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Transcript of Jury Trial - Day 2

Date: April 12, 2022
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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Transcript of Jury Trial - Day 2
Conducted on April 12, 2022

1 (305 to 308)

305

1 VIRGINIA:
2 IN THE CIRCUIT COURT OF FAIRFAX COUNTY
3 -----x
4 JOHN C. DEPP, II, :
5 Plaintiff and :
6 Counterclaim Defendant, :
7 v. : Civil Action No.:
8 AMBER LAURA HEARD, : CL-2019-0002911
9 Defendant and :
10 Counterclaim Plaintiff. :
11 -----x
12 JURY TRIAL DAY 2
13 BEFORE THE HONORABLE PENNEY AZCARATE
14 Fairfax, Virginia
15 Tuesday, April 12, 2022
16 10:01 a.m. EDT
17
18
19 Job No.: 443881
20 Pages: 305 - 591
21 Reported by: Judith E. Bellinger, RPR, CRR
22

306

1 Held at:
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307

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Conducted on April 12, 2022

2 (309 to 312)

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<p>1 APPEARANCES CONTINUED</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANT AND COUNTERCLAIM</p> <p>4 PLAINTIFF:</p> <p>5</p> <p>6 ELAINE CHARLSON BREDEHOFT, ESQUIRE</p> <p>7 ADAM S. NADELHAFT, ESQUIRE</p> <p>8 DAVID E. MURPHY, ESQUIRE</p> <p>9 CHARLSON BREDEHOFT COHEN BROWN &</p> <p>10 NADELHAFT, P.C.</p> <p>11 11260 Roger Bacon Drive</p> <p>12 Suite 201</p> <p>13 Reston, VA 20190</p> <p>14 703.318.6800</p> <p>15</p> <p>16 J. BENJAMIN ROTTENBORN, ESQUIRE</p> <p>17 WOODS ROGERS PLC</p> <p>18 10 South Jefferson Street</p> <p>19 Suite 1400</p> <p>20 P.O. Box 14125</p> <p>21 Roanoke, VA 24011</p> <p>22 540.983.7540</p>	<p>1 PROCEEDINGS</p> <p>2</p> <p>3 THE BAILIFF: All rise.</p> <p>4 THE COURT: Good morning.</p> <p>5 Judy, can you hear everything okay</p> <p>6 today?</p> <p>7 COURT REPORTER: Yes.</p> <p>8 THE COURT: Good morning.</p> <p>9 MR. CHEW: Good morning, Your Honor.</p> <p>10 THE COURT: Do we have any preliminary</p> <p>11 matters before the jury comes out?</p> <p>12 MR. CHEW: Yes, Your Honor. We would</p> <p>13 just ask for Your Honor to, please, publish our</p> <p>14 brief demonstrative.</p> <p>15 THE COURT: There's no objection to</p> <p>16 that? People changed places here. I want to make</p> <p>17 sure it's at the right place.</p> <p>18 MR. CHEW: It's a white screen right</p> <p>19 now, so we would ask to publish it now. We tried</p> <p>20 to have it beforehand. It seemed to work.</p> <p>21 THE COURT: If it's a blank screen,</p> <p>22 it's hard to see if it's working or not.</p>
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<p>1 CONTENTS</p> <p>2 EXAMINATION OF ELISA CHRISTINE DEMBROWSKI PAGE</p> <p>3 By Mr. Chew 425</p> <p>4 By Mr. Rottenborn 521</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p>1 MS. VASQUEZ: It's published.</p> <p>2 THE COURT: It is published, but it's</p> <p>3 just a blank screen.</p> <p>4 MR. CHEW: Thank you, Your Honor.</p> <p>5 THE COURT: Okay. Anything else we</p> <p>6 have?</p> <p>7 MR. CHEW: No, Your Honor.</p> <p>8 THE COURT: Everybody ready for the</p> <p>9 jury? Okay.</p> <p>10 (Whereupon, the jury entered the</p> <p>11 courtroom and the following proceedings took</p> <p>12 place.)</p> <p>13 THE COURT: All right. Good morning,</p> <p>14 ladies and gentlemen. If I could have you move</p> <p>15 your water down by your chair, just not have</p> <p>16 anything there. If we get electronics, we mess up</p> <p>17 the electronics, I get in trouble. So, thank you.</p> <p>18 I hope you like the seat that you're</p> <p>19 in. I would like you to stay in that seat for the</p> <p>20 duration, I'd appreciate it. I hope you had a</p> <p>21 good evening. Thank you.</p> <p>22 Thank you for being punctual today, I</p>

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<p style="text-align: right;">313</p> <p>1 appreciate it.</p> <p>2 You can have a seat.</p> <p>3 All right. Are we ready with opening</p> <p>4 statements?</p> <p>5 MR. CHEW: Yes, Your Honor.</p> <p>6 THE COURT: Go ahead, sir.</p> <p>7 MR. CHEW: Good morning.</p> <p>8 My name is Ben Chew. My colleagues and</p> <p>9 I, from Brown Rudnick, are truly honored to</p> <p>10 represent the plaintiff in this case, Johnny Depp.</p> <p>11 Some of you may recognize Mr. Depp from</p> <p>12 seeing him portray characters such as Edward</p> <p>13 Scissorhands or Captain Jack Sparrow from the</p> <p>14 Pirates of the Caribbean movies. For nearly 30</p> <p>15 years, Mr. Depp built a reputation as one of the</p> <p>16 most talented actors in Hollywood. A respected</p> <p>17 artist whose name was associated with success at</p> <p>18 the box office. Today, his name is associated</p> <p>19 with a lot of false statements uttered by his</p> <p>20 former wife, the defendant, Amber Heard, that</p> <p>21 falsely cast Mr. Depp, falsely and unfairly</p> <p>22 characterize, cast Mr. Depp as a villain, a man</p>	<p style="text-align: right;">315</p> <p>1 is no accident, the evidence will show, on the eve</p> <p>2 of her first major acting role in the movie</p> <p>3 Aquaman. The evidence will show that's no</p> <p>4 coincidence.</p> <p>5 The evidence will show the words that</p> <p>6 Ms. Heard used, which are the subject of</p> <p>7 Mr. Depp's defamation suit against her, and there</p> <p>8 are three statements that we respectfully ask each</p> <p>9 of you to focus on.</p> <p>10 Statement number 1, "I spoke up against</p> <p>11 sexual violence and faced our culture's wrath."</p> <p>12 Statement number 2, "Two years ago, I</p> <p>13 became a public figure representing domestic</p> <p>14 abuse." And I want to repeat that because you're</p> <p>15 going to hear that throughout the case because the</p> <p>16 timing here is critical. "Two years ago, I became</p> <p>17 a public figure representing domestic abuse."</p> <p>18 Statement number 3, "I had the rare</p> <p>19 vantage point of seeing, in real time, how</p> <p>20 institutions protect men accused of abuse."</p> <p>21 Ms. Heard did not use Mr. Depp's name</p> <p>22 in the op-ed. She didn't have to. She didn't</p>
<p style="text-align: right;">314</p> <p>1 who violently abused a woman.</p> <p>2 This is a defamation case. It's a case</p> <p>3 about how devastating words can be when they are</p> <p>4 false and uttered publicly. Under the law, a</p> <p>5 person who makes a false statement about someone</p> <p>6 else can be held responsible for the harm that</p> <p>7 results from that falsehood. That's because words</p> <p>8 matter. They paint a picture in our mind based on</p> <p>9 what we have experienced and what we know, or what</p> <p>10 we think we know. And because of that, words can</p> <p>11 evoke strong emotions in the listener and cause</p> <p>12 irreparable harm to a person's reputation. And</p> <p>13 when, like Mr. Depp, your career depends upon your</p> <p>14 image and your reputation, or whether movie</p> <p>15 producers want their films associated with you,</p> <p>16 that harm can be particularly devastating.</p> <p>17 This is a case about the impact of</p> <p>18 Amber Heard's words on Johnny Depp. Specifically,</p> <p>19 the words that she used in an op-ed published in</p> <p>20 the Washington Post in December 2018, which is</p> <p>21 shown on the screens.</p> <p>22 And the op-ed was published, and this</p>	<p style="text-align: right;">316</p> <p>1 have to because the evidence will show that</p> <p>2 everyone in Hollywood, where Mr. Depp and</p> <p>3 Ms. Heard both have their careers, and many others</p> <p>4 outside Hollywood, knew exactly what she was</p> <p>5 talking about when she used the word "Two years</p> <p>6 ago, I became a public figure representing</p> <p>7 domestic abuse." That's because, as the evidence</p> <p>8 will show, and you will hear, two years earlier,</p> <p>9 on May 27th, 2016, Ms. Heard had publicly accused</p> <p>10 Johnny Depp, her husband at the time, of domestic</p> <p>11 abuse.</p> <p>12 You will learn during the trial that</p> <p>13 Ms. Heard's actions were prompted by Mr. Depp's</p> <p>14 request for a divorce. He wanted out. Which</p> <p>15 drove her to concoct, to make up a story that was,</p> <p>16 at first, designed to keep him. And then, when he</p> <p>17 made it clear that finally, after all he had</p> <p>18 endured, he was done, was designed to recast</p> <p>19 herself as an abuse survivor, with Mr. Depp as the</p> <p>20 alleged abuser.</p> <p>21 The evidence will show that six days</p> <p>22 after Mr. Depp requested a divorce, and he did so</p>

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4 (317 to 320)

<p style="text-align: right;">317</p> <p>1 politely, and three days after Ms. Heard's lawyers 2 threatened Mr. Depp with claims of abuse if he did 3 not agree to her financial demands, Ms. Heard 4 arrived at the courthouse in Los Angeles, 5 California to file for a restraining order 6 alleging abuse. 7 Ms. Heard, the evidence will show, that 8 Ms. Heard showed up with a mark on her face that 9 mysteriously appeared six days after she last saw 10 Mr. Depp. And six days before she publicly filed 11 a request for a domestic violence restraining 12 order alleging abuse. 13 The evidence will show that her 14 publicist and the paparazzi were there at the 15 courthouse to document the event, to make sure 16 that Johnny Depp's name was forever associated 17 with the image of an innocent, battered woman. 18 It was a jolt. It was a shocking story 19 splashed across front pages across the country. 20 No one had ever, in five decades, accused Johnny 21 Depp of being violent with a woman. No one had 22 ever accused Mr. Depp of being violent with a</p>	<p style="text-align: right;">319</p> <p>1 to foundation, Your Honor. He has no witnesses. 2 THE COURT: But it's the opening 3 statements. We didn't say anything they couldn't 4 say in opening statements. 5 MR. CHEW: Thank you, Your Honor. 6 THE COURT: Thank you. 7 (Open court) 8 MR. CHEW: No one, as I stated before, 9 no one, had ever, in five decades, no one had ever 10 accused Johnny Depp of being abusive, of any kind, 11 with a woman. That's why it was such a jolt. 12 He had been in other long-term 13 relationships, as I said, he had two children. 14 And no one had even suggested, ever, that he was 15 capable of something like this. By choosing to 16 lie about her husband for her own personal 17 benefit, Amber Heard forever changed Mr. Depp's 18 life and reputation. And you will hear him tell 19 you the dreadful impact that it has had on his 20 life. 21 The evidence you will hear at this 22 trial contradicts the story Ms. Heard presented to</p>
<p style="text-align: right;">318</p> <p>1 woman. 2 He had been in other long-term 3 relationships. He had children. 4 MS. BREDEHOFT: Objection, Your Honor. 5 THE COURT: Excuse me? 6 MS. BREDEHOFT: May we approach? 7 (Sidebar) 8 MS. BREDEHOFT: One of the Motions in 9 Limine that we had was that he couldn't say that 10 he was or was not abused by somebody else, without 11 having the proper foundation to -- 12 THE COURT: We didn't have that. I 13 mean -- 14 MR. CHEW: Yes, I'm sorry, Your Honor, 15 but that was specifically ruled on. It was 16 denied. Come on, you know it was denied. 17 THE COURT: We have the Agreed Order, 18 right? 19 MR. CHEW: Yes, it was denied. I'm an 20 officer of the court. That was clearly denied. 21 She knows that. 22 MS. BREDEHOFT: He had -- it's subject</p>	<p style="text-align: right;">320</p> <p>1 the world in May 2016, and, again, in 2 December 2018. 3 The evidence will show that the last 4 time Mr. Depp and Ms. Heard saw each other before 5 Ms. Heard showed up in court on May 27th, 2016, 6 was May 21st. And that's a very important date, 7 and I will ask you, please, to remember that 8 through the trial. 9 Mr. Depp's mother, Betty Sue, passed 10 away on May 20th after a long illness. When 11 Johnny and his sister Christi had been taking care 12 of his mother for a very long period of time. And 13 for reasons that Mr. Depp will personally explain 14 to you throughout the course of this trial, he had 15 resolved to divorce Ms. Heard. 16 So, on May 21st, Mr. Depp came by the 17 apartment that he shared with Ms. Heard in the 18 Eastern Columbia Building, or ECB, as some people 19 refer to it, to tell her that. To pick up his 20 things and to say goodbye. 21 There's no dispute that soon after 22 Mr. Depp ended things with Ms. Heard and left the</p>

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<p style="text-align: right;">321</p> <p>1 apartment on May 21st, he got on a plane to head 2 out on a European tour, a music tour, for months, 3 with his band the Hollywood Vampires. And 4 Ms. Heard knew that he was going off on tour and 5 out of state when she walked into court to get the 6 restraining order, which she obtained ex parte. 7 It's a Latin word, fancy word, but all it means is 8 that Mr. Depp and his lawyers were not there and 9 had no opportunity to be heard. That's what an 10 ex parte order is. 11 You will hear from the police officers 12 who responded to a 911 call on May 21st, after 13 Mr. Depp left. The police officers will testify 14 that they saw no injuries on Ms. Heard. Both 15 police officers will testify that they saw no 16 injuries on Ms. Heard. Nor did the police 17 officers see any of the property damages that you 18 will hear Ms. Heard claims existed in the 19 apartments that evening. And you will hear those 20 officers, under oath, testify that there was no 21 violence and there was no crime. 22 You will also hear from multiple</p>	<p style="text-align: right;">323</p> <p>1 about it. So you have the alleged victim and the 2 sister laughing about a fake punch. And you will 3 have to decide for yourself, or we ask that you, 4 please, decide for yourself, would anyone ever 5 joke about that if there had been actual abuse? 6 Much less, ask yourself, would a sister ever joke 7 with an alleged victim about being punched by her 8 husband? 9 Of course, none of this contradicting 10 evidence was publicly available when Ms. Heard 11 walked into court on May 27th and got her 12 restraining order. Instead, as you can imagine, 13 the media storm was instantaneous. You will hear 14 about and see some of that media coverage, which 15 published pictures of Ms. Heard walking into 16 court, and other pictures, supposedly showing 17 injuries, supposedly caused by Mr. Depp, a man who 18 had never been accused of abuse of a woman. 19 The evidence will show that Mr. Depp 20 and Ms. Heard eventually settled their divorce out 21 of court. Thereafter, Ms. Heard dismissed her 22 retraining order against Mr. Depp.</p>
<p style="text-align: right;">322</p> <p>1 witnesses who, like the police officers, saw 2 Ms. Heard between May 21 and May 26th. Those are 3 the crucial days between the alleged incident and 4 the day she walked into court with her lawyer and 5 got an ex parte order. 6 And those witnesses will testify that 7 they saw her without any marks, any signs of 8 injury on her face. And you will hear from 9 multiple witnesses, including Brandon Patterson, 10 who is the manager of the Eastern Columbia 11 Building where Mr. Depp and Ms. Heard lived 12 together. You will hear Mr. Patterson say that he 13 saw, and others will say as well, that they saw a 14 surveillance video, from the week of May 21st, 15 that showed Ms. Heard's sister, Whitney, throw a 16 fake punch at Ms. Heard's face. Let's just stop 17 there. This is a surveillance video you will hear 18 about where the sister of the alleged victim threw 19 a fake punch at her sister, which allegedly 20 occurred, this incident, only a couple of days 21 earlier. Ms. Heard acting out being punched, 22 responding to the fake punch, and the two laughing</p>	<p style="text-align: right;">324</p> <p>1 But Ms. Heard's false claim that 2 Mr. Depp had abused her remained in the public 3 sphere. It didn't go away. The images were 4 permanent. And the evidence will show that two 5 years later, which is why we're pointing to that, 6 that reference in the op-ed, in the wake of the Me 7 Too movement and just before the release of 8 Ms. Heard's role in the movie Aquaman, Ms. Heard 9 chose to remind the world about the festering 10 allegations. This time, under the banner of a 11 national -- international newspaper, the 12 Washington Post. 13 In the op-ed, in her op-ed, Ms. Heard, 14 again, painted herself as the innocent victim of 15 abuse, but this time, this time with a wider 16 audience primed to take action against an industry 17 powerhouse accused of abuse. 18 The evidence will show that the clear 19 implication in Ms. Heard's op-ed, that you have in 20 front of you, was that she was the victim of 21 domestic abuse perpetrated by Mr. Depp. The 22 evidence will show that that was a lie, and it</p>

<p style="text-align: right;">325</p> <p>1 remained a lie, when it was repeated and 2 republished two years later. 3 Hollywood studios don't want to deal 4 with the public backlash from hiring someone 5 accused of abuse, even someone with the incredible 6 body of work and record that Mr. Depp can be proud 7 of. A false allegation can devastate a career, 8 and it can devastate a family. And the evidence 9 will show that Ms. Heard's false allegation had a 10 significant impact on Mr. Depp's family and his 11 ability to work in the profession he loved and 12 loved to bring joy to everyone. 13 Ultimately, this trial is about 14 clearing Mr. Depp's name of a terrible and false 15 allegation. We ask you, in the next several 16 weeks, to, please, please, carefully consider the 17 evidence. Assess the reliability and credibility 18 of that evidence, and to make your own 19 determination about what actually happened between 20 Mr. Depp and Ms. Heard. And to tell you more 21 about that, I'm going to turn it over to my 22 colleague, Camille Vasquez, who you had the</p>	<p style="text-align: right;">327</p> <p>1 Christi, and from Mr. Depp that their mother, 2 Betty Sue, was in a constant state of anger that 3 would boil over daily in vicious words and 4 violence directed at her husband and her children. 5 And you will hear how Mr. Depp, who had the 6 personality of his father, coped with that abuse 7 in the same way his father did. He just took it. 8 The evidence will show that Mr. Depp learned that 9 the best way to deal with violence was to leave, 10 to get away from it. Give her time to cool down. 11 But he never turned his back on his mother. 12 Mr. Depp loved his mother and he cared for her 13 until the day she died. You will hear how 14 Mr. Depp came to Los Angeles as a teenager. He 15 first wanted to be a musician, then became an 16 actor, and eventually, thanks to his talent, his 17 dedication, and a lot of hard work, grew into one 18 of the biggest movie stars in the world. He had 19 relationships with major figures in Hollywood and 20 elsewhere, like Winona Ryder, Kate Moss. And 21 before he met Amber Heard, he was with the same 22 woman, Vanessa Paradis, for 14 years. He had two</p>
<p style="text-align: right;">326</p> <p>1 pleasure of meeting yesterday. 2 Thank you all for your attention. 3 THE COURT: Ms. Vasquez. 4 MS. VASQUEZ: Thank you, Ben. 5 THE COURT: You might have to turn it 6 up a little bit. 7 MS. VASQUEZ: Thank you, Ben. And good 8 morning. 9 Over the course of this trial, you're 10 going to have an opportunity to get to know Johnny 11 Depp. Not the characters he has portrayed, but 12 the man himself. You will hear from Mr. Depp 13 directly, but you will also hear from his friends, 14 his family, and employees. You will hear from 15 people who have known him for decades. They have 16 seen him at his best, and they have seen him at 17 his worst. And they will tell you, each of them, 18 that he is a kind soul who had never, and would 19 never raise a hand to a woman. 20 You will hear that Mr. Depp learned, at 21 a very young age, how to coexist with an abusive 22 woman. You will learn from Mr. Depp's sister,</p>	<p style="text-align: right;">328</p> <p>1 children with her. And even though he was a mega 2 star, they had a quiet, domestic life. In fact, 3 you'll hear, as Mr. Chew already told you, that 4 Mr. Depp -- in Mr. Depp's 58 years, not a single 5 woman has ever accused him of violence. And no 6 one in Hollywood or the world had any reason to 7 believe he was an abuser, until Ms. Heard publicly 8 accused him in 2016. 9 You're also going to hear evidence 10 about Ms. Heard. You're going to learn that she's 11 a profoundly troubled person who manipulates the 12 people around her, just as she manipulated 13 Mr. Depp. 14 Ms. Heard came to Los Angeles and 15 started a career in acting after Mr. Depp was 16 well-established as a movie star. Mr. Depp and 17 Ms. Heard first met in 2009 on the set of the film 18 the Run Diaries. There was a significant age 19 difference between them, and at first, he avoided 20 her advances. But she pursued him. She wooed 21 him. The evidence will show that Ms. Heard went 22 to great lengths to win him over by playing the</p>

<p style="text-align: right;">329</p> <p>1 dotting girlfriend, and it worked. He fell head 2 over heels in love with her. 3 Those who watched this relationship 4 develop saw that bond all over the place. You 5 will hear from them in this trial. And over time, 6 the real Ms. Heard began to emerge. She would 7 berate him, scream at him. He would try to 8 appease her and sometimes, just sometimes, things 9 would get better. But it would always happen 10 again. 11 The evidence will show that Mr. Depp 12 started coping with Ms. Heard in the same way he 13 did as a child. He would try to get away, avoid 14 the conflict. But his trying to leave enraged 15 Ms. Heard. She would resort to physical violence, 16 throw things at him, hitting him. She would tell 17 him he was a coward. She would tell him he wasn't 18 man enough because he wouldn't stay and fight with 19 her. 20 You will see that Ms. Heard pointed 21 anger and violence with passion. She would 22 apologize with poetic excuses as if the violence</p>	<p style="text-align: right;">331</p> <p>1 relationship. The one who will strike Mr. Depp to 2 try to keep him from leaving. You will hear from 3 medical professionals who were with Mr. Depp and 4 Ms. Heard, often on a daily basis, for years, 5 including their doctor, David Kipper. 6 And Ms. Heard's personal nurse, her 7 personal assigned nurse, Erin Boerum Falati, who 8 did not see any signs of injuries that Ms. Heard 9 later testified to in graphic detail. 10 Ms. Heard wants you to ignore the 11 testimony of these medical professionals who saw 12 her in real time, just as she wants you to ignore 13 the testimony of the police officers who testified 14 under oath, who saw her on May 21st, 2016, without 15 any injuries. But it is up to you, ladies and 16 gentlemen of the jury, to judge the credibility of 17 these witnesses and that of Ms. Heard. 18 In this trial, Ms. Heard will 19 undoubtedly present photos that supposedly show 20 injuries she sustained as a result of the claimed 21 abuse by Mr. Depp. Here's what you should keep in 22 mind when you see these photographs: First, the</p>
<p style="text-align: right;">330</p> <p>1 just proved how fierce and overwhelming her love 2 for him was. And you're going to hear how when 3 Ms. Heard got violent, Mr. Depp would just 4 retreat. Just as he did with his mother. He 5 would try to leave to get away from her. In her 6 words, Ms. Heard's words, he would split. 7 Mr. Depp would often retreat into bathrooms, lock 8 the doors, wait out Ms. Heard's aggression. But 9 his leaving just provoked her more. You will hear 10 from Mr. Depp's security people, like Sean Bett, 11 about how he had often had to remove Mr. Depp from 12 being with Ms. Heard, screaming at him, taking 13 him, trying to keep him from leaving. You're 14 going to hear evidence that when Mr. Depp and 15 Ms. Heard traveled together, his team routinely 16 had to book an extra room for him so that he had 17 somewhere to go when Ms. Heard became enraged. 18 You'll hear from other witnesses, 19 including Mr. Depp and Ms. Heard's marriage 20 counselor, her name is Dr. Laurel Anderson, who 21 perceived Ms. Heard as the aggressor in the 22 relationship. Ms. Heard, as the aggressor in the</p>	<p style="text-align: right;">332</p> <p>1 evidence and expert testimony from a forensic 2 pathologist, a doctor, will show that the injuries 3 reflected in these photographs are not consistent 4 with the brutal allegations of abuse Ms. Heard has 5 alleged. 6 Second, there are multiple, multiple 7 witnesses, including medical professionals and 8 police officers who will testify that they did not 9 observe the injuries supposedly reflected in these 10 photographs. 11 And you may be wondering, how can that 12 be? Well, you will hear expert testimony that 13 none of these photographs are the originals, not 14 one. And many are stored in an editing program. 15 So they could have been manipulated and cannot be 16 confirmed as authentic. Importantly, you will not 17 see a single photograph of the vast majority of 18 the abuse alleged by Ms. Heard, not one. And 19 there is not a single photograph or video showing 20 Mr. Depp becoming physically violent towards 21 Ms. Heard. 22 The only medical report of an injury</p>

<p style="text-align: right;">333</p> <p>1 during their relationship was a severe one, and it 2 was sustained by Mr. Depp after an argument, 3 shortly after their marriage while the couple was 4 in Australia. You will hear evidence that the 5 people who cared about Mr. Depp were encouraging 6 him to have a prenuptial agreement with Ms. Heard, 7 but she rushed the wedding date and he agreed to 8 get married without one. After the wedding, 9 again, people close to Mr. Depp encouraged him to 10 consider a postnuptial agreement. When the topic 11 came up, Ms. Heard became outraged, as she always 12 did, at the suggestion that Mr. Depp might leave 13 her. 14 She berated him. And when he tried to 15 leave, she became violent. She became so violent, 16 in fact, she threw a vodka bottle at him that hit 17 his hand and exploded. It severed the end of one 18 of his fingers. You'll see pictures of Mr. Depp's 19 severed finger and learn about his emergency 20 medical treatment for that injury, and then you'll 21 learn, and this is important, years later, after 22 they both claimed abuse, that caused Mr. Depp to</p>	<p style="text-align: right;">335</p> <p>1 well-being. 2 So Mr. Depp resolved to finally divorce 3 Ms. Heard and told her, that very day, that he 4 would do so respectfully and, most importantly, 5 discreetly. 6 The evidence will show that on 7 May 21st, 2016, when Mr. Depp went over to the 8 Eastern Columbia Building to gather his things, 9 Ms. Heard caused a final dramatic scene. In the 10 wreckage of their relationship, Ms. Heard turned 11 the final encounter between them into a tale of 12 domestic abuse. Now, I understand that many of 13 you may be asking yourselves, why? Why would 14 Ms. Heard say that Mr. Depp abused her during 15 their relationship if it didn't actually happen? 16 Why would she make up the details, dramatic tales 17 of abuse, that you will surely hear in this 18 courtroom over the coming weeks. By the end of 19 this trial, you will have the answer to that 20 question. The evidence will show exactly who 21 Ms. Heard is. 22 You will hear from Mr. Depp, and other</p>
<p style="text-align: right;">334</p> <p>1 file this very lawsuit, Ms. Heard came up with an 2 elaborate story about what actually happened, 3 according to her, in Australia. And what she said 4 happened was that it was a three-day hostage 5 affair, an episode, where she was violently 6 attacked and then sexually assaulted by Mr. Depp. 7 You will see for yourself that the 8 evidence does not support the story she told after 9 she was sued. 10 You will learn that there came a time 11 when Mr. Depp was done. And you'll learn from 12 him, and he will tell you why. The evidence will 13 show that on May 20th, 2016, Mr. Depp's mother, 14 Betty Sue, passed away. You will hear from 15 Mr. Depp that his mother's passing was the wake-up 16 call that helped confirm what he already knew, 17 that the relationship with Ms. Heard wasn't 18 working, and that Ms. Heard was not going to 19 change. 20 If you've ever lost a parent, you 21 understand how much this experience can change 22 your perspective on what is important for your own</p>	<p style="text-align: right;">336</p> <p>1 witnesses, including their marriage counselor, 2 Dr. Laurel Anderson, that Ms. Heard would go to 3 great lengths and even resort to physical violence 4 to stop Mr. Depp from leaving her. But once 5 Mr. Depp did leave, Ms. Heard tried to avoid 6 public humiliation and present herself as a noble 7 survivor and representative of the Me Too 8 movement. You will hear evidence, including the 9 testimony of Ms. Heard's former personal 10 assistant, Kate James, that Ms. Heard is obsessed 11 with her public image, that's her number one 12 priority. And you will see evidence that after 13 she received a \$7 million divorce settlement from 14 Mr. Depp, Ms. Heard released a public statement 15 claiming she wanted nothing from him and would 16 donate the entire settlement to two charities, the 17 Children's Hospital of Los Angeles, in California, 18 and the American Civil Liberties Union, also known 19 as the ACLU. But then, she did not make the 20 donation. 21 Quite simply, Ms. Heard had publicly 22 cast herself in the role of a domestic abuse</p>

<p style="text-align: right;">337</p> <p>1 survivor. There was no going back. When Mr. Depp 2 finally stood up and fought for his good name in 3 court by filing this lawsuit, Ms. Heard, because 4 she couldn't back down, went all in. After this 5 lawsuit was filed, this is important, the timeline 6 there, after this lawsuit was filed, Ms. Heard 7 started making up more and more alleged incidents 8 of abuse. And if you'll recall, ladies and 9 gentlemen, the headline of the op-ed references 10 sexual violence. But Ms. Heard had never made 11 that accusation against Mr. Depp. It was never 12 part of her allegations of abuse. 13 So what changed? What changed between 14 2016 and 2018? We submit to you and the evidence 15 will show, when she realized the seriousness of 16 what she had alleged, she panicked and she alleged 17 sexual assault. Ms. Heard and her lawyers are 18 going to tell you some truly horrific tales of 19 abuse before this trial is over. But the horrific 20 details are designed, they're designed to shock 21 you and to overwhelm you. They are designed to be 22 explosive and they are designed to distract you</p>	<p style="text-align: right;">339</p> <p>1 did not abuse Ms. Heard. All of this is just 2 meant to distract you from what this case is 3 about. This case is about what Ms. Heard said in 4 her op-ed. The evidence will show that Ms. Heard 5 painted a picture of herself as a heroic, innocent 6 survivor of abuse by Mr. Depp, a beaten woman who 7 finally stood up to her tormenter. The evidence 8 will show that Ms. Heard used her allegations 9 against Mr. Depp to raise her own profile and to 10 advance her own career. The very same day that 11 the op-ed was published under the title "I spoke 12 out against sexual violence," she posted that 13 article, that's now displayed on your screens, and 14 the title on her Twitter page, right along with an 15 announcement that she was becoming an ACLU 16 ambassador on women's rights, to make sure that 17 "women and girls can live free from violence." 18 She presented herself as the face of 19 the Me Too movement. The virtuous representative 20 of innocent women across the country and the world 21 who have truly suffered abuse. The evidence will 22 show that was a lie. And the evidence will show</p>
<p style="text-align: right;">338</p> <p>1 from the evidence and, most importantly, from 2 common sense. That tell you the common sense of 3 the evidence will tell you that it is all a lie, 4 that none of this, not one single alleged incident 5 of abuse could have happened as Ms. Heard claims. 6 Ms. Heard's pattern is consistent, she tells a 7 lie, then covers up that lie with, still, more 8 lies, in a constantly changing, evolving, ever 9 more dramatic story. 10 You're going to hear a lot about 11 Mr. Depp during this trial. Ms. Heard is going to 12 tell you a lot of things about him, that he abused 13 drugs and alcohol, that he used bad, offensive 14 language. And it's true that Mr. Depp has had 15 real struggles with substance abuse in his life. 16 He's not denying that. You may know people close 17 to you who have struggled, too. But struggling 18 with drugs and alcohol doesn't make you an abuser. 19 He has also used some very colorful 20 language. He uses words that I don't use and you 21 probably don't use, and he uses them frequently. 22 Mr. Depp, like all of us, is not perfect. But he</p>	<p style="text-align: right;">340</p> <p>1 that Ms. Heard portrayed Mr. Depp as a 2 representative of abusers everywhere. The agent 3 of her suffering, the villain in her heroic 4 journey. That was a lie too. More than just a 5 lie, it was an act of cruelty. Mr. Depp will go 6 to his grave knowing that whatever he does, there 7 are people out there in this world who will always 8 believe that he abused a woman. 9 This is a case about what Ms. Heard 10 said. It's also a case about what a man named 11 Adam Waldman said. Adam Waldman is a lawyer who 12 has worked for Mr. Depp, after, again, timeline, 13 after Mr. Depp filed this case against her. 14 Ms. Heard filed her own claim against Mr. Depp, 15 which is also the subject of this trial. In her 16 claim, Ms. Heard says that Mr. Depp defamed her 17 because Adam Waldman, his attorney, made some 18 statements to reporters denying the truth of her 19 claims of abuse. 20 Adam Waldman is not in this courtroom. 21 Ms. Heard chose not to name him in her claim. And 22 I won't take up too much of your time with the</p>

