

COMMONWEALTH OF MASSACHUSETTS

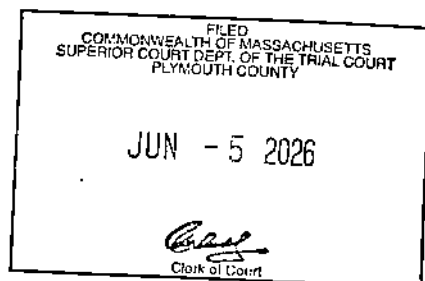
PLYMOUTH, ss

SUPERIOR COURT DEPARTMENT
CIVIL DOCKET NO.: 2483CV00692

PAUL O'KEEFE, Individually and as Personal)
Representative of the Estate of John Joseph)
O'Keefe, III; MARGARET O'KEEFE, Individually)
and Grandparent/Guardian of KAYLEY FURBUSH,)
and JOHN O'KEEFE, II,)
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 A PROTECTIVE ORDER

I. Introduction

Non-Party Michael Proctor ("Mr. Proctor") hereby moves this Honorable Court, pursuant to Mass. R. Civ. P. 26(c), for a protective order as to his deposition, presently scheduled for June 8, 2026. This Motion is supported by ample good cause, as set forth below.

Mr. Proctor is not a party to this matter. He is—at best—a mere fact witness. Although Ms. Read has litigated this case extensively in the media, to the best of the undersigned's knowledge, only three depositions have been taken in this case. Ms. Read's desired litigation strategy aside, Mr. Proctor will be produced for his deposition, but the previously agreed upon date of June 8, 2026, is no longer workable due to a variety of circumstances as described further herein.

Given Ms. Read's unwillingness to accommodate a requested scheduling change and

June 5, 2026 - Hearing to be held by Zoom on Monday, June 8, 2026 at 8:45 a.m. by Zoom. Moving party to provide information concerning i) when counsel learned of witness' unavailability for deposition preparation; ii) when Ms. Read's counsel was informed; iii) why deposition preparation could not have place today or this weekend; and iv) supporting witness' unavailability as referenced in the last paragraph of page 3 of the motion (this may be filed marked "provisionally impounded" with a supporting motion, if warranted. All filings due by 5:00 p.m. on Sunday. Copies shall also be emailed to kevin.riordan@jud.state.ma.us. Mark C. Gildea