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FAIRFAX, VA

Transcript of Jury Trial - Day 3

Date: April 13, 2022
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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Transcript of Jury Trial - Day 3
Conducted on April 13, 2022

1 (592 to 595)

592	594
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 3 13 BEFORE THE HONORABLE PENNEY AZCARATE 14 Fairfax, Virginia 15 Wednesday, April 13, 2022 16 10:00 a.m. EDT 17 18 19 Job No.: 443882 20 Pages: 592 - 880 21 Reported by: Judith E. Bellinger, RPR, CRR 22	1 A P P E A R A N C E S 2 3 ON BEHALF OF THE PLAINTIFF AND COUNTERCLAIM 4 DEFENDANT: 5 BENJAMIN G. CHEW, ESQUIRE 6 BROWN RUDNICK LLP 7 601 Thirteenth Street NW 8 Suite 600 9 Washington, D.C. 20005 10 202.536.1700 11 12 SAMUEL A. MONIZ, ESQUIRE 13 CAMILLE M. VASQUEZ, ESQUIRE 14 BROWN RUDNICK LLP 15 2211 Michelson Drive 16 7th Floor 17 Irvine, CA 92712 18 949.440.0234 19 20 21 22
593	595
1 Held at: 2 3 4 CIRCUIT COURT OF FAIRFAX COUNTY 5 4110 Chain Bridge Road 6 Courtroom 5F 7 Fairfax, Virginia 22030 8 703.691.7320 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 A P P E A R A N C E S C O N T I N U E D 2 3 REBECCA MACDOWELL LECAROS, ESQUIRE 4 BROWN RUDNICK LLP 5 One Financial Center 6 Boston, MA 02111 7 617.856.8149 8 9 ON BEHALF OF THE DEFENDANT AND COUNTERCLAIM 10 PLAINTIFF: 11 12 ELAINE CHARLSON BREDEHOFT, ESQUIRE 13 ADAM S. NADELHAFT, ESQUIRE 14 DAVID E. MURPHY, ESQUIRE 15 CHARLSON BREDEHOFT COHEN BROWN & 16 NADELHAFT, P.C. 17 11260 Roger Bacon Drive 18 Suite 201 19 Reston, VA 20190 20 703.318.6800 21 22

Transcript of Jury Trial - Day 3
Conducted on April 13, 2022

2 (596 to 599)

596	598
1 A P P E A R A N C E S C O N T I N U E D	1 P R O C E E D I N G S
2	2
3 J. BENJAMIN ROTTENBORN, ESQUIRE	3 THE BAILIFF: All rise.
4 WOODS ROGERS PLC	4 THE COURT: All right. Good morning.
5 10 South Jefferson Street	5 Do we have any preliminary matters before the
6 Suite 1400	6 jury?
7 P.O. Box 14125	7 MS. BREDEHOFT: We do, Your Honor. May
8 Roanoke, VA 24011	8 we approach?
9 540.983.7540	9 THE COURT: Sure.
10	10 MS. BREDEHOFT: Your Honor, Mr. Depp
11	11 was taking photographs and taking pictures outside
12	12 the courthouse yesterday.
13	13 THE COURT: Well, that's not the
14	14 courthouse.
15	15 MS. BREDEHOFT: Do you see the stone
16	16 right behind it? Do you see the stone right
17	17 behind it?
18	18 THE COURT: I don't know if that's the
19	19 courthouse or not.
20	20 MS. BREDEHOFT: Do you see the
21	21 stonework?
22	22 THE COURT: That's not a door at this
597	599
1 C O N T E N T S	1 courthouse. He comes out the judge's lot, and
2	2 that's not where he comes out. I'm not sure where
3 EXAMINATION OF ELISA CHRISTINE DEMBROWSKI PAGE	3 that is. That might be his hotel, possibly.
4 (CONTINUED)	4 MR. CHEW: Actually, it looks more like
5 By Mr. Rottenborn 602	5 his hotel.
6 By Mr. Chew 649	6 THE COURT: That's not the courthouse.
7 EXAMINATION OF Isaac Baruch PAGE	7 He comes out the judge's lot. We have a pool
8 By Ms. Lecaroz 655	8 camera there when he leaves.
9 By Ms. Bredehopt 720	9 MS. BREDEHOFT: The other thing I
10 EXAMINATION OF BRANDON PATTERSON (VIA VIDEO) PAGE	10 wanted to bring up, with respect to that juror
11 By Ms. Stemland 788	11 yesterday, I would rather the Court not reinstruct
12 By Ms. Vasquez 856	12 the jury.
13	13 THE COURT: Are you sure?
14	14 MS. BREDEHOFT: Yes. The Court already
15	15 instructed the jury not to do that. I would
16	16 rather that the Court watch that juror to see if
17	17 anything like that happens again.
18	18 THE COURT: Sure.
19	19 MS. BREDEHOFT: And if there is some
20	20 bias, then we'd ask for alternates.
21	21 THE COURT: Okay. All right. That's
22	22 fine. I was going to read about -- not the same

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3 (600 to 603)

<p style="text-align: right;">600</p> <p>1 way, but just have no contact. But I won't do it. 2 MS. BREDEHOFT: Just keep an eye on it. 3 THE COURT: I will keep an eye on him. 4 You did tell Mr. Depp, though, not to wave back if 5 anybody in the jury waves at him or smiles at him 6 or anything? 7 MR. CHEW: Yeah, I will reiterate that 8 right now. 9 THE COURT: I would appreciate that. 10 Thank you. 11 Mr. Rottenborn, do you have the 12 redactions for me? 13 MR. ROTTENBORN: We have one of the 14 two. The other one, we had to make one tweak to 15 it, and we're going to do that electronically 16 during my cross-examination. 17 THE COURT: Which one do you have for 18 me? 19 MR. ROTTENBORN: Exhibit 214. 20 THE COURT: 214. 21 MR. ROTTENBORN: That we provided. 22 THE COURT: So the redactions,</p>	<p style="text-align: right;">602</p> <p>1 for the jury? Are we ready for the jury? 2 MR. CHEW: Yes, Your Honor. 3 THE COURT: Okay. 4 (Whereupon, the jury entered the 5 courtroom and the following proceedings took 6 place.) 7 THE COURT: All right. Good morning, 8 ladies and gentlemen. Thank you. 9 All right. You can have a seat, 10 Ms. Dembrowski. Ms. Dembrowski, I want to remind 11 you, you're still under oath at this time, okay? 12 You want to continue with your 13 cross-examination, Mr. Rottenborn? 14 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 15 COUNTERCLAIM PLAINTIFF (CONTINUED) 16 BY MR. ROTTENBORN: 17 Q Good morning, Ms. Dembrowski. 18 A Good morning. 19 Q So, I believe we talked a little bit 20 about this yesterday, but you were, in addition to 21 being Mr. Depp's brother [sic], I believe you 22 referred to it as his personal manager; is that</p>
<p style="text-align: right;">601</p> <p>1 reserving your other objections, the redactions 2 are okay? 3 MR. CHEW: Yes, Your Honor. 4 THE COURT: Okay. So, 214 will be in 5 evidence, then. 6 Do you want to get the witness back on 7 the witness stand before we get the jury here? 8 MR. CHEW: Yes, Your Honor. 9 THE COURT: Ms. Dembrowski. All right. 10 Let's put her up before we get the jury out. That 11 would be helpful. 12 Mr. Rottenborn, you're going to get me 13 214 afterwards? 14 MR. ROTTENBORN: Yes, Your Honor. 15 THE COURT: No, 210. 16 MR. ROTTENBORN: 210. We'll put it up 17 on the screen but without the presence of the 18 jury. The judge will see it the same time you do. 19 MR. CHEW: Okay. 20 MR. ROTTENBORN: I just don't have it 21 with me. 22 THE COURT: All right. Are we ready</p>	<p style="text-align: right;">603</p> <p>1 right? 2 A I have been referred as that, yes. 3 Q So you were responsible for, or had 4 some responsibility for his business affairs, 5 right? 6 A I actually coordinated with other 7 people, but I didn't have full responsibility. 8 Q Right. But in terms of the information 9 that you would receive, you would receive 10 information that was relevant to Mr. Depp's 11 business affairs and personal affairs, right? 12 A At times, yes. 13 Q And you care about Mr. Depp's 14 well-being, right? 15 A Yes. 16 Q He's your brother -- 17 A Yes. 18 Q -- you love him, right? 19 It was important to you that you, in 20 your role as both his brother [sic] and as his 21 manager, be kept informed of his well-being, 22 right?</p>

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<p>604</p> <p>1 A Yes.</p> <p>2 Q And if something was wrong, you'd want</p> <p>3 to know about that, right?</p> <p>4 A Yes.</p> <p>5 Q Did you ever have reason to believe,</p> <p>6 from anyone other than Amber, that Mr. Depp had a</p> <p>7 problem with drugs or alcohol?</p> <p>8 A No.</p> <p>9 Q Did you ever have reason to believe,</p> <p>10 from someone other than Amber, that Mr. Depp</p> <p>11 romanticized drug culture?</p> <p>12 A No.</p> <p>13 Q Did you ever have reason to believe,</p> <p>14 from anyone other than Amber, that Mr. Depp didn't</p> <p>15 take accountability for his actions?</p> <p>16 A I didn't have reason to believe that,</p> <p>17 no.</p> <p>18 Q Did you ever have reason to believe,</p> <p>19 from anyone other than Amber, that Mr. Depp lacked</p> <p>20 patience for getting his needs met?</p> <p>21 A I didn't have reason to believe that,</p> <p>22 no.</p>	<p>606</p> <p>1 A I never had reason to believe that.</p> <p>2 Q Did you ever have reason to believe,</p> <p>3 from someone other than Amber, that Mr. Depp had</p> <p>4 fundamental issues with anger?</p> <p>5 MR. CHEW: Your Honor, may we approach?</p> <p>6 THE COURT: Okay.</p> <p>7 (Sidebar.)</p> <p>8 MR. CHEW: He's reading from a</p> <p>9 document, a hearsay document, so...</p> <p>10 THE COURT: I don't know what he's</p> <p>11 reading from. He's just asking a question at this</p> <p>12 point. I assume if he tries to get something in,</p> <p>13 that's a different issue.</p> <p>14 MR. CHEW: Okay.</p> <p>15 THE COURT: Let's see where -- okay.</p> <p>16 MR. CHEW: Okay.</p> <p>17 (Open court.)</p> <p>18 BY MR. ROTTENBORN:</p> <p>19 Q Let me try that again, Ms. Dembrowski.</p> <p>20 Did you ever have reason to believe, from someone</p> <p>21 other than Amber, that your brother had</p> <p>22 fundamental issues with anger?</p>
<p>605</p> <p>1 Q Did you ever have reason to believe,</p> <p>2 from someone other than Amber, that Mr. Depp could</p> <p>3 act like a child if he didn't get immediate</p> <p>4 satisfaction?</p> <p>5 MR. CHEW: Objection, Your Honor. Lack</p> <p>6 of foundation.</p> <p>7 MR. ROTTENBORN: I'm asking if she</p> <p>8 had --</p> <p>9 THE COURT: Overruled. I'll allow it.</p> <p>10 That's fine.</p> <p>11 Q Let me ask that again, Ms. Dembrowski.</p> <p>12 Did you ever have reason to believe, from anyone</p> <p>13 other than Amber, that Mr. Depp could act like a</p> <p>14 child if he didn't get immediate satisfaction?</p> <p>15 MR. CHEW: Hearsay, Your Honor.</p> <p>16 THE COURT: Overruled for this</p> <p>17 question. We'll see what the follow-up is.</p> <p>18 A I'm sorry?</p> <p>19 Q Did you ever have reason to believe,</p> <p>20 from someone other than Amber, that Mr. Depp could</p> <p>21 act like a child if he didn't get immediate</p> <p>22 satisfaction?</p>	<p>607</p> <p>1 A I didn't have reason to believe.</p> <p>2 Q And did you ever have reason to</p> <p>3 believe, from someone other than Amber, that your</p> <p>4 brother didn't grasp the responsibility that he</p> <p>5 had in his children's lives?</p> <p>6 A I did not have reason to believe.</p> <p>7 MR. ROTTENBORN: Heather, can you pull</p> <p>8 up Exhibit 268, please.</p> <p>9 Q Ms. Dembrowski, is this an email from</p> <p>10 Dr. David Kipper to you on August 18th, 2014?</p> <p>11 MR. CHEW: Objection. Hearsay.</p> <p>12 THE COURT: It's not being offered yet,</p> <p>13 so I'll overrule the objection.</p> <p>14 Go ahead.</p> <p>15 A I don't have it.</p> <p>16 Q Can you see the documented on your</p> <p>17 screen?</p> <p>18 THE COURT: You might need to make it</p> <p>19 bigger.</p> <p>20 THE WITNESS: I don't have anything.</p> <p>21 Q Can you see it there, ma'am?</p> <p>22 A No.</p>

608	610
1 THE COURT: It's not showing up on her 2 screen. 3 Q Just bear with us one minute. Thank 4 you. 5 A Do I need to do something? 6 THE COURT: It's not coming up. 7 Do you have a physical copy that she 8 could look at? 9 MR. ROTTENBORN: Not that's not marked 10 up. Can you grab one? 11 THE COURT: Wait, she's got it. Turn 12 it off and on, see? 13 MR. ROTTENBORN: That's the trick. 14 THE COURT: That's the trick. 15 MR. ROTTENBORN: Thank you. 16 Q Take as much time as you need to read 17 it, Ms. Dembrowski, but my question is, is this an 18 email from Dr. David Kipper to you, on 19 August 18th, 2014? 20 A Yes. It's got my name on there, yes. 21 It's from him. 22 Q And this is an email that you would	1 enter it into the evidence with those redactions. 2 MR. CHEW: Your Honor. Two layers. 3 Hearsay. May we approach? 4 (Open court) 5 MR. CHEW: This is a double-hearsay 6 issue. 7 THE COURT: Okay. Go ahead. 8 MR. CHEW: This is Dr. Kipper basically 9 using Amber, a very dubious source, so there's two 10 layers of hearsay here. 11 THE COURT: Right. 12 MR. CHEW: No exception. 13 THE COURT: What's the basis? 14 MR. ROTTENBORN: Not hearsay. She's 15 testifying -- she testified that she never heard 16 from anyone. I mean, her whole testimony, Your 17 Honor, has been Amber exaggerates and no one else 18 ever told me that he had any issues. I don't want 19 to get the first paragraph in. That is hearsay. 20 I agree. But the second paragraph, when he says 21 all these things about Johnny, when she's 22 testifying to the jury, she's making it sound like
609	611
1 have received on or about that date, August 18th, 2 2014, to the best of your knowledge? 3 A It was sent on that date, yes. 4 Q Okay. And it's about Dr. Kipper's 5 treatment of your brother, correct? 6 A I'm actually reading it. 7 Q Okay. Take your time. Thank you. 8 A Sorry. Is there -- I'm sorry, is there 9 more to the... 10 Q There's another page, which we can go 11 to, but my question is just this, and I think we 12 established this, this is an email that you 13 received from Dr. Kipper, correct? 14 A Yes. 15 Q Okay. 16 MR. ROTTENBORN: Your Honor, permission 17 to publish the second paragraph on page 1 into 18 the -- and the remainder of that paragraph on 19 page 2, with everything redacted -- else redacted. 20 THE COURT: You're asking to enter it 21 into evidence? 22 MR. ROTTENBORN: Yes, we would like to	1 Amber is the only one. 2 MR. CHEW: Your Honor, it's still 3 double hearsay. This is the very beginning of 4 Dr. Kipper's treatment, where he had reason to 5 think that Amber might have any credibility. 6 THE COURT: Don't talk over. Okay. Go 7 ahead. 8 MR. ROTTENBORN: On the stand, she's 9 putting her head in the sand. She's saying Amber 10 was the only one that told me about Johnny. 11 THE COURT: Then you can ask her. So, 12 Dr. Kipper did tell you about this? You can ask 13 that, but I'm not going to allow this piece of 14 evidence in this, okay? 15 MR. CHEW: Thanks, Your Honor. 16 MR. ROTTENBORN: Thank You. 17 (Open court.) 18 BY MR. ROTTENBORN: 19 Q Ms. Dembrowski, if you take a look at 20 the first page of this email, please. In the 21 second paragraph -- well, first of all, who is 22 Dr. Kipper?

<p>1 A Dr. Kipper was the doctor that was 2 helping my brother, excuse me, helping my brother 3 get help from the pain medication addiction that 4 he had. 5 Q He was helping him with his drug 6 addiction? 7 A The pain medication. 8 Q Okay. And your brother was addicted to 9 pain pills? 10 A He had been taking them for a long 11 time, right. 12 Q And you were instrumental in hiring 13 Dr. Kipper to help your brother try to deal with 14 that, right? 15 A Yes. 16 Q And so, Dr. Kipper, in his role as 17 someone treating your brother, tried to keep you 18 informed of what was going on with that treatment, 19 right? 20 A Yes. 21 Q And it was important to you, as both 22 his brother -- sorry, his sister and his manager</p>	<p>612 1 brother was uncomfortable and pessimistic that he 2 will ever be able to stop doing drugs? 3 MR. CHEW: Objection. Double hearsay. 4 MR. ROTTENBORN: I'm not asking for -- 5 THE COURT: I'll allow this question, 6 but that's the only question on that point, okay? 7 Thank you. 8 A I'm sorry? 9 Q Isn't it true that Dr. Kipper informed 10 you, in August of 2014, that your brother was 11 uncomfortable and is pessimistic that he will ever 12 be able to stop doing drugs? 13 A He does write this in this email, but 14 this email's an update, if I'm looking at the 15 dates, and I don't remember all the dates, but I 16 know that period, what's in the email, I think 17 this was during the time they were -- where he was 18 getting help from Dr. Kipper. 19 Q Right. But that's what he informed you 20 of, in your role as his manager and his sister, 21 about the status of Mr. Depp's belief that he 22 would be able to stop doing drugs, right?</p>
<p>613 1 that you be kept informed of that, right? 2 A It was important as his sister. 3 Q Well, and his issues with drugs were 4 having an impact on his career as well, too, 5 right? 6 A No. 7 Q And you knew that they were having an 8 impact on his relationship with Amber, right? 9 MR. CHEW: Objection. Lack of 10 foundation. 11 MR. ROTTENBORN: She's given plenty of 12 testimony about that. 13 THE COURT: Overruled. I'll allow it. 14 Q You knew that the drugs were having an 15 impact on his relationship with Amber. 16 A I knew that Amber claimed certain 17 things. 18 Q But you didn't believe that they were? 19 A I didn't necessarily believe it, no. 20 Q We'll get to that in a few minutes. 21 Isn't it true that on the bottom paragraph on 22 page 1, that Dr. Kipper informed you that your</p>	<p>614 1 MR. CHEW: Objection. Hearsay. 2 THE COURT: I'll allow that question. 3 A I think he was informing me of the 4 conversations, yes. 5 Q And he also informed you that your 6 brother didn't take accountability for his 7 behaviors, correct? 8 A He does say in here, yes, he wrote that 9 he has no accountability for his behaviors in this 10 time. 11 MR. ROTTENBORN: Heather, if you go to 12 the top of page 2, please. 13 Q In that first and second line, he also 14 told you that your brother has fundamental issues 15 with anger, right? 16 MR. CHEW: Your Honor, objection. 17 Hearsay. No exception applies. 18 MR. ROTTENBORN: Same exception that 19 applied to the other ones, this is what he 20 informed her. 21 THE COURT: We need to move on, though. 22 MR. ROTTENBORN: Okay. Heather, you</p>

<p>1 can take that down. 2 Q So you just testified, Ms. Dembrowski, 3 that you understood, from Amber, that drugs and 4 alcohol were impacting the relationship but that 5 you didn't necessarily believe that, right? 6 A Right. 7 Q You didn't necessarily share those 8 concerns, right? 9 A Right. 10 Q Did you have an occasion to speak with 11 Amber after a plane flight from Boston to 12 Los Angeles in May of 2014? 13 MR. CHEW: Objection. Hearsay. 14 MR. ROTTENBORN: I just asked if she 15 spoke with her. I'm not asking what the content 16 is. 17 THE COURT: Spoke. I'll overrule the 18 objection at this time. 19 A I don't recall a specific time speaking 20 with Amber like that. 21 Q Did you become aware of an incident on 22 a plane flight from Boston to Los Angeles in May</p>	<p>616</p>	<p>1 just about every day, correct? 2 A When -- what I testified to yesterday, 3 when I saw him every day, was when he was with the 4 family, Vanessa. 5 Q You still saw him or were in touch with 6 him fairly frequently, as his business manager and 7 as his sister, when he was with Amber, correct? 8 A Less frequent. 9 Q But still with some frequency, right? 10 A Yes. 11 Q And if an event had happened that was 12 potentially harmful to your brother, you would 13 want to know about that, right? 14 A Yes. 15 Q Okay. 16 MR. CHEW: Objection. Asked and 17 answered several times. 18 THE COURT: Okay. I'll sustain asked 19 and answered. 20 Next question. 21 Q You made an effort to make yourself 22 available to Ms. Heard to talk to you about issues</p>	<p>618</p>
<p>1 of 2014? 2 MR. CHEW: Objection. Lack of 3 foundation. 4 THE COURT: Foundation objection. 5 MR. ROTTENBORN: She's testified -- 6 THE COURT: I'll sustain the objection 7 as to foundation. If you can lay a foundation. 8 Q If something happened in your brother's 9 life that was notable, you wanted to know about 10 it, you testified to that, right? 11 MR. CHEW: Objection. Calls for 12 speculation. No exception. 13 MR. ROTTENBORN: It's a foundation 14 question. She's testified that she had insight 15 into his daily life. 16 THE COURT: I don't see it as a 17 foundation question, so I'm going to sustain the 18 objection. 19 Q You were kept apprised of the goings on 20 in Johnny's life, correct? 21 A For the most part, yes. 22 Q And you testified yesterday you saw him</p>	<p>617</p>	<p>1 she was having with your brother, correct? 2 A Excuse me. I made an effort to talk to 3 her anytime I felt she needed to speak. 4 THE COURT: Somebody's trying to call 5 us. 6 MR. ROTTENBORN: Kind of a pleasant 7 ring tone. 8 THE COURT: I didn't answer it, so, I 9 don't know. 10 Q Ms. Dembrowski, in addition to just 11 Amber believing it, you believed that your brother 12 needed help, didn't you? 13 MR. CHEW: Objection. Vague. 14 THE COURT: Vague. 15 Q You believed that your brother needed 16 help with drugs and alcohol, didn't you? 17 THE COURT: Overrule the objection. 18 Go ahead. 19 MR. ROTTENBORN: Sorry. 20 A I believed on the one medication I was 21 concerned about. 22 Q And you wanted your brother to get</p>	<p>619</p>

620	<p>1 better from his addictions, right?</p> <p>2 A I wanted to address the medication that</p> <p>3 he was on.</p> <p>4 Q And you understood that Amber wanted</p> <p>5 the same thing, wanted him to get better for both</p> <p>6 him and for her, correct?</p> <p>7 MR. CHEW: Objection. Calls for</p> <p>8 speculation as to what Amber wanted.</p> <p>9 THE COURT: I'll sustain as to what</p> <p>10 Amber wanted.</p> <p>11 Q Now, do you recall meeting with</p> <p>12 Ms. Heard on May 25th, 2014?</p> <p>13 A I don't recall.</p> <p>14 MR. ROTTENBORN: Let's pull up</p> <p>15 Exhibit 234, please.</p> <p>16 THE COURT: You said that was 234?</p> <p>17 MR. ROTTENBORN: 2-3-4, yes.</p> <p>18 THE COURT: Okay. Thank you.</p> <p>19 MR. ROTTENBORN: The non-redacted</p> <p>20 version.</p> <p>21 Q Ms. Dembrowski, this is a multipage</p> <p>22 exhibit. We're not going to ask you about all the</p>	622	<p>1 texts, how is that probative if it's just her</p> <p>2 texts?</p> <p>3 MR. ROTTENBORN: Two things. One is</p> <p>4 her texts about what she wanted for her brother,</p> <p>5 we will get to those on page 2.</p> <p>6 MR. CHEW: Your Honor, it's still --</p> <p>7 still has the same hearsay problem.</p> <p>8 MR. ROTTENBORN: I'm allowed to ask her</p> <p>9 about her own words and what her feelings were.</p> <p>10 THE COURT: You can ask her about it,</p> <p>11 but it's not coming into evidence.</p> <p>12 MR. ROTTENBORN: Okay.</p> <p>13 THE COURT: Okay?</p> <p>14 Q Ms. Dembrowski, did you reach out to</p> <p>15 Ms. Heard on May 25th, 2014?</p> <p>16 A Yes.</p> <p>17 Q Asking her if she wanted to talk?</p> <p>18 A Yes.</p> <p>19 Q Why did you do that? Did you do that</p> <p>20 because you had been made aware of an issue about</p> <p>21 your brother's behavior on a flight earlier that</p> <p>22 day?</p>
621	<p>1 pages, but is this a text message chain between</p> <p>2 Amber and you on May 25th, 2014?</p> <p>3 A Yes.</p> <p>4 Q And those are your texts in gray on the</p> <p>5 left, right?</p> <p>6 A Yes.</p> <p>7 Q And Ms. Heard's texts in blue on the</p> <p>8 right?</p> <p>9 A Yes.</p> <p>10 MR. ROTTENBORN: Your Honor, we have a</p> <p>11 version of this exhibit with Ms. Heard's texts</p> <p>12 redacted and the personal identifiers redacted</p> <p>13 that I'd like to ask the witness about and publish</p> <p>14 to the jury.</p> <p>15 MR. CHEW: Objection. Hearsay, Your</p> <p>16 Honor.</p> <p>17 THE COURT: First, you want to admit it</p> <p>18 into evidence before you publish it to the jury?</p> <p>19 MR. ROTTENBORN: Right. I'm just</p> <p>20 previewing that would you like me to go through</p> <p>21 the unredacted version with the witness first?</p> <p>22 THE COURT: Well, if it's just her</p>	623	<p>1 A I don't --</p> <p>2 Q The day before?</p> <p>3 A I don't recall why I did that.</p> <p>4 Q You don't recall why you did that?</p> <p>5 A No.</p> <p>6 Q You have no awareness or memory of a</p> <p>7 flight earlier that day or the day before?</p> <p>8 A I don't recall all flights at all</p> <p>9 times. I don't have any specific memory of</p> <p>10 anything.</p> <p>11 Q Okay.</p> <p>12 MR. ROTTENBORN: If you can turn to</p> <p>13 page 2, Heather.</p> <p>14 Q If you can look at your third text</p> <p>15 down, Your Honor -- or Ms. Dembrowski, you say to</p> <p>16 him -- to Ms. Heard, you say to Ms. Heard, "I love</p> <p>17 him so much, but he needs help, and I don't have</p> <p>18 all the information to help alone."</p> <p>19 Do you see that?</p> <p>20 MR. CHEW: Objection, Your Honor. This</p> <p>21 is all hearsay.</p> <p>22 THE COURT: I'll allow that question.</p>

<p>1 That's fine. 2 A I do see that. 3 Q And what did you mean when you said "he 4 needs help"? 5 A I don't recall the actual timing of it, 6 but I wanted to help him with the – that 7 medication that he was on. That, I know. And I 8 know that I wanted to be able to be helpful to him 9 and his wife because they were arguing all the 10 time. 11 Q And I believe you testified earlier 12 that you didn't actually have concerns about your 13 brother's dependence on drugs, right? 14 A No, I said I did have about the 15 medication. 16 Q Just the pain pills? 17 A It was the pain pills. 18 Q Nothing else? 19 A I didn't have concerns. 20 Q So when you said, "He needs help," 21 that's what you were referring to, that you 22 believed that your brother needed help with pills?</p>	<p>624</p>	<p>1 Honor. 2 MR. ROTTENBORN: Thank you. 3 (Open court.) 4 MR. ROTTENBORN: Heather, can you, 5 please, pull up the pages ending in 934. Start 6 with that, please. 7 Actually, let's not. Let's go to 936. 8 THE COURT: Just for the record, this 9 is still in Exhibit 234, it's just Bates-stamped 10 page 936; is that correct? 11 MR. ROTTENBORN: Yes, Your Honor. 12 THE COURT: Okay. 13 Q Ms. Dembrowski, do you see the message 14 that you sent to Amber, three down, where you say 15 "He's going to see the doctor in the morning," 16 with three exclamation points? 17 A Yes. 18 Q Tell me what you remember about that. 19 When you said "he," you're referring to your 20 brother, right? 21 A Yes. 22 Q And by "doctor," you meant an addiction</p>	<p>626</p>
<p>1 MR. CHEW: Objection, Your Honor. This 2 has been asked and answered several times. 3 MR. ROTTENBORN: May I approach, Your 4 Honor? 5 THE COURT: All right. 6 (Sidebar.) 7 MR. ROTTENBORN: It's not hearsay. 8 THE COURT: He said asked and answered. 9 Which it has been. She's not giving you the 10 answer that you want, I understand that. He 11 objected asked and answered. 12 MR. ROTTENBORN: It's also -- 13 THE COURT: It's a prior inconsistent 14 statement, I understand that. That's why I'm 15 letting her testify to it, but it doesn't come 16 into evidence. Make sense? 17 MR. ROTTENBORN: Makes sense. 18 MR. CHEW: He has a tendency just to 19 beat the horse. 20 THE COURT: If you object to asked and 21 answered, then I will either sustain or overrule. 22 MR. CHEW: Okay. Thank you, Your</p>	<p>625</p>	<p>1 doctor; is that right? 2 A I believe I would have meant 3 Dr. Kipper. 4 Q Okay. And what was -- you'd agree that 5 it's fairly rare to get an appointment for a 6 doctor the next day, right? 7 MR. CHEW: Objection. Calls for 8 speculation. 9 THE COURT: I'll allow it. That's 10 fine. 11 A I don't know that it's rare to get an 12 appointment the next day. 13 Q Well, Dr. Kipper wasn't an emergency 14 room doctor, right? 15 A No. 16 Q So what was so urgent about your 17 brother's need to see a doctor that he was going 18 to see Dr. Kipper the next morning, when you 19 texted this at 7:35 p.m.? 20 A I don't know that it was urgent. I 21 think I was happy that he was going to see the 22 doctor.</p>	<p>627</p>

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1 Q And you're happy he was going to see
2 the doctor because you thought he'd finally
3 realized the problem that his drug addiction was
4 having on himself and others, correct? That's why
5 you were happy, right?
6 A I was happy he was going to see the
7 doctor because I was concerned about the pain
8 medication he was on.
9 Q And you were concerned about what that
10 pain medication did to your brother, right?
11 A Yes.
12 Q You were concerned about the effect
13 that had on his life, right?
14 A I was concerned about him.
15 Q And you were concerned about the effect
16 that that drug addiction had on other
17 relationships in his life as well, correct?
18 MR. CHEW: Your Honor. Asked and
19 answered.
20 MR. ROTTENBORN: I'm going through.
21 THE COURT: That's fine. I'll allow
22 it.

