

TRANSCRIPT OF CHRONOGRAM INVESTIGATORY INTERVIEW
11:00 am, Thursday, May 10, 2018, Woodstock

Present:

Sam Castro, paralegal

Eric F. Coppolino

Anne-Marie, associate

Ryan Poscablo, counsel for Chronogram

Joseph Trusso

Transcript commences at 00:06:27

COPPOLINO Good morning.

POSCABLO Hey, good morning. So, just to be clear, introduce ourselves. I'm Ryan Poscablo. This is Anne-Marie, my associate, Sam Castro, my paralegal. We are counsel for Luminary and they've asked us to speak with you today; you're doing so voluntarily, to talk to us. It appears that you are recording this conversation?

COPPOLINO Yes.

POSCABLO Is that correct?

COPPOLINO That's correct.

POSCABLO And is it...is it fair for me to assume that you are not going to speak with us unless you are recording this?

COPPOLINO That's correct.

POSCABLO OK, I should have known that prior to.

COPPOLINO It's a one-party state.

POSCABLO No, I'm - I'm saying - I'm not saying that you couldn't have. I appreciate you letting me know. But I do have a right to say to you I - that I don't want to talk to you. So, what I'm saying is, out of courtesy, right, you could have let me know that we were going to have a conversation that was going to be recorded.

COPPOLINO Right.

POSCABLO Right? So what I could do is I could walk outside and decide that I don't consent to you recording to me,

right, and then we won't have this conversation. So I'm going to ask you now, I don't want to be recorded. And so you're saying to me if we don't record this then you're not going to - you're not going to speak with us today. Is that correct?

COPPOLINO Well, I'm - I'm curious why that would be.

POSCABLO As of right now, I don't want to be recorded, Eric. So the question is, are you willing to talk to us without the recording? So either...

[inaudible]

COPPOLINO No, no, I'm not [inaudible] to.

POSCABLO OK. Let me go outside and I will make a call to the client, and then we will have a conversation about whether we're going to continue. I appreciate it.

00:07:53 *[POSCABLO and assistants exit. Pause approx. 11 minutes]*

00:19:31 COPPOLINO All good?

POSCABLO It's fine.

COPPOLINO Excellent.

POSCABLO That courtesy is all I asked.

COPPOLINO Right. I mean, I assumed you'd be taping.

POSCABLO Oh, I wouldn't be.

COPPOLINO Right.

POSCABLO But now I will be.

COPPOLINO OK. That's fine. And you certainly can have access to my recordings if you need them.

POSCABLO Yeah. Yeah. I, you know, that conversation beforehand would have been...

COPPOLINO I mean, there, there was no opportunity for - there was no opportunity for, for exchange of any official, you know, official ground rules?

POSCABLO Dialog.

00:20:00 COPPOLINO Well, I mean, I haven't been given any ground rules either. I mean. So, I mean, you know, I'm a little nervous sitting here with a former federal prosecutor; you're trained by the best as far as I know.

POSCABLO Well, look, I introduced us already. Let me tell you - let me tell you about a few things. The first is that - I think you're aware that the company has heard - there have been some allegations made against you with regards to inappropriate conduct. And I think - they've asked me to look into that.

COPPOLINO Right.

POSCABLO And determine the truthfulness of those allegations to the extent that they are truthful. And - and I think we've heard stories, and I think I wanted to spend a little bit of time today to give you an opportunity to talk about that, to the extent you're willing to do so. Look, I mean, as you know, this - you are - you are an independent contractor with - with Luminary, with Chronogram. And I've read your work. I like your work. You do great work. And I've read your horoscopes and they're pretty good.

COPPOLINO Up till - before now? Or...

POSCABLO Recently - recently.

COPPOLINO Recently - just a part of the investigation process?

POSCABLO No, as part of the investigation process. I think you're - look, everyone will say that you do very good work on your, on your - we read it on the way up, you know, the last time we came up here. And I was having that kind of a day, so kudos. I think your work was right. So let me - let me give you one thing. First is that this conversation - we represent the company, we don't represent you, right? So you know that. And, you know, this conversation is privileged. You're recording it, and you're allowed to do so, and I have accepted your conditions, that you will record it. We are recording it as well. And I will say that the company - this conversation is privileged and the privilege belongs to Luminary. But, look, like I said, you're here voluntarily, you're speaking

with us voluntarily.

COPPOLINO Right.

POSCABLO And to the extent that you don't want to answer questions...

COPPOLINO And the privilege belongs to Luminary, meaning that I'm here in my capacity as a reporter.

POSCABLO You're here as your capacity as a reporter.

COPPOLINO That's correct.

POSCABLO That's right.

COPPOLINO So we're - and - and the, the context of this whole conversation...

POSCABLO Yeah.

COPPOLINO Is an article I wrote in the February Chronogram.

POSCABLO Well, not necessarily.

COPPOLINO Yeah. Because this provokes the whole thing. A letter to the editor provokes the whole conversation. So just to make sure that we have that...

POSCABLO Yeah.

COPPOLINO This is the article. And it's interesting that the article talks about allegations. The whole article is a critique on the process of making allegations and 'guilty because accused'. So that's what I was commenting on. And then mysteriously we find ourselves in this 'guilty as accused' - except for here. I'm grateful to everyone involved for not - not playing that game here. But - so I wrote an article about 'guilty as accused', right, claiming this is like a real problem, we've got to get our shit together and have due process and validation of facts and it can't be 'guilty as accused'. Letter to the editor comes in complaining - complaining that this is a fraud, and this is a cover-up.

POSCABLO In what sense?

COPPOLINO That's what the letter says. The letters to the editor say

that I wrote this article as an attempt to cover more than three decades of alleged behavior which...

POSCABLO You [inaudible].

COPPOLINO Yes, that - that's what been published.

POSCABLO Did you - you obviously have read that - that letter to the editor.

COPPOLINO We're indexing every last thing said on the original Julie Novak post. We have a discovery operation in process already. So everything's being indexed, catalogued, archived and tagged. And I have provided - I've created an - an index of the approximately 20 most interesting plaintiff exhibits for you.

POSCABLO Oh. Let me see them.

COPPOLINO So the third part is...

POSCABLO Hold on, before you do that...

COPPOLINO Yeah, I have two...

POSCABLO So you wrote the article...

COPPOLINO First Amendment, privileged speech. I'm a sex - I'm a sex writer in the community. I write about controversial subjects, I'm an investigative reporter also

POSCABLO Yeah. Yeah.

COPPOLINO So I take on - and I've done this, I've - I've operated for Chronogram for 22 years, the last ten of them running a neighborhood business.

POSCABLO Right.

COPPOLINO On Main Street.

POSCABLO Right.

COPPOLINO Right, so third - third point is, I was only told to show up today to respond to "various allegations."

POSCABLO Yeah.

COPPOLINO Which had not been enumerated, put in writing, clarified - I'm not told anyone signed their name to anything. I - I filed documents, I have to notarize them.

POSCABLO Yeah.

COPPOLINO I say - I have to affirm under penalty of perjury that I'm telling the truth.

POSCABLO When?

COPPOLINO When I file, for example, a human rights complaint.

POSCABLO Aha.

COPPOLINO I file an EEOC complaint, I have to notarize it.

POSCABLO Sure.

COPPOLINO I have to - so I, I can't just put a post up on Facebook. So, in any event, what we have is largely a phenomenon of Facebook. One letter to the editor in Chronogram, and then a lot of chatter on Facebook in a group called Hudson Valley Feminists.

POSCABLO Aha.

COPPOLINO And on the timeline of someone named Julie Novak, who's the co-founder of the TMI Project, a project devoted to telling the truth.

POSCABLO Okay.

COPPOLINO Maybe you know this name. And she's also a former Chronogram employee.

POSCABLO Aha.

COPPOLINO So we're talking about an article, and a public outcry about an article, whatever that outcry was. Journalists are accused of stuff all the time - being a Communist, liking Trump, hating Trump, whatever the case may be.

POSCABLO All right.

