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JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

Transcript of Jury Trial - Day 17

Date: May 16, 2022
Case: Depp, II -v- Heard

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

1 (4629 to 4632)

4629	4631
<p>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 HEARING 13 BEFORE THE HONORABLE PENNEY AZCARATE 14 Fairfax, Virginia 15 Monday, May 16, 2022 16 9:00 a.m. EDT 17 TRIAL DAY 17 18 19 20 Job No.: 443900 21 Pages: 4629 - 5059 22 Reported by: Judith E. Bellinger, RPR, CRR</p>	<p>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 CAMILLE M. VASQUEZ, ESQUIRE 13 SAMUEL A. MONIZ, ESQUIRE 14 BROWN RUDNICK LLP 15 2211 Michelson Drive 16 7th Floor 17 Irvine, CA 92712 18 949.440.0234 19 20 21 22</p>
4630	4632
<p>1 Held at: 2 3 4 CIRCUIT COURT OF FAIRFAX COUNTY 5 4110 Chain Bridge Road 6 Courtroom 5J 7 Fairfax, Virginia 22030 8 703.691.7320 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>1 A P P E A R A N C E S C O N T I N U E D 2 3 JESSICA N. MEYERS, ESQUIRE 4 BROWN RUDNICK LLP 5 7 Times Square 6 New York, NY 7 212.209.4938 8 9 REBECCA MACDOWELL LECAR0Z, ESQUIRE 10 BROWN RUDNICK LLP 11 One Financial Center 12 Boston, MA 02111 13 617.856.8149 14 15 16 17 18 19 20 21 22</p>

Transcript of Jury Trial - Day 17
 Conducted on May 16, 2022

2 (4633 to 4636)

4633		4635	
1	A P P E A R A N C E S C O N T I N U E D	1	E X H I B I T S
2	ON BEHALF OF THE DEFENDANT AND COUNTERCLAIM	2	Offered Admitted
3	PLAINTIFF:	3	Plaintiff's
4		4	252A 5008 5011
5	ELAINE CHARLSON BREDEHOFT, ESQUIRE	5	345A 4685 4685
6	ADAM S. NADELHAFT, ESQUIRE	6	346 5038 5041
7	CHARLSON BREDEHOFT COHEN BROWN &	7	356A 4690 4691
8	NADELHAFT, P.C.	8	356B 4697 4697
9	11260 Roger Bacon Drive	9	357F 4855 4856
10	Suite 201	10	357G 4858 4858
11	Reston, VA 20190	11	371A 4659 4660
12	703.318.6800	12	390A 4677 4678
13		13	393A 4700 4700
14	J. BENJAMIN ROTTENBORN, ESQUIRE	14	1253 4970 4970
15	WOODS ROGERS PLC	15	1254 4971 4971
16	10 South Jefferson Street	16	1256 4981 4981
17	Suite 1400	17	1257 4982 4982
18	P.O. Box 14125	18	1258 4982 4982
19	Roanoke, VA 24011	19	1259 5020 5022 (with redactions)
20	540.983.7540	20	
21		21	Defendant's
22		22	3 4884 4884
4634		4636	
1	C O N T E N T S	1	357C 4847 4847
2	EXAMINATION OF AMBER L. HEARD (CONTINUING) PAGE	2	357D 4853 4853
3	By Ms. Bredehoft 4646	3	421 4663 4663
4	By Ms. Vasquez 4948	4	423 4664 4665
5		5	447 4669 4669
6		6	449 4670 4670
7		7	518 4707 4707
8		8	700 4789 4790
9		9	701 4793 4793
10		10	702 4794 4794
11		11	703 4795 4795
12		12	704 4796 4796
13		13	705 4797 4797
14		14	706 4769 4770
15		15	707 4798 4798 (with redactions)
16		16	708 4773 4775
17		17	709 4777 4777
18		18	710 4778 4778
19		19	711 4779 4779
20		20	712 4781 4782
21		21	713 4782 4782
22		22	714 4783 4783

Transcript of Jury Trial - Day 17
 Conducted on May 16, 2022

3 (4637 to 4640)

4637	<p>1 715 4783 4784 2 716 4784 4784 3 717 4786 4786 4 718 4799 4799 (with redactions) 5 719 4800 4800 6 720 4800 4801 (with redactions) 7 721 4801 4801 8 722 4802 4802 (with redactions) 9 723 4803 4803 10 724 4804 4804 11 725 4804 4804 (with redactions) 12 726 4805 4805 (with redactions) 13 772 4813 4813 14 773 4816 4816 15 800 4829 4829 16 801 4830 4830 17 1245 4894 4895 18 1246A 4896 4897 19 1247 4900 4900 20 1374A 4787 4788 21 1493T 4788 4788 22 1493S 4789 4789</p>	4639	<p>1 THE COURT: Okay. Are they the 2 redactions for 188A? 3 Okay. Got it. 4 MR. ROTTENBORN: The next thing, Your 5 Honor, we have a brief that we just filed under 6 seal this morning -- 7 THE COURT: Okay. 8 MR. ROTTENBORN: -- to keep the 9 identities of the jurors sealed for one year 10 following the verdict for -- 11 THE COURT: Okay. Do you have any 12 objection to that? 13 MR. CHEW: I don't. I don't think so. 14 THE COURT: I think that would be fine. 15 Actually, I think they would feel comfortable to 16 do that. 17 MR. ROTTENBORN: Okay. That's what we 18 thought. 19 THE COURT: All right. I'll grant that 20 motion, unless there's any issue with it. 21 You want to read it first. 22 MR. CHEW: If we could, Your Honor.</p>
4638	<p>1 PROCEEDINGS 2 THE BAILIFF: All rise. Please be 3 seated and come to order. 4 THE COURT: All right. Good morning. 5 MR. CHEW: Good morning, Your Honor. 6 THE COURT: All right. Do we have any 7 preliminary matters before the jury comes out? 8 MS. BREDEHOFT: A couple, Your Honor, 9 on our end. 10 THE COURT: Sure. 11 (Sidebar.) 12 THE COURT: What do we got? Good 13 morning. 14 MS. VASQUEZ: Good morning. 15 MS. BREDEHOFT: So the first one is we 16 owe an exhibit. 17 THE COURT: Okay. Which exhibit is it? 18 MS. BREDEHOFT: This is 188A. 19 THE COURT: 188A. And that is already 20 in evidence? 21 MS. BREDEHOFT: Yes, Your Honor. It 22 needed some redactions.</p>	4640	<p>1 THE COURT: Take a look. I put it to 2 the side, maybe in the afternoon I'll sign it, 3 okay? 4 MR. ROTTENBORN: Thank you, Your Honor. 5 MR. CHEW: Your Honor, we have two very 6 brief ones. 7 THE COURT: Okay. Sure. 8 MR. CHEW: One, relates to the article 9 that dealt with a piece of evidence that Your 10 Honor had excluded because it was submitted late. 11 THE COURT: Okay. 12 MR. CHEW: So, clearly, the result of 13 the bench conference was leaked to their PR person 14 who quoted it in an article, who sent an article 15 to Lockhart so you probably haven't had a chance 16 to see it. But, clearly, it's been leaked and -- 17 THE COURT: You don't know who leaked 18 it, though? 19 MR. CHEW: We don't know who leaked it. 20 MS. VASQUEZ: It was transferred as a 21 photograph, Your Honor -- 22 THE COURT: Right.</p>

4641	1 MS. VASQUEZ: -- that you -- 2 THE COURT: Okay. 3 MS. BREDEHOFT: We believe it was 4 planted by Mr. Depp's side. We think Mr. Waldman 5 leaked it or modified it this past weekend. We 6 can look at the -- this is important. This is the 7 photo that they say we released. So if you can 8 see there, Your Honor, somebody in this courtroom 9 took a picture of the -- 10 THE COURT: Yeah. I think that's from 11 Court TV, unfortunately. 12 MS. VASQUEZ: That's the photograph, 13 Your Honor. 14 MS. BREDEHOFT: The photograph is the 15 one. 16 THE COURT: Yeah. Unfortunately, 17 that's from Court TV. 18 MR. CHEW: The photograph was one Your 19 Honor excluded. We obviously wouldn't leak 20 something. This is the split-lip she had. 21 THE COURT: Well, the jury's not 22 supposed to be looking at anything. I really	4643	1 into the courtroom. We know, obviously, we need 2 Your Honor's approval to do that. 3 THE COURT: Okay. For? 4 MR. CHEW: Just to show. 5 THE COURT: This is for closing or is 6 it going to be in evidence? 7 MR. CHEW: Just for cross. Just to 8 show the -- 9 THE COURT: The cross. 10 MR. CHEW: Because she's now saying 11 that these alleged abuses occurred earlier than -- 12 she is changing the story, but the point is it's 13 all the more probative to show the jury how 14 unlikely it would be that she were actually 15 getting beat, to have this knife. 16 THE COURT: All right. So you won't 17 put it into evidence; but you want to bring it in 18 for a demonstrative? 19 MR. CHEW: We just want to bring it in, 20 but we wanted Your Honor's approval. 21 THE COURT: Any objection? 22 MS. BREDEHOFT: That's fine.
4642	1 don't know who's doing anything. 2 MR. CHEW: No, we understand. We would 3 hope that there would be some kind of -- 4 THE COURT: Well, I can tell you that I 5 wasn't thrilled that both of them made public 6 statements either. I was not thrilled about that 7 at all. So that's both sides. So that, I do 8 know, came from their source. 9 So I would appreciate if we don't do 10 any more public statements in the middle of a 11 trial. Correct, both sides? 12 MS. BREDEHOFT: Right. That was PR. 13 THE COURT: Well, that still should 14 be -- 15 MR. CHEW: Understood, Your Honor. 16 MS. BREDEHOFT: Understood, Your Honor. 17 THE COURT: Okay. 18 MR. CHEW: We understand that. The 19 final matter is, Your Honor, has heard about the 20 "hasta la muerte" knife. 21 THE COURT: The knife, yes. 22 MR. CHEW: We would like to bring it	4644	1 THE COURT: Let the deputies know. 2 MR. CHEW: We will. We just wanted to 3 ask you first. 4 MS. BREDEHOFT: One more thing, Your 5 Honor. It's about the transcript. I looked at 6 the argument on the motion to strike and the 7 response motion to strike, and Mr. Chew called 8 Amber Heard a serial abuser, that she not only 9 abused Mr. Depp but others as well, which is a 10 violation of motion in limine. There's no 11 evidence that's come out on that. 12 THE COURT: Although the jury wasn't 13 here. 14 MS. BREDEHOFT: No, no, no. 15 THE COURT: Okay. 16 MS. BREDEHOFT: My point is that he did 17 say that, and it's not in evidence yet. I'm going 18 to get the final text because I didn't have it. I 19 didn't want to interrupt Your Honor, but I do want 20 to make sure that we don't have that happening in 21 closings, for example. 22 MR. CHEW: I don't remember whether I

4645	<p>1 said that or not. 2 THE COURT: I don't know. But the jury 3 wasn't here. 4 MR. CHEW: If that was said -- 5 MS. BREDEHOFT: Correct. The jury was 6 not here. He called her a serial abuser to 7 Mr. Depp and others. 8 MS. VASQUEZ: Your Honor, respectfully, 9 there was evidence already. Dr. Curry testified 10 that she hadn't reviewed her transcript and Rocky 11 Pennington swears -- Rocky Pennington testified 12 that Amber had struck her too, so that is in 13 evidence. 14 MS. BREDEHOFT: That's not abusive. 15 MR. CHEW: Sure, it is. 16 THE COURT: Right. It doesn't matter. 17 It's a non sequitur, actually. 18 MR. CHEW: Violence against women, it 19 certainly is. 20 THE COURT: All right? Let's go. 21 Thank you. Welcome back. 22 MR. CHEW: Thank you, Your Honor.</p>	4647	<p>1 physical violence by Mr. Depp occur? 2 MS. VASQUEZ: Objection. Asked and 3 answered. 4 THE COURT: Overruled. 5 A It would have been early 2012. 6 Q And how did you determine this? 7 A I reviewed my therapist's notes. 8 MS. VASQUEZ: Objection. Hearsay. 9 MS. BREDEHOFT: She hasn't even 10 answered it, Your Honor. 11 THE COURT: All right. I'll allow the 12 answer. 13 A By reviewing my therapist's notes. 14 MS. VASQUEZ: Objection. Hearsay. 15 THE COURT: All right. I'll sustain 16 the objection. 17 MS. BREDEHOFT: Your Honor, it's not 18 offered to prove the truth of the matter asserted. 19 It's explaining what she looked at. 20 THE COURT: I'll sustain the objection. 21 MS. BREDEHOFT: Okay. 22 Q When did you, earlier, believe the</p>
4646	<p>1 (Open court.) 2 THE COURT: Okay. Are we ready for the 3 jury, then? 4 MS. BREDEHOFT: Yes. 5 MR. CHEW: Yes, Your Honor. 6 THE COURT: Okay. Great. 7 (Whereupon, the jury entered the 8 courtroom and the following proceedings took 9 place.) 10 THE COURT: All right. Thank you. 11 Good morning, ladies and gentlemen. Thank you for 12 being punctual this morning. I appreciate it for 13 the early start. 14 All right. Just a reminder, Ms. Heard, 15 you're still under oath, okay? 16 THE WITNESS: Yes. 17 THE COURT: All right. Next question. 18 MS. BREDEHOFT: Thank you, Your Honor. 19 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 20 COUNTERCLAIM PLAINTIFF 21 BY MS. BREDEHOFT: 22 Q Amber, when did the first act of</p>	4648	<p>1 first act of physical violence occurred? 2 A Well, I had always believed up until 3 recently that it was -- it had started later, that 4 the violence started around early 2013, not early 5 2012. 6 Q Now, you testified earlier that the 7 first act of physical violence by Mr. Depp related 8 to the Winona "wino" tattoo? 9 Do you recall that testimony? 10 A I do. 11 Q Okay. Does that change your testimony 12 realizing that this was earlier? Was this in fact 13 still the first act? 14 MS. VASQUEZ: Objection. Leading. 15 THE COURT: Sustained. 16 Q What was the first act? 17 MS. VASQUEZ: Objection. Asked and 18 answered. 19 THE COURT: Sustained. 20 Q How do you remember the first act of 21 violence? 22 A You never forget it; that's how I</p>

<p style="text-align: right;">4649</p> <p>1 remember it. It changes your life forever. You 2 never forget the first time someone hits you like 3 that. I just got the date wrong. 4 Q And how is it that you think you got 5 the date wrong? 6 MS. VASQUEZ: Objection. Calls for 7 speculation. 8 THE COURT: Overruled. 9 A I'm embarrassed to say I think I would 10 have liked to have believed that the period of 11 time in which I had to fall in love with Johnny, 12 in which we fell in love and he was sober and he 13 wasn't violent to me, lasted a lot longer than it 14 did. I think I would have liked to have believed 15 that I wasn't hit so early in the relationship and 16 still stayed. 17 He was also sober for a period in 2012, 18 which was a peaceful time for us in which we fell 19 in love. So I had kind of allowed myself, I 20 guess, to forget that the beginning of that 21 period, 2012, before he got sober, was really 22 violent and chaotic as well.</p>	<p style="text-align: right;">4651</p> <p>1 included in the U.K. trial? 2 A There were 14 acts of physical abuse 3 and violence and three acts of sexual abuse. 4 Q Why were those 17 included in the U.K. 5 trial? 6 A Well, I was not a party, a direct 7 party; I was a witness, so it was whatever their 8 counsel, the Sun counsel, chose. 9 Q When is the first time you were called 10 upon to provide a detailed accounting of as many 11 times as you could recall of physical and sexual 12 abuse by Mr. Depp? 13 MS. VASQUEZ: Objection. Hearsay. 14 MS. BREDEHOFT: That's not hearsay, 15 Your Honor. I'm asking her when she was called 16 upon to do so. 17 THE COURT: Well, the objection is 18 hearsay. 19 MS. BREDEHOFT: Right. But it's not 20 offered to prove the truth of the matter asserted, 21 and it's just asking for a date. 22 THE COURT: All right. Overruled.</p>
<p style="text-align: right;">4650</p> <p>1 I'm embarrassed to say that. 2 Q Now, you testified that the police were 3 called multiple times. Other than the May 21, 4 2016, what other occasions were there where the 5 police were called? 6 A They were called in December of 2011. 7 They were called in 2012. They were called in 8 2013, in March, by the landlord. They -- I had 9 sought advice from Laurel Anderson as to whether I 10 should call the police. 11 MS. VASQUEZ: Objection. Hearsay. 12 THE COURT: Sustained. 13 MS. BREDEHOFT: Okay. 14 Q When you filed the domestic violence 15 temporary restraining order, how many acts of 16 abuse did you allege at that time? 17 A I gave the last couple, I believe, last 18 two incidents, maybe three. 19 Q And why didn't you tell of all the acts 20 of abuse at that time? 21 A I was following advice from my counsel. 22 Q Okay. How many instances of abuse were</p>	<p style="text-align: right;">4652</p> <p>1 MS. BREDEHOFT: Thank you. 2 A A few months ago, February in 2022, so 3 this year, was the first time I was asked to do 4 so, other than cold in the deposition. 5 Q And when you were asked to provide 6 those, what did you do to be able to prepare that 7 accounting, that full accounting? 8 A I had the benefit of my therapist's 9 notes. 10 MS. VASQUEZ: Objection. Hearsay. 11 MS. BREDEHOFT: So, Your Honor, she's 12 not saying what the therapist said. I'm just 13 ask -- 14 THE COURT: I'll overrule the 15 objection. 16 MS. BREDEHOFT: Thank you. 17 Q Go ahead. 18 A I looked at my therapist's notes. I 19 had the benefits of those notes, which we had 20 received in February, as well as I reviewed 21 calendars, photos, text messages, my journals, my 22 diaries, of which there were many. I put all of</p>

<p>4653</p> <p>1 those together. It took a lot of time to be able 2 to, you know, adequately refresh my recollection 3 and fill in the details over the course of the 4 five years we were together. 5 Q And what did you do when you put that 6 all together? 7 A I kind of filled in and collected all 8 of these various pieces of information and gave a 9 fuller account, as best I could, for each 10 incidence of violence that I had record of. I 11 think it was called an interrogatory. 12 Q In this case? 13 A In this case. 14 Q All right. 15 A Excuse me. 16 Q Did you sign that under oath? 17 A I did. 18 Q And it was provided through counsel for 19 Mr. Depp? 20 A It was. 21 Q Okay. It was a pretty lengthy 22 document?</p>	<p>4655</p> <p>1 what the therapist said in her notes. Okay. 2 Q Now, there's one more. You also 3 provided a declaration in this case early on. 4 Do you recall that, trying to move the 5 case to California? 6 A Yes. There was a declaration in 2019. 7 Q All right. And did you describe some 8 of the events of violence in that declaration? 9 MS. VASQUEZ: Objection. Leading. 10 Q What, if anything, was said about 11 violent acts in that declaration? 12 A I was taking the advice of my counsel. 13 We had done -- it was to get it moved, I believe. 14 Q Okay. And was there -- did you include 15 all of them? 16 A No. 17 MS. VASQUEZ: Objection. Leading. 18 THE COURT: Overruled. 19 MS. BREDEHOFT: Thank you. 20 A No, I did not include all of the 21 incidents of violence. That was not the point of 22 making this declaration. We were making this</p>
<p>4654</p> <p>1 A It was far too long. 2 Q And how is it that you didn't just 3 remember all of those events like this? 4 A That's not how your memory or my memory 5 works. You know, we were together for five years, 6 almost, four and a half, and it was a very 7 violent, chaotic, at times very loving, emotional 8 relationship. So as anyone can imagine, there was 9 a lot going on, and unfortunately, the violence 10 became almost normal, especially towards the end. 11 It was just -- it's hard to even -- it's hard to 12 say that now, but the violence was almost normal, 13 and, you know, your brain does with trauma what it 14 does, puts it away best you can. So, I was -- 15 frankly, I was shocked to see a lot of the 16 information presented to me through my therapist's 17 notes because she was taking -- 18 MS. VASQUEZ: Objection, Your Honor. 19 Hearsay. 20 THE COURT: All right. I'll sustain 21 the objection. 22 MS. BREDEHOFT: Okay. We'll move past</p>	<p>4656</p> <p>1 declaration in effort to move it to California 2 because as hard as it is to go through this sort 3 of trial as it is, it's even harder to do so in a 4 place that neither Johnny nor I are connected to. 5 Q Okay. Now, you testified earlier about 6 guitars, and you said you've never played a 7 guitar. Have you ever played a guitar player in a 8 movie? 9 A You could say I posed with a guitar. 10 It turns out I am unteachable. 11 Q Okay. I'm going to take you to the 12 tape recordings. Why did you and Mr. Depp start 13 taping each other? 14 A Well, at first, it was -- not at 15 first -- it was meant to be a way to get to the 16 heart of our -- some of our communication issues, 17 in order to do -- to discover in a therapeutic 18 fashion kind of what was some of our issues in our 19 communication. 20 Q Now, we heard an audiotape earlier 21 during this trial in which you said the word 22 "couch," repeatedly. Can you please explain to</p>

<p>1 the jury what that meant? 2 A Yes. "Couch" was a word that we had 3 been given, that we decided upon, rather -- 4 MS. VASQUEZ: Objection. Hearsay. 5 Q Just tell us what Mr. Depp said about 6 this. 7 A That it was -- it was a safe word. It 8 was meant to be a safe word. Like a word -- like 9 "truce," where you put down the proverbial guns 10 and you say, "Truce. We're not fighting anymore." 11 Couch was supposed to be a word that you used -- 12 that we used as a truce. "I don't want to fight 13 anymore. You win. Let's stop this." That was 14 the mention of couch which you heard earlier in a 15 recording. 16 Q Now, what, if any, discussions did you 17 have with Mr. Depp about threatening to divorce 18 each other or threatening to leave? 19 MS. VASQUEZ: Objection. Calls for 20 hearsay to the extent it calls for Ms. Heard's 21 statements. 22 MS. BREDEHOFT: I'm asking for</p>	4657	<p>1 up Depp Exhibit 371A. This is a tape recording, 2 and it's going to be at 1 minute -- 1:01 to 2:29. 3 THE COURT: Could you say that time 4 again? 5 MS. BREDEHOFT: Yes. It's 1:01 to 6 2:29, and if we could -- I don't know whether you 7 would up that volume. It's hard to hear. 8 THE COURT: Is this in evidence 9 already? 10 MS. BREDEHOFT: I'm moving it into 11 evidence, Your Honor. But these are the tape 12 recordings between the two which I think we had 13 agreed. 14 THE COURT: Is there any objections to 15 371A? 16 MS. VASQUEZ: Your Honor, if you could, 17 just give me a moment to assure there are no other 18 voices. 19 THE COURT: It's not in evidence. 20 MS. VASQUEZ: It's not in evidence, 21 Your Honor. So could you please confirm that 22 there are no other voices?</p>	4659
<p>1 discussions with Mr. Depp. 2 THE COURT: It's still hearsay. 3 Q Just tell us what Mr. Depp said. Don't 4 tell us what you said. 5 A Can you repeat the question? 6 Q Yes. What did Mr. Depp say in your 7 discussions about the use of the term "threatening 8 to divorce" or threatening to leave each other? 9 MS. VASQUEZ: Objection. Leading. 10 THE COURT: Overruled. 11 A Well, Johnny would always say the only 12 way out of this was death. But in fights, in 13 particularly heated ones, we had found, you know, 14 we were using divorce in the fights, in some of 15 our heated fights. We tried not to, but that kind 16 of deteriorated after the December incident that I 17 got beat up pretty badly in, and after that point, 18 it was used a lot more often. 19 Q Okay. Now, March 26th, 2015, this is 20 after the first Australia trip and after the 21 staircase incident. I'm going to ask -- 22 MS. BREDEHOFT: Michelle, can you bring</p>	4658	<p>1 MS. BREDEHOFT: I will confirm that. 2 And it's Depp's exhibit, Mr. Depp's exhibit. 3 THE COURT: Right. Plaintiff's 371A, 4 then, any objection? 5 MS. VASQUEZ: No objection. 6 THE COURT: All right. 371's in 7 evidence. Thank you. 8 MS. BREDEHOFT: We may need -- Sammy, 9 if I could just -- if you listen, we may need to 10 turn that volume up. Sometimes your control is a 11 little bit better than what we have max. 12 (Whereupon, the following audio was 13 played.) 14 MS. HEARD: I see somebody who's 15 changing always into different versions of a 16 person that I recognize for a brief moment, and 17 then he slips away and he disappears. 18 And then I get a different version of 19 him. I get the insecure, scared version of him 20 that lashes out in a different medium every time. 21 So if it's Adderall Junkie Johnny, then he's 22 abusive, and he's a bully and he's tyrant and he's</p>	4660

<p style="text-align: right;">4661</p> <p>1 mean and he's reactionary and he's incendiary and 2 anything I do and say is cause for violence or 3 anger. 4 If I speak to him honestly and bluntly, 5 from the heart, I'm yelling at him. If I argue 6 back with him, then I'm abusive. If I don't say 7 anything, then I am dismissive or absent or 8 withdrawn or somewhere in those. If I engage with 9 him, I'm part of the problem, I'm yelling, I'm 10 mean. If I don't engage with him, then I'm mean, 11 I'm part of the problem. 12 No matter what I do, I'm fucked. 13 Because if I look at him the wrong way, he's a 14 problem. If I say the wrong thing, God knows what 15 it is, I'm the problem. I'm the problem either 16 way. 17 That's the guy who's on a bunch of 18 fucking speed. 19 BY MS. BREDEHOFT: 20 Q What did you mean when you were saying 21 that to Mr. Depp? 22 A That no matter -- my perception was</p>	<p style="text-align: right;">4663</p> <p>1 Again. 2 What, if anything, did you do for that 3 premiere? 4 A I believe that premiere was in New York 5 City. It was a small independent film I shot. I 6 went back to New York to attend the premiere. 7 MS. BREDEHOFT: Michelle, can you bring 8 up Defendant's Exhibit 421, please. 9 Q Does this accurately depict the scene 10 portrayed in this picture? 11 A Yes. 12 MS. BREDEHOFT: Your Honor, I'm going 13 to move the admission of Defendant's Exhibit 421. 14 THE COURT: Any objection? 15 MS. VASQUEZ: No objection. 16 THE COURT: 421 in evidence. 17 MS. BREDEHOFT: May we publish to the 18 jury? 19 THE COURT: Publish to the jury. 20 MS. BREDEHOFT: Thank you. 21 Q Amber, can you please describe to the 22 jury what this picture is.</p>
<p style="text-align: right;">4662</p> <p>1 that no matter what I did, no matter what I did to 2 deescalate, walk away from him, to confront him, 3 to try to -- nothing I did made a difference. 4 Nothing I did changed his rage at me. Nothing I 5 did changed the violence towards me. Nothing I 6 did calmed him down. And I was constantly doing a 7 juggling act of what kind of version of Johnny I 8 was dealing with. There were different versions 9 of him, and they were dramatically different from 10 one another and even more so than them being 11 different from one another, they didn't even 12 sometimes remember what the other version did or 13 said. They acted almost like independent versions 14 of this person depending on what combination of 15 drugs and alcohol he was on. 16 That's what I was trying to express to 17 him. It's just the futility of me responding 18 and -- successfully and the futility of trying to 19 constantly negotiate with him and the substances 20 he was on at the time. 21 Q I'm going to take you to April 15, 22 2015, the premiere of When I Live My Life Over</p>	<p style="text-align: right;">4664</p> <p>1 A That is a picture of me a few months -- 2 I believe this is April of 2015, so it's a few 3 months after the March incident that happened in 4 Australia early -- yeah, early March, in which 5 Johnny held me down on the countertops and my arms 6 were cut on the glass and -- in that attack. 7 Q And if we could draw attention to your 8 arm there, are those scars? What are those? 9 Please describe for the jury what those are. 10 A Those are scars that I obtained while 11 Johnny was strangling me and assaulting me on the 12 countertop in Australia. 13 MS. BREDEHOFT: Michelle, can you bring 14 up Exhibit 423, please. 15 Q And does this accurately portray the 16 scene shown? 17 A Yes. That's -- 18 Q Hold on a second. 19 MS. BREDEHOFT: I'm going to move the 20 admission of Exhibit 423, please. 21 MS. VASQUEZ: No objection. 22 THE COURT: 423 in evidence. Publish.</p>

<p style="text-align: right;">4665</p> <p>1 MS. BREDEHOFT: Thank you. May we 2 publish? 3 Q All right. And please describe to the 4 jury what this shows. 5 A It is a picture of me on the red 6 carpet. You can see my scars. Even though I have 7 makeup on them, they're a bit harder to cover 8 because they're rather fresh. 9 Q Now, after this, in April of 2015, you 10 returned to Australia with Mr. Depp, did you not? 11 MS. VASQUEZ: Objection. Leading. 12 THE COURT: Overruled. I'll allow it. 13 MS. BREDEHOFT: Okay. Thank you. 14 A Yes, we did. 15 Q Okay. And tell the jury about that 16 trip. 17 A Well, after Johnny was able to get 18 clean, off of the coke and the other drugs enough 19 to get the hand surgery he needed, there commenced 20 a period of time of sobriety for Johnny. His 21 doctor had fired him and then came on when Johnny 22 agreed to get clean.</p>	<p style="text-align: right;">4667</p> <p>1 that state, and had a few months, even had my 2 parents come visit us in Australia. And we were 3 talking about babies and about buying a farm and, 4 you know, looking for homes in California. We 5 were in a really beautiful, peaceful period. It 6 was wonderful. It was wonderful. 7 Q Now, how did you -- did you stay at the 8 same place that you did the earlier time in 9 Australia? 10 A We went back to a very remodeled 11 version of that home -- I mean remodeled, very 12 cleaned-up version of that home. Same home, same 13 structure, but looked a bit different, as you can 14 imagine. 15 Q How did you feel going back to that 16 home, given what happened in March, early March? 17 A You know, the home -- the home isn't 18 the problem. You know, if you're living in 19 domestic violence, you don't just not go home. 20 You know, you don't just not go into the kitchen 21 just because you were slapped in that kitchen. 22 People living in domestic violence live in their</p>
<p style="text-align: right;">4666</p> <p>1 MS. VASQUEZ: Objection. Hearsay. 2 Nonresponsive. 3 Q Don't say what -- 4 MS. BREDEHOFT: Your Honor, we've 5 already had the testimony from Dr. Kipper. 6 Q But don't say what Dr. Kipper did. 7 Just tell the other part. Just don't say what 8 somebody else said, okay? 9 A So there was this period of sobriety 10 after that, and Johnny was committed to being 11 clean and sober, and I thought we had finally done 12 it. We finally did it. We were through it, and 13 we were never going back, meaning he was going to 14 be clean and sober for good this time, and we had 15 a wonderful period of, you know, we fell back in 16 love, or deeper in love than we were before, it 17 seemed. Things were so good. We were talking 18 about a future again. We were talking about 19 having kids. I mean, when Johnny wasn't using it 20 was so peaceful. 21 We had such a not -- we had a good time 22 together. We went back to Australia like that, in</p>	<p style="text-align: right;">4668</p> <p>1 homes. That's almost -- you know, the home isn't 2 the problem. That's the normal part of your home. 3 And for me, you know, Johnny was my home. Where 4 we were a couple was my home, and that home was 5 often really violent. But it wasn't the structure 6 itself; it was Johnny. 7 And when we moved back to Australia, 8 that home, Johnny, was in a completely 9 different -- you know, he had done a complete 180, 10 clean, sober, present, calm. We were peaceful. I 11 mean, any of the gripes and the problems that he 12 seemed to have about me went away when he was 13 sober. And so we hadn't really -- managed to go 14 back to that same house, but in a very different 15 way. It felt very different. 16 Q Okay. June 16, 2015, the Magic Mike 17 tour, where did you go for that tour? 18 A While I was in Australia, I got the 19 call for that press tour and went to Europe for 20 the press tour for that movie. And, you know, 21 there was a risk because problems arise when I'm 22 having to work, having to leave.</p>

<p>4669</p> <p>1 MS. VASQUEZ: Objection. 2 Nonresponsive. 3 MS. BREDEHOFT: No, that was still 4 responsive, Your Honor. 5 THE COURT: Well, I'll sustain the 6 objection. 7 Next question. 8 MS. BREDEHOFT: Michelle, can you 9 please bring up Exhibit 447. 10 Q I'm going to ask you first does this 11 accurately portray the scene depicted? 12 A Yes. 13 MS. BREDEHOFT: Your Honor, move the 14 admission of Exhibit 447. 15 MS. VASQUEZ: No objection. 16 THE COURT: 447 in evidence. You can 17 publish. 18 MS. BREDEHOFT: Thank you. Michelle, 19 if you could, zoom in just a little bit closer. 20 Q Amber, could you tell the jury about 21 this picture. 22 A Yes. That's me on the red carpet</p>	<p>4671</p> <p>1 of managing accusations about why I didn't pick up 2 sooner, didn't text back sooner, and, sometimes, 3 I -- actually on this tour, many times, I had to 4 delay getting out of the car or -- 5 MS. VASQUEZ: Objection. 6 Nonresponsive. 7 MS. BREDEHOFT: I'll ask -- 8 Q How did Mr. Depp react to your going on 9 this press tour? 10 A He was very upset with me. I just 11 remember crying on the phone with him a lot and 12 having to hang up to go do press events. 13 Q All right. Thank you. 14 Now, I'm going to take you to the 15 Southeast Asia train trip. That was your 16 honeymoon trip, correct? 17 A Yes, it was. 18 Q Okay. And that was July 25, 2015? 19 A Yes, it was. 20 Q Okay. 21 MS. BREDEHOFT: Michelle, I'm going to 22 ask you to bring up Plaintiff's Exhibit 162.</p>
<p>4670</p> <p>1 promoting the Magic Mike movie I was in. You can 2 see the scars on my body -- on my arms. 3 Q Okay. 4 A You can't see everything, of course, 5 but... 6 Q Okay. 7 MS. BREDEHOFT: And, Michelle, can you 8 bring up Defendant's Exhibit 449. 9 Q And, Amber, does this accurately depict 10 the scene portrayed? 11 A Yes, it does. 12 MS. BREDEHOFT: Your Honor, I'll move 13 the admission of Defendant's 449. 14 MS. VASQUEZ: No objection. 15 THE COURT: 449 in evidence. Publish. 16 Q And, Amber, can you please describe to 17 the jury what this portrays. 18 A This is a -- you can see the scars on 19 my arm from that attack. Also, this time, Johnny 20 was calling me on the phone before and after, you 21 know, while I was doing these press events, and 22 sometimes I would be on the phone with him, kind</p>	<p>4672</p> <p>1 It's already into evidence. 2 Q Now, Mr. McGivern testified that he 3 took this picture in July of 2013. Would you 4 agree with that? 5 MS. VASQUEZ: Objection. Misstates 6 prior testimony. 7 MS. BREDEHOFT: That's exactly what he 8 testified to. 9 MS. VASQUEZ: It wasn't. 10 MS. BREDEHOFT: I have the transcript. 11 THE COURT: All right. I don't know -- 12 go ahead. 13 MS. VASQUEZ: It's Mr. Connolly. 14 Q Is that correct? 15 A I believe Malcolm Connolly took this on 16 the eastern -- I mean, on the Orient Express. 17 Q Malcolm Connolly, not Travis McGivern? 18 A I believe it was Malcolm on that trip 19 with us, yes. 20 Q Okay. And was it 2013 or 2015? 21 A It was in 2015. 22 Q Okay.</p>

4673

1 A July.
2 Q And please describe, if you can, what
3 transpired during this trip.
4 A Well, the train trip itself was
5 peaceful up until Johnny wanted to start drinking
6 brown alcohol. He had already started drinking
7 champagne; when I returned from the press tour,
8 that's what -- he was drinking wine and champagne.
9 And when I -- when he wrapped on Pirates 5, the
10 plan was for us to do this honeymoon. You know, I
11 was walking a bit on eggshells because I know a
12 pattern, but I was not wanting to accept that it
13 was -- that we had gone back to a pattern at all.
14 And so we were on this train, and on
15 the last night we were on the train, after this
16 was taken, this photo, Johnny and I got in an
17 argument about him wanting to be allowed, meaning
18 him wanting me to agree to him drinking liquor and
19 being okay with it. And an argument followed that
20 in the -- in our sleeping car. Johnny slapped me
21 across the face and held me up by the -- kind of
22 got ahold of my neck and pushed me up against the

4674

1 wall of the car.
2 It was a small, narrow sleeper car.
3 There was two beds, one on each side. He had me
4 up against the wall while he was standing on the
5 floor in between the beds, and I was on the bed,
6 kind of half kneeling, half standing, trying to
7 get his arms off my neck, and he was squeezing my
8 neck against the railway car for what felt like a
9 very long time. And every time he kind of would
10 pull me away from the side of the car, he'd slam
11 me up against -- slam me up against the wall. And
12 I remember looking down at him and trying to get
13 his arms off of my neck.
14 And I remember thinking that he
15 could -- he couldn't -- not even mean to kill me.
16 You know, I remember being scared that he wouldn't
17 even mean to do it and kind of looking down at
18 him, because I was slightly above him as he was
19 standing on the ground, and kind of clawing at
20 him, trying to get him to, you know, his arms away
21 from my neck. I remember I had a -- at one point,
22 he ripped the top of my shirt -- I don't remember

4675

1 what it was, but I remember I had a breast
2 exposed. At some point, I pull at his lapel of
3 his shirt, and he rips the shirt off of him and
4 wraps it around my neck. And that's how I woke up
5 the next morning, actually. I woke up with it
6 still around my neck and a giant knot in the back
7 of my head.
8 Q Did you keep a diary at that time?
9 A Yes, I did.
10 MS. BREDEHOFT: Michelle, can you bring
11 up Defendant's Exhibit 461.
12 MS. VASQUEZ: Objection. Hearsay.
13 MS. BREDEHOFT: It is a diary, Your
14 Honor, and I will just ask her some questions
15 about it rather than trying to admit it into
16 evidence at this point.
17 THE COURT: I'll wait for the question.
18 Go ahead.
19 Q What, if anything, do you recall about
20 recording what transpired on that train?
21 MS. VASQUEZ: Objection. Hearsay.
22 MS. BREDEHOFT: I'm just asking her

4676

1 whether she did. I'm not asking what she
2 recorded.
3 THE COURT: All right. I'll allow it.
4 Go ahead. Overruled.
5 A I wrote about what happened that night
6 the next morning.
7 Q Thank you.
8 Now, did Mr. Depp suffer any injuries
9 on that trip?
10 A Not that I saw. I have a lot of
11 pictures from that trip, and he's uninjured.
12 Q Okay. Thank you.
13 MS. BREDEHOFT: We can take that down,
14 Michelle. Thank you.
15 Q Now, I'm going to keep you in July of
16 2015.
17 MS. BREDEHOFT: And, Michelle, I'm
18 going to ask you to bring up Depp Exhibit 390A.
19 It's a recording, and I'm going to be asking about
20 from 3:30 to 4:12.
21 We move the admission, Your Honor,
22 another recording between Mr. Depp and Ms. Heard.

4677	1 There's nobody else -- 2 THE COURT: Plaintiff's -- what number 3 was that? 4 MS. BREDEHOFT: It's Plaintiff's 390A. 5 THE COURT: Okay. Any objection to 6 390A? 7 MS. VASQUEZ: I'm sorry, Your Honor. 8 THE COURT: Okay. 9 MS. VASQUEZ: May we approach? 10 THE COURT: Okay. 11 (Sidebar.) 12 MS. VASQUEZ: Your Honor, I have an 13 objection to defense counsel using plaintiff's 14 exhibits -- 15 THE COURT: That's fair game. 16 MS. VASQUEZ: -- in direct examination. 17 THE COURT: That's fair game. 18 MS. VASQUEZ: Okay. Thank you. 19 (Open court.) 20 THE COURT: Any objection, then? 21 MS. VASQUEZ: No objection. 22 THE COURT: All right. 390A in	4679	1 MR. DEPP: Listen to me, and then you 2 can fucking respond. Understand? 3 You ain't nobody's fucking mom. You 4 ain't no schoolteacher. Don't fucking pretend to 5 be authoritative of me. 6 MS. HEARD: Okay. Fine. Leave it on. 7 MR. DEPP: You don't exist. 8 BY MS. BREDEHOFT: 9 Q What were you discussing in that call? 10 A We were discussing whether or not it 11 was all right to record each other without the 12 other's permission, and Johnny said it didn't 13 matter anymore, the requirement of that permission 14 from me. I was trying to say, "Hey, we agreed." 15 Q Okay. Let's go to August 2015. Please 16 describe your relationship with Mr. Depp in that 17 time frame. 18 A You said August? 19 Q August 2015. 20 A August 2015 was a very difficult time 21 following the brief honeymoon we had. Johnny's 22 use continued -- well, started again is a better
4678	1 evidence. 2 (Whereupon, the following audio was 3 played.) 4 MS. HEARD: I saw you in there earlier, 5 whatever. 6 MR. DEPP: Doesn't matter. 7 MS. HEARD: It's fine. It's secretive, 8 it's deceitful. You already fucking -- you got -- 9 you had trouble with me before when you said to me 10 that you didn't feel like you were told when I was 11 recording you. So please stop. 12 MR. DEPP: You -- I -- you didn't tell 13 me -- 14 MS. HEARD: Please stop. 15 MR. DEPP: You did not tell me. 16 MS. HEARD: Please stop. 17 MR. DEPP: Fucking acknowledge what I'm 18 saying before you keep making demands. You are 19 not a schoolteacher. 20 MS. HEARD: Okay. 21 MR. DEPP: Shut the fuck up. 22 MS. HEARD: Don't tell me to shut up.	4680	1 way to describe it -- and lo and behold, so did 2 our disagreements coincidentally -- not 3 coincidentally. 4 I got an offer to do a job, which was 5 already a problem -- or problematic. I was 6 considering working on a TV series that had James 7 Franco in it. I was asked if I would meet with 8 the people who were making the show. 9 MS. VASQUEZ: Objection. Hearsay. 10 MS. BREDEHOFT: It's not offered to 11 prove the truth of the matter. 12 THE COURT: Overruled. 13 MS. BREDEHOFT: Thank you. 14 A And so I was considering taking that 15 job, and there was a possibility it would require 16 brief nudity, which I knew I would have to 17 negotiate down, but obviously that was a problem 18 for Johnny, didn't want me to do that, didn't want 19 me to work, and frankly I needed to. 20 And there was another film I had coming 21 out that I had previously shot called London 22 Fields. It was a source of a lot of fighting

<p>4681</p> <p>1 between us because of the sexuality in the role, 2 it was a constant negotiation between myself and 3 the filmmakers. They made a film, and Johnny 4 heard -- told me that he had heard about it, was 5 unhappy with some of what he had heard. He was 6 unhappy with me having done a sex scene in it that 7 he claimed I didn't tell him about. 8 I did not actually film the scene he 9 was speaking of. He demanded that we watch the -- 10 a screener of it, which is like a version of the 11 film before it's released. We got one sent to 12 where we were at the time, Johnny's chateau in 13 France; it's in a remote part of France. And once 14 again, we're in this remote place and we're 15 screening this film that I appeared in, and there 16 was a scene, a sex scene, in that movie that 17 started before -- Johnny freaked out because it 18 looked like me. They had used a body double. 19 Unbeknownst to me, without my permission, they 20 used a body double to do a sex scene. 21 So I have an incredibly jealous man who 22 already is upset with me for breaking the rule</p>	<p>4683</p> <p>1 frame that you found a folder on Mr. Depp's 2 computer? 3 A Yes. 4 Q What was it labeled? 5 A It was in Johnny's opening page, 6 desktop. It said, "NO FUN FOR JD" in all caps. 7 Q And what was in that folder? 8 A It was a collection of pictures of me 9 from various red carpets starting on the press 10 tours that I had been on where it was zoomed-in 11 pictures of what he thought was, you know, like, 12 inappropriate clothing, side boob, cleavage 13 anytime I moved and then -- 14 MS. VASQUEZ: Objection. Calls for 15 speculation. 16 THE COURT: I'll sustain as to what she 17 believes it was. 18 MS. BREDEHOFT: Okay. 19 Q What pictures were in that folder that 20 we have seen today? 21 A The ones that I saw of the kind of rose 22 gold dress and the red dress were both in that</p>
<p>4682</p> <p>1 that I had a sex scene. On top of that, I'm 2 telling him, "It wasn't me. I didn't shoot that 3 scene." And you can imagine how upset he was. He 4 was irate and was calling me a liar, a whore, 5 among other things. And we had this -- that 6 combined with the fact that I had even entertained 7 doing this job that involved James Franco was a 8 pressure cooker. I called it a week of hell 9 later. 10 MS. VASQUEZ: Objection. Hearsay. 11 THE COURT: Overruled. That's fine. 12 A Johnny, at one point, slapped me in the 13 face in our bedroom in the chateau that we were 14 staying in. At another moment, he punched me 15 across the jaw. At one point, he kind of either 16 pushed or threw -- it's hard to describe to you 17 which of those two it is because I can't tell you. 18 I just know I went flying into this old church 19 furniture. I later thought I had a concussion. 20 It the first time I thought I had sustained a 21 concussion, and that's -- I wrote about it later. 22 Q Now, did there come a time in this time</p>	<p>4684</p> <p>1 file. 2 Q Now, what, if anything, did Mr. Depp 3 say to you or ask you about how you got those cuts 4 on your arms? 5 A Nothing. 6 Q What, if anything, has Mr. Depp ever 7 said to you or asked you about any injuries that 8 you've sustained over those years? 9 A Johnny's obviously never asked me how I 10 got any of those scars. 11 Q Did you ever witness Mr. Depp 12 self-injuring himself? 13 A Often. He did that often. 14 Q Please tell the jury about that. What 15 did he do? 16 A I first started -- I first started -- I 17 can't tell you what I told my therapist, but -- 18 but I almost called 911 in New York in 2014, 19 August of 2014, I believe, because I thought he 20 had done himself an injury. He often, in fights, 21 would cut his arms or hold a knife to his chest or 22 draw blood, superficially at first, but later,</p>

