

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,

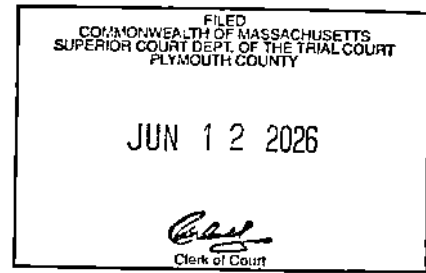
Plaintiffs,

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.

Civil Action No. 2483cv00692



**DEFENDANT KAREN READ'S MOTION TO COMPEL COLIN ALBERT TO ATTEND
DEPOSITION AND PRODUCE DOCUMENTS PURSUANT
TO THIRD-PARTY SUBPOENA**

Defendant Karen Read respectfully requests that the Court compel Colin Albert ("Colin") to attend deposition and produce responsive documents pursuant to a validly issued subpoena. As detailed in the emails attached to Ms. Read's Memorandum of Law, what were normal communications between counsel of a subpoenaing party (Ms. Read) and non-party witness (Colin) devolved into another episode of gamesmanship. Unfortunately, the Court now needs to step in and require Colin to abide by the Rules of Civil Procedure. Ms. Read relies on her Memorandum of Law in further support of this Motion.

WHEREFORE, Defendant Karen Read respectfully requests that the Court allow this Motion, order Colin Albert to provide five dates in June and July (other than June 25 - July 3) for his deposition, from which Ms. Read's counsel will choose, and order Colin Albert to produce all documents in his possession, custody, or control, responsive to the narrow requests provided by Ms. Read on April 29, 2026 within five days of the Court's order.

Respectfully submitted,

KAREN READ,

By her attorneys,

/s/ Charles M. Waters

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Dated: May 26, 2026

CERTIFICATE OF COMPLIANCE WITH SUPERIOR COURT RULE 9C

I certify that I conferred with counsel to Colin Albert prior to serving this Motion in a good faith effort to resolve this dispute without motion practice. My colleague Aaron Rosenberg (counsel to Ms. Read), conferred with Mr. Albert's counsel by video conference on April 28, 2026 at 10 am. Mr. Rosenberg participated for Ms. Read and James Tuxbury, Chris Mattei, and Kieran Murphy participated for Mr. Albert. I then engaged in extensive communication with Mr. Albert's counsel, as detailed in Ms. Read's Memorandum of Law.

/s/ Charles M. Waters

Charles M. Waters

Dated: May 26, 2026

CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record by email on May 26, 2026.

/s/ Charles M. Waters

Charles M. Waters