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DEPP v NGN & WOOTTON 07 JUL

Claim No QB-2018-006323

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

MEDIA AND COMMUNICATIONS LIST

Royal Courts of Justice,

Strand,

London, WC2A 2LL

Tuesday, 7th July, 2020

Before:

MR. JUSTICE NICOL

BETWEEN.

JOHN CHRISTOPHER DEPP II

Claimant

-and-

(1) NEWS GROUP NEWSPAPERS LIMITED

(2) DAN WOOTTON

Defendants

(Transcript of the Stenograph Notes of

Marten Walsh Cherer Limited, 2nd Floor, Quality House,

9 Quality Court, Chancery Lane, London, WC2A 2HP.

Telephone No: 020 7067 2900. Fax No: 020 7831 6864.

Email: info@martenwalshcherer.com. www.martenwalshcherer.com)

MR. DAVID SHERBORNE, MS. ELEANOR LAWS QC and MS. KATE WILSON

(instructed by Schillings) appeared for the Claimant.

MS. SASHA WASS QC, MR. ADAM WOLANSKI QC and MS. CLARA HAMER

(instructed by Simons Muirhead & Burton) appeared for

the Defendants.

PROCEEDINGS

(DAY 1)

(TRANSCRIPT PREPARED WITHOUT ACCESS TO COURT BUNDLES)

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1 HOUSEKEEPING

2 MR. JUSTICE NICOL: Before the trial begins, I want to say a few

3 words by way of introduction. This is the trial of the libel

4 action which Johnny Depp, the second the claimant, usually

5 known as Johnny Depp, has brought against News Group

6 [3 Newspapers Limited, the publishers of The Sun, and a

7 journalist, Daniel Wootton.

8 There are some features which the trial will have that

9 are the same as any other trial. There are others which are

10 necessarily different. First, the features which are common
11 to other trials. The trial is by judge alone. There is no
12 jury. It will be for me, Nicol J, as the judge, to make any
13 necessary findings of fact and rule on any issues of law,
14 Next, it will be important for there to be silence when
15 witnesses give their evidence and when the barristers are
16 'making their submissions. Next, as with all trials in England
17 and Wales, there may be no photography of anyone in court.
18 Our legislation prohibits the taking of both still and moving
19 pictures or sketching anyone while in court. That includes
20 screen shots. The law also prohibits sound recordings of the
21 court proceedings. Disregarding these restrictions can be
22 contempt of court and can lead to imprisonment. There will be
23 an official audio recording of the trial and anyone may
24 purchase a transcript. Because it is important that the
25 evidence can proceed without distraction, all mobile phones
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2 should be switched to silent. Anyone may take notes of the
3 hearing as it continues. Journalists, but only journalists,
4 may report live by Twitter or other similar live text
5 platforms.

[3] It is to the features of this trial which are less
7 usual. COVID-19 restrictions mean that social distancing must
8 be observed in court. Currently, that requires no one to be
9 less than two metres from else. That severely limits the
10 numbers that can be in this courtroom, court 13, even taking
11 into account the opening of the public gallery in this court,
12 which has occurred. These limits mean that not even all the
13 lawyers or representatives of the parties can be accommodated
14 in this particular courtroom. For that reason, the
15 Court Service has made a second courtroom available for the
16 parties and their lawyers who cannot be accommodated in this
17 room.

18 For the most part, this trial is being conducted in
19 public. That means that, in principle, the press and public
20 are free to attend. However, even in normal times, the space
21 in courtrooms sets a practical limit on the numbers who can be
22 accommodated. The COVID-19 restrictions have added a further

23 practical dimension to these practical problems so the
24 Court Service has made three further spill-over courtrooms
25 available for the press and public. That makes four
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2 spill-over courtrooms and, including this one, five in total

3 Tam grateful to the Court Service for the efforts that they

4 have made in this regard.

5 'The spill-over courtrooms will be linked to this one, so

6 that those in the other courtrooms will be able to see and

7 hear everything that takes place in this room, what I shall

8 call the principal courtroom. Again, 1 am grateful to the

9 Court Service for the efforts that they have made to put these
10 arrangements in place. All five rooms will be treated as part
11 of the court. There will be one or more ushers in each room.

12 'The restrictions which I have mentioned will apply just as
13 much to those who are in the spill-over courtrooms. I have
14 said that most of the trial will take place in public. At an
15 earlier hearing, I ruled that parts will be in private. When
16 those parts occur, the press and public will be excluded, and
17 only the parties and their lawyers may remain.

18 Some of the evidence will be given in the usual way by
19 witnesses coming into the witness box in this court 13.

20 However, I have previously agreed that other witnesses may
21 give evidence via video link. These are witnesses who live in
22 the USA, the Bahamas, and in Australia. The systems which
23 have been set up mean that in each of the spill-over
24 courtrooms, their evidence can be seen and heard.

25 'The trial is expected to last three weeks. After today,

[1] (Pages 0 to 3)

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2 we will start each day's hearing at 10 a.m. We will take an

3 hour for lunch at about 1 p.m. We will finish at about 4.30

a p.m. It may be necessary to have breaks in the middle of the

5 morning and the afternoon, particularly if a witness has been

[3 giving evidence for a long time, but I will keep these under

7 review. Even so, the timetable is likely to be tight

8 To save time, I have directed that the parties must set

9 out their opening statements in writing instead of giving them

10 orally. Copies of those statements will be available at the

11 time when that party would normally deliver them orally.

12 Likewise, the skeleton arguments in which each party sets out

13 the outline of their case can be obtained from that party's

14 solicitors, Schillings in the case of the claimant, Simons

15 Muirhead & Burton in the case of the defendants. Neither the

16 openings nor the skeleton arguments will refer to those parts

17 of the trial that will take place in private.

18 Now, Mr. Sherborne.

19 MR. SHERBORNE: May it please your Lordship, I appear in this

20 trial with Ms. Laws and Ms. Wilson, who sits in the jury box,

21 on behalf of the claimant, Johnny Depp. My learned friends

22 Ms. Wass, who sits to my right, Mr. Wolanski who sits behind

23 Ms. Wilson in the jury box, and Ms. Hamer, who sits behind me

24 to my right, appear for the defendants, News Group Newspapers

25 Limited, the publishers of The Sun newspaper, and its

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2 executive editor, Mr. Wootton,

3 Can I begin with some housekeeping. As your Lordship

4 'mentioned only moments ago, you have received skeleton
5 arguments both from the claimant and from the defendants and
5 you have also had opening statements from both sides. As
7 your Lordship has said, those have been provided in writing as
8 opposed to being delivered orally.

9 Can I turn then to the bundles. Your Lordship will now
10 have, I think, having physically turned to the bundles, 12
11 files, which make up the trial. There have been extensive
12 updates and I trust your Lordship and your Lordship's clerk
13 have had the opportunity to fit them in. I suspect there may
14 be more. These additions or replacements in the court bundle
15 generally followed disclosure. I am not going to take
16 your Lordship through the additions, but I will say that
17 obviously if there is any assistance that we can provide, I am
18 sure your Lordship or your Lordship's clerk will ask us to do
19 so.

20 It is right to say that there are some outstanding
21 disputes about the bundle, which I hope will be resolved
22 without the need to trouble your Lordship. Can I just raise
23 two minor points about two documents, just by way of an
24 explanation. The first is the dramatis personae, and I just
25 say a few words about that. There has been a measure of
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2 disagreement about the description of a couple of individuals
3 in that document.

4 MR. JUSTICE NICOL: Mr. Sherborne, if it is of any help, as I have
5 been preparing for this case over a number of previous
[3 hearings. as you know, I have compiled for myself a running
7 list of people who have been mentioned at various points in
8 the documents. By all means let me have anything that is
9 agreed between the parties, but do not feel under any pressure
10 to do so because, as I say, I have already been compiling my
11 own list.

12 MR. SHERBORNE: I am very grateful for that. I suspect, without
13 testing your Lordship, that there are some names which have
14 not arisen during the course of previous hearings. What
15 I propose is this. It is a document that is in
16 your Lordship's bundle and that is the only reason for

17 mentioning it. We propose that where there is a disagreement,
18 what I might call the competing versions of both sides have
19 been included. That is just to explain to your Lordship why
20 you might find two different descriptions in relation to a
21 number of individuals.

22 MR. JUSTICE NICOL: Thank you.

23 MR. SHERBORNE: The second document is the trial timetable.

24 Your Lordship will appreciate that particularly with a lengthy
25 trial such as this, where there are a large number of
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2 witnesses, many of whom are giving evidence in another country
3 with a different time difference by video link, there may be
4 some allowance needed in terms of the slots which have been
5 allocated to individual witnesses. We have provided
6 'your Lordship's clerk with what we say is the most up-to-date
7 timetable. I do not need to say anything more about that
8 unless your Lordship wishes to ask a question about it.

9 MR. JUSTICE NICOL: Well, the only thing I want to say about it,
10 and it is really for you and for Ms. Wass, is that I am
11 conscious that the trial needs to be fair to both parties.

12 With that in mind, it is important that time for particular
13 witnesses does not spill over to the prejudice of hearing from
14 other witnesses. I will therefore be looking with close
15 attention to whether the time being allocated for particular
16 witnesses is being exceeded.

17 MR. SHERBORNE: I am very grateful for that indication. Before we
18 leave the subject of documents, can I just raise one further
19 'matter and that is the multimedia documents. I understand
20 that your Lordship's clerk has been provided with a one-off
21 link, which has all the multimedia documents available through
22 it. Hopefully, that is a useful way for your Lordship to be
23 able to listen to recordings, for example, of new footage,
24 'which I am sure your Lordship will want to do.

25 MR. JUSTICE NICOL: Well, I will of course do that. You ought to
[2] (Pages 4 to 7)

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2 know, and again Ms. Wass ought to know, that in preparing for
3 the trial, it has not been possible for me to either watch
4 videos or listen to sound recordings. So, if there are
5 particular matters that you want to draw my attention to, bear
6 that in mind.

7 MR. SHERBORNE: I am very grateful. Your Lordship will have seen
8 that in our opening statement, and of course if I had
9 delivered it orally, I could have placed emphasis on it in
10 front of your Lordship in open court, but nevertheless you
11 will have seen that we have made reference to at least a
12 number of recordings or images that we wanted your Lordship to
13 look at before the evidence began. I am not going to ask
14 your Lordship to pause now —

15 MR. JUSTICE NICOL: No. Well, Mr. Sherborne, time is limited and
16 I have been able to devote quite a lot of time to preparing
17 for this case, but it is not endless.

18 MR. SHERBORNE: And I understand that. One of the advantages,
19 obviously, as your Lordship knows, of trial by judge alone is
20 that you do have the opportunity (and I do stress if you wish
21 to take it) to be able to either listen to recordings or look
22 at images outside of the court hours, which obviously makes
23 the proceedings much quicker. I appreciate that places an
24 additional burden on your Lordship, but if I can just, as
25 say, point your Lordship to our opening statement in which we
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2 have asked the court to consider perhaps two recordings,
3 I would ask your Lordship, if you have an opportunity to do
4 so. Having read about it in the context of the opening
5 statement, to actually listen to it. That is all I am going
6 to say for now.

7 MR. JUSTICE NICOL: Yes.

8 MR. SHERBORNE: Of course, this is just one of the features where
9 evidence is given by way of witness statements as opposed to
10 in chief, and that is why I ask.

11 All I was going to say more about the multimedia
12 documents is just to give your Lordship some forewarning that
13 at the end of the case, we will be providing you with a USB
14 stick, which should, by that stage, have all of the multi
15 media documents on which the parties rely on it. The reason
16 why we do not do that as we go along is that it is not, as I

17 understand it, consistent with social distancing to keep
18 passing your Lordship USB sticks, but we will do it at the
19 end.

20 MR. JUSTICE NICOL: Thank you.

21 MR. SHERBORNE: Can I come on then to what I call more substantive
22 matters, so to speak. and that is the witness statements.

23 'Your Lordship may have seen that Ms. Heard has provided three
24 further witness statements since the last hearing recently.

25 We had a fifth witness statement and I think that was last
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2 weekend. A sixth witness statement was served on us on Sunday
3 — that is two days ago - and a seventh witness statement was
4 provided to us about midnight last night.

5 I have not had an opportunity to consider the seventh

[3 witness statement of Ms. Heard, let alone take any

7 instructions on it. I have read the sixth witness statement,

8 but the same is true. I have not had an opportunity to take

9 instructions on it. I will come back to those statements in a

10 minute. As for the fifth witness statement, I was going to

11 ask your Lordship for permission to ask Mr. Depp a few

12 questions about that fifth witness statement in chief, and

13 I will explain in a moment in outline what those questions are

14 that we say flow from the fifth witness statement, which of

15 course was provided after Mr. Depp's witness statements were

16 complete. It is a topic that Ms. Heard deals with in her

17 fifth statement. It is a limited number of questions and it

18 is probably going to take about five to ten minutes, but

19 I will come back to that.

20 As far as the sixth and seventh witness statements are

21 concerned, it is a little unfortunate that they have arrived

22 in this way. Given that they raise, as I understand it, new

23 allegations, unpleaded allegations, and various different

24 dates for already pleaded allegations (not for the first time,

25 we say), I would ask your Lordship for permission to take

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2 instructions on that.

3 "The reason that I raise this in open court, as
4 your Lordship will probably appreciate, is because that will
5 obviously involve Mr. Depp's lawyers taking instructions from
6 him and given that he is about to go into the witness box, as
7 we are all aware, I am sure your Lordship would rather that we.
8 did not delay proceedings and that as an exception to the rule
9 ~ and your Lordship knows the rule I mean -- Mr. Depp's
10 lawyers may be able to take instructions from him after he
11 finishes his evidence at the end of today. I am sure he will
12 still be in the middle of cross-examination, but they can take
13 instructions from him, limited, of course, just to the sixth
14 witness statement of Ms. Heard and the seventh witness
15 statement of Ms. Heard. Therefore, I ask your Lordship for
16 'permission to do so. More than that, I cannot say at this
17 stage in relation to the sixth and seventh witness statements.
18 MR. JUSTICE NICOL: Well, it is for the defendants, is it not, to
19 first of all ask for permission to rely on those witness
20 statements?
21 MR. SHERBORNE: Yes, but we have been told by the defendants"
22 solicitors that they intend to. I will sit down and let
23 Ms. Wass develop that submission.
24 MR. JUSTICE NICOL: I do not know who is going to be speaking on
25 'behalf of the defendants to start with.

[3] (Pages 8 to 11)

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2 MS. WASS: I think probably to start with, and for most of the
3 proceedings, my Lord, but can I help when it comes to the
4 a fifth statement.

5 MR. JUSTICE NICOL: I am not involved at the moment in
6 explanations, Ms. Wass.

7 MS. WASS: All right

8 MR. JUSTICE NICOL: I have assumed from what Mr. Sherborne has
9 said that you are going to ask for permission to rely on those
10 additional statements from Ms. Heard. If you do, then I would
11 be interested in your comments on Mr. Sherborne's application
12 to be able to talk to his client despite the fact that he will
13 have started his evidence,

14 MS. WASS: can deal with that shortly. Yes, Tam going to be
15 asking for permission to rely on the additional statements.
16 'The contents are not going to be hugely controversial, but
17 there is a matter which may require further instructions from
18 the defence. Tam not sure that it is going to take
19 particularly long because it all arose out of an error that
20 'may have occurred about one of the dates of the pleaded
21 incidents.
22 'As a matter of principle, we are uncomfortable about a
23 defendant, any defendant, or any witness, having contact with
24 their lawyers during the course of cross-examination. I make
25 it plain that there is absolutely no suggestion that the
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2 lawyers would do anything improper or untoward, but the
3 temptation may well be for a witness to seek some sort of
4 'guidance, which is outwith the ambit of —

5 MR. JUSTICE NICOL: Ms. Wass, I am afraid you cannot have your
6 cake and eat it.

7 MS. WASS: No

§ MR. JUSTICE NICOL: If you want to rely on these additional
9 witness statements and they have been, I assume, provided at
10 the times that Mr. Sherborne has said, either the trial has
11 got to pause while instructions are taken at this stage, or
12 Mr. Sherborne is allowed to talk to his client in the middle
13 of the cross-examination, or I refuse permission.

14 MS. WASS: My Lord, if that is the price that has to be paid, then
15 I will pay it, and we do not —

16 MR. JUSTICE NICOL: There are then two alternatives. One is that
17 we pause the trial while Mr. Sherborne takes those.

18 instructions or we proceed and Mr. Depp is able to talk to his
19 lawyers in the middle of giving his evidence.

20 MS. WASS: May I ask through the court the likely length of such a
21 conference because if it is going to be hours, I fully accept
22 that is not ----

23 MR. JUSTICE NICOL: That is not going to happen.

24 MS. WASS: No, absolutely, but if it is a question of ten or
25 fifteen minutes, then I would urge the court to wait so that

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2 —

3 MR. JUSTICE NICOL: The trouble with that is that Mr. Sherborne
4 tells me that he has barely had a chance to read the sixth and
5 seventh statements, and I assume that he is in difficulties in
6 answering that question.

7 MS. WASS: Well, do not want to put him in difficulties and it
8 would appear that, given we are in this position, the best way
9 of proceeding is for my Lord to agree to Mr. Sherborne's
10 application.

11 MR. JUSTICE NICOL: Right. So, I will grant permission for the
12 defendants to rely on the fifth, sixth and seventh witness
13 statements of Ms. Heard, but the claimant may discuss those
14 statements, and those only, even though he is in the middle of
15 his evidence.

16 MS. WASS: Yes

17 MR. JUSTICE NICOL: Well, Mr. Sherborne, is there anything you
18 want to say about that?

19 MR. SHERBORNE: No, certainly not as regards the sixth and seventh
20 witness statements which, as I say, arrived on Sunday and last
21 night at midnight. The fifth witness statement is slightly
22 different, as I have said, because we have had a little bit
23 longer to look at that. I did want to ask your Lordship for
24 permission to ask Mr. Depp a few introductory questions about
25 it before he answers Ms. Wass's questions in

1 HOUSEKEEPING

2 cross-examination. Just to explain to your Lordship in
3 general terms what ———

4 MR. JUSTICE NICOL: Mr. Sherborne, I do not want to cut across
5 you, but it may help if I say this. I infer from that request
6 that you have had a chance to talk to Mr. Depp about the fifth
7 witness statement of Ms. Heard.

8 MR. SHERBORNE: My Lord, yes, I did say that in my opening
9 remarks.

10 MR. JUSTICE NICOL: You did indeed. So that when I said
11 previously that he may talk with his lawyers, despite
12 commencing his evidence, on the fifth, sixth and seventh
13 witness statements, I am going to change that to limit it just
14 to the sixth and seventh witness statements.

15 MR. SHERBORNE: Yes.

16 MR. JUSTICE NICOL: Ms. Wass, I do not know if there is anything
17 that you want to say, but it would seem to me only fair, again
18 in consequence of your application, that Mr. Sherborne should
19 be able to ask his client some questions about the fifth
20 witness statement.

21 MS. WASS: Yes, there is no objection.

22 MR. JUSTICE NICOL: Good. All right. Then, Mr. Sherborne,
23 I agree to that.

24 MR. SHERBORNE: Yes. I am grateful. Can I explain, just so
25 your Lordship knows and there is no confusion about it, am
[4] (Pages 12 to 15)

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2 going to ask him about just one matter in the fifth witness
3 statement which Ms. Heard comments on, and that is the use of
1 recordings. I am going to then ask the question about a
5 recording which was provided through the defendants shortly
6 before the relief from sanctions hearing, and I was going to
7 ask him not about what it says in that recording, but just a
8 few questions about the circumstances in which that recording
9 was made. That is all I was going to ask him. I do not think
10 it is going to take more than ten minutes, it may take less.

11 MR. JUSTICE NICOL: Less would be good.

12 MR. SHERBORNE: understand. He is obviously going to be
13 cross-examined for a long time.

14 MR JUSTICE NICOL: Yes, of course, I do understand that, but he
15 will also understand that his witness statements have already
16 been provided to the court. assume that you are going to
17 ask whether those witness statements are true and invite those
18 to stand as his evidence-in-chief.

19 MR. SHERBORNE: My Lord, I will. That will be the first thing
20 I do, obviously, when he is in the witness box.

21 MR. JUSTICE NICOL: All right.

22 MR. SHERBORNE: Can I deal with one final matter, which has arisen
23 in relation to witness statements. Your Lordship will perhaps
24 have seen, I am not sure if you have been troubled by it yet,
25 it is a short point but, as I understand it, the defendants

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2 are seeking permission to cross-examine Ms. Amanda de Cadanet.

3 MR.JUSTICE NICOL: Sorry, the defendants are seeking to?

4 MR. SHERBORNE: Cross-examine Ms. Amanda de Cadanet, who is a
5 friend of Ms. Heard. I think they are seeking to do so

6 because they say that -- perhaps I should have put this in

7 context. What happened is Ms. de Cadanet was originally

8 intended to be one of the defendants' witnesses, and a witness

9 summary was provided. There was some publicity, which I think

10 may well be in the bundle, it may not be, about the fact that

11 Ms. de Cadanet has refused to come and give evidence for

12 Ms. Heard and she has provided a declaration to Mr. Depp for

13 use in the American proceedings in Virginia, in which she says

14 she felt misled by Ms. Heard when she denied hitting Mr. Depp.

15 "That is part of her US declaration, it is important

16 your Lordship understands that. That declaration is in the

17 trial bundle, I am told, but just to make it clear, we are not

18 intending to rely on that, we have not served a hearsay

19 notice. Your Lordship will be very familiar with the fact

20 that where both sides in this case are relying on hearsay, we.

21 have each served hearsay notices.

22 MR. JUSTICE NICOL: Yes.

23 MR. SHERBORNE: So, just to make clear, as I say, we have not

24 served a hearsay notice, so I do not understand if it is

25 pursued what point is made as to how the defendants are able

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2 to cross-examine Ms. de Cadanet on that declaration. We

3 received, as I say, a letter saying that the defendants

4 intended to apply for permission to do so, and I thought it

5 important to explain before that starts off on the wrong

6 footing, we have not served a hearsay notice and therefore

7 there is no jurisdiction to do so. That is the last point

8 I was going to make.

9 MR. JUSTICE NICOL: Good. Now. do you want to start your

10 evidence?

11 MR. SHERBORNE: My Lord. yes. Your Lordship mentioned moments ago

12 we served our opening statements in writing so. with
13 'your Lordships permission, I call our first witness,
14 Mr. Depp, 0 the witness box.

15 MR. JUSTICE NICOL: Thank you.

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1 DEPP

2 MR. JOHN CHRISTOPHER DEPP, AFFIRMED

3 EXAMINED BY MR. SHERBORNE

1 MR. JUSTICE NICOL: Mr. Depp, if you would like to sit down,

5 please do so. Bear in mind that although there is a

6 'microphone in front of you, it would be helpful if you could

7 keep your voice as loud as you can, so that it can be

8 projected and heard by everybody listening both in this

9 courtroom and in the other courtroom.

10 THE WITNESS: Certainly. Thank you.

11 MR. JUSTICE NICOL: Yes.

12 MR. SHERBORNE: Mr. Depp, can you begin by giving your full name

13 to the court, please.

14 THE WITNESS: My full name is John Christopher Depp II.

15 Q. CanIbegin by taking you to the witness statements that you

16 have provided in this case. You should find to your right an

17 impressive array of documents and files, can I ask you to

18 take, I think it must be the second file, file 2, the yellow

19 one, the colour scheme may help. 1 think it is the yellow

20 one. Sorry, you are right, Mr. Depp, it should be the first

21 one. I think it is the blue one, as in the first one that you

22 pointed to.

23 A. The second one.

24 Q. You were right the first time. I think it is, yes - I think

25 itis that file. There has been a certain amount of

[5] (Pages 16 to 19)

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1 DEPP - SHERBORNE

2 additions, so documents have spilled into a second part of the
3 file. Can you finds for us tab D22, it should be. No, it
4 should be tab 38. D38, page D22. There is a tab number and
5 then there is a page number.

