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Transcript of Jury Trial - Day 19

Date: May 18, 2022
Case: Depp, II -v- Heard

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Transcript of Jury Trial - Day 19
Conducted on May 18, 2022

1 (5492 to 5495)

5492	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 Wednesday, May 18, 2022 16 9:00 a.m. EDT 17 TRIAL DAY 19 18 19 20 Job No.: 443902 21 Pages: 5492 - 5868 22 Reported by: Judith E. Bellinger, RPR, CRR	5494	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
5493	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	5495	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

Transcript of Jury Trial - Day 19
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2 (5496 to 5499)

5496		5498	
<p>1 APPEARANCES CONTINUED</p> <p>2 ON BEHALF OF THE DEFENDANT AND COUNTERCLAIM</p> <p>3 PLAINTIFF:</p> <p>4</p> <p>5 ELAINE CHARLSON BREDEHOFT, ESQUIRE</p> <p>6 ADAM S. NADELHAFT, ESQUIRE</p> <p>7 CHARLSON BREDEHOFT COHEN BROWN &</p> <p>8 NADELHAFT, P.C.</p> <p>9 11260 Roger Bacon Drive</p> <p>10 Suite 201</p> <p>11 Reston, VA 20190</p> <p>12 703.318.6800</p> <p>13</p> <p>14 J. BENJAMIN ROTTENBORN, ESQUIRE</p> <p>15 WOODS ROGERS PLC</p> <p>16 10 South Jefferson Street</p> <p>17 Suite 1400</p> <p>18 P.O. Box 14125</p> <p>19 Roanoke, VA 24011</p> <p>20 540.983.7540</p> <p>21</p> <p>22</p>	<p>1 EXHIBITS</p> <p>2 Offered Admitted</p> <p>3</p> <p>4 Defendant's</p> <p>5 400 5716 5716</p> <p>6 702B 5548 5548</p> <p>7 703B 5548 5548</p> <p>8 704B 5548 5548</p> <p>9 708B 5548 5548</p> <p>10 710B 5548 5548</p> <p>11 714B 5548 5548</p> <p>12 718B 5548 5548</p> <p>13 719B 5548 5548</p> <p>14 720B 5548 5548</p> <p>15 721B 5548 5548</p> <p>16 722B 5548 5548</p> <p>17 723B 5548 5548</p> <p>18 797 5548 5548</p> <p>19 799 5548 5548</p> <p>20</p> <p>21</p> <p>22</p>		
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5500	1 PROCEEDINGS 2 THE BAILIFF: All rise. 3 Please be seated and come to order. 4 THE COURT: All right. Good morning. 5 MR. CHEW: Good morning, Your Honor. 6 THE COURT: Do we have any preliminary 7 matters before the jury comes out? 8 MR. ROTTENBORN: Just a couple, Your 9 Honor. 10 THE COURT: All right. 11 MR. ROTTENBORN: May we approach? 12 THE COURT: Yes, sir. 13 (Sidebar.) 14 MR. ROTTENBORN: The first one is Your 15 Honor requested a set of the order for the jurors. 16 THE COURT: Everybody signed on this? 17 MR. CHEW: Yes. 18 MR. ROTTENBORN: Yes, Your Honor. 19 THE COURT: I'll sign on this. 20 MR. CHEW: I read it carefully. 21 THE COURT: I'm sure. I'm glad you 22 took your time.	5502	1 they're going to be shown. 2 THE COURT: All righty. 3 MR. ROTTENBORN: And then there's a 4 group that has -- that were shown to 5 Ms. Pennington, that Ms. Meyers and I agreed would 6 come in, if Your Honor lets the testimony in -- 7 THE COURT: Sure. 8 MR. ROTTENBORN: -- that has the stamp 9 on them. 10 MS. MEYERS: So, I think we're going to 11 take the same position yesterday. That there's a 12 lack of foundation for including the metadata. 13 THE COURT: Okay. 14 MR. ROTTENBORN: And we would argue two 15 things. Number 1, that that wasn't what we agreed 16 on when they came in. So this is a different 17 witness. We agreed that the pictures would come 18 in. We never discussed -- Ms. Meyers never 19 objected to the metadata coming in when we made 20 the agreement several weeks ago. So that's the 21 first argument. 22 THE COURT: Okay.
5501	1 MR. ROTTENBORN: We just added the one 2 paragraph at the end about... 3 THE COURT: Okay. Get that order out. 4 Okay. 5 MR. ROTTENBORN: Thank you. 6 THE COURT: All right. Next. 7 MR. ROTTENBORN: And then, we just 8 wanted, for Rocky Pennington's deposition, there's 9 going to be a number of photos shown, and we just 10 wanted to address any issues before. 11 THE COURT: All right. 12 MR. ROTTENBORN: I think what 13 Ms. Meyers and I had agreed on, when we did the 14 deposition designations, is any -- we didn't bring 15 the photos in front of Your Honor. We just said 16 any testimony that Your Honor allows in that 17 references a certain photo, that that photo comes 18 in. 19 THE COURT: That photo will be shown. 20 MR. ROTTENBORN: But I wanted to just 21 make sure we're all on the same page. Some that 22 have been plainly admitted into evidence, as	5503	1 MR. ROTTENBORN: The second argument, 2 Your Honor, is that I know we handed up some case 3 law, but -- 4 THE COURT: I know. 5 MR. ROTTENBORN: But these are plainly 6 not hearsay under the Kadem v. Commonwealth. 7 THE COURT: I understand the hearsay. 8 But the problem is the foundation part. 9 Actually, you keep saying metadata. 10 This actually isn't metadata. This is just from 11 an iPhone, which I can go in and I can change my 12 listings for these on my iPhone, and it will show 13 up as a different date and different location. 14 Metadata is something that is extracted 15 from the phone and is with the file, and it would 16 show that I had changed the location. That's 17 metadata, so... 18 MR. ROTTENBORN: Okay. 19 THE COURT: I understand you keep 20 calling it metadata, but your position is it's 21 metadata. My position is it's something that can 22 be changed.

<p style="text-align: right;">5504</p> <p>1 Sorry, when they send judges to 2 computer forensic school down in Alabama, these 3 things happen. 4 MR. ROTTENBORN: I don't envy you 5 having to go that far. 6 THE COURT: It's the industry. 7 MS. BREDEHOFT: But Ms. Heard did 8 testify that she did put those on here. She gave 9 the foundation testimony. 10 THE COURT: Well, I understand that. 11 But, again, that -- anyway, that's my ruling -- 12 MR. ROTTENBORN: Okay. 13 THE COURT: -- on this. 14 MR. ROTTENBORN: Your Honor, I just 15 wanted to make a record on that. 16 THE COURT: I appreciate it. 17 MR. ROTTENBORN: Can I take one more 18 shot at this? 19 THE COURT: Okay. 20 MR. ROTTENBORN: Mr. Depp, you'll 21 remember, he introduced the two pictures of him 22 with alleged bruises on his face that very clearly</p>	<p style="text-align: right;">5506</p> <p>1 MS. MEYERS: I mean, I think we moved 2 our objection of having them come in, same with 3 the ones the other day. The ones that they're 4 referring to, they didn't object to the time stamp 5 at the top. 6 THE COURT: Well, I understand. But I 7 mean, what would be the objection to the time 8 stamp? 9 MR. ROTTENBORN: That's plainly 10 metadata. 11 MR. MONIZ: Yeah, but can't that be 12 changed in the same way? 13 THE COURT: That, I don't know. Didn't 14 cover that in my class. 15 MR. ROTTENBORN: I mean, the case law 16 says that in order to get rid of metadata, they 17 have to do more than assert that it could be 18 changed. They have to -- 19 THE COURT: I understand. Well, I 20 still don't think it's metadata. 21 I'll allow it at this time, but we can 22 get rid of that, okay?</p>
<p style="text-align: right;">5505</p> <p>1 had this on them. He testified that one was taken 2 by Sean Bett. 3 THE COURT: Uh-huh. 4 MR. ROTTENBORN: And that's of a 5 different nature than this, I believe. So we 6 believe, at a minimum, if the jury -- I mean, 7 number one, we believe that they've waived this by 8 agreeing to these coming in as is. But -- 9 THE COURT: Well, I mean, this is the 10 problem with depositions. It's same thing with 11 you wanting to de-designate things. 12 MR. ROTTENBORN: I understand. 13 THE COURT: The trial is fluid. 14 MR. ROTTENBORN: I totally respect Your 15 Honor's decision. But we would ask that this be 16 published. That's of a different nature than 17 that. 18 THE COURT: Okay. 19 MR. ROTTENBORN: All it does is show 20 the time. 21 THE COURT: All right. Any objection 22 to these?</p>	<p style="text-align: right;">5507</p> <p>1 MR. ROTTENBORN: Thank you, Your Honor. 2 MR. CHEW: Thank you, Your Honor. 3 MR. ROTTENBORN: We don't need to go 4 through every exhibit. Your ruling applies to 5 each of them. 6 THE COURT: That's fine. 7 MR. ROTTENBORN: Are you comfortable 8 with that? 9 THE COURT: For the record, do you want 10 to name the exhibits or do you want to just... 11 MR. ROTTENBORN: I think we'll just 12 take them as they come. 13 THE COURT: Okay. 14 MR. ROTTENBORN: If you all notice 15 anything, we can come up with -- the only exhibits 16 with Ms. Pennington are photographs, and there's 17 several that have already been admitted without 18 metadata. And the ones that have to have them 19 admitted -- 20 THE COURT: Are you going to show them 21 during the deposition? 22 Judy is going to get mad at you.</p>

<p>1 MR. ROTTENBORN: That's the first time 2 I've done that. 3 Yeah, we'll show them, but we'll have 4 this redacted. 5 THE COURT: Okay. Thank you. 6 (Open court.) 7 THE COURT: All right. Are we ready 8 for the jury, then? 9 MS. BREDEHOFT: Yes, Your Honor. 10 MR. ROTTENBORN: Yes, Your Honor. 11 THE COURT: Okay. 12 (Whereupon, the jury entered the 13 courtroom and the following proceedings took 14 place.) 15 THE COURT: All right. Good morning, 16 ladies and gentlemen. 17 All right. As you remember, we were in 18 the middle of a witness last evening, so we'll 19 continue with her testimony, okay? 20 All right. Thank you. 21 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 22 COUNTERCLAIM DEFENDANT</p>	<p>5508</p>	<p>1 her feet, yeah. 2 Q What, specifically, do you recall 3 seeing on Ms. Heard's feet? 4 A They were just – they were cut. It 5 was smaller cuts than the ones on her arms. 6 Q Were both feet cut? 7 A I don't remember if it was both or one. 8 Q You testified that Ms. Heard told you 9 that she got these injuries from glass from broken 10 bottles; is that correct? 11 A Yes. 12 Q You were not in Australia with 13 Ms. Heard when she allegedly sustained these 14 injuries; is that correct, Ms. Pennington? 15 A I was not in Australia. 16 Q So your only understanding as to how 17 Ms. Heard sustained these injuries is what she 18 told you, right? 19 A That is my understanding. 20 Q You've testified that you attended a 21 Thanksgiving dinner with Mr. Depp and Ms. Heard in 22 November of 2015; is that correct?</p>	<p>5510</p>
<p>1 BY MS. VASQUEZ: 2 Q Did you see Ms. Heard shortly after she 3 returned from Australia? 4 A Yes. 5 Q How soon after she arrived back from 6 Australia did you see her? 7 A I believe it was immediately upon her 8 return. 9 Q And she visited you in your apartment 10 at the Eastern Columbia Building; is that right? 11 A Yes. 12 Q You testified that you observed 13 injuries on Ms. Heard on this occasion; is that 14 right? 15 A Yes. 16 Q What injuries did you observe? 17 A She had these deep cuts on the backs of 18 her forearms and – yeah, they were very, very 19 deep, long cuts on the backs of her forearms. 20 Q Did you see her feet? 21 A Well, at first, when she came over, she 22 had shoes on. And then – and then she showed me</p>	<p>5509</p>	<p>1 A Yes. 2 Q And this dinner was held in penthouse 5 3 of the Eastern Columbia Building, right? 4 A Yes. 5 Q And just for clarification, penthouse 5 6 is not Mr. Depp and Ms. Heard's primary residence, 7 correct? 8 A All of the penthouses are connected. 9 Q Mr. Depp and Ms. Heard lived in 10 penthouse 3; is that correct? 11 A Well, technically, they lived in all of 12 them. They were all connected. 13 Q Where did they have their bedroom, in 14 which penthouse? 15 A Their bedroom was in 3. 16 Q Who attended the Thanksgiving dinner? 17 A I think that – well, Josh, myself, 18 Amber, Johnny, there were a couple of Johnny's 19 friends, I think Amber's dad was there, Jack, 20 Johnny's son. I don't remember anyone else 21 specifically. 22 Q Do you recall what time you all sat</p>	<p>5511</p>

<p>1 down to eat dinner? 2 A No. 3 Q And you testified at some point, late 4 in the meal, Amber went upstairs to look for 5 Johnny and stayed up there for a long time, 6 correct? 7 A Yes. 8 Q And did Mr. Depp sit down to dinner 9 with all of you? 10 A I don't know if we all actually sat 11 down at one point. 12 Q Did you see Mr. Depp, at some point, 13 leave this -- this dinner? 14 A I don't remember him leaving. I 15 remember noticing that he was gone. 16 Q Did you see where Mr. Depp left to, 17 where he went? 18 A I -- either upstairs or out the front 19 door. I didn't see it happen, so I don't know. 20 Q Did you observe Ms. Heard consume any 21 alcohol before she went to look for Mr. Depp? 22 A Yes.</p>	<p>5512</p> <p>1 who was still there. 2 Q You also testified that when "you went 3 to look and found that a full bottle of wine had 4 hit and broken a piece of art that Amber really 5 loved above the bed, and that broken glass was 6 scattered all over the bed." 7 A Did I testify that? 8 Q Yes. 9 A Yes. 10 Q Is that an accurate description of what 11 you saw? 12 A Yes. 13 Q And where did you see this, in what 14 room? 15 A In their bedroom of PH3. 16 Q How did you get to this penthouse from 17 penthouse 5? 18 A I went upstairs in penthouse 5, across 19 the top story, which all three penthouses were 20 connected, through to penthouse 3, the bedroom was 21 also on the top story, and all the way through and 22 around.</p>
<p>5513</p> <p>1 Q What was she drinking? 2 A Red wine. 3 Q Did she seem drunk when she went to 4 look for Mr. Depp? 5 A No. 6 Q Did you observe any injuries to 7 Ms. Heard when she returned? 8 A No. 9 Q Did you observe any injuries to 10 Mr. Depp when he returned? 11 A No. 12 Q Do you remember that when Mr. Depp and 13 Ms. Heard came downstairs, they were wearing 14 different clothes? 15 A I don't remember Johnny changing 16 clothes. I do remember that Amber changed 17 clothes. 18 Q Do you remember anyone that was still 19 there when Mr. Depp and Ms. Heard came back 20 downstairs? 21 A I believe Josh and myself, David Heard, 22 and I don't remember anyone else, specifically,</p>	<p>5515</p> <p>1 Q Do you recall seeing any spilled wine? 2 A I think there was wine -- yeah, I think 3 there was also spilled wine on the bed and on the 4 ground. 5 Q Do you remember whether that bottle of 6 wine was broken or not? 7 A I don't remember that the bottle was 8 broken, but there's also plenty of glasses around 9 with wine in them that could have been part of 10 that. There was glass everywhere. 11 Q So you specifically remember glass 12 being everywhere upstairs; is that fair? 13 A On the bed, mostly. 14 Q What kind of wine bottle was it, 15 magnum, red? Do you remember? 16 A It would have been red. 17 Q Was it a magnum bottle? 18 A I don't think so. 19 Q What picture had been damaged? 20 A I think it was one of -- oh. A Leonor 21 Fini, I believe. 22 Q Would it -- apologies, Ms. Pennington.</p>

<p>1 What did it look like? 2 A I don't remember which one. 3 Q You saw the aftermath? 4 A The aftermath, fair. 5 Q So you don't know that Mr. Depp 6 actually threw the bottle, right? 7 A I don't know. 8 Q Ms. Heard could have thrown the bottle, 9 true? 10 A Could have. 11 Q I'm sorry, I didn't catch that. You 12 said she could have? 13 A She could have. 14 Q And was the evening still happening 15 after you returned from observing the bedroom? 16 A Yes. 17 Q Do you recall any other issues 18 happening, any further problems during the 19 evening? 20 A I don't recall any, no. 21 Q Do you remember providing deposition 22 testimony about this Thanksgiving incident when</p>	<p>5516</p>	<p>1 mind, or tech, do you mind pulling up 2 Ms. Pennington's July 14, 2016 depo -- deposition 3 transcript. 4 AV TECHNICIAN: Stand by. 5 MS. VASQUEZ: On July 14th, 2016, it's 6 volume 2. 7 A Where am I looking in the document? 8 Q Yes. 9 MS. VASQUEZ: If you could, please, 10 scroll down to page 238. 11 Q Ms. Pennington, if you looked at 12 page 238 of your deposition transcript from 13 July 14, 2016, line 23, and if you could read to 14 yourself through page 240, line 18. 15 MR. ROTTENBORN: Do you have control? 16 You have control. 17 THE WITNESS: Sorry. I don't have, 18 like, the scrolly thing. 19 MR. ROTTENBORN: You can do this on 20 your own. 21 A What am I -- what line am I reading 22 down to?</p>	<p>5518</p>
<p>1 you were deposed in the divorce proceeding? 2 A If you have a transcript of the -- that 3 original deposition, I could take a look at it and 4 recall. 5 Q Do you have any independent 6 recollection of testifying during the divorce 7 proceeding about Thanksgiving? 8 A I -- are you talking about the 9 deposition or testifying? 10 Q I'm talking about your deposition 11 during the divorce proceeding. 12 A I remember the depo, but it was a very 13 long depo and a lot of topics were covered. 14 Q So, do you remember, during the depo, 15 testifying that Mr. Depp and Ms. Heard returned to 16 dinner, Mr. Depp was "acting like nothing had 17 happened"? 18 Do you remember that testimony? 19 A I don't remember the specifics of the 20 testimony. 21 Q Okay. So, can -- 22 MS. VASQUEZ: Videographer, do you</p>	<p>5517</p>	<p>1 Q Page 240, line 18. 2 A Okay. 3 Q You testified at your deposition that 4 after Mr. Depp and Ms. Heard returned to dinner, 5 Mr. Depp was "acting like nothing happened." 6 Do you remember that? 7 A Yeah. The night has faded in my 8 memory, but as I read this, yeah. 9 Q Is that an accurate description of what 10 you observed of Mr. Depp that evening? 11 A This description? 12 Q Yes. Was it your observation, the 13 evening of Thanksgiving, that you couldn't tell 14 whether Mr. Depp was drunk or angry, that he could 15 put on a facade? 16 A Yeah, I couldn't tell what he was 17 feeling. I couldn't tell what was going on. 18 Q And you couldn't tell if he was drunk, 19 correct? 20 A I couldn't tell. 21 Q And you couldn't tell if he was angry 22 that evening either?</p>	<p>5519</p>

<p>5520</p> <p>1 A Well, I can't say what anybody's 2 emotions are at any time. 3 Q You didn't perceive him being angry in 4 front of you that evening? 5 A At me, no. 6 Q At anyone? 7 A Not that I recall. 8 Q So fair to say that Mr. Depp did not 9 seem angry to you when he came downstairs after 10 the Thanksgiving dinner, right? 11 A He didn't seem any particular way to 12 me. 13 Q You testified that in December 2015, 14 Amber called you over to her apartment so that you 15 could check her out. 16 Is that a correct statement? You 17 testified to that? 18 A Yes. 19 Q Okay. My question was, after you 20 arrived, you observed injuries to Ms. Heard, 21 right? 22 A Yes.</p>	<p>5522</p> <p>1 Q Where did her nose appear to be 2 swollen? 3 A It would be, like, the upper bridge. 4 Q Did you observe that Ms. Heard had any 5 black eyes? 6 A Not that I recall. 7 Q Was there blood on her lips when you 8 saw her? 9 A It was a cut open. 10 Q Was there blood coming out of that cut? 11 A I don't remember if there was blood 12 coming out of it at that point. 13 Q Was it on the top or bottom lip? 14 A It was on the bottom. 15 Q Before we go there, do you have any 16 independent recollection of seeing a laceration on 17 Ms. Heard's forehead? 18 A There were many times that I saw 19 injuries on her. If you would like to show me a 20 photo or point me to another place where I can 21 remember which injury -- 22 Q I --</p>
<p>5521</p> <p>1 Q Do you remember seeing that her head 2 was bloody where a chunk of hair had been ripped 3 out of the back of her head? 4 A Yeah -- yes. 5 Q Was her head actively bleeding when you 6 saw her? 7 A It was -- it wasn't, like, dripping 8 down her head, but it was raw and red. 9 Q Was it actively bleeding; do you 10 remember? 11 A Define "actively bleeding." 12 Q Was there blood? 13 A Yes. 14 Q How could you tell hair had been ripped 15 out of her head? 16 A There was a bloody patch with hair 17 missing. 18 Q Where was her face red? 19 A Her whole face. 20 Q Could the redness have been from 21 crying? 22 A It could have been.</p>	<p>5523</p> <p>1 A -- was in which instance, then I can 2 answer the question. 3 Q So you testified that Ms. Heard had a 4 laceration on her forehead when you saw her, 5 correct? 6 A Yes. 7 Q If you remember, where on her forehead 8 was this laceration? 9 A By the hairline. 10 Q Was it on the right or left side? 11 A I don't remember. 12 Q Was the laceration bleeding? 13 A I don't think so. 14 Q Sitting here today, did you observe any 15 other injury to Ms. Heard that evening, that you 16 remember? 17 A No. 18 MS. VASQUEZ: If we can go back to the 19 Ms. Pennington's statement in the United Kingdom, 20 that would be great. 21 Q So in paragraph 20, Ms. Pennington, you 22 testified that after you saw Ms. Heard, you</p>

<p>5524</p> <p>1 "called for assistance from a private nurse who is 2 part of the concierge medical service which Johnny 3 and Amber use." 4 Is that correct? 5 A Yes. 6 Q Is Erin Boreum the private nurse that 7 you're referring to here? 8 A Yes. 9 Q Do you know, approximately, at what 10 time you called Ms. Boerum? 11 A Evening. 12 Q Do you recall Ms. Boerum coming over to 13 the penthouses that night as well? 14 A I don't know if she came over that 15 night. 16 Q Do you recall Ms. Boerum providing any 17 advice or recommendations to you on the phone? 18 A I think she said to maybe not let her 19 go to sleep and to listen to her speech. Keep an 20 eye on her. 21 Q And you did that? 22 A Yes.</p>	<p>5526</p> <p>1 A I don't know if I took that one. 2 Q Okay. I'm going to show you a document 3 that will be marked Pennington Exhibit 3. 4 Do you recognize this photograph? 5 A Yes. 6 Q Do you recognize this photograph? 7 A Yeah – yes. 8 MS. VASQUEZ: Let's pull up Pennington 9 Exhibit 6. 10 Q Do you recognize this photograph? 11 A Yes. 12 Q Did you take this photograph? 13 A Yes. 14 Q What is this photograph depicting? 15 A The part of her scalp where the hair 16 was ripped out. 17 Q You testified previously that you 18 photographed a big clump of hair on the floor 19 which was blonde in color and clearly belonged to 20 Amber. 21 Do you remember testifying to that? 22 A Yes, I remember.</p>
<p>5525</p> <p>1 Q You testified, in paragraph 20, that on 2 December 15th, 2015, you took pictures of 3 Ms. Heard's injuries on your phone. 4 Is that correct? 5 A Yes. 6 Q Did you alter those photos -- 7 A I don't know if it was on my phone or 8 her phone. 9 Q You see the third line down, you say 10 "it was my phone"? 11 A Oh, then it was my phone. 12 Q Did you alter those photographs in any 13 way, Ms. Pennington? 14 A No. 15 Q Do you recall sending the photographs 16 to anyone? 17 A No. 18 Q Do you recognize this photograph? 19 A Yes, Amber's face with swelling on her 20 nose, bruising underneath her eyes. 21 Q Just to confirm, you don't recognize 22 whether you took this photograph or not, right?</p>	<p>5527</p> <p>1 Q Where did you see this clump of hair? 2 A It was in PH4, in the bedroom. 3 Q And just to confirm, PH4, is this where 4 Ms. Heard used that penthouse as a closet? 5 A No. 6 Q Which penthouse did Ms. Heard use as a 7 closet? 8 A Penthouse 5. 9 Q How did you know that the hair clearly 10 belonged to Amber? 11 A Hair had been ripped out of her scalp 12 and it was her color on the floor of her 13 apartment. 14 Q So you didn't see the hair get ripped 15 out of her head, right? 16 A Correct. 17 Q So your understanding that this was 18 Ms. Heard's hair that was ripped out of her head 19 was based on what Ms. Heard told you, right? 20 A My understanding that it was 21 Ms. Heard's hair was what I saw on her body and on 22 the floor.</p>

5528	1 Q And the fact that it had been "ripped 2 out of her head," that was based on what Ms. Heard 3 told you, right? 4 A Yes. And common sense. 5 MS. VASQUEZ: If we could pull up 6 Pennington Exhibit 7, please. 7 Q Ms. Pennington, do you recognize this 8 photograph? 9 A Yes. 10 Q Is this a picture of a clump of hair on 11 the floor that you referenced in your prior 12 testimony? 13 A Yes. 14 Q Is this a picture of a clump of hair on 15 the floor that you referenced in your prior 16 testimony? 17 MR. BRENNER: Objection. Vague. 18 A Yes. 19 Q Did you take this photograph? 20 A Yes. 21 Q Did you take it on your phone? 22 A Yes.	5530	1 Q Where was the bed broken; if you 2 remember? 3 A It was a platform bed and the edge of 4 the platform had, like, a long shard of wood off 5 the corner – or, like, off the edge. 6 Q Where was the broken bed? In which 7 penthouse? 8 A 4. 9 Q In which room? 10 A The bedroom. 11 Q I'm going to show you a document that 12 will be marked Pennington Exhibit 8. Bears the 13 Bates number Pennington 5. 14 Do you recognize this photograph, 15 Ms. Pennington? 16 A Yes. 17 Q Did you take this photograph? 18 A Yes. 19 Q You see that on the left side of what I 20 assume is the mattress and the comforter, there 21 appears to be something on the bed? 22 A Is it possible to zoom in?
5529	1 Q And before you took this photograph, 2 did you move the hair in any way. 3 A No. 4 Q So this picture is the clump of hair 5 exactly as you found it, right? 6 A Correct. 7 Q And when did you take this photograph? 8 A When I was taking the other 9 photographs. 10 Q And you didn't alter this photo in any 11 way, correct? 12 A I did not alter this photo. 13 Q Do you recall taking a photograph of a 14 wooden platform bed which had a partially broken 15 bed frame? 16 A I do. 17 Q And did you photograph the bed just as 18 you found it? 19 A Yes. 20 Q You didn't move anything off or onto 21 the bed? 22 A No.	5531	1 Q Sure. Do you see, in the picture, 2 there appears to be something on the bed? 3 A Yes. 4 Q Is this something that was already 5 there when you found the bed? 6 A I don't remember seeing that before. 7 Q It's not something that you put on the 8 bed, right? 9 A No. 10 Q And you don't know what that is? 11 A No. 12 Q I believe you already testified that 13 the next day Ms. Heard was going on the James 14 Corden show, right? 15 A Which testify? Which deposition? 16 Q Today. 17 MR. BRENNER: Today. 18 THE WITNESS: Oh, today. 19 A The next day, yes. 20 Q And you were with Ms. Heard when she 21 was getting ready for the show at her apartment, 22 true?

<p style="text-align: right;">5532</p> <p>1 A True.</p> <p>2 Q And was this in penthouse 3?</p> <p>3 A 5.</p> <p>4 Q Do you remember that Samantha, Melanie, 5 and Adir were there assisting Ms. Heard in getting 6 ready?</p> <p>7 A Yes.</p> <p>8 Q Who is Samantha?</p> <p>9 A Samantha is Johnny's stylist, and was 10 also doing styling for Amber.</p> <p>11 Q And who is Melanie?</p> <p>12 A Amber's makeup artist.</p> <p>13 Q And who is Adir?</p> <p>14 A Her – Amber's hairstylist.</p> <p>15 Q Do you recall anybody else being there?</p> <p>16 A No.</p> <p>17 Q Did you hear Ms. Heard tell any one of 18 these people about her injury?</p> <p>19 A I remember her showing the injuries.</p> <p>20 Q Who did she show the injuries to?</p> <p>21 A She showed Melanie her lip and Adir the 22 missing hair on her head.</p>	<p style="text-align: right;">5534</p> <p>1 A At the time of this?</p> <p>2 Q Yes.</p> <p>3 A Yes.</p> <p>4 Q And do you recall where the dogs were 5 when you were in the bedroom with Ms. Heard on 6 April 22nd, 2016?</p> <p>7 A In – in the bed.</p> <p>8 Q Were you concerned about the dogs 9 injuring themselves on the glass?</p> <p>10 A Yes.</p> <p>11 Q Did she look upset?</p> <p>12 A When I arrived?</p> <p>13 Q Yes.</p> <p>14 A She was asleep.</p> <p>15 Q When she woke up, did she look upset to 16 you?</p> <p>17 A Yes.</p> <p>18 Q What made you think that she was upset, 19 or looked upset?</p> <p>20 A She started crying.</p> <p>21 Q Now, let's turn to the events of 22 May 21, 2016.</p>
<p style="text-align: right;">5533</p> <p>1 Q Ms. Pennington, I want to talk to you 2 about Ms. Heard's birthday in April 2016.</p> <p>3 Do you remember that after Ms. Heard's 4 birthday dinner, you and Ms. Heard and some other 5 friends were scheduled to leave for Coachella, the 6 day after?</p> <p>7 A Yes.</p> <p>8 Q So after the dinner -- I know you 9 attended the dinner, but after the dinner, the 10 next day, when you arrived to the penthouse, you 11 noticed shattered glass on Ms. Heard's bedroom 12 floor?</p> <p>13 A Correct.</p> <p>14 Q What kind of glass was it?</p> <p>15 A I don't know.</p> <p>16 Q Could you tell where it had come from?</p> <p>17 A I couldn't tell where it had come from.</p> <p>18 Q Did you notice any other damage in the 19 bedroom?</p> <p>20 A I believe there was a broken lamp.</p> <p>21 Q Ms. Heard had two dogs at the time, 22 correct?</p>	<p style="text-align: right;">5535</p> <p>1 Okay. At some point, did Ms. Heard 2 tell you that Mr. Depp wanted to come to the 3 penthouse to get some stuff on May 21st, 2016?</p> <p>4 A I don't remember at what exact date she 5 said that, but she said that.</p> <p>6 Q I'll make the representation to you 7 that we're talking about May 21st, 2016, where 8 Ms. Heard alleged that Mr. Depp threw a phone at 9 her.</p> <p>10 So, do you recall knowing that Mr. Depp 11 was planning to come by the Eastern Columbia 12 Building on or about May 21st, 2016, to collect 13 some stuff?</p> <p>14 A I remember that she told me that he 15 wanted to come over.</p> <p>16 Q Do you remember who was at the 17 penthouse before Mr. Depp came over?</p> <p>18 A On which – when?</p> <p>19 Q On May 21st, 2016. You were there, 20 obviously, correct?</p> <p>21 A Yes.</p> <p>22 Q And Ms. Heard was there?</p>

5536	<p>1 A Yes.</p> <p>2 Q Was Josh Drew there?</p> <p>3 A Yes.</p> <p>4 Q Was Elizabeth Marz there?</p> <p>5 A Yes.</p> <p>6 Q Were you all -- were you preparing for</p> <p>7 a jewelry show the next day that you were doing,</p> <p>8 Ms. Pennington?</p> <p>9 A I was preparing.</p> <p>10 Q Was anybody assisting you to prepare</p> <p>11 for that show?</p> <p>12 A Yes.</p> <p>13 Q And you were in penthouse 5 on</p> <p>14 May 21st, 2016, preparing for that show?</p> <p>15 A We were in and out of penthouse 5 and</p> <p>16 penthouse 1.</p> <p>17 Q At some point, Ms. Heard left penthouse</p> <p>18 1 and penthouse 5 and she went to penthouse 3,</p> <p>19 correct, at some point that evening?</p> <p>20 A Yes.</p> <p>21 Q Sometime after Ms. Heard left to go</p> <p>22 back to penthouse 3, you received a text message</p>	5538	<p>1 A Yes.</p> <p>2 Q Do you recall what they were saying to</p> <p>3 each other?</p> <p>4 A No.</p> <p>5 Q Do you recall the door being locked to</p> <p>6 penthouse 3, when you got there?</p> <p>7 A The door was always locked.</p> <p>8 Q Did you have a key?</p> <p>9 A Yes.</p> <p>10 Q Did you use the key to open the door?</p> <p>11 A Yes.</p> <p>12 Q I believe you previously testified that</p> <p>13 the penthouses 3, 4, and 5 were all connected; is</p> <p>14 that correct?</p> <p>15 A Correct.</p> <p>16 Q And, so, you can get from penthouse 5</p> <p>17 to penthouse 3 without going out the main hallway;</p> <p>18 is that right?</p> <p>19 A Correct.</p> <p>20 Q When you entered penthouse 3, only</p> <p>21 Mr. Depp and Ms. Heard were in the penthouse,</p> <p>22 right?</p>
5537	<p>1 from her, correct?</p> <p>2 A Yes.</p> <p>3 Q Do you remember where you were when you</p> <p>4 received this message?</p> <p>5 A PH1. Penthouse 1.</p> <p>6 Q Where was Mr. Drew?</p> <p>7 A With me in PH1.</p> <p>8 Q And where was Ms. Marz?</p> <p>9 A She was either with us in PH1 or in</p> <p>10 PH5.</p> <p>11 Q And do you remember what you were doing</p> <p>12 when you received this message?</p> <p>13 A No.</p> <p>14 Q What did you do after you received this</p> <p>15 message from Ms. Heard?</p> <p>16 A I went straight over to PH3.</p> <p>17 Q Could you hear, when you went straight</p> <p>18 over to PH3, Mr. Depp and Ms. Heard yelling?</p> <p>19 A Sorry, will you repeat just the</p> <p>20 beginning of the question? You broke up a bit.</p> <p>21 Q When you went to penthouse 3, could you</p> <p>22 hear Mr. Depp and Ms. Heard yelling.</p>	5539	<p>1 A Yes.</p> <p>2 Q Do you know where Mr. Depp was</p> <p>3 standing?</p> <p>4 A Yes.</p> <p>5 Q Where was he?</p> <p>6 A In the living room.</p> <p>7 Q What part of the living room?</p> <p>8 A The -- sort of like the entry. Like</p> <p>9 the in-between from the kitchen to the living</p> <p>10 room.</p> <p>11 Q And where was Ms. Heard?</p> <p>12 A On the other side of the living room.</p> <p>13 Q Was she by the couch?</p> <p>14 A Yes.</p> <p>15 Q And were they approximately -- how far</p> <p>16 apart?</p> <p>17 A Eight feet, ten feet.</p> <p>18 Q And they were both standing when you</p> <p>19 first came in?</p> <p>20 A Yes.</p> <p>21 Q What's the first thing you remember,</p> <p>22 Ms. Pennington, when you entered the penthouse.</p>

5540	<p>1 A The first thing I remember was just 2 hearing them. I don't remember what they were 3 saying, but it was a verbal argument and then he 4 continued to yell and -- I went over to her and 5 then stepped between them. 6 Q Where was Mr. Depp when you stepped 7 between them? 8 A He -- the sofa is an L, in the corner 9 of the living room. The coffee table fit into the 10 L shape. Amber was on the far side, Johnny was on 11 the other side of the L, with the coffee table 12 between them. 13 Q At some point, Mr. Depp's security team 14 came in; is that correct? 15 A Correct. 16 Q And that was Jerry Judge and Sean Bett? 17 A Yes. 18 Q Where was Mr. Depp standing when they 19 entered the apartment? 20 A In the space between the living room 21 and the kitchen. 22 Q And you were with Ms. Heard on the</p>	5542	<p>1 different places or which apartment they were in. 2 Q What did you do once you and Ms. Heard 3 got back to penthouse 1? 4 A She wanted her purse, so I asked Josh 5 to go find her purse in PH3. 6 Q Did you observe any property damage in 7 any of the penthouses? 8 A Yes. 9 Q What damage did you observe in 10 penthouse 3? 11 A He had smashed a bunch of the -- on his 12 way out, I saw this. On his way out, he had 13 knocked over a bunch of items that were on the 14 kitchen island, fruit baskets and bottles and 15 things like that. That was the main damage in 16 PH3. 17 Q What damage did you see in PH5? 18 A In PH5, there were photos that had been 19 smashed off the wall, items that I had been 20 working on, on the table, that had been thrown 21 against the wall, yeah. 22 Q You also observed injury to Ms. Heard's</p>
5541	<p>1 sofa? 2 A Yes. 3 Q Mr. Depp eventually left penthouse 3 4 (indiscernible due to audio distortion); is that 5 correct? 6 A Eventually, yes. 7 Q And he left you and Ms. Heard in 8 penthouse 3? 9 A Yes. 10 Q From the moment you entered penthouse 3 11 until Mr. Depp left, did you see Mr. Depp touch 12 Ms. Heard? 13 A I didn't see him touch her. 14 Q Did you see him throw anything at her? 15 A I didn't see him throw anything at her. 16 Q What did you do after Mr. Depp left 17 penthouse 3? 18 A We took Amber to penthouse 1. 19 Q Is that where Mr. Drew and Ms. Marz 20 were? 21 A I don't know where they were, 22 specifically. I don't know if they were in</p>	5543	<p>1 face, correct? 2 A Yes. 3 Q What did you see? 4 A Her cheek was red and swelling. 5 Q Do you recall when you noticed her 6 cheek? 7 A No. 8 Q But you didn't see how this occurred, 9 right? 10 A I didn't see. 11 Q At some point, two police officers 12 arrived; is that correct? 13 A At two points, two police officers 14 arrived. 15 Q Before the first set of police officers 16 showed up, had you cleaned up any of the damage in 17 penthouse 3 or 5? 18 A I don't remember. 19 Q Where were you when the police officers 20 arrived, the first set? 21 A PH3. 22 Q Did you see Ms. Heard speak to the</p>

