

Depp cannot escape the fact that the issue decided by the UK Court is identical to the issue before this Court—whether he abused Heard. The UK High Court ruled against Depp—where defendants had the burden of proof — finding that Depp beat Heard at least 12 times.¹

Depp does not dispute due process in the UK and US Courts are compatible; instead, he asserts he was denied the proper “procedural tools” during his chosen forum in the UK, even though he was also litigating this case for 16 months prior to the UK trial, with full access and ability to use this discovery in the UK. It was Depp who repeatedly resisted producing damaging evidence in the UK, **Att. 1**. In one of Depp’s many requests for relief from sanctions in the UK - this time facing dismissal of his UK lawsuit - Depp contended that to obtain the “vindication” Depp then sought, and now purportedly seeks in this case (Opp’n 22), he preferred the UK Court to the US jury and believed the UK decision would achieve greater vindication for all parties:

[T]he US proceedings will not produce a clear and reasoned judgment, which is exactly what Eady J [a Judge in a case Depp’s counsel was citing] said is so important. Trial in the proceedings in Virginia will be a jury trial with just a verdict. Here, your Lordship will deliver a clear and reasoned judgment taking into account a mass of evidence, hearing from the parties and giving your judgment in relation to the 14 different incidents. As I say, Eady J made clear that it is a reasoned judgment that provides the vindication, not just for the claimant but also for the defendant.

Att. 2, at 15. The UK High Court, in granting Depp’s request for relief, specifically found:

I also see force in Mr. Sherborne’s [Depp’s counsel] points that a reasoned decision (which I shall have to give after the trial) will be a vindication for whatever party is successful of a different order than a bald verdict of a jury. Of course, I mean no disrespect to the procedure adopted in Virginia.

Att. 3, ¶30(v). Heard asks this Court to grant her Supplemental Plea in Bar and apply comity to the UK High Court’s well-reasoned decision reflected in the UK Judgment and dismiss the

¹The UK Court also found that at least one of the attacks involved sexual violence where Depp “inserted a bottle into Ms Heard’s vagina without her consent and thrust it repeatedly and hard while screaming that he was going to kill her and taunting her.” **Second JN Att. A, ¶ 9.**