COPPOLINO Being a spy if you're in North Korea, you're a journalist, you know. If I go to Ukraine, I have to leave my press cards at home, for example. So it's not - we're in tough

times for journalists right now. We're getting shot places. And, you know, I want to keep that framing. I understand you have a format, you have some questions. Finally I want to point out that there are three principal people involved in making these claims - on the meta level, organizing them.

POSCABLO Okay.

COPPOLINO All of them are involved, or have been involved, with Chronogram.

POSCABLO Who are they?

COPPOLINO They are Julie Novak, who was production editor and was the go-between on the Dana Barnett letter. And who posted the Dana Barnett letter to Facebook. There is Lorna Tychostup, who was an editor of Chronogram from...

POSCABLO Can you spell that last name please?

COPPOLINO TYCHO - it's in all the exhibits - TY - Tychostup. TYCHOSTUP - who was the - kind of a political editor for about 12 years, and someone I've known briefly in the 1990s, who has a - I will read into the record a number of the claims that she has made - she's the one who called me the Matt Lauer of Chronogram. And then Hillary Harvey, Hillary Hoffman Harvey has been - currently editor-at-large of Chronogram.

POSCABLO Yeah.

COPPOLINO Has been...

POSCABLO You'll have to just excuse me, **I have to validate the docs**. I apologize. But I am listening that - so you know that...

COPPOLINO Hillary Hoffman Harvey has said that I am the Harvey Weinstein...

POSCABLO Is this something she wrote?

COPPOLINO Yes. And we have - of course, we have tagged it.

POSCABLO I mean, you understand that none of - thank you, sir -

that none - although you've said that these people are associated with Chronogram, these posts are not from Chronogram.

COPPOLINO They are claiming representation. And I have - I have evidence that Hillary...

POSCABLO What does that mean?

COPPOLINO They claim to represent Chronogram. Hillary Harvey Hoffman - Hillary Hoffman Harvey - has claimed, both publicly and privately, to represent Chronogram; that she is an editor-at-large of Chronogram. I write for the New York Daily News.

POSCABLO Well, that's...

COPPOLINO I write for the New York Daily News.

POSCABLO Hold on. Just to answer. She is, right? I mean, just like you are treating...right.

COPPOLINO That is a fact.

POSCABLO That's a fact, right. But I think you - you're trying to - you're - the point I'm trying to make is that, as far as Chronogram's - as far as Chronogram's position, you wrote this op-ed - I mean, I'm sorry - you wrote this article, then the op-ed was submitted and was printed. That's the extent of Chronogram's involvement in this, right? So...

COPPOLINO No, I don't think that a plaintiff attorney would say so.

POSCABLO Why?

COPPOLINO I think a plaintiff's attorney would say that a - let me tell you my ground rules at the Daily News. I'm not allowed to say the words 'Daily News' unless I'm representing the Daily News.

POSCABLO Right.

COPPOLINO I am under strict orders. So if I introduce myself to a story subject, and say, by the way, I write for the Daily News, that's it. We're on the record for the Daily News. And if I don't actually represent the Daily News, that's

on me. They can get in trouble. And Chronogram has yet to disavow publicly the statements of Hillary Harvey Hoffman, including her public statement of representing Chronogram.

POSCABLO Well, I guess you'll show me what those statements are. I'm unaware - I am unaware of any public statements that...

COPPOLINO Public and private. I have public and - I have public and private statements that...

POSCABLO That Hillary has made asserting that she is...

COPPOLINO I'm sure that you're not aware of a lot of things that have transpired in, in this...

POSCABLO Well, that's part of the reason...

COPPOLINO Rather strange...

POSCABLO That's why I'm here.

00:30:00 COPPOLINO Rather strange scenario that's unfolded. And up until the morning of April 4, 2018, I had spent my life involved in - in three high-risk professions with an unblemished reputation. And I woke up one morning and suddenly was accused of being a serial predator on a public post, on Facebook, tagged to my timeline. I had no knowledge of this. And I will demonstrate to you that my reputation is something I have earned, and kept, and is worth keeping. And - and when you're looking at my biographical references, you might put on your, kind of, plaintiff attorney hat and put an adding machine next to you, and add up the monetary value of my reputation. Because that's what I'm here for - about. That's why I'm here today. That's why I agreed to talk to you. Because I - I believe that, as a fair-minded person, and someone who is trained in the rules of evidence and has seen a lot of shit go down, because I know what prosecutors deal with - that you will take a balanced and open-minded view, and you're - you're being brought on as an expert, as a third-party expert. I know this is what you do. The referral's to Oakwood School, is that correct?

POSCABLO Go ahead, continue.

COPPOLINO That's a Quaker - Quaker academy. So where were we? I was - I just left off with - I woke up one morning, of the 4th, and found a Facebook post tagged onto my timeline. And that's the first that I am hearing or knowing of any of this, or any of these allegations, with one exception.

POSCABLO What was that?

COPPOLINO That I was allegedly harassing a story subject on her deathbed in 2000 - a woman named Jennifer Folster - and this is a story that Lorna Tychostup, who was then political editor for Chronogram, spread for many years. And I thought that was appalling. I had devoted my life to covering the SUNY New Paltz dioxin-contaminated dorms. Jennifer Folster was someone I spoke to three times in my life. Once on a hike, cautioning her about living in Capon Residence Hall, which is contaminated with dioxin-like compounds; a second time when she developed acute myelogenous leukemia, type II, and her doctor said that it probably came from an environmental exposure from those dormitories; and the third time in a consented deathbed interview, along with the rest of the Hudson Valley media. And I've provided these articles as exhibits. And...

POSCABLO [inaudible] Ah. Understood. You're - right. Take a breath. Take a breath. It's not a court proceeding.

COPPOLINO So - thank you, right. Well. You know. It's kind of a courtroom...

POSCABLO No it's not, we're in your therapist's, like, basement, man. We're on a couch with my team.

Game. We're in a rural, rustic basement, yes.

Take a breath.

TRUSSO Doesn't matter where it goes down. It goes down...

POSCABLO Well, it doesn't feel like a courtroom. I certainly don't think I'm in a courtroom, right? So...

COPPOLINO Right. Remember my reputation, my life, my trust in the public is on the line.

POSCABLO No, I understand that. I understand that.

COPPOLINO And, and I am absolutely confident that...

POSCABLO Well, let - let me be clear about a few things. The first is that - I understand that, and I understand that your position - and my understanding is that there have been other employers who have already ended their relationships with you and you've filed complaints against them. Understood. And also I understand the importance of reputation.

COPPOLINO Trust. It's about trust.

POSCABLO Like, and - and also - and also, you know, being a former prosecutor, and a lawyer now, and you're a reporter - like, reputation matters, and - and also, like, what people are saying about you.

COPPOLINO That's correct.

POSCABLO So I understand the importance of that. And I am not here to, to argue with you about that. What - I guess what I am here about - and we can talk about - is that - so let me be clear about a few things. The first is that it is my understanding that the activities of the women that you're speaking about were not sanctioned by Chronogram. You might have a different position, and if - you know...

COPPOLINO No, I'm not saying that they were sanctioned, sir.

POSCABLO Okay.

COPPOLINO I'm saying that Hillary Harvey Hoffman identified herself, and up till May 1 was identifying herself, as Chronogram reporter on the story of me.

POSCABLO That she is now writing? That you...

COPPOLINO She - listen. I will show you the exhibit.

POSCABLO Okay.

COPPOLINO She - I wonder - we might not have that one here. If not, I can forward it to you.

POSCABLO Okay.

COPPOLINO But she identified herself as a reporter for Chronogram and Radio Kingston on May 1, when I wrote to her under an alias name, Gina Marcheso at the email address set up for MeToo Kingston. And my sole purpose in doing that was to establish that she was identifying herself...

POSCABLO As a Chronogram reporter.

COPPOLINO That's correct.

POSCABLO Okay.

COPPOLINO And I established - I established that fact. And to the extent that she is not a Chronogram reporter - Chronogram has an obligation to say something about that, because we are now five weeks into this, and she's been identifying herself as a reporter for five weeks. And so far Chronogram has not said anything. And furthermore, that she has been out recording interviews, which I understand she played for you on Thursday, and which - on which some of this is based, some of the discussion is based - and I'm telling you this is the fruit of the poison tree.

