

Memorandum

To: Alphonso David, Counsel to the Governor
From: Camille Joseph Varlack, Deputy Director of State Operations,
Chief Risk Officer and Special Counsel
Re: Confidential Personnel Matter
Date: September 20, 2018

On September 20, 2018, I spoke with [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED], of Empire State Development (ESD), respectively. Below please find a summary of my conversation.



Draft/Subject to Change
Privileged & Confidential / Attorney Work Product
Agency Deliberative Communication



Alphonso David

From: Alphonso David
Sent: Thursday, September 20, 2018 2:41 PM
To: Melissa DeRosa
Cc: Linda Lacewell; Jill DesRosiers
Subject: RE: I have to jump off call I apologize can someone fill in for our SOTS

Privileged and confidential
Attorney client communication
Attorney work product

We manage all allegations/claims using the same process and applying the same standard. Accordingly, given that this was independently forwarded to counsel's office, we have already began compiling information regarding this and other allegations regarding this employee. Thanks.

Alphonso

From: Melissa DeRosa
Sent: Thursday, September 20, 2018 2:34 PM
To: Alphonso David [REDACTED]@exec.ny.gov>
Cc: Linda Lacewell [REDACTED]@exec.ny.gov>; Jill DesRosiers [REDACTED]@exec.ny.gov>
Subject: FW: I have to jump off call I apologize can someone fill in for our SOTS

Alphonso pls create a file for lindsey
Pls put this in it

From: Cathy Calhoun
Sent: Wednesday, September 19, 2018 3:55 PM
To: Linda Lacewell [REDACTED]@exec.ny.gov>; Melissa DeRosa [REDACTED]@exec.ny.gov>; Jill DesRosiers [REDACTED]@exec.ny.gov>
Subject: Fw: I have to jump off call I apologize can someone fill in for our SOTS

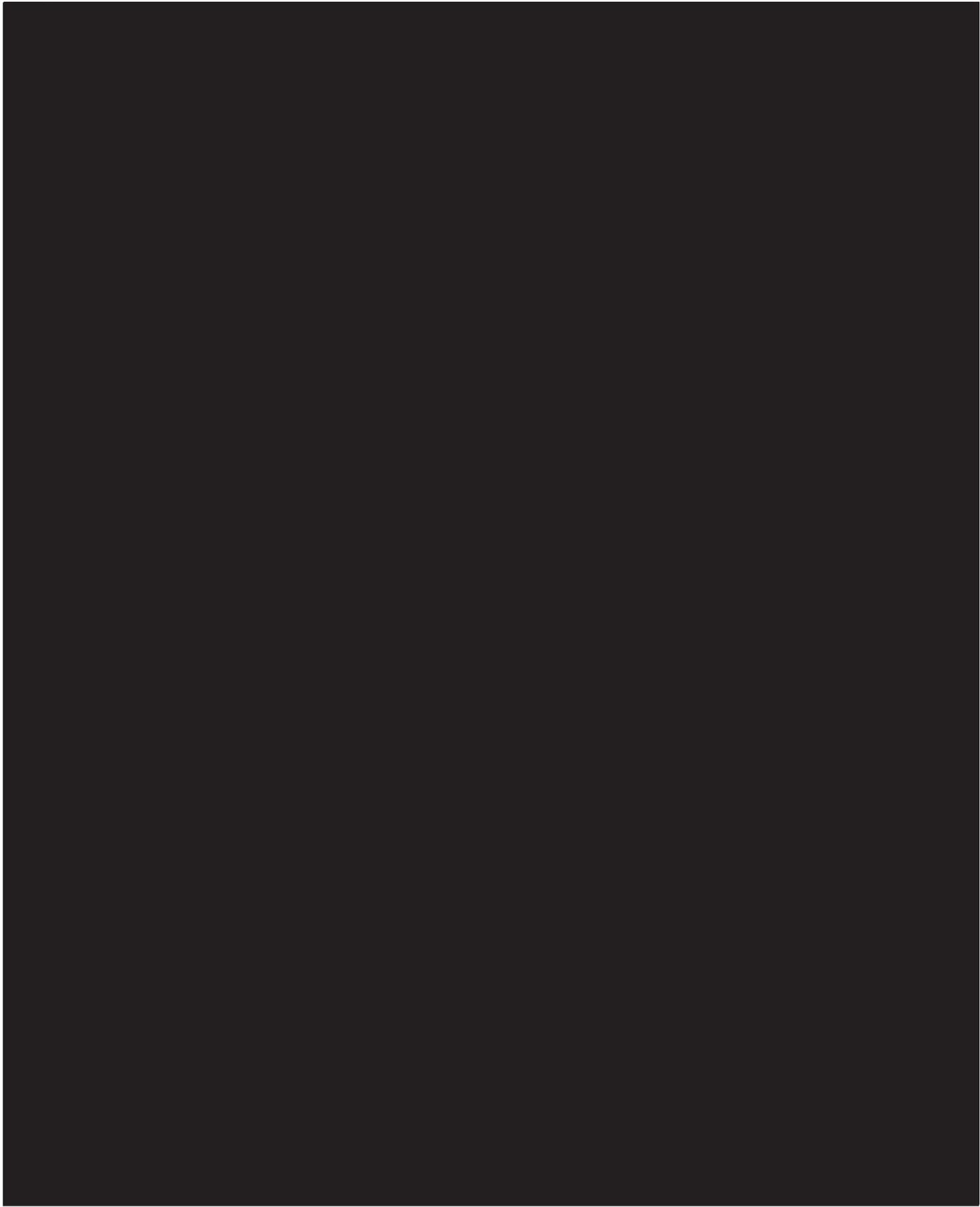
Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Lindsey Boylan [REDACTED]@exec.ny.gov>
Sent: Wednesday, September 19, 2018 12:21 PM
To: Barbara Rice; Barika Williams
Cc: Kate Dineen; Cathy Calhoun
Subject: Re: I have to jump off call I apologize can someone fill in for our SOTS

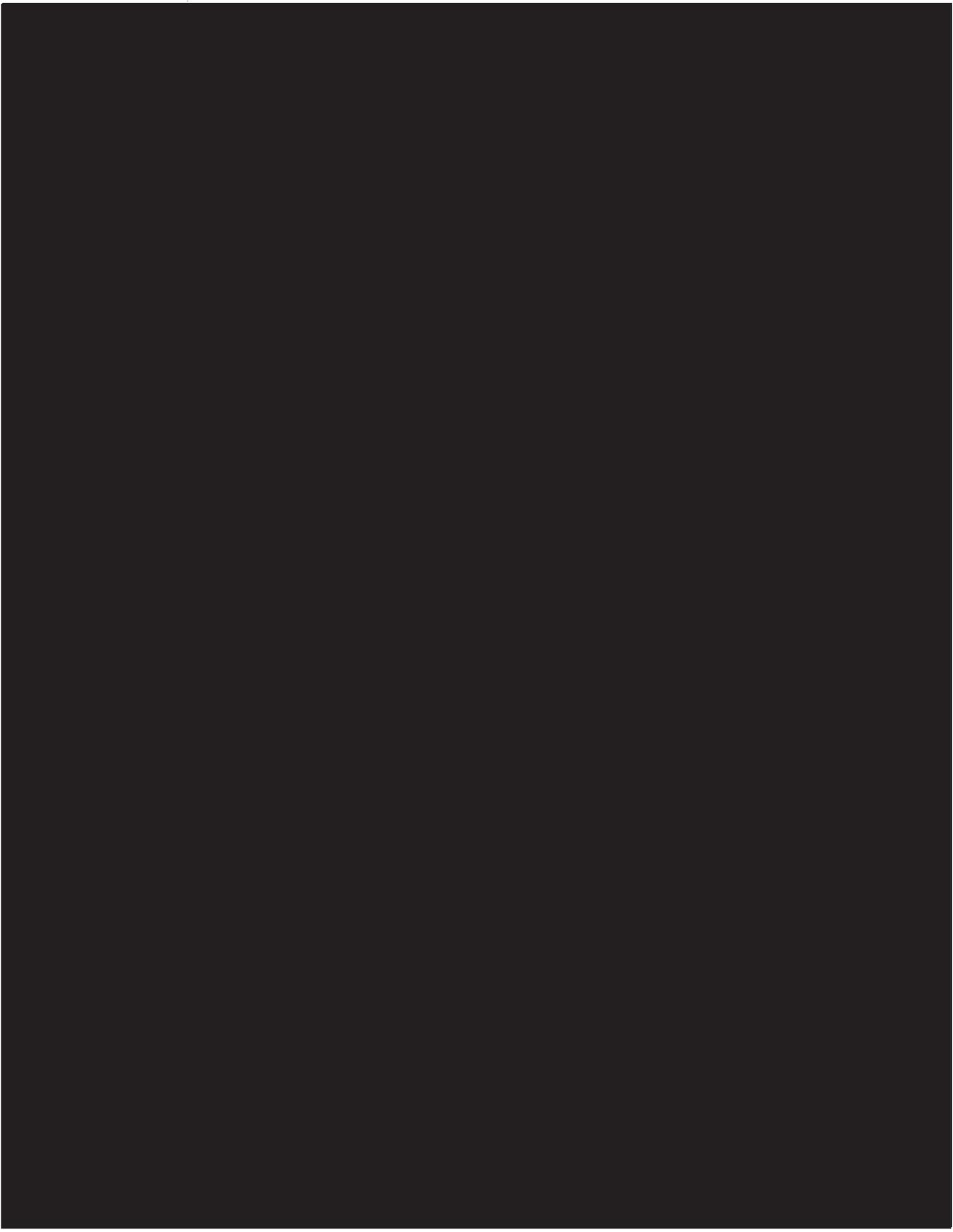


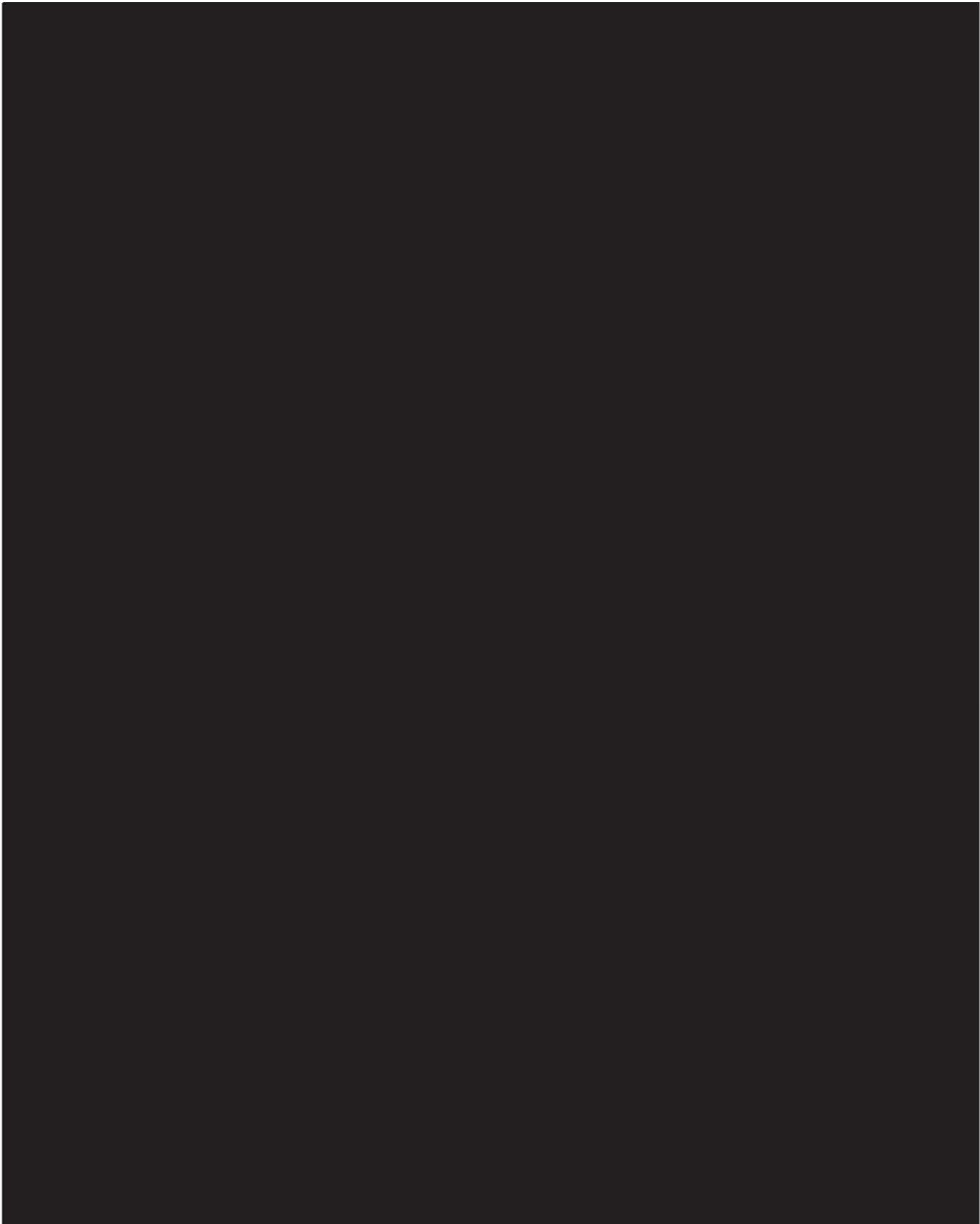


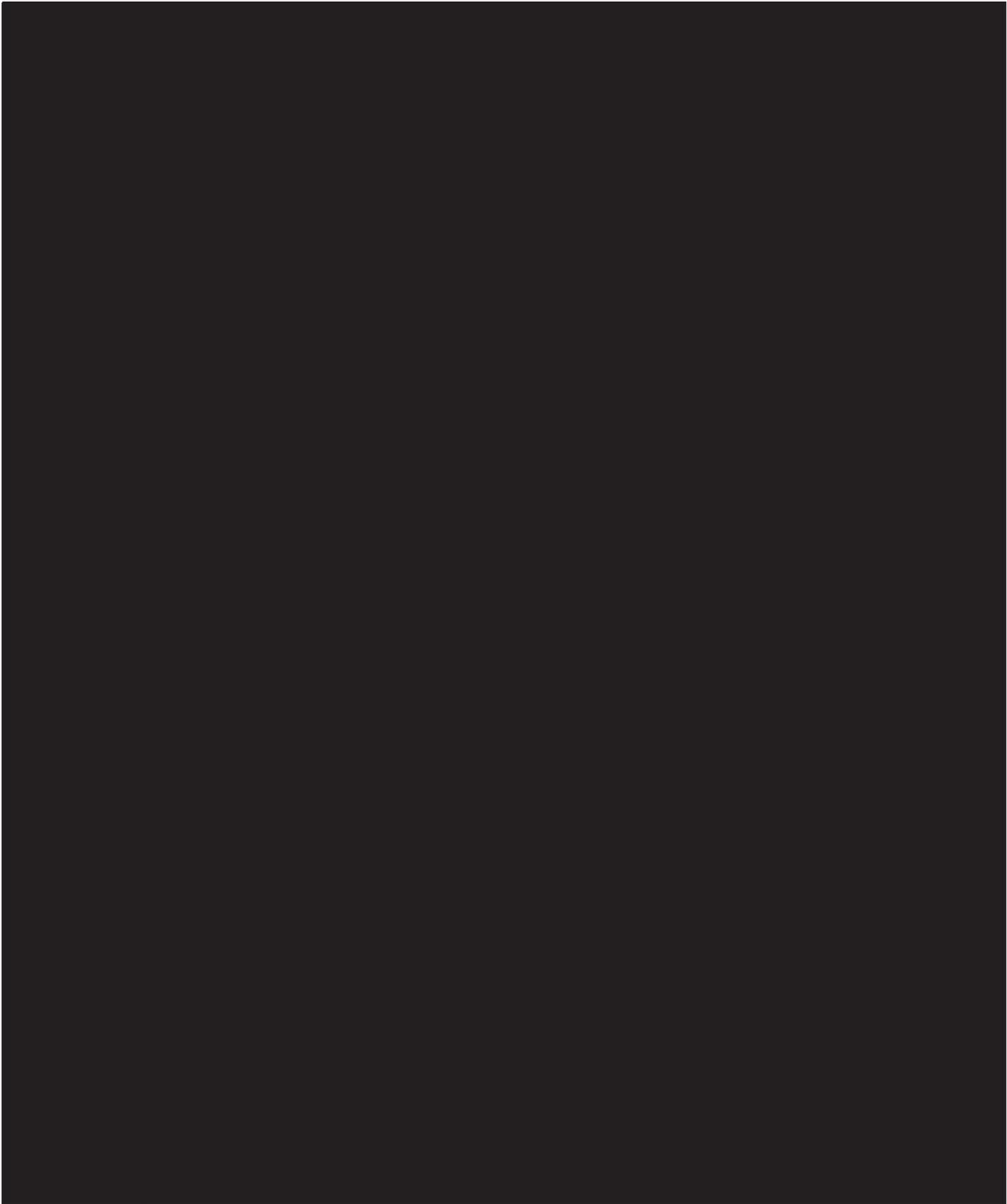














MEMORANDUM TO FILE

To: Alphonso David, Counsel to the Governor
From: Julia Pinover Kupiec, Assistant Counsel and Chamber Ethics Officer
Date: September 26, 2018
Subject: Employment Counseling for Lindsay Boylan

