

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,

Civil Action No. 2483cv00692

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.

**OPPOSITION TO PLAINTIFFS' EMERGENCY MOTION
FOR TEMPORARY RESTRAINING ORDER**

Rather than heed the Court's urging to move discovery forward in this case by scheduling and taking depositions, Plaintiffs now file a fundamentally baseless "Emergency" Motion relating to Defendant Karen Read's phone that the government has held for **more than two years** and which is subject to a written objection Read served on Plaintiffs **four months ago** that Plaintiffs have never discussed with Read's counsel, let alone challenged.

In their latest attempt to use this proceeding to inject scurrilous allegations into the public record, Plaintiffs disregard Superior Court Rule 9C and Rules of Civil Procedure 34 and 65, and ask this Court to restrain a separate criminal session of the Superior Court and impose drastic sanctions in the form of a forced full forensic examination of Read's entire phones without any

of the pre-requisite factual foundation Massachusetts courts universally require before ordering such an extreme remedy. The requested relief is also contrary to an **express prior agreement** between counsel, and Plaintiffs have not presented (and cannot present) any evidence whatsoever of discovery malfeasance by Read that would support such relief. For this, and other reasons as set forth below, the Court should deny Plaintiffs' Motion.

First, the Motion fails based on the very Rule 65(a) standard the Plaintiffs set forth at the outset of their Motion:

II. LEGAL STANDARD

"A temporary restraining order may be granted without written or oral notice to the adverse party or his attorney only if it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or his attorney can be heard in opposition." Mass. R. Civ. P. 65(a).

Mot., p. 2. Plaintiffs have not filed an affidavit in support of this Motion and their Complaint in this case is unverified. The Rules do not permit a temporary restraining order (or a preliminary injunction) on this record.

Even if Plaintiffs had submitted their evidence in support of the Motion in an acceptable form, there is no basis whatsoever for the Court to award the drastic remedy of a restraining order in order to prevent "[t]he destruction of evidence" or "preserv[] evidence necessary to adjudicate claims" in this case. *Id.* There is nothing to suggest Plaintiffs will not have access to any discoverable material they are entitled to, and thus no risk of any harm to the Plaintiffs at all if the Commonwealth returns Read's property it has held for more than two years, let alone irreparable harm. In fact, Read has already produced to the Plaintiffs over 800,000 pages of documents the Plaintiffs requested, and has confirmed that she will be providing a supplemental response with additional documents. Although Plaintiffs continue to characterize Read's

production as a “document dump” (Mot., p. 6), Plaintiffs specifically requested **all** documents exchanged in criminal discovery in Read’s prosecution and recently **confirmed** that they did, in fact, want each of those 800,000+ pages. Read provided those documents. Read will soon produce supplemental documents in her own possession in accord with her written Rule 34 objections, as well as documents from the Norfolk District Attorney’s Office (the “NDAO”) pursuant to her counsel’s agreement with Plaintiffs’ counsel months ago.

Without support in any verified submission by Plaintiffs or their counsel, Plaintiffs baselessly suggest that data from the full cell phone extractions Read received from the NDAO should have been produced to the Plaintiffs directly by now. But the agreement between counsel, evidenced by the email chain attached to Plaintiffs’ Motion as Exhibit G, provided that the NDAO would provide to Read’s counsel all such extractions, and that Read’s counsel would review them and produce non-privileged, discoverable material to Plaintiffs. Read’s counsel received the NDAO’s first production, which was extremely large and contained phone extractions, in mid-January. The Plaintiffs received the same production, except for these extractions, and, despite their suggestion that Read has caused further delay, they have yet to produce these documents to the other parties in the case pursuant to Rule of Civil Procedure 45, as also reflected in Plaintiffs’ Exhibit G.

Read will abide by the agreement her counsel reached with Plaintiffs months ago as well as her standard existing discovery obligations concerning the phones and extractions in the Commonwealth’s possession, and there is not a shred of evidence (let alone reliable or credible evidence) that she will not do so. Thus, there is no basis in the law or the Rules, and no need, for the Court to order Read to submit any devices to full forensic examination. If a party to a civil case could obtain a temporary restraining order simply by arguing in an unverified motion that

certain evidence is important, such orders would exist in almost every case. That is obviously not the applicable standard.

