

March 4, 2024

VIA EMAIL

The Honorable Brad Wenstrup, D.P.M.
Chairman
Select Subcommittee on the Coronavirus Pandemic
U.S. House of Representatives
Washington, DC 20515

Re: Select Subcommittee's Request for a Transcribed Interview of former New York Governor Andrew M. Cuomo

Dear Chairman Wenstrup:

I represent former Governor Andrew M. Cuomo and write to inform you that Governor Cuomo has agreed to the Select Subcommittee on the Coronavirus Pandemic's (the "Select Subcommittee") December 1, 2023 request for a transcribed interview.¹ We repeatedly informed the Select Subcommittee's staff of Governor Cuomo's willingness to sit for an interview during communications with them over the last several weeks. Pursuant to a conversation with your staff on February 12, 2024, in a February 21, 2024 email we provided four dates (August 6, 7, 13 or 14) that both Governor Cuomo and I are available for such an interview, given other obligations we have over the next several months, including: depositions of Governor Cuomo in two separate legal proceedings in which I also represent him; other depositions in those same proceedings that require substantial preparation on my part; and a complex criminal trial beginning in June 2024 for which I am lead trial counsel. Your staff represented that they would revert back to me the following week, but we never heard back—until today. Specifically, earlier today, staff members asked me to accept electronic service of a subpoena to compel Governor Cuomo's attendance for testimony. Given Governor Cuomo's stated willingness to appear voluntarily for a transcribed interview, we ask that you reconsider issuing a subpoena.

To be clear, Governor Cuomo has been and remains cooperative. In communications with your staff, we offered to provide written answers to "Questions For the Record" to the extent the Select Subcommittee needs information from Governor Cuomo prior to his interview. That offer still stands. If the four dates we proposed in August for his interview do not work for the Select Subcommittee, we are willing to discuss alternative dates. I simply ask that we work together to accommodate his legal obligations and my other professional obligations.

¹ Following the Select Subcommittee's December 1, 2023 request, we responded by letter dated December 22, 2023, spoke with the staff on January 3, January 31, and February 12, and had email exchanges with the staff in December, January, and February.

Chairman Wenstrup
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Respectfully,

A handwritten signature in blue ink, appearing to read "Rita M. Glavin", written in a cursive style.

Rita M. Glavin, Esq.

cc: Representative Raul Ruiz, Ranking Member