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IN THE MATTER OF THE INDEPENDENT
INVESTIGATION UNDER EXECUTIVE
LAW 63 (8)
-----x

VIRTUAL ZOOM INVESTIGATION

May 25, 2021
10:02 a.m.

CONTINUED TESTIMONY of JILL DES ROSIERS, taken
by the First Deputy Attorney General of the New
York Attorney General's Office in the
above-entitled action remotely held, taken before
William Visconti, a Shorthand Reporter and Notary
Public within and for the State of New York.

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A P P E A R A N C E S:

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BY: MARY BETH HOGAN, ESQ.

HELEN CANTWELL, ESQ.

LEAH ROSENBERG, ESQ.

ALSO PRESENT:

DANIEL MACOM, Videographer.

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THE VIDEOGRAPHER: Good morning.
We are now going on the record the time is
10:02 a.m. and today is May 25, 2021.

Please turn off all cell phones or
place them away from the microphones as
they can interfere with the deposition
audio. Audio and video recording will
continue to take place unless all parties
agree to go off the record.

This is media unit one of the video
recorded testimony of Witness 5/25/21 in
the matter of the Independent Investigation
Under New York State Executive Law Section
63 (8). This deposition is being held via
video conference.

My name is Dan Macom. I'm from the
firm Veritext Legal Solutions I will be
videographer. Our court reporter is
Mr. Bill Visconti also from Veritext Legal
Solutions.

I'm not authorized to administer an
oath. I'm not related to any party in this
action nor am I financially interested in
the outcome. All parties present here

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today their appearances will be noted on the written record and our court reporter will swear in the witness.

J I L L D E S R O S I E R S ,
resumed, having been previously duly sworn,
was examined and testified further as follows:

CONTINUED EXAMINATION BY MS. PARK:

Q. Good morning Jill. Thank you for meeting with us again today. We appreciate your time.

As Bill said, you're under oath still and the same rules that you and I talked about from day one apply to day two. Okay?

A. Yes.

Q. Is there any reason that you can't testify truthfully and fully today?

A. No.

Q. And last time that I asked you to confirm the only people in the room are you and your counsel and the only people that you're communicating with are you and your counsel. Is that still true?

1 JILL DES ROSIERS

2 A. Yes.

3 Q. Between day one of your testimony
4 and today, have you spoken to anyone about your
5 testimony other than your lawyers?

6 A. No.

7 Q. When we last met we talked about
8 Kaitlin [REDACTED]. You remember Kaitlin [REDACTED] ?

9 A. Yes.

10 Q. Did you communicate with
11 Kaitlin [REDACTED] after she left the Executive
12 Chamber?

13 A. I don't remember. I might have, I
14 don't remember.

15 Q. Did you become aware at some point
16 that Kaitlin [REDACTED] was writing supportive tweets
17 on Twitter relating to Lindsay Boylan's
18 allegations against Governor Cuomo?

19 A. Yes, I think I did, yes.

20 Q. How did you become aware of
21 Kaitlin [REDACTED] 's tweets?

22 A. I believe Melissa told me at some
23 point, I don't exactly remember when.

24 Q. What did Miss DeRosa say to you
25 about Kaitlin [REDACTED] 's tweets?

1 JILL DES ROSIERS

2 A. I think it was around when she was
3 asking me what I could remember about her time
4 in the Chamber. That is not specific to the
5 tweets, but I think that was the conversation.

6 Q. Do you remember anything else that
7 what you and Miss DeRosa discussed about

8 **Errata - Ms. DeRosa** ?

9 A. I think that Melissa said that she
10 had heard that Lindsay Boylan had started
11 reaching out to folks who used to work in the
12 Chamber.

13 Q. Would that outreach have included
14 **Kaitlin** ?

15 A. I think that's what she was
16 wondering, I don't know.

17 Q. Did **Kaitlin** ask you to reach
18 out to **Kaitlin** ?

19 A. No.

20 Q. Did she tell you if she was asking
21 anyone else from the Executive Chamber, current
22 or former staff, to reach out to **Kaitlin** ?

23 A. No, I don't think she did.

24 Q. Did you ever become aware that any
25 current or former members of the Executive

1 JILL DES ROSIERS

2 Chamber staff had reached out to Kaitlin

3 after her tweets?

4 A. At some point, yes.

5 Q. How did you become aware of that?

6 A. I believe that conversation was
7 privileged.

8 MS. HOGAN: Okay.

9 Q. You can tell me who you spoke to.
10 So who did you speak to about the outreach from
11 current or former members of Executive Chamber
12 staff to Kaitlin ?

13 MS. HOGAN: You can say that.

14 A. I believe Judy Mogul did tell me
15 she was reached out.

16 MS. HOGAN: Nothing else about the
17 conversation.

18 Q. Can you remember when that
19 conversation occurred?

20 A. I don't remember exactly when,
21 sorry.

22 Q. Can you put it in time? Was it in
23 2020, 2021, March, April, February?

24 A. I don't exactly remember. I think
25 maybe early 2021.

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JILL DES ROSIERS

Q. Was there anyone else involved in that conversation that you had with Miss Mogul?

A. No.

Q. Other than the conversation with Miss Mogul, did you speak to anyone after Kaitlin [REDACTED]'s tweets about Kaitlin [REDACTED]?

A. I don't remember.

Q. You don't remember who or you don't remember any conversation?

A. I don't remember if I talked to anybody about that.

Q. Do you have any knowledge about the Governor being spoken to about his interactions with Kaitlin [REDACTED]?

A. No.

Q. No one told you they had spoken to the Governor about the New York Magazine article?

A. Not that I remember.

Q. You had no conversations in which anyone implied or inferred that they had spoken to the Governor about Kaitlin [REDACTED]?

A. I don't remember.

Q. So the only conversations that you

JILL DES ROSIERS

1 recall after December of 2020 about Kaitlin
2 [REDACTED] are your conversations with Miss DeRosa
3 which was about people who left the Executive
4 Chamber unhappily and the conversation with
5 Miss Mogul as to which Executive Chamber has
6 directed you to assert privilege; is that
7 right?
8

9 A. That's what I remember.

10 Q. I want to talk about Charlotte
11 Bennett now. Did you ever see any interaction
12 between the Governor and Miss Bennett that
13 caused you concern?

14 A. No, not that I remember.

15 Q. Did you ever see the Governor
16 touch Miss Bennett?

17 A. I think I have seen them take
18 photos with each other at like staff functions.

19 Q. Anything other than photos?

20 A. I don't think so.

21 Q. Did you ever hear the Governor
22 make jokes with sexual content or sexual
23 innuendo or of a sexual nature with
24 Miss Bennett?

25 A. With Miss Bennett, no, I don't

JILL DES ROSIERS

1 think I did.

2 Q. With anyone else?

3 A. I mean I think we talked about the
4 last time that I do remember him making some of
5 those types of jokes, but I don't remember him --
6 I don't think -- I don't believe I've seen him
7 do that with Miss Bennett.
8

9 Q. Prior to June 9th of 2020, did
10 anyone ever raise to you any concerns about the
11 interactions between the Governor and
12 Miss Bennett?

13 A. Any concerns, no, not that I
14 remember.

15 Q. Any behavior --

16 A. We talked the last time about a
17 text between Annabel and I, where we were
18 talking about them in the office, which I
19 wasn't there.

20 Q. Maybe not concerns, but did anyone
21 ever raise to your attention behavior that you
22 thought was not potentially appropriate for the
23 workplace that occurred between the Governor
24 and Miss Bennett?

25 MS. HOGAN: Before June 9th?

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JILL DES ROSIERS

MS. PARK: Yes, thank you.

Q. Before June 9th.

A. Not that I remember.

Q. You should still have access to
you binder of materials.

A. Yes.

Q. Let's look at what is in
Exhibit 27.

MS. PARK: And Lorena I don't know
what exhibit number are we on.

MS. MICHELEN: That is Exhibit 26.

(Exhibit 26 for identification, Text
message between you Annabelle Walsh, [REDACTED]
[REDACTED] and [REDACTED].)

MS. PARK: Let's mark this for now
Exhibit 26 and Bill we'll make sure to get
you the exhibits in order.

MS. HOGAN: How about we go off the
record to fix the camera for a moment.

MS. PARK: Yes.

THE VIDEOGRAPHER: We are now off
the record, the time is 10:17 a.m.

(Recess taken.)

THE VIDEOGRAPHER: We are now back

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JILL DES ROSIERS

on the record the time is 10:20 a.m.

BY MS. PARK:

Q. Jill, what is marked as Exhibit 26 is a text message between you Annabel Walsh, [REDACTED] and [REDACTED] that occurred on the same day as the prior exhibit that you just referred to between you and Miss Walsh. Do you see that document?

A. Yes, I see Exhibit 26.

Q. Who is [REDACTED]?

A. [REDACTED] is the finance director on the Governor's campaign.

Q. Who is a [REDACTED]?

A. Her deputy on the campaign. He is [REDACTED]'s deputy on the campaign.

Q. Did they physically work at 633?

A. No.

Q. How is it that they would be observing Charlotte's interactions on this day?

A. I don't know. It says Charlotte sounds like she is having fun, so perhaps they spoke on phone.

Q. Was Charlotte on this day working on campaign-related work?

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JILL DES ROSIERS

A. I don't remember what she was working on.

Q. But you remember that the Governor insisted that Miss Walsh come in to work that day?

A. I remember that Miss Walsh went into work because she felt like. I don't know that he insisted it.

Q. Did you ever speak to [REDACTED] or [REDACTED] about the Governor's interactions with Miss Bennett?

A. Other than that text?

Q. Yes.

A. Not that I remember.

Q. Do you have any understand as to why they would have wanted to text you that Charlotte sounded like she was having a lot of fun?

A. I don't exactly remember what was going on that day. We as a matter of dealing with the schedule dealt with [REDACTED] and [REDACTED] a fair amount and it sounded like from the other text with Annabel, my interpretation we were both angry and kind of felt the Governor is

1 JILL DES ROSIERS

2 being unfair. So [REDACTED] is saying it could be
3 something that we would have -- my impression
4 of the last interaction or the Annabel exchange
5 was we were trying to talk to him about the
6 schedule and he wouldn't talk to us. That
7 certainly could have been something that we
8 mentioned to [REDACTED] who could have been trying to
9 get answers on the schedule from us. We dealt
10 with her a fair at.

11 Why she would have texted us that,
12 it could have just been we were saying he was
13 in a bad mood or being mean and then she could
14 have been saying Charlotte was having fun.

15 Q. Was the Governor mean on occasion?

16 A. Yes.

17 Q. Was the Governor ever unfair to
18 people on occasion?

19 A. Yes, I felt -- we felt like he was
20 being unfair, yes.

21 Q. Were there occasions in which you
22 thought the senior staff or the Governor were
23 treating Charlotte unfairly?

24 A. I mean it was just an intense like
25 high pressure environment. So it is possible

1 JILL DES ROSIERS

2 and the briefing book which she was responsible
3 for, like a lot of things in the scheduling
4 operation, everything it was changing all the
5 time and she did a very good job, but it was
6 hard to -- certainly times it could be unfair
7 of what was expected of them, sure.

8 Q. Did you ever observe anyone in the
9 Chamber yelling at Miss Bennett?

10 A. Not that I exactly remember, but
11 it is certainly possible.

12 Q. Did you ever yell at Miss Bennett?

13 A. I mean yelling at people that
14 wasn't necessarily my management style, but
15 could I have possibly yelled at her, it is
16 possible.

17 Q. Did you ever yell at anybody else
18 in the Executive Chamber or have interactions
19 that would be akin to what you described about
20 how Miss DeRosa treated people in the Executive
21 Chamber on occasions?

22 A. I certainly might have. I tried
23 to make it an exception and really treat people
24 with respect. But were there moments where I
25 was under intense pressure that I yelled at

JILL DES ROSIERS

1 people, it is possible.

2 Q. It is possible or you did?

3 A. I think I possibly did.

4 Q. Let's go back to Miss Bennett.

5 Did there come a point at which Miss Bennett
6 asked to speak to you about something that you
7 eventually came to understand related to the
8 Governor?
9

10 A. Can you repeat that?

11 Q. Sure. In June of 2020 did there
12 come a time when Miss Bennett asked to speak to
13 you about something that you understood
14 eventually came to understand related to the
15 Governor?

16 A. In June of 2020 in Albany
17 Miss Bennett stopped into my office to talk to
18 me.

19 Q. Before she stopped into your
20 office to talk to you, did she reach out to you
21 in any way?

22 A. I don't remember, she might have,
23 but my office in Albany people do kind of walk
24 by and say can I grab you, she might have also
25 done that.

JILL DES ROSIERS

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Q. When was that meeting?

3

A. I think it was June 10th.

4

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Q. Did you take notes at that meeting?

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A. I didn't take notes while we were having the conversation, no.

8

9

Q. Did you take notes after the meeting?

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A. I think later when I was taking notes or writing down notes from a different meeting, I jotted down what had happened in that meeting. But I didn't take notes at the time or immediately after.

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Q. Is that second meeting you're referring to a meeting that occurred on June 30th between you, Miss Bennett and Miss Mogul?

18

A. Yes.

19

20

Q. Focusing on the meeting on June 10th, what happened in the meeting?

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A. Charlotte came to my office and it was a pretty brief conversation from what I remember. She told me that she had -- I don't remember exactly how she worded it, something along the lines of she had an exchange or an

1 JILL DES ROSIERS

2 interaction with the Governor that made her
3 uncomfortable.

4 She said that he had talked about
5 being lonely and she asked me if -- she ask me
6 for my help with not having to be in the
7 staffing rotation with him any longer which she
8 did the briefing book and she also did the
9 staffing rotation. I don't remember exactly
10 what he said, but I think I apologized for her
11 feeling uncomfortable and said that I would
12 never want her to feel uncomfortable and she
13 wouldn't have to be in the staffing rotation
14 anymore.

15 And that, I believe I brought this
16 up, but the last time she had come to see me
17 she talked about wanting to actually leave the
18 briefing book job too and I think I talked to
19 her about whether, following up on that last
20 conversation, whether if she was not doing the
21 staffing anymore is this was a time we should
22 talk about moving and doing something else and
23 what that might be.

24 She expressed wanting to move into
25 the health team previously and it was COVID and

JILL DES ROSIERS

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2 they were differently in need of people. I
3 think I remember telling her that I would have
4 to -- it was a brief conversation, but I think
5 I remember telling her that I would have to --
6 that I would get back to her quickly on both of
7 those things.

8 She wouldn't have to staff him
9 anymore but I would also get back to her about
10 a potential transfer to the health portfolio.

11 Q. How long did the conversation
12 last?

13 A. Maybe ten minutes.

14 Q. Describe Miss Bennett's physical
15 appearance during that meeting?

16 A. What I remember, physical
17 appearance, you mean --

18 Q. Let me help you, Jill. Was she
19 crying?

20 A. I don't remember her crying in
21 that conversation.

22 Q. Was she upset, visibly upset?

23 A. She seemed concerned and her
24 concern made me concerned.

25 Q. Was she shaking?

1 JILL DES ROSIERS

2 A. I don't remember.

3 Q. Do you remember anything else
4 about what she said to you about her interaction
5 with the Governor that had made her uncomfortable
6 other than he said he was lonely?

7 A. We didn't get into many specifics
8 in this conversation. I think she said something like
9 their conversations had become really personal.

10 Q. Did she tell you in what way they
11 had become personal?

12 A. Not that I remember in that first
13 conversation.

14 Q. Can you remember anything else she
15 told you about her interactions with the
16 governor that made her uncomfortable during
17 this conversation?

18 A. Not that I remember from this
19 first conversation.

20 Q. Did you ask her any questions
21 about what else had made her uncomfortable
22 about her interactions with the Governor?

23 A. I don't remember asking her any
24 detailed questions exactly about that.

25 Q. Did you ask her general questions?

1 JILL DES ROSIERS

2 A. I don't think I did. I think I
3 more asked her if she was okay and questions
4 like how was she doing.

5 Q. Jill, I'm trying to understand.
6 Miss Bennett comes to you as the chief of staff
7 of the Governor's office and tells you that she
8 had an interaction with the Governor that has
9 made her uncomfortable and no longer believes
10 she can staff him and you don't ask her what
11 happened, why?

12 A. I had sensitive personal
13 conversations quite a bit. I'm usually more
14 comfortable having those conversations with
15 another person present. I intended after the
16 conversation to immediately follow up with my
17 supervisor and with counsel and expected to get
18 advice on how to handle it. And also what I
19 wanted to make sure that the appropriate
20 conversation was happening with Charlotte.