POSCABLO How so?

COPPOLINO Well, because she announced on April 7 or something that I was the Hudson Valley of the Harvey - Harvey Weinstein of the Hudson Valley, and that everyone should send their stories in. I don't, I don't - speaking as a working journalist, I don't - I don't begin with the foregone conclusion and then attempt to call witnesses based on having stirred, stirred up that controversy. My work is based on data. My work is based on witnesses who will sign their name. I will not use an anonymous source or a - if a priest gives me a tip and says there's been test wells dug, great, I'll say, thank you Father Damien, and I'll go dig up the documents, and Father Damien is now no longer part of the story - he just served his role as the person telling me there were test wells. This is all being done based on various anonymous - anonymous things, rumors of rumors of rumors - and to be clear, we are tracking everything. I - if there's something we've missed, maybe we've missed it. But we're running a discovery operation. I'm trained - I'm trained in discovery practice.

POSCABLO Are you aware of some of the rumors?

COPPOLINO Of course I am. I know them all. We know them from the Facebook posts. We've been tracking - I've had a reporter in the Hudson Valley Feminists' room the entire duration of the discussion, indexing and archiving everything.

POSCABLO So you're - are you prepared to talk about some of those?

COPPOLINO Well, I - I'm not prepared - I'm prepared to talk about what you will specifically - I'm willing to listen, let's put it that way. I'm willing to listen

POSCABLO That's funny, because I am too. I thought I was going to do that.

COPPOLINO Yeah, well, I mean, you know, we'll see how that - we'll see how that all shakes out.

POSCABLO Aha.

COPPOLINO I would note that in my original article, I talk about the need for evidentiary rules here, and - and I think that it's kind of strange that I'm - I was asked to report to a meeting to respond to "various allegations" with no specificity as to what they were. That's a little weird. That's a little Kafkaesque. That's how they have The Trial. Have you read The Trial, by Franz Kafka?

POSCABLO Well, hold on. I understand your reference. A little weird is not, is not - I don't think that's an appropriate way to describe it, but I'll give it to you. Fine. We're here today...

COPPOLINO How do you respond to what you not - how do you respond to what you don't know about? I mean it's, it's just a fishing trip. You could say - you could - you could allege that I have...

POSCABLO Well, let's be clear about...

COPPOLINO A crate of gold that I stole from Fort Knox...

POSCABLO Let's be clear about something.

COPPOLINO Buried in my back yard.

POSCABLO Let's be clear about something. I'm not - I haven't alleged anything. This isn't - this isn't me alleging anything.

COPPOLINO Right, okay, well...

POSCABLO I'm here to - I'm here to assess the allegations that have been made against you, the rumors that have been - that have been flying about. That you already apparently know about and are doing a discovery operation on.

COPPOLINO And know exactly who spread them. And where they come from. We have the pedigrees - we have the pedigrees of these things traced, and Tychostup is very close to the criminal harassment statute right now.

POSCABLO Okay. So let's talk about them. So tell me about one of the rumors - what rumors are you - let me see what you have, if you will - if you're interested in me having them.

COPPOLINO I am. First of all, these are my biographical references.

POSCABLO Yeah.

COPPOLINO They are indexed by letter. That is a - pretty much a survey of my - all the relevant points of my career except for musical composer. I've just - there was really no need to do that - but that's part of what I do these days.

POSCABLO Okay.

COPPOLINO It's a - I have a music project.

POSCABLO That's great. Thank you.

COPPOLINO So - those are biographical. And they're keyed - they're tagged in white.

POSCABLO I see - you've even put exhibit stickers on them.

COPPOLINO Yes. But I'd rather - at this point I'd rather answer some of your questions because I speak to specifics, and...

POSCABLO No, I hear you, I hear you. That way you're not, like - we're also not wasting time. We want to be efficient.

00:40:00 COPPOLINO Yes.

POSCABLO Right. So, look, the - there was a Facebook post by Hillary, and I did want to ask you about that. I left my [inaudible]

COPPOLINO Facebook post by Hillary?

POSCABLO Yeah.

[pause 30 seconds approx.]

POSCABLO Yeah. Just to make sure that we both understand what we're talking about, okay?

[pause 15 seconds approx.]

POSCABLO There you go.

COPPOLINO Hold on. Just checking my backup. Looking good.

POSCABLO I'm glad.

COPPOLINO Yeah.

POSCABLO That's probably one of the ones [inaudible], right?

COPPOLINO Yeah, we're - we're - these are tagged. We're familiar with these.

POSCABLO Yeah. So tell me - you said that - lead me through where you - your discovery of these. You said you woke up one morning and then you found these - you found these Facebook posts up.

COPPOLINO No, one - I found one Facebook post by Julie Novak.

POSCABLO Mm. Do you have it?

COPPOLINO It's in - it's in the record - I will - it's a record. It's in the Dana Barnett series, it's - I believe, exhibit three or four - plaintiff three or four.

POSCABLO Okay.

COPPOLINO And it was posted by Julie Novak, purporting to be

written by a third party.

POSCABLO Who is - who's Dana Barnett?

COPPOLINO I don't know.

POSCABLO You don't know who that is?

COPPOLINO No. I know what she's - who she's claiming to be. I know no person by the name of Dana Barnett.

POSCABLO Unfamiliar with the name?

COPPOLINO Unfamiliar with the name. Who purports to have known me 22 years ago for about a day.

POSCABLO You know where she purports to know you from?

COPPOLINO According to her post, New Paltz.

POSCABLO And - what you're saying is, you don't remember meeting someone named Dana from New Paltz?

COPPOLINO No.

POSCABLO Do you remember having a sexual encounter with someone named Dana at New Paltz?

COPPOLINO No. I can tell you, in fact, I never had a sexual encounter with anyone named Dana. Ever.

POSCABLO Do you remember having a sexual encounter with someone in the woods during a hike, who was a student at New Paltz, not named Dana?

COPPOLINO No.

POSCABLO You don't recall, or it didn't happen?

COPPOLINO No, it didn't happen. Didn't happen. Ever. Ever.

POSCABLO So - so there was a story about you having an encounter...

COPPOLINO Right.

POSCABLO And I use that because that's what I know. That's the word I...

COPPOLINO She's not saying what happened. We've read her - we've analyzed - we've had - I've had psychologists and forensics people and garden variety folk...

POSCABLO Yeah.

COPPOLINO That post says something consensual occurred.

POSCABLO Yeah.

COPPOLINO But will not say what that thing is.

POSCABLO Yeah, yeah, yeah.

COPPOLINO And it was posted by a third party.

POSCABLO There was...

COPPOLINO We are far from chain of custody on this.

POSCABLO Take a breath, take a breath. We're not in court.

TRUSSO Excuse me. Can I just interrupt here?

POSCABLO No.

TRUSSO Why doesn't everybody take a breath? And yes, I can.

POSCABLO Well, no. Because I'm not here to interview you, sir. So...

TRUSSO I understand. I'm not asking you to interview me. I'm just saying, why everybody take a breath here?

POSCABLO We'll all take a breath. I'm perfectly fine. I'm - I'm asking a question. He asked me to...

COPPOLINO What was the question?

POSCABLO You said that you do not recall having a sexual encounter with anyone from - from, with a student from New Paltz 20 or so years ago.

COPPOLINO Well, I certainly had friends on the campus, in my time on the campus. I was in New Paltz ten years. But I'm telling you that one of them was not - anyone named Dana, or Dana Barnett.

POSCABLO Right, so let me ask the different question that I asked,

which is that - do you recall having a sexual encounter - consensual - with a woman who was a student at New Paltz, in the woods?

COPPOLINO No. Did not happen. Don't recall and did not happen, because it did not happen.

POSCABLO Okay.

COPPOLINO I have no unaccounted-for sexual encounters. It did not happen.

POSCABLO What does that mean, unaccounted-for?

COPPOLINO It means that I know who - I'm extremely careful

POSCABLO Okay [inaudible] yep.

COPPOLINO And selective and cautious.

POSCABLO Okay.

COPPOLINO Contrary to what is being said on Facebook...

POSCABLO Right.

