

EDISON TOWNSHIP COUNCIL  
2019 COMMITTEE OF THE WHOLE

HELD ON THURSDAY, MAY 23, 2019

7:00 P.M.

BEFORE:

ALVARO GOMEZ, Council President

JOSEPH A. COYLE, Councilmember

ROBERT C. DIEHL, Councilmember

AJAY PATIL, Councilmember

SAM JOSHI, Councilmember

MICHAEL LOMBARDI, Councilmember

LEONARD D. SENDELSKY, Councilmember

CHERYL RUSSOMANNO, Municipal Clerk

MARLENA McCRAY, Deputy Clerk

BOARD ATTORNEY:

CHRISTOPHER MALIKSCHMITT, ESQ.

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## 1 I N D E X T O W I T N E S S E S

2

3 WITNESSES PAGE

4 DAVID ANTHONY COMER 15

5 SHANNON PANG 48

6

7

## 8 I N D E X T O E X H I B I T S

9

10 NUMBER DESCRIPTION IDENT

11 EXHIBIT-K Postal Service Record 3

12 EXHIBIT-L Receipt 3

13

14 (Exhibits attached.)

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1 (EXHIBIT-K received and marked for  
2 identification.)

3 (EXHIBIT-L received and marked for  
4 identification.)

5 COUNCILMEMBER GOMEZ: Good evening, everyone.  
6 Welcome to the Committee of the Whole Council meeting of  
7 Thursday, May 23, 2019.

8 Everybody please rise for the pledge of  
9 allegiance.

10 COUNCILMEMBER GOMEZ: Roll call.

11 MUNICIPAL CLERK RUSSOMANO: Councilmember  
12 Coyle.

13 COUNCILMEMBER COYLE: Here.

14 MUNICIPAL CLERK RUSSOMANO: Councilmember  
15 Diehl.

16 COUNCILMEMBER DIEHL: Here.

17 MUNICIPAL CLERK RUSSOMANO: Councilmember  
18 Gomez.

19 COUNCILMEMBER GOMEZ: Here.

20 MUNICIPAL CLERK RUSSOMANO: Councilmember  
21 Joshi.

22 COUNCILMEMBER JOSHI: Present.

23 MUNICIPAL CLERK RUSSOMANO: Councilmember  
24 Lombardi.

25 COUNCILMEMEBER LOMBARDI: Here.

1 MUNICIPAL CLERK RUSSOMANO: Councilmember  
2 Patil.

3 COUNCILMEMBER PATIL: Here.

4 MUNICIPAL CLERK RUSSOMANO: Councilmember  
5 Sendelsky.

6 COUNCILMEMBER SENDELSKY: Here.

7 COUNCILMEMBER GOMEZ: Adequate notice, please.

8 MUNICIPAL CLERK RUSSOMANO: Adequate notice of  
9 this meeting as required by the Open Public Meeting Act  
10 of 1975 has been provided by the special notice published  
11 in the Home News Tribune and the News India Times on  
12 April 25 2019 and posted on the Municipal Complex on the  
13 same date.

14 COUNCILMEMBER GOMEZ: Good evening, everyone.  
15 Thank you again for coming out tonight. This is the  
16 continuation of the Committee of the Whole meeting from  
17 Tuesday, May 14.

18 Just to do a quick recap. We started our -- we  
19 started with our witnesses last meeting. We invited 11  
20 individuals. Those who attended were Paul Distefano,  
21 Beth Moroney, Keith Hahn, Cynthia Engle and Shivi  
22 Nadhakar. Those that were not in attendance were Shariq  
23 Ahmad, Jerry Shi, Falguni Patel, Shannon Pang, Mahesh  
24 Bhagia and Dhiren Amin.

25 We think it's vitally important that everybody

1 who's invited come and share with us any information that  
2 they might have.

3 At this time I would like to turn over to  
4 Councilman Lombardi to explain what steps will be taken  
5 in an effort to have those individuals who do not attend  
6 cooperate with our investigation. Councilman Lombardi.

7 COUNCILMEMBER LOMBARDI: Thank you, Council  
8 President.

9 As Council President Gomez indicated, tonight  
10 we are holding our second Committee of the Whole  
11 proceeding. There were individuals there were subpoenaed  
12 to come in and provide testimony as to what if any  
13 knowledge they possess regarding the racial flyer that  
14 was distributed in November 2017. There was also one  
15 person that was asked to voluntarily come in and testify  
16 here tonight. There were three individuals that were  
17 subpoenaed tonight. First is BOE president, Jerry Shi;  
18 BOE member Shannon Pang, and Shariq Ahmad.

19 With regard to Mr. Ahmad, his attorney did  
20 write to our attorney that he could not appear tonight as  
21 this month is Ramadan so we will work with Mr. Ahmad's  
22 attorney to have him come during the meeting of June 27.

23 With regard to Mr. Shi, we received a letter  
24 this afternoon from an attorney indicating that Mr. Shi  
25 was not available tonight as he will be out of town. I

1 hope that in the future that we will get more notice of  
2 Mr. Shi's availability. Mr. Shi was invited to the  
3 meeting on the 14th and we were not advised until the  
4 13th that he would not appear by the Board of Education  
5 attorney. In this instance the Subpoena was sent on  
6 May 9th. It was personally served on Jerry on May 10th,  
7 however, it was not until today that we received a letter  
8 from his attorney. I would ask Mr. Malikschnitt to reach  
9 out to this attorney and make sure that Jerry is  
10 available for the June 27th meeting. Also it appears  
11 from the letters that Mr. Shi and Mr. Mahesh Bhagia have  
12 the same attorney so while you're reaching out to him see  
13 if Mr. Bhagia is available on the 27th as well.

14 MR. MALIKSCHMITT: Understood. Will do.

15 COUNCILMEMEBER LOMBARDI: Now, with regard to  
16 Miss Pang, I see that she just walked in so we're looking  
17 forward to hearing her testify as to what she knows.

18 Further our witness -- for the witnesses that  
19 are here last time we were here I went over some  
20 instructions. For those who did not hear the  
21 instructions and are going to testify tonight I'm just  
22 going to briefly go over those instructions again.

23 This will be a question-and-answer session.

24 There's a court reporter present and the Committee's  
25 questions and your answers to those questions will be

1 taken down by the court reporter. At some point in time  
2 the court reporter prepares a booklet called a transcript  
3 and that transcript will have an exact verbatim record to  
4 all your questions and your answers to those questions.

5 The court reporter will ask for your name and  
6 address. The court reporter will then swear you in. So  
7 although you're in Council chambers, your answers are  
8 considered sworn testimony and have the same effect as if  
9 you were testifying today in front of a judge and a jury.

10 There are certain rules that should be  
11 followed. First, listen to the question. If you don't  
12 hear or understand the question, let the person that's  
13 asking the questions know and I'm sure that Committee  
14 Member will be happy to repeat or rephrase the question.

15 We don't want you to start to answer if you're  
16 not sure what the question was. We want to know what you  
17 know as well as what you do not know. So if we were to  
18 ask you a question and you truly have no idea what the  
19 answer is, you should say so. Nobody wants to you guess  
20 or make up an answer. We only want to know what you  
21 reasonably know. If you can answer a question with a  
22 reasonable estimate or an approximation, that is  
23 permissible and we'd ask that you do so, just identify  
24 your answer as an estimate or an approximation so you're  
25 not held to an exact answer.

1           We should do our best to speak one at a time.  
2    So let the Committee Member asking you a question to  
3    finish the question before you start to answer this way  
4    there's a clear record. Likewise the Committee Members  
5    will do their best to wait until you have completed your  
6    answer to the question before asking another question.  
7    If at any time you feel you were cut off and you weren't  
8    permitted to complete your answer to the question, just  
9    signal to us and we'll stop and let you finish your  
10   answer to that question.

11           Finally, we should all avoid slang. So if your  
12   answer is yes, say yes, if it's no, say no, as opposed to  
13   uh-huh, uh-uh, a shrug of the shoulders or movement of  
14   the head. This is for the benefit of the court reporter  
15   and for the benefit of there being a clear record. So I  
16   ask any Committee Member that if a witness responds with  
17   an uh-huh or an uh-uh, for you to confirm that was an  
18   uh-uh yes or uh-huh no.

19           Those are the instructions. I give it back to  
20   you, Council President.

21           COUNCILMEMBER GOMEZ: Thank you, sir.

22           Councilman Diehl.

23           COUNCILMEMBER DIEHL: Thank you Council  
24   President.

25           Good evening, ladies and gentlemen. Thank you

1 for coming back. I notice a lot of folks were here last  
2 night so it's almost a continuation in some sorts that  
3 Council Chambers seems to be a pretty busy place  
4 nowadays.

5 One of the things that happens with these  
6 Committee of the Whole, which are rare, as you know, they  
7 don't happen quite often, is that you get into it and you  
8 really don't know what you find sometimes until you get  
9 into it and they go in different directions and one of  
10 the reasons why you do enter into it is because you don't  
11 have the information so you want to find out and once you  
12 open it up things start to happen. And one of the things  
13 that we're a little struck by is that we sent out a bunch  
14 of invitations and we received -- these invitations are  
15 can you come and explain to us any information you may  
16 have about this racial flyer -- racist flyer, and what we  
17 got back was a lot of -- we got back a lot of letters  
18 from lawyers which was kind of interesting because we're  
19 sending a letter out asking you to come by and the letter  
20 comes back and it's a lawyer's letter.

21 One of the interesting things that happened was  
22 that it came out in testimony that the Board of Education  
23 attorney had advised Board of Education members that  
24 because of the Zoning Board lawsuit that they should not  
25 attend. And, you know, we have our own thoughts about

1     that because the Zoning Board -- first of all the Zoning  
2     Board lawsuit was authorized by the Board of Education  
3     maybe a couple of weeks ago and we passed our Committee  
4     of the Whole Resolution on February 27th, months before.  
5     Those people in the Chambers who know me know that I have  
6     been speaking about this continually on a bimonthly basis  
7     for a year-and-a-half and I vowed as when it came out  
8     that we would take all necessary steps to find out who  
9     was responsible. So it's no secret that the Council is  
10    doing a Committee of the Whole or that we may go there at  
11    some point and we formed our Committee of the Whole in  
12    February, on February 27th. So, you know, that's pretty  
13    interesting that we put out the letters for an invitation  
14    and what we get back are a lot of lawyer letters and the  
15    Board of Education attorney for the Board of Ed advises  
16    the Board of Education members who were invited to come  
17    here not to come because of the Zoning Board lawsuit.

18               Well, we have a couple of problems with that  
19    and one of them is, and it came out actually from a  
20    resident because, again, this is a fluid process, a  
21    resident brought up the point at one of our Council  
22    meetings, I don't want to pay my tax dollars to have --  
23    to have somebody represented by the Board of Education  
24    attorney for something that is not a Board of Education  
25    issue. And we do not believe this is a Board of

1 Education issue, we believe this is an election issue, we  
2 always believed this is an election issue. So we did  
3 some research and what we found is something pretty  
4 interesting. It's a court case from 2006 in the City of  
5 Elizabeth, Antonio Rivera versus Elizabeth Board of  
6 Education, and interestingly enough the cases are similar  
7 in that short -- in June of 2016, shortly before the  
8 primary election for Elizabeth City Council a letter went  
9 out to residents with Board of Education letterhead on it  
10 and basically it was seen as a racist letter because what  
11 it said, and I can quote the letter here, it was geared  
12 toward Hispanics and to get the Hispanic vote out in the  
13 election. It said -- it was -- the letter directed the  
14 Board of Education president in quotes, this is from the  
15 letter, "Inspire parents to commit to putting up  
16 political signs in support of our Hispanic candidates so  
17 that the Hispanics will come out and vote for our  
18 candidate and ensure a low turnout of the Italian vote."  
19 So this is seen as a racist letter that goes out and the  
20 Board of Education president and the superintendent,  
21 because it had Board of Education letterhead on it, had  
22 the Board of Education lawyer help them with a case, with  
23 a lawsuit, they filed a John Doe lawsuit. To make a long  
24 story short because there's several pages here of  
25 legalese, it was found that they shouldn't have had the

1 Board of Education attorney represent them in any way on  
2 an issue that was not a Board of Education issue. This  
3 was not going to show up on any Board of Education agenda  
4 anywhere, any time. This was an election issue, but they  
5 used the Board of Education attorney to help them and  
6 they entered into a lawsuit and at some point, because it  
7 went on, it went on for a little while, the point was  
8 raised -- two points were raised. Number one, just as we  
9 just said, this is not a Board of Education issue and you  
10 shouldn't be spending Board of Education dollars to  
11 represent the Board president and the superintendent;  
12 and, two, a vote was never taken, a formal vote was never  
13 taken, which is a violation of the Open Public Meetings  
14 Act.

15 So long story short, the superintendent of  
16 Elizabeth and the Board of Education president had to pay  
17 back \$63,000 to the Board of Education for the funds that  
18 were used in a lawsuit that was not authorized from the  
19 beginning and was determined that it was not part of the  
20 Board of Education business.

21 The money that they used, the Board of  
22 Education, the money that they used for the lawyer,  
23 52,000 of the 63,000, came from a grant, a grant from the  
24 Department of Education, and the rest of it was money  
25 that they used from their budget. So I want to bring

1 that up because the argument came up and we questioned it  
2 when it happened, why is the Board of Education attorney  
3 representing or giving legal advice to the people we're  
4 just inviting to come here. Nobody has made any  
5 determination or no verdict has been rendered here,  
6 that's not our job, our job is to get the information  
7 out. So we couldn't understand why the Board of  
8 Education attorney was representing or giving advice to  
9 these -- to the Board of Education members and, as it  
10 came out, no vote was ever taken. So that remains an  
11 issue that is open and I wanted to share that with you as  
12 we got started tonight because it's my hope, because I  
13 think some of the residents who were here at the first  
14 meeting are here, and some of the residents that were at  
15 the Council meeting when this issue came up are also  
16 here, it's my hope that the taxpayers of Edison are not  
17 going to pay for a Board of Education attorney to  
18 represent Board of Education members in a situation  
19 where, first of all, nobody's been sued and nobody's been  
20 accused of anything, and it doesn't have anything to do  
21 with Board of Education routine business, nor is it  
22 approved. I'm just hoping that happens. I wanted to  
23 bring that out up front. Thank you, Council President.

24 COUNCILMEMBER GOMEZ: Councilman Joshi.

25 COUNCILMEMBER JOSHI: Council President, just

1 to be clear, we had invited formally several individuals  
2 that Councilman Lombardi just mentioned, however, there  
3 was one volunteer that we had requested to come to my  
4 knowledge. I have just come to learn that he's actually  
5 here and that is Mr. Comber. So Mr. Comer if you can  
6 also -- if you can come to the stand to testify.