21 So the first conversation was
22 brief, I didn't ask a ton of follow up questions,
23 but her even initial conversation to me raised
24 my concern enough that I knew after that
25 conversation that I needed to follow up with

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JILL DES ROSIERS

folks.

Q. In that conversation did you tell her that she was protected against retaliation for what she had told you?

A. I don't know that I specifically said that. I don't know that I said that.

Q. Did you generally say anything about retaliation to her?

A. I told her I supported her and that I would help her, but I don't think I talked about retaliation with her in that first conversation.

Q. You didn't talk about retaliation, but you told her that she wouldn't have to staff the Governor anymore; is that right?

A. Yes, I think I said that in the first conversation.

Q. Did you tell her anything whether she can report what happened to her to the Government Office of Employee Relations?

A. I don't think -- no, I don't think I did in that first conversation.

Q. Did you tell her anything about whether you viewed the conduct that she had

JILL DES ROSIERS

1
2 described as inappropriate?

3 A. I remember apologizing to her, but
4 I don't know if I described the conduct. I don't
5 remember that.

6 Q. Why did you apologize to her?

7 A. You know, she was a young woman
8 that came to work for me whose interaction with
9 the Governor made her feel uncomfortable and I
10 wanted her to feel as supportive as possible
11 and I said that I was sorry that something had
12 happened that made her feel uncomfortable.

13 Q. Were you surprised by what she
14 told you?

15 A. Yes, I think I was.

16 Q. Why were you surprised?

17 A. I don't know, I was just
18 surprised. We were dealing with COVID and
19 there was a lot going on and so it was just an --
20 I guess I was just -- it was an unexpected
21 conversation. I was surprised.

22 Q. Did you believe her?

23 A. Yes.

24 Q. You said that you had an intention
25 during that conversation to speak to your

1 JILL DES ROSIERS

2 supervisor and counsel. Did you convey that
3 intention to Miss Bennett?

4 A. I conveyed that I needed to talk
5 to few folks, I don't know if you specified
6 exactly who.

7 Q. What was Miss Bennett reaction
8 telling her that you needed to talk to a few
9 folks?

10 A. I don't remember her having a
11 reaction to that. We discussed that I would
12 circle back to her after I did that and we
13 would talk about next steps as far as the
14 transfer which is what we were talking about.

15 Q. So you were conveying to
16 Miss Bennett that you needed to talk to few
17 folks about her transferring to the health
18 policy team, not necessarily that you needed to
19 talk to a few folks about the fact that she had
20 an interaction with the Governor that made her
21 uncomfortable.

22 A. I don't remember, I think I was
23 referring to both.

24 Q. Did she ask you not to speak to
25 certain people?

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JILL DES ROSIERS

A. I don't remember that, no. I don't remember her saying -- specifying.

Q. You said you had previously had a conversation with Miss Bennett about her wanting to leave her briefing role. When was that conversation?

A. It was some time in either late April or May. She had come by my office, it was during COVID and she had talked about how she had been kind of during COVID folks had different roles and were pitching in on different things. I think she was helping out the health team, but then also had some health-related company that she had knew of from some previous job and was asking if it would be okay for her to pursue it with the health team and the economic development team and she talked about how it was something that she was really interested in doing.

Q. In that conversation in April or May of 2020, did she say anything about her interactions with the Governor?

A. No, not that I remember.

Q. Other than what you have already

JILL DES ROSIERS

1
2 told us happened during the 10 minute
3 conversation that you had with Miss Bennett on
4 June 10th, do you remember anything else about
5 that meeting?

6 A. Not that I request remember, but
7 it was a pretty brief conversation.

8 Q. What happened after the meeting?

9 A. After the meeting I reached out to
10 both Melissa DeRosa and Judy Mogul pretty
11 immediately. I don't know if the end of
12 speaking immediately, but I spoke to them both
13 that day.

14 Q. Anyone else that you reached out
15 to after the meeting with Miss Bennett?

16 A. Not that I remember right away.
17 At some later point I reached out to the health
18 team about beginning the transfer. But that
19 was after speaking to Melissa and Judy.

20 Q. After the meeting with
21 Miss Bennett when you reached out to Melissa
22 DeRosa and Judy Mogul, did you speak to them
23 together or separately?

24 A. The first conversation was
25 separately.

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JILL DES ROSIERS

Q. Tell us about the conversation with Miss DeRosa?

A. I called her up and relayed the conversation with Charlotte. I told her what Charlotte had told me that the Governor and her had an interaction that made her uncomfortable. That she asked to not staff him anymore. I think I also told Melissa that I had talked to Charlotte about potentially moving to the health team which is something that she talked to me about before. I don't remember who I spoke to first whether it was Melissa or Judy but I certainly told Melissa that I was including counsel and bringing Judy in the conversation.

Q. What did Miss DeRosa say in this discussion?

A. I remember her also being surprised and she agreed that Charlotte wouldn't have to staff the Governor or it was okay to tell Charlotte that she didn't have to staff the Governor any longer.

She asked me if I had any more details which I told her what I -- the details

1 JILL DES ROSIERS

2 that I did have but that I was already speaking
3 to Judy. That's what I remember from that
4 first conversation.

5 Q. In that conversation with
6 Miss DeRosa you said she was surprised. What
7 did she say that made you understand that she
8 was surprised?

9 A. Something like, what.

10 Q. Do you remember anything else that
11 she specifically said in that conversation,
12 words that she used?

13 A. Not that I remember, sorry.

14 Q. Was there any discussion about
15 speaking to the Governor?

16 A. I don't remember her saying that,
17 no.

18 Q. Did you get the impression that
19 she would speak to the Governor or based on
20 your experience in the Chamber did you
21 understand that she would speak to the
22 Governor?

23 A. Base on my experience in the
24 Chamber it certainly would be something that I
25 would have thought would have happened. But I

1 JILL DES ROSIERS

2 think in the conversation, I can't be sure, but
3 I think she was going to talk to Judy, but I
4 don't remember exactly.

5 Q. Did you ever come to know that
6 someone had spoken to the Governor about
7 Miss Bennett saying she had an uncomfortable
8 interaction with him?

9 A. I believe that was the only
10 conversation that I had with Melissa that was
11 just the two of us about that. I think the
12 other conversations included Judy.

13 MS. HOGAN: So, to the extent that
14 they included Judy and there was legal
15 advice, at the direction of Chamber counsel
16 we have been directed to assert privilege
17 on behalf of the Chamber.

18 Q. Were you ever involved in, don't
19 tell me the substance, but were you ever
20 involved in communication related to Charlotte
21 Bennett's allegation that the Governor made her
22 uncomfortable with the Governor?

23 A. No.

24 Q. Anything else that you remember
25 about this conversation with Miss DeRosa? For

1 JILL DES ROSIERS

2 example did you talk about whether Charlotte
3 would tell anyone else?

4 A. No, I don't think we talked about
5 that.

6 Q. What happened next?

7 A. I also spoke to Judy Mogul on the
8 same topic. It was --

9 MR. HOGAN: Just at the direction of
10 the Chamber's counsel we have been directed
11 to assert the attorney-client privilege in
12 connection with Jill's communications with
13 Judy Mogul.

14 MS. PARK: Okay.

15 Q. On June 10th or somewhere
16 thereabouts you have a conversation with
17 Miss Mogul about the fact that Charlotte
18 Bennett had said she had an uncomfortable
19 interaction with the Governor; is that correct?

20 MS. HOGAN: About the conversation
21 with Charlotte Bennett?

22 A. Yes.

23 Q. At the direction of Executive
24 Chamber counsel you will not tell us what the
25 substance of that conversation was; is that

1 JILL DES ROSIERS

2 correct?

3 MS. HOGAN: That's correct. At the
4 direction of Chamber counsel we have been
5 directed to assert the attorney-client
6 privilege of the Chamber.

7 Q. What happens after the
8 conversation with Miss Mogul?

9 A. From my end I proceeded with
10 working with Charlotte to transfer her over to
11 the health -- to settle on a position and
12 transfer her over to the health portfolio which
13 I think -- I don't remember the exact timing,
14 but I think that happened within a few days.

15 I believe I circled back to
16 Charlotte to let her know that she wouldn't
17 need to staff the Governor any longer but also
18 that we would work -- she and I would work on
19 coming up with a position or deciding on a
20 position and a transition plan for her moving
21 over to the health portfolio.

22 Q. To your knowledge between your
23 first conversation and Miss Bennett on June 10
24 and your conversation a few days later
25 discussing her transfer to health the policy

JILL DES ROSIERS

1
2 team, was GOER alerted to Miss Bennett's
3 complaint?

4 A. I don't know.

5 Q. Do you know if any investigation
6 was done into Miss Bennett's complaint?

7 A. I don't know.

8 Q. Did anyone other than you between
9 June 10th and June 30th speak to Miss Bennett
10 about her complaints?

11 A. I don't know.

12 Q. Do you know if Miss Mogul spoke to
13 her between June 10th and June 30th?

14 A. I don't believe so.

15 Q. Do you know if Miss DeRosa spoke
16 to Miss Bennett about the complaint between
17 June 10th and June 30th?

18 A. I don't believe so.

19 Q. Between June 10th and June 30th do
20 you know if anyone spoke to the Governor about
21 her complaint?

22 A. I believe there was a
23 conversation.

24 Q. Who was involved in that
25 conversation?

1 JILL DES ROSIERS

2 A. I don't know for sure.

3 MS. HOGAN: To the extent --

4 Q. To your understanding who was
5 involved in that conversation?

6 MS. HOGAN: You can say who was
7 involved, if you know.

8 A. I don't know for sure, but I
9 believe either Melissa or Judy or both.

10 Q. How did you come to that
11 understanding?

12 MS. HOGAN: To the extent it was in
13 a conversation with Judy Mogul at the
14 direction of Chamber counsel we have been
15 directed to assert the attorney-client
16 privilege of the Chamber.

17 Q. So you can't answer that question?

18 A. No, I can't.

19 Q. So between June 10th and the
20 discussion with Miss Bennett about her
21 transfer, what did you do to effectuate the
22 transfer?

23 A. I reached out to [REDACTED] who
24 is the acting deputy -- she was the assistant
25 secretary for health at the time. I think

1 JILL DES ROSIERS

2 there wasn't a deputy secretary at the time.
3 And I spoke to her. She had already separately
4 been working with Charlotte a little bit.
5 Charlotte had been pitching in and they had
6 also discussed previously Charlotte coming to
7 work for that portfolio in the Chamber. She
8 followed up separately with Charlotte about the
9 position I believed and circled back to me that
10 they had come up with a position that worked.

11 I believe I also reached out to
12 Harold Moore and Lauren Grasso to let them know
13 at some point that Charlotte would be moving
14 from both from an IT perspective and an
15 administrative perspective.

16 At some point Charlotte and I and
17 then the rest of the briefing team at some
18 point talked about her moving out of that team
19 to start to work on what a transition plan for
20 that team would be. And Charlotte -- it did
21 happen quickly, the move, so she was helpful as
22 far as the transition with assisting the team
23 while she was moving over. There wasn't a ton
24 of briefings going on at the time for the
25 briefing book just because what's happening

1 JILL DES ROSIERS

2 with COVID and she did assist with that and
3 also with searching for her replacement.

4 Q. When you spoke to [REDACTED],
5 what did you tell her about why Charlotte was
6 transferring?

7 A. I believe I told her that
8 Charlotte, you know, was looking for a
9 different experience in the Chamber. That she
10 had done the briefing book for a number of, a
11 year and a half, two years and she was looking
12 to join the health team and we wanted to be
13 helpful.

14 Q. Did you tell her anything else
15 about what Miss Bennett told you about her
16 interactions with the Governor?

17 A. No, I don't believe I did.

18 Q. Did you discuss with [REDACTED]
19 why at all the transfer had to happen quickly?

20 A. I don't remember.

21 Q. Did you discuss with any of
22 Mr. Moore, Ms. Grasso or the briefing team why
23 Charlotte was transferring?

24 A. No, other than she was looking for
25 a different experience in the Chamber. The

1 JILL DES ROSIERS

2 same explanation.

3 Q. Was there any discussion with
4 Mr. Moore, Miss Grasso or the briefing team
5 about why it was happening so quickly?

6 A. Not that I remember.

7 Q. What is the next conversation that
8 you recall with Miss Bennett?

9 A. Ongoing we were talking about her
10 team, transitioning one of her deputies into
11 the senior briefer role and hiring a new person
12 and we were working on that. The next
13 conversation I believe I had with Miss Bennett
14 in relation to this issue was on the 30th. I
15 asked if she would meet with me.

16 Q. Prior to the conversation on
17 the 30th, did you and Miss Bennett ever discuss
18 what you had told Miss DeRosa about Miss Bennett's
19 need to transfer?

20 A. I don't think so.

21 Q. You don't remember before the 30th
22 ever discussing with Miss Bennett any concerns
23 that she had about what you would say to
24 Miss DeRosa?

25 A. I don't remember having that

JILL DES ROSIERS

1 conversation.

2
3 Q. Do you remember before June 30th
4 Miss Bennett telling you that she did not want
5 the Governor to know what she had said because
6 she was scared of him?

7 A. Prior to the 30th I don't remember
8 her saying that. I don't remember her saying
9 that .

10 Q. Between the 10th and 30th, did you
11 have any conversations with Miss Bennett or
12 about Miss Bennett that you haven't told us
13 about?

14 A. Prior to the conversation with
15 Miss Bennett on the 30th, on the day of the
16 30th I spoke to Staffer #4 who was another
17 member of the operations team who told me that
18 he had been -- I don't know if they were out or
19 hanging out somewhere, a group of staff folks
20 had gotten together the night earlier, I think
21 it was the night earlier or two nights earlier,
22 I think it was the night earlier and that
23 Charlotte had been upset or had gotten upset.

24 They were drinking, I think and
25 that she had said something and this was Staffer #4

1 JILL DES ROSIERS

2 words that stuck in my head, something like
3 that the Governor had been making moves. I
4 remember him saying making moves.

5 I think I asked what does that
6 mean and I just remember him saying that she
7 had gotten upset in talking about it with the
8 group and I don't know beyond [Staffer #4] exactly who
9 the group was, but she had gotten upset and had
10 talked with them about it. I think it was the
11 night before.

12 Q. How did this conversation with
13 [Staffer #4] happened? Is it over the phone,
14 text, e-mail?

15 A. I think it was over the phone. I
16 don't think it was in person, but I don't
17 exactly remember.

18 Q. Did [Staffer #4] tell you who else
19 was present for the conversation with Miss Bennett
20 the night prior?

21 A. I don't remember him telling me
22 exactly who. Just some of the younger staff.

23 Q. Anyone else specifically he said?

24 A. I don't remember him telling me
25 who the group was.

JILL DES ROSIERS

1
2 Q. Do you remember anything else
3 about this conversation with Staffer #4 ?

4 A. It was also pretty believe brief.
5 I don't think I remember -- he didn't get into
6 details either, other than the two things that
7 I definitely remember was that he had said she
8 had gotten upset and that in his words, I don't
9 know that he said she said this, something
10 about the Governor making moves was how he put
11 it to me.

12 Q. Between June 10th and June 30th,
13 other than this conversation with Staffer #4
14 and other than the conversation that you
15 described with Miss Mogul and Miss DeRosa and
16 about Miss Bennett's transfer, did you have any
17 other communication about Miss Bennett's
18 allegation against the Governor or about
19 Miss Bennett?

20 A. Not that I remember.

21 Q. Did you take any notes about
22 Miss Bennett between June 10th and June -- the
23 meeting on June 30th?

24 A. No.

25 Q. Between June 10th and June 30th,

JILL DES ROSIERS

1
2 to your knowledge no one in the Executive
3 Chamber asked Miss Bennett what had made her
4 uncomfortable about the interactions between
5 her and the Governor?

6 A. To my knowledge, no, not that I
7 know of.

8 Q. Did anyone else other than
9 **Staffer #4** raised any -- to your attention the
10 conversation that Miss Bennett had had on the
11 evening of June 29th about her experience with
12 the Governor?

13 A. I have a vague recollection that
14 I'm not sure of, that Annabel told me that **Staffer #4**
15 had something that he needed to talk to me
16 about. I don't remember her being -- her
17 knowing information firsthand, but -- I don't
18 remember the sequence exactly, but I think she
19 first told me **Staffer #4** had something to talk about.

