

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

FILED  
COURT SERVICES

2019 MAY 20 PM 3: 29

JOHN C. DEPP, II )

Plaintiff, )

v. )

AMBER LAURA HEARD )

Defendant. )

Civil Action No.: CL-2019-0002911

JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

**PLAINTIFF JOHN C. DEPP, II'S OPPOSITION TO  
DEFENDANT'S MOTION TO DISMISS**

Plaintiff John C. Depp, II ("Mr. Depp"), by and through his undersigned counsel, hereby opposes Defendant's Motion to Dismiss ("Opposition").<sup>1</sup>

**I. INTRODUCTION**

This action stems from Amber Laura Heard's ("Ms. Heard") publication of a defamatory op-ed in the *Washington Post* on December 18, 2018, wherein she falsely claims to be a victim of domestic abuse by Mr. Depp in May 2016. In the memorandum in support of her motion to dismiss ("Motion" or "Mot.") and accompanying declaration ("Heard Decl."), Ms. Heard largely ignores the May 2016 incident at issue in the Complaint and instead makes a series of irrelevant allegations. Indeed, as Mr. Depp's accompanying Declaration makes clear, Ms. Heard's Declaration, like her published op-ed, is false and defamatory, the product of a serial fabulist intent on furthering her career with her hoax, and harming Mr. Depp's reputation and livelihood.<sup>2</sup>

Ms. Heard's filings ignore the pivotal fact relevant to her motion to dismiss for inconvenient venue under Virginia Code Section 8.01-265: the location where Ms. Heard caused

<sup>1</sup> Pursuant to the Court's letter of April 15, 2019, this case has been assigned to the Honorable Bruce D. White, Chief Judge.

<sup>2</sup> Mr. Depp's declaration is attached hereto as **Exhibit 1**.

the defamatory op-ed to be published. Courts addressing “where the cause of action arose” under Virginia law consistently hold that “*for libel claims, Virginia looks to where the statement was published.*” *ABLV Bank v. Ctr. for Advanced Def. Studies Inc.*, No. 1:14-cv-1118, 2015 WL 12517012, at \*1 (E.D. Va. Apr. 21, 2015).<sup>3</sup> Moreover, as this Court has unequivocally held, establishing that the cause of action arose outside of Virginia is a “*prerequisite*” for dismissal under Section 8.01-265. *Dr. Gerhard Sauer Corp. v. Heimo Gold*, No. 109303, 1992 WL 884806, at \*1 (Va. Cir. Ct. July 15, 1992) (Fairfax County) (*citing Caldwell v. Seaboard System Railroad*, 238 Va. 148, 151-155, 380 S.E.2d 910, 911-913 (1989)). Therefore, the *only* facts actually relevant to determining this motion to dismiss are straightforward. Here, Ms. Heard admits that she “submitted [her op-ed] to the *Washington Post* through [her] contact at the ACLU,” Heard Decl. ¶ 54, and that her op-ed was *not* published in the *Los Angeles Times*, *Los Angeles Daily News*, or any other California-based newspaper. The *Washington Post* is a newspaper that: (a) is printed and published in Springfield, Virginia; (b) has widespread readership and circulation in Virginia; and (c) maintains two physical offices in Virginia. Compl. ¶ 10. The op-ed was also published in an online edition of the newspaper that is created on a digital platform in Virginia and routed through servers in Virginia. *Id.* Ms. Heard does not challenge these facts in her motion, and those facts support denial of her Motion. Because Ms. Heard published her op-ed in Virginia, the tortious conduct arose in Virginia. Thus, Ms. Heard cannot satisfy the prerequisite under Section 8.01-265 that the cause of action arose outside of Virginia. Having purposefully chosen to defame Mr. Depp here, Ms. Heard should not be allowed to move this case to another jurisdiction, and the Court should deny her Motion.

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<sup>3</sup> Emphasis added throughout unless otherwise noted.

## II. LEGAL STANDARD

Under Virginia Code Section 8.01-265, “the court wherein an action is commenced may, upon motion by any party and for good cause shown, (i) dismiss an action brought by a person who is not a resident of the Commonwealth without prejudice under such conditions as the court deems appropriate if the cause of action arose outside of the Commonwealth and if the court determines that a more convenient forum which has jurisdiction over all parties is available in a jurisdiction other than the Commonwealth or (ii) transfer the action to any fair and convenient forum having jurisdiction within the Commonwealth.” The decision of whether to dismiss and transfer such a case is “within the sound discretion of the trial judge.” Va. Code § 8.01-267.

## III. ARGUMENT

### **A. Plaintiff’s Causes of Action Arose in Virginia, Which Is Fatal to Ms. Heard’s Motion to Dismiss.**

Ms. Heard concedes that, as Mr. Depp alleges in his Complaint, the publications prompting Plaintiff to file this lawsuit occurred in Virginia. Complaint ¶¶ 10, 11; Heard Decl., ¶ 54. Because Virginia applies *lex loci delicti* to determine the place of the tort and defines its *lex loci* rule in defamation cases as the place of publication, Virginia is the place where Mr. Depp’s causes of action arose. The Court need not address Ms. Heard’s convenience arguments, because it is a *prerequisite* under Section 8.01-265 for her to first show that the causes of action arose outside of Virginia. She cannot do so. Thus, the Court should deny Ms. Heard’s Motion.

#### **1. Ms. Heard cannot satisfy Virginia’s prerequisite for dismissal under Section 8.01-265.**

For Ms. Heard’s argument for dismissal to survive, she must satisfy her burden by establishing that the cause of action arose outside of Virginia. Section 8.01-265 permits the Court to dismiss the case *only* “if the cause of action arose outside of the Commonwealth *and* if the court determines that a more convenient forum which has jurisdiction over all parties is

available in a jurisdiction other than the Commonwealth.” Va. Code § 8.01-265. In *Dr. Gerhard Sauer Corp.*, this Court read the plain language of the statute and held that “as required by ‘8.01-265[,]’ the cause of action arising outside of Virginia is “a *prerequisite* to dismissal.” 1992 WL 884806, at \*1 (citing *Caldwell*, 238 Va. at 151-155). As explained below, Ms. Heard cannot establish that the cause of action arose outside of Virginia. The Court therefore should find this deficiency defeats her argument, and consequently deny her motion to dismiss.

**2. Because “Virginia looks to where the statement was published[,]” Mr. Depp’s causes of action arose in Virginia, not California.**

Although Ms. Heard is correct regarding her assertion that Virginia applies *lex loci delicti* (the law of the place of the tort) to establish where the tort arose, *see* Mot. 4-6, her argument crumbles when she incorrectly characterizes Virginia’s application of its *lex loci* rule as the “place of harm” rather than the “place of publication.” Contrary to Ms. Heard’s harm-based focus, when courts apply Virginia’s *lex loci* rule to cases involving tortious publication claims, they consistently hold that “*for libel claims, Virginia looks to where the statement was published.*” *ABLV Bank*, 2015 WL 12517012, at \*1. *See also Cokrum v. Donald J. Trump for President, Inc.*, No. 3:18-CV-484-HEH, 2019 WL 1233857, at \*12 (E.D. Va. Mar. 15, 2019) (“[I]t is of the opinion that the Supreme Court of Virginia would find that *the place of the wrong in these claims . . . is the place where the act of publication to the Internet occurred.*”);<sup>4</sup> *Jeffrey J. Nelson & Assocs., Inc. v. LePore*, Civ. No. 4:11CV75, 2012 WL 2673242, at \*7 (E.D. Va. July 5, 2012) (“*Virginia applies the lex loci delicti rule, . . . [t]hus, Virginia looks to where the statement was published.*”); *Katz v. Odin, Feldman & Pittleman, P.C.*, 332 F. Supp. 2d 909, 915 n.4 (E.D. Va. 2004) (applying Virginia law in a defamation case “*because all statements at issue*

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<sup>4</sup> In *Cokrum*, the plaintiff raised a claim of public disclosure of private facts, but the court used a defamation analysis, acknowledging the similarities between the two types of claims, considering “information published to the Internet is communicated in a form that is accessible by third parties worldwide.” *Id.*

*in this case were allegedly published in Virginia.”); PBM Prod., LLC v. Mead Johnson Nutrition Co.*, 678 F. Supp. 2d 390, 398 (E.D. Va. 2009) (“Virginia applies the *lex loci delicti* rule, that is, the law of the place of the wrong, to defamation actions . . . **[b]ecause Mead Johnson alleges that the defamatory Press Release was issued in Virginia, Virginia law applies.”); Fryfogle v. First Nat Bank of Greencastle, Civ. No. 6:07CV00035, 2009 WL 700161, \*3 (W.D. Va. March 17, 2009) (“**In defamation cases, the place of the harm is where the alleged defamatory statements were published.**”), *aff’d sub nom., PBM Prod., LLC v. Mead Johnson & Co.*, 639 F.3d 111 (4th Cir. 2011); *Miller v. Kelly*, No. 10-CV-02132-CMA-KLM, 2010 WL 4684029, at \*8 (D. Colo. Nov. 12, 2010) (“The settled rule in Virginia is that the substantive rights of the parties in a multistate tort action are governed by the law of the place of the wrong . . . Virginia applies the *lex loci delicti* rule, that is, the law of the place of the wrong, to defamation actions . . . **[f]or purposes of a defamation claim, the ‘place’ of the wrong is the place of publication**” (internal citations and quotations omitted)), *report and recommendation adopted sub nom. Miller v. Kelley*, No. 10-CV-02132-CMA-KLM, 2010 WL 5103032 (D. Colo. Dec. 8, 2010).**

Ms. Heard attempts to steer the Court away from Virginia’s publication-based definition of *lex loci delicti* because that she cannot fight the undisputed fact that she “submitted [her op-ed] to the *Washington Post* through [her] contact at the ACLU.” Heard Decl. ¶ 54. As Plaintiff alleges in his Complaint—and Ms. Heard does not dispute—the *Washington Post*’s hard copy edition is printed and published in Springfield, Virginia, and its online edition is created on a digital platform in Virginia and routed through servers in Virginia. Compl. ¶ 10.

This scenario parallels the facts facing the court in *ABLV Bank v. Ctr. for Advanced Def. Studies Inc.* There, the defendant allegedly defamed the plaintiff bank by publishing an online

report which described the bank as “a known money launderer,” among other negative insinuations. *ABLV Bank*, 2015 WL 12517012, at \*1. The bank argued that since it felt the effects of its reputational harm in New York, it necessarily followed that New York constituted the place of the wrong. *Id.* Consistent with other courts addressing Virginia’s *lex loci* rule,<sup>5</sup> the Virginia federal court rejected the bank’s harm-based argument, and instead found that a proper application of Virginia’s *lex loci* rule required that Washington, D.C. should apply:

***Here, it is undisputed that ABLV’s report was published from its office in Washington, D.C. It is irrelevant that the negative effects of that publication were felt in New York; any reputational damage caused by C4ADS occurred everywhere due to the nature of online publication. Thus, D.C. law shall govern the case.***

*Id.* at \*2. In fact, one of the two *lex loci* cases that Ms. Heard cites actually supports the same application of the rule found in *ABLV Bank*—and thus supports Mr. Depp’s position that venue is proper in Virginia and Ms. Heard’s motion fails. In *Gilmore v. Jones*, the Virginia federal court stated that “[i]n actions involving allegedly tortious publications, Virginia courts define the place of the wrongful act as the state where the content at issue was published.” No. 3:18-cv-00017, 2019 WL 1418291 at \*38 (W.D. Va. Mar. 29, 2019) (citing *ABLV Bank*, 2015 WL 12517012, at \*1). Despite this affirmation of Virginia’s *lex loci* rule, Ms. Heard attempts to capitalize on the *Gilmore* court’s eventual departure from the “place of publication” approach. However, Ms. Heard’s attempt is misguided because the *Gilmore* court only broke from Virginia’s consistent application of the *lex loci* rule after concluding that the “thorny” facts before it—where **multiple** defendants in **multiple** states published allegedly defamatory content concerning the plaintiff on multiple websites—rendered it impossible to narrow the place of

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<sup>5</sup> *Accord LePore*, 2012 WL 2673242, at \*7 (“Defendants’ contention that it is ‘likely’ that many of the recipients reside or conduct business in New York and ‘unlikely’ that many of the recipients reside or transact business in Virginia fails to shed any light on which state’s law should be applied.”).

publication to one state. *Id.* at \*38-39. Mr. Depp disputes that the *Gilmore* court's application of Virginia law was correct even as to the facts before it. But putting that aside, that court's departure from Virginia's application of the "place of publication" has no bearing on the case at hand, where a single defendant published her op-ed through the *Washington Post* in Virginia.

Ms. Heard attempts to sow further confusion by claiming that "[t]he Restatement (Second) of Conflicts is in accord" with her harm-based argument through its "most significant relationship test." Mot. at 5 (*citing* Restatement (Second) of Conflict of Laws § 150 (1971)). But this argument is squarely at odds with Virginia law. The *Gilmore* court specifically addressed the Restatement's "most significant relationship test," observing that "the Supreme Court of Virginia has explicitly and consistently rejected that test." *Gilmore*, at 39 n.37 (*citing* *Jones v. R.S. Jones & Assocs.*, 246 Va. 3, 5, 431 S.E.2d 33, 34 (1993); *McMillan v. McMillan*, 219 Va. 1127, 1130, 253 S.E.2d 662, 664 (1979)). As the Supreme Court made clear in *Jones v. R.S. Jones & Associates*:

In *McMillan v. McMillan*, 219 Va. 1127, 253 S.E.2d 662 (1979), we declined an invitation to adopt the so-called "most significant relationship" test, recommended by *Restatement (Second) of Conflicts of Laws* §§ 145, 146 (1971), for resolving conflicts of laws arising in multistate tort actions. 219 Va. at 1129, 253 S.E.2d at 663. We said that we would adhere to the *lex loci delicti*, or place of the wrong, standard that had been "the settled rule in Virginia." *Id.* at 1128, 253 S.E.2d at 663.

246 Va. at 5.

Similarly unavailing is Ms. Heard's reliance on *Hatfill v. Foster*, a 2006 federal opinion from the Southern District of New York. 415 F. Supp. 2d 353 (S.D.N.Y. 2006). In its *lex loci delicti* analysis, the *Hatfill* court does address Virginia law beyond its general statement that Virginia applies *lex loci delicti*. *Id.* at 364. This results in the court incorrectly lumping Virginia with "the vast majority of [*lex loci*] jurisdictions" that focus on the place of the harm, instead of

recognizing that Virginia applies the “place of publication” test to determine the place of the wrong in defamation suits. Without addressing Virginia’s definition of *lex loci delicti* for defamation cases, the *Hatfill* court erroneously relied on the Restatement (First) of Conflict of Laws—without any explanation—to adopt the more general *lex loci* rule resulting in the location of the wrong as “in all but a few cases is the injury felt by the plaintiff.” *Id.* (citing Restatement (First) of Conflict of Laws § 377 (1934)). This holding departs from the consistent rulings regarding Virginia’s *lex loci* rule found in earlier Virginia federal court cases such as *Katz*, and in later cases including *ABLV Bank*, *Cockrum*, *LePore*, *PBM Products*, and *Fryfogle*. Indeed, the *Hatfill* court even proceeds to rely on a Montana case and a Fourth Circuit case applying Maryland law to justify its application of the general *lex loci* rule. *Id.* at 364-65. The *Hatfill* court’s reliance on non-Virginia authorities further underscores its failure to correctly apply Virginia law, and this Court accordingly should give *Hatfill* no weight.

Finally, not only have courts consistently defined Virginia’s *lex loci delicti* as the place of publication for defamation claims, but they have also eliminated any doubt by clarifying that the location is determined by where the act of *physical* publication occurred. *Cockrum*, No. 3:18-CV-484-HEH, 2019 WL 1233857, at \*13. In *Cockrum*, the plaintiffs alleged that the defendant presidential campaign conspired with Russian agents to disseminate private information by directing Wikileaks to publish the information online. *Id.* The Virginia federal court found that even though the defendant campaign’s headquarters were located in New York and that the conspiracy allegedly formed in New York, “the underlying tort, the publication, was allegedly done at some later time by a third party, WikiLeaks. Accordingly, it would be inappropriate to designate New York as the place of the wrong.” *Id.* Therefore, to the extent Ms. Heard attempts to argue that California was the place of publication, which is where the op-ed was supposedly



drafted, Heard Decl. ¶ 54, or that New York was the place of publication, which is where her contact at the ACLU was supposedly based, *id.*, the Court should disregard such facts in light of those that are actually relevant to the Court's determination *i.e.*, that Ms. Heard directed her contact to have the op-ed published by the *Washington Post* in Virginia. Heard Decl. ¶ 54; Complaint ¶ 10.

Because the place of the wrong is determined by publication and not harm, and because the publication occurred in Virginia, Ms. Heard *cannot* show that the causes of action in this case arose outside of Virginia. Accordingly, the Court should deny the Motion.

**3. The “single publication rule” has no bearing on the outcome of Ms. Heard’s current motion.**

In her motion, Ms. Heard interposes the wholly irrelevant contention that the single publication rule limits Mr. Depp to one cause of action. To be clear, Mr. Depp does not agree that Ms. Heard is correct, but regardless, whether Mr. Depp is permitted a single or multiple defamation causes of action should have no bearing on the Court's decision to grant or deny Ms. Heard's motion, which was filed pursuant to Section 8.01-265, and requests the Court to dismiss this action based solely on *forum non conveniens*.<sup>6</sup> For this reason, the Court should disregard this section of Ms. Heard's argument.

However, even assuming *arguendo* that the single publication rule limited Mr. Depp to one cause of action, the Court's Section 8.01-265 analysis would produce the same result as if all

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<sup>6</sup> Ms. Heard raising the single publication issue at this juncture is also inappropriate because the determination of its application is likely a jury issue. *See Eramo v. Rolling Stone, LLC*, 209 F. Supp. 3d 862, 879-80 (W.D. Va. 2016) (concluding that whether a reprinting of an article with an editor's note constituted a substantive alteration was a factual issue for the jury); *see also Weaver v. Beneficial Finance Co. Inc.*, 199 Va. 196, 200, 202, 98 S.E.2d 687, 691, 692 (1957) (whether the republication of defamatory content was the natural and probable consequence of the original publication is a jury question).

three causes remained.<sup>7</sup> Because all three instances of publication are based on Ms. Heard's *Washington Post* op-ed, all three publications occurred in Virginia. Therefore, the Court's analysis would not change based on which instance of publication it addressed. Ms. Heard's single publication rule argument thus is a *non sequitur*.

**B. Ms. Heard Cannot Overcome Mr. Depp's "Presumption of Correctness" Regarding His Choice of Forum.**

In addition to showing that the cause of action arose outside of Virginia, Section 8.01-265 also requires Ms. Heard to show that California provides a more convenient forum than Virginia. And even though a convenience analysis is rendered moot when, as here, the cause of action arose in Virginia (since the Court should deny a motion to dismiss on that ground alone),<sup>8</sup>

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<sup>7</sup> Not only should the single publication rule not apply, but it should have no effect on a *forum non conveniens* determination, because "with few exceptions, states no longer extend the single publication rule for purposes of jurisdiction or venue." Debra R. Cohen, *The Single Publication Rule: One Action, Not One Law*, 62 Brook. L. Rev. 921, 939 (1996); *Buckley v. New York Post Corp.*, 373 F.2d 175, 179 (2d Cir. 1967); *Patch v. Playboy Enterprises, Inc.*, 652 F.2d 754, 757 (8th Cir. 1981); *S. Bell Tel. & Tel. Co. v. Coastal Transmission Serv., Inc.*, 167 Ga. App. 611, 616, 307 S.E.2d 83, 88-89 (1983).

<sup>8</sup> The fact that a convenience analysis is unnecessary is underscored by one of the two primary Section 8.01-265 cases that Ms. Heard relies upon for her convenience argument, which clearly involved a defamation cause of action that occurred outside of Virginia. Moreover, in *Hotung v. Hotung*, the Supreme Court of Virginia conducted a convenience analysis only after reciting that the allegedly defamatory statement was made to a reporter *in Hong Kong followed by* "[v]ersions of the statement were subsequently reported in several Chinese-language *publications circulated primarily in Asia*." No. 130264, 2014 WL 576178, at \*1 (Va. Feb. 7, 2014). In the other primary convenience case cited by Ms. Heard, *Norfolk & W.R. Co. v. Williams*, the Supreme Court of Virginia addressed Section 8.01-265(ii), which addresses *transfer*, rather than 8.01-265(i), which addresses *dismissal* when the plaintiff is not a Virginia resident (which is the case here). 239 Va. 390, 394-96, 389 S.E.2d 714, 717-18 (1990). This distinction is critical because subsection (ii) does not include the prerequisite that the action arose outside of Virginia. Further, in the context of a forum non conveniens motion, "there is a significant distinction between the transfer of an action and its dismissal. Dismissal involves a risk that a plaintiff may not be able to assert his right of action in another court . . ." *Caldwell*, 238 Va. at 153. Therefore, the *Williams* Court was unimpeded from proceeding to a convenience analysis.

Ms. Heard also fails to provide reasoning showing why California would provide a more convenient forum than Virginia.

This balancing test incorporates the factors set forth in *Gulf Oil Corp. v. Gilbert*, 330 U.S. 501 (1947). The balancing and the application of the factors “is not simple math where the [c]ourt totals the number of witnesses on each side and goes with the majority.” *Littleton v. Norfolk S. Ry. Co.*, 87 Va. Cir. 333, \*3 (2013) (quoting *Instrumentation Services, Inc. v. Town of Victoria*, 60 Va. Cir. 92, 94 (2002)). To the contrary, a key factor is the presumption that plaintiff’s choice of forum is correct—a presumption that the defendant has the burden to overcome. *Id.* (citing *Williams*, 239 Va. at 394, 389 S.E.2d 714)); see also *Birdsall v. Federated Dep’t Stores, Inc.*, 70 Va. Cir. 290 (Fairfax County 2006) (denying motion to dismiss where only argument for good cause was greater degree of practical nexus with foreign forum). Because of the limited nature of the evidence, the time that has elapsed since the alleged incident occurred, the fact that significant evidence has already been collected, and the parties’ access to witnesses whether the case is litigated in Virginia or California, there are no countervailing reasons why this case should be tried in California as opposed to Virginia. Thus, because Ms. Heard cannot show that California should overcome Mr. Depp’s choice of forum, the Court should likewise find that this independent reason is enough to deny Ms. Heard’s Motion.

Mr. Depp denies the fabricated events that Ms. Heard claims in her submission to the Court. As set forth in the Complaint and in his declaration, the “abuse” that she and certain of her friends have described simply never occurred, and that events of May 2016 actually happened in a manner that was not *remotely* close to her depiction of them. Thus, the supposed exculpatory evidence that Ms. Heard claims is present outside of Virginia does not exist. Indeed, the converse is true: Mr. Depp already has in his possession the exculpatory evidence to

disprove Ms. Heard's fake abuse claim, which is referenced in the Complaint, ¶¶ 15-17, 36-60, 89, and Mr. Depp's declaration. **Exhibit 1.**

Against the backdrop of her declaration's falsity, Ms. Heard's inconvenience argument falls apart. Ms. Heard's assertion that litigating this case in Virginia would be inconvenient for the parties and potential witnesses, and otherwise impossible because the Court lacks the power to compel witnesses to testify in Virginia, *see* Mot. at 10-11, is incorrect. First, as to those witnesses who cannot attend trial, Virginia courts routinely consider deposition testimony played or read during the course of trial in lieu of live testimony. *See, e.g., Selective Ins. Co. of Am. v. Salinas*, 79 Va. Cir. 131 (Fairfax County 2009). Second, the case that Ms. Heard cites to argue that the Court lacks power to compel witnesses to testify in Virginia—*Yelp, Inc. v. Hadeed Carpet Cleaning, Inc.*—recognizes and discusses the procedure by which parties regularly and efficiently obtain evidence from out-of-state witnesses. 289 Va. 426, 433, 770 S.E.2d 440, 443 (2015). The Uniform Interstate Depositions and Discovery Act (“UIDDA”), enacted in Virginia in 2009, sets forth procedures for parties to use to pursue out-of-state discovery. *Id.* at 436. The same statute is also enacted in California, and it contains “reciprocal mechanisms by which discovery of persons and documents in [California] may be obtained in connection with actions pending in a foreign jurisdiction through presentment of a subpoena issued by the foreign jurisdiction.” *Id.*

In *Yelp*, discovery of documents located outside of Virginia was sought through the use of a Virginia subpoena. The *Yelp* court held that the litigant would need to obtain an out-of-state subpoena—as contemplated under the UIDDA procedures—to obtain such discovery instead of through a Virginia subpoena. *Id.* This process is not unique to Virginia, and is utilized everyday by litigants in state courts that seek out of state discovery. As of today, the UIDDA is enacted in

43 states. If any non-party chose not to comply with the UIDDA subpoenas, such witnesses would be subject to the power of the out-of-state court, and the penalties and sanctions such the court might impose.

Here, Ms. Heard claims that the Virginia courts have no subpoena power over the potential out-of-state witnesses in this case. But this statement is incorrect. Ms. Heard ignores the procedure established in Virginia—and in a majority of other U.S. states, *including California* – that allows for discovery from out-of-state witnesses through the UIDDA. The UIDDA provides a reciprocal and fair process that assists out-of-state litigants seeking discovery from non-parties and seeks to “promote uniformity of the law with respect to its subject matter among the states that enact it.” *Yelp*, 289 Va. at 433. Thus, discovery of documents from non-party out-of-state witnesses is a non-issue, and need not be considered by the Court in assessing this challenge to venue.<sup>9</sup>

Similarly, Ms. Heard’s claim that access to the physical premises is necessary to fairly litigating this case is also incorrect. Site visits by jurors in civil cases are only rarely permitted, and Ms. Heard has not provided reasons to warrant such a visit. For example, Ms. Heard claims that the “layout of the physical premises” is important. Mot. at 12. But Ms. Heard fails to explain why demonstratives like a diagram of the floor plan, or photographs, would not be sufficient to demonstrate the layout to the jury. Even if the case were litigated in California (as Ms. Heard urges), such diagrams would be sufficient and admissible. The same is true for the “broken objects and furniture” that Ms. Heard claims are relevant and necessary to litigating this dispute. *Id.* at 12. If they even exist, which Mr. Depp disputes, the “objects” could easily be

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<sup>9</sup> Ms. Heard’s assertion that “every relevant witness resides in Los Angeles, California” Mot. at 10, is incorrect. Kevin Murphy, Mr. Depp’s former Estate Manager, for example, is now a resident of Illinois. See **Exhibit 2** (Kevin Murphy Declaration).

transported if needed, but it seems questionable under these circumstances whether a court in California or Virginia would allow such materials to be hauled into a courtroom.

Moreover, assuming *arguendo* that fragments of furniture from 2016 existed at all, whether such physical evidence would now exist in a condition that “fairly and accurately” depicts how it looked 2016 is a dubious proposition at best. Whether such evidence is admissible would likely lead to motion *in limine* practice at the appropriate time in any jurisdiction. Unless the “evidence” – furniture at the apartment no longer owned by Mr. Depp – somehow remained in the same position and condition that it did at the time of the incidents in question, which it obviously does *not*, a jury visit would also be improper. It remains unclear from Ms. Heard’s memorandum of law whether she suggests such evidence remains in the same condition or positioning due to the passage of time, and in what condition any physical evidence remains.

Litigating this case in Virginia presents no prejudice to Ms. Heard or her proposed evidence. Virginia does not prohibit presenting documentary evidence and demonstratives that “fairly and accurately” depict the evidence that Ms. Heard claims is critical to this dispute. *See, e.g., Wilson v. Commonwealth*, 29 Va. App. 236, 238, 511 S.E.2d 426, 128 (1999) (confirming the admission of a video tape that was authenticated by testimony stating that “fairly and accurately” portrayed the incident); *Ferguson v. Commonwealth*, 212 Va. 745, 746, 187 S.E.2d 189, 190 (1972) (“[A] photograph which is verified by the testimony of a witness as fairly representing what that witness has observed is admissible in evidence.”). Indeed, even if the case were litigated in California, Ms. Heard would not be hauling furniture into the courtroom. Nor would such evidence be appropriate or necessary: pictures of her alleged damages would suffice so long as they fairly and accurately depicted the alleged damage. Given the passage of

time, a visit to the premises long since turned over to new owners would be more likely to prejudice a jury than to provide a fair and accurate depiction. *Featherall v. Firestone Tire & Rubber Co.*, 219 Va. 949, 960, 252 S.E.2d 358, 365-66 (1979) (excluding demonstrative evidence that was not substantially similar to the actual evidence at the time of the events in question). But the decision of whether such evidence is even admissible is in the sole discretion of the Court, and will be decided at the appropriate time. *Jackson v. Commonwealth*, 267 Va. 178, 201, 590 S.E.2d 520, 533, *cert denied*, 543 U.S. 891, 125 S. Ct. 168 (2004). That time is not now.

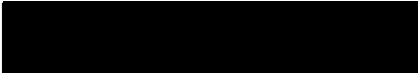
**C. Ms. Heard Is Not Entitled to an Evidentiary Hearing.**

Ms. Heard requests in her Motion the scheduling of an evidentiary hearing at the Court's earliest available date. To the extent that Ms. Heard continues to seek an evidentiary hearing following receipt of this Opposition, Mr. Depp respectfully requests that this Court deny Ms. Heard's Motion. None of the provisions cited by Ms. Heard—Virginia Code Section 8.01-265 and Fairfax Circuit Court Practice Manual (2018 ed.) Sections 1.04, 1.05, and 6.00—entitles her to an evidentiary hearing in connection with a motion for dismissal based on *forum non conveniens*. Nor does Ms. Heard identify *any* case in which a Virginia court granted an evidentiary hearing on this type of motion.

**IV. CONCLUSION**

Because Ms. Heard cannot satisfy her burden required by Section 8.01-265, the Court should deny Ms. Heard's Motion to Dismiss.

Respectfully submitted,

  
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Dated: May 20, 2019




**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 20th day of May, 2019, a true and correct copy of the foregoing opposition brief was sent via email and by first class mail, postage prepaid, to each of the following:

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# Exhibit 1

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

DECLARATION OF JOHN CHRISTOPHER DEPP, II

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

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

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

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

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

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

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

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

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

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

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

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

...

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

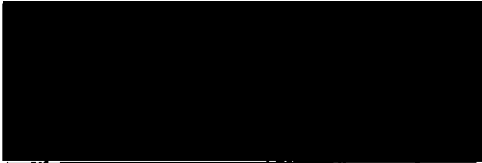
40. Indeed, lying under oath, and to courts and government agencies, and suborning or attempting to suborn the perjury of her friends and employees to help her get what she wants or to protect her from criminal prosecution, is demonstrably Ms. Heard's *modus operandi*. We recently obtained evidence showing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

Declaration. Ms. Heard's attempts to suborn perjury to trick the Australian court are confirmed by the email attached to Mr. Murphy's declaration. In another illustrative incident showing Ms. Heard's relationship with the truth and willingness to defraud the government or anyone else to get what she wants, Ms. Heard sent a signed letter dated September 28, 2014 to the Department of Homeland Security, falsely claiming that her assistant Samantha McMillen, a citizen of the United Kingdom, was merely her "friend" traveling to the US on a tourist visa. Attached as Exhibit S is Ms. Heard's signed letter which says among other things: "*My name is Amber Heard. I am a proud American citizen. I am writing this letter in response to a fraudulent report made against my English friend, Savannah McMillen ... It has come to my awareness that while spending time visiting me in the United States someone made a false claim against her stating, without any proof or corroboration, that she was unlawfully working for me. As her friend, I can say truthfully and unequivocally that this allegation is entirely false.... I would like to go on record saying that Savannah McMillen is a personal friend, and to my knowledge, has never worked unlawfully or otherwise in the United States. Or for me. I regret that the precious time of our immigration agencies has been bastardized on such a petty personal matter made out of malice, not truth.... I expect the same standards that we hold as pillars in our great justice system, be allied to immigration policies, as they serve at the forefront in representing United States and her values.*" In fact, the story that Savannah was merely her "friend" was a lie Ms. Heard, an "immigration activist," fraudulently wrote to Homeland Security to get what she wanted; Ms. Heard's *assistant* Savannah McMillen was illegally working in America, for Ms. Heard, as a simple Google search or paycheck in my possession would reveal. Lies, deception, and perjury are useful tools to Ms. Heard and her ilk – to obtain money, to accuse me of violent abuse and obtain a false temporary restraining order, to avoid criminal prosecution, to receive

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

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

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

A large black rectangular redaction box covering the signature area.

John Christopher Depp, II

A black rectangular redaction box covering the signature area.



J. Depp Declaration  
Exhibit A

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP  
II (AKA JOHNNY DEPP)

---

VIDEOTAPED DEPOSITION OF AMBER LAURA DEPP

VOLUME II

August 13, 2016

10:00 a.m. - 7:04 p.m.

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

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23

STAN BEVERLY, Videographer

24

25

1

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DEPP V. DEPP  
Saturday, August 13, 2016  
Pamela J. Felten, CSR No. 5189

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1 Los Angeles, California

2 Saturday, August 6, 2016, 10:00 a.m.

3

4 THE VIDEOGRAPHER: Good morning. We're on the  
5 record. This is the recorded video deposition of Amber  
6 Laura Depp in the matter of Petitioner, Amber Laura Depp,  
7 versus Respondent, John Christopher Depp II, taken on  
8 behalf of the respondent. This deposition is taking  
9 place at 2049 Century Park East, Los Angeles, California,  
10 on August 13th, 2016 at approximately 10:01 a.m.

11 My name is Stan Beverly. I'm the videographer  
12 with U.S. Legal Support located at 11845 West Olympic  
13 Boulevard, Los Angeles, California. Video and audio  
14 recording will be taking place unless all parties have  
15 agreed to go off the record.

16 MR. KOENIG: Where are Charles and Lenny?  
17 Okay.

18 THE VIDEOGRAPHER: Would all present please  
19 identify themselves.

20 MS. BERK: Yes. Good morning. Blair Berk on  
21 behalf of respondent, John -- Johnny Depp.

22 MR. ALLHOFF: Hans Allhoff on behalf of  
23 respondent, Johnny Depp.

24 MS. WASSER: Laura Wasser on behalf of the  
25 respondent, Johnny Depp.



1 Q Okay. And your claim is that there were marks  
2 on your face prior to the police arriving, correct?

3 A I don't know if there were marks on my face or  
4 how puffy or how red it was. I don't know how it looked  
5 because I probably didn't spend any time looking in a  
6 mirror immediately after.

7 Q Is it your testimony that there was in  
8 Penthouse 5 bottles broken? Correct?

9 A In Penthouse 5?

10 Q Yes.

11 A Yeah. There -- Penthouse 5 was destroyed.

12 Q Destroyed. Glass on the floor?

13 A Yes.

14 Q Wine spilled?

15 A Yes. In the hallway, as well.

16 Q Clear signs that there was damage --

17 A We have pictures.

18 Q -- and vandalism in Penthouse 5 --

19 A Yeah.

20 Q -- downstairs?

21 A There was clear damage done downstairs in  
22 Penthouse 5.

23 Q And you believed you had clearly been assaulted  
24 by Johnny Depp, correct?

25 A Are you asking me if I believe I had been

1           A    Yes.

2           Q    Isn't it a fact when they made that inspection  
3 of Penthouse 5, they did not see any broken glass on the  
4 floor?

5           A    I don't know what they -- what they saw or  
6 didn't see. I wasn't ushering them around. They did  
7 that by themselves. I guess maybe Josh was showing them  
8 around. But there was extensive damage to which we have  
9 plenty of evidence.

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

12          A    I don't know what the officers saw.

13          Q    Had any of the damage been cleaned up when the  
14 officers arrived? By you?

15          A    Um, by the time the second set of officers  
16 arrived, we had cleaned up the kitchen and cleaned up a  
17 bit and cleaned up, yeah.

18          Q    By the time the first officers arrived, had you  
19 cleaned up any damage to Penthouse 5?

20          A    I don't think so.

21          Q    Okay. Isn't it a fact that you went with the  
22 officers to Penthouse 5, the first set of officers?

23          A    No.

24          Q    Is it your testimony that you never went to  
25 Penthouse 5 with either of the officers of the first set

1 to strike.

2 Q Ms. Heard, I'd like you to listen to what I'm  
3 about to play. Would you do that?

4 (Audio clip played as follows:

5 "MALE VOICE: I then stood up. I  
6 don't even know if I said -- I mean  
7 I might have said like 'What the  
8 fuck,' you know, whatever, because I  
9 had just been hit in the head with  
10 the fucking corner of the door.

11 "FEMALE VOICE: I'm so sorry I did  
12 that. I'm sorry."

13 "MALE VOICE: And then I stood up.")

14 BY MS. BERK:

15 Q Do you recognize the voices on that tape?

16 A Uh-huh.

17 Q And who are the people on that tape?

18 A That's Johnny and I.

19 Q Okay. And is Johnny describing an act where  
20 you made a door go into his head?

21 MR. HARDER: Objection. Harassing,  
22 argumentative, vague.

23 THE WITNESS: I -- I was trying to escape from  
24 a room where Johnny was attacking me. And in order to  
25 escape, I was trying to get onto the other side of the

1 door attempting to close the door and he was attempting  
2 to get in, despite my attempts to try and escape an  
3 assault.

4 BY MS. BERK:

5 Q Isn't it true that on this tape that was just  
6 played, you tell Johnny Depp you're sorry?

7 A Yes.

8 Q Okay.

9 (Audio clip played as follows:

10 "MALE VOICE: And then you fucking  
11 clocked me.

12 "FEMALE VOICE: I remember hitting  
13 you as a response to the door  
14 thing.")

15 BY MS. BERK:

16 Q Did you just tell Johnny Depp in that recording  
17 that "I remember hitting you as a response to the door  
18 thing"?

19 A Yes. As he was trying to get into the door, I  
20 was trying -- into the room, I was trying to escape him.  
21 He pushed the door into me and I was trying to hit him by  
22 getting out -- getting him out of the door to stay in the  
23 room.

24 Q And you told him in that tape recording that  
25 you hit him, correct?

1           A    I don't -- I don't know what words I used in  
2 that. You can play it back if you want, but I don't  
3 remember exactly how long.

4           Q    If you wouldn't mind, if you'll continue to  
5 listen.

6           A    Okay.

7                   (Audio tape played as follows:

8                   "FEMALE VOICE: And I'm really sorry  
9                   about hitting you with the door. It  
10                   was -- or hitting your head.")

11 BY MS. BERK:

12           Q    Did you tell Johnny Depp at that time you were  
13 speaking to him that you were really sorry for hitting  
14 you -- hitting him with the door hitting him?

15           A    I was -- I think in that recording I made it  
16 very clear that I was sorry that the door hit him while  
17 he was trying to get into the room I was escaping or  
18 attempting to escape into.

19                   MS. BERK: I will mark, uh, uh, um -- excuse  
20 me. I'd like you to listen to the following tape. This  
21 is "Punch" and we need to have a --

22                   MR. O'DONNELL: Are these being marked as  
23 exhibits?

24                   MS. BERK: Yeah, mark as exhibits.

25                   MR. ALLHOFF: We just marked P as the one we

1 just played. Correct.

2 MS. BERK: Yes.

3 MR. ALLHOFF: Okay. Next.

4 (Exhibit P marked)

5 MS. BERK: The next thing I'm going to play to  
6 you is Q. Would you listen to this, please.

7 Punching. The one that says "Punching."

8 (Exhibit Q marked)

9 (Audio tape played as follows:

10 "MALE VOICE: Probably just a shitty  
11 lock.

12 "FEMALE VOICE: Yeah, I didn't do  
13 that.

14 "MALE VOICE: Anyway, I opened the  
15 bathroom door when you were knocking  
16 on it. After a few times, I opened,  
17 and, you know, you just kept come --  
18 you just kept going, you just kept  
19 going, kept going. I tried to close  
20 the door three times, you know.

21 Please, please, just don't let --  
22 you know, and then --

23 "FEMALE VOICE: Babe --

24 "MALE VOICE: Wait. And then I then  
25 I -- I -- I -- accidentally, I

1 swear, when I was trying to close  
2 the door, I guess it scraped your  
3 toes. I -- you know, I didn't mean  
4 to do that. And I bent down and you  
5 either pushed or you kicked -- I  
6 think you kicked the door open.

7 "FEMALE VOICE: I didn't know I did  
8 that.

9 "MALE VOICE: I mean sort of caught  
10 the door, yeah, more open so it  
11 would hit me.

12 "FEMALE VOICE: No. I didn't --

13 "MALE VOICE: Wait.

14 "FEMALE VOICE: I didn't not mean to  
15 do that.

16 "MALE VOICE: Wait. And it hit me  
17 in the fucking head.

18 "FEMALE VOICE: I did not mean to do  
19 that.

20 "MALE VOICE: I was bent down behind  
21 the door.

22 "FEMALE VOICE: I did not do  
23 anything to -- I did not kick the  
24 door or push the door so that it  
25 would hit you. I did not. I swear.

1 I mean that did not -- it was not my  
2 intention. I think I remember when  
3 the door scraped my toes.)

4 BY MS. BERK:

5 Q Okay. So you told him in that excerpt that you  
6 hit him with a door but did not intend to hit him,  
7 correct?

8 MR. HARDER: The recording speaks for itself.

9 BY MS. BERK:

10 Q Did you say that?

11 A I -- I said whatever I said in that recording.

12 Q Okay.

13 A I don't -- when you play it for me, it's hard  
14 for me to remember every single word.

15 Q And that's a recording marked as Exhibit -- the  
16 punching?

17 MR. ALLHOFF: Q. What you just played?

18 MS. BERK: Q. Q.

19 Q Would you continue to listen to Exhibit Q?

20 A Uh-huh. Are these from the same day?

21 (Audio recording played as follows:

22 "FEMALE VOICE: I -- I reacted, but

23 this whole -- the door thing, I

24 never -- I never did that. That

25 wasn't on purpose. I might have



1 done it on accident.

2 "MALE VOICE: Okay. So let's say  
3 that was an accident. I then stood  
4 up. I don't even know what I said.  
5 I mean I might have said like 'What  
6 the fuck," you know, whatever,  
7 because I had just been hit in the  
8 head with the fucking corner of the  
9 door.

10 "FEMALE VOICE: I'm so sorry I did  
11 that. I'm sorry.

12 "MALE VOICE: Then I stood up and  
13 then you fucking clocked me.

14 "FEMALE VOICE: I -- I remember  
15 hitting you as a response to the  
16 door thing.")

17 THE WITNESS: That's exactly what I just told  
18 her.

19 (Audio recording continues as follows:

20 "FEMALE VOICE: I'm really sorry  
21 about hitting you with the door --  
22 or hitting your head. I did not  
23 mean to nor --

24 "MALE VOICE: You didn't not mean to  
25 hit me in the head with the door,

1 but you meant to --

2 "FEMALE VOICE: I didn't --

3 "MALE VOICE: -- punch me in the  
4 jaw.

5 "FEMALE VOICE: I meant to hit you  
6 and I -- I did not do this thing  
7 with the door. I do remember I did  
8 mean to hit you.

9 "MALE VOICE: But that you didn't  
10 mean?

11 "FEMALE VOICE: The door? No. God  
12 no. I -- I --

13 "MALE VOICE: But punching me in the  
14 jaw you did?

15 "FEMALE VOICE: I -- okay. I'm  
16 sorry.")

17 BY MS. BERK:

18 Q So on the tape you tell Johnny Depp that you  
19 did mean to hit him?

20 MR. HARDER: Objection. That's argumentative  
21 and it misstates what the recording was.

22 THE WITNESS: And it also misrepresents that --  
23 what actually happened, which is him trying to get into a  
24 room I'm trying to keep him out of, and then he runs the  
25 door over my toes trying to get into the room. I tried

1 to push him out of it, which is what the hit is that is  
2 referred to. And Johnny, whenever he was hit or touched  
3 at all, referred to it in these ways of punching or  
4 clocked or whatever. And whether you discussed it with  
5 him or not, the last thing you do in -- in talking to him  
6 afterwards or trying to reconcile with him is to get into  
7 what the definition of those words mean to him.

8 MR. HARDER: Just say what happened.

9 THE WITNESS: So I just never -- I never even  
10 addressed it. If he was ever pushed, it was a clock --  
11 he called it a cold-clock. I mean, he was just very  
12 dramatic about everything about it.

13 BY MS. BERK:

14 Q Isn't it true, Ms. Heard, that in December of  
15 2015, you punch Johnny Depp in the face with a closed  
16 fist?

17 (Sotto voce discussion among respondent's  
18 counsel off the record)

19 THE WITNESS: I hit -- I hit Johnny one time  
20 when he -- sorry, I'll wait.

21 MR. HARDER: No. Answer the question. Please  
22 stop whispering because it's distracting over here.

23 MS. GARVIS WRIGHT: It's your team.

24 THE WITNESS: No. I was referring to --

25 MR. HARDER: No. These two.

1 MS. SPECTOR: Same objections.

2 THE WITNESS: Well, when you live in such a  
3 violent relationship as I have been in with someone who  
4 is so much bigger than you and so much stronger than you,  
5 and has no off button, you do the best you can to defend  
6 yourself. And I don't know to what extent or to -- what  
7 I would have -- that he could claim I have done damage on  
8 him. I've done my best to defend myself. He is much  
9 bigger than me. He's much stronger than me. And this  
10 went on for so long before I ever even tried to defend  
11 myself.

12 MS. BERK: Objection. Move to strike.  
13 Nonresponsive.

14 Q Isn't --

15 MR. HARDER: It is responsive.

16 BY MS. BERK:

17 Q Isn't it a fact, Ms. Heard, that you, on  
18 multiple occasion also prior to today --

19 MR. HARDER: Please lower your voice.

20 BY MS. BERK:

21 Q -- threw objects that --

22 MR. HARDER: Please lower your voice.

23 BY MS. BERK:

24 Q -- hit Mr. Depp, including a Mineral Spirits  
25 can?

1 MR. KOENIG: Objection.

2 MR. HARDER: 352. It's irrelevant to these  
3 proceedings. It's vague as to time. Vague and  
4 ambiguous. Including a mineral -- are you -- it sounds  
5 like a compound. Are you asking about several instances  
6 or one instance? It's vague.

7 BY MS. BERK:

8 Q Have you ever intentionally thrown an object  
9 that hit Mr. Depp prior to today?

10 MR. HARDER: Okay. Okay. I'm going to get  
11 some new objections. 352, irrelevant to these  
12 proceedings, vague and ambiguous, vague as to time,  
13 harassing.

14 But go ahead and explain in any way you feel is  
15 appropriate.

16 THE WITNESS: Um, what do you mean?

17 BY MS. BERK:

18 Q I mean have you ever thrown a -- an object  
19 prior to today at Mr. Depp that hit him?

20 MR. HARDER: Same objections.

21 THE WITNESS: I don't know what has hit him. I  
22 don't remember anything in particular about Mineral  
23 Spirits.

24 Q Have you ever thrown a bottle or any other  
25 object at Mr. Depp prior to today -- to today which hit

1 him?

