

On behalf of: Claimant
Witness: Isaac Baruch
No: First
Dated: 12 December 2019

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST
BETWEEN**

Claim No. HQ18M01923

JOHN CHRISTOPHER DEPP II

Claimant

-and-

(1) NEWS GROUP NEWSPAPERS LTD

(2) DAN WOOTTON

Defendants

**FIRST WITNESS STATEMENT OF
ISAAC BARUCH**

I, **ISAAC BARUCH**, of [REDACTED] West Hollywood, California, 90069
WILL SAY as follows:

1. I am an artist and I was invited by the Claimant, John Christopher Depp II, to live and work/paint in Penthouse 2, Eastern Colombia Building, 849 South Broadway, Los Angeles, California (the “**Eastern**”), a condominium unit owned by the Claimant at 849 South Broadway in Los Angeles. I lived in this unit for approximately 3 years and 7 months from March 2013 until November of 2016. I have known Mr Depp for almost 40 years.
2. Unless stated otherwise, the facts and matters referred to in this witness statement are within my own knowledge and true or are true to the best of my knowledge, information and belief based on sources stated within this witness statement.

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3. I make this witness statement in support of the Claimant's claim in these proceedings.
4. I do not know the full details of the Claimant's claims against the Defendants in these proceedings. However, I have been told by Mr Depp's solicitors that these proceedings relate to the allegations that Mr Depp physically abused his former wife, Ms Amber Heard, on, amongst other dates, May 21st, 2016.
5. On May 21st, 2016, I was out in the neighborhood. I arrived at the Eastern at around 9:30 pm, met a friend and we proceeded up to my apartment which is Penthouse 2 on the top floor/roof. Immediately exiting the elevator and at the beginning of the hallway that leads to the 5 penthouses on this floor that Mr Depp owned, we noticed that there was broken glass on the floor from a broken sconce that hung on the wall. We then proceeded to round the corner of the hallway and stopped in front of Penthouse 1, because there was a large puddle of spilt wine along with splashed wine running down the wall directly in front of the door. I said to my friend something like: "*it looks like somebody got hammered, probably these guys had a party*", meaning Ms Heard's friends Raquel Pennington and her fiancé Josh Drew, who lived in Penthouse 1.
6. At that very moment, the door to Penthouse 1 opened and Mr Drew stepped out far enough through the doorway to address me but also to block my view of the apartment inside. I asked Mr Drew what had happened with the spilt wine and he very seriously replied with words to the effect of, "*we kind of had a rough day*". He looked and sounded stressed and a bit worried, so I asked if he was okay and if he needed help, to which he replied: "*No, it's ok, thanks*", or words to that effect. I said that was okay, said goodbye and my friend and I went to my apartment.
7. On May 22nd, 2016, as I left my apartment a bit after noon time, I made my way through the hallway towards the elevator, I met with a congregation of people in front of Penthouse 1. Standing in the hallway and within the open doorway of Penthouse 1 stood Ms Heard, a private security person, two locksmiths who were working on the open door, and Mr Drew. I also saw Ms Pennington within the apartment walking about. I greeted everyone and asked what was going on. Ms Heard, whose demeanor I would describe at that moment as being very animated and in control, informed me that Mr Depp had come by the night before and got violent and that she was now changing the locks on all the doors to Penthouses 1, 3, and 5, and not to worry about the locks on my apartment. At this point she also introduced me to

the private security guy and told me he would be hanging around. I was surprised and taken back as to what she just told me and said something like: “*wait, what happened?*”. Mr Drew then stepped towards me while giving me a head wave to follow him, signalling that he would explain it to me in private. We walked back to my apartment and entered.

