

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal Representative
of the Estate of JOHN JOSEPH O'KEEFE III,
PAUL O'KEEFE, Individually, JOHN
O'KEEFE II, MARGARET O'KEEFE, and
MARGARET O'KEEFE as Grandparent/
Guardian of KAYLEY FURBUSH,

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.

Civil Action No. 2483cv00692

DEFENDANT KAREN READ'S RESPONSE TO PROPOSED ORDER

Defendant Karen Read (“Read”) respectfully responds to the Court’s July 10 Order seeking feedback on proposed language restricting use of deposition testimony. Read believes that the Court’s proposed language is overly and unnecessarily broad and would significantly prejudice her. In particular, the Court’s proposed language would limit use of all “[d]eposition testimony taken in this matter” to this case and the *McCabe* case. That means that such testimony could be used by all non-Read parties (plaintiffs) in the two cases against her, where they have the burden proof, but not in the two cases in which Read is a plaintiff and has the burden of proof (pending in Superior Court and federal court, after removal by defendants). No Rule restricts use of deposition testimony in this manner and, in fact, the standard evidentiary guidelines permit use of prior deposition testimony in later proceedings as prior sworn statements. Of course, the Court has discretion to restrict use of specific confidential information where necessary. But the Court’s proposed language would mean that any admissions or testimony obtained in this case could be contradicted in either of the other pending claims in which Read asserts claims.

There is no justification for such a restriction. Read has repeatedly submitted uncontroverted evidence that there was no violation of the Court’s impoundment Order, which is the stated reason for this proposed restriction. However, regardless, Read has proposed to the parties that all deposition testimony, and all personal medical information, be used only for the four cases pending regarding these events, and not otherwise disseminated. Plaintiffs have not agreed to this restriction, but Read remains willing to accept the restriction. If the Court were to Order such a restriction, Read also requests that the Court state that any party accused of a violation of the Court’s Order will be provided with notice of such accusation and the opportunity to be heard before any sanctions are imposed.

Respectfully submitted,

KAREN READ,

By her attorneys,

/s/ Aaron D. Rosenberg

Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109
617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

Arthur E. Maravelis (BBO# 564673)
Thomas M. Tang (BBO# 642578)
Sarah A. Shipley (BBO# 678753)
Michael W. Bell (BBO# 697529)
TANG & MARAVELIS, P.C.
111 South Bedford Street, Suite 200
Burlington, MA 01803
(781) 221-1400
amaravelis@tangmaravelis.com
ttang@tangmaravelis.com
sshipley@tangmaravelis.com
mbell@tangmaravelis.com

WERKSMAN JACKSON & QUINN LLP

Alan J. Jackson, *pro hac vice*
Caleb E. Mason, *pro hac vice*
Elizabeth S. Little, *pro hac vice*
Werksman Jackson & Quinn LLP
888 West Sixth Street, Fourth Floor
Los Angeles, CA 90017
(213) 688-0460
ajackson@werksmanjackson.com
cmason@werksmanjackson.com
elittle@werksmanjackson.com

Dated: July 13, 2026

CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record, as well as counsel to third party Michael Proctor, by email on July 13, 2026.

/s/ Aaron D. Rosenberg

Aaron D. Rosenberg

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal Representative
of the Estate of JOHN JOSEPH O'KEEFE III,
PAUL O'KEEFE, Individually, JOHN
O'KEEFE II, MARGARET O'KEEFE, and
MARGARET O'KEEFE as Grandparent/
Guardian of KAYLEY FURBUSH,

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.

Civil Action No. 2483cv00692

DEFENDANT KAREN READ'S RESPONSE TO PROPOSED ORDER

Defendant Karen Read (“Read”) respectfully responds to the Court’s July 10 Order seeking feedback on proposed language restricting use of deposition testimony. Read believes that the Court’s proposed language is overly and unnecessarily broad and would significantly prejudice her. In particular, the Court’s proposed language would limit use of all “[d]eposition testimony taken in this matter” to this case and the *McCabe* case. That means that such testimony could be used by all non-Read parties (plaintiffs) in the two cases against her, where they have the burden proof, but not in the two cases in which Read is a plaintiff and has the burden of proof (pending in Superior Court and federal court, after removal by defendants). No Rule restricts use of deposition testimony in this manner and, in fact, the standard evidentiary guidelines permit use of prior deposition testimony in later proceedings as prior sworn statements. Of course, the Court has discretion to restrict use of specific confidential information where necessary. But the Court’s proposed language would mean that any admissions or testimony obtained in this case could be contradicted in either of the other pending claims in which Read asserts claims.