2 MR. HARDER: Same objections.

3 THE WITNESS: I don't know.

4 BY MS. BERK:

5 Q Isn't it --

6 A I don't know what's hit him. I don't know.

7 Q Isn't it true, Ms. Heard --

8 MR. HARDER: You interrupted her.

9 THE WITNESS: I don't know what has hit him. I  
10 don't know what has been thrown in self-defense because  
11 it meant that -- or him being -- landing a punch at me.  
12 I don't know also what I, um, will pass over when we have  
13 these discussions afterwards and you're just seeking for  
14 peace what you -- what you -- what I would have said or  
15 not said just to move on with our lives and acquire for  
16 ourselves some sort of peace. So a lot of times we'd  
17 have these conversations afterwards where he would  
18 articulate some of his experiences in -- and a lot of  
19 which are delusional and I would -- some to which I would  
20 agree and not --

21 MR. HARDER: Focus on the question. The  
22 question was about throwing.

23 BY MS. BERK:

24 Q Have you ever, prior to today, thrown any  
25 object at Mr. Depp whether or not it hit him?

1           A    Um --

2                   MR. KOENIG:  Objection.  Vague.

3                   MS. SPECTOR:  352.

4                   MR. HARDER:  352, irrelevant, vague, vague as  
5 to time, calls for a narrative potentially.

6                   MS. BERK:  It calls for a yes or no answer.

7                   THE WITNESS:  I don't think it does.

8 BY MS. BERK:

9           Q    Ms. Heard, have you, prior to today, ever  
10 thrown any object at Mr. Depp whether or not it actually  
11 hit him?

12                   MR. HARDER:  Same objections, and answer  
13 however you wish.

14                   THE WITNESS:  I don't know.  It depends on, I  
15 guess, the context.  I might have thrown something if it  
16 meant that it was either because he was advancing on me  
17 or because I had no other means to which I could protect  
18 myself.  He weighs well over 100 pounds more than me and  
19 if someone like that is coming after you because they're  
20 high or -- or fucked up -- excuse me -- high or drunk and  
21 have taken a bag of ecstasy and done a bunch of cocaine  
22 and are heavily intoxicated like in Australia or Japan --

23 BY MS. BERK:

24           Q    Ms. --

25           A    -- you do whatever you can to --

1 MS. GARVIS WRIGHT: Seriously?

2 THE WITNESS: -- defend yourself, and I don't  
3 know if -- I -- I have no idea what else I could do.

4 BY MS. BERK:

5 Q So Is that yes or no?

6 A I don't know is what my answer was to you --

7 Q Okay.

8 A -- and I explained it the best I could.

9 Q Isn't it true, Ms. Depp -- I mean, Ms. Heard,  
10 that in Australia in March of 2016, you threw a alcohol  
11 bottle at Mr. Depp, and, in fact, when it smashed, you  
12 cut off the end of his finger with the bottle that you  
13 had thrown?

14 A That's a ridiculous accusation.

15 Q Isn't it a fact that you threw on May --  
16 December 30th, 2005 -- -15, while on the island in Exuma,  
17 a can of Mineral Spirits paint thinner and hit Mr. Depp  
18 in the head?

19 MR. HARDER: Objections. 352, irrelevant to  
20 these proceedings, vague, argumentative, harassing.

21 BY MS. BERK:

22 Q Isn't it true in -- yes?

23 MR. HARDER: If she doesn't want to have you  
24 answer, then let her ask another question.

25 BY MS. BERK:



1 Q Are you --

2 A So sorry.

3 Q -- prepared to answer?

4 MR. HARDER: She was about to, but you started  
5 asking another question.

6 MS. BERK: I apologize.

7 Q Ms. Depp -- Ms. Heard, are you about to answer?  
8 Would you answer that question?

9 MS. SPECTOR: What's the question?

10 THE WITNESS: Can you please repeat your  
11 question.

12 BY MS. BERK:

13 Q Did you throw on May 15 -- I'm sorry --  
14 December 30, 2015 a can of paint thinner while on the  
15 island of Exuma at Johnny Depp and hit him in the head?

16 MR. HARDER: 352, irrelevant to these  
17 proceedings, vague, argumentative and harassing.

18 THE WITNESS: Um, on the island, I remember  
19 this last time he came at me really bad, he came at me  
20 really hard. And it started in the closet. And at one  
21 point he had me by the neck in the closet and he -- he  
22 said this -- I think it was like this -- "You don't think  
23 I'll fucking do it this time? You don't think I'll  
24 fucking do it?" He had his hands around my neck. He  
25 wasn't squeezing very hard, he was -- but he was

1 squeezing. And I pick -- I -- I -- I -- I -- I -- I -- I -- I  
2 don't know if I -- I pushed him or I picked something up  
3 to get away -- I -- I -- or at what point I picked  
4 something up, but I have thrown something on the island  
5 at him while I was running from the closet where this  
6 started to the door to get out.

7 BY MS. BERK:

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

11 MR. HARDER: 352, irrelevant, vague,  
12 argumentative, harassing.

13 THE WITNESS: In front of whose employees?

14 MR. HARDER: And asked and answered.

15 THE WITNESS: Oh. That's true. I just  
16 explained it, I guess.

17 MR. HARDER: Well, explain it again because --

18 MS. BERK: No. I'm not asking --

19 MR. HARDER: No, no, no, no.

20 MS. BERK: No. I'm not asking for anything  
21 other than a yes or no.

22 Q Did you or did you not throw a can at Johnny  
23 Depp on December 15, 2015?

24 MR. KOENIG: Objection.

25 MR. HARDER: Asked and --

1 THE WITNESS: No.

2 MR. HARDER: -- answer --

3 MS. BERK: No. Okay.

4 MR. HARDER: You have to wait for me to object.

5 THE WITNESS: I'm sorry. I --

6 MR. KOENIG: Objection. Argumentative.

7 MR. HARDER: Just wait.

8 BY MS. BERK:

9 Q In fact --

10 MR. HARDER: You have all the time in the  
11 world. She doesn't. You do.

12 BY MS. BERK:

13 Q In fact --

14 THE WITNESS: I'm sorry.

15 MR. HARDER: Stop talking, please. I haven't  
16 given my objections. Or are you withdrawing the  
17 question?

18 MS. BERK: There is no question pending.

19 MR. HARDER: There was. I was about to object.  
20 My objections are 352, irrelevant, harassing, vague,  
21 vague as to time. And answer however you feel is  
22 appropriate.

23 THE WITNESS: Okay. What incident are you  
24 referring to?

25 MS. BERK: I'll move on, Ms. --

1 MR. HARDER: No. I want you to answer.

2 Can you please read back the question.

3 BY MS. BERK:

4 Q Ms. Heard --

5 MR. HARDER: Please read back the question.

6 MR. GARVIS WRIGHT: Withdraw the question.

7 MR. HARDER: Fine. Withdraw the question and  
8 we'll move on.

9 Q Isn't it true that you've been previously  
10 arrested for committing domestic violence against your  
11 spouse?

12 MR. KOENIG: Objection. 352.

13 MR. HARDER: Irrelevant, harassing, has nothing  
14 to do with this proceeding, it's argumentative.

15 Go ahead and explain how you want to

16 THE WITNESS: There was no domestic violence  
17 within that relationship and I -- the State of Washington  
18 where I was arrested immediately dropped the charges  
19 because they knew the exact same thing that I just told  
20 you, that no domestic violence ever occurred. And my ex  
21 has stated such. In fact, it was so ridiculous, those  
22 charges, it was verbal argument, it was misinterpreted,  
23 misrepresented, and completely over -- overreacted upon  
24 by two individuals in a power position, and as soon as  
25 they found out -- as soon as they found out that we were

1 partners, which we were not going to be arrested for  
2 before, as soon as they found out we were partners, the  
3 male cop -- not this other woman who has later been  
4 brought into the press -- this male cop put me in  
5 handcuffs and -- and that's -- it -- there was no -- no  
6 physical violence, no physical abuse, and zero, zero  
7 domestic violence whatsoever between us. It was a  
8 trumped up charge and it was dropped immediately for  
9 being such.

10 BY MS. BERK:

11 Q Isn't it a fact, Ms. Heard, that in fact on  
12 September 24th, 2009, you were arrested for domestic  
13 violence committed against Tasya Van Ree?

14 MR. HARDER: Asked and answered. Isn't that  
15 what you just talked about?

16 MR. KOENIG: Same objections.

17 THE WITNESS: Did I miss something?

18 BY MS. BERK:

19 Q Isn't it a fact, Ms. Heard, on September 14th  
20 you were in fact taken to jail; it wasn't dropped  
21 immediately?

22 MR. KOENIG: Same objections. Vague as to  
23 "immediately."

24 MR. HARDER: Same objections.

25 BY MS. BERK:

1 Q Isn't it a fact, Ms. Heard, that you spent the  
2 night in jail from September 14th to September 15th, 2009  
3 as a result of your arrest for domestic violence?

4 MR. HARDER: Same objections.

5 MR. KOENIG: Same objection.

6 MR. HARDER: It's irrelevant.

7 BY MS. BERK:

8 Q Is that true?

9 MR. HARDER: 352. She's already answered what  
10 happened.

11 BY MS. BERK:

12 Q Is that true?

13 MR. HARDER: Vague.

14 THE WITNESS: I already --

15 MR. HARDER: Argumentative and harassing. You  
16 just want to get your harassment in. Go ahead.

17 MS. BERK: Let the record --

18 THE WITNESS: I just answered.

19 MS. BERK: -- reflect that Mr. Harder is  
20 directing her not to answer.

21 Q Did you --

22 A I answered you --

23 Q -- spend the night in jail?

24 MR. HARDER: I never --

25 MS. SPECTOR: She answered.

1 MR. HARDER: I never said don't answer. I  
2 never said that.

3 MR. GARVIS WRIGHT: The court reporter is about  
4 to --

5 MR. HARDER: That's not my fault --

6 MR. GARVIS WRIGHT: Yes, it is.

7 MR. HARDER: -- because she keeps cutting me  
8 off every time I say something.

9 MS. KLEIN: Why are you yelling?

10 MS. BERK: There is no need to yell,  
11 Mr. Harder.

12 MR. HARDER: Well, I have to be heard.  
13 Everybody's talking over me. You've got a whole wall of  
14 lawyers over there who are talking over me.

15 MS. BERK: May I continue?

16 MR. KOENIG: Except for Hans.

17 MR. HARDER: Can I say something?

18 BY MS. BERK:

19 Q Ms. Heard -- Ms. Heard, isn't it a fact that  
20 Tasya Van Ree on September 14th, 2009 claimed to the  
21 police that you had hit her arm?

22 MR. HARDER: Same objections.

23 MS. BERK: No?

24 THE WITNESS: I don't know anything about this.

25 MR. HARDER: Answer how -- give a full answer,

1 please.

2 THE WITNESS: I don't know anything about the  
3 claim that you just made about what Tasya said or did not  
4 say. I can't possibly know that. I know nothing about  
5 what you just said.

6 BY MS. BERK:

7 Q Isn't it a fact that on September 14th, you hit  
8 Tasya Van Ree in her arm?

9 A No.

10 MR. KOENIG: Objection.

11 BY MS. BERK:

12 Q Isn't it a fact that on September 14th, you  
13 broke the necklace off of Tasya Van Ree's neck?

14 MR. HARDER: 352.

15 BY MS. BERK:

16 Q The necklace?

17 MR. HARDER: Irrelevant to these proceedings,  
18 argumentative, harassing.

19 BY MS. BERK:

20 Q Isn't it a fact that Tasya Van Ree reported to  
21 the police that you had hit her arm?

22 MR. HARDER: 352, irrelevant, vague,  
23 argumentative and harassing.

24 MR. KOENIG: And speculation.

25 BY MS. BERK:



1 Q Isn't it a fact, Ms. Heard --

2 A It's Heard still.

3 Q -- that you know very well that your spouse,  
4 that your domestic partner, Tasya Van Ree, requested that  
5 you be arrested for domestic violence?

6 A No.

7 MR. HARDER: Calls for -- you need to please  
8 let me get my objections in. Okay? Please.

9 MS. BERK: Okay. At this time we would like to  
10 take a break for 10 minutes.

11 MR. HARDER: No. I want to get my objections  
12 in. Well, fine. She said no so we --

13 MS. BERK: May we go off the record?

14 MR. KOENIG: Hans, you got the time?

15 MR. HARDER: We're not going off the record.  
16 We're not going off the record.

17 MS. BERK: We're taking a brief break.

18 MR. HARDER: We're not taking a brief break.

19 MS. GARVIS WRIGHT: Really. We had to take a  
20 break every single time you wanted.

21 MR. HARDER: Because you made her cry. So  
22 we're not taking a break.

23 MS. GARVIS WRIGHT: I actually keep --

24 MR. HARDER: We're going to keep running.

25 We're not --

J. Depp Declaration

Exhibit B



# J. Depp Declaration

## Exhibit C



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3MB



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IMG\_20151215\_202744037.jpg

3MB



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IMG\_20151215\_202805914.jpg

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# J. Depp Declaration

## Exhibit D





# J. Depp Declaration

## Exhibit E

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP  
II (AKA JOHNNY DEPP)

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VIDEOTAPED DEPOSITION OF RAQUEL ROSE PENNINGTON

VOLUME I

June 16, 2016

2:27 p.m.

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

1 APPEARANCES:

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4 BY: SAMANTHA F. SPECTOR  
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8 For Respondent:

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24 Also Present:

25 STAN BEVERLY, Videographer

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RAQUEL ROSE PENNINGTON, VOLUME I  
DEPP V. DEPP  
Thursday, June 16, 2016  
Pamela J. Felten, CSR No. 5189

MARKED	DESCRIPTION	PAGE
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Exhibit 2	Declaration of Raquel Rose Pennington executed on May 27, 2016	151

1 Los Angeles, California

2 Thursday, June 16, 2016, 2:27 p.m.

3

4 THE VIDEOGRAPHER: Good afternoon. This is the  
5 recorded video deposition of Raquel Rose Pennington in  
6 the matter of petitioner, Amber Laura Depp, versus  
7 respondent, John Christopher Depp, taken on behalf of the  
8 respondent.

9 This deposition is taking place at 2049 Century  
10 Park East, Los Angeles, California, on June 16, 2016 at  
11 approximately 2:27 p.m.

12 My name is Stan Beverly. I'm the videographer  
13 with U.S. Legal Support located at 11845 West Olympic  
14 Boulevard, Los Angeles, California. Video and audio  
15 recording will be taking place unless all counsel have  
16 agreed to go off the record.

17 Would all present please identify themselves  
18 beginning with the witness.

19 THE WITNESS: Raquel Pennington.

20 MR. PAKRAVAN: Jonathan Pakravan, attorney for  
21 the witness.

22 MS. SPECTOR: Samantha Spector, attorney for  
23 petitioner, Amber Laura Depp. And Joseph Koenig, also  
24 co-counsel.

25 MS. KLEIN: Samantha Klein, Wasser, Cooperman &

1 Q Okay. And did you say good-bye to Johnny?

2 A Yes.

3 Q Okay. How did you say good-bye to Johnny?

4 A I gave him a kiss on the cheek and said  
5 goodnight.

6 Q Okay. Was it a similar interaction that you  
7 had had before?

8 A Very brief, yes.

9 Q Okay. But similar to the -- to the Johnny you  
10 observed before?

11 A Yes.

12 Q Okay. At any time during the time you were at  
13 the apartment, did you see Johnny yell at anybody?

14 A No.

15 Q Or hear Johnny yell at anybody?

16 A No.

17 Q Or become animated in any way?

18 A No.

19 Q At any time you were in the apartment that  
20 evening, did you see Johnny throw anything?

21 A No.

22 Q Smash anything?

23 A No.

24 Q Break anything?

25 A No.



1 Q Hit anybody?

2 A No.

3 Q Grab anybody?

4 A No.

5 Q When you left the apartment, did you leave  
6 alone or with Josh?

7 A With Josh.

8 Q Okay. Had everybody else left at that point?

9 A I believe we all walked out, several of us  
10 maybe walked at the same time to go -- we take people to  
11 the elevator to fob them down to the parking level.

12 So --

13 Q Okay. Raquel, when you say "fob them down,"  
14 what does that mean?

15 A Using the key fob in the elevator to send them  
16 down to the parking level.

17 Q Okay. So -- so at the time you were fobbing  
18 them there -- down there was the first time you'd left  
19 the apartment since Johnny had gotten there, correct?

20 A Correct.

21 Q And would it be fair to say that your time with  
22 Johnny in the apartment had been approximately an hour  
23 and a half?

24 A 35 minutes.

25 Q So 35 minutes. So it was only 20 minutes that

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

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP  
II (AKA JOHNNY DEPP)

---

DEPOSITION OF RAQUEL ROSE PENNINGTON

VOLUME II

July 14, 2016

1:22 p.m. - 6:01 p.m.

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

1 APPEARANCES:

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(NONE)

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RAQUEL ROSE PENNINGTON, VOLUME II

DEPP V. DEPP

Thursday, July 14, 2016

Pamela J. Felten, CSR No. 5189

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Exhibit 5	Photographs labeled A through G, four color, three black and white	371

1 Los Angeles, California

2 Thursday, July 14, 2016, 1:22 p.m.

3

4 RAQUEL ROSE PENNINGTON,

5 having been first administered an oath, was

6 examined and testified as follows:

7

8 EXAMINATION

9 BY MS. BERK:

10 Q Good afternoon, Raquel. We're continuing a  
11 deposition that we began a few weeks ago. And you  
12 understand you are still under oath, correct?

13 A Yes.

14 Q Okay. And we're going to incorporate by  
15 reference whatever the initial stipulations were at the  
16 beginning of the proceedings last time. Okay?

17 Raquel, we left off the last time on events of  
18 April 21 and 22, 2016. Do you recall that?

19 A Yes.

20 Q And you had described to us coming downstairs  
21 after you suggested Amber get in the shower, and she had  
22 come downstairs of Amber and Johnny's penthouse apartment  
23 and you were in the downstairs area of the apartment. Do  
24 you remember talking about that?

25 A Yeah, I think so.

1 A Um --

2 MS. SPECTOR: Vague as to time.

3 THE WITNESS: Huh?

4 MS. SPECTOR: Vague as to time.

5 THE WITNESS: Oh, at any point?

6 BY MS. BERK:

7 Q Did you understand my question?

8 A Sorry. Say it again.

9 Q At any point between the time the security  
10 arrived into the apartment and the time that you say  
11 Jerry Judge said whatever he said to John Depp, did you  
12 say anything to either of the security folks?

13 A Um, I -- I don't remember saying anything  
14 specifically to Jerry.

15 Q Okay. Did you say anything to Sean?

16 A I -- no, not really. I don't -- I don't think.

17 Q Did you say anything to anyone else in the  
18 apartment? Amber or John?

19 A I don't believe so.

20 Q Okay. What exactly happened next?

21 A So Amber was saying to Jerry, "If he hits me  
22 one more time unprovoked, I'm fucking calling the police"  
23 or "I'm calling the police." I believe she said it  
24 twice. Jerry said something like, "Boss, please."  
25 Johnny stormed off, yelling, smashing more things.

1 Q What did he smash?

2 A They have a big kitchen island in the middle of  
3 the kitchen and on there, there's candles and like fruit  
4 and, you know, glass -- like jars and vases and things  
5 like that. And he just was just hitting everything with  
6 the wine bottle, just smashing it all off. So there was  
7 fruit on the floor and baskets and, you know, glass  
8 bottles and flowers.

9 Q And your testimony is, Raquel, that this  
10 happened after the words were spoken by Jerry Judge?

11 A Yeah.

12 Q Okay.

13 A Yeah.

14 Q And what happened next?

15 A I believe then Johnny grabbed his bag.

16 Q Where was his bag?

17 A It was either on one of the chairs in the -- on  
18 the island, or at like the dining room table maybe.

19 Q Do you not have --

20 A He might have had a --

21 Q -- a specific recollection?

22 A He might have had a couple of bags. I remember  
23 he was like picking stuff up.

24 Q So it's fair to say you remember him picking  
25 bags up, but you're not sure where he got them from?



**J. Depp Declaration**  
**Exhibit F**

**J. Depp Declaration**

**Exhibit G**

1 A Yes.

2 Q Isn't it a fact when they made that inspection  
3 of Penthouse 5, they did not see any broken glass on the  
4 floor?

5 A I don't know what they -- what they saw or  
6 didn't see. I wasn't ushering them around. They did  
7 that by themselves. I guess maybe Josh was showing them  
8 around. But there was extensive damage to which we have  
9 plenty of evidence.

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

12 A I don't know what the officers saw.

13 Q Had any of the damage been cleaned up when the  
14 officers arrived? By you?

15 A Um, by the time the second set of officers  
16 arrived, we had cleaned up the kitchen and cleaned up a  
17 bit and cleaned up, yeah.

18 Q By the time the first officers arrived, had you  
19 cleaned up any damage to Penthouse 5?

20 A I don't think so.

21 Q Okay. Isn't it a fact that you went with the  
22 officers to Penthouse 5, the first set of officers?

23 A No.

24 Q Is it your testimony that you never went to  
25 Penthouse 5 with either of the officers of the first set

# J. Depp Declaration

## Exhibit H

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

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP  
II (AKA JOHNNY DEPP)

---

DEPOSITION OF ELIZABETH MARZ

VOLUME I

July 15, 2016

10:21 a.m. - 11:52 a.m.

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

1 APPEARANCES:

2 For Petitioner:

3 SPECTOR LAW  
4 BY: SAMANTHA F. SPECTOR  
5 JOSEPH P. KOENIG  
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12 For Respondent:

13 WASSER, COOPERMAN & MANDLES  
14 BY: SAMANTHA KLEIN  
15 LISA SUTTON  
16 Attorneys at Law  
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18 Suite 800  
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24 Attorney at Law  
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Pakravan@pakravanlaw.com

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EXAMINATION

PAGE

BY MS. KLEIN

5

INFORMATION REQUESTED

(NONE)

DOCUMENTS REQUESTED

(NONE)

WITNESS INSTRUCTED NOT TO ANSWER

(NONE)

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Pamela J. Felten, CSR No. 5189

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Los Angeles, California  
Friday, July 15, 2016, 10:21 a.m.

ELIZABETH MARZ,  
having been first administered an oath, was  
examined and testified as follows:

EXAMINATION

BY MS. KLEIN:

Q So this proceeding about which -- during which  
you're about to give some testimony is called a  
deposition. The purpose of taking a deposition is to  
obtain facts and information relating to matters involved  
in this lawsuit.

This is a shorthand certified court reporter,  
and as you just had happen, you were put under oath. Do  
you understand what it means to be put under oath?

A Uh-huh.

Q Okay. So you're expected to give truthful,  
most complete answers that you can give here today. We  
don't want you to guess. I'd like you to give me your  
best present recollection of whatever I'm asking about.  
Again, not a guess.

This deposition is taking place in my  
conference room. It's informal, but it has the same

1 A Yes.

2 Q Isn't it a fact when they made that inspection  
3 of Penthouse 5, they did not see any broken glass on the  
4 floor?

5 A I don't know what they -- what they saw or  
6 didn't see. I wasn't ushering them around. They did  
7 that by themselves. I guess maybe Josh was showing them  
8 around. But there was extensive damage to which we have  
9 plenty of evidence.

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

12 A I don't know what the officers saw.

13 Q Had any of the damage been cleaned up when the  
14 officers arrived? By you?

15 A Um, by the time the second set of officers  
16 arrived, we had cleaned up the kitchen and cleaned up a  
17 bit and cleaned up, yeah.

18 Q By the time the first officers arrived, had you  
19 cleaned up any damage to Penthouse 5?

20 A I don't think so.

21 Q Okay. Isn't it a fact that you went with the  
22 officers to Penthouse 5, the first set of officers?

23 A No.

24 Q Is it your testimony that you never went to  
25 Penthouse 5 with either of the officers of the first set

# J. Depp Declaration

## Exhibit I

Officer Melissa Saenz  
July 18, 2016

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

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP  
II (AKA JOHNNY DEPP)

---

DEPOSITION OF OFFICER MELISSA SAENZ

July 18, 2016

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

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

1 APPEARANCES:

2 For Petitioner:

3 SPECTOR LAW  
4 BY: SAMANTHA F. SPECTOR  
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11 For Respondent:

12 WASSER, COOPERMAN & MANDLES  
13 BY: LISA SUTTON  
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INFORMATION REQUESTED

(NONE)

DOCUMENTS REQUESTED

(NONE)

WITNESS INSTRUCTED NOT TO ANSWER

(NONE)

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DEPP V. DEPP  
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Pamela J. Felten, CSR No. 5189

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

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

EXAMINATION

BY MS. BECK:

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

A Okay.

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

A Perfect.

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



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

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

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

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

12 A Okay.

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

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

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

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

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

8 A I cannot.

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

11 A No, I have not.

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

14 A No, I have not.

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

17 A Yes, I do.

18 Q Okay.

19 MS. SPECTOR: Very good.

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

22 THE REPORTER: Mark it A.

23 MS. BERK: -- Exhibit A.

24 (Exhibit A marked)

25 BY MS. BERK:

1 Q Do you recognize that?

2 A Yes, I do.

3 Q And do you remember when you first saw that  
4 document?

5 A Not the exact date. Approximately two to three  
6 weeks ago.

7 Q And is this the document that brought you here  
8 today?

9 A Correct.

10 Q Okay. And I assume there's a separate -- you  
11 didn't ever see the Subpoena Duces Tecum for documents,  
12 correct? That goes to a different division?

13 A Correct. I just get this, I initial it, and  
14 then they take it back.

15 Q No worries. Very good.

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

17 Q Okay. Officer Saenz, let's start with where  
18 you're employed. Could you tell us where you're  
19 employed?

20 A Sure. I am a police officer for the City of  
21 Los Angeles. I am a training officer at Central  
22 Division.

23 Q How long have you been so employed?

24 A Seven years.

25 Q Okay. You look very young.

1 A Thank you.

2 Q In your seven years, how -- for how many of  
3 those seven years, have you been a supervisor or a  
4 train- -- someone who is training officers?

5 A It's been eight months.

6 Q Okay. And in your capacity as a training  
7 officer, were you working in that capacity on May 21 of  
8 2016?

9 A Yes, I was.

10 Q Okay. And before we get there, could you tell  
11 us a little bit about your own training? Tell us about  
12 your training to be a police officer.

13 A Well, we -- to become a police officer, we go  
14 through a six-month academy where we get trained on  
15 various law enforcement subjects. And after our six  
16 months, we graduate, we go to a probationary period for a  
17 year, and after that we go to -- we get chosen to go to  
18 whatever division they need us at within the city.

19 Q And in your training, Officer Saenz, in the  
20 academy, are you -- did you receive training in the  
21 detection of -- investigation and detection of crimes of  
22 suspected domestic violence?

23 A Yes, we did.

24 Q Okay. And in your field training, did you  
25 receive field training in the investigation and detection

1 of crimes of domestic violence?

2 A Yes, we did.

3 Q Okay. And in your capacity as an officer,  
4 would it be fair to say that you've responded to dozens  
5 and dozens of calls related to the investigation and  
6 detection of domestic violence?

7 A Yes.

8 Q Do you have any idea of how many calls related  
9 in your seven or eight years of work as a Los Angeles  
10 police officer?

11 MS. SPECTOR: Misstates testimony.

12 THE WITNESS: I honestly wouldn't be able to  
13 put a number. Many.

14 BY MS. BERK:

15 Q Okay.

16 A Many, many.

17 Q Over a hundred?

18 A Yes.

19 Q Okay.

20 A Over a hundred, yes.

21 Q Okay. Officer Saenz, I'd like to draw your  
22 attention to May 21, 2016 and a call that I understand  
23 from dispatch you responded to at 8:49 South Broadway.  
24 Do you recall that evening?

25 A Yes, I do.

1 Q Okay. And you were on duty that night with  
2 Officer Hadden as your -- as your trainee partner?

3 A Yes, I was.

4 Q Do you recall the dispatch call itself?

5 A Yes, I do.

6 Q Okay. What do you recall the dispatch call  
7 stating or relating to you prior to arrival at 849 South  
8 Broadway?

9 MS. SPECTOR: Compound.

10 THE WITNESS: I believe it was a third person  
11 caller that gave an address and just stated it was a  
12 possible domestic incident at a penthouse and no room  
13 number, just a penthouse.

14 BY MS. BERK:

15 Q Okay. And were you given any other specific  
16 details about what was being claimed?

17 A No, I did not.

18 Q Upon arriving at the location, 849 South  
19 Broadway, could you tell me what you first did?

20 A Yes. I responded with my partner up to the  
21 penthouse to try to make contact with the possible victim  
22 or suspect.

23 Q Okay. Before you got up to the penthouse, did  
24 you have any interaction with anyone downstairs in the  
25 first level of the building?

1           A    I believe we asked the receptionist if we can  
2 get up to the penthouse and I believe she scanned us up.  
3 But other than that, we did not.

4           Q    Okay. So prior to getting in the elevator, you  
5 did not have any contact with any man or woman in the  
6 lobby other than whoever assisted you in getting into the  
7 elevator?

8           A    Correct.

9           Q    Okay. And did you travel in the elevator with  
10 Officer Hadden?

11          A    Yes, I did.

12          Q    Okay. And was there anybody else in the  
13 elevator?

14          A    No, there was not.

15          Q    Okay. Can you tell us, Officer Saenz, what  
16 happened when you arrived at the penthouse level in the  
17 elevator and left the elevator?

18          A    Yes. We exited the elevator and we attempted  
19 to door-knock the penthouse, and we did not receive an  
20 answer. So we tried to listen for possible signs of  
21 domestic violence. Glass breaking, fighting, shouting.  
22 We heard nothing. So we responded to the outdoor  
23 courtyard and we tried to make contact, tried to see if  
24 there was anyone outside. There was a woman in the gym,  
25 but it was obvious she was not related to the incident.



1 So we re-responded back into the hallway and we were met  
2 by a gentleman. A male white.

3 Q And the male white, could you describe his  
4 physical appearance other than male white?

5 A You know what, I don't recall details of him.  
6 Just generic male white. He didn't look like he was  
7 under distress or anything.

8 Q Okay. Did he give you his name? Do you  
9 recall?

10 A No, he did not give me his name.

11 Q Okay. And what did he tell you, if anything?

12 A He actually approached us as we were walking  
13 back into the hallway and he asked if we were here for a  
14 call. And we advised him that we were here for a  
15 possible domestic violence incident. And he just stated,  
16 "She's in -- she's in my apartment."

17 And I said, "Okay. Who is 'she'?"

18 He said, "The one that lives here."

19 So I asked him if he could explain to us what  
20 happened, and he didn't give us any details. He said,  
21 "Everything is okay. It's fine. And she's in my  
22 apartment with my girlfriend."

23 And I said, "Okay, I need to speak to her,  
24 whoever she is."

25 And he said, "Okay. Just wait here and I'll go

1 inside and grab her."

2 So me and my partner waited outside --

3 Q Okay. Let me --let me just stop and just --

4 A Okay.

5 Q -- slow you down a little bit.

6 A Okay.

7 Q Okay? Did you ask him to describe what had  
8 happened, if anything?

9 A Yes.

10 Q Okay. And what did he tell you, if anything?

11 A He gave us no details.

12 Q Okay.

13 A He just stated, "Everything is fine."

14 Q Okay. When you say he said, "Everything is  
15 fine," was that -- was he indicating that your services  
16 were not needed or that everything was just fine and he  
17 was going to arrange for you to talk to Ms. Heard?

18 A You know what, my perception was he just wanted  
19 us to go, that he got it -- had it under control.

20 Q I see.

21 A But I let him know that we had to speak to  
22 whoever the female was.

23 Q Okay. And did he say anything about what the  
24 incident -- what the nature of the incident was?

25 A No, he did not.

1 Q Okay. You began to describe making contact  
2 with the female.

3 A Correct. He -- the gentleman re-responded to  
4 his apartment, which is across the hall from Ms. Heard's  
5 apartment.

6 MS. BERK: Excuse me. Can we go off record for  
7 a second.

8 (Discussion off the record.)

9 BY MS. BERK:

10 Q Starting again, Officer Saenz.

11 The gentleman you describe, had he described to  
12 you this was his apartment?

13 A Yes. As I recall, he said, "She's in my  
14 apartment."

15 Q Okay. And you had -- prior to entering the  
16 apartment, you had had the opportunity to walk the  
17 hallway with your fellow officer; is that correct?

18 A Correct.

19 Q Okay. While walking the hallway, did you walk  
20 the full length of the hallway to see if you heard any  
21 sounds or any activity?

22 A Yes, I did.

23 Q Was the hallway -- did it have lights? Was it  
24 a lighted hallway?

25 A Yes, it was well-lit.

1 Q Okay. At any time when you first inspected  
2 that area to listen for sounds or to observe the  
3 surroundings, did you see any indication of vandalism or  
4 property damage?

5 A No, I did not.

6 Q Did you see any broken glass or broken bottles  
7 anywhere in the hallway?

8 A No, I did not.

9 Q Did you see any splashed wine on the floor or  
10 the walls?

11 A No, I did not.

12 Q Okay. When you made entry to the apartment  
13 described as the gentleman's apartment that you had  
14 encountered earlier, did he open the door and let you in?

15 A No, we never made entry into that apartment.

16 Q Okay. You never went inside the apartment at  
17 all?

18 A Correct.

19 Q Okay. What happened when you got to the  
20 apartment described as that of the gentleman?

21 A He asked us to wait. He opened his door. He  
22 shut it, and I could hear talking. I heard voices.

23 Q Did you hear what was said?

24 A No, I didn't. I heard a female. It was --  
25 sounded like female voices. So I assumed it was his --

1 what he said was his girlfriend and Ms. Heard.

2 Q Okay.

3 A After I heard the voices, I knocked again. I  
4 said, "Sir, I need you to open the door." And that's  
5 when Ms. Heard came out with his girlfriend and he  
6 re-responded to the hallway, too, as well.

7 Q Okay. When you say you knocked again, how long  
8 were you left waiting when he first shut the door and  
9 when you knocked again?

10 A It was probably about 30 to 40 seconds.

11 Q Okay. And then you knocked again?

12 A Correct.

13 Q And did he immediately answer or did you have  
14 to wait again?

15 A Immediately one of the females opened the door  
16 and came out --

17 Q Okay.

18 A -- into the hallway. I can't recall which  
19 female it was.

20 Q Okay. And eventually did you make contact with  
21 somebody you came to know as Amber Heard?

22 A Yes, I did.

23 Q Okay. Let's talk about that.

24 A Okay.

25 MS. BERK: Showing you what will be marked as

1 Exhibit B.

2 (Exhibit B marked)

3 BY MS. BERK:

4 Q Do you recognize this person?

5 A Yes, I do.

6 Q And is that the person you came to know at some  
7 point was Amber Heard?

8 A Yes.

9 Q Okay. Tell me, Officer Saenz, when Ms. Heard  
10 first came out of the apartment, did you speak with her?

11 A Yes, I did.

12 And just for the record, the last question was  
13 did I know it was Amber Heard. I didn't -- the entire  
14 call she would not give me her name and I did not  
15 recognize her. I didn't know who she was. And I found  
16 out probably two weeks later.

17 Q Okay.

18 A So . . .

19 Q And I meant to see, if I didn't, who you later  
20 came to learn was Amber Heard --

21 A Yes, I later learned.

22 Q -- because that was my understanding as well.

23 When you first made contact with Ms. Heard, can  
24 you tell me, were you speaking to her directly or was  
25 your partner?

1 A I was.

2 Q Can you tell me what you said to her?

3 A Well, she was crying. And I asked her, "Are  
4 you okay?"

5 And she said, "Yes."

6 And from her body language it was very clear  
7 that she did not want to speak to us. She looked upset.  
8 So I asked her, "Do you want to go into your apartment so  
9 we can talk in private?" And usually as a female  
10 officer, the females will open up with us in private.  
11 And she said, "Yes. Can my friend come?"

12 I said, "Yes."

13 So Ms. Heard, her friend and I went into her  
14 apartment.

15 Q Okay. Now, before you go into the apartment,  
16 Officer Saenz, did you have the opportunity to be close  
17 to Ms. Heard and look at her physically?

18 A Yes, I did.

19 Q Okay. And you had the opportunity to observe  
20 her face and her body --

21 A Correct.

22 Q -- to the extent you could see anything?

23 Do you recall what she had on?

24 A I do not recall what she had on. I don't  
25 recall if I seen her arms. I just know I seen her -- her

1 face --

2 Q Okay.

3 A -- and she had no injuries.

4 Q Okay. Let's talk about that a second.

5 You -- as part of your training in the  
6 investigation of a potential domestic violence incident,  
7 I'm assuming you deal with plenty of folks who indicate  
8 that nothing happened when something happened, correct?

9 A Correct.

10 Q And, likewise, you deal with folks who indicate  
11 that something happened when possibly nothing happened,  
12 correct?

13 A Correct.

14 Q Okay. In this incident, I am assuming whatever  
15 Ms. Heard was telling you, you were still independently  
16 investigating any indicia, any signs that a crime had  
17 been committed, correct?

18 A Correct.

19 Q Okay. And part of the reason that you look at  
20 the person and look to see their physical condition is  
21 to determine whether there had been a potential assault,  
22 correct?

23 A Correct.

24 Q When you first encountered Ms. Heard, you  
25 testified earlier that she was crying, correct?



1 A Correct.

2 Q And -- but that you looked at her face,  
3 correct?

4 A Correct.

5 Q And could you describe -- did you see any marks  
6 of any kind on her face at all?

7 A No, I did not.

8 Q Did you see any signs of swelling or injury to  
9 her face at all?

10 A No, I did not.

11 Q Okay. Did you see any bruises or marks under  
12 either eye?

13 A No, I did not.

14 Q Did you see any bruises or marks of any kind on  
15 her cheeks?

16 A No, I did not.

17 Q Okay. At the point that you discussed with her  
18 speaking, you began to testify earlier that you went to  
19 another location?

20 A We went just across the hall --

21 Q Okay.

22 A -- to where her apartment was.

23 Q Okay. And is that where she said the incident  
24 had occurred?

25 A She never stated that the incident occurred.

1 She didn't give me any details.

2 Q Okay. So she just -- you -- who suggested they  
3 go to her apartment?

4 A I asked her if she would like to go next door.  
5 I asked if she lived there. She said yes -- she nodded  
6 her head. I said, "Okay. Would you like to talk in  
7 there?" And she said, "Yes."

8 Q Okay. When you got to the door, did she open  
9 the door?

10 A Yes, she did.

11 Q Okay. And you went inside the penthouse?

12 A Yes, I did.

13 Q Okay. And did your partner go inside the  
14 penthouse?

15 A He did after a couple minutes.

16 Q Okay. Okay. And who else went inside, if  
17 anyone, besides you and Amber Heard?

18 A Her unknown female friend that was next door  
19 with her.

20 Q Okay. And when you got inside the apartment,  
21 did you have an opportunity to see the -- the inside of  
22 the penthouse?

23 A Yes, I did.

24 Q Okay. Can you describe for me was there a sofa  
25 located in the penthouse?

1 A Yes, there was.

2 Q Okay. Is that where you spoke with Ms. Heard  
3 or somewhere else?

4 A Yes. She was standing in front of a sofa in  
5 the entryway.

6 Q Okay. And as you were inside the penthouse,  
7 did you see any broken glass of any kind?

8 A No, I did not.

9 Q Did you see any broken picture frames of any  
10 kind?

11 A No, I did not.

12 Q Did you see any wine bottles on the floor or  
13 broken in any manner?

14 A No, I did not.

15 Q Did you see any spilled wine of any kind or  
16 spilled liquids of any kind?

17 A No, I did not.

18 Q Okay. And you had an opportunity to observe  
19 the various parts of that penthouse?

20 A Yes. I advised her -- when she refused to  
21 speak to me, I advised her if -- that I would need to  
22 check the location to make sure that there was nobody  
23 hurt and there was no suspects. And she agreed and  
24 her -- her male friend pointed us to where we could  
25 check, and check inside the house.

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

4 A Yes. It's one large space.

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

7 A Yes, I did.

8 Q And was there any shattered glass anywhere?

9 A No, there was not.

10 Q Were there any broken bottles of any kind?

11 A No, there was not.

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

14 A No, there was not.

15 Q Was there any spilled wine of any kind?

16 A No, there was not.

17 Q Or other liquids that were on the floor --

18 A Not that --

19 Q -- that you could detect?

20 A Not that I seen.

21 Q Okay. Did you sit with Ms. Heard at any point  
22 on the sofa to speak with her?

23 A No, I did not.

24 Q Okay. Did she sit on any -- at any time on the  
25 sofa while she was speaking with you?

1           A    I believe after we checked the location, she  
2 sat down on the sofa with her friend.

3           Q    Okay. So we'll get back to that. Before you  
4 did a -- a sweep or a check of the rest of -- of the  
5 penthouse, did you have any opportunity to speak with  
6 Ms. Heard when you were in the apartment?

7           A    Yes, I did.

8           Q    Okay. Could you tell us about that  
9 conversation?

10          A    Sure. I asked her, "What happened?" Opening  
11 question.

12                    She said, "Nothing," and she continued to cry.

13                    I said, "Who do you live here with?"

14                    She shook her head as if she did not want to  
15 answer.

16                    I asked her, "Are you hurt? Do you need an  
17 ambulance?"

18                    And she shook her head again no.

19                    At that point, I asked her if she mind -- if  
20 she would mind if I checked her apartment. And that's  
21 when she said no.

22          Q    At any time during that conversation, did she  
23 say that she had been struck with any object or hit by  
24 any person?

25                    MS. SPECTOR: Compound.

1 THE WITNESS: No, she did not.

2 BY MS. BERK:

3 Q Okay. And did she say that she had been  
4 assaulted in any way by any other human being?

5 A No, she did not.

6 Q Was there any reference to a verbal dispute at  
7 any time that she had had?

8 A I believe I asked her if she had a verbal  
9 dispute. Often when victims deny any sort of physical  
10 altercation, I ask if it was verbal. Again, I got the  
11 same response. She just shook her head. She did not  
12 want to talk to me.

13 Q Okay. Did you ever ask her who her husband  
14 was?

15 A I believe so. I got no answer. She refused --

16 Q Okay.

17 A -- to give me any answer.

18 Q Okay. Was she otherwise cooperative or would  
19 you describe her demeanor as uncooperative?

20 MS. SPECTOR: Vague as to "cooperative,  
21 uncooperative."

22 BY MS. BERK:

23 Q During your encounter with her.

24 MS. SPECTOR: Same objection.

25 THE WITNESS: I don't want to call her

1 uncooperative, but she was not forthcoming, she refused  
2 to speak to me, she didn't answer any of my questions. I  
3 guess -- yeah, I guess you could call her uncooperative.

4 BY MS. BERK:

5 Q Okay. Fair enough. Fair enough.

6 Was there anything else she told you prior to  
7 under- -- you undertaking a sweep of the apartment?

8 A No.

9 Q Okay. And did you ask her prior to undertaking  
10 a sweep of the apartment specifically if anyone had  
11 assaulted her?

12 A Can you repeat that question?

13 Q Had you asked her prior to taking a sweep of  
14 the apartment had anyone assaulted her?

15 A Yes, I did ask her.

16 Q And what did she say?

17 A Again, I got no answer. Just . . .

18 Q Okay. And you then at the some point undertook  
19 a sweep?

20 A Yes.

21 Q Okay. And you inspected the upstairs and  
22 downstairs of this penthouse?

23 A Yes, I did.

24 Q Okay. And you went in all of the rooms?

25 A Yes, I did.

1 Q Did you see at any time any signs of a struggle  
2 or vandalism in the -- in the penthouse apartment?

3 MS. SPECTOR: Compound.

4 THE WITNESS: No, I did not.

5 BY MS. BERK:

6 Q Okay. Did you see at any time in your  
7 inspection of the premises broken glass?

8 A No, I did not.

9 Q At any time in your inspection of the premises  
10 did you see any spilled wine of any kind?

11 A No, I did not.

12 Q At any time during your inspection of the  
13 premises, did you see any broken bottles?

14 A No, I did not.

15 Q At any time during your inspection of the  
16 premises, did you see any broken pictures or glass  
17 picture frames or wooden picture frames?

18 A No, I did not.

19 Q Did you also undertake an inspection of other  
20 penthouses connected to this residence?

21 A Yes, I did.

22 Q Okay. Tell me about that. How did that occur?

23 A After we completed the sweep of the first  
24 penthouse that we were all standing in, the male advised  
25 me that the next door penthouse also belonged to



1 Ms. Heard, and he walked us over, unlocked the door, and  
2 my partner and I did a sweep of that --

3 Q Okay.

4 A -- penthouse as well.

5 Q Okay. And could you describe what you saw in  
6 that penthouse?

7 A Yes. It was many racks with a lot of white  
8 clothing and I remember asking the male, "Oh, do they  
9 sell clothing? Are they" -- he's like, "Oh, yeah, they  
10 design clothing and jewelry."

11 And I said, "Oh, okay. Just making  
12 conversation. I said, "Okay." And I remember continuing  
13 upstairs and we checked the whole loft and everything  
14 seemed ordinary.

15 Q Okay. In your entry to the place where they  
16 had described making jewelry and clothing, did you see  
17 any other people as you and Officer Hadden went in?

18 A No, we did not.

19 Q Was the gentleman with you at that time?

20 A Yes, he was.

21 Q Okay. When you walked into that area, did you  
22 see at any time any signs of a struggle --

23 A No, I did not.

24 Q -- having occurred?

25 Did you see any signs of vandalism to any of

1 the property in that location?

2 A No, I did not.

3 Q Did you see any -- did you see any broken glass  
4 of any kind?

5 A No, I did not.

6 Q Did you see any wine bottles on the floor,  
7 broken or unbroken?

8 A No, I did not.

9 Q Did you see any wine spilled on the floor of  
10 any kind?

11 A No, I did not.

12 Q Okay. And you and Officer Hadden cleared that  
13 location, as well?

14 A Yes, we did.

15 Q Okay. After you cleared that location, Officer  
16 Saenz, what did you do next?

17 A We -- my partner and I re-responded to the  
18 original penthouse where Ms. Heard was standing by.

19 Q Okay. When you arrived back at the original  
20 penthouse, did you encounter Ms. Heard again?

21 A Yes, I did.

22 Q Okay. Is it true to say that you had an  
23 opportunity to observe her face a second time when you --  
24 when you encountered her?

25 A Yes, I did.

1 Q Okay. At this point, were there any signs on  
2 her face that you could see that she had any injury to  
3 her face?

4 A There were no signs of injury.

5 Q Did you see any red marks of any kind under  
6 either eye on her face?

7 A No, I did not.

8 Q Did you see any bruising on her face?

9 A I did not.

10 Q Did you see any swelling of any kind on her  
11 face?

12 A I did not.

13 Q And did you talk to her a second time?

14 A Yes, I did.

15 Q Okay. Could you describe for us that  
16 conversation?

17 A Yes. So I advised her that we had checked both  
18 of the lofts or the penthouses and, again, I asked her,  
19 "Are you sure you don't want to speak to me? I'll have  
20 everyone exit the room."

21 She was still -- she was still crying and she  
22 said, "No, I don't -- I don't want anything."

23 I said, "Okay, ma'am, I'm going to write you a  
24 business card in case you change your mind. If you  
25 change your mind at any time, you can call us back and

1 we'll respond."

2           And I had my partner write out a business card  
3 and I issued her one and I issued her neighbors one, as  
4 well. And that was it. I asked them if they had any  
5 questions. No one had any questions. The gentleman  
6 walked me and my partner to the elevator and we left the  
7 location.

8           Q    Okay. Before we get to you leaving the  
9 apartment, is it true that in your response to a dispatch  
10 of suspected domestic dispute that you are looking for  
11 any probable cause to believe a crime had been committed?

12           A    Correct.

13           Q    Okay. And in doing so, you are looking for  
14 evidence that a crime has been committed? Physical  
15 evidence?

16           A    Correct.

17           Q    And that includes injuries to the person who  
18 you are encountering, correct --

19           A    Correct.

20           Q    -- who was involved in whatever the alleged  
21 dispute was? And any signs of property damage or  
22 vandalism correct?

23           A    Correct.

24           Q    Okay. At the point that you gave your card to  
25 Ms. Heard, did you have any probable cause to believe any

1 crime whatsoever had been committed?

2 A No, I did not.

3 Q Okay. At any time did you tell Amber Heard  
4 that you believed a crime had been committed and you were  
5 willing to go out and arrest her husband?