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1 MR. CHEW: It has been consistent
2 statements.
3 Q You can answer.
4 A I didn't see anything that was
5 happening, necessarily, in life to be concerned
6 about others' needs. It was him I was concerned
7 about.
8 Q So your testimony today is that you
9 didn't see any effect that your brother's drug
10 problem was having on anyone else other than him?
11 A My concern was him. I wasn't focused
12 on anything beyond that.
13 Q Right. You weren't concerned about the
14 effect that it could be having on anyone else? Is
15 that your testimony?
16 A Again, my concern was him.
17 MR. ROTTENBORN: Can you pull up
18 page 937, please.
19 Q And when you sent Ms. Heard the text at
20 the top of the page at 9:20 p.m. on May 25th,
21 2014, and you said "I just meant I will help in
22 getting him help," what did that mean?

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1 A It's help from Dr. Kipper, I believe.
2 Q You were referring to getting your
3 brother help for his drug addictions, correct?
4 A I was referring to getting him help
5 with the medication that he was on.
6 Q And if you go to page 938, please.
7 When you told Amber, at the bottom of
8 that page, at 10:26 p.m., "I think you need to
9 tell him you are scared and you can't deal," what
10 did you mean by that? "I think you need to tell
11 him you are scared and you can't deal," what did
12 you mean by that?
13 MR. CHEW: Objection. Hearsay.
14 MR. ROTTENBORN: I'm asking her what
15 she meant with one of her statements. It's no
16 different from the statement I just asked her
17 about.
18 MR. CHEW: Your Honor, it's hearsay --
19 THE COURT: I'm just not sure what the
20 prior inconsistent statement would be for this.
21 MR. ROTTENBORN: Well, that she's
22 testified that all of Amber's concerns were

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1 overblown.
2 MR. CHEW: Your Honor, may we approach?
3 THE COURT: Okay.
4 (Sidebar.)
5 MR. CHEW: Your Honor, this is not a
6 prior inconsistent statement.
7 MR. ROTTENBORN: She testified that all
8 of Amber's concerns were overblown, and here she
9 is telling her, I think you need to tell him
10 you're scared. This is the last question I'm
11 going to ask her and then I will move on from the
12 document.
13 MR. CHEW: Just because it's the last
14 question doesn't make it appropriate.
15 THE COURT: I'm going to sustain the
16 objection.
17 MR. ROTTENBORN: Okay.
18 (Open court.)
19 BY MR. ROTTENBORN:
20 Q So, Ms. Dembrowski, concerning your
21 concerns regarding your brother's drug abuse, you
22 were concerned for your brother and your brother

632	634
1 only?	1 frequent contact with Ms. Jacobs, his agent,
2 A I was concerned for my brother, yes.	2 right?
3 Q And only your brother; is that right?	3 A Yes.
4 A My brother was my focus.	4 Q And that contact included when he was
5 Q Now, you -- in your capacity as his	5 shooting movies?
6 personal manager, you were often apprised of your	6 A Yes.
7 brother's performance on movie sets, right?	7 Q And that contact included
8 MR. CHEW: Objection. Hearsay.	8 communications relating to his conduct on set?
9 Q Did you have occasion to communicate	9 MR. CHEW: Objection. Lack of
10 with studios, for example, about movies that your	10 foundation.
11 brother was shooting?	11 MR. ROTTENBORN: I'm laying foundation.
12 A Yes.	12 THE COURT: Sounds like your foundation
13 Q And studio executives could feel free	13 is going to be based on hearsay. Which is what
14 to contact you about your brother's work?	14 we're getting to. If you can lay a foundation
15 A Yes, they mostly contacted the agents.	15 without being based on hearsay.
16 Q And who was the agent at the time?	16 Q Did you have information about your
17 A Tracey.	17 brother being late to sets of movie shoots?
18 Q Is that Tracey Jacobs?	18 A Would that be if I was physically
19 And your brother, Mr. Depp, fired	19 there, is that what you're asking?
20 Ms. Jacobs in or around 2017; is that right?	20 MR. ROTTENBORN: Your Honor, first, I'd
21 A I don't recall when.	21 ask you to instruct Mr. Chew not to shake his
22 Q How long was Ms. Jacobs his agent?	22 head, nod his head to the witness. That's
633	635
1 A 20-something years.	1 inappropriate.
2 Q And he fired Ms. Jacobs at some point,	2 THE COURT: All right.
3 right?	3 MR. CHEW: I'm not shaking or nodding
4 A Yes.	4 to the witness.
5 Q After his divorce from Amber?	5 THE COURT: All right.
6 A I don't recall exactly when he fired	6 MR. ROTTENBORN: Well, he was.
7 her.	7 THE COURT: Well, I'll keep a lookout
8 Q Do you recall whether it was before or	8 for that.
9 after he divorced Amber?	9 MR. CHEW: And I resent the
10 A I don't recall. Sorry.	10 implications.
11 Q But in any event, you had frequent	11 THE COURT: Thank you.
12 communications with Ms. Jacobs about your	12 Q Ms. Dembrowski, your brother told you
13 brother's work, correct?	13 himself that he was late to movie shoots, didn't
14 A Excuse me. Yeah.	14 he?
15 Q And you, in your capacity as his	15 MR. CHEW: Objection. Hearsay.
16 manager, it came to your attention that he was	16 MR. ROTTENBORN: Party admission.
17 late to movie sets, correct?	17 THE COURT: I'll allow that.
18 MR. CHEW: Objection. Lack of	18 A I don't think he came to me and said
19 foundation. Hearsay.	19 "I'm late to movie shoots," no.
20 THE COURT: I'll sustain the objection.	20 Q You learned, from your brother, that he
21 Foundation.	21 was late to movie shoots, correct?
22 Q You testified that you had contact,	22 MR. CHEW: Objection. Asked and

<p>1 answered.</p> <p>2 A I don't think he would have come to me</p> <p>3 and talk about it, no.</p> <p>4 THE COURT: I'll allow it.</p> <p>5 Q So you never had any communications</p> <p>6 with your brother about issues that he had being</p> <p>7 on time to movie sets? Is that your testimony?</p> <p>8 A No. What I'm saying is, I worked with</p> <p>9 him for years, you know. There was never, really,</p> <p>10 a continuous topic of whether he was late to a</p> <p>11 movie set, him and I having a conversation.</p> <p>12 Q He told you he had been late to movie</p> <p>13 sets, correct?</p> <p>14 MR. CHEW: Objection. Asked and</p> <p>15 answered.</p> <p>16 THE COURT: I'll sustain the objection.</p> <p>17 Next question, please.</p> <p>18 MR. ROTTENBORN: Can you pull up 348,</p> <p>19 please.</p> <p>20 THE COURT: 348.</p> <p>21 MR. ROTTENBORN: If you can, can you</p> <p>22 blow it up so you can see the second email down,</p>	<p>636</p>	<p>1 no.</p> <p>2 Q In any event, it was a problem -- as</p> <p>3 his personal manager, you knew that it was a</p> <p>4 problem for the studios if he showed up late to</p> <p>5 set, right?</p> <p>6 A I knew that on this particular film,</p> <p>7 there were times when he was late to set.</p> <p>8 Q You did know on this particular film?</p> <p>9 A On this particular film.</p> <p>10 Q And this particular film is Pirates 5,</p> <p>11 correct?</p> <p>12 A Yes.</p> <p>13 Q Pirates of the Caribbean 5. And he was</p> <p>14 filming that in Australia, right?</p> <p>15 A Yes.</p> <p>16 Q And this email was sent on</p> <p>17 February 27th, 2015, right?</p> <p>18 A Yes.</p> <p>19 Q So, you knew that as he was filming</p> <p>20 Pirates of the Caribbean 5 in 2015, early 2015,</p> <p>21 that he had problems being late to the set, right?</p> <p>22 A I wouldn't call it problems being late</p>	<p>638</p>
<p>1 Heather.</p> <p>2 Q And that second email down is an email</p> <p>3 from you to Tracey Jacobs on February 27th, 2015,</p> <p>4 right?</p> <p>5 MR. CHEW: Objection. Hearsay.</p> <p>6 THE COURT: I'll allow that question.</p> <p>7 Let's see where we go.</p> <p>8 A The second -- all the way down in here.</p> <p>9 Q The second one down from the top. Sent</p> <p>10 at 12:50.</p> <p>11 A Oh, sorry. Yes, that's from me to</p> <p>12 Tracey.</p> <p>13 Q Okay. Now, in the second sentence of</p> <p>14 that email, you write "He told me one to one and a</p> <p>15 half hours, but not two. Yes, he was two and a</p> <p>16 half hours late one day and seven hours recently."</p> <p>17 Do you see that?</p> <p>18 A I do see that.</p> <p>19 Q And when you said "he told me," you're</p> <p>20 referring to your brother, Johnny Depp, admitting</p> <p>21 to you that he was late to movie sets, right?</p> <p>22 A I don't know that I'm referring to him,</p>	<p>637</p>	<p>1 to set, but he was occasionally late to set.</p> <p>2 Q Late enough that Disney executives</p> <p>3 called you to discuss that, right?</p> <p>4 MR. CHEW: Objection. Hearsay.</p> <p>5 THE COURT: All right. I'll sustain</p> <p>6 the objection.</p> <p>7 Next question.</p> <p>8 Q And you knew that this wasn't the only</p> <p>9 movie that he had been late to set for, correct?</p> <p>10 MR. CHEW: Objection. Lack of</p> <p>11 foundation.</p> <p>12 MR. ROTTENBORN: She's testified about</p> <p>13 her close involvement in his personal affairs when</p> <p>14 he was shooting movies.</p> <p>15 MR. CHEW: Still lack of foundation.</p> <p>16 THE COURT: If you lay a foundation not</p> <p>17 based on hearsay.</p> <p>18 MR. ROTTENBORN: All right.</p> <p>19 Q You talked to your brother when he was</p> <p>20 filming each of the movies that he filmed, right?</p> <p>21 A Yes.</p> <p>22 Q Okay. And with respect to Pirates 5,</p>	<p>639</p>

<p>640</p> <p>1 he told you that he had been late to the set, 2 right? 3 A No, I don't recall him telling me he 4 was late to set. 5 Q Okay. So despite the fact when you say 6 "he told me," you don't recall whether that was 7 him or not? 8 A I don't that -- I don't know that the 9 "he" in that refers to him. 10 Q You were also, I believe, you testified 11 yesterday, that you were closely involved in the 12 financial aspects of your brother's life, right? 13 A I was closely involved in speaking with 14 the representatives, but I wasn't really closely 15 involved in, you know, his financial world. That 16 wasn't my thing. 17 Q And your brother, the income that he 18 made from movies or other commercial opportunities 19 that he had, that funded both him and it flowed -- 20 and it came in through his companies, right? And 21 then -- the money that your brother made came in 22 through his companies, correct?</p>	<p>642</p> <p>1 A Yes. 2 Q Including -- in fact, you would be in 3 contact with studios directly as well, from time 4 to time, right? 5 A Yes. 6 Q And Mr. Jacobs [sic] -- well, strike 7 that. 8 In your capacity as his personal 9 manager, you became aware of financial distress 10 that your brother was in, correct, because you 11 were familiar with his financial affairs, right? 12 A I was somewhat familiar. That was -- 13 that was the other representatives' area. 14 Q Did you have occasion to become 15 familiar with whether he was undergoing financial 16 distress such that he needed to get movies, a 17 certain number of movies a year? 18 A Tracey had a certain number of -- 19 excuse me, a certain number of movies per year 20 that she wanted him to do. 21 Q And the certain number of movies a 22 year, to your understanding, the certain number of</p>
<p>641</p> <p>1 A I don't really understand your 2 question. 3 Q Well, you're the president of one of 4 those companies, Infinitum Nihil, right? 5 A Yes. 6 Q So if your brother signs a movie 7 contract, the money, is it paid directly to him or 8 does it come in through a company that he owns? 9 A Infinitum Nihil is completely a 10 separate entity, so how he gets paid is -- that's 11 the business managers. 12 Q Okay. You were involved with 13 discussions of opportunities that he had to shoot 14 movies, correct? 15 A Sometimes, yes. 16 Q Okay. And you were in close contact 17 with others on Mr. Depp's team about opportunities 18 that arose, right? 19 A Yes. 20 Q Okay. Including Tracey Jacobs? 21 A Yes. 22 Q His agent?</p>	<p>643</p> <p>1 movies a year that your brother had to do was 2 necessary to stave off financial distress, 3 correct? 4 A The certain number of movies per year, 5 Tracey would push for a certain number of movies 6 per year because it was beneficial to her. 7 Q That's the only reason she pushed for a 8 certain number of movies a year? 9 A That's the main reason Tracey would 10 push for a certain number of movies per year, yes. 11 Q Not because it was beneficial to 12 Mr. Depp? 13 A If it was beneficial to Mr. Depp, then 14 it was going to be beneficial to Tracey. 15 Q Just because it was beneficial to 16 Tracey doesn't mean it wasn't beneficial to 17 Mr. Depp or his companies, correct? 18 MR. CHEW: Objection. Asked and 19 answered, Your Honor. 20 THE COURT: I'll sustain the objection. 21 Next question. 22 Q Now, at some point, you became aware,</p>

644	1 when he was filming Pirates 5 in Australia, you 2 became aware of an injury that he suffered to his 3 finger, right? 4 A Yes. 5 Q And you were involved in trying to 6 cover up how it happened, correct? 7 MR. CHEW: Objection. Lack of 8 foundation. 9 THE COURT: I'll allow the question. 10 A I'm not sure I understand the question. 11 Q You were involved in helping to cover 12 up how the finger injury happened, right? 13 A I don't understand "cover up." 14 Q You were involved in making sure that 15 people on Mr. Depp's team didn't say how he hurt 16 his hand, correct? 17 MR. CHEW: Objection. Lack of 18 foundation. 19 THE COURT: I'll allow it, if she can 20 answer it. 21 Q You can answer. 22 A We certainly didn't want any press to	646	1 up Exhibit 210 redacted, please. 2 Your Honor, this is the exhibit we 3 discussed yesterday. If the Court and Mr. Chew 4 agree with the redactions, I would just like to 5 publish it to the jury and admit it into evidence. 6 THE COURT: Well, if it's 210, it's 7 already in evidence. That's the one you gave me 8 this morning, correct? No, that's a different 9 one. 10 MR. ROTTENBORN: Yeah, I think this was 11 214. 12 THE COURT: I'm sorry, I got them 13 backwards. This is 210? 14 MR. ROTTENBORN: And I believe that 15 this is -- 16 THE COURT: Follows. 17 MR. ROTTENBORN: It's just one page? 18 Or it's two pages, I'm sorry. It's these two 19 pages that we talked about yesterday. 20 THE COURT: All right. 21 Reserving your objections, are the 22 redactions correct?
645	1 know about it. So that's -- you know, to keep it 2 from that. 3 Q And because you didn't want any press 4 to know about his finger injury, you told 5 Mr. Depp's personal assistant to make sure that he 6 wasn't -- to say that he wasn't sure how Mr. Depp 7 hurt his hand, correct? You instructed him to say 8 that? 9 A If it was someone that I would be 10 concerned that the word would get out to the 11 press, I would have done that. 12 Q So, it was okay, to you, to tell people 13 to lie to protect your brother, right? 14 A It wasn't necessarily a lie. I didn't 15 know how he hurt his finger, myself, at the time, 16 because I'm pretty sure I know the time frame 17 you're talking about, is when it first happened. 18 Q And you have no personal knowledge, to 19 this day, of how he hurt his finger, correct, 20 because you weren't there? 21 A I wasn't there. 22 MR. ROTTENBORN: Heather, can you pull	647	1 MR. CHEW: The redactions are correct. 2 We'll reserve our objections. 3 THE COURT: All right. I will enter 4 214 into evidence over objections. 5 MR. ROTTENBORN: Permission to publish, 6 Your Honor. 7 THE COURT: Yes, sir. 8 MR. ROTTENBORN: Thank you. 9 Can you blow that up, please. 10 Q So, Ms. Dembrowski, we discussed this a 11 little bit yesterday. This is the text exchange 12 between you and Ms. Heard on February 3rd, 2014, 13 where Ms. Heard says "JD is on a bender." 14 And your response is "where are the 15 kids," correct? 16 A Yes. 17 MR. ROTTENBORN: Scroll down, please. 18 Let's go to the next page, please. Scroll down to 19 the bottom, please. 20 Q And then you text Amber "worry about 21 everything." 22 Is that right?

648	<p>1 A I wrote the words "worry about 2 everything," it was myself. I was speaking about 3 myself. 4 Q And you tell her "I don't love any of 5 it," correct? 6 A Right. 7 MR. CHEW: Your Honor, objection. 8 Asked and answered. 9 THE COURT: Sustained. We did go 10 through this yesterday. 11 Go ahead. 12 Q And two days later is when you sent 13 your brother the text messages that said "stop 14 booze, stop coke, stop pills," correct? 15 A I'm not looking at it. I don't recall 16 the timing of it. 17 MR. ROTTENBORN: Nothing further. 18 Thank you. 19 THE COURT: All right. Redirect. 20 MR. CHEW: Yes. Yes, Your Honor. Bear 21 with me. 22 THE COURT: Okay. Thank you.</p>	650	<p>1 Do you recall that testimony? 2 A Yes. 3 Q Why did you say that? 4 A I've had my own interaction, 5 one-on-one, with Ms. Heard, so I know -- I know a 6 bit about her personality. She would -- you know, 7 she would present information to me that was not 8 necessarily information that was supported by 9 everybody else that was around. And I've spent a 10 lot of years working with my brother. We have a 11 close team, we, you know, many years of trusted 12 people helping, you know, make sure that 13 everything in life, it works out and goes 14 smoothly. But all those people, where I would 15 have a daily contact, whether it's about 16 scheduling or just how the day's going, for all 17 the years, those people never said the same thing. 18 MR. ROTTENBORN: Objection. Hearsay, 19 Your Honor. 20 MR. CHEW: I think it was responsive to 21 the question. 22 THE COURT: Well, I'll sustain the last</p>
649	<p>1 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 2 COUNTERCLAIM DEFENDANT 3 BY MR. CHEW: 4 Q Good morning, Ms. Denbrowski. 5 A Good morning. 6 Q During Mr. Rottenborn's examination, 7 yesterday and again this morning, he spent a lot 8 of time talking to you about your brother's 9 alleged drug and alcohol abuse. 10 Do you remember that? 11 A Yes. 12 Q You're not denying that Mr. Depp ever 13 used alcohol or drugs, are you? 14 MR. ROTTENBORN: Objection. Leading. 15 MR. CHEW: It's redirect, Your Honor. 16 THE COURT: That's still leading. I'll 17 sustain as to leading. If you want to rephrase 18 your question. 19 Q You also testified several times, in 20 response to Mr. Rottenborn's questions, that 21 Ms. Heard tends to say things in a more dramatic 22 manner.</p>	651	<p>1 sentence. Just the last sentence of it, that's 2 all. 3 MR. CHEW: Understood, Your Honor. 4 MR. ROTTENBORN: The others as well. 5 MR. CHEW: I think it goes to state of 6 mind rather than the truth. 7 THE COURT: I'll sustain the last 8 sentence. I'm going to strike the last sentence, 9 okay? 10 MR. CHEW: Thank you, Your Honor. 11 Q And do you recall your testimony 12 yesterday, when you stated that after the 13 phenomenal success of Pirates 1, one of the 14 changes to Mr. Depp's, your brother's, personal 15 life was there were a lot more people around him 16 after that. 17 A Yes. 18 Q Do you recall that? 19 A Yes. 20 Q When Johnny and Ms. Heard became 21 involved in a relationship, several years later, 22 were there still several people -- were there</p>

<p style="text-align: right;">652</p> <p>1 still a lot of people around them -- your brother, 2 on a regular basis? 3 A Yes. 4 Q Who were those people? 5 A He had assistants, he had security, he 6 had, you know, property managers, people that 7 helped at the house. He had quite a few people 8 that were around all the time. 9 Q How often did you communicate with 10 those people? 11 A I communicated daily, not necessarily 12 with each one of those people, but I communicated, 13 pretty much, daily with people within the world, 14 the circle. 15 Q Did any of those people ever raise the 16 same concerns that Ms. Heard did? 17 MR. ROTTENBORN: Objection. Hearsay. 18 THE COURT: All right. 19 MR. CHEW: Again, it goes to state of 20 mind. 21 THE COURT: I'll sustain the objection 22 as to hearsay.</p>	<p style="text-align: right;">654</p> <p>1 MR. CHEW: Thank you very much, 2 Ms. Dembrowski. 3 THE COURT: Your next witness. 4 MS. LECAROZ: Good morning, Your Honor. 5 THE COURT: Good morning, ma'am. 6 MS. LECAROZ: The plaintiff calls Isaac 7 Baruch. 8 THE COURT: While we're waiting, can 9 you spell his last name for the court reporter. 10 MS. LECAROZ: Yes, B-A-R-U-C-H. 11 THE COURT: Thank you. 12 ISAAC BARUCH 13 A witness called on behalf of the 14 Plaintiff and Counterclaim Defendant, having been 15 first duly sworn by the Clerk, testified as 16 follows: 17 THE WITNESS: There's a thing here, 18 transcript. 19 THE COURT: You can put it down. And 20 bring the microphone close to you, please. Thank 21 you. 22 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND COUNTERCLAIM DEFENDANT</p>
<p style="text-align: right;">653</p> <p>1 Next question. 2 Q What, if any, concerns were expressed 3 about Johnny's behavior when using alcohol? 4 MR. ROTTENBORN: Objection. Hearsay. 5 THE COURT: All right. 6 MR. CHEW: Again, it goes to state of 7 mind. 8 THE COURT: I'll sustain the objection. 9 Next question. 10 MR. CHEW: Thank you, Your Honor, 11 that's all I have. 12 THE COURT: All right. Is this witness 13 subject to recall? 14 MR. CHEW: I do not believe so, Your 15 Honor. 16 THE COURT: Is she subject to recall? 17 MR. ROTTENBORN: No, Your Honor. 18 THE COURT: All right. Ms. Dembrowski, 19 you're free to go or you can stay in the 20 courtroom, it's up to you, okay? 21 THE WITNESS: Thank you. 22 THE COURT: Thank you, ma'am.</p>	<p style="text-align: right;">655</p> <p>1 2 BY MS. LECAROZ: 3 Q Good morning. 4 A Morning. 5 Q Would you state your name for the 6 record, please. 7 A My name is Isaac Baruch, I-S-A-A-C, 8 B-A-R-U-C-H. 9 Q Mr. Baruch, where do you currently 10 live? 11 A I live in Los Angeles. 12 Q Do you know the plaintiff in this case, 13 Johnny Depp? 14 A Yes. 15 Q How do you know Mr. Depp? 16 A I've known him since teenagers. We met 17 in Florida. 18 Q And could you tell the jury a little 19 bit about your experience meeting Mr. Depp when 20 you were teenagers in Florida? 21 A Yeah. We were both playing in bands. 22 We had mutual friends, and we met in, probably,</p>

<p style="text-align: right;">656</p> <p>1 1980, and, yeah, we hit it off. We got along with 2 each other. And, yeah, that's... 3 Q How often did you see Mr. Depp when you 4 were teenagers together in Florida? 5 A A few times a month. I'd say it could 6 be more, a little more or whatever, because, you 7 know, we'd see each other at parties, and clubs, 8 nightclubs where the bands played. Yeah, like 9 that. 10 Q And for how long were you both living 11 in Florida and seeing each other somewhat 12 regularly? 13 A Well, we met in, like, 1980, so, and 14 then we both moved away. He moved to California, 15 I moved to New York. What was that, 80 -- from 16 '80 to '83. What was that, like four years? 17 Q What were your impressions of Mr. Depp 18 while you were both living in Florida at the same 19 time? 20 A He was a sweet kid, a sweet guy. 21 THE COURT: Sir, wait, there's an 22 objection.</p>	<p style="text-align: right;">658</p> <p>1 stuff, yeah. 2 Q About what year would you say that was? 3 A Oh, I moved to California in September 4 of '85. 5 Q And did you know if Mr. Depp was 6 working when you arrived in California in 1985? 7 A Well, I knew he was pursuing acting at 8 that time. Yeah, he's looking for work because 9 he's pursuing acting. 10 Q How often did you see Mr. Depp when you 11 first moved to California? 12 A Well, like I said, the first year, a 13 few times. Afterwards, I had a friend who -- 14 whose girlfriend lived in the same building as 15 Johnny, and that -- so, then hanging out over 16 there, I ended up seeing Johnny more often. And, 17 plus, my friend, who I'm talking about, who -- 18 whose girlfriend lived in the same building, he 19 was playing in a band and they needed another 20 guitar player and Johnny ended up joining the 21 band. So, we were hanging out a lot more often. 22 Q What were you doing when you moved out</p>
<p style="text-align: right;">657</p> <p>1 MS. BREDEHOFT: What his impressions 2 were back then? 3 THE COURT: What's the relevance? 4 MS. LECAROS: Just establishing the 5 background of the relationship, Your Honor. 6 THE COURT: I'll sustain the objection. 7 Next question, please. 8 Q Mr. Baruch, did there come a time when 9 Mr. Depp moved away from Florida? 10 A Yeah. 11 Q Where did he move to, if you know? 12 A Like I said before, he moved to 13 California. 14 Q At some point in time, did you also 15 move to California? 16 A Yes. 17 Q And did you reconnect with Mr. Depp 18 when you got there? 19 A Yeah. 20 Q Around what time was that? 21 A Sometime during the first year. And 22 then afterwards, after the first year or more and</p>	<p style="text-align: right;">659</p> <p>1 to California? 2 A I was pursuing music also. Working 3 retail jobs and trying to get a band, make a band, 4 you know. 5 Q Did there come a time when you began 6 working for Mr. Depp? 7 A Oh, yeah, yeah, yeah. 8 Q When was that? 9 A Oh, that's later on. That's, like, in 10 1993. 11 Q What were you doing for Mr. Depp when 12 you started working for him in 1993? 13 A Well, he owned a place called the Viper 14 Room and -- which is a music venue, nightclub, 15 bar, and bands play, and it was already open for 16 six months, and the girl who was working -- the 17 person who was working the -- as office manager 18 didn't want to work there anymore. So the guy who 19 was running the place for Johnny, who was a friend 20 named Sal Jenco, another Florida friend from back 21 in 1980, when we all three first meet. He calls 22 me up and he says, hey, Isaac, do you want to work</p>

660	<p>1 this job?</p> <p>2 MS. BREDEHOFT: Your Honor, hearsay.</p> <p>3 THE COURT: I don't think it's offered</p> <p>4 for the truth of the matter.</p> <p>5 MS. BREDEHOFT: Your Honor, it's --</p> <p>6 THE COURT: That's fine. I'll overrule</p> <p>7 the objection.</p> <p>8 Q At some point in time, did you stop</p> <p>9 working at the Viper Room for Mr. Depp?</p> <p>10 A Yes.</p> <p>11 Q When was that?</p> <p>12 A I worked from '93 to '98. In '98, I</p> <p>13 moved away.</p> <p>14 Q Did you return to LA, again, at some</p> <p>15 point?</p> <p>16 A Yes, I did.</p> <p>17 Q When was that?</p> <p>18 A I moved back in December of 2002.</p> <p>19 Q What did you do for work when you</p> <p>20 returned to LA?</p> <p>21 A Well, for two weeks, I worked at an art</p> <p>22 gallery, and then I went back to the Viper Room on</p>	662	<p>1 new owners or Johnny, out of his pocket, was going</p> <p>2 to give a severance pay to whoever didn't want to</p> <p>3 work there anymore.</p> <p>4 So I took the severance pay, and then</p> <p>5 it helped me to continue on to finish community</p> <p>6 classes, private classes, and then be able to</p> <p>7 transfer to Cal State University.</p> <p>8 Q And did you get a degree from Cal State</p> <p>9 University?</p> <p>10 A Yes, I did.</p> <p>11 Q What degree was that?</p> <p>12 A BFA.</p> <p>13 Q What year?</p> <p>14 A 2010.</p> <p>15 Q After you received your BFA, did you</p> <p>16 continue to pursue art full-time?</p> <p>17 A Yeah.</p> <p>18 Q Did Mr. Depp ever express an interest</p> <p>19 in your art?</p> <p>20 A Yes.</p> <p>21 Q When was the first time that happened?</p> <p>22 A Well, first time he saw a painting in</p>
661	<p>1 New Year's Eve.</p> <p>2 Q How long were you working at the Viper</p> <p>3 Room at that point in time?</p> <p>4 A It was another year, and then the place</p> <p>5 changed hands.</p> <p>6 Q Were you working on anything else while</p> <p>7 you were working at the Viper Room, in that time</p> <p>8 frame?</p> <p>9 A Yes, I was work -- sidewise, I was</p> <p>10 teaching myself art.</p> <p>11 Q And what steps were you taking to teach</p> <p>12 yourself art at that time?</p> <p>13 A Books, learning how to draw and paint,</p> <p>14 and taking community college classes.</p> <p>15 Q At some point in time, did you begin</p> <p>16 pursuing art at a -- on a full-time scale?</p> <p>17 A Yeah. Yeah, yeah.</p> <p>18 Q How did that come about?</p> <p>19 A Well, working at the Viper Room, taking</p> <p>20 classes, and then at one point, the club changed</p> <p>21 hands, completely, after a year, 2004, and I was</p> <p>22 given a choice of either keep working for these</p>	663	<p>1 2008, and then the next time was 2012, I had made</p> <p>2 a painting and sent it to my best friend, email,</p> <p>3 in an email, and he forwarded it to Johnny and</p> <p>4 Johnny emailed back saying, hey, when Isaac wants</p> <p>5 to sell that, whenever he wants to sell that, to</p> <p>6 go ahead and get in touch with me because I want</p> <p>7 to buy it.</p> <p>8 Q Did Mr. Depp ever buy that painting?</p> <p>9 A No.</p> <p>10 Q Why not?</p> <p>11 A Because when I brought over paintings,</p> <p>12 I had moved back to California, and I brought over</p> <p>13 a bunch of paintings for him to look at and see if</p> <p>14 he wants any, to buy any, and he looked at me and</p> <p>15 said, I've got an idea, how about I be your patron</p> <p>16 and we put together an art show, make a body of</p> <p>17 work, and then I'll throw a party and invite</p> <p>18 people and I'll sell the stuff for you and you can</p> <p>19 keep all the money.</p> <p>20 So he didn't buy any paintings then;</p> <p>21 instead, he offered me a complete patronship.</p> <p>22 Q So what did you understand he meant by</p>