6 A Yes.

7 Q. Iam grateful. Can you turn to that. Do you have it in front
8 of you?

9 A. Yes, sir.

10 Q. And does that say "The second witness statement of John
11 Christopher Depp II"?

12 A Yes.

13 Q. Can I then ask you to turn, I think it is the page D57 on the
14 right-hand comer -- no, DSS.

15 A Yes.

16 Q. Is that your signature? (Pause) Do you have that? Is there a
17 D582 D57 is it in your bundle? Iam sorry. (Pause)

18 A. There is nothing in 57, 58 is something different.

19 Q. Ah! Can you find the signature page for that witness
20 statement, the one starting on D22, if you try and find the
21 internal page numbering, do you have page 36 right at the
22 bottom in the middle?

23 A. Soy, I think I may have -- so D?

24 Q. Ifyou find the tab, it is D38.

25 A Yes.

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1 DEPP - SHERBORNE

2 Q. Andif you look, have you got the first page of that,
3 Lappreciate there are lots of documents.

4 A. Itis wrangling the notebook, sorry.

5 Q. Isit broken, the file?

6 A Itisfine.

7 Q. Youshould have D22 as the front page and, if you look, there
8 should be — sorry, DS8 should be a page with just your
9 signature.

10 A. Yes, Iseeit.

11 Q. Iam grateful. Can you confirm to the court, is that your

12 signature?

13 A Yes.itis.

14 Q. Can you confirm that the facts stated in this witness
15 statement are true?

16 A. Yes.

17 Q. Can I ask you to do the same with your third witness
18 statement, which, hopefully, should be behind tab 54 of the
19 bundle. I do not know if that goes into a second bundle.

20 A. That's tab 54

21 Q. I am grateful. Have you got page D173?

22 A. Yes, third witness.

23 Q. Can you confirm, is that your third witness statement?

24 A. Yes, it is.

25 Q. And can you turn to the back of that, it should be D182.
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1 DEPP - SHERBORNE

2 A. Yes. It is DIS.

3 Q. Can you confirm, is that your signature?

4 A Yes

5 Q. Can you confirm for the court that the facts stated in this,
6 your third witness statement, are true?

7 A Yes sir

8 Q. Right Mr. Depp. you can close that file

9 A I will get the hang of it at a certain point

10 Q. I am going to ask, as I think you heard a moment ago, a couple
11 of questions that arise from Ms. Heard's fifth witness
12 statement. You should find, I think, in file 2.1, which is
13 the lighter of the blue files.

14 A Yes

15 Q. You should find a document at tab 71.3. Has that found its
16 way in? It should be one of the additional ones.

17 A 71 (Pause) 712, 713. Yes

18 Q. Do you have a document behind there entitled "Fifth witness
19 statement of Amber Heard"?

20 A Yes, I do.

21 Q. Can I just ask you to turn over the page to paragraph 5

22 A. Yes.

23 Q. Now, Ms. Heard here is talking about a recording on
24 26th September 2015. Do you see?

25 A Yes
[Page 23]

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1 DEPP - SHERBORNE

2 Q. Rather than have both documents open at once, I am just going
3 to show you what she says about this recording and then I am
4 going to show you the recording; so, we only have one document
5 open at one time. But if you need me to go back at any stage
6 to her statement, so you can understand, then please just ask
7 me do so.

8 A. Certainly. Thank you.

9 Q. So, if we look at what she says. She is talking about a
10 recording from September 2015. Do you know what that
11 recording is? It is one that was provided — there is no
12 dispute about this, so I can just tell you — it was one that
13 'was provided, I think it is "Called argument 2".

14 A. Yes, yes.

15 Q. I think you know which one Ms. Heard is referring to?

16 A. Yes. Uh-huh.

17 Q. She says, "It was recorded consensually while we were still
18 together", if you look at paragraph 5

19 A. Yes, sir.

20 Q. "Johnny and I regularly recorded our conversations during our
21 relationship. As I said in my third witness statement,
22 recording conversations started as part of our relationship
23 therapy. in order to help us communicate more effectively."
24 Then this statement: "They were also a tool to remind Johnny
25 of what he would do when using drugs and alcohol because he
[6] (Pages 20 to 23)

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2 would not remember or would deny what he had said. Twanted
3 to show Johnny what he was capable of to help him with his
4 recovery." Now, do you accept, Mr. Depp, that explanation as
5 to what the purpose of these recordings was, or not?

6 A No. I donot exactly.

7 Q. Can you just explain, in your own words, just in one or two
8 sentences, please, what the purpose you understood these

9 recordings to be?

10 A. Really, in our relationship, we, as you progress to start to
11 know one another, conversations happen, and then later, when
12 you refer to the conversation, to that other person, which
13 would have been Ms. Heard, her — she would say something very
14 different from what we had talked about before. It was
15 radically different. So, I, at the time, thought that the
16 best thing to do was to record the conversation and so
17 I retrieved my telephone and brought it to where we were
18 talking and I said, "I am going to record this conversation",
19 just so that she knew, I wanted it to be out in the open. So,
20 I could then later reference the tape if she were to — if
21 once again her words later did not match what I know they
22 were, what she had said on the recording. So, I used it to
23 play it back to her, just to show her what she said,
24 essentially.

25 Q. Thank you, Mr. Depp. If I can ask you again, I know it is
[Page 25]

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1 DEPP - SHERBORNE

2 going to get rather boring, but just keep your voice up. The
3 acoustics in this courtroom are not marvellous. As long as
4 his Lordship can hear you, that is most important

5 A. Somy, I have a tendency to talk quietly, I am sorry.

6 MR.JUSTICE NICOL: That is all right

7 MR. SHERBORNE: Maybe your Lordship can hear better.

8 (To the witness) Can I then take you back to the witness

9 statement, paragraph 6. So, Ms. Heard here is talking, having
10 explained what she said was the purpose and you have explained
11 what you said was the purpose of these records. She refers to
12 a specific example, and this is what we have called
13 "Argument 2, and she says here: "It is true that I accept
14 responsibility during the argument. For example, I referred
15 to a fight we had the night before. Johnny says, "After you
16 fucking got physically violent with me, I texted Travis and

17 said come up here, I replied, 'I know'. Often, in order to
18 get Johnny to even entertain or participate in a difficult
19 conversation, especially one about his violence towards me, or
20 about working on the relationship, without him storming out or
21 getting angry, or both, I felt I had to take on blame and go
22 along with his version of events. I was desperately wanted
23 the relationship to work, because Johnny was refusing to
24 engage properly throughout this conversation and I did lose my
25 cool with him a bit." That is her description of the

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1 DEPP - SHERBORNE

2 recording that we have called "Argument 2". Can I show you
3 transcript of the recording.

4 THE WITNESS: Certainly.

5 Q. And just ask you a few questions about Ms. Heard's
6 description. I will come back to her description when I have
7 taken you to the recording

8 A Certainly.

9 Q. You should find the transcript in file 5, to your right

10 A. Shall I keep this out? Yes.

11 Q. Yes, probably. Can I ask you not to take that file yet. Can
12 you take the file in front of you and stick it on the top, in
13 case you need to look at it again. If you take file 5, it
14 should be the lighter green one. I am hoping there you will
15 find, behind tab 154.

16 MR. JUSTICE NICOL: No. Volume 5 begins at tab 165.

17 MR. SHERBORNE: Then mine is completely out.

18 MR. JUSTICE NICOL: That's all right

19 MR. SHERBORNE: It is then file 4. Can you turn to tab 154.

20 THE WITNESS: In 5 or 4?

21 Q Ind.

22 A. Thank you. (Pause)

23 Q. The front page. Do you have the front page?

24 A. Yes.

25 Q. Can you just tell me what the numbers in the bottom right-hand

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1 DEPP - SHERBORNE

2 corner, so I am sure we are on the same page?

3 A F912

4 Q. I am grateful. If you look at 913, just to explain, do you

5 see at the top, it is the file name "Argument 2"?

6 A. Yes, I do.

7 Q. This is the September 2015 recording that Ms. Heard talks

8 about in her fifth witness statement that we just saw.

9 A. Yes.

10 Q. Just to set this in context, can I take you to page F923

11 A. Yes.

12 Q. If you look at, can you see, just below the first punch hole,

13 the words "Go home and listen to the tape, please, that's what

14 they're for"?

15 A. Yes.

16 Q. That is you speaking?

17 A. Yes, sir.

18 Q. Then Ms. Heard says, "Yes, you listen to the fucking tape"?

19 A. Yes.

20 Q. Now, Ms. Heard refers to texting Travis. If you look below

21 the second punch hole.

22 A. Yes.

23 Q. Can you see you say the words "Watching you lie in front of

24 Travis last night was really special."

25 A. Yes, sir.

[7] (Pages 24 to 27)

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1 DEPP - SHERBORNE

2 Q. Can you then turn to F925, I am going to ask you a question

3 just in one moment. In F924, over the page, just to explain

a the reference to Travis, and I am going to show you what is
5 said there about Travis and then I am going to ask you. If
[3 you look at F924, at the bottom, you see that Ms. Heard says,
7 "I am not going to sit here and go over every fight we've
8 had."

9 A Yes

10 Q. "I am not going to refight this fight, (reads to the
11 words)... go run away together." Then you say, there is quite
12 a bit more but I do not need to take you through it, and you
13 say, "Let's ask Travis tonight if you told him."

14 A. Yes.

15 Q. Then, go over the page, and can you see — sorry, at the
16 bottom of that page, "You're just afraid the truth will come
17 out."

18 A. Yes, I see that.

19 Q. "What truth?", says Ms. Heard, you say that you lied. She
20 says, "What are you fucking talking about? I didn't fucking even
21 have a fucking thing to lie about." Then you say, "No, I said
22 to you, Amber, tell Travis what you just did, did you just
23 fucking, did you punch me in the fucking jaw? Did you fucking
24 kick, did you and you wouldn't say a fucking, and you said,
25 "I don't know what you're talking about."

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1 DEPP - SHERBORNE

2 Can you just explain, given that Ms. Heard has said this.
3 reference to Travis was all about a conversation in which she
4 was accepting blame because of your violence towards her, can
5 'you explain what you were referring to and why Travis was
6 being asked to come up?

7 A. That I asked Travis up the night prior, when another argument
8 had ensued, and as things tended to do, it escalated and it
9 got physical, ending with a bit of assault, and Ms. Heard
10 struck me. So, I called Travis to come up, and what she had
11 said to me was that she had in fact done that, and she was now
12 not prepared to speak to Travis or anyone about it, which was,
13 that I wanted, what I was hoping for was that she would just say
14 the truth of what happened.

15 Q. Did you hit her, Mr. Depp, the night before?

16 A. No, sir.

17 Q. Can I just take you to one last part of the transcript. If
18 you go —

19 MR.JUSTICE NICOL: Just a minute, please.

20 MR. SHERBORNE: I am sorry, my Lord. (Pause)
21 MR.JUSTICE NICOL: Can I just ask, the Travis that we are talking
22 about, I think I have understood that there is a
23 Travis McGivern,
24 THE WITNESS: Yes, sir
25 Q. Is that Travis McGivern that you are talking about?
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1 DEPP - SHERBORNE

2 A Yessir.

3 MR.JUSTICE NICOL: Yes. Thank you

4 THE WITNESS: Sorry, my Lord, I said "sir" instead of "my Lord"

5 MR.JUSTICE NICOL: Do not worry about that. That is fine.

6 THE WITNESS: Protocol.

7 MR.JUSTICE NICOL: Yes. Mr. Sherborne?

8 MR.SHERBORNE: (To the witness) Can I take you over to page F926.

9 THE WITNESS: Yes

10 Q. Here you are still talking about Travis and the night before.

11 At the second punch hole, if I can take you there: "I said to

12 Travis, no, I said to you, Hey, tell Travis what just

13 happened." Ms. Heard said: "You told me to do it, you told

14 me to, you said go do that. . (reads to the words)... What

15 the fuck are you talking about", there you are speaking as if

16 you are Ms. Heard. Then you say: "And I watched you lie

17 there ..(reads to the words)... I was hitting you", and then

18 'you talk about her toes. Just coming to the end of that, that

19 refers to another incident that we may return to. She said:

20 "I am not sitting here bitching about it, am I? That's the

21 difference between me and you. (reads to the words)

22 yes, I did start a physical fight" Then you say: "Yeah, you

23 did, so I had to get the fuck out of there."

24 Now, Ms. Heard, as you will recall, in her witness

25 statement, says that you were refusing to engage properly

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1 DEPP - SHERBORNE

2 throughout this conversation and that is why she accepted she

3 was violent when she had not been. Mr. Depp, were you

4 refusing here to engage properly with Ms. Heard?

5 A. No. I was not refusing to engage properly with Ms. Heard,
6 1-- I wanted to avoid another confrontation. As was my
7 practice in these situations, whenever it would escalate,
8 I would try to go to my own corner, as it were, so that —
9 I thought it important that we separate before things got out
10 of hand.

11 Q. Thank you, Mr. Depp. Can I ask you about one further matter.

12 I am just going to wait for his Lordship to finish his note.

13 (Pause)

14 MR. JUSTICE NICOL: Yes.

15 MR. SHERBORNE: (To the witness) I am going to ask you very
16 briefly about the circumstances of another recording, which it
17 is one that Ms. Heard provided recently. I can show you where
18 it is in the bundle, but I am not going to take you through
19 the actual transcript itself. So that we know which we are
20 talking about, it is 22nd July 2016, it is accepted. For
21 your Lordship's note, I think it is FS, the tab, 161F. As
22 I say, there is no dispute there was a recording made by
23 Ms. Heard on 22nd July 2016. Mr. Depp, can you explain to
24 this court, in one sentence, in July 2016, in terms of the
25 proceedings in America, what had happened between you and
[8] (Pages 28 to 31)

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1 DEPP - SHERBORNE

2 Ms. Heard?

3 A. July 2016?

4 Q. July 2016.

5 A. 2016. Ms. Heard had filed for divorce, and then she had filed
[3 for a restraining order against me. And at the time I was on
7 tour with the band, and we were, we had a show in San
8 Francisco, and that is where that —

9 Q. You mentioned that Ms. Heard filed a restraining order.

10 A. Yes.

11 Q. We have seen this, so there is no dispute. But that was an
12 order that was made by the court in May and then extended
13 again by Ms. Heard. In words of one sentence, what was the
14 basis of her restraining order?

15 MR. JUSTICE NICOL: Well, Mr. Sherborne, the material is in the
16 papers on which the restraining order was made

17 MR.SHERBORNE: My Lord, yes. I am grateful, my Lord
18 We know, Mr. Depp, it was made on the basis of her
19 allegation of domestic violence against you when she said she
20 was in fear of her life.
21 THE WITNESS: Yes.
22 Q. Coming then to the recording, that recording, as I say, was
23 22nd July and it records a meeting between you and Ms. Heard.
24 Do you remember that meeting?
25 A. Yes. I do,
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1 DEPP - SHERBORNE
2 Q. Who asked for the meeting, was it you or her?
3 A It was Ms. Heard requested to meet with me.
4 Q We have the recording. Where did that recording take place?
5 A. This recording took place on the second day, it was a hotel in
6 San Francisco, I believe, it was the Omni, I believe,
7 Q. Did you have that meeting with her in the hotel lobby, or
8 restaurant, or where did you have that meeting with her?
9 A. I got a room, I just rented a room, so that we could talk.
10 Q. How many people were in that room when you had this talk with
11 Ms. Heard?
12 A. There was just the two of us.
13 Q. You explained moments ago, well, as we know, that the two of
14 you, Ms. Heard had obtained a restraining order against you
15 A. Yes.
16 Q. Given that she had that restraining order against you, did she
17 make sure she stayed at least ten feet away from you at all
18 times?
19 A No sir. No.
20 Q. Can you explain why you say she did not stay away from you at
21 all times?
22 A. Well, there was quite a lot of discussion about the various
23 things going on, and at times it of course got emotional,
24 because of the entire situation, and she asked for some
25 comfort in, a hug, she wanted me to embrace her.
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1 DEPP - SHERBORNE

2 Q Did you embrace her?

3 A No I did not

4 Q Why did you not embrace her?

5 A. I did not think it was right, given the circumstances if she

6 had said that to the world that she was in fear for her life

7 and from me, and that I had been this horrible monster, if you

8 will and, which was not the case, I thought it - I did not

9 understand why she would want to touch me.

10 Q. We have obviously only got part of the conversation, but was

11 it one long interrupted discussion between you and Ms. Heard

12 in the hotel bedroom?

13 A Yes. It was quite a long discussion. It is very taxing of

14 course and Ms. Heard was, at a certain point, to me, looked

15 just exhausted, and she was complaining of palpitations and

16 was not feeling well.

17 Q. What did you do, if anything?

18 A. I suggested that she take a nap, sleep for two or three hours,

19 and that I would then wake her up.

20 Q. What did she do, if anything?

21 A. 1 there was ----

22 Q. What did she do?

23 A. Excuse me, I am sorry?

24 Q. What did Ms. Heard do to your suggestion?

25 A. I took her to the bedroom, it was just a living room and a

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1 DEPP - SHERBORNE

2 'bedroom, and I walked her to the bedroom, pulled down the

3 sheets, got her in bed, covered her, and took — before

4 I covered her, she looked at me and asked me if I was getting.

5 in with her.

6 Q. Getting into the bed with her?

7 A. Yes, to cuddle, to hold her, and I said no, I am not. And

8 I tucked her in, and I walked back into the living room.

9 Q. What did you do, in the living room?

10 A. In the living room, I was doing my best to try to make sense

11 of what had happened. I was trying to make sense of

12 everything. Given all the circumstances surrounding our

13 lives, my life at that time. I sat there, and I thought, and.

14 again, as I said, it was a very emotional time, and I just sat

15 and I cried.

16 Q. Mr. Depp, as far as you could tell, at any stage during your

17 meeting, did Ms. Heard seem scared or terrified of you?

18 'A. No, not at all.

19 MR. SHERBORNE: Thank you very much, Mr. Depp. If you wait there,

20 Ms. Wass will have some questions.

21 THE WITNESS: Certainly, thank you.

22 MR. JUSTICE NICOL: Yes, Ms. Wass?

23

2

25

[9] (Pages 32 to 35)

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1 DEPP

2 CROSS-EXAMINED BY MS. WASS

3 Q Mr. Depp, I am going to ask you in detail about some of these

4 recordings that you have just referred to.

5 A Yes

6 Q. Just so that you understand how I am going to ask you

7 questions, the recordings that you have just mentioned took

8 place in July 2016, which was really right at the end of your

9 relationship with Ms. Heard, was it not?

10 A. The end of the relationship was April 22nd.

11 Q. Let me put it this way, you were still interacting with her in

12 July, because we have it on tape.

13 A. I was asked to interact with her, and because I was under a

14 restraining order I was not ----

15 Q. Let me cut through this, because I do not want to get

16 sidetracked. I am going to start at the beginning, all right,

17 and we will end up with what happened in July, and I will give

18 you an opportunity to answer more questions about it at that

19 stage. All right?

20 A. Wonderful. Thank you.

21 Q Starting at the beginning, you are now 57 years old; yes?

22 A. Yes, ma'am.

23 Q. I think you found fame and fortune, really, at an early stage

24 in your life, did you not?

25 A. I do not know if I would call it fame, but at around the age

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1 DEPP - WASS

2 of 22, yes, my life changed radically.
3 Q. Yes. The fame and the celebrity, if I can use that word, gave
4 you money?
5 A. I don't think it gave it to me. I worked, I had a job, and
6 I was paid for my services, yes.
7 Q. You came into money; yes?
8 A. For the first time in my life, yes.
9 Q. You had influence?
10 A. What, back then?
11 Q. Yes. From that time —
12 A. I would not say I had influence.
13 Q. Let me just explain, so you can deal with it. From an early
14 age, you put it at 21, I am going to suggest that you had
15 'money, power and influence. Now, do you agree with that
16 statement or not?
17 A. I don't agree with that statement at early in the game.
18 Q. All right. At an early stage in your life, I think you will
19 agree that you found drugs and alcohol?
20 A. Yes, madam.
21 Q. We can look at the files, if you like, there are several
22 interviews, which I am sure you are familiar with, have been
23 put in the bundles. But you said, in one interview, "I did
24 every kind of drug there was, by 14"
25 A. Yes, madam.
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1 DEPP - WASS

2 Q. Is that true?

3 A. At the time, pretty much, yes, it was true.

4 Q. Right. Could that have changed? "I did every kind of drug

5 there was by the time [was 14°; if it was true then, how can

6 it be any different now?

7 A. There were different drugs after I was 14,

8 Q. Oh, you found even more. All right.

9 A. No, no, not that I found even more. Every kind of drug that

10 was relatively known to man, I had — I had experienced at

11 that time.

12 Q. So that I understand, what you are saying is that since you

13 were 14, more drugs have become used as recreational drugs and

14 prescription drugs which you also found; is that what you are

15 saying?

16 A. No, that is not what I am saying.

17 Q. What are you saying?

18 A. You asked me the question.

19 Q. asked you the question.

20 A. At the age of 14, at the age of 14, you said "You had done

21 every drug known to man —"

22 Q. No.

23 A. "at that time."

24 Q. No. I quoted what you said in a magazine. We can look at it,

25 if you do not —

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1 DEPP - WASS

2 A. No, if you can repeat it.

3 Q. "I did every kind of drug there was, by 14", nothing known to

14 'man, that was a quotation you are alleged to have said to the

5 person who interviewed you.

6 A. I definitely said it.

7 Q. It was true.

8 A. Yes, ma'am.

9 Q. Then think you wanted to qualify, which is why we have

10 become sidetracked. by saying there were others you have taken

11 since then?

12 A. It is actually semantics. [was referring to drugs that I had

13 taken prior to the age of 14 up to the age of 14. After that,

14 there were many different, there were many new drugs that came

15 out that I had not taken.

16 Q. All right

17 A. That is all I was trying to clarify.

18 Q. Let us try to stick to the point, but if I say something that

19 you think needs elaborating on, please feel free to say

20 something; all right?

21 A. Yes, that is good.

22 Q. What you said to another magazine -- I will give my Lord the

23 references even though Mr. Depp says he does not need them —

24 is at file 5, tab 172, page 4. This was an interview you did

25 with Playboy magazine. You were asked this: "At one point

[10] (Pages 36 to 39)

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1 DEPP - WASS

2 your life did seem out of control; was it drugs?" You said,

3 "Mostly alcohol. There were drugs too, pills, and there was a
4 a danger I would go over the edge. 1 could have."

5 MR. JUSTICE NICOL: Just a moment, please. Mr. Depp, recordings
6 [i] are being made, but in order for the recording to record your
7 answer, you need to articulate an answer. 1 have seen that
8 you nodded your head at some points at what Ms. Wass was
9 asking you.

10 A. Indeed.

11 Q. But you do actually need to speak?

12 A. Yes, head nods do not come out on microphones. Tam sorry.

13 Q. Head nods and head shakes do not come out on the microphone,

14 You are quite right

15 A. Tunderstand. Thank you, your Lordship.

16 MS. WASS: Now, that remark, "There were drugs too, pills, and
17 there was a danger I would go over the edge. 1 could have",

18 do you agree that that is a fair assessment of how your
19 relationship with drugs has been over the years?

20 A. At that time, and in my youth, as I was a young, very young
21 man, my experience with narcotics and stimulants or alcohol
22 began at a very young age when it was not a particularly
23 stable or secure or safe home life, and there was quite a lot
24 of unpleasantness in the house. So, I remembered that my
25 mother used to ask me to go and get her nerve pills. I think

1 DEPP - WASS

2 it was around the age of 11 that it dawned on me that nerve

3 pills were calming her nerves, so I brought her her nerve

4 pills and I took one.

5 Q. Right.

6 A. And that began what I have to say was a way for me to — the
7 only way that I found to numb the pain.

8 Q But over the years, you have carried on, have you not, on and
9 off?

10 A. On and off, yes

11 Q. Taking drugs of all sorts?

12 A. Yes.

13 Q. I mean, just to name a few, cocaine?

14 A. Yes, ma'am.

15 Q. Ecstasy or MDMA?

16 A. Yes, ma'am.

17 Q. LSD?

18 A. When I was much younger, yes.

19 Q. Yes, Tam not going to time these, but thank you for that

20 qualification. Mushrooms?

21 A. Yes.

22 Q. Ketamine?

23 A. Never.

24 Q. Never? Never?

25 A. No, ma'am.

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1 DEPP - WASS

2 Q. Sure about that?

3 A. Yes

4 Q. Okay, and cannabis?

5 A. Cannabis, yes.

6 Q. And you have also, on your own account, become addicted and

7 abused prescription drugs?

8 A. Yes, ma'am.

9 Q. And there was a time, do you agree, when you found alcohol and

10 drugs very glamorous?