6 A No, I did not.

7 Q Did you at any time say any words to that  
8 effect to her?

9 A Excuse me. No, I did not.

10 Q Okay. Did you say any words to that effect to  
11 anyone else you encountered at the penthouse?

12 A No, I did not.

13 Q And I am assuming, whether Ms. Heard cooperated  
14 or not, if you had seen physical injuries to Ms. Heard,  
15 that would be in and of itself enough to proceed with a  
16 further investigation of a crime, correct?

17 A Correct.

18 Q And you did not proceed with further  
19 investigation of a crime at that point, correct?

20 A Correct.

21 Q Okay. When you exited the apartment, did  
22 someone show you down from the apartment?

23 A The gentleman involved walked us to the  
24 elevator and we parted ways from there.

25 Q Okay. And did you talk to anybody else before

1 you left the building?

2 A No, I did not.

3 MS. SPECTOR: I have a few questions.

4 MS. BERK: Wait.

5 (Discussion off the record.)

6 BY MS. BERK:

7 Q I think we may have covered this, Officer  
8 Saenz, but just to be clear. At no point from the moment  
9 you received the dispatch to when you described you  
10 conducted your investigation, cleared the building, and  
11 left Ms. Heard at the apartment and exited the building,  
12 am I correct at no time during that period were you aware  
13 of either Amber Heard or that the matter involved Johnny  
14 Depp? Is that correct?

15 A Correct.

16 Q Okay. And did I hear you say earlier that you  
17 did not know this matter involved Johnny Depp until a  
18 couple of weeks later?

19 A Correct.

20 MS. BERK: Okay. No further questions at this  
21 time.

22 Go ahead.

23 MS. SPECTOR: Could I ask you a few questions?

24 THE WITNESS: Sure.

25

EXAMINATION

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BY MS. SPECTOR:

Q You've been discussing this white male -- white gentleman that you were dealing with when you were at the building that evening on May 29th -- May 21st. Do you recall approximately how tall he was?

A I don't. I do not recall.

Q Do you recall if he was wearing any glasses?

A I do not.

Q Do you recall if he had any facial hair?

A I do not recall.

Q A goatee?

A I don't recall.

Q Earlier you testified that you spoke to Ms. Heard; is that correct?

A Correct.

Q Do you recall anything in particular about her hair?

A I do not.

MS. SPECTOR: Thank you. No further questions.

MS. BERK: Okay.

MS. SPECTOR: Thank you.

MS. BERK: Officer, I hope this wasn't too painful.

Can we go off the record?

1 (Discussion off the record.)

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

9 (Discussion off the record.)

10

11 FURTHER EXAMINATION

12 BY MS. BERK:

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

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

18 A Yes, it did.

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

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

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



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

4           Q    Okay.

5           A    And that is it.

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

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

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

12          A    No, I'm not aware.

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

15          MS. SPECTOR: No.

16          MS. BERK: I'm sorry?

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

18          MS. SPECTOR: You never --

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

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

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

11 THE WITNESS: Okay.

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

14 MS. SPECTOR: So stipulated.

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_,  
2016, at \_\_\_\_\_, \_\_\_\_\_.  
(City) (State)

\_\_\_\_\_  
OFFICER MELISSA SAENZ

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DEPOSITION ERRATA PAGE

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OFFICER MELISSA SAENZ Dated \_\_\_\_\_

1 STATE OF CALIFORNIA )  
2 ) ss  
3 COUNTY OF LOS ANGELES )

3

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

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

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

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

17 In witness whereof, I have hereunto subscribed  
18 my name.

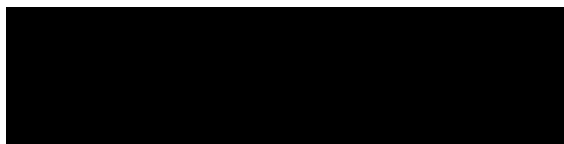
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20 Dated: July 26, 2016

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PAMELA J. FELTEN  
CSR No. 5189

25

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# J. Depp Declaration

## Exhibit J

Officer Tyler Hadden  
July 18, 2016

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In re the Marriage of

Petitioner: AMBER LAURA DEPP

and

No. BD641052

Respondent: JOHN CHRISTOPHER DEPP  
II (AKA JOHNNY DEPP)

---

DEPOSITION OF OFFICER TYLER HADDEN

July 18, 2016

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

2049 Century Park East, Suite 800

Los Angeles, California

Reported by:

PAMELA J. FELTEN

CSR No. 5189

Page 2

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1 INDEX TO EXAMINATION  
 2  
 3 WITNESS: OFFICER TYLER HADDEN  
 4 EXAMINATION  
 5 BY MS. BERK

PAGE  
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8 INFORMATION REQUESTED  
 9 (NONE)

13 DOCUMENTS REQUESTED  
 14 (NONE)

18 WITNESS INSTRUCTED NOT TO ANSWER  
 19 (NONE)

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1 INDEX TO EXHIBITS  
 2 OFFICER TYLER HADDEN  
 3 DEPP V. DEPP  
 4 Monday, July 18, 2016  
 5 Pamela J. Felten, CSR No. 5189

7 MARKED	DESCRIPTION	PAGE
8 Exhibit A	Deposition Subpoena For Personal Appearance	11
9 Exhibit B	Document titled "Incident Recall" for May 21, 2016 incident at 849 South Broadway	14
10 Exhibit C	Photograph of Amber Heard	24

Page 5

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

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

8 EXAMINATION  
 9 BY MS. BECK:

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

15 A Yes.

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

23 The person transcribing the deposition is a  
 24 certified shorthand reporter.

25 A Okay.

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<p>1 Q This very handsome lady right here.</p> <p>2 At the onset, you will be placed under oath.</p> <p>3 You will then be asked questions which you're expected to</p> <p>4 answer fully and truthfully under oath. Please do not</p> <p>5 guess. We request your best present recollection of the</p> <p>6 facts and events about which you will be questioned. We</p> <p>7 will presume, therefore, that whatever you testify today</p> <p>8 is your best present recollection and not a guess.</p> <p>9 Although this deposition is being held in the</p> <p>10 informality of these beautiful law offices, this</p> <p>11 deposition does not have all the solemnity of courtroom</p> <p>12 testimony. Since you're under oath, your testimony here</p> <p>13 today will have the same force and effect, however, and</p> <p>14 be subject to the same penalties as if you were</p> <p>15 testifying in a courtroom before a judge. Among such</p> <p>16 penalties to which you're subject is the penalty of</p> <p>17 perjury. Perjury is defined as willfully and contrary to</p> <p>18 an oath administered stating as true a material fact</p> <p>19 which one knows to be false. Perjury is a crime, as you</p> <p>20 know. Penalties for perjury are set forth in the</p> <p>21 California Penal Code.</p> <p>22 Everything said during your deposition will be</p> <p>23 taken down and transcribed by the court reporter. Every</p> <p>24 question that we ask, every answer or comment that you</p> <p>25 give, everything said by your attorney all will be duly</p>	<p>1 You'll have an opportunity to read that booklet and make</p> <p>2 any changes in the form or substance of the answer to any</p> <p>3 question that you feel is necessary. Be advised that at</p> <p>4 the time of trial, you'll be questioned before the judge</p> <p>5 as to why you made such changes, and we will contend at</p> <p>6 the time of trial that your memory and recollection here</p> <p>7 today is as good or better than at any time later.</p> <p>8 A Okay.</p> <p>9 Q Can you think of any reason why you've been</p> <p>10 unable to provide me with accurate and comprehensive</p> <p>11 answers today?</p> <p>12 A No.</p> <p>13 Q Have you ingested any alcoholic beverages in</p> <p>14 the last 12 hours?</p> <p>15 A No.</p> <p>16 Q Okay. Do you believe that your consumption of</p> <p>17 alcohol could affect -- in the past 24 hours could affect</p> <p>18 your ability to testify here today?</p> <p>19 A No.</p> <p>20 Q Have you taken any medication in the last 12</p> <p>21 hours?</p> <p>22 A No.</p> <p>23 Q Do you feel that you are of sufficient mind to</p> <p>24 answer questions today?</p> <p>25 A Yes.</p>
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<p>1 transcribed.</p> <p>2 It is therefore vital if at any time you do not</p> <p>3 hear or do not understand any question, you tell us at</p> <p>4 once so that we may have the opportunity immediately to</p> <p>5 repeat or rephrase our question to you. Obviously if you</p> <p>6 do not promptly tell us otherwise, we'll have no choice</p> <p>7 but to presume that you did clearly hear and understand</p> <p>8 each question and that your answer to each question is</p> <p>9 based upon such complete and full understanding by you.</p> <p>10 Please remember that the court reporter is only</p> <p>11 able to transcribe audible responses. So do not</p> <p>12 share -- I think it's shake your head, not share your</p> <p>13 head -- or say merely uh-uh or uh-huh.</p> <p>14 A Okay.</p> <p>15 Q Please also remember that the court reporter</p> <p>16 can record the words of only one person speaking at a</p> <p>17 time so allow for the question fully to be completed</p> <p>18 before you seek to respond. If you inadvertently are</p> <p>19 interrupted before you finish your answer, please tell me</p> <p>20 immediately. Otherwise, we must assume that your answer</p> <p>21 was complete and that you had nothing further to say on</p> <p>22 the subject.</p> <p>23 A Okay.</p> <p>24 Q At the conclusion of this session, the reporter</p> <p>25 will transcribe what has been said into booklet form.</p>	<p>1 Q Okay. I show you a copy -- do we have his</p> <p>2 deposition notice?</p> <p>3 MS. SUTTON: I'll pull one for you.</p> <p>4 MS. BECK: I appreciate that.</p> <p>5 Q I show you your own copy of the deposition</p> <p>6 MS. SUTTON: That's for -- that's for the</p> <p>7 hearing on the 15th.</p> <p>8 MS. BECK: Oh, it is?</p> <p>9 MS. SUTTON: Yes. That's separate.</p> <p>10 MS. BECK: Okay.</p> <p>11 MS. SUTTON: I can get you --</p> <p>12 MS. BECK: Okay.</p> <p>13 MS. SUTTON: -- one of his --</p> <p>14 BY MS. BECK:</p> <p>15 Q I show you --</p> <p>16 MS. SUTTON: I will show you.</p> <p>17 BY MS. BECK:</p> <p>18 Q -- a notice which I'm sure your sergeant or</p> <p>19 the --</p> <p>20 A Liaison.</p> <p>21 Q -- court liaison told you about and never even</p> <p>22 showed you, but we'll mark it as an exhibit and go from</p> <p>23 there.</p> <p>24 A Okay.</p> <p>25 MS. SPECTOR: You want to go off the record?</p>

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

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

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

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1 presentations about it and special guests about it. And  
2 then towards the end of the academy, we go through a  
3 scenario that is domestic violence and we have to be able  
4 to detect what the crime is, what the appropriate actions  
5 are, and how we handle the situation.  
6 Q And in terms of your field training, I suspect  
7 a number of your dispatch calls involve suspected  
8 domestic violence?  
9 A Yes. Where the radio will come out as domestic  
10 violence and it's not always domestic violence.  
11 Q Very good. Thank you.  
12 Let me draw your attention to the evening of  
13 May 21, 2016.  
14 A Okay.  
15 Q You were on duty that night?  
16 A Yes.  
17 Q Okay. And could you tell us who you were on  
18 duty with?  
19 A My partner at the time was Officer Melissa  
20 Saenz.  
21 Q And were you and Officer Saenz in a patrol  
22 vehicle?  
23 A Yes.  
24 Q Okay. And do you have a certain area of the  
25 city that you are assigned to?



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1 A Yes. Our area -- our unit is 181, and that's  
2 the -- most of the northern part of downtown.  
3 Q Okay?  
4 A That's Central area.  
5 Q Okay. And do you recall on the evening of  
6 May 21, 2016 receiving a dispatch call?  
7 A Yes.  
8 Q Okay. And how did the dispatch call come  
9 through? It comes through --  
10 A Um, we got it through our -- our computer  
11 that's in the police vehicle. So it wasn't necessarily  
12 coming through the radio. It came through our computer  
13 in the vehicle.  
14 Q Okay. And do you, as you sit here today,  
15 recall anything about the dispatch call that came  
16 through?  
17 A I do not recall.  
18 MS. BECK: Okay. Showing you what -- what will  
19 be marked as Exhibit B for respondent.  
20 (Exhibit B marked)  
21 BY MS. BECK:  
22 Q Do you recognize this document?  
23 A Yes.  
24 Q Okay.  
25 MS. SPECTOR: May I see it?

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1 MS. BECK: Yes.  
2 MS. SPECTOR: Thank you. Okay. Thank you.  
3 BY MS. BECK:  
4 Q And is that what is known as a dispatch log or  
5 incident recall?  
6 A Yes.  
7 Q Okay. And looking at that document, does that  
8 in any way refresh your recollection about what you  
9 were -- what information you were given in the dispatch  
10 on May 21?  
11 A Yes.  
12 Q Okay. Could you tell us what that is?  
13 A Just that it's a verbal argument only. And  
14 that's in the comments. And, um, the location that we  
15 were given. And just that it was between a husband and  
16 wife.  
17 Q Okay. And what was the location given for the  
18 dispatch?  
19 A I don't recall off the top of my head. I know  
20 that it was on Broadway.  
21 Q Okay. And if I told you that the residence was  
22 at 849 South Broadway, does that refresh your  
23 recollection?  
24 A Yes.  
25 Q Okay. And is that where you arrived that

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1 evening with Officer Saenz?  
2 A Yes. About half a block down, because that's  
3 where we parked, and then we walked to the building.  
4 Q Okay. When you entered the building on the  
5 evening of May 21, could you tell us what you did first?  
6 A Yes. We entered the building and we met with  
7 the security guard. I don't remember her name. It was a  
8 female. And we just asked how we could get to the  
9 penthouse. And she guided us to the elevator and told us  
10 how to get there.  
11 Q Okay. Did you see or speak to anyone else  
12 other than the security personnel that guided you to the  
13 apartment on your way up to the building?  
14 A No. No -- she was the only one we made contact  
15 with before we got to that floor.  
16 Q Okay. And did she accompany you up to the  
17 penthouse or did you ride along in the elevator with  
18 Officer Saenz?  
19 A Just Officer Saenz.  
20 Q I'm sorry. Officer Saenz?  
21 A Yes.  
22 Q Like S-i-g-n-s?  
23 A Yes.  
24 Q When you got up to the top floor to the  
25 penthouse and the elevator opened, could you tell us what

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1 you did next?  
2 A Oh, my partner and I checked around the  
3 location. We walked around and just kind of listening to  
4 hear if we could hear any screaming or any sense of  
5 urgency. We went -- there was a back patio kind of area  
6 to the west of the building, I believe it was. And so we  
7 walked outside. And as we came back in, that's when we  
8 first made contact with someone.  
9 Q Okay. So just to be clear, you rode up in an  
10 elevator, correct?  
11 A Yes.  
12 Q You got off the elevator. And what did you  
13 see. Was it a hallway?  
14 A Yes. It was kind of a U-shaped hallway and we  
15 walked through the hallway listening again for -- we  
16 didn't -- I believe it was -- I can't recall the  
17 penthouse numbers. But we walked through the hallway and  
18 listening for screaming or crying or objects being thrown  
19 because those are signs of domestic violence calls. And  
20 so we listened to that prior to making contact. We  
21 didn't hear anything. So then we searched -- a  
22 protective sweep outside of the patio, the common ground  
23 area. And after that, that's when we went back into the  
24 hallway.  
25 Q Did you see anybody outside in the common

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1 ground area?  
2 A No.  
3 Q Did you see anybody in the hallways?  
4 A No.  
5 Q Okay. What was the first moment -- were you  
6 still out in the hallway when you first saw someone?  
7 A We -- we left the hallway to go outside, and as  
8 we were walking back into the hallway, back inside, is  
9 when we made contact with one of the neighbors.  
10 Q Okay. And was that a male neighbor?  
11 A Yes.  
12 Q Okay. And did he identify himself? Do you  
13 recall?  
14 A I can't recall if he gave me his name or not.  
15 Q Okay.  
16 A I do not remember.  
17 Q Okay. And could you tell us what was said with  
18 the male neighbor?  
19 A We -- he had directed us and grabbed our  
20 attention and he had said that the victim of the call was  
21 inside his house. And so we wanted to speak with her.  
22 And so he guided us to his apartment.  
23 Q Okay. Officer Hadden, if you could, and if you  
24 don't remember, that's fine, but did -- did he actually  
25 use the word victim or did he say something else --

Page 19

1 A I --  
2 Q -- to describe --  
3 A I cannot recall if he used the exact word  
4 victim.  
5 Q Okay. Okay. And what did he look like?  
6 A He was tall, white male, dark brown hair. And  
7 that's -- that's about the description I can remember.  
8 Q Okay. And when you say, "He told us where this  
9 person was," do you remember how he told you or what he  
10 said about where she was?  
11 A I don't recall exactly how he brought it to our  
12 attention.  
13 Q Okay.  
14 A He had just -- we -- he got our attention by  
15 saying the wife -- exactly, I don't -- I don't -- can't  
16 recall the exact words, but basically that the wife was  
17 in his penthouse.  
18 Q Okay. And you followed him at that point?  
19 A Yes. But he had told us that she didn't want  
20 to meet with us. And so he was more of just kind of  
21 telling us that she's okay and that everything's okay.  
22 Q Okay. So he intercepted you in the hallway --  
23 A Yes.  
24 Q -- before you ever made entry to any of the  
25 other penthouses --

Page 20

1 A Yes.  
2 Q -- correct?  
3 And he told you that the wife was in his --  
4 A A friend of theirs.  
5 Q A friend of his?  
6 A Yes.  
7 Q And in his penthouse?  
8 A Yes.  
9 Q And that she was uninterested in meeting with  
10 you?  
11 A Yes.  
12 Q Okay. And did you ask him any questions?  
13 A Um, my -- we -- my partner and I both  
14 eventually just trying to get contact with her. We never  
15 entered that penthouse. She eventually walked out  
16 because we wanted to see where her -- where she lived to  
17 see if the possible suspect was still in the building.  
18 And so my partner was in the east side of the hallway and  
19 I was on the west side of the hallway, and we separated  
20 the two, because she eventually came out. And I spoke  
21 with the contact male that initially contacted us and my  
22 partner spoke with the possible victim.  
23 Q Okay. Let me stop you there. When -- when  
24 this gentleman first told you that she was not interested  
25 in speaking with you --

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

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

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

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

Page 25

1 first came out of the apartment --  
2 A Okay.  
3 Q -- that you've described as the gentleman's  
4 penthouse.  
5 A Yes.  
6 Q Okay? How far away from Ms. Heard were you  
7 when she first came out?  
8 A Um, I was approximately five feet away.  
9 Q Okay. Was there lighting in the hallway?  
10 A Yes.  
11 Q Could you have -- did you have a clear view of  
12 Ms. Heard --  
13 A Yes.  
14 Q -- when she came out?  
15 Okay. And did you make any attempt to observe  
16 her physical features -- her face, any parts of her  
17 body -- in your period of observation of Ms. Heard?  
18 A Um, I did real briefly because I didn't  
19 interview her, my partner did.  
20 Q Okay.  
21 A But just from her passing, I could see her, and  
22 what I saw was just a red face. She was in tears crying.  
23 And that's all that I observed. Again, my partner spoke  
24 with her. And towards -- before we left the location, we  
25 both spoke with her. And neither time did I see any type

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1 of injury.  
2 Q Okay. So let's talk about that. You -- you  
3 have described that you had two encounters with  
4 Ms. Heard, one where you didn't speak to her but were  
5 about five feet away?  
6 A Yes.  
7 Q And then a later encounter where you did speak  
8 to her and were -- were equally close; is that correct?  
9 A I would say the second time when we encountered  
10 her, she was sitting -- we were in her penthouse and she  
11 was sitting on her couch approximately five to ten feet  
12 away, and I had issued my business card to her. I wrote  
13 the time, the date, the incident number, and what we  
14 responded for and what we did, and that -- what she had  
15 requested, and then I had given her the business card.  
16 Q Okay. Very good. I'll come back to that --  
17 A Okay.  
18 Q -- second time. Let's just talk about the  
19 first time.  
20 As you passed -- as she passed you on your way  
21 to Officer Saenz --  
22 A Sure.  
23 Q -- you had an opportunity to observe her and  
24 described just now she was crying and red-faced --  
25 A Yes.

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1 Q -- is that fair to say?  
2 A Yes.  
3 Q Did you see -- as she walked by you, did you  
4 see any swelling of any kind on her face?  
5 A No, I did not.  
6 Q Okay. Did you see any marks of any kind on her  
7 face?  
8 A No, I did not.  
9 Q Any indication of bruising on her face?  
10 A No.  
11 Q Any indication of any sign whatsoever of any  
12 injury to her face?  
13 A No.  
14 Q Okay. How about Ms. Heard's body, her arms or  
15 her legs or any other part of her body? What did she  
16 have on?  
17 A I don't recall. I believe -- yeah, I don't --  
18 I don't recall.  
19 Q Okay.  
20 A Yeah.  
21 Q Did she have arms that were exposed? Do you  
22 recall that?  
23 MS. SPECTOR: Asked and answered.  
24 THE WITNESS: I don't recall.  
25 BY MS. BECK:

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1 Q Okay. Did you see on her body any other signs  
2 of injury?  
3 A No.  
4 Q Did you look --  
5 A I did not initially, no.  
6 Q Okay. But you did, it's fair to say, look at  
7 her face --  
8 A Yes.  
9 Q -- for signs of injury?  
10 A Yes.  
11 Q Okay. Were you able to overhear, as Officer  
12 Saenz spoke with Ms. Heard, any of their conversation?  
13 A I did not.  
14 Q Okay. Did you then engage in another  
15 conversation with the gentleman?  
16 A Yes, I did.  
17 Q Okay. Can you tell us about that conversation?  
18 What do you recall?  
19 A Yeah. We separated both parties, mostly so  
20 that my partner could speak with the victim, not being  
21 distracted. And so I spoke with the gentleman and tried  
22 to get description of the potential suspect, the husband  
23 at the time, and he wasn't very cooperative. He  
24 described him as a male, dark hair. And I'd ask, "Where  
25 did he go?" He said, "I don't know." He said, "Oh, he

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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1 Q Okay.

2 A To the Central Division station.

3 Q Okay. And you had indicated to her to call

4 that number if -- if she ever wanted to report anything

5 about the incident?

6 A Yes. Or if she had any further questions.

7 Q If she had any further questions. And, to your

8 knowledge, did Ms. Heard ever call that number?

9 A I am not aware. I was told that she had called

10 later on, but not to my personal experience.

11 Q Okay. Who told you that she had called later

12 on?

13 A My partner.

14 Q Okay.

15 Officer --

16 MS. SPECTOR: Just like court.

17 MS. BECK: Oh, The question. Here it is.

18 MS. SPECTOR: The question.

19 BY MS. BECK:

20 Q Officer Hadden, I understand a second patrol

21 vehicle responded to the location subsequent to you and

22 Officer Saenz. Are you aware of that?

23 A I was unaware until I was told that when we

24 found out about this case and it being actually Johnny

25 Depp and Amber Heard.

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1 Q Is it true to say that during the entirety of

2 your response to the Broadway residence in your

3 investigation of this dispatch report that you had no

4 idea this involved Johnny Depp?

5 A Correct.

6 Q Okay. And you learned that at some point after

7 you had left the building?

8 A Yes. It was approximately a week and a half

9 later.

10 MS. BECK: Okay. Thank you, Officer. That's

11 it.

12 THE WITNESS: Thank you.

13 MS. BECK: I'm going to read one more thing.

14 THE WITNESS: Okay.

15 MS. SPECTOR: You're getting good at this,

16 Blair.

17 MS. BECK: I guess at some point civil lawyers

18 memorize this.

19 MS. SPECTOR: Yes, we do.

20 MS. BECK: I offer the following stipulation:

21 That the court reporter be relieved of responsibility

22 with respect to the original transcript and that the

23 original be transcribed and signed by the deponent under

24 penalty of perjury; the original will be sent to the

25 deponent and read, corrected and signed within 30 days of

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1 receipt; if not notified of changes in writing within

2 that time frame, the original shall be deemed signed and

3 correct; the notice of corrections you can fax to me if

4 you choose; the original transcript shall be maintained

5 by counsel or the deponent and shall be made available at

6 the time of hearing without notice; if not available,

7 then a certified copy of the same will be corrected; or

8 if the original shall be otherwise lost, mutilated,

9 altered or destroyed, a certified copy of same as

10 corrected may be used in place and instead of the

11 original and used for all purposes for which the original

12 could be used.

13 This session is adjourned and suspended.

14 THE WITNESS: Okay.

15 THE REPORTER: Do you stipulate?

16 MS. SPECTOR: Stipulate.

17 (Deposition concluded at 11:06 a.m.)

18

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DECLARATION UNDER PENALTY OF PERJURY

1

2

3 I, OFFICER TYLER HADDEN, do hereby certify

4 under penalty of perjury that I have read the foregoing

5 transcript of my deposition taken on July 18, 2016; that

6 I have made such corrections as appear noted on the

7 Deposition Errata Page, attached hereto, signed by me;

8 that my testimony as contained herein, as corrected, is

9 true and correct.

10

11 Dated this \_\_\_\_ day of \_\_\_\_\_,

12 2016, at \_\_\_\_\_,

13 (City) (State)

14

15

16

17

18 \_\_\_\_\_

19 OFFICER TYLER HADDEN

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1 DEPOSITION ERRATA PAGE  
2  
3 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_  
4 Change: \_\_\_\_\_  
5 Reason for change: \_\_\_\_\_  
6 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_  
7 Change: \_\_\_\_\_  
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10 Change: \_\_\_\_\_  
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24  
25 OFFICER TYLER HADDEN Dated \_\_\_\_\_

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1 STATE OF CALIFORNIA )  
 ) ss  
2 COUNTY OF LOS ANGELES )  
3  
4 I, PAMELA J. FELTEN, a Certified Shorthand  
5 Reporter, do hereby certify:  
6 That prior to being examined, the witness in  
7 the foregoing proceedings was by me duly sworn to  
8 testify to the truth, the whole truth, and nothing  
9 but the truth;  
10 That said proceedings were taken before me at  
11 the time and place therein set forth and were taken  
12 down by me in shorthand and thereafter transcribed  
13 into typewriting under my direction and supervision;  
14 I further certify that I am neither counsel  
15 for, nor related to, any party to said proceedings,  
16 nor in anywise interested in the outcome thereof.  
17 In witness whereof, I have hereunto subscribed  
18 my name.  
19  
20 Dated: July 26, 2016  
21   
22  
23 PAMELA J. FELTEN  
24 CSR No. 5189  
25

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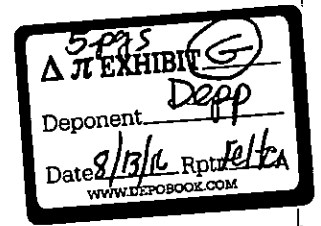
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session 7:24 48:13			



23	<b>unit</b> 14:1 42:18	<b>whatsoever</b>
<b>top</b> 15:19 16:24	<b>upstairs</b> 36:20	27:11 40:23
<b>touched</b> 40:22	<b>urgency</b> 17:5	<b>white</b> 19:6
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7:11,25	23:25 31:25	<b>wine</b> 30:25 31:2
<b>transcribed</b>	41:11,12 42:24 43:9	35:3,19 37:24
6:23 7:1 47:23	<b>vandalism</b> 30:6	<b>woman</b> 22:15
<b>transcribing</b>	32:15,19 35:5, 16 37:15,17	<b>word</b> 18:25 19:3
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47:22 48:4	<b>verbal</b> 15:13	19:16
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<hr/> <b>U</b> <hr/>	<b>voice</b> 22:24	
<b>U-shaped</b> 17:14		
<b>uh-huh</b> 7:13	<hr/> <b>W</b> <hr/>	
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41:15,17,18,22 42:1	<b>walking</b> 18:8	
<b>understand</b> 7:3, 7 22:3 29:13	<b>walls</b> 31:3	
41:14 46:20	<b>wanted</b> 18:21	
<b>understanding</b>	20:16 21:13	
7:9	23:2 41:20	
<b>Understood</b>	42:12 46:4	
34:21	<b>ways</b> 42:1	
<b>undertook</b> 35:21	<b>weapons</b> 33:6	
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20:9 21:21	<b>weird</b> 29:6	
	<b>west</b> 17:6 20:19	

# J. Depp Declaration

## Exhibit K



●●●● orange

20:40

\* 76%

Messages (76)

Slim

Details

Wed, May 25, 04:33

Just confirmed  
that that cover  
letter is  
completely private  
and has nothing to  
do with any public  
record. (And only  
included the  
domestic violence/  
restraining order  
stuff because I  
called the lawyer  
when the cops  
were here and I  
didn't know what  
do to or why that



iMessage



orange

20:40

76%

Messages (76)

Slim

Details

didn't know what  
do to or why that  
happened and was  
scared)

But that letter is  
private.

And unless you file  
as well (which I  
guess opens us up  
to the press  
possibly catching  
it, as they have  
seemingly missed  
this one, at least  
for right now),  
then it can be  
revoked anytime.

If you file



iMessage



orange

20:40

76%

Messages (76)

Slim

Details

revoked anytime.  
If you file  
separately as well,  
it's the same thing  
as far as being  
revoked is  
concerned but  
requires both our  
signatures and is a  
new filed public  
doc. for the  
records ?  
At least that's my  
understanding of  
it.  
Oh, and I  
confirmed with my  
lawyer the



iMessage



orange

20:40

75%

Messages (77)

Slim

Details

Oh, and I confirmed with my lawyer, the 'quickly' part etc you mentioned in letter between our lawyers (including the 'deadline' for a response from them, wasn't something I said, asked for, even noticed, and is not mandatory at all).. We can take as long or quick as we want. And do this or undue this



iMessage



orange

20:40

75%

Messages (77)

Slim

Details

we want. And do  
this or undue this  
as we see fit. You  
and I have the  
control. And love  
each other.

I thought you filed.  
You said you were  
going to and said  
goodbye.

I'm sorry if I've hurt  
you. I have nothing  
but love for you.

Wed, May 25, 09:35

Called you back....



iMessage



# J. Depp Declaration

## Exhibit L



## DECLARATION OF ISAAC BARUCH

1  
2 I, Isaac Baruch, declare as follows:

- 3 1. I live in Penthouse 2 of 849 S. Broadway Street, Los Angeles, CA 90014. I have lived  
4 there for three years and have known Johnny Depp for 37 years. I have also been friends  
5 and neighbors with Amber Heard for the last three years. I am an artist and my medium  
6 is painting.
- 7 2. On May 21, 2016, I was out with a friend and as we returned to 849 S. Broadway  
8 between 9:00 PM and 9:30 PM, I walked towards my condominium in Penthouse 2 in a  
9 hallway outside my condominium that passes Johnny and Amber's condominium,  
10 Penthouse 5. As I passed by #5, I heard no loud sounds, and saw no one. However, I  
11 continued to walk the hallway and stopped in front of Penthouse 1 where Amber Heard's  
12 friend, Raquel Pennington, lives with her boyfriend Josh Drew in a condo in which they  
13 live as guests of Amber. My friend and I stopped in front of penthouse 1 because on the  
14 floor and wall directly in front of and leading into Penthouse 1 was a very large spill and  
15 splatter of wine. As my friend and I discussed this sight, the door to Penthouse 1 opened  
16 and Josh stepped out far enough through the doorway to address me but also to block my  
17 view of the apartment inside. I asked Josh "what's up with the spilt wine" and he replied  
18 "it's been a rough day." I then naturally asked if he was okay and needed help, to which  
19 he replied "no, it's okay."
- 20 3. On May 22, 2016, the next day, it was my birthday and as I was leaving the  
21 condominium building during the day and walked out into our shared hallway, I saw  
22 there were a number of people gathered. I encountered two locksmiths, an unknown man  
23 dressed in black clothing, Amber Heard, and her boyfriend Josh Drew were all standing  
24 within the opened doorway and hallway of Penthouse 1, so there was activity inside the  
25 apartment and outside in the hallway. I asked what was going on and Amber said "we are  
26 changing the locks." I then asked "why you guys changing the locks?", to which Josh  
27 motioned me aside and we walked into my apartment where Josh stated to me that John  
28

1 had come by the day before and told them he "wanted them to 'get out'" indicating that  
2 they could not live there anymore as Amber's guests.

3 4. We then walked back to the open doorway of Penthouse 1 where I stood in front of  
4 Amber face to face. Amber then stated all of a sudden in a very animated and excited  
5 voice. "He hit me! He threw a phone and hit me!" Amber then stretched her neck and  
6 head forward for me to look at her face; the morning light in the hallway allowed me to  
7 see her face clearly and her face looked to me was without makeup as she faced me. I  
8 stated, "I don't see anything?" and I stated "it must be all that beauty that's outshining  
9 everything from one side of your face to the other," and then Amber smiled and laughed  
10 blushing as she pulled back her neck and head and leaned against the doorway.  
11 Amber's reaction all of a sudden was smiling and laughing. I was a foot away from her  
12 face at this point and I saw no redness or swelling or marks of any kind on her face as  
13 she was close to me and looking directly at me. It did not appear she was wearing  
14 makeup and looked very natural.

15 5. The next day, Monday, May 23, 2016, I woke up with a chest cold of some kind. At some  
16 point during the daytime, I heard a knock at my door and went to the door. It was Amber  
17 Heard standing at my door, and although I was very sick with a chest cold, I spoke with  
18 her; I said I was sick right off the bat and gave her the stay back sign with my hand and  
19 she just stood in front of my door and talked from there. Amber asked if I would take her  
20 key and let the cleaning lady into their residence later that day because she wanted to  
21 leave the condo. I apologized and told her no I was ill and wasn't up to it and she should  
22 ask one of the security guys downstairs to do it. There was plenty of light in the hallway  
23 as she stood at my doorway, and I could once again clearly see her face. There were no  
24 marks of any kind on either side of her face, there were no bruises or scratches or any  
25 darker spots of any kind. She was at most two feet away from me and her hair was down.

26 6. During the week of May 23, 2016 to May 27, 2016, I saw Amber Heard on multiple  
27 occasions in and around our shared residence building. On May 23 or May 24 or May  
28 25, I saw Amber first in the hallway as I was going to get coffee downstairs at ilCaffé.

1 She was with her sister and other girlfriends; her sister went to go greet me but I said  
2 "no, stay away I'm sick and uncomfortable" and quickly got by her as all the girls  
3 laughed. Secondly when I was coming back in from getting coffee at ilCaffè I passed  
4 them in the lobby as they were leaving. Amber was smiling and laughing as she was  
5 clearly passing by with her friends. On the third occasion later that same day, I saw  
6 Amber Heard as I was heading in the parking lot lobby as I was heading into the building  
7 from Ralphs after buying groceries. She was leaving with her sister Whitney, who I was  
8 friendly with in the past. Whitney already knew I was sick because I told her the first  
9 time I saw her. We stopped to say hey and Amber asked me if I needed anything from  
10 the pharmacy to which I said no thanks. In all instances, I had a clear opportunity to see  
11 Amber's face clearly, and there were no visible marks on Amber's face at all.

12 7. Between May 23 and May 27 I physically observed Amber Heard and her face at least  
13 two more times. On another occasion, I saw Amber and her sister in the parking lot  
14 lobby as they said they were going to the CVS drugstore and they asked me if I needed  
15 anything. I stood very close to Amber on this occasion as I told her that I was fine and  
16 didn't need anything. There were no marks, bruises, or redness of any kind on her face. I  
17 believe it was Wednesday, because it was that afternoon that I first saw published photos  
18 in the People magazine online in which Amber was claiming she had injuries. I was  
19 astounded when I saw an injury on Amber's face from her appearance in court that  
20 Monday, because no marks of any kind had ever been there in the days I had seen her  
21 immediately after on May 22 and May 23-25 of that week.

22 8. The last time I saw Amber was on June 3, 2016, Friday evening, when she knocked on  
23 my door yet again. I opened the door and instinctively greeted her by saying, "hey how  
24 you doing" to which she stated, "I'm not doing very well but I made some food if you  
25 wanna come over and eat." I responded by saying "I think its best that we don't talk  
26 anymore because I'm confused, angry and frustrated by what I've been seeing," to which  
27 she replied "I told Johnny I don't want anything from him. the lawyers are doing all of  
28 this."

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9. In all the years I have known Johnny Depp I have never once seen him being in any physical fight or commit any act whatsoever of physical violence. I have seen Johnny regularly for the last 37 years, with the exception of when I was living out of state.

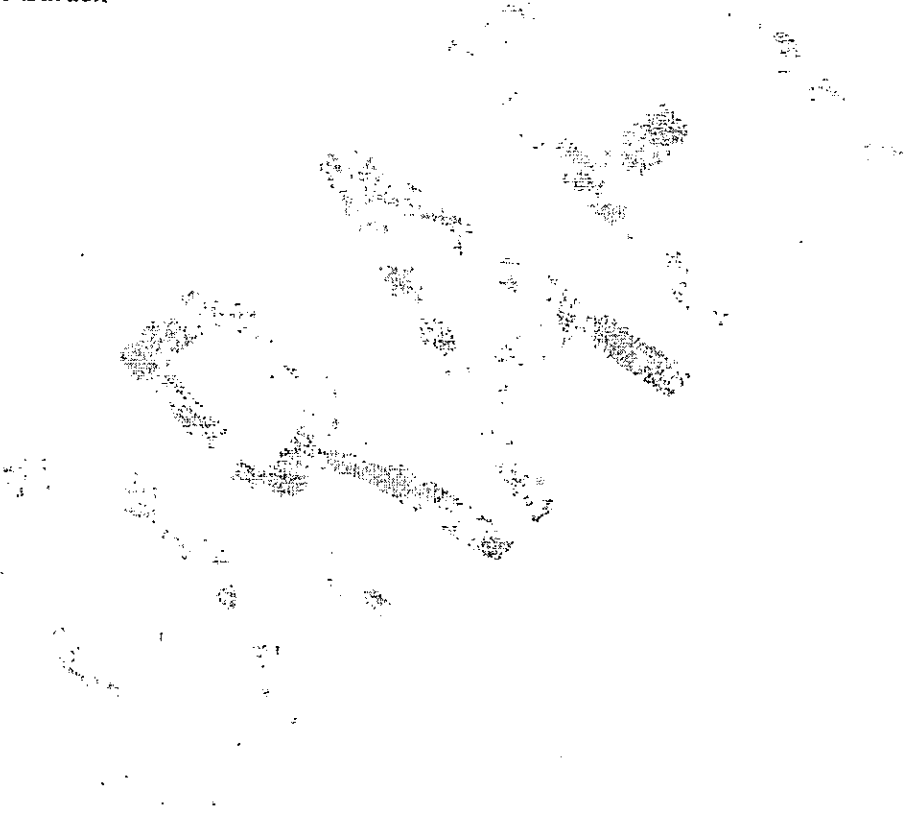
10. I declare under penalty of perjury the foregoing is true and correct.

Executed on this      day of June, 2016 in Los Angeles County, California.



JANUARY 21<sup>ST</sup>, 2019

BY: Isaac Baruch



1 **DECLARATION OF ISAAC BARUCH**

2 I, Isaac Baruch, hereby declare as follows:

3 1. I am over the age of 18 and not a party to this action. The facts set forth in this  
4 Declaration are personally known to me and I have firsthand knowledge of them. If called as a  
5 witness, I would competently testify to these facts.

6 2. I live in a condominium unit owned by Respondent, John Christopher Depp II  
7 (hereinafter "Johnny") at 849 S. Broadway in Los Angeles. I have lived in this unit for three years  
8 and I have known Johnny for 36 years.

9 3. On Sunday, May 22, 2016, I ran into Petitioner, Amber Laura Depp (hereinafter  
10 "Amber") in the shared hallway outside of my unit and another unit Johnny owns. Amber was  
11 accompanied by four people: our neighbor Joshua Drew, a person I did not recognize, and two  
12 locksmiths. Amber told me that Johnny had hit her and thrown a telephone at her. She then angled  
13 her head and neck toward me so that I could look at her face. The hallway was filled with daylight  
14 and I could see her face clearly. Amber did not appear to be wearing any makeup and I told her that I  
15 did not see anything on her face. There were no visible marks, swelling, or redness. I joked that her  
16 beauty must have outshined everything from one side of her face to the other. Amber smiled and  
17 blushed and then began to laugh.

18 4. On Monday, May 23, 2016 or Tuesday, May 24, 2016, Amber knocked on my door  
19 and asked if I would take her key to let the cleaning woman in later that day. I again had an  
20 opportunity to take a good look at her face. The light was bright. She stood approximately two feet  
21 in front of me in the doorway to my unit. I saw no marks, bruises, or scratches on her face.

22 5. I saw Amber again one or two days later and still saw no bruising or marks on her  
23 face. I ran into her in the hallway as I was going downstairs to get coffee at the café next to our  
24 building. She was with her sister and girlfriends, and I remember that they laughed because I had a  
25 cold and would not let her sister near me when she tried to greet me. I saw them all again in the  
26 lobby when I was returning from the café and they were leaving the building. Later that day, I saw  
27 Amber again in the parking lot of our building on my way home after grocery shopping. I had a  
28 good look at her face each time and did not see any marks or injuries.

1           6.       On Friday, June 3, 2016, Amber knocked on my door and invited me over for dinner.  
2 During the week prior, I had become aware from numerous media reports that Amber had filed for  
3 divorce from Johnny and that she was accusing him of abusing her. Under those circumstances, I  
4 was not comfortable having dinner with Amber and I declined her invitation. Amber then told me  
5 that she did not want anything from Johnny and that it was the lawyers who were doing all of this. I  
6 believe she was referring to the court proceedings and the media frenzy surrounding them.

7           7.       In the many years I have known Johnny, I have never once seen him commit an act of  
8 physical violence.

9  
10           I declare under penalty of perjury under the laws of the State of California that the foregoing  
11 is true and correct.

12           Executed this \_\_\_ day of June, 2016, at Los Angeles, California.

13  
14 

15 ISAAC BARUCH

16 JANUARY 21<sup>ST</sup>, 2019  
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J. Depp Declaration  
Exhibit M

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

JOHN C. DEPP, II, SCARAMANGA )  
BROS., INC., A CALIFORNIA )  
CORPORATION; L.R.D. )  
PRODUCTIONS, INC., A CALIFORNIA )  
CORPORATION, INFINITUM NIHIL, A )  
CALIFORNIA CORPORATION, )  
PLAINTIFFS, )

vs. ) No. BC680066

BLOOM HERGOTT DIEMER ROSENTHAL )  
LAVIOLETTE FELDMAN SCHENKMAN & )  
GOODMAN, LLP, JACOB A. BLOOM )  
AND DOES 1-30, )  
DEFENDANTS. )

---

BLOOM HERGOTT DIEMER ROSENTHAL )  
LAVIOLETTE FELDMAN SCHENKMAN & )  
GOODMAN, LLP, )  
CROSS-COMPLAINANTS, )

vs. )  
JOHN C. DEPP, II, SCARAMANGA )  
BROS., INC., A CALIFORNIA )  
CORPORATION; L.R.D. )  
PRODUCTIONS, INC., A CALIFORNIA )  
CORPORATION, INFINITUM NIHIL, A )  
CALIFORNIA CORPORATION, )  
CROSS-DEFENDANTS.

