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JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

Transcript of Tracey Jacobs

Date: January 28, 2021
Case: Depp, II -v- Heard

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APPEALED TO THE COURT OF APPEALS
(ELECTRONIC APPEALS)

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2 (5 to 8)

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Transcript of Tracey Jacobs
Conducted on January 28, 2021

3 (9 to 12)

<p>9</p> <p>1 MR. CHEW: He's -- he's here with me, he's 2 just off camera. I'm using his computer. 3 THE WITNESS: Okay. 4 MR. MARMORSTEIN: Good morning. This is 5 David Marmorstein. I represent the witness, 6 Tracey Jacobs. And also on with us is Michael 7 Sinclair from UTA, also representing the witness. 8 THE VIDEOGRAPHER: The court reporter 9 today is Paul Smakula, representing Planet Depos. 10 Would the court reporter please swear in the 11 witness. 12 TRACEY JACOBS, 13 having been duly sworn, testified as follows: 14 EXAMINATION BY COUNSEL FOR THE DEFENDANT 15 BY MS. BREDEHOFT:</p>	<p>11</p> <p>1 Q Do you recall whether the other one was 2 related to Jake Bloom, that lawsuit? 3 A No, I don't recall. 4 Q Okay. 5 MR. MARMORSTEIN: Counsel? I'm sorry, 6 Elaine, I'm having a really tough time. You sound 7 kind of muffled. Is there any way to address the 8 audio somehow? 9 MS. BREDEHOFT: Let me see. 10 MR. MARMORSTEIN: That's better. Thank 11 you. 12 MS. BREDEHOFT: Okay. All right. Thank 13 you for letting me know that. I appreciate it. 14 MR. MARMORSTEIN: Yep. 15 Q Is it possible that the other litigation,</p>
<p>Incom. Desig.</p> <p>16 Q Will you please state your name and 17 address for the record, and you may use your 18 business address, if you prefer, for privacy 19 reasons. 20 A I actually don't know my business address. 21 I'll give you my home address. 22 Q Okay.</p>	<p>16 the other time you testified was related to 17 Mr. Depp bringing the suit against Jake Bloom? 18 A Maybe. 19 Q Okay. 20 A I don't recall. 21 Q All right. Do you recall how long your 22 testimony was at either of these depositions? In</p>
<p>10</p> <p>1 A Tracey Renee Jacobs, 7692 Woodrow Wilson 2 Drive, Los Angeles, California 90046. 3 Q And what is your current occupation? 4 A Talent agent. 5 Q And how long have you been a talent agent? 6 A 34 years. 7 Q Now, have you ever had your deposition 8 taken before? 9 A Yes. 10 Q And how many times? 11 A For this? Three times. This is my third 12 time.</p>	<p>12</p> <p>1 other words, did it last an hour? Five hours? 2 A Most of the day. 3 Q Do you recall what the subject matters 4 were that you were asked questions about? 5 A Not really. It was years ago. 6 Q Okay. Now, you're here by subpoena; 7 correct? 8 A I think so, yes. 9 Q All right. And you also were issued a 10 document request, is that correct, for any 11 documents you might have? 12 A Yes.</p>
<p>R, P</p> <p>13 Q Okay. Can you just tell me briefly what 14 the other two times involved? 15 A Oh, the first time as I recall was in the 16 case of Johnny and Joel Mandel, and the second 17 time, I don't know what it was, all I know is I 18 was deposed by Johnny Depp; correct? 19 Q Was it related to the Jake Bloom -- 20 MR. MARMORSTEIN: Tracey, don't -- Tracey, 21 don't ask questions, just give whatever answers 22 you can, because no one can answer other than you.</p>	<p>13 Q All right. And you provided a declaration 14 that you did not have any responsive documents, do 15 you recall that? 16 A I don't recall. 17 Q Okay. 18 MS. BREDEHOFT: Can we -- Alex, can we 19 bring up number -- Deposition -- or Exhibit 3? 20 Q Ms. Jacobs, I'm going to ask you to take a 21 look at what's been marked as Jacobs Exhibit 3. 22 Take a minute to read it.</p>

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Transcript of Tracey Jacobs
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4 (13 to 16)

<p>13</p> <p>1 MR. MARMORSTEIN: She just wants you to</p> <p>2 read it, Tracey, there's no question.</p> <p>3 A Okay.</p> <p>4 Q Does that refresh your recollection that</p> <p>5 you provided a declaration that you did not have</p> <p>6 any documents responsive to the subpoena?</p> <p>7 A Just that I signed it. I don't recall.</p> <p>8 Q Do you have a recollection of conducting a</p> <p>9 search for any records that were responsive to the</p> <p>10 document request?</p> <p>11 A My lawyers dealt with that.</p> <p>12 Q Okay.</p> <p>13 MS. BREDEHOFT: Alex, could you bring up</p> <p>14 No. 2, please.</p> <p>15 THE WITNESS: Are you asking me something?</p> <p>16 MR. MARMORSTEIN: No, she's asking the</p> <p>17 assistant to pull up documents for you to look at.</p> <p>18 Q Ms. Jacobs, we have a technician who has</p> <p>19 all the potential exhibits downloaded from both</p> <p>20 sides, and that's Alex that's here. So when we</p> <p>21 bring something up on the screen we say, Alex, can</p> <p>22 you do this? Or, Alex, can you please bring that</p>	<p>15</p> <p>1 documents in your possession but refer and relate</p> <p>2 to, and it has a number of different --</p> <p>3 MR. MARMORSTEIN: I'm sorry, Elaine --</p> <p>4 Elaine, you cut out.</p> <p>5 MS. BREDEHOFT: I cut out again? Okay.</p> <p>6 Q So on this page, we're at page 6 here,</p> <p>7 it's actually 12 of 29 on the full document, but</p> <p>8 it says page 6, this is the actual document</p> <p>9 request. Do you have a recollection of conducting</p> <p>10 any kind of searches for documents responsive to</p> <p>11 these requests, Ms. Jacobs?</p> <p>12 MR. MARMORSTEIN: Objection; asked and</p> <p>13 answered. I think she said that her attorneys</p> <p>14 dealt with it. But you can go ahead.</p> <p>15 A I don't recall seeing this. I was asked</p> <p>16 for documents and texts, and I turned it over to</p> <p>17 my lawyers.</p> <p>18 Q Right. And what I'm asking is in addition</p> <p>19 to turning it over to your lawyers, do you have a</p> <p>20 recollection of being involved in or conducting</p> <p>21 any searches for documents responsive to this?</p> <p>22 A I don't.</p>
<p>14</p> <p>1 up? He's the technician, and you'll hear the same</p> <p>2 thing from Mr. Chew if he has exhibits as well.</p> <p>3 I'm going to show you what has been marked</p> <p>4 --</p> <p>5 MS. BREDEHOFT: I can take control, Alex,</p> <p>6 after you're finished marking.</p> <p>7 PLANET DEPOS TECHNICIAN: Alex, this is</p> <p>8 the tech speaking. I just want to let you know</p> <p>9 that this document is secured, so they're going to</p> <p>10 have to mark it at the office. I cannot.</p> <p>11 MS. BREDEHOFT: Okay. I'm not even sure</p> <p>12 what that means, but we'll say this one is an</p> <p>13 exhibit. Can I even get into this one? Yes, I am</p> <p>14 controlling now. Okay.</p> <p>15 Q This is what will be marked as Deposition</p> <p>16 Exhibit 2. If I could show you the second page</p> <p>17 there, it has a subpoena to produce Brooks</p> <p>18 documents, etcetera, do you see that?</p> <p>19 A Yes.</p> <p>20 Q Okay. And then we get to go through lots</p> <p>21 of pages because that's what lawyers like to do is</p> <p>22 put together lots of pages. And then it asks for</p>	<p>16</p> <p>1 Q Okay. Thank you. All right. And then we</p> <p>2 can --</p> <p>3 MS. BREDEHOFT: Alex, if you can bring up</p> <p>4 Document No. 1, briefly.</p> <p>5 Q And Ms. Jacobs, I understood -- I'm going</p> <p>6 to ask you to take a look at Jacobs Exhibit 1, but</p> <p>7 I understood you had a little bit of uncertainty</p> <p>8 when I asked you if you were here under subpoena.</p> <p>9 And if you note on this page it says, to attend</p> <p>10 and give testimony at a deposition. Does that</p> <p>11 refresh your recollection about whether you are</p> <p>12 here testifying under subpoena today?</p> <p>13 A Yes.</p> <p>14 Q Okay. And is it now your recollection</p> <p>15 that you are here testifying under subpoena today?</p> <p>16 MR. MARMORSTEIN: I'm going to object,</p> <p>17 Counsel. I think --</p> <p>18 A I don't understand the question.</p> <p>19 MR. MARMORSTEIN: Hold on, Tracey, let me</p> <p>20 get my thing on the record first. I think that</p> <p>21 would require her to divulge discussions with her</p> <p>22 lawyers about why she's here under what legal</p>

<p>17</p> <p>1 capacity. I'm not sure it's an issue. She's 2 here. We're ready to take testimony. Why don't 3 we just go ahead and do that? Whether she 4 understands the legal basis, it would derive from 5 conversations with counsel. So I'd instruct her 6 not to answer that because that will disclose 7 client-counsel communications.</p> <p>8 MS. BREDEHOFT: All right. I don't think 9 it's an issue either, I just didn't want it to be 10 unclear on the record, David, so thank you.</p> <p>11 Q Ms. Jacobs, when did you first begin 12 representing Mr. Depp?</p> <p>13 A When I was at another agency, at ICM. I 14 think it -- I represented him 30 years. So now 15 since he's been gone almost five years, you can 16 subtract 35 years. And when I came to UTA I 17 believe it was 1998, he came with me. And I've 18 been at UTA -- now it's been 22 years minus the 19 last four he was with me from the beginning.</p> <p>20 Q Did Mr. Depp have an agent, a talent 21 agent, before you?</p> <p>22 A I believe so.</p>	<p>19</p> <p>1 question; compound.</p> <p>2 MS. BREDEHOFT: I'll clean it up.</p> <p>3 MR. MARMORSTEIN: Same.</p> <p>4 Q During the time that you represented 5 Mr. Depp as his talent agent, please describe the 6 types of jobs and responsibilities you performed 7 for him.</p> <p>8 A I was his agent, so my job, as all agents 9 are, was to find, procure, and negotiate jobs for 10 him, acting jobs for him, initially.</p> <p>11 Q And did you do that?</p> <p>12 A Yes.</p> <p>13 Q And how did you go about finding jobs for 14 Mr. Depp?</p> <p>15 A You read scripts, you evaluate if they 16 would make sense for him, you call studios, 17 filmmakers, producers, and you advocate for your 18 client. That's what I did.</p> <p>19 Q Now, would you agree that Mr. Depp became 20 quite successful while you were his talent agent?</p> <p>21 MR. CHEW: Objection.</p> <p>22 A Yes.</p>
<p>18</p> <p>1 Q Do you recall who that was?</p> <p>2 A I think her name was Cynthia Campos.</p> <p>3 Q And do you recall the circumstances under 4 which Mr. Depp came to you to have you as his 5 talent agent? In other words, did somebody refer 6 you? Strange meeting someplace? What -- what 7 occasioned it?</p> <p>8 A Yes, I do recall.</p> <p>9 Q And what was it?</p> <p>10 A That I had seen him on his show 21 Jump 11 Street and just felt like he was going to be a 12 movie star off of that show. And somehow, and I 13 don't recall, someone gave me his mother's phone 14 number, who's now deceased, and I actually reached 15 out to her and essentially signed her, and then 16 she told him to meet me.</p> <p>17 Q Okay. And over the next 30 years, what 18 was your role with Mr. Depp in connection with 19 representing him? And what I'm asking is what 20 were your general day-to-day responsibilities? 21 What types of things did you do for Mr. Depp?</p> <p>22 MR. CHEW: Objection to the form of the</p>	<p>20</p> <p>1 MR. MARMORSTEIN: Vague.</p> <p>2 MR. CHEW: Objection; lack of foundation.</p> <p>3 Q Well, I'm assuming if you were his talent 4 agent that you would know what his -- how his 5 career was tracking over that 30 years you were 6 with him, would you not?</p> <p>7 A He became the biggest star in the world.</p> <p>8 Q And do you take any credit for that?</p> <p>9 A Yes.</p> <p>10 Q And why? What do you think your 11 contributions were to Mr. Depp becoming the 12 biggest star in the world?</p> <p>13 A Well, A, that he was extraordinarily 14 talented. And, B, that my talent was compatible 15 with his in terms of understanding the kinds of 16 roles and scripts and filmmakers that would make 17 sense for him to work with and being able to 18 master the two and put them together.</p> <p>19 Q Did Mr. Depp ever acknowledge that you 20 were responsible, at least in part, for his 21 successful career?</p> <p>22 MR. CHEW: Objection; calls for hearsay.</p>

Transcript of Tracey Jacobs
Conducted on January 28, 2021

6 (21 to 24)

<p>21</p> <p>1 A Actually, yes. And many times to me and 2 in front of other people. 3 Q I'm going to ask you to take a look at 4 Deposition Exhibit 5. 5 This is the deposition of Mr. Depp that 6 was taken on November 12, 2020. And I'm going to 7 ask to -- 8 MS. BREDEHOFT: Alex, I'll let you, can 9 you take it down to page 587 in the corner? Thank 10 you. And then if I can take control. 11 Q Ms. Jacobs, I'm going to direct your 12 attention to page 587 of Mr. Depp's deposition, 13 lines six and seven. I asked him was Tracey 14 Jacobs a successful agent for you while you did 15 employ her as your agent? 16 MR. MARMORSTEIN: Counsel, can you expand 17 that a little bit? I can't really read it. 18 MS. BREDEHOFT: Thank you, Alex. Can you 19 read it now, David? 20 MR. MARMORSTEIN: Thank you. Yeah, much 21 better. 22 A Are you supposed to cut off? Because it</p>	<p>23</p> <p>1 films, but all in all we had a great relationship, 2 we grew up together. When she decided at one 3 point to change agencies, she left ICM for UTA, 4 United Talent Agency, she asked if I would go with 5 her, I went with her to UTA. And her reasons for 6 going to UTA were pretty simple, she would become 7 a full-fledged partner, and I believe that she was 8 the first full-fledged woman partner in any of the 9 agencies in Los Angeles in terms of being a 10 partner and on the board and all. So she, by 11 going to UTA, she would have felt in a much better 12 position, more power, more money, and I went 13 because she was my agent. I knew nothing about 14 UTA. 15 Then I asked -- part of what I asked, and 16 this was helpful -- but part of what I asked is, 17 do you believe that Tracey Jacobs was a successful 18 agent for you? Did she help you building your 19 career? 20 She was success -- a successful agent by 21 being there with me and supporting choices that I 22 made. And she was -- she was a very good agent in</p>
<p>22</p> <p>1 cuts off. I don't know where you want me to read 2 until. 3 Q Okay. I'll -- I'm not, what we're doing 4 is just making it more expansive for your 5 attorney? 6 A I've never seen this before. This is the 7 first time. 8 Q Right. So Mr. Depp testified, Tracey 9 Jacobs was a -- we in a sense grew up together 10 from a certain point in my work. Somewhere around 11 '80 -- 1989, '89 is when I -- '88 is when I with 12 Tracey Jacobs, and we were with ICB at the time 13 and so she was building her career. We were 14 building -- and I was building my role as it were 15 in terms of choices and where I was hoping to take 16 the work the direction I wanted. Let's go -- 17 somehow that cut out -- take the work in. 18 MS. BREDEHOFT: And then if we can move 19 that up. I'm sorry. Alex, I think I've crossed 20 with you here. 21 Q So we stayed together for all those years. 22 She supported my sometimes unexpected choices in</p>	<p>24</p> <p>1 that way, successful, sure, but successful 2 essentially because of the choices that I was 3 making. She didn't make the choices for me, 4 therefore what she can do is support me, give me 5 advice, or just go ahead and make whatever deal in 6 it. 7 Do you see that? 8 A Yes. 9 Q Would you agree with that? 10 MR. MARMORSTEIN: I'm sorry, vague as to 11 form; compound. You're asking her if she agrees 12 with two pages of his depo testimony. I'm not 13 sure what you're going for here. And I'm not sure 14 how close it is to the issues in your case, but 15 I'm giving you some leeway, but I'd like to move 16 this forward. Go ahead, ask your questions. 17 MR. CHEW: I would also object on the 18 grounds of vague; confusing; and ambiguous. 19 MS. BREDEHOFT: I'll rephrase. 20 Q So, Ms. Jacobs, directing your attention 21 just to this last answer that's on page 588, 22 starting at line 15, where he describes that you</p>

R, P

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7 (25 to 28)

R, P	<p>1 were successful because of the choices he made, 2 would you agree with that characterization? 3 A Well, in the sense that of course they 4 were always the choices he made, I wasn't the one 5 doing the acting, but I brought him the 6 opportunities. 7 Q Okay. Thank you. Now, I'm going to jump 8 ahead because I think it'll move things a little 9 faster in between as well, but what is your 10 understanding of the reason why Mr. Depp 11 terminated you? 12 MR. CHEW: Objection; calls for 13 speculation. 14 A I really don't know. All I know is he 15 terminated essentially everyone in his life, so I 16 was alone for the ride I guess.</p>	<p>1 Would you agree with Mr. Depp's 2 characterization of your representation of him -- 3 MR. CHEW: Objection. 4 A No. 5 MR. MARMORSTEIN: Objection; calls for -- 6 hold on. 7 MS. BREDEHOFT: I need to finish my 8 question. 9 Q -- as reflected in this segment that I 10 just read from Mr. Depp's deposition? 11 MR. MARMORSTEIN: Objection; compound; 12 vague and ambiguous; calls for speculation; lacks 13 foundation; assumes facts not in evidence. 14 MR. CHEW: I echo all of those objections 15 and incorporate them by reference on behalf of 16 Mr. Depp.</p>	R, C, Vague, Ambig., SP
	<p>17 Q I'm going to ask you to go up on this same 18 deposition exhibit number to Mr. Depp's testimony. 19 MR. CHEW: I would move to strike all of 20 that answer after "I don't know." 21 Q Ms. Jacobs, I'm going to direct you to the 22 question here on page -- page 584.</p>	<p>17 THE WITNESS: Am I supposed to answer a 18 question? 19 MR. MARMORSTEIN: If you can understand 20 it, you should answer it, Tracey. 21 A I understand it. This is the first time 22 I'm hearing or seeing this in five years. No is</p>	R, C, Vague, Ambig., SP
R, C, Vague, Ambig., SP	<p>1 MR. CHEW: And the basis of the motion to 2 strike was that the rest after "I don't know" was 3 not responsive to the question. 4 Q Line 20 said -- I'm directing your 5 attention to line 20 of Mr. Depp's deposition on 6 November 2020. And why did you leave Tracey 7 Jacobs in October 2016? Put down. 8 And Mr. Depp's answer was: Ms. Jacobs, in 9 the same attempt to corral the fevery and the 10 injustice that was practiced upon me by Mr. Mandel 11 and Mr. Bloom, at a certain point Tracey Jacobs 12 began to sort of become revealed as -- I won't say 13 co-conspirator necessarily, but she was part of 14 that little group, and it seemed to be in my best 15 interest to walk away from that relationship 16 because her interests were quite different than 17 when they started -- when we started. See -- I 18 believe she even stated that the reason she kept 19 me for so long was the, quote, was the money. She 20 stated otherwise she said I was not an easy client 21 to represent or something to that extent. And so 22 yes, I had to leave the agency.</p>	<p>1 the answer. 2 Q And why do you not agree with this? 3 A Because it's all untrue. 4 Q And then I asked him, after asking if he 5 sued you and he said no, he did sue Mr. Mandel and 6 Jake Bloom so I thought it was prudent to ask -- 7 then I asked him: Did Tracey Jacobs say why she 8 did not consider you to be an easy client to 9 represent? 10 And she certainly never -- she never 11 expressed any of those things to me. These are 12 things that she was able -- I guess she came to 13 the realization that I was not easy to represent 14 after I fired her. Ms. Jacobs, there was 15 conflicts of interests all over the place. She 16 had been represented by Joel Mandel, she was also 17 to some degree represented by Jake Bloom, so 18 therefore there was an obvious great, huge 19 conflict of interest which I lived with for a 20 little while and though no, no, this is not -- not 21 a good idea. 22 Now, my question to you is, do you agree</p>	R

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8 (29 to 32)

R	29 1 with Mr. Depp's characterization that you only 2 expressed that he was a difficult client to work 3 for after he fired you? 4 A Absolutely not. 5 Q And do you agree with Mr. Depp's 6 characterization that your representation of him 7 had conflicts of interests all over the place? 8 A Joel Mandel was never my business partner.	31 1 What do you mean by Mr. Depp's unprofessional 2 behavior in the last ten years of your 3 representation? 4 A Showing up late to set consistently on 5 virtually every movie. I would get yelled at. I 6 never said to him, you're a difficult client, I 7 never used those words, but I was very honest with 8 him and said, you've got to stop doing this, this 9 is hurting you. And it did. And -- yeah. 10 Q Did -- even with your speaking with 11 Mr. Depp about him consistently showing up late to 12 set, did he correct that behavior during that last 13 ten years? 14 A No. 15 Q And what types of difficulties did that 16 cause for Mr. Depp? 17 A Well, initially crews loved him because he 18 was always so great with the crew, but crews don't 19 love sitting around for hours and hours and hours 20 waiting for the star of the movie to show up. And 21 it also got around town. I mean, people talk, 22 it's a small community. And it made people	R, P, Impr. Char. Evid.
R	9 MR. MARMORSTEIN: Just answer the 10 question, Tracey. 11 A I -- what was the question? This is 12 crazy. What was the question? 13 Q Do you agree that you had conflicts of 14 interests all over the place in representing 15 Mr. Depp as he states here? 16 A No. 17 Q Do you agree that you had been represented 18 by Joel Mandel? 19 A No, never. 20 Q Do you agree that you were represented by 21 Jake Bloom? 22 A Only insofar as he helped me make my deal	30 1 at UTA. That was it. Period. 2 Q And that was back in 1998 or '99? 3 A No, but just for bonus time he helped me. 4 Q Okay. Thank you. So did you tell 5 Mr. Depp that he was a difficult client, not an 6 easy client to represent? 7 A I don't know if I said it that way, but 8 yes. 9 Q Was Mr. Depp a difficult client to 10 represent? 11 MR. CHEW: Objection; vague and ambiguous. 12 MR. MARMORSTEIN: Join. You can answer, 13 Tracey.	
R, P	30 1 at UTA. That was it. Period. 2 Q And that was back in 1998 or '99? 3 A No, but just for bonus time he helped me. 4 Q Okay. Thank you. So did you tell 5 Mr. Depp that he was a difficult client, not an 6 easy client to represent? 7 A I don't know if I said it that way, but 8 yes.	32 1 reluctant to use him towards the end. 2 Q And when you say towards the end, was that 3 towards the end of your representation of 4 Mr. Depp? 5 A Yes. 6 Q And one of the last films that Mr. Depp 7 made while you represented him was Pirates -- 8 we've been calling it Pirates 5, but Pirates of 9 the Caribbean 5. Are you comfortable with using 10 the term Pirates 5? 11 A Yes. 12 Q Okay. Do you recall difficulties that 13 Mr. Depp had during Pirates 5? 14 A Yes. 15 Q What do you recall? 16 A That some days he wouldn't show up at all 17 or he'd show up seven hours late. 18 Q And how was that being expressed to you as 19 a problem? 20 A The head of Disney studios called me to 21 complain. 22 Q And who was the head of Disney studios at	All Lines: R, P
R, P	9 Q Was Mr. Depp a difficult client to 10 represent? 11 MR. CHEW: Objection; vague and ambiguous. 12 MR. MARMORSTEIN: Join. You can answer, 13 Tracey.		
R, P	14 A He wasn't initially. And it became far 15 more complicated in the last ten years of my 16 representing him. 17 Q And how did it become far more complicated 18 in the last ten years you represented him? 19 A His unprofessional behavior. 20 Q Anything else? 21 A I think that covers a multitude of things. 22 Q And that's going to be my next question.	15-21: H 14 A Yes. 15 Q What do you recall? 16 A That some days he wouldn't show up at all 17 or he'd show up seven hours late. 18 Q And how was that being expressed to you as 19 a problem? 20 A The head of Disney studios called me to 21 complain. 22 Q And who was the head of Disney studios at	Lines 15-21: H

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<div>Lines 1-4, 6, 8-13: R, P</div> <div>Lines 3-4, 6, 8-13: H</div> <div>1 that time?</div> <div>2 A He's still the head, Sean Bailey.</div> <div>3 Q What do you recall Mr. Bailey saying to</div> <div>4 you about Mr. Depp in --</div> <div>5 MR. CHEW: Objection; hear --</div> <div>6 Q -- Pirates 5?</div> <div>7 MR. CHEW: Objection; calls for hearsay.</div> <div>8 A I don't recall exactly what he said, but</div> <div>9 it was something to the effect of, this has got to</div> <div>10 stop. It's costing us a fortune. It's forcing</div> <div>11 overages. It's very expensive. It's</div> <div>12 unprofessional. That's the -- that's what I</div> <div>13 recall.</div>	<div>33</div> <div>1 A I don't recall.</div> <div>2 Q And when you spoke with Sean Bailey about</div> <div>3 Mr. Depp's delays not showing up at all, showing</div> <div>4 up seven hours late, and the problems that it was</div> <div>5 causing, was that before or after Pirates had to</div> <div>6 suspend for several weeks because Mr. Depp injured</div> <div>7 his finger?</div> <div>8 MR. CHEW: Objection.</div> <div>9 MR. MARMORSTEIN: Objection; vague --</div> <div>10 MR. CHEW: Objection.</div> <div>11 MR. MARMORSTEIN: Hold on, Ben, let me go</div> <div>12 first. Objection; vague and ambiguous; calls for</div> <div>13 speculation; lacks foundation; assumes facts not</div> <div>14 in evidence. Yeah.</div> <div>15 MR. CHEW: I echo all of those. But to be</div> <div>16 clear, object also on the grounds lack of</div> <div>17 foundation; assumes facts not in evidence.</div> <div>18 A So am I supposed to say something now?</div> <div>19 MR. MARMORSTEIN: If you recall.</div> <div>20 Q Do you want the court reporter to read</div> <div>21 back my question?</div> <div>22 A No. It was five years ago; I really don't</div>
<div>34</div> <div>1 break now. Do you want to take five? Ten? What</div> <div>2 do you want to do?</div> <div>3 MR. MARMORSTEIN: Ten would be great.</div> <div>4 MS. BREDEHOFT: All right. Ten minutes.</div> <div>5 THE VIDEOGRAPHER: It is 12:38 p.m. We go</div> <div>6 off the record.</div> <div>7 (Off the record from 12:38 p.m. to 12:48</div> <div>8 p.m.)</div> <div>9 THE VIDEOGRAPHER: It is the beginning of</div> <div>10 media two of the testimony of Tracey Jacobs. It</div> <div>11 is 12:48 p.m. We're back on the record.</div> <div>12 Q Ms. Jacobs, before we took the break we</div> <div>13 were talking about Pirates 5, the filming of</div> <div>14 Pirates 5, and a conversation you had with Sean</div> <div>15 Bailey, the head of Disney studios. Did you have</div> <div>16 just one conversation with Sean Bailey or did you</div> <div>17 have more than one conversation with Sean Bailey</div> <div>18 about Pirates 5?</div> <div>19 A More than one, I'm sure. I don't recall.</div> <div>20 Q Would you say probably at least a few?</div> <div>21 MR. MARMORSTEIN: Objection; calls for</div> <div>22 speculation. I don't think she recalls.</div>	<div>36</div> <div>1 recall.</div> <div>2 Q Okay. Do you have a recollection of the</div> <div>3 production of Pirates 5 having to suspend for</div> <div>4 several weeks while Mr. Depp had surgery on his</div> <div>5 finger?</div> <div>6 A Yes.</div> <div>7 MR. CHEW: Objection; lack of foundation.</div> <div>8 Q Okay. What do you recall --</div> <div>9 MR. MARMORSTEIN: Counsel, let me --</div> <div>10 Counsel, let me just put something on the record,</div> <div>11 and perhaps I'll just direct it to you. Again, I</div> <div>12 mentioned this at the onset, I'm familiar with the</div> <div>13 issues in your case, both the complaint and the</div> <div>14 cross complaint, I had them sent to me. They seem</div> <div>15 to relate merely to, you know, a couple articles</div> <div>16 about defamation. So it feels like we're really</div> <div>17 far afield on those issues or anything potentially</div> <div>18 relevant. Again, I'd like to get this thing</div> <div>19 moving along and I don't want to have to instruct</div> <div>20 her not to answer based on relevance. But, you</div> <div>21 know, I would really like to get to the germane</div> <div>22 issues and stay around all this background that's</div>