20 Q. Did you have any further
21 communication with Miss Walsh about what **Staffer #4**
22 needed to talk to you about?

23 A. I don't remember. I don't exactly
24 remember.

25 Q. So after **Staffer #4** comes, to you

JILL DES ROSIERS

1
2 what happens next?

3 A. Next I again reach out to Melissa
4 DeRosa and Judy Mogul to relay the Staffer #4
5 conversation and then we all get on the phone
6 together. And then it was decided that Judy
7 along with me, since Charlotte originally came
8 to me, should meet with Charlotte.

9 Q. And I'm going to assume if I ask
10 you about the substance of your conversation
11 with Miss DeRosa and Miss Mogul your counsel is
12 going to say that you have been directed by the
13 Executive Chamber not to reveal that on the
14 grounds of privilege.

15 MS. PARK: Is that right, Mary
16 Beth?

17 MS. HOGAN: That's correct.

18 Q. What happens next?

19 A. I'm at the capitol and Judy is
20 working remotely. I reach out to Charlotte I
21 think by text message to see if she can meet.
22 She said yes. And I think she was in the
23 middle of a meeting or conference call or
24 something and eventually I walk over to -- at
25 this point she moved to the health portfolio so

JILL DES ROSIERS

1 she is on a different side of the building, but
2 at some point after I think a few hours gone by
3 I walked over to her side of the building where
4 she is sitting and ask if now would be an okay
5 time to meet and then she walked with me back
6 over to the other side of the building back to
7 my office.
8

9 Q. You physically went to her desk to
10 get her?

11 A. Yes.

12 Q. Was it important that that meeting
13 with Miss Bennett and Miss Mogul and you occur
14 on that day?

15 A. Yes.

16 Q. Why?

17 A. I was asked to try to get
18 Charlotte and see if she would have the
19 conversation today. I think Staffer #4 in an
20 additional conversation had concerned folks, so
21 she was at the capitol so I was asked to see if
22 she could make herself available to do it then.

23 Q. Look at what is in your binder in
24 as tab 31 and we will mark this as the next
25 exhibit.

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JILL DES ROSIERS

(Exhibit 28 for identification, Text messages between Miss DesRosiers and Miss Bennett arranging a meeting between Miss DesRosiers and Miss Bennett and Miss Mogul on the 30th June, 2020.)

MS. HOGAN: Jen, can I interrupt for a moment.

MS. PARK: Sure.

MS. HOGAN: Can we plan on a break around 11:30 if that fits in your cadence?

MS. PARK: Yes.

MS. HOGAN: Thank you.

Q. Are these the text messages between you and Miss Bennett arranging the meeting between you and Miss Bennett and Miss Mogul on the 30th June, 2020?

A. I'm sorry, you said 31.

Q. Yes, tab 31

MS. MICHELEN: That is Exhibit 28.

Q. Apologies, Exhibit 28.

MS. HOGAN: Tab 28 but it is not Exhibit 28, right

MS. PARK: We will fix the exhibit numbers, it should say Exhibit 28.

1 JILL DES ROSIERS

2 MS. HOGAN: Okay.

3 A. Yes.

4 Q. If you can turn to Exhibit 29 and
5 mark this as the next exhibit.

6 (Exhibit 29 for identification,
7 Handwritten notes of Jill DesRosiers made
8 on July 1st of the meeting with Miss
9 Bennett on June 30th.)

10 A. Yes.

11 Q. What are these?

12 A. These are notes that I took. I
13 didn't take them verbatim while the meeting was
14 happening because I was sitting in the office
15 with Charlotte. I wrote them the next day, but
16 these are my notes from the meeting.

17 Q. You wrote these notes on July 1st,
18 not on June 30th?

19 A. Right, I did not take notes while
20 the meeting was happening. The meeting ended
21 fairly late I believe I remember having to
22 leave the capitol afterwards. I believe the
23 next morning when I came in I did them.

24 Q. Did you write them from memory or
25 did you have something to assist you?

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JILL DES ROSIERS

A. I wrote these from memory.

Q. During the meeting with Miss Bennett on June 30th, was Miss Mogul taking note?

A. Yes, I believe she was on the phone and we were in person, but she referred to her notes a few times in the meeting.

Q. If you can please turn to what has been in the new binder that you should have received sometime last night and you can unseal it. I'm hopeful that it is not as sealed as the prior one.

A. Opened.

Q. If you could turn to what is marked as Exhibit 29A which we will mark as our next exhibit.

(Exhibit 29A for identification, Typed version of Miss DesRosiers handwritten notes.)

A. Okay.

Q. After the first day of your testimony we asked you to prepare a typed version of your handwritten notes. Is this the typed version of your handwritten notes?

1 JILL DES ROSIERS

2 A. Yes.

3 Q. Is there anything that was in your
4 handwritten notes that you couldn't decipher
5 for purposes of preparing the typed notes?

6 A. Any of the cross-outs we just
7 looked at it as cross-outs I don't know what I
8 had, but everything else I believe I
9 deciphered.

10 Q. For purposes of moving forward I'm
11 going to work off the typewritten notes. If at
12 any point you would like to refer to your handwritten
13 notes, please do. Okay?

14 A. Okay.

15 Q. If you can turn to what is page 5
16 of your typed notes. In these note CB refers
17 to Miss Bennett; is that correct.

18 A. Yes.

19 Q. And AC refers to Governor Andrew
20 Cuomo; is that correct?

21 A. Yes.

22 Q. And in your notes it says "AC came
23 into office early one morning 6 Aish". Is that
24 6:00 a.m.?

25 A. Yes.

JILL DES ROSIERS

1
2 Q. "and CB came in earlier to get him
3 PPT." Is that PowerPoint?

4 A. Yes.

5 Q. "She was in pajamas, later said
6 leggings and a sweat shirt." When you put in
7 later said leggings and a sweat shirt, what did
8 you mean by later?

9 A. I'm not sure. Unfortunately I'm
10 doing this from memory. She either corrected
11 herself or Judy that was leading the
12 conversation could have said you came in in
13 pajamas, I just don't remember.

14 Q. During this meeting was Miss Mogul
15 asking Miss Bennett questions?

16 A. Yes.

17 Q. Describe the dynamics of the
18 meeting. Was this mostly Miss Bennett talking
19 or was she, just Q&A, responding to Miss
20 Mogul's prompts?

21 A. I think it was different at
22 different points. I think for most of the
23 beginning part of the meeting Charlotte is just
24 telling us the interactions and Judy is asking
25 a few questions and at some point later in the

JILL DES ROSIERS

1 meeting it is more Judy asking the questions.

2 Q. Let's go to page 7.

3 A. Okay.

4 Q. On this age page you note that,
5 "Charlotte Bennett said that at some point in
6 the discussing the Governor said loudly and
7 repeatedly you were raped, you were raped, you
8 were raped. Miss Mogul asked if he said it
9 three times and Miss Bennett said more than
10 three." If you turn to the next page at the
11 top it says, "Miss Bennett said it made her
12 uncomfortable."
13

14 Do you recall Miss Bennett telling
15 you that the Governor said you were raped, you
16 were raped three types had made her
17 uncomfortable?

18 A. During this conversation, yes.

19 Q. And the notes say that
20 Miss Bennett said she felt like he said that to
21 get under her skin or get in her head. Do you
22 see that?

23 A. I see that.

24 Q. What did you understand that to
25 mean?

1 JILL DES ROSIERS

2 A. I didn't really know what that
3 meant. I think that is why Judy then asks her
4 what she meant by that.

5 Q. What did she say? What do you
6 remember her saying?

7 A. I remember her saying what I wrote
8 down here which is she didn't seem -- it didn't
9 seem like there was any reason why he would
10 have said that other than to unsettle her and
11 she definitely seemed unsettled by it.

12 Q. When you say she seemed unsettled,
13 what do you mean?

14 A. I wasn't there in person with her
15 so I think during even relaying that part she
16 was getting a little emotional. I think she
17 was shaking a little bit.

18 Q. And then if you look at the top of
19 page 9 there are, in your handwritten notes
20 there were brackets, do you see those? I mean
21 that is something that has a question mark by
22 it.

23 A. Yes. So, unfortunately I doing
24 this from memory the next day at the top of the
25 bracket it says timing. So I think I didn't

JILL DES ROSIERS

1
2 know when exactly -- I think some so of what
3 I've written down are conversations that I
4 remember happening, but they may not have
5 happened exactly in this order. So timing is
6 written above the bracket. I don't remember if
7 that happened when.

8 Q. So these notes might not
9 necessarily be in the chronological order in
10 which the discussion between you and
11 Miss Bennett and Miss Mogul occurred?

12 A. Correct.

13 Q. Turn to page 10 of the typed
14 notes.

15 A. Okay.

16 Q. Miss Bennett told you that the
17 Governor said that he wanted to be touched. Is
18 that right?

19 A. Yes.

20 Q. And Miss Bennett told that you the
21 Governor told her that he was lonely. Is that
22 right?

23 A. Yes.

24 Q. And Miss Bennett told you that the
25 Governor said he want to get on his motorcycle

1 JILL DES ROSIERS

2 and ride to the mountains with a woman. Is
3 that right?

4 A. Yes.

5 Q. If you look at page 11 of your
6 typed notes, Miss Bennett is describing an
7 interaction that occurred on the next day and
8 she told you that it felt like the Governor was
9 grooming her. Is that right?

10 A. Yes.

11 Q. What did you understand that to
12 mean?

13 A. I didn't exactly know. I think at
14 some point Judy asked her then what she means
15 and unfortunately I do not remember the exact
16 order. So I don't know if that is somewhere
17 else in this conversation.

18 Q. What do you remember about her
19 answer to that question what did she mean by
20 grooming?

21 A. I think she said something later
22 like, that he was having personal conversations
23 with her and about some topics that she was
24 uncomfortable with.

25 Q. What did you understand her to be

1 JILL DES ROSIERS

2 saying that the Governor was grooming her for?

3 A. I mean I believe she was saying
4 like for a relationship is what I understood
5 her to mean.

6 Q. A sexual relationship?

7 A. I don't know, she didn't say that.

8 Q. Did you understand her to mean
9 grooming for something that was more than just
10 a professional relationship?

11 A. Yes.

12 Q. If you look at page 11,
13 Miss Bennett told you that the Governor
14 repeated that he was lonely and wanted to get
15 on his motorcycle and ride into the mountains
16 with a woman; correct?

17 A. Yes.

18 Q. And if you look on page 12
19 Miss Bennett told that the Governor asked her
20 who she was seeing; is that right?

21 A. Yes.

22 Q. If you look on page 12
23 Miss Bennett told you that the Governor talked
24 with her about the concept of monogamy; is that
25 right?

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JILL DES ROSIERS

A. Yes.

Q. On that same page Miss Bennett told you that the Governor asked her whether she knew if the people she was sleeping with were sleeping with other people; is that right?

A. Yes.

Q. In your notes on that same page you wrote that Miss Bennett said casually to you and Miss Mogul that she didn't really

[REDACTED]. What did you mean by casually?

A. It was almost like an aside to the conversation that she was having about what the Governor had already talked about. She had just stepped out of that conversation for a moment and said that and went back to it. But I think that is what I meant by casually.

Q. So not that there was something casual about her discussion with you, it was just it was an aside to the conversation that she had with the Governor? Not something that she said to the Governor?

A. She said that to Judy and I, yes.

Q. And then on page 12 you said

JILL DES ROSIERS

1
2 that -- page 13 your notes that say
3 Miss Bennett tells you that the Governor said,
4 again, he was lonely; is that right?

5 A. Yes.

6 Q. On page 14 Miss Bennett told you
7 that the Governor asked her to find him a
8 girlfriend; is that right?

9 A. Yes.

10 Q. On that same page Miss Bennett
11 told you that the Governor asked her what the
12 age cut off should be for someone who would be
13 his girlfriend and the Governor jumped in and
14 said as long as they are over 22; is that
15 right?

16 A. Yes.

17 Q. On page 15 Miss Bennett told you
18 that she was taken aback by the answer because
19 the Governor knew she was 25; is that right?

20 A. Yes, that's in my notes.

21 Q. Again on this page -- but you
22 recall that happened, not just in your notes,
23 Miss Bennett told you?

24 A. Yes, she told us that.

25 Q. Miss Bennett told you again that

1 JILL DES ROSIERS

2 the Governor was starting to groom her by these
3 topics; is that right?

4 A. Yes.

5 Q. On page 15 you say your notes say
6 "No good notes on how this conversation ended."
7 What does that mean?

8 A. Again, unfortunately I was doing
9 them the next day. The previous day I had --
10 Melissa walked in and the conversation ended.
11 I think I didn't, other than remembering the
12 interactions, I didn't remember how she ended
13 up leaving that office or leaving the
14 conversation. She or he.

15 Q. So then on page 16 Miss Bennett
16 told you she was concerned about this
17 interaction with the Governor; is that right?

18 A. Yes.

19 Q. And then on page 16 show told you
20 during that conversation she was alone with the
21 Governor; is that right?

22 A. Yes, I think in an earlier part of
23 the interaction she said she was there with
24 somebody and she phased back so she was alone.

25 Q. If you turn to page 19,

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JILL DES ROSIERS

Miss Bennett is describing an interaction that she had with the Governor on a different day; is that correct?

A. Yes, a different day starts on page 18 and 19 is still a different day.

Q. And Miss Bennett told you on this different day that the Governor called her Daisy Dukes; is that right.

A. Yes.

Q. Did you understand who that is?

A. I know who that is, yes.

Q. Who is that?

A. A character on "Dukes of Hazard."

Q. Who was famous for what?

A. For short shorts.

Q. And then on page 20 Miss Bennett told you that the Governor told her that a tattoo she wanted to get that she should have placed on her chest or her butt; is that right?

A. Yes.

Q. On page 21 Miss Bennett told you that on June 10th she had told you that her conversations with the Governor had made her uncomfortable. That was true, right?

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JILL DES ROSIERS

A. So, this page, page 21, so yes to your question. I don't remember if this page if she is telling us this or if this was me writing down like in the midst of writing notes, I don't know if I wrote down because she talked about the 9th if I wrote down the 10th or she went back over that. I just don't remember.

I remember her saying that she staffed him on the 9th and it didn't raise an alarm. I don't know if when I was writing the notes if I just wrote down the 10th and the 12th or if she actually talked about that, I don't remember.

Q. But on the 10th she did tell you that her interaction with the Governor made her uncomfortable, that was true?

A. Yes.

Q. If you turn to page 22, Miss Mogul asked Miss Bennett whether the Governor made any sexual advances or touched her; is that right?

A. Yes.

Q. And Miss Bennett said no?

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JILL DES ROSIERS

A. Correct.

Q. And in the notes the next statement is Miss Mogul said "because you took control before anything could happen." Do you see that?

A. I see that.

Q. Is this a verbatim of that dialogue between Miss Bennett and Miss Mogul?

A. I mean it is not verbatim because I was doing it from my memory, but this is what I remember the interaction being.

Q. Do you remember any other questions Miss Mogul or any statements Miss Mogul made after Miss Bennett said that no, the Governor had not made any sexual advances or touched her?

A. What do you mean, sorry?

Q. To your memory is there anything in between Charlotte saying no and Miss Mogul saying because you took control before anything could happen?

A. Not to my memory, no. Again, I wasn't doing it verbatim while we were having the conversation, but that is my memory of the

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1 conversation.

2
3 Q. What did you understand Miss Mogul
4 to mean before anything could happen?

5 A. I think that Charlotte at some
6 point said something about taking control of
7 the situation. I think Judy was referring to
8 that. But I believe what she is referring to
9 when she asks that is before anything could
10 happen meaning any sort of sexual advances.

11 Q. And then if you look at page 23,
12 Miss Bennett told you that on one occasion the
13 Governor asked her why she had worn her hair in
14 a bun; is that right?

15 A. Yes.

16 Q. And the Governor conveyed to her
17 that he did not like it?

18 A. Yes.

19 Q. And if you look on page 24 it
20 reflects that Miss Bennett told her that she
21 had a push up contest with the Governor in the
22 office; is that correct?

23 A. Yes.

24 Q. On page 25 it reflects that
25 Miss Mogul thanked Miss Bennett and told her if

1 JILL DES ROSIERS

2 she needed to talk to someone there were
3 resources available. There is the EAP and
4 counseling services that she could access. Is
5 that right?

6 A. Yes.

7 Q. What is EAP?

8 A. I don't remember what the acronym
9 exactly states, but I believe it is employee
10 personal counseling. The same think as
11 counselling service.

