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COMMONWEALTH OF MASSACHUSETTS

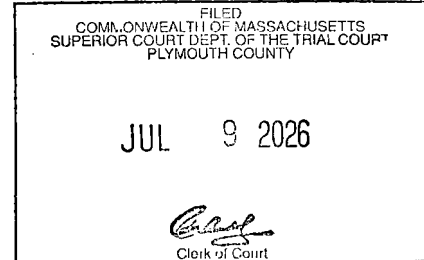
PLYMOUTH, ss

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.)



**NON-PARTY MICHAEL PROCTOR'S OPPOSITION TO KAREN READ'S
 EMERGENCY MOTION FOR RECONSIDERATION OF ORDER DELAYING
 DEPOSITION OF MICHAEL PROCTOR**

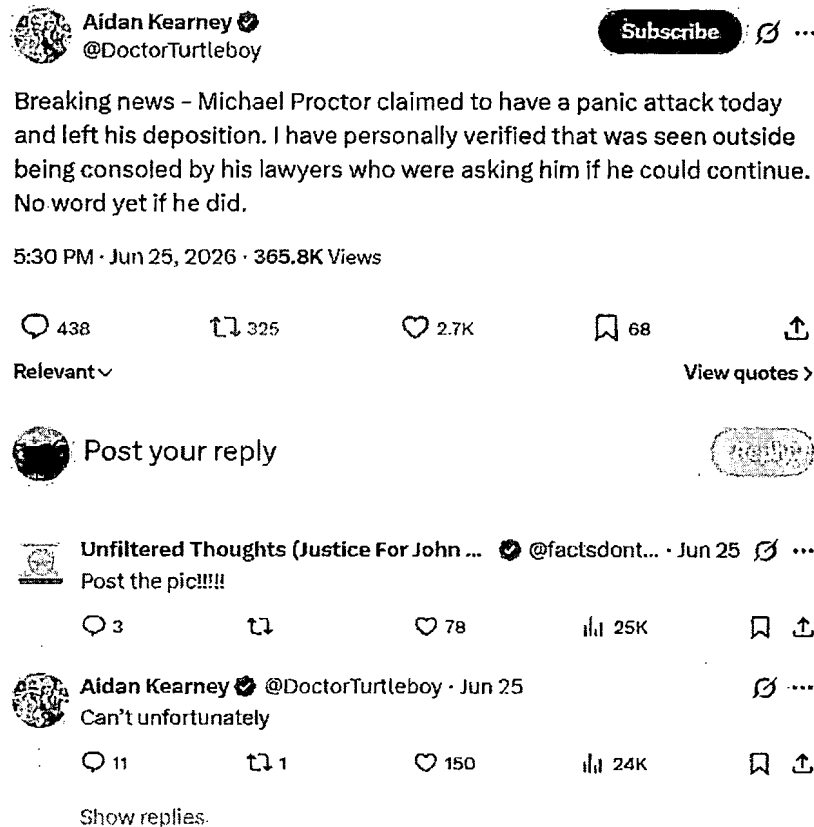
Non-Party Michael Proctor ("Mr. Proctor") hereby submits this opposition to Karen Read's ("Ms. Read's") Emergency Motion For Reconsideration of Order Delaying Deposition of Michael Proctor. Cognizant of this Court's admonishment to all counsel on July 1, 2026, and Rule 3.6 of the Massachusetts Rules of Professional Conduct, Mr. Proctor will be brief.

As an initial matter, Ms. Read's Motion should be denied because it fails to even address the fact that information regarding Mr. Proctor's medical condition and his deposition was disseminated by Aidan Kearney, a/k/a "Turtleboy" within thirty minutes of the conclusion of Mr. Proctor's June 25, 2026 deposition. Specifically, on June 25, 2026 at 5:30 P.M. Mr. Kearney posted on his X account, @Doctor Turtleboy, as follows:

"Breaking news- Michael Proctor **claimed** to have a panic attack today and left his deposition. [emphasis added]. I have personally verified that (sic) was seen outside being consoled by his lawyers who were asking him if he could continue.

No word yet if he did.”

