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# *Committee Meeting*

of

## NEW JERSEY LEGISLATIVE SELECT OVERSIGHT COMMITTEE

*“The Committee will take testimony from an invited guest”*

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**LOCATION:** Committee Room 4  
State House Annex  
Trenton, New Jersey

**DATE:** March 12, 2019  
10:30 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

Senator Loretta Weinberg, Co-Chair  
Assemblywoman Eliana Pintor Marin, Co-Chair  
Senator Kristin M. Corrado, Co-Vice Chair  
Assemblywoman Nancy F. Muñoz, Co-Vice Chair  
Senator Fred H. Madden, Jr.  
Senator M. Teresa Ruiz  
Senator Steven V. Oroho  
Assemblyman Gordon M. Johnson  
Assemblywoman Angela V. McKnight  
Assemblywoman Nancy J. Pinkin  
Assemblywoman Verlina Reynolds-Jackson  
Assemblywoman BettyLou DeCroce  
Assemblywoman Holly T. Schepisi



### **ALSO PRESENT:**

Rosemary Alito, Esq.  
Michael Critchley, Sr., Esq.  
Joseph A. Hayden, Jr., Esq.  
*Special Counsels*

Stephanie M. Wozunk  
*Office of Legislative Services  
Committee Aide*

Alison Accettola  
*Senate Majority  
Brian Quigley  
Assembly Majority  
Committee Aides*

Michael R. Molimock  
*Senate Republican  
Kevin Logan  
Assembly Republican  
Committee Aides*

***Meeting Recorded and Transcribed by  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

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LORETTA WEINBERG  
Co-Chairwoman  
ELIANA PINTOR MARIN  
Co-Chairwoman



KRISTIN M. CORRADO  
Co-Vice Chairwoman  
NANCY F. MUNOZ  
Co-Vice Chairwoman

SANDRA B. CUNNINGHAM  
FRED H. MADDEN JR.  
M. TERESA RUIZ  
STEVEN V. OROHO

GORDON M. JOHNSON  
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**New Jersey State Legislature**  
**NEW JERSEY LEGISLATIVE SELECT OVERSIGHT**  
**COMMITTEE**  
STATE HOUSE ANNEX  
PO BOX 068  
TRENTON NJ 08625-0068

**COMMITTEE NOTICE**

TO: MEMBERS OF THE NEW JERSEY LEGISLATIVE SELECT OVERSIGHT  
COMMITTEE

FROM: SENATOR LORETTA WEINBERG, CO-CHAIR AND ASSEMBLYWOMAN  
ELIANA PINTOR MARIN, CO-CHAIR

SUBJECT: COMMITTEE MEETING - MARCH 12, 2019

*The public may address comments and questions to Stephanie M. Wozunk, Committee Aide, or make bill status and scheduling inquiries to Kristi L. Cannella, Secretary, at (609)847-3890, fax (609)777-2998 or e-mail: OLSAideLSOC@njleg.org. Written and electronic comments, questions and testimony submitted to the committee by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.*

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**The New Jersey Legislative Select Oversight Committee will meet on Tuesday, March 12, 2019 at 10:30 AM in Committee Room 4, 1st Floor, State House Annex, Trenton, New Jersey.**

**The committee will take testimony from an invited guest.**

Issued 3/7/19

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**SENATOR LORETTA WEINBERG (Co-Chair):** We will call the Committee to order.

Can I have the roll call, please?

MS. WOZUNK (Committee Aide): Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: Here.

MS. WOZUNK: Assemblywoman DeCroce.

ASSEMBLYWOMAN DeCROCE: Here.

MS. WOZUNK: Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Here.

MS. WOZUNK: Assemblywoman Pinkin. (no response)

Assemblywoman McKnight. (no response)

Assemblywoman Lampitt. (no response)

Assemblyman Johnson.

ASSEMBLYMAN JOHNSON: Here.

MS. WOZUNK: Senator Oroho.

SENATOR OROHO: Here.

MS. WOZUNK: Senator Ruiz.

SENATOR RUIZ: Here.

MS. WOZUNK: Senator Madden.

SENATOR MADDEN: Here.

MS. WOZUNK: Senator Cunningham. (no response)

Co-Vice Chair Muñoz.

**ASSEMBLYWOMAN NANCY F. MUÑOZ (Co-Vice Chair):** Here.

MS. WOZUNK: Co-Vice Chair Corrado.

**SENATOR KRISTIN M. CORRADO (Co-Vice Chair):**

Here.

MS. WOZUNK: Co-Chair Pintor Marin. (no response)

Co-Chair Weinberg.

SENATOR WEINBERG: Here.

MS. WOZUNK: We have a quorum.

SENATOR WEINBERG: Thank you, and good morning, everyone.

And good morning, Mr. Alvarez.

Would you like to introduce who is at the table with you?

**ALBERT J. ALVAREZ, Esq.:** Good morning.

Yes; to my right is my attorney, Stacy Biancamano.

**STACY ANN BIANCAMANO, Esq.:** Good morning, everyone.

SENATOR WEINBERG: Good morning.

And the two gentlemen behind you?

MR. ALVAREZ: Yes; also attorneys with me, in the office of Stacy Biancamano.

MS. BIANCAMANO: Dan Holzapfel and Assad Siddiqi.

**DAN HOLZAPFEL, Esq.:** (off mike): Good morning.

**ASAAD K. SIDDIQI, Esq.:** Good morning.

SENATOR WEINBERG: Thank you.

And we will turn it over to our Legislative Services.

MS. WOZUNK: Good morning, Mr. Alvarez.

Your testimony is being recorded, that it may be transcribed for the Committee, and it may be used in other proceedings.

Do you understand that?

MR. ALVAREZ: Yes.

MS. WOZUNK: Please note all of your responses should be verbal; we cannot record a head shake or a nod. If you do not understand a question, please ask for clarification. Otherwise, the Committee will assume that you understand the question, and that your answers are responsive to the question.

Do you understand those directions?

MR. ALVAREZ: I do.

MS. WOZUNK: Mr. Alvarez, do you understand that if the statements you make today are willfully false, or if you fail to answer a pertinent question or commit perjury, you may be subject to penalties under the law?

MR. ALVAREZ: I do.

MS. WOZUNK: Do you understand that you have certain rights under the Code of Fair Procedure, including the right to have your Counsel submit proposed questions on your behalf?

MR. ALVAREZ: Yes.

MS. WOZUNK: Does your Counsel have any questions to submit today?

MS. BIANCAMANO: Not at this time.

MS. WOZUNK: You are entitled to a copy of the transcript of your testimony, at your expense, when such copy is available.

Do you understand that?

MR. ALVAREZ: Yes.

MS. WOZUNK: You have the right to file a brief, sworn statement relevant to your testimony, for the record, at the conclusion of your appearance today.

Do you understand that?

MR. ALVAREZ: Yes.

MS. WOZUNK: Before the Committee proceeds with the oath, do you have any questions?

MR. ALVAREZ: No.

SENATOR WEINBERG: Mr. Alvarez, please stand and raise your right hand.

(Senator Weinberg administers oath)

Thank you; you may be seated.

I will turn the microphone over to our attorney, Michael Critchley.

MR. CRITCHLEY (Special Counsel): Good morning.

SENATOR WEINBERG: I'm sorry; excuse me.

You do have an opening statement.

MR. ALVAREZ: I do, yes.

Thank you.

SENATOR WEINBERG: You are allowed to read it now.

MR. ALVAREZ: Thank you.

Good morning.

My name is Al Alvarez, and I would like to begin by briefly addressing the events of April 7, 2017.

My comments are limited to the following.

I stand by my previous statement that I have been falsely accused. The sexual contact between myself and Ms. Brennan was consensual. The files from the Hudson and Middlesex County Prosecutor's Offices corroborate my account of that evening, and will assist in exonerating me in the eyes of the public, which is why I sought their release.

While my difficulties over the past year-and-a-half are not comparable to the trauma faced by survivors of sexual assault, these false allegations have devastated my career and have brought an emotional toll upon myself and my loved ones that no one should have to go through.

Despite the fact that these allegations -- which prompted the formation of this Committee -- are false, the underlying issue remains relevant and needs to be addressed. I respect the goal of this Committee to make recommendations regarding the handling of sexual assault claims by employees in the public sector, and I hope that my testimony today helps develop the future policy in this regard.

Thank you.

SENATOR WEINBERG: Thank you, Mr. Alvarez.

And now, Mr. Critchley.

MR. CRITCHLEY: Good morning, Mr. Alvarez.

MR. ALVAREZ: Good morning.

MR. CRITCHLEY: Good morning, Counsel.

MS. BIANCAMANO: Good morning.

MR. CRITCHLEY: Please, when I ask questions, if you could just speak into the microphone?

Just one comment.

I appreciate the comments in your opening statement, but I just want to point out that what gave rise to this Committee is an effort to look into hiring practices involving people with questionable background. We did not make any allegation about anyone's credibility in forming this Committee. That was not the purpose of the Committee.

But I appreciate your comments.

Now, Mr. Alvarez, what I'm going to do -- I'm going to ask you some questions about your relationship with Governor Murphy; and then I'm going to ask you some questions about how you left the State employ around October, November of 2018. And then, I'm going to come back and ask you some questions about how you worked at the SDA.

Now, as I understand it, you were involved, in various capacities, working with an entity called New Way for New Jersey. Is that correct?

MR. ALVAREZ: Yes, it is.

MR. CRITCHLEY: What was New Way for New Jersey?

MR. ALVAREZ: New Way for New Jersey was an advocacy organization that was created by Ambassador Murphy, at the time, to help push issues that he thought were important to talk to the voters of New Jersey about.

MR. CRITCHLEY: When did you start working at New Way for New Jersey?

MR. ALVAREZ: I would say it was approximately October 2016 (*sic*).

MR. CRITCHLEY: October 2016; and what was your position there?

MR. ALVAREZ: I was hired to do community outreach, specifically with the Latino and Muslim communities.

MR. CRITCHLEY: Who hired you to do community outreach?

MR. ALVAREZ: Ultimately, that was Brendan Gill; at the time, Mr. Gill was one of the top advisors to then-Ambassador Murphy. He would eventually become the Campaign Manager for Murphy for Governor.

MR. CRITCHLEY: And how long did you work at New Way for New Jersey?

MR. ALVAREZ: Until that entity no longer -- ceased to be in existence. Eventually what happened is, the then-Ambassador announced his candidacy; and those of us who were on New Way New Jersey became employees of Murphy for Governor. So I would say approximately May 2016.

MR. CRITCHLEY: Did you work for Governor Murphy prior to his assuming the position of Governor; before working for New Way for New Jersey -- in any capacity?

MR. ALVAREZ: I'm sorry; could you repeat the question?

MR. CRITCHLEY: Did you work for Governor Murphy prior to working for New Way for New Jersey, in any capacity?

MR. ALVAREZ: No.

MR. CRITCHLEY: Okay.

Then you started working for the Campaign, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: What was your position in the Campaign?

MR. ALVAREZ: I was the Director of Latino and Muslim Outreach.

MR. CRITCHLEY: Was that a paid position?

MR. ALVAREZ: Yes, it was.

MR. CRITCHLEY: And who hired you for that position?

MR. ALVAREZ: I would, again, say it was Brendan Gill.

MR. CRITCHLEY: And did you receive a salary?

MR. ALVAREZ: I did.

MR. CRITCHLEY: What was your salary?

MR. ALVAREZ: I don't recall specifically the amount; I would say, probably, it was something around \$80,000 a year.

MR. CRITCHLEY: Now, when did you stop working for the Campaign?

MR. ALVAREZ: When the election was over.

MR. CRITCHLEY: And then you started working for the Transition, correct?

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: You were a paid employee of the Transition Committee, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: What was your salary?

MR. ALVAREZ: I don't recall the exact salary, but I would say it was somewhere in the range of maybe \$90,000.

MR. CRITCHLEY: And who hired you for that position?

MR. ALVAREZ: For the Transition, that would have been Jose Lozano.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: Jose Lozano.

MR. CRITCHLEY: And then you worked at the Transition for how long?

MR. ALVAREZ: Until the Inauguration; so, January 16, 2018, I believe.

MR. CRITCHLEY: What were your duties when you worked for the Transition?

MR. ALVAREZ: I was the Deputy Director of Personnel.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: Deputy Director of Personnel.

MR. CRITCHLEY: And what did that involve?

MR. ALVAREZ: So upon winning the election, the Governor-elect, at the time, had created a portal so that anyone who was seeking, or was otherwise interested in working for State government could have a venue to apply for jobs.

My responsibility was mainly to curate and collate the portal to make sure that the résumés we were getting -- and they were in the thousands -- were being processed; that they were being-- You know, that people who had a genuine interest in working for State government were having their résumés reviewed. If they had a specific department or agency, that it was being funneled to that appropriate department and the appropriate people who are going to make decisions on hiring.

MR. CRITCHLEY: While you worked in the Transition, were you stripped of hiring authority?

MR. ALVAREZ: I would say I never had hiring authority. I was never advised that my position gave me exclusive hiring authority. My job was to make recommendations; and that encompassed reading and reviewing résumés. It also encompassed, sometimes, making and conducting interviews, but always with the knowledge that I would make recommendations on whether or not I thought a particular employee was qualified or not. But I had no ability to hire, so I can't answer your question as to whether I was ever taken away that responsibility, because I never believed I had it.

MR. CRITCHLEY: Did anyone ever discuss with you the fact that your duties and responsibility as Director of Personnel would be limited, in terms of your ability to hire anyone?

MR. ALVAREZ: No.

MR. CRITCHLEY: And the reason I ask that question -- as I refer to Mr. Cammarano's testimony of December 18, 2018, at page 185, when Senator Weinberg asked Mr. Cammarano the following question.

"Okay; at some point in December, Mr. Alvarez was stripped of any hiring authority. Is that correct?"

And Mr. Cammarano said, "That is my understanding; correct."

Mr. Cammarano seemed to testify before this Committee that, in fact, you were stripped of hiring authority.

Was that testimony by Mr. Cammarano wrong?

MR. ALVAREZ: Again, I was never made aware that I had hiring authority, let alone that it was, at some point, taken away from me.

MR. CRITCHLEY: So my question is -- and I will ask you one more time -- so is this wrong?

Question: "At some point in December, Mr. Alvarez was stripped of any hiring authority. Is that correct?"

And Mr. Cammarano said, "That is my understanding; correct," implying that, in December you were stripped of hiring authority. Are you saying that testimony by Mr. Cammarano, as you understand it, understanding your understanding, is wrong?

MR. ALVAREZ: My understanding is that I was never notified that I was stripped of any hiring opportunities, nor did I ever believe I had those hiring capabilities.

MR. CRITCHLEY: Now I'm going to fast-forward, then I'll come back.

Now, there came a point in time, obviously, when you were let go from State government, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: And after you were let go from State government, sometime in October of 2018 -- October 2 -- you applied for unemployment compensation, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: And when you applied for unemployment compensation, you gave a statement as to the reasons why you left employment, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: And you understood that when you gave that information to the Division of Unemployment (*sic*), you were under a legal obligation to be accurate and truthful, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: Now, if I could, I'd like to give Counsel and Mr. Alvarez a copy of the following documents.

Just bear with me one second; here it is.

And for the record, I am having Mr. Alvarez receive a copy of a document, Bates stamp SDA 0037, which was supplied to us by the Department of -- the School Development Authority, pursuant to our request for documents.

Do you have a copy of that, Mr. Alvarez?

MR. ALVAREZ: I do, yes.

MR. CRITCHLEY: Could you please go to the second page, where it says, "reasons for appeal." And I'm going to read that.

And Counsel, if I misread -- as I am often apt to do -- please correct me.

MS. BIANCAMANO: I will.

MR. CRITCHLEY: "On multiple occasions, I was told by my superiors at the New Jersey's Governor's Office and at the New Jersey School Development Authority, that if I did not resign my position I would be terminated. I was first told this in June 2017" -- obviously a typo; meant 2018 -- "by both the former CEO of the School Development Authority and the Governor's Chief Counsel."

Let me repeat that.

"I was first told this in June 2018 by both former CEO of the School Development Authority and the Governor's Chief Counsel.

"The reasons my superiors wanted me to leave my employment was that I was being accused of having committed a criminal, sexual assault before my employment in the School Development Authority. Although

the accusation had been investigated by local law enforcement, and no charges had been filed, the Governor's Office felt that if the accuser went public with the allegations, it would reflect poorly on the Administration.

"At that time, in June, I requested additional time and assistance in finding a new job before resigning. Both the Governor's Office and the New Jersey School Development Authority agreed with that request.

"On October 2, 2018, a reporter contacted me, looking for comment on the above-referenced allegation. I ignored the query, and attempted to contact the Governor's Office for guidance. They did not respond to me directly. However, the CEO of the School Development Authority advised that she had made contact with the Governor's Office and that they were demanding that I resign immediately and provide the resignation letter to the Governor's Office, via fax, as proof.

"At that moment, I felt I had no choice but to resign or be terminated."

Was that information you provided to the Division of Unemployment accurate and truthful?

MR. ALVAREZ: Yes, it was.

MR. CRITCHLEY: Okay; let me just ask you a couple of questions.

Now, you stated here that you spoke with the Chief Counsel. And for the record, who was the Chief Counsel?

MR. ALVAREZ: Matt Platkin; Matthew Platkin.

MR. CRITCHLEY: And that was in June of 2018.

MR. ALVAREZ: Yes, correct.

MR. CRITCHLEY: And he told you that, basically, you should leave your employment; and that you had requested that before you leave the State employment, you wanted time to look for a new job and you wanted assistance from the Governor's Office in finding a new position, correct?

MR. ALVAREZ: Yes, correct.

MR. CRITCHLEY: And you said, in this statement, that they offered to find you a position, correct?

MR. ALVAREZ: They offered to assist me, yes.

MR. CRITCHLEY: Who offered you a position -- who offered you assistance in finding a position?

MR. ALVAREZ: Matthew Platkin.

MR. CRITCHLEY: Anyone else?

MR. ALVAREZ: No.

MR. CRITCHLEY: When did he offer -- Mr. Platkin -- when did he offer you assistance in finding a position?

MR. ALVAREZ: It was the date of that conversation; so June of 2018.

MR. CRITCHLEY: And did he suggest to you, in June of 2018, what positions were available?

MR. ALVAREZ: No.

MR. CRITCHLEY: Because I'm going to come back to this later on -- this line of questioning.

And the reason I ask that-- And you specifically recall Mr. Platkin offering you assistance -- correct? -- in finding a new position.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: What did he say to you?

MR. ALVAREZ: I guess, for purposes of context, I want to just step back for a second.

To answer your question, that conversation came about because I was first approached by the then-CEO of the SDA, Charlie McKenna. He had called me into his office to advise me that the night before, he had a conversation with Pete Cammarano and Matthew Platkin; that they had advised him that they were aware of an allegation made against me during the Campaign, and that that allegation was making my tenure as a State employee no longer viable. And that they wanted him to advise me that I needed to remove myself from State government, resign, or that he would have -- he, being Charlie McKenna -- would have no choice but to fire me.

At that point, I decided to share with Mr. McKenna that I had been investigated by the Hudson County Prosecutor's Office, and no charges have been filed against me; and that I was advising him that the allegations were false.

He then told me that he had no power over this; that if I needed to talk to anybody, I should talk to Matthew Platkin.

So I did; I called Matthew Platkin straightaway, and we had the conversation. I again advised him that I denied the charges. They were false; that I had been investigated by the Hudson County Prosecutor's Office, and they decided not to press charges.

He advised me that he was aware of all of that information; but then proceeded to advise me that the nature of the allegations were such that my State employment was not viable.

So we continued to talk, back and forth, and then he made it clear there was really no choice; there was no option. So I told him I'd be willing to consider resigning if, in fact, they could help me find a job, because I am a divorced father of two boys. I have responsibilities and obligations in my family, and I wanted assistance and some time in trying to find a new job. And he agreed; he said, "Yes, okay."

MR. CRITCHLEY: And did he undertake efforts to find a new job for you?

MR. ALVAREZ: That's how I interpreted it. Yes; when he said yes to that, that's how I interpreted it.

MR. CRITCHLEY: And this conversation with Mr. Platkin took place on June 7?

MR. ALVAREZ: That would be correct, yes.

MR. CRITCHLEY: And the reason I ask the question about Mr. Platkin is because we have testimony by Mr. Platkin, and the testimony is January 18, 2019, when he was asked the question by Senator Weinberg.

Question: "Well, did you lead him," -- meaning you -- "to believe that you would offer any job assistance to him as he made applications?"

"Mr. Platkin: I don't recall anything that would lead him to believe that."

Mr. Platkin seemed to testify, under oath, a little differently from what you testified to, correct?

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: Can you explain the inconsistencies?

MR. ALVAREZ: I cannot.

MR. CRITCHLEY: Now, you also talk about -- in terms of resignation being forced upon you, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: And the reason I ask questions about that is because we've had testimony from Lizette Delgado-Polanco. And basically, I'll-- She basically said that on October 2, that you came to her after the *Wall Street Journal* made some inquiries about the matter, and that you voluntarily turned over to her your resignation letter, and asked her to submit it to the Governor's Office.

Did you do that?

MR. ALVAREZ: I would disagree with the characterization of that chain of events.

MR. CRITCHLEY: How would you disagree with those characterizations?