11 A. No.

12 Q. No. Did you not idolize those who idolized the drug culture?

13 A. I have always been interested in the counter culture, and many

14 literary heroes of mine, including Chaucer, who was an opium

15 addict, including Thomas De Quincey, who wrote Confessions of

16 an Opium-Eater, in about the mid 18th century. So it has been

17 a subject, as there are many other subjects, that I have

18 learned about, read about,

19 Q. So, leaving behind the 18th century and fast-forwarding to the

20 20th century, Hunter S. Thompson was an idol of yours, was he

21 not?

22 A. Hunter S. Thompson was an idol of mine, yes.

23 Q. Hunter S. Thompson was a man who extolled the virtues of

24 psychedelic drugs, did he not?

25 A. I believe Mr. Thompson has a very famous quote that says, "I

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1 DEPP - WASS

2 do not condone the use of drugs or alcohol to anyone, but they

3 have always worked for me."

4 Q. In fact, the exact quote is, "I hate to advocate drugs,

5 alcohol, violence or insanity"

6 A. Ah, there you go.

7 Q. = "to anyone, but they have always worked for me"?

8 A. Yes.

9 Q. So that is Hunter S. Thompson?

10 A. Yes.

11 Q. The musician, Keith Richards, has been a role model of yours,

12 has he not?

13 A. Keith Richards has been one of my favourite guitarists and a

14 role model, yes.

15 Q. A man whose drug abuse has been well-documented?

16 A. Yes.

17 Q. Another musician, Marilyn Manson, is he somebody that you have

18 shared many interests in?

19 A. All three of those that you have mentioned I have been very

20 close to. They have been friends, wonderful friends.

21 Q. And your friendship with Marilyn Manson, is that based mainly

22 in music?

23 A Yes. Initially, yes.

24 Q. What about after initially? What other things did you have in

25 'common with Marilyn Manson?

[11] (Pages 40 to 43)

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1 DEPP - WASS

2 A. It turns out that we had both come, we had both lived in South

3 Florida for a period of time in the same area. I was a little

4 bit before him when I was playing these clubs, and he was

5 playing the same clubs.

6 Q. Did you share an interest in taking recreational drugs with

7 Marilyn Manson?

8 A No.

9 Q No. No?

10 A No. Yes.no.

11 Q Are you saying that you have never taken drugs with Marilyn

12 Manson?

13 A. Tam not saying that

14 Q. Let me ask the question more clearly then. Have you ever

15 taken drugs with Marilyn Manson?

16 A Yes

17 Q. And was that once or more than once?

18 A. Twice maybe.

19 Q. When was that?

20 A. Many years ago.

21 Q. Give us a clue. Was it during the currency of your

22 relationship with Ms. Heard?

23 A. No, long before.

24 Q. Long before then?

25 A Yes.

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1 DEPP - WASS

2 Q. Soto suggest that you had taken drugs with Marilyn Manson

3 after 2011, for example, would be quite wrong, would it?

4 A Yes

5 Q. Mr. Depp, you are lying about that, and I am going to

[3 demonstrate to you how I can show that you are lying, but

7 I will come to that in due course: all right?

8 A. Yes, ma'am.

9 Q. Paul Bettany, another one of your drugs buddies; yes?

10 A. Is that a question?

11 Q. It is a question. What do you say about that? Is Paul

12 Bettany, or was Paul Bettany, one of your drugs buddies?

13 A. I thought you were making a statement saying Paul Bettany,

14 another one of your drug buddies. Paul Bettany is an actor

15 that I have worked with several times. He is a friend, a good

16 friend. and we have, yes, we have dabbled in drugs together.

17 Q. Right, and what drugs would they be?

18 A. That would have been cocaine, alcohol.

19 Q. Any sort of pills?

20 A. Yes, there could have been Xanax or, if he needed, if he asked

21 for Xanax or Adderall, whatever, I would of course give it to

22 him.

23 Q. So you would supply Paul Bettany with whatever medication or

24 controlled drugs he asked for; is that right?

25 A. If he was feeling anxious or if he was feeling unpleasant,

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1 DEPP - WASS

2 I would give him what he asked for.

3 Q. Would you give him a Xanax?

4 A. Yes.

SQ. Would you give him cocaine?

6 A. Yes mam.

7 Q. And you at one stage owned a nightclub call The Viper Rooms?

8 A. Yes, ma'am.

9 MR.JUSTICE NICOL: Justa moment.

10 MS. WASS: InLA?

11 A Yes

12 MR.JUSTICE NICOL: What was the name?

13 MS. WASS: The Viper Rooms. (Pause)

14 MR.JUSTICE NICOL: And I think you agreed?

15 A. Yes,sir, your Honour, I mean your Lordship.

16 MS. WASS: A club where drugs were freely used?

17 A. No, drugs were not freely used.

18 Q. Not freely used?

19 A. No, alcohol was freely served.

20 Q. River Phoenix was a young actor who collapsed and died in your
21 club?

22 A. Hedied, River passed away just on the sidewalk, just in front
23 of my club, yes.

24 Q. Having been in your club?

25 A. Yes, he had been there for about, I cannot — I think it was

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1 DEPP - WASS

2 about 45 minutes.

3 Q. And he collapsed in your club, did he not?

4 A. Idid not see it happen, but from what I understand, River
5 began to feel unpleasant or feel poorly, he began to sweat and
6 he made his way out the door, and once out the door,
7 apparently, he collapsed.

8 Q. He died of a drug overdose?

9 A Yes, maam.

10 Q. You, over the course of your adult life, have had a lot of
11 freedom, have you not? Do you agree with that, or not?

12 A. Youwould have to define "freedom".

13 Q. You have not been forced to lead a conventional life; you
12 could take drugs and do more or less what you wanted. given
15 your money and influence and power?
16 A. I am sorry, could you just repeat — I am trying —
17 Q. Do you agree that your money and influence and power have
18 given you freedom that many ordinary people do not have?
19 A. I would say that all those things you have mentioned, I would
20 say that I have been very fortunate in that they are
21 I suppose at a certain point, they become a part of your life,
22 but the other side of that coin is that you are in a way
23 forced to live the life of a fugitive. That is in the sense
24 that you no longer -- anonymity does not exist any more,
25 anywhere, and you cannot leave your hotel room, so I would not
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1 DEPP - WASS

2 define that as freedom, I must say.

3 Q Allright. You have a huge number of people working for you,
a do you not, a huge entourage?

5 A. You would have to define "huge"

6 Q. How many people do you employ? Let me ask it that way.

7 A. I would say - I cannot tell you

8 Q It is that many. All right, I think we can agree —

9 A. Maybe it is 15,20 maybe

10 Q. And you surround yourself with people, I suggest, who never
11 really say no to you?

12 A That is not true at all

13 Q You do not agree with that?

14 A. No, I do not.

15 Q. They are people who will do what you ask. They will do
16 anything you ask, including, some of them, supplying drugs to
17 you, controlled drugs to you?

18 A. There are people who work for me, work with me who, yes, in
19 the past, have been asked to provide whatever I have felt was
20 necessary at the time.

21 Q. Well, putting it bluntly, if you wanted illegal drugs,
22 controlled drugs, and you asked one of your staff — and am
23 not going to name anybody particularly right now — that
24 'member of staff would provide you with those drugs if he

25 could?

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1 DEPP - WASS

2 A. Attimes, yes.

3 Q Despite the fact that it was illegal?

4 A Yes

5 Q Yes. We see you now as very charming and polite, and very

[3 softly spoken, but there is another side of you, is there not,

7 Mr. Depp, that is less charming?

8 A. Tam afraid that would not be for me to judge.

9 Q Why?

10 A. Well, because I would say that your statement is quite blanket

11 and would apply to every single human being.

12 Q Well, let me put it like this. You are aware that there is a

13 nasty, angry side to your character, are you not?

14 A. Tam well aware that there has been quite a lot of pain —

15 Q. Sorry, I did not understand the last word?

16 A. Tam sorry.

17 MR. JUSTICE NICOL: I think Mr. Depp said "pain".

18 A. Pain.

19 MS. WASS: I am sorry, Mr. Depp, carry on.

20 A. From youth and the way I was raised, and, you know, yes, when

21 you are trying to figure out what it is all about, when, as

22 You say, success and notoriety and all those things come to

23 you, and you do not quite understand why they have come to you

24 and you do not understand why you have them, especially when

25 you do not feel in your heart worthy of them, it is a

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1 DEPP - WASS

2 confusing, it is a very confusing thing, because you have

3 become a product. Your name no longer sounds the way it did

4 when you were growing up. It has become a product. So the

5 sound of my own name, even when I speak my own name, sounds

6 foreign to me.

7 Q. Do you have an anger problem?

8 A. No, I do not have an anger problem.

9 Q You do not think you have an anger problem?

10 A. No.
11 Q I mean, over the course of your life, your adult life —
12 A. Yes.
13 Q — you have regularly engaged in destructive and violent
14 behaviour; do you agree?
15 MR JUSTICE NICOL: Justa minute. (Pause) Do you agree,
16 Mr. Depp?
17 A. I do not agree.
18 MS. WASS: You do not. Allright, we are going to have to look at
19 some documents then. In fact, you have got number 4 in front
20 of you, I think. Have you got file 4 open in front of you?
21 A Yes, I do.
22 Q. If you go to the back of file 4, there is a cutting, or there
23 are two cuttings about —
24 MR JUSTICE NICOL: Which tab, please?
25 MS. WASS: 163.
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1 DEPP - WASS
2 THE WITNESS: That is in this —
3 MS. WASS: It is in that one, is it? I think we are going to have
4 a problem, Mr. Depp. Shall I tell you what —
5 A. No, it is in 5, I think.
6 MR. JUSTICE NICOL: 163, in my file, is an article called "Depp
7 struck" by William Trott.
8 MS. WASS: Exactly. May I enquire, is that my Lord's bundle 4 or
9 57
10 MR. JUSTICE NICOL: That is my 4.
11 MS. WASS: I have the same bundle as my Lord, but I think
12 Mr. Depp's is in 5. There have been —
13 THE WITNESS: I am sorry, mine stops at 158.
14 MR. JUSTICE NICOL: Mr. Depp, I have said this previously, when we
15 dealt with hearings remotely, that patience is often needed,
16 even if you are in court, because bundles do sometimes change
17 and one just has to try to deal with it as best one can.
18 A. Absolutely, my Lord. I am easy to roll with the punches.
19 I just could not find it in the file.
20 MS. WASS: Have you now found it, 1637
21 A. I believe I have to go to file 5.
22 Q. Please do. (Pause) This is an article -- my Lord has
23 identified it -- by William C Trott; yes?
26 A Yes
25 Q. It dates back to 1989, so a long time ago. I think you were

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1 DEPP - WASS

2 25 at the time. The article reads, if you go down to the
3 second hole punch, "Depp, 25, was arrested and held in custody
1 for three hours early Wednesday after police answered a noisy
5 party complaint at a hotel in the West End section of
6 Vancouver where 21 Jump Street is filmed." That was a
7 television programme you were in; is that right?

8 A Yes

9 Q. "The trouble started when a security guard asked a group of
10 people to leave the hotel and Depp allegedly then assaulted
11 the guard. Telephones in the hotel lobby were also damaged in
12 the incident. Depp was released after promising to appear in
13 court"; all right? Do you agree that you were arrested on
14 suspicion of assault, as that article suggests?

15 A. Yes.

16 Q. Could you go to tab 166, please, and my Lord, that is probably
17 in the next bundle of my Lords.

18 MR.JUSTICE NICOL: Justa moment. (Pause) At 166, I have a
19 headline "Depp to pay for trashing room". Is that the right
20 document?

21 MS.WASS: Yes. If my Lord goes to the second page in that bundle
22 — Mr. Depp, you too, please -- we are now moving to when you
23 are the age of 31. You were arrested in a New York hotel
24 room, which you had demolished: "Actor Johnny Depp, star of
25 the movie Ben and June, agrees to pay nearly \$10,000 to a New
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1 DEPP - WASS

2 York hotel after he destroyed his room there, the Manhattan
3 District Attorney's office said on Tuesday. Depp, 31, had
4 stayed overnight at the Mark Hotel in New York city with his
5 girlfriend. A police spokeswoman said, "The actor was
[3 possibly intoxicated when he overturned tables, smashed lamps
7 and did other damage, but there was no known motive for the
8 attack." Then it tells the price of the hotel and it ends by
9 saying, "Under the deal, he will pay \$9,767." Do you remember

10 that incident?

11 A. Yes.

12 Q. Perhaps you could start by telling us, were you intoxicated at
13 the time?

14 A. No.

15 Q. Were you under the influence of drugs?

16 A. No.

17 Q. Did you do \$9,767 worth of damages?

18 A. I do not know exactly the exact amount of the damages, but
19 made a few dents, yes.

20 Q. Mr. Depp, forgive me, this was just the room that you
21 destroyed, not the whole hotel, according to this report?

22 A. It is a room.

23 Q. It is a room in a hotel. A few dents do not amount to nearly
24 \$10,000. What did you do to create damage of nearly \$10,000?

25 A. Well, the \$10,000 was the bill that was given to me.

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1 DEPP - WASS

2 Q Yes

3 A. There was a vase it was a long time ago, but there was a vase
4 that got turned over. There was a couch across
5 the room.

6 Q. You slid or slipped?

7 A. Skid, I am sorry.

8 Q. So you did not damage it, you just moved the couch: is that
9 what you are saying?

10 A. Yes. just slid it across the room.

11 Q. That would not cause any damage at all unless you perhaps
12 damaged the floor?

13 A. No, I do not recall that it lasted very long, and I do not
14 recall that it was -- I did not rip things off the wall or
15 anything like that.

16 Q. You see, the headline says, "Depp to pay for trashing room"?

17 A. Yes

18 Q. I mean, you trashed the room. You know what that means, do
19 you not?

20 A. Yes. I do

21 Q. Trashing a room?

22 A. Yes.

23 Q. It is not just breaking a vase and moving a couch a few feet
24 across —
25 A No, no--
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1 DEPP - WASS
2 Q. The suggestion is that you trashed the room?
3 MR. JUSTICE NICOL: Do you agree with that as a description,
4 Mr. Depp?
5 A. Sure, trashed is fine. I just think that there are - I mean,
6 when I left the room, it was not unlivable. You just had to
7 put a new vase in, maybe a cup or two.
8 MS. WASS: So your explanation for this is that you broke a vase
9 and maybe a cup or two; yes?
10 A. I broke some things. I do not remember exactly what they
11 were. It was 1994
12 Q. This was an unusual incident, was it not, or not?
13 A. Yes.
14 Q. Yes. I mean, for the second time, you were arrested: yes?
15 A. Yes.
16 Q. You were arrested in circumstances where it was alleged that
17 you had been violent?
18 A. Yes.
19 Q. And it was quite a lot of money to most people. Was it maybe
20 not very much money to you, \$10,000?
21 A. No, I think that is quite a lot of money for anybody.
22 Q. Yes, and what I am asking -- you say you remember it?
23 A. Yes.
24 Q. Why did you trash this room?
25 A. I had been a particularly bad couple of days and that day and
[14] (Pages 52 to 55)
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1 DEPP - WASS
2 evening turned out to be the -- it was the apex of an
3 unpleasant time.
4 Q. I asked you a little while earlier whether you considered that
5 you had problems with anger and anger management and you said
6 no?

7 A. I donot think I have a problem.
8 Q. You still maintain that?
9 A Yes.
10 Q. So, if you were not angry —
11 A No, I was angry.
12 Q. You were angry?
13 A. Yes, but that does not mean I have an anger problem.
14 Q. Well, did you find it difficult to control your anger on this
15 occasion?
16 A. On that occasion, I chose to express my anger
17 Q. Right. So, just so we are speaking the same language, you
18 would say you express your anger in a way that is possibly
19 destructive, but that does not mean you have an anger
20 management problem; that is the difference between us?
21 MR.JUSTICE NICOL: Mr. Depp, again I am sorry to remind you, but
22 'you are nodding your head and I can see that, but you do need
23 to speak a response.
24 A. I was waiting for her to finish. I am sorry.
25 MR.JUSTICE NICOL: All right. I think Ms. Wass has now finished
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1 DEPP - WASS
2 so what is the answer to her question?
3 A. May I hear your question again?
4 MS. WASS: The question was I repeated what you said, that you
5 said you expressed yourself in a particular way, and I asked
6 you whether I understood correctly that you express yourself
7 through destructive behaviour. Perhaps you can just answer
8 that part of the question first. Do you agree that you
9 express yourself through destructive behaviour?
10 A. I have at times in my life, yes.
11 Q. Yes, and this was not the only time by any means, was it?
12 A. No, ma'am.
13 Q. And would you say that despite the fact that you express.
14 'yourself by being destructive, you do not consider that you
15 have an anger management problem?
16 A. I also express myself by laughing, but I do not have a humour
17 problem.
18 Q. You have a sense of humour, presumably, if you laugh. Anyway,
19 we do not need to argue about the semantics. You have agreed
20 that when you are angry, you smash things up?
21 A. I have agreed that when I was angry then, I smashed things up.
22 Q. Can you explain to us what it was on that occasion that made

23 'ou so angry that you did \$10,000 worth of damage to a simple
24 hotel room?

25 A. Thada at the time I had a friend that had been a friend
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1 DEPP - WASS

2 for a very long time, and he had, for the lack of a better
3 description, screwed me over, if you will

4 Q Right. This made you angry?

5 A Yes maam

6 Q And you trashed the room?

7 A Yes.

8 Q And your then girlfriend was with you?

9 A Yes

10 Q. Do you consider, did you consider at the time she might be
1 rather frightened by that?

12 A. She was in the bedroom, asleep.

13 Q. She slept through the whole thing, did she?

14 A Yes

15 Q Allright. Letus carry on, then, and fast forward to
16 tab 171.

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

18 MS.WASS: (To the witness) Page 1042, this is another interview.

19 Have you got 1042 at the bottom?

20 THE WITNESS: Yes, Ido.

21 Q. You were asked about the hotel incident, do you remember, do
22 you see that, this interview took place some time later?

23 A. Yes, Isee.

24 MR JUSTICE NICOL: Sorry, help me, please. Ms. Wass, where is
25 the reference on 1042 to the hotel incident?

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1 DEPP - WASS

2 MS. WASS: At the very top. It says, "Voiceover. No one was
3 laughing when Depp trashed a fancy hotel room after a spat
4 with his then girlfriend, causing nearly 10,000 worth of
5 damage. What was all that about?" This was the interview
6 asking you that question, was it not, Mr. Depp?

7 THE WITNESS: Yes, ma'am.

8 Q. The suggestion of the interviewer was nothing to do with the
9 friend who screwed you over, it was that you had a spat with
10 your girlfriend. That is what he said, is it not?

11 A Yes, it is what he said. That was the assumption of the media
12 at the time.

13 Q. Right

14 A. Because it makes for better press, does it not? Rather than
15 assaulting a human being, I assaulted a couch.

16 Q. Instead of putting this chap who is interviewing you — in
17 fact, it is a woman who was interviewing you, right, put the
18 record straight, you went along with this suggestion that it
19 was after a spat with your girlfriend?

20 A. May just - her, next to the other person, it says,
21 "voice-over", so, this voice-over, this must be a TV
22 programme.

23 Q. Uh-huh?

24 A. Well, then it is not an interview, is it?

25 Q. There is a question, I will read it all to you again: "No one
[15] (Pages 56 to 59)

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1 DEPP - WASS

2 was laughing when Depp trashed a fancy hotel room after a spat
3 with his then girlfriend causing \$10,000 worth of damage.

4 a What was all that?" So, you are saying it was never put to
5 you that it was about your girlfriend?

6 A. It had been put out in the —

7 Q. In the paper?

8 A. In the press, quite a lot, that it was an argument
9 between Kate Moss and myself, which was not the case at all,
10 It was not the truth. But the media machine had taken it
11 already.

12 Q. Once the media machine had taken it over, did you ever think
13 to correcting it?

14 A. I did correct it. I have corrected in other interviews, yes.

15 Q. All right. The question was, "What was all that about?", so
16 you are being asked that question, are you not, how did this
17 all happen, this trashing the hotel room. And your answer
18 was, "It was about Dave", think you have told us that
19 already. "You know, you have bad days and, you know, some

20 guys go play golf, some guys, you know, smash hotel rooms."

21 'That was your answer.

22 A. That was my answer, but if - sorry, but if this comes from a

23 television show, then we are talking about being in two

24 separate places. My interview, I am sorry, your Lordship,

25 just want to clarify, this is, does not read like a sit-down

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1 DEPP - WASS

2 interview. Because she is off camera at all times, so this

3 looks like television. If it is television, I would love to

4 see it.

5 Q. We have a transcript here. If you go back to F1037, what it

6 says, the piece is called "Johnny Depp. The ultimate outsider

7 profile of Johnny Depp, ABC News transcript, June 20th 2003,

8 Friday"; yes?

9 A Yes

10 Q. This is a transcript of the television piece.

11 A. Yes.

12 Q Going back to 1042, the voice-over, so not what was said to

13 you, but the voice-over on the television programme was: "No

14 one was laughing when Depp trashed a fancy hotel room after a

15 spat with his then girlfriend model causing \$10,000 worth of

16 damage. What was all that?" That was the question that was

17 asked of you, you said: "It was a bad day. You know, you

18 have bad days and, you know, some guys go play golf, some

19 guys, you know, smash hotel rooms." Those are your words?

20 A. Yes, they are my words.

21 Q. Now we have got to the bottom of that, do you want to say

22 whether you disagree with the words that are recorded and that

23 were broadcast on the television?

24 A. If your Lordship would not mind, I would just like to clarify

25 one thing about this body of interview which she is describing

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1 DEPP - WASS

2 as an interview.

3 MR. JUSTICE NICOL: Yes.

4 THE WITNESS: This is from ABC News, so Elizabeth Vargas, when she

5 speaks, it says, "voice-over". And then, it says, "Elizabeth

6 Vargas, off camera", and it cuts to me. So, what I am trying

7 to explain to you is that whatever interview they are using,

8 whatever words of mine they are using. her segment was shot at

9 a completely different time and probably a while after mine.

10 So, she could have said anything in the world and I had no

11 control over it. If you understand, they took an interview

12 with me and then they put Ms. Vargas on there as voice-over

13 and off camera. We never we never did the interview

14 together, is what I am saying. So, these are not direct

15 questions to me from Elizabeth Vargas

16 MS. WASS: What I am interested in, Mr. Depp, is not actually what

17 Elizabeth Vargas says at all. What I am interested in, so you

18 know, is your statement that you made there, which you agreed

19 that you made.

20 A. Yes, did make the statement, but not in answer to the exact

21 question that she is asking

22 Q. The statement indicates that some guys go and play golf and

23 get angry and they swing a club around at a golf course, you

24 smash hotel rooms. That is what you are saying there.

25 A Yes.

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--- Page 64 ---

1 DEPP - WASS

2 Q. "If it is a bad day, some people play golf, I will smash a hotel

3 room."

4 A. The answer that I gave then, I believe, was done with some

5 semblance of humour, as it is a ridiculous notion that a grown

6 man will attack a hotel room.

7 Q. It might be a ridiculous notion, but it was certainly what you

8 were arrested for?

9 A. Yes, it is what I did, yes.

10 Q Which is what you did, so ridiculous or not, it is what you

11 did?

12 A. It is ridiculous, yes.
13 Q. That does not mean it did not happen?
14 A. I just said it did.
15 Q. Can you go to file 4, tab 107.
16 A. Yes.
17 MR. JUSTICE NICOL: You will find, Mr. Depp, there is not much
18 room in the witness box, so it is probably useful to put the
19 file away that is no longer needed. Now, Ms. Wass, my file 4
20 starts with tab 109.
21 MS. WASS: Right. Then it must have gone back a tab.
22 THE WITNESS: Sorry, what was the tab?
23 MS. WASS: Tab 107.
24 MR. JUSTICE NICOL: Try file 3, Mr. Depp.
25 THE WITNESS: I have found 107 in ----
[16] (Pages 60 to 63)
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1 DEPP - WASS
2 MS. WASS: Tab d.
3 A. Yes, in file d,
4 Q. Yours must be like mine, but the important thing is the tab
5 number.
6 MR JUSTICE NICOL: As I say, we need patience, and we will get
7 through it. Page? So, tab 107, and?
8 MS. WASS: It should be F564 at the bottom.
9 MR. JUSTICE NICOL: Yes.
10 MS. WASS: Mr. Depp, the reason, just so that you know, that I am
11 asking these questions, I am suggesting to you as clearly as
12 I can that you are the type of person who, when he becomes
13 angry and/or frustrated, expresses that through violent
14 behaviour. All right? That is why I am asking you these
15 questions. That is the relevance of them. Do you understand?
16 A. I understand,
17 Q. So. Let us look at this, it is a transcript, it is a bit
18 difficult to read, but let us put it in context. You made a
19 film in 1998 with an actress called Ellen Barkin. Do you
20 remember that, Fear and Loathing in Las Vegas?
21 A. Yes. I do.
22 Q. Was it about the life of Hunter S Thompson?
23 A. It was a film based on his book Fear and Loathing in

24 Las Vegas.

25 Q. Alright. Ms. Barkin had some dealings with you. Can I ask
[Page 65]

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1 DEPP - WASS

2 You to start at F566.

3A Yes.