<p style="text-align: right;">341</p> <p>1 discussion of her claim against Mr. Depp, except 2 to say a few things. The evidence will show that 3 those statements weren't even made by Mr. Depp, 4 they were made by Adam Waldman. And Mr. Waldman, 5 the evidence will show, is not under Mr. Depp's 6 control. The statements were merely Mr. Waldman's 7 opinions made in justified defense of his client 8 and friend, Mr. Depp. Mr. Waldman believed those 9 statements. And finally, at the end of the day, 10 Mr. Waldman's statements merely reflected the 11 reality that we intend to prove in this trial, 12 that Ms. Heard's portrayal of herself as a victim 13 of domestic violence at the hand of Mr. Depp is a 14 lie. 15 Ms. Heard is a known actress. When she 16 accused Mr. Depp of abuse and painted herself 17 before the world as a representative of abuse 18 victims everywhere, Ms. Heard took on a role of a 19 lifetime. She can't back down. She has been 20 living and breathing this lie for years now. And 21 she has been preparing to give the performance of 22 her life in this trial. This trial is about the</p>	<p style="text-align: right;">343</p> <p>1 (Whereupon, the jury exited the 2 courtroom and the following proceedings took 3 place.) 4 THE COURT: All right. Court is still 5 in session, so, please, be quiet, thank you. 6 All right. So we'll take a recess, 7 then. Let's go until 11:02, okay? 11:02. In 8 recess. 9 MR. CHEW: Thank you, Your Honor. 10 THE BAILIFF: All rise. 11 (Recess taken from : 12 to :) 13 THE BAILIFF: All rise. 14 Please be seated and come to order. 15 THE COURT: All right. Are we ready 16 for the jury? Okay. 17 (Whereupon, the jury entered the 18 courtroom and the following proceedings took 19 place.) 20 THE COURT: All right. Thank you. 21 All right. Opening statements. 22 MR. ROTTENBORN: Yes, Your Honor.</p>
<p style="text-align: right;">342</p> <p>1 evidence. It's about a man's reputation. And 2 it's about his whole life. His ability to walk 3 down the street, look people in the eye, without 4 having them think he's an abuser. It's about the 5 truth. And the truth will come out in this trial. 6 At the end of this trial, we will ask 7 you to render a verdict for Mr. Depp. We will ask 8 you to tell the world that he is not the abuser 9 she described, and that she is not the victim she 10 portrayed. And we will ask you to tell Ms. Heard 11 that what she did was wrong. 12 Thank you very much. 13 THE COURT: Thank you, Ms. Vasquez. 14 It's a little early, but maybe we 15 should go ahead and take our morning break. This 16 is a natural point to have a break before we have 17 another opening statement. 18 So why don't we take a 15-minute 19 recess. 20 Remember, don't discuss the case and 21 don't do any outside research, okay? 22 The jury may go.</p>	<p style="text-align: right;">344</p> <p>1 THE COURT: Mr. Rottenborn. 2 MR. ROTTENBORN: May I approach? 3 THE COURT: Yes, sir. 4 MR. ROTTENBORN: Good morning, 5 everyone. My name is Ben Rottenborn, and together 6 with Elaine and Adam, I represent Amber Heard. In 7 a few minutes, Elaine will get up here and she'll 8 introduce you to Amber, and she will address the 9 allegations that you just heard in Mr. Chew and 10 Ms. Vasquez's opening statement. And she'll 11 explain to you why all those inflammatory things 12 are things that are designed to mislead you. 13 Mislead you from the truth. She'll explain to you 14 what the evidence will show. And that's something 15 that we're going to focus on in this trial. Not 16 attempts to distract you. We're going to focus on 17 the evidence. Not what we wish the evidence 18 showed. Not some crazy conspiracy theories, but 19 what the evidence and the facts actually show. 20 And as you assess the evidence in this 21 trial, I would ask that you keep one question in 22 mind, above all else, which is this: Why are you</p>

<p style="text-align: right;">345</p> <p>1 here? What are you being asked to decide? You're 2 being asked to decide a very simple question, and 3 that question is, were the words that Amber used 4 in the December 18th, 2018 opinion piece, that was 5 published in the Washington Post, protected, free 6 speech under the First Amendment or not? That is 7 the question. And that's what you're being asked 8 to decide. 9 At the end of the trial, the judge will 10 explain to you what the law is on defamation. And 11 what Mr. Depp's burden is to prove in order to 12 establish defamation. And she'll tell you a lot 13 of things about the law. But among them, she will 14 tell you that Mr. Depp will have to prove that the 15 words Ms. Heard used were about him and that they 16 were false. And if he can't do that, and if he 17 can't meet the other elements of the claim, then 18 he loses that claim. 19 And he can't do that. He can't come 20 close to doing that. And for that reason, you're 21 going to hear, in this trial, Mr. Depp's team is 22 going to make it about trying to distract you from</p>	<p style="text-align: right;">347</p> <p>1 to hear a lot of that in this trial. You're going 2 to hear that because that's what Mr. Depp wants to 3 turn this case into. 4 He wants to turn this case into a 5 six-week long, public spectacle of the most 6 intimate aspects of their relationship and their 7 marriage. And you know what? I'm sorry, for 8 that. I'm sorry. I'm sorry, that we're going to 9 have to do that. I'm sorry, that you're going to 10 have to listen to all of it. And I'm sorry, that 11 Amber's going to have to relive that. But that's 12 the case that Johnny Depp chose to bring. And 13 we're not going to stand idly by and let him sling 14 mud at our client and make inflammatory and false 15 statements like you just heard in opening and not 16 let those go unresponded to. But ultimately, what 17 this case is about, is about the First Amendment. 18 About that December 18th, 2018 op-ed piece and 19 whether Ms. Heard's freedom of speech in the First 20 Amendment gives her the right to say the words 21 that she said. That right, that freedom of speech 22 is what Amber Heard is asking you to uphold and</p>
<p style="text-align: right;">346</p> <p>1 that very simple question. Mr. Depp's team is 2 going to try to turn this case into a soap opera. 3 Why? I'm not really sure. Because the evidence 4 isn't pretty for Mr. Depp. It's not. You're 5 going to see who the real Johnny Depp is, behind 6 the red carpets, behind the fame, behind the 7 money, behind the pirate costumes, you're going to 8 see who that man really is. 9 Amber is going to tell you about it. 10 You're going to hear who he really is from other 11 witnesses. And you're going to hear who he really 12 is in his own words, in the vile, graphic, 13 terrible messages that he wrote about Amber and 14 ways he used to describe Amber and what he wanted 15 to do to Amber from the earliest days that they 16 were dating, through their marriage, and after 17 their marriage. You're going to hear about that. 18 But this case isn't about that. This 19 case isn't about a day-to-day chronicle of their 20 marriage. It's not about who's the better spouse. 21 It's not about who you like more. It's not about 22 which party can sling more mud. But you're going</p>	<p style="text-align: right;">348</p> <p>1 protect in this lawsuit. 2 And that's a very simple question. 3 It's a question you can decide this afternoon, and 4 it does not require you to stand and serve as the 5 umpire of two movie stars' imperfect marriage. It 6 doesn't. And so we're going to focus on those 7 words. We're going to look at those words. And 8 as we look at those words, I'd ask you to keep 9 this in mind. Keep in mind what you just saw on 10 the screen from Mr. Chew, when he put up those 11 words. Keep in mind what you didn't see. You 12 didn't see the rest of the opinion piece. And 13 what we'd ask is that as you look at those words, 14 that you look at them in the context of the piece 15 in which they were written. 16 Now, whether you look at them 17 individually or in the context of the piece, 18 doesn't really matter because the words are true. 19 But context matters. And so, what I'm going to do 20 is I'm going to ask Heather to put up the article. 21 Put up the opinion piece, and I'm going to read 22 that to you. And we're going to look at those</p>

<p style="text-align: right;">349</p> <p>1 words in the context of what this piece was about. 2 Because Mr. Depp's team wants to make you think 3 that this was -- that this opinion piece was 4 designed to destroy Johnny Depp. That this was 5 designed to maliciously talk about him and their 6 life together. And it wasn't. So let's take a 7 moment to look at this. And I'm going to read it 8 to you, and I'd ask that you follow along, if you 9 can, but either way, let's take a look at what the 10 piece, as a whole, says. 11 This is the piece that Amber wrote: 12 "I was exposed to abuse at a very young age. I 13 knew certain things early on without ever having 14 to be told. I knew that men had the power, 15 physically, socially, and financially, and that a 16 lot of institutions support that arrangement. I 17 knew this long before I had the words to 18 articulate it, and I bet you learned it young too. 19 Like many women, I have been harassed and sexually 20 assaulted by the time I was of college age. But I 21 kept quiet. I did not expect filing complaints to 22 bring justice, and I didn't see myself as a</p>	<p style="text-align: right;">351</p> <p>1 not just in Hollywood but in all types of 2 institutions, workplaces, places of worship, or 3 simply, in particular, communities. In every walk 4 of life, women are confronting these men who are 5 buoyed by social, economic, and cultural power.. 6 And these institutions are beginning to change. 7 "We are in a transformative political 8 moment. The president of our country has been 9 accused by more than a dozen women of sexual 10 misconduct, including assault and harassment. 11 Outrage over his statements and behavior has 12 energized a female-led opposition. Me Too started 13 a conversation about just how profoundly sexual 14 violence affects women in every area of our lives. 15 And last month, more women were elected to 16 Congress than ever in our history, with a mandate 17 to take women's issues seriously. Women's rage 18 and determination to end sexual violence are 19 turning into a political force. 20 "We have an opening now to bolster and 21 build institutions protective of women. For 22 starters, Congress can reauthorize and strengthen</p>
<p style="text-align: right;">350</p> <p>1 victim. Then, two years ago, I became a public 2 figure representing domestic abuse, and I felt the 3 full force of our culture's wrath for women who 4 speak out. Friends and advisers told me I would 5 never again work as an actress, that I would be 6 blacklisted. A movie I was attached to recast my 7 role. I had just shot a two-year campaign as the 8 face of a global fashion brand, and the company 9 dropped me. Questions arose as to whether I would 10 be able to keep my role of Mera in the movies 11 Justice League and Aquaman. I had the rare 12 vantage point of seeing, in real time, how 13 institutions protect men accused of abuse. 14 "Imagine a powerful man as a ship, like 15 the Titanic. That ship is a huge enterprise. 16 When it strikes an iceberg, there are a lot of 17 people on board desperate to patch up holes, not 18 because they believe in or even care about the 19 ship, but because their own fates depend on the 20 enterprise. 21 "In recent years, the Me Too movement 22 has taught us about how payoff like this works,</p>	<p style="text-align: right;">352</p> <p>1 the Violence Against Women Act. First passed in 2 1994, the act is one of the most effective pieces 3 of legislation enacted to fight domestic violence 4 and sexual assault. It creates support systems 5 for people who report abuse, and provides funding 6 for rape crisis centers, legal assistance programs 7 and other critical services. It improves 8 responses by law enforcement and it prohibits 9 discrimination against LGBTQ survivors. Funding 10 for the act expired in September and has only been 11 temporarily extended. 12 "We should continue to fight sexual 13 assault on college campuses, while simultaneously 14 insisting on fair process for adjudicating 15 complaints. Last month, Education Secretary Betsy 16 DeVos proposed changes to Title IX rules governing 17 the treatment of sexual harassment and assault in 18 schools. While some changes would make the 19 process for handling complaints more fair, others 20 would weaken protections for sexual assault 21 survivors. For example, the new rules would 22 require schools to investigate only the most</p>

<p style="text-align: right;">353</p> <p>1 extreme complaints, and then only when they are 2 made to designated officials. Women on campuses 3 already have trouble coming forward about sexual 4 violence, why would we allow institutions to scale 5 back supports? 6 "I write this as a woman who had to 7 change my phone number weekly because I was 8 getting death threats. For months, I rarely left 9 my apartment, and when I did, I was pursued by 10 camera drones and photographers on foot, on 11 motorcycles and in cars. Tabloid outlets that 12 posted pictures of me spun them in a negative 13 light. I felt as though I was on trial in the 14 court of public opinion, and my life and 15 livelihood depended on myriad judgments far beyond 16 my control. 17 "I want to ensure that woman who come 18 forward to talk about violence receive more 19 support. We are electing representatives who know 20 how deeply we care about these issues. We can 21 work together to demand changes to laws and rules 22 and social norms, and to right the imbalances that</p>	<p style="text-align: right;">355</p> <p>1 did, in fact, report domestic abuse in 2016. 2 Depp's side admits that. She talked about her 3 negative personal experiences and her reactions 4 and opinions after being someone in Hollywood who 5 reported abuse, and the consequences that flowed 6 from that. She talked about what she experienced 7 in the days and months following reporting that 8 abuse. That's what the article is about. 9 The article isn't about Johnny Depp. 10 The article is about the social change for which 11 she is advocating and that the First Amendment 12 protects. And, so, I hope you remember, as this 13 case goes on, that you saw, from Mr. Chew, only 14 the three statements in isolation, because they 15 want you to forget that. They don't want you to 16 pay attention to what the article is about. 17 Now, if it had been Amber's intention 18 to use this article to detail the abuse that she 19 suffered, and that you'll hear about over the 20 course of this trial, believe me, the article 21 would have looked very, very different. She could 22 fill a book with those details. She probably</p>
<p style="text-align: right;">354</p> <p>1 have shaped our lives." 2 I know that was a lot. But that is the 3 central issue in this case. Are those words that 4 Amber wrote, are those protected by the First 5 Amendment? And the answer is, very clearly, yes. 6 So, let's talk about that article for a 7 minute. First of all, the article doesn't mention 8 Depp by name. It never once contains his name in 9 that article. It is not about Amber's 10 relationship with Mr. Depp. There are no details 11 of any abuse in that article. The article is 12 about proposed legislation and strengthening of 13 government laws and policies designed to protect 14 abuse victims and people who report abuse. That's 15 what the article's about. And it was written in 16 the midst of a social movement in which the 17 American Civil Liberties Union, the ACLU, asked 18 Amber to use her platform to speak on these 19 important issues. And that's what she did. 20 To do so, she drew on her experiences 21 as someone who had reported domestic abuse. And 22 there's no question, there is no dispute, that she</p>	<p style="text-align: right;">356</p> <p>1 would have started out by calling out Mr. Depp by 2 name. She probably wouldn't have published it in 3 the Washington Post. She would have described, in 4 great detail, the man who has described himself, 5 the violent side of himself, as the monster. 6 That's what she would have done. The monster. 7 She would have told you about the monster. 8 But she didn't. That wasn't the point 9 of this article. And she was careful to avoid 10 that, even having her lawyer review the article to 11 make sure that it was okay. And she relied on 12 that lawyer's advice, and you'll hear testimony on 13 that during the trial. 14 But because Johnny Depp brought this 15 case and asked for it, all of that is going to 16 come out. Just know that Amber Heard never wanted 17 to unearth, for the public, who the real Johnny 18 Depp is. But that's going to come out over the 19 course of this trial. 20 I would like you to also take into 21 consideration who isn't here today. You don't see 22 the Washington Post sitting here, as a defendant,</p>

<p style="text-align: right;">357</p> <p>1 in this courtroom. Depp didn't sue the Washington 2 Post. He had no interest in doing that. He only 3 sued Amber. He could have sued the Washington 4 Post, they published the article, but he didn't. 5 And he chose to bring Amber to court here in 6 Virginia, where she has no ties, has never lived, 7 he's never lived, where they never spent any time, 8 because he wanted to make her life hard. He 9 wanted to ruin her life. He wanted to destroy 10 her. That's what he did. 11 And I wish I could say that that's 12 surprising. It's certainly disturbing, but it's 13 not surprising, because the evidence will show 14 that, for years, all Mr. Depp has wanted to do was 15 humiliate Amber, to haunt her, to wreck her 16 career. That's what the evidence will show, in 17 his words, that's what he wanted. But he made a 18 mistake bringing this case in Virginia. Because 19 you're the people who are going to hear this case, 20 a qualified, prepared jury who respects the First 21 Amendment. 22 And with that, even though we've looked</p>	<p style="text-align: right;">359</p> <p>1 May 21st, 2016, that Elaine's going to tell you 2 more about, that absolutely were given to her and 3 she took out a domestic violence restraining order 4 that she obtained from the court in California to 5 protect herself. 6 And she was, of course, a public 7 figure. She was a movie star. She didn't want 8 the paparazzi, the press photos. She got those, 9 of course. Who wants to be photographed with a 10 bruised face walking out of court? She didn't 11 want that. And the evidence will show that. But 12 she was a public figure, and two years before she 13 wrote this article, she was a public figure 14 representing domestic abuse. That is 100 percent 15 true. And try as he might to take it away, 16 Amber's freedom of speech gives her the right to 17 say that. 18 Can we pull up slide 2, please. 19 This is the second statement, "I have a 20 rare vantage point of seeing, in real time, how 21 institutions protect men accused of abuse." 22 Once again, that statement is</p>
<p style="text-align: right;">358</p> <p>1 at the article as a whole, I would like to spend a 2 few minutes looking at the individual statements 3 that were made, just as Depp's side showed you, 4 because I think it's important to do that as well. 5 Can we pull up slide 1, please. 6 "Then, two years ago, I became a public 7 figure representing domestic abuse, and I felt the 8 full force of our culture's wrath for women who 9 speak out." 10 There's absolutely nothing false about 11 that statement. First of all, the evidence will 12 show that Amber did suffer domestic abuse at the 13 hands of Johnny Depp. And it took many forms. 14 Physical, sure. But also emotional, verbal, 15 psychological abuse. That's all domestic abuse 16 that she suffered at his hands. So that's the 17 truth. 18 But what else is the truth is that on 19 May 27th, 2016, two years before this opinion 20 piece was published, Amber walked into a courtroom 21 in California with bruises on her face that were 22 given to her by Johnny Depp on that incident on</p>	<p style="text-align: right;">360</p> <p>1 100 percent true. Amber did accuse Johnny of 2 abuse, and she saw how he was protected at the 3 same time that her career took a downturn and that 4 he did everything that he could to try to wreck 5 her career, as the evidence will see. That she 6 accused him of abuse, that statement is true. 7 You don't need to relive every intimate 8 detail of their marriage. You don't need to 9 decide what happened on any individual day of 10 their marriage to determine that the First 11 Amendment protects that statement because it is 12 true. 13 He wants you to forget that. Don't 14 take the bait. 15 Let's pull up the third statement, 16 please. 17 Now, this statement was in the headline 18 of the online edition of the article. "I spoke up 19 against sexual violence and faced our culture's 20 wrath. That has to change." 21 The undisputed evidence in this case 22 will be that Amber did not write these words, did</p>

<p style="text-align: right;">361</p> <p>1 not review these words, did not approve these 2 words. That's how op-eds work. She wrote the 3 article, but she didn't write this headline. And 4 for that reason, that reason alone, it's not 5 defamatory. 6 But here's the thing, like the first 7 two statements, tragically, it's true. Amber did 8 suffer sexual violence at the hands of Depp. And 9 Ms. Vasquez tried to minimize that and tried to 10 make you think that it's all made up. But it's 11 not. You will hear, in the most graphic and 12 horrifying terms, about the violence that she 13 suffered. You'll hear that straight from her. 14 She will get on the stand and she will tell you 15 that. It happened. And by taking out that 16 domestic violence restraining order, by obtaining 17 that from the court, she did speak out against it, 18 and all the other abuse that she suffered. And 19 she said enough is enough, I need to protect 20 myself. She didn't want to do that. She didn't 21 want to be forced to get that restraining order, 22 but she did. She spoke out against the abuse by</p>	<p style="text-align: right;">363</p> <p>1 And one thing that you'll be instructed 2 at the end of the trial, that the Mr. Depp side 3 will try to distract you from, is that any damages 4 that he suffered, and any defamation has to flow 5 from that 2018 opinion piece. This case isn't 6 about the statements made in 2016, even though 7 they're true. This case is about the 8 December 2018 opinion piece. That's what the case 9 is about. 10 And I have to say, it's pretty ironic, 11 it's pretty ironic that a piece that briefly 12 discussed Amber moving on from Johnny Depp, that 13 briefly discussed her life experiences after 14 Johnny Depp, is the very vehicle that he uses to 15 try to keep her from moving on. To try to keep 16 her from living that life, rather than give her 17 her life back. Rather than take personal 18 responsibility for his own actions. It's ironic 19 that he uses that piece to do that. 20 But like I said, it's not surprising, 21 because you will see clear and graphic evidence of 22 his intentions dating back years.</p>
<p style="text-align: right;">362</p> <p>1 doing that. 2 And the evidence will show that she did 3 face our culture's wrath, perhaps demonstrated no 4 more clearly by the fact that she's here today 5 facing the lawsuit brought by an obsessed 6 ex-husband hell bent on revenge. That's why she's 7 here. That's why she's facing our culture's 8 wrath. 9 And as you consider whether these 10 statements are true, I ask you to keep this in 11 mind as well. The evidence will show that in May 12 of 2016, when she obtained the restraining order, 13 Mr. Depp never denied the allegations. In fact, 14 he signed the statement that Amber hadn't made any 15 false statements for financial gain. He signed a 16 statement saying she hadn't made any false 17 statements. And you'll see that in evidence in 18 this trial. And it was only two years later, as 19 his career was in free fall and her career was 20 taking off, that he pounced, that he chose to 21 bring this lawsuit. After saying that she hadn't 22 made false statements.</p>	<p style="text-align: right;">364</p> <p>1 Now, in five or six weeks, Elaine or I 2 will get up here at closing arguments and we'll 3 remind you, we'll remind you what this case is 4 about. We'll remind you that this case is about 5 one piece of paper. Amber's words in this article 6 that wasn't about Depp, wasn't about her marriage, 7 wasn't about her relationship, but it was about 8 life after that. 9 It's about the freedom of speech. It's 10 not about the soap opera that Depp will turn this 11 case into. It's not about who you like better. 12 It's not even about whether you agree with the 13 words that she wrote. It's about her right to 14 speak them. 15 Now, before I sit down, I'd like to 16 briefly discuss some of the damages that Depp 17 alleged in this case, because he can't win the 18 case if he can't show damages. And the evidence 19 will show that he has not suffered one cent of 20 damages from this op-ed, not one. 21 Now, make no mistake, Johnny Depp's 22 reputation is in tatters. His career is in free</p>

<p style="text-align: right;">365</p> <p>1 fall. But it's because of problems that he 2 created. Problems that he is responsible for. 3 And he's here in court asking you to blame Amber 4 for them. But it's not Amber's fault. They're 5 from the choices that he made. You'll hear a lot 6 of evidence in this trial about those choices. 7 You'll hear evidence of crushing drug and alcohol 8 abuse. You'll hear evidence of Depp taking more 9 drugs than you can count. You'll hear evidence 10 that before one of the incidents of abuse, a 11 cross-country plane flight in May 2014 from Boston 12 to Los Angeles, when he kicked Amber in the back 13 on a private jet. You'll hear evidence that he 14 had no food for days, that he had used cocaine, 15 that he had had half a bottle of whiskey, that he 16 had had countless Red Bulls and vodkas, that he 17 had taken pills, and on the plane, decided to top 18 all that off with two bottles of champagne. 19 You'll hear evidence of that. And he blacked out 20 on the plane and he abused Amber, and didn't 21 remember anything about it when he woke up. 22 You'll hear evidence of drug binges</p>	<p style="text-align: right;">367</p> <p>1 trying to get you to buy is that Amber Heard 2 somehow developed a major league level fastball 3 and cut off his finger with a bottle? You'll see 4 the evidence. You'll see that that doesn't make 5 any sense. And you'll hear from Ms. Heard's 6 experts who testify, including orthopedic hand 7 specialists who testified, there's no way that 8 that happened. You'll also see pictures of what 9 Mr. Depp did after he cut off his finger, when he 10 dipped it in blood and paint and wrote graffiti 11 all around the house. That's what you're going to 12 see he did. You're going to ask yourself, how can 13 someone that is blacked out, how can they deny 14 that they abused someone? How can they deny what 15 they were told that they did? 16 He has no credibility when he gets up 17 here now, in this court, and tells you he didn't 18 do this and do that, when he was blacked out. So 19 just remember that. Those were problems that he 20 created. 21 You'll hear evidence that the same 22 addictions that led him to abuse Amber also led to</p>
<p style="text-align: right;">366</p> <p>1 with his good friend, Marilyn Manson. You'll hear 2 evidence about a three-day blackout in Australia 3 that Ms. Vasquez tried to minimize and tell you 4 was false. A three-day blackout in which he 5 abused and sexually assaulted Amber all because 6 she had the courage to confront him about his 7 drinking. Imagine that. A concerned spouse 8 confronts her husband about his drinking and gets 9 rewarded with that. That is what the evidence 10 will show. That is what happened to my client. 11 That three-day blackout that led her to be so in 12 fear for her life that she barricaded herself in 13 her room. That same three-day blackout that kept 14 him from being able to do what he was in Australia 15 to do, which was to film Pirates of the Caribbean 16. His behavior on that trip, both before the 17 blackout and during it, kept him from being a 18 reliable actor. He showed up late to the set. 19 And after that blackout, he was gone from the set 20 for a long time. Now, he did cut off his finger, 21 but the evidence will show my client did not do 22 it. And just imagine this, what Ms. Vasquez is</p>	<p style="text-align: right;">368</p> <p>1 the demise of his career as an actor. Like I 2 said, as you saw with Disney, as the evidence will 3 show with Disney, he was unreliable as an actor, 4 and those same self-destructive tendencies led to 5 financial distress. Quite simply, he was running 6 out of money, and that distress fueled his abusive 7 tendencies toward Amber. And it led the public to 8 think less and less of him. And you will see a 9 parade of witnesses who testify in Johnny's case 10 that all have one thing in common, they all rely 11 on him, they're all on his payroll, for the most 12 part, or they rely on him for some sort of luxury 13 in their life. And you'll see that of these 14 witnesses. So, in a lot of ways, Amber previewed 15 the parade of witnesses when she said, in her 16 op-ed, and I'm going to read from it and quote it 17 here, she said, you'll remember when I said this, 18 "imagine a powerful man as a ship, like the 19 Titanic. That ship is a huge enterprise. When it 20 strikes an iceberg, there are a lot of people on 21 board desperate to patch up holes, not because 22 they believe in or even care about the ship, but</p>

<p style="text-align: right;">369</p> <p>1 because their own fates depend on the enterprise." 2 Remember that as Depp's witnesses take 3 the stand. None of them know what happened behind 4 closed doors between him and Amber. None of them 5 can testify to that. Remember that these are 6 people who care about their own financial 7 well-being, just as was previewed in that article, 8 and they know what happens to people that stand up 9 to Depp. They know what happens because they've 10 seen it. They've seen it with Amber, and they've 11 seen it with other people in his life who had the 12 courage to ask him to change, and who he lashed 13 out against. These are people who helped enable 14 the man who describes himself as the monster. 15 Make no mistake, this man's poor 16 choices have brought him to this courtroom. His 17 own bad behavior, his own refusal to commit to 18 sobriety, his own violence, his poor choices and 19 the people who have spoken up against it, they're 20 the ones that have suffered the consequences. 21 You'll hear evidence that he fired his longtime 22 agent, that he got rid of his business managers</p>	<p style="text-align: right;">371</p> <p>1 6, which was a movie that hasn't been made, but 2 that Disney wasn't going to cast him in it because 3 of Amber's article. But there's no evidence of 4 that. The evidence will actually show that months 5 before the op-ed, it was reported that Disney was 6 considering dropping him from Pirates 6. The 7 evidence will show that Disney had a dossier that 8 had articles from the press, had other information 9 about Mr. Depp, and they didn't have this article, 10 at all, in their files. It didn't register with 11 them. Just as it didn't register with the public. 12 The public had known, since 2016, what Amber had 13 to say about Johnny Depp. This didn't change any 14 of that. 15 The evidence will also show that he 16 said he would not make Pirates 6, even if Disney 17 paid him far more money than he'd ever made on a 18 film. That's what the evidence will show. So any 19 damages that he suffered in his career are not 20 because of this op-ed. And it's time to make 21 Johnny take responsibility. To tell him, 22 Mr. Depp, stop blaming other people for your</p>
<p style="text-align: right;">370</p> <p>1 and his law firms that had represented him for 2 years. And no one has suffered from his refusal 3 to take accountability more than Amber Heard. 4 You'll hear evidence that two years 5 before the op-ed, two years before that, Mr. Depp 6 brought someone else into his life who helped 7 convince him to blame other people. That man, 8 Adam Waldman, who Ms. Vasquez introduces you to, 9 had never met Mr. Depp while he was in a 10 relationship with Ms. Heard, or while he was 11 represented by his agents or his former business 12 managers. But he convinced him that all these bad 13 things that were happening in his life, he helped 14 convince him of this, were other people's fault. 15 And you'll hear evidence of that. Why didn't he 16 take responsibility for cleaning himself up? Depp 17 chose to blame other people. That's why we're 18 here. And the evidence will show you, crystal 19 clearly, that the op-ed had nothing to do with 20 damages that he suffered. 21 He's going to try to make it sound like 22 this caused him to lose Pirates of the Caribbean</p>	<p style="text-align: right;">372</p> <p>1 self-created problems. To take responsibility for 2 your own life. And it's up to you, ladies and 3 gentlemen, to make him do that. It's up to you 4 because you are uniquely qualified to do that. No 5 one else has the power to do that, only you, to 6 tell him, enough is enough. To stand up for the 7 First Amendment. To stand up for the truth and 8 Amber's right to speak it. Thank you. 9 THE COURT: All right. Thank you, 10 Mr. Rottenborn. 11 Ms. Bredehoff. 12 MS. BREDEHOFT: I'm going to need to 13 switch out. 14 THE COURT: Okay. 15 MS. BREDEHOFT: Thank you, Your Honor. 16 Good morning, still. It's good to see 17 you all again. And thank you, again, very much. 18 Ben told you we will be relying on the 19 evidence, rather than the hyperbole and the 20 personal attacks, and he was right. The evidence 21 in this case, simply put, is overwhelming and 22 compelling. In the six weeks, we're going to try</p>

<p style="text-align: right;">373</p> <p>1 to show you as much as we possibly can. There are 2 many, many, many photographs. Now, you heard 3 Ms. Vasquez try to say, oh, you can't trust those, 4 they're not the originals. She's got that wrong. 5 It's not from the original devices. Ms. Heard 6 took all kinds of photographs and her friends took 7 photographs, and all of those remained on the 8 cloud, and all of them have been imaged, and all 9 of them have been examined by their IT experts and 10 they cannot discredit one photograph. When she 11 says, oh, it's got a photo editing thing. Well, 12 all iPhones have the photo editing where you can 13 make it a little lighter, little darker, you can 14 move it to the center or not. That doesn't 15 discredit the photographs, and we will have an IT 16 expert who will testify all of these are 17 legitimate, authentic photographs. Not only that, 18 but Ms. Heard produced all of her different 19 devices over the years, including her most recent 20 laptop, and they were pulled from many, many 21 sources, and all of them are identical. So if she 22 was going to go and try to manipulate, she would</p>	<p style="text-align: right;">375</p> <p>1 wine, and he pours more in there. And then she 2 said, did you drink all of that? And then he sees 3 that she's videotaping him, and bam. That's going 4 to be a pretty graphic one for you to see. Then 5 you're going to hear audiotapes, which are pretty 6 significant too. 7 Ben told you about the May 2014 plane, 8 Boston plane incident, we call it, where he kicked 9 her, where he was so drunk and he blacked out. 10 Well, Amber, audiotaped him when he went to the 11 back of the plane and passed out and was moaning 12 loudly. You will hear that. You will also hear 13 some other audiotapes that are very significant. 14 One of them in Australia, at the end of the 15 three-day hostage situation. Apparently, Mr. Depp 16 turned on Ms. Heard's iPhone. She was never 17 allowed to have a password, by the way. He would 18 never let her do that during their relationship. 19 But he must have inadvertently turned it on and 20 there's five hours of audiotape. It's during the 21 cleanup of all the broken glass and the liquor and 22 the urine and the blood stains and everything else</p>
<p style="text-align: right;">374</p> <p>1 have had to do it everywhere, and Ms. Heard will 2 tell you she doesn't have that level of talent. 3 There may be a couple of you on the jury who have 4 that talent, but she does not have that talent. 5 They're all very legitimate photographs. And 6 listen carefully to the evidence from the experts 7 and you will find every single piece is 8 authenticated and is true. And they show bruises, 9 and they show cuts. They show hair pulled out of 10 her hair. They show all kinds of -- they show two 11 black eyes when he headbutted her. Those are all 12 going to be there. 13 We're also going to show you a video, 14 and I'll talk about the time frame of it. 15 Ms. Heard took that on her iPad, and it was one 16 day when she was in the kitchen with Mr. Depp, and 17 it was February 10th, 2016, and he's on a tear and 18 he's going around yelling at her and being abusive 19 to her and slamming the kitchen cupboards, and 20 they're glass, and you can hear them rattling and 21 you can hear them breaking. Then he goes over 22 with a big glass of wine, has a huge bottle of</p>	<p style="text-align: right;">376</p> <p>1 in that house. And you can hear his handlers 2 talking about it. You can hear them talking about 3 trying to find his finger. And then you can hear 4 them say she's stone cold sober. You will hear 5 all of that. It's very, very significant 6 evidence. 7 What this is going to tell you is the 8 story of a very different Johnny Depp. It's one 9 who is always, always, I can't say always, because 10 he has the charismatic side that Amber fell in 11 love with, but he has an enormous amount of rage. 12 You will see the medical record and hear from the 13 psychiatrist that talked to him for a while in 14 2014, where he admits that he has rage, that he's 15 like a demon, that he viewed his wife, Amber, like 16 his mother and his sister that he hates. That's 17 the -- that's what you will see. You will see 18 that. And it will be fueled by the alcohol and 19 the drugs. Ben told you a little bit about that. 20 You're going to see a list of his prescription 21 drugs that his concierge doctoring team, who 22 charged him a hundred thousand dollars a month,</p>

