

Governor Phil Murphy

State of New Jersey, Murphy for Governor, Katie Brennan, and Albert Alvarez Announce Settlement in Civil Litigation

05/15/2020

Agreement Includes Key Survivor-Centric Policy Reforms

TRENTON – The State of New Jersey and Katie Brennan today announced a settlement in the case of **Katherine Brennan v. Albert J. Alvarez**, et al. The State of New Jersey will implement key survivor-centric policy reforms, including allowing State employees who are alleged victims of discrimination, harassment, or retaliation to have an advisor or support person accompany the alleged victim when he or she is interviewed by an Equal Employment Opportunity/Affirmative Action (EEO/AA) investigator. In addition, the amount of \$600,000 will be paid, in full, to a charity designated by Ms. Brennan to improve the health and welfare of survivors of sexual assault. In settling the matter, the parties have made no admission of wrongdoing or liability with respect to the various claims among them.

“Speaking out gave me strength. My position allowed me to advocate on behalf of myself and other survivors. This \$600,000.00 fund will allow low-income survivors in Hudson County to seek justice, who may not otherwise be able,” **said Katie Brennan**. “We have made great progress through awareness, legislation, and the reforms in this agreement. This is just the beginning. Victims, perpetrators, all of us – we are all accountable for ending sexual violence. There cannot be any bystanders.”

“This case – and this resolution – should serve as a beacon of hope to other survivors, to those who are thinking about coming forward, to those who have been afraid to come forward, and to those who have come forward and not received justice,” **said Katy McClure, attorney for Ms. Brennan and Partner at Smith Eibeler, LLC**. “It is rare in civil litigation to achieve significant policy reforms, but it has always been Katie Brennan’s intention to create change. New Jersey is a stronger, better place for survivors – and will continue to improve – thanks to Katie’s commitment to change including establishing a fund to improve the health and welfare of victims of sexual assault.”

“This is a fair and reasonable settlement,” **said John P. Lacey of the law firm Connell Foley LLP, attorney for the State**. “The State of New Jersey was pleased to resolve this civil litigation with Ms. Brennan and work collaboratively and constructively with her and her counsel to institute meaningful long-term policy reforms to support survivors in the workplace.”

Under the settlement, the New Jersey Division of Equal Employment Opportunity/Affirmative Action in the New Jersey Civil Service Commission will now allow an alleged victim of discrimination, harassment, or retaliation to be accompanied by an advisor or support person during an interview by an EEO/AA investigator. The State of New Jersey has also agreed to afford Ms. Brennan an opportunity to make a presentation about additional proposed policy reforms to the Sexual Assault Nurse Examiner Council, established by the Office of the New Jersey Attorney General.

Mr. Alvarez and Ms. Brennan have agreed to participate in a Restorative Justice process. Mr. Alvarez also has agreed to attend an anti-sexual harassment class.



The settlement includes payment to Ms. Brennan's attorneys of \$400,000 for legal fees. The State of New Jersey will pay \$800,000 toward the settlement and Murphy for Governor, Inc.'s insurer will pay \$200,000. The State of New Jersey will also pay the civil case's mediator fees, which total approximately \$20,000.

Under the final settlement agreement, all parties (State of New Jersey; Katie Brennan; Murphy for Governor, Inc.; and Al Alvarez) have agreed to dismiss their claims, counterclaims, and cross-claims with prejudice and have further agreed that there will be no further litigation among these parties or family members, affiliates, agencies, or authorities.

The lawsuit was pending in state Superior Court in Mercer County.

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