<p>1 becoming your patron? 2 A Well, he was going to financially make 3 it possible for me to just paint every day and put 4 together a body of work so that way, then, it 5 could be sold. 6 Q How did he plan to do that? 7 MS. BREDEHOFT: Objection to what he 8 planned on doing. 9 Q What did you understand he planned to 10 do to make that possible for you? 11 A Well, I could tell you that what it 12 included was that the next day, I ended up moving 13 into – I moved into an art studio penthouse at 14 the Eastern Columbia Building. It was, listen, 15 I've got a place for you to go ahead and live and 16 work and put this body of art together, and I'll 17 take care of you. You don't have to worry about 18 anything. 19 Q And what was the place where you were 20 going to live, that Mr. Depp offered you? 21 A The Eastern Columbia Building. 22 Q Did you take him up on that offer to</p>	<p>664</p>	<p>1 It's going to be – you know, it's going to be one 2 of these apartments, whatever, one of these places 3 here. I go in with Kevin Murphy, he takes me all 4 the way up to the roof. We go into penthouse 2, 5 and this – I walk in and I'm, like, crying, going 6 this is – it's beautiful. This is like a mansion 7 situation to me. 8 Q Mr. Baruch, how long did you end up 9 living at the Eastern Columbia Building? 10 A Three years and seven months. 11 MS. LECARAZ: Your Honor, I would like 12 to show the witness Plaintiff's Exhibit 116. 13 THE COURT: All right. 116. 14 THE WITNESS: Am I looking at 15 something? 16 THE COURT: You will in a second, sir. 17 It's not on the screen. Paper copy. 18 We're just going to pull up a paper copy for the 19 moment. We can see it, but he can't see it. 20 All right. 21 THE WITNESS: Thank you. 22 THE COURT: We'll just use a paper</p>	<p>666</p>
<p>1 live at the Eastern Columbia Building? 2 A Yeah, of course. 3 Q And how did that make you feel? 4 A I started crying. It was, you know, 5 one day you're in your mother's garage selling 6 paintings for a hundred dollars, two hundred 7 dollars, three hundred dollars on eBay. Next 8 thing you know, it's an art show and, like, you 9 don't have to worry about diddlyquat. Of course, 10 of course. I was flipping out. 11 Q When did you move into the Eastern 12 Columbia Building? 13 A The next day after we met and we 14 talked. The next day. The next day, I get a 15 phone call from a guy named Kevin Murphy, who was 16 working for Johnny, and I go -- he says, hey, meet 17 me at this address. And I go and I meet him and 18 here I am, in front of this building. This is a 19 beautiful building. This is like, you know, it's 20 whatever, 13 floors, but it's, like, from the 21 1930s, some art deco. Beautiful building. I'm 22 looking, I was like, all right, this is unreal.</p>	<p>665</p>	<p>1 copy. We'll get this resolved at lunchtime. 2 MS. LECARAZ: Thank you, Your Honor. 3 THE COURT: Uh-huh. 4 Q Mr. Baruch, do you recognize the paper 5 that you're looking at as Plaintiff's Exhibit 116? 6 A Yeah. 7 Q What is it? 8 A This is the floor plan of the roof or 9 the penthouses up on the roof at the Eastern 10 Columbia. 11 Q And that's the building where you lived 12 starting in March 2013; is that right? 13 A I moved in the first week of 14 March 2013, yeah. 15 MS. LECARAZ: Your Honor, at this time, 16 I would like to move into evidence Plaintiff's 17 Exhibit 116, please. 18 MS. BREDEHOFT: No objection, Your 19 Honor. 20 THE COURT: Okay. 116 into evidence. 21 Publish it to the jury. 22 MS. LECARAZ: I'm sorry, Your Honor.</p>	<p>667</p>

<p>668</p> <p>1 THE COURT: Yeah, they can see it and 2 the gallery can see it. We'll just have to work 3 on the other screen. 4 MS. LECAROZ: Thank you, Your Honor. 5 THE COURT: Uh-huh. 6 Q Mr. Baruch, can you describe for the 7 jury what's depicted here in Exhibit 116? 8 A Yeah. So, the right side of this graph 9 is, there's a pool there, there's another top of 10 another apartment, that actually starts on the 11 floor below, it's a two-story apartment. But 12 there's a pool there and there's a gym, workout 13 room. And the left side, there's, at the bottom, 14 there's an X, and that's the elevator. And so, 15 you walk out of the elevator, you make a little 16 left, and there's part of penthouse 5, right 17 there, straight ahead. And then you keep walking 18 straight, and then you make a left, a sharp left, 19 and the actual penthouse 5 is straight ahead. And 20 then you hang a right and you walk – start 21 walking up that way, on your right is going to be 22 penthouse 1, on your left is going to be penthouse</p>	<p>670</p> <p>1 in penthouse 1. 2 Q So, I believe you just testified that 3 Mr. Depp and Ms. Heard moved in shortly after you 4 moved in; is that right? 5 A Yes. 6 Q And which penthouse did they move in 7 to? 8 A Penthouse 3. 9 Q And then you testified, I believe, that 10 someone named Rocky Pennington moved in? 11 A Yes. 12 Q Who is Rocky Pennington? 13 A Amber Heard's friend from Texas. I 14 think they – I don't know, I'm not sure if they 15 told me that they moved out there together or 16 something like that. But, yeah, her friend. 17 Q And later, you said that her boyfriend 18 moved in with her. 19 What was his name? 20 A Josh, Josh Drew. 21 Q And which unit did they live in? 22 A Penthouse 1.</p>
<p>669</p> <p>1 4. When you get to the end of that corridor, is 2 the door for penthouse 3. And if you hang a 3 right – oh, look, there it is. It came up on the 4 screen. If you hang a right and you go down to 5 the end, is the door to penthouse 2. That's the 6 apartment that I lived in. 7 Q And who did you understand owned these 8 penthouses? 9 A Oh, Johnny owned them all. 10 Q Which one did you live in? 11 A Penthouse 2. 12 Q Was anyone else living in the 13 penthouses at the time that you moved in, in 14 March 2013? 15 A No. I was the first one to move in. I 16 moved in the first week of March, and then a 17 couple of weeks later, two, three weeks later, 18 then Johnny and Amber moved in. And then after 19 that, the next one to move in is Rocky, Raquel 20 Pennington, Amber's friend. And then, at some 21 point, her sister moved in, Whitney, and, also, at 22 some point, Rocky's boyfriend moved in with her,</p>	<p>671</p> <p>1 Q I believe you also said that Whitney 2 moved in. 3 Who was Whitney? 4 A Whitney Heard. She's married, so she's 5 got a different last name, I'm not sure what it 6 is. But Amber's sister, Whitney. 7 Q And which of the units did Ms. Heard's 8 sister live in? 9 A 4. 10 Q Can you tell the jury a little bit 11 about your relationship with Ms. Heard, 12 Ms. Pennington, Mr. Drew and Ms. Heard's sister? 13 A Yeah, I was friends with all of them. 14 I loved them all. They all treated me with 15 respect. We had – it was great. You know, I'm 16 an old-time friend of Johnny's, living there, and 17 we're all looking out for each other. We became 18 great friends. I fell in love with all of them. 19 Q When you moved in to penthouse 2, you 20 were working on an art show with Mr. Depp, right? 21 A Yeah. That's the entire reason that 22 I'm there, is to work and put together this art</p>

<p style="text-align: right;">672</p> <p>1 show.</p> <p>2 Q Did you have a time frame that you were</p> <p>3 expected to be able to put on that art show?</p> <p>4 A At first, when we first powwowed this</p> <p>5 idea, when we talked about, all right, what do we</p> <p>6 do? What's this show going to be? How many</p> <p>7 paintings is it going to be? We came up with a</p> <p>8 number. Okay, there's going to be a certain body</p> <p>9 of work. I'm not -- I'm not a known person, I'm</p> <p>10 just some schmuck painter. If I was a famous</p> <p>11 painter, I could make five paintings and the room</p> <p>12 would fill up. So we decided, okay, like, 25</p> <p>13 pieces of work, large scale, and Johnny says, hey,</p> <p>14 how long do you think this will take? I said,</p> <p>15 I've never done it before, I don't know, maybe a</p> <p>16 few months.</p> <p>17 Q And were you able to complete the</p> <p>18 paintings in a few months?</p> <p>19 A No. It took me -- in order to make two</p> <p>20 large-scale paintings, it took me, like, almost</p> <p>21 two months. And I start freaking out, going, I've</p> <p>22 only got two paintings. And, all right, I've got</p>	<p style="text-align: right;">674</p> <p>1 getting an envelope the next day with \$5,000 in</p> <p>2 it. And then I budgeted and stretched it out, you</p> <p>3 know. And, so, every few months, I'd get an</p> <p>4 envelope. It could -- I didn't know if it was</p> <p>5 going to be the same amount, but it ended up being</p> <p>6 the same amount, which was, wow. So, basically,</p> <p>7 around five grand every few months. So, in a</p> <p>8 year, that's 20 grand. But then, also, there's</p> <p>9 maybe a year or two, might have been that, it was</p> <p>10 five times I had to ask for dough, or it was four.</p> <p>11 And then on top of it, so, right there, that could</p> <p>12 be 80 grand or 90 grand. And then on top of that,</p> <p>13 I ended up getting a herniated disc. He sent me</p> <p>14 to the doctors to get an MRI and see the doctor,</p> <p>15 get an MRI, and there was ten weeks of therapy</p> <p>16 that he covered. So I throw that in there too.</p> <p>17 And I ended up coming up with a figure of a</p> <p>18 hundred grand. Could be a little less, could be a</p> <p>19 little more.</p> <p>20 Q What was your understanding of whether</p> <p>21 Mr. Depp intended to be paid back for the money</p> <p>22 that he provided to you?</p>
<p style="text-align: right;">673</p> <p>1 to do 25, I said a few months. So I ended up</p> <p>2 going to Johnny's place and saying, hey, look,</p> <p>3 dude, this is going to take a lot longer than a</p> <p>4 few months. I could only make two paintings.</p> <p>5 Q And how did Mr. Depp react?</p> <p>6 A He looks at me and he starts laughing</p> <p>7 and he says "Ike, don't worry. I do not care. I</p> <p>8 just want you to paint, however long it takes.</p> <p>9 Just I want you to paint every day."</p> <p>10 Q During the course of the time that you</p> <p>11 were living at the Eastern Columbia Building, did</p> <p>12 Mr. Depp ever give you any money?</p> <p>13 A Yeah.</p> <p>14 Q How much did he give you?</p> <p>15 A Over a period of four years, of the</p> <p>16 patronship, I ballpark, calculate probably around</p> <p>17 a hundred thousand.</p> <p>18 Q And how did you come up with that</p> <p>19 amount?</p> <p>20 A Well, from the first -- from the first</p> <p>21 get-go, when I said, hey, look, I need dough to,</p> <p>22 you know, buy stuff and do this, I ended up</p>	<p style="text-align: right;">675</p> <p>1 A Oh, there's no -- that's not even the</p> <p>2 thought of being paid back. This was something</p> <p>3 that he wanted to see happen. This is something</p> <p>4 he invested in. He knew that he was going to</p> <p>5 spend money to make it happen, for me to survive</p> <p>6 and paint and create this thing that he wanted to</p> <p>7 see because he liked the art. And, so, there</p> <p>8 was -- and there was no pay back. The whole thing</p> <p>9 was about him selling the art so that way I -- so</p> <p>10 that way I keep all the money. He didn't expect</p> <p>11 anything. It was his doing this as a friend, as</p> <p>12 he's done with many other friends.</p> <p>13 MS. BREDEHOFT: Objection, Your Honor.</p> <p>14 Hearsay. And move to strike.</p> <p>15 THE COURT: I'll sustain the last</p> <p>16 sentence of his statement.</p> <p>17 MS. BREDEHOFT: And could you explain</p> <p>18 to the jury what striking means?</p> <p>19 THE COURT: We've done that, but that's</p> <p>20 fine. Thank you.</p> <p>21 MS. LECAROS: Thank you, Your Honor.</p> <p>22 Q Mr. Baruch, did there come a time when</p>

<p>1 you decided that you planned to pay Mr. Depp back? 2 A Oh, yeah. That, for me, when – he's 3 told me he had a money situation going on. For 4 me, it was, like, this guy just changed – he's 5 been making it possible for me to live and work 6 and make product, and by that expense, I'm part of 7 the problem. It's like, how do I help him? How 8 can I help him? I mean, he's sharing his sandwich 9 with me, you know. It's like, if I – how do I 10 share that – my sandwich with him? Give him that 11 half to make something up. You don't not do 12 anything. 13 And so, the only thing I got is 14 paintings. So I stood up, when he's telling me 15 what he's telling me about his money situation, 16 and for me, I said, hey, this is – if these 17 things ever sell, we've got to split this 50/50, 18 and I ain't taking no for an answer, something. 19 I've got to put something into this. 20 So, for me, I looked at it like, he's 21 got – he has to get something back. 22 Q Mr. Baruch, during your time living at</p>	<p>676 1 And I'm laughing and then she laughed 2 after because she didn't realize she was making a 3 joke. So, yeah, I loved her. 4 Q Mr. Baruch, did Ms. Heard ever visit 5 you in your penthouse? 6 A Yeah. 7 Q Do you recall the first time that she 8 visited you there? 9 A Yes. 10 Q When was that? 11 A The first time is that -- it's in 12 March, when they moved in, and they were there for 13 a couple of days and I didn't even know. And 14 Johnny called me, says, hey, come over, meet my 15 girl and that. And so, I did. And then the next 16 day, they came over to my place for the first time 17 to see how I had set up the art studio, the 18 lights, and, you know, my paintings set up and 19 stuff, and to look at other paintings. They 20 walked in, and I remember the first thing she said 21 was, I hope we didn't keep you up last night 22 because of all the yelling. I looked at her and</p>
<p>677 1 the Eastern Columbia Building, did you develop a 2 relationship with the defendant in this case, 3 Ms. Heard? 4 A Yeah. 5 Q And did you get along with Ms. Heard? 6 A I loved her. I fell in love with her, 7 just like Johnny fell in love with her. I fell in 8 love with her. She's totally respectful, gracious 9 to me. She's got great teeth that -- she treated 10 me with complete respect. Anytime I walk into 11 the -- the humor, like total locker room humor, 12 demented humor. Totally laughed at, you know, the 13 jokes, made the jokes, totally got along with her. 14 Every time I walked into that place, Isaac, you 15 want something to eat? Isaac, you want something 16 to drink? Every time. 17 There's only one time I remember she 18 didn't offer because I walked in and she's in the 19 kitchen at the counter and she's doing a beauty 20 facial mask and, so, she can't offer me. And I'm 21 going, hey, is that something that can help me? 22 And she look at me and she goes, "No."</p>	<p>678 1 said, no, these walls are, like, three feet thick. 2 I didn't hear diddlysquat. 3 Q How did she seem when she said that to 4 you? 5 A Semi joking and inquisitive, you know, 6 to find out. 7 Q In your three and a half years living 8 at the Eastern Columbia Building, did you have 9 opportunity to observe Mr. Depp and Ms. Heard's 10 relationship? 11 A Yeah. 12 Q Can you describe what you observed 13 about their relationship? 14 A They were always loving with each 15 other. They treated each other like gold. You 16 know, kissing and, you know, what can I get you 17 type of thing, you know. Being kind with each 18 other. Always loving. Always a loving situation. 19 Q How often would you say you interacted 20 with Mr. Depp and Ms. Heard? 21 A If they were there, because they're 22 traveling, they're doing – they're working and</p>

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<p>1 doing stuff. If they were there, I saw them maybe 2 two, three times a week. Maybe there might be one 3 time a week that I see them, that I go over to 4 hang out or, you know, see them, or they might 5 come -- or Johnny might come over to visit or, you 6 know. Like that.</p> <p>7 Q Since you've known them, did you ever 8 see them get physically violent with each other?</p> <p>9 A Never.</p> <p>10 Q Did you ever see them argue?</p> <p>11 A Yes.</p> <p>12 Q How many times?</p> <p>13 A Probably, like, twice.</p> <p>14 Q Can you describe the arguments that you 15 witnessed?</p> <p>16 A The first argument that I remember was 17 I was walking in, there was -- it was a telephone 18 argument. Johnny's at the kitchen table and he's 19 arguing -- he's screaming about something and on 20 the other line, because it's on speaker and he's 21 talking with the phone -- at the phone, the other 22 person is Amber. And she's in New York and he's</p>	<p>1 the kitchen table was Johnny, is Amber, is Rocky, 2 and Josh. And I'm going, what are you guys doing? 3 And they're hanging out and they're trying to plot 4 to figure out a way how to get rid of Whitney, to 5 not live there anymore. And I felt bad. I liked 6 Whitney. So I was, you know, uh, you know, that's 7 going to be a drag. What are you plotting? How 8 do you figure it out? Hey, lend your sister some 9 dough and let her move out. You know, they're 10 trying to figure something out, something 11 differently, or whatever.</p> <p>12 So there was a point, Johnny got 13 completely, you know, flustered and frustrated and 14 he got up and he walks away and as he's walking 15 away he says, "Figure it out."</p> <p>16 And that was it. That was the whole 17 thing. I don't know if you want to call it -- I 18 don't think you might call that an argument.</p> <p>19 MS. LECAROZ: Your Honor, I'm about to 20 switch gears a little bit. Maybe this is a good 21 time for a morning recess.</p> <p>22 THE COURT: Ladies and gentlemen, we're</p>
681	683
<p>1 at the kitchen table. And they're arguing. 2 And he's going, who is it? Who is it? 3 And she's saying, oh, baby, come on, please don't. 4 What are you doing, baby? Why are you being like 5 this, baby? And this went on for a little while, 6 and I'm listening, and then he hangs up.</p> <p>7 She calls back again and it's the same 8 thing. Who is it? What's going on? Who is it? 9 And she's saying, oh, come on, baby. Don't be -- 10 what are you doing, baby? And then hang up the 11 phone again.</p> <p>12 The third time it happens, I'm saying 13 there's no solution in this conversation. I 14 grabbed the phone from him and I said, hey, Amber, 15 this is Isaac, listen, this conversation is now 16 over. And I hung up the phone. And she didn't 17 call back again, and he went to the couch and went 18 to bed.</p> <p>19 Q I believe you said you saw them argue 20 twice. Was there another time that you saw them 21 argue?</p> <p>22 A I ended up going over and there's, at</p>	<p>1 going to take our morning recess for 15 minutes. 2 So, remember, do not talk to anybody; do not do 3 any outside research. And we will see you back 4 here in 15 minutes.</p> <p>5 (Whereupon, the jury exited the 6 courtroom and the following proceedings took 7 place.)</p> <p>8 THE COURT: All right. So I just want 9 to remind you, since you're still on the stand, 10 under oath, you can't talk to any of the attorneys 11 or Ms. Heard at this time until your testimony is 12 done, okay?</p> <p>13 THE WITNESS: Okay.</p> <p>14 THE COURT: We'll be back at 11:45.</p> <p>15 THE WITNESS: I've got to stay here 16 this whole time?</p> <p>17 THE COURT: Yeah, you've got to stay 18 there the whole time. You can move.</p> <p>19 THE WITNESS: Oh, okay.</p> <p>20 (Recess taken from 11:27 a.m. to 21 11:45 a.m.)</p> <p>22 THE BAILIFF: All rise.</p>

Transcript of Jury Trial - Day 3
Conducted on April 13, 2022

24 (684 to 687)

<p>1 THE COURT: All right. Are we ready 2 for the jury, then? Jury. 3 MS. BREDEHOFT: Your Honor, may we 4 approach before we go get the jury? 5 THE COURT: Okay. Sure. Yes, ma'am. 6 MS. BREDEHOFT: I just wanted to put on 7 record, Your Honor, that that same juror, when he 8 came out this morning, smiled and kind of nodded 9 at Mr. Depp again. 10 THE COURT: I'll keep -- but there's no 11 waving back. 12 MS. BREDEHOFT: I'm sorry? 13 THE COURT: There's no waving back, 14 so... 15 MS. LECAROZ: I do think it was a 16 general good morning to the court. 17 THE COURT: I don't know if that's how 18 he is. I mean, I can say, at the end of the day, 19 if you'd like, what I was going to say this 20 morning. 21 MS. BREDEHOFT: My concern, Your Honor, 22 I believe there's a bias being shown there. He's</p>	<p>684</p>	<p>1 Q -- 2016? 2 A Yes. 3 Q Do you recall what you were doing that 4 evening? 5 A Yes. 6 Q What were you doing? 7 A I was out, it was evening time, I'm out 8 in the neighborhood, and I'm on my way home. I 9 get a phone call from my friend who wants to know 10 if I want to go out and eat. I said I just ate, 11 but I'm five minutes away from the Eastern 12 Columbia Building, home, and go across the street, 13 get something to eat, and bring it up for takeout, 14 and we'll go upstairs to my joint and we'll eat. 15 And, yeah. 16 Q Did you meet your friend back at the 17 Eastern Columbia Building? 18 A Yeah. 19 Q Around what time was that? 20 A 9:30. 21 Q What happened after you met your 22 friend?</p>	<p>686</p>
<p>1 looking at him, he's waving and smiling at him, 2 and it was clearly at him. 3 THE COURT: I'll take a look when he 4 comes in right now. And for the rest of the day, 5 I'll just keep an eye on him, and we can always 6 discuss it at any time. 7 MS. BREDEHOFT: I just wanted to make 8 sure that it was on the record. 9 (Open court.) 10 (Whereupon, the jury entered the 11 courtroom and the following proceedings took 12 place.) 13 THE COURT: All right. Okay. Yes, 14 ma'am. Your next question. 15 BY MS. LECAROZ: 16 Q Mr. Baruch -- 17 A We're back. 18 Q Thank you for coming back. 19 A Yes. 20 Q Were you still living in penthouse 2 of 21 the Eastern Columbia Building on May 21st -- 22 A Yes.</p>	<p>685</p>	<p>1 A We went upstairs. 2 MS. LECAROZ: Can we pull up 3 Plaintiff's Exhibit 116 again, please. 4 And, Your Honor, given that this has 5 already been admitted, I'd ask that it be 6 published. 7 THE COURT: All right. That's fine. 8 You can publish it. 9 Q Mr. Baruch, is it on the screen in 10 front of you? 11 A Yeah. Yes. 12 Q Great. 13 Mr. Baruch, I'm going to ask you a 14 couple of questions about what happened after you 15 went upstairs that evening. And it may be helpful 16 for you, there are controls on that screen that 17 you can use to sort of mark the exhibit to show 18 the jury the spots that you're talking about in 19 identifying. 20 THE COURT: So if you just touch it, it 21 will make a mark. So you don't have to touch the 22 top. That's fine.</p>	<p>687</p>

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<p style="text-align: right;">688</p> <p>1 THE WITNESS: Do I touch something on 2 the menu here? 3 THE COURT: No, you just touch it 4 wherever she needs you to mark it. 5 THE WITNESS: Wherever I touch it, it's 6 going to make a mark? 7 THE COURT: It will. 8 THE WITNESS: Thank you. 9 Q Mr. Baruch, when you got upstairs that 10 evening with your friend, around 9:30 -- 11 A Yeah. 12 Q -- what did you see? 13 A We got out of the elevator and, you 14 know, just like in the graph, you make a left and 15 then you turn the corner. When we walked out, I 16 noticed, on the floor, there's shards of glass, 17 there's pieces of glass. Something is going on, 18 something busted, could be one of the sconces or 19 something like that. Kept walking. 20 Q Can you mark, on the exhibit, where you 21 saw the broken glass that evening? 22 A Yeah. Right there. Right where you</p>	<p style="text-align: right;">690</p> <p>1 I said that, the door opens up and it's Josh Drew, 2 who pokes his head out the door only enough for 3 his head to come out, and he's pretty bug-eyed, 4 looks distraught. And I look at him and I go, 5 what's up with the spilled wine? And figuring I'd 6 get an explanation, or whatever. And he says, he 7 looked at me and just said, "Rough day. Had a 8 rough day." 9 And at that point, I got concerned and 10 said to him -- because I'm friends with him, you 11 know. I got concerned. I said, "Hey, you okay? 12 Do you want me to help you with something? Do you 13 need help?" 14 He said, "No." Okay. "We've got it." 15 I said, "Okay." And me and my buddy took off and 16 went into my place. 17 Q And what did you do after that? 18 A My buddy ate, I believe he had pizza 19 from across the street, and we talked. We yapped 20 for a while, and, you know, could be -- I could 21 yap, so, you know, it could take, we were there, 22 probably, hour and change or something like that.</p>
<p style="text-align: right;">689</p> <p>1 could go left or you could go right. And if you 2 wanted to go to the pool area, there's an exit 3 that way. So you could either go right or you go 4 left. You go left, you're in the apartments, 5 going in the hallway through the apartment, or you 6 go right. Right there in that spot. 7 Q And did you continue on to your 8 penthouse after you saw the broken glass? 9 A Oh, yeah. So we walk around and then 10 we make the turn. We hang the right, past 11 penthouse 5, and we stop right in front of -- 12 right here. 13 Q And why did you stop right there? 14 A Stopped in front of here, penthouse 1, 15 which is more -- it's more right there 16 (indicating), because there's this puddle of wine, 17 huge puddle of wine on the floor that's in front 18 of the door, and there's wine, the splashed wine 19 that's dripping down the wall. So we stopped and 20 I'm looking at him going, look at this, someone 21 must have got hammered. These guys probably had a 22 party. And at that point, right then, as soon as</p>	<p style="text-align: right;">691</p> <p>1 And then, you know, we're done. So I walked him 2 out and walked down, I went to the elevator, 3 walked out, went to the elevator. We went 4 downstairs, I walked him out the door, finished 5 the conversation that we were having, and I said, 6 all right, see ya. And then I went back in, I 7 went upstairs, and I went to bed. 8 Q Around what time was that, that you 9 went back into the Eastern Columbia Building? 10 A You know something? We got there right 11 around 9:30, we're talking, I don't know, an hour, 12 hour and a half, two hours, you know, somewhere 13 around 11:00, I would think. 14 MS. LECAROS: We can go ahead and take 15 Exhibit 116 down. 16 Q Mr. Baruch, can you describe, for the 17 jury, the events of the next day, May 22nd, 2016? 18 A Yes. It's my birthday, May 22nd is my 19 birthday. I wake up, I end up texting Johnny and 20 saying, hey, I'm going to be in town, because he's 21 not staying at the Eastern Columbia Building, he's 22 staying in a house in town, okay? And so, I</p>

<p style="text-align: right;">692</p> <p>1 texted him, it's my birthday, I said, listen, I'm 2 going to be in town. I'm going to come by to have 3 a birthday drink. Okay. 4 I didn't hear from him, you know, I 5 didn't get an answer back. So I said, that's what 6 I'm doing. If that happens, that happens. So, 7 it's around noon, noontime, so I left. Walked out 8 of my apartment and I go through the hallway, as 9 you can see in the graph, I go through the hallway 10 and I turn the corner from penthouse 3, and as I'm 11 walking down, who do I see, I see a group of 12 people. It's a guy in black clothes, a black 13 shirt, black pants, Amber Heard, and I see Josh 14 Drew, who's leaning up against the door, and the 15 door is open. This door is open, something's 16 going on. As I'm walking up, I'm saying, hey, 17 what's up, what are you guys doing? Then Amber 18 turns to me, as I'm walking up, Amber turns to me 19 and she says "Johnny came by last night. He got 20 violent, so I'm changing the locks on 1, 3, and 21 5." 22 And I'm looking at her, and she goes</p>	<p style="text-align: right;">694</p> <p>1 I'll tell you in private. 2 And – 3 Q Mr. Baruch, when you were speaking with 4 Ms. Heard, how close were you standing to her? 5 A Like I said, two – I'm two feet. A 6 foot and a half, two feet away. We're all two 7 feet. 8 Q And how was the lighting in that area? 9 A There's lights in the hallway. I was 10 standing – and we're standing in an open doorway 11 that the wall is all windows. Sunlight's coming 12 through, and you could operate in this light, 13 there's that much light. 14 Q Did you notice any marks on her face 15 when you were speaking with her? 16 A No. 17 Q Did you see any bruises? 18 A No. 19 Q Did you see any redness? 20 A No. 21 Q Did you notice any swelling? 22 A No.</p>
<p style="text-align: right;">693</p> <p>1 oh, don't worry about 2, you're okay. 2 And at this time, I'm now walking past, 3 so now we're all in front of the open door of the 4 apartment, and I see there's two guys, two 5 locksmiths working on the door. So, now, I'm 6 standing on one side and you have Josh Drew on one 7 side of the door, you've got the two locksmiths 8 with the door open, working on it, sunlight's -- 9 the sun's coming through the door, sunlight from 10 windows, and then Amber is in front of me and 11 there's the security guy. And we're two feet away 12 from each other, talking. And she introduces me, 13 as she's finishing saying, oh, don't worry about 14 your apartment. She says, oh, and this is a 15 security guard that I got who's going to be 16 hanging around. And she -- I got introduced. She 17 introduced me to him, and I shook his hand, he 18 gave me a card, which I lost, and I'm kind of 19 taking this in and going -- and I say, wait, what 20 happened? What's going on? 21 And at that point, Josh Drew looks at 22 me and gives me a high sign, like, hey, follow me,</p>	<p style="text-align: right;">695</p> <p>1 Q Did it look like Ms. Heard was wearing 2 any makeup? 3 A No. 4 Q Had you seen her wearing makeup before? 5 A Yeah. 6 Q And you had seen her not wearing makeup 7 before? 8 A Yeah, I seen, like I said, with the 9 facemask doing a facemask, no makeup, hanging 10 around, waking up in the morning, no -- with 11 makeup glammed out to go out. Three and a half 12 years of seeing her in different forms. 13 Q Did you speak with Mr. Drew about 14 anything at that point? 15 A Well, yeah, after I said, hey, what's 16 going on? He gave me the high sign, like follow 17 him. We went into my apartment and had a 18 conversation. 19 Q And what happened after you had that 20 conversation with Mr. Drew? 21 A We left the apartment and we go walking 22 back towards penthouse 1. And as I'm walking</p>

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1 back, I say to Amber, as I'm walking up, he hit
2 you? And she goes, yeah, he threw a phone at me
3 and hit me. And I'm looking because I had just
4 seen her two feet away. I'm going, where? And
5 she puts her head out. She puts her face out like
6 that, for me to look at the right side of her
7 face. And I'm looking, but at that point, also,
8 I'm looking and I turn around, get on the other
9 side, we're in the doorway. So I'm on this side,
10 with the light shining this way from the doorway
11 with the lights above, with the sunshine, and
12 she's got her face out like this, looking, you
13 know, to show me, and I'm looking and I go – I
14 inspect her face. I'm looking at her forehead.
15 Looking at the side of her eye, I'm looking at her
16 cheek, I'm looking at her chin, I'm looking at the
17 other side of the face. I'm looking at the whole
18 thing. And I don't see anything. I don't see
19 anything to – I don't see a cut, a bruise,
20 swelling, redness. It's just Amber's face that
21 she's going like this (indicating) and showing me.
22 So, I'm not seeing anything. I back up

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1 and I'm making a joke. I make a joke going, well,
2 I don't see anything, but maybe your beauty from
3 the other side of your face and the other side of
4 the face is outshining everything, so I can't see
5 anything. And she laughed and, you know, smiled.
6 I just looked at everybody and said, hey, it
7 sounds nuts. I went and I said, I've got to go,
8 and I gave her a hug and I kissed her on that side
9 of the face. Kissed her on that side of the face.
10 That was it. Said goodbye.
11 Q What was her reaction when you kissed
12 her on that side of the face?
13 A Nothing.
14 Q Did she flinch?
15 A No.
16 Q Did you see Ms. Heard again the next
17 day?
18 A Yeah. Yeah, yeah.
19 Q When was that?
20 A So that's Monday – that was May 22nd,
21 my birthday. Then the next day is Monday, the
22 23rd. I had woken up with a chest cold and I

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1 heard a knock on the door and it's Amber. So I
2 opened up the door.
3 Q Around what time was that?
4 A That's, I want to say, maybe, around –
5 maybe around noontime, maybe a little bit before.
6 Maybe it could have been a little bit – I think
7 around noontime again.
8 And I went downstairs and I opened up
9 the door.
10 Q And when you opened the door, did you
11 have a good view of Ms. Heard?
12 A Absolutely. Yeah.
13 Q How was the lighting?
14 A Lighting's fine. Lighting from outside
15 and there's light from my place, yeah. So, the
16 lighting was great.
17 Q Did you see any marks on Ms. Heard's
18 face at that time?
19 A No. Same thing like the day before.
20 There's no redness, there's no swelling, there's
21 no bruises, there's no cuts, there's no nothing.
22 Just Amber looking like Amber.