7 COUNCILMEMBER GOMEZ: Just for the record, this  
8 is Postal Inspector David Comber.

9 COUNCILMEMBER COYLE: Council President, is he  
10 a new witness or is he someone that's been notified?

11 COUNCILMEMBER GOMEZ: He's been asked. He has  
12 accepted to come.

13 COUNCILMEMBER COYLE: I'm --

14 COUNCILMEMBER GOMEZ: He is the Postal  
15 Inspector.

16 COUNCILMEMBER COYLE: Okay. And we were  
17 notified he was going to be here tonight?

18 COUNCILMEMBER GOMEZ: Excuse me?

19 COUNCILMEMBER COYLE: Was the Council notified  
20 that he was going to be here tonight?

21 COUNCILMEMBER GOMEZ: Again, as I mentioned in  
22 the initial discussion, the subcommittee is handling it  
23 so the subcommittee has handled, just like all the other  
24 witnesses, all the invitations.

25 COUNCILMEMBER COYLE: Council President, could

1 someone answer my question whether he was -- whether  
2 Council got the notification. I just want to know the  
3 process, that's all.

4 COUNCILMEMBER GOMEZ: Yeah.

5 COUNCILMEMBER COYLE: If you can bring on  
6 someone last minute, I'm fine with that, I just want to  
7 know the process, so I can do the same.

8 COUNCILMEMBER JOSHI: Councilman, we did not  
9 know whether the U.S. Postal Inspector would come.  
10 Obviously he is an ideal person to testify. We are happy  
11 and very thankful he is here. He was -- for the record,  
12 he was not a part of the list that our attorneys had sent  
13 out. He was a volunteer that chose to come. So he is  
14 here and we're happy to hear his testimony. I'm sure he  
15 knows a descent amount.

16 COUNCILMEMBER COYLE: Council President,  
17 Councilman Joshi, for the record, can we have volunteer  
18 witnesses appear tonight, is that what you're telling me?  
19 I'm fine with the answer, I just want an answer.

20 COUNCILMEMBER JOSHI: I'm not sure where you're  
21 getting at, but he is the U.S. Postal Inspector that, to  
22 my knowledge, handled this case.

23 COUNCILMEMBER COYLE: Thank you, Council  
24 President.

25 COUNCILMEMBER JOSHI: I think there's a

1 difference.

2 Mr. Comer, can you state your full name.

3 THE WITNESS: David Anthony Comer, Senior.

4 COUNCILMEMBER JOSHI: And who do you work for  
5 what is your position there?

6 COURT REPORTER: He hasn't been sworn in yet.

7 COUNCILMEMBER JOSHI: Oh, I'm sorry.

8 DAVID ANTHONY COMER, currently doing business  
9 at 21 Kilmer Road, Edison, New Jersey 08899,  
10 was duly sworn to tell the truth and testified  
11 as follows:

12 COUNCILMEMBER JOSHI: Thank you. And who do  
13 you work for, what is your position, exact title there?

14 THE WITNESS: I work for the United States  
15 Postal Inspection Service and I'm a Postal Inspector.

16 COUNCILMEMBER JOSHI: And how long have you  
17 held that title for?

18 THE WITNESS: Seventeen years.

19 COUNCILMEMBER JOSHI: Seventeen years.

20 What are your job responsibilities and did you  
21 serve in any relevant prior role?

22 THE WITNESS: Currently I'm part of a security  
23 time. My team handles suspicious items, powders,  
24 liquids, unknown parcels, excentric mailings, as well as  
25 workplace violence involving our employees.

1 COUNCILMEMBER JOSHI: Mr. Comer, what, if  
2 anything, did you know about the 2017 racist flyer? Can  
3 you put that up as Exhibit A right here?

4 THE WITNESS: It was brought to my attention  
5 that it was sent through our Edison -- well, it was being  
6 delivered through our Edison main post office located on  
7 Route 27.

8 COUNCILMEMBER JOSHI: Okay. And when did you  
9 first come to learn about it, how did you get involved in  
10 this case?

11 THE WITNESS: I was contacted by the station  
12 manager and I went and collected some of the refused  
13 flyers and started trying to see if I was able to trace  
14 back where they might have originated from.

15 COUNCILMEMBER JOSHI: Okay. Do you know how  
16 many flyers were sent out or went out or attempted to go  
17 out?

18 THE WITNESS: There were more than a thousand  
19 that were attempted.

20 COUNCILMEMBER JOSHI: A thousand.

21 COUNCILMEMBER SENDELSKY: More than a thousand.

22 COUNCILMEMBER JOSHI: More than a thousand. Do  
23 you know who they were sent to or the addresses, were you  
24 able to verify whether it was a certain demographic or  
25 not?

1 THE WITNESS: No.

2 COUNCILMEMBER JOSHI: No. Okay. Can you  
3 explain how presorted U.S. postage paid permit mailings  
4 work?

5 THE WITNESS: It was not presorted prepaid, it  
6 was -- each of those flyers had a Forever -- a flag  
7 Forever Stamp attached to them. So somebody literally  
8 put stamps on each one of those.

9 COUNCILMEMBER JOSHI: Okay. Do you know the  
10 individual that had purchased those stamps?

11 THE WITNESS: I cannot say who purchased those  
12 stamps. I can say that there was an individual that  
13 within three days of the mailing made a purchase of  
14 \$3,920 at the Edison post office located on Route 27 and  
15 they were the same exact stamps that were used on the  
16 racist flyer.

17 COUNCILMEMBER JOSHI: Can you state the name of  
18 that individual?

19 THE WITNESS: Shariq Ahmad.

20 COUNCILMEMBER JOSHI: Okay. Do you know who  
21 owns P. O Box 10153, People For Progress?

22 THE WITNESS: Based on postal service records,  
23 I was able to pull up the P. O Box information. I have  
24 to look at it. I gave a copy of it to someone.

25 MR. MALIKSCHMITT: If the stenographer can

1 place in front of the witness what's been premarked as  
2 Exhibit-K I would appreciate that.

3 Mr. Inspector, if you can take a second to  
4 review that, I would appreciate it.

5 THE WITNESS: Okay. According to Postal  
6 Service records the P. O. Box was opened on September 19,  
7 2017 by Cesar Suarez who, according to the address listed  
8 on the P.O. Box application, was 304 Hana Road, Edison,  
9 New Jersey, 08817. The Postal Service policy to verify  
10 who is renting a P. O box is to get a photo  
11 identification, so in this case he provided a driver's  
12 license and a vehicle registration card to prove his  
13 identity. And the box was actually closed on April 11,  
14 2018.

15 COUNCILMEMBER JOSHI: Have you ever met Cesar  
16 Suarez?

17 THE WITNESS: No, not to my knowledge.

18 COUNCILMEMBER JOSHI: Were you ever able to  
19 interview Mr. Ahmad?

20 THE WITNESS: I had attempted to interview  
21 Mr. Ahmad, along with Detective Jeff Tierney from Edison  
22 Police Department. He was uncooperative.

23 MR. MALIKSCHMITT: When you say uncooperative,  
24 what do you mean exactly?

25 THE WITNESS: He said that his attorney would

1 reach out to me when he was ready to talk to me.

2 COUNCILMEMBER JOSHI: Are you familiar with the  
3 name Andres Morales?

4 THE WITNESS: No.

5 COUNCILMEMBER JOSHI: Because the P. O. box  
6 that you have mentioned, P. O. Box 10153, was -- it ties  
7 back to Andres Morales on People For Progress. So my  
8 point is that Cesar Suarez, whoever this guy is, the name  
9 that was used on People For Progress mailings, was Andres  
10 Morales with that same P. O Box that you mentioned.

11 So you don't know who Andres Morales is?

12 THE WITNESS: No, I do not.

13 COUNCILMEMBER JOSHI: Okay. Because that's a  
14 possible bank fraud. Just letting you know.

15 Council President, I don't have any further  
16 questions at this time. I don't know if the other  
17 committee members do.

18 COUNCILMEMEBER LOMBARDI: Council President, I  
19 have a few questions for Mr. Comer.

20 Mr. Comer, first of all, thank your for coming  
21 in, for volunteering to come in.

22 THE WITNESS: No problem.

23 COUNCILMEMEBER LOMBARDI: You said that you  
24 worked for the United States Postal Inspection Office for  
25 17 years?

1 THE WITNESS: Yes.

2 COUNCILMEMEBER LOMBARDI: Can you take me  
3 through your titles over those 17 years or have you  
4 always been just a United States Postal Inspector?

5 THE WITNESS: Yes, it's just a variety of teams  
6 that I've worked on, but it's always been a Postal  
7 Inspector.

8 COUNCILMEMEBER LOMBARDI: Okay. Now, you  
9 mentioned that you had attempted, with the assistance of  
10 Detective Tierney, to reach out to Mr. Ahmad for an  
11 interview?

12 THE WITNESS: Yes.

13 COUNCILMEMEBER LOMBARDI: Who, if anyone else,  
14 did you attempt to interview during your investigation?

15 THE WITNESS: Jerry Shi.

16 COUNCILMEMEBER LOMBARDI: And were you able to  
17 interview Mr. Shi?

18 THE WITNESS: No, he was uncooperative.

19 COUNCILMEMEBER LOMBARDI: When you say he was  
20 uncooperative, what do you mean?

21 THE WITNESS: I went to his residence, he was  
22 working on his vehicle, told him that I wanted to speak  
23 with him regarding the racist flyer, his response was he  
24 was going out of town and that he had no time to talk to  
25 me. So I was amenable and said, okay, gave him my

1 business card, told him to please reach out to me upon  
2 his return. He said, sure, okay, and I never heard from  
3 him again.

4 COUNCILMEMEBER LOMBARDI: What were your  
5 findings with regard to the flyer itself?

6 THE WITNESS: The flyer was sent to our lab for  
7 analysis. It's being -- it was sent for print analysis  
8 as well as latent print analysis. The latent prints have  
9 not come back yet. The print analysis basically came  
10 back that it was an inkjet commercial-style printer.  
11 There were no defects in the printing so they were not  
12 able to say whether it came from the same exact printer  
13 for each one. The same goes for the card stock, the card  
14 stock did not have any abnormalities in it so they were  
15 unable to discern whether it was the same card stock used  
16 for each one.

17 COUNCILMEMEBER LOMBARDI: Was a determination  
18 made as to whether the flyer or flyers were printed at a  
19 home or an office printer versus a printing company?

20 THE WITNESS: It said that it was a  
21 commercial -- the inkjet was commercial style so I would  
22 assume that it was done in an office.

23 COUNCILMEMEBER LOMBARDI: When a flyer is  
24 printed on a commercial printer are there any identifying  
25 marks that would -- like a serial number or some type of

1 identification that would show which printer it actually  
2 came from?

3 THE WITNESS: That was one of the reasons why I  
4 sent it to our lab. They had told me that some  
5 commercial printers or some home printers will actually  
6 put a serial number on, but unfortunately whatever  
7 printer was used in this case did not encode a serial  
8 number.

9 COUNCILMEMEBER LOMBARDI: Now, you had  
10 testified earlier that the stamps were individually  
11 placed on each flyer?

12 THE WITNESS: Yes.

13 COUNCILMEMEBER LOMBARDI: Was any  
14 fingerprinting analysis done?

15 THE WITNESS: It's still being conducted. Our  
16 lab is in Virginia so the problem is that we have  
17 homicides, burglaries going on so it doesn't rise to the  
18 occasion of a quick response from them.

19 COUNCILMEMEBER LOMBARDI: Do you know when it  
20 went out to the lab for testing?

21 THE WITNESS: It's been more than a year.

22 COUNCILMEMEBER LOMBARDI: When was the last  
23 time you had reached out to the lab to make a  
24 determination as to the estimated time of completion of  
25 the analysis?

1           THE WITNESS: I spoke to them two weeks ago and  
2 they didn't have an answer because, like I said, we're a  
3 Federal agency, we have homicides, burglaries, suicides,  
4 everything, all that stuff goes to the lab. We have one  
5 lab.

6           COUNCILMEMEBER LOMBARDI: Now, you spoke about  
7 the cooperation with the Edison Police Department,  
8 actually you mentioned Detective Tierney, correct?

9           THE WITNESS: Yes.

10          COUNCILMEMEBER LOMBARDI: At some point the  
11 investigation was taken over by the Middlesex County  
12 Prosecutor's Office; is that correct?

13          THE WITNESS: I know the Attorney General's  
14 Office had gotten involved at one point, but I'm not sure  
15 where it went from there. I haven't spoken with them.

16          COUNCILMEMEBER LOMBARDI: Have you been in  
17 contact with any investigator from the Attorney General's  
18 Office?

19          THE WITNESS: Not within the past nine months.

20          COUNCILMEMEBER LOMBARDI: So approximately nine  
21 months ago you were contacted by the Attorney General's  
22 Office or --

23          THE WITNESS: We spoke via email.

24          COUNCILMEMEBER LOMBARDI: Okay. Is it your  
25 understanding that the Attorney General's office is

1 conducting an investigation?

2 THE WITNESS: At that point, yes.

3 COUNCILMEMEBER LOMBARDI: Okay. But you  
4 haven't heard anything in the past nine months?

5 THE WITNESS: No. I think they were waiting on  
6 all of the lab results to come back, so the latent print  
7 analysis as well as the ink and card stock analysis.

8 COUNCILMEMEBER LOMBARDI: Okay. So as far as  
9 you know it's still an active investigation, they're just  
10 waiting on the analysis to be completed from the lab?

11 THE WITNESS: Yes, as far as I know.

12 COUNCILMEMEBER LOMBARDI: Besides what we've  
13 already spoken about, did your investigation reveal  
14 anything else with regard to the flyer?

15 THE WITNESS: The addresses that the cards were  
16 sent to weren't sent to individuals, it was basically  
17 current resident, so it was something that was bought --  
18 those addresses were bought online.

19 COUNCILMEMEBER LOMBARDI: Do you know the  
20 source of the online website where they were purchased  
21 from?

22 THE WITNESS: No, no, because Vista Print does  
23 it, there's a lot of different places that will sell the  
24 addresses.

25 COUNCILMEMBER JOSHI: Is it possible or I don't

1 know if your office had looked into the mailings itself,  
2 were they, were the addresses -- is it possible that they  
3 were political mailing lists?