MR. ALVAREZ: So if I can, I would say the morning -- I guess it was October 2. I did receive an e-mail from a reporter from the *Wall Street Journal*, asking for comment on an article she was going to publish, making an accusation against me regarding sexual assault.

And immediately, I attempted to contact Mr. Platkin and Mr. Cammarano, to seek some sort of guidance as to what I should do. I did not respond to the reporter; I did not get any response from either Mr. Cammarano or Mr. Platkin.

At that point, I decided to go and speak to Lizette Delgado-Polanco, who at that time was my immediate supervisor as the CEO of the SDA. I went into her office, and I told her everything. I wasn't sure, at that point, if she had been aware of anything. But I explained to her the

accusation was false; I explained to her that it had been investigated by the Hudson County Prosecutor's Office and no charges had been filed. That I had expressed that to both Mr. Cammarano and Mr. Platkin, and to the previous CEO. And that I was in the process of looking for employment, and that I was given the opportunity to find other employment before leaving the SDA.

And, at that point, she told me that she would try to contact Mr. Cammarano to see if she could get some sort of guidance.

She called Mr. Cammarano in front of me, while we were in her office. He picked up; they spoke very briefly. She related the conversation to me that she had with him -- that I had to resign immediately, straightaway, and I had to put it in writing and fax it to them.

MR. CRITCHLEY: Have you read Ms. Lizette Delgado-Polanco's testimony?

MR. ALVAREZ: I am familiar with it.

MR. CRITCHLEY: She disagrees with that statement, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Can you explain the inconsistency between your version and her version?

MR. ALVAREZ: I cannot.

MR. CRITCHLEY: And let me, for the record -- just so we have a complete record -- bring it out.

And now I'm referring to Ms. Delgado-Polanco's testimony of January 8, 2019.

And I apologize; so I have everything in context, I'm going to read what I said to her about your statement for unemployment compensation, okay?

Because it was very-- The reason I did that is because when she testified, I knew what you had said in your unemployment application. And it appeared that her version of events leading into your leaving State government was completely, diametrically opposed to what you said, I assume under oath or certification, before the Department of Unemployment.

And I said to her, January 8, 2019, page 287.

"I'm going to read it," meaning your statement, "because that has not been referred to. And I'll read it slow," and I'm repeating it, "October 2, 2018, a reporter contacted me looking for a comment on the above-referenced allegation. I ignored the query and attempted to contact the Governor's Office for guidance. They did not respond to me directly; however, the CEO of the Schools Development Authority advised me that she had made contact with the Governor's Office, and that they were demanding that I resign immediately and provide the resignation letter to the Governor's Office, via fax, as proof. At that moment, I felt that I had no choice but to resign or be terminated."

Then I say to her, "Now, I'm just going to read one sentence; because there appears to be a little bit of difference in terms of the sequencing of events between what Mr. Alvarez says in his appeal and the testimony regarding the resignation letter."

And I repeat it, "It says, 'They did not respond to me directly; however, the CEO of the Schools Development Authority advised me that

she had made contact with the Governor's Office, and that they were demanding that I resign immediately and provide the resignation letter to the Governor's Office."

And I say to her, "Is that how you understood the conversation took place between you and Mr. Alvarez on October 2?"

And she said, under oath, "No, sir; that's actually not accurate.

"He actually came into my office, explained what had happened, and gave me a letter of resignation. And then he went on to talk to someone -- on his way back to talk to the Vice Presidents to let them know that he was leaving.

"On his way back he said, 'Did you reach anyone over at the Governor's Office?' I said, 'Yes, I did, and I faxed your resignation letter over.'"

My question, "So at least at this allegation you would question the credibility of Mr. Alvarez regarding what he stated occurred between you and he on October 2 regarding the resignation letter."

Ms. Delgado-Polanco, "Absolutely, sir. That is not what happened."

Now, can you explain the differences in the testimony regarding the resignation, vis-à-vis your version and Ms. Polanco's version?

MR. ALVAREZ: No; I can only stand by my statement.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: I can only stand by my statement.

MR. CRITCHLEY: Now, I'm not questioning you, Mr. Alvarez; I'm just saying that this is part of the dilemma we have as a Committee.

Just in these two paragraphs we have contradictions between your version, and Matt Platkin's version regarding his efforts to obtain assistance in getting you a job; both addressing the same topic, both saying something different.

And we have differences between you and Ms. Delgado-Polanco on the resignation; on the same topic, both under oath, both say something different.

That is one of the problems we have with this Committee. Because for the past eight or nine sessions, we've been having these contradictions and inconsistencies. And it is very difficult for us to get a coherent set of facts when we have, on significant matters, these types of inconsistencies between witnesses under oath. Not minor variations.

Now, when you spoke with Mr. McKenna, did he say to you, "If you don't resign, it could get ugly?"

MR. ALVAREZ: I can't remember if he used exactly those words. But essentially, the tenor of his conversation with me was that, yes.

MR. CRITCHLEY: Did you feel that as a threat?

MR. ALVAREZ: Yes; I took, immediately-- I mean, I felt it was very direct. He was going to fire me; if I didn't find a new job, I would be fired.

MR. CRITCHLEY: How could it get ugly?

MR. ALVAREZ: My interpretation of that was that if this allegation would become public, things would get ugly.

MR. CRITCHLEY: What did you understand him to mean by that?

MR. ALVAREZ: That if the accusation was put into the press.

MR. CRITCHLEY: Now, when you met with -- by way of phone -- when you spoke with Mr. Platkin on June 7-- In your unemployment application, you basically said that, he basically said that, if it went public with the allegations, it would reflect poorly on the Administration.

Did you interpret Mr. Platkin -- either in that statement or any follow-up statement -- as threatening you?

MR. ALVAREZ: I don't know if I can characterize it as a *threat*. It was just clear to me that they were giving me a no alternative but to leave State employment.

MR. CRITCHLEY: They were giving you no alternative but to leave State employment.

MR. ALVAREZ: That's correct.

MR. CRITCHLEY: But they were giving you an alternative; the alternative was stay until you got a job, and they would assist you getting a job, correct?

MR. ALVAREZ: I asked for that, and he agreed. He acquiesced, I would say.

MR. CRITCHLEY: Now, I just want to ask some questions about the Schools Development Authority.

You made an application for employment with the Murphy Administration, correct?

MR. ALVAREZ: I believe so, yes.

MR. CRITCHLEY: Now, of all the positions that were available, you chose the Schools Development Authority--

MR. ALVAREZ: Yes.

MR. CRITCHLEY: --to seek, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Did you seek employment with any other State agency or Authority?

MR. ALVAREZ: No.

MR. CRITCHLEY: And when you sought employment with the Schools Development Authority, you sought employment for the position of CEO, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: And that would be the number one person in the Schools Development Authority.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: And you do know that the salary of the CEO of the Schools Development Authority is \$225,000, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: One of the highest salaries of any State employee in New Jersey.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Higher than the Governor's salary.

MR. ALVAREZ: Are you asking me a question? I'm sorry.

MR. CRITCHLEY: Yes; it's higher than the Governor's salary.

MR. ALVAREZ: Yes; I believe it is, yes.

MR. CRITCHLEY: And it's higher than any member of any Cabinet, correct?

MR. ALVAREZ: Yes, I believe that is true.

MR. CRITCHLEY: Now, when you made that application, did you have discussions with anybody about applying for the position of CEO of the SDA?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Who did you speak with?

MR. ALVAREZ: During the Transition, I had numerous conversations. I would categorize them as *informal* conversations with Pete Cammarano and Jose Lozano regarding my interest in working in State government; and then specifically, over the course of the Transition, upon reflection, decided that I wanted to go to the SDA to work at the SDA, potentially as the CEO.

MR. CRITCHLEY: What conversations did you have with Mr. Cammarano about going to work at the SDA?

MR. ALVAREZ: He would come around and talk to the employees who were working at the Transition at the time, and, sort of, just get a sense of where people wanted to go, what they were looking to do, and try to provide some guidance.

And so it was in one of those kinds of conversations, where he sat me down and just asked me, "What are you thinking? Where would you like to go? What do you want to do?" And I disclosed to him that I was thinking about the SDA and the role; and he seemed supportive.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: He seemed supportive.

MR. CRITCHLEY: What made you think he seemed supportive?

MR. ALVAREZ: Well, he didn't say, "I don't think you're qualified," or, "I don't think that's a good fit for you." He just seemed to nod, and agree, and say, "Okay, that sounds good."

MR. CRITCHLEY: How many conversations did you have with Mr. Cammarano about working as the CEO of the SDA?

MR. ALVAREZ: Not more than two.

MR. CRITCHLEY: When was the first one?

MR. ALVAREZ: It would have been some time -- a couple of weeks after the Transition was truly underway. So probably end of November, maybe.

MR. CRITCHLEY: And where did the conversation take place?

MR. ALVAREZ: In the Transition office.

MR. CRITCHLEY: Sorry?

MR. ALVAREZ: The Transition office.

MR. CRITCHLEY: Was anyone present besides yourself and Mr. Cammarano?

MR. ALVAREZ: No.

MR. CRITCHLEY: Did you tell him what qualifications you had to seek the position of CEO of the SDA?

MR. ALVAREZ: I believe we did briefly speak about my qualifications; yes.

MR. CRITCHLEY: The SDA is a rather important agency in the State of New Jersey, correct?

MR. ALVAREZ: I agree.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: I agree.

MR. CRITCHLEY: It supervises projects between \$11 billion and \$12 billion, correct?

MR. ALVAREZ: That sounds correct, yes.

MR. CRITCHLEY: And when you left that meeting with him, in terms of encouragement, can you give me basically what he said to you to cause you to be encouraged that he was supporting you for the position of SDA CEO?

MR. ALVAREZ: No; I can't remember any specific words that he said; it was more what he didn't say.

MR. CRITCHLEY: Okay. Now, when did you talk to him next about being the CEO of the SDA?

MR. ALVAREZ: I had another conversation with him, but it wasn't at that point. By the time we spoke again, it was already made clear to me that the current CEO at the time was going to stay. The decision had been made that he would stay. So in that time, between my first conversation with Mr. Cammarano and the second, it was made clear to me that the possibility of becoming a Chief of Staff was available.

MR. CRITCHLEY: Okay. Who made you aware that the Chief of Staff would be available?

MR. ALVAREZ: Jose Lozano.

MR. CRITCHLEY: Now, you said it was made clear to you that Mr. McKenna would be staying as CEO.

MR. ALVAREZ: That is correct, yes.

MR. CRITCHLEY: Who made it clear to you?

MR. ALVAREZ: Mr. Lozano.

MR. CRITCHLEY: Okay. Other than those two conversations with Mr. Cammarano about working as the CEO for the SDA, did you have any other conversations with Mr. Cammarano about your employment at the SDA other than -- we'll get to it -- March 26?

MR. ALVAREZ: No.

MR. CRITCHLEY: Now, had you met Mr. Cammarano before you had these conversations with him about you being CEO of the SDA?

MR. ALVAREZ: I'm sorry; could you repeat that?

MR. CRITCHLEY: Had you met him before -- Mr. Cammarano?

MR. ALVAREZ: In what--

MR. CRITCHLEY: In any capacity.

MR. ALVAREZ: No.

MR. CRITCHLEY: When was the first time you met Mr. Cammarano?

MR. ALVAREZ: I'm sure I met him in previous years, because of both of our work and politics; you know working in State government. I think we crisscrossed. I worked in the Corzine Administration; he had worked in the Codey Administration. So I'm sure our paths had crossed at some point; but I don't think I had a formal conversation with him until he started working as the Chief of Staff to Governor Murphy.

MR. CRITCHLEY: So would it be safe to say that in a general way, he knew who you were, and you knew who he was.

MR. ALVAREZ: Yes, that's correct.

MR. CRITCHLEY: Okay. Did you have conversations with Mr. Cammarano after you assumed the position of Chief of Staff of the SDA?

MR. ALVAREZ: Not until March.

MR. CRITCHLEY: That was the first time, between--

MR. ALVAREZ: Correct.

MR. CRITCHLEY: And after March, did you have any other conversations with Mr. Cammarano?

MR. ALVAREZ: I did not.

MR. CRITCHLEY: Okay.

Now, you said you also had conversations with Jose Lozano--

MR. ALVAREZ: Yes.

MR. CRITCHLEY: --about the position of CEO with the SDA.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: When did you have these conversations, number one; what were the conversations, number two?

MR. ALVAREZ: Again, around the same time, during the Transition. Mr. Lozano was the head of the Transition Team; he was also going around, making sure that people who were working in the Transition, and helping to get folks employed at the State level, were also thinking about where they wanted to go and what they wanted to do.

So I had conversations with him. I believe in my conversation -- I don't think I knew exactly where I wanted to go. So in subsequent conversations, I eventually disclosed to him that I was interested in the SDA, and potentially being the CEO.

And then I think a later conversation happened, where he advised me that the SDA CEO position was not going to be available; that Mr. McKenna was going to stay. But the Chief of Staff position was available, and would I be interested in that.

And I said yes; and then he advised me, then, if I really was interested that I should meet with Mr. McKenna.

MR. CRITCHLEY: Okay; let me break that down, please.

When was it that you had the first conversation with Mr. Lozano about the SDA -- you going there?

MR. ALVAREZ: I couldn't pinpoint the exact date; but it's during the Transition, so I will-- I'm going to say between mid to late November and early January; in that time frame.

MR. CRITCHLEY: How many conversations did you have with Mr. Lozano about--

MR. ALVAREZ: There were multiple conversations.

MR. CRITCHLEY: You have to let me finish.

How many conversations did you have with Mr. Lozano about you working at the SDA?

MR. ALVAREZ: At least two conversations.

MR. CRITCHLEY: Two; the first one was when?

MR. ALVAREZ: I can't tell you the exact date; I don't remember.

MR. CRITCHLEY: The second one was when?

MR. ALVAREZ: The second one would probably have been sometime in early January.

MR. CRITCHLEY: And was anyone present when you had this conversation with Mr. Lozano in January?

MR. ALVAREZ: No.

MR. CRITCHLEY: What was the nature of the conversation between you and Mr. Lozano the second time?

MR. ALVAREZ: He advised me that the CEO of the SDA was going to continue in that role, and so that position was not available. However, the position of Chief of Staff, which was vacant at the time, was available; would I be interested? And if so, I should then contact Mr. McKenna directly.

MR. CRITCHLEY: What did you understand the role of Chief of Staff entailed?

MR. ALVAREZ: Vaguely, I understood it to be the person who helps implement the execution of the policies of the organization at the behest of the CEO.

MR. CRITCHLEY: A rather important position, would you agree?

MR. ALVAREZ: I would agree.

MR. CRITCHLEY: Why would you agree with that?

MR. ALVAREZ: Having had the position for approximately 10 months, I realized it was an important and substantive role.

MR. CRITCHLEY: Now, in addition to discussing with Mr. Lozano the role of Chief of Staff, was the discussion about salary?

MR. ALVAREZ: Yes; are you asking me--

MR. CRITCHLEY: Who did you have discussions with about salary?

MR. ALVAREZ: I would have had that conversation with Mr. Lozano and Mr. McKenna.

MR. CRITCHLEY: What conversations did you have with Mr. Lozano about salaries?

MR. ALVAREZ: I don't remember, to be honest with you, exactly how that came about. I remember being curious about what the salary was, mostly because it was not defined in their organizational chart, because there was no Chief of Staff at the time. So I was curious.

And I remember, if I'm not mistaken, I spoke to Mr. McKenna first about that, and asked him -- inquired of him what the range was. And then once I had that conversation with him, I went back to Mr. Lozano and asked if that was accurate. And then I was told subsequently--

MR. CRITCHLEY: If what was accurate?

MR. ALVAREZ: The salary range for Chief of Staff.

MR. CRITCHLEY: What was the salary range?

MR. ALVAREZ: It was approximately \$140,000.

MR. CRITCHLEY: Was that the range, or was that the top of the range?

MR. ALVAREZ: That was the approximate range. Yes, I was told the approximate range was in the \$140s.

MR. CRITCHLEY: In the \$140s. And when you had this conversation with Mr. Lozano about salaries of the Chief of Staff, what did he say to you?

MR. ALVAREZ: He advised me that Chiefs of Staff should not go beyond \$140,000 because of the Governor's Chief of Staff having a

salary set -- I imagine statutorily -- at \$140,000; he felt that the Chief of Staff at all agencies should, sort of, adhere to that similar standard.

MR. CRITCHLEY: So he basically told you that your salary should be no higher than \$140,000 -- Mr. Lozano.

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: And when Mr. Lozano told you that the salary should be no higher than \$140,000, what did you say?

MR. ALVAREZ: I didn't say anything. It wasn't really a choice or a-- It was more of a statement.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: It was more he was making a statement; he gave me a statement. I wasn't -- there wasn't anything for me to respond to.

MR. CRITCHLEY: And how often did you have conversations with Mr. Lozano about salaries?

MR. ALVAREZ: I believe it was just that one time.

MR. CRITCHLEY: Okay. And you said you had many conversations with Mr. Lozano about you going to work at the SDA?

MR. ALVAREZ: Two.

MR. CRITCHLEY: And how long did these conversations last?

MR. ALVAREZ: They were very informal; so a few minutes.

MR. CRITCHLEY: Where did they take place?

MR. ALVAREZ: In the Transition office.

MR. CRITCHLEY: How much time passed between the first conversation and the second one?

MR. ALVAREZ: A couple of weeks; two to three weeks approximately.

MR. CRITCHLEY: Okay .

The reason I ask those questions-- Mr. Lozano has testified, under oath, about some of these subject matters. For example, you said you had conversations with Mr. Lozano about salaries. And Mr. Lozano, when he was asked questions about that, he basically said that he did not have any conversations with you about salaries.

Let me just get to that point in his testimony where that took place.

If I could just-- One second, please.

MS. BIANCAMANO: Excuse me, Counsel?

MR. CRITCHLEY: I got it.

MS. BIANCAMANO: Excuse me, Counsel?

MR. CRITCHLEY: Yes?

MS. BIANCAMANO: Could I inquire to receive copies of some of those documents that we're referring to?

MR. CRITCHLEY: This is the transcript.

MS. BIANCAMANO: I don't have that document; we don't have the transcript.

MR. CRITCHLEY: Do we have it?

(confers with staff)

MS. BIANCAMANO: Thank you.

MR. CRITCHLEY: Okay; now, Counsel, I'm referring you to page 202 of Mr. Lozano's testimony.

Tell me when you get there.

MR. ALVAREZ: We're there.

MR. CRITCHLEY: Now, this is a question by Senator Corrado.

Question, "You are aware that you had sent a text to Charlie McKenna, and he testified to this. You know, you sent the text saying, 'Hey, I have your new Chief of Staff.' You set up a meeting; put them in touch with each other. They met at Starbucks; he followed up with you. And I believe there was a text about salary as well."

Mr. Lozano, "If there was-- I don't set salaries. In no moment at all during the Transition did I have a discussion about a Chief of Staff's salary."

That seems to be a little different from your testimony about your conversation with Mr. Lozano, is that correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Can you explain the difference in testimony, both given under oath, about salary; him saying -- Mr. Lozano -- that he never had a discussion with you about salary at all, and you testifying, under oath equally, that you had discussions about salary with him?

MR. ALVAREZ: You are correct.

MR. CRITCHLEY: Can you explain the inconsistency?

MR. ALVAREZ: I cannot.

MR. CRITCHLEY: Now, I'm referring again, Counsel, to page 174; a couple of questions.

Let me know when you get there, please.

MR. ALVAREZ: Yes, we're here.

MR. CRITCHLEY: Question by Assemblywoman Pintor Marin, "Who told you that Mr. Alvarez was going to be the SDA's Chief of Staff?"

Mr. Lozano, "Mr. Alvarez."

The question I have is, did you tell Mr. Lozano that you were going to be the Chief of Staff of the SDA?

MR. ALVAREZ: That is not my recollection of the conversation; no.

MR. CRITCHLEY: Again, another inconsistency.

Under oath, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Mr. Lozano's version is different from your version, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Under oath.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Now, it was followed up-- Assemblywoman Pintor Marin, "So how did Mr. Alvarez find out that he was going to be the Chief of Staff? Do you know? Did he tell you who told him?"

Answer, on page 175, "He did not tell me." And then, there's some -- "He did not tell me." And Counsel, I'd just go to-- "I would defer that question to Mr. Cammarano and Mr. Platkin."

Now, I guess the question I have -- and I'll ask a few more questions -- is, you assume a position as Chief of Staff of one of the most

important agencies in the State of New Jersey, overseeing \$11 billion to \$12 billion in construction projects, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: You have indicated that in the past you've worked in various positions -- New Way for New Jersey, when someone hired you; the Campaign, someone hired you, and you testified; the Transition, someone hired you, and you testified -- now the question I have is, who hired you to be Chief of Staff of the SDA at \$140,000 a year?

MR. ALVAREZ: So again, those conversations began during the Transition. I expressed my interest in working at the SDA, first as, potentially, the CEO; and then, eventually, as the Chief of Staff, when I was made aware that the CEO position was not available to me. And I was told by Mr. Lozano that if I was interested in the SDA position I needed to sit and meet with Mr. McKenna -- Charlie Mr. McKenna, who was then the CEO.

MR. CRITCHLEY: Well, Mr. McKenna has testified under oath that he didn't hire you.