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1 Q Did you notice if she was wearing any
2 makeup at that point?
3 A She didn't look like she was wearing
4 makeup then either.
5 Q What did Ms. Heard say to you during
6 that encounter?
7 A She was knocking on my door to see if I
8 would take the house key, her house key, to let
9 the cleaning lady in because she had to go
10 somewhere. I woke up that day and I had some kind
11 of chest cold thing. I was upstairs laying down.
12 So I looked at her and I said, hey, listen, I'm
13 feeling sick. I'm going to be upstairs laying
14 down this entire time, for the day, or whatever.
15 And so I can't do it.
16 And then she stood there and is like,
17 well, I've got to figure out what to do. Like,
18 maybe if she was only depending upon me to give
19 the housekeeper the key. The housekeeper cleans
20 both of our places. And so I said, hey, listen,
21 why don't you go ahead and take the key and put it
22 in an envelope and bring it downstairs to the

<p style="text-align: right;">700</p> <p>1 concierge, you know, that's where the key will be, 2 tell Hilda, who was the housekeeper, that that's 3 where the key is. And that's it, and you're set. 4 And she was, like, yeah, okay, I guess 5 I could do that. Look, I'm three feet away from 6 her, two and a half, three feet away from her, 7 talking with her. 8 Q And how long did that conversation 9 last? 10 A Three minutes. 11 Q Did you see Ms. Heard again the next 12 day? 13 A Yes, I did. 14 Q Where did you see her? 15 A All right. I go down -- I'm leaving my 16 apartment on Tuesday to go downstairs to the cafe 17 to go get something hot to drink. I still haven't 18 shopped or did anything with a chest cold. And, 19 so, I wanted something hot to drink. I go 20 downstairs and as I'm locking my door, that, all 21 of a sudden, a group of women come up to penthouse 22 3. Because in the corridor, in the graph, you can</p>	<p style="text-align: right;">702</p> <p>1 that was it. Then I walked -- went past and went 2 down and got some hot tea. 3 Q Did you see Ms. Heard's face during 4 that encounter? 5 A It was a quick glance, but nothing shot 6 out to me that I noticed anything. 7 Q Did you see Ms. Heard again the day 8 after that? 9 A Well, I saw her again that day. 10 Q Oh, can you describe that, please? 11 A Yeah. On the way back from me being 12 outside, the cafe, having a tea, I come walking 13 back in and now all her, her and the women that 14 she was with, are coming back out and we're in the 15 lobby. And the doors of the lobby, it's all 16 windows, it's great light shining through the 17 entire lobby, and the women -- there's a table in 18 the middle of the lobby and her friends, I don't 19 know if they're her friends or not, I know three, 20 one's her sister, the other is a friend. They're 21 walking on one side of the table, she's on the 22 other side of the table, where I'm walking, and</p>
<p style="text-align: right;">701</p> <p>1 see we share the same corridor. So I'm locking my 2 door and this group of women show up. 3 Q Did you recognize who the women were? 4 A Three of them, yeah. 5 Q Who were they? 6 A You know something, I'm not sure if it 7 was four or five women, but it's Amber, it's her 8 sister, Whitney, and it's Melanie Inglessis, who's 9 a makeup artist for Johnny and Amber, and then 10 there's two other women that I didn't recognize, 11 but I'm not sure. 12 Q Did you interact with the women at all? 13 A Well, after closing the door, Whitney, 14 who calls me her spirit animal, came running down 15 the, you know, down the hallway going, Isaac, 16 spirit animal. And I'm going, hey, listen, I'm 17 not feeling so hot, I'm not feeling so good, and I 18 did duck under her arms, you know, stop. I love 19 you, but stop. And I duck under her arms and I go 20 past, and I'm now passing the other ladies, Amber 21 and her -- who she's with, and I'm looking at 22 them, they're laughing, this whole scene. And</p>	<p style="text-align: right;">703</p> <p>1 now we're walking past each other. And she's, you 2 know, of course we're going to acknowledge each 3 other and looking at each other. And now she's -- 4 the sun's shining right in her face, it's to my 5 back because I'm walking in, and, so, that's like 6 this, and saying, hey, all right, enjoy yourself, 7 have a good time, whatever, whatever you're doing, 8 you know, and go by, and I went up. And that was 9 it. That was the second time that I saw her, and 10 that's on Tuesday. 11 Q And did you get a good look at her face 12 during that second encounter? 13 A Oh, absolutely. The sun's shining 14 right on her face. 15 Q Did you notice anything unusual about 16 her face? 17 A Nothing. No cuts, no bruises, no 18 swelling, no redness. It's Amber. It's Amber's 19 face. 20 Q And then did you see Ms. Heard again 21 the day after that? 22 A Yes, I did.</p>

<p style="text-align: right;">704</p> <p>1 Q And that's Wednesday, May 25th? 2 A That's right. 3 Q Where did you see her? 4 A At that point, it was, like, okay, I've 5 got to shop for something because, otherwise, I'm 6 not going to get rid of this chest cold. I go to 7 the store and on the way back, in between the 8 garage and the building, there's this room, like a 9 vestibule, you know, that you have to walk 10 through. And I'm coming in to go into the 11 building, and Amber and Whitney, her sister, are 12 coming out of the building to go into the garage. 13 And we met there. 14 Q How long did you speak with them, if at 15 all? 16 A Yeah, we spoke. So, we're facing each 17 other. Amber and Whitney are across from me. 18 We're two and a half feet, two feet away from each 19 other, talking. Of course -- and so we stop, of 20 course, to say, hey, what's up? What are you 21 doing? Where you going? Where are you coming 22 from? I had bags of food in my hand of stuff that</p>	<p style="text-align: right;">706</p> <p>1 lighting and stuff. Because this is a spot where 2 if you use your fob key to go into the building, 3 well, the door takes a long time to, you know, 4 it's one of those things with the pressure thing 5 that the door just doesn't close shut, takes a 6 while for it to close. Someone could be in the 7 garage, who's not supposed to be in the garage, 8 run, and hold the door open. And then they get 9 into the apartment building and then who knows, 10 maybe somebody gets ripped off. So it's well lit 11 for security reasons, and there's a camera there 12 that's taking pictures, you know, doing what the 13 camera does. 14 Q Was Ms. Heard wearing makeup during 15 that discussion? 16 A Neither of them looked like they were 17 wearing makeup, at all. Whitney had this hat on 18 that it was a fun hat, or whatever, and no makeup. 19 I don't even know Whitney to be a makeup person. 20 And, Amber, no, she looked like she was, you know, 21 just natural Amber. That's all, you know, just as 22 always, no makeup.</p>
<p style="text-align: right;">705</p> <p>1 I went and I bought. And so I said, hey, I'm 2 coming from shopping, I finally bought myself some 3 stuff to get rid of the chest cold thing. And 4 they go and they're going to the CVS and they look 5 at me and so, yapping, everyone's smiling and 6 stuff, and she says, are you sure we can't get you 7 anything? How about we get you some aspirin or 8 some, you know, some cold stuff. I said, no, I 9 think I've got everything. And they said, are you 10 sure? And I said, yeah, yeah, of course, I've got 11 it. Don't sweat it. 12 And, you know, a kiss or whatever, got 13 my hands, I can't hug or whatever, so 14 (demonstrating), and then I said see ya and I went 15 up. And they went through the garage. That was 16 the -- that was it that day. 17 Q Did you have a good look at her face 18 during that conversation? 19 A Yes. This room -- yes. Yeah. This 20 room, it's completely lit and there's a camera 21 taking -- you know, camera's always on, the 22 security camera, always. So it's got good</p>	<p style="text-align: right;">707</p> <p>1 Q Did you notice any marks on Ms. Heard's 2 face? 3 A No. No. 4 Q Did you notice any swelling? 5 A No. No swelling. No -- there's no 6 nothing. There's no swelling, no bruising, no 7 redness, no cuts, no -- I mean, you know, nothing. 8 Q Turning back to May 21st for a second. 9 When you first heard that Ms. Heard told you 10 Mr. Depp had hit her. 11 Do you recall that? 12 A Say that again. 13 Q When Ms. Heard told you that Mr. Depp 14 had hit her on May 22nd. 15 A Yeah, my birthday. 16 Q How did you feel hearing her say that? 17 MS. BREDEHOFT: Objection. Irrelevant. 18 THE COURT: What's the relevance to how 19 he felt? 20 MS. LECARAZ: I mean, his impression of 21 how he perceived that in that moment. 22 THE COURT: I'll sustain the objection.</p>

<p style="text-align: right;">708</p> <p>1 Q Mr. Baruch, did you see Ms. Heard, at 2 all, the rest of that week of May 23rd? 3 A No. 4 Q Did you learn, at some point in time, 5 that Ms. Heard had filed for divorce from 6 Mr. Depp? 7 A Say that again. 8 Q Did you learn, at some point in time, 9 that Ms. Heard had filed for divorce from 10 Mr. Depp? 11 A Yeah. 12 Q How did you learn that? 13 A I learned it from the Internet, after 14 the weekend, around, probably, Monday -- either 15 Sunday or Monday. I'm on the Internet and I end 16 up seeing a picture of, it was the Friday of that 17 week, the past week, and there's a picture of 18 Amber wearing a black mourning dress and with this 19 brown mark on her cheek, and she's out -- she's 20 been to a divorce, you know, she went to go file 21 for divorce. That's how I found out. 22 Q Were you surprised when you saw that?</p>	<p style="text-align: right;">710</p> <p>1 MS. LECARAZ: It builds on all the 2 testimony he has given previously, Your Honor. 3 THE COURT: I'll sustain the objection. 4 Q When did you see Ms. Heard next, after 5 that? 6 A She knocked on my door, June 3rd, 7 Friday, a Friday night, June 3rd, she knocked on 8 my door around 11:00, is the next time that I see 9 her. 10 Q What happened when she knocked on your 11 door on June 3rd? 12 A I open the door, and I said something, 13 I said, hey, how you doing, to say hello. I open 14 up the door, I said, hey, how you're doing? She 15 looked at me and says, I'm not feeling so hot. I 16 made some food, would you like to come over and 17 eat with me? And at that point, after, you know, 18 everything I've seen, I looked at her, I said, 19 listen, me and you, we're not going to talk 20 anymore. After everything that I've just seen all 21 week long from the past couple -- the past week 22 and change, listen, I'm confused, I'm angry, and</p>
<p style="text-align: right;">709</p> <p>1 A Surprised is not the word. It's like, 2 what the hell is this? What's going on? 3 Q At any point when you had seen her 4 during that prior week, had she told you that she 5 intended to file for divorce? 6 MS. BREDEHOFT: Objection. Leading. 7 THE COURT: I'll allow it. Go ahead. 8 You can answer the question, sir. 9 A What's the question again? 10 Q At any point when you had seen her 11 during that week, had Ms. Heard told you that she 12 intended to file for divorce? 13 A No. No. Never once, Sunday, Monday, 14 Tuesday, Wednesday, and Thursday or Friday, not 15 even said it, no. I'm clueless. She does not -- 16 she did not say anything about divorce. 17 Q So what did you think when you saw 18 those pictures and read the articles and learned 19 that she was filing for divorce? 20 MS. BREDEHOFT: Objection as to what he 21 thought. I'm sorry. Objection. Relevance to 22 what he thought.</p>	<p style="text-align: right;">711</p> <p>1 I'm frustrated by everything that I've seen, and I 2 think the best thing is for me and you, that we 3 don't talk anymore. 4 Q Did she say anything in response? 5 A Yeah. In response to that, she looks 6 at me and she said, I told Johnny I don't want 7 anything. The lawyers are making me do all of 8 this. And I -- you know, that's what she said. 9 Q Did you respond to Ms. Heard? 10 A No. What I was thinking was, to me, 11 after saying that, after she said that to me, I'm 12 thinking to myself, gay kocken yom, hey, how -- 13 MS. BREDEHOFT: Objection to what he's 14 thinking, Your Honor. 15 THE COURT: I'll sustain it. 16 Next question. 17 Q Did you see any injuries on Ms. Heard's 18 face on June 3rd, when you spoke with her? 19 A No. 20 Q Did you ever speak with Ms. Heard again 21 after that? 22 A Well, she said to me, after that, the</p>

<p style="text-align: right;">712</p> <p>1 lawyers are making me do all of this, then 2 she's – I was just looking at her and then she 3 ended what she was saying by saying, well, I'm 4 sorry you feel that way. And I closed the door 5 and never talked to her ever again. 6 Q Did you have any interactions with the 7 staff at the Eastern Columbia Building about 8 Ms. Heard's allegations against Mr. Depp? 9 MS. BREDEHOFT: Objection. Your Honor, 10 may we approach? 11 THE COURT: Okay. 12 (Sidebar.) 13 THE COURT: All right. Interactions 14 with staff. 15 MS. BREDEHOFT: So, what she's going to 16 elicit now, and I thought it was better to preview 17 it and let Your Honor know. 18 THE COURT: Okay. 19 MS. BREDEHOFT: What she's going to say 20 is that he spoke with other members of the ECB 21 staff and that they showed him this fake punch 22 video that has never been produced, and even with</p>	<p style="text-align: right;">714</p> <p>1 Columbia Building about Ms. Heard's allegations 2 against Mr. Depp? 3 A Yes. 4 Q And at some point, did you see a 5 security video taken in the Eastern Columbia 6 Building? 7 A Yes. 8 Q When was that? 9 A Sometime in June, maybe two weeks in or 10 something like that. It's two, three weeks in. 11 Q Can you describe what you saw in that 12 video? 13 A Yes, I can. It was a video of Amber 14 and Whitney waiting at the elevator, the mezzanine 15 level, coming from the garage, obviously, and 16 waiting for the elevator, and Whitney does this to 17 Amber (demonstrating) and hitting her, faking 18 hitting her in the face, going pow, and then they 19 start laughing. 20 Q Did Ms. Heard react, at all, in that 21 video to the fake punch that you observed Whitney 22 throw?</p>
<p style="text-align: right;">713</p> <p>1 the lawyers. So, I'm going to object to hearsay 2 grounds with any communication with him, but I'm 3 also going to object to his testimony of the 4 actual video, and what he says he saw on the 5 video. 6 MS. LECAROZ: I believe there was a 7 ruling on this. 8 THE COURT: There was. And your 9 objection's been noted to that. He can't testify 10 to hearsay. What they might have communicated to 11 him. 12 MS. LECAROZ: And I'm not going to ask 13 that question. 14 THE COURT: So, it's just the video. 15 We can move on. Your objection's been noted. 16 MS. LECAROZ: Okay. Thank you. 17 MS. BREDEHOFT: Thank you, Your Honor. 18 THE COURT: Uh-huh. 19 (Open court.) 20 BY MS. LECAROZ: 21 Q Mr. Baruch, did you have any 22 interactions with the staff of the Eastern</p>	<p style="text-align: right;">715</p> <p>1 A Yeah. She's laughing. After doing it, 2 they both, you know, laughing at each other – 3 with each other. 4 Q Mr. Baruch, do you know who Elon Musk 5 is? 6 A Sure. 7 Q Have you ever seen Mr. Musk in person? 8 A Yeah. 9 Q Where did you see him in person? 10 A First time was, I'm getting into the 11 elevator on the rooftop, penthouse level, I'm 12 going into the elevator and he's coming out of the 13 elevator, going past me. 14 Q And when did that take place? 15 A This is after May. This is sometime, 16 jeez, June, could be July, but after May. 17 Q In that same year, 2016? 18 A Yeah. 19 Q And when was the second time that you 20 saw Mr. Musk? 21 A One morning, waking up and going and 22 opening up the shades to the bedroom, and it's on</p>

716	<p>1 the second floor and it overlooks the balconies, 2 our adjoining balconies, because my balcony joins 3 with John and Amber's balcony. And opening up the 4 shades, I see Elon Musk going through the balcony 5 door on their side, the two of them walk down the 6 common corridor to that to, then, at the end, 7 leads to a door, then you walk out to the rest of 8 the rooftop. You go to the pool, you go to the 9 gym and stuff. So I'm looking out and the view -- 10 the view out the window is of the both of our 11 balconies. So that's where I saw him. 12 Q And when was that? 13 A Sometime, either June or July. But 14 it's after May. 15 Q Mr. Baruch, how long have you known 16 Mr. Depp? 17 A I met him, I believe, in 1980, and, 18 what, 42 years. Or it's going to be 42 years. 19 Q Have you ever seen Mr. Depp be violent 20 when angry with Ms. Heard? 21 MS. BREDEHOFT: Objection. Leading. 22 THE COURT: I'll allow the question.</p>	718	<p>1 about Ms. Heard when you were living at the 2 Eastern Columbia Building with her? 3 MS. BREDEHOFT: Objection. Leading, 4 Your Honor. 5 THE COURT: I'll allow it. 6 THE WITNESS: I can answer? 7 THE COURT: Yes, sir. 8 A What's the question again? 9 Q Did you ever notice anything unusual 10 about Ms. Heard during the time that you were 11 living next door to her at the Eastern Columbia 12 Building? 13 A Besides having great teeth, no. 14 Q Mr. Baruch, are you appreciative of 15 everything that Mr. Depp has done for you? 16 MS. BREDEHOFT: Objection, Your Honor. 17 Leading and irrelevant. 18 THE COURT: All right. I'll sustain as 19 to leading. 20 All right. 21 Q Mr. Baruch, how do you feel about what 22 Mr. Depp has done for you?</p>
717	<p>1 Go ahead. 2 THE WITNESS: I'm allowed to answer? 3 THE COURT: Yes, yes. 4 A What's the question again? 5 Q Have you ever seen Mr. Depp be violent 6 when angry with Ms. Heard? 7 A No. Well, from what I said from 8 before, there was an argument that I walked in, so 9 there's, obviously, there's that. But have I ever 10 seen him be violent to her, with physicality, no. 11 Q Did you ever see him hit her? 12 A No, never. 13 Q In your three and a half years living 14 at the Eastern Columbia Building, living next to 15 Mr. Depp and Ms. Heard, did you ever observe any 16 injuries or marks on Ms. Heard? 17 MS. BREDEHOFT: Objection. Leading, 18 Your Honor. 19 THE COURT: All right. I'll sustain as 20 to leading. 21 Go ahead. 22 Q Did you ever notice anything unusual</p>	719	<p>1 MS. BREDEHOFT: Objection -- well, you 2 know what, go ahead. 3 THE COURT: Go ahead. That's 4 withdrawn. 5 Go ahead. You can answer the question. 6 You can just answer the question, sir. 7 A And the question is? 8 Q How do you feel about everything that 9 Mr. Depp has done for you? 10 A Oh, come on. It's unreal. You know, 11 you think too much about it, you're going to cry. 12 That I appreciate everything that he's done for 13 me, you know. It's like stuff you can't pay back. 14 Q Would you lie for him under oath? 15 A Oh, no, no, no, no. 16 MS. BREDEHOFT: Objection. Leading. 17 THE COURT: All right. I'll sustain 18 the objection. 19 Next question. 20 Q Have you given truthful testimony 21 today, sir? 22 MS. BREDEHOFT: Objection, Your Honor.</p>

<p style="text-align: right;">720</p> <p>1 Leading.</p> <p>2 THE COURT: It's still leading. I'll</p> <p>3 sustain the objection.</p> <p>4 MS. LECARAZ: That's all I have.</p> <p>5 THE COURT: Okay. Cross-examination.</p> <p>6 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND</p> <p>7 COUNTERCLAIM PLAINTIFF</p> <p>8 BY MS. BREDEHOFT:</p> <p>9 Q Let's start with the makeup. Now, you</p> <p>10 know that --</p> <p>11 A Excuse me. I didn't hear the beginning</p> <p>12 of what you started saying.</p> <p>13 Q I said, let's start with the makeup.</p> <p>14 A Okay.</p> <p>15 Q Okay. You're aware that Ms. Heard has</p> <p>16 both modeled and been an actor, and had been for</p> <p>17 many years before you met her, correct?</p> <p>18 A I knew she acted. I didn't know she</p> <p>19 was a model.</p> <p>20 Q Okay. Were you aware that she had a</p> <p>21 commercial agreement with L'Oréal, for example?</p> <p>22 A When, now or back then?</p>	<p style="text-align: right;">722</p> <p>1 cream?</p> <p>2 A What is it?</p> <p>3 Q Arnica.</p> <p>4 A Arnica?</p> <p>5 Q Yes.</p> <p>6 A No.</p> <p>7 Q Do you know what type of foundation</p> <p>8 Ms. Heard uses?</p> <p>9 A No.</p> <p>10 Q Do you know what type of concealer</p> <p>11 Ms. Heard uses?</p> <p>12 A No.</p> <p>13 Q Do you know what type of tint Ms. Heard</p> <p>14 uses?</p> <p>15 A I have no clue.</p> <p>16 Q Do you know what types of powders</p> <p>17 Ms. Heard uses?</p> <p>18 A No.</p> <p>19 Q Okay. So, when you're saying that you</p> <p>20 didn't notice any makeup, would it be fair to say</p> <p>21 that you, yourself, are not familiar with what</p> <p>22 type of makeup Amber Heard uses on a daily basis?</p>
<p style="text-align: right;">721</p> <p>1 Q What's your knowledge?</p> <p>2 A I don't know any of that.</p> <p>3 Q Okay. Have you ever been with</p> <p>4 Ms. Heard when she has put makeup on?</p> <p>5 A I've been in the room, yeah, when she's</p> <p>6 putting -- when makeup was getting put on her,</p> <p>7 yeah.</p> <p>8 Q When makeup was getting put on her, was</p> <p>9 this for some acting role or something like that?</p> <p>10 A It was an event that they were going</p> <p>11 to.</p> <p>12 Q Uh-huh. So that was somebody else</p> <p>13 applying makeup to Ms. Heard --</p> <p>14 A Yeah.</p> <p>15 Q -- who was going to have some gala</p> <p>16 event that she was going to?</p> <p>17 A Yeah.</p> <p>18 Q Okay. Have you ever been with</p> <p>19 Ms. Heard in her bathroom or anything when she's</p> <p>20 applying her makeup in the morning?</p> <p>21 A No.</p> <p>22 Q Okay. Are you familiar with arnica</p>	<p style="text-align: right;">723</p> <p>1 A I don't know what she uses on a daily</p> <p>2 basis.</p> <p>3 Q That's my point.</p> <p>4 Now, the first time that you saw her,</p> <p>5 which was May 22nd.</p> <p>6 A Yeah.</p> <p>7 Q Ms. Heard was there. Were you aware</p> <p>8 she was on her way to somebody else's birthday</p> <p>9 party, not yours, but somebody else's that day?</p> <p>10 A No.</p> <p>11 Q Okay. Can you tell me what her</p> <p>12 hairstyle was that day?</p> <p>13 A It was just down.</p> <p>14 Q Down as in?</p> <p>15 A Just regular. She has it up now.</p> <p>16 She's got some kind of hairstyle. But, no, she</p> <p>17 was normal, hair down, regular, no makeup, just</p> <p>18 hanging.</p> <p>19 Q When you say "no makeup," you don't</p> <p>20 know she was not wearing makeup, correct?</p> <p>21 A For a fact?</p> <p>22 Q Correct.</p>

<p style="text-align: right;">724</p> <p>1 A No.</p> <p>2 Q And you don't know whether she had</p> <p>3 applied arnica cream, correct?</p> <p>4 A No. I don't even know what arnica</p> <p>5 cream is.</p> <p>6 Q And you don't know whether she had</p> <p>7 applied concealer, foundation or powder or tint,</p> <p>8 correct.</p> <p>9 A That's correct.</p> <p>10 Q Now, if she's going out to a party, do</p> <p>11 you think she would want to have her bruise</p> <p>12 exposed?</p> <p>13 MS. LECARAZ: Objection, Your Honor.</p> <p>14 THE COURT: What's the objection.</p> <p>15 MS. LECARAZ: Calls for speculation.</p> <p>16 THE COURT: I'll sustain the objection.</p> <p>17 Next question.</p> <p>18 Q Do you recall what Ms. Heard was</p> <p>19 wearing that day?</p> <p>20 A You know something? I could have sworn</p> <p>21 she had on a smocker dress, hippie dress, at that</p> <p>22 particular time, but I could be confusing it with</p>	<p style="text-align: right;">726</p> <p>1 A Yeah, the two locksmiths.</p> <p>2 Q Okay.</p> <p>3 A And, also, in the apartment, for a</p> <p>4 fleeting second, a person went walking by and who</p> <p>5 seemed, to me, looked like it was Raquel</p> <p>6 Pennington, but it could be -- it could have been</p> <p>7 another friend that was supposedly staying with</p> <p>8 them.</p> <p>9 Q So you saw somebody come by.</p> <p>10 A No. Go through the living room, and</p> <p>11 then they're out of the picture because they went</p> <p>12 upstairs. So they're at -- that's -- somebody</p> <p>13 else was in that room, but walking by.</p> <p>14 Q Okay.</p> <p>15 A Yeah.</p> <p>16 Q So and you talked to Josh. What did</p> <p>17 Josh tell you?</p> <p>18 A When?</p> <p>19 Q Josh Drew, he took you to the side.</p> <p>20 What did he tell you?</p> <p>21 MS. LECARAZ: Objection, Your Honor.</p> <p>22 Hearsay.</p>
<p style="text-align: right;">725</p> <p>1 June 3rd. She's got this Victorian type of long</p> <p>2 hippie dress that has embroidery, that she</p> <p>3 definitely was wearing that day, that night.</p> <p>4 Q Let's go back to May 22nd. Do you</p> <p>5 recall what she was wearing?</p> <p>6 A I could have sworn she was wearing</p> <p>7 another smocker dress that I've seen her hanging</p> <p>8 around the apartment with.</p> <p>9 Q And do you recall what color?</p> <p>10 A No.</p> <p>11 Q Do you recall what jewelry Ms. Heard</p> <p>12 was wearing --</p> <p>13 A No.</p> <p>14 Q -- that day?</p> <p>15 No? Okay.</p> <p>16 Now, you indicated that there was a</p> <p>17 security guard there.</p> <p>18 A Yes.</p> <p>19 Q And there was Josh Drew --</p> <p>20 A Yes.</p> <p>21 Q -- correct? And was there anyone else</p> <p>22 there?</p>	<p style="text-align: right;">727</p> <p>1 THE COURT: Okay. I'll sustain the</p> <p>2 objection to hearsay.</p> <p>3 MS. BREDEHOFT: Okay.</p> <p>4 Q Before you spoke with Josh drew in the</p> <p>5 other room what, if anything, had been said about</p> <p>6 what Mr. Depp did the night before?</p> <p>7 MS. LECARAZ: Objection to the extent</p> <p>8 it calls for hearsay, Your Honor.</p> <p>9 THE COURT: All right. The hearsay</p> <p>10 objection, I'll sustain that objection.</p> <p>11 Next question.</p> <p>12 MS. BREDEHOFT: I'm asking what, if</p> <p>13 anything.</p> <p>14 THE COURT: That still elicits hearsay.</p> <p>15 MS. BREDEHOFT: But he already</p> <p>16 testified what Amber said. I'll go back to that.</p> <p>17 THE COURT: Okay.</p> <p>18 Q So what did Amber Heard tell you</p> <p>19 happened the night before?</p> <p>20 A As I was walking up the first time, she</p> <p>21 turned to me and said, Johnny came by last night</p> <p>22 and got violent, so I'm changing the locks on</p>

<p style="text-align: right;">728</p> <p>1 penthouse 1, 3, and 5. Don't worry about your 2 place. 3 Q Okay. Did you ask her for any more 4 specifics on what she meant by being violent? 5 A Huh? 6 Q Did you ask her for any specifics about 7 what she meant by he came by and got violent? 8 A No. 9 Q I'm going to jump you to the next day 10 for a few, and then I'm going to come back. So, 11 let's go to the next day. 12 So the next day, you testified that you 13 saw her twice, correct? 14 A From Sunday, no. Monday, I saw her 15 once, in the morning, but I -- 16 Q That's when she came by -- 17 A -- about 12. 18 Q -- to ask if you could have the key or 19 if you could leave the key for the housekeeper. 20 A Yeah, for Hilda. 21 Q And you weren't feeling well, right? 22 A Right.</p>	<p style="text-align: right;">730</p> <p>1 A No. 2 Q Do you know whether she had applied any 3 powder that morning? 4 A No. 5 Q Okay. Now, the next day -- 6 A I can tell you she looked like she 7 wasn't wearing any makeup. 8 Q Right. And would you agree that people 9 who are models and actors can be pretty darn good 10 with putting makeup on so that you can't tell 11 they're wearing makeup? 12 MS. LECAROS: Objection, Your Honor. 13 Foundation. Calls for speculation. 14 MS. BREDEHOFT: I think that's a fair 15 question to ask him. 16 THE COURT: I'll sustain as to 17 speculation. 18 Next question. 19 MS. BREDEHOFT: All right. 20 Q Do you have any knowledge of the skills 21 of Amber Heard with respect to putting on makeup? 22 A Well, it can't be that good because</p>
<p style="text-align: right;">729</p> <p>1 Q So you wouldn't have been standing very 2 close to Amber, right, because you were sick? 3 A Well, I opened up the door and I'm, 4 holding the door. We're like three feet away from 5 each other. 6 Q And you told her you were sick, right? 7 A Yes. 8 Q She was going out someplace, correct? 9 A She was going somewhere, yeah. 10 Q All right. 11 A She wasn't going to be there. 12 Q All right. Do you know whether she had 13 applied any arnica cream that morning to her face? 14 A No. 15 Q Do you know whether she had applied any 16 concealer to her face that morning? 17 A No. 18 Q Do you know whether she had applied any 19 foundation that morning? 20 A No. 21 Q Do you know whether she had applied any 22 tint that morning?</p>	<p style="text-align: right;">731</p> <p>1 she's got friends who is a makeup artist who came 2 over to do makeup. I don't really know. 3 Q Right. And that makeup artist that 4 comes over does it when she's going to be on some 5 show or in some big public event or gala, right? 6 A Yeah. 7 Q That makeup person, and you're talking 8 about Melanie Inglessis, right? 9 A Yeah. Yeah, exactly. 10 Q And that makeup person doesn't put 11 Amber's makeup on every day for her, does she? 12 A I wouldn't know. 13 Q How many times have you -- did you see 14 Melanie Inglessis put makeup on Amber? 15 A One time, just one time. 16 Q So she wasn't living at Amber's house, 17 right? 18 A No, no, no. We -- I hung out with her 19 and her husband and Johnny and Amber and, you 20 know, over there, one time eating, and then 21 another time, when I met her, that seeing her. 22 put -- do makeup for these guys.</p>

