

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

SUPERIOR COURT
C.A. 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.)
_____)

DEFENDANT, KAREN READ'S MOTION TO DISMISS THE PLAINTIFFS'
COMPLAINT PURSUANT TO MASS. R. CIV. P. 12(b)(6)

NOW COMES the Defendant, Karen Read, who respectfully requests this Honorable Court Dismiss Counts X, XI, XII, and XIII of the Plaintiffs' Complaint pursuant to Mass. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted. As a matter of law, the Plaintiffs have not, nor can they present a claim that they have suffered emotional distress and as such, these claims should be dismissed. In further support hereof, the Defendant repeats and incorporates herein, the Memorandum of Law in Support of Defendant, Karen Read's Motion to Dismiss the Plaintiffs' Complaint Pursuant to Mass. R. Civ. P. 12(b)(6) filed in conjunction with this Motion.

WHEREFORE, the Defendant, Karen Read, respectfully requests that this Honorable Court ALLOW this Motion and Enter an Order dismissing Counts X, XI, XII, and XIII of the Plaintiffs' Complaint.

Respectfully submitted,

The Defendant,
Karen Read,
By her attorneys,

/s/ William L. Keville, Jr.
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Dated: July 9, 2025

CERTIFICATE OF SERVICE

I, William L. Keville, Jr., hereby certify that on this day, I forwarded notice of the foregoing document(s) by electronically mailing a copy thereof, to the following:

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/s/William L Keville, Jr.
William L. Keville, Jr.

Dated: July 9, 2025