

On behalf of: Claimant
Witness: Kevin Murphy
No: First
Date: 12 December 2019
Exhibit: KMI

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

Claim No. QB-2018-006323

JOHN CHRISTOPHER DEPP II

Claimant

-and-

(1) NEWS GROUP NEWSPAPERS LTD

(2) DAN WOOTTON

Defendants

**FIRST WITNESS STATEMENT OF
KEVIN MURPHY**

I, **KEVIN MURPHY**, of [REDACTED] Illinois 640, USA, Estate Manager, **WILL SAY** as follows:

1. I was previously employed by the Claimant, Mr John Christopher Depp II for nearly eight years as an estate manager. I have worked in a similar capacity for other high-net worth individuals for the past 21 years. I ceased working for Mr Depp in 2016. This is my first witness statement in these proceedings.
2. Unless stated otherwise, the facts and matters referred to in this witness statement are within my own knowledge and true or are true to the best of my knowledge, information and belief based on sources stated within this witness statement.

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3. I make this witness statement in support of the Claimant's claim in these proceedings.
4. I do not know the full details of the Claimant's claims against the Defendants in these proceedings. However, I understand from the Claimant's solicitors that these proceedings relate to the allegations that Mr Depp was abusive to his former wife, Ms Amber Heard, throughout their relationship.
5. As Mr Depp's estate manager, I oversaw and managed his various properties, including communicating with persons hired for maintenance, security, and cleaning. I also assisted Mr Depp and Ms Heard with various personal tasks when necessary. Due to the nature of this role, I interacted constantly with both Mr Depp and Ms Heard.
6. Throughout the course of my employment, I think that I must have spent more time with Mr Depp and Ms Heard than any other member of their staff. I was with them very regularly throughout this period and I never saw any cuts, bruises or other injuries on Ms Heard. Neither did Ms Heard ever mention that she was the victim of any verbal or physical abuse, other than as set out below at paragraphs 13 to 15 below. I never saw Mr Depp commit any act of physical violence, whether against Ms Heard or anyone else. In contrast, I witnessed Ms Heard shout angrily at Mr Depp on multiple occasions. I was also told by Mr Depp many times that Ms Heard had been physically abusive to him.

I. Ms Heard's requests for false statements in Australian proceedings

7. In October 2015, Ms Heard was subject to criminal proceedings in Australia for illegally smuggling her and Mr Depp's dogs into the country. On October 11th and 12th, 2015, Ms Heard asked me to contact her former assistant, Ms Kate James, and ask Ms James to lie under oath to the Australian court prosecuting Ms Heard. Specifically, Ms Heard wanted Ms James to give a false statement that Ms Heard was unaware that it would be illegal for her to bring her dogs into Australia. Ms Heard was aware that this was illegal, because I had informed her repeatedly by email, telephone and in person. I told Ms Heard that I was

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uncomfortable with giving a false statement to the Court and that I would not ask Ms James to do so.

8. Before asking me to request that Ms James give such a statement, Ms Heard forwarded me an email she had received from her lawyer, Marty Singer, dated October 11th, 2015 stating: *"if you could get Kate to sign a statement, it could be helpful. I don't know what your relationship with her is at this time since you fired her. You will have to be careful that she will cooperate and will not go public, if you ask her not to be truthful."* Ms Heard responded on the same date at 08.58 a.m. stating: *"Marty - I'm waiting to hear back from you before I reach out to Kevin to liaise with Kate. AH"*. A further email from Ms Heard to me, copying Mr Singer, dated 11 October 2015 at 4:02 pm stated: *"Kevin, do you think you could get her to do it?"* Although I did not attempt to solicit a false statement from Ms James, Ms Heard told me verbally shortly after that there was too much risk that Ms James would go public with the truth regarding her knowledge that the dogs could not legally travel to Australia.
9. Shortly after Ms Heard's request that I obtain a false statement from Ms James, Ms Heard demanded verbally that I myself make a false witness statement regarding the dogs' illegal entrance into Australia. I expressed that I was extremely uncomfortable with doing so, to which Ms Heard responded with words to the effect of: *"Well I want your help on this ... I wouldn't want you to have a problem with your job."* Ms Heard's threatening language made me feel anxious and uneasy. As stated above, I had instructed Ms Heard on a number of occasions by email, telephone and in person that she could not take the dogs to Australia because the relevant paperwork and permits were not complete and the required 10 day quarantine arrangements had not been put in place. I also informed her that the criminal penalties for knowingly smuggling animals into Australia without following the correct procedures could be severe. I further reminded her that the requirements were more stringent, and penalties more severe, in Australia than in the Bahamas, where Ms Heard had previously smuggled the dogs on a prior occasion. I understand that Ms Heard later told the court in Australia that I had told her it was fine to bring the dogs into Australia. That is false and I never told her this.

