

On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Second  
Exhibit: JD2  
Date: 12 December 2019

**IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
MEDIA AND COMMUNICATIONS LIST**

**Claim No. HQ18M01923**

**B E T W E E N:**

**JOHN CHRISTOPHER DEPP II**

**Claimant**

**-and-**

**(1) NEWS GROUP NEWSPAPERS LTD  
(2) DAN WOOTTON**

**Defendants**

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**SECOND WITNESS STATEMENT OF  
JOHN CHRISTOPHER DEPP II**

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I, **JOHN CHRISTOPHER DEPP II**, of Infinitum Nihil, 1472 N Sweetzer Avenue, LA 90069, USA, **WILL SAY** as follows:

1. I am the Claimant in these proceedings.
2. Unless stated otherwise, the facts and matters referred to in this witness statement are within my own knowledge and true or are true to the best of my knowledge, information and belief based on sources stated within this witness statement.

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3. There is now produced to me and marked “**Exhibit JD2**” a paginated bundle of true copy documents referred to in this witness statement. References to page numbers are references to Exhibit JD2, unless otherwise stated.
4. I make this witness statement in support of my claim in these proceedings.

#### **A. INTRODUCTION**

5. These proceedings relate to an article published by the Defendants, which appeared online on 27 April 2018 and in hard copy on 28 April 2018 (together, the “**Article**”). As set out in the Particulars of Claim dated 13 June 2018, at paragraph 10, the Article included words which I contend meant and were understood to mean that I was guilty, on overwhelming evidence, of serious domestic violence against my former wife, Ms Amber Heard, causing significant injury and leading to her fearing for her life. The Article further suggested that I was constrained to pay no less than £5 million to compensate Ms Heard for my alleged behavior, that my actions resulted in me being subjected to a continuing court restraining order, and that, for that reason, I am not fit to work in the film industry. The Article said that JK Rowling should not continue to cast me in the Fantastic Beast series, referring to me as the “wifebeater” in the online version.
6. In these proceedings the Defendants rely on various allegations made by Ms Heard, the vast majority of which have only been made subsequent to the Defendants publishing/authoring the Article. I have consistently denied Ms Heard’s allegations of domestic violence since she first made them in May 2016, when she applied to the California Court for a temporary restraining order (the “**TRO Application**”). I note that at the time that she made the TRO Application, the only specific, particularised allegations of abuse referred to by Ms Heard were alleged to have occurred on 21 April 2016 and 21 May 2016. These were the accusations on which the Defendants had initially relied for the Article.
7. The Article relates to my casting in *Fantastic Beasts: The Crimes of Grindelwald*, in which I was cast in around November 2016.

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8. As a related franchise to the Harry Potter films and as authored by Ms Rowling, *Fantastic Beasts* is one of the biggest global film franchises to be involved in and I played Grindelwald, the character named in the title.
9. It was an extremely important project for me to be involved in, as since Ms Heard first made her false allegations, those allegations have been a constant issue in my casting in other films.

## **B. BACKGROUND**

10. For the avoidance of any doubt, I have never abused Ms Heard, or, indeed, any other woman, in my life. I am from a Southern family and rules were instilled in me from birth by my mother: you would be a Southern gentleman or it would be beaten into you. Even as a child, chivalry was extremely important and, whether or not this is considered old-fashioned, it is still something that I consider very important. Integrity, dignity, honesty, and respect for women: these were characteristics of a gentleman and characteristics that I was always expected to have. As part of this, I feel it is a strong and central part of my moral code that I would never strike a woman, under any circumstances, at any time. I find it simply inconceivable and it would never happen.
11. This was strengthened by the circumstances of my upbringing: I saw the abuse of women at first hand. I heard in horror about my mother having been beaten by her first husband. I have lived through my sister being beaten by two of her husbands. I myself was regularly beaten for the most minor and trivial things. Exposure to abuse was something that was very much a part of my childhood and I feel it has had an enormous effect on my life. I have always vowed that the upbringing of my own children would be precisely the opposite of the upbringing that I experienced. There would be no abuse and no violence. I had been through that so my children would not.
12. I have had a number of very important romantic relationships before I spent 14 years with my long term former partner, Vanessa Paradis. All relationships have their ups and downs, but there was never any violence or physical abuse in any of those relationships. I have two

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wonderful children from my relationship with Ms Paradis and I am enormously proud of them and the upbringing that we gave them. What we had could never have happened in an abusive relationship and no one could ever say that I had been abusive. My children really grounded my life and gave me an enormous sense of purpose and love and confirmed, once again, how no relationship or upbringing should be like my parents' relationship and my upbringing.

### **C. MY RELATIONSHIP WITH MS HEARD**

13. I first met Ms Heard when she auditioned for a film that I was acting in and producing, *The Rum Diary*, which was based on my dear friend Hunter S. Thompson's book of the same name. It was obvious to me that Hunter's dream of a character had come alive in Ms Heard and Ms Heard subsequently acted in that film. There was no relationship between us at this point and she was married to her former partner.
14. Once we had finished the filming, I do not believe I saw Ms Heard for a couple of years until we started doing the press for the release of the film. She was then extremely friendly to me and keen to tell me about the break up with her former partner that she had recently gone through. If I had known then what I knew now, I would have seen the red flag warning signs, but I did not. She was beautiful, seemingly incredibly interested in me and my work, and I fell for it. She bombed me with what appeared to be love. It was not until much later that I understood that she had an agenda, namely to get married to me in order to progress her own career and/or to benefit financially, and she knew how to bring it about. For example, at the time, she repeatedly told me how much she admired my films; however, later in our relationship she admitted that she had never seen any of my films. She knew what she wanted and I was an easy target.
15. It was a few months after the start of our relationship that I started to recognize the lies. As early as a couple of months, the slivers of fraudulence, the excuses for things and unexplained absences started. I justified these things to myself at the time and passed them off but the signs were there. She had well and truly researched me and my interests and she

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would try to pose as some expert or intellectual on these things to try to ingratiate herself with me. She presented herself as a carbon copy of me, with precisely the same interests, thoughts, favorite writers, taste in music and art as me. Rather than see this as calculated, sociopathic and emotionally dishonest, I convinced myself that it was endearing and sweet.

16. Fundamentally, the signs that Ms Heard began to demonstrate then became the full and developed aspects of her character that I came to know during the incredibly unhappy time when we were together. She is a calculating, diagnosed borderline personality; she is sociopathic; she is a narcissist; and she is completely emotionally dishonest. I am now convinced that she came into my life to take from me anything worth taking, and then destroy what remained of it. Indeed, later in our relationship when we sought the help of a marriage counsellor, the marriage counsellor confirmed to me that Ms Heard had a borderline, toxic narcissistic personality disorder and is a sociopath. It was further explained to me that Ms Heard's projection of emotions is extremely exaggerated, she will always overreact and she simply cannot be wrong in any circumstances. She invariably accuses other people of the bad things she herself has done. The same has been said to me by my private doctor, David Kipper.

17. From early on in our relationship and throughout the course of it, Ms Heard was abusive to me physically and verbally. The abuse was such a common occurrence that it is difficult for me to specify when and where such abuse took place as it was essentially ongoing. When being abused by Ms Heard, my normal reaction was to try not to engage with her and then to remove myself from the situation. Because of that, she would then often call me a "coward" and tell me that I am "not a man." However, I learned very early on in our relationship that Ms Heard was extremely argumentative and would often look to have a fight for no particular reason. I also learnt that it was pointless to try to engage with Ms Heard when she was in such a mood: this would simply aggravate her even more. Therefore, it was better to try to wait for her mood to subside and then subsequently seek to try to placate her and to smooth things over.

18. While I may have had disagreements with people in my life, nothing has upset me as much as Ms Heard's words and behavior towards me. She really knew how to hurt me and really sought to do that at any opportunity that she could get. In particular:

- a. Given my own childhood, I have always been particularly sensitive about my children and their feelings. Ms Heard knew this and regularly sought to manipulate me emotionally in this regard. She told me on multiple occasions what a "horrible father" I was. For example, I remember her telling me this during the filming of *Mortdecai* in London in January 2015, when my children were just in the room next door. I found it devastating and heart-breaking to hear this and she knew exactly the effect her words would have.
- b. She continuously belittled me and called me names, including in front of and to other people. On various occasions she would snap at me and call me a "*fat old man*." She even told my former head of security (who is sadly no longer with us), Mr Jerry Judge, that I was a "fat old man" and she did not know why she married me. When I confronted her about this, she denied she had ever said it. This was often her recourse when confronted with her lies: she would simply try to play innocent and accuse other of lying about what she had said or done. To Amber, other people were always the liars.
- c. As I explain at paragraphs below, although I was in recovery from drug addiction during significant parts of my marriage to Amber, instead of supporting my sobriety, she often encouraged me to drink alcohol and to take drugs, even though she knew that my relationship with alcohol and drugs was a difficult one for me.
- d. She lied to me so often, about both banal and important things. She lied about people I know not remembering me in order to hurt me. She lied about what she said about me and she lied to my family about my actions.

19. The sad irony of her abuse hoaxes is that they mirror what she actually subjected me to during the course of our relationship. I took the years of verbal and physical abuse and only

told those closest to me about it. The reward for my silence is that she has now fabricated that she was the one that was abused.

