

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

3
4 OFFICER TYLER HADDEN,
5 having been first administered an oath, was
6 examined and testified as follows:

7
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.

1 Q This very handsome lady right here.

2 At the onset, you will be placed under oath.
3 You will then be asked questions which you're expected to
4 answer fully and truthfully under oath. Please do not
5 guess. We request your best present recollection of the
6 facts and events about which you will be questioned. We
7 will presume, therefore, that whatever you testify today
8 is your best present recollection and not a guess.

9 Although this deposition is being held in the
10 informality of these beautiful law offices, this
11 deposition does not have all the solemnity of courtroom
12 testimony. Since you're under oath, your testimony here
13 today will have the same force and effect, however, and
14 be subject to the same penalties as if you were
15 testifying in a courtroom before a judge. Among such
16 penalties to which you're subject is the penalty of
17 perjury. Perjury is defined as willfully and contrary to
18 an oath administered stating as true a material fact
19 which one knows to be false. Perjury is a crime, as you
20 know. Penalties for perjury are set forth in the
21 California Penal Code.

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

1 transcribed.

2 It is therefore vital if at any time you do not
3 hear or do not understand any question, you tell us at
4 once so that we may have the opportunity immediately to
5 repeat or rephrase our question to you. Obviously if you
6 do not promptly tell us otherwise, we'll have no choice
7 but to presume that you did clearly hear and understand
8 each question and that your answer to each question is
9 based upon such complete and full understanding by you.

10 Please remember that the court reporter is only
11 able to transcribe audible responses. So do not of
12 share -- I think it's shake your head, not share your
13 head -- or say merely uh-uh or uh-huh.

14 A Okay.

15 Q Please also remember that the court reporter
16 can record the words of only one person speaking at a
17 time so allow for the question fully to be completed
18 before you seek to respond. If you inadvertently are
19 interrupted before you finish your answer, please tell me
20 immediately. Otherwise, we must assume that your answer
21 was complete and that you had nothing further to say on
22 the subject.

23 A Okay.

24 Q At the conclusion of this session, the reporter
25 will transcribe what has been said into booklet form.

1 You'll have an opportunity to read that booklet and make
2 any changes in the form or substance of the answer to any
3 question that you feel is necessary. Be advised that at
4 the time of trial, you'll be questioned before the judge
5 as to why you made such changes, and we will contend at
6 the time of trial that your memory and recollection here
7 today is as good or better that at any time later.

8 A Okay.

9 Q Can you think of any reason why you've been
10 unable to provide me with accurate and comprehensive
11 answers today?

12 A No.

13 Q Have you ingested any alcoholic beverages in
14 the last 12 hours?

15 A No.

16 Q Okay. Do you believe that your consumption of
17 alcohol could affect -- in the past 24 hours could affect
18 your ability to testify here today?

19 A No.

20 Q Have you taken any medication in the last 12
21 hours?

22 A No.

23 Q Do you feel that you are of sufficient mind to
24 answer questions today?

25 A Yes.

1 Q Okay. I show you a copy -- do we have his
2 deposition notice?
3 MS. SUTTON: I'll pull one for you.
4 MS. BECK: I appreciate that.
5 Q I show you your own copy of the deposition --
6 MS. SUTTON: That's for -- that's for the
7 hearing on the 15th.
8 MS. BECK: Oh, it is?
9 MS. SUTTON: Yes. That's separate.
10 MS. BECK: Okay.
11 MS. SUTTON: I can get you --
12 MS. BECK: Okay.
13 MS. SUTTON: -- one of his --
14 BY MS. BECK:
15 Q I show you --
16 MS. SUTTON: I will show you.
17 BY MS. BECK:
18 Q -- a notice which I'm sure your sergeant or
19 the --
20 A Liaison.
21 Q -- court liaison told you about and never even
22 showed you, but we'll mark it as an exhibit and go from
23 there.
24 A Okay.
25 MS. SPECTOR: You want to go off the record?

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?

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?

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

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?

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?

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

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

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

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 --

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 --

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 --

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

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?

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.

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

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 A 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

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 A 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.

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:

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

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.

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?

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.

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.

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.

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

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

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

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.

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.

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.

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.

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

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 --

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

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

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.

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.

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

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

I, OFFICER TYLER HADDEN, 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 TYLER HADDEN

DEPOSITION ERRATA PAGE

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OFFICER TYLER HADDEN Dated _____

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

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

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

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

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

In witness whereof, I have hereunto subscribed my name.