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II. Ms Heard's acts of abuse toward Mr Depp

10. Through the course of my employment, I have heard Ms Heard scream at Mr Depp on multiple occasions. I have not heard Mr Depp scream at Ms Heard. I believe that Ms Heard is a highly volatile person. She becomes increasingly volatile when she drinks and when she drinks in combination with the amphetamine, Provigil, a drug which I understood she took regularly when I was employed by Mr Depp. Her violent behavior also increased when she drank wine, which she requested that I bring her on multiple occasions.
11. On one occasion, I cannot remember exactly when, I was informed by Mr Depp of a specific act of violence against him on the deck of one of Mr Depp's properties, at 1480 North Sweetzer Avenue in Los Angeles, just two minutes before I had arrived. Mr Depp told me that Ms Heard had become enraged and threw a heavy television remote control at Mr Depp's face. The television remote had connected with Mr Depp's forehead with such force that it had broken. When I arrived at the property, I could clearly see a round, swelled lump and laceration to Mr Depp's forehead, left by the television remote. Mr Depp appeared uncomfortable and embarrassed by the situation. He stated that it was "*no big deal*" and asked me if I could get the remote fixed or replaced.

Specific Incidents Alleged by the Defendants

12. I understand from Mr Depp's solicitors that the Defendants allege, amongst other things that, Mr Depp abused Ms Heard and threw items around on December 15th, 2015, April 21st, 2016 and May 21st, 2016. I address what I remember about the events on those dates in detail below, but, as a general point, if the allegations had been true, there would have been noticeable damage to both Ms Heard and the property in the penthouses I was responsible for, particularly because there are many items hanging in those penthouses such as photos and art, as well as several guitars which could have easily been picked up and thrown or broken. In the course of my employment, I did not see the kind of damage described.

(a) December 15th, 2015

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13. I have been told by Mr Depp's solicitors that it is alleged that on December 15th, 2015, Mr Depp beat Ms Heard so hard in the face and body that their bed broke.
14. I attended Mr Depp's penthouse at 849 South Broadway, Los Angeles, California 90014 (the "**Penthouse**") on December 16th, 2015. Shortly after I arrived, Ms Heard called to me from upstairs in the master bedroom. When I went upstairs, I found her sitting at the edge of the bed crying. Ms Heard said that Mr Depp had hit her in the face several times and pulled out her hair. I remember standing roughly four feet away and becoming suspicious, as Ms Heard did not appear to be wearing any makeup on this occasion and there were no marks, bruises, cuts, redness or swelling to Ms Heard's face, nor was there any area on her head where her hair appeared to have been pulled out. I believe she was waiting for a stylist and/or make-up artist to arrive at this time.
15. About an hour or so following this discussion, Ms Heard told me that she wanted to show me something in the bedroom of Penthouse 4. I followed Ms Heard to the upstairs bedroom of Penthouse 4 and she showed me a tuft of hair that she claimed Mr Depp had pulled out of her head the previous evening. Because I was suspicious of these claims, I immediately took a photograph of the hair with my mobile phone. I was subsequently shocked to see a photo on the internet which had been produced by Ms Heard, showing the hair she claimed had been pulled out by Mr Depp and an injury to her head. When I compared this to the photograph I had taken on my own mobile phone, the hair looked quite different to the hair in the photograph Ms Heard had presented as evidence. I have exhibited the photo that I took of her hair along with the photo that Ms Heard had taken and I believe the differences are apparent. The photos are at pages 1 of Exhibit KM1. In addition, I understand that it is alleged by the Defendants that, in the course of physically abusing Ms Heard, Mr Depp broke the bed frame of the bed with his boot. I also took a photo of the bed at the time, which is exhibited at page 2 of Exhibit KM1. My photo is different to that subsequently released by Ms Heard, which is exhibited at page 3 of Exhibit KM1.

