6," I'm assuming that's "Pirates of the Caribbean 6" return. Do you see that. Did you see it?

Tina: Yes, I see it.

Ms. Bredehoff: As you sit here today, are you aware of any documents in Disney's emails or in their IT system or anywhere that contains Amber Heard's op-ed from December of 2018?

Tina: I mean, no, not that I'm aware.

Ms. Bredehoff: Are you aware of any decision maker within Disney who has ever said they are not casting Johnny Depp in "Pirates 6" or any other role because of Amber Heard's op-ed?

Tina: No.

Ms. Bredehoff: Are you aware of any of these decision-makers outside of Disney, and by these, I'm including producers, directors, people of that ilk who have ever said they were not considering Mr. Depp for "Pirates 6" or any other movie because of Amber Heard's op-ed from December 2018?

Tina: No.

Judge Azcarate: All right.

Ms. Bredehoff: We can call another one.

Judge Azcarate: How much time?

Ms. Bredehoft: We have an 11-minute one.

Judge Azcarate: Okay, that's fine. Who's your next witness?

Ms. Bredehoft: Ellen Barkin.

Judge Azcarate: All right.

Ms. Bredehoft: B-A-R-K-I-N.

Judge Azcarate: Thank you.

Attorney 3: Good morning, Ms. Barkin.

Ellen: Good morning.

Attorney 3: I think the first thing that would be very short but very simple and clean for the record is if you could just describe kind of your career background. I know it's very lengthy, but just give kind of a brief summary of kind of when you started working and what you've done during your career.

Ellen: I started acting professionally about 26 or 27, and I did theater, television, movies, lots of them. So, I did it for 40 years.

Attorney 3: And in the course of your career acting in theatre, television, movies, etc., did you come to meet a person by the name of Johnny Depp?

Ellen: Yes.

Attorney 3: Can you specify in time, Ms. Barkin, when you met him?

Ellen: I would say 1990.

Attorney 3: And upon or after meeting him, did there come a time when you became friends?

Ellen: Yes.

Attorney 3: And can you describe how that happened?

Ellen: We just developed a friendship over time that lasted...I guess if we met in the '90s, maybe 10 years, a little less.

Attorney 3: And fair to say that Mr. Depp at the time was also an actor, a professional actor?

Ellen: Yes.

Attorney 3: Did you act in any film stage or TV productions with Mr. Depp?

Ellen: Yes, I was in "Fear and Loathing in Las Vegas."

Attorney 3: How often would you see Mr. Depp?

Ellen: When I lived in New York, usually whenever I go to LA, if I were in LA, I'd see him once a week, maybe more. I mean, the friendship went up and down living on different coasts.

Attorney 3: And did there come a time when your friendship with Mr. Depp became more than that, became romantic in nature?

Ellen: Yes.

Attorney 3: And at what point in time did your relationship with Mr. Depp start taking a romantic turn?

Ellen: After I have moved to Hollywood and he, you know, switch the buttons.

Attorney 3: Do you recall what year you move to Hollywood?

Ellen: Yes, 1994

Attorney 3: When you say he switched the buttons, can you tell me what you meant by that?

Ellen: The friendship went from a purely platonic friendship to a romantic one.

Attorney 3: At that point in 1994 when the relationship turned romantic...

Ellen: Can you change that to sexual?

Attorney 3: To sexual?

Ellen: Thank you.

Attorney 3: For how long did your relationship with Mr. Depp remain sexual?

Ellen: Several months, anywhere between three and five, six.

Attorney 3: And during that period, how often would you see Mr. Depp? In that period when it was sexual?

Ellen: I'd seen him three or four times a week.

Attorney 3: And again, I'm not looking to pry into private details but can you tell me like where you would see him? Just give me some sense of that.

Ellen: Yeah, he would come to my house or I would go to his house.

Attorney 3: And both houses in LA?

Ellen: Yes, about a 10-minute drive apart from each.

Attorney 3: Either when you were at his house where you didn't stay the night or where you at his house when you did stay the night, were there other people in the house who saw you there? Who would those people be?

Ellen: He had an assistant. His sister. That's all I can remember now.

Attorney 3: Do you recall the name of the assistant?

Ellen: I don't know his name. He was referred to as Pig.

Attorney 3: He was referred to by whom as Pig?

Ellen: Johnny Depp.

Attorney 3: At any point that you were either initially friends and then sexual with Mr. Depp, did you become aware that he drank to excess?

Ellen: I was always aware.

Attorney 3: Okay, and can you explain how you were aware of that?

Ellen: He was drunk all the time...a lot of the time.

Attorney 3: And that would apply both to when you were initially friends and then later when it became sexual?

Ellen: Yeah.

Attorney 3: And what was he drunk...what was your understanding what had he drunk to become drunk?

Ellen: He was a red wine drinker.

Attorney 3: Okay, in addition to alcohol, were you aware at that time that Mr. Depp was taking any prescription medication?

Ellen: No.

Attorney 3: Okay. Same question, Ms. Barkin, for illegal substances. Same question.

Ellen: Yes.

Attorney 3: And what illegal substances?

Ellen: Hallucinogenics. Cocaine. Marijuana.

Attorney 3: Hallucinogenics, can you say specifically what those were?

Ellen: I don't really know. He called me and told me he was tripping.

Attorney 3: With respect to any of that, hallucinogenic, cocaine, or marijuana, did he do any of that in your presence?

Ellen: Yes.

Attorney 3: More than once?

Ellen: All the time.

Attorney 3: When you say all the time, how many times, again, in the period that you were both first friends and then sexual with Mr. Depp, do you think you saw him...?

Ellen: I couldn't even tell you. I mean, I just know he was always drinking or smoking joint.

Attorney 3: But would it be fair to say more than at least dozens of times?

Ellen: Yeah. Over the full course...oh, yeah.

Attorney 3: Now, did you ever observe, Ms. Barkin, Mr. Depp's behavior changed when he drank more or use more drugs?

Ellen: I did not.

Attorney 3: So, he was kind of the same all the time, fair to say?

Ellen: He was not the same. He was high.

Attorney 3: Did there come a time, Ms. Barkin, when Mr. Depp acted in a way that was out of control with you?

Ellen: Yes. Mr. Depp threw a wine bottle across the room, the hotel room on one instance in Las Vegas while we were shooting "Fear and Loathing in Las Vegas."

Attorney 3: Was something about to happen?

Ellen: A fight was going on.

Attorney 3: Between you and Mr. Depp?

Ellen: No.

Attorney 3: Who was the fight between?

Ellen: Between Johnny Depp and his friends in the room, the assistant. Honestly, I don't remember.

Attorney 3: And the bottle that...do you remember sitting here today, Ms. Barkin, whether the bottle was full of wine or empty?

Ellen: I don't.

Attorney 3: Sitting here today, Ms. Barkin, do you remember whether the bottle hit you?

Ellen: No, it did not.

Attorney 3: Did the bottle hit anyone else?

Ellen: No, it did not.

Attorney 3: Approximately how far away from you was Mr. Depp when he threw the bottle?

Ellen: Across the room, so maybe by that break in the table, a little further down. It was a toss.

Attorney 3: And sitting here today, if the bottle had hit you, would it have injured you? Ms. Barkin, was it your understanding that he was throwing a bottle at you?

Ellen: I don't know why he threw the bottle.

Attorney 3: And when he threw it, was it in your direction?

