

Fifth, at deposition Mr. Depp also cross-examined Ms. Henriquez, suggesting her sister was driving the vehicle at the time of the tragic death of Ms. Heard's close friend Logan when they were both teenagers. **Att. 3**, 2/3/22 Tr. of Henriquez, at 70:6-77-10. This suggestion was made even though there is not a stitch of evidence to support this outrageous allegation – Ms. Heard was nowhere near the county in which the accident occurred at the time and was devastated when notified. There is no evidence whatsoever, let alone any charges or convictions, that Ms. Heard had anything to do with this tragic death. Such evidence should also be excluded as irrelevant to the issues at trial, and even the malicious suggestion that Ms. Heard was driving at the time of the accident should be excluded from trial.

Sixth, for the same reasons, Mr. Depp should be precluded from claiming or suggesting to the jury by any means that Ms. Heard has a “criminal record.” Mr. Depp's counsel has repeatedly made such assertions during various Court hearings, in third party depositions, and even in meet and confers, regardless of its relevance to each proceeding, and Ms. Heard expects counsel to do the same in the presence of the Jury at trial, absent this Court's intervention. Such prejudicial statements and references should also be excluded for all the reasons set forth above, and any possible relevance is far outweighed by the potential prejudice to the Jury of such allegations and accusations.

As noted above, all the above evidence should further be excluded because the probative value of such evidence is substantially outweighed by the danger of unfair prejudice and the likelihood of confusing or misleading the jury on these matters. Va. Sup. Ct. R. 2:403.

Finally, for the same reasons as above Mr. Depp's Trial Exhibits 112-14 and 424 should also be excluded. **Att. 4**.