MR. ALVAREZ: I don't know how that's accurate, in the sense that, typically speaking, the agency is *in*, but not *of*. It's part of the Treasury. So I do know that, factually, I received a letter from the Transition Office -- from the Director of Personnel, my immediate supervisor, Lynn Haynes -- giving me the title and the position. So, technically, speaking, that was the letter of employment.

But all of my conversations with Mr. McKenna were about what I needed to do to become part of the online payroll, parking -- all the things -- all of my transition into the SDA was through Mr. McKenna.

MR. CRITCHLEY: Those are the details once you're hired -- correct? -- where you're going to sit, where your desk is, where your office is, your parking--

MR. ALVAREZ: My responsibilities; I'm sorry.

MR. CRITCHLEY: Yes, your responsibilities. That's after you're hired.

Now, before you get to those types of considerations, someone has to hire you. Who hired you?

MR. ALVAREZ: I mean, again, my official employment letter, offering me the position, and giving me the title, and my salary, was set by the Transition Office in a letter I received from Lynn Haynes.

MR. CRITCHLEY: Yes, well, Lynn Haynes has testified -- and we have the letter right here; and we could show it to you, and I will -- she basically said that the letter you received was a form letter, not signed by her, but by auto pen. And she testified that the only people, since she was-- Well, first of all, what position did Lynn Haynes hold?

MR. ALVAREZ: Director of Personnel for the Transition.

MR. CRITCHLEY: She was your boss, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: She said the only people who had the authority to hire you would have been Mr. Platkin, Mr. Cammarano, and Mr. Lozano. She didn't have the authority to hire you; that's what she testified to under oath, correct?

MR. ALVAREZ: Okay.

MR. CRITCHLEY: Now, of those three, who hired you?

MR. ALVAREZ: I couldn't tell you.

MR. CRITCHLEY: You just assumed a position?

MR. ALVAREZ: I spoke to all of those individuals about my interest in this job. No one ever told me that I was not qualified, or that I should not seek that position.

I was, again, told that if I wanted that position to meet with Mr. McKenna. Eventually, I received a letter saying that I was getting that job.

MR. CRITCHLEY: I understand all that; that's all the lead-up: you're qualified, you're interested. But then somebody has to say, "You're hired." Who said, "You're hired"?

MR. ALVAREZ: I never-- So to answer your question, I never had a conversation with Mr. Cammarano where he sat me down and interviewed me, and said, "If you want the job of Chief of Staff, you're hired." I never had that conversation with him; I never had that conversation with Mr. Lozano. No one ever said to me, "You're hired."

I expressed to them my interest; I would agree with Ms. Haynes' testimony that, ultimately, the powers that be in those conversations-- And that's why I was having those conversations with Mr. Cammarano and Mr. Lozano, in the sense that if there was an obstacle in obtaining that position, they would have made me aware.

MR. CRITCHLEY: Would you agree that's an unusual way for one to assume a position of such importance -- just no one hiring you; you just showing up one day and saying, "Okay, I'm the Chief of Staff."

That's a little unusual, would you agree?

MR. ALVAREZ: I would; I would agree that it's unusual in most settings. I would disagree with the characterization that it's unusual

in this setting -- Transition -- because this is not my first Transition. I was part of the Transition, in 2005-2006, for then-Governor Corzine. And again, I was a much junior person at that time, but I received my first job, as a Policy Advisor, for the Governor. And I couldn't even tell you exactly who, necessarily, offered me the job. It was a lot of informal conversations between members of the staff and senior leadership.

MR. CRITCHLEY: I understand that; I understand that.

But in talking about your other positions-- For example, at the Campaign, somebody hired you, right? Correct?

MR. ALVAREZ: Correct, yes.

MR. CRITCHLEY: For the Transition, somebody hired you. You just didn't show up one day and say, "I'm working for the Transition," did you?

MR. ALVAREZ: No.

MR. CRITCHLEY: Now, for the position of Chief of Staff, your testimony, basically, is that -- as I could hear it -- no one hired you. You just assumed the position.

MR. ALVAREZ: I don't know that I would characterize it that way.

MR. CRITCHLEY: Okay.

MR. ALVAREZ: I would respectfully disagree with that characterization.

MR. CRITCHLEY: Okay; then who hired you?

MR. ALVAREZ: I can't tell you that I know who, specifically, said, "You're hired." I can just tell you that I know that I expressed my interest there, and no one objected to me going there.

MR. CRITCHLEY: Now, did you fill out an employment application with the SDA?

MR. ALVAREZ: With the SDA specifically?

MR. CRITCHLEY: Yes.

MR. ALVAREZ: I don't recall that. I do recall that during the Transition, I did have to fill out some forms, mostly for background check purposes. There were forms that had to be filled out. I don't recall if they specifically required me to disclose where I was looking to work; but I had to provide personal information.

MR. CRITCHLEY: Well, when you go to work at an agency, such as the SDA, do they have a Human Resources Department?

MR. ALVAREZ: They do.

MR. CRITCHLEY: Who was the Director of the Human Resources Department?

MR. ALVAREZ: At the SDA?

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: At the SDA?

MR. CRITCHLEY: Yes.

MR. ALVAREZ: Maribell Osnayo-Lytle is her name.

MR. CRITCHLEY: Are there policies and procedures within the HR Department dealing with hiring personnel at the SDA?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Are there applications for people to get hired at the SDA?

MR. ALVAREZ: Generally speaking, depending on the position, yes.

MR. CRITCHLEY: Did you have to do any process with Human Resources at the SDA for your position?

MR. ALVAREZ: Yes, I did. I did have to submit a résumé and personal identification information -- Social Security number, other personal information like that.

MR. CRITCHLEY: Okay, so now you had a lot of talk with people; you had a talk with Cammarano, and you had a talk with Lozano about you wanting to go there; you wind up there. We have a link in that chain missing, and the link is a rather important link -- as to who hired you.

Now, how did you know what day to start? How did you know-- “Well, I’m going to go to work, but I’m not going to start until February, or March, or June.”

MR. ALVAREZ: As I mentioned before, I was instructed to meet with Mr. McKenna. He and I met at the Starbucks here in Trenton, a week to two weeks, maybe, before the Inauguration. And at that time he explained to me the position, what was expected of me; and we talked then about when I could begin working. And we agreed that I would start immediately after the Inauguration.

MR. CRITCHLEY: Now-- And again, the salary -- who established the salary?

MR. ALVAREZ: So again, it was unclear to me, at the time, what the salary was. So I inquired--

MR. CRITCHLEY: Unclear at what time?

MR. ALVAREZ: When I first-- After the conversation with Mr. Lozano advising me that the Chief of Staff position was available at SDA, I could not determine -- I could not find what the salary range was.

So I inquired, and I spoke to Mr. McKenna; and I believe he instructed me that it was in the \$140s. I believe the last person who was there was making that salary. And then I just went and had a further conversation with Mr. Lozano to confirm if, in fact, that was the case, or it potentially could be higher.

MR. CRITCHLEY: Because, I mean, Lynn Haynes, when she gave her testimony, she said, "I remember that Mr. Lozano provided me with Mr. Alvarez's salary information because the Operations Team did not have access to the information."

Is that accurate?

MR. ALVAREZ: I'm not sure I follow you.

MR. CRITCHLEY: Well, I mean, they're basically saying no one knew what the salary was going to be; and Mr. Lozano provided the salary.

MR. ALVAREZ: Again, my only understanding was that once I was told it was in the \$140s, that there was some wiggle room, I guess, there, in the \$140s. I was told this by Mr. McKenna. I went to confirm that with Mr. Lozano. At that point, he advised me that Chiefs of Staff were not going to make more than the Governor's Chief of Staff. So my salary would be established at \$140, specifically.

MR. CRITCHLEY: Okay; let me just read a couple of things, by Mr. Lozano again, please.

In terms of who had the authority to sign off on jobs-- I'm directing Counsel to page 188.

MS. BIANCAMANO: Thank you.

MR. CRITCHLEY: Now, where Mr. Lozano is testifying, Counsel, I'm not going to read the whole thing; just the -- where it begins, Mr. Lozano's testimony -- the sentence that begins towards the end, "There were a variety of individuals who could have, and had the authority to, sign off on an individual to be hired upon Inauguration Day."

Are you with me, Counsel?

MS. BIANCAMANO: Yes.

MR. CRITCHLEY: Okay; I'll repeat that.

"There were a variety of individuals who could have, and had the authority to, sign off on an individual to be hired upon Inauguration Day."

Senator Weinberg, "Did you know the names of the group of individuals who had the sign-off authority?"

Answer, "The majority of the final signoffs funneled either through Mr. Cammarano or Mr. Platkin."

And then it goes to the next page, 192, please.

Let me know when you get there, Counsel.

MS. BIANCAMANO: We're here.

MR. CRITCHLEY: The bottom line -- Senator Weinberg-- Senator, you ask a lot of good questions.

SENATOR WEINBERG: Thank you; I've had a lot of experience.

MR. CRITCHLEY: Question, "And did you think of checking with anybody further -- with the Campaign Counsel, or with the Chief of Staff, or with the person who is about to become Chief Counsel -- that,

'Hey, you've got somebody coming to work here next Wednesday who has been accused of sexual assault'?"

This is what Mr. Lozano said, "I don't recall having a conversation with Mr. Cammarano or Mr. Platkin about it. But it was a safe assumption that they had approved it, or one or the other had approved his employment into the SDA."

So now, here's the confusion I have.

You're having conversations with Mr. Lozano and Mr. Cammarano about you working at the SDA and loving to work at the Chief of Staff position. Now, Mr. Lozano is the Executive Director of the Transition. He's basically saying, "Not me; I don't have any involvement with it. It's a safe assumption that Mr. Cammarano or Mr. Platkin knew about it; and it's a safe assumption that his employment into the SDA was approved by either one of them."

Do you agree that the "either one of them," meaning Mr. Cammarano or Platkin, would have to hire you, as per Mr. Lozano's statement?

MR. ALVAREZ: Yes, I completely agree with that characterization; yes.

MR. CRITCHLEY: Okay. So you agree that-- Well, let me just see-- What do you agree with?

MR. ALVAREZ: I agree with the characterization, which is the reason why I was having those conversations with Mr. Cammarano about my interest at the SDA; that ultimately I would not have been able to get that position had they had an objection; meaning, essentially, they needed to sign off and be okay with me going there.

MR. CRITCHLEY: It was your understanding that they signed off -- meaning they, Mr. Cammarano, Platkin, and Lozano signed off on you going to the SDA?

MR. ALVAREZ: I cannot speak specifically to Mr. Platkin; I never had a conversation with Mr. Platkin about my interest at the SDA. He was never involved in that. And I can only speak to my conversation with Mr. Cammarano, who was aware of my interest to go there and never objected to it; never questioned my credentials or credibility to go there.

I would say, though, that as part of my role as the Deputy Director for Personnel, it was our understanding -- working in Personnel and making recommendations based on the résumés we were getting, and we put these résumés in binders so you would have a binder for SDA résumés of people who wanted to work there -- all of that information had to pass through Mr. Cammarano or Mr. Platkin, or Mr. Lozano; that those recommendations would not get approved as coming from the Transition Office if they did not sign off.

MR. CRITCHLEY: Okay. Do you agree with Mr. Lozano's statement that it is a safe assumption that either one of those two -- meaning Platkin or Mr. Cammarano -- approved your employment at the SDA?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: So, I mean, we're making progress.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: We're making progress.

Now, at page 182, Counsel; I'm where it says "Assemblywoman Pintor Marin" at the bottom.

MS. BIANCAMANO: Yes.

MR. CRITCHLEY: Okay. Assemblywoman Pintor Marin, “So moving forward to your conversation with Mr. McKenna.” For the record, this is a conversation that Mr. Lozano is talking about. “So moving forward to your conversation with Mr. McKenna. You introduced him” -- meaning you -- “and then you stepped away from the process, correct?”

Answer, “Correct, yes.”

“And after that point, did you have any more involvement with Mr. Alvarez?”

Mr. Lozano, “No.”

Is that an accurate statement?

MR. ALVAREZ: Yes; I would say yes.

I think the only other follow-up was just confirming my salary, getting the confirmation that it wasn't going to go higher than \$140. But, essentially, yes. Once I met with Mr. McKenna, it seemed like that was the end of the conversation about my working there.

MR. CRITCHLEY: Okay, but you made an important distinction there. You said, “Yes, but I did have a conversation with Mr. Lozano about salaries after that,” correct?

MR. ALVAREZ: That is correct, yes. That is correct.

MR. CRITCHLEY: And Mr. Lozano said he never had that conversation with you, correct?

MR. ALVAREZ: Yes, that's correct.

MR. CRITCHLEY: And now you're saying you had a conversation with him afterwards; and he's saying, under oath, that after he

introduced you to Mr. McKenna, he never had any involvement with you. So that's another contradiction between the two of you, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Can you explain the contradictions?

MR. ALVAREZ: I cannot.

MR. CRITCHLEY: Okay, now you were called to a meeting with Mr. Cammarano on March 26, 2018, to go to his office, correct?

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: And did you know when you were called to Mr. Cammarano's office what the purpose of the meeting was?

MR. ALVAREZ: No, I did not.

MR. CRITCHLEY: Now, have you read Mr. Cammarano's testimony regarding his recollection of what took place during that meeting?

MR. ALVAREZ: I'm familiar with his testimony. As we sit here, I cannot say that I read it verbatim, line-by-line. But I am generally familiar with the tenor and the summary of his testimony.

MR. CRITCHLEY: Do you generally agree with the summary and tenor of his testimony?

MR. ALVAREZ: I think there are some differences in our--

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: I think there are some differences in our version of the conversation that we had.

MR. CRITCHLEY: Okay; let me find, if I can, Mr. Cammarano's testimony.

Just bear with me one second.

(confers with staff)

Bear with me one second, please.

Well, let me ask you questions generally.

Now, what is it that you disagree with Mr. Cammarano's statement, in terms of his testimony, regarding the March 26 meeting?

MR. ALVAREZ: Can you direct us to exactly where you're referring to? Because that would help.

MR. CRITCHLEY: I know -- once I get it right here--

Well, when you went to the meeting, what was your understanding of the purpose of the meeting?

MR. ALVAREZ: I was not aware. I was called to meet with him; and I assumed, on my own, that it was, essentially, maybe, an SDA-related matter, but I had no idea why he was calling me there.

MR. CRITCHLEY: Well, Mr. Cammarano has testified that in his career as Chief of Staff there were only two times that he had to call someone into his office to basically tell them to leave State government. he did not identify the other person, but he did identify you. And basically what he said was, he told you in no uncertain terms, very clearly, on March 26, 2018, that you should leave State government.

Did he tell you that on March 26, 2018?

MR. ALVAREZ: He did advise me at that meeting that he was aware of the allegation that was made against me. Immediately I advised him that I had been investigated, and no charges have been filed against me. He stopped me at that point and told me he didn't want to go into the details. He was aware of them, but the point of the conversation was not to discuss what had allegedly happened, but it was just to make sure that I was

informed; that I was advised that he knew about the allegations made against me, and the allegation would make my continued tenure in State government untenable.

MR. CRITCHLEY: Did he tell you to leave State government?

MR. ALVAREZ: He told me I should consider it.

MR. CRITCHLEY: Okay; this is what he-- And did you understand that you should leave State government?

MR. ALVAREZ: I came away feeling that he was making it clear he would prefer that I leave State government.

MR. CRITCHLEY: He would *prefer*.

His testimony, as you understand it, is a little different.

He basically said-- And this is, Counsel -- I'm referring now to page 215.

Let me know when you get there.

MR. ALVAREZ: We're there.

MR. CRITCHLEY: You're there?

MR. ALVAREZ: Yes.

MS. BIANCAMANO: Yes.

MR. CRITCHLEY: He says, regarding his meeting with you, "I thought my language to Mr. Alvarez, on March 26, was pretty clear. And those of us who have been in Trenton for a long time do understand that when the Chief of Staff tells you, 'You need to look for employment outside of State government,' the message is clear. And judging from his reaction at the time, and his conversation back and forth, he understood what I was saying."

Now, if you go down to the bottom of that page, Counsel--

MS. BIANCAMANO: I'm sorry, Counsel.

Can you advise me as to the page? Was it 215; I don't believe that's--

MR. CRITCHLEY: I'm sorry?

MS. BIANCAMANO: Was it 215? I don't believe that's correct.

MR. CRITCHLEY: I have page 215.

MS. BIANCAMANO: We have Mr. Lozano's testimony--

MR. CRITCHLEY: Okay; we got it. This is the testimony of December 18, 2018.

MS. BIANCAMANO: We have it.

MR. CRITCHLEY: Okay; let me know-- Are you ready, Counsel?

MR. ALVAREZ: Ready.

MR. CRITCHLEY: Mr. Cammarano, "I thought my language to Mr. Alvarez, on March 26, was pretty clear. And those of us who have been in Trenton for a long time do understand that when the Chief of Staff tells you, 'You need to look for employment outside of State government,' the message is clear. And judging from his reaction at the time, and his conversation back and forth, he understood what I was saying."

And down at the bottom, please, Counsel, 216.

"Was it really clear that he should -- that he was being asked to leave?"

Mr. Cammarano, "On the day that I met with him, it was pretty clear."

Page 217; Mr. Cammarano, "It was clear on the day that I met with him."

"What day was that?"

"On March 26."

"So March until October; so that's seven months later. Is that really -- was it really clear?"

Mr. Cammarano, "What I was saying to him was very clear."

Now, were you clearly informed, as of March 26, that you should leave State government?

MR. ALVAREZ: I think that Mr. Cammarano and I do have a disagreement; and reasonable people can interpret the intent of a meeting in different ways.

I interpreted that meeting as him advising me that he was aware of these allegations made against me; that the allegations would make it very difficult for me to continue in my employment. I advised Mr. Cammarano that I believed the accusations were false, and informed him that I had already been investigated and that no charges were filed.

He advised me that he knew and was aware of that. I advised him that I thought that if these accusations were going to be pursued and there was going to be some kind of investigation, I wanted to be able to present my side of the story. And he advised me that if there was going to be some sort of investigation that I would have that opportunity.

But then again, he referred to the fact that the allegations, in and of themselves, made it a poor reflection on the Administration.

MR. CRITCHLEY: So as I understand it, what you're saying is that he never made it clear that you had to leave State government.

MR. ALVAREZ: Correct.

MR. CRITCHLEY: So another inconsistency, under oath, between your version and Mr. Cammarano's version, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Can you explain that inconsistency?

MR. ALVAREZ: We have a disagreement as to the intent of that meeting.

MR. CRITCHLEY: Because as of March 26, you had only been an employee of the SDA for 10 weeks, correct?

MR. ALVAREZ: Yes, that is correct.

MR. CRITCHLEY: And you had devoted almost two years of your life to see that Mr. Murphy, Philip Murphy, became Governor, correct?

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: And I assume if he had told you to leave State government, you would have contacted somebody after leaving that meeting as to, "Why do I have to leave State government?"

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Did you ask anybody after that meeting on March 26 if you had to leave State government?

MR. ALVAREZ: No.

MR. CRITCHLEY: Did you make any efforts to leave State government between March 26, 2018 and June 7, 2018?

MR. ALVAREZ: No.

MR. CRITCHLEY: So as you understood it, it would be difficult; but no one told you, you could (*sic*) leave, as a matter of fact, correct?

MR. ALVAREZ: I'm sorry, could you repeat that?

MR. CRITCHLEY: No one told you, you *must* leave.

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: As a matter of fact, they told you, in essence, implicitly, you could stay.

MR. ALVAREZ: I wouldn't characterize it that way. But I would say that it was made clear to me they wanted me to leave. They were, at that point, though-- I never took it as I was being forced to leave, I was being terminated. I did not get the impression that -- I wasn't given a specific date, "You're terminated as of--" "If you don't resign by such a date, you will be fired." Those conversations did not happen until June.

MR. CRITCHLEY: Okay. So the first time you were given that you *had* to leave was in June.

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: And if you were under the impression, as of March 26, 2018, that Mr. Cammarano was telling you that you had to leave State government as Chief of Staff of the SDA after only 10 weeks, you would have made some effort to talk to somebody about that in the Administration, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: So implicitly you understood you could stay.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: That's completely contradictory to what Mr. Cammarano says.

MR. ALVAREZ: Okay.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: Okay.

MR. CRITCHLEY: And Mr. Cammarano basically says that the reason he told you that you basically have to leave State government-- On page 75-- I don't even know what date this is; Counsel, I'll give you a copy of mine.

Bear with me; I promise you, I'll read it accurately.

MS. BIANCAMANO: Thank you.

MR. CRITCHLEY: This is page 75.

Mr. Cammarano, "As I stated earlier, the accusation was serious enough where I didn't think we wanted to have someone in the Administration with that in their background."

So now he puts an exclamation point; he's not only saying he told you on March 26 you had to go, but he also told us, under oath, the reason he made it clear to you that you had to leave on March 26.

But you disagree with that, correct?

MR. ALVAREZ: I don't disagree that he told me the reason why he thought I should leave. No, I don't disagree with that.

MR. CRITCHLEY: But he never told you to leave.

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: He never made it clear to you that you had to leave.

MR. ALVAREZ: That is correct. I would say that just -- that last statement you just said, I think we can agree to that.

