



2025-2026 Middle School Mock Trial Case*

State of Connecticut

v.

Emerson Bushnell

CBA Civics Education Committee/Mock Trial Subcommittee

**Hon. Joyce Krutick Craig
Attorney Jeanine Dumont**

**Hon. Hope C. Seeley
Attorney Jonathan Weiner
Attorney Mark K. Youssef**

Updated: October 27, 2025

*This case originated from the State Bar of Georgia, and was adapted by the Young Lawyers Division of the Pennsylvania Bar Association and used as the 2024 Pennsylvania Statewide High School Mock Trial Competition Case. The CBA's Mock Trial Subcommittee is grateful to the Pennsylvania Bar Association for giving us permission to use their version of the case. The CBA Mock Trial Subcommittee adapted the case to Connecticut, and made numerous changes to the content of the case problem used in the prior competition in Pennsylvania.

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Message from the CBA's Mock Trial Subcommittee



On May 22, 2024, Connecticut Congresswoman Rosa DeLauro entered a statement into the Congressional record declaring New Haven the pizza capital of the United States. It has been reported that Representative DeLauro's declaration stated in part: "For more than a century, New Haven has been home to some of the most famous pizzerias in the country, known for everything from a plain sauce to white clam to mashed potato. . . .Earlier this year, Governor Ned Lamont declared New Haven to be the pizza capital of Connecticut—I rise today to claim New Haven as the pizza capital of the United States."

New Haven's reputation for pizza is comparable to Philadelphia's for the cheesesteak, Miami's for the Cubano sandwich and Buffalo's for Buffalo wings. It all started in 1925 with the opening of Frank Pepe Pizzeria Napoletana-Style, followed by Modern Apizza in 1934 and Sally's Apizza in 1938. Of course, those of us who are true pizza connoisseurs know there are other worthy pizza establishments in the area beyond this trifecta, including Zuppardi's Apizza in West Haven, Roseland Apizza in Derby, Ernie's Pizzeria in the Westville section of New Haven, and Abate Pizza located near Pepe's and Sally's on Wooster Street in New Haven.

This year's case, *State v. Bushnell*, brings us to the heart of downtown Rocky Neck, located in New Haven County. That community is vibrant and eclectic, and we are sorry to tarnish it by having a homicide there. Rocky Neck, although a fictitious place, is real to us. The events of this case are fictitious, and we assure you; they are not tied to any real-life events. Likewise, all characters in this case also are fictitious and any similarity to any actual person is strictly coincidental.

The Connecticut Middle School Mock Trial Competition is, first and foremost, an educational program designed to encourage a deeper understanding and appreciation of the American legal system by providing students with an opportunity to participate actively in the legal process. Mock trials help students gain appreciation for the rule of law, legal issues and courtroom procedure. Moreover, while obtaining this knowledge, students develop oral advocacy skills, including proficiency in asking questions, listening, reasoning and thinking on their feet. Additional objectives include providing an opportunity to compete in an academic setting while promoting effective communication and cooperation between team members.

Equally important, is that participation in mock trial will teach the students professionalism. Students learn ethics, civility and how to be ardent, but courteous advocates for their clients. Good sportsmanship and respect for all participants are central to the competition. We thank the teachers, coaches, advisors and judges, not only for the skills that they teach, but for the example of professionalism and good sportsmanship that they model for the students throughout the tournament. The reality of the adversary system is that one party wins and the other loses, and therefore, participants need to be prepared to accept defeat and success with dignity and restraint.

We also thank the hundreds of volunteers from Connecticut's bar and bench who annually give their valuable time as coaches and judges throughout the mock trial

season. Without their assistance, this competition would not be the tremendous success that it is each year. Finally, we give our special thanks to the students who devote their time and energy to preparing for the tournament. Every year, we are amazed at the level of skill and talent the students bring to the courtroom.

We hope you find these materials interesting and wish you all the best of luck in this year's competition.

CBA Civics Education Committee/Mock Trial Subcommittee

Hon. Joyce Krutick Craig
Attorney Jeanine Dumont
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Case Summary

Modern capitalism. The American Dream. Competition. These are time-tested mantras of small businesses throughout this country. Businesses, passed from generation to generation, establish their own little niche in their communities. But what happens when that “friendly competition” threatens those businesses, and it becomes a cutthroat game? Is greed, in fact, always good? What happens when one of those businesses fails, and the owners are left with nothing but a heart full of sadness and a gut full of revenge? Could that friendly competition turn deadly?

It’s a gruesome scene, the type of story out of a mob movie. Dillon Hopyard slumped over his desk in a pool of blood, shot in the head, execution-style.

Hopyard was a well-known business owner in the bustling Hammonasset Square in Rocky Neck, Connecticut. He operated Devil's Hopyard Sicilian-Style Pizzeria, a local watering hole competing for customers’ hard-earned cash with other Square businesses. In the span of little more than a month, Hopyard went from being one of the lucky winners of a substantial scratch-off lottery ticket prize to murder victim. While Hopyard should have been enjoying his lottery windfall, instead he was using it to escalate his “friendly competition” with another establishment, Ancient Apizza, a pizza joint on the same Square. Hopyard had launched a full-on nuclear war—buying the building and evicting his competition entirely.

Standing accused of this brutal crime is Emerson Bushnell—the owner of Ancient Apizza—who makes no attempt to hide their hatred for Dillon Hopyard. The State alleges that Bushnell conspired with local n’er do-well, Willie Waramaug, to take Hopyard out. Large cash withdrawals and suspect conversations during clandestine meetings are at the heart of the State’s case. But what about Sam Talcott, owner of Sam’s Black Rock Pizza Pie & Tavern, with their own secrets, struggling with worsening alcoholism and perhaps a failing business? Could Sam Talcott have been desperate enough to resort to murder to weed out the competition or had Emerson Bushnell just had enough?

Dillon Hopyard is found dead in a brutal murder scene. The once vibrant Hammonasset Square community is now forever tarnished by the grisly murder committed there. But who killed Dillon Hopyard?

Witnesses

Prosecution Witnesses:

Detective Sawyer Sherlock

Jackie Pepin, food blogger/restaurant reviewer

Sam Talcott, owner of Sam's Black Rock Pizza Pie & Tavern

Defense Witnesses:

Emerson Bushnell, Defendant and owner of Ancient Apizza

Aspen Wadsworth, employee of Sam Talcott at Black Rock Pizza Pie & Tavern

Casey Mattatuck, employee of Sleeping Giant Brewery

*** Each witness may be portrayed by any student. In the materials, we have used the pronouns "they," "their" and "them" for ease of reference; students may use their preferred pronouns during the mock trial performances.*

Exhibits

Exhibit 1: Police Report

Exhibit 2: Supplement to Police Report

Exhibit 3: Map of Hammonasset Square

Exhibit 4: Diagram of Dillon Hopyard's Office

Exhibit 5: Evidence (Gun)

Exhibit 6: Event Flyer

Exhibit 7: Business Card with Code

Exhibit 8: *Google* Review

Exhibit 9: Fingerprint Report

Exhibit 10: Bank Records

Exhibit 11: Text Messages Report

Exhibit 12: Photographs of Different Pizza Styles

SUPERIOR COURT OF THE STATE OF CONNECTICUT

DOCKET NO.: NNH-CR-24-6008284S	
STATE OF CONNECTICUT	JUDICIAL DISTRICT OF NEW HAVEN
v.	
EMERSON BUSHNELL	OCTOBER 1, 2024

LONG FORM INFORMATION

COUNT ONE

Assistant State's Attorney Edith Webster for the Judicial District of New Haven accuses **EMERSON BUSHNELL** of **CONSPIRACY TO COMMIT MURDER** and charges that in the County of New Haven, at the Town of Rocky Neck, on or about the 21st of May, 2024, at or near the area of Hammonasset Square within said Town, EMERSON BUSHNELL, with intent that conduct constituting the crime of MURDER, pursuant to Connecticut General Statutes § 53a-54a, be performed, agreed with one Willie Waramaug to engage in or cause the performance of such conduct, and that there was committed one or more overt acts in the performance of such conspiracy, in violation of Connecticut General Statutes § 53a-48.

STATE OF CONNECTICUT

BY: Edith Webster
Edith Webster
Assistant State's Attorney
100 Elm Street
New Haven, CT 06510

APPLICABLE STATUTES AND JURY INSTRUCTIONS

Relevant portions of the Connecticut General Statutes

Connecticut General Statutes § 53a-54a (a): A person is guilty of murder when, with intent to cause the death of another person, s/he causes the death of such person.

Connecticut General Statutes § 53a-48, Conspiracy: A person is guilty of conspiracy when, with the intent that conduct constituting a crime be performed, s/he agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them commits an overt act in pursuance of such conspiracy.

Relevant Mock Trial Jury Instructions

After the presentation of evidence, the judge will instruct the jury how to apply the law to the evidence. Hypothetically, if the judge in your mock trial case were to provide instructions to the jury, they would look something like these.

Although these instructions may not be used as an exhibit during the mock trial competition, students may use these legal concepts in fashioning their case and making arguments to the jury.

Members of the jury, you are about to perform one of the most serious duties of citizenship. You are going to decide whether a fellow citizen, Emerson Bushnell, is guilty or not guilty of the crime charged by the State of Connecticut. You have heard the evidence presented in this case. It is now my duty to instruct you as to the law that you are to apply in this case.

- **Presumption of Innocence and Burden of Proof**

We will begin with a discussion of two related concepts: the defendant's presumption of innocence and the state's burden of proof. In this case, as in all criminal cases, the defendant is presumed to be innocent of the crimes with which they have been charged. This means: first, that at the time they were presented before you for trial, they stood free of any bias, prejudice or burden arising from their position as the accused; and second, that just as they were presumed innocent at the start of this trial, they are presumed innocent now and will remain so forever unless, in the course of your deliberations, you unanimously conclude that the state has overcome that presumption by proving each essential element of that offense beyond a reasonable doubt.

If the state succeeds in proving each essential element of the charged offense beyond a reasonable doubt, it will have overcome the defendant's presumption of innocence with respect to that offense. In that event, they must be found "Guilty" as charged. If, however, the state fails to meet its burden of proof as to one or more essential elements of that offense, the presumption of innocence alone will require that

they be found “Not Guilty” of that offense. If there is even one element of the offense which the state has not proved beyond a reasonable doubt, you must return a verdict of not guilty.

- **The Standard of Proof: Beyond a Reasonable Doubt**

To obtain a conviction of a charged offense, the state must prove each essential element of that offense beyond a reasonable doubt. The meaning of reasonable doubt can be arrived at by emphasizing the word reasonable. It is a doubt which is founded upon reason and supported by the evidence, or the lack of evidence, in the case. As the words imply, a reasonable doubt is a doubt held by a reasonable person after he or she has carefully analyzed, compared, and weighed all of the credible evidence in the case. By the same token, a reasonable doubt is not a mere guess or surmise or conjecture that finds no logical support in the evidence or lack of evidence in the case.

It is such a doubt as, in the serious affairs that concern you, you would heed; that is, such a doubt as would cause reasonable people to hesitate to act upon it in matters of importance. It is not hesitation springing from any feelings of pity or sympathy for the accused or any other person who may be affected by your decision.

Proof beyond a reasonable doubt does not mean proof beyond all doubt; the law does not require absolute certainty on the part of the jury before it returns a verdict of guilt. Before you may return a verdict of guilt on the crime charged, you must be firmly convinced of the defendant’s guilt on that charge. Proof beyond a reasonable doubt is proof that is so firmly convincing that it precludes every reasonable hypothesis except guilt and is inconsistent with any other rational conclusion. Under this standard, any conclusion, reasonably to be drawn from all of the evidence presented at trial, which is consistent with the innocence of the defendant, must therefore prevail. If then, at the end of your deliberations, you are left with a reasonable doubt as to any essential element of the charged offense, you must give the defendant the benefit of that doubt by finding him “Not Guilty” of that offense.

Finally, to reiterate, you must remember that the defendant has no burden whatsoever to raise reasonable doubt in your minds, or to convince you that any doubt you may have is a reasonable one. Rather, the state bears the sole and exclusive burden of persuading you beyond a reasonable doubt, based solely upon the evidence presented in this trial, that the defendant committed each essential element of the charged offense.

- **Credibility of Witnesses**

In deciding the factual issues of this case, you must decide which testimony to believe and which testimony not to believe. You may believe and credit all, part or none of any witness's testimony. In making that decision, you may take many factors into account, including: (1) Was the witness able to see, or hear, or know the things about which they testified? (2) How well was the witness able to recall and describe those things? (3) What was the witness's manner while testifying? (4) Does the witness have

any interest in the outcome of this case, or any bias or prejudice concerning any party or any matter involved in the case? The greater the witness's personal interest in the outcome of the case, the more closely and carefully you should scrutinize their testimony before deciding to credit it for any purpose. (5) How reasonable was the witness's testimony, considered in light of all the other evidence in the case? and (6) Was the witness's testimony contradicted by what they said or did at another time, or by the testimony of other witnesses, or by other evidence?

These are some of the factors you may consider in deciding whether or not to believe the testimony of any witness who has come before you in this case. Based upon your consideration of those factors and others you routinely rely upon to assess the credibility of people you interact with in your daily lives, you may choose, in your sole discretion, to believe all, some or none of what any witness had to say in this case.

- **Testimony of Police Officers**

One police officer testified in this case. The testimony of a police officer is entitled to no special or exclusive weight merely because it comes from a police officer. Instead, you should give it the same consideration, and apply to it the same factors, as you would apply to the testimony of any other witness, including: the officer's demeanor on the witness stand; his or her manner of testifying; any bias shown or interest he or she may have in the outcome of the case; and the consistency and completeness of his or her testimony. The decision whether or not to credit the testimony of a police officer, and if so what weight to give it in the circumstances of the case, is entirely up to you, just as it is for every other witness in the case. In short, you should not believe or disbelieve a police officer's testimony, in whole or in part, merely because it came from a police officer.

- **Defendant's Testimony**

In this case, the defendant testified. An accused person, having testified, stands before you just like any other witness. They are entitled to the same considerations and must have their testimony tested and measured by you by the same factors and standards as you would judge the testimony of any other witness. You have no right to disregard the defendant's testimony or to disbelieve the defendant's testimony merely because they are accused of a crime

- **Direct and Circumstantial Evidence**

There are, generally speaking, two kinds of evidence, direct and circumstantial. Direct evidence is testimony by a witness about what that witness personally saw or heard or did. Circumstantial evidence is indirect evidence, that is, evidence from which the factfinder could find that another fact exists, even though it has not been proved directly. There is no legal distinction between direct and circumstantial evidence as far as probative value; the law permits the factfinder to give equal weight to both, but it is for the factfinder to decide how much weight to give to any particular evidence.

Circumstantial evidence of an event is the testimony of witnesses as to the existence of certain facts or evidence or the happening of other events from which the factfinder may logically conclude that the event in question did happen.

The only practical difference between direct and circumstantial evidence is that when there is direct evidence of some fact, the main thing the factfinder has to do is determine the believability of the direct testimony given, the credibility of the witness. With circumstantial evidence, the factfinder must first determine the credibility of the witness or witnesses and decide whether the facts testified to did exist. Then the factfinder must decide whether the happenings of those events or the existence of those facts leads logically to the conclusion that other events occurred or other facts exist.

There is no reason to be prejudiced against evidence simply because it is circumstantial evidence. One makes decisions on the basis of circumstantial evidence in the everyday affairs of life. There is no reason why decisions based on circumstantial evidence should not be made in the courtroom. In fact, proof by circumstantial evidence may be as conclusive as would be the testimony of witnesses speaking on the basis of their own observation. Circumstantial evidence, therefore, is offered to prove a certain fact from which the factfinder is asked to infer the existence of another fact or set of facts. Before the factfinder decides that a fact has been proved by circumstantial evidence, the factfinder must consider all of the evidence in light of reason, experience and common sense.

- **Consciousness of Guilt**

In any criminal trial it is permissible for the state to show that conduct by a defendant after the time of the alleged offense may have been influenced by the criminal act; that is, the conduct shows a consciousness of guilt. For example, flight, when unexplained, may indicate consciousness of guilt if the facts and the circumstances support it. Such conduct does not, however, raise a presumption of guilt. If you find the evidence proved and also find that the conduct was influenced by the criminal act and not by any other reason, you may, but are not required to, infer from this evidence that the defendant was acting from a guilty conscience. The state claims that the defendant fled Rocky Neck after Dillon Hopyard was killed and that conduct is evidence of consciousness of guilt. It is up to you as judges of the facts to decide whether the defendant's alleged flight, if proved, reflects a consciousness of guilt and to consider such in your deliberations in conformity with these instructions.

- **The Offenses Charged**

I will now instruct you on the principles of substantive law which must govern your deliberations in this case. The state has charged the defendant with the following crime:

Conspiracy to Commit Murder

The Information that I read to you at the beginning of this case will be provided to you in the jury deliberation room. I must emphasize that the Information is not evidence; the fact that the state accuses the defendant of committing this crime does not mean to any extent that the defendant is guilty or that the defendant has done anything wrong. The information is simply the formal means of bringing the defendant to court for trial.

1. Count One: Conspiracy To Commit Murder In Alleged Violation Of General Statutes §§ 53a-54a (a) and 53a-48

The defendant is charged with conspiracy to commit murder, in alleged violation of General Statutes §§ 53a-54a (a) and 53a-48. Here, the state has alleged the following in Count One:

[The state] "accuses **EMERSON BUSHNELL** of **CONSPIRACY TO COMMIT MURDER** and charges that in the County of New Haven, at the Town of Rocky Neck, on or about the 23rd of May, 2024, at or near the area of Hammonasset Square within said Town, EMERSON BUSHNELL, with intent that conduct constituting the crime of MURDER, pursuant to Connecticut General Statutes § 53a-54a, be performed, agreed with one Willie Waramaug to engage in or cause the performance of such conduct, and that there was committed one or more overt acts in the performance of such conspiracy, in violation of Connecticut General Statutes § 53a-48."

The defendant is charged with conspiracy to commit murder. A person is guilty of murder when, with intent to cause the death of another person, they cause the death of such person. The statute defining conspiracy reads in pertinent part as follows: a person is guilty of conspiracy when, with the intent that conduct constituting a crime be performed, they agree with one or more persons to engage in or cause the performance of such conduct, and any one of them commits an overt act in pursuance of such conspiracy.

To constitute the crime of conspiracy, the state must prove the following elements beyond a reasonable doubt:

- 1) there was an agreement between the defendant and one or more persons to engage in conduct constituting the crime of murder, which conspiracy the defendant specifically intended to join;
- 2) there was an overt act in furtherance of the subject of the agreement by any one of those persons; and
- 3) the defendant specifically intended to commit the crime of murder.

