

**Tom Cruise**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

TOM CRUISE,  
Plaintiff,

vs.

Case No. CV 12-09124  
(DDP) (JCX)

BAUER PUBLISHING COMPANY, L.P.,  
BAUER MAGAZINE L.P., BAUER MEDIA  
GROUP, INC., BAUER, INC.,  
HEINRICH BAUER NORTH AMERICA,  
INC., and DOES 1-10,  
inclusive,  
Defendants.

---

\*\*\* CONFIDENTIAL - ATTORNEYS' EYES ONLY \*\*\*

VIDEOTAPED DEPOSITION OF TOM CRUISE

September 9, 2013

9:04 a.m.

1900 Avenue of the Stars, 21st Floor  
Los Angeles, California

REPORTED BY:

Jean F. Holliday

CSR No. 4535, RPR, CRR

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(800) 993-4464

**Tom Cruise**

<p>1 APPEARANCES</p> <p>2 For the Plaintiff:</p> <p>3 GREENBERG GLUSKER FIELDS CLAMAN MACHTINGER</p> <p>4 BERTRAM FIELDS</p> <p>5 1900 Avenue of the Stars, Suite 2100</p> <p>6 Los Angeles, California 90067</p> <p>7 310.201.7454</p> <p>8 310.553.0687 Fax</p> <p>9 bfields@greenbergglusker</p> <p>10 -AND-</p> <p>11 GREENBERG GLUSKER FIELDS CLAMAN MACHTINGER</p> <p>12 AARON I. MOSS</p> <p>13 1900 Avenue of the Stars, Suite 2100</p> <p>14 Los Angeles, California 90067</p> <p>15 310.553.3650</p> <p>16 310.201.2314 Fax</p> <p>17 amoss@greenbergglusker.com</p> <p>18 For the Defendants:</p> <p>19 DAVIS WRIGHT TREMAINE LLP</p> <p>20 ELIZABETH A. McNAMARA</p> <p>21 1633 Broadway, 27th Floor</p> <p>22 New York, New York 10019-6708</p> <p>23 212.489.8250</p> <p>24 212.489.8340 Fax</p> <p>25 elzmcnamara@dwt.com</p> <p>-AND-</p> <p>DAVIS WRIGHT TREMAINE LLP</p> <p>DEBORAH ADLER</p> <p>1633 Broadway, 27th Floor</p> <p>New York, New York 10019-6708</p> <p>212.489.8230</p> <p>212.489.8340 Fax</p> <p>deborahadler@dwt.com</p> <p>Also Present:</p> <p>GREGORY A. WELCH, GENERAL COUNSEL BAUER</p> <p>PUBLISHING GROUP</p> <p>STAN BEVERLY, VIDEOGRAPHER</p> <p style="text-align: right;">Page 2</p>	<p>1 INDEX TO CONFIDENTIAL EXHIBITS</p> <p>2 TOM CRUISE</p> <p>3 Tom Cruise vs. Bauer Publishing Company</p> <p>4 Monday, September 9, 2013</p> <p>5 Jean F. Holliday, CSR No. 4535, RPR, CRR</p> <p>6</p> <table border="1"> <thead> <tr> <th>7 MARKED</th> <th>DESCRIPTION</th> <th>PAGE</th> </tr> </thead> <tbody> <tr> <td>8 Exhibit 100</td> <td>July 23, 2012 letter to Gregory Welch and Dan Wakeford, from Aaron J. Moss; document titled "Society of Professional Journalists Code of Ethics"; and a July 26, 2012 letter to Aaron Moss from Gregory A. Welch (Bates Nos. TC000353 - 356)</td> <td>62</td> </tr> <tr> <td>12 Exhibit 101</td> <td>E-mail string dated August 8, 2011 (Bates Nos. TC003350 and 3351)</td> <td>64</td> </tr> <tr> <td>15 Exhibit 102</td> <td>December 14th, 2012 letter to Ms. McNamara from Mr. Fields, two pages</td> <td>70</td> </tr> <tr> <td>17 Exhibit 103</td> <td>Printouts from The Wrap website,</td> <td>74</td> </tr> <tr> <td>18 Exhibit 104</td> <td>E-mail string dated November 6, 2012 and August 2, 2013, four pages</td> <td>80</td> </tr> <tr> <td>20 Exhibit 105</td> <td>Copy of a New York Post article titled "Tom Rips 'Nazi' Diagnosis," dated June 12, 2008,</td> <td>85</td> </tr> <tr> <td>22 Exhibit 106</td> <td>Two-page printout from www.scientology.org titled "Scientology: What Does 'Suppressive Person' Mean?"</td> <td>100</td> </tr> </tbody> </table> <p style="text-align: right;">Page 4</p>	7 MARKED	DESCRIPTION	PAGE	8 Exhibit 100	July 23, 2012 letter to Gregory Welch and Dan Wakeford, from Aaron J. Moss; document titled "Society of Professional Journalists Code of Ethics"; and a July 26, 2012 letter to Aaron Moss from Gregory A. Welch (Bates Nos. TC000353 - 356)	62	12 Exhibit 101	E-mail string dated August 8, 2011 (Bates Nos. TC003350 and 3351)	64	15 Exhibit 102	December 14th, 2012 letter to Ms. McNamara from Mr. Fields, two pages	70	17 Exhibit 103	Printouts from The Wrap website,	74	18 Exhibit 104	E-mail string dated November 6, 2012 and August 2, 2013, four pages	80	20 Exhibit 105	Copy of a New York Post article titled "Tom Rips 'Nazi' Diagnosis," dated June 12, 2008,	85	22 Exhibit 106	Two-page printout from www.scientology.org titled "Scientology: What Does 'Suppressive Person' Mean?"	100																
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Tom Cruise