COPPOLINO Where I'm Matt Lauer of the Hudson Valley and - and I'm surprised I haven't been accused of torturing little kitty cats. But...

POSCABLO Well, we haven't looked at Facebook posts yet today.

COPPOLINO But my reporters are there right now.

POSCABLO Yeah. My understanding is there are no such allegations against you.

COPPOLINO That's good.

POSCABLO So let me ask you a different question, then, about a different person, okay? You are aware, as we spoke, that we've heard stories provided by unidentified women.

COPPOLINO Yes.

POSCABLO And so - I'm doing the best I can to figure out...

COPPOLINO I appreciate the - I appreciate the position you're in.

POSCABLO A sense - a sense - look. The thing - the thing that - the thing that you can do when you meet someone is assess credibility.

COPPOLINO Yes.

POSCABLO You do so as a reporter. And so - I cannot state to you that I've met any of these people. I've heard their stories. And so - you know, I'm in a position of trying to assess their credibility.

COPPOLINO Yes.

POSCABLO And assess yours with - without the ability to dig down into the specifics of a particular individual's story and get the details, right? So if I'm not sharing details with you it's not because I'm hiding them, it's because I don't know them.

COPPOLINO Right.

POSCABLO Okay. So, to the extent that you are aware of it, or not aware of it, answer the way you'd like to, right?

COPPOLINO Let's rumble.

POSCABLO All right. So there is an incident involving someone who you invited over to your house, ostensibly for the purpose of having her Tarot cards read to her; and then you sent nude photographs of yourself to this individual. Do you remember such a story?

COPPOLINO No.

POSCABLO Or something like that?

COPPOLINO No.

POSCABLO Have you ever sent nude photographs of yourself to any of your assistants or employees?

COPPOLINO Well, my company is a publishing company and one of the primary subjects we talk about is masturbation.

POSCABLO Right.

COPPOLINO So we're...

POSCABLO So you have sent that.

COPPOLINO Thousands of times. Published - they're photos of me published to the internet; my opinion is known.

POSCABLO Yeah.

COPPOLINO I'm writing about it for tonight's edition of Planet Waves.

POSCABLO Yeah. This is not a new thing. I mean, people know this.

COPPOLINO Not only is it not a new thing. I'd say it is a published thing, and it is also, furthermore, a thing that is handled with discretion and sensitivity and - and a sense of protocol within my company, with respect. So it's not a willy-nilly thing. It is a dangerous thing, and it is a thing that is handled respectfully, because it is - it is what it is in the culture that we're in. So when I publish, it is - it is done so in a way that is understanding of the relationships involved.

COPPOLINO As far as Tarot cards - I don't invite anyone to my house to read their Tarot cards, ever. I don't read Tarot cards professionally any more. I did many years ago. They're a strictly personal, spiritual tool. And then I do public readings that I sell, but I only do one per month and sell it to that astrological sign. So I have - I do not invite people for readings, ever. It is not my ethic to invite someone for a reading. Someone needs help, I will consider helping them. But - as you may be familiar with other therapeutic protocols, you don't invite, ever. Person seeks assistance, you consider it. Are you following me?

POSCABLO I do. I am.

COPPOLINO And I'm a professional at what I do, and I hold myself to a high professional standard. And as part of that professional standard - there you have it.

[pause, 15 seconds approx.]

POSCABLO Look, here's my issue with some of [inaudible]. What's interesting about the stories we heard is that - particularly the one involving the woman named Dana Barnett, is that - what I'm trying to determine is whether there was any allegation of non-consensual

contact.

- 00:50:00 COPPOLINO She specifically said otherwise. As does Hillary, confirms it in her comment.
- POSCABLO Right. And so what I don't know is - what exactly happened, right? But it's - I can't ask you about it, because you're saying to me that it didn't happen, right? So there's no credibility [inaudible] either - it either - either you're lying and it happened, or they're lying - I mean, I'm sorry - and it didn't - and it happened, or they're lying, and it didn't.
- COPPOLINO Or - or one thing's being made out to be another. But look...
- POSCABLO In what way?
- COPPOLINO There is an allegation posted by a third party, and the third party will not reveal her face. Are you aware that if you go to Dana Barnett's Facebook page...
- POSCABLO Yeah.
- COPPOLINO That you can't see her face?
- POSCABLO Yeah.
- COPPOLINO You can see the back of her head? And god knows what she looks like 22 years later. So that's kind of interesting. She claims to have a contemporaneous document that she won't reveal. Are you aware of that?
- POSCABLO Yeah. From her Facebook page, right?
- COPPOLINO Well, from the - from one of these discussions, she - Rebecca Brown, Rebecca - Rev. Rebecca Brown questioned her and asked for proof, and she said, what proof do you want? This piece of paper that I allegedly gave her?
- POSCABLO What does it allegedly say?
- COPPOLINO She says...Barnett series of exhibits...exhibit one...plaintiff four - "I could share more graphic details or the erotic poem he sent me afterward, which I have."
- POSCABLO Do you - did you - do you send people erotic poems?

COPPOLINO Well, at that point in my life I was a poet.

POSCABLO So it's possible that you did.

COPPOLINO What does erotic mean?

POSCABLO Well, I don't know. You tell me.

COPPOLINO I've never written anything other than a friendly, warm poem of gratitude. I mean, ever.

POSCABLO Tell me your approach to sexuality. Because I didn't - I read this article. That - that's the only one of your pieces. Tell me - you stated earlier that that's the kind of writing you do. Tell me what you mean by that.

COPPOLINO When I say that I'm a sex and gender author?

POSCABLO Yeah.

COPPOLINO It - it means that I have taken it upon myself to educate myself, to undergo rigorous training, to be a thoughtful scholar, to work with teachers continuously, and to offer viewpoints to the public, all of which are published, about sensitive issues that most people find difficult to discuss. And so I - I provide language to talk about them. I try to, let's say, cast the issues in a way that's comprehensible and loving and friendly. And there's really no subject that I'm afraid to address. And I've had - I've had considerable success doing this in my entire career, until some people took umbrage - took umbrage with a position and began a rumor campaign.

POSCABLO So back me up. So - so in addition to doing pieces like - thought pieces like this, you also do - you also do the astrological material?

COPPOLINO Yes. I write horoscope columns for a number of different clients, and have since '95. My - my writing on sex and gender long predates that. It goes back to my days as a high school editor in the '70s, when things were a little more...

POSCABLO Were different.

COPPOLINO Were different. Things were different in the '70s. And - so this is a lifelong commitment, and it began with my

mother providing me with her - her best effort at some form of comprehensive sex education, and teaching me respect.

POSCABLO Has that - has your viewpoint on that changed over the years?

COPPOLINO Which viewpoint?

POSCABLO Your approach to sex, your approach to relationships, your approach to women, how you approach women - has that changed?

COPPOLINO I've become much more conservative.

POSCABLO In what sense?

[pause, 20 seconds approx.]

COPPOLINO Cautious of the environment that we are in, which we are now seeing explicated rather clearly right now. The - the mere fact this conversation can be happening based on Facebook rumors, and - and based on the documented lies of people who have a nonprofit corporation, the very purpose of which is to tell the truth, is a frightening prospect. The mere fact that I even have to sit here and attempt to clear my name, when I - I'm being asked about a hike from 22 years ago, or a - a Tarot card reading without a date on it...

POSCABLO So let's be clear. I - that's not what - I'm not asking you to clear your name.

COPPOLINO That's what's going on. Let's be real about that.

POSCABLO Well...

COPPOLINO I've been let go by - you know what it took me to get a job at Radio Kingston?

POSCABLO You have not been let go by Chronogram, so...

COPPOLINO I've been fired by two other organizations. These people are threatening to contact all my employers. They've already contacted Marie - Hearst Corporation - Marie Claire, who I - my contract ended with them last year, but I - they have 300 titles. And - and so I have

someone on record saying they contacted Hearst Corporation. So I - I have Hearst...

POSCABLO But again, you have not been let go by Chronogram.

COPPOLINO I have not.

POSCABLO Right. I mean, well, I just want that to be clear.

COPPOLINO I understand that. I'm getting ready to provide my June column.