12 Q. What is your understanding why
13 Miss Mogul was offering Miss Bennett those
14 services?

15 A. I don't know, because she seemed
16 upset.

17 Q. Was she crying?

18 A. There was a point at some point
19 she did cry. I don't remember which part of
20 the conversation.

21 Q. You said at some point she was
22 shaking; is that right?

23 A. Yes. When she was describing the
24 you were raped conversation.

25 Q. Any other physical description

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that you could offer of Miss Bennett during that discussion?

A. No, not that I remember.

Q. Did you offer her tissues?

A. Unfortunately I don't think I had tissues. I think I offered her a napkin or whatever I had in my office.

Q. Other than what is in those notes, do you remember anything else that was said during those meeting?

A. I believe Judy also said that she was -- we would follow up with her. But, no, I don't remember anything other than what I laid out here.

Q. So at no point during this conversation did either you or Miss Mogul tell Miss Bennett that she could make her complaint to GOER; is that right?

A. No, I don't believe that was discussed during this conversation.

Q. At no point during this consideration did either you or Miss Mogul tell Miss Bennett that she was protected from retaliation; is that right?

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A. I don't know if Judy said that or not. I didn't write it down. I know we talked about being there to support her, but I don't know it that was said in this conversation and I don't have it in my notes.

Q. Do you think if that had been discussed that Miss Mogul had told her she was protected from retaliation, it would have been in those notes?

A. Yes.

Q. Because that would have been an important thing to write down, right?

A. Yes.

Q. When you came away from this conversation, did you have any reason to think that what Miss Bennett had experienced with the Governor was trivial?

A. No.

Q. It was serious, wasn't it?

A. I was concerned, yes.

MS. PARK: I think that we can take a break now. Unless, Anne, you have conversations about these notes that you want to cover?

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MS. CLARK: No, I'm good.

MS. PARK: Okay, how long Mary Beth
would you. Let's go off record.

THE VIDEOGRAPHER: We are now off
the record, the time is 11:39 a.m.

(Lunch recess taken at 11:39 a.m.)

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JILL DES ROSIERS

A F T E R N O O N S E S S I O N

12:17 p.m.

J I L L D E S R O S I E R S ,

resumed, having been previously duly sworn,
was examined and testified further as
follows:

THE VIDEOGRAPHER: We are now back
on the record. The time is 12:17 p.m.

BY MS. PARK:

Q. So what happened after the
conversation between you Miss Bennett and
Miss Mogul on June 30th, 2020?

A. Charlotte leaves my office, I
leave the capitol, I believe Judy and I tried
to reach Melissa together but didn't connect.
And I drive to where I was staying. I was
Albany but I was staying in our house in
[REDACTED].

Q. What happened next about
Miss Bennett?

A. The next day Judy reaches out at
some point and said that she did connect with
Melissa --

MS. HOGAN: To the extent that

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2 you're going to get into a conversation
3 that you and Judy had, we have been
4 directed by counsel for the Chamber to
5 assert the attorney-client privilege on
6 behalf of the Chamber.

7 A. At some point Judy told me that
8 she would like me to join her for a follow-up
9 conversation with Charlotte which happened
10 sometime around the evening of the 1st. I
11 remember I was driving home to where I was
12 staying. I was driving home. I was in my car.

13 Q. If you could turn to the second
14 binder that you were provided with and what
15 is --

16 MS. PARK: Lorena, that my tab is
17 78 what exhibit number is that for Jill?

18 MS. MICHELEN: That's 72.

19 (Exhibit 72 for identification,
20 Equal Employment Opportunity Rights and
21 Responsibilities Handbook for Employees of
22 a New York State Agency dated December,
23 2018.)

24 Q. Exhibit 72? Do you have that
25 document in front of you?

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A. Yes.

Q. The document is the Equal Employment Opportunity Rights and Responsibilities Handbook for Employees of a New York State Agency dated December, 2018. Do you see that?

A. Yes.

Q. When we previously met we looked at two version of this. One which you believe you must have seen before because it was dated 2011 and one which was dated 2020 that you didn't believe that you had seen before; is that right?

A. Correct.

Q. On the evening of June 30th going into the meeting which Charlotte -- before the meeting with Charlotte Bennett on July 1st, did you look at this document that is in this exhibit?

A. I did not.

Q. At any time prior to June 30th had you looked at this document?

A. Prior to June 30th I believe at some point this was part of our annual

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1 training.

2
3 Q. And do you have any reason to
4 believe that the definition of sexual harassment
5 contained in this handbook is incorrect?

6 A. Say that again.

7 Q. Do you have any reason to believe
8 that the definition of sexual harassment
9 contained in this handbook is incorrect?

10 A. No.

11 Q. Between June 10th and June 30th
12 you did not look at this handbook; is that
13 right?

14 A. I did not look the handbook. I
15 was relying on Judy who was a lawyer and
16 certainly more trained, seasoned in issues
17 related to this to advise me and to review any
18 materials that needed to be reviewed.

19 Q. What training do you understand
20 Miss Mogul has on sexual harassment law?

21 A. I don't know specifically, but she
22 has been a practicing attorney for many years
23 and she is somebody that I consulted with on,
24 after Alphonso left, on issues related to
25 employment in the Chamber and issues related to

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2 staff.

3 Q. Prior to June 10th have you ever
4 consulted with Miss Mogul on an issue related
5 to sexual harassment?

6 A. No.

7 Q. You can put that away and go back
8 to your typed notes?

9 A. Okay.

10 Q. How did the meeting with
11 Miss Bennett happen the evening of July 1st?

12 A. I believe Judy called me and said
13 Charlotte was asking for an update and Judy
14 then conferenced in Miss Bennett into the phone
15 call. I don't know if the two of them had
16 agreed on a time or not. I just don't
17 remember.

18 Q. Did you take handwritten notes
19 during that July 1st meeting?

20 A. Similar to the last meeting I did
21 not take them while it was happening because I
22 was driving. But I wasn't driving the first
23 time but I took them the next day when I got to
24 the office.

25 Q. The handwritten notes regarding

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1
2 the July 1st meeting were prepared by you on
3 July 2nd?

4 A. Yes.

5 Q. In the meeting between you, Miss
6 Mogul and Miss Bennett on July 1st, what
7 happened?

8 A. Similar to the last meeting, Judy
9 led the conversation and she starts by saying
10 that she wants to give Charlotte a follow-up,
11 an update. She, according to my notes,
12 Charlotte states is that she was anxious and
13 wanted to know what was going to happen. Judy
14 then said to her that she has reviewed her
15 notes and reviewed the handbook and the law and
16 that while the conversations they were had were
17 personal and uncomfortable, that most of the
18 interactions they had were appropriate. And
19 then once the conversations became
20 uncomfortable Charlotte took control of
21 situation, came to see me and that I acted
22 quickly to move her out of the situation and to
23 do something else.

24 And then she said to Charlotte, if
25 I remember her saying to Charlotte something

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2 along the lines, again, it wasn't a verbatim,
3 that the conduct did not rise to the level of
4 harassment and no further inquiry appears to be
5 necessary. And then she asked Charlotte if she
6 agreed.

7 Q. Let's pause there. Are you just
8 looking at your notes reading or do you
9 remember?

10 A. I was reading my notes.

11 Q. Is there anything that you
12 remember about that conversation on the evening
13 of July 1st that is not reflected in your
14 notes?

15 A. No, not that I remember. I
16 believe that conversation was pretty brief.

17 Q. During that conversation, your
18 notes reflect that Miss Mogul told Miss Bennett
19 that she was very familiar with the employee
20 handbook; is that right?

21 A. Yes.

22 Q. Do you know whether that is true?

23 A. I trust Judy so I believed it to
24 be true based on what she was saying.

25 Q. Did you know that Miss Mogul had

1 JILL DES ROSIERS

2 requested the handbook the previous day?

3 A. No, not that I remember.

4 Q. When Miss Mogul told Miss Bennett
5 that she reviewed the law, do you know what she
6 reviewed?

7 A. No, I don't.

8 Q. Miss Mogul told Miss Bennett that
9 most of her interactions with the Governor were
10 appropriate. Did you agree with that then?

11 A. I don't remember thinking about it
12 then. Charlotte agreed with it. I think she was
13 referring to over time, not just the specific
14 interactions that were described when Charlotte
15 came to us.

16 Q. I see, you understood Miss Mogul
17 to be referring to the universe of interactions
18 that Miss Bennett and the Governor had during
19 her time at Executive Chamber?

20 A. That was my understanding what
21 she was referring to.

22 Q. Do you believe that the
23 interactions that Miss Bennett described to you
24 on June 30th were appropriate?

25 A. No, I didn't think those were

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2 appropriate, those topics were appropriate for
3 him to be discussing. I said no, I didn't
4 think some of those topics were appropriate for
5 them to be discussing.

6 Q. When you stated some of those
7 topics were not appropriate for them to be
8 discussing, were there topics that Miss Bennett
9 described to you during her interaction on the
10 30th of June that you thought were appropriate
11 topics between her and the Governor?

12 A. She described in some our initial
13 meetings talking about enough is enough and
14 being a survivor and they had a conversation
15 about it. That to me seemed appropriate. She
16 was sharing connecting her personal experience
17 of her work and he was talking to her about it
18 as well.

19 Q. Are there any other topics that
20 Miss Bennett conveyed to you during your
21 discussion on 30th that you thought were
22 appropriate topics for discussion between her
23 and the Governor?

24 A. They were talking about her
25 speech in that conversation which I thought it

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2 was appropriate. She initially brought it up
3 and looking for his advice on it.

4 Q. Anything else?

5 A. Not offhand.

6 Q. During the meeting on July 1st
7 Miss Mogul told Miss Bennett that in her view
8 the conduct Miss Bennett had described did not
9 rise to the level of harassment. Did you agree
10 on that conclusion?

11 A. I was relying on Judy who, again,
12 I went to for advice and counsel on it, so I
13 didn't unfortunately read the handbook at the
14 time myself or review it, so I was relying on
15 Judy who I both trusted and thought would do
16 the right thing and make the right assessment.

17 Q. Is your position that you didn't
18 have a view as to whether you agreed with her
19 or not?

20 A. I didn't. I was trusting Judy.

21 Q. After the July 1st meeting did you
22 have occasion to read the handbook?

23 A. I've recently read it, but, no, I
24 didn't at the time.

25 Q. By recently, do you mean with your

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lawyers?

A. Yes.

Q. Do you have an understanding as to whether the way that Miss Mogul handled Miss Bennett's complaint was consistent with the requirements of the employee handbook?

A. Can you say that again?

Q. Do you have an understanding as to whether the way Miss Mogul handled Miss Bennett's complaint was consistent with the requirements of the employee handbook?

A. I mean I trusted Judy's evaluation of the situation and the facts that she was given. So I was trusting her to follow the handbook and what she was supposed to do.

Q. Understood. But do you have a view as to whether the way Miss Mogul handled Miss Bennett's complaint is consistent with the requirements of the employee handbook?

MS. HOGAN: I want to ask, are you asking for her legal conclusion of whether or not the facts support a legal conclusion of sexual harassment?

MS. PARK: No, she is not a lawyer

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so I'm not asking for a legal conclusion.

Q. You had time to look at the employee handbook, do you think the way Miss Mogul handled Miss Bennett's complaint is consistent with the requirements of that handbook?

A. I wasn't making an assess assessment whether this is harassment or not. Having reviewed the most recent handbook which I had not reviewed at the time, if a determination was made about the complaint, it does appear that the handbook is specific potentially about going to GOER, but it also seems like it also says, go to your supervisor. So there are some -- even how it is written having reviewed it recently some inconsistencies in the language in it.

But again, at the time I didn't review the handbook and I was relying on Judy because I don't make those determinations?

Q. Miss Bennett's complaint was not referred to GOER, correct?

A. I don't believe so.

Q. Miss Bennett's complaint was not

1 JILL DES ROSIERS

2 investigated, is that correct?

3 A. I don't know.

4 Q. To your knowledge did anyone speak
5 to any witnesses about Miss Bennett's complaint?

6 A. I don't believe.

7 Q. You don't know if Miss Bennett's
8 complaint was investigated?

9 A. I don't. Judy was taking the lead
10 on the Miss Bennett's complaint, but I don't
11 know.

12 Q. If there had been an investigation
13 of Miss Bennett's complaint, as the chief of
14 staff to the Governor wouldn't you have been
15 informed of that?

16 A. I was relying on Judy and Melissa
17 who I raised the issue to to handle the
18 complaint and to do the right thing, as I
19 trusted them. So is it -- did I expect they
20 would circle back to me about the exact stuff,
21 no, not necessarily. But I did trust both of
22 them they were going to follow through and do
23 the right thing. Judy was taking lead on that
24 and I don't know what steps she took.

25 Q. So neither Miss Mogul or

1 JILL DES ROSIERS

2 Miss DeRosa told you that she was investigating
3 Miss Bennett's complaint; is that correct?

4 A. I mean Judy was doing follow up on
5 the complaint, yes.

6 MS. HOGAN: I mean to the extent
7 that you can answer that question as to
8 Melissa, did Melissa tell you what steps
9 she was taking or she was investigating the
10 complaint?

11 THE WITNESS: Melissa did not tell
12 me she was investigating the complaint.
13 And my understanding was Judy was the lead
14 on dealing with the complaint.

15 Q. You just said that you believe
16 that Miss Mogul and Miss DeRosa would do the
17 right thing. What was the thing that you
18 expected them to do? What was the right thing?

19 A. Follow through on Charlotte's
20 complaint in a way that was responsive to how
21 it was approached it would be appropriately
22 handled by the rules that we are governed by.

23 Q. So you expected them to follow
24 what was in the handbook?

25 A. Yes.

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2 Q. Did you have any other occasions
3 on which you know Miss DeRosa has followed
4 through on a complaint that had been made or
5 done the right thing with respect to a
6 complaint?

7 A. I can't think of a specific
8 complaint that I know of that came to Melissa
9 that...

10 Q. You had also told us that you
11 previously had told Miss DeRosa on occasions
12 that she had been mean to co-workers; is that
13 right?

14 A. Yes.

15 Q. You told us when you did that her
16 behavior might change temporarily, but it would
17 reoccur, meaning she would be mean again,
18 right?

19 A. Yes. I think I also said, yes,
20 she had occasion where she was mean to a
21 co-worker, did I think it was all the time, no.

22 Q. Given that you had raised an issue
23 about behavior to Miss DeRosa's attention, and
24 that she had not stopped the negative behavior,
25 what gave you confidence that she would do the

1 JILL DES ROSIERS

2 right thing in this situation?

3 A. I trusted her as a co-worker.

4 Q. Did Miss DeRosa ever tell you that
5 you should tell Miss Bennett that she would not
6 be retaliated against?

7 A. I don't think so.

8 MS. PARK: Go ahead, Joon.

9 MR. KIM: Sorry, I had my video
10 off. Good to see you.

11 Based on your interaction with
12 Melissa DeRosa, did you think that she
13 would do the right thing in connection with
14 Charlotte Bennett's allegations, even if
15 that could harm the Governor?

16 THE WITNESS: Yes, I mean I think
17 she was also relying on Judy as a lawyer to
18 advise on what we needed to do, but yes.

19 MR. KIM: Yes, you did think that
20 based on your interactions with Melissa
21 DeRosa she would do the right thing for
22 Charlotte Bennett even if that could harm
23 the Governor?

24 THE WITNESS: Yes.

25 MR. KIM: What indications with

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Melissa DeRosa made you believe that?

THE WITNESS: I work with Melissa very closely, like she was a defender of him, but she would also privately tell him when he had something wrong or, you know, would be critical.

MR. KIM: Can you give us an example of that?

THE WITNESS: You know, I think we talked before about the staff, operations staff being the kind of regular receivers of some really harsh critique from the Governor and she would defend us to him.

MR. KIM: Would defending you to the Governor harm the Governor?

THE WITNESS: She would point out that he was being wrong or unfair.

MR. KIM: Any other examples?

THE WITNESS: I'm sorry, I can't think of another example.

MR. KIM: Did you expect Melissa DeRosa to ask the Governor whether he in fact said these things to Charlotte Bennett?

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THE WITNESS: I expected Melissa and/or Judy to speak to him, yes.

MR. KIM: And ask him whether he had said these things to Charlotte Bennett?

THE WITNESS: Yes, I expected that would be part of the conversation.

MR. KIM: What in your view would be the right thing to do if he in fact had said those things to Charlotte Bennett?