#### **D. MY DRUG TAKING AND DRINKING**

20. I understand from my solicitors that the Defendants have made a number of allegations in relation to my drug taking and drinking. It has been well reported and I have been open about my challenges with alcoholism and addiction throughout my life. In fact, I started drinking and taking drugs when I was still a child. I am not in any way embarrassed to say this. However, the way in which the Defendants have sought to portray this problem is not a fair or accurate reflection of the reality of addiction. This is particularly so when Ms Heard was a regular, heavy drug user throughout our relationship and often drank far more alcohol than I did.

21. My addiction over the years has been to Roxicodone pills, which are often referred to as "Roxies" and which is one of the brand names for oxycodone which is an opioid prescription painkiller. You can develop an addiction to Roxies incredibly quickly, i.e. in a matter of days, and once addicted, they are incredibly hard to kick. This is the drug to which I have been addicted and Ms Heard's attempt to portray me as a general drug addict is so far from accurate and she knows that. When you try to come off Roxies, it is an extremely painful process and has to be done with medical assistance. I can only describe the feeling of withdrawal as like having millions of boiling marbles under your skin. The pain is excruciating. I was on them for a number of years prior to meeting Ms Heard but I was not on them in the period after the Rum Diary and when I started my relationship with Ms Heard.

22. I have taken other drugs in my life and I did take other drugs during the course of our relationship but I never suffered with addiction with those drugs. Nor did any drug or alcohol ever make me undertake violence against anyone.

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23. When I first got together with Ms Heard, at the premiere for The Rum Diary in late 2011, I was drinking. However, that night I had a conversation with a friend, whom I told I wanted to stop drinking and who then hooked me up at rehab for 3 days after the premiere.
24. I remember that before the release of The Lone Ranger in July 2013, I had had another five day stint in rehab and had not been drinking prior to the release of that film. Ms Heard, on the other hand, continued to drink and take amphetamines, MDMA, magic mushrooms and other drugs in front of me. It was not uncommon for her to have two bottles of wine in a space of just over an hour. She never supported me in my attempts to be strong and to avoid alcohol and drugs.
25. After this, for the most part of our relationship, and with very occasional lapses, I would use marijuana and drink wine; whereas Ms Heard took ecstasy, cocaine, MDMA, a lot of magic mushrooms, and would use a type of amphetamine similar to speed almost daily. At times, we took drugs together: MDMA, mushrooms, cocaine. However, these were not common occurrences, whereas Ms Heard's drug taking was extensive and constant. I consider her to have an addiction to both cocaine and amphetamines.
26. I have tried not to drink alcohol for periods of our relationship, but, despite that, Ms Heard often encouraged me to do so. By way of example, many times she placed a whiskey shot in front of me before bed asking me to drink it. She also often wanted me to procure drugs for her.
27. Despite her own drinking and drug taking habits and the fact that she did infinitely more than I did during our relationship, Ms Heard often bombarded me with requests to stop drinking and endless "complaints" suggesting that I "drank too much."
28. In fact, Ms Heard would often seek to accuse me of drug taking or drinking when I was in a low mood or when she was unhappy with me. She often complained to others that I was a drunk, despite the fact that at those times I may not have even been drinking. I had explained



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this to Ms Heard during the relationship, but she did not stop. I now understand that often this was yet another way of her belittling me.

#### **E. SPECIFIC INCIDENTS THAT THE DEFENDANTS RELY ON**

##### **First Alleged Abuse in Late 2012/Early 2013**

29. I understand from my solicitors that the Defendants allege that Ms Heard and I were in Los Angeles when I first hit her. They state that until that point in our relationship I had been sober, but that, allegedly, it was apparent to Ms Heard that I had started drinking and using drugs again. They state that during a conversation about a tattoo, Ms Heard laughed at something I had said as she thought I had made a joke. They allege that I responded by repeatedly slapping Ms Heard across the face and that the third hit knocked Ms Heard to the floor.
30. I do not recall having any conversation about a tattoo around this time and I did not slap Ms Heard then or at any point in time; neither did I hit her or commit any violent act against her. This is simply a false anecdote which has been made up by Ms Heard.
31. It is further alleged that after hitting her, I cried, apologised and tried to explain my behavior, saying that I snap sometimes into something I called "the monster" and promised that I would not do it again.
32. This allegation is also untrue and no part of this alleged event took place. As I explained above, I have never hit Ms Heard or any other woman in my life. I do not recall apologizing and calling myself a "monster" on that particular occasion, but I know that Ms Heard sometimes referred to me as a "monster" and, as we continued into our relationship, she started making me believe that I was one. This was, however, never a reference to any violence.

***March 8<sup>th</sup>, 2013***

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33. I understand from my solicitors that the Defendants also allege that on March 8<sup>th</sup>, 2013 Ms Heard and I were in her home in Los Angeles. They state that I was getting drunk and high on drugs and was angry that Ms Heard had hung up a painting given to her by someone she had formerly dated. Allegedly my team and Ms Heard asked her sister to come over to try to intervene with me, which she did. After Ms Heard's sister left, they state that I hit Ms Heard so hard that blood from her lip ended on the wall. They state that I subsequently sent Ms Heard a text message referring to that evening as a 'disco bloodbath' and a 'hideous moment' and that the morning after this incident I tried to set fire to the painting.
34. I cannot remember if I was with Ms Heard at her home on March 8<sup>th</sup>, 2013. I know that at some point around this time I did ask Ms Heard to remove a painting that she had received from her former wife from the bedroom, as a courtesy to me. I do not recall the exact date I asked Ms Heard to do this. I do not remember Ms Heard's sister being asked to come over either by Ms Heard or by any member of my team when this happened. I certainly did not hit Ms Heard at all, then or ever, and her accusation that I hit her so hard that blood from her lip ended up on the wall is precisely the kind of picturesque but absurd lie she often tells. Insofar as I exchanged texts with Ms Heard on March 12<sup>th</sup>, 2013 (and I do not remember whether I did or not), my intention in apologising would have been, as always, to placate Ms Heard. The words "*disco blood bath*" and a "*hideous moment*" would not have referred to any physical abuse. I also did not try to set fire to the painting in question at any point in time.

***May 24<sup>th</sup> and 25<sup>th</sup>, 2014***

35. The Defendants also allege that on or about May 24<sup>th</sup>, 2014 Ms Heard and I were travelling on a private aeroplane from Boston to Los Angeles. They state that, after drinking heavily, I threw objects at Ms Heard causing her to retreat to a different seat. Then, I, allegedly, provocatively pushed a chair at her as she walked by, yelled at her, and taunted her. They state that when Ms Heard stood up, I kicked her in the back, causing her to fall over, threw my boot at her while she was on the ground and continued to scream obscenities until I went into the bathroom of the aeroplane and passed out. This story is nothing but one more pathological lie made up by Ms Heard.

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36. I remember the flight from Boston to Los Angeles in detail. I had drunk alcohol prior to and on the flight, but my behavior was not as alleged at all. As I explained by text message a few days later on May 27<sup>th</sup>, 2014 to my sister, Christi Dembrowski, after Ms Heard had tried to suggest to Ms Dembrowski that I should see a doctor (page 7 of Exhibit JD2):

*“No reason for her to speak to anyone, let alone a doctor...I’m done. Her actions have added more drama than necessary and when was I unhealthy, exactly??? When I was not sober for a day??? Hmmm... I guess that’s what people call falling off the wagon...It’s happened to a lot of my friends...Their wives don’t stop calling them.”*

37. Ms Heard and I were seated at the central table in the cabin. I was drawing art sketches in my notebook, as I like to do when travelling, when Ms Heard began to harangue me. I cannot remember exactly what she was saying but it was the usual abusive stuff. Ms Heard progressed into a continuous verbal barrage with which I did not engage and instead continued sketching. Throughout the course of our relationship, Ms Heard would often look to argue with me, berate me or abuse me verbally and physically. By the time at which the flight took place, I had worked out that the best way to deal with this was simply to not engage and to try to retreat from the situation, as I have stated above.

38. Further, given where I was sitting and the layout of the plane, it was physically impossible for me to have kicked Ms Heard in the back causing her to fall over. In fact what happened is that when Ms Heard stood up at some stage during the flight, I stretched my leg out to tap her playfully on the bottom with my foot to non-verbally communicate something along the lines of *“hey, c’mon let’s get past this”* in an attempt to make light of the argument and to try to defuse the situation, but I do not believe I was able to reach her. Ms Heard saw my attempt, however, and immediately took great offence at this act and continued to verbally berate me and gesticulate at me. Eventually, Mr Stephen Deuters, my personal assistant, and Mr Jerry Judge, my security guard, intervened to calm down Ms Heard. I believe that Mr Judge took her to a separate part of the plane and talked to her for the rest of the flight, and I had a brief conversation with Mr Deuters. I then took a pillow with me to the bathroom, locked the door

and slept on the floor to avoid confrontation. The flight then continued to Los Angeles without any further incident.

39. When we landed in Los Angeles, Ms Heard was clearly still angry and, as was often the case, she was looking for an argument. In the same way that I did not engage with her on the flight, I did not engage with her then.

