CIRCUIT COURT BRANCH 3

MANITOWOC COUNTY

STATE OF WISCONSIN

STATE OF WISCONSIN, Plaintiff,

SUPPLEMENTAL AFFIDAVIT OF MICHAEL O'KELLEY

v.

Case No. 06 CF 88

BRENDAN R. DASSEY,

MANITOWOC COUNTY STATE OF WISCONSIN

Defendant.

AUG 2 4 2006

CLERK OF CIRCUIT COURT

MICHAEL O'KELLY, being duly sworn, states that:

- 1. I was hired as an investigator for the defendant (hereinafter Brendan or Dassey) in the above matter.
- 2. During the evening of May 12, 2006, I met with Brendan in the Sheboygan County Jail. Brendan said that he wanted to talk with Attorney Len Kachinsky on my cell phone. I asked and received permission from the jail personnel for Brendan to talk directly with Attorney Len Kachinsky. I was present with Brendan when he talked with Attorney Len Kachinsky. Attorney Len Kachinsky talked about where he would be that weekend and his unavailablility. Brendan wanted to talk with the agents alone but monitored by me. Attorney Len Kachinsky asked Brendan if he wanted Kachinsky present and he said no. Attorney Len Kachinsky talked about a different date for the interview with the agents and Brendan declined. Brendan also selected the agents by name as to who he wanted to talk with. Brendan said that he trusted "Mark". Brendan said that Attorney Len Kachinsky was the only person who didn't lie to him.
- 3. During the morning of May 13, 2006, I was present at the Sheboygan County Jail when the interview of Dassey was conducted. Brendan was quite clear that he wanted no one in the small interview room except the investigators and him. Brendan did agree to allow me to monitor

the interview from directly outside the room with instructions that I was knock on the door if I heard him request me. I was able to hear the interview. Brendan never requested me. I had a cell phone and would have been able to contact Attorney Kachinsky if necessary.

Sworn and subscribed to before me this 24th day of August 2006.

PHYLLIS M. MACOMBER COMM. # 1518942

My commission:

Orig: Clerk of Courts, Manitowoc County Copy: Special Prosecutor Kenneth Kratz