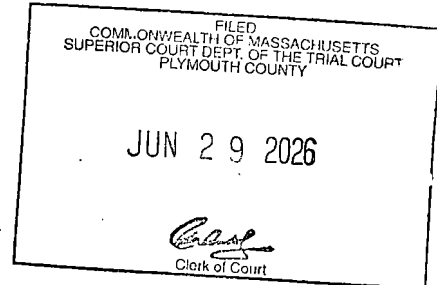


COMMONWEALTH OF MASSACHUSETTS  
PLYMOUTH, ss. SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 2483CV00692

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.



**NON-PARTY WITNESS LIEUTENANT BRIAN TULLY'S MOTION FOR LEAVE TO  
FILE A CORRECTED MEMORANDUM**

Non-Party Witness Lieutenant Brian Tully (Ret.), through counsel, respectfully moves for leave to file a corrected citation in his memorandum in support of his Motion to Quash Subpoena and/or for Protective Order.

After filing the memorandum, counsel discovered that one citation on page 6, Section I(A), inadvertently cited an incorrect Massachusetts case. Counsel respectfully requests leave to substitute the correct authority, Cronin v. Strayer, 392 Mass. 525, 534-35, (1984). The correction does not alter the argument presented, the legal proposition for which the citation was offered, or the relief requested. It is submitted solely to correct the citation and assist the Court.

WHEREFORE, Lt. Tully respectfully requests that the Court allow the filing of the attached corrected memorandum. Attached hereto as Attachment 1.

Respectfully submitted,

For the Non-Party Witness,  
Lieutenant Brian Tully (Ret.),  
By his attorneys,

Dated: June 29, 2026

/s/ Timothy M. Burke

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of June, 2026, this document is being sent via email to the Plymouth Superior Court Clerk's at [plymouth.clerksoffice@jud.state.ma.us](mailto:plymouth.clerksoffice@jud.state.ma.us). Email copies will be sent to counsel for Defendant Karen Read by electronic mail, directed to:

Damon M. Seligson, Esq.  
Charles M. Waters, Esq.  
Aaron D. Rosenberg, Esq.  
Sheehan Phinney Bass & Green, PA  
28 State Street, 22nd Floor  
Boston, MA 02109

/s/ Timothy M. Burke  
Timothy M. Burke, Esq.

# **ATTACHMENT 1**

PLYMOUTH, ss.

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 2483CV00692

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.

**MOTION OF NON-PARTY WITNESS LIEUTENANT BRIAN TULLY (RET.)  
TO QUASH SUBPOENA AND/OR FOR PROTECTIVE ORDER**

**INTRODUCTION**

Non-party witness Lieutenant Brian Tully (Ret.) respectfully moves this Court, pursuant to Massachusetts Rules of Civil Procedure 26(c) and 45(b), to quash the deposition subpoena and accompanying document requests served upon him by Defendant Karen Read, or in the alternative to enter a protective order limiting the scope of examination and production.

This motion rests upon two independent and compelling grounds. First, the subpoena is not a legitimate exercise of discovery directed at a disinterested third party. It is directed at a retired law enforcement officer who is simultaneously a named defendant in Karen Read's own federal civil rights lawsuit — a lawsuit in which she has asserted seven causes of action against him arising from the identical events and subject matter that are the focus of Schedule A's fifteen document request categories. Formal discovery in that federal action has not opened. The federal court has

scheduled a hearing on Lt. Tully's pending Motion to Dismiss for July 14, 2026 — six days after the deposition commanded by this subpoena. Karen Read may not accomplish through a third-party subpoena in this proceeding what the federal pleading standards, the pending motions to dismiss, and the federal court's case management authority have not yet permitted her to do in her own case. Second, and independently, the fifteen categories of document requests in Schedule A are facially overbroad, disproportionate to any legitimate need in this wrongful death action, and impose an undue burden on a retired supervisory officer who was not a primary investigator in the underlying matter.

For these reasons, the subpoena should be quashed in its entirety. At a minimum, a protective order is warranted staying the deposition pending the federal court's July 14, 2026 hearing on the motions to dismiss and the resolution thereof, and substantially narrowing the document requests to categories that are relevant, proportionate, and not otherwise obtainable from the party defendants.

