

Port Authority Hearing 7/29/19

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PORT AUTHORITY OF NY & NJ

PUBLIC HEARING

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Hilton Hotel
650 Terrace Avenue
Skyline Ballroom
Hasbrouck, New Jersey
July 29, 2019
7:00 p.m.

BEFORE:

Michael Farbiarz, Hearing Officer and General
Counsel

Richard Pocino, Commissioner

Leecia Eve, Commissioner

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2 MR. FARBIARZ: Good evening,
3 everyone. Thank you for being here. It's
4 7:00. We'll begin this evening's
5 proceedings. My name is Michael Farbiarz.
6 I'm the general counsel of the Port
7 Authority of New York and New Jersey and
8 I'm tonight's hearing officer. With me to
9 my right, Commissioner Raymond Pocino and
10 to his right is Commissioner Leecia Eve.
11 They serve on the Board of Commissioners
12 which is the Port Authority's Governing
13 Body.

14 Two distinct purposes for this
15 evening's public hearing. First, to get
16 comments on certain proposed tolls, fees,
17 and fares adjustments. And second, to get
18 comments on proposed changes to the Port
19 Authority's 2017-2026 Capital Plan.

20 For the sake of convenience this
21 evening the various proposed adjustments
22 and change separate though that they are
23 going to be described in a single video, a
24 single video. And you're going to see that
25 video behind us in a moment or two. The

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2 video is also going to be playing in a
3 continuous loop outside so you can pop out
4 and watch it at any point that might be
5 convenient for you. In addition to the
6 video, the various proposed adjustments are
7 described in written materials available
8 toward the back of the room.

9 Comments today will be limited to
10 three minutes per person. And the
11 commissioners tonight are hear to listen.
12 There won't be a back-and-forth tonight.
13 If you need to convey more than a few
14 minutes might allow, a couple of different
15 ways you can elaborate on your comments.
16 First, there are iPads toward the back of
17 the room so you can write out a bit more if
18 you'd like to. And in addition, to that we
19 have comments through September 13th on the
20 Port Authority's website. That's
21 www.PANYJ.gov.

22 All the comments made today will be
23 transcribed by a stenographer and also
24 summarized by Port Authority staff so that
25 everything you might share tonight can be

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2 considered not by Commissioner Pocino and
3 Commissioner Eve alone but by the full Port
4 Authority Board of commissioners.

5 There's a Spanish translator here
6 tonight if that's be helpful to you. In
7 addition, there's an American Sign Language
8 translator who is currently transcribing
9 the proceedings. I'm going to call people
10 up to the microphone to speak in the order
11 in which they sign in. And so if you
12 haven't had a chance to sign in, please
13 take an opportunity to do that by the door.
14 So we'll play the video that I had eluded
15 to earlier and then we'll begin the
16 comments.

17 (Video is being played.)

18 MR. FARBIARZ: With the conclusion
19 of the video we'll now be taking comments.
20 Just a reminder for anyone who may have
21 walked in, please do sign up at the back if
22 you'd like to come up. And people
23 generally will be speaking for three
24 minutes except for elected officials or
25 their representatives.

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2 The first of the people who signed
3 up is Leonardo Fuentes speaking on behalf
4 of Congressman Pascrell.

5 MR. FUENTES: Good evening,
6 everybody. Unfortunately Congressman
7 Pascrell couldn't be here today, but he
8 left me with some words for you.

9 Millions of Americans throughout
10 the tri-state area up and down the eastern
11 seaboard rely absolutely on our trains,
12 bridges, buses, and airports. Their
13 perspectives are the ones the Port
14 Authority should be listening to above all
15 others. I thank the Port Authority for
16 holding these public hearings in New Jersey
17 and New York to ensure that the public
18 voice is heard.

19 Too much of our critical
20 infrastructure is being allowed to decay
21 and fall into disrepair. The Capital Plan
22 shows that New Jersey and New York are
23 rightly committed to protecting efficient
24 travel options for the next generation.
25 New Jersey commuters deserve rail lines

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2 that are safe and consistently on time, a
3 clean, reliable main bus terminal and
4 reduced congestions at river crossings.
5 Our economy and our job-base are dependent
6 on seaports and airports that are modern,
7 safe, and efficient. That's terrific. But
8 our residents all pay enough and then some
9 on top of that.

10 So I tell the Port Authority that
11 they must balance their commitment to the
12 future with protecting commuters right now
13 who are already squeezed by high tolls and
14 ticket prices.