Also, tellingly, despite its extensive citation to Aidan Kearney's publications and alleged conduct in its Motion, the Plaintiffs have not even **requested** from Read communications with Kearney. *See* Read's Response to Plaintiffs' Request for Production of Documents, attached as Exhibit 1. Of course, a good rule of thumb for parties looking for responsive data and documents is simply to ask for them in Rule 34 requests before racing to court six months later to file an emergency motion for injunctive relief. As the Court can see, the only Request that could be interpreted to cover the communications Plaintiffs describe in their Motion (No. 22) is overbroad on its face. Read objected to producing complete extractions of all of her cell phones to Plaintiffs in October 2025. Four months later, Plaintiffs have still not contacted Read's counsel to confer about narrowing this Request or to challenge this objection, opting instead to burden the Court and the other parties with an unnecessary (non-)emergency like this. Rather than spending time drafting yet another salacious pleading meant for public consumption, Plaintiffs could simply have conferred with Read's counsel or sent a separate Request for Production of communications with Kearney pursuant to Rule 34, to which Read would respond pursuant to the Rules. They did not and have not.

Finally, Plaintiffs' Motion makes little sense. On one hand, the Plaintiffs argue that Read should have already produced to it the extraction the NDAO apparently has from the phone in question. Mot., p. 6.¹ But on the other hand, they claim that the return of these physical devices will somehow lead to spoliation of evidence, which would be impossible if the contents have already been extracted. In reality, it will be easier for Plaintiffs to receive discoverable

¹ It is unclear why the Plaintiffs believes the NDAO already has a full extraction of the phone when the Commonwealth's Motion to search the phone in the criminal proceeding was denied.

information from these devices if they are turned over to Read – a party to this case – rather than a third party, the Commonwealth. If Plaintiffs were truly concerned about access to these documents, they would want them in Read’s possession, subject to the preservation obligations incumbent upon a party to civil litigation, as opposed to a third party that is not involved in this case. But that is clearly not Plaintiffs’ goal.

For these reasons, the Plaintiffs’ Motion should be denied.

Respectfully submitted,

KAREN READ,

By her attorneys,

/s/ Aaron D. Rosenberg

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Dated: February 25, 2026

CERTIFICATE OF SERVICE

I certify that I served a copy of this document on all counsel of record by email on February 25, 2026.

/s/ Aaron D. Rosenberg
Aaron D. Rosenberg

EXHIBIT 1

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 RESPONSES TO PLAINTIFFS' FIRST SET OF
REQUESTS FOR DOCUMENT PRODUCTION**

Defendant Karen Read ("Read") responds to Plaintiffs' First Set of Requests
for Document Production as follows, pursuant to Mass. R. Civ. P. 34.

GENERAL OBJECTIONS

1. Read objects to each Request to the extent it seeks documents subject to the attorney-client privilege or work product doctrine. Any indication that Read will produce documents in response to any Request relates only to non-privileged and non-protected documents.

2. Read objects to each Request to the extent it seeks documents that are outside the scope of Mass. R. Civ. P. 26.

3. Read objects to the definitions and instructions contained in the Requests to the extent they purport to impose any obligation on Read beyond the obligations imposed by the Massachusetts Rules of Civil Procedure.

4. Any indication herein by Read that she will produce documents relates only to documents in Read's possession, custody, or control that are responsive to the relevant Request. Such an indication does not confirm that any such documents exist, just that Read will produce them if they do exist and are located after a reasonable search. Read does not agree to produce any documents other than those that are in her possession, custody, or control, and are located after a reasonable search.

STATEMENT PURSUANT TO SUPERIOR COURT RULE 30A(3)(c)

Subject to the objections stated above and below, Read will conduct a reasonable search of the documents in her possession, custody, and control, including documents produced during discovery in *Commonwealth v. Read* and documents in her personal possession, and will produce documents as indicated herein.

REQUESTS

Request No. 1

All documents, communications, and/or materials exchanged through discovery in the investigation, prosecution and/or defense of *Com. v. Read*, including but not limited to each and every item listed in Commonwealth's Notices of Discovery One through Sixty-Six, attached hereto as Exhibit A, and each and every item produced by you in reciprocal discovery in the same action.

Response No. 1: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 2

All investigative reports, incident reports, police reports, crash-reconstruction reports, and forensic reports videos, documents relating in any way to the investigation, prosecution and/or defense of *Com. v. Read*, including but not limited to each and every report authored by member(s) of the following law-enforcement authorities or agencies:

- a. Canton Police Department;
- b. Dighton Police Department;
- c. Boston Police Department;
- d. Massachusetts State Police;
- e. Collision Analysis and Reconstruction Unit of the Massachusetts State Police
- f. Norfolk District Attorney's Office; and
- g. Any federal law enforcement authority or agency.

Response No. 2: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of other parties, which are accessible to Plaintiffs at least as easily as to Read. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 3: With respect to all witnesses identified in Combined Witness List, attached hereto as Exhibit B, each and every witness statement and/or interview, and transcripts thereof where available, relating in any way to the investigation, prosecution and/or defense of *Com. v. Read*.