THE WITNESS: I wasn't making a legal determination on whether or not this behavior was in the handbook. I honestly don't know that I could answer that, but I expected that Judy would have an assessment of that.

What I did was when Charlotte asked to be moved off an assignment I did that immediately because that is what she was asking for.

MR. KIM: I wasn't asking about your legal opinion. What did you think was the right thing to do if in fact the Governor had said those things to Charlotte Bennett?

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THE WITNESS: I understood that you weren't asking for me legal opinion. I think specifically in this matter I was relying on Judy specifically to determine that.

MR. KIM: You testified that you expected Melissa DeRosa to do the right thing, right?

THE WITNESS: As my supervisor, yes.

MR. KIM: So you had an expectation that she would do -- what did you mean by the right thing? Did you meet mean that in a purely legal sense?

THE WITNESS: I mean handle the complaint appropriately and mostly make sure that Charlotte was taken care of, but also handle the complaint appropriately. So that is what I meant by the right thing.

I said Judy and Melissa because those are the two people that I raised the concern to as far as escalating up the issue. I don't know, obviously Melissa isn't a lawyer so she wasn't making a legal

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determination.

MR. KIM: You didn't mean the right thing in a purely legal sense of sexual harassment or not, correct?

THE WITNESS: I don't understand the question.

MR. KIM: The question is, when you said you expected Melissa DeRosa to do the right thing, you meant the right thing beyond what is just legally required, correct, because you're not a lawyer and Melissa DeRosa is not an lawyer, correct?

THE WITNESS: Correct.

MR. KIM: Separate from the legal requirements, what did you expect Melissa DeRosa to do if in fact the Governor said those things that Charlotte Bennett said to you that the Governor said to her, what was your expectation about the right thing? You said you relied on Melissa DeRosa to do the right thing.

THE WITNESS: I mean my expectation was that Charlotte would be treated with respect and listened to and believed and

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that, again, from a legal perspective that Judy would figure out what steps needed to be taken moving toward and follow through as she was the lead on the issue.

MR. KIM: Do you believe based on your observations that Charlotte Bennett was being treated with respect?

THE WITNESS: I believe in my personal interactions with Charlotte, I treated to treat her with respect throughout this whole process, yes.

MR. KIM: No, in the way she has been treated by the Executive Chamber, Melissa DeRosa and the Governor, is it your view that she has been treated with respect.

THE WITNESS: What I can say which is my time when I was in the Chamber with Charlotte I believe that she was.

MR. KIM: I'm ask you now sitting here today based on what you know.

MS. CANTWELL: I'm sorry, Joon, it is Helen Cantwell, I'm not trying to interrupt, but I think if you can clarify

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that question a little bit or be a little more specific, it might be helpful.

MR. KIM: Are you aware that the Governor said in public statements that he was -- he had a mentoring relationship with Charlotte Bennett?

THE WITNESS: I believe I heard him say that, yes.

MR. KIM: Is that consistent with what Charlotte Bennett said to you the things that the Governor said to her?

THE WITNESS: I think separate from the things he said to her in these interactions, I believe she did say she considered him a friend and mentor.

MR. KIM: Sitting here today in response to allegations made by Charlotte Bennett to respond by saying that you had a mentoring relationship with someone who made those types of allegations, was that in your view treating Charlotte Bennett with respect?

THE WITNESS: I think, I don't know what he was referring to. I think he was

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JILL DES ROSIERS

referring to some of the interactions they had which she referred to too, but honestly, I don't know. Do I think that particular statement was disrespectful, no.

MR. KIM: You don't?

THE WITNESS: Did I think it categorizes all of their interactions, no.

MR. KIM: When you said Melissa DeRosa would do the right thing, that included describing other aspects of the relationship and not addressing at all the allegations, would that be -- was sort of part of what you expected in terms of the right thing that Melissa DeRosa would do?

THE WITNESS: I'm sorry, but I don't really fully understand the question.

MR. KIM: You've read or heard the Governor also say that allegations being made by people, some of them are motivated by publicity or getting public interest. Have you seen those types of statements?

THE WITNESS: I have.

MR. KIM: In your opinion is that treating with respect people like Charlotte

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JILL DES ROSIERS

Bennett who made those allegations?

THE WITNESS: I don't know who he is referring to when he said that, but no.

MR. KIM: So I'm just trying to understand, what is it that you expected Melissa DeRosa would do when you said you expected her to do the right thing?

THE WITNESS: I think what I described to you which is that Charlotte would be treated -- she would be believed and treated with respect and Judy would determine what legally and other steps we had to do. And at the time when I was there before I went on leave, Charlotte seemed to agree with the outcome.

When I was referring to what I thought Melissa would do the right thing or Judy would do the right thing, I was referring to that. I think there has been, to your question, certainly some statements from the Governor in the process about these allegations. I seen some of them.

Unfortunately I'm not -- I'm just not in the day-to-day of them. I'm on

1 JILL DES ROSIERS

2 leave. But I thought that they would --
3 when I went to my supervisor and went to
4 legal counsel I felt they would handle her
5 complaint respectfully and follow through
6 with what they were supposed to do based on
7 the law and that is what I meant by saying
8 I thought they would do the right thing.

9 MR. KIM: You said you would expect
10 those allegations to be believed and the
11 right thing done. Did that in your mind
12 include asking the Governor whether or not
13 he had in fact said those things to her?

14 THE WITNESS: It is not part of the
15 discussions about what would happen next,
16 but if you're asking what I personally
17 would have thought then, yes, I would
18 expect that they would have had a
19 conversation with the Governor about or
20 someone would have had a conversation with
21 the Governor about what Charlotte had said,
22 yes.

23 MR. KIM: Did you ask anyone
24 whether anyone had that conversation with
25 the Governor?

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THE WITNESS: I did have some follow up conversations with Judy, I don't believe I'm able to get into the specifics of how it was followed through on.

MS. HOGAN: That's right, to the extent that you had discussions with Judy, the Chamber counsel has directed us to assert the privilege on behalf of the Chamber.

MR. KIM: Did you ever learn from anyone other than Judy Mogul whether or not the Governor was asked about the allegations made by Charlotte Bennett?

THE WITNESS: No, I don't believe I did.

MR. KIM: Okay.

MS. CLARK: If I can go?

MS. PARK: Sure.

MS. CLARK: Are you aware of any actions other than anything Judy told you, taken in response to the concerns raised by Charlotte Bennett other than transferring Charlotte Bennett?

THE WITNESS: Can I have a second,

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I have a privileged question?

MS. HOGAN: Go on mute.

(Witness and counsel confer).

THE WITNESS: My understanding, as far as actions taken other than transferring Charlotte, there was a discussion about staffing the Governor and to avoid having just one person staff him at a time. Having it be, to the extent that we could, having it be multiple people staffing him.

MS. CLARK: Who did you have that discussion with?

MS. HOGAN: So to the extent that that discussion was with legal counsel, on direction of the Chamber counsel we have been directed to assert the attorney-client privilege.

MS. CLARK: Was were any steps taken to make sure that no one was ever staffing the Governor alone after that?

THE WITNESS: For my part -- there are many different folks who do staffing. For my part I did try to, if there were specific kind of staffing assignments or a staffing

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2 plan, I did try to make sure that I -- I
3 didn't always previously review them, but
4 review and just to the extent that I could
5 catch or if there was a situation where
6 there would be, I tried to make sure there
7 was two people.

8 Again I wasn't always responsible
9 for staffing, but if I was involved I tried
10 to make sure that was the case.

11 MS. CLARK: Were you concerned if
12 you didn't take steps such as that, that
13 the Governor might make inappropriate
14 comments to other women?

15 THE WITNESS: The goal was to avoid
16 that possibility.

17 MS. CLARK: Did you think the only
18 way to control the Governor's conduct was
19 to limit his opportunity to engage in such
20 conduct?

21 THE WITNESS: Did I think that, no,
22 but I think it was a step that could be
23 taken to make sure that that didn't happen.

24 MS. CLARK: Did anyone take any
25 steps that you're aware of to determine

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JILL DES ROSIERS

whether the Governor made similar inappropriate comments or engage in inappropriate conduct toward any other women?

THE WITNESS: Not that I know of.

MS. CLARK: To your knowledge after Miss Bennett came forward with her allegations, did anyone talk to the other briefers to find out if they had any encounters with the Governor that made them uncomfortable?

THE WITNESS: Not that I know of.

MS. CLARK: After Miss Bennett came forward, did anyone speak to any of the executive assistants to see if they had any encounters with the Governor that made them uncomfortable?

THE WITNESS: Not that I know of.

MS. CLARK: Okay, back to you Jen.

BY MS. PARK:

Q. Other than revising the staffing protocols for Governor, were there any steps taken to counsel the Governor about his conduct?

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JILL DES ROSIERS

A. I don't know. Judy was handling any of that kind of follow up.

Q. If you go back to the notes in the meeting with Miss Bennett on the 1st of July, Miss Bennett told you and Miss Mogul after Miss Mogul had told her that her complaint did not rise to the level of harassment and no further inquiry appeared to be necessary at the time, that "it was a relief and she was worried that Andrew Cuomo would be mad and that is he was a powerful person." Is that right?

A. She said that.

Q. You said that Miss Bennett agreed with the actions that were being taken. Did you understand that her agreement was in part based upon being afraid of the Governor?

A. No, that wasn't my understanding.

Q. What was your understanding as to why she was telling you she was afraid of the Governor?

A. That's what she was anxious, but she also agreed with what Judy was saying.

Q. She didn't want an inquiry to happen because she was afraid of the Governor;

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2 isn't that right?

3 A. She did say she didn't want an
4 inquiry to happen. She is not saying specifically it
5 was because she was afraid of the Governor that
6 I remember.

7 Q. In your notes as soon as that
8 Miss Mogul told her that there would be no
9 inquiry, her response was to tell you in
10 essence that she was afraid of the Governor; is
11 that right?

12 A. She said that she would be worried
13 he would be mad and he was a powerful person.

14 Q. In direct response to being told
15 there would be no inquiry, that's correct
16 right?

17 A. That's what she said, yes.

18 Q. What did you do to assuage
19 Miss Bennett's concerns about the Governor
20 being potentially mad and being a powerful
21 person?

22 A. Continued to try to support
23 Charlotte. I wasn't leading this conversation.
24 I wasn't part of it. But I think both Judy and
25 I tried to support her in her coming forward to

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us.

Q. What did you or Miss Mogul do to assuage her concerns that the Governor would be made?

A. Judy certainly told her at some point the conversation, that we wanted her to be successful, there would be nothing in the Chamber that would hold her back from being successful and that we supported her.

Q. Where is that in your notes?

A. Go to page 30 at the bottom she said, Judy says, "Good, we want you to be successful and there is nothing here that would hold you back and nobody can retaliate against you for what you told us today."

Q. Did you include the Governor in that? Did you tell her she would be protected from against the Governor?

A. I don't think we specified him. We did say no one which would include that.

Q. Miss Mogul told Miss Bennett that she was courageous, do you agree with that?

A. Yes.

Q. Why was she courageous?

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A. It is a hard thing to come forward and have these conversations, to raise the concerns and it was courageous.

Q. To raise the concern against the Governor?

A. To raise the concern against the Governor or anybody. She had come forward and that is a hard thing to do. It is not a big office and I thought she was a incredibly strong in doing that.

Q. Miss Mogul told Miss Bennett that if she wanted to remain on the briefing team that something could be worked out so she could do that comfortably. What did you understand that to mean?

A. I understood that to mean that she wanted to make sure that Charlotte was -- we transitioned her to a new position, I think she wanted to make sure if her previous position was still something that she wanted to do, as she previously said to me, she wanted to move off of staffing because she was interacting with the Governor, if she still wanted to remain on the briefing team that we could

1 JILL DES ROSIERS

2 somehow work out and didn't get into details,
3 but so they didn't interact.

4 The briefing book that portion of
5 the job there wasn't probably a ton of
6 interaction between the two of them, but I
7 think Judy was referring to that. She wasn't a
8 part of the conversation where I initially
9 talked to Charlotte moving over to the health
10 team. I think she wanted to make sure if she
11 didn't want to remain on the briefing time.

12 Q. The idea was that if she wanted to
13 remain on the briefing team you and Miss Mogul
14 would arrange it so she would not have to
15 interact with the Governor; is that right?

16 A. I believe that is what she was
17 referring to, because Charlotte had previously
18 said the staffing situation where she would
19 interact with him made her uncomfortable.

20 On the briefing book the way that
21 team operates, it wouldn't have necessarily had
22 interaction. I think Judy was referring to if
23 she wanted to continue to do that we would try
24 to adjust to make sure that that didn't happen,
25 if that's what...

1 JILL DES ROSIERS

2 Q. At the conclusion of this meeting
3 with Miss Bennett what happened?

4 A. After the conclusion of this
5 meeting with Miss Bennett the next day I wrote
6 out my notes and Judy picked them up at some
7 point from me and Judy was taking the lead on
8 any follow up that happened after this meeting.

9 Q. Miss Mogul picked up your
10 handwritten notes from you?

11 A. At some point, not right away,
12 because I did them the next day. At some point
13 in July she did, yes.

14 Q. Other than the conversations that
15 you described for us -- well I shouldn't say described
16 them. What is your next interaction about
17 Miss Bennett after Miss Mogul picks up the
18 notes?

19 A. I think I had a couple of
20 follow-up conversations with Judy, some of
21 which discussed the actions that I described
22 earlier --

23 MS. HOGAN: To the extent that you
24 had discussions with Miss Mogul about
25 Charlotte Bennett, the Chamber has advised

1 JILL DES ROSIERS

2 us that we are to assert the attorney-client
3 privilege of the Chamber. So you can talk
4 about any actions that you took.

5 A. We talked about staffing. At some
6 point in the -- later in the fall and Charlotte
7 I don't know, I don't remember exactly the
8 timeline, she was helping us transition the new
9 member of the briefing team a little bit and it
10 may have happened before the 30th, I don't
11 remember. I tried to check in with her. We
12 weren't working closely anymore when she moved
13 over to the health team. I tried to check in
14 on her once in awhile. I think she had some
15 [REDACTED] in the fall and she had been out
16 for a period of time and then later in the fall
17 she came to see me about wanting to leave the
18 Chamber entirely.

19 Q. Before the conversation about her
20 leaving, the question that I asked you was
21 about communication that you had or discussions
22 that you had with others about Miss Bennett.

23 So put aside Miss Mogul, I
24 understand that you can't tell us about your
25 conversations with Miss Mogul, did you have

1 JILL DES ROSIERS

2 communications with anyone else about
3 Miss Bennett?

4 A. Not that I remember.
5 Conversations other than conversations
6 including Judy?

7 Q. The conversations with Judy, did
8 they include other people?

9 A. There may have been a conversation
10 that included Melissa as well.

11 Q. Did any of those conversations
12 about Miss Bennett with Miss Mogul include
13 Mr. Azzopardi?

14 A. Not that I remember.

15 Q. Was there any discussion that you
16 were involved in about whether Miss Bennett
17 would disclose her complaint to others?

18 A. Yes, I think there was a
19 conversation.

20 MS. HOGAN: Other than with Judy.

21 A. Other than with Judy, I don't know
22 that there was that I was a part of.

23 Q. Did you do anything to ensure that
24 Miss Bennett would not disclose her complaint
25 to anyone else?

1 JILL DES ROSIERS

2 A. No.

3 Q. You said in the fall Miss Bennett
4 tells you she is leaving. Tell us what happened?

5 A. She reached out to me to meet. I
6 think she had at some point working with the
7 health portfolio was spending more time
8 downstate where she was originally based out of
9 the New York City office. Someday when I was
10 in New York City she came to see me and told me
11 that she was going to be leaving the Chamber.
12 She talked about going to grad school. She
13 asked me about the mechanics of how it worked
14 with her leaving and vacation time and all of
15 that which I told her who to connect with on
16 that.

17 And I think I asked her if because
18 she was just starting to apply to grad school
19 and I think she was going to take some time in
20 between, I think I asked her because it was
21 around when we were talking about creating --
22 she was going to grad school for public health
23 core and I talked to her about, which didn't
24 end up launching until much later, but we were
25 going to launch the public health core and I

1 JILL DES ROSIERS

2 asked if it would be something that she would
3 be interested in doing while she was waiting to
4 go to grad school.