<p>732</p> <p>1 Q Okay. So you're not saying that Amber 2 doesn't know how to put makeup on herself, 3 correct? 4 A Oh, no. I'm sure she does. 5 Q Okay. But, again -- 6 A I would think she does, you know. But 7 for the most -- I'll tell you what, over three and 8 a half years living around each other, for the 9 most part, she's not a makeup-wearing person. 10 Completely natural. Her, Rocky, total, great 11 complexion, Texas, natural, girl-next-door, no 12 makeup wearing, hanging out. 13 Q Did Amber ever tell you she was not 14 wearing makeup? 15 A Did she ever tell me? 16 Q In any of those three and a half years 17 when you say she wasn't wearing it around the 18 house, did she ever say, I don't have a stitch of 19 makeup on? 20 A As many times as she's told me, I am 21 wearing makeup, which is, I can't remember. So I 22 don't know. Yeah, no. There's not one time I</p>	<p>734</p> <p>1 walked out, who knows, they might have been out 2 twice before that. I don't know. They could have 3 been coming from another apartment, coming, you 4 know, to go there, and I'm seeing them. It could 5 be the second time that they're entering the 6 apartment or the first time or the third time. 7 Yeah, I don't know. 8 Q Okay. 9 A I have no idea. 10 Q And do you know -- so you don't know 11 where they were? 12 A No. Of course not. 13 Q So you have no idea whether they were 14 out in public someplace, correct? 15 A No. Of course not. I wouldn't know 16 that. 17 Q Okay. And then the later time that you 18 saw them that day, they were going out; is that 19 correct? 20 A Yeah. 21 Q Okay. And do you know whether Amber 22 had any arnica cream on that day?</p>
<p>733</p> <p>1 remember that, her saying that. 2 Q Okay. So, now, let's go to the next 3 day, I think that's the day you got to two times 4 that you saw her. She's with other people -- 5 A Yeah. 6 Q -- and she's either going out or coming 7 in, correct? 8 A Well, first time, they're coming in, 9 and the second time, they're going out. 10 Q So they've been outside someplace 11 before they're coming in, correct? 12 MS. LECAROS: Objection, Your Honor. 13 Foundation. 14 THE COURT: I'll allow it. 15 You can answer the question, sir. 16 THE WITNESS: Okay. 17 A I have no clue. 18 Q But they're physically entering the 19 house. In other words, they haven't been in the 20 house, they're coming to the house from someplace, 21 right? 22 A Oh, I would have no idea. When I</p>	<p>735</p> <p>1 A No. I don't know. 2 Q And I'll try to make this faster. Do 3 you know whether Amber was wearing concealer, 4 foundation, powder, or tint that day? 5 A I don't know. 6 Q Okay. Now, the next day, I think you 7 said it was she and Whitney; is that correct? 8 A On Wednesday, yeah. 9 Q Okay. 10 A Yeah, yeah. 11 Q Okay. And, again, do you know whether 12 she was wearing any arnica cream? 13 THE COURT: Sir, if you could just 14 answer the question. 15 THE WITNESS: I'm sorry. I'm totally 16 sorry. I'm sorry. 17 THE COURT: Thank you. 18 A No. 19 Q Do you know whether she was wearing 20 concealer, foundation, powder, or tint? 21 A No. 22 Q Can you tell me what Amber's hair style</p>

736
1 was on the 23rd?
2 **A That's Monday. Like I said, when she**
3 **knocks on my door, hair's down.**
4 Q Okay. Can you tell me what she was
5 wearing that day?
6 **A Not exactly. But if I – best of my**
7 **recollection, pair of dungarees and a T-shirt.**
8 Q Okay.
9 **A At the time, when she knocked on my**
10 **door to give me the key. If she went home to go**
11 **change or something like that, I got no clue.**
12 Q Do you remember what color the T-shirt
13 was?
14 **A Think it might have been white. Best**
15 **of my recollection.**
16 Q Do you remember what jewelry Amber had
17 on?
18 **A No.**
19 Q Okay. Let's go to the next day, the
20 Wednesday. You've got all these people here.
21 **A The next day is Tuesday.**
22 Q Okay. Next day, Tuesday, is when you

737
1 had the bunch of people coming together to her
2 house, the first time, right?
3 **A Right.**
4 Q What was she wearing then?
5 **A You want to know something? I do**
6 **remember a women's beige, long coat. Kind of like**
7 **a woman's -- not a raincoat, but it could be**
8 **similar to that. It was a beige, long, kind of**
9 **looking like a business coat type of thing, a**
10 **female version of Colombo jacket.**
11 Q Okay. And what was she wearing under
12 it?
13 **A I have no clue.**
14 Q Okay. And do you remember what jewelry
15 she was wearing?
16 **A No.**
17 Q Okay. Now, you said that on the 22nd,
18 that you kissed her on the cheek.
19 **A What day?**
20 Q The 22nd, your birthday.
21 **A The 22nd, Sunday, yes.**
22 Q Okay. So when you showed it the first

738
1 time, you went like this (demonstrating), right?
2 And then the next time when you said you did the
3 kisses, you went like this (demonstrating).
4 What's your typical way of kissing
5 women when you greet them or say goodbye?
6 **A I'm not understanding any of what you**
7 **just did.**
8 Q Okay. So when you -- I'll just leave
9 it at Amber. I take it that you would regularly
10 kiss Amber on the cheek to say hello and to say
11 goodbye?
12 **A Oh, yeah. Yeah, absolutely.**
13 Q And tell us how you did that.
14 MS. LECARAZ: Objection, Your Honor.
15 Q Can you just show us how you did that?
16 MS. LECARAZ: Which time? Regularly?
17 Q Did you have a different way of kissing
18 her on the cheek different times or did you have a
19 general way that you would greet or say goodbye to
20 Amber with kisses?
21 **A Regular. It's a regular, you know, you**
22 **give a peck on the cheek. Like, you just touch**

739
1 cheeks and (demonstrating), that's that.
2 Q So it's kind of like an almost
3 superficial one or is it a really hard one on the
4 cheek?
5 **A No. It's, you know, just, yeah, you**
6 **kiss someone on the side of the cheek. I don't**
7 **know, pressure wise, what kind of torque is**
8 **there --**
9 Q I mean, is it just one of these little
10 pecks or is it much harder?
11 **A No, it's a regular. You touch, you**
12 **know, you touch, being, and that's that.**
13 Q So you think it was pretty hard, you
14 peck her on the cheek pretty hard every time?
15 MS. LECARAZ: Objection, Your Honor.
16 THE COURT: I'll sustain the objection.
17 Next question.
18 MS. BREDEHOFT: Okay.
19 Q You also showed that you did one like
20 this (demonstrating). Did you ever do a two kiss
21 where you greeted Amber, two cheeks?
22 **A No, I'm not European. European, both**

<p style="text-align: right;">740</p> <p>1 times, sometimes three, bump, bump, bump. 2 Q You never did that? 3 A No, no. 4 Q Let's go to the fake punch. I want to 5 make sure that I understand exactly what you 6 remember seeing. 7 A Yeah. 8 Q You said that it was two to three weeks 9 into June; is that correct, that you saw it? 10 A Got to be somewhere in that period. 11 Q Okay. 12 A Somewhere in the first three – if – I 13 would say the first three weeks of June. 14 Q All right. 15 A Yeah. Somewhere like that. 16 Q Can you recall which week? 17 A No. 18 Q Okay. So, you saw Whitney and Amber. 19 Was there anyone with them? 20 A No. 21 Q Okay. Do you recall what either of 22 them was wearing?</p>	<p style="text-align: right;">742</p> <p>1 Q So they're on the mezzanine level? 2 A Yeah, this is the same – 3 Q Waiting -- 4 A This is the same level – there's 5 apartments on that level, and that's how the exit, 6 how you get out to go to the garage. 7 Q And so, were they coming back from the 8 garage? 9 A Well, if they're standing at the 10 elevator outside, it could be, and waiting to get 11 into the elevator on that floor. So it could be 12 that maybe they came from outside. Maybe they 13 know somebody who lives on that floor because 14 there's apartments there. 15 I got no clue where they're coming 16 from. That's not even in the thought process. 17 It's when I see that – when I see this, it's not 18 like, well, I wonder where they're coming from. 19 No, no. It's just what I saw. 20 Q Tell me where they were each standing. 21 A As I'm watching the video, this tape, 22 Amber's on the left and Whitney's on the right.</p>
<p style="text-align: right;">741</p> <p>1 A Long jackets. Yes, actually, I do. 2 Long jackets, you know, overcoats. 3 Q And how was Amber's hair styled that 4 day? 5 A Down, but pulled back. 6 Q Pulled back? 7 A Well, when I say pulled – it's like 8 the hair's down, you know, maybe because of 9 something around the neck or whatever, the hair 10 is, you know, flipped back or whatever. Not tied 11 back. I don't remember if it was tied back. But 12 just where it's full. Full. That, I remember. 13 Q Okay. So, now, where were they 14 standing when you watched this? 15 A This is the – where were they 16 standing? 17 Q Yes. 18 A They're standing waiting for one of the 19 elevators on the mezzanine floor, where there's, I 20 guess, you could see, there's cameras that, you 21 know, has that view of the – the – of the 22 elevators on the mezzanine floor.</p>	<p style="text-align: right;">743</p> <p>1 Q Okay. And then tell me, just take us 2 through. Tell me what you saw. 3 A Amber's on the – Amber's on the left, 4 Whitney's on the right. 5 Can I stand up? 6 THE COURT: Yes, sir. 7 A Here's Amber, here's Whitney, hanging, 8 waiting for the elevator. They're looking at each 9 other, yapping or whatever they're doing. And 10 Whitney goes like this, (demonstrating) pow. Just 11 a fake pow. And then they both start laughing. 12 Then they're just standing there yapping, doing 13 what they're doing. 14 Q And how close does Whitney's fist get 15 to Amber? 16 A Oh, I'm watching this. It's a fake 17 thing. It's not – 18 Q Right? 19 A It's not that she hit her own sister. 20 Q No, no, no. I'm asking how close. 21 A She goes, pow. Here's my face, if 22 here's my face, you know, it's just coming by, you</p>

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1 know, fake punch going by (demonstrating). That
2 slow. Just making believe, make-believe punch.
3 Q Okay. And then they both laugh, you
4 say?
5 A **Yeah. They're both, you know, they**
6 **just start, you know...**
7 Q Did you watch them get on the elevator?
8 A No.
9 Q So the part that you saw, the elevator
10 never opened during that time?
11 A **That's right.**
12 Q Okay.
13 A **That is correct.**
14 Q And how many seconds would you say or
15 minutes would you say this little clip was?
16 A **Oh, what I saw was ten seconds,**
17 **15 seconds.**
18 Q Okay. And do you recall what day that
19 was?
20 A **That I saw this?**
21 Q No, no, no. Was there a date on this
22 video?

745

1 A **Oh, I don't know. If there was, it**
2 **wasn't something that I acknowledged.**
3 Q Okay. Great. Good. Thank you.
4 All right. Now let's go back to the
5 argument that you witnessed between Mr. Depp and
6 actually, Ms. Heard, who was on the phone or the
7 speakerphone. Do you recall testifying about
8 that?
9 A **Say this again. Start again, start**
10 **again.**
11 Q Yes. Let's go back to -- you testified
12 that you observed an argument between Mr. Depp and
13 Ms. Heard.
14 Do you recall that? You came into the
15 room, Mr. Depp had Amber on speakerphone.
16 Do you recall that?
17 A **Yeah.**
18 Q Okay. Mr. Depp was drunk; would you
19 agree?
20 A **Yeah.**
21 Q Okay. And do you recall that Amber was
22 actually in London, not New York?

746

1 A No.
2 Q You don't recall that?
3 A **No. I think -- I thought it was she**
4 **was in New York.**
5 Q Okay. And you recall that Mr. Depp was
6 accusing Amber of sleeping with somebody, right?
7 A **There was somebody else in the room**
8 **with her and that's -- and that's what they were**
9 **arguing about.**
10 Q Are you sure that Mr. Depp wasn't
11 thinking there was someone in the room and she was
12 trying to tell him there wasn't somebody in the
13 room?
14 A **He -- say that again.**
15 Q Are you sure he wasn't saying someone
16 was in the room and she was trying to convince him
17 there wasn't anybody in the room?
18 A **Well, he said that he heard the other**
19 **voice.**
20 Q Okay. And did you hear the voice?
21 A **Oh, no.**
22 Q Okay.

747

1 A **I walked in, they were already -- this**
2 **is already in motion.**
3 Q Right. And Amber's saying, "why are
4 you saying that," right?
5 A **Amber was saying "Come on, baby, why**
6 **are you being like this? What are you doing?**
7 **Come on, Johnny. Why are you being like this?"**
8 Q Right.
9 A **And it was taunting.**
10 Q How is it taunting to say why are you
11 accusing me of having somebody in my room?
12 A **Because they were in the midst of no**
13 **solution. At that point, it's -- it would be,**
14 **instead of taunting, say, listen, John, let's talk**
15 **tomorrow and let's end this conversation right**
16 **now, and we'll talk tomorrow and we'll get to an**
17 **understanding because there's not going to be any**
18 **solution right now. But there was none of that.**
19 **It was just continuous, oh, baby, oh, baby.**
20 Q So --
21 A **And that kept it going.**
22 Q So if, if Mr. Depp, in his drunken

748	750
<p>1 state, was suffering from delusions and thought he 2 heard a voice and wasn't, do you think it would 3 have been reasonable for Amber to be saying 4 "What's going on? Why are you saying this? What 5 is going on?" 6 MS. LECAROS: Objection, Your Honor. 7 Speculation. 8 THE COURT: I'll allow the question. 9 You can answer it. You can answer the 10 question, sir. 11 A Would I think it would be what? 12 Q If Mr. Depp was suffering from 13 delusions and there wasn't anybody in the room and 14 he hadn't heard a voice but thinks he's hearing a 15 voice, would it be reasonable for Amber to be 16 trying to figure out what's going on? 17 MS. LECAROS: Objection, Your Honor. 18 Hypothetical, speculation. 19 THE COURT: I'll sustain as to 20 speculation to that question. 21 MS. BREDEHOFT: Okay. 22 Q And the bottom line is, you came in on</p>	<p>1 line got cut. 2 Q Right. Okay. 3 So after those three calls that you 4 testified about, he went straight to bed, right? 5 A To the couch and laid down. 6 Q And he was drunk? 7 A And went to sleep. Yeah, he went out. 8 Q Do you know whether had taken any drugs 9 that night? 10 A No. 11 Q Now, you have known -- you've already 12 testified you've known him for 42 years. 13 A Yeah. 14 Q You didn't pay rent at the penthouse, 15 correct? 16 A No. No one did. 17 Q And then after you finished at the 18 penthouse, you went over and lived with him in 19 Sweetzer, correct? 20 A I lived in one of the houses he owns on 21 Sweetzer. 22 Q And you still live there?</p>
749	751
<p>1 the call, so you don't know what he said first or 2 whether there was any voices, correct? 3 A Whether he heard voices? 4 Q Yes. 5 A Besides hers? 6 Q Yes. 7 A No, I didn't hear the beginning of the 8 conversation. 9 Q Okay. And then after the hangup, he 10 went straight to bed, right? 11 A No. After the first hangup, she calls 12 back again, which was -- was it necessary? I 13 don't know. 14 Q Do you know whether she knew -- 15 A And then the third time -- 16 Q Do you know whether she knew whether he 17 accidentally hung up or not? 18 A That he accidentally hung up? 19 Q Right. Do you know whether she knew 20 whether he hung up intentionally or accidentally? 21 A No. The same way that I wouldn't know 22 if, like, yeah, she didn't know that the telephone</p>	<p>1 A Yes. 2 Q And rent free, correct? 3 A Yes. 4 Q And has -- other than the hundred 5 thousand, you never paid that back, right, the 6 hundred thousand that he has given you? 7 A No, that's not -- that's a thing 8 that -- that's a thing, for me, how I look at it 9 and stuff, at some point, I would love to pay it 10 back, pay back that money, but that's not 11 something that is expected -- that he's expecting. 12 Q Would you say you're kind of beholden 13 to Mr. Depp? 14 A No. Not beholden at all. 15 Q He's given you a hundred thousand 16 dollars, he's put you in that nice -- 17 A Well, over -- I'm sorry. I started -- 18 I didn't hear the whole question. 19 Q You were rent free in penthouses for a 20 number of years, and now you've been rent free 21 ever since in Sweetzer? 22 A That's a nice friend.</p>

<p style="text-align: right;">752</p> <p>1 Q And I think you testified already, 2 you're pretty angry with Ms. Heard, right? 3 A When? 4 Q I wrote it down, that you -- 5 A Oh, about all the phoney -- about the 6 phoney pictures that were taken and put in 7 tabloids and about the fake narrative, and 8 about -- and the way she is trying to -- got a 9 fraudulent DV claim to extort and blackmail a man? 10 Yeah, that kind of got me. 11 Q Pretty angry with her? 12 A Frustrated, confused, angry, upset, 13 yes. Which is why I said the best thing for us to 14 do is not to talk to each other. 15 Q Okay. 16 A Yes. 17 Q And was it fair to say that you're 18 still angry with her? 19 A Oh, you know something? It's 20 six years. 21 Q But we just heard you give your 22 version.</p>	<p style="text-align: right;">754</p> <p>1 has engaged in enormous rage and domestic abuse 2 and violence of Amber over a period of time, that 3 you wouldn't know about, then maybe it's time for 4 him to take responsibility, don't you think? 5 MS. LECAROS: Objection, Your Honor. 6 THE COURT: What's the objection? 7 MS. LECAROS: Speculation. Lack of 8 foundation. 9 THE COURT: Speculation. 10 MS. BREDEHOFT: He just went off on 11 this rant and rave about assuming that she's -- 12 THE COURT: You asked a question. 13 MS. BREDEHOFT: I didn't ask a question 14 that launched that. 15 THE COURT: I'm going to sustain the 16 objection. 17 MS. BREDEHOFT: All right. I'll ask 18 this. 19 THE COURT: Okay. 20 Q Mr. Baruch, you don't know whether 21 Mr. Depp has committed domestic violence of Amber 22 Heard, do you?</p>
<p style="text-align: right;">753</p> <p>1 A Six years. Am I angry anymore? What I 2 am is tired. And I want this all to end. Her to 3 go heal, him to go heal. You know, so many people 4 have been affected by this malicious lie that she 5 started and she created, and it's gone out the 6 door and around the world. And so, I don't 7 even -- I can't even paint anymore. I've stopped 8 painting for the last who knows how many years, 9 and that's -- affected by stuff. 10 I don't have -- I'm not angry at 11 anybody. I want the best for her, for her to take 12 her responsibility, heal, and move on. Move on. 13 And for Johnny, Johnny, you know, his family has 14 been completely wrecked by all of this stuff, and 15 it's not -- it's not -- it's not fair. It's not 16 right what she did and what happened, for so many 17 people to get affected from this. It's -- it's 18 insane. 19 Q And Mr. Baruch -- 20 A As to how this happened. 21 Q And, Mr. Baruch, if, in fact, she's 22 telling the truth, and if, in fact, Mr. Depp, who</p>	<p style="text-align: right;">755</p> <p>1 A I never witnessed -- I never saw or 2 witnessed whatever type of claim that is -- that 3 is being said, ever. 4 Q Okay. 5 A I've never seen him be violent since 6 kids, since teenagers, from first meeting. 7 Q I didn't ask you that. I said, you 8 don't know whether he has committed domestic 9 violence or abuse on Amber Heard; isn't that 10 correct? 11 A That's correct. 12 Q Okay. 13 A I did not witness any physical 14 violence. 15 Q But you have seen Mr. Depp use drugs, 16 as well as drink and be drunk, correct? 17 A Oh, yeah. 18 Q Okay. 19 A I have partaken. 20 Q I'm going to ask you to take a look -- 21 MS. BREDEHOFT: Let's put up Depp 116 22 again. It's already in. If we can have that</p>

<p>1 published to the jury. 2 THE COURT: Ms. Bredehoff, how much 3 more do you think you have? 4 MS. BREDEHOFT: I think I can finish it 5 up, if you give me five or ten more minutes, maybe 6 less. 7 THE COURT: All right. I'm going to 8 hold you to that. 9 MS. BREDEHOFT: Okay. 10 Q So, Mr. Baruch, I just want to make 11 sure that I understand. This is the penthouse 12 thing and you -- 13 THE COURT: Ms. Bredehoff, if you could 14 go to the microphone. 15 MS. BREDEHOFT: I just realized that. 16 THE COURT: Appreciate it. Thank you. 17 Q So, on this diagram, when you got out 18 of the -- was -- you said 9:30 today, but, in 19 fact, it was between 9:30 and 10:00 that you came 20 back with your friend, correct? 21 A No. It was around 9:30. Could be 22 five minutes one way, five minutes the other way.</p>	<p>756</p>	<p>1 there as you come up the elevator? 2 A Yeah. From my memory, there were 3 sconces on the wall some places. 4 Q Do you remember looking that night and 5 saying, where did this glass come from? There's a 6 broken one. Did you tie it together? 7 A No. It wasn't -- it was an assumption 8 that it had to come from some of those places 9 because what the glass looked like, to me, looked 10 like it might have come from one of those places. 11 Q Okay. 12 A It could have been, you know, maybe the 13 sconce. 14 Q Okay. When you said from the fire 15 thing, were you talking about the fire 16 extinguisher? 17 A No. No, not the fire extinguisher. 18 There was, in the hallway, that first hallway that 19 you go through, the doors that you walk through 20 after you get out of the elevator, those doors, 21 the fire doors that you close, all right. 22 Hopefully no one gets burned to death, that would</p>	<p>758</p>
<p>1 Q Do you recall saying it was between 9 2 and -- between 9:30 and 10 earlier? 3 A Today? 4 Q No. 5 A Did I say that? 6 Q Do you recall -- are you sure it was 7 9:30, give or take five minutes, or could it have 8 been between 9:30 or 10? 9 A It was 9:30, give or take five minutes, 10 five to ten minutes either way. 11 Q And you saw a broken sconce -- 12 A No. I did not see a broken sconce. 13 Q What did you see? 14 A I saw a broken glass on the floor, 15 shards of glass, pieces of glass, which I figured 16 could have been a broken sconce or possibly, 17 maybe, something from the fire department stuff 18 that's around the walls. So it could be something 19 broken from that. But I -- you know, uh, maybe 20 one of the sconces broke. I didn't see a broken 21 sconce, I just saw the glass. 22 Q Was there typically a sconce right</p>	<p>757</p>	<p>1 be, you know, crazy. 2 But then along the wall, I believe, by 3 the staircase, because there's a door that's next 4 to penthouse 5, then there's the doorway, the 5 stairwell door. And I believe there's a thing 6 that's by the floor there, that's got a glass 7 plastic thing around it. 8 So, it could have been something from 9 that. 10 MS. BREDEHOFT: Your Honor, may I 11 approach? 12 THE COURT: All right. Yes, ma'am. 13 You can give a copy to counsel. 14 Do you have another copy of the 15 deposition? 16 THE WITNESS: Is this something for me 17 to look at? 18 THE COURT: Just wait for a question, 19 sir. 20 THE WITNESS: Okay. 21 Q I asked you, a few minutes ago, whether 22 you were sure it was 9:30, give or take</p>	<p>759</p>

760	1 five minutes, or if it could have been somewhere 2 between 9:30 and 10. 3 Do you recall me asking that question? 4 A Yeah. 5 Q Okay. And I'm going to ask you to take 6 a look at page 39. 7 Do you recall giving your deposition on 8 November 20, 2019? 9 A Oh, from down in Anaheim? 10 Q Yes. 11 A Yeah, I remember that. 12 Q And were you under oath at that time? 13 A I was -- well, yeah. I think that's -- 14 I believe so, yeah. 15 Q It was about two and a half years ago, 16 wasn't it? 17 A Two, three. Yeah, yeah, like between 18 two or three years. Yeah, sure. 19 Q So if you could take a look, starting 20 on page 39. 21 A Hang on a second. 22 Q And if you go to line 21, "Where were	762	1 Q Okay. And did you see any police 2 officers? 3 A No. 4 Q Okay. Did you ever hear any police 5 officers? 6 A No. 7 Q Okay. So let's go back to this 116 for 8 a second. And you said that you saw a lot of wine 9 right outside the penthouse -- 10 A Wait a second. Line 115? 11 Q Sorry. The exhibit that's in front of 12 you on the screen. 13 A Oh, oh, oh. Okay. 14 Q So you go by the penthouse, so now I 15 have to hurry up to make my promise to Your Honor. 16 So you see penthouse 1 there, and you said that 17 the wine was in that area, right? 18 A It's in front of the door. 19 Q Okay. 20 A It's going to be a foot and a half, two 21 feet up further, north. 22 Q North, closer on the way to PH3?
761	1 you on the evening of May 21, 2016?" And your 2 answer was, "All right. So I was out in the 3 street, I met, I was with a buddy of mine, he 4 calls, he asked if I wanted to go out and eat. I 5 said I just ate, just meet me, let's meet at the 6 apartment, let's go hang out. So, I met him at my 7 apartment, probably, I want to say, 9:30 or a 8 little later, I don't know. Yeah, between 9:30 9 and 10." 10 Do you see that? 11 A So I met him at my apartment, probably, 12 I want to say, around 9:30 or a little bit later. 13 I don't know. Yeah, between 9:30 and 10. 14 Q Okay. 15 A And that ends up -- 16 Q So does that refresh your recollection 17 that it could have been a little bit -- somewhere 18 between 9:30 and 10? 19 A I'd go more the 9:30, give or take 20 five minutes because it could have been 9:20; it 21 could have been 9:25; it could have been 9:35, but 22 I go with 9:30.	763	1 A No. It's right in front of the 2 doorway. You have it past the doorway, the blue 3 dot. 4 Q That wasn't intentional. 5 A It's just in front of that doorway. 6 Q There you go. Okay. Can you put the 7 dot exactly where it was? 8 A (The witness complies.) 9 Q Okay. 10 A Can I move that dot? 11 Q And how much wine was there? 12 A A puddle. 13 Q There's a puddle? 14 A A puddle of wine. 15 Q Could you walk past it without seeing 16 it? 17 A No. 18 Q It was -- and could you tell a little 19 bit about how much, probably, had been spilled of 20 the wine? I mean, are we talking, like, a half a 21 bottle, a bottle? 22 A Looked like, you know, a couple of

<p>764</p> <p>1 glasses of wine making a puddle. 2 Q Okay. 3 A Wasn't, like, a full bottle. 4 Q Okay. 5 A That's a bit more. 6 Q Okay. Thank you. 7 MS. BREDEHOFT: Your Honor, I do have 8 another exhibit I need to put in, and I think that 9 might take a little bit longer than a couple of 10 minutes. 11 THE COURT: How much time are you 12 talking? 13 MS. BREDEHOFT: Well, I can do it as 14 fast as I can. 15 THE COURT: You can try. 16 MS. BREDEHOFT: Can we pick -- Heather, 17 can you pick up, well, it's going to be 18 Plaintiff's Exhibit 548. 19 Q Now, do you have a recollection of 20 Mr. Depp having a volatile relationship with his 21 earlier partner, Vanessa Paradis? 22 A No. But then again, I wasn't -- I met</p>	<p>766</p> <p>1 in a text? 2 A Oh, I would have no recollection of 3 that. I mean, he's called me a cunt in a text, 4 so, I mean, it could be, I don't know how many 5 texts. If there's something specific, if you 6 could show me a text, that would be a different 7 story. But I don't -- you know, we've had many 8 texts together, many, you know. 9 Q Okay. Let's go to line 57, then, it 10 would be section 57 of the exhibit that I have in 11 front of me. 12 This is a text message between you and 13 Mr. Depp. 14 Do you see that? 15 A Well, there's 80 million texts on 16 there. 17 Q Go to the one that's number 57. 18 A 57. 19 MS. LECARAZ: Objection, Your Honor. 20 THE COURT: I'm sorry? 21 MS. LECARAZ: May I approach? 22 THE COURT: Okay. Sure.</p>
<p>765</p> <p>1 her a couple of times. I have no -- I wasn't -- 2 we weren't -- our paths weren't crossing at that 3 particular time, when they were together. 4 Q All right. Do you recall Mr. Depp ever 5 referring to a circumstance with her as "carnage"? 6 MS. LECARAZ: Objection, Your Honor. 7 Relevance. 8 THE COURT: What's the relevance? 9 MS. BREDEHOFT: He's trying to give 10 character testimony here, and I'm -- tell you 11 what, I'll move to a different one. 12 THE COURT: All right. 13 Q Now, you said that Mr. Depp and 14 Ms. Heard were -- you said that they were always 15 nice to each other? 16 A Yeah. 17 Q Do you ever remember Mr. Depp referring 18 to Amber with the term "cunt"? 19 A Like, to her face? 20 Q No, to you. Calling her a cunt to you. 21 A Maybe in a text. 22 Q All right. Did he do it more than once</p>	<p>767</p> <p>1 (Sidebar.) 2 MS. LECARAZ: She's referring to text 3 messages that occurred in prior -- after the 4 marriage, by a number of months, so I'm not sure 5 what the relevance could possibly be of these 6 particular text messages. 7 MS. BREDEHOFT: He's still referring to 8 her in a very, very base way. You know, saying 9 the cunt rotting corpse. 10 THE COURT: She's just talking about 11 the timeline of it, saying it's two years later. 12 MS. BREDEHOFT: Still, I asked if he 13 ever recalled Mr. Depp referring to her as a cunt, 14 and he said you would have to show me. 15 THE COURT: He said yes. 16 MS. BREDEHOFT: Right. And then I 17 said, did he do it more than once? He said, you 18 would have to show me. 19 THE COURT: Yeah. 20 MS. LECARAZ: Your Honor, far too much 21 to share. It's a timing -- 22 MS. BREDEHOFT: It is timely.</p>

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1 THE COURT: I'm going to allow it.
2 (Open court.)
3 Q Are you on 57 yet?
4 A 57.
5 Q Right. And this is to you, correct,
6 from Mr. Depp?
7 A Is that how it's -- it says from, to,
8 323-445-2400. That used to be my telephone
9 number.
10 Q That's to, correct?
11 A Oh, I understand. I understand, yes,
12 yes, yes.
13 Q Okay.
14 A That's to me.
15 Q All right. And the message he's
16 sending to you, and this is October 18, 2016, "So
17 hopefully that cunt" --
18 MS. LECARAZ: Objection, Your Honor.
19 The exhibit is not in evidence and she's reading
20 directly from it into the record.
21 THE COURT: All right.
22 Q Does it refresh your recollection that

