

1 to strike.

2 Q Ms. Heard, I'd like you to listen to what I'm
3 about to play. Would you do that?

4 (Audio clip played as follows:

5 "MALE VOICE: I then stood up. I
6 don't even know if I said -- I mean
7 I might have said like 'What the
8 fuck,' you know, whatever, because I
9 had just been hit in the head with
10 the fucking corner of the door.

11 "FEMALE VOICE: I'm so sorry I did
12 that. I'm sorry."

13 "MALE VOICE: And then I stood up.")

14 BY MS. BERK:

15 Q Do you recognize the voices on that tape?

16 A Uh-huh.

17 Q And who are the people on that tape?

18 A That's Johnny and I.

19 Q Okay. And is Johnny describing an act where
20 you made a door go into his head?

21 MR. HARDER: Objection. Harassing,
22 argumentative, vague.

23 THE WITNESS: I -- I was trying to escape from
24 a room where Johnny was attacking me. And in order to
25 escape, I was trying to get onto the other side of the

1 door attempting to close the door and he was attempting
2 to get in, despite my attempts to try and escape an
3 assault.

4 BY MS. BERK:

5 Q Isn't it true that on this tape that was just
6 played, you tell Johnny Depp you're sorry?

7 A Yes.

8 Q Okay.

9 (Audio clip played as follows:

10 "MALE VOICE: And then you fucking
11 clocked me.

12 "FEMALE VOICE: I remember hitting
13 you as a response to the door
14 thing.")

15 BY MS. BERK:

16 Q Did you just tell Johnny Depp in that recording
17 that "I remember hitting you as a response to the door
18 thing"?

19 A Yes. As he was trying to get into the door, I
20 was trying -- into the room, I was trying to escape him.
21 He pushed the door into me and I was trying to hit him by
22 getting out -- getting him out of the door to stay in the
23 room.

24 Q And you told him in that tape recording that
25 you hit him, correct?

1 A I don't -- I don't know what words I used in
2 that. You can play it back if you want, but I don't
3 remember exactly how long.

4 Q If you wouldn't mind, if you'll continue to
5 listen.

6 A Okay.

7 (Audio tape played as follows:

8 "FEMALE VOICE: And I'm really sorry
9 about hitting you with the door. It
10 was -- or hitting your head.")

11 BY MS. BERK:

12 Q Did you tell Johnny Depp at that time you were
13 speaking to him that you were really sorry for hitting
14 you -- hitting him with the door hitting him?

15 A I was -- I think in that recording I made it
16 very clear that I was sorry that the door hit him while
17 he was trying to get into the room I was escaping or
18 attempting to escape into.

19 MS. BERK: I will mark, uh, uh, um -- excuse
20 me. I'd like you to listen to the following tape. This
21 is "Punch" and we need to have a --

22 MR. O'DONNELL: Are these being marked as
23 exhibits?

24 MS. BERK: Yeah, mark as exhibits.

25 MR. ALLHOFF: We just marked P as the one we

1 just played. Correct.

2 MS. BERK: Yes.

3 MR. ALLHOFF: Okay. Next.

4 (Exhibit P marked)

5 MS. BERK: The next thing I'm going to play to
6 you is Q. Would you listen to this, please.

7 Punching. The one that says "Punching."

8 (Exhibit Q marked)

9 (Audio tape played as follows:

10 "MALE VOICE: Probably just a shitty
11 lock.

12 "FEMALE VOICE: Yeah, I didn't do
13 that.

14 "MALE VOICE: Anyway, I opened the
15 bathroom door when you were knocking
16 on it. After a few times, I opened,
17 and, you know, you just kept come --
18 you just kept going, you just kept
19 going, kept going. I tried to close
20 the door three times, you know.

21 Please, please, just don't let --
22 you know, and then --

23 "FEMALE VOICE: Babe --

24 "MALE VOICE: Wait. And then I then
25 I -- I -- I -- accidentally, I

1 swear, when I was trying to close
2 the door, I guess it scraped your
3 toes. I -- you know, I didn't mean
4 to do that. And I bent down and you
5 either pushed or you kicked -- I
6 think you kicked the door open.
7 "FEMALE VOICE: I didn't know I did
8 that.
9 "MALE VOICE: I mean sort of caught
10 the door, yeah, more open so it
11 would hit me.
12 "FEMALE VOICE: No. I didn't --
13 "MALE VOICE: Wait.
14 "FEMALE VOICE: I didn't not mean to
15 do that.
16 "MALE VOICE: Wait. And it hit me
17 in the fucking head.
18 "FEMALE VOICE: I did not mean to do
19 that.
20 "MALE VOICE: I was bent down behind
21 the door.
22 "FEMALE VOICE: I did not do
23 anything to -- I did not kick the
24 door or push the door so that it
25 would hit you. I did not. I swear.