Ellen: Yes.

Attorney 3: Were there other people standing around you?

Ellen: Yes.

Attorney 3: So, he threw it in your direction at a group of people?

Ellen: Yes.

Attorney 3: Whose hotel room was it?

Ellen: His, Johnny Depp's.

Attorney 3: Who broke off...?

Ellen: He did.

Attorney 3: How did it come about that Mr. Depp broke off the relationship?

Ellen: I went to go home, there was a big goodbye, crying, a lot of jealous and "Don't do this, don't do that," and I never heard from him again after that.

Attorney 3: And did Mr. Depp not want you to go back to Los Angeles at the time?

Ellen: Yes, he didn't want me to go. I was only supposed to be there for two days. I stayed for longer.

Attorney 3: And you just referenced...you just used the word jealous, how did that come up? What did he say that indicated to you that he was jealous?

Ellen: He's just a jealous man controlling where are you going? Who are you going with? What did you do last night? I had a scratch on my back once that got him very, very angry because he insisted it came from me having sex with a person who wasn't him.

Attorney 3: During the time that you were in a sexual relationship with Mr. Depp, was it common for him to say things to you about being controlling, to use your words, or being jealous of you?

Ellen: Yeah, very common.

Attorney 3: And on these instances when Mr. Depp became jealous or controlling, did he also become angry?

Ellen: Yeah, and demanding.

Judge Azcarate: All right. Ladies and gentlemen, let's go ahead and take our afternoon recess, please do not discuss the case and did not do any outside research, okay? We'll see you back in 15 minutes. All right, we'll come back at 3:45, does that give you time to be ready? Okay. All right, 3:45.

Bailiff: All rise.

Judge Azcarate: Okay, are we ready for the jury? Okay, you want to approach with...? All right, thank you. Your next witness.

Mr. Nadelhaft: Your Honor, we call Dr. Alan Blaustein.

Judge Azcarate: All right.

Mr. Nadelhaft: B-L-A-U-S-T-E-I-N.

Judge Azcarate: Thank you, sir.

Mr. Nadelhaft: Oh, and I'm asking questions first, I believe I may be the only one asking questions.

Judge Azcarate: All right. All right, thank you.

Mr. Nadelhaft: Please provide your full name.

Dr. Blaustein: Alan Scott Blaustein.

Mr. Nadelhaft: You're a doctor, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And you're a psychiatrist?

Dr. Blaustein: Yes.

Mr. Nadelhaft: How long have you been a psychiatrist for?

Dr. Blaustein: Since 1987.

Mr. Nadelhaft: And you went to medical school?

Dr. Blaustein: Yes.

Mr. Nadelhaft: What medical school did you go?

Dr. Blaustein: Northwestern University.

Mr. Nadelhaft: Now, Johnny Depp was a patient of yours, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: You understood that Mr. Depp had substance dependence issues, is that correct?

Dr. Blaustein: Yes.

Mr. Nadelhaft: Do you recall what substance issues...what substances Mr. Depp had issues with?

Dr. Blaustein: Marijuana, alcohol, opiates, I believe.

Mr. Nadelhaft: Did you ever have an understanding that Mr. Depp had anxiety syndrome?

Dr. Blaustein: I knew Mr. Depp had anxiety.

Mr. Nadelhaft: And how did you come to be aware that Mr. Depp had anxiety?

Dr. Blaustein: He told me that.

Mr. Nadelhaft: Do you recall having any conversation that Mr. Depp was bipolar?

Dr. Blaustein: There were some questions about bipolar disorder diagnosis but I do not remember the specifics about the discussion.

Mr. Nadelhaft: Do you recall having a conversation with Mr. Depp about a bipolar diagnosis?

Dr. Blaustein: No.

Mr. Nadelhaft: What behaviors did Mr. Depp acknowledge that should be changed?

Dr. Blaustein: Certainly, his drug use and turning to drugs to help relieve a lot of the psychic pain that he was experiencing.

Mr. Nadelhaft: In working with Mr. Depp, would you agree that he had fundamental...that Mr. Depp had fundamental issues with anger?

Dr. Blaustein: I would say that he expressed having issues with anger.

Mr. Nadelhaft: Mr. Depp expressed having issues with anger?

Dr. Blaustein: Yes.

Mr. Nadelhaft: Did Mr. Depp express having issues of anger towards Amber?

Dr. Blaustein: He expressed having anger towards her, yes.

Mr. Nadelhaft: Do you recall what reasons Mr. Depp told you as to why he was expressing anger towards Amber?

Dr. Blaustein: No. I have to say no.

Mr. Nadelhaft: In working with Mr. Depp, was he ever suspicious of Amber having affairs?

Dr. Blaustein: I can recall now he expressed feelings of jealousy, I don't remember if it was about [inaudible 04:15:50].

Mr. Nadelhaft: Do you recall any more detail about what Mr. Depp was feeling jealousy toward Amber about?

Dr. Blaustein: No.

Mr. Nadelhaft: In working with Mr. Depp, did you see that Mr. Depp had any issues with patience?

Dr. Blaustein: Yes, he wasn't patience.

Mr. Nadelhaft: What is your understanding about issues that Mr. Depp had with Amber?

Dr. Blaustein: It was a very chaotic relationship with a lot of fluctuations and ups and downs and lots of difficulty in emotional expressions and lots of anger from both places and, you know, high intensity affects the emotional expression. A lot of love, a lot of disappointment, a lot of fears.

Mr. Nadelhaft: Dr. Blaustein, I'm showing you what's been marked as Blaustein Exhibit 3. Do you recognize this document?

Dr. Blaustein: Yes.

Mr. Nadelhaft: Okay. What is it?

Dr. Blaustein: It's my invoice billing document.

Mr. Nadelhaft: Okay. This is from your files?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And you keep this document in the ordinary course of business?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And this billing invoice is for Johnny Depp, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And so, where it says 10/2/14 from your billing records, would this be...is this your understanding the first time you met with Mr. Depp?

Dr. Blaustein: By phone, yes.

Mr. Nadelhaft: And in total, if we look at the number of sessions, you either met or spoke to Mr. Depp that weren't canceled or he didn't show up, my count it comes to 18 times you met with Mr. Depp. Does that sound about right?

Dr. Blaustein: It looks like 18 times.

Mr. Nadelhaft: Did you have any concerns about any of the amounts of medications that Mr. Depp was taking?

Dr. Blaustein: I had concerns about the Adderall that I would have expressed to him.

Mr. Nadelhaft: And what were the concerns about the Adderall?

Dr. Blaustein: I don't recall the specific conversations, but I would have been asking about how he was diagnosed to have ADHD or under what circumstances he would take that, especially if he wasn't currently working.

Mr. Nadelhaft: Did you ever talk to Mr. Depp about what he did when Marilyn Manson would visit?

Dr. Blaustein: No.

Mr. Nadelhaft: When you were working with Mr. Depp, did you have any understanding whether Mr. Depp was still abusing drugs and alcohol or not?

Dr. Blaustein: Yes.

Mr. Nadelhaft: But you do recall that there were times in your working with Mr. Depp where he had breakthrough uses of drugs or alcohol?

Dr. Blaustein: Yeah, that was relative sobriety, it was not complete. Yes.

Mr. Nadelhaft: And that's what you mean by breakthrough usage, that his sobriety...Mr. Depp's sobriety is not complete?

