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2 IN THE MATTER OF INDEPENDENT :

INVESTIGATION UNDER NEW YORK :

3 STATE EXECUTIVE LAW 63(8) :

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Veritext Virtual Zoom Videotaped

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Investigation of ALYSSA McGRATH, taken on Wednesday,

8

June 2, 2021, held in New York, New York, commencing

9

at 2:50 p.m., before Jamie I. Moskowitz, a Certified

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Court Reporter and Certified Livenote Reporter.

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E X H I B I T S

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Alyssa McGrath

Examination

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1 THE VIDEOGRAPHER: Good afternoon. We
2 are now going on the record at 2:50 p.m.
3 Eastern Standard Time on June 2nd, 2021.
4 Please note that the microphones are sensitive
5 and may pick up whispering, private
6 conversations and cellular interference.
7 Please turn off all cell phones or place them
8 away from the microphones as they can interfere
9 with the deposition audio. Audio and video
10 recording will continue to take place unless
11 all parties agree to go off the record.

12 This is media unit one of the recorded
13 interview of Alyssa McGrath taken by counsel
14 from the Office of the New York Attorney
15 General in the matter of Re: Independent
16 Investigation Under New York State Executive
17 Law Section 63 (8).

18 My name's Nathaniel Armstrong from the
19 firm Veritext, and I am the videographer. The
20 court reporter is Jamie Moskowitz from the firm
21 Veritext.

22 I am not authorized to administer an
23 oath. I am not related to any party in this
24 action, nor am I financially interested in the
25 outcome. Counsel, and all present in the room,

1 and everyone attending remotely will now state
2 their appearance and affiliation for the
3 record. If there are any objections to
4 proceeding, please state them at the time of
5 your appearance beginning with the noticing
6 attorney.

7 MS. PARK: Good afternoon,
8 Ms. McGrath. My name is Jennifer Kennedy Park.
9 I'm a partner at the law firm Cleary, Gottlieb,
10 Steen and Hamilton. But for purposes of today,
11 I am the special deputy to the first deputy
12 attorney general of the New York Attorney
13 General's Office. I'll let my colleagues Jung
14 and Soo Jee introduce themselves.

15 MR. KIM: Good afternoon, Ms. McGrath.
16 My name's Jung Kim, and like Ms. Clark, I'm a
17 partner at Cleary Gottlieb but also appointed
18 to the Attorney General's office as part of
19 this investigation. Thanks for joining us.

20 THE WITNESS: Thank you.

21 MS. LEE: Good afternoon. My name is
22 Soo Jee Lee. I am an associate at Cleary
23 Gottlieb, but for the purposes of today, I've
24 been appointed as special assistant to the
25 first deputy attorney general.

1 MS. WANG: Good afternoon. I'm
2 Mariann Wang. I'm Alyssa McGrath's attorney.
3 And with me also on the line is Daniel
4 Mullkoff, also of Cuti Hecker Wang,
5 representing Alyssa McGrath.

6 MS. PARK: Can I ask the court
7 reporter to please swear in Ms. McGrath.

8 * * *

9 ALYSSA McGRATH, after having been
10 first duly sworn, was examined and testified as
11 follows:

12 * * *

13 COURT REPORTER: Please proceed.

14 EXAMINATION

15 MS. PARK:

16 Q Ms. McGrath, can you state your name,
17 birth date and current home address?

18 A Sure, Alyssa McGrath, [REDACTED], and my
19 current address is [REDACTED]
20 [REDACTED].

21 Q Thank you for being with us here
22 today. Is it okay if today I call you Alyssa or
23 Ms. McGrath?

24 A Oh, yeah, either/or, totally fine.

25 Q Okay. Thanks.

1 So as you know, the New York Attorney
2 General has appointed lawyers from my law firm,
3 Cleary, Gottlieb, Steen and Hamilton and the law
4 firm of Vladeck, Raskin and Clark to conduct an
5 independent investigation under New York Executive
6 Law 623 (8), into allegations of sexual harassment
7 brought against Governor Andrew Cuomo as well as the
8 surrounding circumstances. You're here today
9 pursuant to a subpoena that we issued in connection
10 with that investigation.

11 You were just told we're being video
12 recorded, and you're under oath. So that means you
13 need to testify fully and truthfully just as if you
14 were in a court of law sitting before a judge and a
15 jury. Your testimony is subject to the penalty of
16 perjury. Do you understand?

17 A Yes.

18 Q If you'd like to make any brief sworn
19 statement, we'll ask that you do so at the
20 conclusion of our examination. And I'll give you a
21 break at the end to confer with your counsel about
22 whether or not you want to do that, okay?

23 A Okay.

24 Q Okay. Although this is a civil
25 investigation, the New York Attorney General's

1 Office does have criminal enforcement powers. So
2 you have the right to refuse to answer a question,
3 if doing so would incriminate you. However, your
4 failure to answer can be used against you in a court
5 of law in a civil proceeding. Do you understand?

6 A Uh-huh, yes.

7 Q And you're appearing today here with
8 your attorneys, but this is not a deposition. This
9 is testimony in a civil investigatory matter. And
10 so you can consult with your attorney about
11 privileged matters, but we would ask otherwise that
12 your attorneys not interfere with the testimony. Do
13 you understand?

14 A Uh-huh.

15 COURT REPORTER: Yes?

16 THE WITNESS: Yes.

17 BY MS. PARK:

18 Q We have a court reporter present with
19 us. Ms. Moskowitz is here. And she needs to take
20 down my questions and take down your answers in a
21 transcript. And so she can make a clean record,
22 when you're answering me, please don't shake your
23 head or nod or say uh-huh. You have to say yes or
24 no and give a verbal answer. Okay?

25 A Okay. I understand.

1 Q And if you don't know the answer to
2 one of my questions, please just tell me you don't
3 know, or if you don't understand my question, just
4 tell me you don't understand, okay?

5 A Okay.

6 Q And since we're over Zoom, it can be a
7 little bit hard for me to know when you have
8 finished talking or you to know when I've finished
9 talking. But we'll do our best to try not to talk
10 over each other, okay?

11 A Okay.

12 Q Okay. Can you confirm that you're
13 alone in the room that you're in?

14 A Yes.

15 Q And same question for your lawyers,
16 are you both alone in the rooms you're in?

17 MR. MULLKOFF: Yes.

18 MS. WANG: Yes, I am.

19 BY MS. PARK:

20 Q And Ms. McGrath and counsel, can you
21 all please confirm that you're not using any
22 technology to record any of this?

23 MR. MULLKOFF: Yes.

24 THE WITNESS: Yes.

25 MS. WANG: I can confirm that.

1 BY MS. PARK:

2 Q Okay. And you're not allowing anyone
3 else to listen in through any devices in real time?

4 A No.

5 MR. MULLKOFF: Confirmed.

6 MS. WANG: No.

7 BY MS. PARK:

8 Q So as I've told your lawyers,
9 Executive Law 63 (8), which is the provision under
10 which we're conducting this investigation, prohibits
11 you and your counsel from revealing anything about
12 what we ask or about what you testified to anyone.
13 So if anyone asks you to disclose any such
14 information, you should let us know, including what
15 they've asked you and what information they have
16 asked you to disclose. Do you understand?

17 A Yes.

18 Q And you are, we understand, a current
19 employee of New York State, and you are protected
20 from retaliation for participating in today's
21 testimony. Do you understand that?

22 A Yes, I do.

23 Q Are you taking any medication or drugs
24 that might make it difficult for you to understand
25 my questions?

1 A No.

2 Q Have you had any alcohol today?

3 A No.

4 Q Is there any reason you are not able
5 to testify fully and truthfully today?

6 A No.

7 Q Have you ever given testimony before?

8 A No.

9 Q Other than talking to your lawyers,
10 what did you do to prepare for your testimony today?

11 A I just went back and looked over some
12 of the documents that Mariann had submitted on my
13 behalf. So I just went through those quickly, and I
14 just reread the New York Times article.

15 Q And when you say "the New York Times
16 article," are you referring to a New York Times
17 article in which you were interviewed --

18 A Yes.

19 Q -- and your -- and your story was
20 told?

21 A Uh-huh, that's correct.

22 Q Okay. If you can look at the
23 documents that we provided to you electronically,
24 and open what is at Tab 12.

25 MS. PARK: And we'll mark this as

1 Exhibit 1.

2 (Whereupon, Exhibit 1 was marked for
3 Identification.)

4 THE WITNESS: Okay, it's open.

5 BY MS. PARK:

6 Q Okay. And if we have done this
7 correctly, this should be the document Subpoena that
8 you received from us. Is that the document you're
9 looking at?

10 A Yes.

11 Q Did you read the subpoena?

12 A I did.

13 Q And to collect documents to be
14 responsive to the Subpoena did you work with your
15 attorneys?

16 A Yes.

17 Q Okay. And to your knowledge,
18 everything that you gave your lawyers that is
19 responsive to the subpoena that was in your
20 possession, custody and control has been given to
21 us, right?

22 A Correct.

23 MS. WANG: I just -- I know I'm not
24 supposed to interrupt. So I apologize. But I
25 do just want to say we obviously have

1 interposed some objections and sent you a
2 letter about that. And so I just want to make
3 clear that, you know, we -- we stand by those
4 objections as well. Obviously, we want to
5 cooperate and are happy to talk through
6 anything specifically if you think something is
7 missing, but I just wanted to clarify that on
8 the record.

9 MS. PARK: Thank you. I appreciate
10 that Mariann.

11 BY MS. PARK:

12 Q Why don't you open what is in your
13 electronic binder as Tab 11?

14 A Okay.

15 COURT REPORTER: Is this going to be
16 the next document?

17 MS. PARK: This will be Exhibit 2,
18 yes. Thank you.

19 (Whereupon, Exhibit 2 was marked for
20 Identification.)

21 THE WITNESS: Okay.

22 BY MS. PARK:

23 Q Is this the testimony subpoena you
24 received from our office?

25 A Yes.

1 Q Did you read the subpoena before
2 today?

3 A Uh-huh, yes.

4 Q Do you understand that your testimony
5 today is being taken pursuant to that subpoena?

6 A Yes.

7 Q Great. You can put that aside just
8 for the minute.

9 A Okay.

10 Q So can you tell us a bit about your
11 background. How far did you get in school?

12 A I have my Bachelor's degree from Siena
13 College.

14 Q And what year did you graduate from
15 Siena College?

16 A 2011.

17 Q Okay. And why don't you walk us
18 through your employment history after your
19 graduation from Siena College in 2011?

20 A I had been an intern at CICU, which
21 is --

22 COURT REPORTER: Which is what? Which
23 is what?

24 THE WITNESS: Commission on
25 Independent Colleges and Universities.

1 COURT REPORTER: One more time.

2 THE WITNESS: Commission on
3 Independent Colleges and Universities.

4 COURT REPORTER: Thank you.

5 THE WITNESS: You're welcome.

6 So I was interning there, my last
7 couple of years at college. And then I ended
8 up continuing my internship with them. Then I
9 got a job at a law firm because they didn't
10 have any current openings at my internship.
11 And then I got another position at a lobbying
12 firm. It's called Association on Aging in
13 New York, so I worked there for a little bit.

14 And then there was a position open,
15 finally, at Commission on Independent Colleges
16 and Universities, so I went there and took on
17 an actual position. And I got -- like, a grant
18 got cut while I was working there. And a few
19 of us got let go because we were working under
20 that grant.

21 And at the time, [REDACTED]
22 [REDACTED] so it was a little hard for me to
23 find employment at that time. So me and, like,
24 my husband decided at that time that, you know,
25 if I didn't find anything soon, that I would,

1 like, [REDACTED]
2 [REDACTED] And so I did that, and then
3 started working at my aunt's law firm for a
4 little bit just to get back into the routine of
5 working [REDACTED].

6 And then I submitted by application to
7 the Executive Chamber. I was asked by Brittany
8 if I would be interested, and so I submitted my
9 application and went from there.

10 BY MS. PARK:

11 Q Okay. When you said you were asked by
12 Brittany to submit your application, who are you
13 talking about?

14 A So [REDACTED] asked Brittany if she
15 knew -- who also works at the Chamber -- if she knew
16 anyone who was interested in becoming an executive
17 assistant for one of the deputy secretaries at the
18 time. And she -- Brittany knew that I was, you
19 know, looking for a more permanent position, you
20 know, more related to what I went to school for.
21 And I obviously didn't want to continue at a law
22 firm.

23 So she reached out to me and asked me
24 if I was interested, and I said I was. And I got
25 more information about it. And I passed along my

1 resume to Brittany, who then passed it along to
2 [REDACTED]. And then she gave it to the [REDACTED]
3 [REDACTED] which was [REDACTED] at the time.
4 And then I got a call shortly after -- or [REDACTED]
5 actually sent me an email, excuse me, shortly after
6 to set up an interview.

7 So I gave them my resume, I would say
8 at the end -- it's around the end of December 2017,
9 and then I interviewed in the beginning of January
10 2018, like beginning, mid 2000 -- January 2018.
11 Then I had two interviews with them.

12 Q Let's -- let's pause there for a
13 second, okay? So when you say Brittany, you're
14 talking about Brittany Commisso?

15 A Yes. Yes. Sorry.

16 Q That's okay.

17 And how do you know Brittany Commisso?

18 A We went to high school together, so I
19 have known her since going into the ninth grade.
20 We've been -- she's one of my -- like, my best
21 friend.

22 Q And when Ms. Commisso reached out to
23 you about a potential role in the Executive Chamber,
24 what was her job in the executive chamber at that
25 time?

1 A She was also an executive assistant to
2 the Deputy Secretary of Transportation at -- at the
3 time. And so -- and she also, like, assisted the
4 rest of -- like, the transportation group, the
5 portfolio, essentially.

6 Q Okay. And you said that she -- she
7 was going to pass your resume on to [REDACTED].
8 What was [REDACTED] role at that time?

9 A I believe she was the executive
10 assistant to Alphonso David at the time in counsel's
11 office.

12 Q And when you spoke to Ms. Commisso
13 about the potential for working in the executive
14 chamber, what did she tell you about what the role
15 would be or what it would be like to work in the
16 executive chamber?

17 A So she had only been there, I believe
18 for about six months or less, at that time, and
19 she -- she liked it. She liked the principals that
20 she worked for. She had nothing but, like, positive
21 things to say about it. And, you know, she just
22 told me, like, what she did in her role.

23 Like, I would be working, obviously,
24 for someone else, so they would have their own, you
25 know, needs and wants. But she gave me like a

1 general overview of, like, what to expect. But she
2 had nothing but positive things to say.

3 Q And when she gave you the overview of
4 generally what to expect, do you remember anything
5 more specific about what she said about what to
6 expect?

7 A Just like day-to-day, you know,
8 answering phones, scheduling meetings, kind of like
9 knowing the hierarchy, helping with like little
10 project here and there, depending on what your
11 principal gives you, just basically organizing their
12 lives, essentially, and keeping their lives like on
13 track.

14 And it -- it involved like, you know,
15 answering emails and calls maybe late at night or on
16 the weekends sometimes. But she said other than
17 that, it was -- it was -- it was a good place to
18 work and, you know, things -- because I -- I
19 complained I was bored at the law firm. So she said
20 that this was obviously a less boring and more
21 interesting line of work.

22 Q And you said you -- you interviewed
23 sometime in January of 2018 with [REDACTED]. Did
24 you interview with anyone else other than
25 [REDACTED]?

1 A So I interviewed with [REDACTED]
2 and [REDACTED]
3 [REDACTED]

4 Q And tell us about how that interview
5 went.

6 A It was pretty casual. They asked me a
7 series of questions, your standard interview
8 questions, asking a little bit my background, you
9 know, how -- what I -- my skills were as far as like
10 managing, like multitasking a bunch of different
11 things at once. And I -- it was -- it was a good
12 interview.

13 [REDACTED] and I had -- like, seemed to
14 like hit it off because I would obviously work for
15 him. So him and I had like -- seemed to have like a
16 good kind of, like, relationship like right from the
17 start.

18 And so then I interviewed with
19 [REDACTED]
20 [REDACTED] at the time, at the end of
21 January. But he was in New York City, so that's why
22 I wasn't able to interview with both of them at the
23 same time.

24 Q And how did the interview with
25 [REDACTED] go?

1 A It went really well. So him -- my
2 interview with him was just him and I. So, again,
3 we just -- our personalities seemed to, like, work
4 together. We hit it off. I was -- it was great.

5 So -- and the next day I received an
6 appointment questionnaire from the appointments
7 office, like asking me to complete it. So I never
8 really got like an official you're hired. I just
9 like literally got the appointments questionnaire to
10 fill out because they said it would be pending until
11 my background was completed.

12 And then, obviously, it was during
13 like budget and State of the State, and so things
14 took a little longer. I actually didn't fully come
15 on board until the last day of May.

16 Q You began working at the executive
17 chambers the last day of May 2018. What was your
18 title?

19 A It was executive assistant -- so --
20 well -- backing up, [REDACTED] and [REDACTED] positions
21 changed by the time I got on board. [REDACTED]

22 [REDACTED]
23 [REDACTED] And
24 Lindsey Boylan became the Deputy Secretary of
25 Economic Development. [REDACTED]

1 [REDACTED].

2 So now they're -- they have like two
3 different portfolios now. So they both -- because
4 they both, like, liked me and I was initially hired
5 to assist both of them, I actually stayed assisting
6 both of them. So I was assisting essentially two
7 different portfolios but not for everyone in
8 economic development because I didn't assist Lindsey
9 at the time.

10 Q And so when you started as the
11 executive assistant for [REDACTED] and [REDACTED]
12 what was your salary?

13 A [REDACTED].

14 Q And did your role in the executive
15 chamber change at any time after May 2018?

16 A Yes, yeah. I -- I had been in --

17 Q Tell us about those changes.

18 COURT REPORTER: I'm sorry?

19 THE WITNESS: Yes.

20 BY MS. PARK:

21 Q Tell us about those changes in role.

22 A Okay. So I -- are you talking about
23 just like title changes or just being pulled from
24 different places or --

25 Q So I want to know who you were

1 reporting to over time, and then if your title
2 changed at any point as well.

3 A Okay. So I reported to several
4 different people while -- over the course of almost,
5 what, three years now. So I reported to [REDACTED] and
6 [REDACTED] initially. And then I reported to -- well,
7 [REDACTED] left in January -- I want to say January of
8 2019. And then [REDACTED] came in, so I was
9 assisting her because then Lindsey Boylan left. And
10 so [REDACTED] was new. [REDACTED]

11 [REDACTED]
12 And [REDACTED] was -- he came from ESD,
13 so he had a really strong background in economic
14 development, knew, you know, the ropes. So he was
15 helping [REDACTED] who was new, [REDACTED] to the
16 executive chamber. So I was essentially now
17 assisting [REDACTED] in like pretty much all of the

18 [REDACTED]
19 [REDACTED] So I had a little bit of a
20 switch there.

21 Then [REDACTED] left at the end of
22 June 2019. And he actually wanted me to go with him
23 to DOS, Department of State, so he -- I actually
24 interviewed with [REDACTED], the Secretary of
25 State. And I was in communication with her for a

1 month or so. And [REDACTED] like tried to get me to go
2 over with him. But I was actually denied that
3 because I was helping assisting with the -- like the
4 governor so much.

5 So a lot of the time that I was with
6 [REDACTED] and [REDACTED] I actually wasn't with them. I
7 was with the governor.

8 Q We'll come back to you potentially
9 going over to the Department of State and your work
10 for the governor in a few minutes.

11 But after [REDACTED] left, then who
12 did you report to?

13 A So then I reported to [REDACTED],
14 the Director of State Operations. And then after
15 that I reported to [REDACTED]. Then after that --
16 and [REDACTED] was only there for like a year. He
17 only agreed -- he had a conversation with the
18 governor that he would only come back to help out
19 for a year or so. He was leaving anyway, so it was
20 a short -- short-lived thing.

21 And then after that is basically when
22 the pandemic hit. So I was fully in, like, the
23 front office helping the governor. Melissa and I
24 ended up helping -- eventually helping Larry
25 Schwartz, and as well as -- and then finally, in my

1 current position, I assist [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 Q And during that time period between
5 May of 2018 and today, has your title changed?

6 A Just -- not -- no, it hasn't changed.
7 It's been executive assistant to. I just put
8 executive assistant because I'm, like, all over the
9 place. So it's not even worth saying like "for."
10 Usually, you would say Executive Assistant for
11 Transportation, or, you know, you would say what
12 portfolio you were like assigned. But I have been
13 in so many different places that I just put
14 executive assistant.

15 Q And has your salary changed over that
16 time period?

17 A So my salary increased when I went
18 over to [REDACTED] office in -- in June 2019.
19 So I had a salary increase. I went from [REDACTED] to
20 [REDACTED].

21 Q How did that salary increase come
22 about?

23 A Just the fact that I was now assisting
24 [REDACTED]. She's a little higher in command. People
25 normally in the office make more than someone who

1 assists, you know, a deputy secretary. And I
2 obviously wanted to go elsewhere. So I think that
3 played a role in me getting increased salary to kind
4 of keep me happy.

5 Q And when you started out in May of
6 2018, where physically was your desk?

7 A In 2018, so I -- I actually was with
8 Brittany Commisso in her office with [REDACTED], her
9 principal, for maybe a month to two months
10 initially, because my principal was trying to find
11 where he was going to end up, his office space.

12 So I was with her initially, and she
13 trained me. And then I went down to room 245, and
14 that's not in the Hall of Governors. It's on the
15 other side, so I was over there. I sat over there.

16 Q So when you say you were in
17 Ms. Commisso's office with [REDACTED], is that [REDACTED]?

18 A Yes. Yes. Sorry. Yup.

19 Q Okay. And Ms. Commisso's office --
20 was Ms. Commisso's office on the secure side or on
21 the not secure side?

22 A Unsecured. So I just like really
23 moved down the hall.

24 Q And then did your -- where you sat
25 change over time?

1 A Yeah, yes.

2 Q And at any point, did you begin
3 sitting on the secure side?

4 A Sitting, like, permanently?

5 Q Did you have a desk, yeah, on the
6 secure side?

7 A Yes. Like, I had a permanent desk on
8 the secure side when I assisted [REDACTED]. But
9 I was -- her office was right next door, like,
10 conjoined with Melissa's. But there was a door that
11 was, like, obviously pretty much always closed. But
12 she would come out of there and sometimes the
13 governor as well. So we were right next door.

14 Q So when you say Melissa, do you mean
15 Melissa deRosa?

16 A Melissa deRosa, yes.

17 Q Okay. And after you completed working
18 for [REDACTED], did your position of your desk
19 change?

20 A Yes. So I went back to the unsecured
21 side.

22 Q And when COVID happened, did your desk
23 position change?

24 A Yes. I went back to the secured side.

25 MS. WANG: For clarity --

1 COURT REPORTER: I'm sorry. Excuse
2 me.

3 MS. WANG: I'm sorry to interrupt, but
4 just for clarity of the record, I just want to
5 be sure that you're both talking about the same
6 thing because there's a permanent desk. But
7 then there's also sort of, I think, floating
8 desk, so I -- maybe you're going there. I just
9 want to clarify.

10 MS. PARK: We'll get to that, yeah.
11 We'll get to the floating, uh-huh.

12 BY MS. PARK:

13 Q And so after COVID started, you were
14 at a desk on the secure side. Has that changed?

15 A Yes. Recently, I went back to the
16 unsecured side.

17 Q Okay. And when you say "recently,"
18 when was that?

19 A I believe it was early December 2020.

20 Q And do you know what prompted your --
21 your change of desk in December of 2020?

22 A Brittany and I got swapped out. She
23 started working up front again, and I got swapped
24 out to help [REDACTED].

25 Q So Ms. Commisso sort of took over your

1 desk?