MR. CRITCHLEY: And he never--

MR. ALVAREZ: He did not make it clear to me, at that meeting in March, that I had to leave.

MR. CRITCHLEY: Okay.

Now, we go, next, if I could-- That meeting on March 26 -- how long did it last?

MR. ALVAREZ: It felt like a lifetime; but I would honestly say it probably was only, maybe, 15 minutes long, 20 minutes long, if that. It wasn't a terribly long meeting, although it did feel that to me.

MR. CRITCHLEY: Did Mr. Cammarano ever tell you, in substance, that there would be an investigation regarding the allegations, and you would have a chance to present your side?

MR. ALVAREZ: No, I asked him if there would be an investigation; and, if so, would I have an opportunity to present my version of events and corroboration to support my version of events. And he told me that if there was an investigation, I would get that opportunity. But then he continued to harp on the fact that just a mere allegation -- these are not his words, but just how I characterize them -- was so salacious in its nature, that just the mere accusation was making it untenable for me to continue in State government.

MR. CRITCHLEY: Okay.

Now, the next event that you testified about was the June 7 meeting between yourself and Mr. McKenna--

MR. ALVAREZ: Yes.

MR. CRITCHLEY: --and then your subsequent telephone conversation with Mr. Platkin on June 7, correct?

MR. ALVAREZ: That is correct, yes.

MR. CRITCHLEY: Now, Mr. McKenna basically said -- and I'll read it. It's not much different from what you said. I just want to see if you agree with him.

"He was calm. He seemed to understand the situation, and I think he will begin to look. I told him that I was told if it became public it could get ugly and my hand would be forced, and it would not be a good situation, which could affect his ability to move forward. I suspect he gets it."

Did Mr. McKenna tell you that if you didn't leave, "it's going to get ugly"?

MR. ALVAREZ: Again, I agree with the characterization. I don't remember if he used those specific words, but the intent of what is relayed to this Committee through that testimony is 100 percent accurate.

MR. CRITCHLEY: Okay. Now, you're told in June, June 7, 2018, that you have to leave State government, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: But you don't leave.

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: Why didn't you leave?

MR. ALVAREZ: Immediately after speaking to Mr. McKenna, and advising him, as I said before, that I completely denied the allegations -- I believed they were false, that I wanted to speak to someone about this --

he advised me to speak to Mr. Platkin. He told me, essentially, it was out of his hands, that I ought to speak to Mr. Platkin.

So I did; and I called Mr. Platkin, went through the same conversation that I had with Mr. McKenna and that I had with Mr. Cammarano, where I advised him that I was denying the allegations; that they were false, that I had been investigated by the Hudson County Prosecutor's Office and that they had declined to charge me, and that I was not guilty and I wanted an opportunity to say my side of the events to see if I could keep my job.

He essentially advised me that that was not tenable, because of the nature--

MR. CRITCHLEY: Who's *he*?

MR. ALVAREZ: Mr. Platkin; I'm sorry, Mr. Platkin. In this conversation on the phone with Mr. Platkin, he advised me that my continued employment was not tenable; that the accusation, if it were to become public, would just make it too damaging for the Governor.

At that time, I then offered him that I would be willing to resign if, in fact, they would help me secure employment.

MR. CRITCHLEY: Secure what?

MR. ALVAREZ: Employment.

MR. CRITCHLEY: So they were offering you a conditional resignation?

MR. ALVAREZ: They didn't offer it to me; I offered it to them.

MR. CRITCHLEY: And they accepted?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: How often have you had a conditional resignation?

MR. ALVAREZ: Never.

MR. CRITCHLEY: It's kind of unusual, right?

MR. ALVAREZ: I would agree, yes.

MR. CRITCHLEY: Good. Because he's telling you, you have to -- meaning Mr. Platkin -- he's telling you, "You have to leave; it could be embarrassing to the Governor." And you're saying, "I'll leave under these conditions. I need time, and I need a job."

MR. ALVAREZ: Respectfully, sir, I would disagree with your characterization there of my response.

What I would say is that we were discussing this. He was making it clear he wanted me to leave; I was making it clear that I deny the allegation. I felt it was unfair for them to force me to leave. And that if I had to leave, I would only do so if they agreed to give me some time to find a job.

MR. CRITCHLEY: And--

MR. ALVAREZ: And that they would assist me.

MR. CRITCHLEY: Now, the assistance, I imagine, was kind of important to you.

MR. ALVAREZ: I'm sorry; can you say that again?

MR. CRITCHLEY: The assistance in getting employment, that Mr. Platkin offered to you was kind of important, correct?

MR. ALVAREZ: Honestly, no. The time frame -- giving me the additional time to look for a job; because I really did not believe they were going to help me.

MR. CRITCHLEY: Well, did you have any discussions with them about helping you?

MR. ALVAREZ: Besides that time, yes.

MR. CRITCHLEY: I'm sorry?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: When, next, did you have a discussion with Mr. Platkin about him helping you find a position?

MR. ALVAREZ: It was sometime in either July or August; and he did follow up with me with a phone call, just to see where--

MR. CRITCHLEY: Who's *he*?

MR. ALVAREZ: I'm sorry; Mr. Platkin.

Mr. Platkin called me, in approximately July or August, to find out the status of my job search.

MR. CRITCHLEY: And what did you tell him?

MR. ALVAREZ: I advised him that I had been actively looking; I further told him that I recently, at that point, had applied for a position at Rutgers. He asked me about the position; I told him about it. And he said, okay, and that was it.

MR. CRITCHLEY: You told him you had applied for a position at Rutgers, correct?

MR. ALVAREZ: Yes, sir; yes, sir.

MR. CRITCHLEY: What did you do to apply for a position at Rutgers?

MR. ALVAREZ: It was an online-- I was looking online. I found a position, and I just applied online for the position. It was a portal.

MR. CRITCHLEY: You actually submitted an application?

MR. ALVAREZ: I did, yes.

MR. CRITCHLEY: There's been testimony before this Committee that there has been no -- they could not find any application on your behalf for that--

MR. ALVAREZ: Yes, yes, I am aware of that.

MR. CRITCHLEY: That's wrong?

MR. ALVAREZ: That is wrong. Can I--

MR. CRITCHLEY: Sure.

MR. ALVAREZ: So I think there was a miscommunication; because when I did refer Mr. Platkin to the job that I was seeking, I don't know that he took down notes, or understood the job that I applied for. Because I did find out, subsequently -- I'm not sure if it was through Committee testimony here, or through an article -- that there was a discussion that they had, or maybe called Rutgers on my behalf -- or something to that effect -- to inquire if I had applied; and Rutgers said they didn't get anything for that position. But I did, in fact, get a rejection letter, if you want to call it that, from Rutgers. I was told that the position was no longer available. It was an automated message -- an e-mail -- from Rutgers.

So I just believe that when I conveyed the position that I was looking to apply to, that Mr. Platkin just got it wrong; that maybe he just didn't understand -- he assumed I applied for position *A*, when in fact I had applied for position *B*.

MR. CRITCHLEY: All right.

And did you have any other conversation with Mr. Platkin about him assisting you getting a job?

MR. ALVAREZ: No.

MR. CRITCHLEY: Just Rutgers?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: And what assistance did he say he'd offer you?

MR. ALVAREZ: He never defined it.

MR. CRITCHLEY: He never defined it, but he did say -- he offered you some assistance in getting a job at Rutgers?

MR. ALVAREZ: No.

MR. CRITCHLEY: Tell me what happened.

MR. ALVAREZ: He called me, asking me as to the status of my job search. I informed him that I applied recently to a job at Rutgers. He asked me what the position was, when did I apply, did I submit an application, and I told him all that information. He said, "Okay." He never said to me, "All right, I'm going to look into it," or, "I'm going to do something about it." He just took the information down.

I took that as, I think he's going to probably look into this; but he never said to me, "All right, I'm going to call somebody and look into it. I'm going to--" He didn't say.

MR. CRITCHLEY: Okay.

Now, during this period of time you're still Chief of Staff, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: You're still assuming your position and responsibilities, correct?

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: Now, there became a new CEO -- correct?  
-- of the SDA.

MR. ALVAREZ: That is correct, yes.

MR. CRITCHLEY: And who was that?

MR. ALVAREZ: Lizette Delgado-Polanco.

MR. CRITCHLEY: Did your responsibilities as Chief of Staff change from the time Mr. McKenna was there and was replaced by Ms. Lizette?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: How did your responsibilities change?

MR. ALVAREZ: Ms. Delgado-Polanco instituted a reorganization, a reshuffling. So there were some departments that previously did not fall under the Chief of Staff, that were then put under the Chief of Staff, and vice versus, with other senior vice presidents and other executive positions.

So reporting structure-wise, there were some changes.

MR. CRITCHLEY: So on August 20, thereabouts, you received the raise from \$140,000 -- a \$30,000 raise, to \$170,000--

MR. ALVAREZ: Correct, yes.

MR. CRITCHLEY: --which was a 21 percent increase in your salary.

MR. ALVAREZ: That is correct. And I believe I was not the only person to receive a raise. I think there were executive raises made.

MR. CRITCHLEY: Oh, we know that.

MR. ALVAREZ: Okay.

MR. CRITCHLEY: We know that.

And now you're making \$170,000, correct?

MR. ALVAREZ: That is correct, yes.

MR. CRITCHLEY: And you still have not left government.

MR. ALVAREZ: That is correct.

MR. CRITCHLEY: Not only you're not looking, you're getting raises, correct?

MR. ALVAREZ: Correct.

MR. CRITCHLEY: I guess when Mr. Platkin told you, you had to leave State government in June, he didn't give you a sense of urgency.

MR. ALVAREZ: I remember asking him how much time I would get, when I asked him if I would be given time -- how much time. And he just said, "The sooner the better."

MR. CRITCHLEY: Okay, now he told you that in June. July, that's two months; August, three months; September, four months. You're still there, correct?

MR. ALVAREZ: Yes, yes.

MR. CRITCHLEY: Did Mr. Platkin or Mr. Cammarano call you up and say, "Hey, you have to leave"?

MR. ALVAREZ: No.

MR. CRITCHLEY: And the only thing that caused you to leave was the article in the *Wall Street Journal* of October 2, correct?

MR. ALVAREZ: What caused me to leave was being told by Ms. Lizette Delgado-Polanco that she was instructed to advise me that if I did not resign immediately, I would be terminated.

MR. CRITCHLEY: Which she disagrees with.

MR. ALVAREZ: Which she disagrees with.

MR. CRITCHLEY: But that conversation -- whether your version is correct, or her version is correct -- was triggered by the October 2 *Wall Street Journal* article, correct?

MR. ALVAREZ: That is-- Yes, correct.

MR. CRITCHLEY: And but for that article, you'd be working October 3, 4, 5 -- or whenever you got a job, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: And no urgency about you leaving?

MR. ALVAREZ: I guess no.

MR. CRITCHLEY: Did Mr. Platkin, between June 7, 2018 and October 2, 2018, call you up and say, "Hey, Al, I told you on June 7 you have to go. You have to go."

Did he ever say that to you?

MR. ALVAREZ: No.

MR. CRITCHLEY: Do you find that unusual?

MR. ALVAREZ: No.

MR. CRITCHLEY: Okay.

Now, we've had testimony about efforts to give you a job -- assist you in a job at Rutgers. And we have -- and I will give Counsel a copy--

SENATOR WEINBERG: I think we have a general consensus here that it might be time to take a break of about half-hour.

Okay with you?

MR. ALVAREZ: Yes.

MS. BIANCAMANO: Yes.

SENATOR WEINBERG: Thank you.

MS. BIANCAMANO: Thank you.

MR. ALVAREZ: Thank you.

**(Committee recesses)**

**(Committee reconvenes)**

SENATOR WEINBERG: Please proceed.

MR. CRITCHLEY: I just want to follow up on a couple of questions, if I could, Mr. Alvarez, please.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Just for clarification, I know-- When I asked you about your prior history working for Governor Murphy -- I'm referring now to one of the filings you made when you were on the Lottery Commission, I believe.

In it you indicated that in addition to New Way for New Jersey, you put down, "Philip D. Murphy, October 1, 2015 through the present." Did you work for Governor Murphy in a private capacity in addition to New Way for New Jersey?

MR. ALVAREZ: Yes. Essentially, when I was hired for New Way for New Jersey, simultaneous to that hiring I was also hired by then-Ambassador Murphy. And a distinction was made that because New Way for New Jersey -- the way it is was formulated, essentially because there's no candidate committees -- you know, sort of like what they have with the Presidential elections at the Federal level, where you can have exploratory committees -- excuse me, I think that's the right language -- there is not that available in New Jersey.

New Way for New Jersey was specific to issues. So when I was representing the Ambassador on issues, then that was in my capacity in working for New Way for New Jersey. But if there were going to be conversations about political issues, specifically his candidacy, then that would be something that would have to be covered through my employment of him directly. So there was a distinction that was made to me as to why I was basically being hired by both Mr. Murphy, as an individual, and also by New Way for New Jersey.

MR. CRITCHLEY: Your answer was worth more than the question was worth. (laughter)

All I wanted to do is clarify, because I know you just left it out of your list.

MR. ALVAREZ: Oh, I'm sorry; yes.

MR. CRITCHLEY: All I was trying to do is not-- Just for clarity, to make certain that it's clear. Because I know you made that filing.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: That's all that was for.

Now, when you were told you had to leave State government in June, did you have that conversation with anyone in Administration besides Mr. Platkin?

MR. ALVAREZ: I did not.

MR. CRITCHLEY: Did you attempt to reach the Governor?

MR. ALVAREZ: No.

MR. CRITCHLEY: Okay. Did you ever speak to the Governor about this?

MR. ALVAREZ: No.

MR. CRITCHLEY: When is the last time you spoke to the Governor?

MR. ALVAREZ: About anything in general?

MR. CRITCHLEY: About anything, yes.

MR. ALVAREZ: In person, or by phone, or--

MR. CRITCHLEY: Any way you want -- carrier pigeon.

MR. ALVAREZ: I can't remember the last time I spoke to him, to be honest with you. I think my last text conversation to him was informing him that the father of one of -- a supporter of his had passed away, just to give him a head's up. He replied, "Thank you."

MR. CRITCHLEY: Was that recently?

MR. ALVAREZ: No, all of this-- I've had no conversations with the Governor since I left State employment.

MR. CRITCHLEY: Right; so that's-- You have not spoken to him--

MR. ALVAREZ: So this must have been some time before then.

MR. CRITCHLEY: All right; and that's October 2018.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Now, did you discuss with anyone your testimony here today; besides your lawyers, obviously.

MR. ALVAREZ: Besides my attorneys? No.

MR. CRITCHLEY: Okay; no one from the Administration or anything like that?

MR. ALVAREZ: No, no one from the Administration.

MR. CRITCHLEY: Okay, good.

Now, if I can, can I just give you something, please?

And this is nothing you've drafted or anything like that. These are e-mails between Peter McDonough and-- About the job.

Okay, I'm referring you now to the first page. There has been testimony about text messages between Peter McDonough and conversations with Peter Cammarano.

Now, the text message I'm reading -- I'm going to read the bottom of the first page. It's from Pete McDonough, Thursday, August 16, 2018; to Nevin, N-E-V-I-N, Kessler. Subject: "Need a favor."

And just for the record again, Nevin Kessler is the President of the Rutgers University Foundation.

And it reads, "I got a call from the Governor's Chief of Staff about an applicant for the opening as Associate Vice President for Advancement Services, Posting Number 18ST2548. The applicant is Al Alvarez, the Chief of Staff at the State School Construction Authority (*sic*). I don't know him, and I'm not sure if he's got the qualifications. But we could have someone reach out to him to do some sort of a phone interview just to be responsive. There is not an expectation on their part that he gets hired, just that we give the guy a shot."

Now, you have, obviously, no information about this, in terms of drafting it. But clearly, the Administration, through Mr. Cammarano, contacted Rutgers in an effort to give you a shot at getting a job, fulfilling their understanding that they were going to assist you in finding employment, correct?

MR. ALVAREZ: It would appear so, yes.

MR. CRITCHLEY: Now, did you find it unusual that they were saying, in effect, as I read to you, that they wanted you to leave State government because of your background and the charges; yet at the same time, simultaneously, while they're asking you to leave the Governor's Office they're trying to assist you to get a job at Rutgers University, another State agency.

MR. ALVAREZ: I'm sorry; and your question is--

MR. CRITCHLEY: Did you find it unusual that they're saying to you, "You have to leave State government because it could be embarrassing to the Governor's Office," yet they're offering you assistance to get you a job in another State agency, Rutgers University?

MR. ALVAREZ: It's difficult for me to answer that question, because I was not aware of this e-mail at the time.

MR. CRITCHLEY: Not a--

MR. ALVAREZ: I did not-- I'm sorry; if you could just let me finish.

I was not aware of this; I had no expectation -- although they had told me they were going to assist me -- that they actually were going to. So I don't-- It's hard for me to answer that question.

MR. CRITCHLEY: Okay, because, I mean, obviously you don't-- But it seems unusual that if they're saying that you cannot stay in the Governor's Office because of these allegations, that they would try to seek employment on your behalf with Rutgers University. You don't have the comment; I'm just saying, to me it appears unusual.

Now, the Posting Number for the job -- when you talked to Matt Platkin about seeking a job at Rutgers, was it at, or about, August of 2018?

MR. ALVAREZ: I would say yes; yes, it was.

MR. CRITCHLEY: Now, did you give him the Posting Number, meaning Matt Platkin?

MR. ALVAREZ: I don't remember that. I remember just telling him the position that I applied for.

MR. CRITCHLEY: Now, I looked up the position for Associate Vice President for Advancement Services, Posting Number 18ST2548.

Could you take my representation, Counsel--

MS. BIANCAMANO: I do.

MR. CRITCHLEY: --that the salary for that position was \$170,000?

Did you know the salary range when you were trying for that position?

MR. ALVAREZ: I don't recall that I remember that, no.

MR. CRITCHLEY: Did you-- When you looked for a job, were you looking for a job that *a*) satisfied what you needed financially; and also fulfilled your qualifications, whatever you thought they were?

MR. ALVAREZ: Yes, sir, absolutely.

MR. CRITCHLEY: So did you know what the job paid when you sought an application to fill out, and did, in fact, fill out an application for that?

MR. ALVAREZ: I don't recall seeing the salary of \$170,000; I don't recall that at all. It certainly would have intrigued me; I certainly

would have applied for it, or it would have definitely been something I was interested in. But I don't recall knowing specifically that number.

MR. CRITCHLEY: Because at, or about, that time, the date of this e-mail -- text message, August 16; the date of your pay raise is four days later, where you're going from \$140,000 to \$170,000. You're getting a \$30,000 raise.

MR. ALVAREZ: Yes.

MR. CRITCHLEY: That's what -- an almost \$600 a week increase in your salary correct?

MR. ALVAREZ: Yes, correct.

MR. CRITCHLEY: And simultaneously-- Thank you very much. (laughter)

Simultaneously, you're seeking a job that pays approximately \$170,000 in the State. Was the raise given to you to assist you elevating your salary so that if you moved laterally, you would move to a position that paid what you were making at the time, \$170,000?

MR. ALVAREZ: No, I'm not aware. If that was a motive, I'm not aware that that was a motive.

MR. CRITCHLEY: Okay.

I have nothing further; thank you.

SENATOR WEINBERG: Mr. Hayden.

And if you need a break at any point, let us know.

MS. BIANCAMANO: Thank you.

MR. HAYDEN (Special Counsel): Good afternoon, Mr. Alvarez.

MR. ALVAREZ: Good afternoon

MR. HAYDEN: Good afternoon, Counsel.

MS. BIANCAMANO: Good afternoon.

MR. HAYDEN: And it is a long afternoon. You're the witness; if you need to talk to Counsel, if you need a break, if you need water-- We certainly have afforded those courtesies to every witness; we're going to afford them to you.

You made an opening statement, which every witnesses has had a right to give; and just about every witness has made. And Mr. Critchley made some remarks afterwards.

You're aware that the ground rules that we worked out with Counsel is that there will be no questions asked during the course of this proceeding in connection with the criminal justice system, or matters which were in the criminal justice system.

MR. ALVAREZ: Yes.

MR. HAYDEN: And we will honor that commitment, and that's partially because the mandate of this Committee is not to find facts and not to render an opinion as to what happened; but to issue a report as to findings, and make recommendations on potential improvements to create meaningful policy changes, including possible recommendations regarding eligibility and screening for public sector employees, including senior level employees.

And we're here, and we asked you here, to talk with us about the employment situation so that we can look forward, and issue our report, and make policy recommendations.

You understand that?

MR. ALVAREZ: I do.

MR. HAYDEN: I'm going to ask you questions along the same line as to the employment situation, on a kind of timeline basis. And maybe, going through the timeline, could be somewhat -- some help, in terms of what we ultimately decide upon.

By the way sir, you are an attorney, admitted to practice law?

MR. ALVAREZ: I am.

MR. HAYDEN: And when were you admitted?

MR. ALVAREZ: In 2001.

MR. HAYDEN: In 2000?

MR. ALVAREZ: In 2001.

MR. HAYDEN: In 2001.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And you joined the Murphy Campaign when?

MR. ALVAREZ: My first employment with then-Ambassador Murphy would have been in October of 2016 (*sic*). As Mr. Critchley pointed out, I was working at that time for New Way for New Jersey, and for Ambassador Murphy directly.