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1 and have since 2014, and they are still his
2 concierge doctors, that's the list of medications
3 he takes in one day that they prescribe. That
4 doesn't include the cocaine. It doesn't include
5 the ecstasy, MDMA, the mushrooms, and all of the
6 others.
7 Now, it's during these rages that
8 Mr. Depp engaged in verbal, emotional, physical,
9 and sexual abuse of Amber.
10 Let me introduce you to Amber, the
11 lesser known person here. I know when we were
12 doing the voir dire, none of you had even watched
13 as much as three of her movies. I'm going to tell
14 you a little bit about Amber. She's 35 years old,
15 she's from Austin, Texas. She grew up outside of
16 Austin, Texas. She has a daughter, Luna, who
17 turned one last week. Amber grew up in an area,
18 her father was a construction worker, primarily a
19 painter, but he would break horses as part-time,
20 they lived out on a ranch area. Her mother,
21 Paige, who died two years ago at age 63, dropped
22 out of middle school to marry Amber's father. She

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1 worked for the State of Texas in Internet
2 communications. They grew up very poor. Amber
3 has a sister, Whitney, who's 16 months younger
4 than her. And you will see and hear from Whitney
5 later because, unfortunately, she also witnessed
6 some of the abuse.
7 Amber rode horses with her father. She
8 tried to work with him to help him break the
9 horses. She remembers having a broken arm at
10 least four times, being in casts during that time.
11 But there are some things she learned from
12 breaking those horses that was very significant.
13 Her father taught her she couldn't show fear, she
14 couldn't show pain, and she couldn't show emotion.
15 That's how she could break those horses. It's
16 significant for you to know that so you can
17 understand how Amber could have remained in this
18 relationship with Mr. Depp for as long as she
19 could and the dynamics of some of the abuse you're
20 going to hear about, because that's what would be
21 her instinct, is to stand up and not let him --
22 show that he's caused the pain, that he's caused

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1 the fear, that he's caused the humiliation.
2 You'll hear about a long line of jobs
3 that Amber started from back at age 12, as soon as
4 she could. Working in the a soup kitchen, well,
5 that was volunteer, but then she took all kinds of
6 miscellaneous jobs, lifeguard, everything else,
7 trying to improve her. She's not somebody who had
8 a great break. What happened was she got
9 recognized by a Hollywood agent who expressed some
10 interest in her. She took her \$180 that she saved
11 up and she went to LA. That's all she had to her
12 name. The testimony will be she worked all kind
13 of different jobs when she was in LA, anything
14 that she could get. And she would go on -- but
15 she didn't have a vehicle, so she would go on
16 buses. She would go on up to six different
17 auditions in one day. She would have her map and
18 she'd have the bus and then she would just go
19 around. She had a big sweater so she could change
20 underneath it to whatever the role was so that she
21 could get things. She wasn't going for, you know,
22 famous actor roles. She was taking one-liners,

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1 she was taking extras, she was doing anything she
2 could to make money to survive. And then you know
3 what she did with it? She gave a bunch of it back
4 to her parents. She started helping support them.
5 Then when Whitney graduated from high school, she
6 brought her out to LA and put a roof over her
7 house [sic] and put her through community college.
8 She took care of her family with what she made.
9 When she met Johnny Depp in 2009, when
10 he hired her for Rum Dairies to star across from
11 him, she felt like she was pretty successful. She
12 had starred in some roles, she had an apartment,
13 she had a vehicle, a Mustang. She could go to
14 Starbucks, she could afford Starbucks. She viewed
15 herself as doing pretty well at that point.
16 Now, during the Rum Diaries, she got to
17 know Mr. Depp, not that she was pursuing him or
18 anything else. She was in a long-term
19 relationship with Tasya van Ree, and he was in a
20 long-term relationship with Vanessa Paradis.
21 Neither of them had any kind of romantic
22 relationship at that time. When she departed from

<p style="text-align: right;">381</p> <p>1 the Rum Diaries in 2019, Johnny started pursuing 2 her. In fact, he sent her a number of gifts. One 3 of them was a guitar, and she returned it. Now, 4 two years later, fast-forward, that's when the 5 press junket started and that's when she had to 6 come back and meet with him and they ran on the 7 press tours. At that point, she had ended the 8 relationship with Tasya van Ree and he said he had 9 ended his relationship with Vanessa Paradis. So, 10 during the press trips, that's when they started 11 dating and, by both accounts, fell madly in love. 12 She loved the side of Johnny that we see in the 13 movies. The charismatic one, the charming one, 14 that generous one. That's the man she fell in 15 love with. 16 But, sadly, the monster came in the 17 way. And that monster would come out when he was 18 drinking and when he would take the drugs. 19 Amber will never forget the first event 20 of abuse. She was sitting in his house in 21 Schweitzer, on the sofa, and he was across from 22 her, and they were talking about a tattoo that he</p>	<p style="text-align: right;">383</p> <p>1 Johnny came off the sofa, got on his knees, 2 started crying, told her he was very, very sorry 3 that he had done this, it would never happen 4 again, and he said some very significant words. 5 "I thought I had put the monster away for good." 6 That's what he said to her that day. 7 Well, Amber ended up leaving that day. 8 She went out to her car, her Mustang, and she 9 remembers it was cold. She sat in her car for the 10 longest time and she remembers watching her 11 breath, because it was cold, and she was thinking, 12 I have to leave him, but I love him. She just 13 kept thinking that. She finally drove away. But 14 Amber made the mistake that millions before her 15 and millions after her have, who are victims of 16 domestic abuse, she chose to stay and try to fix 17 the problem and thinking that she could do that. 18 So, she stayed. 19 Now, Amber was also -- she grew up in 20 an abusive family. Her father abused her mother 21 and sometimes she and Whitney. So she had that 22 cycle in there, just as you've heard that Johnny</p>
<p style="text-align: right;">382</p> <p>1 had, that had had Winona, Winona Ryder, forever. 2 He had altered that to "wine forever" after he 3 broke up with Winona Ryder. An aside, he had 4 "Slim," which was his nickname for Amber. When 5 they broke up, he turned it to scum. But at any 6 rate, he had that on there, and Amber thought he 7 was making a joke when he was talking about it and 8 she laughed, and he got up and slapped her. Now, 9 you see the rings that Mr. Depp has on. It hurts 10 when he slaps. And she was stunned. She had no 11 idea what to think, and she kind of laughed, 12 thinking, well, maybe that was a joke. What just 13 happened? And he slapped her again. And then she 14 just froze and just looked and then he hit her 15 again, and this time, it knocked her right off the 16 sofa, onto the ground. And she remembers her face 17 was in this dirty, filthy carpet. That's what she 18 remembered and fixated on, the dirty carpet. And 19 she's thinking, oh, my god, I have to leave. I 20 have to leave. But I love him. I have to leave. 21 But I love him. And she sat there for the longest 22 time; she laid there for the longest time. When</p>	<p style="text-align: right;">384</p> <p>1 had that cycle in his house. And so, what's the 2 normal to them is a little bit more difficult 3 for -- than some of us can understand. 4 You will hear witness -- expert witness 5 testimony about the cycles of violence and what 6 happens with these people and how they react, and 7 all the dynamics of thinking they can fix them. 8 She thought all the way through. She could fix 9 him. If she could just get him sober and clean, 10 then everything was going to be that wonderful 11 side that she fell madly in love with. She kept 12 trying, and she kept trying. She went to Al-Anon 13 meetings; she went to therapists; she tried to do 14 couples therapy. You'll hear about their 15 tape-recorded sessions to try to resolve fights or 16 deescalate them so he wouldn't get mad at her for 17 anything. But you'll hear that he gets mad at her 18 for everything. He didn't want her to work. 19 Here, she's a budding actor who wants to be out 20 there and succeed, and he doesn't want her to take 21 roles. He starts controlling what she wears, he 22 starts looking at her lines when she tried out for</p>

<p style="text-align: right;">385</p> <p>1 pieces. He makes sure there weren't any romance 2 scenes, sex scenes. He gets mad and accuses her 3 of sleeping with every single one of her costars. 4 It became a cycle of that, control, as well as 5 emotional abuse, as you go. 6 But what's also significant in that is 7 the property damage. And that's a hard one for 8 Mr. Depp to be able to escape when he's claiming 9 he's such a docile thing and it's all Ms. Heard. 10 You're going to see pictures. He writes on 11 mirrors, horrible things to her. Writes on 12 lampshades, on clothing, on countertops. In 13 Australia, when you heard Ben talk about 14 Australia, he wrote -- the third day, as Amber 15 comes out after she's barricaded herself and gone 16 through a lot -- I'll back up on that in a minute. 17 She comes out, he's got mashed potatoes spread 18 across the top. He's written, along the wall of 19 the staircase, going down, all kinds of nasty 20 things about her and Billy Bob Thornton, the last 21 one she was a costar with. Fucking ambition and 22 all kinds of things like that. Then he's written</p>	<p style="text-align: right;">387</p> <p>1 This is a cycle of abuse. You can't enable him. 2 You need to stand up for yourself. 3 Amber will testify about how Johnny 4 would get so drunk and so drugged out that he 5 would vomit all over himself and worse, lose 6 control of his bowels. She would clean him up. 7 And you'll see Bonnie Jacobs, in these notes, 8 saying don't do that. You're enabling him. Don't 9 do it. Leave him there. But what would happen is 10 his handlers would, then, take care of him if she 11 left him. So that's the story you're going to 12 hear on that. 13 Let me just tell you about a few of the 14 events. I'm going to start in Australia, that's 15 the three-day hostage. She gets there, now, you 16 will hear Mr. Depp testify, under oath, that for 17 15 to 18 months before the March 2015 Australia 18 event, when he's there filming, that he's been 19 sober, clean and sober. Then you'll see all the 20 text messages for the last 18 months in which he 21 is scoring drugs, in which you'll hear testimony 22 from people in which he's gotten drunk and, you</p>
<p style="text-align: right;">386</p> <p>1 on the lampshades downstairs, and then he's got 2 more on the mirrors. And then, on top of it, 3 you've got all the broken glass everywhere and 4 you've got the liquor everywhere, and it's just -- 5 and then he's urinated, tried to urinate messages 6 to her. That's the Johnny Depp that's the other 7 side. 8 Now, you're going to hear that Amber 9 tried to protect him all the way through. She 10 didn't want the public to know this. She didn't 11 want his kids to know this. So, she didn't tell 12 people about it. 13 So, let's go back. The first event 14 that I told you about was 2011. And how do we 15 know that it was in 2011? Because Amber was going 16 to her therapist Bonnie Jacobs, and Bonnie Jacobs 17 has therapy notes of her sessions with Amber. And 18 in those therapy notes, she chronicles the first 19 time that Amber tells her that Johnny hit her, and 20 it goes through into 2012, 2013, 2014. And you 21 will see, and you will hear from Bonnie Jacobs, 22 her saying, you know, this is a cycle of violence.</p>	<p style="text-align: right;">388</p> <p>1 know, taken all kinds of different drugs. The 2 whole time. He doesn't get clean and sober. But 3 he claims that he was clean and sober. That she 4 came there, this is a month after they just got 5 married. She flew in from filming The Danish 6 Girls, she's there, and he claims he was just 7 sitting there calmly and she was haranguing him, 8 so he took a shot glass of vodka. And when she 9 did -- when he did that, she got mad, took the 10 bottle of vodka, was eight to ten feet, about 11 where I am from you, and hurled it at him, and it 12 happened to just take out the bottom part of his 13 finger. Then he says she came and burned a hole 14 in his cheek. The testimony is going to be that 15 he self-mutilated on a number of occasions and 16 burned himself in the cheek and, also, cut 17 himself. But Amber never did that. And you're 18 going to hear from the experts testifying about 19 this finger injury and how fantastic this version 20 is. But the other part of it was he was with 21 Marilyn Manson for the week before, scoring on 22 cocaine. You'll see text messages of him getting</p>

<p style="text-align: right;">389</p> <p>1 it from his handlers, the cocaine and the liquor, 2 and you'll hear so much before that. But Amber 3 gets there, and instead, what he does is he takes 4 eight to ten tablets of ecstasy, almost 5 immediately, the next three days are just a cycle 6 of very, very, very violent activity by him. 7 Amber keeps trying to calm him down. She tries to 8 get him to eat. She tries to get him to sleep. 9 She tries to do these things. And he, at times, 10 he was delusional, paranoid, you know, he would be 11 mad at somebody else, then he'd be mad at her. By 12 the way, we'll talk about the prenup, but he 13 called her lawyer, who she had because she wanted 14 to give him a prenup and then they got married too 15 quickly, so she was going to give him a postnup. 16 He called the lawyer from Australia, called her a 17 bitch, and fired her. You'll hear the testimony 18 from the lawyer on that. 19 That's the type of Johnny Depp that was 20 there, and he didn't want the postnup, he didn't 21 want the prenup but now he's going to tell you 22 that it was her. You're going to hear she had a</p>	<p style="text-align: right;">391</p> <p>1 Pirates 5. They get there and there's another 2 fight in just two weeks from there. He's still 3 using at this point. He's still drunk. But Amber 4 finds, on a TV screen, his monitor, she finds 5 pictures of another woman, naked pictures of a 6 woman, and text messages which shows that he's 7 clearly having an affair. She gets extremely mad. 8 Amber can be jealous too. She can get angry. 9 She's half his age and, you know, she's defiant. 10 We're not going to say she's perfect. She was mad 11 as can be when she saw that, and she confronted 12 him. The two of them were screaming at each 13 other. Now, her sister Whitney happened to be in 14 the house. She was summoned, she literally was 15 awakened to come and try to resolve this fight 16 between the two of them. While she's there, 17 Johnny starts hitting Amber. Whitney ends up 18 getting in between them, and Amber thinks that 19 Johnny's going to push her down the stairs because 20 he's in that position. So, Amber actually gets up 21 and punches Johnny in the face. She'll tell you 22 that's the only time she has ever laid one on him,</p>
<p style="text-align: right;">390</p> <p>1 lawyer, she was cooperating completely on that. 2 As you go through those three days of 3 Australia, some pretty horrendous things happened 4 to her. He ripped off her nightgown; he had her 5 jammed up against a bar; he has hurled bottles and 6 bottles at her; he has dragged her across the 7 floor on the broken bottles and the liquor; he has 8 punched her; he has kicked her. He tells her he's 9 going to fucking kill her and he fucking hates 10 her. He's pounding her, and then he penetrates 11 her with a liquor bottle. 12 That's the Johnny Depp that you're 13 going to hear about in this case. 14 Now, after that, Amber goes to the 15 airport, and what does she do? She buys a book by 16 a psychiatrist who's talking about couples 17 therapy. She's already trying to figure out a way 18 to fix it again. Fix this marriage that's only a 19 month old and her husband has just done these 20 horrible things to her. 21 Now, we'll go back to LA. He's got to 22 get his finger fixed, so he has to stop filming</p>	<p style="text-align: right;">392</p> <p>1 you know, in an aggressive manner, but after he 2 had already been hitting her and it's in defense 3 of her sister. She'll admit she got him that 4 time, and she actually did have an impact on him. 5 She'll testify how many times they were in their 6 fights and she said, you know, she is almost half 7 his size, so she said if I push him, he doesn't 8 move. He pushes me, I go flying across the room. 9 There isn't any, you know, ability on her part to 10 be the abuser. 11 What she'll also tell you is it took 12 her a while to ever fight back. That many times 13 before that, she would do what she did when she 14 was breaking the horses, she wouldn't show fear, 15 she wouldn't show pain, she would look at him, she 16 would just be defiant, and all it would do is piss 17 him off more. 18 She will tell you that she tried 19 everything. She tried everything, you know, from 20 trying to be nice, trying to get away from him, 21 you know, she would throw things in his way to get 22 him from running after her. She would try to</p>

<p style="text-align: right;">393</p> <p>1 flail back, she would use her hands and legs and 2 she would go and try to fight. She'd run into a 3 room, try to barricade and push his hands and 4 everything out of there. She tried all of it. 5 But she couldn't figure out what could get him to 6 calm down. 7 Fast-forward now to the next one, and 8 that is, I'm going to jump you up to after the 9 stair incident and Johnny had to get surgery on 10 his finger. That's the longest period of time he 11 stayed sober. It was almost three months. You're 12 going to hear that he has never gone to rehab, 13 even though he has been a lifelong drug addict and 14 an alcoholic, never has he gone through a rehab 15 plan. Instead, there's twice that he went to 16 Sinai New York hospital and did a cleansing, one 17 time for three days and one time it was for 18 five days. That's it. He never made any effort, 19 whatsoever, to get sober or stop the drugs. But 20 this particular time, he did, for almost 21 three months. And you'll see the text messages. 22 We're going to take you through the whole story</p>	<p style="text-align: right;">395</p> <p>1 Johnny was gone, at that point, and her friend is 2 saying, are you okay? Are you okay? You'll see 3 the pictures of all of this. You'll see the 4 pictures of the hair, and imagine how much that 5 must hurt. The hair is on the ground. And you'll 6 see the picture of Amber. 7 Here's the ironic thing: The next day, 8 she's got to be on the James Corden Show. And you 9 can see the text messages. She's not sure if she 10 can go, she's worried. She's got two black eyes; 11 she's got a split lip; she's got bruising; she's 12 got hair missing. But her friends rally with her. 13 She's got a makeup artist, she's getting hair from 14 Melanie Igléssis. She's got the best job of 15 makeup you can imagine to get her through the 16 James Corden Show. She does it. You'll see the 17 pictures, the before, and you'll see them again. 18 And that's the resilience of Amber, who says, I'm 19 going to do this anyway. 20 Now, her friends, you're going to hear 21 about IO Tillet Wright, he was in New York, she 22 texted him and said, Johnny beat me up really good</p>
<p style="text-align: right;">394</p> <p>1 and all the text messages and all the emails and 2 all the testimony that you're going to get. 3 So fast-forward to December 2015. That 4 was one of the worst, Australia was pretty bad, 5 but this one was even worse. In this particular 6 occasion, he gets angry for some reason and he 7 starts dragging her by her hair through the 8 apartment, kicking her, punching her, tearing her 9 hair out. At one point, she gets up and looks at 10 him and he headbutts her and she gets two black 11 eyes from it. Then he goes and drags her up the 12 stairs, puts her on the bed, puts his foot and 13 knee in the back of her and he continues to punch 14 her telling her he's fucking hating her and he's 15 fucking going to kill her, and he's got his boot 16 stuck in the bedframe as he's doing it. The force 17 of what he's doing to her caused the bedframe to 18 splinter, that's how much force. She is 19 suffocating in the pillow and she believes, truly, 20 she's going to die on this one. She wakes up to 21 her friend being there. She doesn't know how long 22 she was unconscious. She doesn't know. But</p>	<p style="text-align: right;">396</p> <p>1 this time. Can you help? And he said, I was 2 filming something, I stopped, I got the first 3 flight out of there. I'm flying from New York 4 back to LA. I see her on the James Corden Show, I 5 can see the swelling because I know her well. I 6 can see the swelling. Then he said somebody 7 touched her and she flinched on the show. He said 8 that's not like Amber. He got there, they hadn't 9 cleaned up all the mess. He sees the hair, he 10 sees the splinter, he sees all the other things. 11 He is so upset. He was a good friend of Johnny's 12 as well. He'll testify about all of his 13 friendship with Johnny. But he put his foot down 14 on that one and said you need to have 15 consequences, you cannot do this to Amber anymore. 16 I am not your friend anymore. 17 Now, there are several people that were 18 supposed to go to Johnny's island, Bahamas Island 19 in December for Christmas. He was going to bring 20 his two kids, he invited Amber's parents, who 21 loved Johnny, and, unfortunately, her father used 22 to drink and do drugs with Johnny a lot. And he</p>

<p style="text-align: right;">397</p> <p>1 was also going to take Rocky, her friend lived 2 next door in a penthouse, and her fiancé and 3 Rocky's parents. Imagine being able to go to 4 Bahamas Island for Christmas. What a cool thing 5 to do. But they all were so upset what he did to 6 Amber on December 15, they said no, we're not 7 going. We're not going to condone this. We're 8 not going. 9 But he talked Amber into going. He 10 guilted her into going. I want you to be with my 11 kids. Please come. I'll be better. I'm going to 12 get better. Amber went. And then he ends up 13 assaulting her, even there, and sexually assaulted 14 her, even there. You'll see a video of them from 15 the Bahamas, the parts that they stayed in on his 16 island. And the video just conveniently leaves 17 out the war room in the bathroom, where he 18 committed the assault. Just goes around, makes it 19 look like it's a one room and his kids were there 20 and there's no way they could have done that. 21 You'll hear the testimony, and you'll see the 22 pictures.</p>	<p style="text-align: right;">399</p> <p>1 But that's Johnny, right? And he can't say that 2 it was an important financial one because he fired 3 his financial manager the month before. And as 4 you heard from Ben, he was blaming him for all his 5 financial problems, so he's the problem. 6 So he shows up late, drunk, drugs, and 7 after everybody -- and he's even drinking while 8 he's there, he's telling other friends, and you'll 9 hear from them, hide the bottle from Amber, hide 10 the bottle from Amber. When they all leave, she 11 expresses her disappointment. He gets mad and 12 assaults her again, including sexually assaults 13 her. Then he goes away and he doesn't come back 14 for a month. 15 Now, this is an important event, 16 May 21, 2016, this is the last one, and this is 17 the final straw that leads up to the DVTRO. The 18 domestic violence temporary restraining order. So 19 he says he's coming over to get some clothes, he's 20 going to go out on tour. She says okay. He comes 21 over and he's -- his mother died the day before, 22 and he's already in a state, he's been drinking,</p>
<p style="text-align: right;">398</p> <p>1 Then, from then on, things really were 2 bad for Amber, and she was really considering 3 leaving him at this point. And she was talking to 4 her friends and confiding, and you'll see, you 5 know, the medical records. And in February 2016, 6 I told you, you'll see that video, that same night 7 before the video, he called IO Tillet Wright and 8 left him a voicemail message that he said was just 9 absolutely delusional. It was crazy. He was 10 pretending like he was the property management. 11 It was just an insane call, and then the next day, 12 we have the picture of the video. 13 Then we get to April 30th -- 14 April 21st, 2016. Amber's 30th birthday party. 15 She was going to turn 30 the next day. Pretty big 16 event. Her friends had a tape that they put 17 together of everybody giving her tributes. Johnny 18 doesn't participate. They have a dinner and a 19 party for her that night. Johnny says, oh, I have 20 a business meeting at 7:00 p.m. I'll be there 21 after that. What kind of business meeting do you 22 need to have at 7:00 p.m. when your wife turns 30?</p>	<p style="text-align: right;">400</p> <p>1 he's clearly high, and he comes in and he's got on 2 his mind this obsession that when she, on her 3 birthday, go back to her birthday, the next day, 4 she and her friends went to Coachella and his 5 housekeeper had come in to clean after that, 6 always did, and the housekeeper found some, you 7 know, feces on the bed and had been upset about it 8 and taken a picture and sent it to him. So all of 9 a sudden, a month later, he's got it in his head 10 that Amber has conspired with her friends to 11 defecate on the bed, human, not dog, even though 12 they've got two dogs, and one of them has major 13 problems, you'll hear about Boo and Pistol, and, 14 somehow, Amber was doing this so he would get back 15 there and find it, even though he had no intention 16 of coming back, and even though the housekeeper 17 was there. He won't get rid of it, he's just 18 obsessed with it. Then he decided that it's IO 19 Tillet Wright's, even though IO wasn't at the 20 birthday party and wasn't even in town. So, Amber 21 gets IO on the phone, IO is in New York, and she 22 says, this is what Johnny says. Tell him this</p>

<p style="text-align: right;">401</p> <p>1 isn't true. Tell him we don't have a conspiracy 2 here. And IO is thinking, what? And you'll hear 3 from IO, he'll say Amber has fecal phobia. She 4 can't even -- you know, she's so embarrassed about 5 that stuff, she would never conspire, never do 6 anything like that to him. So they're kind of 7 laughing at the absurdity of it. That was the 8 biggest mistake. That triggered his anger. He 9 started after her, started hitting Amber, grabbed 10 the cell phone from her, wound it up, bashed it 11 into her face. And you'll see the pictures, 12 you'll see the bruises, and you'll see the form of 13 it there. Now, IO is very, very upset. He's 14 worried because he knows about the December 15 15 event, and he says, Amber, get out of there, get 16 out of there. You're safe. Get out of there. As 17 Johnny is storming around. He calls Rocky, who 18 lives next door, and then he calls 911. It's not 19 clear whether Amber said call 911 or he said call 20 911, but they called 911. He's in New York and 21 he's genuinely concerned for her safety. He calls 22 911 there. He calls his friend in LA and says,</p>	<p style="text-align: right;">403</p> <p>1 was there, Josh, at this point, he takes them 2 around and shows one of the police officers all 3 the property damage around the house as well. And 4 the police officers say to him, look, she's got 5 the red mark on there, just give us the name, 6 we'll go get him. He says I can't. She won't let 7 me. So, they leave. 8 Now, here's what happens and creates 9 all of the, you know, noise here that you're going 10 to have to deal with. So the police officers 11 don't make an incident report. They don't take a 12 report, they don't document the property damage. 13 They don't document the facial damage. Instead, 14 they go out and they write on their CAD, that's 15 their little system in there, verbal dispute only, 16 victim uncooperative. That's their language for 17 we don't have to write a report. You'll see that 18 the police officers have another one later that 19 night, another, and they put verbal dispute only. 20 That's their magic language. 21 Now, that's notwithstanding what you 22 will see in these pictures, but Amber wasn't</p>
<p style="text-align: right;">402</p> <p>1 please call 911 and just tell them this so they 2 can get somebody there, get them there fast. I 3 don't know what's going on. The police are called 4 twice, essentially. Here's what happens next: 5 Johnny goes around, he trashes the apartment 6 before he leaves. He loves to do that. You're 7 going to hear about his penchant for that. You'll 8 see a picture of him in the elevator afterward, 9 leaving with his bodyguard. And he was a little 10 agitated there. Police are called. You will see 11 pictures of Amber with metadata on them, both 12 before, during, and after the police officers are 13 there. But what happens is Amber calls her 14 attorney, the one that she had consulted after the 15 December 15 event, and this attorney says, if you 16 press charges, they'll arrest him. And Amber 17 says, I can't have that happen. I don't want his 18 kids to know about this. I don't want the public 19 to know. I can't have that happen. So when the 20 police show up, she refuses to cooperate. She 21 says, on the advice of my attorney, I'm not going 22 to cooperate. But her friend, Rocky, whose fiancé</p>	<p style="text-align: right;">404</p> <p>1 cooperating with them and they were quite 2 convinced she wasn't going to. So, as many 3 domestic violence, you know, calls that they take, 4 they're not going to -- this is one that they 5 figured it's gone. Now, the other police officers 6 come two hours later. They've cleaned up the 7 place at this point. They don't know that these 8 police officers are arriving, but when they do 9 arrive there, they try to discourage them from 10 even coming in. Josh says, no, the other police 11 officers were already here. And he says -- they 12 said, no, we just have to see her. They have body 13 cams, by the way, so you'll see the body cam 14 footage of this. So they go through and they do 15 that. And one of the significant things is you'll 16 see, on the CAD, that the two police officer sets 17 are communicating with each other and the first 18 set said, I don't think she's going to change her 19 mind. And they know who the officers were the 20 first time because they say Officer Saenz, you'll 21 hear this and you'll see it in that body cam 22 footage. They go through and everything's fine,</p>

<p style="text-align: right;">405</p> <p>1 you can see on there, and they leave. 2 Now, the reason this is so significant 3 is what they have done with this in creating an 4 upcoming counterclaim. And what their version of 5 the reality is, is that Amber calls the cops, then 6 they don't see any injury, so they mess up the 7 place, splash a little wine, then they call 8 another set of cops. 9 Does that sound like the situation 10 here? No, no. And it's really important to look 11 at the evidence and think about this. 12 You'll hear from many -- actually, I 13 don't know how many of the police officers we'll 14 put on, but we have, you know, between four and 15 six LAPD police officers and experts who will say 16 those police officers, even when she declined to 17 cooperate, should have taken a report. They 18 should have documented it. That was police 19 policy. 20 So when faced with this big, public, 21 you know, DVTRO and all the publicity later, now 22 they go back to the police officers and said, hey,</p>	<p style="text-align: right;">407</p> <p>1 chose not to go. They keep saying ex parte, but 2 they chose not to appear and they knew she was 3 going to appear. Amber didn't call TMZ, but 4 somebody called TMZ to take all those photos that 5 day. 6 You also heard them say that all kinds 7 of people saw Amber that week and she didn't have 8 any bruises on her face. Well, let me show you 9 this. This is what Amber carried in her purse for 10 the entire relationship with Johnny Depp. She's 11 an actor. Do you honestly think she would have 12 left her apartment, ever, without makeup? Do you 13 think that she ever would have wanted other people 14 to see her bruises and her cuts? This was what 15 she used. She became very adept. You're going to 16 hear the testimony from Amber about how she had to 17 mix the different colors for the different days of 18 the bruises, as they developed, and the different 19 coloring, and how she would use these to touch 20 those up to be able to color those. She also used 21 concealer, foundation. You'll hear from a makeup 22 person that Amber didn't even leave her bedroom</p>
<p style="text-align: right;">406</p> <p>1 wait a minute, you didn't take a report. You said 2 it was a verbal dispute only. They're stuck. If 3 all of that is true and they admitted it was true, 4 then they violated policy by not doing a report 5 because they were supposed to take a report. So 6 the police officers chose the other and said, no, 7 there was no evidence. But you're going to watch 8 it, you're going to see it in real time, you're 9 going to see it on metadata. 10 So, Amber goes to get the DVTRO, the 11 domestic violence TRO. You're going to see the 12 letter that her lawyer wrote to Johnny Depp's 13 lawyer that week, telling them that that's what 14 she would have to -- she was going to do if -- but 15 giving them opportunity here to be able to resolve 16 it, to get a mediator, you know, just make sure 17 that she's safe, that she can stay in the 18 residence until they figure things out, that she 19 can drive her vehicle until they figure it out, 20 you know, some attorneys' fees. You're going to 21 see the letter. So, they knew, and it says right 22 in there, she's going to go in on Friday. They</p>	<p style="text-align: right;">408</p> <p>1 without having foundation on. And one of the 2 people that was at the building testified. He 3 said she had makeup on and it would have covered 4 that bruise. So, that's the testimony on that. 5 Now, let me talk about the divorce, 6 just for a moment. So they go through, they have 7 the two months of trying to resolve the divorce. 8 Ben already told you that they signed a joint 9 statement in which Mr. Depp admits that she did 10 not make any of these allegations falsely and not 11 for financial gain. But they brought up the 12 donation, so I want to talk to you about the 13 donations for a moment. 14 Now, here's the story, Amber didn't 15 have a prenup, she didn't have a postnup, she was 16 more than willing to do that, but, as I told you, 17 Mr. Depp fired her lawyers and said only till 18 death, that's the only way we're going to part, is 19 through death. We don't need a postnup. We don't 20 need a prenup. That's Johnny. It's true his 21 advisers were all telling him, get one, and she 22 said, I'll get one, and she hired a lawyer. But</p>