POSCABLO So - so this is not - I am not accusing you of anything. Neither is Chronogram. Let's be clear about that. What's happening is that there are allegations out there, like I said, supported by unnamed sources, right? Except for one, Dana Barnett, who...

COPPOLINO Yeah. Dana Barnett has a litany of problems. It's this long, okay? These are the problems with Dana Barnett.

POSCABLO Okay, and I'm trying to assess...

COPPOLINO Yes.

POSCABLO For Luminary.

COPPOLINO Yeah, I get it.

POSCABLO Right, so you get it. So...

COPPOLINO We still haven't said what the impact of any of this is on my ability to be a columnist. I mean, there was a day when writers were encouraged to have bar-room brawls and - you know...

POSCABLO Yes.

COPPOLINO And inseminate half of Key West. I mean, that was - that's the legacy of 20th century writers. I live like a monk.

POSCABLO Look, the - the approach here is to be thoughtful about the process. And you're being thoughtful about the process as evidenced by the exhibit stickers on - on the various pieces you've given me, and I anticipate you will be.

COPPOLINO Yes.

POSCABLO So that's what we're trying to do as well.

COPPOLINO Okay.

POSCABLO Not - and by 'we', I mean us as counsel to Luminary, and also Luminary.

COPPOLINO I get it. And I am grateful to them for taking the step, and I also recognize that I have some pretty serious charges against them. You're here...

POSCABLO I'm sorry, say that again?

COPPOLINO I have some pretty serious charges...

POSCABLO Against Luminary or Chronogram?

COPPOLINO That's correct.

POSCABLO Based - based on Hillary's misrepresentation

COPPOLINO We'll get to that - we'll get to that point in - in a moment. Do you have any other allegations you would like to bring up?

POSCABLO Not - Look, Eric, the truth is that some of these - it's difficult to - to talk to you about them, right? I'm trying to - some of these are allegations and assertions that - that there are folks in the community who received unwelcome advances from you. You want me to ask you about unwelcome advances that you made on women?

COPPOLINO You got any specifics? Place, date and time? Name?

POSCABLO Well, names I don't have. I told you that already.

COPPOLINO You don't have - oh, names are - you actually don't have names?

POSCABLO I don't have names.

COPPOLINO Like Janne Dooley? Some social worker...

POSCABLO I have - I have one name on this outline.

COPPOLINO Dana Barnett.

POSCABLO Dana Barnett.

COPPOLINO Who has two names.

POSCABLO Okay.

COPPOLINO Dana M. Bennett.

POSCABLO Now, I mean - and, you know, I am - I am aware of some emails that I think will be undisputed by you, that you wrote. But I'm trying to understand, like, where...

COPPOLINO What emails?

POSCABLO I have an email.

COPPOLINO To whom?

POSCABLO I told you. I have one name, Dana Barnett.

COPPOLINO Okay.

POSCABLO This is not an email to Dana Barnett. And it talks about - it talks about things that you would like to do to her body.

1:00:00 COPPOLINO What does it say? How do you know I wrote it?

POSCABLO Well, I don't. I'm asking you about it to see if you do. I'm trying to figure out if...

COPPOLINO I mean, an email...you know, an email should be produced. I mean, it should have sending tags, it should have tags, it should be...

POSCABLO Well, if this were a litigation, okay. It's not.

COPPOLINO Right.

POSCABLO So I'm not - look...

COPPOLINO Go ahead.

POSCABLO We're - yeah, I'll give you one. There's an allegation that you came up to a woman in town and smelled her hair. You weren't dating her. You did not have a relationship with her. Have you done that?

COPPOLINO That thing that you just described?

POSCABLO Yeah.

COPPOLINO No.

POSCABLO You've never come up to a woman who you didn't know and weren't dating and smelled her hair?

COPPOLINO Not unless it was a close friend.

POSCABLO Okay.

COPPOLINO Like, in other words, a hug. But a random person? Absolutely not.

POSCABLO Okay.

COPPOLINO It's totally inappropriate. It's invasion of personal space. I would not do that.

[pause, 40 seconds approx.]

POSCABLO Do you recall sending a text message to someone where you said that you had a craving to do something to a part of their body?

COPPOLINO May I see the text message?

POSCABLO Here. You see that?

COPPOLINO Yeah.

POSCABLO Do you recall doing it?

COPPOLINO A text message? No.

POSCABLO Do you remember saying that, or writing that?

COPPOLINO To anyone in the entire universe, in all my 40 years of being sexually active?

POSCABLO In 2011.

COPPOLINO Who was this person?

POSCABLO I'm asking you whether you recall doing that.

COPPOLINO Well, it makes - the context makes a difference. Is the person - is it, is it a friend, is it a lover, is it a stranger - if it's a stranger, how did the person who sent it get

their phone number...

POSCABLO It appears to be somebody you know.

COPPOLINO To send it?

POSCABLO It appears to have been somebody you knew.

COPPOLINO The statement says "I have a craving to lick out your ass".

POSCABLO Yeah.

COPPOLINO Just objectively, that would sound like seeking consent. It would sound like seeking affirmative consent.

POSCABLO So let me just ask one question. Did you write that text message to someone in 2011?

COPPOLINO I have no knowledge that I did that. I don't generally text.

POSCABLO Okay.

COPPOLINO And I would not send anything like that to a person where I did not feel there was sufficient trust and a basis of the relationship to do that.

POSCABLO So if you felt that there was sufficient trust, or a basis for the relationship, you would send such a text?

COPPOLINO Were it appropriate to that circumstance. Sexting is a thing they make movies about.

POSCABLO So - so tell me when it would be appropriate for you to sext?

COPPOLINO Hypothetically?

POSCABLO Well, no, you...

COPPOLINO True familiarity, mutual interest.

POSCABLO As evidenced by what?

COPPOLINO That's impossible to say. It's certainly spoken, somehow indicated.

POSCABLO Right, because what you're saying as I understand it is,

you have an interest in someone and you've read the situation to suggest that they have an interest in you. So how do you - how do you figure that? Like, what are the things that you're thinking about to say, you know what? She's interested in me, and I can say such a thing as that?

COPPOLINO This is totally hypothetical.

POSCABLO Okay.

COPPOLINO My - my idea of a come-on is to buy someone a paintbrush or a box of pastels. Not to - I wouldn't think anyone would find that appealing - if I ever wanted to have any fun, I certainly wouldn't want to say something like that...

POSCABLO So let me ask you...

COPPOLINO Unless it was appropriate.

POSCABLO Yeah. You deny writing to someone that you had a craving to lick out that person's ass.

COPPOLINO I don't know who it's to, or the circumstances. So there's no framing, there's no context.

POSCABLO Are you...

COPPOLINO There's no...

POSCABLO Have you written such a - well, look, I'll tell you this. That's the first time in my - in my career that I've read such a text message.

TRUSSO Come on. You - you - look, as a grown man...

POSCABLO Again, I'm going to - I'm not going to...

TRUSSO You're going to tell me to shut up. I got it.

POSCABLO No, I'm not going to tell you to shut up. We're in your house.

TRUSSO Yeah, oh yeah, please, thank you...

POSCABLO I'm just telling you I'm not going to address you. I'm here to talk to Eric. So...

TRUSSO Yeah but...

POSCABLO What I am saying is, I haven't read a text message like that. And what I'm asking you is - do you not recognize it because you never wrote it, or do you not recognize who it is, because you've written it too many times to understand that it is to one particular person?

COPPOLINO None of the above. I don't - I don't recognize that text message. I don't typically write things like that. And I think it's - I think it's highly inappropriate to - to take such an alleged statement and not frame it in the whole history of the relationship as alleged. There are things you say to your mother and to your dog that you don't say to someone that you do or don't know.

POSCABLO So that's what I was trying to figure out. Who - what type of relationship would allow you to write - or, would you allow yourself to write that to someone?

TRUSSO Didn't we answer that?

COPPOLINO I did answer that. But I'm wondering...

POSCABLO You - no, you answered it this way. You said it was a level of familiarity, and that it was - it was a mutual interest.

COPPOLINO Yes.