Dr. Blaustein: Well, relative sobriety, again, I said relative sobriety because he did continue to use marijuana almost entirely throughout the timeline with a short time exception, I think. So, I call it relative sobriety and a decent breakthrough usage of other substances.

Mr. Nadelhaft: Okay. And when you say breakthrough usage, just so everyone understands, what do you mean by that?

Dr. Blaustein: He was trying to be sober, he was working on sobriety. And by breakthrough usage, I mean...sobriety would mean the

abstinence of using the substance, and so the breakthrough would be on a particular time, he would have used a substance that he was trying to be sober of, abstinent of that.

Mr. Nadelhaft: Okay. So, in addition to marijuana, in the time that you saw Mr. Depp from October of 2014 through January of 2015, there were other times...there were times where Mr. Depp broke his sobriety with drugs or alcohol in addition to marijuana, correct?

Dr. Blaustein: I believe so, yes.

Mr. Nadelhaft: And how do you come to that understanding?

Dr. Blaustein: He would have told me.

Mr. Nadelhaft: Do you know why Mr. Depp stop seeing you?

Dr. Blaustein: I know he was preparing to leave to Australia to go to work and I assumed that that was the replacement.

Mr. Nadelhaft: But he hasn't returned to you since he went to Australia in 2015, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And did anyone inform you as to why he stopped seeing you?

Dr. Blaustein: No.

Mr. Nadelhaft: Blaustein Exhibit 9 are notes reflecting your care of Mr. Depp, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And you've kept these notes in the ordinary course of business, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And you kept these notes in a file for Mr. Depp, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And this is page one of those notes from October 2nd, 2014, correct?

Dr. Blaustein: Correct. Again, there will be plenty of places where I can't read what they say. They are for my current attention purposes only in these particular notes and that's what makes them [inaudible 04:22:21].

Mr. Nadelhaft: In working with Mr. Depp, did he discuss any abuse he received as a child or an adolescent?

Dr. Blaustein: Yes.

Mr. Nadelhaft: And do you recall any difficulties that Mr. Depp was talking to you about in his relationship with his fiancee?

Dr. Blaustein: No. Not in this.

Mr. Nadelhaft: What does it say...?

Dr. Blaustein: "Such a pain in the ass."

Mr. Nadelhaft: Do you recall why he was saying Amber was a pain in the ass?

Dr. Blaustein: No.

Mr. Nadelhaft: Okay. And what's the next line say?

Dr. Blaustein: Well, in boxes, about his kid's mom and it's like I have the word destructive.

Mr. Nadelhaft: What was destructive referring to? Do you know?

Dr. Blaustein: I don't know. No, I don't. Something relationship 14 to 15 years, mother of my kids. It had about officially. He didn't want to be his dad, thinking, "I'm not abandoning" like his dad. And then below "kids," it says, "Clear, better, she needed me to be more or less...needed me to be all this week or all this work, I don't know.

Mr. Nadelhaft: If we turn to the next page, it says page 2.

Dr. Blaustein: Yeah, got it.

Mr. Nadelhaft: And then what's the next line say?

Dr. Blaustein: The violence, rage that we had over a couple of years.

Mr. Nadelhaft: Okay. And so, what is Mr. Depp referring to there?

Dr. Blaustein: I don't recall.

Mr. Nadelhaft: So, do you recall that in working with Mr. Depp that he spoke about violence and rage in other relationships in addition to his relationship with Amber?

Dr. Blaustein: Well, rage and chaos. I don't remember violence but I do remember rage and chaos. Now, again, the context of this is I haven't

met him at this point, this is an initial telephone consultation to see whether or not he was going to start therapy with me.

Mr. Nadelhaft: But in your working with Mr. Depp, was he talking about rage and chaos with relationships in addition to his relationship with Amber, correct?

Dr. Blaustein: Yes, yes.

Mr. Nadelhaft: What other relationships was he talking about rage and chaos?

Dr. Blaustein: Again, I don't have the specific recollection but I think I've included the mother of his children and arguments about...not child, the custody, child care or visitation or access to the children. On the left, it says, "Raise two kids 15 and 12." And then below that, "She tried to protect me, she tried to protect me too."

Mr. Nadelhaft: Do you know what's that referring to?

Dr. Blaustein: My association now is it's his sister, but I don't think that's true. I don't have a specific recollection, no. "It wouldn't take fear wake up to fight devil." "Wait up to the fight devil."

Mr. Nadelhaft: Do you know what that's referring to, "Wait up the fight devil?"

Dr. Blaustein: I think he referred to devil as some version of internal depression and chaos that he felt. Like, an everyday phenomenon he felt he was struggling, he labeled that as the devil.

Mr. Nadelhaft: So, Mr. Depp labeled something he...that was internal to him as the devil?

Dr. Blaustein: As a representation of something horrible inside of himself is what I would say.

Mr. Nadelhaft: So, the devil was something horrible inside of himself, correct?

Dr. Blaustein: Again, I don't think he ever said that, so I'm gonna be careful here. The devil was the representation of the battle that he had many days when he woke up with the depression and the anxiety and fears that he had.

Mr. Nadelhaft: Did Mr. Depp ever refer to himself as a monster?

Dr. Blaustein: I remember the word monster in my office but I don't know if it's referring to himself or not. Maybe that'll be more revealed as we go forward.

Mr. Nadelhaft: Now, turning to Blaustein 12, which is page 4 of this exhibit, there's a tree at the top, correct?

Dr. Blaustein: Yeah.

Mr. Nadelhaft: And then to the right, that says, "Amber's fiance," correct?

Dr. Blaustein: Correct. And then, "Work through anger," just below that.

Mr. Nadelhaft: And where it's saying, "work through anger," is that referring to his anger towards Amber?

Dr. Blaustein: I think what he was saying then is that part of his goal of therapy was to work through anger that he and his fiance had towards each other. Then going back to the left, "Better with girl about it," "Self-destructive, hard to not put in front of me."

Mr. Nadelhaft: Do you know what, "Self-destructive, hard not to put in front of me," means, is referring to?

Dr. Blaustein: I think the self-destructive was his drug use. I think this is what he's referring to at this time.

Mr. Nadelhaft: I'm now looking at Blaustein 13, which has a page 4, are you there?

Dr. Blaustein: Yes, I am.

Mr. Nadelhaft: Okay, and at the top, it says, "Johnny/Debbie," correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: All right. And then the date, it says 10 slash what?

Dr. Blaustein: I think that's 10/7.

Mr. Nadelhaft: And so, it says JD 10/21/14, correct?

Dr. Blaustein: Correct. A lot of things, work, intense work, fatigue. Be in a minute. Here I can say with certainty, his words, "Shit with my girl."

Mr. Nadelhaft: And what's that referring to?

Dr. Blaustein: The difficulty he was having with Amber.

Mr. Nadelhaft: Do you recall what he was talking about...what difficulty he was having with...Mr. Depp was having with Amber?

Dr. Blaustein: No.

Mr. Nadelhaft: The next line looks like it says, "She refuses to accept," correct? Do you know what Amber refuses to accept, what Mr. Depp was referring to?

Dr. Blaustein: No.

Mr. Nadelhaft: And to the right, it says Amber what?

Dr. Blaustein: "Amber wedding."

Mr. Nadelhaft: Were you talking at this point about potentially Mr. Depp and Amber marrying?