VIDEOTAPED DEPOSITION OF TRINITY CORRINE ESPARZA  
FRIDAY, JANUARY 25, 2019

JOB NO. 3195110  
REPORTED BY: D'ANNE MOUNGEY, CSR 7872  
Pages 1- 113



1 VIDEOTAPED DEPOSITION OF TRINITY CORRINE ESPARZA, ESQ.  
2 TAKEN ON BEHALF OF PLAINTIFFS AT 1100 GLENDON AVENUE,  
3 SUITE 1840, LOS ANGELES, CALIFORNIA, COMMENCING AT  
4 11:26 A.M. ON FRIDAY, JANUARY 25, 2019, BEFORE D'ANNE  
5 MOUNGEY, CSR 7872.  
6  
7  
8 APPEARANCES OF COUNSEL:  
9  
10 FOR THE PLAINTIFFS:  
11 BROWN RUDNICK  
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18 (NOT PRESENT)  
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Page 2

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11 (NOT PRESENT)  
12  
13 ALSO PRESENT:  
14 STEVEN TOGAMI, VIDEOGRAPHER  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 4

1 APPEARANCES (CONTINUED)  
2  
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Page 3

1 INDEX  
2  
3 WITNESS EXAMINATION PAGE  
4 TRINITY CORRINE ESPARZA  
5 BY MS. BILES 8  
6 BY MR. WRENSHALL 100  
7  
8  
9  
10 EXHIBITS  
11  
12 NO. PAGE DESCRIPTION  
13 EXHIBIT 204 31 THUMB DRIVE  
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18 QUESTIONS INSTRUCTED NOT TO ANSWER  
19 (NONE)  
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Page 5

1 LOS ANGELES, CALIFORNIA  
2 FRIDAY, JANUARY 25, 2019; 11:26 A.M.  
3  
4  
5 THE VIDEOGRAPHER: Good morning. We're on 11:26:00  
6 the record at 11:26 a.m. on January 25th, 2019.  
7 Please note that the microphones are sensitive and  
8 may pick up whispers, private conversations and  
9 cellular interference. And video recording will  
10 continue to take place unless all parties agree to 11:26:21  
11 go off the record.  
12 This is media unit number 1 of the video  
13 recorded deposition of Trinity Corrine Esparza taken  
14 by counsel for the plaintiffs and cross-defendants  
15 in the matter of "John C. Depp, II, et al., versus 11:26:40  
16 Bloom Hergott Diemer Rosenthal Laviolette Feldman  
17 Schenkman & Goodman, LLP, et al.," and related  
18 cross-action, filed in the Superior Court of the  
19 State of California for the County of Los Angeles.  
20 Case number BC 680066. 11:27:09  
21 This deposition is being held at the  
22 Stalwart Law Group, located at 1100 Glendon Avenue,  
23 Los Angeles, California, 90024. My name is Steven  
24 Togami from the firm Veritext Legal Solutions, and I  
25 am the videographer. The court reporter is D'Anne 11:27:35

Page 6

1 Moungey from the firm Veritext Legal Solutions. I  
2 am not related to any party in this action, nor am I  
3 financially interested in the outcome.  
4 If there are any objections to proceeding,  
5 please state them at the time of your appearance. 11:27:55  
6 At this time, will counsel and all present  
7 please state their appearances and affiliations for  
8 the record.  
9 MS. BILES: Brit Biles, Stein Mitchell  
10 Betao & Missner for Mr. Depp and his companies. 11:28:08  
11 MR. WALDMAN: Adam Waldman, Endeavor Law  
12 Firm for Mr. Depp and his companies.  
13 MR. WRENSHALL: Mathew Wrenshall with Reed  
14 Smith for Bloom Hergott and Jacob Bloom.  
15 THE VIDEOGRAPHER: Thank you. 11:28:22  
16 Can we please have the oath.  
17 THE WITNESS: Trinity Esparza on behalf of  
18 Mr. Depp.  
19  
20 TRINITY CORRINE ESPARZA,  
21 having been first duly sworn by the reporter, was  
22 examined and testified as follows:  
23 ///  
24 ///  
25 ///

Page 7

1 EXAMINATION  
2 BY MS. BILES:  
3 Q Good morning, Ms. Esparza. My name is Brit  
4 Biles. I will be asking you some questions today.  
5 As you can see, we have a court reporter 11:28:52  
6 here. She's taking down everything that we say, so  
7 it's important that we not talk over each other.  
8 Sometimes when people get in conversations, they  
9 anticipate what someone is going to say. But in  
10 this situation, let me finish my question before you 11:29:06  
11 give your answer, and I'll try to do the same and  
12 let you finish your answer before I ask my next  
13 question.  
14 For the same reason, nonverbal answers  
15 can't be recorded on the record, like nods or 11:29:19  
16 "uh-huh's" or things of that nature, so it's very  
17 important to respond with a verbal answer. I'll do  
18 my best to remind you if I see you lapsing into any  
19 uh-huh's or anything. Just try your best just to  
20 answer verbally. 11:29:35  
21 If you answer a question, I'm going to  
22 assume that you understood my question. So if you  
23 don't understand a question, just go ahead and let  
24 me know and I'm happy to rephrase it in a way that  
25 is understandable. Sometimes my questions aren't as 11:29:48

Page 8

1 good as I think they are. Just bear with me and  
2 I'll try to get to a good question.  
3 If you need to take a break at any point,  
4 let me know and we can go off the record for you to  
5 take a break. This isn't a marathon or some sort of 11:30:01  
6 an endurance test. Just let me know. I just ask if  
7 there is a question pending, that you answer the  
8 question before we go off the record and take the  
9 break.  
10 Does all of that sound fair? 11:30:12  
11 A Yes.  
12 Q What do you do for a living, Ms. Esparza?  
13 A I own the concierge and security company  
14 that runs the Eastern Columbia building.  
15 Q What is a concierge and security company? 11:30:27  
16 A I provide the front desk staffing.  
17 Q What does that mean?  
18 A We monitor the cameras and make sure that  
19 no one can come in and out of the building without  
20 consent and authorized access. We -- sorry. I'm a 11:30:46  
21 little nervous.  
22 We provide our residents with, like,  
23 packages and dry cleaning.  
24 Q When you say you monitor the cameras, do  
25 you mean security cameras? 11:31:03

Page 9

3 (Pages 6 - 9)

<p>1 A Correct.</p> <p>2 Q What is involved in monitoring the cameras?</p> <p>3 A Well, we want to obviously protect the</p> <p>4 residents' safety, so we're just making sure that no</p> <p>5 one is coming in and out of the building that aren't 11:31:19</p> <p>6 supposed to and we just make sure that things are</p> <p>7 running smoothly.</p> <p>8 Q Let's back up.</p> <p>9 Where is the Eastern Columbia building</p> <p>10 located? 11:31:38</p> <p>11 A 849 South Broadway.</p> <p>12 Q And what is the Eastern Columbia building?</p> <p>13 A Condominium complex.</p> <p>14 Q How many units are in it?</p> <p>15 A 147. 11:31:46</p> <p>16 Q How many security cameras are in the</p> <p>17 building?</p> <p>18 A We just added more. So we have about 40.</p> <p>19 Q In the 2016 timeframe, approximately how</p> <p>20 many cameras were in the East Columbia building? 11:32:02</p> <p>21 A Around 20.</p> <p>22 Q Where are the cameras directed?</p> <p>23 Are they directed to common areas or to</p> <p>24 individual units, or how is it set up?</p> <p>25 A Common areas, there's three that are 11:32:15</p> <p style="text-align: right;">Page 10</p>	<p>1 I'd say like seven feet of hallway distance from the</p> <p>2 wall. It's in like a secure place. So we sit right</p> <p>3 behind the front desk and when residents come up to</p> <p>4 us, we stand and we greet them.</p> <p>5 Q At the front desk, are there monitors where 11:33:54</p> <p>6 you view the security cameras?</p> <p>7 A Correct.</p> <p>8 Q So if you're sitting at the front desk, you</p> <p>9 have monitors displayed in front of you?</p> <p>10 A Yes. Well, to the side. Like this 11:34:06</p> <p>11 (indicating). They were like this at the time</p> <p>12 (indicating).</p> <p>13 Q And do you watch the security camera</p> <p>14 footage as it's happening or can you go back later</p> <p>15 and look at something that happened at a prior time? 11:34:19</p> <p>16 A At that time you could go look at it for up</p> <p>17 to 26 days.</p> <p>18 Q Then what happened on day 27?</p> <p>19 A Then it starts over. So if you didn't save</p> <p>20 the file, then it would be removed from the system. 11:34:33</p> <p>21 Q As the concierge at the Eastern Columbia</p> <p>22 building sitting at the front desk, do you have an</p> <p>23 opportunity to interact with residents of the</p> <p>24 building?</p> <p>25 A Yes. Always. 11:34:47</p> <p style="text-align: right;">Page 12</p>
<p>1 located in the elevators, there's one facing the</p> <p>2 front desk, the entrances, dog run, mezzanine level,</p> <p>3 by the mailroom, exiting and entering the parking</p> <p>4 garage. They're in the lobby by the front door.</p> <p>5 Do you want to know -- I think I covered 11:32:54</p> <p>6 all of it.</p> <p>7 Q Okay. If you think of any more, just let</p> <p>8 me know.</p> <p>9 You've talked about monitoring the cameras.</p> <p>10 Do you physically work in the Eastern 11:33:05</p> <p>11 Columbia building?</p> <p>12 A I do, yes.</p> <p>13 Q When do you work there?</p> <p>14 A Monday through Friday.</p> <p>15 Q What are your hours? 11:33:12</p> <p>16 A At that time it was 8:00 to 4:00.</p> <p>17 Q When you say "at that time," you mean in</p> <p>18 2016?</p> <p>19 A Correct. 8:00 a.m. to 4:00 p.m.</p> <p>20 Q Where do you physically sit in the Eastern 11:33:22</p> <p>21 Columbia building when you're working?</p> <p>22 A At the front desk.</p> <p>23 Q Can you describe the layout of the front</p> <p>24 desk to us?</p> <p>25 A Sure. The front desk is -- there's about 11:33:30</p> <p style="text-align: right;">Page 11</p>	<p>1 Q In what situations do you interact with</p> <p>2 residents typically?</p> <p>3 A If they need something, if they're going to</p> <p>4 let us know about like a housekeeper or if they need</p> <p>5 to pick up their dry cleaning or their packages or 11:34:57</p> <p>6 personal items. If they want to leave something for</p> <p>7 us for someone else to pick up. If they need us to</p> <p>8 print something. If -- they're passing by, if</p> <p>9 they're exiting the building, we always see them and</p> <p>10 we greet them whether they're coming in or coming 11:35:16</p> <p>11 out.</p> <p>12 Q During your work at the East Columbia</p> <p>13 building, did you become aware that Johnny Depp and</p> <p>14 Amber Heard were residents of the building?</p> <p>15 A Yes. 11:35:28</p> <p>16 Q Do you know what unit they lived?</p> <p>17 A Penthouse 3.</p> <p>18 Q During what period of time did you</p> <p>19 understand that they were residents of the building?</p> <p>20 A Right when they moved in. I think it was 11:35:37</p> <p>21 2015.</p> <p>22 Q And at what point did they cease to be</p> <p>23 residents in the building?</p> <p>24 A Well, Amber would come down. He never</p> <p>25 really did. She would come down and walk by us and 11:35:54</p> <p style="text-align: right;">Page 13</p>

1 talk to us, and so it was obvious that they were  
2 living there. And her friends were living there as  
3 well.  
4 Q "Her friends" being who?  
5 A Raquel Pennington and Josh. 11:36:05  
6 Q I think you anticipated one of my next  
7 questions. You said that Ms. Heard would come down  
8 and interact with you.  
9 How many times would you say that you  
10 interacted with Ms. Heard in person when she was a 11:36:18  
11 resident?  
12 A Oh, a lot.  
13 Q When you say "a lot," was it more than ten  
14 times?  
15 A Yes. 11:36:36  
16 Q More than 20 times?  
17 A Yes.  
18 Q More than 50 times?  
19 A Yes.  
20 Q More than 100 times? 11:36:40  
21 A I wouldn't -- I'm not going to say that.  
22 Q Somewhere between 50 and 100 times you  
23 interacted with Ms. Heard in person?  
24 A Correct.  
25 Q Other than interacting with Ms. Heard in 11:36:51  
Page 14

1 person, did you also observe her on security  
2 cameras?  
3 A Yes.  
4 Q How many times would you say you observed  
5 Ms. Heard on security cameras? 11:36:59  
6 A Too many to count, really.  
7 Q You had mentioned that Mr. Depp didn't come  
8 down as much as she did.  
9 Did you ever interact with Mr. Depp during  
10 your employment at the Eastern Columbia building? 11:37:13  
11 A I saw him one time in person.  
12 Q Was that in the lobby area?  
13 A I was in the package room and he was going  
14 up -- he had just escorted her out and then I was  
15 getting a phone call, so I exited the package room 11:37:35  
16 and he was standing there and then I went to go get  
17 the phone call.  
18 Q At some point in time did you become aware  
19 that Ms. Heard and Mr. Depp were going through a  
20 divorce? 11:37:48  
21 A Yes.  
22 Q When did you become aware of that?  
23 A Amber told me.  
24 Q When was that?  
25 A I believe Friday, it was -- Friday after 11:37:55  
Page 15

1 the incident occurred -- or the alleged incident  
2 occurred.  
3 Q When you say "the alleged incident," what  
4 are you talking about?  
5 A The fight that was reported to occur. 11:38:12  
6 Q Okay. Let's unpack that a little bit.  
7 A Okay.  
8 Q First of all, when are we talking about?  
9 What year is this you're talking about?  
10 A 2016. 11:38:27  
11 Q What month?  
12 A May.  
13 Q Do you know a specific date in May?  
14 A The 21st.  
15 Q So what did you learn supposedly happened 11:38:34  
16 on May 21st, 2016?  
17 A I just know the police were called. My  
18 employee called me and said the police were called  
19 to Penthouse 3.  
20 Q Who is your employee that called you? 11:38:52  
21 A Gaylynn Sumerland.  
22 Q Is she still your employee?  
23 A Yes.  
24 Q How did she become aware that the police  
25 had been called? 11:39:01  
Page 16

1 A The police came to the front desk and said  
2 that they needed to get -- they needed access to the  
3 penthouse level.  
4 Q And your employee Gaylynn gave them access?  
5 A Correct. 11:39:12  
6 Q This was on May 21st, 2016?  
7 A Correct.  
8 Q After May 21st, 2016, did you have any  
9 interactions with Ms. Heard or Mr. Depp?  
10 A Yes. 11:39:23  
11 Q Can you tell me about those interactions?  
12 A I saw Ms. Heard on Monday, Tuesday,  
13 Wednesday and Friday that week.  
14 Q Did you have any conversations with her  
15 about the police coming to the penthouse? 11:39:34  
16 A Not about the police.  
17 Q What conversations did you have with her?  
18 A On Monday she came down to discuss  
19 something with me and then on Tuesday something as  
20 well. Just minor. On Wednesday she needed me to 11:40:01  
21 give her keys to a housekeeper.  
22 Q Okay. And after Wednesday -- when you say  
23 "Wednesday," are we talking about May 25th, 2016?  
24 A That is correct.  
25 Q So after Wednesday, did you have any 11:40:23  
Page 17

1 additional interactions with Ms. Heard?  
2 A I did. I saw her on Friday.  
3 Q Backing up.  
4 When you saw Ms. Heard on the Monday, which  
5 was May 23rd -- 11:40:35  
6 A Uh-huh.  
7 Q -- did she have any visible injuries to her  
8 body?  
9 A No.  
10 Q Did she have any bruises on her face? 11:40:41  
11 A No.  
12 Q Any cuts on her face?  
13 A No.  
14 Q Any signs of having been hit or struck in  
15 any way? 11:40:49  
16 A No.  
17 Q What about when you saw Ms. Heard on  
18 Tuesday, did she have any visible injuries on her  
19 body?  
20 A No. 11:40:55  
21 Q Any signs of being hit or struck?  
22 A No.  
23 Q Any bruises?  
24 A No.  
25 Q What about when you saw Ms. Heard on 11:41:00  
Page 18

1 Wednesday, May 25th, 2016, did she have any injuries  
2 on her body?  
3 A No.  
4 Q Did she have any signs of bruises?  
5 A No. 11:41:09  
6 Q Or having been hit or struck?  
7 A No.  
8 Q What about when you saw her on Thursday,  
9 May 26th?  
10 A I didn't see her on Thursday. 11:41:16  
11 Q Okay. Fair enough. Thanks for clarifying  
12 that.  
13 Did you see her again on Friday, May 27th?  
14 A Yes.  
15 Q At that point in time, did she have any 11:41:24  
16 injuries to her body?  
17 A Yes.  
18 Q Can you describe what those injuries looked  
19 like?  
20 A Yes. She had a red cut underneath her 11:41:30  
21 right eye and red marks by her eye.  
22 Q Did you ever ask her what caused those  
23 marks?  
24 A No.  
25 Q At some point in time did you hear some 11:41:47  
Page 19

1 sort of allegations about what caused those marks?  
2 A Yes. Later.  
3 Q What did you hear later?  
4 A Well, she was going to go file a domestic  
5 violence restraining order. 11:42:05  
6 Q How did you learn that she was going to go  
7 file a domestic violence --  
8 A Online.  
9 Q Online.  
10 You heard in the media that Ms. Heard was 11:42:12  
11 filing a restraining order?  
12 A Correct. And she told me on Friday that  
13 she was getting a divorce.  
14 Q So you saw her for several days in a row  
15 without any visible injuries; correct? 11:42:25  
16 A Correct.  
17 Q Then on Friday, May 27th, she suddenly has  
18 injuries to her face; is that right?  
19 A Correct.  
20 Q Did that strike you as odd? 11:42:34  
21 A I did -- I asked her if she was okay.  
22 Q Did you have any conversations with anyone  
23 in the building about what may have been going on at  
24 that time?  
25 A Yes. 11:42:47  
Page 20

1 Q Can you describe those conversations.  
2 A I asked other associates if they had seen  
3 anything on her face when they interacted with her.  
4 Q And what did they say?  
5 A No. 11:43:04  
6 Q Who were those other associates that you  
7 asked?  
8 A Alex, Cornelius.  
9 Q What is Alex's full name?  
10 A Alex Romero. 11:43:15  
11 Q And what about Cornelius?  
12 A Cornelius Harrell.  
13 Q Had they interacted with Ms. Heard in the  
14 week between May 21st and May 27th as well?  
15 A Yes. 11:43:26  
16 Q Can you describe your conversations in a  
17 little bit more detail with them?  
18 A Cornelius text me on Sunday because he was  
19 really excited that he had met her and he said, oh,  
20 my God, I just met Amber Heard. 11:43:40  
21 Q Uh-huh.  
22 What else did he say?  
23 A I said, isn't she lovely?  
24 And he said, yes.  
25 Q Did you later have a separate conversation 11:43:56  
Page 21

1 with Mr. Harrell about whether or not Ms. Heard had  
2 marks on her face when he interacted with her?  
3 A Yes.  
4 Q When was that conversation?  
5 A I think the following week that he worked. 11:44:08  
6 Q Do you recall when that was?  
7 A The Sunday after the previous Sunday.  
8 Q So around the 29th of May?  
9 A Correct.  
10 Q And can you walk us through that 11:44:23  
11 conversation, what you said to Mr. Harrell, what  
12 Mr. Harrell said to you.  
13 A I asked him if on Sunday if he saw a mark  
14 on her face, and he said no.  
15 Q And that was the Sunday, the day after the 11:44:37  
16 police came; is that right?  
17 A Correct.  
18 Q Who else did you talk to other than  
19 Mr. Harrell?  
20 A The general manager and Alex and Gaylynn. 11:44:46  
21 Q Let's take those one by one. Let's start  
22 with Alex.  
23 When did you talk to Alex?  
24 A I talked to Alex when it was surfacing  
25 that -- when the picture had surfaced online that 11:45:07  
Page 22

1 she had a mark on her face.  
2 Q When you say "the picture," can you be a  
3 little bit more specific?  
4 A The picture that was posted of the alleged  
5 incident of-- 11:45:19  
6 Q Okay. So are we talking around Friday, the  
7 27th of May at this point?  
8 Is that when the picture was posted, or was  
9 it later?  
10 A Oh, maybe it was -- I'm not sure when the 11:45:32  
11 picture was posted.  
12 Q But something became public that caused you  
13 to inquire of Alex about whether he had seen similar  
14 marks on her face; is that right?  
15 A I asked if he had encountered with her, 11:45:45  
16 yes.  
17 Q Did he have encounters with her that week?  
18 A Yes.  
19 Q Can you describe what he told you about  
20 those encounters? 11:45:54  
21 A He told me that her and Raquel asked him to  
22 come upstairs to their loft and look to see if  
23 anyone was inside because they were nervous or  
24 scared.  
25 Q Did he indicate what day that was? 11:46:10  
Page 23

1 A I believe it was Wednesday.  
2 Q Wednesday, May 25th?  
3 A It was either -- I believe it was  
4 Wednesday, yes.  
5 Q Did he indicate to you that when he talked 11:46:21  
6 with and interacted with Ms. Heard on May 25th, that  
7 she had any marks or cuts or bruises on her face?  
8 A No. He said he didn't see anything.  
9 Q You mentioned you also talked with Gaylynn.  
10 Can you describe that conversation? 11:46:38  
11 A I asked Gaylynn if she had seen -- what had  
12 happened, if she had seen them after the police  
13 came, and she said no.  
14 Q But I just want to tie all this up and make  
15 sure I'm following what you're saying. 11:46:55  
16 You had interacted with Ms. Heard for  
17 several times between May 23rd and May 27th?  
18 A Correct.  
19 Q Alex had interacted with Ms. Heard some  
20 time during that week as well; yes or no? 11:47:06  
21 A Yes.  
22 Q And Cornelius Harrell had interacted with  
23 Ms. Heard on May 22nd, the day after the police  
24 came; correct?  
25 A Yes. 11:47:17  
Page 24

1 Q So through all of those interactions when  
2 the three of you talked, what conclusion did you  
3 come to?  
4 That was a bad question. Let me withdraw  
5 it. 11:47:34  
6 So the three of you all had interactions  
7 with Ms. Heard in that week and what was your --  
8 what did you all observe about her face in those  
9 interactions with her?  
10 A That it did not occur on Saturday. 11:47:47  
11 Q What did not occur on Saturday?  
12 A Whatever happened to her face did not  
13 happen on Saturday.  
14 Q And for the course of -- let me back up.  
15 During that same time period, that May 21st 11:48:12  
16 through the 27th time period, in addition to  
17 interacting with Ms. Heard in person, did you also  
18 observe Ms. Heard on the security tapes?  
19 A Yes.  
20 Q How did she appear on the security tapes? 11:48:26  
21 A Fine.  
22 Q "Fine" meaning what?  
23 A She was happy and normal.  
24 Q Did she have any visible injuries to her  
25 face? 11:48:40  
Page 25

<p>1 A No.</p> <p>2 Q At some point in time -- I want to skip a 3 little bit ahead now -- were you involved with 4 taking footage from the security cameras and 5 providing it to Mr. Depp's divorce lawyers? 11:48:55</p> <p>6 A Yes.</p> <p>7 Q When was that?</p> <p>8 A They had asked for, I believe, 72 hours of 9 the footage. And so the general manager asked me to 10 start downloading it, but later took over the 11:49:12 11 process.</p> <p>12 Q Do you recall who you interacted with on 13 behalf of Mr. Depp at that time?</p> <p>14 A Pardon me?</p> <p>15 Q Do you recall which lawyers or people 11:49:23 16 working for the lawyers you interacted with?</p> <p>17 A Yes. His attorneys came in after, I 18 believe, we were subpoenaed -- I don't remember all 19 that "indepthly."</p> <p>20 Q Do you recall any of the names of the 11:49:50 21 lawyers you worked with?</p> <p>22 A Yes. Can you just ask me a couple of the 23 names?</p> <p>24 Q Sure.</p> <p>25 Do you recall anyone from the Bloom Hergott 11:50:07 Page 26</p>	<p>1 Q Why did you think those would be helpful 2 times?</p> <p>3 If you don't recall the times, we can talk 4 more about the content.</p> <p>5 A There was a lot to look at, so -- and this 11:51:35 6 was before my general manager told me that I 7 couldn't say anything about the footage, so I was 8 just kind of -- I thought I was being helpful, but I 9 didn't know I wasn't supposed to be helpful.</p> <p>10 Q Okay. I'm not sure I'm following you. 11:51:52</p> <p>11 A Because we hadn't talked to our attorneys 12 yet.</p> <p>13 Q Okay. I see.</p> <p>14 But you were trying to be helpful. What 15 information did you give to the attorneys who were 11:52:03 16 there on behalf of Mr. Depp?</p> <p>17 A There was some footage of Amber and her 18 sister and Raquel coming back from dinner.</p> <p>19 Q Can you describe what you remember about 20 that footage? 11:52:22</p> <p>21 A Her sister pretended to punch her in the 22 face.</p> <p>23 Q Do you recall what day of the week that 24 was?</p> <p>25 A Tuesday. 11:52:30 Page 28</p>
<p>1 law firm?</p> <p>2 A Well, his attorney and his attorney's 3 assistant came in to look at the footage at one 4 point.</p> <p>5 Q Do you recall which law firm they were 11:50:23 6 from?</p> <p>7 Was it Laura Wasser? Patty Glaser? Blair 8 Burke?</p> <p>9 A Yes, Laura Wasser and Blair Burke.</p> <p>10 Q Were the lawyers you dealt with? 11:50:38</p> <p>11 A Yes.</p> <p>12 Q And --</p> <p>13 A One of them came. I don't know if they 14 were both together. I just don't recall. I know 15 one of them came to the building, maybe both of them 11:50:48 16 came to the building the first day and then only one 17 of them came back.</p> <p>18 Q Do you recall if you pointed them to 19 specific footage that you thought would be helpful?</p> <p>20 A Yes. 11:51:02</p> <p>21 Q Tell me about that.</p> <p>22 A I just briefly mentioned a couple times 23 that they should check.</p> <p>24 Q What were those times, if you recall?</p> <p>25 A I don't recall. I just said... 11:51:21 Page 27</p>	<p>1 Q Tuesday, May 24th, 2016?</p> <p>2 A Correct.</p> <p>3 Q Was that -- let me back up a second. 4 So when the lawyers came in and looked at 5 the footage, did they copy a particular footage? 11:52:43 6 How did they go about identifying what they 7 wanted to take?</p> <p>8 A They had someone else come and go look 9 through all the footage on their behalf afterwards, 10 because they did do a steady day or two themselves 11:52:57 11 and I think our -- our camera systems were like 12 pretty slow, so it's really time consuming, so they 13 hired someone to come in and find the footage that 14 they needed, from my understanding.</p> <p>15 Q Okay. And then once they found the footage 11:53:17 16 that they needed, what happened?</p> <p>17 Was that copied?</p> <p>18 How did it work?</p> <p>19 A I think that they were looking for footage 20 for any time that like they saw Amber or whatnot. 11:53:27 21 And then yeah, it was copied. Yes, it was copied 22 and given to them.</p> <p>23 Q Do you know if they took --</p> <p>24 A I don't think they saw that. I don't think 25 they knew what I was talking about in the mezzanine 11:53:41 Page 29</p>

1 when I had mentioned, oh, I saw her here and I saw  
2 her here.

3 Q So you don't believe that was among the  
4 footage that they collected?

5 A I don't think they -- it was so quick, that 11:53:52  
6 I had said, oh -- it was so quick, that I had told  
7 them I don't think they knew what they were looking  
8 for.

9 Q And for the footage that wasn't collected,  
10 what happened to that footage? 11:54:10

11 A It all gets erased after 26 days.

12 Q So -- go ahead.

13 I didn't mean to interrupt you.

14 A It's fine.

15 Q So we actually have some of the footage 11:54:30  
16 that was collected and we can go through that, but I  
17 want to take a quick break and get that set up  
18 before we start looking at specific clips and we can  
19 talk about those and the context of your  
20 interactions with Ms. Heard. 11:54:43

21 A Great.

22 MS. BILES: Go off the record briefly.

23 THE VIDEOGRAPHER: Going off the record at  
24 11:54 a.m.  
25 ///

Page 30

1 (Whereupon, a recess was held  
2 from 11:54 a.m. to 12:00 p.m.)

3 THE VIDEOGRAPHER: Going back on the record  
4 at 12:00 p.m.

5 BY MS. BILES: 12:00:12

6 Q Ms. Esparza, so we have 87 video clips that  
7 we subpoenaed that were the video clips that were  
8 collected by the divorce lawyers in the divorce  
9 case. I have some of those here today.

10 I would like to show them to you so you can 12:00:28  
11 explain them to us and let us know what it is you  
12 saw in the videos and how they match up with your  
13 own interactions.

14 MS. BILES: So the first one we're going to  
15 mark this as Exhibit 204 A. 12:00:42

16 (Whereupon, Plaintiffs' Exhibit 204 was  
17 marked for identification by the  
18 Court Reporter.)

19 BY MS. BILES:

20 Q Can you describe what you're seeing here on 12:00:53  
21 this video clip?

22 A That is me behind the desk. There's a  
23 package on a cart. There's our middle elevator and  
24 the hallway that residents walk through to get to  
25 their units. 12:01:22

Page 31

1 Q Is this the front desk that you described  
2 in your prior testimony?

3 A Yes.

4 Q Can you tell by looking at this video clip  
5 when this surveillance footage was shot? 12:01:31

6 A Yes.

7 Q When was it?

8 A May 25th at approximately 1:42 p.m.

9 Q This was during your normal workday?

10 A Yes. 12:01:47

11 Q And you appear to be sitting at the desk  
12 during work of some sort.

13 When you describe the work that you've  
14 done -- that you do at the Eastern Columbia  
15 building, is this what you do, you sit at this front 12:01:58  
16 desk and manage whatever is going on in the building  
17 for the residents?

18 A Yes.

19 Q I'm going to attempt to fast forward a bit,  
20 but before I do that, I believe you testified 12:02:11  
21 earlier about an interaction that you had with  
22 Ms. Heard involving a key for a housekeeper.

23 A Correct.

24 Q Can you tell us more about that  
25 interaction? 12:02:23

Page 32

1 A Yes. She came down to ask me to give her  
2 housekeepers her key to her unit.

3 Q And that was on Wednesday, May 25th?

4 A Yes.

5 Q I'm going to fast forward, if I can. I 12:02:38  
6 believe that interaction you've described is  
7 actually depicted on this video, so let me see if I  
8 can get to it.

9 I want you to take a look at the video and  
10 let me know what you see as it continues to play. 12:03:02

11 A Fed Ex guy dropping off a package. He  
12 hands me the device to sign for the package.

13 Q Are you on the phone?

14 Is that a cell phone that you're holding?

15 A No. I'm on the work phone. 12:03:26

16 Q So there's a landline phone there?

17 A Yes. Two lines.

18 Q Do you recognize that person?

19 A Yes.

20 Q Who is that? 12:03:44

21 A That's Amber Heard.

22 Q Is this the interaction that you described  
23 about the key for the housekeeper?

24 A Yes.

25 Q Is that her handing you the key? 12:03:57

Page 33



1 A She is handing me the key.  
2 Q At this point in time, to your knowledge,  
3 was Ms. Heard wearing makeup?  
4 A No.  
5 Q In your interactions with her, how often 12:04:13  
6 did she appear to wear makeup?  
7 A Never.  
8 Q On this Wednesday, May 25th, did she have  
9 any visible marks on her face?  
10 A No. 12:04:23  
11 Q Approximately how far from her in this  
12 video were you when she was handing you the key?  
13 A We were very close. Arm's length.  
14 Q Other than this interaction that you had  
15 with Ms. Heard, I think you described other 12:04:41  
16 interactions with her and seeing her other times on  
17 the security footage; is that right?  
18 A Yes.  
19 Q So let's see if we can locate some of those  
20 other videos. 12:04:54  
21 I think you testified, and correct me if  
22 I'm wrong, that there are security cameras in the  
23 elevators in the Eastern Columbia building; is that  
24 right?  
25 A Yes. 12:05:09

1 Q Is that all of the elevators?  
2 A Yes. Except for the parking.  
3 Q So the elevator going to the penthouse  
4 where Mr. Depp and Ms. Heard lived had a security  
5 camera in it? 12:05:23  
6 A Correct.  
7 Q Does this appear to be that elevator?  
8 A Yes.  
9 Q So I'm going to -- and what date was this  
10 footage taken? 12:05:34  
11 A May 25th, 2016, at 1:46 p.m.  
12 Q Is this approximately the same time that  
13 you interacted with Ms. Heard about the housekeeper  
14 key?  
15 A Yes. 12:05:47  
16 Q Bear with me while I fast forward a bit.  
17 THE VIDEOGRAPHER: I think that's not --  
18 that's not a fast forward.  
19 MS. BILES: Got it.  
20 BY MS. BILES: 12:06:21  
21 Q I see a PH there.  
22 Does that mean it's the elevator stop for  
23 the penthouse?  
24 A Correct.  
25 Q So that was the stop for Mr. Depp and 12:06:28

1 Ms. Heard's apartment?  
2 A Yes.  
3 Q Looks like the elevator is going up.  
4 Do you recognize that person?  
5 A Yes. 12:06:59  
6 Q Who is that?  
7 A Amber and her interior designer and Raquel  
8 Pennington.  
9 Q Can you identify which is which? Which one  
10 is Raquel Pennington and which one is the interior 12:07:12  
11 designer?  
12 A The interior designer Laura Divenere is on  
13 the left and Raquel Pennington is directly in front  
14 of Amber.  
15 Q The one who is getting on the elevator with 12:07:21  
16 a drink in her hand?  
17 A Correct.  
18 Q And Ms. Pennington lived in the building  
19 also; right?  
20 A Yes. 12:07:28  
21 Q What about the interior designer?  
22 A No. Oh, she did. I don't know if she was  
23 still living there at that point. No, she had  
24 recently moved.  
25 Q We have a frontal shot of Ms. Heard's face 12:07:40

1 in this video.  
2 Is that consistent with how she looked when  
3 she came up to the desk to give you the key?  
4 A Yes.  
5 Q In this video, are there any marks on 12:07:58  
6 Ms. Heard's face that are visible?  
7 A No.  
8 Q Is there any indication that she had been  
9 struck or hit by a person or an object?  
10 A No. 12:08:09  
11 Q It looks like she's holding the key in her  
12 hand. I'm assuming this is right before she comes  
13 to give it to you.  
14 Is that how these cameras would be set up,  
15 where you could see the sequence of events, if you 12:08:23  
16 looked at all the cameras together?  
17 A Yes.  
18 MS. BILES: And this is going to be 204 B  
19 in case I didn't say that.  
20 Up next we have 204 C. 12:08:46  
21 BY MS. BILES:  
22 Q Ms. Esparza, what is the date that this  
23 footage was recorded?  
24 A May 25th, 2016.  
25 Q What is depicted in this surveillance 12:09:00

1 video?  
2 A It was -- that was just the penthouse  
3 elevator opening at the mezzanine level.  
4 Q Okay. Let me see if I can skip a bit  
5 ahead. 12:09:19  
6 This is showing the comings and goings of  
7 various residents of the building, I assume; is that  
8 right?  
9 A Correct.  
10 Q Do you recognize that woman? 12:10:23  
11 What about that man?  
12 A Yes. Alex.  
13 Q Let's see if we can get a better shot of  
14 the woman.  
15 Where is the elevator stopping? 12:11:23  
16 A Penthouse.  
17 Q How many penthouse units were there in the  
18 building?  
19 A There's PH 1 through PH 5. Then there's  
20 1211 and 1212 which also -- and 12- -- yeah. Those 12:11:36  
21 two go up to that level, too. They have two patios  
22 over there. And 1210. But only five.  
23 Q In 2016, other than Mr. Depp and Ms. Heard  
24 and Raquel Pennington and her fiance, was anyone  
25 else living on the penthouse? 12:12:03  
Page 38

1 A Yes. Isaac was living in PH 2 and  
2 previously in the year her sister was living there  
3 as well.  
4 Q When you say "her sister," who are you  
5 referring to? 12:12:12  
6 A Whitney Heard.  
7 Q Amber Heard's sister Whitney?  
8 A Correct.  
9 Q And who was Isaac?  
10 A Isaac is one of Johnny's friends. He was 12:12:20  
11 one of their mutual friends. He's an artist.  
12 Q I think we're almost where we need to be.  
13 Do you recognize this resident?  
14 I'm assuming she's a resident.  
15 Do you recognize her? 12:13:20  
16 A Yes.  
17 Q Who is that?  
18 A She used to -- I think -- I thought that  
19 was the lady that used to live in 707, but now I  
20 don't think so. 12:13:35  
21 Q Maybe we'll get a better shot.  
22 Do you recognize that woman, either of  
23 them?  
24 A There's her sister Whitney. I've seen  
25 them, but I don't know who they are. 12:14:48  
Page 39

1 Q Which one is her sister Whitney?  
2 A In the middle.  
3 Q In the black coat?  
4 A Yes.  
5 Q And the people that you said you've seen 12:14:56  
6 but you don't know who they were, which ones are  
7 those?  
8 A The two people in front of her. I don't  
9 know if that's IO or AO. I don't think so, though.  
10 Q Did you see them in the building or did you 12:15:09  
11 see them with Ms. Heard?  
12 A Yeah. I've seen them in the building  
13 before.  
14 Q Who's outside the elevator?  
15 A Amber Heard. 12:15:20  
16 Q What does she appear to be doing?  
17 A There's Raquel.  
18 She's looking in her purse for something  
19 and has something in her mouth.  
20 Q Now, do you recognize the woman now that we 12:15:37  
21 have a facial shot of her?  
22 A I don't know her name.  
23 Q What, if anything, do you know about her?  
24 A I just seen her come to visit.  
25 Q Who did she come visit? 12:15:57  
Page 40

1 A Amber.  
2 Q And let's pause right -- let me back up and  
3 pause for one moment.  
4 A Oh, that's IO -- or what's her name?  
5 Q I'm sorry. Who? 12:16:13  
6 A It's like IO or AO.  
7 Q Who is that?  
8 A She's one of her friends. She's a writer.  
9 Q Thank you for being patient with my video  
10 handling. 12:16:34  
11 Okay. You described earlier a point in  
12 time on Friday, May 27th, when Ms. Heard had some  
13 sort of cut or mark on her face; is that right?  
14 A Right.  
15 Q Where was that located on her face? 12:16:52  
16 A On her right eye and cheek.  
17 Q Is that part of her face visible in this  
18 May 25th, 2016, surveillance video?  
19 A Yes.  
20 Q You can clearly see her right cheek and 12:17:05  
21 face?  
22 A Yes.  
23 Q Is the same mark that you described seeing  
24 on Friday, May 27th, visible on her face --  
25 A No. 12:17:15  
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1 Q -- in this video?  
2 And the way Ms. Heard looks in this video,  
3 is that the same or different from how she looked  
4 when you talked with her at the front desk on  
5 May 25th? 12:17:27  
6 A It's the same.  
7 Q And at any point if you recognize any of  
8 these people, let me know.  
9 A It's Raquel and her sister and IO.  
10 Q Which one is IO, the hat girl, or this one? 12:17:50  
11 A The short haired one.  
12 Q How do you spell IO?  
13 A A-O or I-O or something.  
14 I'm not 100 percent positive that's her,  
15 but it looks like her. But then she cut her hair 12:18:11  
16 later, so I don't -- yeah, it's her. That's her.  
17 Sorry.  
18 Q Where are they in the building right now?  
19 A They're on the mezzanine level.  
20 Q What is on the mezzanine level? 12:18:25  
21 A The mailroom and the exit to the parking.  
22 Q So there was an attached parking garage?  
23 A Correct.  
24 Q And what time is showing on this video?  
25 A 1921, so is that 7:21? 12:18:42

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1 Oh, no. I was right. 7.  
2 Q So where are they exiting?  
3 A They're exiting the penthouse elevator to  
4 the mezzanine level.  
5 Q And if you go right on the mezzanine level, 12:19:19  
6 are you going to one particular place, or is it  
7 always --  
8 A You can go to the mailroom and then you can  
9 go to the parking garage elevator and you can go to  
10 the top level parking spaces. 12:19:38  
11 Q So those are clips that we have from  
12 Wednesday, May 25th, 2016. We also have some clips  
13 from earlier in the week, May 24th, 2016.  
14 I believe you testified that you had some  
15 interactions with Ms. Heard earlier in the week as 12:20:01  
16 well; is that right?  
17 A Yes.  
18 Q In addition to interacting with her, did  
19 you go back and view security footage?  
20 A Yes. 12:20:13  
21 Q When did you do that?  
22 A On Friday, I believe.  
23 Q Friday, May 27th --  
24 A Yes.  
25 Q -- 2016? 12:20:32

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1 What prompted you to go back and review  
2 security footage on Friday, May 27th, 2016?  
3 A The mark on her face.  
4 Q Why did the mark on her face prompt you to  
5 go back and look at security footage? 12:20:53  
6 A Can you rephrase that question?  
7 Q Sure.  
8 You testified that you went back and looked  
9 at security footage on Friday, May 27th because of  
10 the mark that you saw on Ms. Heard's face. 12:21:30  
11 Did I understand that part right?  
12 A Yes.  
13 Q So my --  
14 A I'm not sure that was the day. I knew I  
15 went back several times. 12:21:41  
16 Q When you say "several times," approximately  
17 how many times did you go back and look at security  
18 footage?  
19 A Of different instances -- probably 10, 15  
20 times. 12:21:55  
21 Q Why were you doing that?  
22 A Because of the allegations.  
23 Q What about the allegations made you want to  
24 go back and look at security footage?  
25 A Because it didn't -- the time didn't add up 12:22:13

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1 and so I was questioning it.  
2 Q When you say you were questioning it, I  
3 just want to make sure for the record that we're  
4 clear on what exactly you were questioning.  
5 A The mark on her face and the allegations 12:22:32  
6 that were made.  
7 Q So I'm trying to think of a way to phrase  
8 this.  
9 So why were you questioning the mark on her  
10 face and the allegations that were made? 12:22:51  
11 A Because I saw her several times and I  
12 didn't see that on her face.  
13 Q And so what were you thinking about that?  
14 A That the allegations were false.  
15 Q When you went back and looked at security 12:23:10  
16 footage 10 to 15 times, did that change your belief  
17 that the allegations were false?  
18 A No.  
19 Q When you looked at the security footage 10  
20 or 15 times, what did you then think about 12:23:28  
21 Ms. Heard's allegation that she had been assaulted  
22 by Mr. Depp?  
23 A It was false.  
24 Q I want to go back and look at some more  
25 video from May 24th, 2016. 12:23:42

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1 Is that you at the front desk?  
2 A Yes.  
3 Q Do you recognize that resident?  
4 A Yes.  
5 Q Who is that resident? 12:23:54  
6 A Amber.  
7 Q That's Amber?  
8 A Isn't it? Oh, that's her sister Whitney.  
9 I think.  
10 Let me check. Can you go back? 12:24:04  
11 Q Sure.  
12 A Sorry. I wasn't paying attention.  
13 Q That's okay. I've done that several times  
14 with them, too. They're practically twins.  
15 A Yeah, that's Amber. 12:24:22  
16 Q So what date was this filmed?  
17 A This was May 24th, 2016.  
18 Q What is she doing in this video?  
19 A Someone had dropped something off for her,  
20 and so I let her know and she came down to pick it 12:24:47  
21 up.  
22 Q She came down to the front desk to pick it  
23 up?  
24 A Yes.  
25 Q Was she wearing makeup at that time? 12:24:52  
Page 46

1 A No.  
2 Q Approximately how far away from her were  
3 you?  
4 A Like -- very close. Like my arm -- like  
5 two feet. 12:25:07  
6 Q When she came to pick up her package, did  
7 you see any marks on her face? Cuts? Bruises?  
8 A No.  
9 Q Did you see anything that suggested that  
10 she had been hit by a person or an object or 12:25:16  
11 anything?  
12 A No.  
13 Q So that was 204 D.  
14 Let's go to 204 E.  
15 What is this footage of? 12:25:47  
16 A The elevator.  
17 Q Which elevator?  
18 A Penthouse elevator.  
19 Q When was this shot?  
20 A May 24th, 2016. 12:25:57  
21 Q And there's a resident. Let's see if we  
22 can get to the right part of this.  
23 What time of day is this?  
24 A It was evening. It would be 2117, so 9:17.  
25 Q Do you recognize that person? 12:26:42  
Page 47

1 A Yes.  
2 Q Who is that?  
3 A Whitney, Raquel and Amber.  
4 Q Do you have a clearer shot of Amber's face  
5 in this video? 12:26:53  
6 A Yes.  
7 Q Do you see -- what side of her face do you  
8 see?  
9 A Right.  
10 Q Do you see any marks, bruises or cuts on 12:26:59  
11 her face?  
12 A No.  
13 Q What part of Amber's face is visible in  
14 this video?  
15 A Her ear, right side of her face, cheek, and 12:27:40  
16 eye.  
17 Q Do you see any marks, cuts or bruises?  
18 A No.  
19 Q Later in the week on approximately May 27th  
20 when Ms. Heard did have marks or bruises or cuts on 12:27:52  
21 her face, were they located in the part of her face  
22 that's now visible on this video?  
23 A Yes.  
24 Q So looking at this video from May 24th,  
25 there's no marks or cuts or bruises there? 12:28:07  
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1 A Correct.  
2 Q And I think you identified these other  
3 people as Whitney Heard over by the elevator panel;  
4 is that right?  
5 A Yes. 12:28:26  
6 Q And then who is the other woman?  
7 A Raquel Pennington.  
8 Q At this point were both Raquel Pennington  
9 and Whitney Heard residents of the building?  
10 A Just Raquel. 12:28:39  
11 Q Whitney Heard has been in a lot of these  
12 videos.  
13 Was she a frequent guests of Amber's?  
14 A Yes.  
15 Q Did Amber have any other frequent guests 12:28:49  
16 when she was a resident of East Columbia?  
17 A Yes.  
18 Q Can you identify guests that you recall  
19 seeing?  
20 A Her friend IO, Laura Divenere, Samantha -- 12:28:58  
21 I forget some of the other people's names.  
22 Q Okay. I think all of those people that you  
23 identified were female.  
24 Did she have any male guests at any point  
25 that you're aware of? 12:29:24  
Page 49

1 A Yes.

2 Q Who were some of her male guests?

3 A She had a computer guy coming in, Elon Musk.

4 Musk.

5 Q Anyone else? 12:29:38

6 A One guy with long shaggy hair that I don't know his name.

7

8 Q Let's back up and take those one by one.

9 You mentioned a computer guy.

10 How do you know he was a computer guy? 12:29:57

11 A Because she dropped off her computer and he picked up her computer from me.

12

13 Q So he wasn't a guest in her apartment; is that right?

14

15 A He did go up to her apartment. 12:30:08

16 Q When was that?

17 A The following week.

18 Q The following week of May -- the last week of May 2016; is that right?

19

20 A Correct. 12:30:18

21 Q Okay. You mentioned Elon Musk. When was Mr. Musk a guest of Amber Heard at East Columbia?

22

23 A After she had filed for divorce.

24 Q When was that?

25 A That I know of. 12:30:31

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1 Q When do you recall specifically seeing Mr. Musk as a guest?

2

3 A I believe I fobbed him up. If you have guests, they have to be sent up with a key fob. The elevators, you can't just press a button without it. 12:30:50

4

5

6 Q When do you recall fobbing up Mr. Musk?

7 A The following week.

8 Q "The following week" meaning the last week of May 2016?

9

10 A I'm not a 100 percent certain. I know it was within -- it could have been -- it was in a very -- it was in either of those two weeks. 12:31:02

11

12

13 Q "Either of those two weeks," meaning the week of the 21st onward or the following week after the 27th? 12:31:26

14

15

16 A Correct. I think there were several times.

17 Q When you fobbed Mr. Musk up to Ms. Heard's penthouse, how long did he stay, do you know?

18

19 A I fobbed him to his car, so he had come down and he needed to get back to the mezzanine level where his car was parked. 12:31:44

20

21

22 Q I see.

23 Did you observe how long he had been a guest in her penthouse?

24

25 A I don't know. 12:31:55

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1 Q You mentioned a third person, a shaggy haired guy.

2

3 Who was the shaggy haired guy?

4 A I think he was a makeup artist or something. Or like a design -- clothing -- she had some people come -- this was prior to the incident. 12:32:08

5

6

7 Yeah.

8 Q Going back to Mr. Musk.

9 What time of day was it when you fobbed him? 12:32:22

10

11 A The morning.

12 Q The morning.

13 Was it when you first went to work or was it later in the day?

14

15 A It was relative -- it was probably 9:00 o'clock. 9:30, maybe. 12:32:31

16

17 Q And that was on a weekday?

18 A Correct.

19 Q Do you recall if it was more towards the beginning of the week or more towards the end of the week? 12:32:41

20

21

22 A Tuesday, Wednesday.

23 Q Of either the week of the 21st or the week of the 28th?

24

25 A Correct. 12:32:55

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1 Q Do you recall seeing Mr. Musk visit Ms. Heard at other times?