4 THE WITNESS: It could be. They weren't  
5 addressed to --

6 COUNCILMEMBER JOSHI: So they were not EDDM?

7 THE WITNESS: No.

8 MR. MALIKSCHMITT: Mr. Inspector, you said  
9 there were more than a thousand flyers sent out; is that  
10 right?

11 THE WITNESS: Yes.

12 MR. MALIKSCHMITT: How were you able to  
13 determine that number?

14 THE WITNESS: Based on a portion of my office  
15 being filled with these. I'm giving an approximation. I  
16 have four flat tubs full of the mailings sitting in my  
17 office.

18 MR. MALIKSCHMITT: So you collected quite a few  
19 of them?

20 THE WITNESS: Yes, I did.

21 MR. MALIKSCHMITT: Do you know how many you  
22 collected, roughly?

23 THE WITNESS: I didn't count them.

24 COUNCILMEMEBER LOMBARDI: Do you know how many  
25 were actually mailed out and how many actual residences

1 received these?

2 THE WITNESS: No, I do not.

3 COUNCILMEMBER JOSHI: What were the names of  
4 the individuals that yourself or the Detective Tierney  
5 tried to interview or tried to speak to?

6 THE WITNESS: Shariq Ahmad, Jerry Shi.  
7 Detective Tierney had spoke to Falguni Patel without me,  
8 I think it was prior to me getting involved. Let's see.  
9 I think that's the only people that we tried to reach out  
10 to.

11 The reason -- do you want me to clarify?

12 COUNCILMEMBER JOSHI: Sure.

13 THE WITNESS: Okay. The reason why we wanted  
14 to speak to Jerry Shi is because he was on the flyer, he  
15 was a victim. Falguni Patel was already interviewed as a  
16 victim. Shariq Ahmad, I wanted to speak to him to find  
17 out what was the purpose of a \$3920 stamp purchase, of  
18 flag stamps that are the same exact stamps that were used  
19 in a racist flyer. So my question for him would have  
20 been what were you buying all those stamps for two or  
21 three days before a racist political mailing came out,  
22 but I was unable to, he was uncooperative.

23 COUNCILMEMBER JOSHI: Okay.

24 MR. MALIKSCHMITT: How is it that you knew that  
25 he made that purchase?

1           THE WITNESS: The Postal Inspection Service has  
2 access to all of the financial transactions that occur  
3 within the Postal Service as well -- I'll leave that at  
4 that. We -- because I can't give too much information,  
5 but any financial purchase that's made at the Post Office  
6 I have access to.

7           MR. MALIKSCHMITT: Suffice it to say finances  
8 were analyzed?

9           THE WITNESS: Yes.

10          MR. MALIKSCHMITT: Thank you.

11          COUNCILMEMBER JOSHI: To your knowledge did  
12 Jerry Shi ever reach out to or speak to any law  
13 enforcement?

14          THE WITNESS: Not to my knowledge. I spoke  
15 with Detective Tierney probably a couple of hours ago and  
16 he said he never heard from Jerry Shi at all, other than  
17 that day when we went to interview him.

18          MR. MALIKSCHMITT: Stenographer, if you can  
19 please place in front of the Inspector what's been  
20 premarked as Exhibit-L.

21          Mr. Inspector, if you can please take a moment  
22 to please review that document.

23          THE WITNESS: Okay.

24          MR. MALIKSCHMITT: Do you recognize that?

25          THE WITNESS: Yes.

1 MR. MALIKSCHMITT: What do you recognize it to  
2 be?

3 THE WITNESS: This is a photocopy of the  
4 original receipt. It's a duplicate receipt for -- dated  
5 October 28, 2017, 1:25 p.m., of a stamp purchase of  
6 \$3,920, for 80 coils of stamps. There's a hundred stamps  
7 on each coil, so that would be 8,000 stamps.

8 It identifies the last four digits of the  
9 credit card as 0936. Based on the time of the  
10 transaction the finance number of the station I was able  
11 to go through postal databases and recover the credit  
12 card number that was used to purchase -- to make that  
13 purchase at that exact time. Then we subpoenaed the bank  
14 to get the owner of the credit card which turned out to  
15 be Shariq Ahmad.

16 MR. MALIKSCHMITT: And you said previously in  
17 your testimony that those were, quote, the same exact  
18 stamps that were on the flyer. By that I assume you mean  
19 the same exact type of stamps; is that correct?

20 THE WITNESS: Yes.

21 COUNCILMEMBER JOSHI: I just want to clarify  
22 for Edison TV and the viewers that we can't put these  
23 exhibits up because they were given to us by Mr. Comer.  
24 We don't even have them available right now, but we  
25 received both of them over here.

1           This is going on the record.

2           COUNCILMEMBER COYLE: Council, I just wanted to  
3 clarify. The Counselor mentioned type of stamps. First,  
4 I'm glad you're here. I wish I was more prepared, but  
5 you are the key person we're looking for to be here.  
6 This is really perfect timing.

7           The question he mentioned before, and I only  
8 have this one question, he purchased the stamps on the  
9 28th but, you said that he used Forever Stamps, the  
10 Forever Stamp?

11          THE WITNESS: Yes, Forever is a type of stamp.  
12 It's basically -- the stamp purchase was the U.S. flag  
13 coil stamp. I say Forever Stamp because no matter what  
14 the value of -- no matter what the postal rate is for  
15 that stamp it always stays at that price that they paid  
16 for it, like they don't have to put an extra one cent or  
17 two cent stamp. That's why we call it a Forever Stamp.

18          COUNCILMEMBER COYLE: Just so I can get  
19 clarification, we know that he purchased flag stamps?

20          THE WITNESS: Yes.

21          COUNCILMEMBER COYLE: Is there anything that  
22 you can give me specifically about the stamp that's on  
23 the mailers that you discovered, is there any type of  
24 sequence number that you know is this stamp that he  
25 purchased or just the type?

1 THE WITNESS: No, it's just the type.

2 COUNCILMEMBER COYLE: So at this time we know  
3 that he bought Forever Stamps?

4 THE WITNESS: Yes.

5 COUNCILMEMBER COYLE: Correct?

6 THE WITNESS: Yes.

7 COUNCILMEMBER COYLE: And they were flag  
8 stamps?

9 THE WITNESS: Yes.

10 COUNCILMEMBER COYLE: And on the flyer what  
11 type -- was it a flag stamp on there as well?

12 THE WITNESS: Yes, it was.

13 COUNCILMEMBER COYLE: Okay. So we definitely  
14 have a type of stamp, but we have -- there's no serial  
15 numbers? I was told that we can get a serial number or  
16 some more specifics that each stamp has a quality -- a  
17 qualification number on the stamp?

18 THE WITNESS: No, there's no -- we don't  
19 serialize the stamps like that, even with for postal  
20 tracking, they just send it in a bunch and then they  
21 accept it for what it is.

22 COUNCILMEMBER COYLE: So the proof you have is  
23 Mr. Ahmad purchased stamps on 10/28, he purchased a type  
24 of stamp, which is a Forever flag stamp, but you can't be  
25 specific whether that stamp has a sequence to the stamp

1     that was put on there, some type of material number that  
2     proves that that's the stamp?

3             THE WITNESS:   Correct, I cannot prove that.

4             COUNCILMEMBER COYLE:   Okay.   I was under the  
5     impression for about six months that there was a stamp  
6     that you can clarify, each stamp is marked and has a seal  
7     and a sequence for Homeland Security, but there is no  
8     proof to that?

9             THE WITNESS:   No, that would be wonderful, but  
10    no.

11            COUNCILMEMBER COYLE:   Probably something we can  
12    do some time soon.   Okay.   I'll wait to my question, but  
13    I just wanted to get to that point the Counselor made.

14            COUNCILMEMBER LOMBARDI:   Council President?

15            COUNCILMEMBER GOMEZ:   Yes.

16            COUNCILMEMBER LOMBARDI:   Mr. Comer, did you do  
17    any type of investigation as to whether there were any  
18    other large purchases of these types of stamps in or  
19    around that timeframe?

20            THE WITNESS:   Yes.

21            COUNCILMEMEBER LOMBARDI:   Okay.   Were there  
22    any?

23            THE WITNESS:   No.

24            COUNCILMEMEBER LOMBARDI:   Okay.   Thank you,  
25    Council President.   Nothing further.

1 COUNCILMEMBER GOMEZ: Anything else from the  
2 Committee?

3 Anything else from any other Councilmember?

4 COUNCILMEMBER JOSHI: Is there any other  
5 testimony you would like to provide that would lead to  
6 another individual -- do you believe that this was done  
7 by one individual or multiple? Is there any other  
8 evidence that you can give us related to anything you  
9 know for how many individuals were involved?

10 THE WITNESS: No.

11 COUNCILMEMBER JOSHI: Okay. Thanks.

12 COUNCILMEMBER GOMEZ: No other questions?

13 COUNCILMEMBER COYLE: Council President, I was  
14 yielding to Mr. Diehl first.

15 COUNCILMEMBER DIEHL: Oh, no.

16 COUNCILMEMBER COYLE: Thank you, Council  
17 President.

18 Again, I appreciate you coming tonight. My  
19 only question was just not being prepared because you are  
20 a key person a lot of us have been waiting to speak to  
21 and I also just want to verify the process of how people  
22 volunteer to speak. So no way am I disappointed you're  
23 here, I'm actually pleased. So thank you for taking the  
24 time to be here because what you say it really could  
25 corner this case of where we want to be.

1           We went back to identifying with how many  
2   you've collected, how many flyers you've collected, and  
3   you said about a thousand?

4           THE WITNESS: Approximately, I did not count.

5           COUNCILMEMBER COYLE: Okay. But you roughly  
6   know -- what did you call it a tray, a tub?

7           THE WITNESS: Yeah, a flat tub.

8           COUNCILMEMBER COYLE: Approximately how many do  
9   they hold?

10          THE WITNESS: A lot.

11          COUNCILMEMBER COYLE: Depends on what --  
12   depending on what's sent there. Okay. Is it fair to say  
13   you have under a thousand, over a thousand?

14          THE WITNESS: Oh, no, it's over a thousand.

15          COUNCILMEMBER COYLE: It could be 2000?

16          THE WITNESS: Oh, yeah, or 6,000.

17          COUNCILMEMBER COYLE: That changes a lot there,  
18   6,000. And how many stamps does the \$3920 get you, 80  
19   rolls?

20          THE WITNESS: Eighty rolls, 100 stamps on each  
21   role, 8,000.

22          COUNCILMEMBER COYLE: Okay. Can I just go into  
23   the fundamentals of mailings with you and how we look at  
24   things being mailed and how we identify things. I am  
25   getting to that stamps and I'm just really disappointed

1 that we can't find out that stamp that are on there.

2 Okay. So what do we do when it comes to your mail house  
3 in bulk mail every day, just a few main items that come  
4 through every day?

5 THE WITNESS: I need you to clarify.

6 COUNCILMEMBER COYLE: That use regular stamps,  
7 not prepaid stamps, what comes through regularly that  
8 it's used?

9 THE WITNESS: Okay. So basically people come  
10 into the Post Office or they go to a blue box and drop  
11 letters into the box, the letters are then transported by  
12 hamper into a station, it's co-mingled with other mail,  
13 then a truck driver will come pick up that mail and take  
14 it to a processing facility and it will be sent through a  
15 machine and it's processed. The stamps will be canceled  
16 and in some instances the mail will be bar coded.

17 COUNCILMEMBER COYLE: Now, of the flyers that  
18 you found were any of them canceled?

19 THE WITNESS: Yes.

20 COUNCILMEMBER COYLE: What I'm trying to  
21 identify is, could you identify where they were dropped  
22 off? I mean, sometimes it could give you an indication  
23 what region it was mailed from or where it was. If you  
24 don't have that answer tonight, obviously it may take  
25 some time, but --

1           THE WITNESS: They were all canceled at the  
2   Dominic V. Daniels processing facility located in Kearny,  
3   New Jersey.

4           COUNCILMEMBER COYLE: Okay.

5           COUNCILMEMBER COYLE: That makes it very  
6   interesting, Kearny. So one person would have to drop  
7   them off in -- how does that -- give me a geographic  
8   territory. If I was to drop something off in Kearny --  
9   it would have to be in the Township of Kearny or in the  
10   region of Kearny?

11          THE WITNESS: No, it could be dropped off  
12   anywhere, it could be dropped off in Old Bridge, East  
13   Brunswick, co-mingled, and then it's just transported to  
14   Kearny for cancellation.

15          COUNCILMEMBER COYLE: So is that a normal  
16   process for my mail, if I dropped it in Edison, at a  
17   mailbox in Edison, it goes to Kearny then back?

18          THE WITNESS: Yes.

19          COUNCILMEMBER COYLE: So it doesn't go to the  
20   local post office on Kilmer?

21          THE WITNESS: Yes.

22          COUNCILMEMBER COYLE: Everything goes to  
23   Kearny?

24          THE WITNESS: Yes.

25          COUNCILMEMBER COYLE: So we can't say it's a

1 person from Kearny that did this?

2 THE WITNESS: Correct.

3 COUNCILMEMBER COYLE: It's just a convenience  
4 of a mail drop, not that I would suspect that the person  
5 was doing this if they were mischievous they'd want to go  
6 out of their area to drop it to make it look like it came  
7 from a different town.

8 Okay. Going back to the stamp here, is it  
9 unusual for someone to come in and buy this amount of  
10 stamps throughout the year during campaign season, does  
11 it ever happen, somebody buys \$4,000 worth of stamps in  
12 your history? This on October 28th, it's, I think, a few  
13 days before an election.

14 THE WITNESS: Okay. So you have to understand  
15 that I'm an investigator so I'm not really involved with,  
16 like, mailing and I'm on the law enforcement side of the  
17 house.

18 COUNCILMEMBER COYLE: Would you -- okay.  
19 That's fair. Would you be able to run a history, if I  
20 asked you to run a history of sales taking place two  
21 weeks before Election Day, would you be able to run a  
22 history of how many -- what I'm getting at, where I come  
23 from in politics we do mailers, we buy stamps all the  
24 time and what I'm getting at is, that is it uncommon,  
25 could you be specific, if you were to look into it, to

1 find out whether or not stamps are bought in bulk, you  
2 know, prior to an election?

3 THE WITNESS: Oh, yes, I could go through  
4 postal databases, yes.

5 COUNCILMEMBER COYLE: In your 17 years  
6 experience would you say that it's totally unusual five  
7 days before an election that a purchase of 8,000 stamps  
8 would be made?

9 THE WITNESS: This is the first time I've come  
10 into contact with this.

11 COUNCILMEMBER COYLE: Okay. And if you were to  
12 pull a history for me throughout your region would this  
13 be the only purchase or you're not sure at all/

14 THE WITNESS: I'm not sure. Typically with  
15 large mailings the Postal Service will offer a discount  
16 and it would go through our bulk mail center and also  
17 political flyers we have a political rate, it's  
18 considered fourth class mail. So it would not -- most  
19 political mailings are mailed without postage.