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10 (37 to 40)

<p>37</p> <p>1 really well documented in history and into the 2 record. I don't know how it -- unless you want to 3 give me an offer of proof on why, you know, his 4 performance on Pirates 5 has anything to do with 5 defamation claims later on having to do with other 6 issues not related to his performance on movie 7 sets. 8 MS. BREDEHOFT: I would be happy to have 9 the conversation with you in the next break so 10 that it's not in front of the witness, but let me 11 assure you that I would not be asking these 12 questions unless they were not absolutely, 13 100 percent on point with the issues in this case. 14 And if you read the counterclaim and particularly 15 the allegations of the defamation claims of 16 Ms. Heard engaging in hoaxes, and I don't know 17 whether you read the opinion from UK, and that's 18 coming in as well, but there's a great deal of 19 testimony relating to the Australian incident and 20 the March 2015 incident, and there's a great deal 21 of evidence in this case relating to Pirates 5 and 22 Pirates 6.</p>	<p>39</p> <p>1 assumes facts not in evidence. 2 MR. MARMORSTEIN: You can go ahead, 3 Tracey. 4 A Just that it was suspended. 5 Q Did you go to Australia at any point 6 during the filming of Pirates 5? 7 A Twice. 8 Q When, approximately, during the filming of 9 these? If you can't remember the dates, if you 10 remember where in the film you did, please let me 11 know. 12 A I don't recall the dates. I was there the 13 first time he had just left for LA for his hand, 14 and then I went back three weeks later, but I 15 don't know the dates. 16 Q And what was the purpose of your traveling 17 to Australia the first time after Mr. Depp had 18 just left for LA because of his finger? 19 A I always went to visit him on virtually 20 every movie. 21 Q Do you actually visit Mr. Depp at that 22 time or was he already gone back to LA?</p>	
<p>38</p> <p>1 So this is very, very germane. I wouldn't 2 be wasting Ms. Jacobs's time. I appreciate very 3 much that she's here. But I'm not the type of 4 lawyer who spends time on frolics and detours. 5 I'm -- 6 MR. MARMORSTEIN: All right. 7 MS. BREDEHOFT: -- going to get to the 8 point. I'm going to do it quickly. 9 MR. MARMORSTEIN: Understood. And maybe 10 we should have that conversation at the next 11 break. But go ahead and ask your next question. 12 Q Can you reread -- read back my last 13 question. 14 (Requested portion read back.) 15 MR. MARMORSTEIN: Vague and ambiguous. 16 Q What do you recall about the suspension of 17 the film because of Mr. Depp's injuring his finger 18 and having to have surgery? 19 MR. CHEW: Objection. 20 MR. MARMORSTEIN: Objection; vague and 21 ambiguous. 22 MR. CHEW: Objection; lack of foundation;</p>	<p>40</p> <p>1 A He was already gone. 2 Q Do you recall having a telephone 3 conversation with Mr. Depp in those two to three 4 days before he went back to LA? 5 MR. CHEW: Lack of foundation. 6 A No. 7 Q Was there anything that prompted your 8 flying out to Australia at that particular time? 9 MR. MARMORSTEIN: Objection; asked and 10 answered. You can go ahead, Tracey. 11 A What's -- I'm sorry, can you repeat the 12 question? 13 Q Yes. Was there something that caused you 14 to determine that that was the time you should get 15 on the plane and fly to Australia? 16 A Yes. 17 Q What do you recall that being? 18 A The complaints about what I stated earlier 19 about the lateness, not showing up, to talk to him 20 about it. 21 Q Okay. Had you then spoken with Sean 22 Bailey at that point?</p>	<p>P</p> <p>R, P</p> <p>R, P</p>

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11 (41 to 44)

		41		43	
		1	A I don't recall.	1	learn that Mr. Depp had flown back to LA with a
		2	Q Were there others that would talk to you	2	finger injury?
		3	about Mr. Depp not showing up on set?	3	A I called his sister to have her let him
		4	MR. CHEW: Objection to the form --	4	know that I was on my way to set and she told me
		5	objection; lack of foundation.	5	he was on a plane back to Los Angeles.
		6	Q I'll ask that differently.	6	Q And his sister was Christy Dembrowski?
		7	Did you have contact with other people on	7	A Yes.
		8	the set or related to the Disney filming of	8	Q What did Christy Dembrowski tell you about
		9	Pirates 5 in which you learned that Mr. Depp was	9	the reasons that Mr. Depp was on his way back to
		10	not showing up on time or was not showing up at	10	LA?
		11	all?	11	MR. CHEW: Objection; calls for hearsay.
		12	A Yes, but I don't recall with whom.	12	A I don't recall exactly what she said other
		13	Q Okay. Generally what stature would those	13	than he wasn't there.
		14	people be? Who would be reporting to you to tell	14	Q As a result of Ms. Dembrowski telling you
		15	you that?	15	that, did you stay in Australia or did you turn
		16	MR. MARMORSTEIN: Objection; calls for	16	around and come back?
		17	speculation; lacks foundation.	17	A I believe I stayed for two days and then
		18	A It could be an assistant, it could be	18	flew back.
		19	through the director's agent, as we represented	19	Q While you were in Australia during that
		20	the director. I don't recall.	20	time frame, did you go to the house that Mr. Depp
R, P,		21	Q Okay. But you recall learning that	21	had been staying in?
Argumentative		22	Mr. Depp was not showing up on set or was showing	22	A I was never there.
		42		44	
R, P		1	up very, very late and you determined to fly out	1	Q Did you see any pictures of the house or
Argumentative		2	to Australia to talk with him about it in March of	2	any of the damage that was at the house?
		3	2015?	3	MR. CHEW: Objection; assumes facts not in
		4	MR. CHEW: Objection; argumentative; lack	4	evidence; lack of foundation.
		5	of foundation; assumes facts not in evidence.	5	MR. MARMORSTEIN: Join.
		6	A As I said, I always visited him on every	6	A No.
		7	film, and there was this additional issue which I	7	Q Did you talk with anyone who described the
		8	wanted to deal with.	8	damage to the house that Mr. Depp was staying in
		9	Q And the additional issue was Mr. Depp not	9	in Australia?
		10	showing up on set or showing up very late on set;	10	A No.
		11	is that correct?	11	Q While you were in Australia that first
		12	MR. CHEW: Objection; argumentative.	12	time for those two days, did you visit the set?
R, P, Argum.		13	A Yes.	13	A Yes.
		14	Q When you arrived in Australia, where did	14	Q And who did you speak with there?
		15	you go?	15	A Jerry Bruckheimer, the producer, Joachim
		16	MR. MARMORSTEIN: You mean off the plane?	16	Rønning, the director, some of the other actors
		17	MS. BREDEHOFT: Yeah, that was badly	17	who I knew.
		18	asked. Good point. Okay.	18	Q And what, if anything, did Mr. Bruckheimer
		19	Q When you flew to Australia, were you aware	19	and these others say about Mr. Depp at that point?
		20	that Mr. Depp was on his way to LA?	20	MR. CHEW: Objection; calls for hearsay.
		21	A No, I was not.	21	A I don't recall.
		22	Q When you arrived in Australia, how did you	22	Q Were they upset?

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12 (45 to 48)

<p>45</p> <p>1 MR. MARMORSTEIN: Objection; calls for 2 speculation. 3 A Jerry doesn't -- 4 MR. MARMORSTEIN: Objection; lacks 5 foundation. You're asking if they said they were 6 upset or if she understood them to be upset. 7 MS. BREDEHOFT: Either. 8 MR. CHEW: Objection; calls for hearsay. 9 A Jerry doesn't -- 10 Q I'm sorry. Go ahead. 11 A Jerry doesn't show being upset. I 12 wouldn't know how he felt. 13 Q Did any of the others you spoke with 14 express any upset about Mr. Depp? 15 MR. CHEW: Objection; calls for hearsay. 16 Q During these conversations? 17 MR. CHEW: Calls for hearsay; objection. 18 A I don't recall. 19 Q Well, what do you recall talking to them 20 about -- 21 MR. MARMORSTEIN: Objection; asked -- 22 sorry.</p>	<p>47</p> <p>1 MR. MARMORSTEIN: Join. 2 A I can't say. I wasn't there. 3 Q When you were talking earlier about there 4 being a change in Mr. Depp's behavior over the 5 last ten years of your representation and him 6 becoming more unprofessional, was part of 7 unprofessional behavior his increased use of 8 alcohol and drugs? 9 MR. CHEW: Objection; argumentative. 10 THE WITNESS: Should I answer? 11 MR. MARMORSTEIN: Go ahead. 12 A Yes. 13 Q Was part of the unprofessional behavior 14 that you witnessed increasing over the last ten 15 years of your representation of Mr. Depp his 16 increasing anger and tendency towards violence? 17 MR. CHEW: Objection; argumentative; 18 assumes facts definitely not in evidence; lack of 19 foundation. 20 MR. MARMORSTEIN: Join. You can answer if 21 you know. 22 A No.</p>
<p>46</p> <p>1 Q -- during your time there? 2 MR. MARMORSTEIN: I'm going to object as 3 asked and answered. She said she didn't recall 4 the conversations and you've asked her again what 5 she recalls. I don't think -- she can say it 6 twice. Go ahead. 7 A This was five years ago, literally. I 8 don't recall what was said specifically. 9 Q Were you aware that Mr. Depp had been 10 drinking alcohol heavily and taking drugs at this 11 time leading up to the finger injury and his going 12 back to LA? 13 MR. MARMORSTEIN: Objection. 14 MR. CHEW: Objection; lack of foundation; 15 assumes fact not in evidence. 16 MR. MARMORSTEIN: Join. Vague and 17 ambiguous. You can answer. 18 A I'm not sure. What's the question again? 19 Q Could you read that back, Paul, please? 20 (Requested portion read back.) 21 MR. CHEW: Objection; lack of foundation; 22 assumes facts not in evidence.</p>	<p>48</p> <p>1 Q What were your observations with respect 2 to Mr. Depp's use of alcohol in the last ten years 3 of your representation of him? 4 MR. MARMORSTEIN: Objection; calls for 5 speculation; vague and ambiguous; assumes fact not 6 in evidence. You're asking her impressions over a 7 10-year period? 8 MS. BREDEHOFT: I asked her for her 9 observation. 10 MR. MARMORSTEIN: Over that time period? 11 MS. BREDEHOFT: Yes. 12 MR. MARMORSTEIN: If you can answer that, 13 Tracey. 14 A I never witnessed drug use. Alcohol, I 15 see everybody drink. And I don't -- I don't know 16 exactly. 17 Q What did you observe or become aware about 18 relating to Mr. Depp that led you to the 19 conclusion that his behavior had become 20 increasingly unprofessional over the past ten 21 years of your representation of him? 22 MR. CHEW: Objection; lack of foundation;</p>

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13 (49 to 52)

<p>49</p> <p>1 assumes facts not in evidence; mischaracterizes 2 testimony.</p> <p>R, P 3 A Again, the lateness, I could never get him 4 on the phone or get a response to anything. And 5 -- yeah.</p> <p>6 Q I'm going to ask you to take a look at 7 Deposition Exhibit 7.</p> <p>8 MS. BREDEHOFT: Alex, can you bring that 9 up, please?</p> <p>10 Q Ms. Jacobs, I'm going to ask you to take a 11 look at what has been marked as Deposition 12 Exhibit 7.</p> <p>13 MR. MARMORSTEIN: Counsel, is she a 14 recipient on this, just so I know?</p> <p>15 MS. BREDEHOFT: She is not.</p> <p>16 MR. MARMORSTEIN: Okay.</p> <p>17 MS. BREDEHOFT: This is an email from 18 David Kipper.</p> <p>19 Q Do you know who David Kipper is, 20 Ms. Jacobs?</p> <p>21 A Yes.</p> <p>22 Q And what was your understanding of David</p>	<p>51</p> <p>1 that question before you even asked that question, 2 and I'm not sure that was intentional, but if it 3 wasn't, maybe you want to restate it.</p> <p>4 MR. CHEW: Rather than repeating them, I 5 incorporated those objections by reference. 6 Vagueness as well.</p> <p>7 MS. BREDEHOFT: I mean, I can ask it -- 8 you know, you've asked me to try to move this 9 along and then you do all these objections to slow 10 it down, but I'll do that.</p> <p>11 MR. MARMORSTEIN: Well, you're asking her 12 to confirm your May to August and then you're 13 asking for information about this time, you're not 14 really clarifying what time you're talking about. 15 So it's not a great question. I'd like to move it 16 along, but we need really solid questions too, but 17 go ahead.</p> <p>18 MS. BREDEHOFT: That's absolutely fine. 19 We'll take it a bit slower.</p> <p>20 Q So, Ms. Jacobs, do you recall 21 approximately when you referred Dr. Kipper to 22 Mr. Depp?</p>
<p>50</p> <p>R, P 1 Kipper's relationship with Mr. Depp while you were 2 representing Mr. Depp?</p> <p>3 A He was to help him with drugs and alcohol.</p> <p>4 Q Do you know who referred Dr. Kipper to 5 Mr. Depp?</p> <p>6 A I did.</p> <p>7 Q And why did you refer Dr. Kipper to 8 Mr. Depp?</p> <p>9 A He has had a lot of experience with high 10 profile people in really helping them seriously 11 get and stay sober.</p> <p>12 Q Now, Mr. -- Dr. Kipper started his -- 13 started seeing Mr. Depp in approximately May of 14 2014. Do you have a recollection of what was 15 going on in that time frame that led you to refer 16 Dr. Kipper to Mr. Depp at that time?</p> <p>17 MR. MARMORSTEIN: Can we have that 18 question read back, please?</p> <p>19 (Requested portion read back.)</p> <p>20 MR. MARMORSTEIN: Objection; compound; 21 lacks foundation; assumes facts not in evidence. 22 Counsel, I think you have a few presumptions in</p>	<p>52</p> <p>1 A No, I can't recall.</p> <p>2 Q All right. Do you recall what transpired 3 that led you to the point of believing that you 4 needed to refer Dr. Kipper to Mr. Depp?</p> <p>5 A No.</p> <p>6 Q Did you communicate with Dr. Kipper over 7 the time period that you continued to represent 8 Mr. Depp about Mr. Depp?</p> <p>9 A I don't recall.</p> <p>10 Q Have you spoken with Dr. Kipper about 11 Mr. Depp since your representation terminated with 12 Mr. Depp?</p> <p>13 A No, not at all.</p> <p>14 Q I'm going to ask you now to take a look 15 down, this is August 18, 2014. Do you have a 16 recollection of Mr. Depp going to his island in 17 the Bahamas to try to do a detox?</p> <p>18 MR. MARMORSTEIN: Object to the form of 19 the question. Are you asking her to recall that 20 based on this exhibit?</p> <p>21 MS. BREDEHOFT: No.</p> <p>22 MR. MARMORSTEIN: Okay. You highlighted</p>

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14 (53 to 56)

<p>53</p> <p>1 the date as you were asking the question, which --</p> <p>2 MR. CHEW: And, Elaine, I would also</p> <p>3 object to you showing this witness confidential</p> <p>4 medical information relating to Mr. Depp. She's</p> <p>5 not party to the protective order. And it's</p> <p>6 inappropriate.</p> <p>7 MS. BREDEHOFT: Ben, I would tell you that</p> <p>8 the protective order allows us to show these to</p> <p>9 witnesses. And it is also public knowledge now,</p> <p>10 it was an exhibit in the UK proceedings and it was</p> <p>11 published, so I think you might have a hard time</p> <p>12 with that one as well. But the protective order</p> <p>13 allows me to show to any witness.</p> <p>14 MR. CHEW: She's not competent to answer</p> <p>15 questions about a document that she wasn't</p> <p>16 addressed on and she's never seen before.</p> <p>17 MR. MARMORSTEIN: Counsel, let's first --</p> <p>18 let's first establish this. The question didn't</p> <p>19 include -- Counsel, am I right, did not include</p> <p>20 the exhibit, so I don't think you're asking --</p> <p>21 MS. BREDEHOFT: Right.</p> <p>22 MR. MARMORSTEIN: -- on the exhibit.</p>	<p>55</p> <p>1 A No.</p> <p>2 Q Okay. I'm going to -- okay. Now I'm</p> <p>3 going to control and go down. I'm going to ask</p> <p>4 you to take a look at the second paragraph. And</p> <p>5 it says he is uncomfortable, is pessimistic that</p> <p>6 he will ever be able to stop using drugs, actually</p> <p>7 romanticizes the entire drug culture, and has no</p> <p>8 accountability for his behaviors.</p> <p>9 Are these statements by Dr. Kipper</p> <p>10 consistent with your observations of Mr. Depp?</p> <p>11 MR. CHEW: Objection; calls -- objection;</p> <p>12 hearsay; lack of foundation, argumentative;</p> <p>13 assumes facts not in evidence.</p> <p>14 MR. MARMORSTEIN: Join.</p> <p>15 A I'm sorry, what was the question?</p> <p>16 Q Paul, can you read it back, please?</p> <p>17 (Requested portion read back.)</p> <p>18 MR. CHEW: Objection; lack of foundation;</p> <p>19 lack of personal knowledge; she's never seen this</p> <p>20 document before; argumentative; hearsay.</p> <p>21 MR. MARMORSTEIN: Join.</p> <p>22 A I'm not a doctor. I wasn't there. R, SP, IC, UN</p>
<p>54</p> <p>1 MS. BREDEHOFT: Correct.</p> <p>2 MR. MARMORSTEIN: Maybe Alex can take it</p> <p>3 down while you ask that question so it's not</p> <p>4 confusing to the witness.</p> <p>5 MS. BREDEHOFT: That'll just take more</p> <p>6 time. Can you -- Paul, can you reread the</p> <p>7 question?</p> <p>8 MR. MARMORSTEIN: Right.</p> <p>9 (Requested portion read back.)</p> <p>10 MR. MARMORSTEIN: Tracey, the question is</p> <p>11 do you have a recollection on that date</p> <p>12 irrespective of the exhibit in front you.</p> <p>13 A Yes.</p> <p>14 Q What do you recall about that particular</p> <p>15 occasion?</p> <p>16 A Frankly, nothing, I just know it happened.</p> <p>17 Q Okay. Are you aware of any rehabilitation</p> <p>18 center that Mr. Depp ever went to, any type of</p> <p>19 hospital or treatment program for --</p> <p>20 A No.</p> <p>21 Q -- drugs or alcohol? I'm sorry, I should</p> <p>22 have finished that -- for drugs or alcohol?</p>	<p>56</p> <p>1 Q Did you, in your dealings with Mr. Depp,</p> <p>2 observe that he appeared to romanticize the drug</p> <p>3 culture and had no accountability for his</p> <p>4 behaviors?</p> <p>5 MR. CHEW: Objection; lack of foundation;</p> <p>6 argumentative; assumes fact not in evidence.</p> <p>7 MR. MARMORSTEIN: Join. It's also</p> <p>8 compound. There's two questions there. Tracey,</p> <p>9 you can answer.</p> <p>10 Q I'll take them one at a time. That's all</p> <p>11 right.</p> <p>12 Did you observe in your dealings with</p> <p>13 Mr. Depp as his representative that he</p> <p>14 romanticized the entire drug culture?</p> <p>15 MR. CHEW: Objection.</p> <p>16 A Yeah. R P Imnr Char Fvld SP</p> <p>17 MR. CHEW: Objection; lack of foundation;</p> <p>18 assumes facts not in evidence; and argumentative.</p> <p>19 A Yes. R P Imnr Char Fvld SP</p> <p>20 Q And did you also observe in your dealings</p> <p>21 with Mr. Depp as -- in your context of</p> <p>22 representing him that he has no accountability for</p>

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15 (57 to 60)

<p>1 his behaviors? 2 MR. CHEW: Objection; lack of foundation; 3 assumes facts not in evidence; and argumentative. 4 A I don't know. 5 Q When you would speak with Mr. Depp about 6 not showing up on set at all or showing up seven 7 hours late, what were the reasons Mr. Depp gave 8 you? 9 A He didn't. 10 Q Would you think that might reflect an 11 accountability issue with him? 12 MR. CHEW: Objection; argumentative -- 13 MR. MARMORSTEIN: Objection; vague. 14 MR. CHEW: -- calls for speculation. 15 MR. MARMORSTEIN: Join those. 16 A Again, I'm not a doctor. I don't know 17 what he thought. 18 Q Let's go to the next page. Sometimes my 19 reel goes a little bit too fast. I have to go to 20 the side. All right. 21 Dr. Kipper says on the second page, he has 22 -- referring to Mr. Depp -- he has fundamental</p>	<p>57 59 1 A You asked me, I think, if he has 2 fundamental issues with anger, but is that in 3 respect to this or in general? I don't know. 4 Q I'm asking for your observations based on 5 your dealings with Mr. Depp, was it your 6 observation that Mr. Depp had fundamental issues 7 with anger? 8 MR. MARMORSTEIN: Objection; calls for 9 speculation; beyond the scope of witness. I don't 10 think she's -- she has the capacity to opine on 11 his condition or anger issues. She's not that 12 kind of professional. But you can answer if you 13 think you can, Tracey. 14 A Yeah. 15 MR. CHEW: Objection; lack of foundation 16 and lack of competency. 17 Q And in your observation of Mr. Depp having 18 fundamental issues with anger, did that worsen 19 over the time of your representation or was it 20 relatively the same? 21 A Yes. 22 MR. MARMORSTEIN: Which one, Tracey?</p>	<p>P, Impr. Char. Evid., SP</p> <p>P, Impr. Char. Evid., SP</p>
<p>58 1 issues with anger. Did you observe Mr. Depp in 2 your deals with him having fundamental issues with 3 anger? 4 MR. CHEW: Objection; lack of foundation; 5 assumes facts not in evidence; argumentative; and 6 a completely inappropriate use of correspondence 7 from a medical doctor. 8 MR. MARMORSTEIN: Counsel, let me just 9 make a comment. With respect to the questions, 10 you've established that she never saw this email, 11 but yet your question cites to it and then asks 12 her to verify. And I think it's confusing for the 13 record. So if you're asking her to verify what 14 the doctor said, that's one thing. If you're 15 asking her, you know, for her independent 16 understanding of these issues, I don't know why 17 you need the Doctor's email in front of her, it's 18 just confusing for the record and possibly for the 19 witness. And so I think it's vague and I think 20 it's misleading, but I'm not -- with the exhibit 21 to ask the question. 22 Q Do you remember the question, Ms. Jacobs?</p>	<p>60 1 A It worsened over time. 2 Q And did you make any observation as to 3 whether Mr. Depp's fundamental issue with anger 4 worsened with the use of alcohol and drugs? 5 MR. CHEW: Objection; lack of foundation. 6 She's already said she said she never saw him use 7 drugs and that everyone used alcohol. So your 8 question misstates the record; lacks foundation; 9 assumes facts not in evidence. 10 MR. MARMORSTEIN: Join. Go ahead, Tracey, 11 if you can. 12 A I'm so confused right now. I'm sorry, I 13 don't understand the question. 14 Q I'm trying really hard to get this moving, 15 but there's an awful lot of objections, including 16 speaking objections, Ben, which are improper. In 17 any event, let me try it again. 18 In your observations of Mr. Depp having 19 fundamental issues with anger and those worsening 20 over the period of time you represented him, did 21 you observe whether the use of alcohol increased 22 those issues with anger?</p>	<p>P, Impr. Char. Evid., SP</p>

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16 (61 to 64)

<p>61</p> <p>1 MR. CHEW: Objection; lack of foundation. 2 Assumes facts not in evidence; and argumentative. 3 MR. MARMORSTEIN: Join. 4 A Again, I wasn't there and didn't witness 5 it. 6 Q Do you know what caused Mr. Depp's 7 fundamental issues with anger? 8 A No. 9 MR. CHEW: Objection; lack of foundation; 10 assumes facts not in evidence; argumentative. 11 Q So -- 12 MR. MARMORSTEIN: Tracey, did you say no? 13 THE WITNESS: Yes, I said no. 14 MR. MARMORSTEIN: Okay. 15 Q So while your observed that Mr. Depp's 16 fundamental issues with anger increased over the 17 time of your representation, is it fair to say 18 you're not sure what caused that increase? 19 MR. CHEW: Objection; misstates the 20 testimony; lack of personal knowledge; lack of 21 foundation; argumentative. And, by the way, 22 California rules apply to this deposition.</p>	<p>63</p> <p>1 satisfaction. P, Impr. Char. Evid. SF, Vague 2 Is this consistent with your observations 3 of Mr. Depp during your representation? 4 MR. CHEW: Objection; lack of foundation; 5 lack of personal knowledge. She's never seen this 6 document before. It's wildly misleading for you 7 to continue to use this. She's not competent to 8 testify about this. She and her counsel have told 9 you that repeatedly. So I don't know what we're 10 doing here, but object on those grounds and that 11 it's argumentative. 12 Q Do you remember the question? 13 A Yes, but I can't speak to this. This is R 14 -- this is like a psychiatric question. I'm not SP 15 qualified to be that. UN 16 Q All right. I'll take them one at a time. 17 Did you observe Mr. Depp lacking patience P, Impr. 18 when he didn't get his needs met? Char. Evid., 19 MR. CHEW: Objection; vague. SF, Vague 20 A Yes, but -- yes. P, Impr. Char. Evid. SF, Vague 21 Q Okay. Did you observe Mr. Depp having 22 issues with understanding or appreciating delayed</p>
<p>62</p> <p>1 MR. MARMORSTEIN: Go ahead, Tracey. 2 THE WITNESS: This is getting confusing 3 with all these objections. 4 MR. MARMORSTEIN: That's okay. Do you 5 want it read back? Why don't you read the 6 question back to her, Paul? 7 THE WITNESS: I'm sorry. 8 MR. MARMORSTEIN: That's okay. 9 THE WITNESS: Taking up a lot of time, but 10 -- 11 MR. MARMORSTEIN: Not your fault. 12 THE WITNESS: -- yes, I do. 13 MR. MARMORSTEIN: Okay. Paul, go ahead. 14 (Requested portion read back.) 15 A Yes. 16 Q I'm going to ask you to go a little 17 further down. And it says, there's also an issue 18 of patience. He is almost -- he is driven almost 19 reflexively by his ID. He has no patience for not 20 getting his needs met, has no understanding of 21 delayed gratification, and is quite childlike in 22 his reactions when he does not get immediate</p>	<p>64</p> <p>1 gratification? 2 MR. MARMORSTEIN: Objection; vague and 3 ambiguous. 4 MR. CHEW: Same objection. 5 A I don't know. I really -- again, I don't 6 know the answer. 7 MR. MARMORSTEIN: Counsel, once again, 8 I've got to say, I know you've said you're trying 9 to move this along but, you know, having her try 10 and verify a doctor's email to another party word 11 for word seems far afield from what Ms. Jacobs may 12 or may not know about the issues in this case, and 13 I'd ask you once again to please move this along 14 faster. 15 MS. BREDEHOFT: I'm trying. And I would 16 respectfully say, it is not me that's slowing it 17 down. In any event -- 18 MR. MARMORSTEIN: I think the questions -- 19 I understand what you're saying about counsel and 20 objections, I get that, but the questions 21 themselves are getting bogged down on subject 22 matter from a doctor that she can't and will not</p>