(b) April 21st, 2016

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16. I have been told by Mr Depp's solicitors that the Defendants also allege that on April 21st, 2016, Mr Depp arrived at Ms Heard's birthday event drunk and high on drugs, and proceeded to abuse Ms Heard following an argument, which arose due to his prior absence.
17. On April 21st, 2016, Ms Heard held a birthday celebration at the Penthouse. Mr Depp requested that I provide Ms Heard with all the help that I could give and I spent around five hours assisting other employees in setting up one of the units for the party. I left the Penthouse at around 6:30 pm and that was the last time that I saw Ms Heard that day. I had seen Mr Depp earlier in the day, but he had been away for meetings during the afternoon. He had told both me and Ms Heard about his meetings earlier in the day and had indicated that they could go on late. Mr Depp's security detail, Sean Bett, has since told me that Ms Heard had, in fact, become enraged by Mr Depp arriving late from a business meeting to her birthday dinner, and had punched him repeatedly in the face as he lay reading in bed. I do not remember when he told me this, but I believe that he told me this the next day.
18. On April 22nd, 2016, Ms Heard and her friends were due to and did travel to the Coachella Music Festival. I spoke on the telephone with Hilda Vargas, Mr Depp's housekeeper, who was cleaning the Penthouse that day. Ms Vargas told me that she had discovered feces in Mr Depp's and Ms Heard's shared bed. Shortly after our telephone call, I received pictures from Ms Vargas of feces on top of the bed sheet, on Mr Depp's side of the bed. When I arrived at the Penthouse, I was shocked and disgusted by what I observed as human feces on the bed. Ms Heard has since publicly blamed the feces on one of the dogs, however, the feces did not appear to come from either of Mr Depp's and Ms Heard's two small Yorkshire terriers. I have walked, cleaned up after, played with and interacted with these dogs many times, and their feces have always been significantly smaller than what I saw in the bed.
19. I had sent the pictures to Mr Bett and then spoke with Mr Depp personally about the pictures around 24 hours later. I told him that human feces had been left in the bed. I remember him being sullen and disgusted. At that stage, I believe he suggested getting the feces DNA tested to see where they had come from.

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20. On May 12th, 2016, I received a text and then a telephone call from Ms Heard. When I spoke with Ms Heard, she sounded very angry. She told me that she needed her privacy, that she and Mr Depp were having problems and that my sending Mr Bett the pictures I had received from Ms Vargas was not helping with those problems. She also told me that leaving the feces in Mr Depp's bed had been "*just a harmless prank*". In addition, she told me that she was thinking of changing the locks to the Penthouse. I advised her that I would change the locks for her if both Mr Depp and she agreed.

(c) May 21st, 2016

21. On May 21st, 2016, at 7.46 p.m., I received a telephone call from both Mr Depp and Ms Heard who were on speaker-phone together. Mr Depp told me that he was sitting there talking to Ms Heard and he asked that I tell Ms Heard what I had previously told him about the feces incident the month before. I then relayed to Ms Heard, again, that Ms Vargas had discovered feces on top of the bed sheet in Mr Depp's and Ms Heard's bed. I also repeated that Ms Heard had admitted that she was responsible for what she referred to as a "*harmless prank*". Ms Heard yelled and called me "*a fucking liar*" multiple times. I asked her to stop yelling and swearing at me and overheard Mr Depp in the background saying "*please don't speak to him that way. Be respectful.*" I then heard Mr Depp say that he couldn't do this anymore and wanted a divorce. When Ms Heard would not stop yelling, I hung up the telephone. I received multiple additional telephone calls from the same number in the minutes that followed, but I did not answer them.

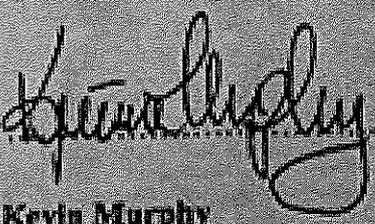
22. At approximately 8 or 8.15 p.m. on the same date, I received a text from Mr Bett indicating that Mr Depp alone was going to call me shortly from Mr Bett's telephone. I took the telephone call a few minutes later and Mr Depp immediately apologised for Ms Heard's behaviour and for putting me in the middle of his marital issues. I did not see Mr Depp that night, but during our conversations he was sober, lucid and calm and seemed tired or sad. He did not appear to be angry.

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23. I believe one of the staff from the building in which the Penthouse was located, Ms Trinity Esparza, contacted me later that evening to ask if everything was ok in the Penthouse as the police had been called. I replied that I believed it was, or words to that effect.

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I believe that the facts stated in this witness statement are true.

Signed: 
Kevin Murphy

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