40. The Defendants also allege that I was later apologetic and appalled at my behavior during the flight and cried when my assistant told me that I had "kicked" Ms Heard. This is incorrect. Mr Deuters had never said that I kicked Ms Heard. I thought it best to simply try to get rid of the argument on Ms Heard's own terms rather than keep pointlessly engaging. I understand that the Defendants also refer to a text message to Ms Heard which stated that: "*Once again, I find myself in a place of shame and regret. Of course, I am sorry... I will never do it again ... My illness somehow crept up and grabbed me... I feel so bad for letting you down.*" If and insofar this text message was sent at this time (and I do not remember whether it was), it would only have been sent to placate Ms Heard as to my drinking, and is categorically not any admission of any violence as she has falsely claimed.

***August 17<sup>th</sup>, 2014***

41. The Defendants also allege that on August 17<sup>th</sup>, 2014 Ms Heard and I were in the Bahamas on a trip to try to help me reduce my dependency on alcohol and/or drugs. They state that during this trip I had "*several manic episodes requiring medical attention*", as a result of which Dr Kipper was flown in to help assist. They state that I "*became angry and kicked and pushed Ms Heard to the ground, slapped her with an open hand, and grabbed her by the hair*" and that, allegedly, during this attack, I kicked a door so hard that it splintered.

42. It is right that on August 17<sup>th</sup>, 2014 Ms Heard and I were in the Bahamas. We were there on a trip to try to help reduce my dependence on prescription painkillers (Roxies, in particular); not alcohol and/or drugs, as is alleged. Insofar as there is any insinuation that I was dependent on any other drugs, I reject that insinuation completely.

43. Ms Heard was only present because she had insisted on accompanying me on the trip and took the place of Mr Nathan Holmes, my second personal assistant at the time. I required 24 hour medical care throughout the trip and was frequently sedated because of the physically painful process of withdrawal. I was being treated by a Registered Nurse, Ms Debbie Lloyd, but Ms Heard often intervened and withheld medicine from me which caused me substantial issues including spasms and other withdrawal symptoms. This was one of the cruellest things that she has ever done and I would not wish the pain that I had gone through upon anyone.
44. I did not have several manic episodes requiring medical attention whilst in the Bahamas, This is something that Ms Heard like to tell people, as it made me sound like a crazy person. I was struggling with the painful process of withdrawal, which was only exacerbated by the actions of Ms Heard. As stated above, Dr Kipper was flown in to assist Nurse Lloyd with my severe withdrawal symptoms.
45. At no point did I kick, push, slap or grab Ms Heard by the hair. I was not violent toward Ms Heard at this or any time, nor did I kick a door so hard that it splintered. Indeed, the picture of the broken door that Ms Heard submitted as "evidence" of this violent outburst in the related US Proceedings does not even exist in the Bahamas; it is a door from one of my then-penthouses in Los Angeles. I do recall an argument with Ms Heard on the evening of 17 August on this trip which was instigated by Ms Heard. As I often did, I tried not to engage with Ms Heard whilst she shouted at me and tried to separate myself from Ms Heard. Later in the evening, Dr Kipper and Nurse Lloyd came to the house in which Ms Heard and I were staying and I believe Ms Heard claimed I had pushed her. This did not happen but in any event, she certainly did not claim at the time that I had slapped and grabbed her by the hair.
46. I had found Ms Heard had made my recovery process in the Bahamas significantly more difficult, so upon our return to Los Angeles from the Bahamas, I asked Ms Heard to give me some space and paid for a suite for her and her friends at the Beverley Hills Hotel for five days so that I could recover undisturbed.

***December 17<sup>th</sup>, 2014***

47. I understand from my solicitors that the Defendants also allege that I had been violent towards Ms Heard on December 17<sup>th</sup>, 2014 and that afterwards I sent her text messages supposedly apologizing for my behaviour and calling myself a "*fucking savage*" and a "*lunatic*".

48. The Defendants' pleading does not even contain specific details of the violence alleged to have occurred on December 17<sup>th</sup>, 2014 and as such I cannot provide any detail as to what happened on this date. In any event, I deny that I have ever been violent towards Ms Heard in any way, at any time and that, insofar as any text message was sent (and I do not remember whether they were), the words in such a text message would not refer to any violence.

***25 January 2015***

49. The Defendants also allege that on or around January 25<sup>th</sup>, 2015 I "shoved Ms Heard, slapped her, and grabbed her by her hair" when we were in a hotel room in Tokyo. They state that, allegedly, when she tried to stand up, I "*muscled her back to the floor, stood over her and yelled.*"

50. Ms Heard and I were in Tokyo in or around January 25<sup>th</sup>, 2015 but at no point did I shove, slap or grab Ms Heard by the hair. As I explained above, I have never hit her in my life. My memory of the trip is that it passed without incident and Ms Heard was in unusually good spirits throughout. In fact, my children were on the trip with us and, as I have discussed above, it was always essential to me to ensure that my children do not witness even raised voices. I would have made sure of that.

***March 2015***

51. I understand from my solicitors that the Defendants allege that when Ms Heard and I were in Australia in March 2015, I had subjected her to "*a three-day ordeal of physical assault which left her with injuries including a broken lip, swollen nose, and cuts all over her body*".

52. Ms Heard and I were in Australia in March 2015 while I was working on the Pirates of the Caribbean film series. There was a significant argument between me and Ms Heard on 8 March 2015 during which I sustained a severe injury, as described below. The Defendants' allegation that this happened on 3/4 March 2015 is inaccurate. I did not subject Ms Heard to any physical abuse throughout this period. I was not violent towards Ms Heard in any way during this time, or at any time, and Ms Heard did not suffer any of the injuries. This was a highly difficult time for me with Ms Heard and there were a series of arguments, instigated by Ms Heard, but I did not commit any act of violence against Ms Heard. The only person who was harmed in Australia, grievously so, was me in March 2015, when, as I describe below, Ms Heard threw a vodka bottle at me that cut my finger off when the bottle exploded on the bar on which my hand was resting.

53. I understand from my solicitors that it is also alleged in the Amended Defence dated 21 June 2019 (the "Defence") that:

*"The Claimant stayed up all night taking around eight MDMA (ecstasy) pills and drinking alcohol.*

*The following morning, the Claimant became physically abusive towards Ms Heard after she found a bag of MDMA pills and confronted him about his drugtaking. The Claimant argued that MDMA was not on his "not allowed" list, which Ms Heard disputed. In response, the Claimant swallowed more pills and chased them down with liquor."*

54. I did not take MDMA or any other drugs in early March 2015 (the time to which the allegation refers to), which is the day that I describe below. Nor did Ms Heard find a bag of MDMA pills at that time. I also do not remember having any conversation about MDMA with Ms Heard at this time.

55. The Defence also states that:

*"Ms Heard, concerned about the interaction of the various drugs the Claimant was taking, asked him what else he had taken that day. The Claimant screamed at her and grabbed her*

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*by the wrist as she tried to leave the room, then violently dropped it and said words to the effect of "leave anyway". She left the room and barricaded herself into another room. The Claimant broke through the door and attacked Ms Heard. During the course of the day, the Claimant hit Ms Heard multiple times, shoved and pushed her to the ground, choked her, and spat in her face. The Claimant then handed her a liquor bottle that he was drinking from and asked her, "What are you going to do?" When Ms Heard threw the bottle on the floor, the Claimant responded by throwing cans and unopened glass bottles at her.*

*...the Claimant shoved Ms Heard into a ping pong table, threw bottles through the window panels of a glass door, then grabbed Ms Heard and tore off her nightgown. The Claimant grabbed Ms Heard by her hair and choked her against the refrigerator in the kitchen. The Claimant then threw Ms Heard away from him, and as she tried to run away the Claimant continued to throw objects and alcohol at her. The Claimant then grabbed Ms Heard by the neck and collarbone, slammed her against the countertop, and strangled her. Ms Heard's arms and feet were slashed by the broken glass on the kitchen countertop and floor. She was scared for her life and told the Claimant, "You are hurting and cutting me". The Claimant ignored her, continued to hit her with the back of one closed hand, and slammed a hard plastic telephone against a wall with his other hand until it smashed. While he was smashing the telephone, the Claimant severely injured his finger, cutting off the tip. Once Ms Heard had managed to escape from the Claimant, she barricaded herself in a bedroom."*

56. The events described above did not happen as alleged. Immediately before March 8<sup>th</sup>, 2015, Ms Heard had a conversation with my then-lawyers, Bloom Hergott, who explained to her my intention to enter into a post-nuptial marital agreement to protect my assets. She was enraged that there would be a post-nuptial agreement and that she was not included in my will.

57. When I woke up in the morning of March 8<sup>th</sup>, 2015, which I recall was my day off, I found Ms Heard watching TV in the house where we were staying. She was still very angry with me, saying things to the effect that I don't care about her, that we don't even have joint credit cards and that I don't even want to look after her. What she was saying was utterly irrational,



but, as I always tried to do, I tried to calm her down, but I soon realised that it was impossible, so I did not want to engage with Ms Heard as I had learned from prior experience that there was no point in doing so: she would simply get more and more irate. Accordingly, I spent the day trying to avoid Ms Heard in the house and retreating from her when we came into contact. I believe the house in Australia had at least seven bathrooms and at various points I hid in all of them in order to avoid Ms Heard. However, she would go after me and endlessly hurt me with her insults. I remember asking her to stop fighting multiple times that day – one of those times for at least 45 minutes when I was sitting on the floor simply begging her to leave me alone. But she just wouldn't stop. The insults continued and she tried to hurt me as badly as she could, each time more and more.