Line15:
R, F
IC, UN

Incomp.
Desig., H
Impr. Char.
Evid., SP

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17 (65 to 68)

<p>65</p> <p>1 verify and, you know, I think she has limited 2 knowledge here as to the issues in your case and 3 we should move to those.</p> <p>4 MS. BREDEHOFT: As you know I'm entitled 5 to ask the questions, and we have a fundamental 6 disagreement between us on what's relevant and 7 not, and I'm trying the case on behalf of 8 Ms. Heard, you are not, respectfully, so I am 9 going to keep moving and keep asking the questions 10 that I believe are relevant and necessary for my 11 case. And I would appreciate it, if you would, 12 try not keep repeating these admonishments so we 13 can move it a lot faster. As you said, Ms. Jacobs 14 has a very important job and a lot of other things 15 to do, and we are way behind schedule because of 16 all these objections.</p> <p>17 MR. MARMORSTEIN: Well, why don't we do 18 this, Counsel, can we take five minutes and you 19 and I can have a conversation really quick?</p> <p>20 MS. BREDEHOFT: Okay.</p> <p>21 (Brief discussion took place off the 22 record.)</p>	<p>67</p> <p>1 representing Mr. Depp that he started having 2 earpieces so people could feed him his lines 3 during filming?</p> <p>4 MR. CHEW: Objection; lack of foundation; 5 assumes fact not in evidence.</p> <p>6 A Yes.</p> <p>7 Q Do you recall when approximately that was?</p> <p>8 A I don't recall.</p> <p>9 Q Do you remember what film or project it 10 was?</p> <p>11 A I don't recall.</p> <p>12 Q Do you recall approximately how many years 13 while you were representing Mr. Depp that he used 14 the earpiece to have his lines read?</p> <p>15 MR. CHEW: Objection; lack of foundation; 16 assumes facts not in evidence.</p> <p>17 A No, I don't recall.</p> <p>18 Q Do you recall when that became a regular 19 thing for Mr. Depp that he needed to use earpieces 20 for lines being fed to him during filming?</p> <p>21 MR. CHEW: Objection; lack of foundation; 22 assumes facts not in evidence.</p>
<p>66</p> <p>1 THE VIDEOGRAPHER: It is 1:24 p.m. we go 2 off the record.</p> <p>3 (Off the record from 1:24 p.m. to 1:31 4 p.m.)</p> <p>5 THE VIDEOGRAPHER: It is the beginning of 6 media number three of the testimony of Tracey 7 Jacobs. It is 1:31 p.m. We are back on the 8 record.</p> <p>9 MS. BREDEHOFT: Paul, can you please read 10 back the last question.</p> <p>11 (Requested portion read back.)</p> <p>12 MR. CHEW: Objection; vague; ambiguous.</p> <p>13 MR. MARMORSTEIN: Join.</p> <p>14 A Again, I'm not a psychiatrist. I can't 15 answer that.</p> <p>16 Q All right. During the time that you 17 represented Mr. Depp, did there come a time that 18 he was having difficulty recalling his lines?</p> <p>19 MR. CHEW: Objection; vague; confusing; 20 and ambiguous.</p> <p>21 A I don't know.</p> <p>22 Q Do you recall a time while you were</p>	<p>68</p> <p>1 A Yes.</p> <p>2 Q Did that create problems at any point in 3 any of his roles?</p> <p>4 MR. CHEW: Objection; vague; confusing; 5 ambiguous.</p> <p>6 MS. BREDEHOFT: Let me clarify it then you 7 can do that.</p> <p>8 Q Did the use of earpieces by Mr. Depp 9 create any kinds of issues in any of his roles for 10 filming?</p> <p>11 MR. CHEW: Objection; vague.</p> <p>12 A Not that I'm aware of.</p> <p>13 Q Do you recall who fed Mr. Depp his lines?</p> <p>14 A Yes.</p> <p>15 Q Who was that?</p> <p>16 A There were two people. Initially it was a 17 guy name Sam Sarcar, and then I think it was 18 Keenan -- it's been so long -- Keenan --</p> <p>19 MR. MARMORSTEIN: If you recall, Tracey.</p> <p>20 A I don't recall his last name, sorry.</p> <p>21 Q Do you recall what the position of Samcar 22 was with respect to Mr. Depp?</p>

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18 (69 to 72)

<p>R 1 A No. 2 Q Did he work for Mr. Depp? 3 A Yes. 4 Q Was he a bodyguard or security person or 5 something like that? 6 MR. CHEW: Objection; vague.</p>	<p>71 1 MS. BREDEHOFT: Alex, if you could bring 2 that up, please. 3 Q Ms. Jacobs, I'm going to -- I'll take you 4 to the second page first so you can just read the 5 frame. And there's really just a part there. And 6 then here's where I'm going to direct your 7 attention, this is from Mr. Depp to you on 8 Saturday, August 29, 2015, do you see that? 9 A Yes. 10 Q Okay. And Mr. Depp -- when Mr. Depp would, 11 write to you in emails would he regularly have 12 parts of it all capitals and exclamation marks? 13 A Yes. 14 Q And would you agree that that typically 15 reflects that he might be a little angry and 16 expressing that anger with --</p>	<p>Lines 10-16: R All Lines: P, Impr. Char. Evid., F/A, Lack of Pers. Know., SP</p>
<p>R 7 A No, he fed -- he did the earpieces. 8 Q That was his sole job for Mr. Depp? 9 MR. CHEW: Objection. R 10 A As far as I know. 11 Q Okay. That's fair. How about the 12 individual named Keenan, do you know whether 13 Keenan had any other role with Mr. Depp other than 14 feeding him his lines through the earpieces? 15 A I don't know.</p>	<p>17 MR. CHEW: Objection; calls -- 18 Q -- capitals and exclamation marks? 19 MR. CHEW: Objection; lack of foundation; 20 lack of personal knowledge; calls for speculation. 21 MR. MARMORSTEIN: Join. 22 A I think he was trying to make a point. I</p>	<p>R</p>
<p>R, P 16 Q Okay. Mr. Depp had a relationship with 17 Harvey Weinstein, did he not? 18 MR. MARMORSTEIN: Objection; vague and 19 ambiguous. R, P 20 A Yes. 21 MR. CHEW: Objection; vague. R, P 22 Q What was that relationship?</p>	<p>23 A I don't know if it was anger. 24 Q So it says here, I need you to get to 25 fucking Harley's regarding London Fields. They 26 are going to be premiering it at the Toronto Film 27 Festival. What does Harley's mean? 28 A What does what mean? 29 Q Harley's. He says fucking Harley's. What 30 is he talking about? 31 A I think he's referring to -- I don't know. 32 I think he might be referring to the daughter of a 33 director friend of his, but I'm not sure. 34 Q All right. Despite our legal -- letter of 35 legal action, if they use their version and not 36 the Matthew Cullen version, it is in Amber's 37 contract that there would be no nudity and her 38 fucking agents are weak and insipid. Also, they 39 recall that I would not allow them to use any of 40 my work in the film as I agreed to do the film 41 based on Matthew. Will you please call these 42 motherfuckers and you and Jake get on this 43 immediately? Does that help refresh your 44 recollection about what the issue was?</p>	<p>Impr. Desig. R SP UN</p>
<p>R, P 1 A I don't know exactly. They worked 2 together. They did some movies together. 3 Q Do you recall which movies Mr. Depp did 4 with Mr. Weinstein? 5 A Chocolat, a movie called The Libertine. 6 Those are the only two I can recall. R, Vague, Ambig. 7 Q Do you have a recollection of issues 8 associated with London Fields? 9 MR. MARMORSTEIN: Objection; vague and 10 ambiguous. 11 MR. CHEW: Objection; vague and ambiguous. R, Vague, Ambig. 12 A Yes. 13 Q What do you recall? 14 A The unhappiness with the director. 15 Q Do you have a recollection of Mr. Depp 16 wanting to have a no nudity clause for Ms. Heard? 17 MR. CHEW: Objection; lack of foundation; 18 assumes facts not in evidence. 19 A I don't know as I didn't make that 20 particular deal. 21 Q I'm going to ask you to take a look at 22 Deposition Exhibit 8.</p>	<p>70 1 A I don't know exactly. They worked 2 together. They did some movies together. 3 Q Do you recall which movies Mr. Depp did 4 with Mr. Weinstein? 5 A Chocolat, a movie called The Libertine. 6 Those are the only two I can recall. 7 Q Do you have a recollection of issues 8 associated with London Fields? 9 MR. MARMORSTEIN: Objection; vague and 10 ambiguous. 11 MR. CHEW: Objection; vague and ambiguous. 12 A Yes. 13 Q What do you recall? 14 A The unhappiness with the director. 15 Q Do you have a recollection of Mr. Depp 16 wanting to have a no nudity clause for Ms. Heard? 17 MR. CHEW: Objection; lack of foundation; 18 assumes facts not in evidence. 19 A I don't know as I didn't make that 20 particular deal. 21 Q I'm going to ask you to take a look at 22 Deposition Exhibit 8.</p>	<p>R</p>

<p>73</p> <p>1 A What issue are you referring to?</p> <p>2 Q What -- was the problem with London Fields</p> <p>3 that they used Amber's nudity and were going to</p> <p>4 put it in the Toronto Film Festival?</p> <p>5 A As I said, I didn't make this deal, but I</p> <p>6 do know the one thing that was stated is they were</p> <p>7 not allowed to use his name in any way, shape, or</p> <p>8 form to promote the film, and that would include</p> <p>9 the Toronto Film Festival.</p> <p>10 Q Okay. And do you have a recollection of</p> <p>11 him also talking about a no nudity provision for</p> <p>12 Amber?</p> <p>13 A No.</p> <p>R 14 Q So do you have an understanding of what</p> <p>15 he's talking about with the Matthew Cullen</p> <p>16 version?</p> <p>17 A I think Matthew Cullen -- again, this is</p> <p>18 almost six years ago. I believe --</p> <p>19 MR. MARMORSTEIN: Only if you recall,</p> <p>20 Tracey. I don't want you to speculate.</p> <p>21 THE WITNESS: I do recall.</p> <p>22 MR. MARMORSTEIN: Okay.</p>	<p>75</p> <p>1 Festival.</p> <p>2 Q All right. And then Johnny's coming back,</p> <p>3 it must be shut down or I will sue them 18 ways to</p> <p>4 fucking Sunday. These people are nobodies in this</p> <p>5 business and they should be made to understand</p> <p>6 that we will ruin them instantly, with many number</p> <p>7 of exclamation marks. Did you interpret that as</p> <p>8 him being -- Johnny Depp being angry?</p> <p>9 A No --</p> <p>10 MR. MARMORSTEIN: Objection; calls for</p> <p>11 speculation.</p> <p>12 A No --</p> <p>13 MR. CHEW: Same objection; calls for</p> <p>14 speculation.</p> <p>15 A No. I interpreted it as classic Johnny</p> <p>16 Depp, hyperbole trying to make his point. I</p> <p>17 didn't take it as any more than that.</p> <p>18 Q Okay.</p> <p>19 MS. BREDEHOFT: We can take this one down,</p> <p>20 Alex.</p> <p>21 Q Now, I'm going to jump back to the Pirates</p> <p>22 of the Caribbean. You indicated that you went to</p>
<p>74</p> <p>R 1 A Matthew Cullen was the director. I don't</p> <p>2 know about nudity, although clearly that was the</p> <p>3 case according to his understanding, and I guess</p> <p>4 he was trying to get me to kill it.</p> <p>5 Q Okay. And then you responded to him, I'm</p> <p>6 already on it with lawyers and Marty Stinger, have</p> <p>7 spoken to Matthew Cullen twice this AM. He also</p> <p>8 wants it stopped. We are doing everything to shut</p> <p>9 this down. Was there another version of London</p> <p>10 Fields --</p> <p>11 A Oh, I'm sorry, I have to correct myself.</p> <p>12 He made a typo here, which is why -- Harley, he</p> <p>13 means Hanley. They were the producers.</p> <p>14 Q Okay. So do you have an understanding</p> <p>15 whether there were two different versions of</p> <p>16 London Fields?</p> <p>17 A Yes.</p> <p>18 Q And who was promoting the other version?</p> <p>19 A Matthew Cullen had his version, which is</p> <p>20 the director's cut, which is what Johnny wanted</p> <p>21 shown. And the Hanleys, the producers, had their</p> <p>22 cut, which is what they gave to the Toronto Film</p>	<p>76</p> <p>1 Australia a second time; correct?</p> <p>2 A Yes.</p> <p>3 Q Do you remember approximately where that</p> <p>4 was in the filming?</p> <p>5 A No.</p> <p>6 Q Okay. And what did you do on that second</p> <p>7 trip?</p> <p>8 A I went to visit Johnny. He was back.</p> <p>9 Q Okay. Was Amber Heard there at the time?</p> <p>10 A Yes.</p> <p>11 Q Did you visit at all with Amber Heard on</p> <p>12 that occasion?</p> <p>13 A I didn't visit with her, but I saw her</p> <p>14 sitting in his trailer.</p> <p>15 Q Okay. Did you have any conversations with</p> <p>16 Mr. Bruckheimer or others on the set about</p> <p>17 Mr. Depp's performance that second trip?</p> <p>18 MR. CHEW: Objection; calls for hearsay.</p> <p>19 A Yes.</p> <p>20 Q What do you recall?</p> <p>21 A That I --</p> <p>22 MR. CHEW: Objection; calls for hearsay.</p> <p>R, P</p> <p>H, R, P</p> <p>H, R, P</p>

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20 (77 to 80)

<p>77</p> <p>1 THE WITNESS: Should I answer the 2 question? 3 MR. MARMORSTEIN: Yeah.</p> <p>Lines 4-11: H, R, P</p> <p>Lines 12-14: R, P</p> <p>4 A Yes. And I said to Jerry Bruckheimer, 5 you're the producer – this has already been in 6 the public record – you're the producer, it's 7 your job to get him to the set on time. And he 8 looked at me and said, you're his agent, that's 9 your job. Given that I live in Los Angeles and 10 they had been in Australia for months, I said, I 11 don't think it's my job. 12 Q So is it fair to say that Mr. Depp was 13 continuing to show up late or not show up at all 14 on set?</p> <p>15 MR. CHEW: Objection; lack of foundation; 16 assumes facts not in evidence. 17 MR. MARMORSTEIN: Join.</p> <p>R, P</p> <p>18 A Yes. 19 Q Did that continue to be a problem 20 throughout the filming of Pirates 5, Mr. Depp not 21 showing up or showing up very late on set?</p> <p>22 MR. CHEW: Objection; lack of foundation;</p>	<p>79</p> <p>1 Pirates 6 was before Pirates 5 finished filming or 2 after? 3 A I don't recall. 4 Q All right. And what do you recall Sean 5 Bailey saying about Mr. Depp being part of 6 Pirates 6? 7 MR. CHEW: Objection; calls for hearsay. 8 A I don't think the call was that specific 9 about Johnny's potential involvement. 10 Q Did you ever have a conversation with 11 anyone at Disney indicating that Johnny Depp was 12 going to be considered for Pirates 6? 13 MR. CHEW: Objection; calls for hearsay. 14 MR. MARMORSTEIN: Can we have the question 15 read back? I think there was a cut out. 16 (Requested portion read back.) 17 MR. MARMORSTEIN: Thank you. Go ahead, 18 Tracey. 19 MR. CHEW: Objection; calls for hearsay. 20 A I only spoke with – 21 MR. CHEW: I'm sorry, objection; calls for 22 hearsay.</p>
<p>78</p> <p>1 lack of personal knowledge. 2 THE WITNESS: Should I answer? 3 MR. MARMORSTEIN: Go ahead. 4 A Yes. 5 Q Did you have any conversations with anyone 6 at Disney about Johnny Depp doing a Pirates of the 7 Caribbean 6? 8 MR. CHEW: Objection; calls for hearsay. 9 A Yes. 10 Q What do you recall and when? 11 MR. CHEW: Objection; calls for hearsay. 12 A I don't recall when. I recall again, that 13 was a conversation with Sean Bailey. I don't 14 recall the specifics, but they were in the 15 preliminary stages of talking about getting a 16 screenplay for Pirates 6. 17 Q Do you recall whether your conversation 18 with Sean Bailey was before Pirates 5 had finished 19 filming or during? No, I said that badly. That 20 was a bad question. I'll do that again. 21 Do you recall whether your conversation 22 with Sean Bailey about a potential screenplay for</p>	<p>80</p> <p>1 MR. MARMORSTEIN: Go ahead. 2 A I only spoke to Sean Bailey at Disney. 3 Q And did you have more than one 4 conversation with Sean Bailey? 5 A Yes. 6 Q Approximately how many conversations did 7 you have with Sean Bailey at Disney about Johnny 8 Depp being included in Pirates 6? 9 A I don't recall. 10 Q More than five? 11 A No. 12 Q More than ten? 13 A No. 14 Q In any of the conversations you had with 15 Sean Bailey about Johnny Depp and Pirates 6, did 16 Sean Bailey indicate that he wanted Johnny Depp in 17 Pirates 6? 18 MR. CHEW: Objection; calls for hearsay. 19 A I don't recall. 20 Q Was Sean Bailey in your recollection, 21 noncommittal about whether Johnny Depp would be in 22 Pirates 6?</p>

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21 (81 to 84)

<p>81</p> <p>1 MR. CHEW: Objection; calls for hearsay. 2 It's also vague. 3 A I don't think we had a really specific 4 conversation about Johnny's involvement or 5 potential lack of it. 6 Q For Pirates? 7 A Uh-huh. 8 Q Just yes, for the record? I'm sorry. You 9 said uh-huh, I just wanted to make sure -- 10 MR. MARMORSTEIN: You have to say yes, 11 Tracey. 12 A Yes. 13 Q Okay. Great. In the contracts that 14 Johnny Depp had for Pirates, did he have any kind 15 of provision that was giving him an advantage or 16 telling him he would be considered for Pirates 6? 17 MR. CHEW: Objection; vague; confusing; 18 calls for a legal conclusion. 19 A I don't know. 20 Q Do you know whether there was a pay or 21 play provision for Pirates 6 for Johnny Depp? 22 MR. CHEW: Objection; calls for a legal</p>	<p>83</p> <p>1 and pay or play? 2 A Pay and play would mean that if the movie 3 was not made he would still be guaranteed his sum 4 of money. 5 Q And pay or play? 6 A Would mean that he's entitled to the money 7 if they make the movie, that he would be paid with 8 the movie going ahead to production. 9 Q And is it your best recollection that 10 there was not a pay and play or pay or play for 11 Mr. Depp for Pirates 6? 12 A I think -- I don't know. And it's been at 13 least six years. 14 Q But your best recollection? 15 MR. MARMORSTEIN: She doesn't know. 16 MS. BREDEHOFT: I'm just trying to -- 17 MR. CHEW: Objection; asked and answered. 18 MR. MARMORSTEIN: I agree. I join that 19 objection. When she says she doesn't recall, to 20 ask her if she recalls is a bit argumentative. 21 MS. BREDEHOFT: I'm not trying to be 22 argumentative, I'm just trying to close the loop</p>
<p>82</p> <p>1 conclusion. 2 A No. 3 Q I asked that so badly I don't know what 4 your answer means, and I apologize. 5 A I said I don't recall if there was a pay 6 or play provision for Pirates 6. I doubt there 7 would have been, but I don't know. 8 Q And why do you doubt that there would have 9 been? 10 A Because it was too far in the future and 11 studios generally won't operate that way unless 12 there's an extraordinary circumstance. 13 Q And when you say operate that way, what 14 are you talking about? 15 A People generally don't give pay or play. 16 It would be a pay and play commitment to something 17 unknown as far as specific date of shooting or if 18 in fact it was even going to get made. So I would 19 actually venture to say no, but you'd have to ask 20 a lawyer to look at the contract. 21 Q I don't have the contract, but in any 22 event what is the difference between pay and play</p>	<p>84</p> <p>1 on this one -- 2 MR. MARMORSTEIN: It's closed. 3 MS. BREDEHOFT: -- I think Ms. Jacobs 4 testified that she didn't think that there would 5 have been under the circumstances, so I'm just 6 asking her best recollection now that I have 7 clarification on those two terminologies. 8 MR. MARMORSTEIN: Fair enough. Tracey, do 9 you know the question? Why don't you read it 10 back, Paul? 11 THE WITNESS: Sorry. 12 MR. MARMORSTEIN: That's okay. Not your 13 fault. 14 THE WITNESS: So many interruptions. 15 MR. CHEW: Asked and answered. 16 THE WITNESS: I did. 17 Q I'm sorry? 18 A No. No, I don't recall. You'd require 19 someone to go through his contracts, which we made 20 that deal over seven, eight years ago. 21 Q All right. And as you sit here today, can 22 you recall anyone at Disney committing in any way</p>

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22 (85 to 88)

<p>Lacks Found that Johnny Depp would be in Pirates 6? Pers. Know.</p> <p>2 A No.</p> <p>3 Q Did you have any communications with Debby 4 Lloyd or Aaron Burham during the time that you 5 represented Johnny Depp?</p> <p>6 A Who are those people? I don't know.</p> <p>7 Q They're nurses that work with Dr. Kipper.</p> <p>8 A No.</p> <p>9 Q How frequently did you communicate with 10 Christy Dembrowski during your representation of 11 Mr. Depp?</p> <p>12 A Initially, quite a bit. She wasn't his 13 assistant until five or so years in. I think I'd 14 given this statement in my deposition prior. And 15 then in the last several years she was impossible 16 to get on the phone or email.</p> <p>17 Q Ms. Jacobs, just so you know, I don't have 18 your prior deposition. We requested them of 19 Mr. Depp, they have not been provided to us. So 20 I'm at a disadvantage, I don't have those.</p> <p>21 MR. CHEW: That's actually not true. You 22 should check with your office staff, Elaine. You</p>	<p>87</p> <p>1 We go off the record.</p> <p>2 (Off the record from 1:54 p.m. to 2:02 3 p.m.)</p> <p>4 THE VIDEOGRAPHER: It is 2:02 p.m. We are 5 back on the record.</p> <p>6 MS. BREDEHOFT: Just so we can memorialize 7 this on the record. Off the record, Mr. Chew and 8 I agreed, Ms. Jacobs's counsel had indicated some 9 concern because they don't know the 10 confidentiality provision or something, so they 11 are instructing her not to answer as a way to try 12 to resolve this and so we don't have to keep this 13 deposition open they suggested that we mutually 14 agreed to mark this part confidential, and 15 Ms. Jacobs's declined.</p> <p>16 Q So just so we have the record, Ms. Jacobs, 17 you are refusing to answer that question of how 18 much Mr. Depp was paid for the Christian Dior, how 19 much the contract was worth; is that correct?</p> <p>20 MR. MARMORSTEIN: Just to clarify the 21 record, I suggested that the parties identify and 22 get ahold of the Dior contract which has whatever</p>
<p>86</p> <p>1 can do that during a break. You've got 2 everything.</p> <p>3 MS. BREDEHOFT: Okay.</p> <p>4 Q Now, were you involved at all in the 5 negotiation of the Christian Dior contract with 6 Mr. Depp?</p> <p>7 A Yes. But it was another woman who ran the 8 department named Lisa Jacobson, who's no longer at 9 UTA.</p> <p>10 Q What was your understanding of what that 11 contract was with Mr. Depp?</p> <p>12 A What do you mean what's my understanding? 13 I know how much money he was going to make.</p> <p>14 Q Okay. How much money was Mr. Depp going 15 to make on the Christian Dior contract?</p> <p>16 THE WITNESS: Am I okay to state this?</p> <p>17 MR. MARMORSTEIN: If you have a concern, 18 maybe we should go off the record and we can talk 19 about it. Can we take five minutes, Counsel?</p> <p>20 MR. CHEW: Certainly.</p> <p>21 MS. BREDEHOFT: Sure.</p> <p>22 THE VIDEOGRAPHER: Okay. It is 1:54 p.m.</p>	<p>88</p> <p>1 numbers are in it. I've instructed my client not 2 to answer questions about the contents of an 3 agreement that may have confidentiality terms, and 4 I don't want her to breach confidentiality.</p> <p>5 Nobody in the deposition has provided any of those 6 contracts for our review. So I suggested counsel 7 alternatively get a copy of the contract which has 8 the amount which will speak for itself so that 9 Ms. Jacobs doesn't have to opine on what it might 10 have in the contract. So I am instructing her not 11 to answer. And, Tracey, you're accepting and 12 taking my instruction; correct?</p> <p>13 THE WITNESS: Correct.</p> <p>14 MR. MARMORSTEIN: Thank you.</p> <p>15 Q Ms. Jacobs, did you work at all with Sean 16 Betz while you were representing Mr. Depp?</p> <p>17 A Is that his bodyguard?</p> <p>18 Q Yes. One of them.</p> <p>19 A No. I just know who he is.</p> <p>20 Q Did you work at all with Steven Deuters 21 while you were representing Mr. Depp?</p> <p>22 A Yes.</p>

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23 (89 to 92)