2 A Uh-huh.

3 Q On the secure side?

4 A Uh-huh. Well, excuse me. I'm -- I
5 stayed in there, actually, for -- because I was
6 assisting Larry Schwartz. So Larry Schwartz ended
7 up sitting in the office where the governor's
8 assistants sat, because we weren't sitting in the
9 front office where the governor -- like, the
10 governor's suite, we weren't sitting in there
11 during, like, pretty much the pandemic because of
12 social distancing purposes.

13 We were sitting in -- it's an office
14 like right next door to the trooper. It was John
15 Maggiore's office who -- those people that didn't
16 return to the office. They were working from home,
17 so we kind of took over that office.

18 So in that office, it was me, EA #3,
19 EA #2 and Charlotte for a while. Then Larry came,
20 and I stayed. And then Brittany joined, so it was
21 all of us in there. And then when Larry left is
22 when I went back to the unsecured side because Larry
23 insisted that I stay in there with him.

24 Q And when you are talking about the
25 room you were in that was near the troopers but on

1 the secure side, is that room 229?

2 A Yes.

3 Q And when you say EA #3, do you mean
4 Executive Assistant #3.

5 A Uh-huh, yes. And Executive Assistant #2 and
6 Charlotte Bennett.

7 Q And you talked a little bit to us
8 about what your role was as an executive assistant,
9 but you mentioned that sometimes you would get
10 pulled?

11 A Uh-huh.

12 Q What do you mean by "getting pulled"?

13 A Being pulled by the governor's, like
14 top aide. Like Stephanie Benton usually would be
15 the one who either communicated that I needed to
16 come up there. Or she would tell me herself, I
17 needed to come up there. Call or email, or she
18 would have someone do it for her. And it was
19 basically every time the governor was in Albany I
20 had to go up there.

21 Q When did you getting pulled by
22 Ms. Benton to assist the governor start?

23 A It started -- I -- I -- I sort of --
24 started talking to [REDACTED] who did -- I'm not
25 quite sure of her title. It's like [REDACTED]

1 [REDACTED], something like that. But she
2 sat in the governor's suite along with EA #3 and
3 EA #2. But EA #2 joined later on, obviously. But
4 she sat in the governor's suite, but she primarily
5 did events. So she didn't really have one -- she
6 wasn't doing like dictation for the governor. She
7 wasn't like as one-on-one as the others would be.
8 She, like, more communicated with like Annabel and
9 did like behind the scenes events.

10 COURT REPORTER: Excuse me. I have to
11 stop you. I have a software issue. I need to
12 stop.

13 THE VIDEOGRAPHER: The time is
14 3:23 p.m. Eastern Time, June 2nd, 2021. We are
15 off the record.

16 (Whereupon, a short break was taken.)

17 THE VIDEOGRAPHER: The time is
18 currently 3:27 p.m. Eastern time,
19 June 2nd, 2021. We are back on the record.
20 You may proceed.

21 BY MS. PARK:

22 Q Ms. McGrath, sorry for the
23 interruption there. You were just telling us about
24 what [REDACTED] role in supporting the
25 governor's office. When you were pulled to support

1 the governor's office, what were you doing?

2 A I was -- the -- I was initially in
3 there because I was interested in [REDACTED] job, and
4 she wanted to go to DOL. And she knew the only way
5 that she could leave is if she basically had someone
6 lined up to take her spot.

7 So she was kind of, like, grooming me
8 to try to take her place. And so I was involved a
9 little bit with events. I was getting, you know,
10 talking to Annabel. So I spent a little bit of time
11 in there for that reason. And then somewhere along
12 the way, I was no longer doing that -- those things,
13 events.

14 I was helping the governor, and then I
15 became, you know, being called in every time the
16 governor was in Albany. It was just, like, a known
17 fact. Like, if the governor was in Albany, I had to
18 be in front office even though he has his own
19 assistants in there.

20 Q Let's back up a little bit.

21 You talked about someone named
22 Anabelle. Is that Anabelle Walsh?

23 A Yes.

24 Q And you said that you understood that
25 [REDACTED] could -- could not leave her job in

1 the executive chamber unless she had someone lined
2 up to replace her. How did you come to that
3 understanding?

4 A She told me. [REDACTED] told me. And, you
5 know, I was starting to get an understanding that
6 leaving the executive chamber, especially if you
7 worked, you know, directly with the governor,
8 someone who's, you know, highest, like, level staff,
9 it's a little more difficult to leave. So she was
10 kind of explaining that to me, that she's been
11 wanting to leave for quite some time and hasn't been
12 successful in doing so.

13 Q And did she tell you what was making
14 her not successful in leaving the executive chamber?

15 A She had been there for a long time, so
16 she knew it like the back of her hand. She was very
17 knowledgeable. She helped train a lot of people, so
18 she was very valuable to them.

19 Q Did she tell you that anyone in the
20 executive chamber had told her she couldn't leave or
21 that anyone had interfered in her seeking another
22 position?

23 A Yes. But, like, I'm not quite sure
24 exactly whom. I'm assuming it was Jill Desrosiers
25 since she really took the lead on that sort of stuff

1 so...

2 Q And other than [REDACTED], did anyone
3 else talk to you about difficulty leaving their role
4 in the executive chamber?

5 A I don't remember like who, but it just
6 became -- it was just like a known -- just a known
7 fact. Then [REDACTED] actually told me when I started
8 getting pulled up front that it was going to be a
9 blessing and a curse for me. And he would say,
10 like, don't do well up there because you won't be
11 able to ever leave.

12 Q Did [REDACTED] say anything else to
13 you when you started getting pulled up to work in
14 the front office, about what it was like to work in
15 the front office?

16 A Just -- just basically that and
17 different variations. He knew that it's not like he
18 could have said like, no, she can't go up front.
19 Like, I was just told where I needed to be. I
20 wasn't really asked. So I would just go up there,
21 and I would try to help, you know, [REDACTED] and my
22 other principals as best as I could while I was up
23 there and helping them.

24 Q So you said that you were -- you were
25 training or being groomed maybe to replace [REDACTED].

1 But at some point, it became normal that if the
2 governor was in Albany, you were expected to work
3 for the governor in the front office. What's your
4 understanding about how that came to be?

5 A I'm not quite sure how that happened.
6 It just naturally happened. I have had -- I had
7 more interaction with him just, you know, him coming
8 into the part of the governor's suite where all of
9 us sat. He would, like, come out there and
10 converse, and I was working more Saturdays,
11 volunteering to work because someone has to cover
12 the governor's phones every Saturday. So once you
13 have been there for quite some time, and, you know,
14 they trust you and you know what you're doing, they
15 send out, like, an email saying who wants to
16 volunteer on Saturdays.

17 And they would, like, send out a
18 spreadsheet of all the upcoming Saturdays for maybe,
19 like, the next three months. And they give you an
20 opportunity, if you want to, you know, make
21 overtime, you can work on Saturdays. So I tried to
22 work on Saturdays at least every other week. [REDACTED]

23 [REDACTED]

24 [REDACTED] so I really worked a lot.

25 So I think just spending more time in

1 the front office and him, you know, the governor
2 having more interactions with me just by walking in
3 the room or talking to me. It just slowly
4 transitioned as me helping him and me no longer
5 helping [REDACTED], like, at all. I completely got
6 removed from that idea of me ever replacing [REDACTED].

7 Q Did you ever get the sense that the
8 governor himself had asked that you be assigned to
9 work with him?

10 A I mean, I assumed it had to come from
11 him. Stephanie is -- Stephanie Benton basically is
12 like middle man between, you know, everyone else and
13 him. She kind of just relays the messages and does,
14 you know, whatever he wants to be done. And
15 she's -- she's the one who makes, like, everything
16 happen. So if he says something, it's probably
17 going to come from her even though it's from him.

18 Q Do you have any understanding whether
19 she has the ability to decide on her own who's going
20 to staff the governor without consulting him?

21 A I highly doubt that.

22 Q And why do you highly doubt that?

23 A He's very in control of everything.
24 He -- he's opinionated. Like, if he wants you in
25 his office, they'll be in his office. If he doesn't

1 want it -- want you in his office, you won't be in
2 his office. He pretty much controls that aspect of
3 it.

4 I'm sure -- you know, to a certain
5 extent, he definitely trusts Stephanie enough to
6 make, you know, some decisions. But as far as
7 staffing him, like, directly, it would definitely
8 come from him and not her.

9 Q Do you have any understanding of
10 whether there were protocols for staffing the
11 governor, like rules or guidelines for staffing the
12 governor?

13 A Not that I'm aware of.

14 Q Did you ever notice at any point that
15 the governor's staffing, for example, on the
16 weekends had changed from being one person to being
17 two people?

18 A It depends on what we were doing with
19 the governor if they required one or two people.
20 Sometimes it didn't require two people, and he would
21 have two people. For example, like, Brittany and I
22 would be often called together very frequently even
23 though it was, like, a one-person job. But then --
24 then like -- but other times, like EA #3 and EA #2
25 would be called, not frequently at all. They would

1 sometimes be called together as well.

2 Q Did you notice whether in the late
3 summer, fall and early winter of 2020, whether there
4 were any occasions on which a single person was
5 assigned to staff the governor on weekends, or was
6 it always in pairs?

7 A It was definitely not always in pairs.

8 Q Okay.

9 A It --

10 COURT REPORTER: It what? I'm sorry.

11 THE WITNESS: Other than in that
12 period.

13 BY MS. PARK:

14 Q Other than it varying by the number of
15 people who staffed him, did you notice any patterns
16 in who was being asked to staff him?

17 A Oh, yes, absolutely. Uh-huh.

18 Q And what are those patterns?

19 A So I started being pulled specifically
20 for him in December of 2018. So I started noticing
21 that, obviously, every time he was in Albany, I
22 would have to go there even though his assistants
23 were there, present. Then I believe it was early
24 2019, maybe March -- somewhere between January and
25 March, I started being called for the mansion and as

1 well as I believe [REDACTED] was also someone
2 who was called to help the governor. Her and I
3 would be called especially to be in the front and
4 help out on, like, the weekends in the capital.

5 I'm not quite sure how many times
6 she's been to the mansion, but I know she was in,
7 like, the rotation of us before Brittany started
8 being involved in the rotation.

9 So you -- I mean, it was easily to
10 tell, like, who was -- who he liked at the moment,
11 like who was in his good graces. And like, it
12 was -- it was me for a while. Then Brittany came on
13 board. Then it was both of us. Then it was just
14 me, and then it was just her. And then -- so it
15 would kind of create, like, some sort of like
16 competition between the two of us, which is very --
17 like, it doesn't happen very often, considering,
18 like, we're best friends. We rarely fight. And it
19 created a little bit of hostility between us.

20 So it would be on and off, the both --
21 the both of us for quite some time, for probably
22 like the last -- since she -- she started with him.
23 It was in November. She started going in with him
24 November 2019, I want to say, November,
25 December 2019.

1 Q Do you have any understanding as to
2 why it wasn't Executive Assistant #3 or Executive Assistant #2 that was
3 being asked to staff the governor on the weekends at
4 the mansion?

5 A No. Nope. I have no idea why. And
6 oftentimes, like, Stephanie would send out an email.
7 and EA #3 and EA #2 would be cc'd, or all of us
8 would be on the email. And EA #3 and EA #2 would
9 volunteer, and they -- Brittany and I didn't even
10 respond. And she would say Brittany and Alyssa even
11 though they said, oh, like -- like, I'll come in.
12 She was like, oh, no, girls. We're good. Brittany
13 and Alyssa are going to come.

14 And she would like pick us out even
15 though we weren't like the first to respond that we
16 were available. And then a lot of times.

17 Q Based on what --

18 A Go ahead.

19 Q Sorry. Go ahead.

20 A And then other times, we would get
21 called in when EA #3 and EA #2 were already there
22 on the weekend to come and help him.

23 Q On the occasions on which Executive Assistant #3
24 and Executive Assistant #2 were already there and you were
25 called in, was there enough work for everyone to go

1 around?

2 A Uh-uh, no.

3 Q So looking back on it in hindsight, do
4 you have a view as to why you were being called in
5 or why Ms. Commisso was being called in?

6 A I mean, I -- you know, you had an
7 understanding that he had favorites. But EA #3 and
8 EA #2 were kind of redirected to help Melissa
9 deRosa, so that they had, you know, a reason kind of
10 for being there even though they're more his
11 assistants than Melissa's. Melissa had an assistant
12 or has an assistant, [REDACTED] in New York City.

13 Q And when Ms. Benton called you in on
14 the weekends, either at the capital or the mansion,
15 did you understand that that was coming from the
16 governor? Or was Ms. -- was it your understanding
17 Ms. Benton was making that decision of who was
18 coming in?

19 A I believe it was from the governor.

20 Q So you -- you described a little bit
21 for us already what it's like to work for the
22 governor, but I'm wondering if you could elaborate
23 on that. How would you describe the governor?

24 A How would I describe him? He's
25 very -- definitely -- definitely has, like, a big

1 presence in the office. He's very opinionated.
2 If -- it's very well, like, understood that if he
3 wants something done, like, it has to be done even
4 if it's -- you know, someone says it's impossible
5 that could happen, he doesn't, like, care. He -- he
6 wants it done, and he doesn't care how it happens.
7 He just wants it done no matter what. So it creates
8 a lot of pressure on people.

9 There's, like, typically high turnover
10 in the governor's office. They always says it's
11 like dog years, so, like, if were you there like a
12 couple of years, it's like you were there for
13 forever because it really takes a toll on people,
14 the amount of pressure that he creates. And, you
15 know, it might not come directly from him, but it
16 trickles down. So you -- it -- like, the deputy
17 secretaries, even though they don't hear it directly
18 from him, they definitely know it's from him. But
19 it's just trickled down like maybe through [REDACTED] who
20 oversees the deputy secretaries, so -- and then she
21 has a lot of pressure. So it's definitely like --
22 like, very, like, chaotic kind of environment that
23 he creates. A very competitive environment he
24 creates.

25 Yeah. I just -- he -- he

1 definitely -- you know, he has, like I said, a
2 strong presence. So he talks to like everyone and
3 he's very, like, friendly if he likes you. But if
4 he doesn't like you, you know as well.

5 So it's a very chaotic environment
6 that he creates there.

7 Q When you say "chaotic," what have you
8 observed about how he treats his senior staff?

9 A It depends. If they get what he wants
10 done, then he treats them well. But it can, like,
11 switch at the drop of a hat if he does -- if they do
12 something that he doesn't like, you're going to get
13 screamed at. And you're going to be treated
14 differently. You're going to be either ignored or
15 screamed at or not asked to come in the front office
16 or asked to come in the front office and screamed at
17 in person. You know where you stand with him at all
18 times. He doesn't hide it.

19 Q Have you witnessed him screaming at
20 people?

21 A Yes, absolutely, on the phone and in
22 person.

23 Q Who have you seen him scream at or
24 heard him scream at?

25 A He used to scream at Jill Desrosiers a

1 lot. She used to definitely get the brunt of a lot
2 of it. He's yelled at [REDACTED]. He's yelled
3 at -- I mean, there's so many different people that
4 have gone back there that he's screamed at. And I
5 was told, I believe either from EA #3 or from [REDACTED]
6 or both of them, they said to like just tune it out.
7 That, you know, don't be, like, afraid of it.

8 You know, he's very loud and, you
9 know, aggressive, and just try to, like, don't pay
10 attention to it because it happens fairly often. So
11 they just said, like, you've just got to tune it out
12 and don't listen.

13 Q You said a few minutes ago that from
14 your perspective, the governor has favorites or
15 plays favorites. Do his favorites have anything
16 physically in common?

17 A So it was widely known that he prefers
18 blondes. So there's a lot of women who are hired
19 that are blonde, and who get, like, immediate face
20 time with him, which, you know, some people that
21 were there who have been there for a very long time
22 never ever get face time with him. But, you know, a
23 new blonde is hired, and all of a sudden, like,
24 second day, she gets face time with him, which is
25 typically, like, unheard of.

1 So that happens -- even, like, I'm
2 saying as of, like, recently, maybe like the last
3 few months, you know, people have been hired who
4 have been, like, all blonde. And we're like, here
5 we go. You know, it's another one of his favorites
6 of, you know, the week, the month. It's just a
7 widely known thing that he does, so...

8 Q Can you give us an example of someone
9 recently who -- a woman who was hired who had blonde
10 hair who you observed this happening with?

11 A Like [REDACTED]. There was
12 [REDACTED] who hasn't -- who wasn't like just recently
13 hired, but she was someone that he really favored a
14 lot. Who else? [REDACTED] was just hired, but she
15 left. She's the blonde. Another assistant that he
16 hired -- I'm drawing a blank.

17 [REDACTED], she was blonde. She's a
18 recent hire. Just a few of them. Few of them in
19 press. Few of them in scheduling. So, yeah, they
20 just -- and we kind of just like laugh it off. And
21 like EA #2, like, was a fairly recent -- she was --
22 she's a blonde. And she definitely was favored by
23 him for a little bit. But he just kind of, like,
24 cycles people.

25 Q And when you say "favored," what does

1 it look like from your perspective to see the
2 governor favor a blonde woman? What does he do with
3 them that's different than what he does with other
4 people?

5 A Specifically ask for them. EA #2, on
6 her, I think her second day, because I was helping
7 out in front office until they had someone permanent
8 in there, which is EA #2. The second day, he had
9 her fly with him on the helicopter completely out of
10 nowhere, and she was actually hired to be Melissa's
11 assistant.

12 And he just was like -- like, she
13 needs to pack her bags. We're going to New York
14 City. And she, like, literally had tears in her
15 eyes because she was like so frightened. Because
16 she was like, I literally just started. I don't
17 know what I'm doing. And now I'm like being taken
18 in this helicopter to New York City for G-d knows
19 how long. Like, he doesn't -- they don't give you,
20 like, an ending time. They just say, you know, pack
21 what you can and come back here in like 20 minutes.

22 Q Any other --

23 A So you didn't know --

24 Q Any other times you've observed him
25 treating a woman who was blonde differently, any

1 examples with [REDACTED] ?

2 A Yeah. Like, they would -- they would
3 be frequently called in his office for meetings.
4 They would be involved in meetings with, you know,
5 the -- the staff that was, you know, the -- I'm
6 drawing a blank. Like the higher level staff
7 members. Normally, like deputy secretary wouldn't
8 be called in there. Like, [REDACTED]

9 [REDACTED] That's not
10 typical for her to be called in and brought into
11 meetings, but she was on a regular basis. So if it
12 was maybe --

13 COURT REPORTER: I'm sorry. I can't
14 take both of you at the same time.

15 BY MS. PARK:

16 Q Was [REDACTED] predecessor brought in
17 similarly to the governor's office for senior staff
18 meetings?

19 A So that was Lindsey Boylan, so, yes,
20 from what I knew.

21 Q And what about [REDACTED] ? Was
22 her predecessor brought into meetings?

23 A I'm not sure about that.

24 Q What about you? How did the governor
25 treat you?

1 A He treated me -- I definitely -- I
2 definitely got the sense where, you know, I knew he,
3 like, liked me helping out. And, you know, I
4 immediately believed it was because I was doing a
5 good job, maybe with dictation or, you know,
6 assisting him in different ways and in the office.
7 So I just believed or wanted to believe that it was
8 based on my work ethic since I was brought up there
9 so quickly after getting hired.

10 Q And was the governor -- did the
11 governor ever yell at you or scream at you?

12 A No.

13 Q Did the governor have any nicknames
14 for you?

15 A He called Brittany and I mingle mamas
16 at one point. He said --

17 COURT REPORTER: Mingle mamas?

18 THE WITNESS: Yes.

19 BY MS. PARK:

20 Q And tell us about how it came to that
21 the governor call you and Ms. Commisso mingle mamas.

22 A Brittany and I got called into help
23 out with the State of the State books. He was
24 signing a bunch of them for people and sending them
25 out. So we helped -- it wasn't abnormal for her and

1 I to help him with projects. So it was just the
2 three of us in the capital. No one else was there
3 except for the trooper outside, and we were sitting
4 at a conference table.

5 And we just started like chitchatting
6 beforehand, and either he or Brittany brought up the
7 fact that we were going to Florida at the end of
8 April, I believe. And this was the day before the
9 first COVID case happened, so I believe it was the
10 end of February 2020.

11 So that conversation -- like, that
12 topic came up, and he obviously knew that my husband
13 and I were recently separated. And he asked if,
14 like, I was going to mingle, like, when I was in
15 Florida with, like, men or whatnot. And I was,
16 like, you know, I said yes. And he like looked at
17 Brittany and was, like, what are you going to be
18 doing while she's like talking to men and hanging
19 out with men. And she said that she's going to be,
20 like, the best wing woman ever, that sort of thing.

21 And he looked at me and said, and I --
22 you know, this is not his exact words. But he
23 basically said, would you tell on Brittany if she
24 cheated on her husband while she was out there. And
25 I like jokingly said, what happens in Florida stays

1 in Florida. And then he laughed and, like, said
2 that he's going to call us mingle mamas for the rest
3 of the day, and he did.

4 Q How did the governor know that you
5 were separated from your significant other?

6 A He asked Brittany about it because he
7 noticed that I didn't have a ring on anymore. So he
8 inquired to Brittany when she was with him at the
9 mansion about why I wasn't wearing a ring. And he
10 wanted to know why, like, specific details as far as
11 what exactly happened. And she actually told me
12 after, you know, I hope you don't mind. I did tell
13 him like exactly what happened.

14 Q So Ms. Commisso relayed a conversation
15 she had with the governor that was about you and
16 your separation with your significant other?

17 A Uh-huh.

18 Q Okay. Why don't you open your
19 electronic binder and look at what is marked as
20 Tab 65, which we'll mark as the next exhibit.

21 (Whereupon, Exhibit 4 was marked for
22 Identification.)

23 BY MS. PARK:

24 Q If we did this right, this is an email
25 chain involving you, Stephanie Benton and Brittany

1 Commisso from Saturday, February 29th, 2020. Do you
2 recognize this document?

3 A Yeah, I do.

4 Q And what is it?

5 A It was asking Brittany or I to come in
6 and staff him, I believe at the mansion, and asking
7 if one of us were available. And it was just
8 obviously to the two of us and not his actual
9 assistants. And this was -- we were assisting him,
10 obviously, on like I said the book, signing project.
11 So I'm sure that's why she continued to ask us,
12 which is obviously not very normal for her to ask
13 Brittany and I.

14 And my birthday is [REDACTED], so we
15 were celebrating my birthday that night. So
16 Brittany kind of, you know, took one for the team
17 and said that she would take the afternoon shift if,
18 you know, he showed up later. And I would handle
19 the morning.

20 Q And so the occasion on which the
21 governor referred to you and Ms. Commisso as mingle
22 mamas must have occurred after this email?

23 A I believe it happened -- I'm not quite
24 sure if it happened before or after. It might have
25 happened before. He did sign a book for me, for my

1 birthday to --

2 COURT REPORTER: To what? I'm sorry.

3 He did sign a book?

4 THE WITNESS: A State of the State
5 book for me, to give to me, for Brittany to
6 give to me because he knew that she was going
7 out with me for my birthday that night.

8 BY MS. PARK:

9 Q So was on the night of February 29th?

10 A Uh-huh.

11 Q Okay. And why don't you look at what
12 is in the electronic binder as Tab 74.

13 MS. PARK: And we'll mark this as the
14 next exhibit.

15 (Whereupon, Exhibit 5 was marked for
16 Identification.)

