

7/8/26

156

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,

Civil Action No. 2483cv00692

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.

**EMERGENCY MOTION FOR RECONSIDERATION OF ORDER DELAYING
DEPOSITION OF MICHAEL PROCTOR**

Defendant Karen Read respectfully requests that the Court reconsider its June 29 Order staying further discovery of Michael Proctor. The Court stated on the record that it had stayed the second day of Proctor's deposition because an attorney with an appearance in this case had "violated either the letter or spirit of the Rule." That statement is incorrect. First, the X post that the Court cited as the only evidence that its impoundment order had been violated was actually posted **before** Proctor's relevant June 8, 2026 filing. Second, the information that the Court claimed had been disclosed by an attorney **was already public as of June 6, 2026 at the latest,**

July 10, 2026 – I have been presented with a motion for reconsideration of my Order precluding further attempts to take discovery from a non-party pending further Orders of the Court, an opposition, and a reply. Ms. Read's attorneys are reminded of the provisions of Superior Court Rule 9A(a)(3) that a reply memorandum is to be "limited to matters raised in the opposition which were not and could not have been anticipated and addressed in the moving party's initial memorandum."

The motion misstates what I said. What I said was "Orders of the court have been violated either directly, or at the very least, in spirit." I did not say what is stated in the motion: "that an attorney with an appearance in this case 'had violated the letter or spirit of the Rule'." I also did not state on the record that "I had stayed the second day of Proctor's deposition..." but rather stated that: "Because of the disclosure of sensitive private information, I temporarily stayed further discovery of the non-party."

I acknowledge the information in the motion as to the time of a June 8, 2026 post on X. However, such information does not allay the concerns that gave rise to the Order, especially given the content of a June 25, 2026 post on X. The motion for reconsideration is denied.

Mark C. Gildea
Mark C. Gildea, J.