1 I mean that did not -- it was not my
2 intention. I think I remember when
3 the door scraped my toes.)

4 BY MS. BERK:

5 Q Okay. So you told him in that excerpt that you
6 hit him with a door but did not intend to hit him,
7 correct?

8 MR. HARDER: The recording speaks for itself.

9 BY MS. BERK:

10 Q Did you say that?

11 A I -- I said whatever I said in that recording.

12 Q Okay.

13 A I don't -- when you play it for me, it's hard
14 for me to remember every single word.

15 Q And that's a recording marked as Exhibit -- the
16 punching?

17 MR. ALLHOFF: Q. What you just played?

18 MS. BERK: Q. Q.

19 Q Would you continue to listen to Exhibit Q?

20 A Uh-huh. Are these from the same day?

21 (Audio recording played as follows:

22 "FEMALE VOICE: I -- I reacted, but

23 this whole -- the door thing, I

24 never -- I never did that. That

25 wasn't on purpose. I might have

1 done it on accident.

2 "MALE VOICE: Okay. So let's say
3 that was an accident. I then stood
4 up. I don't even know what I said.
5 I mean I might have said like 'What
6 the fuck," you know, whatever,
7 because I had just been hit in the
8 head with the fucking corner of the
9 door.

10 "FEMALE VOICE: I'm so sorry I did
11 that. I'm sorry.

12 "MALE VOICE: Then I stood up and
13 then you fucking clocked me.

14 "FEMALE VOICE: I -- I remember
15 hitting you as a response to the
16 door thing.")

17 THE WITNESS: That's exactly what I just told
18 her.

19 (Audio recording continues as follows:

20 "FEMALE VOICE: I'm really sorry
21 about hitting you with the door --
22 or hitting your head. I did not
23 mean to nor --

24 "MALE VOICE: You didn't not mean to
25 hit me in the head with the door,

1 but you meant to --

2 "FEMALE VOICE: I didn't --

3 "MALE VOICE: -- punch me in the
4 jaw.

5 "FEMALE VOICE: I meant to hit you
6 and I -- I did not do this thing
7 with the door. I do remember I did
8 mean to hit you.

9 "MALE VOICE: But that you didn't
10 mean?

11 "FEMALE VOICE: The door? No. God
12 no. I -- I --

13 "MALE VOICE: But punching me in the
14 jaw you did?

15 "FEMALE VOICE: I -- okay. I'm
16 sorry.")

17 BY MS. BERK:

18 Q So on the tape you tell Johnny Depp that you
19 did mean to hit him?

20 MR. HARDER: Objection. That's argumentative
21 and it misstates what the recording was.

22 THE WITNESS: And it also misrepresents that --
23 what actually happened, which is him trying to get into a
24 room I'm trying to keep him out of, and then he runs the
25 door over my toes trying to get into the room. I tried

1 to push him out of it, which is what the hit is that is
2 referred to. And Johnny, whenever he was hit or touched
3 at all, referred to it in these ways of punching or
4 clocked or whatever. And whether you discussed it with
5 him or not, the last thing you do in -- in talking to him
6 afterwards or trying to reconcile with him is to get into
7 what the definition of those words mean to him.

8 MR. HARDER: Just say what happened.

9 THE WITNESS: So I just never -- I never even
10 addressed it. If he was ever pushed, it was a clock --
11 he called it a cold-clock. I mean, he was just very
12 dramatic about everything about it.

13 BY MS. BERK:

14 Q Isn't it true, Ms. Heard, that in December of
15 2015, you punch Johnny Depp in the face with a closed
16 fist?

17 (Sotto voce discussion among respondent's
18 counsel off the record)

19 THE WITNESS: I hit -- I hit Johnny one time
20 when he -- sorry, I'll wait.

21 MR. HARDER: No. Answer the question. Please
22 stop whispering because it's distracting over here.

23 MS. GARVIS WRIGHT: It's your team.

24 THE WITNESS: No. I was referring to --

25 MR. HARDER: No. These two.