



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
SUBPOENA AD TESTIFICANDUM
THE PEOPLE OF THE STATE OF NEW YORK
GREETINGS

TO: Matthew McGrath

YOU ARE HEREBY COMMANDED, pursuant to Executive Law § 63(8) and New York Civil Practice Law and Rules § 2302(a), to appear and attend before the Special Deputies to the First Deputy Attorney General, on July 2, 2021 at 9:00 AM, or any agreed upon adjourned date or time, at One Liberty Plaza, 38th Floor, New York, New York 10006 to testify in connection with an investigation into allegations of and circumstances surrounding sexual harassment claims made against Governor Cuomo, or any matter that the Attorney General deems pertinent thereto.

TAKE NOTICE that the Attorney General deems the testimony commanded by this Subpoena to be relevant and material to an investigation and inquiry undertaken in the public interest.


TAKE NOTICE that the examination may be recorded by stenographic, videographic and/or audio means.

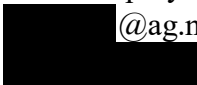
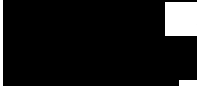
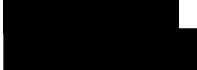
TAKE FURTHER NOTICE that Your disobedience of this Subpoena, by failing to appear and attend and testify on the date, time and place stated above or on any agreed upon adjourned date or time, **may subject You to penalties and other lawful punishment** under Executive Law § 63(8), New York Civil Practice Law and Rules § 2308 and/or other statutes.

EXHIBIT



Exh 1

WITNESS, The Honorable Letitia James, Attorney General of the State of New York,
this 23rd day of June, 2021.

By: 

Joon-H. Kim
Jennifer Kennedy Park
Abena Mainoo
Special Deputies to the
First Deputy Attorney General
@ag.ny.gov
ag.ny.gov
ag.ny.gov

By: /s/ Anne L. Clark

Anne L. Clark
Yannick Grant
Special Deputies to the
First Deputy Attorney General
@ag.ny.gov
ag.ny.gov

Cuomo Faces New Claims of Sexual Harassment From Current Aide

The aide, Alyssa McGrath, accused Gov. Andrew Cuomo of ogling her body, remarking on her looks, and making suggestive comments to her and another woman in his office.



By Jesse McKinley

Published March 19, 2021 Updated April 7, 2021

ALBANY, N.Y. — He called her and her co-worker “mingle mamas.” He inquired about her lack of a wedding ring, she said, and the status of her divorce. She recalled him telling her she was beautiful — in Italian — and, as she sat alone with him in his office awaiting dictation, he gazed down her shirt and commented on a necklace hanging there.

In the latest allegation against Gov. Andrew M. Cuomo, Alyssa McGrath, an employee of the governor’s office, described a series of unsettling interactions with the governor, telling The New York Times that Mr. Cuomo would ogle her body, remark on her looks, and make suggestive comments to her and another executive aide.

Ms. McGrath, 33, is the first current aide in Mr. Cuomo’s office to speak publicly about allegations of harassment inside the Capitol. Her account of casual sexual innuendo echoes other stories that have emerged in recent weeks about a demeaning office culture, particularly for young women who worked closely with the governor.

The most serious accusation against the governor was made by another current aide who has accused Mr. Cuomo of groping her breast in the Executive Mansion. Ms. McGrath said that the aide described the encounter in detail to her after it was made public in a report in The Times Union of Albany last week.

“She froze when he started doing that stuff to her,” Ms. McGrath said, adding, “But who are you going to tell?”

She added that the co-worker, who has not been publicly identified, told her that the governor had asked her not to talk about the alleged incident, knowing that the two women regularly spoke and texted about their interactions with Mr. Cuomo.

“He told her specifically not to tell me,” Ms. McGrath said.

In several interviews conducted over the past week, Ms. McGrath described a pattern of the governor mixing flirtatious banter with more personal comments, as well as a subtle and persistent cultivation of competitive relationships between female co-workers in his office. It was something

she said was compounded and protected by a demand for secrecy, and normalized inside the governor's inner circle.

Ms. McGrath did not accuse the governor of making sexual contact, though she said that she believed that his actions amounted to sexual harassment.

Over the last three years, Ms. McGrath said, the governor had seemingly fostered an unusual work triangle with her and her friend, the co-worker he allegedly groped, blending a professional relationship with unwanted attention. There was paternalistic patter, but also a commandeering, sometimes invasive physicality.

"He has a way of making you feel very comfortable around him, almost like you're his friend," Ms. McGrath said. "But then you walk away from the encounter or conversation, in your head going, 'I can't believe I just had that interaction with the governor of New York.'"

Ms. McGrath said that it was only after the fact that she found these interactions to be troubling — a sense that grew with each new sexual harassment accusation lodged against the governor, and his blanket denials.