<p style="text-align: right;">409</p> <p>1 anyway, she didn't have a prenup, so what you're 2 going to hear is that meant no matter what, 3 whether it was abuse, adultery, irreconcilable 4 differences, abandonment, it doesn't matter, she's 5 entitled to 50 percent of everything during that 6 marriage. He did Pirates 5 and did two other 7 movies during that time, and you'll see that he 8 made \$65 million during those two years. Half of 9 that is 32.5. Amber didn't want that. You'll see 10 a letter -- you'll see an email from her lawyer 11 that she forwarded on to her agent, who became 12 Johnny's agent later, saying I want you to sign 13 this because you're entitled to a whole lot more 14 than 7 million. And I don't want you to come -- 15 basically, I don't want you to come back and sue 16 me for malpractice. That's what her lawyer tells 17 her. And then her lawyer says, I offered even 18 less than they -- I got less than they offered. 19 In other words, the 7 million was less than 20 Mr. Depp's team was even offering to her. And she 21 said, I just want to be left alone. I just want 22 to get out of this marriage. I don't want -- I'm</p>	<p style="text-align: right;">411</p> <p>1 Hospital, and then she also makes a \$250,000 2 payment to Heart of Elysium, which is another 3 charity that she worked for, and it used to feed 4 and used to do a lot of art works with the 5 Children's Hospital. She paid \$350,000 to the 6 ACLU. Now, in addition to that, she also was 7 dating Elon Musk by this time. You'll find out 8 that Mr. Depp is obsessed with Elon Musk, but 9 she's dating him, so he gives 500,000 to both of 10 those charities in her honor. Now, she doesn't 11 claim that's part of the 7 million. But what 12 happens is she gets, she makes her payments up 13 through 2018. Mr. Depp sues her March 1, 2019 in 14 this litigation. She can't afford, right now, to 15 be making those pledges. She's got to defend 16 herself. But, she has every intention of 17 continuing to make those payments. She has been a 18 lifelong person who has served charities. She 19 used to volunteer at Children's Hospital three 20 times a week, when she could. She's very much 21 that kind of person and she exchanged it. And 22 both the ACLU and Children's Hospital will tell</p>
<p style="text-align: right;">410</p> <p>1 not doing this for financial gain. So, she didn't 2 take the money. So she said, I'm going to donate 3 all 7 million of this to charity. Half to the 4 ACLU, half to Children's Hospital, and then what 5 happened was -- and by the way, the 7 million was 6 paid out over time. It's installments. You know, 7 you'll see in the documents, but it's over a 8 couple of years, right? 9 So his business manager, Ed White, 10 you'll see the letters, he sends the first hundred 11 thousand out of the 7 million to each of them and 12 says this is a pledge towards the 3.5 million that 13 Amber's donating. She'll be paying that in 14 installments. So, everybody knows she's paying it 15 in installments. You're going to hear differently 16 from them now, but you're going to see that was 17 the admission to begin with. You're going to hear 18 from Children's Hospital and the ACLU that they 19 assumed this is a pledge paid over a period of 20 time because that's what they do, because of tax 21 deductions and things of that nature. Amber does 22 make, she makes a \$250,000 payment to Children's</p>	<p style="text-align: right;">412</p> <p>1 you they have no reason to believe she won't be 2 good on her pledges. There's nothing that 3 required her to do a certain amount at a certain 4 time, and she will give it to them once she's able 5 to afford it again. 6 Now, let me talk about the content for 7 a minute, and then I'm going to -- I have to 8 promise to let you go at some point, don't I? 9 So Mr. Depp has -- you heard from Ben, 10 you're going to see some really, really terrible 11 text messages from Johnny Depp on how he viewed 12 Amber Heard. He calls her some horrific names. 13 But in the summer of 2016, he vows, he vows he's 14 going to haunt her. He vows she's going to suffer 15 global humiliation. He says he's going to live in 16 her and she will never forget him. And he meant 17 it. 18 So, in the summer of 2018, you heard 19 Ms. Vasquez say he wanted to clear his name, he 20 can't be called a wife-beater, et cetera. But an 21 article -- an op-ed appeared in the Sun Times in 22 London, they called him a wife-beater. It was</p>

413	1 written by Dan Wootton, the CEO -- or, yeah, the 2 chief editor of the Sun, at the time, and he was 3 writing because Johnny Depp is being cast in 4 Fantastic Beasts 3. And so, the article is, why 5 is JK Rowling -- 6 MR. CHEW: Your Honor, may we approach? 7 THE COURT: Yes. 8 (Sidebar) 9 THE COURT: We're going into the U.K. 10 issues here. 11 MS. BREDEHOFT: Just the judgment. 12 THE COURT: No, no. We're not going 13 into anything in the U.K. 14 MS. BREDEHOFT: Your Honor -- 15 THE COURT: In those statement, I made 16 it perfectly clear in Motion in Limine we're not 17 going to -- especially in opening statements, 18 we're not going to talk about the U.K. judgment in 19 the opening statement. Later on, you can get into 20 it -- 21 MS. BREDEHOFT: I wasn't talking about 22 the judgment. I'm talking about the lawsuit.	415	1 judgment. It's the same thing. Ms. Bredehoft, I 2 hope I didn't have to say that to you. 3 MS. BREDEHOFT: I apologize, Your 4 Honor, but I respectfully disagree. 5 THE COURT: No, it's the opposite 6 thing. You just have to move on, okay? 7 MR. CHEW: Thank you, Your Honor. 8 (Open court) 9 MS. BREDEHOFT: So, you will hear 10 testimony -- let me back up a little bit. 11 So, you have heard from Mr. Depp's team 12 that they are going to claim that Amber Heard 13 abused Johnny Depp. You also are hearing from 14 them that he says that she cut off his finger. 15 When you look at the text messages and you look at 16 the emails, you will see that in every one of 17 those, Mr. Depp said to Dr. Kipper, to David 18 Heard, Amber's father, and to others, I cut off my 19 finger. You will see that. He never, throughout 20 the entire time he was married to Amber, ever 21 claimed that she hit him. He never, ever, 22 throughout the time he was married to Amber Heard,
414	1 That's different. 2 THE COURT: No, when we get to the 3 lawsuit -- that talks about the U.K. judgment. 4 Where are you going with it, then, if you're not 5 going to do it? 6 MS. BREDEHOFT: Because he's already 7 been called that. 8 THE COURT: No. That's a judgment -- 9 by the judgment. I mean, you're going right -- 10 MS. BREDEHOFT: No, it's not the 11 judgment. It's the lawsuit. They never moved -- 12 THE COURT: The lawsuit is the 13 judgment, period. Ms. Bredehoft, you're not going 14 to go into it, period. 15 MS. BREDEHOFT: Your Honor, I think 16 they also opened the door, Your Honor. 17 THE COURT: They did not. It's opening 18 statements. He did not open the door. 19 MS. BREDEHOFT: Your Honor, it's very 20 clear in the Motion in Limine that they only asked 21 for the judgment, not the lawsuit. 22 THE COURT: The lawsuit is the	416	1 claimed that she cut off the finger. Only 2 two years later does he, for the very first time, 3 start claiming she abused him and start claiming 4 that she cut off the finger. 5 I'm going to ask you to look hard at 6 the evidence in this case because the evidence is 7 going to show that it never, ever came up before. 8 Now, let's talk about the counterclaim 9 for a few minutes. There are a few statements 10 here. Now, they said, why aren't you suing Adam 11 Waldman? You heard, from Ben, that Adam Waldman 12 didn't come into Johnny Depp's life until October 13 of 2016. He wasn't there for any of their 14 marriage. He doesn't have any personal knowledge 15 of their marriage. Everything he does is based on 16 Johnny Depp. Johnny Depp used Adam Waldman as his 17 agent, and you will see a bunch of texts where 18 he's saying, yeah, man, he's going after these 19 people, he's doing all this stuff for me, he's 20 suing my business manager, he's suing the lawyer. 21 He's going after them, he's doing all this. He's 22 also going to the press and making all kinds of

<p>417</p> <p>1 statements about Amber Heard. And in those 2 statements are as follows. 3 And, Heather, if you could pull up the 4 first. 5 The first one is "Adam Waldman, Depp's 6 lawyer, said afterwards, Amber Heard and her 7 friends in the media used fake sexual violence 8 allegations as both the sword and shield, 9 depending on their needs. They have selected some 10 of their sexual violence hoax facts as the sword, 11 inflicting them on the public and Mr. Depp." 12 Now, there isn't any sexual violence 13 hoax. There isn't any hoax at all. But he's out 14 there affirmatively stating that she's got this 15 conspiracy with her friends, and she's making 16 these things up, and it's very, very damaging and 17 harmful to her. The testimony will be that these 18 Depp fans take and run with these things, and 19 you're going to hear from an expert who talks 20 about computer-wise, when you search the hoax, and 21 you see that it just spreads out into the Internet 22 and the social media and generates a lot of</p>	<p>419</p> <p>1 want them in there. The absolute opposite of what 2 he says there. 3 The third statement, if you may. 4 Depp's attorney, Adam Waldman, said, 5 "When Amanda de Cadenet," that's a friend of 6 Ambers, "Amber Heard's best friend and Me Too 7 activist decants her support for Ms. Heard and 8 testifies against her, we only have reached the 9 beginning of the end of Ms. Heard's abuse hoax 10 against Johnny Depp." Amanda de Cadenet never 11 testified against her, but that's not the part 12 that we're claiming. It's the defamation, it's 13 abuse hoax against Johnny Depp. In other words, 14 in all of these articles, he's saying that she 15 created an abuse hoax and you're going to make a 16 determination of whether that's true or not. But 17 what we're going to show you is that, that not 18 only was tremendously damaging to Amber 19 emotionally, and you're going to hear from an 20 expert on domestic violence and intimate partner 21 violence, IPV, about how those triggers happen. 22 When you have somebody who has gone through all</p>
<p>418</p> <p>1 negative publicity for Amber. 2 Statement 2, please. 3 This was made in April of 2020. Depp's 4 lawyer, Adam Waldman, said "Various discrepancies 5 prove that nothing Heard and her friends say about 6 the events of May 21, 2016 could be considered 7 credible. Simply this was an ambush, a hoax. 8 They set Mr. Depp up by calling the cops, but the 9 first attempt didn't do the trick," he told 10 dailymail.com. "The officers came to the 11 penthouses, fully searched and interviewed, and 12 left after seeing no damage to face or property. 13 So Amber and her friends spilled a little wine, 14 roughed the place up, and got their story straight 15 under the direction of a lawyer and publicist and 16 then placed a second call to 911." 17 Now, I've already told you all about 18 the events of May 21, but I'm also -- you're also 19 going to hear from the second set of officers. 20 There's no way that Amber was trying, with her 21 friends, to now get charges pressed against 22 Johnny. They cleaned everything up, they didn't</p>	<p>420</p> <p>1 this, and she's trying to heal, trying to get past 2 this, and then, bam, you come in there and you 3 flip this and put this out in the public and 4 everybody around her. There's over a million -- 5 we're going to tell you about a million different 6 searches on the Twitter from these different hits, 7 how that impacts her emotionally. Every time 8 somebody calls her a liar for what she went 9 through and how hard she tried to protect Johnny 10 Depp so that his children and the public never 11 found out about that Johnny Depp, and how much 12 that has harmed her and how much emotionally that 13 impacted her and retriggered and retriggered. 14 But we're also going to talk to you 15 about the reputational damages for that. Amber 16 made it through the divorce, then she got cast in 17 Aquaman, I know a few of you saw that. That was a 18 blockbuster. It was the highest grossing movie in 19 DC film history ever, up to this point. It hit 20 over a billion dollars in a very short period of 21 time. It was a mega, mega hit. She was moving 22 forward. Then she gets hit with these defamatory</p>

421	1 statement and all of the Depp followings and the 2 computer and Twitter and everything else. Nobody 3 wants to touch her. 4 Well, you're going to hear from an 5 expert who's going to say look at Jason Momoa, 6 look at Defoe, look at other people who started 7 coming up in those tracks. She was in Justice 8 League then Aquaman. Look what they're getting, 9 they're getting commercials, getting all kind of 10 different film opportunities. These are the 11 things that she would have gotten. Nobody will 12 touch her. She's a pariah. And we're going to 13 ask you, as Ben said, to hold Mr. Depp 14 responsible. Enough is enough. But we're also 15 going to ask you to hold him responsible and try 16 to fully and fairly compensate Amber for what he 17 has done to her. 18 Thank you very much. 19 THE COURT: Thank you, Ms. Bredehoff. 20 Based on the time, ladies and 21 gentlemen, I think I'm going to release you for 22 lunch a little early so we can just start with the	423	1 MR. CHEW: Thank you, Your Honor. 2 THE COURT: Anything else? 3 MR. CHEW: No. 4 MR. MURPHY: No. 5 THE COURT: Thank you. I'll see you 6 all after lunch. 7 THE BAILIFF: All rise. 8 (Recess taken from 12:31 p.m. to 9 1:45 p.m.) 10 THE BAILIFF: All rise. 11 THE COURT: Are we ready for the jury? 12 Do we have the Motion in Limine? 13 MR. MURPHY: Oh, we do, Your Honor. 14 THE COURT: Okay. If I could just get 15 those, I'd appreciate it. 16 MR. MURPHY: So we do have the order 17 for Ms. Heard's Motion in Limine, Your Honor. 18 THE COURT: Okay. 19 MR. MURPHY: Mr. Depp's -- Mr. Moniz 20 and I just agreed to it. 21 THE COURT: Okay. 22 MR. MURPHY: I don't have it printed,
422	1 first witness when we get back from lunch. I 2 think it's just a natural break. So if you want 3 to go ahead and go with the deputy, just remember, 4 don't talk to anybody about the case, and don't do 5 any outside research, okay? 6 We'll be back at -- let's get back 7 at -- I'll give you a little extra time. So, 8 1:45, just to give you some extra time downstairs, 9 okay? Thank you. If you go with Deputy Halusa. 10 All right. 11 (Whereupon, the jury exited the 12 courtroom and the following proceedings took 13 place.) 14 THE COURT: Does somebody have the 15 Motion in Limines for me? I don't think I've 16 received those signed. 17 MR. CHEW: We do have those for you, 18 Your Honor. 19 MR. MURPHY: So, we will have them 20 after lunch. 21 THE COURT: After lunch I get them? 22 MR. MURPHY: Yes, Your Honor.	424	1 but I can tell you, Your Honor, based on the 2 representation he gave me, we'd agreed, and we 3 will have it printed as soon as I can, but we're 4 not going to, obviously, hold up court. 5 THE COURT: That's fine. Thank you 6 very much. 7 MR. MURPHY: Thank you, Your Honor. 8 THE COURT: Thank you, Mr. Murphy. 9 All right. Are we ready for the jury 10 then? 11 THE BAILIFF: Yes, Your Honor. 12 THE COURT: Okay. All right. 13 (Whereupon, the jury entered the 14 courtroom and the following proceedings took 15 place.) 16 THE COURT: Thank you, ladies and 17 gentlemen. 18 All right. Your first witness. 19 MR. CHEW: We call Christi Dembrowski. 20 THE COURT: Christi Dembrowski. 21 MR. CHEW: Yes. 22 THE COURT: All right. Christi

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1 Dembrowski, is she outside?
2 MR. CHEW: She is.
3 THE COURT: Okay.
4 Elisa Christine Dembrowski
5 A witness called on behalf of the
6 Plaintiff and Counterclaim Defendant, having been
7 first duly sworn by the Clerk, testified as
8 follows:
9 THE COURT: You have to verbally
10 answer, ma'am.
11 THE WITNESS: I'm sorry. Yes.
12 THE COURT: Okay. Thank you.
13 THE COURT: Yes, sir.
14 **EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND
COUNTERCLAIM DEFENDANT**
15 **BY MR. CHEW:**
16 Q Good afternoon, Ms. Dembrowski. Would
17 you please state your full name for the record.
18 A **Elisa Christine Dembrowski.**
19 Q Ms. Dembrowski, what relationship if
20 any do you have to Johnny Depp?
21 A **He's my younger brother.**
22 Q How much older are you than Johnny?

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1 A **Two and a half years.**
2 Q Ms. Dembrowski, I'd like to ask you a
3 few questions about your and Johnny's childhood.
4 Where did you-all grow up?
5 A **We were born in Kentucky, and we moved
6 to Florida when we were kids.**
7 Q Who lived in your household with you
8 and Johnny?
9 A **Our mom, our dad, we have an older
10 brother and older sister, and Johnny and I.**
11 Q Who was the youngest child in your
12 family?
13 A **Johnny.**
14 Q Would you please tell the jurors what
15 your relationship with Johnny was like when you
16 were growing up?
17 A **Johnny and I were very close. With --
18 with having an older brother and older sister, we
19 were the two younger ones, so we were really close
20 and we basically were together all the time. We
21 played together. We played Hot Wheels, we, you
22 know, played Batman and Robin where we each had a**

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1 **role in that. And he's probably going to be
2 embarrassed if I say any of this, but, you know,
3 we practiced, you know, karate kicks with each
4 other. We were just friends. We were like best
5 friends.**
6 Q What was Johnny like as a young boy?
7 MR. ROTTENBORN: Objection, Your Honor,
8 404.
9 THE COURT: If you want to approach.
10 (Sidebar)
11 MR. ROTTENBORN: It's lack of character
12 evidence.
13 MR. CHEW: Your Honor, it's just
14 background.
15 MR. ROTTENBORN: Your Honor, he's going
16 to get up and say he was gentle and he wasn't
17 violent and all this stuff, and that can't come in
18 under 404, it's used to prove action and
19 conformity therewith.
20 THE COURT: Right now all I heard was
21 just information about his background. I mean, I
22 assume we're not getting into that he was gentle.

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1 MR. CHEW: No, it's really we're
2 getting into, oh, I mean it's relevant for both
3 their background as far as the abuse, which is
4 where we're going.
5 MR. ROTTENBORN: Okay. Well, when he
6 starts asking questions and eliciting testimony
7 about how he's transforming, he'd never hurt a
8 fly --
9 THE COURT: He said that's not where
10 he's going, so we have notice for that. Okay.
11 Thank you.
12 BY MR. CHEW:
13 Q As I was saying, Ms. Dembrowski, what
14 was Johnny like as a little boy?
15 A **He was -- he was a shy, sweet little
16 boy. He had a very caring personality, but also
17 was a -- he was a little bit of a clown. He loved
18 to, you know, play tricks on us or try to scare
19 us. He was a very typical, happy, little boy.**
20 MR. ROTTENBORN: Objection. Your
21 Honor, move to strike. 404.
22 MR. CHEW: Your Honor, I'm going

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<p>1 exactly where I said I was going. 2 THE COURT: All right. I'll sustain 3 the last part of her answer. We'll go forward 4 from that. 5 MR. CHEW: Thank you very much, Your 6 Honor. 7 BY MR. CHEW: 8 Q Ms. Dembrowski, how would you describe 9 your parents' relationship? 10 A That was complicated. 11 Q Would you please explain to the jury 12 what you mean when you say your parents' 13 relationship was "complicated"? 14 A Our parents were -- we had two 15 completely different personalities, and where our 16 father was also a very kind, patient, loving, 17 gentle man and our mom was the opposite. She was 18 very high-strung, very nervous, anxiety, angry. 19 So they -- they were completely opposite people. 20 Q What was your mother's first name? 21 A Betty. 22 Q Did your mother, Betty, ever get angry</p>	<p>1 was insisting that he do. 2 Q Is it fair to say that he did what she 3 wanted? 4 A Yes, it's very fair to say he did. 5 Q What, if anything, did you and Johnny 6 do while your mother was hitting or attacking your 7 father? 8 A We would leave the area. We would run 9 and hide. We would go to our room, you know, 10 either we would go to our room together or, you 11 know, depending on where we lived, you know, if 12 our room was close, we would sort of run off and 13 get away from it. 14 Q How did your mother treat you and your 15 brothers and sisters? 16 A Well, there's a similarity, I'm sorry, 17 in how she treated Dad. Again, she was very 18 anxious, high-strung. She screamed, she yelled, 19 she hit, she threw things, she called us names. 20 You know, we each had our own little special set 21 of names, some we wouldn't repeat, but -- so she 22 gave each one of us a name. My name, for example,</p>
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<p>1 with your father? 2 A Yes. 3 Q How would your mother express her anger 4 toward your father? 5 A Mom would -- she would scream. She 6 would yell at him. She would hit him, call him 7 names, that kind of thing. 8 Q Did your father ever hit your mother 9 back? 10 A No. Dad -- Dad never reacted when Mom 11 would hit him or scream at him. 12 Q If he didn't hit her back, how, if at 13 all, did he react? 14 A Basically, he would let her scream and 15 get it out or hit and be done, and the way that 16 you dealt with my mom, the way that he dealt with 17 my mom was he always tried to keep the peace. So 18 he never wanted to -- you know, he didn't want to 19 engage in anything, so he was very, you know, sort 20 of -- he would step back. And whatever it was 21 that she was angry about, he would try to go ahead 22 and make sure that he took care of whatever she</p>	<p>1 was "Violet." Which to some people, it wouldn't 2 seem like it's anything. But Violet was my 3 father's mother. And my mom hated my father's 4 mother. So that was my special name, one of them. 5 Q Did your mother have any special names 6 for Johnny? 7 A Yes, she did. She had a few, again, 8 some I cannot repeat. Her favorite, I think, was 9 she called him "One-eye." And she called him that 10 because when he was young, the doctors thought he 11 had a lazy eye, so they would put a patch on his 12 good eye so that they would strengthen the other 13 eye. So, she used that as, you know, a way to 14 find a new fun name for him. 15 Q How did Johnny respond when your mother 16 would call him "One-eye"? 17 A He didn't respond in any negative way. 18 Those names were -- they were just a way of life. 19 We got used to them. We accepted all of it. 20 Q Putting aside the names, did your 21 mother ever get angry with you? 22 A Yes.</p>

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1 Q Did your mother ever get physical with
2 you?
3 A Yes, she did. But I was also very
4 quiet, very shy, and I learned early on to stay
5 back. So I was – I was more in the background
6 because I would constantly sort of stay in the
7 background to stay away from trouble.
8 Q Ms. Dembrowski, when she -- your mother
9 did get physical with you, what forms did that
10 take?
11 A She would hit us. She would throw
12 things. She would have us go pick a switch, you
13 know, off of a tree, you know, so that that would
14 be what she could hit us with and make sure that
15 we got one that was nice and green.
16 Q I'm sorry. I don't mean to interrupt.
17 Why did it have to be nice and green?
18 A Well, if it wasn't a nice, green
19 switch, twig, it would snap. Those didn't break.
20 If you got a dry one, they'd snap. They don't –
21 they don't work the same.
22 Q Did your mother ever get angry at

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1 Johnny?
2 A Yes.
3 Q Did you ever observe your mother
4 hitting Johnny?
5 A Yes.
6 Q How, if at all, did Johnny react when
7 his mother would hit him?
8 A He was a typical little boy where if it
9 hurt, he would cry. That was it. I mean, for the
10 most part, he just wanted to get away from it.
11 Q Did Johnny ever hit his mother back?
12 A No.
13 Q What about when he got to be an older
14 boy? Did he ever resist or hit her back?
15 A No, no, no. When he was older, even if
16 she hit or threw things, he never went to that
17 place. He always – he would get away. He would,
18 you know, leave the area, go to his room.
19 Q Ms. Dembrowski, did there come a time
20 when you left the family household?
21 A Yes.
22 Q When did you leave the household?

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1 A I left when I was 17. I was pregnant
2 and got married and moved out into my own place.
3 Q How did it feel when you left the
4 family to go out and go to your own place?
5 A I think there's a bittersweetness to
6 it. I was really young. I had just turned 17.
7 But, I was so looking forward to this new life
8 that I could create, that was different from what
9 we had at home. And so it was a part of me that
10 was really happy to be able to do this, really
11 excited, and there was another part that was sad
12 because I left behind my little brother and my
13 dad.
14 Q If you could explain that a bit, how
15 did, if at all, did your experience with your
16 mother affect your ideas about what you intended
17 to do with your own family?
18 A Oh, really early on, as a young child,
19 none of what was happening in our home felt good.
20 And so as I got older, you know, both Johnny and
21 I, actually, we decided that once we left, once we
22 had our own home, that we were never going to

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1 repeat, ever, anything similar in any way to our
2 childhood. We were going to -- we were going to
3 do it different.
4 Q So Johnny felt the same way?
5 A Absolutely.
6 Q When you left the home to start your
7 own family, who, among the original four children,
8 were left at home with your mother?
9 A Johnny.
10 Q Did there come a time when your parents
11 separated?
12 A Yes.
13 Q Would you please tell the jury what
14 happened?
15 A There was -- our father one morning
16 decided to pack up everything and leave early in
17 the morning. We didn't know it at the time, I
18 don't think. I didn't. I didn't live there; I
19 was at work. And then I got a call from my mom in
20 the afternoon, right after she got off work. She
21 called me, and I could -- it was hard to
22 understand her voice. She sounded faint and kind

437	<p>1 of groggy, but she kept saying, "He's gone, he's 2 gone, he's gone." 3 And I was trying to get out of her "Was 4 it dad?" 5 And she said, "Yes, your daddy." 6 I said, "Mom, are you okay? What's 7 going on? You know, did you take your pills?" 8 Because she took what she called "nerve 9 pills," and she said she had. 10 I asked, "How many?" She couldn't tell 11 me how many she took. But I knew she was getting 12 fainter on the phone, and it was more clear to me 13 that she was not in a good way. So I called our 14 friend, our parents' friend, actually, who was a 15 police officer and told him that he needed to get 16 to Mom and what was going on. And so he got an 17 ambulance to get over there to her. 18 Q And this was after your father left? 19 A Yes. This is the day. 20 Q Ms. Dembrowski, do you know why your 21 father left? 22 A I know at the time -- because I did try</p>	439	<p>1 MR. CHEW: Thank you, Your Honor. 2 THE COURT: Yes. 3 BY MR. CHEW: 4 Q Did your mother recover after she took 5 the pills? 6 A Yes. She continued to not be well, but 7 she recovered. 8 Q And after that time, did she ever take 9 more than -- more pills than she should have? 10 A She did, but she didn't do it to the 11 degree that she had at that point. 12 Q And going back to the incident that you 13 described, do you know where Johnny was at the 14 time your mother took those pills? 15 A Johnny was home. 16 Q Did there come a time -- I'm sorry. 17 A I'm sorry. I think he was sleeping at 18 the time. I think he woke up when Mom came out 19 and the ambulance came. 20 Q So he saw all of that? 21 MR. ROTTENBORN: Objection. 22 Foundation.</p>
438	<p>1 to speak to him after because Mom continued to not 2 do well. At the time, he said that -- he said 3 that they had had the last argument that he felt 4 that they could ever have. He felt he needed to 5 leave home this time. And to be honest, I didn't 6 really understand. It had been so many years that 7 he had been taking all of the, you know, all of 8 her personality. And I didn't really understand 9 exactly, fully what that last argument was, why it 10 was so intense. 11 We did learn, many years later in our 12 adult life, that what he was referring to when he 13 said -- 14 MR. ROTTENBORN: Objection. Move to 15 strike all of this, Your Honor, as hearsay. 16 THE COURT: All right. I guess the 17 objection's hearsay. 18 MR. CHEW: Your Honor, again, I think 19 it's not offered for the proof, it's offered for 20 the abuse and the culture in which... 21 THE COURT: I'll sustain the objection. 22 Move on.</p>	440	<p>1 Q Did he see that? 2 MR. CHEW: She testified he was in the 3 home. 4 THE COURT: He was in the home, but was 5 she in the home, I guess the -- how did she know? 6 So I'll sustain to foundation. 7 MR. CHEW: Thank you. 8 Q Did there come a time when Johnny left 9 his mother's house? 10 A Yes. 11 Q And after Johnny -- well, what did 12 Johnny do when he left the house? 13 MR. ROTTENBORN: Objection. 14 Foundation. 15 THE COURT: All right. I sustain as 16 foundation. You want to lay a foundation. 17 Q Were you in communication with your 18 brother at the time? 19 A Yes. He came and lived with me for 20 part of the time. 21 MR. CHEW: So I think the -- 22 Q So what was your -- what did your</p>

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1 brother do after he left your mother's house?
2 **A He, you know, lived in different**
3 **places. He lived with me, and he lived with**
4 **another family.**
5 Q Did you and Johnny continue to
6 communicate with your mother, Betty, after you
7 both left the home?
8 **A Yes. Yes, we did.**
9 Q And after what you have described, why
10 did you and Johnny continue to communicate with
11 your mother?
12 MR. ROTTENBORN: Objection. Foundation
13 as to Johnny.
14 MR. CHEW: I think she's already laid
15 the foundation. They're very close. She was in
16 communication.
17 THE COURT: I'll sustain the objection
18 for this particular question.
19 Q Why did you continue to communicate
20 with your mother?
21 **A Because she was our mom and we loved**
22 **her. I mean, we knew, you know, even when we were**

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1 younger, that things weren't -- they didn't feel
2 right, you know. But what we understood was that,
3 you know, Mom had her own upbringing, you know, so
4 she had her own past, and the way she was raised
5 would affect the way she lived. And so she -- in
6 our mind, she was doing the best she could do.
7 You know, we sort of treated it like
8 she -- she did the best that she could do with the
9 tools that was she was given, you know, from her
10 life in the past. And what we decided to do was
11 we just decided to get new tools. We chose
12 different tools from that.
13 Q When you say "we," to whom are you
14 referring?
15 **A I'm referring to Johnny and me.**
16 MR. ROTTENBORN: Objection.
17 Foundation.
18 THE COURT: I'll overrule that
19 objection. Next question.
20 MR. CHEW: Thank you, Your Honor.
21 Q Did you ever live with your mother
22 again after you and Johnny had left the house?

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1 **A I did -- I did live with her briefly.**
2 She had gotten diagnosed with asthma when we lived
3 in Florida, and she needed to move to a drier
4 climate. So Johnny moved her to California, to
5 Palm Springs for the drier weather, and I moved
6 also, so that she wouldn't be alone. So I lived
7 with her for a period then.
8 Q And if you could just, please,
9 elaborate what role if any Johnny played in your
10 mother's move to Palm Springs?
11 **A He -- he was -- he was the only reason**
12 **the move could happen. He -- he purchased her a**
13 **home and -- and paid to have everything moved out**
14 **there.**
15 Q Did there come a time when your mother
16 ever left Palm Springs?
17 **A She -- she moved from Palm Springs to**
18 **be a bit closer to where Johnny and I lived in the**
19 **LA area. She lived there for a bit, and then,**
20 **ultimately, she went back to Kentucky. She had --**
21 **her siblings were still there, and a couple of**
22 **them weren't doing well, so she wanted to be**

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1 **closer to them while she could.**
2 Q And after she moved back to Kentucky
3 from Palm Springs, did there come a time when your
4 mother became chronically ill?
5 **A Yes.**
6 Q When was that?
7 **A 2011.**
8 Q Would you please describe, briefly,
9 what her health condition was as of 2011?
10 **A Well, in 2011, she was living in**
11 **Kentucky, and we received a call that she had been**
12 **diagnosed with the final stages of Parkinson's.**
13 **But then when another doctor looked at her scans,**
14 **they -- they felt it was something different.**
15 **So we had the scans brought to a doctor**
16 **in California, and they suggested that she come**
17 **out and see a neurologist right away. So Johnny**
18 **got a plane, a private plane, and he and I, we**
19 **flew to go pick her up and bring her back to**
20 **California to start seeing the doctors.**
21 Q And when she moved back to -- in 2011,
22 to California, was that a permanent move?