Dated: July 26, 2016

Pamela J. Felten

PAMELA J. FELTEN
CSR No. 5189

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INCIDENT RECALL

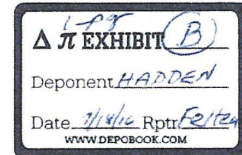
Incident	Time	Type	Pri	Dispo	Address Location BEAT TEAM/Dist AREA	Bldg Apt Address Phone	Caller Name	P-Unit	Close Date/ Time	Operator	
LPD160521005437	22:09	620D	2	GOASN;	849 S BROADWAY 0163 01	3	TELETYPE/NYPD PR/JO WRIGHT 646 644 6847	PD/1A61-W3	05/22/16 03:01	PD/V8970	
								Contact		Complainant: Y	
	<u>Date</u>									<u>Cons Operator</u>	
	05/21/16 22:09	Incident Initiated By: PD/GUERRERO, R-970								J7	PD/V8970
	05/21/16 22:09	TELETYPE FROM NYPD ICAD #D16052125292, FEMALE STATED SHE WAS ON PHONE								J7	PD/V8970
	05/21/16 22:09	WITH HER FRIEND AND SHE BEGAN SCREAMING AT HER HUSBAND, SUBJ ^AMBER								J7	PD/V8970
	05/21/16 22:09	HEARD^, HUSBAND ^JOHNNY HEARD^ M/W 53 YRS, 511, NFD/NFI								J7	PD/V8970
	05/21/16 22:09	Units Recommended: BPD/1A85-W3 PD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3 BPD/1A85-W3								J7	PD/V8970
	05/21/16 22:09	LOC INFO REVIEWED: S								J7	PD/V8970
	05/21/16 22:09	IN PENTHOUSE #3								J7	PD/V8970
	05/21/16 22:09	Apartment Number CHANGED To: 3								J7	PD/V8970
	05/21/16 22:16	Stacked Incident LPDLPD160521005437 To: PD/1A61-W3									
	05/21/16 22:16	Stacked IncAck'd LPDLPD160521005437 By: PD/1A61-W3									
	05/21/16 22:17	Stat: DS PD/1A61-W3 Loc: 849 S BROADWAY								00	PD/41436
	05/21/16 22:17	Stat: ER PD/1A61-W3 Loc: 849 S BROADWAY								00	PD/41436
	05/21/16 22:17	Primary Unit Changed PD1A61-W3								J7	PD/V8970
	05/21/16 22:17	Unit CHANGED To: PD1A61-W3								J7	PD/V8970
	05/21/16 22:24	Stat: AS PD/1A61-W3 Loc: 849 S BROADWAY								00	PD/41436
	05/21/16 23:02	Command : UR PD/1A61-W3 Reassigned								11	PD/N4553
	05/21/16 23:02	Stacked IncAck'd LPDLPD160521005437 By: PD/1A61-W3									
	05/22/16 03:00	Stat: DS PD/1A61-W3 Loc: 849 S BROADWAY								00	PD/41436
	05/22/16 03:01	Stat: AS PD/1A61-W3 Loc: 849 S BROADWAY								00	PD/41436
	05/22/16 03:01	RELATED TO PREV INC. VERBAL ARGUMENT ONLY. CHECKED RES.								00	PD/41436
	05/22/16 03:01	Stat: CL PD/1A61-W3								00	PD/41436
	05/22/16 03:01	Incident Closed: 16/05/22 03:01									
	05/22/16 03:01	Disposition #1 CHANGED To: GOASN:GONE ON ARRIVAL SUPV NO								J7	PD/V8970
	05/22/16 03:01	GOASN:GONE ON ARRIVAL SUPV NO								J7	PD/V8970

Unit Summary

Unit PD/1A61-W3 Dispatch 22:17:02 Enroute 22:17:05 AtScene 22:24:00 Canc Cmp 03:01:39
Dispo GOASN; IncType 620D Int 23:02:33 Tot Int 232 Oper Fr/Dispo PD/N4553

Attached Docs

Call came from teletype printout. No 911 call found from listed phone.



**DECLARATION OF
RAQUEL ROSE PENNINGTON**

EXHIBIT 5
Joshua Drew
11/19/19

Michelle Bulkley, CSR 13658

Heard - MTD Exhibits - 147

233

2 **ATTACHMENT TO FORM DV-100**

3 **DECLARATION OF RAQUEL ROSE PENNINGTON**

4 I, RAQUEL ROSE PENNINGTON, declare as follows:

5 1. I have firsthand personal knowledge of the facts stated herein and if called as a
6 witness, I could and would competently testify thereto.