Dr. Blaustein: Yes, he was talking about that. Yes.

Mr. Nadelhaft: Okay. And then what does it say under, "She refuses to accept?"

Dr. Blaustein: "Wedding February."

Mr. Nadelhaft: And then what's next?

Dr. Blaustein: "May not want to go to marriage, 51 years old."

Mr. Nadelhaft: Were there any discussions that you had with Mr. Depp where he had concerns about the age difference between him and Amber?

Dr. Blaustein: I don't think so, no.

Mr. Nadelhaft: Okay. What does it say under, "51 years old?"

Dr. Blaustein: "Lot of life experiences," You're being my mother and psychotic sister.

Mr. Nadelhaft: What did you understand Mr. Depp was referring to where he wrote, "You're being my mother and psychotic sister?"

Dr. Blaustein: I think that's something that he said to...he told me he said to her.

Mr. Nadelhaft: Did Mr. Depp said to Amber, "You're being my mother and psychotic sister?"

Dr. Blaustein: That's what I would think, yes.

Mr. Nadelhaft: Okay. Then the next line.

Dr. Blaustein: "High tolerance for marijuana."

Mr. Nadelhaft: Who has a high tolerance for marijuana?

Dr. Blaustein: He did.

Mr. Nadelhaft: And if we turn to the next page, which is Bloustein 15, and we're having number five on the top there. What is it, self-something?

Dr. Blaustein: "Self-destructive very early."

Mr. Nadelhaft: And Mr. Depp was talking about himself being self-destructive very early?

Dr. Blaustein: Yes.

Mr. Nadelhaft: Okay. How was he being...how was Mr. Depp describing that he was self-destructive?

Dr. Blaustein: Again, I don't recall but let's continue and maybe something is there.

Mr. Nadelhaft: So, he was trying to be sober from booze and pills, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: Okay. And then was it you who said, "Reward?"

Dr. Blaustein: Yeah, I'm asking him about where can he get rewards elsewhere. Where did he get the reward...I maybe ask him where did he get rewards elsewhere and there, he said, "In the past, MDMA, ecstasy, cocaine."

Mr. Nadelhaft: So, what did you understand where he wrote, "MDMA, ecstasy, cocaine?"

Dr. Blaustein: I'm not quite sure but those are things that he had used in the past. There is always another possibility that I had asked him specifically about that but I don't think so. I think it's more likely that those were things he had used in the past.

Mr. Nadelhaft: Do you know what pills Mr. Depp was referring to to be sober from?

Dr. Blaustein: I know Oxycodone was the main thrust at that time.

Mr. Nadelhaft: And then it says, back to the left, it says, "Left off."

Dr. Blaustein: Yeah, and that's probably a note to myself to try to get back through our reward loop mechanism and that's parallel to our relationship, what kinds of rewards that can come back to him that could be healthy, what kinds of rewards that can come from the relationship that could be healthy. And then, we talk about biology changes, so I made a note to myself there to talk about how the brain changes in the face of many of these drugs over time.

Mr. Nadelhaft: Did you talk with Mr. Depp at all that his brain can change as he continues to take these medications, these drugs?

Dr. Blaustein: Yes, I did.

Mr. Nadelhaft: And then it says 10/27/14.

Dr. Blaustein: More on relationship issues, being accused, in his word, of being manic, grounded by seeing children. His son is one of the positive aspects of the relationship, I assume he's talking about his past relationship there.

Mr. Nadelhaft: Mr. Depp was saying that Amber reminded him of his mom and his psychotic sister?

Dr. Blaustein: No, the relationship reminded him of his relationship with his psychotic sister and his mother, yes.

Mr. Nadelhaft: And Mr. Depp talked about that he was being accused of being manic?

Dr. Blaustein: Yes.

Mr. Nadelhaft: Did he say who accused him of being manic?

Dr. Blaustein: I think, from this, it was Amber.

Mr. Nadelhaft: If we turn to the next page, Blaustein 16. And this is 10/29/14 at the top?

Dr. Blaustein: Mm-hmm. Mood euthymic.

Mr. Nadelhaft: What does that mean?

Dr. Blaustein: Normal mood, attention decreased.

Mr. Nadelhaft: What do you mean by attention decreased?

Dr. Blaustein: Difficult to pay attention. Memory, transitional difficulties

Mr. Nadelhaft: And what do you mean by having transitional difficulties with the memory?

Dr. Blaustein: It would have been part of those status tests that I would have done in the first session where he would have trouble holding on to memory of things from five minutes ago. If I ask him to remember three words, he may have had difficulty...he would have had difficulty remembering those three words five minutes later after distracting him with other conversations.

Mr. Nadelhaft: All right. And then what does it say after that?

Dr. Blaustein: "THC or marijuana is part of issue." Tetrahydrocannabinol, that's what THC stands for.

Mr. Nadelhaft: So, you saw THC as an issue with Mr. Depp's memory and attention, is that right?

Dr. Blaustein: Well, with the transitional memory at least, yes, perhaps the attention. "MSE, mental status examination. More present, more attention." "Off on dates," I would ask him about what today might be or what today's date was perhaps, that's what that's referring to.

Mr. Nadelhaft: So, Mr. Depp was off on...?

Dr. Blaustein: About the dates.

Mr. Nadelhaft: Turning into the next page, Blaustein 17. It says, "JD" at the top and then 11/10/14. Do you see that?

Dr. Blaustein: Yeah, I have that.

Mr. Nadelhaft: Okay. And Mr. Depp came in to see you on 11/10/14?

Dr. Blaustein: Correct.

Mr. Nadelhaft: Okay. And what's the first line say?

Dr. Blaustein: "Some clouding, probably secondary to THC."

Mr. Nadelhaft: What do you mean by clouding?

Dr. Blaustein: It would have been something in confusion or something about his mental state or less sharp, less alert perhaps.

Mr. Nadelhaft: What's the next line say?

Dr. Blaustein: It says, "No evidence of mania or hypomania."

Mr. Nadelhaft: What do you mean by that?

Dr. Blaustein: I didn't see in his presentation any evidence of mania or hypomania.

Mr. Nadelhaft: Okay. Next line.

Dr. Blaustein: Discussion about relationships, corrugations of trust. "Amber says contact." I don't know.

Mr. Nadelhaft: Okay.

Dr. Blaustein: "Fruitless meeting with her therapist."

Mr. Nadelhaft: Did you ever observe Mr. Depp with mania or hypomania in any of your other sessions?

Dr. Blaustein: Not that I recall.

Mr. Nadelhaft: At 10/24/14, Mr. Depp came in for another individual session, correct?

Dr. Blaustein: 11/24/14.

Mr. Nadelhaft: And the first line said, "15 minutes late."

Dr. Blaustein: "15 minutes late." "Clear, relationship stabilizing. Looking at jealous parts of him."

Mr. Nadelhaft: What do you mean by that, "Looking at jealous parts of him?"

Dr. Blaustein: Things that make him jealous, about his role might be in jealousy.

Mr. Nadelhaft: And what makes Mr. Depp jealous?

Dr. Blaustein: Well, about what was happening there, but with Amber, I don't know, I can't recall. You can see, in my next note, there was a triggering point and my next note is, "Triggering point, early break up at 22 where an actress cheated with a leading man."

Mr. Nadelhaft: So, was Mr. Depp jealous of Amber with other men?

Dr. Blaustein: I don't remember that specifically.

