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**CELEBRITIES**

# Is Johnny Depp's career kaput? Maybe, but don't underestimate the devotion of his fans

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Now that Johnny Depp has lost a British libel case when a judge declared the tabloid label "wife beater" was mostly true, what happens to his heretofore boffo Hollywood career?

And what happens to his \$50 million defamation lawsuit against ex-wife Amber Heard, scheduled to be tried in a civil court in Fairfax, Virginia, outside Washington D.C., in May?

You might well assume that Depp's career is in ruins, his reputation irretrievably damaged. But not necessarily, say some public-relations experts, and so far, the evidence is mixed.

Besides that, Depp's last few movies, aside from the "Pirates of the Caribbean" franchise, were flops at the box office even before the imbroglio with his ex-wife.

You might also assume his lawsuit against Heard is doomed, too, and on that point some legal experts agree.

But it's not clear whether and how a verdict in a foreign court will influence a court in Virginia, where the laws covering libel and defamation aren't the same as in other states, never mind in the United Kingdom. Depp has already won a victory by keeping the case in Virginia rather than transferring it to California where such cases are harder to win.

Neither Depp nor his lawyers responded to requests for comment. But one of Heard's lawyers, fresh from the London case, was upbeat. The verdict in London wasn't a surprise, said Virginia lawyer Elaine Charlson Bredehoft.

"Very soon, we will be presenting even more voluminous evidence in the U.S.," she said in a statement to USA TODAY. "We are committed to obtaining justice for Amber Heard in the U.S. court and defending Ms. Heard's right to free speech."

It's worth pointing out that Depp has not been convicted of the crime of domestic abuse. True, some accused Hollywood figures have not been convicted in criminal court but their careers are over anyway. So far, this is not the case, yet, for Depp.

Earlier this month in London, Depp lost his libel lawsuit against the publisher of The Sun tabloid, which had labeled him a "wife beater" in a 2018 headline after Heard accused him of abuse in Los Angeles in 2016 as they were ending their short, volatile marriage. The case pitted Depp against a powerful tabloid and its editor, with Heard as their star witness.

After a three-week circus-like trial during which Depp and Heard both took the stand and both were damaged by lurid testimony about drinking, drug use, fighting and room-trashing, the judge ruled that "the great majority" of Heard's claims of abuse, as presented by the tabloid's publisher in its defense, were mostly true.

Depp "has not succeeded in his action for libel," read the verdict by Judge Andrew Nicol. "Although he has proved the necessary elements of his cause of action in libel, (the tabloid publisher) have shown that what they published in the meaning which I have held the words to bear was substantially true."

On Wednesday, Depp was denied permission to appeal Nicol's ruling and was ordered to pay more than \$840,000 to cover The Sun's legal costs. (Typically in U.K. libel cases, the loser pays the winner's legal costs.) His legal team has until Dec. 7 to decide whether to take the case to a higher court.

"For Depp, this is an unmitigated disaster," declared Nathan Capone, a lawyer at London law firm Fieldfisher who specializes in defamation cases. "Not only have the allegations that he was claiming to be false been held to be substantially true, he must now foot the bill for The Sun's substantial legal costs."

In the wake of the libel ruling, Depp announced a few days later he was asked to resign from a forthcoming "Fantastic Beasts" sequel by the studio making it, Warner Bros. The studio confirmed Depp's departure and said the role of Grindelwald would be recast.

But on Monday, the Polish EnergaCamerimage film festival, which highlights cinematography, announced it had given Depp an award for an actor with "unique visual sensitivity." The film festival posted a picture on Twitter allegedly showing Depp posing with the trophy behind bars in the Bahamas, for reasons not explained. Depp's latest film, "Minamata," closed the 28th edition of the festival.

Eric Schiffer, chairman of Los Angeles-based Reputation Management Consultants, says the devotion of Depp's fan base should not be underestimated.

The Guardian reported Friday there's a #JusticeforJohnnyDepp hashtag campaign, where fans post supportive messages for him and for Dior's decision to keep Depp as the advertising face of its aftershave Sauvage. Internet searches for Sauvage have increased 23%, the paper said, citing the beauty website Cosmetify.