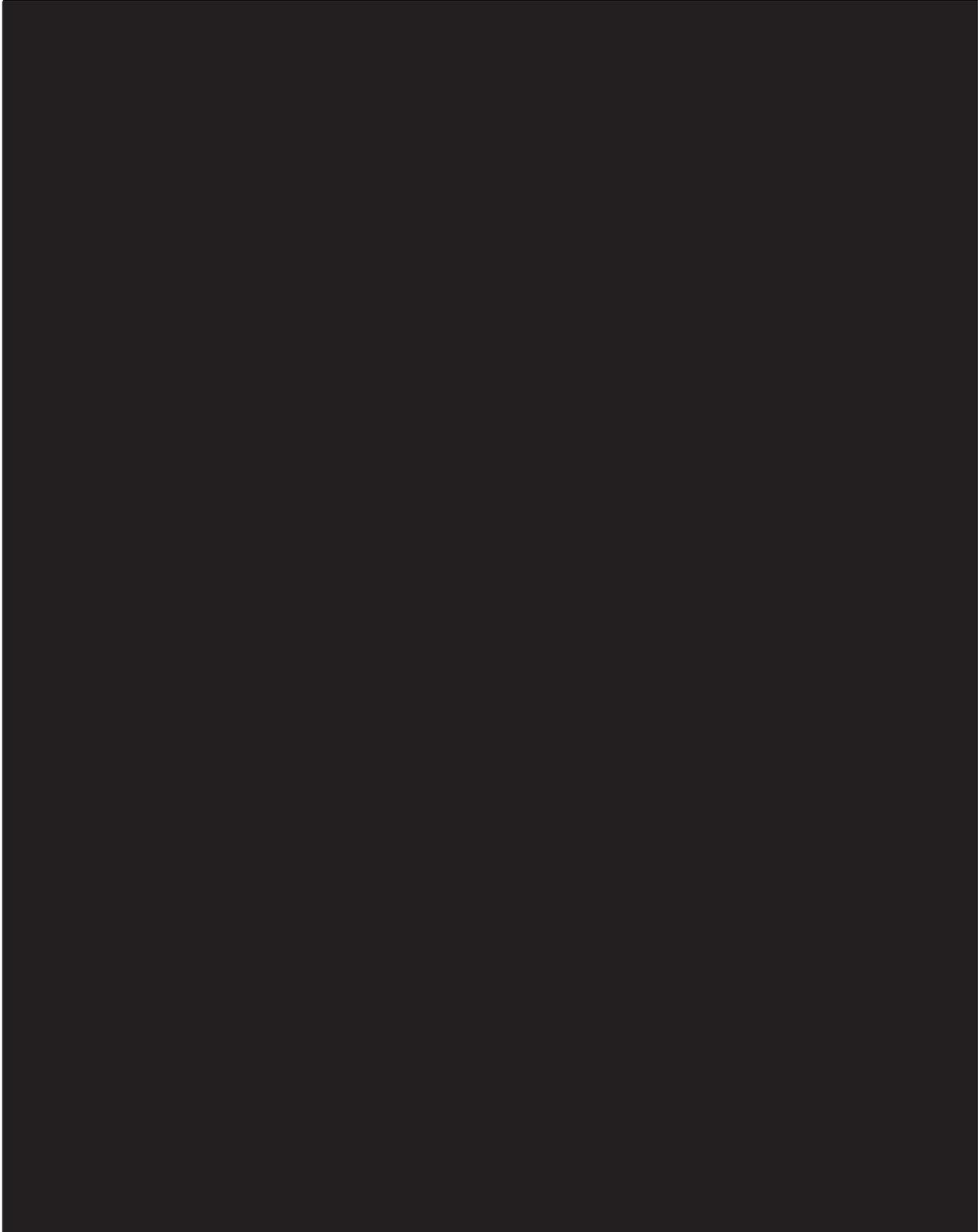
1. **Purpose**

[REDACTED]

[REDACTED] During the course of this counseling session, Ms. Boylan tendered her resignation voluntarily.

[REDACTED]

Draft, privileged and confidential - Attorney Client Privileged Communication
Intra-Agency Communication
Memo to File



3. Ms. Boylan's Resignation

During the meeting Mr. David was clear that she was not being asked to resign, fired, or pushed out in any way. In no uncertain terms he said that she was simply being counseled in response to the complaints that have been made about her from multiple sources.

Towards the close of this meeting Ms. Boylan voluntarily tendered her resignation, indicated that she would be leaving the office for the day and consulting with her own counsel regarding her next steps in Executive Chamber. She was clear that she intended to resign but she wished to think through the timing of her departure. Ms. Boylan expressed that she did not feel she could be effective in the Executive Chamber and as a result wished to move on. She expressed that her main priority was to leave her team – consisting of the two deputies she had hired – to be left in good stead in the Executive Chamber and suggested that they be elevated in position and rank here. Mr. David asked that Ms. Boylan advise him when she wished her resignation to be effective and offered the new year as a possibility.

Within four hours of the meeting, Ms. Boylan sent an email to staff within and outside of the Executive Chamber indicating that she had resigned and that her resignation was effective immediately.

I wrote this memorandum on September 26, 2018 based on contemporaneous notes taken during my personal attendance at the above described meeting on September 26, 2018.

/S

Julia Pinover Kupiec

Executive Chamber Ethics Officer

[REDACTED]

To: Julia Kupiec [REDACTED]@exec.ny.gov]; Camille Varlack [REDACTED]@exec.ny.gov]
From: Alphonso David[O=NYEC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ADAVID]
Sent: Sun 9/30/2018 12:28:56 PM Eastern Daylight Time
Subject: Lindsey Boyland Follow-up

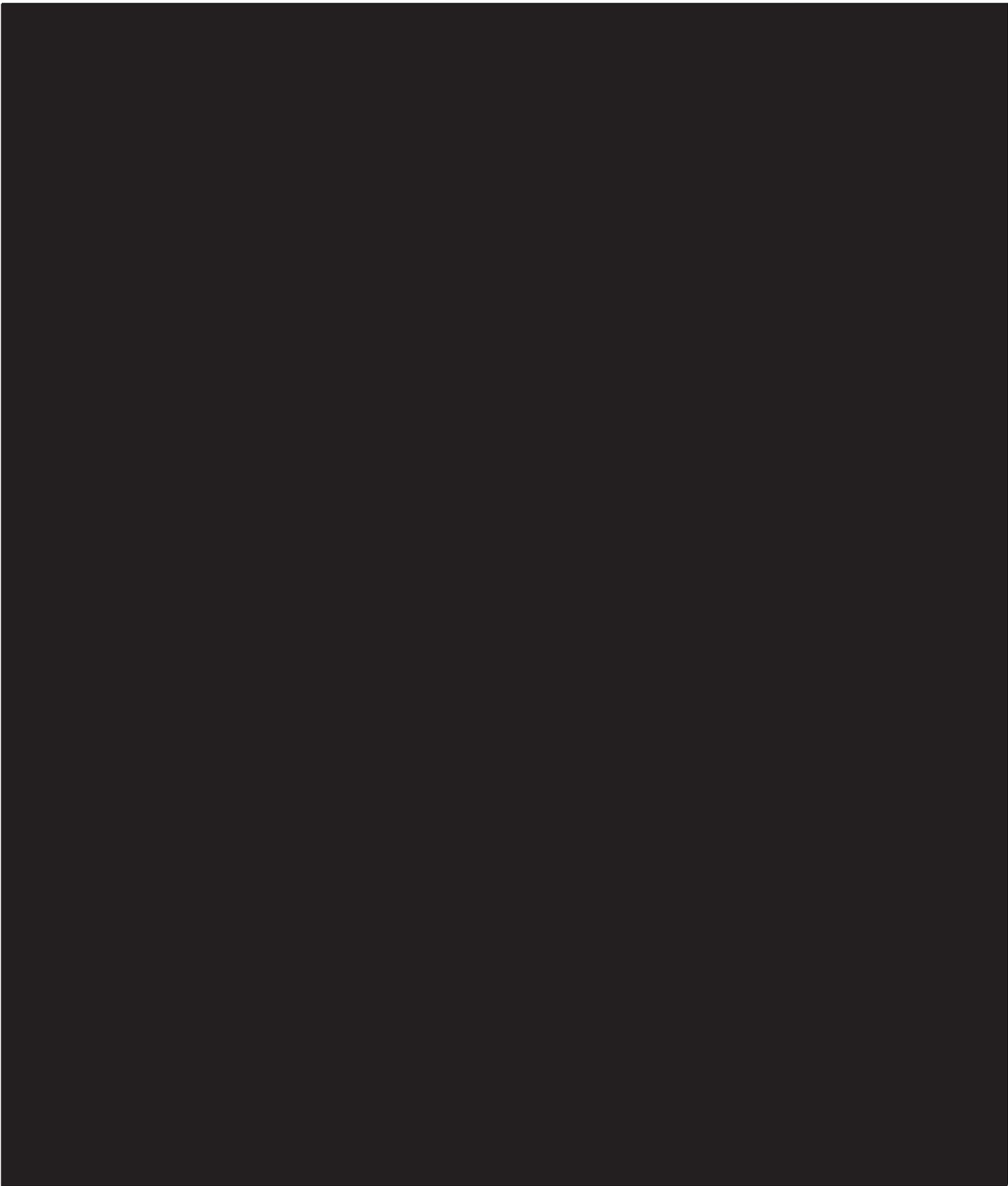
Privileged and confidential
Attorney client communication
Attorney work product

[REDACTED]

[REDACTED]

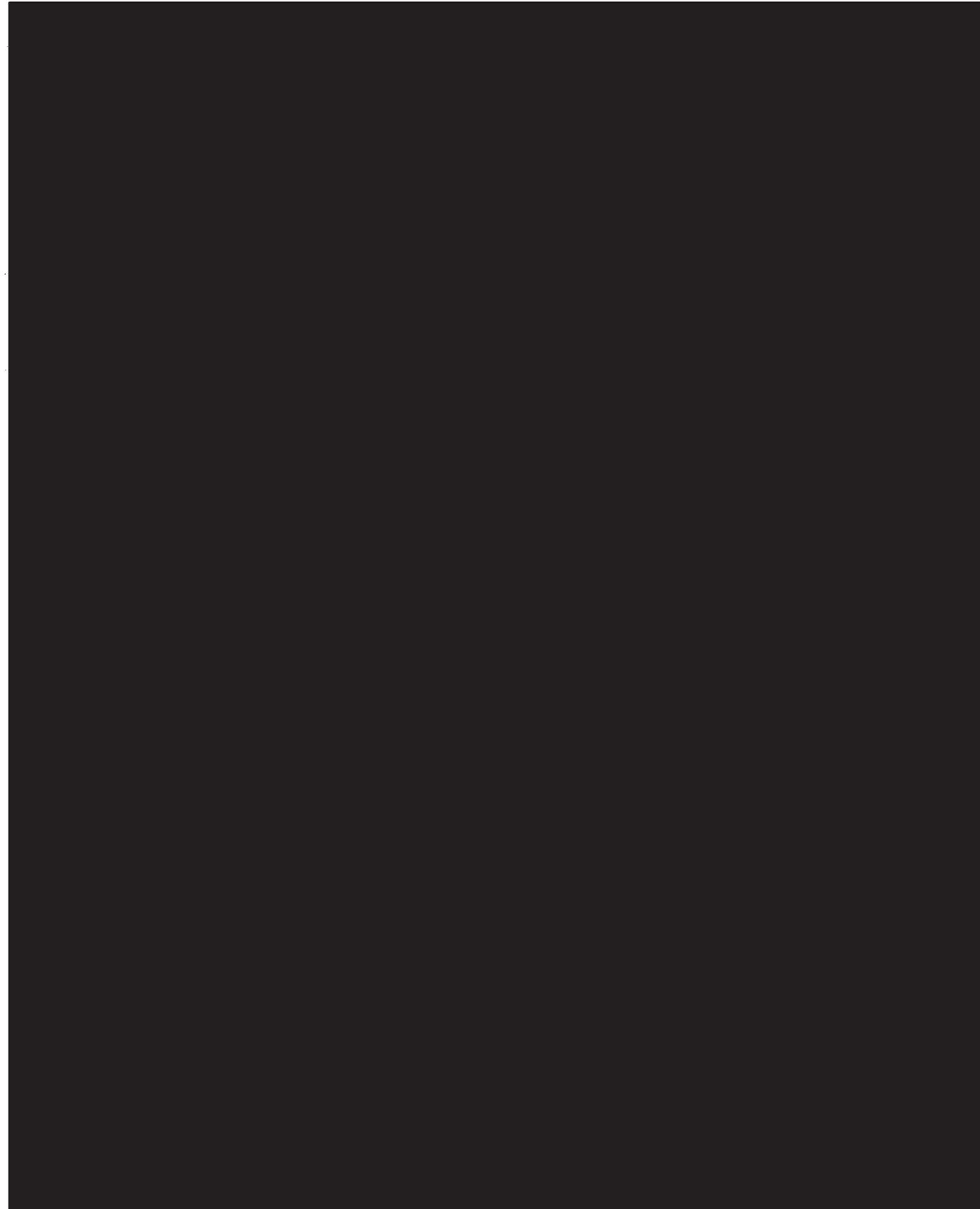
[REDACTED] Further, she has notified practically all state employees and many external stakeholders of her voluntary resignation, which was accepted. We will need to think about whether that issue can be effectively managed. I advised her I would get back to her with a formal response to her request.