Mr. Nadelhaft: Okay. And turning to Blaustein 18, which looks like it starts with 12/7/14.

Dr. Blaustein: Yeah.

Mr. Nadelhaft: Mr. Depp came in for an individual session.

Dr. Blaustein: Correct.

Mr. Nadelhaft: And now, it looks like you have paranoia in quotes.

Dr. Blaustein: It would have been his word and what he meant by that, the elements were fear, envy, and vigilance.

Mr. Nadelhaft: Did Mr. Depp told you something about paranoia?

Dr. Blaustein: Mm-hmm, as he defined that.

Mr. Nadelhaft: And his elements of paranoia were fear, envy, and vigilance, as he told you?

Dr. Blaustein: Correct.

Mr. Nadelhaft: Then, what's the next page, 12/18/14?

Dr. Blaustein: Yeah, let's see. 12/18/14, yes.

Mr. Nadelhaft: And Mr. Depp came in for a session?

Dr. Blaustein: Mm-hmm, yes. "Patient working." So, "Psychotherapy on phone," so it's possible that it was a phone session that I didn't mark as a phone session. "Big fight with girlfriend yesterday," "Struggling with how to separate," "Let her tell you her feelings," "Relationship needs to take care of you," "Her to go to a safe zone, withdraw," "Different than childhood experiences."

Mr. Nadelhaft: And then it says 1/6/15, correct?

Dr. Blaustein: Correct.

Mr. Nadelhaft: And what do these notes say?

Dr. Blaustein: "Patient late, 20 minutes," "Positive hypnotherapy session," "The goal is to make a beeline to bed," "Using relationship to take care of the individuals." Let's see. "Not logical approach to Amber's work," "Take care of emotions," "Sobriety continuing."

Mr. Nadelhaft: And then Blaustein 20. We move out to the last page. And this is 1/8/15, just to be clear?

Dr. Blaustein: 1/8/15, correct. "Slight vulnerability, women in studio who admired Amber, threat."

Mr. Nadelhaft: What does that mean? What did you understand with that?

Dr. Blaustein: That probably related to your prior question that there was a woman who admired her that he felt jealous of. Let's see, the next thing is...there's something about vulnerability, instances of vulnerability, and internal fear parallel to vulnerability and childhood inability. "Flee or fight, only way."

Mr. Nadelhaft: What does that mean, "Flee or fight, only way?"

Dr. Blaustein: "Flee or fight" or "Free and fight is the only way," and my understanding of that is it's either be free of the relationship or fight for it. And positive relatedness with Amber through vulnerability.

Mr. Nadelhaft: And 1/8/15 was the last time you saw or spoke to Mr. Depp as a patient, correct?

Dr. Blaustein: I believe that's true.

Mr. Nadelhaft: Did Mr. Depp describe to you at all how his jealousy would present itself, whether he's jealous of a man or a woman in relation to Amber?

Dr. Blaustein: It would make him angry, it would make him feel insecure.

Judge Azcarate: Your next witness.

Ms. Bredehoff: Your Honor, our next witness is Eric George, he was the attorney for Amber relating to the op-ed. Will you please state...

Judge Azcarate: All right.

Ms. Bredehoff: ...your name for the record?

Eric: Sure, Eric George, E-R-I-C, last name George, G-E-O-R-G-E.

Ms. Bredehoff: And could you also state your business address, please?

Eric: Sure, 2121 Avenue of the Stars, Suite 2800, Los Angeles, California 90067.

Ms. Bredehoff: And what is the name of the law firm that you work with?

Eric: It's Browne, B-R-O-W-N-E, George Ross O'Brien Annaguey and Ellis.

Ms. Bredehoff: And you are an attorney. Mr. George?

Eric: I am.

Ms. Bredehoff: And I take it from the name of the firm that you are one of the name partners?

Eric: I am, indeed.

Ms. Bredehoff: Okay. What are your areas of practice?

Eric: Litigation, largely in the business and entertainment areas.

Ms. Bredehoff: Have you handled defamation and libel matters?

Eric: I have.

Ms. Bredehoff: Where are you barred? In other words, what states are you a member of the bar?

Eric: Sure. In California, New York, and Washington, DC.

Ms. Bredehoff: And are you also a member or barred in the United States Supreme Court?

Eric: I am.

Ms. Bredehoff: Can you please tell us where you attended undergraduate and law school?

Eric: Sure, at Georgetown for both undergrad and law school.

Ms. Bredehoff: What, if any, service did you have with the Council of the United States Senate Judiciary Committee?

Eric: Sure. I'm just pausing to get my dates correct here. In approximately March of 1999, I began to serve as counsel to the U.S. Senate Judiciary Committee, where I served through mid-2000s.

Ms. Bredehoff: And what, if any, service did you have to the secretary...the legal affairs secretary to then-Governor Pete Wilson?

Eric: Sure, from about March 1997 to January of 1999, I was counseled to then Governor Pete Wilson, and my specific title was deputy legal affairs secretary.

Ms. Bredehoff: Have you been recognized for your career achievements since you have been an attorney?

Eric: I'll say immodestly yes in various ways that lawyers are from time to time in magazines and publications and whatnot.

Ms. Bredehoff: And what, if any, recognition have you received as one of the top 100 attorneys in California?

Eric: The legal paper annually puts out a list of the top 100 attorneys in California and I've been fortunate to be selected as one of those for many years.

Ms. Bredehoff: And what, if any, recognition that you had as a super lawyer in California?

Eric: The same answer, except that I believe it's called "Los Angeles Lawyer" magazine. I could have that wrong. But again, annually, they put out a list of their Super Lawyers.

Ms. Bredehoff: All right. And are you also a member of the American College of Trial Lawyers?

Eric: I am.

Ms. Bredehoff: What is one of the qualifications for becoming a member or being invited to be a fellow of the American College of Trial Lawyers?

Eric: Sure, so the college reaches out to individual lawyers who have distinguished themselves and generally occupy the top 1% of law practice, and it's an organization dedicated to the development of professionalism within the practice of law.

Ms. Bredehoff: So, I'm going to now turn to Amber Heard, and I'm going to ask you, Mr. George, how long have you known Amber?

Eric: I have known Amber Heard, gosh, it's got to be a good five years.

Ms. Bredehoff: I'm going to be referring to an op-ed and I'm going to use the term op-ed, it's obviously an opinion editorial that Amber Heard ended up ultimately publishing with the ACLU in "The Washington Post" in December 18m 2018. So, as I go through and ask these questions, I'm going to be using just the term op-ed. Will you be comfortable with me using op-ed and understand it to mean that particular publication on December 18, 2018?

Eric: Sure.

Ms. Bredehoff: So, what, if any, legal representation did you provide to Ms. Heard relating to the op-ed?

Eric: She presented to me a draft of the op-ed and asked for my counsel in terms of reviewing it, editing it, and finalizing it for publication.

Ms. Bredehoff: When is the first time Amber Heard reached out to you in connection with the op-ed and reviewing the op-ed?

Eric: It was certainly within the timeframe of December 6th, 2018.

Ms. Bredehoff: In connection with the Op-ed, what, if anything, was your objective in representing Amber Heard with respect to the review and revision of the op-ed?

Eric: I reviewed it and spent some significant time on it to make sure that there would be no meritorious claim that could be brought against her in connection with a defamation or related type of tort claim. And ideally, with that in mind, to minimize the possibility of her ever being sued in connection with publishing it.