<div>R</div> <div>1 Q In what capacity? 2 A He was Johnny's assistant. One of the 3 Johnny's assistants. 4 Q And so what role did he play vis-à-vis 5 your representation of Mr. Depp, talking about 6 Steven Deuters? 7 A He was supposed to communicate what I 8 needed to Johnny.</div>	<div>89</div> <div>91</div> <div>1 back to you and being responsive? 2 A I don't know. Again, I don't know. 3 Q Was -- 4 MR. MARMORSTEIN: Counsel, I'm getting 5 another kind of muffled sound from your audio. Is 6 it anything -- 7 MS. BREDEHOFT: Thank you. I'm not sure 8 what's happening. But thank you for telling me 9 that.</div>
<div>9 Q And over how many years was Steven Deuters 10 your personal communique to Johnny Depp? 11 A I don't recall.</div>	<div>10 Q Was the communications with Nathan Holmes 11 similar to the communications with Steven Deuters 12 in how successful -- you were so-so successful on 13 getting through to Mr. Depp?</div> <div>R</div>
<div>R</div> <div>12 Q How well did those communications work 13 with Steven Deuters communicating to Johnny Depp? 14 A So -- 15 MR. CHEW: Objection; calls for 16 speculation; vague.</div>	<div>14 MR. MARMORSTEIN: Objection; vague. 15 Q I'm sorry? 16 A Yes, they were the same.</div> <div>R</div>
<div>R</div> <div>17 A So-so. 18 Q What do you mean by that? 19 A Sometimes the information was conveyed and 20 other times I couldn't get answers. 21 Q You indicated that you had a lot of 22 difficulty reaching Mr. Depp in the last few</div>	<div>17 Q Did you ever -- did you communicate with 18 Malcolm Connolly? 19 A Is he a bodyguard also? 20 Q It's not clear to me what he is, but he 21 certainly worked with him. 22 MR. MARMORSTEIN: Do you recall the name?</div>
<div>R</div> <div>1 years. Why was that? 2 A I don't know. 3 Q And was it a very consistent pattern that 4 you were having difficulty reaching Mr. Depp in 5 the last few years of your representation? 6 A Yes. 7 Q Did you ever work with Nathan Holmes? 8 A Yes. 9 Q In what capacity? 10 A An assistant of Johnny's. 11 Q And was his role similar to Mr. Deuters in 12 communications with Mr. Depp? 13 A Theoretically. 14 Q What do you mean? 15 A I don't know. I don't know how they 16 divided their responsibilities. It depended on 17 who I was able to get on the phone. 18 Q So you try one, if you couldn't get that 19 one, you'd try the other one and you try to get 20 through? 21 A Yes. 22 Q Okay. And how was Mr. Holmes at getting</div>	<div>90</div> <div>92</div> <div>1 A Malcolm. I didn't know his last name. 2 Malcolm worked with Jerry Judge, who is no longer 3 around, sad to say. 4 Q And do you recall any of your interactions 5 with Malcolm? 6 A No. 7 Q Have you spoken with Adam Waldman? 8 A Never. 9 Q Do you even know who Adam Waldman is? 10 A Yes. 11 Q What is your understanding? 12 A That he's Johnny's lawyer who advises him 13 on all things Johnny. 14 Q Was Adam Waldman Johnny Depp's lawyer at 15 any point while you represented Johnny Depp? 16 A No. 17 Q And when you said what your understanding 18 of Mr. Waldman's role with Johnny Depp is, how did 19 you come about that understanding? 20 A He was quoted in many interviews with 21 Johnny, and it seemed like he was at his side 22 quite a bit.</div>

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24 (93 to 96)

<p>93</p> <p>1 Q Thank you. Were you aware that Mr. Depp</p> <p>2 used the term to describe you as bald poodle?</p> <p>3 MR. MARMORSTEIN: I'm sorry, Elaine, I</p> <p>4 can't hear you.</p> <p>5 A What?</p> <p>6 Q Were you aware --</p> <p>7 MR. MARMORSTEIN: Hold on, Tracey. I need</p> <p>8 to get the audio first before we proceed.</p> <p>9 MS. BREDEHOFT: Can you hear me now?</p> <p>10 MR. MARMORSTEIN: I can hear you. Maybe</p> <p>11 it's your proximity to the microphone or</p> <p>12 something, but something is on with the</p> <p>13 microphone.</p> <p>14 MS. BREDEHOFT: Ben, are you having</p> <p>15 trouble?</p> <p>16 MR. CHEW: It's a little faint, but I can</p> <p>17 hear you now.</p> <p>18 MS. BREDEHOFT: Okay. All right. I'll</p> <p>19 try to -- because I know my volume comes from the</p> <p>20 camera. I keep learning all these lovely things</p> <p>21 in the age of Zoom.</p> <p>22 MR. MARMORSTEIN: Elaine, maybe if you</p>	<p>95</p> <p>1 MR. CHEW: Objection; lack of foundation;</p> <p>2 assumes facts not in evidence --</p> <p>3 MR. MARMORSTEIN: Join.</p> <p>4 MR. CHEW: -- gratuitously inflammatory</p> <p>5 misstating of the record.</p> <p>6 A No.</p> <p>7 Q Who is Ron Berkle?</p> <p>8 A He's a wealthy financier.</p> <p>9 Q Did you work with Ron Berkle at all?</p> <p>10 A Never.</p> <p>11 Q I'm going to ask you to take a look at</p> <p>12 Deposition Exhibit 10.</p> <p>13 A You know what, I need to take a break.</p> <p>14 Can I take a break, please, for a couple minutes?</p> <p>15 MR. MARMORSTEIN: Sure.</p> <p>16 Q Do you want ten minutes? What do you</p> <p>17 want?</p> <p>18 A That would be good. Thanks. Sorry.</p> <p>19 THE VIDEOGRAPHER: It is 2:11 p.m. We go</p> <p>20 off the record.</p> <p>21 (Off the record from 2:11 p.m. to 2:22</p> <p>22 p.m.)</p>
<p>94</p> <p>1 just sit a little bit closer. I'd appreciate it.</p> <p>2 MS. BREDEHOFT: I just pulled up. By all</p> <p>3 means, tell me if you can't hear me.</p> <p>4 MR. MARMORSTEIN: Do you want to reask or</p> <p>5 should we read back?</p> <p>6 MS. BREDEHOFT: Paul, were you able to get</p> <p>7 my question?</p> <p>8 THE WITNESS: I didn't hear the question.</p> <p>9 I heard part of it.</p> <p>10 MS. BREDEHOFT: Can you repeat, Paul?</p> <p>11 THE REPORTER: I can say I couldn't get</p> <p>12 the last word or two.</p> <p>13 MS. BREDEHOFT: Then I'll ask it again.</p> <p>14 Q Were you aware that Mr. Depp referred to</p> <p>15 you as quote, bald poodle, end of quote?</p> <p>16 MR. CHEW: Objection; lack of foundation;</p> <p>17 assumes facts not in evidence.</p> <p>18 MR. MARMORSTEIN: Join.</p> <p>19 A No.</p> <p>20 Q Were you aware that Mr. Depp referred to</p> <p>21 Ron Berkle as, quote, little prince Jew, end of</p> <p>22 quote?</p>	<p>96</p> <p>1 THE VIDEOGRAPHER: It is 2:22 p.m. We are</p> <p>2 back on the record.</p> <p>3 Q Ms. Jacobs, were you able to observe</p> <p>4 Mr. Depp's treatment of women he was dating or in</p> <p>5 relationships with during the time you represented</p> <p>6 him?</p> <p>7 A I don't recall.</p> <p>8 Q Okay. And given that, do you know one way</p> <p>9 or the other whether Mr. Depp has been violent or</p> <p>10 abusive with any of the women that he was dating</p> <p>11 or in a relationship with?</p> <p>12 A No.</p> <p>13 Q Were you involved at all in any of the</p> <p>14 allegations made by Ms. Heard that Mr. Depp</p> <p>15 physically abused and engaged in domestic violence</p> <p>16 of her?</p> <p>17 MR. CHEW: Objection --</p> <p>18 MR. MARMORSTEIN: Objection; vague and</p> <p>19 ambiguous.</p> <p>20 MR. CHEW: -- vague. Yeah, I join that</p> <p>21 objection.</p> <p>22 A No.</p>

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25 (97 to 100)

<p>97</p> <p>1 MR. MARMORSTEIN: You asked if she was</p> <p>2 involved in the allegations?</p> <p>3 MS. BREDEHOFT: You know, good point. Did</p> <p>4 you -- let me ask that a little differently. I</p> <p>5 think I'm still going to get the same answer, I'm</p> <p>6 guessing.</p> <p>7 Q Did you at any time participate or become</p> <p>8 involved in any aspect of the allegations made by</p> <p>9 Ms. Heard against Mr. Depp that he engaged in</p> <p>10 domestic violence and abuse of her?</p> <p>11 MR. MARMORSTEIN: Objection; vague.</p> <p>12 MR. CHEW: Objection; vague.</p> <p>13 MR. MARMORSTEIN: You can answer.</p> <p>14 A No.</p> <p>15 Q Okay. Do you know whether there were any</p> <p>16 discussions between Ms. Heard and Mr. Depp about a</p> <p>17 prenup?</p> <p>18 A No.</p> <p>19 Q Do you know whether there were any</p> <p>20 discussions between Ms. Heard and Mr. Depp about a</p> <p>21 postnup?</p> <p>22 A No.</p>	<p>99</p> <p>1 speculation.</p> <p>2 MR. MARMORSTEIN: Join.</p> <p>3 A I no longer work with him. I don't know.</p> <p>4 Q But as a talent agent out there, you're</p> <p>5 aware of reputations of the stars, are you not? Argumentative</p> <p>6 MR. CHEW: Objection; argumentative.</p> <p>7 A Yes.</p> <p>8 Q Okay. And what would you say the</p> <p>9 reputation of Johnny Depp is today? R, P, Lines 8-9: SP</p> <p>10 MR. CHEW: Objection; asked and answered;</p> <p>11 calls for speculation.</p> <p>12 MR. MARMORSTEIN: Join.</p> <p>13 A These lawsuits don't help. R, P, SP</p> <p>14 Q What do you mean by that?</p> <p>15 A I mean it's endless, but I don't know F, SP</p> <p>16 because I'm not out there selling him anymore.</p> <p>17 Q Okay. I'm going to ask you to take a look</p> <p>18 at Exhibit 10. And I am asking you to take a look</p> <p>19 at this. This was the lawsuit filed by Mr. Depp</p> <p>20 versus The Mandel Company on January 31, 2019.</p> <p>21 A I think it's 2017.</p> <p>22 MR. MARMORSTEIN: 2017.</p>
<p>98</p> <p>1 Q Did you ever know a woman named Rochelle</p> <p>2 Hathaway?</p> <p>3 A No.</p> <p>4 Q How frequently did you come in contact</p> <p>5 with Amber Heard?</p> <p>6 A Almost not at all.</p> <p>7 Q How many times would you say over the</p> <p>8 course of their relationship that you even saw or</p> <p>9 spoke with Amber Heard?</p> <p>10 A I don't recall.</p> <p>11 Q Less than 10 --</p> <p>12 A Yes.</p> <p>13 Q -- less than 20?</p> <p>14 A Less than ten.</p> <p>15 Q Okay. You testified at the beginning of</p> <p>16 this deposition that while you represented</p> <p>17 Mr. Depp he was, I think, the biggest star in the</p> <p>18 world. Do you recall that testimony?</p> <p>19 A Yes.</p> <p>20 Q How would you describe Mr. Depp's</p> <p>21 reputation today?</p> <p>22 MR. CHEW: Objection; calls for</p>	<p>100</p> <p>1 Q '17, you're right, I just misspoke. I</p> <p>2 apologize. Thank you for correcting me. When you</p> <p>3 just said a minute ago, Ms. Jacobs, these lawsuits</p> <p>4 don't help, would the lawsuit that Mr. Depp</p> <p>5 brought against The Mandel Company have been one</p> <p>6 of those you were referring to?</p> <p>7 A I was referring to all of them.</p> <p>8 Q And this was a cross complaint that was</p> <p>9 brought by The Mandel Company against Mr. Depp,</p> <p>10 and it makes allegations through these first few</p> <p>11 paragraphs, and I'm going to go through them just</p> <p>12 a little slowly and I'm going to try to move this</p> <p>13 along by not reading things to you and just asking</p> <p>14 you questions, but were you familiar with</p> <p>15 Mr. Depp's spending habits while you were</p> <p>16 representing him?</p> <p>17 MR. CHEW: And just, David, so your client</p> <p>18 is aware, the vast majority of the allegations</p> <p>19 that Ms. Bredehoft is referring to were stricken</p> <p>20 by Judge Boudae, which is a matter of record. So</p> <p>21 much of what your client is being shown has been</p> <p>22 stricken by the trial judge in that case.</p>

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26 (101 to 104)

<p>101</p> <p>1 MS. BREDEHOFT: And why does that have</p> <p>2 anything to do with my question, Ben?</p> <p>3 MR. CHEW: Because you continue to show</p> <p>4 this witness documents that she did not receive,</p> <p>5 was not copied on, is not competent to testify,</p> <p>6 and then you're showing her a document which has</p> <p>7 been stricken by Judge Boudae in Los Angeles. So</p> <p>8 I just think that -- and you've been advised of</p> <p>9 this before and yet you continue to show the same</p> <p>10 document. But I just think that her counsel is</p> <p>11 entitled to know that.</p> <p>12 MS. BREDEHOFT: Can you -- can you repeat</p> <p>13 the question, please, so we can move forward.</p> <p>14 MR. CHEW: There was no question.</p> <p>15 MS. BREDEHOFT: Yes, there was.</p> <p>16 (Requested portion read back.)</p> <p>17 MR. MARMORSTEIN: Are you asking</p> <p>18 independent of the document, Counsel?</p> <p>19 MS. BREDEHOFT: Yes. And so I'll ask a</p> <p>20 clean question.</p>	<p>103</p> <p>1 Q Did you work with any associate -- did you</p> <p>2 work with any other people in your company that</p> <p>3 assisted you with Mr. Depp?</p> <p>4 A From time to time, yes.</p> <p>5 Q Who -- who from your agency also worked</p> <p>6 with Mr. Depp with you?</p> <p>7 A Jim Burkus.</p> <p>8 Q Yeah, that's who I mean. Did you and Jim</p> <p>9 Burkus ever have a meeting -- a meeting with</p> <p>10 Mr. Depp in which you discussed his financial</p> <p>11 situation and spending habits?</p> <p>12 A No.</p> <p>13 Q Do you have a recollection of meeting with</p> <p>14 Mr. Depp and Mr. Burkus sometime in February of</p> <p>15 2016 about -- I don't know what about -- do you</p> <p>16 have a recollection of that meeting?</p> <p>17 A I don't recall.</p> <p>18 Q In February 2016, what was Mr. Depp</p> <p>19 working on?</p> <p>20 A I don't recall.</p> <p>21 Q Okay.</p> <p>22 MS. BREDEHOFT: Alex, can you please bring</p>
<p>R, P, Impr. Char. Evid.</p> <p>21 Q Were you familiar with Mr. Depp's spending</p> <p>22 habits during the course of the time you</p> <p>102</p> <p>1 represented him?</p> <p>2 MR. CHEW: Objection.</p> <p>3 MR. MARMORSTEIN: Tracey, before -- join.</p> <p>4 Tracey, just so you're clear, the question has --</p> <p>5 is not asking you to verify anything in the</p> <p>6 attachment being shown, so just focus on the</p> <p>7 question, not the attachment.</p>	<p>104</p> <p>1 up Deposition Exhibit 23.</p> <p>2 Q And while that's being brought up, I'm</p> <p>3 going to ask you, Ms. Jacobs, have you ever seen</p> <p>4 Mr. Depp behave in an angry manner and a violent</p> <p>5 manner?</p> <p>6 MR. CHEW: Objection; vague.</p> <p>7 MR. MARMORSTEIN: Also compound. Join.</p> <p>8 MS. BREDEHOFT: I'll ask them separate.</p>
<p>R, P, Impr. Char. Evid.</p> <p>8 A Yes and no.</p> <p>9 Q And what do you mean by that?</p> <p>10 A Yes, I was aware that he spent a lot of</p> <p>11 money, but no, I had no idea on what.</p> <p>12 Q Okay. Was there ever an occasion that you</p> <p>13 spoke with Mr. Depp about his spending habits and</p> <p>14 trying to curb those in any way?</p> <p>15 A No.</p> <p>16 Q Do you have any recollection of having a</p> <p>17 meeting with Mr. Depp and Mr. Berkle relating in</p> <p>18 any way to Mr. Depp's spending habits and</p> <p>19 financial situation?</p> <p>20 MR. CHEW: Objection; assumes facts not in</p> <p>21 evidence.</p> <p>22 A I've never met Ron Berkle, no.</p>	<p>R, P, Impr. Char. Evid., Vague</p> <p>9 Q Have you ever seen Mr. Depp engage in</p> <p>10 angry behavior?</p> <p>11 A Yes.</p> <p>12 MR. CHEW: Objection; vague.</p> <p>13 Q How often?</p> <p>14 A I don't recall.</p> <p>15 Q Would you say pretty often or rare?</p> <p>16 MR. CHEW: Objection; vague. What is</p> <p>17 angry behavior?</p> <p>18 A I can't answer. I don't know.</p> <p>19 Q Have you ever seen Mr. Depp engage in</p> <p>20 violent behavior?</p> <p>21 A No.</p> <p>22 Q Okay. I'm going to ask you to watch this</p>

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27 (105 to 108)

<p>105</p> <p>1 video.</p> <p>2 MS. BREDEHOFT: Alex, if you could play</p> <p>3 it, that would be great.</p> <p>4 (From video.)</p> <p>5 Motherfucker. Motherfucker.</p> <p>6 What happened? What happened? Nothing</p> <p>7 happened this morning, you know that.</p> <p>8 Were you even here?</p> <p>9 No.</p> <p>10 So then nothing happened to you this</p> <p>11 morning.</p> <p>12 Yeah, you're right. I just woke up and</p> <p>13 you were so sweet and nice. We're not even</p> <p>14 fighting this morning. All I did was say sorry.</p> <p>15 Did something happen to you this morning?</p> <p>16 I don't think so.</p> <p>17 No, that's the thing.</p> <p>18 Do you want to see crazy, I'll give you</p> <p>19 fucking crazy. Here's crazy. Oh, you're crazy.</p> <p>20 You're crazy.</p> <p>21 Have you drunk this whole thing this</p> <p>22 morning?</p>	<p>107</p> <p>1 Heard was alleging that Mr. Depp had physically</p> <p>2 abused her?</p> <p>3 A I don't recall.</p> <p>4 Q I'm going to ask --</p> <p>5 MS. BREDEHOFT: Alex, you can take this</p> <p>6 one down. Can you bring up Deposition Exhibit 11,</p> <p>7 please.</p> <p>8 Q Ms. Jacobs, I'm going to ask you to take a</p> <p>9 look at what has been marked as Jacobs Exhibit 11.</p> <p>10 It's a request for domestic violence restraining</p> <p>11 order filed on behalf of Amber Laura Depp, it says</p> <p>12 here, against John Christopher Depp, II on May 27,</p> <p>13 and that date's a little hard to read, but it's</p> <p>14 2016.</p> <p>15 Were you aware of Ms. Heard's allegations</p> <p>16 of domestic violence and abuse by Johnny Depp</p> <p>17 before she filed this request for domestic</p> <p>18 violence restraining order in May of 2016?</p> <p>19 A No.</p> <p>20 Q Do you recall how soon after this was</p> <p>21 filed that you learned about these allegations?</p> <p>22 A At the same time.</p>
<p>106</p> <p>1 You got this thing going?</p> <p>2 I just started it.</p> <p>3 Oh, really?</p> <p>4 Yes.</p> <p>5 Really? You see that shit on me</p> <p>6 motherfucker.</p> <p>7 No, I didn't. You were smashing shit.</p> <p>8 Ass.</p> <p>9 Q Ms. Jacobs, have you ever seen this video</p> <p>10 before?</p> <p>11 A Yes.</p> <p>12 Q On what occasion?</p> <p>13 A When it was released.</p> <p>14 Q Have you ever seen Mr. Depp behave in the</p> <p>15 manner that's reflected in this video?</p> <p>16 MR. CHEW: Objection --</p> <p>17 MR. MARMORSTEIN: Objection; vague and</p> <p>18 ambiguous.</p> <p>19 MR. CHEW: -- asked and answered; lack of</p> <p>20 foundation; assumes facts not in evidence.</p> <p>21 A No.</p> <p>22 Q When did you first become aware that Amber</p>	<p>108</p> <p>1 Q And how did you learn about these</p> <p>2 allegations?</p> <p>3 A I read about them.</p> <p>4 Q Did you have any communications with</p> <p>5 Mr. Depp about this request for domestic violence</p> <p>6 restraining order or any of the allegations of</p> <p>7 domestic violence made by Amber Heard?</p> <p>8 A No.</p> <p>9 Q To this day, have you had any</p> <p>10 conversations with Mr. Depp about Amber Heard's</p> <p>11 allegations of domestic violence and abuse by</p> <p>12 Mr. Depp?</p> <p>13 A No.</p> <p>14 Q Did you have any involvement with the</p> <p>15 lawyers representing Mr. Depp in interviewing any</p> <p>16 of the potential witnesses?</p> <p>17 A No.</p> <p>18 MR. MARMORSTEIN: Objection; vague.</p> <p>19 Q Did you have any involvement in assisting</p> <p>20 with any press releases or interviews with the</p> <p>21 press, anything of that nature in connection with</p> <p>22 Amber Heard's allegations of domestic violence</p>

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28 (109 to 112)

<p>109</p> <p>1 against her by Johnny Depp?</p> <p>2 A No.</p> <p>3 MS. BREDEHOFT: Okay. You can go ahead</p> <p>4 and take this off, Alex. Thank you. All right.</p> <p>5 I'm going to ask you to bring up Deposition</p> <p>6 Exhibit 12.</p> <p>7 Q Ms. Jacobs, I'm going to ask you to take a</p> <p>8 look at what has been marked as Deposition</p> <p>9 Exhibit 12. Have you ever seen this picture</p> <p>10 before?</p> <p>11 A Not this exact picture.</p> <p>12 Q Okay. And just to direct your attention,</p> <p>13 the metadata is from May 21st, 2016 at 9:24 p.m.</p> <p>14 Do you recognize this as Amber Heard?</p> <p>15 A Yes.</p> <p>16 MR. CHEW: Objection to the form of the</p> <p>17 question; lack of personal knowledge; lack of</p> <p>18 expertise. She's not a makeup artist, she's not</p> <p>19 an expert. She's a talent agent.</p> <p>20 Q Do you recognize this as Amber Heard?</p> <p>21 MR. CHEW: Lack of foundation; lack of</p> <p>22 personal knowledge; calls for speculation. The</p>	<p>111</p> <p>1 Elaine. I think -- did you want No. 14 next?</p> <p>2 MS. BREDEHOFT: Yes, please. Thanks.</p> <p>3 Sorry.</p> <p>4 PLANET DEPOS TECHNICIAN: Okay.</p> <p>5 MS. BREDEHOFT: By the end of this, Alex,</p> <p>6 we're just going to think your last name is "The</p> <p>7 Tech."</p> <p>8 Q Ms. Jacobs, I'm going to ask you to take a</p> <p>9 look at what has been labeled Jacobs Exhibit 14,</p> <p>10 also dated May 21. Have you seen this picture</p> <p>11 before?</p> <p>12 A Not that I can recall.</p> <p>13 Q All right. Do you recognize the person in</p> <p>14 this photo?</p> <p>15 A Yes.</p> <p>16 Q Okay. And it is?</p> <p>17 A Amber Heard.</p> <p>18 Q Thank you.</p> <p>19 MS. BREDEHOFT: We can take this one down,</p> <p>20 Alex, and if you can give me 15.</p> <p>21 Q Ms. Jacobs, I'm going to ask you to take a</p> <p>22 look at Jacobs Exhibit 15. Do you recognize this</p>
<p>110</p> <p>1 witness is not competent to testify.</p> <p>2 A Yes.</p> <p>3 Q Okay. Thank you.</p> <p>4 MS. BREDEHOFT: Alex, you can take this</p> <p>5 one down. Can you give me No. 13, please?</p> <p>6 Q Ms. Jacobs, I'm going to ask you to take a</p> <p>7 look at Deposition Exhibit 13. And this was also</p> <p>8 May 21, 9:25. Have you seen this picture before?</p> <p>9 A Not that I can recall.</p> <p>10 Q Do you recognize the person in this</p> <p>11 picture?</p> <p>12 A Yes.</p> <p>13 Q And who is it?</p> <p>14 A Amber Heard.</p> <p>15 Q Thank you.</p> <p>16 MS. BREDEHOFT: All right. We can take</p> <p>17 this one down. Alex, if you can go to 13. And</p> <p>18 just so we can move it along, I'm going to go</p> <p>19 through 13 through 22 pretty quickly, I hope, so</p> <p>20 just putting you on notice, Alex.</p> <p>21 PLANET DEPOS TECHNICIAN: This is Alex,</p> <p>22 the tech, speaking. Thank you for the heads-up,</p>	<p>112</p> <p>1 photo? Let me ask that separately.</p> <p>2 Have you ever seen this photo before?</p> <p>3 A No.</p> <p>4 Q Do you recognize the person in this photo?</p> <p>5 A Yes.</p> <p>6 Q And who is that?</p> <p>7 A Amber Heard.</p> <p>8 Q Thank you.</p> <p>9 MS. BREDEHOFT: Okay. We can take this</p> <p>10 one off, Alex, and we'll go to No. 16, please.</p> <p>11 Q Ms. Jacobs, have you ever seen this photo</p> <p>12 before?</p> <p>13 A Not that I can recall.</p> <p>14 Q All right. Do you recognize the person in</p> <p>15 this photo?</p> <p>16 A Yes.</p> <p>17 Q Who is it?</p> <p>18 A Amber Heard.</p> <p>19 Q Thank you.</p> <p>20 MS. BREDEHOFT: Alex, we can take down 16.</p> <p>21 Let's go to 17, please.</p> <p>22 Q I'm going to ask you to take a look at</p>

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29 (113 to 116)