1 LOS ANGELES, CALIFORNIA;  
 2 MONDAY, SEPTEMBER 9, 2013, 9:04 A.M.  
 3  
 4 TOM CRUISE,  
 5 having been first duly sworn, was  
 6 examined and testified as follows:  
 7  
 8 EXAMINATION  
 9  
 10 THE VIDEOGRAPHER: Good morning. We're on the  
 11 record. This is the video recorded deposition of Tom  
 12 Cruise in the matter of Tom Cruise versus Bauer  
 13 Publishing Company, et al., taken on behalf of the  
 14 defendant. This deposition is taking place at 1900  
 15 Avenue of the Stars, Los Angeles, California, on  
 16 September 9th, 2013, at approximately 9:04 a.m.  
 17 My name is Stan Beverly. I'm the videographer  
 18 with U.S. Legal Support located at 11845 West Olympic  
 19 Boulevard, Los Angeles, California.  
 20 Video and audio recording will be taking place  
 21 unless all counsel have agreed to go off the record.  
 22 Would all present please identify themselves  
 23 beginning with the witness.  
 24 THE WITNESS: Tom Cruise.  
 25 MR. FIELDS: And I am Bert Fields, one of the

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1 lawyers for Mr. Cruise.  
 2 MR. MOSS: Aaron Moss, also for Mr. Cruise.  
 3 MS. McNAMARA: Elizabeth McNamara for the  
 4 defendants, along with my colleague Deborah Adler.  
 5 MR. WELCH: And Greg Welch also for the  
 6 defendants.  
 7 THE VIDEOGRAPHER: The certified court reporter  
 8 is Jean Holliday.  
 9 Would you please swear in the witness.  
 10  
 11 TOM CRUISE,  
 12 having been first duly sworn, was  
 13 examined and testified as follows:  
 14  
 15 EXAMINATION  
 16  
 17 BY MS. McNAMARA:  
 18 Q. Good morning, Mr. Cruise.  
 19 A. Good morning.  
 20 Q. Thank you for coming. It's a standard  
 21 question, so --  
 22 A. Uh-huh, sure.  
 23 Q. -- don't take offense, but I need to ask you to  
 24 begin whether you're taking any medication or anything  
 25 that would impede your ability to speak --

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1 A. No.  
 2 Q. -- honestly?  
 3 A. No.  
 4 Q. And truthfully?  
 5 A. None.  
 6 Q. Have you had your deposition taken before?  
 7 A. Yes, I have.  
 8 Q. And on how many occasions?  
 9 A. I don't know. One, two, three, the one for Bob  
 10 Towne in the writing thing. Maybe four, something like  
 11 that.  
 12 Q. Okay. In what actions were they?  
 13 A. One was a lawsuit with Sephora, I think. I  
 14 don't know. I don't.  
 15 MR. FIELDS: I don't get to answer.  
 16 BY MS. McNAMARA:  
 17 Q. Mr. Cruise, don't look --  
 18 A. Oh, sorry. Sorry.  
 19 Q. -- to your counsel to answer.  
 20 A. You know what, I -- I honestly --  
 21 Q. He's not here to testify.  
 22 A. Sorry about that. You know, Bert can tell you.  
 23 I don't really --  
 24 Q. You don't remember any -- any action that you  
 25 testified in?

