

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

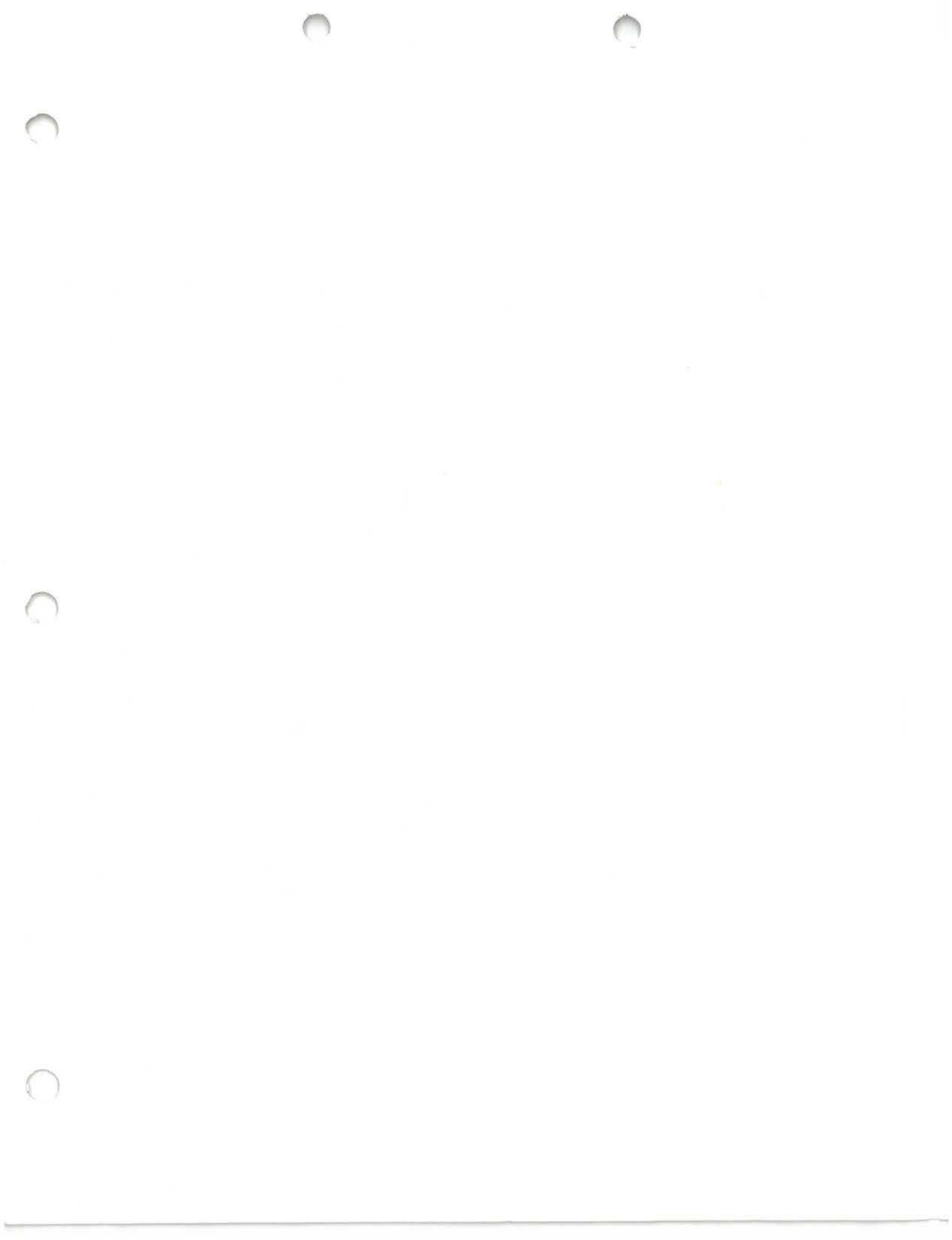
v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

Civil Action No.: CL-2019-0002911

**DEFENDANT'S EXHIBITS  
SUPPLEMENTAL PLEA IN BAR**



22 July 2020 (PM)

Claim No: QB-2018-006323

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

BETWEEN

JOHN CHRISTOPHER DEPP II

Claimant

and

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

Defendants

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CORE TRIAL BUNDLE INDEX

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| <b>Section A: Articles Complained Of</b> |   |                    |             |          |
| 1.                                       | Original Online Article:<br>'Gone Potty: How can JK Rowling be<br>"genuinely happy" casting wife beater<br>Johnny Depp in the new Fantastic Beasts<br>film?'        | 27.04.18           | 1           | A1-A20   |
| 2.                                       | Word version of Original Online Article   | 27.04.18           | 1           | A21-A23  |
| 3.                                       | Amended Online Article:<br>'Gone Potty: How can JK Rowling be<br>"genuinely happy" casting Johnny Depp in<br>the new Fantastic Beasts film after assault<br>claim?' | 28.04.18           | 1           | A24-A41  |
| 4.                                       | Word version of Amended Online Article  | 28.04.18           | 1           | A42-A44  |
| 5.                                       | Hardcopy Article:<br>'Gone Potty: How can JK Rowling be<br>"genuinely happy" casting Johnny Depp in<br>the new Fantastic Beasts film after assault<br>claim?'       | 28.04.18           | 1           | A47      |
| 6.                                       | Word version of Hardcopy Article  | 28.04.18           | 1           | A48-A50  |
| <b>Section B: Case Documents</b>         |   |                    |             |          |
| 7.                                       | Trial Timetable   |                    | 1           | B1       |
| 8.                                       | Agreed Chronology   |                    | 1           | B2-B5    |

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| 9.   | Agreed list of persons involved   |                    | 1           | B6-B10          |
| 10.  | <i>Left Intentionally Blank</i>   |                    | 1           | B11             |
| 11.  | <i>Left Intentionally Blank</i>   |                    | 1           | B12             |
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| 12.  | Claim Form  | 01.06.18           | 1           | C1-C3           |
| 13.  | Particulars of Claim  | 13.06.18           | 1           | C4-C15          |
| 14.  | Re-Amended Defence  | 06.03.20           | 1           | C16-C29         |
| 15.  | Re-Amended Reply  | 25.02.20           | 1           | C30-C46         |
| <i>Relevant Judgments and Orders</i>   |   |                    |             |                 |
| 16.  | Judgment of Nicklin J   | 27.02.19           | 1           | C47-C58         |
| 17.  | Order of Master McCloud   | 21.11.18           | 1           | C59-C60         |
| 18.  | Directions Order of Master McCloud  | 20.06.19           | 1           | C61-C66         |
| 19.  | Order of Master McCloud   | 14.11.19           | 1           | C67             |
| 20.  | Consent Order (extension of time re witness statements)   | 28.11.19           | 1           | C68             |
| 21.  | Order of Deputy Master Bard (witness summaries)   | 11.12.19           | 1           | C69-C70         |
| 21(a).   | Order permitting the Claimant to call Raquel Pennington and Elizabeth Marz to be cross-examined | 04.03.20           | 1           | C70.1-C70.2     |
| 22.  | Pre-Trial Review Directions Order of Nicol J  | 06.03.20           | 1           | C71-C75         |
| 23.  | Pre-Trial Review Disclosure Order of Nicol J  | 06.03.20           | 1           | C76-C79         |
| 24.  | Judgment of Nicol J   | 06.03.20           | 1           | C80-C95         |
| 25.  | Ruling on draft Order of Nicol J  | 06.03.20           | 1           | C96-C100        |
| 26.  | Order of Nicol J (extension of time)  | 10.03.20           | 1           | C101-C102       |
| 26(a).   | Order of Nicol J (relief from sanctions)  | 13.03.20           | 1           | C102.1-C102.2   |
| 26(b).   | Consent Order (relief from sanctions)   | 17.03.20           | 1           | C102.3-C102.4   |
| 26(b)(i).  | Draft Order of Nicol J (Dr Blaustein and Dr Banks disclosure)                                   | 18.03.20           | 1           | C102.4A-C102.4C |
| 26(c).   | <i>Left intentionally blank</i>   |                    | 1           | C102.5-C102.7   |
| 26(d).   | Order of Nicol J (adjournment)  | 20.03.20           | 1           | C102.8-C102.9   |
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| 26(f).   | Order of Nicol J (privacy)  | 08.04.20           | 1           | C102.14-C102.15 |



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| 26(g).                                       | Order of Nicol J (adjournment of Defendants' application to strike out parts of Claimant's witness statements) | 11.05.20              | 1           | C102.16-<br>C102.17 |
| 26(h).                                       | Judgment of Nicol J (directions hearing and additional witness evidence)                                       | 13.05.20              | 1           | C102.18-<br>C102.25 |
| 26(h)(i).                                    | Order of Nicol J (trial bundles)   | 13.05.20              | 1           | C102.25A            |
| 26(i).                                       | Order of Nicol J relating to evidence (directions hearing)   | 18.05.20              | 1           | C102.26-<br>C102.28 |
| 26(j).                                       | Order of Nicol J (Claimant's additional witness costs)   | 28.05.20              | 1           | C102.29-<br>C102.31 |
| 26(k).                                       | Order of Nicol J (Defendants' specific disclosure costs)   | 15.06.20              | 1           | C102.32-<br>C102.33 |
| 26(l).                                       | Judgment of Nicol J (unless order)   | 29.06.20              | 1           | C102.34-<br>C102.43 |
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| 26(n).                                       | Order of Nicol J (relief from sanctions)   | 02.07.20              | 1           | C102.58-<br>C102.60 |
| 26(o).                                       | Order of Nicol J (third party disclosure)  | 02.07.20              | 1           | C102.61             |
| 26(p).                                       | Direction of Nicol J (permitting Ms Heard to attend court)   | 04.07.20              | 1           | C102.62-<br>C102.64 |
| 26(q).                                       | Consent Order (extension of time)  | 14.07.20              | 1           | C102.65             |
| <i>Lists of Documents and Questionnaires</i> |  |                       |             |                     |
| 27.  | Claimant's Form N265   | 13.09.19              | 1           | C103-C107           |
| 27(a).                                       | Claimant's Form N265   | 09.01.20              | 1           | C108-C108.5         |
| 27(b).                                       | Claimant's Form N265   | 13.03.20              | 1           | C108.6-<br>C108.8   |
| 27(b)(i).                                    | Claimant's Form N265   | 14.03.20              | 1           | C108.8A-<br>C108.8C |
| 27(c).                                       | Claimant's Form N265   | 19.03.20              | 1           | C108.9 –<br>C108.12 |
| 28.  | Claimant's List of Documents   | 09.01.20              | 1           | C109-C111           |
| 29.  | Claimant's Supplemental List of Documents  | 24.01.20              | 1           | C112-C113           |
| 30.  | Claimant's Supplemental List of Documents  | 29.01.20              | 1           | C114-C123           |
| 30(a).                                       | Claimant's Supplemental Lists of Documents   | 12.03.20,<br>14.03.20 | 1           | C123.1-<br>C123.9   |
| 30(b).                                       | Claimant's Supplemental List of Documents  | 20.03.20              | 1           | C123.10             |
| 30(c).                                       | Claimant's Supplemental List of Documents  | 10.07.20              | 1           | C123.11             |
| 31.  | First Defendant's Form N265  | 12.09.19              | 1           | C124-C126           |
| 31(a).                                       | Second Defendant's Form N265   | 12.09.19              | 1           | C127-C129           |
| 32.  | Defendants' List of Documents  | 12.09.19              | 1           | C127-C153           |

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| 33.  | Defendants' Supplemental List of Documents                                     | 14.02.20           | 1           | C154-C163     |
| 34.  | Defendants' Supplemental List of Documents                                     | 09.03.20           | 1           | C164-C166     |
| 35.  | Claimant's Listing Questionnaire (Pre-Trial Checklist)                         | 21.02.20           | 1           | C167-C170     |
| 36.  | Defendants' Listing Questionnaire (Pre-Trial Checklist)                        | 21.02.20           | 1           | C171-C173     |
| <b>Section D: Claimant's Trial Witness Statements and Hearsay Notice</b> |  |                    |             |               |
| 37.  | <i>Left Intentionally Blank</i>  |                    | 2           | D1-D21        |
| 38.  | Second Witness Statement of John Christopher Depp II together with Exhibit JD2 | 12.12.19           | 2           | D22-D66       |
| 39.  | First Witness Statement of Katherine Kendall                                   | 12.12.19           | 2           | D67-D69       |
| 40.  | First Witness Statement of Sean Bett together with Exhibit SB1                 | 12.12.19           | 2           | D70-D76       |
| 41.  | First Witness Statement of Samantha McMillen                                   | 12.12.19           | 2           | D77-D80       |
| 42.  | First Witness Statement of Kevin Murphy together with Exhibit KM1              | 12.12.19           | 2           | D81-D93       |
| 43.  | First Witness Statement of Trinity Esparza                                     | 12.12.19           | 2           | D94-D103      |
| 44.  | First Witness Statement of Stephen Deuters together with Exhibit SD1           | 12.12.19           | 2           | D104-D112     |
| 45.  | First Witness Statement of Edward White  | 10.12.19           | 2           | D113-D116     |
| 45(a).   | Second Witness Statement of Edward White                                       | 18.07.20           | 2           | D116.1-D116.4 |
| 46.  | First Witness Statement of Ben King  | 12.12.19           | 2           | D117-D122     |
| 47.  | First Witness Statement of Alejandro Romero                                    | 12.12.19           | 2           | D123-D128     |
| 48.  | First Witness Statement of Isaac Baruch  | 12.12.19           | 2           | D129-D139     |
| 49.  | First Witness Statement of Cornelius Harrell                                   | 12.12.19           | 2           | D140-D146     |
| 50.  | First Witness Statement of Brandon Patterson                                   | 12.12.19           | 2           | D147-D153     |
| 51.  | First Witness Statement of Hilda Vargas together with Exhibit HV1              | 21.02.20           | 2           | D154-D162     |
| 52.  | First Witness Statement of Travis McGivern                                     | 25.02.20           | 2           | D163-D167     |
| 53.  | First Witness Statement of Malcolm Connolly                                    | 25.02.20           | 2           | D168-D172     |
| 54.  | Third Witness Statement of John Christopher Depp II together with Exhibit JD3  | 25.02.20           | 2           | D173-D185.5   |
| 55.  | Claimant's Hearsay Notice  | 20.02.20           | 2           | D186-D187     |
| 56.  | Witness Statement of Kate James together with Exhibit KJ1                      | 05.06.20           | 2           | D188-D209     |



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| 57.   | <i>Left Intentionally Blank</i>  |                    | 2           | D210-D217          |
| 58.   | Witness Statement of Vanessa Paradis   | 07.03.20           | 2           | D218-D221          |
| 59.   | Witness Statement of Winona Ryder  | 08.03.20           | 2           | D222-D224          |
| 59(a).  | Claimant's Hearsay Notice  | 12.05.20           | 2           | D225-D226          |
| 59(b).  | Witness Statement of Tara Roberts  | 11.05.20           | 2           | D227- D232         |
| 59(c).  | Witness Statement of Starling Jenkins  | 11.05.20           | 2           | D233- D237         |
| 59(d).  | Second Witness Statement of Kevin Murphy<br>together with Exhibit KM2  | 23.06.20           | 2           | D237.1-<br>D237.37 |
| 59(e).  | Second Witness Statement of Kate James   | 12.07.20           | 2           | D238-D240          |
| 59(f).  | Second Witness Statement of Ben King<br>together with Exhibit BK2  | 13.07.20           | 2           | D241-D249          |
| <b>Section E: Defendants' Trial Witness Statements, Summaries and Hearsay Notices</b> |  |                    |             |                    |
| 60.   | First Witness Statement of Amber Heard<br>together with Exhibit AH1  | 15.12.19           | 2           | E1-E96             |
| 61.   | First Witness Statement of Whitney<br>Henriquez together with Exhibit WH1  | 12.12.19           | 2           | E97-E123           |
| 62.   | First Witness Statement of iO Tillet Wright<br>together with Exhibit ITW1  | 12.12.19           | 2           | E124-E146          |
| 63.   | First Witness Statement of Kristina Sexton   | 04.12.19           | 2           | E147-E164          |
| 64.   | First Witness Statement of Joshua Drew<br>together with Exhibit JD1<br>(19.11.2019 deposition of Joshua Drew<br>including exhibits)  | 12.02.20           | 2.1         | E165-E426i         |
| 65.   | First Witness Summary of Melanie Inglessis<br>together with Exhibit MI1  | 10.12.19           | 2.1         | E427-E433          |
| 66.   | First Witness Summary of Raquel Rose<br>Pennington together with Exhibit RRP1<br>(27.05.2016 Declaration of Raquel<br>Pennington; and 16.06.2016 and 14.07.2016<br>Depositions (excluding exhibits)) | 10.12.19           | 2.1         | E434-E557          |
| 67.   | First Witness Summary of Elizabeth Marz<br>together with Exhibit EM1<br>(including 15.07.2016 Deposition)  | 10.12.19           | 2.1         | E558-E585          |
| 68.   | Defendants' Hearsay Notice   | 16.12.19           | 2.1         | E586-E587          |
| 69.   | Defendants' Second Hearsay Notice  | 19.02.20           | 2.1         | E588-E590          |
| 70.   | Second Witness Statement of Amber Heard  | 19.02.20           | 2.1         | E591-E596          |
| 71.   | Third Witness Statement of Amber Heard   | 26.02.20           | 2.1         | E597-E606          |
| 71.1  | Fourth Witness Statement of Amber Heard  | 19.03.20           | 2.1         | E606A-<br>E606C    |

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| 71.2  | First witness statement of Raquel Pennington together with Exhibit RRP2                        | 16.06.20               | 2.1         | E606.1-E606.20  |
| 71.3  | Fifth witness statement of Amber Heard together with Exhibit AH5                               | 26.06.20               | 2.1         | E606.21-E606.78 |
| 71.4  | Letter from Ms Heard to the Hon. Mr Justice Nicol  | 02.07.20               | 2.1         | E606.79         |
| 71.5  | Sixth witness statement of Amber Heard together  | 04.07.20               | 2.1         | E606.80-E606.88 |
| 71.6  | Seventh witness statement of Amber Heard   | 06.07.20               | 2.1         | E606.89-E606.93 |
| <b>Relevant Interlocutory Witness Statements</b>  |  |                        |             |                 |
| 71(a).  | Second Witness Statement of Louis Charalambous<br>(including pages 1 to 3 of Exhibit LC2 only) | 10.12.19               | 2.1         | E607-E621       |
| 71(b).  | Third Witness Statement of Louis Charalambous  | 19.02.20               | 2.1         | E622-E647       |
| <b>Section F: Disclosure Documents</b>  |  |                        |             |                 |
| <i>US Divorce &amp; Libel Proceedings Documents:</i>  |  |                        |             |                 |
| <i>Relevant Declarations/Deposition Transcripts/Statements</i>  |  |                        |             |                 |
| <i>All previous relevant Claimant's Depositions and Declarations from US Proceedings where not exhibited to a Witness Statement or Summary in these proceedings</i> |  |                        |             |                 |
| 72.   | Declaration of John Christopher Depp II  | **05.19                | 3           | F1-F6           |
| 72(a).  | Extract of transcript of deposition of Claimant in Bloom Hergott litigation                    | 12.12.18               | 3           | F6.1-F6.10      |
| 73.   | Declaration of Isaac Baruch  | 21.01.19               | 3           | F7-F8           |
| 74.   | Second Declaration of Isaac Baruch   | 21.01.19               | 3           | F9-F12          |
| 75.   | Deposition of Isaac Baruch   | 20.11.19               | 3           | F13.1-F13.86    |
| 76.   | Declaration of Samantha McMillan   | **04.19                | 3           | F14-F15         |
| 77.   | Declaration of Kevin Murphy  | 13.05.19               | 3           | F16-F22         |
| 78.   | Declaration of Sean Bett   | **06.**                | 3           | F23-F24         |
| 79.   | <i>Left intentionally blank</i>  |                        | 3           | F25-F29         |
| 80.   | <i>Left intentionally blank</i>  |                        | 3           | F30-F31         |
| 81.   | Draft Declaration of Brandon Patterson sent to Adam Waldman on 29 January 2019                 | Undated                | 3           | F32-F32.4H      |
| 82.   | Declaration of Brandon Patterson   | Undated<br>(~08.02.19) | 3           | F33-F33.6       |
| 83.   | Declaration of Jerry Judge   | **06.**                | 3           | F34-F35         |
| 84.   | Draft declaration of Travis McGivern   | Undated                | 3           | F36             |
| 85.   | <i>Left intentionally blank</i>  |                        | 3           | F37-F39         |
| 86.   | Declaration of Laura Divenere  | 28.06.19               | 3           | F40-F42         |
| 87.   | Deposition Transcript of Melissa Saenz   | 18.07.16               | 3           | F43-F54         |



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| 88.   | Deposition Transcript of Officer Tyler Hadden   | 18.07.16               | 3           | F55-F69           |
| 89.   | Deposition Transcript of Trinity Esparza  | 19.07.16               | 3           | F70-F81.11        |
| 90.   | Deposition Transcript of Trinity Esparza<br>( <i>Depp v Bloom Hergott</i> )   | 25.01.19               | 3           | F82-F115          |
| 91.   | Deposition Transcript of Alejandro Romero   | 19.07.16               | 3           | F116-F127         |
| 92.   | Deposition Transcript of Alejandro Romero<br>( <i>Depp v Bloom Hergott</i> )  | 30.01.19               | 3           | F128-F147         |
| 93.   | Respondent's Notice of Deposition of<br>Petitioner<br>( <i>Exhibit A to Ex Parte Declaration of S<br/>Klein</i> )                         | 26.07.16               | 3           | F148-F148.4       |
| 94.   | Deposition Transcript of Cornelius Harrell  | 28.07.16               | 3           | F149-F160         |
| 95.   | Deposition Transcript of Cornelius Harrell<br>( <i>Depp v Bloom Hergott</i> )   | 31.01.19               | 3           | F161-F177         |
| 95(a).  | Declaration of Amanda de Cadenet  | 18.06.20               | 3           | F177.1-<br>F177.2 |
| <i>Defendants' relevant Declarations / Depositions in US Proceedings where not exhibited to a<br/>witness statement or summary in these proceedings</i> |   |                        |             |                   |
| 96.   | Divorce Declaration of Amber Heard (2016)   | 26.05.16               | 3           | F178-F181         |
| 96(a).  | Declaration of Samantha Spector   | 27.05.16               | 3           | F181.1-<br>F181.7 |
| 97.   | A. Depp's Responsive Declaration  | 26.07.16               | 3           | F182-<br>F182.11  |
| 98.   | Deposition Transcript of Amber Depp – Part<br>1   | 06.08.16               | 3           | F183-F187         |
| 99.   | Deposition Transcript of Amber Depp – Part<br>2   | 13.08.16               | 3           | F188-F305         |
| 100.  | <i>Left intentionally blank</i>   |                        | 3           | F306-F312         |
| 101.  | Libel Declaration of Amber Heard (2019)<br>( <i>Exhibit 4</i> )   | 10.04.19               | 3           | F313-F326.4       |
| 102.  | Declaration of iO Tillett Wright  | 13.06.16               | 3           | F327-F337         |
| 102(a).   | Extracts from of the Deposition Transcript of<br>Gaylynn Summerlin  | 08.08.16               | 3           | F337.1-<br>F337.5 |
| 103.  | Draft Declaration of Elizabeth Marz and<br>accompanying emails<br>( <i>Exhibits 7 and 8 to Elizabeth Marz's<br/>26.11.19 Deposition</i> ) | 11.07.19 –<br>08.08.19 | 3           | F338-F360         |
| 104.  | Deposition of Elizabeth Marz  | 26.11.19               | 3           | F361-F484         |
| 105.  | Deposition of Kristina Sexton   | 30.08.19               | 4           | F485-F516         |
| 106.  | Deposition of Kristina Sexton (redacted)  | 18.12.19               | 4           | F517-F563         |
| 107.  | Deposition of Ellen Barkin  | 22.11.19               | 4           | F564-F575         |

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| 108.   | Extracts from the Deposition Transcript of Lisa Beane, together with Exhibits 2, 3, 4, 5, 6 and 9 | 13.12.19               | 4           | F576-<br>F640.14      |
| <i>Miscellaneous relevant documents relating to US court proceedings (Divorce/Libel)</i> |   |                        |             |                       |
| 109.   | Amber Heard Divorce Petition  | 23.05.16               | 4           | F641.1-<br>F641.4     |
| 110.   | Johnny Depp Response to Divorce Petition  | 25.05.16               | 4           | F642.1-<br>F642.6     |
| 111.   | Request for Domestic Violence Restraining Order   | 27.05.16               | 4           | F643-F676             |
| 112.   | Temporary Restraining Order   | 27.06.16               | 4           | F677-F682             |
| 113.   | Extension of Temporary Restraining Order  | 16.06.16               | 4           | F683.1-<br>F683.2     |
| 114.   | Amber Heard's Exhibit List from Divorce Proceedings   | **08.16                | 4           | F684-F688             |
| 115.   | Claimant's Exhibit List from Divorce Proceedings  | 08.08.16               | 4           | F689-F693             |
| 116.   | Stipulated Judgment of Dissolution of Marriage  | **12.16                | 4           | F694.1-<br>F694.52    |
| 117.   | Complaint (less exhibits)   | 01.03.19               | 4           | F695-<br>F695.30      |
| 118.   | Protective Order of the Honourable Bruce D. White   | 25.09.19               | 4           | F696-<br>F696.11      |
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| 119.   | Composite Text Message Schedule   | Various                | 6           | F697.001-<br>F697.200 |
| 120.   | Text message between Adam Waldman and Laura Divenere  | ~22.06.19              | 4           | F698                  |
| 121.   | Text messages between Amber Heard and Lily-Rose Depp  | 06.12.14 –<br>05.04.16 | 4           | F699-F729             |
| 122.   | Text messages between Katherine Kendall and Zoe Nauman  | Various                | 4           | F730-F735             |
| <i>Medical Records and related Documents</i>   |   |                        |             |                       |
| 123.   | Dr Kipper notes (Kip jd 174-177)  | 22.05.14               | 4           | F736-F739             |
| 124.   | Dr Kipper notes (Kip jd 172-173)  | 11.06.14               | 4           | F740-F741             |
| 125.   | Dr Kipper notes (Kip jd 169-171)  | 22.06.14 –<br>24.06.14 | 4           | F742-F744             |
| 126.   | Email from David Kipper to Christi Dembrowski   | 18.08.14               | 4           | F745-F747             |
| 126(a).  | Email from Amber Heard to Dr Kipper   | 27.08.14               | 4           | F747.1                |
| 127.   | Emails between Dr Kipper and Dr Blaustein (Kip jd 12-13)  | 18.09.14 –<br>21.09.14 | 4           | F748-F749             |



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| 128.    | Emails between Dr Kipper and Debbie Lloyd (Kip jd 14-17)  | 25.09.14 – 26.09.14 | 4           | F750-F753       |
| 129.    | Medical intake form completed by Petitioner, in part, in 2015<br>(Exhibit 8 to Amber Heard's Divorce Declaration (2016))            | 14.03.15            | 4           | F754 – F754.2   |
| 130.    | Emails between Connell Cowan and Dr Kipper (Kip jd 7-8)   | 26.01.15- 27.01.15  | 4           | F755-F756       |
| 131.    | Emails between Dr Kipper and Dr Blaustein (Kip jd 9-10)   | 01.03.15            | 4           | F757-F758       |
| 132.    | Emails between Dr Kipper and Dr Raja Sawhney and Lisa Beane (Kjp jd 273-274)  | 08.03.15            | 4           | F759-F760       |
| 133.    | The Claimant's discharge letter from the Emergency Department of Gold Coast University Hospital in Southport, Australia             | 08.03.15            | 4           | F761            |
| 134.    | The Claimant's X-ray from the Emergency Department of Gold Coast University Hospital in Southport, Australia                        | 08.03.15            | 4           | F762-F762.4     |
| 135.    | Letter from Dr Kipper to Claimant (Kjp jd 168)  | 15.03.15            | 4           | F763            |
| 136.    | Emails between Dr Kipper and Connell Cowan (Kip jd 3)   | 15.03.15            | 4           | F764            |
| 136(a). | Email from Michael Kalamaras regarding injury to Claimant's finger  | 04.05.15            | 4           | F764.1- F764.2  |
| 136(b). | Email from David Kulber to Michael Kalamaras regarding injury to Claimant's finger  | 27.06.15            | 4           | F764.3          |
| 137.    | Dr Kipper notes (Kip jd 26-127)   | 12.06.14 – 01.07.15 | 4           | F765-F866       |
| 138.    | Dr Kipper test results 23 February 2016 (Kip jd 154-166)  | 23.02.16            | 4           | F867-F879       |
| 138(a). | Dr Kipper medical notes regarding Claimant (Kip jd 242)   | 23.02.16            | 4           | F879.1- F879.2  |
| 139.    | Medical records for Amber Heard dated 16 December 2015 to 21 December 2015<br>(on pages marked AH_TPD_00016955 and AH_TPD_00016956) | 16.12.15- 21.12.15  | 4           | F880-F880.1     |
| 140.    | Left intentionally blank  |                     | 4           | F881            |
| 141.    | Drug information from <a href="http://www.pdr.net">www.pdr.net</a>  |                     | 4           | F882            |
| 141(a). | Images of injury to the Claimant's finger   | Undated             | 4           | F882.1- F882.17 |

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| <i>Emails</i>                                     |   |                    |             |                    |
| 142.  | Emails between Marty Singer and Amber Heard   | 11.10.15           | 4           | F883-F885          |
| 143.  | Email from Joshua Drew to Amber Heard attaching account of Joshua Drew and Raquel Pennington  | 22.05.16           | 4           | F886-F888          |
| 144.  | Email to Michael Mann from the Claimant   | 08.06.16           | 4           | F889               |
| 145.  | Email from Michael Mann from the Claimant   | 09.06.16           | 4           | F890-F891          |
| 146.  | Email from the Claimant to Rob Marshall   | 21.06.16           | 4           | F892               |
| 147.  | Email from Rob Marshall to the Claimant   | 22.06.16           | 4           | F893               |
| <i>Photographs</i>                                |   |                    |             |                    |
| 148.  | Photographs with metadata where available   | Various            | 6           | F894.001-F894.010  |
| 148(a).   | Photographs with metadata where available<br>(The Defendants do not possess any metadata for the photograph at page F894.011 of this Tab) | Various            | 6           | F894.011-F894.048  |
| 148(b).   | Photographs with metadata where available   | Various            | 6           | F894.049-F894.091  |
| 148(c).   | Photographs with metadata where available   | Various            | 6           | F894.092-F894.148B |
| 148(d).   | Photographs with metadata where available   | Various            | 6           | F894.149-F894.154  |
| 148(e).   | Photographs with metadata where available   | Various            | 6           | F894.155-F894.260  |
| 148(f).   | Photographs of tablespots<br>(The Defendants have not provided metadata for these images)   | Various            | 6           | F894.261-F894.263a |
| 148(g).   | Photograph of the Claimant and another man<br>(The Defendants have not provided metadata for this image)                                  | Undated            | 6           | F894.264           |
| 148(h).   | Photographs of Amber Heard and the Claimant<br>(The Defendants have not provided metadata for these images)                               | Various            | 6           | F894.265-F894.272A |
| 148(i).   | Photograph of Amber Heard<br>(The Defendants have not provided metadata for this image)   | Undated            | 6           | F894.273-F894.273A |
| <i>Videos, Recordings, Transcripts and Stills</i> |   |                    |             |                    |
| 148(j).   | "Boston Plane Freakout Incident"  | 24.05.14           | 4           | F894.261           |
| 148(j)(i).  | "Boston Plane Freakout Incident" transcript – Claimant's version  |                    | 4           | F894.262           |

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| 148(j)(ii).  | "Boston Plane Freakout Incident" transcript – Defendants' version  |                    | 4           | F894.263-<br>F894.264 |
| 148(j)(iii). | "Boston Plane Freakout Incident" metadata tables   |                    | 4           | F894.265-<br>F894.276 |
| 148(j)(iv).  | "Boston Plane Freakout Incident" metadata provided by the Defendants   |                    | 4           | F894.277              |
| 149.         | Hollywood Documentary Award: Johnny Depp Presents (Drunk)   PubG Game  | 18.11.14           | 4           | F895                  |
| 149(a).      | Video of Claimant on 'Jimmy Kimmel Live'   | 09.09.15           | 4           | F895.1                |
| 150.         | Amber Heard has a Ballet Claw – Late Late Show CBS   | 16.12.15           | 4           | F896                  |
| 151.         | Still from Late Late Show  | 16.12.15           | 4           | F897                  |
| 151(a).      | Johnny Depp and Amber Heard Australia apology  | 18.04.16           | 4           | F897.1                |
| 152.         | Instagram video<br>(Exhibit 529 of Claimant's Divorce Exhibit)   | 22.04.16           | 4           | F898                  |
| 153.         | Recording of call between Katherine Kendall and Zoe Nauman   | ~24.04.18          | 4           | F899-F911             |
| 153(a).      | Transcript of recording of call between Katherine Kendall and Zoe Nauman   | ~24.04.18          | 4           | F911.1 –<br>F911.7    |
| 154.         | Tape recording of the Claimant and Ms Heard (1) together with transcript   | ~**, **.15         | 4           | F912-F963             |
| 155.         | Tape recording of the Claimant and Ms Heard (2) together with transcript   | ~15.06.16          | 4           | F964-F977             |
| 156.         | '20150308 115955' Australia audio file together with transcript<br>(Exhibit 9 of Amber Heard's Divorce Exhibit)                                | 08.03.15           | 4           | F978-<br>F978.61      |
| 156(a).      | '20150308 115955' Australia audio file transcript – Claimant's version   |                    | 5           | F978.62-<br>F978.132  |
| 156(b).      | '20150308 115955' Australia audio file transcript – Defendants' version  |                    | 5           | F978.133-<br>F978.205 |
| 157.         | '20150308 213330' Australia audio file together with transcript<br>(Exhibit 9 of Amber Heard's Divorce Exhibit)                                | 08.03.15           | 5           | F987-<br>F987.24      |
| 158.         | Clip entitled 'Video JD Speaking to AD JD video outburst with AH extended version'<br>(Exhibit 13 of Amber Heard's Divorce Exhibit)            | ~**, **.16         | 5           | F988                  |
| 158(a).      | Transcript of Clip entitled 'Video JD Speaking to AD JD video outburst with AH extended version' (Exhibit 13 of Amber Heard's Divorce Exhibit) | ~**, **.16         | 5           | F988.1 –<br>F988.2    |



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| 159.                  | 'ECL SF ITEM 63' Security video of the elevator located at 849 S. Broadway, LA<br>(Exhibit 16 of Amber Heard's Exhibit)                        | 21.05.16           | 5           | F989                       |
| 160.                  | LAPD phone recordings plus transcript<br>(Exhibits 503-505 of Claimant's Divorce Exhibit)  | 21.05.16           | 5           | F990-F1008                 |
| 161.                  | Clips of Amber Heard's 2016 Divorce Deposition Video<br>(Exhibits 11; 20; 21; 22; 25; 26; 28 and 31 to Amber Heard's Libel Declaration (2019)) | 13.08.16           | 5           | F1009                      |
| 161(a).               | Video of Amber Heard made in association with Girl Gaze together with transcript   | 26.11.16           | 5           | F1009.1-<br>F1009.1.1      |
| 161(b).               | Clip from Amber Heard's interview by Dutch broadcaster RTL together with transcript  | 18.10.18           | 5           | F1009.2-<br>F1009.2.2      |
| 161(c).               | Extract of video of deposition of Claimant in Bloom Hergott litigation   | 12.12.18           | 5           | F1009.3                    |
| 161(d).               | CTRL00071905   |                    | 5           | F1009.4                    |
| 161(e).               | CTRL00071906   |                    | 5           | F1009.5                    |
| 161(f).               | CTRL00071907   |                    | 5           | F1009.6                    |
| 161(g).               | CTRL00071908   |                    | 5           | F1009.7                    |
| 161(h).               | CTRL00071910   |                    | 5           | F1009.8                    |
| 161(i).               | CTRL00071911   |                    | 5           | F1009.9                    |
| 161(j).               | CTRL00071913   |                    | 5           | F1009.10                   |
| 161(j)(i).            | Combined transcripts for CTRL00071905, CTRL00071906, CTRL00071907, CTRL00071908, CTRL00071910, CTRL00071911 and CTRL00071913                   |                    | 5           | F1009.10.1-<br>F1009.10.4  |
| 161(k).               | CTRL00058193 and accompanying transcript   |                    | 5           | F1009.11.1-<br>F1009.11.19 |
| 161(l).               | CTRL00058195 and accompanying transcript   |                    | 5           | F1009.12.1-<br>F1009.12.24 |
| 161(m).               | CTRL00058198   |                    | 5           | F1009.13                   |
| 161(n).               | CTRL00058198 transcript – Claimant's version   |                    | 5           | F1009.14-<br>F1009.26      |
| 161(o).               | CTRL00058198 transcript – Defendants' version  |                    | 5           | F1009.27-<br>F1009.39      |
| <b>Press Articles</b> |  |                    |             |                            |
| 162.                  | Teen heart-throb Johnny Depp, who plays an undercover policeman...   UPI   | 09.03.89           | 5           | F1010.1-<br>F1010.2        |
| 163.                  | Depp Stuck   United Press International   William C Trott  | 10.03.89           | 5           | F1011                      |

