

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JOHN C. DEPP, II,
Plaintiff and Counterclaim-Defendant,

v.

AMBER LAURA HEARD,
Defendant and Counterclaim-Plaintiff.

Civil Action No.: CL-2019-0002911

JUDGMENT ORDER

THIS MATTER came to be heard before a jury in this Court beginning on April 11, 2022 and continuing day to day April 11-14, April 18-21, April 25-28, May 2-5, May 16-19, May 23-27, with the jury deliberating May 27, May 31 and returning a verdict on June 1, 2022. Before the jury were three counts of defamation brought by the Plaintiff John C. Depp, II ("Mr. Depp"), and one count of defamation brought by the Defendant and Counterclaim Plaintiff, Amber Laura Heard ("Ms. Heard").

At the conclusion of the trial and deliberations, the jury returned a verdict in favor of Mr. Depp on all three remaining defamation counts, and awarded Mr. Depp \$10 million in compensatory damages and \$5 million in punitive damages, and a verdict in favor of Ms. Heard on her defamation count, and awarded Ms. Heard \$2 million in compensatory damages. The jury verdict is hereby incorporated into this Order by reference and made a part of this Order. It is therefore

ORDERED that the jury verdict of \$5,000,000 in punitive damages in favor of Mr. Depp is hereby reduced to \$350,000, the statutory cap pursuant to Virginia Code § 8.01-38.1; and it is further



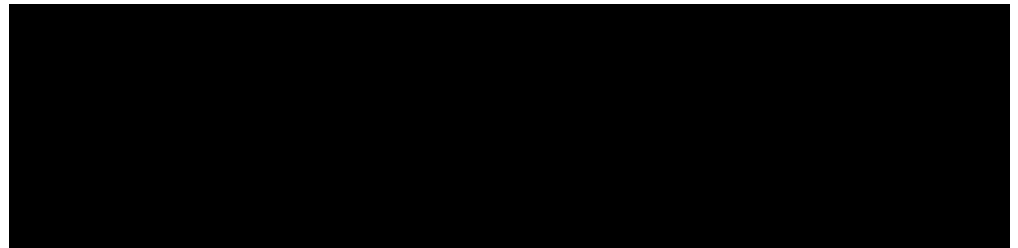
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ORDERED that with respect to the Complaint, Judgment is hereby ENTERED in favor of Mr. Depp against Ms. Heard in the amount of \$10,350,000, with interest at the statutory rate of 6% per annum from the date of this Order; and it is further

ORDERED that with respect to the Counterclaim, Judgment is hereby ENTERED in favor of Ms. Heard against Mr. Depp in the amount of \$2,000,000, with interest at the statutory rate of 6% per annum from the date of this Order.

THIS ORDER IS FINAL.

ENTERED this 24 day of June, 2022.



The Honorable Penney B. Azarano
Chief Judge, Fairfax Circuit Court

Compliance with Rule 1:13 requiring the endorsement of counsel of record is modified by the Court, in its discretion, to permit the submission of the following electronic signatures of counsel in lieu of an original endorsement.

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SEEN AND EXCEPTED TO for the reasons set forth in the record, stated at trial and in the objections attached hereto as Exhibit A:



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Counsel for Plaintiff and Counterclaim Defendant John C. Depp, II

EXHIBIT A

Plaintiff and Counterclaim Defendant John C. Depp, II's Objections to the Final Order

Plaintiff and Counterclaim Defendant John C. Depp, II objects to the Final Order on the following grounds:

- All reasons stated in oral and written arguments in Mr. Depp's Demurrers, Pleas in Bar, Motions for Summary Judgment, and Motions to Strike.
- All reasons stated in oral and written arguments in Mr. Depp's motions, jury instructions, and motions *in limine*.
- The Court's legal finding that Ms. Heard could prove actual malice by relying on the *mens rea* of either Mr. Depp or Mr. Waldman and permitting Ms. Heard to argue the same to the jury in closing.
- The Court's failure to exclude inadmissible hearsay statements.
- The Court's refusal to sustain Mr. Depp's objection to improper argument made by Ms. Heard's counsel during closing argument and motion for a curative instruction. Ms. Heard's improper argument at closing told jurors that a finding in favor of Mr. Depp would send a message to "every victim of domestic abuse everywhere," which is an improper invitation to jurors to decide the case on larger social issues and to place themselves in the shoes of Ms. Heard when reaching their verdict instead of basing their verdict on the evidence presented.
- The jury's finding of defamation by Mr. Depp as to the statement made by Adam Waldman that "Quite simply this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn't do the trick. The officers came to the penthouses, thoroughly searched and interviewed, and left after seeing no damage to face or property. So Amber and her friends spilled a little wine and roughed the place up, got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911" as contrary to the law and unsupported by the facts.
- The jury's award of \$2,000,000 in favor of Ms. Heard against Mr. Depp in connection with the jury's finding of defamation was excessive and not supported by the facts.
- All other objections by Mr. Depp stated in oral or written argument in the record of this matter.

