

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

**JOINT MOTION TO ENTER PROTECTIVE ORDER REGARDING NORFOLK
DISTRICT ATTORNEY'S OFFICE'S PRODUCTION OF
DOCUMENTS PURSUANT TO SUBPOENAS**

All Parties respectfully request that the Court enter the Stipulation and Proposed Order attached as Exhibit 1. This Order would apply to documents produced by the Norfolk District Attorney's Office ("NDAO") pursuant to subpoenas issued in this case. As of the date of filing, both Plaintiffs and Defendant Karen Read have served subpoenas *duces tecum* on the NDAO and the NDAO has requested the restrictions contained in Exhibit 1 prior to producing certain documents. All Parties and the NDAO have agreed to and executed the attached proposed Order.

WHEREFORE, the Parties respectfully request that the Court enter the Stipulation and Proposed Order attached as Exhibit 1.

Respectfully submitted,

KAREN READ,
By her attorneys,



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Dated: December 19, 2025

PLAINTIFFS,
By their attorneys,

/s/Marc Diller

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HOSPITALITY, LLC d/b/a C.F.
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/s/Lincoln A. Rose

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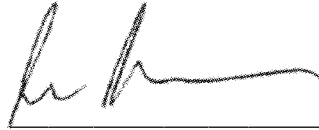
WATERFALL BAR & GRILL, LTD
d/b/a WATERFALL BAR & GRILL
By their attorneys,

/s/John M. Dealy

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CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record by email on
December 19, 2025.

A handwritten signature in black ink, appearing to read 'A. Rosenberg', is written above a horizontal line.

Aaron D. Rosenberg

EXHIBIT 1

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal
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JOSEPH O'KEEFE III, PAUL O'KEEFE,
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WATERFALL BAR & GRILL, LTD d/b/a
WATERFALL BAR & GRILL, and
KAREN READ,

Defendants.

Civil Action No. 2483cv00692

**STIPULATION AND [PROPOSED] ORDER REGARDING NORFOLK DISTRICT
ATTORNEY'S OFFICE DOCUMENT PRODUCTIONS**

All Parties to this case and the Norfolk District Attorney's Office's ("NDAO") stipulate to the following provisions relating to NDAO's, a non-party in this civil action, response to subpoenas issued for the production of documents and electronically stored information in this case.

CONFIDENTIALITY & PRODUCTION PROCEDURES

1. The following provisions shall apply to all productions of documents and information, including electronically stored information, by NDAO in this case.
2. NDAO may designate as “Confidential” any documents or information that NDAO has a good faith belief fall within the following categories:
 - a. Medical records relating to individuals other than Karen Read or John O’Keefe III;
 - b. Personal identifying information or sensitive personal information that is not related in any manner to the investigation of the death of John O’Keefe III or Karen Read;
 - c. Non-public materials that NDAO is required to designate as Confidential pursuant to another court’s protective order that is in place as of the date of this Order.
3. Information and documents designated as “Confidential” shall not be divulged, shared, or described to any person or entity other than the following,
 - a. the Parties to this action;
 - b. counsel for the Parties to this case, including partners, associates, paralegals, and administrative assistants;
 - c. the jury, the court or court officials involved in this action, including judges, hearing officers, clerks, court reporters, and any special master appointed by the court;
 - d. persons designated or ordered by the court;
 - e. any mediator or arbitrator engaged by the Parties;
 - f. witnesses, third-party deponents, and any respective counsels during the course of deposition or trial testimony in this action; and
 - g. consultants or experts retained for the purposes of assisting counsel for the Parties in this action.
4. The persons identified in sub-paragraphs (e)-(g) above shall be shown “Confidential” information only after he or she (i) has read and understands this Order; (ii) agrees to be bound by this Order; (iii) understands that unauthorized disclosures of the

documents or information designated as “Confidential” may constitute a violation of this Order; and (iv) signs an agreement to be bound by this Order, in the form appended hereto as Exhibit A. This latter executed document(s) shall be retained by counsel making the disclosure to such person and promptly produced to counsel to any other Party upon request.

5. NDAO may designate as “Confidential – Attorneys’ Eyes Only” any recorded SAIN interviews of P.F. or Kayley Furbush.

6. Documents or information designated Confidential – Attorneys’ Eyes Only pursuant to this Order may only be shown to counsel of record in this case, including partners, associates, paralegals, and administrative assistants, unless the receiving parties and NDAO agree otherwise, or the Court orders otherwise pursuant to paragraph 8, below.

7. NDAO may designate discovery material as “Confidential” by affixing the term “Confidential” onto the page containing confidential or sensitive information or may designate in any suitable manner given how the material is maintained and produced, including marking the electronic filename, or in the name of the electronic folder or subfolder in which the material is contained. For any document, file, or information it designates Confidential pursuant to paragraph 2(c) above, NDAO shall specifically identify such document, file, or information as “Confidential – Subject to Existing Protective Order.”