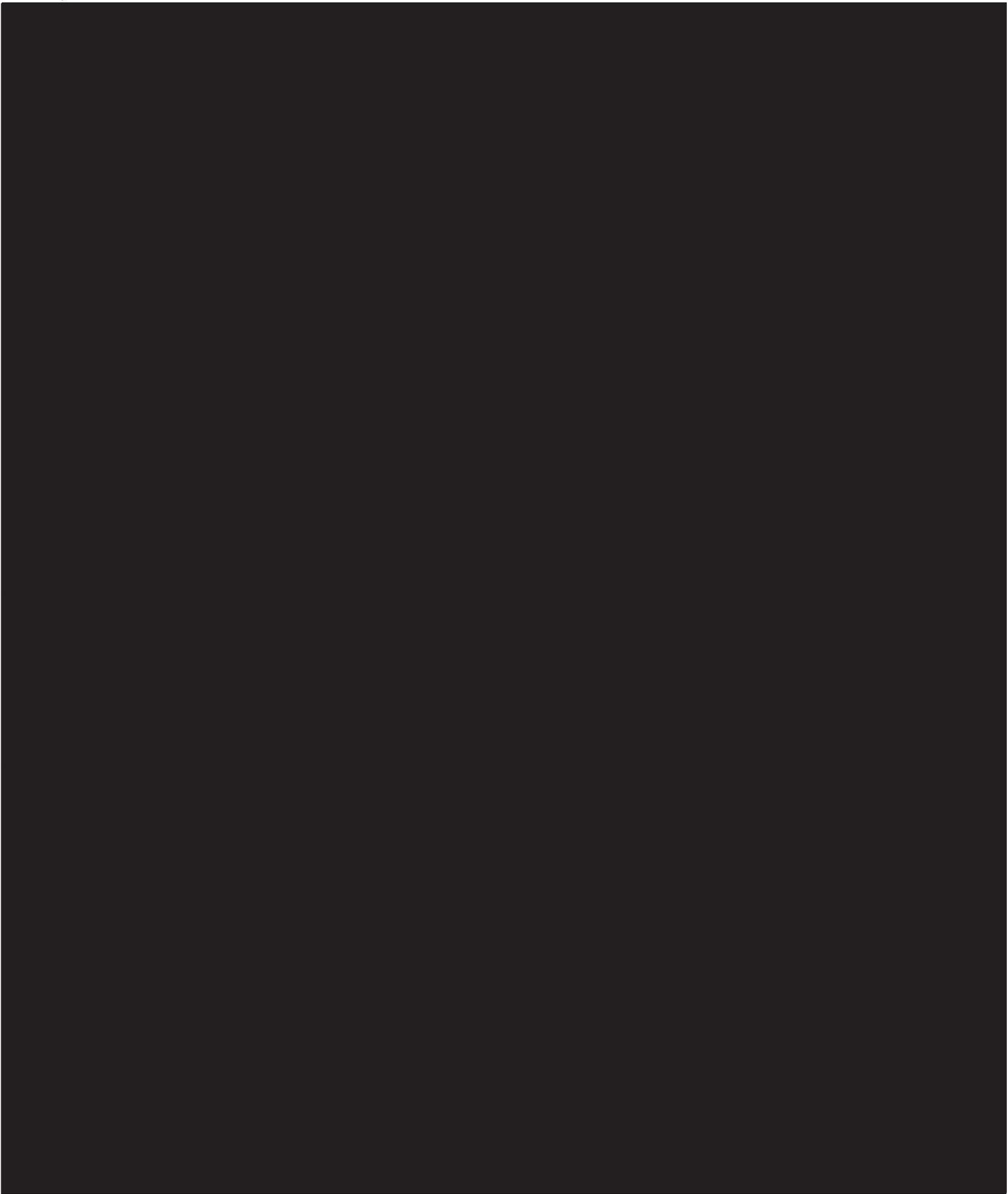
Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

















To: Zack Fink [REDACTED]@ny1news.com]

From: Richard Azzopardi[O=NYEC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=RAZZOPARTI]

Sent: Mon 12/14/2020 3:01:47 PM Eastern Standard Time

Subject: As discussed

Attachment: 202012131419.pdf



Memorandum

To: Alphonso David, Counsel to the Governor

From: Camille Joseph Varlack, Deputy Director of State Operations,
Chief Risk Officer and Special Counsel

Re: Confidential Personnel Matter

Date: September 20, 2018

On September 20, 2018, I spoke with ESD Official 1 and ESD Official 2 and [redacted] of Empire State Development (ESD), respectively. Below please find a summary of my conversation.





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Intra-Agency Communication
Memo to File

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Date: September 26, 2018
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[REDACTED]

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I wrote this memorandum on September 26, 2018 based on contemporaneous notes taken during my personal attendance at the above described meeting on September 26, 2018.

/s

Julia Pinover Kupiec
Executive Chamber Ethics Officer

[REDACTED]

From: Alphonso David
Sent: Sunday, September 30, 2018 12:29 PM
To: Julia Kupiec; Camille Varlack
Subject: Lindsey Boyland Follow-up

Privileged and confidential
Attorney client communication
Attorney work product



[REDACTED] Further, she has notified practically all state employees and many external stakeholders of her voluntary resignation, which was accepted. We will need to think about whether that issue can be effectively managed. I advised her I would get back to her with a formal response to her request.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: "Linda Lacewell" [REDACTED]@gmail.com>
Sent: Wed, 16 Dec 2020 11:31:00 -0500 (EST)
To: "Judith Mogul" [REDACTED]@gmail.com>
Subject: Fwd: LAST

----- Forwarded message -----

From: **Stephanie Benton** [REDACTED]@gmail.com>
Date: Wed, Dec 16, 2020 at 11:27 AM
Subject: LAST
To: Linda Lacewell [REDACTED]@gmail.com>

We are former employees of Governor Cuomo's Office now working in other pursuits. We have served for a collective of over 20 years with the Governor. Dani Lever served as Director of Communications, Cathy Calhoun as State Director of Operations, and Alphonso David as Counsel. We have individually worked with Ms. Boylan and have been in the company of Ms. Boylan and the Governor on many occasions. Mr. David, as Counsel, was intimately involved in handling the Human Resources complaints against Ms. Boylan and her departure.

We are first and foremost aggressive supporters of civil rights and women's empowerment. We have spent years working to advance and legislate the most aggressive state laws in the nation to protect women. For that reason, we cannot stand by when a woman makes illegitimate accusations of harassment, as it diminishes the rights and claims of all women who are legitimate victims.

Ms. Boylan served as an advisor to the Governor for nine months while she was an employee and located at Empire State Development Agency. In those nine months there were no less than six complaints against Ms. Boylan. Six women made official complaints against Ms. Boylan, African American and white women, peers and subordinates. The official complaints stated Ms. Boylan was "rude", "treats them like children" and made them feel like a "punching bag", "degrading", "insulting", "harassing" and "a bully" and inappropriately fired a subordinate. The complaints caused the Empire State Development Authority, which was the entity that employed Ms. Boylan, to send a legal memo from its CEO and its Counsel, a woman, to Mr. David as Counsel to the Governor due to the severity of the accusations and ethical violations.

In response to the memo, Alphonso David met with Ms. Boylan with a female ethics counsel present, raised the complaints and suggested counseling for Ms. Boylan, at which point Ms. Boylan became irate and said she would consider quitting. She later that day announced she was quitting. However, several days later Ms. Boylan contacted Mr.

David and said she changed her mind and wanted to return to her position. Mr. David said that was not possible. Ms. Boylan then contacted the Governor's Office and said that she needed to talk to the Governor. The Governor was advised by Mr. David not to contact Ms. Boylan given the situation and did not.

We understand that Ms. Boylan may very well be upset about the complaints made against her, losing her position in the administration and having no contact with the Governor. That is to be expected, traumatic and sad.

However, as far as Ms. Boylan suggesting that the Governor made inappropriate comments about her looks, which she characterizes as sexual harassment is concerned, she abuses all legitimate victims. We know from direct experience, the nature of the Governor, and the interactions between the Governor and Ms. Boylan, as we were present for most of their interactions.

Ms. Boylan claims the Governor made comments "about her looks". Ironic given that Ms. Boylan referred to the Governor as "handsome", and told staff that she "loved" the Governor. As professional women, we observed her interaction with the Governor, as well as other male staff members, on many occasions, in public and private, and we believe Ms. Boylan's conduct was unprofessional and inappropriate intimate behavior: sitting on coworker's laps and kissing them in public in the presence of other coworkers. Even to the extent that she felt compelled to send multiple text messages to apologize to one male staff member, who was highly offended, the day following such behavior.

During the extensive ethics conversations with Counsel about Ms. Boylan's behavior and appropriateness and how she felt she was treated by other people, she never mentioned anything negative about the Governor's interaction. Indeed, Ms. Boylan never made any complaint about the Governor for two years, until now, two days after she filed to run for political office as Manhattan Borough President. In addition, she makes these accusations against the Governor with no backup whatsoever. Also coincidentally, her political campaign consultant is also a consultant to a political opponent of the Governor, Jumaane Williams, who has said he is considering running against the Governor. Ms. Boylan is supported by lawyers and financial backers of Donald Trump: an active opponent of the Governor. We understand from credible sources that female members on her campaign team were offended and actually quit when they heard she and her campaign planned to make such claims for purely political advantage.

The political retribution against the Governor by Ms. Boylan comes as no surprise and was directly forecasted by her. In March, during the height of the COVID crisis, the Governor issued an Executive Order truncating the petitioning period and reducing the number of signatures mandated to run for public office. The order effected every

political race in the state. However, Ms. Boylan assumed it was a personal attack on her and believed the change was not helpful for her candidacy for Congress challenging Congressman Nadler. Immediately thereafter, Ms. Boylan texted Robert Mujica, State Budget Director, "Absolutely not helpful please relay that while we are ok, I see what the point is here and I will find ways to respond. Life is Long. And so is my memory. And so are my resources." She texted Dani Lever, Director of Communications, at the same time. "Absolutely not helpful specific response to a tragedy but please relay that while we are ok, I see what the point is here and I will find ways to respond to the message. The future is coming after assholes." Ms. Boylan's political motivation against the Governor was clearly premediated and purposeful.

We are not naive. We understand politics, especially in the current environment, can be a nasty and dirty business. We know the Governor understands that one must endure the slings and arrows to be in the public arena. But it demeans all women when allegations of harassment are made for political or extortive purposes. We encourage all women to come forward with valid complaints of harassment but not to use our advances in achieving new laws for personal animus, political gain or purely notoriety. False claims question the veracity of credible claims.

The Governor always treated us and every woman with whom we saw him interact with respect. Indeed, Ms. Boylan was right when she tweeted six weeks before her departure, "I'm proud to work for a Governor who takes women seriously". And another tweet, 12 days before her departure, "So proud of my boss Andrew Cuomo and all of Team Cuomo". She was also right when she tweeted, after she left, "Governor Cuomo is the best choice for Governor".

It is sad that political opportunism takes precedence over true political aspirations for progressive public service and advances designed to protect women in the workplace can be abused for unethical purposes.

Message

From: Annabel Walsh [REDACTED]@gmail.com]
on behalf of Annabel Walsh [REDACTED]@gmail.com > [REDACTED]@gmail.com]
Sent: 12/17/2020 4:21:02 PM
To: Melissa DeRosa [REDACTED]@gmail.com]
Subject: Fwd:

Exhibit

12

P.B. 07.17.21

exhibitster.com

----- Forwarded message -----

From: Annabel Walsh [REDACTED]@gmail.com>
Date: Wed, Dec 16, 2020 at 8:47 PM
Subject: Re:
To: Melissa DeRosa [REDACTED]@gmail.com>

below is the tom brokaw [letter](#).

I think that there are MANY, MANY people that would sign on to a letter talking about how incredible he is and how empowered they felt by him etc, I really think that is a much more powerful message that people would be (legally and otherwise) okay signing onto - I will gush forever. Attacking her isn't going to be signed onto by anyone and personally feels like the opposite of useful.

and you have all of this in your back pocket if necessary

Subject: Letter on Tom Brokaw

As professional women, we fully endorse the conversation around abuse of power in the workplace. In the context of that conversation, we would like to share our perspectives on working with Tom Brokaw.

We are current and former colleagues of Tom's, who have worked with him over a period spanning four decades. We are producers, correspondents, anchors, directors, executives, researchers, personal assistants, editors and technical staff.

Tom has treated each of us with fairness and respect. He has given each of us opportunities for advancement and championed our successes throughout our careers. As we have advanced across industries — news, publishing, law, business and government — Tom has been a valued source of counsel and support. We know him to be a man of tremendous decency and integrity.

Signed,

Susanna Aaron

Anne Binford Allen

Heather Allan

Marilyn Altman

Liz Bowyer

Mary Casalino

Christine Colvin Casper

Martha Cotton

Karen Curry

Sara Cusimano

Helene Darvick

Linda Ellman

Judy Farinet

Dianne Festa

Tammy Fine

Mary Laurence Flynn

Susan Friedman
Soraya Gage
Maralyn Gelefsky
Cheryl Gould
Erika Beck Grothues
Colleen Halpin
Jody Henefeld
Susan Morris Holey
Julie Holstein
Julie Huang
Peggy Hubble
Kiko Itasaka
Nancy Jacoby
Kat Keeney
Ann Kolbell
Audrey Beles Kolina
Susan LaSalla
Rachel Maddow
Donna Mastrangelo-Ryan
Andrea Mitchell
Mauri Moore
Frieda Morris
Elena Nachmanoff
Michele Neubert
Kelly O'Donnell
Bonnie Optekman
Mary Alice O'Rourke
Nancy Doyle Palmer
Polly Powell
Meaghan Rady
Elizabeth Vaughan Romaine
Amy Rosenberg
Stephanie Ruhle
Bita Ryan
Ruby Shamir
Maria Shriver
Robin Skolnick
Andrea Smith
Patricia Sullivan
Clare Duffy Swift
Yuka Tachibana
Bambi Tascarella
Zoya Taylor
Dee Dee Thomas
Anne Thompson
Kelly Venardos
Kristen Welker
Carolyn Wheatley
Mary Wolf

On Wed, Dec 16, 2020 at 8:36 PM Annabel Walsh [REDACTED]@gmail.com> wrote:

I know you know all of this and i love you and it's going to be okay.

1) don't do this (but i get it)

- 2) let this story die
- 3) why give her this insanely amazing platform, if i am running for office this is the best thing that has ever happened to me
- 4) do the tom brokaw letter if you have to do anything

We are former senior staff members of Governor Andrew Cuomo's Office.

We are writing in response to the claims made on twitter by Lindsay Boylan. We do so reluctantly. Each of us is a longtime and active supporter of civil rights and women's engagement. We believe women must be heard and that allegations of workforce misconduct must be taken seriously. However, when an accusation is unfounded and seemingly launched to gain a political advantage, standing by silently is not an option. To do otherwise, risks delegitimizing the rights of survivors of workplace abuse.

And, while we are fully aware of the all too frequent phenomenon where those who are subject to abuse do not come forward and even deny the abuse they have endured, we think it is significant to note that Ms. Boylan only began raising complaints about her experience last year when she launched a Congressional campaign. And even then, she only complained that the Governor's Office was an abusive environment (there are a lot of people that will combat this, why bring it up – it will ignite a bunch of people on the sidelines we don't need to bring in - an assertion we dispute), the claim of sexual harassment for inappropriate comments was never mentioned. Indeed, the accusation did not occur until two days after she launched a new campaign for Manhattan Borough President.

In March, during the height of the COVID crisis, the Governor issued an Executive Order truncating the petitioning period and reducing the number of signatures mandated to run for public office. The order effected – affected – every political race in the state. However, Ms. Boylan assumed it was a personal attack on her and believed the change was not helpful for her candidacy for Congress. Immediately thereafter, Ms. Boylan texted Robert Mujica – let's be real – is bringing him up in this a good idea?, State Budget Director, "Absolutely not helpful please relay that while we are ok, I see what the point is here and I will find ways to respond. Life is Long. And so is my memory. And so are my resources." She texted Dani Lever, Director of Communications, at the same time. "Absolutely not helpful specific response to a tragedy but please relay that while we are ok, I see what the point is here and I will find ways to respond to the message. The future is coming after assholes." Ms. Boylan's political motivation against the Governor was clearly premediated and purposeful.

Ms. Boylan is supported by lawyers and financial backers of Donald Trump: an active opponent of the Governor. We understand from credible sources that female members on Ms. Boylan's campaign team were offended and actually quit when they heard she and her campaign planned to make such claims for purely political advantage. – if I was running, I would be PSYCHED TO HAVE THIS and talk about bachelor party and

We each know Ms. Boylan personally; we served with her when she was an advisor to the Governor both in the Governor's Office and at Empire State Development Authority. It is likely that almost every interaction between the Governor and Ms. Boylan took place in either our presence or the presence of another Senior Staff member. Indeed, Ms. Boylan says as much herself. What we witnessed was a forceful and demanding Chief Executive requiring his staff do their best at all times. It was challenging work and at times it was hard both for men and women. In other words, it is what you would expect in a high-pressure environment where the accomplishments matter and failures THAT HAVE ACTUALLY SERIOUS FUCKING CONSEQUENCES BC THIS IS A REAL JOB - have consequences for 19 million new yorkers. It isn't for everyone. What we did not see was any kind of sexual harassment suggested by Ms. Boylan's summary and unsubstantiated assertion.

Unfortunately, we are also aware that during Ms. Boylan's relatively brief tenure – 2 years is not thaaaat brief, no less than six complaints were raised about her conduct. The complaints came from peers and subordinates, from men and women. We are not here to castigate – this entire thing is castigating her- Ms. Boylan. But it is relevant to assessing Ms. Boylan's claim, to understand that she left State employment after being formally confronted by repeated official complaints that she “treats [subordinates] like children” and made them feel like a “punching bag”, was “degrading”, “insulting”, and “harassing”. As a consequence of inappropriately firing a subordinate, Ms. Boylan was formally counseled about her conduct by Mr. David. In response, Ms. Boylan resigned. Several days later Ms. Boylan contacted Mr. David and said she changed her mind and wanted to return to her position. Mr. David said that was not possible. Ms. Boylan attempted to contact the Governor, but Mr. David advised the Governor to not discuss the situation with Ms. Boylan as the complaints were outstanding.