Ms. Bredehoff: So, Mr. George, I'm going to ask you to take a look at Exhibit 9.

Eric: Yes.

Ms. Bredehoff: Are you familiar with this document?

Eric: I am.

Ms. Bredehoff: Please describe what it is.

Eric: As its title, it's a judgment of dissolution of the marriage between Amber Heard and Mr. Depp.

Ms. Bredehoff: Were you familiar with this document and its contents when you represented Amber Heard relating to the review of the op-ed?

Eric: Yes.

Ms. Bredehoff: And what was your objective in representing and advising Amber Heard on the op-ed in connection with this stipulated judgment of dissolution of marriage?

Eric: So, my objective was to make sure that there would be no meritorious claim that could be brought against Ms. Heard in connection with the publication of an op-ed, whether that is a tort-related to, say, defamation or something akin to it, but also including any contract-based breach claim arising in connection with the judgment.

Ms. Bredehoff: And what, if any, indications did you have from Amber Heard during that timeframe that Amber did not intend to follow your advice or did not care if she was in a compromising position or might be at legal risk?

Eric: So, let me answer that this way. Really, two points. Number one, there was never anything that she said to me to the effect that she was

willing to run some risk of being sued or that she wouldn't listen to my counsel or anything of that sort. Number two, that she affirmatively did follow, in all instances, my counsel with respect to these particular edits.

Ms. Bredehoff: What, if any, legal advice provided by you to Amber Heard respecting "The Washington Post" op-ed was disregarded by Amber Heard?

Eric: None to my knowledge.

Ms. Bredehoff: What, if any, legal advice provided by you to Amber Heard respecting "The Washington Post" op-ed was followed by Amber Heard?

Eric: All of it.

Ms. Bredehoff: What, if any, legal advice did you provide to Amber Heard in connection with the drafting and publication of the op-ed that was not made in good faith by you?

Eric: I act in good faith throughout and with the best of my abilities.

Judge Azcarate: All right, your next witness?

Ms. Bredehoff: Yes, Your Honor. We have Jessica Kovacevic, she's Amber's agent, and that's approximately 27 minutes.

Judge Azcarate: Go ahead and spell the last name for me.

Eric: That's a tough one. K-O-V-A-C-E-V-I-C.

Judge Azcarate: All right. Thank you.

Mr. Chew: Good afternoon, Ms. Kovacevic. And Ms. Kovacevic, do you know that you are here today in your personal capacity and also as a representative of your agency, WME?

Jessica: I do.

Mr. Chew: Ms. Kovacevic, what do you do for work?

Jessica: I'm a talent agent.

Mr. Chew: Would you please describe in just very general terms, what a talent agent does generally?

Jessica: Generally, you procure work for your clients, you make introductions, you read their scripts, you negotiate their deals.

Mr. Chew: And I take it Ms. Heard is one of your clients?

Jessica: Yes.

Mr. Chew: Didn't Ms. Heard have a successful career at the time you began working with her?

Jessica: Yes.

Mr. Chew: And over the period that you've worked with Ms. Heard as her agent, what have your job responsibilities entail?

Jessica: Like I mentioned before, introducing her to producers and directors, writers, studio executives, procuring work for her, introducing her to people that can employ her, and then negotiating her deals and then dealing with whatever happens while she is working, anything that arises that needs dealing with.

Mr. Chew: Did you ever at any point in time see Mr. Depp hit Ms. Heard?

Jessica: No.

Mr. Chew: Were you working with Ms. Heard when she was cast in the original "Aquaman?"

Jessica: She was cast in...I was, she was cast in "Justice League" first, and then the deal was to be in "Justice League," the first "Aquaman" and the second "Aquaman."

Mr. Chew: Did you assist Ms. Heard in procuring the role of Mera in "Aquaman?"

Jessica: Yes.

Mr. Chew: Was "Aquaman" a successful movie?

Jessica: Extremely.

Mr. Chew: Was Ms. Heard's performance in the film well received critically?

Jessica: Yes.

Mr. Chew: Were there any negative views about Ms. Heard's performance in "Aquaman?"

Jessica: In the press, you mean? Or what do you mean specifically?

Mr. Chew: Well, in the press or otherwise.

Jessica: No, there weren't any negative.

Mr. Chew: As her talent agent, did you attempt to renegotiate Ms. Heard's salary for "Aquaman 2?"

Jessica: Yes.

Mr. Chew: When did you do that?

Jessica: We did that around this time last year.

Mr. Chew: Why did you attempt to renegotiate it at all?

Jessica: It's standard to renegotiate these types of deals, it's normal practice. When a movie...I mean, when "Aquaman" came out, it was the most successful movie of all time ever. So, even more so for that reason, but for any successful franchise movie when you make a three or four-picture deal like we did and success, it's typical to go back and renegotiate the deal.

Mr. Chew: And now getting to your point, why did you choose to do it last year at this time?

Jessica: Because that's when her option was exercised.

Mr. Chew: And when you did get around to trying to negotiate, you and WME successful in doing that?

Jessica: Correct.

Mr. Chew: When did you call Warner Brothers to renegotiate the next film?

Jessica: It would have been the end of February last year.

Mr. Chew: What year is that? 2021?

Jessica: Yes.

Mr. Chew: At some point, were there press reports that Ms. Heard was getting released from "Aquaman 2?"

Jessica: There were online rumors for a while that she was being replaced.

Mr. Chew: When did you first hear about those?

Jessica: At first, I don't know exactly when but it was way before this. It was maybe even a year before this. Six months before maybe.

Mr. Chew: So, nobody ever told you that Warner Brothers misrepresented the reason that they were replacing Ms. Heard, correct?

Jessica: No, why would they?

Mr. Chew: Did there come a time when Ms. Heard was restored to her role in "Aquaman 2?"

Jessica: Yes.

Mr. Chew: At that time, what were the terms of her restoration to "Aquaman 2?"

Jessica: The financial terms?

Mr. Chew: Yes.

Jessica: She was going to be making \$2 million on the second film.

Mr. Chew: Was that consistent with the original contract?

Jessica: Yes.

Mr. Chew: Is this consistent with what Warner Brothers originally gave as the rationale for not using her in "Aquaman 2?"

Jessica: The lack of chemistry between her and Jason?

Mr. Chew: Yes.

Jessica: Yes.

Mr. Chew: So, did there come a time when WME came to understand that Ms. Heard's role as Mera in "Aquaman 2" was diminished in some way?

Jessica: When she was sent the script, she was sent the script directly, which is the common practice for these films.

Mr. Chew: You're aware that Ms. Heard has a contract with L'Oreal, correct?

Jessica: Yes.

Mr. Chew: Were you working with Ms. Heard when she signed that contract?

Jessica: Yes.

Mr. Chew: What's a bot?

Jessica: A bot is a fake account that's created to execute a certain objective.

Mr. Chew: What is your educational background since high school?

Jessica: College.

Mr. Chew: What college did you attend?

Jessica: NYU.

Mr. Chew: And what year did you graduate?

Jessica: 2005.

Mr. Chew: What was your major?

Jessica: Communications.

Mr. Chew: When WME first began working with Ms. Heard as her talent agent, you said she had had some success. How well known was Ms. Heard?

Jessica: She was pretty famous. Within the industry, you could call anyone and they knew who she was. So, she had a certain level of fame. She had starred in movies and shows already by that point.

