

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II

Plaintiff,

v.

AMBER LAURA HEARD

Defendant.

Civil Action No.: CL-2019-0002911

DECLARATION OF DAVID J KILLACKEY, Sr.

I, David J. Killackey Sr, declare as follows:

1. I am over the age of 18 and not a party to this action. I have firsthand, personal knowledge of the facts set forth below.

2. I am a mechanic by trade who founded two companies, performance Truck Repair and performance Allison transmissions. My company employs approximately 30 people. I am the son of a retired Los Angeles county deputy sheriff who spent many years as a detective sergeant in the homicide Bureau.

3. At the request of Mr. Depp I helped facilitate an agreement with the network to restore and customize his wife Amber Heard's 1968 Mustang on an episode of the series "Overhaulin". I was successful in doing so and the filming of the reveal was December 20 , 2014.

4. On one occasion I had a most unusual and unsettling experience with Amber Heard. After installing a new sound system in her Mustang she had asked me to visit her at 849 S Broadway LA. She wanted me to instruct her on how to operate the touchscreen and also teach her how to interface her iPhone with the onboard system, make hands free calls, map driving instructions, contact list, play music etc. When I arrived precisely at the appointed time Amber was not available. It would be three hours before she came down from the penthouse to the parking garage. After she came down we found the Mustang, she got in the drivers seat and I the front passenger seat. She seemed to be in a very happy mood. We spent a moment exchanging greetings. She then said something weird: "Ooh here we are alone together in a parked car in a dark parking garage. We could do anything in here and nobody would see us." She added to that statement, however I am uncertain today of what exactly she added. I was speechless and did not make any reply to that nor did I make eye contact. She was wearing a white T-shirt and denim jeans and dark shoes. My only response was to say: "Oookay, let me show you how the sound system works."

5. I continued to instruct her on the system and she picked up on the procedures quickly. She asked me to show her how to get her contact list onto the touchscreen of the sound system. I did just that and I noticed her phone was already set to a person in her contact list and it displayed onto the car screen, it had the name and phone number to Dr. David Kipper who

happens to be a client of mine. I said: "Oh do you know Dr Kipper too?" Amber's response was completely unexpected, she turned to me shockingly icy and said "how the *fuck* do you know David Kipper?" I quickly apologized for asking and said it was none of my business and told her Dr. Kipper was a client of mine. The tension in the air was extreme at that point while she gave me the silent treatment then she quickly exited the car while saying: "It's none of your fucking business." She walked to the penthouse elevator and I never saw her again. I sat in the car for a moment, got out walked downstairs and when home. I reported this entire interaction to Johnny's property manger Mr. Murphy and later to Johnny's sister Christie.

6. Later Mr. Depp and Amber Heard separated, however I continued to work both for Mr. Depp on his automobiles and also for Amber Heard on her 1968 Mustang. After receiving the vehicle, Amber had instructed me to implement several changes and additions to what the network had done to the car. I followed her instructions precisely. Approximately June 2016 I received direction from Kevin Murphy to separate the billing on work related to the Mustang. I was told to continue billing Johnny for work performed on his vehicles and to invoice Amber directly for work performed on her Mustang. I immediately informed Amber of the instructions I had been given by Mr. Murphy.

7. The reply I received what can only be described as an extremely hostile response from Amber. I did my best to convey to her that I did not wish to get in the middle of the dispute between her and Mr Depp. She did not receive this information very well. Her first reaction was to verbally abuse me with expletives, threats and a continued rant over what she claimed was an unfortunate financial downturn of her personal finances caused by Mr Depp. At one point she said "you motherfucker you're screwing me!" Amber stated that there was a legal agreement between herself and Mr Depp drawn by their attorneys and signed by both parties. She said in this agreement Mr Depp was responsible for paying her bills and that if I expected payment then I should forward bills to Mr Depp. I asked her to send me a copy of the agreement and that I would consult with Mr Depp's people to form an opinion of the agreement. She said it was privileged and she could not send me the agreement therefore I refused again to follow her billing request. The verbal abuse continued including the words Fucker, asshole, motherfucker etc.

8. Then she said that she hadn't authorized the repairs and I reminded her of the phone conversations and text messages that contradict that statement. Amber tried everything to convince me to release the car to her without payment. She claimed to not have the money. She said "Johnny's not paying my rent he's not paying my bills ... Fuck him and fuck you!"

9. The final phone conversation I had with her was very unpleasant for me. I had had enough of the verbal abuse and threats and decided to no longer respond to attempted text and phone calls from Ms Heard.


10. At one point I demanded cash only and I informed her accountant Hector. My conversations and communication with Hector were pleasant. After Amber Heard was informed about the new "cash only" policy she flipped out at me over the phone, the abuse was worst than before, yelling, cussing and threatening me with legal action. Amber said that I had broken our agreement to satisfy the open invoices. She also stated that I "was a dishonorable piece of shit!"

11. During the attempt to facilitate the repairs, modifications and additions to the Mustang, I received many text messages and phone calls from Amber's father, Mr David Heard. After the separation of Amber and Mr Depp, Mr Heard became very bitter towards Mr Depp. During a phone call with me he stated: "That fucking piece of shit is fucking me too because I'm supposed to get 10% of the money and without it I can't produce the movie I was gonna make!" and "He is ruining my baby girl's career and blackballing her in Hollywood" and "when I get to him I'm going to beat the shit out of him" and "I'm from Texas, and men from Texas carry 45's and Johnny is going to meet the fucking end of mine!" I told Mr Heard that it sounded to me like he was drunk, he said "yeah, maybe I am and I'm going to shove the whiskey bottle up your ass!" I strongly advised him to stop making death threats about Johnny and threats of violence against me.

12. After getting off the phone I called Mr Murphy instantly and reported what Mr Heard had threatened advising him to report it to Mr Depp's Attorney. He assured me that he would. Having been raised by a Deputy Sheriff homicide detective I knew to take such threats seriously.

Executed this 22 day of November, 2019 in Los Angeles California.

I declare under penalty of perjury under the laws of the United States of America and the state of Virginia that the foregoing is true and correct.


David J. Killackey Sr.

11-21-19