<p>113</p> <p>1 what has been marked as Exhibit 17. Have you seen 2 this photo before? 3 A Not that I can recall. 4 Q Do you recognize the person in this photo? 5 A Yes. 6 Q And that is? 7 A Amber Heard. 8 Q Thank you. 9 MS. BREDEHOFT: Let's go to No. 18, 10 please. 11 Q Ms. Jacobs, I'm going to ask if you've 12 seen this photo before? 13 A No. 14 Q Do you recognize the person in this photo? 15 A Yes. 16 Q And who is it? 17 A Amber Heard. 18 Q Thank you. 19 MS. BREDEHOFT: All right. Let's go to 20 19, please. 21 Q Have you seen this photo before, 22 Ms. Jacobs?</p>	<p>115</p> <p>1 A Amber Heard. 2 Q Thank you. 3 MS. BREDEHOFT: And let's go to the last 4 of this set, 22. 5 Q Have you seen this photo before? 6 A Not that I can recall. 7 Q Do you recognize the person in this photo? 8 A Yes. 9 Q And who is it? 10 A Amber Heard. 11 Q Thank you. 12 MS. BREDEHOFT: Okay. Alex, you can take 13 that. 14 Q And then were you involved in any manner 15 in the mediation and settlement efforts between 16 Mr. Depp and Ms. Heard following Ms. Heard filing 17 for divorce in May 2016? 18 A No. 19 MR. MARMORSTEIN: Objection; vague and 20 ambiguous. 21 Q Based on your client's [sic] objection, 22 did you understand what I meant by that?</p>
<p>114</p> <p>1 A No. 2 Q Do you recognize the person in this photo? 3 A Yes. 4 Q And who is it? 5 A Amber Heard. 6 Q Thank you. 7 MS. BREDEHOFT: Let's go to No. 20. 8 Q Have you seen this photo before? 9 A No. 10 Q Do you recognize the person in this photo? 11 A It's Amber Heard. 12 Q Okay. Thank you. 13 MS. BREDEHOFT: Let's go to 21. We're 14 almost done with this set. 15 MR. CHEW: I hope so. 16 Q And I'll ask the same question. Have you 17 seen this photo before? 18 A Not that I can recall. 19 Q All right. And do you recognize the 20 person in the photo? 21 A Yes. 22 Q Who is it?</p>	<p>116</p> <p>1 A Yes. 2 Q All right. I'm going to ask you to take a 3 look at Exhibit 24. 4 Ms. Jacobs, have you ever seen this photo 5 before? 6 A No. 7 Q Do you recognize the people in that photo? 8 A No. 9 Q Do you recognize one of them as Mr. Depp? 10 MR. MARMORSTEIN: Objection; asked and 11 answered; argumentative. If she doesn't recognize 12 the people, she wouldn't recognize one as Johnny 13 Depp. 14 MR. CHEW: Same objection. Asked and 15 answered. 16 MS. BREDEHOFT: I'm sorry, I'm waiting for 17 the answer. 18 A I — 19 MR. MARMORSTEIN: She's asking again 20 whether you recognize anybody in this photo. 21 Q No, I'm actually asking if you recognize 22 one of them as Johnny Depp?</p>

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30 (117 to 120)

<p>117</p> <p>1 MR. MARMORSTEIN: That presumes she has</p> <p>2 any recognition, which she said she doesn't. Go</p> <p>3 ahead.</p> <p>4 A I've never seen this.</p> <p>5 Q I'm sorry?</p> <p>6 A I've never seen this.</p> <p>7 Q But notwithstanding that you've never seen</p> <p>8 it, do you recognize one of the people in that</p> <p>9 photo as Johnny Depp?</p> <p>10 A It's hard to see.</p> <p>11 Q Have you ever seen Mr. Depp snort cocaine?</p> <p>12 A No.</p> <p>13 Q Are you able to say one way or the other</p> <p>14 whether Mr. Depp snorted cocaine while you were</p> <p>15 representing him?</p> <p>16 A No.</p> <p>17 MR. CHEW: Objection. Objection; she's</p> <p>18 already answered the question.</p> <p>19 MS. BREDEHOFT: Okay. Let's take this one</p> <p>20 down and let's go up to 25. And, Ben, I believe</p> <p>21 you're incorrect, but it doesn't matter, she</p> <p>22 answered the question.</p>	<p>119</p> <p>1 MR. CHEW: Objection; lack of foundation.</p> <p>2 She's never seen it before.</p> <p>3 A No.</p> <p>4 MS. BREDEHOFT: All right. Let's take</p> <p>5 that down and let's go to 27.</p> <p>6 Alex, are you having trouble with this</p> <p>7 one? There we go. Okay.</p> <p>8 Q I'm going to ask you to take a look at</p> <p>9 Jacobs Exhibit 27. Have you ever seen this</p> <p>10 picture before?</p> <p>11 A No.</p> <p>12 Q It's a little bit closer up. Do you</p> <p>13 recognize the person in this photo?</p> <p>14 MR. CHEW: Objection; lack of foundation.</p> <p>15 She says she's never seen it before.</p> <p>16 MR. MARMORSTEIN: Go ahead, Tracey.</p> <p>17 A It looks like Johnny.</p> <p>18 Q Have you ever seen Mr. Depp in this state</p> <p>19 before as depicted in Exhibit 27?</p> <p>20 MR. CHEW: Objection; vague. What -- what</p> <p>21 state is that?</p> <p>22 MR. MARMORSTEIN: Join.</p>
<p>118</p> <p>1 Q Do you recognize the people in this photo?</p> <p>2 A Yes.</p> <p>3 Q Have you ever seen this photo before?</p> <p>4 A No.</p> <p>5 Q Who are the people in this photo?</p> <p>6 A Amber Heard and Johnny Depp.</p> <p>7 Q All right. Now, during the time that you</p> <p>8 represented Johnny Depp, did he smoke?</p> <p>9 A Yes.</p> <p>10 Q For the entire 30 years or was there</p> <p>11 periods where he was on or off or took it up</p> <p>12 later?</p> <p>13 MR. MARMORSTEIN: Objection; calls for</p> <p>14 speculation; lacks foundation. You can answer.</p> <p>15 A The entire 30 years.</p> <p>16 MS. BREDEHOFT: We can take this one down</p> <p>17 and then let's go to the next one, 26. Excuse me.</p> <p>18 Q I'm going to ask you to take a look at</p> <p>19 Jacobs Exhibit 26. Have you ever seen this photo</p> <p>20 before, Ms. Jacobs?</p> <p>21 A No.</p> <p>22 Q Do you recognize the person in this photo?</p>	<p>120</p> <p>1 MS. BREDEHOFT: Passed out on the floor.</p> <p>2 MR. CHEW: State of California?</p> <p>3 A I don't recall.</p> <p>4 Q Were there occasions during the time you</p> <p>5 represented Johnny Depp that he was passed out,</p> <p>6 that you would see him passed out?</p> <p>7 A I don't recall.</p> <p>8 MS. BREDEHOFT: All right. Let's go to</p> <p>9 28, please.</p> <p>10 Q I'm going to ask you to take a look at</p> <p>11 Jacobs Exhibit 28. Do you recognize the person in</p> <p>12 this photo?</p> <p>13 MR. CHEW: Objection; lacks foundation.</p> <p>14 A It looks like Johnny, but I don't know.</p> <p>15 Q Have you ever seen Mr. Depp in the state</p> <p>16 he's depicted in in this photo before?</p> <p>17 MR. CHEW: Objection; asked and answered.</p> <p>18 A I don't recall.</p> <p>19 Q Do you recall ever seeing this photo</p> <p>20 before?</p> <p>21 A Never saw it.</p> <p>22 Q Okay.</p>

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31 (121 to 124)

<p>121</p> <p>1 MS. BREDEHOFT: You can take that down. 2 We'll go to 29. 3 Q Ms. Jacobs, do you recognize this bag with 4 the things in this bag? 5 A No. 6 MS. BREDEHOFT: We can take down 29. 7 Let's go to 30. 8 Q Ms. Jacobs, have you ever seen this 9 picture before? 10 A No. 11 Q I'm going to ask -- 12 MS. BREDEHOFT: Alex, could you possibly 13 blow up this picture a little bit more so we can 14 get the name on the credit card? Is it possible? 15 MR. MARMORSTEIN: Too blurry. 16 MS. BREDEHOFT: Okay. Okay. Thank you. 17 All right. We'll take that one down. We'll go to 18 number 29. 19 PLANET DEPOS TECHNICIAN: Did you want 29? 20 Back one, Elaine? 21 MS. BREDEHOFT: Wait. Oh, no, what is 22 this one? Is this one 30?</p>	<p>123</p> <p>1 A Johnny Depp. 2 MS. BREDEHOFT: All right. We can take 3 that down. And 33, please. 4 Q Ms. Jacobs, I'm going to ask you to take a 5 look at 33. Have you ever seen this picture 6 before? 7 A No. 8 Q Do you recognize the person in this? 9 A Yes. 10 Q And can you tell what Mr. Depp is doing in 11 this picture? 12 MR. CHEW: Objection; clearly calls for 13 speculation; lack of personal knowledge. She's 14 never seen this photograph before. 15 MR. MARMORSTEIN: Join. Join in the 16 objections. 17 MS. BREDEHOFT: Hold on, I'm going to 18 withdraw that because I forgot to ask the one 19 right before it. 20 Q Who is the person in this picture? 21 A It looks like Johnny Depp. 22 MS. BREDEHOFT: Okay. Can you tell -- now</p>
<p>122</p> <p>1 PLANET DEPOS TECHNICIAN: Yes, ma'am. 2 MS. BREDEHOFT: Then let's go to 31. 3 Thank you. 4 PLANET DEPOS TECHNICIAN: Certainly. 5 Q Ms. Jacobs, I'm going to ask you to take a 6 look at what has been marked as Jacobs Exhibit 31. 7 Have you seen this photo before? 8 A No. 9 Q I'm going to direct your attention to this 10 box that says property of JD with a skull and 11 crossbones. Have you ever seen Johnny Depp with 12 this box before? 13 A No. 14 MS. BREDEHOFT: All right. We can take 15 that one down, Alex. Let's go to 32. 16 Q I'm going to ask you to take a look at 32, 17 Ms. Jacobs. Have you ever seen this picture 18 before? 19 A No. 20 Q Do you recognize the person in this photo? 21 A Yes. 22 Q And who is it?</p>	<p>124</p> <p>1 I'm going to ask the question, and you guys can -- 2 I'll let you have that, just say repeat on your 3 objections so we don't waste the time -- 4 Q Can you tell what Mr. Depp is doing in the 5 picture? 6 MR. CHEW: Objection; lack of personal 7 knowledge; lack of foundation; clearly calls for 8 speculation from a witness who said that she's 9 never seen this picture before. 10 MR. MARMORSTEIN: Join. I'm not sure how 11 she understands what's going on in a picture. 12 A I'm not sure. 13 MS. BREDEHOFT: Okay. Take that down and 14 we'll go to 34. 15 Q Have you seen this picture before? 16 A No. 17 Q I'm pretty sure that if I ask you if you 18 recognize the person's hand in there, you're going 19 to say you don't, would I -- would you agree with 20 me in that? 21 A Correct. 22 Q Okay. Do you recognize what's in that</p>

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32 (125 to 128)

<p>125</p> <p>1 hand?</p> <p>2 A No.</p> <p>3 MS. BREDEHOFT: All right. That's fine,</p> <p>4 we'll take it down. Thank you.</p> <p>5 MR. MARMORSTEIN: Do you recognize what's</p> <p>6 in that? What is that?</p> <p>7 THE WITNESS: It looks like a cigar. I</p> <p>8 have no idea.</p>	<p>127</p> <p>1 Whatever you recall.</p> <p>2 THE WITNESS: Okay. I don't recall.</p> <p>3 Q Okay. What do you recall learning about</p> <p>4 this decision?</p> <p>5 MR. MARMORSTEIN: Objection; assumes</p> <p>6 facts; lacks foundation --</p> <p>7 MR. CHEW: Objection.</p> <p>8 MR. MARMORSTEIN: -- calls for</p>
<p>R, P, Jury Confusion, AF</p> <p>9 Q All right. Now, were you aware that</p> <p>10 Mr. Depp filed a lawsuit in the United Kingdom</p> <p>11 against The Sun Newspapers, and Dan Wootton, the</p> <p>12 editor, because they called him a wife beater?</p> <p>13 A Yes.</p>	<p>9 speculation.</p> <p>10 MR. CHEW: I apologize, David. I join in</p> <p>11 all of those objections; lacks foundation; lack of</p> <p>12 personal knowledge; calls for hearsay.</p> <p>13 Q I'll try to make it simpler because I'm</p> <p>14 almost done and I'd like -- I know you'd like to</p> <p>15 move on.</p>
<p>14 Q Did you follow any of the press, publicity</p> <p>15 associated with that litigation and the trial?</p> <p>16 A Sometimes.</p> <p>17 MR. MARMORSTEIN: Objection; vague and</p> <p>18 ambiguous.</p>	<p>16 Were you aware that Mr. Depp lost this</p> <p>17 lawsuit?</p> <p>18 MR. CHEW: Objection to argumentative.</p>
<p>19 Q Okay. Do you know whether any of the</p> <p>20 pictures and video that I just showed you from</p> <p>21 Exhibit 12 through 34 were exhibits in that trial?</p> <p>22 A No.</p>	<p>19 A Yes.</p> <p>20 Q Now, are you aware that the judge in this</p> <p>21 case found that Mr. Depp had engaged in at least</p> <p>22 ten acts of domestic violence against Amber Heard?</p>
<p>126</p> <p>1 MR. CHEW: Objection; lack of foundation;</p> <p>2 calls for speculation. She wasn't at the trial.</p> <p>3 Q I'm going to ask you --</p> <p>4 MS. BREDEHOFT: Alex, if you can bring up</p> <p>5 No. 9, please.</p> <p>6 Q I'm going to show you what has been marked</p> <p>7 as Deposition Exhibit 9. This is the decision</p> <p>8 issued in the UK court on November 2nd, 2020. Are</p> <p>9 you familiar with this decision?</p> <p>10 MR. MARMORSTEIN: Objection; vague and</p> <p>11 ambiguous as to familiar.</p> <p>12 MR. CHEW: Objection; vague and ambiguous.</p>	<p>128</p> <p>1 MR. CHEW: Objection; argumentative;</p> <p>2 hearsay; assumes facts not in evidence; lack of</p> <p>3 foundation.</p> <p>4 A Yes.</p> <p>5 Q And were you aware that Mr. Depp was asked</p> <p>6 to leave Fantastic Beasts 3 two days -- within two</p> <p>7 days of this decision being reached?</p> <p>8 A Yes.</p> <p>9 Q And do you believe that this decision has</p> <p>10 impacted Mr. Depp's career? Know., SP, AF, Vague/Ambig., P</p> <p>11 MR. MARMORSTEIN: Objection; calls for</p> <p>12 speculation; lacks foundation; assumes facts --</p>
<p>R, P, Jury Confusion, AF, Lack of Pers. Know.</p> <p>13 A Only what I read.</p> <p>14 Q Okay. Did you ever read this decision?</p> <p>15 A No.</p> <p>16 Q When you say, "Only what you read," what</p> <p>17 did you read relating to this decision?</p>	<p>13 assumes facts not in evidence. It's also vague</p> <p>14 and ambiguous.</p> <p>15 MR. CHEW: Same objections; lack of</p> <p>16 foundation; lack of personal knowledge;</p> <p>17 argumentative; calls for speculation; lack of</p>
<p>18 MR. CHEW: Objection; assumes facts; lacks</p> <p>19 foundation. You can answer if you recall.</p> <p>20 A It might have been The Daily Mail. I</p> <p>21 don't really remember.</p> <p>22 MR. MARMORSTEIN: Don't guess, Tracey.</p>	<p>18 personal knowledge; argumentative.</p> <p>19 MR. MARMORSTEIN: Go ahead, Tracey, if you</p> <p>20 can say.</p> <p>21 A Yes. F/A, Lack of Pers. Know., SP, AF, Vague/Ambig., P</p> <p>22 Q I'm sorry, I couldn't hear you,</p>

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33 (129 to 132)

<p>1 Ms. Jacobs.</p> <p>2 A Yes.</p> <p>3 Q And in what way?</p> <p>4 A Well, it's a terrible judgment and people</p> <p>5 often believe what they read. And it certainly is</p> <p>6 not helpful in terms of one's career.</p> <p>7 Q When you say it's a terrible judgment,</p> <p>8 what did you mean by that?</p> <p>9 A It was terrible for him, legally and</p> <p>10 publicity wise.</p> <p>11 MS. BREDEHOFT: Thank you. I have no more</p> <p>12 questions. I appreciate your time.</p> <p>13 MR. CHEW: David, with your leave, in the</p> <p>14 interest of time, I'd like to ask Ms. Jacobs a few</p> <p>15 questions and then take a ten-minute break so I</p> <p>16 can go through my outline with the object of</p> <p>17 culling it and making it shorter.</p> <p>18 MR. MARMORSTEIN: Yeah. Let's do this,</p> <p>19 can we take five minutes, you can get your</p> <p>20 questions together, and then we can jump back in?</p> <p>21 MR. CHEW: Certainly. That'd be fine.</p> <p>22 MS. BREDEHOFT: Ben, do you want ten then?</p>	<p>1 A Some of them. But the deal was made at</p> <p>2 least eight years ago.</p> <p>3 Q Okay. And what was the deal eight years</p> <p>4 ago?</p> <p>5 A I don't remember what the exact deal was.</p> <p>6 I don't remember because Lisa Jacobson, who's no</p> <p>7 longer at UTA, primarily made the financial</p> <p>8 aspects of the deal, and I just consulted with her</p> <p>9 because he was my client.</p> <p>10 Q All right. Do you have a recollection of</p> <p>11 what payment arrangement was made?</p> <p>12 A I don't know what you mean, what payment?</p> <p>13 Q I mean, was there going to be a payment of</p> <p>14 a certain amount one year and then an increase</p> <p>15 over time? Anything like that?</p> <p>16 A Yeah, I just don't remember how it spilled</p> <p>17 out. And when he went to CAA, I don't know what</p> <p>18 they did. I think they may have extended it, and</p> <p>19 I have no access as to how anything worked as I</p> <p>20 wasn't involved.</p> <p>21 Q Do you have a recollection whether there</p> <p>22 was any compensation by Dior to Mr. Depp other</p>
<p>1 MR. CHEW: Let's take ten then, if that's</p> <p>2 all right with David.</p> <p>3 MR. MARMORSTEIN: That's fine.</p> <p>4 MS. BREDEHOFT: That might be more</p> <p>5 efficient.</p> <p>6 MR. MARMORSTEIN: Thanks.</p> <p>7 THE VIDEOGRAPHER: Okay. So it is</p> <p>8 3:03 p.m. We go off the record.</p> <p>9 (Off the record from 3:03 p.m. to 3:16</p> <p>10 p.m.)</p> <p>11 THE VIDEOGRAPHER: It is the beginning of</p> <p>12 media number four of the testimony of Tracey</p> <p>13 Jacobs. It is 3:16 p.m. We're back on the</p> <p>14 record.</p> <p>15 Q I think while we were off the record,</p> <p>16 Ms. Jacobs, your counsel had indicated that that I</p> <p>17 should -- I may ask some additional questions on</p> <p>18 Christian Dior. Perhaps that will enable us not</p> <p>19 to have to suspend -- hold open the deposition, so</p> <p>20 let me see if I can ask them.</p> <p>21 Are you familiar with the terms of</p> <p>22 Mr. Depp's contract with Christian Dior?</p>	<p>1 than straight up salary amounts or set amounts?</p> <p>2 In other words, were there any profits that were</p> <p>3 -- any compensation that was tied to profit or</p> <p>4 sales or anything of that nature?</p> <p>5 A I don't know. I can't recall.</p> <p>6 Q Is there anything more you can recall</p> <p>7 about that contact? I'm talking about Christian</p> <p>8 Dior and Mr. Depp.</p> <p>9 A No. No.</p> <p>10 MS. BREDEHOFT: All right. I don't think</p> <p>11 there was anything there that could even be</p> <p>12 labeled confidential, so -- all right. That's the</p> <p>13 end of my questions. Go ahead, Ben.</p> <p>14 MR. CHEW: Thank you, Elaine.</p> <p>15 EXAMINATION BY COUNSEL FOR THE PLAINTIFF</p> <p>16 BY MR. CHEW:</p> <p>17 Q Good afternoon, Ms. Jacobs. I will try to</p> <p>18 keep this very, very quick. I know how busy you</p> <p>19 are. And you're excellent at what you do, so I'll</p> <p>20 let you get back to it.</p> <p>21 Have you ever seen Mr. Depp hit a man?</p> <p>22 MS. BREDEHOFT: Objection; leading;</p>

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<p>L, F</p> <p>1 hearsay. Go ahead.</p> <p>2 A No.</p> <p>3 Q Have you ever seen him kick a man?</p> <p>4 MS. BREDEHOFT: Objection; leading. Go</p> <p>5 ahead.</p> <p>6 A No.</p> <p>7 Q Have you ever seen him throw anything at a</p> <p>8 man?</p> <p>9 MS. BREDEHOFT: Objection; leading.</p> <p>10 A No.</p> <p>11 Q Have you ever seen Mr. Depp hit a woman?</p> <p>12 MS. BREDEHOFT: Objection; leading.</p> <p>13 A No.</p> <p>14 Q Have you ever seen Mr. Depp throw anything</p> <p>15 at a woman?</p> <p>16 MS. BREDEHOFT: Objection; leading.</p> <p>17 A No.</p> <p>18 Q Have you ever seen Mr. Depp kick a woman?</p> <p>19 MS. BREDEHOFT: Objection; leading.</p> <p>20 A No.</p> <p>21 Q In all the times you were in his physical</p> <p>22 presence, did he ever hit you?</p>	<p>133</p>	<p>1 Q Do you know whether Ms. Heard was wearing</p> <p>2 makeup in any of those pictures?</p> <p>3 MS. BREDEHOFT: Objection; leading.</p> <p>4 A No.</p> <p>5 Q To the extent there was any discoloration</p> <p>6 on her face, do you know what the cause to that</p> <p>7 discoloration was?</p> <p>8 A No.</p> <p>9 Q Ms. Jacobs, you testified, and please</p> <p>10 correct me if I'm wrong, that in the last ten</p> <p>11 years of your representation of Mr. Depp, there</p> <p>12 was more unprofessional behavior by Mr. Depp; is</p> <p>13 that correct?</p> <p>14 A Yes.</p> <p>15 Q During that period of time, the last ten</p> <p>16 years you represented him, was he ever fired from</p> <p>17 a movie?</p> <p>18 MS. BREDEHOFT: Objection; leading. Go</p> <p>19 ahead.</p> <p>20 A No.</p> <p>21 Q Was he ever fired from Pirates 5?</p> <p>22 A No.</p>	<p>135</p>
<p>L, F, H, M</p> <p>1 A Never.</p> <p>2 MS. BREDEHOFT: Leading.</p> <p>3 Q Other than Amber Heard, do you know of any</p> <p>4 other woman who ever accused Mr. Depp of physical</p> <p>5 abuse?</p> <p>6 MS. BREDEHOFT: Objection; leading;</p> <p>7 hearsay; foundation.</p> <p>8 A No.</p>	<p>134</p>	<p>1 Q Did anyone from Disney ever tell you in</p> <p>2 words or substance that Mr. Depp -- strike that.</p> <p>3 Prior to December 2018, the month in which</p> <p>4 Ms. Heard published her op-ed in the Washington</p> <p>5 Post, had anyone from Disney ever told you in</p> <p>6 words or substance that Mr. Depp was not going to</p> <p>7 be in Pirates 6?</p> <p>8 MS. BREDEHOFT: Objection; leading;</p>	<p>136</p>
<p>L</p> <p>9 Q Have you ever seen in person any marks on</p> <p>10 Amber Heard?</p> <p>11 MS. BREDEHOFT: Objection; leading.</p> <p>12 A No.</p>		<p>9 hearsay; foundation. Go ahead.</p> <p>10 A I stopped representing him in October of</p> <p>11 2016, so I have no idea.</p> <p>12 Q Fair point. Prior to October 2016 had</p>	
<p>13 Q Do you recall that Ms. Bredehoft showed</p> <p>14 you a series of pictures that you recognized as</p> <p>15 Amber Heard, do you remember that?</p> <p>16 A Yes.</p> <p>17 Q Do you know who took those pictures?</p> <p>18 MS. BREDEHOFT: Objection.</p> <p>19 A No.</p> <p>20 Q Do you know when they were taken?</p> <p>21 MS. BREDEHOFT: Objection.</p> <p>22 A No.</p>		<p>13 anyone from Disney in words or substance ever told</p> <p>14 you that Mr. Depp was not going to be cast in</p> <p>15 Pirates of the Caribbean 6?</p> <p>16 A No.</p> <p>17 MS. BREDEHOFT: Objection; leading;</p> <p>18 hearsay; foundation.</p> <p>19 Q Were you involved in any conversations</p> <p>20 about Pirates 6 during or after the filming of</p> <p>21 Pirates 5?</p> <p>22 MS. BREDEHOFT: Objection; leading;</p>	

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35 (137 to 140)

<p>137</p> <p>1 hearsay; foundation. Go ahead.</p> <p>2 A No.</p> <p>3 Q Do you recall whether there was any</p> <p>4 discussion about -- strike that.</p> <p>5 Isn't it true that UTA negotiated an</p> <p>6 option contract for 22 million for Pirates 6?</p> <p>7 MS. BREDEHOFT: Objection; leading;</p> <p>8 hearsay; foundation.</p> <p>9 A No.</p> <p>10 Q You're not aware of that?</p> <p>11 A No.</p> <p>12 Q Do you have any knowledge of any option</p> <p>13 contract being discussed or negotiated relating to</p> <p>14 Pirates 6?</p> <p>15 A Not during my term with him. I don't know</p> <p>16 what happened subsequently.</p> <p>17 Q Fair enough.</p> <p>18 MR. CHEW: Alex, I'm going to be referring</p> <p>19 to the documents that we sent you by the numbers</p> <p>20 in which we sent you, maybe we can call them, you</p> <p>21 know, Depp 1, Depp 2, etcetera, and I may be</p> <p>22 jumping around. Do you have those, Alex?</p>	<p>139</p> <p>1 A I don't recall.</p> <p>2 Q Have you ever seen Mr. Depp's movie</p> <p>3 contracts?</p> <p>4 A Specifically?</p> <p>5 MR. MARMORSTEIN: Objection; vague.</p> <p>6 A Specifically or one of them? What are you</p> <p>7 referring to?</p> <p>8 Q Throughout the course of your</p> <p>9 representation of Mr. Depp, what was your</p> <p>10 involvement in each of the movie contracts?</p> <p>11 A The lawyers mostly did that. I made the</p> <p>12 deals with the lawyers and then the lawyers went</p> <p>13 through the contracts. I'm not a lawyer.</p> <p>14 Q Through -- through the course of your</p> <p>15 representation from beginning to the end over that</p> <p>16 approximately 30-year period, was Mr. Depp paid</p> <p>17 more with respect to each movie?</p> <p>18 MS. BREDEHOFT: Objection; leading;</p> <p>19 hearsay; foundation. Go ahead.</p> <p>20 MR. MARMORSTEIN: Do you mean more than</p> <p>21 the last movie he did?</p> <p>22 MR. CHEW: Yes.</p>
<p>138</p> <p>1 PLANET DEPOS TECHNICIAN: Understood,</p> <p>2 Mr. Chew. Yes, I do. I have 1 through 15.</p> <p>3 MR. CHEW: Thank you very much.</p> <p>4 PLANET DEPOS TECHNICIAN: Certainly.</p> <p>5 Q At the time you came to represent</p> <p>6 Mr. Depp, he was already a star on 21 Jump Street;</p> <p>7 correct?</p> <p>8 MS. BREDEHOFT: Objection.</p> <p>9 A Yes.</p> <p>10 Q And at the time was he what you would</p> <p>11 consider an A-list celebrity?</p> <p>12 MS. BREDEHOFT: Objection; leading.</p> <p>13 A No.</p> <p>14 Q At what point -- or what do you mean by</p> <p>15 A-list celebrity?</p> <p>16 MR. MARMORSTEIN: You used that term.</p> <p>17 What do you mean what did she mean?</p> <p>18 Q Do you know what an A-list celebrity</p> <p>19 means?</p> <p>20 A No, I don't know what you mean, actually.</p> <p>21 Q Do you recall testifying that -- about</p> <p>22 that at one of your prior depositions?</p>	<p>140</p> <p>1 A Are you talking about Pirates,</p> <p>2 specifically?</p> <p>3 MR. MARMORSTEIN: No, he's talking about</p> <p>4 all movies.</p> <p>5 Q I'm talking about generally, then we can</p> <p>6 break it down to Pirates?</p> <p>7 A Yes.</p> <p>8 MS. BREDEHOFT: Same objections; hearsay;</p> <p>9 leading; foundation. Go ahead.</p> <p>10 A It went back and forth. It depended on</p> <p>11 the budget of the film. But yes, in general, yes.</p> <p>12 Q So in general, just to be clear, Mr. Depp</p> <p>13 was paid more as time progressed?</p> <p>14 MS. BREDEHOFT: Objection; leading;</p> <p>15 hearsay; foundation.</p> <p>16 A Yes.</p> <p>17 Q And with respect to the Pirates movies,</p> <p>18 from Pirates 1 through Pirates 5, was his front</p> <p>19 end compensation increased or decreased with</p> <p>20 respect to each of the five movies?</p> <p>21 MS. BREDEHOFT: Objection; hearsay;</p> <p>22 foundation. Go ahead.</p>