The size of the defendant's role does not determine whether they may be convicted of conspiracy.

Element 1—Agreement

The first element is that there was an agreement between two or more persons. It is not necessary for the state to prove that there was a formal or express agreement between them. It is sufficient to show that the parties intentionally engaged in a mutual plan to do a criminal act. Circumstantial evidence is sufficient to prove that there was an agreement because conspiracies, by their very nature, are formed in secret and only rarely can be proved by other than circumstantial evidence. It is not necessary to establish that the defendant and the defendant's alleged coconspirators signed papers, shook hands, or uttered the words "we have an agreement" but rather a conspiracy can be inferred from the conduct of the accused.

The mere knowledge, acquiescence or approval of the object of the agreement without cooperation or agreement to cooperate, however, is not sufficient to make one a party to a conspiracy to commit the criminal act. It is sufficient if they have come to an understanding with at least one other person and have come to such understanding with that person to further a criminal purpose. Additionally, it is not essential that they know the complete plan of the conspiracy in all of its details. It is enough if they know that a conspiracy exists or that they are creating one and that they are joining with at least one person in an agreement to commit a crime.

Therefore, in order to convict the defendant on the charge of conspiracy to commit murder, the first element that the state must prove beyond a reasonable doubt is that the defendant specifically intended to enter into an agreement, with at least one other person to engage in conduct constituting the crime of murder.

Element 2—Overt Act

The second element is that at least one of the alleged co-conspirators did an overt act to further the purpose of the conspiracy. It does not matter which one of the alleged coconspirators did the overt act. It need not be the defendant, and it need not be a criminal act. An overt act is any step, action, or conduct that is taken to achieve or further the objective of the conspiracy. An overt act, therefore, is one that is committed or caused to be committed by any member of the conspiracy in an effort to accomplish some objective or purpose of the conspiracy. Remember, a single overt act is sufficient to prove this element of the conspiracy. The overt act cannot, however, be held against the other alleged coconspirators if it was not intended to further the general purposes of the conspiracy but was secretly intended to further the actor's own personal purpose. The overt act must be a subsequent independent act that follows the formation of the conspiracy.

Element 3—Criminal Intent

The third element is that the defendant had the intent to commit the crime of murder. This means that the defendant must specifically intend that every element of the planned offense be accomplished. As to this count, those elements are that the defendant specifically intended to cause the death of Dillon Hopyard and specifically intended to have another cause the death of Dillon Hopyard. The defendant may not be

found guilty unless the state has proved beyond a reasonable doubt that they specifically intended to commit the crime of murder when they entered into the agreement.

Conclusion

In summary, the state must prove beyond a reasonable doubt that 1) the defendant had an agreement with one or more other persons to commit murder, 2) at least one of the coconspirators did an overt act in furtherance of the conspiracy, and 3) the defendant specifically intended to enter into the agreement and intended the conduct constituting the crime of murder. If you unanimously find that the state has proved beyond a reasonable doubt each of the elements of the crime of conspiracy committed, then you shall find the defendant guilty. On the other hand, if you unanimously find that the state has failed to prove beyond a reasonable doubt any of the elements, you shall then find the defendant not guilty.

- **Concluding Remarks**

In conclusion, I impress upon you that you are duty bound as jurors to determine the facts on the basis of the evidence as it has been presented, to apply the law as I have outlined it, and then to render a verdict of guilty or not guilty. When you reach a verdict, it must be unanimous, that is, all of you must agree on the verdict.

It is the duty of each juror to discuss and consider the opinions of the other jurors. Each of you takes into the jury room your individual experience and wisdom. Your task is to pool that experience and wisdom. You do that by giving your views and listening to the views of others. There must necessarily be discussion and give and take within the scope of your oath. That is the way in which a unanimous verdict is reached.

Despite that, in the last analysis, it is your individual duty to make up your own mind and to decide this case upon the basis of your own individual judgment and conscience.

SUPERIOR COURT OF THE STATE OF CONNECTICUT

DOCKET NO.: NNH-CR-24-6008284S	
STATE OF CONNECTICUT	JUDICIAL DISTRICT OF NEW HAVEN
v.	
EMERSON BUSHNELL	OCTOBER 1, 2025

MEMORANDUM OF DECISION

The State filed a motion *in limine* to compel third-party witness Willie Waramaug to testify in the above-captioned matter or, in the alternative, to declare that Waramaug is unavailable as a witness in this matter. The court heard oral argument from the parties on September 21, 2025. The motion to compel third-party witness Willie Waramaug to testify in *State v. Emerson Bushnell* is denied, but the alternative motion to declare that Waramaug is unavailable as a witness is granted.

This case is unusual in that Waramaug is not an ordinary possible witness. Rather, he is the accused co-conspirator and/or solicited agent of the defendant, Emerson Bushnell. As the parties are undoubtedly aware, this matter is further complicated by the procedural posture in Waramaug's case. This Court – by way of separate order in Waramaug's matter – has suppressed all evidence of Waramaug's alleged confession, because Waramaug had invoked his right to counsel before the alleged confession was obtained. The State has appealed that ruling, and the appeal is pending before the Connecticut Supreme Court. The parties have submitted their appellate briefs and the case is expected to be argued in early 2026. A decision is not expected for several months once the case has been argued before the Supreme Court. Meanwhile, the defendant in the instant matter, Emerson Bushnell, demands a speedy trial, which in this case will mean one that occurs before that appeal can be heard.

Understandably, Waramaug asserts his right to be free from self-incrimination, a right sacred under the constitutions of both the United States and this State. Waramaug has a reasonable fear of prosecution. Indeed, it is hard to imagine a more

reasonable one than being charged at the time of testimony for the same crime about which testimony would be taken. *See generally State v. Luther*, 152 Conn. App. 682, 698-701, 99 A.3d 1242, *cert. denied*, 314 Conn. 940, 108 A.3d 1123 (2014).

The State nonetheless asserts that Waramaug should be compelled to take the stand, because the Fifth Amendment must be invoked on a question-by-question basis, citing—among other cases—*Hoffman v. United States*, 341 U.S. 479, 486–87 (1951), and *United States v. Antelope*, 395 F.3d 1128, 1134 (9th Cir. 2005). However, that rule is more often followed in the context of civil matters; in criminal cases, the prejudice that would come from calling a witness just to have them invoke the Fifth Amendment in front of the jury is substantial, particularly if the prosecutor knew all along that the witness would invoke the constitutional right not to incriminate himself. Our Supreme Court has held that a witness may not be called to the stand in the presence of the jury merely for the purpose of invoking his privilege against self-incrimination. *State v. Dennison*, 220 Conn. 652, 660, 600 A.2d 1343 (1991). The mere invocation of the Fifth Amendment, in front of the jury, may cause substantial prejudice. *See id.* (recognizing there is a "danger that a witness's invoking the Fifth Amendment in the presence of the jury will have a disproportionate impact on their deliberations"). The prejudice here would be particularly acute, as jurors could conclude that Waramaug's invocation of the privilege means that Waramaug is guilty of murder, a critical element of proof for the State in this matter.

Waramaug's counsel has advised the court that Waramaug will assert his Fifth Amendment right to remain silent as to all questions, and that suffices for present purposes. Accordingly, the court will quash the subpoena for Waramaug's testimony at the trial of the above-captioned action.

The State, however, is correct that a witness who is called for trial but invokes a privilege as to the relevant testimony is "unavailable" for purposes of Rule 804(a)(1) ("A declarant is... unavailable as a witness if the declarant... is exempted from testifying about the subject matter of the declarant's statement because the court rules that a privilege applies..."). The right against self-incrimination is a paradigmatic example of a privilege that exempts a witness from testifying. *See United States v. Salerno*, 505 U.S. 317, 321 (1992); *United States v. Boyce*, 849 F.2d 833, 836 (3d Cir. 1988). Accordingly, based on the ruling above, which extends the Fifth Amendment privilege to Waramaug, Waramaug is "unavailable" to both the State and the defendant.

To avoid prejudice, the court acknowledges and enters as a part of this decision the stipulation of the parties that neither party may comment on Willie Waramaug's failure to testify or may attempt to have the jury draw any inference from Waramaug's choice not to testify in this action.

So Ordered.

BY THE COURT:

Simon Cowell

SIMON COWELL, J.

SUPERIOR COURT OF THE STATE OF CONNECTICUT

DOCKET NO.: NNH-CR-24-6008284S	
STATE OF CONNECTICUT	JUDICIAL DISTRICT OF NEW HAVEN
v.	
EMERSON BUSHNELL	OCTOBER 10, 2025

STIPULATIONS

The undersigned counsel hereby stipulate to the following:

1. All documents, signatures and exhibits, including pre-markings, included in the case materials are authentic and accurate in all respects; no objections to the authenticity of any of the foregoing will be entertained. The parties reserve the right to dispute any legal or factual conclusions based on these items and to make objections other than to authenticity.
2. Jurisdiction, venue and chain of custody of the evidence are proper and may not be challenged.
3. All signatures on Witness Affidavits and other documents are authentic. No challenges based on the authenticity of a witness' signed document will be considered. Each witness was given an opportunity to update or amend his/her statement shortly before trial, and no changes were made. If asked, a witness must acknowledge signing the document(s) and must attest to the content of the documents(s) and the date(s) indicated thereon. The Witness Affidavits are deemed to be given under oath or affirmation.
4. All statements were taken after the alleged incidents but before trial. All statements were notarized on the day on which they were signed. The dates of witness statements are not relevant.

5. All evidence was obtained constitutionally, and no challenges will be entertained.
6. Except as noted elsewhere, objections may be made to any exhibit or testimony pursuant to the Rules of Evidence. However, no objection may be made as to the constitutionality of the admission of any evidence. For example, the defendant may object that some testimony or exhibit is hearsay, but s/he may not object that admission of the testimony or exhibit violates his/her Sixth Amendment right to confrontation under *Crawford v. Washington*, 541 U.S. 36 (2004), or other constitutional precedent.
7. Consistent with the Mock Trial Rules, whether Willie Waramaug committed the murder of Dillon Hopyard is a contested fact. Accordingly, neither the defense nor the prosecution may render evidence relating to that question irrelevant or otherwise inadmissible by removing it from dispute by stipulation or otherwise.
8. In accordance with the Court's decision on the question, Willie Waramaug has properly invoked his right to be free from self-incrimination with respect to any testimony in this case. He is unavailable as a witness, and neither party may make any comment on his choice not to testify or to attempt to use that failure to testify in any manner, but particularly in any manner that suggests that Waramaug is more likely to have killed Dillon Hopyard because he did not testify in this action or that Emerson Bushnell is more likely to have participated in the killing of Dillon Hopyard because Willie Waramaug did not testify in this action.
9. Emerson Bushnell has elected to testify in their own defense and has made a knowing, voluntary waiver of their Fifth Amendment rights. Either party may comment on Bushnell's decision to testify in its opening statement.
10. Dillon Hopyard was a living human being on and before May 23, 2024. He was found dead on May 23, 2024, and the cause of his death was a single bullet to the back of the head.
11. The bullet that killed Dillon Hopyard was a .38 caliber round fired from the pistol recovered from the home of Willie Waramaug, a photo of which is identified as Ex. 5.

12. The court's jury instructions are accurate statements of the law and may be used to present each party's theory of the case and in argument.
13. Exhibit 3 accurately depicts the locations of the businesses identified thereon. It is not to scale, but neither side may object to its admission for that reason.
14. Exhibit 4 was prepared by the Crime Scene Unit of the Rocky Neck Police Department.
15. Exhibit 5 is a picture of the firearm recovered from the home of Willie Waramaug. That firearm was functional at the time of its recovery, and the defendant waives any right to have the actual firearm present in the courtroom.
16. Exhibit 7 is a picture of the business card recovered from the home of Willie Waramaug. The defendant waives any right to have the actual card present in the courtroom.
17. Exhibit 8 is a copy of a *Google* review for Devil's Hopyard Sicilian-Style Pizzeria recovered by Det. Sawyer Sherlock. The defendant waives any right to have the digital source document present in the courtroom.
18. Exhibit 9 is a report of the Connecticut State Police Bureau of Forensic Services. A copy of the report was shared with Det. Sawyer Sherlock. The report may be introduced by either party without further foundation, and both parties waive the right to object to it on hearsay or Confrontation grounds.
19. Exhibit 10 was obtained from the Rocky Neck Credit Union by the State during its investigation of the crime. It is a copy of the normal account statement kept by the Credit Union for all its customers, in the course of the bank's regular business activities, as required by law. It is not a statement generated for purposes of the investigation. Defendant has waived any right to confront the custodian of record.
20. Exhibit 11 was obtained from Cilantro Wireless by the State during its investigation of the crime. It is a copy of the transmission records kept by Cilantro for all its customers for a limited period, in the course of Cilantro's regular business providing text messaging and telephone services to its

customers. It is not a statement generated for purposes of the investigation.
Defendant has waived any right to confront the custodian of record.

Edith Webster

Edith Webster
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New Haven, CT 06510

Mark Twain

Mark Twain
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STATEMENT OF SAWYER SHERLOCK

1 My name is Sawyer Sherlock, and I am a Detective in the Rocky Neck Police Department.
2 I am 35 years old and born and raised in Hamden, Connecticut. I graduated from UCONN
3 in 2009 with a Bachelor of Science degree in Computer Science and a minor in Social
4 Justice. Upon graduation, I worked for the New Haven Police Department as a uniformed
5 patrol officer for 10 years. While with the New Haven PD, I completed the full police
6 academy and special weapons training module, a 20-week training program.

7
8 While a uniformed patrol officer, I responded to calls dispatched to me involving
9 automobile accidents, robberies, shots fired, and other felony and misdemeanor offenses.
10 At the scene of the offense, I would do whatever was needed: secure the area, administer
11 first aid, conduct preliminary investigations, gather evidence, take witness statements,
12 make arrests, and prepare reports. Of course, I would testify in court. I learned a lot from
13 my tenure in the Elm City, but it wasn't all good times: I was reprimanded twice for not
14 properly securing a crime scene and moving key evidence before forensics could sweep the
15 location. The last incident was in 2014, and I have not had an issue since. In fact, in 2020
16 I was honored by the Mayor of New Haven for saving a family—two adults, a ten-year-old
17 child and a baby—from their first floor apartment during a fire. They were all unconscious
18 due to smoke inhalation when I arrived. As the first responder, I went in and was able to
19 pull all of them out of the apartment.

20
21 In 2023, I learned about a detective opening in the Rocky Neck Police Department. Rocky
22 Neck is located about twenty miles from New Haven and is a much smaller community,
23 both in population size and geographic size. I was hired right away. Rocky Neck sent me
24 to the Advanced Connecticut Police Academy in Meriden, CT, where I learned more about
25 criminal investigations; drug enforcement and drug recognition; constitutional rights;
26 physical and digital forensics; traffic safety; physical fitness; and counterterrorism. I
27 undergo at least 25 hours of additional training every year and re-certify annually on
28 firearms and crime scene management.

29
30 Serious crime here is rare. Most of the work is community policing, *avoiding* crimes by
31 talking people through things. But don't get me wrong; small towns have plenty of
32 problems, too. A perfect example was the rivalry among the pizza establishments on
33 Hammonasset Square, and in particular between the owners of Devil's Hopyard Sicilian-
34 Style Pizzeria and Ancient Apizza. I guess maybe you'd say Sam's, too, that is, Sam's Black
35 Rock Pizza Pie & Tavern. Downtown Rocky Neck is a real mix of University students,
36 older professionals, laborers, and aspiring artsy types. But while we're not poor, none of
37 those folks are rich, either. So there isn't always enough pocket change to go around,
38 especially when you account for Papa Gino's and Domino's up by the mall. But these
39 owners took competition to a whole different level. The worst offenders were Dillon

Hopyard, who owned Devil's Hopyard Sicilian-Style Pizzeria, and Emerson Bushnell, who owned Ancient Apizza. Everyone in town knew they hated each other. I am not sure why—their pizzas were totally different. Thin-crust v. thick-crust. Fancy toppings like clams v. traditional toppings like sausage and pepperoni. The pizza at Ancient Apizza is paper thin, and they put clams on pizza. I prefer my clams in chowder.

Worse, they constantly dragged the police into it. Bushnell called us in claiming that Hopyard's sign violated the local ordinance; Hopyard called us a week later to file a report that Bushnell's outside deck violated the zoning code. They both complained that the other was responsible for poor reviews on *Yelp* and *Google*. Bushnell even demanded that we bring in State Police computer forensics!

Things got even nastier. In February 2024, someone tried to burn down Ancient Apizza by setting fire to a stack of Ancient Apizza fliers under a wooden bench from the deck. The fire was put out before it could reach the main building, but arson is arson, and a fireman broke an arm when part of the deck collapsed. Bushnell wanted us to charge Hopyard, but there was no evidence. The bar had to close for several days, costing Bushnell business, and the deck was never rebuilt. Bushnell's landlord put the place up for sale, and—wouldn't you know?—Hopyard bought it. Ultimately, Hopyard cancelled Bushnell's lease, and we served an eviction notice filed by Hopyard on Ancient Apizza on May 15, 2024, with a move-out day of the end of the month.

All of which led to the mess at the Savor. The Savor the Square is a big festival the weekend before Memorial Day. It brings in artists from around the State, live music, and in addition to two stages at opposite ends of Hammonasset Square, the restaurants and bars in town are allowed to have booths free of charge. It is a money-maker. Rocky Neck isn't much of a tourist destination, apart from the antique stores, so having tens of thousands of people passing through is a big deal.

In 2024, Savor the Square ran from May 17-19. I was monitoring the Square on May 17, and around 5 pm, right after the Mayor gave her opening remarks and introduced the Whiskey River Rats, a bit of pandemonium broke out. Hopyard, a festival sponsor, showed up at the festival stage like Apollo Creed walking into the ring. Bushnell lost it, ran up on stage, grabbed the mic from the lead singer of the Whiskey River Rats and screamed, "I am going to kill you! I am going to kill you! You ruined me! You couldn't let me have this weekend after all I have done for this community! You ruined me! I am going to kill you!" Bushnell then ran off the stage in tears.

Then, four days later, I got my first murder case as a detective. On Tuesday, May 21, 2024, I was tucking into bed when a call came in, and I was dispatched at 10:23 pm to Devil's

81 Hopyard Sicilian-Style Pizzeria. Devil's Hopyard is closed on Tuesdays. When I arrived,
82 the responding officer, Patrol Officer Olivia Benson, led me to Dillon Hopyard's body in
83 the bar's office. Officer Benson told me that she had spoken with Casey Mattatuck from
84 the Sleeping Giant Brewery, who discovered the body. Mattatuck reported that they did
85 not touch the body and immediately called 911.