Mr. Chew: Going back and taking a wider lens, you know, over the time that you've...the several years you've worked with Ms. Heard, how would you characterize the arc of her career?

Jessica: I would say she was a known actress when I started working with her. I think she's someone that you could call executives and producers and everyone, you know, knew her name. She hadn't yet, like, reached big star status but she was definitely...you know, she could get the lead of an independent movie, she could get the lead of a TV series. When I worked with her, we slowly started to, like, strategically, you know, have her work on some more prestigious projects and work with, you know, better directors. And then when she got "Justice League," that was, you know, a turning point for her. And then "Aquaman," you know, subsequently was obviously, you know, the biggest thing she had ever been a part of.

Mr. Chew: And is the arc of her career now on the upswing with her being part of "Aquaman 2?"

Jessica: No.

Mr. Chew: Tell me what you mean, why not?

Jessica: Because typically, when you have an actor who is in a movie as successful as that as "Aquaman" was, their career totally changes and

they're in a different echelon, they, you know, get way more offers, they're just put in a different place position-wise with studios, they're more bankable, so they can greenlight projects. All those kinds of things are consistent with when you're in a blockbuster of that size. And with her, that did not happen. You know, it happened, you know, very significantly for her co-star. Obviously, he's the lead of the film and he's a title character, but, you know, even a small percentage of that did not happen for her. So, that's my assessment.

Mr. Chew: What evidence sitting here today do you have that this cost her career any harm?

Jessica: Because, I mean, the evidence in that in my experience and experience of my colleagues and the experience of this business, your career takes a turn after something like that. She was very well received in the movie at the time, everyone was very happy with her at the time, there was no issues, and then to have a complete downturn after that and then have that coincide with constant tweets and negativity put out about her. I don't have a physical piece of paper of evidence but it's the only logical conclusion I can draw.

Mr. Chew: Can you name a single role she has lost as a result of any activity by Adam Waldman or anyone at his behest?

Jessica: There was a movie at Amazon that she had been offered with Guile Garcia Bernal, I don't know what the final title of it is called now, I can look it up. It had a working title at the time, that they took away from her and, you know, the lead actor who was a producer on it very much wanted it to be her and was very frustrated with the process. And no one can say out loud, "We're taking this away from her because, you know, of this bad press," because it's nothing she did and it's all hearsay and it's all, you know, whatever. But there's no other reason.

Mr. Chew: Now, Ms. Kovacevic, you've testified a bit about Adam Waldman, correct?

Jessica: Correct.

Mr. Chew: And can you point us to any career opportunities that Ms. Heard has lost because of any statements made by Mr. Waldman?

Jessica: I mean the Amazon movie for one is one that is tangible because that is an example of something that she had before all of it that was then taken away. I know that a campaign she shot for Tod's via Katie Slater was scrapped and not used. There was not another specific example because, like I said to you, no one is going to say to me, "Oh,

we can't hire her because of these tweets, or whatever. They just don't want to hire someone that has bad press around them from, you know, these accusations. No one wants someone who's being accused of a liar and making something up and, you know, abusing somebody, no one wants that association with their project

Mr. Chew: And I'm directing your attention, 10 pages into the article, there's another quote from Mr. Waldman. Mr. Waldman states in this article, "Quite simply, this was an ambush, a hoax. They said Mr. Depp up by calling the cops but the first attempt didn't do the trick. The officers came to the penthouses, thoroughly searched and interviewed and left after seeing no damage to face or property. So, Amber and her friends spilled a little wine and rough the place up, got their story straight under the direction of a lawyer and publicist, and then placed a second call to 911." Did I read that correctly?

Jessica: It just shows the top part of that on this page but the top part was correct.

Mr. Chew: Okay. Did any potential...was WME aware of Adam's statement, of Mr. Waldman's statements in this particular article?

Jessica: Yes.

Ms. Bredehoff: Now, you testified a little bit earlier about there being tweets from Adam. I assume you were referring to Adam Waldman, is that correct?

Jessica: Yes.

Ms. Bredehoff: And what, if any, impact did it have on Amber Heard's career and career path to have Mr. Depp's lawyer putting out statements in the press and in tweets that Amber Heard was lying, making things up, and creating a hoax of abuse?

Jessica: I think that his comments spurred on...it just added fuel to the fire, so there was already so much media covered.

Ms. Bredehoff: And that's what you observed?

Jessica: That's what I observed.

Ms. Bredehoff: I'm going to take you to "Aquaman," and I'll call it "Aquaman 1" just to make it a little bit easier to understand. What, if any, performance issues were raised with Amber Heard by anyone that was responsible for the filming of "Aquaman?"

Jessica: No performance issues raised whatsoever.

Ms. Bredehoff: And what was your understanding of how Amber's tested with the audiences in "Aquaman?"

Jessica: My understanding was that she tested extremely well.

Ms. Bredehoff: And "Aquaman" has reflected all the markers of a very successful movie at this point?

Jessica: Yes.

Ms. Bredehoff: You testified earlier that it's quite typical when you have a series of three to four films in a franchise or a series to be able to renegotiate as you go into the sequels. Do you recall that testimony?

Jessica: Yes.

Ms. Bredehoff: Okay. And why is that?

Jessica: Because you make the initial deals, you know, before the movie has done, you know, well, and then when the movie over-performs like that, it's a custom.

Ms. Bredehoff: In light of the success of "Aquaman," would you expect that Amber Heard would be receiving endorsements as of this time?

Jessica: Yes.

Ms. Bredehoff: And what is the typical process that happens after someone has starred in a very successful movie such as "Aquaman" and Amber with Mera?

Jessica: The endorsement department would...a combination of offers and then seeking out offers, seeking out opportunities.

Ms. Bredehoff: Now, given Amber's career trajectory leading up to and immediately after the success of "Aquaman 1," did you expect her career to go on an upward, downward trajectory, or stay the same?

Jessica: I expected an upward trajectory.

Ms. Bredehoff: And why is that?

Jessica: Because in the success of a film like that, it's usually always the case.

Ms. Bredehoff: And immediately after the successes of "Aquaman," would you have expected Amber's annual earnings to increase, decrease, or stay the same compared to the previous five years?

Jessica: I would have expected them to increase.

Ms. Bredehoff: And why is that?

Jessica: Because her profile had been raised internationally. She was in a movie that was successful worldwide and when you are in a movie that performs that well worldwide, your bankability is stronger, you can finance an independent film more easily, you can greenlight a film more easily, you can just do more and for more money.

Ms. Bredehoff: Do you recall what the budget was for "Aquaman?"

Jessica: The first one? I don't know, it would have been probably somewhere between \$150 and \$200 million.

Ms. Bredehoff: Immediately after the success of "Aquaman," would you have expected Ms. Heard to continue to earn at least the fee she made on "Aquaman" on future big budget studio films, or less, or more?

Jessica: That becomes an actress quote of their fee, and yes, typically, like, you will then earn...not on a tiny independent film, you couldn't make that much money on that. But another studio film, another film at a streamer or whatever or something like that, you would make that much or potentially get a raise.

Ms. Bredehoff: Other than "Aquaman 2" to has ever obtained any roles with a budget the size of "Aquaman?"

Jessica: No.

Ms. Bredehoff: Has she been hired for any films with budgets over \$100 million?

Jessica: No.