There is no justification for such a restriction. Read has repeatedly submitted uncontroverted evidence that there was no violation of the Court’s impoundment Order, which is the stated reason for this proposed restriction. However, regardless, Read has proposed to the parties that all deposition testimony, and all personal medical information, be used only for the four cases pending regarding these events, and not otherwise disseminated. Plaintiffs have not agreed to this restriction, but Read remains willing to accept the restriction. If the Court were to Order such a restriction, Read also requests that the Court state that any party accused of a violation of the Court’s Order will be provided with notice of such accusation and the opportunity to be heard before any sanctions are imposed.

Respectfully submitted,

KAREN READ,

By her attorneys,

/s/ Aaron D. Rosenberg

Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109
617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

Arthur E. Maravelis (BBO# 564673)
Thomas M. Tang (BBO# 642578)
Sarah A. Shipley (BBO# 678753)
Michael W. Bell (BBO# 697529)
TANG & MARAVELIS, P.C.
111 South Bedford Street, Suite 200
Burlington, MA 01803
(781) 221-1400
amaravelis@tangmaravelis.com
ttang@tangmaravelis.com
sshipley@tangmaravelis.com
mbell@tangmaravelis.com

WERKSMAN JACKSON & QUINN LLP

Alan J. Jackson, *pro hac vice*
Caleb E. Mason, *pro hac vice*
Elizabeth S. Little, *pro hac vice*
Werksman Jackson & Quinn LLP
888 West Sixth Street, Fourth Floor
Los Angeles, CA 90017
(213) 688-0460
ajackson@werksmanjackson.com
cmason@werksmanjackson.com
elittle@werksmanjackson.com

Dated: July 13, 2026

CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record, as well as counsel to third party Michael Proctor, by email on July 13, 2026.

/s/ Aaron D. Rosenberg

Aaron D. Rosenberg

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal Representative
of the Estate of JOHN JOSEPH O'KEEFE III,
PAUL O'KEEFE, Individually, JOHN
O'KEEFE II, MARGARET O'KEEFE, and
MARGARET O'KEEFE as Grandparent/
Guardian of KAYLEY FURBUSH,

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.

Civil Action No. 2483cv00692

DEFENDANT KAREN READ'S RESPONSE TO PROPOSED ORDER

Defendant Karen Read (“Read”) respectfully responds to the Court’s July 10 Order seeking feedback on proposed language restricting use of deposition testimony. Read believes that the Court’s proposed language is overly and unnecessarily broad and would significantly prejudice her. In particular, the Court’s proposed language would limit use of all “[d]eposition testimony taken in this matter” to this case and the *McCabe* case. That means that such testimony could be used by all non-Read parties (plaintiffs) in the two cases against her, where they have the burden proof, but not in the two cases in which Read is a plaintiff and has the burden of proof (pending in Superior Court and federal court, after removal by defendants). No Rule restricts use of deposition testimony in this manner and, in fact, the standard evidentiary guidelines permit use of prior deposition testimony in later proceedings as prior sworn statements. Of course, the Court has discretion to restrict use of specific confidential information where necessary. But the Court’s proposed language would mean that any admissions or testimony obtained in this case could be contradicted in either of the other pending claims in which Read asserts claims.

There is no justification for such a restriction. Read has repeatedly submitted uncontroverted evidence that there was no violation of the Court’s impoundment Order, which is the stated reason for this proposed restriction. However, regardless, Read has proposed to the parties that all deposition testimony, and all personal medical information, be used only for the four cases pending regarding these events, and not otherwise disseminated. Plaintiffs have not agreed to this restriction, but Read remains willing to accept the restriction. If the Court were to Order such a restriction, Read also requests that the Court state that any party accused of a violation of the Court’s Order will be provided with notice of such accusation and the opportunity to be heard before any sanctions are imposed.