2

3 A Yes.

4 Q When were those times? 12:33:07

5

6 A I know -- there are many times.

7 Q In relation to the time when Ms. -- when Ms. Heard appeared with the visible marks on her face, did Mr. Musk visit her at any time around that date? 12:33:29

8

9

10 A Yes.

11 Q Can you tell me what you recall about that?

12 A I can't exactly recall if it was -- I feel like it was -- I might have seen him on camera on a Thursday. I remember... 12:34:06

13

14

15 Q When you say you might have saw him on a camera, do you recall which camera you think you saw him on? 12:34:24

16

17

18 A Well, it was after I -- the penthouse elevator camera.

19

20 Q And you think --

21 A In the mezzanine area.

22 Q When do you think that was in relation to when Ms. Heard appeared with these marks on her face? 12:34:35

23

24

25 A After.

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1 Q After. Okay.  
2 You mentioned that you had seen Mr. Musk at  
3 the Eastern Columbia building many times.  
4 Do you recall when the first time you saw  
5 Mr. Musk in the building was? 12:34:56  
6 A It was the first time that I fobbed him to  
7 his car.  
8 Q Is that the time you just described, May of  
9 2016?  
10 A Correct. 12:35:13  
11 Q Before you personally saw Mr. Musk in the  
12 Eastern Columbia building, had you heard from anyone  
13 else that they had seen him in the building?  
14 A Yes.  
15 Q Tell us about that. 12:35:24  
16 A Alex told me that he had been visiting her.  
17 Q When you say "Alex," are you talking about  
18 your employee Alex?  
19 A Alex is not my employee. He works for the  
20 building, for Action Property Management. 12:35:42  
21 Q But it's Alex Romero?  
22 A Correct.  
23 Q When do you recall Alex Romero telling you  
24 that he had seen Mr. Musk visiting Ms. Heard?  
25 A Well, he mentioned it to me yesterday. 12:35:57  
Page 54

1 Q Okay. But earlier in time, had he  
2 mentioned that to you?  
3 A Yes.  
4 Q When had he mentioned it to you before?  
5 A I asked him -- I told him that I -- I told 12:36:10  
6 him that I fobbed Elon up this morning and I asked  
7 him if he had seen him before.  
8 Q So this conversation between you and Alex  
9 took place in May of 2016?  
10 A Yes. 12:36:35  
11 Q On whatever day it was that you fobbed  
12 Mr. Musk to his car?  
13 A Yes.  
14 Q When you ask Mr. Romero if he had seen  
15 Mr. Musk in the building before, what did he tell 12:36:44  
16 you?  
17 A He said yes.  
18 Q Can you tell us everything you remember  
19 about it?  
20 A He said that he saw him last night. 12:36:50  
21 Q "Last night" meaning --  
22 A He had came the night before.  
23 Q I see.  
24 From your conversation with Mr. Romero, was  
25 it your understanding that you let Mr. Musk out of 12:37:02  
Page 55

1 the building in the morning and Mr. Romero had let  
2 him into the building the night before?  
3 A He had told me that Amber called to open  
4 the garage gate for him.  
5 Q For who? 12:37:17  
6 A Her friend Elon.  
7 Q I see.  
8 Other than the conversation that you've  
9 just described with Mr. Romero, were there any other  
10 times that Mr. Romero indicated to you that he had 12:37:28  
11 seen Mr. Musk in the building?  
12 A Yes.  
13 Q Can you tell us about those times?  
14 A He just mentioned that she had her friend  
15 Elon come over. 12:37:48  
16 Q When you say "he," are you talking about  
17 Alex?  
18 A Alex, yes.  
19 Q When did Alex mention that to you?  
20 A I can't recall. 12:37:57  
21 Q Do you recall if it was before or after the  
22 conversation that you described for May of 2016?  
23 A After.  
24 Q After. Okay.  
25 A But he did mention that he'd seen him there 12:38:12  
Page 56

1 previously.  
2 Q When he said that he had seen him  
3 previously, when was he talking about, to your  
4 understanding?  
5 A When Johnny hurt his finger, which is 12:38:25  
6 like...  
7 Q Okay. Can you unpack that and tell me a  
8 little bit about what you're talking about.  
9 A Alex said that she started having Elon come  
10 over and that he thought it was a little messed up 12:38:43  
11 because Johnny was away and he didn't know what was  
12 going on.  
13 Q When was that?  
14 A After he had hurt his finger.  
15 Q Do you recall when that was? 12:38:56  
16 A 2015, like...  
17 Q So it's your understanding from Alex that  
18 Alex had seen Mr. Musk visiting Ms. Heard in the  
19 Eastern Columbia building in 2015?  
20 A Yes. 12:39:22  
21 Q Let's go back and look at some additional  
22 video. We're on 204 E, I believe.  
23 What is this footage showing?  
24 A This is the penthouse elevator.  
25 Q What is the date? 12:40:07  
Page 57

1 A May 24th.  
2 Q Who's getting on this elevator?  
3 A Amber, Raquel and her sister.  
4 Q I'm going to pause it there.  
5 Is that Amber standing with her back to the 12:40:24  
6 elevator doors?  
7 A Yes.  
8 Q Is her face visible in this video?  
9 A Yes.  
10 Q What is the date of this video again? 12:40:33  
11 A May 24th, 2016.  
12 Q At what time?  
13 A 11:18 p.m.  
14 Q What part of Ms. Heard's face is visible in  
15 this video? 12:40:46  
16 A Her right side.  
17 Q Do you see any marks or cuts or bruises on  
18 the right side of her face on this?  
19 A No.  
20 Q Is that the same part of her face visible 12:40:55  
21 that later in the week she appeared with marks or  
22 bruises on?  
23 A Yes.  
24 Q And there is a full frontal shot of her  
25 face. 12:41:10

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1 Q When you say he looked tired or like he had  
2 just woken up, what led you to conclude that?  
3 A His hair was messy.  
4 Q Anything else?  
5 A No. 12:42:38  
6 Q Let's take a look at another video. This  
7 is 204 F.  
8 What is this footage of, Ms. Esparza?  
9 A Penthouse elevator.  
10 Q And what is the date of this? 12:43:00  
11 A May 22nd, 2016.  
12 Q And what time is it?  
13 A 1:06 p.m.  
14 Q Who is that?  
15 A That's Amber. 12:43:09  
16 Q Let's back up for a second.  
17 In relation to when the police were called  
18 to the penthouse --  
19 A Yes.  
20 Q -- when was this footage shot? 12:43:18  
21 A The next day.  
22 Q There's a shot of Ms. Heard's face.  
23 Do you see her face clearly?  
24 A Yes.  
25 Q Do you see any marks or cuts or bruises on 12:43:30  
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1 Do you see any signs of injury to her face?  
2 A No.  
3 Q Do you see any signs that she's been hit or  
4 struck by a person or an object?  
5 A No. 12:41:20  
6 Q Is that consistent with how Ms. Heard  
7 looked the week of -- after May 21st and your  
8 interactions with her?  
9 A Yes.  
10 Q Where are they getting off? 12:41:32  
11 A Penthouse.  
12 Q And is that the elevator stop for  
13 Ms. Heard's apartment?  
14 A Yes.  
15 Q Going back to when you encountered Mr. Musk 12:41:48  
16 in the Eastern Columbia building in May of 2016. I  
17 think you said it was around 9:00 in the morning  
18 when you were at work; is that right?  
19 A Yes.  
20 Q What was his physical appearance like at 12:42:12  
21 that time?  
22 A He looked tired or like he just woke up.  
23 Q What was he wearing?  
24 A Something casual. Just like a T-shirt and  
25 pants. 12:42:27

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1 her face?  
2 A No.  
3 Q Do you see any indication that she has been  
4 hit or struck?  
5 A No. 12:43:39  
6 Q Let's see where she's going.  
7 I believe you testified earlier that on  
8 May 22nd, your employee Cornelius had an interaction  
9 with Ms. Heard; is that right?  
10 A Yes. 12:44:24  
11 Q So this footage is shot the same day that  
12 Mr. Harrell interacted with her?  
13 A Yes.  
14 Q Do you recall about what time of day it was  
15 when he texted you and excitedly told you he met 12:44:32  
16 her?  
17 A I don't recall the time.  
18 Q Do you recall what time --  
19 A It was like -- I forget what time. I know  
20 I -- I think it was like -- 12:44:45  
21 Q Is that her again?  
22 A Yeah, it is. So this was about the time.  
23 Q Was he working at around 1:00 o'clock that  
24 day?  
25 A Correct. Yeah, it was 1:00 o'clock that he 12:44:56  
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1 did. 1:15 he text me.  
2 Q Is that her again?  
3 A Yes.  
4 Q And she has some packages in her hands it  
5 looks like? 12:45:05  
6 A Yes.  
7 Q Where was she getting back on the elevator  
8 from?  
9 A The lobby.  
10 Q Okay. Let's look at another video. 12:45:18  
11 What is this footage of?  
12 A The hallway by the package room.  
13 Q Pause for one second.  
14 This is 204 F.  
15 MR. WRENSHALL: Isn't it G? 12:45:45  
16 MS. BILES: I may have lost track.  
17 204 G.  
18 BY MS. BILES:  
19 Q What is this footage of?  
20 A The hallway, the package room, the 12:45:58  
21 bathroom, the general manager's door. There's  
22 Cornelius and Amber.  
23 Q Let me back that up.  
24 Where is the package room in this shot?  
25 A To the right. The far right. 12:46:11

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1 Q The very bottom door?  
2 A Correct.  
3 Q What was Cornelius's job on May 22nd?  
4 A He was a concierge.  
5 Q Did he sit at the front desk where you sit 12:46:25  
6 during the week?  
7 A Yes.  
8 Q I saw a head pass.  
9 Is that Mr. Harrell and Ms. Heard?  
10 A Yes. 12:46:41  
11 Q How big is the package room?  
12 A It's not very big. It's about -- I'd say  
13 about -- say like this table to the wall, so like  
14 eight feet by -- I don't know -- 15.  
15 Q If two people are in the package room 12:47:18  
16 together, how close to each other are they  
17 typically?  
18 A Very close.  
19 Q Who is that that you see at the bottom of  
20 the screen? 12:47:32  
21 A Amber.  
22 Q Who is that?  
23 A Cornelius.  
24 Q I guess we're on to H now.  
25 What is this footage of camera 13? 12:48:06

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1 A It's the mezzanine level, the entry -- the  
2 doors that come into the mailroom and go to the  
3 parking.  
4 Q And what date was this footage shot?  
5 A May 22nd, 2016. 12:48:21  
6 Q Who is that in the footage?  
7 A Amber.  
8 Q Where is she going?  
9 A To the parking garage.  
10 Q And what time is this? 12:48:29  
11 A 1:03 p.m.  
12 Q There's someone else about to walk through.  
13 That's why we're still looking. I want to see if  
14 you can help me identify the person or recognize  
15 him. 12:48:53  
16 Do you recognize that person?  
17 A Yes.  
18 Q Who is that?  
19 A Jay Fagnano.  
20 Q Is he a resident in your building? 12:49:30  
21 A Yes.  
22 Q Let me go back. Okay.  
23 What is this footage of?  
24 A Penthouse elevator.  
25 Q And when was this shot? 12:49:58

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1 A May 22nd.  
2 Q Is that a resident of the building?  
3 A Yes.  
4 Q To go to and from the penthouse, is this  
5 the only elevator? 12:50:23  
6 A Well, you can go -- you can use the other  
7 elevators, you just have to take the stairs.  
8 Q I see. This is the only one that goes  
9 directly from the lobby to the penthouse?  
10 A Yes. 12:50:36  
11 Q Bear with me. I'm trying to get to the  
12 right spot.  
13 What time of day is this on May 22nd?  
14 A 6:19.  
15 Q When in relation to the police being called 12:51:08  
16 to the penthouse was this footage shot?  
17 A The next day.  
18 Q Who is that?  
19 A Amber.  
20 Q Is she going up or down? 12:51:39  
21 A She's going up.  
22 Q So in these video clips, how does Amber  
23 appear to you?  
24 A Fine.  
25 Q Does she -- in your observations of her 12:52:08

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1 over the time she lived in the Eastern Columbia  
2 building, did she appear in these video clips to be  
3 acting the same or different from how she typically  
4 acted?  
5 Let me rephrase the question. 12:52:31  
6 You've interacted with Ms. Heard a lot when  
7 she lived in the Eastern Columbia building; is that  
8 right?  
9 A Yes.  
10 Q And you also observed her a lot on the 12:52:40  
11 security videos; is that right?  
12 A Yes.  
13 Q In the videos that we've been watching  
14 today that date from May 22nd, 2016 to May 25th,  
15 2016, does she appear to be acting the way she 12:52:54  
16 normally acted or does she appear to be acting  
17 differently?  
18 A Little different.  
19 Q In what way?  
20 A Little frazzled. 12:53:06  
21 Q How so?  
22 A She was -- interacting with her friends a  
23 lot, going up and down a little bit more than usual.  
24 Q Well, can we determine from looking at the  
25 videos that were selected because she was in them, 12:53:40  
Page 66

1 whether she was going up and down more than usual,  
2 or is it just that we're looking at videos of her?  
3 A Maybe.  
4 Q So she's --  
5 A Yeah. I don't know. Sorry about that. 12:53:52  
6 Q And the same thing with the friends, how  
7 often did you normally see Ms. Heard with Raquel  
8 Pennington?  
9 A I would see Raquel every day and I would  
10 see -- I didn't see them together that often. 12:54:12  
11 Q What about Ms. Heard and her sister, how  
12 often were they together?  
13 A Again, I would see Whitney by herself when  
14 she was here and not -- not -- it was -- not that  
15 often. 12:54:40  
16 Q Who did you see Ms. Heard with the most  
17 when you saw her with someone else?  
18 A Laura Divenere.  
19 Q I think you said that's her interior  
20 decorator? 12:55:06  
21 A Uh-huh.  
22 Q Did you frequently see Ms. Heard with  
23 anyone else other than Laura Divenere?  
24 A I saw her more alone. And IO.  
25 Q IO being the person you think is a writer? 12:55:26  
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1 A Uh-huh.  
2 Q Okay. Let's look at video I, 204 I.  
3 What is this a footage of?  
4 A Two residents going to the pool.  
5 Q What is the -- 12:55:53  
6 A May 22nd.  
7 Q Of what year?  
8 A 2016.  
9 Q What is the security camera aimed on?  
10 A The penthouse elevator. 12:56:01  
11 Q What time of day is it?  
12 A 1836. So 6:36.  
13 Q Where is the elevator stopped?  
14 A Penthouse level.  
15 Q Do you recognize that person? 12:56:33  
16 A Yes.  
17 Q Who is that?  
18 A Josh.  
19 Q Josh?  
20 A Raquel's fiancé. 12:56:37  
21 Q Who is the other person on the elevator?  
22 A Amber.  
23 Q What does she appear to be doing in the  
24 video?  
25 A Talking on the phone. 12:57:00  
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1 Q What is she doing now?  
2 A Exiting the elevator.  
3 Q At what level?  
4 A The lobby.  
5 Q Next we're on -- I'm marking this as 204 J. 12:57:27  
6 What is this a shot of?  
7 A The penthouse elevator.  
8 Q What's the date?  
9 A May 22nd, 2016.  
10 Q And what's the time? 12:57:42  
11 A 2251. So 8:51.  
12 Q In relation to when the police were called  
13 to the penthouse, when was this footage shot?  
14 A The next day.  
15 Q Who is that? 12:58:12  
16 A Amber.  
17 Q Where is she going, can you tell?  
18 A The lobby. Mezzanine level.  
19 Q What is on the mezzanine level?  
20 A The parking garage and the mailroom. 12:59:02  
21 Q What time is this in the video?  
22 A 8:56 p.m. -- no. Wait.  
23 It's 10:56 p.m.  
24 Q So almost 11:00 p.m.?  
25 A Yeah. 12:59:23  
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1 Q Who is that?

2 A A male.

3 Q Is that Ms. Heard?

4 A Yes. A male with a hat on looking down.

5 Q Now what are they doing? 12:59:48

6 A They're touching heads.

7 Q Is this someone you recognize?

8 A Not at this angle.

9 Q Let's back up and see if we can get him

10 again. Just missed him getting on. 01:00:01

11 Recognize?

12 He appears to be keeping his head down,

13 doesn't he?

14 A Correct.

15 Q Are the cameras visible in the elevator? 01:00:33

16 A Yes.

17 Q So if you were getting on the elevator,

18 would you see a camera?

19 A Yes.

20 Q Where would you see the camera? 01:00:43

21 A In the right-hand corner.

22 Q In your experience watching the security

23 video, do people tend to keep their heads down when

24 they get on?

25 A No. 01:01:05

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1 Q Do you recall what day it was?

2 Maybe we can go back and take a look at

3 that clip.

4 A It was on Tuesday at 11:00 o'clock, I

5 think. 01:02:37

6 Q Okay. Do you think it might have been

7 video 36?

8 Let's try that one, which I've lost track

9 where my marking is.

10 Is that 204 D, maybe? 01:02:49

11 Docs that look right?

12 Like the right camera, the right time?

13 A No. It's too early. It was later.

14 Q Let's try this one.

15 A This looks accurate. 01:03:18

16 Q So what time is this?

17 A 11:18.

18 Q So you see them getting on the elevator

19 here; right?

20 A Correct. 01:03:37

21 Q So when did the fake punch occur in

22 relation to this?

23 A Right before they entered the elevator.

24 Q So you were looking at security camera

25 footage from outside the elevator; is that right? 01:03:53

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1 Q Have you seen people trying to avoid the

2 security cameras before?

3 A Yes.

4 Q Can you give us some examples of when you

5 have seen that? 01:01:17

6 A Just now.

7 Q So looking at that on the video that we

8 just saw after having seen a lot of videos of

9 security footage from security cameras in this

10 building, what is your takeaway when you see how

11 they entered the elevator? 01:01:29

12 A They were trying to hide.

13 Q Let's go back to a couple of things.

14 We watched videos, a fair number of them in

15 which Ms. Heard is in and they were -- and which her

16 sister was in. 01:01:55

17 Earlier when you first arrived and first

18 started testifying today, you described a video

19 where you saw in the video Ms. Heard's sister fake

20 punching her. 01:02:10

21 Can you tell us more about that since it

22 isn't one of the ones we have here to look at?

23 A It's before one of the elevator clips when

24 they were coming back when Raquel had a bottle of

25 wine in her hand. 01:02:25

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1 A Correct. When they were walking in from

2 the mezzanine doors.

3 Q Can you describe what you saw, who was

4 where?

5 A Amber was behind her sister and her sister

6 turned around -- turned around and like went like

7 that to her face (indicating), and then she started

8 laughing. 01:04:03

9 Q Who started laughing?

10 A They all did. 01:04:18

11 Q Who was in the group?

12 A Raquel, Whitney and Amber.

13 Q Did Amber's sister make contact with her

14 face?

15 A No. 01:04:30

16 Q What else were they doing at that time,

17 other than pretending to hit each other?

18 A They were laughing and...

19 Q Did Amber pretend to hit anyone or --

20 A Just Whitney. 01:04:44

21 Q Just Whitney.

22 Did Whitney pretend to hit Raquel?

23 A Just her sister.

24 Q Just her sister Amber.

25 Where did she pretend to hit her? 01:04:52

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1 A Like -- at her face.  
2 Q Any particular part of her face?  
3 A Her head.  
4 Q The top of her head? The bottom of her  
5 head? Can you be more specific? 01:05:06  
6 A It was like in front of her face.  
7 Q In front of her face. I see.  
8 Other than the fake punch and the laughing,  
9 do you recall anything else about the video?  
10 A No. 01:05:16  
11 Q Is this the video that you said you  
12 identified when you were trying to be helpful but  
13 didn't realize that you were not supposed to be?  
14 A Yes.  
15 Q In the video where Whitney Heard was 01:05:33  
16 pretending to hit Amber Heard, how did Amber's face  
17 look at that point?  
18 A Normal.  
19 Q She didn't have any marks on her face at  
20 that time? 01:05:46  
21 A No.  
22 Q This was before the marks appeared on her  
23 face?  
24 A Yes.  
25 Q The security cameras in the building, are 01:05:59  
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1 they all at the angle -- not the angle, the distance  
2 that we've been looking at today, or do you have the  
3 ability to zoom in or zoom out?  
4 A You can zoom in and zoom out.  
5 Q On the video that you described of Whitney 01:06:17  
6 Heard pretending to punch Amber Heard on the face,  
7 did you ever zoom in on that or zoom out or change  
8 the perspective?  
9 A Yes.  
10 Q Tell us about that, please. 01:06:31  
11 A I showed the general manager the video.  
12 Q Who was the general manager?  
13 A Brandon Patterson.  
14 Q When did you show him the video?  
15 A The following week. 01:06:49  
16 Q The last week of May 2016?  
17 A Correct.  
18 Q Why did you show the video to Brandon  
19 Patterson?  
20 A Because of the allegations. 01:07:04  
21 Q What about the -- when you say "the  
22 allegations," you mean the abuse allegations against  
23 Mr. Depp?  
24 A Yes.  
25 Q Why did the abuse allegations against 01:07:19  
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1 Mr. Depp make you show the video of Whitney Heard  
2 fake punching Amber Heard to the general manager of  
3 the building Brandon Patterson?  
4 A Because I was thought it was wrong.  
5 Q What did you think was wrong? 01:07:35  
6 A That there was such a serious matter going  
7 on and they were acting like that.  
8 Q When you say "serious matter," what are you  
9 talking about?  
10 A Everything that was in the press. 01:07:51  
11 Q Can you tell us more about what you  
12 remember being in the press at that time?  
13 A That Amber's filing a domestic violence  
14 restraining order against Mr. Depp and later filing  
15 for divorce. 01:08:05  
16 Q Uh-huh. And so what about the video of  
17 Whitney Heard pretending to punch Amber Heard, what  
18 did you think was wrong about that?  
19 A Well, I had known that Mr. Depp had left  
20 the country on Saturday and did not return. 01:08:22  
21 Q Saturday, May 21st, 2016?  
22 A Correct.  
23 Q Yes. I did not mean to interrupt you.  
24 Keep on with your answer.  
25 A And he did not return and so I was 01:08:33  
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1 questioning how those marks got on her face on  
2 Friday.  
3 Q I see.  
4 Because you hadn't seen them earlier in the  
5 week? 01:08:46  
6 A Yes.  
7 Q Okay. So tell us about what you remember  
8 happening next after the marks appeared on  
9 Ms. Heard's face on Friday, May 27th, 2016.  
10 A Someone had told the press that the front 01:08:59  
11 desk had talked to someone and reported that none of  
12 us saw any marks on her face, and so I was concerned  
13 because that would mean that -- obviously all my  
14 employees have to sign a confidentiality agreement,  
15 so I was concerned, not only for my company, but for 01:09:25  
16 the way that other residents would feel if they knew  
17 that that was the truth.  
18 Q I want to back up.  
19 First of all, was it true or untrue that  
20 none of the people who worked at the front desk had 01:09:42  
21 seen any marks on Ms. Heard's face?  
22 A It is true.  
23 Q So that part of it you didn't have an issue  
24 with because it was true?  
25 A Right. 01:09:52  
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1 Q So what concerned you about someone saying  
2 publically that the front desk had reported not  
3 seeing any marks on her?  
4 A It just -- it was just concerning because I  
5 didn't -- we didn't want to get involved. 01:10:13  
6 Q When you say "we," who do you mean?  
7 A I didn't want to get involved.  
8 Q I see.  
9 So do you know who told -- back up.  
10 A I have an idea. 01:10:30  
11 Q So was it publically reported in the media  
12 that the front desk said they didn't see marks on  
13 Amber's face?  
14 A Correct.  
15 Q Do you remember what media outlets reported 01:10:42  
16 that?  
17 A TMZ, I think.  
18 Q So that concerned you.  
19 What did you do when this reporting took  
20 place? 01:10:54  
21 A Nothing.  
22 Q Did you talk to any of your employees about  
23 it?  
24 A Yes.  
25 Q Who did you talk to? 01:11:04

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1 Q Did you talk to anyone else about it?  
2 A King.  
3 Q Who is King?  
4 A He was at the time my overnight security  
5 guard. 01:12:15  
6 Q Had he seen her?  
7 A No.  
8 Q Did you talk with anyone else?  
9 A No.  
10 Q But between you and Cornelius Harrell and 01:12:23  
11 Alex Romero and Brandon Patterson, all of you had  
12 seen her at some point; is that right?  
13 A Yes.  
14 Q And none of you had seen the marks?  
15 A Brandon saw her after the marks were there. 01:12:37  
16 Q Among the people who saw her earlier in the  
17 week, between May 21st and May 22nd -- May 26th I  
18 mean, that was you, Alex and Cornelius; right?  
19 A Yes.  
20 Q None of you saw the marks? 01:12:56  
21 A Correct.  
22 Q So tell me more about this conversation  
23 that all of you were having after someone had told  
24 the media that you hadn't seen the marks.  
25 A It was out there. We just kind of dropped 01:13:18

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1 A I was trying to figure out -- we all had an  
2 idea that it was a woman that lived in the building  
3 because she wanted to -- she was an attorney and so  
4 she like spoke on TV and she's like, this is the  
5 building that I live in, and so we just discussed 01:11:22  
6 that she was probably the one that threw us under  
7 the bus for publicity.  
8 Q When you say "we," who are you talking  
9 about?  
10 A Alex. I was speaking with Alex. 01:11:33  
11 Q Who was the woman?  
12 A She's an attorney that lives in the  
13 building.  
14 Q Had you or Alex --  
15 A But we're not sure about it, so... 01:11:43  
16 Q Sure.  
17 Had you or Alex talked with this woman?  
18 A No.  
19 Q Had you talked to anyone about not having  
20 seen marks on Ms. Heard's face? 01:11:52  
21 A Only amongst each other.  
22 Q "Amongst each other" meaning?  
23 A Brandon, Alex, Gaylynn, Cornelius.  
24 Q Anyone else?  
25 A Gaylynn didn't see her, though. 01:12:04

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1 it.  
2 Q Okay. Did you ever have any conversations  
3 with Ms. Heard about the marks?  
4 A The "remarks"?  
5 Q About the marks on her face? 01:13:30  
6 A Just once on Friday I asked if she was  
7 okay.  
8 Q What about after it was publicly reported  
9 that the front desk said they didn't see the marks,  
10 did you have any conversations with Ms. Heard after 01:13:45  
11 that?  
12 A Yes.  
13 Q Can you tell us about those conversations?  
14 A I saw her coming down the elevator -- she  
15 had called me and she needed to talk to me and 01:13:54  
16 Brandon and asked if it was a good time, so I went  
17 into Brandon's office and I told him that she's  
18 coming down.  
19 Q When you say she called you, did she call  
20 you at the front desk landline? 01:14:08  
21 A Yes.  
22 Q Where is Brandon's office located in  
23 relation to the front desk?  
24 A It's in the hallway behind us.  
25 Q What day was this? 01:14:18

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<p>1 A It was the following week and I feel like</p> <p>2 it was Friday.</p> <p>3 Q Okay.</p> <p>4 A I'm not certain. It was at the end of the</p> <p>5 next week. 01:14:39</p> <p>6 Q So tell us about your conversation with</p> <p>7 Ms. Heard and Brandon in Brandon's office.</p> <p>8 A She asked us if the building -- if we could</p> <p>9 talk to People magazine, one of her friends who</p> <p>10 works at People magazine, and make a statement from 01:14:56</p> <p>11 the building saying that we would not release any</p> <p>12 confidential information to the press.</p> <p>13 Q Okay.</p> <p>14 A That we would -- we have never.</p> <p>15 Q So she wanted you -- I just want to make 01:15:16</p> <p>16 sure I'm following this.</p> <p>17 She wanted you to talk to the press about</p> <p>18 how you wouldn't talk to the press; is that right?</p> <p>19 A She wanted us to help retract the statement</p> <p>20 that was given to the press stating that the front 01:15:30</p> <p>21 desk had released this information and she asked if</p> <p>22 we would clarify it and let them know that we, in</p> <p>23 fact, would never release that information on any</p> <p>24 resident.</p> <p>25 Q Okay. How did you take that? 01:15:44</p> <p style="text-align: right;">Page 82</p>	<p>1 A And then I walked into Brandon's office and</p> <p>2 I told her that she has to make a statement, and so</p> <p>3 I stayed there so he could kind of guide me.</p> <p>4 Q And how did that conversation play out</p> <p>5 after she asked you to make a statement retracting? 01:16:56</p> <p>6 A She just said, I have a friend at People</p> <p>7 magazine. Can you talk to them?</p> <p>8 And I said that I couldn't. And I said</p> <p>9 that she can come down and talk to me and Brandon</p> <p>10 about it. 01:17:14</p> <p>11 Q Was it your understanding that People</p> <p>12 magazine was running a story about her?</p> <p>13 A No.</p> <p>14 Q What was your understanding?</p> <p>15 A That she wanted us to make a statement on 01:17:24</p> <p>16 behalf of the building.</p> <p>17 Q What was Brandon's response?</p> <p>18 A No. You can talk to our lawyer.</p> <p>19 Q Did you have any additional conversations</p> <p>20 with Ms. Heard about this proposed statement at any 01:17:41</p> <p>21 other time?</p> <p>22 A No.</p> <p>23 Q Did you end up making a statement to People</p> <p>24 magazine?</p> <p>25 A No. 01:17:51</p> <p style="text-align: right;">Page 84</p>
<p>1 A We told her that she -- we told her that</p> <p>2 she can talk to our attorney.</p> <p>3 Q What did you think she was -- what did you</p> <p>4 think her goals were based on the conversation?</p> <p>5 A To retract the statement that the front 01:16:00</p> <p>6 desk had seen her without any marks.</p> <p>7 Q Did she ever talk to you about the</p> <p>8 substance of the statement, that you had, in fact,</p> <p>9 seen her without any marks?</p> <p>10 A No. 01:16:17</p> <p>11 Q So did she address that at all?</p> <p>12 A No.</p> <p>13 Q Tell me more about the friend at People</p> <p>14 magazine.</p> <p>15 Was there anything else she said about this 01:16:28</p> <p>16 person?</p> <p>17 A No.</p> <p>18 Q Did she tell you when she wanted you to</p> <p>19 talk to this friend at People magazine?</p> <p>20 A She asked me if I would make a statement 01:16:37</p> <p>21 over the phone --</p> <p>22 Q Okay.</p> <p>23 A -- originally, and I told her that she can</p> <p>24 talk to Brandon.</p> <p>25 Q I see. 01:16:45</p> <p style="text-align: right;">Page 83</p>	<p>1 Q Did the building end up making a statement</p> <p>2 to People magazine?</p> <p>3 A No.</p> <p>4 Q Did you want to make a statement to People</p> <p>5 magazine? 01:17:59</p> <p>6 A No.</p> <p>7 Q Why not?</p> <p>8 Let's try it this way: The statement that</p> <p>9 Ms. Heard was proposing that you make, that the</p> <p>10 building would not have said they saw her without 01:18:17</p> <p>11 marks on her face, were you comfortable making a</p> <p>12 statement like that?</p> <p>13 A No.</p> <p>14 Q Putting aside whether you could or not, why</p> <p>15 were you not comfortable making such a statement? 01:18:28</p> <p>16 A Because that would have been a lie.</p> <p>17 Q What about it would have been a lie?</p> <p>18 A The front desk did, in fact, see her prior</p> <p>19 to Friday without marks on her face.</p> <p>20 Q Based on your interactions with Ms. Heard, 01:18:45</p> <p>21 was it unusual for her to make a request like that</p> <p>22 of you or Brandon to make some sort of a statement</p> <p>23 on her behalf?</p> <p>24 A Yes.</p> <p>25 Q Had she ever done anything like that 01:19:02</p> <p style="text-align: right;">Page 85</p>

1 before?  
2 A No.  
3 Q After you and Brandon directed her to the  
4 building's lawyers, was there any follow up from her  
5 on the statement? 01:19:14  
6 A No.  
7 Q Did you ever have any further conversations  
8 with Ms. Heard about the statement?  
9 A No.  
10 Q What about the marks on her face? 01:19:21  
11 A No.  
12 Q What about her abuse allegations against  
13 Mr. Depp?  
14 A No.  
15 Q What about her divorce from Mr. Depp? 01:19:27  
16 A No.  
17 Q Is there -- how long after May 2016 did  
18 Ms. Heard continue to live in the Eastern Columbia  
19 building?  
20 A I believe it was over a year. 01:19:43  
21 Q What about Mr. Depp, did he continue living  
22 in the building?  
23 A No.  
24 Q In the time that Ms. Heard continued living  
25 in the building, did you have any additional 01:19:55  
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1 interactions with her?  
2 A Yes.  
3 Q Was there anything unusual about those  
4 interactions?  
5 A Such as? 01:20:03  
6 Q Did anything stand out in your mind about  
7 other interactions that you had with her?  
8 A Yes.  
9 Q Can you tell us what stood out in your mind  
10 about other interactions? 01:20:20  
11 A One time she dropped her keys down the  
12 elevator shaft and she had bruises on her neck and a  
13 Band-Aid.  
14 Q When was that?  
15 A Couple weeks after. 01:20:33  
16 Q After what?  
17 A May 21st.  
18 Q Was Mr. Depp in the building at that point?  
19 A No.  
20 Q Was he in the country at that point? 01:20:41  
21 A No.  
22 Q Did you ask Ms. Heard how she got those  
23 bruises?  
24 A No.  
25 Q Did you -- strike that. 01:20:50  
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1 What other unusual interactions did you  
2 have with Ms. Heard?  
3 A I had a couple interactions with her when  
4 she seemed like she was under the influence a little  
5 bit. 01:21:33  
6 Q When was that?  
7 A I know there was one time that was around  
8 Thanksgiving.  
9 Q Okay. Can you tell us how that interaction  
10 went? 01:21:45  
11 A She just seemed very out of it and looked  
12 very out of it and kind of upset and she was just  
13 kind of a mess.  
14 Q What led you to conclude that she was kind  
15 of a mess? 01:22:09  
16 A She was dropping things and swaying back  
17 and forth.  
18 Q Was she alone?  
19 A Yes.  
20 Q And how did you come to interact with her? 01:22:15  
21 A She came downstairs and she needed me to  
22 fob her to the mezzanine, and I remember being  
23 worried that she was going to drive in that state.  
24 Q And this was around Thanksgiving of 2016?  
25 A Correct. 01:22:32  
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1 Q Was Mr. Depp still living in the building  
2 at that point?  
3 A No.  
4 Q What other unusual interactions did you  
5 have with Ms. Heard, if any? 01:22:43  
6 A I can't recall.  
7 Q Going back to the bruises that you describe  
8 seeing on Ms. Heard.  
9 I think you said it was approximately two  
10 weeks after she -- the May 21st incident when she 01:23:06  
11 made the allegations against Mr. Depp; is that  
12 right?  
13 A Yes.  
14 Q What did those bruises look like?  
15 A Hand marks. 01:23:15  
16 Q And where were they?  
17 A On her neck.  
18 Q Was Mr. Depp in the building at that point  
19 in time?  
20 A No. 01:23:24  
21 Q To your knowledge, where was Mr. Depp?  
22 A Out of the country.  
23 Q Was there anyone else that she had been  
24 interacting with during that period of time?  
25 A Yes. 01:23:35  
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1 Q Who had she been interacting with?  
2 A Elon Musk.  
3 Q Anyone else, to your knowledge?  
4 A No.  
5 Q When you say they were hand marks, how big 01:23:41  
6 were the bruises?  
7 A They were like fingers.  
8 Q On her neck?  
9 A Yes.  
10 Q Which side of her neck? 01:23:52  
11 A I can't recall.  
12 Q How big were they?  
13 A Like a quarter -- little less than  
14 quarters.  
15 Q How many were there? 01:24:12  
16 A Two.  
17 And then she had a mark, I think, on the  
18 other side of her cheek.  
19 Q "The other side of her cheek," which side  
20 do you mean? 01:24:22  
21 A The left.  
22 Q So the opposite side of where the mark had  
23 been before?  
24 A Uh-huh.  
25 Q This was -- again, was Mr. Depp in the 01:24:29  
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1 country?  
2 A No.  
3 Q Other than those bruises, have you -- did  
4 you ever see Ms. Heard with any other visible  
5 injuries to her body when she was living in the 01:24:42  
6 Eastern Columbia building?  
7 A No.  
8 MS. BILES: Let's take a quick break.  
9 THE VIDEOGRAPHER: This marks the end of  
10 media number 1. Going off the record at 1:24 p.m. 01:24:53  
11 (Whereupon, a recess was held  
12 from 1:24 p.m. to 1:37 p.m.)  
13 THE VIDEOGRAPHER: This marks the beginning  
14 of media number 2. Going back on the record at  
15 1:37 p.m. 01:37:59  
16 BY MS. BILES:  
17 Q Ms. Esparza, earlier today you were talking  
18 about the interactions that you had with Ms. Heard  
19 in the week after May 21st, and I wanted to go back  
20 to a couple of those. 01:38:12  
21 You testified about the key interaction  
22 which we saw in the video where she asked you to  
23 give a key to the housekeeper; is that right?  
24 A Yes.  
25 Q What other times did you actually have 01:38:22  
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1 conversations with Ms. Heard in that week?  
2 A She asked -- she called me a couple times  
3 and asked me to come outside because paparazzi was  
4 out there, just her picking up things from me and  
5 dropping things off for other people. 01:38:44  
6 Q Do you recall any other specific  
7 conversations that you had with her on Monday, May  
8 23rd, 2016?  
9 A I know she mentioned something to me about  
10 her going to court. I can't recall correctly. 01:39:06  
11 Q Was that when you talked to her on Friday,  
12 May 27th, when she had the marks on her face and  
13 told you she was getting a divorce, or was that some  
14 other time?  
15 A I don't recall when that was exactly. I 01:39:27  
16 think she had said that a car was coming to get her.  
17 She had called and said a car was coming, to let  
18 them into the garage. She was worried about  
19 paparazzi.  
20 Q Are there any other conversations you 01:39:54  
21 remember having with Ms. Heard that week?  
22 A Just the normal conversations.  
23 Q Let me back up and ask it this way: We  
24 know you saw her in person on Wednesday the 25th,  
25 because we saw the video of that with the key. 01:40:14  
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1 A On Monday and Tuesday.  
2 Q Then we saw a Tuesday video of her picking  
3 up a package from you; is that right?  
4 A Yes.  
5 Q Are there any other in-person conversations 01:40:24  
6 that you remember having with Ms. Heard that week?  
7 A I don't remember exactly the context of the  
8 conversations. I know I saw her Monday, Tuesday,  
9 Wednesday and Friday, and I talked to her on the  
10 phone on Thursday. 01:40:54  
11 Q Going back to the time that you saw her  
12 around Thanksgiving of 2016, when she appeared to be  
13 under the influence, you said that Ms. Heard was  
14 alone when you saw her -- or interacted with her  
15 about the mezzanine. 01:41:20  
16 To your knowledge, did she have any guests  
17 at her penthouse at that time or were any residents  
18 in the building visiting with her at that time?  
19 A Yes.  
20 Q What do you know about that? 01:41:31  
21 A She had Cara Delevingne and Elon Musk there  
22 the night of -- on Thanksgiving.  
23 Q Of 2016?  
24 A It was -- well, I guess it was the day  
25 before Thanksgiving. 01:41:46  
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1 Q What time of day was it when you saw her?  
2 A I saw her in the morning.  
3 Q And that's when you said that you were  
4 concerned about her because she appeared to be under  
5 the influence? 01:41:58  
6 A Yes.  
7 Q Did you see Ms. Delevingne or Mr. Musk that  
8 same day?  
9 A Not in person.  
10 Q You said "not in person." 01:42:12  
11 What about on the security cameras, did you  
12 see them on the security cameras?  
13 A Yes.  
14 Q Can you tell us what you saw?  
15 A I saw them going up and down the elevator 01:42:24  
16 over and over again.  
17 Q Was Ms. Heard with them?  
18 A Yes.  
19 Q What do you mean "going up and down the  
20 elevator over and over again"? 01:42:39  
21 A Car was going up and down and then Elon and  
22 Amber were going up and down.  
23 Q What time of day was that?  
24 A Many times through the course of the night.  
25 Q Were you at work that night or were you 01:42:57  
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1 going back and looking at this later?  
2 A I looked at it later.  
3 Q What prompted you to look at that later?  
4 A Because when I saw her, she was a little  
5 out of it. 01:43:12  
6 Q Were there other times when you saw  
7 Ms. Heard when she appeared to be a little out of  
8 it?  
9 A Yes.  
10 Q Can you tell us about those times? 01:43:28  
11 A I just saw her a couple times where it  
12 seemed like she had been drinking.  
13 Q Going back to the elevator.  
14 Were Ms. Delevingne, Mr. Musk and Ms. Heard  
15 doing anything on the elevator or were they just 01:43:51  
16 riding up and down?  
17 I'm trying to visualize this.  
18 A They were like pressing the button over and  
19 over again and then they couldn't figure out how to  
20 get back up, so they took the stairs, and then they 01:44:05  
21 figured it out. I don't know.  
22 Q Okay. It sounds like you have an  
23 entertaining job.  
24 Is there anything else about that incident?  
25 A No. 01:44:31  
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1 Q Going back to clarify one other thing.  
2 You previously testified, correct --  
3 A Yes.  
4 Q -- on this subject matter; is that right?  
5 A Yes. 01:44:44  
6 Q Do you recall when you testified?  
7 A I don't know the dates anymore. It was...  
8 Q In relation to May 2016, when did you  
9 testify before about Ms. Heard and observations of  
10 her the week of May 21st, 2016? 01:45:01  
11 A At a previous deposition.  
12 Q Do you recall when that deposition was in  
13 relation to your actual observations of her?  
14 A Can I look in my phone and maybe --  
15 Q Sure. 01:45:17  
16 A Calendars do go back.  
17 It was in July.  
18 Q July of what year?  
19 A 2016.  
20 Q A couple months after May of 2016? 01:45:57  
21 A Correct.  
22 Q In your interactions -- backing up. Sorry.  
23 In July of 2016, how did you come to  
24 testify in a deposition?  
25 A Laura Wasser and her partner had subpoenaed 01:46:21  
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1 me and several other people at the front desk.  
2 Q What was your impression of the work that  
3 they were doing?  
4 A I thought the questions were vague.  
5 Q Did you tell them everything that you knew? 01:46:48  
6 A I answered the questions as best to my  
7 ability.  
8 Q Did they ask you, in your opinion,  
9 questions that aim to get all the information you  
10 knew? 01:47:06  
11 A No.  
12 Q What makes you say "no"?  
13 A I don't think they knew what to ask.  
14 Q Why is that?  
15 Why do you think that? 01:47:22  
16 A Or I didn't understand what was going on  
17 with the case, so I -- it just -- it seemed like  
18 they decided that they were going to make an  
19 agreement that our depositions weren't really going  
20 to be involved. 01:47:50  
21 Q Was there information that you had that you  
22 gave to Mr. Depp's lawyers in the divorce case that  
23 you didn't feel they used?  
24 I'm trying to understand.  
25 A No. 01:48:08  
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1 Q Do you think there was information that you  
2 had that they didn't obtain?  
3 A Yes.  
4 Q Can you explain that?  
5 A Just the elevator thing. 01:48:17  
6 Q "Elevator thing" --  
7 A I mean, the fake punch thing.  
8 Q Meaning what you testified to about Whitney  
9 Heard?  
10 A But they didn't ask me anything and it 01:48:30  
11 wasn't my legal responsibility to give information  
12 that wasn't asked of me.  
13 Q I think I'm confused, because I thought you  
14 testified earlier today that when they -- the  
15 lawyers for Mr. Depp in the divorce first came and 01:48:46  
16 started collecting videos that you told them to look  
17 at --  
18 A I mumbled a couple times and I told them  
19 what cameras, but I don't think they heard me  
20 correctly. 01:49:00  
21 Q Okay. I see.  
22 And so --  
23 A So I don't think it's their fault.  
24 Q I understand.  
25 So why did you think that particular 01:49:08  
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1 footage was so important of Whitney Heard pretending  
2 to hit Amber Heard?  
3 A Because of the allegations that were going  
4 on about their argument on the 21st.  
5 Q Can you explain that a little bit more so I 01:49:36  
6 make sure I understand.  
7 A She didn't have a mark on her face on  
8 Monday, Tuesday, Wednesday, and she did on Friday.  
9 On Tuesday night they were messing around, so it was  
10 just peculiar. 01:49:58  
11 MS. BILES: I think we're finished. I  
12 don't think I have any further questions right now.  
13 Thank you very much.  
14 THE WITNESS: Thank you.  
15 MR. WRENSHALL: I would like to ask a 01:50:08  
16 couple questions, if you give me a brief break to  
17 collect my thoughts.  
18 MS. BILES: Of course.  
19 THE VIDEOGRAPHER: Going off the record at  
20 1:50 p.m. 01:50:19  
21 (Whereupon, a recess was held  
22 from 1:50 p.m. to 2:03 p.m.)  
23 THE VIDEOGRAPHER: Going back on the record  
24 at 2:03 p.m.  
25 /// 02:03:05  
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1 EXAMINATION  
2 BY MR. WRENSHALL:  
3 Q Good afternoon, Ms. Esparza.  
4 I'm just going to ask you a couple  
5 questions. 02:03:10  
6 So did you meet with anyone prior to  
7 appearing for your deposition today?  
8 A No.  
9 Q Did you discuss it with anyone?  
10 A No. 02:03:20  
11 Q So what was the date of the night the  
12 police were called to the building?  
13 A May 21st, 2016.  
14 Q I think you previously testified Mr. Depp  
15 left the country -- 02:03:29  
16 A Yes.  
17 Q -- on May 21st.  
18 A That's what I was told, yes.  
19 Q Do you know why the police were called to  
20 the building? 02:03:34  
21 A I believe someone called the police on  
22 behalf of a noise complaint.  
23 Q Did you discuss it with any of the building  
24 employees or any of your employees?  
25 A Not particularly, no. 02:03:49  
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1 Q But you knew the police had come to the  
2 building?  
3 A Yes.  
4 Q How did you know that Mr. Depp had left the  
5 country? 02:03:56  
6 A I text Kevin. I had said -- Kevin was one  
7 of his -- I talked to Kevin and Andy frequently.  
8 They work for Mr. Depp. And I had text them that  
9 there was -- the police were called.  
10 Kevin said, all good, and then they said 02:04:14  
11 that he left.  
12 Q What are Kevin and Andy's last names?  
13 A Kevin I forget. And Andy is Milner.  
14 Q You testified that Alex Romero --  
15 Is that his last name? 02:04:40  
16 A Yes.  
17 Q -- had said that Amber and some of her  
18 friends were scared on May 25th at the apartment?  
19 A Don't quote me on the date, but it was  
20 either Monday, Tuesday or Wednesday they said that 02:04:50  
21 they were scared to go into the apartment -- they  
22 were scared someone was in there and asked him to  
23 come look and verify that no one was in there.  
24 Q Did they tell Mr. Romero why they were  
25 scared? 02:05:04  
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1 A No.

2 Q When did you meet with Mr. Depp's attorneys  
3 after the incident?

4 A The following week.

5 Q Do you remember the date? 02:05:17

6 A I don't remember.

7 Q So the week following as in --

8 A When they came to the property to subpoena  
9 the footage. I'm not sure what date that is.

10 Q So the incident allegedly happened on the 21st; is that right? 02:05:29

11 21st; is that right?

12 A Correct.

13 Q It's not the week following the 21st?

14 A I believe it was the week after.

15 Q So the week of the 28th? 02:05:37

16 A I believe so.

17 Q Do you recall what day of the week it was  
18 when they came?

19 A Possibly -- I'm not certain, so I don't  
20 want to -- I'm not exactly sure what day it was. 02:05:52

21 Q You had testified that you recall Laura  
22 Wasser coming to the building?

23 A I believe that was Laura Wasser and an  
24 associate.

25 Q Was it Blair Burke? 02:06:09

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1 A I'm not sure which one is which and I know  
2 they had another person working with them, so I'm  
3 not exactly sure who came to the building.

4 Q It was either Laura Wasser or Burke?

5 A Or Blair. 02:06:22

6 Q You understood they were representing  
7 Mr. Depp?

8 A Correct. It could have been Blair and  
9 someone else, but I know someone that was  
10 representing him -- two ladies came the first day 02:06:32  
11 and then one lady -- two ladies came the second day  
12 and one lady that was either Blair or Laura left.  
13 She only stayed for a brief moment.

14 Q And then did you continue discussing with  
15 the associate who had also come that day? 02:06:50

16 A No, I didn't, because Brandon talked to the  
17 attorneys and he said that we're not allowed to --  
18 we should not help them with anything. They need to  
19 do their own investigation.

20 Q So that was the day of the first visit or 02:07:05  
21 the day of the second visit?

22 A Second visit.

23 Q On the day of the first visit when you said  
24 that two women --

25 A Had come. 02:07:15

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1 Q -- had come, and that was the day you said  
2 you told them about certain portions of the tape?

3 A I tried to. It was definitely very quiet  
4 when I said it.

5 Q Did you understand that they heard you? 02:07:26

6 A I think they took a couple little notes,  
7 but it was so brief, that I don't think -- I don't  
8 blame them for not seeing that tape if you asked me  
9 that.

10 Q How brief was the interaction you had with 02:07:46  
11 them?

12 A Like three -- two minutes.

13 Q Did you ever explicitly state that the  
14 abuse allegations were false --

15 A No. 02:08:00

16 Q -- to either of these women?

17 A No.

18 Q Why not?

19 A Well, they're the attorneys, they're  
20 supposed to figure that out themselves. 02:08:12

21 Q But you had told them to look at certain  
22 footage; is that correct?

23 A I told them that I didn't see marks on her  
24 face Monday, Tuesday, Wednesday, and I did on  
25 Friday. 02:08:25

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1 Q And you told them to look at certain  
2 footage?

3 A Quietly I had said that, yeah. I said a  
4 couple times and I said, check the mezzanine camera,  
5 check the PH elevator camera, just because I knew 02:08:37  
6 there was a lot to look at.