58. At some point, I went to the downstairs bar in the house we had hired in order to avoid Ms Heard. However, Ms Heard followed me and continued screaming at me abusively. I cannot remember exactly what she was saying. Under the stress of the situation, I poured myself a glass of vodka and drank it. It was with this glass that I broke my sobriety, but I needed it to numb the pain that I was in as a result of Ms Heard's insults and behaviour.

59. When Ms Heard came down, she accused me of drinking again. I think I said words to the effect of "*yeah, apparently I am drinking again.*" This angered her hugely, so she walked around the bar area, took a bottle of vodka and threw it at me, narrowly missing my head and smashing into the mirror and bottles behind me at the bar. The first bottle she threw at me was a standard size 0.75cl bottle.

60. I tried not to react, so I got up and slowly walked around the bar myself, grabbed another, bigger bottle of vodka and poured myself another glass. This enraged Ms Heard further and she came over and grabbed the bottle from me. I then swung round behind the bar stool and Ms Heard threw that bottle at me as hard as she could from a fairly short distance. The bottle smashed against my hand, which was resting on the marble top of the bar, severing the top of my finger and fracturing multiple bones. A photograph of which is at 1 of Exhibit JD2. Despite the severity of this injury, Ms Heard continued shouting at me and then proceeded to put a cigarette out on my right cheek. A photograph of which is at 2 of Exhibit JD2. The

allegation that my finger was injured in the way that it was by smashing a plastic telephone against the wall is ludicrous. The injury, which amputated part of my finger, was very severe and required a significant amount of medical attention. The treating medical doctor said "*this is an injury of velocity.*" It could not have been caused in the manner alleged by Ms Heard. Initially, I did not feel the pain in my finger but felt some warmth. I then noticed that the top of my finger was missing and I was essentially looking at my bones. When Ms Heard saw this, she realised the severity of what she had done and she then freaked out and began shouting.

61. At this point, I was in a state of distress and severe shock. I do not have a specific recollection about what happened next. At some point after she threw the bottle that cut off my finger tip, Ms. Heard also put a lit cigarette out on my cheek. The severity of these injuries brought about the personal realisation of the severity of the abuse that Ms Heard had inflicted upon me for so long. I couldn't believe that we had come to this. I wondered what more she could do to me.
62. I admit that at this time I wrote on a mirror and walls in blood and paint but my precise recollection of that particular time is not good given the state of shock I was in. There was an incident once when Amber lied to me about Billy Bob Thornton, so I wrote his name. Other than that, I do not recall exactly why I wrote what I wrote. I was in a terrible state. At this point in the day, Ms Heard had gone upstairs to the bedroom of the house and I was downstairs. At some point, I realised that I would need medical assistance and so the then head of my security, Jerry Judge came to the house along with some others. I cannot remember exactly who was present as I was delirious from the pain.
63. I believe we then went to a hotel where other members of my team were staying and in which I had a room. On arrival at the hotel, we went up to a hotel room where my team, including Mr Deuters, looked at the injury to my finger, which had been covered until this point, and we decided that we needed to immediately go to the hospital. I was in considerable pain and distress at this point but I believe that Mr Judge and Mr Connolly then drove me to the hospital where we stayed for a couple of hours whilst my finger was being treated. I do not

remember much of this period but I believe I was taken to the hospital around 6.30 p.m. on March 8<sup>th</sup>, 2015.

64. Having been treated at the hospital for at least a couple of hours, I then returned to the hotel where I went to sleep. Over the course of the next few days I told my various employees what had actually happened to cause the injury to my finger, as described above. However, I did not want it to attract press attention or distract from the filming of *Pirates of the Caribbean*. Accordingly, I instructed my various employees to say, if asked, that I had had an accident where I had caught my finger in a door.
65. After I left the house with my finger injury, I did not see Ms Heard again until I returned to America later in the month. Either the next day or very shortly after, the house manager Mr Ben King, accompanied Ms Heard on a flight back to Los Angeles. Mr King attested that Ms Heard confessed to him on the flight home: *"Have you ever been so angry with someone that you just lost it?"*

### ***March 2015***

66. I understand from my solicitors that the Defendants also allege that in March 2015, when Ms Heard, her sister and I were in Los Angeles, I allegedly *"began to destroy personal property in the house, including Ms Heard's belongings in her closet"*. The Defence goes on to state that I also hit Ms Heard hard and repeatedly and that, when I then lunged to hit Ms Heard again, Ms Heard's sister placed herself between them to try to interrupt the fight. I then allegedly turned my attention to Ms Heard's sister, who was standing at the top of a flight of stairs, reached out with one hand and shoved Ms Heard's sister, causing Ms Heard to believe that I was about to push her sister down the stairs.
67. I fully deny this allegation. I returned from Australia to Los Angeles in mid to late March 2015. Around the 22 March 2015, I was at Penthouse 5, Eastern Colombia Building (**"Penthouse 5"**) with Ms Heard and her sister. Ms Heard was in an extremely argumentative mood and kept trying to provoke me to have an argument with her. I cannot remember the

specifics of this particular argument but Ms Heard always managed to find something to try to argue about. We did begin arguing but I was not violent towards Ms Heard or her sister in any way at this, or any time. It is an absurd lie that Ms Heard employed, that she feared I was about to push her “baby sister” down the stairs. That is not what occurred, nor did it appear that it was going to occur, as Ms Heard could see with her own eyes at the time. Ms Heard was in fact trying to prevent me from leaving the property and berating me in another rage. As I have said, I cannot remember precisely what this particular rage was about.

68. As a result, I summoned Nurse Lloyd and one of my security guards, Travis McGivern, to intervene. When they arrived, Ms Heard and I were having a verbal argument which lasted 60 to 90 minutes. At some point during this argument, I turned to leave and Ms Heard threw a can of Red Bull at me, striking me in the back. Shortly after, Ms Heard threw her purse at me which was blocked from hitting me by Mr McGivern. During this argument, Mr McGivern was trying to protect me by standing between me and Ms Heard, but Ms Heard still managed to lunge and punch me in the face with a closed fist. This caused visible swelling and injury. Shortly after I had been hit, I left the premises along with Nurse Lloyd and Mr McGivern.

#### *August 2015*

69. It is also alleged in the Defence that when Ms Heard and I were travelling on the Eastern Oriental train in Southeast Asia, I picked a fight with Ms Heard, hit her, and pushed her against a wall by grasping her throat and holding her there, allegedly causing her to fear for her life.

70. In August 2015, Ms Heard and I were travelling on the Eastern Oriental train in Southern Asia. However, I was not violent towards Ms Heard in any way at this, or any other time.

71. Once we had returned from Southeast Asia, I do remember a particular argument that took place with Ms Heard in September 2015 around the time of the Toronto and Venice Film festivals, which both take place in early to mid-September. Ms Heard and I had attended the premiere of *Black Mass*, a film in which I was the lead role, and I had sent Ms Heard into the

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cinema while I continued to sign autographs on the red carpet. I always try to make an effort to sign autographs for people who appreciate my work and who have taken the time to come out and show their support. The next day, or shortly thereafter, a film in which Ms Heard had a very minor role, *The Danish Girl*, was due to premiere. I received a call from my agent asking me not to escort Ms Heard on the red carpet because, given how much attention I had received at the previous premiere, this would be likely to steal the lead actor's, Eddie Redmayne's, thunder. I did not want to do that and agreed not to go on the red carpet and told Ms Heard of my intention. At this point, she flew into a rage and said I was a "horrible person" who did not support her "art."

72. I ended up going to the premiere and Ms Heard was as charming as could be but I could see that she was holding a grudge and it was only a matter of time before it surfaced. This was something that happened repeatedly in our relationship: she would bear a grudge, often for weeks, but it would take time for her anger to surface. On this occasion, it was on the way back to our hotel room when she snapped and called me a "fat old man" and hurled other abuse at me.

73. This whole period and the period for the rest of the year was one in which Ms Heard was incredibly violently and verbally abusive to me. I remember one incident around 22 October 2015, when I texted Ms Heard's mother, Paige Heard as follows:

*"My sincere apologies, darling Paige...But, today/tonight she threw a fit, which I could feel coming...apologized to her 1,000 times because I ruined her night by hiding in the only place she can't get to me, my bathroom, and texted with Jack for a bit and then showered...Because she was hateful, hurt and treated me like scum of the earth..."*

...

*As I walked out of the door, she burst out and began her hugely insulting TIRADE by throwing a full bottle of iced tea at the back of my head...I have now left...I actually had to ask Security to come in and intercede, just like I did the last time she punched me in the jaw a couple of times (which has happened on numerous occasions)..."*

74. This is just one example of the many abusive incidents to which I was subjected. As I said to Ms Heard's mother Paige Heard, I had been punched by Ms Heard on numerous occasions, some of which Ms Heard even confessed to under oath in her prior deposition.