5 She wasn't -- it wasn't a long
6 conversation, but we settled on she was looking
7 to -- it hadn't really worked out with the
8 health portfolio in a way she wanted or she
9 expected and that she wanted -- she was
10 planning on essentially giving them her two
11 weeks notice and then trying to figure out if
12 she had vacation time or anything like that
13 that she could also use up.

14 Q. Prior to this conversation with
15 Miss Bennett did she know she was going to tell
16 you that she was planning to leave?

17 A. I think I heard she was thinking
18 of leaving, but hadn't heard from her directly.

19 Q. Did you discuss the fact that
20 Charlotte might be leaving with anyone in the
21 Executive Chamber before you spoke to her?

22 A. I think at some point Lauren
23 Grasso told me that she heard. I don't know if
24 she heard from Charlotte but she heard
25 Charlotte might be leaving. I think I assumed

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2 that is, yes, she was coming to talk to me, but
3 I didn't know for sure. I'm trying to think if
4 there is anybody else. I probably had a
5 conversation with Judy about it as well.

6 Q. The topic of the conversation with
7 Judy, not the substance was what?

8 A. I don't know that I talked to her
9 before the meeting or if I just talked to her
10 after to talk about the topic of what Charlotte
11 had just told me about leaving the Chamber.

12 Q. During your conversations with
13 Miss Bennett where she told you she was
14 leaving, did she tell you why?

15 A. I remember her telling me that she
16 wanted to go to grad school and it hadn't work
17 out -- I remember her saying that it didn't
18 really worked out with the health portfolio
19 once [REDACTED] left because they were a new team
20 and she wasn't as included in things that she
21 thought she should be included in. And then
22 that she was ready to leave. That is what I
23 remember from the conversation.

24 Q. Did she mention the Governor in
25 that conversation?

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2 A. I don't know that she did.

3 Q. Did you take notes of that
4 conversation?

5 A. I didn't take notes from that
6 conversation. She also asked about if I would
7 write her a letter of recommendation for
8 graduate school which I said that I would be
9 happy to.

10 Q. If Miss Bennett said that she did
11 discuss the Governor during that conversation,
12 are you saying she is not telling the truth?

13 A. I'm saying I don't remember her
14 doing that. But I'm trying to remember as much
15 of the conversation as I can, but I don't
16 remember her doing that. I'm not saying she is
17 not telling the truth.

18 Q. Why did you go to Judy in relation
19 to this conversation?

20 A. Why did I go to Judy?

21 Q. Yes.

22 A. To inform her that Charlotte was
23 leaving. To make sure that she knew. I think
24 I also said to Judy that she had asked me to
25 write a letter of recommendation and that I was

JILL DES ROSIERS

1 inclined to do it, which Judy said great.

2
3 Q. After your conversation with
4 Miss Mogul, what steps did you take in relation
5 to Charlotte Bennett leaving the Executive
6 Chamber?

7 A. I don't remember if I had just
8 told Charlotte who to reach out to in the
9 administrative office or if I had connected
10 her, but there was the conversation about her
11 last day and her time and her insurance and
12 things like that.

13 So at some point I think I
14 connected her, I don't know if I connected her
15 or told her who to reach out to. She added me
16 to that, it was an e-mail exchange and she
17 closed the loop on and her last day would be
18 and what her last day on, you know, using up
19 her vacation time would be, her last day in the
20 office versus her actual formal last day.

21 At some point [REDACTED] who
22 was her supervisor at the time reached out to
23 me or sent me an e-mail that she sent to him
24 about what her last day would be. She is
25 asking me if know about it and was okay with it

JILL DES ROSIERS

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2 and I said yes.

3 At some point later she decided
4 that she -- at some point she changed her last
5 day, I don't know if she had gotten a new job
6 or if she just decided not to use up her -- I
7 think she got a new job and her time probably
8 got updated.

9 Q. Did you communicate with anyone
10 else other than Miss Mogul and Staffer #4
11 about Miss Bennett leaving her role?

12 A. I think I probably told Melissa.
13 I don't know if I told Lauren Grasso that it
14 was confirmed or if Charlotte -- I think that
15 is who I had Charlotte follow up with on the
16 timing so I think she might have gotten to her
17 first.

18 I think I probably told Annabel as
19 her -- Annabel was already gone, so I don't
20 actually think I told her. I don't remember if
21 I did or not. Annabel left in August. I don't
22 remember who else I told. I did tell a number
23 of folks that she was leaving.

24 Q. What did you tell to Miss DeRosa?

25 A. I think I said to her that

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2 Charlotte had come to see me, she told me she
3 was leaving the Chamber. And I think that I
4 probably referenced that she had [REDACTED] with her
5 in the office because it was unique. She
6 brought -- she called it I think a [REDACTED]
7 with her.

8 I think it was a brief
9 conversation and I just told her she was
10 leaving and I think I probably also told her
11 that Charlotte had asked me to write a
12 recommendation which I was going to do. I
13 believe that was it.

14 Q. What did Miss DeRosa say?

15 A. First she asked me about [REDACTED].
16 I don't remember what else she said. I don't
17 remember it being a long conversation eight. I
18 remember it was mostly telling her that that is
19 what is happening.

20 Q. What did she say about [REDACTED]?

21 A. She asked me what did that mean.
22 [REDACTED] And I just described what
23 Charlotte described to me which is she had just
24 gotten [REDACTED] and brought it with her and it
25 [REDACTED] and she asked me what [REDACTED]

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██████████. I don't know ██████████ that well but I even forgot what ██████████ it was.

Q. Did you discuss with Miss DeRosa about whether Miss Charlotte might tell other people about her interactions with the Governor?

A. We might have in that conversation. She might have said to me I wonder if she will and I think I remember saying, you know, she might.

Q. Was anything else said about what to do about the fact that Charlotte might tell other people about her experience with the Governor?

A. No.

Q. Was there any discussion about offering Charlotte a new role because she had made allegations against the Governor?

A. No, I think I had mentioned to you that I had in that conversation because she was talking to me about public health and we were in the midst of doing that public health core and I talked to her about it, but that wasn't a conversation that I had with anybody else.

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JILL DES ROSIERS

Q. Did you offer that role to Miss Bennett because she had made allegations against the Governor?

A. No, I offered that role because she talked about leaving. At first she talked about not having another job right away and applying to grad school for public health and I actually thought it would be something that would kind of fit what she was doing.

Q. Did you talk to [REDACTED] about Miss Bennett leaving the Executive Chamber?

A. I might have, but at that point [REDACTED] had already left as well. I might have.

Q. Turn to Exhibit 33.
(Exhibit 33 for identification, E-mail from Miss DesRosiers to [REDACTED] dated 10/9/20.)

A. Okay.

Q. Does this refresh your recollection about what you discussed with [REDACTED] about Miss Bennett?

(Witness reviewing document.)

A. Yes.

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Q. What did you discuss with [REDACTED] about Miss Bennett?

A. And this is prior, I believe, to Miss Bennett telling me that she was leaving, but [REDACTED] who is the Dep Sec for health there was a concern that had been raised not related to Charlotte where he -- where one of the folks at the Department of Health had heard him call somebody in the Chamber a bitch and Judy and I believe Beth at the time were following up on that.

But then I think the conversation was wanting to asking [REDACTED] if she had any negative interactions were [REDACTED] and then also because Charlotte had worked with her, asking Charlotte also -- [REDACTED] asked Charlotte because they worked when [REDACTED] was transitioning overlapped, if [REDACTED] could have a conversation with Charlotte about it as well.

Q. To make sure that I understand. [REDACTED] had been accused of calling someone in the Executive Chamber a bitch, right?

A. There was a rumor at first that had he called Melissa a bitch. It didn't come

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2 from anybody in the Chamber, but I don't know
3 but Melissa had heard that it was -- it ended
4 up being a conversation that someone at DOH,
5 the execute dep at the time, had heard him say
6 after some phone calls and there was a
7 conversation -- so this conversation was a
8 conversation with [REDACTED], I don't know if I did,
9 the conversation was asking [REDACTED] if she would
10 speak to Charlotte to find out if Charlotte had
11 any negative interactions with [REDACTED]

12 Q. So [REDACTED] is accused of calling
13 Melissa DeRosa a bitch and as a result someone
14 in the Executive Chamber wanted to find out if
15 anyone else had had a negative experience with
16 [REDACTED] that is what you're saying?

17 A. Well, not anyone else, but
18 specific people on that team, yes.

19 Q. The specific people that he
20 interacted with, right?

21 A. The people that he supervised.

22 Q. And that reflecting back on what
23 happened with Charlotte and the Governor, does
24 it strike you as odd that a similar step was
25 not taken when an accusations were made against

1 JILL DES ROSIERS

2 the Governor for behaving inappropriately?

3 A. I don't know who else he spoke to
4 at the time, but yes.

5 Q. Wouldn't you have expected that
6 similar to this situation with [REDACTED] where
7 folks were trying to you find out whether he
8 had negative interactions with his co-workers,
9 that something similar would have been done
10 with respect to the Governor?

11 A. Yes.

12 Q. Had you ever heard Melissa DeRosa
13 call someone in the Executive Chamber a bitch?

14 A. Call her co-workers a bitch, no, I
15 don't think so.

16 Q. I guess call anyone a bitch.

17 A. Yes, I probably have heard her say
18 that.

19 Q. Have you heard her call any of her
20 co-workers names, like insulted them? I think
21 you told us yes, right

22 A. In confidence, yes.

23 Q. Was Beth or Judy ever involved in
24 finding out if Melissa had treated her
25 co-workers negatively? Did they ever do

JILL DES ROSIERS

1 something similar for Melissa that they were
2 doing for [REDACTED]?

3
4 A. I don't know. Not that I know of.

5 Q. The text message goes on to talk
6 about something about confidentiality. "She
7 wants to say she where she is, I think she
8 should, she will keep confidential." What is
9 that in reference to?

10 A. It was decided that [REDACTED] was
11 going to be moving off the floor and over to
12 the Department of Health at the time which at
13 the time I think folks beyond an immediate
14 group of people didn't know, so keep it
15 confidential was referring to that.

16 Q. Keeping it confidential that
17 [REDACTED] as moving over?

18 A. Yes.

19 Q. Why was [REDACTED] being moved?

20 A. I believe at the time both the
21 Governor was unhappy with the performance of
22 the health team. And additionally I think
23 there was a concern about his behavior.

24 Q. Were there any other concerns
25 about his behavior other than he called Melissa

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JILL DES ROSIERS

DeRosa a bitch?

A. Beth and Judy were handling those conversations, so I don't know.

Q. As a result of whatever that inquiry process was, [REDACTED] was transitioned off the floor?

A. As I said, separately I believe the Governor was not happy with his performance as it relates to some of the work that he was doing, so, yes.

Q. To your knowledge was the Governor informed about the fact that [REDACTED] had called Melissa DeRosa a bitch?

A. I believe he was.

Q. Do you have any understanding as to what the Governor's reaction to that was?

A. No.

MS. PARK: Anne, do have any questions about that before we turn to the next topic?

MS. CLARK: No.

Q. So after --

MS. HOGAN: Jennifer, can I interrupt for a second?

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MS. PARK: Yes.

MS. HOGAN: Can we go off the record?

MS. PARK: Sure.

THE VIDEOGRAPHER: Going off the record, the time is 1:38 p.m.

(Recess taken) .

THE VIDEOGRAPHER: Back on the record the time is 1:45 p.m.

BY MS. PARK:

Q. Jill, you know Lindsay Boylan, right?

A. Yes.

Q. What do you know about how Lindsay Boylan came to be employed in the Executive Chamber?

A. She first started with Empire State Development and eventually, I don't remember the timing, we had worked with her very closely when she was there as the chief of staff and then came to the Chamber to be the deputy secretary for economic development and housing.

Q. Whose decision was it to

1 JILL DES ROSIERS

2 bring her over to the Chamber?

3 A. I don't know. It wasn't a
4 decision that I was involved in that I
5 remember.

6 Q. What was your understanding of
7 Governor's role in that decision?

8 A. I don't remember being involved in
9 moving Lindsay over and I don't know that I had
10 an understanding.

11 Q. When Lindsay came over to the
12 Executive Chamber you had a text communication
13 with [REDACTED] in which [REDACTED]
14 says, there was no way that you could work with
15 Miss Boylan. Why do you understand that she
16 said that?

17 A. I think that the text exchange
18 that you're referring to wasn't about the
19 position that Lindsay actually ended up taking.
20 I believe it was referring to and this happened
21 regularly for the operations staff, potentially
22 having her -- the Governor would often as a way
23 to show us in the operational like event
24 scheduling team that we needed somebody to come
25 in because they could do it better than we

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2 could.

3 Lindsay would come in and run
4 the operation and I think what [REDACTED] is
5 referring to is or what I took it to mean and
6 [REDACTED] had worked with me for a long time, we
7 had been through a lot of those iterations of
8 people who that wasn't what they she, she was
9 the policy person. I took it mean like here is
10 another person who, we are all killing
11 ourselves 24/7 who is going to come in like,
12 quote unquote, and run the operation. I don't
13 remember that ever happening, but that is what
14 I believe the exchange that you're referring
15 to.

16 Q. You said that move to put
17 Miss Boylan on the operations team, that was
18 Governor's suggestion?

19 A. Yes, that's separate from the
20 actual role she took. Over time as a way to
21 kind of show us he was unhappy with whatever we
22 were doing and we could do a better job, he
23 would sometimes come up with people and to say
24 they should come in and run the operation and
25 she was one of them.

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2 Q. If you look at Exhibit 43 in your
3 binder we will mark that as the next exhibit.

4 (Exhibit 43 for identification,
5 Document.)

6 A. Yes, this is the one that I was
7 referring to. This doesn't mean the state
8 operation or economics development, this means
9 events and scheduling.

10 Q. In this [REDACTED] says "her"
11 Miss Boylan "and MD will be amazing to go
12 watch." Who you did understand MD to be?

13 A. Melissa.

14 Q. And you wrote back "[REDACTED]
15 would be even better.)" What was this about?

16 A. Melissa and [REDACTED], I think
17 at some point we went to Cuba and sometimes we
18 call him [REDACTED] to be silly. We were the people
19 who day in and day out had to run the operation
20 24/7 and so having one of those -- someone come
21 in who that wasn't necessarily -- who may be
22 very smart and very capable, but wasn't what
23 they do.

24 [REDACTED] had worked for the
25 Governor for his whole term and before that

1 JILL DES ROSIERS

2 Governor Mario Cuomo, still having someone come
3 in to run the operation who wasn't -- who
4 hadn't been involved in it. The same with
5 Melissa, day in and day out had been running, I
6 don't remember the time, 2017, if she was chief
7 of staff or what, but we were the ones who were
8 already doing it.

9 I think [REDACTED] was saying that
10 it will be amazing to watch and I think the
11 situation would be set up so we would all
12 quickly butt heads. I think we all thought we
13 were doing a good job and like killing
14 ourselves to do so. So the idea that we needed
15 somebody to come in and tell us how to do it
16 better, that is what she is referring to.

17 Q. It was the Governor's view she
18 would do it better?

19 A. I don't know if it was his view
20 she would do it better or it was a view to set
21 up a situation where there would be conflict
22 and push us all to do better, I don't know.
23 But yes, at the time I'm sure he was unhappy
24 with us for some reason within the operation, I
25 don't remember what it was, but yes.

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Q. Prior to Miss Boylan coming over to work in the Executive Chamber when she was at ESD, do you ever have occasion to find out whether she was going to be attending certain events at which the Governor would be present?

A. Yes.

Q. How did that come about?

A. I always oversaw the Governor's schedule, at some point I don't know if it was in that timeline I also oversaw all the events, often I ran the briefing meetings with the Governor for an event. So he was really detailed. We had to be very detailed. He would ask us who did the events.

We also had to prepare detail mechanicals of -- sorry, a mechanical is for the briefing book, kind of key people who would be at the events, things like that. We were always and sometimes we were never asked the question, but we were always preparing for kind of who was at the event, who should the Governor acknowledge at the event, where do they sit. All of those things, the nitty gritty details was something that he was

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2 usually -- not that he -- he would potentially
3 ask any of those questions in a briefing about
4 an event.

5 Q. So there were occasions in which
6 the Governor asked whether Miss Boylan would be
7 at an event while she was at ESD?

8 A. Yes.

9 Q. Are there occasions where you
10 reached out to Howard Zemsky to confirm whether
11 Miss Boylan would be at an event?

12 A. Yes, I think was, yes.

13 Q. There was just one?

14 A. No, I think there was one piece
15 that Lindsay Boylan did, it may have happen
16 more times than once for sure. I think I
17 probably reached out to Lindsay directly and
18 asked her if she was going to events too.