8. Once inside, Mr Drew proceeded to tell me that Mr Depp came by last night. He said that Mr Depp was drunk and got angry, told Ms Pennington and Mr Drew that he wanted them to move out and that he pushed Ms Pennington, hit Ms Heard and threw a phone at her. I listened in amazement and in a kind of disbelief trying to visualize what he was telling me. I said words to the effect of, “*wow, this sounds crazy and completely nuts!*” I then took a few seconds of thought and asked him when he and Ms Pennington were planning to move out since Mr Depp was asking them to leave his property, to which he replied that they were going to stay and not move out, so that they can help and protect Ms Heard, just in case Mr Depp should come back and get violent again. This last bit he told me seemed strange to me, because I couldn’t imagine myself being a guest in somebody’s home and being told to leave and then defying the home owner’s wishes. It also seemed strange to me that I just got introduced to a private security guy who was going to be on watch and do exactly what Mr Drew said he and Ms Pennington were staying to do. I just looked at him and said something like, “*this is crazy*” or some words to that effect.
9. We then left my apartment and walked back to Penthouse 1, where I asked Ms Heard about Mr Depp’s actions the night before. She told me that he hit her in the face and threw a phone at her. I then asked her where he had hit her and she stretched her neck and pushed out the right side of her head for me to look at her right eye. We both were standing in front of the open doorway of Penthouse 1. With lights from the hallway and the sunlight that came in through the windows from Penthouse 1, which filled the room and spread into the hallway, it was very easy for me to get an excellent view of Ms Heard’s face. I literally was around 12 inches from her, inspecting her face and I did not see a single mark or evidence of any marks, bruising, or swelling of any kind anywhere on her face. She also definitely didn’t seem to be wearing any makeup at this time of day that could cover any marks or swelling. Her face looked to me just as natural and normal as all the other times I’ve seen it over the past 3 years while hanging out together around the apartments. As I backed away from inspecting her face, I jestfully said something like: “*Well, I don’t see anything, but maybe it’s all that beauty from one side of your face outshining the other side of your face.*” Ms Heard then smiled and laughed at me, while appreciating the compliment, but didn’t offer any excuse as

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to why I couldn't see any marks, bruising, or swelling. At this point I said something to the effect of, "*this all seems so unreal and crazy*" and that I had to get going. I then said my goodbyes to everyone, gave Ms Heard a hug and left the Eastern.

10. The next day, on May 23rd, 2016, Ms Heard knocked on my door somewhere between late morning and early afternoon. Facing each other as I held the door open, she told me that she had to go out and that she wouldn't be home when the cleaning lady was going to come by. She asked me to do her a favor and take her apartment key and let in the cleaning lady when she arrived. I informed her that I couldn't do this for her because I woke not feeling too well with the start of a chest cold and that I'd be upstairs lying down for the day. She seemed a bit distressed at my answer, saying something to the effect of, "*ahh okay, I gotta figure this out*", leading me to think she was only depending upon me to do her this favor. I then told her, "*hey, why don't you put the key in an envelope and bring it downstairs and leave it with Alex or whoever's down there at the concierge desk and just tell Hilda (the usual housekeeper) that you're leaving it there for her?*". She replied, "*yeah, I guess I could do that*" or something to that effect. Once again, exactly as the day before, we stood in an open doorway and I again had an excellent opportunity to take a good look at her face. There was plenty of light at my doorway as we stood no more than 2 to 3 feet away from each other. Again, I saw no marks of any kind on either side of her face. There were no bruises, scratches, redness, dark spots, or swelling of any kind. I told her I was sorry that I couldn't help her and we said goodbye to each other and I closed the door as she walked away.
11. During the day of either Tuesday, May 24th 2016 or Wednesday, May 25th 2016 (I cannot recall exactly which date), I saw Ms Heard again on multiple occasions. The first occasion on this day was when I walked out of my apartment to go downstairs and get something from the coffee shop Il Caffe which is directly out front of the Eastern. As I was closing and locking my door to leave, Ms Heard was arriving with a group of women at her door to Penthouse 3. I knew 3 of the women, Ms Heard, her sister Whitney, and Melanie Iglesias who is Ms Heard's makeup artist friend. At that point while locking my door I addressed them all with my usual "*hey how's it going?*" at which point Whitney Heard came to greet me with open arms shouting, "*Isaac!*". I said, "*Stop, stop, I'm not feeling so hot, I love ya also, but I don't want you getting sick*" or something to that effect, and ducked under her outreached arms and made my way past her to the other women in front of Penthouse 3 who were all laughing at the exchange between Whitney and I. Although I saw Amber Heard only

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briefly this time, I had a casual passing view of her face where nothing out of the ordinary stuck out to me.