## **PROCEDURAL AND FACTUAL BACKGROUND**

### ***A. The O'Keefe Civil Action and the Subpoena***

This action arises from the death of John J. O'Keefe III on or about January 29, 2022. Lt. Tully is not a party to the Plymouth County Superior Court action. He is a retired Massachusetts State Police Lieutenant who served as a supervisory officer at the Norfolk County State Police Detective Unit ("SPDU"), where he had supervisory authority over the detective unit assigned to investigate Mr. O'Keefe's death. He was not a primary investigating officer and did not personally conduct interviews, execute warrants, prepare affidavits, or make charging decisions in connection with the investigation.

On May 5, 2026, Defendant Karen Read caused a subpoena to be served upon Lt. Tully through his counsel, commanding production of documents by June 1, 2026, and his appearance for deposition on June 11, 2026. The deposition has since been adjourned by agreement to July 8, 2026. The document requests, set forth in Schedule A to the subpoena — a true copy of which is attached hereto as Exhibit B — comprise fifteen categories that sweep across virtually every communication, document, recording, email, and text message touching the O’Keefe investigation, the Canton Police Department, the Boston Police Department, the Norfolk District Attorney’s Office, Karen Read herself and her representatives, the Albert family, and Lt. Tully’s own MSP disciplinary proceedings, spanning a period in excess of five years, from January 1, 2021 to the present.

***B. The Parallel Federal Civil Rights Action and the Motions to Dismiss***

On November 17, 2025, Karen Read filed a civil action in Bristol Superior Court naming Lt. Tully as a defendant, which was subsequently removed to the United States District Court for the District of Massachusetts, Civil Action No. 1:25-cv-13588-DJC (hereinafter the “Federal Action”). Lt. Tully promptly filed his initial Motion to Dismiss the original complaint, arguing that the complaint failed to state any plausible claim against him.

Rather than oppose that motion, Plaintiff filed an Amended Complaint on March 13, 2026 (ECF No. 54), substantially expanding her allegations against Lt. Tully across seven counts: § 1983 Malicious Prosecution (Count I), Supervisory Liability (Count II), Conspiracy to Deprive Plaintiff of Constitutional Rights (Count III), the Massachusetts Civil Rights Act (Count IV), Common Law Malicious Prosecution (Count V), Intentional Infliction of Emotional Distress (Count VI), and Civil Conspiracy (Count VII). The pattern of the Amended Complaint’s expansion is telling: rather than supply new facts, Plaintiff principally inserted Lt. Tully’s name into

allegations previously directed at other defendants, and added new “upon information and belief” allegations without any supporting factual foundation.

On April 3, 2026, Lt. Tully filed his Motion to Dismiss Plaintiff’s Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6). A true copy of Lt. Tully’s motion is attached hereto as Exhibit A. As set forth in detail in Exhibit A, the Amended Complaint fails to state any plausible claim against Lt. Tully for the following independent reasons: (1) the complaint relies on conclusory assertions unsupported by specific facts in violation of *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007); (2) the complaint engages in impermissible group pleading that fails to distinguish Lt. Tully’s supervisory role from the conduct of the primary investigating officers; (3) Lt. Tully is entitled to qualified immunity on all § 1983 claims; and (4) the state law claims in Counts IV through VII are barred by the Massachusetts Tort Claims Act, G.L. c. 258. Judge Casper has scheduled a hearing on the pending motions to dismiss for July 14, 2026.

Formal discovery in the Federal Action has not opened. Lt. Tully has not been deposed, has produced no documents, and has answered no interrogatories in that proceeding. This subpoena was served on May 5, 2026 — thirty-two days after Lt. Tully filed his second Motion to Dismiss — and commands Lt. Tully’s deposition on July 8, 2026, six days before the federal court is scheduled to hear argument on whether any claims against him survive at all.