Ms. Bredehoff: Immediately after the success of "Aquaman," would you expect the success of "Aquaman" and her starring role in that film to increase her ability to get more movie studios to be interested in her, decrease, or stay the same?

Jessica: Increase.

Ms. Bredehoff: And did it?

Jessica: No.

Ms. Bredehoff: Would you expect her to get more TV roles?

Jessica: Yeah.

Ms. Bredehoff: And why?

Jessica: Why? Because I mentioned earlier in the conversation, you know, TV and films are so blended now and there's much less of a delineation between picking projects between film and TV.

Ms. Bredehoff: And did Amber receive more TV roles as a result of "Aquaman," the success of "Aquaman?"

Jessica: No.

Ms. Bredehoff: Immediately after the success of "Aquaman," would you have expected Amber to star in more than one project per year, less, or the same?

Jessica: It depends. If it was a big...you know, "Aquaman" takes up six months of the year, big movies take up longer time, and these, you can do a couple of them a year. It just depends. So, I wouldn't put a number on it but definitely more than zero.

Ms. Bredehoff: And has Amber started more than one project per year since then?

Jessica: No.

Ms. Bredehoff: Immediately after the success of "Aquaman," did you expect Amber to earn between \$5 and \$10 million a year for the next five years?

Jessica: I would have expected to renegotiate on "Aquaman 2" most certainly. And so, right there, that would have been significantly more and she would have...yes, I would have expected her to earn more in a combination of TV, film, and more endorsements.

Ms. Bredehoff: Was it your understanding that WME passed on to L'Oreal suggestions to assist them in being able to block some of the harassing Instagrams they were getting at that time?

Jessica: Yes.

Ms. Bredehoff: All right. Let's bring up 30 again, please. Now, did, in fact, L'Oreal suspend having Amber Heard on the International Women's Day campaign?

Jessica: Yeah.

Ms. Bredehoff: What the conditions were for the renewal?

Jessica: It was just essentially that they were renewing her. It was the same fee. That was the bulk of it. It wasn't, you know, like a raise, but they were extending her.

Ms. Bredehoff: Okay. And typically, coming out of the success of "Aquaman," would you have any anticipated that Amber could have negotiated larger fees for commercial projects?

Jessica: Yes, we would.

Ms. Bredehoff: Okay. And why would that be?

Jessica: Because her profile had been raised, you know, she had done something super successful, so, typically, that's what you would do. That would just be the standard practice.

Ms. Bredehoff: When did you first learn about the change.org petition that was out there to try to get Amber Heard dropped from "Aquaman 2?"

Jessica: I don't know when I first saw it.

Ms. Bredehoff: Were you aware of it as of May 27, 2020?

Jessica: Yes.

Ms. Bredehoff: You earlier talked about bots in response to one of Mr. Chew's questions. What, if anything, was your understanding of these bots at this time during this timeframe?

Jessica: My understanding is just based off my own...mainly based off my own research, just clicking on the accounts myself and then discussing it amongst the team.

Ms. Bredehoff: And what did you learn when you did that?

Jessica: Just as I would go through, you know, daily, just looking at comments or...you know, just the negative comments, clicking on them, many of them were just kind of accounts made for this kind of commentary or just accounts that just had, you know, no followers, no posts, nothing, or following just Amber and Johnny, things like that.

Ms. Bredehoff: I'm sorry. And so, what did you learn from clicking onto those that led you to believe they were bots?

Jessica: They weren't consistent with what I know to be actual Instagram accounts.

Ms. Bredehoff: When you look to set a career trajectory for an actor who just broke out in a major franchise film, would you look to other comparable actor's careers to ascertain what type of acting jobs they could get?

Jessica: I mean, I've been doing this job for, you know, quite some time, so I don't necessarily look to one or the other. But in general, when someone is in, you know, what was at the time the most successful film ever released, the natural progression is growth and more films, you know, more work, more money, all that stuff.

Ms. Bredehoff: And when you say the most successful film ever, you're referring to "Aquaman 1," correct?

Jessica: Correct.

Ms. Bredehoff: Okay. Are comparable actor salaries used, in your mind, to ascertain the asking price for an actor in a similar film? Are comparable actors' salaries used, in your mind, to ascertain the asking price for an actor in a similar film?

Jessica: Yes.

Ms. Bredehoff: Would you consider Ana de Armas's career to be comparable to Amber's in measuring where Amber would have been after "Aquaman 1?"

Jessica: Ana de Armas? Yes, I would say that would be comparable. That would be a good comp.

Judge Azcarate: All right. Yes, ma'am. Is that what you have for today?

Ms. Bredehoff: That's it.

Judge Azcarate: Okay. All right, ladies and gentlemen, we come to the end of our day and the end of our week. So, I want to make sure you have a good three days and come back for our last week of testimony and enjoy your weekend. I just want to remind you again of what we need to remember as we go through the weekend, okay? So, you're not to read anything about this case, you're not to watch anything about this case, you're not to listen to anything about the case. This applies to television, newspapers, magazines, the internet, and any online sites. Further, you're not to read, watch, or listen to anything about this case on any social media, networking site, or streaming service.

In addition, you must not communicate with anyone about the case whether in-person, over the phone, by email, text, or instant messaging,

or by any other electronic or non-electronic means, this includes your fellow jurors, friends, family, co-workers, acquaintances, and strangers. I also instruct you that you cannot do any research or make inquiries about this case whether online or by any other means. For example, you cannot look information up on the internet that is related to this case or related to the persons involved in this case. Normally, you consult dictionaries or other reference materials. What you learn about this case is limited to what you learn in the four walls of this courtroom when proceedings are underway. All right? So, enjoy your weekend. We'll see you early, 9:00, ready to go on Monday morning, okay? Thank you.

[05:20:58]

[silence]

[05:21:21]

Judge Azcarate: All right. And also, in this matter, Ms. Heard and Mr. Depp, please do not do any posts on social media over the weekend and no public statements, please. All right? And we will see you on Monday morning. As for the attorneys, 8:00 a.m. tomorrow. I thank you for all the jury instructions and objections, I'm going through those now, I appreciate that. I am missing some exhibits from depositions that we need to get, so if you can get with Jamie so we can get those and get them all taken care of for the week. Another thing that I'm doing just to give you information, I'm getting IT together to do a laptop for the jurors for deliberations. The laptop is going to be scrubbed and it's just going to have the audio and the video files on them, okay?

So, they're gonna get me a mock-up by Tuesday, it's just going to...it's not gonna have any Wi-Fi or internet or no passwords, so it's just going to have that on it. So, once I get it and I approve it, I'm going to have both parties take a look at it and make sure everything is on there that's supposed to be on there, and that's going to go to the jury when the physical evidence goes to the jury. Okay? It just seemed like that was a better way to do it for the audio and the video files, okay? As far as times go, I can give you your updated time. So, as of this minute, for plaintiff, plaintiff has used 42 hours and 45 minutes, defendant has used 53 hours and 1 minute. So, the time remaining for the plaintiff is 18 hours and 30 minutes and the time for the defendant is 8 hours and 14 minutes. Okay? So, anybody have any other issues before we're done for tonight?

Man: No, thank you very much, Your Honor.

Judge Azcarate: All right, we'll see you tomorrow morning, 8:00 a.m.

Ms. Bredehoff: Yes. Thank you, Your Honor.

Bailiff: All rise.