Page 8

1 A. No. There is a few that I testified in. There  
 2 was one for SAG, for -- I guess for Bob Towne. There  
 3 was a lawsuit that we had I think with Phillips years  
 4 ago, and there was a recent case.  
 5 Q. Involving Mr. Sapir?  
 6 A. Yes. Yes, I think so.  
 7 Q. And that testimony occurred last year; is that  
 8 correct?  
 9 A. We just did it recently, yes.  
 10 Q. I want you to -- if for any reason you don't  
 11 understand one of my questions, I want you to tell me  
 12 that you don't understand it.  
 13 A. Certainly.  
 14 Q. If you don't do so, then we'll assume for the  
 15 record that you did understand the question.  
 16 A. Certainly.  
 17 Q. Okay? Did you do anything to prepare for this  
 18 deposition?  
 19 A. Met with Bert and Aaron yesterday.  
 20 Q. Okay. For how long?  
 21 A. Probably talked about it for about an hour.  
 22 Q. Okay. Did you look at any documents?  
 23 A. Just reviewed the covers again of the  
 24 magazines.  
 25 Q. Did you review the articles?

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Tom Cruise

1 the same day as the filing of the joint Rule 26(f)  
 2 report in this litigation where your lawyer at the last  
 3 minute had injected the notion that one of the issues in  
 4 the litigation would be Bauer's history of bigotry and  
 5 hatred toward minority groups. And we can have this  
 6 marked as Bauer's Exhibit 103.  
 7 (Exhibit 103 marked)  
 8 THE WITNESS: Thank you.  
 9 BY MS. McNAMARA:  
 10 Q. And before you read that, Mr. Cruise, have you  
 11 ever seen this news article before?  
 12 A. No, I haven't.  
 13 Q. Were you aware in any way that your lawyers had  
 14 anything to do with this news article?  
 15 A. No.  
 16 Do you want me to read the whole thing?  
 17 Q. You don't have to. I don't want to impede you  
 18 if -- let me ask you one question. Refreshing -- does  
 19 looking at this article refresh your recollection as to  
 20 the name of the publication that was eluding you  
 21 earlier, is it "Der Landser"?  
 22 A. I don't know.  
 23 Q. Now, are you aware as to whether your counsel  
 24 had anything to do with the publication of this article?  
 25 A. No.

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1 daughter with "Abandoned By Daddy," to me that's what  
 2 sticks out the most.  
 3 BY MS. McNAMARA:  
 4 Q. Okay. And that wouldn't have happened --  
 5 A. Had they not published it.  
 6 Q. And if you had not sued. It wouldn't be part  
 7 of this litigation if your lawyers had not --  
 8 A. Had they not published it.  
 9 Q. Let me finish, Mr. Cruise. I understand --  
 10 A. You cut me off --  
 11 Q. I understand --  
 12 A. When I was talking earlier you cut me off.  
 13 Q. Then I apologize. I didn't mean to cut you  
 14 off.  
 15 A. Okay.  
 16 Q. So let me --  
 17 A. Let me finish, please.  
 18 Q. Sure. Sure.  
 19 A. "He chose Scientology over Suri for good" --  
 20 "Has he chosen Scientology over Suri for good?"  
 21 "Abandoned by Daddy." I mean come on, that is absolutely  
 22 disgusting. That is absolutely disgusting. And I have  
 23 to tell you with everything -- listen, I am a public  
 24 person, I absolutely understand. For me there is -- I  
 25 tolerate a tremendous amount and I'm very privileged to

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1 Q. You believe that -- you're not aware or you  
 2 believe they did not?  
 3 A. I'm not aware.  
 4 Q. But you can't say that they did not; is that  
 5 right?  
 6 A. I don't know.  
 7 Q. Would you be troubled if you learned that your  
 8 counsel provided much of the information that's  
 9 contained in this article?  
 10 A. I would have to --  
 11 Q. As a means to defend this litigation or to  
 12 attack Bauer?  
 13 A. I don't know. I'd have to think about it.  
 14 Q. Do you think that -- do you think that's a  
 15 legitimate means of prosecuting a legal claim, to supply  
 16 news organizations with negative information concerning  
 17 the defendant, insinuations that they are anti-Semitic,  
 18 pro-Nazi and the like that has nothing to do with this  
 19 litigation?  
 20 MR. FIELDS: Object to the form and calls for  
 21 improper opinion.  
 22 You may answer.  
 23 THE WITNESS: I don't know, you know, honestly,  
 24 I really don't. What I find most disturbing is that I  
 25 have to sit here and look at this photograph of my