SPECIAL VERDICT FORM

Mr. Depp's Claim Against Ms. Heard

This special verdict form includes each of the statements on which **John C. Depp, II** bases his claim of defamation against **Amber Heard**. Answer the questions in accordance with the Court's instructions.

1. As to this statement appearing in the online op-ed, entitled "Amber Heard: I spoke up against sexual violence—and faced our culture's wrath. That has to change" in the *Washington Post's* online edition:

"I spoke up against sexual violence—and faced our culture's wrath. That has to change."

1(a). Do you find that Mr. Depp has proven all the elements of defamation?

ANSWER YES OR NO: Yes

If you answer question 1(a) "NO," please proceed to question 2.

If you answered "YES," please answer YES or NO to the following questions: Has Mr. Depp proven by a greater weight of the evidence that:

The statement was made or published by Ms. Heard? Yes

The statement was about Mr. Depp? Yes

The statement was false? Yes

The statement has a defamatory implication about Mr. Depp? Yes

The defamatory implication was designed and intended by Ms. Heard?
yes

Due to circumstances surrounding the publication of the statement, it conveyed a defamatory implication to someone who saw it other than Mr. Depp? yes

1(b). If you answered "YES" to each subpart of question 1(a), answer the following question: do you find that Mr. Depp has proven by clear and convincing evidence that Ms. Heard acted with actual malice?

ANSWER YES OR NO: yes

2. As to this statement appearing in the op-ed entitled "A Transformative Moment For Women" in the *Washington Post's* print edition and the online op-ed "Amber Heard: I spoke up against sexual violence—and faced our culture's wrath. That has to change" in the *Washington Post's* online edition:

"Then two years ago, I became a public figure representing domestic abuse, and I felt the full force of our culture's wrath for women who speak out."

2(a). Do you find that Mr. Depp has proven all the elements of defamation?

ANSWER YES OR NO: Yes

If you answer question 2(a) "NO," please proceed to question 3.

If you answered "YES," please answer YES or NO to the following questions: Has Mr. Depp proven by a greater weight of the evidence that:

The statement was made or published by Ms. Heard? Yes

The statement was about Mr. Depp? Yes

The statement was false? Yes

The statement has a defamatory implication about Mr. Depp? Yes

The defamatory implication was designed and intended by Ms. Heard? Yes

Due to circumstances surrounding the publication of the statement, it conveyed a defamatory implication to someone who saw it other than Mr. Depp? Yes

2(b). If you answered "YES" to each subpart of question 2(a), answer the following question: do you find that Mr. Depp has proven by clear and convincing evidence that Ms. Heard acted with actual malice?

ANSWER YES OR NO: Yes

3. As to this statement appearing in the op-ed entitled "A Transformative Moment For Women" in the *Washington Post's* print edition and the online op-ed "Amber Heard: I spoke up against sexual violence—and faced our culture's wrath. That has to change" in the *Washington Post's* online edition:

"I had the rare vantage point of seeing, in real time, how institutions protect men accused of abuse."

3(a). Do you find that Mr. Depp has proven all the elements of defamation?

ANSWER YES OR NO: Yes

If you answer question 3(a) "NO," please proceed to question 4.

If you answered "YES," please answer YES or NO to the following questions: Has Mr. Depp proven by a greater weight of the evidence that:

The statement was made or published by Ms. Heard? Yes

The statement was about Mr. Depp? Yes

The statement was false? Yes

The statement has a defamatory implication about Mr. Depp? Yes

The defamatory implication was designed and intended by Ms. Heard?
Yes

Due to circumstances surrounding the publication of the statement, it conveyed a defamatory implication to someone who saw it other than Mr. Depp? Yes

3(b). If you answered "YES" to each subpart of question 3(a), answer the following question: do you find that Mr. Depp has proven by clear and convincing evidence that Ms. Heard acted with actual malice?