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| 164.        | Johnny Depp starts laughing when his friend chokes   Times – Picayune (New Orleans, LA)   | 08.04.93           | 5           | F1012-F1017            |
| 165.        | Police arrest Johnny Depp at hotel   The Associated Press   | 13.09.94           | 5           | F1018-F1020            |
| 166.        | Depp to pay for trashing room   St. Petersburg Times (Florida)  | 14.09.94           | 5           | F1021-F1023            |
| 167.        | Johnny Be Bad; Depp tosses fit, trashes hotel   Newsday (New York)  | 14.09.94           | 5           | F1024-F1027            |
| 168.        | Johnny Depp goes to jail for trashing hotel room   The Record (Ontario)   | 14.09.94           | 5           | F1028-F1030            |
| 169.        | Cops: Johnny busted for Depp-orable conduct   The New York Post   Bill Hoffman  | 01.02.99           | 5           | F1031-F1033            |
| 170.        | Johnny Depp fends off paparazzi   Associated Press  | 01.02.99           | 5           | F1034-F1035            |
| 171.        | Johnny Depp: The ultimate outsider profile of Johnny Depp   ABC News Transcripts   Elizabeth Vargas   | 20.06.03           | 5           | F1035.1-F1046          |
| 172.        | Johnny Depp: a candid conversation with the brooding actor about growing up, getting sober, being a middle-aged sex symbol and smacking the hell out of the paparazzi; Playboy interview   Playboy   Bernard Weinraub | 01.05.04           | 5           | F1047-F1061            |
| 172(a).     | Johnny Depp Giving \$150 Million To Vanessa Paradis in Split Settlement— Report   Hollywoodlife.com   | 21.06.12           | 5           | F1061.1                |
| 172(b).     | Vanessa Paradis to 'receive £100million pay-off' from ex-partner Johnny Depp   DailyMail.co.uk  | 21.06.12           | 5           | F1061.2-F1061.12       |
| 172(c).     | Did Johnny Depp and Vanessa Paradis split over Amber Heard?   Metro.co.uk   | 21.06.12           | 5           | F1061.13-F1061.14      |
| 172(d).     | Johnny Depp and Amber Heard romance rumours hot up   Marieclaire.co.uk  | 21.06.12           | 5           | F1061.15               |
| 172(e).     | Vanessa Paradis Opens Up (a Little) after Johnny Depp Split   People.com  | 12.08.12           | 5           | F1061.16-F1061.17      |
| 172(e)(i).  | 'Bisexual Amber Heard and rumoured French Girlfriend Marie de Villepin touch down in the City of Love and Lights'   MailOnline  | 16.01.13           | 5           | F1061.17.1-F1061.17.5  |
| 172(e)(ii). | 'Scooting all over town: Amber Heard and rumoured French Girlfriend Marie de Villepin enjoy a cinema date night in Paris...before riding off into the night on a scooter'   MailOnline   Louise Saunders              | 18.01.13           | 5           | F1061.17.6-F1061.17.20 |
| 172(f).     | Johnny Depp: An Outlaw Looks at 50   Rollingstone.com   | 18.06.13           | 5           | F1061.18-F1061.28      |

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| 173.    | 'I'm not very good at this thing!' Johnny Depp slurs and swears his way through presenting at the Hollywood Film Awards   MailOnline   Chelsea White   | 15.11.14           | 5           | F1062-F1069A        |
| 173(a). | Johnny Depp Divorce: His Family 'Hated' Amber Heard   TMZ  | 26.05.16           | 5           | F1069.1-F1069.2     |
| 173(b). | Johnny Depp's sister speaks about his divorce from Amber Heard   Mail Online   Emma Foster   | 27.05.16           | 5           | F1069.3-F1069.12F   |
| 173(c). | Amber Heard Claims Domestic Violence, Seeks Restraining Order Against Johnny Depp   TMZ  | 27.05.16           | 5           | F1069.13 – F1069.15 |
| 174.    | Amber Heard is pictured smiling hours after Depp's 'iPhone attack': Actress claims 'cocaine and booze binges turned Johnny into an abusive monster who left her fearing for her life' – but why was this image deleted before court appearance?   MailOnline   Chris Spargo, Hanna Parry and Anthony Joseph<br>(including photograph of Amber Heard, Amanda De Cadenet and Amber Valletta) | 27.05.16           | 5           | F1070-F1128         |
| 175.    | Johnny Depp: Inside his volatile relationship with Kate Moss   People   Kara Warnera   | 30.05.16           | 5           | F1129.1-F1129.3     |
| 176.    | Johnny Depp Assistant Says Texts Were Doctored   TMZ<br>(including screenshot of text messages between Stephen Deuters and Amber Heard)  | 02.06.16           | 5           | F1130-F1132         |
| 176(a). | Amber Heard Arrested for Domestic Violence Against Girlfriend   TMZ  | 07.06.16           | 5           | F1132.1-F1132.2     |
| 177.    | Why I Called 911   Refinery29.com   Io Tillett Wright  | 08.06.16           | 5           | F1133-F1139         |
| 178.    | Amber Heard's Ex-Girlfriend Tasya van Ree Speaks Out Following Domestic Abuse Allegations   e-online.com   | 08.06.16           | 5           | F1140 – F1140.5     |
| 178(a). | Amber Heard: 'Homophobic' 'Misogynistic' Cop ... A Gay Woman   TMZ   | 09.06.16           | 5           | F1140.6-F1140.7     |
| 178(b). | 'Homophobic' and 'misogynistic' cop who arrested Amber Heard in 2009 is openly gay woman   New York Daily News   Meera Jagannathan and Nancy Dillon  | 09.06.16           | 5           | F1140.8-F1140.13    |
| 179.    | Amber Heard I'm Too Skinny for 'Justice League' Costume Fitting Rescheduled   TMZ<br>(Exhibit 528 of Claimant's Divorce Exhibit)   | 16.06.16           | 5           | F1141               |



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| 179(a). | Johnny Depp's estranged wife Amber Heard 'spending time' with billionaire Elon Musk as divorce battle rages on   irishmirror.ie   Rebecca Merriman   | 22.07.16           | 5           | F1141.1-<br>F1141.8   |
| 179(b). | PICTURE EXCLUSIVE: Amber Heard parties the night away in London with 'rumoured billionaire boyfriend' Elon Musk and model Cara Delevingne   MailOnline   | 03.08.16           | 5           | F1141.9-<br>F1141.35A |
| 179(c)  | Elon Musk Had Been Chasing Girlfriend Amber Heard For 4 Years   World Entertainment News Network   | 25.08.16           | 5           | F1141.36-<br>F1141.39 |
| 179(d). | Heard over the moon about Musk   The Star  | 16.01.17           | 5           | F1141.40              |
| 179(e). | Amber Heard Donated Over \$1 Million Of Her Divorce Settlement To A Cause That's Close To Her Heart   Bustle   Parry Ernsberger  | 10.04.18           | 5           | F1141.41-<br>F1141.46 |
| 180.    | The Trouble With Johnny Depp: Inside Trials of Johnny Depp: Lawsuits, Drinking, Marriage Gone Wrong   Rolling Stone   Stephen Rodrick  | 21.06.18           | 5           | F1142.1-<br>F1142.39  |
| 181.    | Johnny Depp 'punched crew member in drunken tirade'   BBC News   | 10.07.18           | 5.1         | F1143-F1144           |
| 182.    | DEPP SUED Johnny Depp 'attacked crew member and screamed "I'll give you \$100k to punch me in the face" on Biggie Smalls set'; Gregg 'Rocky' Brooks has filed a lawsuit against the actor claiming he was allegedly attacked by the 55-year-old actor   The Sun   Gemma Mullin | 10.07.18           | 5.1         | F1145-F1147           |
| 183.    | 'City of Lies' crew member allegedly attacked by Johnny Depp on set swings back with 10-count suit   JD Supra   Fox Rothschild LLP   | 16.07.18           | 5.1         | F1148-F1150           |
| 184.    | Johnny Depp will not be buried   www.gqmagazine.co.uk   Jonathan Heaf  | 02.10.18           | 5.1         | F1151.1-<br>F1151.15  |
| 185.    | Johnny Depp breaks silence on Fantastic Beasts sequel role   By Entertainment Weekly   James Hibberd   | 11.10.18           | 5.1         | F1152-F1155           |
| 186.    | Johnny Depp Will Not be Buried – November Issue   GQ   Jonathan Heaf Hard copy   | **11.18            | 5.1         | F1156-F1171           |
| 187.    | Opinion   Amber Heard: I spoke up against sexual violence – and faced our culture's wrath. That has to change   Amber Heard   Washingtonpost.com   | 18.12.18           | 5.1         | F1172-F1175           |
| 187(a). | "Johnny Depp Still Feuding With Amber Heard: Who Is Telling The Truth?"   Forbes.com   | 28.01.19           | 5.1         | F1175.1-<br>F1175.7   |

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| 188.    | Johnny Depp Left With A Black Eye After Allegedly Being Punched in the Face by Amber Heard   The Blast   The Blast Staff <i>(including photo of Johnny Depp)</i>  | 08.03.19           | 5.1         | F1176-F1186            |
| 189.    | Amber Heard's 'Friend' Goes on the Record: 'I Never Saw Amber Injured in Any Way' at the Hands of Johnny Depp   TheBlast.com   Mike Walters <i>(including statement from Laura Divenere)</i>  | 15.07.19           | 5.1         | F1187-F1191            |
| 190.    | Johnny Depp Says Amber Heard Put A Cigarette Out on His Face During Infamous Fight   TheBlast.com   Daniel Goldblatt <i>(including photo of Johnny Depp and X-ray photo)</i>  | 26.07.19           | 5.1         | F1192-F1196            |
| 190(a). | Amber Heard's Father Accused Of Threatening To Shoot Johnny Depp   TheBlast.com <i>(including quotes from declaration of David Killackey Sr)</i>  | 30.11.19           | 5.1         | F1196.1-<br>F1196.10   |
| 190(b). | 'I can't promise I won't get physical again, I get so mad I lose it.'   MailOnline  | 31.01.20           | 5.1         | F1196.11-<br>F1196.33  |
| 190(c). | EXCLUSIVE: 'See how many people believe you.' Listen as Amber Heard scoffs at Johnny Depp for claiming he's a domestic violence victim, suggesting court would take her side because she's a slender woman in explosive audio   MailOnline                | 05.02.20           | 5.1         | F1196.34-<br>F1196.63- |
| 190(d). | Amber Heard's Ex-Assistant Testifies that Actress Was Mentally And Verbally Abusive   TheBlast.com <i>(including quotes from declaration of Kate James)</i>   | 11.03.20           | 5.1         | F1196.64-<br>F1196.67  |
| 190(e). | Winona Ryder Defends Johnny Depp, Calls Amber Heard Accusations 'Impossible to Believe'   TheBlast.com <i>(including quotes from declaration of Winona Ryder)</i>   | 12.03.20           | 5.1         | F1196.68-<br>F1196.71  |
| 190(f). | Johnny Depp's Ex-Wife, Vanessa Paradis, Calls Amber Heard's Violent Allegations 'False Facts'   TheBlast.com <i>(including quotes from declaration of Vanessa Paradis)</i>  | 16.03.20           | 5.1         | F1196.72-<br>F1196.73  |
| 190(g). | Petition To Remove Amber Heard From 'Aquaman' Garners 400K Signatures Amid Second Audio Leakage   jbtimes.com   | 17.03.20           | 5.1         | F1196.74               |
| 190(h). | EXCLUSIVE: Swimsuit-clad Amber Heard is caught on surveillance tape cuddling up to Elon Musk in Johnny Depp's private penthouse elevator, as actor accuses her of starting affair with billionaire a month into their marriage   MailOnline   Ben Ashford | 26.03.20           | 5.1         | F1196.75-<br>F1196.85C |
| 190(i)  | Vanessa Paradis interview extract   Elle Sweden   | Undated            | 5.1         | F1196.86               |

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| <i>Phone Records</i>                           |   |                        |             |                       |
| 191.   | 911 Phone Records   | 21.05.19               | 5.1         | F1197-<br>F1197.3     |
| F191(a).                                       | New York Police Department report   | 21.05.16               | 5.1         | F1197.4-<br>F1197.5   |
| 192.   | 21 May 2016 Photograph – Kevin Murphy's telephone call log<br>(Exhibit 526 to Claimant's 2016 Exhibit List – clean version)       | 21.05.16               | 5.1         | F1198-F1199           |
| 192(a).  | Extract of telephone call records of Amber Heard  | 21.05.16               | 5.1         | F1199.1               |
| 192(b).  | Telephone call records of iO Tillett Wright   | 25.04.16 –<br>24.05.16 | 5.1         | F1199.2-<br>F1199.28  |
| <i>CCTV/Surveillance Footage and Stills</i>    |   |                        |             |                       |
| 193.   | Left intentionally blank  |                        | 5.1         | F1200-F1202           |
| 194.   | CCTV footage exhibited to first witness statement of Brandon Patterson  | Various                | 5.1         | F1203                 |
| 195.   | CCTV stills (still images taken by SMB)   | Various                | 5.1         | F1204-<br>F1204.1     |
| <i>Journal entries</i>                         |   |                        |             |                       |
| 196.   | Journal entries by the Claimant and Ms Heard in the Claimant's journal together with transcript                                   | 29.09.15-<br>04.10.15  | 5.1         | F1205-<br>F1207F      |
| 196(a).  | Journal entry of Amber Heard  | 10.06.15               | 5.1         | F1207.1-<br>F1207.4   |
| 196(b).  | Journal entry of Amber Heard  | 27.07.15               | 5.1         | F1207.5-<br>F1207.10  |
| 197.   | Journal entries by the Claimant and Ms Heard in the Claimant's journal together with transcript                                   | 03.04.16               | 5.1         | F1208.1-<br>F1208.5   |
| <i>Tweets</i>                                  |   |                        |             |                       |
| 198.   | iO Tillett Wright Tweets  | 06.06.16               | 5.1         | F1209 –<br>F1209.4    |
| 198(a).  | Tweet by Amber Heard containing full joint divorce press release statement from 16.08.16  | 08.12.17               | 5.1         | F1209.5-<br>F1209.7   |
| 198(b).  | Tweet by Amber Heard (ACLU ambassador announcement)   | 19.12.18               | 5.1         | F1209.8 –<br>F1209.10 |
| <i>Documents relating to other proceedings</i> |   |                        |             |                       |
| 199.   | Port of Seattle Police Department Sept.14 2009- Arrest and Prosecution Records of Ms Heard in State of Washington v Amber Van Ree | 26.10.09 –<br>30.11.11 | 5.1         | F1210-F1218           |



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22 July 2020 (PM)

Claim No: QB-2018-006323

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

BETWEEN

JOHN CHRISTOPHER DEPP II

Claimant

and

(3) NEWS GROUP NEWSPAPERS LTD  
(4) DAN WOOTTON

Defendants

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**SUPPLEMENTARY TRIAL BUNDLE INDEX**

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2020;

DOCUMENTS DISCLOSED IN THE US LIBEL CLAIM IN BATCHES AH014,  
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| 78(a)(i). | Email from Robert Todd to Kevin Murphy   | 18.02.16               | 8           | I28.3A          |
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| 78(c).    | Emails between Marty Singer and Kevin Murphy   | 08.04.16               | 8           | I28.5           |
| 79.       | Extract from email between Amanda De Cadenet and Amber Heard   | 08.06.16               | 8           | I29             |
| 80.       | Email from unknown to unknown re 'Feb 20 <sup>th</sup> '   | 21.02.16               | 8           | I30-I31         |
| 81.       | Email from unknown to unknown re 'It's the hypocrite. The character flaw. It is.that's most heartbreaking' | 14.04.16               | 8           | I32- I35        |
| 82.       | Email and attachments from Joshua Drew to Amber Heard  | 22.05.16               | 8           | I36- I39        |
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| 84.       | Emails between Amber Heard and Stephen Deuters   | 27.05.16               | 8           | I41- I43        |
| 85.       | Email from Tasya van Ree to Amber Heard  | 07.06.16               | 8           | I44             |
| 85(a).    | Emails exchanged between Amber Heard and Raquel Pennington drafting Amber Heard's statement                | 11.08.16               | 8           | I45-I47         |
| 85(b).    | Email from Melanie Inglessis to Amber Heard  | 31.07.16               | 8           | I47.1-<br>I47.2 |
| 85(c).    | Emails between Amber Heard and Tasya van Ree   | 28.12.18 –<br>29.12.18 | 8           | I47.3           |
| 86.       | Email from Adam Waldman to Louis Charalambous  | 05.02.20               | 8           | I48             |
| 86(a).    | Emails between Lee Sherman and Jennifer Robinson   | 28.02.20-<br>05.03.20  | 8           | I48.1-<br>I48.4 |
| 86(b).    | Email from Lee Sherman to Laura Divenere,  | 02.03.20               | 8           | I48.5-<br>I48.8 |
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| 86(d).                               | Emails between Lee Sherman and Laura Divenere           | 05.03.20-<br>10.03.20 | 8           | I48.10-<br>I48.13 |
| 86(e).                               | Email from Laura Divenere Kevin Murphy                  | 10.03.20              | 8           | I48.14-<br>I48.17 |
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| 86(f).                               | Photograph of Amber Heard and the Claimant              | 13.04.13              | 9           | J48.17            |
| 86(g).                               | Photograph of Amber Heard and the Claimant              | 18.04.13              | 9           | J48.18            |
| 87.                                  | Photographs of broken glass/mug [No metadata available] | 05.05.14              | 9           | J1.1-J1.3         |
| 87(h).                               | Photograph of Amber Heard and the Claimant              | 18.12.14              | 9           | J1.4              |
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| 87(h)(iii).                          | Photograph of the Claimant in hospital                  | 09.03.15              | 9           | J1.4C             |
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| 87(i).                               | Photograph of Amber Heard and the Claimant              | 28.07.15              | 9           | J1.5              |
| 87(j).                               | Photographs of Amber Heard and the Claimant             | 30.07.15              | 9           | J1.6-J1.9         |
| 87(k).                               | Photograph of hair on floor with metadata               | 16.12.15              | 9           | J1.10             |
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| 87(n).                               | Stills of Amber Heard on the James Cordon show          | 16.12.15              | 9           | J1.13-<br>J1.14   |
| 88.                                  | Photograph of Amber Heard [No metadata available]       | 16.12.15              | 9           | J2                |
| 89.                                  | Images of Amber Heard [No metadata available]           | 17.12.15              | 9           | J3                |
| 90.                                  | Photographs of Amber Heard                              | 17.12.15              | 9           | J4.1-J4.5         |
| 90(a).                               | Photograph of Amber Heard                               | 26.12.15              | 9           | J4.6              |
| 91.                                  | Photograph of Amber Heard with metadata                 | 06.01.16              | 9           | J5                |
| 91(a).                               | Photograph of Amber Heard with friends at Coachella     | 23.04.16              | 9           | J5.1-J5.2         |
| 92.                                  | Photograph of Amber Heard [No metadata available]       | 21.05.16              | 9           | J6-J8             |
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| 94.                                  | Photograph of Amber Heard                               | 22.05.16              | 9           | J10               |

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| 94(a).  | Various photographs including Keith Richards  | Undated           | 9        | J10.1-J10.5 |
| 95.   | Photographs of Amber Heard to the extent that they are not already included in the trial bundle | Undated           | 9        | J11-J42     |
| 96.   | Photograph of a handwritten note on a coaster [No metadata available]                           | Undated           | 9        | J43         |
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| 98.   | Photograph of broken candelabra [No metadata available]   | Undated           | 9        | J45         |
| 99.   | Screenshots of Splash news image of Amber Heard and Rocky Pennington                            | Undated           | 9        | J46-J47     |
| 100.  | Images of the Claimant with bruise to left cheekbone [No metadata available for pages 1 to 4]   | Undated           | 9        | J48-J51     |
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| 101.  | Letter from Bonnie Jacobs   | 06.11.12          | 9        | K1          |
| 101(a).   | Handwritten notes from Connell Cowan MD   | **.**.14          | 9        | K2-K79      |
| 102.  | Universal Diagnostic Laboratories results   | 27.08.14          | 9        | K80-K87     |
| 103.  | Emails between Dr Kipper, Erin Boerum and Lisa Beane  | 02.09.14          | 9        | K88-K89     |
| 104.  | Letter from Dr Kipper with enclosure  | 22.09.14          | 9        | K90-K91     |
| 105.  | Dr Kipper patient progress record for Amber Heard   | 11.12.14          | 9        | K92-K93     |
| 106.  | Progress Note for Amber Heard   | 24.01.15          | 9        | K94         |
| 107.  | Universal Diagnostic Laboratories results   | 23.02.15          | 9        | K95-K101    |
| 108.  | Dr Kipper patient progress record for Amber Heard   | 23.02.15          | 9        | K102-K103   |
| 109.  | Images of Johnny Depp from hospital in Australia  | **03.15           | 9        | K104-K106   |
| 110.  | Text messages between the Claimant and Dr Kipper  | Various           | 9        | K107-K117   |
| 111.  | X-Rays of damage to the Claimant's finger   | 30.04.15          | 9        | K118        |
| 112.  | Image of injury and stitches to the Claimant's hand   | Undated           | 9        | K119        |
| 113.  | Letter from Dr Kipper   | 30.05.15          | 9        | K120        |
| 114.  | Text messages between Amber Heard and Connell Cowan MD  | 20.08.15-15.12.15 | 9        | K121-K122   |



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| 115.  | Dr Kipper telephone consultation report  | 05.11.15              | 9           | K123-<br>K124 |
| 116.  | Integrative Psychiatry lab test results  | 17.12.15              | 9           | K125-<br>K129 |
| 117.  | Dr Kipper telephone consultation report  | 17.12.15              | 9           | K130-<br>K131 |
| 118.  | Note from Dr Kipper's office to Amber Heard  | 17.12.15              | 9           | K132-<br>K133 |
| 119.  | Text messages between Amber Heard and Erin Boeurum   | 31.12.15              | 9           | K134-<br>K135 |
| 120.  | Universal Diagnostic Laboratories results  | 15.01.16              | 9           | K136          |
| 121.  | Treatment record for Amber Heard   | 15.01.16              | 9           | K137          |
| 122.  | Universal Diagnostic Laboratories results  | 15.01.16              | 9           | K138-<br>K140 |
| 123.  | Treatment record for Amber Heard   | 01.02.16              | 9           | K141-<br>K145 |
| 124.  | Text messages between Amber Heard and Erin Boeurum   | 31.12.15-<br>26.02.16 | 9           | K146-<br>K150 |
| 125.  | Text messages between Amber Heard and Dr Kipper  | 11.02.16              | 9           | K151          |
| 126.  | Email from Amber Heard to Dr Kipper  | 27.08.14              | 9           | K152          |
| 127.  | Progress Note for Amber Heard  | 31.05.16              | 9           | K153          |
| 128.  | Dr Kipper patient record for Amber Heard   | 07.06.16              | 9           | K154          |
| 129.  | Letter from Dr Kipper  | 25.07.16              | 9           | K155          |
| 130.  | Dr Sugerman prescription   | 14.11.16              | 9           | K156          |
| 131.  | Combinatorial Pharmacogenomic Test by Dr Banks for Amber Heard   | 13.02.18              | 9           | K157-<br>K181 |
| 132.  | Nursing Notes for Amber Heard  | Various               | 9           | K182-<br>K212 |
| 133.  | Dr Cowan notes for Amber Heard   | Various               | 9           | K213-<br>K296 |
| <b>Section L: Documents from US divorce proceedings</b> |  |                       |             |               |
| 134.  | Letter from Spector Law to Bloom Hergott Diemer Rosenthal LaViolette Feldman Schenkman Goodman LLP re In re Marriage of Depp | 24.05.16              | 9           | L1-L2         |
| 134(a).   | Declaration of Samantha Spector  | 27.05.16.             | 9           | L3-L9         |
| 135.  | Opposition to Petitioner, Amber Laura Depp's Ex Part Application; and Declaration of Laura A. Wasser, Esq.                   | 27.05.16              | 9           | L10-L15       |

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| 136.                              | Further Declaration of Amber Laura Depp in support of Domestic Violence Restraining Order, together with Exhibit A and Proof of Service  | 17.06.16           | 9           | L16- L21        |
| 137.                              | Respondent's Notice of Motion and Motion in Limine, together with:<br>i. Declaration of Laura A. Wasser, together with Exhibit A (Request for Restraining Order dated 25.07.16)<br>ii. Memorandum of Points and Authorities dated 25.07.16<br>iii. Declaration of Laura A. Wasser dated 25.07.16<br>iv. Exhibits G, Q, and R | 09.08.16           | 9           | L22-L70         |
| 138.                              | Exhibits P and Q to Deposition of Amber Laura Depp Volume 2  | 13.08.16           | 9           | L71             |
| 138(a).                           | Transcript of Exhibit P to Deposition of Amber Laura Depp Volume 2   | 13.08.16           | 9           | L71.1           |
| 138(b).                           | Transcript of Exhibit Q to Deposition of Amber Laura Depp Volume 2   | 13.08.16           | 9           | L71.2-<br>L71.3 |
| 139.                              | Marriage of Depp Deal Point Memorandum   | 15.08.16           | 9           | L72- L85        |
| <b>Section M: Audio files</b>     |  |                    |             |                 |
| 140.                              | Audio recording with the filename '201503326 040115.m4a', recorded on 26 March 2015 at 11:01:16pm (UTC+0) together with transcript   | 26.03.15           | 9           | M1-<br>M1.14    |
| 141.                              | Audio recording with the filename '20160103 183858.m4a', recorded on 4 January 2016 at 2:38:58pm (UTC+0) together with transcript  | 04.01.16           | 9           | M2.1-<br>M2.30  |
| 142.                              | Audio recording of conversation between Laura Divenere and Amber Heard together with transcript  |                    | 9           | M3- M13         |
| <b>Section N: Journal entries</b> |  |                    |             |                 |
| 143.                              | Amber Heard's manuscript journal entry   | 06.02.16           | 9           | N1- N8          |
| 143(a).                           | Amber Heard's manuscript journal entry   | 30.03.16           | 9           | N9              |
| <b>Section O: Miscellaneous</b>   |  |                    |             |                 |
| 143(b).                           | TourJet flight itinerary report and invoice  | 19.04.15           | 9           | N10-N11         |

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| 144.                                      | Handwritten letter from the Claimant to Ms Heard   | 03.04.16                | 9           | O1              |
| 145.                                      | Business Card for Officer Hadden and Officer Saenz with timestamp of 9.16pm                                | 21.05.16                | 9           | O2-O3           |
| 146.                                      | Page from handwritten letter between Ms Heard and the Claimant   | Undated                 | 9           | O4              |
| 147.                                      | Dr Blaustein's handwritten medical notes together with transcript with unagreed track changes              | Various                 | 9           | O5-O16G         |
| 147(a).                                   | 505-page extraction report   | Various                 | 10          | O17-O521        |
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| <b>Documents relating to March 2013</b>   |  |                         |             |                 |
| 148.                                      | Ian McLagan Travel Document 1  | ~22.03.13-<br>~24.03.13 | 11          | P1              |
| 149.                                      | Ian McLagan Travel Document 2  | 21.03.13                | 11          | P2              |
| 150.                                      | Ian McLagan Travel Document 3  | ~22.03.13-<br>~24.03.13 | 11          | P3              |
| 151.                                      | "Happy" – Day 1 Script Notes   | 21.03.13                | 11          | P4-P11          |
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| 153.                                      | "Happy" – Day 3 Script Notes   | 23.03.13                | 11          | P20-P28         |
| 154.                                      | "Happy" – Schedule   | 23.03.13                | 11          | P29-P30         |
| 155.                                      | Screenshot of group photograph from the set of "Happy"   | 23.03.13                | 11          | P31             |
| 156.                                      | Screenshot of a photograph of the Claimant onstage during Nickelodeon's Kids' Choice Awards in Los Angeles | 23.03.13                | 11          | P32             |
| <b>Text messages</b>                      |  |                         |             |                 |
| 157.                                      | Text messages from Kevin Murphy  | 21.03.13 to<br>22.03.13 | 11          | P33             |
| 158.                                      | Text message from Amber Heard to Kevin Murphy  | Undated                 | 11          | P34             |
| 158(a).                                   | Text messages between Unknown and Mr Hop   | Various                 | 11          | P34.1-<br>P34.2 |
| 159.                                      | Text messages between Lily Rose Depp and the Claimant  | Various                 | 11          | P35-P41         |
| 160.                                      | Text messages between Whitney Heard and the Claimant   | Various                 | 11          | P42-P43         |



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| 160(a).            | Photographs and metadata from 2013                           | 08.03.13-<br>22.03.13 | 11          | P43.1-<br>P43.6     |
| 160(a)(i).         | Screenshot of Amazon receipt                                 | ** .10.14             | 11          | P43.6A              |
| 160(b).            | Photograph of master bedroom in Australia property           | Undated               | 11          | P43.7               |
| 161.               | Photograph of bedroom in Australia                           | 08.03.15              | 11          | P44                 |
| 161(a).            | Plan of Australia house                                      | Undated               | 11          | P45-P47             |
| 162.               | Photographs of Amber Heard and others on Thanksgiving 2015   | 27.11.15              | 11          | P48-P51             |
| 163.               | Photographs of Amber Heard in the Bahamas                    | ** .12.15             | 11          | P52-P54             |
| 163(a).            | Photographs and metadata from 21 May 2016                    | 21.05.16              | 11          | P54.1-<br>P54.24    |
| 164.               | Photograph from Amber Heard's Instagram account              | 12.03.20              | 11          | P55-P56             |
| 165.               | Screenshot of video from Amber Heard's Instagram account     | 14.05.20              | 11          | P57                 |
| 165(a).            | Group photograph of the Claimant and others                  | Undated               | 11          | P57.1               |
| 165(b).            | Photographs of Keith Richards                                | Undated               | 11          | P57.2-<br>P57.7     |
| 166.               | Photographs of the Bahamas property                          | Undated               | 11          | P58-P64             |
| 167.               | Photographs of the Eastern Columbia Building apartments      | Undated               | 11          | P65-P79             |
| 168.               | Photograph of Amber Heard and the Claimant                   | Undated               | 11          | P80                 |
| 169.               | Screenshot from video  | Undated               | 11          | P81                 |
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| 170.               | Video of Thanksgiving 1 together with transcript             | 27.11.15              | 11          | P82-<br>P82.1       |
| 171.               | Video of Thanksgiving 2 together with Claimant's transcript  | 27.11.15              | 11          | P83-<br>P83.2       |
| 171.1              | Video of Thanksgiving 2 together with Defendants' transcript | 27.11.15              | 11          | P83.2.1-<br>P83.2.2 |
| 171(a).            | Video of Amber Heard leaving Court                           | 27.05.16              | 11          | P83.1               |
| 172.               | Video of the Bahamas property 1                              | Undated               | 11          | P84                 |
| 173.               | Video of the Bahamas property 2                              | Undated               | 11          | P85                 |

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| 174.            | Amber Heard says birth on US Mexico border sparked rights activism    Video clip from Reuters, together with transcript | Undated            | 11          | P86-87    |
| 175.            | Amber Heard makes out with Johnny Depp    Video clip from She Knows, together with transcript                           | Undated            | 11          | P88-P90   |
| 176.            | Amber Heard hearts Johnny Depp    Video clip from Young Hollywood, together with transcript                             | Undated            | 11          | P91-P94   |
| 177.            | The Rum Diary London Premiere, Amber Heard interview video clip, together with transcript                               | Undated            | 11          | P95-P98   |
| 178.            | Amber Heard Interview for the Rum Diary    Video clip from Empire Magazine  | Undated            | 11          | P99-P102  |
| 179.            | 'Amber Heard al One Young World 2018 summit a The Hague' video clip, together with transcript                           | Undated            | 11          | P103-P108 |
| 180.            | Amber Heard su Sky News, in diretta dal One Young World    Sky News video clip, together with transcript                | Undated            | 11          | P109-P110 |
| 181.            | Amber Heard intervistate da Sky News al One Young World summit    Sky News video clip, together with transcript         | Undated            | 11          | P111-P112 |
| 182.            | Audio clip of Amber Heard's court hearing in Washington (from TMZ article), together with transcript                    | Undated            | 11          | P113-P114 |
| <b>Articles</b> |   |                    |             |           |
| 183.            | Did Amber Heard Pull Off This Matte Red Lipstick?    Glamour  | 18.10.11           | 11          | P115-P117 |
| 184.            | Amber Heard: Look Book    Glamour   | 13.03.13           | 11          | P118-P141 |
| 185.            | Amber Heard Left Home at 16: 'I needed to go'    Extratv.com  | 20.08.13           | 11          | P142-P143 |
| 186.            | Amber Heard has charmed Johnny Depp and the rest of us too    Daily News  | 19.02.14           | 11          | P144-P146 |
| 187.            | Amber Heard is more complicated than you think    Elle  | 01.07.15           | 11          | P147-P166 |
| 188.            | Amber ascendant    Marie Claire   | 01.12.15           | 11          | P167-P169 |
| 189.            | How to get Amber Heard's pristine Golden Globes pout    Hollywood Reporter  | 11.01.16           | 11          | P170-P172 |

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| 190.    | Charges dropped against Amber Heard for bringing dogs to Australia with Johnny Depp    The Guardian                                   | 18.04.16           | 11          | P173-P176 |
| 191.    | Johnny Depp: Amber Heard files for divorce on the heels of his Mom's death    TMZ   | 25.05.16           | 11          | P177-P178 |
| 192.    | Johnny Depp Speaks Out After Amber Heard Files for Divorce, Says He Hopes 'This Shot Marriage Will Be Resolved Quickly'    People.com | 26.05.16           | 11          | P179-P183 |
| 193.    | Amber Heard leaves meeting with lawyers after split from husband Johnny Depp    Daily Mail  | 29.05.16           | 11          | P184-P210 |
| 194.    | Amber Heard looks worryingly thin as she jets back to Los Angeles    Daily Mail    by Kayla Caldwell                                  | 24.06.16           | 11          | P211-P233 |
| 195.    | Amber Heard Shows Up Late for Deposition in Johnny Depp Divorce Case    Just Jared  | 06.08.16           | 11          | P234-P239 |
| 196.    | Amber Heard Lands in Los Angeles for her deposition    Just Jared   | 13.08.16           | 11          | P240-P245 |
| 197.    | Amber Heard and new boyfriend Elon Musk go ziplining  | 24.04.17           | 11          | P246-P283 |
| 198.    | Amber Heard gets cost with Spanish hunk after split from Elon Musk    News Corp Australia Network                                     | 24.08.17           | 11          | P284-P288 |
| 199.    | Amber Heard on the Border Crisis, growing up in South Texas & ICE Checkpoints    Refinery29.com                                       | 18.04.18           | 11          | P289-P297 |
| 200.    | Amber Heard wore a \$30 headdress made with zip ties to the Met Gala    Insider   | 08.05.18           | 11          | P298-P304 |
| 201.    | James Franco subpoenaed in Johnny Depp's \$50m suit against Amber Heard: report    Pagesix.com  | 02.07.19           | 11          | P305-P306 |
| 202.    | Surveillance Video Shows James Franco with Amber Heard one day after blowout fight with Johnny Depp    The Blast                      | 02.07.19           | 11          | P307-P321 |





IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S FIRST SET OF DOCUMENT REQUESTS TO  
DEFENDANT AMBER LAURA HEARD**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, requests that Defendant Amber Laura Heard produce the documents identified below for inspection and copying at the offices of Brown Rudnick LLP, 601 Thirteenth Street NW Suite 600, Washington, DC 20005, within twenty-one (21) days of service.

**DEFINITIONS**

1. "Action" shall mean this litigation pending in the Circuit Court for Fairfax County captioned, *John C. Depp, II v. Amber Laura Heard*, Case No. CL-2019-0002911.

2. "Communication" shall mean every written or oral manner of transmitting or receiving facts, ideas, information and opinions, including, without limitation: correspondence; telexes; telecopies; electronic mail; all attachments and enclosures thereto; text messages; computer tapes; discs; telephone tape recordings; recordings of any other type in any medium of written or oral communications; phone logs; message logs; and notes and memoranda of, referring to, or relating to, written or oral communications.

Plt. Def. CW. 2  
Date 7.22.2021  
Judge PSA  
Case # CL-19-2911

3. "Complaint" shall mean the complaint filed by Plaintiff against Defendant in the Action.

4. "Declaration" shall mean the document titled "Declaration of Amber Laura Heard", dated April 10, 2019, which was filed by you in this proceeding on April 11, 2019.

5. "Document" and "Documents" are used in their broadest possible sense within the meaning under law and shall include by way of example, but not limitation, any written, printed, typed, spoken, computerized, or other graphic, phonic, or recorded matter of any kind or nature, however produced or reproduced, whether sent or received or neither, including drafts and copies bearing notations or marks not found on the original, including the following:

a. all contracts, agreements, representations, warranties, certificates, and opinions;

b. all letters or other forms of correspondence or communication, including electronic mail, facsimiles, envelopes, notes, memoranda, telegrams, cables, text messages, voice-mail messages, messages sent or received via social media platform, and messages (including reports, notes, notations, diary entries, and memoranda or other records of or relating to telephone conversations or conferences);

c. all memoranda, reports, financial statements, valuations, notes, transcripts, tabulations, studies, analyses, evaluations, projections, work papers, notebooks, corporate or other records or copies thereof, lists, comparisons, questionnaires, surveys, charts, curves, graphs, summaries, extracts, statistical records, and compilations;

d. all desk and pocket calendars, appointment books, diaries, and logs;

e. all books, scrapbooks, articles, speeches, press releases, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, brochures, and manuals;



f. all transcripts or records of meetings, discussions, or conferences, including tape recordings and minutes;

g. all photographs, microfilm, microfiche, phonographs, tapes or other records, punch cards, magnetic tapes, disks, data cells, drums, printouts, and other electronic, computerized, or other data compilations from which information can or may be obtained; and

h. all presentation materials, including computer generated or other electronic presentation pages, slides, overhead projections overlays, handouts, pamphlets, charts, posters, films, and videos.

6. "Mr. Depp" shall mean Plaintiff John C. Depp, II and all persons acting on his behalf.

7. "Ms. Heard" shall mean Defendant Amber Laura Heard and all persons acting on her behalf.

8. "Op-ed" shall mean the writing submitted by Ms. Heard in December 2018 for publication in the Washington Post.

9. "Person" shall mean any natural person or any business, legal, or government entity, or association.

10. "You," "your," or "Defendant" means Defendant Amber Laura Heard.

11. The terms "concerning," "relating to," "referring to," "pertaining to," "reflecting," "evidencing," and "constituting" are used, for purposes of these requests, as equivalent terms, each including the others.

12. In order to bring matters within the scope of these requests which might otherwise be construed to be outside their scope:

a. "each" includes the word "every," and "every" includes the word "each";

- b. "any" includes the word "all," and "all" includes the word "any";
- c. "and," "or" or "and/or" shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive;
- d. "all" shall also include "each of" and vice-versa; and
- e. the singular includes the plural and vice-versa.

13. All words, terms and phrases not specifically defined in these requests are to be given their normal and customary meaning in the context in which they are used herein.

### INSTRUCTIONS

1. You are requested to produce all responsive documents in your possession, custody or control, wherever located, including, without limitation, those in the custody of your attorneys, agents, representatives and affiliates.

2. You shall provide a written response to each request herein.

3. The request shall be deemed to be continuing and you are required to promptly produce in the form of a supplemental document production any document requested herein that is unavailable to you at the time of the production called for, but which becomes available to you or your attorneys, agents or representatives up to the conclusion of the proceedings herein. The date such additional documents came into your possession shall be specified, as well as the identity of the individuals who furnished such additional documents to the person preparing the response.

4. If any part of the following requests cannot be responded to in full, please respond to the extent possible, specifying the reason(s) for your inability to respond to the remainder and stating whatever information or knowledge you have concerning the portion to which you do not respond.

5. If an objection is made to any request contained herein, for each item or category objected to:

- a) State the specific ground for each objection;
- b) Identify each such document by giving its date, the name of each author, the name of each addressee (and each recipient, if different), and by giving any other information necessary to identify such document or part thereof; and
- c) Provide a description of the subject matter of each document or item.