<p>1 officers, the first set? 2 A Yes. 3 Q Did you see the officers enter 4 penthouse 3? 5 A Yes. 6 Q Did they look around penthouse 3? 7 A Yes. 8 Q Did they enter penthouse 5, the first 9 set of police officers? 10 A I'm not sure. 11 Q Is it your testimony, Ms. Pennington, 12 that the first set of police officers saw the 13 damage you alleged Mr. Depp caused in the 14 penthouse? 15 A I don't know what they saw, but there 16 was damage there. 17 Q And another set of two officers came 18 later that night; is that correct? 19 A Correct. 20 Q Between the first set of officers 21 leaving and the second set of officers arriving, 22 how much time had passed?</p>	<p>5544</p>	<p>1 Q Did you ever witness Mr. Depp strike 2 Ms. Heard? 3 A No. 4 Q Did you ever witness Mr. Depp throw 5 anything at Ms. Heard? 6 A I never witnessed him throw anything at 7 her. Around her, yes. 8 Q My question is, did you ever witness 9 Mr. Depp throw anything at Ms. Heard? 10 A No. 11 Q Did you ever witness Mr. Depp kick 12 Ms. Heard? 13 A No. 14 Q Did you ever see Mr. Depp physically 15 injure Ms. Heard, cause her an injury? 16 A I didn't see it. 17 Q So that's a no, right? 18 A I didn't see it. 19 MR. ROTTENBORN: Your Honor, at this 20 point, I start asking Ms. Pennington some 21 questions, so we'll play that. But may we just 22 approach?</p>	<p>5546</p>
<p>1 A I don't remember exactly. 2 Q Do you have an approximation of how 3 much time had passed? An hour or two? Less than 4 that? 5 A Less than three. 6 Q Three hours? Less than three hours? 7 A Less than three. 8 Q In this time, do you recall cleaning up 9 any of the damage to penthouse 3 or 5? 10 A I don't recall. 11 Q Do you recall Ms. Heard speaking to 12 either of the second set of officers? 13 A No. I don't remember if she did or 14 not. 15 Q Did these officers, the second set, 16 look around penthouse 3? 17 A I can guess, though, I don't know. 18 Q Ms. Pennington, have you ever 19 personally witnessed Mr. Depp physically attack 20 Ms. Heard? 21 A Yeah, can you be specific to 22 "physically attacked"?</p>	<p>5545</p>	<p>1 THE COURT: Sure. 2 MR. ROTTENBORN: Just to get straight 3 on some exhibits, please? 4 THE COURT: Okay. 5 (Sidebar.) 6 THE COURT: All right. 7 MR. ROTTENBORN: I just thought, since 8 in light of our conversation earlier, since we'll 9 have to use, I guess, e-versions of these 10 exhibits, I'll just put them on the record, what 11 they are, and then we'll get the Court copies. 12 THE COURT: Okay. Sure. 13 MR. ROTTENBORN: So, the exhibits that 14 we'll be redacting, in the way Your Honor directed 15 this morning, will be 700B, 701B. 16 THE COURT: Okay. 701B. 17 MR. ROTTENBORN: 700B. 18 THE COURT: Okay. 19 MR. ROTTENBORN: 702B, 703B, 704B, 20 708B, 710B, 714B, 718B, 719B, 720B, 721B, 722B, 21 723B, and then, there's two exhibits that haven't 22 yet been admitted into evidence.</p>	<p>5547</p>

<p>5548</p> <p>1 THE COURT: Okay. 2 MR. ROTTENBORN: These are 797 and 799. 3 They don't have metadata on them. 4 THE COURT: Okay. So they'll be as is? 5 MR. ROTTENBORN: They're both just 6 e-versions of the picture of Ms. Heard, and I 7 believe it's Jodi Gottlieb in the courthouse. 8 THE COURT: In the courthouse. 9 MS. VASQUEZ: In the courthouse. Do 10 you have a picture? 11 MR. ROTTENBORN: I don't, but 12 Ms. Meyers and I agreed that those would come in. 13 MS. MEYERS: The ones in the 14 courthouse, that's fine. 15 THE COURT: So, no objection to any of 16 those exhibits? All those in evidence. 17 MR. ROTTENBORN: And we'll get you 18 copies. 19 MS. VASQUEZ: Thank you, Your Honor. 20 MR. ROTTENBORN: Sure. Thank you. 21 (Open court.) 22 MR. ROTTENBORN: Thank you, Your Honor.</p>	<p>5550</p> <p>1 A No. 2 Q Are you -- would you consider yourself 3 adverse or hostile to either party? 4 A No. 5 Q Any other time that you can remember? 6 A Not specifically, no. 7 Q Was there a name for what you describe 8 as Mr. Depp's different self? 9 A Yes. 10 Q What was that name? 11 A We called it "the monster." 12 Q Who is "we"? 13 A All of us, me, Johnny, Amber, and 14 anyone else in the inner circle that was privy to 15 the private things that would happen. 16 Q How do you know that Johnny called it 17 "the monster"? 18 A He named it that. 19 Q You heard him refer to this other 20 version of himself as "the monster," directly? 21 A Either heard or saw it written in a 22 text.</p>
<p>5549</p> <p>1 Are we ready to start? 2 THE COURT: Yes. Sorry. 3 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 4 COUNTERCLAIM PLAINTIFF 5 BY MR. ROTTENBORN: 6 Q Now, I understand that you testified, a 7 number of times, about some of the events that we 8 touched on yesterday, right? 9 A Yes. 10 Q Has there ever been anything, in any of 11 those prior sworn statements or testimony that 12 you've given, that has prevented you from telling 13 the truth? 14 A No. 15 Q And is all of your prior sworn 16 testimony, including the testimony you gave 17 yesterday, true and accurate, to the best of your 18 knowledge? 19 A Yes. 20 Q Are you here today on behalf of one 21 side or the other? And by that, I mean on behalf 22 of Amber or on behalf of Johnny?</p>	<p>5551</p> <p>1 Q Did you receive texts from Mr. Depp 2 referring to this other version of himself as the 3 monster? 4 A I can't remember, specifically, any of 5 them. 6 Q But you do recall hearing or reading 7 Mr. Depp directly referring to himself as "the 8 monster"? 9 A Yes. 10 Q And why did you do that? 11 A She asked for my help. 12 Q And over the course of your 13 relationship, when Amber needed your help, you 14 tried to be there for her, right? 15 A Yes. 16 Q What do you mean by "scary"? 17 A I was scared for Amber. I was sad for 18 her, and I was also sad for Johnny because he is 19 my friend too. And I really wanted them to be 20 able to get it together. 21 Q Why were you scared for Amber? 22 A He could be very unpredictable. And</p>

5552	<p>1 she didn't have a lot of self-preservation.</p> <p>2 Q What specifically -- what type of harm</p> <p>3 were you worried about for Amber?</p> <p>4 A In the beginning, I wasn't worried.</p> <p>5 Towards the end, when the physical abuse was more</p> <p>6 evident, I was worried. I was worried for her</p> <p>7 physical safety. I was worried that when he</p> <p>8 turned, he might accidentally do something that</p> <p>9 was worse than he ever intended.</p> <p>10 Q When you say -- talk about "abuse," is</p> <p>11 this signs of abuse that you personally observed?</p> <p>12 A Can you explain what you mean,</p> <p>13 specifically, by that?</p> <p>14 Q Did you observe physical effects on</p> <p>15 Amber of that abuse?</p> <p>16 A Yes.</p> <p>17 Q You testified a little bit yesterday</p> <p>18 about an incident between Johnny and Amber that</p> <p>19 took place in Hicksville.</p> <p>20 Do you remember that?</p> <p>21 A Yes.</p> <p>22 Q Tell me, as best you can, everything</p>	5554	<p>1 to defuse the situation.</p> <p>2 Q Did you perceive Kelly Sue to be acting</p> <p>3 inappropriately in any way toward Ms. Heard?</p> <p>4 A No.</p> <p>5 Q Had you seen -- when you say "a switch</p> <p>6 flipped" in Mr. Depp -- that was your testimony,</p> <p>7 right?</p> <p>8 A Just now?</p> <p>9 Q Yeah, just now.</p> <p>10 A Yeah.</p> <p>11 Q Was it surprising to you to see?</p> <p>12 A No.</p> <p>13 Q Why not?</p> <p>14 A He switched sometimes.</p> <p>15 Q And what do you mean by that, when you</p> <p>16 say "he switched"?</p> <p>17 A Johnny would be acting, like, his</p> <p>18 wonderful self for a certain portion of an</p> <p>19 occasion where people were hanging out or</p> <p>20 sometimes just privately at home. And I never</p> <p>21 knew what caused it. A switch would happen to</p> <p>22 where he would either disappear, go somewhere off</p>
5553	<p>1 that you remember about that.</p> <p>2 A We were sitting around the campfire, I</p> <p>3 don't remember who the larger group was, and Amber</p> <p>4 and Kelly Sue were sitting on a chair together,</p> <p>5 hugging, and Johnny came up and said, "Get your</p> <p>6 hands off my woman."</p> <p>7 And it was surprising because it was a</p> <p>8 very benign, two friends sitting on the same</p> <p>9 chair, hanging out. And it was also surprising</p> <p>10 because Johnny had been hanging out with everybody</p> <p>11 in a friendly way, and a switch flipped when that</p> <p>12 happened.</p> <p>13 And Amber got up, went to go comfort</p> <p>14 Johnny and then -- and then they went back to</p> <p>15 their trailer.</p> <p>16 Q How would you describe Johnny's tone</p> <p>17 when he said "get off my woman"?</p> <p>18 A At first, I thought it was a joke. I</p> <p>19 thought he was kidding because it was so</p> <p>20 unexpected from the way that the rest of the night</p> <p>21 had been going, and then at some point, I think</p> <p>22 Amber realized that it was not a joke and got up</p>	5555	<p>1 by himself, or his mood would change to something</p> <p>2 darker and -- yeah.</p> <p>3 Q What do you recall, and we'll get to</p> <p>4 specific incidents in a little bit, but when you</p> <p>5 say "his mood would change to something darker,"</p> <p>6 do you remember any specific examples of times</p> <p>7 that you witnessed when his mood would change to</p> <p>8 something darker?</p> <p>9 A I can't remember, at this moment,</p> <p>10 specific times. When it would happen, generally,</p> <p>11 he would go away from where the rest of the people</p> <p>12 were, Amber would follow to comfort. Sometimes</p> <p>13 they wouldn't come back; sometimes they would.</p> <p>14 Q Okay. And tell us about the next</p> <p>15 morning at Hicksville, what you saw and observed.</p> <p>16 A I went to the trailer to go knock on</p> <p>17 the door. I think they already left, though. I</p> <p>18 went in and saw the disarray.</p> <p>19 Q Describe the disarray, as best you can.</p> <p>20 A Like I said yesterday, the light</p> <p>21 fixtures had been knocked off. Things were strewn</p> <p>22 about the trailer, cushions off the couch, I</p>

5556	<p>1 think. 2 Q Over the course of -- now you've known 3 Ms. Heard since 2003, right? 4 A Yes. 5 Q Have you ever known her to knock light 6 fixtures off the wall? 7 A No. 8 Q Have you ever known her to throw 9 pillows and cushions off couches? 10 A No. 11 Q Have you ever known her to get in a 12 rage and destroy property? 13 A No. 14 Q Have you ever known her to threaten 15 someone's life? 16 A No. 17 Q What did Amber tell you -- well, did 18 you ever have a conversation with Ms. Heard about 19 what happened in that trailer in Hicksville? 20 A Yes. 21 Q I'd like to fast-forward a little bit 22 in time, Ms. Pennington, to an episode that we</p>	5558	<p>1 can remember, starting with the day before, and I 2 may interrupt you and ask you to clarify certain 3 things, but tell me everything you remember. 4 A So, she asked me to come over to her 5 residence, PH3 or PH5, I don't remember which one 6 I entered, and she was very upset. Her face was 7 red, swollen. The hair had been ripped out of her 8 head. I went through all of the penthouses. She 9 didn't cancel. I don't think I even slept that 10 night, watching her, just to make sure she 11 didn't -- 12 Q Is that because you were worried she 13 had a concussion? 14 A Yes. 15 Q Why did you tell her that you were 16 going to go take pictures throughout the 17 penthouses? 18 A Why wouldn't I? 19 Q Ms. Pennington, I'm going to -- you saw 20 a few selected pictures yesterday. I'm going to 21 show you a number of pictures today that we need 22 to go through, and I'll ask you some questions</p>
5557	<p>1 talked about yesterday to some extent. 2 Do you remember being with Amber after 3 something had happened the day before she went on 4 the James Corden show, in December 2015? 5 A Yes. 6 Q What do you remember? And I know this 7 is painful and emotional, but give me your best 8 recollection of what you recall from that time 9 period. 10 A From the night before? 11 Q You were -- were you with Amber the 12 night before the James Corden appearance? 13 A Yes. 14 Q And were you with her the day of the 15 James Corden appearance? 16 A Yes. 17 Q And did you observe Ms. Heard and 18 Ms. Heard's residence the day before the James 19 Corden appearance and the day of the James Corden 20 appearance? 21 A Yes. 22 Q So, with that, tell me everything you</p>	5559	<p>1 about them, okay? 2 AV TECHNICIAN: Are you able to see 3 Exhibit 15? 4 MR. ROTTENBORN: Yeah, I can see it. 5 Q Can you, Ms. Pennington? 6 A Yes. 7 Q Ms. Pennington, does this -- does this 8 picture truly and accurately depict Ms. Heard's 9 appearance on December 2015, during the night that 10 you just discussed? 11 A Yes. 12 Q Do you know whether or not you took 13 this picture? 14 A I do not. 15 Q And you were with Ms. Heard that 16 evening after the incident? 17 A I was. 18 Q What room was this taken in? 19 A This is the bathroom of Johnny and 20 Amber's bedroom in PH3. 21 Q What injuries, if any, do you observe 22 on Ms. Heard in this picture?</p>

<p>5560</p> <p>1 A Her right eye has a mark and a bruise. 2 Her nose is swollen. There's bruising on her left 3 eye as well. 4 AV TECHNICIAN: And Exhibit 16 is up. 5 Q What is this picture, Ms. Pennington? 6 A It is a picture of Amber's face. 7 That's bruising and a mark on her right eye, 8 swelling on her nose, bruising on the left eye. 9 In the same bathroom. 10 Q And when was this picture taken? 11 A I assume the same night. 12 Q Is that the night of December 2015, 13 that you've been testifying about for the last few 14 minutes? 15 A Yeah. 16 Q Do you see, behind Ms. Heard's left 17 ear, there's a picture on the wall, and then a 18 writing, a note above the picture? 19 A Yes. 20 Q What is -- what is that note signed; if 21 you can tell? 22 A Steve.</p>	<p>5562</p> <p>1 AV TECHNICIAN: Exhibit 17 is up. 2 Q What is this a picture of, 3 Ms. Pennington? 4 A Amber's face turned at a slight profile 5 with a bruise on her eye, swelling on her nose. 6 Q And when was this picture taken? 7 A Appears to be the same night, the 8 moment of the previous two pictures. 9 Q Does this picture fairly and accurately 10 depict, at least in part, Ms. Heard's appearance 11 on that night? 12 A Yes. 13 AV TECHNICIAN: Exhibit 18 is up. 14 Q What is this document, Ms. Pennington? 15 A It's a photo of Amber's face with two 16 black eyes and swollen bottom lip, swollen nose. 17 Q Did you take this photo? 18 A I don't remember. 19 Q You said a swollen nose? 20 A Yes. 21 Q Does this picture fairly and accurately 22 depict, at least in part, Ms. Heard's appearance</p>
<p>5561</p> <p>1 Q To your understanding, who is Steve? 2 A Johnny. 3 Q And what does it say right above that? 4 A It says "Your Steve." 5 Q What's the line above that say? 6 A Eternally. All, something, always up, 7 three exclamation points. "Love you eternally, 8 Your Steve." 9 Q And "Steve," in that note, refers to 10 the same man that you understood to have been 11 inflicted these injuries on Ms. Heard, correct? 12 A Yes. 13 Q And does this picture truly and 14 accurately reflect what you observed on Ms. Heard 15 in that night, in December 2015? 16 A Partially. 17 Q When you said "partially," what do you 18 mean by that? 19 A You can't see the rest of the injuries. 20 Q What other injuries are you referring 21 to? 22 A The hair being pulled out.</p>	<p>5563</p> <p>1 on that night, December 15, 2015? 2 A Yes. 3 Q Did you take pictures of Ms. Heard that 4 night? 5 A Yes. 6 Q Do you believe that you took this 7 picture? 8 A I don't know. 9 Q But in any event, it accurately 10 reflects what Ms. Heard -- Ms. Heard's appearance 11 from that evening? 12 A Yes. 13 AV TECHNICIAN: Exhibit 19 is up. 14 Q And I'm sorry, this is so hard, 15 Ms. Pennington. We just need to get through it. 16 What is this picture? 17 A This is Amber's face, turned to 18 profile, showing more of her bottom bloody lip and 19 her right bruised eye. 20 Q And what night does this -- or when 21 does this show Amber? 22 A It appears to be the same night and the</p>

<p>5564</p> <p>1 same series of photos as before. 2 Q Where was this picture taken; if you 3 know? 4 A Oh, it's in the bedroom, facing the -- 5 she's sitting on the bed, and it's facing the 6 windows. 7 Q Was anyone with you and Amber that 8 night after you came over? 9 A I don't think so, no. 10 Q So, is it fair to assume that either 11 you or Amber took this picture? 12 A Yes. 13 Q Does it look like Ms. Heard took this 14 picture? 15 A No. 16 Q Do you recall taking this picture? 17 A I took a lot of pictures. It would 18 be -- yes. 19 Q Does Ms. Heard's lower lip look like 20 it's just chapped? 21 A No, it does not. 22 Q Does it look like she just has a cold</p>	<p>5566</p> <p>1 night on December 15, 2015, that we've been 2 discussing? 3 A Yes. 4 AV TECHNICIAN: Exhibit 21 is up. 5 Q What is this a picture of, 6 Ms. Pennington? 7 A This is a close-up picture of the side 8 of Amber's nose and mouth. She has -- 9 Q Did you take -- go ahead. Go ahead. 10 A She has swelling and an injury on her 11 bottom lip. 12 Q Are there any other injuries you 13 observe in this picture? 14 A You can see -- you could see, at the 15 top of the photo, bruising on her eye and a small 16 mark underneath her -- underneath her bottom right 17 lip. 18 Q Did Ms. Heard -- did she typically have 19 that small mark underneath her eye or bruising 20 around her eyes? 21 A She did not usually have that small 22 mark or bruising underneath her eyes.</p>
<p>5565</p> <p>1 sore? 2 A It does not look like a cold sore. 3 AV TECHNICIAN: Exhibit 20 is up. 4 Q What is this a picture of, 5 Ms. Pennington? 6 A This is a picture of the -- of Amber's 7 hairline, a scratch injury on the hairline, and my 8 thumb holding the hair back so that you can see 9 it. 10 Q Is this -- does this picture depict 11 marks that you saw on Amber on the night in 12 December 2015, that we've been discussing? 13 A Or the next morning. 14 Q One or the other? 15 A Yes. 16 MR. ROTTENBORN: And, Lucas, if you 17 could just go back, really quickly, to the last 18 picture, please. Pennington 19. 19 Q I may have asked you this, 20 Ms. Pennington, but I just want to make clear for 21 the record. Does this picture fairly and 22 accurately depict Ms. Heard's appearance on that</p>	<p>5567</p> <p>1 Q Did she typically have injuries to her 2 lip? 3 A Sometimes. 4 Q And over the course of your friendship 5 with Ms. Heard, during the time that she was in a 6 relationship with Mr. Depp, how often would you 7 all communicate? 8 A Sorry. Can you repeat that question? 9 Q During the time that Ms. Heard was in a 10 relationship with Mr. Depp, how often would you 11 communicate with Ms. Heard? Like, every day? 12 A When she was filming, less. When she 13 was home, all the time. 14 Q And you just testified, I believe, it 15 wasn't the only incident in which you observed 16 injuries to Ms. Heard's face or lips, correct? 17 A Correct. 18 Q Were there any other times that you 19 observed injuries to Ms. Heard's face or lips? 20 A Yes. 21 AV TECHNICIAN: Exhibit 22 is up. 22 Q What is this a picture of,</p>

5568	1 Ms. Pennington? 2 A The picture is hair pulled back to show 3 the abrasion on the scalp where hair has been 4 removed. 5 Q Whose head is that? 6 A That's Amber's head. 7 Q Was this -- do you know when this 8 picture was taken? 9 A Either the night of the event or the 10 next day. 11 Q And by "event," you're referring to the 12 event in December of 2015, that we've been talking 13 about? 14 A Yes. 15 Q Do you recall taking this picture, 16 Ms. Pennington, of Ms. Heard's scalp? 17 A Yes. 18 Q Does this picture fairly and accurately 19 depict the top of Ms. Heard's scalp during the day 20 of or at -- the day after the December 2015 21 incident that you've been giving testimony about? 22 A Yes.	5570	1 out clumps of her own hair? 2 A No. 3 Q Did Ms. Heard ever paint on bruises or 4 use makeup to make it appear as if she had a 5 bruise when, in fact, she didn't, to your 6 knowledge? 7 A No. The opposite. 8 Q What do you mean when you say "the 9 opposite"? 10 A She often had to cover bruises and 11 injuries on her face with makeup. 12 Q Did you see her cover bruises on her 13 face with makeup? 14 A Yes. 15 MR. ROTTENBORN: Can we pull up the 16 document entitled December 2015, ALH28_B, please. 17 Q What is this picture, Ms. Pennington? 18 A It is a picture of Amber. She has a 19 mark underneath her right eye. She has her coat 20 and her shirt on. They're in the kitchen. She's 21 in the kitchen of PH3. 22 Q Do you know when, or approximately when
5569	1 AV TECHNICIAN: Exhibit 23 is up. 2 Q What is this a picture of, 3 Ms. Pennington? 4 A It's a picture of a clump of Amber's 5 hair on the black carpet in the bedroom, PH4, with 6 my finger there to show the scale of the hair. 7 Q Did you take this picture? 8 A Yes. 9 Q When did you take this picture? 10 A Either the night of the event -- the 11 night of the event, the December -- the occurrence 12 that we've been talking about. 13 Q You mean December of 2015? 14 A Yes. 15 Q And how did you know that that was 16 Amber's hair? 17 A Hair had been ripped out of her head. 18 This is the color of her hair. It's her home. 19 Q And this, you said, was in the bedroom 20 of penthouse 5? 21 A 4. 22 Q Have you ever known Ms. Heard to pull	5571	1 this picture was taken? 2 A The day following the December event or 3 the day after, maybe. I don't know exactly when. 4 Q And did you take this picture? 5 A I don't know. 6 Q Does it fairly and accurately depict 7 Amber's appearance on the day you described? 8 A On one of the days following, yes. 9 AV TECHNICIAN: Exhibit 25 is up. 10 Q Do you know what this is a picture of, 11 Ms. Pennington? 12 A This is a picture of the nightstand on 13 the right side of the bed in Johnny and Amber's 14 bedroom in PH3. It has the lamp that's fallen 15 down, book of rolling papers, half a lemon, 16 plastic coffee mug of Infinitum Nihil, which is 17 Johnny's production company, a bottle of Tums, a 18 bottle of tea, broken glass, and a small, blue 19 book. There's more, but I can't make out what 20 that is. 21 Q Did you ever know Amber to break glass 22 next to her bed?

<p>5572</p> <p>1 A No.</p> <p>2 Q What's your knowledge about Mr. Depp's</p> <p>3 tendency to break things made of glass?</p> <p>4 A My knowledge is that I saw him do it</p> <p>5 once, and then I saw the aftermath of him breaking</p> <p>6 glass many times.</p> <p>7 Q And on that evening in December 2015,</p> <p>8 did you see -- that we've been discussing, did you</p> <p>9 see broken glass around the residence?</p> <p>10 A Yes.</p> <p>11 Q Let's go to the next picture,</p> <p>12 December 2015, ALH_509_B.</p> <p>13 You've seen this picture before.</p> <p>14 What's this a picture of,</p> <p>15 Ms. Pennington?</p> <p>16 A This is a picture of the platform bed</p> <p>17 in the bedroom of penthouse 4; the edge of the</p> <p>18 platform bed has a shard of wood that has broken</p> <p>19 off onto the floor.</p> <p>20 Q Did you take this picture?</p> <p>21 A Yes.</p> <p>22 Q When did you take it?</p>	<p>5574</p> <p>1 A No.</p> <p>2 Q Ms. Pennington, in all the photos that</p> <p>3 you have taken of evidence or incidents or the</p> <p>4 aftermath of incidents between Amber and Johnny,</p> <p>5 have you ever done anything to alter those photos</p> <p>6 or, you know, make them appear to depict something</p> <p>7 that wasn't actually there or wasn't actually</p> <p>8 real?</p> <p>9 A No.</p> <p>10 Q I want to talk about the day of the</p> <p>11 Late Late Show. When I say that, do you</p> <p>12 understand I'm referring to Amber's appearance on</p> <p>13 the James Corden show?</p> <p>14 A Yes.</p> <p>15 Q The Late Late Show with James Corden.</p> <p>16 Were you with Amber when she got ready</p> <p>17 for her appearance on that show?</p> <p>18 A Yes.</p> <p>19 Q Who else was present?</p> <p>20 A Adir, who's her hairstylist, Melanie,</p> <p>21 her makeup artist, and Samantha, her stylist.</p> <p>22 Q Were you there when her hair and makeup</p>
<p>5573</p> <p>1 A Either the night of the event of the</p> <p>2 next day.</p> <p>3 Q And when you say "event," are you</p> <p>4 referring to -- what are you referring to?</p> <p>5 A The December 15th event that we've been</p> <p>6 speaking about.</p> <p>7 Q You said December 15th. You mean</p> <p>8 December 2015?</p> <p>9 A Yeah, sorry. 2015.</p> <p>10 Q And where is this bed in the residence?</p> <p>11 A This is in the penthouse 4. It's the</p> <p>12 middle penthouse between the main residence, PH3,</p> <p>13 Amber's closet, PH5. This is the -- one of the</p> <p>14 rooms that you walk through to get to -- to go</p> <p>15 through the upper story of the homes.</p> <p>16 Q Have you ever known Ms. Heard to</p> <p>17 destroy a bed frame?</p> <p>18 A No.</p> <p>19 Q Have you ever known -- go ahead, sorry.</p> <p>20 A No.</p> <p>21 Q Have you ever known Ms. Heard to</p> <p>22 destroy furniture, generally?</p>	<p>5575</p> <p>1 was being styled or put on before her appearance</p> <p>2 on James Corden?</p> <p>3 A Yes.</p> <p>4 Q Did you see anyone paint on a -- a</p> <p>5 wound on her lip or put makeup on her face to make</p> <p>6 it appear that there was a wound on her lip?</p> <p>7 A No.</p> <p>8 Q Did you observe anyone ripping clumps</p> <p>9 of her hair out of her head?</p> <p>10 A No.</p> <p>11 Q Ms. Pennington, did you -- to the</p> <p>12 extent that it's alleged that Ms. Heard had no</p> <p>13 injuries when she went on the James Corden show,</p> <p>14 what is your reaction to that?</p> <p>15 A My reaction is that that is a false</p> <p>16 assessment or statement.</p> <p>17 Q And what's the basis for that</p> <p>18 testimony?</p> <p>19 A Because I saw injuries on her body from</p> <p>20 the time directly after they happened, throughout</p> <p>21 the next night, the next day, and as they</p> <p>22 continued to heal.</p>

<p>1 Q In the time that you spent with Johnny, 2 did he ever express a similar sentiment, that he 3 was a screw-up, or fuck up, in his words? 4 A Yes. 5 Q And what did you -- tell me what you 6 can remember about the instances when he said that 7 and what your understanding was of what he meant. 8 A My understanding was that he was sorry 9 and apologetic and -- 10 Q For what? 11 A For his behavior. 12 Q When you say "behavior," what are you 13 referring to? 14 A Verbal arguments, physical arguments. 15 Q And that was what he made clear to you 16 in things that he said to you; is that right? 17 A What he made clear to me in our 18 conversations was that he was very sorry, and that 19 he was working to get clean and get better. And 20 that he was asking for forgiveness and trying to 21 think that he was going to get better. 22 Q Did you ever see him get better?</p>	<p>5576</p> <p>1 (Recess taken from 10:41 a.m. to 2 11:00 a.m.) 3 THE BAILIFF: All rise. 4 Please be seated and come to order. 5 THE COURT: All right. Are we ready 6 for the jury? 7 MR. ROTTENBORN: Yes, Your Honor. 8 THE COURT: Okay. 9 MR. ROTTENBORN: Thank you. 10 (Whereupon, the jury entered the 11 courtroom and the following proceedings took 12 place.) 13 THE COURT: All right. You can be 14 seated. 15 Do you want to continue with your 16 witness? 17 MR. ROTTENBORN: Yes, we'll resume with 18 testimony of Raquel Pennington, Your Honor. 19 THE COURT: Okay. Thank you. 20 BY MR. ROTTENBORN: 21 Q I want to talk about the events of 22 May 21st, 2016.</p>
<p>5577</p> <p>1 A Yeah. 2 Q When? 3 A A lot of times. 4 Q But did you ever see him get better 5 permanently? 6 A No. 7 MR. ROTTENBORN: Your Honor, at this 8 point, we start questioning Ms. Pennington about 9 May 21st. We're happy to keep going, but if you 10 wanted to take a break. I think we're about 11 halfway through this volume. 12 THE COURT: Okay. Let's go ahead and 13 take our morning recess for 15 minutes. Again, do 14 not discuss the case with anybody and don't do any 15 outside research, okay? 16 (Whereupon, the jury exited the 17 courtroom and the following proceedings took 18 place.) 19 THE COURT: All right. Let's just come 20 back at 11:00, then, okay? 21 MR. ROTTENBORN: Thank you, Your Honor. 22 THE BAILIFF: All rise.</p>	<p>5579</p> <p>1 Do you remember that night, 2 Ms. Pennington? 3 A Yes. 4 Q Walk us through what you recall about 5 the evening of May 21st, 2016. 6 A So, in PH5, I was getting things ready 7 for an art and craft show that I had, and making 8 jewelry, and my friend Liz was there, Josh was 9 there, Amber was helping. We were set up in the 10 downstairs living room of PH5, and -- 11 Q Liz Marz? 12 A Liz Marz, yes. 13 Q And your fiancé, Joshua Drew? 14 A Right. 15 At some point, we got a message from 16 Johnny saying that he wanted to come over and talk 17 or pick something up. I don't remember what the 18 exact message was, and I thought it was a really 19 bad idea, but you can't stop somebody from coming 20 over to their own home. So Amber went upstairs to 21 get ready for him to come over and, eventually, he 22 showed up. I didn't see him show up. I didn't</p>

<p style="text-align: right;">5580</p> <p>1 hear him show up. He went to PH3, and then at 2 some point, I got a text from her, or I might have 3 checked in, or got a text from her that said "come 4 over." 5 So I tried to come over there and the 6 door was locked, their front door was locked. So 7 I went to go get my key. I have a master key – I 8 had a master key to all of the apartments. And I 9 came back, unlocked the door and he was yelling. 10 I don't remember exactly what he was saying. And 11 she was calling for help. And that had never 12 happened before. Saying, help, help me. 13 I went and I cut through the space 14 between the coffee table and the sofa, and I went 15 up to him and he was yelling and yelling. And I 16 just – I put my hands up on his chest and I was 17 like, stop, just stop. Just trying to calm him 18 down. And he hit my hands away, and so I just 19 went straight over the Amber. She sat down on the 20 couch. She was crying. And I just put my body 21 over her and he came a little bit closer to us and 22 he was yelling at her to, like, get up, or I don't</p>	<p style="text-align: right;">5582</p> <p>1 waiting for it to pass and clear, until a little 2 bit later. And then I think Josh came in. 3 Q Why did you get between and put your 4 hands on Mr. Depp and get between him and 5 Ms. Heard? 6 A I just thought I could calm him down. 7 Q And when he hit your hands away and 8 then you went and laid on her, why did you do 9 that? 10 A Just the thing to do. 11 Q How would you describe Mr. Depp's mood? 12 A Irate. 13 Q Were you afraid that Mr. Depp was going 14 to hurt Ms. Heard? 15 A Yes. 16 Q And -- 17 A Yes. 18 Q -- when he stood over you, you 19 testified a little bit to it, but describe what he 20 was yelling as he stood over the couch. 21 A I don't remember anything that he said. 22 The statement that sticks out the most is that he</p>
<p style="text-align: right;">5581</p> <p>1 know, quit crying, or get up or something. And it 2 was really loud and he was getting closer and 3 closer. And I remember thinking there was this, 4 like, big, orange, ceramic ashtray on the coffee 5 table, and I was thinking, if he gets any closer, 6 I was going to pick up that ashtray and hit him 7 with it, because he was so close over us. And 8 then, at that point, Jerry and Sean came in from 9 the front door of PH3 and came in and they were 10 like, boss, boss, you know, come on, let's get out 11 of here. And Jerry always called him boss. He's 12 like, boss, come on, come on, boss. Let's go, 13 let's go. 14 And then Johnny grabbed like his bag, 15 his leather bag off the stool that was by the 16 island, and he had a big magnum bottle of wine and 17 he was, like, smashing stuff off the island and 18 yelling. I don't remember exactly what he was 19 saying. And they finally, they finally left. And 20 I could hear out in the hall just, like, banging 21 and smashing clattering around. I was just 22 holding Amber, sort of just waiting for the --</p>	<p style="text-align: right;">5583</p> <p>1 was just yelling at her to get up. To get the 2 fuck up. 3 Q Did you let her? 4 A No. 5 Q Where were you -- just to be clear, 6 where were you when you received the message from 7 Amber asking you to come over to penthouse 3? 8 A In either P5 – PH5 or PH1. 9 Q You weren't already in penthouse 3 when 10 you got that text? 11 A No. 12 Q To the extent that there are 13 allegations that you were lying in wait in 14 penthouse 3, before Johnny walked into that 15 penthouse, how do you respond to those? 16 A That is not true. 17 Q I will also represent to you, 18 Ms. Pennington, that Mr. Depp's lawyer has been 19 quoted as saying "Amber Heard and her friend 20 Rocky Pennington staged the May 21 crime scene to 21 prove the abuse allegation against Johnny Depp." 22 Is that statement true?</p>

<p>5584</p> <p>1 A No.</p> <p>2 Q Did you stage anything about May 21st,</p> <p>3 2016?</p> <p>4 A No.</p> <p>5 Q Did Amber stage anything, to your</p> <p>6 knowledge, about May 21st, 2016?</p> <p>7 A No.</p> <p>8 Q Describe for us the damage that you</p> <p>9 observed Mr. Depp cause to the penthouses, to</p> <p>10 penthouse 3.</p> <p>11 A In 3, stuff had been knocked off the</p> <p>12 kitchen counter. Stuff had been knocked off of</p> <p>13 the bar cart.</p> <p>14 Q By whom?</p> <p>15 A By Johnny. I saw this happen on his</p> <p>16 way out. He was smashing stuff.</p> <p>17 Q With his -- with what?</p> <p>18 A With the wine bottle.</p> <p>19 Q What other damage can you remember</p> <p>20 Mr. Depp causing?</p> <p>21 A In the hallway, there was wine</p> <p>22 spilled -- wine splash, spilled in the hallway.</p>	<p>5586</p> <p>1 see where the damage had been done?</p> <p>2 A Eventually.</p> <p>3 Q Ms. Pennington, what is this a picture</p> <p>4 of; if you know?</p> <p>5 A This is a picture of the living room in</p> <p>6 PH5 with the back corner of the sofa. It has the</p> <p>7 beads that I had been working on and the stand</p> <p>8 that I used to display them thrown to the wall.</p> <p>9 Some of the beads are on the windowsill. The</p> <p>10 stand is broken.</p> <p>11 Q And did you -- does this fairly and</p> <p>12 accurately reflect damage that you saw to</p> <p>13 penthouse 5 on May 21st, 2016?</p> <p>14 A Yes.</p> <p>15 AV TECHNICIAN: Exhibit 30 is up.</p> <p>16 Q What is this a picture of; if you know?</p> <p>17 A This is a picture of the -- Johnny and</p> <p>18 Amber's bed, bedroom, bed, in PH3. It has several</p> <p>19 photos, framed photos, stacked on it.</p> <p>20 Q And do those photos appear to be</p> <p>21 intact?</p> <p>22 A These do, yes.</p>
<p>5585</p> <p>1 There was a dent on the outside of PH1's door,</p> <p>2 front door. And then, in PH5, where we had been</p> <p>3 getting stuff ready for my craft fair, my jewelry</p> <p>4 and materials had been thrown against the wall,</p> <p>5 and everything that was on the table was, like,</p> <p>6 strewn off of the table, thrown down.</p> <p>7 Q I'd like to go through with you some</p> <p>8 photographs of the incident that we talked about.</p> <p>9 MR. ROTTENBORN: So can you pull up</p> <p>10 May 21, 2016, ALH7051, please.</p> <p>11 Q While he's pulling that up,</p> <p>12 Ms. Pennington, did you or -- either yourself or</p> <p>13 anyone else, take photographs of the aftermath of</p> <p>14 this incident?</p> <p>15 A Yes.</p> <p>16 Q Who took photographs?</p> <p>17 A Josh Drew. That's the only person that</p> <p>18 I can say for sure.</p> <p>19 Q Were you with Mr. Drew when he was</p> <p>20 taking the photographs?</p> <p>21 A I can't remember.</p> <p>22 Q Did you go through the penthouses to</p>	<p>5587</p> <p>1 Q In your experience, did those photos</p> <p>2 normally sit on the bed?</p> <p>3 A No.</p> <p>4 Q Does this -- did you witness -- well,</p> <p>5 was this part of the aftermath of what Mr. Depp</p> <p>6 did in penthouse 3?</p> <p>7 A I didn't see him take these down, but</p> <p>8 they were not down before he came over.</p> <p>9 Q Does it fairly and accurately depict</p> <p>10 what you witnessed the night of May 21st, 2016?</p> <p>11 A I didn't see this happen, but I did see</p> <p>12 this scenario.</p> <p>13 Q You saw the pictures, that's my</p> <p>14 question. Does this fairly and accurately depict</p> <p>15 something that you personally saw on May 21st,</p> <p>16 2016?</p> <p>17 A Yes.</p> <p>18 Q All right.</p> <p>19 MR. ROTTENBORN: Let's pull up 7053,</p> <p>20 please.</p> <p>21 Q So my question, Ms. Pennington, will</p> <p>22 be, what is this a picture of?</p>

<p style="text-align: right;">5588</p> <p>1 A Can I – can the info thing move off to 2 the side? 3 Q You know, no, I don't -- not in this 4 version of the pictures. So I apologize for that. 5 If you need it zoomed in or out. 6 A I – it's the landing of one of the 7 staircases. 8 Q And what do you see on the picture? 9 A It's broken glass and something spilled 10 on the landing of one of the staircases. I can't 11 tell if it's P3 or P5. 12 Q Okay. Does this picture fairly and 13 accurately depict something that you observed on 14 the night of May 21st, 2016? 15 A Yes. 16 Q Did you ever know Ms. Heard to smash 17 glasses on staircases? 18 A No. 19 Q Did you find that question vague and 20 ambiguous, Ms. Pennington? 21 A No. 22 AV TECHNICIAN: Exhibit 32 is up.</p>	<p style="text-align: right;">5590</p> <p>1 accurately depict something that you observed 2 after Mr. Depp left penthouse 3 on May 21st, 2016? 3 A Yes. 4 AV TECHNICIAN: Exhibit 34 is up. 5 Q What is this a picture of, 6 Ms. Pennington? 7 A This is the space between the cabinets 8 and the refrigerator and the kitchen island. It 9 has a rug on it and then it has a fruit basket and 10 fruit on the ground. 11 Q And do you know who knocked that fruit 12 on the ground? 13 A Yes. 14 Q Who? 15 A Johnny. 16 Q And does the fairly and accurately 17 depict damage that you saw on May 21st, 2016? 18 A Yes. 19 AV TECHNICIAN: Exhibit 35 is up. 20 MR. ROTTENBORN: Thank you. 21 Q What is this a picture of, 22 Ms. Pennington?</p>
<p style="text-align: right;">5589</p> <p>1 Q What is this a picture of, 2 Ms. Pennington? 3 A These are stairs, appearing of the same 4 staircase, with broken glass on them. 5 Q Does this picture fairly and accurately 6 depict something that you personally observed the 7 night of May 21st, 2016? 8 A Yes. 9 AV TECHNICIAN: 33 is up. 10 Q What is this a picture of, 11 Ms. Pennington? 12 A This is a picture of the floor mat in 13 front of the doors that would lead out to the 14 balcony of PH3, and it has a broken, looks like, 15 top of a martini glass on it. 16 Q Did you see this glass or material 17 around them being broken on the evening of 18 May 21st, 2016? 19 A Yes. 20 Q And who broke this glass? 21 A Johnny did. 22 Q And does this photo fairly and</p>	<p style="text-align: right;">5591</p> <p>1 A This is the landing of PH5 that Amber's 2 office was set up on. And this is her desk and 3 her files, and boxes have been outturned and 4 there's papers all over the floor and... 5 Q And is this how Ms. Heard normally kept 6 her office area? 7 A No. 8 Q Does this fairly and accurately depict 9 damage that you observed on May 21st, 2016? 10 A Yes. 11 AV TECHNICIAN: 36 is up. 12 Q Is this that same office area? 13 A Yes. 14 Q And is this an accurate depiction of 15 what you observed on May 21st, 2016? 16 A Yes. 17 AV TECHNICIAN: 37's up. 18 Q What is this a picture of, 19 Ms. Pennington? 20 A This is a picture of two photos on the 21 column, the staircase, leading up to Amber's 22 office. The top photo is a group photo of</p>