Depp's fans have backed him, in person and on social media, ever since the 2016 divorce battle in Los Angeles; every day of the London trial, fans showed up outside the courthouse to cheer him, not Heard. Because they're so loyal, identifying with "Depp's dark and strange characters," the verdict is likely to have a lesser impact on his box-office future, Schiffer says.

"There's an important distinction: This is not a criminal case and it's in the context of a divorce," Schiffer says. "His installed fan base accept him to be outside the norm and they're more willing to compartmentalize their personal principles against their celebrity icons. That's what star power can do. "

Still, Schiffer thinks Depp should drop the Virginia case against Heard, who claimed to be a victim of domestic violence in a 2018 column in The Washington Post.

"If I was advising Depp, I'd recommend settling prior to a verdict" in that case, Schiffer said. If Depp had ignored Heard's provocative column, he would have "averted a cycle of trouble," but that was not in Depp's DNA. "It's been a scandal-opera but it would have been better to keep it private."

Heard's reputation has suffered, too, but probably not as much as his. "Some argue this kind of attention helps her because her star is nowhere near his," Schiffer says. "I don't see her career affected...The soul-crushing pain to reputation is largely to Depp and less to her."

The Virginia case arose after Heard published a column in December 2018, proclaiming herself a victim of domestic abuse and suggesting, without actually using his name, that Depp was the alleged abuser. Three months later, Depp filed a lawsuit in Fairfax County (where the Washington Post is printed), seeking \$50 million and accusing his ex-wife of defaming him with "hoax" allegations of domestic abuse.

The two have been blasting each other in court ever since, filing pictures, videos, texts, emails, affidavits, and other "evidence" designed to make each other look bad. It's working.

Los Angeles civil rights lawyer DeWitt Lacy says Depp's pursuit of the Virginia case for "vindication" is understandable but foolish. He compares Depp to Mel Gibson, the mega-movie star who was caught making anti-Semitic statements among other allegations.

"He made a number of horrendously inappropriate statements and lost the respect of many folks inside and outside of Hollywood," Lacy says. "But he's still making movies. That's where Johnny Depp can end up if he quits beating a drum that alienates rather than attracts people."

Los Angeles criminal defense lawyer Lara Yeretsian says it's possible that Depp's fame could influence a Virginia jury. "He's Johnny Depp, after all," she says. "Likely, some jurors will be bewitched by his heartthrob image, but there's no guarantee."

With the new attention to both sexual abuse and domestic violence, jurors may no longer be willing to give a pass to movie stars, even those they admire, she says.

"Why continue to bring attention to his former tumultuous relationship?" Yeretsian says. "The best career move for Depp right now is to let go and move on."

Besides, the Virginia case could be dismissed before a trial, says Lee Berlik, a Virginia lawyer and expert on defamation and libel cases, who expects the U.K. verdict to have some impact on the Virginia case.

First, established legal concepts prevent litigants from re-litigating the same dispute in a different court for a "second bite at the apple." The Virginia case is not a mirror image of the U.K. case but the common issue is whether Depp abused his wife. So Berlik thinks Heard's lawyers could argue for dismissal on the grounds the case has already been decided by "a court of competent jurisdiction."

"Even if they don't seek dismissal, the U.K. judgment does not bode well for Depp," Berlik says. "He will have to prove that Heard's accusations about him were false...It's hard to imagine Depp winning his Virginia case unless he's able to present evidence that for some reason was not available to the U.K. court."

Still, Virginia is more favorable to Depp than California, where that state's strong anti-SLAP (Strategic Litigation Against Public Participation) law make it harder for plaintiffs to prevail in libel and defamation cases, says Los Angeles lawyer Neema Rahmani, co-founder of West Coast Trial Lawyers firm.

“His attorneys may have picked a favorable forum, but he still has to grapple with the country’s awakened conscience about the treatment of women exposed by the #MeToo movement,” Rahmani says. “I predict his career may never recover. Disney has lost interest in Depp for its “Pirates of the Caribbean” franchise, and I can't imagine any other major studio wanting to work with him. .”