**26 November 2015**

75. At paragraph 8.a.14 of the Defence, it is alleged that on 26 November 2015:

*"...Ms Heard and the Claimant were in Los Angeles. The Claimant ripped her shirt and threw her around the room. He threw a wine glass and a heavy glass decanter at her, which missed her. The Claimant also pushed Ms Heard, causing her to fall over the back of a lounge chair and hit her head against a brick wall which resulted in a lump on the back of her head and a split lip."*

76. On 26 November 2015, Ms Heard and I were indeed in Los Angeles together celebrating Thanksgiving. However, I have never abused Ms Heard in the way alleged or at all.

**15 December 2015**

77. I understand from my solicitors that at paragraphs 8.a.15 - 8.a.20 of the Defence it is alleged that on 15 December 2015:

*"... Ms Heard and the Claimant were in their penthouse in Los Angeles. The Claimant threw another decanter at her, knocked items around the room and punched the wall. He slapped her hard, grabbed her by her hair, and dragged her through the apartment. In the process, the Claimant pulled large chunks of hair and scalp out of Ms Heard's head.*

*a.16. Ms Heard tried to escape the violence by going upstairs. The Claimant followed Ms Heard, hit her in the back of her head, again grabbed her by her hair, then dragged her by her hair up the last few steps. At the top of the stairs, the Claimant shoved her twice, which made her fear that she would fall. Ms Heard told the Claimant that he had broken her wrist in an attempt to get him to stop.*

a.17. *The Claimant repeatedly hit Ms Heard, knocking her to the floor. Each time Ms Heard was knocked down, she stood back up. The Claimant responded by veiling, "Oh, you think you're a fucking tough guy?" He then head-butted her in her face, bashing her nose, which immediately began bleeding and caused her searing pain. When Ms Heard said to the Claimant, "You head-butted me", he responded, "I just gave you a little knock with my head". The Claimant then said what a "fuck up" he was and left the room. Later, Ms Heard told the Claimant that she wanted to leave him, and that she would call the police if he ever touched her again. When she then began to walk away towards the guest apartment, the Claimant pushed her. He then grabbed her and pulled her from one room to the next, gripping her by her hair.*

a.18. *By the time the Claimant had dragged Ms Heard into the upstairs office, she had told him she was leaving him as she could not put up with his behaviour any longer. The Claimant reacted by grabbing Ms Heard by her throat, pushing her down to the ground, and punching her in the back of her head. The Claimant grabbed Ms Heard by her hair, slapped her in the face, and screamed at her, "I fucking will kill you - I'll fucking kill you, you hear me?" or similar words.*

a.19. *The fight continued onto a bed. The Claimant got on top of Ms Heard and placed his knee on her back and the other foot on the bedframe while repeatedly punching her in her head. The Claimant screamed, "I fucking hate you" over and over again. The bedframe splintered under the weight of the pressure of the Claimant's boot. The Claimant hit Ms Heard with his closed fists, pushed her face into the mattress, and pulled out chunks of her hair. Ms Heard screamed and feared for her life. She suffered severe headaches and other pain for at least a week after this incident.*

a.20. *During this incident, the Claimant also wrote a message on the kitchen countertop in gold pen that said, "Why be a fraud? All is such bullshit".*

78. I was at the penthouse in which I lived with Ms Heard on 15 December 2015 but I was not violent toward Ms Heard in any way. In fact, on this date, Ms Heard violently attacked me

(as she had done many times before) leaving me with a number of scratches and swelling around my face. Ms Heard has fabricated these allegations, including falsely claiming that the blond hair on the floor was her hair that had been pulled out by me.

79. I remember this period as one in which Ms Heard was continually trying to argue with me and at times would physically assault me. Clearly, if Ms Heard had actually been assaulted in the way described above she would have had very severe and visible injuries. There is no evidence whatsoever of this having been the case. And indeed, just the next day, she taped an episode of James Corden's talk show, where the visible absence of any injury is apparent. Ms Heard's stylist, Samantha McMillen, worked with Ms Heard many hours the afternoon of December 16, 2015 preparing for the Corden show. I understand from my US lawyers that Ms McMillen gave a declaration that a makeup-free Ms Heard had no marks on her whatsoever. Yet after the show was over, Ms Heard said to Ms McMillen "*Can you believe I just did that show with two black eyes.*"

**21 April 2016**

80. It is alleged at paragraphs 8.b and 8.c of the Defence that on April 21<sup>st</sup>, 2016:

*"... Ms Heard had a birthday celebration with friends at the couples' property at 849 South Broadway, Los Angeles ("the South Broadway apartment"). The Claimant arrived, drunk and high on drugs. After the guests had left the Claimant and Ms Heard had a conversation about his absence from the celebration. This deteriorated into an argument. The Claimant threw a magnum sized bottle of champagne at Ms Heard which missed and hit a wall and threw a glass of wine over Ms Heard, which smashed."*

81. On April 21<sup>st</sup>, 2016, Ms Heard did hold a birthday celebration at our penthouse at 849 South Broadway, Los Angeles (the "**South Broadway Apartment**"). I know that I was about 1 hour and 40 minutes late to the party because I was at the meeting with a recently hired business manager and his accountants. Earlier that day I told Ms Heard that I had an important meeting and during the meeting itself I texted her to say that the meeting was



likely to finish far later than the birthday dinner was scheduled to start. Despite this Ms Heard was cold towards me when I arrived.

82. Following the events of the meeting, I was in a state of shock, having learned about the state of my business affairs at that point in time. It is alleged at paragraph 8.b that I arrived "*drunk and high on drugs*". I was not intoxicated in any way on this date, as the business manager with whom I had been meeting with for hours before leaving for the party has testified. I was just tired and subdued. After the party was over, I went to bed and began reading in the penthouse.

83. At paragraph 8.c of the Amended Defence it is alleged that:

*"The Claimant then grabbed Ms Heard by the shoulders, pushed her onto a bed, and blocked the bedroom door when she tried to leave. The Claimant then grabbed Ms Heard by the hair and violently shoved her to the floor. The Claimant screamed at and threatened Ms Heard, taunting her to stand up and saying "You really think you're that tough, huh? Tough guy" and similar words. When she stood up, the Claimant shoved her down again. Ms Heard eventually escaped from the bedroom and walked through the office, at which point the Claimant pushed Ms Heard and grabbed her by the back of her hair. Ms Heard then returned to the bedroom and the Claimant pushed her again. When Ms Heard lifted her arms to defend herself, the Claimant pushed them down and bumped his chest into hers, causing her to fall back onto the bed. Ms Heard tried to walk past the Claimant to leave the bedroom, but he pushed her to the floor. After this he stormed out of the apartment, tossing aside and smashing items as he left."*

84. In fact, Ms Heard, who had been drinking heavily, became aggressive and violent towards me and punched me twice in the face as I lay in bed reading, causing an injury to my face. After the first punch to my face, I did not defend myself. After the second punch to my face, I defended myself by grabbing Ms Heard's arms to stop her punching me again and told her to stop. I then told her I was leaving and that she should not follow me. I called Mr Sean Bett, a member of my security team who was stationed at the penthouse apartment next door,

and who had been previously a 14 year veteran of the LA Sherriff's Department, and asked him to drive me home to West Hollywood. I explained to him that Ms Heard was "at it again" or words to that effect. I did not smash or toss aside any items as I was leaving. Mr Bett took me to my house and insisted on taking a photograph of the injury caused to my face by Ms Heard during the incident and then took me to my house.

85. I understand that the following morning Ms Heard (or possibly one of her friends) defecated in our shared bed. On 12 May 2016, Ms Heard confessed to our estate manager, Kevin Murphy, that leaving the feces in the bed had been "*just a harmless prank*" thereby effectively acknowledging that she had been responsible, whereas she had previously sought to blame our dogs that were both too tiny to jump onto the bed nor able to leave feces like that which was deposited on the bed. I resolved to divorce Ms Heard on that day.