Any ground not stated in an objection within the time frame provided by the relevant rule, or any extensions thereof, shall be waived.

6. If there are no documents in existence that are requested in a particular paragraph of these requests, the Response must include a statement to that effect in writing.

7. Where any copy of any document whose production is sought herein, whether a draft or final version, is not identical to any copy thereof, by reason of alterations, notes, comments, initials, underscoring, indication of routing, or other material contained thereon or attached thereto, all such non-identical copies are to be produced separately.

8. If any document requested herein was formerly in your possession, custody or control (or that of your representative) and has been lost or destroyed or otherwise disposed of, you are requested to submit in lieu of any such document a written statement (a) describing in detail the nature of the document and its contents, including the document's date, subject matter, number of pages, and attachments and appendices, (b) identifying the person(s) who prepared or authored the document and, if applicable, the person(s) to whom the document was sent, distributed, shown, or explained, (c) specifying the date on which the document was prepared or transmitted, (d) specifying the date on which the document was lost or destroyed and, if destroyed, the conditions of and reasons for such destruction and the person(s) requesting and performing the destruction, and (e) where the document was maintained prior to its destruction.



9. Hard copies of all documents should be produced; in addition, copies of all documents available electronically should be delivered on a DVD or CD-ROM.

10. A request for any document shall be deemed to include a request for any and all transmittal sheets, cover letters, exhibits, enclosures, or attachments to such document, in addition to the document in its full and unexpurgated form.

11. Documents should be segregated according to the number of the request to which you are responding or produced in the manner they are kept in the ordinary course of business. Documents attached to each other should not be separated.

12. With the exception of any spreadsheets or database documents (e.g. documents created on software such as Microsoft Excel or Microsoft Access), which shall be produced in their native format, all electronically-stored information ("ESI") images shall be produced in one of the following formats: CCITT Group 4, Single-Paged TIFF files or Single-Paged JPG files with an Opticon image load file. A Concordance DAT metadata load file of all such ESI shall also be provided with a link to the text files and shall contain extractable metadata, including at least the following: Beginning Bates, Ending Bates, Beginning Bates Attachment, Ending Bates Attachment, Custodian, File Name, From, Recipient, CC, BCC, Subject, Date Sent, Time Sent, Last Modified Date, Author, Title, Date Created, Time Created, Document Extension, Page Count, MD5Hash, Text Path and Native File Path. The text file format shall be Multi-Paged Document level text files. In addition, if documents are produced with slip-sheets, please include the native file, as well as links to the natives in the DAT file. Hard copy documents or any documents or things that do not qualify as ESI shall be scanned and produced in single page TIFF format with separate OCR files for each document, and shall be included in the load file for ESI.

13. If any privilege is claimed as to any communication requested or sought to be identified herein:

- a) State the nature of the privilege of the claim (i.e., attorney/client, work product, etc.),
- b) State the name of the party claiming privilege and the name of the attorney, if any, with respect to whom the privilege is claimed,
- c) State the basis for claiming the privilege as to the specific communication,
- d) Identify all persons present at any communication to which privilege is claimed and all persons to whom the subject matter of the communication was discussed or disclosed, and
- e) State the date of each such communication.

14. If any privilege is claimed as to any document requested or sought to be identified herein:

- a) State the nature of the privilege claimed (i.e., attorney/client, work product, etc.),
- b) State the basis for claiming the privilege as to the specific information or documents, and
- c) State the date of such document, identify the type of document (i.e., letter, memo, etc.), set forth the subject matter thereof, identify each person who prepared it and each person (if any) who signed it, identify each person to whom it was directed, circulated or shown, and identify each person now in possession of the document.

15. For purposes of each document request, each such request for documents to be produced by you expressly includes documents in the possession of your attorneys, and any consultants or experts retained by you or your attorneys in connection with this action.

16. Produce all responsive documents as they are kept in the usual course of business or organize and label them to correspond with the categories in this request.

17. Plaintiff hereby reserves the right to expand or supplement all requests for information and documents set forth herein.

### REQUESTS FOR PRODUCTION

1. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California in late 2012 or early 2013, as described in ¶ 5 of your Declaration.

RESPONSE:

2. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California on March 8, 2013, as described in ¶ 6 of your Declaration.

RESPONSE:

3. All Documents and Communications by and between you and any person relating to the purported incident occurring on a flight from Boston, Massachusetts to Los Angeles, California on or about May 24, 2014, as described in ¶¶ 7-8 of your Declaration.

RESPONSE:

4. All Documents and Communications by and between you and any person relating to the purported incident in the Bahamas on August 17, 2014, as described in ¶¶ 9-11 of your Declaration.

RESPONSE:

5. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles on December 17, 2014, as described in ¶ 12 of your Declaration.

RESPONSE:

6. All Documents and Communications by and between you and any person relating to the purported incident taking place in a hotel room in Tokyo, Japan on January 25, 2015, as described in ¶ 13 of your Declaration.

RESPONSE:



7. All Documents and Communications by and between you and any person relating to the purported incident in Australia on March 3 through March 5, 2015, as described in ¶¶ 14-18 of your Declaration.

**RESPONSE:**

8. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California in March 2015, as described in ¶¶ 19-20 of your Declaration.

**RESPONSE:**

9. All Documents and Communications by and between you and any person relating to the purported incident in Thailand and Malaysia in August 2015, as described in ¶ 21 of your Declaration.

**RESPONSE:**

10. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California on November 26, 2015, as described in ¶ 22 of your Declaration.

**RESPONSE:**

11. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California on December 15, 2015, as described in ¶¶ 23-33 of your Declaration.

**RESPONSE:**

12. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California on April 21, 2016, as described in ¶¶ 34-35 of your Declaration.

**RESPONSE:**

13. All Documents and Communications by and between you and any person relating to the purported incident in Los Angeles, California on May 21, 2016, as described in ¶¶ 36-42 of your Declaration.

**RESPONSE:**

14. All Documents and Communications by and between you and any person relating to the purported injuries that appeared on your face on May 27, 2016, as described in ¶¶ 43-44 of your Declaration, including any Documents or Communications relating to how you came to have those purported injuries on your face on May 27, 2016.

**RESPONSE:**

15. All Documents and Communications by and between you and any person relating to any domestic abuse incidents in which you assaulted Mr. Depp.

**RESPONSE:**

16. All Documents and Communications by and between you and any person relating to the incident between you and Tasya van Ree that occurred at the Seattle-Tacoma International Airport on September 14, 2009, which resulted in your arrest.

**RESPONSE:**

17. All Documents and Communications by and between you and any person relating to any other domestic abuse allegations against Mr. Depp not identified in Request Nos. 1 through 14.

**RESPONSE:**

18. All Documents and Communications by and between you and any person relating to your relationship with Elon Musk.

**RESPONSE:**

19. All Documents and Communications by and between you and any person relating to your requesting Ms. Trinity Esparza and Mr. Brandon Patterson of the Eastern Columbia

Building to give a statement to *People Magazine* approximately one week after you made your domestic abuse allegations against Mr. Depp on May 27, 2016.

**RESPONSE:**

20. All Documents, including but not limited to original Documents—with metadata—that you presented to the Los Angeles County Superior Court to obtain a temporary restraining order against Mr. Depp.

**RESPONSE:**

21. All Documents relating to your appearance at the Los Angeles County Superior Court on May 27, 2016.

**RESPONSE:**

22. All Documents and Communications by and between you and Raquel Pennington, iO Tillett Wright, Elizabeth Marz, Whitney Heard, and/or any other person relating to any of your domestic abuse allegations against Mr. Depp or your temporary restraining order against Mr. Depp.

**RESPONSE:**

23. All Communications with Raquel Pennington and iO Tillett Wright concerning the affidavits they submitted in support of your temporary restraining order against Mr. Depp.

**RESPONSE:**

24. All Communications that you had with any person concerning your domestic abuse allegations against Mr. Depp or the temporary restraining order that you obtained against Mr. Depp, including but not limited to any requests to any person to provide an affidavit in support of your temporary restraining order, regardless of whether such person ultimately provided an affidavit.

**RESPONSE:**



25. All Communications that you had with any person concerning your domestic abuse allegations against Mr. Depp, including but not limited to any requests to any person to make public statements concerning your allegations, to report on your allegations in the media, or to comment on your allegations on any social media platform.

**RESPONSE:**

26. All Communications with Jodi Gottlieb, Blaine Zuckerman, or *People Magazine* relating to your domestic abuse allegations against Mr. Depp, your temporary restraining order against Mr. Depp, or public reaction to the same.

**RESPONSE:**

27. All Documents and Communications reflecting your in-person interactions with Elon Musk at or near May 27, 2016 when you obtained the temporary restraining order against Mr. Depp.

**RESPONSE:**

28. All Communications concerning Elon Musk visiting you at any time at the Eastern Columbia Building, located at 849 South Broadway Los Angeles, CA 90014.

**RESPONSE:**

29. All Documents and Communications regarding the Op-Ed, including all drafts, notes, outlines, and communications with employees and agents of the Washington Post and American Civil Liberties Union ("ACLU").


**RESPONSE:**

30. All Documents and Communications concerning the events described in paragraph 54 of the Declaration.

**RESPONSE:**

Dated: July 9, 2019

Respectfully submitted,



Benjamin G. Chew (VSB #29113)  
Elliot J. Weingarten (*pro hac vice*)  
Camille M. Vasquez (*pro hac vice application pending*)  
Andrew C. Crawford (VSB #89093)  
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*Counsel for Plaintiff John C. Depp, II*

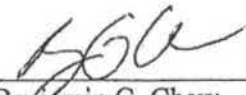
CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of July, 2019, I caused a copy of the foregoing document to be served by hand pursuant to Rule 1:12 of the Supreme Court of Virginia to the following:

Timothy J. McEvoy, Esq.  
Sean Patrick Roche, Esq.  
CAMERON/McEVOY, PLLC  
4100 Monument Corner Drive, Suite 420  
Fairfax, VA 22030  
Phone: (703) 273-8898  
Fax: (703) 273-8897  
[tmcevoy@cameronmcevoy.com](mailto:tmcevoy@cameronmcevoy.com)  
[sroche@cameronmcevoy.com](mailto:sroche@cameronmcevoy.com)

I hereby certify that on this 9th day of July, 2019, I caused a copy of the foregoing document to be served by email and first-class mail, postage prepaid pursuant to Rule 1:12 of the Supreme Court of Virginia to the following:

Eric M. George, Esq.  
Richard A. Schwartz, Esq.  
BROWNE GEORGE ROSS LLP  
2121 Avenue of the Stars, Suite 2800  
Los Angeles, CA 90067  
Phone: (310) 274-1700  
Fax: (310) 275-5697  
[egeorge@bgrfirm.com](mailto:egeorge@bgrfirm.com)  
[rschwartz@bgrfirm.com](mailto:rschwartz@bgrfirm.com)

  
\_\_\_\_\_  
Benjamin G. Chew





VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S SECOND SET OF REQUESTS FOR PRODUCTION  
TO DEFENDANT AMBER LAURA HEARD**

Pursuant to Rule 4:9 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, requests that Defendant Amber Laura Heard produce the documents identified below for inspection and copying at the offices of Brown Rudnick LLP, 601 Thirteenth Street NW Suite 600, Washington, DC 20005, within twenty-one (21) days of service.

**DEFINITIONS AND INSTRUCTIONS**

**Definitions**

1. "Action" shall mean this litigation pending in the Circuit Court for Fairfax County captioned, *John C. Depp, II v. Amber Laura Heard*, Case No. CL-2019-0002911.
2. "Chat Application" shall mean any electronic program or application, usable on any device or platform, that allows the user to communicate with another person by way of exchange of text messages and/or images, including, but not limited to, iMessage, Facebook

Plt. ~~Def~~ CW. 3  
Date 7-22-2021  
Judge PSA  
Case # CL-19-2911

Messenger, WhatsApp, WeChat, Slack, Twitter, Skype, Instagram, Kik, Signal, Telegram, Viber, Threema, Dust, and Wickr.

3. "Communication" shall mean every written or oral manner of transmitting or receiving facts, ideas, information and opinions, including, without limitation: correspondence; telexes; telecopies; electronic mail; all attachments and enclosures thereto; text messages; computer tapes; discs; telephone tape recordings; recordings of any other type in any medium of written or oral communications; phone logs; message logs; and notes and memoranda of, referring to, or relating to, written or oral communications.

4. "Complaint" shall mean the complaint filed by Plaintiff against Defendant in the Action.

5. "Declaration" shall mean the documents titled "Declaration of Amber Laura Heard", dated April 10, 2019, which was filed by you in this proceeding on April 11, 2019.

6. "Document" and "Documents" are used in their broadest possible sense within the meaning under law and shall include by way of example, but not limitation, any written, printed, typed, spoken, computerized, or other graphic, phonic, or recorded matter of any kind or nature, however produced or reproduced, whether sent or received or neither, including drafts and copies bearing notations or marks not found on the original, including the following:

a. all contracts, agreements, representations, warranties, certificates, and opinions;

b. all letters or other forms of correspondence or communication, including electronic mail, facsimiles, envelopes, notes, memoranda, telegrams, cables, text messages, voice-mail messages, messages sent or received via social media platform, and messages (including reports, notes, notations, diary entries, and memoranda or other records of or relating



to telephone conversations or conferences);

c. all memoranda, reports, financial statements, valuations, reports, notes, transcripts, tabulations, studies, analyses, evaluations, projections, work papers, notebooks, corporate or other records or copies thereof, lists, comparisons, questionnaires, surveys, charts, curves, graphs, summaries, extracts, statistical records, and compilations;

d. all desk and pocket calendars, appointment books, diaries, and logs;

e. all books, scrapbooks, articles, speeches, press releases, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, brochures, and manuals;

f. all transcripts or records of meetings, discussions, or conferences, including tape recordings and minutes;

g. all photographs, microfilm, microfiche, phonographs, tapes or other records, punch cards, magnetic tapes, disks, data cells, drums, printouts, and other electronic, computerized, or other data compilations from which information can or may be obtained; and

h. all presentation materials, including computer generated or other electronic presentation pages, slides, overhead projections overlays, handouts, pamphlets, charts, posters, films, and videos.

7. "Mr. Depp" shall mean Plaintiff John C. Depp, II and all persons acting on his behalf, including but not limited to his agents, representatives, employees, and assigns.

8. "Ms. Heard" shall mean Defendant Amber Laura Heard and all persons acting on her behalf, including but not limited to her agents, representatives, employees, and assigns.

9. "Op-ed" shall mean the writing submitted by Ms. Heard in December 2018 for publication in the Washington Post.

10. "Person" shall mean any natural person or any business, legal, or government

entity, or association.

11. "Romantic Partner" shall mean any persons You have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of Your body and another person's genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any party of a third party's body and Your genitalia, anus, groin, breast, inner thigh, or buttocks.

12. "You," "your," or "Defendant" means Defendant Amber Laura Heard, as well as all persons and entities over which Ms. Heard has "control" as understood by the Rules of this Court.

13. The terms "concerning," "relating to," "referring to," "pertaining to," "reflecting," "evidencing," and "constituting" are used, for purposes of these requests, as equivalent terms, each including the others.

14. In order to bring matters within the scope of these requests which might otherwise be construed to be outside their scope:

- a. "each" includes the word "every," and "every" includes the word "each";
- b. "any" includes the word "all," and "all" includes the work "any";
- c. "and," "or" or "and/or" shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive;
- d. "all" shall also include "each of" and vice-versa; and
- e. the singular includes the plural and vice-versa.

15. All words, terms and phrases not specifically defined in these requests are to be given their normal and customary meaning in the context in which they are used herein.

#### **Instructions**

1. You are requested to produce all responsive documents in your possession,

custody or control, wherever located, including, without limitation, those in the custody of your attorneys, agents, representatives and affiliates.

2. You shall provide a written response to each request herein.

3. The request shall be deemed to be continuing and you are required to promptly produce in the form of a supplemental document production any document requested herein that is unavailable to you at the time of the production called for, but which becomes available to you or your attorneys, agents or representatives up to the conclusion of the proceedings herein. The date such additional documents came into your possession shall be specified, as well as the identity of the individuals who furnished such additional documents to the person preparing the response.

4. If any part of the following requests cannot be responded to in full, please respond to the extent possible, specifying the reason(s) for your inability to respond to the remainder and stating whatever information or knowledge you have concerning the portion to which you do not respond.

5. If an objection is made to any request contained herein, for each item or category objected to:

- a) State the specific ground for each objection;
- b) Identify each such document by giving its date, the name of each author (and each address or, if different), the name of each addressee (and each recipient, if different), and by giving any other information necessary to identify such document or part thereof; and
- c) Provide a description of the subject matter of each document or item.

Any ground not stated in an objection within the time frame provided by the relevant rule, or any extensions thereof, shall be waived.

6. If there are no documents in existence that are requested in a particular paragraph



of this request, the Response must include a statement to that effect in writing.

7. Where any copy of any document whose production is sought herein, whether a draft or final version, is not identical to any copy thereof, by reason of alterations, notes, comments, initials, underscoring, indication of routing, or other material contained thereon or attached thereto, all such non-identical copies are to be produced separately.

8. If any document requested herein was formerly in your possession, custody or control (or that of your representative) and has been lost or destroyed or otherwise disposed of, you are requested to submit in lieu of any such document a written statement (a) describing in detail the nature of the document and its contents, including the document's date, subject matter, number of pages, and attachments and appendices, (b) identifying the person(s) who prepared or authored the document and, if applicable, the person(s) to whom the document was sent, distributed, shown, or explained, (c) specifying the date on which the document was prepared or transmitted, (d) specifying the date on which the document was lost or destroyed and, if destroyed, the conditions of and reasons for such destruction and the person(s) requesting and performing the destruction, and (e) where the document was maintained prior to its destruction.

9. Hard copies of all documents should be produced, in addition, copies of all documents available electronically should be delivered on a DVD or CD-ROM.

10. A request for any document shall be deemed to include a request for any and all transmittal sheets, cover letters, exhibits, enclosures, or attachments to such document, in addition to the document in its full and unexpurgated form.

11. Documents should be segregated according to the number of the request to which you are responding or produced in the manner they are kept in the ordinary course of business. Documents attached to each other should not be separated.

12. With the exception of any spreadsheets or database documents (e.g. documents created on software such as Microsoft Excel or Microsoft Access), which shall be produced in their native format, all electronically-stored information ("ESI") images shall be produced in one of the following formats: CCITT Group 4, Single-Paged TIFF files or Single-Paged JPG files with an Opticon image load file. A Concordance DAT metadata load file of all such ESI shall also be provided with a link to the text files and shall contain extractable metadata, including at least the following: Beginning Bates, Ending Bates, Beginning Bates Attachment, Ending Bates Attachment, Custodian, File Name, From, Recipient, CC, BCC, Subject, Date Sent, Time Sent, Last Modified Date, Author, Title, Date Created, Time Created, Document Extension, Page Count, MD5Hash, Text Path and Native File Path. The text file format shall be Multi-Paged Document level text files. In addition, if documents are produced with slip-sheets, please include the native file, as well as links to the natives in the DAT file. Hard copy documents or any documents or things that do not qualify as ESI shall be scanned and produced in single page TIFF format with separate OCR files for each document, and shall be included in the load file for ESI.

13. If any privilege is claimed as to any communication requested or sought to be identified herein:

- a) State the nature of the privilege of the claim (i.e., attorney/client, work product, etc.),
- b) State the name of the party claiming privilege and the name of the attorney, if any, with respect to whom the privilege is claimed,
- c) State the basis for claiming the privilege as to the specific communication,
- d) Identify all persons present at any communication to which privilege is claimed and all persons to whom the subject matter of the communication was discussed or disclosed, and
- e) State the date of each such communication.

14. If any privilege is claimed as to any document requested or sought to be identified herein:

- a) State the nature of the privilege claimed (i.e., attorney/client, work product, etc.),
- b) State the basis for claiming the privilege as to the specific information or documents, and
- c) State the date of such document, identify the type of document (i.e., letter, memo, etc.), set forth the subject matter thereof, identify each person who prepared it and each person (if any) who signed it, identify each person to whom it was directed, circulated or shown, and identify each person now in possession of the document.

15. For purposes of each document request, each such request for documents to be produced by you expressly includes documents in the possession of your attorneys, and any consultants or experts retained by you or your attorneys in connection with this action.

16. Produce all responsive documents as they are kept in the usual course of business or organize and label them to correspond with the categories in this request.

17. Plaintiff hereby reserves the right to expand or supplement all requests for information and documents set forth herein.

#### **REQUESTS FOR PRODUCTION**

1. All Documents and Communications between You and any person employed by You or working on your behalf pertaining to any act of violence, or attempted acts of violence by You or Mr. Depp in the past 10 years.

#### **RESPONSE:**

2. All Documents and Communications between You and any person employed by You or working on your behalf pertaining to the use of narcotics by You or Mr. Depp from 2013 to present.

#### **RESPONSE:**



3. All Documents and Communications pertaining to any treatment for alcohol or drug use or abuse by You or Mr. Depp from 2013 to present.

**RESPONSE:**

4. Documents sufficient to show payments You or anyone acting on your behalf made to any firm or entity that provides services related to print, television, newspaper or other traditional media from 2015 to present, not including for services related to marketing films..

**RESPONSE:**

5. All Documents and Communications by and between you and Raquel Pennington, iO Tillett Wright, Elizabeth Marz, Whitney Heard, or Josh Drew that mention Mr. Depp or any of Your other Romantic Partners from 2010 to April, 2019 .

**RESPONSE:**

6. All Documents and Communications exchanged between You or anyone acting on Your behalf and Dr. David Kipper that mention Mr. Depp or any of Your other Romantic Partners from 2010 to present.

**RESPONSE:**

7. Documents sufficient to show each time You were arrested and the reason(s) for the arrest.

**RESPONSE:**

8. A complete copy of all medical records, charts and files from any mental and/or physical health care providers who have seen, consulted, examined or provided treatment or services to You from 2010 to the present, including but not limited to Dr. David Kipper.

**RESPONSE:**

9. Copies of all of Your personal journals and/or diaries from 2010 to the present.

**RESPONSE:**

10. Copies of any and all correspondence or other records that You or anyone acting on Your behalf received from or sent to: (1) any mental and/or physical health care providers from 2010 to the present; and (2) any health insurer providing you coverage for any medical, psychiatric, counseling, rehabilitation or other care from 2010 to the present.

**RESPONSE:**

11. Documents sufficient to show any prescription drugs You have obtained from January 2010 to the present, including any prescription drugs that You currently take.

**RESPONSE:**

12. Copies of any reports, written memoranda or notes prepared by each expert witness that You will or may call as a witness at the trial of this matter.

**RESPONSE:**

13. Copies of all journal articles, learned treatises, periodicals, pamphlets, or any other type of publication that each of Your expert witnesses or specialists has used or relied upon in forming his or her opinion in this case, or that You otherwise will or may use at trial.

**RESPONSE:**

14. Copies of all exhibits or demonstrative exhibits You or Your attorneys will or may use, introduce or attempt to introduce at the trial of this matter.

**RESPONSE:**

15. Copies of all written statements taken or assembled in connection with this Action or with Your investigation, formal or informal, of the matters at issue in this Action, and all drafts and redlines/blacklines or edits thereof.

**RESPONSE:**

16. All documents viewed by, relied upon, or referred to in answering any Interrogatory propounded by Mr. Depp.

**RESPONSE:**

17. To the extent not provided in response to other requests, all non-privileged documents, notes, records, tape recordings, video recordings, or other written or recorded materials prepared by You or on Your behalf concerning the occurrences described in the Complaint, Your Declaration, Your Op-Ed, and Your 2016 declaration submitted in support of your request for a temporary restraining order.

**RESPONSE:**

18. All Documents and Communications by and between you and any person relating to the claims or defenses in this Action.

**RESPONSE:**

19. All Documents and Communications by and between You and any person working or purporting to work on behalf of the American Civil Liberties Union ("ACLU") related to the Op-Ed, Your Declaration, and any claims or defenses in this Action.

**RESPONSE:**

20. All Documents and Communications by and between You and any person working or purporting to work on behalf of the Washington Post related to the Op-Ed, Your Declaration, and any claims or defenses in this Action.

**RESPONSE:**

21. All Documents and Communications by and between You and any person working or purporting to work on behalf of the Virginia Press Association related to the Op-Ed,



Your Declaration, and any claims or defenses in this Action, including the Virginia Press Association's motion for leave to file an amicus brief in this Action.

**RESPONSE:**

22. All Documents and Communications by and between You and any person related to the ACLU's email to Plaintiff's counsel on September 13, 2019 containing a request to file an amicus brief in this Action.

**RESPONSE:**

23. All Documents and Communications by and between You and any person working or purporting to work on behalf of The Sun related to the Op-Ed, Your Declaration, and any claims or defenses in this Action, and any claims or defenses in the action currently pending in London between Mr. Depp and The Sun.

**RESPONSE:**

24. All Documents and Communications that You produced either voluntarily or pursuant to subpoena or Court order in the action pending in London between Mr. Depp and The Sun.

**RESPONSE:**

25. All Documents and Communications by and between You and any person working or purporting to work on Your behalf and any third party regarding providing You with financial assistance with this Action and/or paying Your legal fees and costs related to this Action.


**RESPONSE:**

26. All Documents obtained by way of subpoena, threat of subpoena, and/or voluntarily in relation to this Action.

RESPONSE:

Dated: November 4, 2019

Respectfully submitted,

  
Benjamin G. Chew (VSB #29113)  
Elliot J. Weingarten (*pro hac vice*)  
Camille M. Vasquez (*pro hac vice*)  
Andrew C. Crawford (VSB #89093)  
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- and -

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Adam R. Waldman (*pro hac vice*)  
THE ENDEAVOR GROUP LAW FIRM, P.C.  
1775 Pennsylvania Avenue NW, Suite 350  
Washington, DC 20006

*Counsel for Plaintiff John C. Depp, II*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of November 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

Roberta A. Kaplan (*pro hac vice*)  
Julie E. Fink (*pro hac vice*)  
John C. Quinn (*pro hac vice*)  
KAPLAN HECKER & FINK, LLP  
350 Fifth Avenue, Suite 7110  
New York, New York 10118  
Telephone: (212) 763-0883  
rkaplan@kaplanhecker.com  
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Eric M. George (*pro hac vice*)  
Richard A. Schwartz (*pro hac vice*)  
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A. Benjamin Rottenborn (VSB No. 84796)  
Joshua R. Treece (VSB No. 79149)  
WOODS ROGERS PLC  
10 S. Jefferson Street, Suite 1400  
P.O. Box 14125  
Roanoke, Virginia 24011  
Telephone: (540) 983-7540  
brottenborn@woodsrogers.com  
jtreece@woodsrogers.com

*Counsel for Defendant Amber Laura Heard*

  
\_\_\_\_\_  
Benjamin G. Chew

63548702





IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S FIRST SET OF INTERROGATORIES TO  
DEFENDANT AMBER LAURA HEARD**

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, serves the following First Set of Interrogatories upon Defendant Amber Laura Heard. Each Interrogatory must be answered separately, fully, in writing, under oath, and a copy served upon counsel for Mr. Depp within the time period set forth by the Rules of the Virginia Supreme Court.

**DEFINITIONS**

1. "Action" shall mean this litigation pending in the Circuit Court for Fairfax County captioned, *John C. Depp, II v. Amber Laura Heard*, Case No. CL-2019-0002911.

2. "Communication" shall mean every written or oral manner of transmitting or receiving facts, ideas, information and opinions, including, without limitation: correspondence; telexes; telecopies; electronic mail; all attachments and enclosures thereto; text messages; computer tapes; discs; telephone tape recordings; recordings of any other type in any medium of written or oral communications; phone logs; message logs; and notes and memoranda of, referring to, or relating to, written or oral communications.

Plt. Def CW. 4  
Date 7.22.2021  
Judge PSA  
Case # CL19-2911

3. "Complaint" shall mean the complaint filed by Plaintiff against Defendant in the Action.

4. "Declaration" shall mean the document titled "Declaration of Amber Laura Heard", dated April 10, 2019, which was filed by you in this proceeding on April 11, 2019.

5. "Document" and "Documents" are used in their broadest possible sense within the meaning under law and shall include by way of example, but not limitation, any written, printed, typed, spoken, computerized, or other graphic, phonic, or recorded matter of any kind or nature, however produced or reproduced, whether sent or received or neither, including drafts and copies bearing notations or marks not found on the original, including the following:

a. all contracts, agreements, representations, warranties, certificates, and opinions;

b. all letters or other forms of correspondence or communication, including electronic mail, facsimiles, envelopes, notes, memoranda, telegrams, cables, text messages, voice-mail messages, messages sent or received via social media platform, and messages (including reports, notes, notations, diary entries, and memoranda or other records of or relating to telephone conversations or conferences);

c. all memoranda, reports, financial statements, valuations, notes, transcripts, tabulations, studies, analyses, evaluations, projections, work papers, notebooks, corporate or other records or copies thereof, lists, comparisons, questionnaires, surveys, charts, curves, graphs, summaries, extracts, statistical records, and compilations;

d. all desk and pocket calendars, appointment books, diaries, and logs;

e. all books, scrapbooks, articles, speeches, press releases, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, brochures, and manuals;



f. all transcripts or records of meetings, discussions, or conferences, including tape recordings and minutes;

g. all photographs, microfilm, microfiche, phonographs, tapes or other records, punch cards, magnetic tapes, disks, data cells, drums, printouts, and other electronic, computerized, or other data compilations from which information can or may be obtained; and

h. all presentation materials, including computer generated or other electronic presentation pages, slides, overhead projections overlays, handouts, pamphlets, charts, posters, films, and videos.

6. The terms "identify," "identifying," "identity" and "identification," when used to refer to any entity other than a natural person, mean to state its full name, the present or last known address of its principal office or place of doing business, and its entity type (e.g. corporation, partnership, unincorporated association).

7. The terms "identify," "identifying," "identity" and "identification," when used to refer to a natural person, mean to state the following:

a. the person's full name and present or last known home address, home telephone number, business address, and business telephone number;

b. the person's present title and employer or other business affiliation;

c. the person's home address, home telephone number, business address, and business telephone number at the time of the actions at which each interrogatory is directed; and

d. the person's employer and title at the time of the actions at which each interrogatory is directed.

8. The terms "identify," "identifying," "identity" and "identification," when used to refer to a document, mean to state the following:

- a. the subject of the document;
- b. the title of the document;
- c. the date the document was produced, generated and/or published; or if the specific date thereof is unknown, the best approximation of such date;
- d. the identity of the person(s) who wrote, contributed to, prepared or originated such document; and
- e. the present or last known location and custodian of the document.

9. The terms "identify," "identifying," "identity" and "identification," when used to refer to a communication, mean to state the following:

- a. the subject and content of the communication;
- b. the type of communication (e.g., in-person or telephone conversation, letter, memorandum, email, etc.);
- c. the date the communication occurred or if the specific date thereof is unknown, the best approximation of such date;
- d. the identity of the person(s) who made wrote, contributed to, or prepared such communication; and
- e. the identity of the person(s) who received such communication.

10. "Mr. Depp" shall mean Plaintiff John C. Depp, II and all persons acting on his behalf.

11. "Ms. Heard" shall mean Defendant Amber Laura Heard and all persons acting on her behalf.

12. "Op-ed" shall mean the writing submitted by Ms. Heard in December 2018 for publication in the Washington Post.

13. "Person" shall mean any natural person or any business, legal, or government entity, or association.

14. "You," "your," or "Defendant" means Defendant Amber Laura Heard.

15. The terms "concerning," "relating to," "referring to," "pertaining to," "reflecting," "evidencing," and "constituting" are used, for purposes of these requests, as equivalent terms, each including the others.

16. In order to bring matters within the scope of these requests which might otherwise be construed to be outside their scope:

- a. "each" includes the word "every," and "every" includes the word "each";
- b. "any" includes the word "all," and "all" includes the word "any";
- c. "and," "or" or "and/or" shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive;
- d. "all" shall also include "each of" and vice-versa; and
- e. the singular includes the plural and vice-versa.

17. All words, terms and phrases not specifically defined in these requests are to be given their normal and customary meaning in the context in which they are used herein.

#### INSTRUCTIONS

1. These Interrogatories should be construed to require answers based upon the knowledge of, and information available to, the responding party as well as its agents, representatives, and, unless privileged, attorneys. It is intended that the following Interrogatories will not solicit any material protected either by the attorney/client privilege or work product doctrine which was created by, or developed by, counsel for the responding party after the date on which this litigation was commenced.

2. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to respond to each interrogatory below as fully as possible.

3. No part of an interrogatory should be left unanswered merely because an objection is interposed to another part of the interrogatory. If a partial or incomplete answer is provided, the responding party shall state that the answer is partial or incomplete.

4. These Interrogatories are continuing in nature and therefore require you to file supplementary answers immediately after you obtain any additional information up to, including, and after the time of trial.

5. Whenever you are requested to give specific information, such as a date or figure, if you cannot give the exact information, you shall state that you cannot give the exact information and you shall give your best estimate.

6. If you refer to documents that you produce to Plaintiff, you shall identify the document(s) with specificity (by Bates number, etc.).

7. In responding to these discovery requests, you must provide all requested information known or available to you, regardless of whether that information is obtained directly by you or otherwise known to you, or whether that information is obtained or otherwise known to any of your attorneys, agents, affiliates, or other representatives.

8. Objection will be made at the time of trial to any attempt to introduce evidence which is directly sought by these Interrogatories and to which no disclosure has been made.

9. If any part of an Interrogatory requests information that is claimed by you to be privileged or otherwise protected from disclosure, set forth with particularity at the time of



answering these Interrogatories the part of the Interrogatory with respect to which you assert that claim and the basis for each such claim, together with the following information:

a. If an attorney-client privilege, work product assertion, or any other privilege or protective rule is asserted with respect to an oral communication, please identify the date of the communication, the subject matter of the communication, the name and place of employment of each person present during the communication, and the name and place of employment of each person to whom the substance of the communication has been disclosed.

b. If an attorney-client privilege, work product assertion, or any other privilege or protective rule is asserted with respect to a document, please identify the type of each such document, the date of the document, each individual who authored the document and place of employment of such individual, each individual who received a copy of the document and place of employment of such individual, each individual to whom any portion of the contents of the document was disclosed and the place of employment of such individual, and the subject matter of the document.

10. If you believe that any Interrogatory is unclear, unintelligible, or because of its wording otherwise prevents you from responding fully to that interrogatory, you should seek immediate clarification from Plaintiff. It shall be insufficient to object to a particular interrogatory on the grounds that it is vague, ambiguous, or otherwise unclear, and withhold discoverable information on that basis without seeking clarification from Plaintiff.

### INTERROGATORIES

1. Identify all persons with knowledge, documents, or information concerning the Op-Ed, including but not limited to any employees, agents or representatives of the ACLU or Washington Post, and any editors.

ANSWER:

2. Identify all persons with knowledge, documents or information regarding the events described in paragraph 54 of the Declaration.

ANSWER:

3. Identify and describe in detail each and every communication you had relating to the Op-Ed with anyone Identified in response to Interrogatories No. 1 and 2.

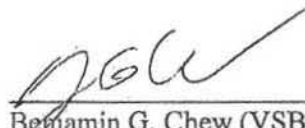
ANSWER:

4. Identify all persons who provided the knowledge, documents, or information used, reviewed, or referenced in answering these Interrogatories.

ANSWER:

Dated: July 9, 2019

Respectfully submitted,



Benjamin G. Chew (VSB #29113)  
Elliot J. Weingarten (*pro hac vice*)  
Camille M. Vasquez (*pro hac vice application pending*)  
Andrew C. Crawford (VSB #89093)  
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- and -

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Adam R. Waldman  
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1775 Pennsylvania Avenue NW, Suite 350  
Washington, DC 20006

*Counsel for Plaintiff John C. Depp, II*

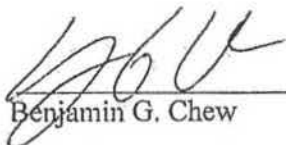
**CERTIFICATE OF SERVICE**

I hereby certify that on this 9th day of July, 2019, I caused a copy of the foregoing document to be served by hand pursuant to Rule 1:12 of the Supreme Court of Virginia to the following:

Timothy J. McEvoy, Esq.  
Sean Patrick Roche, Esq.  
CAMERON/McEVOY, PLLC  
4100 Monument Corner Drive, Suite 420  
Fairfax, VA 22030  
Phone: (703) 273-8898  
Fax: (703) 273-8897  
[tmcevoy@cameronmcevoy.com](mailto:tmcevoy@cameronmcevoy.com)  
[sroche@cameronmcevoy.com](mailto:sroche@cameronmcevoy.com)

I hereby certify that on this 9th day of July, 2019, I caused a copy of the foregoing document to be served by email and first-class mail, postage prepaid pursuant to Rule 1:12 of the Supreme Court of Virginia to the following:

Eric M. George, Esq.  
Richard A. Schwartz, Esq.  
BROWNE GEORGE ROSS LLP  
2121 Avenue of the Stars, Suite 2800  
Los Angeles, CA 90067  
Phone: (310) 274-1700  
Fax: (310) 275-5697  
[egeorge@bgrfirm.com](mailto:egeorge@bgrfirm.com)  
[rschwartz@bgrfirm.com](mailto:rschwartz@bgrfirm.com)

  
Benjamin G. Chew





VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S SECOND SET OF INTERROGATORIES TO  
DEFENDANT AMBER LAURA HEARD**

Pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, serve the following Second Set of Interrogatories upon Defendant Amber Laura Heard. Each Interrogatory must be answered separately, fully, in writing, under oath, and a copy served upon counsel for Mr. Depp within the time period set forth by the Rules of the Supreme Court of Virginia.

**DEFINITIONS**

1. "Action" shall mean this litigation pending in the Circuit Court for Fairfax County captioned, *John C. Depp, II v. Amber Laura Heard*, Case No. CL-2019-0002911.

2. "Chat Application" shall mean any electronic program or application, usable on any device or platform, that allows the user to communicate with another person by way of exchange of text messages and/or images, including, but not limited to, iMessage, Facebook Messenger, WhatsApp, WeChat, Slack, Twitter, Skype, Instagram, Kik, Signal, Telegram, Viber, Threema, Dust, and Wickr.

Plt. Def. CW. 5  
Date 7-22-2021  
Judge PBA  
Case # CL-19-2911

3. "Communication" shall mean every written or oral manner of transmitting or receiving facts, ideas, information and opinions, including, without limitation: correspondence; telexes; telecopies; electronic mail; all attachments and enclosures thereto; text messages; computer tapes; discs; telephone tape recordings; recordings of any other type in any medium of written or oral communications; phone logs; message logs; and notes and memoranda of, referring to, or relating to, written or oral communications.