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1 be able to have the life that I have, and I believe  
 2 that. But there is a line that -- that I draw for  
 3 myself and -- and that's it. And I asked for an  
 4 apology. I asked for a retraction. They denied it,  
 5 wouldn't do it, and then published that, you know --  
 6 this is the second one, I guess, but they published it a  
 7 second time.  
 8 It's very simple. This is something that could  
 9 have gotten handled easily. And I understand, listen,  
 10 with the Internet, with -- you know, I've been doing  
 11 this for 30 years. I've lived through the whole change  
 12 and incarnation, and there is a point where -- and this  
 13 is it for me. So that's how I feel about it.  
 14 Q. Okay. So just to close on The Wrap, this  
 15 article, to your knowledge, you did not authorize your  
 16 lawyers to provide information to gin up this article,  
 17 did you?  
 18 A. No, I didn't.  
 19 Q. What about are you aware that there in the last  
 20 year has launched an investigation of Bauer by the Simon  
 21 Wiesenthal Center?  
 22 A. I know that they found out about it and they  
 23 started investigating them, yes.  
 24 Q. And you have a relationship with the center,  
 25 don't you?

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**Tom Cruise**

1 A. Yes, I do.  
 2 Q. And you've contributed a fair amount of money  
 3 to them, haven't you?  
 4 A. Yes, I have helped raise money for them.  
 5 Q. And you were awarded the Humanitarian Award in  
 6 May 2011 from the center?  
 7 A. Yes.  
 8 Q. Did you have anything to do with the center's  
 9 investigation of Bauer?  
 10 A. No, I didn't.  
 11 Q. Did you ask them to --  
 12 A. No --  
 13 Q. -- investigate?  
 14 A. -- I didn't.  
 15 Q. Do you know whether your lawyers had anything  
 16 to do with the investigation --  
 17 A. I don't know.  
 18 Q. -- by the center of Bauer?  
 19 A. No, I don't know.  
 20 Q. So it was just a coincidence?  
 21 A. I don't know.  
 22 Q. Do you know whether -- let me step back.  
 23 Have you personally tried to generate press  
 24 concerning Bauer being pro-Nazi?  
 25 A. No.

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1 Q. Have you spoken to any press organization  
 2 concerning your belief that the Bauer Pub- -- you know,  
 3 the Bauer Corporation --  
 4 A. No, I haven't.  
 5 Q. -- is pro-Nazi?  
 6 A. No, I haven't.  
 7 Q. That it's anti-Semitic?  
 8 A. I have not.  
 9 Q. Do you know -- have you authorized your -- your  
 10 counsel to generate such publicity?  
 11 A. No.  
 12 Q. Are you aware -- let me ask you this: Who is  
 13 Matt Galsor?  
 14 A. Matt Galsor, he's my lawyer.  
 15 Q. And he's a lawyer at this firm; is that right?  
 16 A. Yes.  
 17 Q. Are you aware that he e-mailed an AP reporter  
 18 suggesting that they publish a story about Bauer's  
 19 pro-Nazi sentiment?  
 20 A. No.  
 21 Q. Did you authorize such an effort?  
 22 A. No.  
 23 Q. Let me show you a document we'll mark as Bauer  
 24 Exhibit 104.  
 25 And for the record, I know you've designated

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1 this as attorneys' eyes only. This document that will  
 2 be marked as Exhibit 105 -- 104 -- I had it right the  
 3 first time, Exhibit 104, that this is a -- not a  
 4 confidential document.  
 5 (Exhibit 104 marked)  
 6 BY MS. McNAMARA:  
 7 Q. I don't know whether you can read German. I  
 8 can't read German, so you can skip to the English part  
 9 of this e-mail.  
 10 A. Okay.  
 11 Q. Is this the first time you've seen this e-mail,  
 12 Mr. Cruise?  
 13 A. Yes.  
 14 Q. Did you authorize Mr. Galsor to reach out to  
 15 the media and to supply them with a lot of largely false  
 16 information concerning Bauer?  
 17 A. No.  
 18 Q. And to seek publicity concerning them?  
 19 MR. FIELDS: Object to the form of the  
 20 question. I'm sorry.  
 21 You may answer.  
 22 THE WITNESS: No, I didn't. So Bauer isn't the  
 23 biggest pornographer in Germany?  
 24 BY MS. McNAMARA:  
 25 Q. No.