86. Soon after, I explained the incident to Ms Heard's father, David Heard, by text on 11 May 2016:

*"...we've not spoken to one another since I left at 4:30am on the morning of the 22<sup>nd</sup>, her birthday, the argument, once again, brought her straight to that uncontrollable rage and she started throwing fuckin' haymakers around again, I cannot allow ANYONE to believe that it's okay to insult me, disrespect me and then feel as though she can apply violence to a situation that is already spinning out of control..."*

**21 May 2016**

87. I understand from my solicitors that at paragraphs 8.d of the Defence it is alleged that:

*"The next time Ms Heard saw the Claimant was on 21 May 2016. He arrived at the South Broadway apartment at around 7.15 pm. He was drunk and high. Ms Heard was present together with Elizabeth Marz, Raquel Rose Pennington and Ms Pennington's fiance Joshua Drew. Ms Pennington and Mr Drew lived in a neighboring apartment, and Ms Pennington kept a key to the South Broadway apartment."*

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88. Since the incident on April 22, 2016, Ms Heard had repeatedly tried to contact me either directly or through her sister, Ms Whitney Heard, who continuously asked me to get back in touch with Ms Heard. The next time Ms Heard and I saw each other was on 21 May 2016. Prior to arriving to pick up my things on May 21<sup>st</sup>, 2016, I told Ms Heard on the phone that the relationship had not worked out and that I was going to file for divorce. I promised that I would file in a low-key way that would not make her look bad. Then several hours passed before my arrival at my Penthouse 3. I do not remember the exact time we arrived at the South Broadway Apartment, but it was a little after 8 pm. The South Broadway Apartment has multiple penthouses, some of which are adjoining. Penthouse 3 is where Ms Heard alleged the abuse occurred that day, and where Ms Heard and her friends testified that I swung a magnum sized wine bottle leaving a carnage of smashed fruit, cutlery, glassware, candelabras and spilled wine in Penthouse 3. A diagram showing the location of each penthouse is at pages 3 of Exhibit JD2.
89. I did not know who Ms Elizabeth Marz was, concluding that she was another friend of Amber's living rent-free in my penthouses, but I remember observing some woman who was with Mr Drew in Penthouse 5. To the best of my knowledge Ms Heard was alone at the Penthouse 3 when I arrived; although it now appears that Ms Pennington was hiding in Penthouse 3's coat closet just inside the door, because my two guards were, unbeknownst to both Ms Pennington and Ms Heard, guarding the door that was the only way in or out of Penthouse 3. So she had to already have been inside Penthouse 3, waiting in ambush for me with Ms Heard. A number of Ms Heard's friends including Ms Pennington, Mr Drew and Ms Marz lived and worked out of the South Broadway Apartment rent-free for approximately 4 years.
90. I understand from my solicitors that paragraph 8.d of the Defence alleges that I arrived "*drunk and high*" on drugs and became very angry during a conversation with Ms Heard. In fact, I arrived sober accompanied by members of my security team, Mr Bett and Mr Judge. I had concerns around what Ms Heard might do on this occasion based on all the physical and verbal abuse I had already received from her. I wanted to collect some of my belongings.

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The security guards waited immediately outside the door of Penthouse 3. I was in the apartment for approximately 10 minutes in total.

91. At paragraphs 8.e - 8.i of the Defence, it is alleged that while I was in the apartment:

*"e. During a conversation with Ms Heard the Claimant became very angry. Ms Heard tried to calm him down by telephoning one of his trusted employees and asking him to intervene, but this was unsuccessful.*

*f. The Claimant became increasingly enraged. Ms Heard became concerned for her safety and texted Ms Pennington who was by now in her apartment next door, asking Ms Pennington to come back over.*

*g. The Claimant insisted that Ms Heard call their friend iO Tillet Wright, which Ms Heard attempted to do. The Claimant ripped the phone from Ms Heard's hand and began screaming profanities and insults. The Claimant then tossed the phone away and stormed upstairs. Ms Heard picked it up and Ms Wright yelled over the phone to Ms Heard to get out of the house. After a short period upstairs, the Claimant came back down the stairs then grabbed the phone again and this time threw it at Ms Heard, striking her cheek and eye. Ms Heard sustained an injury to her right eye. Ms Pennington subsequently took a photograph of the injury as well as of items which the Claimant smashed.*

*h. Ms Heard covered her face and was crying with pain. The Claimant charged at her. He forcibly pulled back her hair and Ms Heard attempted to get up from the sofa. Ms Heard called out "Call 911", hoping this would be heard by Ms Wright who was still on the phone. The Claimant shouted "I hit your eye? I hit your eye, huh? Let me see your eye. Let me see. Let me see your eye. What if I pulled your hair back? Let's see how hard I hit you", pulled Ms Heard's hair, struck Ms Heard and violently grabbed her face. The Claimant started to slap, shake and yank Ms Heard around the room while she continued to scream."*

92. Once I arrived into the apartment, I telephoned Mr Murphy from downstairs to confirm to Ms Heard what he earlier told me about her confession that the defecation incident on 22 April

2016 was "*just a harmless prank.*" Mr Murphy repeated that Ms Heard admitted to him that she was responsible. Ms Heard screamed and swore at Mr Murphy, repeatedly called him "*a fucking liar.*" I asked Ms Heard not to speak to Mr Murphy in that manner and told her again that I wanted a divorce. Mr Murphy hung up the phone as Ms Heard would not stop screaming.

93. I went upstairs to collect my belongings. Ms Heard was downstairs; she telephoned Mr iO Tillett Wright and began speaking loudly on the phone about me and the defecation incident in a mocking and goading manner. I did not rip the phone out of Ms Heard's hand, as is alleged at paragraph 8.g of the Defence. I went downstairs, took the phone in order to speak to Mr Wright and told him "*You got what you want, you can have her. I don't care, it is over,*" or words to that effect. I then tossed the phone next to Ms Heard and onto the sofa on which she was sitting. I then crossed the room away from Ms Heard towards the kitchen which was approximately 20 feet away from the sofa. I did not "*storm*" upstairs or come back down to take the phone for the second time.

94. I have also been told by my solicitors that it is alleged that:

*"i. Ms Pennington entered the flat, at which point Ms Heard escaped from the Claimant's grasp and moved to the other side of the room. The Claimant charged at Ms Heard again. Ms Pennington ran between them, extending her arms to separate them and begged the Claimant to stop. The Claimant then grabbed Ms Pennington's arms and continued to yell obscenities."*

*j. Ms Heard then retreated to the couch. Ms Pennington came over and covered Ms Heard in a protective posture. The Claimant picked up the magnum size bottle and began drinking out of it and swinging it around, smashing everything he could.*

*k. The Claimant then moved closer and closer to Ms Heard, acting in a threatening manner. By this time members of the Claimant's security team, including Judge Jerry, had entered the flat. Ms Heard yelled at Mr Jerry to help her and said that if the Claimant hit her again she would call the police.*

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*l. As the Claimant walked down the hallway he smashed other items and kicked a hole in a door. He went into an adjoining apartment, which Ms Heard used as an office, painting studio and closet, where Ms Heard heard him smashing further items and screaming."*

95. Ms Pennington certainly did not "enter the flat", as my guards who were guarding the only door to the Penthouse 3 would have seen and stopped her. It appears that she was hiding in the coat closet just inside the door, because suddenly Ms Pennington appeared and bolted past my right shoulder to run to Ms Heard's side. I did not touch Ms Pennington during the entire time she was there and I did not verbally or physically abuse Ms Pennington in any way at this, or any time. Ms Pennington was shouting: "*don't do it, stop it, leave her alone,*" or words to that effect. As I was crossing the room toward the kitchen, Ms Heard also began shouting "*Stop it Johnny. Stop hitting me Johnny!*" Hearing the shouting, the security guards stationed outside immediately opened the door and rushed into Penthouse 3 via the kitchen where I was standing. Immediately upon opening the door the security guards observed me standing in the kitchen, far away from Ms Heard, while she was shouting into the phone "*stop hitting me Johnny*" or words to that effect.

96. Ms Heard was visibly shocked when the guards entered and both Ms Heard and Ms Pennington began to feign crying. Ms Heard changed from present tense to the past tense and said: "*he hit me with a phone*", "*that's the last time you hit me Johnny*" and "*you better not hit me again*", or words to that effect. I did not move but said to Ms Heard: "*what are you talking about? You're crazy. I didn't hit you.*" Ms Heard screamed "*call 911*", presumably because Mr Wright was still on the phone. Mr Wright later testified under oath that he "*called 911 to save her life.*" But this too is a lie. When I was shown the police call log, neither the call to 911 nor the police dispatch occurred for much more than an hour after I left at 8:29. Mr Judge, my security guard, told me: "*Let's just get out of here, boss*" and immediately took me out of the door. The time between the guards entering and leaving with me was less than 1 minute.

97. I did not break any items in Penthouse 3, or 5, or anywhere else. I did not kick a hole in the door. I was not swinging a bottle of any size around the room. I did not create the

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picturesque carnage in Penthouse 3 that Ms Heard and her friends described, including broken fruit, candelabras, cutlery, glass and spilled wine everywhere. Two domestic-abuse trained police officers, who attended the property shortly after the alleged incident, inspected the property and saw no spilled wine, broken glass or any sign of disturbance whatsoever. Ms. Heard and her friends have testified in the related US proceedings that they did not clean up the "destruction" before the first set of two police officers arrived. And then two more officers responded, and they had the same findings of no damage to property or Ms Heard. I am aware that Ms Pennington took photographs, curiously with no attendant meta-data showing their provenance, of some purportedly smashed items; however, those items were not smashed by me on May 21<sup>st</sup> or ever.

98. I understand that those two police officers, who visited the apartment the night of the alleged incident, interviewed Ms Heard twice in good light and noted no injuries, bruising, marking or swelling on Ms Heard's face or body. When one of the officers asked Ms Heard what happened, she responded "*nothing*". When Ms Heard was asked if she was hurt, she shook her head. Ms Heard did not tell the officers that she had been assaulted; she said she was not injured and refused medical treatment. According to the police officers' testimony, Ms Heard said she did not want to make a police report and that there was nothing wrong. I am aware that Ms Pennington took some photographs of Ms Heard's face allegedly showing injuries that I had caused on May 21<sup>st</sup>, 2016. Ms Heard had no visible injuries on this date, as attested to by the officers who had attended the South Broadway Apartment that evening. Thus, as far as the photographs taken by Ms Pennington are concerned, these "injuries" could not have been caused by me on May 21<sup>st</sup>, or ever, because I did not do anything to cause any such injuries.