4. "Complaint" shall mean the complaint filed by Plaintiff against Defendant in the Action.

5. "Declaration" shall mean the documents titled "Declaration of Amber Laura Heard", dated April 10, 2019, which was filed by you in this proceeding on April 11, 2019.

6. "Document" and "Documents" are used in their broadest possible sense within the meaning under law and shall include by way of example, but not limitation, any written, printed, typed, spoken, computerized, or other graphic, phonic, or recorded matter of any kind or nature, however produced or reproduced, whether sent or received or neither, including drafts and copies bearing notations or marks not found on the original, including the following:

a. all contracts, agreements, representations, warranties, certificates, and opinions;

b. all letters or other forms of correspondence or communication, including electronic mail, facsimiles, envelopes, notes, memoranda, telegrams, cables, text messages, voice-mail messages, messages sent or received via social media platform, and messages (including reports, notes, notations, diary entries, and memoranda or other records of or relating to telephone conversations or conferences);

c. all memoranda, reports, financial statements, valuations, reports, notes,

transcripts, tabulations, studies, analyses, evaluations, projections, work papers, notebooks, corporate or other records or copies thereof, lists, comparisons, questionnaires, surveys, charts, curves, graphs, summaries, extracts, statistical records, and compilations;

- d. all desk and pocket calendars, appointment books, diaries, and logs;
- e. all books, scrapbooks, articles, speeches, press releases, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, brochures, and manuals;
- f. all transcripts or records of meetings, discussions, or conferences, including tape recordings and minutes;
- g. all photographs, microfilm, microfiche, phonographs, tapes or other records, punch cards, magnetic tapes, disks, data cells, drums, printouts, and other electronic, computerized, or other data compilations from which information can or may be obtained; and
- h. all presentation materials, including computer generated or other electronic presentation pages, slides, overhead projections overlays, handouts, pamphlets, charts, posters, films, and videos.

7. The terms "identify," "identifying," "identity" and "identification," when used to refer to any entity other than a natural person, mean to state its full name, the present or last known address of its principal office or place of doing business, and its entity type (e.g. corporation, partnership, unincorporated association).

8. The terms "identify," "identifying," "identity" and "identification," when used to refer to a natural person, mean to state the following:

- a. the person's full name and present or last known address, home telephone number, business address and business telephone number;
- b. the person's present title and employer or other business affiliation;



c. the person's home address, home telephone number, business address and business telephone number at the time of the actions at which each interrogatory is directed; and

d. his or her employer and title at the time of the actions at which each interrogatory is directed.

9. The terms "identify," "identifying," "identity" and "identification," when used to refer to a document, mean to state the following:

a. the subject of the document;

b. the title of the document;

c. the date the document was produced, generated and/or published; or if the specific date thereof is unknown, the best approximation of such date;

d. the identity of the person(s) who wrote, contributed to, prepared or originated such document; and

e. the present or last known location and custodian of the document.

10. The terms "identify," "identifying," "identity" and "identification," when used to refer to a communication, mean to state the following:

a. the subject and content of the communication;

b. the type of communication (e.g., in-person or telephone conversation, letter, memorandum, email, etc.);

c. the date the communication occurred or if the specific date thereof is unknown, the best approximation of such date;

d. the identity of the person(s) who made wrote, contributed to, or prepared such communication; and

e. the identity of the person(s) who received such communication.

11. The terms “identify,” “identifying,” “identity” and “identification,” when used to refer to tangible or intangible things, mean to describe, to the extent known, the (i) type of thing; (ii) any unique identifiers pertaining to that thing (including, for example, corporate registration number, registered name, account number, username, serial number, email address, or any other unique characteristic); and (iii) the owner or controller of the thing.

12. “Mr. Depp” shall mean Plaintiff John C. Depp, II and all persons acting on his behalf including but not limited to his agents, representatives, employees, and assigns.

13. “Ms. Heard” shall mean Defendant Amber Laura Heard and all persons acting on her behalf, including but not limited to her agents, representatives, employees, and assigns

14. “Op-ed” shall mean the writing submitted by Ms. Heard in December 2018 for publication in the Washington Post.

15. “Person” shall mean any natural person or any business, legal, or government entity, or association.

16. “You,” “your,” or “Defendant” means Defendant Amber Laura Heard.

17. The terms “concerning,” “relating to,” “referring to,” “pertaining to,” “reflecting,” “evidencing,” and “constituting” are used, for purposes of these requests, as equivalent terms, each including the others.

18. In order to bring matters within the scope of these requests which might otherwise be construed to be outside their scope:

- a. “each” includes the word “every,” and “every” includes the word “each”;
- b. “any” includes the word “all,” and “all” includes the word “any”;
- c. “and,” “or” or “and/or” shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive;

- d. "all" shall also include "each of" and vice-versa; and
- e. the singular includes the plural and vice-versa.

19. "Romantic Partner" shall mean any persons You have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of Your body and another person's genitalia, anus, groin, breast, inner thigh, or buttocks; or (b) direct contact between any party of a third party's body and Your genitalia, anus, groin, breast, inner thigh, or buttocks.

20. All words, terms and phrases not specifically defined in these requests are to be given their normal and customary meaning in the context in which they are used herein.

### INSTRUCTIONS

1. These Interrogatories should be construed to require answers based upon the knowledge of, and information available to, the responding party as well as its agents, representatives, and, unless privileged, attorneys. It is intended that the following Interrogatories will not solicit any material protected either by the attorney/client privilege or work product doctrine which was created by, or developed by, counsel for the responding party after the date on which this litigation was commenced.

2. The fact that investigation is continuing or that discovery is not complete shall not be used as an excuse for failure to respond to each interrogatory below as fully as possible.

3. No part of an interrogatory should be left unanswered merely because an objection is interposed to another part of the interrogatory. If a partial or incomplete answer is provided, the responding party shall state that the answer is partial or incomplete.

4. These Interrogatories are continuing in nature and therefore require you to file supplementary answers immediately after you obtain any additional information up to,

including, and after the time of trial.

5. Whenever you are requested to give specific information, such as a date or figure, if you cannot give the exact information, you shall state that you cannot give the exact information and you shall give your best estimate.

6. If you refer to documents that you produce to Plaintiff, you shall identify the document(s) with specificity (by Bates number, etc.).

7. In responding to these discovery requests, you must provide all requested information known or available to you, regardless of whether that information is obtained directly by you or otherwise known to you, or whether that information is obtained or otherwise known to any of your attorneys, agents, affiliates, or other representatives.

8. Objection will be made at the time of trial to any attempt to introduce evidence which is directly sought by these Interrogatories and to which no disclosure has been made.

9. If any part of an Interrogatory requests information that is claimed by you to be privileged or otherwise protected from disclosure, set forth with particularity at the time of answering these Interrogatories the part of the Interrogatory with respect to which you assert that claim and the basis for each such claim, together with the following information:

a. If an attorney-client privilege, work product assertion, or any other privilege or protective rule is asserted with respect to an oral communication, please identify the date of the communication, the subject matter of the communication, the name and place of employment of each person present during the communication, and the name and place of employment of each person to whom the substance of the communication has been disclosed.

b. If an attorney-client privilege, work product assertion, or any other



privilege or protective rule is asserted with respect to a document, please identify the type of each such document, the date of the document, each individual who authored the document and place of employment of such individual, each individual who received a copy of the document and place of employment of such individual, each individual to whom any portion of the contents of the document was disclosed and the place of employment of such individual, and the subject matter of the document.

10. If you believe that any Interrogatory is unclear, unintelligible, or because of its wording otherwise prevents you from responding fully to that interrogatory, you should seek immediate clarification from Plaintiff. It shall be insufficient to object to a particular interrogatory on the grounds that it is vague, ambiguous, or otherwise unclear, and withhold discoverable information on that basis without seeking clarification from Plaintiff.

#### INTERROGATORIES

1. Identify all persons with knowledge, documents, or information concerning any of the claims or defenses in this case, including but not limited to Your or Mr. Depp's alleged: (a) substance abuse; (b) damage of property; (c) acts of violence; (d) abuse in any form of any Romantic Partner; and (e) relationship with each other.

#### ANSWER:

2. State whether You or anyone acting on Your behalf, including Your attorneys or investigator(s), have ever taken, received, or assisted in drafting or preparing any declaration, affidavit, or other written statement of any person relating to this lawsuit and/or the factual allegations that are the substance of this suit. If so, please provide the names, current addresses, telephone numbers and occupation of each such person giving such a statement, and the date of each such statement.

**ANSWER:**

3. Identify all devices in Your possession, custody, or control in which ESI that relates to the claims or defenses in this case, or is reasonably likely to lead to the discovery of admissible evidence, is or is reasonably likely to be stored. For the avoidance of doubt, include in your response all devices in your possession, custody, or control that are or were owned or used by Mr. Depp.

**ANSWER:**

4. Identify all email addresses, social media accounts, and Chat Applications that You have used to communicate in relation to this Action or the claims and defenses therein.

**ANSWER:**

5. Identify each mental and/or physical health care provider (including drug and/or alcohol addiction/dependency care or treatment providers, counselors or therapists) that You saw from January 1, 2010 to the present and state the reason and duration You saw or consulted or received treatment or services from each identified provider. The answer to this Interrogatory should include visits to emergency rooms; and addiction, drug or alcohol treatment or therapy session(s); and visits with or physical or mental health treatment from any doctor, surgeon, psychiatrist, nurse, psychologist, therapist, counselor, medical advisor, specialist, or other provider.

**ANSWER:**

6. For each prescription drug You have been prescribed to take since 2010 or that you currently take: (a) identify the physician and/or health care provider who wrote the prescription; (b) state the name of the drug and the dosage to be taken; and (c) identify each

pharmacist who filled the prescription and such pharmacist's pharmacy and/or place of employment.

**ANSWER:**

7. Identify each Romantic Partner, other than Mr. Depp, that You have had in the past 10 years.

**ANSWER:**

8. Describe in detail any separation agreements, settlements, releases, tolling agreements, confidentiality and/or non-disclosure agreements, forbearance agreements, Mary Carter agreements, or any other agreements of any kind which You have negotiated with any Romantic Partner. Your answer should include any such agreements that have been negotiated in order to gain the assistance or compliance of another person and/or entity with regard to this or any other matter.

**ANSWER:**

9. Identify and describe facts relating to each instance where any person, other than Mr. Depp, alleged (publicly or privately) that You engaged in any act of physical violence, abuse, or destruction of property at any point in the past 15 years, including (1) the identity of the person(s) that accused You of such conduct; (ii) the person and/or property toward which Your alleged conduct was directed; (iii) whether You were, or were alleged to have been, under the influence of alcohol, medication or illegal drugs at the time of Your alleged conduct; (iv) the date, time and location(s) of each such instance; and (v) the identity of all persons present at the time of the alleged incident.

**ANSWER:**

10. Provide the name address, profession, and qualifications of each expert witness who You intend to call to testify at the trial of this case, including any rebuttal experts and/or experts to address any alleged new matters raised in Plaintiff's designation of experts. For each such expert, state the subject matter in which the expert is expected to testify; the substance of the facts as to which the expert is expected to testify; the substance of the opinions which the expert is expected to give; a summary of the grounds for each such opinion; the terms of the expert's compensation, and attach to Your answers any available list of publications written by the expert and any written report made by the expert concerning the expert's finding and opinions in this matter.

**ANSWER:**

11. Identify each judicial or administrative proceeding (including all details needed to locate the docket) in which You have had any involvement (including as a party, witness, or non-party) from January 1, 2010 to the present, and include a description of (i) the nature of each proceeding; (ii) the court in which the proceeding was/is maintained; (iii) Your involvement in the proceeding; (iv) the status of the proceeding; and (v) the result, if the proceeding has concluded

**ANSWER:**

12. Identify all persons You or anyone working on Your behalf has spoken to or communicated with regarding the claims or defenses in this Action, Your Op-Ed, and Your Declaration, including all persons spoken to or communicated with at the Washington Post, ACLU, and Virginia Press Association.

**ANSWER:**

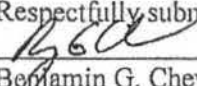


13. Identify all persons and entities that are providing You with financial assistance with this Action and/or paying Your legal fees and costs related to this Action.

ANSWER:

Dated: November 4, 2019

Respectfully submitted,

  
Benjamin G. Chew (VSB #29113)  
Elliot J. Weingarten (*pro hac vice*)  
Camille M. Vasquez (*pro hac vice*)  
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Washington, DC 20006

*Counsel for Plaintiff John C. Depp, II*



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4th day of November 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

Roberta A. Kaplan (*pro hac vice*)  
Julie E. Fink (*pro hac vice*)  
John C. Quinn (*pro hac vice*)  
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A. Benjamin Rottenborn (VSB No. 84796)  
Joshua R. Treece (VSB No. 79149)  
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*Counsel for Defendant Amber Laura Heard*

  
Benjamin G. Chew

63548706





VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

Civil Action No.: CL-2019-0002911

**PLAINTIFF JOHN C. DEPP, II'S FIRST REQUESTS FOR ADMISSION TO  
DEFENDANT AMBER LAURA HEARD**

Pursuant to Rules 4:1 and 4:11 of the Rules of the Supreme Court of Virginia, Plaintiff John C. Depp, II, by and through his undersigned counsel, requests that Defendant Amber Laura Heard respond to the following Requests for Admission (each, a "Request" and collectively, the "Requests"), dated November 25, 2019 within twenty-one (21) days of service hereof (*i.e.* by no later than December 16, 2019), in accordance with the Instructions and Definitions set forth below.

**INSTRUCTIONS**

1. In accordance with the Rules of this Court, You shall answer the following Requests separately and fully, in writing.
2. When information in Your possession is requested, such request includes non-privileged information in the possession of Your agent(s), employee(s), assign(s), representative(s), and all others acting on your behalf.

Plt. (Def.) CW. 6  
Date 7-22-2021  
Judge PBA  
Case # CL-19-2911

3. Whenever appropriate in these Requests, the singular form of a word shall be interpreted as its plural to whatever extent is necessary to bring within the scope of these Requests any information which might otherwise be construed to be outside their scope.

4. Unless otherwise indicated, these Requests refer to the time, place, and circumstances of the occurrences mentioned or complained of in the pleadings in this case.

5. All references to an entity include the entity and its agents, officers, employees, representatives, subsidiaries, divisions, successors, predecessors, assigns, parents, affiliates, and unless privileged, its attorneys and accountants.

6. If You perceive any ambiguities in a question, instruction, definition, or other aspect of these discovery requests, set forth the matter deemed ambiguous and the construction used in answering.

7. If You assert a claim of privilege as to any of Your responses to the Requests, state the basis for the asserted privilege, specify the privilege claimed, and include in Your answer sufficient information to permit the Court to make an informed ruling on the claim of privilege. If the claim relates to a privileged document, state the date, person or persons who prepared or participated in preparing the document, the name and address of any person to whom the document was shown or sent, the general subject matter of the document, the present or last known location and custodian of the original of the document, and the basis for the claim of privilege with respect to the document. If the claim of privilege relates to a communication, state the date(s), place(s) and person(s) involved in the communication, the subject matter of the communication, and the basis for the claim of privilege with respect to that communication. Reliance on any claim of privilege is subject to the Rules of this Court, including the production of a privilege log.

8. If You perceive any Request to be overly broad, unduly burdensome, or objectionable for any other reason, respond to the fullest extent possible and clearly note any objection so that the Court will be permitted to make an informed ruling on the objection.

9. These Requests are continuing in character so as to require You to promptly amend or supplement Your responses in accordance with the Rules of the Supreme Court of Virginia within a reasonable time if You obtain or become aware of any further information responsive to these Requests. Mr. Depp reserves the right to propound additional Requests.

10. If you do not admit a Request, you should then set forth in detail the reasons why the matter cannot be admitted.

11. A denial of these requests should fairly meet the substance of the requested admission, and when good faith and the Rules require that you qualify your answer or deny only a part of the matter of which an admission is requested, you should specify so much of it as is true and qualify or deny the remainder.

12. You may not give lack of information or knowledge as a reason for failure to admit or deny unless you state that you have made a reasonable inquiry and that the information known or readily obtainable by you is insufficient to enable you to admit or deny.

13. You may not deny any matter on which an admission has been requested on the sole ground that the matter represents a genuine issue for trial.

14. If you fail to admit the genuineness of any document or truth of any matter requested and the truth of the matter are subsequently proved, you may be requested to pay the expenses incurred in making the proof, including reasonable attorney's fees.

#### **DEFINITIONS**

1. ***Action.*** The Term "Action" means the above-captioned action.

2. **And/or.** The use of “and/or” shall be interpreted in every instance both conjunctively and disjunctively in order to bring within the scope of these discovery requests any information which might otherwise be construed to be outside their scope.

3. **Communication.** The term “communication” means any oral or written exchange of words, thoughts, or ideas to another person, whether person-to-person, in a group, by phone, text (SMS), letter, fax, e-mail, internet post or correspondence, social networking post or correspondence or by any other process, electric, electronic, or otherwise. All such Communications are included without regard to the storage or transmission medium (electronically stored information and hard copies are included within this definition).

4. **Complaint.** The term “Complaint” shall mean the Complaint filed by Plaintiff in this matter, currently pending before this Court.

5. **Concerning.** The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

6. **Correspondence.** The term “correspondence” means any document(s) and/or communication(s) sent to or received from another entity and/or person.

7. **Defendant and/or Ms. Heard.** The terms “Defendant” and/or “Ms. Heard” refer to Defendant Amber Laura Heard, including her agents, representatives, employees, assigns, and unless privileged, all persons acting on her behalf.

8. **Document.** The term “document” is defined in its broadest terms currently recognized. The term shall include, without limitations: any written or other compilation of information (whether printed, handwritten, recorded, or encoded, produced, reproduced, or reproducible by any other process), drafts (revisions or finals), original or preliminary notes, and summaries of other documents, communications of any type (e-mail, text messages, blog posts,



social media posts or other similar communications or correspondence), computer tape, computer files, and including all of their contents and attached files. The term "document" shall also include but not be limited to: correspondence, memoranda, contractual documents, specifications, drawings, photographs, images, aperture cards, notices of revisions, test reports, inspection reports, evaluations, technical reports, schedules, agreements, reports, studies, analyses, projections, forecasts, summaries, records of conversations or interviews, minutes or records of conferences or meetings, manuals, handbooks, brochures, pamphlets, advertisements, circulars, press releases, financial statements, calendars, diaries, trip reports, etc. A draft of a non-identical copy is a separate document within the meaning of this term.

9. ***Eastern Columbia Building.*** The term "Eastern Columbia Building" refers to the building located at 849 S. Broadway, Los Angeles, CA 90014.

10. ***ESI.*** "ESI" means electronically stored information.

11. ***Including.*** The term "including" means including but not limited to.

12. ***Op-ed.*** The term "Op-ed" shall mean the writing submitted by Ms. Heard in December 2018 for publication in the Washington Post.

13. ***Person.*** The term "person" is defined as any natural person, business, company, partnership, legal entity, governmental entity, and/or association.

14. ***Plaintiff and/or Mr. Depp.*** The terms "Plaintiff" and/or "Mr. Depp" refer to Plaintiff John C. Depp, II, including his agents, representatives, employees, assigns, and all persons acting on his behalf.

15. ***Romantic Partners.*** The term "Romantic Partners" shall mean any persons you have touched in a sexual manner in the past ten (10) years, meaning: (a) direct contact between any part of your body and another person's genitalia, anus, groin, breast, inner thigh, or buttocks;

or (b) direct contact between any part of a third party's body and your genitalia, anus, groin, breast, inner thigh, or buttocks.

16. ***You and/or Your.*** The terms "You" and/or "Your" refer to the recipient(s) of these discovery requests, as well as all persons and entities over which said recipient has "control" as understood by the Rules of this Court.

#### **REQUESTS FOR ADMISSION**

1. Admit that you are paying the legal fees and expenses for Joshua Drew in connection with this Action.

**ANSWER:**

2. Admit that you are paying the legal fees and expenses for Elizabeth Marz in connection with this Action.

**ANSWER:**

3. Admit that you are paying the legal fees and expenses for Ellen Barkin in connection with this Action.

**ANSWER:**

4. Admit that you are paying the legal fees and expenses for iO Tillet Wright in connection with this Action.

**ANSWER:**

5. Admit that you are paying the legal fees and expenses for Raquel Pennington in connection with this Action.

**ANSWER:**

6. Admit that you are paying the legal fees and expenses for Tasya Van Ree in connection with this Action.

**ANSWER:**

7. Admit that Susman Godfrey LLP represents you in this Action and also represented Ellen Barkin at her deposition in this Action of Friday, November 22, 2019.

**ANSWER:**

8. Admit that you called Mr. Depp a "pussy" while you were married to him.

**ANSWER:**

9. Admit that during the course of your marriage to Mr. Depp you used marijuana.

**ANSWER:**

10. Admit that during the course of your marriage to Mr. Depp you used illegal drugs.

**ANSWER:**

11. Admit that during the course of your marriage to Mr. Depp you abused alcohol.

**ANSWER:**

12. Admit that you sought treatment for prescription drug abuse during your relationship with Mr. Depp.

**ANSWER:**

13. Admit that you sought treatment for illegal drug abuse during your relationship with Mr. Depp.

**ANSWER:**

14. Admit that you sought treatment for alcohol abuse during your relationship with Mr. Depp.

**ANSWER:**

15. Admit that you have physically struck at least one other Romantic Partner of yours.

**ANSWER:**

16. Admit that you have been arrested.

**ANSWER:**

17. Admit that you were arrested in 2009 for committing domestic violence against your then wife Tasya Van Ree.

**ANSWER:**

18. Admit that you were incarcerated in 2009 for committing domestic violence against your then wife Tasya Van Ree.

**ANSWER:**

19. Admit that you publicly claimed you were actually arrested and incarcerated in 2009 for being "mouthy" with the arresting police officer.

**ANSWER:**

20. Admit that during your marriage to Mr. Depp you punched Mr. Depp on at least one occasion.

**ANSWER:**

21. Admit that during your marriage to Mr. Depp you punched Mr. Depp on more than one occasion.

**ANSWER:**

22. Admit that during your marriage to Mr. Depp you kicked Mr. Depp on at least one occasion.

**ANSWER:**

23. Admit that during your marriage to Mr. Depp you kicked Mr. Depp on more than one occasion.

**ANSWER:**

24. Admit that during your marriage to Mr. Depp you hit Mr. Depp on at least one occasion.

**ANSWER:**

25. Admit that during your marriage to Mr. Depp you hit Mr. Depp on more than one occasion.

**ANSWER:**

26. Admit that during your marriage to Mr. Depp, you once threw a can of paint thinner into the head of Mr. Depp on his island in the Bahamas.

**ANSWER:**

27. Admit that during your marriage to Mr. Depp, you threw objects at Mr. Depp's body and head, including heavy bottles, soda cans, burning candles, television remotes, and paint thinner cans.

**ANSWER:**

28. Admit that during your marriage to Mr. Depp, you once kicked a door into Mr. Depp's head.

**ANSWER:**

29. Admit that during your marriage to Mr. Depp, you once threw a bottle at Mr. Depp that hit and severed part of his finger.



**ANSWER:**

30. Admit that you confessed to a third party soon after throwing the bottle that severed part of Mr. Depp's finger that you "were so angry you just lost it" when you threw the bottle at Mr. Depp.

**ANSWER:**

31. Admit that Mr. Depp did not sever part of his own finger.

**ANSWER:**

32. Admit that you punched Mr. Depp's head and face repeatedly after he was late to your birthday party on April 21, 2016.

**ANSWER:**

33. Admit you punched Mr. Depp in the face on December 15, 2015.

**ANSWER:**

34. Admit that during your marriage to Mr. Depp, your friends Elizabeth Marz, Raquel Pennington, and Joshua Drew, and your sister Whitney Heard lived in apartments owned by Plaintiff and Plaintiff did not charge them rent.

**ANSWER:**

35. Admit that during your marriage to Mr. Depp, your friend iO Tillett Wright lived in a house owned by Plaintiff and Plaintiff did not charge him/her rent.

**ANSWER:**

36. Admit that you consulted with your divorce lawyer Samantha Spector before police arrived at Penthouse 1 of the Eastern Columbia Building on May 21, 2016.

**ANSWER:**

37. Admit that you consulted with your publicist Jodi Gottlieb before police arrived at the Penthouse at the Eastern Columbia Building on May 21, 2016.

**ANSWER:**

38. Admit that you did not donate the entirety of your divorce settlement with Mr. Depp to charity.

**ANSWER:**

39. Admit that Raquel Pennington was hiding in Penthouse 3 of the Eastern Columbia Building when Mr. Depp arrived on May 21, 2016.

**ANSWER:**

40. Admit iO Tillett Wright slapped Raquel Pennington during your wedding weekend in the Bahamas.

**ANSWER:**

41. Admit that you asked Brandon Patterson and Trinity Esparza to communicate with a staff member of *People* magazine.

**ANSWER:**

42. Admit that you were in the presence of Isaac Baruch on one or more occasions between May 22 and May 25, 2016.

**ANSWER:**

43. Admit that you were in the presence of Laura Divenere on one or more occasions between May 22 and May 25, 2016.

**ANSWER:**

44. Admit you confessed to Kevin Murphy defecating on the bed in Penthouse 3 of the Eastern Columbia Building was a "harmless prank."

**ANSWER:**

45. Admit that you met with Cornelius Harrell in the Eastern Columbia Building on May 22, 2016.

**ANSWER:**

46. Admit that you attended Amanda de Cadenet's birthday party on May 22, 2016.

**ANSWER:**

47. Admit that you have been diagnosed with borderline personality disorder.

**ANSWER:**

48. Admit that you never saw a medical doctor or nurse regarding injuries you claimed to have suffered on May 21, 2016.

**ANSWER:**

49. Admit that you never saw a medical doctor or nurse regarding injuries you claimed to have suffered on December 15, 2015.

**ANSWER:**

50. Admit that Mr. Depp did not harmfully touch you the night before you taped the James Corden show on December 16, 2015. .

**ANSWER:**

51. Admit you worked with Samantha McMillen on December 16, 2015 prior to the James Corden Show taping.

**ANSWER:**

52. Admit that you represented to the US Government in a letter that Samantha McMillen was merely your "friend" and not your assistant.

**ANSWER:**

53. Admit you violently attacked Mr. Depp in the Bahamas in 2014.

**ANSWER:**

54. Admit that in your wedding vows, you promised to be faithful to Johnny Depp.

**ANSWER:**

55. Admit that you had a sexual relationship with at least one other person while married to Mr. Depp.

**ANSWER:**

56. Admit that you had a sexual relationship with more than one other person while married to Mr. Depp.

**ANSWER:**

57. Admit that you had other Romantic Partners while married to Mr. Depp.

**ANSWER:**

58. Admit that you had sexual relations with Cara Delevingne while still married to Mr. Depp.

**ANSWER:**

59. Admit that Elon Musk came up to Mr. Depp's penthouse at the Eastern Columbia Building in March 2015.

**ANSWER:**

60. Admit that you had sexual relations with Elon Musk while still married to Mr. Depp.

**ANSWER:**

61. Admit that you never disclosed to Johnny Depp prior to your divorce from him that you had sexual relations with Elon Musk while still married to Johnny Depp.

**ANSWER:**

62. Admit that you never disclosed to Mr. Depp prior to your divorce from him that you had sex with Cara Delevingne while still married to Mr. Depp.

**ANSWER:**

63. Admit that James Franco came to Mr. Depp's penthouse at the Eastern Columbia Building on or after May 21, 2016.

**ANSWER:**

64. Admit that James Franco came to Mr. Depp's penthouse at the Eastern Columbia Building before May 21, 2016.

**ANSWER:**

65. Admit that you had sexual relations with James Franco while still married to Mr. Depp.

**ANSWER:**

66. Admit that you never disclosed to Mr. Depp prior to your divorce from him that you had sex with James Franco while still married to Mr. Depp.

**ANSWER:**

67. Admit that you traveled to or through either Dulles International Airport or Ronald Reagan Washington National Airport prior to April 10, 2019.

**ANSWER:**

68. Admit that Mr. Depp has never physically harmed you.

**ANSWER:**

69. Admit that Mr. Depp has never intended to physically harm you.

**ANSWER:**

70. Admit that no third person has witnessed Mr. Depp in the act of physically harming you.

**ANSWER:**



71. Admit that you are unaware of any third person witnessing Mr. Depp in the act of physically harming you.

**ANSWER:**

72. Admit that no photographs show Mr. Depp in the act of physically harming you.

**ANSWER:**

73. Admit that you are unaware of any photographs that show Mr. Depp in the act of physically harming you.

**ANSWER:**

74. Admit that no video recordings show Mr. Depp in the act of physically harming you.

**ANSWER:**

75. Admit that you are unaware of any video recordings showing Mr. Depp in the act of physically harming you.

**ANSWER:**

76. Admit that no audio recordings exist of any incident of Mr. Depp in the act of physically harming you.

**ANSWER:**

77. Admit that you are unaware of any audio recordings of Mr. Depp in the act of physically harming you.

**ANSWER:**

78. Admit that Mr. Depp has never told you that he physically harmed you.

**ANSWER:**

79. Admit that Mr. Depp has never told any third person that he physically harmed you.

**ANSWER:**

80. Admit that you are unaware of any instance where Mr. Depp told any third person that he physically harmed you.

**ANSWER:**

81. Admit that Mr. Depp has never admitted in writing that he has physically harmed you.

**ANSWER:**

82. Admit that you are unaware of any instance where Mr. Depp admitted in writing that he physically harmed you.

**ANSWER:**

83. Admit that Mr. Depp has never sexually assaulted you.

**ANSWER:**

84. Admit that you have never asserted that Mr. Depp has sexually assaulted you.

**ANSWER:**

85. Admit that no third person has witnessed Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

86. Admit that you are unaware of any third person witnessing Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

87. Admit that no photographs show Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

88. Admit that you are unaware of any photographs that show Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

89. Admit that no video recordings show Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

90. Admit that you are unaware of any video recordings showing Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

91. Admit that no audio recordings exist of any incident of Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

92. Admit that you are unaware of any audio recordings of Mr. Depp in the act of sexually assaulting you.

**ANSWER:**

93. Admit that Mr. Depp has never told you that he sexually assaulted you.

**ANSWER:**

94. Admit that Mr. Depp has never told any third person that he sexually assaulted you.

**ANSWER:**

95. Admit that you are unaware of any instance where Mr. Depp told any third person that he sexually assaulted you.

**ANSWER:**

96. Admit that Mr. Depp has never admitted in writing that he has sexually assaulted you.

**ANSWER:**

97. Admit that you are unaware of any instance where Mr. Depp admitted in writing that he sexually assaulted you.

**ANSWER:**

98. Admit that Mr. Depp has never physically harmed a third person who was a Romantic Partner of his.

**ANSWER:**

99. Admit that you are unaware of a third person Romantic Partner of Mr. Depp's who he has physically harmed.

**ANSWER:**

100. Admit that no third person who was a Romantic Partner of Mr. Depp has claimed that Mr. Depp physically harmed her.

**ANSWER:**

101. Admit that you are unaware of any third person who was a Romantic Partner of Mr. Depp claiming that Mr. Depp physically assaulted her.

**ANSWER:**

102. Admit that no third person has witnessed Mr. Depp physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

103. Admit that you are unaware of any third person witnessing Mr. Depp in the act of physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

104. Admit that no photographs show Mr. Depp in the act of physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

105. Admit that you are unaware of any photographs that show Mr. Depp in the act of physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

106. Admit that no video recordings show Mr. Depp physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

107. Admit that you are unaware of any video recordings showing Mr. Depp physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

108. Admit that no audio recordings exist of any incident of Mr. Depp physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

109. Admit that you are unaware of any audio recordings of Mr. Depp physically harming a third person who was a Romantic Partner of his.

**ANSWER:**

110. Admit that Mr. Depp has never told you that he physically harmed a third person who was a Romantic Partner of his.

**ANSWER:**

111. Admit that Mr. Depp has never told any third person that he physically harmed a third person who was a Romantic Partner of his.

**ANSWER:**

112. Admit that you are unaware of any instance where Mr. Depp told any third person that he physically harmed a third person who was a Romantic Partner of his.

**ANSWER:**

113. Admit that Mr. Depp has never admitted in writing that he has physically harmed a third person who was a Romantic Partner of his.



**ANSWER:**

114. Admit that you are unaware of any instance where Mr. Depp admitted in writing that he physically harmed a third person who was a Romantic Partner of his.

**ANSWER:**

115. Admit that no third person who was a Romantic Partner of Mr. Depp has claimed that Mr. Depp physically harmed her.

**ANSWER:**

116. Admit that you are unaware of any third person who was a Romantic Partner of Mr. Depp claiming that Mr. Depp physically harmed her.

**ANSWER:**

117. Admit that Mr. Depp has never sexually assaulted a third person who was a Romantic Partner of his.

**ANSWER:**

118. Admit that no third person has witnessed Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

119. Admit that you are unaware of any third person witnessing Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

120. Admit that no photographs show Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

121. Admit that you are unaware of any photographs that show Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

122. Admit that no video recordings show Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

123. Admit that you are unaware of any video recordings showing Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

124. Admit that no audio recordings exist of any incident of Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

125. Admit that you are unaware of any audio recordings of Mr. Depp sexually assaulting a third person who was a Romantic Partner of his.

**ANSWER:**

126. Admit that Mr. Depp has never told you that he sexually assaulted a third person who was a Romantic Partner of his.

**ANSWER:**

127. Admit that Mr. Depp has never told any third person that he sexually assaulted a third person who was a Romantic Partner of his.

**ANSWER:**

128. Admit that you are unaware of any instance where Mr. Depp told any third person that he sexually assaulted a third person who was a Romantic Partner of his.

**ANSWER:**

129. Admit that Mr. Depp has never admitted in writing that he has sexually assaulted a third person who was a Romantic Partner of his.

**ANSWER:**

130. Admit that you are unaware of any instance where Mr. Depp admitted in writing that he sexually assaulted a third person who was a Romantic Partner of his.

**ANSWER:**

131. Admit that no third person who was a Romantic Partner of Mr. Depp has claimed that Mr. Depp sexually assaulted her.

**ANSWER:**

132. Admit that you are unaware of any third person who was a Romantic Partner of Mr. Depp claiming that Mr. Depp sexually assaulted her.

**ANSWER:**

133. Admit that you have never sought medical treatment for any injuries that you claim were caused by Mr. Depp.

**ANSWER:**

134. Admit that you have never received medical treatment for any injuries that you claim were caused by Mr. Depp.

**ANSWER:**

135. Admit that you have never sought medical treatment relating to any sexual assault you claim was committed by Mr. Depp.

**ANSWER:**

136. Admit that you have never received medical treatment relating to any sexual assault you claim was committed by Mr. Depp.

**ANSWER:**

137. Admit that you have never sought psychological treatment for any physical injuries you claim were caused by Mr. Depp.

**ANSWER:**

138. Admit that you have never received psychological treatment for any physical injuries you claim were caused by Mr. Depp.

**ANSWER:**

139. Admit that after you and Mr. Depp divorced, you withdrew your allegations that Mr. Depp abused you.

**ANSWER:**

140. Admit that after you and Mr. Depp divorced, you issued a statement that your and Mr. Depp's relationship was intensely passionate and at times volatile, but always bound by love.

**ANSWER:**

141. Admit that after you and Mr. Depp divorced, you issued a statement that in your and Mr. Depp's relationship there was never any intent of physical or emotional harm.

**ANSWER:**

142. Admit that you drafted the Op-ed.

**ANSWER:**

143. Admit that you approved the final version of the Op-ed prior to publication.

**ANSWER:**

144. Admit that you approved the title of the Op-ed prior to publication.

**ANSWER:**

145. Admit that in the Op-Ed, you claimed you became a public figure representing domestic abuse.

**ANSWER:**

146. Admit that the domestic abuse you referred to in the Op-Ed was your claim that Mr. Depp abused you.

**ANSWER:**

147. Admit that readers of the Op-Ed understood that your Op-Ed was referring to Mr. Depp.

**ANSWER:**

148. Admit that readers of the Op-Ed understood that your Op-Ed was referring to your claim that Mr. Depp abused you.

**ANSWER:**

149. Admit that other media sources reported that the Op-Ed was understood to be referring to your claim that Mr. Depp abused you.

**ANSWER:**

150. Admit that you have publicly claimed that Mr. Depp committed domestic abuse against you.

**ANSWER:**

151. Admit that after the Op-Ed was published, Disney announced that Mr. Depp no longer would play the role of Captain Jack Sparrow in future *Pirates of the Caribbean* films.

**ANSWER:**

152. Admit that the Op-Ed was a substantial cause of Disney firing Mr. Depp from future *Pirates of the Caribbean* films.

**ANSWER:**

153. Admit that Mr. Depp's income from films has declined since the publication of the Op-Ed.

**ANSWER:**



154. Admit that the public service announcement you made with Girlgaze in November 2016 about "this" was about abuse you claim to have suffered.

**ANSWER:**

155. Admit that when you said "when it happens behind closed doors, with someone you love" in the Girlgaze PSA, you were referring to Mr. Depp.

**ANSWER:**

156. Admit that other individuals besides you are funding your legal expenses in this lawsuit.

**ANSWER:**

157. Admit that other organizations are funding your legal expenses in this lawsuit.

**ANSWER:**

Dated: November 25, 2019

Respectfully submitted,



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*Counsel for Plaintiff John C. Depp, II*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of November 2019, I caused copies of the foregoing to be served via email (per written agreement between the Parties) on the following:

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Julie E. Fink (*pro hac vice*)  
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*Counsel for Defendant Amber Laura Heard*

  
\_\_\_\_\_  
Benjamin G. Chew





VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

JOHN C. DEPP, II

*Plaintiff,*

v.

AMBER LAURA HEARD,

*Defendant.*

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Civil Action No.: CL-2019-0002911

**PLAINTIFF'S DESIGNATION/IDENTIFICATION OF EXPERT WITNESSES**

Plaintiff John C. Depp, II, by and through his undersigned counsel, pursuant to Rule 4:1(b)(4)(A)(i) of the Rules of the Supreme Court of Virginia, and the Court's Scheduling Order, dated June 27, 2019, hereby designates and identifies his expert witnesses.

Given the preliminary state of discovery—in particular, that the parties have barely begun their document productions, non-parties have yet to make significant document productions, and no depositions have been taken—Plaintiff reserves the right to supplement these Expert Witness Designations, to include (1) identifying additional or different areas of expected testimony for the designated witnesses, (2) identifying additional or different bases for the expected testimony of the designated witnesses, and/or (3) designating additional or different expert witnesses.

**Retained Experts**

1. **Richard Marks, Entertainment Industry Expert, The Point Media, 150 S. Rodeo Drive, Suite 220, Beverly Hills, California 90212.** Mr. Marks has had a long career as an executive and business lawyer in the entertainment industry.