4685	<p>1 like in 2016, especially as our relationship was 2 ending -- oh, he also put cigarettes out on 3 himself. He'd flick them at me and once or twice 4 tried to put one out on me. But mostly he would 5 do it while screaming at me. He once did it right 6 in front of me, screaming at my face as he put the 7 cigarette out on his cheek. 8 Q Now, I'm going to take you to 9 September 15, 2015. 10 MS. BREDEHOFT: And, Michelle, if we 11 can bring up Depp Exhibit -- that's Plaintiff's 12 Exhibit 345A. This is another audio recording and 13 it's 5:54 to 7:55. 14 I would like to move the admission, 15 Your Honor. 16 THE COURT: All right. Any objection? 17 MS. VASQUEZ: No objection. 18 THE COURT: All right. 345A in 19 evidence. 20 MS. BREDEHOFT: If you could, play it, 21 Michelle, please. 22 (Whereupon, the following audio was</p>	4687	<p>1 Just like last time. 2 MR. DEPP: 15 minutes? 3 MS. HEARD: Just like last time, when 4 you -- I had to pull you out of the bathroom -- 5 well, I did not pull you out of the bathroom, 6 but... 7 MR. DEPP: Bathroom? What are you 8 talking about? 9 MS. HEARD: When you passed out naked 10 in the bathroom in there. 11 MR. DEPP: Did you pull me out? 12 MS. HEARD: I tried to. 13 MR. DEPP: You did? 14 MS. HEARD: Yeah. 15 MR. DEPP: Oh, did you get inside? 16 MS. HEARD: I didn't get inside. 17 MR. DEPP: Well, how did you try to 18 pull me out? 19 MS. HEARD: By pounding on the door and 20 waking you up every 15 minutes, and then falling 21 asleep next to the door so I could hear you snore, 22 in case that you vomited, I could call EMS if you</p>
4686	<p>1 played.) 2 MR. DEPP: Do you mind? Are you sure? 3 MS. HEARD: I was going to pour you 4 one. 5 MR. DEPP: I'm an alcoholic. Are you 6 sure? 7 MS. HEARD: I don't have any control 8 over how much you drink. But you don't have any 9 control over whether I tell you the truth or not. 10 Have you changed lately? Yeah, you've 11 changed. 12 MR. DEPP: Oh, your truth is really 13 interesting, too. 14 MS. HEARD: Okay. Yeah. Well, I'm the 15 first person that's -- 16 MR. DEPP: Give me a glass of wine, 17 please, so I can go downstairs. 18 MS. HEARD: Okay. Yes, your escape 19 route; I see. 20 MR. DEPP: I'm not escaping. I'll be 21 back in a few minutes. 22 MS. HEARD: Oh, of course. 15 minutes.</p>	4688	<p>1 ever stopped snoring. 2 MR. DEPP: Because you were afraid I 3 was going to die. 4 MS. HEARD: I thought you would choke 5 on your own vomit, which is very likely with you. 6 MR. DEPP: Really? 7 MS. HEARD: Yes. Very likely. 8 MR. DEPP: I vomit a lot? 9 MS. HEARD: Yes. 10 MR. DEPP: Do I? 11 MS. HEARD: Yes, you do vomit a lot. 12 In your sleep, even more. 13 MR. DEPP: Really? 14 MS. HEARD: Oh, it's news to you? Then 15 this is affecting you a lot more than I thought it 16 was. 17 MR. DEPP: Amber, you're so good. I 18 hope, I hope so -- 19 MS. HEARD: Right. You don't vomit a 20 lot? Are you going to tell me that? Look me in 21 the eye and tell me you don't vomit a lot. Come 22 on, tell me. You don't vomit a lot?</p>

4689	1 MR. DEPP: Only when I'm with you. 2 MS. HEARD: You're always with me. At 3 least one minute you try to -- 4 MR. DEPP: (Sound effects.) 5 BY MS. BREDEHOFT: 6 Q Please explain to the jury what the 7 issue was in this particular tape recording. 8 A Well, Johnny at the time was wanting to 9 go and drink downstairs at a bar, and we were 10 talking about 15 minutes because the last several 11 times he had done that, it had been days. He 12 would disappear on a bender, get really sick, and, 13 you know the drill by now, having heard enough 14 from me. 15 So another issue that we were having at 16 the time, or that he was having at the time, that 17 affected me is that he would pass out and vomit 18 and vomited very, very regularly at this stage. 19 He was obviously drinking again. I'd given up 20 fighting with him on that at that stage, and what 21 I had a habit of doing is turning him over onto 22 his side so he doesn't choke on his own vomit.	4691	1 MS. BREDEHOFT: Thank you, Your Honor. 2 (Whereupon, the following audio was 3 played.) 4 MS. HEARD: And I lied. 5 MR. DEPP: And that you punched me in 6 the fucking -- 7 MS. HEARD: You're right. 8 MR. DEPP: -- thing -- in the face. 9 MS. HEARD: You figured it out. 10 MR. DEPP: And you said, "No the fuck 11 I --no, I didn't. What the fuck are you talking 12 about?" 13 MS. HEARD: I didn't punch you. 14 MR. DEPP: And I watched you lie. And 15 then I -- 16 MS. HEARD: I didn't punch you, by the 17 way. You -- I'm sorry that I didn't hit -- 18 MR. DEPP: You, uh, punched me. 19 MS. HEARD: -- you across the face in a 20 proper slap, but I was hitting you. I was not 21 punching you. Babe, you're not punched. 22 MR. DEPP: Don't tell me what it feels
4690	1 It's very common for people who do that to 2 asphyxiate, at least that's what I understood, so 3 the advice I got was turn him to his side, put a 4 pillow underneath his back, and turn his head so 5 that he didn't asphyxiate. 6 And one time I was doing that, and he 7 swung at me and I told medical. And they -- after 8 I got their advice -- I realize I can't say what 9 the advice was, but after I got their advice I 10 stopped doing that. I tried to, as much as I 11 could, leave him and just be ready to call 911 or 12 help if I heard him choking. And sometimes that 13 happened behind bathroom doors. 14 Q Well, and that's going to take me to 15 September 27, 2015, again, Depp -- Plaintiff's 16 Exhibit 356A, and the recording is 31:07 to 32:30. 17 MS. BREDEHOFT: And we would move the 18 admission, Your Honor. 19 THE COURT: Any objection to that? 20 MS. VASQUEZ: No objection. 21 THE COURT: All right. 356A in 22 evidence, plaintiff's.	4692	1 like to be punched. 2 MS. HEARD: You know you've been in a 3 lot of fights; been around a long time. I know -- 4 MR. DEPP: No. When you fuckin' have a 5 closed fist -- 6 MS. HEARD: You didn't get punched. 7 You got hit. I'm sorry hit you like this. But I 8 did not punch you. I did not fucking deck you. I 9 fucking was hitting you. 10 MR. DEPP: You can't deck me. 11 MS. HEARD: I don't know what the full 12 motion of my actual hand was, but you're fine. I 13 did not hurt you. I did not punch you. I was 14 hitting you. 15 MR. DEPP: How are your toes? 16 MS. HEARD: What am I supposed to do? 17 Do this? 18 MR. DEPP: How are your toes? 19 MS. HEARD: I'm not sitting here 20 bitching about it, am I? You are. 21 MR. DEPP: All right. 22 MS. HEARD: That's the difference

<p>1 between -- 2 MR. DEPP: Your poor toes. 3 MS. HEARD: -- me and you. You're a 4 fuckin' baby. 5 MR. DEPP: Because you start physical 6 fights? 7 MS. HEARD: You are such a baby. Grow 8 the fuck up, Johnny. 9 MR. DEPP: Because start physical 10 fights? 11 MS. HEARD: I didn't start a physical 12 fight. 13 MR. DEPP: Yeah, you did. So I had to 14 get the fuck out of there. 15 MS. HEARD: Because -- yes, you did. 16 So you did the right thing, the big thing. You 17 know what, you are admirable. Every single time, 18 what's your excuse? When there's not a physical 19 fight, then what's the excuse then? 20 You're still being admirable, right, 21 just by running away? 22</p>	<p>4693</p>	<p>1 The situation that involved, the 2 context of that is it happened in our bedroom, up 3 in penthouse 3 -- you've heard us talk about that 4 place -- and I was trying to shut the door, our 5 bedroom door, actually. I was trying to barricade 6 myself behind this door, and Johnny was trying to 7 get through the door. He was using his body and 8 his limbs to try to bust through the door, and I 9 was trying to keep it closed because I knew what 10 he would do to me if he got to me on the other 11 side. And I was hitting his arms -- his arms, his 12 body as he was trying to prevent me from closing 13 the door. 14 And that is a separate incident that we 15 later talk about in the second half of that 16 recording where we're talking about my toes. That 17 involved a different incident which was a bathroom 18 door, and it was one of those ones that he was 19 passing out in, and I could hear him passing out 20 or what it sounded like to me behind a closed door 21 as passing out. I heard a thud. I heard a lot of 22 commotion. I heard a glass break, and I hear what</p>	<p>4695</p>
<p>1 BY MS. BREDEHOFT: 2 Q Amber, please explain to the jury 3 what's transpiring in that audio recording, what 4 that's about. 5 A There's two different -- there's two 6 different situations that we're referencing in 7 this fight, two different altercations between 8 Johnny and I involving the door. The first of 9 which, which we first start talking about, where 10 I'm talking about hitting him, I'm talking 11 about -- what that conversation is about is about 12 the disparity, the disparity between Johnny and I 13 in our physical fights, the disparity of how he 14 would proactively punch me and I would have to 15 resort to reactively hitting him. I'm talking 16 about the difference between a punch, which Johnny 17 did often, and me having to hit him in my defense. 18 I know the difference between those 19 two, and I'm highlighting the difference between 20 those two. Even if he wasn't twice my size, 21 they're very different, and that's what I'm 22 pointing out to him.</p>	<p>4694</p>	<p>1 sounds like his body falling against the bathroom 2 door. I open it to check on him, as I was 3 accustomed to doing at that time. Johnny 4 violently reacted to me opening the door, pushed 5 it against me. It ran up over my toes, and he 6 angrily came around the side of the door, swinging 7 at me. 8 I naturally pushed the door off of my 9 feet, responding to the pain and also to the 10 awareness, the knowledge that he was coming for 11 me. Johnny later denied -- well, later he blamed 12 me and his inability to understand what happened 13 in that he was not in his right mind and he 14 misunderstood that interaction and tried to blame 15 me for starting a physical fight between us. And 16 he even later went so far as to say, "I wasn't 17 even going to hit you." 18 And that was the -- that was the second 19 door. I only can -- I only could respond by 20 trying to take accountability for my actions in 21 it, what he understood my actions were, and my 22 interpretation and what I'm trying to say to him</p>	<p>4696</p>

<p style="text-align: right;">4697</p> <p>1 is "Look, I can only do my best to respond. I was 2 in pain. I was scared, and I can't promise you 3 that when I'm scared and in pain that I won't 4 react, thinking I know very well what our 5 situation is and what's going to happen to me 6 should I not react." 7 Q Thank you. So I'm going to play 8 another clip from that same discussion. 9 MS. BREDEHOFT: And, Your Honor, it 10 would be Plaintiff's Exhibit Depp's 5 -- 356B 11 we'll call that, and it would be from 1:29:27 to 12 1:30:07. And I'd like to move the admission. 13 THE COURT: All right. Any objection? 14 MS. VASQUEZ: No objection, Your Honor. 15 THE COURT: All right. 356B in 16 evidence. 17 MS. BREDEHOFT: Thank you, Your Honor. 18 Michelle. 19 (Whereupon, the following audio was 20 played.) 21 MS. HEARD: I can't promise you that 22 I'll be perfect. I can't promise you I won't get</p>	<p style="text-align: right;">4699</p> <p>1 relationship, been blamed for everything: For his 2 drinking, for him hitting me, for everything in 3 between, blamed for walking away, blamed for 4 staying. 5 And I blame myself as well, blame 6 myself for my part in it. Blame myself for 7 staying. Blame myself for putting up with it, and 8 frankly at a certain point, it's easier to take 9 the blame, feels easier. It almost feels better 10 to take the blame for something than to accept the 11 senseless nature of the violence you can't change. 12 You know, it's almost more reassuring to take 13 accountability for it than to accept the senseless 14 nature of the violence that you can't change, no 15 matter what you do, no matter what I did. No 16 matter what I did, he still hit me. 17 Q I'm now going to take you to October 5, 18 2015. 19 MS. BREDEHOFT: And, Your Honor, 20 Plaintiff's Exhibit -- Depp's Exhibit 393A, 21 another recording, 2:40 to 3:43. Move the 22 admission.</p>
<p style="text-align: right;">4698</p> <p>1 physical again. God, I fuckin' sometimes get so 2 mad I lose it. I can fuckin' promise I will do 3 everything to change. I promise you. I'm not 4 going to throw around divorce. I will not say 5 divorce unless I really mean it. Unless it's it. 6 And then, I hope you leave me. I'm not going 7 to -- and me too. I will leave you. It's fair. 8 I can't do it, you know. 9 And I think, honestly, if we hold each 10 other accountable to that, it's fair. 11 BY MS. BREDEHOFT: 12 Q Please explain to the jury what's going 13 on in that part of the discussion. 14 A That's the same conversation where I 15 am -- as I was accustomed to doing, I'm taking as 16 much responsibility as I had to in those 17 interactions. I have to, you know, in my 18 relationship with Johnny, and as you have to when 19 somebody will not and cannot take any 20 accountability for anything they do in a fight, as 21 Johnny couldn't and wouldn't, I took on as much as 22 I could for myself. You know, I had, the whole</p>	<p style="text-align: right;">4700</p> <p>1 MS. VASQUEZ: No objection. 2 THE COURT: All right. 393A, 3 plaintiff's, in evidence. 4 (Whereupon, the following audio was 5 played.) 6 MS. HEARD: Johnny, they don't know. 7 None of your friends, whether they saw a tiny 8 fraction, that was the tip of an iceberg. A tip 9 of an iceberg. That was my reaction to, yet, 10 again, this happening. That is the tip of the 11 iceberg. If you want to use that as some sort of, 12 like, mental excuse or validation of whatever of 13 telling your friends or whatever they think or 14 whatever they think about me, whatever, fine. But 15 they only saw a tip of an iceberg. 16 None of your friends -- 17 MR. DEPP: Let me ask you a question. 18 MS. HEARD: -- and none of this team 19 has actually been there for one of our fights. 20 MR. DEPP: Oh, boy. 21 MS. HEARD: They've never actually 22 seen.</p>

<p>4701</p> <p>1 MR. DEPP: That's not -- that's not 2 true. 3 MS. HEARD: Really? Have they been in 4 the hallway? Yeah. 5 MR. DEPP: They've heard everything. 6 MS. HEARD: Have they seen -- baby, 7 that is absolutely not true. They have not heard 8 everything. 9 MR. DEPP: And maybe even could fuckin' 10 quote us. 11 MS. HEARD: Great. He can quote a part 12 of it. But he has not been there. No one has 13 actually been there for a fight in its entirety. 14 MR. DEPP: No. How could they? 15 MS. HEARD: No. Exactly. So stop 16 using that as some sort of excuse, like they see 17 it. They know. They work for you or they're your 18 friends. 19 BY MS. BREDEHOFT: 20 Q Please explain to the jury what you 21 were discussing in that conversation. 22 A Johnny would often use the fact that</p>	<p>4703</p> <p>1 altercations you had with Mr. Depp on that 2 occasion. 3 A Thanksgiving 2015, we had friends over. 4 Johnny had Marilyn Manson over, and I had a few of 5 my friends over. We had his son over and maybe -- 6 maybe my father. I'm not entirely sure how long 7 he was there. We had dinner together. Johnny was 8 disappearing with Manson, doing coke. This was -- 9 MS. VASQUEZ: Objection. Calls for 10 speculation. 11 THE COURT: All right. I'll sustain 12 that objection. 13 Q How do you know he was disappearing 14 with Mr. Manson with coke? 15 A It's what I knew of their relationship 16 at the time. 17 MS. VASQUEZ: Objection. Calls for 18 speculation. 19 THE COURT: I'm going to sustain the 20 objection. 21 MS. BREDEHOFT: All right. 22 Q Please continue.</p>
<p>4702</p> <p>1 his, you know, paid employees, his loyal staff, 2 would back him up in fights and that they would -- 3 he would constantly threaten to call them in to 4 validate him, threaten to call them to come into 5 the room to have them back up him and say that it 6 was, you know, that my yelling or that I'm at 7 fault, that I'm in the wrong, that it's on me. 8 And he would do that in almost all of 9 our fights, especially by 2015, he would call his 10 friends and he would call his staff in to back him 11 up so that I knew and would accept that I'm at 12 fault and that I'm wrong. And that was, you know, 13 what I had to agree to, over and over again, just 14 to even hope that we could have a conversation at 15 some point in a more therapeutic sense so we could 16 move the conversation along. That was his MO, if 17 you will: Call people that work for him to back 18 him up. 19 Q I'm going to take you to Thanksgiving 20 2015. Could you please just tell the jury -- and 21 we'll go through this one relatively briefly, but 22 tell the jury about Thanksgiving and any</p>	<p>4704</p> <p>1 A So he got up for a longer period of 2 time, not the normal every five minutes to go to 3 the bathroom time, but just like he disappeared 4 for a longer period of time. And at this stage I 5 was really dependent on recognizing the patterns 6 of what he was -- I was reliant on trying to 7 figure out what he was on, what combination he was 8 on, so I knew how to deal with him. 9 It was incumbent, you know, on me 10 because it affected my safety. Dealing with 11 somebody who's really high -- dealing with Johnny 12 high on coke and speed, meaning Adderall or some 13 version of that, is different from the opiate 14 Johnny which is different from the booze Johnny or 15 a different combination, and there was quaaludes 16 at the time that Johnny was trying to get it 17 from -- 18 MS. VASQUEZ: Objection, Your Honor. 19 Nonresponsive. 20 THE COURT: I'll sustain the objection. 21 Q Please continue. 22 A So I wanted to know what I was dealing</p>

<p style="text-align: right;">4705</p> <p>1 with. It was important to my safety to know who I 2 was -- 3 MS. VASQUEZ: Objection. 4 Nonresponsive. 5 THE COURT: All right. 6 A That's why I followed him. 7 MS. VASQUEZ: Your Honor -- 8 Q All right. So what did you do next? 9 THE COURT: I'll sustain the objection. 10 Next question. 11 Q What did you do next? 12 A I went upstairs to the apartment, the 13 main apartment, not the apartment that we were 14 celebrating Thanksgiving in, to try to figure out 15 what was going on. And we had an argument that 16 took place downstairs, and I said something to 17 provoke Johnny. I went up the stairs ahead of him 18 to get back to the party. He grabbed me at the 19 top of the stairs, kind of through the stairs, 20 actually, by my shirt, kind of flung me a little 21 bit. But I just remember I went into the bedroom, 22 kind of retreated into the bedroom.</p>	<p style="text-align: right;">4707</p> <p>1 up Defendant's Exhibit 518. 2 Q Amber, does that accurately depict the 3 scene portrayed? 4 A Yes, it does. 5 MS. BREDEHOFT: Your Honor, I would 6 like to move the admission of Defendant's 7 Exhibit 518. 8 MS. VASQUEZ: No objection. 9 THE COURT: All right. 518, 10 defendant's, in evidence. 11 You can publish. 12 Q And this is from December '15, I 13 believe. 14 Can you just please tell the jury what 15 this depicts? 16 A Yes. It's a picture of my bruised 17 temple. Johnny had his hand on my -- on part of 18 my face with my face down, and he was punching my 19 head, repeatedly punching my head. That's what 20 caused that bruise on my temple. 21 Q Thank you. Now, we went through 22 Bahamas before, and you returned from Bahamas</p>
<p style="text-align: right;">4706</p> <p>1 I had a glass of wine in my hand at the 2 time which spilled everywhere and shattered, and I 3 kind of retreated into the bedroom. Johnny came 4 in after me, and there was this heavy, like, 5 vintage-style glass decanter. He picked up the 6 decanter and hurled it at my head, my face. It 7 missed, thankfully, but smashed into a piece of 8 art behind me on the bedroom wall above the bed. 9 I got past him. I think there might 10 have been a bit of shoving. I can't really recall 11 the sequence of when that happened, but I wanted 12 to go back downstairs. And I passed my closet; I 13 had to change my shirt, and I went back downstairs 14 to the party to finish the evening out. And I put 15 on a -- you know, a face and we finished the 16 evening with the guests, and then more fighting 17 happened afterwards. 18 Q Thank you. 19 So we talked about December 15, 2015, 20 last Thursday and also the Bahamas over the 21 holidays. But I did miss one picture. 22 MS. BREDEHOFT: Michelle, can you bring</p>	<p style="text-align: right;">4708</p> <p>1 sometimes late December/early January, correct? 2 A Yes. 3 Q Okay. I'm going to take you to January 4 or February of 2016. Can you please describe to 5 the jury what was going on with you and Johnny in 6 this January time frame after this December '15 7 and the Bahamas incidents? 8 A After the Bahamas, Johnny's sobriety 9 fell apart, and there was just none of it. It 10 was -- he stopped communicating with the medical 11 team that he had hired. 12 MS. VASQUEZ: Objection. Calls for 13 speculation. 14 Q How do you know that? 15 A I was there. They fired him. 16 MS. VASQUEZ: Objection. Calls for 17 hearsay. 18 THE COURT: I'll sustain the objection. 19 MS. BREDEHOFT: Okay. 20 Q Without telling what the medical people 21 did, go ahead and tell what was going on with you 22 and Johnny.</p>

<p>4709</p> <p>1 A Yeah. His mental health, for lack 2 of – what it looked like, his mental health was 3 just falling apart, what it looked like. 4 MS. VASQUEZ: Objection. Calls for 5 speculation. 6 THE COURT: I'll sustain the objection. 7 Q What did you observe that led you to 8 believe that his mental health was falling apart? 9 MS. VASQUEZ: Objection, Your Honor. 10 Calls for speculation. 11 MS. BREDEHOFT: She can say what she 12 observed. 13 THE COURT: I'll sustain the objection 14 as leading. Next question. 15 Q What, if anything, did you observe 16 about Mr. Depp's state? 17 A He was hallucinating, auditory – 18 MS. VASQUEZ: Objection. Calls for 19 speculation. 20 THE COURT: I'll sustain the objection. 21 Q Please tell the jury exactly what he 22 was doing that led you to believe he was</p>	<p>4711</p> <p>1 face, and it was unclear to me whether he was even 2 mad at me or he was convinced that the guy he said 3 he saw me with was in the room. I didn't know he 4 was in -- if Johnny felt the man was in the room 5 with us or not at that point, but I remember he 6 put his fist through a whiteboard in the kitchen. 7 He hallucinated right in front of me and -- 8 MS. VASQUEZ: Objection. Calls for 9 speculation. 10 Q Don't use the word "hallucinate" -- 11 A Sorry. 12 Q -- just describe what led you to 13 believe -- 14 MS. VASQUEZ: Your Honor, objection. 15 THE COURT: I'll sustain the objection. 16 She can testify to what she observed. 17 MS. BREDEHOFT: Thank you, Your Honor. 18 Q Please tell the jury what you observed. 19 MS. VASQUEZ: Your Honor, may we 20 approach? 21 THE COURT: Okay. 22 (Sidebar.)</p>
<p>4710</p> <p>1 hallucinating. 2 MS. VASQUEZ: Objection. Leading. 3 THE COURT: Sustained. 4 Q What, if anything, was Mr. Depp doing 5 that would have led you to believe he was 6 hallucinating? 7 MS. VASQUEZ: Same objection. 8 THE COURT: Sustained. Sustained. 9 Q Please describe what Mr. Depp was 10 saying in January of 2016. 11 A He was talking to people who weren't 12 there, meaning people who were not in the room. 13 He was communicating with people and sounds and 14 voices that weren't there. I know because I was 15 sometimes in the room and sometimes on the phone 16 with him. And he would tell me I had a 17 conversation with him that I did not have. He 18 would say I said something that I did not have. 19 He would comment on somebody being in the room 20 behind me that wasn't there. 21 It was terrifying. It was terrifying. 22 Because once he smashed a board right next to my</p>	<p>4712</p> <p>1 MS. VASQUEZ: She's coaching the 2 witness, and she's testifying. It is so 3 inappropriate. 4 MS. BREDEHOFT: She's allowed to do -- 5 she described. 6 THE COURT: What she observed. She's 7 talking about your questions. 8 MS. BREDEHOFT: I'm sorry. I didn't 9 hear that. 10 THE COURT: Yeah, just -- your 11 questions are leading to the answers. I mean, 12 just what she observed, what she saw. 13 MS. BREDEHOFT: That's fine. 14 THE COURT: Okay. Thank you. 15 MS. VASQUEZ: Thank you, Your Honor. 16 (Open court.) 17 BY MS. BREDEHOFT: 18 Q Please tell the jury what you observed. 19 A I observed behavior from him that was 20 erratic, irrational, and didn't seem connected to 21 the reality that we were in. 22 Q Okay. Now, I'm going to take you up to</p>

<p style="text-align: right;">4713</p> <p>1 the beginning of February of 2016, February 8, 2 February 9. 3 Please tell the jury what transpired 4 then with respect to Mr. Depp. 5 A Around this time, Johnny was, again, 6 behaving in a way that was very scary. It was 7 terrifying. And sometimes he didn't know -- 8 MS. VASQUEZ: Objection. Calls for 9 speculation. 10 MS. BREDEHOFT: I think she can 11 describe what she's -- 12 Q Are you describing what you're 13 observing? 14 A Yes. 15 Q Please continue. 16 A In these kind of discussions I would 17 have around this time, early February of 2016, 18 sometimes in the argument, he would accuse me of 19 something, some person in the room with me that 20 had just walked out or I was hiding, for instance. 21 And sometimes he would hold on to that, 22 even when he seemed to have calmed down or come</p>	<p style="text-align: right;">4715</p> <p>1 momentum he was on was going to click into a 2 direction of deciding that he was mad at me and I 3 deserved it, and I was terrified that that was 4 going to happen so I was -- I had an interaction 5 with him and got really worried about that on the 6 morning of the 10th. 7 MS. BREDEHOFT: Michelle, I'm going to 8 ask you bring up Defendant's Exhibit 638. 9 It's already admitted in evidence, Your 10 Honor. This is from February 10, 2016. 11 And I'm going to ask you to play it, 12 Michelle. 13 (Whereupon, the following audio was 14 played.) 15 MR. DEPP: Ah. Motherfucker. 16 Motherfucker. 17 MS. HEARD: What happened? What 18 happened? 19 MR. DEPP: Nothing. This bitch. 20 MS. HEARD: Nothing what happened this 21 morning? You know that? 22 MR. DEPP: Were you in here?</p>
<p style="text-align: right;">4714</p> <p>1 off of whatever bender he was on. And it was 2 almost as if I had to confront what he -- what 3 delusion he had or what belief he had or what 4 accusation he made of me in a new fight 5 altogether. You know, sometimes he didn't make it 6 clear to me whether he was mad at me or he knew he 7 was mad at me. It was terrifying because I bore 8 the brunt of it. 9 And at around the 8th or 9th, I got -- 10 we were in his Sweetzer compound, the West 11 Hollywood collection of homes that he has, and I 12 got some cryptic texts from him in the 13 early-morning hours that scared me. I won't say 14 what I said, but I came over to his main house. I 15 believe I had been across the street, and I slept 16 on the couch. 17 We had some interaction in the morning 18 which made me fearful he didn't know whether or 19 not -- I was fearful he was going to believe that 20 he was angry at me, even though we weren't 21 fighting, I wasn't fighting with him. I had done 22 nothing wrong, but I was really worried that the</p>	<p style="text-align: right;">4716</p> <p>1 MS. HEARD: No. 2 MR. DEPP: So then nothing happened to 3 you this morning? 4 MS. HEARD: Yeah, you're right. I just 5 woke up, and you were so sweet and nice. We were 6 not even fighting this morning. All I did was say 7 sorry. 8 MR. DEPP: Did something happen to you 9 this morning? I don't think so. 10 MS. HEARD: No. That's the thing. 11 MR. DEPP: You want to see crazy? I'll 12 give you fuckin' crazy. Bitch crazy. All your 13 crazy. And you're crazy. 14 MS. HEARD: Have you drunk this whole 15 thing this morning? 16 MR. DEPP: Oh, you got this going. You 17 got this going. 18 MS. HEARD: No, I just started it. 19 MR. DEPP: Oh, really? 20 MS. HEARD: Yes. 21 MR. DEPP: Really? You saved that shit 22 on me, motherfucker?</p>

<p>4717</p> <p>1 MS. HEARD: No, I didn't. You were 2 smashing shit. 3 MR. DEPP: Good-bye. Ass. 4 (Indiscernible.) 5 BY MS. BREDEHOFT: 6 Q Why did you videotape this, Amber? 7 A Because I knew he wouldn't remember -- 8 MS. VASQUEZ: Objection. Calls for 9 speculation. 10 THE COURT: Sustained. 11 Q Rather than what you knew, you can say 12 what you thought. Just tell us why you -- 13 A I was afraid. It was scary. That's 14 scary. I was scared, scared that he wouldn't 15 remember. 16 MS. VASQUEZ: Objection. Calls for 17 speculation. 18 MS. BREDEHOFT: Your Honor, I -- 19 THE COURT: I'll sustain the objection. 20 Next question. 21 Q All right. So I'm going to, now, take 22 you up to April 21, 2016, your 30th birthday</p>	<p>4719</p> <p>1 important for me if you made it." 2 MS. VASQUEZ: Objection. Hearsay. 3 MS. BREDEHOFT: Not offered to prove 4 the truth of the matter asserted. 5 THE COURT: Overruled. 6 MS. BREDEHOFT: Thank you. 7 A And he told me at some point that day 8 that he had scheduled a business meeting or a 9 money meeting, I think he said, maybe, at 7, which 10 is around the time my birthday was planned for. 11 It might have been planned for 8 p.m. 12 He -- of course, once my party was 13 starting, he wasn't there, texts me at some point 14 to let me know he was going to make it but that he 15 was running late, and that continued throughout my 16 party. 17 We finished dinner, and when we were 18 cleaning up and kind of everyone was delaying 19 leaving because we were waiting for -- to give him 20 an opportunity to show up before everyone left. 21 And he -- he let me know he was there. You know, 22 I tried to -- without saying what I said, I tried</p>
<p>4718</p> <p>1 party. 2 Will you please tell the jury what 3 happened that night with respect to, in 4 particular, Mr. Depp? 5 A He -- at that time, we had, like, a 6 fitting that day or the day before, and he missed 7 it and he was kind of disappearing at that time, 8 like, at night, vaguely saying, like, meetings, he 9 had meetings, but then he would be gone for 10 sometimes, like, two days and just not coming home 11 and that sort of thing, not coming home after the 12 bender. 13 MS. VASQUEZ: Objection. Calls for 14 speculation as to bender. 15 MS. BREDEHOFT: I don't think that 16 calls for speculation. 17 THE COURT: I'll sustain the objection. 18 He's gone for two days. Go ahead. 19 A And I had my -- my birthday was coming 20 up. And on my birthday, I said, "Are you going to 21 make it to my birthday party?" We had a dinner 22 planned at our penthouse. I said, "It would be</p>	<p>4720</p> <p>1 to give him the impression that I wasn't going to 2 get on him about drinking or anything. I just 3 wanted him to be there. 4 And we had a toast. We did a 5 celebratory toast, and the guests left. And later 6 that evening, we were in bed and I was -- I had a 7 book, and Johnny effectively said, "What's your 8 fucking problem now?" 9 And at the time we were getting advice 10 from a therapist. Without saying what they said, 11 it was important for me not to make him feel 12 attacked. So I chose my words carefully. I won't 13 say what I said, but I remember being very careful 14 about how I worded what I was feeling about my 15 birthday and him having missed it. 16 An argument followed that. I got up 17 out of bed. Johnny's side of the bed was closer 18 to the door than mine. I remember him blocking 19 the door, blocking me to get out, kind of shoving 20 me down, and we had a, you know, verbal argument, 21 and then that became a shoving match. I tried to 22 shove him back. I kind of felt myself retreat</p>

<p style="text-align: right;">4721</p> <p>1 into the -- into the bedroom. At some point he 2 picked up the -- like a large, I guess it's a 3 magnum size, not magnum size, a large size bottle 4 of champagne and hurled it at me. This time it 5 went through a painting. And I loved this 6 painting and I remember it just went, like, right 7 through the canvas, left a giant hole in it. And 8 I was thinking we shouldn't have art in our 9 bedroom anymore.</p> <p>10 And the fight, the argument, the fight 11 continued into the salon area, which is outside of 12 our bedroom at the top of the stairs. Johnny 13 picked up my phone. I don't know why. I don't 14 remember what he was saying when he did it, but he 15 picked up my phone and threw it out of the open 16 window of the salon area, out onto the street, out 17 onto the downtown street that this window 18 overlooked.</p> <p>19 In that moment, I said, "Oh, no, you 20 don't." I saw his on the countertop and picked it 21 up and threw his immediately, like, two seconds 22 later. I didn't want to be stranded this time</p>	<p style="text-align: right;">4723</p> <p>1 of held me down by the shoulders down on the side 2 of the side of the bed, kind of held me, wrestled 3 me down on the bed.</p> <p>4 I remember I got up once or twice 5 before I ended up on the bed and he grabbed me, 6 did this thing that he did some punching, to taunt 7 me, grabbed me by the pubic bone, pubic area, and 8 just, as best I can describe it is he kind of just 9 pushed me down, held me down by it, and then kind 10 of pulled me into it and was asking -- he was 11 asking me, kind of taunting me, asking me if I 12 thought I was so fucking tough. "You're just such 13 a fucking tough guy, huh? You're so tough now? 14 Look who's so tough. Do you want to be a man, 15 tough like a man now?"</p> <p>16 That happened for a -- a bit of time. 17 I'm not quite sure. I think at some point, he 18 left. I remember at some point shortly after 19 that, I remember he was still in the apartment 20 when this happened, but I remember kind of 21 collapsing on the floor and being exhausted. I 22 remember feeling exhausted and crying and kind of</p>
<p style="text-align: right;">4722</p> <p>1 alone, meaning I didn't want to be the only one 2 stranded without a phone, which had happened to me 3 already several times before this from Johnny. So 4 I picked up his phone, threw it as well, and I 5 said that I wanted to go stay somewhere else for 6 the evening.</p> <p>7 I left that room, went into the office. 8 We were still screaming names at each other and 9 screaming at each other, and I walked around the 10 side of his desk. And the next thing I know, he 11 has me by the hair and pulls me down, kind of. I 12 hit the side of the desk. I remember things 13 falling off of the side of the desk that I hit 14 with my body. I remember trying to fight him off 15 of me.</p> <p>16 At some point we're back in my main 17 bedroom and it's -- I believe I was getting my 18 toothbrush out of that bathroom, and when I came 19 out, we had another shoving match. But this one 20 he kind of like got -- I remember he chest bumped 21 me in this like "bro-y" way, chest bumped me, and 22 I fell to the floor. When I got back up, he kind</p>	<p style="text-align: right;">4724</p> <p>1 throwing in the towel, if you will. I remember 2 saying to him, "Just can we not fight like this? 3 Can we start over? Is there anything that we can 4 do, like, this is really messed up, but can we 5 just not do this, please? Can we stop doing this? 6 Just don't leave. It's my birthday. Let's just 7 call it couch. Let's just call a truce and not 8 have it end like this. I don't want to have it 9 end like this."</p> <p>10 I was just so tired and hurt. And I 11 remember crying and feeling ridiculous that after 12 this I would be crying and saying these things. 13 I'm embarrassed saying it now.</p> <p>14 He responded cruelly. He told me 15 that's what I fucking deserved and that I'd wake 16 up alone and no one would ever love me because all 17 of this -- pointing to my face or body -- all of 18 this was going to go away. No one would ever love 19 me. When my tits sag, no one will ever love me, 20 and I better get used to waking up alone. And he 21 said this is all my fault and what I asked for, 22 and he left.</p>

4725

1 I heard him come back in the
2 downstairs, you know, you can hear the door slam.
3 I remember hearing it open and thinking, Oh, god,
4 is this going to happen again? What's going on
5 now? And then shortly after, I kind of peeked
6 around to the top of the stairs where you can kind
7 of peer into the lower level. And I just see him
8 briefly momentarily, and he screams at me, "Happy
9 fucking birthday," and stormed out. At some point
10 I walked down the stairs and saw that he had also
11 left me a note to that effect.
12 Q How did he leave a note for you?
13 A It was written on a piece of paper, as
14 best I can recall, but I'm not sure.
15 Q And so then, the next day, what did you
16 do?
17 A I texted -- actually, I-- well, I
18 can't say what I texted. I woke up that morning,
19 the morning of my 30th birthday, and I woke up to
20 my best friend crawling in bed with me and putting
21 her arms around me. And I remember wondering how
22 she got -- how she walked in because there was,

4726

1 like, glass on the floor. There's lots of glass.
2 And she put her arms around me and
3 showed me a birthday video that all of my friends,
4 my childhood friends, all of my loved ones, made.
5 Of course, stupidly the first thing I asked her
6 why Johnny wasn't in the video. Because it had
7 been recorded before. It had been recorded
8 sometime before, it was clear. She said that she
9 had been asking for a few months, and Johnny --
10 MS. VASQUEZ: Objection. Your Honor.
11 Hearsay.
12 MS. BREDEHOFT: Not offered to prove
13 the truth of the matter asserted.
14 THE COURT: All right. Go ahead. I'll
15 overrule.
16 Q Go ahead.
17 A And so I -- I packed -- eventually, we
18 got out of my bed and grabbed a few things and got
19 the dogs, left for our plans, which our plans had
20 been to go to Coachella, which is a music festival
21 that happened in California. And that had been
22 the plan for a while, that that's how we would go

4727

1 and celebrate my birthday. And I remember, you
2 know, as I was accustomed to doing, just trying to
3 move through it, move on, and remember and trying
4 to put on a brave face and have a good time, even
5 though it was impossible.
6 Q Let me stop you for a few things.
7 What, if any, plans were there for Mr. Depp to
8 join you at Coachella?
9 A He was supposed to drive down, have
10 dinner, stay in the room, maybe do some writing,
11 or something like that in the room.
12 Q At Coachella?
13 A At Coachella, where we were. Coachella
14 happens in a different part of California than we
15 lived in. We lived in Los Angeles, and this
16 happens about two hours, two to three hours away.
17 So I finally got my car back, and I drove with my
18 best friends in the car.
19 Q And I'm going to stop you again because
20 I just have a couple more questions before we go
21 into that part.
22 You said you brought the dogs. Who

4728

1 were the dogs you brought?
2 A Johnny's dog at the time, Boo; my dog,
3 Pistol, we shared them. They're teacup Yorkies,
4 and I believe Raquel, my best friend's, dog which
5 is a mutt.
6 Q Okay. What, if any, issues did Boo
7 have with bathroom problems, if you will?
8 MS. VASQUEZ: Objection. Leading and
9 relevance.
10 THE COURT: Overruled. I'll allow it.
11 A She had eaten Johnny's weed when she
12 was a puppy and had bowel control issues for her
13 entire life, among some other issues. We
14 regularly had to take her to the vet to try to
15 figure out, well, what was wrong with this dog. I
16 never met a dog that was quite like this.
17 So she had some control issues, hence
18 why we would -- she liked to burrow in the bed.
19 She liked to be in the, you know, by the foot of
20 the bed underneath the covers, and it was
21 customary that they slept in bed with us, but Boo
22 had an issue she had. We had to leave her in bed

<p style="text-align: right;">4729</p> <p>1 so she wouldn't be encouraged to go to the 2 bathroom, which would happen almost immediately 3 once you put her down on the floor, and sometimes 4 it happened in bed too. But -- but, yeah. 5 Q So what, if anything, did you notice 6 about any bathroom issues in your bed before you 7 left for Coachella? 8 A Well, Raquel and I were both in that 9 bed with the dogs, and I didn't notice anything. 10 But we left them in the bed while we packed a bag 11 to go to Coachella, you know, so that they 12 didn't -- so that Boo particularly didn't lose 13 control of her bowel -- or, you know, didn't go to 14 the bathroom on the floor. So you leave them in 15 bed until you're ready to take them outside to the 16 patio, which was their designated bathroom break 17 area. 18 Q And what, if any, plans were there -- 19 how often did you have housekeeping at that time 20 at your house? 21 A The housekeepers were there every 22 morning.</p>	<p style="text-align: right;">4731</p> <p>1 apart. I was at a crossroads in my life that was 2 really serious, and I had just been attacked on my 3 30th birthday by my violent husband with whom I 4 was desperately in love and knew I needed to 5 leave. It was not really a jovial time, and I 6 don't think that's funny, period. That's 7 disgusting. 8 Q And what understanding, did you have of 9 Mr. Depp coming back to your bedroom that night or 10 the next morning? 11 MS. VASQUEZ: Objection. Calls for 12 speculation. 13 MS. BREDEHOFT: I'm asking what her 14 understanding was. 15 THE COURT: I'll sustain the objection. 16 MS. BREDEHOFT: Okay. 17 Q Did you -- had you had any 18 conversations with Mr. Depp about him coming back 19 to the house the next day? 20 A No. Johnny didn't come back to that 21 house. That was my -- that was my -- you know, he 22 owned it, but that was my house when we were</p>
<p style="text-align: right;">4730</p> <p>1 Q Okay. 2 A Or they came every day, as far as I 3 know. 4 Q Okay. Now, we'll get you to Coachella. 5 But why did you tell Starling Jenkins that you had 6 been involved in a prank gone wrong? 7 MS. VASQUEZ: Objection. Hearsay, 8 leading. 9 MS. BREDEHOFT: I said why, Your Honor. 10 I didn't say what she said. 11 THE COURT: I'll sustain the objection. 12 Next question. 13 MS. BREDEHOFT: Okay. 14 Q Did you commit any kind of prank? 15 A Absolutely not. 16 Q Okay. 17 A Absolutely not. 18 Q And why would that not be something you 19 would do? 20 A First of all, I don't think that's 21 funny. I don't know what grown woman does. I was 22 not also in a pranking mood. My life was falling</p>	<p style="text-align: right;">4732</p> <p>1 having any sort of problem. In fact, it was my 2 house just 90 percent of the time because he just 3 didn't come back. That was not a place that 4 Johnny was going to be in, that Johnny was in, and 5 he had stormed out on my birthday. And as per 6 what we did, he would go and stay at his West 7 Hollywood home, and I would stay at the downtown 8 places. 9 He wasn't going to come back to the -- 10 MS. VASQUEZ: Objection. Calls for 11 speculation. 12 MS. BREDEHOFT: I think she explained 13 her answer on that, which -- 14 THE COURT: Well, I'll sustain just the 15 last part. Okay. 16 Next question. 17 MS. BREDEHOFT: Okay. 18 Q So let's take you to Coachella. Who 19 drove? 20 A I drove. 21 Q Okay. And who was in your vehicle? 22 A My sister; my friend, Savannah, I</p>

<p style="text-align: right;">4733</p> <p>1 believe; my best friend, Raquel; just my – my 2 girlfriends that I – I typically surround myself 3 with my girlfriends. That's my support. 4 Q Was there any occasion in which you 5 were riding in the vehicle that Starling Jenkins 6 was driving? 7 A He picked us up from Coachella in the 8 evening when we, as a group, all were ready to 9 leave. That was the day that we went, which was 10 a – which was the day that I took MDMA and 11 mushrooms at the same time, realized very shortly 12 after what a horrible idea that was, considering 13 the state that my life was in. I highly don't 14 recommend that combination at the time. So I 15 didn't feel like being in a crowd. I didn't feel 16 like being at Coachella. I had intended to try to 17 have a good time despite what was going on in my 18 personal life, and I realized that that was just 19 not going to happen. 20 And so I wanted to go home, meaning be 21 in a bed. I wanted to be – you know, I just 22 wanted to be held by my best friend and watch a</p>	<p style="text-align: right;">4735</p> <p>1 THE COURT: All right. We'll just come 2 back, then, at 10:50; is that okay? 3 MS. BREDEHOFT: Thank you, Your Honor. 4 THE COURT: All right. Thank you. 5 THE BAILIFF: All rise. 6 (Recess taken from 10:33 a.m. to 7 10:50 a.m.) 8 THE BAILIFF: All rise. Please be 9 seated and come to order. 10 THE COURT: All right. Are we ready 11 for the jury? 12 MS. BREDEHOFT: Yes, Your Honor. 13 MR. CHEW: Your Honor, could we come 14 up? 15 THE COURT: Sure. 16 (Sidebar.) 17 MR. CHEW: Two things. One, they've 18 issued another statement. We'd ask them to 19 withdraw the statement. 20 MS. BREDEHOFT: I am not aware of any 21 statements, Your Honor. 22 MR. NADELHAFT: I have no idea what</p>
<p style="text-align: right;">4734</p> <p>1 movie, and that's what we did. I didn't feel well 2 and wanted to leave. 3 Q And when you said you rode back with 4 Starling Jenkins, was it just you? Or did you 5 have other people in the vehicle with you? 6 A When we left Coachella, it was my 7 entire group. I wasn't ever alone with Starling. 8 I certainly wasn't anywhere near him. I didn't 9 have a conversation with him. I sat in the very 10 back seat with my best friend next to me, and it 11 was a whole group of us. 12 Q Thank you. 13 MS. BREDEHOFT: Your Honor, I don't 14 know. This might be a good breaking point. 15 THE COURT: All right. That's fine. 16 Ladies and gentlemen, let's go ahead and take our 17 morning recess. Do not discuss the case with 18 anybody, and don't do any outside research, okay? 19 Fifteen minutes. 20 (Whereupon, the jury exited the 21 courtroom and the following proceedings took 22 place.)</p>	<p style="text-align: right;">4736</p> <p>1 they're talking about. 2 MR. CHEW: Another press statement 3 since your order. 4 MS. BREDEHOFT: I am unaware -- 5 MS. VASQUEZ: It's in People magazine. 6 THE COURT: Just now? 7 MR. CHEW: Yeah. 8 MS. BREDEHOFT: I have been physically 9 at that podium, Your Honor, since you talked to 10 me. 11 MR. NADELHAFT: I have no idea what 12 he's talking about. 13 MS. VASQUEZ: Well, the first thing I 14 did when you admonished us, I contacted our PR. 15 THE COURT: Has anyone contacted the PR 16 to tell them that they can't -- 17 MS. VASQUEZ: Yeah, but they retracted. 18 MR. NADELHAFT: I think we did. 19 THE COURT: This morning, right? 20 MR. NADELHAFT: Did you contact PR and 21 tell them -- 22 MS. BREDEHOFT: Not to issue any</p>

4737	1 statements? 2 MR. NADELHAFT: -- this morning? 3 MS. BREDEHOFT: Yeah. 4 THE COURT: This morning, right? 5 MR. ROTTENBORN: Right after -- there 6 were statements that were issued from, I 7 understand, both sides before Your Honor ruled. 8 THE COURT: Right, right. I 9 understand. 10 MR. NADELHAFT: And I told him, and 11 he's not done anything since then. Yeah. There's 12 been no statement. 13 MS. VASQUEZ: There's a statement, Your 14 Honor. I can read it to you. 15 MR. NADELHAFT: I mean, it may have 16 been that came out after your ruling, but the 17 statement was made -- whatever was said, and I 18 don't know what it was -- it would have been 19 before you said it. I can show you the email for 20 it -- 21 MR. CHEW: We would ask the statement 22 be retracted, since it's after Your Honor's --	4739	1 have an instruction to the witness she's not to 2 characterize, "So I told my therapist," or "I told 3 my friend, but I can't tell you what I told them." 4 That's inappropriate. She's characterizing 5 hearsay, and it's a complete contradiction of -- 6 MS. BREDEHOFT: I agree. She's not 7 allowed to say "hearsay," but she can tell things 8 and then say what she did as a result. And that's 9 perfectly appropriate. 10 MS. VASQUEZ: The problem that I have 11 is she's literally looking at the jury, saying, 12 "Well, I can't tell you what I told my therapist, 13 but let me tell you..." 14 MS. BREDEHOFT: She's able to do -- 15 Your Honor has ruled that she can. 16 THE COURT: I know that she can, but 17 just to testify, not to characterize things. 18 That's all. 19 MS. BREDEHOFT: I think she's doing her 20 best, but I can't discuss her testimony with her, 21 so -- 22 MR. CHEW: She knows exactly what she's
4738	1 MS. BREDEHOFT: How can you retract a 2 statement? 3 MR. NADELHAFT: What's that? 4 THE COURT: Can you retract the 5 statement? 6 MR. NADELHAFT: I can let him know -- I 7 can ask him, sure. 8 MR. CHEW: Also, we had a motion on -- 9 for prior acts of violence. 10 THE COURT: Okay. 11 MR. CHEW: Before the cross. 12 MS. VASQUEZ: Before the cross. 13 MR. CHEW: We wanted to give you an 14 opportunity to review it before the cross. 15 THE COURT: All right. I'll review it. 16 MS. VASQUEZ: All right. Thank you, 17 Your Honor. 18 THE COURT: He was just asked to go out 19 so he could contact him. 20 MS. VASQUEZ: Yes. 21 MR. CHEW: Thank you, Your Honor. 22 MS. VASQUEZ: Your Honor, if we could	4740	1 doing. 2 THE COURT: Do you want to tell her 3 really quickly she's not to characterize, just 4 what she observed and what she saw. 5 MS. BREDEHOFT: Well, I think she's 6 trying to do that. I mean, I don't know what I'm 7 supposed to tell her. You know, I think -- 8 MR. CHEW: She keeps saying -- she said 9 it four or five times. She's saying to the jury, 10 "Well, I can't tell you, but this is what I 11 understand." 12 THE COURT: Well, if it happens again, 13 I'll have to admonish her myself. 14 MS. BREDEHOFT: All right. I'll be 15 fine. 16 THE COURT: Okay. Thank you. 17 MR. CHEW: Thank you, Your Honor. 18 MS. VASQUEZ: Thank you. 19 (Open court.) 20 THE COURT: All right. We ready for 21 the jury, then? 22 MS. BREDEHOFT: Yes, Your Honor. Thank

4741	1 you. 2 THE COURT: All right. Thank you. 3 (Whereupon, the jury entered the 4 courtroom and the following proceedings took 5 place.) 6 THE COURT: Next question. 7 BY MS. BREDEHOFT: 8 Q What, if any, contact did you have with 9 Mr. Depp during the period from April 21 to 10 May 21, 2016? 11 A I had no physical contact with him. 12 Q Okay. I'm going to take you to 13 May 2nd, 2016, the Met Gala. 14 Can you please just briefly describe to 15 the jury what a Met Gala is, where it is, and 16 what's involved? 17 A It's arguably the biggest fashion kind 18 of celebrity event, red carpet event, of the year. 19 It happens every year in New York City. 20 Q And were you invited? 21 A I was invited. Typically designers 22 will invite people in the public eye to be their,	4743	1 one would tell me. I didn't know. 2 So I end up going by myself. Frankly, 3 I wasn't sure if he'd show up, you know, on the 4 carpet or if he'd show up at the hotel shortly 5 before. I had no way of knowing. 6 Q All right. And then did you attend the 7 Met Gala? 8 A I did. I got out of the car and walked 9 the red carpet by myself, escorted by somebody 10 from Ralph Lauren's team, and I sat next to an 11 empty place setting for Johnny that they cleared 12 as soon as we realized that he wasn't -- that he 13 had effectively stood me up on the carpet. 14 Q Who did you meet at the Met Gala? 15 A I was standing in line right in front 16 of a gentleman. It was Elon. I didn't recognize 17 him until we started talking and he had reminded 18 me that we had met once before. He was with his 19 mother. 20 Q Okay. And did you strike up a 21 friendship with Mr. Musk after that? 22 A We did. As I mentioned, we spoke on
4742	1 you know, guests, and they will typically dress 2 them. And it's a way for designers or fashion to 3 kind of intersect with a celebrity world, and it's 4 a big event held at the museum every year. 5 Q And what, if anything, did you and 6 Mr. Depp do to prepare for that Met Gala? 7 A Well, Johnny and I were -- we were 8 dressed by Ralph Lauren, guests of Ralph Lauren, 9 and Johnny missed the fitting because it was 10 happening around the date of my birthday party in 11 Los Angeles, but we were planning on going 12 together as Ralph Lauren's guests. 13 Q And did you show up? 14 A I did. I didn't have a phone at the 15 time because I couldn't get it reinstated after 16 Johnny threw it out of the window because no one 17 on his team would respond to me, so I had no way 18 to kind of reinstall it ahead. No point in 19 getting a burner phone if you don't know anyone's 20 phone number. So I wasn't sure, really, what was 21 going on or when he would show up or if he would 22 show up. No one would talk to me on his team. No	4744	1 the red carpet, kind of on the waiting -- in the 2 waiting line of the carpet. He seemed like a real 3 gentleman. He was really nice. And he sat next 4 to me -- well not next to me. He sat kind of in a 5 nearby table. We got to speaking that night, and 6 then eventually became friends. 7 Q Okay. I'm going to -- 8 MS. BREDEHOFT: Michelle, can you pull 9 up Plaintiff's Exhibit 46. It's already in 10 evidence. It's Erin Falati's notes, and I'm going 11 to ask you to go to page 30. 12 Q And I'm going to direct your attention 13 to the entry for 5/11/2016, where it says -- if I 14 can see -- here we go. Let me see if I can do 15 some reasonable highlighting here. It says, 16 "Client laughed and also reported using illicit 17 drugs, mushrooms and MDMA, on 5/9/2016 at home 18 with a high-profile male acquaintance. 19 Corporate -- client reported that her husband was 20 not aware of the male visitor, nor her illicit 21 drug use." 22 Do you see that?