15 Should any member want a copy of
16 the press release, I have it available.
17 Thank you.

18 MR. FARBIARZ: Carol Katz.

19 MS. KATZ: Good evening. Good
20 evening. I'm Carol Katz. I'm with Katz
21 Government Affairs and I represent the Bus
22 Association of New Jersey. Our members
23 operate commuter buses between New Jersey
24 and New York. Private bus operators
25 account for 25 percent, we estimate, of

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2 scheduled bus transportation in New Jersey.
3 And unfortunately, it's our passengers,
4 we're also New Jersey taxpayers, who bear
5 the brunt of increased costs to operate a
6 bus which often translates to increased
7 fares and other stresses on them.

8 What we would respectively maintain
9 is the Port Authority toll policy should
10 reduce impediments to using public
11 transportation rather than increase them.
12 And with all due respect to actually reduce
13 tolls on public transportation rather than
14 increase them. If you -- forgive me, I'm
15 going to look at my notes because there are
16 some specific figures that I wanted to
17 refer to about how this proposed increase
18 will disproportionately affect public
19 transportation provided by buses and
20 therefore passengers.

21 In 2001 and 2007 the toll for buses
22 was about half that of a car. And I'm
23 talking here about E-ZPass at peak hours.
24 I'm comparing apples to apples with that.
25 With the increase in 2011 it went up to

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2 about 100 percent, basically roughly equal
3 cars and buses, which we opposed at that
4 time too. But this proposal will make it
5 even worse. If you assume a two and a half
6 percent inflation index for auto tolls
7 going forward and you compare that to the
8 proposed larger increase on buses, then by
9 2026 a toll for a bus is estimated to be
10 135 percent of that for a passenger car.
11 And again, this is all E-ZPass at peak
12 periods. Again, if you look -- again, two
13 and a half inflation index of cars going
14 forward then the growth in the tolls of
15 cars between 2001 and 2016 is about
16 311 percent. That sounds pretty
17 impressive. But if you look at buses, it
18 will be more than twice that, 778 percent,
19 and that's not an estimate because increase
20 in buses is not based on inflation but
21 they're set out in this plan. So that
22 moves us precisely in the wrong direction.
23 Disincentivizing the use of mass transit
24 rather than rewarding it and that,
25 ironically, it's doing that at exactly the

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2 hours when the opposite should happen. The
3 way the toll policy is proposed is will
4 have higher fares even for buses during
5 peak periods. To us that just simply
6 doesn't really make sense because what is
7 the purpose of disincentivizing buses from
8 operating at rush hour? This is when you
9 want buses to run and that's when you want
10 people to get on buses. So we urge you to
11 take a really close look at this proposal
12 and think about how you can encourage the
13 use of public transit by lowering bus tolls
14 and encouraging people to get on the bus
15 and out of their cars and make our traffic
16 smoothly throughout the region. Thank you.

17 MR. FARBIARZ: Larry Gould.

18 MR. GOULD: Thank you. So I wanted
19 to make a point about people who are
20 driving to the airport as private citizens
21 in their own cars either to drop off people
22 or to pick up people. And in your proposal
23 you continue to charge people who take the
24 AirTrain, you continue to charge people who
25 use parking spaces, you continue to charge

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2 taxi, for-hire vehicles to use the curb.
3 But you have all these other curb users
4 that are eating up just as much curb, maybe
5 more curb, and you're charging them
6 nothing; as a result, the curb becomes
7 congested. The curb out -- in other words,
8 every day, I get a text message from the
9 Port Authority saying Terminal C, the curb
10 is congested, use some -- use another
11 terminal, use another level. And we're not
12 really sharing the costs. And you're not
13 really managing the space at the curb with
14 your pricing.

15 Now, I only know of one other
16 airport that actually charges people when
17 they drop off their relative, their
18 friends, their colleagues, that's Dallas.
19 They do it and they do with toll entries,
20 just like the toll entries you are going to
21 put on the bridges when you eliminate the
22 toll booths.

23 There's also, interestingly, an app
24 that is promoted itself, and I don't know
25 how well it's doing, where you can hire

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2 somebody to drive you in your own car to
3 the airport and then take your car back
4 home. And you're, apparently, in your plan
5 you don't charge them for that.

6 So my basic point here is when you
7 set prices, consider all of the uses of the
8 airport. Consider that the a curb is a
9 thing in short supply that needs to be
10 managed and consider just the basic
11 fairness of charging me \$7 to take the
12 train, but if somebody drives me to
13 airport, you charge me nothing. Thank you.