5592	<p>1 Savannah, Whitney, iO, myself, Amber, Erin, 2 Brittany, Morgan. We were in London, the glass is 3 smashed. The bottom photo is a photo of Amber and 4 me in France. 5 Q Does this photo fairly and accurately 6 depict damage that you observed on May 21st, 2016? 7 A Yes. 8 AV TECHNICIAN: 38 is up. 9 Q What is this a picture of? 10 A A picture of a large bottle of wine on 11 the floor. 12 Q On May 21st, 2016? 13 A Yes. 14 Q Is this the bottle he was swinging; if 15 you know? 16 A I don't know. 17 Q But it accurately depicts something you 18 observed on May 21st, 2016? 19 A Yes. 20 Q Did you -- did you notice you or 21 Ms. Heard, or anyone that you were with, spilling 22 wine in penthouses that night in order to stage</p>	5594	<p>1 A Yes. 2 Q Okay. Can you describe -- did you see 3 any injuries on Amber on May 21st, 2016? 4 A Just a swollen, like, red, swollen 5 cheek. 6 MR. ROTTENBORN: Let's pull up the 7 May 21st, 2016, ALH7077, please. 8 Q And while he's doing that, did you -- I 9 know we talked about pictures of damage in the 10 penthouses. Did you take pictures of Ms. Heard 11 that evening? 12 A I don't remember if it was me or Josh. 13 Q Were you present when the pictures were 14 taken of Ms. Heard on May 21st, 2016? 15 A Yes. 16 Q Does this picture fairly and accurately 17 reflect observations you made of Ms. Heard on 18 May 21st, 2016? 19 A Yes. 20 AV TECHNICIAN: 42 is up. 21 Q What is this picture, Ms. Pennington? 22 A This is Amber's face; it's red. The</p>
5593	<p>1 damage? 2 A No. 3 Q And by "what is this a picture of," I 4 meant the whole scene. 5 A Oh. It's a picture on the floor. 6 Q Do you know what penthouse that is in? 7 THE WITNESS: Can you zoom out again, 8 please. 9 A 3. 10 Q Do you know who knocked this picture on 11 the floor? 12 A I didn't see it knocked down. 13 Q Did -- other than Mr. Depp, did you see 14 anyone causing any damage or knocking anything 15 down in any of the penthouses on May 21st, 2016? 16 A No. 17 Q And did you see Mr. Depp knocking 18 things down? 19 A Yes. 20 Q Does this picture fairly and accurately 21 describe something that you observed on May 21st, 22 2016?</p>	5595	<p>1 right cheek and eye is more red and swollen -- her 2 right, my left. 3 Q Does this fairly and accurately depict 4 Ms. Heard's condition that you observed that 5 evening? 6 A Yes. 7 MR. ROTTENBORN: Can you pull up 7083, 8 please. 9 Q What is this a picture of? 10 A This is Amber's face, turned at a 11 slight profile, her eye is red and bruised. The 12 side brow, temple, and cheekbone. 13 Q Does this fairly and accurately depict 14 Ms. Heard's condition that you witnessed on 15 May 21st, 2016? 16 A Yes. 17 Q And were you present when police 18 arrived? 19 A Yes. 20 Q What -- were there two sets of police 21 officers? 22 A Yes.</p>

5596	1 Q And what penthouse did they come in? 2 A Penthouse 3, both times. 3 Q How chose were you to the police 4 officer? 5 A In the same room. 6 Q Could you see damage that he caused 7 while you were standing there when the police 8 officers were present? 9 A Yes. 10 Q Did you ever hear Ms. Heard say -- 11 express any financial motivations for wanting to 12 remain in this relationship with Mr. Depp? 13 A No. 14 Q Did Ms. Heard ever express that if she 15 went public against -- with what happened on 16 May 21st, 2016, that she's said to gain 17 financially by doing so? 18 A No. 19 Q Now, at some point after May 21st, 20 2016, Ms. Heard filed for divorce from Mr. Depp, 21 right? 22 A Correct.	5598	1 Q Did you see Jerry or Sean or any 2 security guards when you entered penthouse 3 that 3 evening? 4 A No. 5 Q Okay. Going back to the domestic 6 violence restraining order. 7 Did you accompany Ms. Heard to court 8 when she got that order? 9 A Yes. 10 MR. ROTTENBORN: I'd like you to pull 11 up, please, May 2016, CourtPennington 1292, 12 please. 13 Q While he's doing that, do you know if 14 Ms. Heard wore any makeup that morning? 15 A I don't remember seeing her put on any 16 makeup. 17 Q Was that rare, for Ms. Heard not to 18 wear makeup? 19 A Yes. 20 Q What is this a picture of? 21 A This is Amber and Jody, her publicist, 22 sitting on the bench in the hallway waiting room
5597	1 Q And at some point, she filed for a 2 domestic violence restraining order against him; 3 is that right? 4 A Yes. 5 Q And I'm going to come back to that line 6 of questioning in a second. But before I forget, 7 you mentioned Jerry and Sean Bett on the night of 8 May 21st, right? Was there a space in the 9 upper -- the floor of the ECB, where they would 10 wait for Mr. Depp when he was in one of the 11 penthouses? 12 A Yes. 13 Q And what was that space? 14 A We called it "the guard shack," and it 15 was in a vestibule separate from the penthouses, 16 except that a door from the vestibule also 17 connected to the door of the patio of PH5. 18 Q Was the -- okay. Was it -- if someone 19 were in the vestibule, or the guard shack, as 20 you've called it, would they have seen you go into 21 penthouse 3 when Amber requested that you do so? 22 A No.	5599	1 of the courthouse. 2 Q When? 3 A The day that the restraining order was 4 filed. 5 Q Do see any injuries on Ms. Heard? 6 A I do. 7 Q Describe what you see? 8 A On her cheekbone, right cheekbone, is a 9 bruise. 10 Q And how long after May 21st was this, 11 approximately? 12 A I don't know. I don't remember. 13 Q A matter of days, weeks? 14 A Less than a week. 15 Q Did you ever see any makeup artist 16 paint on this bruise, put a fake bruise on 17 Ms. Heard's face? 18 A No. 19 MR. ROTTENBORN: Can you, please, pull 20 up Pennington 1295, please. 21 And before -- actually, before we do. 22 Q Does this picture fairly and accurately

<p>1 depict Ms. Heard's condition the morning she -- or 2 the day she applied for the domestic violence 3 restraining order? 4 A Yes. 5 Q Do you know whether you took this 6 picture? 7 A To the best of my recollection, I took 8 that. 9 Q Okay. And I'm going to ask you the 10 same thing about this next picture, 1295. 11 A To the best of my recollection, I took 12 that. 13 Q And does that fairly and accurately 14 depict Ms. Heard's condition on that morning? 15 A Yes. 16 AV TECHNICIAN: 46 is up. 17 Q What is that a picture of? 18 A It is Amber, slight profile, in the 19 same courthouse, but now her hair is behind her 20 ear. You can see a picture of a bruise on her 21 cheekbone. She looks like a skeleton. 22 Q Did you take this picture?</p>	<p>5600</p> <p>1 very small injury on the tip of my finger, and I 2 continued to see it throughout its healing 3 process. But I don't remember how he told me how 4 he cut it off. 5 Q But you remember that he told you that 6 he cut it off? 7 A Yes. 8 Q Ms. Pennington, I'll finish where we 9 started, which is you've given a number of -- 10 you've testified a number of times about the 11 events that we talked about today, and I really 12 appreciate you being here today and talking about 13 these. I know it was tough and it was emotional 14 at times. 15 Is there anything that you would change 16 about any of the testimony that you've given 17 today, or previously, about any of these events? 18 A No. 19 Q And you've done your best, every time 20 you've testified about this, to tell the full 21 truth about everything that you know, everything 22 that you saw, everything that you heard,</p>
<p>5601</p> <p>1 A Yes. 2 Q Based on your personal knowledge, is 3 there any truth to the allegation that Amber did 4 this because she's "a gold digger"? 5 A No. 6 Q Ms. Pennington, you came to understand, 7 at some point -- well, at some point, did you 8 learn that Mr. Depp had lost the tip of his finger 9 in Australia? 10 A Yes. 11 Q And what is that other way that you 12 learned that Mr. Depp had cut the tip of his 13 finger off? 14 A He showed it to me. 15 Q In addition to showing you, how did you 16 learn, from Mr. Depp, that he had cut off the tip 17 of his own finger? 18 A He told me. 19 Q What did he tell you? 20 A Said -- I don't remember how he said he 21 cut the tip of his finger off, but while the nurse 22 was dressing it, I wanted to see it. I also had a</p>	<p>5602</p> <p>1 everything take you've observed, right? 2 A I have done the very best to tell the 3 absolute truth, exactly as I remember it, at all 4 of the points in time. 5 THE COURT: All right. Yes, sir. Your 6 next witness. 7 MR. ROTTENBORN: Yes, Your Honor. That 8 concludes the testimony of Raquel Pennington. 9 Ms. Heard calls Joshua Drew as her next witness. 10 THE COURT: Okay. 11 MR. ROTTENBORN: And if we may 12 approach, just to discuss a couple of exhibits. 13 THE COURT: That's by deposition; is 14 that correct? 15 MR. ROTTENBORN: It is by deposition, 16 yes, Your Honor. 17 THE COURT: All right. Okay. 18 (Sidebar.) 19 THE COURT: All right. Just going over 20 these jury instructions, can somebody decide who's 21 going to be alphabet and who's going to be 22 numbered? Because you are both numbered. It's</p>

Transcript of Jury Trial - Day 19
Conducted on May 18, 2022

29 (5604 to
5607)

5604	5606
<p>1 very confusing. 2 MR. ROTTENBORN: You mean one of us 3 should be A and one of us should be 1? 4 THE COURT: Yeah, can we do that? 5 MR. ROTTENBORN: We'll be the alphabet. 6 THE COURT: It makes it a lot easier 7 when we go through them. When we're talking about 8 25, whose 25? I've been down that road before. 9 MR. ROTTENBORN: We'll letter ours. 10 THE COURT: Okay. 11 MR. ROTTENBORN: This is another one 12 Ms. Meyers and I agreed that it's just pictures 13 that are coming in, and that the pictures, 14 anything that there's testimony about, can come 15 in. 16 THE COURT: Okay. 17 MR. ROTTENBORN: The only -- and most 18 of them have already been admitted. There's a few 19 that haven't, but we'll get those to you and get 20 those to the Court, the ones that haven't. 21 THE COURT: Do you have numbers for me 22 for the ones that haven't been, just so we have it</p>	<p>1 agreement. 2 THE COURT: Okay. 3 MR. ROTTENBORN: And then there's a 4 couple more. 5 THE COURT: So there's no objections to 6 those? 7 MS. VASQUEZ: They're just pictures? 8 MR. ROTTENBORN: Yes, these are the 9 only pictures we're using. 10 THE COURT: All right. No objection. 11 MR. ROTTENBORN: All right. 12 MR. CHEW: These were all from Josh 13 Drew? 14 MR. ROTTENBORN: All from Josh Drew. 15 THE COURT: Okay. 16 MR. ROTTENBORN: And then, there were 17 two that were shown to Mr. Drew without any 18 metadata. 19 THE COURT: Okay. 20 MR. ROTTENBORN: We prepare to show the 21 versions that were admitted yesterday, with the 22 metadata redacted. So, it's the exact same</p>
5605	5607
<p>1 for the record? 2 MR. ROTTENBORN: I do. 3 THE COURT: Okay. 4 MR. ROTTENBORN: I believe that this is 5 1493H. 6 THE COURT: 1493H. 1493H. 7 MR. ROTTENBORN: 1493F. 8 THE COURT: 93F. 9 MR. ROTTENBORN: 1657. 10 THE COURT: 1657, okay. 11 MR. ROTTENBORN: And I believe -- I 12 believe that's -- oh. 1493R. 13 THE COURT: All right. 14 MR. ROTTENBORN: 1384, 1384. 15 THE COURT: 1384, okay. 16 MR. ROTTENBORN: 1373A. 17 THE COURT: All right. 18 MR. ROTTENBORN: 1377. 19 THE COURT: All right. 20 MR. ROTTENBORN: And 1373. 21 And I believe that those are not 22 admitted, but they're just pictures in by</p>	<p>1 image -- 2 THE COURT: Just the same picture that 3 are already in evidence? 4 MR. ROTTENBORN: Correct. 701 and 702. 5 THE COURT: Okay. They're already in 6 evidence. 7 MR. CHEW: But redacted? 8 MR. ROTTENBORN: Correct. 9 MR. CHEW: Consistent with your ruling 10 earlier. 11 THE COURT: Is that 701B, then? 12 MR. ROTTENBORN: No we're going to pull 13 up the one that was admitted yesterday. We're 14 just proposing rather than -- just to show the 15 version that's already been admitted. 16 THE COURT: What's the difference 17 between 701 and 701B? You did 701B earlier today. 18 MR. ROTTENBORN: Because the top date 19 time was on there. 20 THE COURT: Okay. 21 MR. ROTTENBORN: I think we'll just 22 pull up the one used yesterday.</p>

Transcript of Jury Trial - Day 19
Conducted on May 18, 2022

30 (5608 to
5611)

5608	1 THE COURT: Okay 701. Okay it's in 2 evidence. 3 MR. ROTTENBORN: And then the last 4 thing is there's five exhibits. This is 5 Defendant's Exhibit 400, and there are five photos 6 that were texted to Kevin Murphy. And so, what we 7 would propose is to redact the entire text and 8 just show the photos. 9 THE COURT: Just show the photos. 10 MR. CHEW: They were sent to Kevin 11 Murphy from Josh? 12 MR. ROTTENBORN: I think so. 13 MS. VASQUEZ: Can I see that? 14 MS. BREDEHOFT: Actually, I think they 15 were sent by Whitney. 16 MR. ROTTENBORN: Oh, by Whitney. They 17 were shown to Mr. Drew in his deposition. 18 THE COURT: So just the photos? 19 MR. ROTTENBORN: Yes. We just have a 20 version of this that's redacted. 21 MS. VASQUEZ: Why can't you use the 22 photos and why are you --	5610	1 them. So we're clear, we'll redact all of this. 2 MR. CHEW: What about the date? 3 MR. ROTTENBORN: I'm happy to redact 4 that. 5 MS. VASQUEZ: Yeah. 6 THE COURT: Then down at the bottom. 7 Okay. And that's 400 -- 8 MR. ROTTENBORN: Yeah. 9 MS. BREDEHOFT: Should we call that 10 400A because we're going to -- 11 MR. ROTTENBORN: Let's say 400A. 12 MS. BREDEHOFT: Whitney is going to be 13 on this afternoon and we're going to put that 14 exhibit in through her. 15 THE COURT: Okay. 400A. 16 MR. ROTTENBORN: Yes. 17 THE COURT: And is that all? 18 MR. ROTTENBORN: Yes. 19 THE COURT: So all of those are 20 together? 21 MR. ROTTENBORN: Yes, all of that comes 22 in together as 400A.
5609	1 MR. ROTTENBORN: Because this was what 2 was shown to Mr. Drew in his deposition. 3 Ms. Meyers and I just agreed that if he's being 4 questioned about photos that the photos -- 5 THE COURT: Do you already have the 6 photo in evidence somewhere else? 7 MS. VASQUEZ: No. 8 MR. ROTTENBORN: No. But that's what 9 we're saying. 10 MS. VASQUEZ: I don't think that's 11 appropriate, Your Honor. These are screenshots of 12 text messages between two different people, not 13 Mr. Drew. 14 THE COURT: So the only thing that 15 we'll be able to see, though, is just the photo? 16 Everything else is redacted to protect the -- 17 MR. ROTTENBORN: Sure. 18 MS. VASQUEZ: All of this? The 19 messages -- 20 THE COURT: Okay. As long as 21 everything else is redacted, just the photo, yeah. 22 MR. ROTTENBORN: Yeah, we'll redact	5611	1 THE COURT: So no objection to the 2 redactions in 400A? 3 MS. VASQUEZ: No. 4 MR. CHEW: No, as redacted. 5 THE COURT: Okay. 6 MR. CHEW: And all the dates. 7 THE COURT: All the dates. Everything 8 except the pictures. 9 MR. ROTTENBORN: Yes. 10 THE COURT: Okay. 11 MR. ROTTENBORN: Thank you very much. 12 MS. VASQUEZ: Thank you. 13 MS. BREDEHOFT: The running time on 14 this one is 58 minutes and some seconds. 15 THE COURT: That's perfect. We'll 16 break for lunch after this is over. You're doing 17 good. Okay. Thank you. 18 (Open court.) 19 THE COURT: All right. Are we ready? 20 Not quite? Okay. 21 MR. ROTTENBORN: Yes, Your Honor. 22 THE COURT: Okay.

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5612	1 MR. ROTTENBORN: This is -- Ms. Heard 2 calls Joshua Drew. 3 THE COURT: Thank you. 4 MR. ROTTENBORN: Thank you. 5 JOSHUA DREW, 6 being first duly sworn, was examined 7 and testified as follows: 8 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND COUNTERCLAIM DEFENDANT 9 BY MR. CHEW: 10 Q Where do you live? 11 A Los Angeles. 12 Q What is your occupation? 13 A I run my own hospitality development 14 consulting firm. 15 Q Are you also a chef? 16 A No. 17 Q What, if any, education have you had 18 since high school? 19 A I have my associates of science in 20 culinary arts. 21 Q And from what institution? 22 A Johnson and Wales University.	5614	1 from Rocky? 2 A Officially, September 24th of last 3 year. We operated, officially, October of the 4 previous year. 5 Q When did you first meet Amber Heard? 6 A Probably about three or four weeks 7 after Raquel and I started dating, very early on. 8 Q When did you first meet Johnny Depp? 9 A Shortly after I met Amber. I want to 10 say, if memory serves, about five or six weeks 11 after Raquel and I started dating. 12 Q Again, I understand it was a long time 13 ago. But do you recall under what circumstances 14 you met him? 15 A Funny enough, I actually do, very 16 clearly. I had come over under the auspice of 17 what was called "family movie night," and it was 18 Amber and Johnny and Jack. I honestly don't 19 remember whether Lily-Rose was there. She might 20 have come later, at a certain point, and it was 21 just us in their apartment eating burgers and 22 watching movies.
5613	1 Q Did you receive a degree from there? 2 A I did. 3 Q In what year? 4 A That would have been 2003. 5 Q Who is Raquel Rose Pennington? 6 A My ex-wife. 7 Q Because I want to be respectful, how 8 should I refer to her, Ms. Pennington, Rocky, or 9 Raquel? 10 A Rocky or Raquel is perfectly fine. 11 Q You were married to Rocky, so there 12 came a time when you began to date Rocky, correct? 13 A Correct. 14 Q When did you start dating Rocky? 15 A Would have been June of 2014. 16 Q And did there come a time when you 17 became engaged to Rocky? 18 A Correct. 19 Q When was that? 20 A That would have been in summer of 2015, 21 I believe. 22 Q Do you recall when you were divorced	5615	1 Q Since that time, on how many occasions 2 have you seen and interacted with Johnny Depp, 3 from that very first time on movie night? 4 A I couldn't even speculate the number 5 of -- it's -- not that it was infrequent as much 6 as it was sporadic. And, honestly, for a large 7 portion of it, fairly casual. Not the kind of 8 thing where you would just count the number of 9 times. It was regular interactions over various 10 periods of time. 11 Q Your counsel's not going to let you 12 speculate. But I'm going to ask you to give a 13 range. 14 It is more than ten times? 15 A Yes. 16 Q More than 50 times? 17 A Yes. 18 Q From the time you first met Mr. Depp on 19 movie night until this very moment, sitting here 20 today, have you ever seen Mr. Depp strike Amber 21 Heard? 22 A No.

5616	1 Q Have you ever seen him throw a 2 telephone at her? 3 A No. 4 Q Have you ever seen him hit her with a 5 fist? 6 A No. 7 Q Have you ever lived at a building 8 located at 849 S. Broadway in Los Angeles, known 9 as the Eastern Columbia Building? 10 A Correct. 11 Q Did you live in the condo known as 12 penthouse 1? 13 A Correct. 14 Q With whom did you live in penthouse 1? 15 A Raquel Pennington. 16 Q From when to when did you live in 17 penthouse 1 with Rocky Pennington? 18 A Again, my memory is a little bit foggy 19 of the exact dates. You'll have to bear with me a 20 moment here. 21 So while I was a frequent guest, I 22 didn't actually live there until, I want to say,	5618 1 A Correct. 2 Q Did it -- who was in PH5 at the time? 3 A Nobody. Nobody lived in PH5 for the 4 entirety of our time there. 5 Q Did you or Rocky ever pay Mr. Depp any 6 rent to live in PH1? 7 A Offered and refused. 8 Q Did you consider the refusal of your 9 offer to be a generous gesture by Mr. Depp? 10 A Exceedingly. 11 Q In your experience is Mr. Depp 12 generally generous to his friends? 13 A Yes. 14 Q Is he generous to people, generally? 15 A Yes. 16 Q Did Mr. Depp own penthouse 5? 17 A Yes. 18 Q Would your key open penthouse 5? 19 A Yes. 20 Q When you and Rocky were living here, in 21 penthouse 1, did you ever notice that there were 22 security personnel standing outside the door of
5617	5619 1 about October or November of 2015. 2 Q Was Rocky already living in penthouse 1 3 when you started visiting and ultimately moved in 4 there? 5 A Yes. 6 Q Did Ms. Pennington move into penthouse 7 1 in or about June of 2014? 8 A I can't tell you with specificity, but 9 I believe it was around that frame. 10 Q Who owned penthouse 1 at the time? 11 A Johnny Depp. 12 Q While you and Rocky lived together in 13 penthouse 1, did you or she have a key that 14 allowed you access to all of the penthouses on 15 that floor? 16 A Everything except PH2, yes. 17 Q Did -- at the time, did Mr. Depp and 18 Ms. Heard live together in PH3? 19 A Sporadically, yes. 20 Q The key to which you and Rocky had 21 access allowed either of you to enter PH3, 22 correct?	5619 1 penthouse 3 when Mr. Depp was in penthouse 3? 2 A Not normally, no. 3 Q Did you ever see the security personnel 4 standing outside of his door? 5 A On very rare occasion. Normally, they 6 were in the storage room/office to the side of 7 PH5. 8 Q Moving aside from Mr. Bett and 9 Mr. Judge. While you stayed at the Eastern 10 Columbia Building, did you come to know any of the 11 employees of the building? 12 A Casually. 13 Q Who is Trinity Esparza? 14 A She was one of the front desk people. 15 Q Did you have communications with her? 16 A In the course of living there, yes. 17 Q Did you find her to be pleasant? 18 A No. 19 Q How was she unpleasant? 20 A She was not particularly polite or 21 accommodating to me or Raquel or any of Amber's 22 friends. I wasn't there, specifically, but I

<p style="text-align: right;">5620</p> <p>1 heard similar things from Amber and her 2 interactions with her as well, throughout the 3 course of our time there. 4 Q While you lived in penthouse 1, did you 5 have the opportunity to interact often with Amber 6 Heard? 7 A Yes. 8 Q Did you and Rocky see Ms. Heard 9 frequently? 10 A Yes. 11 Q Did you ever see her drinking alcohol? 12 A Yes. 13 Q Did you ever see her drink to excess? 14 A Yes. 15 Q Did you observe Amber Heard during her 16 wedding to Mr. Depp at the Bahamas? 17 A Yes. 18 Q Was she intoxicated at any time during 19 the wedding weekend? 20 A Yes. As were we all. 21 Q Did you ever hear, at any time, Amber 22 Heard yell at Mr. Depp?</p>	<p style="text-align: right;">5622</p> <p>1 Q What do you recall about that evening? 2 A I recall it was held in PH5, Johnny was 3 hours late, and Amber spent the better part of the 4 evening making excuses for him. And he came very, 5 obviously, intoxicated and put on a show for 6 everybody. And when the party was over, everybody 7 left, cleaned up, and the next morning, we heard 8 about what had transpired after the fact. 9 Q So Johnny was supposed to have attended 10 the dinner, correct? 11 A Correct. 12 Q And at what time did the dinner begin? 13 A I don't recall. 14 Q You and Rocky were guests at the 15 dinner? 16 A Correct. 17 Q Who else was invited to the dinner? 18 A Again, you'll have to forgive me. It 19 was quite some time ago. I remember Amber's 20 friend Brandon being there, Amber's friend Hadid 21 Aribi. I want to say that Whitney was there as 22 well. To be very honest, I can't say, with</p>
<p style="text-align: right;">5621</p> <p>1 A Yes. 2 Q On how many occasions? 3 A I couldn't tell you the number of 4 occasions. 5 Q Did you ever see her strike Mr. Depp? 6 A No. 7 Q Have -- did you and Rocky ever discuss 8 the relationship between Amber Heard and Johnny 9 Depp? 10 A Yes. 11 Q On how many occasions? 12 A Honestly, probably hundreds, if not 13 thousands. 14 Q Mr. Drew, moving to April 21, 2016. 15 Do you recall that there was to have 16 been a birthday celebration that night? 17 A Yes. 18 Q Was that Amber Heard's birthday? 19 A Yes. 20 Q Do you recall which birthday it was for 21 her, how old she was? 22 A It was her 30th. I catered it.</p>	<p style="text-align: right;">5623</p> <p>1 specificity, who else was there. 2 Q When you say "Whitney," are you 3 referring to Whitney Heard? 4 A Yes. 5 Q As in Whitney Heard, Amber's younger 6 sister? 7 A Correct. 8 Q Putting aside the state or condition in 9 which Johnny arrived, do you recall, sitting here 10 today, approximately when Johnny arrived for 11 dinner? 12 A I really couldn't tell you with any 13 specificity, but I can say it was quite a few 14 hours after the party had started. 15 Q Did he provide any excuse or 16 explanation to the group as to why he was late? 17 A No. 18 Q Putting aside Mr. Depp's intake of 19 alcohol that evening, had Ms. Heard been drinking 20 before Mr. Depp arrived? 21 A Yes. 22 Q Do you know how much?</p>

5624	<p>1 A Couldn't tell you. 2 Q Did she seem intoxicated during -- at 3 any time during the evening? 4 A Yes. 5 Q Did you see Amber Heard the next 6 morning, April 22nd, 2016? 7 A I believe so, yes. 8 Q Did you notice any marks on her face or 9 elsewhere that morning? 10 A I don't recall. 11 Q That morning, April 22nd, did you and 12 Ms. Pennington and Amber Heard drive together to 13 Coachella? 14 A They did. I did not. 15 Q Are you still in contact with Amber 16 Heard? 17 A Sporadically, yes. 18 Q And just to be clear, and I'm sorry to 19 jump around, when you say -- strike that. 20 You say "sporadically," how frequently 21 are you in contact with her? 22 A We didn't speak for about two years</p>	5626	<p>1 letting me know that, you know, her and Raquel 2 hadn't spoken in some time and to tell me that she 3 loved me and that she missed me and she just 4 wanted to make amends and, you know, reconnect. 5 Q Did she mention anything about this 6 lawsuit? 7 A Not in the initial interaction. 8 Q How did you respond to her in this 9 initial interaction, when she said she wanted to 10 make amends? 11 A I didn't for some time. I think I 12 waited about a week and a half before I responded. 13 And before I could, I did get a note from her 14 letting me know that she had tried to keep me out 15 of it but, more than likely, people were going to 16 be contacting me, either I'm being deposed or a 17 statement of some kind. There was nothing 18 explicit about who it would be coming from, from 19 Johnny's side or her side, only that someone would 20 more than likely be reaching out to me. 21 Q And when you had a glass wine, again, 22 only lawyers remember these things, but do you</p>
5625	<p>1 following my divorce, and she reached out to me to 2 make amends about, I want to say about two months 3 ago, if memory serves. 4 Q I'm going to come back to that. 5 When you said you don't recall seeing 6 marks on the morning of April 22nd, is that 7 because you didn't see any marks on Ms. Heard or 8 you didn't see her at all that morning? 9 A I honestly don't recall seeing her the 10 next morning. If memory serves, it was that the 11 girls were hustling to get everything together to 12 go to Coachella, so it was a pretty frantic 13 morning. I can't say, with any specificity, 14 whether I interacted with her that morning before 15 they departed. 16 Q And, Mr. Drew, you said that Ms. Heard 17 reached out to you. When did she reach out to 18 you? 19 A Sometime in the last two months. 20 Q What did she say when she reached out 21 to you? 22 A To paraphrase, it was something akin to</p>	5627	<p>1 recall, approximately, when you had a glass of 2 wine with her? 3 A Probably about five or six weeks ago -- 4 I'm sorry. It would be longer than that. 5 Probably about two months ago. 6 Q Mr. Drew, let's, please, move subjects 7 and move to the evening of May 21, 2016, which you 8 had referenced previously. 9 Was Mr. Depp at the condo at Eastern 10 Columbia Building that day prior to the evening? 11 A Not to my knowledge. 12 Q Did you see him arriving at the condo 13 that night? 14 A No. 15 Q Did you see Mr. Bett and Mr. Judge that 16 evening? 17 A Yes. 18 Q When did you first see them? 19 A I saw them when he ordered them to open 20 the door to PH5, following the incident. 21 Q When you say "he," to whom are you 22 referring?</p>

5628	<p>1 A Johnny.</p> <p>2 Q Did you ever see them that night</p> <p>3 somewhere outside the door of PH3?</p> <p>4 A No.</p> <p>5 Q Do you know whether she received a text</p> <p>6 from Amber Heard at 8:06 p.m.?</p> <p>7 A I can't certify the time, but the text</p> <p>8 message, itself, and the receipt, yes.</p> <p>9 Q Were you with Rocky when she received</p> <p>10 that text?</p> <p>11 A Yes.</p> <p>12 Q Wasn't she already in penthouse 3 as of</p> <p>13 8:06 p.m.?</p> <p>14 A When she received the text, she was not</p> <p>15 in penthouse 3. She was in penthouse 5 with me.</p> <p>16 But, again, I can't recall, with specificity, the</p> <p>17 exact time of these events.</p> <p>18 Q Anytime, including that night, did you</p> <p>19 ever see Mr. Depp strike Rocky Pennington?</p> <p>20 A No.</p> <p>21 Q That evening, did you see Mr. Depp</p> <p>22 smash bottles of wine?</p>	5630	<p>1 Q Who is Officer Melissa Saenz?</p> <p>2 A My understanding, it's the name of the</p> <p>3 Latina officer that first responded with her</p> <p>4 partner.</p> <p>5 Q When did she arrive at the scene, if</p> <p>6 you recall?</p> <p>7 A Vaguely, I remember them arriving about</p> <p>8 45 minutes to an hour after Johnny left. But,</p> <p>9 again, exact times, I'm a little foggy.</p> <p>10 Q Going back to the Latina officer, was</p> <p>11 there another officer with her?</p> <p>12 A Yes, there was a bald gentleman, white.</p> <p>13 Q With which officer, if any, did you</p> <p>14 speak that night?</p> <p>15 A Both.</p> <p>16 Q What did you say to them; if you</p> <p>17 recall?</p> <p>18 A When they arrived, I greeted them at</p> <p>19 the door. I walked them through PH3 to show them</p> <p>20 the damage, show them the broken glass. They had</p> <p>21 already walked to the hallway, over the gigantic</p> <p>22 wine stain throughout the entire hallway. I took</p>
5629	<p>1 A No.</p> <p>2 Q Did you see him break furniture?</p> <p>3 A No.</p> <p>4 Q Did you see him kick a hole through a</p> <p>5 solid door?</p> <p>6 A No.</p> <p>7 Q Do you recall when Mr. Depp, Mr. Bett,</p> <p>8 and Mr. Judge left the building that night?</p> <p>9 A If we're starting – if we're presuming</p> <p>10 that that text was received from Raquel at 8:06,</p> <p>11 they had left the building within 30 minutes, to</p> <p>12 my recollection.</p> <p>13 Q So, it would be, approximately,</p> <p>14 sometime around 8:30, 8:29?</p> <p>15 A Thereabouts. But I don't recall</p> <p>16 specifically.</p> <p>17 Q What else do you remember about the</p> <p>18 events of the evening of May 21?</p> <p>19 A I mean, I can tell you</p> <p>20 contemporaneously from the start. If there's</p> <p>21 something specific that you'd like me to expand</p> <p>22 on.</p>	5631	<p>1 them through PH3, showed them the damage. Took</p> <p>2 them back out in the hallway. Showed them the</p> <p>3 damage to the door shaped like the bottom of a</p> <p>4 wine bottle, PH1. I took them to PH5 to see</p> <p>5 broken picture frames, the smashed glass, Raquel's</p> <p>6 jewelry, things like that, strewn across the</p> <p>7 apartment. Then I brought them back to PH3, at</p> <p>8 which point they separated. The Latina officer</p> <p>9 pulled Amber aside, specifically to speak to her</p> <p>10 one-on-one. The door was closed, I was outside</p> <p>11 with the other officer, so I can't say, with any</p> <p>12 specificity, what happened inside. I don't know</p> <p>13 whether anybody was in earshot. I don't know</p> <p>14 whether anybody else was around. She told me,</p> <p>15 specifically, it was a one-on-one, and I was</p> <p>16 outside the door with the male officer. And</p> <p>17 specifically, my communication with him was asking</p> <p>18 what, if anything, could be done because we were</p> <p>19 obviously upset. And his comment to me,</p> <p>20 specifically, was there's damage in these</p> <p>21 apartments, her face is red. If she wants to file</p> <p>22 a report, we have enough here to go pick him up.</p>

<p>1 Q But you've never seen Johnny hit Amber? 2 A That's correct. And I've affirmed that 3 to everybody I've spoken to. I've been explicit 4 about that. 5 Q And you've never seen Johnny hit any 6 woman? 7 A Correct. 8 Q Do you recall having a conversation 9 with Rocky and Amber after Mr. Depp and his 10 security personnel left the building but before 11 Officer Saenz and Officer Hadden arrived? 12 A Yes. 13 Q Tell us about that. 14 A You'll have to forgive me again. My 15 memory of the exact circumstance -- or sequence of 16 events transpired. A little foggy. If memory 17 serves, Amber was damn near catatonic. After all 18 of this, we got her in PH1 so we could deadbolt 19 the door and keep her safe until he left. 20 A few minutes thereafter, I had gotten 21 a little bit of rundown from Raquel over what 22 transpired. Raquel got her to call her lawyer,</p>	<p>5632 5634 1 day? 2 A Yes. 3 Q When did you see her? 4 A At various points throughout the day. 5 If memory serves, Raquel had committed to a 6 jewelry show somewhere. I want to say it was 7 downtown, but I might be mistaken. It might have 8 been out in Venice, somewhere in Los Angeles. So 9 she was out most of the day, so I cleared my 10 schedule to be able to be there should Amber need 11 anything. If memory serves, either her attorney 12 or somebody in her group had a friend come over 13 with a locksmith to change the locks, just to be 14 safe. And I was there to make sure that that 15 happened and just, like I said, be there for Amber 16 should she need anything, just so she wasn't 17 alone. 18 Q When you saw Amber on May 22nd, you 19 don't know whether it was the morning or the 20 afternoon; is that right? 21 A It was sporadic throughout the day. I 22 think at some point late morning and throughout</p>
<p>5633 1 Samantha Spector, to find out what to do. And if 2 memory serves, Samantha's recommendation was that 3 we immediately put together a contemporaneous 4 matter-of-fact statement together of what 5 transpired that night. And that ultimately was up 6 to Amber as to what she wanted to do with the 7 police or whatever it may be. 8 Q Are you aware that Amber Heard spoke to 9 Officer Saenz and Officer Hadden that evening? 10 A Yes. 11 Q Were you present when she was speaking 12 to them? 13 A No. 14 Q Did Amber file a complaint that night? 15 A No. 16 Q Did the police arrest Mr. Depp? 17 A No. 18 Q Did they issue a warrant for his 19 arrest? 20 A Not that I'm aware of. 21 Q Mr. Drew, let's turn, for a moment, to 22 May 22nd, 2016. Did you see Ms. Heard at all that</p>	<p>5635 1 the afternoon. 2 Q When you first saw her did you notice 3 any marks on her face? 4 A Yes. 5 Q Describe the marks, please. 6 A To be very honest with you, I don't 7 remember what side of her face it was, but I do 8 distinctly remember there being a red mark and a 9 small bruise on her cheekbone, and red marks just 10 above her eyebrow and to the side -- or to the 11 side of her eyebrow. 12 Q Did you see any swelling? 13 A A little bit. 14 Q Can you remember anything else -- did 15 you see marks anywhere else other than the ones 16 you've described? 17 A No. 18 Q Did you ever notice anyone visiting 19 Amber Heard at night while Mr. Depp was away? 20 A During the time that I was living 21 there? 22 Q Yes.</p>

<p>5636</p> <p>1 A Yes.</p> <p>2 Q On how many occasions?</p> <p>3 A I wouldn't even be able to estimate.</p> <p>4 Q Was it more than ten?</p> <p>5 A Yes.</p> <p>6 Q Was it more than 20?</p> <p>7 A Yes.</p> <p>8 Q Was it more than 30?</p> <p>9 A Yes.</p> <p>10 Q Was it more than 50?</p> <p>11 A Again, I can't really speculate. I was</p> <p>12 there for quite some time.</p> <p>13 Q When did that first occur?</p> <p>14 A I mean, I'm not – again, I'm not privy</p> <p>15 to her comings and goings. She had other friends</p> <p>16 than us that were coming to see her, so...</p> <p>17 Q And, again, to be specific, I'm just</p> <p>18 talking about visitors at night when Mr. Depp was</p> <p>19 away.</p> <p>20 A Again, I can't say with any</p> <p>21 specificity.</p> <p>22 Q When did that first happen, that you're</p>	<p>5638</p> <p>1 three to four weeks after the restraining order</p> <p>2 was filed.</p> <p>3 Q But while Mr. Depp and Ms. Heard were</p> <p>4 still married, correct?</p> <p>5 A Yes.</p> <p>6 Q After May 22nd, 2016, did you ever see</p> <p>7 any marks on Ms. Heard?</p> <p>8 A Not to my knowledge, no.</p> <p>9 Q Would you, please, describe -- as far</p> <p>10 as you can remember, what cleanup efforts were</p> <p>11 undertaken and by whom?</p> <p>12 A Well, myself, in penthouse 3, there was</p> <p>13 a number of pieces of broken glass and items</p> <p>14 strewn about the counter and the floor in the</p> <p>15 kitchen, only the kitchen, sort of around the</p> <p>16 kitchen island. In the hallway, outside the</p> <p>17 penthouses, was quite a spill of wine. I don't</p> <p>18 believe we dealt with that at all. And then in</p> <p>19 PH5, all of Raquel's things had been strewn out,</p> <p>20 pretty dramatically, so we did our best to put</p> <p>21 that back together and pack everything back up.</p> <p>22 There were things, like, piles of books and</p>
<p>5637</p> <p>1 aware of?</p> <p>2 A I mean, I would say pretty early on.</p> <p>3 But, again, there's no context to it. The other</p> <p>4 consideration that I would say is that the hallway</p> <p>5 between all these penthouses was a public</p> <p>6 right-of-way going to the pool. So, my</p> <p>7 understanding of people coming and going, it might</p> <p>8 have been the public, it might have been</p> <p>9 residents -- I'm sorry, not the public. Might</p> <p>10 have been residents in the building. I can't say</p> <p>11 with any specificity.</p> <p>12 Q Who is Elon Musk?</p> <p>13 A Elon Musk was a gentleman that Amber</p> <p>14 dated intermittently following the restraining</p> <p>15 order.</p> <p>16 Q When did you -- can you recognize Elon</p> <p>17 Musk?</p> <p>18 A Yes.</p> <p>19 Q When did you first see Elon Musk at</p> <p>20 penthouse 3?</p> <p>21 A I'm a little -- again, I'm not quite</p> <p>22 clear, exactly, but I want to say it was about</p>	<p>5639</p> <p>1 picture frames were broken or items were strewn</p> <p>2 about. Picture frames were broken, things like</p> <p>3 that. We just picked the glass up off the floor</p> <p>4 so the dogs didn't get hurt, and I think we left</p> <p>5 everything else for the time being.</p> <p>6 Q Did you actually see who strewn about,</p> <p>7 that's not the right verb, but did you actually</p> <p>8 see the person who threw her clothes everywhere?</p> <p>9 A I didn't witness, firsthand, any</p> <p>10 destruction of any kind.</p> <p>11 Q Are you aware that Ms. Heard alleged</p> <p>12 that Mr. Depp hit her on or about December 15?</p> <p>13 A Yes.</p> <p>14 Q What, if anything, do you know about</p> <p>15 that incident?</p> <p>16 A So, my recollection of that is Raquel</p> <p>17 and I had come back to the penthouses, from where,</p> <p>18 I don't recall specifically, sometime, I want to</p> <p>19 say, late afternoon, early evening, and Raquel was</p> <p>20 supposed to meet with Amber as soon as they came</p> <p>21 back. Amber had not been responding to her text</p> <p>22 messages for some time so we let ourselves into</p>