4 Q. At the bottom. So we know, the pages go top left, top right,
s bottom left, bottom right. It could not be more confusing but

[i] I am sure we can work it out together. At the bottom left,

7 second answer from the bottom, she explains: "The friendship

8 went from a purely platonic friendship to a romantic one —"

9 MR. JUSTICE NICOL: Just a minute, please, I am trying to navigate
10 the document.

11 MS. WASS: Sorry.

12 MR. JUSTICE NICOL: We are on page F667

13 MS. WASS: Yes.

14 MR. JUSTICE NICOL: And the internal pages seem to be numbered,
15 50, which

16 MS. WASS: Page 11

17 MR. JUSTICE NICOL: Page 11. Yes. Have you got that, Mr. Depp?

18 THE WITNESS: I do. Thank you.

19 MS. WASS: Line 20 in that transcript, Ms. Barkin is saying: "The
20 friendship went from a purely platonic friendship to a
21 romantic one."

22 A. I see that, yes.

23 Q. Go over to line 18 on internal page 12: "I would see him
24 three or four times a week"; yes?

25 A. Yes, that, yes.

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1 DEPP - WASS

2 Q. Then, over on page 16, turn over the page, so it is 567,
3 internal page 16.

4A Yes

5 Q. She says, you were loving, very demonstrative, seemed like
6 people who took care of people around him; yes?

7A Yes. I see it.

8 Q. Then, over the page, to 568, she was asked: "Did you become

9 aware that he drank to excess?"

10 MR.JUSTICE NICOL: Sorry, which internal page number now?

11 MS. WASS: Sorry, my fault, page 17 internally, line 12. This is
12 the question that Ms. Barkin was asked. Have you got that?

13 THE WITNESS: Yes, do.

14 Q. Then there are various objections from various lawyers. At
15 the top of page 19, which is the bottom left, she says: "He
16 was drunk all the time, a lot of the time." All right, and
17 said you were a red wine drinker, at line 15; yes?

18 A Yes

19 Q. Do you agree with that, at about this time of your life?

20 A. Well, yes. I was drinking red wine. That given up spirits.

21 So I was just drinking red wine.

22 Q. And when she said you were drunk most of the time or a lot of
23 the time, when she qualifies that, would you agree with that?

24 A No

25 Q. That is wrong?

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1 DEPP - WASS

2 A. I would say that is quite a stretch.

3 Q Quite a stretch. Go to page 20 at the bottom.

4 A. Uh-huh.

5 Q. She was asked about illegal substances, do you see that,
6 line 3, the same question with illegal substances?

7 A. Yes, ma'am.

8 Q. The answer, at page 9, this is Ms. Barkin answering the
9 question, hallucinogenics?

10 MR. JUSTICE NICOL: Where are we now?

11 MS. WASS: Page 20, lines 9 and 10.

12 MR. JUSTICE NICOL: Thank you.

13 MS. WASS: What Ms. Barkin said, when she was asked about your
14 consumption of illegal substances, was hallucinogenics, what
15 does that cover?

16 THE WITNESS: Hallucinogenics, that could cover anything from
17 lysergic acid, which is LSD, to mushrooms, psilocybin in
18 mushrooms, that type of thing.

19 Q. Was she right about that?

20 A. No.

21 Q. So she has that wrong as well?

22 A. Yes.

23 Q. You did not take LSD, you have told us already?

24 A. No, I did not.

25 Q. What about mushrooms?

[17] (Pages 64 to 67)

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1 DEPP - WASS

2 A. Not at that time, no.

3 Q Youdid not take mushrooms. Cocaine she says?

4 A. No, notat that time.

5 Q. She hasalso got that wrong. Marijuana?

6 A. Atthat time, occasionally.

7 Q. So, hardly any drugs at that time, is that what you are

8 saying?

9 A. Yes, Iwas working on a film

10 Q. Does that stop you taking drugs?

11 A Yes. Iwould say there is no way to make — it is just too

12 much work.

13 Q. Younever take controlled drugs during the course of making a

14 film?

15 A. Itake the normal medications that my doctor has prescribed.

16 Q. Tam not asking about that. Iam talking about cocaine,

17 ecstasy, marijuana, never take those during the course of

18 filming?

19 A. Ihave at times smoked marijuana at work. And at times, when

20 you are on your 17th hour of the day, yes, I have taken

21 cocaine. But occasionally, not as a regular.

22 Q. Well, son fact what Ms. Barkin says is not necessarily

23 wrong, is it, when it comes to cocaine; or are you saying it

24 is wrong?

25 A. It seems that Ms. Barkin is saying that I was engaging in the

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1 DEPP - WASS

2 consumption of hallucinogenic, cocaine and marijuana. 1, as

3 1'said before to you, hallucinogenic, no, I was not taking

4 a any. Cocaine, I was not doing any cocaine at that time, and

5 Thad not for a long time. Marijuana occasionally.

6 Q Okay. Letus go down to the same page, page 20, on F568,

7 line 22. She is asked: "With respect to any of that,

8 hallucinogenic, cocaine or marijuana, did he do any of that

9 in your presence?" That is the question. There is an
10 objection by your lawyer. Then over the page, 50 we are now.
11 on page F569 at the bottom, page 21 at the top, do you have
12 that?
13 A Yes I do.
14 Q. Lined, she says: "All of the time." So, she is asked
15 'whether you took hallucinogenics, cocaine or marijuana in your
16 presence, and her answer was "All of the time".
17 A. Yes.
18 Q. Can you explain any reason you know of why she might be lying
19 about that?
20 A. Are you asking me to speculate?
21 Q. No. Do you know any reason why Ms. Barkin -- I mean, you
22 ended up on good terms or not?
23 A. No. We did not end up on good terms.
24 Q. So, are you suggesting then that she has an evil motive to
25 tell untruths about you?
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1 DEPP - WASS

2 A. Tam not suggesting anything, because I cannot begin to guess,
3 but I know that we did not end on good terms. She was
4 interested in something that I was not.

5 Q. So, then the answer she gives, at line 10: "He was always
6 drinking and/or smoking a joint." Again, do you agree with
7 that?

& A Noldonot.

9 Q. No. At the bottom at line 21, page 21: "Did Mr. Depp's
10 behaviour change when he drank more and used more drugs?"

11 Yes? And we get her answer at page 22, on the right-hand
12 side, line 5: "He was not the same, he was high." That is
13 pretty obvious.

14 A. We are looking at page 217

15 Qo

16 A 2

17 Q. Somy, you are absolutely right. This, sorry, 22, yes. "Not
18 the same, he was high."

19 MR.JUSTICE NICOL: The question I think is at internal page 21,
20 lines 21 and 22: "Now, did you ever observe, Ms. Barkin,
21 Mr. Depp's behaviour change when he drank more or used more

22 drugs?" Then, Ms. Barkin seems to answer, at internal
23 page 22, line 5: "He was not the same, he was high."
24 MS. WASS: Yes.
25 THE WITNESS: Yes, Isce that. May I — if it is all right —
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1 DEPP - WASS
2 MR. JUSTICE NICOL: I am not sure there is a question that has
3 been posed here.
4 MS. WASS: There is not a question, I am just putting it in
5 context, so we have the answer to that question. Because if
6 we look at page 23, at the bottom, another question arises out
7 of that, which I do want your help with, please, Mr. Depp. Do
8 you see page 23 at the bottom?
9 THE WITNESS: Yes. I do.
10 Q. There is a question at line 8: "Did there come a time,
11 Ms. Barkin, when Mr. Depp acted in a way that was out of
12 control with you?" Do you see that?
13 A. I see that. Yes, I see that.
14 Q. Again, there is an objection to that question, but the witness
15 answers, at line 13: "Yes, Mr. Depp threw a wine bottle
16 across the room, the hotel room, in one instance, in
17 Las Vegas, while we were shooting 'Fear and loathing in
18 Las Vegas'; yes?
19 A. Yes, I see that.
20 Q. The suggestion I put to you is that you lost control, lost
21 your temper, on that occasion, and you threw a bottle when you
22 were in a hotel room with Ms. Barkin?
23 A. I don't recall
24 Q. You do not recall that happening?
25 A. No, ma'am. If I may, your Lordship, I just want to - when we
[18] (Pages 68 to 71)
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1 DEPP - WASS
2 went from page 21 to 22, the question on line 21 on page 21,
3 the question is: "Now, did you ever observe, Ms. Barkin,
4 Mr. Depp's behaviour change when he drank more or used drugs?"
5 Line 24, Mr. Choo: "Objection, leading." 25, answer: "I did

6 not."

7 MS.WASS: Yes, and she said, on page 22: "He was not the same,
8 he was high." To put the whole thing in context, yes? I am
9 agreeing with you, there is another answer.

10 A. I don't know what, "I did not mean".

11 MR.JUSTICE NICOL: I see the point, Mr. Depp, it is fair enough
12 to draw attention to the fact that there was an answer by
13 Ms. Barkin prior to the passage that Ms. Wass drew my
14 attention to.

15 THE WITNESS: Yes, sir.

16 Q. But now I think we have moved on to the passage on internal
17 page 23.

18 A. Yes.

19 Q. The question: "Did there come a time, Ms. Barkin, when
20 Mr. Depp acted in a way that was out of control with you', and
21 then there is the answer at lines 13-16,

22 A Yes

23 MS.WASS: About the throwing of the bottle; all right?

24 THE WITNESS: Yes, mam.

25 Q. I will finish this passage and then you can give me your
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1 DEPP - WASS

2 answer to what was going on then. Page 25.

3 A. Yes.

4 Q. "What prompted Mr. Depp to do that?" line 18. Do you see
5 that?

6 A Yes. Yes

7 Q Go to page 26: "A fight was going on." Do you see that?

8 A Yes

9 Q Line 1.

10 A. Yes.

11 Q. "Between you and Mr. Depp?" that was the question. "No" she
12 said. "(Q): Who was the fight between? (A) Between Mr. Depp
13 and his friends in the room, the assistants." And then she
14 says, just so we put it all in context: "Honestly, I can't
15 remember."

16 A Yes

17 Q. Then, lower down the page, line 19: "Did the bottle hit
18 anyone? Did the bottle hit anyone else?" -- "Did the bottle
19 hit you?" (A) No. (Q) Did the bottle hit anyone else? (A)
20 No, it did not." Then she is asked how far she was away from
21 the bottle and she said, when Mr. Depp threw the bottle, she

22 said she was across the room, and then she gives an order of
23 size in the court where she was giving evidence about that.
24 What she says at page 28, she is asked: "After Mr. Depp threw
25 the bottle, did you say anything?" She said: "No. (Q) Did
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1 DEPP - WASS

2 do you anything? (A) No. (Q) Did anyone else say anything?

3 (A) No. (Q) Did anyone else do anything? (A) No." Now, this

4 was a room that also had your, she calls them your assistants,
5 in; yes?

6 A Tam sorry, this was a room that —

7 Q. Look at page 26, line 7, she said, there was a fight going on
8 between you and your friends, your assistants, or the
9 assistant.

10 A. Honestly, I do not remember. Yes,

11 Q. So, that is what she says, your answer is that you do not

12 remember.

13 MR. JUSTICE NICOL: No, I think it is -- this is Ms. Barkin's

14 deposition, is it not, so it is Ms. Barkin saying "I do not

15 remember", rather than Mr. Depp saying "I do not remember".

16 MS. WASS: I understand. (To the witness) If I can summarise

17 this, and correct me if you do not agree with this summary,

18 Ms. Barkin is describing an incident in a hotel where you

19 threw a bottle. It did not hit her. There were other people

20 in the room. There was a fight going on, according to

21 Ms. Barkin, between you and your friends, the assistants, she

22 says; yes?

23 A. I see that she says that, yes,

24 Q. She says that, and going down directly to page 28, she

25 essentially says, nobody did anything apart from you throwing

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--- Page 76 ---

1 DEPP - WASS

2 the bottle. Do you agree that is a summary of what she says,

3 or do you want to go through every single question and answer?

4 A. No, that seems to be what she is saying.

5 Q. Allright. That is a characteristic of your assistants,

6 people who work for you, they never step in, they never tell

7 you off for bad behaviour, they simply deal with the mess you

8 make.

9 A. I would say that is incorrect.

10 Q. You would say that is incorrect. Have any of your assistants,

11 just over the time that you were with Ms. Heard, ever

12 reprimanded you about your behaviour, that you can remember?

13 A. Reprimanded is a very strong word. My, the people that I work

14 with, such as assistants for security, are not just hired

15 hands. I do not think of them as my employees or someone who

16 works for me. I think of them as people who work with me, and

17 more, since we have all been together for quite a number of

18 years, they are more like family. So, they have never ever

19 backed off from approaching me with something if they have any

20 concerns on any subject.

21 Q. Allright. We will look at that when we come to particular

22 incidents.

23 MR. JUSTICE NICOL: Can I just understand your answer.

24 THE WITNESS: Yes.

25 Q. Ms. Wass was asking you if your assistants had ever

[19] (Pages 72 to 75)

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1 DEPP - WASS

2 reprimanded you, and you commented that reprimand was a strong
3 word.

4 A. Yes, my Lord.

5 Q. Have any of your assistants, in whatever word you choose,
6 taken issue with your behaviour?

7 A. Theyhave - yes, they have taken issue with — yes, my
8 behaviour on various subjects, but they do not — it is not a
9 dressing-down; itis more to do with, for example, if Twas
10 'going through a period where I felt it was necessary to
11 self-medicate, which is, I suppose, what I have called it
12 since lwas 11 years old.

13 MS. WASS: Just so we are clear, self-medicating, are you talking
14 about only prescription drugs or prescription as well as
15 recreational drugs?

16 THE WITNESS: Iam talking about if I was drinking to excess at
17 any particular time, they would get worried about me and they
18 would voice their concern, but it was never a — it was never
19 any screaming, yelling, anything like that. It was not like
20 lwas being spanked. It was a sit-down where they were
21 concerned for my health.

22 Q. So, the example that Ms. Barkin uses of you throwing a bottle
23 across a room in the direction of where she was and nobody
24 saying anything, is that something that would happen with one
25 of your assistants or would your assistants say, "Look,
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1 DEPP - WASS

2 Mr. Depp, Johnny, you really should not behave like this"?

3 A. Ican tell you unequivocally that Ms. Barkin's statements
4 about what she believes happened is not at all what happened.

5 Q Right. So, she must be lying, because you could not possibly
[3 be mistaken about an incident of someone throwing a bottle
7 across a room?

8 A. I don't want to call anyone a liar, but I can tell you that
9 that never happened. That incident never happened.
10 Q. Let us see what else she says about you. It is the bottom of
11 page 570, internal page 28, my Lord?
12 MR JUSTICE NICOL: Yes.
13 MS. WASS: She was asked, at line 19, "What was your reaction to
14 Mr. Depp throwing the bottle in your direction?" She said,
15 "I was not shocked", and the question was, "Why were you not
16 shocked?" Her answer was this: "There is always an air of
17 violence around him. He is a yeller. He is verbally abusive.
18 All those things you can see" and then she goes on to expand
19 on that. Are you now on internal page 29, Mr. Depp, at page
20 —
21 A. Yes.
22 Q — F5T1?
23 A. Yes, ma'am.
24 Q. Line 14. "That's part of it. There was just a lot of
25 yelling, a lot of yelling." Then at 20, she says this
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1 DEPP - WASS

2 sorry, at 18, the question is, "And who did he yell at that
3 you witnessed? (A) His assistant, people who would work on
4 the film, maybe in what he viewed as a lower capacity than he
5 functions at. There is just a world of violence."

6 A. I see that

7 Q. All right. Then she talks about your jealousy. Do you regard
8 yourself as somebody who is jealous within relationships?

9 A. Where do you see the jealousy?

10 Q. Right, page 571, internal page 32, bottom right?

11 A. Yes.

12 Q. "I went to go home" -- sorry, it is at line 23?

13 A. Thank you.

14 Q. "I went to go home, there was a big goodbye, crying, lot of
15 jealousy, do not do this, do not do that, and I never heard
16 from him after that." Then she is asked, Ms. Barkin is, about
17 the word "jealous" at line 8 of page 33, internal page 33,
18 my Lord, page F572 at the bottom: "You just referenced, used
19 the word 'jealous', how did that come up? What did he say
20 that indicated to you that he was jealous? (A) He is just a

21 jealous man, controlling, "Where are you going, who are you
22 going with, what did you do last night?" Then she gives an
23 example at line 18: "I had a scratch on my back once that got
24 him very, very angry because he insisted it came from me
25 having sex with a person who was not him."

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1 DEPP - WASS

2 Then, just to finish, since you asked about the
3 jealousy, over on page 34 at the top, so to the right of the
4 page we have just looked at, at line 14, "And when in these
5 instances, when Mr. Depp became jealous or controlling, did he
6 also become angry? (A) Yeah, and demanding."

7 A. I see that, yes

8 Q. So the account she gives of you -- and I will come to what you
9 say about it in a moment -- the account she gives is somebody
10 who is angry, taking a lot of alcohol and drugs, throwing
11 'missiles, or throwing a missile on one occasion, and somebody
12 who is very controlling and jealous, and somebody whose
13 assistants do not intervene at all. That is a summary, I am
14 going to suggest, of what her account is about you. Now that
15 we have looked at the transcript, that is what she says, in
16 essence, is it not?

17 A. That is what she says.

18 Q. Now is your turn to tell us what you say about that,

19 A. Untrue.

20 Q. Untrue?

21 A. Yes. I would say that the description of me, on smaller
22 page 29, where, that is part of -- at line 14, on page 20,
23 that is part of it. "It was just a lot of yelling, a lot of
24 yelling. (Q) Did Mr. Depp yell at you? (A) Not that I can
25 recall. (Q) And who did he yell at, that you witnessed?

[20] (Pages 76 to 79)

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1 DEPP - WASS

2 (A) His assistant, people who would work on the film maybe in
3 what he would view as a lower capacity than he functions at.
4 There is just a world of violence." can swear that that is

5 the furthest description of me and how I communicate with
6 people that I work with. Never do I speak down to anyone.
7 Never would I think of anyone as lesser than me. Film is a
8 collaborative effort. I do not believe in the idea of stars
9 and fame and all that. I do not read the magazines. I do not
10 do any of that business. But I believe that if you spoke with
11 anyone that I have worked with on a film, besides Ms. Barkin,
12 who is clearly holding a grudge, and was talking, speaking for
13 Ms. Heard, as she was asked to do.
14 Q. She was subpoenaed, I think. She was ordered -- you are not
15 suggesting that-- she was asked questions. Let me try and
16 deal with this?
17 A. She was ----
18 Q. Let me try and deal with this. I am not going to stop you
19 saying anything. This was at an earlier hearing in an
20 American case that you are bringing against Ms. Heard. This
21 was part of the American proceedings?
22 A. Yes.
23 Q. And Ms. Barkin was a witness?
24 A. She was not a witness to us.
25 Q. She gave a deposition to the court?
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1 DEPP - WASS
2 A. Yes, she did.
3 Q. Which we have just been looking at. I think you said she
4 bears a grudge.
5 A. That is pretty clear in the testimony.
6 Q. There are two options, are there not, because, of course, she
7 is talking about events in the late 1990s?
8 A. Yes.
9 Q. She was giving a deposition in 2019, so 20 years later?
10 A. Yes.
11 Q. She is either bearing a very serious grudge over a very long
12 period of time?
13 A. Yes.
14 Q. Or she is telling the truth?
15 A. Then would say she is bearing the grudge for a very, very
16 long time.
17 Q. Allright. Can we then go to another tab, please, tab 170.
18 MR. JUSTICE NICOL: Just a minute. (Pause) Mr. Depp, 170 is in my
19 volume 5.
20 A. Me as well.

21 Q. I have given up trying to say which of your volumes it is in,
22 but that is roughly where it is.
23 A. I have located it exactly in folder 5. Thank you very much.
24 MS. WASS: Thank you. The first page should have F1034. Please
25 2010 F1035.
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1 DEPP - WASS

2 A Yes

3 Q. This is an article slightly after the Fear and Loathing in

4 Las Vegas filming, which was in 1998; is that correct?

5 A. Fear and Loathing was 1997, I believe.

6 Q. Okay. So, two years afterwards. It is a newspaper report

7 that was made on 1st February 1999?

8 A Yes

9 Q. The headline is, "Johnny Depp fends off paparazzi"?

10 A. Yes.

11 Q. Under the body, it says, "Johnny Depp was back to his bad boy

12 ways when he chased off photographers with a piece of wood

13 outside a trendy restaurant, police said. The police held the

14 actor for almost four hours after the fracas on Sunday at

15 Mirabel where he had dined with French actress,

16 Vanessa Paradis, newspapers reported. Mondays's newspapers

17 carried photos of Depp clutching the wood, being questioned by

18 police and being taken into custody. A tabloid newspaper

19 reported that Depp flipped out and started screaming

20 obscenities when photographers tried to take his picture."

21 'Then your publicist said, "Johnny Depp is a person who guards

22 his privacy. He has asked photographers to abstain from

23 photographing him. Unfortunately, they persisted and

24 intentionally provoked him"; all right?

25 A Yes

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1 DEPP - WASS

2 Q. So you are provoked quite easily, are you not?

3 A. Not necessarily, no.

4 Q. Well, this was about somebody trying to take your photograph?

5 A. It is a little more than that, but essentially you are

6 correct.

7 Q. Right. You did not want your photograph taken?

8 A. If may, I was with, I was having dinner with my then very
9 pregnant girlfriend. She was expecting, we were expecting our
10 first child. was in London, making a film called Sleepy
11 Hollow. Friends of ours flew in from the United States. We
12 took them out to dinner to celebrate — they were the
13 godparents — to celebrate the pregnancy and the birth of the
14 baby. When I paid the bill, they said, "There is a pretty
15 good gaggle of paparazzi outside, what do you want to do?"
16 'What I thought best, because I was not prepared to allow the
17 birth of my firstborn child, or birth of our firstborn child,
18 to be turned into someone else's circus -- I thought it was
19 disrespectful and all they were looking for was a
20 photograph of myself with a pregnant Ms. Paradis, the mother
21 of my children. So, what I did was, I devised a ruse which
22 was I would go down to a loading door and distract them while
23 Ms. Paradis and my other friends, the friends who just came
24 into town, would get in the car and therefore not get
25 photograph of her and the belly, and certainly not get a
[21] (Pages 80 to 83)

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1 DEPP - WASS

2 photograph together of us and the belly. 1did not want
3 something so sacred to be treated as fodder for newspapers,
4 that is it.

5 Q. Letus havea look at this. Some photographers, whose job it
6 is to get photographs of famous people, wanted to take a
7 photograph of you, a famous person, as you were leaving a
8 public place?

9 A. They wanted to take a photograph of me and Vanessa.

10 Q. Inapublic place?

11 A Inapublic place.

12 Q Inapublicplace?

13 A. Yes.

14 Q. Youtold us how you felt this was an invasion of your privacy?

15 A. thought it was an invasion of something very sacred and I

16 was not going to let it be a circus,

17 Q. Did you consider it proportionate to pick up a piece of wood

18 and threaten people with it, screaming obscenities at the
19 photographers, as it says in this report, flipping out, as it
20 says in this report? Is that a proportionate response?
21 MR.JUSTICE NICOL: Well, there is a premise in that question,
22 Ms. Wass, which is perhaps better dealt with by the prior
23 question, did Mr. Depp wield a piece of wood at the
24 'photographers'?
25 MS.WASS: Yes. Mr. Depp, when you were arrested, did you have a
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1 DEPP - WASS

2 piece of wood when you were questioned by police, as it says
3 'here?