POSCABLO And then I asked you to follow up. Which I don't think you have answered, which is - I understand where your interest is - you can determine that. I asked you for the factors that you decide they have an interest, and therefore it's okay for you and permissible for you to write such a text message.

TRUSSO Isn't it the same answer?

COPPOLINO Is there - is there a reply to that text message shown? Did the person reply to it.

POSCABLO "That's a little much. I can handle some of your charms, but that was inappropriate."

COPPOLINO Okay. And then what did I do?

POSCABLO "Okay then." It sounds like you because of what you just said.

COPPOLINO Ah. Well, it sounds - I'll tell you the part that sounds like me. "Okay then." Let's take this as a hypothetical. Someone says something. Someone objects and says it's a little bit much. And - and the person who wrote the first message then has a choice of what to do - to push and persist, which would - which is considered inappropriate - or to consent to their boundary and respect their boundary. That sounds like a healthy transaction. One person proposes something, another person says no, and then the person respects that no.

POSCABLO So let me ask you this question.

COPPOLINO So if the person said "I don't care what you think, I'm going to do it anyway," - that's problematic. But if the person agrees...

POSCABLO So, Eric, I'm not here to place a judgment on that. I'm asking you if that happened. And what you're saying is...

COPPOLINO I still don't recall this or to who it is with.

POSCABLO So in that situation that you just described - hypothetical - you are the proposer of such an action, right? There are only a few times when...

COPPOLINO Presumably.

POSCABLO When the responder - presumably. But in the hypothetical way I'm proposing.

COPPOLINO We don't know what came before that. We don't know what came before that. We don't know what they - we're offering or, hypothetically, in this movie that we're talking about, this abstraction here, so continue.

POSCABLO So in this hypothetical, you are proposing a sexual activity along the lines that we discussed - that you discussed. There's a level of familiarity and a feeling that it was - the - that it would be appropriate for you to write such a thing, and either the person responds - three things can happen, right? They don't respond, or they ignore it. They respond, "cool, let's go for it," or

they say, "that's inappropriate." Right?

COPPOLINO Yep.

POSCABLO And so here's my question. And you say either "okay then" or "let's go for it."

COPPOLINO You can push harder or agree to the lady's boundaries.

POSCABLO Right. Right.

1:10:00 COPPOLINO It looks like the person in this text message sequence respected the lady's boundaries.

POSCABLO The person is you. I mean, that's what's asserted, right? The assertion is...

COPPOLINO I'm not admitting that. But what I'm saying is that, hypothetically...

POSCABLO Right.

COPPOLINO In this sequence of statements...

POSCABLO Right.

COPPOLINO Proposal, rejection, agreement - we should - we should be at Antioch College, doing this on a panel, for how to negotiate consent. You negotiate consent.

POSCABLO Sure. Okay.

COPPOLINO You make a proposal.

POSCABLO Okay.

COPPOLINO The person says yes or no. And then the gentleman, a gentleman - I am one - would say either "Whatever," or "Okay, I respect you." "Okay then" is a statement of respect.

POSCABLO Look, if we're going to have a philosophical debate about it, that's...

COPPOLINO No, I would say that this - this could - I would put that before a jury on the question of respect. I would take this to a panel at Antioch College on the question of...

POSCABLO With regards to your - with regards to them saying to you it's inappropriate, and you responding, "Okay then," right? I agree with you...

COPPOLINO One responding. I did not...

POSCABLO But the issue is this. The issue isn't with their response and then your response, right, your reply to that response. The issue, and the call that you're going to get is from the original email. That's why I'm asking you for your assessment. Because the assessment that you made, clearly, in this situation, was incorrect. And you...

COPPOLINO I'm not saying I wrote that.

POSCABLO Oh, I know. I know what you're saying.

COPPOLINO But they're allowed to reject - hypothetically, people are allowed to reject advances. Anyone can propose anything legal. For example, is the person...

POSCABLO Yeah.

COPPOLINO Over the...was the person of majority age?

POSCABLO I don't know.

COPPOLINO Okay, well...

POSCABLO I don't have an answer to that. But, so here's the question...

COPPOLINO You don't even know if the person was of majority age?

POSCABLO So let me ask you this question. The question to you is, are you saying that in your mind as long as - as long as the person is of majority age, you can make such a proposal, assuming the things - the two things that you have mentioned, which is familiarity and also that they're willing - willing and there's a mutual understanding that it's okay?

TRUSSO The word was interest.

POSCABLO Mutual interest, thank you, sir.

COPPOLINO And that's often tested by...

POSCABLO Right.

COPPOLINO Experience, by a proposal. It's not...

POSCABLO And so what I'm saying to you is that in this situation there's no - I don't see a quarrel with the response by the woman and then your reply. The issue is with your judgment as to whether there is a mutual interest in you sending that email to begin with.

COPPOLINO Why is that? If - if theoretically the person writing that found out that there wasn't a mutual interest, that would be adults having adult - adult transactions. This is not parent-child, this is not child-child. This is adult - adult - consensual adult transactions being described here - of adults in a process of negotiating consent in a world where the whole thing is about negotiating consent. So, for example, let's keep some perspective here. I'm being accused of being Harvey Weinstein of the Hudson Valley by a Chronogram employee. And I'm being asked by Chronogram's counsel if I feel that negotiating consent is appropriate. Do you realize how far we are from - do you not understand who Harvey Weinstein is?

POSCABLO So let's be clear about something. Again, those allegations were not sanctioned by Chronogram. Let's be clear about that.

COPPOLINO They framed...

POSCABLO You're just drawing that. I know that you're - you're trying to put that together. That's not - that's not what's happening here.

TRUSSO They brought you here. All of these allegations [inaudible] brought you here.

POSCABLO All right. We're done. Thank you for your time today. Is there- are there other documents you want me to consider and we'll get - have a look at it.

COPPOLINO I have a couple for you.

POSCABLO Yeah. I'll take a look at them. Thank you, sir.

COPPOLINO I'll make sure that it's - actually, can I keep this?

POSCABLO No. But I'll send it to you if you want.

COPPOLINO Maria R. Veccioni(?) is the email. Jason to Castro. It's - I'm not going to rush this...

POSCABLO Yeah, take your time.

COPPOLINO Tychostup 5-15, 1 through 4. Hillary Harvey Hoffman, 16 through 20. First of all, I have a list of character references. Second, when a - when a Chronogram employee, who - who claims - and Chronogram claims, represents the - the publication on the issue of MeToo, writes a Facebook post that says, quote, Plaintiff 16 - "I'm really excited to see this conversation. I work at Chronogram, and Eric Francis is one of my MeToo stories. It's interesting, because I helped co-ordinate a partnership between Chronogram and Radio Kingston. I work at both media outlets on a panel about MeToo." And then she tags Chronogram Conversations to show that she works for both organizations. "So it's ironic to me that the Hudson Valley's Weinstein has a platform at both places. I would love to see a reckoning here. I'm interested in collecting people's stories about their experiences with Eric Francis. I think that could happen if we put together a narrative of behavior we've individually witnessed. If you're interested in sharing your story, please let me know." Tagging - in Plaintiff 16, which I'll give you a copy of - tagging Radio Kingston, a collaboration - I have one more post to read - collaboration between Radio Kingston and Chronogram.

POSCABLO *[pause, 40 seconds approx.]*

COPPOLINO Hoffman is currently crusading against me at a Greek restaurant. So typically in this kind of thing, the - the allegations are made, and then they just get worse and worse. Now I'm being accused of bad behavior in a Greek restaurant, and Hillary Harvey Hoffman is rallying reviews for the restaurant, because it's a woman-run restaurant. Alleging my bad behavior in a Greek restaurant. So I think it's - I think - you know, we just have to, like, bear in mind that on - on April 7 I was the Hudson Valley's Weinstein, and as of last week, or this week, I'm some guy who's, like, rude in a Greek - whatever misbehavior in a Greek restaurant means - I

don't know what it means. But Greek restaurants have security cameras, so if somebody wants to allege behavior in a - in a restaurant, they might produce some security cam video. Now do you - you know what a hostile work environment is? Have you ever...

POSCABLO I do.