<p>5640</p> <p>1 PH3 together, to go check on her and make sure 2 everything was okay. When we came in, the kitchen 3 was completely, I wouldn't say trashed, but it was 4 out of order, enough for something to be off. And 5 then when we turned the corner, on the section of 6 counters next to the kitchen sink, there was 7 something written on the counter in, I don't know, 8 I can't remember what material it was, and to be 9 honest, I can't actually recall exactly what was 10 written. It was something very, very weird, like 11 such a fraud, or something akin to that. 12 Q You never saw Mr. Depp strike Amber 13 Heard on or about December 15, 2015, correct? 14 A No, correct. 15 Q Did you see her -- did you see 16 Ms. Heard that night? 17 A Yes. 18 Q Did you notice any bruising or other 19 signs of injury? 20 A Yes, pretty significant. 21 Q What did you observe? 22 A I noticed, specifically, she had -- she</p>	<p>5642</p> <p>1 A Yes. 2 Q Fair to say more than 20 times? 3 A Yes. But to be very honest with you, 4 he was a very private person, and a lot of that 5 behavior was done in private. I didn't witness a 6 lot of it. 7 Q Did you ever hear Mr. Depp yell at 8 Ms. Heard? 9 A Yes. 10 Q Can you tell me which are -- when you 11 recall that and what happened? 12 A I can't tell -- I can't say, with any 13 specificity, the number of times. There is one 14 incident, specifically, that I do recall. Myself 15 and Raquel were vacationing in France with the two 16 of them, and they were -- we were staying 17 separately, separate houses, and the two of them 18 were having a very, very loud argument with one 19 another, screaming at each other, that we could 20 hear through the walls. 21 Q How long do you recall, approximately, 22 that yelling lasted for?</p>
<p>5641</p> <p>1 had pretty significant bruising on the inside of 2 both eye sockets, kind of extending down the 3 bridge of her nose, and her forehead was red. 4 Q But you have no firsthand knowledge of 5 how that injury occurred, correct? 6 A That's correct. 7 Q Are you aware of that she made, Amber 8 Heard made a television appearance the next day? 9 A Yes. 10 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 11 COUNTERCLAIM PLAINTIFF 12 BY MS. KAPLAN: 13 Q Did you ever see Mr. Depp take any 14 drugs, either prescription drugs or drugs not by 15 prescription? 16 A Yes. 17 Q How many times? 18 A I can't speculate on the number of 19 times, to be honest. 20 Q There were some questions before where 21 people were asking you about emphasizing how many 22 times. Is it fair to say more than ten times?</p>	<p>5643</p> <p>1 A I want to say -- I want to say, that I 2 witnessed personally, maybe 30 minutes. 3 Q Did Mr. Depp often wear heavy rings on 4 his fingers? 5 A Yes. 6 Q More than one? 7 A Yes. 8 Q And they were large; is that fair to 9 say? 10 A If memory serves, yes. 11 Q December 15, 2015, was -- that goes on 12 to the next page, you'll see, in paragraph 23, in 13 case it refreshes your recollection. It's making 14 reference to Rocky. 15 What knowledge do you have about this 16 incident? 17 A Specifically, coming home, I want to 18 say late afternoon or early evening, it was myself 19 and Raquel. Melanie was not present. Amber had 20 not been responding to Raquel for some time. They 21 were supposed to hang out, the three of them, so 22 we let ourselves into PH3 to check on her and make</p>

<p>5644</p> <p>1 sure everything was okay. We came inside, the 2 kitchen and the dining table were a mess. Both 3 the kitchen and the kitchen island area, they were 4 strewn about, outside of the norm, and there was 5 something written on the counter, adjacent to the 6 kitchen sink. Like I said previously, something 7 like all are such a fraud, or something in that 8 vein. We realized something was off right away. 9 Raquel told me to go back to our place, and then I 10 booked it upstairs. I didn't hear from her for, 11 like, 10 or 15 minutes, which I was obviously 12 concerned about.</p> <p>13 Q The incident you just talked about the 14 kitchen -- with Mr. Chew about the kitchen being a 15 mess. Is this same incident you are referencing?</p> <p>16 A Yes.</p> <p>17 Q So I think you testified that when you 18 came in, you saw some writing in the kitchen. 19 I'll show you a document, which is a photograph, 20 that we've marked as Drew 10, and ask you if 21 that's what you were referring to earlier?</p> <p>22 A Yes.</p>	<p>5646</p> <p>1 penmanship.</p> <p>2 Q And you had seen that mode of 3 penmanship previously?</p> <p>4 A Many times.</p> <p>5 Q Can you read what is written on the 6 countertop in Drew 10?</p> <p>7 A "Why be a fraud. All is such 8 bullshit."</p> <p>9 Q Is this Drew 10 an accurate photograph 10 of what you recall seeing that day?</p> <p>11 A To my recollection, yes.</p> <p>12 Q Was anything else written on the 13 countertop?</p> <p>14 A Not that I remember.</p> <p>15 Q When you saw these -- when you came to 16 the apartment and saw the mess in the kitchen and 17 saw these words written on the countertop, were 18 you concerned?</p> <p>19 A Immediately.</p> <p>20 Q And what were you concerned about?</p> <p>21 A That something very, very bad had 22 happened.</p>
<p>5645</p> <p>1 Q And did you come to learn, Mr. Drew, 2 who had written this language? Wait a minute. Is 3 this the kitchen counter?</p> <p>4 A Yes, it's the kitchen counter, next to 5 the kitchen sink.</p> <p>6 Q This is in the apartment of Ms. Heard 7 and Mr. Depp?</p> <p>8 A PH3.</p> <p>9 Q And did you come to learn who had 10 written these words in -- on the kitchen counter?</p> <p>11 A I'm sure there will be an objection to 12 this response, but I knew it was his handwriting.</p> <p>13 Q When you respond with "his," in that 14 answer, you're referring to Mr. Depp?</p> <p>15 A Correct.</p> <p>16 Q And why -- you're saying that you 17 recognized, at the time, that it's his 18 handwriting?</p> <p>19 A Correct.</p> <p>20 Q How are you able to recognize 21 Mr. Depp's handwriting?</p> <p>22 A He has a very unique mode of</p>	<p>5647</p> <p>1 Q And that's, in part, because you 2 assumed, immediately, that Mr. Depp had written 3 these words?</p> <p>4 A Yes.</p> <p>5 Q Can you read -- oh, you read into the 6 record what it says.</p> <p>7 Just correct me if I'm wrong. That 8 little kind of red thing there, in the top 9 right-hand corner of the photograph, do you 10 recall, is that lipstick? Part of a lipstick?</p> <p>11 A Couldn't tell you.</p> <p>12 Q At the time, did you have any idea what 13 this was written in? Do you recall?</p> <p>14 A Looking at it, I can answer. I don't 15 recall from the time, so I'm going to say no.</p> <p>16 Q And I take it, Mr. Drew, you didn't 17 take this photograph?</p> <p>18 A No.</p> <p>19 Q Do you know if Rocky did?</p> <p>20 A I don't know.</p> <p>21 Q And when you say you were concerned 22 that something very bad had happened, what do you</p>

<p>5648</p> <p>1 mean by that?</p> <p>2 A You walk into somebody's house and it</p> <p>3 looks like they vandalized it and things are a</p> <p>4 mess, or things strewn about, it doesn't portend</p> <p>5 anything good.</p> <p>6 Q Did you go anywhere else in Mr. Depp</p> <p>7 and Ms. Heard's apartment, other than the kitchen,</p> <p>8 that day?</p> <p>9 A The living room, later.</p> <p>10 Q So, again, to the best of your</p> <p>11 recollection, I understand it's a long time ago,</p> <p>12 and I understand these aren't exactly happy</p> <p>13 memories. But can you tell me, chronologically,</p> <p>14 what happened? You let yourself in the apartment,</p> <p>15 you saw this. Just tell me the story, again, to</p> <p>16 the best of your recollection, what happened when.</p> <p>17 A How I remember is that we came home,</p> <p>18 late afternoon/early evening, hadn't heard from</p> <p>19 Amber in some time, which was out of character for</p> <p>20 her. Let ourselves in to go check. Saw that</p> <p>21 written on the counter. Saw the kitchen a mess.</p> <p>22 Raquel looked at me and said, specifically, go</p>	<p>5650</p> <p>1 A Yes.</p> <p>2 Q Do you have good vision?</p> <p>3 A I didn't have glasses then, and I</p> <p>4 didn't need them then, so, yes.</p> <p>5 Q I'm handing you a document that was</p> <p>6 marked as Drew 11. You can see, from the top</p> <p>7 page, this was attached to Ms. Heard's</p> <p>8 deposition -- affidavit, declaration, as</p> <p>9 Exhibit 13. And I want you to look at the photos</p> <p>10 of Ms. Heard's face and tell the jury, Mr. Drew,</p> <p>11 if those were consistent with what you observed on</p> <p>12 her face that day.</p> <p>13 A It is. I was with Raquel when she took</p> <p>14 the pictures.</p> <p>15 Q And the pictures were, then, on</p> <p>16 Raquel's iPhone or phone?</p> <p>17 A To my recollection, yes. They could</p> <p>18 have been taken on Amber's phone. So there</p> <p>19 wouldn't be any potential accusation of bias or</p> <p>20 anything like that.</p> <p>21 Q And you described earlier, to Mr. Chew,</p> <p>22 that there was, as I recall, kind of color under</p>
<p>5649</p> <p>1 back to our place, I'm going to go check on her,</p> <p>2 bolted upstairs. I was sitting over in PH1, in</p> <p>3 our apartment, waiting and I heard from her,</p> <p>4 again, I don't remember exactly, I want to say it</p> <p>5 was 10 or 15 minutes later. I really, I really</p> <p>6 don't remember what my response was. I don't</p> <p>7 remember what transpired after that, other than</p> <p>8 there was some time that she was over there. I</p> <p>9 don't remember when or even if Melanie came over</p> <p>10 at any point during that evening.</p> <p>11 Q What do you recall about that?</p> <p>12 A I remember specifically because she had</p> <p>13 a pretty significant, visible facial injuries and</p> <p>14 didn't know if she was going to be in a state to</p> <p>15 do it or didn't know whether she was even going to</p> <p>16 be -- to have the physical appearance to be able</p> <p>17 to do that.</p> <p>18 Q When you say these things -- first of</p> <p>19 all, "she," in those statements is Amber Heard,</p> <p>20 right?</p> <p>21 A Yes.</p> <p>22 Q Did you see Ms. Heard's face that day?</p>	<p>5651</p> <p>1 both of her eyes?</p> <p>2 A Yes.</p> <p>3 Q And I said her eyes. I mean Ms. Heard.</p> <p>4 A Yeah.</p> <p>5 Q If you look at the one, two, three,</p> <p>6 four, five, sixth photo, this one, I'm going to</p> <p>7 hold it up.</p> <p>8 A Yes.</p> <p>9 Q Did you personally observe, that day,</p> <p>10 this injury on Ms. Heard's face?</p> <p>11 A I did.</p> <p>12 Q In December -- in December 2015?</p> <p>13 A I did.</p> <p>14 Q You said before you were there when</p> <p>15 Ms. Pennington was taking the photos?</p> <p>16 A Yes.</p> <p>17 Q There's a couple more photos in there.</p> <p>18 Looks like there's a busted lip. Do you see those</p> <p>19 photos?</p> <p>20 A Yes.</p> <p>21 Q Do you recall seeing that, personally,</p> <p>22 on Ms. Heard's face that day?</p>

<p>1 A Honestly, I don't remember without 2 looking at this photo, so I'm more comfortable 3 saying I don't know. 4 Q Okay. Mr. Drew, were you there -- just 5 to refresh your recollection, you were there when 6 all of these photos were taken or just the photos 7 of the face? 8 A I can't say definitively. 9 Q Okay. But the phone photos, you were 10 there for? 11 A Correct. 12 Q But at least some of the photos in Drew 13 11, you recall being there and personally 14 observing Ms. Pennington take them? 15 A Correct. 16 Q And are you aware of any efforts by 17 Rocky, or anyone else, to manipulate the photos 18 that were taken that day with Photoshop or any 19 other method of changing a photograph? 20 A If I had any knowledge of that or even 21 suspected, this would be a very different 22 interview.</p>	<p>5652</p> <p>5654</p> <p>1 honest. Everybody arrived. We were sort of -- I 2 think we waited for a little bit of time, 3 expecting him to show up. And at a certain point, 4 I don't know who made the decision, they said 5 let's sit down and have dinner, he'll get here 6 whenever he gets here. We had the party in PH5. 7 We sat outside. I want to say he showed up not 8 towards the end of the evening, but pretty close 9 to. Again, this is just my observation, but it 10 appeared that he was inebriated in some way. I 11 don't want to say whether he was drinking, on 12 pills or what. But the appearance was he was 13 inebriated in some way. She did not react to him. 14 Q "She" being Amber? 15 A Amber, yeah. Played nice. He sat 16 down, and honestly, the rest of the evening was 17 quite pleasant. You know, he does what he always 18 does when he comes to sit down at dinner, put on a 19 show and connect with everybody, be entertaining, 20 be pleasant and polite. Her, the same thing. You 21 never would know there was an issue. 22 And then I didn't hear anything until</p>
<p>5653</p> <p>1 Q It's a deposition. 2 A Or a very different deposition. 3 Whatever. 4 Q I'm going to turn, now, to the incident 5 on April 21, 2016, in connection with Ms. Heard's 6 birthday party, Ms. Heard's 30th birthday party. 7 I would like, if you can, Mr. Drew, for 8 you to tell me, in your own words, again, separate 9 and apart from anything that's in Ms. Heard's 10 declaration, what you recall happening that day 11 and what you did, saw, and observed. 12 A So if memory serves, it was Amber's 13 30th birthday. She wanted to have a dinner party 14 at the apartments, just close friends, and I 15 offered to cook dinner for everybody. There had 16 been some mention that he had appointments or he 17 had some things, but that he would be there, and 18 so on and so forth. I really don't recall, 19 specifically, who the appointments were with, what 20 they were for, what time they were, anything like 21 that. Quite frankly, any talk of schedules with 22 either Amber or Johnny was pretty much moot, to be</p>	<p>5655</p> <p>1 the next morning. And I knew that there was a 2 scramble. The girls were leaving the next day for 3 Coachella, which I did not attend with, but all I 4 know is that they had gotten into a pretty big 5 argument, but because of the rush to get out that 6 day, I didn't really get too many stories about 7 it. 8 Q You cooked the dinner that night? 9 A Correct. 10 Q What did you cook? 11 A I don't remember that. Actually, I do 12 remember. 13 Q What did you cook? 14 A I did -- I made tacos, actually. Don't 15 ask me why I remember what I made, but I did. 16 Amber wanted -- she wanted Mexican food, so I did 17 a big Mexican spread. 18 Q When you said that Mr. Depp walked in, 19 he appeared inebriated. Do you recall, was he 20 swaying, was his voice -- his words slurred? What 21 do you recall? 22 A Because I had come to know him pretty</p>

<p style="text-align: right;">5656</p> <p>1 well at that point, he was pretty good at hiding 2 it with people who didn't know him all that well. 3 But you could sort of see, if you spend enough 4 time around him, you could see the little ticks, 5 slurring his words a little bit, a little bit 6 extra slang, being a little more discombobulated, 7 being a little more, what's the word, gregarious 8 and loose. That's not his normal mode. 9 Q Okay. I hate to go back into what I'm 10 going to refer to as the "poop incident." 11 But I think you testified earlier that 12 you observed, on a number of occasions, dog poop 13 or dog pee in Mr. Depp and Ms. Heard's apartment; 14 is that correct? 15 A In perpetuity. 16 Q When you say "in perpetuity," what do 17 you mean? 18 A Pretty much constant. I cleaned up my 19 share in that apartment. 20 Q And I think you testified that the dogs 21 weren't trained to only poop on the sidewalk? 22 A They weren't trained at all. They had</p>	<p style="text-align: right;">5658</p> <p>1 and out most of the day, hanging out with them. I 2 mean, pretty rapidly thereafter, I don't think it 3 was more than, like, 10 or 15 minutes before I 4 heard a door open in the hallway, and a couple 5 seconds later, I heard a really, really loud slam, 6 which I later learned was the wine bottle being 7 smashed into our door, PH1. And then I heard keys 8 jingling, Johnny shouting over to security telling 9 them to -- is it all right if I swear? I'm 10 telling here. 11 Q Just say the words exactly as they were 12 said. 13 A As I remember, he said, "Open this 14 fucking door and get me in here." And he came in, 15 caught eyes with me right away, and beelined for 16 me, screaming, cursing, spitting in my face. I 17 walked calmly to leave, realizing I forgot my keys 18 and the dog, so I turned around, had to walk back 19 to go get both. He stayed and followed with me, 20 walking, pacing, screaming, cursing, spitting in 21 my face, and I left calmly. At that point, Liz 22 was still in the apartment, and the last look I</p>
<p style="text-align: right;">5657</p> <p>1 their run, they'd be left at home for the large 2 portion of the day sometimes, and if there was 3 nobody there to take care of them, at some point, 4 there was pee and poop on everything. Couches, 5 sofa, chairs, the bed, you name it. 6 Q Let's go to the May 21 incident, which 7 is covered on pages 10 through 13. Let's just 8 call them Drew 7. 9 Again, same thing that we did for 10 April 21. I would like you, Mr. Drew, if you 11 could, just tell me the story of your role, what 12 you saw, what you observed, what you did, 13 chronologically, in connection with this incident. 14 A I don't remember what day of the week 15 it was, either Friday or Saturday. I want to say 16 it was a Saturday because I was not in the office. 17 Raquel had a jewel -- her first jewelry show the 18 next day, and the plan was for her and her friend 19 Liz, who had come over to help her, specifically, 20 get set up for this. Amber was around, they were 21 going to sit in PH5 and do yoga and paint and make 22 necklaces and things like that. I was sort of in</p>	<p style="text-align: right;">5659</p> <p>1 saw of her is that she bolted around the corner 2 and went upstairs to hide from him. 3 Q Had Mr. Depp ever done this to you 4 before? 5 A No. 6 Q Did he -- how close was he to you when 7 he entered your apartment and was screaming at 8 you? 9 A Close enough for it to be aggressive. 10 Q Within a foot? 11 A Yes. 12 Q And you said that you originally heard 13 him say, you know, open the fucking door. When he 14 was spitting and screaming at you, what was he 15 saying then? 16 A Couldn't tell you. Honestly, it 17 sounded like jibberish. At that point, I don't 18 think I was really hearing anything. It was just 19 how can I get the hell out of here without 20 something else happening? The reality was, even 21 though he's standing there, in front of my face, 22 he's also got, you know, two bodyguards right</p>

<p>5660</p> <p>1 there with him that are bigger than me. So, 2 what's really going to happen here? 3 Q What were you feeling when this was 4 going on? I'm trying to -- 5 A I mean, I don't think, honestly, I 6 didn't feel threatened. I'll say that flat-out. 7 It seemed really, really silly. I was really 8 surprised. I wanted to get out and make sure that 9 the girls were okay. 10 Q And sometimes you can say someone is 11 spitting at you because they're a couple inches 12 from your face. 13 A Sure. It wasn't, like, actively 14 spitting in my face. It was just the nature of 15 how close he was and the way in which he was 16 acting. 17 Q Okay. So you go get your keys, you 18 get -- you guys have your own dog, I take it? 19 A Yes. 20 Q You got your dog, you go out. What 21 happens next? 22 A I walked out in the hallway, and to be</p>	<p>5662</p> <p>1 A PH5. 2 Q Go to Drew 1, if you don't mind. Your 3 incredible architectural drawing, Mr. Drew. Tell 4 where you are -- where he was when you went? 5 A I was in here when Johnny came in. 6 Right here. 7 MS. BREDEHOFT: The record should 8 reflect, the witness pointed to PH5. 9 A This door was right there. This is in 10 PH5. The living room's a little larger. I came 11 out of the door, the door to PH1, right smack in 12 the middle, and I went back, started banging on 13 the door to PH5, assuming he was still in there, 14 but they were already gone. 15 Q So what sparked you to go back to try 16 to go after Mr. Depp was hearing, from Rocky, that 17 Mr. Depp had pushed her? 18 A Correct. 19 Q As opposed to Ms. Heard? 20 A Correct. 21 Q By the time you got over there, he had 22 already left?</p>
<p>5661</p> <p>1 very, very candid I really -- I don't remember, in 2 this instance, whether I went to PH3 to go check 3 on them or whether I went into PH1. The sequence 4 of events after that, as to when I actually got to 5 Raquel and Amber or whether they came to me, I 6 really don't remember that sequence of events 7 offhand. I couldn't tell you. 8 Q When you got to Raquel and Amber, what 9 did you observe? 10 A I remember first speaking to them, 11 specifically, in PH1, in our place. But like I 12 said, how it is we got there, I don't remember. I 13 remember deadbolting the door and Amber was 14 catatonic. She was just, like, a thousand-yard 15 stare, just done. And Raquel was trying to calm 16 down herself. I was thinking, what the fuck just 17 happened? And she started to recount a little 18 bit, and I went right out the door and started 19 banging on the door to do something regrettable. 20 He was already gone at that point. 21 Q Just so I understand it, you banged on 22 the door?</p>	<p>5663</p> <p>1 A Yes. 2 Q You said that Amber, when you saw them, 3 Amber and Rocky, I think you said Amber seemed 4 catatonic? 5 A Yeah, she was just a ghost. 6 Q How did Rocky seem? 7 A From what I remember, sort of like when 8 somebody's coming down from an adrenaline rush. 9 She was just sort of like -- she didn't really 10 know what to do. Couldn't sit still. Just sort 11 of standing there and shaking. 12 Q So, after you had gone to try to find 13 Johnny, he had already left. What happened next? 14 A I went right back to the girls to make 15 sure they were okay. After that, my own little 16 selfish outburst. 17 Q At that point, they were still in your 18 apartment? 19 A They were still in my apartment. I 20 came in, Amber started to come out of it, a little 21 bit. Raquel started calming down a little bit. I 22 started to get a little bit of what happened. The</p>

<p style="text-align: right;">5664</p> <p>1 thing I remember most distinctly is that Amber had 2 Johnny's cell phone in her hand, so I took it from 3 her. 4 Q And when did you first learn about the 5 police? 6 A We were in PH1, I believe, at that 7 point, when I came back upstairs, Amber was 8 already on the phone with her attorney. We went 9 back to go take pictures of all the damage, took 10 pictures of the wine stain in the hallway. 11 Q Is that the first time you saw the 12 damage to her place or did you see it when you 13 were kind of going back and forth? 14 A Again, I'm a little foggy on that. I 15 want -- I can't remember if I had seen it before, 16 whether that was when I saw that for the first 17 time. So, we took her back to PH3, took photos of 18 the damage inside, and I want to say the first 19 responders came pretty shortly thereafter, 20 maybe -- again, I'm really guessing here. I want 21 to say 20 or 30 minutes, at the most. 22 Q The first set of police officers who</p>	<p style="text-align: right;">5666</p> <p>1 occurred. I showed them the broken glass. They 2 had already walked over the wine stain in the 3 hallway, the big spill of wine. I showed them the 4 bolt in the door. You could see it looked like 5 the bottom of the wine bottle. I took them to 6 PH5, showed them through. Their communication to 7 me throughout was me just pointing things out to 8 them. The Caucasian police officer pulled me 9 outside, solo. I can't say what happened 10 internally, so I don't know whether anybody was in 11 earshot or whether it was just Amber and the 12 officer having a one-on-one or whether there was 13 anybody else around them. I don't know what was 14 said either, specifically, outside of what I might 15 have heard secondhand, which has already been 16 talked about ad nauseam. 17 Q You have, in front of you, Mr. Drew, a 18 series of photographs that we've marked as Drew 19 13. And I think I'm just going to take you 20 through them one by one, if that's okay with you. 21 I'm going to ask you if you remember -- if you can 22 tell me what these photos are?</p>
<p style="text-align: right;">5665</p> <p>1 were there, how long do you recall them staying? 2 A Maybe 15 minutes. I was asked to greet 3 the officers, specifically, because Amber didn't 4 want to file a report, and I said that I would 5 speak to them to see if they -- if I could, you 6 know, get them to leave and say that everything's 7 okay. Even though we -- obviously, we all knew 8 there was no way we could do that. I told her 9 that I would go and greet them first. 10 Q So two questions. Why did you know 11 there was no way to do that? Question -- let me 12 ask you that question first. 13 A I'm a survivor of domestic violence 14 myself. 15 Q What was your understanding of why she 16 didn't want them to know? 17 A She was still protecting him. 18 Q What else, if anything, Mr. Drew, do 19 you remember the female Hispanic police officer or 20 the Caucasian gentleman saying that evening? 21 A I remember -- I was the one who walked 22 them through PH3, where the original incident had</p>	<p style="text-align: right;">5667</p> <p>1 A These are photos taken of her -- the 2 night of the incident. 3 Q Who took the photos? 4 A Some were taken by me, some were taken 5 by Raquel. 6 Q When you say the night of the 7 incident -- 8 A May 21. 9 Q As you sit here today, can you 10 distinguish which were taken by you and which were 11 taken by Raquel? 12 A No. 13 Q Were you present when they were all 14 taken? 15 A I can't say that definitively. 16 Q Okay. Were you present when photos 17 were taken of Ms. Heard's face, like you see on 18 the first page of this? 19 A Yes. 20 Q And is this image of Ms. Heard's face, 21 on May 21, is this consistent with your 22 recollection of what her face looked like?</p>

<p>5668</p> <p>1 A Yes.</p> <p>2 Q Am I correct that unlike -- it's a</p> <p>3 little hard to see because there's a shadow on the</p> <p>4 right. Unlike the prior incident that we looked</p> <p>5 at, where there were photos, here, the injury</p> <p>6 looks like it's mostly on one side?</p> <p>7 A Correct.</p> <p>8 Q Let's look at the next photo. Tell me</p> <p>9 if you can remember, or you can identify it.</p> <p>10 A These are the pictures pulled off the</p> <p>11 wall and placed onto their bed in their bedroom.</p> <p>12 Q Let's go to the next set of photos,</p> <p>13 where it's clearer.</p> <p>14 Do you recall seeing this on the night</p> <p>15 of May 21?</p> <p>16 A Yes, this is on the column in PH5,</p> <p>17 going up the stairs.</p> <p>18 Q And there's the glass and the pictures</p> <p>19 were shattered?</p> <p>20 A Yes.</p> <p>21 Q Starting with the first photo of</p> <p>22 Ms. Heard's face. Is that what Ms. Heard's face</p>	<p>5670</p> <p>1 Q Go to the next one.</p> <p>2 A This is broken glass. I believe this</p> <p>3 is from the landing directly beneath the photo</p> <p>4 shown in the third photo.</p> <p>5 Q And it's a landing on a staircase?</p> <p>6 A Yes.</p> <p>7 Q Was that photo taken by either you or</p> <p>8 Rocky?</p> <p>9 A Yes.</p> <p>10 Q Did you show that glass to the police</p> <p>11 officers who came -- the first group of police</p> <p>12 officers who came that night?</p> <p>13 A Yes, I did.</p> <p>14 Q Next photo. I take it that's a</p> <p>15 stairway?</p> <p>16 A Yes.</p> <p>17 Q That photo was, again, taken by either</p> <p>18 you or Rocky?</p> <p>19 A Correct.</p> <p>20 Q Was the broken glass on the stairway,</p> <p>21 depicted in this photograph, showed to the first</p> <p>22 group of police officers that night?</p>
<p>5669</p> <p>1 looked like when the police arrived?</p> <p>2 A Yes.</p> <p>3 Q With the next photo of the pictures on</p> <p>4 the bed and the broken picture frame on the wall,</p> <p>5 did you show these to you -- you personally showed</p> <p>6 these to the first group of police officers that</p> <p>7 night?</p> <p>8 A Honestly, this one, I really can't say</p> <p>9 whether I did show them to the officers. I don't</p> <p>10 recall this.</p> <p>11 Q Just so the record's clear, you're</p> <p>12 pointing to the photos on the bed?</p> <p>13 A Correct.</p> <p>14 Q What about the photos on the wall?</p> <p>15 A The third photo, yes, I showed them,</p> <p>16 personally.</p> <p>17 Q For the photos on the wall, you had</p> <p>18 been in the apartment prior to this?</p> <p>19 A Yes.</p> <p>20 Q Was the glass broken the last time you</p> <p>21 were in the apartment?</p> <p>22 A No.</p>	<p>5671</p> <p>1 A Yes, it was.</p> <p>2 Q What's the next photo?</p> <p>3 A This is the hallway where there would</p> <p>4 have been spilled wine right outside the door of</p> <p>5 PHI.</p> <p>6 Q And do you see spilled wine in this</p> <p>7 photo?</p> <p>8 A Yes.</p> <p>9 Q Can you indicate, for the record, where</p> <p>10 that is?</p> <p>11 A Here and here and here.</p> <p>12 MS. VASQUEZ: He is pointing to the</p> <p>13 sort of middle of the photograph, on the right</p> <p>14 side, on the floor, on the stripes.</p> <p>15 Q And was this a photograph taken by</p> <p>16 either you or Rocky?</p> <p>17 A Yes.</p> <p>18 Q Did the police officers, the first</p> <p>19 group of police officers who came, see this on</p> <p>20 that evening?</p> <p>21 A They would have walked through it</p> <p>22 before they even got to the door.</p>

<p>1 Q But that's not something you showed 2 them? 3 A No. 4 Q Last photo in the series. Can you tell 5 me what that is? 6 A That is a wine bottle and spilled wine 7 on the floor. 8 Q Is this a photo that was taken by 9 either you or Rocky? 10 A Yes. 11 Q Is this something that you showed the 12 first group of police officers that evening? 13 A Yes. 14 Q Which apartment is this in? 15 A I believe this is in PH5. 16 Q Which room? 17 A In the living room. 18 Q As I asked with the other series of 19 photos that we saw, first of all, were any -- are 20 you aware of anyone who made any efforts to 21 Photoshop or otherwise manipulate these photos to 22 make the incident and the circumstances look worse</p>	<p>5672</p>	<p>1 Sitting here today, do you know who 2 took these photos? 3 A We're talking about the two I have in 4 front of me right now? 5 Q Yes. 6 A It was either me or Raquel. 7 Q Is this consistent with your 8 recollection of how Ms. Heard looked the next day, 9 on May 22nd? 10 A Yes. 11 Q Did you see Ms. Heard's face on 12 May 22nd, 2016? 13 A Yes. 14 Q Did you or your ex-wife take photos of 15 Ms. Heard's face on that day? 16 A Yes. To my recollection. 17 Q And similar to questions I've asked you 18 in the past, was any effort made to stage those 19 photos in any way? 20 A Not to my knowledge, no. 21 Q Was there any effort made to put makeup 22 on Ms. Heard's face to make the injuries look</p>	<p>5674</p>
<p>1 than they were? 2 A Not to my knowledge. 3 Q Do you have any understanding that that 4 evening, looking at the first photo of Ms. Heard's 5 face, did anyone somehow put makeup on her face to 6 make it look like she had an injury under her eye? 7 A No. 8 Q With respect to these photographs, 9 generally, that we've looked at in Drew 13, was 10 there any effort to stage the photographs in any 11 way? 12 A Absolutely not. 13 Q And do you know how the photographs 14 got, ultimately, to Ms. Heard? 15 A I do not. 16 Q So I think you testified earlier, with 17 Mr. Chew, Mr. Drew -- I'm rhyming here -- that you 18 were in contact with Ms. Heard on the day of 19 May 22nd? 20 A Yes. 21 Q And I'll represent to you that the 22 photos in Drew 14 were taken on that day.</p>	<p>5673</p>	<p>1 redder or more serious? 2 A Not to my knowledge, no. 3 Q Was any manipulation of the photos 4 done, either using Photoshop or any other similar 5 method? 6 A Not to my knowledge, no. 7 Q I'm showing you a document that's been 8 marked as Drew 18. Directing your attention to 9 the photos there, and asking if you can identify 10 where these photos were taken? 11 A The photo on the first page, honestly, 12 I'm not sure. I don't really remember which 13 stairwell this was from, from which penthouse. 14 Q Each penthouse had a stairwell? 15 A Yes. 16 Q Next one? 17 A Both of these photos were taken from 18 PH5, where Amber's closets was located, or what 19 Amber used as her closet, I should say. 20 Q Next page, same thing? Amber's closet? 21 A Same thing. 22 Q Next page, at least the top one?</p>	<p>5675</p>

<p>5676</p> <p>1 A The top one, same. 2 Q Bottom photo on that page? 3 A Bottom photo is taken from -- it looks 4 like it's taken from the landing on the stairwell 5 of PH5, towards the kitchen, toward the Broadway 6 side. 7 Q And the next page seems like similar 8 copies. 9 Were you ever made aware, Mr. Drew, of 10 anyone destroying Amber's closet this way? 11 A Not to my knowledge. 12 Q Are you aware of any efforts between 13 and among Rocky Pennington, iO Tillett, Melanie 14 Inglessis, Elizabeth Marz, or Amanda de Cadenet to 15 "get their stories straight"? 16 A Not to my knowledge. 17 Q Have you ever had any outreach from any 18 of these people I just mentioned, to you, to 19 coordinate your story or your recollection or your 20 testimony about the things you've testified here 21 today? 22 A No. I did receive a phone call from</p>	<p>5678</p> <p>1 witness. We'll go ahead and have our lunch break. 2 Again, during your hour lunch break, do not 3 discuss the case with anybody, and do not do any 4 outside research, okay? 5 Okay. We'll see you in an hour. 6 (Whereupon, the jury exited the 7 courtroom and the following proceedings took 8 place.) 9 THE COURT: All right. So we'll come 10 back at 1:45, then. Is that fine? 11 MS. BREDEHOFT: We'll have a live 12 witness then. 13 THE COURT: Okay. Live witness at 14 1:45, so we'll take the TV down. Okay. Thank 15 you. 16 THE BAILIFF: All rise. 17 (Recess taken from 12:43 p.m. to 18 1:45 p.m.) 19 THE BAILIFF: All rise. 20 Please be seated and come to order. 21 THE COURT: All right. Are we ready 22 for the jury?</p>
<p>5677</p> <p>1 iO, I want to say, maybe, three months ago, but 2 that was to catch up. 3 Q And did you discuss, during that phone 4 conversation, your recollection of the events that 5 we've been discussing today? 6 A No. 7 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 8 COUNTERCLAIM DEFENDANT 9 BY MR. CHEW: 10 Q You testified that the dogs were too 11 small to climb the stairs; is that correct? 12 A Correct. 13 Q And if the dogs, in fact, were too 14 small to climb the stairs, how would they be able 15 to jump on the bed? 16 A One of them was. One of them was not. 17 Q So it's your testimony that one of the 18 dogs could -- had the ability to climb the stairs 19 and jump on the bed and the other had neither? 20 A Correct. 21 THE COURT: All right. Ladies and 22 gentlemen, that completes the testimony of that</p>	<p>5679</p> <p>1 MS. BREDEHOFT: Yes, Your Honor. 2 THE COURT: Okay. 3 (Whereupon, the jury entered the 4 courtroom and the following proceedings took 5 place.) 6 THE COURT: All right. Please be 7 seated. 8 Your next witness. 9 MS. BREDEHOFT: Your Honor, we call 10 Whitney Henriquez to the stand. 11 THE COURT: All right. Come forward, 12 ma'am 13 WHITNEY HENRIQUEZ 14 A witness called on behalf of the 15 Defendant, having been first duly sworn by the 16 Clerk, testified as follows: 17 THE COURT: All right. 18 MS. BREDEHOFT: Thank you, Your Honor. 19 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 20 COUNTERCLAIM PLAINTIFF 21 BY MS. BREDEHOFT: 22 Q Will you please state your name for the</p>

5680	1 record. 2 A Whitney Henriquez. 3 Q And where do you live? 4 A In Glendale, California. 5 Q And you're Amber's sister? 6 A I am. 7 Q How old are you? 8 A 34. 9 Q So you're her younger sister? 10 A Yes. 11 Q Are you married and do you have any 12 children? 13 A I am. I'm married with two small 14 children. 15 Q Okay. How old are your children? 16 A Three-year-old and a newborn, just over 17 two months old. 18 Q What is your profession? 19 A Before the pandemic, I worked in hotels 20 doing various food and beverage management jobs, 21 primarily events as well. 22 Q I'm going to take you to Mr. Depp and	5682	1 A Again, at first, that was wonderful. 2 They were incredibly in love. I actually, to this 3 day, have never seen my sister fall so madly for 4 somebody. And things were wonderful. They seemed 5 to really understand each other and get along well 6 and -- but very quickly, this pattern emerged, as 7 their relationship went on, that if Johnny was 8 using, there almost always was a fight. There was 9 always -- 10 MS. LECAROS: Objection, Your Honor. 11 Calls for speculation. Lack of foundation. 12 THE COURT: As to foundation, do you 13 want to lay a foundation. 14 Q What, if any, changes in their 15 relationship did you observe? 16 A That when Johnny was using, there would 17 be a fight. I saw it firsthand. 18 MS. LECAROS: Objection, Your Honor. 19 Same objection. 20 THE COURT: Overruled. That's fine. 21 MS. BREDEHOFT: Thank you. 22 Q Please continue.
5681	1 Amber, the early stages. When did you first meet 2 Mr. Depp? 3 A I met him sometime in 2011 for the Rum 4 Diary press tour. But I did not meet him until 5 2012 as Amber's boyfriend. 6 Q And were you living with Amber at the 7 time? 8 A Yes, we had an apartment together on 9 Orange Avenue. I have split my time between 10 there, as well as an apartment I shared with my 11 boyfriend at the time. 12 Q Now, describe your relationship with 13 Mr. Depp in the early stages. 14 A We got along really well at first. He 15 was sober at the time and Johnny, when he's sober, 16 is very bright and beautiful and lovely and kind 17 and generous. And he was very easy to get to 18 know. And frankly, we all fell in love with him, 19 at first. 20 Q Now, describe your observations of 21 Amber and Mr. Depp's relationship in the early 22 stages.	5683	1 A If he was using or if he was drinking, 2 there was almost always a fight. There was always 3 an argument. There was always a period where they 4 weren't getting along. And it seemed to oscillate 5 pretty quickly. He would be sober for a little 6 bit and would, almost just as quickly, fall off 7 the wagon and start to use or drink, and there'd 8 be some big blowout. And it seemed to go back and 9 forth pretty frequently. There was never an 10 extended period of time where it was one or the 11 other. 12 Q What, if any, changes did you observe 13 in Amber over the period of her relationship with 14 Johnny? 15 A At first, Amber was Amber. She was 16 loud, fun, funny. She laughed a lot. She was 17 just this happy, bright, fun-loving thing, always 18 surrounded by friends. And then it was just -- it 19 was a progression that took over such a long 20 period of time, and it was so slow. In hindsight, 21 it was like watching a slow-motion gunshot. She 22 suddenly stopped sleeping as much. Wasn't as