4 A Yes, maam.

5 Q. How did that piece of wood get into your hands?

6 A AsIsaid before, I was trying to distract the paparazzi,
7 which I did, so that Vanessa was not photographed. They came
8 down by where I was to the loading door. Thad my hand on the
9 handle, the inside was pushed, and they were pulling on it.
10 "Their hands were coming in, trying to pull the door open, and
11 Tsuppose because it is a loading door, on the ground, there
12 was a plank of wood, sort of 2 x 2, about this long, 15
13 inches, 12 inches, and as they were trying to pull the door
14 open -- and there were about 14, 15 of them — I picked up the
15 plank of wood and whoever's hand was there, I smacked it.

16 Q. Youactually assaulted someone as well?

17 A. hit their hand, yes. Yes, I did.

18 Q. Thatis an assault?

19 A. Yes, itis.

20 Q. You were not acting in self-defence?

21 A. Well, when there are 14 men trying to get into a door at you,
22 there is some degree of unpleasant feeling.

23 Q. Alright, my question then is, now that I hope, my Lord, I
24 have laid the foundation for the question —

25 MR. JUSTICE NICOL: Yes.

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1 DEPP - WASS

2 MS. WASS: — did you consider that it was proportionate to not

3 only pick up a weapon, but wield a weapon and assault a member
4 of the paparazzi with this weapon as a response 10 the fact
5 that they simply wanted a photograph of you and your
6 girlfriend?

7 A Well, as I said, Twas not prepared to allow them to
8 I think I have made my point on

9 Q Yes.my—

10 A. the sacredness of what I was protecting. You also have
11 to really take into consideration, because there are many
12 layers to every moment in life, that the paparazzi were being
13 quite rude. They were yelling obscenities at me. They were
14 quite aggressive. As they were trying to pull this door open
15 and Tam holding it with my arms, T picked up the wood —

16 Q. Youhave explained that.

17 A. to make them stop ——

18 Q Yes

19 A. Then walked out the door and I very, very simply explained
20 to them, I am not saying this is

21 MR.JUSTICE NICOL: Just pause a moment

22 (There was a pause for a court announcement)

23 MR. JUSTICE NICOL: Mr. Depp, this is not part of the Thomas Moore

24 'building so you do not need to be concerned.

25 THE WITNESS: Okay.

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1 DEPP - WASS

2 (There was a pause for a further court announcement)

3 MR. JUSTICE NICOL: Ms. Wass, I do not know if there is an a
4 convenient time to stop.

5 MS. WASS: Ihave nearly finished this topic and it might be
6 easier. am in my Lord's hands.

7 MR. JUSTICE NICOL: No, no, finish the topic. Yes.

8 MS. WASS: The paper describes you as screaming obscenities.

9 A. Ithink we were exchanging obscenities, yes.

10 Q. Obscenities.

11 A. Cat calls, yes. There was a confrontation, yes.

12 Q. Being reminded of this incident now, do you think that you
13 have a problem with anger management?

14 A. No, ma'am.

15 MS. WASS: My Lord, that would be convenient moment.

16 MR. JUSTICE NICOL: Now, Mr. Sherborne, over lunch, would that be

17 a convenient time for you to take your instructions on the

18 sixth and seventh witness statements of ----

19 MR. SHERBORNE: I fear not. I need to actually read it first.
20 MR. JUSTICE NICOL: All right. That is why I asked the question
21 in the way that I did.
22 MR. SHERBORNE: I am very grateful
23 MR. JUSTICE NICOL: So, perhaps then we could say that you will do
24 that at end of today's hearing.
25 MR. SHERBORNE: That is what I was going to suggest.
[22] (Pages 84 to 87)
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1 DEPP - WASS

2 MR. JUSTICE NICOL: Allright. Now, Mr. Depp, you are in the
3 middle of giving your evidence. I will say this to you every
4 a time we have a break. You are not to talk to anybody about
5 s your evidence until it is concluded. There is a qualification
6 [3 to that, which I have discussed already with Mr. Sherborne,
7 but it does not apply over the lunch break, and I will tell
8 you when it does apply. Do you understand that you must not
9 talk about your evidence to anybody until it is concluded?
10 'That includes your own lawyers and anybody else who might be
11 in the building or who you might encounter over lunchtime. Do
12 'you understand?
13 THE WITNESS: I do, indeed, my Lord. Thank you.
14 MR. JUSTICE NICOL: Then we will resume, please, at five past two.
15 (Adjourned for a short time)
16 MR. JUSTICE NICOL: Yes, Ms. Wass
17 MS. WASS: Mr. Depp, can we just recap what we covered this
18 morning. At 25, the age of 25, you were charged with an
19 assault on a security guard; at 31 you trashed a hotel room
20 because somebody screwed you over; at the age of 35, you hit a
21 photographer with a piece of wood. Now, between 2013 and
22 2016, you know that Miss Amber Heard has made allegations that
23 you assaulted her on a number of occasions.
24 A. Yes, I am aware of it.
25 Q. We are going to deal with those in some detail, but before we
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1 DEPP - WASS

2 do, can I just ask you about an incident that occurred after

3 your relationship with Ms. Heard finished, namely, one in July
4 2018. Would you go, please, to tab 1817

5A Yes

6 Q 181. Have you got that?

7 A Yes I do

8 Q. The headline of that article is, "Depp punched crew member in
9 drunken tirade"; yes? There is a picture of you with the
10 image caption, "The legal papers claim that Depp 'reeked of
11 alcohol and took drugs on set."

12 A. I see that, yes.

13 Q. And the article says, "Johnny Depp is being sued for allegedly
14 punching a crew member who tried to wrap up filming on the set
15 of his upcoming film, City of Lies. Court documents filed by
16 Gregg Rocky Brooks in Los Angeles on Monday claim the actor,
17 55. punched him twice in the ribs during a foulmouthed tirade
18 outside the Los Angeles Berkeley Hotel. The papers also state
19 that the actor reeked of alcohol and took drugs on the set.
20 Depp's bodyguards were forced to remove the actor from the
21 set, it is said. As part of the altercation, Mr. Brooks
22 alleges that after Depp had verbally and physically assaulted
23 him, the actor offered him \$100,000 to punch him in the face
24 in return. The location manager is seeking unspecified
25 damages from Depp" and on it goes. If there is anything which
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1 DEPP - WASS

2 Tam not reading thereafter, please let me know if you want it
3 read.

4 What I want to ask you, please, Mr. Depp, is, is this
5 article correct?

6 A No

7 Q. Were you sued at one stage for allegedly punching a crew
8 'member?

9 A. Mr. Brooks brought a case against me.

10 Q. So he sued you; yes?

11 A. It is still an ongoing —

12 Q. Allright, so he is suing you?

13 A. Yes, I believe he is still suing me.

14 Q. Is he suing you for punching him, amongst other things?

15 A. Mr. Brooks states that I punched him twice in the ribs.

16 Q. Exactly what it says in the article?

17 A. Yes.

18 Q. So there is an on going court case, and the first line,

19 "Mr. Depp is being sued for allegedly punching a crew member

20 who tried to wrap up the film City of Lies", is that statement

21 true, that you are being sued?

22 A. Yes. I am being sued by Mr. Brooks, yes.

23 Q. And did Mr. Brooks, Greg Brooks, file court documents saying

24 that you had punched him twice during a foul-mouthed tirade

25 outside the Los Angeles Berkeley Hotel?

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1 DEPP - WASS

2 A. That is his claim, yes

3 Q. That is what the court documents say so that sentence is

4 correct?

5 A. That is his claim, yes.

6 Q. Do the paper also state that you reeked of alcohol?

7 A. Yes, it does state that.

8 Q. And do they also state that you took drugs on set?

9 A. It does say that, yes.

10 Q. Did your bodyguards ever remove you from the set?

11 A. No.

12 Q. No. Which bodyguards were being spoken about that were

13 mentioned?

14 A. That would have been Sean Bett.

15 Q. So, your witness in this case, Sean Bett?

16 A. Yes, security, and that would have been Jerry Judge:

17 Q. Who sadly is no longer with us?

18 A. He is unfortunately no longer with us, yes.

19 Q. So, those two. All right, and those were the two people who,

20 coincidentally, were with you on the last time that you and

21 Ms. Heard had an altercation -- I am going to put it in as

22 neutral way as I can — on 21st May 2016

23 A. They were with me, yes.

24 Q. They were with you then. Let us go back to this article,

25 then. So, is your account that there was a punch or there was

[23] (Pages 88 to 91)

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1 DEPP - WASS

2 nota punch?

3 A. No, there was no physical altercation at all.

4 Q. You had no physical interaction with Rocky Brooks at all?

5 A. No physical interaction whatsoever. Mr. Brooks had done
[3 something on set that, for me, I found very disagreeable and
7 quite unjust

8 Q. What was that?

9 A. He very nastily and very aggressively told one of the extras

10 ~ I believe she was an extra — it was a little African

11 American woman, and Mr. Brooks said, "Get the fuck out of my

12 way", you know, and then he scoffed her away, like that, and

13 Approached him. I said, "What gives you the right to think

14 that she is less than you? What gives you the right to speak

15 to her in such a disrespectful manner? It does not matter

16 what mood you are in. It does not matter. You do not speak

17 to people like that, anybody like that."

18 Q So you—

19 A. So there was a bit of —

20 Q. Carry on, sorry?

21 A. There was a bit of banter.

22 Q. Yes. Just verbal banter?

23 A Yes

24 Q. And as a result of that, you are saying that this crew member

25 is suing you, Johnny Depp, based on absolutely no evidence

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1 DEPP - WASS

2 whatsoever?

3 A. Yes.

4 Q. But this is another occasion, is it not, where you have been

5 publicly accused of losing your temper?

6 A Yes

7 Q. Speaking in a foul-mouthed way?

8 A Yes

9 Q. Using violence?

10 A. Yes.

11 Q. Because you are unable to control your anger?

12 MR.JUSTICE NICOL: Just a minute. Just a minute. Publicly

13 accused of using violence.

14 MS. WASS: Losing your temper. I cannot remember the last bit.

15 MR.JUSTICE NICOL: Do you agree that that is what you are being

16 accused of, Mr. Depp?

17 A. That is what I am being accused of, yes.

18 MS. WASS: All right. You see, I asked you, Mr. Depp, earlier
19 this morning, when I started, whether you considered that you
20 had an anger management problem. Do you still say no?

21 A Yes, I do not have an anger problem.

22 Q. You did mention this morning that you had suffered an
23 unfortunate childhood, an unfortunate upbringing, yes?

24 think, if I can quote your witness statement -- you can have
25 a look at it if you want, but it might take quite a while to
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1 DEPP - WASS

2 'get another file out -- if you agree with what I say is in it,

3 "I myself was regularly beaten for the most trivial things.

4 Exposure to abuse is something that was very much part of my
5 childhood"; yes?

6 A Yes, ma'am.

7 Q. That is what you said. For the sake of completeness, you make
8 it clear in your witness statement that because of the abuse
9 in your childhood, it turned you against the use of violence
10 of any sort; is that right? Have I understood that correctly?

11 A. Yes, it very much turned me against violence or - I would
12 prefer to avoid confrontation. I have avoided - from the way
13 I was raised, the best way that I can explain it is that when
14 I knew that I was going to have a baby back in 1998, one of my
15 promises was that I would raise my children in the exact
16 opposite manner that I was raised.

17 Q. Right.

18 A. That is to say, Vanessa and I, the mother of my children,
19 would never ever raise our voices in front of our children.
20 Our children were never spanked, they were never hit, they
21 were never exposed to violence. They grew up in very secure,
22 safe, calm, understanding circumstances. Violence is not
23 something that I go looking for. You spoke earlier of how, on
24 a regular basis, I am involved in these incidents, where I was
25 arrested for hitting a security guard. All those things are

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1 DEPP - WASS

2 true. There is a point where, if a man is attacking you, or
3 if a man puts his hands on you in an aggressive manner, the
4 only thing that I know to do is get myself out of that corner.

5 Q. Right, so can I put it like this, summarising what you said:

6 you are prepared for violence if it is necessary?

7 A. If it is necessary, if something has happened that I feel is
8 unjust, if I feel that there has been a grave injustice done,
9 if I feel that I have been physically attacked in some way,
10 and I do specify, these are situations with men, grown men,
11 who I believe should have known better than to put their hands
12 on another man.

13 Q. So, when you consider it necessary, you are prepared for it;
14 is that fair?

15 A. Depending on the circumstances, yes.

16 Q. That is why I say, when you consider it necessary.

17 A. Yes, within -- reasonably.

18 Q. Okay.

19 A. Like I said, I do not go out and search for it.

20 Q. Allright. Tam going to ask you just to see whether you
21 agree with this statement. You regularly, regularly, smash
22 things up and throw things, including objects which you use as
23 weapons, in particular, telephones. Do you agree with that?

24 A. No, I do not agree with that.

25 Q. Have you ever thrown a telephone at anyone?

[24] (Pages 92 to 95)

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1 DEPP - WASS

2 A. No. I have never thrown a telephone at anyone.

3 Q What you said in Rolling Stone magazine in 2018 was -- and
4 this is about your late mother "There were irrational

5 beatings. Maybe it is ashtray coming your way. Maybe you are

[3 going to get clunked with the phone. I do not think there was

7 a way I thought about people, especially women, other than

8 I can fix them." So you are saying you did not want to be a

9 person harming women, but your mother would throw objects,

10 ashtrays, and a telephone; yes?

11 A. Anything she could get her hands on.

12 Q. So, there is no significance in the fact that when you were

13 with Kate Moss in 1994, the telephones in the lobby were
14 damaged. That is not a thing that you have, damaging
15 telephones?

16 A. No. I don't recall any damage to telephones.

17 Q. I want to ask you, please, to look at a clip which we are
18 going to see that was taped by Ms. Heard on her telephone.
19 I think you have already explained that there was a regular
20 thing that the two of you had of recording incidents that
21 would then be looked at afterwards. Do you remember saying
22 that in answer to Mr. Sherborne?

23 A. Yes, we would record things, but it was always prefaced with,
24 "I am recording this."

25 Q. This one was not prefaced with this, but it was recorded?
[Page 97]

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1 DEPP - WASS

2 A. But it was not prefaced that —

3 Q. No, you will see. Shall we watch it and then you can tell me
1 what you are

SA. It sounds like an illegal wire tap to me, but please continue

6 Q. It is not a wire tap. It is a recording on a mobile telephone
7 which is not a wire tap.

8 A. A video is still considered a wire tap.

9 MR. JUSTICE NICOL: Mr. Depp, you are amply represented by
10 counsel. If they consider that there is a reason why I should
1 not look at a piece of evidence, they will raise it with me.

12 You can leave it to them to take those points.

13 A. Yes, sir, you are correct. Sorry.

14 MS. WASS: Perhaps we can play it and you can give me your
15 'comments on it.

16 MR. JUSTICE NICOL: Do you want to give me the reference, just for
17 my note, please?

18 MS. WASS: Would my Lord give me a moment?

19 MR. JUSTICE NICOL: Yes, of course

20 MS. WASS: It is F158 of the media file.

21 MR. JUSTICE NICOL: Thank you

22 MS. WASS: Pausing there, just for the avoidance of doubt, this
23 was filmed in, we think, February 2016, just so that you have
24 a date to work from; all right?

25 A. You think that it is February?

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1 DEPP - WASS

2 Q. Yes, and I will demonstrate why later on; all right?

3A Yes

4 Q. Have a look. (Film clip shown to the court) Obviously, you
5 did not know it was being recorded until you saw the camera
6 phone; correct?

7 A. Correct.

8 Q. Would you agree that you were violent in that clip?

9 A. I was violent with some cupboards.

10 Q. Yes, and smashing something glass. You could hear it

11 A. Clearly, I was not in the best state of mind.

12 Q. No. It looked like you had had rather a lot of red wine

13 considering it was early in the morning, or it was in the

14 'morning; do you agree?

15 A. I do agree that I looked like I had had a lot of red wine?

16 Q. It looked from the clip that you had consumed quite a lot of

17 red wine; do you agree with that?

18 A. I would say that, looking at the clip, yes, one would think

19 that I had been drinking quite a lot of red wine.

20 Q. Do you agree that you are behaving as if you were somebody

21 drunk?

22 A. I do not know that I can define my actions or my movements as

23 inebriated or drunk. I can only say that I was upset, very

24 upset.

25 Q. Do you behave in a way that is different when you have had a

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1 DEPP - WASS

2 lot to drink?

3 A. No.

4 Q. Are you sure about that?

5 A. Very sure.

6 Q. Because I am going to suggest in this case that your conduct

7 would have been very intimidating to anyone present in that

8 room. Do you agree with that?

9 A. I would say that that could upset someone, yes.

10 Q. And Ms. Heard is a much smaller person than you. I do not

11 mean necessarily in height, but in weight as well; yes? You

12 are considerably bigger than she is, are you not?

13 A. A bit, yes.

14 Q. Let us have a look at a photograph. My Lord, it is 86G?
15 MR. JUSTICE NICOL: Sorry, which tab are we in?
16 MS. WASS: It is tab 86G in the supplementary bundle. Tam just
17 'going to get the reference. We are just going to check.
18 Sorry, the bundles have been compiled quite late in the day.
19 (Pause)
20 MR. JUSTICE NICOL: When you are ready, give me the file number,
21 please.
22 MS. WASS: I will do as soon as I have it. This came as a
23 supplementary bundle last night. So, Mr. Depp, file 9.
24 A. Thank you,
25 Q. Tab 86G.
[25] (Pages 96 to 99)
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1 DEPP - WASS

2 MR. JUSTICE NICOL: Is it that —

3 MS. WASS: It is that photograph.

4 MR. JUSTICE NICOL: Mr. Depp, if you can look towards me, you can
5 see the photograph,

6 A. Yes, sir. 86G, you said?

7 MS. WASS: 86G

8 A. Terribly sorry.

9 Q. Do not worry, take your time. It is important that you get
10 the right photograph.

11 A. Ah. I have found it. Tam sorry, yes. Yes

12 Q. Just confirm that that is a photograph of yourself and

13 Ms. Heard?

14 A. Yes, ma'am.

15 Q. Would you agree that she is considerably smaller than you?

16 A. She is smaller than me, yes

17 Q. You are a man, obviously, and she is a woman. She is less

18 strong as a rule. A woman is less strong than a man. You

19 have a bulkier frame than she has and you are taller than she
20 is?

21 A. I can agree to that, yes.

22 Q. You agree to that. This photograph really says it all,
23 does it not; yes?

24 A. Sure. Yes,

25 Q. So, going back to that film clip, you have agreed that it

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1 DEPP - WASS

2 would have been very intimidating for Ms. Heard to see you in
3 the state that you were in?

4 A. I can understand that, sure. Yes.

SQ. You were drunk, I am going to suggest. What do you say to
6 that?

7 A. I may have been. do not recall. The chances are very good
8 that I was, if [was upset.

9 Q. We saw you pour a, sort of ---

10 A. Megapint.

11 Q. mega pint of red wine, which is not everybody's choice
12 for breakfast, is it?

13 A. No.

14 Q. It seemed that the bottle had been already worked on that
15 'morning, from what you said next; do you agree?

16 MR. JUSTICE NICOL: Well, one has to be careful.

17 MS. WASS: (To the witness) Had you drunk anything from the bottle
18 that morning before pouring that mega glass of wine?

19 A. In my opinion, since the mega wine was poured from a magnum,
20 quite a large magnum of wine, it is my belief that that was
21 more than likely left over from the night before.

22 Q. Right. Were you under the influence of drugs on that
23 occasion?

24 A. No.

25 Q. Are you sure about that?

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2 A. If I was on any of my medications, then, which I take daily,
3 that are prescribed, but I probably had not even taken them at
4 that point, it seems quite early.

SQ. What about cocaine?

6 A. No

7 Q. You say that with certainty. Are you certain?

8 A. Yes. I am pretty certain, yes.

9 Q. How can you be certain?

10 A. Because I by knowing exactly where the incident took place.

11 Q. Where was that?
12 A. That was not downtown. That was at my, I have a house in West
13 Hollywood. That is in Sweetzer.
14 Q. 80 Sweetzer Avenue?
15 A. 1486 Sweetzer, yes.
16 Q. That was there and you are saying, what, you never took drugs
17 at Sweetzer?
18 A. Tam- well, Tam unsure of the date of this recording.
19 Q. How can you be so quick to answer the question that you had
20 not taken cocaine?
21 A. Well, because contrary to what is put forth in all of these
22 books, contrary to what it says in these books, that I am
23 always on cocaine, I am always high, inebriated, I am always
24 drunk, Tam always this, I am always that, that I have to say
25 is a physical impossibility.
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1 DEPP - WASS
2 Q. Why is that?
3 A. Well, I have to work for a living, I have to make movies, and
14 you have to be quite on the ball with your work. So, at that
5 time, I believe that that, I believe that video was taken
6 quite a while before.
7 Q. Before what?
8 A. Before the end of our relationship.
9 Q. Right. But I am asking you about whether you had taken
10 cocaine at the time. You have given us, if you will not mind
11 'me saying, rather a long explanation which does not help us as
12 to why you are so certain you had not had cocaine on that
13 occasion, when you are behaving, if you do not mind me saying,
14 like a monster?
15 A. Tam relatively certain that I was not taking cocaine, because
16 of the time period in which I believe that that was filmed
17 without my knowledge.
18 Q. When do you believe that time period to be?
19 A. I believe it to be — that looks to me some time around the,
20 maybe around, just after the time that I had made a film
21 called The Lone Ranger, where we were filming in New Mexico,
22 and Ms. Heard —
23 Q. That was 2013, was it not?
24 A. Yes, I think it was 2013.
25 Q. So, you say, looking at that video clip, it was filmed in
[26] (Pages 100 to 103)

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2 2013, and that —

3 A Well, some time around there.

4 Q. That, of course, is the era when Ms. Heard said she first saw.

5 the monster, that is to say, your conduct under the influence

6 of alcohol and/or drugs, was it not; that is what her account

7 is?

8 A. Is that her account?

9 Q. Well, you have read it, come on.

10 MR. JUSTICE NICOL: You are being asked at the moment, Mr. Depp.

11 about Ms. Heard's account, and I think Ms. Wass is simply

12 asking you whether you agree that around 2013 was the time

13 that Ms. Heard says she first saw what she has called the

14 monster.

15 THE WITNESS: Yes, sir, understand, thank you. The monster,

16 which is something that Ms. Heard became obsessed. in a way,

17 with using that term, the term came from me, I believe.

18 MS. WASS: It was your name for your alterego, the bad side of

19 your character, the person who used to lose control, who used

20 to smash up hotel rooms, used to assault camera crewmen or

21 paparazzi. That bad boy image, as it has been described in

22 the newspapers, when you lose control and become a violent

23 thug, that is the monster, is it not?

24 A. No.

25 Q. What do you say the monster is?

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1 DEPP - WASS

2 A. Monster, in situations with Ms. Heard, was when the argument

3 would escalate and I would not placate, I would — if she was

4 yelling at me, I would yell back and then it became a

5 screaming match, and that was the monster. Because if

[3 I disagreed with Ms. Heard in any way, and I voiced it, then

7 Twas the monster.

8 Q. You were the monster?

9 A. She said I was the monster, whenever I answered back in the
10 same way that she was addressing me. So if she was yelling at
11 me, and I yelled back, that was what she called the monster.

12 And the monster is something that she unfortunately grabbed on
13 tas a way to define me, and it is not altogether what she
14 says it is.

15 Q. She referred to it, the monster, was the person that you
16 became when you lost control, whether it was through anger,
17 jealousy or drugs or whatever, or a combination, you became
18 that person, the monster. That is who the monster was, was it
19 not?

20 A No.

21 Q. Itis somebody, I suggest, you recognised before you ever had
22 a violent argument with Ms. Heard. You called the monster the
23 monster before Ms. Heard did.

24 A. I referred to the monster?

25 Q. Yes, before Ms. Heard did. It was your name for that side of
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2 your character?

3 A I am afraid you are incorrect in your assumption that it was
4 my definition of my character or an alter ego. The monster can
5 be many things. It could be pain. It could be raising your
6 voice. It could be slamming cabinets and kicking doors.

7 Q. In the video clip we have seen, would you say you were the
8 'monster'?

9 A. I would say that it is a very unpleasant video to watch, and
10 Tam certainly not and was not particularly proud of myself or
11 happy with myself at the time.