MR. HAYDEN: Okay; but the actual campaign for Governor--

MR. ALVAREZ: The actual campaign for Governor did not kick off or become formal, a formal entity, until May of 2016.

MR. HAYDEN: And you were a paid member of the Campaign staff.

MR. ALVAREZ: That is correct, yes.

MR. HAYDEN: And I take it that your hope and expectation was if Ambassador Murphy was elected and the Campaign was successful, that you might find an appropriate job in the new Administration.

MR. ALVAREZ: Yes.

MR. HAYDEN: That's one of the reasons that people work on campaigns. They believe in the candidate, and they're hopeful that there could be a position consistent with their skill set.

MR. ALVAREZ: Correct.

MR. HAYDEN: And after the election, there was a Transition Committee put together. Most of the members on the Transition were volunteers, but there were a certain number of paid employees, were there not?

MR. ALVAREZ: Yes.

MR. HAYDEN: Do you know how many paid employees there were?

MR. ALVAREZ: At the height of the Campaign?

MR. HAYDEN: No, at the height of Transition.

MR. ALVAREZ: Oh, I'm sorry. At the height of the Transition -- how many full-time employees the Transition Office had?

MR. HAYDEN: Yes.

MR. ALVAREZ: Is that correct? I would hazard -- approximately 30, but I'm guessing; I don't know.

MR. HAYDEN: Approximately 30.

And by the way, did you in any way lobby for that position; ask somebody that -- to make sure you were on the Transition Committee, and a paid employee on the Transition Committee?

MR. ALVAREZ: My recollection is that the Transition opportunity came up very, very organically about a week before the election. There were some conversations that were had in the Campaign,

advising people that there was going to be a Transition -- obviously assuming the Governor was to win -- and to be prepared to talk to people about that, if you were interested, to at least express interest. So I did express interest in wanting to work for the Transition.

And then, I would say, about a day or two after the election-- So the election was a Tuesday; I would say, maybe that Thursday I was approached by Mr. Lozano. We were at a Campaign celebration, if you want to call it that; Thursday morning post-election meeting. And Mr. Lozano attended that meeting to talk about the Transition. And then, at that point, I was offered employment at the Transition.

MR. HAYDEN: Who did you first express any interest in being a paid Transition member to?

MR. ALVAREZ: To Mr. Gill, Brendan Gill.

MR. HAYDEN: And Brendan Gill was also the Campaign Manager?

MR. ALVAREZ: That is correct; yes, sir.

MR. HAYDEN: And you received a letter on November 22 2017, indicating that you would be a project specialist with an annual salary of \$100,000. Do you remember that letter?

MR. ALVAREZ: Yes.

MR. HAYDEN: But you remember that the decision-maker, in terms of you being appointed to the Transition Team, was Mr. Lozano, who personally told you you were going to have that job?

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And tell us, briefly, what your role was in that Transition period, post-election, to the Governor's swearing-in at the Inauguration.

MR. ALVAREZ: My title was Deputy Director for Personnel, and my primary responsibility was overseeing the thousands of résumés that we were getting through this portal, that was available online, for prospective applicants who wanted to apply for a position in State government.

So, essentially, what was done is -- we created binders; we would identify each and every department or agency in State government. We looked at organizational charts, identified what we thought were the most senior positions and important positions that would need to be filled straightaway after the election; and then the job was to identify people who had requested to want to be considered for a job there.

So I'll just throw an example -- Department of Transportation. We would put together a binder of Department of Transportation résumés, meaning people who expressed interest in working at the Department of Transportation. And then within that, our job was to look and make sure that the recommendations of the résumés we were putting in there were people who had qualifications. That if, in fact, those decision-makers wanted to hire them, you know, it would make sense to do so.

MR. HAYDEN: We've had testimony from the Counsel, to the Transition and also Mr. Cammarano -- which was alluded to during his questioning of you -- that a decision was made on or after December 1 to limit your responsibilities in connection with the Transition. Nobody said it was made in your presence. But that is the testimony we're working with.

And my question is, did anybody say anything or do anything which led you to believe that your duties on the Transition were in any way limited?

MR. ALVAREZ: No.

MR. HAYDEN: So as far as you know, there was no operative effect; there was no order or limitation put on your duties. And you went on, after December 1, the way you'd been doing before December 1.

MR. ALVAREZ: That is correct.

MR. HAYDEN: Now, one of the people who you worked with -- and I believe she was your direct superior -- was Lynn Haynes.

MR. ALVAREZ: Correct.

MR. HAYDEN: You were in the same office with her.

MR. ALVAREZ: Yes.

MR. HAYDEN: And when she was here, she was asked and testified about how you were hired; what happened with that. And she indicated that the first day when you saw each other, "I did inquire what he planned for post-Transition. And he said he wasn't sure; he'd figure it out. He was going to look at some things, but he wasn't sure what he wanted to do."

You remember having somewhat of a conversation like that with Ms. Haynes?

MR. ALVAREZ: Did she give a time reference as to when that took place originally?

MR. HAYDEN: The first day.

MR. ALVAREZ: Yes; then, yes, I would--

MR. HAYDEN: A natural thing, people-- “What do you want to do? What do you want to do?” That’s certainly a natural question.

You worked in the same office.

MR. ALVAREZ: That is correct. Yes, we shared an office.

MR. HAYDEN: And ultimately she said, “On the last day of the Transition, I asked what he was doing post-Transition; and he said, ‘They’re sending me over to the SDA to be the Chief of Staff,’ and I congratulated him.”

Did you also tell her on the last day that “They’re sending me over to the SDA”?

MR. ALVAREZ: I don’t remember that specific conversation. I don’t remember-- I don’t remember that specific conversation. I don’t know that I would have used those terms in that way. So I don’t remember that conversation.

MR. HAYDEN: Let’s try to go through, kind of, the events in terms of the hiring.

I believe, on or about December 4 or 5 you sent your résumé to a David Miller.

MR. ALVAREZ: Yes.

MR. HAYDEN: And that would have been a general résumé, would it not?

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And the thrust of my questions, Mr. Alvarez, is no surprise -- is I’d like to explore when it was you decided what position you were going to ask for -- and anybody has a right to ask for it -- and who you talked to--

MR. ALVAREZ: Yes.

MR. HAYDEN: --in terms of making a decision in terms of where you would like to go. Whether or not you got it, of course, is a different situation.

When you first sent your résumé over on September 4, had you made up your mind as to what you wanted to ask for, or were you just trying to get a résumé in?

MR. ALVAREZ: I believe it was the latter. I don't believe I had my mind made up at that point.

MR. HAYDEN: That would have been early on in the Transition.

MR. ALVAREZ: Correct, yes.

MR. HAYDEN: Now, there is also a document, which is the Transition Employment Screening Questionnaire. Do you remember filling that out?

MR. ALVAREZ: Yes.

MR. HAYDEN: And that was dated January 2, 2018; so that would be almost four weeks later.

MR. ALVAREZ: Yes.

MR. HAYDEN: And on that document you indicated "Position applied for: CEO." And "Bureau/Agency: SDA."

So how was it that you made the decision between just sending your résumé in; and January 2, that you wanted the CEO position at the SDA? What was your thought process?

MR. ALVAREZ: As I stated earlier, immediately upon getting to the Transition Office, there were conversations that were had with Mr.

Cammarano and with Mr. Lozano, about encouraging employees to think about where they wanted to go.

So in the early stages, I don't remember exactly knowing that I had a particular preference. I did make it clear, and I was adamant about one thing -- that I wanted to go into an Agency, as opposed to going into the Governor's Office or a Department. I was very specific that I preferred going into an Agency, if possible.

And so then it would happen that subsequent to those early conversations, I started doing research about the various Agencies. I started looking into what was available, what the possibilities were. And I naturally gravitated towards the SDA, because I was just genuinely intrigued by the work that they do. And then that's when I thought I would, maybe, apply for CEO. I had conversations then, subsequent to that, with Mr. Cammarano and Mr. Lozano. And then I was told that the CEO position was not available, but the Chief of Staff position was.

MR. HAYDEN: So you had initial general conversations with Cammarano and Lozano, encouraging you to apply and look for what you wanted to do. You then decided that the SDA might be an appropriate place to land; and the CEO -- which was a good salary, obviously; it was Mr. McKenna's position -- would be the top of the heap. And you told them that that would be what you were looking for, and they indicated that position was not available.

MR. ALVAREZ: Yes, correct.

MR. HAYDEN: At separate times, did both of them?

MR. ALVAREZ: No, I think, actually, that conversation was only with Mr. Lozano.

MR. HAYDEN: With Mr. Lozano -- that that position was unavailable.

MR. ALVAREZ: Correct.

MR. HAYDEN: Because, obviously, at some point in time, whether the question is who hired you or who was the decision-maker, you just don't walk into a job and start doing it; and you just don't get a salary without somebody signing off on the request, the qualifications, the background, and the competency.

So at the end of the day, there has to be a decision-maker; and as the CEO, Lozano told you, "That's not in the cards; it's not available."

MR. ALVAREZ: Correct; yes.

MR. HAYDEN: There came a point in time, I guess around the 9th or 10th, that the background check was done by the Transition and you got a green light. Remember being heard -- advised of that?

MR. ALVAREZ: Yes.

MR. HAYDEN: And I guess-- Who did the background check?

MR. ALVAREZ: My understanding is that the Transition had retained Counsel; so it was law firms that were doing that. I couldn't tell you specifically who, but that work was being outsourced to attorneys to handle.

MR. HAYDEN: And in connection with the background check, did anybody ask you about the allegations which were investigated by the Hudson County Prosecutor's Office?

MR. ALVAREZ: No.

MR. HAYDEN: Anybody attempt to interview you, and find out what the story was in connection with the background check?

MR. ALVAREZ: No.

MR. HAYDEN: To your knowledge, was the background check any more than a record's check?

MR. ALVAREZ: I'm not aware.

MR. HAYDEN: Do they do a background check before or after a tentative decision is made as to hiring?

MR. ALVAREZ: To the best of my recollection, it was before; and then any offer would be conditional, subject to the clearance of the background check.

MR. HAYDEN: There's no doubt the paperwork indicates -- even the letter of the 12th indicates that the offer is conditional. But in terms of the custom and practice of the Transition Committee, would they even bother with a background check before they had a potential job for the candidate?

MR. ALVAREZ: I believe, yes; I believe they would have.

MR. HAYDEN: Yes, they would.

MR. ALVAREZ: Yes.

MR. HAYDEN: And then there would be the green light.

MR. ALVAREZ: Yes.

MR. HAYDEN: Now, the background check is dated the 9th.

And then we have -- and I'm sure you have seen them, and then saw a reference to them -- the text messages that Mr. Lozano sends to Mr. McKenna.

MR. ALVAREZ: Yes.

MR. HAYDEN: Mr. Lozano, "Can you meet with Al Alvarez, your new Chief of Staff? Ha." McKenna, "Sure; when?"

And then the discussion is about having a meeting the next day at the Starbucks.

MR. ALVAREZ: Yes.

MR. HAYDEN: Now, as of the time of this text message from Lozano, head of Transition, to McKenna, had the decision been made that you were going to get the Chief of Staff?

MR. ALVAREZ: I don't know; I can't answer that. I don't know.

MR. HAYDEN: Well, why did you think you were going over to meet with McKenna to talk to him about the SDA? And I assume you talked about the Chief of Staff position.

MR. ALVAREZ: Yes, we did.

MR. HAYDEN: Why did you think it was happening?

MR. ALVAREZ: For all practical purposes, to make sure it was the right fit; that we would get along; that he would tell me, you know, about the position, to make sure that I really wanted that position. So it was more for that -- for those reasons.

MR. HAYDEN: To make sure it would be the right -- that you would work with him and you knew what the position was about.

MR. ALVAREZ: Exactly; yes, sir.

MR. HAYDEN: After you met with Lozano-- I'm sorry; after you met with McKenna, did you come back and tell Mr. Lozano how the meeting went?

MR. ALVAREZ: I did, yes.

MR. HAYDEN: And you told him you were comfortable?

MR. ALVAREZ: I did.

MR. HAYDEN: Did he tell you that he heard from Mr. McKenna that he was comfortable with you?

MR. ALVAREZ: He did.

MR. HAYDEN: So at that point in time, didn't you know, in the real world, it was a done deal?

MR. ALVAREZ: At that point in time? Yes, sir. If you're asking me before I met with Charlie, I would say, no, I didn't know it was a done deal. But after I met with Charlie, I-- Yes, I would say that I definitely felt, at that point, that it was a done deal, because I had not heard any objections from anyone else at that point. And I was told, "Meet with Charlie; as long as, you know, that works out well between the two of you, then we're good."

MR. HAYDEN: So it was Lozano who hired you for the Transition Committee, Lozano who sends you over to meet with McKenna, Lozano who you report back to. And then you know, that after the McKenna meeting, it's a done deal.

MR. ALVAREZ: Yes.

MR. HAYDEN: And as a matter of fact, it is after the meeting with McKenna, on January 12, 2018, that Lynn Haynes writes the letter to you, indicating you have-- You've seen the letter; the authorization letter--

MR. ALVAREZ: Yes.

MR. HAYDEN: --that you can have this position, subject to certain background-- The salary is \$140,000. And as a matter of fact, you

sign the acceptance of that letter the very same day; it's dated, going out to you.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: Now, you went back and forth with Mr. Critchley about who hired you.

I'm more interested in who the decision-maker was. I think that's a term I want to deal with.

As the quotation, which was read by Mr. Critchley, "Who told you Alvarez was going to the SDA?" "Mr. Alvarez" -- this is Lozano. "So Mr. Alvarez informed you he was going to the SDA?" "Mr. Alvarez had come to me and said, 'You know Charlie McKenna well. Do you mind introducing me?'" "So how did Alvarez find out he was going to be Chief of Staff? Do you know? Did he tell you who told him?" Lozano. "He didn't tell me; again, it was not a focus of mine to actually facilitate sub-cabinet components and the personnel process of departmental agencies. I would defer the question to Mr. Cammarano and Mr. Platkin."

But you've just told us that it was Mr. Lozano who was involved with setting up the meeting; Mr. Lozano you reported back to; and Mr. Lozano who could have vetoed it if he didn't want to.

So he, certainly, was a decision-maker.

MR. ALVAREZ: Generally, yes, I would agree with that characterization. However, I think that there is an important caveat. The ultimate decision-makers were Peter Cammarano and Matthew Platkin; ultimate decision-makers. And Jose Lozano's relationship with both of them was extremely close; and it was very clear and evident that when you

spoke to Jose, you could assume that when he spoke back to you it was because he had spoken to either Matthew or Peter. He did not act--

MR. HAYDEN: But the--

MR. ALVAREZ: I'm sorry; he did not act in a vacuum. He does-- So, for example, when I testified earlier about the conversation regarding salary, I spoke to Mr. Lozano; in truth and fairness, a lot of times he was easier and more accessible to talk to than Mr. Cammarano who, a lot of times, was not in the office or busy at meetings. But he always would then go back to speak to Mr. Cammarano, and he was the one who told -- Mr. Lozano told me, "Your salary is going to be set at \$140,000; according to Pete Cammarano, no Chief of Staff is going to make more than the Chief of Staff of the Governor, as a policy."

So to answer your question, I think that he was a decision-maker, ultimately; but if you want to say the *IA* decision-maker, it would have been Pete and Matt.

MR. HAYDEN: I asked Mr. Cammarano, "And you've indicated in no way, shape, or form were you the decision-maker as to Mr. hiring Alvarez." "That's correct;" "and in no way, shape, or form do you have any actual knowledge as to who the decision-maker was?" "That is correct."

So Mr. Cammarano is telling us that he wasn't the decision-maker. He doesn't even know who the decision-maker is.

But your understanding is, he was a decision-maker.

MR. ALVAREZ: Yes, that's my understanding. Yes, sir.

MR. HAYDEN: And your understanding is he was a decision-maker in your hiring.

MR. ALVAREZ: My understanding is he was a decision-maker in pretty much everyone's hiring.

MR. HAYDEN: Including your hiring.

MR. ALVAREZ: Including my hiring.

MR. HAYDEN: So he was one of those who hired you.

MR. ALVAREZ: If that's-- I mean, yes.

MR. HAYDEN: The answer is "yes."

MR. ALVAREZ: Yes.

MR. HAYDEN: And you've just heard his testimony, where he categorically and unequivocally denies it. And on what basis do you say that Mr. Platkin was a decision-maker as to your hiring?

MR. ALVAREZ: I cannot say that Mr. Platkin was a decision-maker as to my specific hiring. I do not know whether he was involved. I personally never had a conversation with Mr. Platkin about my desire to work at the SDA. All I can tell you is that based on my working in the Transition for the Personnel Team, that all of these decisions and recommendations that we would make on potential hires had to go through Mr. Cammarano, Mr. Platkin, and Mr. Lozano.

MR. HAYDEN: In terms of the general process.

MR. ALVAREZ: In terms of the general process. But I cannot say, specifically, that I ever had a conversation with Mr. Platkin, or that I was informed by anyone that Mr. Platkin was signing off on my application or not.

And to be quite honest, I had very limited dealings with him as it came to employment matters; because with the exception of the Attorney

General's Office, his office was not really involved. We really dealt with, mostly, Peter Cammarano and Jose Lozano.

MR. HAYDEN: Because when Assemblywoman Pintor Marin was questioning Platkin, she said, "Did you hire Alvarez?" "I did not." "Do you know who hired Alvarez?" "I do not; I only know from press reports."

So regardless of the process, the fact of the matter is you know Cammarano was involved in your hiring, you know Lozano was involved in delivering the message as to your hiring, and setting up the meeting with Charlie McKenna.

MR. ALVAREZ: Yes.

MR. HAYDEN: Now, directing your attention to March of 2018, we've seen an e-mail where you were sent and asked to meet with Mr. Cammarano. The e-mail is the 23rd, and you were asked to meet with Mr. Cammarano on the 26th. And my question is, did you have any idea of the purpose of this meeting?

MR. ALVAREZ: No.

MR. HAYDEN: Did you have any idea it directly involved you?

MR. ALVAREZ: I'm not sure--

MR. HAYDEN: That it involved you -- some kind of personal issue involving you.

MR. ALVAREZ: No.

MR. HAYDEN: According to the testimony of Mr. Platkin, he and Mr. Cammarano met before the meeting and decided that you had to be terminated and leave government; and the meeting was going to be with Mr. Cammarano. And then Mr. Platkin indicated--

Question, "And after the two of them met, they then came-- Did Cammarano report back to you, at least as to the thrust of the conversation?" Platkin, "Yes; at some point -- and I can't remember when -- he told me he had met with him, and he had told him that he should leave government." Mr. Hayden, "And, to your mind, that meant it wasn't optional. He was supposed to leave government, but there was no timetable?" "Correct."

So Platkin says the plan was there was supposed to be a meeting, and you're going to be directed to leave government. And then, ultimately, Cammarano reports back to him that you were advised that you have to leave government. And Mr. Cammarano, in his opening statement to us, "Based on the information we had, Platkin and I decided Alvarez should be asked to leave government. I, therefore, asked Mr. Alvarez to come to my office March 26. I told him he'd been accused of sexual assault, and he should make arrangements to leave his State employment at the Schools Development Authority, where he was working as Chief of Staff. Mr. Alvarez adamantly denied the allegations, and he was strong" -- in terms of your denial -- "became teary and emotional. But I believe he fully understood my instructions."

And I, at some point in time, questioned him, "Was this a suggestion or a direction?" And his position was it was a direction; there was no -- there was nothing left open.

And would you tell us again what your understanding was of the thrust of Mr. Cammarano's message to you?

MR. ALVAREZ: My understanding -- my takeaway was that it was not a direction.

MR. HAYDEN: And regardless of what Cammarano says and Mr. Platkin says, by way of hearsay, you did not understand the message to be a direction at all.

MR. ALVAREZ: Correct.

MR. HAYDEN: And as a matter of fact, consistent with your view, in terms of looking to the corroborating evidence, when you filed your unemployment claim you made reference to the time that you were directed to be terminated on or about June 1, did you not?

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: Consistent with your understanding, at no time did you ask for time and assistance to get a new job in March of 2018.

MR. ALVAREZ: That is correct, yes.

MR. HAYDEN: At no time in March, April, May did you look for a new job.

MR. ALVAREZ: I don't think it's completely-- I may have looked; but, was it a thorough search? No.

MR. HAYDEN: And in no way, shape, or form was there any kind of time frame as to when you had to do something. Did you consider it a *soft suggestion*?

MR. ALVAREZ: I'm sorry; a--

MR. HAYDEN: A soft suggestion.

MR. ALVAREZ: Am I -- are you saying did I interpret the conversation--

MR. HAYDEN: Did you--

MR. ALVAREZ: --with Mr. Cammarano in March as a soft suggestion?

MR. HAYDEN: Yes.

MR. ALVAREZ: Yes.

MR. HAYDEN: And for that reason, you didn't do any employment protective things, like looking for a job or asking for a commitment.

MR. ALVAREZ: Correct.

MR. HAYDEN: Directing your attention to June of 2018 -- there's been testimony about Ms. Brennan's e-mail to the Governor -- "sensitive matter" -- but you would not have seen it or have been aware of it.