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1 A. There is a bigger one?  
 2 Q. Well, like for example, it says: It's likely  
 3 that concentration camp labor was used to publish these  
 4 weekly magazines, but we have not uncovered any evidence  
 5 to support that. If we publish that, you could sue us  
 6 for actual malice. It's an admission of falsehood. Do  
 7 you see that, Mr. Cruise?  
 8 A. I beg your pardon, this is what?  
 9 Q. If we -- if In Touch published, or if the  
 10 magazine published that Bauer used concentration camp  
 11 labor to publish its weekly magazines and at the same  
 12 time admitting that they have not uncovered any evidence  
 13 to support that contention, you understand that that  
 14 would state a claim for defamation, do you?  
 15 MR. FIELDS: Objection to the form of the  
 16 question. It asks for improper opinion.  
 17 You may answer.  
 18 THE WITNESS: I'm not a lawyer.  
 19 BY MS. McNAMARA:  
 20 Q. You can answer.  
 21 A. I'm not a lawyer.  
 22 Q. Okay.  
 23 A. I'm not a lawyer.  
 24 Q. You -- you would be --  
 25 A. But is it true that as recently as May this

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21 (Pages 78 to 81)

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Tom Cruise

1 year Bauer has distributed ultra-radical racist and  
 2 anti-Semitic magazines from neo-Nazi publisher?  
 3 Q. No. But I'm not here to testify.  
 4 A. That Bauer's -- that Bauer's -- that Bauer's  
 5 company didn't do that.  
 6 Q. I'm not here to testify, Mr. Cruise.  
 7 A. Well, I'm just --  
 8 Q. My question --  
 9 A. -- curious because you said that --  
 10 Q. My question to you is did you authorize this  
 11 press efforts by your counsel?  
 12 A. No. No, I didn't. No, I didn't.  
 13 Q. And you were not aware of it; is that right?  
 14 A. No, I wasn't.  
 15 Q. And if you compare, and I -- you can -- I'm not  
 16 asking you necessarily to do, but if you compare many of  
 17 the contentions in this e-mail with The Wrap article,  
 18 many of the exact same facts are included. Does that  
 19 help to inform whether your counsel were also  
 20 responsible for the content of The Wrap article?  
 21 MR. FIELDS: Objection to the form.  
 22 You may answer.  
 23 THE WITNESS: I mean I don't know if they were  
 24 or not. I didn't authorize it.  
 25 ///

1 BY MS. McNAMARA:  
 2 Q. Okay.  
 3 A. That's what I wanted. I wanted an apology.  
 4 They didn't do it, and then they did it again. Is that  
 5 ethical? Is that ethical?  
 6 MR. FIELDS: You don't get to ask questions.  
 7 THE WITNESS: Okay. Sorry.  
 8 MS. McNAMARA: Thank you, Mr. Fields.  
 9 Q. Now seeing this e-mail from your lawyer,  
 10 Mr. Galsor, series of e-mails actually, do you now  
 11 believe that maybe he had something to do with the Simon  
 12 Wiesenthal Center investigation?  
 13 A. I don't know.  
 14 Q. Or The Wrap article?  
 15 A. I don't know.  
 16 MS. McNAMARA: We call for the production of  
 17 all documents evidencing contact with the press  
 18 regarding Bauer and Naziism and anti-Semitism.  
 19 Q. That's not for you, Mr. Cruise.  
 20 A. I was like okay, what does that mean?  
 21 Q. That's -- that's for your counsel that we're  
 22 calling for the production of all those documents.  
 23 And reacting to negative press by insinuating  
 24 an association with Naziism, this isn't the first time  
 25 that you've done this; is that right?

1 BY MS. McNAMARA:  
 2 Q. Do you believe such tactics like this after you  
 3 file a defamation lawsuit and then you seek to gin up  
 4 press around the world about the company that has  
 5 nothing to do with the content or the issues in the  
 6 litigation, do you believe that's ethical?  
 7 MR. FIELDS: Object to the form of the  
 8 question. Asks for improper opinion.  
 9 You may answer.  
 10 BY MS. McNAMARA:  
 11 Q. You may answer.  
 12 A. Listen, I think it's -- you have to look at  
 13 something is it true or is it not true, and I -- listen,  
 14 I didn't authorize it.  
 15 Q. Setting aside the truth of this content, do you  
 16 believe that that's a proper litigation tactic?  
 17 MR. FIELDS: Same objection.  
 18 But you may answer.  
 19 THE WITNESS: A proper litigation tactic. I  
 20 don't know if it is a proper litigation tactic or not.  
 21 The one thing that -- all I wanted basically was for  
 22 them not to print that I abandoned my daughter and that  
 23 I chose my religion over my daughter, that's what I  
 24 want.  
 25 ///

1 A. What do you mean?  
 2 Q. That either you or representatives on your  
 3 behalf when you've -- when someone has been neg --  
 4 attacked you negatively in the press in some manner, the  
 5 reaction is to accuse them of being pro-Nazi or  
 6 anti-Semitic or anti-religion?  
 7 A. I don't know.  
 8 Q. Have you ever --  
 9 A. Depends on the --  
 10 Q. -- heard that before?  
 11 A. Depends on the situation.  
 12 Q. Do you recall a statement by Dr. Drew Pinsky  
 13 concerning you?  
 14 A. No.  
 15 Q. Let me show you -- we'll mark this as  
 16 defendants' Exhibit 105 -- or it's not defendants'.  
 17 It's Exhibit 105.  
 18 (Exhibit 105 marked)  
 19 MS. McNAMARA: Off the record. I can't get  
 20 used to that. We always separated exhibits.  
 21 THE VIDEOGRAPHER: The time is approximately  
 22 10:51 am.  
 23 MS. McNAMARA: No, we're not off the record.  
 24 THE VIDEOGRAPHER: Oh, I'm sorry.  
 25 MS. McNAMARA: That comment was off the record.