4745

1 **A Yes, I do.**
2 Q Who was the "high-profile male
3 acquaintance" that visited your home on 5/9/2016?
4 **A I don't recall even being in LA at that**
5 **time.**
6 Q Where were you?
7 **A I don't recall. I believe I was in**
8 **London at the time.**
9 Q Okay. Did you have a male,
10 high-profile client at your home in or around
11 5/9/2016?
12 **A Not around that date. It seems like**
13 **it's a wrong date.**
14 Q Okay. And did you use illicit drugs,
15 mushrooms and MDMA, with any high-profile client?
16 **A No. I did that at the Coachella music**
17 **festival, and that was the end of that. I learned**
18 **the hard way that that was a terrible idea.**
19 Q All right. Well, while we are on these
20 same notes, I'm going to refer to the Coachella,
21 which is up above. And it says, "States she
22 ingested mushrooms and MDMA simultaneously while

4746

1 also consuming alcohol and states she vomited and
2 was high for at least 24 hours straight." Were
3 you high for at least 24 hours straight?
4 **A No, I was not. I felt awful, but I was**
5 **at home, feeling awful – at home meaning at the**
6 **hotel – with my best friend in bed.**
7 Q Okay. Well, while I'm still on these
8 notes, let's go -- I know, while Erin Falati was
9 testifying, we recall, the 5/21/2016 isn't on
10 here. You'd sent her pictures, correct?
11 **A Yes.**
12 Q Okay.
13 **A I did.**
14 Q Then let's go to 5/26/2016, and it
15 says, "Client reports having 'the hardest week of
16 my life.' Client states she cannot deal with the
17 negative media publicity she has received" --
18 MS. BREDEHOFT: And then if we can jump
19 that up, Michelle, to the next page.
20 Q -- "Surrounding the divorce she
21 requested from her husband, JD."
22 Do you see that?

4747

1 **A I do.**
2 Q Okay. When did you go in for the
3 DVTRO?
4 **A May 27th.**
5 Q So that was the day after Erin Falati's
6 note saying you'd just had the toughest week of
7 your life?
8 **A That's correct.**
9 Q While we are still on this one, let's
10 go up to the first page for the client history.
11 When did you provide a client history
12 to Erin Falati?
13 **A Never.**
14 Q When did you first get assigned Erin
15 Falati?
16 **A I believe September of 2014.**
17 Q Okay. Now, it says here that "Client
18 reports a history of substance abuse, including an
19 addiction to cocaine and liquor."
20 When did you have a substance -- a
21 history of substance abuse including addiction to
22 cocaine and liquor?

4748

1 **A I did not. There's a lot of mistakes**
2 **in here.**
3 Q Okay. Did you ever use cocaine?
4 **A I have. I used cocaine a few times**
5 **when he was 18, 19 years old, but stopped using**
6 **any drugs including cocaine when I got into a**
7 **relationship with my ex-partner. She was very**
8 **against that, and I'm glad for it.**
9 Q Okay. Then it also says here that --
10 where am I?
11 MS. BREDEHOFT: Move up a little.
12 There we go.
13 Q "Client admits to history of anxiety,
14 eating disorder, attention deficit disorder,
15 bipolar disorder, codependent issues, and
16 occasional insomnia."
17 When have you had an eating disorder?
18 **A I've never had an eating disorder.**
19 Q When have you been diagnosed with
20 bipolar disorder?
21 **A I've never been diagnosed with bipolar**
22 **disorder.**

<p>1 Q When have you been diagnosed with 2 codependence issues? 3 A I have never been diagnosed with 4 codependency issues. Although, arguably, at the 5 time from where I – well, from where I stand now, 6 I can see that the relationship I was in with 7 Johnny was certainly codependent. But I wouldn't 8 have reported that at the time. I didn't know 9 about that. 10 Q All right. 11 MS. BREDEHOFT: And then can we move up 12 a little bit more, Michelle. Thank you. 13 Q It has "Per report from JD, Debbie RN, 14 Dr. Kipper, client AH has reportedly been 15 experiencing increased anxiety and agitation 16 recently and has had several outbursts of anger 17 and rage." 18 Were you present for this being 19 reported to Ms. Falati? 20 A No. This is the detox. 21 Q Okay. 22 A This is Johnny –</p>	<p>4749</p>	<p>1 Italy. I spoke to him around that time when I was 2 in Italy. I had gotten a phone. My parents got 3 ahold of me. After I spoke to my parents, I 4 communicated with Johnny. 5 He, on that phone call -- you know, I 6 didn't know what was going on with him for those 7 weeks with his sobriety. I didn't know what his 8 state was. I didn't know what state he was in. 9 And when I spoke to him, he was saying what I can 10 only just -- he was going on about scientists and 11 DNA and feces, that he had had some, you know, 12 scientific analysis done and DNA analysis done and 13 that, you know -- as soon as I heard about this 14 feces he thought that was a prank and he was going 15 on about all the scientists that he had conferred 16 with about the DNA results with, I just thought he 17 was out of his mind and thought clearly the 18 drinking and the drugs are not getting better. 19 Clearly, the delusions aren't better. So I 20 tried -- 21 MS. VASQUEZ: Objection. Calls for 22 speculation.</p>	<p>4751</p>
<p>1 Q And also says your mood has been 2 labile. 3 What, if any, outbursts of anger and 4 rage and labile mood did you exhibit during the 5 depox? 6 A None that she would have seen, none. I 7 was there for Johnny's detox. This is what Johnny 8 was going through. This is not me. 9 Q Okay. And at the time of the detox, 10 was Erin Falati your nurse yet? 11 A No. I didn't know her, and she wasn't 12 there. 13 Q Okay. Thank you very much. 14 MS. BREDEHOFT: You can take this down, 15 Michelle. 16 Q Now, I'm going to take you to May 21, 17 2016, and I'd like you to describe for the jury 18 what took place that evening in connection with 19 Mr. Depp. 20 A Johnny and I had not seen each other 21 for the better part of a month, about a month. I 22 was traveling. I had just shot a campaign in</p>	<p>4750</p>	<p>1 MS. BREDEHOFT: Your Honor, it's not 2 offered for the truth of the matter. She's 3 talking about what her -- 4 THE COURT: I'll sustain the objection. 5 Next question. 6 Q Please continue. 7 A So I hung up from that phone call, I'm 8 assuming that. And then spoke to him once my 9 parents got ahold of me to tell me about 10 Betty Sue. 11 We made a plan, Johnny and I, for him 12 to come over. He said he really needed his wife. 13 He had lost his mother, and he missed his wife. 14 He really needed his wife. He said it over and 15 over again. I felt for him. I felt conflicted. 16 I didn't think -- obviously the situation hadn't 17 gotten better with Johnny mentally, and I was 18 afraid of the -- all the work and progress and 19 distance I got on it, on the relationship for the 20 first time, I had a month of distance on it, you 21 know, I didn't want that to be undone, but I also 22 wanted to be -- you know, I was affected by the</p>	<p>4752</p>

<p style="text-align: right;">4753</p> <p>1 fact that his mother had passed. 2 So he said he wanted to come over and 3 talk about that, and he said he needed his wife 4 and we made a plan. I made a plan for him to come 5 over during the day, thinking that that might 6 mitigate the amount that he would be drinking. 7 Night is a little bit more dangerous. And in the 8 early evening hours, I get a text from him that 9 he's almost there or that he's there. I think it 10 was around 7:15 or so. 11 And he came over, and we sat on the 12 couch and at first kind of -- it was relatively 13 peaceful. I mean, I could tell he was inebriated, 14 but makes sense, in my head it made sense. He 15 wasn't, like, incoherent. It was peaceful. And 16 then he starts talking about the feces again and 17 this prank that he said one of my friends had left 18 for him in my bed that he wasn't going to be at. 19 And I tried to point out how that 20 didn't make any sense, not if he wasn't going to 21 be there. I wasn't there, and my friends wouldn't 22 do that. That's not something a bunch of</p>	<p style="text-align: right;">4755</p> <p>1 could move on and talk about the issues that we 2 should be talking about. You know, we had -- our 3 marriage was over and falling apart in front of 4 our eyes. We hadn't seen each other for a month, 5 and his mom had just passed. I couldn't believe 6 he wanted to talk about feces. 7 So I called this friend thinking that 8 will take care of it. The friend doesn't answer. 9 I call another friend who is someone else he 10 claimed -- I don't know how both people did this, 11 but he was claiming that this person was 12 responsible -- so I call that person. And that 13 person is on speakerphone, and I -- 14 Q Tell us who that person is. 15 A IO. 16 Q IO Tillett Wright? 17 A IO Tillett Wright. 18 Q Okay. And then you put him on 19 speakerphone with Johnny? 20 A Right in front of Johnny. 21 Q Okay. What happened next? 22 A I allowed for an opportunity for iO to</p>
<p style="text-align: right;">4754</p> <p>1 30-year-old women think is funny. What is he 2 talking about? And he just kept going on and on 3 about, so I texted my friend that it -- 4 MS. VASQUEZ: Objection. Hearsay. 5 Q Don't tell the jury what you texted 6 your friend, but go to the next thing. What did 7 you do next? 8 A I called my friend, thinking that it 9 would quell what I could only see as a delusion. 10 I thought it was just a delusion he was having, 11 and I thought, Oh, I'll hopefully, you know, quell 12 this by calling my friend to -- if he hears my 13 friend say, "That didn't happen" -- 14 MS. VASQUEZ: Objection, Your Honor. 15 Hearsay. 16 MS. BREDEHOFT: It's not offering for 17 the truth of the -- 18 THE COURT: Overruled. 19 MS. BREDEHOFT: Thank you. 20 Q Please continue. 21 A So I thought if I could get my friend 22 on the phone to prove that this didn't happen, we</p>	<p style="text-align: right;">4756</p> <p>1 say why this is impossible. 2 MS. VASQUEZ: Objection. Hearsay. 3 MS. BREDEHOFT: It's not offered to 4 prove the truth of the matter that's asserted, 5 Your Honor. It's explaining the context that 6 leads to the next acts. 7 MS. VASQUEZ: Your Honor, it is being 8 offered to prove -- 9 MS. BREDEHOFT: We're not here -- we're 10 not here about whether iO -- 11 THE COURT: I'll sustain the objection. 12 Next question. 13 MS. BREDEHOFT: All right. 14 Q All right. So iO is talking. You 15 can't tell us what he said, okay? 16 MS. VASQUEZ: Objection, Your Honor. 17 May we approach? 18 THE COURT: Okay. 19 (Sidebar.) 20 THE COURT: Yes, ma'am. 21 MS. VASQUEZ: Now Ms. Bredehoff is 22 doing what we just --</p>

<p style="text-align: right;">4757</p> <p>1 THE COURT: That was an instruction. I 2 don't have a problem with that. That's fine, 3 okay? 4 MS. VASQUEZ: Thanks, Your Honor. 5 (Open court.) 6 BY MS. BREDEHOFT: 7 Q So iO's talking. You can't say what he 8 said. What is the next thing that happens on your 9 end with Mr. Depp? 10 A It just made Johnny madder. He got 11 more upset, grabbed the phone, and started 12 screaming at iO, just started screaming at the top 13 of his lungs, said, "You dyke bitch, you don't 14 know what you're" – you know, just screaming 15 expletives, insulting names, and telling iO that 16 he can have me and, you know, fuck off and just 17 screaming at him. You know, that's the best I can 18 describe it without getting into the details. 19 He tosses the phone, you know, down on 20 the couch and heads upstairs. I pick up the phone 21 and try to, you know, apologize for the fact that 22 my husband at the time just screamed at my friend</p>	<p style="text-align: right;">4759</p> <p>1 IO had been there after the cleanup, or 2 for the cleanup after December 15th, 2015 incident 3 and -- 4 MS. VASQUEZ: Objection, Your Honor. 5 Nonresponsive. 6 MS. BREDEHOFT: I think she can provide 7 the context. 8 THE COURT: I'll sustain the objection. 9 Next question. 10 Q So please continue. 11 A Johnny hears this when he's on the 12 stairs. He had made it up one flight of stairs, 13 heard this, turned around, came bolting down the 14 stairs, grabbed the phone from my hand, and 15 really, really started screaming this time, lit 16 into iO, called iO every imaginable horrible name 17 that you can say to an LGBTQIA person, for one, 18 and any person, any human being ever, I mean, just 19 screened at iO some really nasty stuff. 20 And he -- when he was done, he says, 21 "You know, you want to have my woman now? You 22 want to have my bitch? You can have -- you take</p>
<p style="text-align: right;">4758</p> <p>1 on a cold call. 2 I didn't want iO to think that's why I 3 had called iO, you know, to just be screamed at 4 and blamed for something that sounded crazy. For 5 lack of a better explanation, it sounded crazy. 6 IO said something to me on speakerphone 7 and reminded me I wasn't safe. 8 MS. VASQUEZ: Objection, Your Honor. 9 Hearsay. 10 MS. BREDEHOFT: Your Honor, it's not 11 offered to prove the truth of the matter. It's to 12 show what caused Mr. Depp to be set off and come 13 back. I mean, it's not offered to prove the truth 14 of what he's saying. It's not hearsay. 15 THE COURT: I'll overrule the 16 objection. 17 MS. BREDEHOFT: Thank you. 18 Q Please tell us what iO said and what 19 then happened with Mr. Depp. 20 A IO said, "Amber, get out of the house. 21 Get out of the house now. You're not safe. Get 22 out of that house."</p>	<p style="text-align: right;">4760</p> <p>1 her. You can have her." And he looks at it, 2 picks up, and just pulls his arm back with the 3 phone and throws it at my face, hit me right in 4 my -- what felt like my eye. 5 I put my head in my hands and 6 immediately start crying. I said, "You hit me 7 with the phone. Johnny, you hit me." And I'm 8 sitting on the couch. I didn't even have time to 9 react, you know. I didn't even have time to put 10 my hands up. I was still sitting cross-legged in 11 my socks on the couch, and I haven't seen him for 12 a month, and last -- you know, several times now 13 that I've seen him, he's hit me, and I didn't even 14 have time to react to this. 15 He comes over to me as I'm crying, and 16 he does that taunting thing to me. He says, "Oh, 17 yeah, I hit you, huh? I hit you, yeah?" And he 18 just feels like whacks me on top of my head with 19 this heavy, ringed hand, lays it on top of my 20 skull, yanks me by the hair, yanks me up off the 21 couch. I'm struggling to stand up, and I don't 22 know if he was intending to hit me in the face or</p>

<p style="text-align: right;">4761</p> <p>1 if he was just trying to grab my face, but he was 2 making this gesture around my face to try to 3 hold -- to expose my face to him, and he was like, 4 "Yeah, let me see how bad I hurt you. Let me see 5 it. Let me see how bad I hurt you this time. 6 What if I pull your hair back? What if I will 7 pull your hair back?" 8 And he yanks my hair back. I'm trying 9 to prevent him from landing the blows to my face. 10 I'm trying to prevent my face from being exposed, 11 and I just remember this mocking taunt he was 12 doing with me as he is yanking me around the room. 13 And then I hear my friend come into the room. I 14 hear her. Johnny hears her too, lets go of me, 15 and turns, and -- 16 Q Just tell the jury who your friend is. 17 A Raquel, my best friend at the time, who 18 moved in the neighboring apartment. 19 She came in and Johnny moved towards 20 her, and she ran towards me. Johnny looked at 21 her, looked at me. I retreated to the only place 22 I had to go, which is the corner room where the</p>	<p style="text-align: right;">4763</p> <p>1 And I'm looking down at the carpet 2 feeling her arms, and that's when Johnny, who I 3 can see partially, and hear, is right in front of 4 me, and he's screaming at me to get the fuck up. 5 "Amber, get the fuck up. Amber, get the fuck up. 6 Amber, get the fuck up." And every single time he 7 said it, he's screaming it louder and louder and 8 louder. I think he screamed it probably about ten 9 times, so loudly. 10 Next thing I hear is "Boss, Boss," and 11 I realize that his two security guards had come 12 into the apartment after Raquel. I see them 13 and -- or hear them, and Johnny turns to them and 14 I see Jerry say, "Boss, Boss." And I get up off 15 the couch, and I say to Jerry -- 16 MS. VASQUEZ: Objection, Your Honor. 17 Hearsay. 18 MS. BREDEHOFT: Not offered to prove 19 the truth of the matter asserted at all. 20 THE COURT: I'll sustain the objection. 21 Next question. 22 Q All right. So don't tell us what you</p>
<p style="text-align: right;">4762</p> <p>1 couch was. I retreated kind of to the couch, and 2 Raquel and Johnny both ran up to me. Raquel got 3 in front of Johnny. 4 She kind of managed to get right in 5 front of him in between he and I, and I forget -- 6 and just very slowly -- very, very -- in just a 7 very slow but very concentrated, very controlled, 8 slow way, just put both of her arms, her hands, up 9 like this (indicating) and like I've seen people 10 do with horses, that's what it reminded me of, she 11 just went, "No, no. Johnny, no." And she just 12 got in front of us, in between us, put her -- both 13 of her palms out. 14 Johnny kind of squared off to her, ran 15 into her arms, and she just repeated herself very 16 slowly, very calmly, very directly. He hit both 17 of her arms off of his chest like that 18 (indicating) and barreled towards me. I 19 instinctively curl up on the couch, and I just 20 feel her arms come around me, next to me. She was 21 sitting on my left next to me on the couch. I 22 just feel her arms around me.</p>	<p style="text-align: right;">4764</p> <p>1 said to Jerry, just what happened next. 2 A Then they tell him something, and he 3 picks up the bottle that I guess he'd walked in 4 with. It was a magnum of -- 5 Q Was this Mr. Depp or Jerry? 6 A I'm sorry. Johnny. 7 Q Okay. 8 A -- and starts smashing things off the 9 nightstand, the coffee table, starts screaming, 10 and they kind of -- I feel them kind of corral 11 him. I'm not making direct eye contact, but I can 12 kind of just sense and feel and sound -- and hear 13 things smashing as he exits the apartment, kind of 14 knocking things off the countertops and breaking 15 things on the way. And I realize, you know, he's 16 punching something. I assume it was the picture 17 because it broke right after he walked past it. 18 And he leaves that apartment. I hear him in the 19 hallway, still screaming. I hear more doors 20 opening, more racket. 21 Eventually, Josh, Raquel's husband, 22 comes into the room and brings me to safety,</p>

<p>1 brings Raquel and I to safety, in their apartment. 2 And that's where I stayed for the next few hours. 3 Q So who called the police? 4 A I believe it was iO. 5 MS. VASQUEZ: Objection. Calls for 6 speculation. 7 MS. BREDEHOFT: Your Honor, this is 8 not -- we have to have the context here of 9 somebody called the police because then the police 10 come. So I think we have to -- I mean, it's not 11 offered, again, to prove the truth of the matter 12 asserted. It's just "Who called the police?" 13 MS. VASQUEZ: Your Honor, the objection 14 is not hearsay. It's speculation. 15 Q Do you know who called the police? 16 A Yes, I do now. 17 THE COURT: Okay. Sustain the 18 objection. 19 Next question. 20 MS. BREDEHOFT: All right. 21 Q Did you have a conversation -- were you 22 present when there was a discussion about calling</p>	<p>1 Q Okay. And what did you do as a result 2 of knowing that the police were coming? 3 A I felt panicked. I didn't know what to 4 do because I didn't know what they were going to 5 do when they saw the state of the place. He'd 6 also smashed up the other apartment where I kept 7 all my things. So I didn't know what they were 8 going to do, and I panicked. I called -- I called 9 the only lawyer I have, which is my entertainment 10 lawyer who does, like, my movie contracts and 11 stuff, and I asked him for advice. 12 Q And then without telling what he said, 13 what happened next? 14 A I called a domestic relations attorney 15 after that conversation. 16 Q And had you known this domestic 17 relations attorney before then? 18 A No, I did not. 19 Q Did you get that name from your 20 entertainment attorney? 21 A Yes, I did. 22 Q Okay. And when you called the domestic</p>
<p>1 911? 2 MS. VASQUEZ: Objection. Calls for 3 hearsay. 4 MS. BREDEHOFT: I'm asking if she was 5 present. 6 THE COURT: Sustain the objection. 7 Next question. 8 Q Did you call 911? 9 A No. 10 Q Okay. Did Rocky call 911? 11 MS. VASQUEZ: Objection. Calls for 12 speculation. 13 Q Do you know whether Rocky called 911? 14 A I do know whether she did. 15 Q And did she? 16 A She did not. 17 Q Thank you. All right. So what 18 happens -- when did you learn that the police had 19 been called? 20 A Roughly an hour -- I don't -- at some 21 point shortly after Johnny and his security guards 22 left.</p>	<p>1 relations attorney, without saying what she said, 2 what did you do as a result? 3 A I told the police officers who arrived 4 that I would not -- 5 MS. VASQUEZ: Objection, Your Honor. 6 Hearsay. 7 MS. BREDEHOFT: Again, not offered to 8 prove the truth of the matter asserted. 9 THE COURT: All right. I'll overrule 10 the objection. Go ahead. 11 MS. BREDEHOFT: Thank you. 12 Q I'm sorry. Could you repeat that. 13 A I repeated to the officers, "I refuse 14 to cooperate at this time at the advice of my 15 attorney." 16 Q Did you call your publicist that night? 17 A No. 18 Q Now, I'm going to ask you to take a 19 look at some pictures, but before I get there, I 20 want to just ask you some questions leading up. 21 What were you doing when the police 22 officers arrived?</p>

<p>1 A When – at that time, when I – after I 2 learned that they were coming, my best friend took 3 pictures of me. We took pictures of the house and 4 my face. 5 Q Okay. I'm going to -- and did your 6 best friend take any pictures while the officers 7 were there? 8 A We took pictures before and while they 9 were there and after. 10 Q Okay. 11 A We took pictures throughout. 12 Q Okay. So I'm going to take you -- 13 MS. BREDEHOFT: Now, Michelle, can you 14 bring up Defendant's Exhibit 706. I think we can 15 do the native on this one. Yes, thank you. 16 Q Does this accurately depict the scene 17 portrayed? 18 A Yes, it does. 19 MS. BREDEHOFT: Your Honor, I would 20 like to move the admission of Defendant's 706. 21 MS. VASQUEZ: No objection. 22 THE COURT: 706 in evidence. Publish.</p>	<p>4769 1 how they put it on there. They put it on there at 2 the time they took the picture. 3 THE COURT: She's not here as an 4 expert. She's just here -- 5 MS. BREDEHOFT: Right. It doesn't 6 require expert testimony. This is on the next 7 series of photos, Your Honor, and it's on there 8 because they put it on there as the picture was 9 being taken. You have it on your iPhone. 10 Everybody has it on their iPhone. They can press 11 that button, and that's part of it. It's not an 12 extra feature. 13 MS. VASQUEZ: But that's not -- that's 14 inaccurate. So the picture is taken, obviously 15 it's taken without that. After the fact, what you 16 can do is put on just a little I icon, just to 17 show when the picture was taken. That can be 18 manipulated, of course, Your Honor, and what I 19 suspect that they did was took a screenshot of a 20 phone, her iPad, that has the information bar on 21 top of the picture. 22 MS. BREDEHOFT: She can testify to what</p>
<p>4770 1 Q And would you please describe to the 2 jury what this is a picture of? 3 A This is my face after Johnny threw a 4 phone at it. 5 Q Okay. 6 MS. BREDEHOFT: I'm going to, now, 7 Michelle, ask you to pull up Defendant's 708. 8 Q And does this accurately depict the 9 scene portrayed in this picture? 10 A Yes, it does. 11 Q All right. And I also see that there 12 is a little what we call "metadata item" on there. 13 How do you get that on a picture? How 14 does that happen? Can you just describe briefly? 15 MS. VASQUEZ: Objection, Your Honor. 16 That's speculation. Lack of foundation. 17 THE COURT: If you want to approach. 18 (Sidebar.) 19 MS. VASQUEZ: Lack of foundation. 20 Speculation. And hearsay. 21 MS. BREDEHOFT: It's not a lack of 22 foundation. I'm asking her how that gets on --</p>	<p>4771 1 she did, and they can have expert witnesses in 2 their case. 3 MS. VASQUEZ: That's hearsay, Your 4 Honor. 5 MS. BREDEHOFT: This is on the 6 pictures, Your Honor. 7 MS. VASQUEZ: No. 8 THE COURT: She can testify as to how 9 she put it on the pictures is fine. You can 10 cross-examine on it, but we're not going to get 11 into what metadata is or any of that. 12 MS. BREDEHOFT: I wasn't going to. I 13 was just trying to explain how it got on there. 14 MS. VASQUEZ: Okay. Thank you, Your 15 Honor. 16 THE COURT: Okay. 17 (Open court.) 18 BY MS. BREDEHOFT: 19 Q Can you please explain how this 20 particular item on here got onto the pictures? 21 A It's a feature that was on iPhotos, you 22 know, where the -- where your pictures are stored</p>

<p>1 on your phone typically you just push "Info." 2 Q And was that pushed in these instances? 3 A I pushed info, and that's what came up. 4 MS. BREDEHOFT: Your Honor, I'm going 5 to move the admission of Defendant's 708. 6 THE COURT: Any objection to 708? 7 MS. VASQUEZ: Your Honor, I would just 8 ask the picture be redacted on hearsay grounds -- 9 MS. BREDEHOFT: Your Honor -- 10 MS. VASQUEZ: -- to the metadata. 11 THE COURT: Okay. If you want to 12 approach. 13 MS. VASQUEZ: Metadata. 14 THE COURT: Okay. 15 (Sidebar.) 16 MS. BREDEHOFT: Metadata is not 17 hearsay, Your Honor. It's not hearsay. It's not 18 an out-of-court statement. It's just like a 19 photo. It's just like a video. That's part -- 20 MS. VASQUEZ: No. That's the DNA. 21 MS. BREDEHOFT: It's not an 22 out-of-court statement. It's not by acoustic.</p>	<p>4773 1 THE COURT: Okay. Any objection to 2 that? 3 MS. VASQUEZ: There still needs to be 4 another redaction at the top, Your Honor. 5 THE COURT: Okay. We'll get it. All 6 right. 7 MS. VASQUEZ: Thank you. 8 THE COURT: 708 with the redactions, 9 okay. 10 MS. BREDEHOFT: Thank you, Your Honor. 11 And I would also like the record to reflect that 12 we're publishing this for the jury. 13 THE COURT: Yes. No objection, 14 correct? Yes. There you go. 15 MS. BREDEHOFT: Okay. I would like the 16 record to reflect that this was the photo that was 17 shown to Officer Saenz and Officer -- 18 MS. VASQUEZ: Objection, Your Honor. 19 MS. BREDEHOFT: Your Honor, we couldn't 20 put them in at the time. We hadn't identified 21 them. Now the jury should be entitled to know 22 which photo was shown --</p>
<p>4774 1 THE COURT: Okay. Yes, ma'am. 2 MS. VASQUEZ: It's the DNA of the 3 photograph, batch DNA which can be manipulated. 4 It is text, and it is hearsay. 5 MS. BREDEHOFT: It's not an article or 6 statement, and we have expert witnesses, Your 7 Honor. 8 MS. VASQUEZ: That can testify to it. 9 THE COURT: They can testify to it. 10 Until we have an expert witness, I'll sustain the 11 objection, all right? 12 MS. BREDEHOFT: All right. 13 (Open court.) 14 MS. BREDEHOFT: Your Honor, one moment, 15 please. 16 THE COURT: Okay. 17 MS. BREDEHOFT: I'm trying to figure 18 out how to move this faster within the rules. 19 THE COURT: Okay. That's fine. 20 MS. BREDEHOFT: All right. I'm going 21 to move the admission of 708 with the redaction, 22 Your Honor.</p>	<p>4775 1 MS. VASQUEZ: Your Honor, we ask that 2 we approach. 3 THE COURT: Okay. You can approach. 4 That's fine. 5 (Sidebar.) 6 MS. VASQUEZ: Your Honor, I -- 7 THE COURT: I believe it is in the 8 record. That's the one we didn't get in with 9 deposition because -- 10 MS. BREDEHOFT: They hadn't been 11 identified yet. 12 THE COURT: -- because they hadn't been 13 identified yet. So they were the ones used in the 14 deposition? 15 MS. BREDEHOFT: Yes. And I've got them 16 linked up exactly to the exhibit numbers. 17 THE COURT: I'll allow it. Okay? 18 MS. VASQUEZ: Thank you, Your Honor. 19 THE COURT: Okay. 20 (Open court.) 21 MS. BREDEHOFT: So for the record, this 22 particular photo was shown to Officer Saenz and</p>

4777	<p>1 Officer Hadden as Exhibit 24 in both of the 2 depositions that were shown earlier where the 3 pictures were not allowed to be shown yet because 4 they hadn't been admitted. 5 BY MS. BREDEHOFT: 6 Q Amber, will you please describe for the 7 jury what is depicted in this photo. 8 A Yes. That's a picture of my face taken 9 that evening shortly before 9:30, after Johnny hit 10 me with the phone. 11 Q Okay. 12 MS. BREDEHOFT: Now we can take this 13 one down, and let's go to Defendant's Exhibit 709. 14 And based on the Court's ruling, I'm going to ask 15 if you can redact that, Michelle, please. 16 I move the admission of 709. 17 THE COURT: All right. Any objection? 18 MS. VASQUEZ: Not with redactions, 19 thank you. 20 THE COURT: All right. 709 with 21 redactions in evidence. You can publish. 22 MS. BREDEHOFT: And, Your Honor, for</p>	4779	<p>1 Officer Saenz and Officer Hadden. It was 2 Exhibit 26 for both of their depositions. 3 BY MS. BREDEHOFT: 4 Q And please describe for the jury what's 5 depicted here, Amber. 6 A That is my face, in yet a different 7 light, that same evening after Johnny hit me with 8 the phone. 9 Q Okay. 10 MS. BREDEHOFT: Let's go ahead and go 11 to Defendant's Exhibit 711. 12 And I'm going to move to admission of 13 711, Your Honor, with the redactions. 14 THE COURT: All right. Any objection? 15 MS. VASQUEZ: No objection. 16 THE COURT: All right. 711 with 17 redactions in evidence. Publish. 18 MS. BREDEHOFT: And for the record, 19 Your Honor, for the jury's purposes, this was 20 shown to Officer Saenz and Officer Hadden as 21 Exhibit 27 to both of their depositions. 22</p>
4778	<p>1 the record, this is the photo that was shown to 2 Officer Saenz and Officer Hadden as Exhibit 25 for 3 both of their depositions. 4 THE COURT: Okay. 5 BY MS. BREDEHOFT: 6 Q Amber, could you please describe for 7 the jury what is depicted here. 8 A That is my face after -- after the 9 phone incident. That's that night. 10 Q All right. 11 MS. BREDEHOFT: Let's bring 12 Defendant's 710, please. 13 And, Your Honor, I'm going to move the 14 admission of Exhibit 710. The redactions have 15 already been placed on it. 16 THE COURT: Okay. Any objection? 17 MS. VASQUEZ: No objection. Thank you. 18 THE COURT: All right. 710 with 19 redaction. You can publish. 20 MS. BREDEHOFT: If we could publish, 21 Your Honor. 22 For the record, this photo was shown to</p>	4780	<p>1 BY MS. BREDEHOFT: 2 Q And could you describe what's depicted 3 here, Amber? 4 A Yes. That is another angle, another 5 lighting, of my face -- 6 Q Okay. 7 A -- after the phone. 8 Q And -- 9 A Johnny hit me. 10 Q When you say angle or lighting, what 11 did Rocky do in taking these pictures? 12 MS. VASQUEZ: Objection. Calls for 13 speculation. 14 MS. BREDEHOFT: I said what did she do. 15 THE COURT: Overruled. 16 MS. BREDEHOFT: Thank you. 17 A Raquel took pictures of my face in 18 various places around the penthouse. The 19 apartments have really different lighting, you 20 know, really dark in some places. Anyway, so we 21 just took pictures in different lighting so that 22 we had an accurate portrayal and depiction what</p>

4781	<p>1 had happened.</p> <p>2 Q And why did you take the pictures?</p> <p>3 A Raquel did it to protect me because the</p> <p>4 cops were coming and we knew we -- we knew that</p> <p>5 the police -- I think at this point, that they</p> <p>6 were already here, they were with us, but we</p> <p>7 weren't -- maybe this is right before; I'm not</p> <p>8 quite sure without seeing the time stamp, but we</p> <p>9 weren't sure what was going to happen, what the</p> <p>10 police were going to say, what they were going to</p> <p>11 do. We didn't know what Johnny was going to do,</p> <p>12 what he was going to say. So she wanted to</p> <p>13 protect me.</p> <p>14 Q Okay.</p> <p>15 MS. BREDEHOFT: So let's go ahead and</p> <p>16 bring up 712.</p> <p>17 All right. Move the admission of 712,</p> <p>18 Your Honor.</p> <p>19 THE COURT: All right. Any objection?</p> <p>20 MS. VASQUEZ: No. Thank you, Your</p> <p>21 Honor.</p> <p>22 THE COURT: 712 with redactions. You</p>	4783	<p>1 taken at the exact same time and in the same</p> <p>2 location as the other one, just with one of the</p> <p>3 lights turned on -- or an additional light turned</p> <p>4 on in the previous one.</p> <p>5 Q Okay.</p> <p>6 MS. BREDEHOFT: Let's go to 714.</p> <p>7 Move the admission of 714, Your Honor.</p> <p>8 MS. VASQUEZ: No objection.</p> <p>9 THE COURT: All right. 714 with</p> <p>10 redactions. Publish it.</p> <p>11 Q And please tell the jury what this</p> <p>12 depicts.</p> <p>13 A This is another angle of my face, or</p> <p>14 another picture of my face, taken in a different</p> <p>15 time. I don't know if this is later or before</p> <p>16 because I can't see the time on it.</p> <p>17 Q Okay.</p> <p>18 MS. BREDEHOFT: Take that down. Let's</p> <p>19 go to 715.</p> <p>20 I'm going to move the admission of 715,</p> <p>21 Your Honor.</p> <p>22 MS. VASQUEZ: No objection.</p>
4782	<p>1 can publish.</p> <p>2 MS. BREDEHOFT: Thank you, Your Honor.</p> <p>3 BY MS. BREDEHOFT:</p> <p>4 Q Please describe what's depicted here.</p> <p>5 A That is another picture of my face --</p> <p>6 Q Okay.</p> <p>7 A -- taken around the same time.</p> <p>8 Q Okay.</p> <p>9 MS. BREDEHOFT: And then let's go to</p> <p>10 713.</p> <p>11 Move the admission of 713, Your Honor.</p> <p>12 THE COURT: All right. Any objection?</p> <p>13 MS. VASQUEZ: No objection.</p> <p>14 THE COURT: 713 with redactions. You</p> <p>15 can publish.</p> <p>16 MS. BREDEHOFT: And for the record,</p> <p>17 this one was shown the Officer Saenz and Officer</p> <p>18 Hadden as well as Exhibit 29 to both of their</p> <p>19 depositions.</p> <p>20 Q And just describe briefly for the jury</p> <p>21 what this is.</p> <p>22 A This is another picture of my face</p>	4784	<p>1 THE COURT: All right. 715 with</p> <p>2 redactions in evidence. You may publish.</p> <p>3 MS. BREDEHOFT: Thank you. And for the</p> <p>4 record, this one was shown to Officer Saenz and</p> <p>5 Officer Hadden as Exhibit 17 for both.</p> <p>6 Q Please describe for the jury what's</p> <p>7 depicted here.</p> <p>8 A That is a picture of my face some point</p> <p>9 later on in the night. It looks like that was</p> <p>10 taken in Rocky's apartment or in the apartment</p> <p>11 that she was staying in.</p> <p>12 Q Okay.</p> <p>13 MS. BREDEHOFT: Let's go to 716.</p> <p>14 Move the admission of 716.</p> <p>15 MS. VASQUEZ: No objection, Your Honor.</p> <p>16 THE COURT: All right. 716 in evidence</p> <p>17 as redacted.</p> <p>18 Q And, Amber, could you please tell the</p> <p>19 jury what this picture depicts.</p> <p>20 A Yes. It's the business card that one</p> <p>21 of the police officers left for me in case I</p> <p>22 changed my mind and wanted to comment.</p>

<p>1 Q Okay. And were the pictures that we 2 have just seen before this, were they taken before 3 the pictures of the police card, the card that was 4 left, after, or do you know? 5 MS. VASQUEZ: Objection. Compound and 6 calls for speculation. 7 MS. BREDEHOFT: Your Honor, compound 8 is -- 9 THE COURT: Overruled. 10 MS. BREDEHOFT: Thank you. 11 A We took pictures before, during, and 12 after. 13 Q Okay. And the question I had for you 14 is the pictures you've seen so far, were those 15 taken before, at the time of this -- before this 16 card was presented to you and you took the 17 picture, after, or do you know? 18 A Some of them were, but without seeing 19 all the time stamps, I can't tell exactly. 20 Q Okay. That's fair, thank you. 21 MS. BREDEHOFT: Okay. And then I'm 22 going to ask you to take this one down and go to</p>	<p>4785</p> <p>1 A His name is Josh Drew. And he and 2 Raquel lived in the apartment, at Johnny's 3 invitation, across the hall from us. Raquel had 4 keys. We kind of shared keys. They were our 5 neighbors but had keys to our house. 6 Q Okay. So why didn't you want to 7 cooperate with the police? 8 A Because I -- I wanted to protect 9 Johnny. I didn't want him to be arrested. I 10 didn't want him to be in trouble. I didn't want 11 the world to know. I didn't want this to come 12 out. I didn't want him to be in trouble. I 13 didn't want this to be -- I wanted to protect 14 Johnny. 15 MS. BREDEHOFT: Let's go to Defendant's 16 Exhibit 1374. 17 That's 1374. 18 One moment, Your Honor. 19 THE COURT: All right. 20 MS. BREDEHOFT: Thank you. 21 All right. Move the admission of 22 1374A, Your Honor.</p> <p>4787</p>
<p>1 717. 2 And I'm going to ask you -- I'm going 3 to move the admission of 717, Your Honor. 4 THE COURT: Any objection? 5 MS. VASQUEZ: No objection. 6 THE COURT: All right. 717 as redacted 7 in evidence. Publish. 8 MS. BREDEHOFT: Thank you. 9 Q And please just briefly describe to the 10 jury what this is. 11 A The two officers that first responded 12 left me that card. This is the front of the 13 business card they left. 14 Q Okay. Can you tell the jury, just 15 explain what the interaction was that you had with 16 the police officers, just describing what you 17 observed as they came through? 18 A I did not want to speak to them. I 19 asked that Raquel's partner, or husband, ask them 20 to go away without speaking to me. 21 Q And just so the jury understands, who 22 was Raquel's fiancé at that time?</p>	<p>4786</p> <p>1 THE COURT: Any objection? 2 MS. VASQUEZ: No objection. 3 THE COURT: 1374 in evidence -- 1374A 4 in evidence. I'm sorry. 5 MS. BREDEHOFT: Thank you, Your Honor. 6 Q And, Amber, what is this? 7 A It's another picture of my face after 8 Johnny threw the phone at it. 9 Q Okay. 10 MS. BREDEHOFT: Let's go to 1493T. 11 And move the admission of 1493T. 12 MS. VASQUEZ: No objection. 13 THE COURT: All right. 1493T in 14 evidence. 15 Q And what does this depict? 16 A This is a picture of my eye, my face, 17 after that incident. Perhaps by the lighting, it 18 looks like it might have been taken the next day, 19 but I can't be tell -- I mean, I can't tell for 20 sure. 21 Q Okay. 22 MS. BREDEHOFT: And then let's go to</p> <p>4788</p>

4789	1 1493S. 2 And move the admission of 1493S. 3 MS. VASQUEZ: No objection. 4 THE COURT: All right. 1493S in 5 evidence. You may publish. 6 Q And what does this depict? 7 A This is another picture of my eye and 8 the side of my face. 9 Q Now, were there also pictures taken of 10 the property that you described Mr. Depp 11 destroying or damaging? 12 A Yes, there were. 13 Q Okay. 14 MS. BREDEHOFT: Michelle, can you bring 15 up Defendant's Exhibit 700. 16 And based on Your Honor's rulings, we 17 will take off the metadata. 18 THE COURT: Okay. 19 MS. BREDEHOFT: Move the admission of 20 Defendant's Exhibit 700. 21 MS. VASQUEZ: No objection with 22 redaction.	4791	1 foundation. If you want to -- 2 MS. BREDEHOFT: Okay. 3 Q So what's depicted? What's the damage 4 that was done? 5 A Well, because Johnny would always smash 6 up my things and destroy my property when he was 7 mad at me, I had asked that they not let him in so 8 that he could do that. I mean, the only purpose 9 to let -- for him to be let in penthouse 5 in that 10 state -- he doesn't have property in there. The 11 only way for him -- the only reason for him to go 12 in there would be to destroy it, and they of 13 course let him into penthouse 5 so that he could 14 go -- 15 MS. VASQUEZ: Objection, Your Honor. 16 Lack of foundation. 17 THE COURT: All right. I'll sustain 18 the objection. 19 Next question. 20 Q Just tell the jury what he did here 21 that's depicted in this. 22 A This is just one corner of the room
4790	1 THE COURT: 700 with redactions. You 2 can publish. 3 Q Can you please describe for the jury 4 what's depicted in this photo? 5 A Yes. My friend was preparing for bead 6 show and had displays to show these bead necklaces 7 she made. And she needed some counter space in 8 order to kind of set up the displays that she was 9 going to use the next day, so she asked me earlier 10 in the day if she could use the free counter space 11 in that penthouse, penthouse 5, to kind of set up 12 those display racks. They were set up in that 13 room when Johnny went in there to destroy things, 14 as he does. 15 Q And this depicts some of that damage? 16 A Yeah. He -- security let him in, even 17 though I had asked -- 18 MS. VASQUEZ: Objection, Your Honor. 19 Speculation. And lack of foundation. 20 MS. BREDEHOFT: I don't think that was 21 speculation. 22 THE COURT: I'll sustain as to	4792	1 that shows the destruction. He just went in there 2 with his bottle swinging and destroyed -- smashed 3 a bunch of things. 4 MS. VASQUEZ: Objection, Your Honor. 5 This is speculation. She hasn't established that 6 she was there. 7 THE COURT: I'll sustain. If you want 8 to lay a foundation, that's fine. 9 MS. BREDEHOFT: Okay. 10 Q Did anybody else, to your knowledge, go 11 if there and do this? 12 MS. VASQUEZ: Objection, Your Honor. 13 Calls for speculation. 14 MS. BREDEHOFT: I'm trying to lay the 15 foundation here, Your Honor. 16 THE COURT: I'll sustain the objection. 17 Next question. 18 Q Well, let's do this: Never mind -- 19 we'll let somebody tell who did it, okay? 20 THE COURT: Sure. 21 Q Just all I'm asking here is what is the 22 damage? What has been done that's depicted here?