<p style="text-align: right;">5684</p> <p>1 funny, she wasn't as loud, she wasn't as 2 gregarious as she used to be. Cut to the end of 3 their relationship, she was so physically unwell. 4 She maybe weighed 100 pounds soaking wet. She was 5 emaciated, she wasn't sleeping. She had developed 6 a heart condition and her eyes were sunken in. 7 Just looked like she -- 8 MS. LECARAZ: Objection, Your Honor. 9 Lack of foundation. Hearsay. 10 MS. BREDEHOFT: She's giving her 11 observation. 12 THE COURT: Heart condition. I'll 13 sustain as to heart condition. 14 Q Other than the heart condition, please 15 continue. 16 A If you were to do a photograph side by 17 side, you would see two very different people. 18 And people that knew her throughout the entirety 19 of their relationship saw the same thing. 20 Q What, if any, observations did you make 21 about Mr. Depp's -- Mr. Depp exhibiting 22 controlling behavior over the course of their</p>	<p style="text-align: right;">5686</p> <p>1 stylist wanted her to wear or wanted them to wear. 2 And her style, over time, just got more and more 3 conservative. 4 Q What, if any, observations did you make 5 about Mr. Depp with respect to Amber's work? 6 A That, too, was one thing. At first, it 7 was -- he was saying he was protective over the 8 kinds of jobs she was taking. You know, oh, 9 that's not going to be good for her career; that's 10 not going to be good for this; that's not going to 11 be good for that. Then, suddenly, it's he has a 12 problem with her taking any sort of job or any 13 sort of audition. And then it became every time 14 that she even thought about taking a meeting, it 15 was another fight. He would often say things 16 like, I don't even understand why she needs to 17 work. I'll take care of her. I'll take care of 18 you. I'll take care of everyone else. She 19 doesn't need to work at all. It was one of those 20 things that he was, at the end, vehemently against 21 her working at all. 22 Q What, if any, observations did you make</p>
<p style="text-align: right;">5685</p> <p>1 relationship relating to Amber's clothing? 2 MS. LECARAZ: Objection, Your Honor. 3 Leading. 4 MS. BREDEHOFT: What, if any, 5 observations did she make about -- 6 THE COURT: I'll sustain the objection. 7 Q What, if any, observations did you make 8 about Mr. Depp's treatment of Amber relating to 9 clothing? 10 A At first, you know, it would be, like, 11 light jokes or, you know, she left the house 12 wearing something, like, oh, are you going to wear 13 that? Or some joke. It was very subtle. And 14 then over time, again, just like the progression 15 of their relationship, it just intensified. Then, 16 suddenly, it's, you know, she's -- they have the 17 same stylist. He forgot her name, but he had the 18 same stylist. And he had been, essentially, 19 controlling what she wore to events and things 20 like that. She went from being able to wear 21 whatever the hell she wanted and then, suddenly, 22 she's wearing anything that her stylist, his</p>	<p style="text-align: right;">5687</p> <p>1 about Mr. Depp's treatment of Amber with respect 2 to friends? 3 A Again, these are all things that just 4 very slowly, over time just changed. You know, at 5 first, you know, he was very inclusive of all of 6 us. At one point, we all lived downtown together 7 in these beautiful lofts. At first, that was part 8 of the relationship, was getting to know him and 9 him getting to know us. Then just, again, slowly 10 over time, he took issue with Brandon at one 11 point, then Brandon wasn't allowed in the fold. 12 Time went on, he had an issue with iO. IO wasn't 13 allowed in the fold anymore. And then, at some 14 point, even me. He had accused me of doing 15 something horrendous that I had never done. And 16 then, suddenly, I'm not allowed around anymore. 17 Over time, she had such a small network of people 18 that were there to support her. It was hard to 19 watch. 20 Q Okay. What, if any, observations did 21 you make about Mr. Depp's attitude or treatment of 22 Amber with respect to health, her health?</p>

<p>5688</p> <p>1 A Amber was -- she was a pretty healthy 2 person at first. She didn't have any medical 3 issues that -- you know, didn't need intervention 4 of any sort. But any one of Johnny's attempts to 5 get sober, he had employed Dr. Kipper, who had 6 these nurses, and he had a personal nurse that 7 would, like, administer medication. You know, I 8 think the intention was to make sure that he 9 stayed clean --</p> <p>10 MS. LECARAZ: Objection, Your Honor. 11 Calls for speculation.</p> <p>12 Q Without discussing --</p> <p>13 THE COURT: I'll sustain the objection.</p> <p>14 Q -- what his intentions were, just go 15 ahead and give us what your observations were with 16 respect to Mr. Depp, with respect to Amber's 17 health.</p> <p>18 A Sure. All of a sudden, for really 19 unclear reasons, Amber had her own personal nurse, 20 just administering medication. And from what I 21 saw, it was strange. I didn't think Amber needed 22 medication on the daily, or whatever, and then all</p>	<p>5690</p> <p>1 expectation of privacy for her, in terms of what 2 was on her devices or accessibility of her 3 devices.</p> <p>4 Q How many times did you observe Mr. Depp 5 drunk?</p> <p>6 A Countless. I mean, too many times for 7 me to quantify.</p> <p>8 Q How many times did you observe Mr. Depp 9 high on drugs?</p> <p>10 A Again, it would be really hard for me 11 to put a number to that. It was a lot.</p> <p>12 Q And what types of drugs did Mr. Depp 13 use, to your knowledge and your observation?</p> <p>14 A Personally, I've done cocaine and drank 15 with him on a number of occasions, so that. He 16 almost always had weed of some sort, marijuana, 17 like, you know, joints or whatever. I have seen 18 him take MDMA on an occasion, shrooms as well. I 19 once saw him consume a bag, a Ziploc bag that had 20 a bunch of just unknown pills, some prescription, 21 some not. He just took them all at once to see 22 what would happen, and he laughed about it.</p>
<p>5689</p> <p>1 of a sudden, she has a therapist that is employed 2 by Dr. Kipper. Even her medical treatment was 3 somehow controlled by, or paid for by Johnny.</p> <p>4 MS. LECARAZ: Objection, Your Honor. 5 Calls for speculation with respect to the control.</p> <p>6 THE COURT: As to control. But paid 7 for, I'll allow it.</p> <p>8 MS. BREDEHOFT: Thank you.</p> <p>9 Q What, if anything, did Mr. Depp say 10 about Amber's electronic devices?</p> <p>11 A Well, every time they fought or had an 12 argument, a device was going to get smashed. She 13 lost a phone, a tablet, computer. You could 14 almost guarantee that something would get 15 destroyed when they fought.</p> <p>16 Very often, there were -- fights were, 17 at least in part, surrounded by text messages or 18 something that he would find on her phones or, you 19 know, whatever. And at some point, she wasn't 20 even allowed to have passwords on her phone, or if 21 she did have a password, it was something really 22 simple that he memorized, but there was zero</p>	<p>5691</p> <p>1 So those are what I can recall.</p> <p>2 Q Now, you said that you also did cocaine 3 with Mr. Depp; is that correct?</p> <p>4 A Yes.</p> <p>5 Q What, if any, observations did you make 6 as to what Mr. Depp carried in his pockets?</p> <p>7 A Well, he always had -- he always had 8 cigarettes or rolling papers. When I say 9 "cigarettes," I mean the tobacco and rolling 10 papers. He always had a joint on him. If he was 11 in the phase of using coke, he would carry around 12 a little pill box that had his cocaine in it. He 13 always had a pocket knife, a lighter, and, yeah, 14 that's about what I can recall.</p> <p>15 Q Okay. What, if any, behavior changes 16 did you observe when Mr. Depp had been drinking 17 alcohol or using drugs?</p> <p>18 A Like I said, it was, you know, a 19 completely different version, you know. He was 20 almost unrecognizable when he was drinking and 21 using to an excess. If it was alcohol and coke, 22 he would -- he would slur, he would go on these</p>

<p>5692</p> <p>1 paranoid delusional rants about things that didn't 2 make any sense. He -- you know, his speech would 3 be slurred. I almost never knew him to use 4 cocaine without drinking, those were, generally, 5 combined. When he would smoke weed, he was much 6 more relaxed. He was kind of what you would 7 expect, happy on the couch, laughing. But when he 8 was drinking, he would just get very angry and he 9 would just say really nasty, unkind things, and it 10 almost didn't -- usually about Amber, sometimes 11 about me. But it almost didn't matter if she was 12 in the room or not. He would just say really 13 horrible, horrible things about her or to her. 14 Q Can you give the jury a few examples 15 that you can recall? 16 A Pardon me language. Fucking cunt. He 17 called her a fucking used up trash bag. Slimy 18 whore, saggy whore. You know, fucking cunt was 19 thrown out a bunch. Just horrible things like 20 that. 21 Q I'm going to take you to March 21st, 22 2013, we've called it the painting or Keith</p>	<p>5694</p> <p>1 His speech was slurred and, again, he was 2 really -- it was really hard to follow what he was 3 trying to tell me. At first, he seemed to be 4 upset that my sister had been photographed with 5 her friend Marie in France. He, then, started 6 saying that it must have meant that she was having 7 an affair with her and, you know, everyone would 8 be laughing at her, and this would end -- her 9 father was a French politician, so he, then, 10 started rambling on about, oh, he knows what her 11 father is up to, this, that, and the other. 12 Again, it was this strange, paranoid tailspin, is 13 the only way I can describe it. It wasn't true. 14 My sister wasn't having an affair with this 15 person. 16 MS. LECAROS: Objection, Your Honor. I 17 think it's pretty nonresponsive at this time. 18 THE COURT: All right. 19 Next question. Sustain the objection. 20 Q Please describe what your conversations 21 were and your observations were with Mr. Depp. 22 A So, as I'm sitting there talking to</p>
<p>5693</p> <p>1 Richards incident. When did you arrive at the 2 Orange apartment on March 21st, 2013? 3 A It was sometime in the afternoon. 4 Sometime in the afternoon. I came in and Orange 5 was typically a very neat, clean place, but as 6 soon as I walked in, there was a bunch of -- there 7 was smoke in the air. I remember it smelled like 8 cigarette smoke and there was smoke in the air, so 9 somebody had been smoking inside, which was odd 10 because Amber and I don't smoke, and Johnny used 11 to always just go outside and smoke. But walking 12 a little further in, there was furniture askew. 13 Going into the kitchen, there was -- Johnny sat at 14 our little breakfast nook table that we had there, 15 and he was wearing glasses. He had, you know, 16 there was cocaine in front of him. There was 17 booze in front of him. Journal, like, newspaper, 18 things like that just kind of scattered around at 19 the table. And I sat down to talk to him to see 20 what was going on, and it was really hard to 21 understand what he was getting at. It was really 22 clear that he had been drinking for some time.</p>	<p>5695</p> <p>1 him, Amber is in the kitchen and, you know, she's 2 not sat at the table or anything, just kind of 3 hanging back, and Johnny is still talking to me 4 about what the problem was. And then, all of a 5 sudden, the focus shifts to this painting that has 6 been on the wall ever since Amber and I moved in, 7 and the painting was done by one of my sister's 8 ex's, so he was convinced that it was on the wall 9 to taunt him, to tease him and how disrespectful 10 that he had to wake up next to this painting, and 11 it surely meant that Amber and Tasya was back 12 together again, which, of course, was not true. 13 But then he was upset about that; he was upset 14 about this painting that was on the wall. 15 I was trying to talk to him, not only 16 to just try and figure out what he was going on, 17 but I was trying to get him out the house because 18 he was already very late for filming this 19 documentary that was being shot at one of his 20 houses. 21 Q Is that with Keith Richards? 22 A Correct. My understanding of it.</p>

<p>1 Q Please continue. 2 A So, for hours, we sat there. I was 3 trying to, you know, talk to him, make him feel 4 like everything was okay. Just try to get him out 5 of the house. His assistant kept coming in and 6 out at one point. And all the while, Amber is 7 just in the kitchen. She's, again, she's like 8 giving us space, but she's in earshot, and he's 9 saying these things about her. At one point, she 10 tries to come over to, like, check on him and she 11 kind of embraces him from behind, and he's just, 12 like, fuck off and, you know, continues to say 13 these things about her. And, again, we sat there 14 forever. And eventually, we did get him to leave 15 the house. So I – but he insisted that Amber 16 come too and that if they were going to work it 17 out, she would have to be there and she would have 18 to talk about it at some other point, I guess. 19 Q Let me stop you for a minute. What, if 20 any, injuries did you observe on Amber at that 21 time? 22 A At that time – it was before I had a</p>	<p>5696 5698 1 condition of him leaving, is that Amber had to go 2 with us. 3 Q Okay. Please describe to the jury what 4 happened next, then, on your ride over there. 5 A So, Amber and Johnny were sitting in 6 the back. I was in the front with Sterling, the 7 driver, and I – they weren't saying much back 8 there. There was music playing pretty loudly, so 9 I couldn't really hear what was going on back 10 there. But at some point, I heard the back door 11 open – or the back window open, and Johnny is 12 holding our dog out the window. And I – I froze. 13 I was scared because I just remember thinking I 14 knew how inebriated he was and the dog was very 15 small. I thought if she twitched or, you know, if 16 he lost her or somehow, she was just going to go 17 out the window. 18 And Amber, of course, was just 19 saying – 20 MS. LECAROS: Objection, Your Honor. 21 MS. BREDEHOFT: Not offered to prove 22 the truth of the matter asserted, Your Honor.</p>
<p>5697 1 real understanding what was going on. I didn't 2 know, frankly. Her face was swollen and – but I 3 didn't – and it was kind of red. I thought she 4 had just been crying. And her lip did appear to 5 be cut, but, again, at the time, that wasn't what 6 we were trying to do. It wouldn't have been 7 appropriate to, you know, talk to her about it or 8 anything. That wasn't my focus, frankly. My 9 focus was, you know, sitting there trying to 10 figure out what he was upset about and get him out 11 of the house. 12 Q So how long were you at Orange with 13 Mr. Depp and Amber before he left to go to Keith 14 Richards? 15 A A few hours. I couldn't say. Maybe 16 around, like, four or five hours. It took a 17 minute. 18 Q Now, did you accompany Mr. Depp over to 19 the recording or did you stay? 20 A I did. 21 Q Did Amber? Did Amber go too? 22 A Correct. That was part of the</p>	<p>5699 1 THE COURT: I'll sustain the objection. 2 MS. BREDEHOFT: Okay. 3 Q Don't say what Amber said, just 4 continue with your observations. 5 A He brought the dog back into the car 6 and he was just laughing, this, really, scary, 7 loud, like it was almost like a cackle. And he, 8 then, made some joke about putting her in the 9 microwave, and that was the joke after that, was 10 putting the dog in the microwave. 11 Q Okay. So during the year 2013, what, 12 if any, marks did you observe on Amber, any 13 injuries or signs of markings, anything like that? 14 A Occasionally, I'd see bruising, cut 15 lips, split lips. Weird marks, burns, or, I don't 16 know, on her arms, scratches on her arm, things 17 like that. It was just – it was just weird and 18 it was periodic. It wasn't, like, a constant 19 thing. But there were – there were injuries to 20 her. 21 Q And what, if anything, did you do? Did 22 ask her about them?</p>

<p style="text-align: right;">5700</p> <p>1 A I did, at some point, confront her and 2 ask her. And she – 3 MS. LECAROZ: Objection, Your Honor. 4 Hearsay. 5 THE COURT: Sustain the objection. 6 Next question. 7 MS. BREDEHOFT: Okay. 8 Q But you did ask her about them? 9 MS. LECAROZ: Objection. Same 10 objection. 11 THE COURT: That's fine. Overrule. 12 MS. BREDEHOFT: Thank you, Your Honor. 13 Q I'm going to take you to June 2013, 14 Hicksville. Were you in attendance at that event 15 with Mr. Depp and Amber? 16 A Yes, yes. 17 Q Please describe for the jury what you 18 can recall from that event. 19 A So Hicksville is like this – it's a 20 collection of themed Airstreams, like a little – 21 it's in the middle of the desert. It's a fun, 22 little place to go. So we went with a group of</p>	<p style="text-align: right;">5702</p> <p>1 A I observed people cleaning up after 2 what appeared to be just a night of friends 3 hanging out. I then went to my sister's trailer 4 and -- where she was staying with Johnny, and it 5 looked like a bomb went off in there. There were 6 broken things, things had been askewed. It just 7 looked incredibly messy. Looked like somebody had 8 ransacked it. 9 That's what I observed. 10 Q Okay. Now, I'm going to take you to 11 September 2013. What, if anything, did you do 12 with Mr. Depp relating to going to London? 13 A So, September 2013, that was around the 14 time of my birthday. Amber was filming in London 15 and she wasn't able to make it back for my 16 birthday, and it was also a friend of ours, iO 17 also has a birthday the same time, or around the 18 same time as us, as me. Johnny thought it would 19 be great to load up and surprise Amber on set. He 20 thought she'd really enjoy it so that's what we 21 did. We loaded up, went on a plane that he 22 chartered, and I believe my father was with us as</p>
<p style="text-align: right;">5701</p> <p>1 our friends, and, yeah, so each one of us had our 2 own little Airstream or whatever. My partner and 3 I, at the time, we got there last. As we're going 4 around checking out the different Airstreams, 5 because, again, each one of them had a different 6 theme, so it was kind of fun to see who was 7 staying in which theme or whatever. I opened 8 Amber's and Johnny and there's cocaine on the 9 table. I didn't really think much of it at the 10 time. I was, like, okay, fine, we're all here to 11 have fun. That night, you know, we sat around the 12 campfire, everyone was drinking, some people were 13 taking shrooms, you know. And then I drank too 14 much, and I went to bed early, before everyone 15 else. And then the next day, you know, when 16 everyone was cleaning up, I had heard about 17 something that had happened the night before and 18 an altercation that -- 19 MS. LECAROZ: Objection, Your Honor. 20 Hearsay. 21 Q Don't tell us what you heard. Go ahead 22 and just tell the jury what you observed.</p>	<p style="text-align: right;">5703</p> <p>1 well, and, yeah, Johnny and I drank and did a lot 2 of cocaine on that plane, and I ended up passing 3 out, but we get to London and, you know, we had -- 4 it was wonderful to see Amber, and we had a dinner 5 that night at the hotel that we were staying at -- 6 or it was either that night or the next night. I 7 can't remember, exactly. But at one point, Johnny 8 picked up a steak knife and he hurled it at his 9 assistant. It missed him, but, obviously, Nathan 10 got upset and he left, and he was upset as well. 11 And I -- a fight broke out between Amber and 12 Johnny that night. I didn't -- I didn't witness 13 it. I wasn't there. 14 MS. LECAROZ: Objection, Your Honor. 15 Lack of foundation. 16 THE COURT: All right. I'll sustain 17 the objection. 18 Next question. 19 Q So you can't tell us about it if you 20 weren't there. 21 A Okay. 22 Q So what happened next that you were</p>

<p>1 aware of? 2 A I left sometime after that, and when I 3 touched down in Los Angeles, I learned that they 4 had – 5 MS. LECAROZ: Objection, Your Honor. 6 MS. BREDEHOFT: Not offered to prove 7 the truth of the matter, Your Honor. 8 THE COURT: Sustain the objection. 9 Next question. 10 Q When did they get engaged? 11 A They got engaged at some point when I 12 was on the plane. I left London; by the time I 13 landed in Los Angeles, they were engaged. 14 Q Okay. Now I'm going to jump all the 15 way to November 2014, the 2014 Hollywood Film 16 Awards. What, if any, involvement did you have 17 with Mr. Depp relating to the Hollywood Film 18 Awards? 19 A I was called over to where he was 20 getting ready, 80. 21 Q When you say "80," are we talking about 22 Sweetzer?</p>	<p>5704</p> <p>1 he doesn't understand why she continues to take 2 jobs. She must be doing it to insult him or to 3 hurt him or she's only taking these jobs because, 4 you know, she wants to meet people. I don't know. 5 The entire time that we were talking, 6 his sister and his, you know, assistants, at one 7 point, everyone was trying to get him out of the 8 house because he was already very late for this. 9 But eventually, they did get him to 10 leave the house, and I saw the awards show later, 11 at some point. 12 Q And what did you observe when you 13 watched the awards show? 14 A Unfortunately, an extension of what I 15 had seen at the house. He was still very drunk. 16 Actually, a little bit more drunk than when I saw 17 him at the house. 18 Q And what was he doing that caused you 19 to believe he was very drunk? 20 A Well, he was drinking the entire time 21 we were talking. In general, at this point, I 22 understood what Johnny looked like when he's</p>
<p>5705</p> <p>1 A Yes, that's one of the houses that is 2 on that street that Johnny had – he had several 3 houses on that street. 80 was the one that he 4 referred to as, like, the man cave. That's where 5 he spent a lot of time. So I was summoned to 80. 6 Again, following a fight that he and my sister 7 were having. 8 MS. LECAROZ: Objection, Your Honor. 9 Lack of foundation. 10 Q Just don't talk about what you weren't 11 party to? 12 THE COURT: I'll sustain the objection. 13 Go ahead. 14 MS. BREDEHOFT: Okay. 15 Q Please tell the jury what you observed, 16 what happened when you were there. 17 A Sure. Sure. When I got there, Johnny 18 was outside and he was very drunk already, and he 19 was continuing to drink. He was, again, rambling 20 about my sister having affairs with people that it 21 just wasn't true, and just kept saying things. It 22 was, you know, that she doesn't need to work and</p>	<p>5706</p> <p>1 drunk. He's stammering, his speech was hard to 2 understand, he was slurring, he was super unsteady 3 on his feet. Yeah, I recognized what he looks 4 like when he is drunk. 5 Q Okay. Now I'm going to take you to 6 March 23rd, 2015. And at this time, were you 7 living at the penthouse suites? 8 A I was. 9 Q When, approximately, did you move into 10 the penthouse suites? 11 A Ooh, I want to -- I actually don't know 12 for sure when I moved in. It would take me a 13 minute to remember. Sometime in 2014, I think. 14 Q Okay. And so as of March 23rd, 2015, 15 you're living there, correct? 16 A Yes. 17 Q And where are you living in those 18 penthouses suites? What is it called? 19 A So I was in what they call PH4. The 20 layout is, you know, the entire top floor of this 21 building, Johnny owns them all, and he was kind 22 enough to let us all live there. So I was in PH4.</p>

<p style="text-align: right;">5708</p> <p>1 Amber and Johnny were in PH3. I believe Isaac was 2 in 2, and Rocky and Josh were in 1. But the only 3 ones that actually connected were 3, 4, and 5. 4 So, again, I was kind of sandwiched between where 5 Johnny and Amber stayed and Amber's, basically, 6 closet. So, basically, you had to cut through to 7 get to one point to the other. So I was sleeping. 8 I woke up to Amber in my bedroom saying, can you 9 believe he's cheating on me? 10 MS. LECAROZ: Objection, Your Honor. 11 MS. BREDEHOFT: Not offered to prove 12 the truth of the matter asserted. 13 THE COURT: Overruled. 14 MS. BREDEHOFT: Thank you. 15 Q Please continue. 16 A She said something. 17 Q She said overruled. It's okay for you 18 to say what. 19 A Oh, okay. 20 Q Just, please, just briefly, what you 21 just explained. 22 A I woke up to her saying, "Can you</p>	<p style="text-align: right;">5710</p> <p>1 A So I go to PH5, where Amber -- I'm 2 sorry, Johnny, Debbie, and Travis were all 3 standing in the kitchen of PH5. I was -- I went 4 down there to talk to him, and, again, I can tell 5 he's clearly drunk, and he has a bottle of alcohol 6 of some sort in front of him as well. And, again, 7 he's talking to me about how he -- how Amber found 8 these text messages between him and a woman called 9 Rochelle, and then he starts saying that this 10 woman was meaningless. It was just -- it wasn't 11 anything special. She's nothing special. But 12 then he immediately shifted to, well, Amber pushed 13 me. Amber made me do it. Of course I'm cheating 14 on her, you know, whatever. It suddenly became 15 about Amber making him do it. At some point, 16 then, Amber is on the mezzanine level of PH5, so 17 she is -- kind of hard to explain. The kitchen is 18 down here and the mezzanine is up here. So she is 19 there, it's her little office nook, and she starts 20 shouting at him saying -- 21 MS. LECAROZ: Objection, Your Honor. 22 Hearsay.</p>
<p style="text-align: right;">5709</p> <p>1 believe he's cheating on me? Your fucking brother 2 is cheating on me." I got up, I told her to stay 3 right there. 4 MS. LECAROZ: Objection, Your Honor. 5 Hearsay. 6 MS. BREDEHOFT: It's not offered to 7 prove the truth of the matter asserted. 8 THE COURT: Overrule for that 9 statement. Go ahead. 10 Q Please continue. 11 A I instructed her to stay in my 12 apartment while I go and talk to Johnny. So, I 13 leave PH4, I leave her in PH4. 14 Q Let me just stop. Are you sober, 15 drunk, had you been drinking? 16 A Oh, rare occasions where I was sober. 17 I was -- it was in the middle of night. I was 18 sleep. 19 Q So, I'm not sure I understand your 20 question [sic]. So, you were sober? 21 A Absolutely. Yes. 22 Q Please continue.</p>	<p style="text-align: right;">5711</p> <p>1 MS. BREDEHOFT: Not offered to prove 2 the truth of the matter asserted, Your Honor. 3 She's screaming expletives at him. 4 THE COURT: All right. Overruled. 5 MS. BREDEHOFT: Thank you. 6 Q Please continue. 7 A They're saying horrible things to one 8 another. Fuck you. You know, he's calling her a 9 fucking whore, fucking cunt. Used up trash bag, 10 whatever. They were saying horrible things to 11 each other. She was calling him old and fat. It 12 was a fight. They were saying nasty things to one 13 another. I leave them in the kitchen to go up the 14 stairs. I was trying to calm Amber down, hoping 15 to get her into my apartment. And Debbie had come 16 up with me. 17 Q Debbie? Who's Debbie? 18 A Debbie was his nurse. 19 Q Debbie Lloyd? 20 A Yes, I believe that's her name. 21 Q Okay. 22 A So we're with Amber on the mezzanine</p>

<p style="text-align: right;">5712</p> <p>1 level. 2 Q I'm sorry, just so we know who "we're" 3 is, is it you and Debbie that are with Amber? 4 A Yes. 5 Q Okay. 6 A Debbie, Amber, and I on the little 7 mezzanine area. And as I mentioned, the mezzanine 8 overlooks the kitchen and the living room. So 9 Johnny, then, hurls a Red Bull can and it hits 10 Debbie in the back. She didn't even react. She 11 didn't really even seem to notice. But I'm 12 standing up there talking -- I'm standing up there 13 on the top of the stairs with my back to the 14 stairs, and that's when Johnny runs up the stairs 15 and, again, I'm facing Amber. He comes up behind 16 me, strikes me in the back, kind of just somewhere 17 over here, he strikes me in the back, I hear Amber 18 shout, "Don't hit my fucking sister." She smacks 19 him, lands one and then he grabs -- at that point, 20 that's when Travis runs up the stairs, after Amber 21 landed one. But by that time, Johnny had already 22 grabbed Amber by the hair with one hand and was</p>	<p style="text-align: right;">5714</p> <p>1 exchange here? 2 A I do. 3 Q Okay. And it's on March 23, 2015 at 4 6:57; is that correct? 5 A Yes. 6 Q Okay. Could you describe -- 7 MS. LECARAZ: Objection, Your Honor. 8 Q Could you identify it, please? 9 THE COURT: Sorry. 10 MS. LECARAZ: On hearsay grounds. 11 THE COURT: All right. You want to 12 approach? Let's take a look. 13 (Sidebar.) 14 THE COURT: I don't know who this is 15 between. Who is this text between? 16 MS. BREDEHOFT: The text between her 17 and Nathan Holmes, he's a business manager. 18 MS. LECARAZ: It's Kevin Murphy. 19 MS. BREDEHOFT: Yeah, Kevin Murphy, who 20 is his house manager at that point, Your Honor. 21 MS. LECARAZ: I have it here. 22 Michelle's getting it for me. Thank you.</p>
<p style="text-align: right;">5713</p> <p>1 whacking her repeatedly in the face with the 2 other, as I was standing there. Travis pulls them 3 apart, I get Amber into mine, I close the doors 4 behind me and lock them. I then hear Johnny's 5 voice shouting. 6 MS. LECARAZ: Never mind. 7 THE COURT: Sorry. 8 A I hear Johnny's voice shouting, "I 9 fucking hate you. I hate you both. You fucking 10 cunt. You fucking whores." Then I hear crashing. 11 I hear crashing and banging and smashing, and he 12 starts screaming like an animal. I then just 13 moved Amber into the next room, and I kept her 14 there all night. The next day, I go and I see her 15 closet has been completely destroyed. Racks were 16 overturned. One of the clothing racks had been, 17 like, tossed down the stairs. There was art off 18 the wall. And down in the kitchen, there was 19 broken glass, like just the place was destroyed. 20 MS. BREDEHOFT: Michelle, can you bring 21 up Defendant's Exhibit 400. 22 Q Whitney, do you recognize this text</p>	<p style="text-align: right;">5715</p> <p>1 THE COURT: She's very good at it. 2 Other way. 3 MS. BREDEHOFT: What I'm proposing, 4 Your Honor, this is a text message. I've taken 5 out the part that says what Johnny did -- 6 THE COURT: Your haven't taken it out 7 here, but okay. 8 MS. BREDEHOFT: You're right. But I 9 propose that the rest of it is not offered to 10 prove the truth of the matter. 11 THE COURT: What's it offered for? 12 MS. BREDEHOFT: Offered to show she -- 13 she took these pictures of the closet and was 14 sending it to him. 15 MS. LECARAZ: She didn't say that she 16 took the pictures, Your Honor. 17 THE COURT: I don't see what the 18 relevance is if it's not offered for the truth of 19 the matter. I don't see what the relevance is for 20 the words. 21 MS. BREDEHOFT: Just showing that 22 she -- well, and it also is an excited utterance</p>

5716	1 of saying you're a fucking cunt. 2 THE COURT: I'll sustain the objection. 3 The pictures, though, is fine. 4 MS. BREDEHOFT: Can we have the dates 5 because that's when -- 6 MS. LECARAZ: I don't have an 7 objection, Your Honor. 8 THE COURT: Okay. No objection. 9 You can show the dates. Take the words 10 off. Is that all the words on it? 11 MS. BREDEHOFT: Some more down here. 12 THE COURT: Take all the words off down 13 to 400 -- we already have 400A in evidence. 14 MS. BREDEHOFT: Yeah, we made that 15 400A. 16 THE COURT: So this would be 400 with 17 redactions. 18 MS. BREDEHOFT: Right. 19 THE COURT: Okay. Thank you. 20 MS. BREDEHOFT: Thank you, Your Honor. 21 (Open court.) 22 THE COURT: Okay. So 400 is in	5718 1 A I did. 2 Q Okay. 3 MS. BREDEHOFT: Michelle, can you 4 scroll up again. 5 Q And, please, describe for the jury 6 what's depicted in this photo. 7 A These are more of Amber's racks. These 8 were her shoes and purses and such. Those were 9 all, like, taken off the walls, and you can see 10 here all of her clothes on are on floor, and 11 shoes. 12 Q Okay. Thank you. And we're up to the 13 next one. Could you, please, describe what the 14 next picture depicts? 15 A More of the same. Clothing racks that 16 have been kind of toppled over or moved. They 17 used to -- they were, like, neat. It looked like 18 a, you know, it was a closet room. But these were 19 toppled over and moved. This was the room that 20 adjoined my room, so... 21 Q Okay. Let's go to the next one. And 22 could you describe for the jury, please, what this
5717	1 evidence with redactions. 2 MS. BREDEHOFT: Can we publish, Your 3 Honor? 4 THE COURT: Yes. It's in evidence, 5 yes. 6 MS. BREDEHOFT: Thank you. 7 BY MS. BREDEHOFT: 8 Q So, Whitney, this is dated March 23, 9 2015, 6:57. 10 Do you see that? 11 A Mm-hmm. 12 Q That's to Kevin. Who's Kevin? 13 A Kevin Murphy. He was Johnny's estate 14 manager. 15 Q Okay. 16 MS. BREDEHOFT: Then, Michelle, if you 17 can scroll up. So let's stop at the first one. 18 Can you, please, describe to the jury what this 19 is? 20 A That is one of Amber's clothing racks 21 on the stairs that lead up to the bedroom area. 22 Q Okay. And you took this picture?	5719 1 is. 2 A That's another clothing rack that had 3 been taken down and taken apart, kind of. 4 Q Okay. We'll go to the next one. And 5 please describe for the jury what's depicted here. 6 A More. Just more clothing racks that 7 have been taken down, moved. 8 Q Okay. And please describe for the jury 9 what's depicted here. 10 A Same thing. Just more clothing racks 11 that were toppled over. 12 Q All right. And if we go to the next 13 one. 14 A And this is the kitchen area. This is 15 the -- taken from the mezzanine level that I was 16 describing earlier, but that looks like broken 17 glass or something, blue ceramics broken. 18 Q Okay. If we go up, the top one there 19 looks like part of what was earlier. Let's go to 20 the bottom one, I think we have a bigger picture 21 there. 22 Does that help --

<p>5720</p> <p>1 A Yes.</p> <p>2 Q -- with what's depicted there?</p> <p>3 A I still can't tell what it was, maybe a</p> <p>4 plate of some sort, but there's also a rolled</p> <p>5 cigarette, a couple bottles of water. But, yeah,</p> <p>6 whatever that blue thing is, it was broken, so</p> <p>7 it's all over the kitchen there, and also next to</p> <p>8 the stove.</p> <p>9 Q Okay. Thank you.</p> <p>10 After the staircase incident, what, if</p> <p>11 anything, did Mr. Depp ask you to sign?</p> <p>12 A There was an NDA on my kitchen table.</p> <p>13 Q Can you tell the jury what an NDA is?</p> <p>14 A It's a nondisclosure agreement. It's</p> <p>15 basically, my understanding, it's a contract to</p> <p>16 keep things private. To keep your mouth shut,</p> <p>17 essentially.</p> <p>18 Q All right. And you were given one or</p> <p>19 asked to sign one?</p> <p>20 A I was asked to sign one. I don't -- I</p> <p>21 don't believe I signed it. I left sometime after.</p> <p>22 Q So you moved out after that?</p>	<p>5722</p> <p>1 great. All of her close friends were there and</p> <p>2 everyone was having a really good time. Everyone</p> <p>3 was having fun. You know, Johnny showed up very,</p> <p>4 very late, and he was drunk when he showed up.</p> <p>5 Amber was obviously upset about it, but there came</p> <p>6 a time in the party where we all went around the</p> <p>7 table and said our favorite thing about Amber, you</p> <p>8 know, just funny memories or whatever. When it</p> <p>9 came to Johnny's turn, he told this story about</p> <p>10 how they first met when they met for the Rum</p> <p>11 Diary. So, you know, he had this story about how</p> <p>12 she came into his office and she sat on the couch</p> <p>13 and her perfect ass left a perfect imprint on the</p> <p>14 couch, and he wouldn't let anyone sit there after</p> <p>15 she left that day. And it was one of those</p> <p>16 stories that I -- everyone was kind of</p> <p>17 embarrassed. You know, we had all gone around the</p> <p>18 table saying really nice things about her and gets</p> <p>19 to him and he was talking about her ass. We were</p> <p>20 all kind of embarrassed.</p> <p>21 Q And when did you leave the party that</p> <p>22 night?</p>
<p>5721</p> <p>1 A It was -- yes, it was after this point</p> <p>2 that Johnny had accused me of selling stories to</p> <p>3 the media, which were absolutely untrue. But I</p> <p>4 moved out after that point.</p> <p>5 Q Okay. Now, did there come a time that</p> <p>6 Amber asked you to move back in?</p> <p>7 A Yes. February 2016, she texted me</p> <p>8 asking me to come back.</p> <p>9 Q Okay. And so you were living with her</p> <p>10 from February, sometime in February 2016 forward?</p> <p>11 A I think on and off. I think I had my</p> <p>12 own apartment by then, but I spent a lot more time</p> <p>13 at the Eastern after that.</p> <p>14 Q Okay. I'm going to take you to</p> <p>15 April 21, 2016, Amber's 30th birthday party. Were</p> <p>16 you present for that?</p> <p>17 A I was.</p> <p>18 Q Can you, please, describe to the jury</p> <p>19 what you observed that night?</p> <p>20 A It was her 30th birthday, so we wanted</p> <p>21 to make it, excuse me, really special. We had --</p> <p>22 made this beautiful dinner, you know, and it was</p>	<p>5723</p> <p>1 A I left pretty shortly after that.</p> <p>2 Q Okay.</p> <p>3 A And I went home.</p> <p>4 Q What, if any, conversation did you have</p> <p>5 with Mr. Depp about his plans to attend Coachella</p> <p>6 the next day?</p> <p>7 A He was planning on coming to Coachella</p> <p>8 with us, you know, whenever. At some point, we</p> <p>9 were talking about what was happening the next</p> <p>10 day. And so that night, he told us he was going</p> <p>11 to come to Coachella with us the next day.</p> <p>12 Q Okay. And did he ultimately come to</p> <p>13 Coachella with you the next day?</p> <p>14 A No.</p> <p>15 Q Okay. I'm going to jump forward to</p> <p>16 talk about some statements that were made in the</p> <p>17 counterclaim.</p> <p>18 What, if any, observations did you make</p> <p>19 about how the statements, we're talking about the</p> <p>20 three statements that were quoting Adam Waldman,</p> <p>21 impacted Amber? And I'm asking for your</p> <p>22 observations, just tell the jury what your</p>

5724	<p>1 observations were of how these statements impacted 2 Amber. 3 MS. LECAROZ: Objection, Your Honor. 4 Compound. Lack of foundation. Speculation. 5 THE COURT: Overruled. That's fine. 6 MS. BREDEHOFT: Thank you. 7 A Amber has worked so hard to overcome 8 everything that she went through in the duration 9 of their relationship. She has really, really 10 tried her best to move past it. And anybody that 11 knows Amber, at all, knows that some of the most 12 important things to her are integrity. It's her 13 reputation is all she has. She doesn't have piles 14 of money and private islands or – 15 MS. LECAROZ: Objection, Your Honor. 16 It's nonresponsive. 17 THE COURT: I'll sustain the objection. 18 Q Please continue. 19 A I'm – she was devastated by these. 20 She – to say that they're not true, it devastated 21 her. Also we had just buried our mother. You 22 know, so, Amber, she started having panic attacks</p>	5726	<p>1 she cried a lot. 2 MS. BREDEHOFT: Thank you. I have no 3 further questions. 4 THE COURT: All right. 5 Cross-examination. 6 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 7 COUNTERCLAIM DEFENDANT 8 BY MS. LECAROZ: 9 Q Good afternoon, Ms. Henriquez. We 10 haven't met before. My name is Rebecca Lecaroz. 11 I'm one of the attorneys representing Mr. Depp in 12 this case. 13 A Hello. 14 Q You grew up in Texas with your sister 15 and your parents, right? 16 A Correct. 17 Q You were really close with Ms. Heard 18 growing up? 19 A We were. 20 Q And you're still close now, right? 21 A We are. 22 Q And you love her?</p>
5725	<p>1 randomly. She was not sleeping. 2 MS. LECAROZ: Objection, Your Honor. 3 Hearsay. 4 Q These are your observations? 5 THE COURT: Overruled. 6 MS. BREDEHOFT: Thank you. 7 Q Please continue. 8 A These statements devastated her. They 9 devastated her because they weren't true and they 10 were just very, very, very much affecting her. 11 Q And you talked about panic attacks. 12 What else did you observe that she would do as a 13 result of these, physical? 14 A She would just, like, periodically just 15 break into tears. She – I don't know how else to 16 describe it. She was so unwell. She stopped 17 sleeping again. She was super anxious. She 18 couldn't relax. She couldn't sit still. It was 19 very similar to the Amber that I had seen back in 20 2016, as she was trying to get out of this 21 relationship. It launched her back into this 22 space where she was just so physically unwell and</p>	5727	<p>1 A Of course. 2 Q Your childhood, though, had some 3 difficult moments, right? 4 A It wasn't perfect. 5 Q Your father hit you and your sister at 6 times, right? 7 A Yes. 8 Q And your sister would protect you from 9 that abuse when she could, wouldn't she? 10 A We would protect each other, for sure. 11 Q And when you graduated from high 12 school, you moved out to Los Angeles, right? 13 A I did. 14 Q And your sister gave you a place to 15 live in LA? 16 A Yes. 17 Q And she helped support you? 18 A In part. I also was working myself. 19 Yeah. 20 Q And you're grateful for her for being 21 there when you needed her, right? 22 A Of course.</p>

5728	1 Q Just like she protected and cared for 2 you, you want to protect and care for her, right? 3 A She – when I can, of course, but – 4 yeah. 5 Q You testified to having a great 6 relationship with Mr. Depp when he first started 7 dating your sister, right? 8 A Correct. 9 Q And you thought of him as a brother? 10 A Yes. 11 Q He called you "sis"? 12 A Yes. 13 Q And you had affectionate nicknames for 14 him too, didn't you? 15 A A number of them, yes. 16 Q And you testified that, for a time, you 17 lived in the ECB penthouses with Mr. Depp and 18 Ms. Heard? 19 A That's correct. 20 Q And Mr. Depp owned those penthouses? 21 A He did. 22 Q You didn't pay rent while you were	5730 1 Q You didn't pay for those either, right? 2 A Nope, I did not. 3 Q During the course of Mr. Depp and 4 Ms. Heard's relationship, you were frequently 5 involved in their arguments, weren't you? 6 A Yes. 7 Q In fact, you had a nickname, right? 8 A Marriage counselor, yes. 9 Q You often found yourself mediating 10 disputes between Mr. Depp and Ms. Heard, right? 11 A Clearly not very well, but, yes. 12 Q And when you were in that role of 13 "marriage counselor," you empathized with 14 Mr. Depp, right? 15 A Yes, on occasion. 16 Q Because you had a pretty good 17 understanding of what he was going through? 18 A Depended on the situation. Sometimes, 19 I could totally see from his perspective; other 20 times, I saw it from her perspective. 21 Q You've been there with Ms. Heard 22 before, right?
5729	1 living there, right? 2 A No. 3 Q You didn't pay for any of the bills or 4 for the penthouses? 5 A No. He was very generous. 6 Q And Rocky Pennington lived in one of 7 those penthouses, too, right? 8 A She did. 9 Q And at some point, her boyfriend, Josh 10 Drew, moved in, right? 11 A Yes. 12 Q And Isaac Baruch lived in one of those 13 penthouses too? 14 A Yes. 15 Q And you know he testified here that you 16 called him your spirit animal, right? 17 A I didn't know that, but he's wonderful. 18 Q You called him your spirit animal? 19 A At one point I did, yeah. 20 Q You took trips with your sister and 21 Mr. Depp also, right? 22 A Occasionally.	5731 1 A We're sisters, of course we've argued. 2 Q You knew what it was like to want to 3 run away for days and do your own thing and not 4 have Ms. Heard there fighting with you, right? 5 A I think that's kind of taken out of 6 context a little bit. I – you know. I think 7 more metaphorically. But, yes, I have been in 8 arguments with my sister. 9 Q And you have wanted to run away for 10 days, right? 11 A Sure. 12 Q And not have her there fighting with 13 you? 14 A Sure. 15 Q You talked a little bit about the 16 incident in March 2013, right? 17 A Which one? 18 Q That was the one before you went to the 19 Keith Richards documentary set. 20 A Yes. 21 Q And you were present with Mr. Depp at 22 Orange that day?