12 Q. My question was, would you say that was the monster in the
13 video?

14 A. If Ms. Heard claims that to be the monster, she believes that
15 it to be the monster. I do not believe that to be the monster.

16 'The monster is an ephemeral, it is not, it is not Dr. Jekyll
17 and Mr. Hyde is what I am trying to say. So, I do not believe
18 it was the monster, no,

19 Q. Let us go to the time when you met Ms. Heard. That was in
20 about 2009; is that right? I think your production
21 company ----

22 A. It was around that area, I do not recall the year

23 Q. Your production company, Nihil Infinitum, was making a film
24 version of the The Rum Diary?

25 A Yes

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1 DEPP - WASS

2 Q. Another Hunter S Thompson book that you turned into a film.

3 A. Yes.

4 Q. It was a very special project for you, was it not?

5 A. Yes, it was.

6 Q. Because Hunter S Thompson was a special person for you?

7 A. Yes, he was.

8 Q. I think after he died, and he was cremated, I think you spent
9 £3 million firing his ashes out of a cannon?

10 A. Yes, did.

11 Q. As a sign of respect to your —

12 MR. JUSTICE NICOL: £3 million?

13 MS. WASS: Dollars, forgive me.

14 THE WITNESS: No, you are correct, it was 3 million -- it was
15 \$5 million. Tam terribly sorry.

16 MR. JUSTICE NICOL: I was just curious.

17 A. It was 5 million.

18 Q. 5 million.

19 A. It was —

20 MS. WASS: Unless it is very important to this case, I am mindful

21 of the fact we are going very slowly, Mr. Depp, and I know you

22 'want this to be completed as quickly as possible, so I do not

23 think you will have the story about the cremation of Hunter §

24 Thompson just now, if that is all right with you.

25 A. Sure. thought you brought it up.

[27] (Pages 104 to 107)

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2 Q. The star of the film was, or the female star of the film was

3 somebody you had the right to choose; do you agree?

4 A. Thad casting approval, yes.

5 Q. Youhad casting approval, that is absolutely right.

6 Presumably, there was fierce competition for the role?

7 A. Yes, there was, there were a number of ingénues, young

8 actresses, yes.

9 Q. Outofall the ingénues you chose Ms. Heard?

10 A Yes.

11 Q. As the best for the part?

12 A Yes.

13 Q. And she was talented as an actress?

14 A. Thad never seen her work at the time that I met her.

15 Q. Shehad presumably had a screen test?

16 A. Ms. Heard had auditioned for the director, Chris Robinson,

17 five times, I believe. And he was having difficulty choosing

18 between Ms. Heard or two other actresses, so I met with them

19 and then he asked if [would meet with Ms. Heard. 1 said

20 1 would definitely meet with her, and so the meeting was set

21 up, yes.

22 Q. Sheisa very beautiful woman, is she not?

23 A. She was a very beautiful woman, yes.

24 Q. She was at the start of her career?

25 A. Ido not know. Tam not sure. Thad not seen any of her

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1 DEPP - WASS

2 films; but yes, 1 imagine so.
3 Q She was 23 years old?
4 A Yes, think so
5 Q. And you were 46 years old?
6 A. Sounds about right, yes.
7 Q Andat that time, you were both involved in relationships with
8 other people?
9 A Yes
10 Q. You had your, the mother of your two children,
11 Vanessa Paradis, who you were in a relationship with?
12 A. Yes.
13 Q. And Ms. Heard was involved with a painter, an artist called
14 Tasya van Ree?
15 A. Yes.
16 Q. During the filming of the The Rum Diary, did some publicity
17 come out about an argument that had taken place between
18 Ms. Heard and Tasya van Ree, at which Ms. Heard was arrested?
19 You seem puzzled that such an event took place.
20 A. Ido not recall she was arrested while we were doing The Rum
21 Diary.
22 Q. Do you remember learning about the incident at around the time
23 it happened?
24 A. Tamnot sure if we are talking about the same thing.
25 Q. There is only one incident, Mr. Depp, is there not, when she
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1 DEPP - WASS

2 has been arrested for domestic violence?

3 A I-yes, okay.

4 Q. Yousayokay. This is something that you have made huge

5 capital of in the publicity surrounding this trial. At one

6 stage, you were suggesting that there was more than one

7 occasion when Ms. Heard was arrested for domestic violence;

8 but that is not the case, is it?

9 A. Tknow that she was arrested for domestic violence in Seattle

10 or Washington State.

11 Q. Youknow exactly when it happened, because you had used it?

12 A. That was quite a while before The Rum Diary, if you do not

13 'mind my saying so.

14 Q. Itwas 2009. thought The Rum Diary was 2009. (Pause)

15 A. I don't know exactly when I met Ms. Heard. I know that The
16 Rum Diary was I would need dates.

17 Q. Somy?

18 A. I would need dates, to be able to.

19 Q. Allright. The position is that Ms. Heard was arrested in
20 2009, after an argument between herself and her girlfriend at
21 Seattle airport. You actually remembered the airport.

22 A. Yes, I know this account, the account of this.

23 Q. Infact, it is quite clear, is it not, that despite being
24 arrested, charges were never brought?

25 A. Yes. Charges were never brought,

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1 DEPP - WASS

2 Q. Indeed, Tasya van Ree has made a particular point of making it
3 clear that Ms. Heard was never involved in domestic violence
4 against her?

5 A. Is that a question?

6 Q. That is—

7 MR. JUSTICE NICOL: I think the only question can be whether you
8 know that is the case. Do you have any knowledge as to
9 whether she was involved in domestic violence with
10 Tasya van Ree?

11 'THE WITNESS: As far as I have read from, as I was not there, as
12 far as I have read, she was arrested, taken into custody.

13 MS. WASS: Yes.

14 A. Put in jail

15 Q. Like you were, really?

16 A. Yes, only my was a few more times than Ms. Heard.

17 Q. Yes.

18 A. Yesd.

19 Q. Could you go to tab 85 of file 8, please. It should be an
20 e-mail.

21 MR. JUSTICE NICOL: Let me get there, please. (Pause)

22 THE WITNESS: 85, you say?

23 MS. WASS: 85, yes. I think it should have page 143, I think it
24 is 144, but it looks like 144, at the top.

25 A. Yes.

[28] (Pages 108 to 111)

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2 Q. That is an e-mail from Ms. Heard's e-mail address, to her
3 assistant's address; do you agree?

4 A. That is her publicists, Jodie Gottlieb.

SQ Thank you. It was sent on the — I am going to say 8th June,
3 because the dates are in the American order; but I am prepared
7 to accept I may have that wrong. It's either 6th August or
8 8th June; do you understand?

9 A Yes. I do.

10 Q. It has been forwarded from Tasya van Ree, an e-mail from
11 Tasya van Ree to Ms. Heard saying this: "In 2009, Amber was
12 'wrongfully accused for an incident that was misinterpreted and
13 over-sensationalised by two individuals in a powerful position
14 (reads to the words)... and remain close to this day." All
15 right. Now, that e-mail was sent in response to a press
16 article, an article that was put in the press, which we can
17 see at tab 5, 1768. You can put away?

18 A Tab 5?

19 Q. My fault. You can put away 5 and get the 5(%) out?

20 A. Yes, thank you.

21 MR. JUSTICE NICOL: Can I have the tab number again, please.

22 MS. WASS: Tab 176A. It should have F1132 at the bottom.

23 MR. JUSTICE NICOL: "Article: Amber Heard arrested for violence
24 against girlfriend"?

25 MS. WASS: Yes.

1 DEPP - WASS

2 THE WITNESS: What is the number again? Sorry.

3 MS. WASS: 176A. Do you have it?

4 A Yes. Thank you.

5 Q That is an article which the learned judge has just read out
5 the headline: "Amber Heard arrested for violence against
7 girlfriend." It is dated, I am going to suggest, 7th June
8 2016, if we tie that up with the e-mail we have just looked
9 at. Remember I said it was 8th June or 6th August?

10 A. Yes.

11 Q. It looks like this e-mail is written following the publicity
12 of this article.

13 A. Yes. It seems like it follows, yes.

14 Q. We know from the e-mail that arrest of Amber Heard was in

15 2009, so on the face of it, would you agree it is strange that
16 this story finds itself into the media in June 2016?

17 A. Do I find it strange?

18 MR. JUSTICE NICOL: 2009 was which arrest, please?

19 MS. WASS: There was only one arrest, as I said, in 2009.

20 (To the witness) Five years later, it is reported in

21 a -- is this a celebrity magazine of some sort, TMZ?

22 A. Yes, TMZ it is a celebrity outlet.

23 Q Okay. It is dated in June 2016, really, within a very short

24 time after Ms. Heard obtained a restraining order against you?

25 A Yes

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1 DEPP - WASS

2 Q A week or two?

3 A Yes

4 Q. Did you and your publicity team have anything to do with this

5 story being released into the media?

6 A. I myself can only speak for me and my actions, and I had

7 nothing to do with, anything to do with me.

8 Q. Would your publicity people ever act behind your back, would

9 they have done this behind your back?

10 A. I would hope not.

11 Q. No. So, we would have to consider your answer that you had

12 nothing to do with it. I am just looking at the dates, but

13 can we read the article: "Amber Heard complains she was the

14 victim of domestic violence by husband, Johnny Depp, was

15 herself arrested for domestic violence (reads to the

16 words)... Amber and Tasya van Ree" -- my copy, my Lord, does

17 not seem to flow on from the --

18 MR. JUSTICE NICOL: I think mine is the same.

19 MS. WASS: Anyway, if it is important, we can come back to that

20 tomorrow. Your account, Mr. Depp, is that if the story is

21 adverse to Ms. Heard, which actually were not accurate, found

22 their way into the press after she obtained a domestic

23 violence restraining order against you, you absolutely had

24 nothing to do with it?

25 A. No, I did not

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1 DEPP - WASS

2 Q. Would you have sanctioned it, had you been asked?

3 A. No.

4 Q. No. Allright. Now, can I just ask you this. Ms. van Ree

5 'made a number of paintings, did she not, and gave more than

6 one of them to Ms. Heard?

7 A. donot know how many. Ido not know that she gave a number

8 of paintings.

9 Q. More than one?

10 A. Iwould say you would have to ask Ms. Heard.

11 Q. Iamasking you.

12 A. Ido not know the answer.

13 Q. You donot know?

14 A. Iknow there was one painting.

15 Q. You know about one painting?

16 A. Yes.

17 Q Letus stick on one, at least we can make some progress with

18 that. The two of them remained on very good terms, did they

19 not?

20 A. Initially, when Ms. Heard and I first began seeing one

21 another, she and Tasya, her wife, had split up, and Vanessa

22 and I were split up, and when we started seeing one another,

23 1, as you do, you ask, you know, I am sorry, how did it

24 happen? Ms. Heard' attitude towards Ms. van Ree at the time

25 was not of the most pleasant. She did not have the nicest

[29] (Pages 112 to 115)

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2 things to say about Ms, van Ree.

3 Q Iam going to suggest they were on good terms and, in fact,

4 the painting that you have referred to was actually kept by

5 Ms. Heard and put up in the place where she was living, in

6 Orange County in Los Angeles?

7 A. Itwas Orange Avenue.

8 Q. Orange Avenue, thank you.

9 A. InLos Angeles, yes, it was hanging in her bedroom.

10 Q Exactly. Can Iask you, please, to look at file 7, tab 62,

11 62C, itis in file 7 it i file 8, 62C

12 A. Thank you.

13 MR.JUSTICE NICOL: I have 62C in file §

14 MS. WASS: So have I, and Mr. Depp has as well.

15 MR.JUSTICE NICOL: I think we have all found it now.

16 MS. WASS: As long as we all have it yes.

17 (To the witness) You were asking about your, you were

18 telling us about your relationship with Ms. Paradis. I think

19 one of the problems in that relationship was your alcohol and

20 drug addiction, misuse, if you prefer that word.

21 A. I would definitely say towards the end of my relationship with

22 Ms. Paradis, the mother of my children, it was a very painful

23 time to break up with someone that you have been with for

24 14 years and that you have two children with. So, it was a

25 very painful time, and I was more than likely trying to numb

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2 myself as much as possible.

3 Q. Am I right in saying that you agree that you were abusing

4 alcohol and drugs, but you have explained why?

5 A. I would say that I was abusing alcohol, I do not know that

6 I was abusing drugs; but I was abusing alcohol for sure, yes.

7 Q. All right. Going to that e-mail, that is an e-mail from you,

8 is it? If you look at the first hole punch, there is an

9 e-mail address, JDdictator3, is that your e-mail address?

10 A. Yes

11 Q. Is that Mathias Bouchion(?)?

12 A. Yes

13 Q. Is that Ms. Paradis's father?

14 A. Excuse me?

15 Q. Who is that?

16 A. Mathias Bouchion is someone who worked at our house in the

17 South of France, for the past 20 years.

18 Q. So a friend?

19 A. Friend/employee.

20 Q. Friend/employee. Go down to the second hole punch down.

21 A. Yes.

22 Q. Can you see a line that begins "to numb", it is one that says

23 "human", can you see that, the first word in the line is

24 "human".

25 A. Am looking just under the second hole punch?

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1 DEPP - WASS

2 Q. Second hole punch down.

3 A Yes, I see "numb", yes.

4 Q. What you say, and I will read it all, because it confirms what

5 you said, not to use this, it is dated, for the avoidance of

6 doubt, on 8th February 2012.

7 A Yes

8 Q. So, this was during the split or towards the end of the split?

9 A. I cannot recall exactly.

10 Q. Shall we look at the e-mail and it might be easier for you to

11 answer that question when you have been reminded. "Not to use

12 this as an excuse at all, because there is none, but my

13 drinking was never for fun. I have been trying to numb and

14 self-medicate my pain for years. My brain has not been

15 right" Can I ask you, Mr. Depp, the pain that you keep

16 referring to, is this something to do with your childhood or,

17 just in a nutshell, can you help us what it is that causes

18 You, in your own mind, to need to self-medicate and numb

19 yourself so regularly?

20 A. Well, as regularly as necessary, I would not say it was

21 regularly. My need to numb myself, I was in a great deal of

22 pain, so.

23 Q. Physical pain or emotional?

24 A. No, emotional pain.

25 Q. What was the cause of that emotional pain?

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1 DEPP - WASS

2 A. Well, the world I had known and the family that we had raised

3 was either on the verge of falling apart and my children were,

4 they were 14, I believe, and 11, and those are difficult ages

5 when your parents split up, and —

6 Q. So, in answer to my question, what was it that was causing the

7 emotional pain, the split?

8 A. would imagine it was a combination of things, but the main

9 concern that I had at the time was, yes, losing my family,

10 losing my children, losing, not losing my children, but having

11 'my, our world spin away, and it was very, very sad, and she

12 was very, very sad, and I didn't like making her sad and I did

13 not like making my children sad.

14 Q. Are you sure it was not the alcohol that was causing the
15 problems in the marriage?

16 A. Asl said, towards the end of our relationship, I would hit
17 the bottle pretty good.

18 Q. Letus have a look at what else you say. "So, my drinking was
19 never for fun. I have been trying to numb and self-medicate
20 'my pain for years. My brain has not been right." What does
21 that mean?

22 A. My brain has not been right? Mm, it is a very difficult thing
23 to define. I will do my best. "My brain has not been right",
24 'meaning you have, I was having difficulty, and have always had
25 difficulty with confrontation, with seeing that I have caused
[30] (Pages 116 to 119)

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1 DEPP - WASS

2 someone pain, and broken someone's heart. And throughout my
3 teenage years and then to my adult years, say, when I was 22
4 or somewhere thereabouts is when I went from not being able to
5 pay my rent to suddenly I had this job, and then the next
[3 thing people were, you would go to a restaurant and people
7 were staring and pointing and I was not quite used to that,
8 and I never got quite used to that. And I always wondered,
9 I could never figure out what it was all for, because
10 certainly there are, it is a privileged position to be in and
11 it is not a job which you can complain about having. But some
12 of the sacrifices that have to be made mean that you do not
13 have a life outside in the world. You have -- it was
14 difficult to even, it is difficult to go anywhere without
15 being a novelty, if you would,

16 Q. I understand. I do not want to cut you short, but you are
17 describing is one of the trappings of fame, if you like. You
18 are not saying that here, you are saying your brain has not
19 been right. If that was your definition of your brain not
20 being right, every single celebrity or famous person would
21 have a brain that is not right.

22 A. I--quite a lot that I have met have brains that are not
23 right, yes

24 Q Yes

25 A. I don't think it is the healthiest occupation.

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1 DEPP - WASS

2 Q. Let us go on. "After two separate lengthy stays in the
3 hospital to get off alcohol and pills, I know now, after
4 almost two months of sobriety that I was not happy and from
5 the doctor's discoveries that had I continued I was going to
6 die, the liver has had enough. I have been living in a state
7 of constant poison for years. This cannot continue. I need
8 peace. Vanessa needs peace and she deserves to be happy."
9 Now, is that accurate, what you have said there about your
10 alcohol abuse?

11 A. Yes.

12 Q. You have been living in a state of constant poison for years?

13 A. I would say I might have, when you are in that state, I may
14 have taken a little bit of liberty with the words, saying
15 "constant", but it has occurred throughout my entire life.

16 Q. Yes.

17 A. Yes.

18 Q. So, again, I am not suggesting that for every minute of your
19 waking day, you are drunk or high on drugs, but this was
20 really a regular part of your life, was it not? Drink and
21 pills, you say here. What pills are we talking about?

22 A. For certain periods, yes, it was a regular part of my diet.

23 Q. What pills are we talking about?

24 A. The pills that I kicked in New York, at the hospital, when I
25 stopped drinking alcohol. I believe they were Klonopin or --
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1 DEPP - WASS

2 Klonopin, I believe.

3 Q. You sometimes refer, as pills — you refer to Ecstasy or MDMA
4 as pills, do you not?

5 A. Well, MDMA can come, or MDMA or Ecstasy can come in pill form,
6 but mostly I have seen it in a sort of brown kind of rock. It
7 is sort of loose. It looks like rock salt only it is brown,
8 and it is in a little bag, and you put your finger in and —

9 Q. You have taken it in pill form, have you not, MDMA?

10 A Yes I have

11 Q. So that e-mail, I think we can put that away now. I think you

12 say maybe a bit of exaggeration, but you certainly accept that

13 you have been in a state of constant poison, given a bit of

14 florid language, for years; yes?

15 A. Yes, when I was poisoning myself, I was poisoning myself the
16 best I could.

17 Q. And staying with file 8, did you always respect Ms. Paradis as

18 the mother of your child? Did you end on good terms?

19 A. Yes, we did. I have always respected her and I, of course,

20 love her very much and we are very close.

21 Q. Would you give me a moment. (Pause) Could you go, in the file

22 you have in front of you, to 63A? Has my Lord got that?

23 A Yes

24 Q. It's an e-mail to Jane Rose dated 20th March 2013?

25 MR. JUSTICE NICOL: At the top of the page is the e-mail from Jane
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1 DEPP - WASS

2 Rose, but I think we are on the same page.

3 MS. WASS: That is right, and in the middle of the page, we see

4 (unclear) dot.com. Am I right in saying that is your email

5 address? We have just looked at that.

6 A. Yes.

7 Q. We don't need to consider too much of the context, but I just

8 want to ask you this. You said, "Also, I am with my girl,

9 Amber." Have you got that?

10 A. Yes.

11 Q. So this looks like you are showing her off to your friends at

12 this stage, which is the beginning of 2013. It is March '13.

13 "Also I am with my girl, Amber. You will love her. Is it all

14 right to bring her around with me? She is not a pain in the

15 arse like the French ex-albatross, no comparison." I mean,

16 did you consider that to be a decent way of describing the

17 woman who is the mother of your two children?

18 A. No. Looking at it, I would say it is -- yes. Again, it does

19 not make me very pleased with myself. I would say it is very

20 disrespectful and disgusting in a way, yes.

21 Q. And then you go on, "Whatever is all right is fine. She's

22 just on my arm and a killer broad."

23 A. Yes.

24 Q. Who does that refer to?

25 A. That would have referred to Ms. Heard.

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1 DEPP - WASS

2 Q. Yes, she was a bit of arm candy for you, was she? Is that
3 what you saying here, "She's just on my arm and a killer
4 broad"?

5 A. My intention was certainly not to describe her as arm candy.

6 Q. What does "She's just on my arm" mean?

7 A. She is just on my arm. It means that she is going to be with
8 me. She is just on my arm meaning —

9 Q Allright

10 A. —she is not going to wander around and ——

11 Q Talk to anyone else?

12 A. Well, just—I don't know. She is not going to make a big
13 deal about spending time with Keith Richards of the Rolling
14 Stones and all these other people. It was not going to turn
15 her into some spiralling fan is essentially what I am saying.
16 She is on my arm; she is a killer broad.

17 Q. You have told us about your separation from Vanessa, if you do
18 not mind me calling her that?

19 A. Sure.

20 Q. But your addiction or your consumption of poison also caused
21 problems with your daughter, did it not, and made her very
22 unhappy, the alcohol you were consuming?

23 A. I think that there was a period where my daughter was
24 concerned for her father's safety.

25 Q. Yes, and safety, is that because you would —

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1 DEPP - WASS

2 MR.JUSTICE NICOL: Sorry, did you say "father's sake" or
3 "father's safety"?

4 A Safety.

5 MS. WASS: Safety. I thought you said that.

6 A. Yes, yes. I think she was concerned about my health.

7 Q. Because when you get very drunk ~ I do not mean you -- when
8 people get very drunk, they can injure themselves: yes? When
9 you get very drunk, you can smash things up, can you not?

10 A. I would have to say that it does not take alcohol to do that.
11 Q. You can just smash things up ——
12 MR. JUSTICE NICOL: Sorry, Mr. Depp. your voice is dropping again
13 A Tamsomy.
14 Q. just have to remind you, please, to keep your voice nice and
15 loud. You were asked when people get drunk, they can injure
16 themselves.
17 A Yes.
18 Q. I think you were starting to answer that, but I did not catch
19 how you answered?
20 A. Sorry. I was saying that the ability or the impetus or the
21 synapse that fires does not necessarily mean that you have to
22 be drunk to smash something or throw something against the
23 wall or punch a wall or door. It is a human reflex to
24 something that feels stronger than you. It is a frustration
25 and that is what happens.
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1 DEPP - WASS

2 MS. WASS: It is a loss of control, is it not? It is an outburst
3 of anger which is uncontrolled?

4 A. It is a mini explosion that comes and goes quite quickly.

5 Q Yes.

6 A. Well, there is no it does not mean that every time I have a
7 drink, I break something. It does not mean that every time
8 somebody says something that I do not like, I break something
9 or throw a tantrum.

10 Q. Not every time, but you do break things, do you not, and you
11 do throw tantrums?

12 A. I do not throw tantrums

13 Q. You just said it does not mean every time?

14 A. Well, what I am trying to explain to you is that it does not
15 take alcohol for one to become upset about something. That
16 reaction, the internal reaction, does not require alcohol to
17 slam your hand down on a table or be so frustrated about what
18 you are unable to do, when it is out of your hands, and you
19 have fallen prey to something that is bigger than you, and it
20 is. you know, that is pretty much it

21 Q. Did you smash things when you were living with Ms. Paradis?

22 A. Over 14 years, I imagine that I must have, and over 14 years

23 Timagine that she must have.

24 Q. Were the police ever called to your home in France?

25 A. No, never

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1 DEPP - WASS

2 Q Never?

3 A. Never.

4 Q. What was Ms. Paradis's approach to your alcohol intake and

5 your drugs intake?

6 A. Ms. Paradis never had a problem —

7 Q No?

8 A. ---- with my drinking, and when I was with Ms. Paradis for

9 those 14 years, I did not touch cocaine. Twas not even

10 smoking marijuana then. 1 had stopped drinking spirits.

11 Iwas drinking only wine for the entire period.

12 Q. Butin large enough quantities to describe it as being a

13 poison to your friend Mr. Bowkiel(?)

14 A. When, as tried to explain it, the head does not feel right

15 and things are going on, that are indeed. yes, out of your

16 control, that are unpleasant, that was what I would do.

17 think Ms. Paradis was concerned very late in our relationship

18 because then it was a constant, but there were no drugs

19 involved. Iwas raising my children along with Ms. Paradis.