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36 (141 to 144)

<p>141</p> <p>1 A Increased from 1 until – sorry, from 2 to 2 3 to 4 and then decreased for 5. 3 Q All right. 4 MR. CHEW: Alex, if you would please show 5 the witness Depp Exhibit 3. 6 Q I'm showing you what purport to be text 7 messages between you and Mr. Depp. Have you ever 8 seen this page, Depp Exhibit 3 before, these 9 particular messages? 10 A Again, it's almost five years ago, but 11 they look like I would've written them. 12 Q And particularly, Ms. Jacobs, directing 13 your attention to one of the texts towards the 14 bottom middle of the page, did you write Mr. Depp 15 on or about Tuesday, August 16th, I'm really happy 16 for you that this has settled so things will be 17 better. I know it's been awful and now you can 18 move on. We are focused on work. XOXO. 19 Did you send that to Mr. Depp? 20 A It seems that way. 21 Q And what were you referring to? 22 A Probably his marriage.</p>	<p>143</p> <p>1 MS. BREDEHOFT: Objection; leading. Go 2 ahead. 3 A Yes. 4 Q And was Mr. Depp generous towards you? 5 MS. BREDEHOFT: Objection; leading; 6 relevance. Go ahead. 7 MR. MARMORSTEIN: Objection; vague. 8 A Not towards the end, no. 9 Q But before the end, would he buy you 10 presents at holiday time? 11 MS. BREDEHOFT: Objection; leading; vague. 12 Go ahead. 13 A I think you were there when we talked 14 about it in one of the other depositions. Yes. 15 Q So it's fair to say that he was generous 16 in terms of going beyond the contract and giving 17 you presents at Christmastime and things like 18 that; correct? 19 MS. BREDEHOFT: Objection; leading. 20 A Sometimes. 21 MS. BREDEHOFT: Go ahead. 22 A Sometimes.</p>
<p>142</p> <p>1 Q And when you say, it's been awful, now you 2 can move on, is that a reference to Mr. Depp's 3 divorce from Amber Heard? 4 MS. BREDEHOFT: Objection; leading; 5 hearsay; foundation. Go ahead. 6 MR. MARMORSTEIN: Calls for speculation. 7 If you know, Tracey. 8 A It would seem so. 9 MR. CHEW: Now, Alex, if we could move -- 10 move ahead to Depp Exhibit 4. 11 Q And directing your attention to -- 12 MR. MARMORSTEIN: We're still on the same 13 exhibit, Ben. 14 MR. CHEW: I'm sorry. If we could move 15 ahead to Depp Exhibit 4, please, Alex. Thank you. 16 Q And in particular, the first four 17 exchanges, are these exchanges between you and 18 Mr. Depp? 19 A Yes. 20 Q And is it fair to say that your 21 relationship at the time was a very friendly 22 relationship?</p>	<p>144</p> <p>1 Q And some of those gifts were quite 2 expensive; true? 3 MS. BREDEHOFT: Objection; leading; and 4 ambiguous; foundation. 5 MR. MARMORSTEIN: Join. Also calls for 6 speculation. You can answer. 7 A Yes. 8 Q Did you ever ask him to get you particular 9 presents? 10 MS. BREDEHOFT: Objection; leading. Go 11 ahead. 12 A It was a joke between us. We both gave 13 each other expensive gifts. 14 Q Is it fair to say that he would comply 15 with your request for expensive gifts? 16 MS. BREDEHOFT: Objection. 17 A Sometimes. 18 MR. CHEW: Let's move ahead, please, Alex, 19 to Exhibit 5. 20 Q Have you ever seen this document before? 21 MS. BREDEHOFT: Ben, before -- Ms. Jacobs 22 before you answer, can you show me what the Bates</p>

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37 (145 to 148)

IU, R H, ICD	<p>1 stamp is, Ben?</p> <p>2 MR. CHEW: Yes, it's at the bottom, it's</p> <p>3 UTA000024.</p> <p>4 A I don't recall -- can you go back up,</p> <p>5 please? Because now you're at the bottom and I</p> <p>6 can't read it. I don't recall this exact</p> <p>7 document, but I know there were conversations</p> <p>8 going on.</p>	<p>1 understanding, based on the exhibits, etcetera.</p> <p>2 So I'll object to it on that basis, also on the</p> <p>3 basis of hearsay. But go ahead, Ms. Jacobs.</p> <p>4 A I think it's pretty self-explanatory. I</p> <p>5 had an offer for him.</p>	R, H, MIL ICD
R, P	<p>6 MS. BREDEHOFT: Objection. I'm going to</p> <p>7 object to this document. Not produced in</p> <p>8 discovery in this litigation. And it's hearsay.</p>	<p>6 Q And do you recall sitting here today what</p> <p>7 the terms of the offer were?</p> <p>8 A Not exactly.</p>	
IU, R H, ICD	<p>9 MR. CHEW: Okay.</p> <p>10 Q Ms. Jacobs, who is Andrew Thau?</p>	<p>9 Q Do you have a ballpark of what Mr. Depp</p> <p>10 was being offered to do the movie Labyrinth?</p> <p>11 MS. BREDEHOFT: Objection; that would be</p> <p>12 calls for speculation; hearsay; foundation.</p>	
R, P	<p>13 MR. MARMORSTEIN: Join. Don't speculate</p> <p>14 or guess, Tracey. If you know.</p>	<p>13 MR. MARMORSTEIN: Join. Don't speculate</p> <p>14 or guess, Tracey. If you know.</p>	
R, P	<p>15 A Yes, I do know, actually.</p> <p>16 Q And what was the offer, Ms. Jacobs?</p>	<p>15 A Yes, I do know, actually.</p> <p>16 Q And what was the offer, Ms. Jacobs?</p>	
R, P	<p>17 A \$8 million.</p> <p>18 Q How did Mr. Depp respond to the offer in</p> <p>19 or about July 18th, 2016, on the movie Labyrinth?</p>	<p>17 A \$8 million.</p> <p>18 Q How did Mr. Depp respond to the offer in</p> <p>19 or about July 18th, 2016, on the movie Labyrinth?</p>	
R, P	<p>20 A There wasn't much of a response.</p> <p>21 Q Did he end up doing that movie?</p>	<p>20 A There wasn't much of a response.</p> <p>21 Q Did he end up doing that movie?</p>	
R, P	<p>22 A Yes.</p> <p>1 was in financial desperation.</p>	<p>22 A Yes.</p> <p>1 Q Was he paid the 8 million?</p>	
R, P	<p>2 Q When you say help him out, who is him?</p> <p>3 A Johnny Depp.</p>	<p>2 A No.</p> <p>3 Q Why not?</p>	
R, P	<p>4 Q And what particularly was good news?</p> <p>5 A That we were able to secure a loan for him</p> <p>6 through Bank of America when Ed White couldn't get</p> <p>7 him any money, and it was very helpful to him.</p>	<p>4 A Because they didn't have the funds to pay</p> <p>5 him 8 million, as it turned out.</p> <p>6 Q But that was not because of anything</p> <p>7 Mr. Depp did; correct?</p>	
R, P	<p>8 Q Understood.</p> <p>9 MR. CHEW: If we could move on, please, to</p> <p>10 -- Alex, to Exhibit 6.</p>	<p>8 MS. BREDEHOFT: Objection; leading;</p> <p>9 hearsay; foundation.</p> <p>10 A That's all the money they were able to</p> <p>11 raise. You can infer from that what you will.</p>	
R, P	<p>12 Q And right at the top of the page when you</p> <p>13 said, I have an offer for you again on the movie</p> <p>14 Labyrinth, who are you writing that to?</p>	<p>12 Whether that was on his name or the subject, I</p> <p>13 don't know.</p> <p>14 MR. CHEW: Okay. If you could please turn</p> <p>15 ahead, Alex, to Exhibit 7.</p>	
R, H, ICD	<p>16 A Johnny.</p> <p>17 Q And what you were referring when you told</p> <p>18 Mr. Depp that you had an offer for him again on</p> <p>19 the movie Labyrinth?</p>	<p>16 MS. BREDEHOFT: I'm going to lodge the</p> <p>17 same objection; not produced in discovery in this</p> <p>18 case; it appears to be a document from some other</p> <p>19 case. So I'd object to any questions on this.</p>	R H, MIL ICD
R, H, ICD	<p>20 But go ahead.</p> <p>21 Q You wrote to Mr. Depp in</p> <p>22 September 13th, 2016, that he was to be the lead</p>	<p>20 But go ahead.</p> <p>21 Q You wrote to Mr. Depp in</p> <p>22 September 13th, 2016, that he was to be the lead</p>	

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38 (149 to 152)

	149		151
	1 in the next Fantastic Beasts movie. When did you	1 MS. BREDEHOFT: Objection; leading;	
	2 learn that he was going to be the lead in	2 hearsay; foundation. Go ahead.	
	3 Fantastic Beasts?	3 A There's an interceding step, which is I	
	4 MS. BREDEHOFT: Objection.	4 took him over for a meeting with then Kevin, Sue,	
	5 MR. MARMORSTEIN: Just to clarify,	5 Jahara, Tobi, Emrick and all the bigwigs at	
	6 Counsel, I think the date you're looking at refers	6 Warners after Black Masts to get him -- to get	
	7 to the text below it, not above it, although I	7 them really pumped up about him. And through the	
R, F, H	8 don't know that it's not the same day, just for	8 course of conversation, Fantastic Beasts came out	
	9 point of clarification.	9 of that.	
	10 MS. BREDEHOFT: Objection; hearsay;	10 Q Is it fair to say that you succeeded in	
	11 leading; and foundation. Go ahead.	11 pumping them up so that he was selected for	
	12 MR. CHEW: Thank you, David and Elaine.	12 Fantastic Beasts?	
	13 Q Did there come a time when you learned	13 A Yes.	
	14 that Mr. Denn was going to be cast as a lead in	14 MS. BREDEHOFT: Objection; leading;	
	15 Fantastic Beasts 1?	15 hearsay foundation.	
	16 A Yes.	16 A Yes.	
L, F, H, SP	17 Q And when was that?	17 Q Other than Black Masts, what other films,	R
	18 A I don't recall.	18 if any, had you and Johnny done with Warner	
	19 Q How -- how did -- how were you informed	19 Brothers?	
L, H, F	20 about that?	20 A I don't recall. He did a movie for New	
	21 MS. BREDEHOFT: Objection; calls for	21 Line, which is a division of Warner Brothers,	
	22 hearsay; foundation.	22 many, many years earlier with Marlon Brando.	
	150	152	
	1 A I don't remember exactly who told me at	1 Q And was that a success?	
	2 Warners, but this email I shared with him after I	2 A Somewhat, yes.	
L, H, F	3 hung up with whoever it was to let him know.	3 Q Was it a critical success?	
	4 Q And I believe you referred to the fact	4 A Somewhat. I don't think it was a smashing	
	5 that Fantastic Beasts was produced by Warner	5 critical success like Black Masts.	
	6 Brothers; is that true?	6 Q Was Black Masts a critical success?	I, H, F
	7 A Yes.	7 MS. BREDEHOFT: Objection; leading;	
	8 Q Prior to the filming of	8 hearsay; foundation.	
	9 Fantastic Beasts 1, what, if any, relationship or	9 A Yes. He got honored at two film	L, H, F
	10 -- strike that.	10 festivals, Palm Spring and Santa Barbara, and	
	11 What, if any, working relationship had	11 there was talk of an Academy Award nomination.	
	12 Johnny Depp had with Warner Brothers?	12 Q Was it financial success for Warner	
	13 MS. BREDEHOFT: Objection; foundation;	13 Brothers?	
	14 hearsay.	14 MS. BREDEHOFT: Objection; hearsay;	
	15 A He did a movie called Black Masts for them	15 leading; foundation.	
	16 in 2015.	16 A Not huge, but yes, successful.	L, H, F
	17 Q Was that a commercial success?	17 Q What was Johnny's -- what was Mr. Depp's	H, F, SP
	18 A Relatively speaking, yes, and it was a	18 upfront compensation for Black Masts, if you	
	19 critical success, which was even more important.	19 remember?	
	20 Q And after Black Masts, they came back and	20 MS. BREDEHOFT: Objection; hearsay;	
	21 chose him for the lead in Fantastic Beasts 1; is	21 foundation; calls for speculation. Go ahead.	
	22 that correct?	22 A \$15 million with a back end that I can't	H, F, SP

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39 (153 to 156)

H, F, SP	<p>153</p> <p>1 recall.</p> <p>2 Q What was his compensation upfront for</p> <p>3 Fantastic Beasts 1?</p> <p>4 A Well --</p>	<p>155</p> <p>1 MS. BREDEHOFT: Yeah. Objection; hearsay;</p> <p>2 foundation; calls for speculation.</p> <p>3 A I have no idea.</p> <p>4 Q What involvement, if any, did you have in</p> <p>5 Mr. Depp's filming of City of Lies with Global</p> <p>6 Road Entertainment?</p>
H, F, SP	<p>5 MS. BREDEHOFT: Objection; hearsay;</p> <p>6 foundation; calls for speculation. Go ahead.</p> <p>7 A It was a multi-picture deal at the time,</p> <p>8 it was pictures 1 through 4. And I believe he got</p> <p>9 12-plus very early fantastic bonuses -- fantastic</p> <p>10 bonuses -- very early bonuses that were pretty</p> <p>11 easy to achieve, which he did. Number two was --</p> <p>12 I can't recall, actually. Number three, the one</p> <p>13 he left fairly recently, he was getting 17 and a</p> <p>14 half, and it escalated from there to 20 and then</p> <p>15 22.</p>	<p>7 A I'm sorry, I didn't hear the first part of</p> <p>8 your question.</p> <p>9 Q Have you ever heard of the film City of</p> <p>10 Lies?</p> <p>11 MS. BREDEHOFT: Objection; hearsay;</p> <p>12 foundation. Go ahead.</p> <p>13 A Yes.</p> <p>14 Q What, if any, involvement did you have in</p> <p>15 that?</p>
	<p>16 MR. MARMORSTEIN: Before you ask the next</p> <p>17 question, Ben, to the extent we're getting into</p> <p>18 the numbers of these deals, I think I'm going to</p> <p>19 take you up on the offer from both of you to deem</p> <p>20 this portion confidential since that's available</p> <p>21 to us. Does counsel agree?</p> <p>22 MR. CHEW: That's fine with us.</p>	<p>16 A I didn't. I think I started the deal and</p> <p>17 he had left for CAA, so I believe they dealt with</p> <p>18 it.</p> <p>19 Q Do you -- do you recall when Mr. Depp</p> <p>20 secured that role?</p> <p>21 A No.</p> <p>22 Q Do you know whether Mr. Depp actually got</p>
	<p>154</p> <p>1 MS. BREDEHOFT: After -- I'm going to have</p> <p>2 to evaluate that one. I will get back to you on</p> <p>3 that, David, because these kinds of numbers are</p> <p>4 different than when we're talking about with Dior.</p> <p>5 We've already had a lot of testimony, Johnny's</p> <p>6 testified about these, we've had Whigham testify,</p> <p>7 we've had Carino, none of those have been labeled</p> <p>8 confidential, so it's different than the numbers</p> <p>9 for Dior.</p> <p>10 MR. MARMORSTEIN: Okay. Would you get</p> <p>11 back to me on that?</p> <p>12 MS. BREDEHOFT: I will.</p> <p>13 MR. MARMORSTEIN: Thank you.</p> <p>14 Q What, if any, conversations have you had</p> <p>15 with anyone at Warner Brothers about Ms. Heard's</p> <p>16 allegations of domestic abuse by Johnny Depp?</p> <p>17 MS. BREDEHOFT: Objection; foundation;</p> <p>18 hearsay. Go ahead.</p> <p>19 A None.</p> <p>20 Q So you don't know one way or the other how</p> <p>21 they found out about them?</p> <p>22 MR. MARMORSTEIN: Objection; vague.</p>	<p>156</p> <p>1 to film City of Lies?</p> <p>2 A I think he did.</p> <p>3 Q Did that film ever get released?</p> <p>4 A I don't think so.</p> <p>5 Q Do you know why it wasn't released?</p> <p>6 A No, I wasn't involved.</p> <p>7 Q Did you ever speak to anyone about that?</p> <p>8 A No.</p> <p>9 Q Do you recall testifying that Mr. Depp</p> <p>10 received various offers for endorsement deals but</p> <p>11 would often not take them?</p> <p>12 MS. BREDEHOFT: Objection; hearsay;</p> <p>13 leading; foundation; and assumes facts not in</p> <p>14 evidence.</p> <p>15 MR. MARMORSTEIN: Can I have the question</p> <p>16 read back, please?</p> <p>17 MR. CHEW: I'll ask another question.</p> <p>18 Q During the years in which you represented</p> <p>19 Mr. Depp, were there ever occasions where he</p> <p>20 received offers for endorsement deals but turned</p> <p>21 them down?</p> <p>22 A Yes.</p>

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40 (157 to 160)

157
1 Q Would he sometimes turn them down against
2 your advice?
3 MS. BREDEHOFT: Objection; leading;
4 hearsay. Go ahead.
5 A No.
6 Q So you would agree with him when he would
7 turn them down; is that fair?
8 MS. BREDEHOFT: Objection; leading.
9 A Not necessarily. I don't remember all of
10 them, but it wasn't worth fighting over.
H, F, SP, L 11 Q Is it fair to say that companies were
12 still interested in Mr. Depp before December of --
13 before 2016 in terms of seeking his endorsements?
14 MS. BREDEHOFT: Objection; leading;
15 hearsay; foundation. Go ahead.
16 A Before when?
17 Q Before 2016.
18 MS. BREDEHOFT: Same objections. Go
19 ahead.
20 A Yes.
21 Q And on those occasions when Mr. Depp
22 turned down opportunities, do you recall the

158
1 reason why?
2 MS. BREDEHOFT: Objection --
3 A No.
4 MS. BREDEHOFT: -- hearsay; foundation.
5 Q I'm sorry, would you please --
6 A No.
7 Q Okay. At the time that you ceased being
8 Mr. Depp's agent, did he have any movie offers
9 pending?
10 MS. BREDEHOFT: Objection; leading;
11 hearsay; foundation.
12 A I don't recall.
13 Q Wasn't Labyrinth pending at the time?
14 A I don't remember the status of the deal at
15 the time. I'm sorry.
16 Q Okay. If you could please look back at
17 Exhibit 7.
18 MR. CHEW: Alex, if you could post
19 Exhibit 7 again.
20 Q And directing your attention back to the
21 email where you tell Mr. Depp, we got the 8
22 million --

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1 MS. BREDEHOFT: Wait, I'm sorry, Ben,
2 before you read, I want to lodge an objection.
3 This one also has a UTA number that's never been
4 produced to us in this case or in discovery, so
5 I'm going to object to any reference to it. But
6 I'll just have that as a continuing objection so I
7 don't keep interrupting. Go ahead.
8 MR. CHEW: Thank you, Elaine.
9 Q And, Ms. Jacobs, you see where you wrote
10 Mr. Depp, we got the \$8 million on Labyrinth. Was
11 that pending at the time you and Mr. Depp parted
12 ways?
13 MS. BREDEHOFT: Objection; leading;
14 hearsay; and foundation.
15 MR. MARMORSTEIN: Vague.
16 A No. This was an initial offer that they
17 then later reduced. And I think CAA must have
18 finished it up. It was our deal, but I didn't
19 finish it.
20 Q If you would please turn ahead to
21 Exhibit 8. And --
22 MS. BREDEHOFT: I need to -- Ben, I need

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1 to put this on the record. Again, this is
2 something that's got a UTA Bates stamp on it.
3 It's not been produced in this discovery, and I'd
4 object to any questions that are referenced to it.
5 May I have a continuing objection on that? That
6 way I don't --
7 MR. CHEW: You may.
8 MS. BREDEHOFT: Thank you.
9 Q Ms. Jacobs, directing your attention to
10 the third to bottom communication to Mr. Depp, did
11 you send this text message on or about August 16th
12 at 6:03 p.m.?
13 MS. BREDEHOFT: Objection; leading.
14 MR. MARMORSTEIN: If you recall.
15 A I don't recall.
16 Q Who is Brett Ratner?
17 A He is a producer/financier. Or was, I
18 should say.
19 Q And wrote Mr. Depp, quote, he has a new
20 script he wants to do with you this fall. It's
21 coming to my house tonight. What were you
22 referring to?

<p>161</p> <p>1 A I can't remember the name of the script.</p> <p>2 But I read it, I just don't remember what it's</p> <p>3 called.</p> <p>4 Q And then at the bottom you write to</p> <p>5 Mr. Depp, one of the best scripts I have read in</p> <p>6 ages. Brett wants to get going ASAP. Incredible</p> <p>7 role for you. What were you referring to?</p> <p>8 MS. BREDEHOFT: Objection; hearsay. Go</p> <p>9 ahead.</p> <p>10 A I think I said it in the text. The lead</p> <p>11 role. Unfortunately -- well, the role was a</p> <p>12 little too reminiscent of what he was going on in</p> <p>13 his personal life.</p> <p>14 Q Were they interested in Johnny taking that</p> <p>15 role?</p> <p>16 A Yes. Brett was. It wasn't set up.</p> <p>17 Q And did Mr. Depp accept that role?</p> <p>18 MS. BREDEHOFT: Objection; leading;</p> <p>19 hearsay; foundation. Go ahead.</p> <p>20 MR. MARMORSTEIN: Join. Assumes facts.</p> <p>21 You can answer.</p> <p>22 A Ultimately, no.</p>	<p>163</p> <p>1 on Exhibit 9.</p> <p>2 Q Have you ever seen this document before,</p> <p>3 Ms. Jacobs?</p> <p>4 A Yes.</p> <p>5 Q And what is it?</p> <p>6 A It's an exchange between me and Johnny</p> <p>7 regarding a project that I made a deal for him at</p> <p>8 Universal called The Invisible Man.</p> <p>9 Q And tell us about that. What kind of deal</p> <p>10 did you make involving The Invisible Man?</p> <p>11 MS. BREDEHOFT: Objection; hearsay;</p> <p>12 foundation. Go ahead.</p> <p>13 MR. MARMORSTEIN: Also vague. Go ahead,</p> <p>14 if you know.</p> <p>15 A I don't remember exactly, but it was lower</p> <p>16 than his usual fee.</p> <p>17 Q Do you recall what the fee was?</p> <p>18 A I don't remember exactly. I don't want to</p> <p>19 give misinformation.</p> <p>20 Q Well, let's go to the top of the document,</p> <p>21 Exhibit 9. You asked Mr. Depp what happened with</p> <p>22 Tim Burton? First of all, for the record, who is</p>
<p>162</p> <p>1 Q And why not?</p> <p>2 A Because as I just said, it was similar to</p> <p>3 some of the events in his personal life with the</p> <p>4 man -- the story itself about the lead.</p> <p>5 MR. CHEW: Alex, if you would please move</p> <p>6 ahead to Exhibit 9.</p> <p>7 MS. BREDEHOFT: And, Ben, may I -- for all</p> <p>8 of these UTAs that are labeled, may I just have a</p> <p>9 blanket objection to them being referred to as not</p> <p>10 being produced in discovery?</p> <p>11 MR. CHEW: You certainly may, Elaine, but</p> <p>12 they were all produced to your office prior to</p> <p>13 this deposition. So you should, again, check with</p> <p>14 them, because you got that and you got the</p> <p>15 deposition transcripts, so --</p> <p>16 MS. BREDEHOFT: And I understand you've</p> <p>17 said that, I haven't seen them, you might be right</p> <p>18 I might be wrong, but if I'm right then I want to</p> <p>19 preserve the objections. So I'm -- but I'm trying</p> <p>20 to not to make this longer, I just want to have a</p> <p>21 blanket objection and we can deal with it later.</p> <p>22 MR. CHEW: Okay. Are we on -- yes, we're</p>	<p>164</p> <p>1 Tim Burton?</p> <p>2 A Tim Burton is a filmmaker Johnny has made</p> <p>3 five films with.</p> <p>4 Q And what were those films?</p> <p>5 A Edward Scissorhands, Ed Wood, Dark</p> <p>6 Shadows, Corpse Bride, and there's one other one,</p> <p>7 I'm sorry, I can't recall.</p> <p>8 Q And each of those was a critically</p> <p>9 acclaimed movie; correct?</p> <p>10 A No --</p> <p>11 MS. BREDEHOFT: Objection; leading</p> <p>12 hearsay; foundation.</p> <p>13 A Not all of them.</p> <p>14 Q Edward Scissorhands was; correct?</p> <p>15 A Yes.</p> <p>16 MS. BREDEHOFT: Objection; leading.</p> <p>17 A Ed Wood was a critical success but a</p> <p>18 commercial failure. Dark Shadows was both a</p> <p>19 commercial failure and a critical failure. Corpse</p> <p>20 Bride was successful. And there's one other, I</p> <p>21 just can't recall.</p> <p>22 Q And in addition to being a collaborator</p>