17 THE WITNESS: Okay, yeah. So Brittany
18 had him sign a book, a State of the State book
19 for her as well.

20 BY MS. PARK:

21 Q So let me just set some background,
22 Alyssa, before you -- let me just set some
23 background for the record. So this is a text
24 message between you and Ms. Commisso. And some of
25 it's been redacted for personal privacy. I

1 understand from your counsel that the redactions are
2 completely unrelated to this investigation and just
3 contain personal about banter, information shared
4 between you and Ms. Commisso.

5 But in these text messages, on the
6 left side, there is text, and on the right side,
7 there is text. Which text is your writing?

8 A Mine's on the right.

9 Q Okay. So now explain the context for
10 this text message that we're looking at.

11 A So Brittany also wanted a signed book,
12 a State of the State book, since we helped him on
13 the, you know, project. So she had asked him to
14 sign a book for her as well, and I believe I said
15 something along the lines of like, did you have a
16 book signed -- did you have him sign a book for you?
17 And then I must have said, like, you better have.
18 And she said, yes, ma'am. And I jokingly wrote, did
19 he sign it mingle mamas. And she just said that he
20 talked about her spirit and great talent. On the
21 cover of the book, he wrote something about that.

22 Q So the comment from the governor
23 referring to you and Ms. Commisso as mingle mamas
24 must have occurred before this text message; is that
25 right?

1 A Yes.

2 Q You're making reference to the
3 governor calling you a mingle mama?

4 A Yes.

5 Q All right. You can go ahead and put
6 that aside.

7 Going back to your experiences with
8 the governor, you started by talking about
9 nicknames, and you said that he referred to you and
10 Ms. Commisso as mingle mamas. Did he have any other
11 nicknames for you?

12 A No.

13 Q Did the governor ever make any
14 comments about your physical appearance?

15 A He made a comment in Italian about my
16 physical appearance early on when I was helping out
17 in the mansion. It had to be beginning of 2019, one
18 of the first, probably, experiences of me going
19 there. I went up to his office and, you know,
20 wanted to discuss with him the assignment that he
21 wanted me to do and what I can help with.

22 And he -- before, like, getting into
23 the assignment, he looked at me and asked me if I
24 spoke Italian. And I said no. And I said
25 unfortunately, my parents never taught me. And he

1 went on and said something in Italian. And I just
2 kind of, like, laughed because I -- like
3 uncomfortably laughed because I really didn't know
4 what he was saying. And he kind of just like
5 grinned after that and went on and said, you know,
6 the assignment.

7 And it was -- I -- I -- to be honest,
8 I cannot remember what it was. It wasn't any word
9 that I'm familiar with. I obviously know -- I'm
10 from Italian, you know, background. I'm 100 percent
11 Italian, so a lot of my family members do speak
12 Italian. So I have some understanding of it, like
13 the common words like bella and ciao and, you know,
14 all of those kind of words. I do know what they
15 mean. So it was nothing -- it wasn't any of those
16 words. It was a word -- words that I did not know
17 what they meant.

18 But it was a short enough sentence
19 where I was able to remember it. So on my way home
20 from the mansion, I called my mom and asked her if
21 she knew what it meant. And my dad actually
22 understands Italian much better than my mother, so
23 my mother, while I was on the phone, asked my father
24 what it meant. And he said it comment -- it's
25 commenting on my looks of how beautiful I am.

1 So that was, like, one instance.

2 And then, like, numerous times after
3 that, he would say things to me in Italian knowing,
4 you know, well -- knowing well that I did not
5 understand what he was saying. And he would just
6 like say things and kind of grin at me. And I
7 definitely felt uncomfortable considering I have no
8 idea what he's saying to me. And he would just do
9 that often in front of me, so I mean, he could have
10 complimented me more. I have no clue. That's
11 pretty the -- much the extent of it.

12 Q On that first occasion at the mansion
13 after you learned from your parents the meaning of
14 what the governor had said to you, how did that make
15 you feel?

16 A A little uncomfortable and a little
17 surprised because it was -- you know, it was still
18 early on to like helping him, so I was -- I wasn't
19 really -- you know, I didn't know what to expect
20 going to the mansion. And I didn't know what to
21 expect working with him, so I was a little surprised
22 and taken aback that he would say something like
23 that to me. I believe -- I -- it's a little
24 inappropriate, if you ask me.

25 Q Other than telling your mother and

1 your father, did you tell anyone else about the
2 governor's comment to you in Italian?

3 A I told Brittany Commisso.

4 Q Did you tell her the day it happened
5 or some other time?

6 A Definitely the day it happened. I'm
7 sure I called her right after I spoke to my parents.

8 Q And why did you tell Ms. Commisso?

9 A Because we were told like right from
10 the jump that we're not allowed to talk about
11 anything that goes on in the governor's office, any
12 of our interactions with the governor. It could be
13 as simple as him kicking a soccer ball in the
14 governor's suite. We weren't even allowed to say
15 that outside the governor's suite unless it's one of
16 his EAs who works in there with us. Like, I could
17 discuss it with [REDACTED] I could discuss with it
18 EA #3, and I could discuss it with EA #2.

19 And obviously Brittany is another one
20 of them because she often helped out, so -- and I
21 knew that he interacted with Brittany very similarly
22 to how he interacted with me. And so I felt
23 comfortable talking to her about it and, like,
24 confiding in her because I -- we couldn't confide in
25 anyone else, so we would confide in each other about

1 our interactions with him.

2 I didn't feel comfortable talking to
3 EA #3 or EA #2 about it because I didn't know how
4 he interacted with them. And Brittany obviously
5 felt the same.

6 Q And when you say that you understood
7 that he -- the governor interacted with you in a
8 similar way he was interacting with Ms. Commisso,
9 what do you mean? How was he interacting with you?

10 A Playful, flirtatious. He acted as if
11 we were more friends than he was our superior, you
12 know. The conversations such as, you know, him
13 asking if I would tell on Brittany if she, you know,
14 hooked up with someone else while we were in
15 Florida, is not like a conversation a superior
16 really has with their subordinate. So he had that
17 kind of banter with us or felt comfortable enough to
18 have that kind of, you know, talk with us.

19 Q Circling just back to the Italian for
20 a second -- we'll come back to the banter. But
21 circling back to the Italian, what was
22 Ms. Commisso's reaction when you told her the
23 governor had essentially called you beautiful in
24 Italian?

25 A She just kind of laughed. Like, she

1 would always say, like, oh, he's wild or like, he's
2 crazy. And then kind of laugh it off, like I can't
3 believe he said that or I can't believe he did that.

4 Q Did you tell anyone else about the
5 governor's comments to you in Italian from that day?

6 A No. Just my parents knew, obviously.

7 Q And on the other occasions in which
8 the governor spoke to you in Italian, was there
9 anyone present -- else present besides you and the
10 governor?

11 A No.

12 Q Did you ever, again, convey to your
13 parents something the governor had said to you in
14 Italian, asked them what it meant?

15 A No, uh-uh.

16 Q Did you ever have any understanding of
17 what he was saying to you?

18 A No, because it was never words -- and
19 I don't know if he did that intentionally -- words
20 that I, you know, weren't common Italian words.
21 I -- I mean, I believe that was intentional that he
22 did not use words that I would be familiar with.
23 But it was definitely -- the way he, like, said it,
24 he would say things and like smirk after. And he
25 would just like -- because he would -- he would

1 normally be sitting when he said it at his desk.
2 And I would walk in, and he would just like -- you
3 know, I would be right in front of him. And he
4 would just say something and then smirk as he was
5 saying it to me. And I would just uncomfortably
6 laugh because I would have no clue what he was
7 saying to me.

8 Q Did you ever see the governor speak to
9 anyone else in Italian?

10 A No.

11 Q And you said that there was -- what
12 you described as playful or flirtatious banter from
13 the governor. Other than the mingle mamas and the
14 Italian conversations you have been describing, can
15 you give us any other examples of the governor
16 engaging in flirtatious or playful behavior with
17 you?

18 A I -- I was doing dictation for him.
19 This is probably one of my -- one of the -- my first
20 times doing dictation for him. It was early 2019.
21 I had asked to go into his offices in the capital.
22 And I brought in a pen and paper because you were
23 allowed to choose if you wanted pen or paper, bring
24 in a laptop. And I always brought in a pen and
25 paper as the other girls did as well.

1 And I, you know, said hello to him and
2 sat down on the other side of his desk. And, you
3 know, I was like, I'm ready whenever you are. And
4 so, you know, doing dictation for him -- for him --
5 for pretty much everyone is like very nerve racking.
6 Like you want to make sure that you hear every word
7 he's saying. You don't want to like, you know, miss
8 a word or, you know, just mess it up because you
9 have to type it up after and then have him review
10 it. And the last thing you want is to, you know,
11 put like mismatched words or put things like where
12 he didn't say. So given this was like still one of
13 my first times, I was really, really nervous.

14 So I had my head down and like my
15 paper like in front of me, my pen in hand, and
16 waiting for him to speak. And he like wasn't
17 speaking at all. It was like eerily quiet for a
18 little longer than normal. So I like looked up and
19 he -- like my shirt must have been -- must have been
20 like a loose like silk shirt or something along
21 those lines. Because -- so when I was leaned over,
22 it had like a -- you know, it had a gap between my
23 skin and my -- my shirt. And I didn't like realize
24 that. And he was fully staring down my shirt. And
25 to let me know that he was, he asked me what was on

1 my necklace that was actually right in between my
2 breasts at the time.

3 Q And what did you say when he asked you
4 what was on your necklace?

5 A I pulled out my necklace from my
6 shirt, and I told him what was on my necklace. But
7 I was very embarrassed and really like
8 uncomfortable. It just made the situation that much
9 more stressful, and I was -- like, my heart was
10 beating so fast. It was definitely unwanted
11 attention from him.

12 And I just, like, made sure the entire
13 time that my shirt was, you know, up, and I kept on
14 pulling it up probably the entire time.

15 Q After you told the governor -- well,
16 sorry. What did you say to the governor? You told
17 him what was on the necklace?

18 A Uh-huh.

19 Q And what was on the necklace?

20 A It was an Italian horn and Mother
21 Mary, like a pendant.

22 Q And what did he say?

23 A He just say it was like nice, and then
24 he just -- then he started speaking.

25 Q And did you tell anyone about this?

1 A I told Brittany.

2 Q And when did you tell Brittany?

3 A Directly, like, after it happened.

4 Q And what do you recall Ms. Commisso
5 saying to you after you told her that the governor
6 had stared down your shirt?

7 A Just like she wasn't unfortunately,
8 like, surprised by his behavior at that point. I
9 don't know. He's just -- in a way, she was
10 surprised, but she was just like, I can't -- like, I
11 can't believe he was that obvious about it. Or that
12 he would like say --

13 Q Are there ways in -- sorry. Say that
14 again?

15 A Or that, like, he would like say
16 something about my necklace to let me know that --
17 where he was looking.

18 Q And you -- did you tell anyone else
19 other than Ms. Commisso?

20 COURT REPORTER: Is that -- is that a
21 no?

22 THE WITNESS: No. Yes. Sorry.

23 BY MS. PARK:

24 Q Why not?

25 A Because I didn't know how other

1 people -- like I -- like the only people I would
2 tell or have the option of telling would be [REDACTED]
3 [REDACTED], EA #3 or -- I believe EA #2 was working
4 there at the time. Or EA #2. And like I said,
5 I -- the interactions I have seen with the governor
6 with, you know, EA #3 and EA #2 and [REDACTED], they
7 weren't, like, the interaction we have, Brittany and
8 I have with the governor. So I felt really
9 uncomfortable to tell them about it. I was, like,
10 embarrassed.

11 Q Do you mean that you didn't observe
12 the governor being playful or flirtatious with
13 Executive Assistant #3 or Executive Assistant #2 or [REDACTED] ?

14 A Yeah. The way he acted with us was
15 very different compared to them. And I obviously
16 want -- I wanted to believe that I'm up there and
17 helping out because of my good work. And I felt
18 like if I said that to them, not only would I be
19 embarrassed. I would, like, almost discredit
20 myself. Like I didn't want them to think that that
21 was the reason why we were up there. And, you know,
22 they've already made comments here and there. Like,
23 of course the governor wants -- he calls you guys on
24 the weekends. He wants pretty -- like, he wants two
25 young pretty faces around. Like they would make

1 comments like that.

2 Q How did those comments make you feel?

3 A It was very uncomfortable, very
4 uncomfortable. It felt demeaning. It made be upset
5 to know that I wasn't there for the reason I wanted
6 to be there. It made be feel like an object rather
7 than, you know, someone who is there to work and do
8 a good job and further my career.

9 Q You told us that you -- you also
10 didn't -- the only people that you could talk to
11 about your interactions with the governor would have
12 been his other executive assistants. How did you
13 come to that understanding?

14 A [REDACTED] and -- [REDACTED] and EA #3
15 [REDACTED] told me that when I first started going in
16 to the front office often, you know, about the --
17 trying to get like into [REDACTED] role. They told me
18 like right off the bat that I was not to talk about
19 anything that happened in there. Anything. Like,
20 he used to like -- he throws like fruit sometimes at
21 us. Like to play catch, like he'll like take an
22 orange. And he'll be like, here, like, catch this,
23 and, like, so -- little things like that, they said
24 nothing. You cannot say a word about anything.
25 It's simple as that, outside of this office, unless

1 it's with, you know, me or EA #3, [REDACTED] would say.

2 And they really like emphasized that
3 to the point where I -- like, Brittany and I were
4 like scared to say anything to anyone else. We --
5 we never did, never, never did because we didn't
6 want to be the ones to -- if something got out, we
7 knew that they would know it was us. And so we
8 weren't going to be the ones to say anything to
9 anyone else, so we just really confided in each
10 other with about everything.

11 Q What did you understand the
12 consequences would be if you spoke about what --
13 what the governor was doing or what happened in the
14 governor's office outside of the executive assistant
15 grouping?

16 A I would believe we would either not be
17 asked to assist the governor anymore or be moved to
18 an agency.

19 Q Do you know anyone that that has
20 happened to?

21 A Not because of something that happened
22 in -- like, with the governor, but I -- it's like
23 well known that if, you know, you do something wrong
24 that you're not -- you're not fired. You're moved
25 to an agency instead. And you're often given an

1 increase in salary to make you happy by pushing you
2 out.

3 Q Do you know anyone that that happened
4 to?

5 A Yes, [REDACTED]. She
6 was -- she helped Lauren Grasso who is the director
7 of admissions. She got pushed out to an agency and
8 given higher pay to make her happy and to like kind
9 of portray that it like -- look at this great
10 opportunity. You don't want to pass this up. But
11 realistically, she had no choice but to go.

12 It's happened to so many people, I
13 can't even think of it. But it was like -- just a
14 running -- almost like joke. It's like the only way
15 you can get a raise here is if you like mess up
16 and -- and you get kicked out and to go somewhere
17 else. It just felt like everything was backwards
18 almost. You know, if you do well, it's like -- like
19 [REDACTED] said, it's like a curse because you can't
20 really --

21 Q What's your understanding -- sorry.
22 Finish, please. Sorry. I didn't mean to interrupt.

23 A I just said like if you do well, you
24 almost -- you can't further your career because
25 you're stuck where you are.

1 Q What's your understanding of why [REDACTED]
2 was being pushed out?

3 A She -- there were -- like they didn't
4 get along well in that office. There was four of
5 them in the office, including Lauren, and they just
6 weren't getting along. There was too much like
7 banter between all of them. They weren't getting
8 along. I -- I'm not quite sure exactly what she
9 did, but I do know that she wasn't like really liked
10 by other people in that office.

11 Q And circling back to this
12 confidentiality, did you ever get any training about
13 where you could report workplace misconduct or to
14 whom you could report workplace misconduct?

15 A We have an ethics, like, training that
16 they really put emphasis on. That's a two-hour
17 training that we have to do every, I want to say two
18 years. So I had to do that in the beginning. I'm
19 not quite sure what that -- I feel like it was
20 confidentiality-related.

21 And then the other trainings that we
22 had to do, I don't know if there is like a sexual
23 harassment one. I don't know if there was, like, an
24 HR one. They were just -- you just go on the
25 computer at your leisure and, like, watch a video

1 and then click on multiple choice answers. But
2 pretty much, everyone didn't watch the video. So we
3 would just go to the very end and just select the
4 multiple choice answers because they were -- like,
5 they were common sense just to get those trainings
6 over with. But that was like a one-time deal.

7 Like, it wasn't anything like some
8 someone like said it was important. Like, it was
9 kind of like just treated -- it's like do it as --
10 you know, do it as you can, you know. It wasn't
11 taken like very seriously.

12 Q Why don't you open your electronic set
13 of exhibits and open Tab 4, and we'll mark this as
14 the next exhibit.

15 (Whereupon, Exhibit 6 was marked for
16 Identification.)

17 THE WITNESS: I'm sorry. What number
18 did you say?

19 BY MS. PARK:

20 Q Tab 4. So Tab 4 should be the State
21 of New York Executive Department Handbook for
22 Employees of New York State Agencies with Governor
23 Cuomo's name on the cover page, dated December 2018.
24 Do you see that?

25 A Yes.

1 Q Have you ever seen this document or a
2 different dated version of this document before?

3 A No.

4 Q And if you turn to Page 16, that
5 document, on the top of that page, there's bold
6 letters. It says "Sexual Harassment," and it
7 defines sexual harassment. Do you remember ever
8 seeing that definition before?

9 A No.

10 Q Why don't you open what is Tab 8?

11 A Okay.

12 (Whereupon, Exhibit 7 was marked for
13 Identification.)

14 BY MS. PARK:

15 Q Tab 8 should be the Governor's Office
16 of Employer Relations Sexual Harassment in the
17 Workplace, e-learning course dated December 2020.
18 Have you ever seen this document before or something
19 like it?

20 A No.

21 Q If you believed you were experiencing
22 something that might be sexual harassment, what was
23 your understanding of who you should go to?

24 A To be honest, I didn't feel, like, I
25 could go to anybody. We don't really -- there's no

1 one, like, on our floor that is -- well, defined HR.
2 The person that's closest to it would be Lauren
3 Grasso, the director of administration. But she's
4 fairly new into that role, whereas [REDACTED] had been
5 there for years and years.

6 So Lauren is also -- like, is not
7 confident and sometimes afraid to go to the
8 higher-ups on certain matters. She's intimidated by
9 them as well, or she just doesn't get answers from
10 them as far as like staffing and stuff like that go.
11 But I -- I never felt like I could go to her. I
12 don't think it would go anywhere. I don't think she
13 would feel comfortable going to anyone about it.

14 Everyone like Jill -- there was like a
15 clique, almost. So it was like Jill Desrosiers,
16 Danny Lever, Annabel Walsh, Melissa deRosa,
17 Stephanie Benton. They like called them like the
18 mean girls, almost. They were like super cliquey.

19 And they would just like protect him,
20 the governor, and, you know, each other. And
21 there's no way that anything would have gotten past
22 if like -- say, like, say if Lauren did go to Jill,
23 like it would have been squashed. Or I would have,
24 you know, had some sort of retaliation, like -- or
25 not like have been asked to go in the front office

1 anymore or moved. I'm sure I would have been moved.

2 So there was just -- I didn't know
3 even where to start or who to go to. I didn't feel
4 comfortable talking to anyone about it, and that's
5 why I just talked to Brittany about it.

6 MS. PARK: Why don't be -- we have
7 been going for about an hour and 40 minutes, so
8 why don't we take a break and go off the
9 record?

10 THE WITNESS: Okay.

11 THE VIDEOGRAPHER: The time is
12 4:27 p.m. Eastern time, June 2nd, 2021. We are
13 now off the record.

14 (Whereupon, a short break was taken.)

15 THE VIDEOGRAPHER: The time is
16 currently 4:42 p.m. Eastern time,
17 June 2nd, 2021. We are back on the record.
18 You may proceed.

19 BY MS. PARK:

20 Q Alyssa, do you know anything about
21 whether the governor did the kinds of training that
22 we were just looking at together?

23 A That, I'm not aware of. I don't know
24 if he did or did not.

25 Q And did you ever hear any discussion

1 about -- in the executive chamber or from anyone
2 about whether someone else in the executive chamber
3 was doing the governor's training for him?

4 A No, I have not heard anything about
5 training and the governor.

6 Q Before we took a break, you had
7 referred to a group of women who worked in the
8 executive chamber as the mean girls. Can you tell
9 us how you came to understand that group was
10 referred to as the "mean girls"?

11 A I don't remember who told me that or
12 like referred to them as that, but it has been a few
13 people who've referred to them as that. I obviously
14 have seen firsthand how cliquey they are, just being
15 in the front office. You know, they would gather in
16 Melissa's office and chat or, you know, just like
17 kind of just talk about different people or
18 different things and were -- like, they would all,
19 like, go out after work or, you know, go hang out at
20 the mansion. And it would just be them, and they
21 would never like let anyone into like that little
22 circle.

23 Q Did you ever observe any of those
24 individuals yelling at or bullying other members of
25 the executive chamber staff?

1 A Melissa deRosa. She --

2 Q What did you observe Melissa deRosa
3 doing in that respect?

4 A Being very demeaning to people,
5 yelling at people, talking down to people like we
6 had to -- you know, she only drinks Starbucks, and
7 all we had in the capital was Dunkin Donuts. And
8 she like refused to drink that, so someone had to go
9 out and get her Starbucks. And she would like -- if
10 you weren't back by a certain time, she would be
11 like having people like call and text you like,
12 where is my coffee. Where are you? Like, what's
13 the status?

14 And like, to the point where, I think
15 one time or multiple times, like, Brittany has gone,
16 and I have literally had to like run across the
17 street in like traffic going to get her coffee, to
18 get it back to her before like a press conference
19 and like running in my heels up to the second floor
20 like, trying to like get it to her in time. So...

21 Q Did you have to pay for Ms. DeRosa's
22 coffee?

23 A Sometimes. But then she -- she --
24 Stephanie would give money to us. Like this is part
25 of like the coffee, like, bank or whatever. If you

1 like happen to pay for it that week, just take money
2 out of there. But then Melissa actually had her
3 card linked to the app that EA #2 had. So EA #2
4 would put in the coffee for you under Melissa, and
5 it would come out of her card.

6 Q And what is the coffee bank?

7 A It's just -- it's not like anything
8 like formal. It's just like -- it's -- so like the
9 governor's coffee and Stephanie Benton's coffee, we
10 usually get from Dunkin Donuts, which is right
11 downstairs. So, you know, they'll call and be like,
12 oh, the governor wants coffee. So we'll go
13 downstairs, get him a coffee, and usually, like,
14 we'll pay for that ourselves. And, you know, she'll
15 like throw a 50 at like EA #2, like, if someone
16 bought coffee this week, like, make sure you give
17 them, like, some money out of it to cover our
18 coffee. But that's pretty much it.

19 Q So were you getting reimbursed for the
20 coffee?

21 A I mean, that -- really, like I didn't
22 really say like oh, like, I paid for coffee on this
23 day and this day and this day, like I need this
24 amount of money, like, no.

25 Q But there were times where someone

1 would give you money and say this is to cover
2 coffee?

3 A Yeah, uh-huh. Like sometimes
4 Stephanie or would give me her card or whatnot. It
5 depends on the situation.

6 Q And other than Ms. DeRosa's coffee
7 orders -- and you said she also sometimes was
8 demeaning to people -- are there other examples of
9 Ms. DeRosa being bullish -- bullyish or mean to
10 other individuals on the senior staff?

11 A To senior staff or people below her?

12 Q Sorry. In the executive chamber.

13 A Okay. Yes, she was -- she's, I mean,
14 very demeaning toward us especially -- because,
15 like, she just thinks, like, we're below her. So
16 every -- we're just like always like yelled at by
17 her or like, why did you do this? Are you kidding
18 me? Like she just would -- like talk to you in such
19 a way that you're just like, I'm not stupid. So she
20 would just always make you feel bad.