Response No. 3: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 4

With respect to any witnesses *not* identified in Exhibit B, any and all witness statements and/or interviews, and transcripts thereof where available, relating in any way to the investigation, prosecution and/or defense of *Com. v. Read*.

Response No. 4: Read objects to this Request as overbroad, unduly burdensome, and outside the

scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 5

During the period from January 1, 2021, through the present, all documents and/or communications, whether written or electronic, exchanged between you and Brian Higgins.

Response No. 5: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to, and without waiving, these objections, Read will produce responsive documents in her possession, custody, or control, which she locates after a reasonable search.

Request No. 6

All iCloud data and other data from any source, including but not limited to any federal or state agency or office, concerning or belonging to any witness identified in Combined Witness List, attached hereto as Exhibit B.

Response No. 6: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 7

All documents and/or communications exchanged with the Federal Bureau of Investigations, Department of Justice, or any other federal agency, department, board, administration, or agent relating in any way to:

- a. Karen Read;
- b. Massachusetts State Police;
- c. Michael Proctor;
- d. Yuri Bukhenik;
- e. The death of John O'Keefe, III;
- f. Any investigation into the cause of the death of John O'Keefe, III; and
- g. The investigation, prosecution and/or defense of *Com. v. Read*.

Response No. 7: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all non-privileged communications with the Federal Bureau of Investigations, Department of Justice, or any other federal agency, department, board, administration, or agent relating to the investigation or prosecution of Read by the Commonwealth, which she locates in her possession, custody, or control after a reasonable search.

Request No. 8

Including without limitation all footage exchanged during discovery in investigation, prosecution and/or defense of *Com. v. Read*, all raw, uncut, unedited and/or unredacted video footage, and transcripts thereof where available, including but not limited to all video footage from any recording device from each of the following sources:

- a. C.F. McCarthy's;
- b. Waterfall Bar & Grill;
- c. Canton Police Department;
- d. Dighton Police Department;
- e. Massachusetts State Police;
- f. Ring.com; (Ring, LLC)
- g. Alarm.com; (Alarm.com Holdings, Inc.)
- h. Gretchen Voss;
- i. Vanity Fair;
- j. ABC;
- k. NBC;
- l. Dateline;
- m. Boston 25 News;
- n. Ted Daniels;
- o. Investigation Discovery; and
- p. Netflix;
- q. HBO;
- r. Terry Moore; and
- s. Canton Library
- t. Temples located in Canton, MA
- u. Beckwood Side Farms
- v. Cassidy's Corner Store
- w. Police Cruiser Dashcams and/or bodycams
- x. Any of your other media engagements.

Response No. 8: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine.

Subject to, and without waiving, these objections, Read will produce all documents that were exchanged in discovery in *Commonwealth v. Read*, as well as any non-privileged recordings of interviews or other statements relating to *Commonwealth v. Read* in her possession, custody or control, and which she locates in her possession, custody, or control after a reasonable search.

Request No. 9

Including without limitation all footage exchanged during discovery in investigation, prosecution and/or defense of *Com. v. Read*, all raw, uncut, unedited and/or unredacted audio footage, and transcripts thereof where available, including but not limited to all audio footage from any recording device from each of the following sources:

- a. C.F. McCarthy's;
- b. Waterfall Bar & Grill;
- c. Canton Police Department;
- d. Dighton Police Department;
- e. Massachusetts State Police;
- f. Ring.com;(Ring, LLC)
- g. Alarm.com; (Alarm.com Holdings, Inc.)
- h. Gretchen Voss;
- i. Vanity Fair;
- j. ABC;
- k. NBC;
- l. Dateline;
- m. Boston 25 News;
- n. Ted Daniels;
- o. Investigation Discovery;
- p. Netflix;
- q. HBO;
- r. Terry Moore;
- s. Canton Library
- t. Temples located in Canton, MA
- u. Beckwood Side Farms
- v. Cassidy's Corner Store
- w. Police Cruiser Dashcams and/or bodycams
- x. Any of your other media engagements.

Response No. 9: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents that were exchanged in discovery in *Commonwealth v. Read*, as well as any non-privileged recordings of interviews or other statements relating to *Commonwealth v. Read* in her possession, custody, or control, and which she locates after a reasonable search.

Request No. 10

All contracts and/or agreements relating to any of your media engagements, including but not limited to each of the following:

- a. Gretchen Voss;
- b. Vanity Fair;
- c. ABC;
- d. NBC;
- e. Dateline;
- f. Boston 25 News;
- g. Ted Daniels;
- h. Investigation Discovery;
- i. Netflix;
- j. HBO;
- k. Terry Moore; and
- l. Any of your other media engagements.