86
87 I observed Mr. Hopyard's body slumped over his desk; he had been shot execution-style
88 through the back of the head. The Medical Examiner, Dr. Carver, pronounced Hopyard
89 dead on the scene and transported the body to the morgue.

90
91 I then led the Crime Scene Unit processing the premises. CSU investigators are forensic
92 science technicians who collect and gather evidence at the crime scene. I directed the
93 search for potential trace evidence such as fingerprints, hairs, and fibers for later analysis
94 at the State Crime Lab. The office did not appear to be in disarray, and there were no
95 defensive wounds on Mr. Hopyard, leading me to conclude that there was not a struggle.
96 Robbery did not appear to be a motive; the office had not been ransacked. Devil's Hopyard
97 Sicilian-Style Pizzeria had a single security camera by the front door and one over the
98 cash register at the bar. Only the register camera was working. It showed no movement
99 at all on Tuesday, May 21.

100
101 All windows were intact, so I concluded that either someone had come in through a door
102 or Hopyard let that person in. The main door was locked and barred, but the back door
103 was only locked, and there is a keypad in the alley allowing keyless entry, making that
104 the killer's most likely entry point.

105
106 The next day, I started interviews. Both Mrs. Hopyard and Casey Mattatuck said that the
107 feud between Hopyard and Emerson Bushnell had gotten bad. I thought it would be best
108 to talk to Bushnell, and perhaps to clear them as a suspect, but Bushnell was nowhere to
109 be found: not at their residence, not at the restaurant. In fact, no one had seen them since
110 they ran off stage at the Whiskey River Rats concert. Bushnell had skipped town. That
111 made Bushnell the primary suspect.

112
113 Still, every good detective always digs deeper. Over the next few days, I interviewed the
114 current employees of Devil's Hopyard Pizzeria and other witnesses, including Jackie
115 Pepin and Aspen Wadsworth. Wadsworth had been working at Sam Talcott's pizza joint
116 at the time, Black Rock Pizza Pie & Tavern, which serves Detroit-style pizza. Aspen said
117 that the fight between Bushnell and Hopyard had been taken to the internet, specifically
118 targeting each other's *Yelp* pages. That afternoon, I visited the two restaurants' reviews
119 online and printed them off to preserve them.

122
123 So I took everything I had to the judge to get a search warrant for Emerson Bushnell's
124 place. I was convinced it had to be Bushnell. The judge turned me down flat. The Chief
125 was not pleased. Turns out I shouldn't have bothered. Bushnell got word of it somehow
126 and *offered* us to search the place. We rolled it good, and we found nothing.

127
128 But then we caught a real break. A couple weeks after the warrant debacle, I heard about
129 an altercation at Sam's pizza place involving Bushnell, and I went over to find out about
130 it. Not only did Sam Talcott tell me what happened, he told me about a conversation he
131 had with Willie Waramaug the night before my visit. Talcott said that he met Waramaug
132 when Waramaug was installing ovens at Sam's Black Rock Pizza Pie & Tavern. I checked
133 to see if Waramaug had a record, and he had one in spades: when he was sixteen, he
134 stabbed another boy in a fight over a girl. He was tried as an adult and received ten years.
135 In the four or five years since he was released, he had been arrested for public intoxication,
136 possession of a controlled substance, and resisting arrest, but had not served any
137 additional time. No steady employment. When I saw the picture, I knew the guy from
138 around town. He does odd jobs for cash and drives an old Pontiac Firebird. We've spotted
139 him sleeping in the back from time to time. It's a sad thing, but not a crime.

140
141 Standard police practice in cases like this one is not to tell the public all the details of the
142 crime, because that helps sort out the crank calls from people who have real information.
143 Talcott was able to provide two details that Waramaug told him which we had not released
144 to the media: the perp shot Hopyard with a .38 caliber revolver and how Hopyard was in
145 the middle of paying bills. Nobody who had not talked to the killer or one of the crime
146 scene techs or seen the police report would know those details. As the icing on the cake,
147 Waramaug told Talcott that Bushnell was the person who hired him to kill Hopyard.
148 Later, Talcott identified Waramaug in a lineup.

149
150 That gave us probable cause to get a warrant to search Waramaug's apartment. Inside
151 the apartment, I located a .38 caliber revolver and a box of ammunition; Exhibit 4 is a
152 photo of the gun that was found. Ballistic tests confirmed that this .38 was the gun used
153 to kill Hopyard, and the ammunition found inside the apartment was consistent with the
154 projectile the Medical Examiner, Dr. Carver, recovered from the body of Hopyard. In
155 addition to the gun and ammunition, I found an Ancient Apizza business card with a five-
156 digit number written on the back: 27878. Or 27818. It was hard to tell. I had the crime lab
157 try to match the handwriting, but they said they couldn't do much with five characters,
158 especially numbers. From my own observation of the samples, though, and based on the
159 two or three hours of forensic handwriting courses I have taken over the years, I will say
160 that Bushnell's "1s" and "7s" look pretty similar, and they look pretty similar to the ones
161 on the business card.

During the search, I also found a cell phone bill from Cilantro Mobile in Waramaug's name, giving me his cell phone number as well as a chain of text messages. I then secured a warrant for Waramaug's cell phone records to see if there had been any communication between Waramaug and Bushnell. Waramaug called Bushnell at 10:45 p.m. on the night of May 21, for approximately 3 minutes, among other calls. There were also a few odd text messages between the two of them. I subpoenaed Bushnell's financial records, both personal and for the business. There were cash withdrawals on May 17th for \$7,000 from the business account and \$5,000 from their personal account.

In early July, I located Waramaug and brought him in for questioning. On the way into the police station, I had Officer Benson and Pepin sit in an undercover police car with tinted windows. I walked the handcuffed Waramaug past the vehicle to see if Pepin could identify Waramaug. But after I Mirandized Waramaug, he never said a word. In the hallway, I checked in with Pepin, who told me straightaway that Waramaug was almost certainly the same person they saw speaking to Bushnell at the café.

By this time, we had initial fingerprint results that showed Waramaug's partial print on the code-box at the Devil's Hopyard. That means Waramaug was at the murder scene on May 21. I went back into the interview room and confronted Waramaug with the physical evidence retrieved from his apartment and Talcott's testimony; he did not budge. In fact, the only thing he said at first was that he wanted a lawyer. I didn't question him after that.

Then I made him a cooperation offer to testify against Bushnell, and he started to open up a little, admitting to owning the firearm—which is a crime for a convicted felon—and to having been in Devil's Hopyard that night, but only to drink. That's when I knew I had him, because Devil's Hopyard wasn't open on Tuesdays. As soon as I confronted him about that, he clammed up again.

Still, I had the confession we needed. Only, get this! The judge in Waramaug's case is saying the confession is tainted, because Waramaug asked for a lawyer first. The prosecutor doesn't think so, because I didn't ask any *questions*, I just made statements. But that's on appeal, and in the meantime, the Judge called my Chief and the prosecutor and "suggested" that I take refresher training on the Sixth Amendment. While I stand by my interrogation, I definitely would do things differently now.

I secured warrants for the arrest of Bushnell and Waramaug for the murder of Dillon Hopyard. I thought it was going to be hard to locate Bushnell, and I was ready to make a fugitive report, but it turns out that Bushnell was back at home. I asked why Bushnell skipped town, and Bushnell replied, "my father has been ill and after being embarrassed by Hopyard at the festival, I went home to clear my head and spend time with my family."

I asked Bushnell if they knew of Hopyard’s death—and the reply was chilling, “Good news travels fast.” I asked Bushnell if they knew Waramaug, and Bushnell replied with a bit of a surprise, “You mean the deck guy?!?”

Still, I could not shake the feeling that Sam Talcott knew too many details and perhaps was involved as well. Talcott was having their own financial troubles, and with Bushnell in custody and Hopyard dead, Talcott would now be on top of the restaurant/bar scene. Word around town is that Talcott lost a lot of money on sports betting last year. It’s also been reported that Talcott has an alcohol problem, and I can tell you that Talcott was convicted of DUI in 2022, because I was the arresting officer. So I subpoenaed Talcott’s financial records, too. There was nothing directly tying Sam to Hopyard’s death, so we closed the investigation. I still wonder, though.

I completed my reports timely and fully, and my initial instinct was right, whatever that judge said about the evidence we had at the time. Bushnell is definitely guilty, and as soon as the jury reaches that obvious conclusion, I’ll have my first murder conviction.

Dated: December 1, 2025

Sawyer Sherlock

STATE OF CONNECTICUT

)

)

SS.

COUNTY OF NEW HAVEN

)

On this first day of December, 2025, before me personally appeared Sawyer Sherlock, to me known to be the person described in and who executed the foregoing instrument and acknowledged that s/he/they executed the same as her/his/their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Ida Nown
Notary Public – Notary Seal
STATE OF CONNECTICUT
New Haven County
My Commission Expires: Oct. 8, 2027
Commission # 16513542

STATEMENT OF JACKIE PEPIN

1 My name is Jackie Pepin, and I write *Connecticut's Culinary Scene*, a restaurant
2 review/food blog that appears in most Connecticut newspapers, including the *Rocky*
3 *Neck Gazette*. I also am an Adjunct Instructor in the Culinary Arts program at Rocky
4 Neck Vocational Tech, teaching restaurant management. A lot of people think
5 restaurant management is easy, just because they've eaten in them. But it's an
6 immensely challenging form of small business, and many restaurants fail, even when
7 the managers have been in the business for years.

8
9
10 Don't get me wrong: I love the restaurant business. In fact, that's what I studied in
11 school, at the world-renowned Nolan School of Hotel Administration at Cornell
12 University. After I graduated in 1992, I joined the Navy and spent over twenty years
13 coordinating hospitality services (food, housing, and recreation) in Afghanistan and
14 Southeast Asia. I retired from the Navy as a Commander, and then worked in school
15 food service before opening my own restaurant in New London called The Long Island
16 Supper Club. We barely kept in the black through the first couple years, but I think
17 we were turning a corner when COVID hit. That was the end of that, and nearly of
18 me.

19
20 After licking my wounds during the quarantine times, I realized I didn't want to be
21 tied down again. I figured with my background, I could offer a unique eye to the food
22 scene in small, upcoming towns, so I headed closer to New Haven, which has a vibrant
23 restaurant scene. We settled on Rocky Neck as a base of operations. I was attracted
24 by what was going on in Rocky Neck, especially around the historic Square. I was
25 originally looking for a place to work as a sous-chef or where I might invest a little,
26 but I stumbled across food blogging, which led to a newspaper column.

27
28 So now I write about food, but I also try to give my readers something more—a look
29 at how well the restaurant *runs*, not just what's on the plate. And while I'm not
30 making or breaking places like the *New York Times* Restaurant Reviews do, I have
31 been able to highlight some cool spots and give some needed warnings about others.
32 The community is very small, so a place could get written up more than once, and I
33 often write of special events and festivals.

34
35 I also learned to size-up people like Bushnell—blustering bad eggs—and not to be
36 intimidated by them. I was unsparing in what I wrote about both the feud between

37 Ancient Apizza and Devil's Hopyard Sicilian-Style Pizzeria--which was going to kill
38 both places, I thought. Bushnell rubbed me the wrong way and refused to give any
39 kind of free samples. Unlike Bushnell, Hopyard was always willing to provide a bit
40 of free food and drink and—once—a little financial assistance on the side for me. I
41 knew it was an effort to get me to write a favorable article about Devil's Hopyard.,

42
43 Even so, I didn't pull punches in blaming them *both* for the feud that could have killed
44 both places. Bushnell seemed to feel like they were in constant competition with
45 Hopyard over the same customer base, even though Ancient Apizza's menu and
46 Hopyard's Devil's Hopyard Sicilian-Style Pizzeria were different style of pizza—New
47 Haven-style pizza vs. Sicilian-style pizza—and we all know folks can be quite
48 particular about their pizza. Honestly, I felt Devil's Hopyard Pizzeria had a better
49 model for a college town and was in a better position to succeed. But the bigger issue
50 was that they were fighting at all. The town actually *is* big enough for both of them,
51 but their relentless focus on each other detracted from the real fight they should have
52 been having, which is against the chain restaurants. There had been a lot of public
53 sniping between the two owners, including talking on-line and in the comment
54 sections of my column.

55
56 Of course, I wasn't just hanging at Ancient Apizza and Devil's Hopyard. I was all over
57 the Square, including at Sam Talcott's place, Sam's Black Rock Pizza Pie & Tavern.
58 I've always considered Sam's to be more direct competition for Devil's Hopyard more
59 so than Ancient Apizza. Both Sam's and Devil's Hopyard are more bar-like and both
60 serve thick-crust pizza cut into squares, albeit for a pizza connoisseur like me there
61 is a difference between Sicilian-style and Detroit-style pizza. I would say that Detroit-
62 style pizza is a descendant of Sicilian pizza. It originated, obviously, in Detroit, by a
63 tavern owner who used a steel automotive pan to bake his pie. While not as deep as
64 a Chicago deep dish pizza, it is deeper than the pan used for Sicilian-style pizza.

65
66 Personally, my favorite pizza in the Square is from Ancient Pizza. I grew up going to
67 New Haven's Wooster Street area and standing in line at three iconic pizzerias: Frank
68 Pepe Pizzeria, Sally's Apizza and Modern Apizza, which have been in business since
69 the 1920s and 1930s. My parents would rotate among these three legendary
70 pizzerias, where I learned pizza is called "apizza," which is pronounced "ah-beetz."
71 New Haven-styled pizza has its roots in the Neapolitan tradition of thin-crust
72 pizza, typically cooked at high temperatures—close to 1,000 degrees—in a coal-fired
73 brick oven and served in an irregular or oblong shape. The pizza crust is known to be
74 a little bit crispier with a bit of char.

76 It was obvious to me that the real competition for customers was between Sam's and
77 Devil's Hopyard, not Devil's Hopyard and Ancient Apizza. But Dillon Hopyard didn't
78 see it that way, and neither did Emerson Bushnell. I don't know how Sam saw it, but
79 I think Sam was just happy for those two to fight. And if one or both of them went out
80 of business, all the better for Sam's.

81
82 Then the really crazy thing happened. You know those scratch-off games? Well, in
83 early April, Dillon Hopyard played one and hit! I know because the local convenience
84 store put out one of those "Winner Sold Here" things. But its hundreds of thousands
85 of dollars, more money than Devil's Hopyard was ever gonna make. I can't imagine
86 Devil's Hopyard cleared more than a thousand or two a week in profit.

87
88 So we all figured Hopyard would let bygones be bygones and get out of the bar
89 business. That was the smart move. Instead, Hopyard took it as a sign to really go
90 after Bushnell. On the first day of May, Hopyard bought the Clavin-Peterson
91 Building, which is where both Devil's Hopyard and Ancient Apizza were located and
92 leased the space. I heard from Casey Mattatuck, who happened to be in Ancient
93 Apizza when Hopyard dropped the news. I think Hopyard did the initial presentation
94 of his cash purchase, and the fact that he was now Bushnell's landlord, during the
95 lunch hour so they'd have witnesses. Bushnell was furious and made some threats—
96 "Payback sucks, y'know," and that sort of thing—and cursed Hopyard out.

97
98 Throughout the month of May, things got really tense. I worked at all the pizzerias
99 and other establishments at the Square, including Sam's. Sam could always be
100 counted on to talk, because Sam was usually drinking as much as the customers. Sam
101 seemed giddy at the prospect of either—or both—of the restaurants closing. I also
102 relied on Casey Mattatuck, who was always in and out of restaurants pitching
103 Sleeping Giant Brewery products and merchandise. Casey was helpful in keeping me
104 up with the gossip and latest goings-on, especially on the financial side of things. So
105 I always knew who was paying up and who was cash poor.

106
107 It all came to a head on May 15th, when out of nowhere Hopyard showed up with the
108 RNPd at Ancient Apizza to serve eviction papers to Bushnell. Bushnell was shocked
109 to say the least—I think it was the first time they were ever silent. Well, I wasn't
110 there, but that is what I was told. It was that sort of moment when you realize that
111 all hope is lost. You see, after Memorial Day, the town clears out, and the college kids
112 are gone, so all Bushnell had was the Savor the Square event that weekend for any
113 chance of income. I knew from Casey that Bushnell was way overleveraged, so they
114 would have to have a great weekend at the festival to get rid of all of the food stock

115 and beer.

116
117 Then, on the 17th, I was sitting in a booth at Carley's Coffee Shop—unfortunately for
118 Carley's, it is situated right in the middle of the war, between the two bars—eating
119 lunch with a colleague, the music columnist for the *Gazette*.

120
121 I was sitting on the side facing the street, working on the day's article-length blog
122 entry about the drama, when Bushnell steps into the coffee shop and stops, looking
123 around. This was unusual; Bushnell wasn't the kind to eat lunch in a coffee shop.
124 Bushnell stands in the door, looking around, right through me, before focusing on
125 someone at the end of the bar. But I couldn't really see who it was since his back was
126 to me, almost at the end of my seat, although it kinda looked like Willie Waramaug,
127 an infamous local degenerate. Bushnell stomps down the soda bar and I hear
128 Bushnell say, "You ready?" with such impatience and venom that I paid attention. I
129 didn't dare look at them, but they were close enough where I could pretty easily catch
130 the conversation. Now, I lost a bit of my hearing during my time in service, but it was
131 acute enough for me to discern their conversation despite the noise of dishes,
132 conversation and "ready orders" from the restaurant. It's strange how complacent
133 they were about privacy.

134
135 The stranger didn't say anything for a few moments, which made Bushnell sit down
136 on the stool next to the guy and ask again, "Hey, you ready?" albeit in a slightly
137 rougher tone.

138
139 "I dunno," the guy said.

140
141 "C'mon," Bushnell replied, "It's not like you haven't done it before."

142
143 There was a long silence. Then the stranger growled, "It's just that, I don't take
144 personal checks..."

145
146 "Don't worry about my credit," retorted Bushnell. "That dirtbag Hopyard's going to
147 get what's coming...!"

148
149 Bushnell unrolled a napkin from around some silverware and put it in their lap for a
150 moment, before putting it back on the counter and sliding it towards the stranger
151 with something inside. The stranger lifted the napkin, showing a stack of cash, the
152 green contrasting against the white of the napkin. There were a lot of bills. "Fix this,"
153 Bushnell said, "quickly."