21 And like EA #3, for example, EA #3 and
22 EA #2 are actually older than her. So like it
23 would like -- that really got to me, her talking to
24 them like that. And, you know, they wouldn't like
25 it either. But everyone knows that's just how she

1 is. But around the governor, when the governor was
2 around, she was better toward us.

3 Q Did you ever complain to anyone about
4 Ms. DeRosa's behavior?

5 A No, because everyone knew about it.

6 Q Did you ever see anyone tell
7 Ms. DeRosa that she was behaving inappropriately or
8 improperly?

9 A Oh, no one would ever do that, uh-uh.
10 They're like --

11 Q Why not?

12 A Because they're like bullies, and if
13 you say something to them, then you're going to --
14 your career is going to get ruined. Or you're gonna
15 get pushed out, or, you know, there's going to be no
16 advancement. It was just, you don't like cross
17 them.

18 COURT REPORTER: Is there a piano
19 playing? Excuse me, Counsel. Is there a piano
20 playing?

21 MS. PARK: There is. We can go off
22 the record.

23 THE VIDEOGRAPHER: The time is
24 4:49 p.m. Eastern time, June 2nd, 2021. We're
25 now off the record.

1 (Whereupon, a discussion was held off
2 the record.)

3 VIDEO TECHNICIAN: The time is
4 currently 4:51 p.m. Eastern time,
5 June 2nd, 2021. We are back on the record.
6 You may proceed.

7 BY MS. PARK:

8 Q So before we took a break, we were
9 talking about the mean girls and why you would never
10 have said anything about their behavior. Did you
11 ever see the governor say anything to them about how
12 they were behaving?

13 A No, never. He -- he was -- he was
14 always like part of it. Like he would join in on,
15 like, their fun and banter, and they would all go
16 into Melissa's office or his office. They'd all
17 like joke around. Like I said, they'd go back to
18 the mansion a lot. So he was, like, a part of it.
19 They were very like --

20 Q Did the governor -- did the governor
21 refer to that group as the mean girls?

22 A No, not that I'm aware of.

23 Q Did the mean girls dress in a
24 particular way?

25 A Yeah, they dressed -- you know, they

1 wore very fitted, tight clothes, shorter dresses.
2 Melissa would always have the -- need the heat to be
3 cranked up high so she could wear, like, short
4 dresses, like, that were sleeveless like all year
5 round. And yeah, they all -- like all -- they wore
6 like very fashion forward clothes, like, not like
7 traditional clothing, but very -- very form fitting,
8 like trendy clothes.

9 Q And did that have any influence on how
10 you felt you needed to dress in the executive
11 chamber?

12 A Yeah. Like, I felt like I needed to
13 dress similar to them in a sense. I felt like I
14 needed to dress more like them rather than, you
15 know, frumpy outfit, something that wasn't as trendy
16 or whatnot. So I didn't feel like I could wear
17 casual clothes or anything of that sort.

18 Q What about what the men wore in the
19 office? What did they wear?

20 A The men? They would wear usually
21 button-up shirt and like black dress pants, and they
22 would like have -- usually have their jacket off
23 unless there was, you know, an event or something
24 going on. They would -- they probably would wear it
25 in or always bring it, and it's in their office.

1 And like, they had like ties like on hand in their
2 office and would put it on if need be. But they
3 would pretty much wear them. Then on Fridays, it
4 was more like a casual type of dress code unless
5 there was something going on.

6 Q Did you ever talk to anyone about what
7 you -- how you needed to dress while you were
8 staffing the governor?

9 A No, nope.

10 Q Did you ever hear of anyone else being
11 told how they had to dress when they were staffing
12 the governor?

13 A No. Just -- like, they would say, you
14 know, you need to wear something on the dressier
15 side, like just along those lines. They wouldn't,
16 like, say exactly what to wear, like, exactly what
17 to wear, but...

18 Q Did anyone ever talk to you about what
19 kind of footwear you needed to wear while working in
20 the governor's office?

21 A No. Because I always wore heels no
22 matter what.

23 Q Why did you always wear heels?

24 A Because I'm short.

25 Q Was there any other reason, or was it

1 by choice?

2 A By choice.

3 Q Did the governor ever comment on your
4 clothing?

5 A I don't think so. I don't think so.

6 Q You told us about the governor
7 commenting about the necklace you were wearing while
8 he was looking down your shirt. Are there any other
9 occasions on which you felt like the governor was
10 commenting on your body or your appearance?

11 A He commented on, like, my tattoos. So
12 he commented on, like, the tattoo I had on my foot,
13 and I think he asked me like if there were -- if I
14 had, like, others.

15 Q And when did that happen?

16 A When I was at the executive mansion in
17 one of those times. It's kind of, like, all blended
18 together. I've been -- you know, I've had a lot of
19 conversations with him. And a lot of -- you know, I
20 spent a lot of time at the mansion and with him at
21 the capital. So it's, like, really hard to pinpoint
22 when that happened.

23 Q And where is your tattoo?

24 A The one he commented on was on my
25 foot.

1 Q And do you recall what he said?

2 A I think he asked like -- like what it
3 was, because he didn't see, like, the whole thing.
4 So I just told him.

5 Q And what did you tell him?

6 A I told him it was like -- it's like a
7 cross, but it was like -- it's, like, made almost,
8 like, out of palms.

9 Q Did he say anything in response?

10 A I don't remember. I -- I believe he
11 asked if I had others, but I -- and I think I just
12 said yes. But I'm not quite sure how that
13 conversation went.

14 Q Okay. Do you remember if he asked you
15 where your other tattoos were?

16 A I don't believe so.

17 Q Was there any occasion in which you
18 had heard him ask about somebody else's tattoos?

19 A Huh-uh, no.

20 Q Any other comments -- I know you said
21 that there was a kind of stream of playful
22 flirtatious banter coming from the governor, but any
23 other comments that -- that stick out to you as
24 having been flirtatious or having been of a sexual
25 nature or sexual innuendo?

1 A Not really to me. It would be -- it
2 would -- it was, like, to Brittany that involved me.
3 Then Brittany would, like, relay things to me. And
4 I am definitely less outgoing than Brittany is, so I
5 think he felt a little more comfortable in that
6 sense with her.

7 Because I wouldn't really -- I -- I
8 was like -- I would respond back to a certain
9 extent. But not as much as like she -- you know,
10 she talked to him more in that sense than I did. I
11 kind of just like laughed or that kind of -- like I
12 didn't really engage too much.

13 Q Meaning when he was being flirtatious
14 or playful, you -- you laughed, but you didn't
15 necessarily engage back with him?

16 A Yeah. Like, so the conversation
17 really couldn't continue.

18 Q Was that on purpose?

19 A Subconsciously or on purpose,
20 either/or. It definitely was one or the other.

21 Q And are there cases in which you --
22 you flirted with the governor?

23 A No. Like, I would -- the extent was
24 like what happened in Florida stayed in Florida.
25 But that was joking, like joking around because I

1 was like -- really did not know what to say to him
2 when he said that. But I -- that's like the extent
3 of it other than that I would just -- it's just like
4 nervous laughing or just like smiling or that --
5 that kind of stuff. But nothing -- like, I wouldn't
6 say anything flirtatious back to him.

7 Q How often was the governor engaging in
8 playful or flirtatious behavior with you?

9 A Probably almost every time I saw him.
10 And it -- it wasn't like, you know, outright
11 flirtatious always. It was if he like came into a
12 room and I had to be in there, and he would like say
13 hello to me first, or only say hello to me.

14 You know, Brittany and I were in the
15 hallway one time after he finished the State of the
16 State address. I want to say it was -- it had to
17 have been 2019 because I don't think the 2021 --
18 2020 happened. And we happened to be in the hallway
19 when he was going on the elevator, and he saw us and
20 he's like, ladies. And, you know, we went up to him
21 and were like, oh, you did such a good job. And so
22 he, like, hugged and kissed us both, but like --
23 then there was like random, like other people in the
24 hallway that he, like, didn't acknowledge.

25 Or he would -- for a period of time,

1 Brittany's office was directly across from mine. We
2 were both on the secured side. She worked for --
3 Oh, gosh, I'm drawing a blank. I worked for [REDACTED]
4 [REDACTED] and she worked for -- I'm drawing a blank,
5 but who was an adviser to the governor. And so
6 our -- our offices were -- like, we could see each
7 other. We lined up perfectly at our desks.

8 And like I said, Melissa's office
9 connected to ours, and so the governor would
10 sometimes go through that door and like come say hi
11 to me, and then go across the hall and say hi to
12 Brittany, and then like just return back into his
13 office.

14 Q On the occasion after the State of the
15 State where you just mentioned that the governor
16 hugged and kissed you, describe the hug.

17 A He like hugged us both separately and
18 both -- like gave us a kiss on the cheek. And he
19 would like always like firmly grip our sides when he
20 would like hug us or -- and/or give us, like, a
21 squeeze. Well, yeah, because Brittany did tell me
22 that he did that to her too, so he, like, would
23 squeeze your side a little bit.

24 Q And when you say "your side," where
25 would he put his hands?

1 A Like -- maybe like right under your
2 breast.

3 Q And that's where he would squeeze?

4 A Uh-huh.

5 Q On the -- it sounds like this happened
6 more than once. Did this happen more than once?

7 A Yes.

8 Q How many times did this happen to you?

9 A Honestly, I couldn't even tell you.
10 It happened -- it happened frequently. If there was
11 an opportunity where, you know, a hug was somewhat
12 like appropriate, like -- so, yeah. I don't -- I
13 don't know for sure how many times.

14 Q And the kiss, please describe that for
15 us.

16 A He would just like kiss you on the
17 cheek. Sometimes he would kiss you on both cheeks
18 or once. But I like rarely, if ever, seen him do
19 that to like others, especially at our level. Like
20 for EAs, I have never seen him do that to another
21 EA.

22 Q Have you ever seen him do that on
23 other occasions with members of his senior staff?

24 A I mean, I'm sure he's -- I can't think
25 of it, but I'm sure he's done it to like Melissa or

1 Stephanie. But it's -- or maybe [REDACTED] for
2 an event purpose or if maybe seeing them. But
3 not -- he would never just do it in the hallway if
4 he saw them. Like that -- that -- he would never
5 ever do that, whereas he would do that with Brittany
6 and I.

7 Q And on any of the occasions in which
8 the governor either hugged or kissed you, did he ask
9 permission to do that before?

10 A No, never.

11 Q And how did it make you feel that the
12 governor hugged and kissed you on a number of
13 occasions?

14 A Awkward. Definitely awkward. But I
15 kind of just, like, went along with it. And then
16 you just kind of, like, try to keep your, like,
17 distance body wise. So you're not like -- like
18 touching.

19 Q And describe for me what you would do
20 to keep your distance body wise?

21 A I would basically like push out my
22 back and like so my -- and like leaned forward
23 rather than straight up so he can't like -- I can't
24 be like pulled in. So it's very -- I'm sure it was
25 very like a stiff hug on my end.

1 Q Are there any occasions on which the
2 governor did pull your body into his body?

3 A No, just like on the -- like at the
4 side for pictures and stuff like that, he would pull
5 us like closer to him or like -- for like the
6 Christmas party, everyone is like, you know, tries
7 to get a picture with him because it's people
8 from -- there's like commissioners from agencies and
9 like higher ups from different agencies that are
10 there.

11 And like, so he'll like do a speech,
12 walk down, and like people are all like trying to
13 get to him. And, you know, he has his like detail
14 around, and like he would intentionally go up to us
15 instead of us going up to him. And he would always
16 want to take a picture with the two of us.

17 Q Why don't you open your binder,
18 electronic binder, and turn to Tab 15?

19 MS. PARK: We're going to mark this as
20 the next exhibit.

21 (Whereupon, Exhibit 8 was marked for
22 Identification.)

23 THE WITNESS: Tab 15, you said?

24 BY MS. PARK:

25 Q Yeah. And why don't you go ahead and

1 open 15, 16, 17, 18, 19, 20 and 21?

2 MS. PARK: So we're going to mark each
3 of these as a different exhibit, and these are
4 photographs that you provided to us.

5 BY MS. PARK:

6 Q So why don't we just look at each of
7 the photographs?

8 So Number 15, do you remember what
9 occasion this is from?

10 A Chamber Christmas party, has to be
11 2018, cause we didn't have one in 2020. Or no, we
12 did have one in 2020. So this is 2019, Christmas
13 party.

14 Q This is the 2019 Christmas party, and
15 this is you and Ms. Commisso, it looks like talking
16 to the governor; is that right?

17 A Uh-huh, yeah. This is like when he
18 would -- he came up to us.

19 Q And then flip to the Tab 16, which
20 will be the next exhibit.

21 (Whereupon, Exhibit 9 was marked for
22 Identification.)

23 THE WITNESS: And in that situation,
24 Brittany started working in the front office.
25 I worked in there like pretty much full time at

1 that point, so he -- when he was like walking
2 down, he -- in like front of everybody, he
3 points at me, and he says, you're supposed to
4 be in my office. Like, what are you doing out
5 of the office, like jokingly, which was very
6 embarrassing.

7 BY MS. PARK:

8 Q And that happened before this
9 photograph started?

10 A Uh-huh. And that is way down from the
11 crowd, like going through the crowd.

12 Q And then look at Tab 16. How did that
13 photograph come about of you and Ms. Commisso and
14 the governor?

15 A The governor asked me for -- to take
16 his picture with him. He was like, come here
17 ladies.

18 Q Did you ever ask the governor to take
19 a picture with you?

20 A No.

21 Q If you can open, actually, Tab 26 and
22 27?

23 A Uh-huh.

24 (Whereupon, Exhibits 10 was marked for
25 Identification.)

1 BY MS. PARK:

2 Q These are photographs of Ms. Commisso
3 and the governor. I think your hands appear in what
4 is Tab 26. Are these photographs from that same
5 event?

6 A Yes.

7 Q Do you remember anything else about
8 what happened on this occasion with the governor?

9 A No, because he obviously had to
10 continue through the crowd and take additional
11 pictures. So after the picture was taken, he might
12 have chatted for another minute, but they had to
13 keep him going. So they kind of pushed him along.

14 Q If you look at Tab 26 and 27, it
15 appears that the governor's hand is grabbing
16 Ms. Commisso's wrist. Do you see that?

17 A Uh-huh, yes.

18 Q Do you remember noticing that on that
19 occasion or talking to Ms. Commisso about it on that
20 occasion?

21 A No. It's not something, like, I paid
22 attention to at the -- like in the moment.

23 Q Was there anything unusual about your
24 interaction with the governor on that occasion, or
25 is this just kind of normal? Or not normal in the

1 sense normal, but normal in this is what you
2 experienced with the governor?

3 A So that was our first Christmas party
4 together. I -- we were a little surprised that he
5 came up to us out of, like, everyone there. So that
6 was -- that was a little shocking that he would like
7 stop to come and see us. So we were, like, a little
8 surprised by that, like a little taken off guard
9 because there was a lot of important people there.

10 Q And if you look at the photographs
11 that are at tabs 17, 18 and 19, those appear to be
12 pictures of you, Ms. Commisso and the governor from
13 a different event. What event is that?

14 A So that's the Christmas party the
15 following year, so 2020.

16 Q Maybe it was 2019. I don't know if
17 there was a Christmas party in 2020; is that right?

18 A 2020.

19 Q 2020 would have been COVID.

20 A Okay. So then, yes, so that would be
21 2019, and the other one would be 2018 then.

22 Q Great, okay. And the photographs here
23 with the governor, whose camera were these taken on?

24 A I believe mine. I gave my phone to
25 [REDACTED] who worked in the invitations,

1 correspondence, invitations office for the governor.
2 So she wasn't on our second floor. She was in a --
3 in an agency building, but she technically worked
4 for the chamber. So she took it.

5 Q And did you ask her to take
6 photographs of you and Ms. Commisso with the
7 governor?

8 A Yes, cause it was being taken by --
9 obviously a professional picture.

10 Q So a professional photographer was
11 also taking photos, and you asked her to take photos
12 with your camera?

13 A I don't know I specifically asked her,
14 but I gave her my phone.

15 Q Okay. And in the photographs, it
16 looks like the governor was about -- in Number 17,
17 to kiss you on the forehead. Do you remember if he
18 kissed you on your head?

19 A Yes, he did.

20 Q Did he ask if he could kiss you on the
21 head?

22 A No.

23 Q Did it make you feel uncomfortable
24 that the governor kissed you on the head?

25 A Yes, especially in front of that many

1 people.

2 Q If you look at Tab 19, there's a
3 photograph. The governor is partially cut off of
4 the photograph, but his hand is above your waist and
5 slightly below your breast. Is that what you were
6 describing to me earlier as to where the governor
7 would place his hands when he hugged you or stood
8 with you?

9 A Yes.

10 Q And similarly, if you have Tab 21
11 open?

12 A Uh-huh.

13 Q Does that similarly reflect where the
14 governor would place his hands when he hugged you?

15 A Yes.

16 Q And you also provided us with a
17 photograph that is in, I think, Tab 20. Do you see
18 that?

19 A Yes, that's [REDACTED].

20 Q And did [REDACTED] take this photograph
21 with the governor around the same time that you and
22 Ms. Commisso took your photographs with the
23 governor?

24 A Directly after us. She put the -- as
25 soon as we walked away, she was like, can I get a

1 picture with you. And, you know, he said sure, so
2 he -- because that was her first Christmas party,
3 chamber Christmas party that she's ever attended.
4 So I took a picture of her for her.

5 Q And are there differences between
6 where the governor has placed his hands with [REDACTED]
7 and where he placed his hands with you and
8 Ms. Commisso?

9 A Yes, absolutely.

10 Q What are the differences?

11 A His hands on [REDACTED] are on her back,
12 or upper back, and he is not gripping her. It looks
13 like he's just has his hand placed on her upper
14 back.

15 Q And on that occasion, do you recall if
16 the governor kissed [REDACTED] on the head?

17 A No, he did not.

18 Q You can put those aside for a minute.
19 Did you ever print out any of the photographs you
20 took with the governor and display them?

21 A Display them? I have not.

22 Q Have you ever posted any of your
23 photographs with the governor on social media?

24 A Yes, one.

25 Q And why did you do that?

1 A I'm not sure why. I think it was just
2 like directly after the Christmas party, and I just
3 put like the caption like, "Chamber Christmas Party
4 2019" or whatnot.

5 Q And how long did you keep that photo
6 up on your social media?

7 A It's still up there. I was told not
8 to take it down.

9 Q Okay. I don't want to -- you don't
10 have to tell me anything that your lawyers have ever
11 told you, okay? So if I ask you any question, that
12 means to have something your lawyer told me -- told
13 you, then say, I think I can't answer that question,
14 okay?

15 Other than the touching that we've
16 described, sort of the frequent hugging and the
17 governor placing his hands during those hugs near
18 your breast, above your waist and squeezing, kisses
19 on the forehead, kisses on the cheek, is there any
20 other touching that the governor engaged in with
21 you?

22 A I don't believe so. It was just he --
23 just him like kissing us on the cheek or like
24 pulling me in with like my hand. Sometimes he would
25 just like -- different variations, but it was just

1 always like kissing and hugging hello or good-bye or
2 potentially going into our offices.

3 Q Did the governor ever refer to you
4 using terms of affection or endearment?

5 A Like, for example?

6 Q Sure; like darling, sweetheart, honey?

7 A Yes, yes, yes.

8 Q And how has he referred to you?

9 A It would either be darling or honey,
10 one of those. It was -- it would be, like,
11 casually.

12 Q And how often did he do that?

13 A A bunch of random times.

14 Q Did he do that to anyone else?

15 A Brittany.

16 Q Anyone other than Brittany?

17 A I'm sure, but I'm not -- I don't know
18 off the top of my head.

19 Q How did it make you feel when the
20 governor referred to you as darling or honey?

21 A Awkward and a little demeaning.

22 Q Did you ever tell anyone that the
23 governor was referring to you using a term of
24 affection or endearment?

25 A It would be in front of others, so

1 like Stephanie --

2 Q Like who else?

3 A Stephanie Benton would hear it. It
4 was just -- it would be like during the day and in,
5 like, the governor's suite. But I don't think
6 anyone thought -- like no one thinks really anything
7 of it because he -- he had -- he definitely has
8 referred to others as that. Like, I'm sure that
9 group, like Annabel, they were all very close to
10 him. So I know he was -- like Annabel, he would --
11 he had like a nickname for her and literally almost
12 positive that he's called her like names of
13 affections, or referred to her as, like, darling or
14 such.

15 Q Did you ever hear anyone ask the
16 governor not to refer to them that way?

17 A No.

18 Q Have you ever heard anyone tell the
19 governor to stop doing something he was doing?

20 A No.

21 Q What do you think would happen if
22 someone told the governor don't call me that or
23 don't refer to me that way?

24 A I think you're sabotaging your career
25 if you did that. I think there would be -- there

1 would be like repercussions to that. He's not
2 someone you tell no to. Whether it's work related
3 or anything, you just don't -- like you hear a lot
4 of people complain outside of the room like about
5 even like project.

6 Like I know like [REDACTED] used
7 to get really frustrated like -- like that timeline
8 is like impossible that he wants that done, you
9 know, things just saying that. And like -- but at
10 the same time, there's no way that she can tell him
11 no or Melissa, really.

12 Q Has the governor ever asked about your
13 personal life? I know you told us he asked
14 Ms. Commisso about your personal life, but did he
15 ever ask you about it?

16 A Yes. He asked me, and I don't know in
17 great detail, but he has asked me about like how --
18 like how I was doing with the separation, in person,
19 when I was at the mansion. I don't know what time
20 it was, but it had to have been shortly after my
21 ex -- soon-to-be ex-husband and I separated. I
22 don't know exactly what he asked me, but I do know
23 we had a conversation about it.

24 And then in November, November 2020,
25 he called, and he asked -- I said -- I was like,

1 executive chamber, and he was like -- and he says,
2 like, hiya to let you know that it's him. And I
3 was, like, hi, governor. And he was like -- he
4 would, like, say who is this, like playfully. And I
5 would say Alyssa. And he would say Alyssa what?
6 And I said McGrath and he was like you still haven't
7 changed your name back yet? And he's like, I like
8 Petronio better.

9 And I was like, I said, governor,
10 we're -- you know, my divorce is going super slow.
11 Like, I don't know if you -- we were just in a
12 pandemic, and it's slowed everything down. And he
13 like started like interrogating me with questions,
14 like whether I was seeing someone; whether my ex was
15 seeing someone; how much he pays me in child
16 support, how much he's supposed to pay me weekly,
17 does he pay me, how much does he owe me in back
18 child support. He would do the calculations in his
19 head. He asked me other questions, like interrogate
20 me for like a couple of minutes, like straight
21 like -- I was like -- I like answered like boom,
22 boom, boom, boom, boom.

23 And EA #2 was in the room with me,
24 and finally when the governor was done, I was like
25 so what can I, like, help you with? And he wanted

1 to be transferred to Peter Damian. And so I
2 transferred him over, and she was like what was that
3 about? She's like -- he's like -- he just grilled
4 you. I was like, I know. And she was like, well,
5 you did really well. You answered the questions
6 like back to back to back to back, but he completely
7 like -- I felt like I was on the stand with the
8 amount of questions he asked me.

9 You know, he asked me about my
10 attorney; if she's going to garnish his wages; if --
11 you know, how often does he get [REDACTED], and
12 literally every question you can think of regarding
13 my divorce.

14 Q Were you comfortable answering the
15 governor's questions?

16 A I didn't even have time to think if I
17 was comfortable or not, because he was asking me
18 questions back to back to back to back. Afterwards,
19 I -- I wouldn't have disclosed that information to
20 him. Like, not even a lot of people -- like, barely
21 anybody knows, like, in the chamber. Like, they
22 know that I am going through a divorce. They just
23 don't know all of those specifics. It's not
24 something I would like go around and share with
25 people, only my -- the closest people in the office.