19 Q. What were your interactions like
20 with Miss Boylan when she was in the Executive
21 Chamber? How was you relationship with her?

22 A. For the most part I thought we
23 were friends and friendly. We worked together
24 a lot. Again most of it having to do with
25 economic development announcements, it could be

1 JILL DES ROSIERS

2 housing or other things in her portfolio, but
3 we worked together a lot.

4 Q. Did you ever upset her?

5 A. Yes, I think that I did.

6 Q. Tell us about those occasions?

7 A. I don't know there were occasions.

8 I know that there was at least one instance
9 where I -- I don't remember the exact
10 exchanges, but I think I -- I don't remember
11 the topic. It was something like her trying to
12 go to a meeting or asking about a meeting or
13 something like that, and maybe I yelled at her,
14 I don't remember. But for the most part I
15 would say our interactions were friendly.

16 Q. What about other members of the
17 Governor's senior staff, how did they treat
18 Miss Boylan?

19 A. I think when Lindsay came on she
20 had had a lot of responsibilities. We worked
21 closely with her. Like any, I'm trying to --
22 I'm sorry, I'm trying to answer your question.
23 Yes, sometimes members of our senior staff got
24 into arguments with each other. And often
25 times we were collegial in working together on

1 JILL DES ROSIERS

2 stuff. It was a intense environment.

3 Q. Did you ever see anyone in the
4 senior staff yell at Miss Boylan?

5 A. I think I was -- yes, I think I
6 heard both Linda and Melissa yell at her
7 before.

8 Q. Did you ever see the Governor
9 touch Miss Boylan?

10 A. I think I've seen him take photos.
11 I think I have seen him like if they were
12 walking somewhere place his hand on her back if
13 he was behind her leaving a room or something
14 like that.

15 Q. Did you ever see the Governor hug
16 Miss Boylan?

17 A. Not that I remember.

18 Q. Did you ever see the Governor kiss
19 Miss Boylan?

20 A. Not that I remember.

21 Q. Did the Governor have a nickname
22 for Miss Boylan?

23 A. I heard him call her Boylan, but I
24 don't remember a more creative nickname.

25 Q. Did you ever hear him call her by

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1 another first name, call her Lisa?

2 A. Not that I remember.

3 Q. Were you ever alone in a room with
4 the Governor?

5 A. Was I?

6 Q. Yes, you.

7 A. Yes.

8 Q. Is that uncommon for members of
9 the Governor's senior staff to occasionally be
10 alone with him in a room?

11 A. No, I don't think it is uncommon.

12 Q. Was Miss Boylan ever alone in a
13 room with the Governor, to your knowledge?

14 A. She certainly might have been,
15 yes.

16 Q. Did you ever observe or hear about
17 the Governor asking Miss Boylan questions about
18 her relationship?

19 A. Not that I remember.

20 Q. Did you ever observe or hear
21 about the Governor making any comments of a
22 sexual nature or sexual innuendo to
23 Miss Boylan?

24 A. Not that I remember and I think I
25

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1
2 said before I heard him comment on her attire.
3 Like that's a crazy dress, or what is that.
4 Some hat and dress combination. Things like
5 that.

6 Q. Nothing other than that?

7 A. Not that I remember.

8 Q. Have you ever been on a plane
9 where Miss Boylan and the Governor were
10 present?

11 A. No, I rarely travel with the
12 Governor. I think I have never been on the
13 state plane or helicopter. I have taken a
14 couple other flights with him.

15 Q. Do you recall an occasion which
16 you asked Miss Boylan to ride in the helicopter
17 with the governor and Maria Barterollo?

18 A. I don't know if it was myself or
19 Annabel, but you remember that occasion.

20 Q. Why were you or Miss Walsh asking
21 Miss Boylan to ride in the helicopter with the
22 Governor and Miss Barterollo?

23 A. Miss Barterollo was the MC of our
24 regency awards, the regional economic
25 development council. And we needed a

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2 substance, what we call it a substance lead
3 person to have on the flight in addition to the
4 Governor in case any questions came up about
5 awards or anything like that.

6 So Lindsay, I believe both -- I don't
7 remember if it was coming up to Albany from New
8 York City or going back, but she also was
9 somebody who went back and forth between New
10 York City and Albany. I believe it was decided
11 she would be the best person to do that.

12 She was the lead person I believe,
13 I think, I don't remember exactly but I think
14 at the time she was with the Chamber, so she
15 would have been one the lead people knowing the
16 details of the awards and things like that
17 should it come up.

18 Q. You say someone decided. Who
19 decided that she should be the person to ride
20 in the helicopter?

21 A. Annabel and I were regularly told
22 we need to like think through and make sure
23 that we were thinking about who is the
24 substance lead, who is this. So I don't
25 remember if I was the one that decided, but I

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1
2 probably was the final decider that she would
3 be the best person.

4 Q. Was the Governor ever involved at
5 all in those discussions about who would ride
6 in the helicopter on that occasion?

7 A. I don't remember. At some point
8 we would have told him our proposal, but I
9 don't exactly remember. If we were going
10 through the event detail, things like that, we
11 would generally go through who would be on the
12 plane. I think probably at some point we did.
13 I don't remember the conversation, but we did
14 thousands of events and generally sometimes we
15 did events and sometime we didn't, that could
16 be one of the questions that he would ask. And
17 if Maria Barterollo was flying I assume it was
18 probably one of the questions that he asked.
19 Who is the substance person with me, but I
20 don't remember exactly.

21 Q. Did you ever see the governor
22 touch Miss Barterollo?

23 A. Yes, I think he would -- she
24 hosted events several times, I think I have
25 seen him hug and kiss her on the cheek.

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2 Q. Anything more than that?

3 A. Not that I remember.

4 Q. Have you ever heard the Governor
5 say anything about Miss Barterollo's appearance?

6 A. I've heard him say he thought she
7 was attractive.

8 Q. Are those the words that he used?

9 A. I don't remember the exact words
10 used.

11 Q. Do you remember him making any
12 comments of a sexual nature or sexual content
13 about her?

14 A. No. I remember -- I don't
15 remember the exact words, I remember him saying
16 she was attractive. I remember him saying at
17 some point that she had gotten a little chubby.

18 Q. What about Miss Boylan, did you
19 ever hear the Governor say positive things
20 about her?

21 A. Yes.

22 Q. Did you ever hear him say positive
23 things about her appearance?

24 A. Not that I remember.

25 Q. What do you know about the

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2 circumstances under which Lindsay left the
3 Executive Chamber?

4 A. There were a couple of times in a
5 period of time, I don't know how many months,
6 where she had quit in kind of anger. I think a
7 couple of times she had come back. The last
8 time that she quit, I honestly don't remember
9 the issue. I remember she quit and I remember
10 her having -- I don't know, I think it was a
11 conversation with Melissa and Melissa accepted
12 her resignation.

13 Q. Prior to the last occasion which
14 she quit, the occasion which she quit I think
15 you said out of anger, maybe you said
16 frustration, what was causing that?

17 A. I don't exactly know. I know -- I
18 don't exactly know. I know she had some
19 negative exchanges with staff. And I knew she
20 was having an issue with ESD with some of her
21 assistants. But I think the -- my memory is
22 when she -- the final time she quit there was -- I
23 don't know if there was like a fight or just
24 like an argument and she got mad and quit.

25 Q. After she quit, did you become

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JILL DES ROSIERS

aware that she was running for Congress?

A. Yes.

Q. How did you become aware of that?

A. I think a couple of different ways. She had added us all to her e-mail blast list so we were regularly getting updates on that kind of stuff. And she had started to reach out to have coffee with people after she left. And she had started to reach out to me at some point and I don't remember us ever meeting up. I think Melissa also told me that she heard it from either a consultant or someone else as well.

Q. Can you look at what is marked as Exhibit 48 in your binder.

(Exhibit 48 for identification, E-mail chain from Melissa DeRosa to Miss DesRosiers, Mr. Azzopardi, Miss Walsh, Miss Benton, Mr. Malatras, Miss Lever, Mr. Mujica, Miss Garvey dated 4/20/19.)

Q. This is e-mail chain from Melissa DeRosa to you, Mr. Azzopardi, Miss Walsh, Miss Benton, Mr. Malatras, Miss Lever, Mr. Mujica, Miss Garvey and it talks about Miss Boylan's

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2 run for Congress. It is from an unknown
3 sender. Do you know who sent this to
4 Miss Boylan?

5 A. I don't.

6 Q. Is it possible that it was
7 Miss DeRosa?

8 A. I don't think it was. I don't
9 exactly remember who it was. But I don't know,
10 I'm sorry.

11 Q. Do you think it was someone in the
12 Executive Chamber?

13 A. I don't remember exactly who it
14 was, but I believe it was an external person.

15 Q. What conversations are you aware
16 of amongst the senior staff of the Executive
17 Chamber about Miss Boylan's decision to run for
18 Congress?

19 A. I think we had -- I think we
20 talked about it and her taking on Jerry Nadler,
21 I don't know.

22 Q. Were you part of any conversations
23 in which it was discussed to reach out to
24 Nadler's team to give them information about
25 Miss Boylan?

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A. No.

Q. Turn to Exhibit 52 in your binder.

(Exhibit 52 for identification, Text message chain between Miss DesRosiers, Miss DeRosa and Mr. Azzopardi, Miss Walsh, Miss Benton, Mr. Malatras, Miss Lever, Mr. Mujica, Miss Garvey and Mr. Ajeman dated 7/8/19.)

Q. This is text message chain between you, Miss DeRosa and Mr. Azzopardi, Miss Walsh, Miss Benton, Mr. Malatras, Miss Lever, Mr. Mujica, Miss Garvey and Mr. Ajeman, you see there is reference from Miss Benton that ways "When do we release the nuclear crazy file, I'm ready to testify." What was that about?

A. I don't know.

Q. You have no understanding that that is about Miss Boylan?

A. Based on this exchange, yes, it looks like it is, but I don't remember necessarily even seeing this, but...

Q. Did you have an understanding what was in Miss Boylan's personnel file?

A. I mean -- no, not necessarily. I

1 JILL DES ROSIERS

2 had heard about an issue she had with her
3 assistants at economic development, I don't
4 know if that was in her file or not. I don't
5 know if that is in her file or not.

6 Q. When Miss Benton says when
7 do we release the nuclear crazy file, did you
8 understand her to be talking about the
9 Executive Chamber releasing Miss Boylan's
10 personnel file in response to here announcing
11 running for office?

12 A. I don't remember reading this, so
13 I don't know. I don't know what she was
14 referring to.

15 Q. You can put that aside. So we
16 talked earlier the first day of your testimony
17 about you becoming alerted to the tweets
18 Miss Boylan made about the Governor in December
19 of 2020.

20 Are you aware that those tweets
21 were followed by a post on medium where she
22 describes interactions with the Governor?

23 A. Yes.

24 Q. And do you have any knowledge
25 about Miss Boylan's first meeting with the

1 JILL DES ROSIERS

2 Governor at a Madison Square event on
3 January 6th, 2016?

4 A. No. We have a bunch of events
5 there, so I just don't remember.

6 Q. Do you have any knowledge about
7 Miss Boylan's interactions with the Governor at
8 a holiday party in December of 2016?

9 A. Not that I remember.

10 Q. Do you have any knowledge of
11 Miss Boylan's interactions with the Governor at
12 a New Year's Eve party in 2016?

13 A. Not that I remember.

14 Q. Did you ever travel to Puerto Rico
15 with Miss Boylan and the Governor?

16 A. No.

17 Q. Prior to Miss Boylan's medium
18 post, had you ever heard any of the allegations
19 that she had made in that post?

20 A. I don't remember exactly what was
21 in the post. I believe that's the post where
22 she had the e-mail between her and I about the
23 event. I don't remember what else is in it.

24 Q. Prior to her medium point and
25 between the time that you talked about her

1 JILL DES ROSIERS

2 tweets with Miss Mogul in December of 2020,
3 were you engaged in any discussion with the
4 Executive Chamber about responding to
5 Miss Boylan's allegations?

6 A. No.

7 Q. At any point did you become aware
8 that the Executive Chamber staff members were
9 drafting a letter in support of the Governor
10 that contained information about Lindsay
11 Boylan?

12 A. I heard at some point of a letter,
13 I didn't know what was in it. During that time
14 period I was really out of the office.

15 Q. Do you remember who you heard
16 about the letter from?

17 A. I believe I had a conversation
18 with Judy where that was discussed.

19 Q. What do you recall being discussed
20 with Judy about the letter?

21 MS. HOGAN: So just to the extent
22 that she was giving any legal advice or you
23 were asking for legal advice, we have been
24 directed by the Chamber to assert the
25 attorney-client privilege of the Chamber.

1 JILL DES ROSIERS

2 A. I don't remember other than her at
3 some point saying there was a letter, but
4 again, I wasn't really -- I talked to Judy a
5 few times while I have been out. We didn't get
6 into the detail of it.

7 Q. Were you involved in any
8 discussions about releasing information from
9 Miss Boylan's personnel file to the press?

10 A. No.

11 Q. How did you become aware that
12 information from Miss Boylan's personnel file
13 had been released to the press?

14 A. I think in the press at the time.

15 Q. Did you speak to anybody in the
16 Executive Chamber about the fact that they had
17 released information from Miss Boylan's
18 personnel file to the press?

19 A. Not that I remember.

20 Q. Did you speak to anybody about
21 whether or not Miss Boylan's allegations
22 regarding her interactions with the Governor
23 were true?

24 A. I believe at some point I had a
25 conversation with Judy and I think she ask --

1 JILL DES ROSIERS

2 not about that overall, but whether or not that
3 e-mail from me -- that e-mail from me --

4 MS. HOGAN: So, we have been
5 directed by counsel for the Chamber that to
6 the extent that Judy asked you about
7 conversations that you might have had that
8 relate to Lindsay Boylan, to the extent
9 that she was asking in order to provide
10 legal advice, we have been directed to
11 assert the attorney-client privilege of the
12 Chamber.

13 Q. Did you communicate with anyone
14 other than Judy Mogul after Miss Boylan's
15 medium post about whether her allegations
16 against the Governor were true?

17 A. At some point Melissa asked also
18 asked me if I thought the e-mail from me was a
19 real e-mail and I said, yes, to me I've asked
20 who was coming to an event was like a routine
21 part of my job. I don't remember us getting
22 into a long conversation. I don't remember
23 when the conversation was and I think it was
24 around the medium post and something that day
25 happened [REDACTED] so

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it was a very brief conversation. I don't remember getting into any other details.

Q. Can you turn to what is marked as Exhibit 75.

(Exhibit 75 for identification, E-mail from Mr. Zemsky to Miss DesRosiers dated 11/2/16.)

A. Yes.

Q. Is this the e-mail that you were just referring to?

A. Yes, I think this is the one that she has on her medium post.

Q. We will in a few minutes come back to other communications that you might have had related to allegations against the Governor. For now I want to go through some other women and you tell me if you know them. And if you know anything about their interactions with the Governor.

Ana Liss?

A. I know her.

Q. Did you ever -- go ahead?

A. Ana Liss we overlapped, I don't remember seeing them interact.

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2 Q. When you say that, you mean you
3 don't remember seeing Miss Liss or the Governor
4 interact?

5 A. Correct.

6 Q. Alessandra Biaggi

7 A. I know Alessandra Biaggi and I
8 also -- I don't know that I -- I haven't seen
9 them interact.

10 Q. You haven't seen her and the
11 Governor interact?

12 A. Yes.

13 Q. Did you ever hear, other than what
14 you have read in the press, anything about the
15 interactions between list Miss Ana Liss and the
16 Governor?

17 A. Other than what I heard in the
18 press, no.

19 Q. And Miss Biaggi, other than what
20 you read in the press, have you heard anything
21 about her interactions with the Governor?

22 A. No, we sometimes had a difficult
23 working relationship with her. We did administration
24 not we specifically, the Governor, but no I
25 don't recall hearing about the Governor and

1 JILL DES ROSIERS

2 Alessandra Biaggi's interactions.

3 Q. Do you know Karen Hinton?

4 A. Yes. I know her a little bit. We
5 never worked together. Her husband was our
6 former director of state operations and I knew
7 she worked with him, with the Governor when he
8 was the HUD secretary. I remember hearing a
9 story about her quitting there, HUD. When she
10 worked for him, but I don't know that I ever
11 seen the two of them interact.