154
155 The stranger interrupted Bushnell, asking, “What about afterwards? What’s my
156 insurance policy that I won’t get in a jam for all of this? It’s not like I have a license
157 to do this.”
158
159 “I’ll take care of anything if it comes to it. You’re helping me take out a problem, I’ll
160 help you,” replied Bushnell.
161
162 “Fair enough, I guess,” said the Stranger, smoothly. “Band-aids are band-aids, but
163 some problems require full-on surgery. When you are sure, call me. Don’t send a text.”
164 Then he wiped at his belly area with the napkin with the cash in it, but when the
165 napkin went onto the bar, it was empty. He must have stashed the cash in a pocket
166 or his waistband or something.
167
168 My reporter’s intuition told me I didn’t want to be seen listening to the conversation,
169 so I left money on the table and retreated across the Square to Sam’s.
170
171 As I was settling-in across the Square, I saw the stranger headed the same way. Now
172 I could really get a look at him—and I am, like, 85% certain it was Waramaug. He
173 was probably in his mid-40s and looked like he worked out a good bit, but had a
174 tremendous beer gut. He had shorter blond hair and wore round-framed sunglasses.
175 I don’t think he had a moustache or beard, but there was at least a day or two of
176 growth on his face, and I didn’t want to get caught staring at him. I was tensed,
177 figuring that he’d suppose I’d heard too much. I didn’t want to get mixed up in
178 whatever it was Bushnell and Waramaug were talking about, so I hustled back to my
179 office.
180
181 On May 19th, everyone was at the Square—and I mean everyone. It was the biggest
182 event of the year. On the prior evening, May 18th, Hopyard made the final move,
183 giving Casey and Sleeping Giant an offer they couldn’t refuse: Hopyard would be the
184 only one selling Sleeping Giant (at Devil’s Hopyard) during Savor, or Devil’s Hopyard
185 would cut the contract after Savor, leaving Sleeping Giant with no place on the
186 Square once Ancient Apizza closed. Of course, they still had Sam’s, but Sam’s isn’t
187 exactly a craft beer kind of place. I was there for what Hopyard called an “exclusive,”
188 but which I think was just Hopyard’s way of rubbing Bushnell’s nose in it. Casey
189 really didn’t have a choice, and Hopyard only gave Casey a few minutes to decide.
190 Casey caved, and Sleeping Giant pulled its product from Ancient Apizza, leaving
191 Bushnell with no good beer to pair with the food Ancient Apizza had bought
192 specifically for those brews and only generic brands to sell, which Sam priced better.

There was no way Bushnell could get into the black. Bushnell was not only losing his beloved pizzeria, but they would be in debt.

When everyone's favorite band, the Whiskey River Rats, took the stage to kick off the festivities, suddenly Bushnell ran up on stage, grabbed the mic and while what they said was a bit muddled, everyone caught the gist. It was directed at Hopyard, and everyone heard Bushnell say over and over, "I'm going to kill you! I'm going to kill you!" Bushnell broke into tears, ran off the stage, and disappeared.

Then, that next week, things really blew up when word leaked out that Hopyard had been killed. I heard about it from Casey and went live on the blog immediately. I didn't hear anything more until Sawyer Sherlock contacted me to ask what I knew, sometime late the week that Dillon was killed.

In late June or early July, Sherlock asked me to sit in a police car and try to identify someone walking with the officers. It was *definitely* the guy I saw with Bushnell. Of course, by then I was even more sure that was an older Willie Waramaug. I'd been reading archived stories in the *Gazette* from Waramaug's first trial, and I grew more convinced that was the guy I saw with Bushnell with each one I read.

Dated: December 1, 2025

Jackie Pepin

STATE OF CONNECTICUT

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SS.

COUNTY OF NEW HAVEN

)

On this first day of December, 2025, before me personally appeared Jackie Pepin, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that s/he/they executed the same as her/his/their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Ida Nown
Notary Public – Notary Seal
STATE OF CONNECTICUT
New Haven County
My Commission Expires: Oct. 8, 2026
Commission # 16513542

STATEMENT OF SAM TALCOTT

Hi, I'm Sam. I am 53 years old, and I own, operate, and tend bar at Sam's Black Rock Pizza Pie & Tavern here in Rocky Neck. This is a third career for me, after minding the net professionally and selling sporting goods for a decade or two with Joe's Sporting Goods, before it got run out of business by Dick's, Cabela's and Walmarts everywhere.

So after a couple decades of buying and selling sporting equipment, I had to find another job. I decided that the best fit for me was to open a bar—'cause sometimes you want to go where everybody knows your name. I love talking to people, and I found out I have a real talent for making new and flavorful food and drink combinations. I serve Detroit-style pizza, among other things. I wanted something different than what the other pizza joints around the Square were already serving. I liked the idea of serving something that originated in Detroit, the automobile capital of the world. Casey Mattatuck is always trying to get me to put some Sleeping Giant stuff on draft, but that's not what my customers want. My customers either have a refined palette for mixed drinks or they want Coors or Bud Light.

I think that Sam's is in the perfect location, too. The city council has spent a lot of time and money classing up the downtown area of Rocky Neck. They call it a "revitalization." Sam's is next door to one of the parking lots just off-Square. There are only a few authentic buildings from the turn of the 20th century that survived over the years, but Sam's is one of them.

I rent out the corner space that has stairs leading from the bar—Sam's Black Rock Pizza Pie & Tavern—to the comedy club upstairs—R. Howe's. We get a lot of bar and restaurant business from folks before and after shows. But during the week, a regular crowd shuffles in nightly.

Sure, I knew Dillon Hopyard, owner of Devil's Hopyard Sicilian-Style Pizzeria. We've had our share of run-ins over parking issues. Hopyard sets up a "valet" parking station in front of his pizzeria, and the valet takes the cars and then drives them over to my side of Hammonasset Square meaning my customers have nowhere to park! It really hurts my business. Hopyard basically took over the parking. I have complained to the police and at the Town Hall several times over the years, but no one will do anything to help me.

But man, my issue with Hopyard is nothing compared to how he and Emerson Bushnell went at it. Bushnell owned Ancient Apizza, a few doors down from Hopyard. Bushnell has been on the town Square for a long time, probably one of the oldest places around. The minute Hopyard opened up Devil's Hopyard, he and Bushnell went to war. It didn't take long for the gloves to come off. They went back and forth at each other, trying to get the

town involved (which didn't work for them either), to messing with each other on the internet--*Yelp* and *Google*. Lots of potential restaurant patrons check these sites. I've looked at the Tavern's *Yelp* page every now and then, but I've never really worried about it. Sam's had a reputation of its own and didn't need to have others sell the food and drinks. But, man, those two twits didn't like each other.

Sometime over the winter, Bushnell tried to undercut Hopyard on beer specials and put up fliers all over town. They wanted to put something up in Sam's, but I wouldn't let them. To be honest with you, I was happy to sit back and let them knock each other around, maybe even take one of them out. Sam's runs on a tight margin, and a little extra business would have gone a long way for me.

Not long after, someone set Bushnell's deck on fire with a bunch of the fliers. No real structural damage was done, and I thought it was pretty funny, but the space was left unusable and looked half destroyed, charred and unstable. It was *not* a good look for a restaurant trying to attract customers.

Still, the sniping and bickering between the two of them went on and on until Hopyard won the lottery and bought out Bushnell's lease. Word got out real fast that Hopyard was going to evict Bushnell. I own my building, which I bought by cashing out my stock from my days working at Joe's Sporting Goods. Goalies don't make much, and neither do regional sales managers, but then, the property wasn't worth much until the last few years. So, I don't have to worry about keeping landlords happy like Bushnell did.

Hopyard must have really gotten inside Bushnell's head, because just a day or two after the sale, Bushnell came over to my bar to talk about teaming up against Hopyard. Bushnell was ready to go nuclear on Hopyard, but I talked them down. After all, anything rash that Bushnell did, Hopyard would just close down Ancient Apizza. And that place was Bushnell's life. I *like* Sam's, but if I have to go on the road again, I will. Bushnell's whole identity was slinging pies. I told Bushnell to let me think about it and that I'd check back if I thought of something. Bushnell seemed happy enough with that and left. To be honest, I didn't do any thinking about it after that. My thinking was that it was better to let them eat each other and leave me standing.

And I was right! After Hopyard decided to evict Bushnell, Bushnell came back to see if I had any ideas. Bushnell was talking about how unlucky it was. I told Bushnell the only way out was to take it directly to the people, see if they would pressure Hopyard into changing his mind.

Somehow, that simple suggestion to make a heartfelt plea escalated into the "scream heard round the Square." On May 19, I was putting the finishing touches on my booth at Savor on the Square. The Whiskey River Rats had just taken the stage, when a maniacal

Bushnell runs up on stage, grabs the mic and goes off on Hopyard.. It was you ruined this and you ruined that and if I ever see you again, I'm going to kill you! I tried to go to the stage and get Bushnell to calm down, but Bushnell rushed off, brushing past me in a fit of tears. I kinda felt bad. Less than a week later, Hopyard is dead. I mean, how dumb can you be, saying a thing like that and then *doing* it?

So I was shocked when Bushnell had the guts to show up at my place not even a month after Hopyard died, maybe in the second or third week of June. I know Sam's is for everyone, but maybe less for killers, you know?! My customers felt the same, I guess, because no one would even talk to Bushnell. Or they were just scared. Remember, back then we all thought maybe Bushnell pulled the trigger, you know? The weapon hadn't been found. Anyway, one of the regulars gets in Bushnell's face. Bushnell starts back at him, and then Lenny—that's the regular—says "We don't want you here!" Bushnell fires back with, "What, 'cause I'm Italian?" which is dumb, because there are half a dozen Italians in the room, but that was always what Bushnell thought of first. And Lenny says, "No, 'cause of what you did to Hopyard." And Bushnell fires back with, "So what if I did?" and the whole room goes quiet. But Bushnell is still going, non-stop, and says "You're just a drunk idiot. I didn't do nothing, but if I had, everyone in this room knows Hopyard had it coming. Buying up the parking, working the Mayor, tryin' to burn up my deck. That's just karma."

Lemme tell you, the place got real quiet, real fast. I figured I'd be hearing about it in the *Gazette* or the police would be by, but no one came.

Or at least no one came then. Detective Sherlock came by a few days later. But the real joke of it is that Sherlock must have a real nose for things, because it was the night *before* Sherlock came by when I broke the whole case wide open.

It was a regular evening and not too busy in the bar. Then who comes in but Willie Waramaug! Now, Willie was well-known around Rocky Neck, for the you know, the stabbing thing. But I believe in second chances. He has paid his debt, that is what I say. Anyway, since then, all Willie did was drink and handyman-type stuff. All of us around the Square used Willie to do some work from time to time—that included me, Bushnell, and even Hopyard. You could call it charity, but the truth is, when sober, he was pretty good. Word was he had worked in the carpentry shop when he was doing his time, but I don't know so far whether that is true.

Anyway, that night in June, Willie looks more shaken up than usual. I asked him what was wrong and he sort of shrugged me off. I offered him a stiff drink, but he shook his head and looked down at his hands, which were folded on the top of the bar. I put a glass of water in front of him. As I walked to check on a few customers at tables, I noticed that his hand was shaking a bit when he lifted the glass of water to his lips. I decided to give

him some space. Some folks need that, and I'm a bartender, not a judge. So, I left him alone for a bit. I told Aspen Wadsworth, who was working the tables with me that night, to keep an eye on him and let me know if he needed anything.

A bit later, Willie orders some food. We talked off and on while Willie ate his food. Willie had cash from somewhere, hundred dollar bills. Part of me thought it was funny money, but then I said to myself, "Sam, you can't go judging a man on his past like that."

Willie asked me where he could find a "high stakes game" going on that night. I told him that we don't have action like that anymore on the Square. He kept asking about it since he was "no longer financially challenged." Willie said that he had made 10-large by "taking care" of Hopyard. Okay, to be honest, he didn't use that phrase exactly. I don't remember exactly what he said. The limoncellos were hitting me, but I got the gist.

Willie sat at my bar for about three hours and drank 6 or 7 limoncello explosions. I'm telling you, I barely touched the two or three that he bought for me. I was concerned about what Willie may have done. This is a quiet town, and we don't need any bad PR driving away the families and regulars. Willie told me that during the week before the Savor event, Bushnell contacted him and paid him to "take care" of Hopyard. Willie described Bushnell's fragile emotional state pretty good and said that Bushnell pointed out the flaw at Hopyard's place—where the alley was behind the buildings.

It seems to me that Willie said that he waited until Hopyard went to his office located at the back of the bar, as it was a Tuesday, and Hopyard always closed Devil's Hopyard on Tuesdays. Willie said that Bushnell gave him the alley door's code. I don't know how Bushnell got it. He opened the door with Bushnell's code and was surprised it worked. Willie was going on about wearing sneakers, for "sneaking."

Willie then "tapped" Hopyard while he sat at his desk with his inventory system open on his iPad. Willie was pretty messed up about what he did--blubbering and crying.

I know one of my former employees, Aspen Wadsworth, has been interviewed by the police about all of this. Aspen was nice and all but a bit scattered. Aspen bounced from bar-to-bar-to-restaurant, working different jobs in all of the places. Aspen's band, XenoKeys, wasn't bad, and I've had them back a few times, even if they couldn't hold a candle to the Whiskey River Rats. Aspen quit working at Sam's a few weeks after Hopyard's murder, supposedly to avoid all the drama.

I know what people say about me around town. I get it. I haven't had the typical life on the straight and narrow. Everyone knows about my DUI several years ago. But that changed me. I don't drink nearly as much as I did back then, and I've been going to AA meetings once in a while. I know people think I'm still a lush because they see me looking

167 like I'm drinking all the time at the bar. It's an act. Customers like to share a drink with
168 the bartender. I've got mostly soda water or a soft drink in my glass. Throw a little food
169 coloring in and it looks like a bourbon or a jack-and-coke.

170
171 Sure, I waited for a few weeks before I said anything to the police. That's cause nobody
172 asked me! It's not like folks didn't know where I'd be! Once I came forward with this
173 information, I did so freely, even picking Willie out of a lineup at the police station. I'm
174 not to blame for what happened to Hopyard or that the police took so long to ask me any
175 questions.

176
177 I was definitely right about one thing, though. Business is definitely up with Bushnell
178 gone and Hopyard's wife only half-running Devil's Hopyard. Another few months of this,
179 and I might get my first vacation since the pandemic.

180
181 Dated: December 1, 2025

Sam Talcott

182 STATE OF CONNECTICUT

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SS.

COUNTY OF NEW HAVEN

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On this first day of December, 2025, before me personally appeared Sam Talcott, to me known to be the person described in and who executed the foregoing instrument and acknowledged that s/he/they executed the same as her/his/their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Ida Nown Notary Public – Notary Seal STATE OF CONNECTICUT New Haven County My Commission Expires: Oct. 8, 2026 Commission # 16513542

STATEMENT OF EMERSON BUSHNELL

1 My name is Emerson Bushnell. I owned Ancient Apizza in Rocky Neck, until Dillon
2 Hopyard shut me down. Do I sound bitter? Yeah, I am bitter.

3
4 I'm originally from New Haven. I grew up in the Wooster Square neighborhood in a
5 beautiful old home. My folks worked for a friend in his restaurant on Wooster Street,
6 where La Mela is now. They eventually bought the place in 1977, when I was 12, and I
7 started working--bussing tables and washing dishes. The restaurant served the best
8 Italian food in New Haven. My mamma's meatballs were famous. We didn't serve pizza,
9 but obviously, growing up on Wooster Street in New Haven I had plenty of opportunity to
10 learn how to make New Haven-style pizza. As a teenager, when I wasn't working at my
11 parent's restaurant, I hung out at the many pizzerias in the area and learned from the
12 best. After high school, I moved to New York City and worked in a variety of restaurants
13 in Little Italy. I started as a dishwasher and worked my way up to being a sous chef. One
14 weekend, I was visiting my parents in New Haven. They had just sold their restaurant.
15 We celebrated at Sally's Apizza just down the street, and there, I met and fell in love with
16 our waitress that night. We dated for about a year and then decided to get married. So,
17 after about 10 years of living in New York City, I moved back to Connecticut. Pat is from
18 Rocky Neck so we decided to settle there. We are now divorced, and even though we're no
19 longer together, I stayed in the area.

20
21 When Pat and I moved to Rocky Neck, we opened Ancient Apizza on the historic
22 Hammonasset Square, serving the famous New Haven Apizza. I had to borrow money
23 from my parents to install a special 14-foot-deep coal-fired oven that is essential to making
24 an authentic New Haven-style pizza pie. That was the late 90s, and the Square was
25 downright downtrodden, but I loved the old historic bones of the Square and knew it could
26 be something special with the right amount of people. My only and biggest mistake was
27 not buying the building when I had the chance—and I had numerous chances. I just saw
28 myself as a restaurateur, not a landlord

29
30 Next to us is Carley's, where George and Sandy serve breakfast and lunch. And then
31 there's Devil's Hopyard, which is what a lot of us call old man Hopyard's place. Its real
32 name is Devil's Hopyard Sicilian-Style Pizzeria, a real hole in the wall. Hopyard opened
33 up the place in 2014 on the other side of the coffee shop and started stirring things up
34 right away. For a restaurant to succeed, you gotta have an identity people can follow. We
35 have the famous tomato pies—no mozzarella—and white clam pizzas, which makes us
36 stand apart. Carley's has the coffee shop/diner vibe going. Sam Talcott has a neighborhood
37 bar kind of thing, selling Detroit-style pizza and pushing fancy drinks. In my view, the
38 place is half empty every night. I heard Sam drinks away what little the place makes.

40 If you couldn't tell, I don't care that Hopyard's dead. I hated that guy. I know I'm probably
41 not supposed to say that kind of thing. But he was a rotten human being. Everything he
42 did in this town was for himself, and he didn't care about anyone else around him. As soon
43 as he opened that dump, the mood on the Square changed. Right away, he went after me
44 and Sam's place, trying to undercut everything we did. He offered \$3 slices, or \$2.50 mixed
45 drink nights just to crush us. There were many times when a fight would start inside and
46 wind up out on the street or in the back alley. I had to go out there to break it up a few
47 times, just so it didn't spill over into my place.

48
49 When we started, we were the "true" pizza place, using only fresh ingredients. Even so,
50 much as I hated to have to be trendy, we added some stuff to the menu, mainly "craft
51 pies." Basically, it's adding toppings you wouldn't normally find on an authentic pizza.
52 Don't get me wrong, we still had the originals. We just added some new things to it, fruits,
53 buffalo chicken, barbecue chicken, bacon, Polish sausage, roasted potato ... you get the
54 idea. It brought in a new, younger crowd but, at the same time, we kept the old-timers
55 happy.