1 Q And without getting into specifics or
2 details, when did you separate from your ex-husband?

3 A We signed our legal separation
4 agreement June 1st, 2019, but it started -- we
5 started like first, like, pursuing a separation the
6 day after Easter, so April, in April.

7 Q Of 2019?

8 A Uh-huh.

9 Q And at what stage are your divorce
10 proceedings now?

11 A I just -- just provided it in my
12 discovery.

13 Q Was there discovery related to the
14 governor?

15 A No, just solely financials and like
16 tax with my ex and stuff like that, like over the
17 last like five years, whatever I could provide.

18 Q Has the governor -- sorry, strike
19 that.

20 Has your soon-to-be ex-husband ever
21 accused you of having a consensual sexual
22 relationship with the governor?

23 A No, he -- he always would say like --
24 like, I know like what goes on with like politics
25 and like, you know, you guys are like young girls,

1 and, like, would imply that like the only reason why
2 we were being called to help out the governor was
3 because of our -- like, because of my looks. But he
4 wasn't as adamant about it as Brittany's ex was.

5 Q By the way, we'll put a pin in -- in
6 Brittany's ex.

7 To your knowledge, has your
8 ex-husband, soon-to-be ex-husband ever raised the
9 idea that you have were having a consensual sexual
10 relationship with the governor to anyone else?

11 A I have no idea. No clue.

12 Q Going back to the -- to the governor
13 himself, was there any other personal questions that
14 he asked you or questions about your personal life
15 that you remember him asking you?

16 A Just, like, casual conversation about,
17 like, what I was doing for Christmas and that kind
18 of stuff. But nothing that comes to mind. And I
19 know there's a conversation with him and Brittany
20 where he asked to see her Instagram. And it was
21 like all of us in Saratoga at the time. And he like
22 jokingly said that he wanted to go out with us in
23 Saratoga. If there was a way, he would go out with
24 us.

25 Q So on that occasion, were you present?

1 A Uh-uh, no.

2 Q And what did Ms. Commisso tell you
3 happened on that occasion?

4 A She just told me, she said that he
5 asked to see her Instagram. And obviously, it was
6 like all of us, so he like commented that, you know,
7 we spent a lot of time in Saratoga just like having
8 fun. Brittany was trying to get me out a lot
9 considering I just went through a separation, and it
10 was very difficult for me. So she tried to get me
11 out of the house as much as possible.

12 Q Did the governor ever ask to see your
13 social media account?

14 A No.

15 Q Did you ever show him pictures on your
16 phone of you or you and Ms. Commisso?

17 A No.

18 Q Have you ever helped the governor look
19 at photographs of him at events and select photos to
20 send to people?

21 A No.

22 Q Have you ever watched him do that, so
23 not helped him, but watched him pick photos from
24 events?

25 A I know he -- like, he's picked photos

1 from events and like have signed them and have given
2 it -- given them to someone, like the staff members
3 or someone who wasn't a part of the staff. I know
4 that things like that have been sent out or given to
5 others.

6 Q But were you there on any occasions
7 when he was doing that?

8 A Yes, like more for like staff, and --
9 or I would see that they had just been done, and
10 then we had to, like, make sure that they were
11 mailed out properly and given to [REDACTED] who
12 handled, like, the correspondence. We just like
13 relayed what needed to be done and gave her the
14 stuff.

15 Q And have you ever heard on those
16 occasions, the governor comment on any of the women
17 in those pictures on their appearance?

18 A No.

19 Q Can you recall any other occasion on
20 which you have heard the governor make comments that
21 have sexual content to them or sexual innuendo?

22 A There -- well, there was a time when
23 we were -- it was when we were doing the book
24 signing stuff after we were done going through the
25 signing of the books. Brittany and I went into the

1 area where the EAs sit typically, obviously. But
2 like I said, there was only three of us in, so
3 Brittany -- because we were on the floor, we spread
4 all the books out so we can like easily separate
5 them and like make sure they are done, make sure we
6 got every one that we're supposed to. So we just
7 like literally spread everything out.

8 And Brittany had like pulled something
9 in her groin, and my ex -- soon-to-be ex-husband is
10 a personal trainer as well. So she knows that like
11 I know like -- probably one of the only benefits was
12 I get to -- I knew how to, like, do all the, like,
13 exercises and like -- like different, like,
14 stretching to help with that.

15 So she asked me like what stretches
16 can I do to like -- like help this. Like, it's
17 driving me nuts, especially because we were sitting
18 on the ground. So I showed her one, and so I was
19 like, mimic me. So I was doing it, and then she did
20 it. And then the governor walked in when that
21 happened, and was like, whoa, whoa, whoa, ladies.
22 And like we started like laughing. We're like, oh,
23 my G-d, so we like, you know, went back to like
24 sitting properly.

25 And he -- his face -- it was either

1 his like -- his face, like he made, like, you knew
2 that he was thinking of some like -- something like
3 sexual and to the fact where Brittany had to say
4 it's not what you think. I pulled my groin for
5 another reason, because he like -- it -- just the
6 way he behaved seeing us do a stretch.

7 Q And did the governor, other than
8 saying, ladies, ladies, that kind of thing, did the
9 governor say anything after Ms. Comisso said it's
10 not what you think?

11 A Well, he was like, what's going on
12 here? And then she said that, and he was like,
13 okay, all right. And he's like mingle mamas, and he
14 like walked out of the room.

15 Q So this was around the time when he
16 had started referring to you as mingle mamas?

17 A It was, yeah, the same day.

18 Q Okay. Any other occasions in which
19 you can recall the governor making comments that had
20 a sexual nature to them or sexual innuendo?

21 A Not that comes off the top of my head.

22 Q Okay.

23 A I do know that -- sorry.

24 Q Sorry. Go ahead.

25 A EA #2 has -- had mentioned that she

1 noticed the governor looking down her shirt at one
2 point in time, like blatantly, but...

3 Q When did Executive Assistant #2 tell you that?

4 A It was -- I don't remember when. It
5 probably wasn't too -- too long ago. Right before
6 the -- it was definitely before the pandemic. She
7 kind of just like said it openly, like to the --
8 EA #3, like, EA #3. Maybe Brittany was there.

9 Q Did anyone react?

10 COURT REPORTER: I can't report that.

11 THE WITNESS: No.

12 BY MS. PARK:

13 Q Any other occasions in which you're
14 aware of the governor making comments of a sexual
15 nature or sexual innuendo?

16 A No comments that I can think of, but
17 there have been like -- I have heard like rumors of
18 him, the governor like sleeping with different staff
19 members. I don't know. Like, obviously, I can't
20 say that it's true or not true, but I have heard
21 of --

22 Q And what are -- what are the rumors
23 that you've heard?

24 A I have heard that he has had like a
25 sexual relationship with [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]

5 Q [REDACTED]

6 A Yeah. Yeah. [REDACTED]

7 [REDACTED] [REDACTED] but that has always
8 been every one believes that they had some sort of
9 relationship, as well as Senior Staffer #2, Senior Staffer #3
10 [REDACTED] and Senior Staffer #1.

11 Q Do you have any knowledge or -- about
12 the governor having a consensual sexual relationship
13 with any of those women other than hearing a rumor?

14 A No. No.

15 Q Have you ever seen him engage in
16 physical contact with any of those women of a sexual
17 nature?

18 A Nothing that like stood out. Just,
19 you know, the fact that he spent a lot of time with
20 them at the mansion. Or, you know, like Senior Staffer #2
21 and Senior Staffer #1 have basically stayed at the mansion
22 this entire year.

23 Q So Senior Staffer #2 and Senior Staffer #1, to your
24 understanding, were living at the executive mansion?

25 A Yes. And they would just like go --

1 COURT REPORTER: I'm sorry. You cut
2 out. They would just go and what?

3 THE WITNESS: They would hang out by
4 the pool like all the time, and we would see
5 them. Because if I was working at the
6 executive mansion, the office that I sit in has
7 a window facing the backyard, like the pool
8 area. So we would see them, you know, come up
9 in their bikinis, and it would be like
10 Senior Staffer #2 and Senior Staffer #1 come up.

11 And we would know that Senior Staffer #2 and
12 Senior Staffer #1 were staying there because they openly
13 told us, and Senior Staffer #1 didn't need a hotel to be
14 in Albany during the entire time during the
15 pandemic. If she did, we would have to do like
16 an expense report, but we didn't have to
17 because she stayed at the mansion for the
18 entire time, and so would Senior Staffer #2. Senior Staffer #2
19 would go on occasion, but she would even call
20 her neighbor, her next door neighbor, in front
21 of us saying like, can you check on my house
22 because she hasn't been home. She's basically
23 lived at the executive mansion along with
24 Senior Staffer #1. I think Senior Staffer #1 hasn't been home in
25 like a year.

1 BY MS. PARK:

2 Q And they were wearing their swim
3 suits? Was the governor present on those occasions?

4 A He -- I don't know where he was. He
5 was home, though. He might have been upstairs, or
6 he might have been by the pool. I was working on
7 some assignment. I have seen them on multiple
8 occasions doing that.

9 Q Has anyone ever told you that they saw
10 the governor engage in conduct of an intimate or
11 sexual nature with Senior Staffer #1?

12 A Has anyone told me?

13 Q Uh-huh.

14 A I have heard it, like, from multiple
15 sources.

16 Q And what have people told you they
17 have seen?

18 A That they have, like, a sexual
19 relationship, that they have, you know, had -- have
20 had one, like, for quite some time on and off.

21 Q But has anyone told -- has anyone told
22 you they saw the governor engaging in intimate
23 conduct --or sexual contact with Senior Staffer #1?

24 A No, I don't think so. No.

25 Q And same question for Senior Staffer #2?

1 A No. Apparently, they, like, dated
2 early on, because she has -- [REDACTED]

3 [REDACTED]

4 Q [REDACTED]

5 A [REDACTED] [REDACTED]

6 [REDACTED]

7 Q And how did you come to understand
8 that Senior Staffer #2 had dated the governor?

9 A Somebody told me who was -- I believe
10 someone told me who was friends who had a -- worked
11 for -- worked for a guy who was friends with the
12 governor, one of the lobbyists or, like, lawyer or
13 was -- was friendly with the governor.

14 Q Do you remember -- you're breaking up
15 a little bit, but do you remember any of those
16 people's names who told you this information?

17 A I have heard it from, like, multiple
18 people.

19 Q Anyone in particular that you can
20 recall?

21 A Like Lauren Grasso has said something.
22 She had -- she's been around, like, the chamber for
23 quite some time. She was on the foil team for a
24 while, so until she, like, became a part of, you
25 know, moved to the second floor. I have heard it

1 from, just like other people on his staff when just
2 like talking. It just has come up.

3 Q Do you have any knowledge about women
4 sitting on the governor's lap?

5 A I feel like I've seen Senior Staffer #2 sit on
6 his lap, but I'm not -- and Senior Staffer #3 .

7 Q For Senior Staffer #2, can you recall when
8 that was you saw that?

9 A Had to be -- like, it was definitely
10 in the -- in the -- in his office in the capital. I
11 don't remember the occasion. But I'm -- and I can't
12 even say like 100 percent sure, but I'm almost
13 positive that I have seen that or in a picture or
14 something along those lines.

15 Q And do you recall where you saw the
16 picture, if there was a picture?

17 A Like, we've gone through -- we have
18 had to go through like several pictures just for
19 their office to, like, pull as far as to make like
20 duplicates for him. So we were -- like, we were
21 always like given like a bunch of pictures sometimes
22 and having to go through them, like pull out ones
23 that he's in or stuff like that, just for like
24 his -- to have, like put in an album.

25 Oh, yeah. I had to do an album for

1 him one time. I might have saw it in there. But
2 yeah, we have dealt with like a lot of pictures of
3 his personal and work related.

4 Q What was the album for?

5 A I'm not quite sure. It was full of
6 pictures of him at events, personal pictures with
7 him and his daughter at like his house, all -- a
8 series of different pictures.

9 Q Do you remember there being a picture
10 of Senior Staffer #3 sitting on the governor's lap?

11 A I don't remember, but I feel like I
12 have seen -- I have seen her do that. They have
13 that kind of, like, relationship though.

14 Q Do you recall when you have seen
15 Senior Staffer #3 sit on the governor's lap?

16 A Uh-uh, no.

17 Q Any other rumors or information you
18 have about the governor, having intimate contact
19 with someone who's a staff member of the executive
20 chamber other than Ms. Commisso?

21 A No, just the -- you know, the people
22 who were hired that, you know, happen to be blonde.
23 Or I have like heard of him meeting people at an
24 event, and they become a part of the executive
25 chamber staff and like immediately making like

1 150,000 without like the background to show for it.
2 And they just like meet him at an event. So that
3 has happened.

4 I don't know -- I couldn't tell you
5 off the top of my head who it is, but it's
6 definitely some people that has happened to while
7 I've worked there. And I feel like it's people
8 either in scheduling or press.

9 Q But you don't remember who they are?

10 A Yeah. I can't tell you exactly what
11 their name is. There's --

12 Q Do you remember from whom you heard,
13 that that's how these individuals had been hired?

14 A Yes. So a lot of -- a lot of the
15 staff -- like its filtered through the front office,
16 like us, like the EAs. And then we have to give it
17 to first final sign off like from Melissa or
18 whatnot. So we have to like give it to her and, you
19 know, then we inquire like, you know, whoever gave
20 it to us, whatever like department gave it to us,
21 like -- oh, like, where did they come from? Or if
22 like, if they have a background that's not, like,
23 relevant at all, we're like, how did they get that
24 job. And they would tell us, like the people who --
25 who would essentially be their boss.

1 COURT REPORTER: Be their Ross?

2 THE WITNESS: Their boss.

3 BY MS. PARK:

4 Q And do you remember any specific
5 person who told you about someone being hired
6 because the governor had met the person at an event?

7 A Yeah, EA #2 and EA #3 would tell us a
8 lot of situations where -- that that happened. I
9 think like [REDACTED] has told us. And not like --
10 not saying it in any sort of way, just us inquiring,
11 like, oh, how did they get that job. Like, that
12 title doesn't even exist. Or how did they start
13 making that much? Like, they have the same
14 education as we do, or just things like that, we
15 would inquire about.

16 Q I'm going to turn now to talking about
17 Brittany Commisso, unless there's anything else you
18 remember about the governor's interaction with other
19 women who were members of the executive chamber
20 staff, that you think we should know?

21 A No. You just knew who he favored. He
22 just made it very known.

23 Q So has Ms. Commisso ever told you
24 about getting a tour of the executive mansion from
25 the governor?

1 A Yes.

2 Q And what did she tell you?

3 A That he showed -- he took her on a
4 one-on-one tour and showed her the entire, like,
5 executive mansion. I believe in one of the rooms,
6 he stopped and gave her a hug, and I don't know if
7 he grabbed her. But -- in that situation or others,
8 but it might have been -- he might have done it
9 there. I'm just not 100 percent sure. But it has
10 happened several -- several times.

11 Q So I'm going to try, as we go through
12 this, to separate in time things that Ms. Commisso
13 told you in real time, as they were experienced by
14 her with the governor, and things she told you in
15 March of 2021, okay?

16 So the tour of the mansion, what part
17 of that did she tell you after it happened sort of
18 in real time?

19 A So in real time, she told me that he
20 gave her a personal tour of the mansion in real
21 time. When she left the -- she usually would -- or
22 I would call her, she would call me after she left
23 the mansion or the capital or whatever. But the
24 part of like the, you know, tight hug or the, you
25 know, grabbing of her butt was after, like, was

1 recent, I learned about that. I learned about that
2 the day after Charlotte came out with her story.
3 That was a Saturday, and then that Sunday, I went
4 over. We had a play date with our kids. And we
5 were sitting at the kitchen table, and she disclosed
6 that -- that information.

7 Q Okay. So I kind of want to
8 walk-through things chronologically coming up. So
9 we'll come to when Ms. Commisso told you what she
10 told you after Charlotte Bennett's allegations
11 became public.

12 So the tour of the executive mansion,
13 in real time, she told you it was a one-on one-tour.
14 What else did she tell you in real time?

15 A In that specific in -- instance or --

16 Q Yup, just about that instance. Yup.

17 A Pretty much just that he gave her like
18 a one-on-one tour to all the rooms, like, gave her
19 background on like, you know, the mansion. That's
20 pretty much all she told me as far as that goes.
21 Like, she didn't say any behavior that seemed, like,
22 inappropriate. I mean, she might have said like, he
23 said things. But like at that point in time, like,
24 it wasn't that unheard of.

25 Q And when you say she might have said

1 the governor said things, what kinds of things?

2 A Like made a --

3 Q Would you --

4 A -- flirtatious innuendo sort of thing.

5 Like she might have said something along those
6 lines. I'm not quite sure but usually, if she's
7 with him, or you know, alone with him, like, he
8 tends to be flirtatious in one way or another.

9 Q Okay. Why don't you tell us about
10 that?

11 So before Ms. Commisso described for
12 you things that had happened between her and the
13 governor after Charlotte Bennett's accusations
14 became public, what did you understand about the way
15 the governor treated Ms. Commisso?

16 A Beforehand, how did I -- like, what I
17 did understand? I understood that that -- I knew
18 they had a very, like, friendly relationship. You
19 know, he definitely felt comfortable around her,
20 more so than me. Like I said I really didn't -- I
21 really didn't really engage in that. I was -- like
22 I said, I'm not as outgoing as she is. Which
23 probably made him feel more comfortable around her.

24 So I knew that they had a very playful
25 relationship, like he felt comfortable like saying

1 things to her and in front of her and whatnot. So
2 as far as that goes, like I knew that they had that
3 kind of relationship where obviously it wasn't like
4 that with his other executive assistants.

5 Q And did Ms. Commisso tell you anything
6 about her reaction to how the governor was engaging
7 with her, and this is all prior to Ms. Bennett's
8 allegations?

9 A As far as, like, how she reacted to
10 him being flirtatious?

11 Q Yes.

12 A Like, she would say, like, I can't
13 believe he did this, or like, he's wild. Or like,
14 can you believe him? Like, just more like I can't
15 believe the governor said that to me, sort of thing.

16 Q And there are -- you told us about the
17 tour of the executive mansion. Did the governor
18 ever give you a one-on-one tour of the executive
19 mansion?

20 A No.

21 Q To your knowledge, has the governor
22 given any of the other executive assistants a
23 one-on-one tour of the executive mansion?

24 A No.

25 Q Did Ms. Commisso tell you about an

1 interaction she had involving Governor Cuomo at John
2 Maggiore's birthday party?

3 A Yes. I was supposed to go to that,
4 and I couldn't last minute.

5 Q And what did she tell you occurred at
6 that event?

7 A That he drove his like old -- one of
8 his, like, cars there. I think it was like maybe a
9 convertible. Melissa and Stephanie were with him,
10 but he started to talking to Brittany. And I
11 believe John Maggiore was there, was next to her,
12 and said something along the lines of like that he
13 wanted Brittany to work for him like, basically like
14 steal her from John or something along those lines.

15 Q And that was in real time?
16 Ms. Commisso told you that around the time that that
17 happened?

18 A Yes. Yes. Yup.

19 Q And did you have a reaction?

20 A I was like, oh, my god. I was like, I
21 can't believe he said that. Like, I was just kind
22 of laughing at it because I was like -- I was
23 shocked that he would say that in front of like John
24 Maggiore.

25 Q And did Ms. Commisso tell you how it

1 made her feel?

2 A She was embarrassed, like
3 uncomfortable, embarrassed, like didn't really know
4 how to respond to it. She was surprised that that
5 actually came out of his mouth.

6 Q Do you recollect an occasion on which
7 Ms. Commisso sent you -- can we go off the record
8 for one second?

9 THE VIDEOGRAPHER: The time is
10 5:55 p.m. Eastern time, June 2nd, 2021. We are
11 now off the record.

12 (Whereupon, a short break was taken.)

13 VIDEO TECHNICIAN: The time is
14 currently 6:06 p.m. Eastern time, on
15 June 2nd, 2021. We are back on the record.
16 You may proceed.

17 BY MS. PARK:

18 Q Do you recall Ms. Commisso sending you
19 via text message a picture of herself with the
20 governor?

21 A Yes.

22 Q Why don't you open Tab 70 in your
23 electronic binder?

24 MS. WANG: Sorry. Which Tab did you
25 say?

1 MS. PARK: 70.

2 MS. WANG: Thank you.

3 BY MS. PARK:

4 Q Do you have that in front of you?

5 A I do.

6 Q Is this the text message in which
7 Ms. Commisso shared with you a picture she had taken
8 with Governor Andrew Cuomo?

9 A Yes.

10 Q And she shared the picture, and you
11 wrote, "Where is my pic? I'm officially jealous."
12 Why were you officially jealous?

13 A I felt like I needed to say that
14 considering she was with him and he wanted -- he
15 asked that it be sent to me. So she sent that in
16 real time to me, so I felt like I should, like, be
17 not rude.

18 Q How did you know that he had asked
19 that she send you this picture?

20 A I knew after the fact when she told
21 me.

22 Q And so when you wrote the "officially
23 jealous before that" -- go ahead.

24 A Yes. Yeah. Yup.

25 And then I feel, like, in a text, she

1 wrote again saying -- reiterating that -- to not --
2 that he, like, said to her to make sure that her --
3 that she doesn't share it and I don't share it.

4 Q Okay. Just focusing on the text from
5 December 31st, so recognizing that she told you
6 after the fact that he had asked her to send it, do
7 you remember why you said "I'm officially jealous"?

8 A Just because she took it -- she had a
9 picture with him. I just wrote that in response to
10 her thing. Like, I just -- I knew she was with him
11 so I just -- that's just like how we talk.

12 Q Were you actually jealous of
13 Ms. Commisso being alone with the governor?

14 A No.

15 Q And then you wrote, "I need to be
16 Photoshopped in to the right of him with some sort
17 of emoji." What did you mean by that?

18 A Because we've had -- the pictures that
19 we've had with him before, its alike always like the
20 three of us.

21 Q And then you wrote "Love this so
22 much." What did you mean by that?

23 A Like -- like "great picture kind" of
24 thing.

25 Q Around the time this picture was

1 taken, what did Ms. Commisso tell you about how this
2 picture came to be?

3 A So she called me after -- when she
4 left the mansion that he asked to take a selfie with
5 her and send it to me, that she said she took
6 multiple -- it took multiple, like, takes because
7 she was like shaking, she was so nervous to take the
8 selfie with him. But I reacted in that way because
9 I knew she was sitting right next to him, because I
10 knew she was still there at that time.

11 Q So when Ms. Commisso called you to
12 describe to you taking the photo, you understood she
13 was with the governor?

14 A Oh, I already knew she was with the
15 governor. I already knew she was at the mansion. I
16 don't know if like -- if -- I -- I usually always
17 know and she always know, vice versa, because it's
18 either like one of us being called. Or we're put on
19 notice saying like -- like, Alyssa, can you go in?
20 Or, Brittany, can you go in? So we try to
21 coordinate or unless they like specifically say
22 who -- who needs to go in.

23 So we are always, like, both aware of
24 who -- who is there because it's -- it's usually one
25 of us. So if it's not me, it's her. And we always

1 talk beforehand. We talk multiple times a day.

2 So after, when she called me about it,
3 she told me how she really felt about the picture.
4 And I would be -- you know, we were able to, like,
5 actually talk about it. But I knew -- I knew she
6 was still with him when she sent me that.

7 Q Okay. So when she sent you the
8 picture, she was with him. But when you had the
9 phone conversation, she was not with him?