99. After leaving Penthouse 3, Mr Judge, Mr Bett and I went to Penthouse 5 where we discovered Mr Drew, a woman (whom I now understand to be Ms Marz) and a dog. It appeared that they had been using my apartment to operate some sort of craft beading business. I told them to leave and they did. We then left the apartment just before 8.30 p.m.

### **The TRO Application**

100. On 27 May 2016, Ms Heard filed the TRO Application, which provided the Defendants with the “evidence” on which they originally relied for the Article and in which she alleged I had physically abused her on 21 April 2016 and 21 May 2016.

101. I was absolutely shocked when the TRO Application was filed. I could not believe that, when I had suffered so much abuse from Ms Heard, I was now being accused of abuse that had not happened, particularly given the true accounts of what had happened on these dates as set out above.

102. I texted both Amber’s mother and her father at this time expressing my disbelief and setting out what had actually happened.

103. On 27 May 2015, I sent the following text to Ms Paige Heard (page 4 of Exhibit JD2):

*“...i will never understand how we got here, my love for your daughter has been constant and impenetrable!!! but, we are divorcing because i was 2 hours late for her birthday dinner, because i was in a meeting with new business manager and the bank, as my former business manager fucked me over royally... also, she knew i was going to be late!!! i texted her from the meeting... she treated me like a red-headed stepchild in front of all her friends and it only got worse when we came home, she got violent and i left, as i always do when she decides to get violent with me. her charges against me are simply not true, i DID NOT throw her phone at her!!! i was facing away from her to walk away and lobbed it over my shoulder... i had no idea that she wouldn't just catch it, or if would land on he couch... and then, of course, rocky comes to the rescue, as if i am some goddam psycho beast, the timing is ugly, my mom passed away... amber, the love of my life, can no longer exist in me... to perjure herself against me is too far!!! i don't deserve this, paige... but, if this is what's happening??? this is what i must deal with, apparently she's back with tasyafantasia. i don't know what has ever been true, or what has been a lie. though, i miss her and, of course, stupidly, still love her with everything in my bones... i guess i just couldn't make her smile anymore... and that is all i've ever wanted!!! gonna call you in a bit, if you're okay with that... i love you, my dear paige... i miss you very much. xxx... jd”*



On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Second  
Date: 12 December 2019

104. On the same date I texted Mr David Heard as follows (pages 4-5 of Exhibit JD2):

*“how you feeling??? nah... fuck that... what drugs are they giving you?? i cannot believe what’s going on!!! Amber is calling this domestic violence!!! she submits a picture that says i threw the phone at her!!! she is putting herself in deep trouble if she continues to perjure herself... i have done nothing to deserve this!!! this is so fucking sick... i have never been charged, nor arrested for domestic violence!!! SHE HAS!!! twice, this all makes me sick to my stomach... i worshipped her and have been betrayed by the very love of my life... fuck it... she killed it. i guess i was so bad that it was fine for her to leave me and go to Coachella for 4 fucking days with all of her girlfriends and to not give her birthday to us!!! the festival and her friends were clearly more important than working things out with me... with these lies she is spewing to save her ass in the press, the truth will always catch up... and the truth will be a bitch... AND I HAVE NOT SAID A WORD!!! i have 2 witnesses who were in the room when she said that i flung the phone at her. ABSOLUTE FUCKING LIE!!! she wants a divorce, she get’s it. but the world will receive the truth and if she is caught perjuring herself (which she will), Australia could reopen their case against her to investigate whether, or not... she has filed a restraining order against me, man... cruel and unforgivable... i’ve done nothing but love her... anyway, the you have it, brother... i hope she’s happy now.”*

105. Ms. Heard’s father replied shortly after stating (page 5 of Exhibit JD2): *“The lawyer told her she had to or she would have no place to live in 30 days”* To which I replied: *“that is absolute bullshit!!! HER LAWYER ASKED FOR TWO WEEKS at the downtown place... AND I SAID, “NO”!!! SHE COULD STAY THERE AS LONG AS SHE LIKED!!! WHY WOULD I FORCE HER OUT IN 2 WEEKS??? I AIN’T NO SCUMBAG!!! dude, my fucking wedding ring is still on me!!! i has not taken it off, because i love her... it is coming off now. what a fucking knife to the back, i’m so disappointed and so hurt... it’s just too much... x... later, brother...feel better!!! Jd”*

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106. Around the same time, I received the following text from Ms Paige Heard which confirmed what David Heard had told me (page 5 of Exhibit JD2):

*“It's the lawyers on both sides doing this not Amber. I heard the whole story very teary - if I could just talk to Johnny. She didn't want this. Friggin lawyers on BOTH sides!! This was not her idea not her wishes. She was told she would be evicted and out in 30 days if she did not do this”*

107. Ms. Heard's mother then confirmed this again texting me (page 6 of Exhibit JD2):

*“Yes it was! I am sure. Her dumb lawyer possibly as the only way she would have a place to live in 30 days. She DID NOT want to do this I swear to you. The lawyers are frigging things up”*

108. I simply could not understand why Ms Heard was now seeking to show me as some kind of violent wife-beater when I had never abused her. I expressed this to her mother Ms Paige Heard as follows (page 6 of Exhibit JD2):

*“if she didn't want to file a restraining order against me and send a message to the world that i am some kind of violent wife beater ...then why would she go to the courthouse with a photo of her that looks like she's been abused??? this is my life too, what are my children and my children's friends supposed to think??? I do not deserve this, and they do not deserve this... especially not from her.”*

109. She replied to me stating (page 6 of Exhibit JD2):

*“Her lawyer told her she had to and she had to today. That's why she wanted to talk to you. We didn't talk so please never bring this up. But I'll swear to you this was not her idea nor did she do it willingly or happily. She was told it was her ONLY option to not being kicked*

On behalf of: Claimant  
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*out. I'm not making excuses but that is what she believed. She did not want to do it. She felt she was betraying her only love but the lawyers said so.*

...

*Please don't pass this on if you ever talk to Amber again. I love you, son"*

110. In any event, the TRO Application was dismissed with prejudice on 16 August 2016. The way in which the Defendants subsequently reported Ms Heard's accusations in the Article differed from the many other articles that reported Ms Heard's accusations in that they adopted them as true and used those lies to suggest that I was guilty, on overwhelming evidence, of abusing Ms Heard. This is despite the fact that prior to the publication of the Article, The Sun had previously reported the fact that the TRO Application had been dismissed and that there was evidence from two police officers who attended the scene on 21 May 2016 which directly contradicted Ms Heard's account of events, as they had not seen any injury to Ms Heard or any damage in the apartment.

### **Reputation**

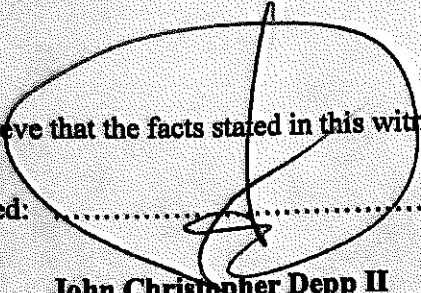
111. I reiterate what I have said throughout this witness statement: at no point have I ever been physically abusive to Ms Heard. I strongly object to the Defendants rehashing allegations of abuse against me, the veracity of which have never been tested, in order to attempt to sell more newspapers. In their efforts to defame me, Defendants even lied about the substance of their interview about me with real #MeToo victim Katherine Kendall. Ms Kendall has testified and provided her text messages with the Defendants showing their misuse of her and the #MeToo movement for the purpose of defaming me. I have suffered significant reputational damage as a result of these allegations and continue to feel the effects of that damage, both in terms of my career (and by ability to be cast in films) and personally. The Defendants have simply sought to rely on and adopt these untested allegations and use them against me in order to defame me.

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112. I believe the Article has significantly damaged my reputation both worldwide and in the UK. Certainly it has caused me immense distress that those who have seen my films and know my work should believe me capable of the vicious conduct alleged.

On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Second  
Date: 12 December 2019

I believe that the facts stated in this witness statement are true.

Signed:  .....