20 COUNCILMEMBER COYLE: Is that an answer you can  
21 find for me at a later date?

22 THE WITNESS: Yeah, absolutely, I can research  
23 it.

24 COUNCILMEMBER COYLE: Ten days prior to the  
25 election of a history, of a five-year history of who

1 purchased the stamps and whether this is completely  
2 unusual behavior.

3 And the other part too is going back to the  
4 actual stamp. You mentioned that this is the exact  
5 stamp. Can you clarify to me again --

6 THE WITNESS: The exact stamp type, so it's a  
7 U.S. flag stamp.

8 COUNCILMEMBER COYLE: Forever Stamp.

9 THE WITNESS: Yes, a U.S. flag Forever Stamp,  
10 on each of the flyers is a U.S. flag Forever stamp.

11 COUNCILMEMBER COYLE: So in your history how  
12 could we associate specifically that the stamps that  
13 Shariq purchased are the specific stamps that were placed  
14 on there?

15 THE WITNESS: You wouldn't be able to, that's  
16 why I attempted to interview him.

17 COUNCILMEMBER COYLE: Okay. So other than him  
18 saying that I specifically put them on, you can't tell by  
19 any other code?

20 THE WITNESS: No, other than latent prints, if  
21 whoever mailed this got their prints on it or got a hair  
22 fiber underneath the stamp, then we can run DNA or latent  
23 print.

24 COUNCILMEMBER COYLE: And that's still open for  
25 investigation --

1 THE WITNESS: Yes.

2 COUNCILMEMBER COYLE: And that would be very  
3 conclusive?

4 THE WITNESS: Yes.

5 COUNCILMEMBER COYLE: But the actual stamp  
6 itself, when you say the word exact stamp, I just don't  
7 want to confuse those who are listening, this is just he  
8 purchased the type of stamp?

9 THE WITNESS: Okay. So clarification would be  
10 the exact same type of stamp that was used.

11 COUNCILMEMBER COYLE: Same type of stamp. And,  
12 again, there's -- when you purchase stamps I had a  
13 feeling through others that when you buy a roll, the roll  
14 has some type of code sequence in there that you know it  
15 came from them.

16 THE WITNESS: No.

17 COUNCILMEMBER COYLE: And today you can't  
18 identify it. Could you do it through any other channel  
19 in your database?

20 THE WITNESS: No, we don't -- we do not  
21 serialize stamps.

22 COUNCILMEMBER COYLE: Is there any other expert  
23 that could testify to a stamp of who purchased that  
24 specific stamp that was placed on a card?

25 THE WITNESS: Clarify that for me.

1 COUNCILMEMBER COYLE: Is there any other person  
2 in your facility or any expert that you're aware of, that  
3 has a measurement to prove that exact stamp that's on the  
4 postcard, on the flyer, is the stamp purchased by this  
5 purchase here?

6 THE WITNESS: No, there would be nobody.

7 COUNCILMEMBER COYLE: Okay. That was the  
8 golden answer we were all looking for and it's an answer  
9 I've been hearing for about nine months that we have a  
10 person and the stamp, we can identify the stamp on there,  
11 but all today we can identify is the type of stamp?

12 THE WITNESS: Correct.

13 COUNCILMEMBER COYLE: I still -- I mean, I  
14 know -- I'm not blaming you, but I still don't believe  
15 that's possible today, given all the technology we have  
16 with the history of what's happened in different mailers  
17 that were sent to different political situations, the  
18 terrible things that were mailed out, that we can't  
19 pinpoint a stamp today.

20 COUNCILMEMBER JOSHI: I just want to, in the  
21 interest of time, I want to be very respectful to our  
22 speaker right now. And the only other question that I  
23 have is Cesar Suarez. You said that the post office was  
24 opened -- which post office was this P. O. Box opened in  
25 or what facility?

1           THE WITNESS: It was -- I know that -- it was  
2 opened in the New Brunswick Post Office -- or, let's see.  
3 You know what -- oh, okay, it was -- I think that it was  
4 opened up at the post office located at 21 Kilmer Road  
5 because the information that I received on the P. O. box  
6 came from the supervisor at that station.

7           COUNCILMEMBER JOSHI: Okay.

8           THE WITNESS: So it was New Brunswick, it's the  
9 New Brunswick annex located at 21 Kilmer Road, Edison,  
10 New Jersey.

11          COUNCILMEMBER JOSHI: Okay. And the reason why  
12 I'm asking is because up until now we have, at least from  
13 what we gather, we haven't been able to verify whether  
14 Andres Morales ever existed, but Cesar Suarez opened the  
15 P. O Box in Kilmer Road?

16          THE WITNESS: Yes.

17          COUNCILMEMBER JOSHI: Okay.

18          MR. MALIKSCHMITT: And he would have to have  
19 done so in person; is that correct?

20          THE WITNESS: Yes, along with identification  
21 because they're required to see photo identification.

22          COUNCILMEMBER JOSHI: Okay. Do you know how  
23 often or would you be able to look up perhaps at another  
24 date how often Cesar Suarez used this P. O. box for  
25 mailings?

1 THE WITNESS: Clarify that.

2 COUNCILMEMBER JOSHI: How often he actually  
3 showed up to use this -- because this is an Edison  
4 resident. Do you know how often he would have used the  
5 P. O Box itself, would you be able to look that up?

6 THE WITNESS: No, because the P. O Box section  
7 is open 24 hours a day so you can go in with your key,  
8 get your mail, late, any time.

9 COUNCILMEMBER JOSHI: Okay. I think we have to  
10 look into Cesar Suarez.

11 COUNCILMEMBER GOMEZ: Anybody else?

12 COUNCILMEMBER LOMBARDI: Council President, I  
13 just have a quick followup question.

14 It was mentioned about today's technology, and  
15 I worked at an office that sends a couple hundred letters  
16 out a day, and my office actually has a postal machine  
17 where the stamp is actually printed on there. Is it  
18 abnormal that someone would buy stamps in bulk and place  
19 it on each individual flyer? Most bulk mailings would  
20 you agree or disagree would go through some sort of  
21 machine that would print the stamp on it?

22 THE WITNESS: For a mailing of that size I  
23 would say that it's more efficient because you get a  
24 discount to use Pitney Bowes machine which those are  
25 traceable, Pitney Bowes, I think Heller is one of the

1 other ones. But, yes, those are traceable.

2 COUNCILMEMBER COYLE: Council President.

3 Mr. Joshi, I wasn't finished before. I have a few more  
4 questions.

5 COUNCILMEMBER GOMEZ: Go ahead Councilman  
6 Coyle.

7 COUNCILMEMBER COYLE: Thank you.

8 And I want to also talk about what --  
9 Mr. Lombardi's question as well. But, first, just walk  
10 me through the Cesar -- I know we just got this Cesar  
11 Suarez. This is the document of his registration at that  
12 P. O. box?

13 THE WITNESS: Yes.

14 COUNCILMEMBER COYLE: It's the first I've heard  
15 his name. I'm confused. What date was this opened, this  
16 box?

17 THE WITNESS: September 19th, 2017.

18 COUNCILMEMBER COYLE: Okay. And did it close  
19 as well, was there a date it closed?

20 THE WITNESS: April 11th, 2018.

21 COUNCILMEMBER COYLE: And when was the flyer  
22 sent out, what date was the flyer sent out?

23 THE WITNESS: November 1st, 2017, that's the  
24 cancellation date from the postal office.

25 COUNCILMEMBER COYLE: And forgive me for not

1 knowing some of the answers here, but on the racial flyer  
2 is it the P. O. box that's on the flyer? How are we  
3 correlating this Post Office box with the flyer that was  
4 up before?

5 THE WITNESS: Oh, I didn't correlate it with  
6 the flyer.

7 COUNCILMEMBER COYLE: That's just for People  
8 For Progress. And the gentleman when he walked in  
9 obviously he gave you documents. I can't read this, but  
10 everthing's on here, his name?

11 THE WITNESS: Yes.

12 COUNCILMEMBER COYLE: Okay. Who he is. And  
13 have we called him in, have you ever called him in?

14 THE WITNESS: No.

15 COUNCILMEMBER COYLE: For any reason?

16 THE WITNESS: No.

17 COUNCILMEMBER COYLE: Did you have any reason  
18 to call him in?

19 THE WITNESS: No.

20 COUNCILMEMBER COYLE: Associated with this  
21 particular associated racist flyer that we're trying to  
22 find out, you had no reason to call him in, this is just  
23 tied to People For Progress?

24 THE WITNESS: Yes, I was just asked to look up  
25 a P. O. Box.

1           COUNCILMEMBER COYLE: For People For Progress,  
2 I think for other things that were sent out. Okay. Now,  
3 going back to stamps purchased by people and the  
4 relevance of doing bulk mail and using the type of speed  
5 stamps that you had in an office like Mr. Lombardi said,  
6 is there any reason why people buy stamps and use stamps,  
7 is there -- I guess what I'm getting at, when I sent out  
8 something I buy a stamp. Is it unusual to buy stamps  
9 because it has a better look than a machine quality,  
10 people open up the mail for their purposes? So in my  
11 history I've seen -- 25 years of politics I've seen us  
12 buy stamps and do envelopes last minute because we like  
13 to use the actual stamp, a flag stamp, because another  
14 meaningful -- gives meaning behind a personal -- because  
15 it makes it more personal. Would you agree that people  
16 buy stamps to make it personal, give it a personal touch?

17           A     I can't answer for other people.

18           Q.     Okay. Because what I'm getting at is that it's  
19 challenging to put your finger on a person just buying  
20 stamps, is what I'm getting at, and not using a  
21 fast-track system, you know, and what I'm getting from  
22 Mr. Lombardi is that because Mr. Ahmad didn't choose to  
23 send it through a system, he bought this for the reason  
24 to hide, but people buy the stamps for a lot of reasons  
25 and I'm just trying to clarify that those -- you know,

1 people buy stamps, it's a flag stamp, it's an election  
2 time, flags associate with elections. Does any of that  
3 make sense to you?

4 THE WITNESS: Yes, flags would be patriotic,  
5 yes.

6 COUNCILMEMBER GOMEZ: Councilman Coyle, I think  
7 what the gentleman testified before is that the  
8 information that he was trying to get from Mr. Ahmad that  
9 was the intention of him.

10 COUNCILMEMBER COYLE: Well, I just want to  
11 Chair -- Council President, that the association between  
12 buying a stamp in bulk mailing to push out 8,000 pieces,  
13 I can understand there's a faster way, but other people  
14 during a campaign can have a personal interest in buying  
15 a flag stamp. I witnessed Dr. [inaudible] buy them for  
16 decades and I don't think there's -- I think there's a  
17 few Councilmen up here that can --

18 AUDIENCE MEMBER: Sure, he can come and answer  
19 the questions. Enough of it, Jesus.

20 (Audience members all speaking  
21 simultaneously.)

22 AUDIENCE MEMBER: If he got an answer to a  
23 question, Joe, he can come here to answer. Stop  
24 defending him.

25 COUNCILMEMBER GOMEZ: Sir, please.

1 COUNCILMEMBER COYLE: I am not here to defend  
2 him. I'm just trying --

3 AUDIENCE MEMBER: You are, Joe. Let him answer  
4 his own question.

5 COUNCILMEMBER GOMEZ: Councilman Coyle, sir,  
6 for the purpose of the time, I know you've asked several  
7 questions several times so...

8 COUNCILMEMBER COYLE: Thank you, Council  
9 President.

10 COUNCILMEMBER GOMEZ: Anybody else?

11 COUNCILMEMBER JOSHI: Just one last question.  
12 Are you allowed to or if we wanted to see which addresses  
13 those the boxes that you have they went to, we just want  
14 to identify whether they were targeted to Chinese or  
15 Indian people. That's what we know so far.

16 THE WITNESS: Yeah, the Council will be free to  
17 look at all the mailings. I have no problem with that.

18 COUNCILMEMBER JOSHI: Great. Thank you.

19 COUNCILMEMBER GOMEZ: Thank you, sir. No  
20 further questions. Councilman Diehl, no?

21 Inspector, thank you very much for coming out  
22 and taking the time tonight. We appreciate it.

23 (Applause.)

24 (Witness excused.)

25 COUNCILMEMBER JOSHI: Council President?

1 COUNCILMEMBER GOMEZ: Yes, sir.

2 COUNCILMEMBER JOSHI: I would request a quick  
3 two-minute recess given the information we just had, if  
4 that's possible. It's been an hour, I'd just like to  
5 recess for two minutes.

6 COUNCILMEMBER GOMEZ: Sure. Thank you.

7 (Whereupon a recess occurred.)

8 COUNCILMEMBER GOMEZ: We're going to resume.  
9 Councilman Diehl.

10 COUNCILMEMBER DIEHL: Thank you, Council  
11 practice.

12 At this time we see that Shannon Pang is in the  
13 audience. We would invite her to testify, please.

14 SHANNON PANG, currently residing at 56 PHILLIP  
15 STREET, EDISON, NEW JERSEY, was duly sworn to  
16 tell the truth and testified as follows:

17 COUNCILMEMBER GOMEZ: You can pull the mic a  
18 little closer to you, please.

19 THE WITNESS: Before we start is this the time  
20 for me to read my opening statement or should I wait? I  
21 don't know how this goes. Sorry.

22 COUNCILMEMBER JOSHI: Actually, Michael, read  
23 off -- she said she doesn't know how this goes, so if you  
24 want to read off the introduction for her.

25 COUNCILMEMBER LOMBARDI: Oh, Miss Pang, were

1     you present in the room when I provided the instructions?  
2     I thought that you were.

3                 THE WITNESS:   Yes, yes, yes.

4                 COUNCILMEMBER LOMBARDI:   Did you understand  
5     those instructions?

6                 THE WITNESS:   Yes.

7                 COUNCILMEMEBER LOMBARDI:   Do you need me to  
8     repeat --

9                 THE WITNESS:   No.

10                COUNCILMEMEBER LOMBARDI:   -- any of the  
11     instructions?

12                THE WITNESS:   No.

13                COUNCILMEMEBER LOMBARDI:   Who is the person  
14     with Miss Pang?

15                MR. CALELLO:   Sure, it would be my pleasure,  
16     Councilman.   Marc Calello, 395 Franklin Street,  
17     Bloomfield, New Jersey.   I'm here representing Miss Pang.  
18     Thank you very much --

19                COUNCILMEMBER JOSHI:   You're an attorney?

20                MR. CALELLO:   -- for welcoming me.

21                COUNCILMEMBER JOSHI:   Okay.   Sure.   You may  
22     read your opening statement.

23                MR. CALELLO:   Thank you very much.

24                THE WITNESS:   Thank you.

25                Good evening.   At onset it's my sincere hope

1 that the individuals responsible for the racist flyer are  
2 identified. I found the flyers very disturbing and truly  
3 unfortunate. At the same time it's my hope that any  
4 investigation is transparent and not political. It  
5 should not be weaponized for political gain. It's also  
6 my hope that any investigation that is conducted by this  
7 body centered on the truth.