5732

1 A I was.
2 Q Didn't you do cocaine with Mr. Depp
3 that afternoon?
4 A Yes.
5 Q And you said Mr. Depp's already
6 intoxicated?
7 A He was, by the time I got there.
8 Q And he was fighting with your sister?
9 A He wasn't doing much of anything. He
10 sat at the table. He was telling me about the
11 fight that they had.
12 Q So he had been fighting with your
13 sister that day, when you arrived?
14 A That was my understanding.
15 Q And you said she had a puffy face?
16 A Yes.
17 Q And despite all of that, you decided it
18 was a good idea to do cocaine with Mr. Depp at
19 that juncture?
20 A Hadn't yet connected the dots. I
21 hadn't yet understood what that meant or what that
22 would do.

5733

1 Q That was a yes? Yes, you took cocaine
2 with Mr. Depp?
3 A I did, yes. I already said that.
4 Q You testified that you had suspicions
5 that Mr. Depp was allegedly hitting your sister by
6 some point in 2013, right?
7 A Suspicions.
8 Q And notwithstanding that in June of
9 2013, you were actually joking with Mr. Depp about
10 hitting your sister, right?
11 A Regrettably over a text message, yes.
12 Q You were encouraging him to hit her?
13 A I was not, literally, encouraging her
14 to hit her.
15 Q But you were joking about it?
16 A Regrettably, yes. Again, lacks - I
17 did not have an understanding, fully, of what that
18 was. I never would have said that now, knowing
19 what I know.
20 Q But that was around the time that you
21 allegedly became aware that he was --
22 A I don't know.

5734

1 Q -- inflicting injuries on your sister
2 that caused you to have suspicions?
3 A I don't know if it was around the same
4 time.
5 Q Turning to the staircase incident in
6 March 2015.
7 You testified that Mr. Depp allegedly
8 hit you during that incident, right?
9 A Yes.
10 Q But you weren't sure if that contact
11 was even meant for you, right?
12 A I honestly don't - I don't know what
13 he was aiming for. My back was to him.
14 Q And you weren't injured during that
15 incident, right?
16 A No, I wasn't.
17 Q And you didn't seek medical attention?
18 A No.
19 Q And you said Debbie Lloyd was there
20 during all of that, correct?
21 A She was.
22 Q And Mr. Depp's security, Travis

5735

1 McGivern was there too?
2 A He was.
3 Q You saw your sister hit Mr. Depp on the
4 stairs that day, right?
5 A After he struck me, yes.
6 Q You said "she landed one," right?
7 A Uh-huh.
8 Q And then the next day, you found some
9 damage in the adjoining penthouse?
10 A Correct.
11 Q And we saw some pictures of what you
12 saw that day, right?
13 A Yes.
14 Q You thought it was important to
15 document that damage, right?
16 A Not to document. It was Kevin's job to
17 kind of clean up the houses, take care of the
18 houses. I took pictures just so he could be aware
19 of what he would need to bring. I didn't know if
20 he had tools here or whatever. I was just
21 preparing him for what he was going to have to
22 fix.

<p>5736</p> <p>1 Q But you didn't take any pictures of 2 your sister that day, right? 3 A No, I didn't. 4 Q Now, after March 2015, you continued to 5 have a close relationship with Mr. Depp, right? 6 A Yes. 7 Q And you still loved him? 8 A Of course. 9 Q And you were there for him if he needed 10 you, right? 11 A Of course. 12 Q And, in fact, just a couple of weeks 13 after that staircase incident, you were still 14 acting as the marriage counselor, weren't you? 15 A At some point, sure. 16 Q And that fall, after the staircase 17 incident, October 2015, you claim you had seen 18 Mr. Depp hitting your sister, and then in 19 October 2015, you were actually still trying to 20 reconcile him and your sister when they were 21 fighting, right? 22 A Yes. I was asked to support. I was</p>	<p>5738</p> <p>1 Q Okay. 2 MS. LECARAZ: Let's take a look at 3 Plaintiff's Exhibit 1283. It's not, yet, in 4 evidence, so we'll just show that to the witness. 5 If I might approach, Your Honor, I have 6 this in redacted and unredacted form. 7 THE COURT: Okay. If you want to come 8 forward. 9 (Sidebar.) 10 THE COURT: Plaintiff's 1283. 11 MS. BREDEHOFT: First of all, this has 12 never been produced to us. 13 MS. LECARAZ: This is from the 14 Defendant's records. 15 THE COURT: Okay. So what are we 16 looking at? Who is this between? 17 MS. LECARAZ: This is between Ms. Heard 18 and Mr. Depp. 19 THE COURT: So Ms. Heard and Mr. Depp. 20 So these are her statements. And then he 21 states -- 22 MS. LECARAZ: So, go to the third page.</p>
<p>5737</p> <p>1 just trying to help what I thought they both 2 wanted. I was just trying to support – or trying 3 my best to support them the way I thought that I 4 could. 5 Q You still loved Mr. Depp at that point, 6 right? 7 A I did. 8 Q And you didn't think that he and your 9 sister were past the point of no return, right? 10 A What I thought was irrelevant at that 11 point. I really – those two were in love and 12 they were working very hard. They wanted to be 13 together, it seemed like, so I – I just helped as 14 best as I could. I don't know how else to 15 describe it. 16 Q Your sister still wanted to be with 17 Mr. Depp, right? 18 A She loved him. 19 Q And you didn't think they were past the 20 point of no return? 21 A I don't know what you mean by that, 22 exactly.</p>	<p>5739</p> <p>1 Ms. Heard says, I love you both -- "I love both of 2 you so much. I would fucking stay out of it if I 3 thought this shit was past the point of no return, 4 but that's not where you guys are at right now." 5 Sorry, those two blue ones right above 6 the green. 7 MS. BREDEHOFT: So, first of all, it 8 doesn't impeach because she said she doesn't know 9 what she means. 10 THE COURT: She said -- she said she 11 was helping them, so what are you offering it for? 12 MS. LECARAZ: So she said that she 13 didn't say that, they weren't past the point of no 14 return. 15 MS. BREDEHOFT: She didn't testify to 16 that. She testified that she wasn't sure what you 17 were getting at there. 18 THE COURT: She testified that it 19 wasn't her place to say. She was just being 20 supportive, so this says something different. 21 MS. BREDEHOFT: First of all, you can't 22 introduce documents for impeachment of a</p>

<p>5740</p> <p>1 third-party witness, so it's not admissible. At 2 best, she can put it in front of her and she can 3 read it to her, but she can't put it into 4 evidence. 5 MS. LECAROZ: That's what I said. 6 THE COURT: Are those the only ones 7 you're looking at? 8 MS. LECAROZ: I just realized I have a 9 redacted copy. I didn't redact the other 10 messages. We can take care of that. 11 THE COURT: If you're not going to 12 produce it into evidence, that's fine. She's just 13 going to read it. 14 MS. LECAROZ: I'm going to read it to 15 her. 16 MS. BREDEHOFT: Just those two? 17 MS. LECAROZ: Yes. 18 THE COURT: Good. Thank you. 19 MS. LECAROZ: 1283. 20 (Open court.) 21 BY MS. LECAROZ: 22 Q Ms. Henriquez, if I could just direct</p>	<p>5742</p> <p>1 you guys are right now." 2 Did I read that right? 3 A Oh, but that's not where you guys are 4 at? 5 Q Yeah. So you didn't think they were 6 past the point of no return in October of 2015, 7 right? 8 A At that point, clearly, I didn't. 9 MS. LECAROZ: You can take that down. 10 Q You wanted Ms. Heard to stay with 11 Mr. Depp, even after you allegedly saw him hit 12 her, right? 13 A That's really oversimplifying something 14 that's far from simple. Again, Amber was very 15 much in love, so was Johnny. She's telling me 16 that she wants something. Whether or not I agreed 17 to it or not, whether or not I was okay with what 18 was happening, it wasn't my place. If my sister 19 said that she still wanted to be with Johnny and 20 if I could help with that in any way, I was going 21 to support her. I was going to be there for her 22 to support that.</p>
<p>5741</p> <p>1 your attention. 2 MS. LECAROZ: If we could go to the 3 third page, please. 4 A Do I have control of this or no? 5 Q No, you do not. We'll put it up for 6 you. 7 And we can go back to the first page, 8 if you'd like, or we can take a look at the 9 unredacted version, if we need to. 10 Do you recognize these as text messages 11 you sent to Mr. Depp on October 2nd, 2015? 12 A Yeah, vaguely. I mean, they're clearly 13 my text messages, but, yeah, I recognize them, I 14 think. 15 Q Okay. 16 MS. LECAROZ: And if we could go to the 17 third page, please, Tom. 18 Q And you'll see that the second blue box 19 from the bottom there, you texted Mr. Depp and you 20 said, "I love both of you so much and would 21 fucking stay out of it if I thought this shit was 22 past the point of no return, but that's not where</p>	<p>5743</p> <p>1 Q You didn't want to contradict your 2 sister, right? 3 A Pardon? 4 Q You didn't want to contradict your 5 sister? 6 A I don't know if I'd characterize it 7 that way. 8 Again, I was trying to support my 9 sister the best that I could or knew how, what I 10 thought she wanted. 11 Q And you say you wanted to protect her, 12 though, right? 13 A At that point? I don't know if I would 14 characterize it as that. I was just trying to 15 support my sister. 16 Q You went to Coachella with your sister 17 for her 30th birthday in 2016, right? 18 A Yes. 19 Q And you testified that you were aware, 20 I believe, that she and Mr. Depp had fought the 21 night before? 22 MS. BREDEHOFT: Objection. Leading.</p>

<p>1 THE COURT: You've got to turn your 2 microphone on, Ms. Bredehopt. 3 MS. BREDEHOFT: Never mind. I withdraw 4 that objection. 5 THE COURT: Okay. Withdrawn. 6 You can answer the question, ma'am. 7 A Yes, I was aware that they had argued 8 the night before. 9 Q You didn't see any bruises on Ms. Heard 10 at Coachella that year, though, right? 11 A She was wearing a lot of makeup. 12 Q You didn't see any marks on her? 13 A Not that I can recall. 14 Q Didn't notice any swelling, right? 15 A To the best of my recollection, I 16 don't. 17 Q And your sister didn't have a working 18 phone on her that day, did she? 19 A No, she didn't. 20 Q But you did? 21 A Yes, I did. 22 Q And you wanted Mr. Depp to know that</p>	<p>5744</p>	<p>1 Coachella at some point. I wasn't trying to 2 reconcile them. I was just trying to help 3 facilitate. 4 Q And you did that even though you were 5 concerned about marks that you say you'd seen on 6 her since at least 2013, and during the course of 7 their relationship, right? 8 A Again, that's really oversimplifying 9 something. We all saw this – we all thought that 10 Johnny – we would see Johnny on the other end of 11 this. Because, again, he was sober, things were 12 wonderful. When they weren't, when he wasn't 13 sober, they were terrible. Sure. We all thought 14 he was just going to get better. We all just 15 wanted to see the other side of that. So, yes, 16 sure, if you look at it simply, but it's not 17 simple at all. I don't know how else to answer 18 it. 19 Q And this was after you allegedly saw 20 him hit her, right? 21 A Yes. 22 Q And you knew that they had just had</p>	<p>5746</p>
<p>1 Ms. Heard's phone wasn't working, right? 2 A I believe I reached out to him for her, 3 yeah. 4 Q And you were encouraging him to reach 5 out to her through you if he was trying to reach 6 her, right? 7 A I believe so, at one point, yes. 8 Q You didn't want him to think that he 9 was ignoring her? 10 A I'm sorry? 11 Q You didn't want him to think that he 12 was ignoring her, right? 13 A Sure. 14 Q And you wanted them to reconcile, 15 didn't you? 16 A Amber really wanted him there, despite 17 the fact that they had had a fight the night 18 before. It was very complicated. It was very 19 nuanced. You know, they fought, they got back 20 together. They fought, they loved each other. 21 They hate each other, they loved each other. I 22 just remember her wanting Johnny to come to</p>	<p>5745</p>	<p>1 another fight, right? 2 A Yes. 3 Q You know who Jennifer Howell is, right, 4 Ms. Henriquez? 5 A I do. 6 Q She's the founder of The Art of Elysium 7 nonprofit, right? 8 A She is. 9 Q You worked there for a time, didn't 10 you? 11 A I did. 12 Q Around May 2015, you actually moved in 13 with Ms. Howell, right? 14 A May 2015? 15 Q '15. 16 A Yes. 17 Q And you moved out of the penthouses 18 because, at that point, you and your sister were 19 fighting, right? 20 A It was – yeah, it was around the time 21 that, you know, he had accused me of leaking 22 stories, and that was the impetus of me leaving.</p>	<p>5747</p>

<p style="text-align: right;">5748</p> <p>1 Q You testified earlier, I think, that he 2 had asked you to sign a NDA, right? 3 A At some point. 4 Q That was around the same time that he 5 was concerned you were leaking stories about their 6 wedding to the media? 7 A I believe so. 8 Q You and Ms. Howell were close? 9 A We were. 10 Q Close enough that you lived with her 11 for around a year? 12 A I don't recall if it was that long. 13 Q And you confided in Ms. Howell, right? 14 A About some things, yeah. She was my 15 friend. 16 Q You called her your chosen sister? 17 A (Nonverbal response.) 18 Q Ms. Henriquez, you've claimed to see 19 signs of injuries on your sister during the course 20 of her relationship with Mr. Depp, right? 21 A Yes. 22 Q But you never witnessed any incident</p>	<p style="text-align: right;">5750</p> <p>1 A That was the time, yeah. After he hit 2 me. 3 MS. LECAROZ: No further questions, 4 Your Honor. 5 THE COURT: Redirect? 6 MS. BREDEHOFT: I have no redirect. 7 THE COURT: Is this witness subject to 8 recall? 9 MS. BREDEHOFT: No. She may be 10 excused. 11 THE COURT: Subject to recall? 12 MS. LECAROZ: No. 13 THE COURT: Okay. Ma'am, you are free 14 to go. You can stay in the courtroom. It's up to 15 you, okay? Thank you. 16 All right. 17 MS. BREDEHOFT: Our next witness, Your 18 Honor, is another deposition designation. 19 THE COURT: Okay. 20 MS. BREDEHOFT: And it's going to be -- 21 A How long is it? 22 MS. BREDEHOFT: This particular one is</p>
<p style="text-align: right;">5749</p> <p>1 that resulted in visible injuries to your sister, 2 right? 3 A Other than the staircase incident? I 4 witnessed that incident. 5 What are you asking me exactly? 6 Q You never witnessed any incidents that 7 resulted in signs of injury that you were 8 concerned about over the course of their 9 relationship? 10 A Other than the staircase incident, I 11 did witness that. 12 Q At no other time? 13 A No, that was the only time that I saw 14 him. 15 Q And you didn't see what caused any of 16 the injuries you claimed to have seen during the 17 course of their relationship, right, other than 18 the staircase incident? 19 A Yeah, staircase incident is the only 20 one that I saw. 21 Q But you have seen your sister land a 22 blow to Mr. Depp, right?</p>	<p style="text-align: right;">5751</p> <p>1 about 45 minutes. 2 THE COURT: All right. Why don't we go 3 ahead -- it's early, but why don't we go ahead and 4 take our afternoon recess, though, that way we can 5 get everything ready for you. So we'll just take 6 our 15-minute break now and have that deposition, 7 okay? So, I will see you in 15 minutes. Don't do 8 any outside research and don't talk to anybody. 9 (Whereupon, the jury exited the 10 courtroom and the following proceedings took 11 place.) 12 THE COURT: So that's 45 minutes. Do 13 you have another? 14 MS. BREDEHOFT: Yes, then we have 15 another one. 16 THE COURT: Deposition? 17 MS. BREDEHOFT: We have a few more. 18 THE COURT: So they're both 19 depositions? 20 MS. BREDEHOFT: Yeah. All the rest of 21 them today are depositions. 22 THE COURT: I want to make sure we</p>

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Conducted on May 18, 2022

66 (5752 to
5755)

<p>5752</p> <p>1 don't need any other items from that. Okay. 2 That's fine. We'll come back at 3:05, then, okay? 3 Thank you. 4 THE BAILIFF: All rise. 5 (Recess taken from 2:53 p.m. to 6 3:10 p.m.) 7 THE BAILIFF: All rise. 8 Please be seated and come to order. 9 THE COURT: All right. Are we ready 10 for the jury? 11 MS. BREDEHOFT: Yes, Your Honor. 12 THE COURT: All right. 13 (Whereupon, the jury entered the 14 courtroom and the following proceedings took 15 place.) 16 THE COURT: All right. Thank you. Be 17 seated. 18 All right. Your next witness. 19 MS. BREDEHOFT: Our next witness, Your 20 Honor, is Elizabeth Marz. 21 THE COURT: Marz. M-A-R-S? 22 MS. BREDEHOFT: M-A-R-Z.</p>	<p>5754</p> <p>1 represent to you, Ms. Marz, that you testified 2 that, at least in July in 2016, you would 3 communicate with Ms. Pennington weekly. 4 A I don't remember. Maybe at that time, 5 perhaps we were communicating. Like I said, there 6 were times we communicated weekly or daily. 7 Q You'd agree with me that you'd remember 8 something significant, like one of your 9 girlfriends telling you, somebody you've known 10 since Texas, when you were a young girl, you 11 remember that her husband or fiancé or boyfriend 12 was beating her. 13 You would remember that, correct? 14 And your testimony is that you only 15 lived at the Eastern Columbia Building in February 16 of 2016 for two weeks? 17 A It was around two weeks. I don't know 18 the specific amount of time, but it was definitely 19 less -- a little over two weeks, less than a month 20 and, yes. 21 Q And when you stayed at the Eastern 22 Columbia Building, did you stay in one of the</p>
<p>5753</p> <p>1 THE COURT: M-A-R-Z. Thank you. 2 ELIZABETH MARZ, 3 being first duly sworn, was examined 4 and testified as follows: 5 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 6 COUNTERCLAIM DEFENDANT 7 BY MS. VASQUEZ: 8 Q Please state your full name for the 9 record. 10 A Elizabeth Rae Marz. 11 Q Between the time that you lived in New 12 York, say, 2012, through 2015, '16 -- 13 A Mm-hmm. 14 Q -- how many times, would you say, you 15 saw Ms. Heard? 16 A I don't remember. 17 Q More than four times? 18 A No. 19 Q In 2015 and '16, do you recall how 20 close you and Ms. Pennington were as friends? 21 A Yeah. We were pretty close. Pretty 22 close, uh-huh. Q In your previous testimony, I'll</p>	<p>5755</p> <p>1 penthouses? 2 A Yes. 3 Q Okay. And did you understand that that 4 penthouse was owned by Mr. Depp, at the time? 5 A I assumed it was, yes. 6 Q Okay. And for what purpose did you go 7 to the Eastern Columbia Building on May 21st, 8 2016? 9 A To assist Raquel in getting ready for a 10 bead show that she was going to be doing the 11 following day. 12 Q Did you ever see Mr. Depp be violent 13 towards anyone? 14 A I experienced him that night as -- 15 like, I was personally, I was scared of him. So, 16 and that's all I can say from the moment that -- 17 the one interaction I had with him that night, it 18 was frightening to me. His behavior was 19 frightening to me. 20 Q She wouldn't wear makeup? 21 A I mean, I don't think of her as someone 22 who wears a lot of makeup, no.</p>

<p>1 Q You've known her a long time? 2 A Right. 3 Q She's never been somebody that wears a 4 lot of makeup, correct? 5 A Exactly. Unless she's going to 6 something she needs to put makeup on for. 7 Q So other than that, she's usually 8 barefaced and beautiful? 9 A Yes. 10 Q So it's your recollection, your best 11 recollection, that Ms. Pennington was with you in 12 penthouse 5 and never left with Ms. Heard before 13 Mr. Depp arrived; is that correct? 14 A Correct. 15 Q So you hear some type of commotion, you 16 don't know where it's coming from, correct? 17 A It sound like – yes, I mean, it sounds 18 like it's coming from – we hear commotion and 19 then it feels like it's getting closer and closer 20 and closer. 21 Q Did it sound like voices or did it 22 sound like destruction?</p>	<p>5756</p> <p>5758</p> <p>1 in very, just, from my perspective, really under 2 the influence of something, drugs or alcohol, 3 because he was very sloppily, like, he looked 4 wasted. He was holding a very large bottle of 5 wine, looked like some sort of magnum bottle of 6 wine, which was spilling all over the place. And 7 as he opened the door, what I remember was he 8 mumbled, "get your bitch out of here." And I just 9 remember it all happened very fast. Like the door 10 slamming open, him saying get your bitch out of 11 here, the wine, that whole, you know, his way -- 12 his whole being really frightened me. I almost 13 felt like he was coming towards me, from my 14 perspective. Whether he was coming towards me or 15 not, it scared me, and I just ran out past him. 16 Q You said Mr. Depp appeared to be either 17 drunk or high; is that correct? 18 A He was -- seemed to be intoxicated. 19 Q Okay. Is that different than drunk? 20 A No. I mean, yeah, I guess. Yeah, he 21 definitely seemed like he was under the influence 22 of something.</p>
<p>5757</p> <p>1 A It sounded like voices and destruction. 2 Q But the door was abruptly opened? 3 A Correct. Abruptly opened. 4 Q Okay. So you hear the commotion. It 5 feels like it's getting closer and closer. 6 A Uh-huh. 7 Q What happened next? 8 A Then, you know, after the door slammed 9 open and then Johnny came, like, bursting through 10 the door. 11 Q Who opened the door? 12 A Johnny. 13 Q Was Johnny alone? 14 A There was the two men behind him. 15 Q Okay. 16 A Following. 17 Q So Johnny opens the door. He's got his 18 two, what we'll assume are his bodyguards, with 19 him. 20 What happens next? 21 A So, it all happened very fast. He 22 basically, the door kind of burst open and he came</p>	<p>5759</p> <p>1 Q And on May 21st, 2016, how was 2 Mr. Depp's demeanor different? 3 A He was – it was a much more sloppy and 4 all over the place and frightening and – yeah, 5 combative. Yeah, felt very angry. He felt angry. 6 And – yeah. 7 Q And when you say "combative," what was 8 combative, specifically about his demeanor? 9 A Just the way he burst through the room, 10 just very forcefully, and rushed in the room very 11 quickly, just made me want to run out and past him 12 quickly. It wasn't – it was very – yeah, it was 13 intense. 14 Q Okay. So Mr. Depp comes through the 15 door, to penthouse 5, and you hear him say 16 something to the effect of get your bitch out of 17 here, correct? 18 A Uh-huh. 19 Q And then you ran out immediately 20 thereafter? 21 A Yes. 22 Q Did you see Mr. Depp spill any wine in</p>

<p>1 penthouse 5 before you ran out? 2 A Yes. 3 Q How much wine did you see him spill? 4 A I don't remember. 5 Q A lot? The entire bottle? 6 A Not the entire bottle. What my – so 7 what I remember was it was flailing and there was 8 definitely wine that was coming out. 9 Q Would you say that being sloppy is 10 different than being combative? 11 A Yeah, I would say sloppy and combative 12 are two different things. 13 Q It's your testimony that Mr. Depp was, 14 on May 21st, 2016, both combative and sloppy. 15 A Yeah. I would describe that it that 16 there was a little bit of both, but combative and 17 sloppy. 18 Q Was he more sloppy than he was 19 combative? 20 A It felt more combative than sloppy. 21 Q Just to clarify, the only thing 22 combative was the words he was speaking?</p>	<p>5760 1 A I remember seeing her after that 2 incident. It was in the – that apartment. 3 Q In penthouse 1? 4 A Correct. 5 Q So the first time you saw Ms. Heard 6 after this incident, on May 21st, 2016, was in 7 penthouse 1? 8 What do you recall seeing -- the first 9 thing you saw when you saw Ms. Heard? 10 A I just remember she looked really upset 11 and disheveled, and her hair was a mess, and she 12 had a swollen face. Red. She had a red, swollen 13 face. 14 Q Okay. Had you ever seen Ms. Heard cry 15 before May 21st, 2016? 16 A I don't think so. Not that I can 17 remember. 18 Q Okay. What side of her face was 19 swollen? 20 A I think it was her right side of her 21 face. 22 Q Do you have an independent recollection</p>
<p>5761 1 A No. Completely the way he entered into 2 the room, rushed in, his energy, the way it felt 3 like he was coming after me, almost felt like, 4 from where I was standing, I felt like he was 5 charging towards me, and I was scared and it 6 was – it felt – it felt, yeah, combative. It 7 felt – I'm trying to look for another word that I 8 could describe what I felt, but it was – yeah, it 9 was scary. My heart was beating really fast, 10 really quickly, and I freaked out. 11 Q Okay. So after you exchanged some text 12 messages with Ms. Pennington, you came out of your 13 hiding spot and then went to Ms. Pennington and 14 Mr. Drew's penthouse; is that correct? 15 A Correct. 16 Q So who was in penthouse 1 when you got 17 out of the hiding spot and came to penthouse 1? 18 A I mean, it was Josh, Raquel, Amber and 19 I, were the only people that were, at some point, 20 in there during that time. 21 Q Do you remember the first time you saw 22 Ms. Heard after this incident?</p>	<p>5762 1 that it was the right side of her face that was 2 swollen? 3 A I'm taking myself back there and trying 4 to remember, like, where I was standing – you 5 know what I mean? Yeah, I think looking at her, 6 it was on my left, and her right side. 7 Q Okay. So let's talk about her hair. 8 It seemed disheveled, is that what you said, her 9 hair was disheveled? 10 A Uh-huh. 11 Q Was she crying? 12 A Yeah, there was definitely tears. 13 Q Was she animated? 14 A She was visibly very upset. 15 Q Okay. So "visibly very upset" means 16 what? She was crying? 17 A Uh-huh. 18 Q Okay. And what else? 19 A Tears, sadness, felt like confusion. 20 Felt like those were the main things. 21 Q What did Mr. Drew say, if anything? 22 A I don't remember him saying – what he</p>

<p>5764</p> <p>1 said. I think everybody was just shaken up. 2 Q So soon after you went into penthouse 3 1, you remember some police officers coming to 4 penthouse 1? 5 A I remember – yeah, I remember there 6 were police officers in the hallway, uh-huh. 7 Q Was Ms. Heard icing her face after the 8 incident but before the police arrived? 9 A I think so. 10 Q Who gave her the ice? 11 A I don't remember. 12 Q So you were in penthouse 1 when the 13 police came. 14 How do you know that they came? What 15 did you hear and what did you see? 16 A Because it – they said the police are 17 here. So I – 18 Q Who said that? 19 A I don't remember. Again, this is a 20 very long time ago, so specific details are going 21 to be really hard for me to remember. I just know 22 knowing that the police were there in the hallway,</p>	<p>5766</p> <p>1 A I recall seeing wine spilled in the 2 hallway, like a lot of wine spilled in the 3 hallway. 4 Q When do you recall seeing the wine 5 spilled in the hallway? 6 A At some point in the night, maybe 7 after, you know, before – I recall – I don't 8 recall specifically, but I remember seeing wine 9 spilled in the hallway. I remember that being one 10 of the things that I saw that was part of the 11 destruction of whatever happened. 12 Q So the police come and you stayed in 13 penthouse 1? 14 A Correct. 15 Q It was after the police officers left 16 that you went to penthouse 3? 17 A Correct. 18 Q Where Amber and Johnny lived? 19 A Correct. 20 Q Do you recall seeing wine spilled in 21 the hallway? 22 A I remember seeing wine spilled in the</p>
<p>5765</p> <p>1 two of them. 2 Q And in February, when you lived at the 3 penthouse for a few weeks, you didn't hear or see 4 any abuse by Mr. Depp towards Ms. Heard, correct? 5 A Correct. 6 Q And did you go to Amber and Johnny's 7 penthouse thereafter or where did you go next? 8 A So, I just remember, at some point, 9 ending up – yes, at some point, we were in their 10 penthouse afterwards, in Johnny and Amber's. At 11 some point, we went over there. 12 Q Did you go over there, do you think, 13 after the police came? 14 A It was after the first two police 15 officers came. 16 Q Okay. Do you remember glass on the 17 floor? 18 A At this point in time, I don't remember 19 what I saw. I don't remember if it was cleaned up 20 by the time I got there or if there was glass on 21 the floor when I walked in. 22 Q Do you remember seeing wine spilled?</p>	<p>5767</p> <p>1 hallway, yeah. 2 Q Okay. And you saw the wine after the 3 police officers came, correct? 4 A I think so. 5 Q Did Ms. Pennington take any photographs 6 of the scene? 7 A I remember Raquel taking photographs of 8 Amber's face. 9 Q Now, going to your description of 10 Ms. Heard's face, you said it was the right side 11 of her face. You said it was, what, swollen? 12 A Uh-huh. 13 Q And red? 14 A Uh-huh. 15 Q What else? 16 A Correct. Yeah, it was swollen and red. 17 Q Was any part of her face more swollen 18 than others? 19 A It was around her eye. 20 Q Had bruising developed already? 21 A No. It was red and swollen. 22 Q Okay. So you did not see any bruising</p>

<p>5768</p> <p>1 on Ms. Heard's face the evening of May 21st, 2016, 2 correct? 3 A I saw red, swollen, puffy face. 4 Q Okay. And just on the right side, 5 correct? 6 A Correct. 7 Q But wasn't it your testimony, Ms. Marz, 8 that you were inside penthouse 1 when the first 9 police officers came to the scene? 10 A Correct. Correct. 11 Q And how much time do you estimate they 12 spent in the penthouses? 13 A I don't remember. The second group of 14 officers – there's two sets of officers that 15 came. The second set of officers, that, I 16 actually was in the apartment, in PH3, I think it 17 was. 18 Q Did you hear either Ms. Heard, 19 Mr. Drew, or Ms. Pennington cleaning anything that 20 Mr. Depp allegedly destroyed? 21 A I don't remember, but I do remember 22 that – I'm pretty sure that Josh was helping to</p>	<p>5770</p> <p>1 did not see silver candlesticks, candelabra sticks 2 broken on the floor, baskets of fruit that had 3 been on the kitchen island, food everywhere, 4 baskets on the ground, containers holding spoons 5 and forks, kitchen utensils spilled, a lamp, a 6 little patchy thing broken in penthouse 5 -- I'm 7 sorry, penthouse 3? 8 A No. I'm sort of remembering there was 9 some stuff that had, like, something that had been 10 broken, like the statute things, sounds kind of 11 familiar to me, now that I'm reading this. But I 12 don't remember, when I walked in, if there was – 13 I don't remember this being on the floor. 14 Q Okay. 15 A I don't remember seeing it. 16 Q Okay. So you don't remember seeing it? 17 A Yeah, I don't remember seeing it. I 18 don't remember. But, again, as I'm reading the 19 stat – when I read the statute, I kinda – it's 20 something like, oh, yeah, I remember there's 21 some – something that was – some things that 22 were broken, but I don't specifically remember</p>
<p>5769</p> <p>1 clean up. The more I got – I remember knowing 2 that the place was cleaned up before I entered in 3 there. 4 Q Before you entered in where? 5 A Into the main apartment. 6 Q So you recall Josh Drew cleaning up 7 before you entered penthouse 3. 8 What was he cleaning up, exactly? 9 A I just remember by the time that I had 10 gotten into that apartment, that someone had 11 cleaned up the glass and the wine that had been – 12 that was on the floor. 13 Q Do you recall who told you that 14 penthouse 3 had been cleaned up? 15 A I don't – no one specifically told me. 16 What I was expressing is that it was cleaned up 17 before I got there, for the most part. I just 18 remember that, for the most part – I don't 19 remember. 20 Q To clarify, Ms. Marz, when you came 21 into penthouse 3, after the police officers, the 22 first set of police officers came and left, you</p>	<p>5771</p> <p>1 what they were. 2 Q You did not witness -- 3 A I didn't witness, firsthand, anything. 4 I didn't witness, firsthand, Johnny abusing Amber. 5 Q But do you recall testifying to that 6 effect, that Johnny charged at you and that you 7 were scared? 8 A He charged towards me and I was scared, 9 and I ran past him. 10 Q You didn't run past him because he told 11 everyone in the penthouse to get out of his 12 penthouse? 13 A I ran past him for -- because he was -- 14 because he ran into the unit and it scared the 15 shit out of me because he was wasted and 16 screaming. So that's why I ran out. 17 If there's a grown-ass man coming at 18 you and saying, "Get your bitch out of here," 19 swinging a magnum-size bottle of wine, I'm sure -- 20 I don't know what anyone do – I can't say what 21 anyone would do, but I ran out. 22 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND</p>

<p style="text-align: right;">5772</p> <p>1 COUNTERCLAIM PLAINTIFF 2 BY MS. BROOK: 3 Q Would you remind us what side of 4 Ms. Heard's face you recall had marks on May 21st, 5 2016? 6 A The right side of her face. 7 Q Do you feel indebted to Ms. Heard in 8 any way? 9 A No. 10 Q Have you ever done Ms. Heard's makeup? 11 A No. 12 Q You testified earlier today that 13 Ms. Heard often, in the times you saw her, would 14 not be wearing makeup; is that correct? 15 A Correct. 16 Q Is it possible, in some of those times, 17 that she was wearing the type of makeup we ladies 18 sometimes use to not appear as though we're 19 wearing makeup? 20 A Yeah. 21 Q So you wouldn't necessarily be able to 22 tell whether or not she was wearing a basic</p>	<p style="text-align: right;">5774</p> <p>1 A He was kind of pacing by the door and 2 looking through the peephole. 3 Q And what happened next? 4 A And then the door, like, burst open and 5 Johnny came charging in and screamed, again, 6 holding the magnum-size bottle of wine, you know, 7 flailing it around, looked intoxicated, kind of 8 stumbling, and screamed, "get your bitch out of 9 here," as he ran in my direction. And I was 10 scared. It was very – it was very frightening 11 and, you know, just scary and unexpected. So I 12 just darted out past him and ran up toward the 13 pool/gym area and hid there. 14 Q Prior to the night of May 21, 2016, had 15 a man ever charged at you holding a magnum bottle 16 of wine screaming profanities? 17 MS. VASQUEZ: Objection. 18 Q And what was your reaction to this when 19 it happened on this event of May 21, 2016? 20 A Fear. 21 Q Besides the screaming and the door 22 slamming and the wine waving, do you recall</p>
<p style="text-align: right;">5773</p> <p>1 concealer or foundation? 2 A Correct. 3 Q Talking about the loud noises, what did 4 you hear? 5 A Yeah. Just screaming, yelling, doors 6 slamming, commotion. 7 Q Could you tell whether the screaming 8 and the yelling was a male voice or a female 9 voice? 10 A From what I can remember, male. 11 Q And could you tell where the screaming 12 and the yelling was coming from? 13 A It felt like it was coming – started 14 farther down the hallway and then it was coming, 15 like, closer. So essentially – I mean, I don't 16 know, but it could have been the hallway. 17 Q And so after you start hearing the 18 screaming and the yelling and the doors slamming 19 and the commotion, you testified that Mr. Drew got 20 up and went to the door? 21 A Uh-huh, yeah. 22 Q What did Mr. Drew do?</p>	<p style="text-align: right;">5775</p> <p>1 anything else about Mr. Depp's actions that 2 evening, during that moment, I guess I should say. 3 A It was – I would describe it as 4 erratic behavior. 5 Q Was anyone else with Mr. Depp when he 6 charged into penthouse 5? 7 A Behind him were two men. 8 Q What about Ms. Heard? 9 A No. 10 Q What about Ms. Pennington? 11 A No. 12 Q So you testified that after Mr. Depp 13 burst into the apartment and started charging 14 toward you, that you darted out and hid in, I 15 believe you said it's a communal exercise area; is 16 that correct? 17 A Yeah. I darted out and went up the 18 stairs and hid somewhere over by there. 19 Q Why did you hide? 20 A Because, as I said, I – 21 Q Say it again. Why did you hide? 22 A Because I was scared.</p>