7 Q Did you identify any specific dates or  
8 times, though, that they should look at?

9 A I did. I said Tuesday night around  
10 11:00 p.m. 02:08:49

11 Q But you're not sure if they heard you?

12 A Correct.

13 Q Did you tell Depp's attorneys about Elon  
14 Musk?

15 A Yes. 02:09:01

16 Q Before your deposition in the divorce case,  
17 had you met with Mr. Depp's attorneys?

18 A Just at the building. I talked to them,  
19 but not met -- like we didn't have a conversation,  
20 no. 02:09:19

21 Q So after Mr. Patterson told you you weren't  
22 allowed to talk to Mr. Depp's attorneys --

23 A I didn't talk to them until the deposition.

24 Q You didn't meet with them before the  
25 deposition? 02:09:30

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1 A No.		1 questions I have.	
2 Q Did you meet with Ms. Heard's attorneys at		2 Go off the record.	
3 any point --		3 THE VIDEOGRAPHER: Going off the record at	
4 A No.		4 2:12 p.m.	
5 Q -- between?	02:09:35	5 (Whereupon, a recess was held	
6 "No"?		6 from 2:12 p.m. to 2:15 p.m.)	
7 A She was at the deposition, though.		7 (Whereupon, a discussion was held	
8 Q You hadn't met with them beforehand?		8 off the record.)	
9 A No.		9 MR. WRENSHALL: D'Anne, can I get a rough	
10 Q Do you recall who took your deposition in	02:09:55	10 by Sunday?	02:12:18
11 the divorce case?		11 THE REPORTER: Do you need a rough, too?	
12 A I don't recall.		12 MS. BILES: Sure.	
13 Q Was it Ms. Wasser?		13 THE VIDEOGRAPHER: Going back on the record	
14 A I don't recall.		14 at 2:15 p.m.	
15 Q Do you recall if it was Ms. Burke?	02:10:17	15 MR. WRENSHALL: We're going back on the	02:15:32
16 A I can see if I -- no, I don't recall.		16 record.	
17 Q Was it a woman who took your deposition on		17 I'm going to ask one more question.	
18 Mr. Depp's behalf?		18 BY MR. WRENSHALL:	
19 A Yes.		19 Q Ms. Esparza, who was the person who took	
20 Q And you don't recall whether it was	02:10:30	20 your deposition, do you recall?	02:15:40
21 Ms. Wasser or Ms. Burke; is that the issue?		21 A Ms. Sutton.	
22 A I don't know who took the deposition. I		22 Q Do you remember her first name?	
23 forget. It was three years ago.		23 A I do not.	
24 Q But it was a woman?		24 Q Was she counsel for Mr. Depp or for	
25 A Yes.	02:10:41	25 Ms. Heard?	02:15:48
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1 Q Wasn't the name -- I'm sorry.		1 A I believe for Mr. Depp.	
2 You testified earlier about a general		2 MR. WRENSHALL: No further questions.	
3 manager.		3 MS. BILES: I offer the following	
4 A Uh-huh.		4 stipulation for the record:	
5 Q What is his name, or her name?	02:10:50	5 That the court reporter be relieved of	02:16:01
6 A Brandon Patterson.		6 responsibility with respect to the original	
7 Q That's Brandon's position, is general		7 transcript. The original transcript will be	
8 manager?		8 transcribed and signed by you under penalty of	
9 A Yes, sir.		9 perjury. The court reporter is going to send you a	
10 Q Did you ever communicate with any other	02:11:10	10 copy of the deposition transcript.	02:16:14
11 attorney for Mr. Depp?		11 Should we send it to your home address?	
12 A No.		12 THE WITNESS: Yes, please.	
13 Q Did you ever communicate with Jake Bloom?		13 MR. WRENSHALL: Can you say --	
14 A No.		14 THE WITNESS: 300 North El Molino Avenue,	
15 Q Did you ever communicate with any other	02:11:29	15 Unit 206, Pasadena, California 91101.	02:16:23
16 attorney at the Bloom Hergott law firm?		16 MS. BILES: Once you receive the	
17 A No.		17 transcript, is two weeks enough time for you to read	
18 Q Do you recall whether the testimony you		18 it and make any corrections, if necessary?	
19 gave in the divorce proceeding was designated as		19 THE WITNESS: Yes.	
20 confidential?	02:11:42	20 MS. BILES: We'll go ahead and send that to	02:16:36
21 A No.		21 your home address. Once you receive the transcript	
22 Q Do you remember signing anything regarding		22 from the court reporter, you'll have two weeks to	
23 the confidentiality in that case?		23 review it, make any corrections if you think they	
24 A I didn't.		24 are necessary, and you'll sign it. You will send it	
25 MR. WRENSHALL: I think those are all the	02:11:53	25 back to Brown Rudnick's office in Irvine,	02:16:53
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1 California. E-mail is fine.  
 2 If we're not notified of any changes within  
 3 the two weeks, the original will be deemed correct  
 4 and signed.  
 5 And the original transcript will be 02:17:08  
 6 maintained by Brown Rudnick in Irvine, California  
 7 and make it available at the time of any hearing in  
 8 this matter.  
 9 If the original transcript is not  
 10 available, a certified copy of the same as corrected 02:17:22  
 11 can be used for all purposes for which the original  
 12 could be used.  
 13 So stipulated?  
 14 MR. WRENSHALL: So stipulated.  
 15 THE REPORTER: Thank you. 02:17:34  
 16 THE VIDEOGRAPHER: We're off the record at  
 17 2:17 p.m. and this concludes today's testimony given  
 18 by Trinity Corrine Esparza. The total number of  
 19 media used was two and will be retained by Veritext  
 20 Legal Solutions. Thank you. 02:17:50  
 21 THE REPORTER: Do you need this transcript  
 22 expedited?  
 23 MR. WALDMAN: Yes.  
 24 MS. BILES: By Monday.  
 25 MR. WALDMAN: Yes. 02:19:07  
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1 THE REPORTER: Okay. Thank you.  
 2  
 3 (Whereupon the deposition proceedings  
 4 were concluded at 2:19 p.m.)  
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1 STATE OF CALIFORNIA )  
 ) ss.  
 2 COUNTY OF LOS ANGELES )  
 3  
 4  
 5 I, TRINITY CORRINE ESPARZA, declare  
 6 under penalty of perjury that the foregoing  
 7 testimony is true and correct to the best of my  
 8 knowledge and belief.  
 9  
 10 Dated this \_\_\_ day of \_\_\_\_\_, 2019.  
 11  
 12  
 13  
 14 (TRINITY CORRINE ESPARZA)  
 15  
 16  
 17  
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 19  
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1 STATE OF CALIFORNIA )  
 2 COUNTY OF LOS ANGELES ) ss.  
 3 I, D'Anne Moungey, C.S.R. No. 7872 in and  
 4 for the State of California, do hereby certify:  
 5 That prior to being examined, the witness  
 6 named in the foregoing deposition was by me duly  
 7 sworn to testify to the truth, the whole truth, and  
 8 nothing but the truth;  
 9 That said deposition was taken down by me  
 10 in shorthand at the time and place therein named and  
 11 thereafter reduced to typewriting under my  
 12 direction, and the same is a true, correct, and  
 13 complete transcript of said proceedings;  
 14 That if the foregoing pertains to the  
 15 original transcript of a deposition in a Federal  
 16 Case, before completion of the proceedings, review  
 17 of the transcript { } was { } was not required.  
 18 I further certify that I am not interested  
 19 in the event of the action.  
 20 Witness my hand this January 28, 2019  
 21  
 22  
 23  
 24  
 25  
 Certified Shorthand Reporter  
 For the State of California  
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[camera - correct]

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[correct - domestic]

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[door - feel]

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[security - subject]

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California Code of Civil Procedure

Article 5. Transcript or Recording

Section 2025.520

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

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

refuse to approve the transcript by not signing it.

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

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

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

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

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

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

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

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# J. Depp Declaration

## Exhibit N

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

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JOHN C. DEPP, II, SCARAMANGA )  
BROS., INC., A CALIFORNIA )  
CORPORATION; L.R.D. PRODUCTIONS, )  
INC., A CALIFORNIA CORPORATION, ) Case No. BC680066  
INFINITUM NIHIL, A CALIFORNIA )  
CORPORATION, )

Plaintiffs, )

vs. )

BLOOM HERGOTT DIEMER ROSENTHAL LA )  
VIOLETTE FELDMAN SCHENKMAN & )  
GOODMAN, LLP, JACOB A. BLOOM, AND )  
DOES 1-30, )

Defendants. )

\_\_\_\_\_  
AND RELATED CROSS-ACTIONS. )  
\_\_\_\_\_ )

VIDEOTAPED DEPOSITION OF CORNELIUS HARRELL  
LOS ANGELES, CALIFORNIA  
THURSDAY, JANUARY 31, 2019

REPORTED BY:  
SHAWNA HIGGINS  
CSR NO. 10646

Page 2

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF LOS ANGELES  
3  
4 JOHN C. DEPP, II, SCARAMANGA )  
BROS., INC., A CALIFORNIA )  
5 CORPORATION; L.R.D. PRODUCTIONS, )  
INC., A CALIFORNIA CORPORATION, ) Case No. BC680066  
6 INFINITUM NIHIL, A CALIFORNIA )  
CORPORATION, )  
7 )  
Plaintiff, )  
8 )  
vs. )  
9 )  
BLOOM HERGOTT DIEMER ROSENTHAL LA )  
10 VIOLETTE FELDMAN SCHENKMAN & )  
GOODMAN, LLP, JACOB A. BLOOM, AND )  
11 DOES 1-30, )  
) )  
12 Defendants. )  
) )  
13 AND RELATED CROSS-ACTIONS. )  
) )  
14 )  
15 )  
16 )  
17 DEPOSITION OF CORNELIUS HARRELL, at South Grand  
18 Avenue, Suite 2900, Los Angeles, California, beginning  
19 at 1:11 p.m., ending at 2:14 p.m., on Thursday,  
20 January 31, 2019, before Shawna Higgins, Certified  
21 Shorthand Reporter No. 10646.  
22 )  
23 )  
24 )  
25 )

Page 4

1 APPEARANCES:  
2  
3 FOR THE PLAINTIFFS AND CROSS-DEFENDANTS:  
4  
5 (PRESENT TELEPHONICALLY)  
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10 Washington, D.C. 20006  
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14  
15 ALSO PRESENT:  
16 STEVEN TOGAMI - VIDEOGRAPHER  
17  
18  
19  
20  
21  
22  
23  
24  
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Page 3

1 APPEARANCES:  
2  
3 FOR THE PLAINTIFFS AND CROSS-DEFENDANTS:  
4  
5 STEIN MITCHELL BEATO & MISSNER LLP  
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13 FOR THE DEFENDANT AND CROSS-COMPLAINANT:  
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16 BY: MATHEW M. WRENSHALL, ESQ.  
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21  
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23  
24  
25

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9 INFORMATION REQUESTED  
10 (NONE)  
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17 QUESTIONS INSTRUCTED NOT TO ANSWER  
18 (NONE)  
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1 DEPOSITION EXHIBITS

2

3 EXHIBIT NUMBER DESCRIPTION PAGE

4 (NONE)

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Page 8

1 in the outcome.

2 If there are any objections to proceeding,

3 please state them at the time of your appearance.

4 At this time will counsel and all present

5 please state their appearances and affiliations for

6 the record.

7 MS. BILES: Brit Biles, Stein Mitchell Beato &

8 Missner for Mr. Depp and his companies.

9 MR. WRENSHALL: Mathew Wrenshall, Reed Smith LLP

10 for Bloom Hergott and Jacob A. Bloom.

11 MR. WALDMAN: Adam Waldman Endeavor Law Firm for

12 Johnny Depp and his companies.

13 THE WITNESS: Cornelius Harrell, Eastern

14 Columbia concierge.

15 THE VIDEOGRAPHER: Thank you. Could we please

16 have the oath.

17

18 CORNELIUS HARRELL,

19 having been first duly sworn, testified as follows:

20

21 EXAMINATION

22

23 BY MS. BILES:

24 Q. Mr. Harrell, my name is Brit Biles and I

25 represent Mr. Depp and his production companies,

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1 LOS ANGELES, CALIFORNIA, THURSDAY, JANUARY 31, 2019

2

3 THE VIDEOGRAPHER: Good afternoon. We are on

4 the record at 1:11 p.m. on January 31, 2019. Please

5 note that the microphones are sensitive and may pick

6 up whispers, private conversations, and cellular

7 interference. Audio and video recording will

8 continue to take place unless all parties agree to

9 go off the record.

10 This is media unit number one of the video

11 recorded deposition of Cornelius Harrell taken by

12 counsel for the plaintiffs and cross-defendants in

13 the matter of John C. Depp, II, et al., versus Bloom

14 Hergott Diemer, et al., and related cross-complaint.

15 Filed in the Superior Court of the State of

16 California for the County of Los Angeles, case

17 number BC680066.

18 This deposition is being held at Reed Smith

19 located at 355 South Grand Avenue, Los Angeles,

20 California 90071.

21 My name is Steven Togami from the firm

22 Veritext Legal Solutions and I am the videographer.

23 The court reporter is Shawna Higgins from the firm

24 Veritext Legal Solutions. I am not related to any

25 party in this action nor am I financially interested

Page 9

1 some of his other business entities. You previously

2 testified in deposition related to some interactions

3 that you had with Amber Heard in 2016, so today I

4 would just want to follow up with you on some of

5 those interactions and ask you some more questions.

6 But before we do that I want to go through some

7 basics of a deposition. You have been deposed

8 before, but I just want to go over them again.

9 The court reporter is taking down

10 everything that anyone says and she can't take down

11 when people are talking over each other, so it's

12 important that I let you finish before I jump in

13 with a question and you let me finish my questions

14 before you jump in with an answer. When people are

15 just speaking, sometimes they finish each other's

16 sentences and things like that, but we have to be

17 artificial and stilted here where I finish speaking,

18 then you answer, then you finish speaking and then I

19 talk again. So will you do your best to do that

20 today?

21 A. Absolutely.

22 Q. And if you don't understand a question,

23 please let me know. I will do my best to rephrase

24 it in a way that's more understandable. But if you

25 answer my questions, I'm going to assume that you

Page 10

1 understood them.

2 Is that fair?

3 A. Yes.

4 Q. And if you need to take a break at any

5 time, just let us know and we can go off the record

6 and do that. I just ask that if I have a question

7 pending that you go ahead and answer before we go

8 off the record for a break.

9 A. Got it.

10 Q. Is that good?

11 A. Yes.

12 Q. Is there anything that would prevent you

13 from giving full and complete testimony today?

14 A. No.

15 Q. Okay. Well, let's get started then.

16 When you introduced yourself on the record

17 you said that you were a concierge at the Eastern

18 Columbia Building. Is that your occupation?

19 A. Yes.

20 Q. Okay. Where is the Eastern Columbia

21 Building?

22 A. 849 South Broadway.

23 Q. And what are your job responsibilities as

24 concierge at the Eastern Columbia Building?

25 A. At the Eastern Columbia our

Page 11

1 responsibilities are to ensure that all of the

2 tenants have what they need, whether that be

3 packages, whether that be guests letting -- being

4 checked in, as well as just the security operations

5 of the building.

6 Q. And how long have you been a concierge at

7 the Eastern Columbia Building?

8 A. Currently two and a half years.

9 Q. So did you start working there

10 approximately 2016?

11 A. Permanently, yes. I helped out before

12 prior, 2015, but I was assigned to a different

13 building at that moment, so I helped out prior to

14 2016, but I became permanently there in 2016.

15 Q. Okay. What month did you become

16 permanently stationed at Eastern Columbia, if you

17 recall?

18 A. If I were to give you a rough estimate

19 would that be okay?

20 Q. Sure.

21 A. Maybe in March.

22 Q. Of 2016?

23 A. Yes.

24 Q. Okay. You previously testified about an

25 interaction that you had with Amber Heard on May 21,

Page 12

1 2016. By May 21, 2016 were you permanently

2 stationed at Eastern Columbia?

3 A. Yes.

4 Q. Okay. And do you know Amber Heard?

5 A. When you say "know," can you clarify?

6 Q. Sure. Do you recognize her when you see

7 her?

8 A. Yes.

9 Q. Okay. And how did you come to recognize

10 her when you see her?

11 A. I met her at the Eastern Columbia Building.

12 We had interaction and I was able to identify her as

13 a resident there and in doing my job I serviced her

14 a few different times.

15 Q. When you say you "serviced her a few

16 different times" in your job, can you explain what

17 you mean by that?

18 A. We had many interactions in which I -- she

19 came down to get packages, I escorted her into the

20 lobby, we just had small talk just to get the things

21 that she needed from me.

22 Q. Was she -- sorry, go ahead.

23 A. Yeah, Just to get the things that she

24 needed from me kind of squared away.

25 Q. Was Ms. Heard a resident of the Eastern

Page 13

1 Columbia Building in May of 2016 to your knowledge?

2 A. Yes.

3 Q. Okay. Did you ever have any interactions

4 with Mr. Johnny Depp?

5 A. I did not.

6 Q. Okay. Let's focus in on the interaction

7 that you previously described having with Ms. Heard

8 on May 22, 2016. You previously testified about

9 providing a package to Ms. Heard on that date. Can

10 you tell us about your interaction with Ms. Heard on

11 May 22nd?

12 A. Yes. Ms. Heard and I, we talked, she

13 caught me at the front desk as I was sitting down

14 and she said that she had a package that she had

15 needed to pick up. She and I had dialogue that was

16 exchanged and she said it was some wine that she was

17 looking for, because I let her know there may be

18 more packages than just one. We walked over to the

19 package room and we were able to identify where her

20 packages went and she kind of picked out a couple.

21 There were a few others in there. She picked out

22 one that she wanted and we just exchanged some

23 dialogue when she had her dog and, yeah, that was

24 it. We walked to the elevator, I buzzed her button

25 with her and we kind of went from there.

Page 14

1 Q. Approximately what time of day was it?  
2 A. I work at Eastern Columbia around -- the  
3 only shifts I work are Sundays from 8:00 to 4:00  
4 with the exception I believe of a couple weeks in  
5 May that I worked a couple other shifts. I would  
6 say that that was probably around the noon to 3:00  
7 hour if I were to range in it.  
8 Q. And when you were interacting with  
9 Ms. Heard what did she look like?  
10 A. Ms. Heard looked like a beautiful girl. It  
11 was one of the few times that I got to interact with  
12 her and we actually talked a little bit more than we  
13 normally did. I can't remember if it was prior to  
14 that or after that where she needed a jacket  
15 dry-cleaned and it was like a really big deal for  
16 her and I remember us either talking about it then  
17 or bringing it back up at that interaction. So  
18 overall seeing her was kind of refreshing. And she  
19 just, again, physical appearance I just feel like  
20 she's a beautiful girl and she was kind of in like a  
21 sun outfit and I just kind of complimented her style  
22 at that time and we just kind of small talked which  
23 led me into getting her package.  
24 Q. Okay. When you say that she looked like a  
25 beautiful girl, did she have on makeup?

Page 15

1 A. If she had makeup it was very light because  
2 she was very refreshed. It didn't look like she had  
3 like a lot of makeup on. It didn't look like she  
4 was going anywhere. So I have a lot of girlfriends  
5 who do wear makeup. I would say she had bare  
6 minimum because she was living in her everyday life.  
7 Q. Okay. Did she appear to you to have any  
8 injuries to her face on May 22, 2016?  
9 A. She did not.  
10 Q. Okay.  
11 A. And that was one of the first times I seen  
12 her like physically other than cameras and one of  
13 the few times and I just remember staring at her  
14 kind of being like, wow, this girl is beautiful.  
15 And then I did have the interaction of talking to  
16 her and I was obviously observing her because she  
17 was radiant in the way she looked and she had like a  
18 summer outfit on and, yeah.  
19 Q. Okay. So it's fair to say you didn't see  
20 any bruises on Ms. Heard's face on May 22, 2016?  
21 A. That is correct.  
22 Q. What about any cuts or scratches?  
23 A. I did not see any of that either.  
24 Q. Okay. Any swelling on her face on that  
25 date?

Page 16

1 A. No.  
2 Q. Okay. Did anything appear out of the  
3 ordinary about Ms. Heard's face on May 22, 2016?  
4 A. It did not.  
5 Q. Okay. We actually have some surveillance  
6 video from the Eastern Columbia Building that I  
7 believe was captured on that date and I want to take  
8 a look at those, but before that, can you explain  
9 your understanding of the surveillance system at the  
10 Eastern Columbia Building?  
11 A. Yes. The surveillance system at the  
12 Eastern Columbia Building allows us to have eyes  
13 everywhere, analyze what we could do better and  
14 analyze any threats to the residents' security.  
15 With that being said, we have a lot of cameras that  
16 show different things in the package room, just  
17 interactions overall, as well as ensuring that  
18 things are getting distributed appropriately. For  
19 example, if a resident says they came down and  
20 picked up a package, we can use that camera footage  
21 to see if they indeed came down and picked up that  
22 package.  
23 Q. When you're on your job at the Eastern  
24 Columbia Building is it your responsibility to  
25 monitor the camera footage?

Page 17

1 A. Monitor the camera footage in what way?  
2 Q. Do you see it, the footage as it's being  
3 recorded in real time?  
4 A. Yes.  
5 Q. Okay. And where do you see that?  
6 A. If sitting at the desk, we see the cameras  
7 in real time to the right.  
8 Q. Okay. And are they displayed somewhere,  
9 your desk where you're sitting?  
10 A. Yes, we have monitors; two of them that  
11 show us every angle of the building in the most  
12 accurate way so we can kind of see threats or see  
13 problems that may occur.  
14 Q. Okay. And where are you physically  
15 stationed when you're in the Eastern Columbia  
16 Building?  
17 A. We have a front desk and it is I would say  
18 200 feet from the door.  
19 Q. Is that where you sit when you're working  
20 there?  
21 A. Yes.  
22 Q. Okay. Do you ever leave the front desk for  
23 anything?  
24 A. Yes.  
25 Q. Okay. Can you give me some examples of

Page 18

1 when you would leave the front desk?  
2 A. We would leave the front desk to go to the  
3 package room to take packages for our residents, we  
4 would leave the front desk to accept packages, we  
5 would leave the front desk to identify problems that  
6 we'd seen in the cameras, we would leave the  
7 front desk if anyone needed some help or any  
8 explanations, we would leave the front desk  
9 ultimately to provide better service for the  
10 residents that live in the building.  
11 Q. And when you say "we" are you talking about  
12 yourself personally?  
13 A. The concierge team.  
14 Q. Okay. Who is on the concierge team?  
15 A. Currently or in that time? It's changed.  
16 Q. In that time.  
17 A. In that time we had, we had myself. We had  
18 someone named Michael, Michael Wiener I believe his  
19 last name is. We had someone named King Joe. We  
20 have Trinity Esparza, she's the CEO of the company.  
21 And then we had a couple part-timers at that time.  
22 And Alex as well.  
23 Q. Who is Alex?  
24 A. Alex is the Monday through Friday lead.  
25 His shift is the bottom half, so Trinity would have

Page 19

1 the morning shift and he would have the night shift.  
2 Q. Okay. Is Trinity -- you said she was the  
3 CEO. Is she your boss?  
4 A. Yes.  
5 Q. Okay. Let's take a look at some security  
6 footage.  
7 MR. WRENSHALL: What exhibit is this?  
8 MS. BILES: This is 204-G.  
9 BY MS. BILES:  
10 Q. What is depicted in this surveillance  
11 video?  
12 A. In that video, it is the elevator.  
13 Q. Which elevator?  
14 A. That is the -- only one elevator goes to  
15 the penthouse level, so depending on where you're  
16 looking at, it can be elevator one or elevator  
17 three.  
18 Q. Okay. And what date was this footage shot?  
19 Can you tell by the video?  
20 A. May 22, 2016.  
21 Q. Is that the same day that you interacted  
22 with Ms. Heard that you previously described?  
23 A. I believe so.  
24 Q. Okay. Let me back up so you can see this  
25 person again on the video, getting on the elevator I

Page 20

1 mean.  
2 Take a look at the person who gets on this  
3 elevator and let me know if that's someone you  
4 recognize.  
5 A. Yes.  
6 Q. Who is that?  
7 A. That's Amber Heard.  
8 Q. Okay. Let's see. Where is she getting on  
9 the elevator?  
10 A. Penthouse level, which is the level she  
11 lives -- at that time she lived in.  
12 Q. Okay.  
13 A. To my knowledge.  
14 Q. Approximately what time is this? Can you  
15 tell from the video?  
16 A. It looks like it's 1:06.  
17 Q. Is that approximately the same period of  
18 time when you interacted with Ms. Heard about the  
19 package?  
20 A. (No response.)  
21 Q. I believe you previously testified it was  
22 between noon and 3:00?  
23 A. Yes.  
24 Q. Where did Ms. Heard just get off of this  
25 elevator at?

Page 21

1 A. That's level one. That's where I would be.  
2 Q. Okay. Let's take a look at another video.  
3 Let's look at video number four which was previously  
4 marked as 204-I.  
5 What is this footage of?  
6 A. That footage is of the hall leading to the  
7 dog run, package room, bathroom, manager's office.  
8 Q. Okay. And what is the date of this  
9 footage?  
10 A. May 22nd, 1:07.  
11 Q. Okay. There will be some people -- do you  
12 recognize who that was? Let me back up. It's right  
13 at the bottom of the screen.  
14 A. Yes, that looks like me.  
15 Q. Who is that with you?  
16 A. That's Amber.  
17 Q. Where were you and Ms. Heard going in this  
18 video?  
19 A. That is the package room.  
20 Q. Okay. Does this -- is it your belief that  
21 this footage was shot on the surveillance cameras  
22 when you were going with Ms. Heard to pick up the  
23 package she requested?  
24 A. I'm sorry, I don't understand the question.  
25 Q. Sure. You previously testified that you



Page 22

1 worked with Ms. Heard to pick up a package on  
 2 May 22, 2016 sometime in the afternoon between 12:00  
 3 and 3:00. This is footage of you and Ms. Heard  
 4 going to a package room. Is it your understanding  
 5 by looking at this surveillance video that this is a  
 6 recording of the interaction you previously  
 7 described?  
 8 A. Yes.  
 9 Q. Okay. How big is the package room?  
 10 A. Fairly small. I would say it's no bigger  
 11 than a walk-in closet.  
 12 Q. Did Ms. Heard go into the package room with  
 13 you?  
 14 A. She did peek her head into the package room  
 15 with me because we identified like her area in the  
 16 package room which is the PH level and, again, I  
 17 believe she had more than one package and she was  
 18 looking for one specific package.  
 19 Q. Do you recall which specific package?  
 20 A. Wine.  
 21 Q. Okay. Is that her leaving with the  
 22 package?  
 23 A. Yes.  
 24 Q. Okay. Now I want to go to what has  
 25 previously been marked as 204-H.

Page 23

1 What is this surveillance footage of?  
 2 A. That's surveillance of the mezzanine level  
 3 and that leads to the mailbox access and the parking  
 4 structure elevator that the residents park in.  
 5 Q. Okay. Who is that? Let me back up.  
 6 A. That looks like Amber.  
 7 Q. Where is she going there?  
 8 A. She's going into the parking structure.  
 9 That door leads to the parking garage.  
 10 Q. Okay. You had mentioned earlier that one  
 11 of your responsibilities as concierge involves  
 12 interacting with guests or assisting residents with  
 13 guests. Can you describe what you do in relation to  
 14 guests?  
 15 A. If any of the residents have guests, I  
 16 would check them in and ensure that they are  
 17 expected guests, so we would call the resident and  
 18 ensure that they have access up.  
 19 Q. Did you ever check in any guests for  
 20 Ms. Heard?  
 21 A. Yes.  
 22 Q. When was that? Do you recall a specific  
 23 time you checked in a guest for Ms. Heard?  
 24 A. Specific time, no. Specific people, yes.  
 25 Q. Okay. Tell us about that. Who were some

Page 24

1 specific people you recall checking in for  
 2 Ms. Heard?  
 3 A. I have checked in her sister. I have  
 4 checked in Kara Devine, Devine, one of her friends,  
 5 amongst a couple other people who may work with her  
 6 or for her sister.  
 7 Q. Okay. In your prior deposition you  
 8 testified about seeing Ms. Heard on the surveillance  
 9 videos with a male guest.  
 10 Do you recall that?  
 11 A. Do I recall saying that or do I recall  
 12 seeing it?  
 13 Q. Let's start with saying that. Do you  
 14 recall saying it?  
 15 A. No, I don't actually.  
 16 Q. Okay. Well, do you recall seeing her with  
 17 a male guest?  
 18 A. Yes.  
 19 Q. Okay. Do you know who that male guest was?  
 20 A. No.  
 21 Q. Okay. I have some surveillance videos from  
 22 that date so we can see if that's the person you  
 23 recall seeing her with. Okay. This is 204-L.  
 24 What is the date of this surveillance  
 25 video?

Page 25

1 A. May 22, 2016.  
 2 Q. And what time is it?  
 3 A. It looks like it's 10:56 p.m.  
 4 Q. Okay. Do you recognize the person who is  
 5 getting on the elevator?  
 6 A. Yes, it looks like Amber.  
 7 Q. Okay. Where is Ms. Heard going?  
 8 A. That is the mezzanine level.  
 9 Q. Okay. What is on the mezzanine level?  
 10 A. That will be -- she turned right, which  
 11 would be the mail room and/or the access to the  
 12 parking structure.  
 13 Q. Okay. She didn't appear to be wearing  
 14 shoes. Was it typical for her to walk around the  
 15 building without shoes on?  
 16 A. Not that I recall. However, I do know that  
 17 a lot of residents do not -- do walk around the  
 18 building without shoes on.  
 19 Q. Okay. Who is that?  
 20 A. That looks like Amber.  
 21 Q. Is this the male guest that you described  
 22 seeing Ms. Heard with? I can back it up so you can  
 23 get a look at him.  
 24 Is that the guest you described in your  
 25 prior testimony?

Page 26

1 A. No. I don't, I don't recall this  
 2 interaction.  
 3 Q. Okay. Do you recall seeing this individual  
 4 with Ms. Heard at any other time?  
 5 A. I can't really see his face from this  
 6 footage. I'm trying to kind of like grasp it and  
 7 put pieces together, but I can't really -- and if  
 8 I -- I don't believe this is the shift I was  
 9 working, so I probably wasn't here. I would have  
 10 known if I was here during this time. However, I  
 11 did see her with many male guests and friends, so I  
 12 don't recognize him. I'm sorry.  
 13 Q. You said that you didn't believe you were  
 14 working at this time. What time is captured in this  
 15 video?  
 16 A. Looks like it's 10:57 p.m.  
 17 Q. On what date?  
 18 A. May 22, 2016.  
 19 Q. Okay. At some point in time did you come  
 20 to learn that police had been called to the  
 21 penthouse unit that Ms. Heard and Mr. Depp shared in  
 22 the Eastern Columbia Building on May 21, 2016?  
 23 A. I did.  
 24 Q. Okay. How did you come to learn that?  
 25 A. My next shift, TMZ or some photographers or

Page 27

1 something was outside of the building and I had no  
 2 idea. And then one of the residents came up to me  
 3 and told me.  
 4 Q. Who was the resident who told you that?  
 5 A. There were a few. I think the first  
 6 resident that may have said something -- maybe I  
 7 don't remember the first, but I remember a Sara  
 8 Azari telling me and she lived in the building.  
 9 Q. Do you know approximately when Sara Azari  
 10 told you that?  
 11 A. I don't recall the time, but I remember it  
 12 being one of the shifts after that whole -- me  
 13 working on the 22nd. It was later on in the week,  
 14 maybe the following Sunday.  
 15 Q. What did Ms. Azari tell you?  
 16 A. Not much. She just mentioned, as many of  
 17 the residents that day mentioned, "did you hear what  
 18 happened" and just kind of like quickly caught me  
 19 up. And at that moment I realized, oh, I didn't  
 20 know this.  
 21 Q. When you said that she and other residents  
 22 said "did you hear what happened" and they caught  
 23 you up, what did they tell you happened?  
 24 A. When they told me something happened, it  
 25 wasn't anything deep. I think it was just insight.

Page 28

1 I believe Ms. Azari may have mentioned something  
 2 happened in the penthouse, something happened with  
 3 Johnny Depp.  
 4 Q. Okay. Was she anymore specific than that?  
 5 A. No.  
 6 Q. Did you later come to have more of an  
 7 understanding of what allegedly happened in the  
 8 penthouse?  
 9 A. Yes.  
 10 Q. Okay. What did you come to understand  
 11 allegedly happened?  
 12 A. In quickly said, I would say there was a  
 13 physical assault and Johnny had to vacate the  
 14 premises.  
 15 Q. Who told you that?  
 16 A. I think I kind of captured it amongst a  
 17 bunch of different resources. I reached out to  
 18 Trinity just to ensure that I was doing everything  
 19 right and then when residents told me that there  
 20 were people, photographers outside, I didn't  
 21 understand what to do and I reached out to my  
 22 supervisor, who was Trinity, and she kind of let me  
 23 know a little bit more and then she mentioned that  
 24 some of the allegations -- not saying anything was  
 25 true or false, just, "hey, heads up, these are some

Page 29

1 of the things being said." And none of us knew  
 2 exactly what it was, so we were just proceeding with  
 3 caution with many allegations, I guess.  
 4 Q. Okay. You've used allegations a couple of  
 5 times. Can you explain what you mean, what you were  
 6 told the allegations were?  
 7 A. I would say I'm using allegation -- I could  
 8 completely be using it in the wrong context. It was  
 9 just something that was mentioned, it may not be a  
 10 fact, it was just a piece of information. That's  
 11 what I mean by allegation. And what we heard in  
 12 quick said as all of us kind of switched off shifts  
 13 is this was said during my, shift, whether it be  
 14 from a resident, whether it be from someone that as  
 15 I was monitoring the services, trying to capture  
 16 pictures, someone -- I guess the collaborative  
 17 message was that there was a domestic violence case  
 18 with Johnny Depp and Amber and just to proceed with  
 19 caution because at that moment we were not coming in  
 20 contact with Amber because she was around more  
 21 during that time to us and talking to us than she  
 22 has been living in there.  
 23 Q. Well, when you -- did you have any personal  
 24 opinions about the domestic violence allegations  
 25 that Ms. Heard had made?

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1 A. No.  
2 Q. Okay. Backing up to earlier in your  
3 testimony, you testified that when you interacted  
4 with Ms. Heard on May 22nd, which was the day after  
5 the police was called, she looked radiant and  
6 beautiful. Did you see any evidence when you were  
7 interacting with Ms. Heard on that day that she had  
8 been the victim of domestic violence the day before?  
9 A. No.  
10 Q. Okay. In your interactions with the  
11 residents and the other -- let's start with the  
12 residents, the residents of the Eastern Columbia  
13 Building. Did you get any sense from any of the  
14 residents what their views were about the  
15 allegations that Ms. Heard had made against  
16 Mr. Depp?  
17 A. Not clear views. I think everyone was  
18 curious just saying other things maybe that they  
19 read. No one had concrete facts and that's why I  
20 proceeded with just doing my job and not trying to  
21 look too much into it, but being informed when I do  
22 run into like media or anyone, just being informed  
23 what I wanted to take from everyone's sayings. I  
24 think there was a lot of people saying different  
25 things, but no one really knew what was happening

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1 and I think for me I had no idea that it was the  
2 next day until later, way later that I interacted  
3 with her. And I guess it put me in a weird  
4 situation because I was like I had no idea that it  
5 was like the next day that those allegations  
6 happened that I came in contact with her. That's  
7 why I am here is to ensure that, I guess, from what  
8 you guys see me interactions, giving my feedback  
9 about what happened.  
10 Q. Well, given that you did interact with her  
11 the very next day after the supposed incident  
12 allegedly took place, based on your interactions  
13 with her, what is your opinion of those allegations  
14 that she made?  
15 A. I'm not so 100 percent because I have never  
16 seen what the allegations -- it's not something I  
17 looked into to be honest. I'll be completely honest  
18 with you. I have not looked into what exactly her  
19 allegations were. I just know that I was doing my  
20 job at that moment. And after hearing everything  
21 and kind of piecing it together myself, I interacted  
22 with her that specific day and I seen her and I  
23 don't think she had heavy makeup on. I don't  
24 believe that from my interaction with her and seeing  
25 her, all the allegations don't match in my opinion,

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1 if that's what you're asking.  
2 Q. Yes. So when you say in your opinion the  
3 allegations don't match, can you explain more what  
4 you mean by that?  
5 A. Yes. So in piecing together -- can you  
6 tell me what the allegations are and maybe we can go  
7 from there?  
8 Q. Sure.  
9 A. Because I'm piecing it together. Sorry.  
10 Q. I will represent to you that the allegation  
11 that she made was that Mr. Depp threw a cell phone  
12 and hit her in the face and punched her in the face  
13 as well and that she had bruises and cuts on her  
14 face as a result of those alleged physical assaults.  
15 So with that representation of what her  
16 allegation was and going back to your prior  
17 testimony that you didn't think the allegations fit  
18 with what you had seen, can you explain what you  
19 mean?  
20 A. So someone who was bruised and cut, that  
21 when I -- the interaction I had with her, I would  
22 say that wasn't a person that was bruised or cut. I  
23 didn't see any of those. And I think the thing  
24 about me that I do do is I look at everyone in their  
25 eyes. So I looked at her in her eyes and I would

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1 notices things like that and just the humanistic  
2 part of me, if I noticed anything wrong I would ask  
3 like I always asked her with that interaction and  
4 others that I had after that because I did have  
5 interactions after that with her and I did see --  
6 you know, I'm one of the people that's responsive.  
7 If you look at the footage it wasn't like really  
8 quick, it wasn't like I ran to the package room.  
9 There was dialogue that happened, just to make sure  
10 like all the residents have a good experience with  
11 me and they trust me and feel comfortable. Going  
12 back to the allegations is if someone said they were  
13 bruised or cut, I think you would be able to see  
14 those things and I at that moment did not see those  
15 things. That doesn't necessarily mean that they  
16 didn't happen; however, I was very like aware of her  
17 and I think she's very radiant and beautiful and I  
18 would notice if she was bruised or anything looked a  
19 little odd and in my opinion of that day I didn't  
20 see those.  
21 Q. Okay. Did you have any conversations with  
22 any of the other staff at the Eastern Columbia  
23 Building about the allegations that Ms. Depp had  
24 made against -- sorry, Ms. Heard had made against  
25 Mr. Depp?

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1 A. I'm sorry, repeat your question.  
2 Q. Let me back up. I misspoke.  
3 At any point in time did you have  
4 conversations with other people who worked in the  
5 Eastern Columbia Building about the allegations that  
6 Ms. Heard had made against Mr. Depp?  
7 A. Prior to that day or after that day?  
8 Q. At any point in time.  
9 A. When I started my shift that specific day I  
10 do remember just -- we do quick passes, pass-offs  
11 meaning they clock out when I clock in so there's  
12 not much dialogue. That day I wasn't set up for  
13 that. I had no idea what was happening. And then  
14 after that we would, we would have a little bit of a  
15 touch base saying -- and I think one of the things  
16 we all would say if you talk to us is we did just  
17 mention we seen her, "did you see her?" "Yeah, I  
18 seen her."  
19 As far as the allegations, I don't think  
20 any of us wanted to speak to them. I did come to my  
21 boss as I started to hear different things just to  
22 check in, and that's Trinity. I did try to check in  
23 with her, as I said a little bit earlier, just  
24 saying what's going on, this is happening, and then  
25 she kind of, kind of gave me a little -- pieced it

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1 together a little bit better for me to help me  
2 understand, but I don't think any of it was like  
3 concrete or solid. From what you said, like a cell  
4 phone and a punch, that wasn't in most of the  
5 conversations I had. I think it was other things  
6 and other assumptions of what happened. I think the  
7 main thing that all of us would say is proceed with  
8 caution, there's like a domestic violence situation  
9 that's happening, so if you see any of the parties  
10 just be professional and ensure that you give them  
11 great service.  
12 Q. Let me -- correct me if I'm wrong, but I  
13 think you just said that you touched base with other  
14 people who worked in the building and one of the  
15 touch base comments that was going between you and  
16 the other people was "have you seen her?" Did I  
17 under that correctly?  
18 A. Yes. And that came -- sorry, that came a  
19 little after when I chimed in with my boss and I was  
20 able to get a peace of mind. Because I typically  
21 work on Sundays, so it was a whole week of time and  
22 if I'm not there consistently I try to give a little  
23 bit extra and sometimes I communicate to Trinity if  
24 there's anything happening that happened in that  
25 week that I should know before coming in blind-sided

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1 on a Sunday.  
2 Q. So who were the people that you touched  
3 base with about whether they had seen Ms. Heard or  
4 not?  
5 A. Michael.  
6 Q. Okay.  
7 A. Michael, he was the shift after me and  
8 often he would take the shift before mine if he  
9 needed the hours. And then I talked to Trinity  
10 about it and I have seen Alex as well and Alex and I  
11 just simply asked quick conversations about it.  
12 Q. What quick conversations did you have with  
13 Alex about Ms. Heard?  
14 A. He just asked if I knew what was happening.  
15 Q. Did he indicate to you that he had seen  
16 Ms. Heard in person?  
17 A. He did.  
18 Q. Did he give you any opinion about whether  
19 she appeared to be someone who was injured or not  
20 when he saw her?  
21 A. With me he did not.  
22 Q. Okay. Did you talk to Trinity as far as  
23 about whether she had seen Ms. Heard?  
24 A. Talked about, talked to Ms. Esparza if she  
25 seen her, yes.

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1 Q. Okay. Did Ms. Esparza indicate to you that  
2 Ms. Heard looked like she was physically injured  
3 when she saw her?  
4 A. No.  
5 Q. Okay. Take a quick break. Off the record.  
6 THE VIDEOGRAPHER: Going off the record at  
7 1:49 p.m.  
8 (Off the record.)  
9 THE VIDEOGRAPHER: Going back on the record at  
10 1:53 p.m.  
11 BY MS. BILES:  
12 Q. Mr. Harrell, are you aware that we have  
13 taken depositions of other people who work at the  
14 Eastern Columbia Building?  
15 A. Yes.  
16 Q. Okay. Last week we took Ms. Esparza's  
17 deposition. She testified about conversations that  
18 she had had with you as well as other employees of  
19 Eastern Columbia in the week after May 22, 2016.  
20 The conversations that you described having with  
21 Ms. Esparza just now before we went on our break,  
22 were those conversations that took place the week of  
23 May 22nd?  
24 A. I believe those took place after that shift  
25 of mine.

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1 Q. Okay.

2 A. So yes.

3 Q. Okay. In your conversations with

4 Ms. Esparza did you indicate to her that when you

5 saw Ms. Heard she didn't appear to have any injuries

6 to her face?

7 A. Yes. When I was asked, I told her that.

8 Q. Okay. Can you elaborate on what you told

9 Ms. Esparza?

10 A. Yes. She and I talked about the situation

11 just as I reached out to her and I said, "hey, this

12 is happening, I'm not sure how to navigate through

13 this." And then she kind of gave me an idea of what

14 was happening. With that being said, I think she

15 kind of stayed with, with me throughout the journey

16 I guess you can say in the aspects of following up

17 and making sure like several conversations happened

18 just so I felt comfortable going to work and

19 understanding kind of what was happening. She

20 didn't go into depth with the actual situation. She

21 just kind of asked questions that I felt like she

22 knew more about, so I just gave her the answers that

23 were appropriate. She did ask me if I seen her and

24 I said yes. She did ask me around timings, so I

25 gave her like a range of the timing and I imagine

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1 she was going to go and look at the surveillance

2 because we can roll it back. And then she also

3 asked me during one of those interactions if I seen

4 her and she looked hurt and at that moment I said

5 no, because she didn't look hurt while I seen her.

6 Q. I want to clean that up a little bit

7 because there's a lot of "shes" in there and I want

8 to make sure we know who we're talking about.

9 So the conversations you've described were

10 with Ms. Esparza just now?

11 A. Yes.

12 Q. When you say she asked you if she looked

13 hurt, who asked you if who looked hurt?

14 A. Trinity asked me if Amber looked hurt when

15 I seen her.

16 Q. And what was your response to Ms. Esparza

17 about whether Amber Heard looked hurt when you saw

18 her?

19 A. No.

20 Q. Okay. And that was based on your

21 interaction with Ms. Heard when?

22 A. That date and after that date.

23 Q. When you say "that date" you mean May 22,

24 2016?

25 A. Yes.

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1 Q. Okay. Among the guests that Ms. Heard has

2 had that you have seen in the Eastern Columbia

3 Building, you mentioned a couple that you recognized

4 or knew the names of. Is there anyone else that you

5 saw in the Eastern Columbia Building as a guest of

6 Ms. Heard whom you recognized, but you have not

7 named yet?

8 A. No.

9 Q. Did you ever see Elon Musk in the Eastern

10 Columbia Building?

11 A. Personally I would not be able to identify

12 who that is. Did I hear amongst the concierge team

13 that maybe he had came, yes.

14 Q. Okay. When you say you might have heard

15 among the concierge team, first of all, when did you

16 hear among the concierge team that Mr. Musk might

17 have come to the building?

18 A. Following that shift, so I'm not sure if it

19 was that week or week after, but throughout the --

20 like when it was like high profile, like when we

21 were like on it and consistently just tracking each

22 other's behavior with the situation, I think within

23 those weeks following. I would say like three weeks

24 prior I think someone said it and I can't exactly

25 tell you who said it, but I believe I remember one

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1 of them saying that Elon Musk visited the building

2 and he was Amber's guest.

3 Q. Okay. I want to break that down a little

4 bit. When you say the weeks following, you mean the

5 weeks after May 22, 2016 you heard from other staff

6 at the Eastern Columbia Building that Mr. Musk had

7 been a guest of Ms. Heard's?

8 A. Yes.

9 Q. When was Mr. -- what was your understanding

10 of when Mr. Musk had been a guest of Ms. Heard?

11 A. I'm sorry, can you say explain?

12 Q. Sure. What was your understanding of when

13 Mr. Musk had been a guest?

14 A. Like when, timing or --

15 Q. Yes. Yes. In your conversations with the

16 other staff people at the Eastern Columbia Building

17 about Mr. Musk being in the building as a guest of

18 Ms. Heard, in those conversations did you get any

19 other understanding of when he had been a guest?

20 A. I would, I -- I would only take from the

21 times they worked, so if it was a pass-off they work

22 a certain shift, so maybe the night. I usually

23 worked in morning and so it was more of a night

24 thing. So I would say he visited during the night

25 shift, so it may have been like the later nights.

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1 Q. Okay. And when you say during the night  
2 shift, the later nights, was that in May of 2016 or  
3 before May of 2016?  
4 A. It never -- those conversations happened  
5 after May 22nd primarily because I think at that  
6 moment it was more of a high profile. I believe  
7 that many of them may have saw him prior to that. I  
8 personally wouldn't be able to identify him even if  
9 he were the guy with the hat because I didn't really  
10 look him up. I know who he is on paper, but I don't  
11 know what he looks like in a -- like in face to  
12 face. But then at that moment when I did hear that  
13 he was a visitor, I didn't go and ask any questions.  
14 I wasn't like "have you seen him before, when did he  
15 come?" I wasn't really interested and if you ask  
16 any of the concierges I probably was the least  
17 interested in this whole idea. I just came there to  
18 come to work. I didn't come there to be a witness  
19 to any kind of scene. And I helped her  
20 coincidentally during this time and I understand why  
21 I'm here; however, I don't remember him being a  
22 guest during the shifts that I worked. I do  
23 remember women being guests during the shifts that I  
24 worked and I do remember those interactions really  
25 well.