10 A Correct.

11 Q Okay. And during the phone
12 conversation, what else did she tell you about how
13 she felt about taking the, I guess it's a selfie, a
14 selfie with the governor?

15 A She said she felt, like, extremely
16 uncomfortable, extremely nervous. She said she was
17 shaking, and that's why she had to take multiple
18 pictures because they -- like they kept on coming
19 out blurry. And she just was super uncomfortable in
20 that situation.

21 Q What did you say to her in that
22 conversation?

23 A I said to her, like, I'm really
24 shocked that he would have you take a selfie and
25 send it to me. It's a little -- I don't know. It's

1 hard to like -- I was a little surprised by that
2 because everything is so secretive. And for him to,
3 like, take a selfie with her and send it to me on my
4 personal phone, there has to be some level of trust
5 that he has with her and I, which in a roundabout
6 way was like somewhat flattering that, like, he
7 trusted us. Cause like that has a lot to do with
8 like working in, you know, politics. They have to
9 have like a level of trust for you to work there.

10 So in the work sense, I had liked to
11 think that he can trust us, but obviously, in the
12 sense that it was actually -- it was not ideal. But
13 the fact that he was able to -- you know, I felt
14 like he was able to trust us, which he trusts very,
15 very little people.

16 MS. PARK: Let's look at what's behind
17 Tab 71 and, we'll mark this as the next
18 exhibit.

19 (Whereupon, Exhibit 11 was marked for
20 Identification.)

21 BY MS. PARK:

22 Q So this is another text message chain
23 between you and Ms. Commisso. This is from
24 January 4th, 2020. The one we were looking at
25 before was from December 31st, 2019. And in this

1 text message, Ms. Commisso says, "He brought up the
2 selfie and definitely only supposed to stay between
3 you and me. I'm glad I didn't show it to Maggiore."

4 Who did you understand Ms. Commisso to
5 be referring to when she said, "he brought up the
6 selfie"?

7 A The governor.

8 Q Had she told you before January 4th
9 not to share the selfie that she took with Governor
10 Cuomo with anyone else?

11 A Yes, she --

12 Q When did she tell you that?

13 A In the conversation we had directly
14 after she left, that was part of the conversation
15 that she, like, said that he, you know, specifically
16 said, like, don't share it with anyone. We can't
17 share it with anybody or tell anyone.

18 Q And in that conversation, did it
19 surprise you that the governor had said the photo
20 couldn't be shared with anyone?

21 A No.

22 Q And why not?

23 A Because of the level of secrecy that
24 they instill in all of us.

25 Q And then you wrote, "I would never

1 show anyone. Promise," is that why you wrote, "I
2 would never show anyone. Promise"?

3 A Yes. Because, like I said, they would
4 know it was us. That's why we never said anything
5 to anyone else. That's why I've always confided in
6 Brittany and no one else. So -- and I never did
7 show anyone that picture to this day. Well,
8 obviously, you guys, but...

9 Q And you can go ahead and put aside
10 those -- those photographs.

11 Did you ever notice a change in the
12 way the governor interacted with Ms. Commisso?

13 A Change. I noticed that she was being
14 called for dictation more often, cause she really
15 hadn't been -- been doing it as much initially.
16 Like I said, I start -- I started getting pulled in
17 December 2018. She started getting pulled in
18 November 2019. So I did see, like, an increase in
19 her being pulled for like one-on-one dictation and
20 that sort of thing. And I was being pulled more so
21 for working in the front office.

22 Q Were you ever alone with the governor?

23 A Yes.

24 Q Were you ever uncomfortable being
25 alone with the governor?

1 A Yes.

2 Q And when were you uncomfortable being
3 alone with him?

4 A Just -- he just -- he makes you feel
5 uncomfortable, the way he looks at you. You feel
6 like -- I don't know. He just looks at you funny.
7 Like, he just looks at you as if he's like looking
8 not just like at your face. Like, I don't know.
9 You just feel like he's looking at you, maybe in a
10 sexual manner. But you're not -- like, I don't
11 know. You just -- you just feel different the way
12 he looks at you compared to like if you were just
13 talking to someone else, to some male figure in the
14 office.

15 Q Did you ever express to anyone that
16 you felt uncomfortable being alone with the
17 governor?

18 A No.

19 Q You said that there were occasions --
20 you seemed to notice that she -- Ms. Commisso was
21 doing more dictations. Were there occasions on
22 which you understood that that Ms. Benton had
23 requested or Ms. Benton or Ms. Walsh had
24 specifically requested Ms. Commisso to work a
25 weekend or a holiday?

1 A Yes.

2 Q Why don't we look at what's behind
3 Tab 72 in your binder, and we'll mark this as the
4 next exhibit.

5 (Whereupon, Exhibit 12 was marked for
6 Identification.)

7 BY MS. PARK:

8 Q This is another text message between
9 you and Ms. Commisso. Can you tell us what you
10 remember about this text message chain?

11 A So we had all been working, like, a
12 lot lately, and Brittany got asked to work with
13 Annabel -- by Annabel to work again the next day.
14 And she, like, felt like she couldn't because, I
15 mean, [REDACTED] [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 And she already had put in a lot of
21 hours, so she asked me to basically help her and,
22 like, make -- like, make her feel like it's okay to
23 say no. Because they would put so much pressure on
24 us where we didn't feel like we could say no. It
25 was -- it was like they put this like guilt -- guilt

1 trip on you, and you felt like you couldn't say no
2 to like anything.

3 Even if it was like super
4 inconvenient, you felt like you had to do it, such
5 as like working crazy hours, that you just couldn't
6 say no to it. And when you do say no, which was
7 like very rare, but like in this occasion, he did,
8 and you just have this level of guilt from saying
9 it, which she was experiencing.

10 And so she kind of like invited me to
11 make her feel better about saying no. And like I,
12 you know -- yeah, so I said -- like, I like pointed
13 out that EA #2 and EA #3 were available. Like
14 there was no reason for her to feel bad. It's not
15 like other people weren't available to assist. And
16 so she told Annabel that, and oddly enough, they
17 didn't have anyone come in at all.

18 So it was just -- it's odd that, you
19 know, they wouldn't have someone else come in for
20 her place to do whatever she needed to do. If
21 Brittany couldn't come, they just didn't have anyone
22 come.

23 Q So your understanding is they asked
24 Ms. Commisso to come in. She struggled with whether
25 to say yes or no. She ultimately said no, and they

1 didn't ask anyone else to come in?

2 A Correct.

3 Q Okay. Let's look at another text
4 message between you and Ms. Commisso at Tab 75.

5 MS. PARK: And we'll mark this as
6 the -- as the next exhibit.

7 (Whereupon, Exhibit 13 was marked for
8 Identification.)

9 THE WITNESS: Uh-huh, okay.

10 BY MS. PARK:

11 Q This is a text message between you and
12 Ms. Commisso from April 18th, 2020. Can you tell us
13 what you remember about this text message?

14 A Yes. So Brittany's office, John
15 Maggiore's office, [REDACTED]

16 [REDACTED] [REDACTED] [REDACTED]

17 [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 So they were working from home, and
21 they were never asked to return to work. They just
22 had them stay at home because, like I said, we took
23 over room 229, which is where they were. So it was
24 just -- at the time, it was just me, Charlotte
25 Bennett, Executive Assistant #3 and Executive Assistant #2 who were

1 just in the front office.

2 Brittany was at home for a while, and
3 she was getting really antsy to come back. She was,
4 like, getting really upset. Like, why aren't they
5 asking me to come back. And you know, her and I,
6 like, were kind of getting into it. She was like,
7 why aren't you telling -- like, why don't you ask
8 Stephanie like why I can't come back. And she would
9 email Stephanie, and Stephanie wouldn't respond. So
10 she was getting a little upset by that.

11 So she covered -- I believe she
12 covered the press office, and she was -- so a lot of
13 times, the governor, when he comes in, he goes
14 through the press office to get to his office. And
15 so he saw her when he passed through and said that
16 to her, and she shared that with me.

17 Q And the reference to exit plan, what
18 is that?

19 A She might have said that to me, so I
20 could leave -- about me leaving.

21 Q And this is around the time that you
22 were looking to go to the state department?

23 A No, I was just working -- like, I was
24 working pretty much either seven days a week or six
25 days a week for months. So maybe I think she might

1 be referring to that.

2 Q You can go ahead and put that aside.

3 Is there -- before Ms. Bennett's
4 public allegations against the governor, is there
5 anything else you remember Ms. Commisso telling you
6 about her interactions with the governor?

7 A Before?

8 Q Before.

9 A She would just tell me about
10 certain -- like just situations. It unfortunately,
11 like, became very normal. Like his behavior became
12 very normalized, not that it was acceptable and not
13 that we didn't feel uncomfortable. It just
14 became -- he just made it just, like, a part of
15 every day.

16 So a lot of the stuff doesn't like
17 fully, like, stick out to me because it's -- like,
18 we've had a bunch of conversations with him, a bunch
19 of interactions with him. She's told me a bunch of
20 stuff, and it -- just a lot of it, doesn't really
21 stick out as much as it should because of how
22 normalized his behavior -- he made his behavior.

23 Q And when you say "his behavior," what
24 kind of behavior are you talking about that was
25 normalized?

1 A Just flirtatious banter, his
2 inappropriate comments, you know, that -- that sort
3 of thing, comments that you wouldn't think a boss
4 would have with you.

5 Q So let's now move to February of this
6 year. So tell us about the first time Ms. Commisso
7 tells you more information about her interactions
8 with the governor.

9 A So it was the day after Charlotte came
10 out. Like I said, I went over to her house. It was
11 a Sunday. And our kids had a play date, so we were
12 sitting at her kitchen table chatting, and we were
13 just -- we couldn't believe that -- actually, I
14 found out that Charlotte came out, was coming out on
15 that Friday before -- **Executive Assistant #2** called me at
16 like close to midnight on that Friday and said I
17 couldn't tell anybody, but Charlotte may be playing
18 a key role in this whole thing.

19 And I -- and she's like, I can't tell
20 you like who I heard it from. She's like, but I
21 just, like, wanted to give you, like, a head's up
22 because we did work with her. It was, like, the
23 three of us, or four of us for like months on end.

24 And she was like just maybe -- like
25 someone might talk to you. Maybe just start jogging

1 your memory about, you know, things Charlotte said
2 and situations with Charlotte. There was a
3 situation where Charlotte came back crying, and it
4 was EA #2 and I in the room. That's it. So she
5 just kind of like briefly talked about that with me,
6 like what I remember about the situation.

7 So back to the sitting at her kitchen
8 table, we talked about the situation and what
9 Charlotte was accusing the governor of. And like,
10 we both weren't -- we weren't surprised by it
11 because we -- because we both knew that Charlotte
12 also had a very friendly, like, relationship with
13 him, like informal relationship, just by the -- some
14 of the things she would say. And she wouldn't come
15 out and say a lot. And we never told her anything
16 beforehand, and she never really told us anything
17 so.

18 She would just like make comments
19 like, oh, you know, he saw my Instagram. Or, you
20 know, he was behind -- he like came up behind me
21 one day when I was on the computer looking at a
22 YouTube video and asking me about it, or asking
23 about her dad's motorcycle, just very like friendly,
24 a little more friendly than normal conversations.
25 So I had a feeling that his relationship was

1 similar. I didn't know to the extent. I wasn't
2 going to ask, and she wasn't going to tell us
3 either. So we did talk about that.

4 And then she was getting -- she was
5 like, very antsy and like nervous, like, very
6 anxious, like kind of like pacing, like, up an --
7 sitting -- like getting up and down from her seat,
8 very, like, uncomfortable nervous kind of behavior.
9 And I asked her if, you know, if someone approached
10 us, would you tell -- would you tell like what
11 happened, and like would you tell about like certain
12 situations and experiences. And she's like, I don't
13 know. And she's like, I don't know. I wouldn't
14 know what to do. And she's like unless like I, you
15 know, had to.

16 Like, she's like, obviously, I'm not
17 going to lie if I'm asked but I -- like she was like
18 very uncomfortable by that idea that she may have to
19 disclose what happened. And I didn't know the
20 extent of it. So I asked her if anything more
21 happened to her than, you know, all the banter that
22 I'm aware of and like -- or like the grabs of the
23 waist kind of thing. And she said yes, and she -- I
24 asked her to like show me by like standing up and,
25 like, showing like what he has done to her.

1 And, like, so she like grabbed me by
2 the waist and pulled me in. You know, I was like --
3 I wanted to know how, like, he hugged her. Like, so
4 she showed me all that stuff because I was just like
5 trying to like understand the whole -- what she was
6 like so upset about.

7 So I asked her to like basically show
8 me on me of what he did to her. And then she
9 disclosed that he would often, you know, grab her
10 butt when they were at the mansion or even like not
11 at the mansion.

12 And she said one time that one of the
13 mansion staff saw, but she didn't know -- like she
14 didn't say who it was, so she didn't -- obviously,
15 it was someone who we don't know because we do know
16 [REDACTED] and [REDACTED]. So those are two, like,
17 staff people that we know, like, very well. So this
18 was like someone who, I don't know, was in the
19 kitchen or something along those lines. But she
20 said that she believed that they saw him, like, grab
21 her, like, possibly inappropriately.

22 So I was definitely a little taken
23 aback by it, because I wasn't aware that that was
24 going on to that extent. And then I asked her if
25 there was anything else, and she like -- she was

1 like so pale. Like -- and she wouldn't say anything
2 more. And I -- by her behavior, I knew there was
3 like something more that she couldn't disclose at
4 that time.

5 So she was just very, very upset for
6 like the rest of the day, really, like didn't know
7 what to do.

8 Q When you say, "she demonstrated for
9 you how the governor hugged her," can you describe
10 for us what she showed you about how the governor
11 had been hugging her?

12 A He would just -- it would be a longer
13 hug than normal, and it would be a tighter one,
14 definitely, like, way more intimate, like trying to
15 put, like, his body like close to hers. And she
16 would, like, intentionally stick her butt out to
17 like prevent, like, at least that part from like
18 touching.

19 But she would always -- like she would
20 be super uncomfortable by it, but she, like, didn't
21 know what to do. And, like, being in the situation
22 of just like, you know, that kind of banter, me not
23 knowing what to do in that sense, I can't imagine
24 her being in that situation. I would -- I mean, I
25 don't blame her for not even, like, telling me.

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Because, you know, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] And, you know, that really takes like a toll on someone. And it's hard. Like if she admitted that out loud, she like -- she didn't want to like discredit herself.

She wanted to believe that she was there and being called for dictation because she was doing well with her job, and not because of her looks or because, you know, the governor just looked at her as an object.

So that's, like, a really hard thing to say out loud and to say it, like even to me, because she didn't want to believe that to be true. And it's really embarrassing, obviously.

Q Had Ms. Commisso ever discussed with you whether she was having a consensual sexual relationship with the governor?

A No. I absolutely 100 percent do not believe that.

Q Have you ever heard someone suggest that Ms. Commisso was having a consensual sexual relationship with the governor?

A Well, I mean those are the rumors

1 going around now, and I heard that, like, he may be
2 trying to make it sound like that. So it -- as long
3 as it's consensual, that he may be able to like get
4 out of it, weasel his way out of it.

5 But that's like -- that's now that you
6 hear like those like rumors about her and that there
7 was a consensual relationship. I guess her
8 ex-husband is like putting out that rumor. Like,
9 he's like convinced. He didn't know anything
10 though. Like, it's not like she disclosed any of
11 the banter to him. Like, he didn't know -- like,
12 [REDACTED], my ex, doesn't know anything. I had never
13 disclosed anything to him, no banter, no nothing.

14 So [REDACTED] did not know anything. He is
15 just, you know, he's just not happy that she left.
16 So he's very revengeful in that sense.

17 Q Has Ms. Commisso told you that she did
18 not have a consensual sexual relationship with the
19 governor?

20 A Yes. Yes. Multiple occasions, and I
21 am so involved in her everyday life from like [REDACTED]
22 [REDACTED], to
23 talking to her like morning, noon, night. There --
24 I would have known if something was going on, and
25 she wasn't around the governor enough for there to

1 ever be a consensual sexual relationship or any
2 relationship of that sense.

3 I mean, there were months on end where
4 she wasn't even in the office around him during the
5 pandemic. I mean, for most of the pandemic, she
6 wasn't in. So, I mean, for someone to have a
7 relationship with someone and not see someone for
8 months, I mean, that's -- I don't know how you carry
9 on a consensual relationship when -- if that's the
10 case.

11 Q So after this occasion, on the Sunday
12 when Ms. Commisso tells you that the governor has
13 touched her butt and has hugged her in an intimate
14 way, what happens next?

15 A So we -- we eventually, like, stopped
16 talking about it because she is noticeably upset.
17 She has, like, tears in her eyes.

18 And it's my birthday. We celebrated
19 my birthday the following weekend, and we're
20 obviously like in -- so we're out. It's me,
21 Brittany Commisso, EA #2 and EA #3 joined as well.
22 Lauren Grasso is there, and [REDACTED] is also there,
23 and another friend who, outside of work, is there.
24 And obviously, you know, we're all having drinks,
25 and she -- I think the Charlotte thing came up. And

1 Brittany, like, disappeared in the bathroom for like
2 a good 20 minutes with EA #2 . And everyone could
3 tell, like, at the table that something -- there was
4 something she was hiding or something she was, like,
5 noticeably upset about.

6 And I know she touched on it with
7 EA #2 in the restroom, and like EA #2 like, you
8 know, said like, you know, we'll support you with
9 whatever. Like, we have your back, like, whatever
10 you need to do, we're here for you, that sort of
11 thing.

12 And then the next day, Brittany went
13 over to EA #2's house with EA #3 and her boyfriend,
14 Brittany's boyfriend. And obviously, EA #2 and her
15 boyfriend were there. And they had breakfast and
16 kind of talked -- like, didn't go into detail,
17 detail, but talked about, like, what's going to
18 happen, like what's going on with this whole thing.
19 [REDACTED] at the time on that Sunday, so she -- I
20 just met up with her because I had -- I don't know.
21 I had something of herself or her boyfriend's. I
22 met up with them, and then they were on their way to
23 EA #2's

24 And then I didn't hear from her for
25 the rest of the afternoon. And she called me that

1 night and said I'm so sorry, like, that you haven't
2 heard from me. I've spent like all the rest of the
3 day with an attorney. And she was like, I ended up
4 feeling like I needed counsel, and she said that
5 something more had happened. She -- and she wants
6 to tell me so bad, but she can't.

7 Like, she was advised not to, and, you
8 know, when it got out, like, she, you know, wants to
9 talk to me about it. But like she's -- and she's
10 like crying and really, like, upset about it and
11 really like distraught, and just really in, like, a
12 bad place.

13 So then the article came out, the
14 first article about her, and I actually notified her
15 about it before she even saw it. Apparently, it got
16 leaked or some sort of thing, like she doesn't know
17 how it got out. She didn't know if like the chamber
18 linked in -- leaked it just like to get ahead of it.

19 She was very upset about it, and then
20 she finally -- like, obviously, the article came out
21 about the groping thing. And then she talked to me
22 about it, about that -- because obviously, I was
23 upset, and she said yes.

24 Q So let's go back through that in a
25 little more detail. So between the time she's at

1 your house for the playdate on the Sunday --

2 A I was at her house.

3 Q -- sorry. At her house, and your
4 birthday dinner, did you have any communications
5 with her about the allegations against the governor?

6 A So we didn't have a ton of
7 communication that week. She spent a lot of time
8 with her attorney. She wanted to talk to me, and we
9 were like -- we would like talk very general things,
10 you know.

11 She, like, obviously couldn't get into
12 full detail, and I understood. And I wasn't putting
13 pressure on her for that. Like, obviously, like we
14 talked about the things that we already had
15 discussed. But as far as like the actual groping, I
16 did not know about it until the article came out.

17 Q Okay. So just going back, I'm talking
18 about she tells you that -- on a Sunday, that the
19 governor has grabbed her butt and has hugged her
20 intimately. And then between then and the dinner
21 where she disappears for 20 minutes with EA #2 ,
22 between those two things, did you talk at all about
23 her interactions with the governor?

24 A Like during the week, yes. So, like,
25 that happened on Sunday. And then the following

1 Saturday was my birthday dinner. So that -- so we
2 had a week in between.

3 Q In that week, right, before your
4 dinner and then after the dinner, she goes and meets
5 a lawyer, what are you talking about in that week?

6 A Talking about -- likely what she's
7 going to do. She's like -- she's very -- she's like
8 anxious the entire week about like being afraid
9 to -- and all I know, obviously, is the butt
10 grabbing and like the -- like, kind of like the
11 inappropriate touching as far as that goes. She was
12 just really upset all week.

13 So she would like talk to me about
14 like, I don't know what I'm going to do. Like --
15 like, I can't lie. Like, what if they like -- you
16 know, what if we're like interviewed because I think
17 we were hearing at that point in time that there
18 might be an investigation starting or possibly one.

19 So she was really, really upset about
20 the whole thing and like, you know, everything is
21 in -- secrecy is instilled in us. So she's freaking
22 out internally on how -- like what's going to happen
23 to her, what's going to happen to her career, how
24 it's like -- like retaliation. Like just
25 everything's going through her mind, and I'm just

1 trying to, like, talk her off the ledge like the
2 entire week.

3 Q And during that week, do you remember
4 the governor giving a press conference about the
5 allegations of sexual harassment against him?

6 A Yes.

7 Q And do you remember discussing that
8 with Ms. Commisso?

9 A I do, yes.

10 Q And tell us about what you discussed
11 with her, about that press conference.

12 A So at the time, I was in [REDACTED]
13 [REDACTED] office -- was on the other side at the
14 time. And she was in 229 with EA #3 and EA #2, I
15 don't know if [REDACTED] and [REDACTED] were in there. They
16 could have been. I'm not 100 percent sure. They
17 might have been in the city. But we were texting as
18 like the press conference was going on, and she
19 like -- I like -- I couldn't believe that he was
20 just blatantly lying through his press conference,
21 to like, pretty much national TV so easily.

22 And I just like -- I felt for her
23 especially because I -- I knew she wasn't lying
24 about even what she'd told me thus far. So it was
25 like really, really tough to hear, really, really

1 tough to hear without wanting to just -- I don't
2 know. I wanted to like scream for her.

3 Like I just felt so bad that someone
4 who does something like this can just feel like they
5 can lie their way out of the situation, and that
6 he's the one who put her in it.

7 So I like caught myself shaking my
8 head, watching it, and I know [REDACTED],
9 who's like been very quite about the whole thing, he
10 mentioned that I can't believe he's talking -- like
11 he's outwardly talking about this. Like, it's not a
12 good -- like, it's not a smart move.

13 And then this -- another chamber
14 employee like stopped by, like, my office and like
15 was just shaking her head. Like everyone was just
16 like in disbelief --

17 COURT REPORTER: You broke up.

18 THE WITNESS: -- that he was just
19 outwardly saying like, definitely, like, I did
20 nothing.

21 What -- what did she say?

22 COURT REPORTER: You had broken up.

23 THE WITNESS: Oh, sorry.

24 MS. PARK: She said disbelief. People
25 that were in disbelief that the governor was

1 outwardly saying -- he had --

2 BY MS. PARK:

3 Q Finish your sentence. He had --

4 A That he had never touched anybody
5 inappropriately like that. He was definitely saying
6 that, not saying like, let's wait for, you know,
7 outcome, like, I don't want to discuss it, like
8 something like that where it's not like a definite
9 no. Like, he was like very confident in his
10 statement.

11 And a lot of people, pretty much
12 everyone I saw, all the chamber employees, were just
13 in shock about the whole thing. And it created a
14 very like quiet -- just like the whole vibe of the
15 chamber changed after that. Everyone was really
16 quiet. Everyone kept to themselves. No one talked
17 because it was, like, a huge elephant in the room.
18 Everyone knew that that was not true. Like,
19 everyone knows that's not true. But no one can
20 outwardly say it, obviously.