<p style="text-align: right;">445</p> <p>1 A It became basically a permanent move. 2 She still – she still had her house in Kentucky 3 in the hopes of, you know, her being able to go 4 back and forth, but her health basically kept her 5 in California. So she lived here – or there. 6 Q And by that time, 2011, when she's 7 moved out to Los Angeles, had her treatment of you 8 and Johnny changed in any way? 9 A Yes. Mom – Mom softened as she aged. 10 She – she totally softened. 11 Q And once your mother moved to 12 Los Angeles permanently in 2011, what role, if 13 any, did your brother Johnny play in her 14 caretaking? 15 MR. ROTTENBORN: Objection. 16 Foundation. 17 THE COURT: All right. I'll sustain as 18 to foundation. 19 Q Did -- to what extent, if any, did your 20 brother play any role in her caretaking? 21 THE COURT: I think that's still a 22 foundation objection.</p>	<p style="text-align: right;">447</p> <p>1 Q -- and have those interactions? 2 A Yes, I was there. I was directly 3 involved in all of that. 4 Q Did you witness your brother having any 5 interactions with the doctors relating to your 6 mother's care? 7 A Yes. 8 Q How often, if at all, did your brother 9 visit your mother, Betty, after she came to live 10 in Los Angeles in 2011? 11 MR. ROTTENBORN: Objection. 12 Foundation. 13 Q Were you ever present with your brother 14 and your mother when you all were visiting? 15 A Yes. Mom lived in a house that was 16 basically across the street from Johnny. It was a 17 house that he has on his street. And I was there, 18 you know, quite a bit. Johnny was pretty much 19 down there every day, couple times a day, you 20 know, Mom, like, she would see them all the time, 21 you know, one of her favorite things was watching 22 Johnny take the kids to school and waving at them</p>
<p style="text-align: right;">446</p> <p>1 Q Do you have knowledge of whether your 2 brother had any role in her caretaking? 3 A Yes. 4 Q Would you please explain to the jury, 5 because I think Her Honor needs to hear whether 6 there's a foundation? 7 A Okay. I'm sorry. 8 Yes. When we brought my mom, you know, 9 over time, she had multiple other illnesses 10 that -- that came up, and Johnny was -- he dealt 11 directly with the doctors, like we did, hired 12 private nurses so that we could make sure that, 13 you know, Mom was taken care of. You know, he, 14 basically, Johnny was the -- he took all financial 15 responsibility for anything and everything that 16 Mom could need or want during this time, all 17 medical care, doctors, hospitals, nurses. 18 Q How do you know that? 19 A I was directly involved. 20 Q Is it fair to say you saw Johnny do 21 those things -- 22 A Yes.</p>	<p style="text-align: right;">448</p> <p>1 because she never got to do that before, so... 2 Q Who were your brother's kids? 3 A Oh, Lily-Rose and Jack. 4 Q We'll get to that in a little -- in a 5 little bit. 6 Did there come a time when the family 7 was considering putting your mother in a hospice? 8 A There was -- there were conversations 9 with the doctors that we should start to consider 10 that, since we -- we weren't 100 percent sure, 11 with the variety of conditions that she had, what 12 we needed to do. 13 The idea of hospice was something that 14 felt like, since we -- we -- we didn't know a time 15 frame, the idea of introducing, you know, new 16 nurses or something, you know, at a certain point 17 in someone's life where they recognize there's a 18 difference, and that could be -- that could be, 19 you know, frightening for them. So we didn't want 20 to instill any fear. You know, Johnny's big on 21 Mom not having fear. So, instead, that's when we 22 hired nurses so that the nurses could be there</p>

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1 **24/7 and, you know, and she would have people**
2 **continuously throughout her life that she knew,**
3 **that they were friendly and, you know, cared for**
4 **her.**
5 Q Did you actually have a conversation
6 with your brother about the possibility of your
7 mother going into hospice?
8 A Yes.
9 Q Did -- did he express an opinion about
10 it?
11 A Yes. Well, there is where it all comes
12 from because the idea -- again, the idea of
13 hospice, which is an amazing thing -- but for
14 someone who -- when you don't know with the
15 variety of illnesses, you don't know what a timing
16 is, the idea of introducing it, new people, is --
17 is something that becomes almost a signal, you
18 know. And this was a very big discussion. This
19 is why the nurses were hired.
20 Q Was this just one discussion? Or was
21 it a series of discussions?
22 MR. ROTTENBORN: Objection. Calls for

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1 hearsay.
2 MR. CHEW: I'm not asking for hearsay.
3 I'm just asking about whether it was discussed
4 once or a number of times.
5 THE COURT: I'll overrule the
6 objection. Go ahead.
7 Q Was this just one discussion? Or were
8 there more discussions among you and and your
9 brother about how to care -- how to best care for
10 your mother?
11 A We -- we had -- we had continuous
12 discussions. As a matter of fact, I mean, I've --
13 there were daily updates. He knew every day,
14 everything that was happening with Mom. Whether
15 he was in town, out of town, because he had to --
16 he was working or traveling, he had -- I made
17 sure, because it's hard when you know that someone
18 wants to be there and they can't. So I -- I made
19 sure to -- to fill him in on everything.
20 MR. ROTTENBORN: Objection. Hearsay.
21 MR. CHEW: It's not offered for the
22 truth of it.

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1 THE COURT: I'll overrule the
2 objection.
3 Go ahead.
4 Q Did you ever see Johnny's children,
5 Jack and Lily-Rose, over at your mother's house
6 across the street from Mr. Depp?
7 A Yes.
8 Q Ms. Dembrowski, I'd like to change
9 subjects right now, if that's all right, and ask
10 you to please tell us a little bit about your work
11 life.
12 Did there come a time when you worked
13 in the entertainment industry?
14 A Yes. I started -- I started working
15 when we moved from Florida to Palm Springs. This
16 is why I lived, for a short period, with my mom.
17 I ended up, I got a job at one of the studios in
18 Los Angeles.
19 Q Which studio was that?
20 A It was Columbia Pictures. I was -- my
21 title was I was an executive assistant to the
22 executive vice president of comedy development.

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1 Q And what were your job responsibilities
2 when you started there?
3 A I -- I handled my executive's daily
4 schedule, meetings, budgets, scripts, phone calls.
5 And then in addition to that, we had -- there were
6 four other executives, and they had assistants.
7 So my desk was also to oversee those assistants.
8 And when we had writers come in, I oversaw those
9 assistants as well.
10 Q Sounds like a big job.
11 A It was a good job.
12 Q How long did you work at Columbia
13 Pictures Television in that role?
14 A I think it was about a year and a half.
15 Q Why did you leave after a year and a
16 half?
17 A Columbia itself started folding
18 different departments, and ours, our comedy
19 development, being one of them. So some of the
20 employees that worked there went to work for Sony
21 or TriStar, other sort of arms of the corporation.
22 And I was the last one there, sort of wrapping up

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1 the department to go on to my next job.
2 Q So after you wrapped up the transition,
3 the closing-up of the department, what did you do
4 in terms of your work life?
5 A I went to work with my brother.
6 Q In what capacity -- when you say your
7 brother, which -- to whom are you referring?
8 A I'm sorry?
9 Q I'm sorry. When you say your brother,
10 to whom are you specifically referring?
11 A I went to work with my brother Johnny.
12 Q What type of things did you do for your
13 brother Johnny?
14 A Similar things to what I was doing with
15 the other boss that I worked for before. But with
16 Johnny, he was -- I was helping him anyway as a
17 sister with assistance. So there was things like
18 travel and, you know, meetings, study meetings,
19 making sure he had his, you know, scripts that
20 were coming in and he knew, you know, all the
21 information about them and, you know, any kind of
22 publicity stuff that he had to do.

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1 Because I really started to do this job
2 with him because there was one time that I had
3 gone to his house and I was helping him get ready
4 to go on a trip, and his ticket, I read it out
5 loud, and it said "Standby." And I said, "Why are
6 you on standby?" He had no one looking out for
7 that kind of stuff. You know, so I did all of
8 that.
9 Q How, if at all, did your work for your
10 brother change over time?
11 A Well, over time, it sort of grew --
12 well, not sort of. It did grow. His agent -- I
13 worked sort of hand-in-hand with his agent, and,
14 you know, as she got to know me more and I got to
15 know her more, there were other parts of her job,
16 actually, that she would give to me. So, you
17 know, instead of just doing scheduling meetings
18 and calendars and travel, now I'd become a person
19 who's talking to producers or, you know, as it
20 expands, you know, all the executives at the
21 studios and studios heads, and I, you know, become
22 a part of contract negotiations, et cetera. It

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1 just grew.
2 Q What role, if any, did you play in
3 dealing with Johnny's movie contracts?
4 A Movie contracts, I -- because I know
5 the history and because there's a certain amount
6 of parts of life that are important, you know, to
7 a human being, not just to an actor, but to a
8 human being, and I know the human being, I was
9 part of, mostly, negotiating parts, like, there's
10 an area called "perks," and perks mean anything
11 and everything that an actor would need in order
12 to perform his duties, and in order to, you know,
13 to also move, right, to the location to do the
14 duty.
15 So I was part of all important dates
16 that, you know, needed to be considered in a
17 calendar, making sure the house was what he needed
18 to have for the family, the travel to get there,
19 making sure he had his staff, drivers, security.
20 Pretty much anything necessary was -- was in that.
21 Q Ms. Dembrowski, can you give the jury
22 some examples of some of the things you put on the

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1 perks list?
2 A Sure. We -- it was more -- it was
3 really important, you know, as Johnny had a
4 family, it was really important to make sure that
5 we were given an opportunity to find the right
6 accommodations and -- accommodations for the
7 children, you know, a house that, you know, could,
8 you know, give them a home away from home with a
9 garden, all the travel to make sure that they all
10 get there.
11 There were really important dates that
12 we carved out in every contract for Johnny's kids
13 for their birthday. He never wanted to miss their
14 birthday so if he ever wasn't able to be with them
15 because of filming, it was built into the contract
16 he had their birthday off, and he would have the
17 day before and day after so he would be able to
18 travel to get to them and then get back to
19 working.
20 So in addition to that, I mean,
21 there's -- there's -- there's quite a bit. We
22 also had it built in that if he was to be away

<p>457</p> <p>1 from his kids filming, if the kids couldn't travel 2 and the family couldn't travel to be there, we had 3 in his contract that he would be able to fly back 4 to them from wherever he is every two weeks. So 5 he – he didn't go beyond every two weeks not 6 seeing his children. 7 You know, it's that kind of stuff that, 8 you know, was important. 9 Q Ms. Dembrowski, do you know what a 10 personal manager is in the context of the 11 entertainment world? 12 A I do. 13 Q What is it, if you could explain it to 14 the jury, because I just learned it myself. 15 A Well, I believe it's basically what 16 I – a lot of what I was doing. They – they work 17 with their clients on maintaining different items 18 in their personal life as well as, you know, 19 projects coming in, production, all of the 20 representatives. It's a – it's a sort of a big 21 scope of duties. 22 Q Has anyone ever referred to you as</p>	<p>459</p> <p>1 A I'm president of Infinitum Nihil. 2 Q When did you start working at Infinitum 3 Nihil? 4 A From the beginning of – in 2004. I 5 think we started in July, 2004. 6 Q And would you please explain to the 7 jury some of your responsibilities as president of 8 Infinitum Nihil? 9 A My – my duties as president were to – 10 I oversaw everything within the company, the – 11 the staff where we were developing projects, 12 where, you know, maybe that there's a book that 13 people wanted to develop into a film or a TV show 14 or different ideas. So I oversaw that, oversaw 15 all of the development, their schedules of 16 meetings with different people to take those 17 projects out to pitch. There's so many tasks to 18 that job, I don't know how to really lay them out. 19 Q Ms. Dembrowski, when did the first 20 Pirates of the Caribbean movie come out? 21 A I think it was 2003, I think. 22 Q What was your brother's role in</p>
<p>458</p> <p>1 Johnny's personal manager? 2 A I have been called that before, yes. 3 Q Do you perform the responsibilities of 4 being Johnny's personal manager? 5 A I did. I did. 6 Q Do you still work with Johnny? 7 A Yes. 8 Q Do you also work with any of Johnny's 9 companies? Or strike that. Wait, if I'm -- 10 Does your brother have any companies 11 associated with him? 12 A He has a production company called 13 Infinitum Nihil. 14 BY : 15 Q What type of company is Infinitum 16 Nihil? 17 A It's a production company. We develop, 18 you know, projects of – for films or television 19 or, you know, different things. 20 Q And putting aside your responsibilities 21 after your brother's personal managers, what role, 22 if any, do you play in Infinitum Nihil?</p>	<p>460</p> <p>1 Pirates? 2 A He was Captain Jack Sparrow. 3 Q Fair to say that was the lead? 4 A That was – that was the lead. 5 Q How did the first Pirates of the 6 Caribbean movie fare at the box office? 7 A It did very well. I think it surprised 8 people and did very well. People really – they 9 loved – you know, the – they loved the 10 entertainment of it, you know, the total ride. 11 Q Did the success of Pirates 1 change 12 Johnny's career in any way? 13 A I – I would have to say yes. The 14 success of Pirates 1, it became – Johnny, with 15 that role, and – and other studios and everybody 16 seeing the success of that film and – and -- and 17 how the audiences reacted to that character, they 18 were – there was a whole lot more people wanting 19 to be in business with him. 20 Q And did the success of Pirates 1 change 21 his personal life in any way? 22 A It did.</p>

<p>461</p> <p>1 Q Or his day-to-day life?</p> <p>2 A It -- it did. It did. Because where</p> <p>3 prior to that, you know, he was able to go out</p> <p>4 somewhat, you know, he could, you know, go to</p> <p>5 different stores, go to book stores, go to</p> <p>6 restaurants. When Pirates 1 came out, after that,</p> <p>7 he was much more recognizable now. You know, so</p> <p>8 many people loved that character, and so he was</p> <p>9 much more recognizable. So it -- it became harder</p> <p>10 for him to -- to go out in public without having a</p> <p>11 lot of people come around that, you know, "Like,</p> <p>12 we so wanted to meet him." But then it also</p> <p>13 became Biziday, and so we had even people that</p> <p>14 were chasing, you know, chasing in cars. So at</p> <p>15 that point, we had to -- we had to get a security</p> <p>16 team to kind of come in and help us manage how</p> <p>17 this all works, you know.</p> <p>18 Q Who is Jerry Judge?</p> <p>19 A Jerry Judge was -- he was basically</p> <p>20 Johnny's head security.</p> <p>21 Q When did Jerry Judge start coming to</p> <p>22 work with -- with your brother?</p>	<p>463</p> <p>1 Johnny?</p> <p>2 MR. ROTTENBORN: Objection.</p> <p>3 Foundation, Your Honor.</p> <p>4 THE COURT: All right.</p> <p>5 Q Did you ever see Jerry Judge interact</p> <p>6 with your brother?</p> <p>7 THE COURT: Sustain the objection.</p> <p>8 Leading. The next question, that's fine.</p> <p>9 MR. CHEW: Sorry, Your Honor.</p> <p>10 Q What, if any, observations did -- were</p> <p>11 there any times that you saw your brother interact</p> <p>12 with Jerry Judge?</p> <p>13 A I saw the two of them interact quite a</p> <p>14 lot. And they -- they -- they loved each other.</p> <p>15 They were like, you know, Jerry thought of him as,</p> <p>16 like, a son, and sometimes as a brother. They</p> <p>17 really did love each other and so much respect</p> <p>18 both ways.</p> <p>19 MR. ROTTENBORN: Move to strike all of</p> <p>20 that.</p> <p>21 MR. CHEW: I don't think there's any</p> <p>22 basis to strike that. I think it was most</p>
<p>462</p> <p>1 A Well, we -- we started working with</p> <p>2 Jerry Judge back in the '90s. Because Jerry had</p> <p>3 his own security company in London, and when we</p> <p>4 would go over there for press or premieres or</p> <p>5 whatever, Jerry was the one, you know, that set</p> <p>6 everything up, and we became really close with him</p> <p>7 back then. And as things grew with Pirates, we</p> <p>8 brought him over more and more, you know, for some</p> <p>9 of the items we had, some of the work that he had,</p> <p>10 if it was a show or whatever, and brought him on.</p> <p>11 And then he started just working, basically, on</p> <p>12 every film with us after Pirates probably right</p> <p>13 around that time.</p> <p>14 Q How long did Jerry Judge work with you</p> <p>15 and Johnny?</p> <p>16 A Well, again, we met him in the '90s, so</p> <p>17 and around Pirates is, what, 2003? And Jerry was</p> <p>18 with us up until we lost him.</p> <p>19 Q When did you lose him?</p> <p>20 A We lost him a couple years ago to</p> <p>21 cancer.</p> <p>22 Q What was Jerry's relationship like with</p>	<p>464</p> <p>1 responsive.</p> <p>2 THE COURT: I'll overrule the</p> <p>3 objection. Go ahead.</p> <p>4 MR. CHEW: Thank you, Your Honor.</p> <p>5 Q I wanted to touch on something you</p> <p>6 mentioned a few moments ago when you were</p> <p>7 referring to Mr. Depp's children.</p> <p>8 I believe you said his daughter,</p> <p>9 Lily-Rose, and son --</p> <p>10 A Son Jack.</p> <p>11 Q -- Jack.</p> <p>12 Who was the mother of Johnny's</p> <p>13 children?</p> <p>14 A Vanessa Paradis.</p> <p>15 Q Did Johnny and Vanessa Paradis ever</p> <p>16 live together as a couple?</p> <p>17 A Yes.</p> <p>18 Q How long did Johnny and Vanessa Paradis</p> <p>19 live together as a couple?</p> <p>20 A I -- I think they were together 14</p> <p>21 years, I think.</p> <p>22 Q And did their children live with them</p>

<p style="text-align: right;">465</p> <p>1 during the 14 years?</p> <p>2 A Yes.</p> <p>3 Q How much time would you say you spent</p> <p>4 with Johnny, Vanessa, Lily-Rose, and Jack?</p> <p>5 A When they were in Los Angeles, I – I</p> <p>6 would say I saw them all daily. Our office, where</p> <p>7 we work, our office is only – it was only ten</p> <p>8 minutes from their house. So I would make trips</p> <p>9 back and forth, or every day after work, I would</p> <p>10 go straight to the house. So I – I saw them</p> <p>11 daily.</p> <p>12 Q Would you please explain to the jury</p> <p>13 what it was like spending time with Johnny and his</p> <p>14 family?</p> <p>15 A It was great. It was great. It was a</p> <p>16 normal, happy family, you know. You'd go there</p> <p>17 and the kids are playing and, you know, making</p> <p>18 dinner, everybody having dinner, cleaning up</p> <p>19 together, sitting around, laughing. It was – it</p> <p>20 was great.</p> <p>21 Q Did you have occasion to see your</p> <p>22 brother interact with his children?</p>	<p style="text-align: right;">467</p> <p>1 his voice at his children?</p> <p>2 A No.</p> <p>3 Q And you may have touched on it earlier,</p> <p>4 and if so, I apologize. How, if at all, did</p> <p>5 Johnny communicate with his children when he was</p> <p>6 shooting a film?</p> <p>7 MR. ROTTENBORN: Objection.</p> <p>8 Foundation.</p> <p>9 THE COURT: I'll sustain the objection.</p> <p>10 If you want to lay a foundation.</p> <p>11 MR. CHEW: Understood.</p> <p>12 THE COURT: Okay.</p> <p>13 Q Did you have occasion to observe --</p> <p>14 were you ever with your brother when he was</p> <p>15 shooting a film?</p> <p>16 A Yes.</p> <p>17 Q Did you have occasion to observe your</p> <p>18 brother communicating with his children while you</p> <p>19 both were there on set?</p> <p>20 A Yes. Yes.</p> <p>21 Q So would that --</p> <p>22 A I'm sorry.</p>
<p style="text-align: right;">466</p> <p>1 A Yes. Yes, I did.</p> <p>2 Q What did you -- what can you tell the</p> <p>3 jury about what you observed?</p> <p>4 A He's, I'm proud to say, he's – he's</p> <p>5 one of the most devoted fathers I think that I've</p> <p>6 ever seen. Like, everything – everything in life</p> <p>7 was about the children. But when he was with the</p> <p>8 kids, like, the attention that he would give them,</p> <p>9 you know, it was just constant. Playing with</p> <p>10 them, listening to them, you know, laughing with</p> <p>11 them, reading to them, parties. I mean, you –</p> <p>12 you name it, and he was there.</p> <p>13 Q Did you ever observe Johnny treating</p> <p>14 his children the way you saw his mother treat</p> <p>15 him --</p> <p>16 A No.</p> <p>17 Q -- when he was young?</p> <p>18 A No.</p> <p>19 Q Have you ever seen Johnny hit either of</p> <p>20 his children?</p> <p>21 A No.</p> <p>22 Q Have you ever heard your brother raise</p>	<p style="text-align: right;">468</p> <p>1 Q No, please go ahead.</p> <p>2 A When Johnny was filming, most of the</p> <p>3 time, the family was with him. The family would</p> <p>4 travel and go – you know, just like I said</p> <p>5 earlier, we would get a house and garden and all</p> <p>6 of that to make sure that there was a home. So</p> <p>7 his family was with him most of the time.</p> <p>8 Q What about when the children got older</p> <p>9 and they started to go to school? Did that change</p> <p>10 in any way?</p> <p>11 A It changed in that, you know, they</p> <p>12 didn't want to disrupt the children's lives when</p> <p>13 they were going to school. So if – if Dad had to</p> <p>14 go off and go to work and the children stayed</p> <p>15 home, this is where we get into we still – we</p> <p>16 still maintained a home for the family wherever he</p> <p>17 was filming, you know, because they would – if</p> <p>18 they had the opportunity to come back and forth.</p> <p>19 I mean, but at the same time, Johnny, he would</p> <p>20 travel back every two weeks, you know, to see his</p> <p>21 kids.</p> <p>22 Q And when you say he would travel back,</p>

<p style="text-align: right;">469</p> <p>1 who was it who made those travel arrangements? 2 A I made the travel arrangements. 3 Q Did you have occasion to observe Johnny 4 interact with the mother of his children, Vanessa 5 Paradis, over the 14 years they were together? 6 A Yes, I did. 7 Q Would you please tell the jury what you 8 observed about the interactions between Mr. Depp 9 and Vanessa? 10 MR. ROTTENBORN: 404, Your Honor. 11 MR. CHEW: This is not, this is 12 directly -- 13 THE COURT: I'll allow observations. 14 I'll overrule the objection. 15 MR. CHEW: Thank you very much, Your 16 Honor. 17 Q What did you observe about Mr. Depp's 18 interactions with the mother of his children? 19 A They -- they were a great couple. I 20 mean, first you could see that they were friends. 21 They -- they just -- they were happy together. 22 They -- they, you know, they got along great. It</p>	<p style="text-align: right;">471</p> <p>1 MR. CHEW: Well, if I think you're 2 going to sustain the objection, perhaps I should 3 re -- 4 THE COURT: Maybe you should move on, 5 yes. 6 MR. CHEW: All right. 7 Q Did Vanessa ever claim that Johnny ever 8 physically abused her? 9 MR. ROTTENBORN: Objection. 10 Foundation. Calls for hearsay. 11 THE COURT: All right. Hearsay 12 objection. 13 MR. ROTTENBORN: And 404. 14 MR. CHEW: It's not offered for the 15 proof of the -- it's what she observed, what she 16 heard. She was the personal manager, Your Honor. 17 THE COURT: That would be hearsay. 18 I'll sustain the objection. Thank you. 19 Q Did there come a time when Johnny and 20 Vanessa separated after 14 years? 21 A Yes. 22 Q How would you describe their</p>
<p style="text-align: right;">470</p> <p>1 was a happy, normal -- 2 THE COURT: I'll sustain the objection 3 at this point, then. 4 MR. ROTTENBORN: Thank you, Your Honor. 5 THE COURT: All right. 6 Q Did you ever hear your brother yell at 7 Vanessa? 8 A No. 9 MR. ROTTENBORN: Same objection. And 10 it's leading. 11 MR. CHEW: It's not leading. 12 Q To what extent if any have -- 13 THE COURT: That wasn't the question, 14 Mr. Chew. 15 MR. ROTTENBORN: 404 is the main 16 objection. 17 THE COURT: Okay. I'll sustain that 18 objection. Next question. 19 Q What, if any, violence did you observe 20 between -- 21 THE COURT: I'll -- go ahead. Finish 22 your question first.</p>	<p style="text-align: right;">472</p> <p>1 relationship today? 2 MR. ROTTENBORN: Same objection. 404. 3 THE COURT: All right. 4 MR. ROTTENBORN: Calls for hearsay as 5 well, and foundation. 6 MR. CHEW: I don't think it calls for 7 hearsay, Your Honor. She's -- she's his sister. 8 THE COURT: I understand. But it's a 9 character evidence issue. So I'll sustain the 10 objection. 11 Q Who is Amber Heard? 12 A My brother's ex-wife. 13 Q When did you first meet Amber Heard? 14 A I first met her when she came to the 15 office for casting on Rum Diary, probably late 16 2008, I think, somewhere in there. 17 Q Did you see Ms. Heard on set? 18 A Yes. 19 Q What, if anything, did you observe? 20 A When she was working on set, I mostly 21 observed, you know, some of the, you know, I was 22 there for some of the scenes, and in -- in</p>

<p style="text-align: right;">473</p> <p>1 between, you know, she was a bit sort of, like, 2 you know, standoffish, had all the people, you 3 know, being coming around her. But I don't 4 really -- I don't really have that much time with 5 her on set. 6 Q When was Rum Diary actually released? 7 A 2011. 8 Q Was Johnny in that movie? 9 A Yes. 10 Q What role, if any, did you have with 11 respect to Rum Diary? 12 A I was one of the producers. 13 Q And after seeing Ms. Heard on the set 14 in 2009, 2010, when was the next time you saw 15 Ms. Heard? 16 A I think the -- the next time I saw her 17 was we were -- we were promoting Rum Diary towards 18 the end of 2011, I think. I was not able to go on 19 the full promotional tour where we do screenings 20 for people around the country, but I was able -- 21 because my mom was sick -- but I was able to 22 attend the one in Los Angeles. So I saw her at</p>	<p style="text-align: right;">475</p> <p>1 Q To what extent did you have occasion to 2 observe Johnny and Ms. Heard together earlier in 3 their relationship? 4 A I would see them -- there were times 5 when she would come and -- and, you know, visit 6 our mom, you know. I would see her then. I would 7 see the two of them then. I didn't really spend a 8 tremendous amount of time with them. 9 Q Had you formed any impression of 10 Ms. Heard at that time based on your observations? 11 A I did. I did. I didn't -- I didn't 12 know her very well, and I would spend time -- like 13 I said, she would, you know, she would come to my 14 mom's house. I've sat with her and my mom. 15 MR. ROTTENBORN: Object on 404, Your 16 Honor. What was your question of Amber? 17 MR. CHEW: She's describing what she 18 observed, Your Honor. 19 MR. ROTTENBORN: Doesn't matter. It's 20 still 404. 21 MR. CHEW: I don't think that's right, 22 Your Honor. I think she's describing what she</p>
<p style="text-align: right;">474</p> <p>1 that event. 2 Q What did you observe -- so you attended 3 the premiere? 4 A I attended the premiere and -- and the 5 dinner afterward, yeah. 6 Q Would you please describe for us what 7 you observed at the premiere? 8 A At the dinner? 9 Q At the dinner. 10 A Because I -- I sat outside at the 11 premiere. I didn't actually watch the movie. I 12 had already seen it. I sat at the same table with 13 some of the other people involved in the cast. So 14 I saw Johnny and Amber. You know, they were 15 seated together. I saw them talking quite a bit, 16 and she seemed very friendly that night, yes. 17 Q Did there come a time when you learned 18 that Johnny and Amber were romantically involved? 19 A Yes. 20 Q When was that? 21 A I -- I don't recall exactly. I know it 22 was sometime after the Rum Diary premiere.</p>	<p style="text-align: right;">476</p> <p>1 observed. 2 THE COURT: All right. Do you want to 3 approach for a moment? 4 (Sidebar) 5 So you can describe what they observed, 6 but if she's getting into, "Oh, she was 7 unfriendly, she was standoffish," that's -- these 8 characterizations can't come in. If she was just 9 observing, "I saw her and him holding hands, I 10 mean," I mean, that's -- you know what I'm saying? 11 Just her observations she can't characterize them, 12 because that is character evidence. 13 MR. ROTTENBORN: It's her impression of 14 Ms. Heard. That's not -- 15 THE COURT: So I think you need to 16 reform that question so it's just observations, 17 just the observations, okay? 18 MR. CHEW: Thank you, Your Honor. 19 THE COURT: Okay. 20 (Open court) 21 BY MR. CHEW: 22 Q Did there come a time when your brother</p>

477	1 and Ms. Heard started to live together? 2 A Yes. 3 Q And when did that occur, approximately, 4 if you recall? 5 A I don't -- I don't recall the timing. 6 I don't recall the time frame. I believe they had 7 moved downtown to the Eastern Columbia Building, 8 but I don't remember exactly when that was. 9 Q What type of structure was the Eastern 10 Columbia Building? Was that a freestanding house? 11 Or was it apartments? 12 A It's apartments. And he had the 13 penthouses on the top floor. 14 Q How many penthouses did your brother 15 own on the top floor of the Eastern Columbia 16 Building? 17 A I -- I think it was -- I think it was 18 five apartments. 19 Q Do you know who lived in those five 20 apartments when your brother and Ms. Heard went to 21 live there? 22 A I know -- I know who lived down there.	479	1 THE WITNESS: I'm sorry. 2 THE COURT: Foundation. You asked "Do 3 you know why," so if she knows, she can answer. 4 I'll allow it. I'll overrule. 5 MR. CHEW: She was his personal 6 manager. 7 THE COURT: That's fine. Go ahead. 8 Q Did you arrange for handling a lot of 9 your brother's bills? 10 A I - I would give them to the business 11 manager. But I -- I -- I believe they were 12 Amber's family and friends. That's why he let 13 them live there. 14 Q How often did you see your brother when 15 he was living with Ms. Heard at the ECB 16 penthouses? 17 A We didn't -- we didn't see him as 18 often. I didn't see him as often. He pretty much 19 stayed down there. He didn't come back, you know, 20 towards where we were in West Hollywood, very 21 often unless he had a reason to. 22 Q And on those occasions when you did see
478	1 I know Isaac, a friend of Johnny's named Isaac, 2 lived down there. I know Amber's friend Rocky and 3 her boyfriend lived in one of the penthouses, 4 Amber's sister, Whitney, lived in one of the 5 penthouses. 6 Q When you say "Rocky" are you referring 7 to Rocky Pennington? 8 A Yes. 9 Q And was her boyfriend Josh Drew? 10 A Josh Drew. 11 Q Did Rocky Pennington and Josh Drew pay 12 any rent to your brother? 13 A No. 14 Q What about Ms. Heard's sister, Whitney? 15 Did she pay any rent to your brother? 16 A No. 17 Q Do you -- do you know why your brother 18 allowed them to live rent-free in his -- in his -- 19 at the ECB? 20 MR. ROTTENBORN: Object to foundation. 21 A He said we were -- they were -- 22 THE COURT: Hold. I'm sorry, ma'am.	480	1 your brother, what observations did you make? 2 A He -- he was always in a hurry when he 3 was able to come back. He, you know, he could 4 never sit and spend the time, you know, he -- 5 it -- it felt like he was always trying to, you 6 know, get back downtown. He -- he -- he just 7 seemed so much sadder. He did not seem himself. 8 He was -- he was always -- his -- his person was 9 much -- just sadder. 10 Q Did -- in that time period when your 11 brother and Ms. Heard were living at the ECB, did 12 you have occasion to observe them together? 13 A On occasion. 14 Q Would you please describe for the jury 15 what you observed on those occasions when you saw 16 your brother and Ms. Heard together? 17 A I mean, there's different occasions. 18 I've seen them together when they've come into the 19 office. I mean.. 20 Q When you saw them together, did they 21 appear to get along? 22 MR. ROTTENBORN: Objection, Your Honor.