But you did have a conversation with Charlie McKenna on or about June 7, 2018, did you not?

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And at approximately what time of day was the conversation, and where was it?

MR. ALVAREZ: The time of day, I believe, was late afternoon. The location was his office at the SDA.

MR. HAYDEN: And what was the message that Mr. McKenna conveyed to you?

MR. ALVAREZ: As I testified earlier, he advised me of a conversation he had had the evening before with Mr. Cammarano and Mr. Platkin, where he was advised of an allegation against me of a sexual nature. And that based on that allegation, I needed to resign immediately or that he, Charlie McKenna, would be forced to fire me. So he was conveying a message from the Governor's Office to me that I needed to leave or be fired.

MR. HAYDEN: At that point in time, did he identify the source of the information?

MR. ALVAREZ: Yes; he told me he had a meeting with Mr. Cammarano and Mr. Platkin.

MR. HAYDEN: Mr. McKenna told you that he was directed by Cammarano and Platkin to tell you, on June 7, that you should leave.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And did you ask him about -- was there any way to verify this; or did he suggest to you that there could be verification?

MR. ALVAREZ: Well, when I began to explain to him that the allegation against me was false, that I had been already-- I started giving him a recitation of the facts, and he immediately told me it was out of his control; that if I needed to speak to anyone, it should be Mr. Platkin. And he directed me to call or speak to Mr. Platkin.

MR. HAYDEN: And you were aware that Platkin and Cammarano were the source of the direction that you now had to leave.

MR. ALVAREZ: Yes.

MR. HAYDEN: In the-- And you, then, reached out for Mr. Platkin -- was it that night, or the next--

MR. ALVAREZ: That same day, that same-- A minute after walking out of Mr. McKenna's office.

MR. HAYDEN: And what was the conversation with Mr. Platkin?

MR. ALVAREZ: To advise him that I had been made aware, by Mr. McKenna, of their determination that I needed to leave. And to let him know that I disagreed with it, that I was innocent, that allegations

against me were false; that I would want an opportunity to, you know, present my side. And he advised me that that was not an option; that the allegation was so -- the extent of the allegation was such that my employment there was not viable; that, you know, I needed to leave or this would look bad on the Governor.

MR. HAYDEN: So you were advised that the nature of the allegation was such there wasn't going to be any fact-finding, and you had to leave. And was it at that point in time you came back with, kind of, a counteroffer?

MR. ALVAREZ: Yes; in that same conversation, when he made it clear to me that there was no alternative, there would be no investigation, then I said, "Well, can I at least have some time to find a new job, and can you guys help me, or assist me with that?"

MR. HAYDEN: Well, in the unemployment, you indicate at the bottom of the first paragraph, "At the time in June, I requested additional time and assistance in finding a new job before resigning. Both the Governor's Office and the New Jersey Schools Development Authority both agreed with that request."

Now, who in the Governor's Office agreed with your counteroffer of time and assistance?

MR. ALVAREZ: Mr. Platkin.

MR. HAYDEN: And in politics, there's a word called a *commitment*. Did you consider, in your mind, the promise that you would get time and assistance a *commitment* from the Administration?

MR. ALVAREZ: Yes.

MR. HAYDEN: And you indicated in your unemployment statement that you had a commitment from the Governor's Office and the Schools Development Authority. Who in the Schools Development Authority made such a commitment?

MR. ALVAREZ: Mr. McKenna.

MR. HAYDEN: Mr. McKenna?

MR. ALVAREZ: Yes.

MR. HAYDEN: And when was it that you had a conversation with Mr. McKenna about time and assistance to give you an ability to find a new job?

MR. ALVAREZ: Well, as I stated earlier, when I spoke to Mr. McKenna he made it very clear to me, as I began to tell him that the charges were unfounded, and that I wanted a chance to present my-- He made it very clear that he had no authority. I needed to speak to Mr. Platkin, and that he would adhere and follow the lead of whatever decisions were made as a result of that conversation with Mr. Platkin.

So after my conversation was finished with Mr. Platkin, I advised Mr. McKenna that I had spoken with him; and he said, "Okay." I mean, it wasn't -- we didn't have a further conversation. He basically took me at my word that--

MR. HAYDEN: I understand.

So you talk to McKenna, you talk to Platkin--

MR. ALVAREZ: Yes.

MR. HAYDEN: --you go back to McKenna. And one of the things you say is, yes, you'll leave; but you got a promise of time and assistance. And with that, McKenna says, "Okay."

MR. ALVAREZ: Yes.

MR. HAYDEN: And as a matter of fact, this was about June 8 or 9. You left October 2. It's probably three months and three weeks before the October 4 resignation. And were you, in fact, planning to leave at the end of October?

MR. ALVAREZ: That had always been my goal, yes.

MR. HAYDEN: But even that was not a hard date, I take it.

MR. ALVAREZ: That is correct.

MR. HAYDEN: And if necessary -- and until somebody said that you had to do something -- you might have stayed beyond October.

MR. ALVAREZ: That is correct.

MR. HAYDEN: Now, Mr. Critchley, just after lunch, asked you questions about a Peter McDonough. But what was your next conversation with Mr. Platkin?

Do you need a second, Mr. Alvarez?

MR. ALVAREZ: No, thank you. I'm fine.

MR. HAYDEN: You sure?

MR. ALVAREZ: No, I'm listening, sir.

MR. HAYDEN: You want to look at a paper, or something like that--

MR. ALVAREZ: No, no; I'm good, I'm good.

MR. HAYDEN: It's hard to do three things at once.

MR. ALVAREZ: Yes. No, no, I'm good.

MR. HAYDEN: And after your June conversations with Mr. Platkin, when was the next conversation you had with Mr. Platkin about the assistance you requested?

MR. ALVAREZ: Again, as I testified earlier, it would have been sometime in July or August. He was following up with me to see where my job search -- how it was going.

MR. HAYDEN: Right; and you then asked what?

MR. ALVAREZ: I didn't ask him--

MR. HAYDEN: Did you ask for some kind of help or call, in connection with Rutgers?

MR. ALVAREZ: No, sir.

MR. HAYDEN: Was he aware that you had made an application as to Rutgers?

MR. ALVAREZ: Not until he called me that day, asking me, "How's your job search going?" Then I relayed to him that I had recently just applied for a position at Rutgers. He asked me what the position was, and then said, "Okay." And that was the extent of the conversation.

MR. HAYDEN: How did you ever-- did you ever get any kind of a phone interview?

MR. ALVAREZ: I did not.

MR. HAYDEN: Just the rejection letter.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: Now, in August of 2017 (*sic*), at some point in time you received the pay raise, did you not?

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And I was a little unclear as to-- Were there others receiving pay raises within the SDA, or were other people who were Chiefs of Staff receiving pay raises?

MR. ALVAREZ: No, I can only speak to the SDA. Others in the SDA received pay raises at the same time that I did.

MR. HAYDEN: By the way, I may have said 2017; I meant meant 2018.

MR. ALVAREZ: Yes.

MR. HAYDEN: Yes.

And when did you first understand that you were in line for a potential pay raise?

MR. ALVAREZ: In August, I would have imagined; sometime in August.

MR. HAYDEN: Who made the decision as to the pay raise?

MR. ALVAREZ: The new CEO at the time was Lizette Delgado-Polanco.

MR. HAYDEN: And do you know what the basis was-- The pay went from \$140,000 to \$170,000, which is 21.4 percent; a substantial pay raise in the private sector or State government. What was the basis of the calculation of a pay raise for you of \$30,000?

MR. ALVAREZ: As I think Mr. Critchley mentioned before, the CEO makes over \$225,000 a year at the SDA. The Executive Vice Presidents are at about \$185,000, \$195,000. So all of the salaries there, for the executive team, are fairly high. The lowest one amongst the chief executive team was the Chief of Staff at \$140,000.

So there was an attempt to try to bring some sort of parity -- at least, close the gap between what the Chief of Staff made and what the other senior executives in the SDA made.

MR. HAYDEN: And approximately -- what was the nature of the other pay raises; do you know what percentage of the salaries they were?

MR. ALVAREZ: I don't know specifics, but I can say that they were-- Because they were already high salaries, the bumps were not nearly as drastic as the bump that I received.

MR. HAYDEN: So some of the other people receiving pay raises were receiving more -- higher salaries than you?

MR. ALVAREZ: Yes, correct.

MR. HAYDEN: And to your knowledge, your pay raise, pay increase was the most substantial, from a percentage point of view?

MR. ALVAREZ: I'm not sure I understand what you said.

MR. HAYDEN: I thought you said that you didn't think the bump -- which I interpreted to be pay raises -- were as high for the other salary increases as they were for you.

MR. ALVAREZ: Yes, juxtaposed to what the -- the increase that I received, yes.

MR. HAYDEN: Yours was the most substantial?

MR. ALVAREZ: Yes, yes.

MR. HAYDEN: And did you have any discussions with the CEO about what you thought your pay raise should be?

MR. ALVAREZ: No, I don't recall that; no.

MR. HAYDEN: And at this point in time-- And by the way, the date of the -- the effective date of the pay raise was October (*sic*) 20, 2018, was it not?

MR. ALVAREZ: I believe so.

MR. HAYDEN: I'll represent to you that the--

MR. ALVAREZ: Then I will accept that representation.

MR. HAYDEN: It was October-- August. The date of the pay raise is August 20, 2018.

Now, there came a point in time, in early October, that you became aware that the *Wall Street Journal* was doing a possible story.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And how did you become aware of it, sir?

MR. ALVAREZ: An e-mail.

MR. HAYDEN: An e-mail from--?

MR. ALVAREZ: Excuse me; an e-mail from the reporter.

MR. HAYDEN: From the reporter. Did you reply to e-mail?

MR. ALVAREZ: No.

MR. HAYDEN: Approximately what time of the day was it?

MR. ALVAREZ: In the morning, sometime before 10 a.m., maybe.

MR. HAYDEN: Do you recall sending an e-mail -- and this is something we got in discovery -- to Mr. Platkin, "Need to speak to you ASAP," with caps?

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: Did Mr. Platkin ever get back to you?

MR. ALVAREZ: No, sir.

MR. HAYDEN: Did you reach out for anybody else about the fact that the *Wall Street Journal* had sent you an e-mail?

MR. ALVAREZ: As I testified earlier, I reached out to Mr. Cammarano as well.

MR. HAYDEN: You reached out to Mr. Cammarano? And did you discuss this with Mr. Cammarano?

MR. ALVAREZ: I did not. I reached out to him, but he did not respond.

MR. HAYDEN: Right. And by the way, it would be a natural thing to, perhaps, get advice. I'm just trying to go through the list of when you got this e-mail from the *Wall Street Journal*, you reach out to Platkin, you reach out for Cammarano. Was there anybody else you reached out to?

MR. ALVAREZ: No.

MR. HAYDEN: And then -- you've told us, you've testified that you received a direction as to the fact that you had to resign immediately?

MR. ALVAREZ: I'm sorry, could you repeat that?

MR. HAYDEN: Did you then receive a direction from the Administration that you should resign?

MR. ALVAREZ: Eventually, yes.

MR. HAYDEN: Well, what happened between-- How long was it before you received the direction?

MR. ALVAREZ: I couldn't give it a specific time frame. But when I did not receive any response from either Mr. Platkin or Mr. Cammarano--

MR. HAYDEN: Right.

MR. ALVAREZ: --I took it upon myself to go and speak with Lizette, the CEO of the SDA; explain to her the situation, to see if I could

get guidance from her, or that maybe she could get guidance from the Governor's Office.

And she did that; she called Mr. Cammarano, in front of me, in her office.

MR. HAYDEN: Was it on speakerphone?

MR. ALVAREZ: No.

MR. HAYDEN: Okay, she calls Cammarano in front of you. And Cammarano says--

MR. ALVAREZ: He needs to resign immediately, and he needs to submit a resignation letter and have it faxed straightaway.

MR. HAYDEN: And she then conveys to you that Cammarano says you need to resign immediately.

MR. ALVAREZ: Yes.

MR. HAYDEN: This was not a soft discharge; this was immediate.

MR. ALVAREZ: That is correct.

And can I just go back for one second, sir, if that's okay?

MR. HAYDEN: Sure.

MR. ALVAREZ: You had asked me earlier-- After I had contacted Mr. Platkin and after I contacted Mr. Cammarano, looking for guidance with respect to the reporter inquiring about the allegations--

MR. HAYDEN: Yes.

MR. ALVAREZ: You were specifically referring to, did I inquire from anybody in the Governor's Office or State, right? Because I did, at some point, reach out to my attorneys. I mean, are you--

MR. HAYDEN: No, obviously--

MR. ALVAREZ: Okay. You're confining it to the--

MR. HAYDEN: --any reach-out for an attorney we wouldn't want to go anywhere near.

MR. ALVAREZ: All right; I just wanted to clarify that.

MR. HAYDEN: Just anybody in the political realm. Of course.

MR. ALVAREZ: I'm not trying to--

MR. HAYDEN: No, of course. That goes without saying.

Thank you for volunteering it.

And, sir, during the course of Lizette Delgado-Polanco's testimony, she was asked about the circumstances of the resignation. And she testified, "He actually came into my office, told me that he was contacted by the *Wall Street Journal*, told me the whole story as I testified to. And he actually gave me a resignation letter. I did not even have to ask him.

He said -- he assured me that he didn't want to embarrass or drag the Authority through any of the -- whole thing."

Was that recitation of what happened accurate in your mind?

MR. ALVAREZ: The sequence is not accurate.

I did give her a resignation letter, only after she told me that it was being demanded of me. So, did I give a resignation letter? Yes, sir, I did; but only after it was requested of me or, I would say, demanded of me.

MR. HAYDEN: And you considered this resignation letter not to be voluntary; it was because you were ordered to resign or you're going to be terminated right there.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: And there's no doubt in your mind that the resignation letter was the product of the phone conversation between Peter Cammarano and Lizette.

MR. ALVAREZ: Yes, sir.

MR. HAYDEN: I have no further questions.

SENATOR WEINBERG: Ms. Alito.

MS. ALITO (Special Counsel): Thank you.

I have just a few questions.

I'd like to start with your unemployment application.

Am I correct that after the termination of your employment with the SDA, you applied for unemployment?

MR. ALVAREZ: I'm sorry, I couldn't hear you.

MS. ALITO: I'm sorry; I will-- Is that better?

MR. ALVAREZ: Yes.

MS. ALITO: Am I correct that after the termination of your employment with SDA, that you applied for unemployment?

MR. ALVAREZ: Yes, ma'am.

MS. ALITO: Were you represented by Counsel in those proceedings, or did you do that on your own?

MR. ALVAREZ: On my own.

MS. ALITO: Okay. And is it correct that your initial application for unemployment was denied?

MR. ALVAREZ: Yes, ma'am.

MS. ALITO: And is it correct that it was denied because the State contended that you had left employment voluntarily?

MR. ALVAREZ: Yes, ma'am.

MS. ALITO: And the State's representation to unemployment that you left voluntarily is contrary to your testimony about what happened on the day of your resignation, correct?

MR. ALVAREZ: Correct.

MS. ALITO: And it's also contrary to Mr. Cammarano's testimony, about what he told you in March of that year, correct?

MR. ALVAREZ: I'm not sure I follow that.

MS. ALITO: All right. It's contrary to what you were told by Mr. McKenna in June, correct? -- the allegation by the State -- in Unemployment -- that you left voluntarily. You've testified that it was your understanding, after speaking with Mr. McKenna, that you were instructed to leave employment, correct?

MR. ALVAREZ: That is correct, yes.

MS. ALITO: Do you know who it was at the State who made the decision to represent in Unemployment proceedings that your departure from employment was voluntary?

MR. ALVAREZ: No.

MS. ALITO: Was there a hearing conducted in connection with your unemployment application, or was it decided on the papers?

MR. ALVAREZ: It was decided on the papers.

MS. ALITO: And then you filed an appeal from that decision, correct?

MR. ALVAREZ: Yes, ma'am.

MS. ALITO: And the appeal document you've been questioned about by both Mr. Critchley and Mr. Hayden, right?

MR. ALVAREZ: Correct.

MS. ALITO: And you set forth your position in that appeal document.

MR. ALVAREZ: I did.

MS. ALITO: Did the State file any opposition to your appeal?

MR. ALVAREZ: I don't believe so. I don't-- I never saw.

MS. ALITO: Now, we've been given a notice of a hearing before the Board of Appeal (*sic*) of Unemployment Compensation, and that notice is dated December 17, 2018. Up until the time that you received that notice of a hearing before the Board of Appeals, did you have any idea that the State would not be opposing your appeal?

MR. ALVAREZ: I had no idea.

MS. ALITO: And did the Board of Appeals subsequently rule in your favor?

MR. ALVAREZ: No.

MS. ALITO: They did not?

MR. ALVAREZ: I don't believe that there was a ruling. I wasn't aware of a ruling being made.

My recollection is that once I was denied the unemployment, I filed for an appeal -- which are the documents that we have before us -- and then, subsequent to that, I was given notice that there would be a hearing, if I chose to pursue my appeal. And at that time, I decided not to pursue it any further.

MS. ALITO: Oh, you decided not to pursue it any further?

MR. ALVAREZ: That is correct.

MS. ALITO: And why is that, Mr. Alvarez?

MR. ALVAREZ: Because it immediately became clear that the documents related to the unemployment were getting published in the media; and it was-- It was not something that I wanted to pursue at that time.

MS. ALITO: Did you send a written notice to the Board of Appeal withdrawing your appeal?

MR. ALVAREZ: I did not.

The notice that I received advising me of the right to a hearing advised me that I had to file my appeal within a certain time frame. And if I did not, it would be considered that I was not pursuing the appeal.

MS. ALITO: All right; so you simply didn't pursue it any further.

MR. ALVAREZ: Yes, ma'am.

MS. ALITO: Okay.

Now, earlier today you testified that, at some point, you submitted a résumé and other information to the Human Resources Department at the SDA. Is that correct?

MR. ALVAREZ: Yes.

MS. ALITO: And do you remember when you did that?

MR. ALVAREZ: It would have been within the first week of employment there.

MS. ALITO: All right. So you submitted your résumé and your application information to the SDA after you already started working there.

MR. ALVAREZ: Yes, I believe so.

MS. ALITO: You also testified this morning -- and correct me if I've got this wrong -- that in the process leading up to your assumption of the job of Chief of Staff, in your conversations with Mr. Cammarano and Mr. Lozano neither one of them had a discussion with you about your qualifications for that position. Is that correct?

MR. ALVAREZ: No, that's not correct. I do believe, at some point in my conversations, we did talk about my qualifications.

MS. ALITO: In which conversation -- with Mr. Cammarano or with Mr. Lozano?

MR. ALVAREZ: Both.

MS. ALITO: With both of them? And what did Mr. Cammarano ask you about your qualifications for the position?

MR. ALVAREZ: I don't know that he actually asked me; it was more me -- if I can term it this way -- pitching it to him, selling myself as to why I thought I was qualified for the position.

MS. ALITO: And was the same true with Mr. Lozano?

MR. ALVAREZ: Yes, it was.

MS. ALITO: All right; so neither one of them asked you questions about it. You made your pitch of why you were qualified for the position, correct?

MR. ALVAREZ: That is accurate, yes.

MS. ALITO: And what did you say to Mr. Cammarano and Mr. Lozano about why you were qualified for this position?

MR. ALVAREZ: Well, again, to be clear, I think, at that point I was seeking the position of CEO.

MS. ALITO: Okay.

MR. ALVAREZ: So I was making the argument that I thought I was qualified for a myriad of reasons, mainly because of my experience in both the public and private sector as an attorney, having worked in State government as a policy person and as a former Deputy Chief of Staff; but also acknowledging that, because the work that SDA does touches upon a lot of urban communities and affects people of color, as a minority I felt that I brought a unique position and paradigm to the work they did there.

MS. ALITO: Did you mention to either Mr. Cammarano or Mr. Lozano, or did either one of them ask you whether you had any experience in the substantive work that SDA does?

MR. ALVAREZ: I don't recall that, no.

MS. ALITO: Now, I believe you testified this morning that the process by which you were hired into the SDA job was not an unusual hiring process in Transition.

MR. ALVAREZ: Yes, ma'am.

MS. ALITO: Okay. What other individuals hired by the Murphy Administration were hired by this same process by which you were hired?

MR. ALVAREZ: I can only speak, obviously, specifically, to how my process unfolded. But it in no way seemed foreign to me -- that as I was going through this process, it didn't seem foreign. It seemed that a lot of the people who were getting jobs -- folks who are working on the Campaign -- or who had worked on the Campaign, excuse me, and who were working, at this point, during the Transition, were getting the same sort of treatment; and since it was very informal -- just conversations in the Transition Office.

MS. ALITO: So your general impression of the hiring process -- not just as it related to you, but as it related to other people in the Transition who wanted jobs in the Administration -- is that it was a very informal process. Is that right?

MR. ALVAREZ: Yes.

MS. ALITO: And that it consisted, largely, of having conversations with Mr. Cammarano, and Mr. Lozano, and Mr. Platkin. Is that right?

MR. ALVAREZ: Yes.

MS. ALITO: And do you know whether the other people who were hired by the Murphy Administration were not required to submit their qualifications to their new employers until after they started work?

MR. ALVAREZ: I'm sorry; can you repeat that?

