

CMC INVESTIGATIONS & SECURITY SERVICES

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Case Report # X04-78

RE: Donald R. Miller

Date of Report: 11-15-05

Time of Report: 1:00 P.M.

Type of Report: Interview - Nichole M. Aspinwall

11728 N. Johnson Street

Iron Belt, WI 54536

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November 15, 2005, approximately 1:00 p.m., I - Charles R. Hess interviewed Nichole M. Aspinwall at her residence in Iron Belt, WI. Nichole is a female white subject with a date of birth of August 5, 1971. She is 34 years old. In summary Nichole said the following.

That she knows Judge Patrick Madden, Connie Vargovich and Nichole said she had been a bartender at the Mahogany Ridge Saloon in Hurley, WI. Nichole said she began her employment as a bartender at the Mahogany Ridge around the end of January, 1997, and resigned from the bar in 1999. Nichole said she was originally hired as a part-time employee, which almost immediately turned into a full-time position. Nichole said her shift would go from 6:00 p.m. until 2:00 a.m. on weeknights and 6:00 p.m. until 2:30 a.m. on weekends. Nichole said once in a while she would also fill in on the day shift when the need arose.

Nichole said she was aware of the Donald Miller arrest and trial at that time. Nichole said she heard about it in the bar through Connie Vargovich, and possibly Michelle Aspinwall. Nichole said as for her last name being the same as Michelle, she (Nichole) was married at one time to Brian Aspinwall, who is Jimmy Aspinwall's nephew. Nichole said Michelle Aspinwall is Jimmy Aspinwall's wife.

Nichole said the Donald Miller matter occurred in 1997 which would have been the first year of her employment. Nichole said it was after she began her employment at the Mahogany Ridge Saloon that she began to see and serve Judge Patrick Madden in this bar. Nichole said she remembers Judge Madden

coming into the bar in late summer going into the fall of 1997. Nichole said Judge Madden originally would come into the bar by himself and leave by himself. Nichole said Connie Vargovich and _____ would already be in the bar and the three of them (Judge Madden, Connie Vargovich and _____) would sit at what was referred to in the bar as "the bad boy's table". Nichole said this special table was located right in the bar room and she would watch them as they went this table together as a group. Nichole said she is able to connect the time frame of Judge Madden and Connie Vargovich in the Mahogany Ridge Saloon together with her 1997 divorce, in which she had filed papers. Nichole said she can say 100% in this interview - what she observed going on between Judge Madden and Connie Vargovich occurred before Donald Miller's trial.

Nichole said she would watch as a couple of times Judge Madden and Connie would dance in the bar room. Nichole said Judge Madden and Connie usually would dance slow type dances, in which they were touching but not in an intimate way. Nichole said Judge Madden would also dance with others as well. Nichole said there were times when she would see Judge Madden and Connie sitting alone at "the bad boy's table" and at the time, the bar would be crowded. Nichole said when this would happen she couldn't see them all that well, but knows they were sitting at this table alone.

Nichole said it seemed to her, based upon her observations over a period of time, that the relationship between Judge Madden and Connie was more than just a friendship. Nichole said she would watch how they talked; that they talked alone; that they danced slow dances; that they would laugh together; that he bought her several drinks over a period of time; the frequency of how many times they seemed to meet at the Mahogany Ridge Saloon. Nichole said at the very least, the way Judge Madden and Connie acted together in her presence, she would say they were good friends.

Nichole said there came a time when Judge Madden stopped coming into the bar totally and she had no idea why this happened. Nichole said she recalls that Judge Madden drank a lot of liquor in the bar and she is almost positive his drink of choice was a whiskey sour or a brandy sour. Nichole said as she thinks about his type of drink, it's been quite some time since the days of the Mahogany Ridge Saloon, however, she knows it was not beer that Judge Madden seemed to like. Nichole said there were quite a few nights when Judge Madden would walk into the Mahogany Ridge Saloon while she was bartending in which he was intoxicated at the time.