

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

SUPERIOR COURT DEPT.  
 C.A. NO. 2483CV00692

PAUL O'KEEFE, INDIVIDUALLY & AS PERSONAL  
 REPRESENTATIVE OF THE ESTATE OF JOHN  
 JOSEPH O'KEEFE, III; MARGARET O'KEEFE,  
 INDIVIDUALLY AND AS GRANDPARENT / GUARDIAN  
 OF KAYLEY FURBUSH; and JOHN O'KEEFE, II,

*Plaintiffs,*

v.

C&C HOSPITALITY, LLC, d/b/a C.F MCCARTHY'S;  
 G&S HOSPITALITY, LLC d/b/a C.F. MCCARTHY'S;  
 WATERFALL BAR & GRILL, LTD d/b/a WATERFALL  
 BAR & GRILL; and KAREN READ,

*Defendants.*

**PLAINTIFFS' REQUEST FOR CLARIFICATION ON PROPOSED DISCOVERY  
 ORDER (PAPER NO. 157)**

Plaintiffs appreciate and support the Court's interest in protecting the confidentiality of private personal and medical information obtained during discovery. In order to effectuate the Court's intent to strike the appropriate balance between protecting the privacy rights of parties and witnesses, on the one hand, and to not impede the Plaintiffs' ability to fully develop and discover evidence, on the other, Plaintiffs respectfully request clarification as to the scope of the proposed Order.

The Proposed Order prohibits "dissemination" of the entirety of every deposition, without exception. Plaintiffs are concerned about three potential implications: (1) Plaintiffs intend to use Ms. Read's deposition testimony, and that of other witnesses, in future depositions for the purpose of establishing credibility issues. Plaintiffs believe the Court's order should not limit a party's ability to use deposition testimony while deposing other witnesses. (2) Not every potential witness in this case will be deposed and Plaintiffs similarly will need to ask witnesses about statements made by Ms. Read and other witnesses in deposition. The Court's order should not hamper Plaintiffs' ability to investigate the veracity of Ms. Read's sworn testimony outside of the deposition context. (3) Finally, the language could be construed to prohibit the filing of evidence in motions before this Court. Plaintiffs seek clarification on how the Court would like the parties to handle public filings, specifically, whether the Court requires the parties to file under seal all deposition transcripts and all medical information (including information about Ms. Read's medical condition central to the intoxication issues in this case, used in the prior criminal trials, argued by Ms. Read's criminal defense team, and disclosed publicly in the media by Ms. Read and/or her criminal defense team).

Plaintiffs respectfully request the aforementioned clarification of the proposed Order to assist counsel in conducting discovery efficiently while remaining fully compliant with the Court's Order.

**PLAINTIFFS RESPECTFULLY REQUEST A HEARING ON THIS MATTER**

Respectfully Submitted,  
The Plaintiffs,  
By & Through Counsel,

/s/ Marc Diller

Marc Diller, Esq.

BBO #: 644997

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July 13, 2026

**CERTIFICATE OF SERVICE**

I, Marc Diller, hereby certify that a copy of this document was served on all counsel of record via email on July 13, 2026.

/s/ Marc Diller

Marc Diller, Esq.

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