12. A short while later was the second time that I saw Ms Heard on this day, when I was coming back in from getting a drink at Il Caffè and Ms Heard was exiting with her group of women. This time we were seeing each other in the lobby with the daylight shining in her face from the glass doors behind me. There was plenty of time for me to look at her face as we were both smiling at each other and acknowledging each other. As I said, "*see ya later*", smiling at her, I saw no evidence of any marks on her face.
13. On either Wednesday, May 25th 2016 or Thursday, May 26th 2016 (I cannot recall exactly which date) I saw Ms Heard for the last time of this particular week of May 23rd 2016 to May 27th 2016. It was early evening time and I was entering the garage lobby to go into the Eastern while Ms Heard and her sister Whitney were entering the garage lobby to exit the Eastern. Naturally, we all three stopped to talk and greet each other. Both Ms Heard and Whitney were in good spirits and they asked me where I was coming from. I told them I finally went to go shopping to get some stuff to see if I finally can get rid of this chest cold bug thing I got. Then Ms Heard asked me if I needed anything else since they were on their way to the pharmacy. I lifted both my arms with the 2 bags I was holding from the supermarket and said "*thanks, but I think I got everything.*" Ms Heard then again asked, "*you, sure, maybe some aspirin or something?*" and I smiled and said, "*I'm sure. It's all good, thanks.*" We then said goodbyes and I went into the Eastern and they went into the garage. This entire exchange took place in the garage lobby which is well lit and has CCTV cameras. We all three were facing each other with Ms Heard and her sister Whitney standing next to each other while I stood facing them both. At no time while looking at Ms Heard's face and eyes while talking with her did I see any type of evidence of markings, bruises, scratches, redness, or swelling of any kind. Ms Heard simply looked the way she always did and our entire conversation was all smiles and good mood - even myself, who had a chest cold bug. This was the last time that I saw and spoke to Ms Heard until the evening of Friday, June 3rd 2016.
14. Although I saw and spoke to Ms Heard within the dates of May 22nd 2016 through May 26th 2016, I was completely unaware of any allegations or restraining orders or any such thing that Ms Heard was alleging and planning. This is simply because she never spoke to me

about it. Ms Pennington never once spoke to me about anything that happened, and both Ms Heard and Mr Drew never even mentioned to me that the police were called on Saturday night May 21st, 2016. From my point of view of knowledge I was clueless of Ms Heard's intentions the entire week of May 23rd-27th 2016.

15. I definitely did assume after three years of what I witnessed and what Mr Depp had confided in me about, that Ms Heard and Mr Depp were definitely going to divorce. I also assumed I would hear about divorcing in a private manner from them. I was therefore astounded and very confused when I saw an internet news report sometime during the weekend of Saturday, May 28th 2016 and Sunday, May 29th 2016, showing Ms Heard with a facial bruise and filing for a domestic violence restraining order. Adding even more surprise and confusion were the photos published in People Magazine online around Wednesday, June 1st 2016, in which Ms Heard was claiming she had injuries. At this point I knew something was very askew because I had first-hand witnessed Ms Heard's face between May 22nd and May 26th, 2016, and there were no marks of any kind to be seen on her face.

16. On Friday, June 3rd 2016, at around 11 pm late evening, I answered the knock at my door and it was Ms Heard. Without really thinking, I just naturally said, "*Hi, how you doing?*". She replied, "*I'm not doing so good, but I made some dinner and I wanted to see if maybe you'd like to come over and eat with me.*" I then said, "*Listen Amber, I really don't think we should talk anymore, because all these pictures and everything I just saw this past week on the internet has got me angry, confused, and very frustrated. So I really think the best thing is that we don't talk ever again.*" She sort of did a double take at me like she was surprised and then said, "*I told Johnny I didn't want anything from him. The lawyers are making me do all this!*" At hearing this from her I sort of phased out of listening to her as she kept speaking. This was because I wasn't about to get into any type of debate with her and my own internal voice was saying, "*how gullible does she think I am, the lawyers do what you agree with and tell them to do.*" Still looking at her, I honed back into her voice just as she, very sincerely sounding, said to me, "*Well, I'm sorry you feel this way.*" I then said, "*okay, goodbye.*" and closed the door on her. In all honesty, I was really disappointed with Ms Heard's tactics. I really thought she had more integrity and emotional understanding of her own resentments toward Mr Depp to avoid going through a divorce in the manner she was.