<p>1 Q What were you scared of? 2 A I just didn't know what he would do. I 3 didn't -- I didn't know what he would do. 4 Q And the "he" there is who? 5 A Johnny. 6 Q What were you thinking when you were 7 hiding in the communal exercise area? 8 A I don't remember. Just that I was -- I 9 mean, I just remember being scared and not wanting 10 to leave that area until, like, I was clear that 11 there was -- that I wasn't going to be attacked. 12 Q And at some point, did you leave the 13 area? 14 A Yes. 15 Q And what prompted you to leave the 16 area? 17 A A text with Raquel, just telling her to 18 come to her and Josh's apartment. 19 Q And did you do as Ms. Pennington said 20 and go to her and Josh's apartment? 21 A Yes. 22 Q Sitting here today, do you remember</p>	<p>1 Q When you saw Ms. Heard, after you came 2 back down from your hiding spot and you're in 3 Mr. Drew's and Ms. Pennington's apartment, how did 4 she look? 5 A She looked frazzled and just completely 6 disheveled. Her hair was all over the place. She 7 had a swollen face. Looks like she's been crying 8 and, yeah. 9 Q Do you think the swollen face was a 10 result of her having been crying? 11 A No. 12 Q What do you think it was a result of? 13 A It looked like she had been hit 14 somewhere. It was definitely not from crying. 15 She had markings on her face. 16 Q Were the marks that you saw on 17 Ms. Heard's face, after you came down from your 18 hiding spot, present when you had been hanging out 19 with her earlier in the day? 20 A No. 21 Q You testified earlier today that you 22 witnessed some, I believe it was Ms. Pennington or</p>
<p>1 what you were thinking as you were sort of coming 2 out of your hiding spot and walking towards the 3 penthouses again? 4 A I think the whole thing was just 5 bizarre. Like, really frightening and bizarre to 6 me. I don't specifically remember what I was 7 thinking other than, like, holy shit, what the 8 fuck just happened, you know. And is he gone? 9 Maybe I was thinking that. I don't remember 10 specifically. 11 Q When you say "is he gone," who's the 12 "he" you're referring to there? 13 A Johnny. 14 Q When you got to Ms. Pennington and 15 Mr. Drew's penthouse, who did you see? Who was 16 there? 17 A I don't remember who was specifically 18 there when I first walked in, but throughout the 19 time being in there, and that moment, definitely 20 Amber, Raquel, and Josh, maybe, like, just by 21 peeping into the hallway, one of the police 22 officers.</p>	<p>1 Mr. Drew, take some photos of Ms. Heard's face. 2 Do you remember that? 3 A Yes. 4 Q I'd like to mark what will be Marz 5 Exhibit 13. 6 Ms. Marz, as the court reporter hands 7 you Exhibit 13, I'll represent to you that these 8 were some photos taken on the night of May 21st, 9 2016. 10 So if you turn to the second photo in 11 the set, do you recognize the person in this 12 photograph? 13 A Yes. 14 Q Who is it? 15 A Amber. 16 Q And do you see any marks on her face in 17 this photograph? 18 A Yes. 19 Q And do these marks look like the marks 20 that you saw in person on her face on the evening 21 of March 21, 2016? 22 A Yes.</p>

5780	1 Q And just to clarify, these marks were 2 not on her face when you saw Ms. Heard earlier 3 that same afternoon and were helping 4 Ms. Pennington with beads? 5 A Correct. 6 Q There are other photos in this set. 7 Why don't we turn back to the first one. Some 8 broken frame on a bed. 9 Do you know what this picture is of? 10 A Yeah. I mean, this is Amber and 11 Johnny's bed, and there's broken -- there's 12 photographs on it. 13 Q So I take it that you've seen Amber and 14 Johnny's bedroom before? 15 A Yeah. 16 Q Do you recall being let into Mr. Depp's 17 and Ms. Heard's bedroom that night? 18 A No. 19 Q No you don't recall, or no you didn't? 20 A No, I don't recall. 21 Q The next photo in this set is a picture 22 of Ms. Heard. Just after that, there's a photo,	5782	1 A Yes. 2 Q Do you recall whether it was there when 3 you arrived in the afternoon? 4 A I don't remember seeing it, no. 5 Q So when was the first time that you 6 remember seeing it? 7 A I think when I came out of my hiding 8 spot and came downstairs and back into Raquel and 9 Josh's apartment. 10 Q But you didn't see the wine get 11 spilled? 12 A Not this, no. 13 Q You saw other wine get spilled? 14 A I saw -- yeah. As he was -- when he 15 came in the apartment, when he was flailing the 16 wine. 17 Q And the "he" there is? 18 A Johnny. 19 Q And then the last photo in this set 20 appears to be of some picture frames hanging on 21 the wall; do you see that? 22 A Yes, this is Amber and Johnny's
5781	1 bear with me -- of what appears to be a hallway. 2 Are you with me? 3 A Yes. 4 Q Do you recognize what this is an image 5 of? 6 A Yes. 7 Q What is it an image of? 8 A It's the hallway between all of the 9 penthouse apartments. 10 Q So you've been in this hallway plenty 11 of times? 12 A Yes. 13 Q Do you see the sort of red staining on 14 the right-hand corner of the page? 15 A Yes. 16 Q Do you recall seeing that red staining 17 on the night of May 21, 2016? 18 A Yes. 19 Q And what was it? 20 A It was wine. 21 Q So you saw that staining on the night 22 of May 21, 2016?	5783	1 apartment, I think. But, again, I don't remember 2 if it's in her studio. I don't know. 3 Q Do you recall seeing this photo in one 4 of the penthouses before? 5 A Yes. 6 Q And when you saw it, was it broken? 7 A No. 8 Q And what, if anything, do you remember 9 about Ms. Pennington's state? 10 A Also distraught, upset. 11 Q You've been friends with Ms. Pennington 12 for many years at that point, correct? 13 A Correct. 14 Q Have you ever seen her similarly 15 distraught? 16 A Not similarly. But she was sad. 17 Q But had you ever seen her have the same 18 reaction that she had that evening? 19 A No. 20 Q So you also testified that you saw 21 Mr. Drew in his and Ms. Pennington's penthouse. 22 What, if anything, do you remember

<p>1 about Mr. Drew's state? 2 A I just remember him being just a 3 grounding energy. Just trying to be supportive to 4 Amber and to Raquel, and just really trying to be, 5 like, the man in the situation that was going to, 6 like, really be grounded amongst women that were 7 sort of, like, frightened, and sort of a little 8 frantic. He was very much ground and very, like, 9 clear. I remember feeling safe with him. It was 10 like protection. 11 Q You testified earlier today that "there 12 are some things that I really remember and some 13 things that are a little shaky." 14 Which bucket do the marks that you saw 15 on Ms. Heard's face on the evening of May 21, 16 2016, fall into, the things that were a little 17 shaky or the things that you really remember? 18 A That I really remember. 19 THE COURT: All right. Your next 20 witness. 21 MS. BREDEHOFT: The next witness, Your 22 Honor, is Melanie Inglessis, and that is also by</p>	<p>5784 5786 1 A Correct. 2 Q When did you first meet Amber Heard? 3 A April 2015. 4 Q And what was the occasion? 5 A Tribeca Film Festival in New York. 6 Q And were you providing makeup services 7 for her on that occasion? 8 A Correct. 9 Q Okay. And did you become friends with 10 Amber Heard after that? 11 A I did. 12 Q Ms. Inglessis, I'm going to show you 13 what's been marked as Exhibit Number 7. 14 Do you recognize what's depicted in 15 this photograph? 16 A Yes. I recall seeing this on the 17 kitchen of the penthouse. When you enter, that's 18 the wall, kitchen to the left, and that was there, 19 yes. 20 Q But when you came to the penthouse 21 after Amber had texted you, whether it was that 22 night or the next day, you saw this in the</p>
<p>5785 1 video, and I will say that that begins with 2 Ms. Vasquez questioning first and then -- 3 THE COURT: Okay. 4 MS. BREDEHOFT: Then I come back. 5 THE COURT: Can you spell that last 6 name, just for the court reporter? 7 MS. BREDEHOFT: It's I-N-G-L-E-S-S-I-S. 8 THE COURT: Thank you. 9 MELANIE INGLESSIS, 10 being first duly sworn, was examined 11 and testified as follows: 12 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 13 COUNTERCLAIM PLAINTIFF 14 BY MS. BREDEHOFT: 15 Q Please state your name and address for 16 the record. 17 A Melanie Inglessis. 18 Q Ms. Inglessis, what is your occupation? 19 MS. BREDEHOFT: It's me first. 20 THE COURT: Thank you. 21 A Makeup artist. 22 Q And you, in fact, are a professional makeup artist, correct?</p>	<p>5787 1 kitchen; is that correct? 2 A Yes. 3 MS. VASQUEZ: Lack of foundation. 4 Q So you do recall being there that 5 evening? 6 A I do recall being there. You know, my 7 only concern with this is that was it the day 8 before or during another incident. But it says, 9 in my text, that I was there the night before 10 that. I was there the night before. 11 Q Ms. Inglessis, I'm going to ask you to 12 look at what has been marked as Deposition 13 Exhibit Number 9. 14 Do you recognize what is depicted in 15 this photo? 16 A Well, it's a bed. It looks like, I 17 mean, it's a very tight picture of the bed. But 18 I'm - I mean, it's a bed. 19 Q And do you recall seeing this the night 20 of December 15, the broken part of the bed? 21 A Upstairs, yes. 22 Q Okay. And when you say "upstairs,"</p>

<p>1 what do you mean? 2 A Well, their bedroom was upstairs. 3 Q And the downstairs had the kitchen with 4 the writing. 5 Do you remember where the other 6 property that you saw was? Was that downstairs or 7 upstairs, the property that was damaged; was that 8 upstairs or downstairs? 9 A Downstairs. 10 Q And just so I am clear, you recall 11 damage to the bed; is that correct? 12 MS. VASQUEZ: Asked and answered. 13 Q On December 16, 2015, did you return to 14 Amber Heard's penthouse? 15 A Yes. 16 Q And why did you come to Amber Heard's 17 penthouse on December 16, 2015? 18 A It was for the show. She had an 19 appearance, so I went back to work. 20 Q And when you arrived at the penthouse 21 on December 16, please, describe for me what you 22 observed on Amber Heard's face and any injuries.</p>	<p>5788 1 to us, and I looked at the head. 2 Q And can you describe what is depicted 3 right along her scalp there? 4 A I don't know. 5 Q Do you recall that there was some 6 bruising along the scalp and some pus, for lack of 7 a better word? 8 A I don't recall. 9 Q Ms. Inglessis, I'm going to ask you to 10 take a look at what has been marked as 11 Exhibit Number 14. 12 Do you recognize the person in this 13 photo? 14 A Yes. 15 Q And who is that? 16 A This is Amber Heard. 17 Q Okay. And you just described what you 18 saw on the 16th with respect to Amber Heard's 19 injuries. 20 Does this accurately depict what you 21 saw on Amber Heard on December 16, 2015? 22 A Yes.</p>
<p>5789 1 A When I came to the penthouse, 2 December 16, to do Amber's makeup, she had 3 injuries -- she had two light, like -- I don't 4 know how -- I mean, I'm not a medical expert. I 5 don't know how I would describe them. But it 6 could have looked like somebody had headbutted her 7 lightly, so she had discoloration here, on both 8 eyes, and the bridge of the nose, and she had what 9 I would call a split lip, or something on the lip, 10 like a gash or a split lip. 11 Q Ms. Inglessis, I'm going to ask you to 12 look at what's been marked as Exhibit Number 11. 13 Do you recognize this photo as being 14 Amber Heard's head? 15 A Yes. 16 Q Okay. And could you, please, describe 17 for me what this photo is showing? 18 A It's showing a chunk of hair. 19 Q And what, if anything, did you observe, 20 on December 16th, about Amber Heard missing a 21 chunk of hair? 22 A I remember this because she showed it</p>	<p>5791 1 Q Ms. Inglessis, I'm going to ask you to 2 take a look at what has been marked as Exhibit 16. 3 Again, do you recognize the person in 4 this photo? 5 A Yes. 6 Q And who is that? 7 A Amber Heard. 8 Q Okay. And does this picture reflect 9 the injuries that you saw on Amber Heard on 10 December 16th, 2015? 11 A Yes. 12 Q Okay. And then I'm going to ask you to 13 take a look at one more of those, and that is 14 Exhibit 17. 15 And I'm going to ask, again, 16 Ms. Inglessis, do you recognize the person in this 17 picture -- I'm going to try to move it along, is 18 it Amber Heard? 19 A Yes. 20 Q Okay. And does this reflect what you 21 saw, as well, on December 16, 2015? 22 A I mean, that's three different -- three</p>

<p style="text-align: right;">5792</p> <p>1 pictures with very different light, but, yes. 2 Q Now, do you also recall there being an 3 injury to Amber Heard's lip? 4 A Correct. 5 Q And, Ms. Inglessis, I'm going to ask 6 you to take a look at Exhibit Number 19. 7 And do you recognize the person in this 8 photograph as Amber Heard? 9 A Yes. 10 Q And does this picture accurately 11 reflect what you saw on Amber Heard on 12 December 16, 2015? 13 A Yes. 14 Q Ms. Inglessis, could you, please, 15 describe what you did by way of makeup to prepare 16 Amber Heard for the James Corden show on 17 December 16, 2015? 18 A Yes. We covered – you know, I just 19 did the makeup, but just a little heavier the way 20 I did it. So we covered the, you know, 21 discoloration or the bruises with a little 22 slightly heavier concealer, one that has a little</p>	<p style="text-align: right;">5794</p> <p>1 the difference in Amber Heard's demeanor before 2 the show and then on the show? 3 A That she had the ability to, you know, 4 turn it on. That she had the ability to do her 5 job and perform how she was supposed to perform on 6 the show. 7 Q And prior to Amber going on the show, 8 and while you were working with her on her makeup, 9 how would you describe Amber's mood and demeanor? 10 A Angry, sad, a little erratic. I think 11 two ways of emotions, you know. 12 Q Do you recall someone named McMillan 13 having any role in helping to prepare Amber Heard 14 for that James Corden show that night, 15 December 16? 16 A Yes. 17 Q What do you recall? 18 A Samantha was a stylist. Sam was there 19 the day of the James Corden show, as she was 20 already there to get her ready for an appearance 21 or show. 22 Q Did Samantha work on Amber before or</p>
<p style="text-align: right;">5793</p> <p>1 more peach undertone, which I normally don't use 2 on Amber, but peach does cancel blue. So I did 3 that on the eye. Although Amber has a red lip, 4 it's one of her signature looks, I remember 5 clearly talking that we have no other option that 6 night than to use a red blood, like a really red 7 lipstick to, you know, make sure we could cover up 8 the injuries on the lip. 9 Q And were you able to cover all of the 10 injuries with the makeup that you applied and as 11 you've just described? 12 A Yes. 13 Q Ms. Inglessis, if you could, look at 14 what has been marked as Exhibit Number 22. 15 Do you recognize Amber Heard in that 16 picture? 17 A Yes. 18 Q Okay. And is this a picture of her -- 19 is this picture of her that evening, December 16, 20 2015, on the James Corden show? 21 A Yes. 22 Q What, if anything, did you observe on</p>	<p style="text-align: right;">5795</p> <p>1 after you were applying the makeup? 2 A I don't know if she worked on Amber. 3 But when I entered the penthouse 5, Samantha was 4 there with Amber, so Samantha was there before I 5 entered the house, the penthouse. 6 Q And do you recall whether Samantha was 7 hugging Amber when you came in? 8 A I recall opening the penthouse – so, 9 there's two penthouses. There's the penthouse 10 where she gets ready, so Amber was in the 11 penthouse where Samantha gets ready, where the 12 clothes is. If I remember properly, that's the 13 penthouse that I entered first to say hi before I 14 go set up in the other penthouse. My recollection 15 is when I got to her, Amber was crying, looked 16 pretty upset on Samantha's shoulder. They were 17 like, you know, I don't know if hugging is the 18 right way, but definitely had a moment where they 19 were together and Amber looked really upset. 20 Q Ms. Inglessis, I'm going to ask just a 21 couple more questions about the makeup that you 22 applied on Amber on December 16, 2015, for the</p>

<p>1 James Corden show. 5796 2 I think you said that you had applied 3 some concealer and that you had some peach 4 undertones with it to cancel out some blue. 5 Did I hear that correctly? 6 A Yes. 7 Q I was asking about -- I wrote down that 8 you said you had applied, on Amber, concealer, you 9 had some peach undertones to cancel blue; is that 10 what you said? 11 A Yes. 12 Q So what type of concealer did you apply 13 to Amber and if you used different color tones, 14 can you, please, describe why you used the color 15 tones you did? 16 A I used a different kind of concealer 17 that I wouldn't normally use on Amber. I used a 18 concealer that has peach undertones. Peach 19 undertone concealer are more effective to cover 20 any darkness of blue undertone than a normal 21 concealer. 22 Q Do you know what type of makeup Amber</p>	<p>1 Q And do you feel confident in what you 5798 2 described that you saw that day of Amber Heard's 3 injury, and I'm talking about December 16, 2015? 4 A A thousand percent. Without a doubt. 5 I just don't remember, you know, it's five years 6 ago. I don't remember the exact date. 7 Q And could you describe Amber's demeanor 8 in that -- in those days before and after the 9 filing for divorce and for the domestic violence 10 restraining order? 11 A An area of different type of emotion. 12 You know, from -- definitely from sadness to not 13 wanting the divorce to divorce to anger to rage -- 14 to being really upset, to being really sad. It 15 was just a roller coaster of emotion that I think 16 we were all there, those couple of days, to 17 navigate and go through it. 18 Q I take it, from your response today, 19 you still feel very emotional about this? It's 20 very difficult for you, isn't it? 21 A Not difficult for me, no. Now, no. 22 But it just reminded me, at the time, how I felt,</p>
<p>1 Heard typically wore? 5797 2 A Yes. 3 MS. VASQUEZ: Objection. Vague and 4 ambiguous. 5 Q Please describe. 6 A Yes, she's pretty natural. She has a 7 concealer from a company -- or used to have a 8 concealer from a company called Clé de Peau. Her 9 makeup would be pretty simple, concealer and a 10 little Benefit tint that she used on her lips and 11 she used on her cheeks. Very natural. 12 Q It had a natural look to it, correct? 13 A Correct. 14 Q Okay. But there was -- she did wear 15 concealer and what you described, correct? 16 A Do you mean in her daily life or that 17 night? 18 Q In her daily life. 19 A Yes. She used -- she has a concealer 20 that she use all the time, and she has a couple of 21 products that she uses all the time, daily, yes -- 22 well, I mean daily, yes. As far as I know.</p>	<p>1 yes. 5799 2 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 3 COUNTERCLAIM DEFENDANT 4 BY MS. VASQUEZ: 5 Q When did you first tell Ms. Heard that 6 you were no longer interested in having her as a 7 client and being friends with her? 8 A That come a month ago. About a month 9 ago. 10 Q How was it said? 11 A Well, I just told Amber that, you know, 12 I wish her well, I just had no interest in 13 continuing a relationship, whether it is work-wise 14 or friendship-wise. 15 Q Is there a specific reason, other than 16 the birth of your child and the postpartum issues, 17 that you described? 18 A No. 19 Q Both as a client and -- Ms. Inglessis, 20 what was your impression of Mr. Depp when you 21 first met him? 22 A Lovely.</p>

5800	1 Q You thought he was lovely? 2 A Yeah. 3 Q Was each of the -- well, let me ask the 4 backup question. 5 Did you interact with Mr. Depp -- how 6 many times did you interact with Mr. Depp? 7 A Through, you mean, all in all? 8 Q Yes. The entirety of your 9 interactions. How many were there, approximately? 10 A Five, maybe -- maybe less than ten. 11 Q And would you describe all your 12 interactions with Mr. Depp as "lovely"? 13 A Yes. 14 Q Had you ever seen Mr. Depp act in a 15 violent manner? 16 A No. 17 Q Did you ever see Mr. Depp yell at 18 Ms. Heard? 19 A No. 20 Q Did you ever see him kick Ms. Heard? 21 A No. 22 Q Did you ever see Mr. Depp throw an	5802	1 Q The only source of information that you 2 have is Ms. Heard's own words, correct? 3 A Correct. 4 Q Did you hear Mr. Depp and Ms. Heard 5 having a fight on the phone? 6 A I was there. I was present in the 7 room. 8 Q And but just to confirm, could you hear 9 Mr. Depp's voice? 10 A No. 11 Q So fair to say that the only voice you 12 heard was with -- was Ms. Heard's, correct? 13 A Correct. 14 Q So you don't know what Mr. Depp said to 15 Ms. Heard on that phone call, correct? 16 A Correct. 17 Q Do you recall any other occasions where 18 you witnessed a fight between Mr. Depp and 19 Ms. Heard, or heard about an incident or a fight 20 between Mr. Depp and Ms. Heard, other than the 21 three that we've now discussed? 22 A I would say every time. I would say
5801	1 object at Ms. Heard? 2 A No. 3 Q Did you ever see Mr. Depp slap 4 Ms. Heard? 5 A No. 6 Q Punch her? 7 A No. 8 Q Did you ever see Mr. Depp kick 9 Ms. Heard? 10 A No. 11 Q Is it fair to say, Ms. Inglessis, that 12 you never saw Mr. Depp be physically abusive 13 towards Ms. Heard? 14 A Correct. 15 Q And you never saw Mr. Depp cause any 16 injuries to Ms. Heard, correct? 17 A Did I ever saw him cause any injuries? 18 No. 19 Q And so any injuries that you claim to 20 have seen on Ms. Heard, you don't know, one way or 21 another, how they were caused, correct? 22 A Correct.	5803	1 that during my friendship with Amber, before she 2 filed for divorce, which, I mean, timeline, I 3 don't know, a year, maybe a year and a half, it 4 was all -- it was always some conflict, some 5 fight, some -- some physical fights, some verbal 6 fights. Some kind of problem. Some kind -- there 7 always, always was a problem. A problematic -- it 8 was very consuming for me. It was all consuming 9 about that relationship. It was a very consuming 10 friendship. And hence, that's why I decided to 11 not continue it. 12 Q But you, yourself, didn't witness any 13 of these altercations, fights, arguments, correct, 14 between Mr. Depp? 15 A Right. 16 Q I think you testified that you 17 interacted with Mr. Depp less than ten times. 18 When you did interact with Mr. Depp, 19 was Ms. Heard present each of those times? 20 A All of those times. 21 Q Did you find him particularly loving 22 towards Ms. Heard?

<p>5804</p> <p>1 A Not particularly, no. 2 Q And during these interactions with 3 Mr. Depp and Ms. Heard, at that time, you were 4 aware that Mr. Depp, allegedly, was abusing 5 Ms. Heard, correct? 6 A Well, most of the interactions that I 7 had was towards the end of 2015, right, I'm 8 assuming. So I was not fully aware, yet, of, I 9 guess, the seriousness of their fight. If I can 10 say so. 11 I think, you know, most of the time I 12 saw them together was towards the end of 13 December -- towards the end -- before December 15. 14 So Thanksgiving, that time, and Amber's, I think 15 birthday. I'm getting the dates. So the few 16 times I saw Mr. Depp was before I understood the 17 seriousness of the fight. 18 Q Understanding, again, came from 19 Ms. Heard only, correct? 20 A Well, Ms. Heard and some of her 21 friends, yes. 22 Q Who were some of her friends?</p>	<p>5806</p> <p>1 A Disagreement, maybe. Yeah, like a 2 disagreement. 3 Q What do you mean by that? 4 A Well, I mean, there was, you know, it 5 was such a small, intimate surrounding that you 6 pick up on things. And so, I could tell that it 7 was awkward -- it was just awkward, I think, 8 Mr. Depp and Mr. Manson disappeared for a while 9 and everybody was at a table so there was 10 nothing -- it was just awkward. 11 Q And you're pretty sure they had a fight 12 because Ms. Heard told you, after the fact, that 13 they had a fight, correct? 14 A Right. 15 Q Because you did not witness Mr. Depp or 16 Ms. Heard having any type of fight the evening of 17 Thanksgiving, correct? 18 A Correct. 19 Q Ms. Inglessis, do you have an 20 independent recollection of going to the 21 penthouse, in downtown Los Angeles, on 22 December 15th, 2015?</p>
<p>5805</p> <p>1 A Rocky, Rocky Pennington, iO Tillett. 2 I'm not sure how you pronounce it. Josh Drew, the 3 people that were living, her sister, Whitney. 4 Those were the core group. 5 Q You said you spent Thanksgiving with 6 Mr. Depp and Ms. Heard. Was that in Thanksgiving, 7 November 2015? 8 A Yes, correct. Because they were 9 divorced by May 2016, so, yes. 10 Q How would you describe that evening? 11 A Awkward. 12 Q Why? 13 A Because Marilyn Manson was there. 14 Q Did you know Marilyn Manson? 15 A No, but it just was an awkward 16 Thanksgiving. It was quite intimate. So, yeah, 17 it was just awkward, it was awkward. He's just an 18 awkward being and awkward to be around. It was an 19 awkward evening. 20 Q Do you recall Mr. Depp and Ms. Heard 21 having any type of disagreement or fight that 22 evening?</p>	<p>5807</p> <p>1 A I have an independent -- I have an 2 independent recollection of going to the penthouse 3 before one of the incidents. And at the time, I 4 wasn't -- I couldn't recall if it was the day 5 before the gym scooter or the day before the phone 6 incident, you know, so -- and I want to make sure. 7 I needed to remember that it was the day before 8 December 16th. Where -- yes. 9 Does that make sense? I knew I had 10 come a day before -- a day before one of the two 11 different fights that, you know, and I wasn't sure 12 if it was that day or that day. But it was 13 December 15th. 14 Q And sitting here today, you're still 15 not sure if you went to the penthouse on 16 December 15th, 2015, or if it was the day before 17 the May incident in 2016? 18 A Right. 19 Q And when you went to the penthouse on 20 December 15, I believe that you testified before 21 you didn't see any injuries on Amber Heard that 22 evening, correct?</p>

<p>5808</p> <p>1 A No, I don't recall seeing any injuries 2 on Amber that day, that night. 3 Q Do you recall if Ms. Pennington was at 4 the penthouse that evening? 5 A Yes. 6 Q Do you recall if anybody else was at 7 the penthouse that evening? 8 A I don't recall. 9 Q But you do remember Ms. Heard being 10 there and Ms. Pennington, correct? 11 A Correct. 12 Q Did you take any photographs of 13 Ms. Heard the evening of December 15th, 2016? 14 A No. 15 Q Do you recall being present when any 16 photographs of Ms. Heard were taken on 17 December 15th, 2015? 18 A I don't recall. 19 Q Do you remember being present when 20 photographs of Ms. Heard's injuries were taken on 21 December 16th, 2015? 22 A No.</p>	<p>5810</p> <p>1 concealer on, a little of that tint there because, 2 yes, it is quite normal for Amber to wash her 3 face. She always liked to wash her face before 4 the makeup with the product that she likes, do a 5 toner, you know, so it wouldn't be abnormal for 6 her to have a little makeup before and then wash 7 her face and start clean. 8 Q But you don't remember, one way or 9 another, whether Ms. Heard had a fresh face with 10 toner and moisturizer before when you arrived on 11 December 16th, 2015, correct? 12 A No, I do not. I don't recall. 13 Q Would she usually wash her face and go 14 through that process in front of you? 15 A Yes. I mean, in front of me, in her 16 bathroom. But, you know, we were close, so it 17 wouldn't be abnormal for me to be chitchatting 18 with her while she cleaned her face and, you know, 19 I don't think, specifically, in front of me or not 20 in front of me, but, yeah. I mean, she would wash 21 her face in the bathroom, which is adjacent to 22 where we get her ready.</p>
<p>5809</p> <p>1 Q And did you take any pictures of 2 Ms. Heard and her injuries on December 16th, 2015? 3 A No. 4 Q So I don't want to take up the time of 5 showing you all the photographs Ms. Heard -- 6 excuse me, Ms. Bredehoft showed you earlier today. 7 But there were a number of exhibits, I think, I 8 marked them as -- Exhibits 14 through 20. 9 A Right. 10 Q That you were shown earlier this 11 morning. 12 Just to confirm, you didn't take any of 13 those photographs, correct? 14 A Not on my phone. Not with my phone. 15 And I do not recall taking Amber's or Rocky's 16 phone to take those pictures, no. Definitely not 17 with my phone. I do not recall taking, physically 18 myself, those pictures, no. I don't recall. 19 Q Would it be normal for Ms. Heard to 20 have makeup on her face before you arrived to do 21 her makeup ahead of an appearance? 22 A It would be normal for Amber to have</p>	<p>5811</p> <p>1 Q And I want to be really specific. So 2 based on your best recollection, what injuries did 3 you see on Ms. Heard on December 16th, 2015? 4 A Amber had a slight discoloration on 5 both eyes and on the top of the bridge of her nose 6 and -- hold on. And I do believe the right eye 7 had a little gash right there. It wasn't that 8 strong -- it wasn't that swollen, but it was 9 definitely some blue and yellow discoloration 10 there, mainly on the inner corner and a little 11 more here. And then she had, on the right, on the 12 right lip, as I said earlier, I don't know the 13 exact medical term, but looked like a split lip 14 or, like, a gash here. 15 Q Did you ever see Ms. Heard's lip bleed 16 on December 15th or December 16th? 17 A I don't remember. 18 Q But you have a -- you remember that it 19 was not bleeding on December 16th, when you were 20 applying the makeup, correct? 21 A When I was applying the makeup, 22 correct.</p>

<p>5812</p> <p>1 Q How about before you were applying the 2 makeup; do you recall it bleeding? 3 A I don't recall. 4 Q And I think you just described it as 5 either a gash or a split lip? 6 A I don't know what really the medical 7 term for it. I don't know what kind of injury 8 would have caused this. I'm not a medical expert 9 or a forensic expert. It was slightly swollen, 10 and, by the way, you can see in that video, so 11 it's crazy to me, it was slightly swollen, and it 12 was either a gash or a scab – not a scab, but it 13 was swollen with some kind of cut. 14 Q Do you recall Ms. Heard ever having a 15 cold sore on her lips? 16 A No. 17 Q You said there was slight discoloration 18 under both eyes. 19 Was there swelling under both eyes as 20 well? 21 A Clarify "swelling." 22 Maybe very little, but it was mainly</p>	<p>5814</p> <p>1 head. 2 Q And was Ms. McMillan there as well? 3 A No. Samantha McMillan was never really 4 there when we get ready. So it was two separate 5 things, and Samantha never come when we get ready, 6 no. 7 Q Just to confirm, these injuries that 8 you saw, right, on Ms. Heard, December 16th, 2015, 9 you don't know how they were caused, correct? 10 A Correct. 11 Q And so any information you have about 12 the cause of these injuries came from Ms. Heard 13 only? 14 A From December 16, correct. 15 Q Well, any injuries, other than 16 Ms. Heard and her friends, you never witnessed 17 Mr. Depp being violent or abusive towards 18 Ms. Heard and causing any injuries? 19 A Correct. 20 Q So let's talk about the makeup that you 21 actually used to conceal these injuries on her 22 face on December 16th.</p>
<p>5813</p> <p>1 discoloration, too. I recall many discoloration 2 like – like a bruise. Maybe there was a little, 3 tiny swelling on one of the eye, that was a little 4 more – a little more injured than the other, but 5 not too swelling, no. 6 Q I believe your testimony earlier today 7 was that he lightly headbutted her; is that 8 correct? 9 A I wasn't there. I don't know if he 10 lightly or no lightly. I don't know. 11 Q That was your testimony, that it 12 appeared as if she had been "lightly 13 headbutted." 14 Do you remember saying that earlier 15 today? 16 A It's not my opinion to say how 17 headbutted she was or anything. Maybe I 18 misquoted. 19 Q Okay. And did she show you the hair 20 that was missing? 21 A She showed us, me and the hairdresser, 22 the hole where the hair was missing on top of the</p>	<p>5815</p> <p>1 I believe you testified you used a 2 concealer with a peach undertone? 3 A Uh-huh. 4 Q Did you have training and experience 5 dealing with injuries or covering up bruising on 6 people? Do you have any specific experience or 7 education? 8 A Specific experience? I have experience 9 in doing bruises and cover bruises for special 10 effect. I mean, throughout my career, I have 11 created bruises and I also have covered bruises 12 for, you know, with models or real life or 13 whatever it is. So, yeah, I have experience in 14 covering some bruises, yes. 15 Q How about swelling? Same question. 16 A I mean, it's a little harder to cover 17 swelling. That would be maybe, you know, try to 18 bring the swelling down. Covering it up would be 19 not – would be harder. 20 Q How about cuts? 21 A Yeah. 22 Q Specifically, as it relates to</p>

<p>5816</p> <p>1 Ms. Heard's makeup look on December 16th, do you 2 recall what foundation you used? 3 A The brand? 4 Q You probably don't remember the brand. 5 But do you recall the shade that you 6 used? 7 A How would I? No, it's five years ago. 8 Absolutely not. 9 Q But you do have a specific recollection 10 of using a peach undertone concealer? 11 A Yes, and I'll tell you why. Because 12 Amber always had, in her bag -- we have the same 13 concealer. She has a concealer from a brand 14 called Clé de Peau. And a specific shade, you 15 know it's beige. Beige was Amber Heard's color 16 for under her eyes, period. So the day, 17 December 16th, I didn't use beige, I used -- there 18 was another concealer that has more peach in there 19 and orange, it's called "honey," from the same 20 family, I used that instead. I think I also 21 used -- I have a wheel that has -- it is a bruise 22 wheel that has different colors, and you pick out</p>	<p>5818</p> <p>1 of highlight up here to kind of not focus on this. 2 I remember talking about it very 3 clearly. 4 Q And forgive my ignorance, but what did 5 you do to cover up the cut on the lip, other than 6 apply a red lip? 7 A A red lip. That's it. A red lip. It 8 is swollen. I can see it in the video on the 9 James Corden show. So her lip was swollen. It 10 was big on that side. You can see it. Nothing I 11 can do about that. But we did a really dark red 12 lip to match that red gash or cut, whatever that 13 was there. 14 Q Do you recall Ms. Heard being hindered 15 as a result of the injury on her lip. And when I 16 say "hindered," I mean did she have trouble 17 opening her mouth widely or, you know, did she 18 complain about it hurting or splitting open and 19 bleeding? Do you recall any of that? 20 A I don't recall. 21 Q And, again, just to confirm, on 22 December 15th, 2015, you don't recall seeing any</p>
<p>5817</p> <p>1 the color to gently touch up any darkness. 2 Q Did you make a different choice for her 3 overall look, other than the concealer, as a 4 result of the injuries that you saw on her face on 5 December 16th? 6 A Not a different choice. But I remember 7 we specifically, you know, as I know you read it 8 before, we had a red lip that was not uncommon for 9 her. You know, she has natural red lips, so it's 10 not, to me, oh, my gosh, she had a red lip. But I 11 remember that day, specifically -- I specifically 12 structured my makeup -- there's a couple of things 13 we do with Amber. We do a smokey eye and a nude 14 lip or red lip. And I remember specifically 15 thinking of my makeup, about we needed to 16 highlight there to try to not -- to try to not 17 draw attention there. And the red lip is our only 18 option to cover that red cut that was there. So, 19 that, I remember very specifically, thinking we 20 had to have a red lip, sharp brows, and some sort 21 of makeup to take away from here. So, basically, 22 I mean, nothing to you guys, but basically a lot</p>	<p>5819</p> <p>1 injuries, including a split lip, on Amber Heard, 2 correct? 3 A Correct. 4 Q Do you recall having any specific 5 conversation with the hairstylist that was doing 6 Ms. Heard's hair on December 16th, 2015, as it 7 related to the abuse that Ms. Heard was describing 8 for you? 9 A Yeah. Yes. We had -- we talked a 10 little about it, yes. 11 Q What do you recall about that 12 conversation? 13 A I mean, you know, I think everybody was 14 a little, like, whoa, shit, okay. I think 15 everybody was a little surprised. Everybody was a 16 little, like, not knowing how to move forward with 17 it. I mean, but we talked. As I said, when Amber 18 was in the chair and Adir was behind her, and I 19 was in front of her, I recall the three of us 20 having a conversation. I recall Adir showing me 21 the hole. 22 Q Just to confirm, you don't know how</p>

5820

1 that chunk of hair was missing from Ms. Heard's
2 hair? You don't know what caused that chunk of
3 hair to be missing, correct?
4 **A I don't know, correct.**
5 Q You don't have any personal knowledge,
6 I should say, as to how that chunk of hair came to
7 be missing from her head?
8 **A Well, I did not witness it, correct.**
9 MS. VASQUEZ: Alex, may I, please, have
10 you bring up Depp 9.
11 Q Ms. Inglessis, you testified,
12 previously, that you see, watching the video clip,
13 right, you see Ms. Heard's -- you see the swollen
14 lip and you see bruising?
15 **A Yeah. I see -- I know that face, I**
16 **know that face so well. I've done it so many**
17 **times. I can tell where the bruises are, and I**
18 **can tell where the swelling is, correct.**
19 Q So, Ms. Inglessis, do you mind, please,
20 identifying for me, is this -- does this
21 photograph accurately depict Ms. Heard on the
22 James Corden show on December 16th, 2015?

5821

1 **A Yes.**
2 Q Can you describe for me where you see
3 bruising on Ms. Heard's face?
4 **A Well, I didn't say I saw a bruise, but**
5 **I saw discoloration. I can see my makeup, so I**
6 **see discoloration on the right eye, just right**
7 **under, I see that little dent there. And then,**
8 **also, this is a picture that is, you know,**
9 **taking -- this is not a very accurate picture.**
10 **She's sideways, the light is one way. You know,**
11 **but, yeah, they need better pictures, as you can**
12 **see.**
13 **But if you give me the mouse, I will**
14 **show you. But this other still pictures, where**
15 **you can see the split better, or the swelling.**
16 **So, I mean, I can see there's better pictures**
17 **where you can see that side of her lip is swollen,**
18 **this here.**
19 Q And you're pointing, just for the
20 record, you're pointing to the right side of
21 Ms. Heard's lip, correct?
22 **A Correct. It's here. But there's**

5822

1 **better pictures. She's sideways. There's better**
2 **picture. What I feel you can see better.**
3 Q That might be the same photograph.
4 **A Yeah, she's still sideways.**
5 Q Ms. Inglessis, is it your testimony
6 that you believe you can see swelling on the right
7 side of Ms. Heard's lip?
8 **A Yes.**
9 Q Do you see any bruising or concealed
10 bruising under her eyes?
11 **A Well, I mean, I know I concealed those**
12 **bruises so, yes, I can see them because I know I**
13 **did them. So that's neither here nor there, but,**
14 **yeah, I can see them just on her eyes, under the**
15 **right eyes, I can see the little gash right there,**
16 **and all that darkness, I don't have the mouse**
17 **anymore, but all that darkness right there, that**
18 **is not eyeshadow and that is neither dark circles**
19 **on those three pages. This is a little of the,**
20 **you know, injury showing through.**
21 Q Do you see any discoloration or
22 bruising on the bridge of her nose?