<p>4793</p> <p>1 A Just one of Raquel's bead racks that 2 he – 3 MS. VASQUEZ: Objection, Your Honor. 4 Speculation. 5 THE COURT: I'll sustain the objection. 6 Q All right. 7 MS. BREDEHOFT: Let's go to 701. 8 Move the admission of 701. 9 MS. VASQUEZ: With redaction, no 10 objection. 11 THE COURT: All right. 701 with 12 redactions in evidence. 13 MS. BREDEHOFT: Thank you. 14 Q Amber, can you please describe what's 15 depicted here. 16 A Yeah. It is our bedroom at 17 penthouse 3, the main penthouse. Looks like he 18 was just throwing things. 19 MS. VASQUEZ: Objection, Your Honor. 20 Calls for speculation. 21 THE COURT: Sustain the objection. 22 Q So just describe what you see here, as</p>	<p>4795</p> <p>1 Q And can you please describe what is 2 depicted here. 3 A Yes. That's broken glass from one of 4 the broken pictures that were hanging on the wall. 5 Q And where is this, physically? 6 A This is in penthouse 5 on the 7 stairwell. 8 Q Okay. 9 MS. BREDEHOFT: Michelle, can you bring 10 up Defendant's 703, please. 11 Move the admission of Defendant's 703. 12 MS. VASQUEZ: No objection. 13 THE COURT: All right. 703 with 14 redactions. You can publish. 15 MS. BREDEHOFT: Thank you, Your Honor. 16 And let the record reflect that this was shown to 17 Officer Saenz and Officer Hadden as Exhibit 41 for 18 both of their depositions. 19 Q And, Amber, please describe for the 20 jury what's depicted here. 21 A It's another photograph of the 22 stairwell in the same apartment, penthouse 5,</p>
<p>4794</p> <p>1 opposed to what you say he did. 2 A I see a bunch of art tossed on the bed. 3 Q Okay. Where was that art before 4 Mr. Depp was at your house on May 21, 2016? 5 A Hanging on the wall where it belongs. 6 Q Okay. 7 MS. BREDEHOFT: Michelle, can you bring 8 up Defendant's Exhibit 702, please. 9 Your Honor, I forgot on the last two 10 for Defendant's Exhibit 700 that was shown to 11 Officer Saenz and Officer Hadden. That was 12 Exhibit 39, to both of theirs, and Exhibit 701 was 13 shown to Hadden only, and that was Exhibit 30 in 14 his deposition. 15 I move the admission of 702, please. 16 THE COURT: All right. Any objection? 17 MS. VASQUEZ: No objection. 18 THE COURT: All right. 702 with 19 redactions. 20 MS. BREDEHOFT: Thank you, Your Honor. 21 And let the record reflect this was also shown to 22 Officer Hadden as Deposition Exhibit Number 40.</p>	<p>4796</p> <p>1 which is the apartment where I kept my things. 2 Q Okay. And is that glass on the 3 stairway? 4 A Yes. From one of the broken picture 5 frames on the wall. We had a lot of picture – I 6 had a lot of picture frames on the walls, and 7 many, if not most, of them were smashed. 8 Q Okay. 9 MS. BREDEHOFT: Let's take this one 10 down and go to 704, please, defendant's, Michelle, 11 thank you. 12 Move the admission of Defendant's 704. 13 MS. VASQUEZ: No objection. 14 THE COURT: All right. 704 with 15 redactions. Publish. 16 MS. BREDEHOFT: Thank you. And let the 17 record reflect this was shown to both Officer 18 Saenz and Hadden as Exhibit 34 to both their 19 depositions. 20 Q And, Amber, please describe for the 21 jury what's depicted here. 22 A Just another piece of glass, looks like</p>

<p style="text-align: right;">4797</p> <p>1 basically a wine glass, that is in penthouse 3, 2 the main apartment. 3 Q And when you say "wine glass," did you 4 see this particular glass? 5 A There were glasses in the kitchen 6 always, and when Johnny was walking out, I saw 7 him, myself, swinging the magnum-size bottle, and 8 I could hear glass breaking and things falling. 9 Q Okay. Thank you. 10 MS. BREDEHOFT: Michelle, can you bring 11 up 705, please. 12 Move the admission of 705. 13 MS. VASQUEZ: No redactions -- excuse 14 me, no objection. 15 THE COURT: All right. 705 in 16 evidence. 17 MS. BREDEHOFT: Thank you, Your Honor. 18 And let the record reflect this was shown to 19 Officer Hadden as Exhibit 36 to his deposition. 20 Q Amber, could you please describe to the 21 jury what's portrayed here? 22 A Things knocked over on the kitchen</p>	<p style="text-align: right;">4799</p> <p>1 how to describe the material. It's like a 2 plasticky kind of netting -- not netting. It's 3 difficult to describe, but it's kind of an outdoor 4 sort of carpet. 5 Q All right. And what's depicted there? 6 A Wine on the floor and a little on the 7 wall, it seems. 8 Q Okay. 9 MS. BREDEHOFT: Let's go to 718, 10 please. 11 Move the admission of 718. 12 MS. VASQUEZ: No objection. 13 THE COURT: All right. 718 with 14 redactions in evidence. 15 MS. BREDEHOFT: And let the record 16 reflect this was shown to Officer Saenz and 17 Officer Hadden as Deposition Exhibit 31 for both 18 of them. 19 Q Amber, please describe for the jury 20 what's depicted here. 21 A It's another photograph on the floor, 22 not the wall. This one appears to be remarkably</p>
<p style="text-align: right;">4798</p> <p>1 countertop, and I see pieces of broken glass on 2 the countertop as well. 3 Q Okay. 4 MS. BREDEHOFT: Let's go to 707. 5 Move the admission of 707. 6 THE COURT: Any objection? 7 MS. VASQUEZ: No objection, Your Honor. 8 THE COURT: All right. 707 with 9 redactions in evidence. Thank you. 10 MS. BREDEHOFT: And let the record show 11 that both Officer Saenz and Officer Hadden were 12 shown this picture as Exhibit 18 in both their 13 depositions. 14 Q Amber, could you please describe to the 15 jury what's depicted here? 16 A This is the hallway leading out -- 17 leading up to the apartments. So this is the 18 hallway that connects all of the apartments. It's 19 kind of an indoor/outdoor sort of hallway, meaning 20 it's covered but it's exposed on the far ends of 21 both to the elements. So this is not carpet; it's 22 like a -- it's like a plasticky -- I don't know</p>	<p style="text-align: right;">4800</p> <p>1 unbroken. 2 Q Okay. 3 MS. BREDEHOFT: Let's go to 719, 4 please. 5 Move the admission of Defendant's 719. 6 MS. VASQUEZ: No objection. 7 THE COURT: All right. 719 with 8 redactions. Thank you. 9 MS. BREDEHOFT: Thank you, Your Honor. 10 Let the record reflect that this was 11 shown to Officers Saenz and Hadden in their 12 depositions, Exhibit 35 to both. 13 Q And, Amber, just describe to the jury 14 what's depicted here. 15 A At the one corner of the kitchen in 16 penthouse 3, looks like one of the things that was 17 knocked off of the kitchen island when Johnny 18 left. 19 Q Okay. 20 MS. BREDEHOFT: Let's go to 21 Defendant's 720, please. 22 Thank you, Michelle.</p>

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

44 (4801 to
4804)

4801	1 Move the admission of Defendant's 720. 2 MS. VASQUEZ: No objection. 3 THE COURT: 720 with redactions. 4 MS. BREDEHOFT: And let the record 5 reflect, Your Honor, this was shown to Officers 6 Saenz and Hadden, Defendant's Exhibit 43 to both. 7 THE COURT: All right. 8 Q Amber, could you please describe to the 9 jury what's depicted here? 10 A That's my office. It's a corner of my 11 office, and that is a box of, like, sentimental 12 things, things from my childhood or things 13 important to me, keepsake boxes, has been dumped 14 out, it looks like. 15 Q Okay. 16 MS. BREDEHOFT: Let's go to 17 Defendant's 721. 18 Move the admission of Defendant's 721. 19 MS. VASQUEZ: No objection, Your Honor. 20 THE COURT: 721 with redactions. 21 Publish. 22 MS. BREDEHOFT: Thank you, Your Honor.	4803	1 Q Okay. You saw him punch this? 2 A I heard it. 3 Q Okay. 4 MS. BREDEHOFT: All right. Let's go to 5 723, please. 6 Move the admission of Defendant's 723. 7 THE COURT: Any objection? 8 MS. VASQUEZ: No objection. 9 THE COURT: All right. 723, redacted, 10 in evidence. 11 MS. BREDEHOFT: Let the record reflect 12 this was shown to Officers Saenz and Hadden in 13 their depositions, Exhibit 38 for both. 14 Q Amber, please describe for the jury 15 what's reflected. 16 A One of the – it looks like a magnum 17 bottle of wine that is empty or spilled on the 18 18 floor. 19 Q Can you tell where that is located? 20 A Looks like it would be penthouse 5. 21 Q Okay. 22 MS. BREDEHOFT: Let's go to 724.
4802	1 And let the record reflect this was shown to 2 Officers Saenz and Hadden in deposition, 3 Exhibit 44 for both. 4 Q Amber, please describe for the jury 5 what this depicts. 6 A It's, again, my office. Same thing, 7 different angle. 8 Q Okay. 9 MS. BREDEHOFT: Let's go to 722. 10 Move the admission of Defendant's 11 Exhibit 722. 12 MS. VASQUEZ: No objection, Your Honor. 13 THE COURT: All right. 722 with 14 redactions in evidence. Thank you. 15 MS. BREDEHOFT: And let the record 16 reflect this was shown to Officer Saenz and 17 Officer Hadden, Deposition Exhibit 42 to both. 18 Q Amber, please describe for the jury 19 what's depicted here. 20 A That's a pictures of my friends and I 21 when we were at that London house that Johnny 22 punched.	4804	1 Move the admission of Defendant's 724. 2 MS. VASQUEZ: No objection. 3 THE COURT: All right. 724 with 4 redaction, thank you. 5 MS. BREDEHOFT: Let the record reflect 6 this was shown to Officers Saenz and Hadden as 7 their Deposition Exhibit 33. 8 Q Amber, please tell the jury what's 9 depicted here. 10 A This is more wine that Johnny was 11 spilling as he was using the – using the bottle 12 he was holding as a, you know, a bat of sorts. 13 Q Okay. 14 MS. BREDEHOFT: Let's go to 725. 15 We're almost done. Just two more, 16 promise. 17 Move the admission of Defendant's 725. 18 MS. VASQUEZ: No objection. 19 THE COURT: Okay. 725 with redactions. 20 MS. BREDEHOFT: Let the record reflect 21 this was shown to Officers Saenz and Hadden as 22 Deposition Exhibit 37 to their depositions.

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4805	1 Q Amber, please tell the jury what's 2 depicted here. 3 A More spilled wine on the floor. This 4 looks like penthouse 5. 5 Q Okay. 6 MS. BREDEHOFT: And the last, but not 7 least, Michelle, please, Defendant's 726. 8 Move the admission. 9 MS. VASQUEZ: No objection. 10 THE COURT: Okay. 11 MS. VASQUEZ: Your Honor, I believe the 12 jury needs a tissue. 13 THE COURT: Okay. Thank you. 14 MS. VASQUEZ: You're welcome. 15 THE COURT: We will get a tissue. 16 Thank you. 17 All right. No objection to 726 with 18 redactions. Thank you. 19 MS. BREDEHOFT: All right. And let the 20 record reflect that this one was shown to Officers 21 Saenz and Hadden as deposition 32 -- exhibits to 22 their depositions.	4807	1 what word she said, but she kind of gestured to my 2 face and -- 3 MS. VASQUEZ: Objection, Your Honor. 4 Hearsay. 5 THE COURT: All right. I'll sustain. 6 MS. BREDEHOFT: I think she can -- 7 gesturing to her face is not hearsay. It's not a 8 statement. 9 THE COURT: I'll sustain the objection. 10 Next question. 11 MS. BREDEHOFT: Also not offered for 12 proof of the matter. 13 THE COURT: I'll sustain. 14 Next question. 15 MS. BREDEHOFT: Okay. 16 Q So what happened next? 17 A I -- 18 Q Let's do this: How long were you with 19 the officer when she took you aside? 20 A A few minutes, if that. 21 Q Okay. And as a result of -- did you 22 cooperate?
4806	1 Q Amber, please just describe to the jury 2 what's depicted here. 3 A More spilled wine on the floor, 4 penthouse 3, it appears. 5 Q Okay. Thank you. 6 Now, when the police officers were 7 there, did either of them take you aside by 8 yourself and talk with you? 9 A Yes. 10 Q Which one? Or both? 11 A The male officer I did not have much 12 interaction with. The female officer asked to -- 13 said she needed to speak to me by myself, pulled 14 me aside. We went into penthouse 3, the main 15 penthouse, to speak there because I had been in 16 penthouse 1, Raquel and Josh's apartment, up until 17 that moment. 18 Q Okay. And then what, if anything, did 19 she ask you? 20 A She asked me if I would make a 21 statement, if I would cooperate. She kind of 22 indicated to me -- I don't remember if it was a --	4808	1 A No, I did not. But it was my 2 understanding that I couldn't stop them from 3 walking through the apartment, which is what they 4 indicated to me. 5 Q Okay. And were you with them when they 6 walked through the apartment? 7 A No. Josh walked in -- I was with them 8 at the beginning of penthouse 3. Josh, Raquel's 9 partner, took over from there and showed them 10 around the house up through penthouse 3, which 11 connects on the top floor, to the neighboring 12 apartment, penthouse 4, and then on to 13 penthouse 5. They all connect on the top level. 14 So Josh walked the officers through 15 the -- through the house. 16 Q Okay. And what, if anything, did you 17 say about the identity of Mr. Depp? 18 A Nothing. 19 Q Were you asked? 20 A Yes. 21 Q But you refused to tell them? 22 MS. VASQUEZ: Objection. Leading.

4809	1 THE COURT: Sustained. 2 MS. BREDEHOFT: Okay. 3 Q Why did you refuse to tell the police 4 officers Mr. Depp's identity? 5 A Because I did not want them to arrest 6 Johnny. I did not want this to happen. I did not 7 want any of this to happen. I didn't want to get 8 him in trouble, so I said -- well, I can't -- I 9 just refused to cooperate. 10 Q Okay. Now, approximately how long were 11 the police officers there? 12 A I don't recall exactly. Maybe, I'd 13 say, less than half an hour. I really don't know 14 exactly. But they weren't there very long at all. 15 Q Okay. Now, after the police officers 16 left, what did you do? 17 A We cleaned up a bit because there was 18 broken glass and we had dogs, so we tried to clean 19 up the mess, and especially the glass, and Josh, 20 Rocky, Liz, and I, we just cleaned up and 21 eventually sat on the couch and they just tried to 22 comfort me.	4811	1 A And I was sitting on the couch. It was 2 some time, hours, maybe, like, maybe between an 3 hour, two hours, maybe more. I don't really 4 recall. But we had cleaned up and we were 5 resting, and they were comforting me when they 6 came. And they didn't seem to -- they didn't do 7 what the first set of officers did. They just 8 kind of came into the apartment, confirmed that I 9 was okay or that we were okay. They didn't really 10 seem to be that concerned, and they didn't demand 11 to walk through like the first set of officers 12 had, and they left. 13 Q Okay. And, what, if any, cooperation 14 did you give them? 15 A Well, I didn't need to. I didn't 16 really cooperate. I didn't talk to them. I 17 didn't even get up off the couch. I was speaking 18 to them from quite a bit of a distance, like 19 between you and I, and maybe more. And I didn't 20 really say anything. I just kind of acknowledged 21 that they entered and that I -- that was it. 22 Q Did you provide them with Mr. Depp's
4810	1 Q Okay. What, if any, knowledge did you 2 have that there was going to be a second set of 3 officers coming later that night? 4 A I didn't know about that. That 5 surprised me. 6 Q When did you learn that a second set of 7 officers were coming to the penthouse that night? 8 A I think I learned about it when they 9 were there, when they arrived. 10 Q Okay. And we've seen the body-worn 11 video on that. Is there anything that you recall 12 outside of what was reflected on officer Gatlin's 13 body-worn video? 14 A I couldn't see much of what was on that 15 video. I just -- I remember being surprised that 16 they were there, not really know why they were 17 there. I assumed it was because I was encouraged 18 to make a statement by the first set of officers. 19 MS. VASQUEZ: Objection, Your Honor. 20 Hearsay. 21 THE COURT: I'll sustain the objection. 22 Q Keep going forward.	4812	1 name? 2 A No way. 3 Q Did they ask? 4 A No. 5 Q All right. I'm going to take you to 6 the next day, May 22, and I'm going to -- 7 MS. BREDEHOFT: Michelle, can you bring 8 up Defendant's Exhibit 772. 9 Q What, if any, efforts did Mr. Depp make 10 to reach out to you the day after this happened? 11 A Well, he made several efforts. 12 Immediately, he kind of reached out and lashed 13 out, again, kind of going on what seems to be 14 slightly delusional thinking that just because he 15 saw my friend's beads out on the countertop, that 16 it had become a workshop or a studio for her. So 17 he seemed angry about, you know, this perception 18 that this bead display that my friend had set up 19 was evidence of her running some sort of workshop. 20 And he also accused us of having -- or me of 21 having invited someone else to live there who 22 wasn't living there, who was just in the apartment

4813	<p>1 when Johnny stormed in.</p> <p>2 So he just kind of lashed out, and then</p> <p>3 the tone changed in the days that followed.</p> <p>4 Q Let me stop you there. So I'm going to</p> <p>5 ask you to take a look at Defendant's Exhibit 772.</p> <p>6 And is this a text message from Mr. Depp to you?</p> <p>7 A Yes, it is.</p> <p>8 Q And it's on 5/22 at 12:23 a.m. So it's</p> <p>9 early morning hours after 5/21; would that be</p> <p>10 fair?</p> <p>11 A Yes.</p> <p>12 MS. BREDEHOFT: Your Honor, I'm going</p> <p>13 to move the admission of Defendant's 772.</p> <p>14 MS. VASQUEZ: No objection.</p> <p>15 THE COURT: All right. 772 in evidence</p> <p>16 with the identifiers redacted and published.</p> <p>17 Thank you.</p> <p>18 MS. BREDEHOFT: Thank you, Your Honor.</p> <p>19 Q All right. And I know you started to</p> <p>20 talk about this, Amber, but it says, "I'm an</p> <p>21 idiot. PH5 is Rocky's studio. You are</p> <p>22 shameless."</p>	4815	<p>1 What, if any, discussion did you have</p> <p>2 with Mr. Depp about divorce that night?</p> <p>3 A We did not have a discussion about that</p> <p>4 that evening. We didn't have time. He was</p> <p>5 obsessed with dog poop.</p> <p>6 Q Okay.</p> <p>7 A That's what he wanted to talk about.</p> <p>8 MS. BREDEHOFT: All right. Let's take</p> <p>9 this down, and let's go to Defendant's</p> <p>10 Exhibit 773.</p> <p>11 Q Now, this is a text exchange between</p> <p>12 you and Mr. Depp. It starts with Mr. Depp on</p> <p>13 5/21 at 6:58 p.m., just saying "Here." Does that</p> <p>14 refresh your recollection of when he arrived at</p> <p>15 your penthouse on May 21?</p> <p>16 A Yes.</p> <p>17 Q Okay. And then the next series are on</p> <p>18 5/22. They start at 5:13, and you're discussing</p> <p>19 talking. You said, "Sorry. I'm just leaving</p> <p>20 Amanda's birthday now."</p> <p>21 Do you see that?</p> <p>22 A Yes, I do.</p>
4814	<p>1 Do you see that?</p> <p>2 A Yes.</p> <p>3 Q Was that what you were talking about</p> <p>4 with him thinking --</p> <p>5 A Yes.</p> <p>6 Q Okay. And then, obviously, we can read</p> <p>7 that he says, "I tried to make it work. You just</p> <p>8 turned more and more into a spoiled brat. All you</p> <p>9 wanted was to making me fucking miserable. Well,</p> <p>10 I'm finally there. I'll never be able to</p> <p>11 understand how I fell in love with you. You're</p> <p>12 not her. I loved you more than anything. I did</p> <p>13 everything that I could, but you never fucking</p> <p>14 loved me. I was merely convenient for you. I</p> <p>15 hope our divorce goes as quickly as possible and</p> <p>16 that it is as painless as possible. So sorry you</p> <p>17 were as unhappy with me as you were. Obviously</p> <p>18 the purity of whatever was has been gone for a</p> <p>19 long time. I will miss the moments of beauty and</p> <p>20 truth. Goodbye, Amber. What the fuck was I</p> <p>21 thinking? I wish you all merit -- all you merit,</p> <p>22 the former him."</p>	4816	<p>1 Q All right. And then he responds to</p> <p>2 that, correct?</p> <p>3 A Yes.</p> <p>4 Q All right.</p> <p>5 MS. BREDEHOFT: Your Honor, I would</p> <p>6 like to move the admission of Defendant's 773.</p> <p>7 MS. VASQUEZ: Your Honor, if we could</p> <p>8 just have a minute to review the exhibit.</p> <p>9 THE COURT: Sure. Yes, ma'am.</p> <p>10 MS. VASQUEZ: Is it just this page?</p> <p>11 MS. BREDEHOFT: No, there's --</p> <p>12 THE COURT: Three pages.</p> <p>13 MS. BREDEHOFT: -- three pages.</p> <p>14 THE COURT: I'm just reading Michelle's</p> <p>15 hands.</p> <p>16 MS. VASQUEZ: No objection, Your Honor.</p> <p>17 THE COURT: All right. 773 with</p> <p>18 redaction of identifiers.</p> <p>19 MS. BREDEHOFT: Thank you.</p> <p>20 If we could -- okay. We've got it</p> <p>21 published to the jury.</p> <p>22 So let's go to the top, Michelle.</p>

<p>4817</p> <p>1 Q So it starts out with him. This is the 2 5/21, 6:58 p.m., saying he was there, correct? 3 A Yeah. But I think he came in later 4 than that, took him some time. 5 Q Okay. And then if we move up, the next 6 one is you at 5:22 -- at 5:13 p.m., correct? 7 A Yes. 8 Q And then you say, "Thank you," and then 9 "Can we still speak and amend?" 10 What do you recall of why you sent 11 those texts? 12 A I believe we had spoken on the phone, 13 or the -- I can't control this, correct? The 14 screen? I don't know. 15 Q We can give you control, yes. Maybe we 16 should do that and clear out my purples. 17 A I just don't know what was sent right 18 before this. 19 Q Go ahead. Go ahead. 20 THE COURT: She can't scroll. She's 21 asking to scroll. 22 MS. BREDEHOFT: Okay. Michelle, let's</p>	<p>4819</p> <p>1 done, you know, both he and I did that at times in 2 some of our fights, especially towards the end of 3 our relationship. 4 And so I let him know that I was 5 serious about filing at the time and that I had 6 had enough after the phone -- 7 MS. VASQUEZ: Objection, Your Honor. 8 Hearsay. 9 THE COURT: Sustained. 10 Go ahead. 11 Q All right. I'm going to draw your 12 attention to the bottom of the page, Defendant's 13 Exhibit 773, and this is at 522, so this is 6:19 14 p.m. Do you see that? 522? 15 And he says, "Just let me know when you 16 have a minute, and I'll give you a call. Nothing 17 I have to say, you should elicit anything but a 18 sense of ease." 19 Do you see that? 20 A Yes. 21 Q And then he says, "All my love and 22 profound apologies."</p>
<p>4818</p> <p>1 have you scroll if you can. Just go ahead and 2 scroll through, just slowly, so she can read the 3 whole thing. 4 A Okay. 5 Q All right. Does that help refresh your 6 recollection? 7 A Yes. I believe that -- I believe he 8 had apologized to me after the phone incident. I 9 had commitments that I had to attend the following 10 day on the 22nd, so the beach joy reference I 11 mentioned I had to go to, I had to go to a -- I 12 was outside to bring a cake to a friend's birthday 13 party, so I had things I was -- unfortunately I 14 had things to do that day. And I remember there 15 was communication with Johnny, both by phone and 16 by text, where he was telling me that he was 17 clean, that he was sober, he was clear-minded. It 18 wasn't the monster, and that he was so sorry. 19 But I -- I had already committed to 20 filing for divorce, and eventually I have to let 21 him know that it's not just -- not just saying it 22 in the anger, in the fights that, like we had</p>	<p>4820</p> <p>1 What was he apologizing for? 2 MS. VASQUEZ: Objection. Calls for 3 speculation. 4 THE COURT: All right. 5 Q What was your understanding of what he 6 was apologizing for? 7 MS. VASQUEZ: Speculation, Your Honor. 8 THE COURT: Sustain the objection. 9 Q In his phone call with you, did he tell 10 you what he was apologizing for? 11 A Yes. 12 Q What did he say? 13 A He was sorry that he reacted the way he 14 did. He said he didn't mean to hurt me. He 15 didn't mean to hurt me. If he really hurt me that 16 bad, he's sorry, but he just -- he didn't mean to. 17 Q Okay. 18 MS. BREDEHOFT: Michelle, if we can, go 19 to the next page, up to the green, please. 20 Q And he says here, "I'm sad, I'm scared, 21 and I'm broken, my sweet slim." And then he says, 22 "I want you happy. I have zero harsh feelings. I</p>

4821	1 am clear, and I am me." 2 What did you understand him to mean by 3 "I am clear and I am me"? 4 MS. VASQUEZ: Objection, Your Honor. 5 Calls for speculation. 6 Q Do you -- 7 A I know what he meant. 8 Q Okay. 9 MS. VASQUEZ: Your Honor -- 10 Q Did he use that phrase with you? 11 THE COURT: Hold on. I'll sustain that 12 objection. 13 MS. BREDEHOFT: I'm trying to get to 14 the next one. 15 THE COURT: I know. Then you can ask 16 your next question. 17 MS. BREDEHOFT: Thank you. 18 Q Did he use those phrases with you 19 during your marriage? 20 A Yes, he did. 21 Q What did Mr. Depp mean when he says, "I 22 am clear, and I am me"?	4823	1 Do you see that? 2 A Yes. 3 Q Okay. And was it your understanding he 4 was apologizing again? 5 MS. VASQUEZ: Objection, Your Honor. 6 Calls for speculation. 7 THE COURT: All right. I'll sustain 8 the objection. 9 MS. BREDEHOFT: Okay. 10 Q Was there anything else he would have 11 been apologizing for that he had done? 12 MS. VASQUEZ: Objection. Calls for 13 speculation. 14 THE COURT: I'll sustain the objection. 15 MS. BREDEHOFT: That's it. Okay. 16 Q So tell the jury how you felt in that 17 week, May 22 through May 27, and what you decided 18 to do? 19 A At the time, it felt like the hardest 20 thing I've ever had to do. I had worked so hard 21 to try to make this relationship work. I went to 22 therapy. I went to Al-Anon. I got help. I read
4822	1 MS. VASQUEZ: Objection. Calls for 2 speculation. 3 MS. BREDEHOFT: I think I established 4 the foundation. 5 THE COURT: Overruled. 6 MS. BREDEHOFT: Thank you. 7 A That he had sobered up. That he had 8 sobered up and he was not the monster again, that 9 he was him, that he was the good guy I loved, the 10 one that I trusted. 11 Q All right. 12 MS. BREDEHOFT: I'm going to ask, 13 Michelle, if you can take that one down and bring 14 in 771, which has already been admitted. 15 Q Now, those text exchanges were in the 16 6:00 to almost 7:00 range, and here it's 5/22 it's 17 now 8:00, correct? 18 A Yes. 19 Q And he's telling you, "Sorry if it was 20 a bit. Please know that my hurt towards you is 21 over. My apologies are eternal and belong to you, 22 solid."	4824	1 books. I did everything I could possibly do, and 2 it didn't work. And I -- I was conflicted. To 3 answer your question, I was conflicted. I knew 4 after he threw the phone at my face that after all 5 that month of not seeing each other, not getting 6 better, not getting clean and sober, there wasn't 7 even -- I didn't -- you know, the -- it was 8 falling apart. 9 I knew I had -- I knew I had to leave 10 him. I knew I wouldn't -- I knew I wouldn't 11 survive it if I didn't. So I made the decision to 12 file for divorce. It was hard because, you know, 13 I loved Johnny so much. I loved him so much. 14 Q And why did you file for divorce? 15 A Because I knew if I didn't, that I -- I 16 knew if I didn't, I'd likely not literally 17 survive. I'd been so scared that it was going to 18 end really badly for me, and I -- I really didn't 19 want to leave him. I loved him so much. I would 20 have done anything, but I couldn't -- I couldn't 21 do that one thing; I couldn't stay. The promise 22 and hope that I had had become less and less

4825	4827
<p>1 regular and more and more rare. The monster had 2 been this thing that was now the normal and not 3 the exception. The violence was now normal and 4 not the exception. I was -- so it was so hard. 5 It was so hard, but I knew I had to do it. I 6 believe he would have taken it too far and I 7 wouldn't be here. 8 Q Why did you ask for a domestic violence 9 temporary restraining order? 10 A I wanted to change my locks. I wanted 11 to change my locks. I wanted to -- a good night's 12 sleep. Security would always let him into the 13 house, no matter what I asked them, no matter when 14 I -- when I begged them to let me know when he was 15 coming over, no matter how much I begged them not 16 to let him in when he was drunk or high. And I 17 just -- I couldn't sleep. I'd wake up in a panic. 18 I was losing hair. I was losing weight. I got 19 really sick. I had shingles. I couldn't sleep. 20 I'd wake up in a panic attack. I had panic 21 attacks all the time. I was falling apart. I was 22 really scared and very conflicted because the</p>	<p>1 on the DVTRO? 2 A No, he didn't. 3 Q Did you? 4 A Yes, I did. 5 Q Okay. And why did you show up? 6 A Because I had to provide testimony for 7 why I needed a restraining order. 8 Q What, if any, warning did you give 9 Mr. Depp about obtaining the DVTRO? 10 A We gave him warning. My counsel and 11 his counsel were in communication, and we let them 12 know. We had to. It was mandatory is my 13 understanding of it. I'm not a lawyer. 14 Q Was there any confusion surrounding 15 whether Mr. Depp was going to file suit as well? 16 MS. VASQUEZ: Objection, Your Honor. 17 Calls for speculation. Lack of foundation. 18 MS. BREDEHOFT: I'm asking -- 19 THE COURT: I'll sustain as to 20 foundation. 21 Q Did you have any confusion as to 22 whether Mr. Depp was going to file as well?</p>
4826	4828
<p>1 person I was scared of was also the person I'm in 2 love with, which is really tricky. 3 And I was thinking one step at a time. 4 You know, I was thinking very myopically. I 5 wanted just to get a good night's rest, a good 6 night's sleep. I just wanted them to change my 7 locks. I thought it would be healthier if I got 8 some sleep and I could think of what to do and how 9 to handle this and I just could sleep. And when I 10 did, I realized that that wasn't enough, that he 11 could get in anyway, that the building wasn't 12 going to stop him from getting a locksmith and 13 coming in. I knew that he would do what he 14 wanted. 15 MS. VASQUEZ: Objection, Your Honor. 16 Calls for speculation. 17 THE COURT: Overruled. 18 MS. BREDEHOFT: Your Honor -- thank 19 you. 20 THE COURT: All right. Next. 21 MS. BREDEHOFT: Okay. 22 Q So did Mr. Depp show up for the hearing</p>	<p>1 A So I filed for divorce on the 23rd, I 2 believe, and I thought that when I went in that 3 Tuesday, or when we filed for it, remarkably, it 4 managed to stay under the radar. You know these 5 filings are not private. You can't make them 6 private in California. And remarkably it had 7 flown under the radar. No one picked up on the 8 fact that I had filed. And as limited as it 9 sounds now, I just wanted as much privacy as we 10 could have, you know, one day at a time. I wanted 11 as much privacy as we could possibly get, and the 12 filing had been missed by TMZ and, you know, these 13 paparazzi outlets and stuff. 14 But the communications between our 15 counsel, I realized that Johnny was going to 16 file -- 17 MS. VASQUEZ: Objection. Hearsay. 18 THE COURT: All right. I'll sustain 19 the objection. 20 MS. BREDEHOFT: I'm trying to think how 21 to ask this. 22 Q So without saying what the counsel</p>

<p>1 said, what were you -- what was your 2 understanding? And what was your concern? 3 MS. VASQUEZ: Objection. Hearsay. 4 THE COURT: I'll sustain the objection. 5 MS. BREDEHOFT: All right. Well, let's 6 move on. 7 Michelle, can you bring up Defendant's 8 Exhibit 800, please. 9 Move the admission of Defendant's 10 Exhibit 800. 11 THE COURT: Any objection? 12 MS. VASQUEZ: No objection, Your Honor. 13 THE COURT: All right. 800 in evidence 14 and published. 15 Q Amber, can you describe for the jury 16 what this picture is? 17 A It's a picture of my face while I'm 18 sitting at the courthouse. 19 Q And were you wearing any makeup? 20 A I was wearing nothing, not a stitch of 21 makeup. 22 MS. BREDEHOFT: Michelle, can you bring</p>	4829	<p>1 stay that way, and I walked out to a sea of 2 paparazzi and cameras, photographers. I, to that 3 point -- I mean, at that point in my life, I had 4 never seen so many photographers, and they just 5 surrounded me as I walked out of that courthouse 6 and screamed at me, screamed horrible things at 7 me. 8 Q I'm going to take you, just for a 9 moment, to makeup, and then we'll -- 10 THE COURT: After that -- 11 MS. BREDEHOFT: -- yeah, that will be a 12 good breaking point after the makeup. 13 THE COURT: Yes. 14 Q You said that you didn't testify -- 15 didn't wear any makeup that day. We've heard all 16 kinds of things about makeup in this case. Could 17 you please tell the jury what your regular routine 18 was with respect to makeup? 19 A Yes. I get up and wash my face, like 20 most of us, and I put on, right away, a 21 moisturizer that has tinted foundation in it. And 22 then I put another foundation on because it has</p>	4831
<p>1 up 801, please. 2 Move the admission of 801. 3 MS. VASQUEZ: No objection. 4 THE COURT: 801 in evidence. Publish. 5 Q Amber, if you can, tell the jury what 6 this is. 7 A That's me where I was obtaining my 8 restraining order. That's me in the courthouse. 9 Q Okay. And what, if anything, did you 10 do while you were at the courthouse? Did you 11 testify? 12 A Oh, I provided testimony and sat there 13 and cried. 14 Q And did you obtain a domestic violence 15 restraining order, temporary restraining order? 16 A I did. The court granted me a 17 restraining order at that time. 18 Q Okay. When you left the courthouse, 19 what did you experience? 20 A I walked into the courthouse. It was 21 quiet first thing in the morning. No one knew 22 about my divorce, so I thought it was going to</p>	4830	<p>1 sun block in it. I have a skin condition that my 2 skin reacts to the sun in a bad way, so I have to 3 wear sun screen or sun block every day. Anyway, 4 so I put on both of those. I put on concealer, 5 and I do that before I leave my bathroom in the 6 morning. 7 Q Okay. 8 A That's obviously if I don't have a 9 bruise. 10 Q Now, when you had bruises or cuts of 11 any nature, what would you do about those? Would 12 you try to cover them up? Would you try to just 13 leave them showing? What would you do? 14 MS. VASQUEZ: Objection, Your Honor. 15 Leading. 16 MS. BREDEHOFT: I -- 17 THE COURT: Overruled. Go ahead. 18 A Well, I'm typically photographed in LA 19 when I leave the house, paparazzi type of 20 photographs. So I always -- you know, I'm 21 somewhat aware of that anyway, and no woman wants 22 to walk around with a bruise on her face. So if I</p>	4832

<p style="text-align: right;">4833</p> <p>1 do have a bruise on my face or someplace visible, 2 you know, the main thing is to ice right away to 3 reduce swelling because no amount of makeup can 4 fix swelling. But it's very manageable if you ice 5 it really good. Arnica is also a great remedy, 6 arnica cream. And then if you want to cover up a 7 bruise, you obviously put foundation first, 8 concealer, and then on top of that, I used a – 9 like a bruise kit, not a bruise kit, it's a 10 theater makeup kit, a color correction kit I use. 11 I call it my bruise kit. 12 MS. BREDEHOFT: I used this, I think, 13 in opening statement, and it's Defendant's Exhibit 14 1. 15 THE COURT: If you could, microphone, 16 please. We can't hear you. 17 MS. BREDEHOFT: Oh. May I approach the 18 witness to -- 19 THE COURT: You can show counsel. 20 A Yeah. This is what I was talking 21 about. It's a color correction kit. This is not 22 obviously the exact one I used to carry, but I</p>	<p style="text-align: right;">4835</p> <p>1 So that's the trickiest part, but after 2 a few days, that becomes more of a – that blue 3 becomes more of a brown, yellowish brown, like a, 4 you know, five, seven days in, becomes more of a 5 yellow-green and then fades into a brown, and then 6 it's your skin. And whatever color you're working 7 with in the bruise, you want to go opposite color 8 on the color wheel. 9 So the opposite, I mean, so in the 10 first couple of days when you have more of the 11 typically bruise color, the blues and the purples, 12 you want to go more of the orange on the color 13 wheel, as opposed to the greens that you start 14 with. And then it moves – it progresses from 15 there. 16 I also noticed that bruising on your 17 face tends to heal a lot faster than, at least for 18 me, it was faster healing than bruises on my body, 19 or at least it seemed like that to me. And I know 20 this is pretty much unrecognizable after a day or 21 two, depending on how much you ice it. 22 Lips are the hardest because they crack</p>
<p style="text-align: right;">4834</p> <p>1 used to carry it with me all the time. Sometimes 2 it's pink, and sometimes a little bit more purple 3 of a hue. And sometimes the kits are three 4 colors. You can get them in three or four colors. 5 Sometimes they have even more. But the idea is 6 that you want to counteract whatever color you're 7 working with on the bruise. 8 So the first day of bruising is – 9 well, the immediate is red. Red is what shows up 10 right away, so you want to go with the opposite on 11 the color wheel by dabbing on a bit of the green 12 or something to counteract the red. After a day 13 or two, you get more purple in a bruise, so you'd 14 obviously have to go with more of the red tones or 15 the orange tones here. 16 Day two, for me, was always the 17 trickiest because day two just – I feel like -- 18 well, day one and day two are hardest for me 19 because that's when you get the most blues and 20 purples, and you have to deal with the 21 sensitivity. Bruises don't like to be touched. 22 That's the whole point.</p>	<p style="text-align: right;">4836</p> <p>1 and bleed, of course. But that's easy to hide 2 with lipstick if you're a woman or, you know, if 3 you wear lipstick, I suppose. 4 Q We heard some testimony of people in 5 the week of May 21st to 27, saying that you didn't 6 wear a stitch of makeup; is that true? 7 MS. VASQUEZ: Objection. Hearsay. 8 THE COURT: Overruled. 9 A They just don't know what they're 10 talking about. I always wear makeup. 11 Q You always wear makeup? 12 A I mean, it's part of my bathroom 13 routine in the morning. You know, I wash my face, 14 I put on my moisturizer. My moisturizer has 15 tinted foundation in it, and I'm certainly not 16 going to walk around LA with bruises on my face. 17 MS. BREDEHOFT: Okay. I think this 18 is -- 19 THE COURT: All right. Ladies and 20 gentlemen, let's go ahead and take our lunch 21 recess at this time. Again, do not do any outside 22 research. Do not discuss the case with anybody,</p>

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

53 (4837 to
4840)

4837	1 and we'll see you in an hour, okay? Thank you. 2 Court is still in session, so please be 3 quiet in the gallery. Thank you. 4 (Whereupon, the jury exited the 5 courtroom and the following proceedings took 6 place.) 7 THE COURT: All right. And again, 8 Ms. Heard, since you're still under oath and 9 testifying, you cannot discuss this case with 10 anyone, to include with your attorneys, okay? 11 THE WITNESS: All right. 12 THE COURT: Let's come back, then, at 13 1:40, okay? All right. Thank you. 1:40. 14 THE BAILIFF: All rise. 15 (Recess taken from 12:38 p.m. to 16 1:40 p.m.) 17 THE BAILIFF: All rise. 18 Please be seated. 19 THE COURT: All right. Are we ready 20 for the jury? Oh, have things, okay. 21 Yes, what do we have? Do you want to 22 come, somebody?	4839	1 order from the motion about the jurors' 2 identities. It's not an agreed order, but it's an 3 order signed. 4 MR. CHEW: And we agree, but haven't 5 seen the brief, we just object to some of the 6 characterizations about Mr. Depp. 7 THE COURT: Well, I understand that. 8 MR. CHEW: But we agree to the ruling. 9 THE COURT: Do you have any objection 10 to me telling them during jury instruction? 11 MR. CHEW: Not, not at all. 12 MR. ROTTENBORN: And that was 13 specifically in our brief. We think those should 14 be done prior to deliberations. 15 THE COURT: I was just going to make it 16 part of my incorporating jury instructions. 17 MR. CHEW: We have no objection to the 18 release. It just took a couple of potshots. 19 THE COURT: That's fine. It's under 20 seal. That's good. 21 All right. Anything else? 22 Are we ready for the jury?
4838	1 (Sidebar.) 2 MS. BREDEHOFT: That's all the audios 3 from this morning. 4 THE COURT: Thank you. 5 MS. BREDEHOFT: And this is the 6 redacted. 7 THE COURT: All right. Which? 773 8 redacted. 9 MS. BREDEHOFT: 772. 10 THE COURT: 773, 772, okay. 11 MS. BREDEHOFT: And, Your Honor, 12 denying the -- that the metadata on the photos 13 does not constitute hearsay. 14 THE COURT: It wasn't hearsay. 15 Foundation was the main issue. 16 MS. BREDEHOFT: I didn't have the 17 opportunity to ask her. 18 THE COURT: No. But the foundation, 19 we're going to get through the expert, that's what 20 we said. Okay? All right. 21 MS. BREDEHOFT: Yes. 22 MR. ROTTENBORN: This is just an agreed	4840	1 MS. BREDEHOFT: Yes, Your Honor. 2 (Whereupon, the jury entered the 3 courtroom and the following proceedings took 4 place.) 5 THE COURT: All right. Thank you. Be 6 seated. 7 All right. Your next question. 8 MS. BREDEHOFT: Your Honor, I would 9 like to move the admission of Defendant's 10 Exhibit 155. 11 THE COURT: Any objection? 12 MS. BREDEHOFT: That's the makeup 13 pallet. 14 MS. VASQUEZ: No objection. 15 THE COURT: 155 in evidence. 16 Do we have it there? 17 MS. BREDEHOFT: We have pictures. 18 THE COURT: All right. 155 in 19 evidence. 20 Okay. Yes, ma'am. 21 MS. BREDEHOFT: Thank you, Your Honor. 22 Michelle, can you bring up Depp

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4841	<p>1 Exhibit 357B, as in boy, plaintiff's exhibit, and 2 it's a tape recording from June 2016. The time 3 stamps are 4:47 to 7:52. 4 THE COURT: Is this in evidence yet? 5 MS. BREDEHOFT: I'm going to move it 6 into admission? 7 THE COURT: Was that going to be for 8 the whole 357 or is that 357A? 9 MS. BREDEHOFT: B. I have that as B as 10 in boy. 11 THE COURT: B. Okay. 357B. 12 Any objection to 357B? 13 MS. VASQUEZ: No, Your Honor. 14 THE COURT: All right. 357B in 15 evidence. Thank you. 16 (Whereupon, the following audio was 17 played.) 18 MS. HEARD: I can tell the basic fact 19 in private for days after I filed. You did not 20 have to file. That's not a move that the other 21 party has to make. 22 MR. DEPP: Okay. But --</p>	4843	<p>1 going to file anything that's bad for you, trust 2 me. 3 MR. DEPP: No, what you're saying, 4 you've got to do something to protect yourself, 5 which means throwing me under the bus for some 6 video you made of me. 7 MS. HEARD: That's not me. I have to 8 respond. Legally, I'll have to go and pursue 9 the -- no, I have to pursue the whole court action 10 because here we go, if we do this -- well, 11 basically, we'll know because I called my lawyers 12 and I said, why aren't we negotiating? What is 13 going on? Where are we? They're like, 14 everything's in the court. 15 MR. DEPP: No, they won't send -- your 16 agent -- your lawyers won't settle, baby. 17 MS. HEARD: No, we have to meet you. 18 We even found mediators and everything. But that 19 was all worked out. The thing that lawyer didn't 20 agree to was she did not want to agree to mutual 21 gag order, and that's the problem because she 22 doesn't want the gag order. Why, Johnny? Why?</p>
4842	<p>1 MS. HEARD: It's not and you did. 2 MR. DEPP: Okay. 3 MS. HEARD: And then, within 5 minutes, 4 it was part of TMZ. You do the math yourself 5 without any other thing. It's very clear. 6 MR. DEPP: Okay. 7 MS. HEARD: I don't know if you knew 8 that. 9 MR. DEPP: No, I didn't know that. If 10 that's the case, I'll acknowledge it. You know, 11 you say you have proof, then I'll acknowledge it. 12 Look, it doesn't shock me. Any fucking -- 13 MS. HEARD: It just makes sense. 14 MR. DEPP: The attorney would do 15 something like that, you know, it doesn't shock 16 me. 17 But I'm telling you now, if I file, if 18 they file the fucking papers tomorrow, which means 19 the shit I've got to file before we go to court on 20 Friday, if they file those papers, it's -- first 21 of all, it's very bad, both of us, okay? 22 MS. HEARD: Well, your attorney isn't</p>	4844	<p>1 Why wouldn't she? Why didn't she want both 2 parties to not talk about this in the press? I'm 3 just talking about press, not even talking about 4 court. 5 MR. DEPP: Okay. I'll tell you what, 6 Amber, let me get on that right now. I'll fucking 7 get on it right now, and I'll get a message back 8 to you somehow. You know, but I'll get on it 9 right now. Listen -- 10 MS. HEARD: I just want -- I just want 11 you to know I've not done anything and did not do 12 any move. Look it up. Nothing in the office. 13 Everything has been moved because I'm being called 14 a liar and a gold digger, and I'm not lying about 15 any of this shit, and I am not after a dime of 16 your money. And -- 17 (Whereupon, the audio recording ended.) 18 BY MS. BREDEHOFT: 19 Q Do you remember when you had this 20 discussion with Mr. Depp? 21 A Yes. 22 Q When was that?</p>