Ms. Boylan suggests the Governor made comments about her looks. This is ironic because we know Ms. Boylan referred to the Governor as “handsome” and said she

“loved” him to staff; which we do believe were inappropriate comments. - like why this is just attacking

During her tenure, at the time of her departure and after her departure, no complaint – formal or informal – was ever raised about the Governor. In fact, Ms. Boylan praised the Governor and the staff for his work and accomplishments. Ms. Boylan tweeted six weeks before her departure, "I'm proud to work for a Governor who takes women seriously". And another tweet, 12 days before her departure, "So proud of my boss Andrew Cuomo and all of Team Cuomo". She also tweeted, after she left, "Governor Cuomo is the best choice for Governor".

We are not naive. We understand politics, especially in the current environment, can be a nasty and dirty business. We know the Governor understands that one must endure the slings and arrows to be in the public arena. But it demeans all women when allegations of harassment are made for political or extortive purposes.

We encourage all women to come forward with valid complaints of harassment. But weaponizing a claim of sexual harassment for personal political gain or to achieve notoriety cannot be tolerated. False claims demean the veracity of credible claims.

On Wed, Dec 16, 2020 at 6:20 PM Melissa DeRosa [REDACTED]@gmail.com> wrote:

We are former senior staff members of Governor Andrew Cuomo's Office.

We are writing in response to the claims made on twitter by Lindsay Boylan. We do so reluctantly. Each of us is a longtime and active supporter of civil rights and women's engagement. We believe women must be heard and that allegations of workforce misconduct must be taken seriously. However, when an accusation is unfounded and seemingly launched to gain a political advantage, standing by silently is not an option. To do otherwise, risks delegitimizing the rights of survivors of workplace abuse.

And, while we are fully aware of the all too frequent phenomenon where those who are subject to abuse do not come forward and even deny the abuse they have endured, we think it is significant to note that Ms. Boylan only began raising complaints about her experience last year when she launched a Congressional campaign. And even then, she only complained that the Governor's Office was an abusive environment (an assertion we dispute), the claim of sexual harassment for

inappropriate comments was never mentioned. Indeed, the accusation did not occur until two days after she launched a new campaign for Manhattan Borough President.

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We each know Ms. Boylan personally; we served with her when she was an advisor to the Governor both in the Governor's Office and at Empire State Development Authority. It is likely that almost every interaction between the Governor and Ms. Boylan took place in either our presence or the presence of another Senior Staff member. Indeed, Ms. Boylan says as much herself. What we witnessed was a forceful and demanding Chief Executive requiring his staff do their best at all times. It was challenging work and at times it was hard both for men and women. In other words, it is what you would expect in a high-pressure environment where the accomplishments matter and failures have consequences. It isn't for everyone. What we did not see was any kind of sexual harassment suggested by Ms. Boylan's summary and unsubstantiated assertion.

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Date: Monday, December 14 2020 12:59 PM

Subject: [Chat #9688]

From: Melissa DeRosa [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Steven M. Cohen]; [REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi];
[REDACTED] [Peter Ajemian];

Attachments: Screenshot 2020-12-14 at 12.59.15 PM.jpeg

Thoughts?

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Yes I heard about the tweet about comments supposedly made and there is just no truth to it.

OR

Yes I heard about the tweet and there is just no truth to it.

Did you comment on her appearance?

There is just no truth to the tweets

I support women having the opportunity to speak out – I believe in transparency but there was nothing inappropriate that happened here

Date: Monday, December 14 2020 01:00 PM

Subject: [Chat #9689]

From: Rich Azzopardi <[REDACTED]>

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Steven M. Cohen]; [REDACTED] [Linda Lacewell]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

Yes

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:00 PM

Subject: [Chat #9690]

From: Joshua Vlasto [REDACTED]

To: [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger]; [REDACTED] [Steven M. Cohen];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

At the end "...but there is no truth in those statements."

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:02 PM

Subject: [Chat #9691]

From: Melissa DeRosa [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Steven M. Cohen]; [REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi];
[REDACTED] [Peter Ajemian];

Attachments: Screenshot 2020-12-14 at 1.01.43 PM.jpeg

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Yes I heard about the tweet about comments supposedly made and there is just no truth to it.

OR

Yes I heard about the tweet and there is just no truth to it.

Did you comment on her appearance?

There is just no truth to the tweets

I support women having the opportunity to speak out – I believe in transparency but there is just no truth to the tweet

Date: Monday, December 14 2020 01:02 PM

Subject: [Chat #9692]

From: Joshua Vlasto [REDACTED]

To: [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger]; [REDACTED] [Steven M. Cohen];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

tweetS

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:02 PM

Subject: [Chat #9693]

From: Dani Lever [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Rich Bamberger]; [REDACTED] Steven M. Cohen];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

I'd do the second

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:03 PM

Subject: [Chat #9694]

From: Dani Lever [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Rich Bamberger]; [REDACTED] [Steven M. Cohen];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

The first gives her too much room to define “inappropriate”

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:03 PM

Subject: [Chat #9695]

From: Melissa DeRosa [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Steven M. Cohen]; [REDACTED] Linda Lacewell; [REDACTED] [Rich Azzopardi];
[REDACTED] [Peter Ajemian];

But which one in this group

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:04 PM

Subject: [Chat #9696]

From: Joshua Vlasto [REDACTED]

To: [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger]; [REDACTED] [Steven M. Cohen];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

I think both are fine so he has either he can use

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:09 PM

Subject: [Chat #9697]

From: Steven M. Cohen [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

I think both are fine. The second is more fluid and less likely to cause a trip.

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:20 PM

Subject: [Chat #9698]

From: Linda Lacewell [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Steven M. Cohen]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

Does he get away with not answering if he commented on her appearance

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

Date: Monday, December 14 2020 01:27 PM

Subject: [Chat #9699]

From: Steven M. Cohen [REDACTED]

To: [REDACTED] [Joshua Vlasto (owner)]; [REDACTED] [Dani Lever]; [REDACTED] [Rich Bamberger];
[REDACTED] [Linda Lacewell]; [REDACTED] [Rich Azzopardi]; [REDACTED] [Melissa DeRosa];
[REDACTED] [Peter Ajemian];

I think going down that path doesn't end cleanly. "No" doesn't make sense. "Yes" invites another Q and sounds funky. And a "I often comment" seems similarly weird. The problem is LB doesn't mean what she says. she must mean "he made a comment that was an inappropriate sexual innuendo". To that the answer is a strong "it didn't happen". But you're forced to unpack it to get to the direct NO.

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]

From: Stephanie Benton
Sent: Friday, December 18, 2020 9:22 AM
To: Linda A Lacewell (dfs.ny.gov); Alphonso David
Subject: RE: Privileged Confidential

I'm gonna do a real list so we can track who is calling whom and their agreement to sign

From: Lacewell, Linda A (DFS) <[REDACTED]@dfs.ny.gov>
Sent: Friday, December 18, 2020 9:18 AM
To: Stephanie Benton <[REDACTED]@exec.ny.gov>; Alphonso David
<[REDACTED]@hotmail.com>
Subject: Re: Privileged Confidential

also I got

[REDACTED]

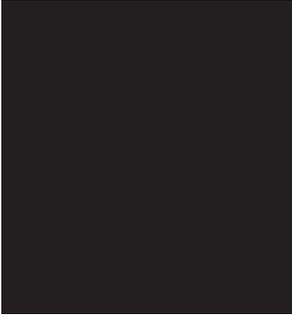
From: Lacewell, Linda A (DFS) <[REDACTED]@dfs.ny.gov>
Sent: Friday, December 18, 2020 9:09 AM
To: Benton, Stephanie (CHAMBER) <[REDACTED]@exec.ny.gov>; Alphonso David
<[REDACTED]@hotmail.com>
Subject: Re: Privileged Confidential

Fonz let us know who you take to call

I have signoff from

[REDACTED]

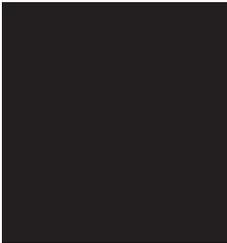
From: Lacewell, Linda A (DFS)
Sent: Friday, December 18, 2020 4:37 AM
To: Benton, Stephanie (CHAMBER) <[REDACTED]@exec.ny.gov>
Cc: DeRosa, Melissa (CHAMBER) <[REDACTED]@exec.ny.gov>
Subject: Re: Privileged Confidential



We have lots more on the original list you did with Judy

Sent from my iPhone

On Dec 17, 2020, at 9:53 PM, Stephanie Benton
<@exec.ny.gov> wrote:



Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network

From: Stephanie Benton
Sent: Thursday, December 17, 2020 9:43 PM
To: Linda A Lacewell (dfs.ny.gov)
Cc: Melissa DeRosa
Subject: Privileged Confidential

So this is progress. How do we get him 50 plus names. Would be great to keep his mind on this path and would be real shot in the arm if we can get him names in am.





And I want to put eyes on stupid list again to grab more of the kids. But I can't right now. I just can't.

Send to linda tell her ask 50 names to sign the following letter. "We all worked for Governor Cuomo directly. His motto wa Performance Integrity Pride, we

work for the people. He has always been true to that pledge. He is strong tough respectful inclusive and effective. He showed the teams capacity with a long record of accomplishments and the world sw it in the teams product during covid. We are all glad and proud to have served him and the people of the state.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

New York Gov. Andrew Cuomo COVID-19 Press Conference Transcript December 14



New York Gov. Andrew Cuomo held a press conference on December 14 to provide updates on COVID-19. He also addressed allegations of sexual harassment from a former aide. Read the transcript of his briefing with coronavirus updates for New York here.



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Gov. Andrew Cuomo: (00:01)

Good afternoon, good afternoon. Sorry for a different time today, but we had at the Electoral College, Joe Biden and Kamala Harris, who were elected president and vice-president, and that was done. We had them here because we wanted to make sure that we followed all the laws, and this has been a litigious time, so that concluded. Let's talk about where we are today, today's day 289. Here are the numbers for today. Without the micro-clusters, 5.21, with the micro-clusters, 5.6. Positivity in micro-cluster areas, 7%. Statewide deaths, 83. They are in our thoughts and prayers, especially during this holiday season. It's always tough to lose a loved one, but especially during the holiday season. State hospitalization is up to 5,700, ICU, 1000, intubations 572. This is the percentage of population hospitalized across the state.

Gov. Andrew Cuomo: (01:22)

What you see is the Finger Lakes is now the unfortunate leader in number of hospitalizations. Western New York, Central New York, Mohawk Valley, all in about the same position, but Finger Lakes is higher. Southern Tier is lower, North Country is lower, Mid-Hudson is somewhat lower, Capital Region is doing well comparatively. Long Island and New York City are doing well. COVID positivity rates, you see the same thing. Finger Lakes is at the highest number, 8% than Central New York and Western New York. So we are seeing a flattening in Western New York, which is good news. We're seeing an increase in Finger Lakes, which is bad news. Long Island, 5.7, New York City, 4. All the numbers are going up. They're going to continue to go up. All the numbers across the world are going up, all the numbers across the nation are going up.

Gov. Andrew Cuomo: (02:36)

Welcome to the holiday season. This is New York City, which is interesting. Look at the variation. Manhattan is 2.6, Brooklyn, 4, Queens, 4.6, Bronx 4.4. So Bronx, Queens, Brooklyn, all about the same position. Manhattan, much lower. Staten Island, much higher. We've been talking about Staten Island. This is all a function of our actions and our social gatherings and our following rules. And I've said that seven times, but the numbers are the numbers. Every day, I basically get asked the same question by everyone I talk to; what is going on really and where are we really? And the question itself is a problem. People are getting a lot of numbers, they're getting a lot of rates, they're getting a lot of opinions. I watch

positivity rates, I watch case numbers, Dr. Fauci says this in newspaper reports, or maybe Dr. Fauci is wrong, maybe Dr. Bradfield is wrong, maybe the World Health Organization's wrong.

Gov. Andrew Cuomo: (04:01)

People don't know who to believe. So people are confused and that's a real problem because this is dependent upon social action, what we're doing here. And if people are confused and they don't know what to do or they hear too much clutter and they choose not to follow anyone's advice, then we're in a problem situation. So communication is essential, and it is somewhat confusing just on the facts. I have said multiple times what is true, positivity rate in New York state is very low. [inaudible 00:04:38] and people say to me all the time, "Well then, what's the problem? Our positivity rate is very low." That is true. It doesn't mean it's not a problem. Yes, we are one of the lowest positivity rates in the United States of America. Congratulations, that's New Yorkers doing the right thing, congratulations.

Gov. Andrew Cuomo: (04:58)

That's the good news. You want to know the bad news? The entire United States of America is in trouble, that's the bad news. Well, we're better than everyone else, yes, but everybody is in trouble. Other states are already closing down, right? This is, you want to do as much economic activity as you can until you can't because of public health. The other states are already closing down. You have big states, California, Michigan, they are closing down and we don't want to close down. So yes, we're doing better than everyone else, but everybody else is in trouble and doing better than a universe that is all in trouble isn't that comforting, and other states, which are worse than us are already closing down. Well, one person says positivity rate, one says hospital lag. I'm all confused, I don't know. It's simple and it's always the same equation.

Gov. Andrew Cuomo: (06:15)

The percent of positivity leads to the percent of cases, leads to the percent of hospitalizations, leads to the percent of deaths. It is a linear equation. It just is a difference about whether you're measuring it earlier or later. Positivity turns into number of cases, turns into hospitalizations, turns into death. You tell me the positivity rate, I'll tell you what the death rate is going to be four weeks from today, it is that simple. It is just death lags positivity, positivity is a precursor to hospitalization and deaths. But it is linear, so they're all saying the same thing. I don't care if you want to talk about positivity or hospitalizations or deaths or cases, they're all a factor of one another, the only difference is timing. Our

metrics, we build that in. We anticipate a time lag from positivity to cases, to hospitalizations. That is in the calculus. We're also in an environment where everyone is skeptical and cynical and everyone is still in a hyper political moment, even after the election. Here's what's inarguable, my friends, there is no politics or rhetoric in number of people going into the hospital or deaths, okay? You want to be cynical about what politicians say, "Well, I don't believe positivity rates." Many people say that to me. Okay, do you think people are going into the hospital because they feel good? Because they want a vacation? Do you think the hospital would accept somebody who's not really sick, okay? Going into a hospital is inarguable, that's an inarguable number. Deaths are an inarguable number. So stressing those, I think, builds public support for the metric because even the most cynical person isn't saying, "I believe you're just sending people into the hospitals to fill the beds." Right?

Gov. Andrew Cuomo: (08:46)

At this rate, if nothing happens, we could have 11,000 people in hospitals and 3,500 deceased. If you factor out these numbers, that's what we're looking at if nothing changes. The increase in hospitalizations could overwhelm some regions if nothing changes by January, that's the trajectory we're looking at. It's a problem in the area, it's more of a problem in Monroe, it's a problem in Central New York, it's a problem in New York City. It's probably in New York City because New York City is different. There's more density, there's more crowding, the RT rate, the transmission rate, the virus spreads much faster in New York City. Anyone who doubts that wasn't here in the spring or has the shortest memory imaginable. We know how fast it takes off in New York City. So Upstate New York, we don't have the same density and crowding that we have in New York City.

Gov. Andrew Cuomo: (09:57)

And let's focus on what the real issues that we should be concerned about and where we are really. I've all sorts of people who are concerned, "Well, you went down to 25% indoor dining, you canceled indoor dining, you're requesting more testing for people in salons, lower capacity in gyms." Yes to all of them. That is not the real problem, that is not what you should worry about. What you should worry about is shut down because if we do not change the trajectory, we could very well be headed to shut down and shut down is something to worry about. That is really something to worry about because all these businesses close, we go back to where we were. All non-essential businesses close, they go to zero. So

yes, we're trying to change the trajectory, "Well, I'm upset that you're trying to change the trajectory."