Mr. Marks has served as a business and legal affairs executive at Universal, Disney and Paramount, in addition to working as a business attorney in private practice at Greenberg Traurig

Plt. Def. CW. 7  
Date 7-22-2021  
Judge PSA  
Case # CL-19-2911

and, for the past decade, The Point Media, a boutique entertainment law firm. Mr. Marks has represented clients such as New Regency, Legendary, ITV, IDW, Machinima, Electus, DirecTV, Relativity, Ovation, Fabrik, Shout Factory and MRC in connection with their development and production of programming for exploitation in all media and on all platforms. He also has a reputation in the industry for his expert witness services and has been engaged as such by clients as varied as Warner Bros., ICM, HMRC and Celador. He has brokered carriage agreements with AOL, MTV, and domestic and foreign radio and television broadcasters; negotiated numerous sponsorship agreements; and notably assisted Robert Sillerman in the acquisition of "American Idol." Early in his career, he was responsible for business and legal affairs relating to the development, production, post-production, marketing and advertising for such feature films as "Beverly Hills Cop II," "Tucker" and "The Golden Child," and such television series' as "Cheers" and "Family Ties." Mr. Marks earned both his Bachelor's Degree and his Juris Doctor from the University of California Los Angeles. He is a member of the Writers Guild of America, the California Bar Association, and the Beverly Hills Bar Association.

Mr. Marks will testify concerning the impact of Ms. Heard's defamatory statements in her 2018 *Washington Post* Op-Ed on Mr. Depp's career. Specifically, Mr. Marks will draw on his experience and knowledge as a business executive with entertainment companies as well as his experience as an entertainment lawyer to testify as to the following facts and opinions:

- a. How film studios and production companies evaluate whether, and on what terms, to hire an actor for film roles;
- b. How companies looking to market products evaluate whether, and on what terms, to hire an actor to promote such products in advertising;

- c. The importance of reputation on an actor's selection for film roles and advertising campaigns;
- d. The impact of negative personal statements, in particular allegations of violence or abuse, on an actor's film career and advertising campaign prospects;
- e. A review and assessment of the entertainment industry's reaction and response to Mr. Heard's December 2018 Op-Ed in the *The Washington Post* in which she falsely portrayed herself as a victim of domestic abuse by Mr. Depp; and
- f. The significance of a jury verdict in Mr. Depp's favor on his career and reputation in the film industry going forward.

Mr. Marks' opinions will be based on a review of documentary evidence and deposition and trial testimony, as well as his extensive experience as an entertainment industry executive and attorney. Mr. Marks may also testify as to any fact or opinion rendered or attributed to another witness or party as identified by other parties' witnesses. Plaintiff reserves the right to designate or substitute other witnesses of the same disciplines to testify as to the facts and opinions described herein. Plaintiff further reserves the right to supplement this Expert Witness Designation based on additional facts Plaintiff learns during discovery and/or his ongoing investigation of this matter.

Mr. Marks' CV is attached hereto as **Exhibit A**. He is being compensated for his work at the rate of \$975 per hour; none of his compensation is contingent on the opinions he renders or the outcome of the litigation.

**2. Bryan Neumeister, Technical Forensics Expert, USA Forensics LLC, 44 W. Monroe St., 33<sup>rd</sup> Floor, Phoenix, Arizona 85003.** Mr. Neumeister is an electronic forensics and technical expert with extensive experience analyzing electronic evidence and data in law



enforcement and legal proceedings. As CEO of USA Forensics, Mr. Neumeister has over 34 years of experience testifying and consulting for federal and state governments, prosecutors, companies, and individuals, in a variety of aspects concerning analysis of video, photographs, phone and text messages, and other electronic data. He has worked on over 200 cases since 2010. He has worked as an Audio and Video Forensic Consultant for the U.S. Department of Defense, the U.S. Department of Justice, numerous large multinational companies such as Microsoft, Nike, Cox, Honeywell, U-Haul, Southwest Gas, Good Samaritan Hospitals, AvNet, Boeing, MD Helicopters, Intel, Weston Hotels, and various Las Vegas Casinos.

Mr. Neumeister is expected to testify as to the characteristics of electronic data, in particular video, photographs, text messages and emails, produced by Ms. Heard and/or non-parties during discovery in this case, on which Ms. Heard purports to rely for her allegations that Mr. Depp engaged in physical abuse or violence towards her. Specifically, Mr. Neumeister will use his extensive experience and technical know-how to assess the reliability and integrity of such data, whether any such data has been modified or altered, and the circumstances of such modifications or alterations.

Mr. Neumeister's opinions will be based on a review of the electronic data and evidence produced in this case. Mr. Neumeister may also testify as to any fact or opinion rendered or attributed to another witness or party as identified by other parties' witnesses. Plaintiff reserves the right to designate or substitute other witnesses of the same disciplines to testify as to the facts and opinions described herein. Plaintiff further reserves the right to supplement this Expert Witness Designation based on additional facts Plaintiff learns during discovery and/or his ongoing investigation of this matter.



Mr. Neumeister's CV is attached hereto as **Exhibit B**. He is being compensated for his work at the rate of \$550 per hour; none of his compensation is contingent on the opinions he renders or the outcome of the litigation.

**3. Michael Spindler, C.P.A., Economic Damages Expert, Glass Ratner Advisory & Capital Group LLC.** Michael Spindler is a CPA and Certified Fraud Examiner who brings more than 38 years of experience to complex disputes including matters related to forensic accounting and business fraud investigations across a wide range of industries. He has provided expert testimony on dozens of occasions in bench trials, jury trials and arbitration proceedings. He has provided Foreign Corrupt Practices Act investigations and training services in various countries around the world, including China, Russia, India and Saudi Arabia. Having conducted numerous high-profile investigations of public company financial statement fraud and other matters, Mr. Spindler has presented his findings to special committees and various government agencies on behalf of clients, including the Department of Justice, Federal Bureau of Investigation, Internal Revenue Service and the Office of Thrift Supervision. His clients include law firms, corporations, individuals, government agencies and non-profit organizations.

Prior to joining GlassRatner, Michael held senior leadership positions with several forensic accounting firms and was a Partner at two national public accounting firms. An experienced public speaker, Michael has authored or co-authored a number of publications on fraud-related topics and developed and presented seminars and courses on forensic accounting and litigation support issues. He is a past President of the Los Angeles Chapter of CALCPA and of the Los Angeles Chapter of the Association of Certified Fraud Examiners. He is also a past member of the Board of Trustees of the CALCPA Education Foundation and of CALCPA Council. Michael is a Certified Public Accountant (licensed in California, New York, Nevada,

Arizona, Utah and Hawaii), is Certified in Financial Forensics, is Accredited in Business Valuation (both issued by the AICPA) is a Certified Fraud Examiner (issued by the Association of Certified Fraud Examiners) and is a Certified Anti-Money Laundering Specialist ("CAMS"). Mr. Spindler graduated from the State University of New York at Albany with a Bachelor of Science degree in accounting.

Mr. Spindler is expected to testify as to the economic damages Mr. Depp has suffered as a result of Ms. Heard's defamatory statements in her 2018 *Washington Post* Op-Ed. Specifically, Mr. Spindler is expected to draw upon his experience and expertise as a CPA and financial forensics professional to testify as to the following:

- a. Mr. Depp's earnings from his film career and product endorsements prior to Ms. Heard's defamatory statements;
- b. The lost earnings Mr. Depp suffered from being fired from the *Pirates of the Caribbean* Franchise in the wake of Ms. Heard's 2018 *Washington Post* Op-Ed; and
- c. The out of pocket costs Mr. Depp has incurred as a result of Ms. Heard's defamatory statements; and
- d. Any other economic and financial consequences Mr. Depp has suffered, and is likely to suffer going forward, as a result of Ms. Heard's defamatory statements.

Mr. Spindler is expected to perform calculations of the foregoing categories of damages to be presented at trial. While those calculations are still in process and will incorporate the results of information gathered from ongoing discovery and fact investigation efforts, it is expected that such damages calculations will be in excess of \$50 million. Mr. Spindler's opinions will be based on a review of documentary evidence, financial records, information conveyed from Mr. Depp's business manager and agent, and deposition and trial testimony, as

well as his extensive experience as a CPA and financial forensics professional. Mr. Spindler may also testify as to any fact or opinion rendered or attributed to another witness or party as identified by other parties' witnesses. Plaintiff reserves the right to designate or substitute other witnesses of the same disciplines to testify as to the facts and opinions described herein. Plaintiff further reserves the right to supplement this Expert Witness Designation based on additional facts Plaintiff learns during discovery and/or his ongoing investigation of this matter.

Mr. Spindler's CV is attached hereto as **Exhibit C**. He is being compensated for his work at the rate of \$525 per hour; none of his compensation is contingent on the opinions he renders or the outcome of the litigation.

**Non-Retained Experts**

**1. and 2. Jack Whigham and Christian Carino, Creative Artists Agency, 2000 Avenue of the Stars, Los Angeles, CA 90067.** Mr. Whigham and Mr. Carino have served as Mr. Depp's agent since October 2016. Messrs. Whigham and Carino are regarded as two of the leading talent agents in Hollywood, with extensive experience in the film industry. Mr. Whigham and Mr. Carino are expected to testify on the negative impact of Ms. Heard's defamatory Op-Ed on Mr. Depp's career – and that Ms. Heard's Op-Ed referred to Mr. Depp - as well as the impact of a jury verdict in Mr. Depp's favor on his career going forward. In so doing, Mr. Whigham and Mr. Carino may rely on their expertise in the entertainment industry and their experience as an agent and film industry executive.

**3. Edward White, C.P.A., Edward White & Co., LLP, Warner Center Towers, 21700 Oxnard Street, Suite 400, Woodland Hills, California 91367.** Mr. White has served as Mr. Depp's business manager and accountant since March 14, 2016. Mr. White is expected to testify on the negative impact of Ms. Heard's defamatory Op-Ed on Mr. Depp's career – and that



Ms. Heard's Op-Ed referred to Mr. Depp - and economic circumstances as well as the impact of a jury verdict in Mr. Depp's favor on his career going forward. In so doing, Mr. White may rely on his expertise in business and accounting and his experience as a business manager in the entertainment industry.

4. **Robin Baum, Partner, SLATE PR, LLC, 901 North Highland Avenue, Los Angeles, California 90038.** Ms. Baum is regarded as one of the leading publicists in Hollywood, with extensive experience in the film industry. She has served as Mr. Depp's publicist for over a decade. Ms. Baum is expected to testify on the negative impact of Ms. Heard's defamatory Op-Ed on Mr. Depp's career - and that Ms. Heard's Op-Ed referred to Mr. Depp - as well as the impact of a jury verdict in Mr. Depp's favor on his career going forward. In so doing, Ms. Baum may rely on her expertise in the entertainment industry and her experience as a publicist in that industry.

Respectfully submitted,

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Dated: November 4, 2019



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

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

Claim No. HQ18M01923

BETWEEN:

JOHN CHRISTOPHER DEPP II

Claimant

-and-

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

Defendants

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SECOND WITNESS STATEMENT OF  
JOHN CHRISTOPHER DEPP II

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

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

Plt. Def. CW. 8  
Date 1-22-2021  
Judge PSA  
Case # CL-19-2911

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

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

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

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

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





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1 DEPP - WASS  
 2 have it turn into an argument.  
 3 Q. And lose your temper?  
 4 A. Well, be upset, yes.  
 5 Q. Lose it, is actually short for losing your temper, is it not?  
 6 No?  
 7 A. Yes. Yes. But -- yes.  
 8 Q. You had a telephone call before the night you met up with  
 9 Ms. Heard to travel back to Los Angeles, and I think you  
 10 arranged to charter a plane, that was going to pick Ms. Heard  
 11 up in Boston, where she had been filming with Mr. Franco, and  
 12 you would be picked up by the same plane in New York, where  
 13 you were filming, and the two of you would be flown back to  
 14 Los Angeles?  
 15 A. Actually, she was in New York and I was in Boston.  
 16 Q. Sorry, I got that wrong. Let me start again. She was in New  
 17 York and you were picked up in Boston, and the two of you flew  
 18 back to Los Angeles?  
 19 A. Yes.  
 20 Q. And it was a private plane that had been chartered?  
 21 A. Yes, ma'am.  
 22 Q. The night before you were due to meet up, did you have a  
 23 heated discussion on the telephone with Ms. Heard about what  
 24 was happening with James Franco, the scenes she was doing with  
 25 James Franco?

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1 DEPP - WASS  
 2 A. I do not recall, but it is highly likely.  
 3 Q. What happened was that Ms. Heard got on the plane in New York,  
 4 as you said, the plane flew to Boston, and you arrived in a  
 5 car, were driven in a car, but you did not get out of the car,  
 6 did you; you stayed on the runway in that car for some  
 7 considerable time?  
 8 A. How long, a considerable time?  
 9 Q. Well, you knew the aeroplane was waiting to load and take off.  
 10 A. As we arrived -- any aeroplane, when you allowed into the area  
 11 where the planes are and they drop us at the plane, there is  
 12 usually quite a bit of time to load the luggage into the cargo  
 13 area. So, there are a lot of times when I will stay, sit in  
 14 the car and continue smoking my cigarette, you know, before  
 15 I get on the plane. As when you are on the ground, you are  
 16 not allowed to smoke on the plane, until you are airborne, for  
 17 obvious reasons.  
 18 Q. On this occasion, as you were waiting on the tarmac in your  
 19 chauffeur-driven car, you were taking drugs, were you not?  
 20 A. I am sorry, I thought I just explained it to you. As is the  
 21 habit I smoke before, smoking in the car -- do you want to  
 22 talk, or -- you can continue if you want.  
 23 Q. Let us clarify where the dispute is between us. You say you  
 24 were smoking cigarettes?  
 25 A. I said I was smoking, normally I smoke, I am smoking a

[Page 295]

1 DEPP - WASS  
 2 cigarette before I get on the plane, so I am sitting in the  
 3 car smoking. Or maybe I was on the telephone, on a  
 4 conversation with someone, any number of things. But to just  
 5 assume naturally that I was doing drugs is a little bit ---  
 6 Q. I am asking you ---  
 7 A. --- a cheap shot, I would say.  
 8 Q. I am asking you -- I am sorry you think it is a cheap shot,  
 9 but I hope by the time you hear what has been said about this  
 10 incident you will want to retract that suggestion.  
 11 A. That would be great.  
 12 Q. You were taking drugs on that time before the Boston planes,  
 13 do you agree with that suggestion or not?  
 14 A. I was in Boston, is where Dr. Kipper and nurse Debbie Lloyd  
 15 came. It had been agreed to, I had agreed to and promised my  
 16 sister, who had met with Dr. Kipper, that I was going to kick  
 17 the Roxicodone. So, I was addicted to a very strong narcotic,  
 18 and that was known by everyone, and it was also known by  
 19 everyone that I had agreed to stop, and so we were in  
 20 preparation to go to the Bahamas for the detox.  
 21 Q. Had you had alcohol before getting on the plane?  
 22 A. Not that I recall, but normally when we get on a plane,  
 23 everybody has a drink, yes.  
 24 Q. Do you remember this at all, this incident?  
 25 A. I am afraid I do not specifically remember this incident.

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1 DEPP - WASS  
 2 I can only say that there had been many tarmacs and many  
 3 planes, and many SUVs.  
 4 Q. All right. Let us see if this plane journey is any different  
 5 from any of the others. Ms. Heard was already on the plane,  
 6 your staff that travelled with you were Stephen Deuters; yes?  
 7 A. Yes.  
 8 Q. Jerry Judge?  
 9 A. Yes.  
 10 Q. And Nathan Holmes?  
 11 A. Yes.  
 12 Q. The man who you said would supply drugs to you from time to  
 13 time, but who is not a witness in this case; is that right?  
 14 A. Yes, if he was asked.  
 15 Q. And by the time you got on to the plane, it was apparent to  
 16 Ms. Heard that you were under the influence of both drugs and  
 17 alcohol?  
 18 MR. JUSTICE NICOL: Well, I think the question has got to be were  
 19 you under the influence of, first of all, alcohol, and then  
 20 drugs, before you got on the plane.  
 21 MS. WASS: My Lord, I have asked that, and Mr. Depp does not  
 22 remember. I will certainly ask it again.  
 23 (To the witness) Were you under the influence of drugs  
 24 and/or alcohol before you got on the plane?  
 25 A. I do not recall that I had been drinking. I do not recall

[32] (Pages 293

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1 DEPP - WASS  
 2 that I had been taking cocaine, if that is the drug you are  
 3 referring to. I was addicted to the Roxicodone and I was  
 4 going to kick those. So, if there was any, if I upset  
 5 Ms. Heard or, I do not deny that Ms. Heard probably saw that  
 6 with her eyes.  
 7 Q. What, saw that you were the worse for wear?  
 8 A. I have no doubt that she believed that.  
 9 Q. All right.  
 10 A. And may have seen that with her eyes; but I believe that they  
 11 were not telling her the truth.  
 12 Q. Believing that, did you consider that she was being judgmental  
 13 towards you, judging you because she believed that you were  
 14 inebriated and under the influence of drugs?  
 15 A. I think that she — judgmental is a very good word to use,  
 16 yes, she was quite judgmental for many years over this issue,  
 17 yes.  
 18 Q. And on this occasion, you were spoiling for a fight,  
 19 I suggest?  
 20 A. I do not know why you would say that. I do not recall  
 21 spoiling for a fight, trying to start a fight?  
 22 Q. Yes, spoiling for a fight.  
 23 A. No, I was not trying to spoil for a fight.  
 24 Q. You brought up the subject of her co-star, James Franco; do  
 25 you remember that?

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1 DEPP - WASS  
 2 A. I do not remember that.  
 3 Q. You do not remember that. Because James Franco was a subject  
 4 that you felt quite strongly about, did you not, you have  
 5 explained that to us already?  
 6 A. I was, I suspected that Ms. Heard was having an affair with  
 7 Mr. Franco.  
 8 Q. Right.  
 9 A. And it has since been confirmed that she was.  
 10 Q. She was not having an affair with Mr. Franco at this time, was  
 11 she?  
 12 A. I believe that she was.  
 13 Q. You believed that she was —  
 14 A. I have been told that she was.  
 15 Q. You have been told she was. Is that why you got so angry?  
 16 A. I — we have not gotten to the anger yet. I do not —  
 17 Q. You were screaming obscenities about James Franco to her on  
 18 the plane?  
 19 A. Screaming obscenities about James Franco on the plane?  
 20 Q. Yes.  
 21 A. With my two assistants or people who work with, and my chief  
 22 of security and two pilots and a stewardess?  
 23 Q. Yes.  
 24 A. And I am screaming at Ms. Heard with —  
 25 Q. Yes.

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1 DEPP - WASS  
 2 A. I would not do that.  
 3 Q. This was not the first time you had behaved atrociously on an  
 4 airplane.  
 5 A. I disagree with everything you are saying.  
 6 Q. When I say obscenities, you were talking about her getting  
 7 fucked with James Franco and you were talking about how she  
 8 liked getting fucked on the set, and you were making vulgar  
 9 references to her genitals?  
 10 A. That is quite a stretch of her imagination.  
 11 MR. JUSTICE NICOL: Mr. Depp, all that you need to do is to say  
 12 whether you agree or disagree with the proposition that is  
 13 being put to you.  
 14 THE WITNESS: And I use the word, "disagree"? Or —  
 15 Q. I do not want to limit how you give your evidence, but if you  
 16 disagree, then by all means say so.  
 17 A. Yes.  
 18 Q. So, I take it that you disagree with what has just been put to  
 19 you?  
 20 A. Yes. I very much disagree with everything.  
 21 MS. WASS: I suggest that the more offensive you became, the less  
 22 that Ms. Heard would engage with you?  
 23 A. Again, I disagree.  
 24 Q. Your staff simply allowed you to conduct yourself like this.  
 25 They did not judge you. They did not admonish you. They did

[Page 300]

1 DEPP - WASS  
 2 nothing to protect Ms. Heard from this tirade of abuse.  
 3 A. They had no reason to protect Ms. Heard.  
 4 Q. I suggest Ms. Heard moved seats on more than one occasion to  
 5 get away from you, and you started by throwing ice cubes at  
 6 her. At one stage, when she tried to move away from you, you  
 7 kicked one of the chairs so hard that it swivelled round and  
 8 hit her?  
 9 A. I —  
 10 Q. You disagree?  
 11 A. I have never seen anyone be able to push an airplane chair  
 12 that could assault someone. Aeroplane chairs are very —  
 13 well, we all know what they are like.  
 14 Q. You were in a blind rage, demanding to know how much she liked  
 15 getting off with James Franco, and she refused to answer. And  
 16 you were so angry that she would not engage with you during  
 17 this discussion, you slapped her across the face in front of  
 18 everybody?  
 19 A. No, ma'am.  
 20 Q. And you called her "a go-getter slut" and "a whore"?  
 21 A. No, ma'am, I would not, no. Not under those circumstances  
 22 would I get that —  
 23 Q. And — carry on, finish.  
 24 A. I would not get that, I would not — there are possibilities  
 25 that if Ms. Heard and I had a fight where that sort of thing

[33] (Pages 297 to 300)



[Page 301]

1 DEPP - WASS  
 2 could come out of my mouth, depending on what came out of her  
 3 mouth prior to. But I did not go into a rage and start  
 4 screaming at her in front of all these people.  
 5 Q. During the course of the flight you were demanding more  
 6 alcohol and oxygen from the flight attendant?  
 7 A. The oxygen tank, I remember the pilot, a lot of these crews  
 8 I have flown with before, so I did ask for an oxygen tank,  
 9 just as a lark.  
 10 Q. As a lark?  
 11 A. Yes.  
 12 Q. What is so funny about an oxygen tank?  
 13 A. When you put the oxygen mask on, and you turn the nozzle, you  
 14 are hit with pure oxygen. That is really it. So, it was kind  
 15 of, it is not oxygen, it is not a -- I was not abusing a drug,  
 16 I was breathing oxygen and showing them, because I knew the  
 17 crew we had flown with them a lot, and the pilot, and I had  
 18 done that once before.  
 19 Q. Ms. Heard got up again from her seat in order to move away  
 20 from you, and you said to her, extremely aggressively: "Are  
 21 you walking away from me?" And at that stage you kicked her  
 22 in the back as she was trying to get away from you.  
 23 A. Not true.  
 24 Q. And you were raging like a monster.  
 25 A. Not true.

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1 DEPP - WASS  
 2 Q. And you eventually went to the toilet, the bathroom, if you  
 3 prefer, of the plane, and you passed out?  
 4 A. After Ms. Heard, or as Ms. Heard was berating me, screaming at  
 5 me, and whatnot, as is her wont, she began to get physical,  
 6 I did get up and then go to the bathroom. I grabbed a pillow  
 7 from the couch and I slept on the bathroom floor. I have done  
 8 that on more than a couple of occasions.  
 9 Q. You certainly slept on bathroom, toilet floors before. Has  
 10 your assistant, Nathan Holmes, had to break into locked doors  
 11 to wake you up after you have passed out on the toilet?  
 12 A. I have never passed out on the toilet. I have fallen asleep,  
 13 not in the middle of, let's say, relieving oneself, but either  
 14 sitting on the toilet and leaning against the wall to sleep or  
 15 sleeping on the floor.  
 16 Q. Can you go to file 7, tab 3, please. I ought to have made it  
 17 plain that this flight from Boston to LA was on 24th May 2014;  
 18 all right?  
 19 MR. JUSTICE NICOL: Just a minute. (Pause) Yes.  
 20 MS. WASS: Have you got file 7, tab 3?  
 21 A. File 7, tab 3. Sorry. (Pause) Yes, I have it.  
 22 Q. This was a text sent between Ms. Heard and her assistant, Kate  
 23 James, the one whom she asked not to send the film schedules  
 24 for the film schedules to. "I have to leave JD. He has just  
 25 freaked out on me. He is drinking again. It is bad, worse

[Page 303]

1 DEPP - WASS  
 2 than ever. I need out. I told Stephen, who is with him on  
 3 this trip, to help you with tickets for me and Savannah out of  
 4 here. Can you please book us on the Red Eye tomorrow morning,  
 5 please? Stephen will help arrange." Then later she sends a  
 6 text saying, "And can you also see if you can redirect all of  
 7 these texts to me to Whitney's phone or just block him  
 8 entirely. I need to make this move. Best to have his  
 9 calls/texts sent to her so she can keep them to me."  
 10 A. "Keep them for me".  
 11 Q. "Keep them for me".  
 12 A. "Until a later time".  
 13 Q. "Until a later time, please." Was there anything you did that  
 14 could have caused Ms. Heard to say, "I need out"? Anything on  
 15 that plane journey that would make her think she wants out?  
 16 A. Well, we certainly had an argument and that commenced to be  
 17 physical, and I am sure she was, she sounds upset.  
 18 Q. Your account of what happened on the plane is very different  
 19 from the account I have just put to you, and your account is  
 20 as follows, and this is from paragraph 36 of your witness  
 21 statement: "I remember the flight from Boston to Los Angeles  
 22 in detail. I had drunk alcohol prior to and on the flight,  
 23 but my behaviour was not as alleged at all. I was drawing art  
 24 sketches in my notebook, as I like to do when travelling, when  
 25 Ms. Heard began to harangue me. Throughout the course of our

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1 DEPP - WASS  
 2 relationship, Ms. Heard would often look to argue with me,  
 3 berate me, or abuse me verbally and physically. By the time  
 4 at which the flight took place, I had worked out that the best  
 5 way to deal with this was simply not to engage and try to  
 6 retreat from the situation." Then you said, "I took a pillow  
 7 to the bathroom, locked the door and slept on the floor to  
 8 avoid confrontation"; right?  
 9 A. Yes.  
 10 Q. That is the account that you stick to, is it?  
 11 A. Yes.  
 12 Q. Do you agree, Mr. Depp, that where there are accounts that are  
 13 directly contradictory, as there are in this case, Ms. Heard  
 14 saying that you were the monster, who slapped her, kicked her,  
 15 and was completely under the influence of drink and drugs, and  
 16 your account that you may have had a sip of something before  
 17 and on the plane, but you were quietly sketching in an art  
 18 book and did not want any confrontation at all, they are  
 19 totally different accounts, are they not?  
 20 A. My account and Ms. Heard's account?  
 21 Q. Yes?  
 22 A. Yes, ma'am. I think you will find the same throughout the  
 23 entire case.  
 24 Q. Yes, and do you agree that where there are two such different  
 25 accounts, so at odds with each other, it is helpful to look

[34] (Pages 301 to 304)



[Page 305]

1 DEPP - WASS  
2 for independent evidence?  
3 MR. JUSTICE NICOL: Ms. Wass, I am not sure that is really a  
4 question for Mr. Depp to answer. It is open to you and to  
5 Mr. Sherborne to make submissions that that is what I should  
6 do.  
7 MS. WASS: All right. Can I ask it a different way, and before  
8 Mr. Depp answers, I want to seek my Lord's approval. Do you  
9 agree that records of what was said in texts at the time these  
10 incidents took place can be helpful as to —  
11 MR. SHERBORNE: My Lord, this is exactly the same thing. What  
12 Ms. Wass is plainly doing — and she did it with the e-mail  
13 and I waited a very long time to hear the question — is  
14 reading documents that are not actually written to Mr. Depp,  
15 and using him as a vehicle to comment on them. We all know  
16 the practice, and it is a typical jury practice, and because  
17 your Lordship is a judge and only listens to the answer,  
18 I have not got up every time. Where we reach the point that  
19 Ms. Wass is trying to get Mr. Depp to accept submissions that  
20 she is going to make in her closing speech, then we have  
21 reached a time when, in my submission, this needs to stop,  
22 particularly given the time and how long Ms. Wass has taken  
23 and how long she still has to go.  
24 MR. JUSTICE NICOL: Mr. Sherborne, I agree with you to this  
25 extent, as I have already indicated, that there is a division

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1 DEPP - WASS  
2 MR. JUSTICE NICOL: I think, Mr. Sherborne, we are going to get on  
3 with this.  
4 MR. SHERBORNE: Of course.  
5 MS. WASS: Mr. Depp, can you please turn to page 28 of the texts,  
6 the text schedule?  
7 MR. JUSTICE NICOL: This is back to volume 6.  
8 MS. WASS: Yes.  
9 MR. JUSTICE NICOL: Yes.  
10 MS. WASS: The bottom three lines.  
11 MR. JUSTICE NICOL: Sorry, which page?  
12 MS. WASS: I am so sorry, 28.  
13 THE WITNESS: Sorry, which page?  
14 MS. WASS: It is 28, tab 119 of the text schedule.  
15 A. Yes.  
16 Q. Do you see the bottom three texts?  
17 A. Yes.  
18 Q. They are from Mr. Deuters to Ms. Heard on the date that the  
19 plane had arrived in LA. She says this: "He is up in the  
20 bathroom". Sorry, "He is up —  
21 MR. JUSTICE NICOL: Sorry, is this from Mr. Deuters to —  
22 MS. WASS: From Mr. Deuters to Ms. Heard.  
23 MR. JUSTICE NICOL: Yes.  
24 MS. WASS: "He is up, he is in the bathroom, moving slowly, will  
25 let you know when en route and how he is in the car." Was

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1 DEPP - WASS  
2 between submissions which will come at the close of the  
3 evidence and the evidence itself. If Ms. Wass wants to put to  
4 Mr. Depp documents which she says, or will submit, are in  
5 conflict with the statement that he has given, and wishes to  
6 comment on those, then it seems to me that she is entitled to  
7 do that.  
8 MR. SHERBORNE: Yes, and she has done that throughout the  
9 cross-examination, obviously, but these are a different class  
10 of document, because as was revealed by what she said in her  
11 last comment, which did not have a question in it, this is  
12 simply being used, as I say, as a vehicle to get Mr. Depp to  
13 say, "Yes, I agree that when one sees contemporaneous texts,  
14 they are helpful", or he will say they are not, and somehow  
15 that will be used as his evidence. How can it possibly be his  
16 evidence? It is pure speculation.  
17 MR. JUSTICE NICOL: I hear what you say, Mr. Sherborne. I have  
18 already said that I agree with you to the extent of there  
19 being a division between what is appropriate in submissions  
20 and what is appropriate in the course of evidence. I am not  
21 sure that I go entirely with you that everything or indeed a  
22 substantial part of what Ms. Wass is putting is on the wrong  
23 side.  
24 MR. SHERBORNE: My Lord, I was not saying that. I was saying that  
25 there are some things —

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1 DEPP - WASS  
2 there any reason that Mr. Deuters might have thought that you  
3 were not well that you can think of?  
4 A. I do not remember, no.  
5 Q. Mr. Deuters sends another text. He says, "He is in some pain,  
6 as you might guess." Can you think of why Mr. Deuters might  
7 have thought that you were in some pain?  
8 A. I do not recall.  
9 Q. "We are on our way to (unclear)". Over the page, please.  
10 A. Yes.  
11 Q. "He has been sick", Mr. Deuters tells Ms. Heard. "We are  
12 going to get him straight to bed." I am going to ask you to  
13 listen to a recording. The reference, my Lord, is tab 148J1.  
14 There is a transcript of this at 148J1 and 148J2. 148J1 is  
15 the claimant's version and (2) is the defendants' version. It  
16 is an extremely short transcript and my Lord will appreciate  
17 why in a moment.  
18 MR. JUSTICE NICOL: Can I just turn up the file?  
19 MS. WASS: Yes.  
20 MR. JUSTICE NICOL: Which file are these in?  
21 MS. WASS: 5.  
22 MR. JUSTICE NICOL: I think 5 might not be the right bundle.  
23 MS. WASS: It is at the back of — it has been moved. I do not  
24 know if it has been moved in my Lord's bundle. (Pause)  
25 MR. JUSTICE NICOL: I have found 148J, but it says, "Accompanying

[35] (Pages 305 to 308)

[Page 309]

1 DEPP - WASS  
 2 USB drive to listen to recording".  
 3 MS. WASS: And there is nothing else?  
 4 MR. JUSTICE NICOL: No.  
 5 MR. SHERBORNE: I do not have anything else either, my Lord. That  
 6 is exactly what I have. (Pause)  
 7 MS. WASS: I am told they might be at the front of file 10.  
 8 (Pause)  
 9 THE WITNESS: Sorry —  
 10 MR. JUSTICE NICOL: Just give us a moment, Mr. Depp.  
 11 THE WITNESS: Sorry. Thank you. (Pause).  
 12 MR. JUSTICE NICOL: Ah, I have got in file 10 a tab that says  
 13 161J1. You said 148J1.  
 14 MS. WASS: May I ask what my Lord's document is called?  
 15 MR. JUSTICE NICOL: Which is the bundle that you think it should  
 16 be in?  
 17 MS. WASS: I am told it is 10.  
 18 MR. JUSTICE NICOL: I am going to pass 10 down to you and you can  
 19 locate the document you want. (Same handed) (Pause)  
 20 MS. WASS: What might be better, my Lord, rather than taking time  
 21 up, is if we play it and then, if necessary, it can be played  
 22 again with the transcript when it has been located and  
 23 everybody has a copy.  
 24 MR. JUSTICE NICOL: All right.  
 25 MS. WASS: So, could we do that and then —

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1 DEPP - WASS  
 2 MR. SHERBORNE: I think it would be better to have a transcript,  
 3 particularly if it is very short. (Pause)  
 4 MS. WASS: I do not think it is fair that Mr. Sherborne does not  
 5 have it if my Lord has it so I am not going to invite anyone  
 6 to read it. I stand by the suggestion, given this is not an  
 7 ideal scenario, that we listen to it, the transcripts have  
 8 been agreed to have been put in the bundles so they ought to  
 9 have been there, and we can come back to this if necessary.  
 10 MR. SHERBORNE: Maybe there is a better answer. I am trying to be  
 11 pragmatic. Is this a good opportunity to take a five-minute  
 12 break? That allows Ms. Wass to find this and we can proceed  
 13 with this in what I might call a more sensible way. It is  
 14 just a suggestion.  
 15 MS. WASS: I am very concerned about time. If we play this, we  
 16 can move on.  
 17 MR. JUSTICE NICOL: Mr. Sherborne, I am also a little concerned  
 18 about the time. It was a practical suggestion, but actually,  
 19 I think it is best to move on.  
 20 MR. SHERBORNE: I am in your Lordship's hands. I really would  
 21 like a transcript. I think it is important that certainly  
 22 Mr. Depp and your Lordship has a transcript and we have the  
 23 transcript.  
 24 MS. WASS: When my Lord hears the recording, you may take a  
 25 different view.

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1 DEPP - WASS  
 2 MR. JUSTICE NICOL: I am going to listen to the recording, let  
 3 Ms. Wass ask her question and then I agree that it would be  
 4 helpful at the future for there to be a transcript, and if the  
 5 transcript cannot be agreed, to have each side's version of  
 6 the transcript. But I do want to get on with this. Let us  
 7 listen to the recording and we will have to come back to the  
 8 transcript when it is available.  
 9 (Recording played to the court)  
 10 MS. WASS: Mr. Depp, that is you on the plane. Would you like to  
 11 say anything about it?  
 12 MR. JUSTICE NICOL: Well, do you agree that it is your voice,  
 13 Mr. Depp?  
 14 A. I find it difficult to —  
 15 Q. All right —  
 16 A. — recognise that as me.  
 17 Q. If you do not know, that is fine.  
 18 A. Sorry.  
 19 MS. WASS: Do you remember anybody else on that plane journey  
 20 making those sorts of noises?  
 21 A. No, I do not. I do not remember anyone making those noises.  
 22 Q. It is not a woman's voice so we can rule Ms. Heard out, can we  
 23 not?  
 24 A. I do not know who we can rule out.  
 25 Q. You do not feel comfortable saying that that is obviously not

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1 DEPP - WASS  
 2 Ms. Heard's voice?  
 3 A. I am not saying it is Ms. Heard's voice. I am saying that it  
 4 sounds to me like it could be pretty much anyone's voice.  
 5 I have never heard that recording before. If it was submitted  
 6 into evidence, I have never heard that recording before.  
 7 I have never heard of the recording before. I would say that  
 8 it sounds almost like some animal in pain.  
 9 Q. Yes, it does, but I am going to suggest that you are that  
 10 animal and if you were in pain, it was because of the  
 11 over-consumption of drugs and alcohol that happened on that  
 12 flight?  
 13 A. I have to say that I cannot say that that is me. I cannot  
 14 identify that sound as me. Therefore, I am sorry I have to  
 15 disagree with you.  
 16 Q. Going back to Mr. Deuters' texts on 28th, if that were you  
 17 —  
 18 A. If that were me?  
 19 Q. If that were you, it might offer an explanation as to why he  
 20 is telling Ms. Heard that he would keep in contact with her as  
 21 to how you are: "We will let you know when he is en route and  
 22 how he is in the car. He is in some pain, as you might  
 23 guess."  
 24 A. Yes.  
 25 Q. It helps understand those texts; do you agree or not agree?