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1 Mr. Depp referred to Amber Heard as a cunt, in
2 fact, cunt rotting corpse is decomposing?
3 MS. LECARAZ: Objection, Your Honor.
4 THE COURT: Sustain the objection.
5 If you can rephrase.
6 MS. BREDEHOFT: I'll rephrase.
7 Q Do you recall Mr. Depp ever tell you
8 that he, in base terms, hoped that Amber's rotting
9 corpse is decomposing --
10 MS. LECARAZ: Objection, Your Honor.
11 Q -- in the trunk of a Honda Civic?
12 THE COURT: I'll allow it.
13 A I'm not understanding the question.
14 Say it again.
15 Q Do you recall Mr. Depp ever telling you
16 that he hoped that Amber Heard's rotting corpse is
17 decomposing in the fucking trunk of a Honda Civic?
18 MS. LECARAZ: Objection.
19 THE COURT: I'll allow it.
20 You can answer the question, sir.
21 A Yeah. Well, I say, yeah, I'm seeing it
22 here. So, obviously, yeah, it was said. It was

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1 written.
2 Q And then go to 59, please.
3 And when you had to move out of the
4 penthouse to go to Sweetzer, do you recall
5 Mr. Depp telling you that this was Amber's fault
6 and referring to her as a "cunt"?
7 A Can I read this first --
8 Q Yes, please.
9 A -- so I can see what's going on?
10 So, now what's -- I just read this, and
11 I remember this exactly because this is the period
12 of time, you know, I'm moving and he's selling the
13 apartments, and there's people who were coming
14 over, I'm still living there, and it would have
15 been better off if I had moved out so that way,
16 then, the real estate people can look at it and
17 not come in and look at the kind of paintings that
18 I make and all that kind of crap.
19 Q But my question to you is, do you
20 recall Mr. Depp calling Amber Heard a cunt and
21 saying that it was her fault?
22 A Well, it's written there, so, yeah, I

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1 can see that.
2 Q Okay.
3 A If -- well, that's not what he says.
4 He says that cunt ruined such a fucking cool life
5 we had for a while. I don't know --
6 MS. BREDEHOFT: And he said, I can't
7 even look at the building anymore, correct?
8 A Yeah.
9 Q He's selling it, right?
10 A Exactly.
11 Q Thank you.
12 MS. BREDEHOFT: Your Honor, I would
13 like to move the admission of those two limited --
14 excuse me, one moment.
15 MS. LECARAZ: Objection, Your Honor,
16 there are some -- the significant exhibit, there's
17 definitely some hearsay in there.
18 THE COURT: I think I'll reserve on
19 that, on the entry of that, and we can discuss it
20 a later time, okay?
21 Are you done?
22 MS. BREDEHOFT: Not yet. My co-counsel

<p>1 is saying something. 2 THE COURT: I'm not going to -- I'm 3 reserving on whether, so are we done with cross? 4 MS. BREDEHOFT: Yes, Your Honor. 5 THE COURT: Okay. Redirect, briefly? 6 We're going to be done with this witness before 7 lunch. 8 MS. LECARAZ: Quickly, Your Honor. 9 THE COURT: Okay. 10 BY MS. LECARAZ: 11 Q Mr. Baruch, do you recall that 12 Ms. Bredehoft was just asking you about some text 13 messages that you received from Mr. Depp? 14 A Yes. 15 Q Do you recall when those text messages 16 were sent? 17 A No. I'd have to look at them again and 18 look at the date. 19 THE COURT: Could you display it to the 20 witness again. 21 Q And I believe we looked at line 59 -- 22 excuse me, 57.</p>	<p>772</p>	<p>1 MS. LECARAZ: We can take that down. 2 Q Mr. Baruch, Ms. Bredehoft asked you a 3 series of questions about the security video from 4 the Eastern Columbia Building that you observed. 5 Do you recall that? 6 A Yeah, the pow. 7 Q When did you understand that footage 8 was from? 9 MS. BREDEHOFT: Objection, Your Honor. 10 Already asked and answered. He said he didn't 11 recall. 12 THE COURT: I'll sustain it. Asked and 13 answered. 14 Q Did you have an understanding, at the 15 time that you saw that video, of when it was from? 16 MS. BREDEHOFT: Objection. Your Honor. 17 Same question. 18 THE COURT: I'll sustain the objection. 19 Q Ms. Bredehoft also asked you a series 20 of questions about the argument that you overheard 21 between Ms. Heard and Mr. Depp on the phone. 22 Do you recall that?</p>	<p>774</p>
<p>1 Do you see the date of when you 2 received that text message? 3 A All right. Hang on. It was the month 4 before -- it was the month before I moved out. 5 Okay. 6 Q When was that text message sent? 7 A It says 10/18/2016. That's October. I 8 moved out the next month. So, in November. So, 9 this is from October. 10 Q So was that message sent several months 11 after Ms. Heard made claims against Mr. Depp of 12 domestic violence? 13 A Oh, yeah, yeah. 14 MS. BREDEHOFT: Objection, Your Honor. 15 THE COURT: I'll allow it. 16 MS. BREDEHOFT: Okay. 17 A Yes, of course. This is after this 18 whole fiasco that she started. 19 Q And if we look at line 61. 20 A What am I looking at? 21 Q What's the date on that message? 22 A 10/28. October.</p>	<p>773</p>	<p>1 A Yes. 2 Q And you could hear Ms. Heard's voice on 3 that phone, right? 4 A Yeah. 5 Q Do you recall if that was a FaceTime 6 call or if it was just regular speakerphone? 7 A Just speaker. Speakerphone. 8 Q And what did you understand her tone to 9 be on that call that you overheard? 10 MS. BREDEHOFT: Objection, Your Honor. 11 What would he understand her tone to be? 12 THE COURT: I'll allow it, if he can 13 answer. That's fine. 14 A Taunting. Egging on, almost demeaning. 15 The baby talk. 16 MS. BREDEHOFT: I'm going to object, 17 Your Honor, and move to strike. 18 THE COURT: Yeah, I'll sustain the 19 objection as to his answer, and I'll strike it. 20 MS. LECARAZ: The whole answer, Your 21 Honor? 22 THE COURT: The answer, yes.</p>	<p>775</p>

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Conducted on April 13, 2022

47 (776 to 779)

776	1 Q I believe you testified that Mr. Depp 2 hung up the phone during that conversation. 3 Do you recall that? 4 A Yes. 5 Q Did you understand that Mr. Depp was 6 trying to end the argument by hanging up the 7 phone? 8 MS. BREDEHOFT: Objection as to what 9 Mr. Depp was trying to do. 10 THE COURT: Sustained as to 11 speculation. 12 MS. LECARAZ: Your Honor, he heard the 13 phone call, and he was there to directly -- 14 THE COURT: What Johnny Depp's 15 intention was. I'll sustain. 16 A I know what my intention was -- 17 THE COURT: Sir, there's no question. 18 Thank you, sir. 19 Q What was your understanding of your 20 intent with respect to hanging up the phone on 21 that conversation? 22 MS. BREDEHOFT: Objection. Your Honor.	778	1 You're free to go at this time. 2 THE WITNESS: Thank you. 3 THE COURT: Thank you. 4 All right. So ladies and gentlemen, 5 we'll go ahead and take our afternoon lunch. 6 We'll give you until 2:30 to take care of lunch. 7 Again, no outside information, and please don't 8 discuss this case, okay? All right. Thank you. 9 Have a good lunch. 10 All right. So we'll come back at 2:30, 11 then; is that correct? 12 MR. CHEW: Thank you, Your Honor. 13 MS. LECARAZ: Thank you. 14 THE BAILIFF: All rise. 15 (Recess taken from 1:19 p.m. to 16 2:30 p.m.) 17 THE BAILIFF: All rise. Please be 18 seated and come to order. 19 THE COURT: All right. Are we ready 20 for the jury? 21 MS. VASQUEZ: Your Honor, if I may. 22 THE COURT: Sure.
777	1 He already asked and answered when he said he hung 2 it up. And so -- 3 THE COURT: It was asked and answered. 4 I'll sustain the objection. 5 Next question. 6 MS. LECARAZ: Nothing further, Your 7 Honor. 8 THE COURT: All right. Is this witness 9 subject to recall? 10 MS. LECARAZ: Possibly, Your Honor. 11 THE COURT: Yes or no or not from you? 12 MS. LECARAZ: Yes. Yes, for us. 13 THE COURT: Sir, since you're subject 14 to recall, that means that you may be called again 15 to testify, at some point, so until that time, the 16 rule of witnesses is still in place for you, so 17 you cannot have any outside information or talk to 18 anybody about your testimony here today, and don't 19 look at any information about this on the news, 20 okay? 21 THE WITNESS: Okay. 22 THE COURT: All right. Thank you, sir.	779	1 MS. VASQUEZ: First, we are going to be 2 calling Brandon Patterson by video deposition 3 designations at this point. 4 THE COURT: Oh, okay. 5 MS. VASQUEZ: And I just wanted to 6 alert the court how we've handled the exhibits 7 amongst the parties; we've met and conferred. The 8 parties have agreed that we have no objections to 9 the Eastern Columbia Building surveillance videos 10 that have been authenticated by Mr. Brandon 11 Patterson in his deposition. 12 THE COURT: Okay. What exhibit numbers 13 are they? Or whose exhibit are they? 14 MS. VASQUEZ: Well, so we have no 15 objection to all -- I think there's 87 currently. 16 So for the interests of time for the jury and the 17 Court and everyone here, because there are 87, 18 we've agreed to show a selected smaller set which 19 have been identified by both parties, and both 20 parties are taking on the responsibility of 21 introducing and playing each exhibit for the jury. 22 THE COURT: Okay.

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780	1 MS. VASQUEZ: With Your Honor's 2 permission. 3 So since Mr. Depp is up now in his 4 case-in-chief, we are going to be playing the 5 video deposition of Mr. Patterson. We will pause 6 the video, and then when one of Ms. Heard's 7 exhibits comes up -- 8 THE COURT: No, no. I'm sorry. The 9 deposition, the person, just one time when that 10 deposition, well, just testimony is once. 11 MS. BREDEHOFT: We understand that, 12 Your Honor. 13 THE COURT: Then you're going to pause 14 right now, and then you're going to do it? I'm 15 just confused. 16 MS. VASQUEZ: I'm sorry, Your Honor. 17 Let me be a little more clear. We're going to 18 pause the video deposition of Mr. Patterson. 19 THE COURT: Okay. 20 MS. VASQUEZ: To allow Ms. Heard's 21 counsel to publish the exhibit, which is also a 22 video, surveillance video, I know.	782	1 THE COURT: So you'll pause it. When 2 the witness is watching the video, we're going to 3 watch the video. 4 MR. NADELHAFT: Correct, Your Honor. 5 THE COURT: Okay. All right. And how 6 long is this video? 7 MS. VASQUEZ: I believe the entire 8 deposition is about an hour -- 9 MR. NADELHAFT: An hour and 48 minutes. 10 MS. VASQUEZ: One hour and 48 minutes. 11 THE COURT: One hour 48 minutes, okay. 12 MS. VASQUEZ: And with the exhibits, I 13 anticipate it might take us till the end of the 14 day. No promises. 15 THE COURT: That's fine. I still need 16 the exhibit numbers. 17 MR. NADELHAFT: I can give you, Your 18 Honor. 19 MS. VASQUEZ: Would you like to read 20 them? 21 MR. NADELHAFT: I can read them? 22 THE COURT: That's fine. If you would
781	1 THE COURT: Okay. It's going to be a 2 little difficult, okay. 3 MS. VASQUEZ: Right. So we ask that 4 the Court perhaps remove the publishing from 5 Mr. Depp's counsel table and allow Ms. Heard's 6 counsel to publish that exhibit, which is a 7 surveillance video, and play that. 8 THE COURT: Okay. We can do that. 9 MS. VASQUEZ: Each side has taken 10 responsibility of the clips that they would like 11 to play. 12 THE COURT: How many times is this 13 going to happen? 14 MS. VASQUEZ: How many do you have? 15 MR. NADELHAFT: We have six, Your 16 Honor, and there's six clips which probably the 17 longest is less than 2 minutes long. 18 THE COURT: Okay. 19 MR. NADELHAFT: And they have 10. And 20 again they're all relatively short. What happened 21 in the deposition was that the witness saw the 22 video and then testified to it.	783	1 precursor with whose exhibit it is so -- I have 2 two lists, so I just want to make sure I get it. 3 MR. NADELHAFT: Sure. All right. So 4 I'll give you ours. 5 THE COURT: Okay. 6 MR. NADELHAFT: It would be 670. 7 THE COURT: 670. 8 MR. NADELHAFT: 671, 672, 673 -- I'm 9 sorry, I'm going out of order here now -- 666. 10 THE COURT: That's okay. 666. 11 MR. NADELHAFT: 680. 12 THE COURT: 680. 13 MR. NADELHAFT: 681. 14 THE COURT: 681. 15 MR. NADELHAFT: 682. 16 THE COURT: 682. 17 MR. NADELHAFT: 683. 18 THE COURT: 683. 19 MR. NADELHAFT: 684. 20 THE COURT: Okay. 21 MR. NADELHAFT: 685, 686, 687, 688, 22 668, 690, 691, 692, 693, 669, 694, 695, 696, 729,

784	1 743, 745, 746, 744, 750, 751, 752, 753, 755, 780G, 2 780R, 780X, 789A, 789B, 789G, 789H, 789L, 789N, 3 789R, 974. 4 And I believe we had 1041, which I 5 think was what actually came in from your, today, 6 the plans for the ECB. I think that's the same 7 thing, but it was 1041. I'm not sure if you're 8 objecting to that. 9 MS. VASQUEZ: No. 10 MR. NADELHAFT: No. So 1041. 11 THE COURT: Okay. All right. So 12 you're entering all of those into evidence, 13 there's no objection, correct? 14 MS. VASQUEZ: Your Honor, I want to 15 confirm one thing with counsel. 16 MR. NADELHAFT: Sure. 17 MS. VASQUEZ: May I confer with him? 18 THE COURT: Go ahead. 19 MS. VASQUEZ: As long as they're all 20 Eastern Columbia surveillance videos, Your Honor, 21 we have no objections. 22 MR. NADELHAFT: Which they are.	786	1 Would Your Honor like to know the ten 2 exhibits that we are going to be playing for the 3 jury? 4 THE COURT: No, that's okay. They're 5 all in evidence. That's all I needed to know. We 6 don't need to pull them up. You're going to 7 handle that. 8 MS. BREDEHOFT: Your Honor, the only 9 thing about this is there's going to be 10 duplicates. I don't know whether we want to try 11 to sort that through. 12 THE COURT: They're in evidence. Not 13 going to unring that bell. 14 Okay. Could you put the big TV up, 15 though, before we get the jury back in, just 16 because it's going to be a deposition with 17 testimony, we're going to go ahead and put the big 18 TV up, if it works. 19 MR. NADELHAFT: Your Honor. I thought 20 the deposition -- 21 THE COURT: Could you speak a little 22 louder?
785	1 THE COURT: Which they are? So they're 2 all entered into evidence. 3 MR. NADELHAFT: Except for the plan, 4 which was the one I just talked about, yes. 5 THE COURT: Okay. So those are all 6 entered into evidence then. 7 All right. And yes, ma'am, yours. 8 MS. VASQUEZ: And, Your Honor, just to 9 short-circuit this for the Court, our Eastern 10 Columbia surveillance video are Exhibits 11 Numbers 250 through 336. 12 THE COURT: All right. So Exhibits 250 13 through 336? 14 MS. VASQUEZ: That's correct. 15 THE COURT: No objection to those 16 exhibits, correct? 17 MR. NADELHAFT: Assuming they are all 18 the Eastern Columbia Building, no objection. 19 MS. VASQUEZ: Yes. 20 THE COURT: Okay. So Plaintiff's 21 Exhibit 250 through 336 are entered into evidence. 22 MS. VASQUEZ: Thank you, Your Honor.	787	1 MR. NADELHAFT: I thought the 2 deposition video came through the other screen. 3 THE COURT: Think it comes from here 4 too. 5 MR. NADELHAFT: Oh, it does? Okay. 6 THE COURT: When you have a remote 7 witness, the remote witness will stay up there. 8 And then you can use those screens as well, but 9 when you're using deposition, we can see it over 10 here. We'll just publish it to the big screen. 11 If you want to set up just before the jury comes 12 out, just to make sure you have the person, let's 13 just make sure it's all working before we get the 14 jury. 15 All right. Seems like it's all 16 working. That's fine. Are we ready for the jury 17 then? 18 MR. NADELHAFT: Yes, Your Honor. 19 MS. VASQUEZ: Yes, Your Honor. 20 (Whereupon, the jury entered the 21 courtroom and the following proceedings took 22 place.)

<p>788</p> <p>1 THE COURT: Okay. All right. Thank 2 you, ladies and gentlemen. 3 Your next witness. 4 MS. VASQUEZ: Thank you, Your Honor. 5 Plaintiff calls Brandon Patterson. He is the 6 corporate designee of the Eastern Columbia 7 Building by deposition designations. 8 THE COURT: All right. Patterson. 9 Ladies and gentlemen, this is the first 10 one that we have of a few where they already have 11 been deposed, and so you're going to see them on a 12 recording, okay. 13 No volume. 14 Do you have an audio connection 15 attached? Try it one more time. Can you push 16 play one more time. 17 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 18 COUNTERCLAIM PLAINTIFF (VIA VIDEO) 19 BY MS. STEMLAND: 20 Q If you could, please state your name 21 and address for the record. 22 A Sure. Brandon Patterson, 849 South</p>	<p>790</p> <p>1 Q Is it okay if I call your building 2 "ECB"? 3 A Yes. 4 Q Is it your understanding that ECB has 5 produced these three categories of documents and 6 films? 7 A Yes. 8 Q Please go to Exhibit 2 and scroll to 9 page 8. And does this look like the topics of the 10 deposition of the subpoena for testimony? 11 A Okay. 12 Q Is it your understanding that you're 13 the most knowledgeable person on these topics? 14 A I am the most knowledgeable within 15 Action Property Management as it relates to these 16 items. 17 Q Are you responsible for managing any of 18 the records or managing, preserving any of the 19 records and videos at Action Property Management? 20 A Specifically as it relates to Eastern 21 Columbia, this is the only property and building 22 for Action that I manage. So Action as a whole, I</p>
<p>789</p> <p>1 Broadway, Los Angeles, California 90014. 2 Q And if you could, please state your 3 occupation. 4 A General manager. 5 Q For what? 6 A I'm the general manager for the Eastern 7 Columbia HOA in Los Angeles. 8 Q And how long have you been in that 9 position? 10 A I've been here at the building six 11 years. 12 Q Were you there in 2016? 13 A Yes. 14 Q And are you here under a subpoena as 15 the corporate designee for Action Property 16 Management? 17 A Yes. 18 Q Okay. And if you could please pull up 19 Exhibit 1 and just scroll to page 15 of the PDF, 20 please, does this look like a copy of the subpoena 21 that you received? 22 A Yes.</p>	<p>791</p> <p>1 can't speak to that. But as for ECB, yes. 2 Q Thanks. And this whole deposition, 3 I'll be just referring to ECB related to Action 4 Property Management. 5 What was your role in locating the 6 videos responsive to the subpoena? 7 A The videos had been saved from the 8 original case. I don't recall the exact year that 9 was. I think this is number 4 now. So I provided 10 the video that was requested that had been saved 11 as the only videos that were requested and saved. 12 Q And who saved them? Was that you or 13 someone at Action Property Management? 14 A I had initially worked on saving them 15 when I received the first lists. I guess I'm – I 16 don't know if you're referring to the first set of 17 videos that was ever requested or subsequent 18 subpoenas, I guess, since this refers to, that 19 were already saved and I just transferred the 20 already-saved documents. 21 Q So we'll get into more details. 22 But when was the first time you saved</p>

<p style="text-align: right;">792</p> <p>1 security footage relating to ECB in response to a 2 subpoena? 3 A Like I said, I don't recall the exact 4 year. It was the first case between Depp and 5 Heard, as a response to subpoenas that we had 6 received from both parties. 7 Q And what was your role in preserving 8 those videos from that first time until now? 9 A Can you expand on what you mean by 10 "preserving"? 11 Q Sure. Were these videos kept securely 12 in the same format at -- 13 A Yes. 14 Q -- ECB. 15 And were you responsible for making 16 sure they were kept securely in the same format at 17 ECB? 18 A Yes. 19 Q How many cameras are there at ECB in 20 2016? 21 A I don't recall the exact number. We've 22 since switched out the entire system and expanded</p>	<p style="text-align: right;">794</p> <p>1 Mr. Depp's former attorney, Mr. Waldman? 2 A Yes. 3 Q And did Mr. Waldman, do you know if he 4 drafted the declaration for you in 2016? 5 A Yes. 6 Q Is Action Property Management -- I 7 believe you said this earlier. Is it the property 8 management company for ECB? 9 A Yes. 10 Q Is it your understanding that in 2016, 11 Depp owned the top-floor penthouses in ECB, 12 penthouses 1 through 5? 13 A Yes. 14 Q And are you aware of whether Amber 15 Heard was a resident at ECB in 2016? 16 A Yes. 17 Q How many times have you seen Amber 18 Heard, personally? 19 A Maybe -- I mean, I would be guessing. 20 My best guess would be maybe half a dozen to a 21 dozen times. 22 Q Do you remember when those times were,</p>
<p style="text-align: right;">793</p> <p>1 on it. I believe we doubled the cameras, which we 2 currently have 44. So I would be speculating, but 3 I think it's probably around 20, 22 or so, 4 originally. 5 Q Where in 2016 were the cameras 6 positioned? 7 A Throughout the common areas. 8 Q And did ECB tape them as a matter of 9 course sort of all day, 24 hours a day? 10 A The recordings were 24/7. The 11 concierge staff periodically does review them, 12 just as part of their daily duties. But the video 13 footage is recorded onto a DVR in a -- back then I 14 believe it was like a 20-day period before it was 15 written over. 16 Q Is it correct that you're not 17 represented by an attorney? 18 A I am not. 19 Q Did you review any documents or videos 20 before the deposition? 21 A I did not. 22 Q Have you ever communicated with</p>	<p style="text-align: right;">795</p> <p>1 like what year? 2 A I don't recall the exact year, but, 3 likely, 2016. 4 Q So moving to May 21st of 2016, are you 5 aware that officers were called to the penthouse 6 of ECB on that day? 7 A Yes, I am aware. 8 Q Were you there the day that the 9 officers were called to ECB in May of 2016? 10 A I was not at the building when officers 11 were called. 12 Q Do you have any firsthand knowledge of 13 why the officers were called on May 21st, 2016? 14 A Firsthand, no, I do not. 15 Q Did you see Amber at all on May 21st? 16 A Not that I recall. 17 Q Did you see Amber on May 22nd, 2016? 18 A Not that I recall. 19 Q Did you see Amber on May 23rd, 2016? 20 A The timeline is 2016. I don't recall 21 the specifics of those dates specifically. 22 Q Can you say -- can you testify as to</p>

<p style="text-align: right;">796</p> <p>1 whether you talked to Amber Heard at all the week 2 of May 21st, 2016, personally? 3 A I don't recall the dates, no. 4 Q Did you personally interact with 5 Mr. Depp at ECB in 2016? 6 A No, I never did. 7 Q Have you seen Mr. Depp on video footage 8 in 2016? 9 A Yes. 10 Q Could you please bring up Exhibit 3, 11 please? 12 How would you describe Mr. Depp's 13 behavior in that video? 14 A I would describe it as animated. 15 Q And do you have any -- in the times 16 that you've seen Mr. Depp at ECB, did you ever 17 observe Mr. Depp in an animated manner like you 18 saw in the video? 19 A I do recall a video of Mr. Depp in the 20 elevator, I guess, in an animated state. 21 Q And was that in 2016? 22 A Yes.</p>	<p style="text-align: right;">798</p> <p>1 A I don't have a time frame, no. 2 Q Do you have a rough time frame of what 3 the videos that were preserved, what times those 4 covered? 5 A My rough recollection is that May 2016 6 time frame. 7 Q Was it after the May 21st incident, 8 that time frame? 9 A Yes. 10 Q And do you know what role Mr. Depp's 11 lawyers played in the selection process? 12 A The attorneys came to the office here, 13 set up a viewing area, reviewed video footage, 14 took notes based on that review, and those dates 15 and times were provided to retrieve the video 16 saved. 17 Q Do you remember which attorneys came, 18 either their names or who they were, that came to 19 view the footage? 20 A I don't recall. There's attorneys from 21 both sides that came very close together, and I 22 don't recall who or what side they were on.</p>
<p style="text-align: right;">797</p> <p>1 Q And do you have any familiarity with -- 2 have you seen Mr. Depp appear angry in the times 3 you've seen him at ECB? 4 A I wouldn't say "angry." I would use 5 the term "animated." 6 Q And what does the term "animated" mean 7 to you? 8 A What I saw on the video. 9 Q Mr. Patterson, when were you first 10 contacted for video footage after the May 21st 11 police call to the building? 12 A I don't recall the exact time frame. 13 Q Do you remember who contacted you about 14 the May 2016 video footage, who first contacted 15 you? 16 A I do not recall. 17 Q Do you know who selected what copy to 18 preserve and what copies -- what to preserve? 19 A The attorneys from both sides submitted 20 a list of video times and dates to be preserved. 21 Q And do you remember what times and 22 dates those were, roughly?</p>	<p style="text-align: right;">799</p> <p>1 Q And was all of the footage that they 2 selected preserved? 3 A Yes. 4 Q And were all of those videos that were 5 preserved and taken in the ordinary course of 6 ECB's business operations? 7 A Can you rephrase that? 8 Q Sure. It's ordinary, is it not, for 9 ECB to have these cameras rolling and the videos 10 that were preserved were from those cameras that 11 were rolling in the ordinary course of business? 12 A Yes, correct. 13 Q And do you know how many video clips 14 ECB preserved pursuant to the requests from 15 attorneys? 16 A I don't recall the exact number. It 17 was whatever was on the subpoena. We provided 18 exactly what is on there. 19 Q Does the number 87 ring a bell? 20 A Yes. 21 Q And do you know where the videos were 22 maintained from 2016 until today?</p>

<p>800</p> <p>1 A They were on a portable drive here in 2 my office. 3 Q At ECB? 4 A Yes. 5 Q And how are they maintained? 6 A It was on a portable hard drive. 7 Q And as far as you know, is that in the 8 same condition that it was in 2016? 9 A To my knowledge, yes. 10 Q And were the 87 videos preserved on 11 three DVD disks or in some other format? 12 A So through the subpoenas, the videos 13 were provided to the different teams. I vaguely 14 remember DVDs. They weren't stored on DVDs for 15 purposes here. I just have them on a portable 16 hard drive. 17 Q Is there any other video footage other 18 than those 87 clips that has been preserved? 19 A No. 20 Q And what happened to any other video 21 footage that was not preserved? 22 A Like I mentioned earlier, the DVR has a</p>	<p>802</p> <p>1 A Yes. 2 Q And what's the policy of APM or ECB 3 with respect to press statements about residents? 4 A The policy is that we do not give 5 statements to press. 6 Q And did Amber ever ask you about that? 7 A Yes, she did. 8 Q In 2016, do you know if Rocky 9 Pennington and Josh Drew lived in one of the 10 penthouses at ECB? 11 A Yes. 12 Q And did you ever see Rocky with Amber? 13 A Yes. 14 MS. STEMLAND: If we could pull up 15 Exhibit 4, please. 16 Q Mr. Patterson, does this refresh your 17 recollection about which penthouse Rocky 18 Pennington lived in? 19 A Yes. 20 Q Mr. Patterson, I'd like to go to the 21 video footage now and go through some video 22 footage.</p>
<p>801</p> <p>1 capacity of so many days, and it rewrites over 2 itself. 3 Q And just for clarity, I just want to 4 make it clear, how did you decide what May 2016 5 videos to preserve? 6 A The only videos that were preserved was 7 the ones called out via the subpoena by the 8 various law firms, or the two law firms. 9 Q And do you know why there's no footage 10 from May 23rd, 2016? 11 A I do not know. 12 Q And you mentioned that both sides 13 requested preservation of the video footage; is 14 that right? 15 A Yes, correct. 16 Q Is it your understanding that the 17 press, at some point, became interested in getting 18 statements from ECB relating to the May 21st 19 incident? 20 A Yes. 21 Q Did the press ask ECB or its employees 22 for statements?</p>	<p>803</p> <p>1 MS. STEMLAND: And let's start with 2 Exhibit 5, please, in particular, around time 3 stamp 18:55:19. 4 MR. NADELHAFT: Now, Your Honor, I 5 think we need to switch it so I can show... 6 THE COURT: Okay. All right. We can 7 do that. 8 (Whereupon, a video clip was shown.) 9 MR. NADELHAFT: Now if you'll go back 10 to the deposition. 11 THE COURT: Okay. 12 Q Mr. Patterson, do you recognize this 13 area? 14 A Yes. 15 Q And where is it? 16 A This is the mezzanine vestibule between 17 the building and the garage. 18 Q Do you know if you or someone else at 19 ECB was responsible for pulling this security 20 footage and keeping it at ECB? 21 A I did pull some video early on; 22 however, the task was very overwhelming and took</p>

804	<p>1 away from my daily duties, so the task was sent 2 off to an outside party to pull all the videos 3 based on the subpoena lists. 4 Q And what was that outside party's name? 5 A I don't recall offhand. 6 Q But was it at the direction of you or 7 ECB? 8 A Yes. 9 Q To assist you with time or -- is that 10 why? 11 A Yes. I did not have the time to go 12 through all of the video footage to record it. 13 Q Sir, do the ECB video cameras have time 14 and date stamps as a matter of course? 15 A Yes. 16 Q And in your experience. Are those time 17 and date stamps relatively accurate? 18 A Relatively accurate, yes. 19 Q And did you recognize the men in that 20 exhibit? 21 A Can you replay it, please? 22 Q Sure. And while we're waiting for the</p>	806	<p>1 altered, I would say it appears to be accurate. 2 Q And the video camera that you preserved 3 in your office at ECB since 2016 has not been 4 altered; is that correct? 5 A Correct. 6 Q Let's move to Exhibit 6, please. 7 Do you recognize where this is? 8 A Yes. 9 Q And where is it? 10 A This is the mezzanine level again, 11 vestibule. The mail room is directly behind it 12 leading to the elevator vestibule. 13 Q And does that look like it accurately 14 portrays the scene? 15 A This shot accurately depicts the area, 16 correct. 17 Q And do you recognize those men? 18 A As I previously stated, I do recognize 19 Mr. Depp. The other ones, I do not. 20 Q And do the date and time stamp look 21 accurate? 22 A Yes.</p>
805	<p>1 men to appear, how would you describe the quality 2 of these videos? 3 A Compared to our new, updated cameras, 4 not as clear. 5 Q And can you be more specific about not 6 clear? 7 Would you consider these to be grainy? 8 A I would say this video here in the 9 paused state does appear to be semi-grainy. 10 Q And does it appear to be just a little 11 bit blurry? 12 A Yes. This video, as I see it now, 13 looks a little blurry. 14 Q And did you recognize the men in this 15 video clip? 16 A Yes. I do recognize Mr. Depp. The 17 first gentleman looks familiar; I can't place him 18 at the moment. 19 Q And do you have any reason to believe 20 that the date and time stamp are not accurate? 21 A It does seem consistent with the time 22 stamping of the video, so unless it was somehow</p>	807	<p>1 MS. STEMLAND: If we could please go to 2 Exhibit 7. 3 MR. NADELHAFT: Okay. It's going to 4 have to be switched on our side. 5 THE COURT: All right. Thank you. 6 MR. NADELHAFT: Thank you, Your Honor. 7 THE COURT: Yes, sir. 8 (Whereupon, a video clip was shown.) 9 THE COURT: We have to switch back? 10 Okay. 11 MR. NADELHAFT: Switch back. 12 Thank you, Your Honor. 13 BY MS. STEMLAND: 14 Q And do you recognize where this is, 15 Mr. Patterson? 16 A Yes, I do. 17 Q Okay. And does that look like a clip 18 from the surveillance video in the elevator at 19 ECB? 20 A Yes. 21 Q And does it accurately portray the 22 scene?</p>