**Tom Cruise**

<p>1 When I say "asserting a claim" I mean sending a                  2 claim letter saying: You should retract this, you need                  3 to -- you know, we're threatening to sue.                  4 A. Uh-huh.                  5 Q. It's short of lawsuit. Okay?                  6 A. Yes.                  7 Q. So with that understanding as -- as to                  8 asserting a claim --                  9 A. Yes.                  10 Q. -- do you recall that your lawyers have                  11 asserted claims concerning coverage about Suri prior                  12 to --                  13 A. Yes.                  14 Q. -- the --                  15 A. Yes.                  16 Q. -- articles --                  17 A. Yes. Thank you.                  18 Q. -- at issue in this litigation?                  19 A. Yes, I do. Yes.                  20 Q. And one of them was about secret auditing of                  21 Suri. Do you recall that?                  22 A. I don't recall all of them, no.                  23 Q. Or that you were creating a wedge between Katie                  24 and Suri?                  25 A. I don't recall all those.</p> <p style="text-align: right;"><b>Page 94</b></p>	<p>1 right?                  2 A. Yes.                  3 Q. I think your counsel have produced documents in                  4 this litigation that includes your schedule and                  5 travel --                  6 A. Yes.                  7 Q. -- and the like. And according to those                  8 records you, during that period of time of June 18th                  9 until Thanksgiving of 2012, you saw your daughter for 10                  10 days.                  11 A. I don't know the total number of days.                  12 Q. Does that sound right?                  13 A. I don't know. I'd have to look at it.                  14 Q. They were the three days of July 17th to the                  15 19th, when you came into New York, and then you went out                  16 to the Hamptons. Do you recall that?                  17 A. Yes, I do.                  18 Q. Okay. You saw her for 12 hours on July 26, or                  19 approximately thereof. Do you recall that? You were                  20 flying from London to L.A. and you stopped in New York                  21 for --                  22 A. Yes.                  23 Q. -- about 12 hours?                  24 A. Yes.                  25 Q. And then there were the six days,</p> <p style="text-align: right;"><b>Page 96</b></p>
<p>1 Q. Or that Suri was kept in a windowless room at                  2 one of your homes?                  3 A. I remember stuff when Suri was born, I do. I                  4 don't know if it was specifically that, but I do recall                  5 some of those kinds of statements.                  6 Q. Before a claim letter is sent do you approve                  7 the claim letter?                  8 A. No, not all of them.                  9 Q. Do you read the applicable articles that are                  10 being challenged?                  11 A. I get briefed on them or I read them, yes.                  12 Q. And again, I think you testified to this, and I                  13 apologize if I'm asking you to repeat it, but when you                  14 say you get briefed on it, that's by Amanda Lundberg?                  15 A. By Amanda or if it's a legal thing I'll call                  16 Bert, discuss it with my counsel.                  17 Q. Okay. Now, there came a time, Mr. Cruise, that                  18 you and your wife separated; is that right, Katie                  19 Holmes?                  20 A. Where she filed divorce.                  21 Q. Yes. And that was at the end of June 2012?                  22 A. Yes.                  23 Q. And since the divorce -- or rather since prior                  24 to that time, from June 18th of 2012 until Thanksgiving                  25 of 2012, you only saw Suri a few times; isn't that</p> <p style="text-align: right;"><b>Page 95</b></p>	<p>1 approximately, when you came to New York and picked up                  2 Suri and you took her to Disney World?                  3 A. Uh-huh.                  4 Q. Do you recall that?                  5 A. Yes, I do.                  6 Q. So if you add those up, those are generously 10                  7 days.                  8 A. Okay.                  9 Q. Do you have any reason to dispute that                  10 calculation?                  11 A. None.                  12 Q. Prior to your divorce with Ms. Holmes was                  13 Ms. Holmes close with your other children, Connor and                  14 Isabella?                  15 A. Yes.                  16 Q. And was she close with your sisters?                  17 A. Fairly, yes.                  18 Q. One or more of your sisters lived in the home;                  19 is that right?                  20 A. At one point Cass did when we were living on                  21 Alpine.                  22 Q. Okay. But the other sisters don't -- you have                  23 three -- is it correct you have three sisters?                  24 A. Three sisters.                  25 Q. Do they all live in Los Angeles?</p> <p style="text-align: right;"><b>Page 97</b></p>