21 And then so Brittany became really
22 upset by it, as she should. And I think it was
23 either **EA #2** or **EA #3** or both of them, approached
24 her about it, and then she disclosed that. And then
25 obviously, they felt the need to report it. They

1 had to report it. And that's how --

2 Q The -- the -- just slow down for a
3 little bit for a second. So let's open Tab 80.

4 A Uh-huh.

5 Q And this is a text chain on March 3rd,
6 2021 between you and Ms. Commisso. Is this the text
7 message chain while you were watching the governor's
8 press conference?

9 A Yes. And then we spoke on the phone
10 too.

11 Q And then it says "[REDACTED] just came by."
12 Who is [REDACTED]?

13 A [REDACTED]
14 [REDACTED] [REDACTED]
15 [REDACTED]
16 She's -- she I think she was more, like, involved
17 in, I don't know, ready or legislative affairs, that
18 kind of thing. But she's the one who -- who stopped
19 by and like just --

20 Q And what's her last name?

21 A [REDACTED]

22 Q And then there's -- Brittany, at some
23 point, you say, "She shook her head and was like,
24 oh, no and walked away and laughing out how." And
25 there's some little image there. Do you know what

1 that is?

2 A I'd have to look back. I would have
3 to look back to see what it was.

4 Q Okay. And then --

5 MS. WANG: I found a version that has
6 the image. I think it's a joke gif, but
7 I'll -- I'll send it along.

8 THE WITNESS: It might be better --

9 COURT REPORTER: It might be what?

10 THE WITNESS: About, like, I need a
11 Xanax.

12 COURT REPORTER: Okay.

13 BY MS. PARK:

14 Q And then you say, "I don't know
15 whether to be impressed or applaud at how well and
16 easy people lie these days. It's a true skill."

17 Are you referring to the governor
18 lying during his press conference?

19 A Yes, correct.

20 Q And lying about whether he ever
21 inappropriately touched anyone; is that right?

22 A Yes. Or have done anything --

23 Q At this point -- and because at this
24 point, you knew he had at least touched
25 Ms. Commisso's butt and had inappropriately hugged

1 her; is that right?

2 A Yes. And I did know that he did
3 something more that she could not disclose.

4 Q And you said there are other people
5 who -- in the executive chamber who were reacting in
6 a similar way, meaning they thought the governor was
7 not telling the truth. Who are those people, and
8 what did you understand their basis for believing
9 the governor was not telling the truth was?

10 A Just everyone's reaction. Like, they
11 weren't outwardly saying, like, he's lying. I mean,
12 you can't say that when you're in the executive
13 chamber. But everyone just -- they're -- they
14 just -- everyone just shut down after. People were
15 still shaking their head after the press conference
16 was done.

17 Like, I can't believe he said that or
18 I -- like, I can't believe he came out and said
19 that. Like, having a press conference right now is
20 probably not the smartest thing. Like, saying
21 things indirectly like that without coming out and
22 fully saying like he is lying.

23 Q And then you said after the press
24 conference, at some point you came to understand
25 that Ms. Commisso had disclosed to Executive Assistant #2 and

1 Executive Assistant #3 more details of her interactions with
2 the governor. How did you come to understand that?

3 A Brittany told me. Because she just
4 like literally couldn't handle -- she couldn't
5 control her emotions watching that. She, like,
6 broke down. So obviously, like, they wanted to, you
7 know, console her and make sure she was okay. And
8 they obviously knew that whatever she was, like,
9 going through had -- obviously, it was relevant to
10 what the governor was saying. She just broke down.

11 So -- and we're all like very
12 friendly, EA #2 , EA #3 , obviously, Brittany and I.
13 So they, you know, of course went to her rescue and
14 were like what's wrong, and she disclosed that.

15 Q Were you present for that
16 conversation?

17 A No. No. I was on the other side in
18 [REDACTED] office.

19 Q Okay. So you don't know exactly what
20 Ms. Commisso disclosed to Executive Assistant #2 and
21 Executive Assistant #3 on the day of the governor's press
22 conference, right?

23 A All I know is that she told them about
24 the groping, because they had to disclose that to a
25 senior staff member. They had to report it.

1 Q And how did you come to understand
2 that she told them about the groping on the day of
3 the governor's press conference?

4 A I didn't know that on the day. I
5 found that out after. The fact she told me.

6 Q Okay. So when did she tell you that?

7 A When the article came out.

8 Q Okay.

9 A First article came out.

10 Q And when the article came out in the
11 Times Union, take us through exactly what she said
12 to you.

13 A So the article came out. I think I
14 was just getting back from [REDACTED] or
15 something. And I -- I don't know if I was looking
16 at the news. I don't know how I came across it, but
17 I sent it to her in a text. And she called me right
18 away, and she's like -- couldn't believe that that
19 was out there. And we really didn't talk a lot
20 right then and there, because she, like, had to call
21 her attorney and just like -- but she was like
22 really upset by it, really nervous, you know,
23 started to cry. And I, you know, gave her --

24 COURT REPORTER: I'm sorry, what?

25 THE WITNESS: She -- I gave her her

1 space and let her, you know, make her phone
2 calls and, you know, because obviously, I was
3 the one who disclosed that to her. She didn't
4 even see it yet. And I spoke to her, I want to
5 say it was that night. I got on the phone with
6 her, and her and I talked through it. And she
7 finally like told me exactly like what
8 happened, and I did -- like, on the phone call
9 earlier that day right when I -- when she
10 called me after I sent it to her, I go -- I
11 asked her -- I was like, obviously -- I go, I'm
12 assuming this is true. And she goes, yes, it
13 is.

14 And I go, this is what you couldn't
15 tell me when you said there was something more.
16 And she said yes, that all of it's true. And I
17 was like, how did it get out. And that's when
18 she told -- like, she told me -- I think -- she
19 either said like, I'll talk to you later --
20 sorry. She either said I'll talk to you later
21 or she either disclosed, I'm not 100 percent
22 sure.

23 But that's when she told me about the
24 **EA #2** thing, because that's how, you know,
25 other people found out about the groping

1 incident without her, like, coming out to the
2 media because she did not come out to the
3 media.

4 BY MS. PARK:

5 Q Okay. So in this conversation after
6 the Times Union article comes out, Ms. Commisso
7 tells you what's in the article is true, that she
8 had disclosed it to Executive Assistant #2 and
9 Executive Assistant #3. And that Ms. Commisso understood that
10 Executive Assistant #2 and Executive Assistant #3 had disclosed what
11 Ms. Commisso said to someone senior in the executive
12 chamber staff. Do I have that right?

13 A Yes.

14 Q Okay. Did Ms. Commisso tell you --

15 A I believe --

16 Q Sorry, go ahead.

17 A I believe --

18 COURT REPORTER: You're breaking up.

19 THE WITNESS: It was either Beth or
20 Jill. Let me try another connection. Hold on
21 one second.

22 THE VIDEOGRAPHER: If that doesn't
23 work -- Counsel, would you like to go off the
24 record while she's --

25 MS. PARK: Let's go off the record,

1 yeah.

2 THE VIDEOGRAPHER: The time is 6:56
3 Eastern time, June 2nd, 2021. We are now off
4 the record.

5 (Whereupon, a short break was taken.)

6 VIDEO TECHNICIAN: The time is now
7 7:07 p.m. Eastern time on June 2nd, 2021. We
8 are back on the record. You may proceed.

9 BY MS. PARK:

10 Q To whom did you understand Executive Assistant #2
11 and Executive Assistant #3 had reported what they heard from
12 Ms. Commisso, about her interactions with the
13 governor?

14 A I believe they reported to Beth
15 Garvey.

16 Q Anyone else?

17 A Not that I'm aware of, unless Beth
18 shared it with others.

19 Q And other than your conversation with
20 Ms. Commisso after the Times Union article
21 containing her allegations came out, have you spoken
22 with Ms. Commisso about her allegations against the
23 governor?

24 A You're saying at, like, recently?

25 Q Yeah. So the Times Union article

1 comes out. You have a conversation about that that
2 evening where she confirms for you that what's in
3 the article is true and goes through the details
4 with you. After that, have you and she talked about
5 her experiences with the governor?

6 A Yes.

7 Q Okay. Is there any additional
8 information that Ms. Commisso conveyed to you about
9 her experiences with the governor after that evening
10 conversation?

11 A She just like kind of just continued
12 walking -- like she would just walk-through it,
13 again, with me several times I think just to get --

14 COURT REPORTER: I'm sorry. You broke
15 up.

16 THE WITNESS: She just like walked
17 through -- she would just like walk-through it
18 with me every now and then, like -- or like
19 tell me about a rumor that's going around and
20 how upset she is by it. There have been, like,
21 multiple rumors going around.

22 I believe -- I think Beth Garvey
23 confronted Lauren Grasso in the hallway not too
24 long ago saying, oh, I heard, is it true that
25 Brittany and [REDACTED], which is her ex, are trying

1 to work things out. And -- I mean, in-- like
2 completely inappropriate and none of her
3 business.

4 So it's just, like, there's things,
5 like, that going around. There's things about
6 her character going around. I just -- I see
7 that there's, like, a quite -- I feel like
8 they're doing a smear -- a smear campaign
9 against her, just like they did with Lindsey.
10 And it's -- it's just very obvious.

11 BY MS. PARK:

12 Q If you could not move, I think that
13 will help.

14 So you said you think there is a smear
15 campaign by the executive chamber happening against
16 Ms. Commisso. Do you have any actual knowledge of
17 members of the senior staff of the executive chamber
18 communicating in a negative way about Ms. Commisso?

19 A Yes. So the incident where, you know,
20 her -- Beth Garvey asking Lauren in the hallway,
21 Lauren actually told us that directly, because she
22 was surprised that that would even be a question she
23 would ask.

24 And then Brittany called me really
25 upset one night because her boyfriend who works at

1 a -- like a lobbying firm was out having a few
2 drinks with friends. And these gentlemen were from
3 another lobbying firm who are friends with Beth
4 Garvey, and they were completely slandering
5 Brittany's name and like image, saying like that she
6 had an affair with him. It was consensual, and
7 she's lying and just all these like awful things.
8 And that she said that they heard it directly from
9 Beth because they're friends with her. And
10 obviously, her boyfriend was like, none of that is
11 true.

12 So it -- there's definitely talk about
13 her that came -- like that comes directly from, you
14 know, Beth or other members of the chamber. And
15 it's not lower level. It's all like the higher ups.
16 It's, like, the Beth Garvey, the Melissa, you know,
17 the Stephanie. And I mean, I don't know if Rich has
18 said anything, but I wouldn't be surprised.

19 But it's like that group, because
20 the -- the amount of support that I have received
21 and Brittany has received from everyone else in the
22 chamber has been unbelievable. Like, we've had
23 people come up to us, deputy secretaries, people who
24 have been there for forever saying that they're so
25 proud of us. They fist bump us.

1 They say like, we're so glad that
2 you're speaking up for yourselves, and we
3 basically -- like they knew it all along and, you
4 know, it's about time that, you know, this comes
5 out. And it's been going on for years. And just
6 the outpour of support from people that we would
7 never even imagine has been, like, incredible.

8 Q Has the senior staff of the executive
9 chamber done anything to support you?

10 A Support me in what sense?

11 Q So you went public with your
12 allegations of the governor; is that right?

13 A Uh-huh, yes.

14 Q And why did you decide to go public?

15 A Because, you know, I'm so used to --
16 they create this atmosphere where you are -- you're
17 supposed to be afraid of them. And what you do and
18 don't do is out of fear, out of secrecy. And I --
19 and especially after, you know, hearing his press
20 conference and everything, I was tired of living my
21 life fearful of what they would do to retaliate
22 against me.

23 And I think that what he's doing is
24 wrong, and I don't think I need to be quiet about it
25 anymore, especially when someone is, like, outwardly

1 lying like that.

2 Q And so after you -- well, let's just
3 mark as the next exhibit --

4 MS. PARK: Soo Jee, what Tab is the
5 New York Times article?

6 MS. LEE: Sorry. I think it's Tab 45.

7 MS. PARK: Okay. Let's look at, in
8 your electronic binder, Tab 45. We'll mark
9 this as the next exhibit.

10 THE WITNESS: Okay.

11 (Whereupon, Exhibit 14 was marked for
12 Identification.)

13 THE WITNESS: You said 45?

14 BY MS. PARK:

15 Q Yup.

16 This is a New York Times article from
17 March 19th, 2021 by Jesse McKinley. You spoke to
18 this reporter; is that correct?

19 A Correct.

20 Q Okay. And is there anything that is
21 reported in this article about you that is not
22 accurate?

23 A No.

24 Q After this article came out, did
25 anyone in the senior staff come speak to you about

1 the article?

2 A No.

3 Q Did anyone in the senior staff, after
4 this article came out, tell you that you had a right
5 to report your allegations to the government --
6 governor's office of employee relations if you
7 wanted to?

8 A Not to me directly. I believe Mariann
9 receive some communication from Beth Garvey.

10 Q Let's put that aside for a second.

11 Did anyone in the executive chamber
12 staff tell you you were protected from retaliation
13 after you came out with your allegations?

14 A Not to me directly.

15 Q Did anyone in the executive chamber
16 staff do anything that you viewed as supportive of
17 you after these allegations come out, the senior
18 staff, I should say?

19 A Not the senior staff, no.

20 Q Okay.

21 MS. PARK: Why don't you look at
22 what's in your binder as Tab 61 and 62. I
23 think I have those wrong. Hold on a second.

24 THE WITNESS: I just -- I just noticed
25 that the senior staff is just --

1 COURT REPORTER: Is what?

2 THE WITNESS: Doesn't like -- like
3 doesn't acknowledge us. Like, they stay away
4 from us. They keep their distance, stay away,
5 that kind of thing. It's like -- almost like
6 we're not, like, really there anymore.

7 MS. PARK: It's actually Tab 31, I
8 apologize for mixing that up.

9 THE WITNESS: 31?

10 MS. PARK: Yup.

11 THE WITNESS: Okay.

12 (Whereupon, Exhibit 15 was marked for
13 Identification.)

14 BY MS. PARK:

15 Q Tab 31 is a complaint form filled out
16 by Beth Garvey to the governor's office of employee
17 relations that is on your behalf. How did you
18 become aware that this had happened?

19 A I wasn't aware.

20 Q So this is the first time anyone has
21 told you that Beth Garvey filled out a complaint
22 form with the governor's office of employee
23 relations on your behalf?

24 A Correct. I have never seen it before.

25 Q You were talking about how your

1 experience in the executive chamber has changed
2 since the allegations of sexual harassment against
3 the governor has become public. Can you tell us
4 what changes you've experienced?

5 A Not -- not having as much to do. I
6 feel like my responsibilities have really
7 significantly lessened. You know, I am still --
8 like I said, they send out, three months in advance,
9 Saturday coverage. So I am obviously still signed
10 up to cover --

11 COURT REPORTER: I'm sorry. You're
12 what? Covering?

13 THE WITNESS: Covering the governor's
14 phone.

15 COURT REPORTER: Phones?

16 THE WITNESS: Yes. On Saturdays,
17 yeah, because I signed up in advance. I signed
18 up for every other Saturday until I think next
19 week. So I have been in that situation where
20 they can use me if need be. And they have
21 before, but I haven't -- I haven't had, like,
22 any requests to like help with assisting, like,
23 Melissa on a call. Like, I used to do that on
24 Saturdays when I was there because I was -- I
25 was in the office. It was easier to do things

1 and connect people then and there.

2 So EA #2 and EA #3 would like call,
3 and I would, you know, organize it for them or
4 send out the meeting invite. Or Melissa would
5 send me something to like format or something
6 along those lines.

7 But Melissa actually took away my
8 calendar -- access to her calendar. So I am no
9 longer able to access her calendar or -- who
10 else's calendar did I have? She definitely
11 took it away.

12 And the governor has called when I was
13 on Saturday coverage for just -- like Brittany
14 had to -- there was one time that EA #2 and
15 EA #3 could not be there toward the end of the
16 day. And Brittany was like very nervous to be
17 alone in there, so she had to go do something.
18 And so obviously, the only other person who,
19 you know, handles the governor's stuff or
20 Melissa's stuff is me who was actually in.

21 So they had no other choice, and it's
22 not like they asked anyone. But they -- they
23 had me like look over the governor's phones,
24 Melissa's phones for when Brittany was gone.

25 And it's been obviously very quiet.

1 They know that EA #3 and EA #2 weren't in, and
2 of course, he calls while -- like the second
3 Brittany left. So that was like maybe the
4 third time I talked to him on the phone since
5 all of this happened.

6 And he just has a very, like,
7 condescending tone. He like, you know, makes
8 sure he asks who he's talking to. So you say
9 your name, and then he's like oh, Alyssa, how
10 are you today. How are you doing? Like just
11 very -- like trying to make you feel
12 uncomfortable.

13 Because like the way he speaks to me
14 now as opposed to like the way he spoke to me
15 beforehand are very, very different. And,
16 like, Brittany told me about one of his --

17 COURT REPORTER: I'm sorry. What?

18 THE WITNESS: I said I told Brittany
19 about like the first time that he called and I
20 was on Saturday coverage, that I was, like,
21 very uncomfortable. You know, it was such a,
22 like, awkward exchange, and, you know, he made
23 me feel uncomfortable. And Brittany was like,
24 oh, my gosh. Like, I don't know. Like,
25 that's -- I hope like that doesn't happen to

1 me.

2 And she did actually pick up, like not
3 even thinking when it said anonymous because
4 sometimes that's him. And he -- it was him,
5 and he did the exact same intro as he did with
6 me except she -- whereas I -- like, I don't say
7 how are you back, like, how are you. I just
8 say like, good, what can I help you with.

9 So it like cuts off the conversation,
10 and she just, you know, out of habit, says, how
11 are you. And then he goes, I'm great. The sun
12 is shining and the birds are chirping. So just
13 like weird, weird behavior. Intent -- like
14 making you feel uncomfortable intentionally to
15 both of us any time that we've spoken to him
16 since.

17 BY MS. PARK:

18 Q Did your desk location change after
19 the allegations against the governor became public?

20 A No, I was already on the other side
21 before, like right before.

22 Q Has the governor ever communicated
23 with members of the executive chamber staff about
24 the allegations, so not a press conference, but
25 with -- with the staff?

1 A I'm sure he has, but I'm not aware.
2 Like, he's literally -- is never in anymore. Ever
3 since the allegations, he's been in the mansion or
4 traveling. He never comes to the office. Maybe
5 he's come like twice or three times to do like a
6 press conference, but that's it. He doesn't come
7 in.

8 Q Are you aware or do you have any
9 knowledge of members of the executive chamber staff
10 trying to prepare a letter in support of the
11 governor after Ms. Boylan's allegations became
12 public?

13 A I did hear about that, and I don't
14 remember how. But I did hear about that. It was
15 like -- this was going around for -- but I did not,
16 like, see the letter. I just heard about it.

17 Q Other than hearing that there was a
18 letter, do you remember anything else you were told
19 about it?

20 A No.

21 Q Did anyone tell you what the contents
22 of the letter were?

23 A As far as my understanding was, it was
24 basically to discredit her and her claim and like --
25 kind of like going along with the whole smear

1 campaign thing. But again, I did not read it, so I
2 can't fully say. That is just my understanding of
3 what it said.

4 Q Is that understanding from the press,
5 or do you remember someone telling you about the
6 letter and its contents?

7 A I -- yeah. There -- there was
8 definitely talk about it, because obviously, the
9 press team and, you know, all of us were like -- we
10 have like -- there's younger girls on there, so
11 there are like -- we do intermix. So we do hear
12 from, like, through the grapevine of different
13 things that trickle down to us.

14 Q Can you remember anyone specifically
15 who talked to you about the letter that was -- to
16 your understanding, the content was designed to
17 discredit Ms. Boylan?

18 A It had to be one of the girls in the
19 front office when I go over and visit. Because no
20 one else would, I don't think, know about that, out
21 of the executive assistants, at least.

22 Q Are you aware of any efforts by the
23 executive chambers senior staff to discredit you?

24 A No, not that I'm aware of. I mean, I
25 don't -- like I said, they completely avoid us.

1 What happened -- oh, in one instance, [REDACTED]
2 [REDACTED], we saw her in the hallway. She no longer
3 works there because a bunch of people actually left
4 right after it happened to -- now -- like so many
5 people left.

6 They thought it was like their way out
7 because a lot of them can't leave, so they knew that
8 now is a good time to leave because they obviously
9 can't stop them given the position that they're in.
10 So they all, like, took advantage and jumped ship
11 either because they were upset about what was
12 happening. And like a lot of people say it was a
13 sinking ship, or because, you know, they've been
14 wanting to get out for a long time.

15 So [REDACTED] did say that she had to
16 defend us saying that -- that we were, like, making
17 it up. Like someone in her office was saying that
18 they heard that we were making it up. And then that
19 they went -- someone from, you know, press office or
20 Cuomo's-- like the higher ups were trying to explore
21 Brittany's, like, past by contacting Albany County.
22 So she told us about that, that someone was -- like
23 they reached out to Albany County to try to get dirt
24 off of her, like dirt of her. But, like, obviously,
25 they weren't able to get anything.

1 Q And what is the relevance of Albany
2 County to Ms. Commisso?

3 A She worked for Albany County for a
4 very long time, [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Q And you said some people are using
8 this as an opportunity to leave because that has
9 been difficult in the past. And I know you
10 mentioned very early on that you had had an
11 opportunity to leave the executive chamber staff and
12 that you could not. Could you tell us now about
13 that experience?

14 A Sure. My first opportunity to leave
15 was when my principal, [REDACTED] -- we had a really
16 good relationship and worked really well together.
17 I mean, we weren't together a lot because I was
18 pulled up front most of the time. But he was
19 like -- kind of like just wanted to take me under
20 his wings. He knew I wanted to do more than be just
21 an assistant, and he thought that would be a great
22 opportunity to go with him over there as his
23 executive assistant to begin with, and then possibly
24 find new opportunities and, you know, explore
25 different ideas, you know, of what I could do where

1 I could go from there.

2 And so he talked to the Secretary of
3 State, [REDACTED], saying that he would like to
4 bring his assistant, his executive assistant over
5 with him. And I reached out to her, as I was
6 advised by [REDACTED] to do. And we set up a time the
7 next time she was in Albany. And I went over to
8 DOS, and I had, like, an interview with her. I had
9 sent her my resume. We had a great conversation.
10 We had -- we communicated back and forth, and
11 [REDACTED] said that like I would be able to go. But
12 now we just would need to get chamber's approval.

13 So, like, I gave my resume to -- I had
14 to give my resume to Lauren. And then Lauren would
15 convey it to Jill, who would essentially have to
16 give approval for someone to, like, leave. And I
17 was told by Lauren that Jill said no, that I was not
18 allowed to leave because I help out -- like I help
19 the governor so much. So I wasn't able to leave.
20 So then they gave me -- I was like really upset
21 about it. So they gave me the position with [REDACTED]
22 [REDACTED] and a raise.

23 MS. PARK: And if you look at your
24 electronic binder at tabs 61 and 62, which
25 we'll mark as the next two exhibits...

1 (Whereupon, Exhibit 16 was marked for
2 Identification.)

3 THE WITNESS: Okay.

4 BY MS. PARK:

5 Q Are 61 and 62 the emails that reflect
6 you setting up the interviews with the state
7 department?

8 A Yes. Yup.

9 Q And then -- and then you're thanking
10 the state department for the interview?

11 A Yes. The secretary of --

12 COURT REPORTER: I'm sorry. Can you
13 repeat that?

14 THE WITNESS: I met directly with the
15 Secretary of State, so I was thanking her
16 directly.

17 BY MS. PARK:

18 Q And you said that you -- you came to
19 understand that Ms. Desrosiers had said that you
20 could not leave for the state department. Do you
21 understand that that's exactly what she said? Or is
22 it possible that she said they would just prefer if
23 you stayed longer, and that was taken to mean you
24 could not go?