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1 Q. Okay. But when you say that you heard in  
2 the weeks after May 22, 2016 from other staff at the  
3 Eastern Columbia Building that he had been a guest,  
4 it was your understanding that Mr. Musk had been a  
5 guest sometime during May 2016 or before May 2016?  
6 A. Yes.  
7 Q. Okay. Let's go off the record. I think  
8 I'm almost finished. I just want to check my notes.  
9 THE VIDEOGRAPHER: Going off the record at  
10 2:00 p.m.  
11 (Off the record.)  
12 THE VIDEOGRAPHER: Going back on the record at  
13 2:08 p.m.  
14 BY MS. BILES:  
15 Q. Mr. Harrell, when you were working the  
16 Eastern Columbia Building after this May 21st  
17 alleged incident, did you see any lawyers for  
18 Mr. Depp enter the building?  
19 A. Not that I recall.  
20 Q. Did you hear that there were any lawyers  
21 working on behalf of Mr. Depp who were collecting  
22 surveillance videos?  
23 A. I did hear something to that nature from  
24 Trinity.  
25 Q. Okay. Did you have any personal

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1 interactions with those lawyers?  
2 A. I did not until I believe I got like a -- I  
3 got the note from Trinity saying that I maybe have  
4 to testify as a witness.  
5 Q. Okay. Did you ever have any interactions  
6 with anyone at any point in time from the Bloom  
7 Hergott law firm?  
8 A. (No response.)  
9 Q. During this -- let me back up. Sorry.  
10 Strike that.  
11 After May 22, 2016 did you have any  
12 interactions with anyone from the Bloom Hergott law  
13 firm?  
14 A. Was that the law firm that was handling the  
15 case before?  
16 Q. That was one law firm that represents  
17 Mr. Depp, represented Mr. Depp. But do you recall  
18 that name or having any interactions with them?  
19 A. I do remember that name in some way. I  
20 believe that's where I had to go and testify before,  
21 if I'm not mistaken.  
22 Q. Did you have any interactions with anyone  
23 named Jake Bloom?  
24 A. I don't believe so.  
25 Q. Okay. I don't have anything further.

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1 Thank you.  
2 MR. WRENSHALL: I just have a couple questions.  
3  
4 EXAMINATION  
5  
6 BY MR. WRENSHALL:  
7 Q. Ready? Okay, Mr. Harrell, so just a few  
8 questions.  
9 You were previously deposed in connection  
10 with the divorce proceeding between Mr. Depp and  
11 Ms. Heard; is that correct?  
12 A. I'm sorry, what was your question?  
13 Q. You were previously deposed; is that  
14 correct?  
15 A. Yes.  
16 Q. And that was in connection with the divorce  
17 proceeding between Mr. Depp and Ms. Heard; is that  
18 correct?  
19 A. Yes.  
20 Q. Okay. Do you recall the names of the  
21 lawyers who took your deposition?  
22 A. I do not. I believe I have some of the  
23 things at home as far as the names that were  
24 attached to the documents. I believe Trinity has  
25 like the whole deposition.

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1 Q. Okay. Was it a man or a woman who took  
 2 your deposition?  
 3 A. There was a woman.  
 4 Q. Okay. No more questions.  
 5 MS. BILES: Okay. Same stipulation?  
 6 MR. WRENSHALL: You have to read it.  
 7 MS. BILES: I have to read it.  
 8 MR. WRENSHALL: Sorry.  
 9 MS. BILES: I'm not a California lawyer so this  
 10 is going to be hard.  
 11 Mr. Harrell, thank you for coming today.  
 12 We very much appreciate you being here. We are  
 13 going to read a brief stipulation into the record.  
 14 I offer the following stipulation for the  
 15 record; that the court reporter be relieved of her  
 16 responsibility with respect to the original  
 17 transcript and that the original be transcribed and  
 18 signed by Mr. Harrell under penalty of perjury. The  
 19 original will be sent to Mr. Harrell at the address  
 20 you have provided. You'll read that transcript and  
 21 make any corrections to it if necessary.  
 22 Is two weeks enough time for you to review  
 23 your deposition transcript?  
 24 THE WITNESS: From this interaction?  
 25 MS. BILES: Yes.

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1 THE WITNESS: Yeah, that's fine.  
 2 MS. BILES: Okay. If we're not notified of any  
 3 changes within that two-week time period the  
 4 original shall be deemed signed and correct. The  
 5 notice of any changes or corrections can be sent to  
 6 Brown Rudnick LLP at Irvine, California, the same  
 7 place that you got the deposition notice from. The  
 8 original transcript will be maintained by that  
 9 office. If the original is not available, then a  
 10 certified copy of the same corrected can be used for  
 11 any purpose for which the original might have been  
 12 used. I think that's all.  
 13 MR. WRENSHALL: I stipulate to that.  
 14 THE VIDEOGRAPHER: We are off the record at  
 15 2:13 p.m. and this marks -- I'm sorry. We are off  
 16 the record at 2:13 p.m. and this concludes today's  
 17 testimony given by Cornelius Harrell. The total  
 18 number of media used was one and will be retained by  
 19 Veritext Legal Solutions.  
 20 THE REPORTER: Counsel, do you need a copy?  
 21 MR. WRENSHALL: Yes.  
 22 MS. BILES: If we could get a rough, that would  
 23 be great.  
 24 THE REPORTER: Mr. Waldman, do you need a copy?  
 25 MR. WRENSHALL: He hung up.

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1 MS. BILES: Yes, he does need a copy.  
 2 (The deposition was concluded at 2:14 p.m.)  
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1 ACKNOWLEDGMENT OF DEPONENT  
 2 I, CORNELIUS HARRELL, do hereby certify  
 3 that I have read the foregoing transcript of my  
 4 testimony taken on 1/31/19, and further certify  
 5 that it is a true and accurate record of my  
 6 testimony (with the exception of the corrections  
 7 listed below):  
 8 Page Line Correction  
 9 \_\_\_\_\_  
 10 \_\_\_\_\_  
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 22 Signed under the pains and penalties of perjury  
 23 this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
 24 \_\_\_\_\_  
 25 CORNELIUS HARRELL

CERTIFICATE

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STATE OF CALIFORNIA ) ss  
COUNTY OF LOS ANGELES)  
I, SHAWNA HIGGINS, Certified Shorthand Reporter  
No. 10646 for the State of California, do hereby  
certify:  
That the foregoing deposition was taken before  
me at the time and place therein set forth, at  
which time the witness was put under oath by me;  
That the testimony of the witness and all  
objections made at the time of the examination were  
recorded stenographically by me, were thereafter  
transcribed by me by means of computer and the  
foregoing is a true record of same.  
I further certify that I am neither counsel for  
nor related to any party to said action, nor in any  
way interested in the outcome thereof.  
IN WITNESS WHEREOF, I have subscribed my name  
this 9th day of February 2019.

  
SHAWNA HIGGINS  
CSR NO. 10646



<b>&amp;</b>	<b>21</b> 11:25 12:1	<b>absolutely</b> 9:21	<b>angle</b> 17:11
<b>&amp;</b> 1:10 2:10 3:5 8:7	26:22 <b>213-457-8000</b> 3:20	<b>accept</b> 18:4 <b>access</b> 23:3,18	<b>answer</b> 5:17 9:14 9:18,25 10:7
<b>1</b>	<b>21st</b> 43:16	25:11	<b>answers</b> 38:22
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California Code of Civil Procedure

Article 5. Transcript or Recording

Section 2025.520

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

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

refuse to approve the transcript by not signing it:

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

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

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

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

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

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

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

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

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

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J. Depp Declaration

Exhibit O

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

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JOHN C. DEPP, II, SCARAMANGA )  
BROS., INC., A CALIFORNIA )  
CORPORATION; L.R.D. )  
PRODUCTIONS, INC., A CALIFORNIA )  
CORPORATION, INFINITUM NIHIL, A )  
CALIFORNIA CORPORATION, )  
PLAINTIFFS, )

vs. )

No. BC680066

BLOOM HERGOTT DIEMER ROSENTHAL )  
LAVIOLETTE FELDMAN SCHENKMAN & )  
GOODMAN, LLP, JACOB A. BLOOM )  
AND DOES 1-30, )  
DEFENDANTS. )

BLOOM HERGOTT DIEMER ROSENTHAL )  
LAVIOLETTE FELDMAN SCHENKMAN & )  
GOODMAN, LLP, )  
CROSS-COMPLAINANTS, )

vs. )

JOHN C. DEPP, II, SCARAMANGA )  
BROS., INC., A CALIFORNIA )  
CORPORATION; L.R.D. )  
PRODUCTIONS, INC., A CALIFORNIA )  
CORPORATION, INFINITUM NIHIL, A )  
CALIFORNIA CORPORATION, )  
CROSS-DEFENDANTS. )

VIDEOTAPED DEPOSITION OF ALEJANDRO ROMERO  
WEDNESDAY, JANUARY 30, 2019  
12:50 p.m.

REPORTED BY: D'ANNE MOUNGEY, CSR 7872



Page 2

1 VIDEOTAPED DEPOSITION OF ALEJANDRO ROMERO TAKEN ON BEHALF  
2 OF PLAINTIFFS AT 355 SOUTH GRAND AVENUE, SUITE 2800,  
3 LOS ANGELES, CALIFORNIA, COMMENCING AT 12:50 P.M. ON  
4 WEDNESDAY, JANUARY 30, 2019, BEFORE DYANNE MOUNGEY, CSR  
5 7872.  
6  
7  
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Page 3

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6 BY MR. WRENSHALL 58  
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12 EXHIBITS  
13 (NONE)  
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18 QUESTIONS INSTRUCTED NOT TO ANSWER  
19 (NONE)  
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Page 6

1 LOS ANGELES, CALIFORNIA  
2 WEDNESDAY, JANUARY 30, 2019; 12:50 P.M.  
3  
4  
5 THE VIDEOGRAPHER: Good afternoon. We're  
6 on the record at 12:50 p.m. on January 30th, 2019.  
7 Please note that the microphones are sensitive and  
8 may pick up whispers, private conversations and  
9 cellular interference.  
10 Audio and video recording will continue to  
11 take place unless all parties agree to go off the  
12 record.  
13 This is media unit number 1 of the video  
14 recorded deposition of Alejandro Romero taken by  
15 counsel for the plaintiffs and cross-defendants in  
16 the matter of "John C. Depp, II, et al., versus  
17 Bloom Hergott Diemer Rosenthal Laviolette Feldman  
18 Schenkman & Goodman, LLP, et al.," and related  
19 cross-complaint filed in the Superior Court of the  
20 State of California for the County of Los Angeles.  
21 Case number BC 680066.  
22 This deposition is being held at Reed  
23 Smith, located at 355 South Grand Avenue,  
24 Los Angeles, California 90071.  
25 My name is Steven Togami from the firm

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1 Veritext Legal Solutions and I am the videographer.  
2 The court reporter is D'Anne Moungey from the firm  
3 Veritext Legal Solutions. I am not related to any  
4 party in this action, nor am I financially  
5 interested in the outcome.  
6 If there are any objections to  
7 proceeding, please state them at the time of your  
8 appearance.  
9 At this time, will counsel and all  
10 present please state their appearances and  
11 affiliations for the record.  
12 MS. BILES: Brit Biles, Stein Mitchell  
13 Beato & Missner, LLP for Mr. Depp and his companies.  
14 MR. WRENSHALL: Mathew Wrenshall from Reed  
15 Smith, LLP for Bloom Hergott and Jacob A. Bloom.  
16 MR. WALDMAN: Speakerphone, Adam Waldman,  
17 Endeavor Law for the plaintiff Johnny Depp.  
18 THE VIDEOGRAPHER: Thank you.  
19 Can we please have the oath.  
20 ///  
21 ///  
22 ///  
23  
24  
25

Page 8

1 ALEJANDRO ROMERO,  
2 having been first duly sworn by the reporter, was  
3 examined and testified as follows:  
4  
5 EXAMINATION  
6 BY MS. BILES:  
7 Q Good afternoon, Mr. Romero. My name is  
8 Brit Biles and I'm an attorney for Mr. Depp and  
9 some of the companies that he owns.  
10 We're here today just to ask you some  
11 follow-up questions from your prior deposition that  
12 you gave concerning Mr. Depp and his former wife  
13 Amber Heard.  
14 Today, because we're on the record, we have  
15 a court reporter taking everything down that I say  
16 or that you say or anyone else says. So it's  
17 important that we not speak over each other and that  
18 we give each other a chance to finish talking. I  
19 know it's hard to do, sometimes when you get in a  
20 conversation, it's easy to jump in before the other  
21 person is finished.  
22 So I will do my best not to jump in and  
23 interrupt you; will you do your best not to jump in  
24 and interrupt me?  
25 A I'll try. I'll try to do my best.

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1 Q Also, because she's taking down everything  
2 we say, she can't record nods or "uh-huh's" or  
3 things like that. So it's very important that we  
4 try to use "yes" or "no" answers or full sentence  
5 answers, if necessary, so she can take down exactly  
6 what we're saying.  
7 Is that fair?  
8 A Yes, it is.  
9 Q If you don't understand one of my  
10 questions, please let me know. I'll do my best to  
11 make them as clear as possible. I know sometimes I  
12 will fail in those efforts, so just give me an  
13 indication that you don't understand the question,  
14 I'm happy to rephrase it. But if you answer my  
15 questions, I'm going to assume you understood them  
16 and they're your answers.  
17 Is that fair?  
18 A Yes.  
19 Q Is there anything today that would prevent  
20 you from being able to give truthful and complete  
21 testimony?  
22 A No.  
23 Q I want to talk about a couple specific  
24 things that you previously testified about, but I  
25 want to go into some more detail with them.

Page 10

1 First off, where do you work, Mr. Romero?

2 A I work at the Eastern Columbia Building.

3 Q Where is that located?

4 A 845 South Broadway.

5 Q Is that in downtown Los Angeles?

6 A That's correct.

7 Q What type of a building is the Eastern

8 Columbia Building?

9 A It's a private residential building.

10 Q Is it condominium units?

11 A Yes, you could say that.

12 Q What is your job at East Columbia?

13 A I'm front desk.

14 Q How long have you worked at the front desk?

15 A I have been at that building for over ten

16 years.

17 Q What are your job responsibilities?

18 A Take notes if anything goes wrong, lights,

19 the packages, make sure nobody trespassing. This is

20 a secure building.

21 Q When you say it's a secure building, can

22 you explain what you mean?

23 A They need a key fob to enter the building.

24 The doors are locked.

25 Q Are you actually employed by the Eastern

Page 11

1 Columbia Building or are you employed by someone

2 else?

3 A I'm employed by the corporation that

4 manages the building.

5 Q What's the name of that?

6 A Action Property Management.

7 Q Is there security in the building?

8 A No.

9 Q As the person who sits at the front desk,

10 is security a part of your job responsibility?

11 A Yes.

12 Q Can you explain what you do to maintain

13 security in the building?

14 A Well, when somebody walks into the building

15 following one of our residents, I approach to them

16 and ask them if they need any help. And most of the

17 time they just want to take pictures because it's an

18 old building and they like the architecture of the

19 building, so they want to take pictures or they want

20 to go to the pool area. Sometimes they mistake the

21 East Columbia with the Ace Hotel and they think

22 there's a bar upstairs.

23 Q I see.

24 A So I approach to them and ask them if they

25 need any help. And like I said, most of the time

Page 12

1 they just want to take pictures.

2 Q Other than approaching people who enter the

3 building, is there anything else you do to maintain

4 security of the Eastern Columbia Building?

5 A Well, yes, actually, we have a garage and

6 there's a lot of people that -- they go inside the

7 garage. Sometimes they just try to get away from

8 the rain, from the cold, or just looking for

9 something to take.

10 Q So what do you do with regard to the

11 garage?

12 A Well, when I see someone entering the

13 garage, I go and do my patrols in the garage and I

14 try to do my best to locate the person and escort

15 him out.

16 Q You mentioned just now that you do patrols.

17 Can you explain what your patrols are?

18 A I check for graffiti, people sleeping

19 outside, and make sure -- like we have a gym

20 upstairs on the roof, make sure the doors are

21 closed, the monitors are off, the AC is off, check

22 the water and temperature from the pool and the hot

23 tub.

24 Q When you're patrolling in the building, do

25 you have a specific route that you take?

Page 13

1 A No. Actually, I always change it because I

2 don't like -- like people probably will -- probably

3 consider myself a little bit paranoid. I don't like

4 people to like check my time, approximately what

5 time I'm doing my rounds and where I'm going

6 exactly, so I do it different rounds.

7 Q Okay. Do you always try to visit the same

8 parts of the building when you do your patrols?

9 A That's correct.

10 Q What parts of the building are those?

11 A I start at the lobby, courtyard, laundry

12 room, pool area, garage, and the outside.

13 Q Do you use the elevators when you're --

14 A That's correct. Sorry.

15 Q How many elevators are in the building?

16 A Three elevators.

17 Q Are they all -- do they all go to all the

18 same floors or certain elevators for certain floors?

19 A Only two elevators go 12th floor -- go to

20 the 12th floor. There's one elevator only that goes

21 all the way to the penthouse.

22 Q Can anyone use the elevators or do you have

23 to have access for the elevators?

24 A They need a key to access the elevator. To

25 press any buttons on the floor, they need a fob.

Page 14

1 Q I see.  
2 Are all of the residents issued fobs?  
3 A That's correct.  
4 Q What if someone has a guest coming in, how  
5 does that work?  
6 A If the residents allow them to have a fob,  
7 they give them their personal fob or -- they're  
8 allowed to have approximately three fobs. There's  
9 two for -- one for -- two for the resident and  
10 probably one for the maid. So sometimes they take  
11 away from the maid and they give to their guest.  
12 Q I see.  
13 What if a resident chooses not to give a  
14 guest a fob or hasn't given a guest a fob, how does  
15 the guest access the building?  
16 A We have a guest list for all our residents.  
17 If their name is on the list, we send them up. We  
18 use our personal keys to send them up in the  
19 elevator. Or if they're not, we contact the  
20 resident and let them know that someone is here to  
21 visit them and they give access and say okay, it's  
22 fine, we send them up. Other than that, we don't  
23 send anybody.  
24 Q Okay. You talked about maintaining  
25 security in the building.

Page 15

1 Have we talked about all of the things that  
2 you do to maintain security in the building at East  
3 Columbia?  
4 A Yes, I think that that covered everything.  
5 Q What about security footage, are there  
6 security cameras in the building?  
7 A Yes, there are.  
8 Q What role, if any, do you have with the  
9 security cameras?  
10 A Well, we have approximately right now 48  
11 cameras around the building and we use them to see  
12 the outside and the inside from the common areas,  
13 see if anything goes wrong. Or like if -- most of  
14 the time it's something got moved or out of place,  
15 we know who did it. Like if someone is smoking, we  
16 know -- there's no glass containers in the pool  
17 area, so we use the cameras for that.  
18 Q Is your job responsibility to monitor the  
19 cameras?  
20 A That's correct.  
21 Q So how do you do that?  
22 A I sit at the desk and I got two monitors,  
23 color cameras, only for the cameras.  
24 Q I want to back up.  
25 You had testified that you had worked in

Page 16

1 this building for over ten years.  
2 Have your job responsibilities been  
3 consistent throughout the ten years that you've  
4 worked there?  
5 A Yes.  
6 Q So if we're talking about 2015 or 2016, the  
7 job duties that you're describing today are the same  
8 job duties that you would have had then?  
9 A That's correct.  
10 Q In 2015 and 2016, did you interact with  
11 residents of the building?  
12 A Yes.  
13 Q Can you give me some examples of  
14 circumstances when you would interact with the  
15 resident.  
16 A Well, I've been there for a long time, like  
17 I said, and I make conversation with them because I  
18 know them for so long and they stop there and they  
19 talk to me. And we have like -- talk about sports,  
20 cars, and bars, anything like that. We have -- I  
21 consider them like a friend there in the building  
22 and I get along with a lot of the residents.  
23 Q Are you aware that Johnny Depp was a  
24 resident of the Eastern Columbia Building?  
25 A Yes.

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1 Q Are you aware that Amber Heard was a  
2 resident of the Eastern Columbia Building?  
3 A Yes.  
4 Q Did you personally have any interactions  
5 with Mr. Depp when he lived in the building?  
6 A I saw him a couple times and I ran into him  
7 in the hallways and he usually was -- he was really  
8 nice. He knows my name. He knows me by name.  
9 Q What about Amber Heard, did you have  
10 interactions with Ms. Heard?  
11 A That's correct. Also the same thing. I  
12 used to run into her and she knew my name. They  
13 usually -- they used to get a lot of packages.  
14 Q I see.  
15 Approximately how often would you say you  
16 ran into Amber Heard?  
17 A Oh, there were a lot of -- a lot of times.  
18 I actually off the top of my head I can't say. It  
19 was a lot of times.  
20 Q When you say "a lot," was it more than  
21 50 times?  
22 A That's correct.  
23 Q More than 100 times?  
24 A Probably.  
25 Q More than 150?

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1 A Yes.  
2 Q So hundreds of interactions with Ms. Heard?  
3 A That is correct.  
4 Q Were all those interactions in person?  
5 A Yes.  
6 Q Did you also observe Ms. Heard on the  
7 surveillance video?  
8 A That's correct.  
9 Q Under what circumstances would you observe  
10 Ms. Heard on the surveillance video?  
11 A Well, actually, like I said, I sit at the  
12 desk, I got the cameras and they're just in front of  
13 me. I could see everything.  
14 Q I see.  
15 We actually now have the benefit of some of  
16 the security footage from the cameras. I'm going to  
17 actually put up a camera so you can talk to us a  
18 little bit about the layout of where you were.  
19 I would like to use what has previously  
20 been marked as 204A, Exhibit 204A.  
21 Can you describe the scene in this video,  
22 Mr. Romero?  
23 A Well, I can see from the camera, the angle  
24 of the camera, that is the front desk.  
25 Q When you work in the Eastern Columbia

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1 Building, is this desk where you sit?  
2 A That's correct.  
3 Q Are you always at the desk or do you leave  
4 when --  
5 A Probably I'm there like 80 percent of the  
6 time or 90 percent of the time. I do three patrols  
7 a day if there's no one inside the garage, like no  
8 trespassers in the garage.  
9 Q What are your hours?  
10 A I work from 4:00 p.m. to 1:00 a.m.  
11 Q The person who is seated at the desk now,  
12 do you recognize that person?  
13 A I think it's Trinity. I'm pretty sure  
14 that's her.  
15 Q Who is Trinity?  
16 A Trinity, she works for Try Provide. She's  
17 the secretary at the --  
18 Q When does she work in the building?  
19 A She works the mornings.  
20 Q When she's there in the mornings, is it  
21 your understanding that she's doing the same work  
22 that you do in the evenings?  
23 A She's more work as a concierge. She takes  
24 care of more of the packages.  
25 Q I see.

Page 20

1 A There's a lot of packages in the morning.  
2 I don't have to deal with packages. Only like when  
3 residents ask for a package, I'll go get them. She  
4 deals with Fed Ex, UPS, OnTrac, U.S. Postal Service.  
5 All the carriers.  
6 Q I see.  
7 Are there any other distinctions between  
8 the work that you perform and the work that  
9 Ms. Trinity Esparza performs?  
10 A That I think is the only difference. She  
11 managed more the moves in the building.  
12 Q I see.  
13 So when you were discussing monitors for  
14 the security cameras, are they located at this front  
15 desk?  
16 A That's correct.  
17 Q Where in the video would they be located?  
18 A It's going to be on the right side of  
19 Trinity.  
20 Q I see.  
21 Are you able to view the security footage  
22 in real time, or do you go back and look at it  
23 later?  
24 How does that work?  
25 A It's real time.

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1 Q Do you have the ability to go back and view  
2 the footage later?  
3 A That's correct.  
4 Q Do you recall any circumstances when you've  
5 gone back and viewed footage later?  
6 A When we find graffiti on the building, when  
7 people say they saw someone smoking, when there's an  
8 incident, we always go back and try to see who it  
9 was and find out.  
10 Q Do you recall any times when you went back  
11 and viewed footage where you saw Amber Heard?  
12 A Not really. Only the time of this  
13 incident.  
14 Q When you say "this incident," what do you  
15 mean?  
16 A The incident when they called the cops on  
17 the domestic violence.  
18 Q Can you tell me what you mean by that?  
19 A Well, because there was a rumor that the  
20 police arrived and I wanted to see what happened.  
21 So when I "record" the camera, I saw the police  
22 arriving for the penthouse level. That's why I  
23 rewind it. I wanted to see what was going on. But  
24 I didn't see anything. There was nothing -- you  
25 could only see police getting in and out. That was

Page 22

1 it. Because there's no cameras in the hallways.  
2 Q I see.  
3 So the footage you went back and watched  
4 was of the elevator?  
5 A That's correct.  
6 Q After this incident where the police were  
7 called, did you have any personal interactions with  
8 Amber Heard?  
9 A I saw her probably -- I think that happened  
10 on a Saturday. I saw her probably on Monday or  
11 Tuesday.  
12 Q What do you remember about seeing her on  
13 Monday or Tuesday?  
14 A Well, I saw her because they were  
15 concerned -- they saw some scratches on the door.  
16 Q I want to pause.  
17 When you say "they were concerned," who are  
18 you talking about?  
19 A I'm talking about Amber and her friend  
20 Rocky.  
21 Q Is that Raquel Pennington?  
22 A That's correct.  
23 Q Is Raquel Pennington a resident as well?  
24 A She was a resident there, too.  
25 Q Do you recall when it was they were --

Page 23

1 Raquel Pennington and Amber Heard were concerned  
2 because they saw scratches on the door?  
3 A Because they thought someone was trying to  
4 get into the unit.  
5 Q Do you recall when that was?  
6 A I believe it was on a Monday or a Tuesday.  
7 Like I can't remember off the top of my head it was  
8 a Monday or a Tuesday.  
9 Q Was it the Monday or Tuesday after the  
10 police were called?  
11 A After. That's correct.  
12 Q So walk me through what your interaction  
13 with Ms. Heard and Ms. Pennington was like.  
14 Did they come to you and ask for your  
15 assistance?  
16 A That's correct.  
17 Q Can you tell us what you remember about  
18 that conversation?  
19 A Well, they told me that they were afraid  
20 of -- someone was trying to break into their unit  
21 and they asked me to go and check.  
22 And I was talking with Raquel, because I  
23 told her her dog was outside and I was thinking the  
24 dog did the scratches. The scratches were all the  
25 way on the bottom, so I -- and besides, I was at the

Page 24

1 desk and I was looking at the cameras and I didn't  
2 see anybody going in.  
3 Q I see.  
4 So when -- did you talk to Amber Heard in  
5 person when this happened?  
6 A Yes.  
7 Q And this was the Monday or Tuesday after  
8 the police were called to the penthouse?  
9 A That's correct.  
10 Q What did Ms. Heard look like when you  
11 talked to her?  
12 A What do you mean?  
13 Q What was her physical appearance like?  
14 A She looked normal to me.  
15 Q Normal like --  
16 A Like, yeah, she was normal. Like -- like  
17 probably you and me right now. It was like nothing.  
18 Q As she --  
19 A All the times.  
20 Q -- was in the hundreds of other times  
21 you've seen her?  
22 A That's correct.  
23 Q Did you see any bruises on her face?  
24 A I don't recall seeing any.  
25 Q Well, did you physically see her face when

Page 25

1 you were talking with her?  
2 A That's correct.  
3 Q So how close was she when you were talking  
4 to her?  
5 A Approximately the same distance you are  
6 with me. It was three feet, four feet.  
7 Q You had a full shot of her face at the  
8 time?  
9 A That's correct.  
10 Q Were there any bruises on her face?  
11 A Not that I remember.  
12 Q Well, did you see bruises on her face?  
13 A No.  
14 Q Did you see cuts on her face?  
15 A No.  
16 Q Did you see any swelling or marks of any  
17 kind on her face?  
18 A No.  
19 Q Where were you when you were talking to  
20 Ms. Heard?  
21 A I was at the desk.  
22 Q I think you said that they asked you to go  
23 somewhere with them.  
24 Where did they ask you to go with them?  
25 A Penthouse 5.

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1 Q Did you leave the front desk and go to  
 2 Penthouse 5 with them?  
 3 A That's correct.  
 4 Q What was your path from the front desk to  
 5 the penthouse?  
 6 A Well, like I said, the front, the desk, and  
 7 we went to the penthouse level -- I mean to the  
 8 penthouse elevator and we took the elevator over to  
 9 the penthouse.  
 10 Q So in this video, is the penthouse elevator  
 11 the one that you see there?  
 12 A No.  
 13 Q Is the penthouse elevator not visible in  
 14 this video?  
 15 A That's correct.  
 16 Q How many floors up to the penthouse?  
 17 A It would be 13 floors.  
 18 Q 13 floors.  
 19 So you walked to the penthouse elevator  
 20 with Ms. Heard and Ms. Pennington; right?  
 21 A That's right.  
 22 Q What was the lighting like?  
 23 A Lighting. It was -- how I explain?  
 24 The lighting is normal. We always have the  
 25 lights. It's always bright. It's not dark.

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1 Q So when you were walking with  
 2 Ms. Pennington and Ms. Heard to the penthouse  
 3 elevator, there was bright light.  
 4 Do you see them well?  
 5 A Yes.  
 6 Q When you got to the elevator, were there  
 7 any other people in the elevator?  
 8 A No. It was -- there was Rocky, Amber and  
 9 me. That's it.  
 10 Q Were you standing next to Ms. Heard in the  
 11 elevator?  
 12 A That's correct.  
 13 Q Approximately how far from you was she?  
 14 A Like two, three feet.  
 15 Q Is there lighting in the elevator?  
 16 A That's correct.  
 17 Q Is it bright or dim in the elevator?  
 18 A It's kind of bright.  
 19 Q Could you see Ms. Heard well when you were  
 20 in the elevator?  
 21 A Yes.  
 22 Q Did you have a good visual of her face in  
 23 the elevator?  
 24 A Yes.  
 25 Q Were there any bruises on her face?

Page 28

1 A No.  
 2 Q Were there any cuts on her face?  
 3 A No.  
 4 Q Were there any marks of any kind on her  
 5 face?  
 6 A No.  
 7 Q After you rode up to the penthouse floor,  
 8 what did you do next?  
 9 A We went and checked and they open the  
 10 penthouse number 5 and they asked me to go inside  
 11 and check if it was anybody in there. So I went  
 12 inside, checked the first level on the penthouse,  
 13 went to the second level, there was nothing.  
 14 Q Were Ms. Heard and Ms. Pennington walking  
 15 around with you in the penthouse?  
 16 A That's correct.  
 17 Q Approximately how far were they from you  
 18 when they were walking with you?  
 19 A Probably seven, eight feet, probably,  
 20 because it's a real big penthouse and we got  
 21 separated inside.  
 22 Q Were the lights on in the penthouse?  
 23 A No. It was kind of dark.  
 24 Q Did Ms. Heard and Ms. Pennington tell you  
 25 anything about -- other than the scratches on the

Page 29

1 door, about what made them concerned that someone  
 2 was in the penthouse?  
 3 A They were thinking that maybe Johnny Depp  
 4 was trying to get inside that unit, but I don't see  
 5 why, because he has a key.  
 6 Q I want to back up.  
 7 What did they tell you specifically?  
 8 A Because she was telling me that she was  
 9 having problems and they -- she was afraid of Johnny  
 10 trying to get into their unit or Johnny's people  
 11 getting into their unit.  
 12 Q Who owns Penthouse 5?  
 13 A Johnny Depp. He used to own it. Sorry.  
 14 Q At that time who owned Penthouse 5?  
 15 A Johnny Depp.  
 16 Q Had anyone told you prior to this  
 17 conversation with Ms. Heard and Ms. Pennington that  
 18 Mr. Depp no longer had access to Penthouse 5?  
 19 A No.  
 20 Q Was there any indication prior to this  
 21 conversation that Mr. Depp shouldn't have access to  
 22 Penthouse 5?  
 23 A No.  
 24 Q Was there anything about Ms. Heard's  
 25 appearance or demeanor that caused you to be

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1 concerned for her safety at that time?  
2 A Not really, because like I said, I sit at  
3 the desk and I knew for a fact there was nobody up  
4 there.  
5 Q But in your interaction with Ms. Heard, was  
6 there anything about the way she appeared, the way  
7 she looked that caused you concern for her well  
8 being?  
9 A No.  
10 Q You had mentioned that you had heard that  
11 the police were called.  
12 Did you ever talk with the police?  
13 A No.  
14 Q Did anyone in the Eastern Columbia Building  
15 ever talk with the police?  
16 A I don't recall.  
17 Q To your knowledge, did anyone?  
18 A No. Probably the people that talked to the  
19 police, it was someone that was working at that  
20 time. I can't remember who it was.  
21 Q Did you have any conversations with anyone  
22 who worked in the building about the incident with  
23 the police being called?  
24 A Everybody that works at the desk knew about  
25 it.

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1 Q Who are the people that work at the desk?  
2 A At that time it was Trinity, Cornelius -- I  
3 don't remember who it was. It was me, of course,  
4 and -- I can't remember who else was there.  
5 Q Okay. Do you recall talking with Trinity  
6 and Cornelius about the police being called?  
7 A I remember talking with Trinity about it,  
8 because I don't see Cornelius because he works -- he  
9 used to work on the weekends and I don't work  
10 weekends.  
11 Q What conversations do you recall having  
12 with Trinity about the police being called to the  
13 penthouse?  
14 A Well, we remember just talking about it,  
15 like the incident, everything that we saw on the  
16 news. That was it. And like there's pictures and  
17 when we went and checked -- there's pictures of a  
18 glass of wine or bottle of wine, wine stains on the  
19 floor, and we went and checked and there was  
20 nothing. It was already cleaned. It was like  
21 nothing serious. No damage.  
22 Q I want to back you up.  
23 You said this conversation you're  
24 describing, was this with Ms. Trinity Esparza?  
25 A That's correct.

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1 Q When do you recall this conversation taking  
2 place?  
3 A That was during the week after the police  
4 was called.  
5 Q You mentioned a photograph of wine.  
6 Did you have conversations with Ms. Esparza  
7 about anything else related to the police being  
8 called?  
9 A Well, we only talk about what we heard on  
10 the TV.  
11 Q What do you recall hearing?  
12 A Supposedly I heard that Johnny Depp --  
13 first, Johnny Depp punch her on the face, then it  
14 was something that Johnny Depp threw a phone to her  
15 face.  
16 Q What in your conversations with Ms. Esparza  
17 did the two of you talk about with regards to the  
18 allegations against Mr. Depp?  
19 A What was that again? Sorry.  
20 Q Sure. That was a bad question. I  
21 apologize.  
22 When you and Ms. Esparza were talking with  
23 each other about the allegations that had been made  
24 by Ms. Heard against Mr. Depp, what were you and  
25 Ms. Esparza saying?

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1 A We just couldn't believe it. We were going  
2 to believe it was -- what happened like doesn't seem  
3 like something he will do, like -- because they used  
4 to look like really happy couple and that's what we  
5 talk. Not much.  
6 Q Okay. Was there anything specific that  
7 made you disbelieve the allegations against  
8 Mr. Depp?  
9 Was there something specific that you had  
10 seen that made you think that the allegations were  
11 untrue?  
12 A Well, the only thing we talk about is, how  
13 can you be an angry people when you have so much  
14 money? So that's what we talk about. That's it.  
15 Nothing like -- we just make conversations here and  
16 there. Nothing like -- like making a big deal for  
17 147 residents that we have, like -- I'm sorry --  
18 147 units, we're not going to -- for me, I don't got  
19 to focus on one.  
20 Q Sure.  
21 But you actually saw Ms. Heard in the days  
22 following the incident; is that right?  
23 A That's correct.  
24 Q And was it your understanding that she had  
25 claimed that Mr. Depp had punched her or thrown a



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1 phone at her, I think that's what you testified to?  
2 A That's correct.  
3 Q Did you see anything on her that indicated  
4 to you that she had been punched by anyone?  
5 A No.  
6 Q Did you see anything on her that indicated  
7 to you that she had had a phone or any object thrown  
8 at her?  
9 A No.  
10 Q Was the fact that you did not see any marks  
11 on Ms. Heard, was that something that you were  
12 relying on when you said you didn't believe the  
13 allegations?  
14 A No. It was like -- it was like I said, we  
15 watched the news and we saw the pictures. And I saw  
16 the pictures and the next day I saw her, I was like,  
17 come on, really? I couldn't believe it. It was --  
18 I saw her in person.  
19 Q Okay. Can you unpack that a little bit? I  
20 want to make sure I'm following what you're saying.  
21 You're saying you saw the pictures in the  
22 news and you saw her in person.  
23 Can you explain what the difference was  
24 between the pictures that you saw on the news and  
25 what you saw in person?

Page 35

1 A Okay. The pictures I saw on the news, she  
2 got like a big mark on her -- on her eyes and her  
3 cheek. And when I saw her in person, I didn't see  
4 anything.  
5 Q I see. We actually have some security  
6 footage from that time period that I want to show  
7 you so we can see if it's consistent with what you  
8 observed.  
9 First of all, what is the date on this  
10 security video, the one that's been marked as 204A?  
11 A 5-25-16.  
12 Q Was that during the time period that you  
13 saw Ms. Heard in person?  
14 A Probably. I just can't remember the days.  
15 I've got a really bad memory for dates.  
16 Q I see.  
17 I will represent to you that the police  
18 were called on May 21st, 2016 and this security  
19 footage is from May 25th, 2016, so this is the  
20 Wednesday after the Saturday.  
21 Is that during the same timeframe that you  
22 saw Ms. Heard in person?  
23 A That's correct.  
24 Q Do you recognize that person?  
25 A Yes.

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1 Q Who is that?  
2 A That's Amber.  
3 Q Let me back up a little bit.  
4 I want you to look at her, when she comes  
5 in, and tell me whether the way she appears in this  
6 video is consistent with the way she looked when you  
7 saw her in person.  
8 Is that consistent with how Ms. Heard  
9 looked when you interacted with her?  
10 A Yes.  
11 Q In this video, Ms. Heard is giving  
12 Ms. Esparza a key. And last week when we took  
13 Ms. Esparza's deposition, she testified that  
14 Ms. Heard gave her a key to let a housekeeper into  
15 the penthouse.  
16 In your prior deposition, you testified  
17 about Ms. Heard coming back to get a key from you.  
18 Do you recall that?  
19 A Yes, I do remember.  
20 Q Okay. What do you remember about that?  
21 A She just got -- because she likes to travel  
22 a lot and she leaves the keys for her unit at the  
23 front desk. Also, they leave the keys for the  
24 housekeeper.  
25 Q Can you describe the interaction you had

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1 with her when she came to pick up the key.  
2 A She just asked for the envelope for the  
3 key.  
4 Q Do you recall what time period that was?  
5 A I don't, no.  
6 Q I believe you previously testified -- and  
7 let me find the date here.  
8 I want to hand you a transcript of your  
9 prior deposition.  
10 Can you take a look at it and please turn  
11 to page 18. Around --  
12 A Like around 10:30?  
13 Q Yes. Keep reading that page. Let me know  
14 when you're finished.  
15 (Document reviewed by the witness.)  
16 BY MS. BILES:  
17 Q You can go to the next page.  
18 When you finish that page, I'll take it  
19 back from you.  
20 Thank you.  
21 MR. WRENSHALL: Counsel, can I take a look?  
22 BY MS. BILES:  
23 Q Does that refresh your recollection --  
24 A Yes.  
25 Q -- about when you had the key interaction

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1 with Ms. Heard?  
2 A Yes.  
3 Q When did you have the key interaction with  
4 Ms. Heard?  
5 A It was Wednesday, approximately 10:30 p.m.  
6 Q Wednesday of when?  
7 A 25th.  
8 MR. WRENSHALL: I'm sorry. Can you just  
9 tell me what pages?  
10 MS. BILES: Page 18.  
11 MR. WRENSHALL: Okay.  
12 BY MS. BILES:  
13 Q Was that May 25th, 2016?  
14 A That's right.  
15 Q So the day that you interacted with  
16 Ms. Heard about the key to her unit is the same day  
17 that Ms. Esparza interacted with her in this video?  
18 A That's correct.  
19 Q So when you say that Ms. Heard looked the  
20 same when you interacted with her as she looks in  
21 this surveillance video, which we've marked as 204A,  
22 is that because you interacted with her the same day  
23 that this footage was recorded?  
24 A That's correct.  
25 Q Okay. I want to back up to -- you were

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1 talking earlier about providing guests access to the  
2 building, and if a guest appeared, a resident would  
3 tell you to give them access or not; is that right?  
4 A That's correct.  
5 Q Do you recall any circumstances when you  
6 created access to the building for a guest of  
7 Ms. Heard?  
8 A That's correct.  
9 Q What are some of those circumstances that  
10 you remember?  
11 A I remember she used to call me waiting for  
12 a female friend. I can't remember her name. Short  
13 hair. I can't remember her name.  
14 Q Okay. Do you recall any other guests of  
15 Ms. Heard?  
16 A There was a gentleman that used to come.  
17 Q Do you know who the gentleman was?  
18 A Elon Musk.  
19 Q What do you recall about Mr. Musk visiting  
20 Ms. Heard in the Eastern Columbia Building?  
21 A Well, she used to call me telling me her  
22 friend was coming and to give him access to the  
23 garage and into the building and send him up to the  
24 penthouse. And then after probably a couple visits,  
25 Amber provided with a garage remote and a fob.

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1 Q When was the first time that Ms. Heard  
2 asked you to grant Mr. Elon Musk access to the  
3 building?  
4 A I don't recall.  
5 Q Well, in relation to May of 2016, was it  
6 before or after May of 2016?  
7 A It was before.  
8 Q Was it in 2016?  
9 A Yes.  
10 Q Do you recall times earlier than 2016?  
11 A No.  
12 Q Well, let's talk about some specific times  
13 where you specifically remember giving Mr. Musk  
14 access to the building.  
15 What is the first time you remember  
16 Ms. Heard asking you to give him access to the  
17 building?  
18 A I just don't remember the dates or --  
19 approximately the time it will be. Most of the  
20 times it was late at night.  
21 Q When you say "late at night," what do you  
22 mean?  
23 A Talking about -- sorry.  
24 I'm talking about around 11:00 p.m.,  
25 midnight.

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1 Q Near the end of your shift?  
2 A That's right.  
3 Q At those times when Mr. Musk would be  
4 granted access at Ms. Heard's request late at night,  
5 would Mr. Musk leave while you were still on your  
6 shift?  
7 A No.  
8 Q So when you would leave your shift at  
9 1:00 a.m., it was your understanding that Mr. Musk  
10 was still in the building?  
11 A That's correct.  
12 Q Could he have left the building without you  
13 knowing?  
14 A Yes.  
15 Q How would he have been able to leave the  
16 building without you knowing?  
17 A Because I wouldn't be there.  
18 Q But --  
19 A If I was there, I probably would know.  
20 Q So if he left while you were still working  
21 at the front desk and monitoring the security  
22 cameras and fobbing people in and out of the  
23 building, you would have known?  
24 A That's correct.  
25 Q When Mr. Musk visited the building, was

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1 Mr. Depp home?  
2 A No.  
3 Q How frequently did Mr. Musk visit the  
4 building?  
5 A A few times a week.  
6 Q A few times a week.  
7 And you said that was before the incident  
8 in May of 2016; correct?  
9 A That's correct.  
10 MS. BILES: I want to go off the record and  
11 take a quick break.  
12 THE VIDEOGRAPHER: Going off the record at  
13 1:31 p.m.  
14 (Whereupon, a recess was held  
15 from 1:31 p.m. to 1:38 p.m.)  
16 THE VIDEOGRAPHER: Going back on the record  
17 at 1:38 p.m.  
18 BY MS. BILES:  
19 Q Mr. Romero, last week when we took  
20 Ms. Esparza's deposition, she testified about a  
21 conversation that the two of you had last week  
22 concerning a visit by Mr. Musk.  
23 Do you know which conversation I'm talking  
24 about?  
25 A Yes, I do.

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1 Q What do you remember about that  
2 conversation?  
3 What can you tell us about it?  
4 A Well, we were talking about -- I think she  
5 was texting with someone and she was asking me about  
6 Elon Musk.  
7 Q When you say "she," who are you talking  
8 about?  
9 A I'm talking about Trinity.  
10 Q So what did you tell Ms. Esparza about Elon  
11 Musk?  
12 A I told her like -- we were talking about  
13 it, about Elon Musk, and I told her it was really  
14 bad that I saw Elon Musk going inside the penthouse  
15 when Johnny Depp was not home.  
16 Q Was there a specific incident where you  
17 were talking about where you saw Mr. Depp --  
18 Mr. Musk go inside Mr. Depp's penthouse when he  
19 wasn't home?  
20 A Well, I didn't see him going inside, but I  
21 know he went upstairs.  
22 Q But was there a specific time when you knew  
23 that Mr. Depp wasn't home that you knew Mr. Musk  
24 went in?  
25 A Yes. Because I believe at that time Johnny

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1 Depp was in the Caribbean filming a movie.  
2 Q Is there anything else that you can tell us  
3 about when Mr. Musk went to Mr. Depp's penthouse  
4 when he was away filming a movie?  
5 A I saw him a couple of times, but that's --  
6 like I said, we have 147 units. I don't focus on  
7 just one. I just remember him going a couple times  
8 up there. That's all I do remember.  
9 Q But it stood out in your mind that Mr. Musk  
10 was going to visit Mr. Depp's penthouse when he was  
11 not home; is that right?  
12 A That's correct.  
13 Q What made it stand out in your mind?  
14 A Because I didn't see it right.  
15 Q I'm sorry?  
16 A I didn't see it right.  
17 Q Why did it not seem right?  
18 A Because it was late at night.  
19 Q How did you know that Mr. Depp was away?  
20 A Because I knew someone was personal  
21 decorator -- interior decorator for Mr. Depp and we  
22 used to talk about it and she told me like that he  
23 was going to be in the Caribbean filming a movie for  
24 a long time, so that's why I knew he wasn't home.  
25 Q When you say "it wasn't right," can you

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1 tell me what you mean by that?  
2 A Well, she's a female, he's a male. Both of  
3 them by themselves upstairs is -- you know, she's  
4 married. I don't know Elon Musk personally. I  
5 don't know if he's married or not. I don't know  
6 anything about his personal life.  
7 Q Can you help us set this in time a little  
8 bit more?  
9 You mentioned that Mr. Depp was away  
10 filming a movie. I think you said in the Caribbean?  
11 A I think so, yes.  
12 Q Was it "Pirates of the Caribbean"?  
13 A That's correct.  
14 Q Is there anything else that you remember  
15 about the timing of that that would help us know  
16 when these visits took place?  
17 A That's all I can remember. That's what I  
18 emphasize with Trinity. I told her, well, I think  
19 it was wrong for Amber having someone else like -- I  
20 didn't know if he stayed, but I told her staying the  
21 night there. I do remember telling her that, but  
22 I'm not 100 percent sure he stayed the night.  
23 Q But you do know that he came in late at  
24 night while you were on your shift and he had not  
25 left by the time you left your shift at 1:00 a.m.?

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1 A That's correct.  
2 Q Ms. Esparza testified about something  
3 concerning Mr. Depp's finger being injured and  
4 you're saying something about his finger being  
5 injured in relation to these visits by Mr. Musk.  
6 Can you tell us about that.  
7 A I remember -- because I think Johnny Depp  
8 injured his hand when he was filming the movie and  
9 he was going to get surgery on United States, and I  
10 was talking to my friend because he likes to play  
11 music -- Johnny Depp likes to play music and they  
12 were afraid he was not going to be able to play it  
13 anymore. That's how I remember the time.  
14 Q I see.  
15 I just want to make sure I understand the  
16 sequence.  
17 You heard publicly in the media that  
18 Mr. Depp injured his finger while filming a movie;  
19 is that right?  
20 A That's correct.  
21 Q You remember that because you talked to  
22 your friend who is a musician about whether Mr. Depp  
23 would still be able to play music; is that right?  
24 A That's correct.  
25 Q So that is how you know what period of time

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1 you're referring to, because you remember having  
2 these conversations about Mr. Depp's finger?  
3 A That's correct.  
4 Q During the same period of time when you  
5 were hearing about Mr. Depp's finger and talking  
6 about it with your friend, is that the same period  
7 of time when you saw Mr. Musk visiting Ms. Heard at  
8 the penthouse?  
9 A That's correct.  
10 Q So is it fair to say if we can figure out  
11 when Mr. Depp injured his finger, we can figure out  
12 when you saw Mr. Musk visiting the penthouse to see  
13 Ms. Heard?  
14 A That's correct.  
15 Q When these surveillance videos were  
16 collected, they were collected by some lawyers who  
17 were working on behalf of Mr. Depp.  
18 Did you have any interactions with those  
19 lawyers?  
20 A Not at that time I don't think. I don't  
21 think I have -- I saw them in the building, but I  
22 didn't have any time to talk to them.  
23 Q Do you know who they were?  
24 A By this time I couldn't remember.  
25 Q Does the name Jake Bloom ring a bell?