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1 Vague and leading.
2 THE COURT: All right. I'll sustain as
3 to leading.
4 All right. Next question.
5 Q Did you ever witness them arguing?
6 MR. ROTTENBORN: Objection. Leading.
7 THE COURT: All right. I'll sustain as
8 to -- sustain as to leading.
9 Q Did -- in your capacity as Johnny's
10 personal manager, do you know whether your brother
11 and Amber ever traveled -- ever traveled together?
12 A Yes, they did travel together. There
13 were -- I mean, there were times when, you know,
14 when Johnny had to go do press or film, they
15 traveled together.
16 Q What type of travel arrangements did
17 you make for the two of them when they traveled
18 together?
19 A We -- we would get a private plane that
20 took them to whatever the destination was and make
21 sure that we had, you know, the hotel
22 accommodations taken care of. Part of -- part of

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1 what we did was to always make sure that we
2 anticipated, you know, everything. So we would do
3 the -- the travel, the hotels, cars, drivers. I
4 would -- I would make sure that there was an extra
5 hotel room, you know, for trips when they would
6 go.
7 Q Why did you make sure there was an
8 extra hotel room when Johnny and Ms. Heard went on
9 trips together?
10 A Because their --
11 MR. ROTTENBORN: Objection to the
12 extent the answer calls for hearsay.
13 THE COURT: All right.
14 MR. CHEW: I don't believe it does,
15 Your Honor.
16 THE COURT: Okay. That's fine.
17 You can answer, ma'am.
18 THE WITNESS: Oh, thank you.
19 A I booked the extra hotel room because
20 if Johnny was at home or, you know, anywhere like
21 that, he was able to -- if they argued, he was
22 able to leave the room, leave the argument, and go

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1 like he's always done and hide in a different room
2 to get away from it. When -- when they were
3 traveling for, you know, the different reasons for
4 press or whatever and we booked the hotel rooms, I
5 wanted to make sure that there was an extra room,
6 you know, because it -- it wasn't unusual, you
7 know, for them to have an argument. So I wanted
8 to make sure there was an extra room.
9 Q Did your brother ever have occasion to
10 use that extra room that you booked for him?
11 A Yes.
12 MR. ROTTENBORN: Objection.
13 Foundation. Calls for speculation.
14 THE COURT: All right. I'll sustain to
15 foundation if you want to lay a foundation.
16 MR. CHEW: I think the foundation is
17 she always made all of the travel -- well, I can
18 lay it through some other questions as well.
19 THE COURT: Okay.
20 MR. CHEW: She was personal manager.
21 Q Whose idea was it to book an extra room
22 for your brother when he traveled?

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1 A It was my idea.
2 Q And why did you do that?
3 A It was my idea because, you know, I saw
4 a repeat happening in life. When we were -- when
5 we were kids and -- and arguments and fighting
6 would start to happen, our first thing was to go
7 and hide and, you know, get away from it. And
8 since I recognized what felt to be a pattern, it
9 was a repeat pattern from his childhood, I -- I
10 wanted to make sure that there was a place that he
11 could do just that.
12 THE COURT: Mr. Chew, the question was
13 do you -- "Did Mr. Depp ever use the extra room?"
14 And the objection was foundation. So if you want
15 to lay a foundation of how she would have known
16 that he used that extra room, then it's not based
17 on hearsay. That's -- that's the issue.
18 MR. ROTTENBORN: I move to strike that
19 as nonresponsive.
20 THE COURT: All right. I'll strike
21 that. Okay? Go ahead.
22 MR. CHEW: Thank you, Your Honor.

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1 Q Did you ever book an extra -- did you
2 book your brother's hotel accommodations during
3 the 14 years that you -- when he was with Vanessa
4 Paradis?
5 A Yes.
6 Q Did you ever book an extra room when he
7 was with her?
8 MR. ROTTENBORN: Objection. Leading.
9 A No.
10 THE COURT: Overruled. I'll allow that
11 one.
12 Go ahead.
13 Q If you could repeat it, I don't think
14 the jury heard that.
15 A I'm sorry. No, I did not.
16 Q Did you ever hear your brother and
17 Ms. Heard argue?
18 MR. ROTTENBORN: Objection. Calls for
19 hearsay. Also leading.
20 THE COURT: I'll overrule that.
21 Go ahead.
22 Q So you may answer that.

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1 A No.
2 Q Did you ever see or hear any physical
3 altercation between your brother and Ms. Heard?
4 A No.
5 Q What can you tell us about what you did
6 observe of your brother and Ms. Heard together?
7 A To me -- when I saw them, to me, he was
8 always trying to make sure -- he was always trying
9 to make her happy. He always made efforts to --
10 to sort of make her happy. I -- I -- I think she
11 had a very -- she has a very strong personality,
12 and -- and my brother's personality came off much
13 more soft at that point, to me.
14 Q Did you observe any occasions in which
15 Ms. Heard was nice to your brother?
16 A Yes, I've seen her be nice to him.
17 Q Would you please explain that?
18 A I've seen her be nice in -- in, you
19 know, offering to, you know, bring him a drink or,
20 you know, get him whatever. I mean, just in
21 typical, like a typical nice. I've seen that.
22 Q Have you witnessed any occasions on

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1 which Ms. Heard wasn't nice to your brother?
2 A I -- I have, actually.
3 Q Would you please describe those to the
4 jury?
5 A Yeah. We had -- I had -- on one
6 occasion, because this one -- this one really --
7 this one really stayed with me. On -- on one
8 occasion we were -- I was at the office, and I'd
9 had the meeting with Dior who had wanted to sit
10 with Johnny and talk about, you know, working
11 together. And Amber had come in and asked if she
12 was interrupting us, and we said no.
13 And we weren't supposed to really talk
14 about the meeting with anyone. But Johnny told
15 Amber that I had just had a meeting with Dior and
16 that, you know, they were interested in him.
17 Her -- her reaction to that was she was in
18 disbelief and sort of disgust because she said
19 "Dior? Why -- why would Dior want to do business
20 with you? They're about class and they're about
21 style, and you don't have style."
22 You know, so it was a -- the insulting

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1 kind of taking away that one moment, you know,
2 that insult is there. You know, I've seen -- I've
3 seen the insults, multiple times, actually.
4 Q What, if anything, did you hear
5 Ms. Heard say about Mr. Depp's physical
6 appearance?
7 A She called him an old, fat man.
8 Q How did he respond?
9 A He had -- I believe he heard her call
10 him that himself.
11 Q Now, Ms. Dembrowski, I'd like to ask
12 you about a specific event that is relevant to
13 this case. And just for -- to -- for the
14 background, I'll say, did there come a time in
15 2013 when your brother was working with Keith
16 Richards of the Rolling Stones on a documentary?
17 A Yes.
18 Q Were you present?
19 A Yes, I was -- I was present at that.
20 Q Was Ms. Heard there as well?
21 A Yes.
22 Q If you could, please tell the jury how

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1 physically close you were, or how far you were,
2 from Ms. Heard while the three of you were on the
3 set.
4 **A I was – I was – I was right next to**
5 **her. They had – they had gotten there, and I was**
6 **close enough that I hugged her, and I was standing**
7 **next to her. It was a small set.**
8 Q And when you were standing next to her
9 and when you were hugging her, what, if any, marks
10 or physical injuries did you see?
11 **A I – I didn't see anything.**
12 Q Did you observe your brother's
13 interactions with Ms. Heard while the three of you
14 were on the set?
15 **A Yes.**
16 Q What, if anything, did you observe her
17 doing?
18 **A They – they – they were fine. She**
19 **was laughing and happy and holding his hand and,**
20 **you know, leaning on him, hugging him, you know,**
21 **that.**
22 Q Did your brother hug him back -- or hug

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1 her back?
2 **A Yes. But it was mostly her hugging.**
3 Q And switching -- switching subjects
4 from that time on the set, did there come a time
5 when you learned that Johnny was going to marry
6 Ms. Heard?
7 **A Yes.**
8 Q And this is a little complicated, so
9 I'm just going to ask you in a -- in a narrative
10 form. I understand there was a wedding and that
11 there was -- there were a couple of ceremonies.
12 If you could, just please describe that to the
13 jury.
14 **A They -- there was a wedding celebration**
15 **that was put together on the island. So, they had**
16 **a, like, a wedding ceremony on the island. But**
17 **prior to going to the island to do that, they**
18 **actually got married in Los Angeles, because**
19 **they -- they had to get married in Los Angeles**
20 **because they couldn't get married, you know,**
21 **paperwork, et cetera, on -- on the island. So**
22 **they got married in LA.**

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1 Q How did you learn that they were going
2 to get married?
3 **A We were -- we were already working on**
4 **the celebration part, and I knew -- I knew that**
5 **the date was -- at some point they were going to**
6 **pick a date to -- to try to get married in**
7 **Los Angeles. But I didn't -- I didn't know the**
8 **actual date that had been decided until he called**
9 **me, which was pretty much right before the day.**
10 Q What was your reaction upon hearing
11 from your brother that he was going to marry
12 Ms. Heard?
13 **A I was -- I was scared. I was**
14 **devastated, actually, that it was -- it was going**
15 **to happen as -- as quickly as it was being pushed**
16 **for. I -- I actually tried to talk him into**
17 **just -- just waiting a little bit longer, just a**
18 **little bit, and not -- not rushing.**
19 Q Why did you want him to wait a little
20 bit longer?
21 **A There had been -- there had been**
22 **conversations about a prenuptial agreement that**

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1 **had been going on for a while, and as the date was**
2 **approaching, you know, for the island ceremony,**
3 **there was no success in the prenuptial**
4 **conversations. And I knew it was important. His**
5 **representatives had explained the importance, and**
6 **I knew it was important to him for his children.**
7 **And I -- we were rushing to do something without**
8 **his children being protected.**
9 Q Specifically, if you could, explain to
10 the jury what involvement you had in those
11 discussions about a prenuptial agreement.
12 MR. ROTTENBORN: Objection.
13 Foundation. Discussions with whom?
14 MR. CHEW: She's testified about her --
15 THE COURT: I'll allow it. Go ahead.
16 MR. CHEW: Thank you, Your Honor.
17 Q I think, what was your involvement in
18 the discussions involving the prenuptial -- a
19 prenuptial agreement?
20 **A Mostly, it was I spoke with the**
21 **attorneys and the representatives so that they --**
22 **they explained the importance of it, and they**

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1 explained the reasons behind it.
2 MR. ROTTENBORN: Move to strike.
3 Hearsay.
4 THE COURT: I'll allow it. Go ahead.
5 Q That means you can keep going.
6 A Okay. I'm sorry. I'm sorry.
7 So that -- so that we could have
8 further conversation and -- with Johnny and
9 they -- there was an attorney that they
10 coordinated with for -- for Amber. So that --
11 that was where I was involved, in coordinating
12 that part.
13 Q Which side wanted a prenup?
14 A Johnny's side wanted a prenup.
15 Q And I believe what you said may have
16 gotten lost. Why did Johnny's side want a prenup?
17 A Well, the prenup was to -- to make sure
18 that his children were protected.
19 Q That's Jack and Lily-Rose?
20 A Jack and Lily-Rose, yes.
21 Q Did your brother and Ms. Heard ever
22 sign a prenup?

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1 A No.
2 Q Why not?
3 A Amber didn't sign it.
4 Q Did you end up -- despite your
5 misgivings, did you end up attending the wedding
6 between -- or the ceremony between your brother
7 and Ms. Heard on the island in Bahamas?
8 A Yes, I did. But I also attended the
9 actual wedding in Los Angeles.
10 Q And that's -- that preceded the
11 celebration in the Bahamas; is that correct?
12 A Yes, yes.
13 Q Did you have occasion to speak with
14 Ms. Heard either at the ceremony -- the formal
15 ceremony in Los Angeles or the celebration in the
16 Bahamas?
17 A I did. At the actual -- at the actual
18 ceremony in Los Angeles, they -- they -- they had
19 the ceremony at my mom's house. And at that
20 ceremony, I didn't have occasion to really speak
21 with Amber. She, Rocky, and Whitney, I don't
22 believe, wanted necessarily to speak with me that

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1 day.
2 I did, after the ceremony was done, I
3 was standing not far from them, and they were
4 having a conversation. They were having a
5 conversation, actually, about -- excuse me --
6 about should they leak the information that they
7 had already gotten married at the house to the
8 press so that they could -- maybe they didn't have
9 to worry about the island when they did the
10 celebration.
11 And Amber -- Amber actually reached out
12 to me and said -- because I was standing seven,
13 eight feet away from her -- asked my opinion, you
14 know, what I thought about that, which I -- I
15 basically said I didn't know why they would do it
16 since all the information for the island was
17 already out and that it wasn't going to help them.
18 I didn't know why they would want to leak it at
19 all, but it was up to them.
20 Q When was --
21 A I saw her on the island as well. But
22 on the island, she was actually extremely friendly

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1 when -- when I got there. Because, if I'm honest,
2 I -- I debated going. I -- I didn't really want
3 to. I almost didn't. But I -- I took my dad.
4 Dad wanted to go, and I wanted to make sure that I
5 showed up anyway because I wanted to make sure
6 that, honestly, that my little brother would know
7 that I was going to be -- I was always going to be
8 around no matter what. But Amber was extremely
9 friendly and thanked me for coming to her special
10 day. You know, it was a very big day for her.
11 Q Can you remember any other interactions
12 you had with Ms. Heard or your brother on the
13 island at the celebration?
14 A Interactions on the island? Not
15 really.
16 Q And when was the next time you saw
17 Amber Heard after the celebration on the island?
18 A It was -- it would have been -- it
19 would have been when she came back from Australia.
20 Q And I will --
21 MR. CHEW: And I will get to that, your
22 Honor. Is it possible for us to take a very quick

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1 break?
2 THE COURT: Sure. Are you gonna -- are
3 you -- you still have quite a bit of direct left,
4 I assume.
5 MR. CHEW: I do have a fair amount,
6 Your Honor.
7 THE COURT: Okay. All right. Ladies
8 and gentlemen, why don't we go ahead and have you
9 take your afternoon break of 15 minutes, okay?
10 Again, don't do any outside research and do not
11 talk to anyone about the case. I know you're
12 going to hear me say it so much.
13 Thank you.
14 MR. CHEW: Thank you, Your Honor.
15 (Whereupon, the jury exited the
16 courtroom and the following proceedings took
17 place.)
18 THE COURT: So why don't we just go
19 ahead and make it at 3:30 then, so it's close
20 enough?
21 MR. ROTTENBORN: Your Honor, may I just
22 make one request?

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1 THE COURT: Sure.
2 MR. ROTTENBORN: Would you mind
3 instructing the witness -- I think this would go
4 for all the witnesses -- that on the breaks,
5 they're not to discuss their testimony today?
6 THE COURT: All right. You understand,
7 ma'am, that since you are right now on the stand,
8 you can't discuss this case not even with the
9 attorneys, okay? So don't discuss it with anybody
10 until we get you back here in 15 minutes, okay?
11 MR. ROTTENBORN: Thank you, Your Honor.
12 THE BAILIFF: All rise.
13 (Recess taken from 3:11 p.m. to
14 3:30 p.m.)
15 THE BAILIFF: All rise. Be seated.
16 Come to order.
17 THE COURT: All right. Are we ready
18 for the jury?
19 MR. CHEW: Yes, Your Honor.
20 MR. MURPHY: Before we take the witness
21 back, Your Honor, if you please, we have that
22 second order.

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1 THE COURT: That's great. I am very
2 pleased.
3 MR. MURPHY: Both of them are
4 completed.
5 THE COURT: That's great. I'll have an
6 entry for my diary. Thank you so much.
7 MR. CHEW: Thank you, Your Honor.
8 THE COURT: All right. Yes, sir. Yes,
9 we're ready.
10 (Whereupon, the jury entered the
11 courtroom and the following proceedings took
12 place.)
13 THE COURT: All right. Everybody can
14 be seated, and we're ready to start again.
15 Yes, Mr. Chew.
16 MR. CHEW: Thank you, Your Honor.
17 BY MR. CHEW:
18 Q Good afternoon again, Ms. Dembrowski.
19 I'm told that both you and I need to speak a
20 little closer to our microphones.
21 A Oh. All right.
22 Q Thank you. And when we took the break,

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1 I think you had just testified that the next time
2 you had seen Ms. Heard was when she had just
3 returned from Australia.
4 A Yes.
5 Q What, if anything, did you discuss with
6 Ms. Heard when she returned from Australia?
7 A We -- excuse me -- we met for dinner
8 late -- a late dinner, and she was -- and she was
9 telling me that she and Johnny had had a fight in
10 Australia, and I was -- I was trying to talk to
11 her about the idea that that kind of fighting is
12 not normal; it's too much. It's -- it's not okay.
13 But she -- she told me that I needed to
14 basically get down off my cross and mind my own
15 business. She said that Johnny liked that she was
16 feisty. You know, she was feisty and he loved it
17 and that Jerry Judge and I needed to stay out of
18 her marriage. So that was the basic conversation.
19 Q Did you respond at all when Ms. Heard
20 told you to get off your cross?
21 A I just kept saying that it -- fighting
22 is not normal, this kind of fighting is not

<p style="text-align: right;">501</p> <p>1 normal.</p> <p>2 Q How close were you to Ms. Heard when</p> <p>3 you were having this conversation?</p> <p>4 A We were right next to each other.</p> <p>5 Right, like, right here (indicating).</p> <p>6 Q Did you see any marks or any</p> <p>7 discoloration on her face?</p> <p>8 A No.</p> <p>9 Q Now, Ms. Dembrowski, I would like to</p> <p>10 shift gears again and ask you about the period in</p> <p>11 April and May of 2016. If you could please let us</p> <p>12 know, as of April 2016, what was the state of your</p> <p>13 mother's health?</p> <p>14 A Excuse me. Mom had been -- she had</p> <p>15 been in the hospital for quite some time and,</p> <p>16 like, a long, steady case from November. So by</p> <p>17 April she was -- we knew that she was towards the</p> <p>18 end of her life. So that's what April basically</p> <p>19 was, and it went into May. In May, we gathered</p> <p>20 everybody to come say goodbye to her.</p> <p>21 Q How often, if at all, did you visit</p> <p>22 your mother in April 2016?</p>	<p style="text-align: right;">503</p> <p>1 Mom was at a point where there was nothing else</p> <p>2 that we could do for her and -- so that we should</p> <p>3 start calling anybody that wanted to, you know,</p> <p>4 come and, you know, spend a little bit of time,</p> <p>5 say their goodbyes. So we did that. We did that</p> <p>6 in May.</p> <p>7 Q And -- and moving ahead to May 19,</p> <p>8 2016, what was your mother's condition that day?</p> <p>9 A She was -- she was basically in a coma.</p> <p>10 She was medicated and -- and just on machines,</p> <p>11 life support, where it was, you know, slowly going</p> <p>12 away on May 19th.</p> <p>13 Q How do you know that?</p> <p>14 A I was with her.</p> <p>15 Q Did you see your brother in the</p> <p>16 hospital that day?</p> <p>17 A Yes.</p> <p>18 Q What happened the next day, May 20th,</p> <p>19 2016?</p> <p>20 A Mom passed away that morning. We had</p> <p>21 all the family was there. Johnny was there with</p> <p>22 his kids until the wee morning hours of May, you</p>
<p style="text-align: right;">502</p> <p>1 A She was in the hospital, so I was -- I</p> <p>2 was with her pretty much every day. I was 24/7</p> <p>3 when I wasn't, you know, at the office or</p> <p>4 something, you know.</p> <p>5 Q Did you ever see Johnny at the</p> <p>6 hospital?</p> <p>7 A Yes.</p> <p>8 Q How often did Johnny -- did you see</p> <p>9 Johnny at the hospital in April 2016?</p> <p>10 A I don't know how often I saw him. I</p> <p>11 mean, he would come and see her, you know,</p> <p>12 regularly, even before that, when -- there was a</p> <p>13 period we were trying to help her communicate, and</p> <p>14 he, you know, brought in, you know, different-type</p> <p>15 tools, pens, pencils, you know, of drawing,</p> <p>16 crayons, just to try to help her communicate. He</p> <p>17 came as often as he could. He was -- he was there</p> <p>18 quite a bit.</p> <p>19 Q And when you said you called the family</p> <p>20 together in May, would you please explain what you</p> <p>21 meant?</p> <p>22 A We were told by -- by the doctors that</p>	<p style="text-align: right;">504</p> <p>1 know, May 20th. My kids, my sister, we were all</p> <p>2 there spending our last bits of time. And</p> <p>3 everybody else had gone home, and Mom passed away</p> <p>4 probably a few hours after that, maybe, five, six</p> <p>5 hours after that.</p> <p>6 Q Who was with your mother when she</p> <p>7 passed?</p> <p>8 A I was.</p> <p>9 Q Who, if anyone, told Johnny that your</p> <p>10 mother had passed?</p> <p>11 A Sorry.</p> <p>12 Q Take your time.</p> <p>13 A I did. I called him, and I called</p> <p>14 my -- our other siblings to tell them.</p> <p>15 Q And I'm sorry; I know this is painful.</p> <p>16 How did Johnny react when you told him that your</p> <p>17 mother had passed?</p> <p>18 A He was -- he was sad, but there was</p> <p>19 a -- also, there's a relief that, you know,</p> <p>20 suffering is done. So he was mostly trying to</p> <p>21 make sure that I was okay and I was going to leave</p> <p>22 and not stay there and, you know, sort of take on</p>

<p style="text-align: right;">505</p> <p>1 everything by myself.</p> <p>2 Q So he asked about how you were doing?</p> <p>3 A Oh, yes. That became quite a big</p> <p>4 topic. Yes.</p> <p>5 Q Ms. Dembrowski, did you see Johnny the</p> <p>6 next day, Saturday, May 21, 2016?</p> <p>7 A I did. I had -- I had gone to his</p> <p>8 house the night we lost mom. I think we all kind</p> <p>9 of gathered our children, right, and I had my</p> <p>10 sister with me. So I had driven her back on the</p> <p>11 Saturday, and we were going to go to the funeral</p> <p>12 home. So I was -- while I was waiting for her, I</p> <p>13 went to go check on Johnny and see if he was okay</p> <p>14 and wanted to go.</p> <p>15 Q And did you check on Johnny Saturday</p> <p>16 morning, the 21st?</p> <p>17 A Yes. Yes. I went -- I went to see him</p> <p>18 because he was -- we had talked about maybe he</p> <p>19 would also go to the -- to the funeral home. But</p> <p>20 when I got there, he seemed -- he seemed upset</p> <p>21 because he and Amber had been fighting.</p> <p>22 Q What else happened when you first met</p>	<p style="text-align: right;">507</p> <p>1 you left him to go to the funeral home?</p> <p>2 A Yeah. I came back. That evening, I</p> <p>3 came back. I was taking care of my sister for a</p> <p>4 bit, and then before I left to go home, I stopped</p> <p>5 at his house to make sure that he was okay, you</p> <p>6 know, and I saw him then.</p> <p>7 Q And what happened when you went over to</p> <p>8 see that he was okay?</p> <p>9 A He was -- he was talking to a couple of</p> <p>10 people. I -- you know, I saw him briefly. He</p> <p>11 seemed to be all right, and I spoke to Jerry</p> <p>12 Judge. And they had just come back from him</p> <p>13 picking up items down at -- at the downtown at the</p> <p>14 loft.</p> <p>15 Q So when you met him the second day that</p> <p>16 time -- strike that.</p> <p>17 When you met him the second time that</p> <p>18 day on May 21, did you meet with him at his</p> <p>19 Sweetzer house or at the ECB?</p> <p>20 A No, I went to the Sweetzer house. He</p> <p>21 had gone down to the -- the penthouse to pick up</p> <p>22 some of his stuff because he was going to be</p>
<p style="text-align: right;">506</p> <p>1 with your brother on the morning of the 21st when</p> <p>2 you were talking about going to the funeral home?</p> <p>3 A I just -- I went to go see if he was</p> <p>4 going to go with us. I got there; he was upset --</p> <p>5 excuse me -- because they were fighting. I got</p> <p>6 upset because of the day that was chosen to fight.</p> <p>7 But I went ahead and left and went to the -- to</p> <p>8 the funeral home with my sister and then came back</p> <p>9 that evening.</p> <p>10 Q Why were you upset about their fighting</p> <p>11 on that day in particular?</p> <p>12 A Our -- our -- we had just lost our mom</p> <p>13 the day before, so I feel like, you know, there</p> <p>14 might be the need for a little compassion, no</p> <p>15 fighting on that day.</p> <p>16 Q Did Johnny end up going with you to the</p> <p>17 funeral home that day?</p> <p>18 A No. I went ahead and went, and he</p> <p>19 was -- he was gathering his stuff because he had</p> <p>20 to go pick up some items because he was going to</p> <p>21 go on tour.</p> <p>22 Q Did you see Johnny again that day once</p>	<p style="text-align: right;">508</p> <p>1 leaving, you know, to go on -- on tour, and I just</p> <p>2 stopped by after -- they had just gotten back.</p> <p>3 Q And as of that time, the evening of</p> <p>4 May 21, your mother had just passed, what plans,</p> <p>5 if any, had been made for a funeral service for</p> <p>6 your mother?</p> <p>7 A We -- we hadn't made any plans for a</p> <p>8 funeral service. We wanted to wait until we could</p> <p>9 get, you know, all the friends and family.</p> <p>10 Because we weren't expecting the date,</p> <p>11 necessarily, but we wanted to wait until we could</p> <p>12 get all friends and family to come together to</p> <p>13 have more of a, like a dinner, like a celebration,</p> <p>14 like Mom would want at her favorite place. So</p> <p>15 we -- we waited. We decided to schedule it, like,</p> <p>16 a month or so out instead of immediate.</p> <p>17 Q So you had referred to your brother as</p> <p>18 having plans to go on tour --</p> <p>19 A Uh-huh.</p> <p>20 Q -- that next week, obviously not</p> <p>21 knowing that his mother was going to pass.</p> <p>22 A Right.</p>

<p style="text-align: right;">509</p> <p>1 Q What, if any, other formal events had 2 been planned for that next week before he was 3 going on tour? 4 A Well, he was -- he had a -- he had the 5 premiere for Alice that was on the Monday night. 6 Mom passed on Friday, and the premiere was Monday 7 night. And then he was going to take a flight 8 after that. Immediately after the premiere, he 9 had to get on a plane to go to New York to meet 10 the band and go on to Europe. 11 Q And when you say "Alice," just so the 12 jury may understand, if you could, please explain 13 to them what Alice is. 14 A Oh, I'm sorry. Alice -- and I'm so 15 sorry right now. I don't know if it's Alice 16 Through the Looking Glass, maybe, was that one's 17 name or the Alice in Wonderland Disney series 18 where he played a Hatter. 19 Q And so that premiere for Alice in 20 Wonderland was going to be on Monday. And what 21 day was Mr. Depp planning to go on tour with his 22 music band?</p>	<p style="text-align: right;">511</p> <p>1 So we kept it just with us so that it wouldn't 2 become a, you know, a worldwide thing and he could 3 do what he was supposed to do and do his job 4 and... 5 Q Did you think he could handle hearing 6 all that sympathy at the premiere? 7 A I -- I didn't think he should handle 8 it. I didn't think -- I thought it would be very 9 hard on him, you know. I -- I -- it would be very 10 hard, question after question and condolences. 11 Q Did there come a time when Ms. Heard 12 filed for divorce from your brother? 13 A Yes. 14 Q When was that? 15 A I learned that she had filed on the 16 Tuesday morning. After that premiere, Tuesday 17 morning I was at the funeral home, and I got a 18 call from the attorney to let me know that she had 19 filed. 20 Q Where was Johnny when you learned that 21 Ms. Heard had filed for divorce? 22 A He was -- he was already in New York</p>
<p style="text-align: right;">510</p> <p>1 A He had to be there Tuesday morning. 2 He -- so we had to schedule it -- it was very 3 tight. We scheduled a plane for him immediately 4 after the premiere, he would get on the plane. 5 Q So he was expected to leave on Tuesday. 6 So how long was he supposed to be on tour? 7 A I -- I believe it was a couple of 8 months, something like that. 9 Q Going back to the premiere, how, if at 10 all, did your mother's passing affect the premiere 11 of Alice in Wonderland? 12 A We didn't -- we didn't let anybody know 13 that Mom had passed away. We kept that really 14 close to just our, you know, just family and 15 friends because he -- because he had to go do the 16 premiere. And with the premiere, he's on the -- 17 the carpet, and on the carpet, he does a lot -- he 18 does interviews. And it didn't feel right, on 19 many levels, to have him where people knew that 20 Mom had passed away and while he's trying to do 21 interviews, to sort of, you know, give their 22 condolences and their sympathies and all of that.</p>	<p style="text-align: right;">512</p> <p>1 and getting ready to travel to Europe for the 2 tour. 3 Q How did you react, initially, when you 4 heard from Mr. Depp's attorney that Ms. Heard had 5 filed for divorce? 6 A I mean, I think understandably, you 7 know, I -- the timing of this, it made me sick, 8 actually. It really made me feel ill. It made me 9 sad, frustrated. I don't -- I don't -- I can't 10 even find the word to describe how I felt when I 11 heard that the divorce was filed the day after, 12 you know, while I'm at the funeral home. 13 Q You didn't think the timing of 14 Ms. Heard's filing was appropriate? 15 A I -- I did not. I thought -- I thought 16 it was -- I thought something like that might have 17 been able to wait. 18 Q Did there come a time when you learned 19 that Ms. Heard had also filed for a restraining 20 order against Johnny? 21 A Yes. Yes. I think I heard that, also 22 from the attorney, I believe -- I believe the day</p>

<p style="text-align: right;">513</p> <p>1 before she was – I think it was a Thursday, I 2 think, I learned that one. 3 Q So this was two days after your brother 4 had left for New York? 5 A Yes. Yes. Because I was shocked at 6 that – at that. I was shocked at that and 7 concerned that he was out of town and didn't know 8 if he needed to be there. He was gone, you know, 9 and – and I was asking the attorney and they 10 said, "No, he doesn't have to be there. No one 11 has to be there. Amber won't be there, no one 12 will be there, just attorneys. It's a very simple 13 process." 14 Q Did Johnny attend the restraining order 15 hearing? 16 A No. He was not in town; he wasn't in 17 the country. 18 Q Did you see any press coverage of the 19 restraining order hearing? 20 A Yes, I did. 21 Q Would you please tell the jury what you 22 saw or read?</p>	<p style="text-align: right;">515</p> <p>1 Q Was the -- 2 THE COURT: All right. I'll sustain 3 the objection. 4 Next question. Go ahead. 5 Q How did you feel when you read the 6 press? 7 MR. ROTTENBORN: Relevance. How the 8 witness felt is irrelevant. 9 THE COURT: What's the relevance, 10 Mr. Chew? 11 MR. CHEW: I think it -- I think it's 12 relevant to her testimony, Your Honor, but I can 13 move on. 14 THE COURT: Okay. I'll sustain the 15 objection. 16 Next question. 17 Q Moving ahead two years in time, did you 18 see Ms. Heard's Washington Post op-ed when it was 19 published in December 18, 2018? 20 A Yes. 21 Q What did you think Ms. Heard's op-ed 22 was about?</p>
<p style="text-align: right;">514</p> <p>1 MR. ROTTENBORN: Objection. Calls for 2 hearsay. 3 MR. CHEW: Not asking for the proof of 4 what was in the articles. It's a present-sense 5 impression. 6 MR. ROTTENBORN: Irrelevant. Why is it 7 relevant? 8 THE COURT: I'll sustain it to hearsay. 9 and relevance. 10 MR. CHEW: Okay. 11 Q Did you see press -- was there press 12 coverage of the hearing? 13 A There was a tremendous amount of press 14 coverage. 15 Q Did you read any of it? 16 A I did – I did. I did read some of it. 17 You know, I saw some of it. 18 Q Putting aside the truth or falsity of 19 what you saw, what did you see? 20 MR. ROTTENBORN: Relevance. 21 THE COURT: Why is that relevant? 22 MR. ROTTENBORN: And hearsay.</p>	<p style="text-align: right;">516</p> <p>1 MR. ROTTENBORN: Relevance. 2 MR. CHEW: It's entirely relevant. 3 They're -- they're trying to argue somehow that 4 people didn't understand what -- what the op-ed 5 meant. We heard an opening where there was -- 6 THE COURT: I want you to approach. 7 (Sidebar) 8 MR. CHEW: Yes, ma'am. 9 THE COURT: What is her opinion of the 10 op-ed? How is that relevant? 11 MR. CHEW: What was -- not her opinion, 12 but what did she think it was about. He's arguing 13 that -- that because it didn't -- 14 THE COURT: But that's still her 15 opinion of what she thought it was about. 16 MR. CHEW: Right. But, I mean, they 17 are trying to argue that people didn't understand 18 that this was about Johnny Depp. I mean, she's a 19 human being. 20 THE COURT: I understand. But I'll 21 sustain the objection, okay? 22 MR. CHEW: Thanks.</p>