17. In the 3 years from 2013 to 2016 when Mr Depp, Ms Heard, and I all resided at the Eastern at the same time, Mr Depp had confided in me about Ms Heard's aggressive behavior and temper with him. I have also witnessed Ms Heard harassing and instigating argumentative behavior with Mr Depp while they were on the telephone.
18. Within the first year in 2013 of living in the Eastern, Mr Depp one day knocked on my door to visit. I opened the door to let him in and said, "*Hey, hey, look at this, this is nice, coming to visit.*" He smiled but I noticed that he also seemed down and a bit distraught, like if he was crying. I said, "*Dude, come in, sit down, what's up?*".
19. We both sat down and he started telling me about his relationship with Ms Heard. He said, "*I don't know what to do.*" I said, "*about what?*" He said, "*She likes to argue and she likes to hit.*" I said, "*what do you mean, sexually?*" He smiled and said, "*No. She just wants to argue about stuff all the time and then she'll start hitting me.*" I was kind of surprised when he said this and I asked almost disbelievingly, "*you mean like playful hitting or hit hitting?*". He said, "*Yes, she argues and then she'll just start punching me and wants to fight, I'll try to stop her but she just keeps going to the point where I just stop trying to stop her and say okay go ahead do your worst, get it out of your system.*" He then said, "*I don't know what I'm gonna do, because I'm not gonna hit her, you know me I'm not gonna hit her, I love her.*" We sat in silence for a minute and I thought back to the first time Mr Depp and Ms Heard came into Penthouse 2 to look at paintings. The first thing she had said to me when they walked in was "*I hope we didn't keep you up last night with all of the shouting from our place?*".
20. I then said to Mr Depp, "*listen, I can't tell you who to love or not to love, that's for you to decide, I couldn't even imagine telling anyone who to love, but it seems to me that a healthy relationship brings the best out of people even with ups and downs. Hitting definitely doesn't sound too healthy. I don't know. I'm single - what do I know. Then again, nothing is written in stone John. A relationship doesn't have to last forever. It could last a day, a month, a year, whatever, you know that. But that's for you to decide. You don't have to stay in this relationship if you don't want to. Nothing is written in stone, man.*" We stayed talking a bit longer, but this was the crux of our conversation. I distinctly remember this occasion because it was the first time that we ever had this type of talk with each other.

21. Between March 2013 and May 2016, I've witnessed Mr Depp leave the Eastern residence at least 4 times to take refuge in his home in Hollywood because of Ms Heard's temper and physical abuse towards him. Each of these times he confided in me that it's the same type of situation, where she goes out of control and starts mentally harassing him and then physically abusing him, leaving him no choice but to leave in order to escape the situation.
22. I don't remember the exact year it was when Mr Depp, accompanied by Ms Heard, went to his island to detox from opioids, but I do remember him coming back to the Eastern from this trip to the island. I believe it was Mr Depp's sister, Christi, who knocked on my door and asked me to come over to Penthouse 3 because Mr Depp just arrived home and was asking if I was around to come over.
23. I walked in to Penthouse 3, and sat down with Mr Depp at the kitchen table. I know Christi was present in the apartment with us for sure, because she would add to our conversation every now and then. I'm unsure though of who the other people present were, although I am sure there were other people present. Possibly these were Stephen Deuters or Nathan Holmes, along with possibly the nurse who worked with Dr. Kipper, or it could just have been some of Mr Depp's bodyguards. I would have expected Ms Heard to have been there also, but she wasn't.
24. Talking with Mr Depp, and having past experience with other people who have detoxed, it was obvious that Mr Depp was in a much happier and more acutely present mindset, although emotionally still a bit raw and vulnerable from the detox. We talked about the detox experience and how it was. He then told me it was brutal, but even more brutal because of Ms Heard and how she had tried to control the whole situation on the island, along with holding back the medications that were prescribed to him for the detox.
25. I asked if Ms Heard was here in the Eastern. Mr Depp told me no, he just couldn't have her around, especially after how she had treated him on the island, and that he needed time apart from her right now because she was too overwhelming for him to be around. This made sense to me as the reason why Ms Heard wasn't present, and I understood. In fact, Ms Heard had called while I was there. I was told by one of the people present that day (I do not recall exactly who) that she had been very persistent in calling and trying to talk to him, and not very understanding of Mr Depp needing some time apart, after what happened and how she had treated him on the island.

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26. For the next week or so, I went over and spent time with Mr Depp to talk and listen as he became more settled with his sobriety. I don't remember exactly for how long of a period of time Mr Depp had to keep Ms Heard away from himself, but obviously, he ultimately forgave her and she returned back to be with him in Penthouse 3 again.
27. I will end this witness statement by also saying that in all the years I've known Mr Depp, I have never once seen him commit an act of violence.

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

Signed: 

Isaac Baruch

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