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1 A No.  
2 Q Bloom Hergott?  
3 A Nope.  
4 Q I want to show you some other surveillance  
5 video because you've talked about the elevator and I  
6 just want to see if this video that I have is of the  
7 elevator.  
8 I'm showing you what has been marked as  
9 204C.  
10 What is this surveillance video of?  
11 A Penthouse elevator.  
12 Q What is the date?  
13 A 5-25-16.  
14 Q What is the time?  
15 A 1820.  
16 Q What time of day is that?  
17 A 6:20.  
18 Is it?  
19 Q Was this footage taken during a shift you  
20 were working at the Eastern Columbia Building?  
21 A That's correct.  
22 Q So what is it that we're looking at in this  
23 video?  
24 A Right now it's just the elevator.  
25 Q Do you know which elevator it is?

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1 A Penthouse elevator.  
2 Q Okay. I want to skip forward and show you.  
3 Do the video cameras record continuously?  
4 Are they always recording?  
5 A They record on motion.  
6 Q That's what I was looking for.  
7 I believe you're in this video and I want  
8 you to confirm that it's you and tell me what you're  
9 doing.  
10 Is that you?  
11 A That's correct.  
12 Q What were you doing in this video?  
13 A I just was greeting the resident and he  
14 went upstairs.  
15 Q I see.  
16 If you were fobbing somebody up to the  
17 penthouse, would you go inside the elevator?  
18 How does that work?  
19 A There's -- for the penthouse, there's two  
20 ways to call the elevator. There's the outside --  
21 or the buttons on the outside of the elevator. If  
22 you call the penthouse elevator, you can use the  
23 fob. Most of the times, probably 90 percent of the  
24 times you go inside -- you call the penthouse  
25 elevator with a fob, you can actually press

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1 penthouse. If it doesn't work, you just have to go  
2 inside and use the fob inside the elevator.  
3 Q I see.  
4 When you were giving Mr. Musk access to the  
5 penthouse for Ms. Heard, were you fobbing him up to  
6 the penthouse; is that what you were doing?  
7 A That's correct.  
8 Q So you had to physically walk him to the  
9 elevator and either call the penthouse elevator from  
10 the outside or use the key fob on the inside; is  
11 that right?  
12 A Correct. That's correct.  
13 Q I'm going to ask you if you recognize some  
14 particular residents when I get to the right people.  
15 A That's the same name. That's Amber.  
16 That's another resident.  
17 Q That wasn't Amber Heard?  
18 A Nope.  
19 Q Do you recognize that person?  
20 A I have to look at the face.  
21 Q Let me see if I can back up. Thanks for  
22 your patience. I'm having a little bit of trouble  
23 navigating these.  
24 She just pressed a button?  
25 A She doesn't have a key -- or she didn't use

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1 the key to get the access.  
2 Q Where is she trying to go?  
3 A Penthouse.  
4 Q The penthouse.  
5 So this is what would happen if someone  
6 didn't have a key, they would just press the buttons  
7 and the elevator wouldn't actually go there?  
8 A That's correct. But she does have a fob.  
9 She just doesn't use the fob at the beginning.  
10 Q This video shows her attempting to access  
11 the penthouse without the fob, then using the fob?  
12 A That's correct.  
13 Q Skip ahead.  
14 What floor is this?  
15 A Penthouse level.  
16 Q This is where I want to be.  
17 First when the door opens, I want you to  
18 tell me if you recognize any of the people.  
19 Who is that person?  
20 Do you know either of them?  
21 A I seen her before, but I don't know the  
22 name.  
23 Q What about the person standing outside the  
24 elevator, who is that?  
25 A That's -- that's one of -- one is Amber and

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1 Whitney I believe her name. Amber's sister.  
2 Q I see.  
3 Who is the person who just got in the  
4 elevator, the last one, this woman?  
5 A Is it Amber?  
6 Q Let me back up.  
7 Is that Raquel Pennington?  
8 A That's correct. That's Rocky, yep.  
9 Q Is that Amber Heard standing outside the  
10 elevator?  
11 A Yes.  
12 Q What does she appear to be doing?  
13 A She seems to be eating something.  
14 Q You just laughed.  
15 Why are you laughing?  
16 A She throw something over.  
17 Q In the trash or --  
18 A No. She just throw something over her  
19 shoulder.  
20 Q I see.  
21 In this surveillance video, do you see any  
22 bruises on Ms. Heard's face?  
23 A She has like a mark, but I'm not  
24 100 percent sure. It could be the light.  
25 Q When you interacted with Ms. Heard in

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1 person, you did not see any bruises or marks on her  
2 face; is that right?  
3 A That's correct.  
4 Q And you interacted with Ms. Heard on  
5 May 25th, 2016; is that right?  
6 A That's correct.  
7 Q This is another video.  
8 What is this footage of?  
9 A The elevator.  
10 Q The elevator to the penthouse?  
11 A I need to check.  
12 Yes. That's the elevator for the  
13 penthouse.  
14 Q And what is the date of this?  
15 A 5-24-16.  
16 Q This is after the incident where the police  
17 were called to the penthouse -- strike that.  
18 Earlier we discussed that the police were  
19 called on May 21st, 2016; is that right?  
20 A Correct.  
21 Q This is May 24th, 2016?  
22 A Correct.  
23 Q So it's fair to say this footage was taken  
24 after the incident?  
25 A Correct.

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1 MR. WRENSHALL: Counsel, what exhibit  
2 number is this?  
3 MS. BILES: This is 504D.  
4 MR. WRENSHALL: 204D?  
5 MS. BILES: Yeah. 204D.  
6 BY MS. BILES:  
7 Q Do you recognize the people getting on the  
8 elevator?  
9 A Yes.  
10 Q Who are they?  
11 A That's Amber, Whitney and Rocky.  
12 Q Is there a clear shot of Amber's face in  
13 this video?  
14 A Yes.  
15 Q The side of her face?  
16 A Yes.  
17 Q What side of her face is visible in this  
18 video?  
19 A That would be the right side.  
20 Q In this surveillance video, there are no  
21 marks or cuts or bruises on Ms. Heard's face, is  
22 there?  
23 A That's correct. There's no marks.  
24 Q And that's consistent with how she appeared  
25 to you in person when you interacted with her?

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1 A That's correct.  
2 Q In your hundreds of interactions with  
3 Ms. Heard, did you ever see anything that caused you  
4 concern about her safety or well being?  
5 A No.  
6 Q And that "no" includes the period of time  
7 that you interacted with her after the incident  
8 where she accused Mr. Depp of domestic violence?  
9 A That's right.  
10 Q In your personal observations of Ms. Heard,  
11 did you ever see anything that suggested to you that  
12 she had been the victim of any sort of physical  
13 assault by anyone?  
14 A She doesn't appear.  
15 Q I'm sorry?  
16 A It didn't look like -- she didn't need any  
17 help or she didn't have -- for me, she didn't have  
18 to have any concerns.  
19 Q Why do you say that?  
20 A One, she didn't have any marks. And the  
21 other one, she was acting normal, like nothing ever  
22 happened.  
23 MS. BILES: Let's take a quick break.  
24 Off the record.  
25 THE VIDEOGRAPHER: Going off record at

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1 1:58 p.m.  
2 (Whereupon, a recess was held  
3 from 1:58 p.m. to 2:09 p.m.)  
4 THE VIDEOGRAPHER: Going back on the record  
5 at 2:09 p.m.  
6 BY MS. BILES:  
7 Q Mr. Romero, earlier you testified today  
8 that if we knew when Mr. Depp injured his finger, we  
9 would know when Mr. Musk visited Ms. Heard in the  
10 penthouse.  
11 I will represent to you that Mr. Depp hurt  
12 his finger while filming "Pirates of the Caribbean  
13 5" in March 2015.  
14 Is March 2015 when you personally saw  
15 Mr. Musk visit Ms. Heard in the penthouse?  
16 A Yes. Because I saw -- I saw -- I saw a  
17 picture of Johnny Depp on the boat with something on  
18 his hand and I remember I saw Elon that day.  
19 Q You saw Mr. Musk the same day that you saw  
20 photographs in the news of Mr. Depp with an injured  
21 finger?  
22 A That's correct.  
23 Q So it was March 2015 when Ms. Heard  
24 personally asked you to send Mr. Musk up in the  
25 elevator to her penthouse?

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1 A That's correct.  
2 Q And it was March 2015 when you personally  
3 used a key fob to call the penthouse elevator down  
4 for Mr. Musk to go up to the penthouse?  
5 A That's correct.  
6 Q And you were working from 4:00 p.m. until  
7 1:00 a.m. in March of 2015?  
8 A That's correct.  
9 Sorry. I think that day my schedule was  
10 different. I think I used to work 4:00 to 2:00.  
11 Not 100 percent sure.  
12 Q But in any event, your shift ended in the  
13 early hours of the morning; is that right?  
14 A That's correct.  
15 Q So when Ms. Heard was asking for Mr. Musk  
16 to be sent up to her penthouse, was it late at night  
17 or early in the morning?  
18 A It was late at night.  
19 Q Late at night.  
20 Thank you.  
21 MS. BILES: I don't think I have anything  
22 further.  
23 MR. WRENSHALL: I'm just going to ask a  
24 couple questions.  
25 Is it easier if I switch?

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1 THE VIDEOGRAPHER: Actually, if you could  
2 switch, that would be great. Thank you.  
3 (Brief pause.)  
4 MR. WRENSHALL: We're back on the record.  
5  
6 EXAMINATION  
7 BY MR. WRENSHALL:  
8 Q I just have a few questions for you,  
9 Mr. Romero.  
10 So Ms. Biles had showed you your previous  
11 testimony in the deposition in 2016; is that  
12 correct?  
13 A That's correct.  
14 Q Do you recall testifying about anything in  
15 that deposition in addition to what you testified  
16 about today?  
17 A Something different?  
18 Q Anything in addition to?  
19 A We're talking today about Elon Musk. At  
20 the time it was nothing at all talking about Elon  
21 Musk.  
22 Q But it was relating to -- did you review  
23 video footage at the time?  
24 A If I reviewed video footage of Elon Musk  
25 going into the building?

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1 Q No. I think you misunderstood.  
2 During this deposition, did you review --  
3 I'm sorry.  
4 During this 2016 deposition, did you review  
5 video footage from security cameras in the building?  
6 A Actually, I did that on my own. I just  
7 checked videos, but nothing like -- nothing like  
8 trying to do an investigation or anything. I just  
9 rewind, see a couple images, and that's it. There's  
10 not much to see in the videos.  
11 Q So did you testify previously about  
12 Ms. Heard's appearance after the incident?  
13 A That's correct.  
14 Q And that was in the deposition in 2016; is  
15 that correct?  
16 A That's correct.  
17 Q And you've also testified earlier today  
18 that you had not met with any attorneys of Mr. Depp  
19 after the incident; is that correct?  
20 A That's correct.  
21 Q And you never met Mr. Jake Bloom; is that  
22 correct?  
23 A That's correct. If I do, I don't remember.  
24 MR. WRENSHALL: I think those are all the  
25 questions I have.

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1 MS. BILES: Okay. Same stipulation?  
2 MR. WRENSHALL: I agree.  
3 THE VIDEOGRAPHER: We're off the record at  
4 2:14 p.m. This concludes today's testimony given by  
5 Alejandro Romero. The total number of media used  
6 was one and will be retained by Veritext Legal  
7 Solutions. Thank you.  
8 MR. WRENSHALL: I'll get a rough as soon as  
9 you have it ready.  
10 MS. BILES: We will, too.  
11 (The following stipulation is incorporated  
12 hereto from the deposition of Trinity Corrine  
13 Esparza, taken on January 25, 2019:  
14 "MS. BILES: I offer the  
15 following stipulation for the  
16 record:  
17 "That the court reporter be  
18 relieved of responsibility with  
19 respect to the original  
20 transcript. The original  
21 transcript will be transcribed  
22 and signed by you under penalty  
23 of perjury. The court reporter  
24 is going to send you a copy of  
25 the deposition transcript.


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1 Should we send it to your  
2 home address?  
3 "Once you receive the  
4 transcript, is two weeks enough  
5 time for you to read it and make  
6 any corrections, if necessary?  
7 "THE WITNESS: Yes.  
8 "MS. BILES: We'll go ahead  
9 and send that. Once you receive  
10 the transcript from the court  
11 reporter, you'll have two weeks  
12 to review it, make any  
13 corrections if you think they are  
14 necessary, and you'll sign it.  
15 You will send it back to Brown  
16 Rudnick's office in Irvine,  
17 California. E-mail is fine.  
18 "If we're not notified of any  
19 changes within the two weeks, the  
20 original will be deemed correct  
21 and signed.  
22 And the original transcript  
23 will be maintained by Brown  
24 Rudnick in Irvine, California and  
25 make it available at the time of

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1 any hearing in this matter.  
 2 "If the original transcript  
 3 is not available, a certified  
 4 copy of the same as corrected can  
 5 be used for all purposes for  
 6 which the original could be used.  
 7 "So stipulated?  
 8 "MR. WRENSHALL: So  
 9 stipulated."  
 10  
 11 (Whereupon the deposition proceedings  
 12 were concluded at 2:14 p.m.)  
 13  
 14  
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 25

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1 STATE OF CALIFORNIA )  
 2 COUNTY OF LOS ANGELES ) ss.  
 3  
 4 I, D'Anne Moungey, C.S.R. No. 7872 in and  
 5 for the State of California, do hereby certify:  
 6 That prior to being examined, the witness  
 7 named in the foregoing deposition was by me duly  
 8 sworn to testify to the truth, the whole truth, and  
 9 nothing but the truth;  
 10 That said deposition was taken down by me  
 11 in shorthand at the time and place therein named and  
 12 thereafter reduced to typewriting under my  
 13 direction, and the same is a true, correct, and  
 14 complete transcript of said proceedings;  
 15 That if the foregoing pertains to the  
 16 original transcript of a deposition in a Federal  
 17 Case, before completion of the proceedings, review  
 18 of the transcript { } was { } was not required.  
 19 I further certify that I am not interested  
 20 in the event of the action.  
 21 Witness my hand this 7th day of January, 2019.  
 22  
 23  
 24   
 25 Certified Shorthand Reporter  
 For the State of California

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1 ACKNOWLEDGMENT OF DEPONENT  
 2 I, ALEJANDRO ROMERO, do hereby certify  
 3 that I have read the foregoing transcript of my  
 4 testimony taken on 1/30/19, and further certify  
 5 that it is a true and accurate record of my  
 6 testimony (with the exception of the corrections  
 7 listed below):  
 8 Page Line Correction  
 9 \_\_\_\_\_  
 10 \_\_\_\_\_  
 11 \_\_\_\_\_  
 12 \_\_\_\_\_  
 13 \_\_\_\_\_  
 14 \_\_\_\_\_  
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 18 \_\_\_\_\_  
 19 \_\_\_\_\_  
 20 \_\_\_\_\_  
 21  
 22 Signed under the pains and penalties of perjury  
 23 this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
 24  
 25 \_\_\_\_\_  
 ALEJANDRO ROMERO

25



&	2019 1:23 2:4 6:2	500 4:5	accurate 63:5
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1	202.550.4507 2:23	58 5:6	acknowledgment
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[yep - yep]

yep 52:8

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

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

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

refuse to approve the transcript by not signing it.

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

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

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

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

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

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

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

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

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

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J. Depp Declaration

Exhibit P

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Attorneys for Plaintiffs,  
JOHN C. DEPP, II and INFINITUM NIHIL

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

JOHN C. DEPP, II; SCARAMANGA BROS.,  
INC., A CALIFORNIA CORPORATION;  
L.R.D. PRODUCTIONS, INC., A  
CALIFORNIA CORPORATION, INFINITUM  
NIHIL, A CALIFORNIA CORPORATION

PLAINTIFFS,

vs.

BLOOM HERGOTT DEIMER ROSENTHAL  
LAVIOLETTE FELDMAN SCHENKMAN &  
GOODMAN, LLP, JACOB A. BLOOM AND  
DOES 1-30 JOHN C. DEPP, an individual;  
MIRIAM SEGAL, an individual; BRAD  
FURMAN, an individual; GOOD FILM  
PRODUCTIONS US, INC., a New York  
Corporation; INFINITUM NIHIL, A Californian  
Corporation; And DOES 1-50,

Defendants.

BLOOM HERGOTT DEIMER ROSENTHAL  
LAVIOLETTE FELDMAN SCHENKMAN &  
GOODMAN, LLP,

CROSS-COMPLAINANTS,

CASE NO. BC680066

vs.

JOHN C. DEPP, II; SCARAMANGA BROS.,  
INC., A CALIFORNIA CORPORATION;  
L.R.D. PRODUCTIONS, INC., A  
CALIFORNIA CORPORATION, INFINITUM  
NIHIL, A CALIFORNIA CORPORATION.

CROSS-DEFENDANTS

**DECLARATION OF BRANDON PATTERSON**

I, Brandon Patterson, provide the following Declaration based on personal knowledge, or information that has been provided to me by others with personal knowledge, of the matters set forth herein:

1. I am the General Manager of the Eastern Columbia Building located at 849 South Broadway, Los Angeles, California, 90014.
2. I have been the General Manager of the Eastern Columbia Building since November 2015.
3. I was the General Manager during the period of time when Johnny Depp and Amber Heard resided in the Building in Penthouse 3.
4. I am aware that Ms. Heard has claimed that Mr. Depp physically assaulted her in the Eastern Columbia Building on May 21, 2016.
5. As detailed below, Ms. Heard was repeatedly observed in the Eastern Columbia Building in the multiple days following the alleged assault without bruises, cuts, redness, swelling or any other injuries to her face. These observations were made by people working at the front desk at the Eastern Columbia Building who interacted with Ms. Heard in person and also saw images of her on the Building's surveillance cameras.

6. As further detailed below, Ms. Heard directly requested in 2016 that I and one of my colleagues make a statement to her “sources” at *People Magazine*.

7. One of the surveillance videos, taken the evening of Tuesday, May 24, showed Amber Heard, her sister Whitney Heard, and her friend Raquel Pennington entering the building’s mezzanine. Trinity Esparza showed me a video at the front desk with a pretend punch to the face from one of Ms. Heard’s two companions, and the three of them laughed hard. They then entered the penthouse elevator, where Ms. Heard’s face was clearly visible. There were similarly no bruises, cuts, redness, swelling visible on Ms. Heard’s face.

8. Surveillance video from the Eastern Columbia Building that captured footage of Ms. Heard in the days following the alleged assault without any injuries to her face was collected, preserved, and produced pursuant to subpoena.

**MS. HEARD WAS OBSERVED WITHOUT ANY INJURIES TO HER FACE IN THE DAYS AFTER SHE CLAIMED THAT MR. DEPP PHYSICALLY ASSAULTED HER**

9. For the convenience of residents, the Eastern Columbia Building operates a front desk in the Building’s lobby. Among other things, the front desk performs concierge services, accepts packages for residents and provides access to the building for the residents’ guests.

10. Because of the functions that the front desk performs, front desk staff regularly interacts with Building residents.

11. The Building’s front desk staffing is provided by Tri Provide, LLC and 1 front desk personnel employed by Action Property Management.

12. In 2016, the Building’s front desk was staffed from 8 am to 1 am Monday through Thursday and 24 hours per day on Fridays, Saturdays, and Sundays.

13. As General Manager, one of my job responsibilities is to oversee the third-party contractors that provide services to the Building. I see the people that Tri Provide and Action

Property Management put to work in the Building on a day-to-day basis and receive regular reports from them concerning their work in the Eastern Columbia Building, including their interactions with and observations of the Building's residents and everything related to the property ground.

14. In the following days after Ms. Heard publicly accused Mr. Depp of physically assaulting her on May 21, 2016, at least two of the people who work at the front desk reported to me that, in carrying out their job functions in the Eastern Columbia Building, they interacted with Ms. Heard at various times after the alleged assault.

15. Both Trinity Esparza of Tri Provide and Alejandro Romero of Action Property Management stated to me that they did not observe any bruises, cuts, redness, swelling or any other injuries to Ms. Heard's face when they repeatedly interacted with her in person between May 21, 2016 and May 26, 2016.

16. Ms. Esparza told me that Ms. Heard was not wearing makeup when she interacted with her. It is my understanding that both Ms. Esparza and Mr. Romero were issued subpoenas and testified to their observations of Ms. Heard.

17. Ms. Esparza also reported to me that another Tri Provide contractor, Cornelius Harrell, had interacted with Ms. Heard one on one for between 5-8 minutes around 1 pm on Sunday May 22, the day after the alleged assault and did not observe any injuries on Ms. Heard's face. It is my understanding that Mr. Harrell was issued a subpoena and testified to this observation of Ms. Heard.

18. In addition, Ms. Esparza reported to me that she first observed Ms. Heard with what appeared to be a cut and bruises on her face several days after Ms. Heard alleges that she

was physically assaulted by Mr. Depp, having witnessed Ms. Heard with no cut, bruises or injury in the preceding days.

19. Trinity Esparza informed me that Elon Musk came to Mr. Depp's penthouse shortly after the May 21 incident.

**SURVEILLANCE VIDEOS OF MS. HEARD SHOW HER WITHOUT ANY INJURIES  
IN THE DAYS FOLLOWING HER ALLEGED ASSAULT BY MR. DEPP**

20. For the convenience of residents, the Eastern Columbia Building is outfitted with surveillance cameras that monitor and record activities in, and around the Building, including in its elevators, lobby, and mezzanine level mailroom that exits to the parking garage. In 2016, there were 26 surveillance cameras in all.

21. The images captured on the surveillance cameras are displayed in real time on monitors that are located at my office as well as the Eastern Columbia Building's front desk.

22. Among other things, the people stationed at the front desk by Tri Provide and Action are responsible for viewing the live footage from the surveillance cameras.

23. In addition to the live stream visible to the front desk staff, the footage captured by the surveillance cameras is recorded and maintained by the Building for a period of time. In 2016, that period of time was 26 days.

24. Generally, I have access to recorded surveillance footage on the DVR from the preceding 26 days, as do the Tri Provide and Action Property Management contractors.

25. In the days after she claims that she was physically assaulted by Mr. Depp, Ms. Heard was repeatedly captured on surveillance footage by the Building's security cameras.

26. I, along with Tri Provide and Action Property Management contractors, have viewed some of the recorded surveillance video footage provided to Mr. Depp's lawyers.

**MS. HEARD REQUESTED THAT THE BUILDING MAKE A**

## COUNTERFACTUAL STATEMENT TO *PEOPLE MAGAZINE*

27. On June 9, 2016, over two weeks after she publicly accused Mr. Depp of physical assault, Ms. Heard came to my office to meet with Ms. Esparza and me in person. Ms. Heard at that time presented with a visible cut, bruise and injury to her face, around her cheek and eye.

28. In that meeting, Ms. Heard asked me, while Ms. Esparza was present, to talk to her source at *People Magazine* to deny that building staff had made statements disputing Ms. Heard's abuse allegations.

29. Specifically, Ms. Heard stated that she had "a source" at *People Magazine* who was writing a story about her allegations against Mr. Depp.

30. At that time, there apparently had been statements reported in the media that suggested that Ms. Heard had been seen by people working in the Eastern Columbia Building without any injuries.

31. Ms. Heard asked me and Ms. Esparza to talk with her source at *People Magazine* and state that the Building would not make any comment about its residents.

32. Professionally, I would never have agreed to make any media statement or talk to a reporter or anyone under any circumstances regarding any resident in my position as the General Manager at the Eastern Columbia.

33. I declined, with Ms. Esparza present, to make the statement to Ms. Heard's source at *People Magazine* and directed Ms. Heard to legal counsel for the Eastern Columbia Lofts.

## COLLECTION, PRESERVATION, AND PRODUCTION OF SURVEILLANCE VIDEOS OF MS. HEARD

34. In the summer of 2016, certain recorded footage from some of the surveillance cameras in the Eastern Columbia Building was collected and preserved pursuant to a subpoena issued in divorce proceedings between Mr. Depp and Ms. Heard.

35. I, along with a Tri Provide and Action contractor working at my direction and under my supervision, began assisting lawyers working on behalf of Eastern Columbia Building resident Mr. Depp in the divorce proceedings in identifying and collecting recorded surveillance video. That Tri Provide contractor was Trinity Esparza and Action employee Alex Romero. However, it was taking up too much time so our video surveillance vendor was provided a list of dates and times specifically requested by the attorneys and saved the video in accordance to the request. Therefore, I did not see all of the video or its content in its entirety.

36. The surveillance footage that was sought by Mr. Depp's divorce lawyers contained images of Ms. Heard recorded in multiple days following May 21, 2016—the date on which Ms. Heard alleges that she was physically assaulted by Mr. Depp. Mr. Depp's divorce lawyers viewed the footage on site at the Eastern Columbia Building, using my office.

37. I was issued a subpoena to provide the 87 video clips that the attorneys' representative had identified as relevant and specifically requested by the lawyers, and provided copies of them to Mr. Depp's divorce lawyers in the summer of 2016.

38. I have maintained the 87 surveillance video clips at the Eastern Columbia Building since the summer of 2016.

39. In January 2019, in the *Depp v. Bloom Hergott* case, I received a subpoena for the 87 surveillance video clips. I complied with the subpoena and provided copies of the 87 surveillance video clips to counsel in that case.

40. A subset of the 87 surveillance video clips that I produced pursuant to the January 2019 subpoena are now preserved on a thumb drive that has been marked as Exhibit 204 in the *Bloom Hergott* case. I have reviewed some of the surveillance video clips on Exhibit 204, and the clips provided are true and correct copies of some of the surveillance videos that I preserved



and provided to Mr. Depp's divorce lawyers in the summer of 2016 and produced again in January 2019 pursuant to the subpoena in the *Bloom Hergott* case.

41. I am generally familiar with the contents of the surveillance video clips on Exhibit 204 because I viewed some of them in the summer of 2016 when they were originally preserved, and I viewed some of them again before producing them in the instant case.

I swear, under penalty of perjury, that the contents of this Declaration are true and correct to the best of my knowledge.



Brandon Patterson

J. Depp Declaration  
Exhibit Q



amera2 (5/24/2016 23:18:59:217)



amera2 (5/24/2016 21:17:39:847)



J. Depp Declaration  
Exhibit R

**VIRGINIA :**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

**DECLARATION OF SAMANTHA MCMILLAN**

I, Samantha McMillen, state as follows:

1. I am providing this declaration pursuant to a subpoena. I have first-hand, personal knowledge of the matters set forth herein and if called upon as a witness would and could competently testify thereto.

2. I am a freelance stylist, represented by the agency the Wall Group. Since approximately 2014, I have served as a stylist to Amber Heard, helping her to get ready to appear at major events.

3. On December 16, 2015, I spent much of the day and evening with Amber Heard, preparing her to appear on the James Corden show. I saw her throughout the day of December 16, 2015, in good light, at close range, wearing no makeup. Throughout the day of December 16, 2015, I could see clearly that Amber Heard did not have any visible marks, bruises, cuts, or injuries to her face or any other part of her body. She appeared as a guest on the James Corden show that day. After the show, Ms. Heard said to me "can you believe I just did that show with two black eyes?" Ms. Heard did not have any black eyes, and had been visibly uninjured

throughout the day and at that moment. I later learned that Ms. Heard had accused Johnny Depp, in court filings and the media, of violently abusing her the previous night, December 15, 2015.

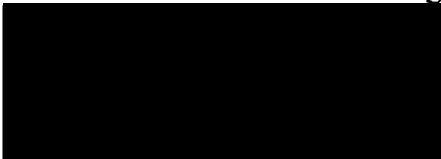
4. As I was leaving Ms. Heard's company on December 16, 2015, I overheard Ms. Heard say to her friend Raquel Pennington, who came to the show with her, "make sure to get those pictures onto my computer," although I did not know to what photos she was referring.

5. Five months later, on May 24, 2016, I interacted closely with Ms. Heard in Mr. Depp's house in West Hollywood. I went to the house around noon, and encountered Amber Heard. Ms. Heard was not wearing makeup. There were no visible marks, bruises, cuts, or injuries to her face or any other part of her body. She came to me at the bottom of the staircase in Mr. Depp's house and gave me a hug, sobbing. After hugging me, she began to yell at Mr. Depp's housekeeper Hilda Vargas.

6. Three days after my encounter with Ms. Heard, on May 27, 2016, I saw in the media that Ms. Heard had gone to Court with prominent injuries visible on her face. I knew that she did not have those marks on her face May 24, 2016 when I was with her, and I knew from news reports that she claimed those injuries occurred when Mr. Depp supposedly violently abused her on May 21, 2016. I was also aware that Mr. Depp left Los Angeles on May 22, 2016. So I knew Mr. Depp could not have caused those marks that Amber Heard appeared with in court on May 27, 2016.

Executed this \_\_\_ day of April, 2019 in \_\_\_\_\_, California.

I declare under the penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

  
Samantha McMillen

J. Depp Declaration  
Exhibit S



September 19, 2011

To whom it may concern,

My name is Amber Heard. I am a proud lawful American citizen.

I am writing this letter in response to a fraudulent report made about my English friend, Savannah McMillen. It has come to my attention that while spending time visiting me in the United States someone made a false claim against her stating, without any proof or corroboration, that she was unlawfully working for me.

As her friend, I can say truthfully and unequivocally that this allegation is entirely false. It was clearly made from the safety of anonymity in order to satisfy a personal vendetta. This allegation absolutely bears no merit, truth or faith.

I would like to go on record saying that Savannah McMillen is a personal friend and to my knowledge has never worked unlawfully in any capacity in the United States. Or for me. I regret that the precious time of our immigration agencies has been bastardized on such a petty personal matter made out of malice, not faith.

I would like to request that this fraudulent report be removed pending the confirmation of its baseless and false stance. I expect the same standards that we hold as pillars in our great justice system, be applied to immigration policies, as they serve at the forefront in representing United States and her values. Since I expect further investigation to reveal the statements made above as true, I hope that your agency will see to it that no further inconvenience will befall my friend in her attempts to continue discovering our beautiful country.

Thank you for your time.  
Sincerely,

  
Amber Heard.

# Exhibit 2

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

**DECLARATION OF KEVIN MURPHY**

I, Kevin Murphy, hereby declare as follows:

1. I am providing this declaration pursuant to a subpoena. I am over the age of 18 and not a party to this action. The facts set forth in this Declaration are personally known to me and I have firsthand knowledge of them. If called upon as a witness, I would and could competently testify to the facts set forth herein.

2. I was previously employed by Johnny Depp (hereinafter "Johnny") for nearly eight years as an Estate Manager. I have worked in a similar capacity for other ultra-high-net worth individuals for over twenty years. I ceased working for Johnny in 2016.

3. As Johnny Depp's Estate Manager, I managed many things including all real properties, which meant I had multiple daily contacts with staff, security and various vendors. I also assisted with personal tasks when necessary. I interacted constantly with Johnny as well as with Johnny's then-wife Amber Lynn Heard (hereinafter, "Amber").

4. When I was formerly employed by Johnny, I spent more time with Johnny and Amber than any other member of their staff. And during my time employed, I witnessed first hand Amber's commission of both violence and verbal abuse of Johnny on multiple occasions. I never once

witnessed Johnny abuse Amber in any way, whether physical or verbal. I never once saw Johnny abuse anyone, male or female, during my entire tenure. I never saw Johnny raise his voice towards anyone during my entire tenure.

5. On Oct 11 and 12, 2015, Amber asked me to call a witness, her former assistant Kate James (hereinafter "Kate"), and ask her on Amber's behalf to lie under oath to an Australian court that was criminally prosecuting Amber. I told Amber that I was uncomfortable with obtaining a false statement, and accordingly, I did not do so. Specifically, Amber wanted Kate to give a false statement that Amber was unaware it would be illegal for her to bring her dogs into Australia. Amber was aware it was illegal, because I had informed her repeatedly by email, phone conversation and in person conversation. Before asking me to call Kate and solicit her perjury to submit to a court, Amber forwarded me an email she had received from her attorney Marty Singer, dated October 11, 2015 at 7:29 AM and attached hereto as Exhibit A. That email from Marty Singer to Amber said: *"if you could get Kate to sign a statement, it could be helpful. I don't know what your relationship with her is at this time since you fired her. You will have to be careful that she will cooperate and will not go public, if you ask her not to be truthful."* Amber responded the same day at 8:58 AM: *"Marty – I'm waiting to hear back from you before I reach out to Kevin to liaise with Kate. AH"* Another email from Amber to me, copying Marty Singer, states "Kevin, do you think you could get her to do it?" Although I did not attempt to solicit perjury from Kate Amber appeared very nervous and concerned when she subsequently told me there was too much risk that Kate would go public with the truth regarding her knowledge that the dogs could not travel to Australia.

6. Shortly after Amber's request that I obtain a false statement from Kate, Amber demanded that I myself make a fraudulent, false witness statement regarding the dogs (Boo and Pistol's)

illegal entrance into Australia. Again I expressed that I was extremely uncomfortable, but was met with the threatening statement from Amber "Well I want your help on this .... I wouldn't want you to have a problem with your job." I now felt a lot of anxiety and extreme uneasiness as I knew I had instructed Amber on several occasions by email ( that Johnny's legal team possesses), in person conversation and numerous phone calls that she could not take the dogs to Australia because the paperwork and proper permits were not complete and the required 10 day quarantine arrangements had not been put in place. I also informed her that the criminal penalties for knowingly smuggling in animals without the proper paperwork could be very severe. I also again reminded her that the requirements were much more stringent and the penalties much more severe than the Bahamas as she had smuggled the dogs in to the Bahamas on a prior occasion without any paperwork.

7. One day I was informed by Johnny in person that Amber had committed a very specific act of violence against Johnny on the deck of one of Johnny's properties just two minutes before I arrived. Johnny told me that Amber became enraged and threw a heavy television remote control so hard into Johnny's forehead that the remote control broke and left the round, swelling lump with a laceration on his forehead that I could clearly see. Johnny had no reaction to being assaulted in this way. In fact he jokingly tried to say "it's no big deal" and simply handed me the broken remote control and asked me if I could get it fixed or replaced. I could tell he was uncomfortable and embarrassed.

8. I read the Declaration submitted by Amber to the Court on May 27, 2016, including events described by Amber that she claimed took place on the evenings of December 15, 2015, April 21, 2016 and May 21, 2016. I recall feeling stunned because had the events occurred as Amber claimed, there would have been noticeable damage both to Amber personally and to property in

the penthouses that I was responsible for, which I could clearly see that there was no physical damage to Amber or any of the properties.

9. Amber has publicly claimed that on December 15, 2015 Johnny savagely beat her so hard in the face and body that the bed broke. Amber and some of her friends who stayed rent-free in Johnny's properties later publicly claimed that on that night of December 15, her nose was nearly broken, tufts of her hair were pulled out, her lip was split, and that she had two black eyes. I went over to Johnny's penthouse at Amber's request the day after she alleged this assault occurred, on December 16, 2015. Shortly after I arrived, Amber called to me from upstairs in the master bedroom. When I went upstairs I found her sitting at the edge of the bed crying. I remember standing straight across from her (about 4 feet away) and feeling uncomfortable that she was crying. She began telling me that Johnny had beaten her up. She said "Johnny hit me hard in the face several times and pulled out my hair." I remember my feelings changing from feeling sorry for her tears to some suspicion because there were no marks on her facial area. I could also not see any area where her hair was pulled out nor did she offer to show me any area on her head where hair could have been pulled out. About an hour or so following this discussion Amber said that she wanted to "show me something in the bedroom of the adjoining penthouse" (PH4). I followed her to the upstairs bedroom of (PH4). She pointed to the carpeting where there was a tuft of hair. She said "Johnny pulled out my hair and there it is." Because I was feeling suspicious due to not observing any physical injuries during our previous conversation I immediately took a picture of the hair with my phone. Recently I was somewhat shocked when I saw a photo on the internet produced to the court by Amber showing the hair she claimed was pulled out by Johnny along with an injury to her head from her testimony of the incident. My suspicion was further aroused, as I recalled the hair looking different than the hair she had shown me. When I looked at

the picture I had taken it looked quite different to me from the picture she presented as evidence. A true and correct copy time, date, and location stamped of the two photographs of Amber's hair "evidence" is attached as Exhibit B. Also, her face, on which she appeared to be wearing no makeup in our long, face-to-face interaction on December 16, 2015, was clearly unmarked. I saw no bruise, cut, swelling, redness or other sign of any injury during our meeting that she requested on December 16, 2015.

10. On April 21, 2016, Amber had a birthday celebration at the condominium she was then residing in with Johnny at 849 S. Broadway in Los Angeles. The following day, Amber and her friends were due to and did go to the Coachella Music Festival. Johnny had requested that I provide Amber all the help I could with the party and along with other employees we spent about 5 hours setting up one of the penthouses for her party. Amber later claimed that Johnny had beaten her on April 21, 2016. Johnny's security detail Sean Bett, who had spent 18 years as an LA Sherriff's Department, told me the next day that Amber had in fact become enraged by Johnny arriving late from a business meeting to her birthday dinner, and punched him repeatedly in the face as he lay reading in bed, forcing Mr. Bett to request a pick up and ride back to his West Hollywood home.

11. On April 22, 2016, I spoke on the telephone with Hilda Vargas, Johnny's housekeeper who was cleaning the 849 S. Broadway condominium that day. Hilda told me that she had discovered feces in Amber and Johnny's bed. Shortly after our telephone call, I received photographs from Hilda of a large amount of feces on top of the bed sheet on Johnny's side of the bed. I was on my way down to the penthouse at the time and when I arrived I was shocked and disgusted by what I observed as human feces on the white bed sheets. The feces did not appear to come from either of Johnny and Amber's two small "teacup" Yorkshire terriers, who weigh approximately 4 pounds each, and whose feces I had seen during my time as their Estate Manager, when I walked and

cleaned up after them on many occasions. Years later, Amber publicly blamed the feces on one of the teacup Yorkies.

12. I sent the pictures I had received from Hilda to Johnny's security guard, Sean Bett. I believed that Sean would have an opportunity to speak with Johnny sooner than I would given that Johnny had a busy calendar that day and I was downtown and Johnny was at another location. Within 24 hours, I also spoke with Johnny personally about the pictures.

13. On May 12, 2016, I received a text and then a telephone call from Amber. A true and correct copy of the text message in which she asked if she could call me is attached as Exhibit C. When I spoke with Amber, she sounded very angry. She told me that she needed her privacy, that she and Johnny were having problems and that my sending the pictures from Hilda was not helping with those problems. She also told me that leaving the feces in Johnny's bed had been "just a harmless prank." In addition, she told me that she was thinking of changing the locks to the condominium. I advised her that I would change the locks if both Johnny and she agreed.

14. On May 21, 2016 at approximately 7:46 p.m., I received a telephone call from both Johnny and Amber who were on speakerphone together. Johnny told me that he was sitting there talking to Amber and he asked me to recount to Amber what I had previously told him about the feces incident the month before. I repeated to Amber again that Hilda had discovered feces on top of the bed sheet in Johnny and Amber's bed and that I had also personally gone over to view the feces on the bed and was 100% certain that it did not look like either of the dogs, but rather appeared to be human feces. I also repeated that Amber had admitted to me she was responsible for what she referred to as a "just a harmless prank." Amber yelled and cursed at me several times, calling me a "fucking liar" over and over. I asked her to stop yelling and swearing at me. I also



heard Johnny in the background quietly saying: "please don't speak to him that way. Be respectful." Then I heard Johnny say that he couldn't do this anymore and wanted a divorce. When Amber would not stop screaming, I hung up the telephone. I received multiple additional telephone calls from the same number in the minutes that followed, but I refused to answer them and take further abuse.

15. Between 8 and 8:15 p.m. that evening, I received a text from Sean Bett indicating that Johnny alone was going to call me shortly from Sean's telephone. A true and correct copy of this text message is attached as Exhibit D. I took the telephone call a few minutes later, and Johnny was extremely apologetic for Amber's behavior and for putting me in the middle of his marital issues. I did not see Johnny that night but during our telephone conversations he was sober, lucid, and calm. He seemed tired and pretty sad, not angry.

Executed this 13 day of May, 2019 in Highwood, Illinois.

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

  
Kevin Murphy 

# K. Murphy Declaration

## Exhibit A

Re: Attorney Privilege - Heard  
Statement-Current draft Inbox



AH



to Martin, Karl, me

Oct 9, 2015 [View details](#)

Great! I will procure that statement ASAP and send it to you guys. Anything in specific that would be extra important/helpful? Please let me know if there's anything that I should specifically asked for... Also, I spoke to Kevin and he said that he sent you guys all of the evidence of the dogs numerous international travels. The only thing that we are missing is evidence of the process being initiated however not completed and therefore the dogs weren't taking on the trip. That is harder to prove obviously since it involves documenting something that DIDNT happen. However, since I know we attempted to bring them at least once before the Australian trip, I can ask Kate to include that in her statement if that would helpful?

Sent from my iPhone

On Oct 9, 2015, at 3:28 PM, Martin Singer  
<[MDSinger@lavelysinger.com](mailto:MDSinger@lavelysinger.com)> wrote:

That would be great



AH

...

to me

Oct 11, 2015 View details

Kevin,

What do you think???

Could you possibly reach out for us??

Do you think you could get her to do it?

Sent from my iPhone

Begin forwarded message:

**From:** "Austen, Karl" <[KAusten@jtwamm.com](mailto:KAusten@jtwamm.com)>

**Date:** October 11, 2015 at 4:50:32 PM GMT+1

**To:** [Martin Singer](mailto:Martin.Singer@lavelysinger.com) <[MDSinger@lavelysinger.com](mailto:MDSinger@lavelysinger.com)>

**Cc:** AH <[arrowsarc@icloud.com](mailto:arrowsarc@icloud.com)>, Jonathan Klein <[jklein@lavelysinger.com](mailto:jklein@lavelysinger.com)>

**Subject:** Re: Attorney Privilege - Heard Statement-Current draft

Indeed

Sent from my iPhone

On Oct 11, 2015, at 07:29, [Martin Singer](mailto:Martin.Singer@lavelysinger.com) <[MDSinger@lavelysinger.com](mailto:MDSinger@lavelysinger.com)> wrote:

Amber

If you look at my email below on October

---

<[MDSinger@lavelysinger.com](mailto:MDSinger@lavelysinger.com)> wrote:

Amber

If you look at my email below on October 9, I responded to Karl's email when he said that he thought you could get Kate to sign a statement " That would be great. "

Therefore if you could get Kate to sign a statement, it could be helpful.

I don't know what your relationship with her is at this time since you fired her. You have to be careful that she will cooperate and will not go public, if you ask her not to be truthful

Sent from my iPad

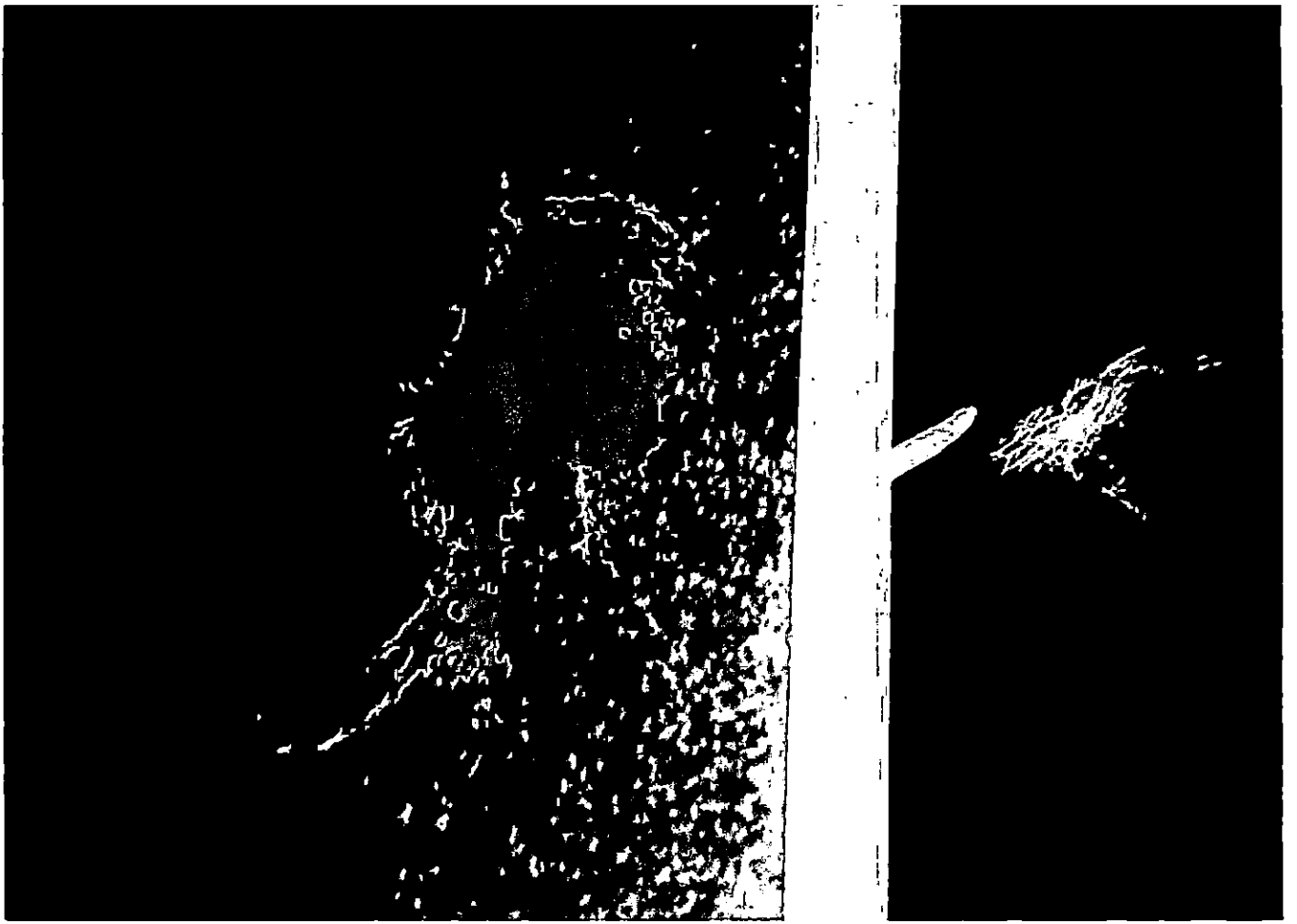
On Oct 11, 2015, at 8:58 AM, AH  
<[arrowsarc@icloud.com](mailto:arrowsarc@icloud.com)> wrote:

Marty - I'm waiting to hear back from you before I reach out to Kevin to liaise with Kate.

A H

# K. Murphy Declaration

## Exhibit B



# K. Murphy Declaration

## Exhibit C



< 45

A

Amber Cell >

way down.

### Text Message

May 12, 2016, 10:39 AM

Can I call you in a bit?

### iMessage

Sure

May 16, 2016, 11:29 AM

Hi Kevin Hope



Text Message



# K. Murphy Declaration

## Exhibit D



Sean Security >

Figures

Thanks

May 21, 2016, 10:00 PM

You at Sweetzer?

J calling u on my  
phone

May 22, 2016, 12:43 AM

Loft front desk said



Text Message