[36] (Pages 309 to 312)



[Page 313]

1 DEPP - WASS  
 2 A. I do not know that the two are connected at all.  
 3 Q. Really?  
 4 A. No, I do not know the origin of the tape. I do not know when  
 5 the tape was made. Is there —  
 6 Q. Well, there has been —  
 7 A. — metadata on that tape?  
 8 Q. There has been evidence and there has been metadata, but it  
 9 was on 24th May —  
 10 MR. JUSTICE NICOL: Now, I think, Ms. Wass, this is starting to  
 11 get into the realm of submissions.  
 12 MS. WASS: I will not start asking about metadata and the like.  
 13 Mr. Deuters told Ms. Heard you had been sick and he was going  
 14 to get you straight to bed. Were you sick when you arrived  
 15 back in LA or were you sick on the plane?  
 16 A. Clearly if Mr. Deuters is sending these texts to Ms. Heard,  
 17 I must have been quite ill, yes.  
 18 Q. You must have been quite ill, and yet you said in your witness  
 19 statement, "I remember the flight from Boston to LA in  
 20 detail".  
 21 A. Yes.  
 22 Q. It seems that you have not remembered being sick at all. It  
 23 must be something you did not remember about that flight. Do  
 24 you agree?  
 25 A. There is nothing that says to me I was sick on the plane. He

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1 DEPP - WASS  
 2 A. Where are we talking, I am sorry?  
 3 Q. The third text down?  
 4 A. Yes.  
 5 Q. It seems to have been sent about three hours after the last  
 6 text that Mr. Deuters sent Ms. Heard, do you agree?  
 7 Mr. Deuters's last text was at 7.38 and this one was at 10.42?  
 8 A. Yes, I see that.  
 9 Q. This is what you say to Ms. Heard: "Once again, I find myself  
 10 in a place of shame and regret. Of course I am sorry.  
 11 I really don't know why or what happened, but I will never do  
 12 it again. I want to get better for you and for me. I must.  
 13 My illness somehow crept up and grabbed me. I cannot do it  
 14 again. I cannot live like that again and I know you can't  
 15 either. I must get better and I will for both of us."  
 16 MR. JUSTICE NICOL: "For us both".  
 17 MS. WASS: "For us both starting today. I love you. Again, I am  
 18 sorry, so sorry. I love you and feel" — there must be an "F"  
 19 missing there — "so bad for letting you down. Yours."  
 20 A. Yes, I see that.  
 21 Q. Now, if it was Ms. Heard who was the badly behaved party on  
 22 that aeroplane, why are you apologising to her?  
 23 A. The very simple answer to that could be one of a couple of  
 24 things. I was apologising possibly after she was unresponsive  
 25 to me trying to make things better on the plane because she

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1 DEPP - WASS  
 2 is texting her from, I do not know where. It seems we were at  
 3 my house in Sweetzer so I cannot say that he is referring to  
 4 the mating call that I heard on the recording.  
 5 Q. You see, your account is that really it was Ms. Heard who  
 6 disgraced herself on the plane by being unpleasant,  
 7 judgmental, argumentative and really you were the peaceful  
 8 party and just went to the bathroom to get away from the  
 9 problems. That is your account, is it not?  
 10 A. That is my account. There is only so much — sorry.  
 11 Q. That is your account. Could you look at page 29 in the texts,  
 12 please, the third text down. You sent a text to Ms. Heard  
 13 some hours later.  
 14 A. I do not have the text.  
 15 Q. You do not have the text?  
 16 MR. JUSTICE NICOL: This is volume 6, is it?  
 17 MS. WASS: Yes, 6.  
 18 MR. JUSTICE NICOL: Tab 119. I think, Ms. Wass, you said page 29,  
 19 did you?  
 20 MS. WASS: Yes. (Pause) Have you got page 29?  
 21 A. I do, indeed, yes.  
 22 Q. I have read out the two texts from Mr. Deuters to Ms. Heard  
 23 and under that, there is one from you to Ms. Heard.  
 24 A. Yes.  
 25 Q. Do you see that?

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1 DEPP - WASS  
 2 was upset. Unfortunately, there was, in some way with  
 3 Ms. Heard, because she would not let go of her beliefs, I had  
 4 to condition, you have to condition yourself to use words that  
 5 she finds pleasing as opposed to something that will set her  
 6 off, so there is a great deal of placation that was always  
 7 going on, a great deal of it. But also it could be that I  
 8 could be apologising for something that I said to her if  
 9 things did get heated and we exchanged foul words. I could be  
 10 apologising for that or it could be straight-up placation, as  
 11 was the case in a lot of instances, and I am sure she feels  
 12 the same. She has probably had to placate me or hide —  
 13 Q. Why did you say you were in a place of shame and regret?  
 14 A. Sometimes one has to say that because it will take the poison  
 15 out of her quill.  
 16 Q. But you had done nothing, if you are telling the truth, to  
 17 cause you shame or regret?  
 18 A. I do not know that to be true. I may have done something to  
 19 cause shame and regret, which is to say that I might have said  
 20 something ugly to her. I might have verbally insulted her or  
 21 made some comment, but when words are being hurled at you, you  
 22 hurl them back, and there are many times that one feels great  
 23 regret for having done that.  
 24 Q. You see, your account was that your behaviour was that you  
 25 were sketching in your notebook?

[37] (Pages 313 to 316)

[Page 317]

1 DEPP - WASS  
 2 A. Yes.  
 3 Q. She was arguing with you?  
 4 A. Yes.  
 5 Q. You worked out the best way to deal with it was simply not to  
 6 engage, but to retreat from the situation, and you slept on  
 7 the bathroom floor in order to retreat from the situation.  
 8 There is no mention there of any arguing by you. If that  
 9 account is correct, you had done absolutely nothing to feel  
 10 ashamed or regretful about, and yet here you are saying "Once  
 11 again", so not just for the first time, "Once again, I find  
 12 myself in a place of shame and regret"?  
 13 A. Yes, ma'am.  
 14 Q. Then you say, "I really do not know why or what happened"?  
 15 A. Yes, ma'am.  
 16 Q. The truth of it is, Mr. Depp, that you have no recollection  
 17 about your monstrous behaviour on that flight?  
 18 A. No, I have a very good recollection of my behaviour. I also  
 19 know that once the plane touches down or when the plane is  
 20 going into landing mode, I would have had to leave the  
 21 bathroom where I was sleeping on the floor and come back to my  
 22 seat. If the argument continued, if she was still upset, as  
 23 I can guarantee you she was, then we may have exchanged some  
 24 rather nasty verbal words, nasty words to one another.  
 25 Q. And what illness are you talking about: "My illness somehow

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1 DEPP - WASS  
 2 asking you what the illness was that you are referring to.  
 3 THE WITNESS: Yes, what I am trying to say is that the illness that  
 4 crept up and grabbed me is probably that I went to the bottle,  
 5 that "I am sorry that I went to the bottle. I am sorry that  
 6 you feel this way. I am sorry for everything that happened.  
 7 I am sorry for everything I did, or anything I did." I am  
 8 sorry to say, this was quite a regular occurrence between us.  
 9 MS. WASS: It was a regular occurrence for you to get excessively  
 10 drunk and/or drugged up and completely forget what you had  
 11 done; that was what was a regular occurrence?  
 12 A. No, ma'am. I disagree.  
 13 Q. Let us carry with the texts, please. Halfway down that page,  
 14 still on page 29, Christie, your sister, says: "Do you want  
 15 to talk?" She sends that to Ms. Heard; do you see that?  
 16 A. I do indeed.  
 17 Q. Then Ms. Heard says: "I can't. I am sorry, but thanks for  
 18 offering, love you." Your sister says: "Could be things get  
 19 better from all of this. I don't know but may try to be  
 20 helpful and encouraging and supportive. I would love it if we  
 21 could talk even a little. I want to help you both."  
 22 Ms. Heard said: "Yes, and I do hope he gets better this time.  
 23 But I can't keep staying and supporting him just to watch him  
 24 do it all over again. He has done this many times before.  
 25 Tokyo, the island, London, remember that, many, many times,

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1 DEPP - WASS  
 2 crept up and grabbed me"?  
 3 A. That, to me, sounds like I went straight to excessive drinking  
 4 after the initial altercation began.  
 5 Q. Excessive drinking on the plane?  
 6 A. Before I went to the bathroom or in the bathroom or after the  
 7 bathroom.  
 8 Q. So, now we should take on board that you are accepting that  
 9 you may have engaged in excessive drinking; is that the  
 10 position now?  
 11 A. I am being completely honest with you. I am thinking that if  
 12 I am saying that and I am apologising for something, I believe  
 13 that it is very probable and sounds like something that I may  
 14 have done, post —  
 15 Q. You may have got very drunk on the plane?  
 16 A. — post argument. As I was upset, she was upset. But  
 17 certainly not enough time to get, as you say, black-out drunk  
 18 or anything of that nature. Yes, I did drink when Ms. Heard  
 19 would get upset.  
 20 Q. I am talking about this specific journey?  
 21 A. Yes, and I am trying to explain it.  
 22 Q. You are saying you did drink on this specific journey  
 23 excessively?  
 24 A. Excessively is maybe, maybe overstating.  
 25 MR. JUSTICE NICOL: This series of questions began with Ms. Wass

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1 DEPP - WASS  
 2 and I always stay. Always believe he is going to get better,  
 3 and every three or so months I am in exactly the same  
 4 position." All right? Now, are you able to say, and it may  
 5 be that you are not, when Ms. Heard is talking about you  
 6 getting better, is she talking about what you regard as your  
 7 illness? Is it the same thing you are talking about, the  
 8 excessive drinking?  
 9 A. I believe what she is referring to is my, or our approach to  
 10 one another, that I, my approach towards her is more agreeable  
 11 to her.  
 12 Q. Mr. Deuters sent another text to Ms. Heard, the next text  
 13 down: "Hey, he's up. He's much better, clearer. He doesn't  
 14 remember much, but we took him through all that happened. He  
 15 is sorry, very sorry and just wants to get better, which  
 16 allows us to make him follow-up on that promise." Did  
 17 Mr. Deuters take you through what had happened on the flight?  
 18 A. Mr. Deuters and I had a conversation. Ms. Heard was still  
 19 very upset and I think very — she was very stubborn about  
 20 hearing anything that did not ring true with her side of  
 21 things. And on many occasions, I am somewhat embarrassed to  
 22 say, that I had to tell Mr. Deuters, and I recall telling  
 23 Mr. Deuters, just agree with whatever she said, just placate  
 24 her. I can't take it any more, no more fights, no more  
 25 violence, no more freak-outs, just placate her. That was our

[38] (Pages 317 to 320)



[Page 321]

1 DEPP - WASS  
 2 practice.  
 3 Q. That was the plan that you cooked up with Mr. Deuters, was it,  
 4 when he told you what had happened?  
 5 A. Yes. We cooked up a plan to placate Ms. Heard, but in fact  
 6 that was not cooked up then, it was cooked up a lot longer,  
 7 prior.  
 8 Q. Before the plane incident at all?  
 9 A. The placation of Ms. Heard, yes, it started ---  
 10 Q. I understand.  
 11 A. --- quite a, a year or two, or maybe more before that.  
 12 Q. Before this incident?  
 13 A. Absolutely, yes.  
 14 Q. Mr. Deuters indicated that you did not remember much.  
 15 A. Yes.  
 16 Q. Did you tell Mr. Deuters that you did not remember much about  
 17 the journey?  
 18 A. I do not recall telling Mr. Deuters that I did not remember  
 19 anything about the journey. I remember having a conversation  
 20 with Mr. Deuters saying, "Please, just tell her whatever she  
 21 wants to hear, placate her".  
 22 Q. I understand that. But that conversation was two years  
 23 beforehand, you tell us?  
 24 A. No no no. That placation started years before. It became a  
 25 necessary tool to be able to deal with Ms. Heard without her

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1 DEPP - WASS  
 2 going into a rather high energy screaming match.  
 3 Q. I wonder if you can help us as to why Mr. Deuters might have  
 4 said: "He doesn't remember much but we took him through all  
 5 that happened. He's sorry, very sorry and he wants to get  
 6 better, which allows us to make him follow-up on that  
 7 promise." You had already said you were really sorry,  
 8 Mr. Depp?  
 9 A. Yes.  
 10 Q. But can you think of a reason why Mr. Deuters would say, would  
 11 it placate Ms. Heard to say you did not remember much about  
 12 what had happened? Why would that placate Ms. Heard?  
 13 A. Because for her, that it looks like she was correct, and  
 14 Ms. Heard likes to be correct.  
 15 Q. Then, Mr. Deuters says: "He's teary. He doesn't want to be a  
 16 fuck up any more, his words. ... (reads to the words)... spoken  
 17 to C" -- that is Christie -- "we're going to set him up with  
 18 Dr. Kipper on Wednesday, hopefully. He won't be skipping this  
 19 time."  
 20 A. "Won't be skipping at this time", yes.  
 21 Q. Yes. Did you miss an appointment with ---  
 22 A. Apparently I did, yes.  
 23 Q. Then, over the page, page 30, please. (Pause)  
 24 A. Yes.  
 25 Q. "The doc will fly to Boston. He's a much bigger deal than

[Page 323]

1 DEPP - WASS  
 2 Charlie", is "Charlie" Charlie Dunit?  
 3 A. Yes.  
 4 Q. "I'm not worried about bringing Charlie up, I'll do that when  
 5 he's awake." Then, Ms. Heard texts Mr. Deuters, saying:  
 6 "I've not heard from him, which I expected. I still want to  
 7 fly back to NYC today on the Red-Eye, though. I can't keep  
 8 doing this." Then Mr. Deuters said: "His phone is fucking up  
 9 I'm restarting it ... (reads to the words)... and he wasn't  
 10 talking physically." This was just placating Ms. Heard, was  
 11 it?  
 12 A. Yes.  
 13 Q. "I think he's just texted you. He's incredibly apologetic and  
 14 knows he has done wrong ... (reads to the words)... fell like  
 15 we're in a critical juncture." Again, all said just to calm  
 16 Ms. Heard down; is that right?  
 17 A. I am trying to see where you are.  
 18 Q. Sorry, where are you, Mr. Depp?  
 19 A. Looking for what you are reading, sorry.  
 20 MR. JUSTICE NICOL: If you look on page 30 of the text schedule.  
 21 THE WITNESS: Sorry, "feel we are at a critical juncture", I see  
 22 that now.  
 23 MS. WASS: Then she said to him: "I don't know how to be around  
 24 him after what he did to me yesterday." Have you any idea  
 25 what she might have been referring to?

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1 DEPP - WASS  
 2 A. I am going to say she is talking about the experience on the  
 3 aeroplane.  
 4 Q. Mr. Deuters was on the aeroplane, so he would have known what  
 5 she was talking about, presumably?  
 6 A. Yes, she voiced it pretty well, yes.  
 7 Q. Then she said: "I don't know if I can stay with him, I need  
 8 time." Mr. Deuters said: "He wants to see you so much, he's  
 9 distraught." Then, she said: "Don't worry about the flights,  
 10 I'm taking the car. Thank you." Then she said: "He thinks  
 11 he doesn't deserve this. Obviously he has no idea what he did  
 12 or to the extent that he did it." Is there any reason you can  
 13 think of why Ms. Heard would be of the opinion that you had no  
 14 idea what you did?  
 15 A. I believe that Ms. Heard was very happy with the idea that she  
 16 was correct about my black-out or violence or screaming or  
 17 whatever she, her allegations are.  
 18 Q. "If someone was truly honest with him about how bad it really  
 19 was, he would be appalled. The man Johnny is would be  
 20 humiliated and definitely wouldn't say to me that he doesn't  
 21 deserve it. I'm sad he does not have a better way to really  
 22 know the severity of his actions yesterday. Unfortunately for  
 23 me, I remember them in full, in full detail, everything that  
 24 happened." Mr. Deuters said this: "He was appalled, when  
 25 I told him he kicked you, he cried."

[39] (Pages 321 to 324)

|   |   |
|---|---|
| <p style="text-align: right;">[Page 325]</p> <p>1 DEPP - WASS</p> <p>2 A. Yes.</p> <p>3 Q. Why was it going to appease Ms. Heard for Mr. Deuters to say</p> <p>4 that you cried when you were told that you kicked her?</p> <p>5 A. Again, and I am embarrassed to say it, I told Mr. Deuters, my</p> <p>6 instructions to him were placate her, tell her anything she</p> <p>7 wants to hear, tell her that I am sad, you know, because she</p> <p>8 will calm down if she has heard that she is right. So, to get</p> <p>9 past this very fractured argument, yet another argument,</p> <p>10 Mr. Deuters did exactly what I asked him to do.</p> <p>11 Q. You specifically said: "Tell her I don't remember anything,</p> <p>12 but tell her that you told me that I kicked her and that</p> <p>13 I cried." Were those your instructions to Mr. Deuters?</p> <p>14 A. I did not go into specific instructions. I did not write any</p> <p>15 dialogue for him. I left it to Mr. Deuters to follow my</p> <p>16 instructions, and I trusted that he would get the point to her</p> <p>17 that I was feeling bad about having let her down and upset</p> <p>18 her, or whatever she says I did, just agree with it, to get</p> <p>19 through this, just to get through it. As she is saying,</p> <p>20 "I can't take it, I am going to leave him, I can't take it any</p> <p>21 more", well, she was feeling that for a very good reason,</p> <p>22 because we argued all the time. I was feeling exactly the</p> <p>23 same.</p> <p>24 Q. She was feeling it because you were assaulting her all the</p> <p>25 time?</p> | <p style="text-align: right;">[Page 327]</p> <p>1 DEPP - WASS</p> <p>2 to page 33, please.</p> <p>3 MR. JUSTICE NICOL: You are still on ---</p> <p>4 MS. WASS: Still on the bottom page.</p> <p>5 MR. JUSTICE NICOL: 6/F1.</p> <p>6 MS. WASS: 6/F1, yes.</p> <p>7 MR. JUSTICE NICOL: 119, page 33.</p> <p>8 MS. WASS: Page 33. (To the witness) You have sent your sister a</p> <p>9 text, you forwarded to your sister a text that Ms. Heard sent</p> <p>10 to you. Can you see that at the top? "She finally sent me a</p> <p>11 text, I will not respond, at least not in text and not right</p> <p>12 away. She seems to have figured it all out. Happy reading."</p> <p>13 This is the forwarded text. "There are so many things to say,</p> <p>14 I feel there are not enough words in the world to articulate</p> <p>15 what I want to say to you. All I can say is I am heartbroken.</p> <p>16 My whole world came crashing down on me, I feel so lost.</p> <p>17 I know this, I love you, more than I've ever loved anything.</p> <p>18 I know you are my one, my life's true love. Fact remains</p> <p>19 I can't imagine life without you and the inescapable truth is,</p> <p>20 being with you has been the best thing to happen to my life.</p> <p>21 But only you have the ability to take it away from me for both</p> <p>22 of us. I know you have a sickness. I know you are suffering,</p> <p>23 Johnny, I'll do anything to be able to take that away from</p> <p>24 you, if only I could. We have such a beautiful...(reads to</p> <p>25 the words)... that is killing us. And that is what I am</p> |
| <p style="text-align: right;">[Page 326]</p> <p>1 DEPP - WASS</p> <p>2 A. I am going to respectfully disagree with what you just said.</p> <p>3 Q. Kicking a woman in the back, that is not the action of a</p> <p>4 Southern gentleman, is it?</p> <p>5 A. That is not - kicking a woman in the back is not the action</p> <p>6 of any gentleman. Kicking a woman in the back is a horrid and</p> <p>7 damning act.</p> <p>8 Q. You would call someone who did that a wife-beater, would you</p> <p>9 not?</p> <p>10 A. If someone kicked a woman in the back, would I call him a</p> <p>11 wife-beater?</p> <p>12 Q. Yes.</p> <p>13 A. No, I would call him a sick person. I would call them an</p> <p>14 animal. I would call him a savage. I would call him a nasty,</p> <p>15 I would call them - it is one of the most disgusting things</p> <p>16 that anyone has ever said about me, and accused me of. So,</p> <p>17 I deny that I kicked her in the back. Yes.</p> <p>18 Q. You said you would not call a man who kicked a woman in the</p> <p>19 back a wife-beater, but do you agree ---</p> <p>20 A. I mean a wife-beater, I would call him all kinds of things.</p> <p>21 Q. Do you agree it would be a fairly accurate description of</p> <p>22 someone who kicked a woman in the back?</p> <p>23 MR. JUSTICE NICOL: Ms. Wass, again, I think we are getting into</p> <p>24 the realm of submissions.</p> <p>25 MS. WASS: All right. (To the witness) Can I then ask you to turn</p>   | <p style="text-align: right;">[Page 328]</p> <p>1 DEPP - WASS</p> <p>2 afraid of. Seeing such a beautiful thing as our love</p> <p>3 slaughtered right in front of my eyes, and not being able to</p> <p>4 do anything about it. That is what, who I am running from,</p> <p>5 that demon. Because despite how much I have tried to fight</p> <p>6 him off, you, he has been winning. I am scared, Johnny, so</p> <p>7 scared, I watch as this thing steals my life out from under</p> <p>8 me. He steals my man from me and replaces him with something</p> <p>9 terrifying and unrecognisable."</p> <p>10 That was the text that Ms. Heard sent you, was it not?</p> <p>11 A. Yes, it appears so.</p> <p>12 Q. She is describing the monster, is she not, that part of you</p> <p>13 that takes over in drink?</p> <p>14 A. She is describing, yes, the - what she called, referred to as</p> <p>15 "the monster", yes.</p> <p>16 Q. Could you go over to page 34, please. Now, I understand your</p> <p>17 case, as far as Mr. Deuters is concerned, is that his brief</p> <p>18 was to placate Ms. Heard, yes, to say anything that was going</p> <p>19 to keep her happy, yes?</p> <p>20 A. Yes.</p> <p>21 Q. Your brief was to placate Ms. Heard?</p> <p>22 A. As often as I could, yes.</p> <p>23 Q. I want to ask you about a text that did not go to Ms. Heard,</p> <p>24 at all, but a text from you to Mr. Bettany.</p> <p>25 A. Yes.</p>  |

[40] (Pages 325 to 328)



[Page 329]

1 DEPP - WASS

2 Q. This is sent a couple of days, sent on 30th May, so a few days  
3 after, a week after the Boston plane incident. You say this:  
4 "I am going to properly stop the booze thing, darling. Drank  
5 all night before I picked Amber up to fly to LA, this past  
6 Sunday." That is obviously a reference to the flight from  
7 Boston to LA, is it not?

8 A. Yes.

9 Q. "Ugly mate. No food for days. Powders, half a bottle of  
10 whisky, a thousand Red Bull and vodkas, pills, two bottles of  
11 champers on the plane, what do you get ... (reads to the  
12 words)... screaming obscenities and insulting any fuck who got  
13 near." What exactly are you talking about in that text,  
14 Mr. Depp?

15 A. I can see it says I drank all night before I picked up  
16 Ms. Heard to fly to LA. I get that.

17 Q. "No food for days"?

18 A. "Ugly, mate, no food for days, powders ----"

19 Q. What are powders?

20 A. Powders would have been cocaine.

21 Q. Right. You suggested that I was including cocaine in  
22 everything. It appears from what you are telling Mr. Bettany,  
23 cocaine was involved?

24 A. Well, that is to say, if this entire text is about the plane  
25 ride.

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1 DEPP - WASS

2 A. I do not -- I mean, no, I guess, as your Lordship has pointed  
3 out, the two bottles of champagne on plane, what do you get?  
4 So, I am going to say that I made a mistake about the full  
5 intake on the plane.

6 Q. You did consume more than you were previously admitting to; is  
7 that right?

8 A. Yes, yes, but it is not -- I do not remember that it was one  
9 of those flights like that.

10 Q. One of those flights?

11 A. I have had several, yes.

12 Q. You have had several flights and you have had several flights  
13 where you have behaved badly like this.

14 A. I have had several flights where we have argued.

15 Q. Well, we are not talking about arguing, we are talking about  
16 the amount of alcohol and the amount of cocaine that you had  
17 before and on the flight?

18 A. Yes, this sounds like ---

19 Q. It sounds like you overdid it, does it not?

20 A. It sounds like I absolutely overdid it, it sounds like it was  
21 a very self-destructive moment and I was incorrect in my  
22 statement that I had taken, I had not taken cocaine and things  
23 of that nature. I am, I can only say my apologies to the  
24 court in terms of that, but I did not remember that flight  
25 being such a, the entire flight being such a nightmare.

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1 DEPP - WASS

2 Q. You wrote it

3 A. Yes, I did. But ---

4 Q. Do you remember writing it?

5 A. I am going to stop. "I am going to stop properly the booze  
6 thing, darling. Drank all night before I picked Amber up to  
7 fly to LA this past Sunday. Ugly, mate. No food for days,  
8 powders, half a bottle of whisky, thousand Red Bulls and  
9 vodka, pills", all that. It does not necessarily mean that  
10 I was talking about that plane ride. I could have been  
11 talking about what I was going through at that moment.

12 MR. JUSTICE NICOL: Mr. Depp, there is a section of the text that  
13 says "two bottles of champers on plane"; is that about the  
14 plane ride?

15 A. Well, on the plane, yes, it is.

16 Q. Two bottles of champagne?

17 A. Two bottles of champagne on plane, okay, yes, I guess that is  
18 it.

19 Q. That was about the plane?

20 MS. WASS: So, you are talking, "I picked Amber to fly to LA this  
21 past Sunday".

22 A. Yes.

23 Q. Then: "Ugly, mate. No food for days ... (reads to the  
24 words)... pills", you think that might be about a completely  
25 different incident; is that your evidence?

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1 DEPP - WASS

2 Q. But you do not remember that flight, full stop, I suggest?

3 A. No, I do remember.

4 Q. Where in all of are you sketching your art?

5 A. At the beginning of the flight.

6 Q. How long did that last?

7 A. Until Ms. Heard started to express that she was displeased  
8 with me.

9 Q. You see, you said four lines down, after the two bottles of  
10 champagne and what do you get, "...an angry aggro Indian."  
11 What is that a reference to?

12 A. Sorry. Native American.

13 MR. JUSTICE NICOL: Sorry, angry?

14 A. Aggro Indian.

15 Q. Is a reference to a native American?

16 A. Myself being an angry aggro native American, I have part of  
17 native American blood.

18 MS. WASS: You are an aggro angry Indian, in your words, in a  
19 fucking blackout.

20 A. That is what it says, yes.

21 Q. It does. I have asked you more than once, whether you had  
22 parts of this flight that you did not remember, and you have  
23 repeatedly said you remembered it all clearly.

24 A. Yes.

25 Q. Then, that changed and you said you remembered that did you

[41] (Pages 329 to 332)



[Page 333]

1 DEPP - WASS  
 2 hit the bottle at some stage. I mean, you had a blackout, did  
 3 you not?  
 4 A. I cannot say that I had a full blackout, because I do have  
 5 memories of the flight.  
 6 Q. Some memories?  
 7 A. Some memories of the flight, yes.  
 8 Q. But parts of that flight are blacked out?  
 9 A. Apparently. But, yes, apparently that is what I am saying to  
 10 Mr. Bettany.  
 11 Q. Yes. Is there any reason why you would say that to  
 12 Mr. Bettany if it were not true?  
 13 A. Probably not.  
 14 Q. No. You carry on with the blackout, after the words  
 15 "blackout", screaming obscenities?  
 16 A. Yes.  
 17 Q. You remember I accused you of screaming obscenities to  
 18 Ms. Heard about her relationship, or what you were suggesting  
 19 was her relationship with James Franco; do you remember those  
 20 questions about an hour ago?  
 21 A. I do indeed, yes.  
 22 Q. You denied that completely screaming obscenities of any sort?  
 23 A. I did not recall screaming any obscenities, but I did say at a  
 24 certain point the argument escalated quite heavily into  
 25 screaming at one another. And I retreated to the bathroom,

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1 DEPP - WASS  
 2 with the pillow. I do remember that.  
 3 Q. Having heard that recording on the plane, do you think now  
 4 that might have been you making those animal noises?  
 5 A. I certainly hope not. But I do not -- I do not recognise that  
 6 as my voice. I would say that it is something that I have  
 7 heard once, just today, and ---  
 8 Q. We can play it again, if it helps. Would you like to hear it  
 9 again?  
 10 A. No, I am fine. Thank you very much. If it is me, then I was  
 11 definitely dealing with a problem.  
 12 Q. Yes. If you were blacking out, and you were dealing with a  
 13 problem, you may have done things that you have absolutely no  
 14 memory of?  
 15 A. I may have done things that I have no memory of, but  
 16 Mr. Deuters was there, Mr. Judge was there who would never  
 17 have let anything happen to Amber, Ms. Heard. And I certainly  
 18 am not a violent person, especially with women, and I have  
 19 been violent in the past, as we have spoken, when provoked.  
 20 This is clearly is, I made a mistake, and I -- pardon, I beg  
 21 your pardon, I spoke out of turn, and I spoke incorrectly  
 22 about a situation.  
 23 Q. Can I just, for the avoidance of any doubt, try to establish  
 24 what your evidence is now about the flight from Boston to LA.  
 25 Do you accept that you drank to excess?

[Page 335]

1 DEPP - WASS  
 2 A. Yes.  
 3 Q. Do you accept that you took cocaine?  
 4 A. I think what we are talking about is, where it says, "powders,  
 5 no food for days", we are talking days. So, it is not that  
 6 I, that I am saying I did cocaine on the plane.  
 7 Q. Half a bottle of whisky?  
 8 A. "Half a bottle of whisky, a thousand Red Bulls and vodkas,  
 9 pills, two bottles of champers on the plain, and what do you  
 10 get." Yes.  
 11 Q. I want to make sure it is quite clear what you are saying  
 12 about the Boston plane incident. You were very drunk, you had  
 13 taken drugs either before or during, or both. Do you agree  
 14 with that?  
 15 A. Sure, for the purposes of getting through this, let's say,  
 16 yes, everything you have said I agree.  
 17 MR. JUSTICE NICOL: Mr. Depp, I realise it is the end of the  
 18 afternoon, but do not feel that you must say things for the  
 19 sake of getting through this. What I want to hear is your  
 20 evidence and the evidence that is the truth. So, you tell me,  
 21 as best as you recall, whether or not you had been taking  
 22 cocaine either on the plane or before you got on the plane?  
 23 THE WITNESS: I honestly, your Lordship, I cannot recall whether  
 24 I was doing cocaine, but from the condition that this text is  
 25 explaining to Mr. Bettany, it sounds like it would not be out

[Page 336]

1 DEPP - WASS  
 2 of the question in any way. The cocaine would have,  
 3 I imagine, kept me awake for a lot longer. But I will say,  
 4 based on this text, that, yes, it is very likely that I was  
 5 doing pills, alcohol, cocaine, marijuana, and certainly as I  
 6 had not been detoxed from the Roxicodone, I was on Roxicodone  
 7 as well. So, yes, and again, I apologise for that.  
 8 MS. WASS: You accept that now?  
 9 A. Yes, sure, I accept that, ma'am.  
 10 Q. We have a record of what you just said, and it will be on the  
 11 record. When I put to you earlier that you were under the  
 12 influence of drink and drugs when the car was waiting on the  
 13 runway, do you remember I suggested that to you, that you  
 14 arrived in the car and kept everyone waiting, you said this is  
 15 always how it happens. Do you think now, you were wrong when  
 16 you said you were waiting to do a detox with Dr. Kipper and  
 17 you did not want to overdo it, or words to that effect?  
 18 A. I am sorry, I did not understand that.  
 19 Q. It may be ---  
 20 MR. JUSTICE NICOL: I think ---  
 21 MS. WASS: I can leave that.  
 22 MR. JUSTICE NICOL: --- the end of the day is fast approaching  
 23 for us all.  
 24 MS. WASS: One more text and then I have finished with this.  
 25 Page 34, please, Mr. Depp. A week later you sent a text to

[42] (Pages 333 to 336)



[Page 337]

1 DEPP - WASS  
 2 your friend Patty Smith.  
 3 THE WITNESS: Yes.  
 4 MR. JUSTICE NICOL: Is this the third one down?  
 5 MS. WASS: Yes, "My darling Patty Lee, I miss you and worship you  
 6 and there is nothing wrong between us. Never ever could that  
 7 happen. I have just been so beyond busy with the film here in  
 8 Boston and then back to LA for kiddies. When I was in New  
 9 York, there were brief visits and fucked and charged by  
 10 horrific fights with Amber. I fucked up and drank and got  
 11 shitty. Was so disappointed in myself."  
 12 So, again you are telling somebody that you did not have  
 13 to placate that you had been, using your words, "shitty with  
 14 Amber"?  
 15 A. Yes. I see that and I agree, yes.  
 16 Q. Have you seen any accusations that were made at the time, so I  
 17 am not asking about 2016 and beyond, that is to say after your  
 18 divorce, suggesting it was Ms. Heard that had behaved badly on  
 19 the plane?  
 20 MR. JUSTICE NICOL: Well, Ms. Wass, if it is the defendants' case  
 21 that there is no text, then of course that is a matter that  
 22 you can include in your submissions.  
 23 MS. WASS: All right.  
 24 MR. JUSTICE NICOL: I am not sure that putting Mr. Depp to a  
 25 memory test of various texts is going to be helpful.

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1 DEPP - WASS  
 2 MS. WASS: My Lord, that concludes that episode. It has taken,  
 3 I am afraid, considerably longer than I had anticipated. I do  
 4 not know if my Lord was thinking of rising now, but could I  
 5 address the court about timetable, please?  
 6 MR. JUSTICE NICOL: Yes, indeed. Can Mr. Depp stand down from the  
 7 witness box while you do so?  
 8 MS. WASS: Of course, it is my Lord's prerogative to allow him to  
 9 do that, but I would have no objection.  
 10 MR. JUSTICE NICOL: Good. Then, Mr. Depp, you are going to  
 11 continue your evidence tomorrow.  
 12 THE WITNESS: Yes, sir.  
 13 MR. JUSTICE NICOL: What I have said to you previously about not  
 14 talking to anybody about your evidence continues.  
 15 THE WITNESS: Yes, sir.  
 16 MR. JUSTICE NICOL: But I am going to carry on hearing something  
 17 that Ms. Wass wants to say to me about timing.  
 18 THE WITNESS: Certainly. Thank you very much. Again, my  
 19 apologies for misrepresenting a situation. I was not fully  
 20 aware of the entire thing so pardon me.  
 21 MR. JUSTICE NICOL: All right, thank you.  
 22 THE WITNESS: My apologies, thank you.  
 23 (The witness stood down)  
 24  
 25

[Page 339]

1 DISCUSSION  
 2 MR. JUSTICE NICOL: Yes, Ms. Wass.  
 3 MS. WASS: My Lord, there were three days set aside for  
 4 cross-examination of the claimant in this case. Two matters  
 5 have really made that or caused that timetable to be called  
 6 into question. The first is that yesterday -- it was only  
 7 yesterday -- I have not got the exact time, but Mr. Sherborne  
 8 asked to ask some questions in chief. It took slightly longer  
 9 than he anticipated and I make no criticism of Mr. Sherborne  
 10 in that regard because Mr. Depp likes to give very full  
 11 answers, as some witnesses do, and again it is no criticism of  
 12 that witness. However, it has taken considerably longer in  
 13 the main because of the length and repetition of some of the  
 14 answers.  
 15 The position is that -- and last night I appreciated the  
 16 words that my Lord indicated at the close of the day yesterday  
 17 that really we were hoping to stick by the timetable --  
 18 I revised and hoped to get through seven of the incidents  
 19 today. I have got through three. Not all of them are long,  
 20 as my Lord knows, but in some cases, such as the Boston plane  
 21 incident, there is a lot of evidence and Mr. Depp, as my Lord  
 22 appreciates, now he has seen it, has given an account which is  
 23 more consistent with the defence case than the claimant's  
 24 case.  
 25 MR. JUSTICE NICOL: Now, Ms. Wass, we are towards the end of the

[Page 340]

1 DISCUSSION  
 2 day. Let us keep to what you want to say about timing.  
 3 MS. WASS: I have had an opportunity of speaking to those  
 4 instructing me and my juniors about timing and I would ask  
 5 that Friday morning is allocated for Mr. Depp's evidence. The  
 6 good news, if I can put it this way, is that we have all  
 7 considered the length of cross-examination of the claimant's  
 8 witnesses.  
 9 MR. JUSTICE NICOL: The other witnesses.  
 10 MS. WASS: The other witnesses, sorry, yes. Has my Lord got a  
 11 copy of the up-to-date timetable?  
 12 MR. JUSTICE NICOL: Just a moment. (Pause) Yes.  
 13 MS. WASS: My Lord will see that on Friday 10th, the witnesses are  
 14 Sean Bett, who is, I think, at court at the moment -- he is  
 15 one of Mr. Depp's guards -- and Kevin Murphy. Mr. Bett will  
 16 not be a lengthy witness. Mr. Murphy will be lengthier than  
 17 some, but certainly not half a day. It may well be that if he  
 18 is put on a morning, either on Monday or Tuesday, Tuesday  
 19 preferably, or actually Wednesday or Thursday, any of those  
 20 mornings could accommodate a witness of the length of  
 21 Mr. Murphy, and Mr. Bett could easily be accommodated in one  
 22 of the other days. So, my application is that given the  
 23 difficulties that have arisen, consideration is given to  
 24 revising the timetable.  
 25 MR. JUSTICE NICOL: Right.

[43] (Pages 337 to 340)



[Page 2104]

1 HEARD - WASS

2 MS. WASS: What was the arrangement as you understood it to be?

3 THE WITNESS: That he would be within shouting distance, so it was  
4 not just Johnny's security.

5 MR. JUSTICE NICOL: Just a minute. (Pause)

6 MS. WASS: Would my Lord give me a moment, please.

7 MR. JUSTICE NICOL: Sure. (Pause)

8 MS. WASS: Can you explain what you meant by saying it was not  
9 just Johnny's security; why was, what did you mean?10 THE WITNESS: They never, they did not, I did not feel safe with  
11 just them. They did not step in to ever protect me.12 Q. As far as Mr. Carino was concerned, how did you feel about his  
13 presence?14 A. I accepted at the time that he may be a mutual friend and  
15 could advocate for us to have this meeting.16 Q. Did you ever envisage that you were going to be alone with  
17 Mr. Depp?

18 A. No. I always was under the understanding ---

19 MR. JUSTICE NICOL: Just hold on a moment. Ms. Laws, you wanted  
20 to make an objection.21 MS. LAWS: My Lord, yes, I do object. Obviously that is a leading  
22 question. I did ask about this meeting, and the fact it was  
23 in breach of a restraining order, but I think the questions,  
24 if I may say so, ought not to be leading on this.

25 MR. JUSTICE NICOL: Yes.

[Page 2106]

1 HEARD - WASS

2 I did not want to talk about everything that we, that happened  
3 in our marriage and in our relationship. I did not want to  
4 put Johnny in a situation where the world or his kids would  
5 know fully what he was or what he could do. It is  
6 embarrassing.7 Q. Did you want to involve yourself in court proceedings in  
8 relation to your domestic history?9 A. No. No. I just wanted to be left alone. I just wanted him  
10 to leave me alone.11 Q. Just dealing with the suggestion that is made on behalf of  
12 Mr. Depp, that this is an elaborate hoax, you are not the  
13 victim of domestic violence, you have manipulated pictures,  
14 painted on bruises, destroyed property with your friends in  
15 order to implicate Mr. Depp, can I ask you this: has there  
16 been any benefit to your career since you have made these  
17 allegations against Mr. Depp?18 A. No. What woman has ever benefited from being the victim of  
19 domestic violence, especially accusing a powerful member or  
20 entity or one of them in her own industry.21 Q. The suggestion of a hoax indicates there might be benefit to  
22 you, I am asking you, have you benefited financially in any  
23 way from exposing what has happened?24 A. Not at all. I married and divorced Johnny without a pre-nup  
25 in a no fault State. In other words, my Lord, I did not have

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1 HEARD - WASS

2 MS. WASS: How were you feeling about seeing Mr. Depp?

3 MR. JUSTICE NICOL: Well, Ms. Wass, if you want to ask further  
4 questions on this topic, you may, but they must not be  
5 leading, and I think in the totality of her evidence,  
6 Ms. Heard has already painted a picture.

7 MS. WASS: All right. In that case, I will not pursue this.

8 I want to ask you about an answer you gave to Ms. Laws in  
9 respect of questions about whether matters were going to stay  
10 private or become public, do you understand, after the  
11 restraining order?

