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# Transcript of Hearing (Excerpt - Preliminary Matter)

**Date:** April 15, 2022  
**Case:** Depp, II -v- Heard

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V I R G I N I A:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

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JOHN C. DEPP, II,

Plaintiff,

v.

Case No. CL2019-0002911

AMBER LAURA HEARD,

Defendant.

-----x

HEARING - EXCERPT

Before the HONORABLE PENNEY S. AZCARATE, Judge

Fairfax, Virginia

Friday, April 15, 2022

10:03 a.m. EST

Job No.: 443884

Pages: 1 - 15

Transcribed by: Bobbi J. Fisher, RPR

1 Hearing held at:

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3 Fairfax County Circuit Court

4 4110 Chain Bridge Road

5 Fairfax, Virginia 22030

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8 Pursuant to Docketing, before Ashley Meredith,

9 Digital Court Reporter and Notary Public in the

10 Commonwealth of Virginia.

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A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF, MR. DEPP:

BENJAMIN G. CHEW, ESQ.

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I N D E X

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Excerpt Portion

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E X H I B I T S

(None.)

1 P R O C E E D I N G S

2 [Excerpt Portion:]

3 THE COURT: Okay. We have got the court  
4 reporter.

5 All right. Is this your matter?

6 MR. CHEW: Yes, Your Honor, very briefly.  
7 Good morning, Your Honor. May it please the Court?  
8 Ben Chew -- have we sworn in...

9 I apologize.

10 THE COURT: Raise your right hand.  
11 Please stand for me. I just can't see you. Thank  
12 you.

13 (The court reporter was duly sworn.)

14 THE COURT: Sorry. I apologize. Thank  
15 you.

16 MR. CHEW: Good morning, Your Honor. May  
17 it please the Court? Ben Chew for Johnny Depp. I  
18 have a preliminary matter, but it's a very serious  
19 one.

20 THE COURT: Okay.

21 MR. CHEW: It won't take much time.

22 THE COURT: Okay.

1 MR. CHEW: May I approach?

2 THE COURT: Yes, sir.

3 MR. CHEW: Your Honor, we are moving or  
4 Mr. Depp is moving for the permanent exclusion of  
5 Eve Barlow from --

6 THE COURT: Eve Barlow? Who is Eve  
7 Barlow?

8 MR. CHEW: Eve Barlow is a journalist and  
9 Ms. Heard's current girlfriend who was sitting in  
10 the front row --

11 THE COURT: Okay.

12 MR. CHEW: -- yesterday and the Court  
13 ordered to the back row, and then she was later, as  
14 I will discuss in a minute, thrown out at 4:31 p.m.  
15 by Lieutenant Porter. But if I could explain to  
16 the Court --

17 THE COURT: Okay.

18 MR. CHEW: -- what the Court is seeing.  
19 You will recall yesterday, Mr. Rottenborn came up  
20 with what was Ms. Barlow's phone.

21 THE COURT: Okay.

22 MR. CHEW: And he showed you the first

1 document that you're looking at, the shorter  
2 version.

3 THE COURT: Right.

4 MR. CHEW: The text. This is a text from  
5 Ms. Deuters -- Gina Deuters. We're not -- we  
6 understand that she was properly excluded. But  
7 this is what he showed Your Honor saying to the  
8 Court -- representing to the Court that Ms. Deuters  
9 had texted since the start of this trial. And Your  
10 Honor will see that what Mr. Rottenborn showed you  
11 did not have the date.

12 If you look at the second document, you  
13 will see -- Your Honor will see -- I'm sorry; it's  
14 an Instagram post. It's an Instagram post. So  
15 Mr. Rottenborn --

16 THE COURT: It's not like I would know  
17 the difference, but I thank you for the  
18 clarification.

19 MS. MEYERS: You're welcome.

20 MR. CHEW: I didn't, given my age, but --  
21 so what Mr. Rottenborn showed you was Ms. Deuters'  
22 Instagram post without the date.



1           And the second document you're looking at  
2           was her post, and it shows the date, which makes it  
3           very clear that this was January 8, 2021. That is  
4           the material misrepresentation Ms. Deuters posted  
5           this during the London trial.

6           THE COURT: Okay.

7           MR. CHEW: That was very disturbing. We  
8           believe it was a fraud upon the Court. We believe  
9           that Mr. Rottenborn, as an officer of the Court,  
10          should have taken a look at what he was handing up  
11          to the Court, especially since it was handed to him  
12          by someone improperly sitting in the first row, a  
13          reporter and Ms. Heard's girlfriend.

14          And that's not -- that's not where it  
15          ends, Your Honor, unfortunately. Ms. Barlow has  
16          been passing notes to and from Ms. Heard from the  
17          beginning of the trial, and she's been sending out  
18          live tweets throughout the trial.

19          THE COURT: Is she still sending out  
20          tweets?

21          MR. CHEW: She was as of 4:31 p.m.  
22          yesterday when she was removed by this Court. If I

1 might approach, and I'll do it one more time.

2 This was Ms. Barlow's post during  
3 Ms. Vasquez's opening, and you'll see her --

4 THE COURT: So she was tweeting from the  
5 courtroom?

6 MR. CHEW: She was tweeting in the  
7 courtroom. She was sitting right there, tweeting,  
8 during Ms. Vasquez's opening. Your Honor may  
9 remember that Ms. Vasquez said that Ms. Heard was  
10 giving the performance -- would be giving the  
11 performance of her lifetime. So she says, in  
12 real-time, actually, it was Vasquez who was giving  
13 the performance of a lifetime -- of her life.

