

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

SUPERIOR COURT
C.A. NO. 2483CV00692

PAUL O'KEEFE ¹ , et al ² <i>Plaintiffs,</i>
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v.

C&C HOSPITALITY, LLC, d/b/a C.F. MCCARTHY'S, et al ³ <i>Defendants.</i>
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ORDER RELATIVE TO DOCKETING

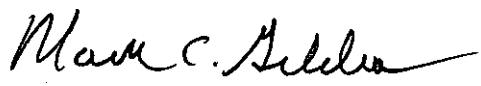
The "Notice" pleading e-filed on July 9, 2026 at 3:46 p.m. by Ms. Read's attorneys shall not be docketed. I appreciate counsel seeking to keep me informed but a Notice Regarding Parties' Conference is not an appropriate pleading to be filed.

The Superior Court Rules include limited opportunity for the filing of "Notice" type pleadings. See e.g., Rule 9D relative to motions seeking reconsideration of decisions made pursuant to Mass. R. Civ. P. 50(b), 52(b), 59(b), 59(e) or 60(b) (moving party shall also simultaneously file and serve a "Notice of Motion for Reconsideration" in the same manner as provided in the final sentence of Rule 9E; and Rule 9E relative to motions to dismiss (a party must also file with the court a simple "Notice of Motion to Dismiss").

The parties should refrain from filing such "Notice" type pleadings unless they are required under applicable rules or are requested by me. (On July 1, 2026, I did encourage the attorneys to confer and to seek to reach an agreement, and I further stated that in the absence of an agreement, I will consider whether to enter an order based on my plenary authority to control, manage, and oversee the conduct of discovery. In my July 6, 2026 Order (Paper No. 152), I stated if no such agreement was filed before 4:30 p.m. on July 9, 2026, I would issue further orders I deemed appropriate. I did not request to be notified as to the progress of discussions between counsel.)

I also question seeking to put the emails relative to communications from various counsel on such issue on the docket.

July 10, 2026


 Mark C. Gildea
 Justice of the Superior Court

¹ Individually and as Personal Representative of the Estate of John Joseph O'Keefe III

² John O'Keefe II, and Margaret O'Keefe, Individually and as Grandparent/Guardian of Kayley Furbush.

³ G&S Hospitality, LLC d/b/a C.F. McCarthy's, Waterfall Bar & Grill, Ltd. d/b/a Waterfall Bar & Grill, and Karen Read.