Gov. Andrew Cuomo: (11:10)

You should be happy because if we don't change the trajectory, we're going to go to shut down and then your business is going to close. And that, my friends, is a real problem. Worry about that because that is a real worry. Deaths are a worry and shut down of the economy are the real worries, and they all viable worries. This is not an over-anxious personality, this is not far-fetched, this is something to really worry about. How do you change your trajectory? You do two things. Number one was simultaneously trying to increase hospital capacity and frankly, hospital management. We saw what happened in the spring, it can't happen again. We've given the hospitals flexibility, adding 25% more beds and adding another 25% more beds or reducing elective surgery. So we've given hospitals capacity enhancement with their flexibility.

Gov. Andrew Cuomo: (12:27)

Hospital managers have to manage the hospitals well. What happened in the spring, in my opinion and in defense to the hospital managers who I've spent a lot of time talking to, it was a first case scenario in the spring, it had never happened before. I understand that, but there was a failure to balance the patient load. What does that mean? You have some hospital systems. A hospital system is, I have 10 hospitals, I have 20 hospitals, I have 30 hospitals, I have 11-

Gov. Andrew Cuomo: (13:03)

... I have 10 hospitals, I have 20 hospitals, I've 30 hospitals, I have 11 hospitals. Right now the hospitals basically operate as independent silos and there's very little coordination among them. What happened in the Spring was one hospital in a system got overwhelmed. They didn't have the capacity to distribute the patient load to the other hospitals. So their community had a high infection rate, that community came into that hospital, that hospital sat there and got overwhelmed. Meanwhile, you had a hospital in their system to the left and to the right that had additional capacity. That was Elmhurst Hospital.

Gov. Andrew Cuomo: (13:54)

We know what zip codes are increasing. We know that. You know what hospitals serve those zip codes. You know what hospitals will face increasing numbers. Plan now to use those 11 hospitals as one system. Not that you bring somebody in, admit them, and then have to move them before they get admitted. Say, "Hello, Dr. Zucker, you showed up at my front door. I'm going to send you three blocks

away to my other hospital because we have to load balance, and that has spittle has less capacity, and the staff is less burdened.” That didn’t happen in the Spring. It has to happen this time.

Gov. Andrew Cuomo: (14:49)

There are a second set of hospitals, which are not systems they’re independent hospitals. Brooklyn One, Jamaica Hospital. Those hospitals have to set alliances with other systems now. Jamaica Hospital, One Brooklyn, independent hospitals all across the state, form a partnership now with another hospital where you can say, “Look, if I see I’m getting overwhelmed, I’m going to decamp patients to you.” That has to be done now. That has to be done now. And then systems have to work with each other. NYU Langone has to work with H&H, H&H has to work within H&H, but then H&H has to be able to say, when all 11 hospitals are up near capacity, “New York Langone, I need you to help. Mount Sinai, I need you to help. Northwell, need you to help.” That has to be done before. This is not the way the hospitals operate. They operate onto themselves. That does not work here. It just doesn’t work here. That was the Spring.

Gov. Andrew Cuomo: (16:15)

And if you are close to being overwhelmed, contact department of health and make sure you talk to someone. Speak to this gentlemen, Dr. Zucker. Don’t wait to get overwhelmed and then call up and say, “I have a problem. I have people on gurneys in hallways.” It’s too late for us to help. We have capacity as a system and we can help the problematic systems, H&H, the independents that have no one else to go. But we need notice. Ken Raske is head of the Greater New York Hospital Association, which oversees the downstate hospitals. Ken Raske and Michael Dowling from Northwell Hospital, which is the largest hospital system in the state. I’ve asked Ken Raske and Michael Dowling to work with H&H and work with the independents and make sure they have this plan in place and make sure they have partnerships to unload. We have Bea Grouse who runs basically the same thing in upstate New York. Same situation in new upstate New York. These hospitals have to have a better management system and it has to happen now.

Gov. Andrew Cuomo: (17:41)

Same time, we have to slow the spread. Overwhelmingly the number of new cases are coming from small gatherings, living room spread. And we’re going into the holiday season. This is much, much tougher than you think. I can’t tell you how many people I talk to who say, “I’m not going out. I’m staying home. And I invite my friends over. So I’m being safe.” That is the problem. And they say it to me as

if they're being prudent, intelligent. "I'm not going out. I'm staying home and I invite my friends over and we watch the ballgame." That is the problem. The world changed since the Spring, the problem in the Spring was going out. The problem in the Winter is staying home and inviting people over.

Gov. Andrew Cuomo: (18:42)

"So you want me to stay home and not invite anyone over? That's impossible." That's what we're dealing with through the holiday season. And I get how hard it is. I live it with my own family. I had a conversation with one of my daughters this weekend, "Where are you going?" "I'm going to a friend's birthday party." "Is that outside?" "No. It's going to be inside, but there's only four of us. And we're going to social distance. We're going to eat pizza." I said, "But how does that even work?" You know, how does that even work? "Well, she wants to celebrate her birthday." I get it. I get it. But this is where it spreads. And remember the spreader is not malicious. Your wife can be a spreader. They're asymptomatic. They have no idea. They could have gotten it from the delivery boy who dropped off the groceries.

Gov. Andrew Cuomo: (19:36)

So that's why this is so difficult. But again, it is overwhelming the number one problem area. And if you look after that, we've done everything else we can before you get into really diminimous numbers. Healthcare delivery, higher education, schools, restaurants, bars, travel, vacation. We have a quarantine system set up. No state has ever done that. Schools, sports that are high risk, we don't allow it. Public sector, EMS workers, they're doing their job, they're getting infected. Police, I've said to them until I'm blue in the face, I've said to mayors all across the city, "You tell your police to wear the mask." The number of police who are getting cases is relatively high. They should wear the mask. Transit, public, private, we're disinfecting the trains, everybody's wearing masks, but now you're in diminimous numbers. It's really about household gatherings.

Gov. Andrew Cuomo: (20:47)

And it is difficult to stop. And it is difficult to stop during holiday season. And that's the truth of this. And I think what we're seeing now is Thanksgiving came, there was travel, we then saw a surge, and you see the numbers slightly tailing off. You're running right into Hanukkah, Christmas, Kwanzaa. You're going to see another bump. You're then going to run right into New Year's Eve, New Year's Day, and you're going to see another bump. And these are all going to be situations with small social gatherings. That's the problem. So the winter plan that we talked about last week, you're looking at the positivity index, the

hospitalization rate, the hospital capacity, the density crowding, what they called the RT rate, and the risk level of that type of economic activity.

Gov. Andrew Cuomo: (21:45)

We've been calibrating them constantly, the benefit of the economic activity, the rate of transmission number, which is really the most important number in any of this, which is now 1.3, hospitalization capacity rate. You got new yellows zones, which are 3%, top 10% daily hospital admissions. One is going to expand into Niagara County and we'll release the maps afterwards. One in Batavia, Genesee County zone. Rome, Utica, Oneida County, there is a problem there, and we have to start to be honest about it and address it. And bottom line is we're going to have to manage the spread and the hospital capacity until the vaccination. I think of it as a foot race between holiday spread and hospital capacity and vaccination critical mass. The problem is the experts say vaccination critical mass isn't for six to nine months. That's not a foot race. That's not a sprint. That's more of a marathon, six to nine months. And we have to get our heads in the game that we still have a marathon to run with this virus, especially since we just get the vaccine. Great, great, great, great, great news. It does win the war. If, if, big if, we take it. And the big if is you need 75 to 85% critical mass. You have 49% of the people who are skeptical about taking it. How do you ever get to 75 without 49? You don't.

Gov. Andrew Cuomo: (23:38)

So there's work to do. We have to educate the public. We have to outreach to all communities, Black, Latinos, poor communities that have paid the highest price for this virus. And we have to get it out. We have to distribute it, logistical operation like you've never seen before, which we're already working on. Distribution began today. New York State did what we believe is the first vaccination in the United States. Congratulations to the department of health and OGS and Jim Malatras and Gareth Rhodes and Robert and Melissa, who have been working on this vaccination plan, and Larry Schwartz, who's right now working on the vaccination plan.

Gov. Andrew Cuomo: (24:25)

But making government work, getting it out, is key. We have 170,000 doses from Pfizer, it's 346 from Moderna. We have 90 distribution sites. Today we're in the process of administering 10,000 vaccines. So New York came out of the blocks very quickly and very aggressively because the vaccine only works if we take it. Phase 1 of the vaccine distribution, as you know, are what we call the high high-risk hospital workers, those emergency room, ICU, nursing home residents,

nursing home staff, then long-term and congregate care and staff, EMS and other healthcare workers. Phase II is other essential workers and members of the general population who are at the highest risk.

Gov. Andrew Cuomo: (25:17)

The federal government approved the vaccine and the New York State Clinical Advisory Task Force approved the vaccine. We're attacking that skepticism. 49, 50%, higher in some areas. Some people don't trust the federal government. Why? Politics. These are the agencies that approved hydroxychloroquine, which turned out to be bogus. So you don't trust the federal approval, we'll have a New York State panel also check it. Belt and suspenders. You don't trust the feds, then you have New York review it. We did it. Some people said, "Oh, there's going to be a delay." Blah-

Gov. Andrew Cuomo: (26:03)

... we did it. Some people said, Oh, there's going to be a delay, blah, blah, blah. Never happened. Actually the New York Task Force acted before the federal government acted. As I said, politics is everywhere. There's no politics on this issue. Trump and Biden agree on the rules for home spread. Those rules are from the CDC. That's an agency controlled by Trump. They both agree on vaccine usage. So hopefully we're getting to a point in this country where the politics will stop being the enemy of public health. A couple of other issues I want to mention. People talk about doing a state tax increase. State tax increase is not just a political decision, it's a revenue decision.

Gov. Andrew Cuomo: (26:55)

How much money do you need to balance the budget? That is the question for a state tax increase. And is it enough to close the deficit? There's two options on what we can do now financially, fiscally as a state. One, we can do a budget now. We need \$15 billion. That's the number we asked for from the federal government. We said to them, we need \$15 billion or we have a hole. We are waiting for them to act. Maybe they pass this 908 bill. Maybe they don't. Maybe we have to wait for Joe Biden next year. But we need \$15 billion. You could try to close it with tax increases and cuts. To close \$15 billion with tax increases and cuts is going to do tremendous damage to everyone. Tax cut, I'm sorry, tax increase maybe it gets you a billion and a half, \$2 billion. The tax increase they're talking about.

Gov. Andrew Cuomo: (28:11)

You need another \$10 billion to come even close. What are we going to cut today?

We're going to cut schools, local governments, hospitals? Who could you possibly cut? But that's what you would have to do. If you did a tax increase now, it has to be part of a budget so you know how much you're raising and you know what we're doing with it. But to do a budget without knowing how much money we're getting from the federal governments is going to be painful to everyone. Second option, wait for the Washington action before you do the budget. Find out how much Washington is giving us. Let's say we have a shortfall, then how much do you want to raise in taxes and how much do you want to cut?

Gov. Andrew Cuomo: (29:14)

Doing it without the Washington funding is going to be really, really difficult. I don't believe Washington gives us nothing at the end of the day. The end of the day, maybe Joe Biden in February. But I don't believe they give us nothing. They'll bankrupt the nation if they bankrupt the states. So I think it's smarter to get the number from Washington. Let's say our hole is 15 billion. Let's say they give us 10 billion. I will fight for the 15. But let's say they only give us 10 billion. Now you have a 5 billion hole. You want to raise taxes for 5 billion? That's an option. You want to raise half of it in taxes? You want to do half of it in cuts? Who you're going to cut? But that's the budget conversation. You can't divorce a tax increase from a budget action. I can do it either way, but you have to do a tax increase in the context of a budget. Otherwise, you don't know how much to raise in taxes. Otherwise, it's just a political gesture. The problem with doing the budget now is it will have a disruptive tax increase and destructive cuts. So we tell schools now, we're going to cut your budget 20%. We tell hospitals, we're going to cut your budget 20%. We tell cities, we're to cut you a budget 20%. They will then turn around and fire people. They have to. Who do we want them to fire now? School teachers, essential workers who are doing the vaccines? I mean, who can we lose right now? And then when Washington actually provides funding in February, what do we then do? Call them up and say, "Oh, remember I had you fire those people in December. Well, now you can rehire them." It would be chaos and disruption. Other issue that's been discussed is New York City close down. We know what closes down a region, it's called the red zone. Red zone is a shutdown. Red zone happens if there is an increase in cases and hospitalizations in any region and that hospital capacity would reach 90% in three weeks, in three weeks.

Gov. Andrew Cuomo: (32:04)

So you're on a glide path that says in three weeks you would hit 90%. Any region that winds up in that situation, they go to red zone, they go to shut down. That's

what we are trying to avoid. No region is in that situation now. And that's the situation we're trying to avoid. And that's why I said earlier, that's what people should be worried about. Not 25% dining, 0% dining, 50% dining, testing once a week, testing twice a week. The fear is shut down and that's what we are trying to avoid. Winter storm warning. Why not? Today, they're looking at South of Albany, snow, rain and ice. Wednesday they're talking about significant snow, six to 12 inches. I have my boots out. I have my shovel out. I would suggest you do the same. We will shovel it because we are New York tough. Let's take some questions.

Operator: (33:13)

Thank you, governor. If you'd like to ask a question, please use the raise hand function at the bottom of your window. We'll take a moment to compile the Q and A roster. Governor, you now have Zack Fink from New York 1. Zack, your line is now open. Please unmute your microphone.

Gov. Andrew Cuomo: (33:54)

Hello, Mr. Zack. I know you're there. I can hear you breathing. I can smell your cologne.

Zack Fink: (34:10)

You and everybody else around. Let me ask-

Gov. Andrew Cuomo: (34:15)

Now?

Zack Fink: (34:17)

I can hear you. Yes.

Gov. Andrew Cuomo: (34:18)

You hear, or you have visual? Do you see it or do you just hear it?

Zack Fink: (34:25)

No, I can hear and I can see.

Gov. Andrew Cuomo: (34:26)

Okay.

Zack Fink: (34:29)

So let me ask you governor, there was an allegation made over the weekend on

Twitter by a former aide of yours that accused you of sexual harassment and said that it happened over a period of years. I wanted to get your reaction to that.

Gov. Andrew Cuomo: (34:43)

I heard about the tweet and what it said about comments that I had made. And it's not true, Zack. Look, I fought for, and I believe a woman has the right to come forward and express her opinion and express issues and concerns that she has. But it's just not true.

Gov. Andrew Cuomo: (35:17)

Next question operator.

Operator: (35:22)

Your next question comes from Ryan Tarinelli at New York Law Journal. Ryan, your line is now open. Please unmute your microphone.

Ryan Tarinelli: (35:35)

Can you hear me okay, governor?

Gov. Andrew Cuomo: (35:36)

[inaudible 00:35:36] hear you very loudly.

Ryan Tarinelli: (35:39)

Oh, thank you. You said that New York could overwhelm some of its hospitals in some parts of the state in January. Why do you feel like the cluster initiative will be enough to stem this rise in cases? Shouldn't New York be considering more broadband options? And my second question is, with the case that New York is in right now, are you urging people to have essentially no contact with people outside their households and essentially not outside, only in essential trips?

Gov. Andrew Cuomo: (36:28)

Ryan, it's a good question and it sort of summarizes everything I'm trying to say. You have no broadband option to stem the spread without close down. Close down is your next broadband option because it's coming from small gatherings as we've said exhaustively. We've done everything below small gatherings, but it's coming from small gatherings. The only option you have to actually make a somewhat dramatic difference is go to full shutdown, go to full shutdown. So we're basically doing three things. One, caution people on the holiday small spread, which I understand is very hard. Two, restrict anything below small spread that makes any difference given the economic cost of it, right? You don't

want to lay off 4,000 people for an activity that's only infecting three people. That's second.