56
57 When you think of pizza, you think of wine and beer, and we have a great selection of that.
58 But, again, the new thing in restaurants is micro-breweries. I have an account with
59 Sleeping Giant Brewery. They're local from Rocky Neck and do a lot of IPA stuff. In fact,
60 it became sort of a calling card for us. People get really brand loyal to beer, so a
61 partnership with Sleeping Giant was really a partnership.

62
63 Unfortunately, Casey Mattatuck split the Sleeping Giant line between me and Hopyard.
64 I don't know how much that split customers between the two of us, but people seemed to
65 like what they got here well enough, and Casey did a good job of keeping me in stock with
66 everything. He was also game for doing promotions. Casey also serves up Devil's
67 Hopyard. I'd see Casey over there doing promotions as well. Casey also has a mouth, so
68 I'd get tidbits of what was going on down there. Apparently, Hopyard was trying to get
69 info on my place from Casey, always trying to convince Casey to pull the Sleeping Giant
70 beers from me, and sell exclusively to Devil's Hopyard. Casey played it off but let me know
71 about it. Casey also let me know that Hopyard was badmouthing us on the internet.

72
73 In the old days, you had the yellow pages, newspaper ads, and coupon books to get your
74 word out. Sometimes, you'd be able to post fliers around town, though they didn't like that
75 much, and folks would take them down. But nowadays, folks go to *Yelp* to get "unbiased"
76 reviews. A lot of business in Rocky Neck is tourists, so that stuff really hits your bottom
77 line, and we did alright. I didn't know how to work the game, but folks were honest for the
78 most part. Then, late in 2022, we started getting a bunch of negative reviews on our *Yelp*
79 page and on *Google*. Coming out of the pandemic, times were tough. I had my fair share
80 of relief money like everyone else, but that was a band-aid, and I needed surgery. I tried

81 of relief money like everyone else, but that was a band-aid, and I needed surgery. I tried
82 to get the website to take the bad reviews down but they don't do that sort of thing
83 apparently. These reviews trashed everything from our health rating, which never
84 dropped below a 91, to our service and the quality of my food. Of course, none of this was
85 true. I had a feeling Hopyard was behind it, which was confirmed when Aspen Wadsworth
86 said something about it one day.

87
88 Aspen used to work for me, keeping inventory and running the front of the house for a
89 while. I let Aspen's band play here a few times, and they were alright. Anyways, Aspen
90 said *our Yelp* page was up on Sam Talcott's computer in the office one day. Aspen asked
91 Sam what was up, and Sam said a bunch of nasty comments about Ancient Apizza had
92 been posted to the page. Sam laughed and said it was kinda funny, and that, "That place
93 should get slammed. Hopefully it'll knock Bushnell down a few pegs." Sam kept scrolling
94 through and reading them, saying, "brilliant" and "Hopyard's going to love this." Frankly,
95 it wouldn't surprise me if it turns out that it was Sam posting some of those bad reviews.

96
97 This started to take its toll. The crowds that had barely come back started to thin out and
98 I started to get behind on some bills. Casey was great in working with me on the beer tabs,
99 but I had to cut back on some of the fancy stuff for some of the craft pies and refocus back
100 on the traditional pies. We lost some of the new customers who liked the fancy stuff, so I
101 had to cut costs even more to stay afloat, including taking our white clam pizza off the
102 menu when the price of clams shot up. I told all my customers it was only temporary, but
103 we lost business then. Any worse, and it would have been over for me.

104
105 After what Hopyard was doing, I realized I had to fight back to survive. I didn't get where
106 I am by sitting back and letting life happen to me. Hopyard liked the college crowd, so I
107 did what I could to draw them in. On Thursday nights, I dropped the price on Pabst Blue
108 Ribbon and Miller Lite. I printed up a bunch of fliers and posted them throughout
109 downtown. I even got one of my waiters to put a few up in the back hall of Devil's Hopyard.
110 It started a new buzz about Ancient Apizza and got under Hopyard's skin, a win-win.
111 Hopyard was livid and came stomping in one night, goin' off about it all.

112
113 A few nights later, sometime in February, I think Hopyard snapped and set a bunch of my
114 fliers on fire on my deck. The fire department was able to put it out before the building
115 went up and said they couldn't "officially" say that Hopyard set the fire, but who else
116 would it have been? My landlord didn't like having to replace the deck, and their insurance
117 company didn't like the "risk" we were posing all of a sudden. The landlord gave me a part
118 of the insurance money to hire someone, but he kept the rest, because I was behind on my
119 rent. I needed the deck for the summer—it was a massive money maker for me—and now
120 it smelled like campfire out there and the beams were all charred. My parents also were

not doing well and required a lot of my attention as well. The stress and pressure were overwhelming—I felt like the walls were closing in on me.

Well, apparently, Hopyard wasn't done. Somehow, Hopyard wins the lottery at the end of April. Everyone couldn't stop talking about his lucky win. Now, a normal person, they buy a yacht, a Rolls Royce or a McMansion overlooking Long Island Sound. What does Hopyard do? Hopyard goes to my landlord and buys my building for cash.

On May 2nd, he comes strolling into the restaurant at the height of lunch time and makes a grand show of telling me who my new landlord was. I was livid. Who the heck does he think he is? No one comes into my place and shows me up like that. He even got that restaurant columnist, Jackie Pepin, to come along to report on it all. I wanted to rip Hopyard's head off and shove the lease papers down his throat, but I kept my cool. Mostly. I told Hopyard that he didn't want to start this with me and that "there's always payback" for stuff like this. Hopyard just sneered and said, "Catch up on your rent or you're out at the end of the month." Everyone in the place was gawking and I did my best to smile and brush it off. Honestly, though, I was screwed. I knew Hopyard wouldn't give me any slack on anything.

The next morning, I went across the Square to Sam's place. I guess I wanted to see if there was any way we could team up to fight Hopyard. Sam said he knew a guy, "Willie," who may be able to help. I asked Sam, "with what?" and Sam said, "He's a 'utility player,' jack of all trades. Let me give him a call and you meet with him. He can help you, and me, out a bit." I played along, but it turns out "Willie" is Willie Waramaug, the kid who killed that other kid over that girl when we were new here. I didn't know what Sam had in mind, but it turns out Waramaug also does handyman stuff, studied carpentry in the clink. So maybe the deck could be running for summer. Maybe even before Savor the Square, which is a huge money maker for me. I tricked myself into thinking I could thread the needle here and make it out with my hide still intact.

That Friday, May 5th, I went down to Devil's Hopyard and marched into Hopyard's office to pay the rent for the month. He was sittin' at his desk and looked shocked that I had made my way into his office. I threw the rent check on the desk and told him that he better stay out of my business and just let me run to my place. I said, "If you shut me down, you won't get paid. Think about that, you ...". He didn't say anything, just sat there looking at me. But I could tell from the look in his eyes that he was looking for an excuse to shut down Ancient Apizza, and to hurt me.

I guess I was right about that Scrooge, because sure enough, right in the middle of the dinner rush on Monday the 15th, Hopyard cancelled my lease after all! He took great pleasure in throwing me out, saying loudly enough for everyone to hear that he was going

to be “gracious” and give me until the end of the month to clear out. I thought I was going to have a stroke. I was in disbelief because I had just made a rent payment ten days before—but Hopyard used some legalese on me about a new owner being able to cancel the lease for no reason at all.

On May 17th, I arranged to meet Willie over at Carley’s coffee shop. Sam essentially set up the meeting. I knew I had to act quickly to get the deck rebuilt, so I pulled the remaining free cash I had from my accounts and brought twelve grand with me just to pay for the deck up front. I figured if Willie saw all that cash in hand, he would be more inclined to act quickly and get the job done. I was still planning to fight the eviction and stay in the restaurant. I mean, what kind of commercial lease can be cancelled on two weeks’ notice? I was afraid a burnt, structurally unsound deck would be just the excuse that Hopyard needed. I sure knew I couldn’t afford a regular contractor and this was really my last chance to save that source of income for the summer.

I walked into Carley’s. I see Jackie Pepin sitting at a booth talking to another journalist, and there’s a guy at the bar picking at some eggs and bacon, looking like a guy who would be friends with someone like Sam. Of course, it was Willie. I felt odd just sitting there, so I order a cup of coffee and unrolled the napkin to use the spoon for my sugar. I told him, “Sam said you’d have some ideas on fighting Hopyard.” Willie said, “Sam said you are close to filing bankruptcy?” I don’t know how Sam knew that, but I guess it was out there. I didn’t know what to say. I just said, “I’m not there yet. I’m trying not to but...” I asked, “I guess you heard about the fire with the fliers, huh?” He nodded and I asked, “So you got any ideas?” He nodded, and I was like, “So can you fix things for me?” And he said yes or nodded or something. I was up against it, so I figured I would pay him. Before I left, I asked Willie when the job would be done, and he said, when the opportunity was right. That makes sense: rain can mess up the concrete, and then you can’t set deck struts properly.

At this point, all I could think about was making a little bit of cash at the Savor the Square to carry me through the summer and let me hire a lawyer to fight the eviction. I actually tried calling Willie a bunch of times later to get my money back. Why fix a deck I couldn’t use? But he never returned my calls. The guy was nowhere to be found. Loser. But I also had to focus on having one last hurrah with the people that I served for decades. The weekend of the 19th was my swan song.

Then, just as I was setting up my booth that Friday morning, the 19th, Casey comes over and says they can’t give me the beer I had ordered, because Hopyard now had an exclusive contract for Sleeping Giant for all of Rocky Neck. I was ruined, and I just *know* that Hopyard timed it to kick me while I was down. When I saw that rat-faced scumbag standing on the stage with the Mayor, I lost it. I ran up on the stage, and screamed, “You

killed me—you really killed me! My life, my dreams, they are all over because of you!” But that might not be what I said. I couldn’t stand to be there—I couldn’t stand to be in Rocky Neck. I needed to be with my family. It is funny, but no matter how old you are, your parents always seem to be the safest place in times of distress.

While I was away, I read about Hopyard’s death, but it really didn’t even register, because I felt like I was dead too. When I was back in Rocky Neck a couple weeks later to collect what little things I had and to meet with a lawyer about declaring bankruptcy, a little birdie told me that a relatively new local cop called Sherlock was asking around about me. A lot of cops and court staff love our pizza, and some of them are willing to make sure their favorite pie-slinger is in the loop! So, I called Sherlock. They said that Hopyard had been killed in his office and wanted to know if I knew anything about it. I was shocked. I hated the guy, but I’m not sinkin’ so low as to kill him! I told Sherlock I didn’t know anything, and I would be happy to help in any way I could. Then Sherlock asked to search my home! I figured, what the heck and let the cops knock themselves out. I had nothing to hide.

Then things went quiet for a month or so, then out of nowhere, Sherlock’s back with three uniforms, and they’re arresting me... *for murder*?! The cops tell me they found a bunch of money and notes from Willie in my place, but I have no idea what they’re talking about. Now I *know* it’s a frame-job. So, I did the smart thing: I asked for my lawyer and kept my mouth shut.

Look, I hated Hopyard with everything I had. He was no good and probably got what he deserved. But I’m not the one to give it to him. This was business. It ain’t worth goin’ to jail!

I would have loved to have him shut down Devil's Hopyard and go away, but that wasn’t happening. Maybe he ticked off someone else in town, and that came back to bite him. Maybe this Willie guy took things too far and tried to rob him on accounts day. I don’t know. All I know is I didn’t want him dead enough to kill him, and I sure didn’t hire Willie to do anything. The prosecutor tried to cut me a deal to testify about Willie, but this ain’t being hung around my neck.

Dated: December 1, 2025

Emerson Bushnell

STATE OF CONNECTICUT

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SS.

COUNTY OF NEW HAVEN

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On this first day of December, 2025, before me personally appeared Emerson Bushnell, to me known to be the person described in and who executed the foregoing instrument and acknowledged that s/he/they executed the same as her/his/their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Ida Nown
Notary Public – Notary Seal
STATE OF CONNECTICUT
New Haven County
My Commission Expires: Oct. 8, 2026
Commission # 16513542

STATEMENT OF ASPEN WADSWORTH

1 My name is Aspen Wadsworth. I'm 32 years old, and until recently, I worked for Sam
2 Talcott at Sam's Black Rock Pizza Pie & Tavern. The truth is I was working there just to
3 make ends meet until my music business really takes off again. Sam lets me take the
4 stage and sing my original songs with what some people call quirky lyrics. I'm also a
5 promoter, and on that side, I am really getting a foothold. My biggest-name band that I
6 landed so far has been Rocky Neck's own Whiskey River Rats, who are touring nationally.

7
8 The music business is tough, and it was doubly tough during the pandemic. I had to do
9 some stuff during those years that I am not really proud of. No, I didn't commit any major
10 crime or anything like that. No one considers shoplifting a major crime. But, since this is
11 under oath, I do have to say that I may have overstated the number of employees I had on
12 the books when applying for my Paycheck Protection Program loan. I don't think the
13 government really cared, but my little promotion business did not have a staff of 10 in
14 2019. You should probably take away zero if you want to be accurate about it. Ok, glad I
15 got that off my chest.

16
17 I had some challenges growing up—I never had a father, and my mother left me alone to
18 fend for myself at 14. I knew that to achieve my dreams I had to stay on the straight and
19 narrow, work hard, and get educated. I finished high school, making mostly A's and a few
20 B's. I even joined the chorus, because I wanted a broader musical experience. Anyway,
21 after that I went to UCONN on scholarship, got a degree in Communications with a
22 Certificate from the Music and Entertainment Business Program of the College of
23 Business.

24
25 When I finished school, I looked around for a place to move to start my career as a music
26 promoter. Rocky Neck looked like the perfect place since it was close to New Haven. There
27 was a great night life, with three primary bars/restaurants on a bustling Square. In the
28 downtown area you could see college students with blue and orange hair and plenty of
29 tattoos having pizza and a beer with their professors, while at the next table you would
30 see a well-dressed couple with their children out for burgers for the evening. I knew that
31 once I established myself, I could build my business with such a diverse group of customers
32 and so many venues. As long as the three restaurants maintained a friendly rivalry, the
33 music business flourished.

34
35 Over the years, I worked side gigs for all three restaurants on the Square. I kept the books
36 at Devil's Hopyard Pizzeria, handled inventory at Ancient Apizza, and handled all of the
37 office functions at Sam's Black Rock Pizza Pie & Tavern—not difficult, since it had the
38 least business of the three. I also waited tables, tended bar, and did whatever else was
39 needed at all three places. And let me tell you, you can't trust any of the three—uh, now

two—of those owners. That’s why I kept changing side gigs: every time one of them would short me on pay, I left. I told everyone it was because I needed to get to know the clientele of the three places, but truth is, I cannot stand dishonesty. In hindsight though, even though he was a dirt bag, I think Dillon Hopyard was the best of the lot—and I’m not just saying that out of respect for the dead. He was the only one with any sort of business sense, and he would tell you to your face he was breaking a deal, rather than pretending. All three of them got way too emotional for their own good and for the good of their businesses.

Dillon gave me the code for the rear door lock because I needed it to go in and out with the band, etc. I don’t think I gave it to anyone, but it was on a business card in my wallet, and it is now missing.

When Hopyard was killed, I was mostly working for Sam Talcott, although I’d take a shift from time to time here or there. The fact that Dillon Hopyard was doing better than either of the other two is no secret. He would march around the Square like he owned it. And Dillon had a close relationship with the Town Council and even with some of the police, if you know what I mean. I never saw anything directly, but his books had a whole line item for “grease,” in the hundreds of dollars each month, more around the holidays. There’s nobody who buys that much Crisco! While Emerson Bushnell let their irritation at this fact show and took in-your-face action to try to fight it, Sam just stewed.

One time, I was in the alleyway behind Devil's Hopyard and Ancient Apizza when I heard this awful banging noise and shouting. I stuck my head around the corner, and there was Willie Waramaug, who was notorious in town, or maybe, a ghost story after he killed Pete Losh because Juli Lee stood him up to go to prom with Pete instead. Pete was a star basketball player, so it really made the news. Anyway, I looked around the corner, and there’s Willie, pounding on the back door to Devil's Hopyard with something metal and wood, maybe even a gun! He had a gash on his forehead that was bleeding and he was screaming that he’s gonna kill Dillon Hopyard for having a wet floor in the bathroom where he slipped and hit his head on the toilet. That door is *heavy*, so I figured that door would hold just fine. But Willie was clearly intoxicated and angry, so I got out of there just as quickly as I could and went back to waiting tables.

One of the things that made Sam the angriest and, therefore, most dangerous one of them all, is that their food is, or could be, the best of any of the three restaurants. The problem, though, is that Sam drinks too much—I mean, Sam drinks all day. Sam can hold their liquor, but that whole “you gotta drink with your customers” routine really hurts the business. Nobody else seemed to notice that Sam was actually really angry, just stewing and self-medicating. I was the person around Sam the most, especially when Sam was doing the books or, really, watching me do the books. Sam even started forgetting things like he would order the same ingredients twice and then wonder why the food went bad

before it was sold. Then they'd forget to pay a supplier and almost miss a shipment. I'd then hear the tirades about too much food for one week and not enough the next. I could have really helped, and I did what I could, but restaurant management is not what I want to do.

Then there was the parking issue. Sam seethed and brooded about that and complained, but they couldn't come up with a solution. Everything was somebody else's fault. After a while I got the impression Sam felt the other two, either together or separately, were even conspiring to mess up Sam's inventory supply chain. It was crazy.

Sam started doing some strange things. Sam never got a PPP loan during COVID like the other two, and I knew he was hurting financially. Paying me in small bills was a good sign of someone stringing things together: money was coming to me straight from that day's register. One day in early April 2024, when I was working in the office trying to sort things out, Sam had left the computer open and was logged into *Yelp* as "dchambers". That's the password for our Sysco account, where we order food and supplies each week. On the computer, the pages for both Ancient Apizza and Devil's Hopyard Pizzeria were open. They both had a lot of negative reviews on them, and they each had reviews from "dchambers." This "dchambers" person posted really unflattering stuff at about the same time on both pages a couple of times. Hopyard replied to one, trying to do some damage control, but it didn't work. At this point, both places had fewer than three stars. The only people who are on the computer are me and Sam.

