

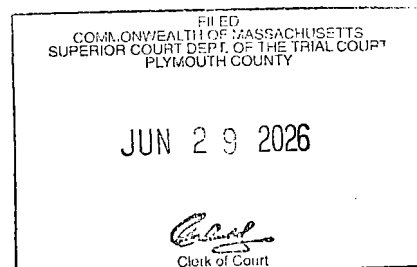
PLYMOUTH, ss.

COMMONWEALTH OF MASSACHUSETTS
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, 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.



SUPPLEMENTAL NOTICE

Non-Party Witness Lieutenant Brian Tully (Ret.), through counsel, respectfully submits this Supplemental Notice to clarify and supplement the **MOTION FOR LEAVE TO FILE A CORRECTED MEMORANDUM** previously filed in this matter regarding a citation in the Memorandum of Law filed in support of his Motion to Quash Subpoena and/or for Protective Order.

The prior Motion for Leave to File identified that the citation to Maguire v. Cunningham, 56 Mass. App. Ct. 160, 164 (2002), appearing on page 6, Section I(A) of the Memorandum, was incorrect and should be replaced with Cronin v. Strayer, 392 Mass. 525, 534-35 (1984). Counsel files this Supplemental Notice to state plainly, for the completeness of the record, that upon further diligent review counsel has been unable to locate any reported decision corresponding to the

citation *Maguire v. Cunningham*, 56 Mass. App. Ct. 160 (2002). Counsel does not believe any such case exists at that citation.

Counsel identified this error through counsel's own subsequent review of the citations in the Memorandum, prior to any inquiry from the Court or from opposing counsel and brought it to the Court's attention promptly thereafter by means of the original Motion for Leave to File a Corrected Memorandum. Counsel files this Supplemental Notice to ensure that the record before the Court is complete and unambiguous.

As stated in the original Motion for Leave, the requested substitution of *Cronin v. Strayer* for the erroneous citation does not alter the legal proposition for which the citation was offered, the argument advanced in the Memorandum, or the relief requested in the Motion to Quash Subpoena and/or for Protective Order.

Respectfully submitted,

For the Non-Party Witness,
Lieutenant Brian Tully (Ret.),
By his attorneys,

Dated: June 29, 2026

/s/ Timothy M. Burke

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2026, this document is being sent via email to the Plymouth Superior Court Clerk's at plymouth.clerksoffice@jud.state.ma.us. Email copies will be sent to counsel for Defendant Karen Read by electronic mail, directed to:

Damon M. Seligson, Esq.
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/s/ Timothy M. Burke
Timothy M. Burke, Esq.