14 So this is contemporaneous with my  
15 colleague's opening. She's live tweeting and  
16 getting it all out to the public.

17 And, finally -- and this is the last  
18 time, I'm sorry. Your Honor will remember that,  
19 when we first raised this issue, Your Honor ordered  
20 people to the back. So Ms. Barlow reluctantly left  
21 the first seat and went to the back. And this is  
22 the tweet that got her thrown out the last time:

1 "What does Amber Heard hope to achieve? She has a  
2 gorgeous one-year-old daughter and she said she was  
3 beginning the rest of my life in 2021, 12 months  
4 after her mother died." And it was at that point  
5 that Lieutenant Porter saw her violating the  
6 Court's order and asked her to leave.

7 Now, Your Honor, if this were just an  
8 isolated -- well, actually, I'll take that back.  
9 It's more --

10 THE COURT: If you violate the order, you  
11 violate the order.

12 MR. CHEW: It's more than enough to get  
13 her thrown out permanently, but it also -- it takes  
14 place in a context. Your Honor will remember the  
15 inappropriate disclosure of the sexual assault  
16 violations in violation of the protective order  
17 perhaps more egregiously because people weren't on  
18 -- participating by Webex in this one.

19 Two days before the trial, Ms. Heard  
20 posted on Instagram her opening argument. And I  
21 understand none of the jurors referred to it, but  
22 she made very clear in her Instagram post that

1 Mr. Depp's name wasn't mentioned in her op-ed,  
2 which was the primary feature of Mr. Rottenborn's  
3 opening. That was really egregious.

4 Then, during my opening, to try to throw  
5 me off, Ms. Bredehoft made an improper objection  
6 saying -- you know, and she tried to mention it.

7 The point is, Your Honor, the Court's  
8 orders must mean something. We're trying to play  
9 by the rules here, and it is outrageous what  
10 Ms. Barlow has done. She was thrown out yesterday.  
11 And all we're asking, a very limited form of  
12 relief, is that she be barred from attending for  
13 the rest of the trial.

14 THE COURT: All right. Ms. Bredehoft?

15 MS. BREDEHOFT: Thank you, Your Honor. I  
16 actually had absolutely no clue that he was going  
17 to raise this this morning, so I am responding to  
18 it cold.

19 First of all, Eve Barlow is not a  
20 journalist. Second of all, she's not  
21 Ms. Heard's --

22 THE COURT: Well, you know, I really

1 don't care all about that. She was tweeting live  
2 in my courtroom. This is 4:31 --

3 MS. BREDEHOFT: I don't know about that,  
4 Your Honor.

5 THE COURT: Well, I do. I can read it.  
6 4:31 on April 14th, 2022.

7 MS. BREDEHOFT: I know she --

8 THE COURT: And I know the deputies took  
9 her out because she was texting. That's against  
10 the court order. I don't let anybody -- if I find  
11 anybody else texting, they don't get to come back  
12 in. So why would she be able to come back in?

13 MS. BREDEHOFT: And I -- I have no  
14 knowledge of this, Your Honor.

15 THE COURT: And I know you didn't. And I  
16 understand that. And I -- I mean, the -- like I  
17 say, when people were passing notes, I thought,  
18 well, legal teams. That's why I gave you the first  
19 row, because of legal teams. And then more  
20 information comes to me in bits and pieces that  
21 it's not the legal team. Okay. So move back --

22 MS. BREDEHOFT: And then --

1 THE COURT: But then she's still texting,  
2 so --

3 MS. BREDEHOFT: And let me back up just a  
4 little bit. Ms. Barlow was not here during the  
5 opening. She was not present in the courtroom and  
6 so --

7 THE COURT: Well, she was present when  
8 she did this live tweet in my courtroom.

9 MS. BREDEHOFT: And that may be, Your  
10 Honor. I have no knowledge of it. I had no  
11 knowledge of it. And I have no way to address  
12 that, Your Honor.

13 THE COURT: Well, I do. Ms. Barlow is  
14 not coming back into the courtroom during this  
15 trial.

16 MS. BREDEHOFT: Okay.

17 THE COURT: Okay?

18 MS. BREDEHOFT: All right. Thank you,  
19 Your Honor.

20 THE COURT: Thank you.

21 MR. CHEW: Thank you, Your Honor.

22 (This concludes the excerpt portion.)

1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

2

3 I, Ashley Meredith, the officer before  
4 whom the foregoing deposition was taken, do hereby  
5 certify that said proceedings were electronically  
6 recorded by me; and that I am neither counsel for,  
7 related to, nor employed by any of the parties to  
8 this case and have no interest, financial or  
9 otherwise, in its outcome.

10 IN WITNESS WHEREOF, I have hereunto set my  
11 hand and affixed my notarial seal this 15th day of  
12 April, 2022.

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\_\_\_\_\_  
16 Ashley Meredith, Notary Public  
17 for the Commonwealth of Virginia

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19 Virginia Notary No. 7930582

20 Virginia Notary Expires: 6/30/2025

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CERTIFICATE OF TRANSCRIBER

I, Bobbi J. Fisher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case, and I have no interest, financial or otherwise, in its outcome.



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Bobbi J. Fisher, RPR  
NCRA Registered Professional Reporter (RPR)  
Prepared: April 15, 2022



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