8 And let me be clear, any insinuation that I  
9 have any relevant knowledge regarding -- relating to the  
10 racist flyer is false. Similarly any insinuation that  
11 I'm part of the People For Progress group is also false.

12 My role in 2017 campaign was limited to that as  
13 a volunteer. I merely knock on the doors for Team Unity  
14 as the public issue they sought to address, especially  
15 overcrowding of our schools and allocation of our tax  
16 dollars, are issues that I'm very passionate about. As  
17 some of you know, may be aware, our school are severely  
18 overcrowded due to the continual approval of multiunit  
19 residential home without regard to the capacity of our  
20 schools. Our classrooms continue to be underfunded, our  
21 students are suffering.

22 I was disappointed with inaccurate statement,  
23 intentionally or not, by witness preceding me that were  
24 factually not true. I think the Committee as well as the  
25 public deserve to know the truth. On May 14th, Miss

1 Moroney said in her testimony that during one of the  
2 Board meeting in 2019 when Mrs. Hahn and Distefano came  
3 to talk about the racist flyer I was sitting next to her  
4 and admitted to her about something. First of all,  
5 Mr. Hahn and Distefano did not come to the Board meeting  
6 this year to talk about the racist flyer, they talk about  
7 the racist flyer last year, October last year, 2018. All  
8 Board meeting are recorded so anyone can confirm that.

9 Second of all, the seating chart is set at the  
10 beginning of the year and it stays the same during the  
11 year so during the entire last year I was not sitting  
12 next to Miss Moroney, Miss Shivi Persad was sitting in  
13 between us.

14 Third, the video will show that during that  
15 meeting the entire public meeting I did not speak one  
16 word with Miss Moroney. While everyone wanted to declare  
17 in that meeting that they had nothing to do with People  
18 For Progress, why in the world would I open up to her and  
19 quote/unquote admit to her something who I was never a  
20 friend with. I just find that very hard to believe.

21 I understand people mix up dates and times  
22 sometimes, but if Miss Moroney cannot even remember when  
23 and where and how this incident took place, how can she  
24 manage to remember the quote/unquote exact word that I  
25 said. And this is a sworn testimony and she's making

1 serious accusation to someone. I believe now we all see  
2 how credible these accusation are.

3           Setting aside the factual incorrect testimony  
4 of some witness, I do want to say how grateful I am to  
5 the residents of Edison who have given me the opportunity  
6 to serve on the Board of Education. I did during the  
7 past 2.5 years on the Board I did work diligently for the  
8 benefit of our children and our taxpayers. We have saved  
9 the district millions of dollars by firing overcharging  
10 vendors and switching to new vendors; we have reduced  
11 computer use in elementary schools, promoting  
12 instructional lectures; we get better textbook in the  
13 curriculum which have redesigned the procedure to help  
14 more students get into the honor classes, and we retain  
15 good, hard-working teachers who otherwise might be let  
16 go.

17           I can probably say that during my time on the  
18 Board I did not cut any backroom deals, I fought for what  
19 I believe, and what's best for our students and  
20 residents. Thank you. That's all.

21           COUNCILMEMBER JOSHI: Miss Pang, you stated  
22 that you had no involvement or knowledge of People For  
23 Progress. Were you affiliated with People For Progress  
24 at all --

25           THE WITNESS: No.

1 COUNCILMEMBER JOSHI: -- per your earlier  
2 testimony?

3 THE WITNESS: I believe -- what is your  
4 question?

5 COUNCILMEMBER JOSHI: How are you affiliated  
6 with People For Progress?

7 THE WITNESS: I am not affiliated with People  
8 For Progress.

9 COUNCILMEMBER JOSHI: Okay. Did you have --  
10 Board attorney, can you put up the exhibit for People For  
11 Progress.

12 MR. MALIKSCHMITT: I think you're referring to  
13 Exhibit-C; is that correct?

14 COUNCILMEMBER JOSHI: Correct.

15 MR. MALIKSCHMITT: Or, excuse me, I think it  
16 might be Exhibit-D here that I've just put on the screen,  
17 the excerpt. And if the stenographer could place in  
18 front of the witness what's been premarked as Exhibit-D.

19 COUNCILMEMBER JOSHI: Miss Pang, you just  
20 stated you had no involvement or anything to do with  
21 People For Progress. This email is your email, correct?

22 THE WITNESS: Yes, and it was sent to Paul  
23 Distefano, yes.

24 COUNCILMEMBER JOSHI: Okay. Can we put the  
25 following exhibit up.

1           THE WITNESS: And I just want to state that  
2   this email has no People For Progress on it at all.

3           COUNCILMEMBER JOSHI: Okay. Can you -- this  
4   was dated October 9th. Can you put the following email  
5   up.

6           This email came out a week later from People  
7   For Progress, it is almost identical. Can you explain  
8   this?

9           MR. CALELLO: I'm sorry, are you asking my  
10   client to explain someone else's intentions? I don't  
11   think that's a proper question and I don't think she --

12          COUNCILMEMBER JOSHI: Listen, I'm the one  
13   asking the questions right now.

14          MR. CALELLO: That's fine.

15          COUNCILMEMBER JOSHI: If you don't want her to  
16   answer, that's okay.

17          As far as I know these two mailers are the  
18   same.

19          MR. CALELLO: I understand that, Councilman,  
20   but --

21          COUNCILMEMBER JOSHI: The fact that --

22          MR. CALELLO: -- the question's improper,  
23   though, Councilman.

24          COUNCILMEMBER JOSHI: You sent --

25          MR. CALELLO: You're asking her to get into

1 someone else's head. She can't do that.

2 MR. MALIKSCHMITT: The Councilman's referring  
3 to what's been premarked as Exhibit-E. If the  
4 stenographer can place that in front of the witness, I  
5 think that would help form the discussion.

6 MR. CALELLO: E's up on the board.

7 MR. MALIKSCHMITT: Ms. Pang, if you could take  
8 a moment and review Exhibit-D and E next to each other.

9 COUNCILMEMBER JOSHI: So, Counselor, I believe  
10 we have two side-by-side ones. Could we put that up some  
11 way?

12 MR. MALIKSCHMITT: We can flip between D and E  
13 and I'll note for the audience that what is on the  
14 PowerPoint here at D and E are excerpts from those  
15 exhibits. The exhibits are multi-page exhibits that  
16 don't fully lend themselves to being placed on the  
17 PowerPoint.

18 COUNCILMEMBER JOSHI: So on October 9th, Miss  
19 Pang, you sent an email to Paul Distefano, which was a  
20 mockup of this particular email, correct?

21 THE WITNESS: Yes, yes.

22 COUNCILMEMBER JOSHI: Okay.

23 THE WITNESS: And just so you know, I'm looking  
24 at this, they are not identical. Someone said they were  
25 identical before, but they're not. I mean, the piechart

1 is there, the piechart is identical, the cartoon picture  
2 is identical, the word, the structure of the email are  
3 not identical. If you look at the exhibit, I'm looking  
4 at it right now, it's not really identical.

5 COUNCILMEMBER JOSHI: But the --

6 THE WITNESS: And the -- yeah, go ahead.

7 COUNCILMEMBER JOSHI: What you sent to Mr.  
8 Distefano was a mockup, correct, it was not a finalized  
9 email?

10 THE WITNESS: I don't know what that means,  
11 what's a mock -- I send it to him. He is the one who's  
12 campaigning, he is the candidate, I am just a volunteer.  
13 Both of us have access to this email that we sent, both  
14 the sender and the recipient would have access to this  
15 email. Whatever he does with it, I have no idea. I  
16 think that's a question to him, not me. He -- again,  
17 it's not my decision, he's the candidate, I'm not.

18 COUNCILMEMBER JOSHI: Who are you working on  
19 the mockup with? A mockup is a draft. So who are you  
20 working with to get this together?

21 THE WITNESS: Paul, Paul Distefano. I remember  
22 the meeting we had. You want me to --

23 COUNCILMEMBER JOSHI: No. So --

24 THE WITNESS: This email sent to him and only  
25 to him. Do you guys know why? Because he's the reason

1 for this email to be generated. We had -- he's the  
2 candidate, I'm just a volunteer. We meet regularly  
3 during that campaign timeframe, we bounce off ideas, we  
4 talking about, you know, how to campaign, how to do this,  
5 and Paul on various occasions told like block parties,  
6 meets-and-greets in someone's houses, told about his  
7 story about his children, how his daughter has been  
8 mistreated, retaliated by the union, how his son was  
9 forced to resign from the coaching position in our  
10 school. I remember clearly when I first hear those story  
11 I was almost in tears. I was telling myself this guy  
12 sacrifice so much to be a Board member --

13 COUNCILMEMBER JOSHI: When you were coming  
14 up --

15 THE WITNESS: We had to --

16 COUNCILMEMBER JOSHI: I'm sorry I'm  
17 interrupting you, but I want to get back to my point.  
18 When you were coming up with this draft you sent it to  
19 Mr. Distefano, correct?

20 THE WITNESS: I didn't come up with this draft.

21 COUNCILMEMBER JOSHI: Okay. Who came up with  
22 it?

23 THE WITNESS: We were working together.

24 COUNCILMEMBER JOSHI: Who is "we?"

25 THE WITNESS: I was going to get to that part,

1 but you interrupted me.

2 COUNCILMEMBER JOSHI: Who is "we?"

3 THE WITNESS: Okay. We have been -- as Paul  
4 Distefano mentioned, there was -- we had met in someone  
5 house, I think it's Mahesh's house, if I remember  
6 correctly. There were dozens of people coming in and out  
7 during the night, I don't exactly remember who, but Paul  
8 was there. Paul told the story about his children when  
9 being retaliated by the union, everybody so riled up, so  
10 touched, we wanted to help him out. We talked about  
11 different ideas, we talked about get -- Paul making a You  
12 Tube videos, broadcast it, getting interviewed by  
13 newspapers, sending message to parents because we think  
14 the public needs to know that, that he sacrificed so much  
15 in order to be a Board member. So we talk about  
16 different ideas. We even talk about the piechart, we  
17 talk about what message was sent to the parents, we talk  
18 about the piechart, we searched for cartoon pictures, for  
19 that cartoon pictures, we even laugh at the picture. It  
20 was a great team working night.

21 COUNCILMEMBER JOSHI: So who was involved on  
22 putting this particular email together?

23 THE WITNESS: We were all there.

24 COUNCILMEMBER JOSHI: Who is all?

25 THE WITNESS: Me, Paul, I think Jerry was

1     there. I can't remember who else because, as we said,  
2     there were dozens of people coming in and out. But I'm  
3     sure Paul was there because this is his story, this is  
4     his night and I was just volunteer to make a summarize  
5     and send it to him. Why did I send it to him and only  
6     him, because this is his story, he's the candidate, he  
7     needs to approve what to do with this.

8                 COUNCILMEMBER JOSHI: So you sent a draft, you  
9     sent this draft to Mr. Distefano, and if we can go back  
10    to the other exhibit, several days later when you sent  
11    the draft to Mr. Distefano, the same -- perhaps not the  
12    same.

13                THE WITNESS: It's not the same.

14                COUNCILMEMBER JOSHI: Okay. That's very  
15    similar, a very, very, very similar email came out from  
16    People For Progress just some -- a week later?

17                THE WITNESS: It's not even very similar, by  
18    the way. It's only the piechart and the cartoon.

19                AUDIENCE MEMBER: Is there a question there?

20                MR. CALELLO: Is there a question?

21                COUNCILMEMBER LOMBARDI: I have a couple of  
22    questions.

23                THE WITNESS: Let me ask you, why the question  
24    is directed to me?

25                COUNCILMEMBER JOSHI: Because you're the one

1     that's testifying right now.

2                 THE WITNESS:   Okay.  I think some other people  
3     also needs to answer to that question because I'm not the  
4     only one that has access to that email.  The email was  
5     sent from a sender to a recipient.

6                 COUNCILMEMBER LOMBARDI:  Mrs. Pang, I have a  
7     couple of questions.  You just mentioned other people  
8     should be called to testify.  Who are those other people,  
9     we may call them for the June 27th meeting.

10                THE WITNESS:  I don't know, Paul, maybe.

11                COUNCILMEMEBER LOMBARDI:  Paul already  
12     testified.

13                THE WITNESS:  Did you ask that question then,  
14     what did he do with that email?

15                COUNCILMEMBER JOSHI:  I believe we did ask the  
16     question, but if we need to we'll recall him after your  
17     testimony.

18                THE WITNESS:  Okay.  Thank you.

19                COUNCILMEMEBER LOMBARDI:  But who besides Paul?  
20     You said there were several other people that should be  
21     heard?

22                THE WITNESS:  No, I didn't say that.

23                COUNCILMEMEBER LOMBARDI:  Who besides Paul --

24                THE WITNESS:  I said maybe someone else needs  
25     to be because this was sent between --

1           MR. CALELLO: Hold on. The statement was  
2 perhaps we should call other people to testify, meaning,  
3 of course, there may be other people that have  
4 information that's interesting to the Council.

5           COUNCILMEMBER LOMBARDI: My question is, are  
6 you aware of any other person that should come in and  
7 testify --

8           MR. CALELLO: She already stated, Councilman,  
9 that she doesn't, other than Paul, she doesn't know  
10 anyone else.

11          COUNCILMEMEBER LOMBARDI: Okay. So the only  
12 other person that you're aware of that should come in and  
13 testify is Paul, correct?

14          THE WITNESS: Correct, because the email was  
15 only sent to him.

16          COUNCILMEMEBER LOMBARDI: Okay. Now, the email  
17 was sent to him from whose computer?

18          THE WITNESS: My computer.

19          COUNCILMEMEBER LOMBARDI: Okay. Was the  
20 piechart and the cartoon that is the same on both flyers  
21 was that created on your computer?

22          THE WITNESS: It was a piechart we saved from  
23 the internet, it was not created, it's not my -- this is  
24 not original work.

25          COUNCILMEMEBER LOMBARDI: But did you copy and

1 paste the piechart from the internet to an email and the  
2 other cartoon character, did you put that in an email,  
3 copy and paste and send it to Paul?