Mariann Wang, a lawyer for Ms. McGrath, said that "this would be unacceptable behavior from any boss, much less the governor," and that Ms. McGrath's experience reflected larger issues for women in the workplace in Albany's corridors of power.

"The women in the executive chamber are there to work for the State of New York," Ms. Wang said, "not serve as his eye candy or prospective girlfriend."

Multiple women, including former and current aides, have accused the governor of inappropriate remarks and behavior, including unwanted touching and unwelcome sexual advances.

Mr. Cuomo, 63, has denied any wrongdoing, and has suggested that his relationships with employees he viewed as friends may have been misinterpreted.

On Friday, Rita Glavin, a lawyer for Mr. Cuomo, responded to Ms. McGrath's allegations by saying that "the governor has greeted men and women with hugs and a kiss on the cheek, forehead, or hand. Yes, he has posed for photographs with his arm around them. Yes, he uses Italian phrases like 'ciao bella.'"

Ms. Glavin added: "None of this is remarkable, although it may be old-fashioned. He has made clear that he has never made inappropriate advances or inappropriately touched anyone."

The scandal that has engulfed the governor, leading most of the state's Democratic leaders to call for his resignation, began with the accounts of two former employees, Lindsey Boylan, a former economic development official, and Charlotte Bennett, an executive assistant and senior briefer.



Charlotte Bennett, who came forward last month, accused the governor of asking her questions that she believed were testing whether she would have sex with him. Elizabeth Frantz for The New York Times

Although Ms. McGrath does not work directly for Mr. Cuomo, she said that she and her co-worker were commonly pulled from the pool of executive chamber assistants to work weekends and at the mansion. Many assistants in the chamber are women, often decades younger than Mr. Cuomo.

Emails reviewed by The Times showed that Mr. Cuomo's surrogates would often ask Ms. McGrath — who has a young child — and her co-worker to work on weekends at the Capitol building and at the mansion, where the governor lives.

The calls for assistance came from a top scheduling official in the governor's office, home to a large staff of administrative assistants, many of whom are women who earn a base salary between \$40,000 and \$60,000 a year, according to state payroll records.

“Hi gals,” read one email sent to the two women on Feb. 29, 2020. “Who can spend a little while with him when he gets back on the book signing project?”

That day — the Saturday before the state's first confirmed case of coronavirus — Ms. McGrath and her co-worker answered that request. They were working alone with Mr. Cuomo in the Capitol when the topic of a planned trip to Florida by the two women arose.

Ms. McGrath was separated from her husband at the time. While chatting with the two women, the governor asked the co-worker — who was married — if she was going to try to meet men and “mingle” while they were in Florida.

The women laughed off the question, as did the governor, but not before giving them a nickname.

“He called us ‘mingle mamas’ for the rest of the day,” Ms. McGrath said.

Two months earlier, on New Year's Eve, Mr. Cuomo asked the co-worker to pose for a photograph with him and send it to Ms. McGrath, she said. The photo, which was reviewed by The Times, shows the governor sitting in a chair at the Executive Mansion with the aide, her face next to his, nearly touching.

The aide's wedding ring is visible on her hand, her arm draped over the governor's shoulder. Mr. Cuomo, beaming, is sitting in a gray sweater and a T-shirt.

Ms. McGrath, whose accounts were supported by contemporaneous texts, emails, social media posts, said she did not understand why the governor had wanted her to see the photo, but she believed it may have been "to make me jealous."

She said that it was common knowledge around the office that Mr. Cuomo would play favorites among female staffers.

"We were told from the beginning that was a typical move of his," she said. "Who was the girl of the week? Who was the girl of the month?"

Ms. McGrath said that her uncomfortable interactions with the governor began not long after she was hired in the middle of 2018. Early the following year, she was called to the governor's second-floor office in the mansion.

While she prepared to start working, Mr. Cuomo asked Ms. McGrath if she spoke Italian — she does not, though she is of Italian heritage — and then made a comment in that language. She later asked her parents what the phrase meant.

"It was commenting on how beautiful I was," she recalled being told. (Ms. McGrath's lawyer said that the governor did not use the term "ciao bella.")

Soon after that experience, Ms. McGrath was called into Mr. Cuomo's office in the Capitol for a dictation session. She was alone and nervous and wanted to do a good job, she said. She sat across from the governor, pen and paper at the ready.

"I put my head down waiting for him to start speaking, and he didn't start speaking," she said. "So I looked up to see what was going on. And he was blatantly looking down my shirt."

The governor noticed her gaze, she said, and then "made a reference, a subtle reference, saying, 'What's on your necklace?' Which was in my shirt."

Ms. McGrath said she felt flushed and embarrassed — "My face turned really hot," she said — but she continued to work. She shared this experience at the time with her co-worker.