25 (Pages 94 to 97)

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**Tom Cruise**

<p>1 A. No, they don't. One lives in Florida. Two 2 live in Los Angeles. 3 Q. Okay. And was Katie close to your mother as 4 well? 5 A. Yeah, close enough, yes. 6 Q. I assume you had friends in the Church? 7 A. Uh-huh, many friends. 8 Q. And during the marriage was Katie a 9 practitioner of Scientology? 10 A. Yes, and before the marriage. 11 Q. And did she leave the Church when she divorced 12 you? 13 A. Yes. 14 Q. Had she left the Church prior to that time? 15 A. Not to my knowledge. 16 Q. Would you consider -- would the Church consider 17 Ms. Holmes to be a suppressive person upon leaving the 18 Church? 19 A. There is -- that is a distortion and a 20 simplification of -- of the matter. 21 Q. Okay. Explain to me what does a suppressive 22 person mean within the Church. 23 A. Someone who is -- basically has an antisocial 24 personality, someone who is dishonest, evaluates and 25 invalidates to the extreme. It goes on from there.</p> <p style="text-align: right;">Page 98</p>	<p>1 MS. McNAMARA: Let's mark as Exhibit Number 2 106 -- thank you -- an excerpt from www.scientology.org, 3 which is the Scientology website. 4 (Exhibit 106 marked) 5 BY MS. McNAMARA: 6 Q. Are you familiar with that, Mr. Cruise? 7 A. I know there is a Scientology website. I don't 8 know the address. 9 Q. Okay. Two-page document with the title 10 "Scientology. What Does 'Suppressive Person' Mean?" 11 Prior to the break, Mr. Cruise, I was asking 12 you about what a suppressive person means within the 13 Church, and I appreciate that you didn't want to engage 14 in generalities -- 15 A. Uh-huh. 16 Q. -- and that it can mean many things. So you're 17 welcome to look at this, but I wanted to direct your 18 attention to the bottom of the page. 19 A. Which part of the bottom of the page, please? 20 Q. Where it says about declaring someone a 21 suppressive person it says, "This can be done through 22 criminal acts already recognized by society as unlawful 23 or through the commitment of acts deemed suppressive in 24 the Scientology Justice Codes, which includes the 25 Suppressive Act of publicly renouncing the faith."</p> <p style="text-align: right;">Page 100</p>
<p>1 There is many different aspects to it. I don't want to 2 just give an oversimplification of religious doctrine. 3 Q. And I don't want you to either. But one aspect 4 of someone being a suppressive person -- or I think you 5 sometimes refer to it as SP; is that right? 6 A. Uh-huh, yes. 7 Q. One aspect of someone being SP is when they 8 leave the Church, isn't it? 9 A. Yeah, but it's also an oversimplification of 10 something, and just to state it in a simple term, 11 there's -- it's just a broader subject. 12 Q. Okay. I'm being told by the videographer that 13 we're about done with the tape so -- 14 A. Sure. 15 Q. -- we need to go off the record and we can take 16 a break if you want. 17 THE VIDEOGRAPHER: This marks the end of Media 18 Number 1 in the video deposition of Tom Cruise. The 19 time is approximately 11:09 a.m. and we're going off the 20 record. 21 (Recess) 22 THE VIDEOGRAPHER: This marks the beginning of 23 Media Number 2 in the video deposition of Tom Cruise. 24 The time is approximately 11:18 a.m. and we're back on 25 the record.</p> <p style="text-align: right;">Page 99</p>	<p>1 A. Uh-huh. 2 Q. Do you see that? 3 A. Yes. 4 Q. Did you understand that publicly renouncing 5 one's faith is deemed to be a suppressive act within the 6 Church, at least -- 7 A. Yes. 8 Q. -- according to this website? 9 A. Yes. 10 Q. And it goes on to say on the next page that 11 "When someone has been expelled from the religion, that 12 person loses both his or her fellowship with the Church 13 as well as with other Scientologists." 14 A. Uh-huh. 15 Q. Do you see that? 16 A. Sure. 17 Q. Do you understand that to be true -- 18 A. Yes. 19 Q. -- within the Church of Scientology? 20 A. Uh-huh. 21 Q. Since Ms. Holmes has left the Church of 22 Scientology have -- and I guess I'm going to focus 23 between the period of June and November of 2012, have 24 your two other children had contact with Ms. Holmes? 25 A. No.</p> <p style="text-align: right;">Page 101</p>