<p style="text-align: right;">4845</p> <p>1 A I believe that was June of 2016. So 2 after the divorce, what we saw, the restraining 3 order. 4 Q And what, if anything, was going on 5 with respect to a gag order at that point? 6 MS. VASQUEZ: Objection. Calls for 7 speculation. 8 MS. BREDEHOFT: I'm asking her. I 9 haven't -- 10 THE COURT: All right. Overruled. 11 Go ahead. 12 A I was trying to get Johnny to stop the 13 smear campaign that he had launched. 14 MS. VASQUEZ: Objection. Your Honor. 15 Hearsay. Lack of foundation. 16 Q What, if any, discussion did you have 17 with him about a smear campaign? 18 A Johnny told me that he would ruin me. 19 That no one would ever touch me, meaning 20 professionally, no one would ever work with me 21 again. That I'd never work again. That I'd be 22 selling Depends, is what he said. And that he'd</p>	<p style="text-align: right;">4847</p> <p>1 a really sophisticated, very, very well paid, very 2 sophisticated PR machine -- 3 MS. VASQUEZ: Objection, Your Honor. 4 Calls for speculation. 5 THE COURT: I'll sustain that 6 objection. 7 MS. BREDEHOFT: I'll move on. 8 Let's go to Depp Exhibit 357C. That's 9 12:30 to 16:30. Move the admission. 10 THE COURT: Any objection? 11 MS. VASQUEZ: No objection, Your Honor. 12 THE COURT: All right. 357C in 13 evidence. 14 MS. BREDEHOFT: Michelle, if you can 15 play. 16 (Whereupon, the following audio 17 recording was played.) 18 MS. HEARD: I'm not -- it's not about 19 that. It would not be about me throwing you under 20 the bus. Do you know what it would be? It would 21 be released through documented people coming on 22 the record and having the protection to do so,</p>
<p style="text-align: right;">4846</p> <p>1 ruin my career. 2 And he refused to not engage with -- up 3 until that point, he refused to not engage with 4 the press by leaking -- 5 MS. VASQUEZ: Objection. Your Honor. 6 Calls for speculation. 7 MS. BREDEHOFT: How is that 8 speculation? 9 THE COURT: This is what he is telling 10 her, correct? 11 MS. BREDEHOFT: Correct. 12 THE COURT: All right. I'll overrule 13 the objection. 14 A And up until that point, I was trying 15 to, you know, get him to call the dogs off. Call 16 it off because it was -- it was forcing me to a 17 position where -- he was calling me a liar and he 18 was forcing me to prove it. And I knew that 19 wasn't going to be good for him, and I kept 20 saying, don't make me. Don't make me prove it. I 21 don't want to. 22 But he was calling me a liar and having</p>	<p style="text-align: right;">4848</p> <p>1 that I haven't had yet. It would be eyewitness 2 statements. It would be evidence, evidence, hard 3 evidence, and it would be through years. And it 4 would be unbelievable, unbelievable to imagine 5 that either I'm in, A, a secret fight club, or, B, 6 I've had -- 7 MR. DEPP: A secret what? 8 MS. HEARD: A secret fight club. Or 9 that I've been plotting to do this for 10 three years, while taking pictures of it and 11 documenting it, just saving it up for the right 12 time, when I'm not asking for any money and have 13 nothing financial gain from it. No one is going 14 to believe that. No one is going to believe that 15 one of the two alternatives. A, that I'm in a 16 fight club, or I've been getting -- going through 17 hair and makeup, or going through makeup through 18 all these years, where I have corroborating text 19 messages between people that match those dates of 20 those time-stamped, validated photos of -- of 21 either corroboration between people hearing us or 22 corroboration of next day, you know, Whitney</p>

<p style="text-align: right;">4849</p> <p>1 sending text messages, having you responding. Or, 2 you know, the kind of thing like between me and 3 people in your life. It is insanely 4 cross-corroborated, then, if it is a plan I'm 5 going to put makeup on myself and take pictures 6 throughout the years and just sit on it for years. 7 That -- while having this, like, imaginary life 8 run parallel. 9 Do you understand that the pictures I 10 have not -- the text messages to my mom back and 11 forth about it, you know, and text messages 12 between Fay Ratal (phonetic) and my mom, Fay Ratal 13 and my dad. Or, you know, between my two friends, 14 or even text messages where I tell Jody, the night 15 before I had that James Corden night show thing, 16 where I say, "Hey, Jody, I've had an accident. I 17 think I may have -- I have a busted lip, I may 18 have a busted nose, and two black eyes tomorrow 19 because I don't" -- all that will be 20 (indiscernible) apparent. I don't know how -- I'm 21 faking it. You know, and things like that. It 22 doesn't matter. There's nothing that -- nothing.</p>	<p style="text-align: right;">4851</p> <p>1 BY MS. BREDEHOFT: 2 Q Can you please explain what the context 3 of this was? 4 A I was begging Johnny to not make me 5 prove what I've had to sit on the stand, in front 6 of all of you, and prove, and talk about. I was 7 begging not to do this. Not to sit where I'm 8 sitting today. I didn't want this. I don't want 9 to be here. I didn't want to be there then. And 10 I was trying to point out something to somebody 11 who I thought did not have a firm grasp on 12 reality. 13 MS. VASQUEZ: Objection. Calls for 14 speculation. 15 THE COURT: Overruled. 16 MS. BREDEHOFT: Thank you. 17 A I was trying to point out hope served, 18 hope served. It would be for him to keep making 19 me prove this by calling me a liar. I was trying 20 to get him to not call me a liar because 21 everything that I had said to date and everything 22 I've said to date now is the truth. And I was</p>
<p style="text-align: right;">4850</p> <p>1 And I'm -- all of that will be -- won't be 2 throwing you under the bus; that will be evidence. 3 Hey, it will be criminal, as well, 4 because I cannot go on Friday and file without 5 filing a protective order. And the only way I 6 haven't, these people, which you use against me, 7 by the way, every day. The only reason I won't do 8 it, I haven't done it, is because I don't want to 9 hurt you. And that means it goes out of my hands 10 and every, you know, third-party guy -- 11 third-party prosecutor comes and a criminal lawyer 12 come and they were -- but the problem is from you, 13 like your biggest struggle is that this is just -- 14 it touches -- it's the most solid evidence of 15 domestic violence I've ever seen. And if you get 16 this over, then it will won't be any part of it. 17 They will prosecute him. And I felt like I was -- 18 I'm not -- like I would never agree. And it hurts 19 me to even -- I don't call my phone, but throwing 20 it at my head and you (indiscernible) some sort of 21 victim and (indiscernible). 22</p>	<p style="text-align: right;">4852</p> <p>1 begging him not to make me prove it; that there 2 were photos; that there were witnesses; that there 3 was my testimony; there was years of me with 4 injuries on the dates where we were fighting and 5 they were documented. I mean, pictures from 2012. 6 So I was trying to say to him either you suppose 7 that people would rather believe this is a hoax? 8 Elaborate, well-orchestrated, year-long campaign. 9 For what? Or that -- what? It just seemed crazy. 10 And I thought no one was advising him in his best 11 interest. That no one was telling him the truth. 12 I don't want to throw anybody under, but I thought 13 no one was saying to Johnny this is crazy. Don't 14 do this. 15 And I didn't want to hurt him. I 16 didn't want to hurt him. I loved him. I loved 17 him so much. That's why I'm explaining to him why 18 I didn't file criminal charges. I didn't file a 19 police report, even though it was being used 20 against me. I didn't want this to go to a 21 prosecutor. I didn't want this to hurt Johnny. 22 I don't want this to hurt Johnny.</p>

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

57 (4853 to
4856)

4853	4855
<p>1 MS. BREDEHOFT: Michelle, can you bring 2 up Depp Exhibit 357D, as in David. That is 17:25 3 to 17:37. 4 I'm going to move the admission, Your 5 Honor. 6 THE COURT: Okay. Any objection? 7 MS. VASQUEZ: No objection. 8 THE COURT: All right. In evidence, 9 357D. 10 (Whereupon, the following audio 11 recording was played.) 12 MS. HEARD: I've been called a liar. 13 MR. DEPP: Baby, baby. 14 MS. HEARD: I've been called a gold 15 digger. 16 MR. DEPP: Baby, baby, baby. Amber, I 17 didn't call you those things. I didn't call you 18 those things. 19 (Whereupon, the audio recording ended.) 20 MS. BREDEHOFT: I'm going to go on, 21 now, to -- can we go to Plaintiff's Exhibit 357E, 22 and this is 21:47 to 22:37.</p>	<p>1 MS. HEARD: It's your fault, you know. 2 MR. DEPP: All right. Yeah. 3 MS. HEARD: When they came, I did not 4 cooperate with them. It has been used against me, 5 not by the media, by your side. 6 BY MS. BREDEHOFT: 7 Q And what are you referring to there? 8 A That I don't want to call myself a 9 victim. I don't like to think of myself as a 10 victim, and I don't want him to think I'm 11 attacking him or blaming him. I pointed out I 12 didn't cooperate with the police. That I didn't 13 want to get him in trouble. That I didn't want to 14 hurt him. I don't want anything from him. Just 15 don't call me a liar. That's all I said, just 16 don't call me a liar. Just don't say this isn't 17 real because I'm walking proof of it. 18 MS. BREDEHOFT: I'm going to ask to 19 bring up Plaintiff's Exhibit, Depp Exhibit 357F, 20 as in Frank. 24:04 to 24:48. 21 And move the admission. 22 THE COURT: All right. Any objection?</p>
4854	4856
<p>1 I'm going to move the admission, Your 2 Honor. 3 THE COURT: Any objection? 4 MS. VASQUEZ: No objection. 5 THE COURT: 357E. Thank you. 6 (Whereupon, the following audio 7 recording was played.) 8 MS. HEARD: You're bigger and you're 9 stronger. And so when I say that I thought you 10 could kill me, that doesn't mean you tell her. 11 You also -- that you cut off your own finger. I 12 am not trying to attack you here. I'm just trying 13 to point out the fact of why I said, "Call 911." 14 Because I was -- you had your hands on me, and you 15 threw a phone in my face. And it's gotten crazy 16 in the past, and I truly thought, I need to stop 17 this madness before I get hurt. 18 MR. DEPP: Oh, my god. 19 MS. HEARD: And I never think about 20 myself that way. I never defend myself that way. 21 I never see myself as the victim. 22 MR. DEPP: All right.</p>	<p>1 MS. VASQUEZ: No objection. 2 THE COURT: All right. 357F. 3 (Whereupon, the following audio was 4 played.) 5 MS. HEARD: I have said only this from 6 the very beginning: I only have my integrity. 7 And the unfortunate thing is -- 8 MR. DEPP: And what about mine? 9 MS. HEARD: -- taking it a step 10 further -- 11 MR. DEPP: What about mine? 12 MS. HEARD: They keep -- they keep -- 13 that's what they keep -- I'm trying to say to you, 14 literally, in words out of my mouth, this is what 15 I'm trying to say to you. Every step of the way I 16 have said to them, the thing is they're hurting 17 Johnny by this because every time that they call 18 me a liar or they say this is not true or see, 19 this is his text message, did not actually happen. 20 Or your security guard, you slapped me with the 21 phone and your security saying they never saw this 22 happening. The same security who, by the way,</p>

4857	1 have said to me multiple times, that I'm going to 2 get killed. 3 BY MS. BREDEHOFT: 4 Q And what are you talking about there, 5 Amber? 6 A That even though Johnny told me that 7 his guards would say whatever he needed them to 8 say, that they were the same guards who had told 9 me that I would lose my life this way. 10 MS. VASQUEZ: Objection, Your Honor. 11 Hearsay. 12 THE COURT: All right. Objection. 13 MS. BREDEHOFT: It came in through the 14 tape, so that's all right. That's fine. 15 MS. VASQUEZ: Your Honor. 16 THE COURT: If we could approach, 17 please. 18 MS. BREDEHOFT: I'm sorry. 19 (Sidebar.) 20 THE COURT: You cannot keep commenting 21 on the evidence. 22 MS. BREDEHOFT: I'm sorry.	4859	1 unfortunate part is I can talk about all of 2 this -- 3 MR. DEPP: Do you believe all of this, 4 Amber? 5 MS. HEARD: -- all this stuff. 6 MR. DEPP: Do you believe all of this? 7 MS. HEARD: I'm called -- yeah, the 8 fuck -- yes, yes. 9 MR. DEPP: You believe I'm an abuser? 10 MS. HEARD: Yes. 11 MR. DEPP: You believe I'm an abuser? 12 MS. HEARD: What happened to me in May 13 and December and in April. 14 BY MS. BREDEHOFT: 15 Q What were you referring to with the 16 May, December, and April? 17 A Just listing some of the times in which 18 he beat me up and that he knew about. 19 Q Okay. So I'm going to take you, now, 20 fast-forward into the July 2016 time frame. There 21 was a mediation that came about during that time. 22 What, if any, intent did you have to
4858	1 THE COURT: Please do not do that 2 again. It comes in when it comes in. Do not talk 3 to the jury about that. 4 MS. BREDEHOFT: Okay. 5 THE COURT: Okay? 6 MS. VASQUEZ: Thank you, Your Honor. 7 (Open court.) 8 MS. BREDEHOFT: Michelle, can you bring 9 up Depp Exhibit 357G. Plaintiff's 357G. And it's 10 26:00 to 26:28. 11 Move the admission. I'm sorry. 12 THE COURT: Any objection? 13 MS. VASQUEZ: No objection. 14 THE COURT: All right. 15 (Whereupon, the following audio was 16 played.) 17 MS. HEARD: Oh, obviously, they're 18 going to have to say they didn't see it in front 19 of me and other people that have heard them. 20 MR. DEPP: You're going to have to do 21 this under oath, too, you know. 22 MS. HEARD: I will. Because I -- the	4860	1 reconcile with Mr. Depp at the time of the 2 mediation? 3 A I wanted there to be no animosity. I 4 wanted to minimize animosity. I wanted to 5 reconcile in that way. I didn't want to get back 6 together with him. If that makes sense. 7 Q Okay. Can you just briefly describe 8 what transpired during the July mediation? 9 A I -- even though I had a TRO and I 10 wanted to move on with my life, the campaign I 11 mentioned earlier, the smear campaign, the article 12 after article, the hounding me, the, you know, 13 leaking fake -- 14 MS. VASQUEZ: Objection, Your Honor. 15 Nonresponsive. 16 THE COURT: All right. Sustain the 17 objection. 18 Q Okay. Please explain. 19 A What I was meeting with him about is 20 because he had, you know, put these things out in 21 the media. It seemed like -- 22 MS. VASQUEZ: Objection, Your Honor.

<p style="text-align: right;">4861</p> <p>1 Calls for speculation. Lack of foundation. 2 THE COURT: All right. 3 Q Did Mr. Depp discuss with you that he 4 was putting these out in the media? 5 MS. VASQUEZ: Objection. Leading. 6 THE COURT: Overruled. I'll allow it. 7 A Yes. 8 Q Okay. Please explain. 9 A He told me he would tell his team to 10 back off and to -- yeah, to back off, effectively, 11 if I agreed to do certain things. One of which, 12 you know, there was -- he wanted me to, like, drop 13 charges or some version of that. He wanted me to 14 get back together with him and go on tour with him 15 in the tour bus. He wanted me to do certain 16 things that I thought were impossible and that 17 would definitely go against all of, you know, 18 everything that I stood for and had earned in 19 getting my TRO, getting my restraining order and 20 moving on. But I had to break the TRO in order to 21 beg him to stop the machine, the press machine, 22 because I was feeling like I couldn't live my</p>	<p style="text-align: right;">4863</p> <p>1 to beg Johnny to stop doing this. 2 MS. VASQUEZ: Objection. 3 Nonresponsive. 4 THE COURT: Overruled. That's all 5 right. 6 Q What, if any, desire did you have to 7 return to Mr. Depp after the divorce? 8 A None. 9 Q Now, you heard Mr. White testify that 10 he engaged in negotiations with you during the 11 settlement process of the divorce. 12 What, if any, discussions did you have 13 with Mr. White? 14 A None. The first time I saw him was on 15 the testimony screen in the U.K., during the U.K. 16 trial. I've never spoken to him. 17 Q So he didn't negotiate your settlement? 18 A No, he did not. 19 Q What was important to you in the 20 divorce negotiations? 21 A The statement. That was it. The 22 statement. I wanted a mutual statement, and I</p>
<p style="text-align: right;">4862</p> <p>1 life. I was being dropped from opportunity -- 2 commercial opportunities. People were turning on 3 me, campaign had dropped me. I had never been 4 inundated with that much press. Every single day, 5 me and my family were -- and every witness, anyone 6 who even indirectly supported me got bombarded. 7 MS. VASQUEZ: Objection. Calls for 8 speculation. Lack of foundation. 9 THE COURT: Sustain just the last part 10 of that. All right? 11 Next question. 12 MS. BREDEHOFT: Okay. 13 Q We heard Christian Carino testify 14 earlier. Can you describe to the jury what your 15 relationship was with Christian Carino. 16 A He was my commercial agent, meaning he 17 handled things like campaigns for a short amount 18 of time, and then became Johnny's agent around the 19 time of the divorce. He was a kind of mutual 20 friend, at the time, between Johnny and I, and so 21 he helped us kind of negotiate or mediate a time 22 where we could meet. And my goal in that was just</p>	<p style="text-align: right;">4864</p> <p>1 wanted him to call the -- you know, get the press 2 out of this. Just make a statement, and in that 3 statement, clear my name. I wanted to clear my 4 name. That's all I have. I said this to him too, 5 and he knew this. All I have was my name. I come 6 from nothing. All I have is my integrity. All I 7 have is my name. And that's actually what he 8 promised to take from me. 9 Q Why did you agree to accept \$7 million 10 as your settlement? 11 A I didn't care about the money. I was 12 told if I didn't agree to a number, that it could 13 be overturned. That this would never actually -- 14 it would never get completed, would never 15 settle -- 16 MS. VASQUEZ: Objection. Hearsay. 17 A -- it would be overturned. 18 THE COURT: Sustained. 19 Q What was your understanding? 20 A That if I didn't agree to a number, it 21 would be overturned, so I took far less than what 22 they were offering and what I was entitled to.</p>

<p>4865</p> <p>1 Q And why did you donate it to charity? 2 A I promised the entirety of it to 3 charity because I was never interested in Johnny's 4 money. And in the divorce, I just wanted my 5 safety. I wanted to move on with my life. I 6 wanted my future. And then he started 7 compromising that, calling me a liar, making it 8 impossible for me to move on by doing so. So I 9 just wanted the truth. I wanted him to clear my 10 name and to leave me alone. I've been saying that 11 since 2016. 12 Q So why did you donate 3.5 to Children's 13 Hospital and 3.5 to ACLU? 14 A Well, I pledged the first half, or 3.5, 15 to Children's Hospital because I'd been working 16 there, as an volunteer, for well over a decade. I 17 knew the facility well, I worked there with 18 another nonprofit; that's how I got affiliated 19 with them. I knew they could use the resources. 20 I was familiar with it. 21 Q Why the ACLU? 22 A ACLU because I was a supporter.</p>	<p>4867</p> <p>1 Elysium, which is the affiliate I was just 2 speaking about, that does the work at the 3 Children's Hospital. It was not going to count 4 towards my overall pledge, but I did that too. I 5 did another donation to each in 2018, and then 6 Johnny sued me, 2019. 7 Q Before we get to that, did anyone make 8 donations to the Children's Hospital or ACLU on 9 your behalf during that time period? 10 A Yes, Elon also -- Elon, who was my 11 boyfriend at the time, had his own charitable 12 contributions that he had -- that he made. He 13 made \$500,000 to both in my honor, in my name, in 14 2017, I believe. 15 Q And have you completely fulfilled your 16 donations to the ACLU and the Children's Hospital? 17 A I have not yet. 18 Q And why not? 19 A Because Johnny sued me for \$50 million 20 in March of 2019, and I have spent over 21 \$6 million -- 22 MS. VASQUEZ: Objection, Your Honor.</p>
<p>4866</p> <p>1 Because I believed in the work they were doing. I 2 believed that they were doing good work for people 3 who deserved it. 4 Q Why did you make the donations over a 5 period of time as opposed to just a lump sum? 6 A Well, two reasons. The short of it is 7 because I was receiving the settlement in 8 installments. I was receiving the installments 9 over time. 10 Second of all, so I could get the tax 11 benefit of paying over time. It's my 12 understanding that's how you pay these, like, 13 large sums, you pay over time. 14 Q Did you make any payments towards these 15 donations? 16 A I did. 17 Q Okay. Approximately, how much? 18 A I allowed for the first installment, 19 which was a hundred thousand, to each. That came 20 straight from Johnny in 2016. I followed up with 21 350,000 that year, 2016. 2018, I did another -- 22 oh, I -- and I also donated 250,000 to Art of</p>	<p>4868</p> <p>1 This is a Motion in Limine. 2 MS. BREDEHOFT: That part was supposed 3 to come in. 4 THE COURT: Why don't you come forward. 5 Let's take a look. 6 (Sidebar.) 7 MS. BREDEHOFT: That particular part 8 was supposed to come in and nothing else. That 9 was the ruling. 10 MS. VASQUEZ: We moved it. It's filed 11 from me. 12 THE COURT: I don't have it with me. 13 Sorry, we had the investiture here. 14 Okay. 15 MS. BREDEHOFT: Your Honor, it's on 16 page 9. 17 THE COURT: Of the order? 18 MS. BREDEHOFT: Of the order. 19 THE COURT: Okay. You've got the 20 order. Good. 21 MS. BREDEHOFT: Yeah. 22 THE COURT: Page 9. Now, the order.</p>

4869	1 MS. VASQUEZ: Page 9. 2 MS. BREDEHOFT: This is it. There's 3 two different orders. 4 THE COURT: The is the one I signed, 5 right? 6 MS. BREDEHOFT: Right. This is signed 7 by you on April 10th. 8 THE COURT: All right. On page 9. 9 MS. BREDEHOFT: Yeah. It says, "If 10 Ms. Heard opens the door as to who's paying her 11 attorney's fees, Mr. Depp must first seek 12 permission from the Court outside of the jury for 13 raising the issue on this. And Mr. Musk may be 14 asked about his payment, if any, of attorneys' 15 fees. 16 And the Court may give appropriate 17 instructions. What we said specifically at the 18 hearing is what we were going to say and she spent 19 6 million in attorneys' fees. 20 THE COURT: We're not going to be able 21 to -- 22 MS. BREDEHOFT: Your Honor, I can't	4871	1 There's all kinds of tiers in here, 2 Your Honor. There's the insurance company, 3 there's reference to the attorneys, et cetera. 4 There's all these other things, but we 5 specifically said we would be asking her that. 6 I'll get the hearing transcript. 7 MS. VASQUEZ: I did not hear that 8 question. 9 THE COURT: And now they can ask her. 10 They don't have to approach me now. They can ask 11 her about all the attorneys' fees. 12 MS. BREDEHOFT: That's fine. They can 13 ask who's paying? 14 THE COURT: Who's paying, insurance, 15 everything. 16 MS. VASQUEZ: Insurance and Elon Musk. 17 THE COURT: I mean, if you ask the 18 question, that opens the door for them to ask her 19 who's paying for all her attorneys' fees. 20 MS. BREDEHOFT: Okay. 21 THE COURT: Okay? 22 MS. BREDEHOFT: Thank you, Your Honor.
4870	1 hear you. 2 THE COURT: I'm sorry. 3 MS. BREDEHOFT: What we said at the 4 hearing is we were going to say that she spent 5 6 million on attorneys' fees. And this is the 6 rest -- all the rest of this is not allowed and -- 7 THE COURT: If you're going say 8 6 million, then everything is allowed. 9 MS. BREDEHOFT: Well, it -- 10 THE COURT: You've got to go by the 11 hearing. That's not in the order. 12 MS. BREDEHOFT: Right? But I think, 13 then, it says they open up the door, so they can 14 ask her who's paying. 15 MS. VASQUEZ: We haven't even 16 cross-examined her, Your Honor. 17 THE COURT: They haven't opened the 18 door. 19 MS. BREDEHOFT: But my understanding 20 was that we -- no, no, no. The question is 21 whether we open the door on the attorney's fees 22 and then they can ask certain questions.	4872	1 MS. VASQUEZ: Thank you, Your Honor. 2 THE COURT: Okay. 3 (Open court.) 4 BY MS. BREDEHOFT: 5 Q So going back to that, then, could you 6 afford to continue making payments to the ACLU and 7 Children's Hospital? 8 A No. 9 Q Okay. What, if any, intention did you 10 have to fulfill your pledges and donations to 11 these organizations? 12 A I still fully intend to honor all of my 13 pledges. I would love for him to stop suing me so 14 I can. 15 Q What, if any, deadlines are there on 16 your pledges and donations to the ACLU or 17 Children's Hospital? 18 A There are none. They understand. 19 Q Okay. 20 MS. BREDEHOFT: Now, let's go to the 21 Defendant's Exhibit 1458, which is already 22 admitted.

4873

1 Q Now, I'm going to just direct your
2 attention to paragraph 27, where it says "Neither
3 party has made false accusations for financial
4 gain. There was never any intent of physical or
5 emotional harm. Amber wishes the best for Johnny
6 in the future."
7 What, if any, significance did that
8 have to you?
9 A That was everything to me. That was
10 what -- that was the most important thing in the
11 separation agreement between us, is that he
12 acknowledged that I haven't made a single false
13 claim. That my allegations were not false. I
14 thought that just because he signed his name to
15 it, he'd honor it. I mean, he signed his name to
16 it, and I thought it would mean something. He
17 acknowledges that I never did it -- I mean, I
18 never made a false claim, and I didn't do it for
19 financial gain, and that's what I was being called
20 at the time, a gold digger and a liar.
21 Q Okay. Thank you.
22 MS. BREDEHOFT: We can take this down,

4874

1 Michelle.
2 Q I'm going to, now, take you to
3 post-divorce and your career.
4 Please describe for the jury how your
5 career evolved after the divorce, which I think
6 was final in February 2017.
7 A I had to fight really hard to keep my
8 career. I, you know, after I got my TRO, I lost
9 opportunities. I got canceled from jobs. I got
10 dropped from a campaign I had shot. I was told
11 that I was going to be dropped from --
12 MS. VASQUEZ: Objection. Your Honor.
13 Hearsay.
14 THE COURT: All right. Sustain the
15 objection.
16 A I fought to keep my job in the movie
17 opportunity -- the biggest movie opportunity I had
18 to date.
19 Q Which was what?
20 A It was Justice League, with the option
21 to become Aquaman. It later became Aquaman, but I
22 had to fight really hard to stay even in Justice

4875

1 League because that was right around the time of
2 the divorce.
3 Q Can you tell the jury what Justice
4 League was and what your role was in that.
5 A It's a superhero franchise, DC action
6 film, and it introduced my character and it
7 provided the base for the Aquaman spinoff that
8 followed it. But that was not a reality at the
9 time of shooting Justice League.
10 Q All right. And then you were able to
11 be in Aquaman; is that correct?
12 A Yes. I kind of showed up to work once,
13 early, and stayed really late to fight to keep the
14 job. I managed to keep it. And managed slowly to
15 kind of -- to gain through this kind of hard work
16 and goodwill, I was able to foster, I was able to
17 keep and make other jobs, and eventually made a
18 movie called Aquaman. And Aquaman was very
19 successful. I think it was the most successful DC
20 film by its release, and we -- you know, I was
21 getting my career back, even though it was, you
22 know, it took a major hit when I got my

4876

1 restraining order against Johnny.
2 Q So let's talk about Aquaman for a
3 moment. I think you said it was the highest
4 grossing film of DC Films; is that correct?
5 A Yes.
6 Q When did that come out?
7 A December of 2018.
8 Q Okay. And what was your role in
9 Aquaman?
10 A I played Mera.
11 Q Was that a lead role?
12 A Yes, it is one of the leading roles.
13 It's the female lead, opposite Jason Momoa's
14 character of Aquaman.
15 Q So you were his mate?
16 A You could say that, yes. I was his
17 love interest, the female -- I was the female lead
18 of the movie.
19 Q Okay. So in December of 2018, as
20 Aquaman's coming out, why did you agree to
21 participate in the op-ed?
22 A Well, because I believed in some of the

<p>4877</p> <p>1 causes that the op-ed was seeking to advance. 2 There were -- there was a lot of attention and 3 energy around gender-based issues, gender-based 4 violence issues, in general. I had just recently 5 become an ambassador for the ACLU. I was proud of 6 that ambassadorship, and I was looking forward to 7 the opportunity to lend my voice to what I thought 8 was a great cause, which is just a conversation 9 around women's issues and gendered issues that I 10 think the whole country was having at that time, 11 you know, quite a political conversation and 12 culture conversation at the time. I was happy to 13 lend my voice if I could. 14 Q Who drafted the first draft of the 15 op-ed? 16 A The ACLU. 17 Q Did you initially want to include 18 Mr. Depp by name or reference? 19 A No. 20 Q What were you trying to accomplish by 21 the op-ed? 22 A I was trying to raise awareness around</p>	<p>4879</p> <p>1 Q Because of your success as Mera with 2 Aquaman? 3 A Yeah, just the publicity of the movie, 4 the success of the movie would hopefully, 5 best-case scenario, only add and lend itself to -- 6 would lend attention to the issues that the op-ed 7 aimed to address. 8 Q What did you do once the ACLU had your 9 agreement to be the spokesperson for the op-ed, to 10 put your name to it? 11 A I sought the advice of my attorney. 12 Q And why did you do that? 13 A Because I -- you know, I didn't want to 14 get into any sort of legal issue. I didn't want 15 to have any sort of legal problems for talking 16 about what happens to women when -- or people when 17 they come forward and speak about these sorts of 18 issues, especially when they come forward against 19 someone more powerful than them. And that 20 backlash, the retaliation that people face when 21 they come forward is exactly what I was writing 22 about, and I didn't want Johnny to retaliate</p>
<p>4878</p> <p>1 some of the issues I just mentioned, that there 2 was some legislative reform, Title IX being one of 3 them, and there was just a greater cultural 4 conversation being had around gender issues, and I 5 was happy to weigh in on what I saw as a, you 6 know, unique phenomenon that women -- typically 7 women experience in our culture when they come 8 forward against somebody more powerful, when they 9 speak up about gender-based violence. And I 10 thought I could lend my voice to that 11 conversation. I had something to say about that. 12 Q Were you trying to boost your sales for 13 Aquaman, since it was coming out in that same time 14 frame? 15 A It doesn't work like that. I don't 16 think any op-ed -- I mean, a major motion picture, 17 a major franchise like that is not baited by the 18 publication of an op-ed in the Washington Post. 19 I'll put it that way. But the other way around 20 can be said. You know, I was wanting to lend my 21 name, at that specific time, to potentially 22 advance the causes within the op-ed.</p>	<p>4880</p> <p>1 against me and quite literally prove my point. 2 Q And so, who was the counsel that you 3 hired to review the op-ed? 4 A His name was Eric George. 5 Q Where's he located? 6 A Los Angeles, California. 7 Q How did you know Eric George? 8 A Eric George is the attorney who 9 represented me in a different litigation against 10 those -- the producers of London Fields, the movie 11 I mentioned earlier about having a body double in 12 a sex scene that I didn't approve of. 13 Q What was your understanding of Eric 14 George's experience and skills to be able to 15 review that op-ed for you in the context of your 16 concerns? 17 MS. VASQUEZ: Objection. Speculation. 18 MS. BREDEHOFT: I'm asking her 19 understanding. 20 THE COURT: I'll sustain the objection. 21 Next question. 22 Q Did you have knowledge of Eric George's</p>

<p style="text-align: right;">4881</p> <p>1 abilities at that time? 2 A I did. I thought he had an excellent 3 reputation and would give me great advice. 4 Q And what, if any, experience -- what 5 was your experience with him in representing you 6 earlier? 7 A I thought he was a fantastic attorney, 8 very smart, and I trusted him. 9 Q Without going into the content of it, 10 what, if any, of Eric George's advice did you 11 follow in the context of the op-ed? 12 A I took all of his advice. I made all 13 the edits he suggested. I took all his advice. 14 Q And what, if any, of Eric George's 15 advice did you ignore? 16 A None. I mean, he's my lawyer. I 17 listened to him. 18 Q Okay. I'm going to ask you -- 19 MS. BREDEHOFT: If we could pull up, 20 Michelle, Plaintiff's Exhibit 1. 21 Q Now, this is the online version of the 22 op-ed, and it has this title "Amber Heard: I</p>	<p style="text-align: right;">4883</p> <p>1 into evidence, Your Honor. 2 THE COURT: Yes, ma'am. 3 Q And this is the paper version, if you 4 will, of The Washington Post with your editorial. 5 And if you go to the second page, this one has a 6 title "A Transformative Moment for Women." 7 What, if any, role did you play in that 8 title? 9 A I didn't. 10 Q Okay. Now, do you recall seeing this 11 version, the newspaper version, at the time? 12 A Yes. This is the version I saw. I'm 13 very proud of it. I had it framed. 14 Q You had the newspaper version, not the 15 online? 16 A I did. I had the newspaper framed. 17 Q Okay. And now, I'm going to ask you to 18 turn to -- 19 MS. BREDEHOFT: Michelle, can we pull 20 us Plaintiff's Exhibit Number 3. 21 Q And do you recognize this document? 22 A Yes.</p>
<p style="text-align: right;">4882</p> <p>1 spoke up against sexual violence and faced our 2 culture's wrath. That has to change." 3 What role, if any, did you play in this 4 title? 5 A None. 6 Q What, if any, role, to your knowledge, 7 did the ACLU play in this title? 8 A None, to my knowledge. 9 Q Okay. Are these exact words anywhere 10 in the article? 11 A No. 12 Q Okay. 13 A No, they're not. 14 Q When did you first become aware of this 15 title being included in the online version of the 16 op-ed? 17 A I think in this litigation, is the 18 first time I realized that. 19 Q Okay. I'm going to, now, ask -- 20 MS. BREDEHOFT: Michelle, can you bring 21 up Plaintiff's Exhibit 2. 22 This has also already been admitted</p>	<p style="text-align: right;">4884</p> <p>1 MS. BREDEHOFT: Your Honor. I'm going 2 to move to admit Plaintiff's Exhibit Number 3 into 3 evidence. 4 THE COURT: Any objection? 5 MS. VASQUEZ: No objection. 6 THE COURT: All right. Exhibit 3 into 7 evidence. You can publish. 8 MS. BREDEHOFT: If we can publish it to 9 the jury. Thank you. 10 Q Now, is it fair to say this is a tweet? 11 A Yes, it is. 12 Q And can you explain to the jury what a 13 tweet is, for those who are not as social media 14 oriented? 15 A A tweet is a posting on a social media 16 network called Twitter. 17 Q Did you send this tweet? 18 A I think so. I must have. 19 Q Okay. And what, if any, control did 20 you have over whether the title given to the op-ed 21 online was included in the tweet? 22 A You don't have control when you're</p>

<p style="text-align: right;">4885</p> <p>1 re-tweeting something. I mean, it's my experience 2 that you don't control a title when you're 3 re-tweeting something. You don't get a chance to 4 re-editorialize someone else's title. 5 Q And at the time you sent this tweet, do 6 you remember even noticing that title? 7 A I do not. I don't think I even 8 realized it. 9 Q Have you ever typed the words from that 10 title? 11 A No, I have not. 12 Q Okay. Now, I'm going to ask you, let's 13 go back to Number 2, Plaintiff's 2, and I'm going 14 to go -- I'm going to ask you what, if anything, 15 in this op-ed was incorrect? 16 A Nothing. Every word of it is true. 17 Q And I'm going to direct your attention 18 specifically -- 19 MS. BREDEHOFT: And if we can load this 20 up just a touch. And move up just a touch, 21 Michelle, if you can, so we get to "then two years 22 ago."</p>	<p style="text-align: right;">4887</p> <p>1 lot, a lot worse. 2 Q Okay. 3 MS. BREDEHOFT: And then, Michelle, if 4 we can move this up a little bit further. 5 Actually, that's perfect, Michelle, then I don't 6 have to use my purple again. 7 Q Then you said, "I had the rare vantage 8 point of seeing, in real time, how institutions 9 protect men accused of abuse." 10 Is this true or false? 11 A True. 12 Q And explain to me what you meant by 13 that and how that was true for you. 14 A I got a restraining order. I had to 15 prove to a judge that I needed one. I had a 16 bruise on my face. I got a restraining order. I 17 showed pictures. I had proof and, yet, 18 everyone -- the media, the studios that, you know, 19 both Johnny and I worked for, they were ready to 20 support him. They made statements in support of 21 him. They were ready to fire me, attempted to 22 fire me.</p>
<p style="text-align: right;">4886</p> <p>1 Q "Then two years ago, I became a public 2 figure representing domestic abuse, and I felt the 3 full force of our culture's wrath for women who 4 speak out." 5 Was this true or false? 6 A True. 7 Q What, if anything, did you do about 8 speaking up about domestic abuse two years 9 earlier? 10 A Well, I went and got a restraining 11 order against my then husband and walked out to a 12 sea of media and endured, to that point, two years 13 of vitriol from the media and from Johnny Depp 14 supporters in retaliation for having done so. 15 Q I guess you really answered my next 16 question, which is, "I felt the full force of our 17 culture's wrath for women who speak out." 18 Is that what you were referring to for 19 that next? 20 A Yes, because, at the time, I thought it 21 couldn't be worse. I obviously, now, from where I 22 sit today, know that it got a lot -- it gets a</p>	<p style="text-align: right;">4888</p> <p>1 MS. VASQUEZ: Objection, Your Honor. 2 Hearsay. 3 THE COURT: All right. I'll sustain 4 the objection. 5 Q What, if anything, did you witness with 6 respect to institutions? 7 A Meaning the people that we work for, 8 the institutions, we worked for the studios. We 9 worked for decisions-makers in my industry. 10 Filmmakers and powerful people and decision-makers 11 within my industry, whom I had not ever even met, 12 who didn't know anything about what happened 13 behind closed doors in the marriage of Johnny and 14 I. Making comments about me, statements about me. 15 I was dropped from campaigns. It was hard for me 16 to work. I was harassed. I'm harassed on a daily 17 basis, death threats. And just the fact that that 18 wasn't -- there was no parity. You know, the 19 studio and these decision-makers and such were so 20 ready to support him and eager to -- 21 MS. VASQUEZ: Objection, Your Honor. 22 Hearsay.</p>

<p>4889</p> <p>1 THE COURT: I'll sustain the objection. 2 MS. BREDEHOFT: All right. 3 Q So what, if any, ill will or bad 4 intentions did you have or intend against Mr. Depp 5 by assisting in writing, giving your name to this 6 op-ed and then publishing it? 7 A None. It's not about Johnny. The only 8 one who thought it was about Johnny is Johnny. 9 It's about me. It's about what happened to me 10 after Johnny. It's about what happened to me 11 after I escaped my marriage. It was about me and 12 my life and what I endured once I moved on and got 13 a TRO and moved on with my life. It was about 14 what happened to me after. The only one that made 15 it about him, ironically, is Johnny. 16 MS. BREDEHOFT: I'm going to -- we can 17 take that down, Michelle. 18 Q I'm going to turn to something about 19 electronics and transparency. You have testified 20 about, and we've seen photographs and audio 21 recordings and text messages, emails, et cetera. 22 What, if anything, have you done to cooperate in</p>	<p>4891</p> <p>1 Q And it's based on three statements that 2 Mr. Adam Waldman, Mr. Depp's attorney, made, 3 correct? 4 A Yes. 5 Q I'm going to ask -- 6 MS. BREDEHOFT: If you can pull up 7 Defendant's Exhibit 245. 8 But, Your Honor, I'm going to ask -- 9 THE COURT: It's already in evidence. 10 MS. BREDEHOFT: Your Honor, if I may 11 approach. If we may approach just real quick, 12 because I think we can move this along faster if 13 we do this ahead of time. 14 THE COURT: Okay. 15 (Sidebar.) 16 THE COURT: Okay. 245. It's in 17 evidence as redacted. 18 MS. BREDEHOFT: Yes, but the one that's 19 in evidence doesn't have the full redactions. It 20 has a title still in there, and, quickly, what I'm 21 suggesting is replacing it. 22 THE COURT: Okay.</p>
<p>4890</p> <p>1 the authentication of all of these things? 2 MS. VASQUEZ: Objection, Your Honor. 3 May we approach? 4 THE COURT: Sure. 5 (Sidebar.) 6 MS. BREDEHOFT: I thought you were 7 objecting because I couldn't say authentication? 8 MS. VASQUEZ: I don't know where -- 9 THE COURT: What's the relevance of 10 this at this time? 11 MS. BREDEHOFT: Just to show that she 12 had the devices. 13 THE COURT: I'll sustain the objection. 14 It's just a relevance at this time. It might come 15 up later. 16 MS. BREDEHOFT: Okay. 17 (Open court.) 18 BY MS. BREDEHOFT: 19 Q All right. I'm going to turn to your 20 counterclaim. You have made a counterclaim 21 against Mr. Depp in this case, correct? 22 A That's correct.</p>	<p>4892</p> <p>1 MS. BREDEHOFT: And it's so that it 2 has, because it had a title in it. And this has 3 the full redactions. I have a copy of it. 4 THE COURT: So what's the difference 5 between this one and the one we have in evidence. 6 MS. BREDEHOFT: So the one that's in 7 evidence is not redacted on the title. 8 THE COURT: Well, I mean, I can make 9 this A. What's in evidence is in evidence. It 10 doesn't change. But if you want 1246A. 11 MS. BREDEHOFT: Then I'll just, to move 12 it along -- 13 THE COURT: You don't have any 14 objection? 15 MS. VASQUEZ: No. 16 THE COURT: So 1246A. 17 MS. BREDEHOFT: 1246. 1245. 18 THE COURT: Is 1245 already in 19 evidence? 20 MS. BREDEHOFT: This is the redacted. 21 THE COURT: Okay. So 1246. 22 MS. BREDEHOFT: This is 1245.</p>

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

67 (4893 to
4896)

4893	4895
<p>1 THE COURT: This is 1246. They're both 2 1246. 3 MS. VASQUEZ: And I have 1247. 4 MS. BREDEHOFT: 1245. 5 MS. VASQUEZ: I have two 1247s. 6 MS. BREDEHOFT: Well, that explains. 7 THE COURT: Maybe that one? Maybe 8 Mr. Murray gave it to you. 9 So this is going to be 1246A, okay. 10 Can I write A on here? 11 MS. BREDEHOFT: Yes. 12 THE COURT: All right. 1246A. 13 MS. VASQUEZ: May I have a copy of 14 1246? 15 MS. BREDEHOFT: Yes. 16 THE COURT: 1245 and 1247. 17 MS. VASQUEZ: Thank you. 18 MS. BREDEHOFT: And then we have 1247. 19 You both have that, right? 20 THE COURT: Yes, I have -- 21 MS. VASQUEZ: I just don't have 1245. 22 THE COURT: Yeah. But she wants to get</p>	<p>1 1245 in evidence. 2 MS. BREDEHOFT: Thank you, Your Honor. 3 BY MS. BREDEHOFT: 4 Q And this is an article that was in the 5 Daily Mail on 8 April 2020. 6 Do you see that? 7 MS. BREDEHOFT: And then, Michelle, if 8 you can move that to the next page. Perfect. 9 Q It says "Adam Waldman, Depp's lawyer 10 said afterwards, 'Amber Heard and her friends in 11 the media use fake sexual violence allegations as 12 both a sword and a shield, depending on their 13 needs. They have selected some of her sexual 14 violence hoax facts as the sword, inflicting them 15 on the public and Mr. Depp." 16 Do you see that? 17 A Yes, I do. 18 Q Is this a true or a false statement? 19 A False. 20 Q And why is it false? 21 A You have to use -- to use what I went 22 through and what I survived, calling it fake,</p>
4894	4896
<p>1 this under 1246, so it's 1246A. 2 No. We're going to get those back. 3 And 1247. And then we will do 1246. 4 MS. VASQUEZ: Do you have also -- is 5 this the last one? Do you have the one that's 6 stapled last? Yeah, this one. 7 THE COURT: Okay. 8 MS. VASQUEZ: Thank you. 9 THE COURT: All right. So I have 1246. 10 I have 1245, 1246A, and 1247. 11 MS. BREDEHOFT: Okay. 12 THE COURT: Are there any objections to 13 any of these? 14 No objection. So you can move them in. 15 MS. BREDEHOFT: Okay. Thank you. 16 MS. VASQUEZ: Okay. 17 (Open court.) 18 MS. BREDEHOFT: Okay. We're going to 19 start by bringing up Defendant's 1245. 20 THE COURT: All right. Moving that 21 into evidence. 22 No objection.</p>	<p>1 saying that I'm harming Johnny with this, I'm 2 harming the public with this. This is what I've 3 lived through. And to say that it's a hoax, that 4 these aren't even real things. I mean, after 5 everything I've lived through and survived. And, 6 also, I hadn't even spoken about the sexual abuse 7 within my marriage. I hadn't -- I had been 8 protective of that. I didn't want to talk about 9 that, ever. I wasn't the one who put that out in 10 the world. As remarkable as it is, I hadn't -- I 11 protected that. I had to go to another country to 12 give testimony, and thankfully they allowed me to 13 do so with confidentiality and some protection. 14 And then Johnny, through his lawyer, not only uses 15 that against me, but says it's a hoax. 16 Q Thank you. 17 MS. BREDEHOFT: Now I'm going to ask if 18 we can bring up, and it's going to be 1246A. 19 I'm moving this into evidence as well. 20 THE COURT: All right. There's no 21 objection. So 1246A is in evidence. You can 22 publish it.</p>