COPPOLINO Okay. When an - when an employee - and the hostile work environment no longer differentiates between visitor, contractor and employee, as far as I understand, in cases like this. When an employee of a company is creating a hostile work environment for another employee, that is a problem. And I would say that a person spreading rumors on the internet that I am the 'Hudson Valley's Harvey Weinstein' - and that not being addressed by the company - is hostile work environment. And this hostile work environment...

POSCABLO [inaudible]

COPPOLINO Yes. And so I have built a hostile work environment case, and a libel case. Because for Chronogram to not disavow itself from statements of its editor-at-large means that I can name them in a defamation per se action. And they would have to motion themselves out of it. And the judge would have to agree to that. They'd have to argue that. They wouldn't just be automatically exempt. They're going to have to retain counsel and respond. And good luck getting motioned off of that, because that seems to be like it would have to be - we're looking - we want to get depositions first of all - and what - we need triable issues of fact. And it's an issue of fact that Hillary Harvey - Hoffman Harvey has made numerous assertions of doing this story about me, both for Radio Kingston and for Chronogram. And that she was finally called in to a meeting this week to which - she didn't appear at the meeting. So the first effort to get control of this person is five weeks...

POSCABLO What are [inaudible] talking about...

COPPOLINO Because I'm aware that there is a - and additionally, on top of this, there was a meeting on Thursday, where these recordings were played. And it wasn't treated like workplace harassment. It was treated like this person

had some validity as a reporter, to even listen - to even have - have the editors and the attorney listen to that. Now I would take a little bit of...

POSCABLO I don't understand. I don't understand the point you're making - I apologize... [inaudible]

COPPOLINO The point I'm making is that if someone - if someone out of the gate decides I'm Harvey Weinstein...

POSCABLO Okay.

1:20:00 COPPOLINO Which is actionable and it is - you understand the concept of defamation per se, right? Defamation per se is false allegations of sexual misconduct of any kind. Includes. And it includes any allegation that renders the person unfit to perform their professional duties, to carry out their profession. Those statements fit that category. That is a problem for your client. It is especially a problem that five weeks have gone by and there's not been a word from Chronogram disavowing this. That is a tacit agreement. Now, let me tell you how I would handle someone on my staff making a false accusation. I would drag them in and say, "What have you got?"

POSCABLO So... [inaudible]

COPPOLINO So if they have nothing, in 20 seconds they would be sitting in front of the person...

POSCABLO Sorry to interrupt. Were there other things that you wanted me to look at?

COPPOLINO Yes, there are. Lorna Tychostup continually represents herself as a former editor of Chronogram. I will read you - I will read into the record the following...

POSCABLO Well, I - I don't know what this record is. You can read it into the record when I'm not here.

COPPOLINO You got - it's a record. We're all recording. It's iPhone recording, broadcasts...

POSCABLO Actually, I - I will acknowledge that you're going to hand me that, and we will read it ourselves.

COPPOLINO Okay. [inaudible]

POSCABLO I don't need you to...

COPPOLINO [inaudible] I want to talk about this now. I want to talk about this.

POSCABLO Eric I really don't - I really don't want to. I - it's okay that you - if you want to submit that for me, for us to consider...

COPPOLINO She's alleging - she's alleging that Chronogram had knowledge that she informed Chronogram of my serial - alleged serial predatory activities over 30 years while she was the - an editor of Chronogram, and the only reason why they put up with it is because I got so many hits, my horoscope got so many clicks on the website. All - now she has come out of the shadows and admitted that for these 12 years she was attempting to get me fired on the basis of false sexual allegations. And Chronogram did not inform me of this fact.

POSCABLO Let me see.

COPPOLINO Here's the Dana Barnett series.

POSCABLO Thanks.

COPPOLINO You have character references, correct?

POSCABLO Yeah.

TRUSSO They each get an article?

COPPOLINO Yes. Here's your copies.

POSCABLO Thank you.

COPPOLINO These are also tagged Plaintiffs 1 in the Barnett series.

TRUSSO Is there anything over here you need, Eric?

COPPOLINO There's not. I don't think there is.

TRUSSO Okay.

POSCABLO And plus you have my email address.

COPPOLINO I have a...

POSCABLO So you can email me.

COPPOLINO I have a way out of this for your client.

POSCABLO Okay.

COPPOLINO I have a proposed apology from Hillary Hoffman - may I have that - it's not tagged - and a proposed apology from Chronogram.

POSCABLO Tag it. Tag it and then give it to me.

COPPOLINO No, it's for you. This is part of this meeting.

POSCABLO Understood.

COPPOLINO There's no need to tag it. It's not - it's not evidentiary. It's an offer in settlement. And the offer in settlement is: I am willing to consider dropping hostile work environment and defamation per se for an apology.

POSCABLO From Hillary.

COPPOLINO From Hillary and from Luminary for not disavowing themselves of Hillary's comments for - public comments for five weeks, that have caused this frenzy. Bearing in mind that I have conducted myself impeccably because I know I'm in the public eye. This jeopardizes all of my projects. I'm an investigative reporter working on a chemical industry project, called the Gemstone Files, where we published a quarter million pages of Dow, DuPont, Monsanto, Westinghouse, General Electric, Army, Navy and EPA documents last summer, up to the document cloud. How would it be for Monsanto to get a hold of this discussion, and to discredit me, based on Hillary Harvey's claiming that I am the 'Harvey Weinstein of the Hudson Valley', and I've got 30 years into a - a project which - I wouldn't call it a career because I don't get paychecks for it, usually...

POSCABLO Have you spoken to Hillary Hoffman Harvey?

COPPOLINO Once, for 30 seconds in the Radio Kingston office, where I was introduced to her right before I started my show, and I said, "You're doing the public affairs show, right?"

And she said, "Yes." And I said, "Well, I've got a lot of reporters. So if you need me to, like, cover a beat for you, like county court or city court, we don't need credit; we don't need to be on the air. I'm happy to just pick up a beat for you, and kind of like feed you information from that beat, which I sometimes do with other reporters." That's the total extent...

- POSCABLO So you haven't spoken to her since.
- COPPOLINO No; nor before.
- POSCABLO Have you reached out to her?
- COPPOLINO No.
- POSCABLO Do you intend to?
- COPPOLINO No. I might have my attorney reach out to her, and make...
- POSCABLO Do you have a name for your - does your...
- COPPOLINO Oh, I - excuse me. I have correspondence with Hillary Harvey under an alias name, Gina Marcheso, where I said to her - I came in and claimed to be someone who knew me.
- POSCABLO So let me be clear about something. You have attorney now?
- COPPOLINO I have not retained an attorney yet. I'm talking to different attorneys and I'm consulting with someone on employment relations law.
- POSCABLO Understood. The reason I ask is because if I know that you have an attorney I can speak with your attorney, but I can't speak with you.
- COPPOLINO About what? Oh, no, I see. Once I have - no, I have not retained counsel.
- POSCABLO Okay.
- COPPOLINO And my relationship with the employment attorney is informal.
- POSCABLO Okay.

COPPOLINO They're a person I've just worked with as a journalist over many years, who went to CUNY and - and does employment - employment relations law.

POSCABLO So if I may make a request, which is that, once - if and when you do retain an attorney...

COPPOLINO Yeah.

POSCABLO Will you please let me know?

COPPOLINO I will do that.

POSCABLO And then make sure that he or she reaches out to me. That way I - I'm speaking with your counsel as opposed to with you.

COPPOLINO Right. Unless I give you permission to speak directly with me.

POSCABLO I think that's right.

COPPOLINO I know this from, like - I know this from

POSCABLO Your counsel - your counsel would have to say that that was okay.

COPPOLINO Yeah, that's right. They'd have to tell you that it's okay. So that is my offer in settlement of this matter.

POSCABLO Okay.

COPPOLINO What has been discussed in this room today is nothing like what has been discussed on Facebook. Serial acts of predation against men and women, young and old? Luring people to distant mountain - to distant mountain locations under - under pretexts and - and - who don't even show their face? But on the more serious end, Matt - being compared to Matt Lauer and Harvey Weinstein. And - and today we're talking about private text messages allegedly by me, negotiating consent? We're talking about sniffing someone's hair? The world would be very happy if all the Harvey Weinsteins only did things like attempt to negotiate consent...