Ms. McGrath and her co-worker regularly texted and spoke about the governor. They confided in each other in part because an informal policy prohibited them from speaking to anyone outside the executive chamber about Mr. Cuomo.

"We were told right off the bat, as soon as we walk out of the office or as soon as we walk away from the governor, we were not to say a word about anything to anyone," she recalled.

At an office Christmas party in 2019, the governor's attention to her and her co-worker continued. "He kissed me on the forehead," Ms. McGrath said. "And in the picture we posed with him that year, he is gripping our sides very tightly." The Times reviewed a photo of the two women and the governor, with the governor grinning, his hands wrapped firmly around their waists.

Lindsey Boylan has accused Mr. Cuomo of inappropriate behavior, and said last month that he had kissed her on the lips without her permission in 2018. Rob Latour/Shutterstock

Other women, including Ms. Boylan, have accused the governor of giving them unsolicited kisses, something the governor has stridently denied.

Ms. Bennett, 25, told The Times in late February that the governor had asked her questions about her sex life, and concluded that "the governor wanted to sleep with me." Other current and former aides have spoken about seemingly retrograde requirements such as pressure to wear makeup, dresses and heels. The governor's office has said there was no dress requirement at work.

The governor has asked New Yorkers to await the outcome of two separate investigations into the harassment allegations, one overseen by the state attorney general, Letitia James, and another by the State Assembly, before making any decisions about his behavior.

On Monday, Debra Katz, Ms. Bennett's lawyer, said her client had provided more than 100 documents and four hours of testimony to investigators backing up her claims about the governor, including that he created a "sexually hostile work environment" as part of "his deliberate effort to create rivalries and tension among female staffers on whom he bestowed attention."

Ms. McGrath believes that her proximity to the governor may have stymied other opportunities. When she sought another job in state government in 2019, she was told that the governor's fondness for working with her would interfere with her taking the new position.

She was told, she recalled, that "because I 'help out up front,' I couldn't leave."

Since other allegations against Mr. Cuomo have arisen, Ms. McGrath has continued to go to work. She says that the executive offices are largely quiet, a far cry from the heady days of Mr. Cuomo's pandemic-related popularity, when the halls of the Capitol buzzed with excitement and purpose.

Ms. McGrath said that she watched the governor's first news conference after Ms. Bennett went public in The Times, on March 3, and that she was angry at his insistence that he never "touched anyone inappropriately."

"It makes me really upset to hear him speak about this and completely deny all allegations," she said, saying it left her in disbelief. "And I have no doubt in my mind that all of these accusers are telling the truth."

One of those accusers is her co-worker. Ms. McGrath said she feared retaliation for speaking out, but she and her co-worker had grown upset with themselves for putting up with Mr. Cuomo's behavior for so long.

"Her and I discussed this after the fact and now we're like, 'How did we not see this?'" Ms. McGrath said, still bewildered by her interactions with Mr. Cuomo. "Because it's so blatant and obvious."



EXHIBIT

Exh 3

8:42





EXHIBIT

Exh 5

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From: [Redacted] <[Redacted]@exec.ny.gov>

Sent: Tuesday, May 18, 2021 12:18 PM

To: [Redacted] <[Redacted]@exec.ny.gov>; [Redacted] <[Redacted]@exec.ny.gov>

Subject: Correspondence [McGrath, Matthew] #951307M

*** Please Do Not Reply to this e-mail Message.***

*** Any questions regarding this correspondence should be directed to the staff person listed below as the 'Please Respond To' contact. ***

Mr. Matthew McGrath

[Redacted]

Phone

[Redacted] <[Redacted]@yahoo.com>

County _ Other New York



Addressed to: Governor

Email Subject: Allegations

Issue 1 82097 Current AG Inquiry

Correspondence Number: 951307M
Date Of Correspondence: 05/17/2021
Date Received: 05/17/2021
Date Entered: 05/17/2021
Referred To: Beth Garvey
Date Referred:

[Click here to respond to this request.](#)

Routing History:

05/18/2021 12:18 PM (Routed By --> [REDACTED]) (Routed Via Internal Email to --> Beth Garvey) This correspondence has not been acknowledged and is being forwarded to you to take one of the following actions within (5) business days:

- 1.) Provide a draft response letter for GAC signature.
- 2.) Provide a copy of response letter with your signature or appropriate agency.
- 3.) Handle with a meeting/phone call to directly address concerns and note file of such.
- 4.) Advise that correspondence would be more appropriately handled by another staff member.
- 5.) Advise that no further action/response is required and to close file.

All of the above can be directed via attached link.

Any questions please call [REDACTED]/ECO [REDACTED]. Please always provide correspondence number.

Incoming Correspondence:

I have information contradicting the allegations recently made by one of the Governor's current aides.