<p>165</p> <p>1 with Mr. Depp, Mr. Burton and Mr. Depp are close 2 personally; correct? 3 MS. BREDEHOFT: Objection -- 4 A Correct. 5 MS. BREDEHOFT: -- leading; hearsay; 6 foundation. 7 A Yes. I mean, I shouldn't speak to today. 8 They were. 9 Q During the course of your representation 10 of Mr. Depp, Mr. Depp had a close personal and 11 professional relationship with Mr. Burton; 12 correct? 13 A Yes. 14 MS. BREDEHOFT: Objection; leading; 15 hearsay; foundation. Go ahead. 16 Q Mr. Depp responds to your query about what 17 happened with Tim Burton and he says that he would 18 send the script to him. Do you know whether 19 Mr. Depp ultimately did that? 20 MS. BREDEHOFT: Objection; calls for 21 hearsay; foundation. 22 A No.</p>	<p>167</p> <p>1 Q -- text on the bottom. 2 MR. CHEW: Now you can see that. 3 MR. MARMORSTEIN: There it is. 4 MS. BREDEHOFT: Objection; hearsay; 5 foundation. 6 MR. MARMORSTEIN: What's your question? 7 Q They have three they are focused on, Bride 8 of Frankenstein, Van Helsing, and Invisible Man? 9 A I was referring to that was Universal's 10 focus at the time. 11 MR. CHEW: Okay. And if we could, Alex, 12 move ahead to Exhibit 10? 13 MS. BREDEHOFT: And same blanket objection 14 for all these UTAs, right, Ben, so I don't have to 15 keep repeating? 16 MR. CHEW: And same response. 17 MS. BREDEHOFT: Right. But you're giving 18 me the blanket notwithstanding; correct? 19 MR. CHEW: Right. 20 MS. BREDEHOFT: Thank you. 21 Q Have you ever seen this document before? 22 A Yes.</p>
<p>166</p> <p>1 Q You don't know one way or the other? 2 A Correct. 3 Q He then writes the film that I know we can 4 begin to prepare together is Phantom of the Opera. 5 He will do this, I know it. Do you know what he's 6 referring to there? 7 A Yes. 8 MS. BREDEHOFT: Objection; hearsay; 9 foundation. Go ahead. 10 A Universal has a program called the 11 Monsters Universe, or they did at the time. Tom 12 Cruise did The Mummy, Invisible Man was supposed 13 to be second, and Phantom of the Opera is also 14 another one. But Johnny didn't have a deal on 15 Phantom of the Opera and it had never been 16 discussed. This was his idea. 17 Q And you respond to him in Exhibit 9, you 18 refer to Bride of Frankenstein. What did that 19 refer to? 20 A Where? I don't see that, I'm sorry. 21 Q It's the second to last -- 22 MR. MARMORSTEIN: We can't see that, Ben.</p>	<p>168</p> <p>1 Q And explain what it is, please. 2 A It's him saying to me, he knows he has a 3 deal on Invisible Man, which we spent months 4 making. And that also came out of a meeting with 5 Donna Langley, who's the chairman of Universal. 6 And he's ignoring that and now focused on the 7 other one, which he mentioned in the previous 8 texts. And he has no deal on that. 9 Q When you say the other one, are you 10 referring to Phantom of the Opera? 11 A Yes. 12 Q Did you try to steer him more towards 13 Invisible Man? 14 MS. BREDEHOFT: Objection; leading; 15 hearsay. Go ahead. 16 A Yes and no. Yes in that that was what his 17 deal was on, and they weren't focused on Bride of 18 Frankenstein. The studio was not focused on it, 19 and I tried to explain that to him. 20 Q Did Mr. Depp follow your direction? 21 A No. 22 MR. CHEW: Okay. Alex, if you could move</p>

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43 (169 to 172)

	169	171	
	1 ahead to Exhibit 11.	1 MR. CHEW: Let's move ahead, please, to	MIL
	2 MS. BREDEHOFT: Same blanket objection.	2 Exhibit 12.	
	3 Q In the middle -- have you ever seen this	3 Q Okay. And directing your attention,	
	4 document before, Ms. Jacobs?	4 Ms. Jacobs, to -- well, first of all, have you	
	5 A Yeah. Yes.	5 ever seen this document before?	
MIL	6 Q And directing your attention to the text	6 MS. BREDEHOFT: Same blanket objections,	
	7 in the middle of the page, you say, Warners had a	7 please.	
	8 great test of Fantastic Beasts last night, and Sue	8 A Yes.	
	9 Krill said you were terrific. XX.	9 Q And what is it?	
	10 Who is Sue Krill?	10 A It's a document relating to an offer I had	
	11 A Sue Kroll actually, it was a misspelling.	11 on Murder on the Orient Express at Fox.	
	12 K-R-O-L-L. She was then the president of	12 Q And just for the record, the first text	H, F,
	13 marketing and distribution at Warner Brothers.	13 you sent to Mr. Depp was on September 9, 2016; is	MIL
H, L, MIL	14 Q And is that, in fact, what she told you?	14 that correct?	
	15 A Correct. Yes.	15 A I don't recall.	
	16 Q And when you say a great test of Fantastic	16 Q Well, you see in the first text there, you	
	17 Beasts, to what were you referring?	17 say, I have an offer for you on Fox movie in	
H, MIL	18 A Studios show -- have tests of their films	18 January. What was that referring to?	
	19 on a regular basis to see what the audiences like	19 MS. BREDEHOFT: Objection; hearsay;	
	20 and don't like in order to know whether to make	20 foundation. Go ahead.	
	21 changes, do reshoots, etcetera. And they tested	21 A It was referring to the offer I had.	
	22 the first movie, and it's exactly what I said, I	22 Q What offer was that?	
	170	172	
	1 told him what she said.	1 MS. BREDEHOFT: Objection; hearsay;	
H, F, MIL	2 Q And the response came back from Jacques	2 foundation. Go ahead.	
	3 Hughes saying, still like the character? Do you	3 A I'm sorry, am I repeating myself? The	
	4 see that?	4 offer for the Murder on the Orient Express.	
	5 A Yes.	5 Q You say, money not great, but need to	
	6 MS. BREDEHOFT: Objection; hearsay;	6 discuss. What did you mean by that?	
	7 foundation.	7 A The money was not a great offer, and I	
MIL	8 Q Is Jacques Hughes Johnny Depp?	8 wanted to negotiate and get it up.	
	9 A Yes.	9 Q What was the offer?	
H, F, MIL	10 Q You respond loves. She wants to talk to	10 A Initially --	
	11 you directly. She said she texted and called. I	11 MS. BREDEHOFT: Objection; foundation. Go	
	12 told you you'd been traveling. Warners very	12 ahead. Go ahead, I'm sorry.	
	13 happy.	13 A It states it later in the text where I	
	14 What did you mean when you told Mr. Depp	14 said they offered you 3- for four weeks.	
	15 that Warners Brothers was very happy?	15 Q Well, explain that to the people who have	
	16 MS. BREDEHOFT: Objection; hearsay;	16 to read this transcript.	
	17 foundation. Go ahead.	17 MS. BREDEHOFT: Objection; hearsay;	
H, F, MIL	18 A That they were very happy with the movie	18 foundation. Go ahead.	
	19 and the test results.	19 A What is it that you want me to explain?	
L, MIL	20 Q And when you say the movie, you're talking	20 Q What was the offer?	
	21 about Fantastic Beasts 1?	21 MS. BREDEHOFT: Objection; foundation.	
	22 A Yes.	22 A 3 million for four weeks.	

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44 (173 to 176)

H, F, L, NP,
MIL

<p>173</p> <p>1 Q Was that the final offer or the one that 2 you negotiated up? 3 A No, that was the opening offer. 4 Q What was the -- did there come a time when 5 you sweetened the deal for your client? 6 A Yes. 7 MS. BREDEHOFT: Objection; hearsay; 8 leading; and foundation. Go ahead. 9 Q What was the final deal for Murder on the 10 Orient Express? 11 MS. BREDEHOFT: Objection; hearsay; 12 foundation. Go ahead. 13 A \$5 million for four consecutive weeks, 14 plus a great back end which he has received 15 significant money on subsequently.</p> <p>16 Q Do you have any idea sitting here today 17 what the quantum of the back end that he's 18 received on Murder on the Orient Express? 19 MS. BREDEHOFT: Objection -- 20 MR. MARMORSTEIN: Objection. 21 MS. BREDEHOFT: -- hearsay; foundation; 22 calls for speculation. Go ahead.</p>	<p>175</p> <p>1 foundation; calls for speculation. 2 MR. MARMORSTEIN: Hold on. Objection; 3 calls for speculation; vague and ambiguous; 4 assumes facts. 5 A No. 6 MR. CHEW: Now, Alex if you could move 7 ahead to Exhibit 13. 8 MS. BREDEHOFT: Same blanket objection, 9 please. 10 Q Have you ever seen, Ms. Jacobs, this 11 document before? 12 A Years ago. It looks familiar, yes. 13 Q And directing your attention to the text 14 in the middle of the page, is this where you're 15 describing to Mr. Depp the final terms of the 16 deal, I got you 5 million for four weeks? 17 MS. BREDEHOFT: Objection; hearsay. 18 A Yes. 19 Q And you tell him, and ten percent of gross 20 with a true cash break with a one -- a 10 percent 21 fee. Would you explain what that means? 22 MS. BREDEHOFT: Objection; hearsay;</p>
<p>174</p> <p>1 Q She -- you get ten percent of what 2 Mr. Depp gets on the front end and the back end; 3 correct? 4 A Yes. 5 Q So I'm not asking you to speculate. What 6 -- 7 A I have no idea what the back end ended up 8 to because we don't get corroboration from his 9 current business managers. 10 Q But you testified that it was a good deal; 11 correct? 12 A Yes, because we modelled it out and 13 figured out in certain parameters of success how 14 much he would receive, and he's received some 15 significant money so far. The movie grossed 16 \$300 million. 17 Q Do you have any ballpark approximation of 18 what Mr. Depp has received on the back end of 19 Murder on the Orient Express? 20 MR. MARMORSTEIN: Objection. 21 A No. 22 MS. BREDEHOFT: Objection; hearsay;</p>	<p>176</p> <p>1 foundation. Go ahead. 2 A I don't remember, to be honest. Usually 3 it would be with a 10 percent cash break free. I 4 can't explain it. 5 MR. MARMORSTEIN: If you recall, Tracey. 6 A I don't recall. 7 MR. MARMORSTEIN: Okay. 8 Q And do you see where you told Mr. Depp 9 that you were thrilled? 10 A Yes. 11 Q And why were you thrilled? 12 A Because it was a long ways up from 13 \$3 million, and it was four consecutive weeks 14 which is one-third the -- you know, of the full 15 schedule. 16 MR. CHEW: Right. And, Alex, if you would 17 please move ahead to Exhibit 14. 18 MS. BREDEHOFT: Same blanket objection, 19 please. 20 Q Have you ever seen this document before? 21 A Yes. 22 Q What is it?</p>

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45 (177 to 180)

<p>177</p> <p>1 A It's a -- it's -- it refers to a painting 2 by Kurt Cobain's daughter, Frances Cobain. 3 Q And was that painting in your house? 4 A No, I think it was at the office. 5 Q When you say the office, were you 6 referring to your office? 7 A Yeah, at the office, that's what I'm 8 referring to. The office in Beverly Hills. 9 Q Why were you sending a picture of the 10 painting to Mr. Depp? 11 A Because I had spoken to him about it and 12 he wanted it. 13 Q Did you buy it for Mr. Depp? 14 A No, it was a gift from Frances Cobain. 15 Q To who? 16 A Johnny. 17 Q Then if you look down in the next text, 18 you say, Elton called me to say your voice in 19 Gnomes is fantastic. What are you referring to 20 there? 21 MS. BREDEHOFT: Objection. 22 MR. MARMORSTEIN: Objection; document</p>	<p>179</p> <p>1 Pirates 5 were you referring to? 2 MS. BREDEHOFT: Objection; hearsay; 3 foundation. Go ahead. 4 MR. MARMORSTEIN: Calls for speculation. 5 You can answer if you know. 6 A That someone there told me that they had 7 released the teaser and they were getting great 8 response from people. I don't know who the people 9 were, but they got positive feedback. 10 Q And Pirates 5 was a financial success; 11 correct? 12 MS. BREDEHOFT: Objection; hearsay; 13 foundation; and leading. Go ahead. 14 MR. MARMORSTEIN: Calls for speculation. 15 A Yes and no. Yes, in that it grossed over 16 \$800 million, but given that three of the others 17 had grossed over a billion dollars, it was 18 considered a success but not a huge success. 19 Q Do you recall sitting here today what each 20 of the five Pirates of the Caribbean movies 21 grossed? 22 MS. BREDEHOFT: Objection; hearsay;</p>
<p>178</p> <p>1 speaks for itself. Go ahead, Tracey. 2 A Elton John was the producer of a movie at 3 Paramount -- yeah, Paramount called Gnomeo and 4 Juliet, and Johnny voiced one of the lead 5 characters. 6 Q And when did that project take place? 7 A I don't recall. 8 Q And then moving down, the next text 9 message, you tell Johnny that Tim Burton said 10 really great things about you on Huffington Post. 11 To what were you referring? 12 MS. BREDEHOFT: Objection; hearsay; 13 foundation. 14 A I don't recall. 15 Q And moving down to the bottom of 16 Exhibit 14. You write Mr. Depp, great teaser 17 trailer for P5. Looks great. XXX. 18 What were you referring to there? 19 MS. BREDEHOFT: Objection; hearsay; 20 foundation. Go ahead. 21 A Pirates 5. 22 Q And what specifically relating to</p>	<p>180</p> <p>1 foundation. Go ahead. 2 A No, but you can certainly look it up on 3 the Internet and Google each one of them. 4 Q What was Mr. Depp's upfront compensation 5 for Pirates 5? 6 MS. BREDEHOFT: Objection; hearsay; 7 foundation. Go ahead. 8 MR. MARMORSTEIN: Objection; calls for 9 speculation. 10 A Am I supposed to give an answer? 11 Q If you know. 12 MR. MARMORSTEIN: If you know. 13 A Yeah, he got paid 25 million with a back 14 end. 15 Q And what were the terms of the back end, 16 if you recall? 17 A I don't recall. 18 MR. CHEW: Alex, if we could turn ahead to 19 Exhibit 15, please? 20 MS. BREDEHOFT: Same blanket objection for 21 UTA. 22 Q Have you ever seen this document,</p>

H, F,
SP

NP, MIL

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46 (181 to 184)

<p>NP, MIL</p> <p>1 Exhibit 15?</p> <p>H, F, NP, MIL</p> <p>2 A It looks familiar. I don't recall it</p> <p>3 exactly.</p> <p>4 Q Were these --</p> <p>5 A Actually, I do recall it.</p> <p>6 Q All right. Tell us what it is.</p>	<p>181</p> <p>1 A Yes.</p> <p>2 MS. BREDEHOFT: Objection; leading;</p> <p>3 hearsay; and foundation.</p> <p>4 A Yes.</p> <p>5 Q Who is Baz Luhrmann?</p> <p>6 A Baz is a director who directed Moulin</p>
<p>7 MS. BREDEHOFT: Objection; hearsay;</p> <p>8 foundation. Go ahead.</p> <p>H, F, NP, MIL</p> <p>9 A It's a text giving him the notification</p> <p>10 that I had just received. When we first made the</p> <p>11 deal for Fantastic Beasts it was only made for</p> <p>12 four movies, and Warners was so happy that they</p> <p>13 extended it and picked it up for a fifth movie.</p>	<p>7 Rouge!, Romeo & Juliet. He's Australian. He was</p> <p>8 directing a movie, which he is in post production</p> <p>9 now as it turns out with Tom Hanks and a young</p> <p>10 actor about Colonel Tom Parker and Elvis Presley,</p> <p>11 and I'd been talking to the studio about Johnny</p> <p>12 for Colonel Tom.</p>
<p>L, F, SP, NP, MIL</p> <p>14 Q When did they make the decision to go</p> <p>15 ahead with the fifth movie?</p> <p>16 MR. MARMORSTEIN: Objection; calls for</p> <p>17 speculation.</p> <p>18 MS. BREDEHOFT: Objection.</p>	<p>13 Q And you say here, trying to set up a</p> <p>14 meeting for you -- strike that.</p> <p>15 Trying to set up a meeting for the two of</p> <p>16 you early next yet --</p> <p>17 A Next week. It was a typo.</p> <p>18 Q Next week. Waiting for script. Did that</p> <p>19 meeting ever take place?</p>
<p>L, F, SP, NP, MIL</p> <p>19 A I don't know exactly, but I told him as</p> <p>20 soon as I knew.</p> <p>21 Q That's a good objection. When did you</p> <p>22 find out that Warners Brothers had made the</p>	<p>20 MS. BREDEHOFT: Objection; hearsay;</p> <p>21 foundation. Go ahead.</p> <p>22 A I don't recall.</p>
<p>1 decision to go ahead with the fifth movie?</p> <p>2 MS. BREDEHOFT: Objection.</p> <p>L, F, SP, NP, MIL</p> <p>3 A Thursday, October 13th, 2016.</p> <p>4 MS. BREDEHOFT: I'm sorry, I didn't hear</p> <p>5 the first part of that answer.</p> <p>6 A Thursday, October 13th, 2016. I always</p> <p>7 let him know in realtime.</p> <p>8 Q What, if anything, did -- who at Warner</p> <p>9 Brothers informed you of that?</p> <p>10 A I can't recall.</p> <p>11 Q What, if anything, did that person say</p> <p>12 with respect to your client, Johnny Depp, being in</p> <p>13 the fifth Fantastic Beasts movie?</p>	<p>182</p> <p>1 MR. CHEW: All right. Well, why don't we</p> <p>2 take a break for ten minutes and I will go through</p> <p>3 my notes.</p> <p>4 MR. MARMORSTEIN: Great. While you do,</p> <p>5 let me just put this on the record. With respect</p> <p>6 to your line of questions, Ben, specific to</p> <p>7 questions and answers about movie deals, amounts,</p> <p>8 I'm going to again restate for the record that we</p> <p>9 would request Ms. Jacobs' testimony be deemed</p> <p>10 confidential. Ben, I think I'm correct in</p> <p>11 confirming you're okay with deeming this testimony</p> <p>12 confidential as to those matters; is that right?</p>
<p>14 MS. BREDEHOFT: Objection; hearsay;</p> <p>15 foundation.</p> <p>16 A It's official, we're making five movies</p> <p>17 and we're going to be making a deal for Johnny for</p> <p>18 the fifth movie.</p> <p>L, H, F, NP, MIL</p> <p>19 Q So it was your understanding that as of</p> <p>20 that time Warners Brothers' intention was to cast</p> <p>21 Mr. Depp in all of the Fantastic Beasts movies, 1</p> <p>22 through 5; correct?</p>	<p>184</p> <p>13 MR. CHEW: David, we're fine with that.</p> <p>14 MR. MARMORSTEIN: Okay. And, Elaine, can</p> <p>15 you confirm that or let us know when you will</p> <p>16 confirm that or not?</p> <p>17 MS. BREDEHOFT: I can't confirm it today,</p> <p>18 David, but I will let you know.</p> <p>19 MR. MARMORSTEIN: Okay. Irrespective of</p> <p>20 whether other people have, you know, referenced</p> <p>21 the subject matters, I think you said earlier, you</p> <p>22 know, for purposes of Ms. Jacobs's testimony on</p>

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47 (185 to 188)

<p>185</p> <p>1 this matter, we'd like that confidential, for the 2 record.</p> <p>3 MR. CHEW: Sure. I mean, trial of course 4 is a different -- is a different thing. I think 5 things don't apply at trial, but certainly for 6 present purposes we're fine with that.</p> <p>7 MR. MARMORSTEIN: Great. And if you have 8 the testimony elsewhere, then that's the testimony 9 you can use elsewhere, so I'm not sure we need to, 10 you know, quibble over this. But I'll let you 11 look at it, Elaine, and get back to us.</p> <p>12 MS. BREDEHOFT: Will do. Thank you.</p> <p>13 MR. CHEW: Why don't we come back -- let's 14 make it an even 15 minutes and come back at 1:30.</p> <p>15 MR. MARMORSTEIN: Sure.</p> <p>16 MR. CHEW: I think that'll make things go 17 faster, actually.</p> <p>18 THE WITNESS: Do you have any idea how 19 much longer this will be, approximately?</p> <p>20 MR. CHEW: I'm -- if I'm not done, I'm 21 close to done, and then you'll have to ask 22 Ms. Bredehft.</p>	<p>187</p> <p>1 hearing; foundation; and already asked and 2 answered.</p> <p>3 A No.</p> <p>4 Q Have you ever seen Mr. Depp throw anything 5 at Ms. Heard?</p> <p>6 MS. BREDEHOFT: Same objections; leading; 7 hearsay; foundation; already asked and answered.</p> <p>8 A No again.</p> <p>9 Q Have you ever seen Mr. Depp kick 10 Ms. Heard?</p> <p>11 MS. BREDEHOFT: Same objections; hearsay; 12 leading; foundation; asked and answered.</p> <p>13 A No again.</p> <p>14 Q Actually, there's a fourth question. Have 15 you ever seen or witnessed Mr. Depp do anything 16 violent to Ms. Heard?</p> <p>17 MS. BREDEHOFT: Again, leading; hearsay; 18 foundation; and asked and answered.</p> <p>19 A Nope.</p> <p>20 Q Thank you very much. I appreciate your 21 time, Ms. Jacobs.</p> <p>22 A You're welcome.</p>
<p>186</p> <p>1 MS. BREDEHOFT: Right.</p> <p>2 MR. MARMORSTEIN: Elaine, do you have more 3 -- do you have more cross?</p> <p>4 MS. BREDEHOFT: I do. It'll be definitely 5 less than a half hour.</p> <p>6 MR. MARMORSTEIN: Okay. So let's take 15 7 and we'll come back.</p> <p>8 MS. BREDEHOFT: Okay.</p> <p>9 MR. CHEW: Sounds good. Thank you.</p> <p>10 THE VIDEOGRAPHER: So it is 4:15 p.m. We 11 go off the record.</p> <p>12 (Off the record from 4:15 p.m. to 4:31 13 p.m.)</p> <p>14 THE VIDEOGRAPHER: It is the beginning of 15 media number five in the testimony of Tracey 16 Jacobs. It is 4:31 p.m. We're back on the 17 record.</p> <p>18 Q Thank you, Ms. Jacobs, for your time. I 19 have three questions. They're probably redundant, 20 but just for belts and suspenders. Have you ever 21 seen Mr. Depp hit Ms. Heard?</p> <p>22 MS. BREDEHOFT: Objection; leading;</p>	<p>188</p> <p>1 EXAMINATION BY COUNSEL FOR THE DEFENDANT</p> <p>2 BY MS. BREDEHOFT:</p> <p>3 Q Ms. Jacobs, would it be fair to say that 4 you do not know one way or the other whether 5 Mr. Depp has caused any injury to any person, 6 including Amber Heard?</p> <p>7 MR. CHEW: Objection; argumentative; asked 8 and answered.</p> <p>9 MR. MARMORSTEIN: Join.</p> <p>10 A Yes.</p> <p>11 MR. CHEW: Badgering.</p> <p>12 Q Would it be fair to say that you cannot 13 say one way or the other whether Mr. Depp has hit, 14 punched, kicked, headbutted, or choked Amber 15 Heard?</p> <p>16 MR. CHEW: Objection; argumentative; asked 17 and answered.</p> <p>18 MR. MARMORSTEIN: Join.</p> <p>19 A Yes.</p> <p>20 Q And is it fair that you -- is it correct 21 to say -- strike that. Let me rephrase it.</p> <p>22 Can you say one way or the other whether</p>

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48 (189 to 192)

R ICD	189	1 Mr. Depp has ever hit, punched, kicked, 2 headbutted, or choked anyone else? 3 MR. CHEW: Asked and answered. 4 A Can I say that? 5 Q Yes. One way or the other, do you know? 6 A No. 7 Q Okay. Now, Mr. -- Mr. Chew took you 8 through a number of documents, and they had the 9 UTA labels on the bottom, which is the company 10 that you work for; right? 11 A Yes. 12 Q And we already looked at our Exhibit 2, 13 which was the document subpoena asking for 14 documents, and we looked at Exhibit 3, which was 15 your declaration of no records. Do you have any 16 explanation for why the documents that Mr. Chew 17 was showing you were never produced to us in 18 response to the deposition -- the document 19 subpoena? 20 MR. MARMORSTEIN: Objection. I'm going to 21 -- I'm going to instruct the witness not to answer 22 because she's testified very clearly in this	191	1 document subpoena? 2 MR. MARMORSTEIN: In this case? 3 A No. 4 MR. MARMORSTEIN: You're talking about 5 this subpoena? 6 MS. BREDEHOFT: Yes. 7 A I turned it all over to the attorneys. ICD 8 Q But do you know whether there were any 9 documents that were provided to counsel for 10 Ms. Heard in response to Ms. Heard's subpoena 11 document? 12 A No, I don't know. 13 MR. MARMORSTEIN: Just to clarify, the 14 witness is saying she turned the matter over to 15 her attorneys, not that she turned documents over 16 to her attorneys, with respect to this subpoena, 17 just so that's clear on the record. I don't want 18 there to be a confusing record. 19 A Correct. 20 MS. BREDEHOFT: And I'm trying to just 21 make this clean so we can move on, and you can 22 understand why I'm asking it, David.	R
	190	1 deposition that the subpoena and the response and 2 the declaration was the result of work done by 3 counsel. Her knowledge would be based on her 4 discussions with counsel. Whatever other 5 documents were produced in other cases by UTA she 6 may not have been privy too. They were probably 7 absolutely responsive to different subpoenas with 8 different categories and questions, so I think 9 that question, as it's framed, Counsel, asks for 10 her to divulge attorney-client information. If 11 you want to rephrase it so it doesn't, I'm happy 12 to have her answer that. 13 Q Are you following your counsel's 14 instructions not to answer my question? 15 A Yes. 16 Q Okay. Is it correct to say that you did 17 not provide any documents in response to 18 Ms. Heard's document subpoena? 19 A I'll say it again, I turned everything 20 over to counsel. 21 Q Do you know of any documents that were 22 turned over to Ms. Heard by you in response to the	192	1 MR. MARMORSTEIN: Yeah, I do, I just want 2 it to be clear. 3 Q Are you aware of any documents that were 4 turned over in this litigation to Ms. Heard and 5 her counsel in response to Ms. Heard's document 6 subpoena to you? 7 MR. MARMORSTEIN: Counsel, that presumes 8 that there are responsive documents, and I don't 9 want you to confuse the record this way. 10 MS. BREDEHOFT: You can have whatever 11 objections you want. I'm asking if she's aware of 12 any. That's all I'm asking. 13 MR. MARMORSTEIN: Of any documents 14 responsive? 15 MS. BREDEHOFT: Being turned over to 16 Ms. Heard in response to the document subpoena 17 request. That's a fair question. 18 MR. MARMORSTEIN: Well, are you asking her 19 whether there are responsive documents -- 20 MS. BREDEHOFT: If she's not aware of any, 21 say she's not aware. If she's aware of some and 22 says yes, I know I gave you this and this, she can	R

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49 (193 to 196)