5823

1 **A I do not. No, I must have done a great**
2 **job there.**
3 Q Do you recall anything about
4 Ms. Heard's appearance when you first encountered
5 her in Coachella Valley?
6 **A No, I don't recall.**
7 Q Did you notice any injuries on
8 Ms. Heard?
9 **A I don't recall.**
10 Q Do you recall Ms. Heard discussing any
11 abuse that she had sustained the night of her
12 birthday on April 21st, 2016, by Mr. Depp?
13 **A Yes.**
14 Q What do you recall about that?
15 **A I recall there was a fight. There**
16 **was -- I don't remember. I don't exactly recall**
17 **the fight. I know they would fight and there was**
18 **some problem. That's why they were late coming**
19 **back to Coachella. I don't recall exactly what**
20 **she told me, but there was some problem the night**
21 **before, yes.**
22 Q But you don't remember seeing any

<p style="text-align: right;">5824</p> <p>1 injuries on Ms. Heard after her birthday dinner in 2 April of 2016, correct? 3 A Correct. 4 Q Do you recall seeing any injuries on 5 Ms. Heard's face at that dinner, on May 24th 6 [sic], 2016? 7 A I don't recall. 8 Q Do you recall Ms. Heard's general 9 demeanor at the dinner on May 24th [sic], 2016. 10 A What I remember about that dinner is as 11 she was -- and I'll tell you why I remember this 12 clearly, because she was very distraught. And she 13 was very confused if she should file or not for 14 divorce. And she was really sad and upset and 15 angry and all of it. And I remember that because 16 that night, I actually physically took her phone 17 so she should not -- so that if Johnny tried to -- 18 if Johnny tried to reach out to her again, she 19 wouldn't have a phone that night, and she would go 20 through the divorce tomorrow, the next day. 21 So, I remember physically having her 22 phone, and when I dropped them back at the</p>	<p style="text-align: right;">5826</p> <p>1 foundation, moisturizer, things of that nature. 2 Was there -- do you have any recollection that 3 Amber strayed from that and did not wear makeup 4 during the week of May 21, 2016? 5 A No. 6 Q Do you have any recollection, that 7 week, of thinking, oh, my goodness, Amber Heard 8 isn't wearing her makeup this week? 9 A No. 10 Q So, do you know whether Amber Heard 11 took any steps to reduce her swelling during 12 this -- in preparation for the James Corden show? 13 A Yes. She took arnica, and we had 14 arnica gel. And I always have arnica gel in my 15 kit anyway, and she had arnica gel. Yeah, she 16 used arnica gel and some ice. 17 Q And what does arnica gel do with 18 respect to swelling? 19 A I use arnica gel in my kit to bring any 20 swollen area of my client's face down. 21 Q How does that typically work, what's 22 your experience?</p>
<p style="text-align: right;">5825</p> <p>1 penthouse, she said, keep my phone so if he 2 contacts me, I won't know. I won't cave. And I 3 will file for divorce tomorrow. So I went home, 4 to my house, with her phone, and that's why I 5 remember. That's why it's sticking in my mind. 6 And then the next morning, and you can see in that 7 text, she said, "I need my phone." I drove back 8 to the penthouse, give her her phone that day. 9 I'm assuming she filed for divorce, and that day, 10 the whole circus started. 11 Q And you believed that Ms. Heard should 12 go through with the divorce, correct? 13 A Correct. 14 Q And that was based on what, exactly, 15 Ms. Inglessis? 16 A On what she told me on -- her 17 recollection of the marriage. 18 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 19 COUNTERCLAIM PLAINTIFF 20 BY MS. BREDEHOFT: 21 Q I think you testified earlier that 22 Amber's practice was to wear concealer,</p>	<p style="text-align: right;">5827</p> <p>1 A It just brings, you know, the swelling 2 down. I mean, not drastically, but it helps with 3 the swelling a little bit. 4 THE COURT: All right. 5 MS. BREDEHOFT: Yes, Your Honor, we 6 have another video. 7 THE COURT: Okay. If you could 8 approach for a moment, let me just -- 9 MS. BREDEHOFT: Certainly. 10 (Sidebar.) 11 THE COURT: All right. How much time? 12 I'm sorry, I have jurors falling asleep, so I had 13 Hulisa go over there and nudge him. So I just 14 want to make sure. 15 MS. BREDEHOFT: The next one is 16 40 minutes. 17 THE COURT: I'm giving them time to 18 stretch, too, so we can sit up here and talk. 19 That's what they're doing right now, so we'll just 20 stay here a few moments to chat. 21 MS. BREDEHOFT: So the next one, 22 40 minutes and 14 seconds.</p>

<p style="text-align: right;">5828</p> <p>1 THE COURT: Perfect. We can get them 2 done today. Perfect. Depositions, I haven't got 3 the time for some depositions from you. 4 MS. BREDEHOFT: I talked to Sammy 5 because Planet Depos did all of them. 6 THE COURT: Right, right. 7 MS. BREDEHOFT: And I told him I would 8 check with them. 9 THE COURT: Well, I still don't have 10 some from the last -- a couple weeks ago. 11 MS. BREDEHOFT: I though we got those 12 to Sammy. 13 MR. CHEW: I though so too. We'll 14 double-check. 15 THE COURT: Make sure. I'm going back, 16 looking at the times, I'm missing all the 17 officers, one from that day. They're short ones, 18 but I think I'm missing it. So if I can get them 19 tonight because I want to give you an accurate 20 time for tomorrow, but I can add those into the 21 times, okay? 22 MS. BREDEHOFT: Okay.</p>	<p style="text-align: right;">5830</p> <p>1 MR. CHEW: Yeah. 2 THE COURT: Okay. Thank you. 3 MS. BREDEHOFT: Thank you, Your Honor. 4 THE COURT: Uh-huh. 5 (Open court.) 6 THE COURT: All right. Your next 7 witness. 8 (Open court.) 9 MS. BREDEHOFT: Your Honor, we're going 10 to call Kristi Sexton. And this is by video 11 deposition as well. 12 THE COURT: All right. 13 MS. BREDEHOFT: That'll be the last one 14 for the day, Your Honor. 15 THE COURT: Okay. Thank you. 16 KRISTINA SEXTON, 17 being first duly sworn, was examined 18 and testified as follows: 19 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 20 COUNTERCLAIM PLAINTIFF 21 BY MS. KAPLAN: 22 Q Ms. Sexton, why don't you state your</p>
<p style="text-align: right;">5829</p> <p>1 THE COURT: But we're a little ahead of 2 schedule, so I might be able to give you a couple 3 extra hours, but if I know, tonight, what they 4 are, I can tell you tomorrow what you have left. 5 At the end of the day tomorrow, I can tell you 6 what you have left. 7 MS. BREDEHOFT: I though we had -- I'm 8 pretty sure we have them. So, we will figure it 9 out. 10 THE COURT: Sammy just doesn't have it. 11 MS. BREDEHOFT: Okay. We will go back. 12 THE COURT: We went back, checked 13 through his emails and everything, so we'll get 14 that. And you're going to give me jury -- jury 15 agreements and for tomorrow, the jury 16 instructions, the agreements and the objections 17 tomorrow morning. 18 MS. BREDEHOFT: Yes. 19 THE COURT: Do you think that's enough 20 time for them? Do you have anything else going 21 on? How's everybody doing? Do you think they got 22 enough time to stretch? That's good?</p>	<p style="text-align: right;">5831</p> <p>1 whole name for the record and your current 2 address. 3 A Kristina Lissette Sexton. Queensland, 4 Australia. 5 Q For how long, Ms. Sexton, have you 6 lived in Australia? 7 A I've been at that address since 8 July 2017. There was a transitional period. 9 I met my husband in December of 2015, 10 so, '16 and '17, decisions on which country we 11 were going to move to and such, so I did not 12 establish residency here until July, and then 13 began all my paperwork subsequently when we were 14 married in October of 2017. 15 Q So I take it from your last answer, 16 Ms. Sexton, that Australia was the lucky winner of 17 which country you and your husband would choose to 18 live in, correct? 19 A Yes. Yes, indeed. 20 Q And do you currently have a job? Do 21 you currently work right now in Australia? 22 A Yes. I'm an acting coach.</p>

<p>1 Q When was it, to the best of your 2 recollection, that she took a class that you were 3 a TA in? 4 A I believe it was sometime in 2009. 5 Q For how long did you remain Amber 6 Heard's primary or exclusive acting coach? 7 A I don't know about exclusive, we don't 8 have any sort of exclusivity contract. She may 9 work with other coaches. 10 The last time we worked on a project 11 together would be Aquaman, so 2017. 12 I don't know about exclusive. We don't 13 have any sort of exclusivity contracts. She may 14 work with other coaches. The last time we worked 15 on project together would be Aquaman, so 2017. 16 Q Okay. So the first movie -- or the 17 first TV series, I should say, that you recall 18 working as an acting coach with Amber was The 19 Playboy Club? 20 A Yes. 21 Q And that was in 2011? 22 A Yes.</p>	<p>5832</p> <p>1 A May 2017. 2 Q During that period when she was on 3 Orange Avenue, how would you describe, excuse me, 4 Amber Heard as an actor? 5 A She was really focused on moving to the 6 next level of her career and really stretching 7 herself as an actor, which is why she started 8 coaching so much at that time and then, initially, 9 even went to classes. So, she was really driven 10 to do a lot of work and kind of mine out 11 everything that we could from the text and go over 12 things a lot. 13 So she was very driven, as an actor, 14 to, I would say, get to the next phase of her 15 career. 16 Q Will looking at Sexton 1 refresh your 17 recollection as to when that took place? That's 18 the IMDb page. 19 A Yes. It was either 2011 or 2012. It's 20 saying that it came out in 2011, then the premiere 21 would have been in 2011, so, yeah. 22 Q When was the next time you recall</p> <p>5834</p>
<p>1 Q I take it from what you just described, 2 that although the frequency varied, it is fair to 3 say, is it not, that you saw Ms. Heard many, many, 4 many times during the period between 2010 and 5 2017? 6 A Oh, yes. 7 Q Would it be fair to say that you saw 8 Ms. Heard during this seven-year period more than 9 a hundred times? 10 A Easily, yes. 11 Q And when you say "easily," do you think 12 it's also fair to say that you saw her more than 13 200 times? 14 A Absolutely, yes. 15 Q I'm going to go up another hundred. 16 Same answer for 300 times? 17 A Yeah. As I said, when I would see her, 18 it would be multiple times a week in preparation 19 for a project. 20 Q When's the last time that you had a 21 session with Amber Heard as her primary acting 22 coach?</p>	<p>5833</p> <p>1 seeing Johnny or Mr. Depp? 2 A I would say sometime in the middle of 3 the following year. 4 Q So sometime in the middle of 2012, you 5 think? 6 A Yes. 7 Q And where was that? 8 A At her house on Orange. I remember 9 him -- seeing him quite a bit. In the early 10 period -- 11 Q Again I'm focused on the early period. 12 Did you have occasion to run into 13 Mr. Depp at your coaching sessions with Amber 14 later when she was at the Sweetzer Avenue and then 15 at the penthouse that's in Los Angeles? 16 A Yes. I did see them often at both 17 Sweetzer and the downtown house. 18 Q And over that period of time did you 19 observe changes in Mr. Depp's behavior? 20 A Yeah. Johnny became, I would say, much 21 darker, as time went on. He -- he was, like, 22 figuratively and literally he would sit in dark</p> <p>5835</p>

<p>5836</p> <p>1 rooms. The art, overall, changed, like, 2 everything got much darker in the houses, like, 3 heavy -- it was always a little, I don't know what 4 the art form would be, dark. But it just like 5 literally lighting would go down and big curtains 6 would be everywhere, and he became much less 7 talkative as time went on. We would see less and 8 less of him personally. I would hear him in the 9 house, but I would see less and less of him, 10 interaction-wise. And when I did, he wasn't very 11 happy. 12 Q What would you hear him say on those 13 occasions where you said he wasn't happy? 14 A At different points in time I heard 15 different things. Sometimes it would just be him 16 milling around the house; sometimes it would be 17 him having conversations with his team, bodyguards 18 and stuff, or his friends that were over making 19 music at the Sweetzer location. Sometimes it was 20 him and Amber fighting, like, I was in his home, 21 so I heard him quite a bit. 22 Q You said a couple of answers ago that</p>	<p>5838</p> <p>1 acting coach, primary acting coach, was it your 2 understanding that Mr. Depp had opinions about 3 what role Ms. Heard should take? 4 A There were a couple of occasions where 5 I actually heard Johnny say, "Why would you want 6 to do that kind of role? My woman isn't going to 7 play that kind of role," stuff like that I heard a 8 few times from him over the course of time. 9 Q Other than saying -- hearing Mr. Depp 10 say he didn't want his woman playing a role -- 11 playing a whore, excuse me, did you hear him using 12 any other language like that, about the kind of 13 roles that Ms. Heard was being offered? 14 To focus you in, Ms. Sexton, I'm 15 talking about the period when Amber and Johnny 16 were at the beginning of their relationship until 17 you stopped being her acting coach in 2017, and 18 I'm focusing in on what you recall hearing from 19 Mr. Depp about what roles he thought Ms. Heard 20 should play. 21 A As I said, he would be sitting -- 22 initially, when she moved in the Orange location,</p>
<p>5837</p> <p>1 sometimes at times you would hear Mr. Depp and 2 Ms. Heard fighting. 3 Can you -- again, keeping in mind that 4 it's a long time ago, can you describe what you 5 heard? 6 A I would say -- I would just hear a lot 7 of him yelling. His voice would carry through 8 kind of the halls of the house. And then, like, 9 I -- I remember one time specific that I remember 10 Amber was trying to get out of the room, and then 11 the door shut again and then I could just hear 12 muffled yelling on his part. 13 Q At the beginning of their relationship, 14 once Ms. Heard had revealed to you that they were, 15 in fact, in a relationship, did she talk to you 16 about Mr. Depp's struggle with drugs and alcohol? 17 A In the early part of their 18 relationship, she had said that he was sober. She 19 was trying to support him in his sobriety. And 20 then, subsequently, throughout the relationship, 21 she would talk about his breaks in sobriety. 22 Q Based on your work as Ms. Heard's</p>	<p>5839</p> <p>1 sometimes he would be nearby, it was a fairly 2 small house, and he would be nearby in kind of 3 earshot, so there were times that he was kind of 4 just disparaging, "That's a shitty role. Why 5 would you do that," that kind of thing. But he 6 wasn't super negative then. 7 Later on, as it went on, he was very 8 vocal about the negative terms. Like I said, he 9 called it a whore part or a trash part or a piece 10 of shit, all sorts of things like that, generally, 11 pretty negative when if it was something he didn't 12 want her to do. 13 Q Did the amount of roles that Ms. Heard 14 auditioned for change during the time that she was 15 involved with Mr. Depp? 16 A Yes, it did. It was decreasing as it 17 went, and there would be stretches of time where 18 she wasn't auditioning at all or working on 19 anything at all. 20 Q During the time that Mr. Depp and 21 Ms. Heard were together, did you observe changes 22 in their relationship over time?</p>

<p style="text-align: right;">5840</p> <p>1 A Yeah. Early on, they were incredibly 2 lovey-dovey and passionate and always together in 3 a positive way. They were very playful and 4 friendly. 5 And then I would see less and less of 6 them together, and I would hear a lot of muffled 7 arguments through walls. And when I did see him, 8 sometimes the balance would shift. It went from 9 being, like, a normal couple to very tension 10 filled, especially those last few months that they 11 were together. And – yeah. 12 Q Was there a -- withdrawn. 13 Did the number of times that Ms. Heard 14 was late for or canceled sessions with you change 15 as her relationship with Mr. Depp went on in time? 16 A Yeah. As I said earlier, Amber was 17 never late when we worked at the studio. And 18 then, as it went on, I began having to actually 19 build in a cushion of an hour around her 20 appointment. 21 It started out just an extra 15 minutes 22 here and there, because she'd be late coming</p>	<p style="text-align: right;">5842</p> <p>1 a lot towards the end there, a lot of crying 2 sessions. 3 Q Based on your testimony here, 4 Ms. Sexton, is the acting -- is the crying that 5 she did in a role different than the crying you 6 observed so often in the last year of her 7 relationship Mr. Depp? 8 A Yes. Inherently, acting crying is very 9 different, unless somebody is working in what's 10 called "method," in which that's an entirely 11 different thing where they focus on their own 12 stuff. 13 So she's not a method actor so it would 14 be completely different. 15 Q Speaking for your own self, Ms. Sexton, 16 how did you react when you saw Amber at these 17 sessions crying the way you described it? 18 A I have a caretaker personality, so I 19 would prioritize taking care of the person in 20 front of me over doing work, which is why I ended 21 up building in all that extra time because I cared 22 about her as a human and I wanted to be there for</p>
<p style="text-align: right;">5841</p> <p>1 downstairs, or they'd be discussing, or he had to 2 talk to her at that moment in time. And 3 eventually, as the relationship progressed and the 4 fighting got heavier, I would have to build in 5 time because she'd be sobbing at the beginning of 6 the session and we couldn't work until we got her 7 together. 8 Yeah, I ended up having to do a lot of 9 cushion time around her just so that we could 10 actually get something accomplished because she 11 was often very upset. 12 Q Did you have occasion to observe 13 Ms. Heard crying naturally, not acting, when you 14 had coaching sessions with her during the time 15 that she was together romantically with Mr. Depp? 16 A I would say the last year they were 17 together, probably 80, 90 percent of our sessions 18 began with her crying. And that would be 19 increasing as it went on. Ironically she has a 20 little difficulty crying acting-wise, so – which 21 a lot of us do. And so, yeah, we would have to 22 work when we were doing it acting-wise, but it was</p>	<p style="text-align: right;">5843</p> <p>1 her, and as much as I could as a friend. So 2 there's no point on working on something if 3 someone isn't fully there or if they're upset. 4 It's more important to deal with the person, take 5 care of them, than work. 6 Q And during those sections, particularly 7 in the last year, when you saw the decline so 8 often, what was your understanding of the reason 9 for her tears? 10 A I would hear them fighting and hear her 11 come in, and she would be a wreck after she came 12 in. I couldn't make out what they were saying and 13 I, personally, wasn't trying to listen to their 14 fights. So I would just hear the sounds of the 15 screaming in her – usually she thinks – she 16 would open the door and try to get him to be 17 quiet, and then it would go back to him yelling. 18 So that would directly occur before she 19 would come down upset and trying to pull herself 20 together. 21 Q What do you recall her saying they were 22 fighting about?</p>

<p>5844</p> <p>1 A He didn't want her going out without 2 any sort of security or any team. He didn't want 3 her going and doing things just on her own. 4 Q You described earlier in your 5 testimony, Ms. Sexton, what Amber Heard was like 6 when you first met her. 7 During this period, when she was 8 involved with Mr. Depp, and particularly toward 9 the end of their relationship, did her behavior 10 change? 11 A Over the course of time, she became 12 more and more of a hermit, only leaving the house 13 when she had to. Again, and as I said earlier, 14 literally, the house -- houses became darker with 15 the curtains drawn all the time. 16 I remember one time in particular when 17 she was living at the Eastern Columbia, that we 18 went downstairs to get a slice of pizza, I think 19 there were four of us, and Amber gave a homeless 20 kid down there some money and we helped him get to 21 the bus stop. And we came back up and Johnny 22 yelled at her about going out and that she knew</p>	<p>5846</p> <p>1 involved with Mr. Depp, did you notice changes in 2 her weight? 3 A Yes. She lost a significant amount of 4 weight, and I noticed it, specifically, because I 5 had been in Australia doing a film. And then when 6 I came back -- so I had been in Australia since 7 December, I came back in February, and she 8 looked -- she was skin and bones. Like, she was 9 much thinner than she normally was at that point. 10 So I know during that time period that she had 11 lost a lot of weight and she was very gaunt. 12 Q Now, I'm going to, shortly, move on to 13 specific incidents. But for now, Ms. Sexton, I 14 want to talk to you generally about the, what you 15 refer to as the fall. 16 And the first question I have in that 17 regard is during the time that you were Amber 18 Heard's acting coach and she was involved with 19 Mr. Depp, did you observe injuries on Ms. Heard? 20 A When she came back from Australia, 21 there were a lot of, like, little red marks on her 22 arms that looked like freshly healing things --</p>
<p>5845</p> <p>1 better than to be going out at night, and that 2 kind of thing. And when we tried to kind of, you 3 know, it's fine. We got pizza downstairs at the 4 building across the street. Then he just started 5 screaming and getting really angry. 6 So we -- I made my way out. 7 Q What about her weight? Did you notice 8 any changes, during that period, in her weight. 9 Just to be clear, Ms. Sexton, I'm asking about the 10 time when she was involved with Mr. Depp? 11 A So, Amber is one of those people that 12 loses weight when she's stressed out. So she 13 would drop weight and look skeletal at certain 14 points this time. 15 I remember right before their wedding 16 she had lost a significant amount of weight to the 17 point that I was asking her if she was eating 18 regularly. 19 So, she's always been fit, but she 20 would drop down and get a little gaunt if she's 21 super stressed out. 22 Q And in that last year that she was</p>	<p>5847</p> <p>1 skin, like red marks on her skin, on her arms, 2 that I saw. And then, subsequently, I would see, 3 like, bruises that looked like arms being grabbed 4 or her wrists, and then I saw that all towards the 5 end. 6 Q Did there come a time when you 7 accompanied Amber Heard and Johnny Depp to 8 Hicksville, California? 9 A Yes. I went to Hicksville for Johnny's 10 birthday celebration with them. 11 Q And, in your own words, can you tell me 12 about that trip and what happened, 13 chronologically? 14 A We arrived at Hicksville and we had 15 made kind of like a barbecue and drinks, and then 16 we were having a lovely time. Johnny was playing 17 the guitar and singing. 18 And then, as the night went on, it was 19 like around sundown, they started passing around a 20 bag of mushrooms and a bag of white powder. I 21 didn't even partake in the alcohol because I had 22 had surgery a few months before, so I was the only</p>

<p style="text-align: right;">5848</p> <p>1 one stone-cold sober.</p> <p>2 I -- then I went to bed earlier. And</p> <p>3 while my friend and I were in our trailer, we</p> <p>4 heard the fighting happening, Johnny screaming,</p> <p>5 and a commotion. We didn't come out of our</p> <p>6 trailer. And then, the quieting down and everyone</p> <p>7 would be like, oh, it's okay. The bodyguards, I</p> <p>8 heard them running over there.</p> <p>9 And then, next morning, when we got up,</p> <p>10 the group was talking about what had happened that</p> <p>11 night. And then I kind of left that conversation</p> <p>12 and went to the trailer to check on Amber, and I</p> <p>13 saw the completely torn apart trailer. Johnny was</p> <p>14 apologizing for what he had done and he was</p> <p>15 instructing his bodyguards to just pay it off.</p> <p>16 Let's just take care of it. And I stayed with</p> <p>17 Amber. She was really shaken up.</p> <p>18 Q The next day, can you describe for me</p> <p>19 what the trailer where Amber and Johnny were</p> <p>20 staying looked like?</p> <p>21 A The inside was in shambles. I remember</p> <p>22 seeing a light hanging off the wall. There was</p>	<p style="text-align: right;">5850</p> <p>1 Q What was Mr. Depp saying that next day</p> <p>2 when he was apologizing?</p> <p>3 A I just remember him saying, "I'm so</p> <p>4 sorry, Babe. I'll care of it. I know that this</p> <p>5 is bad, but I can take care of it. I'm sorry I</p> <p>6 did that." That kind of thing.</p> <p>7 Q I think you testified before, but I</p> <p>8 want to be sure the record is clear, that you</p> <p>9 recall Mr. Depp using the word "monster"?</p> <p>10 A I heard him, at different times, making</p> <p>11 apologies that he said, "I'm sorry I turned into a</p> <p>12 monster." I just remember a profuse amount of</p> <p>13 apologies. I don't know if that time, in</p> <p>14 particular, had that verbiage.</p> <p>15 Q Anything else about Hicksville that you</p> <p>16 remember that you haven't told me about?</p> <p>17 A I mean, the only thing I stated is that</p> <p>18 I did see him eat the mushrooms. I saw him</p> <p>19 holding the white bag. I don't know what he did</p> <p>20 with that, the bag of white powder.</p> <p>21 Everyone except for me was drinking,</p> <p>22 and different people were partaking in different</p>
<p style="text-align: right;">5849</p> <p>1 broken stuff everywhere, dishes, it looked like --</p> <p>2 not dishes. Like the wood was broken. Things</p> <p>3 were hanging off the wall. It was in shambles on</p> <p>4 the inside.</p> <p>5 Q And that next day, I think you said</p> <p>6 that you had occasion to see Mr. Depp; is that</p> <p>7 correct?</p> <p>8 A Yes.</p> <p>9 Q How did he look that next day when you</p> <p>10 saw the trailer?</p> <p>11 A He looked very worried. He was</p> <p>12 apologizing. He was saying he would take care of</p> <p>13 it. He was trying -- he was, like, "Don't worry</p> <p>14 about it, Babe, we're going to get this taken care</p> <p>15 of."</p> <p>16 And Amber was really, like, closed off</p> <p>17 and quiet and he just kept trying to apologize to</p> <p>18 her over and over again, and then telling his</p> <p>19 bodyguards to just take care of it, just get it</p> <p>20 done, whatever it is, just pay for it. And then</p> <p>21 he went off to go have that conversation with</p> <p>22 them.</p>	<p style="text-align: right;">5851</p> <p>1 drugs at that time, so I didn't keep track of</p> <p>2 that.</p> <p>3 Yeah, I don't know anything else that I</p> <p>4 can recall.</p> <p>5 Q I want to go forward to another</p> <p>6 incident, and that's the day of April 21, 2016,</p> <p>7 which I'll represent to you was Amber Heard's 30th</p> <p>8 birthday.</p> <p>9 Did you have occasion to see Amber</p> <p>10 Heard that day?</p> <p>11 A Yes. I attended the party.</p> <p>12 Q And, again, you say you attended the</p> <p>13 party. Can you describe the party you attended?</p> <p>14 Who was there?</p> <p>15 A The party was happening in one of the</p> <p>16 penthouses, the one that they didn't live in.</p> <p>17 It's where they did most of their art and we did</p> <p>18 most of our coaching. And I don't remember the</p> <p>19 number of that one. And there were several</p> <p>20 friends of Amber's there, and we spent the first</p> <p>21 couple hours waiting for Johnny. And then,</p> <p>22 eventually, Amber said, let's stop waiting for</p>

<p style="text-align: right;">5852</p> <p>1 him, let's just start. So we went out to the 2 balcony to start dinner. And that's when Johnny 3 finally came out and he was severely inebriated 4 when he came down. And they -- Brandon, and I 5 don't remember his last name, it starts with an M, 6 escorted him, kind of helped him stay stable, and 7 we went to the table and we started dinner. And 8 Johnny -- I was sitting two seats away from 9 Johnny. Johnny and Amber clearly were very tense 10 and had been -- I don't know what they had been 11 doing but they were very tense. He would try to 12 kind of touch her and she would shy away. And 13 then Rocky was trying to change the tone of the 14 party because it had really gotten very somber at 15 that point. And she asked everyone to kind of say 16 their favorite story about Amber. And as we went 17 around the table, everyone shared their stories. 18 When we got to Johnny, he started talking about 19 that he remembered when he first met her the 20 imprint of Amber's ass on his couch, were his 21 words. And it just all kind of took a turn from 22 there. She was clearly embarrassed. She asked</p>	<p style="text-align: right;">5854</p> <p>1 healing bruise. Where do you recall seeing that 2 healing bruise? 3 A On her cheek. It was on her right 4 cheek, I think. I think it was right. Yeah. 5 Q Do you know how long after the incident 6 that you just discussed with the cell phone you 7 saw Ms. Heard and her face? 8 A It was a few days later, but I don't -- 9 I couldn't tell you exactly when. I mean, 10 everyone heals at a different rate. I could still 11 see kind of the yellow and stuff in there, so... 12 EXAMINATION BY COUNSEL FOR THE PLAINTIFF AND 13 COUNTERCLAIM DEFENDANT 14 BY MS. VASQUEZ: 15 Q When was the last time you spoke to 16 Amber? Was it August of this year? 17 A Uh-huh. 18 Q When was the last time you spoke to her 19 specifically, if you remember? 20 A We went over to have -- I went over -- 21 it was sometime in August. I can narrow it down 22 to August, to have wine, have wine, catch up</p>
<p style="text-align: right;">5853</p> <p>1 him to stop and he kept telling the story. And it 2 just -- it got really awkward and uncomfortable at 3 that point, and never really recovered any sort of 4 jovial energy. We ate and then I left shortly 5 thereafter. 6 Q I forgot to ask you a question about 7 Hicksville. The day after when you saw Mr. Depp 8 and Ms. Heard in the wrecked trailer, did 9 Ms. Heard seem embarrassed? 10 A Yeah. As I said, Amber was very closed 11 off. She was very quiet. She had said, "Don't 12 come in. I don't want you to see this." So, 13 yeah, she seemed very embarrassed. 14 Q Now, shifting forward to Amber's 30th 15 birthday party. I think you testified that 16 Mr. Depp seemed inebriated when he arrived. 17 What's your basis for saying that? 18 A He was slurring his words and wobbly on 19 his feet. He ran into a couple things, which is 20 when Brandon came over and kind of locked arms 21 with him to kind of help him stand up. 22 Q You said you saw her later with a</p>	<p style="text-align: right;">5855</p> <p>1 because, liked I said, I think it had been two 2 years since we had physically seen each other. 3 Q In both times when you met Ms. Heard in 4 August of this year, did you meet with her at her 5 house? 6 A Yes. 7 Q Did Ms. Heard mention any of the 8 allegations that Mr. Depp is making against her in 9 relation to this case when you met with her? 10 A Only to say to talk to the attorneys 11 about it. 12 Q When you say only talk to the attorneys 13 about, what, specifically, did Ms. Heard tell you? 14 A Like, she said, would you be willing to 15 sit town and talk to my attorneys about everything 16 that you witnessed? And then afterwards, I -- 17 after I kind of talked about it all, it felt 18 really intense to me and I felt incredibly guilty. 19 Q Was it during one of these two times 20 that you met with Ms. Heard in August of this year 21 that Ms. Heard told you, for the first time, that 22 Mr. Depp had allegedly raped her with a bottle in</p>

<p>1 Australia? 2 A Yes. She did talk about the bottle 3 then, yes. 4 Q Was it the first meeting that you had 5 with Ms. Heard in August of this year that she 6 mentioned that? 7 A No, it was -- it was after -- like, I 8 had come to see her and had a wine night and catch 9 up. And then after I had talked to the attorneys, 10 after we had a good cry, she -- we were talking 11 more about what had happened. And she was saying 12 how she didn't even tell me everything. Yeah, 13 that's when it came out. 14 Q And just to confirm, Ms. Sexton, 15 Ms. Heard told you about the bottle incident in 16 Australia where she claims Mr. Depp penetrated her 17 with it before your deposition, your first 18 deposition in this case, in August of 2019? 19 A Yes. It was after I had talked to the 20 attorneys. 21 Q After you had spoken to the attorneys 22 informally, correct, at her house?</p>	<p>5856 5858 1 deposition." And that's when I had said to them, 2 "If you're going to do that, I would appreciate it 3 if you did it before I left the states." And they 4 said, "We may or may not need you." 5 It was a couple days later that they 6 sent me the contact and said, "We are going to 7 subpoena you." 8 Q And since you've known Ms. Heard, can 9 you tell me how many times you've spent, maybe a 10 significant amount of time with Mr. Depp? 11 A I would say probably around, like, 10 12 or 20 times. 13 Q And of those 10 or 20 times that you 14 saw Mr. Depp and spent, maybe, more significant 15 time than him just passing through a room, how 16 many times would you say he was -- or appeared to 17 be sober? 18 A Not many. He was coming down to have a 19 conversation, he was pouring off some whiskey or 20 rolling a joint or having wine. It always seemed 21 to me that he was not a social person, if you 22 will, and he would have a drink or smoke in order</p>
<p>5857 1 A Yes. 2 Q But it was before you were formally 3 deposed in this case on, I believe it was 4 August 30th, 2019? 5 A Yes. 6 Q Just to confirm and make the record 7 really clear, this is the first time Ms. Heard had 8 told you that Mr. Depp had allegedly penetrated 9 her with a bottle in Australia, correct? 10 A Yeah. She had told me about the 11 assaults with the bottle, being hit with the 12 bottle and the broken glass, and everything. And 13 then, she had told me about all that many times 14 before. And then this time she started crying and 15 sobbing and started telling me about the assault, 16 the penetrating assault. 17 Q And when Ms. Heard told you about this 18 alleged rape that occurred, did she know that you 19 were going to be deposed by her attorneys? 20 A No. Because they were all in the other 21 room. They didn't even tell me that they were -- 22 like, they were like, "We may have you for a</p>	<p>5859 1 to go talk to people is what it felt like. So 2 most of the time I saw him, it was that. 3 Q You would agree with me, though, 4 Ms. Sexton, that someone getting a drink is 5 different than someone appearing drunk, correct? 6 For example, if it was his first drink of the day. 7 So my question's a little more 8 specific. Of the 10 or 20 times that you saw 9 Mr. Depp, how many times did he appear inebriated, 10 not, you know, holding a glass of whiskey or 11 smoking a joint, but how many times did he appear 12 inebriated to you? 13 A I would say at least half, if not more. 14 Q How would you describe Mr. Depp's 15 personality when he would appear sober versus when 16 he was inebriated? 17 A He was very quiet when he was sober. 18 Before he started drinking, he was very quiet. 19 Almost a whisper, mumble, most of the time. 20 And then, he would get very loud when 21 he was inebriated. He would go to, like, 22 boisterous first and telling, like, cool stories</p>

<p style="text-align: right;">5860</p> <p>1 and stuff, that kind of happy drunk. And then it 2 would move into the loud, angry drunk. 3 Q When you say loud and angry drunk, did 4 you witness Mr. Depp being angry when he was 5 drunk? 6 A A couple of times, yeah. 7 Q When was the first time you witnessed 8 Mr. Depp appear to be angry and inebriated? 9 A I couldn't tell you the first time, per 10 se. Like, I have images in my head. I remember 11 him, like, yelling and screaming and the bodyguard 12 coming over saying, "Hey, boss, let's take this to 13 another room." 14 Q Tell me as much as you can remember of 15 that event. 16 A I remember being in the kitchen of that 17 house, and he came down and he was yelling about 18 something. Amber and I were having a conversation 19 and we were going to -- I think we were going to 20 work on something that day. It was later in the 21 evening where it was really dark in there. Like I 22 said, sometimes they drew all of the curtains. In</p>	<p style="text-align: right;">5862</p> <p>1 A I remember one time he was mad that 2 people were in the house because I had just gotten 3 there. I don't even remember, there might have 4 been, like, two people there or something, I don't 5 remember. But, yeah, he was storming up those 6 stairs to his office/bedroom area. And then Amber 7 and I went to the other penthouse to work. 8 Q In either incident, the ones at 9 Sweetzer and at the penthouse, when you saw 10 Mr. Depp and he appeared inebriated or angry and 11 yelling, did you see him hit Ms. Heard at any 12 point? 13 A No, I did not see him hit her. 14 Q Did you see him kick Ms. Heard? 15 A I did not see him kick her. 16 Q Did you see him throw something at 17 Ms. Heard? 18 A I saw him coming at her, and that's 19 when the bodyguard stepped in, like, coming 20 towards her. But I did not -- so throwing himself 21 at, like, but I was not witness to him throwing 22 objects at her.</p>
<p style="text-align: right;">5861</p> <p>1 my memory it's very dark and he was yelling and 2 that older guy came and, like, scooped his arm 3 around him and said, "All right, boss, let's take 4 this to another place." Because he was 5 inebriated, I could tell from the way he was 6 talking and he was just kind of yelling. I don't 7 recall what was happening. It all kind of 8 happened very quickly. I don't remember what he 9 was yelling about or if it was even at anybody. 10 He was just kind of down there and drunk and he 11 just scooped him up. 12 Q Can you answer my question, which was 13 who was he yelling at or who was he yelling about. 14 So you don't recall; is that correct? 15 A No, I don't. 16 Q You said the other incidents that you 17 remember of Mr. Depp appearing inebriated and 18 being he was at one of the penthouses in downtown 19 LA; is that correct. 20 A Uh-huh. 21 Q What were the circumstances that you 22 remember about that incident?</p>	<p style="text-align: right;">5863</p> <p>1 Q When you say he was coming at her, are 2 you describing the incident at Sweetzer or at the 3 penthouse? 4 A Sweetzer. He came in through that 5 hallway and we were sitting in, it was kind of 6 like an island there, like, right in the front of 7 the fridge. I was in front of the fridge and he 8 came in from there and was coming at her and the 9 guy, the bodyguard, came in and scooped him up. 10 Q So is the answer you don't remember 11 what Mr. Depp was yelling about or why? 12 A Yes. 13 Q So it appeared to you that Mr. Depp was 14 coming at Ms. Heard? 15 A Yeah. She was shaking and upset. It 16 felt like something that had been going on for a 17 while. 18 Q In all the time that you've known 19 Ms. Heard and Mr. Depp, did you ever see Mr. Depp 20 be violent towards Ms. Heard? 21 A I never saw him hit her. I heard him 22 use terminology, as I said before, and as I said,</p>

<p>5864</p> <p>1 come at her. But I never saw him hit her. If I 2 had, I would have called the cops, to be honest. 3 Q You never saw Mr. Depp throw anything 4 at her, any objects at her, correct? 5 A No. The only thing I saw was the 6 aftermath. Like, I would see things broken 7 afterwards. And, like I said, in Hicksville, I 8 heard the yelling and then saw the breaking and 9 saw him apologizing for it. But I, with my own 10 two eyes, did not see him physically breaking the 11 stuff or throwing stuff. 12 Q When Mr. Depp and Ms. Heard went to 13 Australia, did she tell you that she threw a 14 bottle of vodka at him and that that's what 15 severed him finger? 16 A No. She had told me that he had broken 17 a bottle and then cut himself with the bottle that 18 he had broken. 19 Q When she told you that he had cut 20 himself with a bottle he had broken, did she say 21 that he had taken the bottle and cut off his 22 finger or that it was an accident and that his</p>	<p>5866</p> <p>1 to do a test. I was like, oh, don't you have any 2 sort of, like, concern about that. He said it's 3 easy to fake insurance tests; that's why we do 4 what we do. I was talking to him because another 5 client of mine who had to do an insurance test, he 6 was, like, no, fake your piss test. You can do 7 this. And he just kind of went over a few 8 different ways that it's easy to fake insurance 9 tests and made a joke of it. 10 THE COURT: All right. Thank you. 11 Ladies and gentlemen, we've come to the 12 end of the day today, so have a good evening and 13 we'll see you tomorrow at 9:00 a.m. Again, do not 14 discuss the case with anybody and don't do any 15 outside research, okay? Have a good evening. 16 (Whereupon, the jury exited the 17 courtroom and the following proceedings took 18 place.) 19 THE COURT: All right. Do you have any 20 remote witnesses tomorrow that you need access 21 for? Do you need Webex? 22 MS. BREDEHOFT: No. We only have</p>
<p>5865</p> <p>1 finger was severed from the broken bottle? 2 Do you understand the distinction? 3 A Yeah. She didn't say that he -- she 4 didn't indicate that he cut off, like went 5 purposefully to cut it. It would seem to me that 6 he had broken the bottle against something and 7 then he was doing things with the bottle, like 8 shaking it around, and that he had cut himself 9 from that. It didn't indicate that he had, in any 10 way, purposely cut himself. 11 EXAMINATION BY COUNSEL FOR THE DEFENDANT AND 12 COUNTERCLAIM PLAINTIFF 13 Q Do you recall Johnny ever saying 14 something to you in a conversation later about his 15 ability to pass the insurance test? 16 A I remember a specific time when Amber 17 still lived at Orange, and Amber was out with her 18 girlfriends, and I had come over too early for the 19 party so it was just Johnny and I sitting there 20 having some whiskey and he was smoking a cigar. 21 And he was talking about that it was -- I said 22 something about -- he said he had to get up early</p>	<p>5867</p> <p>1 deposition designations and live witnesses. 2 THE COURT: Depositions and live 3 witness. Okay. That sounds good. Everybody 4 knows their homework, right? 5 MR. CHEW: Yes. 6 THE COURT: All right. Thank you. 7 We'll see you in the morning. 8 (Whereupon, the trial was recessed at 9 5:12 p.m. to reconvene at 9:00 a.m., Thursday, May 10 19, 2022.) 11 12 13 14 15 16 17 18 19 20 21 22</p>

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1 CERTIFICATE OF SHORTHAND REPORTER

2 I, JUDITH E. BELLINGER, RPR, CRR, the
3 court reporter before whom the foregoing hearing
4 was taken, do hereby certify that the foregoing
5 excerpt transcript is a true and correct record of
6 the proceedings; that said proceedings were taken
7 by me stenographically and thereafter reduced to
8 typewriting under my direction; and that I am
9 neither counsel for, related to, nor employed by
10 any of the parties to this case and have no
11 interest, financial or otherwise, in its outcome.

12 IN WITNESS WHEREOF, I have hereunto set
13 my hand and affixed my notarial seal this 19th day
14 of May, 2022.

15 My Commission Expires: September 30, 2024

16

17 *Judith E. Bellinger*

18

19 NOTARY PUBLIC IN AND FOR
20 THE COMMONWEALTH OF VIRGINIA

21

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