14 MR. FARBIARZ: Robert Genneken.

15 MR. GENNEKEN: My name is Robert
16 Genneken. I'm a resident of Bergen County.
17 The tax burden for New Jersey residents is
18 one of the highest in the nation. The Port
19 Authority is a major part of this problem.
20 It has not shown any concern for the people
21 of New Jersey. The Port Authority has
22 grown into a monster that charges New
23 Jersey residents over \$3 billion a year.
24 It employs over 8,000, has hundreds of
25 capital projects worth many billions of the

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2 dollars. An example of the out of control
3 spending is the huge, white marble Oculus
4 PATH station which must be seen to believe.
5 It is one of the wonders of the tri-state
6 area that cost 4 billion dollars.

7 The Port Authority must cut capital
8 spending and reduce tolls and fees paid by
9 New Jersey residents from \$3 billion to
10 \$1 billion a year.

11 The Port Authority's Teterboro
12 Airport causes excessive noise, air
13 pollution, safety concerns for all of North
14 New Jersey. Go to the top of any high-rise
15 buildings especially Hackensack Hospital
16 and you will be terrified by the jet planes
17 from Teterboro Airport. This airport must
18 be closed. This is not in a central
19 facility. Other airports, such as
20 Westchester Airport, can be used.

21 The Port Authority will probably be
22 getting involved with the Gateway Project,
23 which is the biggest disaster for the
24 future of New Jersey. The project will be
25 comprised of new Hudson River rail tunnels

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2 and a cost of 30 billion dollars. That
3 billion dollars to rebuild the two existing
4 tunnels, new bridges then supporting
5 infrastructure, 10 billion dollars and a
6 new Midtown bus terminal at 20 million
7 dollars. When you add construction change
8 orders and extras, the total can easily
9 amount to over 70 billion dollars.

10 If New Jersey pays only 25 percent
11 of the cost, it will approach 20 billion
12 dollars. This will result in a huge
13 increases in our taxes, increased commuting
14 costs, and more importantly, increased loss
15 of income taxes to pay New Jersey.
16 Building two new tunnels because existing
17 tunnels are in need of maintenance is
18 unacceptable. Would shutting down an
19 existing tunnel one at a time for a year
20 for maintenance be too much of an
21 inconvenience for the Jersey commuters?
22 Must we spend 30 billion dollars to ease
23 their inconvenience?

24 What do we get for this enormous
25 expenditure? New Jersey gets more

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2 commuters. A reduction in total income tax
3 receipts and an increased tax burden for
4 all residents. Spending billions to
5 increase commuting is a losing proposition
6 for New Jersey. New York withholds income
7 tax from New Jersey commuters. New Jersey
8 gives a credit for income taxes paid to New
9 York. This is costing New Jersey 3 and 1/2
10 billion dollars a year in lost revenue.
11 New Jersey must eliminate the credit for
12 taxes, pay other jurisdictions and New
13 York. All people in New Jersey support our
14 state by paying New Jersey income tax
15 regardless of where they work. They must
16 be required to continue pick up -- we must
17 not be required to pick up the tabs of New
18 York City commuters.

19 With the Gateway project many
20 people will continue to New York and lost
21 income tax increase will \$5 billion a year
22 when all costs of the Gateway considered a
23 total increase in the neighborhood of \$10
24 billion a year, taxes will need to be
25 drastically increased. New York will be

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2 hitting New Jersey drivers with congestion
3 pricing. They also want to build an
4 electrical generating station in
5 Meadowlands for New York City. They get
6 the power; we get the air pollution.
7 Meanwhile, New Jersey handing out corporate
8 taxes exemptions, telling us that they are
9 maintaining and increasing employment. We
10 need actions that reduce cost, not useless
11 things such as increasing taxes on
12 millionaires that are not already residents
13 of states such as Florida.

14 New Jersey needs highway
15 improvements on Route 17 below Route 4, not
16 Gateway. With all the money involved, the
17 governors of New York and New Jersey need
18 more control. Therefore, they're
19 instituting a Gateway development
20 commission that will oversee this and know
21 the massive projects, and more importantly
22 be able to independently levy and collect
23 tolls and fees. I anticipate more
24 patronage appointments of incompetence and
25 at all at a very steep cost.

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Now, as I stated, the Port Authority is part of New Jersey's tax problem. Proposed increases is wrong. The Port Authority must downsize and reduce cost and not be part of the New Jersey disaster called Gateway.

MR. FARBIARZ: Kathryn Joye-Arnold.

MS. JOYE-ARNOLD: Good evening. Thank you for coming and giving us this opportunity. I'm a Bergen County resident and I'm an individual that lives in Bergen County and actually works in New York City.