This information was accessed by a user with an X account.¹ A screenshot of the X post follows:



In point of fact, Mr. Proctor did continue his deposition, and the deposition was suspended shortly after 5:00 P.M. Assuming *arguendo* that the X account did not “default” to 1:30 P.M. Eastern Standard Time, and given that this X post was accessed by a user with an X account, Mr. Kearney posted on X within 30 minutes of the conclusion of Mr. Proctor’s deposition that Mr.

¹ Mr. Proctor acknowledges that the X post referenced in Mr. Kearney’s June 8, 2026 post was accessed by a user with an X account.

Proctor “claimed to have a panic attack” and left his deposition. Accordingly, the fact that Turtleboy posted that “Mr. Proctor left the deposition” but had “no word that he did” continue the deposition strongly implies that Turtleboy had this information while the deposition was ongoing. More importantly, the fact that Turtleboy posted that Mr. Proctor “claimed to have a panic attack today and left his deposition” implies that Turtleboy was aware of what was said during the confines of the deposition.²

To be clear, at no point has Mr. Proctor “pointed the finger” or otherwise accused any counsel or party of disseminating impounded information. Mr. Proctor takes no position on that point. *See* Mass. R. Prof. C. 3.6, comment 3 (prohibiting statements by counsel “that the lawyer knows or should know will have a substantial likelihood of materially prejudicing an adjudicative proceeding”). Given, however, the existence of the Court’s orders of impoundment, and the sensitive nature of the impounded information, Mr. Proctor felt it appropriate to bring to the Court’s attention information which created a reasonable inference of a violation of the Court’s orders. As the Court noted during the July 1, 2026 hearing, all parties and counsel certified to their lack of knowledge as to any facts regarding the potential dissemination of the impounded information.

Mr. Proctor’s June 25, 2026 deposition went forward for approximately 4 hours and thirty minutes with several agreed upon breaks. Mr. Proctor is a fact witness in this litigation and not a party. Despite having the opportunity to depose Mr. Proctor for hours, at no point did Ms. Read’s attorneys ask a single question regarding Mr. Proctor’s investigation into John O’Keefe’s death, nor a single question about Mr. Proctor’s investigation into Ms. Read’s involvement in that death. Instead, Ms. Read’s counsel spent much of the deposition questioning Mr. Proctor about various

² As noted above, in response to another X user’s request that Mr. Kearney “post the pic[,]” Mr. Kearney responded “can’t unfortunately.”

text messages that Read's attorneys published in a recent lawsuit currently pending against the Canton Police Department and the Massachusetts State Police. None of these questions were relevant nor material to Mr. Proctor's investigation. Nor were they relevant to the subject matter of this wrongful death action. *See* Mass. R. Civ. P. 26 ("parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action. . ."). Such questioning can only be viewed as harassing in nature. Accordingly, should the Court allow Mr. Proctor's deposition to continue, Mr. Proctor requests that the Court limit it to three and one-half hours of deposition testimony.

Finally, Mr. Proctor points out that on June 18, 2026, counsel for Mr. Proctor requested from Ms. Read's counsel "assurances that neither you nor anyone on Read's team will disseminate to any outside source, including but not limited to media and or social media platforms, any portion of the deposition whether in video, audio or transcript form." Despite being the party that subpoenaed Mr. Proctor, and the only party that questioned him on June 25th, Ms. Read's counsel has continued to state that they will not provide such assurances. Regardless of whether the Court allows Mr. Proctor's deposition to continue, Mr. Proctor respectfully requests that the Court issue an order to Ms. Read's counsel prohibiting them, and anyone on Ms. Read's team, from disseminating to any outside source, including but not limited to media nor social media platforms, any portions of Mr. Proctor's deposition, whether in video, audio or transcript form.

Respectfully submitted,

INTERESTED PARTY,

MICHAEL PROCTOR

By his Attorneys,

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/s/ Matthew J. Hamel

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Dated: July 9, 2026

CERTIFICATE OF SERVICE

I, Matthew J. Hamel, certify that on July 9, 2026, a true copy of the aforementioned document was served via electronic mail upon counsel listed below.

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