MS. ALITO: Well, you've testified that you submitted your résumé and other information to SDA after you started working there.

MR. ALVAREZ: Yes.

MS. ALITO: Do you know whether that was the case -- where other people hired by the Murphy Administration-- They go to an Agency; they start work there; and they're only required to submit their résumé and other information after they have gotten the jobs and have started working.

MR. ALVAREZ: I cannot confirm or deny that. I don't know all those specific.

But I would say, though, just to clarify, my understanding of when I submitted all of that information to the SDA after I was employed was for their files. I was under the impression when I applied and gave my résumé to Mr. Miller, through the Transition, and when I filled out my

background check, I had assumed that all that information was already part of what was my employment record with the SDA.

MS. ALITO: But if that were the case, SDA wouldn't need to get another copy from you, right?

MR. ALVAREZ: Yes.

MS. ALITO: Okay.

Now, there's been testimony before this Committee that in December of 2017, leaders of the Transition became aware that there were allegations against you of sexual assault; and that decisions about your employment were made based upon those allegations being known to leaders of the Transition.

Did anyone from the Transition or from the Murphy Administration, tell you, in December of 2017, that they knew about these allegations against you?

MR. ALVAREZ: No.

MS. ALITO: Did anyone in the Transition, or the Murphy Administration, in December of 2017, give you an opportunity to tell your side of the story with regard to the allegations?

MR. ALVAREZ: No.

MS. ALITO: Would you have wanted to know, in December of 2017, when this information became known to your bosses, that they were aware of this information?

MR. ALVAREZ: Yes.

MS. ALITO: But no one reached out to you? No one said, "Mr. Alvarez, we've heard about these allegations, and they're serious."

Nothing like that?

MR. ALVAREZ: Nothing like that.

MS. ALITO: All right.

We've also had testimony before this Committee that, in March of 2018, Katie Brennan made a complaint about you to members of the Murphy Administration; and that that complaint was referred to the EEO -- Department of EEO.

Did anyone tell you, in March of 2018, that a complaint by Ms. Brennan against you was being referred to the Department of EEO?

MR. ALVAREZ: No, ma'am.

MS. ALITO: Would you have wanted to know that a complaint about you was made and referred to EEO?

MR. ALVAREZ: Yes.

MS. ALITO: And I take it that, because you weren't aware of it, no one gave you an opportunity, in March of 2018, to respond to the complaint that was made and referred to EEO?

MR. ALVAREZ: That is correct.

MS. ALITO: Thank you.

Nothing further.

SENATOR WEINBERG: Thank you.

I have a few questions also.

Does anybody need a break?

MR. ALVAREZ: No, thank you.

MS. BIANCAMANO: No thank you.

SENATOR WEINBERG: Okay.

Following up with what Ms. Alito asked you about that period of time, you did know that there were allegations made against you, correct?

MR. ALVAREZ: Yes.

SENATOR WEINBERG: Did you, at any point, go to your superiors, or the people who were in the process of offering you a position, to say, "Well, I was investigated by the Hudson County Prosecutor's Office," or "There are allegations."

MR. ALVAREZ: You're asking me if I affirmatively gave that information to someone?

SENATOR WEINBERG: Yes.

MR. ALVAREZ: No.

SENATOR WEINBERG: Well, I don't know; is there something about the word *affirmatively* that would change the question?

MR. ALVAREZ: No, I'm just trying to clarify and understand your question -- as to whether or not I was asked about that, or did I volunteer it.

SENATOR WEINBERG: No, I want to know whether you went to anybody.

MR. ALVAREZ: Right.

SENATOR WEINBERG: Okay.

MR. ALVAREZ: I just wanted to be clear that was what you were asking.

I did not.

SENATOR WEINBERG: All right.

Now, there came a period of time when you left the Transition and were assigned to work on the Inauguration, correct?

MR. ALVAREZ: I don't recall that, no. I was always part of the Transition.

SENATOR WEINBERG: I thought we had testimony from Lynn Haynes that you were-- I mean, I don't know that you officially left the Transition--

MR. ALVAREZ: Okay.

SENATOR WEINBERG: --but that you got new responsibilities to work on the Inauguration.

That is not correct?

MR. ALVAREZ: I do remember being asked to assist with a few events that were leading up to the Inauguration; specifically as related to a religious worship service. But I was never under the impression that that was going to be in place of my responsibilities at the Transition. It was sort of an additional thing to do.

SENATOR WEINBERG: All right; well that -- another inconsistency in testimony that we've gotten. Because I think -- and I don't have it right in front of me, but I think you're going to get it -- that Ms. Haynes testified that the idea that you wouldn't -- could not be involved in any hiring or firing became moot because you were sent to work in the Inauguration.

MR. ALVAREZ: Yes.

SENATOR WEINBERG: "During the last" -- I guess this is from Lynn Haynes' testimony -- "During the last couple of weeks of Transition, Mr. Alvarez had begun splitting his time between the Transition

and the Inauguration. On one of the last days of Transition, I asked what he was doing post-Transition,” etc.

So I know there’s other testimony -- which I don’t know if you can find in there -- but we were definitely given the impression that the idea that Mr. Cammarano said you were removed from any Personnel action, hiring or firing, became moot.

Let me go back to the Transition period; and I’m now referring to the report that we received -- that everybody received, I guess -- from Peter Verniero’s investigation.

And he says -- it’s on page 27 of his report; it’s Mr. Verniero’s report -- and it’s talking about the Transition period, “There were a number of policy and departmental transition committees, etc. They--” meaning the people -- all the people who were signed up for those committees -- “were asked to review and sign a code of conduct as part of their service.”

Are you familiar with that code of conduct?

MR. ALVAREZ: I am not, no.

SENATOR WEINBERG: Were you asked to sign a code of conduct?

MR. ALVAREZ: I don’t recall. I mean, I may have been asked to sign some forms in the beginning. I believe we signed a nondisclosure agreement, if I’m not mistaken; some other agreements related to the work product in the office. So there may have been a code of conduct, but I don’t recall.

SENATOR WEINBERG: Okay, so as the Director of Personnel of all these people who were asked to sign a code of conduct, that was not anything that you were involved in -- or as Assistant Director of Personnel?

MR. ALVAREZ: I was not involved in formulating those, no.

SENATOR WEINBERG: Okay.

And I'm also -- now, on page 37.

MR. ALVAREZ: And I'm sorry, Senator, if I can just interrupt for one second, because I think it's an important distinction.

Just to clarify, for purposes of a clear distinction -- I was not in charge of HR Human Resources. Our Personnel Department exclusively just dealt with applications for jobs. HR issues, in terms of code of ethics, or anything regarding discrimination in the workplace, anything of that nature was handled by, I believe, the Treasury during the Transition; meaning, whoever was the HR for Treasury was assuming responsibility for Transition employees who had more traditional HR issues.

So my responsibilities had nothing to do with formulating Personnel decisions. It was more, specifically, dealing with employment opportunities.

SENATOR WEINBERG: Well, I assume, then, when Mr. Cammarano testified that you were removed, it was to protect the person who made the allegations against you, so that you would not be in a position -- at that time, to them, an unknown person -- you would not be in a position of dealing with that person's résumé by accident.

MR. ALVAREZ: Okay.

SENATOR WEINBERG: All right.

Now, again, in Mr. Verniero's report, there is a paragraph in here; this has to do with the raises that were given

And he is talking about the meeting that took place between you and Charlie McKenna. And he says, on page 37, "The meeting took

place the next day at a Starbucks coffeehouse. After the meeting, Mr. McKenna texted Mr. Lozano, 'Met with Al; nice guy. We'll work together well. You and I need to talk salary.' Following that discussion, Mr. Alvarez's was set at \$140,000."

He goes on.

And then he says, "That salary was later raised to \$170,000 in August of 2018, due to increases given to a certain category of employees under the terms of a new pay regulation."

Do you know what that pay regulation was that Mr. Verniero says you received the \$170,000 salary?

MR. ALVAREZ: I believe that that was relating to a recent statute that might have been passed. It was increasing the Cabinet members' salaries. And so I think that the purpose of trying to elevate salaries was to be commensurate with that.

SENATOR WEINBERG: That resolution, by the way, did not cover Chiefs of Staff.

MR. ALVAREZ: Okay.

SENATOR WEINBERG: So if he was referring to that-- So you have no idea, then--

MR. ALVAREZ: No.

SENATOR WEINBERG: --what this new pay regulation is?

MR. ALVAREZ: I do not, no.

SENATOR WEINBERG: That according to Mr. Verniero it was under that regulation that you received the \$170,000 salary.

Okay.

Now, Mr. Verniero goes on -- and I'm skipping to page 44 -- "Mr. Alvarez' departure date apparently was set in coordination with the start date of his new employment, and the start of the new SDA Chief of Staff, who was expected to begin work on October 29."

So did your departure date -- as Mr. Verniero calls it -- was that set in coordination with the start date of some new employment?

MR. ALVAREZ: Yes. Well, not new employment for me; but the new Chief of Staff who was going to be taking my position. A new Chief of Staff had already been hired, and there was going to be a bit of an overlap, in terms of transition, so that he could, sort of, get accustomed to the role, and then I would be phased out.

SENATOR WEINBERG: So that was set up to be on October 29.

MR. ALVAREZ: Yes.

SENATOR WEINBERG: Okay.

He says here, "In September, the SDA identified the candidate to replace Mr. Alvarez, subject to approval from the Governor's Office to hire him," etc.

Now, you certainly -- you were aware, obviously, that allegations were made against you. You were subject to an investigation. We all know that that investigation of the Hudson County Prosecutor's Office declined to press charges.

During that whole procedure, did you ever once have a discussion with anybody in the Campaign, in the Transition, or in the new Administration about the fact that these allegations against you were out there?

MR. ALVAREZ: No.

SENATOR WEINBERG: So between April, when the allegations were first made, and October 2, when the *Wall Street Journal* called you, you did not share that with anybody that was associated with the Campaign, the Transition, or the new Administration?

MR. ALVAREZ: No; I did have a conversation in March of 2018 with Mr. Cammarano, where I disclosed that to him after he called me into his office. So in March of 2018 would've been the first time I ever had a conversation with anyone in the Administration about the allegations made against me.

SENATOR WEINBERG: Okay. Did you feel it necessary, at any time, to discuss the fact that there was this outstanding allegation?

MR. ALVAREZ: No.

SENATOR WEINBERG: Can I ask you why?

MR. ALVAREZ: Yes; I mean, I was completely confident that the allegations were false; that they were already investigated. I was never charged with a crime, and the application-- Typically when they ask you, for employment -- ask if you've ever been indicted or convicted of a crime.

SENATOR WEINBERG: When did the Hudson County Prosecutor let you know that they were not going to charge you?

MR. ALVAREZ: Sometime in the fall of 2017.

SENATOR WEINBERG: Was it as late as December of 2017?

MR. ALVAREZ: It's possible that it could have been, yes.

SENATOR WEINBERG: Okay--

MR. ALVAREZ: I honestly-- Let me take that back.

SENATOR WEINBERG: So it wasn't until after there was some discussion -- according to testimony we received -- about allegations. Although at that point, the name of the accuser was kept from some of the people in the Transition, or about-to-be new Administration.

But up until December-- Do you know the date when the Hudson County Prosecutor let you know that they were not pressing charges.

MR. ALVAREZ: No, I do not know.

But upon reflection, I don't believe it was as late as December. I believe it was in the fall. So I'm going to hazard a guess -- it was probably, maybe, somewhere close to October that I might have been informed. But I don't have the specific recollection.

SENATOR WEINBERG: Okay, I'm referring to the document which is entitled, "Transition Employment Screening Questionnaire."

MS. BIANCAMANO: I'm sorry, Madam Chairperson. Can we have a copy of that document?

MR. CRITCHLEY: Yes, I'm going to give it to you right now. Right here.

SENATOR WEINBERG: And if you go to the page-- I think these pages are not numbered, are they?

MR. CRITCHLEY: Bates stamp, last two digits 88.

SENATOR WEINBERG: Halfway down, it says, "Please read carefully and initial each paragraph before signing." And those paragraphs read, "I have disclosed all information that is relevant and should be considered applicable to any candidacy for employment" which you initialed.

Next paragraph, "I hereby certify that the information given by me is true in all respects. I authorize Transition 2018, and its representatives, to contact my prior and current employer, and all others, for the purpose of verification of any information I've supplied," etc.

And you initialed all of those

So you did not, in any way, feel that it was pertinent to tell your potential employer that there were allegations against you.

MR. ALVAREZ: That is correct. I did not feel it pertinent to tell a prospective employer that an allegation -- which I believe to be false, which was investigated by a criminal Prosecutor's Office and investigatory unit, which decided to not charge me -- was relevant.

SENATOR WEINBERG: Well, obviously, your potential employers, when they did find out, did think it was pertinent; and it had a reflection on your potential employment.

MR. ALVAREZ: Well, I would disagree with that characterization, Senator, but--

SENATOR WEINBERG: Excuse me?

MR. ALVAREZ: I would disagree with that characterization.

SENATOR WEINBERG: Okay; well, you want to correct me?

MR. ALVAREZ: No, I just want to say I disagree with it. I think that, ultimately, what I'm saying is that it was an accusation that was made against me. It was investigated by a governmental authority -- by a Prosecutor's Office. They decided that there was no reason to pursue charges. Therefore, there was no need to disclose anything, because there was no criminal case; there was nothing pending.

I believe, firmly, that the reason I was forcefully terminated from my position was related just to the mere allegation in and of itself, without any corroboration from me. Had there been an EEOC investigation -- which I was not made aware of -- I would have been happy to disclose all the information that I had at that time about the investigation by the Hudson County Prosecutor's Office. I would have disclosed all that.

SENATOR WEINBERG: Well--

MR. ALVAREZ: But my point is that they were only concerned with the mere allegation, not with the subsequent investigation.

SENATOR WEINBERG: I don't -- we're not, obviously, conducting an investigation here.

But you found out, in March of 2018, through Mr. Cammarano that they thought you should leave State employment. So anytime between March of 2018 and October 2 of 2018, did you have freedom to come forth and ask for an EEOC investigation yourself?

MR. ALVAREZ: Theoretically, yes, I guess so. I would have.

SENATOR WEINBERG: Excuse me?

MR. ALVAREZ: Yes, theoretically, I would have had that opportunity. Is that what you're asking me? Would I have had an opportunity--

SENATOR WEINBERG: Yes.

MR. ALVAREZ: Yes.

SENATOR WEINBERG: Because you were certainly aware, in March of 2018, that this allegation was serious enough for the employer to tell you that you should be leaving State government, correct?

MR. ALVAREZ: Correct.

SENATOR WEINBERG: So anytime between March 26, of 2018, and October 2, when the *Wall Street Journal* called you, you had an opportunity, over the course of several months, to tell your side of the story, or to seek some kind of redress.

MR. ALVAREZ: Actually, no; that's false. I was made aware, in March of 2018, that the Governor's Office, or specifically Mr. Cammarano, was aware of the allegation made against me.

In that conversation I asked him if there was going to be an investigation, would I be given the opportunity to present my version of the story -- my side of the story, any corroboration that I could give, to help exonerate me. He told me that if there was going to be an investigation, I would get that opportunity.

However, the accusation, in and of itself, just the mere accusation was enough that he felt that my employment with the State was not tenable.

So I, at that point, did not feel I needed to do anything further; because if they wanted to file an investigation, or they wanted to make it a more formal process, they would have let me know; and then I would have, obviously, participated in it. But I didn't think, at that time, that's what they were seeking to do.

SENATOR WEINBERG: Well, you knew you were being asked to leave State employment at some point, as of March 26. Is that correct?

MR. ALVAREZ: I-- Again, I cannot say that that's correct.

SENATOR WEINBERG: Wait a minute; let me--

Mr. Cammarano led you to believe, in March of 2018, that you should start looking for another job; you should leave State-- Whatever the phraseology was.

MR. ALVAREZ: Right.

SENATOR WEINBERG: You were aware that you were in the Chief of Staff's office, and that they were suggesting, because of allegations against you, that you should be leaving State government.

Did I get anything wrong in that?

MR. ALVAREZ: No, that's correct.

SENATOR WEINBERG: Okay. So you said if there was an investigation-- But you also testified that nobody told you that there was going to be an investigation, correct?

MR. ALVAREZ: At that point, yes, correct.

SENATOR WEINBERG: At any point during those several months, did anybody tell you that there was going to be a State investigation?

MR. ALVAREZ: No.

SENATOR WEINBERG: I'm not talking about the Prosecutor's Office--

MR. ALVAREZ: Right.

SENATOR WEINBERG: --but the EEOC complaint.

MR. ALVAREZ: Yes, I was not told.

SENATOR WEINBERG: Okay. You had an opportunity, during that time, to ask for an investigation, correct?

MR. ALVAREZ: Yes.

SENATOR WEINBERG: But you didn't.

MR. ALVAREZ: I did not.

SENATOR WEINBERG: Okay.

How did the Hudson County Prosecutor let you know that they were not proceeding with charges against you? A phone call, letter--

MR. ALVAREZ: A phone call.

SENATOR WEINBERG: A phone call. And who called you?

MR. ALVAREZ: I don't remember the exact person. And it wasn't to me directly; it was through my attorney. But it was a detective, I believe -- I don't know the exact person who called -- or an investigator.

MR. CRITCHLEY: Counsel, do you know the date? That's all the Senator wants to know.

MR. ALVAREZ: Oh, I don't know.

MR. CRITCHLEY: I'm asking Counsel.

MS. BIANCAMANO: I was not his Counsel at the time.

SENATOR WEINBERG: Okay, so it was a phone call to your attorney. Was anything followed up in writing?

MR. ALVAREZ: No.

SENATOR WEINBERG: No? All right, thank you.

I don't have any further questions at the moment.

Senator Corrado, do you have any questions?

SENATOR CORRADO: Thank you, yes.

SENATOR WEINBERG: Oh, I'm sorry. Wait; I'm sorry.

I was so busy looking at the Senator, I almost forgot my Co-Chair.

ASSEMBLYWOMAN PINTOR MARIN: Just two quick questions.

Going back to when you stated that Mr. Lozano was the one who told you that Mr. McKenna would be staying at the SDA; but that if you were still interested in being the Chief of Staff; assuming the position would probably be yours -- correct? -- if you were interested.

At that point in the conversation, did you ask Mr. Lozano how did he know that Mr. McKenna was going to be staying? Or did he give you any pretense as to when he would be leaving? How did Mr. Lozano know that Mr. McKenna would be staying?

MR. ALVAREZ: That I don't know.

ASSEMBLYWOMAN PINTOR MARIN: You don't know who he spoke to before speaking to you -- who gave him that information?

MR. ALVAREZ: That is correct.

ASSEMBLYWOMAN PINTOR MARIN: And then, just my -- just one, quick, last question.

At any point, between March, when you first spoke to Mr. Cammarano, and October -- besides the people who had approached you, who were Mr. Cammarano, Mr. Platkin, Lizette Delgado-Polanco, at some point -- was there anyone else during your tenure as a State employee, beside your attorneys, who you reached out to for advice?

MR. ALVAREZ: No.

ASSEMBLYWOMAN PINTOR MARIN: No one.

MR. ALVAREZ: No one.

ASSEMBLYWOMAN PINTOR MARIN: Thank you.

SENATOR WEINBERG: Senator Corrado.

SENATOR CORRADO: Thank you.

Good afternoon, Mr. Alvarez.

MR. ALVAREZ: Good afternoon.

SENATOR CORRADO: Thank you for being here this afternoon.

Can you tell us why the question of, "Who hired Al Alvarez?" is such a hard question to answer?

MR. ALVAREZ: I cannot.

SENATOR CORRADO: This morning I thought your testimony was indicating that Mr. Lozano had hired you; this afternoon, I think it was leaning towards Mr. Cammarano had hired you.

MR. ALVAREZ: Yes.

SENATOR CORRADO: Who hired you?

MR. ALVAREZ: Again, I-- If the crux of the issue is who had the hiring authority, it would have been Mr. Cammarano.

SENATOR CORRADO: How long have you known Matt Platkin?

MR. ALVAREZ: I met him when I started working for the Governor's Campaign, or the then-Ambassador, for New Way for New Jersey; so, two to three years.

SENATOR CORRADO: And what type of relationship do you have with him?

MR. ALVAREZ: Professional, cordial.

SENATOR CORRADO: Why did you accept his word, his directive, to leave State government as being final? Or did you accept it as being final?

MR. ALVAREZ: I did accept it as being final. Why, are you asking?

SENATOR CORRADO: Why?

MR. ALVAREZ: He's Chief Counsel to the Governor. I just assumed that he and Pete had made that decision, and that I had no further recourse. Because there's really no one you can go to, besides the Governor, that you can go up the food chain to. I mean, the buck stops, pretty much, with either himself or Peter.

SENATOR CORRADO: Or the Governor.

MR. ALVAREZ: Or the Governor. But for the purposes of this, I would never have thought to go to the Governor. I was never under the impression that he was aware of the allegations, and at no time did I have any conversations with him about this. And certainly, when I spoke to Mr. Cammarano and Mr. Platkin, they never made me aware that he was aware.

SENATOR CORRADO: And so you never went to the Governor or the First Lady and told them of the allegation, or told them your side of the story?

MR. ALVAREZ: That is correct.