One of my issues is that when I first saw the proposal, I know that there's a lot of infrastructure problems that we have on our bridges so I know that there is a lot of work that needs to be done and I appreciate the fact that the Port Authority is trying to do that work. But one of the things is that with the raise in tolls -- I remember when the tolls went up to the \$15, and I said, Okay, so now the bridges are going to be taken care of. But one of the things -- one of the problems that I saw is

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2 all of a sudden, okay, you know, we have
3 the carpool where, you know, you go across,
4 you get a reduced rate if you have three or
5 more individuals in the car. But then what
6 happens is you have people picking up total
7 strangers so that they can get the reduced
8 the rate. You have people picking up total
9 strangers right at the bridge, which can be
10 a dangerous thing.

11 But with this new plan, it look
12 like that disappears, which can be a
13 problem. But then I said, Okay, if you
14 have ten or more ride across the bridge, it
15 may be about half the cost. I'm like,
16 Okay, that's great. But then I realized
17 it's only for Staten Island residents.
18 That's a problem. You have Bergen County
19 residents and you have New Jersey residents
20 that do ten or more trips across the
21 bridges and tunnels. Why is it that it's
22 only Staten Island residents? Granted,
23 they should get discounted as well.

24 But what about New Jersey residents
25 that work in New York City, that live in

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2 New Jersey, that are constantly going back
3 and forth? Why is it that New Jersey
4 residents are always paying most of the
5 cost? That's a problem. Staten Island
6 residents, they put up this big fuss, and
7 granted they should, and they should get a
8 discount, but so should New Jersey
9 residents. That's a huge problem.

10 We get taxed here, we get taxed
11 there, and on top of which the Port
12 Authority wants to raise the tolls and we
13 don't get a discount for it. That's a
14 problem. And that needs to be addressed.
15 And it's too much money. Our property
16 taxes are through the roof. It's a heck of
17 lot more than New York City, I can tell you
18 that.

19 I'm not going to take up anymore
20 time 'cause I'm down to 20 seconds. But
21 that needs to be looked at and addressed.

22 MR. FARBIARZ: Brian Briton.

23 MR. BRITON: My name is Brian
24 Briton. I represent the Hasbrouck Heights
25 Soccer Association. I came down here to

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2 allude to the format of the commenters
3 before. I'm looking for the Port Authority
4 to assist us on a field that we have off
5 the Teterboro property not too far away.
6 We have a very robust soccer program for
7 the kids. But unfortunately over the past
8 three years we haven't been able to use the
9 field because of water damage and the
10 severe flooding that occurs around the
11 field.

12 So with the limited space that we
13 have in our town, we're just looking for
14 some assistance from the Port Authority in
15 order to make capital improvements to the
16 field itself so that we can start putting
17 these kids back in the field and playing
18 the soccer that they love.

19 So I'm just looking for any
20 assistance from the Port Authority in terms
21 of how we can accomplish maybe improving
22 the field conditions. Like I said, the
23 past two, three years we've had the field
24 condemned. We haven't been able to play on
25 it. We've been allocated with other towns.

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2 They've assisted us with field space. But
3 unfortunately we'd like to get back on the
4 field. We'd like to get back on Teterboro
5 because it's nice and convenient for the
6 town residents.

7 So I'm just looking for any
8 consideration or some assistance from Port
9 Authority so that we can accomplish getting
10 the kids back on the field.

11 MR. FARBIARZ: There's a person
12 just behind you in a purple dress who will
13 chat with you.

14 MR. BRITON: Thank you.

15 MR. FARBIARZ: David Fleischmann.

16 MR. FLEISCHMANN: Hello, I actually
17 live in Rockland County, New York about 35
18 minutes northeast from here. We're the
19 first county of New York State on the New
20 Jersey side. We share a lot of regional
21 economy synergies including your
22 infrequent, slow, and unreliable transit
23 system. We can't hope but notice that even
24 though we are your customers as well, you
25 didn't have the courtesy to hold a meeting

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2 in our county or otherwise invite our
3 feedback. Not to worry, because I'll give
4 you our collective opinion anyway.

5 The majority of us are really fed
6 up with an observed pattern of city centric
7 behavior that neglects the needs of
8 Rockland commuters at best while outright
9 antagonizing us at worst. We in Rockland
10 pay \$43 million to regional transit
11 agencies for services we don't and will
12 never receive. We'll hear constant
13 excuses, deflections and outright lies
14 about why we don't have fast, frequent,
15 reliable mass transit options including the
16 utter nonsense about that basic maintenance
17 should count as close in value you'll get.
18 But the fact remains that we're faced with
19 bad mass transit choices on the list.