***C. The Federal Court Has Already Declined to Authorize Pre-Conference Third-Party Discovery in This Litigation.***

The impropriety of this subpoena is further illuminated by a development in the Federal Action itself. Co-defendant Michael Proctor, through counsel, filed a motion in the Federal Action seeking leave to conduct limited pre-conference discovery directed at third parties — specifically, Keeper of Records subpoenas to the Norfolk County District Attorney’s Office and the Canton

Police Department — in order to refresh his memory and prepare for his own deposition in this Plymouth Superior Court proceeding, which was scheduled for June 8, 2026. Proctor argued that “good cause” existed for pre-conference third-party discovery because Karen Read’s counsel, who represents her in this Plymouth case as well as in the Federal Action, had refused to provide him with any materials with which to prepare for that deposition. Karen Read opposed Proctor’s motion. Judge Casper denied it. Attached hereto as Exhibit C.

The significance of that ruling for the motion now before this Court is direct. Judge Casper has determined that pre-conference third-party discovery touching the subject matter of the Federal Action is not appropriate even where a federal defendant faces an imminent deposition in this parallel state court proceeding and lacks access to the materials he needs to prepare. Having obtained that ruling — by opposing Proctor’s motion — Karen Read cannot now be heard to argue that this Court should compel Lt. Tully, a named federal defendant in her own lawsuit, to submit to a wide-ranging deposition and produce fifteen categories of documents in advance of the federal court’s July 14, 2026 hearing on the motions to dismiss. The federal court has effectively signaled that discovery in this litigation, in any direction, awaits the Rule 16.1 and Rule 26(f) process. Karen Read cannot invoke that ruling for her benefit in federal court while simultaneously using this Court’s subpoena power to do an end-run around it.

## **ARGUMENT**

**I. THE SUBPOENA SHOULD BE QUASHED OR STAYED BECAUSE IT IS AN IMPROPER ATTEMPT TO CIRCUMVENT THE DISCOVERY FRAMEWORK OF THE PARALLEL FEDERAL PROCEEDING IN WHICH LT. TULLY IS A NAMED DEFENDANT.**

Rule 45(b) of the Massachusetts Rules of Civil Procedure authorizes this Court to “quash or modify the subpoena if it is unreasonable and oppressive.” Rule 26(c) independently empowers the Court to issue a protective order “for good cause shown” to protect any person from “annoyance, embarrassment, oppression, or undue burden or expense.” Together, these provisions confer broad discretionary authority to regulate subpoenas that are directed at non-party witnesses for improper purposes.

The subpoena here is not directed at a disinterested third party. Lt. Tully is simultaneously a named defendant in Karen Read’s own federal civil rights lawsuit, in which she has sued him personally on seven causes of action arising from his role as a supervisory officer in the O’Keefe investigation — the same investigation that is the subject of this wrongful death action, and the same subject matter that is the focus of every one of Schedule A’s fifteen document request categories. The overlap between the Federal Action allegations and the Schedule A categories is complete and unmistakable.

***A. A Third-Party Subpoena Cannot Be Used to Circumvent Federal Discovery Limitations.***

Courts have consistently recognized their inherent authority to stay or quash subpoenas where the practical effect is to circumvent the discovery framework of a parallel proceeding. See *Cronin v. Strayer*, 392 Mass. 525, 534-35, (1984) (recognizing court’s inherent power to manage discovery to prevent prejudice and abuse of process); *Microfinancial, Inc. v. Premier Holidays Int’l, Inc.*, 385 F.3d 72, 77-78 (1st Cir. 2004) (courts may coordinate and stay parallel civil proceedings to protect litigants’ rights); *In re Lernout & Hauspie Sec. Litig.*, 214 F. Supp. 2d 100, 106 (D. Mass. 2002) (granting stay of discovery in parallel proceeding to prevent circumvention of case management order).

The rationale is straightforward: if discovery has not yet opened in the primary proceeding in which the witness is a named defendant, permitting the adverse party to obtain functionally identical discovery through a third-party subpoena in a related case frustrates the orderly management of litigation and deprives the defendant of the protections afforded during the pre-discovery phase of the primary case. Those protections include, critically, the threshold determination by the federal court of whether the complaint against Lt. Tully states any plausible claim at all. That determination is now imminent: Judge Casper has scheduled a hearing on the motions to dismiss for July 14, 2026. If the Federal Action is dismissed following that hearing — as Lt. Tully’s briefing argues it should be on multiple independent grounds — a deposition conducted on July 8 will have served no legitimate purpose in this wrongful death action, while imposing upon Lt. Tully the full burden of federal-defendant discovery through the back door of a state court subpoena on the eve of the federal hearing.