20 Q. So, she did not have a problem, you said, about you drinking

21 or taking drugs. Am I right in assuming that you are saying

22 by that that she never stopped you? She never tried to stop

23 you from drinking or taking pills?

24 A. 1did not take drugs when I was with Ms. Paradis.

25 Q. Well, the pills you have spoken about?

[32] (Pages 124 to 127)

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1 DEPP - WASS

2 A. The pills and medication from my doctor?

3 Q. Yes?

4 MR. JUSTICE NICOL: It may help me, Ms. Wass, if when you are

5 talking about drugs, you are careful to distinguish between

3 medications on the one hand and illegal drugs on the other.

7 MS. WASS: Yes. Let us just stick to the alcohol when it comes to
8 'your relationship with Ms. Paradis. You were drinking to the
9 extent that you described it as a poison to one of your
10 friends, but your evidence is it that she did not try to
11 interfere and stop you drinking?
12 A. Towards the end of our relationship, Ms. Paradis was concerned
13 about my drinking because, yes, I would drink to great excess,
14 but drinking to great excess does not mean that you are out of
15 control. It appears to others that you are drinking yourself
16 to death. I think she was in fear of my drinking myself to
17 death.
18 Q. Right.
19 A Yes
20 Q. Now, Ms. Heard had a very different approach to your drinking
21 and by the time you were with Ms. Heard, you were also taking
22 cocaine and other controlled drugs, including marijuana?
23 MR.JUSTICE NICOL: It may be helpful to split those questions up.
24 MS.WASS: Yes, the point I wish to make, Mr. Depp are you all
25 right? Have you got a runny nose?
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1 DEPP - WASS

2 A No, I am fine

3 Q. The point I am trying to make, Mr. Depp, is that you had two
4 very different women in terms of their characters.

5 Ms. Paradis, on the one hand, was very tolerant of your
6 drinking and did not try to stop you, and Ms. Heard, on the
7 other hand, who did try to help you with what she considered
8 'your abuse of alcohol and your abuse of controlled drugs,
9 including cocaine. Do you agree that the two women took a
10 very different approach to your consumption?

11 A. I would agree that they were very, very different women, very
12 different types of women. When Ms. Heard and I began seeing
13 one another, she was well aware that I was drinking wine, as
14 we drank wine together.

15 Q. This was late 2011, if we can get the dates, because I think
16 you went into rehab around the beginning of 2012?

17 A. Yes, I checked into a hospital in New York to stop drinking.

18 Q. Yes, and when you stopped drinking, after your relationship
19 with Ms. Heard was — it was quite a slow start to the
20 relationship, do you agree?

21 A. Yes.

22 Q. Yes. You explained to her because, as you rightly say, you

23 had been drinking the first time you spent any time on a
24 personal level together?

25 A. Yes.

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1 DEPP - WASS

2 Q. You did not see her for quite a while and then you saw her
3 again and you were not drinking at all. I think you became
4 very keen on tea?

5 A. When I met Ms. Heard.

6 Q. I am not talking about meeting her; I am talking about the
7 relationship again?

8 A. The premier of The Rum Diary in Los Angeles was the same day
9 as the press conference in Los Angeles. We did the press
10 conference, and at end of the day, I had invited Ms. Heard and
11 the director, Bruce Robinson, after the press, to come to the
12 holding room, the hotel room that I was in, to have a glass of
13 wine. Ms. Heard showed up, Mr. Robinson did not. We shared a
14 bottle of wine and we spoke. That was when I found out that
15 she and her ex, or her wife, now her ex, were going to be, and
16 I was, or the relationship with Vanessa was unfortunately very
17 — it crumbled.

18 Q. All right. All right, but once you told Ms. Heard about the
19 fact that you had been to rehab, because you said you had
20 checked into some sort of institution in early 2012, you
21 explained to her, did you not, why you were not drinking?

22 A. In fact, it was in New York.

23 Q. It does not matter where it was. Can we try to stick to
24 whether you agree with what I am suggesting to you or not.
25 The first time you were together as a couple rather than in a

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1 DEPP - WASS

2 work environment, you are drinking alcohol?

3 A. Yes.

4 Q. Not excessively. I am not suggesting that?

5 A. Yes, I am drinking.

6 Q. But you enjoyed red wine hugely, did you not?

7 A. Yes, very much

8 Q. And she is very keen on red wine, is she not?

9 A. Yes.

10 Q. And you buy a lot of really, really expensive red wine, do you
11 not?

12 A. I have,

13 Q. I think you told one magazine, when it was suggested that you
12 spent \$30,000 a month on wine, that that was nonsense because
15 the truth was it was considerably more than that?

16 A. It was.

17 Q. It was, and that is true?

18 A. There were a lot of people drinking that wine.

19 Q. You were generous to your friends. Let us not get distracted

20 A. We were all living on the same floor, let us put it that way.

21 Q. The position is that after you had been to rehab, you were not
22 drinking and you explained to Ms. Heard why you were not
23 drinking?

24 A. No, that is not true.

25 Q. What happened then?

[33] (Pages 128 to 131)

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1 DEPP - WASS

2 A. I left the hospital and I went and checked into a hotel.

3 Ms. Heard was coming over that night. When I arrived at the

4 hotel, T immediately opened a bottle of wine. She arrived and

5 I poured us glasses of wine and we drank

6 Q Was this after you had been to rehab?

7 A It was not rehab. It was three days in a hospital room in New

8 York City, and the day that I got out of the hospital,

9 Ms. Heard and I had made arrangements to see one another that

10 night at my hotel suite. She came over and I had already

11 opened the bottle and it was waiting for her.
12 Q. Was there ever a time when you explained to Ms. Heard, or was
13 there ever a time when you were not drinking alcohol in the
14 early stages of the relationship with Ms. Heard, and you
15 explained to her that you were not drinking alcohol because
16 'you had a problem with your liver?
17 A. Yes, we had that conversation.
18 Q. When was that?
19 A. I don't recall,
20 Q. That is what I wanted to ask you about. Around that time when
21 'you were not drinking, you made a real effort, did you not?
22 A. Yes.
23 Q. To clean yourself up?
24 A. I got sober of alcohol and remained sober.
25 Q. For how long?
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1 DEPP - WASS
2 A. At that time I cannot remember exactly how long, but it was
3 quite a long while.
4 Q. What do you call a long while?
5 A. I was not drinking during the entire shoot of Lone Ranger,
[3 which was probably a six-month shoot. I do not remember the
7 next time I, or when I fell off the wagon, as it were. Yes,
8 I was doing my best to stay sober.
9 Q. And you had friends supporting you, did you not, through this
10 attempt at sobriety?
11 A. Yes.
12 Q. Somebody called Charlie Dunit?
13 A. Yes.
14 MR. JUSTICE NICOL: Just a minute. Charlie Dunit?
15 MS. WASS: D-U-N-NALT.
16 MR. JUSTICE NICOL: Yes.
17 MS. WASS: And Elton John?
18 A. Yes.
19 Q. Yes. There is an e-mail exchange between you and Elton John,
20 dated 22nd March 2012, "Subject: 100 days"; right? 100 days
21 is very important when it comes to detoxing, giving up,
22 'whatever you want to call it, because it is a big achievement
23 It is a milestone; it is considered to be a milestone?
24 A. It is quite an achievement, yes.
25 Q. Could you go to tab 62? I am going to check that that is in
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1 DEPP - WASS

2 file 8. It might be at the back of file 7. Itis 62D?

3A Yes

4 MR.JUSTICE NICOL: Itis 8, or at least it is 8 in mine.

5 A. Yes, same here.

6 MS. WASS: If we start your e-mail, it begins just above the first

7 hole punch. Do you see that: "Dearest Elion"?

8 A Yes Ido

9 Q. "A fucking 100 days of clarity for an old reprobate twat like
10 me. No one would ever have believed it possible, but a very
11 select few, most importantly you, so today I am fucking
12 celebrating you." Then you go on: "Your love, understanding
13 and complete dedication to the curing of my poisoned wet brain
14 and liver resembling Mrs. Thatcher has been, alongside the
15 birth of my children, the most lovely and most important thing
16 that has ever happened to me in all of my 48 years. Itis
17 impossible for me to fathom how you are able to juggle your
18 quite large life and work whilst keeping me afloat on a
19 dreadful sea of confusion. Hellish personal life, fucked
20 brain, hurt heart and internal savagery against myself. T
21 would have been swallowed up by the monster were it not for
22 you. That is a simple fact".

23 Now, that is dated March 22nd, 2012. That is when you
24 were in what you call your sober period.

25 A Yes

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1 DEPP - WASS

2 Q. Soa period, you have just told us, when it was a long time
3 before you fell off the wagon. You know, from the statement
1 that Ms. Heard has made in these proceedings, that the first
5 time she says she met the monster was in March 2013. Do you
6 remember?

7 A. Yes. I do remember, yes.

8 Q. So, asked you earlier this afternoon, or I suggested to you,
9 that the monster was your name for your alterego. You
10 referred to Jekyll and Hyde, but I think we know what we are
11 talking about, two sides of a person. You referred to the.
12 monster ----

13 A. Yes.

14 Q. ---as that part of your being which was destructive and
15 angry, and an addict. That is what you are saying to Elton
16 John, "I would have been swallowed up by the monster." It is.
17 not a coincidence, is it, that you used that term? That was
18 your pet name for your Mr. Hyde, as you called it, was it not?

19 A. No.

20 Q. What does that mean? What are you saying to Elton John there?

21 A. Tam thanking him for helping me to get sober.

22 Q. Tunderstand that

23 A. And when I say "I would have been swallowed up by the monster
24 were it not for you. That is a simple fact."

25 Q. Itisa fact because the monster is your Mr. Hyde, the part of
[34] (Pages 132 to 135)

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1 DEPP - WASS

2 you that behaves so badly, the very different part from this
3 softly-spoken, charming man that we see here in this court?

4 A. Ms. Wass, I can appreciate your need to continue to apply the
5 word "monster" to me as an alterego. The word "monster" has
6 'many uses. We can all find that in the dictionary. Iam not
7 being facetious or I am not trying to be rude. What Iam
8 saying here, "I would have been swallowed up by the monster
9 were it not for you. That is the simple fact", the monster,
10 itis the same thing as saying I would have been consumed by
11 this poison. The monster here is death.

12 Q. Yousce, a year after this email was written was the first
13 time that you used violence on Ms. Heard. 1 will come to that

12 later, but in essence, you slapped her three times across the
15 face?

16 A. That is not true.

17 Q. And then immediately came to your senses and started crying,
18 and apologising, and telling her that you have an illness, and
19 that you called your illness "the monster"?

20 A. That is not true. That is not the truth,

21 Q. Ms. Heard has never been in rehab, has she?

22 A. I do not know.

23 Q. If she had been in rehab, you would have used it as part of
24 your vilification of her character to suggest that she drank
25 and took drugs to excess. She has not been in rehab?

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1 DEPP - WASS

2 A. That is an assumption you are making.

3 Q. What assumption is that?

4 A. What you just said.

5 Q. You see, Ms. Heard had a very different relationship with
6 alcohol from the relationship you had.

7 A. I am sorry, I did not understand what you were saying.

8 Q. You had a relationship with alcohol that was toxic, you
9 regarded it as poisonous, you had to go to rehab, and you had
10 to be treated by doctors, nurses, and a special detoxification
11 process. This is the story of your adult life, is it not?

12 A. No, it is not.

13 Q. The fight between sobriety and alcohol and drug abuse?

14 A. You are correct in saying that there has been an internal
15 fight in me, in terms of alcohol and drugs, and other numbing
16 agents throughout my life from the age of 11 on through. But
17 to say that, to say what you are saying, you are basing it on
18 what someone has said to you.

19 MR JUSTICE NICOL: Mr. Depp, let me interrupt a moment. It is
20 Ms. Wass's task to put the defendants' case to you and to
21 elicit questions or to put questions to you so that I can hear
22 your evidence,

23 A. I understand, sir.

24 Q. That is her function.

25 A. I understand.

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1 DEPP - WASS

2 MR. JUSTICE NICOL: Right.

3 MS. WASS: Mr. Depp, for avoidance of doubt, it is not what

4 someone is saying to me, if you are suggesting I am a

5 mouthpicce for Ms. Heard, I am not, I am referring to

6 extensive medical notes which are in those bundle to your

7 right; you understand that, do you not?

& A Okay. Sure.

9 Q. You know all about those medical notes?

10 A. I don't believe in any medical notes that I have seen I am

11 called a monster.

12 Q. I think we are at cross-purposes. I am talking about your

13 addiction, I think we had moved on from the monster, I was

14 saying that you had a very toxic relationship with drink and

15 controlled drugs. Ms. Heard did not, she would consume

16 alcohol, and she has taken controlled drugs, but it was not a

17 problem for her, the way it was a problem for you. I think

18 you said that I have to say that, I am saying it is not me

19 having to say that, it is in the medical evidence in this

20 case.

21 A. Right. You are asking me if Ms. Heard was, had ever gone to

22 rehab.

23 Q. Yes. and you said you did not know.

24 A. And I do not know. But I can say I have never been to rehab,

25 yet you keep referring to rehab. I went to a hospital where a

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1 DEPP - WASS

2 doctor, I was under a doctor's care for three days, and then

3 I was released. It is not a rehab centre.

4 Q. Alright. What would you like me to call that centre,

5 detoxification unit?

6 A. Hospital

7 Q. Yes, but hospital

8 A. Detox.

9 Q. Let us alight on a word that we do not have to argue when I

10 raise it. As far as you are concerned, you have been in detox

11 many times?

12 A. Twice.

13 Q. What about Dr. Kipper on the island in 2014?

14 A. Excuse me, three times, yes.

15 Q. During the time you were with Ms. Heard, she has not been in
16 detox ever?

17 A. No.

18 Q. Allright. Did you think, when you first started seeing

19 Ms. Heard in the terms of a relationship, that you were

20 fortunate that she had turned her attention to you?

21 A. Yes.

22 Q. And did you encourage and support her career?

23 A. Yes.

24 Q. Did you ever try and prevent her from pursuing her career?

25 A. No.

[35] (Pages 136 to 139)

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1 DEPP - WASS

2 Q. Did you ever try and interfere with her contracts, her film

3 contracts as to what she should and should not do in a film?

4 A Yes, if I was asked to, yes.

5 Q. No, without asking. Did you interfere in her career choices?

6 A. No.

7 Q. Did you ever refer to her, disparagingly, to her actress

8 bullshit and her fucking ambition?

9 A. Yes.

10 Q. And what was that all about?

11 A. Ms. Heard's greatest frustration and complaint with regard to

12 her career was that she was upset that she was only being, she

13 was being objectified and she wanted to do roles that were

14 deeper and had more of an impact, say, on someone's emotions.

15 deeper material, more profound, something with some -- where

16 she could show her abilities as an actress.

17 Q. Why is that called actress bullshit?

18 A. Well, because she would say that she did not want to be

19 objectified and she ---

20 Q. Why is that actress bullshit?

21 A I am sorry. I am still speaking. She was telling me that how

22 'much she did not want to be objectified any more and she did

23 not want to be looked at as the pretty girl or she did not

24 want to have to get her breasts out or be nude in a film any

25 more. And I said, well, do not, you do not have to. And so,

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1 DEPP - WASS

2 she wanted my advice, and I gave her my advice. And
3 unfortunately, or fortunately, she continued to do the same
4 type of films, and I thought to myself, I thought that she was
5 above them,

6 Q. So, why did you refer to her actress bullshit and her fucking
7 ambition?

8 A. Preferred to that as, essentially, if she does not want to be
9 objectified, if you do not want to be looked upon as some
10 beautiful, you do not want people to look at you and go, oh my
11 God. sexy, whatever, then in my opinion one should stick to
12 their guns and not wear certain things to premiers that are
13 revealing, quite revealing. If she did not want to be
14 objectified. then I thought it best that she try to be a
15 little more reserved in her approach to her films and her
16 approach to how she presents herself in public.

17 Q. Did you ever try to influence what clothes she would wear?

18 A. Well, I would never tell her what to wear, but I would
19 certainly make mention if I thought it was, if it was going,
20 if what she was wearing was completely against the grain of
21 what she told me her wishes were; because I did not find it
22 very helpful to what she was looking for, in terms of being
23 taken seriously as an actress. I told her she did not have to
24 be naked in films. It was not, you do not have to do that.

25 Q. We have looked at the e-mail with Elton John. I want to ask
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1 DEPP - WASS

2 you, please, about another e-mail. File 7, tab 62E.

3 MR.JUSTICENICOL: Justa minute. (Pause)

1 MS. WASS: While you are finding it, Mr. Depp, so you know what
B Tam asking you, you told Elton John, on 22nd March, that you
3 had reached that 100-day threshold.

7A Yes

8 Q. We will look later at some texts with Charlie Dunit, saying a
9 similar sort of thing.

10 A. Yes.

11 MR.JUSTICENICOL: 62E you said.

12 MS. WASS: 62E.
13 THE WITNESS: This is still in book 8, yes?
14 MR.JUSTICE NICOL: Did you say file 72
15 MS. WASS: File 8, sorry. If I said 7, many apologies.
16 MR.JUSTICE NICOL: Never mind
17 MS. WASS: If you go to the second page, first, Mr. Depp, where we
18 start it.
19 THE WITNESS: The second page.
20 Q. You know the e-mails work backwards; yes?
21 A. Yes, yes.
22 Q. Start at the second page, which should say 10.10 at the
23 bottom.
24 A. Yes.
25 Q. April 19th 2012, quarter to 11 in the morning, Stephen Deuters
[Page 143]

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1 DEPP - WASS
2 wrote. Now, he is your, he was your PA of some sort; is that
3 right?
1 A. Yes, he was my personal assistant.
5 MS. WASS: Does my Lord have the page?
6 MR. JUSTICE NICOL: I do, yes, thank you.
7 MS. WASS: "We are all set to leave here approximately 1.30p, hope
8 you rested well, MD." What is MD?
9 A. He call him Master Deuters.
10 Q. Okay. Over the page, at the bottom, at 11.59.
11 MR. JUSTICE NICOL: Sorry, MD is just a name that you referred to
12 Stephen Deuters as?
13 THE WITNESS: Yes. I call him Master Deuters.
14 MS. WASS: Deuters, is that how you pronounce it.
15 A. Yes.
16 Q. At 11.59 you replied to him. You said: "I got drunk and
17 destroyed my room."
18 MR. JUSTICE NICOL: Just a minute. (Pause) Sorry, 11.59.
19 MS. WASS: This is the bottom of page 10.9.
20 MR. JUSTICE NICOL: Yes.
21 THE WITNESS: Yes, I see that.
22 MS. WASS: "I got drunk and destroyed my room. There are hookers
23 and animals in here." You had broken your sobriety, had you,
24 on that occasion? It sounds like it, does it not?
25 A. I believe that text is a joke.
[36] (Pages 140 to 143)
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1 DEPP - WASS

2 Q. "got drunk and destroyed my room".

3 A. "There are hookers and animals in here", it is my sense of
1 humour, I am sorry.

5 Q. What's so funny about that? You had a history of destroying
6 rooms and getting drunk. Why did Mr. Deuters think that was.
7 going to be so funny?

8 A. I was making fun of myself. And I was toying with him saying,
9 you know, to worry, you know, to worry him, but that was done
10 in fun, it is a joke.

11 Q. And the joke carries on, really, for some time, does it not,
12 because he says, "Have you (unclear)?"

13 A. Yes.

14 Q. What does that mean?

15 A. Eaten.

16 Q. Have you eaten anything?

17 A. Yes.

18 Q. Because what you would do when you were on a bender, you would
19 not eat for days sometimes, would you?

20 A. Again, no, not on a bender, it may be, maybe not, but
21 I sometimes do not eat for days in total sobriety.

22 Q. And he was asking you, he did not say, what a cracking joke,
23 he was asking you whether you have eaten and you said, can you
24 see at 12.11, you say: "I don't want (unclear), thank you."

25 'You did not want any food. "Is it okay to put on a condom

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1 DEPP - WASS

2 after the fact, I mean, if I wear it for the rest of the day,

3 like, that works, does it not? have to kill a few of the

4 animals for substance, I've made quite a mess —"

5 A. Sustenance, sorry.

6 Q. "sustenance, I've made quite a mess, there is blood and

7 animal tracks everywhere."

8 A Yes. I did write that

9 Q And you say this was part of the joke?

10 A. I can assure you that the words that I am writing to him are
11 not true.

12 Q. Then he is saying, this is in reference to the condom, there
13 is a joke about that, or a remark about that. You say at the
14 end: "I am going to jump in the shower and have a good solid
15 week afterwards. Can we locate Charlie, I would love to hang
16 with him before we split."

17 A. Yes. That is Charlie Dunnit who was a good friend, Elton's
18 who Elton sent to be with me and support me through my
19 sobriety.

20 Q. You are saying the entire exchange was simply a joke and
21 nothing more than that?

22 A. Yes. Yes, ma'am, the exchange is a very abstract and
23 absurdist joke. It is writing nonsense to each other, or at
24 least my nonsense.

25 Q. Did Charlie Dunnit, if this is a reference to Charlie Dunnit,

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1 DEPP - WASS

2 know Rochelle?

3 A Did Charlie Dunnit know Rochelle?

4 Q Yes

5 A No

6 Q. Can you go behind divider 6. There is a long text schedule at
7 the first part is divider 6,

8 A File 6?

9 Q File.

10 A. Thank you. (Pause)

11 MR.JUSTICE NICOL: Is this 119?

12 MS. WASS: It is tab 119, yes.

13 MR.JUSTICE NICOL: Thank you. I think these are helpfully
14 numbered in the left-hand column, are they not?

15 MS. WASS: I would not seek any assistance from that, my Lord,

16 because the numbers are not sequential. What I am going to be
17 doing is referring to the bottom pagination and then locate
18 the text within it, if that is agreeable
19 MR.JUSTICE NICOL: Yes
20 MS. WASS: (To the witness) Can you see second text down.
21 THE WITNESS: Yes.
22 Q. A text from you, your call to him in these texts, dated 11th
23 December 2012.
24 A. Yes.
25 Q. "Charlie on his way, and I am upstairs with Rochelle. Are you
[Page 147]

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1 DEPP - WASS
2 coming?"
3 MR. JUSTICE NICOL: Sorry, I have lost you. Which page now?
4 MS. WASS: Sorry, page 4.
5 MR. JUSTICE NICOL: Page 4. F697.4.
6 MS. WASS: Yes.
7 MR. JUSTICE NICOL: And which?
8 MS. WASS: The second text down.
9 MR. JUSTICE NICOL: "Charlie on his way".
10 MS. WASS: "And I am upstairs with Rochelle. Are you coming?"
11 MR. JUSTICE NICOL: Yes.
12 MS. WASS: Tell us about that. So, Charlie, you say is Charlie
13 Dunnit. Rochelle I think was a girlfriend; is that right?
14 THE WITNESS: She was a girl that I had dated, I was seeing before
15 I started seeing Ms. Heard on a regular basis, yes.
16 Q. Because this is 2012, at the end of 2012, I think there might
17 have been a bit of an overlap there, do you not?
18 A. Possibly, yes.
19 Q. So, you were seeing Rochelle, seeing Ms. Heard, and you are
20 asking, according to the timing of this, at just before
21 nine o'clock in the morning, telling someone in a text that
22 you were upstairs with Rochelle and you were hoping for
23 Charlie, or you were expecting Charlie to be on his way; if
24 Charlie is indeed Charlie Dunit.
25 A. Well, it would have been, this is 2012, that would have been
[37] (Pages 144 to 147)
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1 DEPP - WASS

2 Charlie Dunit

3 Q You have just told me that Charlie Dunit did not know
a Rochelle. Why is Charlie Dunit coming up to see you and
5 Rochelle at that time in the morning?

6 A. I do not. I am not suggesting that Charlie and Rochelle know
7 one another. I am just saying I am upstairs with Rochelle, is
8 Charlie, or saying that Charlie is on his way, "I am upstairs
9 with Rochelle. Are you coming?"

10 Q. So, were you seeing Rochelle at the same time that you were
11 seeing Ms. Heard? It looks like it, does it not?

12 A. One could assume that there was what you are suggesting, but
13 it is not, does not say anything about us seeing one another,
14 being with one another in any way.