4897	1 Q And this is an article that was 2 published on the 28th of April, 2020? 3 MS. BREDEHOFT: And, Michelle, if we 4 can -- thank you. 5 Q And this one says "Depp's lawyer, Adam 6 Waldman, said 'quite simply, this was an ambush, a 7 hoax. They set Mr. Depp up by calling the cops, 8 but the first attempt didn't do the trick,' he 9 told dailymail.com." 10 MS. BREDEHOFT: And let's keep going. 11 Q "So Amber and her friends spilled a 12 little wine and roughed the place up. Got their 13 stories straight under the direction of a lawyer 14 and a publicist and then placed a second call to 15 911." 16 Do you see that? 17 A Yes. 18 Q Is that true or false? 19 A Couldn't be more false. 20 Q And why is that? 21 A Every part of it is false. I didn't 22 call 911. I didn't call the police. I refused to	4899	1 THE COURT: Sustain the objection. 2 Next question. 3 MS. BREDEHOFT: All right. 4 Q And so, what, in fact, did you do that 5 night? 6 A I cleaned up, I protected Johnny, I 7 refused to cooperate with the police, like so many 8 other people do. I tried really hard to keep it 9 private even after that, even when I was committed 10 to filing for a divorce. I tried to protect 11 Johnny. I tried to protect the history of what we 12 had. I tried to protect him. I did the opposite. 13 And I didn't -- I didn't even have a 14 lawyer. I didn't call my publicist. I called my 15 contract attorney to get me another lawyer who 16 could give me advice on how to protect Johnny. 17 Every bit of this was to protect Johnny and 18 protect the secret that I fought really hard to 19 keep for nearly five years, which was behind 20 closed doors. Things were not what it looked 21 like. 22 MS. BREDEHOFT: Michelle, can you take
4898	1 cooperate with them to protect Johnny. I 2 protected Johnny. I didn't call them once, and I 3 didn't call them twice. 4 I didn't rough up the place, I cleaned 5 the place. I didn't even know the second cops 6 were coming. 7 If I wanted to get something from him 8 if I wanted to hoax Johnny, why wouldn't I 9 cooperate with the police? Wouldn't I say 10 something to the police? Wouldn't I do more 11 damage to the house than just knock over the 12 things you saw pictures of? It makes no sense. 13 And to do it online, when there's no 14 fact-checking, there's no authorities, there's no 15 one able to -- you know, I can't respond. I 16 can't -- I can't fight this and use these sorts of 17 media leaks. These comments to re-echo over and 18 over and over again online with a network of 19 people that are intent on helping Johnny through a 20 sophisticated PR machine. 21 MS. VASQUEZ: Objection. Your Honor. 22 Hearsay. Speculation.	4900	1 this down. Go to 1247, please. 2 Your Honor, I move the admission. 3 THE COURT: All right. No objection. 4 1247 in evidence. 5 Q Amber, this is another Daily Mail 6 online, and this is published on 24 June, updated 7 on 25 June, 2020. 8 MS. BREDEHOFT: And then if we can go 9 further. 10 Q And this one says, "Depp's attorney, 11 Adam Waldman, said 'We have reached the beginning 12 of the end of Ms. Heard's abuse hoax against 13 Johnny Depp'." 14 Is this true or false? 15 A False. 16 Q And why is it false? 17 A Because, unfortunately, all of this is 18 real. And what I mentioned earlier about how 19 preposterous it would have to be for this to be 20 this elaborate hoax, you couldn't believe -- I 21 couldn't fathom one day that that would 22 legitimately be the position that he, through a

4901	<p>1 lawyer, would take, albeit online, where he can 2 get away with it, still -- 3 MS. VASQUEZ: Objection. Calls for 4 speculation. 5 THE COURT: All right. Sustain the 6 objection. 7 Q Why is this so absurd? 8 A Because Johnny and I lived this. We 9 lived through this. I lived through this and I 10 narrowly survived it, but I have survived it. I 11 have mountains of evidence, mountains of proof and 12 yet it was -- it won't be good enough for people 13 who are seeking to make money off of Johnny's 14 success. 15 MS. VASQUEZ: Objection. Your Honor. 16 Calls for speculation. 17 THE COURT: I'll sustain the objection. 18 MS. BREDEHOFT: That's fine. 19 Q Okay. So I'm going to take you, now, 20 to the damages that you've suffered as a result of 21 these statements by Mr. Waldman on Mr. Depp's 22 behalf.</p>	4903	<p>1 MS. VASQUEZ: We'll ask that it be 2 stricken. 3 THE COURT: I'll strike that. 4 MS. VASQUEZ: Thank you. 5 (Open court.) 6 THE COURT: We'll strike that question 7 from the record. Disregard that question. 8 Your next question. 9 BY MS. BREDEHOFT: 10 Q What was your understanding on whose 11 behalf Mr. Waldman was making those three 12 statements? 13 MS. VASQUEZ: Objection. Lack of 14 foundation. Calls for speculation. 15 THE COURT: If you want to approach 16 again. That's not what we just said here. 17 (Sidebar.) 18 THE COURT: I sustained the objection 19 on that. That's a legal conclusion. That's 20 facts. 21 MS. BREDEHOFT: But there wouldn't be. 22 That's --</p>
4902	<p>1 Please tell the jury how you were 2 doing -- 3 MS. VASQUEZ: Objection. That's a 4 legal conclusion, Your Honor. Move to strike 5 counsel's testimony. 6 THE COURT: Come forward. 7 (Sidebar.) 8 THE COURT: For the record, do you want 9 to give me your full question? 10 MS. BREDEHOFT: My question is going to 11 be, please tell the jury how your reputation was 12 doing prior to these statements. 13 THE COURT: Okay. 14 MS. VASQUEZ: It's the first part of 15 it, where she said -- 16 THE COURT: That wasn't your question. 17 That question's okay. 18 MS. VASQUEZ: The second question is 19 fine. The first one. 20 MS. BREDEHOFT: I'm sorry. I didn't 21 even -- I'll ask. 22 THE COURT: All right. All right.</p>	4904	<p>1 THE COURT: Just understanding of who 2 did it. I'll sustain the objection all day long, 3 every day. 4 MS. BREDEHOFT: That's fine. I have 5 other people that can testify. 6 THE COURT: Okay. 7 (Open court.) 8 BY MS. BREDEHOFT: 9 Q So, we'll move forward to my other 10 question here. How were you -- please tell the 11 jury, how were you doing reputationally before 12 these three statements were made, beginning 13 April 2020, April 8th was the first of them? 14 MS. VASQUEZ: Objection. Your Honor. 15 I'm going to object on lack of foundation. 16 MS. BREDEHOFT: She can talk about her 17 reputation. 18 THE COURT: Overruled. I'll allow it. 19 A It took hard work. It, you know, it 20 took a lot of hard work on my part, but I was able 21 to work, get my life back on track. I was taking 22 care of my, you know, myself emotionally, my</p>

<p style="text-align: right;">4905</p> <p>1 career. I was working really hard. I was able to 2 star in a major success. I worked on a TV series 3 I had been attached to for a very long time. I 4 became an ambassador for several nonprofits that I 5 deeply care about. I was doing a lot of really, 6 you know, felt really good to be doing social work 7 and the charity work that I was doing. And I was 8 also filming and working and planning on -- I was 9 awaiting a schedule from Warner Brothers for 10 Aquaman 2, the sequel. I had wrapped on that TV 11 series I mentioned and I was waiting to start 12 doing publicity for it to promote it. And I had a 13 campaign, a global campaign as a spokesperson for 14 a major beauty brand. 15 So things were, you know, the 16 trajectory was positive. 17 Q So how did things change after these 18 statements were made? 19 A I remember around the time -- 20 unfortunately, I lost my mother around -- I mean 21 on the 1st of April, and I remember it was -- when 22 I was grieving her, that I got a call that I</p>	<p style="text-align: right;">4907</p> <p>1 A They said no. I mean, they suspended 2 what I had shot. 3 MS. VASQUEZ: Objection, Your Honor. 4 MS. BREDEHOFT: She can testify to 5 that, Your Honor. She has to be able to testify 6 to that. 7 THE COURT: I'll sustain the objection. 8 MS. BREDEHOFT: All right. 9 Q Were you actively involved in campaigns 10 for L'Oréal before these articles? 11 A I was. 12 Q Were you actively involved in campaigns 13 with L'Oréal after these articles? 14 A No. 15 Q Were you with the -- you were talking 16 about the TV series. That was The Stand, correct? 17 A Yeah, the TV series that I had already 18 completed. 19 Q All right. And were you actively 20 involved in publicity for The Stand prior to these 21 articles? 22 A Yes, I was.</p>
<p style="text-align: right;">4906</p> <p>1 should be expecting a script for my role in 2 Aquaman 2. 3 MS. VASQUEZ: Objection, Your Honor. 4 Hearsay. 5 MS. BREDEHOFT: It's not offered to 6 prove the truth of the matter asserted. 7 THE COURT: Overrule. Go ahead. 8 Q Go ahead. 9 A I was awaiting the schedule and script 10 for that, feeling concerned that, you know, I 11 wouldn't have enough time to grieve before having 12 to get back into work. I had a press schedule to 13 promote the TV series I was doing, and I was 14 shooting things for this beauty brand. And then I 15 remember, at that time, the beauty brand had to 16 suspend posting what I had -- what I just shot for 17 them because they were getting bombarded -- 18 MS. VASQUEZ: Objection, Your Honor. 19 This is hearsay. 20 THE COURT: I'll sustain the objection. 21 MS. BREDEHOFT: Okay. 22 Q All right.</p>	<p style="text-align: right;">4908</p> <p>1 Q Were you actively involved in the 2 publicity after these articles? 3 A No. The shoots were canceled. Things 4 were canceled. 5 Q Okay. With respect to Aquaman 1 -- 6 Aquaman 2. You had already starred Aquaman 1, 7 just so we're -- and they called it Aquaman at 8 that time, but now there's an Aquaman 2, right? 9 A That's correct. 10 Q So, were you actively scheduling timing 11 for filming and scripts for Aquaman 2 before these 12 articles? 13 A Yes, I was. 14 Q Were you actively scheduling after 15 these articles? 16 A No. The communication stopped at that 17 point. 18 Q All right. 19 MS. BREDEHOFT: I'm going to -- 20 Michelle, can you bring up Defendant's 21 Exhibit 1258. 22 Q I'm going to show you what has been</p>

4909	1 marked as Defendant's Exhibit 1258, it's dated 2 September 21, 2015. 3 Do you recognize this document? 4 A Yes. 5 Q Okay. What is it? 6 A It is the Justice League/Aquaman 7 contract. 8 Q Okay. 9 MS. BREDEHOFT: Your Honor, I move the 10 admission of Defendant's Exhibit 1258. 11 THE COURT: Any objection. 12 MS. VASQUEZ: Yes, Your Honor. May we 13 approach? 14 THE COURT: Yes, you may. 15 (Sidebar.) 16 THE COURT: I'm just getting the copy 17 that the Court has here. 18 Okay. What's the objection, first? 19 MS. VASQUEZ: Objection is hearsay and 20 relevance. 21 THE COURT: Okay. 22 MS. VASQUEZ: I don't know why her	4911	1 paid, shows that she had the options for the 2 Aquaman and the Aquaman 2. 3 THE COURT: But it's not a contract 4 dispute case, where it would have legal effect. 5 MS. BREDEHOFT: Correct, Your Honor. 6 But it's for evidence of the damages. 7 THE COURT: Well, she can testify to 8 how much she made, but you can't get the contract 9 in. It is hearsay. There is no relevance to its 10 legal effect. 11 MS. BREDEHOFT: Well, I would assert, 12 Your Honor, that case law says otherwise, but... 13 THE COURT: Under contract, the law of 14 contracts, you're right. If it was a contract 15 case, I'd be right there with you. That's just 16 not where we are. 17 MS. BREDEHOFT: So I can ask her 18 questions on each of these? 19 THE COURT: You can ask her. 20 MS. BREDEHOFT: I'm going to go through 21 them, now. I am -- 22 THE COURT: You can discuss how much
4910	1 contract -- 2 THE COURT: Why the contract? 3 MS. BREDEHOFT: Your Honor, I have a 4 brief on this. It is not hearsay. Contracts are 5 not hearsay in Virginia. Virginia laws is if you 6 have a binding contract, that these are legal 7 obligations. 8 THE COURT: I would really appreciate 9 these briefs prior to testimony. 10 MS. BREDEHOFT: Your Honor, I didn't 11 know if she was going to object. 12 THE COURT: You can just assume there's 13 going to be objections. 14 MS. BREDEHOFT: Excellent point by you. 15 So with legal contracts, that have 16 legal consequences -- 17 THE COURT: There's legal effect, no 18 relevance to the legal effect here. 19 MS. BREDEHOFT: True. 20 THE COURT: But there's no -- 21 MS. BREDEHOFT: These are her 22 documents. It shows how much she was getting	4912	1 she made. I'm assuming there's no objection to 2 how much she made for L'Oreal. 3 MS. VASQUEZ: No. 4 THE COURT: You can ask how much she 5 made. Just can't get the contracts in. 6 MS. VASQUEZ: Thank you. 7 (Open court.) 8 BY MS. BREDEHOFT: 9 Q So, Amber, can you explain to me how 10 that, the contract structure was for Justice 11 League and options? Just explain to the jury, 12 please. 13 A It's structured like a three-picture 14 option. You -- I signed on to do Justice League, 15 where my character was introduced. The fee is, 16 you know, small relative to what it will become if 17 and when you do the other options or movies in 18 that -- under that umbrella. 19 So, it was the contract for Justice 20 League, which could, then, become Justice League 21 2, or it could be Aquaman or it could be some 22 other movie within the DC universe.

<p>1 And the second picture ended up being 2 Aquaman and then the third picture, Aquaman 2. 3 Each time, the fee goes up but – 4 MS. VASQUEZ: Objection, Your Honor. 5 This calls for speculation. Lack of foundation. 6 THE COURT: Overruled. I'll allow it. 7 A As far as the contract is concerned, 8 that's what the contract says. 9 Q All right. 10 MS. BREDEHOFT: And if we go to page 6. 11 Q So what was your fee going to be for 12 Aquaman? What was it for Aquaman? 13 A One million. 14 Q Okay. And then was there also box 15 office bonuses, opportunities? 16 A Yes, I believe. 17 Q Okay. 18 A Yes, there are box office bonuses. If 19 it makes a certain amount in the box office, you 20 get a – a bonus. 21 Q Okay. And it says picture number 2. 22 At the time you entered into the contract in --</p>	<p>4913</p> <p>1 the jury, what was involved with L'Oréal? You 2 talked about being involved in campaigns and then 3 not. Just explain that to them, if you can? 4 A As a spokesperson I'm just involved 5 with the brand as a representative and a certain 6 amount of commitment you have to do throughout the 7 year on social media and on red carpets, promoting 8 various products or, you know, causes they're 9 advancing. Generally, just like a brand 10 ambassadorship. 11 Q Okay. And did you -- 12 MS. BREDEHOFT: Well, let's go -- let's 13 pull up 1262. 14 Q And this is dated as of April 25, 2018, 15 correct? 16 A That's correct. 17 Q Was that your first contract with 18 L'Oréal? 19 A I believe so, yes. 20 Q Okay. And was that for a term, a 21 specific term? 22 A Yes, it was.</p> <p>4915</p>
<p>4914</p> <p>1 with -- on Justice League, did they know what the 2 picture would be? 3 A No. As I mentioned before, when you do 4 the contract – 5 MS. VASQUEZ: Objection. Calls for 6 speculation. 7 THE COURT: All right. I'll sustain 8 that objection. 9 MS. BREDEHOFT: Okay. 10 Q So, ultimately, what was picture number 11 2? 12 A Aquaman. 13 Q And then what was it for picture number 14 3? 15 A Aquaman 2. 16 Q And what was the fee under the option 17 agreement at that time? 18 A Two million. 19 Q Okay. Now, did you have contracts with 20 L'Oréal? 21 A Yes, I did. 22 Q Okay. And can you just describe, for</p>	<p>4916</p> <p>1 Q Okay. Was it for two years? 2 A Yes, it says a two-year contract, and 3 that sounds right. 4 Q And then, I'm going to ask you to turn 5 to 1264. And that's April 20, 2020. And what, if 6 anything, did L'Oréal do with regard to extending 7 your contract then? 8 A They extended it. They chose to extend 9 it with the option to kind of – 10 Q All right. Did they extend it just an 11 additional three months? 12 A That – 13 Q If you look at paragraph 1. 14 A Let's see. Yes, they did. 15 Q Okay. And what, if any, work did you 16 do for L'Oréal after these three statements were 17 made? 18 A I have only been able to participate 19 in, I believe, one live event that they also 20 couldn't promote or use the material from because 21 of – 22 MS. VASQUEZ: Objection, Your Honor.</p>

4917	<p>1 Calls for speculation. 2 THE COURT: I'll sustain the objection. 3 MS. BREDEHOFT: Okay. 4 Now, let's go to 1265. 5 Q And this is as of November 15, 2021. 6 This is another extension with L'Oréal, correct? 7 A Yes, it is. 8 Q And if you look at the second option 9 term, under paragraph 1, that's an extension of 10 20 months; is that correct? 11 A That is correct. 12 Q And what, if any, work have you been 13 able to do for L'Oréal since this, since this 14 contract? 15 A As I stated, I believe I've only done 16 one in-person event with them, and they couldn't 17 use the material. 18 Q Okay. Let's talk about The Stand for a 19 minute. Let's pull up 1263. And this is dated 20 July 3, 2019. 21 And I believe you indicated that you 22 had already filmed it by the time these statements</p>	4919	<p>1 much were you paid for The Stand? It's at 6C. 2 200,000 -- 3 A Oh, 200,000 an episode. 4 Q Okay. 5 MS. BREDEHOFT: Now, let's pull up 6 Defendant's Exhibit 1266. 7 Q Have you been able to get any work 8 since that time? 9 A I have done one small independent film. 10 Q Okay. And tell the jury what that is. 11 A I shot a film in Guatemala. It's a 12 small independent. Meaning it doesn't have 13 distribution or -- yeah, it doesn't have 14 distribution or anything. It's a lower-budget 15 film that I had been attached to for many years 16 called "Into the Fire." 17 Q And 1266 has as of January 13, 2022; do 18 you see that? 19 A Yes. 20 Q Okay. When did you actually film for 21 this in Guatemala? 22 A March -- I believe it was March of this</p>
4918	<p>1 were made in April and June of 2020; is that 2 correct? 3 A That's correct. 4 Q Okay. And what, if any, marketing 5 opportunities were you participating in prior to 6 those articles? 7 A We had appearances, talk shows, press, 8 the normal kind of group cast press junket, 9 promotional material, photo shoot. I had various 10 publicity engagements lined up, like a magazine 11 cover, that sort of thing, to promote the film -- 12 I mean, to promote the series. 13 Q And what, if anything, were you able to 14 do with marketing opportunities after the three 15 articles were published? 16 A None. None. 17 Q What, if any, covers were you on after 18 that for The Stand? 19 A They pulled the offer for that. So, I 20 don't know. 21 Q Okay. And while we're on this 22 agreement, if you look at the second page, how</p>	4920	<p>1 year. 2 Q Okay. And do you recall what your 3 compensation was for that? 4 A I don't, off the top of my head. I'm 5 sorry. 6 Q If you could look at ALH17628. It's 7 paragraph 6A. 8 A Oh. 65,000. 9 Q Okay. And have you participated in 10 Aquaman 2? 11 A I have. 12 Q And tell us about that. 13 A I had to fight to -- I fought really 14 hard to stay in the movie. They didn't want to 15 include me in the film. 16 MS. VASQUEZ: Objection, Your Honor. 17 Hearsay. 18 THE COURT: I'm going to sustain the 19 objection. 20 MS. BREDEHOFT: Okay. 21 Q Did you ultimately -- were you 22 ultimately able to get to film in Aquaman 2?</p>

4921	1 A A very pared down version of that role, 2 yes. 3 Q What, if anything, changed in the 4 script? 5 A They took away a lot of the -- 6 MS. VASQUEZ: Objection, Your Honor. 7 Hearsay. Lack of foundation. 8 MS. BREDEHOFT: I think she can 9 testify. 10 THE COURT: Overruled as to script. 11 Q Go ahead. 12 A I was given a script and then given new 13 versions of the script that had taken away scenes 14 that the -- that had action in it; that depicted 15 my character and another character, without giving 16 any spoilers away, you know, there are two 17 characters fighting with one another, and they 18 basically took a bunch out of my role. They 19 didn't -- yeah, they just removed a bunch out. 20 Q And what, if any, leverage did you have 21 to negotiate a higher salary beyond the 2 million? 22 MS. VASQUEZ: Objection. Speculation.	4923	1 hearsay. 2 MS. BREDEHOFT: It is responsive, Your 3 Honor. She gets to give her context. 4 THE COURT: Your question was her 5 emotional impact of the statements. 6 MS. BREDEHOFT: Okay. 7 A The impact it has on me is every time I 8 look at it, which is every day, I am -- in fact, I 9 have to relive it. I have to have my -- the 10 worst, most painful things I've ever gone through, 11 painful memories I've ever had, the things I've 12 narrowly survived, at times. Embarrassing, 13 intimate details that I never wanted to be known, 14 never wanted to be public, ever, and to have them 15 used every single day to call me a liar. I have 16 to relive this every single day that I have to 17 address those claims, over and over again. The 18 most intimate, embarrassing, deeply humiliating 19 and personal things that I've survived are used 20 against me every day, over and over again. It's 21 torture, so much pain emotionally. I just wanted 22 him to leave me alone. I wanted to move on with
4922	1 THE COURT: I'll sustain the objection. 2 Q What, if any, effort did you make to 3 negotiate a higher salary for your participation? 4 A I couldn't renegotiate my contract. 5 Q And why not? 6 MS. VASQUEZ: Objection. This calls 7 for hearsay and speculation. 8 Q Do you know why? 9 MS. VASQUEZ: Still the same 10 objections, Your Honor. 11 THE COURT: I'll sustain the 12 objections. 13 Q All right. Amber, I'm going to ask you 14 to describe to this jury the emotional impact on 15 you of these three statements that we have talked 16 about, these three counterclaim statements. 17 Please describe how this has impacted you. 18 A These statements are used over and over 19 and over and over again online to reverberate, 20 reecho, and reenergize -- 21 MS. VASQUEZ: Objection, Your Honor. 22 This is not responsive. Lack of foundation and	4924	1 my life. And he won't let me. By making 2 statements like this, he won't let me. I have to 3 be here today. I have to be reliving it every 4 single time. He, with these statements, these 5 leaks, these comments, once again, makes me have 6 to speak to the most horrifying things I have 7 lived through. It's torture. It's tortuous. No 8 one should have to do that. I've moved on with my 9 life. I have a baby. I want to move on. I want 10 to move on. I want Johnny to move on, too. I 11 want him to leave me alone. 12 MS. BREDEHOFT: Thank you. I have no 13 further questions. 14 THE COURT: Ladies and gentlemen, this 15 might be a good time to take our afternoon recess. 16 Based on that, do not discuss this with anyone or 17 do any outside research, okay? 18 See you shortly. Thank you. 19 Please, court is still in session. I 20 need it to be quiet in the gallery. Thank you. 21 (Whereupon, the jury exited the 22 courtroom and the following proceedings took

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

75 (4925 to
4928)

4925	1 place.) 2 THE COURT: All right. Why don't we 3 just make it 3:25, then. Come back at 3:25. 4 MS. BREDEHOFT: Thank you. 5 THE WITNESS: All right. Thank you. 6 THE BAILIFF: All rise. 7 (Recess taken from 3:08 p.m. to 8 3:24 p.m.) 9 THE BAILIFF: All rise. 10 Please be seated and come to order. 11 THE COURT: All right. 12 MS. BREDEHOFT: May we approach? 13 THE COURT: Sure. 14 (Sidebar.) 15 MS. BREDEHOFT: I just want to raise 16 further on that payment of the attorneys' fees. 17 THE COURT: Okay. 18 MS. BREDEHOFT: In reading this, what 19 this says is that if she opens up the door -- 20 THE COURT: Right. 21 MS. BREDEHOFT: -- we can ask if 22 Mr. Musk made any payments.	4927	1 MS. BREDEHOFT: She paid for 6 million. 2 They didn't know they had insurance. 3 THE COURT: And it's not just the 4 6 million. I mean, she said that she can't pay 5 all the money to the ACLU because she's paying 6 attorney's fees. 7 MS. BREDEHOFT: No, she said, 8 specifically 6 million. She did not say she's 9 paying for attorney's fees. Now, I didn't -- she 10 can look at the record, Your Honor, but that's not 11 what she said. 12 MS. VASQUEZ: That's not true, Your 13 Honor. She actually testified 6 million. 14 MS. BREDEHOFT: She did testify to 15 6 million. 16 THE COURT: Correct. 17 MS. VASQUEZ: She opened the door. 18 MS. BREDEHOFT: No, she didn't open the 19 door for insurance. The insurance didn't pay that 20 6 million. What she opened the door was asking if 21 Mr. Musk paid it for her. That's in the order. 22 Your Honor, I don't think there's any
4926	1 It does not mean that they're 2 insurance -- insurance comes in. That will be a 3 basis for a mistrial. 4 I would proffer the Court the insurance 5 did not pay that \$6 million. 6 THE COURT: Okay. So insurance didn't 7 pay it. It's not basis for a mistrial because 8 it's not a personal injury case. 9 MS. BREDEHOFT: Well, I still think it 10 would make it prejudice for -- 11 THE COURT: So the insurance didn't pay 12 for anything. So can we stay away from insurance, 13 then? 14 MS. VASQUEZ: Well, that's just not 15 true. Insurance did -- is paying the cost. 16 THE COURT: For her attorneys' fees? 17 MS. VASQUEZ: Yes. 18 MS. BREDEHOFT: She paid 6 million 19 before the insurance company -- 20 MR. CHEW: They said that's where the 21 five got capped. According to the ACLU, because 22 she was too expensive, so...	4928	1 reason we need to raise that today. I would like 2 to be able to get the transcript and research it. 3 THE COURT: Mr. Musk may be asked about 4 his payment, if any, of the attorney's fees. And 5 the Court will be instructing the jury. 6 It doesn't say anything about 7 insurance, so I'm not sure if that was -- that can 8 go either way. It's either not part of this 9 Motion in Limine or it was not -- it's not 10 detailed here. 11 MS. BREDEHOFT: Right. So I would like 12 the time to get the transcript, Your Honor, 13 because that's -- and I would also like to 14 research because I do believe that would be a 15 basis for us moving for a mistrial. 16 THE COURT: Okay. That insurance 17 company is responsible for this payment. 18 All right. This is what we'll do: You 19 can just ask about Mr. Musk and not the insurance, 20 okay? We'll go that way. Okay. 21 MS. VASQUEZ: At this time, may we have 22 an opportunity to review the transcript?

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Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

76 (4929 to
4932)

4929	1 THE COURT: You can. We did say at the 2 beginning, that I granted it in part as far as the 3 insurance company. So, yeah, you can review the 4 transcript. 5 MS. VASQUEZ: I want to first. 6 THE COURT: Okay. Then we'll bring it 7 today. And right now, that's my ruling. Okay? 8 Did you want to talk about your other 9 motion? 10 MR. CHEW: Yes, Your Honor. I was 11 hoping that we can hear that now. 12 THE COURT: Yes. 13 MR. CHEW: It won't take very long. 14 THE COURT: It's filed under seal, so I 15 assume you want to do it here at the bench? 16 MR. CHEW: We can do it here at the 17 bench? Sure. 18 THE COURT: I mean, well, you filed it 19 under seal. I mean, that would -- 20 MS. VASQUEZ: I mean, we're happy to do 21 it in open court -- 22 MR. CHEW: We're happy to do it either	4931	1 violence and both have claimed self-defense. 2 We've seen that in Exhibits 1 and 2. We cited the 3 case of Barnes v. Commonwealth, Your Honor, we see 4 now it's also, you know, McMahon v. Rounds, which 5 applies it in the civil context. Granting motion 6 is also consistent with the Court allowing 7 Ms. Heard's counsel to cross-examine Mr. Depp 8 about Rocky Brooks. Remember Rocky Brooks is the 9 one who filed the civil assault claim. That's 10 Exhibits 3 and 4. 11 And allowing Ellen Barkin to testify 12 about Mr. Depp throwing a bottle at the wall, not 13 directed at anybody. So that's one reason. 14 The second reason is Ms. Heard's prior 15 reputation, that is before she met Mr. Depp, is 16 clearly relevant. This arrest of Ms. Ree in 2009, 17 it's two years before she met Mr. Depp, in the 18 relationship, clearly that is relevant here. 19 Mr. Depp's Motion in Limine, as far as his prior 20 arrest, was granted as to liability but denied as 21 to reputation because it goes to damages. Your 22 Honor allowed that Mr. Depp was examined about his
4930	1 way. 2 MS. VASQUEZ: -- just outside the 3 presence of the jury. 4 MR. ROTTENBORN: We'd rather do it 5 here. 6 THE COURT: That's fine. Okay. 7 MS. BREDEHOFT: Mr. Rottenborn, can you 8 address it? 9 MR. ROTTENBORN: Is it okay if I 10 address it, Your Honor? 11 THE COURT: That's fine. Yes, sir. 12 That's fine. 13 MR. ROTTENBORN: So, keeping in mind 14 we've just had a very brief -- 15 MR. CHEW: Your Honor, I think we get 16 to go first. 17 THE COURT: Okay. That's fine. I have 18 read it. What else do you want to add to it? 19 MR. CHEW: Your Honor, I think there 20 are four reasons why testimony at trial has opened 21 the door to grant Mr. Depp's motion. 22 One, both parties were accused of	4932	1 allegations. 2 We even heard today about L'Oréal and 3 L'Oréal not re-upping her contract. A lot of 4 reasons. One of the reasons could have been she'd 5 been arrested for domestic violence. There is 6 testimony from the ACLU that they considered all 7 the articles. There were a lot of articles about 8 Ms. Heard being arrested for domestic violence. 9 The ACLU considered that. Their only due 10 diligence was asking Ms. Heard her point of view. 11 Your Honor will remember that 12 Ms. Heard's counsel, Mr. Rottenborn, was allowed 13 to ask Mr. Depp about a stack of articles about 14 Mr. Depp's reputation, other things that could 15 have hurt his reputation other than the op-ed. 16 Your Honor assumes that there are articles, 17 several articles about Tasya van Ree. We should 18 at least be allowed to show her those articles and 19 ask her those, the same way Mr. Rottenborn showed 20 Mr. Depp. 21 And number three, Your Honor, this is 22 an important one. Ms. Heard's testimony on direct

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Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

<p style="text-align: right;">4933</p> <p>1 clearly opened the door. She said "I know you 2 don't come back from that. I mean, you can't hit 3 a woman, you can't hit a man, you can't hit 4 anyone." That's a direct quote from page 2241 at 5 lines 14 and 15. That opens the door. She says 6 she know she can't hit a woman. Well, we know she 7 has. She hit Rocky Pennington and she assaulted 8 Tasya van Ree, or at least she was arrested for 9 that. 10 Number four, Your Honor, Ms. Heard 11 self-reported the Tasya van Ree incident, both to 12 her own psychologist, Dr. Hughes, and to our 13 psychologist, Dr. Curry. These articles to which 14 I refer are in Exhibits 5 through 6. 15 Finally, Your Honor, Your Honor denied 16 the Motion in Limine. Ms. Heard moved for a 17 Motion in Limine to exclude this; Your Honor 18 denied it. 19 The only limitation that Your Honor 20 made was "Okay. So you're not saying in your 21 opening statement that she's been convicted of 22 assault. I'll just make it a ruling."</p>	<p style="text-align: right;">4935</p> <p>1 there. 2 And, four, since that time, Your Honor 3 has correctly allowed Ms. Heard to ask Mr. Depp 4 about Rocky Brooks and Ellen Barkin and all those 5 articles. 6 We think it's only fair, Your Honor, 7 and appropriate under the law to allow those 8 limited seven questions. 9 THE COURT: All right. 10 MR. CHEW: Okay. 11 MR. ROTTENBORN: Your Honor, obviously, 12 it's no surprise Mr. Chew has brought up at every 13 hearing, whether it's about this or not, he's 14 brought up the Tasya van Ree situation. So, I'm 15 not surprised they're trying to do this, but the 16 parties are completely differently situated here 17 for a couple reasons. I want to address this 18 point, too, because this is the second time 19 Mr. Chew brought this up today, he keeps saying 20 she hit Rocky Pennington. They even had their 21 expert, Dr. Curry, mislead the jury on what that 22 testimony said. You'll hear from Rocky Pennington</p>
<p style="text-align: right;">4934</p> <p>1 But we never intended to say that she 2 was convicted of -- 3 THE COURT: Which she hasn't been. 4 MR. CHEW: -- because she wasn't 5 convicted. 6 THE COURT: Uh-huh. 7 MR. CHEW: That's the only limitation. 8 So, number one, the Court denied that 9 Motion in Limine. 10 Number two, there are four things that 11 have happened since then. 12 Number one, Ms. Heard opened the door 13 by saying you don't hit a woman. 14 Number two, since that time, we know 15 that she self-reported that to her own doctor, 16 Dr. Hughes, and to our doctor -- not doctor, but 17 our expert, Dr. Curry. 18 THE COURT: Uh-huh. 19 MR. CHEW: Number three, we know, and 20 we cited, and she claimed self-defense. Once she 21 said, yes, I did throw a vase at Johnny but that's 22 because I was defending. She opened the door</p>	<p style="text-align: right;">4936</p> <p>1 tomorrow. Rocky Pennington said, I hit her first 2 and she hit me back. 3 MR. CHEW: She still hit her. 4 THE COURT: Are they doing the 5 deposition? 6 MR. NADELHAFT: Not tomorrow. 7 MR. CHEW: Doesn't mean -- 8 THE COURT: Mr. Chew. 9 MR. ROTTENBORN: Thank you, Your Honor. 10 But to hear him say she hit a woman, she hit Rocky 11 Pennington, and to have their expert tell the jury 12 that she hit Rocky and not tell the jury that was 13 after Rocky Pennington said she hit her first. 14 So I just want to -- it's very 15 misleading. There are a couple points, Your 16 Honor. Under 405, what they're trying to get in 17 is an essential element of the claim, then you can 18 offer specific past instances of conduct. The 19 parties are very differently situated with respect 20 to their two claims, Your Honor. 21 For Mr. Depp, an essential element of 22 his claim is that he has never abused Amber.</p>

<p style="text-align: right;">4937</p> <p>1 That's -- if you take his defamatory implication 2 that he is advancing at this theory of the case, 3 this op-ed, even though it didn't say that, 4 somehow implied that he had abused her, then none 5 of those statements are defamatory if he did abuse 6 Amber. So an essential element of that part of 7 the case is, did he abuse Amber? It's not an 8 essential element for either Mr. Depp's defense or 9 for Ms. Heard's counterclaim, whether Ms. Heard 10 was ever abusive to Mr. Depp. That's not -- the 11 parties are totally differently situated, and, 12 Your Honor -- excuse me, if I could just finish. 13 MR. CHEW: Go ahead. 14 MR. ROTTENBORN: Your Honor has ruled 15 several times in instances where the parties are 16 differently situated. 17 THE COURT: Right. 18 MR. ROTTENBORN: So I don't need to go 19 through all of that, but the parties are very 20 differently situated with respect to this. 21 Whether Ms. Heard was abusive to Mr. Depp and 22 whether she ever committed abuse towards someone</p>	<p style="text-align: right;">4939</p> <p>1 offered by the accused. So if Mr. Depp witnessed 2 her being violent to someone, then that may be a 3 different story, but he didn't. This is just -- 4 what they're trying to get in is, essentially, 5 hearsay, or they're trying to get it in for 6 reputation purposes. 7 A couple other points, Your Honor. 8 They didn't attach next -- so they attached an 9 Exhibit 4. They keep bringing up this Rocky 10 Brooks thing. If Your Honor will remember, I 11 asked Mr. Depp if he had assaulted, punched a crew 12 member, and we approached, and then I explained 13 why I wanted to ask him that. 14 THE COURT: Uh-huh. 15 MR. ROTTENBORN: Because Mr. Bett and 16 Mr. Judge were the two bodyguards who were present 17 with him. And I said I'm not asking him anything 18 else. What they didn't attach is the very next -- 19 what Your Honor said, you can ask that one 20 question. 21 THE COURT: Right. 22 MR. ROTTENBORN: So I didn't ask two,</p>
<p style="text-align: right;">4938</p> <p>1 else is not an essential element of any claim or 2 defense in this case. It's just not. They're 3 trying to make it seem like the claims are apples 4 to apples, and they are not. The claim is whether 5 Mr. Depp was abusive to Ms. Heard. The converse 6 is not at issue in this case. And under 403, that 7 changes the calculus of probative versus 8 prejudicial. 9 So a few more points, if I may, Your 10 Honor, and I will apologize -- 11 THE COURT: That's fine. 12 MR. ROTTENBORN: I'm doing my best. 13 The cases that they cited, the Barnes 14 v. Commonwealth case. The other case -- the 15 Barnes v. Commonwealth, that's a criminal case. 16 It's talking about self-defense. 17 THE COURT: Right. 18 MR. ROTTENBORN: And I know that rule 19 has been extended in certain civil cases. I've 20 not had a chance to look at those, since the 21 motion was handed up this afternoon, but that case 22 is inapposite. 404, the testimony has to be</p>	<p style="text-align: right;">4940</p> <p>1 and Your Honor didn't let me go into the details 2 of this assault. 3 THE COURT: Uh-huh. 4 MR. ROTTENBORN: The whole purpose that 5 they're trying to get into, did she assault 6 Ms. Ree. I was trying to get into who were the 7 bodyguards who were present. So this motion in 8 their brief, that somehow we were able to question 9 Mr. Depp about this, is not -- that's not true. 10 THE COURT: I understand. 11 MR. ROTTENBORN: Finally, Your Honor, 12 with respect to reputation, what I was able to 13 question Mr. Depp about, he's claiming he lost 14 Pirates 6 because of the op-ed. I was able to ask 15 him questions about that series. 16 THE COURT: For the damages issues. I 17 understand. 18 MR. ROTTENBORN: Yeah. It relates 19 directly to his role, his reliability as an actor. 20 This is a 2009 incident. 21 THE COURT: And a 2016 article. 22 MR. ROTTENBORN: Correct. If they want</p>

<p style="text-align: right;">4941</p> <p>1 to ask her about the effect -- I don't know if 2 they're saying it's reputation or saying 3 reputation relating to damages. The defamation 4 claim seeks damages from April 2020 on, so it's 5 not nearly as close space in time, number one. 6 Number two, it's a 2009 issue. 2016 7 article that their team obviously released right 8 after the TRO was filed because they're from June 9 2016. I'm assuming that's the case. You know, 10 it's right after she accused Johnny of abuse. 11 THE COURT: Right. 12 MR. ROTTENBORN: And it's just too far 13 attenuated to any damages at issue in this case 14 that Ms. Heard is seeking. 15 And then, finally, with respect to 16 this -- two more points. Finally, with respect to 17 this self-defense point, Mr. Depp can't just open 18 the door to ask Ms. Heard about any of the prior 19 conduct by saying I acted in self-defense. I 20 mean, it's one thing if he wants to get up there 21 and testify to times when he specifically acted in 22 self-defense. That's one thing. But to say, I</p>	<p style="text-align: right;">4943</p> <p>1 whether she said he did it somehow himself. 2 Number one, that's number one. 3 Number two, clearly goes, Your Honor, 4 to reputation. And Mr. Rottenborn was allowed to 5 ask Mr. Depp about a stack of newspapers or 6 articles related to other issues that may have 7 affected his reputation. This goes to her 8 reputation. 9 THE COURT: Right. What's the 10 relevance of the reputation in 2016 when these 11 articles were -- 12 MR. CHEW: Because -- 13 THE COURT: I'm just asking the 14 question. 15 MR. CHEW: The ACLU -- the 16 republication, number one, ACLU considered it when 17 they were doing a minimum due diligence on Amber. 18 They looked at those articles themselves, and I 19 asked them, Mr. Dougherty, what due diligence, if 20 any, did they do. He said, we asked Amber and 21 Amber said it was (indiscernible). This 22 absolutely goes to a reputation. There could be</p>
<p style="text-align: right;">4942</p> <p>1 acted in self-defense, and, therefore, I get to 2 ask Ms. Heard about these allegations of abuse, 3 that's far too attenuated. 4 And, finally, he said that Ms. Heard 5 opened the door by saying you can't hit a woman. 6 I haven't had a chance to read the transcript. 7 I'm pretty sure, if you look at it in context, 8 what she was saying is the relationship doesn't 9 come back from that, when that happens. She 10 wasn't saying I have never done this or that. She 11 was saying -- she was talking about what thoughts 12 go through her head when Mr. Depp struck her for 13 the first time. 14 So there's no relevance. 15 MR. CHEW: Your Honor. 16 THE COURT: All right. 17 MR. CHEW: Briefly. 18 Number one, Your Honor has already 19 ruled on similar objections made. Violence to 20 Mr. Depp is very much an issue in this case. He 21 lost the top of his finger, very much an issue in 22 this case. Whether Ms. Heard cut it off or</p>	<p style="text-align: right;">4944</p> <p>1 any number -- 2 THE COURT: So reputation prior to the 3 three statements? 4 MR. CHEW: Yeah. But it's still 5 relevant, Your Honor. It's directly relevant to 6 reputation. As Your Honor has said, this case 7 goes to reputation. 8 THE COURT: Uh-huh. 9 MR. CHEW: And at a very minimum, Your 10 Honor, Ms. Vasquez should be able to -- to be 11 allowed to ask her about the articles, the same 12 articles that the ACLU considered in 2018, when 13 they did the op-ed, 4 through 7, because that 14 would be very consistent with what Your Honor did 15 with respect to Mr. Depp -- 16 THE COURT: All right. 17 MR. CHEW: -- with Rocky Brooks. 18 THE COURT: That's fine. 19 MR. ROTTENBORN: May I make one more 20 comment, Your Honor? 21 THE COURT: What's that, sir? 22 MR. ROTTENBORN: With respect to</p>

Transcript of Jury Trial - Day 17
Conducted on May 16, 2022

80 (4945 to
4948)

4945	1 Mr. Depp, the reason he lost Pirates 6, there's a 2 lot of corroborating evidence in this case about 3 Mr. Depp -- 4 THE COURT: Goes to both sides. 5 MR. ROTTENBORN: I understand, Your 6 Honor, but they're essentially trying to just put 7 in -- 8 THE COURT: She has testified that her 9 reputation before these three -- before these 10 three attorney statements was stellar. She worked 11 real hard. It was perfect. So, I mean. 12 MR. ROTTENBORN: Four years prior. She 13 was saying things were going well in 2018 -- 14 THE COURT: Since the TRO, she was 15 working hard to get it back. 16 MR. ROTTENBORN: Right. And what they 17 want to do is bring in a 2016 article, published a 18 week after the TRO, about a 2009 incident? That's 19 so far afield than anything we asked them about. 20 THE COURT: Okay. I understand. I 21 think because there's -- I'm taking all my notes 22 and there's been a lot of testimony about her	4947	1 to arrested. I think it's prejudicial, gives a 2 connotation to the jury when she wasn't arrested 3 for anything, okay? 4 So we're talking number 1 is fine, 5 number 3 is fine, number 4 and 5. You're just 6 going to have to provide articles. I'm taking my 7 pen, Mr. Chew. 8 MR. CHEW: 1, 3 -- 9 THE COURT: You're going to have to 10 find a way to do it without referencing the 11 article. 12 MR. CHEW: Thank you. 13 THE COURT: You got it. 14 MR. CHEW: Thank you, Your Honor. 15 MS. BREDEHOFT: Is this going to happen 16 this afternoon? 17 THE COURT: I don't know when it's 18 going to happen. But the ruling stands. 19 MR. CHEW: Thank you, Your Honor. 20 MS. BREDEHOFT: Because we didn't look 21 at it. 22 THE COURT: We don't come back
4946	1 being reactive. Always reactive. She has hit but 2 it was reactive. I think for impeachment purposes 3 then, it comes in about the violence with other 4 people or that you assaulted your ex-girlfriend. 5 But as far as the arrest goes, I'm just not going 6 to allow arrests in. I think it's too prejudicial 7 because it lists an arrest, not conviction, so I'm 8 not letting any arrests come in. 9 So that kind of hits the articles, 10 then, too. 11 MR. CHEW: We can use the article. 12 THE COURT: But it says arrested. 13 MR. ROTTENBORN: That's the headline. 14 THE COURT: Anyways what I'm saying. I 15 can't -- arrested doesn't come in. If you go -- 16 you can have her talk about there are articles 17 about that that came out, about the assault. 18 MS. VASQUEZ: About the assault. 19 MR. CHEW: About the assault. 20 THE COURT: About the assault. Without 21 getting the articles in, but you can get articles 22 in that talk about the assault but we're not going	4948	1 tomorrow. We don't go backwards. 2 MR. CHEW: We understand. 3 THE COURT: Okay. We're ready for the 4 jury. 5 (Whereupon, the jury entered the 6 courtroom and the following proceedings took 7 place.) 8 THE COURT: All right. Thank you. 9 All right. Be seated. 10 Cross-examination. 11 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 12 COUNTERCLAIM DEFENDANT 13 BY MS. VASQUEZ: 14 Q Good afternoon, Ms. Heard. 15 A Good afternoon. 16 Q Mr. Depp hasn't looked at you once this 17 entire trial, has he? 18 A Not that I've noticed, no. 19 Q You've looked at him, though, many 20 times, haven't you? 21 A Yes, I have. 22 Q You know exactly why Mr. Depp won't

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4949	1 look back at you, don't you? 2 A I do. 3 Q He promised you he would never -- you 4 would never see his eyes again; isn't that true? 5 A I don't recall if he said that. 6 Q One of the last times you ever saw 7 Mr. Depp was when you met in San Francisco in July 8 of 2016, right? 9 A That was the second-to-last time I saw 10 him, yes. 11 Q And this was after you had publicly 12 accused him of domestic violence? 13 A I got my restraining order before that, 14 yes, uh-huh. 15 Q And this is after you obtained the 16 domestic violence restraining order against him? 17 A That's correct. 18 MS. VASQUEZ: Let's, please, play 19 Plaintiff's Exhibit 1229. For the record, it's at 20 11:01 through 12:09. 21 I'm going to ask that it be admitted 22 into evidence.	4951	1 MS. HEARD: Yeah. I just wanted to 2 give you a hug. 3 MR. DEPP: After all the shit you 4 fuckin' accused me of, you want to touch me? 5 MS. HEARD: Yes, yes. Please, please. 6 Please stop, please. 7 MR. DEPP: You're fuckin' nuts. 8 MS. HEARD: Please, stop. 9 MR. DEPP: You're fuckin' nuts. 10 MS. HEARD: Please. I just wanted to 11 hug you. And to say bye. I don't want it to end 12 bad. 13 MR. DEPP: There's no chance of that. 14 We did that last night. It's fine. That was good 15 enough. 16 MS. HEARD: Please. I just want a hug. 17 MR. DEPP: No. Because I'm not teasing 18 you. And I will always be nothing to you. 19 MS. HEARD: Calm, calm. See, please. 20 MR. DEPP: What? You're not my shrink. 21 MS. HEARD: Let's just calm my heart, 22 please.
4950	1 THE COURT: Any objection to 1229? 2 MS. BREDEHOFT: (Indiscernible.) No 3 objection, Your Honor. 4 THE COURT: All right. 1229. You want 5 it entered in its entirety? 6 MS. VASQUEZ: Yes, please. 7 THE COURT: 1229 entered in its 8 entirety. 9 Go ahead and play your section. 10 (Whereupon, the following audio 11 recording was played.) 12 MS. HEARD: I don't understand. Is 13 this what you want? 14 MR. DEPP: No. Oh, no, a hug and save 15 it all. All this -- 16 MS. HEARD: No, I just wanted to -- 17 MR. DEPP: -- everything we've just 18 been through. 19 MS. HEARD: I just want to define -- I 20 just wanted to -- I just wanted to touch you. 21 MR. DEPP: Really? After all the shit 22 you just said?	4952	1 MR. DEPP: No. 2 MS. HEARD: Please. 3 MR. DEPP: No. Deal with your fuckin' 4 heart. 5 MS. HEARD: No, no. Please. Just 6 (indiscernible.) 7 MR. DEPP: No. We will never see each 8 other again. 9 MS. HEARD: Please. 10 MR. DEPP: We won't even -- don't take 11 my fucking glasses off. 12 MS. HEARD: Please. 13 MR. DEPP: You don't like looking at my 14 fucking eyes? You will not see my eyes again. 15 BY MS. VASQUEZ: 16 Q That's you and Mr. Depp in that 17 recording? 18 A That is. 19 Q And this is from when you and Mr. Depp 20 met in San Francisco in July of 2016, right? 21 A Yes. That's what it sounds like. That 22 was in the hotel. We met once after that as well.