***B. The July 8 Deposition Date and the July 14 Federal Hearing Date Make a Stay Particularly Compelling.***

The temporal relationship between the commanded deposition date and the scheduled federal hearing date is striking and dispositive on the question of a stay. Karen Read’s subpoena commands Lt. Tully to appear for deposition on July 8, 2026. Judge Casper has scheduled oral argument on the motions to dismiss — including Lt. Tully’s — for July 14, 2026. Lt. Tully is thus being commanded to submit to a wide-ranging deposition as a federal defendant six days before the court overseeing his federal case hears argument on whether he belongs in that case at all.

No legitimate discovery purpose in this wrongful death action requires that Lt. Tully be deposed on July 8 rather than after July 14. The O’Keefe plaintiffs, who are the parties to this action, have not sought this deposition. It is Karen Read’s subpoena — served by the defendant in this case against a non-party who is her own federal defendant — timed to extract testimony from

Lt. Tully immediately before the federal court rules on whether her claims against him are legally viable. A brief stay of fewer than two weeks would cost the parties nothing while allowing the federal court's threshold ruling to inform whether, and on what terms, Lt. Tully's deposition in this proceeding is appropriate at all.

***C. The Chronology of This Litigation Confirms the Improper Purpose of the Subpoena.***

The sequence of events in this litigation tells a clear story. Lt. Tully filed his initial Motion to Dismiss the original complaint in the Federal Action, identifying the factual and legal deficiencies in the claims against him. Rather than oppose that motion, Karen Read filed an Amended Complaint on March 13, 2026, attempting to cure those deficiencies — but doing so, as Exhibit A demonstrates, primarily by inserting Lt. Tully's name into existing allegations and appending “upon information and belief” assertions without factual support. Lt. Tully filed his Motion to Dismiss the Amended Complaint on April 3, 2026, again identifying with particularity the absence of specific, non-conclusory factual allegations against him. This subpoena was served thirty-two days later. The federal MTD hearing is now scheduled for July 14. The commanded deposition date is July 8.

The fifteen document categories in Schedule A track the factual gaps in the Amended Complaint with precision. Request 5 seeks documents concerning the individuals at 34 Fairview Road — the same individuals whose investigation the Amended Complaint alleges Lt. Tully failed to pursue. Request 11 seeks communications with the Norfolk District Attorney's Office — directly tracking the Amended Complaint's allegations concerning coordination between MSP and NDAO. Request 12 seeks all documents concerning Michael Proctor — the subordinate officer whose conduct underlies the supervisory liability count. Request 13 seeks Lt. Tully's own disciplinary records — expressly referenced in the Amended Complaint at paragraph 140.

Schedule A is not a discovery instrument designed to develop evidence for this wrongful death action. It is a vehicle for building the factual record that the Amended Complaint failed to plead and that federal pleading standards required it to contain — extracted from Lt. Tully on the eve of the federal hearing at which those pleading failures will be argued.

This Court should not permit its process to be used in this manner. The appropriate remedy is to quash the subpoena in its entirety. At a minimum, a stay pending the July 14 federal hearing and its resolution is compelled by the circumstances.

## **II. THE DOCUMENT REQUESTS IN SCHEDULE A ARE FACIALLY OVERBROAD, DISPROPORTIONATE TO THE NEEDS OF THIS ACTION, AND IMPOSE UNDUE BURDEN ON A NON-PARTY WITNESS.**

Independently of the parallel-proceeding ground, the document requests in Schedule A must be quashed or substantially modified because they are unreasonable and oppressive on their face. Rule 45(b) requires that this Court quash a subpoena that “subjects a person to undue burden.” The standard for evaluating burden on non-party witnesses is deliberately more protective than the standard applied to parties. *Cusumano v. Microsoft Corp.*, 162 F.3d 708, 717 (1st Cir. 1998) (“concern for the unwanted burden thrust upon non-parties is a factor entitled to special weight in evaluating the balance of competing needs”); see also *Hasbro, Inc. v. Serafino*, 168 F.R.D. 99, 100 (D. Mass. 1996).