4 THE WITNESS: I think so, yes, I think so. I  
5 can't recall because this was happened almost two years  
6 ago.

7 COUNCILMEMEBER LOMBARDI: Okay. And if you  
8 don't recall, you don't remember the question, please  
9 just tell us that you don't recall or you don't remember  
10 the answer to the question.

11 Besides Paul was this email sent to anybody  
12 else?

13 THE WITNESS: I don't think so. I can't  
14 recall. I didn't go back and check my emails from two  
15 years ago and see, but I didn't think so.

16 COUNCILMEMEBER LOMBARDI: Would it be possible  
17 for you to go back and check your emails, provide the  
18 information to Mr. Calello who can then provide it to  
19 Mr. Malikschnitt?

20 THE WITNESS: I guess I could try.

21 COUNCILMEMEBER LOMBARDI: Thank you.

22 COUNCILMEMBER JOSHI: Miss Pang, on November  
23 5th at 9:27 p.m -- or a.m. on your Facebook page --

24 MR. CALELLO: What year, please, Councilman?

25 COUNCILMEMBER JOSHI: November 5th, 2018 at

1 9:27 a.m.

2 MR. CALELLO: Thank you.

3 COUNCILMEMBER JOSHI: On your Facebook page you  
4 posted a very lengthy post of which the fourth paragraph  
5 stated -- The third, "The email in question was a  
6 breakdown of the school budget and Board member  
7 responsibilities. It is an informational piece that I  
8 urged to be posted to the public."

9 When you spoke about this on your Facebook page  
10 were you not referring to this?

11 MR. CALELLO: First, do we need to establish  
12 that she wrote that?

13 COUNCILMEMBER JOSHI: It's on her Facebook  
14 page.

15 MR. CALELLO: People can go on your Facebook  
16 page.

17 COUNCILMEMBER JOSHI: Miss Pang, did anyone  
18 else have access to your Facebook page?

19 THE WITNESS: Yes.

20 COUNCILMEMBER JOSHI: Miss Pang, who else has  
21 access to your Facebook page?

22 THE WITNESS: Yes, I wrote that, yes.

23 COUNCILMEMBER JOSHI: You wrote that?

24 THE WITNESS: Yes.

25 COUNCILMEMBER JOSHI: So were you referring to

1     this --

2                   THE WITNESS:   Not this -- to the email that I  
3     send to Paul, yes, not the other email, not the email  
4     from, you know, the XXXX, the email that I sent to Paul,  
5     yes.

6                   COUNCILMEMBER LOMBARDI:   Miss Pang --

7                   THE WITNESS:   Not the -- yeah, go ahead.

8                   COUNCILMEMEBER LOMBARDI:   Getting back to my  
9     prior questioning.   So you're going to let us know who if  
10    anybody else this email was sent to beyond Paul, correct?

11                  THE WITNESS:   I could try.

12                  COUNCILMEMEBER LOMBARDI:   Okay.   Do you know  
13    Andrew Morales?

14                  THE WITNESS:   No.

15                  COUNCILMEMBER JOSHI:   Do you know Cesar Suarez?

16                  THE WITNESS:   No.

17                  COUNCILMEMBER LOMBARDI:   So the email that was  
18    sent on October 9th, that was sent from you to Paul and  
19    you also said that Jerry was at the meeting.   Was Jerry  
20    included in on this email?

21                  THE WITNESS:   No, no.

22                  COUNCILMEMEBER LOMBARDI:   And this meeting took  
23    place at Mr. Baghia's house, did you say?

24                  THE WITNESS:   Yeah, if I remember correctly,  
25    yes.

1 COUNCILMEMEBER LOMBARDI: And you said that  
2 there were dozens of people walking in and out of the  
3 house?

4 THE WITNESS: Yes.

5 COUNCILMEMEBER LOMBARDI: Okay. Do you recall  
6 the names of any of those people?

7 THE WITNESS: I don't. We have many meetings,  
8 I can't really remember.

9 COUNCILMEMEBER LOMBARDI: Okay. And why was it  
10 that this meeting was done at Mr. Baghia's house if the  
11 only people that were talking about this were you, Jerry,  
12 and Mr. Distefano?

13 MR. CALELLO: Councilman, I'm not sure I  
14 understand that question so I'm sure my client doesn't.  
15 Do you mind rephrasing?

16 COUNCILMEMEBER LOMBARDI: Sure.

17 MR. CALELLO: Thank you.

18 COUNCILMEMEBER LOMBARDI: I believe your  
19 earlier testimony was that the people that were  
20 discussing this particular piechart and the cartoon  
21 caricature were you, Jerry, and Paul; is that correct?

22 THE WITNESS: Yes.

23 COUNCILMEMEBER LOMBARDI: Okay. Were you  
24 sitting at a table just the three of you at Mr. Baghia's  
25 home?

1           THE WITNESS: I don't recall. I remember at  
2 one point we were standing up when Paul tells the story,  
3 but it's a long meeting, a long night. Maybe sometimes  
4 we sit, sometimes we stand.

5           COUNCILMEMEBER LOMBARDI: So my question is, if  
6 only you, Paul, and Jerry were discussing what's marked  
7 for identification as Exhibit-D, why did that have to be  
8 done at Mr. Baghia's home?

9           THE WITNESS: It didn't have to, it just  
10 happened to be.

11          COUNCILMEMEBER LOMBARDI: Was Mr. Bhagia a part  
12 of the meeting, the discussion?

13          THE WITNESS: As I said, it's a long  
14 discussion, maybe a part of it he was, maybe. He was not  
15 from beginning to end. I don't recall that he was there  
16 for the entire meeting.

17          COUNCILMEMEBER LOMBARDI: Okay. Did you -- so  
18 you had, I guess, some involvement in the creation of  
19 what's been marked as identification D, correct?

20          THE WITNESS: Yeah, as I said, it's a teamwork.

21          COUNCILMEMEBER LOMBARDI: Were there any other  
22 flyers or emails that you took part in during the 2017  
23 Unity Team election?

24          THE WITNESS: No, this is the only one that I  
25 was part of it because after this I realize, you know,

1 this is not something I'm good at. English is not even  
2 my native language and writing's not my specialty at all.  
3 This is -- I'm -- my role, as I said before, for that --  
4 for 2017 election is mainly grassroot campaign, I knock  
5 on doors, I was given whatever literacy and we have  
6 volunteers to knock on doors. I must have knocked over  
7 more than 500 doors for the team.

8 COUNCILMEMEBER LOMBARDI: Were there any  
9 other -- I'm sorry, were you done?

10 THE WITNESS: Yeah.

11 COUNCILMEMEBER LOMBARDI: Were any other flyers  
12 or mailers created on your computer?

13 THE WITNESS: No.

14 MR. MALIKSCHMITT: Miss Pang, if I can turn  
15 your attention to what's been marked as Exhibit-E, do you  
16 know who created that?

17 THE WITNESS: No.

18 MR. MALIKSCHMITT: Do you know -- if you see  
19 the email address on there, it's essentially abbreviated  
20 to PeopleForProgress@Gmail.com; is that correct? Do you  
21 see that at the top of the document?

22 THE WITNESS: Yes, uh-huh.

23 COUNCILMEMEBER LOMBARDI: Do you recognize that  
24 email address?

25 THE WITNESS: No.

1 COUNCILMEMEBER LOMBARDI: Do you know who  
2 controls that email address?

3 THE WITNESS: No.

4 COUNCILMEMEBER LOMBARDI: Do you know anyone  
5 who is associated with People For Progress?

6 THE WITNESS: No.

7 COUNCILMEMEBER LOMBARDI: Thank you.

8 THE WITNESS: And I didn't care because -- and  
9 none of the literacy I distributed had People For  
10 Progress on it.

11 COUNCILMEMBER JOSHI: Did you ever -- what was  
12 your involvement in the Unity campaign?

13 THE WITNESS: As I said, it's grassroots  
14 campaign. I'm a big believer in grassroots campaign.

15 COUNCILMEMBER JOSHI: Did you have any  
16 relationship -- did you know that People For Progress was  
17 sending out mailers on behalf of the Unity Team, mostly  
18 negative mailers?

19 THE WITNESS: I think I heard that in People  
20 For Progress, yes, sometimes after some negative flyers  
21 or something came out, yeah.

22 COUNCILMEMBER JOSHI: Can you point to any  
23 specific people -- apart from this one, do you know how  
24 many -- how many mailers did you know of from People For  
25 Progress?

1           MR. CALELLO: Hold on. That's an incorrect  
2 statement. I ask for it to be stricken. Other than this  
3 one there should be no -- my client already testified as  
4 to what E is and what D is and if anything regarding  
5 People For Progress was sent out. The testimony stands  
6 as it is, that she didn't have any knowledge of it. So I  
7 object to the Councilman's insinuation that other than  
8 this one -- the statement "other than this one, what  
9 other flyers were sent out," I ask the Councilman  
10 respectfully to restate his question.

11           COUNCILMEMBER JOSHI: Okay.

12           MR. CALELLO: Thank you.

13           COUNCILMEMBER JOSHI: What -- just to clarify,  
14 you knew that People For Progress was sending out --  
15 you've heard of People For Progress at some point?

16           THE WITNESS: Yes.

17           COUNCILMEMBER JOSHI: And you knew that they  
18 were sending out perhaps positive or negative mailers?

19           THE WITNESS: I don't know and I didn't care  
20 because that's not my concern, it's not my campaign.  
21 Again, I was just distributing flyer on the street, I was  
22 knocking -- by knocking on the doors whatever was given  
23 to me, but I'm pretty sure I didn't distribute any flyers  
24 for posted or whatever, generated by People For Progress.

25           MR. MALIKSCHMITT: Miss Pang, did you testify

1 just a minute ago that you did know that People for  
2 Progress had sent out some negative flyers?

3 THE WITNESS: We heard about it, yeah.

4 MR. MALIKSCHMITT: When did you hear about  
5 that?

6 THE WITNESS: I can't pinpoint the date or  
7 time, but it's during --

8 MR. MALIKSCHMITT: Was it before or after the  
9 election of 2017, would you say?

10 THE WITNESS: Probably before.

11 MR. MALIKSCHMITT: And did that make you wonder  
12 who People For Progress was?

13 THE WITNESS: Yeah, I was asked the candidates,  
14 but I -- they were telling me it's a PAC and I don't even  
15 know what's a PAC but so, again, I didn't really care.  
16 It's not my job to do that, to figure out who that is or  
17 to care who that is and everybody at that point while  
18 they're benefiting from it didn't care who People For  
19 Progress is and, of course, funny thing is one year after  
20 the election this name comes out much more often,  
21 everybody want to declare they have nothing to do with  
22 it.

23 MR. MALIKSCHMITT: You said everybody didn't  
24 care who People For Progress was, how do you know they  
25 didn't care?

1           THE WITNESS: Oh, that's a wrong statement  
2     probably. I didn't care. I can't speak for anybody  
3     else.

4           MR. MALIKSCHMITT: Who did you ask, do you  
5     recall?

6           THE WITNESS: Must be one -- some of the  
7     candidates.

8           MR. MALIKSCHMITT: And to your recollection  
9     none of them were able to tell you beyond it's a PAC?

10          THE WITNESS: Right.

11          MR. MALIKSCHMITT: All right. That party at --  
12     the party that you referenced to at Mahesh's house, do  
13     your recall the date of that party?

14          THE WITNESS: I don't.

15          MR. MALIKSCHMITT: Approximately do you know  
16     when it was?

17          THE WITNESS: I really don't. I don't keep  
18     track of that. I don't have a calendar.

19          MR. MALIKSCHMITT: If I said it was October 7,  
20     2017, would you have any reason to dispute that?

21          THE WITNESS: Probably not. It could be.

22          MR. MALIKSCHMITT: Do you recall any  
23     conversations at that party regarding voter turnout or  
24     encouraging voters to get out and vote?

25          THE WITNESS: No, I don't recall.

1                   MR. MALIKSCHMITT: Do you recall any  
2   conversations of note that were other than -- or do you  
3   recall any conversations from that evening other than the  
4   ones that you've described thus far?

5                   THE WITNESS: No, I'm not sure I understand.  
6   You're talking about something I can't recall or I can't  
7   remember?

8                   MR. MALIKSCHMITT: No, I'm asking what you can  
9   recall. You said that your -- you said it was a long  
10   time ago, and I think you testified a long time ago, and  
11   you didn't quite remember everything, you talked about  
12   some conversations regarding Jerry Shi and Paul Distefano  
13   in particular, but do you recall any other conversations  
14   from that evening?

15                  THE WITNESS: No, no, it's mostly talking about  
16   his story and how do we get people to know the story.

17                  MR. MALIKSCHMITT: And the "we," you only  
18   recall speaking with Jerry Shi and Paul Distefano,  
19   although you testified that there were many other people  
20   walking in and out?

21                  THE WITNESS: Right.

22                  MR. MALIKSCHMITT: Okay.

23                  MR. CALELLO: Council, I just want to make one  
24   clarification. Your statement of "you know" and my  
25   client's statement of she heard are, of course, very

1 distinct. Knowledge is much different than hearing  
2 something. So I wanted to make sure that the record is  
3 clear that her testimony that she heard of negative  
4 information, people speaking, didn't have any knowledge  
5 of it.

6 MR. MALIKSCHMITT: Is that correct, Miss Pang?

7 THE WITNESS: Yes.

8 MR. CALELLO: Thank you, Counselor.

9 COUNCILMEMBER DIEHL: Council President.

10 The meeting at Mahesh Baghia's home was it a  
11 party or was it a campaign meeting; what was it?

12 THE WITNESS: It's not a party.

13 COUNCILMEMBER DIEHL: Because I know the word  
14 party had come up a couple of times. So it's not a  
15 party. Explain what it is.

16 THE WITNESS: It was just a discussion about,  
17 you know, about the campaign.

18 COUNCILMEMBER DIEHL: But you did state that  
19 dozens of people were coming in and out. So dozens of  
20 people were coming in and out and talking about the  
21 campaign?

22 THE WITNESS: No, I don't know what they were  
23 doing and that's also from Paul's statement that he said  
24 dozens of people.

25 COUNCILMEMBER DIEHL: You said it also, you

1 said that dozens of people were coming in and out.

2 THE WITNESS: Yeah, I said according to Paul's  
3 statement.

4 COUNCILMEMBER DIEHL: Well, were people coming  
5 in and out or not; were lots of people moving in and out  
6 or not?

7 THE WITNESS: Define lots.

8 COUNCILMEMBER DIEHL: Well, you said dozens and  
9 that seems like a lot.

10 THE WITNESS: Probably a dozen.

11 COUNCILMEMBER DIEHL: You mentioned Paul, you  
12 mentioned Jerry Shi, and yourself, and it's Mahesh's  
13 house so I assume he's there, correct?