**John Christopher Depp II**

Date: 12 December 2019

On behalf of: Claimant  
Witness: John Christopher Depp II  
No: Second  
Date: 12 December 2019

**Claim No. HQ18M01923**

**IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
MEDIA AND COMMUNICATIONS LIST**

**BETWEEN:**

**JOHN CHRISTOPHER DEPP II**

**Claimant**

**- and -**

**(1) NEWS GROUP NEWSPAPERS LTD**

**(2) DAN WOOTTON**

**Defendants**

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**SECOND WITNESS STATEMENT OF  
JOHN CHRISTOPHER DEPP II**

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Solicitors for the Defendant

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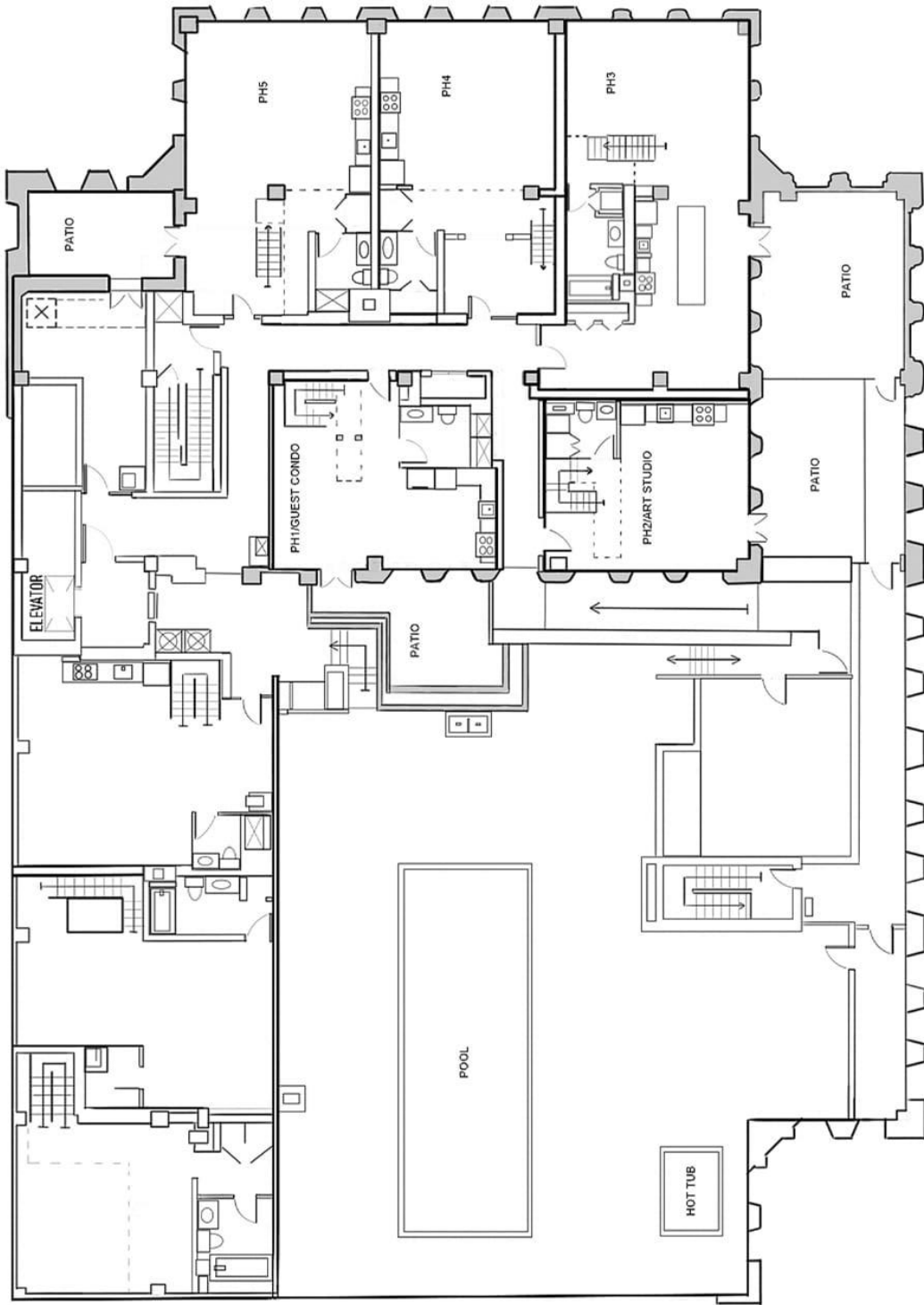
3331793 v1











32301	1532	+13104984903 him (owner) +15129144248 Paige	+13104984903 him	me too, darlin'... i will never understand how we got here, my love for your daughter has been constant and impenetrable!!! but, we are divorcing because i was 2 hours late for her birthday dinner, because i was in a meeting with new business manager and the bank, as my former business manager fucked me over royally... also, she knew i was going to be late!!! i texted her from the meeting... she treated me like a red-headed stepchild in front of all her friends and it only got worse when we came home, she got violent and i left, as i always do when she decides to get violent with me. her charges against me are simply not true, i DID NOT throw her phone at her!!! i was facing away from her to walk away and lobbed it over my shoulder... i had no idea that she wouldn't just catch it, or if would land on he couch... and then, of course, rocky comes to the rescue, as if i am some goddam psycho beast, the timing is ugly, my mom passed away... amber, the love of my life, can no longer exist in me... to perjure herself against me is too far!!! i don't deserve this, paige... but, if this is what's happening??? this is what i must deal with, apparently she's back with tasyafantasia. i don't know what has ever been true, or what has been a lie. though, i miss her and, of course, stupidly, still love her with everything in my bones... i guess i just couldn't make her smile anymore... and that is all i've ever wanted!!! gonna call you in a bit, if you're okay with that... i love you, my dear paige... i miss you very much. xxx... jd	05/27/2016 05:43:12 PM
20039	1419	+13104984903 him (owner) +15129144247 David Heard	+13104984903 him	how you feeling??? nah... fuck that... what drugs are they giving you?? i cannot believe what's going on!!! Amber is calling this domestic violence!!! she submits a picture that says i threw the phone at her!!! she is putting herself in deep trouble if she continues to perjure herself... i have done nothing to deserve this!!! this is so fucking sick... i have never been charged, nor arrested for domestic violence!!! SHE HAS!!!	05/27/2016 07:45:20 PM

				<p>twice, this all makes me sick to my stomach... i worshipped her and have been betrayed by the very love of my life... fuck it... she killed it. i guess i was so bad that it was fine for her to leave me and go to Coachella for 4 fucking days with all of her girlfriends and to not give her birthday to us!!! the festival and her friends were clearly more important than working things out with me... with these lies she is spewing to save her ass in the press, the truth will always catch up... and the truth will be a bitch... AND I HAVE NOT SAID A WORD!!! i have 2 witnesses who were in the room when she said that i flung the phone at her. ABSOLUTE FUCKING LIE!!! she wants a divorce, she get's it. but the world will receive the truth and if she is caught perjuring herself(which she will), Australia could reopen their case against her to investigate whether, or not... she has filed a restraining order against me, man... cruel and unforgivable... i've done nothing but love her... anyway, the you have it, brother... i hope she's happy now.</p>	
20040	1419	+13104984903 him (owner) +15129144247 David Heard	+15129144247 David Heard	The lawyer told her she had to or she would have no place to live in 30 days	05/27/2016 07:53:38 PM
20041	1419	+13104984903 him (owner) +15129144247 David Heard	+13104984903 him	that is absolute bullshit!!! HER LAWYER ASKED FOR TWO WEEKS at the downtown place... AND I SAID, "NO"!!! SHE COULD STAY THERE AS LONG AS SHE LIKED!!! WHY WOULD I FORCE HER OUT IN 2 WEEKS??? I AIN'T NO SCUMBAG!!! dude, my fucking wedding ring is still on me!!! i has not taken it off, because i love her... it is coming off now. what a fucking knife to the back, i'm so disappointed and so hurt... it's just too much... x... later, brother...feel better!!! Jd	05/27/2016 07:59:31 PM
32309	1532	+13104984903 him (owner) +15129144248 Paige	+15129144248 Paige	It's the lawyers on both sides doing this not Amber. I heard the whole story very teary - if I could just talk to Johnny. She didn't want this. Friggin lawyers on BOTH sides!! This was not her idea not her wishes. She was told she would be evicted and out in 30days if she did not do this	05/27/2016 07:59:36 PM

32312	1532	+13104984903 him (owner) +15129144248 Paige	+15129144248 Paige	Yes it was! I am sure. Her dumb lawyer possibly as the only way she would have a place to live in 30 days. She DID NOT want to do this I swear to you. The lawyers are friggng things up	05/27/2016 08:03:40 PM
32317	1532	+13104984903 him (owner) +15129144248 Paige	+13104984903 him	if she didn't want to file a restraining order against me and send a message to the world that i am some kind of violent wife beater ...then why would she go to the courthouse with a photo of her that looks like she's been abused??? this is my life too, what are my children and my children's friends supposed to think??? I do not deserve this, and they do not deserve this... especially not from her.	05/27/2016 08:40:55 PM
32318	1532	+13104984903 him (owner) +15129144248 Paige	+15129144248 Paige	Her lawyer told her she had to and she had to today. That's why she wanted to talk to you. We didn't talk so please never bring this up. But I'll swear to you this was not her idea nor did she do it willingly or happily. She was told it was her ONLY option to not being kicked out. I'm not making excuses but that is what she believed. She did not want to do it. She felt she was betraying her only love but the lawyers said so.	05/27/2016 08:47:19 PM
32319	1532	+13104984903 him (owner) +15129144248 Paige	+15129144248 Paige	Please don't pass this on if you ever talk to Amber again. I love you, son	05/27/2016 08:54:39 PM

69892	1646	+13104984903 him (owner) +13236467375 Christi Dembrowski <a href="mailto:richardt@aol.com">richardt@aol.com</a> Chris Dembrowski	+13104984903 him	No reason for her to speak to anyone, let alone a doctor... I'm out. I'm done. Her actions have added more drama than necessary and when was I unhealthy, exactly??? When I was not sober for a day??? Hmm... I guess that's what people call falling off the wagon... It's happened to a lot of my friends... Their wives don't stop calling them.	05/27/2014 04:37:47 AM
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