15 Q. Tam asking you to answer the question?

16 A. She was a friend, yes

17 Q. She was a friend, she was somebody you stayed in contact with
18 after you started seeing Ms. Heard?

19 A Yes. Here and there, yes. But I ended up having to
20 stopped seeing, I stopped seeing her.

21 Q. When did you stop seeing her?

22 A. When things got serious and more serious with Ms. Heard; and
23 Ms. Heard was very jealous of Rochelle.

24 Q. You were seeing Rochelle during the course of your marriage,
25 were you not, even after your marriage in 2015, you were

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1 DEPP - WASS

2 seeing Rochelle?

3 A Rochelle and I have stayed in contact, so after Ms. Heard and
4 I broke up, yes, I did see Rochelle,

5 Q. No, before. We will look at it tomorrow now.

6 A. Before the break-up?

7 Q. There are regularly meetings you had with Rochelle before you
8 were married and after you were married, immediately after you
9 were married to Ms. Heard.

10 MR. JUSTICE NICOL: Ms. Wass, I am not sure how helpful
11 allegations of two-timing are going to be, given the
12 circumstances,

13 MS. WASS: I will leave it for now, but can I explain to my Lord
14 There was an incident on 23rd March 2015, when it became
15 apparent that Mr. Depp was indeed continuing his relationship

16 and it caused an enormous argument. So, to that extent it is
17 relevant.

18 MR.JUSTICE NICOL: You can come back to that, if you think it is
19 relevant, later.

20 MS.WASS: Yes. Mr. Depp, you said in your witness statement you
21 regard yourself as a gentleman; yes?

22 THE WITNESS: try to conduct myself as a gentleman, yes

23 Q. What you said, and I will quote from your statement: "I am

24 from a southern family and rules were instilled in me from

25 birth by my mother, you would be a southern gentleman or it

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1 DEPP - WASS

2 would be beaten into you. Even as a child chivalry was

3 extremely important, integrity, dignity, honesty and respect

4 for women. These were characteristics of a gentleman and

5 characteristics that I have always expected to have. As part

6 of this, I feel it is a strong and central part of my moral

7 code that T would never strike a woman under any circumstances.

8 at any time. I find it inconceivable that that would happen."

9 Yes?

10 A. Yes.

11 Q. Do you think you live up to the standards of a southern

12 gentleman?

13 A. Yes, ma'am.

14 Q. When we saw that clip of you smashing bottles in your kitchen,

15 while Ms. Heard was drinking a cup of coffee, do you think

16 that was part of your southern gentleman code?

17 A. I think that even when one's aspiration is to be a gentleman,

18 a great gentleman, a great southern gentleman and it is

19 something that is bred into you and it is something that you

20 believe in wholeheartedly, that does not exclude me from the

21 family of humans who have moments of frustration. Ms. Heard

22 was not struck in that video. I do not think - had I struck

23 anyone in that video?

24 Q. Are you asking me a question?

25 A. No, I am saying Ms. Heard was not struck in that video.

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1 DEPP - WASS
2 Q. You are absolutely right, she was not struck in that video.
3 MR. JUSTICE NICOL: I think you should let Mr. Depp finish
4 answering the question.
5 MS. WASS: I am sorry, Mr. Depp, please continue.
6 THE WITNESS: I do my best to remain true to the things that I do
7 still carry from my youth, that I, the things that I do
8 appreciate in things that I learned from my mother, no matter
9 how abusive she could be, and it is something that is very
10 important to me. So, yes, I will always conduct myself as a
11 gentleman, and I hope I have answered your question.
12 Q. You did not actually, you did not answer my question.
13 A. I am sorry.
14 Q. My question was, looking at that video of you behaving in the
15 'way that you did, shouting, being intimidating and smashing
16 glasses, did you think that was consistent with your
17 aspirations to behave like a southern gentleman?
18 A. I think that everybody has a moment or two in their life.
19 I think that I maybe had a moment. Do
20 Q. Relaxed. The standards of the southern gentleman were not
21 adhered to, were they?
22 A. A human lapse. A southern gentleman was not in my mind at
23 that particular moment, obviously.
24 Q. Because you were angry?
25 A. Yes, ma'am.
[38] (Pages 148 to 151)
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1 DEPP - WASS
2 Q. You see, southern gentlemen, do they refer to women like sluts
3 and whores and bitches?
4 A. What are you referring to?
5 Q. Would you regard that as a gentlemanly way of describing a
6 'woman'?
7 A. No, certainly not
8 Q. So, that would be another lapse if you used language like
9 that?
10 A. If I called someone that, yes, it would be. It would be — if
11 I called someone that, it would be a horrible, horrible,
12 something that I find very offensive.

13 Q And referring to a woman as a slut is offensive, is it not?
14 A. Yes.
15 Q And referring to a woman as a whore is offensive?
16 A. Yes.
17 Q. Would you look at page 4 of the text messages. I think you
18 should be on it already. (Pause) Fourth from the bottom, you
19 are texting somebody called Marino, who is he or she?
20 A. That is my sister.
21 Q. Your sister Christie?
22 A. Yes.
23 Q. mean, there are three people there, so you are saying to
24 your sister: "I will bring some cash over to pay and tip the
25 bitch."
[Page 153]

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1 DEPP - WASS
2A Yes
3 Q. I did not include in my list of offensive words of describing
4 females the word "bitch"?
5 A. Yes.
6 Q. But you use it there.
7 A. Yes.
8 Q Who are you referring to?
9 A. I do not know, to be honest.
10 Q. Let us read on, and your memory might be refreshed. According
11 to you then, Marino, who you say is your sister, says: "Yeah,
12 sloppy shut." Is that how your sister refers to other women?
13 A. That is not you are saying that is from my sister?
14 Q. No. You said it is from your sister. It appears to me, and
15 I may have got this wrong, so am prepared to be guided by
16 you, it appears to be a conversation you are having with
17 someone who is called Marino,
18 MR. JUSTICE NICOL: I think, is the address Marino Richard TAT?
19 A No, my Lord. Richard Tat is another e-mail address that
20 I have.
21 MS. WASS: Yes
22 A. And Chris Dembrowski is —
23 Q. Your sister?
24 A. Yes, my sister's name is Christie Dembrowski. So, sometimes
25 when you cannot put down my actual name, will use Chris
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1 DEPP - WASS

2 Dembrowski, and that would be me. But I am looking at the
3 phone numbers here.

4 Q. Let us just read on, and we can come back to who the
5 conversation is with. We know some of it was sent by you and
6 some of it was sent by the person you are conversing with.

7 Youssay: "I will bring some cash over and pay and tip the
8 bitch." The other person says: "Yeah, sloppy slut." You
9 then say: "Fucking ugly, fat whore."

10 A. Yes.

11 Q. Marino then says: "Bring the cash and the whore." You say:

12 "For the idiot cow." You then again say: "Will do. I'll

13 smack the ugly cunt around before I let her in. Don't worry."

14 "Then later on, half an hour later, you said: "Did that
15 worthless hooker arrive?"

16 A. Yes.

17 Q. Now, all the language that I think we have identified is not
18 very southern gentlemanly, would you agree?

19 A. It is not at all southern gentlemanly. It is not gentlemanly
20 at all.

21 Q. It is not even ladylike, if that is your sister, is it?

22 A. No, in fact, I am sorry, I made a mistake, I recognise the
23 phone number now. This is an exchange between Vanessa and
24 myself.

25 Q. Vanessa, why is Vanessa talking about a sloppy shut?

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1 DEPP - WASS

2 A. Because we are joking about something or someone. This is not
3 a serious exchange. Sorry, but these are exchanges between
4 Vanessa and I where we were joking around and saying idiotic
5 things.

6 Q. Where was she when this conversation took place?

7 A. I have to look at the time. I am trying to — I am going to
8 say that she was in Los Angeles at the time. Just because of
9 the time, because if she was in Paris, it would have been six
10 in the morning there.

11 Q. I am finding it difficult, Mr. Depp, to understand —

12 To understand you are saying you were not paying for a sex
13 worker here, which it might look like, it was actually just a

14 gag. a joke; yes?

15 A. Yes.

16 Q. Could you explain, you send a text to Vanessa: "I will bring
17 some cash over to pay and tip the bitch."

18 A. Yes.

19 Q Why would she find that funny; why did you find that funny?

20 A. I do not remember what this text is in reference to. But it

21 is clearly some kind of joke. I mean, we are sparing in this

22 abstract arena of, you know, using ignorant words to one

23 another, you know, sending them to one another, making each

24 other laugh.

25 Q. Are you pretending to her that you are paying for sex there;

[39] (Pages 152 to 155)

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1 DEPP - WASS

2 is that what the joke is all about?

3 A Nono.

4 Q. "Bring the cash and the whore", she says to you?

5 A. No, I do not think it had anything to do with me pretending to

3 be with a prostitute or anything. I think it was just some

7 strange, you know an exchange between us that was joking.

8 Q It is an exchange between you and someone else, is it not and

9 'you say that is your sister?

10 A. No.

11 Q. Sorry, your ex-partner?

12 A. Yes, that is my ex-partner Vanessa, yes.

13 Q. You are talking about bringing cash to pay a woman who is

14 described as "a fucking ugly, fat whore", by you?

15 A. Yes.

16 Q. That's you, "fucking ugly, fat whore". Who on earth were you

17 talking about?

18 A. She says, "Yeah, sloppy slut." That comes from Vanessa to me.

19 Q. It comes from the person that you were texting, which you say

20 is Vanessa.

21 A. I said, "fucking ugly, fat whore".

22 Q Who are you talking about?

23 A. As I said, we maybe talking about no one. This is an

24 exchange of absurdity. It is nothing. It is a joke;

25 exchange. We were laughing about it. I mean, we are not

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1 DEPP - WASS

2 talking about anyone in particular that I can recall. And if
3 we were talking about someone in particular, we were certainly
4 talking about them in a joking way. The chances are that is
5 the words, "ugly, fat whore" came up, and all these kinds of
6 references. would say that person would probably be the
7 Very opposite of what we are saying. They are probably the
8 nicest person in the world and skinny and all that. But the
9 humour comes out of saying, "What an ugly, ugly thing".
10 Q. Notan ugly thing, an ugly fat whore, all the words we have
11 decided a Southern gentleman should not use to describe women.

12 You are using ——

13 A. Iam talking with a woman.

14 Q. Does that make it better?

15 A. Thisis, like, as random and as ignorant a spew of verbiage
16 that is based on nothing. You can talk to me about this for
17 the next three days if you like. I cannot tell you what itis
18 about, but I can tell you it is a joke.

19 Q. You cannot tell anybody in this court what the joke is for the
20 simple reason that it is not a joke. You are talking with
21 whoever you are texting?

22 A. Vanessa.

23 Q. You have said itis Vanessa

24 A. Callthe number.

25 Q. Youre talking about a woman who is, in your words, a slut —
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1 DEPP - WASS

2 in her words a slut, in your words a whore, and you are

3 talking about bringing cash for the idiot cow, you call her,

4 and then you say, "I will smack the ugly cunt around before

5 let her in, don't worry." Ts that a word that you think is

6 acceptable from the Southern Gentleman's Book of Conduct?

7 A. Thad a feeling that you were going to ask me that question.

8 Tam going to say that no, I do not believe that any of those

9 words are in the Southern Gentleman's Book of Conduct, but
10 Talso know that when you are on a private text exchange with
11 someone, you could be talking about something very serious,
12 you can be talking about something very funny, you can be
13 talking about something that makes no sense to anyone, and
14 that is life.

15 Q. Sow have two episodes here where you are referring to sex
16 workers, one with Mr. Deuters and one with Marino(?), you say
17 Vanessa Paradis?

18 A. We can refer to her as Marino if you like.

19 Q Whatis so funny about all these jokes about you going to sex
20 workers?

21 A. The text is not about sex workers.

22 Q. Yousay that, you say they are both a joke, but you have not,
23 if you do not mind me saying, explained the joke. Ido not
24 think, my Lord, I can take this any further. Iam going to
25 move on now to another subject unless you have more

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1 DEPP - WASS

2 explanations for us?

3 MR. JUSTICE NICOL: Well, I think you have given Mr. Depp the
4 opportunity.

5 MS. WASS: Exactly, exactly. Can, as the last topic of the
6 afternoon, just talk about marijuana, cannabis, whatever you
7 want to call it? I think you have smoked a lot of cannabis in
8 your life, and smoked a lot of cannabis over the time that you
9 were in a relationship with Ms. Heard.

10 A. I'smokeda lot of marijuana or cannabis when I was in a
11 relationship with Ms. Heard, yes.

12 Q. As faras you were concerned, this was not a drug that you
13 should abstain from; it did not count?

14 A. Marijuana, I found very helpful with regard to anxiety. sleep,
15 sense of wellbeing, calmness. There are medicinal qualities
16 to cannabis all the way from the oil to the THC. 1 think of

17 cannabis not as a recreational drug. do not think, as I
18 said in the other text, I do not think of drugs as
19 recreational; think of them as self-medication. So.
20 cannabis, for me, is something that works. It does not work
21 for everyone. I would not say that everyone should go there,
22 but it works for me. If it works for me, it is something that
23 will make it a lot easier for me to — if do feel that I am
24 feeling bad in my head or just not feeling great, I would much
25 rather smoke marijuana then, or ingest marijuana, in whatever
[40] (Pages 156 to 159)
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1 DEPP - WASS

2 form, than to guzzle from a bottle of whisky or something

3 Q Right. Have you ever been advised in any of your detox

a experiences of the connections between THC and psychosis, the

5 abuse of cannabis and psychosis. Has that been something that

[3 a doctor has addressed you on at all?

7 A. No, maam, never.

8 Q. As far as you are concerned, cannabis is good for you; yes?

9 A. I would say that it is a lot better for you than alcohol.

10 Q. And is that why you encouraged your daughter to take weed?

11 A. Can you repeat that again?

12 Q. Is that why you encouraged your daughter to use weed?

13 A. I never encouraged my daughter to use marijuana,

14 Q. Could you go to page 5 of the text schedule in file 6, please?

15 A. File 6. Which number?

16 Q. It is page 5 at the bottom. Are you on the big text schedule?

17 A. Yes, yes.

18 MR. JUSTICE NICOL: I think this is still volume 6, is it not?

19 MS. WASS: Yes, two from the bottom, do you see?

20 A. Yes.

21 Q. You told your daughter: "Hi babes, just checking in to check on

22 your experience last night. Positive, 1Z0, kiss, kiss, kiss,

23 Daddy." That is from you to your daughter, would you agree?

24 A. Yes.

25 Q. And she writes back to you, saying "Love it"?

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1 DEPP - WASS

2A Yes

3 Q Overthe page, you say, "Good girl, 1 am happy for you, my

4 angel." Then she sends a text to you saying, I love weed."

5 You say, "Don't be loving it too much just yet, precious, not

6 an all the time thing. Where were you and who were you with

7 has a lot to do with the nice effects?

8 A "Where you were and who you were with", not "Where were you",

9 sorry.

10 Q. Yousaid it perfectly, if I may say so, Mr. Depp. Can you now

11 —

12 A ljustsaid it perfectly because you said it wrong.

13 Q. Yousaid it perfectly and I got it wrong,

14 A. lwas just —

15 Q. No, no, you were absolutely right?

16 A. lthink the words are important.

17 Q. Theyare very important. Then you say, "You are the best,

18 Tlove you so, 1 am so proud of you for being so responsible

19 about all of this, you are the bestest ever, I love you so."

20 'Then you sign yourself "Daddy". She says, "Thanks Daddy.

21 lappreciate you guys being so cool about it and so much,

22 Tlove you, Daddy"?

23 A. Yes.

24 Q. Those are e-mails between yourself and your daughter.

25 A Yes

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1 DEPP - WASS

2 Q. Isthata joke or are you talking about weed?

3 A. No, thatis absolutely —

4 Q. Thisis what it says on the packet?

5 A. Thisisa proper exchange between my daughter and myself, yes

6 Q. Your daughter was born on 27th May 1999?

7A Yes

8 Q. hope you remember that, and she was 13?

9 A. Yes, 13,1 guess she was, yes.

10 Q. Sowhen asked you whether you were encouraging your daughter

1n 10 smoke weed, you appeared to take umbrage at that, Mr. Depp,

12 but that is exactly what you are talking about there, are you

13 not? You are encouraging her. You want to find out about her

14 experience. You tell her its important who she is with.
15 You are teaching her about smoking cannabis when she is only
16 13 years' old?
1A Yes.
18 Q. So, the answer to my question earlier, did you involve
19 yourself with your daughter smoking weed —
20 A. Didlwhat? You used another word.
21 Q. Ah, so technically I used the wrong word?
22 A. Tam asking what word you used.
23 MR.SHERBORNE: My Lord, with respect, Ms. Wass said "involved",
24 "encouraged", she has used three different words, to be
25 honest.
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1 DEPP - WASS
2 MS. WASS: Can I ask one more time and then I will take the answer
3 —
4 A. Choose your word first.
5 Q. —as you want to give it. Did you involve yourself in your
6 daughter smoking cannabis?
7A Yes
8 Q. Attheage of 137
9 A. Yes.
10 MS. WASS: My Lord, I am moving to another topic now.
11 A. Twould like to clarify. My daughter was 13 years old. As
12 we all know, at 11, 12, 13 years' old, when you go to high
13 school parties, you are approached by people who will want to
14 give you drink because they are drinking at 12 and 13. They
15 are doing cocaine at 12 and 13. They are smoking marijuana at
16 12and 13. They are doing Ecstasy. They are doing many, many
17 drugs.
18 My daughter was at a party and someone passed a joint to
19 her. She was just 12. She said, "I did not know what to do,
20 1 did not know what to do." Isaid, "Listen, sweetheart, if
21 you are at a party and someone hands you a joint, take the
22 joint from that person and pass it to the next person. Please
23 do not experiment with drugs with people you do not know, with
24 a joint that someone hands you and you do not know if it is
25 laced with PCP, you do not know if it is laced with fentanyl,
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2 you do not know what is in it. Please, please, when you are
3 really at the moment in your life, or you really feel like
4 a they are passing me the joint and I want to try it, I really
5 want to try it, please do me the honour of coming to me, when
6 [3 you are ready, when you really feel you are ready, because 1
7 do not want your first experience in this world to be with
8 people you do not know, taking things you do not know, that
9 You cannot trust." So, it is a safety issue. Its a father
10 worried about his daughter in these kinds of situations.
11 When she came to me and said, "Tam ready", I spoke with
12 her mother and I said, "She says she is ready" and Vanessa
13 spoke with her. Tknow that the most important thing for a
14 child, if they are going to do something like that, I would
15 rather have them be honest with me and have me be honest with
16 them, so that she does not go out there and do these things
17 and hide them from me. I want her to trust me.
18 So, if my daughter says she is ready, she was ready. 1
19 wanted to make sure that the set and the setting were
20 perfection. So, you put on family television, you fill the
21 refrigerator with ice cream, and you fill the freezer, and you
22 make a situation where the experience will hopefully be as
23 pleasant as possible because the first thing you do not want
24 is you do not want your 13 year-old going into some sort of
25 paranoid tailspin. 1 knew that the marijuana that I had
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1 DEPP - WASS

2 myself, that I smoke myself, is trustworthy. It is of good
3 quality and I was determined to not have her try any drugs out
4 there in the world because it is too dangerous. If that is
5 wrong in your eyes, I appreciate what you think, but I was
6 raising a daughter and I was being a responsible parent as far
7 as I am concerned. Thank you very much.
8 § Q. You have said that you did not want her going into a paranoid
9 tailspin as a result of ingesting marijuana?
10 A. Yes. That can happen to some people.
11 Q. Tasked you about that earlier, but thank you very much, that
12 has answered that question.
13 A. Oh good. Thank you

14 MR.JUSTICE NICOL: Right. Now, is that a convenient point —

15 MS. WASS: Itis.

16 MR.JUSTICE NICOL: — to stop. Ms. Wass, we are at an carly

17 stage in this trial, but I have mentioned, when Mr. Sherborne

18 told me that I had only a dra trial timetable, that I would

19 be keeping an eye on how we are getting on

20 MS. WASS: Yes.

21 MR. JUSTICE NICOL: You will have tomorrow and the next day to

22 conclude your cross-examination. If you need longer than

23 that, you will need to justify it.

24 MS.WASS: Twill. Itis going very slowly at the moment.

25 Without wishing to criticise Mr. Depp in anyway, because he

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1 DEPP - WASS

2 wants to give his answers at length, it may be that I am

3 slightly more brusque with him tomorrow. Tam not going to

4 ever prevent him from giving an answer that is relevant to the

5 question, but we have had a little bit of deviation from the

6 points this afternoon and this morning. I entirely accept

7 my Lords point that this timetable has got to be kept on the

8 rails and Twill certainly do my best to do that.

9 MR. JUSTICE NICOL: Right. Now, I was passed a message that

10 I think at one point in your questioning to Mr. Depp, you read

11 out an e-mail address that may still be live, and I am simply

12 'going to request that there is no reporting of that.

13 MS. WASS: Yes.

14 MR. JUSTICE NICOL: Mr. Sherborne, I see you have risen. I do not

15 think that since it has been said in open court, T can go

16 beyond that, but I do make that request

17 MR. SHERBORNE: My Lord, I am very grateful. That is what I was

18 rising for. All I was going to add to what my Lord said is

19 that I think there are other references, in some of the text

20 'messages and so on, to live numbers and e-mail addresses.

21 MR. JUSTICE NICOL: Perhaps if that is a concern, you could

22 communicate with Ms. Wass about which those are so that she

23 takes care not to read those out in the future.

24 MR. SHERBORNE: Of course. understand my Lord, I will do.

25 Thank you.

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1 DEPP - WASS

2 MR. JUSTICE NICOL: All right. Now, Mr. Sherborne, before you sit
3 down, you did say that you wanted to be able to talk to
4 Mr. Depp about the sixth and seventh witness statements of
5 Ms. Heard.

6 MR. SHERBORNE: My Lord, yes.

7 MR. JUSTICE NICOL: At the beginning of the trial, I recognised
8 that the defendants would have to consent to that if they
9 wanted me to rely on those witness statements.

10 MR. SHERBORNE: My Lord, yes.

11 MR. JUSTICE NICOL: Since there had not been the opportunity to do
12 050 far. So, what I am proposing to say to Mr. Depp is that
13 he may do so with you and a representative of Schillings, but
14 you, of course, will need to be careful that the conversation
15 does not trespass beyond the sixth and seventh witness
16 statements of Ms. Heard.

17 MR. SHERBORNE: My Lord, yes, of course, I understand.

18 MR. JUSTICE NICOL: Mr. Depp, I do not know if you remember this,
19 but there was a conversation earlier this morning in which
20 I gave the defendants the right to refer to Ms. Heard's sixth
21 witness statement and her seventh witness statement.

22 THE WITNESS: Yes, sir.

23 MR. JUSTICE NICOL: I did so, recognising that you and your
24 lawyers have not yet had an opportunity to discuss those.

25 I have said previously that you are not to talk to anybody

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2 about your evidence. I am going to make a qualification that
3 you may talk to Mr. Sherborne and one of the representatives
4 from Schillings about the sixth and seventh witness statements
5 of Ms. Heard, but only those topics. Do you understand?

6 THE WITNESS: Yes, I do, my Lord. Thank you very much

7 MR. JUSTICE NICOL: Right. Then, is there anything else that
8 anybody wants to raise this evening?

9 MR. SHERBORNE: My Lord, no. Thank you.

10 MR. WOLANSKI: My Lord, can I raise a matter. Earlier on, you

11 'mentioned the cross-examinations of (unclear) in
12 correspondence. We are going to make an application to your
13 Lordship for an order permitting us to cross-examine
14 Mr. Cadanet(?). What we propose to do, with your Lordships
15 leave, is to put in a note — it will be a short note - this
16 evening. It will be done by 6.00 p.m. and it will be
17 explaining why we say that it is an order your Lordship should
18 'make and the jurisdictional basis for it. Obviously, the
19 claimant needs an opportunity to see that application and to
20 respond to it. It is not particularly urgent because, of
21 course, it will be some time before Mr. Cadanet has to attend
22 court to be cross-examined and that is going to happen, but
23 nonetheless, it is something that we would be asking your
24 Lordship to rule on as soon as your Lordship has an
25 opportunity to do so. What we propose to do, therefore, is to
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1 DEPP - WASS

2 give them a note by 6.00 p.m. this evening.

3 MR. JUSTICE NICOL: I will deal with that as and when I have had a

4 chance to see it. Good. Nothing else? Right. Then,

5 10 o'clock tomorrow.