<p>1 A I don't know what you mean by "scene." 2 Q Does it look like ECB, like the 3 elevator at ECB? 4 A Yes. 5 Q And is the quality of this a little bit 6 grainy as well? 7 A As it's displayed right now, yes. 8 Q And do the date and time stamp look 9 accurate like ECB keeps in the regular course of 10 business? 11 A Yes. 12 MS. STEMLAND: And could we please play 13 the video so we can see who's getting on? 14 Q And do you recognize those people 15 getting on the elevator, Mr. Patterson? 16 A Yes, I do recognize Mr. Depp. 17 Q And is smoking permitted on elevators 18 at ECB? 19 A No, it's not. 20 MS. STEMLAND: Let's move to Exhibit 8, 21 please. 22 Q Do you recognize this as ECB video</p>	<p>808</p>	<p>1 BY MS. STEMLAND: 2 Q And do you recognize this area? 3 A Yes. 4 Q What is it? 5 A This is the same shot that was 6 previously shown, the mezzanine vestibule. 7 Q And is it shot from one of the ECB 8 surveillance cameras? 9 A Yes. 10 Q And does this look like one of the ones 11 that was preserved since in 2016? 12 A Yes. 13 Q And do the date and time stamps look 14 accurate, as far as you know? 15 A Yes. 16 Q And were you responsible for pulling 17 this security footage, generally? 18 A Generally, yes. 19 Q And do you recognize the people in that 20 video? 21 A Excuse me. I do recognize Mr. Depp. 22 Q And what's Mr. Depp holding?</p>	<p>810</p>
<p>1 footage? 2 A Yes. 3 Q And do you recognize the men on the 4 elevator? 5 A As I previously mentioned, Mr. Depp 6 only. 7 Q And do those date and time stamps look 8 accurate? 9 A Yes. 10 Q How would you describe Mr. Depp's 11 movements on this elevator? 12 A I'll use the description "animated" 13 again. 14 Q Isn't he also swaying from side to 15 side? 16 Does this footage generally look like 17 the footage that you preserved from 2016? 18 A Yes. 19 (Whereupon, a video clip was shown.) 20 THE COURT: Okay. Switch it. 21 MR. NADELHAFT: Thank you. 22 THE COURT: Uh-huh.</p>	<p>809</p>	<p>1 A Appears to be a jacket. 2 Q And how would you describe how he's 3 holding it? 4 A With his left hand. 5 MS. STEMLAND: And if we could please 6 move to Exhibit 11. 7 Q And do you recognize this as ECB 8 surveillance footage? 9 A Yes. 10 Q And where was that footage taken? 11 A This is back in the mezzanine vestibule 12 between the building and the garage. 13 MALE SPEAKER: That last part, 14 vestibule what? 15 A Between the building and the garage. 16 BY MS. STEMLAND: 17 Q And is this one of the videos that was 18 preserved back in 2016 by ECB? 19 A I don't recall the specific clip, but, 20 yes, this is video that was preserved. 21 Q And do the date and time stamp look 22 accurate, like they would be on ECB footage?</p>	<p>811</p>

<p style="text-align: right;">812</p> <p>1 A Yes.</p> <p>2 Q Do you recognize those people?</p> <p>3 A I recognize Mr. Depp.</p> <p>4 Q And does Mr. Depp appear to be leaving</p> <p>5 the building?</p> <p>6 A That would be the pathway from the</p> <p>7 building into the garage.</p> <p>8 Q Does this look like true and accurate</p> <p>9 video surveillance preserved in 2016?</p> <p>10 A Yes.</p> <p>11 MS. STEMLAND: Moving right along to</p> <p>12 Exhibit 12, please.</p> <p>13 Q And where is this video, Mr. Patterson?</p> <p>14 A This video is the call box at the lobby</p> <p>15 entrance on Broadway.</p> <p>16 Q Do you recognize it as footage from one</p> <p>17 of the ECB surveillance cameras that's been</p> <p>18 preserved since 2016?</p> <p>19 A Yes.</p> <p>20 Q And does the date and time stamp look</p> <p>21 accurate to you?</p> <p>22 A Yes.</p>	<p style="text-align: right;">814</p> <p>1 Q Do you recognize this clip?</p> <p>2 A Yes.</p> <p>3 Q And does it look like it's from one of</p> <p>4 ECB's security footage cameras that's been</p> <p>5 preserved since 2016?</p> <p>6 A Yes.</p> <p>7 Q And where was this footage taken?</p> <p>8 A This is the shot of the front desk.</p> <p>9 Q And would you agree that the footage is</p> <p>10 also a little bit grainy?</p> <p>11 A As it is displayed now, yes.</p> <p>12 Q And do the date and time stamps look</p> <p>13 accurate to you?</p> <p>14 A Yes.</p> <p>15 Q And do you recognize this as</p> <p>16 surveillance footage from one of the ECB cameras</p> <p>17 that's been preserved since 2016?</p> <p>18 A Yes.</p> <p>19 Q Do you recognize either of the</p> <p>20 officers?</p> <p>21 A I recognize them as officers.</p> <p>22 Q And does the date and time stamp look</p>
<p style="text-align: right;">813</p> <p>1 MS. STEMLAND: Move to Exhibit 13,</p> <p>2 please.</p> <p>3 (Whereupon, a video clip was shown.)</p> <p>4 BY MS. STEMLAND:</p> <p>5 Q Where this is?</p> <p>6 A Yes.</p> <p>7 Q Where?</p> <p>8 A This is in the main lobby of the</p> <p>9 building.</p> <p>10 Q And does that look like a surveillance</p> <p>11 clip from one of ECB's surveillance cameras that's</p> <p>12 been preserved since 2016?</p> <p>13 A Yes.</p> <p>14 Q And it says May 21st, 2016 at 20:53.</p> <p>15 Does that look like an accurate date and time</p> <p>16 stamp from the ECB footage?</p> <p>17 A Yes.</p> <p>18 Q And that looks like a true and accurate</p> <p>19 copy of the surveillance that's been preserved?</p> <p>20 A Yes.</p> <p>21 MS. STEMLAND: Moving to Exhibit 14,</p> <p>22 please.</p>	<p style="text-align: right;">815</p> <p>1 accurate, as far as you know?</p> <p>2 A Yes.</p> <p>3 MS. STEMLAND: Move to Exhibit 16,</p> <p>4 please.</p> <p>5 Q Does this also appear to be an ECB</p> <p>6 surveillance camera footage?</p> <p>7 A Yes.</p> <p>8 Q And do you recognize that person who</p> <p>9 just left the elevator?</p> <p>10 A I do not.</p> <p>11 Q And does this generally appear to be</p> <p>12 one of the ones that have been preserved since</p> <p>13 2016 at ECB?</p> <p>14 A Yes.</p> <p>15 Q And as far as you know, does the date</p> <p>16 and time stamp look accurate?</p> <p>17 A Yes.</p> <p>18 Q And for all of these clips that you've</p> <p>19 seen, do they appear to you to be true and</p> <p>20 accurate copies of the footage that have been</p> <p>21 preserved?</p> <p>22 A These seem very grainy and slow to me</p>

<p style="text-align: right;">816</p> <p>1 from what I remember. But these are taken from 2 Eastern Columbia video cameras during this time. 3 Q And preserved since that time at ECB? 4 A Correct. 5 Q And they were preserved in the same 6 condition? 7 A Yes. 8 MS. STEMLAND: Could we please pull up 9 Exhibit 17. 10 Q And do you recognize this as a clip 11 from one of the ECB surveillance cameras that's 12 been preserved since 2016? 13 A Yes. 14 Q And as far as you know, is the date and 15 time stamp accurate? 16 A Yes. 17 Q And does that accurately portray the 18 elevator scene at ECB? 19 A Yes. 20 MS. STEMLAND: Can we move to 21 Exhibit 18, please. 22 Q Do you recognize this as ECB security</p>	<p style="text-align: right;">818</p> <p>1 Q And does that appear to be an accurate 2 copy of one of the surveillance copies that have 3 been preserved? 4 A Yes. 5 Q And as far as you know, the date and 6 time stamp is reasonably accurate, you know, with 7 a couple-seconds margin? 8 A Yes. 9 MS. STEMLAND: Please move to 10 Exhibit 20. 11 Q And you recognize this as one of the 12 videos that have been taken at ECB, or by a 13 surveillance camera at ECB? 14 A Yes. 15 Q And are these one of the videos that 16 have been preserved by ECB since 2016? 17 A Yes. 18 Q And as far as you know, within a few 19 seconds, is the date and time stamp accurate? 20 A As far as I know, yes. 21 Q And those appear to be two officers 22 leaving the -- leaving ECB?</p>
<p style="text-align: right;">817</p> <p>1 footage that's been preserved at ECB since 2016? 2 A Yes. 3 Q And it looks like an accurate copy of 4 what was preserved as far as know? 5 A As far as I know, yes. 6 Q And the date and time stamp, as far as 7 you know, look accurate? 8 A Yes. 9 MS. STEMLAND: Please move to 10 Exhibit 19. 11 Q And, Mr. Patterson, do you know whether 12 or not any of these time stamps are a few seconds 13 off here or there or not? 14 A I believe there is a few-second time 15 discrepancy. 16 Q And do you know why there would be a 17 few-second time discrepancy or... 18 A I don't know the reason behind it, no. 19 Q Okay. And do you recognize that video 20 clip as one of the videos that have been preserved 21 at ECB since 2016? 22 A Yes.</p>	<p style="text-align: right;">819</p> <p>1 A Yes. 2 MS. STEMLAND: And move to Exhibit 21, 3 please. 4 Q Do you recognize where this is? 5 A Yes. 6 Q And what does it look like to you? 7 A This is the same shot from the kiosk 8 camera also in the lobby on Broadway. 9 Q Is it shot from one of the surveillance 10 cameras at ECB? 11 A Yes. 12 Q And does that appear to be one of the 13 clips that have been preserved by ECB since 2016? 14 A Yes. 15 Q And as far as you know, is the date and 16 time stamp accurate as far as you know? 17 A Yes. 18 MS. STEMLAND: Exhibit 22, can we move 19 to that, please. 20 Q And does this appear to be, this clip 21 appear to be taken with one of the ECB security 22 cameras?</p>

820	<p>1 A Yes.</p> <p>2 Q And which camera?</p> <p>3 A This is the lobby – well, one of the</p> <p>4 lobby cameras.</p> <p>5 Q And does this appear to be one of the</p> <p>6 clips that was preserved at ECB since 2016?</p> <p>7 A Yes.</p> <p>8 Q And as far as you know, is the date and</p> <p>9 time stamp accurate?</p> <p>10 A Yes, within a few seconds.</p> <p>11 Q And were those two officers walking in,</p> <p>12 in this video?</p> <p>13 A Yes, those appear to be two officers.</p> <p>14 Q Does this look like how the lobby --</p> <p>15 does it look like how the lobby looks in the video</p> <p>16 surveillance preserved by ECB?</p> <p>17 A Yes.</p> <p>18 MS. STEMLAND: Let's move to</p> <p>19 Exhibit 23.</p> <p>20 Q Do you recognize this as video footage</p> <p>21 taken from one of the ECB security cameras?</p> <p>22 A Yes.</p>	822	<p>1 Q And do you recognize this?</p> <p>2 (Whereupon, a video clip was shown.)</p> <p>3 Q It's one of the videos from the ECB</p> <p>4 security footage that have been preserved since</p> <p>5 2016 by ECB?</p> <p>6 A Yes.</p> <p>7 Q As far as you know, is the date and</p> <p>8 time stamp accurate within a few seconds?</p> <p>9 MS. STEMLAND: All right. Move to</p> <p>10 Exhibit 28 please.</p> <p>11 Q Do you recognize this video as one of</p> <p>12 the ECB surveillance videos?</p> <p>13 A Yes.</p> <p>14 Q And which surveillance video? Which</p> <p>15 part of the building?</p> <p>16 A This is the lobby.</p> <p>17 Q Does this appear to be one of the clips</p> <p>18 that has been taken and preserved by ECB since</p> <p>19 2016?</p> <p>20 A Yes.</p> <p>21 Q And as far as you know, are the date</p> <p>22 and time stamps accurate within a few seconds?</p>
821	<p>1 Q And does this appear to be one of the</p> <p>2 clips that's been preserved by ECB since 2016?</p> <p>3 A Yes.</p> <p>4 Q And as far as you know, are the date</p> <p>5 and time stamps accurate within a few seconds?</p> <p>6 A Yes.</p> <p>7 Q And do those appear to be officers</p> <p>8 talking to the concierge?</p> <p>9 A Yes.</p> <p>10 MS. STEMLAND: Move to Exhibit 24,</p> <p>11 please.</p> <p>12 Q And do you recognize this as video</p> <p>13 footage taken by one of the ECB security cameras?</p> <p>14 A Yes.</p> <p>15 Q Was this one of the clips that were</p> <p>16 taken by ECB and preserved since 2016?</p> <p>17 A Yes.</p> <p>18 Q And as far as you know, within a few</p> <p>19 seconds, are the date and time stamps accurate?</p> <p>20 A Yes.</p> <p>21 MS. STEMLAND: Can we please go to</p> <p>22 Exhibit 27.</p>	823	<p>1 A Yes.</p> <p>2 Q And do those look like two officers in</p> <p>3 the lobby to you?</p> <p>4 A Yes.</p> <p>5 MS. STEMLAND: Move to 29.</p> <p>6 Q Do you recognize this video as taken</p> <p>7 from one of the ECB security cameras?</p> <p>8 A Yes.</p> <p>9 Q And was this one of the clips that have</p> <p>10 been taken and preserved by ECB since 2016?</p> <p>11 A Yes.</p> <p>12 Q And as far as you know, is the date and</p> <p>13 time stamp accurate within a few seconds?</p> <p>14 A Yes.</p> <p>15 Q And this appears to be an accurate copy</p> <p>16 of what was preserved?</p> <p>17 A Yes.</p> <p>18 MS. STEMLAND: And move to Exhibit 30,</p> <p>19 please.</p> <p>20 Q And do you recognize this as footage</p> <p>21 taken from one of the ECB security cameras?</p> <p>22 A Yes.</p>

824	1 Q And does this appear to be one of the 2 clips that have been taken and preserved by ECB 3 since 2016? 4 A Yes. 5 Q And that appears to be an accurate copy 6 of what was preserved? 7 A Yes. 8 Q And as far as you know, is the date and 9 time stamp accurate within a few seconds? 10 A Yes. 11 MS. STEMLAND: May we please go to 12 Exhibit 30 [sic]. 13 Q And do you recognize this as one of the 14 video clips from ECB video surveillance? 15 A Yes. 16 Q And is this the elevator camera? 17 A One of, yes. 18 Q And do you recognize who's on the 19 elevator? 20 A It appears to be Amber. 21 Q And does this look like one of the 22 video clips that have been taken and preserved by	826	1 trying to get a facial recognition of the person 2 at the desk. 3 Q Can you see him now? 4 A Yes. 5 Q And who is that? 6 A His name's Cornelius. 7 Q Do you know why Mr. Harold and Amber 8 would be going around that corner? 9 A The package room is around the corner. 10 Q And does this look like one of the 11 video clips that's been preserved and taken by ECB 12 since 2016? 13 A Yes. 14 Q And does the date and time stamp look 15 accurate within a few seconds as far as you know? 16 A Yes. 17 Q And does this like look an accurate 18 clip from the ECB footage? 19 A Yes. 20 MS. STEMLAND: I'd like to move this in 21 as Exhibit 31 and move to Exhibit 32, please. 22 Q And do you recognize who's walking
825	1 ECB since 2016? 2 A Yes. 3 Q And as far as you know, within a few 4 seconds, is the date and time stamp accurate? 5 A Yes. 6 MS. STEMLAND: Can we please move to 7 Exhibit 30 -- 31. 8 Q And does this appear to be one of the 9 video clips taken from the ECB security footage? 10 A Yes. 11 Q And does this appear to be one of the 12 clips that was taken and preserved by ECB since 13 2016? 14 A Yes. 15 Q And as far as you know, are the date 16 and time stamps accurate within a few seconds? 17 A Yes. 18 Q While we're waiting for someone to 19 appear, do you recognize the person at the front 20 desk if you can see him? And do you recognize 21 who's walking into the video now? 22 A I do recognize that as Amber. I'm	827	1 through the picture in this video? 2 A Yes. 3 Q Who is it? 4 A Amber Heard. 5 Q And does this look like a video clip 6 taken from one of the ECB surveillance cameras? 7 A Yes. 8 Q And does this look like one of the 9 videos that was taken and preserved by ECB since 10 2016? 11 A Yes. 12 Q And as far as you know, are the date 13 and time stamps accurate within a few seconds? 14 A Yes. 15 MS. STEMLAND: I would like to move to 16 Exhibit 33, please. 17 Q And does this look like video footage 18 taken from one of the ECB surveillance cameras? 19 A Yes. 20 Q And does this look like one of the 21 clips taken and preserved by ECB since 2016? 22 A Yes.

<p style="text-align: right;">828</p> <p>1 Q And as far as you know, are the date 2 and time stamps accurate within a few seconds? 3 A Yes. 4 MS. STEMLAND: I would like to move to 5 admit this as Exhibit 33. 6 Q And do you recognize who's in this 7 video right now? 8 A Yes. 9 Q Who is it? 10 A Amber Heard. 11 Q And where is she? 12 A This is the service corridor outside of 13 the package room. 14 Q Okay. And if we could, please rewind 15 the tape a little bit and see who Amber was with. 16 Do you recognize that person? 17 A Yes. That's Cornelius. 18 Q And what's his last name? 19 A Howell? Harrell? 20 Q And was he walking out -- where was he 21 walking out from? 22 A The package room.</p>	<p style="text-align: right;">830</p> <p>1 Q And do you know where this video is? 2 A Can you expand on that? 3 Q Sure. Is it in an elevator at ECB? 4 A Yes. 5 MS. STEMLAND: And can we go back to 6 that exhibit, please, just for a minute. And 7 could we go to roughly time stamp 18:22:26. 8 Q Would you agree with me that the video 9 footage here is a little bit grainy? 10 A Yes. 11 Q And does it look a little bit fuzzy to 12 you? 13 A Yes. 14 MS. STEMLAND: And can we please move 15 to Exhibit 35. 16 Q And does this like video footage from 17 one of the ECB security cameras? 18 A Yes. 19 Q And does it appear to be one of the 20 clips that was taken and preserved by ECB in 2016? 21 A Yes. 22 Q And as far as you know, are the time</p>
<p style="text-align: right;">829</p> <p>1 Q Where is this in ECB? 2 A This is on the main level service 3 corridor. 4 Q And would you agree with me that this 5 footage is also a little bit grainy? 6 A Yes. 7 MS. STEMLAND: If we could, please, I 8 would like to move to admit Exhibit 33. If we 9 could, please move to Exhibit 34. 10 Q And do you recognize this as one of the 11 ECB security camera footage clips? 12 A Yes. 13 Q And does this appear to be one of the 14 video footage clips taken and preserved by ECB 15 since 2016? 16 A Yes. 17 Q As far as you know, is the date and 18 time stamp accurate within a few seconds? 19 A Yes. 20 Q And do you recognize who's in this 21 video? 22 A It appears to be Amber Heard.</p>	<p style="text-align: right;">831</p> <p>1 stamps accurate within a few seconds? 2 A Yes. 3 MS. STEMLAND: If we could please move 4 the time stamp to 18:41:29. 5 Q And do you recognize who just walked in 6 the elevator? 7 A It appears to be Amber. I'm not sure 8 who the gentleman is. 9 Q Does that video appear a little bit 10 grainy to you? 11 A As its displayed now. 12 MS. STEMLAND: And if we could, please 13 move to Exhibit -- I think we're on 36. 14 Q And does this appear to be footage from 15 one of the security cameras at ECB? 16 A Yes. 17 Q And who just walked through the 18 footage? 19 A Amber Heard and a gentleman. 20 Q And does this appear to be one of the 21 clips that was taken and preserved by ECB since 22 2016?</p>

Transcript of Jury Trial - Day 3
Conducted on April 13, 2022

832	<p>1 A Yes.</p> <p>2 Q As far as you know, is the date stamp</p> <p>3 and time reasonably accurate within a few seconds?</p> <p>4 A Yes.</p> <p>5 Q And would you agree with me that also</p> <p>6 is a little bit grainy in that footage?</p> <p>7 A Yes, as it is displayed now.</p> <p>8 MS. STEMLAND: And if we could, please</p> <p>9 move to Exhibit 37.</p> <p>10 Q And does this appear to be a video</p> <p>11 camera from one of the ECB's video cameras?</p> <p>12 A Yes.</p> <p>13 Q And does this appear to be one of the</p> <p>14 clips that was taken and preserved by ECB since</p> <p>15 2016?</p> <p>16 A Yes.</p> <p>17 Q And as far as you know, is the date and</p> <p>18 time stamp accurate within a few seconds?</p> <p>19 A Yes.</p> <p>20 Q And do you recognize who walked through</p> <p>21 the video?</p> <p>22 A Amber Heard and a unknown gentleman.</p>	834	<p>1 38. And then we can move to 39, please.</p> <p>2 Q Does this look like a true and accurate</p> <p>3 copy of -- or surveillance footage from one of the</p> <p>4 ECB cameras?</p> <p>5 A Yes.</p> <p>6 Q And does this look like one of the</p> <p>7 clips that was taken and preserved in 2016 by ECB?</p> <p>8 A Yes.</p> <p>9 Q And when I say "by ECB," I mean either</p> <p>10 you or someone under your direction, like the</p> <p>11 contractor you spoke of.</p> <p>12 Is that your understanding?</p> <p>13 A Yes.</p> <p>14 MS. STEMLAND: And I would like to move</p> <p>15 this in as Exhibit 38 -- I'm sorry, 39, please.</p> <p>16 Q Do you know who was working behind the</p> <p>17 desk in this video?</p> <p>18 A Yes.</p> <p>19 Q And who's that?</p> <p>20 A Alex Romero.</p> <p>21 Q Okay.</p> <p>22 MS. STEMLAND: Can we move to</p>
833	<p>1 Q And is this video also a little bit</p> <p>2 grainy as it appears?</p> <p>3 A As it appears now, yes.</p> <p>4 MS. STEMLAND: I would like to move in</p> <p>5 Exhibit 37. And please move to Exhibit 38.</p> <p>6 Q And does this appear to be video taken</p> <p>7 from one of the security cameras at ECB?</p> <p>8 A Yes.</p> <p>9 Q And does this appear to be one of the</p> <p>10 clips that was taken and preserved by ECB since</p> <p>11 2016?</p> <p>12 A Yes.</p> <p>13 Q And as far as you know, is the date and</p> <p>14 time stamp accurate within a few seconds?</p> <p>15 A Yes.</p> <p>16 MS. STEMLAND: And if we could, let's</p> <p>17 see, go to 22:56, please, the time stamp-wise.</p> <p>18 Q And do you recognize who's getting on</p> <p>19 the elevator?</p> <p>20 A I cannot see her face, but it appears</p> <p>21 to be Amber Heard.</p> <p>22 MS. STEMLAND: I move to admit this as</p>	835	<p>1 Exhibit 40, please.</p> <p>2 Q And does this appear to be a clip -- a</p> <p>3 video from one of the ECB security cameras?</p> <p>4 A Yes.</p> <p>5 Q And does this appear to be one of the</p> <p>6 clips that was taken and preserved by ECB since</p> <p>7 2016?</p> <p>8 A Yes.</p> <p>9 Q And as far as you know, is the date and</p> <p>10 time stamp accurate within a few seconds?</p> <p>11 A Yes.</p> <p>12 MS. STEMLAND: I would like to move</p> <p>13 this in as Exhibit 40, please. And if we could,</p> <p>14 go to time stamp 21:17:33, please. And if we</p> <p>15 could move -- oh, yeah, thanks.</p> <p>16 Q And do you recognize who's getting on</p> <p>17 the elevator?</p> <p>18 A Yes.</p> <p>19 Q And who is it?</p> <p>20 A Amber, Rocky, and her sister, Whitney.</p> <p>21 Q And would you agree with me that the</p> <p>22 video footage is a little bit grainy in this clip?</p>

836	<p>1 A Yes, as it is displayed at the moment.</p> <p>2 Q And does the date and time stamp look</p> <p>3 accurate within a few moments as far as you know?</p> <p>4 A Yes.</p> <p>5 Q And does that appear to be one of the</p> <p>6 clips that was taken and preserved by ECB since</p> <p>7 2016?</p> <p>8 A Yes.</p> <p>9 MS. STEMLAND: I would like to move to</p> <p>10 admit that as Exhibit 40, please. And move to 41,</p> <p>11 please.</p> <p>12 THE COURT: Counsel, could you pause it</p> <p>13 for a moment? Let's just go ahead and...</p> <p>14 All right. Ladies and gentlemen, let's</p> <p>15 go ahead and take a 15-minute break till 4:00,</p> <p>16 okay? Great.</p> <p>17 (Whereupon, the jury exited the</p> <p>18 courtroom and the following proceedings took</p> <p>19 place.)</p> <p>20 THE COURT: All right. We'll come back</p> <p>21 at 4:00 then, okay?</p> <p>22 MR. CHEW: Thank you, Your Honor.</p>	838	<p>1 video?</p> <p>2 A Yes.</p> <p>3 Q As far as you know, does the date and</p> <p>4 time stamp look accurate within a few seconds?</p> <p>5 A Yes.</p> <p>6 Q And do you recognize the people in this</p> <p>7 video?</p> <p>8 A Yes.</p> <p>9 Q And who are they?</p> <p>10 A Amber, Rocky, Whitney.</p> <p>11 MS. STEMLAND: Move to 42.</p> <p>12 Q And does this appear to be one of the</p> <p>13 video cameras from ECB's security footage?</p> <p>14 A Yes.</p> <p>15 Q Does this appear to be one of the</p> <p>16 videos taken and preserved by ECB since 2016?</p> <p>17 A Yes.</p> <p>18 Q And as far as you know, is the date and</p> <p>19 time stamp accurate within a few seconds?</p> <p>20 A Yes.</p> <p>21 MS. STEMLAND: And if we could, please,</p> <p>22 let's see, go to 11:32 and 11:35.</p>
837	<p>1 THE BAILIFF: All rise.</p> <p>2 (Recess taken from 3:44 p.m. to</p> <p>3 4:00 p.m.)</p> <p>4 THE BAILIFF: All rise. Be seated and</p> <p>5 come to order.</p> <p>6 THE COURT: Ready for the jury then?</p> <p>7 Okay. We're ready for the jury.</p> <p>8 (Whereupon, the jury entered the</p> <p>9 courtroom and the following proceedings took</p> <p>10 place.)</p> <p>11 THE COURT: All right. You may</p> <p>12 continue. Thank you.</p> <p>13 BY MS. STEMLAND:</p> <p>14 Q And does this also look like one of the</p> <p>15 clips taken from one of the ECB security cameras?</p> <p>16 A Yes.</p> <p>17 Q And does this appear to be one of the</p> <p>18 clips that was taken and preserved by ECB since</p> <p>19 2016?</p> <p>20 A Yes.</p> <p>21 Q And would you agree with me that the</p> <p>22 quality is also grainy as it appears in this</p>	839	<p>1 Q Do you recognize this as a clip from</p> <p>2 2016, one of the ones that was taken and preserved</p> <p>3 by ECB?</p> <p>4 A Yes.</p> <p>5 Q And as far as you know, the date and</p> <p>6 time stamp is accurate within a few seconds?</p> <p>7 A Yes.</p> <p>8 MS. STEMLAND: Move to admit this as</p> <p>9 Exhibit 43 -- I'm sorry, 42 and let's move to</p> <p>10 Exhibit 43, please.</p> <p>11 Q Does this look like footage from one of</p> <p>12 the ECB security cameras?</p> <p>13 A Yes.</p> <p>14 Q And does this appear to be one of the</p> <p>15 clips that was taken and preserved by ECB since</p> <p>16 2016?</p> <p>17 A Yes.</p> <p>18 Q And as far as you know, is the date and</p> <p>19 time stamp accurate within a few seconds?</p> <p>20 A Yes.</p> <p>21 Q And can you tell me where this is? Or</p> <p>22 do you remember where that was in the building?</p>

840	<p>1 A That is the mezzanine vestibule between 2 the building and the garage. 3 Q Okay. 4 MS. STEMLAND: If we could, move to 5 Exhibit 44, please. 6 (Whereupon, a video clip was shown.) 7 BY MS. STEMLAND: 8 Q And does this look like one of the 9 videos taken from one of the ECB security cameras? 10 A Yes. 11 Q Does this look like one of the clips 12 that was taken and preserved by ECB since 2016? 13 A Yes. 14 Q And as far as you know, is the date and 15 time stamp accurate within a few seconds? 16 A Yes. 17 Q And do you recognize who's in this 18 photo -- I mean, who's in the video? 19 A It appears to be Amber and Trinity 20 Esparza. 21 MALE SPEAKER: Trinity what? 22 THE WITNESS: Trinity Esparza.</p>	842	<p>1 attorneys came and actually were involved in the 2 selection process of videos, ECB in May of 2016? 3 A Yes. 4 Q And moving to this exhibit, 45, does 5 this appear to be a video clip from one of the 6 elevator surveillance cameras in ECB? 7 A Yes. 8 Q And does this appear to be one of the 9 clips that was taken and preserved by ECB since 10 2016? 11 A Yes. 12 Q And as far as you know, is the date and 13 the time stamps accurate within a few seconds? 14 A Yes. 15 MS. STEMLAND: And I'd like to move to 16 admit this as Exhibit 45. And 46. 17 Q And do you recognize the people in 18 this? 19 A It appears to be Amber and Rocky. 20 Q And would you agree that the footage is 21 a little bit fuzzy? 22 A Yes, as it's displayed now.</p>
841	<p>1 MS. STEMLAND: Can you rewind that 2 footage, please. 3 Q And does Amber Heard have a sister? 4 A Yes. 5 Q Do you know if that's Amber Heard's 6 sister versus Amber Heard? Could you tell? 7 A In this video? Not a hundred percent, 8 no. 9 Q And would you agree that the video is 10 also a little bit fuzzy in this clip? 11 A As it appears now, yeah, it's grainy. 12 Q And does this look like an accurate 13 clip taken and preserved by ECB since 2016? 14 A Yes. 15 MS. STEMLAND: And if we could, please 16 move to Exhibit 46. 17 Q As far as you know, did ECB preserve 18 all the footage that Mr. Depp's attorneys or/and 19 Amber's attorneys asked you to preserve? 20 A Yes. 21 Q And did you -- from your understanding, 22 did you understand that the attorneys, some</p>	843	<p>1 MS. STEMLAND: I would like to move to 2 admit that as Exhibit 46 and move on to 3 Exhibit 47, please. 4 Q And does this appear to be a video clip 5 from one of the ECB security cameras? 6 A Yes. 7 Q And does this appear to be one of the 8 clips taken and preserved by ECB since 2016? 9 A Yes. 10 Q And as far as you know, is the time and 11 date stamp accurate within a few seconds? 12 A Yes. 13 Q Will you agree that video footage is a 14 little bit fuzzy in this clip as well? 15 A Yes, as it is displayed. 16 Q And does this look like one of the 17 clips that was taken and preserved by ECB since 18 2016? 19 A Yes. 20 Q And as far as you know, the date and 21 time stamp looks accurate within a few seconds? 22 A Yes.</p>