ANSWER YES OR NO: Yes

Complete Questions 4-5 ONLY if you answered YES to all of questions 1, 2, or 3:


4. As against Amber Heard, state the amount of compensatory damages, if any, you believe John C. Depp, II has proven, by a greater weight of the evidence, that he is entitled to recover:

We, the Jury, award compensatory damages in the amount of \$ 10 million.

5. As against Amber Heard state the amount of punitive damages, if any, to which you find John C. Depp, II is entitled to recover:

We, the Jury, award punitive damages in the amount of \$ 5 million.

June 1st, 2022
DATE


SIGNATURE OF FOREPERSON


PRINTED NAME OF FOREPERSON

SPECIAL VERDICT FORM

Ms. Heard's Claim Against Mr. Depp

This special verdict form includes each of the statements on which Amber Heard bases her claim of defamation against John C. Depp, II. Answer the questions in accordance with the Court's instructions.

1. As to this statement appearing in the April 8, 2020 online edition of *The Daily Mail*:

"Amber Heard and her friends in the media use fake sexual violence allegations as both a sword and shield, depending on their needs. They have selected some of her sexual violence hoax 'facts' as the sword, inflicting them on the public and Mr. Depp."

1(a). Do you find that Ms. Heard has proven all the elements of defamation?

ANSWER YES OR NO: No

If you answer question 1(a) "NO," please proceed to question 2.

If you answered "YES," please answer YES or NO to the following questions: Has Ms. Heard proven by a greater weight of the evidence that:

Mr. Waldman, while acting as an agent for Mr. Depp, made or published the statement? _____

The statement was about Ms. Heard? _____

The statement was seen by someone other than Ms. Heard? _____

The statement was false? _____

1(b). If you answered "YES" to each subpart of question 1(a), answer the following question: do you find that Ms. Heard has proven by clear and convincing evidence that the statement by Mr. Waldman was made with actual malice?

ANSWER YES OR NO: _____

2. As to this statement appearing in the April 27, 2020 online edition of *The Daily Mail*:

"Quite simply this was an ambush, a hoax. They set Mr. Depp up by calling the cops but the first attempt didn't do the trick. The officers came to the penthouses, thoroughly searched and interviewed, and left after seeing no damage to face or property. So Amber and her friends spilled a little wine and roughed the place up, got their stories straight under the direction of a lawyer and publicist, and then placed a second call to 911."

2(a). Do you find that Ms. Heard has proven all the elements of defamation?

ANSWER YES OR NO: yes

If you answer question 2(a) "NO," please proceed to question 2.

If you answered "YES," please answer YES or NO to the following questions: Has Ms. Heard proven by a greater weight of the evidence that:

Mr. Waldman, while acting as an agent for Mr. Depp, made or published the statement? yes

The statement was about Ms. Heard? yes

The statement was seen by someone other than Ms. Heard? yes

The statement was false? yes

2(b). If you answered "YES" to each subpart of question 2(a), answer the following question: do you find that Ms. Heard has proven by clear and convincing evidence that the statement by Mr. Waldman was made with actual malice?

ANSWER YES OR NO: yes

3. Do you find this statement appearing in the April 27, 2020 online edition of *The Daily Mail*:

"[W]e have reached the beginning of the end of Ms. Heard's abuse hoax against Johnny Depp."

3(a). Do you find that Ms. Heard has proven all the elements of defamation?

ANSWER YES OR NO: No

If you answer question 3(a) "NO," please proceed to question 4.

If you answered "YES," please answer YES or NO to the following questions: Has Ms. Heard proven by a greater weight of the evidence that:

Mr. Waldman, while acting as an agent for Mr. Depp, made or published the statement? _____

The statement was about Ms. Heard? _____

The statement was seen by someone other than Ms. Heard? _____

The statement was false? _____

3(b). If you answered "YES" to each subpart of question 3(a), answer the following question: do you find that Ms. Heard has proven by clear and convincing evidence that the statement by Mr. Waldman was made with actual malice?

ANSWER YES OR NO: _____

Complete Questions 4-5 ONLY if you answered YES to all of questions 1, 2, or 3.

4. As against John C. Depp, II, state the amount of compensatory damages, if any, you believe Amber Heard has proven, by a greater weight of the evidence, that she is entitled to recover:

We, the Jury, award compensatory damages in the amount of \$ 2 million.

5. As against John C. Depp, II, state the amount of punitive damages, if any, you to which you find Amber Heard is entitled to recover:

We, the Jury, award punitive damages in the amount of \$ 0.

June 1st, 2022
DATE


SIGNATURE OF FOREPERSON


PRINTED NAME OF FOREPERSON