A few minutes after I saw it, I put the computer back just before Sam came in and started nonchalantly asking me about when I worked for Dillon Hopyard. Sam asked if I signed the checks for the business. I figured Sam was just thinking about having me sign checks for his business, so I explained it. Hopyard trusted me and that First National of Rocky Neck didn't really check signatures, so I would just sign Hopyard's checks. Then it got weird. Sam asked me if I could write a couple of sentences in Hopyard's handwriting. When I asked, "What for?" Sam got real nervous and said, "Never mind I shouldn't get you involved." I didn't think anything more about it at the time; I just chalked it up to Sam's general strangeness.

That's not all. I had also found a box of Emerson's fliers in Sam's office; under a box of those free menu magazines that Sam likes to advertise in. There was a couple dozen Ancient Apizza business cards down there as well, some of which had staple or pin holes in them from where they'd been hung up on corkboards or whatever. I figured Sam was taking them down to hurt Emerson's attempts to drum up business. Honestly, that wouldn't have been out of character for Sam. After that fire on Emerson's deck, I got suspicious, and when I checked the box of Ancient Apizza fliers was gone. I also noticed the business cards I had previously seen there were gone.

Sam also started doing some things to raise money—not with the restaurant. They were quietly selling some things, mostly stuff I had never seen before, like sports paraphernalia and other personal items. Again, I didn’t think anything about it, because, let’s face it, the income was getting slower and the place needed some cash. One particular day, about May 16 or so, a guy I had seen a few times over at Devil’s Hopyard Pizzeria, Willie, came in and the two of them had a long conversation, most of which I didn’t hear. Willie said he needed to build up his contracting business and he wanted to pick Sam’s brain for advice. HAH! What a joke! I did hear him say he was desperate for money and would even hire himself out as a hitman if that’s what it took, after which both of them laughed. At the end of the conversation, Sam got serious and started thinking. I heard Sam say something about Emerson Bushnell. At this point, Sam had plenty of alcohol in the belly and I made sure I could hear every word. Sam said, “Trust me. This is really going to work like a charm. Emerson is getting desperate in this beef with Hopyard. I’ll set up a meeting with you and Emerson so we can ‘help’ Emerson with the Hopyard problem. See if Emerson takes the bait. Give Emerson 10 or 12 as an asking price and see what Emerson does. I’ll make sure it’s public enough to cause Emerson some stress. This will be great! Maybe it’ll be enough to run Emerson out of town. I can deal with Hopyard later.” I guess they were trying to get Emerson to buy something or put them in a compromising position. The evil laugh I heard from Sam after Willie left was pretty bad.

After that, Sam seemed to be doing much better: more energized and much happier. I was glad Sam was feeling better, even though the cloak and dagger routine to sell off the property seemed extreme.

I saw Willie one more time after that. One was the day he came directly over to Sam’s from the coffee shop. This was maybe the 16th or the 17th. Probably the 17th. I happened to be looking out the window and watched him cross the Square in a hurry. He walked over to Sam’s, came in and walked straight up to the bar. About that time, before either Sam or Willie could see them, Jackie Pepin, who had also just come in, got up and left, looking very nervous. It seems like everyone in town had started acting weird over these pizza wars. I heard Willie tell Sam he had the money from Emerson, or at least that’s what it sounded like he said. I was a good distance away and the TV was on loud. Sam counted it, added some to it, and handed it back to him, saying something about, “making sure he got the next part of the plan done quick.” Then Sam shook Willie’s hand, and there was something in Sam’s hand when they did it. It looked like a business card, maybe one of Sam’s, but it could be from Ancient Apizza, since they look pretty similar.

Speaking of acting weird—man, everyone is still talking about what Emerson did at the Savor the Square Festival. I guess if it were me, I would be pretty close to breaking down too! I mean this was right after Hopyard served Emerson eviction papers and the same day Emerson lost his Sleeping Giant account. But I could see it coming, because a little earlier in May, while I was picking up a shift at Ancient Apizza, Emerson called me into

the back office. Emerson wanted me to write a review of Devil's Hopyard Pizzeria on Google and made me take dictation, while Emerson paced back and forth. It started out kind of normal—at least for a fake review—but then it got really weird and threatening—yet it was *super* obviously from Emerson and I was like, “Are you sure you want to write that?” Emerson got this really serious look and was, like, “Just send it.”

So I knew Emerson was feeling the pressure build up. And once Emerson was ruined, I guess Emerson just lost it. Going up on stage and interrupting the Whiskey River Rats was practically sacrilegious. Right in the middle of the opening set of the biggest festival in the entire region while the only national band to come out of Rocky Neck was on stage. I was mad angry about that: this was my band! Security had to hold me back from rushing up there and giving Emerson the what-for. But what Emerson said? WOW – it was bananas. From what I could understand, it was something like. “You ruined me, you killed me, and now I am going to kill you!”

Look they say everyone has a breaking point, and some people say anyone would kill if pushed far enough, but there is no way Emerson would do that. Emerson was always more bark than bite. You can tell a person’s true personality when they are drunk, and I’ve seen Emerson drunk many times. Emerson was a crier. When Emerson got really emotional, they were a morose, cry-in-the-wine type.

Willie didn’t come back to the bar after that, which was a bit of a surprise. He was around once or twice a week, most weeks. Of course, I wasn’t there every night, so I might have just missed him.

Anyway, I quit not long after that just because I was tired of waiting on tables. I am really bummed that Dillon Hopyard is dead. For all of Hopyard’s flaws, it was the best venue in town, and I really do believe Hopyard had the right idea on how to continue to grow the music scene even if he was a bit rough around the edges.

Dated: December 1, 2025

Aspen Wadsworth

STATE OF CONNECTICUT

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SS.

COUNTY OF NEW HAVEN

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On this first day of December, 2025, before me personally appeared Aspen Wadsworth, to me known to be the person described in and who executed the foregoing instrument and acknowledged that s/he/they executed the same as her/his/their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Ida Nown
Notary Public – Notary Seal
STATE OF CONNECTICUT
New Haven County
My Commission Expires: Oct. 8, 2026
Commission # 16513542

STATEMENT OF CASEY MATTATUCK

1 My name is Casey Mattatuck, and I'm head of the promotions department for
2 Sleeping Giant Brewery in Rocky Neck. Well, I'm also the entire promotions
3 department, for now. But if I can help grow the business, my hope is to have staff
4 someday. For now, this has to be the best job ever. My parents wanted me to go
5 straight to Wall Street, but my freshman microeconomics teacher taught me the first
6 rule of business is to get into an industry you love—and I love craft beer. Not drinking
7 it, although I do drink it. It's more the thought and process that goes into making a
8 unique taste, brand, and marketing campaign.

9
10 It all started with the internship/senior project for my Marketing class three years
11 ago. The professor formed alliances with various regional businesses willing to give
12 students an opportunity to create mock advertising, promotions, and marketing
13 campaigns for their products as class projects. I hit the jackpot when I got teamed up
14 with the founders of Sleeping Giant Brewery. Back then it was a brand-new brewery
15 just starting out in the old mill located on Rocky Neck Pike. The name comes from
16 Sleeping Giant State Park, which is located near Quinnipiac and a place that both
17 love to hike for its incredible views. The owners launched Sleeping Giant Brewery in
18 2019, just as I was finishing up at SCSU, and they offered me the promotions director
19 job, to start as soon as I graduated. In keeping with traditional beer promotion
20 practices, I get to play Santa, handing out swag like presents—pint glasses and
21 coasters with Sleeping Giant logo for the bartenders to use when serving customers,
22 along with logo patio umbrellas, and neon signs for the windows. Setting up
23 promotions for customers—such as awarding Sleeping Giant beach towels as trivia
24 night prizes or giving away t-shirts and stickers when customers decide to spring for
25 a pitcher of one of Sleeping Giant's brews for their table.

26
27 And the Easter Bunny? We decided to name the mascot Jimmie Hopps. The funny
28 thing about wearing a rabbit costume is that you become just a prop, and people forget
29 there's a human individual behind the disguise. So they will say almost anything in
30 front of you, like they think you can't even hear what they are saying. And when the
31 customer doesn't want the bunny, I'll show up in a company polo and khakis/shorts
32 and do everything.

33
34 Actually, there was this one regular at Devil's Hopyard Pizzeria that made me just
35 feel unsafe and uncomfortable, this guy Willie. He was at Devil's Hopyard often and
36 each time I was there in the bunny suit, and he would push it further and further.

Grabbing my ears and pulling my tail—that sort of stuff. One rather loud night just before the pandemic in February 2020, after the Aspen Wadsworth’s band XenoKeys had just gotten off stage, Willie literally pushed me over into a tempered glass table when I refused to give him another 4 oz sample of Hops to It. Hopyard came running over and issued him a lifetime ban. Willie was shaking mad and said, “I am going to get you – and when I do you will not be expecting it—it might not be tomorrow or next week or even next month, but when it happens, you will know.” I didn’t think much of it at the time, chalking it up to the mad ramblings of someone who had had too much to drink. Oh, and I don’t want you to think that Hopyard was banning Willie just because he was a good guy – there was always an alternative motive. No sooner had I dusted off the bunny suit, Hopyard says, “Now that I saved your life, how about a discount.” Really? C’mon man, don’t give me that—if you didn’t promote people grabbing me, none of this would’ve happened in the first place!

Doing these promotions and servicing the accounts is how I came to see and hear the building rivalry between Dillon Hopyard, the owner of Devil’s Hopyard Pizzeria, and Emerson Bushnell, the owner of Ancient Apizza. These were Sleeping Giant’s biggest clients in Rocky Neck, so we did a lot of promotions at both locations. We’d set up a tent and do radio broadcasts or have cornhole tournaments in front of the restaurants. Due to the rivalry between them, we divided the drafts that were sold and promoted at each. It was Hops Sing Mad, Hops to It, and High Hops at Devil’s Hopyard Pizzeria, and Bunny Hops, Hip Hops Hooray, and Let’s Go to the Hops at Ancient Apizza. It helped diversify our drafts and gave each place a bit of exclusive access.

I also tried to develop Sam’s Black Rock Pizza Pie & Tavern as a client, but Sam Talcott always seemed more interested in promoting mixed drink specials, rather than craft beers, to pair with his Detroit-style pizza and other food specials, so I didn’t hold out too much hope.

Meanwhile, I always kept a close eye on *Twitter*. I know it is now called *X*, but it will always be *Twitter* to me—and *Google* and *Yelp*. Because Hopyard and Bushnell were trashing each other’s establishments on both of those platforms, I was concerned that if their posts got out of hand, any downturn in business at Devil’s Hopyard Pizzeria or Ancient Apizza could lead to reduced sales of Sleeping Giant products. Also, because only part of our line was sold at either of these establishments, I didn’t want the trash talk about one to bleed over to the specialty beers we were selling there.

I had some sympathy for Bushnell. Selling craft pies has some similarities with selling craft beers; for every aficionado willing to pay extra for quality, there are always the families of six who need the coupon price for Papa John's or Domino's. I wanted Ancient Apizza's clientele to grow so that we could sell more Sleeping Giant beer. The trash talk coming from Devil's Hopyard Pizzeria may have driven off some Ancient Apizza customers.

While fighting Hopyard on so many fronts, I know Bushnell was falling behind on the rent. Emerson mentioned it nonstop—it was more than an excuse; it was now their way of life. And while I never made an issue of it, Ancient Apizza also ran behind on the Sleeping Giant tab and started seeking more and more promotional discounts to offset costs and pull in customers. I didn't mind working with Bushnell; they've been a part of Rocky Neck for a long time and had been one of our founding customers. Bushnell runs Ancient Apizza the way we try to run Sleeping Giant and has been a really good person to work with. They're just in a tough business. There's sort of a downward spiral that can take over in the restaurant business when an undercapitalized owner's cash reserves get low. When there's not enough money to bring in the supplies to keep a full menu going, more and more regular items become unavailable. That causes the customer base to start going elsewhere when they can't get their favorite pizza toppings, and then there's even less money coming in. Which, of course, leads to further reductions in the menu.

It seemed like Ancient Apizza was starting to head into that kind of death spiral. I noticed their famous white clam pizza pie was unavailable. I guess clams became just too expensive for Bushnell. Bushnell tried handing out flyers to promote the business, even going as far as putting some around Devil's Hopyard Pizzeria to draw customers. And Bushnell tried to regain some customer base by offering cheap beer nights. With the price point of our beer, they couldn't do it with Sleeping Giant, so Bushnell had to settle on running it with cheaper stuff, more like what Sam's Tavern was pouring. I don't know if it helped anything or not, but it seemed to inject a little life back into Ancient Apizza.

Even though Sam Talcott wasn't a customer, as I said, I popped in every now and then to see how things were going and if I could catch Sam on a good day—one where Sam had not been drinking too much—to talk about Sleeping Giant getting behind the counter. One day, in early 2024, right before the fire over at Bushnell's, I saw a stack of Bushnell's fliers on the bar at Sam's. Sam saw me notice them and chuckled, saying that this fight was "good for business," even though I didn't see any more customers in there than usual. I asked them where all the fliers came from and they

said they were ones they took down on their side of the Square. When I popped in the week of the fire, Sam was grinning from ear to ear and said, “Those fliers came in handy after all!”

A few weeks after the deck fire at Ancient Apizza, the word got out that the building was for sale. Bushnell sure didn’t have the dough to buy the place, and before anyone else even had time to work up a business plan, in early April, Hopyard went under contract to buy the building. Turns out that Hopyard hit one of those scratch ticket things. The deal went through on the first of May. Bushnell was devastated that their landlord was now their nemesis, but they were determined to make it work. Bushnell told me how much they needed me more than ever because all of their money would have to go to getting caught up on rent. But I guess it was not good enough, because Hopyard figured out a way to evict Bushnell anyway. That left Bushnell only a couple weeks—and one event—to get out of the red before Ancient Apizza shut down forever.

The Savor the Square Event was a stroke of genius by our local government—it brought in folks from the entire tri-state area. And because we were the local beer of choice and only one being produced in the area, we cleaned up nicely. In addition to having our own booth where we would limit our sales to just seasonal beers, Hopyard and Bushnell did quite well as well. In fact, that one festival accounted for 7% of our annual income in 2022 and 9% in 2023. But by 2024, word was out we were losing Ancient Apizza. The whole community was losing it, I mean.

On the evening of May 18, just the night before the festival started, Hopyard called me in for an “emergency” meeting. Hopyard told me that he was going to be the only game in town soon and that Sleeping Giant would have to play ball with him. He finally had the upper hand, he said, which was really bizarre, since he always did fine by us. And then he reminded me that he’d “saved my life” with Willie. What a jerk.

Then the other shoe dropped. Hopyard made me—and us—an offer (really, a demand) we could not refuse. He offered us a significant premium to become the *exclusive* Sleeping Giant tap seller in the entire Rocky Neck metropolitan area. That was the carrot. The stick was that if we didn’t agree, on the spot, he was going to terminate Devil’s Hopyard’s contract with Sleeping Giant. He literally told me the offer expired in fifteen minutes, and the new deal had to go into effect at midnight. That’s when I knew exactly what Hopyard was doing: Hopyard wanted us to pull Bushnell’s entire selection of craft beers just before Savor, so late in the game that Bushnell had no chance of making an adjustment. Buying the building and closing Ancient Apizza wasn’t enough; he wanted to ruin Bushnell’s last chance to make any money. It was

154 awful, and I felt awful. But Hopyard had played his nasty cards right, and we had no
155 choice. We shook hands on the deal and agreed not to deliver the beer we'd promised
156 Bushnell.

157

158 Telling Emerson that we would not be delivering the beer Ancient Apizza had ordered
159 was one of the worst things I'd ever done. Emerson took it just how I thought they
160 would. They went dead silent. I kept talking, but Emerson was staring off into the
161 distance. I really felt bad. Hopyard had left us no choice. I knew that, as a
162 businessperson. But as a human I felt like we had really stabbed Bushnell in the
163 back. Bushnell had been a lousy customer, objectively, but Ancient Apizza was one of
164 the places we got our start.

165

166 So, I was not shocked that Bushnell snapped. Bushnell rushed the stage at the first
167 sight of Hopyard and went off into the microphone for the entire town of Rocky Neck
168 to hear. It was hard to watch Bushnell meltdown. Bushnell said, "I am dead! You
169 killed me! You took away what mattered most to me. Now I have nothing. I will not
170 rest until I take what you care most about!" Bushnell left the stage in a fit of tears.
171 Fortunately, nothing can keep a good party down and the rest of the weekend was a
172 huge success as the perfect weather made for easy drinking and terrific vibes. We
173 sold as much as we had the year before and with only one booth running!

174

175 That's why I thought Tuesday, May 23, was gonna be the best day, rather than the
176 worst: Sleeping Giant gets paid for the previous week's sales at Devil's Hopyard on
177 Tuesday evenings, when Devil's Hopyard is closed and Hopyard settles the week's
178 books. That day, he texted me to come late, because there was a lot of accounting to
179 do after the Savor weekend. Whatever I thought of Hopyard as a human, he was
180 meticulous when it came to his business records. Never missed a payment! Honestly,
181 it felt like Hopyard liked doing the money part better than he liked actually serving
182 food. But there was a downside to that focus: Hopyard would get so lost in thought
183 that he would not hear me knocking and didn't answer his cell. One day, after I'd
184 been left in the pouring rain for the better part of a half hour, Hopyard felt so bad he
185 gave me the code to the alley entrance, so I could just let myself in. Hopyard wrote
186 the code for me on a scrap of paper and I kept it in his account portfolio. Good thing
187 I have a strong memory, because I left the portfolio somewhere, and our transition to
188 digital receipts made it irrelevant anyway. Could be somewhere at the office, or my
189 house, or one of my regular stops like Ancient Apizza or Sam's place. Heck, it could
190 be anywhere in seven counties. I get around!

191

192 On that fateful night, I let myself in using the code per usual, sometime around 9:30

193 or 10. But instead of finding Hopyard nose-deep in the books, I found his body
194 slumped over the desk. I checked for a pulse, but the amount of blood made it kind of
195 obvious there was no hope. I called 911 and waited for the cops to arrive.

196
197 While I was out there, the lead detective – the new one -- came back out and asked
198 me whether I knew the code, and I repeated it to them. It was in my statement
199 already. The cop punched the code in, and the door unlocked again.

200
201 It is terrible that Hopyard is dead and Bushnell is off the Square. Sure, we have got
202 new accounts in town and those spaces will eventually be filled with new bars and
203 restaurants, but Hammonasset Square will never be the same again. None of us will.

204
205 Dated: December 1, 2025

~~/s/~~ Casey Mattatuck

206 STATE OF CONNECTICUT

)

)

SS.