Schedule A’s fifteen categories demand, without meaningful limitation, every document, communication, email, text message, audio recording, or video recording in Lt. Tully’s possession touching the following subjects:

1. Karen Read, her family members, agents, attorneys, and representatives, without any subject matter or temporal limitation beyond January 1, 2021 (Request 1);

2. The 2021 black Lexus LX 570 SUV leased by Karen Read (Request 2);
3. The death of John J. O'Keefe III, without temporal limitation (Request 3);
4. John O'Keefe II, Paul O'Keefe, or Margaret O'Keefe from January 1, 2021 to the present (Request 4);
5. Twelve named individuals present at 34 Fairview Road on January 28-29, 2022, from January 1, 2021 to the present (Request 5);
6. Any member of the Canton Police Department from January 28, 2022 to the present (Request 6);
7. Any member of the Boston Police Department from January 28, 2022 to the present (Request 7);
8. 34 Fairview Road, Canton, Massachusetts, without limitation (Request 8);
9. Any dog owned by any member of the Albert family (Request 9);
10. Any federal investigation relating in any way to the death of John O'Keefe III (Request 10);
11. All communications with the Norfolk District Attorney's Office from January 28, 2022 to the present concerning Karen Read or any prosecution involving her (Request 11);
12. All documents and communications concerning Michael Proctor from January 28, 2022 to the present (Request 12);

13. All documents concerning any disciplinary investigation, proceeding, decision, or appeal concerning Lt. Tully's own conduct as an MSP employee from January 1, 2021 to the present (Request 13);
14. All documents concerning any disciplinary investigation concerning Michael Proctor's or Yuri Bukhenik's conduct (Request 14);
15. All non-privileged documents and communications concerning this litigation or any other current, past, or potential litigation involving Karen Read (Request 15).

***A. The Requests Are Not Tailored to the Claims in This Wrongful Death Action.***

This is a wrongful death action brought by the O'Keefe family against bar establishments and Karen Read. Lt. Tully is not a party. His relevance to this action, if any, is narrow and relates solely to his supervisory role in the MSP investigation that followed Mr. O'Keefe's death. He was not present at the scene on January 28-29, 2022, was not involved in the events giving rise to Mr. O'Keefe's death, did not serve alcohol to any patron, and was not a primary investigating officer.

None of the fifteen document categories is calibrated to that narrow relevance. Instead, they demand the entirety of Lt. Tully's communications, documents, and records touching the O'Keefe matter in all its dimensions — criminal, civil, federal, disciplinary — over a period of more than five years. This is not proportionate discovery directed at a non-party supervisory witness in a wrongful death action. It is a wholesale demand for every piece of paper and every electronic communication that Lt. Tully has generated or received in connection with the most prominent and heavily litigated matter of his career. The burden this imposes on a retired officer, without the institutional resources of an active government agency, is substantial and unjustifiable on the record presented.

***B. Several Categories Are Independently Objectionable.***

Request 13 — demanding Lt. Tully’s own MSP disciplinary records — is particularly improper. Personnel and disciplinary records of law enforcement officers are subject to heightened protection under G.L. c. 149, § 52C and related provisions. Such records are not freely obtainable through civil subpoena directed at the officer himself, and their compelled disclosure raises concerns that go well beyond proportionality. Moreover, this request is transparently aimed not at developing evidence relevant to this wrongful death action, but at obtaining material directly relevant to the Federal Action, in which Lt. Tully’s disciplinary proceeding is expressly alleged in the Amended Complaint at paragraph 140 and cited in Exhibit A’s motion to dismiss as an attempted but legally insufficient substitute for the specific factual allegations § 1983 requires.

Requests 6 and 7 demand every communication Lt. Tully has had with any member of the Canton Police Department or Boston Police Department since January 28, 2022 — a period of more than four years, with no subject matter limitation whatsoever. A retired officer cannot be expected to locate, collect, and produce four-plus years of departmental communications in response to a third-party subpoena, particularly where those communications span agencies and matters far beyond the scope of this wrongful death action.