POSCABLO For hair sniffing?

COPPOLINO Or if that was the worst of their transgressions. I think

that all of those actresses would have been very grateful to not have been locked in a room, gotten drunk, and raped, but rather to have someone just sniff their hair, which is a little cheeky...

POSCABLO Well, to be clear - to be clear, though, that was not - the allegation that you sniffed someone's hair was not with consent, right? The question will be, was it nonconsensual sexual contact? We can argue about that if the time comes that we need to. But it was arguably without consent. So...

COPPOLINO When did it happen? Decade? Year? You understand that a frenzy has been caused by this? By a Facebook post by a former Chronogram employee alleging what would seem to be though - although murky - emotionally provocative. I mean, I've lost friends over this, who never even bothered to say, like, did you even know anyone like this? Did you - what actually happened? Why - why is someone not revealing their face? This all comes back - you have to recognize this - from the root of the matter - it comes back to a person who won't say what happened, who won't reveal her face, whose materials are posted by a third party. Who claims to have contemporaneous documents she won't reveal. Who went from complaining about a published article to alleging that that article was to cover my own behavior. Furthermore, I want to know, was Dana's identity verified by phone by Chronogram prior to publishing that article? Or did they simply take this on the say-so of their former employee Julie Novak, the person with this incredible clout as founder of the TMI institute?

POSCABLO You said it was an opinion, right? It was an op-ed?

COPPOLINO It was a letter to the editor...

POSCABLO It was a letter to the editor...

1:30:00 COPPOLINO About gaslight - exhibit - Plaintiff 2. Plaintiff 2. Plaintiff 3 is the unedited version that Brian rejected. So this long tome with this person describing many personal problems was submitted, and Brian rejected it and said, "Give me a real letter to the editor." But I want to know: was Dana, the alleged author - was she actually

contacted before that letter was put in, like *The New York Times* does, and like I would do? Or they take this on Julie Novak's word? Julie Novak, with an established agenda, which we've seen come out in the course of - of these exhibits? The whole thing comes back to a publication by a third party of someone who says something was consensual but won't say what it was, and will not reveal her face, will not reveal any details, claims to have a document that she won't reveal, and who began a letter - I mean, who would begin a fucking - "Dear Harvey Weinstein, your last film sucked. Why did you rape me?" This is political.

POSCABLO What does that mean?

COPPOLINO This is people, this is - what I'm getting right now is political payback.

POSCABLO For what?

COPPOLINO For writing this article. For challenging - for challenging the whole accusation - 'guilty by accusation' method. The - the article so explicitly and directly describes what then - what happened, that it - it would be funny if it were not so tragic. By a bunch of people who are sloppy - they're sloppy, like Trump liars.

POSCABLO So is it your contention...

COPPOLINO They can't - they can't stop lying.

POSCABLO Is your contention that if I heard stories from a dozen women about interactions with you that made them very uncomfortable, that you would deny such interactions?

COPPOLINO No.

POSCABLO So, you would...

COPPOLINO Not if they didn't happen. In other words, what - that's a convoluted question. Allegations...

POSCABLO Where - so - you wrote the article...

COPPOLINO I wrote an article...

POSCABLO Letter to the editor.

COPPOLINO No. No, I wrote my column...

POSCABLO You wrote your column...

COPPOLINO That I've written for 22 years. Do you understand this?

POSCABLO Yeah.

COPPOLINO I've known Jason since '89.

POSCABLO Right.

COPPOLINO I've worked uninterrupted for Chronogram for 22 years without incident.

POSCABLO Right.

COPPOLINO That's kind of weird. And I run a neighborhood - given all that's going on - and I run a neighborhood business - I'm not, like, in Hollywood, like, up in a high tower.

POSCABLO Okay.

COPPOLINO I'm in a neighborhood where I have to roam around. I mean, I went to SUNY Buffalo because I didn't think that a smaller college was - would suit me, and now my effective traveling range is six city blocks. Because I work - I'm working 60 hours a week. So I don't have time to travel. So I stay within six blocks. And it's a - it is a - we're seeing that there's some tension in the - in the social environment here. But we have to stick to the root of this matter, that a third party posted something that's absolutely unverified.

POSCABLO [inaudible] question. Right.

COPPOLINO So this leads... [inaudible] if you're making hysterical statements like I've been - I've been seducing people since before they knew me...

POSCABLO Okay, okay...

COPPOLINO Before they...

POSCABLO Okay. My question was clear, right? If I heard a dozen stories about situations where you made women

uncomfortable, can you recognize that there have been situations in the past ten years when you have made women uncomfortable in your interactions with them? That's all I'm asking. I mean, clearly you are - you are the sort of writer who likes to invoke a response from people, right?

COPPOLINO Actually, no, I'm not.

POSCABLO You're not?

COPPOLINO I'm the kind of writer who likes to produce a - a reasoned - a reasoned...

POSCABLO Okay. Take away my last - what my last - I redact it.

COPPOLINO A reasoned intellectual analysis, anticipating a reasoned intellectual response. This article is based on classical feminism. I am a classical feminist. My favorite author is Simone de Beauvoir; my favorite poet is Adrienne Rich. I'm trained as...

POSCABLO So - so let me ask that question again. I mean that - I mean, I don't need to say it again. You understand my question.

COPPOLINO Have you read my - have you read my May column?

POSCABLO I...

COPPOLINO You should read my May column.

POSCABLO Okay.

COPPOLINO It's called "Be Yourself, No Matter What They Say." And my May column says if you're a trans person, your job is to not spend your life trying to make people comfortable. Your job is to be a trans person, recognizing that you're going to make people uncomfortable. If I'm an investigative reporter, writing about PCBs and dioxins in the dormitory, I'm going to make those students uncomfortable by writing about that, because they have to deal with their issues with it. I am a sex and gender author. I've - I've written more than 250 columns for Chronogram. I would estimate that at least 100 of them deal with sensitive issues, of sex and gender, that call people out on things like lying

behind the backs of their allegedly monogamous partner. That will make people uncomfortable. We're in an age when smiling...

POSCABLO But we're not talking about your written work.

COPPOLINO Yes we are. Yes we are.

POSCABLO I am...

COPPOLINO Yes, we - listen...

POSCABLO You are...

COPPOLINO No.

POSCABLO And for your recording, you are.

COPPOLINO Do you understand why - why I'm saying this?

POSCABLO Eric, I don't want to have this debate with you. I - I asked you a very simple question, which is whether you believe that in the last five years, or ten years, you've made women uncomfortable in your - in your interactions with them. You still haven't answered it. So I think we're good, and we have all the information that we need from you.

COPPOLINO What - tell me, can you define the word 'uncomfortable'? Do you have a dictionary?

POSCABLO You tell me.

COPPOLINO I don't know. You're asking the question.

POSCABLO You tell me. You said...

TRUSSO Oh no. No, come on.

POSCABLO No, no. There's no - come on...

TRUSSO You're using a word like 'uncomfortable', which is a - loaded in this environment.

POSCABLO Oh, come on...

TRUSSO Loaded in this sexual atmosphere that's going on right now...

POSCABLO Again, we're just getting into debates here...

COPPOLINO No...uncomfortable...

TRUSSO [inaudible] uncomfortable...

POSCABLO Eric, you - you stated - you stated five seconds ago, have - you asked me if I'd read your May article, and you said that the May article talked about - if you're trans, be trans, be who you are to the - to the discomfort of other people, right? That's what - that was your phrase. So let's...

COPPOLINO No, no, no - not 'discomfort'.

POSCABLO What did you say?

COPPOLINO That one's - that the concept of comfort is highly subjective, and it's based on people's - all the unfinished baggage of the past.

POSCABLO So there you go.

COPPOLINO So we're in an age...

POSCABLO So let's do that. So - so, given people's, you know, baggage, do you think that you have approached women in a way that's made them, individually, uncomfortable?

TRUSSO Different word. You added 'approach'...

POSCABLO Made them - made them experience discomfort?

TRUSSO You added 'approach'. That's a different word.

POSCABLO Okay. Thank you for your time today. It was nice meeting you. Okay.

Transcript ends at 01:35:50