<p>1 THE COURT: Uh-huh. 2 (Open court.) 3 BY MR. CHEW: 4 Q Ms. Dembrowski, have you had any 5 discussions with your brother about the op-ed? 6 A Yes. I-- 7 MR. ROTTENBORN: Object to anything 8 after the "yes" as hearsay. 9 THE COURT: I'm not sure if it is or 10 not. 11 MR. CHEW: It's a yes-or-no question. 12 THE COURT: Okay. All right. Next 13 question. 14 Q As Mr. Depp's brother [sic] and as his 15 personal manager, do you have any understanding 16 how the publication of the op-ed has affected your 17 brother's career? 18 MR. ROTTENBORN: Objection. 19 Foundation, Your Honor, and hearsay. 20 THE COURT: I don't know if it's 21 hearsay. 22 MR. CHEW: I apologize, Your Honor.</p>	<p>517</p>	<p>1 anyone's career when there is accusations, you 2 know, as -- as there have been. 3 Q How has it affected him personally? 4 MR. ROTTENBORN: Objection. 5 Foundation. 6 MR. CHEW: She's his sister, Your 7 Honor. 8 THE COURT: I'll allow it. 9 Go ahead. 10 A Okay. Personally, I know -- I know 11 he -- I know he doesn't want people to feel that 12 he -- you know, that he could ever be that type of 13 person, which he isn't. And to know that, 14 actually, that is something that is attached to 15 him now, which trickles down to his children, you 16 know, where I think that part, more than anything, 17 is the part that has bothered him, you know, the 18 fact that his children have to, you know, have 19 this in their life. 20 Q Ms. Dembrowski, do you believe that 21 your brother physically abused Ms. Heard? 22 MR. ROTTENBORN: Objection, Your Honor.</p>	<p>519</p>
<p>1 THE COURT: That's fine. 2 MR. CHEW: But he -- she has worked 3 with her brother for several decades. 4 THE COURT: I'll allow it. Let's see 5 where the answer goes. 6 Q You may answer. 7 A I'm sorry. Would you mind asking it 8 again? 9 Q Do you have an understanding of how the 10 publication of the op-ed has affected your 11 brother's career? 12 A Yes. The op-ed -- the op-ed is written 13 with -- the way it was written, the wording within 14 the op-ed make it very clear of the time frame. 15 MR. ROTTENBORN: Objection, your Honor. 16 THE COURT: Direct her to answer that 17 question again. Maybe you should ask it again. 18 Q How has the publication of Ms. Heard's 19 op-ed -- putting aside for a moment its 20 relationship to your brother, its references to 21 your brother -- how has it affected his career? 22 A I believe there's a negative effect on</p>	<p>518</p>	<p>1 Relevance, foundation. 2 THE COURT: I'll sustain the objection. 3 Q Do you believe that Ms. Heard is a 4 public figure representing domestic violence? 5 A No, I don't. I believe the opposite. 6 THE COURT: Excuse me. I'll sustain 7 the objection. 8 MR. CHEW: Thank you, Your Honor. 9 THE COURT: Thank you. And you strike 10 that answer, please. Thank you. 11 Q As his sister and as his personal 12 manager for decades, are you aware of any occasion 13 on which any woman other than Ms. Heard has ever 14 accused your brother of any type of physical 15 abuse? 16 MR. ROTTENBORN: Objection. 17 Foundation, hearsay, and leading. 18 THE COURT: I'll allow the answer. 19 A No. 20 Q How has Ms. Heard's op-ed impacted your 21 life? 22 MR. ROTTENBORN: Objection. Relevance.</p>	<p>520</p>

<p style="text-align: right;">521</p> <p>1 THE COURT: What's the relevance? 2 MR. CHEW: Thank you, Your Honor. 3 That's all I have right now. 4 THE COURT: Okay. Withdrawing the 5 question. Okay. All right. Cross-examination. 6 MR. ROTTENBORN: Thank you, Your Honor. 7 THE COURT: Yes, sir. 8 EXAMINATION BY COUNSEL FOR THE DEFENDANT 9 Q Good afternoon, Ms. Dembrowski. 10 A Good afternoon. 11 Q So I believe we covered some of this, 12 but I just want to make sure. So you're -- your 13 employed at a company your brother owns, right? 14 A Yes. 15 Q It's called Infinitum Nihil? 16 A Yes. 17 Q Is that right? And it's Mr. Depp's 18 production company? 19 A Yes. 20 Q And you're the president of that 21 company, right? 22 A Yes.</p>	<p style="text-align: right;">523</p> <p>1 MR. ROTTENBORN: May I approach the 2 witness? 3 THE COURT: Yes, please. 4 Q Ms. Dembrowski, do you remember giving 5 a deposition in this case? 6 A Yes. 7 Q And just a couple months ago, right? 8 A I believe so, yeah. 9 Q And you remember, before you started 10 that deposition, being under oath, right? 11 A Yeah. 12 Q Okay. And you swore to tell the truth? 13 A Yeah. 14 Q Okay. And you were asked questions by 15 counsel for Ms. Heard, and you gave answers, 16 right? 17 A Yes. 18 Q Could you please take a look at page 19 19 of that deposition transcript in front of you. 20 A (The witness complies.) 21 Q And do you see on page -- sorry, 22 page 19, line 8 through 10, you were asked a</p>
<p style="text-align: right;">522</p> <p>1 Q And that is your only source of income, 2 correct? 3 A I have other projects that I work on on 4 the side. 5 Q It's your only job, right? 6 A It's my full-time job, yes. 7 Q Right. And job-wise, you don't have 8 any other sources of income other than Infinitum 9 Nihil, right? 10 A Other projects. I -- I have the 11 opportunity with other projects to make more 12 money. 13 Q All right. 14 MR. ROTTENBORN: Your Honor, may I 15 approach? 16 THE COURT: All right. If you could, 17 just show counsel what you're approaching with. 18 All right. He's just giving -- I think 19 he's just giving copies, Mr. Chew. 20 MR. CHEW: I have no objection. 21 THE COURT: I assumed there wouldn't 22 be.</p>	<p style="text-align: right;">524</p> <p>1 question: "Do you have any other sources of 2 income other than from Infinitum Nihil?" 3 And you answered, "No. Job-wise, no." 4 Do you see that? 5 A I do. 6 Q Was that testimony correct? 7 A Yes. But it's the same as what I said 8 today. 9 Q Now, you have a huge financial interest 10 in your brother's career, right? The money that 11 Infinitum Nihil makes comes from money that 12 Mr. Depp makes, correct? 13 A It hasn't always historically, no. 14 Q What else does it come from? 15 A We've had deals with other entities, 16 companies. 17 Q And for the most part, the better your 18 brother does in his career, the more money 19 Infinitum Nihil makes, though, correct? 20 A I -- I -- I don't think it's exactly 21 like that, no. 22 Q And you have a -- your brother has done</p>

<p style="text-align: right;">525</p> <p>1 projects that Infinitum Nihil has been the 2 production company for, correct? 3 A Yes. 4 Q And you have a financial interest in 5 that company, correct? 6 A I'm an employee. 7 Q Are you employed by his other companies 8 as well? 9 A I'm employed by Infinitum Nihil. 10 Q Are you employed by the other companies 11 that your brother has? 12 A No. 13 Q Do -- where do you receive your 14 paycheck from? Infinitum Nihil? 15 A Infinitum Nihil. 16 Q Okay. And you have a financial 17 interest in how Infinitum Nihil performs 18 financially, correct? 19 A I – I have a salary that I get, so 20 that's not a financial interest. If you're asking 21 if I get a piece of the pie, no. 22 Q You wouldn't consider salary financial</p>	<p style="text-align: right;">527</p> <p>1 as – when we were children, and we had – we had 2 the same reaction always was to leave. 3 Q Right. And when you were testifying 4 earlier about Mr. Depp's reaction being to leave, 5 you were referring to when he was -- before you 6 left the house, when he was a kid, right? 7 A Yes. But we – we left the house not 8 too far apart from each other, but, yes. 9 Q When -- when Mr. Depp would leave as a 10 child during the times when your mother was angry 11 at him, was he addicted to drugs back then? 12 A No. 13 Q Was he addicted to alcohol? 14 A No. 15 Q You testified a little bit about 16 Mr. Depp's former partner, Vanessa Paradis. You 17 were friends with Vanessa, right? 18 A We were – it was a family, so... 19 Q Right. You considered her family? 20 A Yes. She was part of the family, yes. 21 Q Right? 22 A Yes.</p>
<p style="text-align: right;">526</p> <p>1 interest; is that your testimony? 2 A I consider it a salary, yes. But it 3 sounds like you're asking something different. 4 I'm sorry. Maybe I misunderstood. 5 Q Yeah. So the bottom line is you draw a 6 salary from Infinitum Nihil. 7 A Yes. 8 Q And that's your brother's production 9 company, correct? 10 A Yes. 11 Q Now, you feel protective of your 12 younger brother, always have, right? 13 A Yes. 14 Q And you testified earlier today about 15 Mr. Depp's reactions to some of your mother's 16 anger growing up. 17 A Uh-huh. 18 Q How -- how old was Mr. Depp during the 19 periods you were talking about? Like, when he was 20 a kid, is that basically what you were talking 21 about? 22 A The reactions to Mom's anger began</p>	<p style="text-align: right;">528</p> <p>1 Q And you were friendly with her? 2 A Yes. 3 Q You liked her? 4 A Yes. 5 Q You were happy that your brother was 6 with her? 7 A I was happy that my brother was happy. 8 Q Yeah. And you -- you didn't want to 9 see him split up from Vanessa, did you? 10 A You know what? I wanted both of them 11 to be happy. I – I – it didn't matter to me if 12 they split up or not. 13 Q You were -- you were devastated when 14 they split up, weren't you? 15 A I don't think I was devastated. 16 Q Were you happy about it? 17 A No. I wanted my family to be okay. 18 Q What were your emotions when you 19 learned that your brother was splitting from 20 Vanessa? 21 A If I had to say, I was probably, you 22 know, a little sad for both of them. I mean,</p>

<p style="text-align: right;">529</p> <p>1 beyond that, I – I don't – I don't really recall 2 big emotions about it. 3 Q You were sad because you were losing 4 her as part of what you just testified was your 5 family, right? 6 A No. 7 Q You weren't sad about that? 8 A No. 9 Q Now, on May 21st, 2016, you were asked 10 some questions about that, and I know your 11 mother's passing must have been very tough, so I'm 12 not going to ask you specific questions about 13 that. 14 I'm going to ask questions about the 15 next stages to make sure that I had your testimony 16 right. 17 Can you remind me, you said that you 18 saw your brother the morning of May 21st. 19 A I stopped by there at some point, yeah, 20 in the daytime, in the early part of the day. 21 Q What -- approximately, what time? 22 A I honestly don't remember.</p>	<p style="text-align: right;">531</p> <p>1 when you stopped by during the daytime on 2 May 21st, that they had been fighting and that 3 made you upset; is that right? 4 I'm just trying to understand what you 5 testified to. 6 A It's -- it's not that it made me upset. 7 I found it upsetting. 8 Q Did you ever become aware that they 9 hadn't actually seen each other or communicated at 10 all before he came over at 8:00 p.m. on May 21st? 11 MR. CHEW: Objection. Lack of 12 foundation. 13 THE COURT: Foundation. 14 MR. ROTTENBORN: She testified that she 15 said that they were fighting earlier in the day. 16 I'm asking her if she ever became aware that they 17 actually hadn't seen each other or talked that 18 day. 19 MR. CHEW: Lack of foundation. 20 THE COURT: I'll allow the question. 21 Go ahead. 22 Q I'll ask it again. Did you ever become</p>
<p style="text-align: right;">530</p> <p>1 Q Was it before lunch? 2 A I – I – I don't remember the timing. 3 It was just daytime. 4 Q It was daytime? And you testified that 5 when you stopped by there for the first time that 6 day, that you were -- you were upset because it 7 seemed like he and Amber had been fighting. 8 Is that what you said? 9 A I said that they had been arguing. 10 They had been arguing, and I said that I – I 11 didn't love that they were arguing on – it was 12 a – a horrible day to argue on. 13 Q And that was, your testimony was that 14 you were upset that they had been arguing when you 15 stopped by that -- during the daytime, right? 16 A (Nonverbal response.) 17 Q Okay. You have no understanding of any 18 of Amber or Mr. Depp's communications leading up 19 to May 21st, correct? 20 A I don't know that I have a lot of that, 21 no. 22 Q Okay. And but your testimony is that</p>	<p style="text-align: right;">532</p> <p>1 aware that Amber and Mr. Depp hadn't seen each 2 other or talked that day before he came to the 3 Eastern Columbia Building the evening of May 21st? 4 A No. I just know that when -- what I 5 understood was that they had had a fight, whether 6 it was over the phone or -- I don't know. They 7 were arguing. 8 Q Now, when your mother was in the last 9 days of her life in the hospital, Amber visited 10 her, right? 11 A Amber did come one time by herself if 12 that's what you're referring to. She -- she did 13 come one time shortly before Johnny was also 14 coming. 15 Q And she visited her actually more than 16 one time, correct? 17 A I don't recall her visiting on her own 18 more than one time, no. I remember her coming one 19 time, because I didn't know she was coming, and 20 Johnny was actually also coming. So they ended up 21 there together. 22 Q I guess I'm a little confused because</p>

<p style="text-align: right;">533</p> <p>1 you just -- you just testified that she only 2 visited one time. 3 A Alone. This is what I'm saying. I 4 only remember the one time alone. Where she 5 showed up alone, I only remember one time. And 6 Johnny came shortly after she was there. 7 Q And other times she visited with Johnny 8 or other people; is that right? 9 A She visited with Johnny sometimes. 10 Q Okay. During the time that Amber and 11 Johnny were together, you became aware that he was 12 using drugs and alcohol excessively, correct? 13 MR. CHEW: Objection. Beyond the scope 14 of direct. 15 THE COURT: All right. 16 MR. ROTTENBORN: Your Honor, she's 17 testified to what she observed during their 18 relationship. I think it's within the scope. 19 MR. CHEW: Your Honor, I think her 20 testimony is that she's never observed Mr. Depp 21 using drugs. I think it's beyond the scope. 22 THE COURT: I'll overrule the</p>	<p style="text-align: right;">535</p> <p>1 Q You became aware that he was using 2 cocaine, correct? 3 A I never saw him use anything like that. 4 I -- I became aware of people saying that. 5 Q And you became so concerned about that 6 that you told your brother to stop using cocaine, 7 correct? 8 A I don't -- I don't -- I don't know that 9 I remember telling him to stop using cocaine. I 10 think I might have told him anything that he was 11 doing, he should stop doing. 12 Q Okay. 13 MR. ROTTENBORN: Heather, can you pull 14 up Exhibit 214, please. Your Honor, I'll 15 obviously move for admission before it's published 16 to the jury. 17 THE COURT: That's fine. 18 MR. ROTTENBORN: Just wanted to make 19 sure it wasn't going to be on their screen. 20 Can you flip it? 21 Just trying to figure out how to rotate 22 this, Your Honor.</p>
<p style="text-align: right;">534</p> <p>1 objection. You can ask the question. Go ahead. 2 Did you want to ask the question again? 3 MR. ROTTENBORN: I do, yeah. 4 THE COURT: Okay. 5 Q During the time that Amber and Johnny 6 were dating, did you become aware that he was 7 using drugs or alcohol excessively? 8 A I became aware that he had been 9 drinking, and I -- during the time they were 10 dating, I became aware of, at one point, you know, 11 a certain -- a certain medication, yes. 12 Q And you formed the opinion that not 13 only had he been drinking, but he was drinking 14 excessively, correct? 15 A I don't know that I formed excessively, 16 but he was drinking. 17 Q You -- you became aware that he was 18 using booze, right? 19 A I knew he was drinking. 20 Q And you knew he was using cocaine, 21 right? 22 A I never saw him do that, so...</p>	<p style="text-align: right;">536</p> <p>1 THE COURT: If it's coming from her 2 computer screen, you have to rotate it on there. 3 MR. ROTTENBORN: I figured. 4 THE COURT: All it's doing is mirroring 5 what's on the computer screen. 6 MR. ROTTENBORN: Sorry for the delay, 7 Your Honor. Appreciate your patience. 8 THE COURT: All right. Yes, sir. 9 MR. MURPHY: If I may, Your Honor, the 10 issue is what's on the screen is not on the 11 laptop. So that's the difficulty. 12 THE COURT: Okay. Do you want to 13 unplug it and plug it back in, just to see -- to 14 the system? 15 MR. ROTTENBORN: All right. I think we 16 have it. 17 THE COURT: When you turn off and on, 18 that works with everything. 19 MR. ROTTENBORN: That's the secret. 20 All right. That looks better. 21 Q Ms. Dembrowski, I'd like to direct your 22 attention to the four texts in the middle of the</p>

537	1 page. If you look in the "From" column, there's a 2 name that says "Christi Dembrowski," and it has a 3 number. Is that your number? 4 A Yes. 5 Q And are those texts from you to your 6 brother Johnny Depp? 7 A Yes. 8 Q And those texts were sent on or about 9 February 5th, 2014? 10 A Yes. 11 Q Okay. 12 MR. ROTTENBORN: Your Honor, I'd move 13 for the admission of Defendant's Exhibit 214. 14 THE COURT: Any objection to 214? 15 THE WITNESS: Can I -- can I just say 16 something? 17 THE COURT: No, just wait ma'am. 18 MR. CHEW: Object, your Honor. May we 19 approach? 20 THE COURT: Yes, sir. 21 (Sidebar.) 22 THE COURT: It seems to be more than	539	1 this in the "From" column. For today. Maybe 2 we'll figure out something for tomorrow 3 THE COURT: Well, we just need a -- I 4 need a redacted copy from you and hard copy before 5 you can post it to the jury. Like, you can't 6 publish it to the jury today if I don't have the 7 redacted copy. 8 MR. ROTTENBORN: Can we -- can we 9 display if she's able to get the column with the 10 text and the -- 11 THE COURT: If she can get just the 12 column -- I think she's trying to do it just with 13 the... 14 MR. ROTTENBORN: Yeah, you can see it. 15 THE COURT: Well, she would have to 16 explain who's talking to who because you don't see 17 that without the numbers column. 18 MR. ROTTENBORN: Right. I'll ask the 19 witness that. 20 THE COURT: But she can move it over. 21 Would you have an objection to that? She's 22 starting to move it over. She's included just
538	1 the four texts on here, though. 2 MR. CHEW: Yeah. That was one of the 3 things I was going to say. 4 MR. ROTTENBORN: I just told Heather to 5 start with what you see. 6 MR. CHEW: Well, that's one problem. 7 And then one problem is that there's a lot of 8 other messages on that. 9 THE COURT: Right. I mean, it has to 10 be just redacted. 11 MR. CHEW: And there are a lot of 12 personal identifiers. 13 THE COURT: With the phone numbers. 14 MR. ROTTENBORN: I mean, what do we do 15 about it? 16 THE COURT: We can redact the phone 17 numbers. She's already agreed that the -- she 18 sent these texts and they're texts between her and 19 Mr. Depp. So I -- we don't want to have the phone 20 numbers out. 21 MR. ROTTENBORN: Why don't we have the 22 text and date and we can -- we don't even need	540	1 those for to not being identifiers. 2 MR. ROTTENBORN: Yeah. I'll take out 3 the identifiers. Sorry about that. 4 THE COURT: That's fine. And this can 5 only be an exhibit tomorrow. We were going to 6 have to do these, I understand that. So if she 7 can -- if she can just get this one column and 8 then that's the next column is the one you want? 9 MR. ROTTENBORN: Yeah, just those two. 10 THE COURT: So all the identifiers will 11 be gone. It would just be the two texts. 12 MR. CHEW: That would solve that 13 problem. I still think it's unfairly prejudicial. 14 THE COURT: I understand that. I'll 15 overrule that. But if you can just observe just 16 that part of it, just show that to the jury, you 17 owe me that redaction tomorrow, okay? 18 MR. ROTTENBORN: Okay. 19 THE COURT: If you can just get take to 20 me. 21 MR. CHEW: Thank you, Your Honor. 22 (Open court.)

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1 MR. ROTTENBORN: Apologize for the
2 delay, Judge.
3 THE COURT: All right. So you're
4 moving in 214; we'll receive it redacted --
5 MR. ROTTENBORN: Yes, Your Honor.
6 THE COURT: -- correct? Okay. Over
7 objection. That's fine. And you wanted to
8 publish just the redacted parts, correct?
9 MR. ROTTENBORN: Yes, Your Honor.
10 THE COURT: Okay. That's fine. Right
11 now you just have the dates up. Is that what you
12 want to start with?
13 MR. ROTTENBORN: Yes, Your Honor.
14 Thank you.
15 THE COURT: Okay. You can publish that
16 to the jury.
17 BY MR. ROTTENBORN:
18 Q Ms. Dembrowski, I just -- because we
19 can only show part of this page, do you see that
20 these -- you just testified these were text
21 messages between you and Mr. Depp, right?
22 A (Nonverbal response.)

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1 Q And do you see that these text messages
2 were sent on February 5th, 2014?
3 A Yes.
4 Q The bottom three? Okay.
5 And those bottom three, you just looked
6 at when we saw the whole page, and I know it's a
7 little cumbersome for the jury not seeing that,
8 but you testified that the bottom three were text
9 messages from you to your brother, right?
10 A Yes.
11 Q Okay.
12 MR. ROTTENBORN: Heather, could you
13 just scroll to the right, please. That's good.
14 Thank you.
15 Q So on February 5th, 2014, you sent
16 three texts to your brother. You sent one that
17 said, "Stop drinking," Right?
18 A Uh-huh.
19 Q You sent one that said, "Stop coke,"
20 right?
21 A Yes.
22 Q I assume you weren't talking about the

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1 soft drink, right?
2 A It doesn't appear to.
3 Q You were talking about cocaine,
4 correct?
5 A I don't know what these are in
6 reference to, so -- I remember they brought this
7 up at my deposition, and these are something that
8 they're -- I don't know if there's more context to
9 them. I don't know what they're in reference to.
10 I know what they say, but I don't know what
11 they're in reference to.
12 Q And what they say is that on
13 February 5th, 2014, you were telling your brother
14 Johnny Depp to stop using cocaine, correct?
15 A No. I wrote those words. But I --
16 that's what I'm saying. I don't know that I was
17 telling him to stop doing that. you know, in
18 context it would be different, it could be a
19 different scenario.
20 Q Well, let's take it word by word.
21 Coke, when you wrote "coke," you meant cocaine,
22 not the soft drink, right?

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1 A Yes.
2 Q And when you wrote "pills" you meant
3 prescription pills, right?
4 A Yeah.
5 Q So you were telling him on
6 February 5th, 2014 to stop drinking, stop coke,
7 and stop pills, right?
8 A I wrote the words.
9 Q And did you have any reason to believe,
10 when you wrote that, that Mr. Depp had been on a
11 bender recently?
12 A I don't recall writing this, so I don't
13 recall the context of it. I understand that the
14 word are there, but I don't -- I don't recall the
15 timing or the writing of it. I don't recall
16 anything about it, necessarily.
17 Q You weren't joking when you wrote that,
18 right? It wasn't a joke, right?
19 A I probably was not joking, but -- but,
20 you know, maybe I was repeating something that
21 someone else told me to write.
22 Q You were telling your brother to stop

<p style="text-align: right;">545</p> <p>1 drinking, stop cocaine, and stop pills because you 2 believed that he had a problem with drinking, 3 cocaine, and pills, correct? 4 A I didn't believe he had the problem as 5 much as – as much as someone else is trying to 6 make me believe that he had the problem. 7 Q Did you have any reason to believe that 8 Mr. Depp had been on a recent bender? 9 A I am reading the word bender. I'm not 10 involved in the benders. 11 Q I'm talking about the time you sent 12 these three texts on February 5 this, 2014. Did 13 you have a reason to believe that Mr. Depp had 14 been on a recent bender? 15 A I couldn't tell you about February 16 whatever date that is back then and what I would 17 know at this moment. 18 Q Did you have any reason to be worried 19 about Mr. Depp when you sent these texts? 20 A Again, I don't know what was happening 21 in life at that time. I don't recall that period, 22 the dates. I don't recall where we – I don't</p>	<p style="text-align: right;">547</p> <p>1 pills before? 2 A Again, I don't know that I'm telling 3 him to stop drinking, stop coke, and stop pills. 4 That's what I'm saying. It's the context of this. 5 Q And -- and I appreciate that, but that 6 wasn't my question. My question was have you ever 7 sent texts to anyone else, in your life, telling 8 them to stop drinking, stop coke, or stop pills? 9 A I don't believe I've ever told anybody 10 to stop doing any of those things in a text 11 message, but I also don't know if that's what I 12 was doing here is what I'm trying to say. 13 Q But you wrote those words to Mr. Depp, 14 right? 15 A I wrote those words. 16 Q And you didn't love the behavior that 17 Mr. Depp was engaging in around this time frame, 18 did you? 19 A I don't know the time frame. I don't 20 know what time frame you're actually referring to. 21 Q Well, around -- in the days leading up, 22 on or around February 5th, 2014, you didn't love</p>
<p style="text-align: right;">546</p> <p>1 recall anything about that time. These – these 2 texts, I know – I know what the words are, but I 3 don't know what the context is of them. 4 Q Right. So I'm asking you -- I'm asking 5 you a question as best I can, which was when you 6 sent these texts, did you have any reason to be 7 worried about Mr. Depp's use of alcohol, cocaine 8 or pills? 9 A Again, I don't -- I don't recall the 10 time period of sending these texts, so I don't 11 know that I would have any reason at that time. I 12 don't know. 13 Q Would you have sent a text if you 14 didn't have a reason to believe worried about his 15 use of alcohol, cocaine, or pills? 16 A I could see those three separate lines 17 like that, three separate texts, I could see that 18 if there was, you know, there's different reasons 19 that maybe I could do that. Doesn't mean that was 20 me giving him a message. 21 Q Have you ever sent texts to anyone else 22 to tell them to stop drinking, stop coke, or stop</p>	<p style="text-align: right;">548</p> <p>1 the behavior that Johnny Depp was engaging in, did 2 you? 3 A I – I don't -- I don't recall anyone's 4 behavior from February 2014. I don't recall 5 February 2014. 6 Q Would it -- would it refresh your 7 recollection, perhaps, to see other text messages 8 that you sent on or around this time to determine 9 whether or not you were worried about Mr. Depp? 10 A If there's other context, I guess. I 11 don't know. 12 Q Why don't we do this? 13 MR. ROTTENBORN: Heather, can you 14 please pull up Exhibit 210. 15 MR. ROTTENBORN: Your Honor, may I 16 approach? 17 THE COURT: All right. 18 MR. ROTTENBORN: Thank you. 19 (Sidebar.) 20 MR. ROTTENBORN: I just want to preview 21 now. 22 THE COURT: All right. What do we have</p>

549	1 here? 2 MR. ROTTENBORN: She's going to say -- 3 she says that she doesn't know whether she was 4 worried about him. So I'm going to ask her -- I'm 5 going to ask her about some of these texts, but 6 obviously -- I'm just trying to short-circuit some 7 objections here. 8 THE COURT: So these are texts between 9 Amber -- 10 MR. CHEW: They're Amber's statements. 11 This is a most -- 12 MR. ROTTENBORN: Well, I'm going to ask 13 her about her statements. 14 MR. CHEW: -- dubious kind of hearsay. 15 THE COURT: My question first is who 16 are these texts from? 17 MR. CHEW: I'm sorry. Amber. 18 MR. ROTTENBORN: Between amber and 19 Christi. 20 THE COURT: Amber and this witness. 21 Just making sure. Get nomenclature together. You 22 guys have been living there a lot longer. I want	551	1 MR. ROTTENBORN: Well, I don't know, 2 and that's why I wanted to preview. Because I 3 have to be able to ask her about contemporaneous 4 writing that she made, particularly that are 5 impeachment or 787. She just said she doesn't 6 know if she was worried about what she texted on 7 page 2. She said, "I don't love any of this 8 behavior." She tells Amber "Worry about 9 everything." 10 MR. CHEW: This is all -- Your Honor -- 11 I mean -- will you let me talk? 12 THE COURT: Go ahead. Everybody, it's 13 late, I know sunshine. 14 MR. CHEW: He's the bad Ben, Your 15 Honor. We all know that. 16 MR. ROTTENBORN: They are not hearsay. 17 So I'm going to ask her about that. 18 THE COURT: I think you can ask her 19 about that, "did you recall texting with 20 Ms. Heard, where you said that you were worried 21 about him?" I think that's fine. And if she 22 doesn't remember, you can show her the text
550	1 to make sure. 2 MR. CHEW: They're clearly hearsay. 3 THE COURT: Okay. I see what your 4 objection is going to be, so what's your basis? 5 MS. BREDEHOFT: So I'm going to ask 6 Ms. Dembrowski about her texts. Obviously that's 7 not hearsay. 8 THE COURT: Are you offering them into 9 evidence? Or are you just... 10 MR. ROTTENBORN: Yeah, I'm offering 11 them into evidence. I mean, she says, "I don't 12 love any of it." 13 THE COURT: I mean, how do you get them 14 in without -- 15 MR. CHEW: You can't. It's a -- it's a 16 dialog and it's the same thing we talked about -- 17 MR. ROTTENBORN: Well, they're 18 Ms. Dembrowski. I'm going to ask her about them. 19 THE COURT: I understand you're going 20 to ask her about these statements. I understand 21 those are her statements. How are you going to 22 get them into context if you're not getting...	552	1 yourself. But if she doesn't have a memory, I 2 don't see how you can get these texts in evidence. 3 MR. ROTTENBORN: Well, I'm going to try 4 it one more time. 5 THE COURT: So far you haven't done it, 6 okay. 7 MR. ROTTENBORN: But I want to preview 8 this. 9 THE COURT: That's all right. That's 10 fine. 11 MR. ROTTENBORN: These when she says 12 "No one told me, no one ever told me that he was 13 on a recent bender," that's impeachment. That's 14 not going to be hearsay. I mean, I can impeach 15 the witness and bring in other evidence and that 16 contradicts that witness's testimony. So when 17 she's up there telling the jury, "I don't know why 18 I sent these texts," then what she's telling us -- 19 I mean, Amber had just told her he's a bender. 20 And she's saying, "I have no idea. No one ever 21 told me this. I have no idea." And so if texts 22 like this come in, they're -- they're coming in

<p style="text-align: right;">553</p> <p>1 for impeachment, not for hearsay. 2 THE COURT: All right. So are you -- 3 but if she says, "Yes, I recall doing these texts, 4 and yes now I remember she told me he was on a 5 bender. So that's why I sent them," or something, 6 are you saying these texts still come in even 7 though she's admitted to it? 8 MR. ROTTENBORN: Yeah. 9 THE COURT: But she might not. 10 MR. ROTTENBORN: Yeah. Maybe not. 11 Maybe we can take it back. 12 THE COURT: Yeah. If she doesn't admit 13 to it, then I think you can do intrinsic evidence. 14 But if even after showing them to her, if she says 15 no, I think you have a basis for putting them into 16 evidence, not for hearsay. There'll be limiting 17 instructions later that it's not here for the 18 truth of the matter. I'm not sure exactly what 19 all these says, but -- 20 MR. ROTTENBORN: I'm sorry. 21 THE COURT: But, I mean, it's a bender. 22 She's talking about a bender. There are</p>	<p style="text-align: right;">555</p> <p>1 say, "Yes. Now I recall." That would be double 2 negativity. Okay? 3 MR. ROTTENBORN: Thank you, Your Honor. 4 MR. CHEW: Thank you. 5 THE COURT: No, that's fine. 6 (Open court) 7 BY MR. ROTTENBORN: 8 Q Ms. Dembrowski, do you recognize this 9 document as a text message chain between you and 10 Amber Heard on February 3rd, 2014? 11 A Yes. 12 Q And you see the chain starts at about 13 5 -- 5:20 p.m., right? 14 A Yes. 15 Q And there's messages from -- from Amber 16 to you are the ones on the right, correct, in 17 blue? 18 A Yes. 19 Q And messages from you to Amber are the 20 ones in gray on the left, right? 21 A Yes. 22 Q And if you go -- take a minute and</p>
<p style="text-align: right;">554</p> <p>1 statements in that then that would be an issue. 2 MR. ROTTENBORN: I don't know. And 3 that's going to -- 4 MR. CHEW: Well, virtually everything 5 coming from Ms. Heard is out -- 6 THE COURT: Well, I mean, we'll have to 7 parse it. It wouldn't be able to come in today, 8 but you can definitely talk to her about it and 9 then we can figure out on our own what actually 10 would be able to come in. You can talk to her 11 about it and show it to her. That's fine. You 12 just won't be able to show it to the jury, give it 13 in evidence today. Does that make sense? 14 MR. ROTTENBORN: Thank you. Yes. I 15 just wanted to -- 16 MR. CHEW: -- as to reserving all of 17 our objections on this -- 18 THE COURT: All your objections. 19 MR. CHEW: -- because this is widely 20 hearsay and the least reliable. 21 THE COURT: It would have to be 22 redacted for sure, but at least today she might</p>	<p style="text-align: right;">556</p> <p>1 just -- just read that first page, please. 2 A (The witness complies.) 3 Q Does -- does this refresh your 4 recollection about a text conversation you had 5 with Amber on or about February 3rd, 2014? 6 A Well, I can see this is our text 7 exchange. 8 Q Okay. And does this refresh your 9 recollection about concern that you may have had 10 about the behavior that Mr. Depp was engaged in on 11 or around that time? 12 MR. CHEW: Objection. Hearsay, Your 13 Honor. 14 THE COURT: I'll allow that question. 15 Go ahead. 16 Q I'll ask it again. Does this refresh 17 your recollection about the behavior that Mr. Depp 18 may have been engaging in around that time? 19 A It -- I remember -- I remember -- I 20 remember this period and what Amber was believing 21 that he was doing, yes, at this period. 22 Q Okay. And but does this refresh your</p>

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1 recollection about your worry and concern for your
2 brother Johnny Depp around this time?
3 **A I don't -- still don't recall having a**
4 **severe worry around this time.**
5 Q Okay. Well, before you didn't recall
6 have any worry. So does it -- does this at least
7 refresh your recollection that you had some worry?
8 **A I -- honestly, I don't recall having a**
9 **worry. You know, I've had worries in the years,**
10 **but I don't recall having a worry at this time. I**
11 **don't recall it.**
12 Q Okay. So did you -- did you have any
13 reason to doubt what you were reading from
14 Ms. Heard in these texts?
15 **A To be honest, she was -- she would**
16 **write things quite often or explain things quite**
17 **often, and -- and is a bit more dramatic, maybe,**
18 **than what we understood it to be, or -- or maybe**
19 **even sometimes the instances were different than**
20 **what she was describing. So, I..**
21 Q But in any event this conversations
22 that you had with Ms. Heard gave you concern

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1 enough to tell your brother "stop coke, stop
2 pills, top booze," right?
3 **A No, I don't think it did.**
4 Q I didn't? Did -- and I've asked this
5 before, but we'll take a look at this. Is it true
6 you didn't love the behavior he was engaging in
7 around this time, right?
8 **A Again, I didn't witness a lot of the**
9 **behavior that people are -- you know, that you**
10 **guys are referencing. I didn't witness a lot of**
11 **it.**
12 Q Take a look at page 2, please.
13 **A Okay.**
14 Q And just take a minute to read that,
15 and I'll have some questions about both of the
16 pages.
17 **A Uh-huh.**
18 Q What you had been told by Ms. Heard on
19 the first two pages of these texts gave you
20 concern about Mr. Depp's behavior and made you not
21 love anything that he was engaging in
22 behavior-wise around this time, right?