Requests 14 and 15 demand records of third-party disciplinary proceedings concerning Proctor and Bukhenik, and records of all litigation involving Karen Read, including the Federal Action itself. Documents generated in or related to the Federal Action in which Read is suing Lt. Tully are not obtainable through a subpoena directed at him as a non-party in this case. Request 15 is particularly circular: it asks Lt. Tully to produce, as a non-party in this wrongful death action, documents relating to the federal civil rights case in which he is a named defendant and in which formal discovery has not yet opened.

***C. The Appropriate Alternative Relief Is a Substantially Narrowed Protective Order.***

If this Court declines to quash the subpoena in its entirety, Lt. Tully respectfully requests that the Court enter a protective order narrowing the document requests and deposition as follows:

16. Staying the deposition pending the July 14, 2026 hearing on Lt. Tully's Motion to Dismiss in the Federal Action and the resolution thereof, so that the federal court's threshold determination of whether any claims survive against Lt. Tully may inform the scope and necessity of his deposition testimony in this proceeding;
17. Limiting document production to materials specifically concerning Lt. Tully's direct supervisory communications regarding the O'Keefe investigation during the period January 29, 2022 through December 31, 2022 which are in his possession, custody or control;
18. Excluding Request 13 in its entirety, as Lt. Tully's own personnel and disciplinary records are protected from compelled third-party disclosure under G.L. c. 149, § 52C and are not relevant to the claims asserted in this wrongful death action;
19. Excluding Requests 14 and 15 in their entirety, as they seek records of parallel proceedings and third-party disciplinary matters that are not within Lt. Tully's custody or control and are not relevant to this action;
20. Limiting Requests 6 and 7 to communications specifically and directly concerning the O'Keefe investigation during the period January 29, 2022 through December 31, 2022.

**CONCLUSION**

Karen Read has twice attempted through the federal pleading process to establish a viable factual case against Lieutenant Brian Tully. She filed an original complaint. Lt. Tully moved to dismiss it. She filed an Amended Complaint. Lt. Tully moved to dismiss that as well, demonstrating — as set forth in detail in Exhibit A — that the Amended Complaint’s expanded allegations remain conclusory, rely on impermissible group pleading, and fail to plead the specific facts that § 1983 claims require. Judge Casper has now scheduled a hearing on the motions to dismiss for July 14, 2026.

In the Federal Action, Karen Read successfully opposed co-defendant Proctor’s motion for pre-conference third-party discovery, obtaining a ruling from Judge Casper that such discovery is not appropriate in advance of the Rule 16.1 and Rule 26(f) process. Having secured that ruling, she now seeks to use this Court’s subpoena power to compel Lt. Tully — her own federal defendant — to submit to a sweeping deposition and produce fifteen categories of documents on July 8, 2026, six days before the federal court hears argument on whether her claims against him are legally viable at all. That is precisely the pre-conference third-party discovery that the federal court has already declined to authorize, repackaged as a state court subpoena and directed at a different target.

For the foregoing reasons, this Court should quash the subpoena and document requests served upon Lieutenant Brian Tully (Ret.) in their entirety. In the alternative, this Court should enter a protective order: (1) staying the deposition until after the July 14, 2026 federal hearing and its resolution; and (2) substantially narrowing the document requests to the specific categories identified in Section II(C) above.

Respectfully submitted,

For the Non-Party Witness, Lieutenant Brian Tully (Ret.),

By his attorneys,

/s/ Timothy M. Burke

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Dated: June 18, 2026

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of June, 2026, I served a true copy of the foregoing Motion to Quash Subpoena and/or for Protective Order, together with all exhibits attached hereto, upon counsel for Defendant Karen Read by electronic mail, directed to:

Damon M. Seligson, Esq.

Charles M. Waters, Esq.

Aaron D. Rosenberg, Esq.

Sheehan Phinney Bass & Green, PA

28 State Street, 22nd Floor

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/s/ Timothy M. Burke

Timothy M. Burke, Esq.