14 THE WITNESS: Yeah, and he may step out at one  
15 point and I don't recall.

16 COUNCILMEMBER DIEHL: So out of the lots or  
17 dozens of people, besides the four that we just  
18 mentioned, can you identify anybody else who was in the  
19 house that night?

20 THE WITNESS: I don't recall.

21 MR. CALELLO: Councilman, she's already  
22 answered that question a few times.

23 COUNCILMEMBER DIEHL: Thank you.

24 MR. CALELLO: You're welcome.

25 COUNCILMEMBER JOSHI: Council President, I have

1 another piece of evidence I'd like to enter. If we can  
2 go back to Miss Pang's email to Mr. Distefano.

3 MR. MALIKSCHMITT: It would be Exhibit-D, for  
4 the record.

5 COUNCILMEMBER JOSHI: Miss Pang, I have your  
6 phone number here, just because this is public  
7 information I won't state it, but I had a screen shot  
8 text message, this was verified, and from you it says  
9 sent from X1114, it's just the first one, I want to add  
10 your story next, and a few more after maybe. This was  
11 sent at 4:48 p.m. Paul replied to you saying "I think we  
12 should take a step back and assess the situation before  
13 sending anything out. We really need to put our heads  
14 together and come up with something that is rock solid  
15 and irrefutable." That was sent at 5:04 p.m.

16 THE WITNESS: Which date? Do I have that?

17 COUNCILMEMBER JOSHI: I'll find out or Paul  
18 maybe can find out if you dig through your texts.

19 MR. CALELLO: Excuse me, Counsel, what exhibit  
20 is this?

21 MR. MALIKSCHMITT: It's not an exhibit,  
22 Counselor. It's been brought to my attention.

23 COUNCILMEMBER JOSHI: At 5:14 p.m. while you  
24 were referring to this specific email you said, "Yes,  
25 agreed. By the way, it won't be from Unity Team, it's

1 just a blog. We can talk tomorrow after dinner." Smiley  
2 face. When you sent this text message acknowledging that  
3 this email will not be sent from you it would be sent  
4 from a blog, who were you referring to or what blog were  
5 you referring to?

6 THE WITNESS: Yeah, one of the idea that we  
7 bounced off during that meeting was how do we get this  
8 out to the parents and I was going to create a blog, a  
9 sort of like a website thing that we can put the story on  
10 the website so people can see it.

11 COUNCILMEMBER JOSHI: And what blog was this?

12 THE WITNESS: I didn't -- eventually I didn't  
13 create it because Paul didn't give me a go-ahead. It's  
14 his story again. I didn't get any -- that stop there,  
15 right? I don't have text message, but I don't recall I  
16 did anything after that because I didn't get a go-ahead.

17 COUNCILMEMBER JOSHI: So you acknowledge this  
18 email is coming out?

19 THE WITNESS: No.

20 COUNCILMEMBER JOSHI: You did on your text  
21 message, you did.

22 THE WITNESS: I said --

23 COUNCILMEMBER JOSHI: As a matter of fact this  
24 email came out from you.

25 THE WITNESS: That's my email. I said in the

1 text message, I think, I don't have the text message with  
2 me, I switched phone, which I really regretted because I  
3 can't go back and see -- and approve what I really meant,  
4 but from I heard I think what I meant at that point is I  
5 was going to create a blog, website blog, and put this  
6 story on the blog. We weren't even going to send out  
7 email to anybody, I was going to put this on the blog on  
8 the website.

9 COUNCILMEMBER JOSHI: But you acknowledge this  
10 email is not -- in your own words, Miss Pang --

11 THE WITNESS: Yes.

12 COUNCILMEMBER JOSHI: "Yes, agreed. By the  
13 way, it won't be from Unity Team," which was the team you  
14 were affiliated with. In other words, you insinuated  
15 this email is going to come from someone else.

16 THE WITNESS: No, no, I mean it's not going to  
17 be from email at all, it's going to be an article, I was  
18 going to post it on this blog. If you read further more  
19 I mention the word blog, right? That's what I meant.

20 COUNCILMEMEBER LOMBARDI: And at some point  
21 after --

22 THE WITNESS: I don't even know how to send out  
23 email, like a blast email. I don't have anybody's email  
24 address. How do I send out email? I was going to create  
25 an article on the blog as I indicated clearly on that

1 text message.

2 COUNCILMEMBER LOMBARDI: At some point after  
3 that text conversation was sent would you agree, based  
4 upon Exhibit-E, I think, that a similar email was sent  
5 from People For Progress?

6 THE WITNESS: What's the question? Yes, the  
7 fact that some email was send by People For Progress,  
8 it's not the identical email.

9 COUNCILMEMEBER LOMBARDI: Just to go over the  
10 sequence of events, first you had this meeting on or  
11 around October 7th with Jerry and Paul Distefano,  
12 correct?

13 THE WITNESS: Yes.

14 COUNCILMEMEBER LOMBARDI: Okay. At some point  
15 after that, on October 9th, you sent this email to Paul  
16 Distefano, correct?

17 THE WITNESS: Yes.

18 COUNCILMEMEBER LOMBARDI: Okay. At some point  
19 after that you and Paul had a text message conversation  
20 regarding who, if anybody, this would come out from,  
21 correct?

22 THE WITNESS: We had a discussion about that I  
23 was going to put this on the blog, but he didn't agree  
24 with it, seems like.

25 COUNCILMEMEBER LOMBARDI: Well, you had a

1 discussion about how it would get out to the people that  
2 were going to vote, correct?

3 THE WITNESS: Yeah, but in that text message  
4 there was nothing talking about the email, it was a blog.

5 COUNCILMEMEBER LOMBARDI: Okay.

6 THE WITNESS: It's not an email.

7 COUNCILMEMEBER LOMBARDI: And at some point  
8 after that the email came from People For Progress to  
9 whoever it went out to, correct?

10 THE WITNESS: Yes.

11 COUNCILMEMEBER LOMBARDI: Okay. Now, you  
12 mentioned in your opening statement, and I apologize if I  
13 don't have it all correct, that's why I'm going to ask  
14 you, you mentioned that you disagreed with some of the  
15 testimony from both Miss Moroney and Mr. Distefano,  
16 correct?

17 THE WITNESS: Yes.

18 COUNCILMEMEBER LOMBARDI: Specifically with  
19 regard to Miss Moroney, what testimony did you disagree  
20 with?

21 THE WITNESS: I think she said I mentioned I  
22 was sitting next to her in the meeting where Mr. Hahn and  
23 Mr. Distefano came and talk about the racist flyer, that  
24 is not true, and she said that meeting happens this year,  
25 2019. We can go back and look at all the videotapes. I

1 don't think Mr. Hahn or Mr. Distefano ever come to this  
2 year's Board of Ed meeting and I was not sitting next to  
3 her in any of the meeting last year.

4 COUNCILMEMEBER LOMBARDI: So the portion of  
5 Miss Moroney's testimony that you disagree with is her  
6 testimony with regard to --

7 THE WITNESS: The date.

8 COUNCILMEMEBER LOMBARDI: -- a meeting that  
9 took place where she overheard a conversation between you  
10 and Mr. Distefano and Mr. Hahn?

11 THE WITNESS: No, you go back to look at her  
12 testimony, she said I admitted to her about something  
13 about People For Progress.

14 COUNCILMEMEBER LOMBARDI: What was that?

15 THE WITNESS: That's not true.

16 COUNCILMEMEBER LOMBARDI: What was that, what  
17 was her testimony?

18 THE WITNESS: Why don't you go back and look at  
19 her testimony?

20 COUNCILMEMEBER LOMBARDI: I don't know, you  
21 said that you disagree with it so I'm asking you what  
22 part of it do you disagree with.

23 THE WITNESS: She said I was sitting next to  
24 her and I admitted to her that I created some People For  
25 Progress flyer, which is not true.

1 COUNCILMEMEBER LOMBARDI: Okay. And you said  
2 that you disagree with some of Mr. Distefano's testimony;  
3 is that correct?

4 THE WITNESS: Right.

5 COUNCILMEMEBER LOMBARDI: Okay. Now, besides  
6 what we've already spoken about, was there any other  
7 testimony from Mr. Distefano that you disagree with or  
8 take issue with?

9 THE WITNESS: Yeah. Okay. One, I think  
10 Mr. Distefano said that in that meeting at Mahesh's home  
11 I brought my own laptop and showed him something. That's  
12 impossible because I'm a computer science major, I'm a  
13 professional computer engineer, my laptop is equipped  
14 with big memory and hard drive, it's very heavy. I don't  
15 like to bring it with me. Actually I don't think anybody  
16 in the campaign ever see me bring my own laptop. I don't  
17 even know if he can tell what my laptop -- what brand or  
18 color of my laptop, that's not true.

19 The second thing is he said after this email  
20 that sent to him two days later the email sent to the  
21 parents was out. It's not two days later, right, we all  
22 see it's a week, almost a week, so between October 9th  
23 and October 16th. How is that two days later unless he  
24 knows something in between. I don't think that's two  
25 days later. That's it.

1 COUNCILMEMEBER LOMBARDI: Now, you testified  
2 earlier that what's being pictured on, I believe it's  
3 Exhibit-D, if we can go back to Exhibit-D, you testified  
4 earlier that that was or the email at least was created  
5 on your computer, correct?

6 THE WITNESS: Yeah.

7 COUNCILMEMEBER LOMBARDI: Was that your laptop  
8 computer or was that another computer?

9 THE WITNESS: It's probably the laptop  
10 computer.

11 COUNCILMEMEBER LOMBARDI: Did you have your  
12 laptop with you during the October 7th meeting where you  
13 looked up these piecharts and --

14 THE WITNESS: No.

15 COUNCILMEMEBER LOMBARDI: Okay. Was there a  
16 computer being used to look and go over the piecharts  
17 that are being depicted as Exhibit-D?

18 THE WITNESS: Probably, yes, I think so.

19 COUNCILMEMEBER LOMBARDI: Do you know whose  
20 computer was being used?

21 THE WITNESS: No, I don't.

22 COUNCILMEMEBER LOMBARDI: Well, it had to be  
23 either Jerry or Paul's, correct, because those were the  
24 only two people that you were meeting with?

25 THE WITNESS: No, there were more people in the

1 meeting.

2 COUNCILMEMEBER LOMBARDI: You testified earlier  
3 that the only three people that were discussing this  
4 email were you, Jerry, and Paul, correct?

5 THE WITNESS: Yeah.

6 COUNCILMEMEBER LOMBARDI: Okay. So --

7 THE WITNESS: But we could be using someone  
8 else's computer. I don't know.

9 COUNCILMEMEBER LOMBARDI: So you don't remember  
10 whose computer you were using, is that your testimony?

11 THE WITNESS: I don't know. I don't know. Not  
12 that I don't remember. I don't know whose computer that  
13 is.

14 COUNCILMEMEBER LOMBARDI: Okay. Now, obviously  
15 we're here tonight with regard to the 2017 racist flyer.  
16 What, if anything, do you know with regard to the 2017  
17 racist flyer?

18 THE WITNESS: Besides it's despicable and  
19 disgusting, nothing.

20 COUNCILMEMEBER LOMBARDI: Did you take any part  
21 in the creating of the 2017 racial flyer?

22 THE WITNESS: No.

23 COUNCILMEMEBER LOMBARDI: Did you take any part  
24 in the mailing or disbursement of the 2017 racial flyer?

25 THE WITNESS: No.

1 COUNCILMEMEBER LOMBARDI: Okay. I'll let some  
2 other Council people go.

3 COUNCILMEMBER DIEHL: Council President. Just  
4 for a point of clarification for the -- for myself too  
5 and I know the people here tonight and people who will  
6 view this. A lot of talk has been about People For  
7 Progress. Can we get some explanation, because People  
8 For Progress is -- you know, what is it? So can we get  
9 some explanation perhaps from Miss Pang or somebody here  
10 or one of the Council people. I couldn't tell you  
11 because I don't know. So what is it?

12 COUNCILMEMBER JOSHI: I actually put this  
13 together and I just want to be clear that these are the  
14 facts that we know so far. Not just for People For  
15 Progress, but regarding this racist flyer as well.

16 There were six minorities running during this  
17 election on different slates, only two of which were  
18 singled out on this flyer. They happened to both be on  
19 the same slate, the Unity Team. The mailing addresses  
20 listed were not EDDM, which means Every Door Direct Mail,  
21 it was a specific purchased list, as per the testimony  
22 from Mr. Comer. They were -- it was a highly targeted  
23 voter mailing list and we have learned that an erroneous,  
24 mysterious, perhaps fictitious Political Action Committee  
25 named People For Progress had significant involvement in

1 this campaign.

2 Miss Pang has stated that she has no  
3 involvement at all with People For Progress, as we just  
4 went into an argument about for the last 30 minutes or  
5 discussion about for the last 30 minutes. Through at  
6 least five different verified mailers and mass emails  
7 this group sent negative mailers and mass emails  
8 targeting those against the Unity Team. The intention of  
9 People For Progress is clear with the various evidence  
10 that we have, that the intention for People For Progress  
11 was to have the Unity Team win. These are irrefutable  
12 facts that we do know.

13 So we also know that the election law  
14 enforcement documents that were filed showed that People  
15 for Progress never filed the documents properly that were  
16 required to be filled by law. This itself is an election  
17 law enforcement violation. And we have also received  
18 evidence now, especially from Mr. Comer, that Cesar  
19 Suarez, which Mr. Comer gave to us today which is listed  
20 as a restricted information, Cesar Suarez, who lives  
21 at -- am I allowed to say the address of this individual?  
22 It doesn't matter. So Cesar Suarez is tied to People For  
23 Progress. These are the irrefutable facts that we now  
24 know and it's very -- that's where we're at as far as  
25 this investigation is concerned.

1 COUNCILMEMBER DIEHL: Well, anything else, sir?

2 COUNCILMEMBER JOSHI: We also have that People  
3 For Progress, the mailers that went out and the checks  
4 that we had were handwritten as Andres Morales, sometimes  
5 the mailers went out as A. Morales, sometimes they went  
6 out as Andrew Morales. We can't confirm whether this  
7 individual exists, however, we do know that Cesar Suarez  
8 exists and was listed on the P. O. box itself. We've  
9 also obtained checks that were allegedly signed by Andres  
10 Morales. If it is confirmed that this person does not  
11 exist, which many people have felt, then bank fraud was  
12 also committed throughout this whole process. Those are  
13 the irrefutable facts that we know so far.