Gov. Andrew Cuomo: (38:07)

Third, increase hospital capacity so you have more capacity to deal with the number of cases coming in. And that's what we're doing dramatically. Those are your three options. If you said to me... And then our metric. If you are three weeks from 90% capacity of the hospital, now remember 90% isn't 100%, 90% is 90%. But if you're three weeks from 90, then we go to full shutdown. That gives us three weeks to work on hospital capacity, three weeks for shutdown to make a difference on the rate of the spread. But beyond that, there are no other-

Gov. Andrew Cuomo: (39:03)

But beyond that, there are no other tools in the tool bag. Vaccinations, yes, but they're not going to kick in for several months. So really, maximum benefit, holiday spread, second, everything below holiday spread that you can make a difference on that makes any modicum of sense versus the economy, et cetera, and third, increase hospital capacity, which we are working on. Our guidance is no more than ten in a home. The CDC guidance has gotten much more aggressive lately, and the CDC says only members of your household who you have been with. They define household as the people who you are with. You can't invite over your mother and say, "Oh, she's part of my household." That's their, CDC's, most recent guidance. Is that right? Is there anything else besides that on CDC?

Speaker 1: (40:21)

Masks, the indoor masks.

Gov. Andrew Cuomo: (40:22)

Masks on indoor, all indoor gatherings, even family gatherings. But this was the problem with indoor dining. They also say any indoor dining where you can't wear a mask, you shouldn't do. Okay? That's why they were against indoor dining, because you have to eat and drink. You can't wear a mask. All right. But here's the practical. I invite my buddies over to my house to watch the game, and yes, we eat and we drink, not to excess. So we take off the mask. Yeah, sometimes if nobody's eating and drinking, we keep the mask on, but we take off the mask. What's the difference between watching the ball game at your buddy's house and eating and drinking or indoor dining? So the CDC's rule is you can be with your household, but you must wear a mask indoors. Now, your point would be, "Who could ever possibly follow that? It's so hard." I know, and that's where we are. Next question, operator.

Operator: (41:35)

Governor, you now have Marina Villanova from the Associated Press. Marina, your line is now open. Please unmute your microphone.

Marina Villanova: (41:42)

Hi, Governor. Can you hear me?

Gov. Andrew Cuomo: (41:45)

Yes.

Marina Villanova: (41:47)

Hi. Governor, [inaudible 00:41:49] have an interaction with Ms. Boyland where you commented at all on her book? Also, the AP's [inaudible 00:41:56] being considered for [inaudible 00:41:59] General, do you have any response to that?

Gov. Andrew Cuomo: (42:02)

Yeah. The Attorney General, it's flattering to be considered for Attorney General. It's a great position, especially at this time in history, so much to do, so many pressing actions. But I have said many, many times with you in the room, Marina, there's one relationship that is most important to me. It's my family. But that one aside, the most important relationship is with the people of the state of New York, and we're talking about holiday gatherings and skepticism. I said to them, "Trust me. My only agenda is your agenda. My only agenda is to serve as Governor of New York." When we were in the spring, people were saying, "Oh, maybe you're going to run for President. You're going to run for Vice President."

Gov. Andrew Cuomo: (42:57)

See, as soon as you say that to people, they say, "Oh, here's another politician. Now he has an agenda. Now he wants to be Vice President, so he's going to show this. He's going to show this. He's going to show this." That's what people believe about politicians. That's the skepticism. I know, because that's what we always said about politicians. I said, "That doesn't apply to me. I'm not interested in any other position. I'm not interested in President, Vice President. I'm not interested in serving in Washington. I'm only going to tell you the truth as I see it. You can disagree with me and my opinion, but there is no other agenda besides that." That's what I said, and that's what I meant.

Gov. Andrew Cuomo: (43:52)

New York, there's a long way to go to get through this current situation, which, as we just discussed, is difficult. Then we have to rebuild New York, which is years,

my friends, years. This is not just take care of the economic shortfall in a budget. This is you have an economic shortfall. You have to do a budget, and then you lost thousands of jobs. You have businesses go through a transformation where they're going to say, "You know what? This Zoom worked pretty well, and maybe I don't need all that commercial space. Maybe I can let people work from home," and that's going to change the configuration of society and businesses. So that's a long road.

Gov. Andrew Cuomo: (44:50)

Now, the good news is President Biden will be here, and we had an enemy as a president for four years. Now we'll have a friend. But my job as New York governor is nowhere near over. So I'm flattered to be considered, but that hasn't changed my thinking and my relationship with New Yorkers, and I need them to know there is no agenda besides theirs.

Gov. Andrew Cuomo: (45:20)

On the tweets. I totally respect a woman's right, fought for a woman's right to express any concern, any issue that she has in the workplace. I support that, but the tweets were simply not true. Let's take one more question.

Operator: (45:41)

Governor, your last question comes from Marcia Kramer at WCBS TV. Marcia, your line is now open. Please unmute your microphone.

Gov. Andrew Cuomo: (45:51)

Marsha.

Marica Kramer: (45:53)

Governor, I wanted to ask you about the possibility of a shutdown. Can you hear me?

Gov. Andrew Cuomo: (46:00)

Yes. You're a little choppy, but you're always a little choppy. Try it again.

Marica Kramer: (46:05)

Governor, today, [inaudible 00:46:11] said that there was a possibility that you'd have to shut down the city or the state. He said he's been talking to you about it, and he said that we have to get emotionally ready for the possibility of a shutdown. Could you comment about possibility of a shutdown, a pause in New York City and a pause or a shutdown in the entire state, and what timeframe would you be looking at if that happened?

Gov. Andrew Cuomo: (46:36)

Okay. We do it based on numbers. All right? If the numbers say we are a region, a region is three weeks from hitting 90% of hospital capacity, three weeks from hitting 90% of capacity, then we go to a shutdown. It's a point in time that if you factor it out, it says, "You're 90% of capacity, hospital capacity in three weeks. That leaves you 10% of hospital capacity. It leaves you three weeks to reduce the rate, and more, it leaves you three weeks to increase the rate of hospitalization," meaning you could do field hospitals. You could add beds to hospitals, et cetera. But that is what's called the red zone. That's the shutdown. Three weeks on a glide path to 90, so we have three weeks to scramble, because we don't want to be Italy. No region is at that point now.

Gov. Andrew Cuomo: (47:53)

Second, my point is don't get to that point, and the way you don't get to that point is working with the hospitals to actually get them to better manage themselves. New York City, we have H and H. We have Jamaica. We have one Brooklyn. We need some of those independents and small systems to do a better job than they did in the spring. We can't go through Elmhurst again, which was totally avoidable.

Gov. Andrew Cuomo: (48:26)

Second, we have to reduce the spread the best we can, holiday season caution. We've reduced indoor dining, reduced gyms, salons. But, again, this is on the margins. It's really about the holiday spread. Emotionally, I will be talking to people about get a different picture of the holidays in your mind. "Well, just my family's coming over. That sounds so safe." It does, and frankly, it sounds so delightful. "It's the holidays. My family's coming over." It just takes one nephew, one cousin, one uncle, somebody you love, and now you have a problem. That's what's happening over and over and over, and that's where I'd like to see a little emotional energy being spent. It's that small spread and the vision of the small spread that we have that is beautiful and romantic and enticing, but it's dangerous.

Gov. Andrew Cuomo: (49:46)

Look at Thanksgiving. We sat right here. We said, "Let me tell you what's going to happen with Thanksgiving. You're going to go to your parents' house, your friend's house, your family house, and the number's going to go up." You know what happened after Thanksgiving? The number went up. Now I'm telling you you're going to go for Christmas or Hanukkah or Kwanzaa. You are going for Hanukkah. The number's going to go up, and then you're going to have New Year's Eve, New Year's Day. New Year's Eve, everybody kisses somebody. It's

going to go up. Christmas week, “Let’s go skiing. Let’s take a drive.” It’s going to go up. That’s what people have to spend emotional energy around. Okay. Thank you very much.

My story of working with Governor Cuomo



Lindsey Boylan Feb 24 · 8 min read

“Let’s play strip poker.”

I should have been shocked by the Governor’s crude comment, but I wasn’t.

We were flying home from an October 2017 event in Western New York on his taxpayer-funded jet. He was seated facing me, so close our knees almost touched. His press aide was to my right and a state trooper behind us.

“That’s exactly what I was thinking,” I responded sarcastically and awkwardly. I tried to play it cool. But in that moment, I realized just how acquiescent I had become.

Governor Andrew Cuomo has created a culture within his administration where sexual harassment and bullying is so pervasive that it is not only condoned but expected. His inappropriate behavior toward women was an affirmation that he liked you, that you must be doing something right. He used intimidation to silence his critics. And if you dared to speak up, you would face consequences.

That’s why I panicked on the morning of December 13.

While enjoying a weekend with my husband and six-year-old daughter, I spontaneously decided to share a small part of the truth I had hidden for so long in shame and never planned to disclose. The night before, a former Cuomo staffer confided to me that she, too, had been the subject of the Governor’s workplace harassment. Her story mirrored my own. Seeing his name floated as a potential candidate for U.S. Attorney General — the highest law enforcement official in the land — set me off.

In a few tweets, I told the world what a few close friends, family members and my therapist had known for years: Andrew Cuomo abused his power as Governor to sexually harass me, just as he had done with so many other women.

Exhibit

16

P.B. 07.17.21

exhibitstickler.com

As messages from journalists buzzed on my phone, I laid in bed unable to move. I finally had decided to speak up, but at what cost?

Parts of a supposed confidential personnel file (which I've never seen) were leaked to the media in an effort to smear me. The Governor's loyalists called around town, asking about me.

Last week, Assemblymember Ron Kim spoke out publicly about the intimidation and abuse he has faced from Governor Cuomo and his aides. As Mayor de Blasio remarked, "the bullying is nothing new." There are many more of us, but most are too afraid to speak up.

I'm compelled to tell my story because no woman should feel forced to hide their experiences of workplace intimidation, harassment and humiliation — not by the Governor or anyone else.

I expect the Governor and his top aides will attempt to further disparage me, just as they've done with Assemblymember Kim. They'd lose their jobs if they didn't protect him. That's how his administration works. I know because I was a part of it.

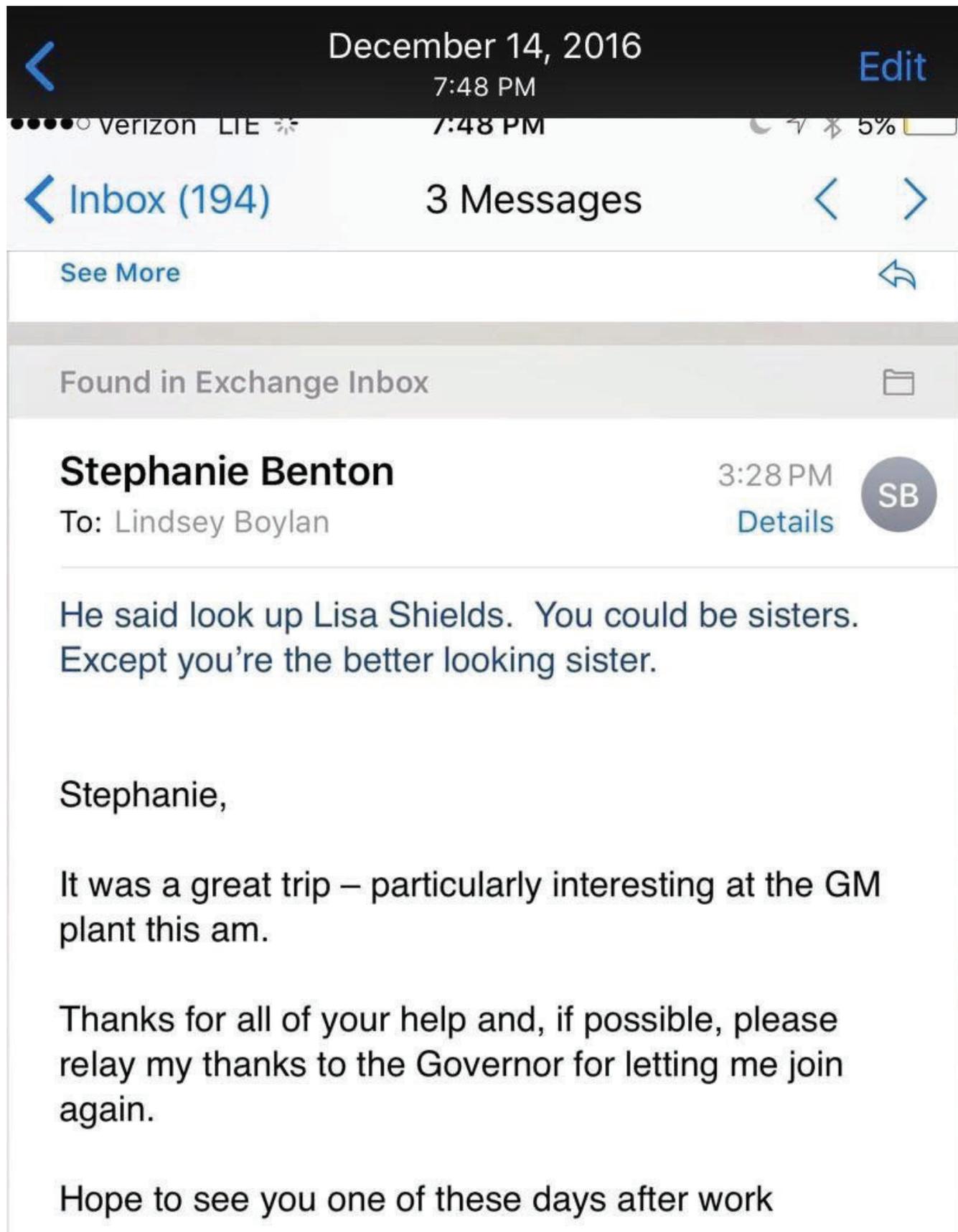
I joined state government in 2015 as a Vice President at Empire State Development. I was quickly promoted to Chief of Staff at the state economic development agency. The news of my appointment prompted a warning from a friend who served as an executive with an influential civic engagement organization: "Be careful around the Governor."

My first encounter with the Governor came at a January 6, 2016, event at Madison Square Garden to promote the new Pennsylvania Station-Farley Complex project. After his speech, he stopped to talk to me. I was new on the job and surprised by how much attention he paid me.

My boss soon informed me that the Governor had a "crush" on me. It was an uncomfortable but all-too-familiar feeling: the struggle to be taken seriously by a powerful man who tied my worth to my body and my appearance.

Stephanie Benton, Director of the Governor's Offices, told me in an email on December 14, 2016 that the Governor suggested I look up images of Lisa Shields — his

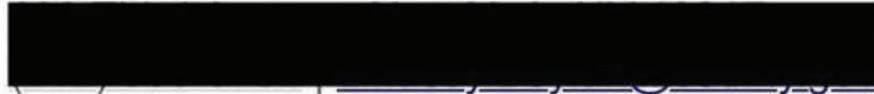
rumored former girlfriend — because “we could be sisters” and I was “the better looking sister.” The Governor began calling me “Lisa” in front of colleagues. It was degrading.