<p style="text-align: right;">4953</p> <p>1 Q This is after you publicly accused him 2 of domestic abuse? 3 A Yes. And got my TRO. 4 Q And he tells you, "you will not see my 5 eyes again," doesn't he? 6 A Yes, he does, in that recording. 7 Q And he kept that promise, hasn't he. 8 A As far as I know, he cannot look at me. 9 Q He won't look at you, right, Ms. Heard? 10 A He can't. 11 Q One of the first questions your counsel 12 asked you on direct is, why are you here? 13 Do you remember that? 14 A I do. 15 MS. VASQUEZ: Let's, please, play 16 Plaintiff's Exhibit 357A, which is already in 17 evidence, Your Honor. 18 THE COURT: All right. 19 MS. VASQUEZ: For the record, it's 20 21:22 through 21:40. 21 (Whereupon, the following audio 22 recording was played.)</p>	<p style="text-align: right;">4955</p> <p>1 That's what you said, right? 2 A I was saying it to the man who beat me 3 up, yes. I said it was preposterous. 4 Q And the man you beat up numerous times, 5 right, Ms. Heard. 6 A I could never hurt Johnny. 7 Q You were here in the courtroom when 8 Mr. Depp finally told the world that he is a 9 victim of domestic violence? 10 A I know that he is suing and has sued 11 other people or corporations that have said that 12 as well. 13 Q You didn't think he would tell the 14 world he was a victim of domestic violence, did 15 you? 16 A I found it hard to believe that he 17 could or that he would do that, considering the 18 relationship he and I had. I thought it would be 19 crazy for him to do so, knowing what I know we 20 lived through. 21 Q Or, as you said to him in that 22 recording, who was going to believe that Johnny</p>
<p style="text-align: right;">4954</p> <p>1 MS. HEARD: You can, please, tell 2 people that it was a fair fight and see what the 3 judge -- see what the jury does think. Tell the 4 world, Johnny. Tell them, Johnny Depp, I, Johnny 5 Depp, man, I'm a victim, too, of domestic 6 violence. And I -- 7 MR. DEPP: Yeah. 8 MS. HEARD: -- know it's a fair fight. 9 And see how many people believe or side with you. 10 (Whereupon, the audio recording ended.) 11 BY MS. VASQUEZ: 12 Q That's your voice on that recording, 13 right? 14 A Yes, it is. 15 Q And you were speaking with Mr. Depp? 16 A Yes. 17 Q And you said to Mr. Depp, "You can 18 please tell people that it was a fair fight, and 19 see what the jury and the judge think. Tell the 20 world, Johnny. Tell them, Johnny Depp, I, Johnny 21 Depp, a man, I'm a victim, too, of domestic 22 violence."</p>	<p style="text-align: right;">4956</p> <p>1 Depp, a man, is a victim of domestic violence, 2 right? 3 A With all due respect, I wasn't saying 4 it because he was a man; I was saying it because 5 he was a man who beat me up for five years. 6 Q Mr. Depp is your victim, isn't he? 7 A No, ma'am. 8 Q And once he left you, you continued to 9 abuse him publicly by calling him an abuser, 10 didn't you? 11 A He is an abuser, and you can look 12 either of us up online and figure out who's being 13 abused online. 14 Q Let's look at some of that. 15 Mr. Depp wears rings on every finger, 16 doesn't he, Ms. Heard? 17 A That's my experience, yes. 18 Q And they're not delicate rings, are 19 they? 20 A No, they are not. 21 Q Every one of his fingers is adorned, 22 your words, "big, chunky rings"; isn't that right?</p>

4957	<p>1 A That's my experience of him.</p> <p>2 Q And Mr. Depp is always wearing rings,</p> <p>3 right, Ms. Heard?</p> <p>4 A That's my experience of him.</p> <p>5 Q And you've never known him not to wear</p> <p>6 these rings?</p> <p>7 A That's my experience, as he normally</p> <p>8 wore rings, yes.</p> <p>9 Q So Mr. Depp was wearing these big,</p> <p>10 chunky rings on every finger, every incident of</p> <p>11 abuse you've described to this jury, right?</p> <p>12 A I can't say for certain it was in every</p> <p>13 single incident.</p> <p>14 Q But you've never known him not to wear</p> <p>15 rings, right?</p> <p>16 A In general, my experience with Johnny</p> <p>17 is that he wears rings almost all the time.</p> <p>18 Q Ms. Heard, do you recall giving</p> <p>19 testimony in a deposition in this matter in</p> <p>20 January of this year?</p> <p>21 A I do.</p> <p>22 MS. VASQUEZ: Can we please play, from</p>	4959	<p>1 referencing? You weren't specific.</p> <p>2 Q The testimony that you gave on day 15</p> <p>3 of this trial, March of 2013. You weren't</p> <p>4 specific as to the date.</p> <p>5 A There were several incidents.</p> <p>6 Q The one where he hit you several times</p> <p>7 in the face.</p> <p>8 A There were several – sorry, just so I</p> <p>9 understand better. There were several incidents</p> <p>10 in March. Which one are you asking me about?</p> <p>11 Q The time when he hit you several times</p> <p>12 in the face wearing rings.</p> <p>13 A Well, he pretty much –</p> <p>14 Q March of 2013.</p> <p>15 A Right. What are you asking me? I'm</p> <p>16 sorry.</p> <p>17 Q He was wearing rings on that occasion?</p> <p>18 A I pretty much always knew him to wear</p> <p>19 rings.</p> <p>20 MS. VASQUEZ: Let's, please, pull up</p> <p>21 Defendant's 170A, which is already in evidence,</p> <p>22 Your Honor.</p>
4958	<p>1 your deposition, day two, 512, page 512, lines 11</p> <p>2 through 15.</p> <p>3 (Whereupon, the following audio</p> <p>4 recording was played.)</p> <p>5 Q You said he hit you and he -- he was</p> <p>6 wearing rings, right, Ms. Heard? So he hit you</p> <p>7 with rings on every finger?</p> <p>8 A I don't know if I've ever known Johnny</p> <p>9 to not wear rings.</p> <p>10 BY MS. VASQUEZ:</p> <p>11 Q Ms. Heard, you testified to an incident</p> <p>12 in March of 2013 where Mr. Depp hit you in the</p> <p>13 face multiple times.</p> <p>14 Do you recall that?</p> <p>15 A That's correct.</p> <p>16 Q And you testified "you don't know how</p> <p>17 many times he hit you in the face"?</p> <p>18 A That's correct.</p> <p>19 Q So, Mr. Depp hit you in the face</p> <p>20 multiple times while he was wearing rings on this</p> <p>21 occasion, correct?</p> <p>22 A Which occasion in March are you</p>	4960	<p>1 Q You testified this is a picture you</p> <p>2 took after that incident, right, Ms. Heard?</p> <p>3 A Yes. That was one that he grabbed me.</p> <p>4 Q And hit you in the face so many times</p> <p>5 that you don't remember.</p> <p>6 Isn't that correct?</p> <p>7 A That's correct.</p> <p>8 Q And there's no injuries to your face in</p> <p>9 this picture, are there?</p> <p>10 A Not that this picture shows.</p> <p>11 Q And there's no medical records</p> <p>12 reflecting that you sought treatment after this</p> <p>13 alleged incident either?</p> <p>14 A I did not seek medical treatment at</p> <p>15 this time.</p> <p>16 Q So there's no medical records</p> <p>17 reflecting any injuries to your face after he hit</p> <p>18 you several times?</p> <p>19 A I did not need to go to the doctor at</p> <p>20 the time.</p> <p>21 Q Despite hitting you several times that</p> <p>22 you lost count, with rings on your finger -- on</p>

<p>1 his fingers? 2 A That's correct. I did not seek medical 3 attention, other than my therapist. 4 Q You testified to another incident in 5 March of 2013 where Mr. Depp hit you while he was 6 wearing a lot of rings. 7 Do you remember that testimony? 8 A Yes, ma'am. 9 Q And you testified you felt like your 10 lip went through your teeth and it got a little 11 blood on the wall? 12 A Yes. I remember that. 13 Q There isn't a picture of you with 14 injuries after that alleged incident, is there? 15 A I don't know if I've seen one. I can't 16 recall. There are a lot of pictures. 17 Q You didn't produce any photographs 18 after that alleged incident, did you, Ms. Heard? 19 A I don't know if I took one or if it's 20 included. I'm not quite sure which ones. 21 Q You didn't show any pictures to this 22 jury after describing that alleged incident that</p>	4961	<p>1 Do you remember that? 2 A Yes, that's correct. 3 Q And you testified that Mr. Depp 4 "whacked you in the face"? 5 A That's correct. 6 Q And you went to the bathroom after 7 that, right? 8 A I did. 9 Q And then, according to your testimony, 10 when you came out of the bathroom, Jerry Judge, 11 Mr. Depp's security guard who passed away, pointed 12 out that your nose was bleeding, right? 13 A He did that in the hallway. 14 Q You said you hadn't known that your 15 nose was bleeding until Jerry Judge pointed it out 16 to you? 17 A Yes, that's correct. I was unaware 18 until he brought it up to me. I didn't see it 19 when I was in the bathroom, but I wasn't looking. 20 Q So it's your testimony that you went 21 into the bathroom and didn't look in the mirror, 22 which I assume was in the bathroom, to notice that</p>	4963
<p>1 your teeth, your lip went into your teeth, you 2 don't remember that -- you don't show any pictures 3 to this jury after describing that incident, 4 right? 5 A I don't believe I've seen that picture 6 admitted. 7 Q That picture doesn't exist? 8 A I don't know which one you're talking 9 about. There were -- we have pictures from 10 March 2013, yes. 11 Q The only picture that you've produced 12 and shown to this jury is the one that was just 13 put up on the screen where you said he hit you 14 multiple times in the face and you appear to have 15 what is a bruise on your arm, correct? 16 A I believe this is the only picture 17 that's in evidence right now. 18 Q That's the only picture you've shown to 19 this jury from March 2013, correct? 20 A I believe so. 21 Q You testified about an incident in 22 Russia on or about June 26th, 2013.</p>	4962	<p>1 your nose was bleeding? 2 A That's not why I went into the 3 bathroom. I went into the bathroom crying. I 4 don't even know if I paid attention to the mirror. 5 I certainly didn't enough to notice any blood. 6 Q You didn't take any pictures of your 7 bloody nose either, did you? 8 A I did not. 9 Q The pictures were taken of you in 10 Russia, though; isn't that correct? 11 A Yes, that's correct. We had a press -- 12 a dinner. 13 MS. VASQUEZ: Let's, please, pull up 14 Plaintiff's Exhibit 1248. 15 Q Ms. Heard, this is a picture of you and 16 Mr. Depp in Russia, correct? 17 A That's correct. 18 MS. VASQUEZ: I'm going to move to 19 admit. 20 MS. BREDEHOFT: No objection. 21 THE COURT: All right. No objection. 22 1248 in evidence. You can publish.</p>	4964

4965	1 Q And this is you and Mr. Depp in Russia 2 for the Lone Ranger premiere, correct? 3 A It was a dinner function, I believe, in 4 promotion of the movie. It wasn't a premiere, if 5 I recall. 6 Q You don't have any visual injuries to 7 your face, do you? 8 A None that you can see. 9 MS. VASQUEZ: Let's look at Plaintiff's 10 Exhibit 1249. 11 Q This is a picture of you, isn't it, 12 right? 13 A That's correct. 14 MS. VASQUEZ: I'm going to move to 15 admit. 16 MS. BREDEHOFT: No objection. 17 MS. VASQUEZ: Exhibit 1249. 18 THE COURT: All right. 1249 in 19 evidence. 20 Q This is also a picture from when you 21 were in Russia for the Lone Ranger premiere, 22 right?	4967
4966	1 A I did. 2 Q But you didn't show that picture to 3 this jury, did you? 4 A I would like to. 5 Q But you didn't show it, did you? 6 A That's not up to me. 7 Q You understand you were under an 8 obligation to produce all photographs after any 9 alleged incident of violence, right, Ms. Heard? 10 A I produced everything. 11 Q You didn't produce any photographs 12 after the Met Gala? 13 A I produced everything. 14 Q You also understand that you're under 15 an obligation to produce all medical records 16 reflecting any injuries you allegedly sustained 17 from Mr. Depp, correct? 18 A That's correct. 19 Q And you haven't produced any pictures 20 or any medical records reflecting a broken nose 21 after the Met Gala in May of 2014, have you? 22 A I have given everything to my lawyers.	4968
4966	1 Everything. I turned over literally everything 2 that I have. 3 Q Is it your testimony, Ms. Heard, that 4 you sought medical treatment after Mr. Depp 5 allegedly broke your nose after the Met Gala? 6 A Not after the Met Gala. I did not seek 7 medical attention, no. 8 Q You also attended an event after the 9 Met Gala in May of 2014, didn't you? 10 A That's correct. 11 Q You went to the All-Star Comedy Tribute 12 to Don Rickles? 13 A That is correct. 14 Q That was the next night after the Met 15 Gala? 16 A That is correct. 17 Q And there were pictures of you taken at 18 this event? 19 A Yes. 20 MS. VASQUEZ: Let's, please, pull up 21 Plaintiff's Exhibit 1252. 22 Q This is a picture of you, Ms. Heard?	4968

4969	<p>1 A Yes, it is.</p> <p>2 Q At that event?</p> <p>3 A Yes, it is.</p> <p>4 Q The night after the Met Gala?</p> <p>5 A Yes, it is.</p> <p>6 Q The night after Mr. Depp allegedly</p> <p>7 broke your nose?</p> <p>8 A I'm not sure if it's broken, for the</p> <p>9 record. Yeah, you should see what I look like</p> <p>10 underneath the makeup.</p> <p>11 Q He whacked you so hard in your face you</p> <p>12 thought you had broken your nose?</p> <p>13 A Exactly.</p> <p>14 MS. VASQUEZ: Permission to admit the</p> <p>15 photograph.</p> <p>16 MS. BREDEHOFT: No objection.</p> <p>17 THE COURT: All right. 1252 in</p> <p>18 evidence.</p> <p>19 Q This is a picture of you, Mr. Depp, and</p> <p>20 Don Rickles, right?</p> <p>21 A That is correct.</p> <p>22 MS. VASQUEZ: Let's, please, pull up</p>	4971	<p>1 Exhibit 1254</p> <p>2 MS. BREDEHOFT: No objection.</p> <p>3 THE COURT: All right. 1254 in</p> <p>4 evidence. You may publish. Thank you.</p> <p>5 Q Just to confirm, the jury can see it,</p> <p>6 this is a picture of you at the same event, the</p> <p>7 night after Mr. Depp allegedly whacked you in your</p> <p>8 face so hard you thought he broke your nose?</p> <p>9 A This is a picture of me after he did</p> <p>10 whack me in the face.</p> <p>11 Q The night after, right?</p> <p>12 A Yes, it is. I believe it was the night</p> <p>13 after, yes.</p> <p>14 Q Your nose doesn't appear to be injured</p> <p>15 in any of these pictures, does it, Ms. Heard?</p> <p>16 A I'm wearing makeup.</p> <p>17 Q Your nose doesn't appear to be injured</p> <p>18 in any of these pictures, does it, Ms. Heard?</p> <p>19 A That's why I'm wearing makeup.</p> <p>20 Q Right. And makeup covers up swelling,</p> <p>21 right?</p> <p>22 A Makeup will not cover up swelling. Ice</p>
4970	<p>1 Plaintiff's Exhibit 1253.</p> <p>2 Q This is another picture from that</p> <p>3 evening, right, Ms. Heard?</p> <p>4 A Yes, it is.</p> <p>5 MS. VASQUEZ: Permission to admit</p> <p>6 Exhibit 1253 and publish it.</p> <p>7 MS. BREDEHOFT: No objection.</p> <p>8 THE COURT: All right. So moved. 1253</p> <p>9 Q This is a picture of you and Mr. Depp</p> <p>10 at the event the night after Mr. Depp allegedly</p> <p>11 whacked you in the face so hard that you thought</p> <p>12 he had broken your nose?</p> <p>13 A He did whack me in the face, and I did</p> <p>14 think it broke my nose.</p> <p>15 Q And this is you the night after?</p> <p>16 A Yes, it is.</p> <p>17 MS. VASQUEZ: Let's, please, pull up</p> <p>18 Plaintiff's Exhibit 1254.</p> <p>19 Q This is also a picture of you at the</p> <p>20 same event, correct, Ms. Heard?</p> <p>21 A That is correct.</p> <p>22 MS. VASQUEZ: Move to admit Plaintiff's</p>	4972	<p>1 will, though.</p> <p>2 Q Ice will cover up swelling?</p> <p>3 A Ice reduces swelling. Normally, the</p> <p>4 swelling, after that kind of injury, is not as bad</p> <p>5 as you might imagine. And for me, it wasn't that</p> <p>6 bad. I have a picture of it underneath the</p> <p>7 makeup, that's how I know how to reference it.</p> <p>8 Q A picture you haven't produced or shown</p> <p>9 to this jury --</p> <p>10 A I did.</p> <p>11 Q -- right, Ms. Heard?</p> <p>12 A I produced everything.</p> <p>13 Q But you haven't shown it to this jury?</p> <p>14 A I would very much like to. It's not my</p> <p>15 job.</p> <p>16 MS. VASQUEZ: Your Honor, may we</p> <p>17 approach?</p> <p>18 THE COURT: Yes. That's fine.</p> <p>19 (Sidebar.)</p> <p>20 MS. VASQUEZ: Your Honor, she's</p> <p>21 characterizing that she's producing photographs</p> <p>22 that haven't been --</p>

4973	1 THE COURT: Is this your photograph? 2 MS. VASQUEZ: There are photographs 3 that haven't been produced? 4 THE COURT: She said there's a photo. 5 MS. VASQUEZ: It wasn't listed in any 6 direct examination. 7 MS. BREDEHOFT: First of all, we have a 8 Motion in Limine, court ordered, that we don't 9 bring up discovery issues without first checking 10 with the Court. 11 Second of all, Your Honor, I don't know 12 whether we -- we have a lot of pictures that came 13 in through the -- through the investigation -- you 14 know, going into all the devices, and Your Honor 15 has ruled we can't put any of them in. I don't 16 know if it's one of those or not. We certainly 17 have been diligent in producing everything we 18 have, but there certainly are injuries that we 19 didn't find earlier that came in through that last 20 device. So I don't know the answer to that. And 21 those prohibited me from introducing a lot. 22 THE COURT: No. I'm asking this	4975	1 MS. BREDEHOFT: I don't know the answer 2 to those. She's answering whatever she is. I 3 can't be responsible for knowing thousands of 4 pictures. We're talking -- 5 THE COURT: Here's the problem: If 6 you're saying that you don't think it exists or 7 you don't know if it exists, and it doesn't go to 8 this jury -- 9 MS. BREDEHOFT: I can go back tonight 10 and look, Your Honor, but I don't know the answer. 11 THE COURT: I understand that. That's 12 not the problem. She keeps -- 13 MS. BREDEHOFT: There are thousands of 14 documents. 15 THE COURT: She keeps commenting on the 16 evidence or lack of evidence. I understand she 17 asked the question. There wasn't anything. But 18 the answer is there isn't. But she keeps saying 19 there are pictures. 20 MS. BREDEHOFT: I understand. She's 21 asking her if there are pictures, which is 22 actually a violation of the court order on the
4974	1 question. Is there a picture of her that she just 2 testified that she said there's a picture that she 3 gave you guys that has the nose? 4 MS. BREDEHOFT: I don't know, Your 5 Honor. I don't know. There's a lot of pictures. 6 THE COURT: I know. But if there's no 7 picture, I have issue with that. 8 MS. BREDEHOFT: The answer is, I don't 9 know whether she does or not. There are -- I 10 mean, there are so many pictures. There's no way 11 for me to just know that. 12 MS. VASQUEZ: Not for you. But she 13 should be able to know that. 14 THE COURT: Okay. I just don't know. 15 I mean... 16 MS. BREDEHOFT: I mean, there's nothing 17 I can do about it. She can testify. 18 MS. VASQUEZ: I think she should be 19 prohibited from testifying. 20 MS. BREDEHOFT: I don't think she can 21 be prohibited. She's asking her questions. 22 THE COURT: Right.	4976	1 Motion in Limine. 2 THE COURT: That's not a violation of 3 the court order. 4 MS. BREDEHOFT: It is. I don't think 5 Your Honor can prohibit her from testifying that 6 she has them. 7 MS. VASQUEZ: That's not what she's 8 saying. 9 THE COURT: She's saying they exist. 10 MS. BREDEHOFT: I understand that. And 11 I'm telling you, under oath, I, as an officer of 12 this court, I don't know -- there are more than a 13 hundred thousand of pictures that came out of 14 that, and we had a bunch of them we put into 15 evidence after they went through that process. 16 And Your Honor ruled they can't come in. So there 17 may well be. 18 THE COURT: All right. 19 MS. BREDEHOFT: Maybe the ones we're 20 not allowed to get in. 21 MS. VASQUEZ: I would like some type of 22 instruction, Your Honor, that she's not to comment

4977	1 on pictures -- she's testifying that there are 2 pictures that exist. 3 THE COURT: But you asked the question. 4 MS. BREDEHOFT: But she opened up the 5 door. 6 THE COURT: No, she didn't open the 7 door. 8 MS. VASQUEZ: No, they haven't been 9 produced, Your Honor, and that's the problem here. 10 They weren't produced. 11 THE COURT: On time. 12 MS. VASQUEZ: They weren't produced on 13 time in the discovery period. 14 THE COURT: Right. 15 MS. VASQUEZ: So I don't think she 16 should be allowed to comment on whether or not the 17 pictures exist and whether she turned them over 18 and they're part of this trial. 19 MS. BREDEHOFT: She's asked whether 20 they exist and she now knows they exist because 21 they came through that -- she can answer that 22 honestly. You can't prohibit her from responding,	4979	1 understand. I think we're going in circles now. 2 You're kind of stuck with her answers now, but you 3 can go further into discovery issues, if you want 4 to. I don't know what her response will be. If 5 you need a jury instruction later on, we'll 6 instruct that at jury instructions, okay? 7 MS. VASQUEZ: Thank you very much. 8 MS. BREDEHOFT: Thank you. 9 THE COURT: Okay. 10 (Open court.) 11 BY MS. VASQUEZ: 12 Q Ms. Heard, you testified that in 13 January of 2015, there was an incident in Tokyo 14 before Mr. Depp's Mortdecai, the film Mortdecai's 15 premiere; is that correct? 16 A That's correct. 17 Q You told this jury that on this 18 occasion, Mr. Depp was kneeling on your back? 19 A That's correct. In the closet. 20 Q You also told this jury that you wore a 21 backless dress to the Mortdecai premiere that very 22 same night?
4978	1 under oath, to a question that she posed to her. 2 We can't prohibit that. 3 THE COURT: This is what we'll do: 4 Going forward, we'll ask the question. If she 5 says they exist, that kind of opens to door to her 6 talking about discovery issues. 7 MS. VASQUEZ: Right. 8 THE COURT: You didn't turn them over 9 in time. 10 MS. VASQUEZ: Correct. 11 THE COURT: I mean, she can go into 12 that if you want to. You don't even know if those 13 pictures exist. 14 MS. VASQUEZ: The other problem I have, 15 Your Honor, is the only picture that 16 Ms. Bredehoft, in direct examination, tried to 17 bring into evidence was one photograph from 2012. 18 Nothing about -- so she's commenting on pictures 19 that -- 20 MS. BREDEHOFT: I intended to put in a 21 lot more. But when Your Honor ruled I couldn't -- 22 THE COURT: I understand. I	4980	1 A I did. 2 Q You testified that you were checking 3 for bruises in the car on the way back -- on the 4 way to the event to make sure that there were "no 5 visible marks," right? 6 A I was checking on my phone after the 7 event to see -- to make sure that nothing -- you 8 couldn't see anything. 9 Q Your testimony was that you were 10 checking in the car on the way to the event to 11 make sure that there were no marks on your back? 12 A Perhaps I misspoke or misunderstood. 13 It was on the way back. It was after I was 14 concerned. After, you know, concern that there 15 would be marks in any photographs, since we were 16 being photographed at Johnny's press event. 17 Q You didn't show this jury a picture of 18 you in that backless dress, though, did you? 19 A I don't know what you mean. I'm sorry. 20 Q You didn't show this jury a picture of 21 you at the Mortdecai premiere wearing a backless 22 dress, did you?

4981	<p>1 A I haven't had an opportunity to.</p> <p>2 Q Okay.</p> <p>3 A I assume you have it.</p> <p>4 Q I do.</p> <p>5 MS. VASQUEZ: Let's please pull up</p> <p>6 Plaintiff's Exhibit 1256.</p> <p>7 This is a picture of you and Mr. Depp,</p> <p>8 or the back of you, at the Mortdecai premiere in</p> <p>9 Tokyo, correct, Ms. Heard?</p> <p>10 A That is correct.</p> <p>11 MS. VASQUEZ: Your Honor, I move to</p> <p>12 admit and publish this picture.</p> <p>13 MS. BREDEHOFT: No objection.</p> <p>14 THE COURT: All right. 1256 in</p> <p>15 evidence.</p> <p>16 Q This is you in the backless dress at</p> <p>17 the Mortdecai premiere in Tokyo, right?</p> <p>18 A That is correct.</p> <p>19 Q And you would agree that there are no</p> <p>20 bruises or visible marks on your back in this</p> <p>21 picture?</p> <p>22 A Not that I could see.</p>	4983	<p>1 A That is correct.</p> <p>2 Q You also told this jury about an</p> <p>3 incident in Australia in March of 2015.</p> <p>4 A Yes, that's correct.</p> <p>5 Q You testified that after this alleged</p> <p>6 incident, you had cuts on your forearms, right?</p> <p>7 A Yes. That's true.</p> <p>8 Q You testified that you had cuts on the</p> <p>9 bottoms of your feet as well?</p> <p>10 A Yes, that's true.</p> <p>11 Q And you testified that you had a bruise</p> <p>12 across your jaw from when Mr. Depp "clocked you in</p> <p>13 the face"?</p> <p>14 A That's true.</p> <p>15 Q You didn't take any pictures of these</p> <p>16 injuries while you were in Australia, did you?</p> <p>17 A I don't think -- no, I don't think I</p> <p>18 took any pictures.</p> <p>19 Q You just took two pictures of</p> <p>20 Mr. Depp's writing on a mirror; isn't that right?</p> <p>21 A I believe so, yes.</p> <p>22 Q So you had your phone on you, right?</p>
4982	<p>1 Q I'll show you one other photo.</p> <p>2 MS. VASQUEZ: If we could, please, have</p> <p>3 Plaintiff's Exhibit 1257.</p> <p>4 Q This is a front-angle picture of you</p> <p>5 and Mr. Depp at that premiere, correct?</p> <p>6 A That is correct.</p> <p>7 MS. VASQUEZ: Move to admit Plaintiff's</p> <p>8 Exhibit 1257.</p> <p>9 MS. BREDEHOFT: No objection.</p> <p>10 THE COURT: All right. 1257 admitted.</p> <p>11 Q I'll show you one more picture.</p> <p>12 MS. VASQUEZ: Plaintiff's Exhibit 1258.</p> <p>13 Q And, again, Ms. Heard, this is you and</p> <p>14 Mr. Depp at the Mortdecai premiere?</p> <p>15 A Yes, it is.</p> <p>16 MS. VASQUEZ: Move to admit Plaintiff's</p> <p>17 Exhibit 1258.</p> <p>18 MS. BREDEHOFT: No objection.</p> <p>19 THE COURT: All right. 1258 in</p> <p>20 evidence. Publish.</p> <p>21 Q And that's the backless dress, correct,</p> <p>22 Ms. Heard?</p>	4984	<p>1 A At some point, I did have my phone.</p> <p>2 Q And your iPad?</p> <p>3 A I had my iPad, I believe.</p> <p>4 Q And you testified that you were also</p> <p>5 raped with a liquor bottle in Australia, right,</p> <p>6 Ms. Heard?</p> <p>7 A Yes.</p> <p>8 Q You testified you bled from your vagina</p> <p>9 as a result of that sexual assault?</p> <p>10 A Yes.</p> <p>11 Q There aren't any medical records</p> <p>12 reflecting that you sought medical treatment for</p> <p>13 any of these injuries, are there?</p> <p>14 A I did not seek medical treatment after</p> <p>15 Australia, no.</p> <p>16 Q Not for the rape?</p> <p>17 A No. I did not want to tell anyone.</p> <p>18 Q Not for the cuts?</p> <p>19 A No.</p> <p>20 Q Not for the injuries to your face?</p> <p>21 A I didn't need to.</p> <p>22 Q You also told the jury about an</p>

<p style="text-align: right;">4985</p> <p>1 incident on December 15th, 2015, right? 2 A Where, I'm sorry? 3 Q December 15th, 2015? 4 A Yes, that's correct. 5 Q You told this jury that after this 6 incident, you had a broken nose? 7 A It certainly felt like it. 8 Q Ms. Heard, do you recall giving 9 testimony on day 16 in this trial? You were under 10 oath, right? 11 A Yes. 12 MS. VASQUEZ: Let me have the 13 transcript for the jury -- excuse me. For the 14 witness. 15 MS. BREDEHOFT: You Honor, if she is 16 going to impeach, I would like a copy of it. 17 THE COURT: All right. We will get it. 18 MS. VASQUEZ: May I approach the 19 witness, Your Honor? 20 THE COURT: Yes, ma'am. 21 MS. VASQUEZ: And would you like a copy 22 also?</p>	<p style="text-align: right;">4987</p> <p>1 Q So you had a broken nose, right? 2 A That's absolutely what I thought. 3 Q And you told this jury that you had two 4 black eyes after this incident, right? 5 A I did have two black eyes after that 6 incident. 7 Q And you testified that you also had a 8 busted lip from when Mr. Depp punched you? 9 A That is correct. From December, yes, 10 that's correct. 11 Q You testified that the lip wound kept 12 reopening when you moved your mouth? 13 A That's correct. 14 Q You also testified that you had 15 bruising on your temple? 16 A That's correct. 17 Q And bruising on your chin? 18 A Correct. 19 Q You also testified that your head was 20 bleeding from where Mr. Depp ripped chunks of your 21 hair out? 22 A I remember, yes.</p>
<p style="text-align: right;">4986</p> <p>1 THE COURT: Yes, please. 2 MS. VASQUEZ: Okay. 3 Q If I can, please, direct your 4 attention, Ms. Heard, to page, of day 16, 4593 of 5 the jury trial's transcript. Lines 8 through 13. 6 A On which page, I'm sorry? 7 Q 4593. 8 A Yes. 9 Q Starting on line 8. "I thought I 10 probably had a concussion and certainly 11 thought" -- excuse me, strike that. Let's start 12 over. 13 "Answer: I thought I had -- I thought 14 I probably had a concussion and certainly that I 15 had a broken nose. There was blood everywhere, 16 blood all over the pillows, my head was bleeding 17 from the ripped out hair, chunks of hair on the 18 floor, all over the place, actually." 19 So, line 9, "that I had a broken nose." 20 Do you recall giving that testimony, 21 Ms. Heard? 22 A Yes, exactly.</p>	<p style="text-align: right;">4988</p> <p>1 Q And that you had "gross, pussy" 2 bruising around your temple? 3 A In my scalp, yes. 4 Q And for this incident, you did take 5 pictures, correct? 6 A That's correct. 7 Q And we will look at some of those in a 8 minute. But I, first, want to talk to you about 9 your appearance on the James Corden show? 10 A Sure. Can I close this? 11 Q Sure. You appear on the James Corden 12 show the day after this alleged incident, right? 13 A I did. 14 Q And that was December 16th, 2015? 15 A Yes, that's correct. 16 MS. VASQUEZ: Let's, please, pull up a 17 clip of your appearance from that evening, if we 18 could, Plaintiff's Exhibit 35. And for the 19 record, we will only play a portion of this, so we 20 will call it Plaintiff's Exhibit 35A. 21 THE COURT: All right. Any objection? 22 MS. BREDEHOFT: No, Your Honor.</p>

4989	1 THE COURT: 35A in evidence. 2 (Whereupon, the following video was 3 played.) 4 MS. HEARD: I grew up in Texas, riding 5 horses. 6 MR. CORDEN: Oh, really? Not a big 7 ballet community out there in Texas? 8 MS. HEARD: No, no, not so much. 9 Shooting guns, yes, but ballet, no. I wanted to 10 train for it and there were some ballet sequences 11 that we wanted to have the option to incorporate 12 into the movie. So I trained forever. I have two 13 left feet. I'm the most klutzy person in the 14 world. I have no, what do you call it? Grace. 15 MS. VASQUEZ: Your Honor, so sorry, but 16 it's not published to the jury. If we may have 17 it, please, published. 18 THE COURT: Okay. Thank you. 19 MS. VASQUEZ: Apologies. If we could 20 start that over. 21 THE COURT: Start over. Apologies. 22 (Whereupon, the following video was	4991	1 ballet. And I think I'm doing really good at this 2 point, kind of nailing it. 3 And so, I send videos and images to my 4 friends so I can get encouragement and their 5 support, and everyone shoots back, what's with the 6 clawhand? And I look, and I realize all the 7 stress and fear of performing and doing this 8 thing, it just kind of, like, funneled out through 9 the one thing that I hadn't, yet, mastered. 10 MR. CORDEN: So what were your hands 11 doing? 12 MS. HEARD: So I was doing some 13 amazing, like, a jump, like a backbend. You can 14 see this, like, graceful falling, and my hands are 15 like (indicating). And my face, though, is like 16 I've got that, you saw in the clip, like this 17 beautiful 1920s, you know, stage makeup on and, 18 like, flower crowns, all this stuff, and then my 19 hand and my face, and then my hands. 20 (Whereupon, the video ended.) 21 BY MS. VASQUEZ: 22 Q That was you on the James Corden show
4990	1 played.) 2 MS. HEARD: I grew up in Texas, riding 3 horses. 4 MR. CORDEN: Oh, really? Not a big 5 ballet community out there in Texas? 6 MS. HEARD: No, no, not so much. 7 Shooting guns, yes, but ballet, no. I wanted to 8 train for it and there were some ballet sequences 9 that we wanted to have the option to incorporate 10 into the movie. So I trained forever. I have two 11 left feet. I'm the most klutzy person in the 12 world. I have no, what do you call it? Grace. 13 So I knew I had to train for it. And 14 what they don't tell you -- I mean, and I crammed 15 about three months of solid training in, and I'm 16 kind of, like, working my way up from the floor 17 and learning the technical aspect of ballet. And 18 I've got these dances down, technically perfectly, 19 learning all the movements, but the last thing we 20 get to are the hands. And I haven't yet got to 21 that point, but everything else is working, and 22 I'm acting it up on my face. I'm selling the	4992	1 on December 15th, 2015, right, Ms. Heard? 2 A That was. 3 MS. VASQUEZ: Let's, please, pull up 4 Plaintiff's Exhibit 98. 5 Q These are pictures of you on the James 6 Corden show on December 16th, 2015, right, 7 Ms. Heard? 8 A They look like freeze frames, like, 9 screen grabs, stills. They're not, like, a photo 10 shoot, it doesn't seem. 11 Q But on the James Corden show, correct? 12 A From that appearance, yes. 13 MS. VASQUEZ: Move to admit and publish 14 Plaintiff's Exhibit 98. 15 THE COURT: Any objection? 16 MS. BREDEHOFT: No objection, Your 17 Honor. 18 THE COURT: Ms. Bredehoff, if you can 19 move your microphone and turn it on. Judy and I 20 are having trouble hearing you. 21 MS. BREDEHOFT: Apologies. 22 THE COURT: Okay. 98 in evidence.

4993	1 Thank you. 2 Q That's a photo of you opening your 3 mouth, on the right, right? 4 A That's correct. 5 Q Again, a larger view of the same photo 6 on the bottom? 7 A That's correct. 8 Q With a split lip? 9 A Seeing pictures of it without makeup, 10 yes. 11 Q So you had a split lip when you were 12 moving your mouth that way -- 13 A I sure did. 14 Q -- in those photographs? 15 A Absolutely. 16 Q Okay. You did take pictures of your 17 alleged injuries after December 15th, correct? 18 You showed those to this injury? 19 A I sure did, yes. 20 Q Okay. 21 MS. VASQUEZ: Let's, please, pull up 22 Defendant's Exhibit 516, which is already in	4995	1 domestic abuse, didn't you? 2 A I didn't personally, no. 3 Q This was you protecting Mr. Depp after 4 you got the restraining order against him, isn't 5 it? 6 A No, this is him calling me a liar and 7 me forcing to prove it, as I mentioned to you 8 earlier? 9 Q So you did give these pictures to 10 People Magazine. 11 A No, I gave these pictures, actually, to 12 my lawyers and my representatives at the time. 13 Q So it's your testimony, Ms. Heard, that 14 your lawyers and representatives gave these 15 pictures of their client to People magazine in the 16 middle of a contentious divorce? 17 A I certainly did not personally give it, 18 no. 19 Q Okay. You also have a medical record 20 from after the December 15th, 2015 incident, don't 21 you? 22 A A partial one, yes.
4994	1 evidence. 2 Q You testified that this is a picture of 3 you after the incident on December 15th, 2015, 4 right? 5 A It was. 6 MS. VASQUEZ: If we could also, please, 7 pull up Defendant's Exhibit 517, which is also in 8 evidence. 9 THE COURT: It's up. 10 MS. VASQUEZ: Thank you, Your Honor. 11 Q This is also a picture of you after the 12 incident on December 15, 2015? 13 A That's correct. 14 MS. VASQUEZ: If we could, please, pull 15 up Plaintiff's Exhibit 409, which is already in 16 evidence. 17 Q These pictures ended up in People 18 magazine in June of 2016; isn't that right, 19 Ms. Heard? 20 A That's correct. 21 Q You gave these pictures to People 22 Magazine after you publicly accused Mr. Depp of	4996	1 Q You went to see Dr. Kipper's office a 2 couple days later? 3 A That's right. He wasn't in the office. 4 MS. VASQUEZ: Can we, please, pull up 5 Plaintiff's Exhibit 47, which is already in 6 evidence. 7 Q This is your medical record for 8 December 17th, 2015, isn't it, Ms. Heard? 9 A That's correct. 10 Q And this record doesn't document any 11 physical injuries on you, does it? 12 A I don't think, no. I don't think I 13 spoke to Kipper. I didn't speak to Kipper that 14 day. 15 Q And you went to Dr. Kipper's office and 16 were seen, correct? 17 A I went to Dr. Kipper's office for a 18 concussion check. 19 Q Right. And this medical record is from 20 that visit, correct? 21 A Partially, yes. 22 MS. VASQUEZ: Scroll down, please, if

<p>1 we could.</p> <p>2 Q The signature, Kipper, down below, this</p> <p>3 is the entirety of the medical record, right,</p> <p>4 Ms. Heard?</p> <p>5 A Yes. What I meant by partial is I</p> <p>6 didn't talk about what happened to me. I didn't</p> <p>7 get into my injuries. I didn't get into what</p> <p>8 happened or ask for anything other than should I</p> <p>9 get some sort of scan done.</p> <p>10 Q But this document doesn't document any</p> <p>11 physical injuries on you, does it?</p> <p>12 A I'd have to read it in full, but I</p> <p>13 don't know.</p> <p>14 Q Well, let's do that.</p> <p>15 MS. VASQUEZ: If we could, please,</p> <p>16 go --</p> <p>17 Q Under skin, on the second page, it</p> <p>18 reads intact, normal color, moisture, hair</p> <p>19 distribution, texture, turgor, no signs of -- oh,</p> <p>20 this is going to be hard, cyanosis, mildly</p> <p>21 jaundiced?</p> <p>22 A It also says a malnourished male.</p>	<p>4997</p> <p>1 THE COURT: I'll sustain the objection.</p> <p>2 I'll move to strike.</p> <p>3 MS. VASQUEZ: Thank you.</p> <p>4 Q So, again, just to try my question.</p> <p>5 There's no medical records reflecting</p> <p>6 that you broke your nose during your relationship</p> <p>7 with Mr. Depp, is there, Ms. Heard?</p> <p>8 A I don't know what made it in evidence.</p> <p>9 But I do know that I documented that visit and</p> <p>10 that everything was given to my attorneys.</p> <p>11 Q Ms. Heard, you never went to see any</p> <p>12 doctor or surgeon to treat a broken nose during</p> <p>13 your relationship with Mr. Depp, yes or no?</p> <p>14 A I never sought treatment for a broken</p> <p>15 nose while I was with Johnny.</p> <p>16 Q Or after you were with Mr. Depp, as a</p> <p>17 result of any injuries you sustained as a result</p> <p>18 of Mr. Depp?</p> <p>19 A Afterwards, yes, I did.</p> <p>20 Q And you didn't produce those medical</p> <p>21 records in this case?</p> <p>22 MS. BREDEHOFT: I'm going to object,</p>
<p>4998</p> <p>1 Q Right. I have no idea what that means.</p> <p>2 A I think this medical record is missing</p> <p>3 a lot of things.</p> <p>4 Q Yeah, but it doesn't document any</p> <p>5 physical injuries?</p> <p>6 A Doesn't seem to be documenting</p> <p>7 anything.</p> <p>8 Q Probably because there was nothing to</p> <p>9 document, right, Ms. Heard?</p> <p>10 A I disagree with you on that.</p> <p>11 Q You don't have any medical records</p> <p>12 reflecting that you broke your nose during your</p> <p>13 relationship with Mr. Depp, do you?</p> <p>14 A I saw an ENT after my relationship</p> <p>15 ended.</p> <p>16 Q And you saw an -- it's your testimony,</p> <p>17 under oath, that you saw an ENT for a broken nose</p> <p>18 that you sustained as a result of Mr. Depp?</p> <p>19 A No, but the ENT told me I sustained a</p> <p>20 fracture.</p> <p>21 MS. VASQUEZ: Objection. I move to</p> <p>22 strike.</p>	<p>5000</p> <p>1 Your Honor. She did.</p> <p>2 A I did.</p> <p>3 THE COURT: I don't know.</p> <p>4 MS. VASQUEZ: They have not been</p> <p>5 produced, Your Honor.</p> <p>6 MS. BREDEHOFT: Not only have they been</p> <p>7 produced --</p> <p>8 THE COURT: Approach.</p> <p>9 (Sidebar.)</p> <p>10 THE COURT: Medical records.</p> <p>11 MS. BREDEHOFT: They absolutely were</p> <p>12 produced.</p> <p>13 MS. VASQUEZ: No.</p> <p>14 MS. BREDEHOFT: I can guarantee they</p> <p>15 were. We'll find them tonight. It's in the</p> <p>16 record. We didn't admit them because Your Honor</p> <p>17 won't let us have any medical records that are</p> <p>18 hearsay.</p> <p>19 THE COURT: Right.</p> <p>20 MS. BREDEHOFT: So we can't put them</p> <p>21 in, which I think they opened the door, so we</p> <p>22 should.</p>

<p style="text-align: right;">5001</p> <p>1 THE COURT: I don't know about that. 2 MS. VASQUEZ: I have never seen any 3 medical records that she went to see an ENT. 4 MS. BREDEHOFT: I'm 100 percent certain 5 we produced them. I guarantee we produced those. 6 MS. VASQUEZ: Well, she also hasn't 7 tried to introduce them in this case. 8 MS. BREDEHOFT: Because Your Honor 9 ruled we can't. 10 THE COURT: It doesn't matter to me. I 11 just want to understand. You asked the question, 12 you're stuck with her answer, so let's move 13 forward now. 14 MS. VASQUEZ: Okay. Thank you. 15 MS. BREDEHOFT: Thank you. 16 (Open court.) 17 BY MS. VASQUEZ: 18 Q You don't have any medical records 19 reflecting that you required any dental work 20 during your relationship with Mr. Depp, do you? 21 A I don't know. I don't recall. 22 Q You don't recall, one way or another,</p>	<p style="text-align: right;">5003</p> <p>1 evidence. 2 You took this photograph, right, 3 Ms. Heard? 4 A That's correct. 5 Q You testified this was taken in Tokyo 6 in July of 2013, correct? 7 A Yes. 8 Q So you decided to take a picture of 9 Mr. Depp asleep on the floor? 10 A He was passed out. 11 Q That's a yes? 12 A I took a picture of him because he 13 wouldn't remember. He claimed he didn't pass out 14 that way, and sometimes security would carry him, 15 like a baby, into bed, get him changed, and he 16 would be none the wiser. So I started taking 17 pictures of it so that he knew that it was real. 18 That it had gotten this bad. 19 MS. VASQUEZ: Let's take a look at 20 Defendant's Exhibit 1091, which is already in 21 evidence. 22 Q You took this picture as well?</p>
<p style="text-align: right;">5002</p> <p>1 seeking dental care for any injuries you allegedly 2 sustained? 3 A You asked me about if I had produced 4 records or if I had records. That's a different 5 question. 6 Q Did you ever see a dentist or an oral 7 surgeon as a result of any injuries you sustained 8 with Mr. Depp? 9 A Not about any injury I had from Johnny, 10 no. 11 Q And you don't have any medical records 12 reflecting that you required any reconstructive 13 work during your relationship with Mr. Depp, do 14 you? 15 A I never required reconstructive work, 16 so there would be no records. 17 Q What you do have, Ms. Heard, are 18 pictures of Mr. Depp sleeping though, right, the 19 jury saw a lot of those? 20 A Yes. 21 Q Ms. Heard, let's take a look at 22 Defendant's Exhibit 1090, which is already in</p>	<p style="text-align: right;">5004</p> <p>1 A Yes. 2 Q And this is the picture that was taken 3 in the Bahamas, right? 4 A That's one of them, yes. 5 Q And this is a picture of Mr. Depp 6 taking a nap on his tropical island? 7 A I believe he was on the nod, but, as he 8 would say. 9 Q Sleeping, on the nod, on his island? 10 A They're very different, in my opinion. 11 And, yes, he is on the island. 12 Q On vacation? 13 A We were on vacation, yes. 14 MS. VASQUEZ: Let's also take a look at 15 Defendant's Exhibit 1092, which is also in 16 evidence. 17 Q You also took this picture, right, 18 Ms. Heard? 19 A That's correct. I did. 20 Q And this is another picture of Mr. Depp 21 asleep in a chair? 22 A No. He was nodding off. Sleep is</p>