14 COUNCILMEMBER DIEHL: Is there anyone else with  
15 information about People For Progress, anything they can  
16 share, any Council people want to ask any questions about  
17 People For Progress or share any information about People  
18 For Progress?

19 COUNCILMEMBER COYLE: Councilman Diehl.

20 COUNCILMEMBER DIEHL: Yes, sir.

21 COUNCILMEMBER COYLE: And I am confused with  
22 People For Progress and thank you Councilman Joshi for  
23 that.

24 What is the history of People For Progress? Is  
25 this the only campaign they've been involved with? Is

1     there a history for People For Progress, did you run  
2     that?

3                 COUNCILMEMBER JOSHI:   I believe Mr. Comer  
4     provided us with the application date.   It said September  
5     19, 2017 and he stated the address or the date that was  
6     closed was April 11th of 2018.   So People For Progress  
7     was during that time.

8                 COUNCILMEMBER COYLE:   There's no other history  
9     before that date it's ever been used?

10                COUNCILMEMBER JOSHI:   As far as this P. O. box  
11     is concerned I only have what Federal Agent Comber gave  
12     me right now.

13                COUNCILMEMBER COYLE:   And going back to the  
14     bank for Morales when he opened -- can we get records of  
15     him opening up that account?   He must have had a driver's  
16     license, I mean, you have to have, you can't just open an  
17     account.

18                COUNCILMEMBER JOSHI:   I would look forward to  
19     subpoenaing that too.

20                COUNCILMEMBER COYLE:   Is that something -- can  
21     we have access to that?

22                COUNCILMEMBER JOSHI:   We have the authority to  
23     Subpoena the bank evidence -- or bank information.

24                COUNCILMEMBER COYLE:   Okay.   Thank you.

25                COUNCILMEMBER GOMEZ:   Miss Pang, I just have a

1 question and you correct me if I'm wrong. You said that  
2 you did not know how to do a blast email or -- you said  
3 you didn't know how to do a blast email or a...

4 THE WITNESS: I don't.

5 COUNCILMEMBER GOMEZ: And -- but you mentioned  
6 that your profession is a software engineer?

7 THE WITNESS: Yes, and obviously you're not  
8 because software engineer does not mean you send out  
9 email, that's totally two different things.

10 COUNCILMEMBER GOMEZ: I understand that, but  
11 it's a software application, not judging, just  
12 clarifying. That's all. Thank you.

13 THE WITNESS: Thank you. And for People For  
14 Progress, I just have one question. This so-called  
15 evidence exists since October 2017. Why people waited an  
16 entire year until 2018, October 2018, right before  
17 another election to submit this and why after that it's  
18 quiet down again, nobody seems to care anymore, and now  
19 half a year later, right before June election, this was  
20 brought up again and I'm betting this is going to come up  
21 again in November election. I mean, is this really  
22 investigation or is this a political game?

23 COUNCILMEMBER JOSHI: I think when a Federal  
24 agent comes in and testifies voluntarily there's no  
25 political component to it. There was no reason to be.

1 He walked out the side of this room. All he did was hand  
2 us a couple of documents and I've been pushing for this  
3 since I was sworn in on January 2018.

4 THE WITNESS: I'm saying the email sent to Paul  
5 in 2017 and people have been talking about People For  
6 Progress and all that and he has all this information,  
7 why wait an entire year until 2018 to dig this out?

8 COUNCILMEMBER DIEHL: Council President.

9 COUNCILMEMBER GOMEZ: Yes, sir.

10 COUNCILMEMBER DIEHL: There's a lot of people  
11 in this room who have attended or watched these Council  
12 meetings for the past year-and-a-half. The Council  
13 meeting after the flyer went out I protested about the  
14 flyer, its existence, its delivery, I said that we were  
15 going to investigate it and we can go right back to the  
16 Council meeting after the election where this flyer came  
17 out and we put it in the hands of the Edison Police  
18 Department. And I called the Edison Police Department  
19 and all of this you know is record because just about at  
20 every Council meeting at every work session for the last  
21 year-and-a-half during my discussion items I brought up  
22 the progress of the racial flyer. I was asked by  
23 residents where are you with that racial flyer, what have  
24 you done. And we put it in the hands of the Edison  
25 Police Department who I contacted and they would say

1 we're working on it, we're working on it, we're not  
2 getting much cooperation, nobody's answering our  
3 questions, nobody's cooperating, nobody's coming forward,  
4 nobody's saying anything. All right? I spoke to the  
5 Chief of Police, the police said the AG's office has  
6 taken it over. Okay? If that's the case and we were  
7 patient for another period of time because in my mind I  
8 thought if the AG's office takes it over we're going to  
9 solve this thing. As you can see there's lots of bits  
10 and pieces here and we are not the FBI up here and if the  
11 AG's office, a professional law enforcement agency is  
12 taking this over, we were good with that. And we waited  
13 and we asked for updates and we waited and we asked for  
14 updates for over a year. We were frustrated, we sent a  
15 letter from our attorney to the AG's office, where are  
16 you, what are you doing, and at that point, at some  
17 point, and again, this is record, anybody can look at it,  
18 at some point we said we are going to form a Committee of  
19 the Whole. If the Edison Police Department, and I'm not  
20 saying anything about the Edison Police Department, that  
21 investigation was taken from them, if that investigation  
22 is taken from them by the AG's office and the AG isn't  
23 going to do anything, at some point a year-and-a-half  
24 later we're going to form the Committee of the Whole and  
25 we did that in February, we did that in February. It

1 takes time to find lawyers and organize yourselves. So  
2 here we are and I've heard this a couple of times now, we  
3 are where the -- where we were before election and I want  
4 to ask this question. Is there any good time or better  
5 time to find out what happened? Do we have to wait to  
6 find out what happened because there's an election in  
7 June and there's an election in November, there will be  
8 an election next year. There's always an election. If  
9 you are a person sitting at home in Edison and you don't  
10 know a single person in this room and you don't vote, but  
11 you see this racist flyer on television and you're  
12 disturbed by it, do you necessarily care when the  
13 investigation starts, do you necessarily care that it's  
14 before a certain date or after a certain date? Wouldn't  
15 you just be interested, because you don't have a vested  
16 interest, you'd just be interested in finding out who's  
17 responsible. That's why when I hear things like it's  
18 done for political purposes, I've been working on this --  
19 we've been working on this for over a year. There's  
20 nothing to hide there, this is all public record, there's  
21 no good time or better time to catch an individual  
22 responsible. If you're sitting at home and you don't  
23 know a single person involved here, you don't know a  
24 single person, you don't even vote, but you see it on  
25 television and you're disturbed by it, why would you

1 criticize the Committee of the Whole, why would you do  
2 that? I'm sitting at home, I don't know anybody, I don't  
3 know anything about -- I don't vote, there's this flyer  
4 and I hear that there's a committee that the Council is  
5 forming to get to the bottom of it. Somebody's gotta  
6 tell me that's a bad idea, somebody's gotta tell me  
7 that's a bad idea. And I'm saying that tonight because I  
8 listen to the testimony and I listen to the criticism and  
9 I don't understand the criticism. If you're genuine and  
10 sincere about getting to the bottom of it, why are you  
11 saying the Committee of the Whole is a bad idea, why are  
12 you saying it's political when it is not, why are you  
13 saying it's a bad time to do it because it's before  
14 election? There's always an election. And I don't know  
15 if we solve this thing, I don't think we solve this thing  
16 tonight, but guess what, just like I've stated over a  
17 year, we're not going anywhere, we're not going anywhere.  
18 We have another meeting set up in June, we'll be back in  
19 June, we'll set up another meeting, we'll continue to  
20 bring in witnesses, we'll do what our counselor said  
21 before, with the subpoenas, we'll follow this up, we will  
22 follow this up. Because this is an interesting case, is  
23 it not, is it not curious or incurious or --

24 AUDIENCE MEMBER: Is she a democrat?

25 COUNCILMEMBER DIEHL: Excuse me, sir. Excuse

1 me, sir.

2 AUDIENCE MEMBER: I don't understand what  
3 People For Progress is.

4 COUNCILMEMBER DIEHL: It's hard to understand  
5 People For Progress. Okay? As it was explained, it's  
6 this group out there that puts out these flyers, they put  
7 them out for the Unity BOE team to help the BOE team,  
8 that's privy, that's kind of common knowledge. Nobody  
9 here has said they know anything about the People For  
10 Progress, nobody's come forward, nobody knows anything  
11 about it. Well, I know a little bit about it. Okay?  
12 Cesar Suarez, correct, is the one who signed for the P. O  
13 Box?

14 AUDIENCE MEMBER: Does he have a driver's  
15 license?

16 COUNCILMEMBER DIEHL: He did have -- excuse me,  
17 Cesar Suarez, was the one who signed the P. O box, he  
18 lived at 304 Hana Road, but now he lives at 251 Suttons  
19 Lane in Edison. He doesn't own that house, he rents it.  
20 It's owned by A. J. Kuman Patil. AJ, I don't know if  
21 this is the same AJ I have here, but that's what it says  
22 here. Do you know Cesar Suarez?

23 COUNCILMEMBER PATIL: I have a long pending  
24 dispute with this guy so I can't comment.

25 COUNCILMEMBER DIEHL: You can't comment. Well,

1 do you want to swear yourself in.

2 COUNCILMEMBER PATIL: If you want me to swear  
3 in then I would like to have the Mayor Tom Lankey to  
4 swear in.

5 COUNCILMEMBER DIEHL: We can do that too. I  
6 think we can have anybody -- I'm willing to swear in.  
7 I'll swear in that there was no cooperation between these  
8 two campaigns, which by the way was inferred. There was  
9 no cooperation between the campaigns; I'll swear,  
10 publicly swear I knew nothing about People For Progress.  
11 Who else can do that? Can you?

12 COUNCILMEMBER PATIL: I will defer to that,  
13 sir, after the elections are over.

14 AUDIENCE MEMBER: We should have investigated  
15 you and not --

16 COUNCILMEMBER GOMEZ: Any other questions or  
17 comments?

18 COUNCILMEMBER JOSHI: Council President, if we  
19 can have another minute of a recess. I would like at  
20 least another minute or two just to break.

21 COUNCILMEMBER GOMEZ: Okay.

22 MR. CALELLO: Is Miss Pang still needed,  
23 Councilman and women?

24 COUNCILMEMBER LOMBARDI: I have no further  
25 questions for Miss Pang.

1           Before we break, Mr. Calello, we understand you  
2   also represent Mr. Bhagia and Mr. Shi?

3           MR. CALELLO: I did hear the announcements and  
4   I will -- I just have one thing to say. I appreciate the  
5   indulgence. I heard Rivera versus City of Elizabeth  
6   cited when I first came in and as far as I know elections  
7   are political, it's what they are, it's how our process  
8   works, and I heard, I don't know whether it was the Chair  
9   or another Councilperson say that this case, as in Rivera  
10   is an election issue. I think that is what was said.  
11   I'd just like to take note of that and your jurisdiction  
12   in this case was taken because it, from what I understood  
13   from the opening comments, was taken because it is an  
14   election issue, it's not a BOE issue and I think you made  
15   a differentiation with Rivera versus City of Elizabeth,  
16   which I appreciated. So I'd just like to say,  
17   Councilmen, I will speak to Counsel and discuss the other  
18   individuals about which letters were written and it was  
19   indeed a pleasure and good luck to everyone in your  
20   investigation.

21           THE WITNESS: Before the break can I ask  
22   something because I think I'm going to be excused, right?  
23   I wasn't questioning the timing of the investigation I  
24   was only questioning about the email that was sent 2017  
25   and was submitted a year after. And I just want to add

1 something, that I run my own campaign 2016. I didn't  
2 have any party support, I didn't get any donations or  
3 endorsement from any parties, any unions, all my campaign  
4 funds is around \$20,000, all from personal donations, and  
5 I was the only minority woman in that election. But I  
6 never use any card, any woman card, any minority card, I  
7 believe people should be elected because of who they are  
8 not because of their gender or race. All I have is  
9 hundreds of parents who want to make the school better  
10 and we knocked more than 10,000 doors in Edison, that's  
11 how I was. I never agreed with racist flyer and this is  
12 not how campaign should be run from my point of view.  
13 And I just want to add something else. You know, we all  
14 know overcrowding is a big issue here and I think we want  
15 to work on something like that.

16 COUNCILMEMBER JOSHI: Please stick to the  
17 testimony that's related to the racist flyer.

18 [Audience applauds.]

19 THE WITNESS: Oh, I do have something else. I  
20 have all the election office up here. All right?

21 I have recently seen some flyers sent out by, I  
22 think -- I believe, if I remember correctly, by Column A  
23 and it was just really concerning --

24 COUNCILMEMBER JOSHI: This has nothing to do  
25 with the racist flyer.

1 THE WITNESS: Please keep the campaign clean.

2 COUNCILMEMBER GOMEZ: Thank you for your time,  
3 ma'am.

4 COUNCILMEMBER DIEHL: No pointing of fingers.  
5 Let's find out the truth. Let's have people come and  
6 testify. Like I opened up with my statement tonight,  
7 last week we invited 10 people, five came. Why is that?  
8 If you have nothing to hide, if you have no affiliation,  
9 and you want to get to the bottom of it, you show up and  
10 you say what you have to say. So we're just looking for  
11 the truth. If you have the truth, let's go.

12 COUNCILMEMBER PATIL: You should call this  
13 person.

14 COUNCILMEMBER DIEHL: We will.

15 COUNCILMEMBER PATIL: That's what I'm looking  
16 for, get the testimony from that person so you know the  
17 truth.

18 COUNCILMEMBER DIEHL: Okay. Fair enough.

19 COUNCILMEMBER JOSHI: Okay. We'll have a  
20 two-minute recess.

21 (A recess occurred.)

22 COUNCILMEMBER GOMEZ: Thank you everyone. We  
23 are resuming the meeting.

24 Thank you again all for coming out tonight.

25 This meeting will continue. We are not closing this

1 meeting out. There will be a continuation on June 27th.

2 So, again, thank you all for coming out tonight.

3 COUNCILMEMBER DIEHL: Thank you.

4 (Hearing adjourned at approximately  
5 9:20 p.m.)

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## C E R T I F I C A T E

I, MARIA F. PIOTROWSKI, a Registered Professional Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the testimony of the Committee of the Whole, the aforesaid witnesses first duly sworn to by and before me.

I further certify that I am neither attorney nor counsel for, nor related to or employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

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Maria F. Piotrowski, RPR

Registered Professional Reporter

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