All my best,
Linds

Lindsey Boylan
Chief of Staff

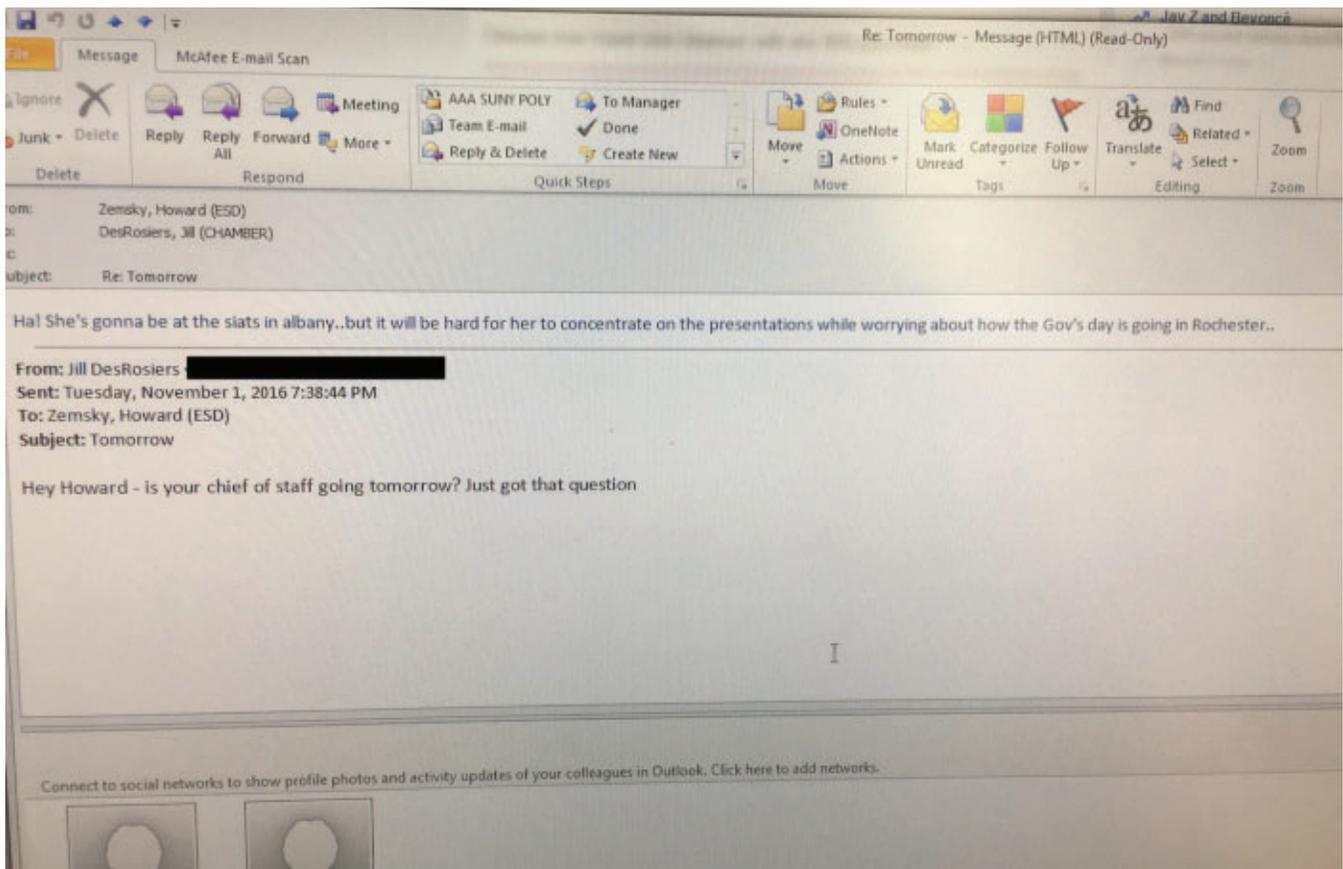
Empire State Development



www.esd.ny.gov

The Governor's staff was directed to tell me I looked like his rumored former girlfriend.

I had complained to friends that the Governor would go out of his way to touch me on my lower back, arms and legs. His senior staff began keeping tabs on my whereabouts. "He is a sexist pig and you should avoid being alone with him!" my mother texted me on November 4, 2016.

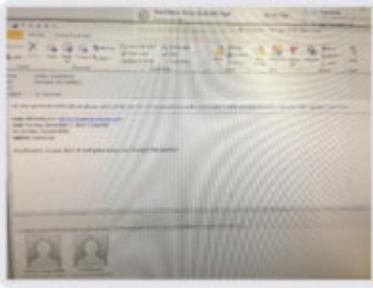




The Governor's senior staff member emailed my supervisor about my whereabouts.

11/4/16, 4:25 PM

Lindsey Boylan [redacted]



11/4/16, 4:25 PM

Lindsey Boylan [redacted]

This is why I don't trust gov

11/4/16, 4:25 PM (Viewed 11/4/16, 4:26 PM)

Lindsey Boylan [redacted]

This is his executive deputy asking if I would be at an even

11/4/16, 4:25 PM (Viewed 11/4/16, 4:26 PM)

Lindsey Boylan [redacted]

Event

11/4/16, 4:25 PM (Viewed 11/4/16, 4:26 PM)

Lindsey Boylan [redacted]

This is from the governor to my boss

11/4/16, 4:27 PM

Karen's iPhone [redacted]

Crazy! What is the event? Any reason that he would think you need to be there?

11/4/16, 4:28 PM

Lindsey Boylan [redacted]

There is no reason

11/4/16, 4:28 PM

Lindsey Boylan [redacted]

He was asking Bc he wanted to see me

11/4/16, 4:28 PM

Lindsey Boylan [redacted]

Although as chief of staff I go w my boss

11/4/16, 4:28 PM

Lindsey Boylan [redacted]

He was just being creepy

11/4/16, 4:28 PM

Lindsey Boylan [redacted]

He has a crush on me

11/4/16, 4:28 PM

Karen's iPhone [redacted]

He is a sexist pig and you should avoid being alone with him!

I shared my concern with my mother at the time.

The Governor's behavior made me nervous, but I didn't truly fear him until December 2016. Senior State employees gathered at the Empire State Plaza Convention Center in Albany to celebrate the holidays and our year's work. After his remarks, the Governor spotted me in a room filled with hundreds of people waiting to shake his hand. As he began to approach me, I excused myself from coworkers and moved upstairs to a more distant area of the party.

Minutes later, I received a call from an unlisted number. It was the Governor's body person. He told me to come to the Capitol because the Governor wanted to see me.

I made my way through the underground connection that linked the Plaza to the Capitol. As the black wrought-iron elevator took me to the second floor, I called my husband. I told him I was afraid of what might happen. That was unlike me. I was never afraid.

I exited the elevator to see the body person waiting for me. He walked me down the Hall of Governors. "Are there cameras here?" I asked him. I remembered my mother's text warning the month before. I worried that I would be left alone with the Governor. I didn't know why I was there. Or how it would end.

I was escorted into the Governor's office, past the desks of administrative assistants and into a room with a large table and historical artifacts. The door closed behind me. It was my first time in his Albany office. The Governor entered the room from another door. We were alone.

As he showed me around, I tried to maintain my distance. He paused at one point and smirked as he showed off a cigar box. He told me that President Clinton had given it to him while he served as the Secretary of Housing and Urban Development. The two-decade old reference to President Clinton's affair with Monica Lewinsky was not lost on me.

The Governor must have sensed my fear because he finally let me out of the office. I tried to rationalize this incident in my head. At least he didn't touch me. That made me feel safer.

His inappropriate gestures became more frequent. He gave roses to female staffers on Valentine's Day and arranged to have one delivered to me, the only one on my floor. A

signed photograph of the Governor appeared in my closed-door office while I was out. These were not-so-subtle reminders of the Governor exploiting the power dynamic with the women around him.

In 2018, I was promoted to Deputy Secretary for Economic Development and Special Advisor to the Governor. I initially turned the job down — not because I didn't want the responsibility or work but because I didn't want to be near him. I finally accepted the position at the Governor's insistence with one requirement — I would keep my old agency office and remain on a separate floor from him and his inner circle.

The Governor's pervasive harassment extended beyond just me. He made unflattering comments about the weight of female colleagues. He ridiculed them about their romantic relationships and significant others. He said the reasons that men get women were “money and power.”

I tried to excuse his behavior. I told myself “it's only words.” But that changed after a one-on-one briefing with the Governor to update him on economic and infrastructure projects. We were in his New York City office on Third Avenue. As I got up to leave and walk toward an open door, he stepped in front of me and kissed me on the lips. I was in shock, but I kept walking.

I left past the desk of Stephanie Benton. I was scared she had seen the kiss. The idea that someone might think I held my high-ranking position because of the Governor's “crush” on me was more demeaning than the kiss itself.

After that, my fears worsened. I came to work nauseous every day. My relationship with his senior team — mostly women — grew hostile after I started speaking up for myself. I was reprimanded and told to get in line by his top aides, but I could no longer ignore it.

On September 26, 2018, I sent a mass email informing staff members of my resignation.

There is a part of me that will never forgive myself for being a victim for so long, for trying to ignore behavior that I knew was wrong. The Governor exploited my weaknesses, my desire to do good work and to be respected. I was made to believe this was the world I needed to survive in.

It was all so normalized — particularly by Melissa DeRosa and other top women around him — that only now do I realize how insidious his abuse was.

After my tweets about the Governor in December, two women reached out to me with their own experiences. One described how she lived in constant fear, scared of what would happen to her if she rejected the Governor's advances. The other said she was instructed by the Governor to warn staff members who upset him that their jobs could be at risk. Both told me they are too afraid to speak out.

I know some will brush off my experience as trivial. We are accustomed to powerful men behaving badly when no one is watching. But what does it say about us when everyone is watching and no one says a thing?

Telling my truth isn't about seeking revenge. I was proud to work in the Cuomo Administration. For so long I had looked up to the Governor. But his abusive behavior needs to stop.

I am speaking up because I have the privilege to do so when many others do not. No one should have to be defined or destroyed by this kind of sexual harassment. Nor should they be revictimized if they decide to speak their own truth.

I hope that sharing my story will clear the path for other women to do the same.

Fwd: Q's to practice

1 message

Melissa DeRosa [REDACTED]@gmail.com>
To: Stephanie Benton [REDACTED]@gmail.com>

Thu, Feb 25, 2021 at 11:41 AM

Q's

Did you forcibly kiss Ms Boylan?

Did you touch her legs/arms/torso?

Did you tell her you wanted to play strip poker?

Did you say that she looked like a better looking version of your ex girlfriend?

Did you call her Lisa?

Do you think it's appropriate that you compared a female staffer to an ex-girlfriend of yours?

Did you make unflattering comments about the weight of female staffers? Did you bring up their romantic relationships and significant others?

Have you ever had inappropriate relationships with women on your staff?

Do you think other women will come forward?

Do you have regrets about the language you have used toward women in the workplace?

You have a long history of saying inappropriate things to women, like the time you repeatedly told a young female TV reporter that you wanted to see her "eat the whole sausage." Do you believe those comments were acceptable?

Exhibit

17

P.B. 07.17.21

exhibitster.com

Cuomo Is Accused of Sexual Harassment by a 2nd Former Aide

The woman, 25, said that when they were alone in his office, Gov. Andrew Cuomo asked if she “had ever been with an older man.”



By Jesse McKinley

Exhibit

18

P.B. 07.17.21

exhibitsicker.com

Published Feb. 27, 2021 Updated March 16, 2021

ALBANY, N.Y. — A second former aide to Gov. Andrew M. Cuomo is accusing him of sexual harassment, saying that he asked her questions about her sex life, whether she was monogamous in her relationships and if she had ever had sex with older men.

The aide, Charlotte Bennett, who was an executive assistant and health policy adviser in the Cuomo administration until she left in November, told The New York Times that the governor had harassed her late last spring, during the height of the state’s fight against the coronavirus.

Ms. Bennett, 25, said the most unsettling episode occurred on June 5, when she was alone with Mr. Cuomo in his State Capitol office. In a series of interviews this week, she said the governor had asked her numerous questions about her personal life, including whether she thought age made a difference in romantic relationships, and had said that he was open to relationships with women in their 20s — comments she interpreted as clear overtures to a sexual relationship.

Mr. Cuomo said in a statement to The Times on Saturday that he believed he had been acting as a mentor and had “never made advances toward Ms. Bennett, nor did I ever intend to act in any way that was inappropriate.” He said he had requested an independent review of the matter and asked that New Yorkers await the findings “before making any judgments.”

Ms. Bennett said that during the June encounter, the governor, 63, also complained to her about being lonely during the pandemic, mentioning that he “can’t even hug anyone,” before turning the focus to Ms. Bennett. She said that Mr. Cuomo asked her, “Who did I last hug?”

Ms. Bennett said she had tried to dodge the question by responding that she missed hugging her parents. “And he was, like, ‘No, I mean like really hugged somebody?’” she said.

Mr. Cuomo never tried to touch her, Ms. Bennett said, but the message of the entire episode was unmistakable to her.

“I understood that the governor wanted to sleep with me, and felt horribly uncomfortable and scared,” Ms. Bennett said. “And was wondering how I was going to get out of it and assumed it was the end of my job.”

Ms. Bennett said she had disclosed the interaction with Mr. Cuomo to his chief of staff, Jill DesRosiers, less than a week later and was transferred to another job, as a health policy adviser, with an office on the opposite side of the Capitol, soon after that. Ms. Bennett said she had also given a lengthy statement to a special counsel to the governor, Judith Mogul, toward the end of June.

Ms. Bennett said she ultimately decided not to insist on an investigation because she was happy in her new job and “wanted to move on.” No action was taken against the governor.

In his statement, Mr. Cuomo called Ms. Bennett a “hard-working and valued member” of his staff with “every right to speak out.” He said that Ms. Bennett had spoken to him about being a sexual assault survivor — an experience about which she had been open in the past — and he had tried to be supportive and helpful. “The last thing I would ever have wanted was to make her feel any of the things that are being reported,” the governor said.

The governor did not deny that he asked Ms. Bennett personal questions; he said in the statement that he would have no further comment until the review concluded.

Ms. Bennett’s account follows another detailed accusation published on Wednesday by Lindsey Boylan, a former state economic development official who said that Mr. Cuomo had harassed her on several occasions from 2016 to 2018, at one point giving her an unsolicited kiss on the lips at his Manhattan office.

Lindsey Boylan has accused Mr. Cuomo of harassing her on several occasions while she was employed by the state government. Rob Latour/Shutterstock

Mr. Cuomo’s office has called Ms. Boylan’s accusations untrue, but they have nonetheless prompted calls for investigations into her claims. In addition to the two women’s harassment allegations, the governor, a third-term Democrat, is confronting significant political fallout over his handling of the state’s nursing homes during the pandemic.

After seeing Ms. Boylan detail her accusations against Mr. Cuomo, Ms. Bennett shared Ms. Boylan’s account on Twitter, suggesting that people read it if they wanted a true picture of “what it’s like to work for the Cuomo” administration.

The Times contacted Ms. Bennett, and she agreed to relate her own account of harassment. She said she felt an obligation to other victims of sexual harassment and wanted to counter the way Mr. Cuomo “wields his power.”

Ms. Bennett said she had told her parents and friends about the exchange with the governor around the time that it happened, as well as about her growing discomfort with having to work closely with him, and had kept text messages from that period.

The Times reviewed the messages and confirmed their contents with those who received them. Ms. Bennett also retained text messages from Ms. DesRosiers and Ms. Mogul that alluded to their meetings in June, but did not mention the subject matter.

“I have no problem with what they did,” Ms. Bennett said of Ms. DesRosiers and Ms. Mogul, describing both women as sympathetic to her concerns. “I have a problem with what the governor did.”

Ms. Bennett was hired by the administration in early 2019, working out of the governor’s Manhattan office as a briefer, an entry-level position. She had graduated from Hamilton College in 2017, where she was active in women’s issues and founded a sexual misconduct task force. She said her own experience in surviving a sexual attack had prompted her to “help sexual assault survivors be heard and enforce victims’ rights,” according to a bulletin on the college’s website.

By mid-2019, Ms. Bennett had been promoted to senior briefer and executive assistant after an interview with Mr. Cuomo. The two became friendly, she said, and they bonded over shared connections with Westchester County: At the time, he was living with Sandra Lee, a celebrity chef, in Mount Kisco; Ms. Bennett was living with her parents in a neighboring hamlet. She mentioned to Mr. Cuomo that she had played middle-school soccer against one of his daughters, who are also in their mid-20s.

“We got along really well,” she said of the governor. Mr. Cuomo, she said, would sometimes ask questions about her dating life that she said seemed inappropriate but not necessarily unmanageable.

“I saw him more as a father figure,” she said. “I wasn’t thinking about it as anything sexual.”

The accusations against Mr. Cuomo come as he faces fierce criticism over his handling of New York’s nursing homes amid the pandemic. Spencer Platt/Getty Images

In January 2020, Ms. Bennett sent her mother a text. “Had a really long convo with Gov today,” she wrote, outlining a two-hour conversation about numerous topics, including her career goals.

“He had a lot to say and was very emotional and serious but also asked a lot of questions,” she wrote, adding, “He got emotional. Not me.”

Ms. Bennett’s mother, Jessica, confirmed the text, and her feeling, at the time, that it was reassuring that the governor seemed to be taking on the role of a mentor.

Ms. Bennett said she was asked in late March to begin working in Albany as part of the state’s Covid-19 response effort. Two months later, in mid-May, the governor’s perception of their relationship seemingly began to change, she said.