COUNTY OF NEW HAVEN

)

On this first day of December, 2025, before me personally appeared Casey Mattatuck,
to me known to be the person described in and who executed the foregoing instrument
and acknowledged that s/he/they executed the same as her/his/their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the
County and State aforesaid, the day and year first above written.

207
Ida Nown
Notary Public – Notary Seal
STATE OF CONNECTICUT
New Haven County
My Commission Expires: Oct. 8, 2026
Commission # 16513542

Exhibit List

- Exhibit 1: Police Report
- Exhibit 2: Supplement to Police Report
- Exhibit 3: Map of Hammonasset Square
- Exhibit 4: Diagram of Dillon Hopyard's Office
- Exhibit 5: Evidence (Gun)
- Exhibit 6: Event Flyer
- Exhibit 7: Business Card with Code
- Exhibit 8: *Google* Review
- Exhibit 9: Fingerprint Report
- Exhibit 10: Bank Records
- Exhibit 11: Text Messages Report
- Exhibit 12: Photographs of Different Pizza Styles



Exhibit 1

ROCKY NECK POLICE DEPARTMENT INCIDENT REPORT

CASE NUMBER: 104-01262013-A	DATE OF REPORT: 5/24/24 TIME: 14:05	☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT
DATE OF OCCURRENCE: 5/23/2024	TIME OF OCCURRENCE: Approx 21:35	DOW: ☐ Sun ☐ Mon ☒ Tues ☐ Wed ☐ Thur ☐ Fri ☐ Sat ☐ Unk
INCIDENT LOCATION: 435 Hoyt Street, Rocky Neck, CT 06513		
COMMON/BUSINESS NAME: Devil's Hopyard Sicilian-Style Pizzeria	BEAT:	MAPR:
DISTRICT:	ALCOHOL: ☐ YES ☐ NO ☒ UNK	DRUG: ☐ YES ☐ NO ☒ UNK
CASE STATUS: ☐ cleared by arrest ☐ exceptionally cleared ☐ unfounded ☐ inactive ☐ pending arrest ☒ pending inv. results ☐ informational only ☐ administratively cleared		DATE:
ATTEMPTED/COMMITTED: ☒ Committed ☐ Accessory After ☐ Accessory Before ☐ Aid/Abet ☐ Assault To ☐ Attempt to ☐ Conspiracy To ☐ Facilitation Of ☐ Solicitation To ☐ Threat To ☐ Unfounded		
ATTACK REASON: ☐ Assault ☐ Theft ☐ Menace ☐ Concerned Citizen ☐ Mental		WEAPON TYPE: ☒ Firearm ☐ Knife/Cutting Instrument ☐ Hands/Fists/Feet, etc. ☐ Other Weapon
# ENTERED:	STRUCTURE OCCUPANCY: 1	EVIDENCE OBTAINED: ☒ YES ☐ NO ☐ UNK
LOCATION TYPE: Restaurant office		
JUVENILE DISPOSITION: ☐ Handled w/in Dept. ☐ Referred to Juvenile Court ☐ Referred to Welfare Agency ☐ Referred to Other Police ☐ Referred to Adult Court		
UCR DISPOSITION: ☐ Cleared by Arrest – Adult ☐ Cleared by Arrest - JUV ☐ Exceptionally Cleared – Adult ☐ Exception Cleared – JUV ☐ Unfounded ☒ Active		
EX CLEARED TYPE: ☐ Extradition Declined ☐ Arrest on Primary Offense ☐ Death of Offender ☐ Vict/Witn Refused Cooperate ☐ Prosecution Declined ☐ Juvenile/No Custody		
THEFT BY COMPUTER? ☐ YES ☒ NO ☐ UNK	FORCED ENTRY? ☒ YES ☐ NO ☐ UNK	DATE CLEARED:
# ARRESTED: 0		
DRUG ACTIVITY: ☒ N/A ☐ Buy ☐ Deliver ☐ Use ☐ Distribute ☐ Manufacture ☐ Produce ☐ Cultivate ☐ Possess ☐ Smuggle ☐ Sell ☐ Traffic ☐ Other		
DRUG TYPE: ☒ N/A ☐ Amphetamine ☐ Barbiturate ☐ Cocaine ☐ Heroin ☐ Hallucinogen ☐ Marijuana ☐ Opium/Derivative ☐ Paraphernalia ☐ Synthetic		
QUANTITY:	UNITS: ☐ Gram ☐ Milligram ☐ Kilogram ☐ Ounce ☐ Pound ☐ Ton ☐ Liter ☐ Milliliter ☐ Dose	VALUE \$ _____
VICTIM/OFFENDER RELATIONSHIP: Unknown		
ASSAULT/HOMICIDE CIRCUMSTANCES: Refer to narrative		
CHILDREN WERE... ☐ Involved ☐ Present ☒ N/A ☐ Both		OFFICER ACTION: ☐ Arrest Family Violence ☐ Arrest Other Offence ☐ Summons ☐ Separation ☐ Unfounded ☐ Referred to Social
PRIOR COURT ORDERS: ☐ YES ☐ NO ☐ UNK	ALCOHOL USED BY: ☐ Aggressor ☐ Victim ☐ Both Used ☐ Neither Used	DRUGS USED BY: ☐ Aggressor ☐ Victim ☐ Both Used ☐ Neither Used
PREVIOUS COMPLAINTS: ☐ None ☐ One-Five ☐ Six-Ten ☒ More than 10 ☐ Unknown	SERVICES: ☐ Advised ☐ Not Advised	AGGRESSOR IDENTIFIED BY: ☐ Physical Evidence ☐ Testimonial ☐ Both

CASE NUMBER: 104-01262013-A	DATE OF REPORT: 5/24/24 TIME: 14:05	☒ ORIGINAL REPORT ☐ SUPPLEMENTAL REPORT	
BRIEF DESCRIPTION:			
On May 23, 2024 I was dispatched to Devil's Hopyard Sicilian-Style Pizzeria at 435 Hoyt Street in the City of Rocky Neck in reference to a person shot call. After meeting the responding officer, Olivia Benson, I was led to the bar's office, located at the back of the restaurant. The office was accessible by a door from the interior of the restaurant, leading from the hallway, and by a door leading directly to the alley behind the building. The office has two windows, one facing the alley and the other facing Cairo Avenue. I observed a body at the desk, later identified as Dillon Hopyard. Mr. Hopyard had been shot in the back of his head. Officer Mooney advised that she spoke with Casey Mattatuck. Mattatuck had gone to the bar looking for Mr. Hopyard as they often did on Tuesdays to discuss business matters. Mattatuck is the lead distributor for Sleeping Giant Brewery. Devil's Hopyard Sicilian-Style Pizzeria is closed on Tuesdays. Mattatuck used a code to gain entry to the building. She walked through the dining room down the hallway to enter the office from the interior door. Upon entering the office, Mattatuck discovered Hopyard's body. Mattatuck assured me that the scene's integrity had not been compromised and she called 911 immediately from her cell phone. Officer Benson was the first responding officer. Off. Benson secured the scene and informed dispatch of the scene, where I was dispatched to investigate. When I arrived, Off. Benson was interviewing Mattatuck on the sidewalk in front of the address. After taking Mattatuck's contact information, Off. Benson released Mattatuck and then assisted me in setting up crime scene tape. Additional units were dispatched to secure the alley behind the building. After my initial inspection of the office, I called for Dr. Lipscomb, the county medical examiner. The ME arrived, declared Hopyard dead at the scene, and removed the body. I then authorized the Crime Scene Unit to process the scene. The door to the office from the alley and door from the hallway to the alley were both locked, preventing any entry from the outside without use of the code. I confirmed that the keypad was operational, using a code provided by Mattatuck. I made contact with Vivian Hopyard, Mr. Hopyard's wife and asked her to come to the scene to see if anything had been taken. Mrs. Hopyard arrived by 23:50 and confirmed that nothing appeared to have been taken. I secured Mr. Hopyard's iPad which had been lying under his body; the screen contained Yelp! reviews for Ancient Apizza. Devil's Hopyard Sicilian-Style Pizzeria did not have any functional security cameras outside the location. Based on discussions with Mattatuck and Mrs. Hopyard, and based on previous complaints filed by Mr. Hopyard, Emerson Bushnell is a person of interest. I was unable to locate Bushnell for immediate interview.			
ATTACHMENTS:		GCIC ENTRY	
☐ Persons ☐ Property ☐ Offenses ☐ Narrative		☐ Warrant ☐ Vehicle ☐ Article ☐ Boat ☒ Gun	
REPORTING OFFICER: Det. Sawyer Sherlock	BADGE: 4322	DATE: 5/24/2024	
SUPERVISOR:	BADGE:	DATE:	
DATA ENTRY:	BADGE:	DATE:	
GCIC OPERATOR:	BADGE:	DATE:	



Exhibit 2

ROCKY NECK POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 104-01262013-A	DATE OF REPORT: 9/1/24 TIME: 17:54	☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT
DATE OF OCCURRENCE: 5/23/2024	TIME OF OCCURRENCE: Approx 21:35	DOW: ☐ Sun ☐ Mon ☒ Tues ☐ Wed ☐ Thur ☐ Fri ☐ Sat ☐ Unk
INCIDENT LOCATION: 435 Hoyt Street, Rocky Neck, CT 06513		
COMMON/BUSINESS NAME: Devil's Hopyard Sicilian-Style Pizzeria	BEAT:	MAPR:
DISTRICT:	ALCOHOL: ☐ YES ☐ NO ☒ UNK	DRUG: ☐ YES ☐ NO ☒ UNK
CASE STATUS: ☒ cleared by arrest ☐ exceptionally cleared ☐ unfounded ☐ inactive ☐ pending arrest ☐ pending inv. results ☐ informational only ☐ administratively cleared		DATE: 8/30/2024
ATTEMPTED/COMMITTED: ☒ Committed ☐ Accessory After ☐ Accessory Before ☐ Aid/Abet ☐ Assault To ☐ Attempt to ☐ Conspiracy To ☐ Facilitation Of ☐ Solicitation To ☐ Threat To ☐ Unfounded		
ATTACK REASON: ☐ Assault ☐ Theft ☒ Menace ☐ Concerned Citizen ☐ Mental		WEAPON TYPE: ☒ Firearm ☐ Knife/Cutting Instrument ☐ Hands/Fists/Feet, etc. ☐ Other Weapon
# ENTERED:	STRUCTURE OCCUPANCY: 1	EVIDENCE OBTAINED: ☒ YES ☐ NO ☐ UNK
LOCATION TYPE: Restaurant office		
JUVENILE DISPOSITION: ☐ Handled w/in Dept. ☐ Referred to Juvenile Court ☐ Referred to Welfare Agency ☐ Referred to Other Police ☐ Referred to Adult Court		
UCR DISPOSITION: ☐ Cleared by Arrest – Adult ☐ Cleared by Arrest - JUV ☐ Exceptionally Cleared – Adult ☐ Exception Cleared – JUV ☐ Unfounded ☒ Active		
EX CLEARED TYPE: ☐ Extradition Declined ☐ Arrest on Primary Offense ☐ Death of Offender ☐ Vict/Witn Refused Cooperate ☐ Prosecution Declined ☐ Juvenile/No Custody		
THEFT BY COMPUTER? ☐ YES ☒ NO ☐ UNK	FORCED ENTRY? ☒ YES ☐ NO ☐ UNK	DATE CLEARED:
# ARRESTED: 0		
DRUG ACTIVITY: ☒ N/A ☐ Buy ☐ Deliver ☐ Use ☐ Distribute ☐ Manufacture ☐ Produce ☐ Cultivate ☐ Possess ☐ Smuggle ☐ Sell ☐ Traffic ☐ Other		
DRUG TYPE: ☒ N/A ☐ Amphetamine ☐ Barbiturate ☐ Cocaine ☐ Heroin ☐ Hallucinogen ☐ Marijuana ☐ Opium/Derivative ☐ Paraphernalia ☐ Synthetic		
QUANTITY:	UNITS: ☐ Gram ☐ Milligram ☐ Kilogram ☐ Ounce ☐ Pound ☐ Ton ☐ Liter ☐ Milliliter ☐ Dose	VALUE \$ _____
VICTIM/OFFENDER RELATIONSHIP: Unknown		
ASSAULT/HOMICIDE CIRCUMSTANCES: Refer to narrative		
CHILDREN WERE... ☐ Involved ☐ Present ☒ N/A ☐ Both		OFFICER ACTION: ☐ Arrest Family Violence ☐ Arrest Other Offence ☐ Summons ☐ Separation ☐ Unfounded ☐ Referred to Social
PRIOR COURT ORDERS: ☐ YES ☐ NO ☐ UNK	ALCOHOL USED BY: ☐ Aggressor ☐ Victim ☐ Both Used ☐ Neither Used	DRUGS USED BY: ☐ Aggressor ☐ Victim ☐ Both Used ☐ Neither Used
PREVIOUS COMPLAINTS: ☐ None ☐ One-Five ☐ Six-Ten ☒ More than 10 ☐ Unknown	SERVICES: ☐ Advised ☐ Not Advised	AGGRESSOR IDENTIFIED BY: ☐ Physical Evidence ☐ Testimonial ☒ Both

CASE NUMBER: 104-01262013-A	DATE OF REPORT: 9/1/24 TIME: 17:54	☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT	
BRIEF DESCRIPTION:			
Based on additional information gathered from witnesses Jackie Pepin and Sam Talcott, Willie Waramaug emerged as an additional suspect. Talcott even related a confession made by Waramaug, which implicated Bushnell as a co-conspirator. With this evidence, I secured a search warrant for Waramaug's apartment. That search yielded a .38 caliber revolver and a box of ammunition. Ballistic tests confirmed that the .38 was the gun used to kill Hopyard. Arrest warrants were issued for Waramaug and Bushnell.			
ATTACHMENTS:		GCIC ENTRY	
☐ Persons ☐ Property ☐ Offenses ☐ Narrative		☐ Warrant ☐ Vehicle ☐ Article ☐ Boat ☒ Gun	
REPORTING OFFICER: Det. Sawyer Sherlock	BADGE: 4322	DATE: 9/1/2024	
SUPERVISOR:	BADGE:	DATE:	
DATA ENTRY:	BADGE:	DATE:	
GCIC OPERATOR:	BADGE:	DATE:	