12 THE WITNESS: Yes.

13 Q. And you said this: "I was trying to save him the  
14 embarrassment, and this, frankly".

15 MR. JUSTICE NICOL: Save him the embarrassment and what was ---

16 MS. WASS: "And this", tell us what were you referring to?

17 THE WITNESS: I gestured to the courtroom. I meant no offence to  
18 this proceeding, I just meant ---

19 Q. Can you explain what you meant by that?

20 A. Every day more and more attacks were coming out against me and  
21 accusing me of being a liar and was forcing me in a position  
22 where I would be increasingly aware I would have to at some  
23 point speak to prove it or speak out against it. I did not  
24 want to do this. I did not want to expose this. I did not  
25 want to expose the totality of what really happened to me

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1 HEARD - WASS

2 to prove -- I was entitled to 50% of his and he of mine  
3 without having to prove anything happened in the marriage, bad  
4 or good. It is a no fault State. I was entitled to 50% ---5 MR. JUSTICE NICOL: Now, Ms. Heard, you have heard me deal at an  
6 earlier stage in the trial with issues of expertise on  
7 California law. Our rules limit the ability of people to give  
8 expert evidence to people who have that expertise; and nobody  
9 has suggested that you have that expertise in California  
10 divorce law. So, I am going to curtail that part of your  
11 answer.12 MS. WASS: That only leaves me to ask one question. Have you told  
13 the truth in court?

14 THE WITNESS: Absolutely.

15 MS. WASS: Thank you very much indeed. Has my Lord any questions  
16 of Ms. Heard?17 MR. JUSTICE NICOL: Just a minute. (Pause) I do not think so,  
18 thank you very much. Between you, you have covered what  
19 I was going to ask.

20 MS. WASS: May Ms. Heard leave the witness box?

21 MR. JUSTICE NICOL: I was just about to thank her for giving her  
22 evidence. Once I have done that, of course, Ms. Heard, you  
23 are free to leave. The restrictions that I have put on you  
24 about talking about your evidence until it has concluded has  
25 now come to an end. Thank you for giving your evidence in



[Page 2501]

1 CLOSING - SHERBORNE

2 presented.

3 The first issue which your Lordship will need to decide,  
4 and one we say will not take you much time to do so, is the  
5 meaning of the article. The claimant's meaning is that  
6 Mr. Depp was guilty on overwhelming evidence of serious  
7 domestic violence —

8 MR. JUSTICE NICOL: Let me just look at the pleadings.

9 MR. SHERBORNE: Your Lordship will find them in file 1, tab 13.

10 Does your Lordship have tab 13?

11 MR. JUSTICE NICOL: I do.

12 MR. SHERBORNE: If you turn to internal page — perhaps it is  
13 easier if I tell your Lordship.

14 MR. JUSTICE NICOL: Paragraph 10.

15 MR. SHERBORNE: Paragraph 10. Just to make good what I said to  
16 your Lordship moments ago, there it says that "the claimant  
17 was guilty on overwhelming evidence of serious domestic  
18 violence against his then wife", and then these important  
19 words, "causing significant injury and leading to her fearing  
20 for her life, for which the claimant was constrained to pay no  
21 less than £5 million to compensate her, and which resulted in  
22 him being subjected to a continuing court restraining order,  
23 and for that reason he is not fit to work in the film  
24 industry."

25 Just to make good what I said to your Lordship before

[Page 2503]

1 CLOSING - SHERBORNE

2 of them, some nothing to do with him — who have come along to  
3 give their evidence and themselves be accused of lying for  
4 Mr. Depp. It was in one sweep by Ms. Wass, as she gave  
5 yesterday in her closing submissions, regardless of the fact  
6 that a number of them do not even work for Mr. Depp or do not  
7 have to rely on him for their livelihood, as they made plain  
8 in their evidence.

9 Yes, we say, why else would Mr. Depp, this very private  
10 man as he explained, expose all the most intimate details of  
11 his personal life, even the very little privacy that he has  
12 managed to maintain despite his successful career as an actor?  
13 The point will not be lost on your Lordship any more than it  
14 is lost on those outside of this courtroom.

15 As for the defendants, they could have just ignored  
16 Ms. Heard's claims, but they chose not to. They could have  
17 just reported them alongside Mr. Depp's position, but they  
18 deliberately decided not to do so. They chose instead, as I  
19 say, to convict Mr. Depp and that is what they seek to do in  
20 this court, to prove that this reputation-destroying  
21 career-ending allegation is true. That is what your Lordship  
22 is concerned about, true or not.

23 So, as I say, that is the short answer as to why we are  
24 here, but there is also a longer answer, and it goes back  
25 beyond the article being published in 2018. It goes to May

[Page 2502]

1 CLOSING - SHERBORNE

2 about allegations which required some evidence to meet them,  
3 your Lordship will find them if you turn over the page to  
4 page 10. You will find a series of allegations relating to  
5 the way in which, as I say, the article was not properly  
6 researched and was presented in a wholly one-sided manner.  
7 There is no evidence at all from the defendants' journalists  
8 to meet that.

9 As if that is not enough, your Lordship will see, and  
10 I ask you to read, paragraph 13.5 of the Particulars dealing  
11 with Ms. Kendall and the way in which she was misquoted  
12 because I will have things to say about that in due course.  
13 For the moment, that is the meaning which we ask your Lordship  
14 to find.

15 Mr. Depp, as we say, was tried, convicted, and  
16 sentenced. That is what the article suggests. So the short  
17 answer is that we are all here because the newspaper, and  
18 Mr. Wootton, chose to publish this extremely serious  
19 allegation, an allegation which Mr. Depp says, and has always  
20 said, is completely untrue. Not only that, they have  
21 persisted in saying that it is true, and I will have more to  
22 say about that in due course. That is why Mr. Depp is  
23 bringing this claim for libel, subjecting himself to this  
24 painful public process, because he knows it is untrue, as do  
25 all the people from various walks of his life — friends, some

[Page 2504]

1 CLOSING - SHERBORNE

2 27th, 2016, to a scene we have watched on the screen before  
3 you, to Ms. Heard outside a courtroom in Los Angeles,  
4 surrounded by paparazzi photographers and the media, and  
5 sporting rather visible bruises. That is when her story  
6 started, as far-fetched as we say it has proved to be, when  
7 she first decided to tell the world that Mr. Depp was a  
8 wife-beater. It is hard to think of a more public way to do  
9 this, however much she protested to the contrary. She has set  
10 herself up ever since as an advocate of the #MeToo movement,  
11 and in the process, we say, she has picked up her theme and  
12 run with it. New allegations of domestic violence have  
13 tumbled out over the years, new twists to those allegations  
14 and even more in the last few days before trial and in this  
15 courtroom as she gave her evidence, particularly in  
16 re-examination. It is hard to keep up with them. Even the  
17 defendants have not pursued many of the most recent ones,  
18 quite what your Lordship is meant to do about that I cannot  
19 say. You can imagine though how Mr. Depp feels about it,  
20 given that some of them were not even put to him.

21 So, the longer answer as to why we are here is because  
22 Ms. Heard has chosen to tell the whole world about her  
23 allegations of domestic violence. This is nothing to do with  
24 Mr. Depp's supposed PR machine or his supposed influence in  
25 Hollywood. This is because Ms. Heard has wanted to tell her

[3] (Pages 2501 to 2504)



[Page 2505]

1 CLOSING - SHERBORNE  
 2 story. On any view, we say, Ms. Heard is a complex  
 3 individual, with a complex history, medical, emotional, as she  
 4 described to the professionals who looked after her. Why has  
 5 she chosen to publicise her claims is really not something  
 6 that this court needs to answer, because this claim is not  
 7 brought against Ms. Heard; it is brought against The Sun  
 8 newspaper and Mr. Wootton.  
 9 Turning to what your Lordship needs to decide, as you  
 10 have said on more than one occasion, and with respect rightly,  
 11 this court needs to decide whether the allegation that  
 12 Mr. Depp is guilty of serious physical assaults on Ms. Heard,  
 13 causing her significant injuries, is true or not.  
 14 MR. JUSTICE NICOL: Just a minute. (Pause) Yes.  
 15 MR. SHERBORNE: There is a little more to it than that, let me  
 16 explain. First of all, the burden of proof is obviously on  
 17 the defendants. They need to convince your Lordship that the  
 18 allegation is true. Now, given that this is to all intents  
 19 and purposes an allegation of criminality, serious  
 20 criminality, the court has always required a higher degree of  
 21 proof.  
 22 MR. JUSTICE NICOL: Just a minute. (Pause)  
 23 MR. SHERBORNE: I understand your Lordship wants to take a note  
 24 and I am not trying to dissuade your Lordship, but just for  
 25 your Lordship's reassurance, this is dealt with in our closing

[Page 2506]

1 CLOSING - SHERBORNE  
 2 skeleton as you will see.  
 3 The way in which the court has required a higher degree  
 4 of proof has been expressed in different ways in different  
 5 cases. It comes down to this: this court requires compelling  
 6 and cogent evidence before it will find that an allegation  
 7 that someone is guilty of a serious criminal offence is true;  
 8 evidence which is clear, consistent and forceful. Why is this  
 9 so important? Well, as the authorities recognise, it is  
 10 effectively the operation of the cornerstone principle of the  
 11 presumption of innocence. The Sun may have forgotten that;  
 12 Mr. Wootton, the author of the article, may have forgotten  
 13 that it appears; but your Lordship will not. It is of  
 14 particular importance in a case such as this.  
 15 MR. JUSTICE NICOL: The presumption of innocence is important  
 16 because someone ought not to be convicted of a criminal  
 17 offence unless they are proved to be guilty to the requisite  
 18 standard.  
 19 MR. SHERBORNE: My Lord, yes.  
 20 MR. JUSTICE NICOL: I am not deciding, I am not charged with  
 21 convicting anybody.  
 22 MR. SHERBORNE: My Lord, if you look, for example, I think it is  
 23 Eady J in the Lillie & Reed case, it is in our closing  
 24 skeleton, there are a number of authorities. I will not take  
 25 time, if you do not mind, just because there is a lot to deal

[Page 2507]

1 CLOSING - SHERBORNE  
 2 with, but if your Lordship wants me to address it later,  
 3 I will do. As I say, the authorities are very clear on this.  
 4 The reason why cogent and compelling evidence is used is  
 5 because it is effectively a way of ensuring that the  
 6 presumption of innocence is not trampled over, even in civil  
 7 cases where, of course, as you are here, dealing with a  
 8 serious criminal allegation. As I say, it is of particular  
 9 importance in a case such as this, where there are two  
 10 diametrically opposed accounts, one side is obviously lying  
 11 and one side is telling the truth.  
 12 Critically, for all but one of the alleged incidents,  
 13 the acts of physical violence which the defendants are  
 14 required to prove rely entirely on the account given by  
 15 Ms. Amber Heard. Other than the alleged incident in March  
 16 2015, at the top of the stairs, in penthouse 3 of the Eastern  
 17 Columbia Building, which her sister Whitney is meant to have  
 18 witnessed. I will have more to say about Ms. Whitney Heard's  
 19 evidence and its reliability in due course. Suffice to it say  
 20 for the moment that she has proven herself, as we say, willing  
 21 to lie to this court on oath in order to protect her big  
 22 sister, not once, but on a number of occasions. She plainly  
 23 tailored her evidence to meet the changes which Ms. Heard had  
 24 been forced to make to her story, with one eye, at all times,  
 25 on her big sister throughout her testimony, both

[Page 2508]

1 CLOSING - SHERBORNE  
 2 metaphorically and as we observed quite literally. Put  
 3 bluntly, this one individual said to be a witness for Mr. Depp  
 4 supposedly attacking Ms. Heard is a witness that this court  
 5 simply cannot trust.  
 6 As to the evidence given by Ms. Heard's small and  
 7 supportive group of friends, the ones that is who have stuck  
 8 by her, or her story, it is almost entirely based on what  
 9 Ms. Heard has herself told them and is little more than  
 10 hearsay. Certainly, up until the staged events of 21st May  
 11 2016.  
 12 MR. JUSTICE NICOL: Just a minute. (Pause).  
 13 MR. SHERBORNE: We say that they have been drawn into supporting  
 14 her account, even at the cost of lying to this court, whether  
 15 because they want to please her or because of the exercise of  
 16 control which she seems to have; as other witnesses have  
 17 testified to, with whom she came into contact. After all, as  
 18 she said in a text message sent by her to her friends from  
 19 Mr. Depp's phone in August 2014, to which I will take this  
 20 court in due course, "This is Amber", she says, "and I get  
 21 what I want." A message which we say represents a powerful  
 22 reminder of what so much of this case is about.  
 23 For these reasons, your Lordship will need to scrutinise  
 24 the evidence of Ms. Heard with considerable care and assess  
 25 her credibility since so much depends on it. The defendants

[4] (Pages 2505 to 2508)



|    |   |          |
|----|---|----------|
| 1  | yellow bellied?                                     | 14:17:39 |
| 2  | A No, I didn't consider Jerry Bruckheimer           | 14:17:41 |
| 3  | to be yellow --                                     | 14:17:46 |
| 4  | Q Did you consider Sean Bailey to be yellow         | 14:17:46 |
| 5  | bellied?  | 14:17:50 |
| 6  | A Yeah.   | 14:17:50 |
| 7  | Q Why?  | 14:17:50 |
| 8  | A Because he wasn't man enough to --                | 14:17:52 |
| 9  | listen, I was involved in five films in that series | 14:17:59 |
| 10 | of Pirates of the Caribbean, and I was very lucky   | 14:18:06 |
| 11 | to be a part of that, and I was very happy -- I'm   | 14:18:10 |
| 12 | happy still that I was a part of that because I     | 14:18:14 |
| 13 | have a character that has made a lot of people      | 14:18:16 |
| 14 | smile and happy, and that gives me great pleasure,  | 14:18:20 |
| 15 | but when -- when these people, who have made        | 14:18:26 |
| 16 | upwards of four, five, six, seven billion, eight    | 14:18:35 |
| 17 | billion dollars on a ration of films that you've    | 14:18:42 |
| 18 | done for them and your character is on the ride in  | 14:18:49 |
| 19 | Disneyland in three different spots and in Shanghai | 14:18:58 |
| 20 | and in Orlando and all over the place, I've found   | 14:19:02 |
| 21 | it fascinating that not one call.                   | 14:19:06 |
| 22 | Nobody was man enough to give me the boot           | 14:19:09 |

|    |   |          |
|----|---|----------|
| 1  | based on allegations, and -- but it was still okay  | 14:19:14 |
| 2  | to leave the supposed wife-beater on the rides, and | 14:19:24 |
| 3  | it's still okay for them to sell merchandise of the | 14:19:31 |
| 4  | supposed wife-beater, and they can still sell       | 14:19:35 |
| 5  | action figures of the supposed wife-beater. They    | 14:19:40 |
| 6  | haven't taken me off their rides. So I would say    | 14:19:44 |
| 7  | that something's rotten in the state of Denmark.    | 14:19:50 |
| 8  | Q Do you know for sure that you are not             | 14:19:55 |
| 9  | going to be part of Pirates 6?                      | 14:19:58 |
| 10 | A Without question.                                 | 14:20:00 |
| 11 | Q And is that based only on the article             | 14:20:02 |
| 12 | that came out sometime after the op ed?             | 14:20:05 |
| 13 | MR. CHEW: Objection to form of the                  | 14:20:08 |
| 14 | question. I think it misstates the testimony, but   | 14:20:13 |
| 15 | you may answer.                                     | 14:20:16 |
| 16 | A I don't -- I don't recall the dates of            | 14:20:17 |
| 17 | what went first, how this all went down. I'm        | 14:20:23 |
| 18 | sorry, your question again?                         | 14:20:30 |
| 19 | Q Do you know for certain --                        | 14:20:32 |
| 20 | A Right.  | 14:20:33 |
| 21 | Q -- that you are not on Pirates 6?                 | 14:20:34 |
| 22 | A Oh, that I said yes, no.                          | 14:20:36 |



|    |   |   |          |
|----|---|---|----------|
| 1  | Q | And then I said is that --                          | 14:20:38 |
| 2  | A | Correct.  |          |
| 3  | Q | -- based on the article in the newspaper            | 14:20:40 |
| 4  |   | sometime shortly after the op ed from Amber Heard.  | 14:20:43 |
| 5  | A | Yes, I believe it's from that, and I                | 14:20:49 |
| 6  |   | believe it's from the global barrage of -- of       | 14:20:52 |
| 7  |   | fraudulent claims against me that -- that have      | 14:20:59 |
| 8  |   | flown throughout the world on this thing called the | 14:21:04 |
| 9  |   | internet and in various magazines and all that. As  | 14:21:11 |
| 10 |   | I've stated earlier, things that she said, did,     | 14:21:18 |
| 11 |   | yeah, I believe of course, there was no way they    | 14:21:28 |
| 12 |   | were going to let me in Pirates -- they were going  | 14:21:35 |
| 13 |   | to bring me into Pirates 6 if someone's out there   | 14:21:38 |
| 14 |   | screaming about you being this horrible human being | 14:21:42 |
| 15 |   | and then the press backs it up and sells it to you, | 14:21:44 |
| 16 |   | sells it, you know?                                 | 14:21:49 |
| 17 | Q | So you assume that because of everything            | 14:21:51 |
| 18 |   | that's been continuing on in these allegations,     | 14:21:54 |
| 19 |   | that you're not going to be in Pirates 6?           | 14:21:58 |
| 20 |   | MR. CHEW: Objection to the form of the              | 14:22:00 |
| 21 |   | question. It misstates the testimony.               | 14:22:02 |
| 22 | A | I can tell you the God's honest truth               | 14:22:05 |

|    |   |          |
|----|---|----------|
| 1  | right now, based on everything, if they came to me  | 14:22:08 |
| 2  | with \$300 million and a million alpacas, nothing   | 14:22:10 |
| 3  | under this earth, on this earth would get me to go  | 14:22:21 |
| 4  | back and work with Disney on a Pirates of the       | 14:22:26 |
| 5  | Caribbean film.                                     | 14:22:29 |
| 6  | Q Okay, thank you. If -- in your                    | 14:22:30 |
| 7  | complaint, you said at paragraph 5, quote, "Mr.     | 14:22:40 |
| 8  | Depp's reputation and career were devastated when   | 14:22:45 |
| 9  | Ms. Heard first accused him of domestic violence on | 14:22:50 |
| 10 | May 27, 2016," end of quote. In what way was your   | 14:22:53 |
| 11 | career devastated at that point?                    | 14:23:01 |
| 12 | MR. CHEW: Excuse me. Which complaint                | 14:23:03 |
| 13 | are you referring to?                               | 14:23:04 |
| 14 | MS. CHARLSON BREDEHOFT: His complaint.              | 14:23:05 |
| 15 | MR. CHEW: Could you show it to him?                 | 14:23:06 |
| 16 | MS. CHARLSON BREDEHOFT: No, I don't need            | 14:23:08 |
| 17 | to show it to him. I just quoted it.                | 14:23:09 |
| 18 | MR. CHEW: You don't need to show him a              | 14:23:11 |
| 19 | document you're asking him about?                   | 14:23:13 |
| 20 | BY MS. CHARLSON BREDEHOFT:                          | 14:23:15 |
| 21 | Q That's correct, I absolutely don't have           | 14:23:15 |
| 22 | to. I'm asking him what his -- was your career in   | 14:23:16 |

1     geez, what's the word count and all that? I don't  
2     need it. It's now -- this -- is it public, this  
3     right here, his -- his decision?

4             Q     You don't get to ask me a question, but I  
5     did ask you, you're aware that it's public.

6             A     Ah, that's a good --

7             Q     So --

8             A     Well --

9             Q     If it had been in your favor, you  
10    would've agreed with him and thought he was right  
11    and have been thrilled with his decision, wouldn't  
12    you?

13            MR. CHEW: Objection to the form of the  
14    question, calls for speculation, but you may  
15    answer.

16    BY MS. CHARLSON BREDEHOFT:

17            Q     You would have believed you were  
18    vindicated, would you not?

19            MR. CHEW: Objection to the form of the  
20    question. It's a hypothetical question to a fact  
21    witness.

22            A     I'm going to say the same thing that I

1 suggest that Elon Musk is financing or behind Amber 17:02:04  
2 Heard claiming that she has been domestically 17:02:10  
3 abused and violent -- and the victim of domestic 17:02:14  
4 violence by you? 17:02:19

5 MR. CHEW: And just to be clear, Johnny, 17:02:20  
6 you cannot answer that if the information came from 17:02:21  
7 your counsel. 17:02:25

8 A It's not going to be answered. It can't 17:02:26  
9 be answered. 17:02:28

10 Q So the answer would be no, you have 17:02:29  
11 nothing other than communications with counsel; is 17:02:31  
12 that correct? 17:02:34

13 A Yes. 17:02:34

14 Q So let's go back. Do you have any 17:02:35  
15 evidence of even a dollar that Amber Heard has made 17:02:43  
16 based on the fact that she has come forward and 17:02:47  
17 said she's the victim of domestic abuse and 17:02:50  
18 violence by you? 17:02:53

19 MR. CHEW: Objection, asked and answered, 17:02:54  
20 calls for speculation, but you may answer one last 17:02:56  
21 time. 17:02:59

22 A You want to know if I have proof of that. 17:02:59



|    |   |          |
|----|---|----------|
| 1  | No, I can't say that I do. I haven't really         | 17:03:02 |
| 2  | checked in with her.                                | 17:03:04 |
| 3  | Q Do you have any evidence at all that              | 17:03:05 |
| 4  | Amber Heard has received any kind of movie role or  | 17:03:08 |
| 5  | opportunity as a result of saying -- coming forward | 17:03:13 |
| 6  | and saying that she was the victim of domestic      | 17:03:17 |
| 7  | violence and abuse by you?                          | 17:03:19 |
| 8  | A I don't know the answer to that.                  | 17:03:21 |
| 9  | Q All right. What do you think your                 | 17:03:27 |
| 10 | reputation is today?                                | 17:03:33 |
| 11 | MR. CHEW: Objection. That's vague and               | 17:03:34 |
| 12 | ambiguous.  | 17:03:35 |
| 13 | THE WITNESS: That's --                              | 17:03:36 |
| 14 | MR. CHEW: Objection to the form of the              | 17:03:37 |
| 15 | question, vague and ambiguous.                      | 17:03:38 |
| 16 | BY MS. CHARLSON BREDEHOFT:                          | 17:03:40 |
| 17 | Q You have contended that you are damaged           | 17:03:40 |
| 18 | in your complaint, your reputation is damaged.      | 17:03:42 |
| 19 | What is your reputation --                          | 17:03:46 |
| 20 | MR. CHEW: Objection to the form of the              | 17:03:48 |
| 21 | question.   | 17:03:49 |
| 22 | BY MS. CHARLSON BREDEHOFT:                          | 17:03:50 |

1 did yesterday to you, and I hope -- I hope this  
2 makes sense. Whether Justice Nicol saw things in  
3 favor of my case against The Sun or not, whether  
4 this case, wherever this may land us, let's say, if  
5 -- if I won every case, if I won every little  
6 trinket or whatever, I still will lose -- I've  
7 still lost, and that started April 22nd and then  
8 the last time I saw her in May or whatever it was  
9 or --

10 Q 2016.

11 A Somewhere. I've still lost, you  
12 understand, because I will carry this with me,  
13 baggage, the baggage of it, the accusations.  
14 Whether I win or whether I'm deemed some kind of  
15 horrible creature that should be locked in a jail  
16 cell or in a tomb or whether I'm king of the  
17 universe, I've lost. I've already lost by the  
18 damage done. So my continuing my search for the  
19 truth, my continuing to demand the truth is not for  
20 me to win, but it's for the people out there, the  
21 women, the victims of this type of thing who are  
22 not believed, who are being lied to by your client

1 pretending to be some new messiah of the women's  
2 movement. She is a fraud. Anything else? So if I  
3 can help other people by continuing, I certainly  
4 will now.

5 MR. CHEW: This is 11? Thank you.

6 (Deposition Exhibit Number 11 was marked  
7 for identification.)

8 THE WITNESS: Thank you.

9 BY MS. CHARLSON BREDEHOFT:

10 Q I want to show you what has been marked  
11 as Deposition Exhibit Number 11, and this is an  
12 article in February 2019 talking about a lawsuit  
13 that was brought in May of 2018 by two of your body  
14 guards, Eugene Arreola and Miguel Sanchez.

15 A Yes, ma'am.

16 Q Do you see that?

17 A Yes, ma'am.

18 Q And if you could move down to the bottom  
19 of the first page, this is an article about it from  
20 Blumenthal et cetera. BNBD is easier than saying  
21 all those names.

22 MR. CHEW: And De Blouw.



|    |   |          |
|----|---|----------|
| 1  | rely on my counsel to alert me to those -- those    | 12:41:06 |
| 2  | things.   | 12:41:12 |
| 3  | Q And do you understand in this lawsuit,            | 12:41:12 |
| 4  | you have the burden of proof to prove that it's     | 12:41:15 |
| 5  | false?  | 12:41:20 |
| 6  | A All right.  | 12:41:21 |
| 7  | Q Do you understand that?                           | 12:41:21 |
| 8  | MR. CHEW: Objection to the form of the              | 12:41:23 |
| 9  | question to the extent -- well, clearly it calls    | 12:41:24 |
| 10 | for a legal conclusion.                             | 12:41:27 |
| 11 | A The burden of proof is on me to prove             | 12:41:28 |
| 12 | that it's false. Well --                            | 12:41:34 |
| 13 | Q I'm just asking if you understand that.           | 12:41:38 |
| 14 | A I walk into this case with what I walked          | 12:41:41 |
| 15 | into the other case with, and that's the truth, and | 12:41:45 |
| 16 | the outcome is the outcome is the outcome. I can't  | 12:41:47 |
| 17 | -- I have nothing to do with that. I can only       | 12:41:51 |
| 18 | speak my truth and hope that justice will in fact   | 12:41:57 |
| 19 | prove that Ms. Heard was not ever touched, abused   | 12:42:07 |
| 20 | by me in any way, shape or form. That's -- that is  | 12:42:16 |
| 21 | the truth.  | 12:42:24 |
| 22 | Q If you view the decision in the U.K. as           | 12:42:25 |



1 an opinion of one man and we go to trial by the 12:42:29  
2 jury and the jury decides in favor of Amber Heard, 12:42:34  
3 is your decision -- is your position going to be 12:42:39  
4 that's the opinion of seven people? 12:42:44

5 MR. CHEW: Objection to the form of the 12:42:46  
6 question. It's a hypothetical question to a fact 12:42:47  
7 witness and it's argumentative. 12:42:50

8 A No, I'm not going to say that's the 12:42:54  
9 opinion of seven people. Listen, it can be the 12:42:56  
10 opinion of one man, it can be the opinion of 200 12:43:01  
11 people, it can be the opinion of a thousand people, 12:43:04  
12 and they could believe that I did do these things, 12:43:07  
13 which I did not take part in any of what Ms. Heard 12:43:12  
14 accuses me of. It is outright fiction, therefore, 12:43:16  
15 I -- I can only hope that people will hear the 12:43:24  
16 truth and understand it to be the truth, but I 12:43:28  
17 don't think that the -- the young soldiers who were 12:43:33  
18 storming the beaches at Normandy -- I don't think 12:43:39  
19 they were saying hey, let's have pizza tonight. I 12:43:43  
20 think that they knew what they'd gone into. 12:43:48

21 So what I'm saying is if -- if this does 12:43:52  
22 come out, the decision in this particular case 12:43:56

1 comes out in Mrs. -- Ms. Heard's favor, then that 12:44:03  
2 is what will happen, but that's not going to make 12:44:07  
3 me go oh, my God, I must have done it. Do you 12:44:11  
4 understand? 12:44:15

5 Q All right, so you're not going to get 12:44:16  
6 what you're seeking anyway. You're not going to 12:44:17  
7 get -- 12:44:20

8 MR. CHEW: Object. 12:44:21

9 A I told you already, I can go through this 12:44:21  
10 case, and if it's -- if it goes in my favor and the 12:44:24  
11 truth is -- it comes out, I think that what that 12:44:30  
12 will do will help the people out there, the women 12:44:33  
13 out there to -- to not have to listen to someone 12:44:40  
14 who's built a foundation, some foundation that they 12:44:55  
15 can stand on, a platform, and then use that 12:44:59  
16 platform to further their image as this great 12:45:02  
17 savior and public speaker and an ambassador to this 12:45:07  
18 or that or this or that. Clearly those are her 12:45:11  
19 goals, and I -- I am not going to be the 12:45:17  
20 springboard that gets her there based on her lies. 12:45:22

21 Q You've asked in your complaint to be 12:45:26  
22 awarded all expenses and costs, including 12:45:29

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

Civil Action No.: CL-2019-0002911

**DEFENDANT'S EXHIBITS  
SUPPLEMENTAL PLEA IN BAR**



01-19-2911

7/22/2021

PSA/jna

John C. Depp II  
supp. PIB

John C. Depp II (Benjamin Chew)

vs.

Amber Lanna Heard (Elaine Bredelhoff)

C/E:V argument

Joshua Tubbs

Planet Depos 11A.

### Exhibits

- Adm 1. Core trial bundle index
2. 1st set of document ref.
3. 2nd set of document ref.
4. 1st set of interrogatories
5. 2nd set of interrogatories
6. 1st ref. for admission
7. 11's designation / 10 of expert witnesses
8. 2nd witness statement
9. transcripts
10. transcripts
11. transcript

Not Adm 12. photo - arm

13. photos - mirror / writing (2)

14. photos - house / clothes (2)

15. photos - Amber Heard (7)

16. photos - Amber Heard (2)

17. Planet Depos transcripts 9.18.2020



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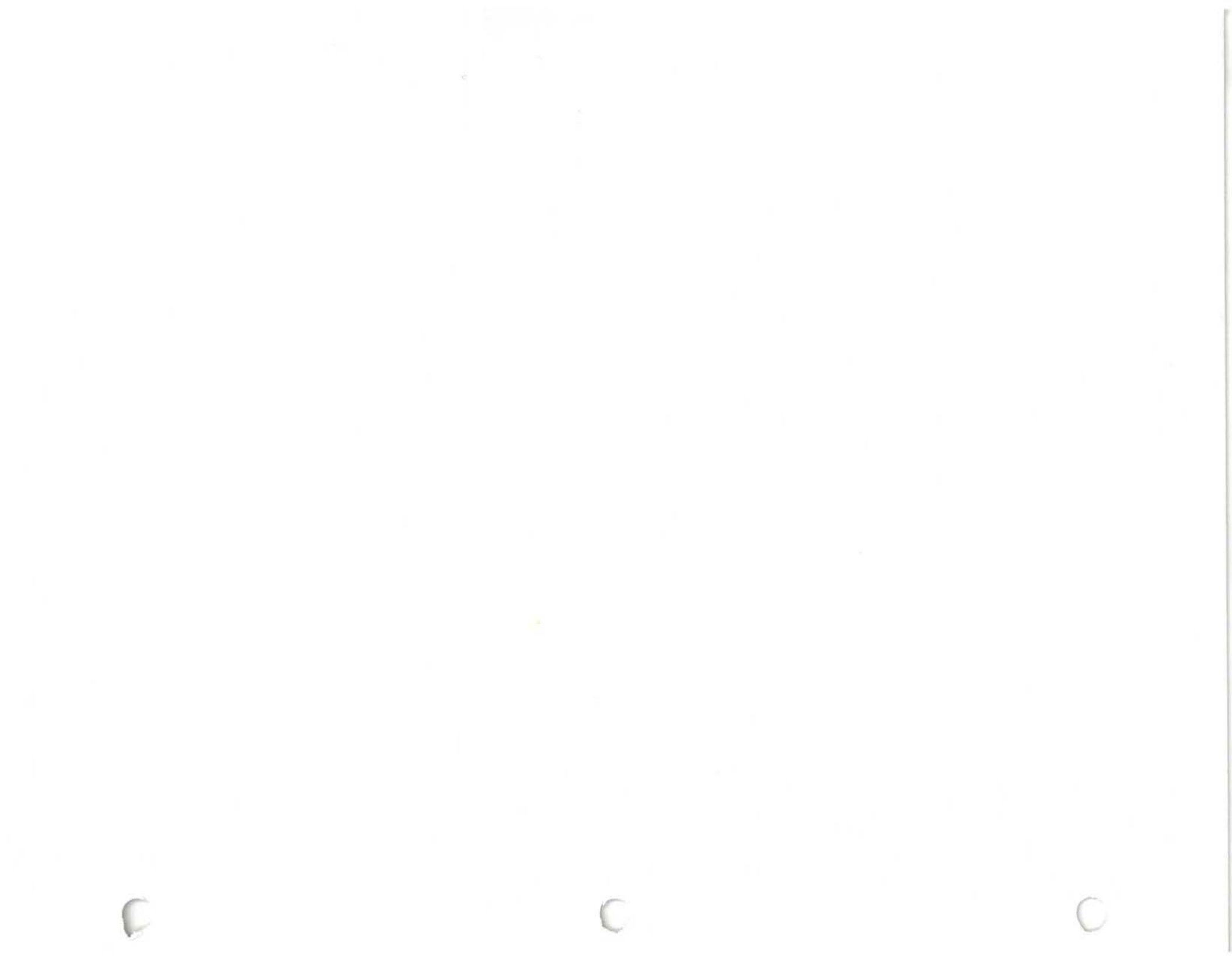
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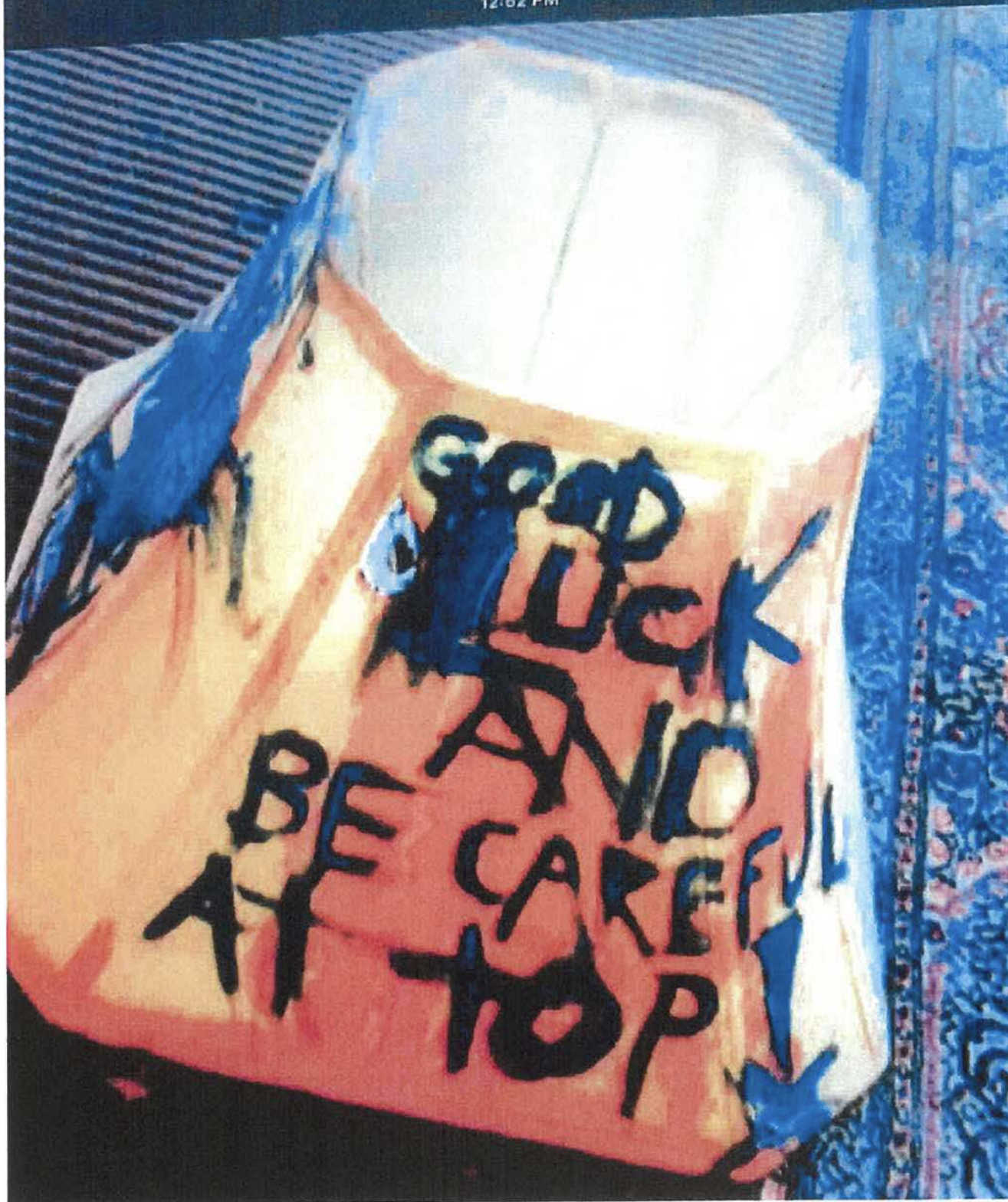


Plt. Def. CW. 13  
Date 7-22-2021  
Judge \_\_\_\_\_  
Case # (L-19-291)  
NVT Adm