12 Q. What story did you hear about
13 Miss Hinton quitting HUD when she worked for
14 Andrew Cuomo?

15 A. I didn't hear it firsthand from
16 her, just that she basically walked out of a
17 meeting and said FU.

18 Q. Are you aware of any interaction
19 between the governor and Miss Hinton involving
20 touching?

21 A. Not other than what I have read in
22 the press.

23 Q. Do you know Jessica Bakeman.

24 A. I know of her. I don't deal with
25 the reporters. Other than I could recognize

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her and I've seen her at our red room events.

Q. Have you seen the Governor interact with her?

A. Just at press conferences. He is at the podium and she is seated in a chair asking questions.

Q. Have you ever seen the Governor make comments to her of a sexual nature or sexual innuendo or content?

A. Not that I heard that I haven't read in the press.

Q. What have a Valerie Bauman?

A. No, I don't think I know her.

Q. What about Lindsay Nielsen?

A. No, I don't think I know her.

Q. During your time in the Chamber did you ever see or hear about the Governor touching, kissing or hugging a reporter?

A. I don't think so. I mean -- I'm trying to think. I didn't go to all the press events, but not that I really know of, no.

Q. Do you have any knowledge about the Governor expressing a desire to see a reporter more often at a press conference?

1 JILL DES ROSIERS

2 A. No.

3 Q. There is a woman who has been
4 identified in the press as a current staff
5 member of the Executive Chamber and she has
6 alleged that the Governor, among other things,
7 groped her inside the executive mansion. Do
8 you know who that is?

9 A. I had heard a rumor who that could
10 be.

11 Q. What was the rumor that you heard?

12 A. I heard that it was Brittany
13 Commisso.

14 Q. Do you know Miss Commisso?

15 A. I do.

16 Q. Have you ever seen the Governor
17 interact with her?

18 A. I think I have, yes.

19 Q. Have you ever seen the Governor
20 touch her?

21 A. Not that I can remember. I don't
22 know that -- she comes to our staff events and
23 he takes photos with people so it is possible
24 in that context.

25 Q. Have you ever seen the Governor

JILL DES ROSIERS

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2 hug her?

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A. No, not that I remember.

4

Q. Have you ever seen the Governor
5 kiss her?

5

6

A. Not that I remember.

7

Q. Have you heard about any of those
8 things from someone else other than in the
9 press?

9

10

A. No.

11

Q. Did you ever see or hear about the
12 Governor making remarks about Miss Commisso's
13 physical body, her appearance?

13

14

A. No.

15

Q. Did you ever staff Miss Commisso
16 to work at the executive mansion on a weekend?

16

17

A. Yes.

18

Q. Did you ever staff her to do that
19 alone?

19

20

A. I don't know.

21

Q. Would that have been before or
22 after Miss Bennett's allegations were made
23 against the Governor?

23

24

A. I'm sorry, I don't remember. Like
25 I said, I tried afterwards to be conscious and

25

1 JILL DES ROSIERS

2 to make sure that we had multiple people, but I
3 don't remember.

4 Q. Did that always happen was after
5 Miss Bennett's complaint, was the Governor
6 always staffed with multiple people or were
7 there occasions where that didn't happen?

8 A. There could have been occasions
9 where that didn't happen and I wasn't always
10 responsible for staffing or sometimes aware of
11 staffing. At some point, October, late
12 October, November, I started to have [REDACTED]
13 [REDACTED] and started to both go down to New York
14 City and work from home. I started to kind of
15 be out of the loop of some of what was
16 happening. But as far as I know, yes, I've
17 staffed Brittany Commisso to come on the
18 weekend and to staff the Governor, I don't
19 remember staffing her alone but it is possible
20 that it happened.

21 Q. Do you know someone named Alyssa
22 McGrath?

23 A. Yes.

24 Q. How do you know her?

25 A. She also works in the Chamber.

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1 She was administrative assistant to Kelly
2 Cummings and then [REDACTED] and then was an
3 additional person who assisted with staffing
4 and front office work.
5

6 Q. Have you ever seen or heard of the
7 Governor making comments of a sexual nature or
8 sexual innuendo to Miss McGrath other than in
9 the press?

10 A. No.

11 Q. Have you ever seen or heard about
12 the Governor kissing or hugging Miss McGrath,
13 other than in the press?

14 A. No.

15 Q. What do you know about Miss
16 McGrath having an offer from the Department of
17 State for a job?

18 A. I don't know. It doesn't sound
19 familiar, by it is definitely possible. At some point
20 she worked for [REDACTED] who during COVID was
21 detailed to other agencies to assist in the
22 operation and he left the Chamber, so it is
23 possible.

24 Q. Do you have any recollection of
25 discussing -- she was looking to move you said?

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2 A. It is possible that she was
3 looking to move out of the Chamber, because I
4 think some of the different folks she worked
5 with had moved to different things.

6 Q. What role did you have in whether
7 she was going to leave the Chamber?

8 A. I really don't remember this
9 completely, but we needed people in the
10 Chamber, I don't know the timing, it is
11 certainly possible I said to somebody if she
12 was willing to work in the Chamber longer that
13 would be very helpful. But I really don't
14 exactly remember.

15 Q. Did you ever tell anyone that
16 Miss McGrath could not go to the state
17 department?

18 A. I don't remember saying that. And
19 I often supported staff who was trying to moved
20 around to different agencies and tried to help
21 them. I don't exactly remember the details of
22 Miss McGrath and where she wanted to move. But
23 it's certainly possible at the time I said it
24 would be helpful if she could stay in the
25 Chamber longer.

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Q. Did you talk to anybody at the Department Of State about Miss McGrath staying at the Chamber longer?

A. I don't remember.

Q. You told us about conversations with Miss Mogul and Mr. Ball after the tweets from Lindsay Boylan in December, 2020. After Miss Bennett's allegations became public, what conversations were you involved in about the allegations of harassment against the Governor?

A. The New York Times article which had me in it had mentioned Mr. Ball reached out, I believe I also had talked to Judy and to Peter Ajeman and Melissa also reached out at some point after that article had posted. There were a number of folks who called me because they know, I'm not used to being in the press, just to see if I was okay.

When the New York Times was working on the story I know that Judy called a couple of times, one, first to tell me what is happening and then to tell me the statements that the Chamber had given.

Q. I don't want to know about the

1 JILL DES ROSIERS

2 substance your conversation with Judy. I asked
3 about other people other than Judy?

4 A. Sorry.

5 Q. So far we got Peter Ajeman,
6 Melissa DeRosa, did you speak to Annabel Walsh?

7 A. Yes, at some point around that
8 time I think I did. And I think around that
9 time I think Dani Lever called me.

10 Q. Did you speak with Stephanie
11 Benton?

12 A. Not that I remember.

13 Q. Did I speak to Linda Lacewell?

14 A. No.

15 Q. Did you speak to Steve Cohen?

16 A. No.

17 Q. Let's start with Miss DeRosa.
18 Tell us about your conversations with
19 Miss DeRosa after the Charlotte Bennett
20 article?

21 A. She reached out to me or she
22 texted me after that article and we ended up
23 speaking later that night. It was a pretty
24 brief conversation. She was calling me to see
25 how [REDACTED] was and how I was doing. At some

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2 point she conferenced in Annabel and told me
3 that, I don't know if she said it or Annabel
4 said it, that Lindsay Boylan had sent Annabel
5 and Dani some e-mail messages saying they were
6 critical to both of them directly. It was a
7 pretty brief conversation. It was mainly a
8 check in conversation.

9 Q. Was there any discussion of
10 Miss Bennett in that conversation?

11 A. No, not that I remember.

12 Q. Was there any discussion about any
13 complaints against the Governor?

14 A. No.

15 Q. So the article comes out and they
16 called just to check in how you were?

17 A. Yes.

18 Q. Turn to Exhibit 76.

19 (Exhibit 76 for identification, Text
20 message between Miss DesRosiers and Miss
21 Walsh dated 2/28/21.)

22 Q. The text message is between you
23 and Miss Walsh; correct?

24 A. Yes.

25 Q. Is this texting about the

1 JILL DES ROSIERS

2 conversation that you just described between
3 you, Miss DeRosa around Miss Walsh?

4 A. Yes, I believe it is.

5 Q. You said "that was the first time
6 that she spoke to me." Is it true that that
7 was on February 27th the first time that you
8 had spoken to Miss DeRosa since the allegations
9 against the Governor?

10 A. I think I was referring to about
11 the Times article that I was in. Because
12 previously I believe I had already talked to
13 Judy and Peter about it. So I think I was
14 referring to that.

15 Q. The next sentence you wrote, 'She
16 needed an airbag so she conferenced you.' What
17 did you mean by she needed an airbag?

18 A. I think I meant -- I think -- I
19 don't remember exactly what I meant. I think
20 she was -- I think I was probably annoyed that
21 she hadn't like reached out prior to the
22 article and that I really only got bits and
23 pieces of information even though this included
24 me other folks.

25 I think she needed an airbag -- I

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2 don't know exactly what I meant. I think I
3 meant like she added you in so that we -- I
4 don't know, in case I was annoyed, she had
5 somebody else there, so it was a lighter
6 conversation.

7 Q. You can put that aside. Then you
8 said you had conversations with Mr. Ajeman.
9 What were those conversations about?

10 A. He called me to see if I knew that
11 the New York Times that was working on a story
12 about Charlotte and then to make sure I was
13 aware of it. And then at some point he had
14 said that they were all trying to decide how to
15 respond. That the reporters have questions,
16 something like that. That Judy would call me.
17 I think I already talked to her.

18 And then at some point later after
19 it posted he called me to say that to make sure
20 that I knew it posted. To see if I was okay.
21 I think I -- I think I said something in it was
22 wrong which I think he got corrected, which was
23 saying Charlotte said I offered to get her a
24 job outside of the administration which I
25 didn't do. But that was it.

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2 Q. Did you suggest to Mr. Ajeman
3 there was anything else incorrect about the New
4 York Times article in relation to you?

5 A. I don't know.

6 Q. Since that conversation with
7 Mr. Ajeman, have you had any other conversations
8 with him about the allegations of harassment
9 against the Governor?

10 A. No. At some point after that my
11 lawyers started dealing with them on any press
12 questions, so I wasn't dealing directly with
13 them on it. I talked to Mr. Ajeman after that
14 but, you know, I think mostly personal
15 conversations about how I was doing and how he
16 was doing. I don't remember talking to him
17 about any other --

18 Q. Let's go to Miss Dani Lever. You
19 said after the New York Times article you had
20 communications with Miss Lever, what were those
21 about?

22 A. She called to see if I was okay
23 after that story. It was just a brief conversation.
24 Asked about [REDACTED]. She and I talked a
25 few times. Mostly personal, how she was doing

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1
2 and how I was doing. I think one of the
3 conversations at some point she did say she was
4 participating with some calls with the Chamber.

5 Q. What did she tell you about those
6 calls?

7 A. She told me that she was
8 participating in calls with the Chamber and she
9 was really busy with her new job. And that she
10 wasn't really sure why she was being asked --
11 being included in them and that was I think it.

12 Q. The conversations she was being
13 included in were about the allegations of
14 harassment against the Governor?

15 A. I believe it was the press
16 strategy as it relates to the allegations, yes.

17 Q. Did she tell you anything about
18 the press strategy related to the allegations?

19 A. No, not that I remember.

20 Q. Any other conversations that you
21 had with Miss Lever about the allegations of
22 harassment against the Governor and the
23 surrounding circumstances?

24 A. Not that I remember.

25 Q. Other than the text message that

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2 we look at between you and Miss Walsh, did you
3 have any communications with Miss Walsh at any
4 point about the allegations against the
5 Governor and the surrounding circumstances?

6 A. I talked to her, not many times.
7 One time one morning Dani, her and I talked all
8 together because we hadn't talked in a long
9 time, but not about the allegations.

10 Q. Had you had any communications
11 with Miss Walsh about the allegations of
12 harassment against the Governor? Not friendly
13 communications about your friendship, but the
14 allegations?

15 A. Not that I remember, no.

16 Q. Can you look at Exhibit 66 please.

17 (Exhibit 66 for identification, Text
18 message chain between Miss DesRosiers and
19 Miss DeRosa dated 3/4/21.)

20 Q. This is a text message chain
21 between you and Miss DeRosa where she tells she
22 has a time sensitive question. What was her
23 time sensitive question.

24 A. I believe in this case I
25 eventually called her back and she tells me

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1
2 that Beth is going to be reaching out to --
3 Beth Garvey is going to be reaching to Mary
4 Beth Hogan because there was a press inquiry, I
5 don't exactly remember, on March 4 which story
6 it was.

7 Q. But it was a sorry related to
8 allegations of harassment against the Governor?

9 A. It was a story relayed to
10 allegations, I believe, yes.

11 Q. And do you remember who the
12 allegations were coming from?

13 A. I don't remember what that story
14 was, no. And she and I didn't discuss it. She
15 just said to me that Beth would be reaching out
16 to Mary Beth.

17 Q. You can put that text message
18 aside.

19 Do you remember any of your other
20 conversations with Miss DeRosa about the
21 allegations of harassment against the Governor
22 and the surrounding circumstances?

23 A. She reached out to me before the
24 New York Post article where it talks about her -- it
25 talks about a trip to Israel and she was

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2 dealing with a press question at the time about
3 -- the office was dealing with a press question
4 about some travel room assignments that she
5 thought I would remember. I didn't really and
6 I wasn't on that trip. I don't really remember.
7 We talk about when she called me in the
8 [REDACTED] -- I don't remember any other
9 conversations other than we already talked
10 about.

11 Q. Do you have any knowledge about
12 Miss DeRosa and the Governor having adjoining
13 rooms in a hotel when they were traveling?

14 A. Well that was the question that
15 she asked me and the answer is no, I don't have
16 any knowledge of that. And that certainly
17 wouldn't have been our protocol. Our protocol
18 is that the state police detail would be in the
19 room closest to him.

20 Q. So I think we are ready to
21 conclude, thank you for being patient with me
22 trying to be more quick. I want to make sure
23 that my colleagues Anne, Lorena and Joon don't
24 have anymore questions?

25 MS. CLARK: I do not.

1 JILL DES ROSIERS

2 MR. KIM: No, I don't either. Thank
3 you.

4 MS. PARK: Lorena?

5 MS. MICHELEN: No.

6 Q. So as I mentioned at beginning of
7 day one we would like to offer you an
8 opportunity to make a brief statement if you
9 would like. Would you like to make a
10 statement?

11 A. I just briefly want to say thank
12 you for work that you're doing and also for
13 letting me share my story. And I tried to be --
14 I have been truthful and I, you know, I
15 appreciate all of your time.

16 Q. Thank you, Jill, we appreciate
17 your time and appreciate you being patient and
18 this took longer than we expected.

19 Are there any answers that you
20 have given to us over the two days that you
21 would like to clarify?

22 A. No.

23 MS. HOGAN: I don't think she can
24 remember all of her answers.

25 MS. PARK: Yes, I know.

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JILL DES ROSIERS

Q. If you do obviously have something that you wish do clarify, you should let your counsel know and they could contact us.

Is there anything that you think you know of that is relevant to the scope of our investigation which is the allegations of sexual harassment around the Governor and the sounding circumstances that you haven't told us today?

A. I can't think of anything that we haven't covered, no.

Q. So we will could conclude the examination and I will just remind you that as we told you at the beginning, under Executive Law 63 (8) you may not discuss the information that we have discussed with you here today and the first day with anyone else other than your lawyers. Do you understand?

A. Yes.

MS. PARK: Thank you and Bill, you can take us off the record now.

THE VIDEOGRAPHER: We are now going off the record, the time is 2:54 p.m. and this concludes today's testimony given by

JILL DES ROSIERS

Witness 5/25/21.

The total number of media units used was for 4 and will be retained by Veritext Legal Solutions. Thank you everyone and have a great evening.

(TIME NOTED: 2:54 P.M.)

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C E R T I F I C A T E

STATE OF NEW YORK)

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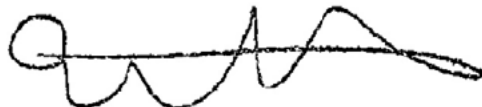
COUNTY OF NEW YORK)

I, WILLIAM VISCONTI, a Certified Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing proceedings were taken before me on May 25, 2021;

That the within transcript is a true record of said proceedings;

That I am not connected by blood or marriage with any of the parties herein nor interested directly or indirectly in the matter in controversy, nor am I in the employ of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of June, 2021.



WILLIAM VISCONTI