8. The parties and their attorneys shall not describe or summarize the contents of any protected material in their oral submissions to the Court. If a party believes that such disclosure is necessary for the Court’s resolution of a pending matter, the party shall ask to be heard at sidebar rather than disclosing the protected materials in open court.

9. If any party disputes NDAO's designation of any documents or information as Confidential or Confidential – Attorneys' Eyes Only, that party shall have the right to challenge such designation as follows:

- a. The challenging party or parties shall notify NDAO of the dispute by email.
- b. Within seven (7) days of such notification, the challenging party or parties and NDAO shall confer in good faith to attempt to resolve the dispute.
- c. If the challenging party or parties and NDAO do not resolve their dispute, then the challenging party or parties may file a Motion asking the Court to remove NDAO's designation. NDAO shall have the burden on any such Motion of establishing that the documents or information in question falls within the relevant category or categories above, entitling the documents or information to the designated protection. The receiving party or parties shall treat the relevant documents or information as Confidential or Confidential – Attorneys' Eyes Only (however designated by NDAO) until the Court rules on the Motion.

10. Any party wishing to use materials designated by NDAO as Confidential or Confidential – Attorneys' Eyes Only in or in connection with any brief, memorandum, affidavit, or other paper filed with the Court shall, at least fourteen (14) days prior to such filing, provide email notice to the NDAO, directed to ADA Laura McLaughlin, identifying the specific protected materials it intends to reference or file. NDAO may seek an order of impoundment in accordance with Trial Court Rule VIII ("Uniform Rules on Impoundment Procedure") by serving or filing the necessary motion within fourteen (14) days of receiving notification from the party that intends to use such materials. If NDAO does not serve or file a Motion to Impound within fourteen (14) days of receiving notification pursuant to this paragraph, the party providing such notification shall be permitted to file or use the relevant material without seeking additional confidentiality protections. No information or materials shall be filed with the Court under seal without previously-obtained court approval pursuant to Trial Court Rule VIII. Nothing may be filed in a sealed envelope unless the Court has entered an order of impoundment. Upon the termination of this litigation, counsel of record for the Parties are hereby authorized to be the

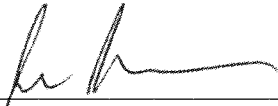
persons who may retrieve confidential exhibits and/or other Protected Information filed with the Court without further order of this Court, and are the persons to whom such confidential exhibits or documents may be returned by the Clerk of the Court, if they are not so retrieved. No material or copies thereof so filed shall be released except by order of the Court, to counsel of record, or as otherwise provided for hereunder. The Parties shall continue to treat any Confidential exhibits or documents retrieved or received from the Court as Confidential pursuant to this Order.

11. Nothing contained in this Order shall preclude any party or the NDAO from using its own documents and materials, or information relating solely to investigations of such party, in any manner it sees fit, or from revealing such documents and materials to whomever they choose, without the prior consent of NDAO.

Respectfully Submitted,

KAREN READ,

By her attorneys,



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Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
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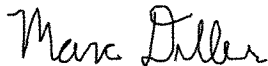
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Respectfully Submitted,

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	By their attorneys,
	
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Respectfully Submitted,

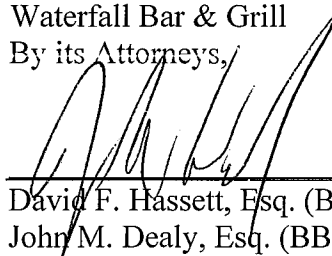
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MCCARTHY'S

By its attorneys,



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Defendant, Waterfall Bar & Grill, LTD d/b/a
Waterfall Bar & Grill
By its Attorneys,



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John M. Dealy, Esq. (BBO# 647216)
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Dated: December 16, 2025

Respectfully Submitted,

Third-Party Record Holder
The Norfolk District Attorney's Office

/s/ *Laura A. McLaughlin*

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So Ordered:

Hon.

Justice of the Superior Court

Dated:

EXHIBIT A

**AGREEMENT TO BE BOUND BY STIPULATION AND [PROPOSED] ORDER
REGARDING CONFIDENTIALITY AND ELECTRONICALLY STORED INFORMATION**

I, _____, have read and understand the terms of the Stipulation and [Proposed] Order Regarding Confidentiality and Electronically Stored Information (the “Stipulation and Order”) in the action captioned, *O’Keefe v. C&C Hospitality, LLC, et al.*, Plymouth Superior Court, Civil Action No. 2483cv00692, and agree to be bound by its terms. I understand that unauthorized disclosures of the information, documents, and things designated as “Confidential” constitute a violation of such Stipulation and Order. I hereby submit myself to the jurisdiction of the Plymouth Superior Court, wherever I may be, for the sole reason of enforcement of the Stipulation and Order and for damages for any unauthorized disclosures thereof by me.

DATED: _____

By: _____