20 A few key points: People in New
21 York City don't even try to understand our
22 needs. The frame of reference is
23 different. We don't have that many good
24 local corporate jobs which many people in
25 New Jersey actually do. We lost many of

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2 what we had. Unlike other parts in the
3 country, most of don't work where we live.
4 Our job centers are here in northern New
5 Jersey with you; Westchester; Stamford,
6 Connecticut; and unfortunately to an
7 increasing extent, New York City. New York
8 City subways and buses come every few
9 minutes. You can deal with disruptions by
10 leaving a little earlier; however, in our
11 case, leaving early might mean a train that
12 comes two hours earlier and that just
13 doesn't work for most of us. And, of
14 course, as we know, life doesn't wait.
15 Many of us repeatedly try to give our
16 suburban mass transit yet another chance
17 but are quickly reminded of why we can't,
18 not shouldn't, can't. Meetings, job
19 interviews, sports games, Broadway shows,
20 dinners, speaker panels, et cetera, they're
21 all going to start without you. If you're
22 taking mass transit to the Newark Airport
23 for a flight, it's going to leave without
24 you whether you're there or not.

25 Our voices are continually ignored.

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2 Hearings are usually scheduled for a
3 weekday midmorning, a weekday early evening
4 and/or in a distant location like this one.
5 These are times when most people are
6 working or commuting. A lack of viable,
7 and I emphasize the word "viable" mass
8 transit leaves us little choice but to
9 drive, stay home, or move, and many of us
10 are in fact moving out. We should not have
11 to shoulder additional price increases
12 while maintaining the status quo at best,
13 while degrading the service we do have at
14 worst. Oftentimes we are fighting just to
15 maintain what we already have. We
16 basically lost hope of getting anything
17 better.

18 So in conclusion, we need some kind
19 of long-term relief from toll and rail
20 increase given that we're not getting more
21 local jobs. We're increasing the shifting
22 from trying to expand mass transit to just
23 keeping what we worked so hard over the
24 years to what we already have. Nothing
25 else realistically can change.

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2 Now, I'm sure most of you are going
3 to ignore my comments here today the way
4 they've already generally ignoring Rockland
5 for the past 40 years, both Westchester and
6 New York City, and New Jersey.
7 Unfortunately, that makes it even more
8 likely that we're going to vote to
9 eventually withdraw from funding transit
10 systems, which given our large value gap
11 will result in deficits and to force cuts
12 in the cities and other areas of mass
13 transit. Thank you.

14 MR. FARBIARZ: Just a reminder, if
15 there is anyone else in the room who would
16 like to speak, please sign up and then come
17 forward. I don't have any speakers listed
18 in front of me. I'll be staying here and
19 the commissioners will as well. They might
20 step away. But should anyone come in and
21 want to speak, they'll of course reenter
22 the room so they can hear the comments
23 people might have. Thank you.

24 MR. FARBIARZ: David Lagas.

25 MR. LAGAS: How are you doing this

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2 evening? My name is David Lagas. I
3 represent the Northeast Regional Council
4 Carpenters covering Local 253, which is
5 Bergen, Passaic, Hudson, and Essex Counties
6 here in New Jersey. I was looking at the
7 postboards over there and I can see many
8 different jobs that our members are working
9 on. We have about 2700 members. We have
10 good, middle-class, high paying jobs that
11 we can work and have benefits for our
12 families and can afford to stay and live in
13 New Jersey. I look at all these jobs and
14 I'm willing to pay my fair share as the
15 prices of things go up because I love
16 seeing our members work, have the health
17 insurance for the families, and be able to
18 retire with dignity. I can't thank you
19 enough for the projects going on now and I
20 look forward to every single one of them
21 getting done. I won't see them all in my
22 tenure as a representative of the Council
23 of Carpenters, but I see the young guys
24 coming behind us that are chomping at the
25 bit to get to work. So bring it on, guys.

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Thank you very much.

MR. FARBIARZ: Again, if there are further speakers, please sign up and then come forward.

It's 8:45. Just a reminder, if there are people in the room who would like to speak please sign up and approach the microphone. Thank you.

Just a reminder, if there is anyone in the room who would still like to offer comments, please sign in and come forward. Just a reminder that we have another public hearing session tomorrow evening and then another public hearing session to be scheduled in September on Staten Island. The written comment period on the Port Authority will be open until September 3rd so feel free to make comments that way. Seeing that there is no one else who would like to sign in for this evening and our time is up, we're adjourned for the evening. Thank you.

(Time noted: 9:00 p.m.)

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C E R T I F I C A T E

I, SUZANNE CATALANO, a shorthand reporter and Notary Public within and for the State of New York, do hereby certify:

That the within Hearing is a true and accurate record of the stenographic notes taken by me.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

SUZANNE CATALANO

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