7 2. I submit this declaration in support of Petitioner AMBER LAURA DEPP's ("Amber")
8 Request for CLETS Domestic Violence Restraining Orders against Respondent John Christopher
9 Depp II aka Johnny Depp ("Johnny").

10 3. I have been friends with Amber since 2003. My fiancé Joshua Drew and I live in
11 one of the condominiums located at 849 South Broadway in Los Angeles. I have a key to the
12 condominium units which Amber shares with Johnny.

13 4. On May 21, 2016, I was in my condominium with Joshua when I received a text
14 message from Amber at approximately 8:06 p.m., asking me to come over to her condominium
15 unit.

16 5. I immediately went over to Amber's place. When I got to the door, I could hear
17 Amber and Johnny arguing inside. I knocked on the locked door, but there was no answer, so
18 I quickly ran back to my apartment to get my key to open Amber's door.

19 6. I returned to Amber's condominium less than a minute later. When I opened the
20 door, I saw Amber by the couch in the living room covering her head with her arms and hands,
21 as Johnny was loudly screaming at her.

22 7. I ran over and stood in between Johnny and Amber, begging Johnny to stop yelling
23 at her. I put my hands out in a defensive manner motioning him to stop. Johnny slapped my
24 hands away and screamed foul obscenities at me. I then tried to covered Amber up with my body
25 to protect her from him.

26 8. Johnny picked up a magnum size bottle of wine and began swinging it like a
27 baseball bat. Wine was flying all over the walls, floors and furniture, and he began using the
28 bottle to smash everything he could.

SPECTOR LAW
1925 CENTURY PARK
EAST, SUITE 200
LOS ANGELES, CA
90067
310.262.9478

2 9. He then charged at Amber, screaming at her to stand up. He repeatedly yelled
3 at Amber to stand up -- about ten times -- and each time, he got closer, louder and more
4 threatening.

5 10. Johnny's security team then arrived, which included Jerry Judge, but they each
6 stood back and did not say or do anything.

7 11. Amber pleaded with Jerry to help and said that if Johnny hit her one more time she
8 was going to call the police.

9 12. Jerry said "Boss. Please."

10 13. Johnny continued screaming and breaking things, before finally walking out of the
11 apartment and into the hallway where he continued screaming and breaking things.

12 14. I could hear Johnny go into Amber's private condominium, where she keeps her
13 personal belongings and artwork, and continue to scream and break things.

14 15. Joshua came into the condominium unit and together we took Amber into our
15 condominium unit for safety.

16 16. I observed that Amber sustained a significant injury to her right eye as a result of
17 the incident with Johnny, as there was redness and swelling. Amber was crying, shaking and very
18 afraid of Johnny.

19 17. Finally, I heard Johnny leave the premises. I then took pictures of Amber's face
20 which are attached as Exhibit "A" to the Declaration of Amber.

21 18. Many times over the past few years, Amber has confided and complained to me
22 about Johnny's abusing her, both physically and verbally.

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19. Except as to that which is based on information and belief, I have personal knowledge of the matters set forth herein and, and if sworn as a witness, I could and would competently testify thereto. This declaration is being submitted in lieu of personal testimony pursuant to *Code of Civil Procedure* §§ 2009 and 2015.5, *California Rules of Court*, Rule 5.118(f), and *Reifler v. Superior Court* (1974) 39 Cal.App.3d 479.

I declare, under penalty of perjury pursuant to the laws of the State of California, that the foregoing is true and correct. Executed this 27th day of May, 2016 at Los Angeles, California.

see facsimile signature on next page
RAQUEL ROSE PENNINGTON

2 19. Except as to that which is based on information and belief, I have personal
3 knowledge of the matters set forth herein and, and if sworn as a witness, I could and would
4 competently testify thereto. This declaration is being submitted in lieu of personal testimony
5 pursuant to *Code of Civil Procedure* §§ 2009 and 2015.5, *California Rules of Court*, Rule 5.118(f),
6 and *Reifler v. Superior Court* (1974) 39 Cal.App.3d 479.

7 I declare, under penalty of perjury pursuant to the laws of the State of California, that the
8 foregoing is true and correct. Executed this 27th day of May, 2016 at Los Angeles, California.

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RAQUEL ROSE PENNINGTON