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1 **A What I heard from her in -- in these**
2 **texts, I didn't really love where life was at the**
3 **time.**
4 MR. ROTTENBORN: Your Honor, I'd move
5 for the admission of these two pages in their
6 entirety for the reasons that we discussed, both
7 as impeachment of the witness.
8 MR. CHEW: Your Honor --
9 THE COURT: All right. There are other
10 statements in here that I do find as hearsay, so
11 we can work with it. I'm not -- I'll reserve on
12 that for the time being, and we'll have other --
13 other issues with it outside the presence of the
14 jury and we'll work on redactions, okay?
15 MR. ROTTENBORN: Okay. That sounds
16 good.
17 Can I -- can I ask her questions just
18 about her language?
19 THE COURT: Okay.
20 MR. ROTTENBORN: And then we can work
21 on redactions.
22 THE COURT: Yes. Yes, sir.

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1 MR. CHEW: And we reserve our
2 objections on that.
3 THE COURT: Yes, sir.
4 Q On the first page, Your Honor -- or I'm
5 sorry -- on the first page, Ms. Dembrowski, you
6 write, "Where are the kids?" Why did you write
7 that to Ms. Heard?
8 **A I don't know. I -- I don't know. I**
9 **mean, I remember they asked me that at the**
10 **deposition. I'm -- I'm not sure.**
11 Q You wrote that because you had concerns
12 about where Mr. Depp's kids were at this time,
13 right?
14 **A Well, if she was saying he wasn't home,**
15 **I was asking where the kids were.**
16 Q Because you were concerned for the
17 kids' well-being, particularly when Mr. Depp was
18 in this sort of state, correct?
19 **A No. I was curious about where the kids**
20 **were if he wasn't home.**
21 Q Were you ever concerned about the
22 impact on the kids of Mr. Depp's drug use and

<p style="text-align: right;">561</p> <p>1 alcohol use? 2 A No. 3 Q So when you wrote, "Where are are the 4 kids?" you had no concern for their actual 5 well-being; is that right? 6 A The concern is – it was – it's not 7 that kind of concern. She's saying he's not home. 8 I was wondering where the kids were so that they 9 weren't alone. 10 Q When you wrote her on page 2, "Do you 11 want to come to office to talk?" you wrote that 12 because you were concerned about what was going on 13 with Mr. Depp at that point, right? 14 A No, actually. I wrote that so that she 15 could come to the office so that we could talk – 16 Q Right. 17 A – about all of it. 18 Q All of what? 19 A Of – of her texts. 20 MR. ROTTENBORN: Your Honor, I'd ask 21 for permission to push the bottom text on page 2 22 that I think --</p>	<p style="text-align: right;">563</p> <p>1 Q You're saying that you're worrying 2 about everything? Is that right? 3 A Yes, as a whole. 4 Q Okay. So in contrast to what you 5 testified a few minutes ago, you actually were 6 very worried around this time frame, correct? 7 A I was worried about what life was. 8 That's what I had said. 9 Q And the life that you are referring to 10 here, what was going on in life was Mr. Depp's 11 drug and alcohol abuse, correct? 12 A What was going on in life was someone 13 who constantly wanted to point out some sort of 14 drug and alcohol abuse. 15 Q Is that unfair? For a spouse not to 16 want their husband to abuse drugs and alcohol? 17 A It's not unfair at all. 18 Q So was that a negative to you that 19 Ms. Heard didn't love that? 20 A I'm sorry? 21 Q Was that a negative to you that 22 Ms. Heard didn't love Mr. Depp's drug and alcohol</p>
<p style="text-align: right;">562</p> <p>1 THE COURT: It's not up here. You just 2 mean her text? 3 MR. ROTTENBORN: Sorry. And I guess 4 while she's pulling that up, I'd move for partial 5 admission of Exhibit 210, with redactions to be... 6 THE COURT: Again, I'm going to reserve 7 on that. I'm still going to reserve on the 8 admission of it, so I'm not going to show it to it 9 jury at this time, okay? 10 MR. ROTTENBORN: Okay. 11 THE COURT: Thank you. But you can ask 12 her questions about it. 13 MR. ROTTENBORN: Okay. Thank you, Your 14 Honor. 15 Q When you wrote Ms. Heard on 16 February 3rd, 2014 at 5:42 p.m., Ms. Dembrowski, 17 "Worry about everything," you were telling her to 18 worry about everything and all the types of 19 behavior Mr. Depp was engaging in at that time. 20 A I was not telling her to worry about 21 anything. That's -- the way I wrote that sounds 22 like I say "I worry about everything."</p>	<p style="text-align: right;">564</p> <p>1 abuse? Was that unreasonable of her? 2 A To me it was exaggerated is the 3 problem, so... 4 Q It was exaggerated. But -- but you 5 testified that you personally have no personal 6 knowledge of your brother doing cocaine. 7 A I never saw him do it, no. 8 Q Okay. But -- but you had enough 9 concern to text him "stop doing coke, stop the 10 pills and stop the drinking," correct? 11 A No. I really don't think that's what I 12 was doing with him. 13 Q Well, what you were you telling -- you 14 weren't talking about the Super Bowl, right? You 15 were talking about drinking, coke, and pills? 16 A I understand. But the way it's 17 written – and I know my writing – the way it's 18 written, I don't feel like what I was doing was me 19 giving him an order to do that. I wouldn't 20 typically do that. 21 Q You were recommending -- 22 A So there's other context somewhere</p>

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1 **that, you know, for that.**
2 Q Right. That's what we're trying to
3 explore is what is that context? Because you're
4 very direct in those texts that the jury just
5 looked at, "Stop the booze, stop the bills, stop
6 the coke."
7 So if you weren't telling him to stop
8 the booze, stop the pills, stop the coke, what
9 were you telling him?
10 A **I could have been telling him that, you**
11 **know, because I've had this conversation before, I**
12 **could have been telling him, you know, that in**
13 **order to make her not constantly accusing, you**
14 **know, this is what she would need.**
15 Q Right. You didn't write those words in
16 your text, though, right?
17 A **No, I didn't.**
18 Q Okay. And when you said in the
19 February 3rd text message exchange with Ms. Heard
20 "I don't love any of it. I really want to be able
21 to talk with him," that was you expressing concern
22 about Mr. Depp's drinking and drug use, correct?

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1 A **That was me expressing concern about**
2 **what life was. And it was -- there was arguments**
3 **all the time, and it was -- it felt like there was**
4 **just constant unpleasantness.**
5 Q Right. And would it be unfair -- well,
6 let me ask it this way: That unpleasantness, to
7 your knowledge, was caused, in part at least, by
8 your brother's drug and alcohol abuse, right?
9 A **I don't know that.**
10 Q Did you ever reach your own conclusion
11 that your brother had a problem with drugs and
12 alcohol?
13 A **I knew he was drinking.**
14 Q I'm sorry?
15 A **I knew my -- I knew my brother was**
16 **drinking. But in terms of, like, drugs, you know,**
17 **honestly there was -- I have only one medication**
18 **that I really knew of that, you know, was an issue**
19 **to him.**
20 Q And what was that?
21 A **I don't remember the name of the**
22 **medication. It was a prescription medication.**

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1 Q What was the -- what was it?
2 A **It was a -- it was like a pain**
3 **medication that he had been taking for a long**
4 **time.**
5 Q Okay. And that was what you were
6 referring to when you said, "stop pills," was
7 prescription pain medication, correct?
8 A **Again, I wasn't necessarily referring**
9 **to anything in particular. I know I wrote those**
10 **words. I don't know the context of the words.**
11 Q Okay. But in any event, you don't
12 dispute that on February 5th, 20 -- 20 -- whatever
13 date that was, on February 5th, 2014, you wrote
14 your brother "stop drinking, stop coke, stop
15 pills," right?
16 A **I wrote those words, but I don't know**
17 **the context of the words.**
18 Q Now, February 2014 wasn't the first
19 time that you had had communications with
20 Ms. Heard relating to concerns about drug and
21 alcohol abuse, right, by Mr. Depp, correct?
22 A **I don't know.**

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1 Q Okay.
2 MR. ROTTENBORN: Heather, if you could,
3 pull up Exhibit 163, please.
4 THE COURT: Which exhibit number? I'm
5 sorry.
6 MR. ROTTENBORN: Oh, I'm sorry, Your
7 Honor. 1-6 -- 1-6-3.
8 Q While she's pulling that up,
9 Ms. Dembrowski, let me ask you this: You knew
10 that Mr. Depp's drug and alcohol problem was
11 affecting his relationship with Ms. Heard, right?
12 A **I knew that she would say that. I**
13 **mean, I knew that she would say that she had**
14 **issues with, you know, him with drugs and alcohol.**
15 Q And -- and you knew from those
16 communications that it was negatively impacting
17 their relationship, right?
18 A **I knew that she would -- she would**
19 **write me about them, you know, and I knew that she**
20 **would -- I know that she would, you know, try --**
21 **try -- you know, try to talk about them. And I**
22 **knew that she would say they were negatively**

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1 **impacting.**
2 **I don't know that that was the whole**
3 **situation that they had going on, to be honest,**
4 **though.**
5 Q Well, you didn't disbelieve her when
6 she told you that, right?
7 A **When she told me?**
8 Q What you just testified to, that
9 drinking and drugs were negatively impacting their
10 relationship. You didn't disbelieve her, right?
11 A **I didn't necessarily think it was true,**
12 **no.**
13 Q You didn't think it was true?
14 A **That it was negatively impacting their**
15 **relationship?**
16 Q Uh-huh.
17 A **I didn't necessarily think it was a**
18 **hundred percent true, no.**
19 Q Well, you just said "true" and then "a
20 hundred percent true," so I'm --
21 A **True.**
22 Q -- trying to figure out -- I'm trying

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1 to figure out where you're going with this.
2 Is it your testimony today that you
3 never believed Ms. Heard when she would talk to
4 you about Johnny's drugs and drinking?
5 A **No. I think you're taking it to an**
6 **extreme.**
7 Q Well, that's what I'm trying to get at.
8 I'm sorry if I am. So just plain to me what --
9 that's not your testimony?
10 A **I think she -- I think she exaggerated**
11 **things quite a bit.**
12 Q But you tried to help Amber deal with
13 Mr. Depp's drugs and drinking, correct?
14 A **I tried -- I tried to make sure that I**
15 **was helpful to Amber as best I could, yes.**
16 Q If you can, look at the document in
17 front of you, Exhibit 163, please.
18 This is a text exchange between you and
19 Ms. Heard on March 22nd, 2013, correct?
20 A **Yes.**
21 Q And do you remember earlier you
22 testified about being present during the filming

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1 of a documentary about Keith Richards?
2 A **Yes.**
3 Q This was -- this was right around that
4 time frame, correct?
5 A **I -- I don't know.**
6 Q Do you recall when that was?
7 A **I don't recall the dates.**
8 Q And actually one thing I wanted to ask
9 you about that while we're at it is you testified
10 earlier about not seeing cuts or -- or bruises on
11 her face; do you remember that?
12 You don't -- you have no knowledge
13 whether she was wearing makeup or not that night,
14 right?
15 A **I don't -- I don't recall if she was**
16 **wearing makeup or not. She typically did not.**
17 Q Okay. And you weren't specifically
18 looking for cuts or bruises because you suspected
19 that Mr. Depp had abused her, right?
20 A **I would -- I would have to reason to**
21 **look for cuts or bruises, but I would think if**
22 **they were there, I would see them.**

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1 Q Okay. So if you look at page 1 --
2 Exhibit 163 --
3 MR. ROTTENBORN: And, your Honor, I
4 move for permission to publish.
5 MR. CHEW: Your Honor, we object.
6 THE COURT: I'm going to sustain that
7 objection.
8 MR. ROTTENBORN: I figured you would,
9 but can I do the same thing and ask her about her
10 words to Ms. Heard? And then we can -- reserving
11 the right to publish it to the jury depending on
12 Your Honor's ruling?
13 THE COURT: If it refreshes her memory
14 about the conversations you're trying to discuss,
15 yes.
16 Q Ms. Dembrowski, do you recall having a
17 conversation with Ms. Heard on or about
18 March 22nd, 2013, in which Ms. Heard was
19 expressing concerns to you about Mr. Depp's
20 behavior?
21 A **No. I -- I don't recall dates, so, no.**
22 Q Okay. Why don't you go ahead and take

<p>573</p> <p>1 a look at this document, please. And let's 2 just -- let's start with -- just tell me when 3 you're done with page 1, please. 4 A Uh-huh. 5 Q Oh. Ms. Dembrowski, I think -- I think 6 that's you on the screen, which is okay if you 7 want to mark it up. 8 THE COURT: We can clear that. We've 9 got it. 10 MR. ROTTENBORN: Oh, I'm sorry. Okay. 11 Doing their own redactions. 12 THE COURT: Okay. 13 A Okay. I've read it. 14 Q Okay. So when -- when you texted 15 Ms. Heard -- first of all, does this refresh your 16 recollection about a conversation that you and 17 Ms. Heard had on March 22nd, 2013 relating to 18 Ms. Heard's concerns about Mr. Depp's behavior? 19 A It really doesn't, but I -- I see it 20 here. 21 Q But you don't dispute that it is a 22 conversation that the two of you had?</p>	<p>575</p> <p>1 answer it. 2 A I don't think that I'm saying that I'm 3 sad about that. I'm -- I'm saying that I'm sad, 4 you know, about whatever it is that, you know, 5 that they're going through. But I don't know 6 exactly what it is that they're going through. 7 Q And right two texts underneath that, 8 Ms. Heard tells you what they're going through, 9 right? 10 A She does go into about -- yeah, what 11 they have going on. 12 Q And then below that you say, "I think 13 with anyone in that place, confrontation 14 unfortunately doesn't help, and sometimes 15 conversations can seem like confrontations." 16 Do you see that? 17 A Uh-huh. 18 Q Were you suggesting to Ms. Heard that 19 she student have a conversation with Mr. Depp 20 about what drugs and alcohol did to him because it 21 could seem like a confrontation? 22 A No. No, I was not suggesting that at</p>
<p>574</p> <p>1 A This is a textexchange between the two 2 of us, yes. 3 Q Okay. When you wrote, "Don't be sorry! 4 I'm not completely sure if what is going on or 5 why, but I don't love what it is," what did you 6 mean by that? 7 A I'm -- I'm not a hundred percent sure. 8 I believe I probably meant, once again, you know, 9 how life was. 10 Q Right. Life, including Mr. Depp's 11 conduct toward my client, Amber Heard, right? 12 A Yes. 13 Q Okay. And when you wrote, "It is sad, 14 and I'm sorry, you guys are going through this. 15 I'm here if there's anything I can do," you were 16 talking about the -- you were sad that they were 17 going through the challenges of drugs and alcohol 18 on behalf of Mr. Depp were posing to their 19 relationship, correct? 20 MR. CHEW: Objection, your Honor. 21 Vague. 22 THE COURT: I'll allow it if she can</p>	<p>576</p> <p>1 all. 2 Q What did you mean by it? 3 A Honestly, what I was trying to do is 4 trying to -- Amber, Ms. Heard, she -- she could be 5 very, very vocal. And so what I was trying to do 6 was if they were having a conversation, if it 7 wasn't going well, I was trying to tell her that, 8 you know, maybe, you know, sometimes 9 conversations, if you're vocal, really loud, 10 they're more confrontational, like, just to -- 11 whatever it is, just have a nice, easy 12 conversation. 13 Q Okay. Well, let's just go to -- I want 14 to look at one more text at the top of the next 15 page. 16 MR. ROTTENBORN: Heather, please. 17 Q When you write Ms. Heard on March 22nd, 18 2013, you said, "Disagreeing, reasoning, nudging, 19 all can seem like confrontations. I'm not sure of 20 the volume or when some is likely to wear off?" 21 A Uh-huh. 22 Q First of all, when you were talking</p>

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1 about volume or when some is likely to wear off,
2 you're talking about drugs or alcohol, correct?
3 **A She said in a text prior, right?**
4 MR. CHEW: Your Honor, objection,
5 hearsay. That's the problem with this. That is
6 completely hearsay.
7 THE COURT: I understand. I'll sustain
8 the objection.
9 Q And I'm asking what you're -- you're
10 referring to. Without referring to Ms. Heard's
11 text prior, when you say, "I'm not sure of the
12 volume or when some is likely to wear off," what
13 are you referring to?
14 **A I don't know. I mean, that's what I'm**
15 **trying too say is, you know, she had all kinds of**
16 **things that she said in the text prior. I'm**
17 **referring to, like, volume of, you know, even just**
18 **voices. You know, that -- even you can see where**
19 **I say like the nudging and all of that. You know,**
20 **there was a certain way that you learn to try to**
21 **talk with Amber to keep things calm.**
22 Q And when you said --

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1 MR. CHEW: Excuse me. May the witness
2 be allowed to finish?
3 MR. ROTTENBORN: I thought she was.
4 MR. CHEW: She didn't finish. You were
5 cutting her off.
6 THE COURT: Mr. --
7 MR. CHEW: I apologize, Your Honor.
8 THE COURT: Thank you. I understand.
9 I appreciate it. I'll let her finish her answer.
10 MR. CHEW: Thank you, Your Honor.
11 THE WITNESS: Thank you.
12 **A There was a certain way that, you know,**
13 **ultimately you had to talk to Amber to sort of**
14 **keep things calm. So you would pacify her. You**
15 **would sort of, you know, just go along with all of**
16 **her conversations, whatever, so that you could --**
17 **we would placate her all the time to keep things**
18 **calm. That's what we did.**
19 Q And -- and -- and so when you said
20 "disagreeing, reasoning, nudging, all can seem
21 like confrontations," were you telling Ms. Heard
22 that she shouldn't voice any concerns about her

579
1 significant other's drug or alcohol abuse?
2 **A Voice her -- voice any concerns to who?**
3 Q To him. That she shouldn't nudge him
4 about it or try to reason with him about drug and
5 alcohol abuse or his behavior? Is that what you
6 were saying? That she shouldn't do that because
7 it might seem like a confrontation?
8 **A No. She was more confrontational. She**
9 **was much more confrontational, always**
10 **confrontational, and I was trying to say that all**
11 **these things can be confrontational and maybe --**
12 **maybe take it down a notch.**
13 Q And so you shouldn't disagree or reason
14 or nudge, is that what you were saying?
15 **A No. In the way that I know that it**
16 **would be done, she was much more -- she wasn't a**
17 **-- you know, there wasn't a comforting**
18 **conversation.**
19 Q Do you -- I'm sorry. Sorry for
20 interruption. Were you done with your answer?
21 **A I think so.**
22 Q Do you believe that disagreeing with

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1 someone or trying to reason with them or nudging
2 them justifies them getting abused?
3 MR. CHEW: Your Honor, lack of
4 foundation.
5 THE COURT: As to foundation, I'll
6 sustain as to foundation.
7 MR. ROTTENBORN: Okay.
8 Q Do you have any -- have you ever
9 disagreed with other reasoned with or nudged
10 anyone in anything in your -- in your life?
11 MR. CHEW: Your Honor, this is --
12 hypothetical.
13 THE COURT: All right.
14 MR. CHEW: She's a fact witness.
15 MR. ROTTENBORN: These are the words
16 that she wrote.
17 MR. CHEW: I know it's late in the day,
18 but...
19 MR. ROTTENBORN: These are the words
20 that she wrote to my client, "disagreeing,
21 reasoning, nudging, all seem like confrontation."
22 THE COURT: I'll allow the question.

Transcript of Jury Trial - Day 2
Conducted on April 12, 2022

70 (581 to 584)

581	<p>1 You can answer.</p> <p>2 A I'm sorry.</p> <p>3 Q Have you ever disagreed or reasoned or</p> <p>4 nudged with someone in your life?</p> <p>5 A Yes.</p> <p>6 Q Do you believe that doing any of these</p> <p>7 three things would justify your being abused?</p> <p>8 MR. CHEW: Your Honor, this is</p> <p>9 outrageous.</p> <p>10 THE COURT: I'll sustain the --</p> <p>11 MR. ROTTENBORN: Withdraw, Your Honor.</p> <p>12 THE COURT: Okay. Thank you. All</p> <p>13 right. How much more do you have probably?</p> <p>14 MR. ROTTENBORN: A little bit.</p> <p>15 THE COURT: Since it's about 5:00.</p> <p>16 MR. ROTTENBORN: About an hour.</p> <p>17 THE COURT: All right. About an hour.</p> <p>18 Okay. All right. Ladies and gentlemen, since</p> <p>19 it's 5:00, we're going to go ahead and release</p> <p>20 you for the day, okay? Just a reminder, as always</p> <p>21 don't do any outside research, don't talk to</p> <p>22 anybody about this case, don't look at the news,</p>	583	<p>1 anybody, okay? Just don't talk about your</p> <p>2 testimony. Yeah. If you can step outside the</p> <p>3 courtroom, I just have a few housekeeping matters</p> <p>4 I want to take care of.</p> <p>5 You can sit down. It's okay. If you</p> <p>6 want to stand up, that's fine. I just want to...</p> <p>7 MS. BREDEHOFT: May we approach?</p> <p>8 THE COURT: Let me finish this one</p> <p>9 issue first, okay? I appreciate it.</p> <p>10 Going back to the text, so on 163, are</p> <p>11 you still trying to admit that into evidence?</p> <p>12 That was the last one.</p> <p>13 MR. ROTTENBORN: Yes, Your Honor.</p> <p>14 THE COURT: All right. There's an</p> <p>15 objection to that.</p> <p>16 MR. CHEW: Yes.</p> <p>17 THE COURT: Okay. Go ahead.</p> <p>18 MR. CHEW: We stand on our objection as</p> <p>19 hearsay.</p> <p>20 THE COURT: All right. Yes, sir.</p> <p>21 Anything further to say on 63?</p> <p>22 MR. ROTTENBORN: Well, I think, yeah,</p>
582	<p>1 don't watch anything on TV, don't read the papers</p> <p>2 and do -- and just have a good, calm, peaceful</p> <p>3 night, okay? And we'll see you tomorrow bright</p> <p>4 and early, okay?</p> <p>5 Thank you.</p> <p>6 (Whereupon, the jury exited the</p> <p>7 courtroom and the following proceedings took</p> <p>8 place.)</p> <p>9 THE COURT: All right. Ms. Dembrowski,</p> <p>10 just a reminder that you are still under oath and</p> <p>11 you're still testifying, so since you're still</p> <p>12 testifying, you can't have any discussions with</p> <p>13 anybody to include Mr. Depp's attorneys or his</p> <p>14 legal team, okay?</p> <p>15 THE WITNESS: Okay.</p> <p>16 THE COURT: All right. And we'll see</p> <p>17 you tomorrow morning, all right. If you could</p> <p>18 leave the courtroom, I have a few housekeeping</p> <p>19 matters I need to take care of.</p> <p>20 MR. ROTTENBORN: That includes Mr. Depp</p> <p>21 as well, correct?</p> <p>22 THE COURT: Correct, and Mr. Depp, yes,</p>	584	<p>1 two things. At a minimum, Ms. Dembrowski's text</p> <p>2 should be allowed to come in because those are</p> <p>3 hearsay, even if we have to redact out all</p> <p>4 Ms. Heard's texts, which if that's what Your Honor</p> <p>5 is ruling is we can. But the problem is -- and</p> <p>6 the reason I think it's not hearsay, that it's</p> <p>7 impeachment under 607(a)(vii) --.</p> <p>8 THE COURT: I understand your</p> <p>9 impeachment issue, and I understand that -- and</p> <p>10 that -- we'll go back to 210. I think there's an</p> <p>11 issue with impeachment there, but here I don't see</p> <p>12 any impeachment basis to have the extrinsic</p> <p>13 evidence in. You got the testimony in, but I</p> <p>14 don't see a basis to have the extrinsic evidence</p> <p>15 in.</p> <p>16 MR. ROTTENBORN: And I would still ask</p> <p>17 the -- the -- that her text come in. They're not</p> <p>18 impeachment. They're no hearsay. They're</p> <p>19 probative to this case. She's expressing concern,</p> <p>20 and even the jury can see, the context they can't</p> <p>21 see they can't see --</p> <p>22 THE COURT: Since they can't have the</p>

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1 context, I'm not going to allow them in, so I'm
2 deny -- I'm going the sustain the objection to
3 163.
4 As far as 210, the -- the only
5 impeachment basis was when she testified that she
6 didn't recall anything about a bender or him being
7 on a bender. So I think for impeachment purposes,
8 just the only part that comes in is as far as
9 Ms. Heard's text is the "JD is on a bender," and I
10 don't even know the last part of on it -- that's
11 it.
12 MR. CHEW: Your Honor, I --
13 THE COURT: Everything else would have
14 been to redacted.
15 MR. CHEW: Your Honor, I don't think
16 that comes in to impeach a third-party witness.
17 It's all hearsay.
18 MR. ROTTENBORN: Sure, it does. It's
19 787.
20 THE COURT: I'm going to allow that,
21 just that one part.
22 MR. CHEW: Just that part?

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1 That one part. Everything else gets
2 redacted as far as her text. Ms. Dembrowski's
3 text can come in except you have to get rid of her
4 identifying information as far as her phone
5 number, okay?
6 MR. ROTTENBORN: And just to be clear
7 so we don't get anything wrong --
8 MR. CHEW: Your Honor, for the record,
9 we also object on speculation.
10 THE COURT: Okay. I understand.
11 MR. CHEW: Calls for speculation and...
12 THE COURT: Okay. All right. That's
13 fine. Thank you.
14 MR. ROTTENBORN: You want it -- you
15 want it redacted after the word "bender," not the
16 last two words of --
17 THE COURT: That's exactly right. Not
18 the last two words and not the sentence above it
19 and any of sentences below it or any of the other
20 texts. Ms. Dembrowski's text come in, but you've
21 got to take out her -- her phone number for me.
22 MR. ROTTENBORN: Okay.

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1 THE COURT: So if you can give me --
2 you owe me that, and I'll allow the redacted one
3 into evidence, and you can give that to me
4 tomorrow, okay?
5 MR. ROTTENBORN: Thank you, Judge.
6 THE COURT: And you also owe me 214
7 tomorrow too, correct?
8 MR. ROTTENBORN: Yes, Your Honor.
9 One -- on that one, can we -- if we -- if we
10 redact the -- if we only show the last two
11 columns, if we redact the personal identifiers,
12 can we then show the other columns that correspond
13 to the text?
14 THE COURT: As long as the personal
15 identifiers is what the objection was, so if you
16 can do that with just the four.
17 MR. ROTTENBORN: Yes, Your Honor.
18 Thank you.
19 THE COURT: Get rid of the others.
20 That's all I have had. Ma'am, you had something?
21 MS. BREDEHOFT: May we approach?
22 THE COURT: Okay.

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1 (Sidebar)
2 MS. BREDEHOFT: Your Honor, as jury was
3 shuffling out, the second to the end on the
4 front --
5 THE COURT: That juror?
6 MS. BREDEHOFT: That juror went like
7 this: "Bye," to Johnny Depp, and he waved back at
8 him.
9 MS. VASQUEZ: It was not to him.
10 MS. BREDEHOFT: It was to Johnny.
11 MS. VASQUEZ: It was not.
12 THE COURT: Okay.
13 MS. VASQUEZ: It was generally in our
14 direction, you know, to the courtroom.
15 THE COURT: Well, I can give a -- I can
16 give instruction tomorrow first thing when the
17 jury comes in to make sure they understand that
18 they can have no contact or no information to
19 anybody.
20 MS. VASQUEZ: He was standing out of
21 respect as Your Honor told us, and he just looked
22 generally in our direction.

Transcript of Jury Trial - Day 2
Conducted on April 12, 2022

72 (589 to 592)

<p style="text-align: right;">589</p> <p>1 THE COURT: I didn't see it. So I 2 don't know, but -- I will pay attention to it, but 3 I will give them instruction tomorrow just to make 4 sure they understand about that again. And I'll 5 pay attention to it, and if it is something that 6 we think is a problem as the days go on, we do 7 have alternates for a reason. So we can work from 8 that. 9 MR. CHEW: Thank you, Your Honor. 10 MS. BREDEHOFT: And Mr. Depp waved back 11 to him. You know, and he went "Bye" back. 12 THE COURT: If you would, instruct your 13 client, we could do that. 14 MR. CHEW: Okay. Thank you, Your 15 Honor. 16 (Open court) 17 THE COURT: Okay. Thank you. All 18 right. Anything else for this evening then? 19 Anything else for this evening, anybody? We're 20 good? 21 MS. BREDEHOFT: No, Your Honor. 22 THE COURT: All right. Good, Mr. Chew?</p>	<p style="text-align: right;">591</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER 2 I, JUDITH E. BELLINGER, RPR, CRR, the 3 court reporter before whom the foregoing hearing 4 was taken, do hereby certify that the foregoing 5 excerpt transcript is a true and correct record of 6 the proceedings; that said proceedings were taken 7 by me stenographically and thereafter reduced to 8 typewriting under my direction; and that I am 9 neither counsel for, related to, nor employed by 10 any of the parties to this case and have no 11 interest, financial or otherwise, in its outcome. 12 IN WITNESS WHEREOF, I have hereunto set 13 my hand and affixed my notarial seal this 12th day 14 of April, 2022. 15 My Commission Expires: September 30, 2024 16 17 18 <i>Judith E. Bellinger</i> 19 _____ 20 NOTARY PUBLIC IN AND FOR 21 THE COMMONWEALTH OF VIRGINIA 22</p>
<p style="text-align: right;">590</p> <p>1 MR. CHEW: No, Your Honor. 2 MS. VASQUEZ: No, Your Honor. Thank 3 you, Your Honor. 4 THE COURT: Okay. Have a good evening. 5 We'll see you at 10:00. 6 THE BAILIFF: All rise. 7 (Whereupon, the trial was recessed at 8 5:06 p.m. to reconvene at 10:00 a.m. Wednesday, 9 April 13, 2022.) 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	