26 (Pages 98 to 101)

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**Tom Cruise**

<p>1 that other publications were reporting that Katie left                  2 you in part to protect Suri from Scientology, are you                  3 not?                  4 A. I heard of that. I don't know where it was all                  5 coming from, but I heard that horrific thing.                  6 Q. And do you know whether you or your counsel                  7 sought any retractions from such published statements?                  8 A. It is a blur. I'm sure they did at some point.                  9 I don't know specifically which ones.                  10 Q. Did you assert any legal claims against                  11 publications arising out of the publication of the                  12 contention that Ms. Holmes left you in part to protect                  13 Suri from Scientology?                  14 A. No, only the one that said that I abandoned my                  15 daughter.                  16 Q. So you didn't sue over those contentions?                  17 A. Only the one -- only this one.                  18 Q. And do you believe it to be false that                  19 Ms. Holmes left you in part to protect Suri from                  20 Scientology?                  21 A. Listen, I find that question offensive. I find                  22 it -- those statements offensive. And like with any                  23 relationship, there are many different levels to it.                  24 You know, I -- I find it very offensive. There is no                  25 need to protect my daughter from my religion.</p> <p style="text-align: right;">Page 110</p>	<p>1 first of all, I don't know everything that they said in                  2 that, and there are many different other aspects to the                  3 divorce.                  4 Q. Is Suri currently practicing Scientology?                  5 A. No.                  6 Q. From the time Ms. Holmes filed for divorce in                  7 late June, to your knowledge has Suri practiced                  8 Scientology?                  9 A. Here's again, when you say "practiced                  10 Scientology," it shows a lack of understanding and                  11 respect towards my religion. Let me just --                  12 Q. I --                  13 A. I understand that. I just --                  14 Q. I do not mean any disrespect, Mr. Cruise.                  15 A. I -- I understand that.                  16 Q. And maybe I'm using -- maybe you can tell me,                  17 when someone is --                  18 A. That's why I am --                  19 Q. -- participating --                  20 A. Let me finish, please.                  21 Q. Okay. Absolutely.                  22 A. Let me finish. I let you finish.                  23 Q. Absolutely.                  24 A. Let me finish.                  25 Q. Absolutely. You learn very well.</p> <p style="text-align: right;">Page 112</p>
<p>1 Q. Okay. My question to you, and I apologize if                  2 you find it offensive. And again, I repeat, I'm sorry                  3 we're here. I don't want to be here. My client doesn't                  4 want to be here. They don't think that this warrants a                  5 litigation. But --                  6 A. I believe it does.                  7 Q. I know you do, that's why we're here.                  8 A. Yes. Yes.                  9 Q. But unfortunately, we are here and you have to                  10 answer the questions. And the question is whether you                  11 believe the published contentions that Katie Holmes left                  12 you in part to protect Suri from Scientology, whether                  13 those are false?                  14 A. Do I believe that?                  15 Q. Do I believe -- do you believe that that is a                  16 false statement?                  17 A. I believe it is a false statement.                  18 Q. And Ms. Holmes has never indicated in any way                  19 that that was one of the reasons that she left you?                  20 A. That is -- that she left me because of?                  21 Q. To protect Suri from Scientology.                  22 A. Did she say that? That was one of the                  23 assertions, yes.                  24 Q. So those publications were not false?                  25 A. I mean I -- those publications I don't know --</p> <p style="text-align: right;">Page 111</p>	<p>1 A. Getting the hang of this.                  2 It shows a lack of respect and understanding                  3 for my religion. That is understandable in that it is a                  4 minority religion. People don't know and understand,                  5 and of course the way things are reported or taken out                  6 of context, like many things, can create this kind of                  7 sense of what something is as opposed to people going                  8 and finding out and knowing about it themselves.                  9 To a child Scientology is -- it's not                  10 something -- look, it's hard to sit here and say, you                  11 know, there is not -- in the Catholic Church there is,                  12 you know, you have the First Communion. You have, you                  13 know, Bat Mitzvahs, Bar Mitzvahs in Judaism. Certainly                  14 there are religious rites, but very much so it's about                  15 the application of something or doing -- it's not --                  16 you -- it's an applied religious philosophy, meaning                  17 it's something that you study, you learn, and you apply                  18 to the degree that -- and each individual has a level of                  19 application that they want to apply. Just because                  20 someone, you know -- so when you're talking about a                  21 seven-year-old, you know, it's not the same thing as --                  22 as Catholicism or Judaism. It's just it's different.                  23 It's a different kind of thing.                  24 Q. Okay.                  25 A. So is -- but, you know, to say that even Suri</p> <p style="text-align: right;">Page 113</p>