Jul 3

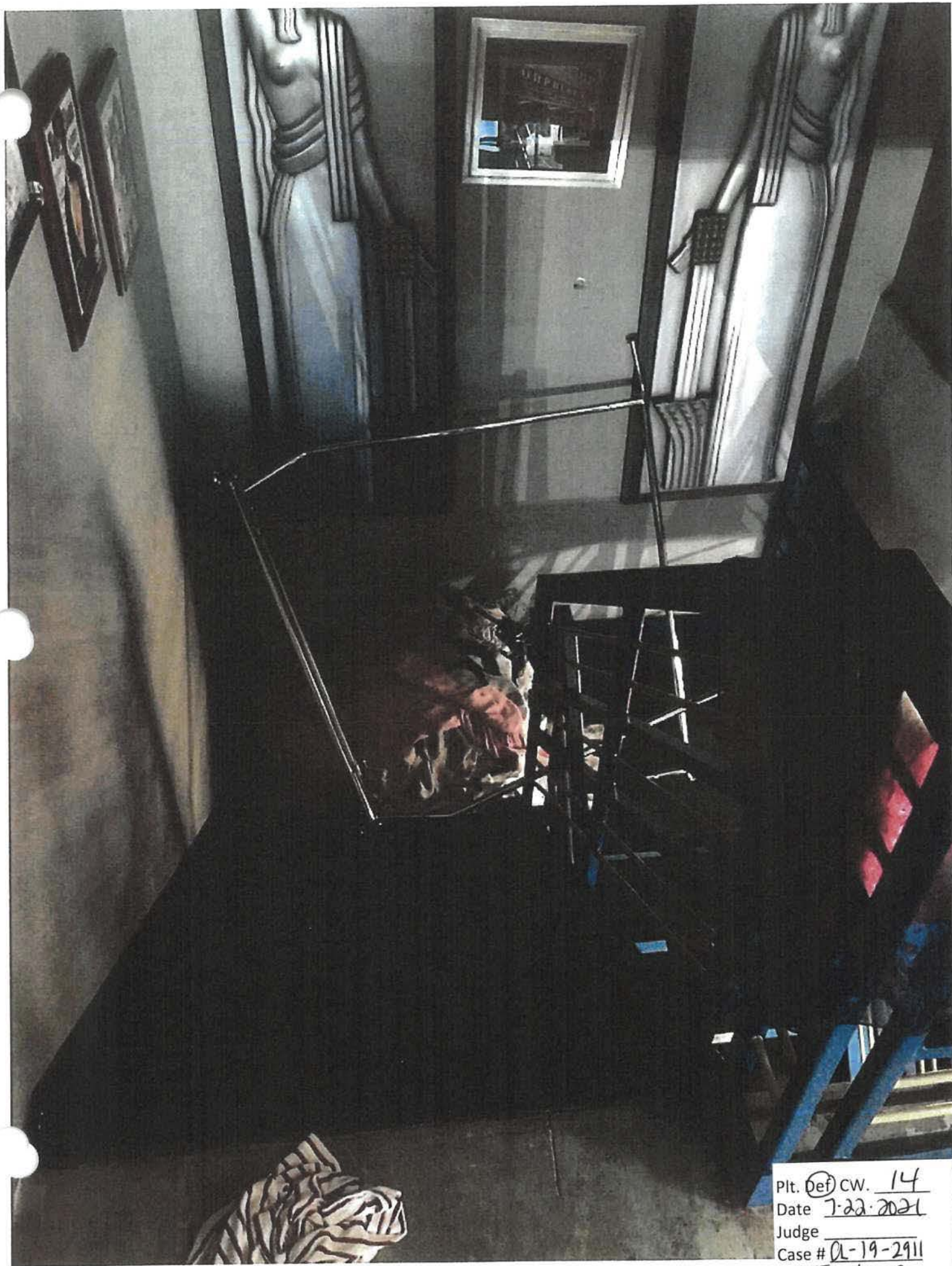
March 8, 2015  
12:52 PM



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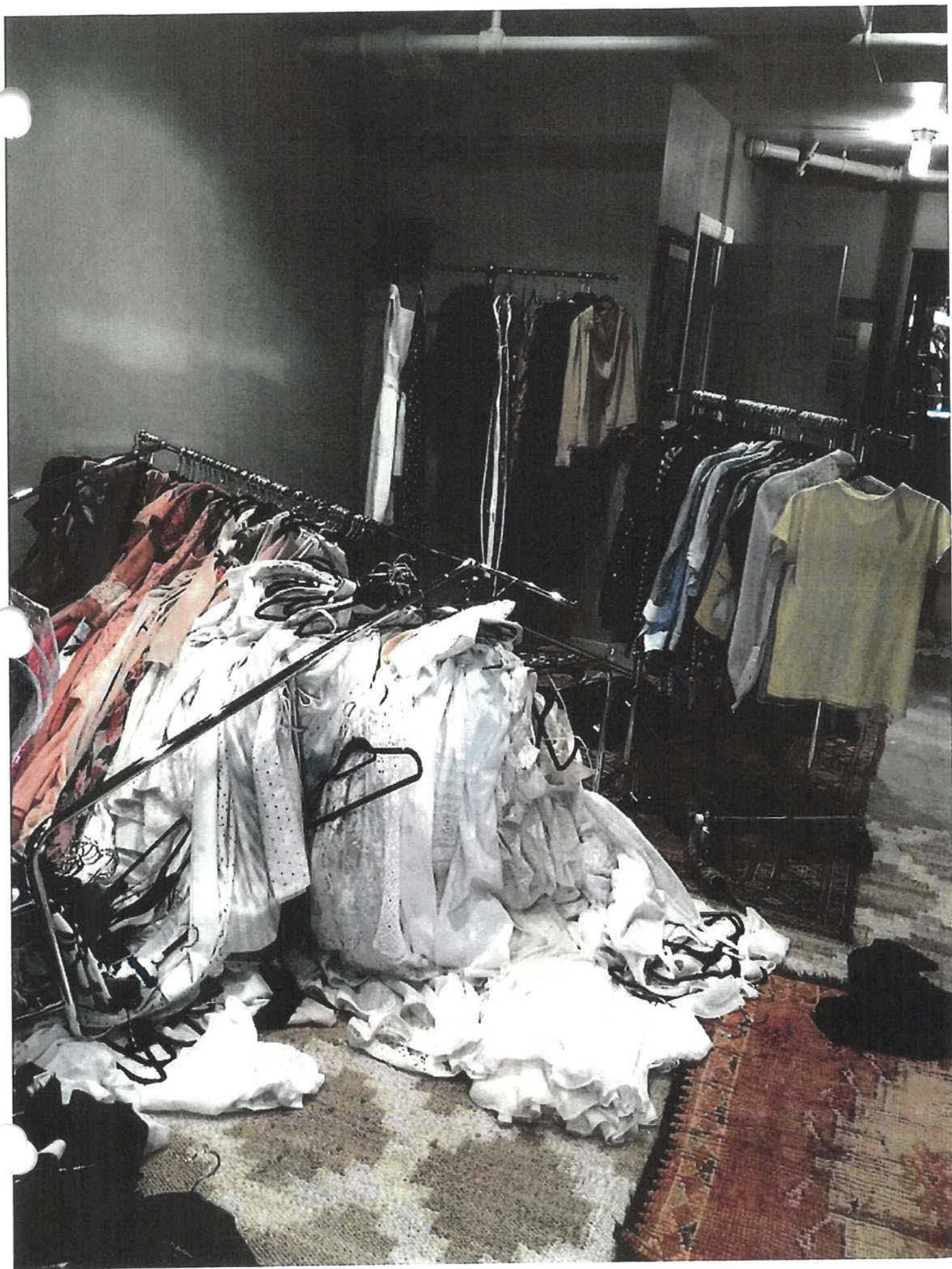






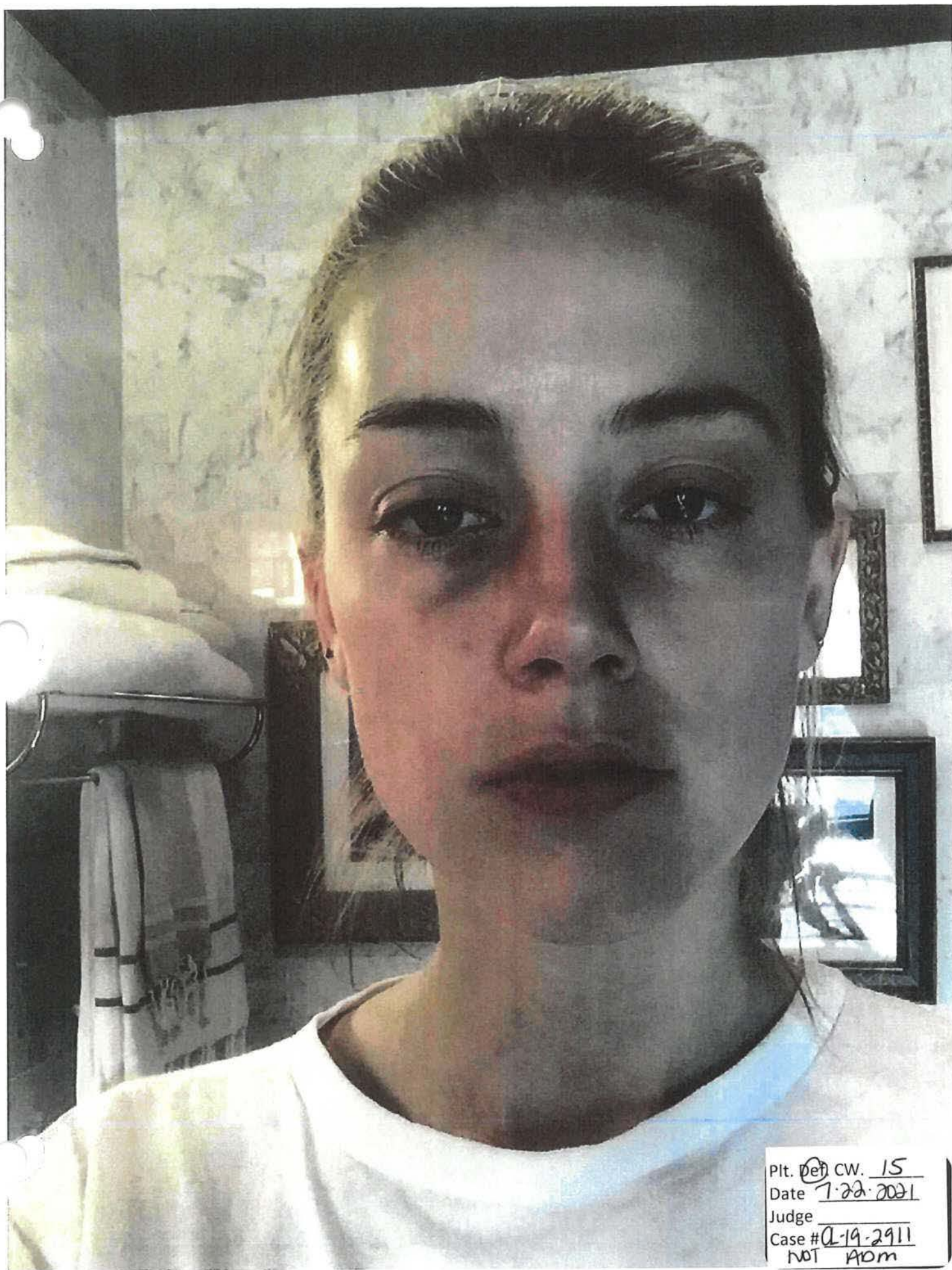
Plt. Def CW. 14  
Date 7-22-2021  
Judge  
Case # 02-19-2911  
NOT torn





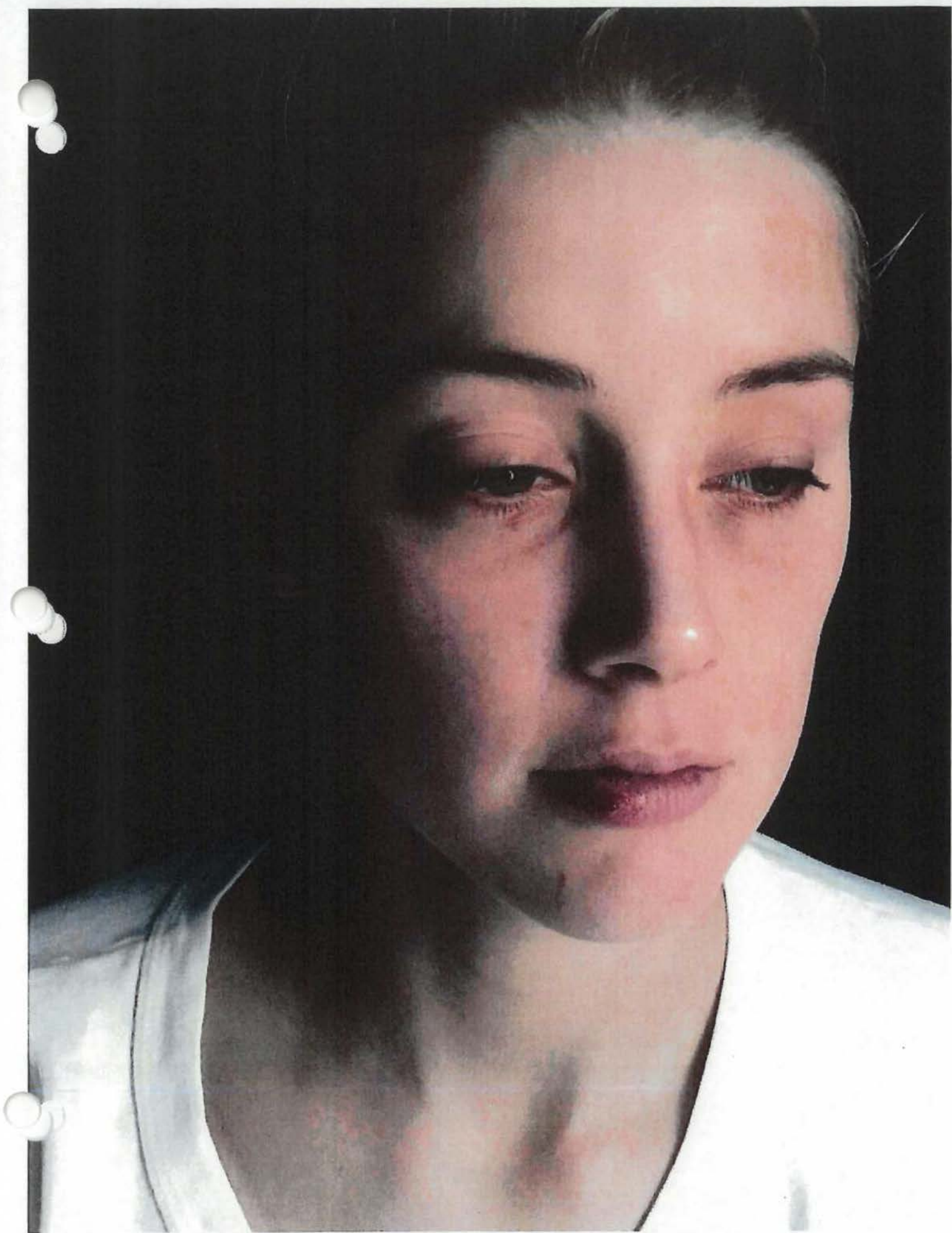




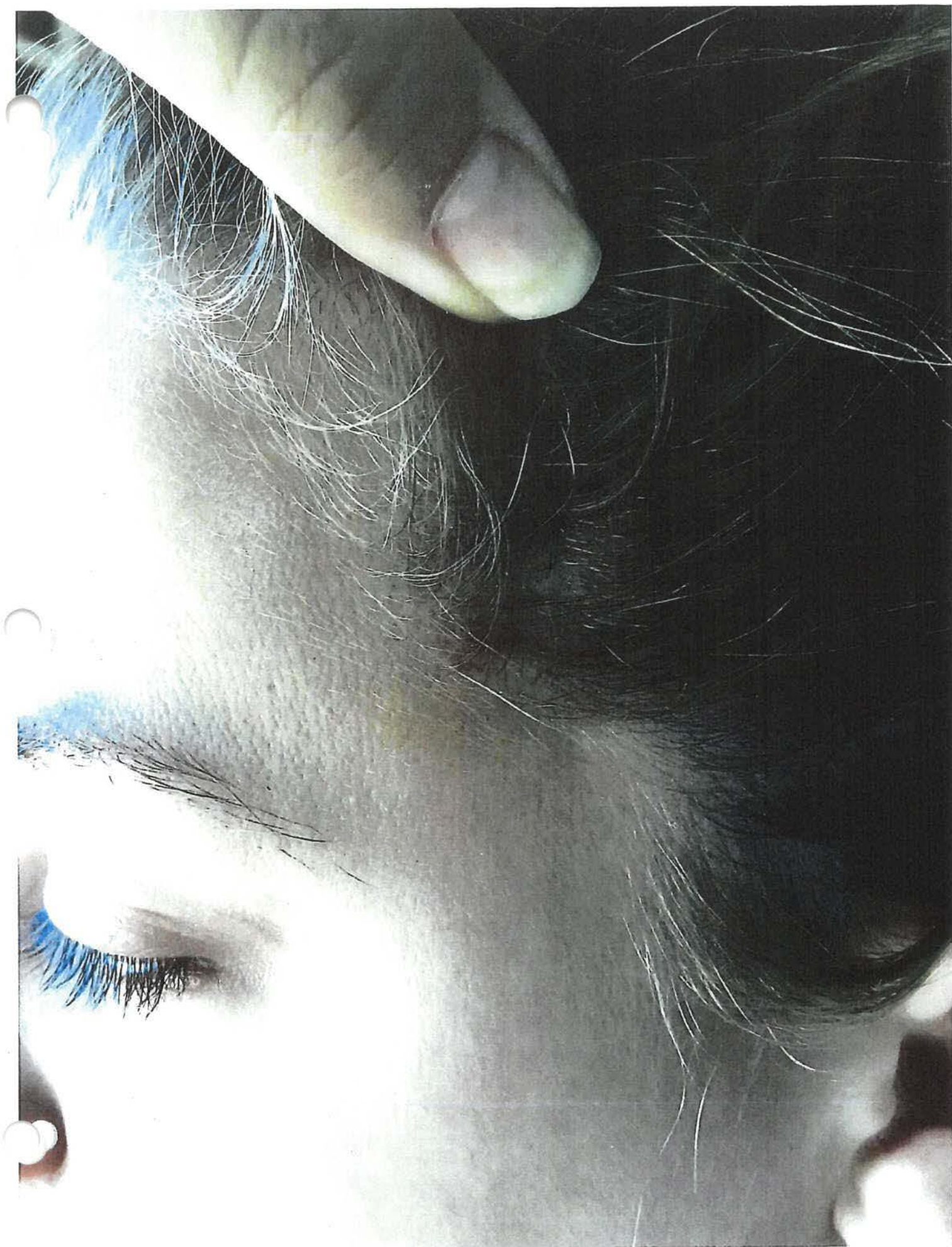


Plt. Def CW. 15  
Date 7-22-2021  
Judge \_\_\_\_\_  
Case # Q-19-2911  
NOT ADM















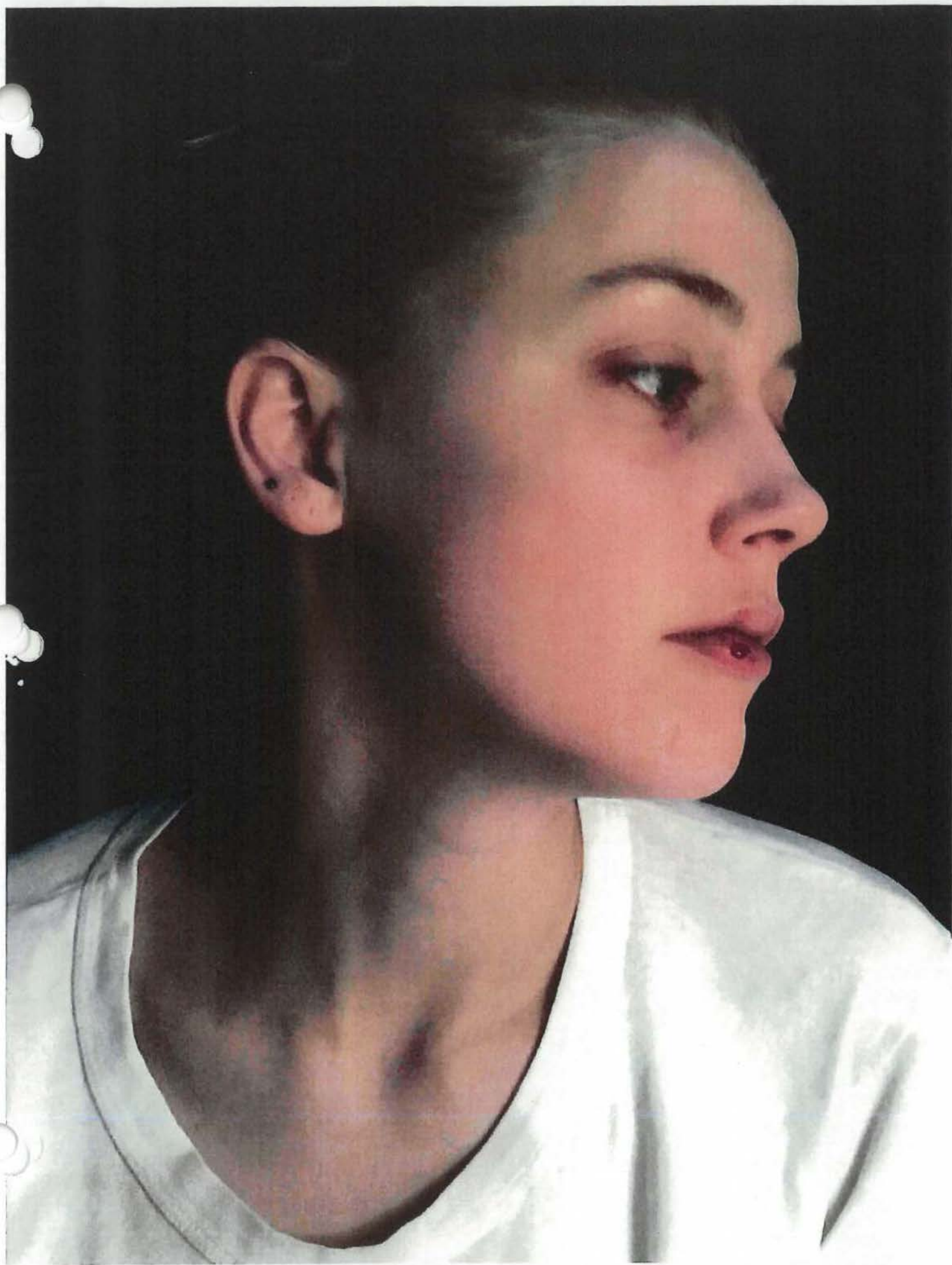
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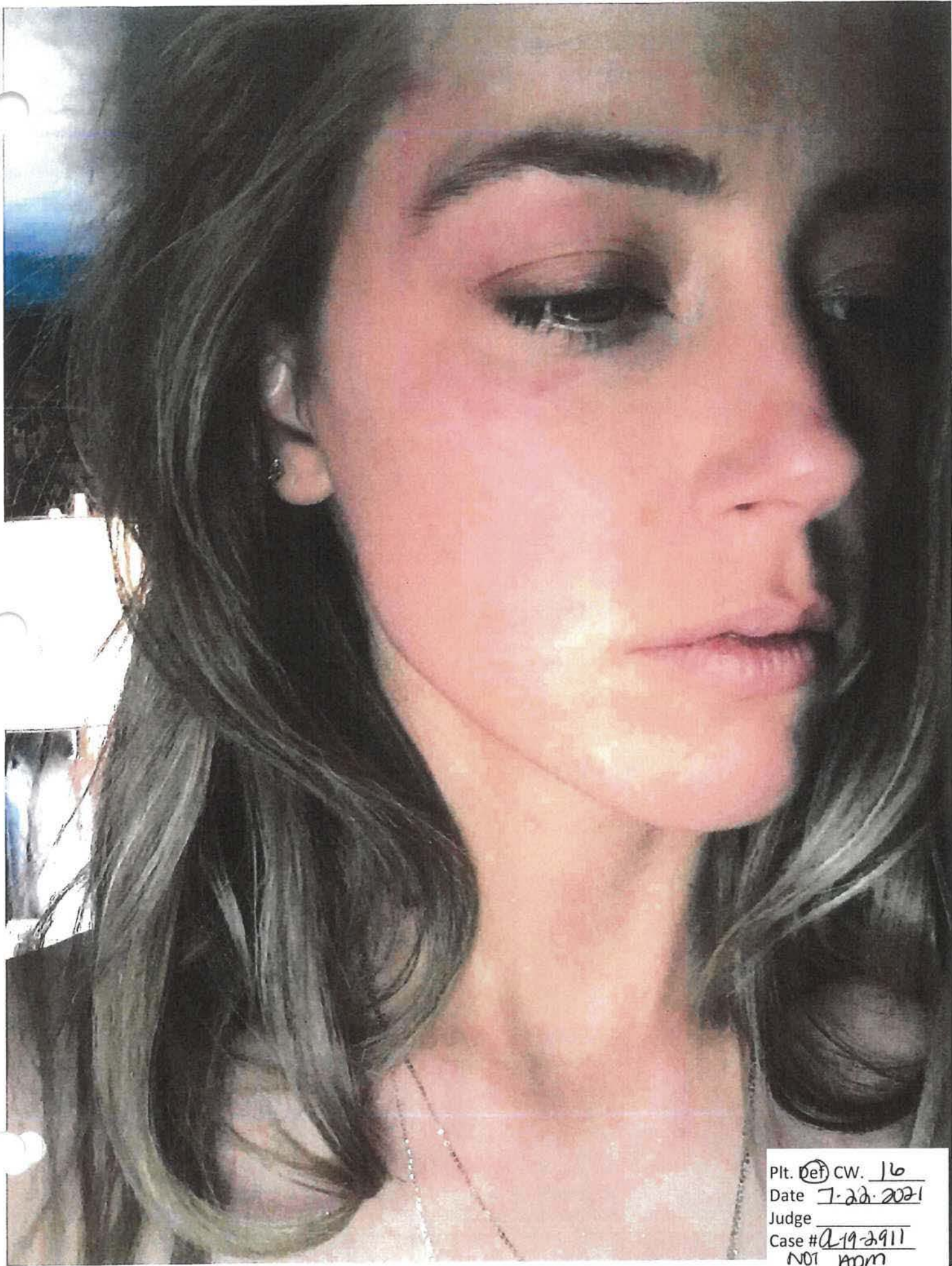






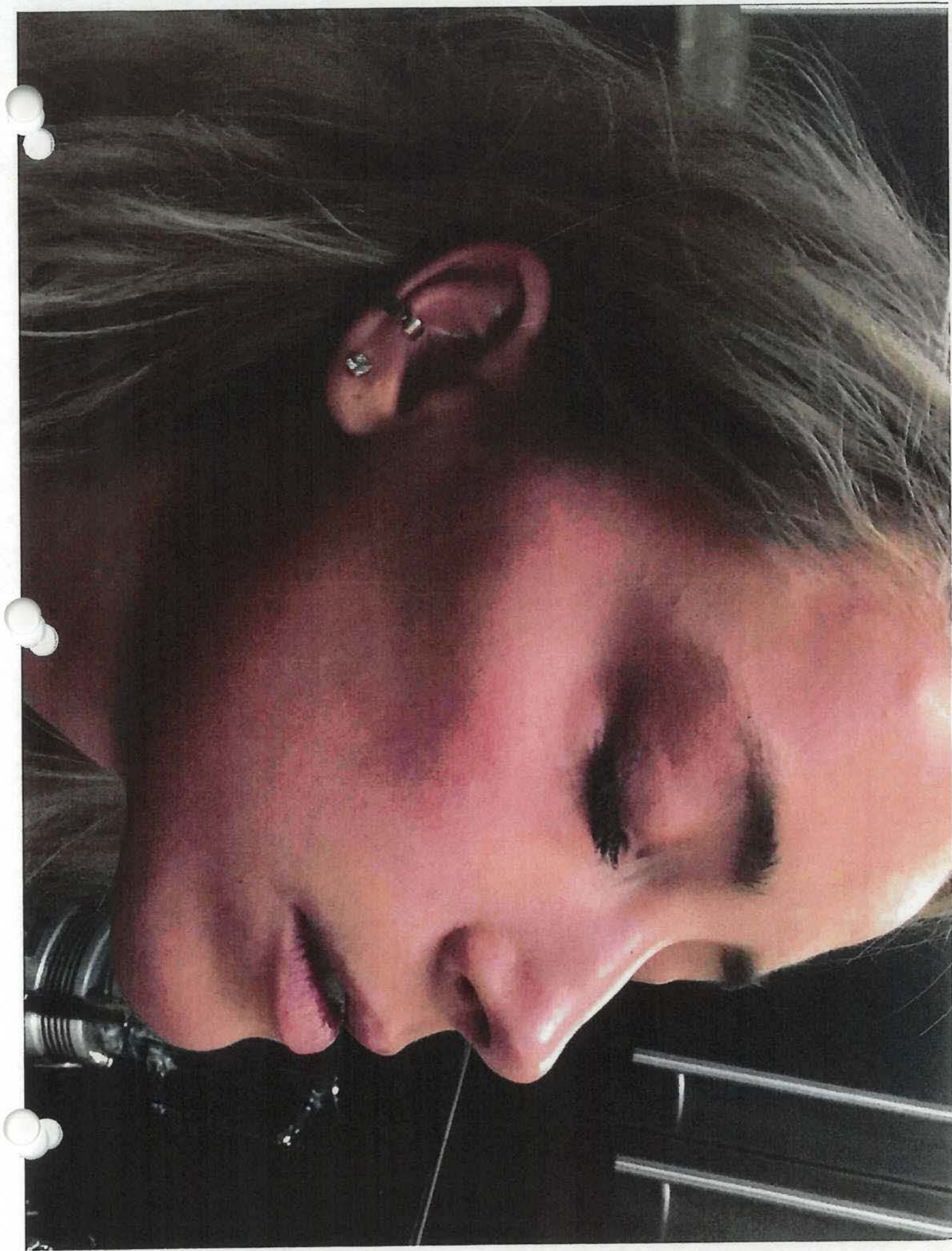




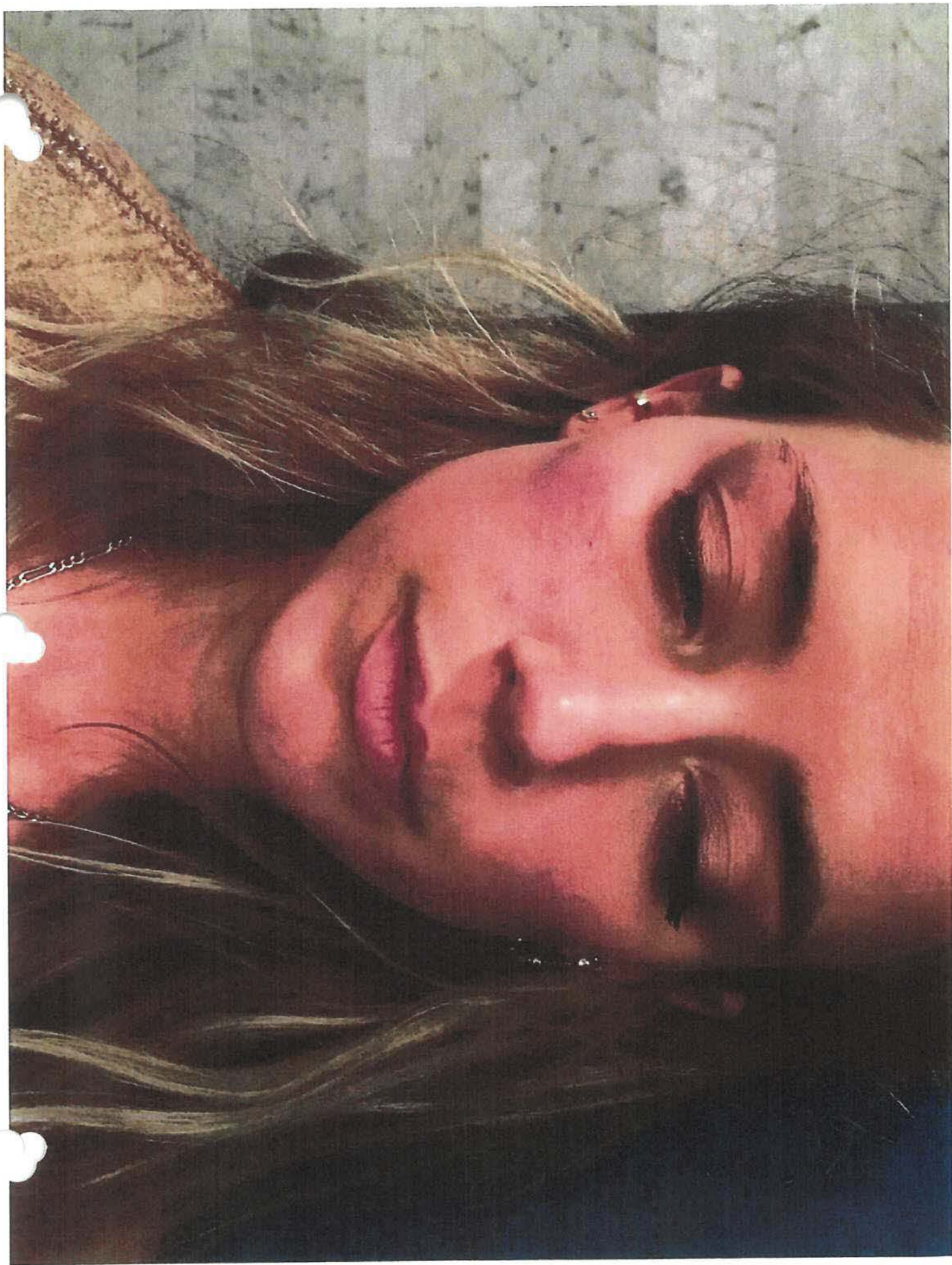


Plt. Def CW. 16  
Date 7-22-2021  
Judge \_\_\_\_\_  
Case # 2-19-2911  
NOT ADM

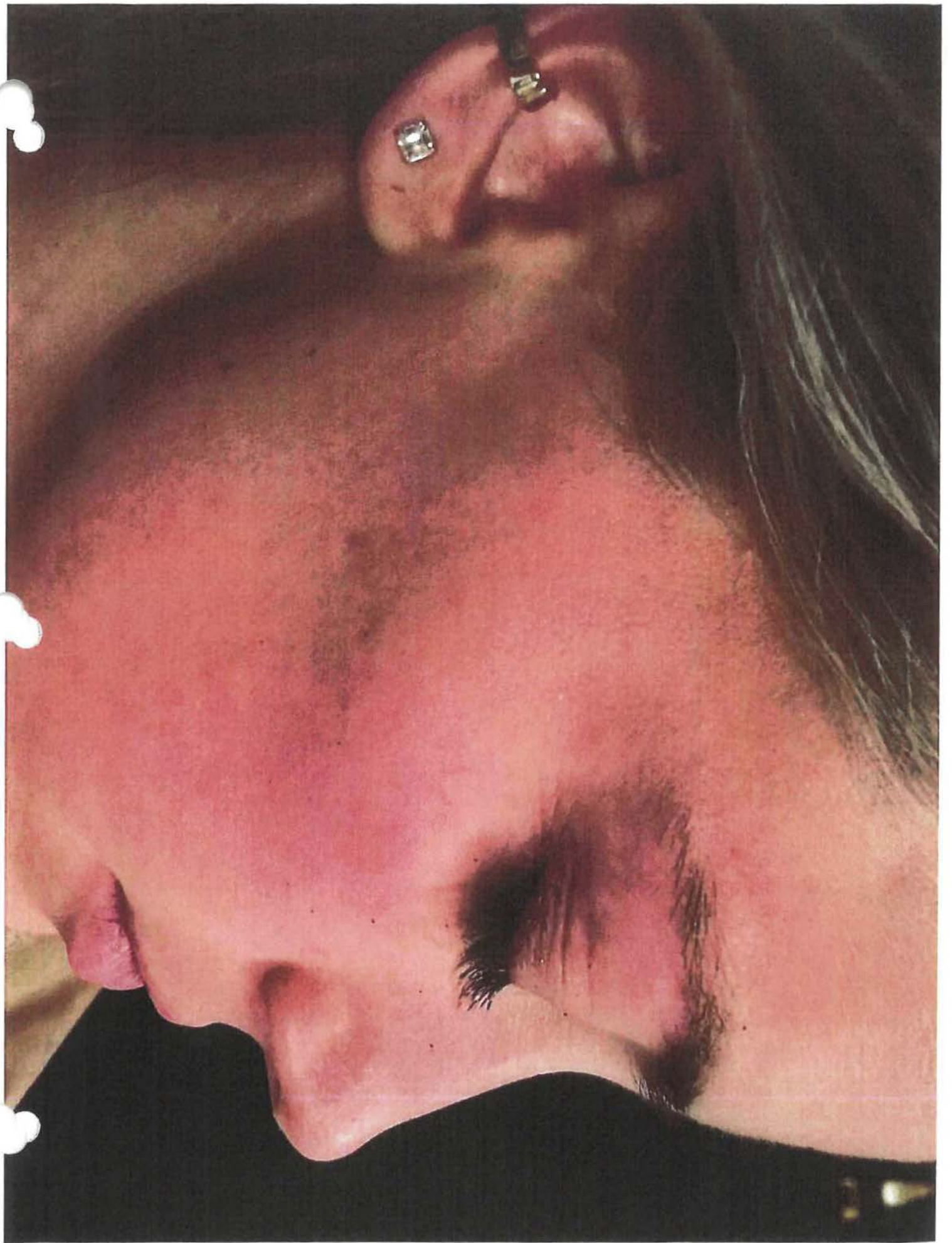




















1       V I R G I N I A:  
2               IN THE CIRCUIT COURT OF FAIRFAX COUNTY  
3       - - - - -x  
4       JOHNNY C. DEPP, II,       :  
5               Plaintiff,       :  
6               v.               :       Case No. CL-2019-0002911  
7       AMBER LAURA HEARD,       :  
8               Defendant.       :  
9       - - - - -x  
10  
11                       HEARING  
12               BEFORE THE HONORABLE BRUCE D. WHITE  
13                       Conducted Virtually  
14               Friday, September 18, 2020  
15                       10:15 a.m. ET  
16  
17  
18  
19  
20       Job No.: 319581  
21       Pages: 1 - 38  
22       Reported By: Victoria Lynn Wilson, RMR, CRR

Plt. ~~Det.~~ CW. 17  
Date 7-22-2021  
Judge \_\_\_\_\_  
Case # CL-19-2911  
NOT Adm

1 be required to provide all this information is  
2 denied. Mr. Waldman is still currently counsel  
3 for a party in the case.

4 As to the documents that I guess I've got  
5 sort of categorized here as fourth RFP 14; sixth  
6 RFPs 1 through 6 and 8; and seventh RFPs 1, 3, 5,  
7 and 7, those are, basically, the information  
8 related to the divorce case. Request is denied as  
9 to those documents. It is denied under the  
10 doctrine of it's enough is enough. You all have  
11 been through the divorce already. We're not going  
12 to retry that divorce in this case, and that's  
13 what I deem this to be aimed at.

14 The fourth RFP 1 and 2, that is to be  
15 produced by September 30th.

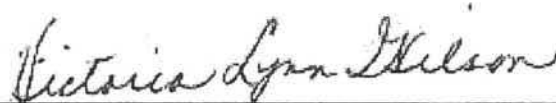
16 As to the tax documents, it's granted in  
17 part and denied in part. The documents which show  
18 the gross income are to be produced. The  
19 supporting documents are not to be produced. You  
20 all have got a lot of information on income, and  
21 this is just one more area where I envision a  
22 rehashing of previous other issues.

1 CERTIFICATE OF SHORTHAND REPORTER-E-NOTARY PUBLIC

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

12 IN WITNESS WHEREOF, I have hereunto set my  
13 hand and affixed my notarial seal this 18th day of  
14 September 2020.

15 My commission expires May 31, 2023.

16  
17   
18 \_\_\_\_\_

19 VICTORIA LYNN WILSON

20 E-NOTARY PUBLIC IN AND FOR

21 THE COMMONWEALTH OF VIRGINIA

22