<p>193</p> <p>1 say that, but it's a fair question.</p> <p>2 MR. MARMORSTEIN: Well, it's a fair</p> <p>3 question if you establish that there are</p> <p>4 responsive documents. You're avoiding that</p> <p>5 question and answer, so that the record is going</p> <p>6 to be unclear. So let's clear the record.</p> <p>7 MS. BREDEHOFT: You know, if you want me</p> <p>8 to spend another hour and go through every one of</p> <p>9 the Depp exhibits and show how -- and then take it</p> <p>10 over to the document subpoena and match it up, I</p> <p>11 can do that, but I don't need to do that. I'm</p> <p>12 just asking the question here and I'll deal with</p> <p>13 the rest of that in court.</p> <p>14 MR. MARMORSTEIN: Well, you don't need to</p> <p>15 threaten a longer deposition. We're trying to</p> <p>16 clear the record here.</p> <p>17 MS. BREDEHOFT: You're asking me to match</p> <p>18 that up, and that would take some time for me to</p> <p>19 go through each one of those in her deposition.</p> <p>20 There's no need for it. All I'm doing is setting</p> <p>21 the record straight that Ms. Jacobs is not aware</p> <p>22 of any document that has been provided to</p>	<p>195</p> <p>1 MR. MARMORSTEIN: Not yet.</p> <p>2 Q I'm waiting for the document.</p> <p>3 A Sorry.</p> <p>4 Q And just so we're clear, I'm going to</p> <p>5 direct your attention to --</p> <p>6 MS. BREDEHOFT: If I can have control,</p> <p>7 Alex. Thank you. Alex, is there a reason why I</p> <p>8 can't highlight on this one? I got it. Never</p> <p>9 mind.</p> <p>10 Q So this is a declaration of no records.</p> <p>11 I, Tracey Jacobs, declare as follows, and the</p> <p>12 first one says I'm a qualified witness with</p> <p>13 authority to certify records on my own behalf</p> <p>14 responding to the Superior Court of California</p> <p>15 subpoena for production of business records in</p> <p>16 action pending outside of California and subpoena</p> <p>17 duces tecum to person under foreign subpoena in</p> <p>18 the matter of John C. Depp, II versus Amber Laura</p> <p>19 Heard, Case No. 2019-2911. A copy of the subpoena</p> <p>20 is attached to this declaration. After conducting</p> <p>21 a good faith diligent search of all records in my</p> <p>22 custody, possession, or control, no records</p>	<p>R, Jury Confusion</p>
<p>194</p> <p>1 Ms. Heard in response to the document subpoena in</p> <p>2 this case.</p> <p>3 A No, that's not what I said.</p> <p>4 O That's why I'm asking.</p> <p>5 A What I said was when I got the subpoena,</p> <p>6 and I don't even remember getting it, and I got it</p> <p>7 and I signed it, and it was turned over to my</p> <p>8 attorneys. Period.</p> <p>9 Q So my question, and I'm just trying to</p> <p>10 make sure my record is clear, are you aware of any</p> <p>11 document that was produced to Ms. Heard or</p> <p>12 Ms. Heard's counsel in response to Ms. Heard's</p> <p>13 document subpoena that's listed as Jacobs</p> <p>14 Exhibit 2?</p> <p>15 A My answer is I don't know.</p>	<p>196</p> <p>1 requested in this subpoena were found.</p> <p>2 Accordingly, I am unable to provide the requested</p> <p>3 documents or communications. Is that what you</p> <p>4 signed?</p> <p>5 A Yes.</p> <p>6 Q And it says, I declare under the penalty</p> <p>7 of perjury under the laws of the State of</p> <p>8 California that the foregoing is true and correct</p> <p>9 to the best of my knowledge, information, and</p> <p>10 belief. And you signed this on July 9th, 2020;</p> <p>11 correct?</p> <p>12 A Correct.</p> <p>13 Q Okay. Thank you. All right.</p> <p>14 MS. BREDEHOFT: You can take that down</p> <p>15 now, Alex.</p>	<p>R, Jury Confusion</p>
<p>16 MR. MARMORSTEIN: Hold on. Hold on. I'm</p> <p>17 going to object that it lacks foundation.</p> <p>18 MS. BREDEHOFT: That's fine. She answered</p> <p>19 she doesn't know.</p> <p>20 Q Then let's go to Deposition Exhibit 3</p> <p>21 again just quickly, Jacobs.</p> <p>22 A Is there a question?</p>	<p>16 Q Now, Mr. Chew just took you through a</p> <p>17 number of documents that included a series of text</p> <p>18 messages between you and Mr. Depp. And it looks</p> <p>19 like you were working pretty darn hard for</p> <p>20 Mr. Depp right up to October 2016 when he</p> <p>21 terminated, you would you agree?</p> <p>22 A I don't understand the preface. You're</p>	<p>C VA ICD</p>

Lines 5-8:
Improper
Desig.

All Lines:
R

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R, AA ICD	<div>197</div> <div>1 confusing two things. That I was working hard for</div> <div>2 him until he fired me, yes.</div> <div>3 Q Okay.</div> <div>4 A I didn't understand the first half of the</div> <div>5 question.</div> <div>6 Q All right. I'll ask that. That's fair.</div>	<div>199</div> <div>1 asked and answered.</div> <div>2 MR. MARMORSTEIN: Are you asking --</div> <div>3 MR. CHEW: Argumentative.</div> <div>4 MR. MARMORSTEIN: Are you asking if that's</div> <div>5 the reputation as she understood it at the time?</div> <div>6 MS. BREDEHOFT: Yes.</div>
SP	<div>7 Would it be fair to say that you were continuing</div> <div>8 to bring in good solid work for Mr. Depp right up</div> <div>9 to the time Mr. Depp terminated you?</div> <div>10 A Correct. Yes.</div> <div>11 Q Okay. And as of the time that Mr. Depp</div> <div>12 terminated you, what would you say Mr. Depp's</div> <div>13 reputation as an actor was?</div> <div>14 MR. MARMORSTEIN: Objection; vague. You</div> <div>15 can answer.</div> <div>16 MR. CHEW: Objection; calls for</div> <div>17 speculation; vague.</div> <div>18 A Can you be more specific, please?</div>	<div>7 A Yes. SP. P. Impr. Char. Evid.. Cumulative. AA</div> <div>8 Q Okay. Now, I'm just going to ask a couple</div> <div>9 of questions on the ones that Mr. Chew took you</div> <div>10 through. I was a little confused on one of your</div> <div>11 answers. On Murder on the Orient Express, what</div> <div>12 did the movie make?</div> <div>13 A \$300 million worldwide.</div> <div>14 Q Okay. Thank you. Now, you said that you</div> <div>15 were having difficulty getting corroboration on</div> <div>16 the back end. I believe this was on -- was that</div> <div>17 Murder on the Orient Express or was that a</div> <div>18 different movie?</div>
SP	<div>19 Q Earlier you said that Mr. Depp's</div> <div>20 reputation, that he became the greatest actor in</div> <div>21 the world; right?</div> <div>22 A That's not what I said. I said he became</div>	<div>19 A Murder on the Orient Express, that's not</div> <div>20 what I said. You're stating it differently. What</div> <div>21 I said is I don't recall the exact back end. And</div> <div>22 I gave as much as I could remember. And we had</div>
All Lines: SP, P Lines 14-17: Impr. Char. Evid., Cumulative AA	<div>198</div> <div>1 the biggest movie star in the world.</div> <div>2 Q Movie star. Thank you. Forgive me. So</div> <div>3 as of the time that you were terminated by</div> <div>4 Mr. Depp in October 2016, did you still believe</div> <div>5 that Mr. Depp was the greatest movie star in the</div> <div>6 world?</div> <div>7 A No.</div> <div>8 Q Why not?</div> <div>9 A Because his star had dimmed due to it</div> <div>10 getting harder to get him jobs given the</div> <div>11 reputation he had acquired due to his lateness and</div> <div>12 other things.</div> <div>13 Q And what were the other things?</div> <div>14 A Just, you know, people were talking and</div> <div>15 the question was out there about his behavior.</div> <div>16 Q And that behavior included?</div> <div>17 A I think I described it several times.</div> <div>18 MR. CHEW: Asked and answered.</div>	<div>200</div> <div>1 done some projections for it, but I don't recall</div> <div>2 the exactness. I'd be giving inaccurate</div> <div>3 information. It's been five years.</div> <div>4 Q What I'm referring to is your testimony</div> <div>5 when you said you could not get corroboration from</div> <div>6 Mr. Depp's business managers, do you recall</div> <div>7 testifying to that?</div> <div>8 A Yes. That's a separate question. What I</div> <div>9 said is I don't know how much he's actually</div> <div>10 received because I have no statements from Ed</div> <div>11 White, his current business manager.</div> <div>12 Q Have you asked Mr. White for the</div> <div>13 statements?</div> <div>14 A Yes.</div> <div>15 Q And what reasons has Mr. White given for</div> <div>16 not providing you those statements?</div> <div>17 A He hasn't.</div> <div>18 Q Would you say that Mr. White is not being</div> <div>19 cooperative?</div>
Impr. Char. Evid. Cumulative, AA	<div>19 Q Would that behavior include alcohol and</div> <div>20 drug use?</div> <div>21 MR. CHEW: Objection; that</div> <div>22 mischaracterizes her testimony; and it's been</div>	<div>19 cooperative?</div> <div>20 MR. CHEW: Objection to the --</div> <div>21 MR. MARMORSTEIN: Objection.</div> <div>22 MR. CHEW: -- form of the question;</div>

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51 (201 to 204)

201		203		
1	argumentative.	1	speculation. You can answer if you know.	
2	MR. MARMORSTEIN: Join.	2	A What's the question again? I'm sorry.	
3	A You know, I don't know.	3	Q Do you have any understanding of why	R, P
4	Q Do you have reason to believe that you're	4	Mr. Depp needed that loan in January of 2016?	
5	entitled to receive corroboration because you are	5	A Yes. He had said -- he had come in and	
6	receiving compensation?	6	met with us and he had asked for \$20 million.	
7	A Yes.	7	Q Did Mr. Depp tell you when he met with you	
8	Q Did you know Edward White before he became	8	why he needed \$20 million?	
9	Mr. Depp's business manager?	9	MR. CHEW: Objection; calls for hearsay.	
10	A No.	10	A Not specifically other than he just needed	R, P
11	Q Are you aware of Mr. White representing	11	the money.	
12	any other star in Hollywood?	12	Q Was there any general discussion as to why	R, MIL,
13	A Yes.	13	he needed \$20 million in January of 2016?	AA, ICD
14	Q Who else?	14	MR. MARMORSTEIN: Objection; asked and	
15	A Jack Nicholson.	15	answered. Other than he needed money?	
16	Q Anyone else?	16	A Correct.	
17	A Not that I'm aware of.	17	Q So --	
18	Q Mr. Chew asked you about City of Lies, and	18	A Not as to why, he just expected us to do	R, ML
19	you indicated that you didn't believe it was	19	it.	AA, ICD
20	released. Are you aware that Mr. Depp was accused	20	Q So you just -- Mr. Depp came in and said,	R, P
21	of punching a local manager in the face during the	21	I want to get \$20 million for me?	
22	filming of City of Lies?	22	A Actually it was, I want you to give me	
202		204		
1	MR. CHEW: Objection; lack of foundation;	1	\$20 million. It was not discussed. The question	R, P
2	lack of personal knowledge.	2	was not asked as a loan.	
3	MR. MARMORSTEIN: Calls for speculation.	3	Q And what did you say in response?	Lines
4	You can answer, Tracey, if you know.	4	A I didn't. Jeremy Zimmer and Jim Burkus	7-13:
5	A I read that. I don't know.	5	spoke directly to that point. I was just in the	H
6	MR. MARMORSTEIN: Okay.	6	meeting.	
7	Q Mr. Chew showed you what he labeled as	7	Q And in the meeting, do you recall what	
8	Deposition Exhibit 5. And it was a text message	8	Jeremy and Jim said to Mr. Depp when he asked them	
9	from January of 2016. Respecting your efforts,	9	for \$20 million?	
10	UTA's efforts to assist Mr. Depp in obtaining a	10	MR. CHEW: Objection; calls for hearsay.	
11	loan back in that time frame. Do you recall that?	11	A Yes. They said we're not in a position to	
12	A Yes, but I wasn't involved in the	12	give our clients that kind of money. We're not a	
13	acquisition of the loan myself. There were others	13	bank.	
14	specifically that dealt with it. I just knew it	14	Q Did Mr. Depp explain why he thought that	
15	was ongoing.	15	you should just give him \$20 million as opposed to	
16	Q So do you have any understanding of why	16	loan?	
17	Mr. Depp was in need of a loan of that size in	17	A Yes.	
18	January of 2016?	18	Q What --	
19	MR. CHEW: Objection; lack of foundation;	19	A He felt he made a lot of money for us and	
20	assumes facts not in evidence; lack of personal	20	that we should just do it because of how much	
21	knowledge.	21	money he had made over the duration of his being	
22	MR. MARMORSTEIN: Join. Calls for	22	at UTA.	

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52 (205 to 208)

	205	207	
R, P	1 Q Have you ever had any other client who's 2 ever made that kind of a demand? 3 A No. 4 Q What did you think when he said that? 5 MR. MARMORSTEIN: Objection; calls for 6 speculation; assumes facts not in evidence; lack 7 foundation. You can answer if you had an 8 understanding or thought of -- what that question 9 is I'm not even sure, but if you understand, 10 Tracey, you can answer.	1 Mr. Depp's star had begun to dim by the time he 2 terminated you, and you also indicated earlier 3 that you thought the lawsuits did not help his 4 reputation, do you recall that testimony? 5 MR. CHEW: Misstates testimony. 6 A Yes. 7 Q Okay. I'm just going to go through some 8 dates with you. The Mandel complaint was filed on 9 January 13, 2017. That was after you were 10 terminated; correct? 11 A It seems so, yes. 12 Q Do you believe that the filing of that 13 complaint and the ongoing litigation in the Mandel 14 matter negatively impacted Mr. Depp's career? 15 MR. MARMORSTEIN: Objection; asked and 16 answered. I think you covered this, Elaine, on 17 your direct. Because you asked this question and 18 you tried to break it down by project and she said 19 I think they all affected. I'm not sure if this 20 falls to that line of questioning, but I think 21 that was your accurate testimony. 22 A I think it's the collection of all the	SP, Cumulative, P SP, Cumulative P R R MIL, AA, MIS, S, ICD R, MIL, AA MIS, SP, ICD 208
Lines 18-20: Argumentative	11 A I do understand. I thought it was nuts. 12 Q And why? 13 A No agency is in the position of a bank to 14 be giving clients, not as a loan, not as a we'll 15 cosign a loan, that we would just give him a check 16 for \$20 million. We have bills to pay too. We're 17 a company. We have a lot of obligations. 18 Q Would it be fair to say you earned the 19 money that you received as a result of 20 representing Mr. Depp? 21 MR. CHEW: Objection; form of the 22 question; argumentative.	1 lawsuits. 2 Q All right. Do all the lawsuits include 3 the Mandel lawsuit? 4 MR. CHEW: Objection; asked and answered; 5 calls for speculation; lack of personal knowledge; 6 assumes facts not in evidence. 7 MR. MARMORSTEIN: If you know, Tracey, 8 specific to that. 9 A He says -- 10 MR. MARMORSTEIN: Hold on. Tracey, you 11 have to answer if you know specific to each 12 lawsuit. 13 THE WITNESS: I don't. 14 MR. MARMORSTEIN: Okay. 15 Q I'm not asking specific to each lawsuit. 16 I understand you're saying collective. I just 17 want to make sure that we cover all the lawsuits, 18 so I'm just going to go through quickly with you. 19 I'm trying to move quickly, I assure you. So when 20 you were saying the collective lawsuits that you 21 felt damaged Mr. Depp's reputation, the first one 22 I asked is do you think the Mandel was one of the	
	206 1 MR. MARMORSTEIN: Are you asking her 2 individually or? She's not here on behalf of the 3 company, so... 4 MS. BREDEHOFT: If she felt -- if she felt 5 they earned the money. 6 MR. MARMORSTEIN: That the company earned 7 the money.		
R, P	8 A Yes. 9 Q Did you feel you earned the money that you 10 were paid based on your work for Mr. Depp? 11 A Yes. 12 Q Now, Mr. Chew asked you a whole series of 13 questions about different deals you were working 14 on for Mr. Depp in 2016 up to the time you were 15 terminated. How many deals has Mr. Depp obtained 16 through his new agents since he terminated you? 17 MR. MARMORSTEIN: Objection; calls for 18 speculation; lacks foundation; assumes facts not 19 in evidence. You can answer only if you know, 20 Tracey. 21 A I have no idea.		
R, P	22 Q You had indicated earlier that you thought		

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53 (209 to 212)

<p>209</p> <p>1 collective lawsuits you're referring to?</p> <p>2 A Not in and of --</p> <p>3 MR. CHEW: Objection; asked and</p> <p>4 answered --</p> <p>5 Q I understand --</p> <p>6 MR. CHEW: Calls for speculation.</p> <p>7 Q -- I'm not trying to fight with you. I'm</p> <p>8 not trying to say that it's one individual one, I</p> <p>9 just want to make sure that I understand what you</p> <p>10 consider to be the collective lawsuits. So I'm</p> <p>11 just going to go through each of them and are</p> <p>12 those considered -- and I'm going to ask you the</p> <p>13 same question -- is this one considered one of the</p> <p>14 collective lawsuits that you're referring to that</p> <p>15 led --</p> <p>16 A Yes.</p> <p>17 Q -- that has harmed his reputation?</p> <p>18 A Yes.</p> <p>19 Q Okay. So --</p> <p>20 A Let me say one other thing.</p>	<p>211</p> <p>1 MR. MARMORSTEIN: Join.</p> <p>2 A Yes. R, P, SP, Lacks</p> <p>3 Q Is the complaint filed by Mr. Brooks, the Pers. Know.,</p> <p>4 local manager in the City of Lies against Mr. Depp Cumulative,</p> <p>5 on June 6th, 2018, is that part of the collective AF</p> <p>6 lawsuits you're referring to?</p> <p>7 MR. CHEW: Objection; asked and answered;</p> <p>8 calls for speculation; lack of personal knowledge.</p> <p>9 MR. MARMORSTEIN: Join.</p> <p>10 A Yes. R, P, SP, Lacks</p> <p>11 Q And is the particulars of claim that Pers. Know.,</p> <p>12 Mr. Depp filed against The Sun and Mr. Wootton in Cumulative,</p> <p>13 London on June 13, 2018, part of the collective AF</p> <p>14 lawsuits you're referring to?</p> <p>15 MR. CHEW: Objection; asked and answered;</p> <p>16 lack of foundation; calls for speculation.</p> <p>17 MR. MARMORSTEIN: Join.</p> <p>18 A Yes. R, P, SP, Lacks</p> <p>19 Q And is the complaint that Mr. Depp filed Pers. Know.,</p> <p>20 against Ms. Heard on March 1st, 2019, part of the Cumulative,</p> <p>21 collective lawsuits that you're referring to? AF</p>
<p>Incom. Desig. R, P, SP, Lack of Pers. Know.</p> <p>21 Q Absolutely.</p> <p>22 A The majority of really damaging ones were</p> <p>210</p> <p>1 done after he fired me, the ones relating to why</p> <p>2 we're all here. So I was not involved -- I wasn't</p> <p>3 involved in any of them, but that made it worse.</p> <p>4 Q And I'm not disagreeing with you. I just</p> <p>5 want to make sure we have a clear record on this</p> <p>6 one. I swear, I'm going to try to do this as fast</p> <p>7 as I can, because I fully respect your time, and</p> <p>8 wow, you're a create agent. So of the collective</p> <p>9 lawsuits that you believe have led to the damaging</p> <p>10 of Mr. Depp's reputation, does the Depp v. Bloom</p> <p>11 complaint filed on October 17, 2017, is that one</p> <p>12 of the collective lawsuits you're referring to?</p>	<p>212</p> <p>1 calls for speculation; lack of personal knowledge.</p> <p>2 MR. MARMORSTEIN: Join.</p> <p>3 A Yes. R, P, SP, Lacks</p> <p>4 Q And were you aware of the Rolling Stone Pers. Know.,</p> <p>5 article that was published on June 21, 2018? AF, L</p> <p>6 A Is that the one with Adam Waldman?</p> <p>7 Q Yes.</p> <p>8 A Yes.</p> <p>9 Q How do you believe that article in Rolling</p> <p>10 Stone impacted Mr. Depp's reputation?</p> <p>11 MR. CHEW: Objection; leading --</p> <p>12 MR. MARMORSTEIN: Objection; assumes</p> <p>13 facts.</p> <p>14 MR. CHEW: I'm sorry, go ahead, David, I</p> <p>15 apologize.</p> <p>16 MR. MARMORSTEIN: Assumes facts; lacks</p> <p>17 foundation; calls for speculation.</p> <p>18 MR. CHEW: Lack of foundation;</p> <p>19 argumentative; leading.</p> <p>20 THE WITNESS: Can I answer?</p> <p>21 MR. MARMORSTEIN: Yeah, if you know</p> <p>22 Tracey.</p>
<p>R, P, SP, Lack of Pers. Know. Cumulative, AF</p> <p>13 MR. CHEW: Objection; calls for</p> <p>14 speculation; asked and answered.</p> <p>15 MR. MARMORSTEIN: Join.</p> <p>16 A Yes.</p> <p>17 Q And is the complaint that was filed on</p> <p>18 May 1st, 2018, by Mr. Depp's bodyguards against</p> <p>19 Mr. Depp, is that part of the collective lawsuits</p> <p>20 you're referring to?</p> <p>21 MR. CHEW: Objection; asked and answered;</p> <p>22 lack of personal knowledge; calls for speculation.</p>	

Transcript of Tracey Jacobs
Conducted on January 28, 2021

54 (213 to 216)

	213	215
R, P, SP, Lacks Pers. Know., AF	1 A Other than the fact that Adam Waldman came	1 Q You had great success for Johnny Depp;
	2 across as a ridiculous, pompous ass, the	2 correct?
	3 implication from everything that was said in the	3 A I think so.
	4 interview was that he was doing drugs during the	4 Q And you had -- isn't it true that
	5 interview. I mean, you don't have to be a rocket	5 approximately -- that your agency received 10
	6 scientist. I was shocked when I read that	6 percent with respect to each deal?
	7 interview.	7 A You asked me this before. You said 10
	8 Q And do you believe the Rolling Stone	8 percent front end and back end, and the answer is
	9 interview, the article, damaged Mr. Depp's	9 still the same, yes.
	10 reputation?	10 Q And is it a ballpark during the tenure
	11 A Yes.	11 that you had with Johnny Depp that it approximates
	12 MR. CHEW: Objection; asked and answered;	12 about \$65 million that you earned?
	13 lack of personal knowledge; argumentative; calls	13 MS. BREDEHOFT: Objection; leading;
	14 for speculation.	14 hearsay; and foundation --
	15 A Yes.	15 MR. MARMORSTEIN: Calls for speculation.
	16 Q Okay. I just have a couple of more	16 MS. BREDEHOFT: -- and calls for
	17 questions here.	17 speculation. Thank you, Dave.
	18 Are you aware of any significant role that	18 MR. MARMORSTEIN: Do you know? Do you
	19 Mr. Depp has starred in since you were terminated	19 know, Tracey?
	20 that you did not negotiate and get for him?	20 A Yes.
	21 MR. CHEW: Objection; asked and answered;	21 Q And it was about 65 million?
	22 lack of personal knowledge; calls for speculation.	22 A Yes.
	214	216
	1 She's already answered that.	1 MS. BREDEHOFT: Same objections.
	2 MS. BREDEHOFT: I asked it a little	2 Q And that success continued through --
	3 differently.	3 until the end of your tenure; correct?
	4 MR. MARMORSTEIN: Are you aware, Tracey?	4 A Yes.
R	5 THE WITNESS: No.	5 Q Thank you very much.
	6 Q Did Mr. Depp get The Invisible Man?	6 A You're welcome.
ICD	7 A They didn't make it. They made it much	7 MS. BREDEHOFT: One follow-up.
	8 lower budget with a woman, as it turns out, for	8 EXAMINATION BY COUNSEL FOR THE DEFENDANT
	9 Universal with Blumhouse.	9 BY MS. BREDEHOFT:
P, SP, Lacks Pers. Know., AF	10 Q You were asked about whether there was any	10 Q So if we take that as one-tenth and we
	11 option contract for Pirates 6. And I just want to	11 multiply that by ten, is that how much you made
	12 make sure I understand your answer. Did you --	12 for Johnny Depp over the years you represented
	13 were you involved in any kind of negotiation with	13 him?
	14 Disney for any kind of option contract for	14 A Yes.
	15 Pirates 6 with Mr. Depp?	15 MS. BREDEHOFT: Thank you. No more
	16 A Not that I can recall, no.	16 questions. David, under the rules in Virginia --
	17 MS. BREDEHOFT: All right. I have no more	17 and I realize this is kind of strange, both
	18 questions thank you very much.	18 California and Virginia, we have to have on the
	19 MR. CHEW: And, Ms. Jacobs, I just have a	19 record that Ms. Jacobs has the right to read or
	20 couple based on Ms. Bredehoft's comments.	20 waive signature. So she has the right to be able
	21 EXAMINATION BY COUNSEL FOR THE PLAINTIFF	21 to obtain a copy, review it, and I think it's
	22 BY MR. CHEW:	22 30 days in California, I think it's 21 maybe in


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Transcript of Tracey Jacobs
Conducted on January 28, 2021

55 (217 to 220)

<p>217</p> <p>1 Virginia, but we're fine with 30, and if she has 2 any corrections, typos, things of that nature she 3 can do that or she can waive her signature, so you 4 might want to put that on the record. 5 MR. MARMORSTEIN: Yeah. No, we would like 6 the opportunity to have her review and revise as 7 needed her transcript. 30 days I think would be 8 fine, and if it has to be longer I'll let you 9 know. 10 MS. BREDEHOFT: Okay. Thank you. 11 MR. CHEW: Thank you, David. Thank you, 12 Tracey. 13 MR. MARMORSTEIN: Thank you. Thank you, 14 Tracey. 15 THE VIDEOGRAPHER: Okay. It is the end of 16 the testimony of Tracey Jacobs. It is 5:01 p.m. 17 We go off the record. 18 (Off the record at 5:01 p.m.) 19 20 21 22</p>	<p>219</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC 2 I, PAUL P. SMAKULA, the officer before whom 3 the foregoing deposition was taken, do hereby 4 certify that the foregoing transcript is a true 5 and correct record of the testimony given; that 6 said testimony was taken by me stenographically 7 and thereafter reduced to typewriting under my 8 direction; that reading and signing was requested; 9 and that I am neither counsel for, related to, nor 10 employed by any of the parties to this case and 11 have no interest, financial or otherwise, in its 12 outcome. 13 14 IN WITNESS WHEREOF, I have hereunto set my hand 15 and affixed my notarial seal this 5th day of 16 February, 2021. 17 18 My commission expires: June 18, 2023. 19 20  21 NOTARY PUBLIC IN AND FOR 22 THE STATE OF MARYLAND</p>
<p>218</p> <p>1 ACKNOWLEDGMENT OF DEPONENT 2 I, TRACEY JACOBS, do hereby acknowledge 3 that I have read and examined the foregoing 4 testimony and the same is a true, correct and 5 complete transcription of the testimony given by 6 me and any corrections appear on the attached 7 errata sheet signed by me. 8 9 _____ 10 (SIGNATURE) (DATE) 11 12 13 14 15 16 17 18 19 20 21 22</p>	