25 A No. I believe that she said that I

1 could not leave, because it wasn't -- it's not an
2 uncommon thing for them to deny your request,
3 because they have the power to do so. I was like --
4 I'd heard that before and like, you know, [REDACTED]
5 [REDACTED] experienced something similar. She ended up
6 never leaving.

7 Q You told us about [REDACTED]
8 experience. Is there anyone else that comes to mind
9 that has told you that they wanted to leave the
10 executive chamber but were not allowed to leave?

11 A Yes. Other people like [REDACTED]
12 tried to leave, and she finally was successful in
13 doing so. Who else tried to leave? Oh, [REDACTED]
14 has been trying to leave for quite some time now,
15 and has been unsuccessful in doing so. Who else?
16 [REDACTED], he only agreed to a year, and he was
17 nervous that he would get stuck there as well. He
18 ended up using his like -- going on leave, so he
19 wasn't ever -- like he wouldn't be stuck there
20 because he knows how it goes. Who else?

21 Oh, like Danny Lever, Annabel Walsh.
22 Everything was like really kept secret. They went
23 through private -- they went private and didn't,
24 like, tell anyone where they were going until after,
25 because they know that oftentimes, like, they would

1 put a stop to it or call the employer and say that
2 they're -- like you can't hire them.

3 So they have -- they're just known for
4 interfering with employment if they want you to
5 stay. It's easier, obviously, for them to stop you
6 from going if you're just like going to another
7 agency. Like they can easily like stop that, so
8 some people have to -- they have no other choice but
9 to go private even though they put all this time
10 into, you know, the state and getting, you know, a
11 pension. And they're forced to go private just so
12 they can leave.

13 But I have heard of them even
14 contacting like private places.

15 Q What about any of the governor's
16 security detail from the state troopers? Any of
17 them ever told you that they -- they couldn't leave
18 or were prevented from leaving by the governor?

19 A Yes. [REDACTED] -- oh, my gosh. I
20 can't -- I can't remember his last name. It starts
21 with [REDACTED] He's been there for so long. The
22 governor --

23 COURT REPORTER: I'm sorry. Can you
24 repeat that?

25 THE WITNESS: Yeah. The governor

1 trusts him like a lot. He's been -- I mean,
2 he's been the trooper for I want to say like
3 30 years. Like he's outside the governor's
4 office. It was -- I actually had to work the
5 Saturday after the article came out, so that
6 was like -- I was a little nervous about that.
7 But I went there you know, showed up. It was a
8 Saturday, my Saturday shift, and [REDACTED] was on.

9 Hold on. I just want to plug my
10 computer in, one second.

11 THE VIDEOGRAPHER: Do you want to go
12 off the record, Counsel?

13 MS. PARK: Yeah, let's go off the
14 record.

15 THE VIDEOGRAPHER: The time is
16 7:35 p.m. Eastern time, June 2nd, 2021. We are
17 now off the record.

18 (Whereupon, a short break was taken.)

19 THE VIDEOGRAPHER: The time is
20 7:37 p.m. Eastern time, June 2nd, 2021. We are
21 now back on the record. You may proceed.

22 BY MS. PARK:

23 Q Ms. McGrath, why don't you finish
24 telling us what you understood about the trooper
25 whose first name is [REDACTED] and last name begins with

1 [REDACTED] and why he -- what he said to you after your
2 article came out?

3 A So I went into room 229. That's where
4 we had been sitting for Saturday coverage.
5 Normally, we would sit in the governor's suite, but
6 were still not in there. So I sat down. You know,
7 I didn't know how [REDACTED] was going to react or
8 anyone, for that matter.

9 And a couple of minutes after being
10 there, [REDACTED] came in and gave me like a fist bump
11 and said that he's so proud of me. And he's so
12 happy that I did that. He's been like seeing -- you
13 know, he had hoped that, you know, this -- this has
14 been a long time coming, he said, and that he's seen
15 like this behavior and, you know, similar things
16 happen like throughout the years. He's been there
17 forever, that he tried to leave at one point, and he
18 got denied. But he's actually retiring soon, so
19 he's happy about that. But he was just like, I'm so
20 happy that it's finally coming to a head. It's a
21 long time coming. I'm so proud of you. Like we
22 support you. Like we believe you, that kind of
23 stuff. So that was really nice to hear from him.

24 So I wasn't sure how he was going to
25 react or -- I haven't seen anyone else at this point

1 either, but I did get a ton of text messages too
2 from people who currently work at the chamber and
3 who are -- who left the chamber right after the
4 article came out as well.

5 Q So I want to shift now to talking not
6 about your experience or Ms. Commisso's experience,
7 but talking about some other women's experience in
8 the executive chamber and with the governor.

9 You mentioned earlier today that you
10 were -- you do know who Charlotte Bennett is, and
11 that at least on one occasion, you saw her upset in
12 the executive chamber. Can you tell us about that
13 occasion?

14 A Yes. So because we were working so
15 much, we kind of like devised a plan where we would
16 like alternate coming in later or like took a random
17 day off during the week, just so we weren't
18 completely burned out. And so EA #3 -- it was
19 EA #3's turn to come in late, so I -- it had to have
20 been a Thursday, because [REDACTED] Wednesday
21 night. So it was a Thursday. I went in early at
22 8 o'clock along with EA #2. And Charlotte Ben --
23 Charlotte Bennett was there, but not physically in
24 Room 229. She was apparently with the governor at
25 the time. She comes in -- back into 229, and like

1 completely breaks down, starts crying after, like,
2 coming out of the governor's suite, like,
3 hysterically crying.

4 You know, we asked her what's wrong,
5 is she okay, and apparently, she said that she
6 will -- she was with him to do -- like to give him a
7 briefing book or something along those lines, and
8 the governor asked her, how do you think I'm doing,
9 like wanted -- like asked her her opinion, how do
10 you think I'm doing so far.

11 And she was honest with him, and it
12 was during the time where Black Lives Matter
13 protests were going on. And she truly felt that he
14 should attend the one in New York City. There's a
15 lot of, like, talk about that, whether he should or
16 shouldn't. And she truly believed that he should,
17 and she expressed that to him.

18 And Stephanie Bennett overheard, and
19 so when she walked out, she asked him -- asked her
20 if she briefed the governor. And she said no, and
21 she goes -- and she obviously heard her talk over --
22 like overheard her talk without saying it. And she
23 said, and what were you talking about. So Charlotte
24 just mentioned it, and she got yelled at for that,
25 because she shared her opinion and was honest with

1 the governor.

2 And realistically, like all Stephanie
3 or Melissa wants us to do is just to like nod our
4 head, yes, and say, you're doing great and never
5 give our opinion when he actually asks. That's like
6 we don't have a -- we're not like on that level
7 where we should express our opinions. And so she
8 made Charlotte feel really bad about it.

9 And so Charlotte came in the room like
10 crying and just felt, like, very upset about the
11 whole thing. Why would she get yelled at for
12 answering a question honestly, and she just felt
13 like Stephanie, like, made her feel stupid. And she
14 was embarrassed, and so that's pretty much why she
15 came in crying about the whole thing.

16 And then shortly after -- I don't know
17 how long after. I want to say a few months. It
18 wasn't that long after. That had to be like -- that
19 was in the summertime when that happened. Charlotte
20 would go missing for like long periods of time, and
21 she said that she was going to see Jill. And we
22 didn't really know why. And then shortly after
23 that, she was moved out of our office to the
24 unsecured side, and now had a role in the health
25 portfolio as the -- as an adviser.

1 COURT REPORTER: What kind of adviser?

2 THE WITNESS: A policy adviser for

3 health.

4 BY MS. PARK:

5 Q The -- the information you just
6 conveyed to me about Charlotte's interaction with
7 the governor, that's what Charlotte conveyed to you
8 after she came out of the governor's office?

9 A Correct, to EA #2 and I.

10 Q Okay. And let's look at Tab 76 in
11 your electronic binder.

12 (Whereupon, Exhibit 17 was marked for
13 Identification.)

14 BY MS. PARK:

15 Q So this is a text message that begins
16 on June 8th and continues into June 16th between you
17 and Brittany Commisso in which it says, "Char is
18 okay" -- "is okay. Back in good graces. She
19 traveled with him today and staffed him." Is that a
20 reference to Charlotte Bennett?

21 A Yes, after that incident where she
22 came in crying, and she was, like, so upset about
23 the whole thing, yeah.

24 Q Okay. And it continues on the next
25 day on June -- not the next day, but it continues on

1 the next page on June 16th where it says, "Char is
2 now the health policy adviser." That is also about
3 Charlotte Bennett?

4 A Correct.

5 Q And it says, "And that was the
6 position [REDACTED] wanted." Who is [REDACTED]?

7 A [REDACTED] is another staff member -- staff
8 member. I think [REDACTED]
9 [REDACTED] and she worked in John
10 Maggiore's office with Brittany. And she's in her
11 20s, and she really wanted to like, you know, move
12 on to a -- like a real position [REDACTED]
13 [REDACTED] within the chamber, so she was trying --

14 COURT REPORTER: I'm sorry?

15 THE WITNESS: She was trying to pursue
16 that position as health adviser, which was
17 known.

18 BY MS. PARK:

19 Q You can go ahead and put aside that
20 exhibit.

21 Other than the occasion you just
22 described between Ms. Bennett and the governor, do
23 you have any personal knowledge of Ms. Bennett's
24 interactions with Governor Cuomo?

25 A No, because she was based out in

1 New York City. So she really wasn't around a lot.
2 The only reason why she got stuck here and was
3 around so much is because of the pandemic. No one
4 could go back to New York City who was here at the
5 time where like the shutdown started. So they were
6 stuck here.

7 And everyone who was in the City --
8 who was in Albany, couldn't leave and go back to the
9 City. So they were here for months on end in a
10 hotel.

11 Q Did you ever hear the governor refer
12 to Ms. Bennett as Bun? Bun, B-u-n?

13 A No.

14 COURT REPORTER: As bun, B-u-n?

15 MS. PARK: B-u-n.

16 COURT REPORTER: Okay.

17 BY MS. PARK:

18 Q Did you ever hear the governor refer
19 to Ms. Bennett as wings?

20 A No. But I also have never really been
21 around Charlotte and the governor.

22 Q Are there any occasions in which you
23 saw Ms. Bennett being asked to sing for the
24 governor?

25 A No.

1 Q Have you ever witnessed anyone being
2 asked to sing for the governor?

3 A No.

4 Q Let's put aside Ms. Bennett.
5 You told us that you know Lindsey
6 Boylan. Do you have any personal knowledge of
7 Lindsey Boylan's allegations of harassment against
8 the governor?

9 A So I don't know Lindsey well. She was
10 obviously based out of New York City. So -- and she
11 was only there for a few months. So I was there,
12 and then she left shortly after, maybe a few months
13 after I got there. So I only had, like, little
14 interactions with her assistant, [REDACTED].

15 But I really didn't -- I didn't -- I
16 never met her in person. But after she abruptly
17 left, she didn't send -- like usually, you send like
18 a mass email to everyone in the chamber. There's
19 like a hash tag where you can easily send something
20 to all the chamber. And it's like a common thing
21 where people are like, today's my last day and, you
22 know, thanks everyone, that sort of thing. And
23 Lindsey didn't do any of that.

24 And she -- I think she emailed like a
25 handful of people saying that she was leaving. So

1 it was very abrupt and out of the blue. So we were
2 all like very shocked that, all of a sudden, she was
3 like no longer there. That's very odd and never
4 happens.

5 And then I heard after, like basically
6 right after that, you know, she's crazy. And I just
7 heard, like, very negative things about her, that
8 she was just insane, that she was a crazy person,
9 that she was -- you know, everything -- like that
10 she was just -- it was, like, a smear campaign, that
11 she was just nuts. And I didn't know her personally
12 so -- you know...

13 Q Just to be clear, the -- the things
14 you heard about Ms. Boylan, from senior staff
15 members of the executive chamber about her being
16 crazy, that was after she departed the executive
17 chamber but before her allegations of sexual
18 harassment against the governor became public; is
19 that right?

20 A Correct.

21 Q Okay. Have you ever seen Ms. Boylan
22 interact with the governor?

23 A No.

24 Q Has anyone in the executive chamber
25 spoken to you, specifically, about Ms. Boylan's

1 allegations against the governor?

2 A When they first came out, people have
3 talked about them, again, going about the whole
4 theory that she's crazy, and she just wants
5 attention. And she's relentless, and like it's
6 another one of Lindsey's, you know, outbursts. And
7 she just wants attention and -- because she's
8 running for this.

9 And just -- because that's just --
10 that was talked about, like that was just every -- I
11 mean, I even caught myself believing it because it
12 was talked about so freely and frequently. And --
13 it's -- that was just -- they just made that -- they
14 just made that known. Like that was talked about
15 in -- when I was in the governor's suite, so it was
16 like talked about openly in there.

17 Q Did the governor ever show you a cigar
18 box in his office?

19 A I don't think he showed me, but I know
20 the cigar box in his office.

21 Q There is a cigar box in his office
22 from Bill Clinton, right?

23 A Yes.

24 Q But has he ever discussed that cigar
25 box with you?

1 A I don't think so. I don't think so.

2 Q And you said you -- you caught
3 yourself believing that Ms. Boylan's allegations
4 were -- were not true. How do you reconcile not
5 believing Ms. Boylan's allegations with your own
6 experience with the governor?

7 A Well, when she first left, I was -- I
8 was obviously very new there, so I didn't -- I just
9 believed basically whatever I heard. I didn't think
10 there was any, like, ill intentions or manipulations
11 or, you know, someone saying -- people saying that.
12 And it was multiple people saying that about her.

13 And I didn't know her personally, and
14 it just -- it did seem odd that, you know, all of a
15 sudden, she's there and then not there. So I
16 just -- I believed it because I didn't know anything
17 else. I mean, do I think that's right? Probably
18 not, but it's just so -- like people are so open
19 about it that you just felt like you had to believe
20 it almost.

21 And then when the allegations came
22 out, I was definitely skeptical about it because
23 given like my experiences with the governor, it
24 wasn't -- it wasn't like it wasn't believable, but
25 it was something I wasn't going to, like, express to

1 anyone, like, in the chamber, because that was an
2 unpopular opinion to think that.

3 So I just kind of nodded and just like
4 let people talk about it. But it just -- they just
5 kept on going with the theory that she's crazy, and
6 it's another one of her outbursts and it's another,
7 you know, ploy, to get more attention. And --
8 because she's running for -- what she's running for,
9 congress or something?

10 So -- or she's being like spiteful or
11 revengeful for -- they said that she like got fired
12 and couldn't come back. And she asked to come back.
13 Like I have heard multiple different stories and why
14 she may be acting the way she's acting.

15 Q Have you communicated with Ms. Boylan
16 since she's made her allegations?

17 A No. I know she wrote something on
18 Twitter like -- just like supporting me, and I think
19 I said -- I in-boxed her and said thank you. And
20 that's it.

21 Q Have you communicated with Ms. Bennett
22 since she made her allegations?

23 A Yes.

24 Q And tell us about your communications
25 with Ms. Bennett.

1 A I communicated with her -- I don't
2 even know why I started communicating with her. Her
3 attorney actually helped me find Mariann, like gave
4 me like suggestions as to like, you know --

5 Q I don't know want to know what -- what
6 Debra Katz told you.

7 COURT REPORTER: Who? Who?

8 MS. PARK: Debra Katz.

9 BY MS. PARK:

10 Q I just want to know about your
11 communications with Ms. Bennett.

12 A So I communicated with Charlotte
13 about, you know, that I like support her and
14 whatever she's going through. And then when my
15 whole article came out, of course, she like reached
16 out to me. And we just, like, gave, like, words of
17 encouragement and support to each other. And that
18 like, you know, we spent literally the last six
19 months in the same office. And we never
20 communicated like our situations to each other,
21 which, you know, just kind of went along with, like,
22 being scared and the secrecy type of environment
23 that they create. That, like, I literally sat
24 behind Charlotte the entire time, and we never spoke
25 a word about anything like that.

1 So we just, like, discussed things
2 like that and just gave words of encouragement for
3 each other. And then obviously, she knew the
4 other -- the incident with the groping was Brittany
5 by default. I mean, everyone knew it was either
6 Brittany or I who was the one who were -- was the
7 groping incident. So by default, it had to be
8 Brittany.

9 Q Your communications with Ms. Bennett,
10 what form were they in?

11 A Phone call, maybe like a couple of
12 text messages, but pretty much phone call.

13 Q Did Ms. Bennett help you prepare to
14 speak to the reporter?

15 A No.

16 Q Let's put Ms. Bennett and Ms. Boylan
17 aside. Do you know Anna Ruch?

18 A No.

19 Q Do you know Ana Liss?

20 A No.

21 Q There's been a woman in a New York
22 Magazine article who identified herself as Caitlin,
23 who has made allegations against the governor. Do
24 you know who that is?

25 A I don't. I -- I don't know for sure

1 who it is, no.

2 Q Do you know who Karen Hinton is?

3 A No.

4 MS. PARK: Why don't we open Tab 63
5 and 64 of your electronic binder. We'll mark
6 these as the next two exhibits.

7 (Whereupon, Exhibit 18 was marked for
8 Identification.)

9 BY MS. PARK:

10 Q Tab 63 is an email from
11 December 28th, 2019 between you and Ms. Benton, and
12 Tab 64 is an email on December 30th, 2019 between
13 you, Ms. Benton, and Executive Assistant #2. And both of them
14 relate to letters, including a letter the governor
15 was sending to Karen Hinton. Do you see that?

16 A Yes.

17 Q It says -- it says, "Karen Hilton."
18 Did you understand that to be Karen Hilton or Karen
19 Hinton?

20 A I -- to be honest, I am not sure.

21 Q Okay. Other than what's in these
22 emails, do you have any knowledge about why this --
23 this letter in Exhibit 63 was being written?

24 A No. Like, we don't ask questions like
25 that. We just do what we're told.

1 Q You can put that aside.

2 Do you know Jessica Bakeman?

3 A No.

4 Q Do you know Valerie Bauman?

5 A No.

6 Q Do you know Alessandra Biaggi?

7 A No.

8 Q Do you know Camonghe Felix?

9 A No.

10 Q Do you know Susan Gaffney?

11 A No.

12 Q Do you know Leslie -- sorry. Do you
13 know Lindsay Nielsen?

14 A No.

15 Q Do you know Sherry Vill?

16 A No.

17 Q Do you know [REDACTED]?

18 A If I think who it is, then yes. I'm
19 not 100 percent sure.

20 Q Who do you think it is?

21 A [REDACTED], I think she is someone
22 who now works at an agency, pretty high up agency.

23 I believe she's friends with or -- with Lauren

24 Grasso. She's blonde. I don't know if that's her.

25 Q Okay. Did that [REDACTED] that you have in

1 mind ever tell you anything about interactions with
2 the governor that made her uncomfortable?

3 A No.

4 Q Is there anyone else who has told you,
5 that we haven't covered today, that has told you
6 that they have had experiences with the governor
7 that have made them uncomfortable?

8 A No. There was -- it was not a lot of
9 people were around him. It was literally the same
10 people. It's not like you -- you had, like, access
11 to him. So that's why it was easy to figure that
12 out the groping thing was either Brittany or me,
13 because those were the only two people that had
14 access to him, other than EA #3 and EA #2 in that
15 capacity.

16 Q In your role working for Larry
17 Schwartz, did you set up any calls for him with
18 county executives after the allegations of
19 harassment came out against the governor?

20 A I know I have set up calls and
21 conference to -- yeah, calls or Zoom meetings with
22 county execs. I don't remember if it's after at
23 all, but I have set up numerous calls for him.

24 Q In any of the times you have set up
25 calls for him, have you heard him ask questions to

1 county executives about their loyalty to the
2 governor or whether they supported the governor?

3 A I have not heard that.

4 Q And -- sorry. Go ahead.

5 A I'm sorry. I really like didn't pay
6 attention to what he said. He was in that office
7 where Maggiore was, John Maggiore. So it was kind
8 of like tucked in the back, so you don't really hear
9 him and his conversations that much.

10 MS. PARK: I'm going to see if my
11 colleague Jung -- I don't know if Jung is still
12 there. But I think we have -- there you are
13 Jung. Jung, before I turn to concluding, I
14 just wanted to see if you had any other
15 questions for Ms. McGrath.

16 MR. KIM: No, I think that covered it.
17 Thank you, Ms. McGrath, for your time.

18 THE WITNESS: Thank you.

19 MS. PARK: So as I -- as I promised at
20 the beginning, Alyssa, you have an opportunity
21 to make a brief statement while you're on the
22 record if you'd like to. So we can either take
23 a break, and you can talk to Mariann about
24 whether you'd like to do that. Or we can just
25 proceed. How would you -- Mariann, how would

1 you like to proceed?

2 MS. WANG: I think if we can just take
3 a brief break, it shouldn't take long.

4 MS. PARK: Okay. Let's take -- let's
5 go off the record.

6 THE VIDEOGRAPHER: The time is
7 8:04 p.m. Eastern time on June 2nd, 2021. We
8 are now off the record.

9 (Whereupon, a short break was taken.)

10 THE VIDEOGRAPHER: The time is
11 currently 8:13 p.m. Eastern time,
12 June 2nd, 2021. We are back on the record.
13 You may proceed.

14 MS. PARK: Ms. McGrath, I understand
15 you would like to make a brief sworn statement,
16 so please go ahead.

17 THE WITNESS: Okay. I just want to
18 say that part of what makes it so hard to
19 describe every single inappropriate incident is
20 the culture of the place. On the one hand, he
21 makes all this inappropriate and creepy
22 behavior normal and like you should not
23 complain. On the other hand, you see people
24 get punished and screamed at if you do anything
25 where you disagree with him or his top aides.

1 I really just wanted to go to work and be
2 recognized for my work and nothing else.

3 MS. PARK: Thank you very much,
4 Ms. McGrath, for sharing that with us. And we
5 very much appreciate your being with us today
6 and for the testimony that you've provided. I
7 also want to take this opportunity to ask you
8 if there's anything that you've told us that
9 you would like to correct or clarify.

10 THE WITNESS: No.

11 MS. PARK: Okay. Then I'll conclude
12 by reminding you that you have given your
13 testimony under Executive Law 63, Section 8,
14 and so we would ask that you not tell anyone
15 about the testimony that you've given today.
16 And if anyone asks you about your testimony --
17 testimony today, we would ask your lawyer to
18 contact us and let us know.

19 And, again, I'll just say on my behalf
20 and on behalf of all the other special
21 deputies, we really appreciate your time today.

22 THE WITNESS: Absolutely. Thank you.

23 THE VIDEOGRAPHER: This concludes
24 today's interview of Alyssa McGrath. The time
25 is 8:15 p.m. Eastern time, June 2nd, 2021.

1 You're now off the record.

2 (Whereupon, the interview concluded at
3 8:15 p.m.)

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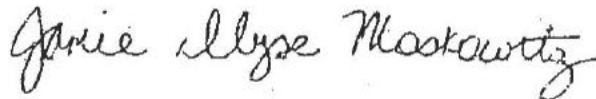
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C E R T I F I C A T E

I, Jamie I. Moskowitz, a Shorthand (Stenotype) Reporter and Notary Public, do hereby certify that the foregoing Interview, of, ALYSSA McGRATH, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the result or outcome thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of June 2021.



Jamie Ilyse Moskowitz
License No. XI01658