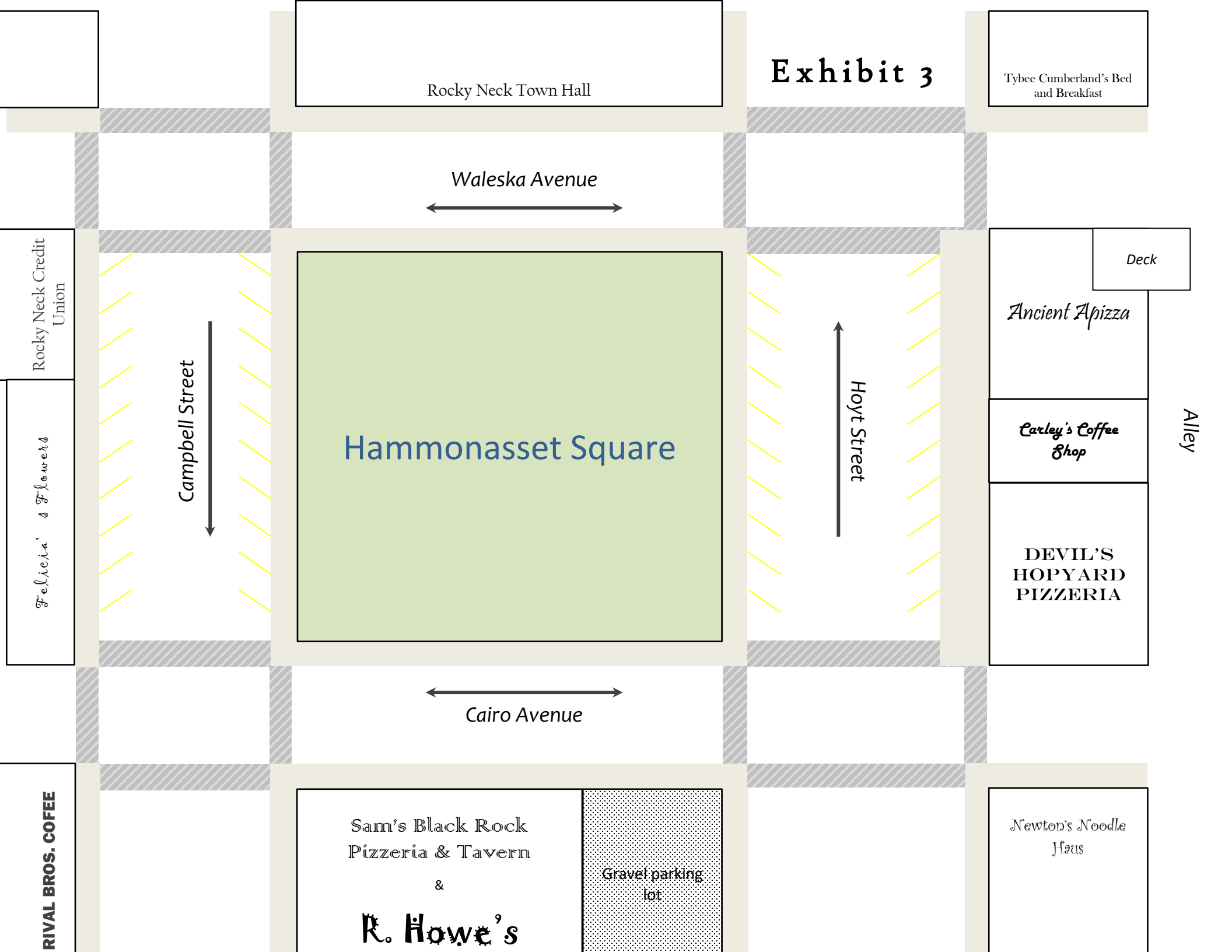


Exhibit 4

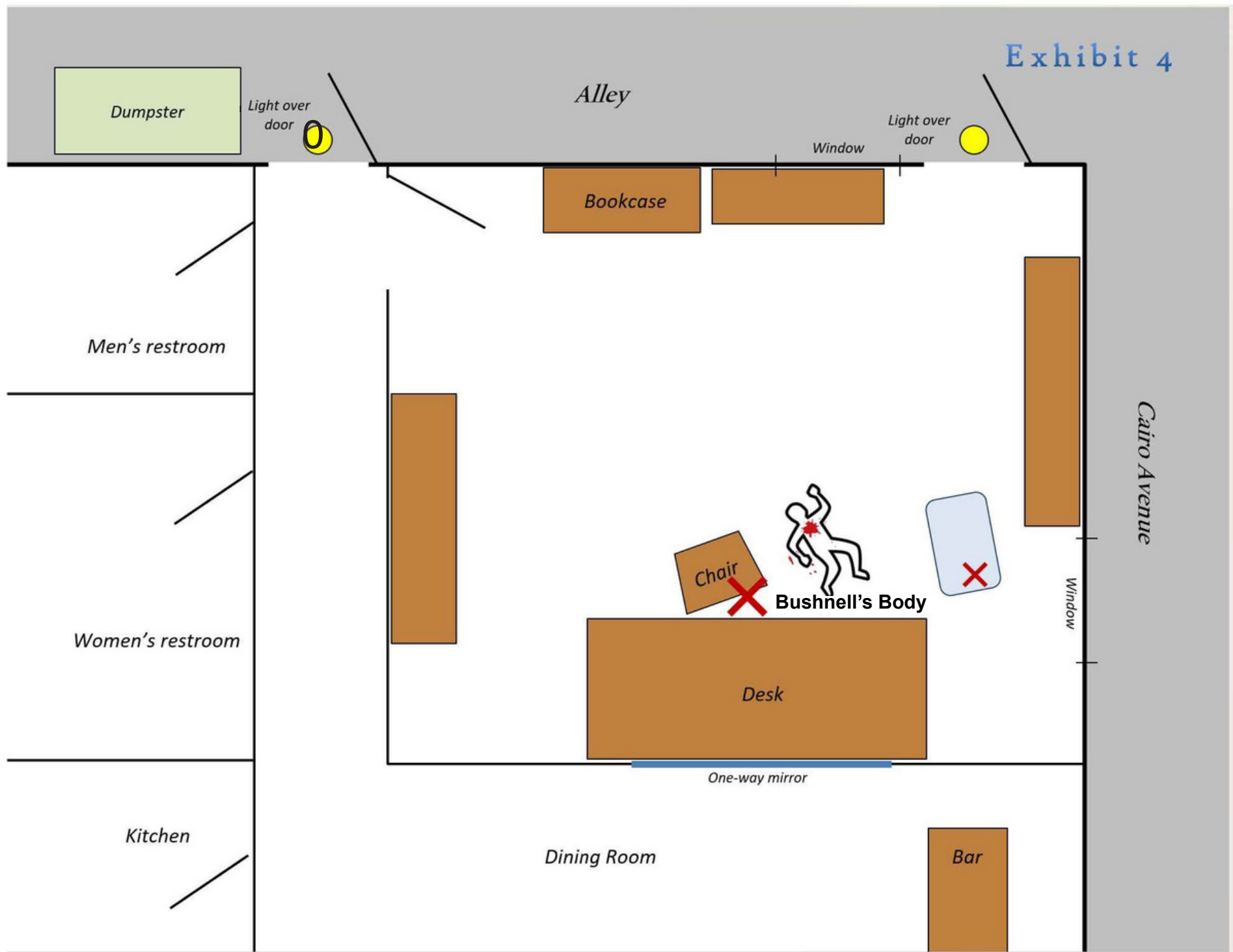


Exhibit 5



EVIDENCE IDENTIFICATION

Case No. 104-01262013-A

Item No. 1

Description of Evidence .038 Rossi Handgun

Type of offense Breaking and Entering, Homicide

Date June 13, 2024

Time 10:46

Location Found 800 Cherokee Ave, SE, Rocky Neck

Recovering Officer Det. S. Sherlock

Agency RNPD

Signed *Sherlock*



Climb out of that Hole and come down to

TRIVIA NIGHT

- Free to play! \$35
- credit for 1st place!
- \$25 credit for 2nd place!
- 7pm every Thursday
- Teams welcome



5¢ drafts of PBR
from 6 - 7
all week long!

Proudly serving **Sleeping Giant** drafts, bottles, and cans.
Brewing Company

Exhibit 7



27878

Exhibit 8

The image is a screenshot of a Google search interface. The search bar at the top contains the text "hole in the wall restaurant". Below the search bar, there are tabs for "Images", "Menu", and "Near". The search results show "10 results (0.48 seconds)". The first result is "Hole in the Wall BBQ" with a link to "https://holebbqseattle.com". Below this, there are sections for "People also ask" and "What makes a restaurant". The "People also ask" section has two questions: "What makes a restaurant" and "What is a hole in the wall". The "What makes a restaurant" section has a link to "Yelp" with the URL "https://www.yelp.com". The "What is a hole in the wall" section has a link to "Quora" with the URL "https://www.quora.com". The "What are some of the" section has a link to "Rainier BBQ and Hoang Lan are my favorites really hole in the wall places. Kinda grimy but the food is excellent. King Noodle and Mike's Noodle House are also ...".

Devil's Hopyard Sicilian-Style Pizzeria

Rocky Neck, Connecticut

3.5 ★★★★★ 417 Google reviews

\$\$ · American restaurant

[Write a review](#)

Real Italian!
Local Guide · 12 reviews · 2 photos
★★★★★ 3 weeks ago

This place is absolute garbage. The food is bad, and when I mean bad, you would only eat it if you are trying to lose weight because it is not edible. The clientele - let's just call them subhuman. But moreover, the owner is the worst type of person - who is willing to cheat, lie, claw, and steal his way to the top. Buy a building out from under your competition - LOW BLOW. If you want a fight - fight fair. But, for me, I'm ready to fight and I am going to take it to the next level. Expect to feel pain worse than my pain. I'm not hiding anymore. If you don't know who I am, it doesn't matter - what you do need to know is that this will be over soon - once and for all. Ciao amico mio!

Like

Brandon Na
Local Guide · 334 reviews · 4,585 photos
★★★★★ 3 weeks ago

Note that this was hyped a bit before I went. So, it was a matter of meeting the "high expectations." However, the meat was a bit dry today and even my friend who loved it felt like it was not as good as last time.

Exhibit 9
CONNECTICUT STATE POLICE
BUREAU OF FORENSIC SERVICES REPORT

Sample No.: 3
Examiner: Nathan Hardwerker, CCFS

Case No.: 2024-76485
Evidence Type: Fingerprint

Analysis Date: May 27, 2024
Updated Analysis: June 29, 2024

Sample	Location	Identity	Confidence
3a	Sample 1 ("2" Key)	Sherlock, Det. S.	Conclusive (Full Print, R Index, 21 pts)
3b	Sample 1 ("2" Key)	Hopyard, D.	Low (Full Print, L Index, 11 pts)
3c	Sample 1 ("2" Key)	Mattatuck, C.	Conclusive (Full Print, R Index, 16 pts)
3d	Sample 1 ("2" Key)	None <i>(Waramaug, W.)</i>	(Partial, > 1000 matches) <i>(Partial, R Index, 6 pts)</i>
3e	Sample 1 ("8" Key)	Sherlock, Det. S.	Conclusive (Full Print, R Index, 23 pts)
3f	Sample 1 ("8" Key)	Hopyard, D.	Low (Full Print, L Index, 10 pts)
3g	Sample 1 ("8" Key)	Mattatuck, C.	Conclusive (Full Print, R Index, 18 pts)
3h	Sample 1 ("8" Key)	None <i>Waramaug, W.</i>	(Partial, > 1000 matches) <i>(Partial, R Index, 8 pts)</i>
3i	Sample 1 ("7" Key)	Sherlock, Det. S.	Conclusive (Full Print, R Index, 27 pts)
3j	Sample 1 ("7" Key)	Hopyard, D.	High (Full Print, L Index, 14 pts)
3k	Sample 1 ("7" Key)	Mattatuck, C.	High (Full Print, R Index, 15 pts)
3l	Sample 1 ("7" Key)	None <i>Waramaug, W.</i>	(Partial, > 1000 matches) <i>(Partial, R Index, 7 pts)</i>
3m	Sample 1 ("1" Key)	None	(Partial, > 1000 matches)
3n	Sample 1 ("1" Key)	<i>Waramaug, W.</i>	Low (Partial, R Index, 10 pts.)

Narrative Report - May 28, 2024

Fingerprints in Sample 1 are taken from keypad in alley outside restaurant in Rocky Neck, CT. Weather dry on date of collection but varies. Plastic surface is considered Moderate to Good for collection, environment Poor to Moderate. Moderate to High traffic area, Moderate to High use. Overall likelihood of capture: Poor to Moderate.

Initial print match identifies three individuals: D. Hopyard, C. Mattatuck, and Det. S. Sherlock. Each positive match is > 12 pts., therefore High confidence. Several exceed 16 pts, therefore Conclusive. Hopyard identified as restaurant owner. Mattatuck identified in interviews as present. Sherlock no known prior contact. Most reasonable conclusion is that Det. Sherlock interacted with crime scene prior to evidence capture while not wearing gloves. Recommend notice letter to Department and additional training for Det. Sherlock.

Multiple partial prints on pad, largely obscured by prints from Mattatuck and Sherlock. Exception is pad "1," which has partial print of right index finger for "R Waramaug." Ten-point match falls below forensic standard for High confidence. Other keys have no prints or prints so partial or poorly preserved as to make analysis impossible/unhelpful.

Nathan Hardwerker

Nathan Hardwerker

Certified Civilian Forensic Scientist

STANDARD PASP BFS DISCLOSURE ON FINGERPRINT MATCHING:

THERE IS NO UNIFORM OR UNIVERSAL STANDARD FOR HOW MANY "POINTS" OF MATCH ARE REQUIRED FOR IDENTIFICATION. MOST COURTS REQUIRE TWELVE POINTS, AND FEW - IF ANY - REJECT FINGERPRINTS MEETING THAT STANDARD. SOME COURTS MAY PERMIT EVIDENCE BASED ON FEWER THAN TWELVE POINTS, PARTICULARLY IF SUPPORTED BY OTHER DIRECT OR CIRCUMSTANTIAL EVIDENCE. SIXTEEN POINTS IS CONSIDERED CONCLUSIVE. RECEIVING DEPARTMENT SHOULD NOTIFY ATTORNEY GENERAL IF ANY COURT REJECTS EVIDENCE AT OR ABOVE A FOURTEEN-POINT STANDARD, SO AN APPEAL MAY BE CONSIDERED. INDIVIDUAL OFFICERS OR DEPARTMENTS MAY CONSIDER EVIDENCE FALLING BELOW THE TWELVE-POINT STANDARD AS MEANINGFUL FOR INVESTIGATIVE PURPOSES.

Supplemental Narrative Report - June 30, 2024:

At the request of Rocky Neck PD (Det. S. Sherlock, requesting), the "2," "7," and "8" keys of Sample 3 have been re-examined for any evidence of prints from R. Waramaug. Although no High or Conclusive prints are identified, there are partial prints on these keys that could match those of R. Waramaug. Collectively, these prints with print 3n suggest that Waramaug was present and used the pad, but no single print meets the standard to identify Waramaug. No additional conclusions can be drawn; these partial prints might have been fuller but for the prints overlaid on them, partially destroying them for purposes of analysis. These overlaying prints including those of C. Mattatuck and S. Sherlock. The 6.29.2024 analysis is identified in the revised report in italics.

Nathan Hardwerker

Personal Checking Plus

Account Number: **0001225859** ♦ May 1, 2024 to May 31, 2024 ♦ Page 1 of 1

Emerson Bushnell
257 Long Island Sound Road
Rocky Neck, CT 06513



Questions?

Available by phone 24 hours a day:

1-800-334-6865

rncu.org

Rocky Neck Credit Union
431 Boston Post Road.
Rocky Neck, CT 06513

ADDRESS SERVICE REQUESTED

Account Summary

Opening Balance	\$5,485.50
Withdrawals	\$6,295.00
Deposits	\$2,050.00
Closing Balance on May 31, 2024	\$1,240.50

Transaction History

Date	Description	Withdrawals	Deposits	Balance
May 2	ATM	\$40.00		\$5,445.50
May 5	DEBIT: Lennie & Joe's	\$17.75		\$5,427.75
May 6	DEBIT: ACME 4457	\$59.98		\$5,367.77
May 6	Deposit		\$750.00	\$6,117.77
May 7	Online Bill Pay: Rocky Neck Water	\$35.65		\$6,082.12
May 7	Online Bill Pay: Eversource	\$110.04		\$5,972.08
May 7	Online Bill Pay: CT Gas	\$36.74		\$5,935.34
May 7	AUTO DEP: Netflix	\$8.99		\$5,926.35
May 10	DEBIT:	\$115.50		\$5,810.85
May 12	Deposit		\$750.00	\$6,560.85
May 16	Deposit		\$550.00	\$7,110.85
May 17	Cash Withdrawal	\$5,000.00		\$2,110.85
May 19	DEBIT: ACME 4457	\$35.24		\$2,075.61
May 22	Air Canada: PHL- YYZ	\$429.88		\$1,645.73
May 22	Air Canada: Baggage	\$50.00		\$1,595.73
May 27	DEBIT: CFA MLT International Air	\$9.65		\$1,586.08
May 27	DEBIT: Lyber	\$210.00		\$1,376.08
May 31	DEBIT: Lockkeepers	\$135.58		\$1,240.50
Closing Balance				\$1,240.50

Business Prime Checking

Account Number: 155201125 ♦ May 1, 2024 to May 31, 2024 ♦ Page 1 of 1

Ancient Apizza
231 Hoyt Street
Rocky Neck, CT 06513



Questions?

Available by phone 24 hours a day:
1-800-334-6865

rncu.org
Rocky Neck Credit Union
431 Boston Post Road
Rocky Neck, CT 06513

ADDRESS SERVICE REQUESTED

Account Summary

Opening Balance	\$7,843.34
Withdrawals	\$12,705.76
Deposits	\$4,862.45
Closing Balance on May 31, 2024	\$0.03

Transaction History

Date	Description	Withdrawals	Deposits	Balance
May 3	Sysco Foodservices	\$575.50		\$7,267.84
May 5	Deposit		\$2,125.75	\$9,393.59
May 5	Payroll	\$1,537.50		\$7,856.09
May 7	Online Bill Pay: Rocky Neck Water	\$128.95		\$7,727.14
May 7	Online Bill Pay: Eversource	\$462.33		\$7,264.81
May 7	Online Bill Pay: CT Gas	\$224.48		\$7,040.33
May 10	Deposit		\$1,120.02	\$8,160.35
May 12	Payroll	\$1,102.10		\$7,058.25
May 16	Deposit		\$958.07	\$8,016.32
May 16	Sleeping Giant Brewery	\$524.45		\$7,491.87
May 17	Cash Withdrawal	\$7,000.00		\$491.87
May 19	Payroll	\$1,150.45		-\$658.58
May 19	Deposit		\$658.58	\$0.00
May 31	Interest		\$0.03	\$0.03
May 31	ACCOUNT CLOSED			\$0.00
Closing Balance				\$0.00

Exhibit II



RELEVANT TEXT & TELEPHONE EXCHANGE REPORT

Requestor: Rocky Neck Police Department
Date of Request: 06.03.2024
Date Fulfilled: 06.04.2024
Date Range of Request: 05.02.2024 – 05.31.2024
Numbers Requested: 484.555.7755
484.555.0233
Number Association: 484.555.7755 | Emerson Bushnell
484.555.0233 | Willie Waramaug

Texts:

Date and Time	Sender	Message
05.04.24 10:16	E. Bushnell	Willie, I've missed you. Wanna meet up for a coffee. I could use a favor.
05.04.24 11:47	W. Waramaug	New phone, who dis?
05.04.24 11:48	E. Bushnell	It's Emerson – remember I had you paint my pizza place a few months ago.
05.04.24 11:55	W. Waramaug	No bells ringing.
05.04.24 11:57	W. Waramaug	Oh – wait – the place with the crappy new age pizza. Yeah, I remember yah. What's up?
05.04.24 11:58	E. Bushnell	I need a problem taken care of - can you meet me at my place later today.
05.04.24 12:05	W. Waramaug	You got \$\$\$? I need cash up front.
05.04.24 12:06	E. Bushnell	You don't even know what I need?
05.04.24 12:48	W. Waramaug	Do you have money or not?
05.04.24 12:55	E. Bushnell	Yes
05.04.24 13:17	W. Waramaug	See you in 10. I'm at Sam's. Be there soon.
05.16.24 10:48	E. Bushnell	You good for the job we discussed?
05.16.24 10:55	E. Bushnell	You there?
05.16.24 11:24	W. Waramaug	Yeah. I got you. Meet me at Carly's tomorrow round 3. Cash only. \$10000. No negotiating. Sam warned me about you. Says u r broke.
05.16.24 11:26	E. Bushnell	I got the \$\$\$. Tell Sam they suck as much as their stupid pickle sushi rolls.
05.16.24 11:27	W. Waramaug	Yeah, those things are gross. C U Emerson.
05.20.24 15:24	E. Bushnell	Hey... not sure if you saw/heard, but things have changed. I don't need you to fix that problem anymore.
05.20.24 15:51	W. Waramaug	Sam was right – you are a cheap-o. BTW great speech at

		the party LOL
05.20.24 16:32	E. Bushnell	Whatever. Look, I've left town for good probably. Everyone thinks I'm a fool. There's no way I can rebuild it all now. I'm old and tired. I lost.
05.20.24 16:33	W. Waramaug	Like I said. Pay upfront. No refunds. Do you want the job done or not?
05.20.24 17:55	E. Bushnell	It's just not worth it.
05.20.24 17:57	W. Waramaug	Let me be clear. YOU R NOT GETTING YOU'RE MONEY BACK!
05.20.24 18:24	E. Bushnell	Fine, just do it then.
05.23.24 22:34	W. Waramaug	It's done. I made quite a mess. But, it's all sorted now.
05.23.24 22:44	E. Bushnell	Ok. I'll be back in town soon to check it out. Thx.

Telephone calls

Date	Time Started	Time Ended	Incoming Call To:	Call Originated From:
05/18/24	10:23	10:24	484.555.0233 (Waramaug)	484.555.7755 (Bushnell)
05/19/24	14:12	14:13	484.555.0233 (Waramaug)	484.555.7755 (Bushnell)
05.21.24	18:08	18:10	484.555.0233 (Waramaug)	484.555.7755 (Bushnell)
05.23.24	20:45	20:48	484.555.7755 (Waramaug)	484.555.0233 (Bushnell)

Exhibit 12



Sicilian-Style Pizza from Devil Hopyard's Pizzeria



Detroit-Style Pizza from Sam's Black Rock Pizza Pie & Tavern



Mozzarella and Tomato Sauce Pie from Ancient Apizza



White Clam Pie with bacon from Ancient Apizza