5005	<p>1 different. When you're nodding off, you're high 2 on drugs. He didn't even feel the cigarette in 3 his hand that had been, you know, burning on his 4 leg. Cause for alarm for me, naturally, because I 5 cared about him. 6 Q It's your testimony, under oath, that 7 Mr. Depp is holding a cigarette in this picture? 8 A He had been. 9 Q You seem to really like taking pictures 10 of Mr. Depp while he's sleeping, don't you? 11 A I hated it. I hated it. 12 MS. VASQUEZ: Let's look at Defendant's 13 Exhibit 1094, which is also in evidence. 14 Q You took this picture of Mr. Depp as 15 well, didn't you? 16 A I did. 17 Q You decided to take a picture of 18 Mr. Depp asleep with ice cream spilled all over 19 him, right? 20 A He was nodding off, and I was worried 21 about how bad the medications and the medication 22 changes and drug usage had gotten, where he</p>	5007	<p>1 A Yes. I think it's a part of getting 2 help, is looking at it, seeing it. 3 Q But you sent this picture to one of 4 your friends, didn't you? 5 A I don't recall. 6 MS. VASQUEZ: If we could, please, pull 7 up Defendant's Exhibit 252. We'll only be looking 8 at a portion of this document, so if we could, 9 please, call it Defendant's Exhibit 252A. 10 THE COURT: All right. 252A. 11 MS. VASQUEZ: For ease, we've gone 12 ahead and redacted it. 13 THE COURT: Okay. 14 A Yes, I was asking for support. That's 15 correct. 16 Q There's no question, yet, Ms. Heard. 17 So directing your attention -- 18 MS. VASQUEZ: I'm going to move to 19 admit Exhibit 252A. 20 THE COURT: Any objection? Any 21 objection, Ms. Bredehoff? 22 Could you turn on your microphone</p>
5006	<p>1 wouldn't even feel ice cream or a lit cigarette on 2 him, and it scared me. 3 Q So you took a picture of it? 4 A Yes. I wanted him to get help, and 5 Johnny's strung by enablers, who clean up after 6 him. 7 MS. VASQUEZ: Objection, Your Honor. 8 I'm going to move to strike everything after yes, 9 that she took this picture. 10 MS. BREDEHOFT: Still responsive, Your 11 Honor. 12 MS. VASQUEZ: The question was, did you 13 take this picture? 14 THE COURT: All right. I'll sustain 15 the objection. 16 MS. VASQUEZ: Thank you, Your Honor. 17 Q This isn't a very flattering picture of 18 Mr. Depp, is it? 19 A No, it's not. 20 Q You wouldn't agree -- or you would 21 agree with me that this is an embarrassing scene, 22 right?</p>	5008	<p>1 again, I'm sorry. Thank you. 2 MS. BREDEHOFT: I need to see it first 3 because I don't know what they redacted. 4 THE COURT: Okay. 252. 5 MS. VASQUEZ: We redacted the 6 identifiers and anything that's not Ms. Heard's 7 text messages, consistent with hearsay. 8 MS. BREDEHOFT: Your Honor, may we 9 approach? 10 THE COURT: Okay. 11 (Sidebar.) 12 MS. BREDEHOFT: Your Honor, you may 13 recall that when we were putting our evidence in, 14 they got to look at it and then talk about 15 context. And they're trying to suggests here that 16 she's just willy-nilly sending these pictures to 17 embarrass him. But the context here is this is to 18 Rocky Pennington, and she's saying, "Are you guys 19 okay?" And then Amber says, "Barely. I think I 20 knocked on your door when you were at yoga, which 21 is what -- this is what I've been dealing with," 22 and then sends these pictures.</p>

5009	1 So I think, in context, I think that 2 has to come in because the context in which she's 3 asking -- 4 THE COURT: Again, context is not an 5 exception to hearsay. 6 MS. BREDEHOFT: Well, Your Honor, 7 allowed them to put in documents for context. The 8 question to her is, she's suggesting that she's 9 sending it to her to embarrass him. But, in fact, 10 Rocky's asking her, and then she's coming back and 11 saying she's asking how she's doing. She says 12 barely. This what I've been dealing with. 13 THE COURT: So barely is coming in. 14 MS. VASQUEZ: Right. 15 THE COURT: All that coming in. 16 MS. VASQUEZ: Right. 17 THE COURT: Just which of you guys? 18 Okay. Coming home now. I was at yoga. 19 MS. BREDEHOFT: And dealing should come 20 in as well. 21 THE COURT: That's all in. 22 MS. VASQUEZ: That's all coming in.	5011
5010	1 THE COURT: All right. Understand. 2 Overruled. It comes in. 3 MS. BREDEHOFT: Okay. 4 (Open court.) 5 THE COURT: 252A in evidence. Over 6 objection. 7 MS. VASQUEZ: If we could, please, have 8 it published to the jury. 9 Q Ms. Heard, does this refresh your 10 recollection that you did, in fact, send this 11 picture to your friend, Rocky Pennington? 12 A Yes, I did. 13 Q You sent it to her on August 7th, 2014, 14 at 11:24 p.m., correct? 15 A That is correct. 16 Q So you sent Ms. Pennington this picture 17 of Mr. Depp with ice cream spilled on him, right? 18 A That is correct. 19 Q And you wrote "This is what I've been 20 dealing with." 21 Did I read that right? 22 A You did read that right. That's	5012
5010	1 correct. 2 Q And this is you protecting Mr. Depp? 3 A That is me getting support from my best 4 friend. 5 Q This is you supporting Mr. Depp? 6 A This is me getting support from my best 7 friend. I also need support. 8 Q You weren't afraid the monster would 9 get upset that you took this picture? 10 A This was opiate Johnny. This is a 11 different version of him. This is opiate, 12 12 on-the-nod Johnny. 13 Q And you weren't afraid that opiate 14 Johnny or the monster, as you called him, would 15 get upset that you sent this picture to your 16 friends? 17 A Well, he's all of those things. Of 18 course he could get upset. Of course that's scary 19 to me. Of course. 20 Q But it didn't stop you from sending 21 this picture to your friend, did it? 22 A Why would it?	5012

<p>1 Q Mr. Depp's hand, right hand, is in his 2 pocket, right, Ms. Heard? 3 A Yes. 4 Q In this picture? 5 A That's correct. 6 Q You also showed the jury pictures of 7 cocaine. 8 Do you recall that? 9 A Yes. That's correct. 10 Q Please take a look at one of those. 11 MS. VASQUEZ: If we could, please, pull 12 up Defendant's Exhibit 167A, which is already in 13 evidence. 14 Q Directing your attention, Ms. Heard, to 15 the photograph. This is a photograph you took in 16 March of 2013, right? 17 A That is correct. 18 Q And this was taken at your apartment in 19 Orange? 20 A Yes. 21 Q And this is your breakfast table? 22 A That is correct.</p>	<p>5013</p> <p>1 anyone was doing cocaine off that table, does it? 2 A I beg to differ with you on that. When 3 you snort cocaine, typically, it goes into your 4 nose, doesn't stay on the table. 5 Q There's residue from that cocaine when 6 your lips and nose touch the table, right? 7 A Well, the Tampon applicator next to the 8 credit – I mean driver's license that you see is 9 a device that, I believe, my sister had taught him 10 to use in order to put the cocaine in your nose. 11 Q Mr. Depp was a pretty heavy smoker, 12 right? 13 A He is. 14 Q And that's a cigarette in the ashtray 15 in the back there, back right? 16 A Yes. It looks like one of his 17 hand-rolleds. 18 Q There's no other cigarettes in that 19 ashtray, are there? 20 A I see one cigarette. 21 Q The one that's not smoked? 22 A That's correct.</p>
<p>1 Q And it's your testimony that Mr. Depp 2 left this breakfast table just the way you took 3 it? 4 A That is correct. 5 Q So this is what the table looked like 6 after Mr. Depp had been doing cocaine? 7 A Well, clearly, he has yet to snort 8 these lines. 9 Q There are four lines of cocaine on this 10 table, right, Ms. Heard? 11 A In this picture, I see four lines. 12 Q There isn't any cocaine residue around 13 those four lines, right? 14 A Not that I can tell, no. 15 Q Doesn't really look like anyone's been 16 doing cocaine off that table, does it? 17 A With all due respect, I'm not sure you 18 know how that works. 19 Q I'm asking if you do. You've testified 20 you've done cocaine. 21 A I have. 22 Q Doesn't really look like Mr. Depp or</p>	<p>5014</p> <p>1 Q There's no ash in that ashtray either, 2 is there? 3 A Not that I can tell in this picture. 4 Q It's pretty clean. 5 A In this picture, it looks like it, yes. 6 Q It's a pretty neat table, wouldn't you 7 agree? 8 A Depends on what you would call "neat," 9 I suppose. 10 Q And you sent this picture to your 11 friend Rocky Pennington as well, didn't you? 12 A I sure did. 13 Q And when you sent it, you said "look at 14 my morning," or something like that; is that 15 right? 16 A Yay for mornings. 17 Q So you have this habit of sending 18 staged photographs to your friend Rocky, don't 19 you? 20 A I had a habit of communicating with my 21 best friend about what was going on in my life. 22 Q You don't have any pictures of Mr. Depp</p>

5017	1 actually consuming cocaine, do you? 2 A I don't think I have a picture of him 3 mid snort, no. 4 Q You don't even have any pictures of 5 Mr. Depp with cocaine? 6 A What do you mean by that? 7 Q Holding cocaine, standing next to 8 cocaine, sitting next to cocaine? 9 A I don't know. I don't know. 10 Q Well, you haven't shown any of those 11 pictures like that to the jury, have you? 12 A I don't know. No, I haven't. 13 Q And you were never able to catch 14 Mr. Depp with cocaine on film either, were you? 15 A I never tried. 16 Q But you were able to catch him 17 sleeping, right? 18 A I have seen him pass out in all sorts 19 of places, yes. 20 Q And you also captured a video of 21 Mr. Depp in the kitchen, that was played again for 22 this jury today, beating up some cabinets.	5019	1 video -- 2 A Incorrect. 3 Q -- isn't that true? 4 A That's incorrect. I flew in from 5 another place at the time. I remember learning 6 about it when I landed. 7 Q So it's just a coincidence that the 8 video you took of Mr. Depp was released the day 9 before you were deposed in connection with your 10 divorce from Mr. Depp? 11 A I absolutely had nothing to do with 12 that. I wouldn't even know how to do something 13 like that. 14 Q You settled your divorce from Mr. Depp 15 in August of 2016, right? 16 A That sounds right. 17 Q And in connection with that settlement, 18 you received \$7 million from Mr. Depp, true? 19 A That's correct. 20 Q And then you -- 21 A 6.8, exactly. 22 Q Your settlement amount was \$7 million?
5018	1 Do you recall that? 2 A Sorry, say that again. 3 Q Do you recall capturing Mr. Depp in the 4 kitchen of one of his homes beating up some 5 cabinets? 6 A Yes. Slamming things around, yes. 7 Q So you took that video of Mr. Depp in 8 the kitchen, right. 9 A I did. I did. 10 Q And you took it on one of your iPad 11 devices? 12 A I took it on my iPad. 13 Q You were deposed in August of 2016 in 14 connection with your divorce proceedings from 15 Mr. Depp, right? 16 A That is correct. 17 Q And you will recall that the video of 18 Mr. Depp in the kitchen was released online the 19 day before your deposition in August of 2016, 20 don't you? 21 A That's correct. 22 Q You're the one who released that	5020	1 A That's correct. 2 Q And then you released a statement in 3 which you claimed you would be donating the entire 4 \$7 million to charity, right? 5 A That's correct. 6 Q You stated you would be donating half 7 of the \$7 million to the ACLU? 8 A That's correct. 9 Q And you would be donating the other 10 half to Children's Hospital of Los Angeles? 11 A That is correct. 12 Q And you also stated, with respect to 13 the \$7 million divorce settlement, that money 14 played no role except for the extent that you 15 could donate the money to charity? 16 A Yes, that's correct. 17 MS. VASQUEZ: If we could, please, pull 18 up Plaintiff's Exhibit 1259. 19 Q This is an article entitled "Amber 20 Heard Donates Johnny Depp Divorce Settlement to 21 Charity. Read her statement in full." 22 Is that correct?

<p>5021</p> <p>1 A That's what the title says, yes.</p> <p>2 Q Directing your attention to the portion</p> <p>3 on the second page, where it says "read the</p> <p>4 statement below."</p> <p>5 Is that the statement you released,</p> <p>6 Ms. Heard?</p> <p>7 A That is correct.</p> <p>8 MS. VASQUEZ: Your Honor, I'd move to</p> <p>9 admit the statement and the article as redacted.</p> <p>10 MS. BREDEHOFT: Objection. Hearsay.</p> <p>11 MS. VASQUEZ: It's her statement.</p> <p>12 MS. BREDEHOFT: This is not her</p> <p>13 statement. This is some --</p> <p>14 MS. VASQUEZ: She just testified, Your</p> <p>15 Honor.</p> <p>16 THE COURT: She said this is her</p> <p>17 statement.</p> <p>18 MS. BREDEHOFT: May I see the full?</p> <p>19 THE COURT: Everything else is</p> <p>20 redacted.</p> <p>21 MS. BREDEHOFT: Okay. Then I have no</p> <p>22 objection.</p>	<p>5023</p> <p>1 ACLU; is that right?</p> <p>2 A Right. At the beginning of the divorce</p> <p>3 settlement, he donated a hundred thousand to each</p> <p>4 charity on my behalf, or towards my contribution.</p> <p>5 Q So a hundred thousand dollars --</p> <p>6 A To each.</p> <p>7 Q -- to the ACLU?</p> <p>8 A And to the Children's Hospital.</p> <p>9 Q Okay. And in response, you publicly</p> <p>10 demanded that Mr. Depp pay the divorce settlement</p> <p>11 directly to you instead of the charities, right?</p> <p>12 A That was always the agreement,</p> <p>13 actually, is for him to pay me directly. It was</p> <p>14 not his money, as per the settlement agreement, to</p> <p>15 give away and reap the tax benefit from. I said</p> <p>16 if he wants to do it and give to charity, all of a</p> <p>17 sudden, then he should pay the correct amount and</p> <p>18 not try to get a big tax break for it. So,</p> <p>19 effectively, for his tax bracket, he should be</p> <p>20 paying double that amount to the charity directly.</p> <p>21 And if he wanted to pay the charity directly, he</p> <p>22 could. He could do that, was fine with me, but he</p>
<p>5022</p> <p>1 THE COURT: All right. 1259 in</p> <p>2 evidence as redacted.</p> <p>3 Q The statement reads "As described in</p> <p>4 the restraining order and divorce settlement,</p> <p>5 money played no role for me personally and never</p> <p>6 has, except to the extent that I could donate it</p> <p>7 to charity, and in doing so, hopefully help those</p> <p>8 less able to defend themselves. As reported in</p> <p>9 the media, the amount received in the divorce was</p> <p>10 \$7 million and \$7 million is being donated. This</p> <p>11 is over and above any funds that I have given away</p> <p>12 in the past and will continue to give away in the</p> <p>13 future."</p> <p>14 Did I read that correctly?</p> <p>15 A That is correct. I don't remember that</p> <p>16 last line, but I have no -- it doesn't stand out</p> <p>17 to me as wrong.</p> <p>18 Q There's nothing inaccurate in this</p> <p>19 statement?</p> <p>20 A Not that I recognize, no.</p> <p>21 Q Mr. Depp donated a hundred thousand</p> <p>22 dollars of the divorce settlement directly to the</p>	<p>5024</p> <p>1 would need to pay the adjusted amount.</p> <p>2 Q Ultimately, the rest of the \$7 million</p> <p>3 divorce settlement was paid directly to you,</p> <p>4 right?</p> <p>5 A Over time, yes.</p> <p>6 Q And Mr. Depp didn't end up paying the</p> <p>7 rest of the \$7 million divorce settlement directly</p> <p>8 to the charities you identified?</p> <p>9 A That is correct. He paid them in</p> <p>10 installments to me.</p> <p>11 Q You stopped that from happening, didn't</p> <p>12 you?</p> <p>13 A I don't understand what your question</p> <p>14 is; I'm sorry.</p> <p>15 Q You stopped Mr. Depp from paying the</p> <p>16 charities that you had named directly?</p> <p>17 A That is incorrect. I said if you want</p> <p>18 to pay the charities directly, pay the adjusted</p> <p>19 amount or pay, as per our agreement, in the</p> <p>20 settlement, or in the divorce, per our agreement.</p> <p>21 Q You also --</p> <p>22 A And he chose to do the former, not the</p>

<p>5025</p> <p>1 latter -- I mean the other way around. 2 Q You also publicly stated that the 3 \$7 million divorce settlement should be paid to 4 the charities immediately in full, right? 5 A If he wanted to pay it in the way that 6 he was suggesting, yes. 7 Q And you said, publicly, that the 8 payments to the charities should not be drawn out 9 over many years, right? 10 A I said that -- I don't recall the exact 11 words that I used, but basically that he shouldn't 12 use that as a novel interest in getting a tax 13 break. That if he wanted to do that and not pay 14 me the settlement, that was fine, but he would 15 have to pay the adjusted amount and not make it, 16 you know, a commitment he would not fulfill or try 17 to avoid in some other way. 18 Q And that's because you wanted the 19 entire world to think that you were donating every 20 penny of the \$7 million divorce settlement as soon 21 as you received it from Mr. Depp; isn't that 22 right?</p>	<p>5027</p> <p>1 THE COURT: Do you want to come 2 forward? 3 (Sidebar.) 4 THE COURT: If it's a spokesperson, 5 that's a speaking agent, right? 6 MS. VASQUEZ: Speaking agent. 7 THE COURT: Exception. 8 MS. VASQUEZ: Right. Representative 9 capacity. 10 THE COURT: Not an agent. Now we have 11 an issue with the agent laying foundation. This 12 is a spokesperson speaking, somebody who's 13 speaking for her. 14 MS. BREDEHOFT: I think she has to ask 15 if, in fact, she recognizes that, and if, in fact, 16 the spokeswoman -- 17 MS. VASQUEZ: I'll get to that. 18 MS. BREDEHOFT: She started reading the 19 statement out loud to the jury. 20 MS. VASQUEZ: I was trying to lay a 21 foundation. 22 THE COURT: You were reading the</p>
<p>5026</p> <p>1 A No, I was going to be receiving it in 2 installments, and I would be paying in 3 installments, the donations. 4 Q In fact, you released a statement in 5 response to Mr. Depp's hundred thousand dollar 6 donations to the ACLU and CHLA, didn't you? 7 A I don't recall. 8 Q Let's see if we can refresh your 9 recollection. 10 MS. VASQUEZ: If we could, please, pull 11 up Plaintiff's Exhibit 1260. 12 Q This is an article entitled "Amber 13 Heard and Johnny Depp row over divorce donations." 14 If I can direct your attention to where it says, I 15 think it's on the second page, "Her spokeswoman 16 responded in a statement," the language that 17 follows the -- 18 MS. BREDEHOFT: Objection. Hearsay. 19 Spokeswoman. That's not her. 20 THE COURT: All right. 21 MS. VASQUEZ: Spokesperson is an 22 exception, Your Honor.</p>	<p>5028</p> <p>1 statement. She's right. If you want to lay the 2 foundation, that's fine. 3 MS. BREDEHOFT: Thank you, Your Honor. 4 THE COURT: Thank you. 5 (Open court.) 6 BY MS. VASQUEZ: 7 Q You released a statement -- 8 MS. BREDEHOFT: Your Honor, may we 9 approach again? 10 THE COURT: Okay. 11 MS. BREDEHOFT: I'm sorry. 12 (Sidebar.) 13 THE COURT: You didn't get two words 14 out that time. 15 MS. BREDEHOFT: I'm sorry, but we only 16 have received exhibits from them to 1247. So this 17 was not an exhibit that we have. 18 MS. VASQUEZ: We marked them now. We 19 can use them in cross-examination. 20 MS. BREDEHOFT: But they haven't 21 produced them to us. They haven't provided them 22 to you.</p>

5029	1 THE COURT: They provide in 2 cross-examination. 3 MS. BREDEHOFT: They have to give us 4 hard copies. 5 MS. VASQUEZ: Oh, I apologize. 6 THE COURT: Yes, give them hard copies. 7 MS. BREDEHOFT: Give me a chance to 8 look at it before. 9 MS. VASQUEZ: I agree. I apologize. 10 Thank you. 11 THE COURT: Thank you. 12 MS. BREDEHOFT: Okay. 13 (Open court.) 14 MS. VASQUEZ: Before we ask the next 15 question, I'll hand you a copy of the next one. 16 MS. BREDEHOFT: I want to see it before 17 you ask. That's what -- 18 MS. VASQUEZ: That's what I said. 19 That's exactly what I said. 20 Your Honor, would you like to see one 21 as well? 22 THE COURT: No, that's all right.	5031	1 THE COURT: All right. Do you have the 2 document that's not redacted? 3 MS. VASQUEZ: We can pull it up on our 4 computers. 5 THE COURT: Okay. 6 MS. VASQUEZ: Just give us a moment, 7 Your Honor. 8 THE COURT: All right. 9 MS. VASQUEZ: I can represent this is 10 the full statement that's reported. 11 THE COURT: Give her an opportunity to 12 look at the unredacted one. 13 MS. BREDEHOFT: Thank you, Your Honor. 14 MS. VASQUEZ: Sorry, Ms. Bredehoff. 15 May I approach? 16 THE COURT: Yes. 17 MS. BREDEHOFT: So, Your Honor, can we 18 have a copy of this? 19 THE COURT: You can get a copy of that. 20 MS. VASQUEZ: Happily. 21 THE COURT: Later today. 22 MS. BREDEHOFT: I think she should be
5030	1 That's fine. Thank you. 2 MS. BREDEHOFT: Your Honor, this has 3 been redacted. We don't have a unredacted -- 4 THE COURT: Can you, please, turn your 5 microphone on? 6 MS. BREDEHOFT: I'm sorry. Your Honor, 7 they gave me a redacted, but I don't have the 8 unredacted to be able to see the full document. 9 MS. VASQUEZ: I plan to admit it. I 10 ask that it would be admitted in redacted form. 11 I'm taking away any hearsay. I'm laying a 12 foundation. This is a statement she released 13 through a spokesperson. 14 MS. BREDEHOFT: How would I know 15 whether there's more to it that shouldn't be 16 redacted, Your Honor, if I don't see the full 17 document? 18 MS. VASQUEZ: Your Honor, the witness 19 can testify as to whether this is a full statement 20 or not. 21 MS. BREDEHOFT: The witness can't -- we 22 have the right to be able to see the document.	5032	1 giving us copies of the full. 2 THE COURT: I understand. We'll take 3 care of that. But as of right now, can we 4 continue? 5 MS. BREDEHOFT: We can, Your Honor, but 6 I have an objection because of notations that are 7 missing. 8 THE COURT: Okay. Come forward. 9 (Sidebar.) 10 THE COURT: All right. Here's the 11 redacted. I guess now I need a copy of the 12 unredacted. Where are the redactions? 13 MS. VASQUEZ: I was trying to make this 14 easy. We're redacting all the hearsay. 15 THE COURT: I appreciate it. 16 MS. BREDEHOFT: So, there's several 17 pieces here where it shows the spokesperson and 18 then there's no quote at the end of it. 19 MS. VASQUEZ: Because it continues. 20 THE COURT: It continues. They have 21 it. 22 MS. BREDEHOFT: But then they have a

5033	1 quote at the beginning of the next, and then that 2 doesn't have a quote. I mean, that's -- you can't 3 make the -- then there's another one where there's 4 not a quotations mark at the end of that. 5 THE COURT: I understand. 6 MS. BREDEHOFT: So... 7 THE COURT: I understand, but I'm going 8 to allow it if she can lay a foundation, okay? 9 MS. BREDEHOFT: But in the future, Your 10 Honor, I would -- 11 THE COURT: Everybody's on the same 12 page on that. 13 MS. VASQUEZ: Thank you. 14 MS. BREDEHOFT: Thank you. 15 (Open court.) 16 BY MS. VASQUEZ: 17 Q All right. So directing your 18 attention, Ms. Heard, where it says "her 19 spokeswoman responded in a statement" -- 20 MS. BREDEHOFT: Your Honor. 21 BY MS. VASQUEZ: 22 Q In which that follows --	5035	1 yourself, Ms. Heard? 2 A Yes. 3 Q Did you read all the way to the very 4 bottom, where the last word is "supported"? 5 A Yes. 6 Q Okay. That's the statement you 7 released through your spokeswoman after Mr. Depp 8 made the donations to the CHLA and the ACLU, 9 correct, Ms. Heard? 10 A I do not recall exactly what my 11 statement was. I don't disagree with anything in 12 this statement, but I just simply don't recall 13 what the statement was we released. 14 Q Is there anything inaccurate in that 15 statement, Ms. Heard? 16 A No. 17 MS. VASQUEZ: I'm going to move to 18 admit. 19 MS. BREDEHOFT: Objection, Your Honor. 20 Lack of foundation. 21 THE COURT: I'll overrule the 22 objection. 1260 admitted in evidence, over the
5034-	1 MS. BREDEHOFT: Your Honor, again, she 2 can't read it. She has to show it. 3 Q The language that follows -- 4 THE COURT: You want to lay a 5 foundation to that? 6 Go ahead. 7 Q You released a statement after Mr. Depp 8 donated a hundred thousand dollars to ACLU and a 9 hundred thousand dollars to CHLA, correct, 10 Ms. Heard? 11 A I think so, yes. 12 Q Okay. And the language that follows is 13 the statement you released in response to 14 Mr. Depp's donations, right? 15 A I don't know if this is the official 16 statement. I really -- I have no idea. 17 Q The statement that reads -- starts -- 18 MS. BREDEHOFT: Objection, Your Honor. 19 Q -- Amber Heard. 20 MS. VASQUEZ: That's the only thing I'm 21 going to say. 22 Q Would you, please, read that to	5036	1 objection. 2 MS. VASQUEZ: Thank you, Your Honor. 3 Q Statement reads "Amber Heard 4 appreciate's Johnny Depp's novel interest in 5 supporting two of her favorite charities, the 6 ACLU, American Civil Liberties Union for Domestic 7 Violence, and the Children's Hospital of 8 Los Angeles. This is great and unexpected news," 9 and it continues: "However, if Johnny wishes to 10 change the settlement agreement, we must insist 11 that he honor the full amount by donating 12 \$14 million to charity, which, after accounting 13 for his tax deduction, is equal to his \$7 million 14 payment obligation to Amber," and it continues. 15 "We would also insist that the full amount be paid 16 immediately and not drawn out over many years. 17 Anything less would be a transparent attempt by 18 Johnny's counsel, Laura Wasser and Patti Glaser, 19 to reduce their client's true payment by half 20 under the guise of newfound concern for charities 21 that he has never previously supported." 22 Did I read that correctly?

5037	1 A Yes. 2 Q Thank you. 3 After this, you kept commenting about 4 the donation of your divorce settlement, right? 5 A I don't know what you mean by that. 6 Q Okay. You spoke about donating your 7 divorce settlement on a Danish TV show, correct? 8 A I believe I said I had -- I believe I 9 said I had donated it to charity, but it was 10 already printed or already commented on and stated 11 in the press. I had already released that 12 information in the press. I think I just 13 confirmed it on that show. 14 Q You appeared on a show called "RTL Late 15 Night," right? 16 A I don't recall what show it was. 17 MS. VASQUEZ: If you could, please, 18 play Plaintiff's Exhibit 346. 19 Q Which is a portion of your appearance 20 on this program. 21 MS. VASQUEZ: We would ask that it be 22 moved into evidence and asked for --	5039	1 that's going to be played? 2 MS. VASQUEZ: Or this is the only thing 3 that we'll be introducing. 4 THE COURT: Okay. Which part is going 5 to be played? Oh, this part is going to be 6 played? 7 MS. VASQUEZ: Yes, correct. So it's 8 just Ms. Heard asking -- excuse me, it's the host 9 asking -- 10 THE COURT: Okay. 11 MS. VASQUEZ: -- the question. I 12 apologize, Your Honor, it's actually -- we clipped 13 it. It starts on page 3 of this transcript. 14 THE COURT: Okay. 15 MS. VASQUEZ: Line 13. 16 THE COURT: Line 13, page 3. 17 MS. VASQUEZ: So the question here. 18 THE COURT: About the \$7 million? 19 MS. VASQUEZ: What did you do with that 20 money? 21 THE COURT: Okay. 22 MS. VASQUEZ: And then it's Ms. Heard
5038	1 THE COURT: Any objection? 2 MS. BREDEHOFT: Your Honor, it 3 contains -- it has hearsay. It contains other 4 communications of other individuals. 5 MS. VASQUEZ: Your Honor, if we may 6 approach, very briefly. 7 THE COURT: Okay. Sure. 8 (Sidebar.) 9 THE COURT: All right. So which 10 portion? 11 MS. VASQUEZ: It's just a question from 12 the commentator. 13 THE COURT: Just that portion? 14 MS. VASQUEZ: It's the question which 15 is obviously not being offered for the truth, but 16 that's the interview. I actually had it 17 transcribed. 18 THE COURT: Thank you. I appreciate 19 that. 20 MS. VASQUEZ: By Planet Depos, so there 21 are no concerns, and highlighted. 22 THE COURT: You highlighted the part	5040	1 speaking. I think there's one comment from the 2 host, on page 4, line 11, where it says "More 3 power to you. That's something that I've never 4 heard of." 5 THE COURT: More power. That's where 6 it ends? 7 MS. VASQUEZ: I'm sorry? 8 THE COURT: It keeps going after that? 9 MS. VASQUEZ: I'm sorry. After 10 line 13, it ends. So, I apologize, Your Honor. 11 THE COURT: Okay. 12 MS. VASQUEZ: I thought these were -- 13 the only part we'll be playing starts on page -- 14 THE COURT: Page 3. 15 MS. VASQUEZ: Line 13. 16 THE COURT: To page 4, line 13? 17 MS. VASQUEZ: That's right. 18 THE COURT: Okay. 19 MS. BREDEHOFT: So the host is actually 20 speaking hearsay. There are all kind of 21 accusations flying your way and then people were 22 saying this is all about money. And then

5041	<p>1 (indiscernible) it's also hearsay, Your Honor 2 within that. 3 MS. VASQUEZ: It's a question, Your 4 Honor. And we're obviously saying it's not being 5 offered for the truth. 6 THE COURT: Yes. 7 MS. VASQUEZ: That's exactly what 8 Ms. Heard is alleging here. 9 THE COURT: That's what she said. 10 Okay. I'll overrule that objection. I'll allow 11 that portion. 12 MS. VASQUEZ: Thank you. 13 (Open court.) 14 MS. VASQUEZ: So if we could, please, 15 play and publish to the jury Plaintiff's 16 Exhibit 346. 17 THE COURT: 346 in evidence. 18 (Whereupon, the following video was 19 played.) 20 MALE SPEAKER: Actually, were all kind 21 of accusation flying your way when you said all 22 this, and then there was a divorce settlement.</p>	5043	<p>1 BY MS. VASQUEZ: 2 Q This interview was in October of 2018, 3 right, Ms. Heard? 4 A I don't recall when it was. 5 Q It was in 2018, right, Ms. Heard? 6 A I don't remember when this was done. 7 Q This was after you had received the 8 full \$7 million of your divorce settlement from 9 Mr. Depp, wasn't it? 10 A Again, without knowing when it was 11 recorded, I have no idea. 12 Q The \$7 million divorce settlement was 13 paid to you in full by February of 2018, right? 14 A That's correct. 15 MS. VASQUEZ: Let's take a look at 16 Defendant's Exhibit 1458, which is already in 17 evidence. 18 Q This is the deal point memorandum from 19 your divorce settlement, right, Ms. Heard? 20 A Yes, that's what it looks like. 21 Q If we go down to the bottom of page 4. 22 There's a heading labeled "equalization payment."</p>
5042	<p>1 You got \$7 million, and people were saying this is 2 all about the money. But then you did something 3 that twisted that whole argument. 4 What did you do with that money? 5 MS. HEARD: \$7 million in total was 6 donated to -- I split it between the ACLU and 7 Children's Hospital of Los Angeles. 8 MALE SPEAKER: ACLU is a human rights 9 organization? 10 MS. HEARD: Sorry. ACLU is a prominent 11 organization, nonprofit organization in the United 12 States. It's called the American Civil Liberties 13 Union. 14 MALE SPEAKER: Right. 15 MS. HEARD: They work on behalf of 16 marginalized communities on the ground and 17 legislative reform. 18 MALE SPEAKER: More power to you 19 because that's something that I've never heard. 20 MS. HEARD: I wanted nothing. 21 (Whereupon, the video ended.) 22</p>	5044	<p>1 Do you see that? 2 A Yes. 3 Q And underneath that, it outlines the 4 payment schedule for the divorce payments, 5 correct? 6 A Yes. 7 Q Well, it begins to. 8 MS. VASQUEZ: If we go on page 5. 9 Q So the first payment was scheduled for 10 August 31st, 2016, and that's 200,000, correct? 11 A Yes, that is correct. 12 Q Mr. Depp's accountant, Edward White, 13 testified that he made that payment directly? 14 MS. BREDEHOFT: Objection to what 15 Mr. White said? 16 THE COURT: You've got to turn on your 17 microphone, Ms. Bredehoff, or I'm not going to 18 hear you. 19 MS. BREDEHOFT: Objection to her 20 testifying to what Mr. White testified to. 21 THE COURT: Okay. 1246 it's -- he 22 literally testified to it in court.</p>

<p>5045</p> <p>1 I'll overrule the objection. 2 Go ahead. 3 MS. VASQUEZ: Thank you, Your Honor. 4 Q Mr. Depp's accountant, Edward White, 5 testified he made the payment directly to the ACLU 6 and CHLA, correct? 7 A I believe so, yes. 8 Q And then the rest of the payments were 9 all made to you, weren't they? 10 A That is correct. 11 Q And the final payment of \$2.3 million 12 is on February 1st, 2018, right? 13 A The final payment, yes. 14 Q And you were here in court when 15 Mr. White testified that the payments were all 16 made on schedule? 17 MS. BREDEHOFT: Objection. I'm going 18 to object to her testifying to what Mr. White 19 testified to. 20 THE COURT: I'll overrule the 21 objection. Go ahead. 22 MS. VASQUEZ: Thank you, Your Honor.</p>	<p>5047</p> <p>1 your entire \$7 million divorce settlement, you 2 would agree with me? 3 A That is correct. 4 Q And you hadn't, yet, been sued by 5 Mr. Depp? 6 A This is October, correct? 7 Q So, in this October 2018 interview, you 8 said that you had "donated" your entire divorce 9 settlement to charity, right? 10 A That's correct. 11 Q And, in fact, your exact words were 12 "7 million in total was donated to -- I split it 13 between the ACLU and the Children's Hospital of 14 Los Angeles." 15 Right? 16 A That's correct. I made that statement 17 as soon as I got a divorce and we reached the 18 settlement. That's when I pledged it, right then. 19 Q And you say this because you "wanted 20 nothing"? 21 A That is correct. 22 Q But you hadn't donated your entire</p>
<p>5046</p> <p>1 Q And you were here in court when 2 Mr. White testified that the payments were all 3 made on schedule, right? 4 A I don't believe they were. He might 5 have testified to that. 6 Q That's not my question, Ms. Heard. My 7 question was, you were here in court when 8 Mr. White testified, under oath, that all of the 9 payments were made on schedule? 10 A I was here every day in court. I heard 11 his testimony, yes. 12 Q Okay. So back to October of 2018. 13 This was before Mr. Depp sued you for defamation, 14 correct? 15 A Yes, that's correct. 16 Q He didn't sue you until after the op-ed 17 came out in December of 2018, right? 18 A He sued me in 2019. 19 Q And the op-ed came out in 20 December 2018? 21 A That is correct. 22 Q So in October of 2018, you had received</p>	<p>5048</p> <p>1 \$7 million settlement to charity at that point, 2 had you? 3 A That is incorrect. 4 Q Sitting here today, Ms. Heard, you 5 still haven't donated the \$7 million divorce 6 settlement to charity; isn't that right? 7 A Incorrect. I pledged the entirety of 8 the \$7 million to charity. 9 Q Ms. Heard, that's not my question. 10 A And I plan to fulfill those 11 obligations. 12 Q Ms. Heard, that's not my question. 13 Please try to answer my question. 14 A What was the question? 15 Q Sitting here today, you have not 16 donated the \$7 million, donated, not pledged, 17 donated, the \$7 million divorce settlement to 18 charity? 19 A I use pledge and donation synonymous 20 with one another. 21 Q But I don't. Ms. Heard, I don't use it 22 synonymously.</p>

<p>5049</p> <p>1 A That's how donations are paid.</p> <p>2 Q Ms. Heard, respectfully, that's not my</p> <p>3 question.</p> <p>4 As of today, you have not paid</p> <p>5 \$3.5 million of your own money to the ACLU, yes or</p> <p>6 no?</p> <p>7 A I have not yet.</p> <p>8 Q And as of today, you have not paid</p> <p>9 \$3.5 million of your own money to the Children's</p> <p>10 Hospital of Los Angeles, correct?</p> <p>11 A I have not yet. Johnny sued me.</p> <p>12 Q So as of today, you have not donated,</p> <p>13 paid, \$7 million of your divorce settlement to</p> <p>14 charity, right?</p> <p>15 A I have not been able to fulfill those</p> <p>16 obligations yet.</p> <p>17 Q And that's because you did want</p> <p>18 something, didn't you?</p> <p>19 A I didn't want anything, and I didn't</p> <p>20 get anything.</p> <p>21 Q You wanted Mr. Depp's money.</p> <p>22 A Didn't get it. Wasn't interested in</p>	<p>5051</p> <p>1 A They are believable. They are</p> <p>2 believable.</p> <p>3 Q You wanted them to be seen -- you</p> <p>4 wanted to be seen, excuse me, as a noble victim of</p> <p>5 domestic violence?</p> <p>6 A I have never, never wanted to be seen</p> <p>7 as a victim. Nor have I ever called myself one.</p> <p>8 Q You testified, under oath, that "the</p> <p>9 entirety of your divorce settlement was donated to</p> <p>10 charity."</p> <p>11 Didn't you?</p> <p>12 A That's correct. I pledged the</p> <p>13 entirety.</p> <p>14 Q No. Ms. Heard, my questions. Your</p> <p>15 counsel will have time to redirect you after.</p> <p>16 You testified, under oath, "the</p> <p>17 entirety of your divorce settlement was donated to</p> <p>18 charity"?</p> <p>19 A That is correct. I pledged the</p> <p>20 entirety.</p> <p>21 MS. VASQUEZ: I'm going to move to</p> <p>22 strike everything after yes.</p>
<p>5050</p> <p>1 it. I left Johnny. That's why I was with him.</p> <p>2 Q You wanted praise for donating the</p> <p>3 money, right?</p> <p>4 A That's incorrect.</p> <p>5 Q You wanted good press?</p> <p>6 A In general, one does want good press,</p> <p>7 yes.</p> <p>8 Q You wanted to seem altruistic publicly?</p> <p>9 A Wasn't my interest. My interest is in</p> <p>10 my name and clearing my name. And at the time, I</p> <p>11 was being called a liar, and my motives were being</p> <p>12 questioned. I did see it as important to clear</p> <p>13 that up. I wanted to make a statement to make</p> <p>14 sure that there was not any doubt that I couldn't</p> <p>15 be labeled these things just because Johnny was a</p> <p>16 bigger star and had more publicity reach.</p> <p>17 Q You wanted to remind everyone of your</p> <p>18 claims of domestic violence against Mr. Depp,</p> <p>19 right?</p> <p>20 A No. I wanted to move on with my life.</p> <p>21 Q You wanted to make those claims seem</p> <p>22 believable.</p>	<p>5052</p> <p>1 THE COURT: All right.</p> <p>2 MS. BREDEHOFT: Your Honor, there's</p> <p>3 nothing to strike here. Donated -- I mean, even</p> <p>4 the ACLU testified that donated --</p> <p>5 MS. VASQUEZ: I disagree. This is</p> <p>6 really inappropriate.</p> <p>7 MS. BREDEHOFT: And she --</p> <p>8 THE COURT: I'll sustain the objection.</p> <p>9 Let's move forward.</p> <p>10 Let's move forward.</p> <p>11 Next question.</p> <p>12 Q Under oath, that statement wasn't true,</p> <p>13 was it, Ms. Heard?</p> <p>14 A I'm sorry, I don't follow your</p> <p>15 question. Sorry.</p> <p>16 Q You testified, under oath, "the</p> <p>17 entirety of my divorce settlement was donated to</p> <p>18 charity."</p> <p>19 That statement wasn't true?</p> <p>20 A It is true. I pledged the entirety to</p> <p>21 charity.</p> <p>22 Q The statement --</p>

5053	1 A When you say you buy a house, you don't 2 pay for the entire house at one time? 3 Q Ms. Heard, respectfully. 4 A You buy it over time. 5 Q Ms. Heard. 6 A Next question, please. 7 Q Thank you. That statement isn't true 8 today, as you sit here today, is it? 9 A It is true. I pledged the entirety. 10 Q But you didn't donate it? 11 A Unfortunately – 12 Q You didn't donate it? It's a yes or 13 no. 14 A Unfortunately, I haven't been able to 15 obligate – to fulfill those obligations. 16 Q That's a no, right, Ms. Heard? 17 A I made the pledge. I want to be very 18 clear. I pledged the entirety. I haven't been 19 able to fulfill those pledges because I've been 20 sued. 21 Q You had all of the \$7 million for 22 13 months before Mr. Depp sued you and you chose	5055	1 Q And this statement was made under oath, 2 true? 3 A That is true. 4 Q Directing your attention to the last 5 page of that statement. That's your signature, 6 right? 7 A Yes, it is. 8 Q So you made this sworn statement on 9 February 26th, 2020? 10 A That's correct. 11 Q And directing your attention to 12 paragraph 4. It says "I remained financially 13 independent from him the whole time we were 14 together, and the entire amount of my divorce 15 settlement was donated to charity." 16 A That is correct. 17 Q Did I read that correctly? 18 A Yes, you did. 19 Q The "him" you were referring to is 20 Mr. Depp? 21 A That is correct. 22 Q Most of the money that was donated to
5054	1 not to pay it to the charities you pledged it to; 2 is that correct? 3 A I disagree with your characterization 4 of that. 5 Q Let's look at your sworn testimony from 6 the U.K. 7 MS. VASQUEZ: May I approach, Your 8 Honor? 9 THE COURT: All right. Yes, ma'am. 10 Thank you. 11 Ms. Vasquez, do you want me to close 12 the shades? 13 MS. VASQUEZ: That would be wonderful. 14 THE COURT: Because there's light 15 coming across. 16 MS. VASQUEZ: I appreciate that. It's 17 probably good light. Thank you, Your Honor. 18 THE COURT: All right. 19 Q This is your third witness statement 20 that you submitted in the U.K. action, right, 21 Ms. Heard? 22 A Correct.	5056	1 the ACLU and CHLA in your name came from someone 2 else; isn't that right? 3 A I don't know what you mean by "most 4 of." 5 Q Well, at least \$500,000 that was 6 donated to the ACLU in your name wasn't paid by 7 you, right? 8 A I believe Elon made a donation in my 9 honor on one of the years. 10 Q And it didn't come out of the 11 \$7 million divorce settlement, right? 12 A No. Nor did it count towards my 13 pledge. 14 Q And at least \$500,000 that was donated 15 to the Children's Hospital of Los Angeles in your 16 name wasn't paid by you either? 17 A Right. Those were made at the same 18 time. 19 Q And it didn't come out of your 20 \$7 million divorce settlement? 21 A Nor did it count to my 3.5 obligation. 22 Q So, the \$500,000 payments came from

<p style="text-align: right;">5057</p> <p>1 your new boyfriend, Elon Musk, right? 2 A I don't know if he was a new boyfriend 3 at the time. 4 Q You got him to pay part of what you 5 promised to these two charities, didn't you? 6 A Incorrect. 7 Q Because you wanted to keep at least 8 some of the \$7 million divorce settlement for 9 yourself, right? 10 A You're very wrong about that. 11 MS. VASQUEZ: I think this, if Your 12 Honor is fine, this is a good stopping point. 13 THE COURT: Okay. That's fine. 14 Ladies and gentlemen, we'll stop here 15 for the evening. Remember, tonight, do not do any 16 outside research. Do not discuss the case with 17 anybody. I know these days are a little longer. 18 I appreciate your patience, and your taking care 19 of everything here. Please take care of yourself 20 tonight, okay? And we'll see you in the morning 21 at 9:00 a.m. 22 (Whereupon, the jury exited the</p>	<p style="text-align: right;">5059</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER 2 I, JUDITH E. BELLINGER, RPR, CRR, the 3 court reporter before whom the foregoing hearing 4 was taken, do hereby certify that the foregoing 5 excerpt transcript is a true and correct record of 6 the proceedings; that said proceedings were taken 7 by me stenographically and thereafter reduced to 8 typewriting under my direction; and that I am 9 neither counsel for, related to, nor employed by 10 any of the parties to this case and have no 11 interest, financial or otherwise, in its outcome. 12 IN WITNESS WHEREOF, I have hereunto set 13 my hand and affixed my notarial seal this 16th day 14 of May, 2022. 15 My Commission Expires: September 30, 2024 16 17 18 <i>Judith E. Bellinger</i> 19 _____ 20 NOTARY PUBLIC IN AND FOR 21 THE COMMONWEALTH OF VIRGINIA 22</p>
<p style="text-align: right;">5058</p> <p>1 courtroom and the following proceedings took 2 place.) 3 THE COURT: Again, Ms. Heard, since 4 you're still on the witness stand, please do not 5 discuss your testimony with anybody, including 6 your attorneys, all right? 7 9:00 tomorrow, then? All right. We'll 8 see you at 9:00. 9 THE BAILIFF: All rise. 10 (Whereupon, the trial was recessed at 11 5:20 p.m. to reconvene at 9:00 a.m., Tuesday, May 12 17, 2022.) 13 14 15 16 17 18 19 20 21 22</p>	