On May 15, she said she arrived at the Capitol around 7 a.m. to find Mr. Cuomo already at work. Ms. Bennett was there to drop off some briefing papers, but Mr. Cuomo was chatty, asking about her love life and, in a gossipy way, whether she was involved with other members of the governor's staff. She memorialized the exchange in several texts to another Cuomo staff member that The Times reviewed.

Ms. Bennett said she had mentioned a speech she was scheduled to give to Hamilton students about her experience as a survivor of sexual assault. She said she had been taken aback by Mr. Cuomo's seeming fixation on that element of her life experience.

"The way he was repeating, 'You were raped and abused and attacked and assaulted and betrayed,' over and over again while looking me directly in the eyes was something out of a horror movie," she wrote in a second text to her friend. "It was like he was testing me."

In retrospect, Ms. Bennett said, she viewed the May 15 meeting "as the turning point in our relationship."

"Anything before it I now see differently," she said. "I now understand that as grooming."

Three weeks later, Ms. Bennett said, she was summoned to Mr. Cuomo's second-floor office and was asked to take dictation with another aide.

After the second aide left, Mr. Cuomo and Ms. Bennett continued their work. When they finished, she said, he asked her to turn off her recorder, and he began a winding conversation that touched on the Black Lives Matter protests and his daily news conferences.

But, Ms. Bennett said, the governor also started to ask questions about her personal life, including whether she was romantically involved, whether she was monogamous in her relationships and whether she had ever had sex with older men.

A series of text exchanges with a female friend from that afternoon, June 5, comported with Ms. Bennett's recounting of the story this week. In the texts, she told her friend that she was shaken and upset by the episode and worried about even writing it down.

"Something just happened and I can't even type it out or put it in a video," Ms. Bennett wrote.

Ms. Bennett went on to say to her friend, who confirmed the texts' content and validity but asked not to be identified for fear of retribution, that she and the governor had just spoken "about age differences in relationships."

When her friend asked whether Mr. Cuomo had done anything physical to Ms. Bennett, she responded: "No but it was like the most explicit it could be."

The next day, the women continued to discuss the episode via text. Ms. Bennett wrote that the governor had asked her whether she was having sex with other people "while in my recent relationships."

In the interview, Ms. Bennett said Mr. Cuomo told her he was lonely, particularly since the end of his relationship with Ms. Lee in 2019. He said Ms. Lee was "out of the picture," according to Ms. Bennett, adding that he referred to "wanting a girlfriend, preferably in the Albany area."

Ms. Bennett, who had just turned 25 at the time, said Mr. Cuomo had also asked about her feelings about age differences in relationships, saying "age doesn't matter," according to a text she sent to her friend.

"He asked me if I believed if age made a difference in relationships and he also asked me in the same conversation if I had ever been with an older man," Ms. Bennett reiterated in an interview with The Times.

At one juncture, Ms. Bennett said, the governor also noted that he felt "he's fine with anyone above the age of 22," a point that came up after they discussed her speech at Hamilton on what was her 25th birthday.

Asked if she felt Mr. Cuomo's questions and comments were an entreaty to a sexual relationship, Ms. Bennett said: "That's absolutely how it felt."

Ms. Bennett said that she had felt deeply uncomfortable with Mr. Cuomo's comments and had tried to shift the conversation into more neutral territory — something "not about my sex life," she recalled — like intellectual theories about monogamy and power dynamics, and even a tattoo she was considering getting.

She said Mr. Cuomo had suggested that perhaps she should put the tattoo on her buttocks, so people would not see it when she wore a dress.

A friend of Ms. Bennett's, a former Cuomo administration official, said he had spoken to her shortly after the June 5 episode. He confirmed the contours of her account, saying that she had made it clear to him that she believed the governor wanted to have sex with her.

Ms. Bennett told her parents about the encounter within days, her mother recalled, saying her daughter had made a special visit home to do so. "She was obviously upset," Ms. Bennett's mother said.

Ms. Bennett said she spoke to Mr. Cuomo's chief of staff, Ms. DesRosiers, on June 10, five days after the episode.

She said the meeting, in Ms. DesRosiers's office, had lasted about 10 minutes. Ms. Bennett said she had recounted her interaction with Mr. Cuomo and she recalled that Ms. DesRosiers had asked a few questions, been apologetic and asked to speak to her again in two days.

In a text message sent to a friend after the meeting, Ms. Bennett said Ms. DesRosiers had said: "How can we do this?," asking whether she wanted to stay in the executive branch or move to another part of the state government.

When Ms. Bennett's friend asked what that meant, Ms. Bennett explained that an outside job would still be with the administration, but "just not interacting with him."

She also told her friend, in the same series of texts, that she trusted Ms. DesRosiers but was worried about Mr. Cuomo's reaction: "I just said I didn't want him to find out and get mad."

Two days later, on June 12, Ms. DesRosiers told Ms. Bennett she would be transferred to a new position as a health policy adviser, still working in the executive branch, but in a different part of the Capitol. Her new job was announced in a June 17 email to Department of Health officials. "Welcome Charlotte!" it concluded.

Later that month, Ms. Bennett met with Ms. Mogul, a special counsel to the governor, and repeated her claims. She said, however, that she soon decided to "let this go and move on."

In a statement on Saturday, Beth Garvey, another special counsel to the governor, said that "Ms. Bennett's concerns were treated with sensitivity and respect and in accordance with applicable law and policy." She characterized the transfer to a health policy position as fulfilling "a longstanding interest" of Ms. Bennett's.

Of Ms. Bennett, Ms. Garvey said, "she was consulted regarding the resolution, and expressed satisfaction and appreciation for the way in which it was handled." Barbara S. Jones, a former federal judge in Manhattan, will lead the outside review into the matter, Ms. Garvey said.

Ms. Bennett left state government last fall and she now lives and works in a neighboring state. She said that her anger about what had happened had continued to percolate and had led to her departure.

"His presence was suffocating," she said. "I was thinking that I could recover and have distance but that is so naïve."

She added that she had been committed to her job in the administration, even after her interactions with Mr. Cuomo, and had tried to "not have him ruin this for me."

But, she said, "I learned that's not how that works."

COVID-19 Updates

The COVID-19 vaccine is here. It is safe, effective and free. Walk in to get vaccinated at sites across the state. Continue to mask up and stay distant where directed.

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GOVERNOR
ANDREW M. CUOMO

Exhibit

19

P.B. 07.17.21

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FEBRUARY 27, 2021 | Albany, NY

Statement From Governor Andrew M. Cuomo

STATEMENT

(/KEYWORDS/STATEMENT)

Statement From Governor Andrew M. Cuomo

"Ms. Bennett was a hardworking and valued member of our team during COVID. She has every right to speak out.

"When she came to me and opened up about being a sexual assault survivor and how it shaped her and her ongoing efforts to create an organization that empowered her voice to help other survivors, I tried to be supportive and helpful. Ms. Bennett's initial impression was right: I was trying to be a mentor to her. I never made advances toward Ms. Bennett nor did I ever intend to act in any way that was inappropriate. The last thing I would ever have wanted was to make her feel any of the things that are being reported.

"This situation cannot and should not be resolved in the press; I believe the best way to get to the truth is through a full and thorough outside review and I am directing all state employees to comply with that effort. I ask all New Yorkers to await the findings of the review so that they know the facts before making any judgements. I will have no further comment until the review has concluded."

STATEMENT FROM BETH GARVEY, SPECIAL COUNSEL AND SENIOR ADVISOR TO THE GOVERNOR

"Ms. Bennett's concerns were treated with sensitivity and respect and in accordance with applicable law and policy.

"The matter was promptly escalated to special counsel. Ms. Bennett received the transfer she requested to a position in which she had expressed a long-standing interest, and was thoroughly debriefed on the facts which did not include a claim of physical contact or inappropriate sexual conduct. She was consulted regarding the resolution, and expressed satisfaction and appreciation for the way in which it was handled.

"The determination reached based on the information Ms Bennett provided was that no further action was required which was consistent with Ms Bennett's wishes.

"Although in no way required by law, the Governor has requested an independent review and all staff will cooperate in that endeavor. Former Federal Judge Barbara Jones will lead the review."

Translations

Bengali Translation বাংলা অনুবাদ	https://www.governor.ny.gov/sites/default/files/atoms/files/02.27.21.rel_STATEMENT_
Chinese Translation 中文翻譯	https://www.governor.ny.gov/sites/default/files/atoms/files/02.27.21.rel_STATEMENT_
Haitian-Creole Translation Tradiksyon kreyòl ayisyen	https://www.governor.ny.gov/sites/default/files/atoms/files/02.27.21.rel_STATEMENT_Ha
Korean Translation 한국어 번역	https://www.governor.ny.gov/sites/default/files/atoms/files/02.27.21.rel_STATEMENT_
Russian Translation Перевод на русский язык	https://www.governor.ny.gov/sites/default/files/atoms/files/02.27.21.rel_STATEMENT_
Spanish Translation Traducción al español	https://www.governor.ny.gov/sites/default/files/atoms/files/02.27.21.rel_STATEMENT_

Contact the Governor's Press Office

 **Contact us by phone:**

Albany: (518) 474 - 8418
New York City: (212) 681 - 4640

 **Contact us by email:**

Press.Office@exec.ny.gov

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GOVERNOR
ANDREW M. CUOMO

Exhibit

20

P.B. 07.17.21

exhibitster.com

FEBRUARY 28, 2021 | Albany, NY

Statement from Governor Andrew M. Cuomo

STATEMENT

(/KEYWORDS/STATEMENT)

"Questions have been raised about some of my past interactions with people in the office.

"I never intended to offend anyone or cause any harm. I spend most of my life at work and colleagues are often also personal friends.

"At work sometimes I think I am being playful and make jokes that I think are funny. I do, on occasion, tease people in what I think is a good natured way. I do it in public and in private. You have seen me do it at briefings hundreds of times. I have teased people about their personal lives, their relationships, about getting married or not getting married. I mean no offense and only attempt to add some levity and banter to what is a very serious business.

"I now understand that my interactions may have been insensitive or too personal and that some of my comments, given my position, made others feel in ways I never intended. I acknowledge some of the things I have said have been misinterpreted as an unwanted flirtation. To the extent anyone felt that way, I am truly sorry about that.

"To be clear I never inappropriately touched anybody and I never propositioned anybody and I never intended to make anyone feel uncomfortable, but these are allegations that New Yorkers deserve answers to.

"That's why I have asked for an outside, independent review that looks at these allegations.

"Separately, my office has heard anecdotally that some people have reached out to Ms. Bennett to express displeasure about her coming forward. My message to anyone doing that is you have misjudged what matters to me and my administration and you should stop now - period."

Translations

Bengali Translation

বাংলা অনুবাদ

(https://www.governor.ny.gov/sites/default/files/atoms/files/02.28.21.rel_GOVORNO)

Chinese Translation

中文翻譯

(https://www.governor.ny.gov/sites/default/files/atoms/files/02.28.21.rel_GOVORNO)

Haitian-Creole Translation

Tradiksyon kreyòl ayisyen

(https://www.governor.ny.gov/sites/default/files/atoms/files/02.28.21.rel_GOVORNO_Ha)

Korean Translation

한국어 번역

(https://www.governor.ny.gov/sites/default/files/atoms/files/02.28.21.rel_GOVORNO)

Russian Translation

Перевод на русский язык

(https://www.governor.ny.gov/sites/default/files/atoms/files/02.28.21.rel_GOVORNO)

Spanish Translation

Traducción al español

(https://www.governor.ny.gov/sites/default/files/atoms/files/02.28.21.rel_GOVORNO)

Contact the Governor's Press Office

 **Contact us by phone:**

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New York City: (212) 681 - 4640

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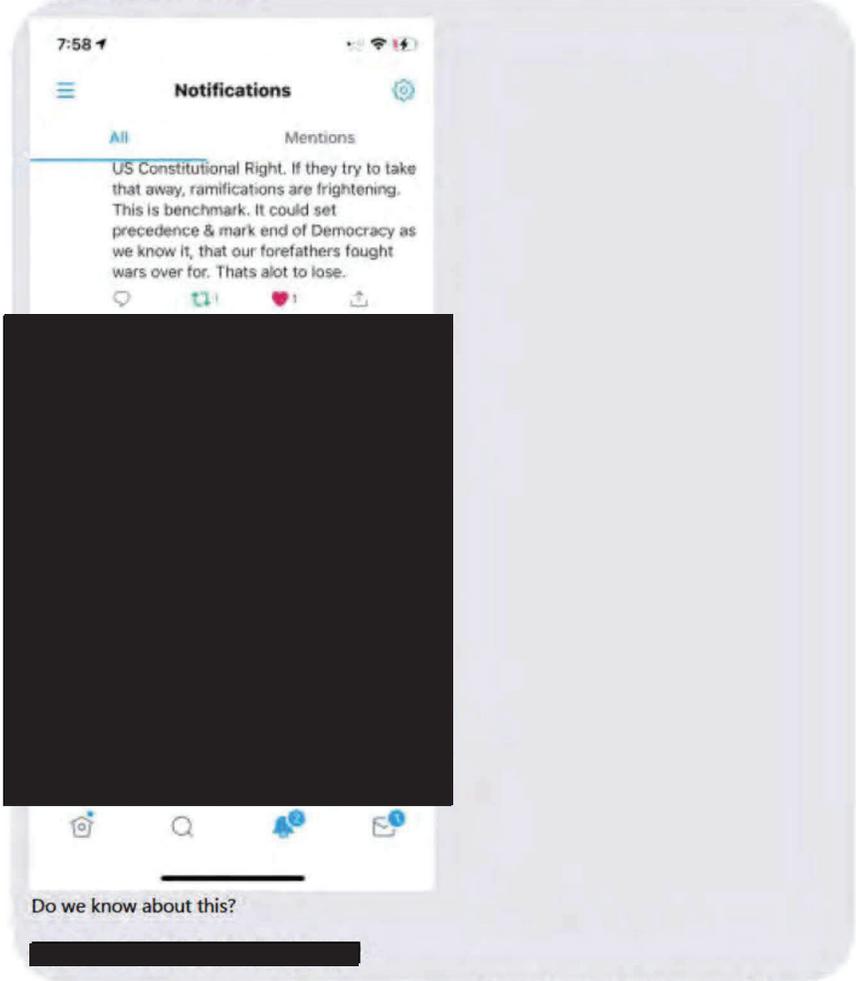
Press.Office@exec.ny.gov

Messages exported from: iPhone [redacted] Stephanie Benton
With: Group Chat: Melissa [redacted], Madeline Cuomo [redacted]



3/13/2021 8:28 PM (Viewed 3/14/2021 7:41 AM)

Madeline Cuomo [REDACTED]



3/15/2021 11:42 AM (Viewed 3/15/2021 11:49 AM)

Madeline Cuomo [REDACTED]

Getting good feedback with folks seeing poll. Talking more about a path to come back now than all doom and gloom.

From: Steven Cohen [REDACTED]@yahoo.com
Subject: Re: Here is the [REDACTED]
Date: March 13, 2021 at 11:54 PM
To: Brian O'Donoghue [REDACTED]@gmail.com



I got it. Passed on to lawyers fwiw.

Hope u get a decent night sleep up there.

On Mar 13, 2021, at 11:08 PM, Brian O'Donoghue [REDACTED]@gmail.com> wrote:

Mad suggested I forward on to you.

Begin forwarded message:

From: Brian O'Donoghue [REDACTED]@mail.com>
Date: March 13, 2021 at 9:45:59 PM EST
To: Madeline O'Donoghue [REDACTED]@aol.com>
Subject: Here is the [REDACTED]



<[REDACTED].pdf>



Date: Sunday, March 14 2021 09:43 AM
Subject: [Chat #1445]
From: Chris Cuomo [REDACTED]
To: [REDACTED] [Joshua Vlasto (owner)"]; [REDACTED] [Melissa DeRosa]; [REDACTED] [Steven M. Cohen]; [REDACTED] [Jefrey Pollock]; [REDACTED] [Liz Smith];
Attachments: IMG_9859.jpeg

Have you seen this? Is it fake?

----METADATA INFORMATION----

Device Owner:

[REDACTED] Josh Vlasto

ICCID:

[REDACTED]



All

Mentions

US Constitutional Right. If they try to take that away, ramifications are frightening. This is benchmark. It could set precedence & mark end of Democracy as we know it, that our forefathers fought wars over for. Thats alot to lose.