Respectfully submitted,

KAREN READ,

By her attorneys,

/s/ Aaron D. Rosenberg

Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109
617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

Arthur E. Maravelis (BBO# 564673)
Thomas M. Tang (BBO# 642578)
Sarah A. Shipley (BBO# 678753)
Michael W. Bell (BBO# 697529)
TANG & MARAVELIS, P.C.
111 South Bedford Street, Suite 200
Burlington, MA 01803
(781) 221-1400
amaravelis@tangmaravelis.com
ttang@tangmaravelis.com
sshipley@tangmaravelis.com
mbell@tangmaravelis.com

WERKSMAN JACKSON & QUINN LLP

Alan J. Jackson, *pro hac vice*
Caleb E. Mason, *pro hac vice*
Elizabeth S. Little, *pro hac vice*
Werksman Jackson & Quinn LLP
888 West Sixth Street, Fourth Floor
Los Angeles, CA 90017
(213) 688-0460
ajackson@werksmanjackson.com
cmason@werksmanjackson.com
elittle@werksmanjackson.com

Dated: July 13, 2026

CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record, as well as counsel to third party Michael Proctor, by email on July 13, 2026.

/s/ Aaron D. Rosenberg

Aaron D. Rosenberg

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal Representative
of the Estate of JOHN JOSEPH O'KEEFE III,
PAUL O'KEEFE, Individually, JOHN
O'KEEFE II, MARGARET O'KEEFE, and
MARGARET O'KEEFE as Grandparent/
Guardian of KAYLEY FURBUSH,

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.

Civil Action No. 2483cv00692

DEFENDANT KAREN READ'S RESPONSE TO PROPOSED ORDER

Defendant Karen Read (“Read”) respectfully responds to the Court’s July 10 Order seeking feedback on proposed language restricting use of deposition testimony. Read believes that the Court’s proposed language is overly and unnecessarily broad and would significantly prejudice her. In particular, the Court’s proposed language would limit use of all “[d]eposition testimony taken in this matter” to this case and the *McCabe* case. That means that such testimony could be used by all non-Read parties (plaintiffs) in the two cases against her, where they have the burden proof, but not in the two cases in which Read is a plaintiff and has the burden of proof (pending in Superior Court and federal court, after removal by defendants). No Rule restricts use of deposition testimony in this manner and, in fact, the standard evidentiary guidelines permit use of prior deposition testimony in later proceedings as prior sworn statements. Of course, the Court has discretion to restrict use of specific confidential information where necessary. But the Court’s proposed language would mean that any admissions or testimony obtained in this case could be contradicted in either of the other pending claims in which Read asserts claims.

There is no justification for such a restriction. Read has repeatedly submitted uncontroverted evidence that there was no violation of the Court’s impoundment Order, which is the stated reason for this proposed restriction. However, regardless, Read has proposed to the parties that all deposition testimony, and all personal medical information, be used only for the four cases pending regarding these events, and not otherwise disseminated. Plaintiffs have not agreed to this restriction, but Read remains willing to accept the restriction. If the Court were to Order such a restriction, Read also requests that the Court state that any party accused of a violation of the Court’s Order will be provided with notice of such accusation and the opportunity to be heard before any sanctions are imposed.

Respectfully submitted,

KAREN READ,

By her attorneys,

/s/ Aaron D. Rosenberg

Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109
617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

Arthur E. Maravelis (BBO# 564673)
Thomas M. Tang (BBO# 642578)
Sarah A. Shipley (BBO# 678753)
Michael W. Bell (BBO# 697529)
TANG & MARAVELIS, P.C.
111 South Bedford Street, Suite 200
Burlington, MA 01803
(781) 221-1400
amaravelis@tangmaravelis.com
ttang@tangmaravelis.com
sshipley@tangmaravelis.com
mbell@tangmaravelis.com

WERKSMAN JACKSON & QUINN LLP

Alan J. Jackson, *pro hac vice*
Caleb E. Mason, *pro hac vice*
Elizabeth S. Little, *pro hac vice*
Werksman Jackson & Quinn LLP
888 West Sixth Street, Fourth Floor
Los Angeles, CA 90017
(213) 688-0460
ajackson@werksmanjackson.com
cmason@werksmanjackson.com
elittle@werksmanjackson.com

Dated: July 13, 2026

CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record, as well as counsel to third party Michael Proctor, by email on July 13, 2026.

/s/ Aaron D. Rosenberg

Aaron D. Rosenberg