

7/8/26

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO.: 2483cv00692

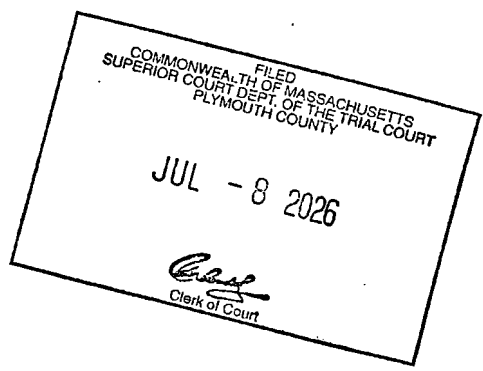
PAUL O'KEEFE, as Personal Representative of
the Estate of JOHN JOSEPH O'KEEFE III, PAUL
O'KEEFE, Individually, JOHN O'KEEFE II,
MARGARET O'KEEFE as Grandparent/Guardian
of KAYLEY FURBUSH;

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-PARTIES' ASSENTED-TO EMERGENCY MOTION TO ADMIT
CHRISTOPHER M. MATTEI, ESQ. PRO HAC VICE**

Non-Parties Brian Albert, Nicole Albert, Colin Albert, Matthew McCabe Jennifer McCabe, Allie McCabe, and Brian Higgins (the "Non-Parties"), by and through their attorneys, and pursuant to M.G.L. c. 221, § 46A and Mass. Super. Ct. R. 9A(d)(1), hereby move, with the *assent* of counsel for Plaintiffs and Defendants, on an emergency basis for the admission of Christopher M. Mattei, Esq., to appear and practice *pro hac vice* in this Court in the above-captioned matter on behalf of the Non-Parties. In support of this motion, Plaintiffs state as follows:

1. Attorney Mattei practices with the law firm of Koskoff, Koskoff & Bieder PC located at 350 Fairfield Avenue, Suite 501, Bridgeport, Connecticut 06604. See Affidavit of

Christopher M. Mattei, Esq. (“Mattei Aff.”), ¶ 2. Attorney Mattei represents the Non-Parties, *pro hac vice*, in *McCabe et al. v. Read et al.*, Civil Action No. 2683CV00541 (Plymouth Cnty. Super. Ct.). *Id.* ¶ 3.

2. Attorney Mattei is a member in good standing of the following bars: the State of Connecticut; the United States Second Circuit Court of Appeals; the United States District Court for the District of Connecticut; and the United States District Court for the District of Columbia. *Id.* ¶ 4.

3. Plaintiffs undersigned counsel, James L. Tuxbury, has been a member in good standing of the Bar of the Commonwealth of Massachusetts (BBO #624916) since 2012. *See* Affidavit of James L. Tuxbury, Esq. (“Tuxbury Aff.”), ¶ 5.

4. The State of Connecticut presently allows members of the Massachusetts bar to practice *pro hac vice* before their courts. Mattei Aff. ¶ 5.

5. Plaintiffs have conferred in good faith with counsel for Plaintiffs and Defendants, and counsel for Plaintiffs and Defendants assent to this Motion. Tuxbury Aff. ¶ 6.

6. On July 8, 2026, Attorney Mattei transmitted the *pro hac vice* registration fee of \$355.00, required by Supreme Judicial Court Rule 3:15, to the Massachusetts Board of Bar Overseers (“BBO”). Tuxbury Aff. ¶ 7, Exhibit A.

7. The reason the Motion is being made on an emergency basis is because the deposition of Non-Party Brian Higgins is scheduled for tomorrow, July 9, 2026 at 10:00AM.

Tuxbury Aff. ¶ 8. I had intended to defend Mr. Higgins's deposition, but I now have a conflict with a recently scheduled memorial service for a family member. Tuxbury Aff. ¶ 9.

8. Counsel for Defendant Karen Read has indicated that Ms. Read will not consent to me defending Mr. Higgins's deposition unless I am admitted in this action *pro hac vice*. Tuxbury Aff. ¶ 11, Exhibit B. Accordingly, I bring this motion before the Court on an emergency basis.

WHEREFORE, the Non-Parties respectfully request that this Honorable Court enter an Order allowing Attorney Mattei to practice before this Court *pro hac vice*.

Dated in Boston, Massachusetts on this 8th day of July, 2026.

BRIAN ALBERT, NICOLE ALBERT, COLIN ALBERT, MATTHEW McCABE, JENNIFER McCABE, ALLIE McCABE, AND BRIAN HIGGINS

By their attorneys,

/s/ James L. Tuxbury

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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2026, I caused a true and accurate copy of the foregoing document to be served on all counsel of record via the Court's electronic filing system and electronic mail.

/s/ James L. Tuxbury
James L. Tuxbury