SENATOR CORRADO: And I think you would have. I'm a little surprised. You have been very steadfast in your testimony that the allegations were false. And you worked hard to get into State government again. I would think you would go higher; you would fight this. I'm a little surprised that you didn't -- that you just accepted Mr. Platkin as having the final say on your career in State government.

MR. ALVAREZ: I would never wish this on anyone. It's-- Sometimes you just have to make tough decisions. And at the time that I spoke to Mr. Platkin, the one saving grace that was potentially out there, by

accepting the terms of his proposed termination of me, was that at least I could then, with their assistance, potentially find a new place of employment.

Whereas, the alternative was -- if I stood there, and I took it, and got fired; and then this came to light -- this allegation -- the termination would make it much more difficult to find employment.

So I had to make, you know, an analysis of what was more feasible to me to, in terms of trying to find future employment. Because I'm not of the means where I can not work.

SENATOR CORRADO: Did anyone, when they came to talk to you -- whether it was Mr. Cammarano or Mr. Platkin, Lizette Delgado, Jose Lozano -- ever ask your side of the story?

MR. ALVAREZ: I can't say that they ever asked; I volunteered it.

SENATOR CORRADO: So when they said there's an allegation--

MR. ALVAREZ: I responded directly and immediately every single time to Mr. Cammarano, to Mr. McKenna, and to Mr. Platkin. Never to Mr. Lozano, so--

SENATOR CORRADO: You never discussed it with Mr. Lozano?

MR. ALVAREZ: No; so, my conversations were with Mr. Cammarano, Mr. McKenna, and Mr. Platkin; eventually, on the day that I left, with Ms. Polanco as well.

SENATOR CORRADO: And that's one of the things I'm actually unclear about.

When Mr. McKenna testified, I believed he knew there was an allegation, but not the nature of the allegation.

MR. ALVAREZ: Yes.

SENATOR CORRADO: But it's your testimony today that you told him what had happened?

MR. ALVAREZ: Yes. Well, he didn't know the nature of the allegation at the time. He came with the message that, "You need to leave, or I'm going to be forced to fire you." He was not told all the specifics. I proceeded to tell him, and give him the context of everything.

SENATOR CORRADO: We've talked today about informal hiring process and a formal hiring process. And I believe it's the informal hiring process that actually got you the job that you wanted. Would that be fair to say?

MR. ALVAREZ: That would be fair.

SENATOR CORRADO: And would that be fair to say that the same informal process was used for the other members of the Transition Team who got jobs in the Administration?

MR. ALVAREZ: That would be fair to say.

SENATOR CORRADO: Other people have testified previously that their work on the Campaign was their interview for the job. Did you ever have a formal interview with anybody for the position of Chief of Staff or CEO?

MR. ALVAREZ: I did not.

SENATOR CORRADO: So I want to talk a little bit about the formal process. Because we know that, in early December, you submitted a résumé. Did you submit it through the portal?

MR. ALVAREZ: No, I gave it directly to -- I believe it was Mr. Miller.

SENATOR CORRADO: I'm going to refer you to document Bates stamp G-80; and it's an e-mail to you from Brandon Parrish.

And if you don't have it, we'll get you a copy.

It's actually an e-mail with -- the body of it is a letter from Lynn Haynes, thanking you for sending your résumé.

Who is Brandon Parrish?

MR. ALVAREZ: He was an employee of the Campaign, and then, subsequently, in the Transition. I can't recall, as we sit here right now, what his exact role was.

SENATOR CORRADO: When Lynn Haynes was here, she testified that she had never seen this e-mail, even though it has her name on it.

MR. ALVAREZ: Okay.

SENATOR CORRADO: Are you aware of that?

MR. ALVAREZ: I'm not aware of that.

SENATOR CORRADO: Do you know who generated the e-mail?

MR. ALVAREZ: I don't know.

SENATOR CORRADO: And we'll get you a copy now.

MR. ALVAREZ: Okay.

Oh, okay.

Yes, I am familiar with this.

SENATOR CORRADO: You're aware of it?

MR. ALVAREZ: Can I explain?

SENATOR CORRADO: Sure.

MR. ALVAREZ: So now -- so Brandon did work and assisted the Transition, and he helped us out during the Transition, specifically on personnel issues with résumés. And this was a generic letter that would have gone out to anyone who had applied through the portal.

So then, stepping back, I did submit my résumé through the portal; not during Transition, but I believe it was, probably, during the waning days of the Campaign. There was already -- I think the portal was already up, and we were being encouraged to just put the résumés on there. And so I did that, and I think that this was just a generic, sort of, boilerplate response to that. Everyone who -- or everyone who applied should have received that letter.

SENATOR CORRADO: And so, at some point, similar time frame, when you got this e-mail, you handed your résumé to David Miller.

MR. ALVAREZ: That is correct.

SENATOR CORRADO: And who is David Miller?

MR. ALVAREZ: At the time, he was -- he worked on the Transition. I know, eventually, he would go into Counsel's Office. He was -- he worked with Mr. Lozano. He was essentially Mr. Lozano's right-hand man, assisting in the Transition; but I couldn't tell you what his title was.

SENATOR CORRADO: So why would you hand your résumé to David Miller, as opposed to Lynn Haynes?

MR. ALVAREZ: So my understanding was David Miller was handling all of the résumés and the application process for everyone who was in Transition looking to go into the State; whereas Lynn Haynes and,

subsequently, my role in Personnel was to help everyone who was outside of Transition looking for State work; to get them--

SENATOR CORRADO: And at some point, you got the questionnaire that was referred to earlier. Who actually handed you the questionnaire to fill out?

MR. ALVAREZ: That probably would have come either from Mr. Miller, again; or perhaps from our Counsel. I believe, at the time, Raj Parikh was Counsel to the Transition Committee. And so it would have been one of those individuals.

SENATOR CORRADO: And now I'm going to refer to document G85, which is also an e-mail. It's from Stephanie Lezcano to Raj Parikh, and it's sending your questionnaire.

Who is Stephanie Lezcano?

MR. ALVAREZ: She was someone who was employed during the Transition, helping to assist with Personnel matters.

SENATOR CORRADO: And did you give your résumé to her to send to Raj Parikh?

MR. ALVAREZ: I don't know if I gave it to her or not. But my résumé would have already been in the portal, so it would have been accessible to the public. But I don't remember -- recall if I did or not.

SENATOR CORRADO: So who would have given the questionnaire to Stephanie Lezcano to send to Raj Parikh for review?

MR. ALVAREZ: It would have definitely either been myself or Ms. Haynes.

SENATOR CORRADO: So only the two of you.

MR. ALVAREZ: Yes, correct.

SENATOR CORRADO: There would not have been anyone else.

MR. ALVAREZ: Yes, correct.

SENATOR CORRADO: So just to be clear, this is the questionnaire we're talking about, not the résumé.

MR. ALVAREZ: Right.

SENATOR CORRADO: So the résumé went to David Miller; the questionnaire went to--

MR. ALVAREZ: Mr. Parikh, I guess; yes.

SENATOR CORRADO: Did anybody else review it?

MR. ALVAREZ: I'm not aware.

SENATOR CORRADO: You talked about that you've worked in government before. Is it normal to have an interview at Starbucks in State government?

MR. ALVAREZ: It's not normal under what we would consider traditional employment practices. I've come to find that in government, sometimes, respectfully, it's not -- normal is not really something we can use. It's -- things are a little different.

And as I alluded to earlier, when I was part of the Transition for then-Governor Corzine, it was a very similar, informal process. The process of my application for the Campaign was also something very similar, in the sense it was informal. A lot of it is relationship-based. So a lot of the rules that would apply to traditional employment in the private sector don't necessarily always apply in these contexts.

SENATOR CORRADO: It's our new normal.

MR. ALVAREZ: Yes.

SENATOR CORRADO: Even the texting is the new way of doing business.

I just want to go back to my earlier question. Who could have given the questionnaire to Stephanie Lezcano to send to Raj Parikh?

MR. ALVAREZ: Either myself or Ms. Haynes.

SENATOR CORRADO: When you went -- originally you requested to, you know -- or were interested in the position of CEO. Charlie McKenna has testified that he knew he was a holdover, that he knew he wasn't going to be kept indefinitely. When you were offered the position of Chief of Staff, was it with the intention that you would eventually take over the CEO position?

MR. ALVAREZ: No.

SENATOR CORRADO: There was no understanding for that?

MR. ALVAREZ: There was no understanding of that.

Now, I would like to interject that that was my hope; but there was never a promise or expectation of that.

SENATOR CORRADO: And so there was never a discussion with anybody about -- you would be hired before Mr. McKenna was replaced by Lizette Delgado.

Who can actually hire someone at SDA? You were Chief of Staff; if I wanted to go work there as--

MR. ALVAREZ: Ultimately, there's an HR -- Personnel Department. But those applications would have gone through the CEO; and ultimately, the CEO would then delegate that to, potentially, the Chief of Staff.

So I'll give you a great example: Charlie McKenna and Ms. Lizette Delgado-Polanco -- very different styles of management. Charlie was very hands-on. And if you had applied, Senator, for a job at the SDA, even if it was for something, maybe, clerical, or administrative, or something -- you know, very entry-level -- Charlie probably would have interviewed you himself. He was very hands-on. I probably would have had no interaction with you, and he probably would have signed the letter himself.

Whereas Ms. Lizette Delgado-Polanco was much more into delegation; and I probably would have been the one to interview you. And I would have gone to her and asked her -- gave her my recommendation, as to whether you should be employed or not. And we would have proceeded that way.

SENATOR CORRADO: And who can actually fire someone at SDA?

MR. ALVAREZ: Same.

SENATOR CORRADO: Same? Could you just explain that again?

MR. ALVAREZ: The CEO; ultimately, the CEO. And the CEO can delegate that to the Chief of Staff.

SENATOR CORRADO: And would it normally be the Chief of Staff, as opposed to a department head or one of the -- I think there are four Executive Vice Presidents.

MR. ALVAREZ: No, the actual firing would normally come from the Department of Personnel; so, the Director of Personnel most likely.

SENATOR CORRADO: And is the Department of Personnel different from the Human Resource Director, or would they be one and the same?

MR. ALVAREZ: Actually in this I'm using them interchangeably.

SENATOR CORRADO: Okay.

MR. ALVAREZ: So Human Resources/Personnel -- that would have been the same thing for SDA.

SENATOR CORRADO: And can you just go back to your testimony about the restructuring?

MR. ALVAREZ: Yes.

SENATOR CORRADO: Was it your testimony that the restructuring made way for the raises that were given?

MR. ALVAREZ: They were done in conjunction with them, yes.

SENATOR CORRADO: And one last question about the questionnaire that was sent.

Who could have instructed Stephanie Lezcano; you--

MR. ALVAREZ: Yes.

SENATOR CORRADO: --or Lynn Haynes were the only two--

MR. ALVAREZ: Yes.

SENATOR CORRADO: --who would have instructed--

MR. ALVAREZ: I believe it would have been me. Now, upon reflection, we were all so busy, trying to work on getting other people's applications done, that sometimes we -- and when I say *we*, I'm using the word referring to the Transition Team -- were negligent in doing these

things ourselves. So I think, at some point, we were reminded that, "You Transition Team folks need to get your questionnaires prepared; everything-- All your ducks need to be in a row. "

So at some point I probably hadn't submitted mine yet, and asked her to just do it for me.

SENATOR CORRADO: And who within the Transition Team would have actually had the authority to send out the hire letters, similar to the one that you had gotten?

MR. ALVAREZ: So all those decisions were made between -- if memory serves correctly -- Lynn Haynes, the Director; the Counsel, Mr. Parikh; with advice and consent from Mr. Cammarano and Mr. Lozano.

SENATOR CORRADO: What about Mr. Platkin?

MR. ALVAREZ: No, not that I'm aware of.

SENATOR CORRADO: So Mr. Platkin, as Chief Counsel, was actually over the Authorities unit. So he had no involvement in your hire as -- at one of the Authorities? I believe there was testimony that you were the only employee from the Transition Team who actually went to an Authority. The rest had gone into the actual Administration.

MR. ALVAREZ: I don't know if that's true or not. It's possible.

But to your question as to Mr. Platkin -- I don't recall ever having conversations with him about my employment. I don't remember him being involved in any real discussions with me as to employment, in general, for anyone. My understanding was the only employment things that he was really related or involved in were raised with respect to the Attorney General's Office, where he was working closely with, at the time,

the Attorney General designee, Mr. [Gurbir Grewal](#); and so were handling that themselves.

But--

SENATOR CORRADO: I'm sorry; go ahead.

MR. ALVAREZ: But I don't know if there were conversations that I was not privy to, where he was being asked to sign off on things. I don't know that.

SENATOR CORRADO: Okay. And the hire letter that you actually got -- do you know who sent that to you? Was it an e-mail; was it a hard copy?

MR. ALVAREZ: It was a hard copy that was given to me by Lynn Haynes.

SENATOR CORRADO: Okay.

And my last question. You've testified about looking for the job at Rutgers -- that you didn't believe they were really going to help you.

MR. ALVAREZ: Correct.

SENATOR CORRADO: Who are *they*?

MR. ALVAREZ: Well, Mr. Platkin.

SENATOR CORRADO: And why didn't you believe he would really help you go?

MR. ALVAREZ: That he wouldn't?

SENATOR CORRADO: Would *not*.

MR. ALVAREZ: Would *not*.

I-- You know, I think after him knowing how vociferously I was denying these accusations, and for him knowing that I was, you know, cleared of charges -- that there were no charges filed -- I guess I was just a

little disappointed and bitter. And so I just had a-- I guess, maybe, it was just a very pessimistic viewpoint; just not trusting people in general, at that point.

So he said that they would do something; but I did not, at that point, feel that they were looking out for my best interest.

SENATOR CORRADO: And with regard to the hire letter -- it was an auto-generated signature; I believe there had been testimony previously.

MR. ALVAREZ: I don't remember if it was auto-generated or a personal-- I don't remember that.

SENATOR CORRADO: Okay. Ms. Haynes had testified that she did not give you the letter. Do you know who else could have, if it wasn't her?

MR. ALVAREZ: No.

SENATOR CORRADO: Thank you.

SENATOR WEINBERG: Thank you.

Before I call Assemblywoman Muñoz, I just want to ask a couple of questions again, just about structure of the Transition Committee.

Do you know what the budget of the Transition Committee was?

MR. ALVAREZ: I do not.

SENATOR WEINBERG: Can somebody correct me -- I think we had -- we were told it's \$250,000.

MR. CRITCHLEY: That's correct.

SENATOR WEINBERG: Okay. And what was your salary on Transition?

MR. ALVAREZ: Well, I believe I just heard testimony that the letter that came to me said it was a \$100,000; I don't recall that.

I think I was told it was going to be around \$90,000; pro-rated, obviously, for those two months.

SENATOR WEINBERG: So you got almost half of the entire budget for the Transition Committee?

MR. ALVAREZ: I don't know if that's true; I don't know. I don't -- I don't know.

SENATOR WEINBERG: Was there other funding coming into the Transition Committee, or were people on other payrolls? Do you know?

MR. ALVAREZ: My understanding, again-- And this was not my area. I can only give you what I understood to be the case.

There were certain employees who were part of the Transition who were paid through -- directly through the Transition fund; so, State funds. And then there was a majority of people who were working on the Inauguration Committee -- the folks who are preparing all of the festivities to celebrate and mark the Governor's Inauguration -- who were then being paid privately. They were being paid through, I guess, fundraising efforts and other things like that.

SENATOR WEINBERG: But they were not on the Transition. That would be the Inaugural Committee, correct?

MR. ALVAREZ: Technically, yes; although we shared space with them, and they were, you know -- we worked interchangeably with them. But, yes, you are correct.

SENATOR WEINBERG: Okay.

Assemblywoman Muñoz.

ASSEMBLYWOMAN MUÑOZ: Thank you.

Thank you.

Can I ask you -- who told you at the Hudson County Prosecutor's Office that you were not being charged?

MR. ALVAREZ: Again, I don't remember. My attorney spoke to -- my attorney, at the time, spoke to a representative; and I don't remember who that was.

ASSEMBLYWOMAN MUÑOZ: Do you have the exact date that you were told this?

MR. ALVAREZ: I do not.

ASSEMBLYWOMAN MUÑOZ: Do you have an approximate date when you were told this?

MR. ALVAREZ: The fall of 2017.

ASSEMBLYWOMAN MUÑOZ: The fall of 2017. And do you know when Ms. Brennan was told that--

MR. ALVAREZ: I don't know.

ASSEMBLYWOMAN MUÑOZ: You don't know; okay.

Thank you.

SENATOR WEINBERG: Any other questions from anyone?

MR. CRITCHLEY: I just have one or two.

SENATOR WEINBERG: Mr. Critchley.

MR. CRITCHLEY: Just for clarification.

You indicated, quite accurately, that you were not charged by the Hudson County Prosecutor's Office. That's -- *not charged* is not the

same as *cleared*. You used the term *cleared*; there's a distinction between the two: *not charged* and *cleared*, correct?

MR. ALVAREZ: That's a legal distinction, yes, sir.

MR. CRITCHLEY: Okay.

And the other thing -- you realize, as you pointed out, that the standard of proof in a criminal proceeding is proof beyond a reasonable doubt; and in a civil or administrative proceeding, the same allegation only has to be proved by a lesser standard of a preponderance of the evidence, correct?

MR. ALVAREZ: Yes.

MR. CRITCHLEY: Thank you.

I have nothing further.

SENATOR WEINBERG: Senator Oroho.

SENATOR OROHO: Yes, Madam Chair.

Thank you very much, Mr. Alvarez; thank you very much.

It's been a long day.

Thank you for your testimony.

MR. ALVAREZ: Thank you.

SENATOR OROHO: I just have two questions.

Based upon the Verniero report, basically it's-- I think they basically came down to that "the system" hired -- you know, hired you. And you testified today that, obviously, Mr. Cammarano, and Mr. Platkin, and Mr. Lozano may have had the authority to hire you.

You also testified you've had a long relationship -- at least longer than the Administration -- relationship with the Governor and the First Lady. You've testified that they knew nothing about it. Do you think

it's possible that people just knew that your relationship with the Governor or the First Lady was so strong that you were going to -- that they were going to hire you somewhere?

MR. ALVAREZ: Who knew this? I'm sorry. You--

SENATOR OROHO: Do you think that because of your prior relationship with the Governor-- Although you've testified that he didn't -- that he or the First Lady didn't know anything about the situation or the allegations--

MR. ALVAREZ: Right.

SENATOR OROHO: --and other testimony, by others, has been, until the comments came in, or the request for comments came in from the *Wall Street Journal*--

Do you think that you were hired just based upon your prior relationship with the Governor or the First Lady? Or you testified that you spoke with Brandon Gill, I guess, who was the Campaign Manager. Do you think that was the ultimate reason why you were-- We don't know who hired you, but was it that relationship -- that the system got you hired?

MR. ALVAREZ: No, I personally believe I was hired because I was qualified; I worked hard on the Campaign; worked hard in the Transition. No one ever questioned my professionalism or my work product. So I believe I was hired on the merits of my application.

SENATOR OROHO: But we don't know who, ultimately, made that decision.

MR. ALVAREZ: That's true. That is correct; yes, sir.

SENATOR OROHO: Just one other question.

You've testified you were admitted to the bar in 2001.

MR. ALVAREZ: Yes, sir.

SENATOR OROHO: There's been a lot of testimony today -- a lot of discrepancies between -- as has been pointed out very well by Mr. Critchley, Mr. Haydon, and Ms. Alito -- as to all the different discrepancies.

Based upon your experience as an attorney, do you believe that people have perjured themselves before this Committee, based upon those discrepancies?

MR. ALVAREZ: You know, I am respectfully going to refuse to-- I don't want to opine; I don't, you know-- I don't want to hazard guesses.

I am not a student of every person's testimony here today. I did have a general awareness of what was testified to; but as we sit here, I'm not in a position to give you an honest opinion on that.

SENATOR OROHO: I appreciate that.

But you do testify that there are significant discrepancies between what you believe happened and what has been prior testimony.

MR. ALVAREZ: Yes.

SENATOR OROHO: Thank you.

No further questions.

SENATOR WEINBERG: Assemblywoman DeCroce.

ASSEMBLYWOMAN DeCROCE: Thank you, Madam Chair.

Thank you, Mr. Alvarez, for being here today.

MR. ALVAREZ: Thank you.

ASSEMBLYWOMAN DeCROCE: In the beginning, we talked a little bit about process. So I want to just touch on that part of it.

Going forward in policy and procedures for the State of New Jersey, if at the time that you were told to basically leave, or look for other employment -- if it was presented to you as, "We're going to put you on paid leave until this can be figured out, or until you can find a job in a certain amount of time," would you have taken that?

MR. ALVAREZ: Possibly.

ASSEMBLYWOMAN DeCROCE: Thank you.

SENATOR WEINBERG: Any other questions? (no response)

There being no further questions, you are dismissed; and the Committee is in recess.

MR. CRITCHLEY: Just in the event we have to call you back, the subpoena is on-call. We don't know if we're going to; but just in case we have to call you back, okay?

MS. BIANCAMANO: Thank you.

MR. ALVAREZ: Thank you.

MR. CRITCHLEY: Thank you.

SENATOR WEINBERG: The Committee is in recess.

**(MEETING CONCLUDED)**