<p>1 MS. STEMLAND: I believe we're on 2 Exhibit 48. 3 Q Does this appear to be a clip from one 4 of the ECB video cameras? 5 A Yes. 6 Q And does it appear to be one of the 7 clips that was taken and preserved by ECB since 8 2016? 9 A Yes. 10 Q And as far as you know, are the date 11 and time stamps accurate within a few seconds? 12 A Yes. 13 Q And do you recognize the woman about to 14 get on the elevator, getting on? 15 A Which? It looks like Amber's waiting 16 to get on. Rocky just came in. Whitney is over 17 in the corner. I don't know the other two. 18 Q Okay. And can you -- would you agree 19 that this footage is also a little bit fuzzy? 20 A Yes, as it's displayed now. 21 Q And that looks like an accurate clip 22 from one of the ones that was taken and preserved</p>	<p>844</p>	<p>1 Exhibit 50. 2 And can we zoom in a little bit, 3 please. 4 Q Mr. Patterson, do you recognize this as 5 the layout of the penthouse level? 6 A Nothing's labeled. Generally, I guess. 7 Q Does that look like the pool is in the 8 right spot on that exhibit? 9 A Yes. 10 Q And does -- from what you can tell, 11 does everything else look as you would expect the 12 layout to be in your familiarity with the layout 13 in your experience? 14 A Yes, generally. 15 Q Going back to the video clips, and we 16 can watch, there's a couple I'm saving till the 17 end to see if there's time, but for the ones that 18 I've showed you, is your understanding that those 19 are all accurate copies of ECB footage that were 20 taken and preserved by ECB since 2016? 21 A Yes. 22 Q And, again, by "taken by ECB," I mean</p>	<p>846</p>
<p>1 by ECB since 2016? 2 A Yes. 3 MS. STEMLAND: If we could, please pull 4 up Exhibit 49. 5 Q Mr. Patterson, are you familiar with 6 the layout at the penthouse level of the Eastern 7 Columbia Building? 8 A Yes. 9 Q And this is Exhibit 49 that I'm showing 10 you. And does this look like what you understand 11 the layout to be of the penthouse 3, first level? 12 Does this look, to you, like what your 13 understanding is of the layout of penthouse 3, the 14 first level? 15 A Yes. 16 MS. STEMLAND: And if we could scroll 17 down, please. 18 Q Does that look like the layout of the 19 second level of penthouse 3? 20 A Yes. 21 MS. STEMLAND: Move to admit 22 Exhibit 49, please. And can we please move to</p>	<p>845</p>	<p>1 by you or someone under your direction in the 2 regular course of business. 3 Is that your understanding? 4 A Yes. 5 Q And is it correct that ECB has produced 6 all the video footage that had been subpoenaed by 7 attorneys? 8 A Yes, that's correct. 9 Q So to the extent that that footage has 10 not been produced, is it fair to say that that 11 footage no longer exists? Or do you have another 12 explanation? 13 A Can you expand on that, please? 14 Q Sure. So there's -- my understanding 15 is that you testified that there's 87 clips that 16 have been preserved; is that right? 17 A Yes. 18 Q And that the date and time stamps are 19 reasonably accurate, to your knowledge, on those? 20 A Yes, to my knowledge. 21 Q To the extent there are any missing 22 days or times, is it fair to say that that footage</p>	<p>847</p>

<p>848</p> <p>1 no longer exists? Or is there any other footage 2 that could be produced? 3 A Outside of the videos that were 4 requested, that's correct; no, everything else 5 would have been written over at this point. 6 Q Okay. So there's no other videos, 7 other than those that have been produced, to your 8 knowledge? 9 A Yes, correct. 10 Q Okay. And I believe you testified that 11 ECB currently has a new and improved video system; 12 is that right? Am I remembering that correctly? 13 A Yes. 14 Q And back in 2016, would you agree with 15 me that the video quality was somewhat grainy, as 16 I believe that we've talked about in some of the 17 clips? 18 A Yes. Compared to today's, yes. 19 Q And was it also a little bit fuzzy in 20 the clips that we reviewed today? 21 A Yes, as they were displayed on the 22 screen.</p>	<p>850</p> <p>1 when we first saw this video without audio, that 2 you described Mr. Depp's behavior as animated; is 3 that right? 4 A Yes. 5 Q Now that the audio is back, would you 6 still describe Mr. Depp's behavior as animated? 7 A Yeah. I think he's still animated, but 8 with the audio, I would say upset about something. 9 Q And based on your -- the times you've 10 seen Mr. Depp at ECB, have you seen him upset 11 about -- similarly upset in the building? 12 A There was one video of Mr. Depp in the 13 elevator seems, like I said earlier, animated. 14 Q The one you're referring to, is that 15 the one where you said Mr. Depp was swaying side 16 to side? Or are you thinking of a different one? 17 A Yes, when he was swaying side to side. 18 Q Do you know who Mr. Waldman is? 19 A Yes. 20 Q And who is he? 21 A Johnny Depp's attorney. 22 Q Did Mr. Waldman contact you about this</p>
<p>849</p> <p>1 Q And is it correct that you did not see 2 Amber in person yourself on May 21st or the 3 several days after? 4 A I don't recall which day or days she 5 came into the office, but I did see her on those 6 two occasions. Outside of that, no, I did not see 7 her in person. 8 Q Okay. With that last answer, you don't 9 recall which days you saw her; is that correct? 10 A I don't remember the specific date of 11 those interactions. 12 Q So would you be able to testify, based 13 on your knowledge, whether Amber is wearing makeup 14 the week of the 21st of 2016? 15 A Not that I recall. 16 MS. STEMLAND: And if we could please 17 go back, since we have a little bit of extra time, 18 and watch the video that we couldn't hear the 19 audio on, there's something wrong with it, but I 20 believe the audio's fixed, so can we please go 21 back to Exhibit 3. 22 Q Mr. Patterson, I believe you testified</p>	<p>851</p> <p>1 case? 2 A Yes. 3 Q And what did Mr. Waldman want when he 4 called you? 5 A Can you clarify? Just because there's 6 been several cases. I don't recall which case 7 Mr. Waldman was involved in, so I don't believe 8 he's reached out regarding this particular one, to 9 my knowledge. 10 Q Which are the other cases that you've 11 been contacted by Mr. Waldman about? 12 A I don't recall the specific one, but he 13 did reach out to whichever one he was representing 14 at that time, and I believe there's a subpoena 15 that had followed. 16 Q And did you say that Mr. Waldman 17 contacted you in two prior cases? 18 A I don't recall which case it was in 19 regard to. 20 Q And did you talk to Mr. Waldman on the 21 phone? 22 A I don't recall.</p>

852	1 Q And did you communicate with 2 Mr. Waldman by email? 3 A Yes. 4 Q Did Mr. Waldman prepare a draft 5 declaration for you? 6 A Yes. 7 Q Is it fair to say that you cannot 8 testify one way or another about whether Mr. Depp 9 committed domestic violence against Amber? 10 A I cannot. 11 MS. STEMLAND: If we could, please turn 12 to Exhibit 9. 13 Q And does this look like a video camera 14 from the ECB video footage? 15 THE COURT: Is this where you want to 16 stop? 17 MR. NADELHAFT: Yeah. We're just going 18 to play one before showing... 19 THE COURT: Okay. 20 MR. NADELHAFT: Yeah. Thank you. 21 THE COURT: Uh-huh. 22 (Whereupon, a video clip was shown.)	854	1 Q And does this look like a video clip 2 from one of the ECB security cameras? 3 A Yes. 4 Q And does this look like one of the 5 clips that was taken and preserved by ECB since 6 2016? 7 A Yes. 8 Q And as far as you know, is the date and 9 time stamp accurate within a few seconds? 10 A Yes. 11 MS. STEMLAND: We can take this down 12 and bring up 17, please. 13 Q Does this look like one of the video 14 clips from the ECB security cameras? 15 A Yes. 16 Q And does this look like one of the 17 clips that was taken and preserved by ECB from 18 2016? 19 A Yes. 20 Q And as far as you know, is the date and 21 time stamp accurate within a few seconds? 22 A Yes.
853	1 THE WITNESS: Yes. 2 BY MS. STEMLAND: 3 Q And does this look like one taken and 4 preserved by ECB since 2016? 5 A Yes. 6 Q And as far as you know, is the date and 7 time stamp accurate within a few seconds? 8 A Yes. 9 MS. STEMLAND: Can we please take that 10 down and bring up 10. 11 Q And does this look like a video from 12 one of the ECB security cameras? 13 A Yes. 14 Q And does this look like one of the 15 clips that was taken and preserved by ECB since 16 2016? 17 A Yes. 18 Q And does the date and time, within a 19 few seconds, look accurate as far as you know? 20 A Yes. 21 MS. STEMLAND: Can we please take that 22 down and bring up 16.	855	1 MS. STEMLAND: Could we please take it 2 down and bring up 18. 3 Q Does this look like a video clip from 4 one of the ECB security cameras? 5 A Yes. 6 Q And does this look like one of the 7 clips that was taken and preserved by ECB from 8 2016? 9 A Yes. 10 Q And as far as you know, is the date and 11 time stamp accurate within a few seconds? 12 A Yes. 13 MS. STEMLAND: Could you please take it 14 down and bring up 25. 15 Q And does this look like a security 16 camera -- footage from one of the ECB security 17 cameras? 18 A Yes. 19 Q And does this look like one of the 20 clips that was taken and preserved by ECB since 21 2016? 22 A Yes.

<p style="text-align: right;">856</p> <p>1 Q And as far as you know, are the date 2 and time stamps accurate within a few seconds? 3 A Yes. 4 MS. STEMLAND: If we could, pull up 26. 5 Q And does this look like a video from 6 one of the ECB security cameras? 7 A Yes. 8 Q And does this look like one of the 9 clips that was taken and preserved by ECB since 10 2016? 11 A Yes. 12 Q And as far as you know, is the date and 13 time accurate within a few seconds? 14 A Yes. 15 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 16 COUNTERCLAIM DEFENDANT 17 BY MS. VASQUEZ: 18 Q And just to confirm, that is your 19 signature at the end of this document; is that 20 correct? 21 A Yes, that's correct. 22 Q Did anyone assist you in drafting this</p>	<p style="text-align: right;">858</p> <p>1 2016, which I will represent to you was a Friday, 2 did you work on site at the Eastern Columbia 3 Building? 4 A I don't recall if I was there those 5 days. I'm typically there Monday through Friday, 6 but I do not recall if I was there those days. 7 Q Sitting here today, do you have any 8 recollection of interacting in person with 9 Ms. Heard at any point between May 21st, 2016, and 10 May 27th, 2016? 11 A As I have previously mentioned, I don't 12 recall the specific dates of when Ms. Heard 13 stopped by the office. I don't recall the 14 specific dates. 15 Q Alejandro Romero was another person 16 that spoke to you about his interactions with 17 Ms. Heard? 18 A That, I don't – I'm not a hundred 19 percent. I don't recall exactly. 20 Q Was Cornelius Hill one of the people 21 that spoke to you about his interactions with 22 Ms. Heard?</p>
<p style="text-align: right;">857</p> <p>1 declaration? 2 A Yes. 3 Q And who was that person? 4 A Mr. Waldman. 5 Q And did Mr. Waldman, with his 6 assistance in drafting your declaration, have any 7 influence on the truthfulness of your statements 8 in your declaration? 9 A No. 10 Q Is this a true and accurate copy of 11 your first witness statement submitted in the U.K. 12 action? 13 A Yes, it appears to be. 14 Q Mr. Patterson, the statements contained 15 in this first witness statement, are they 16 truthful? 17 A Yes. Anything that I would have put on 18 here and signed would have been truthful. 19 Q Did Mr. Depp ever offer you any money? 20 A No, he did not. 21 Q Between May 21st, 2016, which I'll 22 represent to you was a Saturday, and May 27th,</p>	<p style="text-align: right;">859</p> <p>1 A I also don't recall any specific 2 interaction with Cornelius. 3 Q Do you recall when Ms. Esparza first 4 came to you about her observations of Ms. Heard? 5 A I don't recall a specific interaction. 6 I have a recollection of, I guess, Trinity 7 stopping by, but I don't remember the exact 8 interaction. 9 Q Are the statements contained in 10 paragraphs 15 through 18 truthful? 11 A As I review it, yes, that is my 12 recollection of the occurrences. 13 Q What footage do you recall Ms. Esparza 14 showing you? 15 A I recall Ms. Esparza showing me video 16 of the mezzanine level where the multicolored area 17 rug is, Amber with her sister, and Rocky; and one 18 of them, what I remember, fake punched Amber in 19 the face, in which they all started laughing and 20 then they walked off screen. 21 Q Do you recall the date of that 22 surveillance footage video that you just</p>

<p>1 described? 2 A I do not. 3 Q Do you recall whether it occurred after 4 May 21, 2016? 5 A I don't recall. 6 Q Mr. Patterson, does this, after 7 reviewing paragraph 7 of your declaration that you 8 signed under the penalties of perjury, does this 9 refresh your recollection as to whether or not you 10 observed the surveillance footage sometime around 11 May 24th, 2016? 12 A Yes. 13 Q Okay. Let's go through the first 14 interaction that you remember with Ms. Heard. Can 15 you tell me what you remember about that 16 interaction? 17 A So Amber came in, shook her hand, and 18 she told me the situation where she needed to have 19 me make a statement to her sources at People 20 magazine. 21 Q Did Ms. Heard explain to you why she 22 wanted you to speak to her source at People</p>	<p>860</p>	<p>1 This is surveillance footage -- this is 2 a clip of surveillance footage that was recorded 3 for business purposes at ECB, yes? 4 A Yes, that is correct. 5 Q Okay. And it was kept or preserved by 6 ECB, right? 7 A Yes, that is correct. 8 Q Do you know which camera this 9 particular clip was showing footage from? We can 10 perhaps replay it because I believe it might 11 indicate that. 12 A Yeah, if we could pull it up again. 13 Q Do you know which camera this is 14 showing footage from? 15 A So this would have been the penthouse 16 elevator. 17 MS. VASQUEZ: And if we could, please 18 pull up Exhibit 4. 19 Q Does this video clip represent a true 20 and accurate copy of one of the original clips 21 that was produced in response to a subpoena in 22 2016?</p>	<p>862</p>
<p>1 magazine? 2 A I don't remember the exact -- I don't 3 recall the exact ask. It was something to do with 4 her getting ridiculed in the eye of the public 5 opinion or something like that. 6 MS. VASQUEZ: Can I please have 7 Exhibit 3 pulled up. And for the record, it's 8 Bates-stamped Depp 3628. 9 Q Mr. Patterson, does this video clip 10 represent a true and accurate copy of one of the 11 original clips that was produced in response to a 12 subpoena in 2016? 13 A Yes. 14 Q And was this clip recorded and kept in 15 the regular course of business for Eastern 16 Columbia management? I misspoke. Let me 17 rephrase. 18 Was this clip recorded and kept in the 19 regular course of business for Eastern Columbia 20 Building? 21 A Can you expand on that? 22 Q Yeah. Let me rephrase it.</p>	<p>861</p>	<p>1 A It appears to be. I mean, there's 2 nothing going on right now, but yes. 3 Q And which camera is this showing 4 footage from? 5 A This is also the penthouse elevator. 6 MS. VASQUEZ: If I could please have 7 Exhibit 5 pulled up. 8 (Whereupon, a video clip was shown.) 9 MS. VASQUEZ: And for the record, 10 that's Bates-stamped Depp 3641. 11 Q And does this video clip represent a 12 true and accurate copy of one of the original 13 clips that was produced in 2016? 14 A Yes, it appears to be. 15 Q Do you know which camera this is 16 showing footage from? 17 A This would also be the penthouse 18 elevator. 19 Q And what is the date of this footage? 20 A May 21st, 2016. 21 Q Okay. 22 MS. VASQUEZ: If we could, please pull</p>	<p>863</p>

<p>1 up Exhibit 6, Bates-stamped Depp 3648. 2 (Whereupon, a video clip was shown.) 3 Q Does this video clip represent a true 4 and accurate copy of one of the original clips 5 that you produced in 2016? 6 A It appears to – it appears so. I 7 don't recall this exact time of this clip, but, 8 yes, it does appear so. 9 Q And what is the date on this video 10 clip? 11 A May 21st, 2016. 12 Q And which camera is this showing 13 footage from? 14 A If I can wait for the doors to open, so 15 this is also the penthouse elevator. 16 Q Mr. Patterson, I will show you next a 17 video clip that's been Bates-stamped Depp 3610, 18 Patterson Exhibit 7. 19 (Whereupon, a video clip was shown.) 20 Q Is it a true and accurate copy of one 21 of the original clips that was produced in 2016? 22 A Yes, it appears to be so.</p>	<p>864</p>	<p>1 showing footage from? 2 A This is also the penthouse elevator. 3 MS. VASQUEZ: Could I please have 4 Exhibit 10 pulled up. And for the record, this is 5 Bates-stamped Depp 3607. 6 (Whereupon, a video clip was shown.) 7 Q Is this video clip of a true and 8 accurate copy of one of the original clips that 9 was produced in 2016? 10 A Yes, it appears to be so. 11 Q Do you know which camera this is 12 showing footage from? 13 A This is also the penthouse elevator. 14 Q And what date is depicted? 15 A May 25th, 2016. 16 MS. VASQUEZ: Next, can I have, please, 17 Exhibit 12, which for the record is Bates-stamped 18 Depp 3572. 19 Q Does this video clip represent a true 20 and accurate copy of one of the original clips 21 that was produced in 2016? 22 (Whereupon, a video clip was shown.)</p>	<p>866</p>
<p>1 Q Do you know which camera this is 2 showing footage from? 3 A This is the front desk camera in the 4 lobby. 5 MS. VASQUEZ: Next, can we please have 6 Exhibit 8 pulled up which, for the record, is 7 Depp 3620. 8 Q Mr. Patterson, does this video clip 9 represent a true and accurate copy of one of the 10 original clips that was produced in 2016? 11 A Yes, it appears to be so. 12 Q Do you recognize who the person is that 13 entered the elevator at 22:56? 14 A It appears to be Amber Heard. 15 MS. VASQUEZ: Can I please have 16 Exhibit 9 pulled up. 17 (Whereupon, a video clip was shown.) 18 Q Does this video clip represent a true 19 and accurate copy of one of the original clips 20 that was produced in 2016? 21 A Yes, it appears to be so. 22 Q Do you know which camera this is</p>	<p>865</p>	<p>1 A Yes, it appears to be so. 2 Q And do you know which camera this is 3 showing footage from? 4 A This is the front desk lobby camera. 5 Q And what is the date of this video 6 clip? 7 A May 25th, 2016. 8 MS. VASQUEZ: And if we could, please 9 go to, really, if I could ask for your help, 10 13:45, I'm going to mark this exhibit as Patterson 11 Exhibit 12. 12 Q Do you recognize the woman at the desk, 13 walking to the desk? 14 A Yes. That looks like Amber Heard is 15 approaching Trinity Esparza working at the desk. 16 MS. VASQUEZ: Can I have Exhibit 15 17 pulled up, please. And for the record, it's 18 Bates-stamped Depp 3583. 19 (Whereupon, a video clip was shown.) 20 Q Does this video clip represent a true 21 and accurate copy of one of the original clips 22 that was produced in 2016?</p>	<p>867</p>

<p style="text-align: right;">868</p> <p>1 A Yes, it appears to be so.</p> <p>2 Q And do you know which camera this is</p> <p>3 showing footage from?</p> <p>4 A This would also be the penthouse</p> <p>5 elevator.</p> <p>6 Q And what is the date of this video</p> <p>7 clip?</p> <p>8 A May 25th, 2016.</p> <p>9 Q Do you recognize the woman in the black</p> <p>10 shirt just outside the elevator?</p> <p>11 A Yes. Amber Heard.</p> <p>12 Q So is this one of the video clips that</p> <p>13 represents a true and accurate copy of the</p> <p>14 original clips that was produced in 2016?</p> <p>15 A Yes, it appears to be so.</p> <p>16 Q And what is the date of this video</p> <p>17 clip?</p> <p>18 A May 25th, 2016.</p> <p>19 Q And what camera angle -- or excuse me.</p> <p>20 What camera is this showing footage from?</p> <p>21 A This is the mezzanine camera between</p> <p>22 the building and the parking garage.</p>	<p style="text-align: right;">870</p> <p>1 A This is camera number 6, which is the</p> <p>2 kiosk camera outside on Broadway.</p> <p>3 Q Thank you.</p> <p>4 MS. VASQUEZ: Can we please mark the</p> <p>5 security clip as Patterson Exhibit 16.</p> <p>6 Next, could I please have Patterson</p> <p>7 Exhibit 17, Depp 3594.</p> <p>8 Q Does this video clip represent a true</p> <p>9 and accurate copy of one of the original clips</p> <p>10 that was produced in 2016?</p> <p>11 A Yes, it appears to be so.</p> <p>12 Q And what camera is this showing footage</p> <p>13 from?</p> <p>14 A This is camera number 8, Broadway,</p> <p>15 outside of the apartment building.</p> <p>16 Q What is the date of this video?</p> <p>17 A May 24th, 2016.</p> <p>18 Q Thank you.</p> <p>19 MS. VASQUEZ: If we could, please mark</p> <p>20 this security clip as Patterson Exhibit 17.</p> <p>21 Q Almost done.</p> <p>22 Turning to video clip that is been</p>
<p style="text-align: right;">869</p> <p>1 Q Is that camera 4?</p> <p>2 A According to the stamp, yes.</p> <p>3 MS. VASQUEZ: Thank you. If you could,</p> <p>4 please mark that as Exhibit 14.</p> <p>5 Q Turning to Patterson Exhibit 15,</p> <p>6 Bates-stamped Depp 3569, does this video clip</p> <p>7 represent a true and accurate copy of one of the</p> <p>8 original clips that was produced in 2016?</p> <p>9 A Yes, it appears to be so.</p> <p>10 Q And what is the date of this video?</p> <p>11 A May 25th, 2016.</p> <p>12 Q And which camera is this showing</p> <p>13 footage from?</p> <p>14 A This is camera 7, lobby camera.</p> <p>15 Q And does this video clip represent a</p> <p>16 true and accurate copy of one of the original</p> <p>17 clips that was produced in 2016?</p> <p>18 A Yes, it appears to be so.</p> <p>19 Q And what is the date of this video?</p> <p>20 A May 24th, 2016.</p> <p>21 Q And what camera is this showing footage</p> <p>22 from?</p>	<p style="text-align: right;">871</p> <p>1 Bates-stamped Depp 3609, Patterson Exhibit 18.</p> <p>2 (Whereupon, a video clip was shown.)</p> <p>3 Q Does this video clip represent a true</p> <p>4 and accurate copy of one of the original clips</p> <p>5 that was produced in 2016?</p> <p>6 A Yes, it appears to be so.</p> <p>7 Q And do you know which camera this is</p> <p>8 showing footage from?</p> <p>9 A This is camera 4, which is the service</p> <p>10 hallway.</p> <p>11 Q And what date is depicted in the</p> <p>12 security clip?</p> <p>13 A May 22nd, 2016.</p> <p>14 Q Thank you.</p> <p>15 MS. VASQUEZ: Can we please mark this</p> <p>16 video clip as Patterson Exhibit 18.</p> <p>17 Next, Patterson Exhibit 19, Depp 3611.</p> <p>18 Q Does this video clip represent a true</p> <p>19 and accurate copy of one of the original clips</p> <p>20 that was produced in 2016?</p> <p>21 A Yes, it appears to be so.</p> <p>22 Q And what camera is this showing footage</p>

<p>1 from? 2 A This is camera 13, mezzanine level. 3 Q And what is the date on this video 4 clip? 5 A May 22nd, 2016. 6 Q Thank you. 7 MS. VASQUEZ: Can we please mark the 8 security clip as Patterson Exhibit 19. 9 Turning to Patterson Exhibit 20 which, 10 for the record, is Bates-stamped Depp 3612. 11 Q Is this one of the video clips that 12 represents a true and correct copy of one of the 13 original clips that was produced in 2016? 14 A Yes, it appears to be so. 15 Q And what camera is this showing footage 16 from? 17 A This is the garage, camera number 2. 18 Q And what is the date of this video 19 clip? 20 A May 22nd, 2016. 21 Q Thank you. 22 MS. VASQUEZ: Can we please mark this</p>	<p>872</p>	<p>1 business for Eastern Columbia Building? 2 A Yes. 3 Q And were those clips collected, 4 preserved, and produced near the time of the 5 actual events recorded in the clips? 6 A Yes. It would have been within that 7 20- to 30-day timeline. 8 Q Right. And was the regular practice of 9 the Eastern Columbia Building to record security 10 footage similar to what is reflected in these 11 clips that you've been shown today, correct? 12 A Yes, that's correct. 13 BY MS. STEMLAND: 14 Q Mr. Patterson, I believe you testified 15 earlier that you commented on the revisions to 16 Mr. Waldman's draft declaration; is that right? 17 A Yes, that's correct. 18 Q And I would like you to read, please, 19 the comment -- the third comment down where it 20 says "Was this footage found?" 21 "I'm not certain of the date or time. 22 I also do not recall who she was with, but it was</p>	<p>874</p>
<p>1 security clip as Patterson Exhibit 20. 2 Q And do you know what camera this is 3 showing footage from? 4 A This is parking garage camera 5 Number 14. 6 Q And what is the date on this video 7 clip? 8 A May 22nd, 2016. 9 Q Thank you. 10 MS. VASQUEZ: Can we please mark this 11 security clip as Patterson Exhibit 21. 12 Q Mr. Patterson, I believe you previously 13 testified, or counsel informed you that there were 14 87 video clips that were produced in response to 15 subpoena in 2016. 16 Do you recall that testimony? 17 A Yes. 18 Q And all 87 video clips, to the best of 19 your recollection as the person most knowledgeable 20 for property -- excuse me -- Action Property 21 Management, were those 87 video clips recorded and 22 kept, or preserved, in the regular course of</p>	<p>873</p>	<p>1 two females. I do not recall who threw the 2 pretend punch. I also do not recall if she had 3 any kind of injury during this time; however, I do 4 recall one of the females pretending to punch 5 Amber in the face." 6 Now, did you write this comment? Do 7 you remember it? 8 A I do recall vaguely. 9 Q And this footage, it never was found; 10 is that correct to your knowledge? 11 A The footage was never requested. 12 Q By whom? 13 A Any of the attorneys. 14 Q Is it your testimony that this footage 15 exists or not? 16 A It would no longer exist. 17 Q And it would no longer exist -- and it 18 was never produced as one of the 87 clips; is that 19 right? 20 A That is correct. 21 Q And I believe you testified earlier 22 that attorneys for both sides selected times and</p>	<p>875</p>

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Conducted on April 13, 2022

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876	<p>1 looked through video and made selections of what 2 was preserved. Was that your testimony? 3 A Yes, that's correct. 4 Q But nobody selected that footage to 5 your knowledge? 6 A Not to my knowledge, no. 7 Q And it was never produced? 8 A Not to my knowledge, no. 9 Q And is it correct that you did not 10 recall at that time whether Amber had any signs of 11 injury? 12 A At this moment, no, I do not recall. 13 Q And according to that comment, you did 14 not recall at that time; is that your 15 understanding? 16 A I don't recall. 17 Q And you don't know the date or the time 18 of that footage? 19 A Don't recall and obviously I could read 20 this, but I don't recall offhand. 21 Q And you didn't recall at the time 22 either; is that right?</p>	878	<p>1 done by Memorial Day weekend, and we will be done 2 by Memorial Day weekend. So when your time is up, 3 your time is up. 4 My law clerk, Stanley, is tracking 5 everyone's time, who's -- how much time has been 6 used by each side. So he'll keep doing that 7 throughout the trial; and we'll let you know on a 8 weekly basis how it's going. But if things don't 9 speed up in deposition, you're just not going to 10 get through this, so I want you to keep that in 11 mind, okay? 12 MR. CHEW: We understand, Your Honor. 13 Thank you, Your Honor. 14 THE COURT: Any remote witnesses 15 tomorrow? Do we need someone to set that up? 16 UNKNOWN SPEAKER: No, Your Honor. 17 THE COURT: No? Great. Thank you. 18 Have a good evening. I'll see you at 10:00, okay? 19 UNKNOWN SPEAKER: Thank you, Your 20 Honor. 21 THE BAILIFF: All rise. 22 (Whereupon, the trial was recessed at</p>
877	<p>1 A That's correct. 2 THE COURT: All right. That completes 3 testimony, correct? All right. Ladies and 4 gentlemen, thank you for your extra time tonight. 5 I just wanted to get through that witness tonight 6 so we could start with a new witness tomorrow, 7 okay? So have a good evening. Again, don't do 8 any outside research. Don't talk to anybody about 9 the case. Probably stay off social media. I'd 10 appreciate it, okay, and we'll see you in the 11 morning at 10:00 a.m., okay? Thank you. 12 (Whereupon, the jury exited the 13 courtroom and the following proceedings took 14 place.) 15 THE COURT: All right. Well, I know 16 six weeks sounds like a lot of time; but it's only 17 24 days, and we've already done three days. So 18 you have 21 days left. You know, "stipulations" 19 is one of my favorite words, so you might want to 20 consider looking back through all the evidence 21 that you have and stipulate on a lot of 22 information because I promised this jury we'd be</p>	879	<p>1 5:17 p.m. to reconvene 10:00 a.m. Thursday, April 2 14, 2022.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>

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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 14th day

14 of April, 2022.

15 My Commission Expires: September 30, 2024

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18 *Judith E. Bellinger*

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20 NOTARY PUBLIC IN AND FOR

21 THE COMMONWEALTH OF VIRGINIA

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