Response No. 10: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks confidential personal financial information that is unrelated to this litigation, in an improper attempt to obtain potential asset discovery prior to trial. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Read will not produce documents in response to this Request.

Request No. 11

Including without limitation all photographs exchanged during discovery in the investigation, prosecution and/or defense of *Com. v. Read*, all photographs from the following sources:

- a. Canton Police Department;
- b. Dighton Police Department;
- c. Massachusetts State Police Department, including but not limited to the CERT Team, Crime Scene Services, Office of Chief Medical Examiner, or any other internal office or subdepartment of the Massachusetts State Police.
- d. Any other law-enforcement or investigative agency, office, or authority.

Response No. 11: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents that were exchanged in discovery in *Commonwealth v. Read*, as well as any non-privileged photographs relating to *Commonwealth v. Read* or John O'Keefe, III's death in her possession, custody, or control, which she locates after a reasonable search.

Request No. 12

All documents, communications, and/or materials from the Office of the Chief Medical Examiner relating in any way to the death of John O'Keefe, III and/or the investigation, prosecution and/or defense of *Com. v. Read*.

Response No. 12: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 13

During the period from January 28, 2020, through the present, all photographs, video or audio recordings depicting or purporting to depict:

- a. John J. O'Keefe, III;
- b. Margaret O'Keefe;
- c. Paul O'Keefe;
- d. Erin O'Keefe;
- e. John O'Keefe, II
- f. Kaylee Furbush; and
- g. Patrick Furbush.

Response No. 13: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents that were exchanged in discovery in *Commonwealth v. Read*, as well as any non-privileged photographs or audio or video recordings relating to *Commonwealth v. Read* or John O'Keefe, III's death in her possession, custody, or control, which she locates after a reasonable search.

Request No. 14

During the period from June 1, 2021, through the present, all documents and/or communications, whether written or electronic, exchanged between you and:

- a. Kerry Roberts;
- b. Jennifer McCabe;
- c. John J. O'Keefe, III;
- d. Margaret O'Keefe;
- e. Paul O'Keefe;
- f. Erin O'Keefe;

- g. John O' Keefe, II
- h. Kaylee Furbush; and
- i. Patrick Furbush.

Response No. 14: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence, largely because it seeks documents from seven months prior than Mr. O'Keefe's death. Subject to, and without waiving, these objections, Read will produce communications in her possession, custody, or control with the individuals listed above from January 22, 2022 through February 2, 2022, which she locates after a reasonable search.

Request No. 15

All documents, communications, and/or materials from the Massachusetts State Police, including any internal office or sub department thereof, relating in any way to Michael Proctor, Yuri Bukhenik, and/or Brian Tully.

Response No. 15: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of other parties, which are accessible to Plaintiffs at least as easily as to Read. Subject to, and without waiving, these objections, Read will produce documents responsive to this Request in her possession, custody, or control, which she locates after a reasonable search.

Request No. 16

All documents filed with any court of law in connection with the investigation, prosecution and/or defense of *Com. v. Read*, including but not limited to any and all accompanying exhibits and/or addenda.

Response No. 16: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of other parties, which are accessible to Plaintiffs at least as easily as to Read. Read will not produce documents in response to this Request, although many of the responsive documents will be produced in response to other Requests, as indicated herein.

Request No. 17

All exhibits marked for identification and/or admitted as evidence in the trial and/or retrial of *Com. v. Read*.

Response No. 17: Read objects to this Request as overbroad, unduly burdensome, and outside

the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of other parties, which are accessible to Plaintiffs at least as easily as to Read. Read will not produce documents in response to this Request, although many of the responsive documents will be produced in response to other Requests, as indicated herein.

Request No. 18

All documents and/or communications exchanged between you / your attorneys and any expert witness retained by you in connection with the investigation, prosecution and/or defense of *Com. v. Read*, regardless of whether such expert(s) testified at the trial or retrial, including but limited to:

- a. Expert reports, including but not limited to all draft reports;
- b. Retainer agreements, including but not limited to any payments or promises for payment;
- c. Written communications and documents, including but not limited to any meeting notes and/or letters; and
- d. Electronic communications, including but not limited to text messages, e-mails, or messages from any other electronic communication platform.

Response No. 18: Read objects to this Request because it seeks documents subject to the work product doctrine and attorney-client privilege, and exceeds the scope of expert discovery contained in Rule 26(b)(4). Read also objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of other parties, which are accessible to Plaintiffs at least as easily as to Read. Read will not produce documents in response to this Request.

Request No. 19

Copies of each and every external hard drive exchanged through discovery in the investigation, prosecution and/or defense of *Com. v. Read*.

Response No. 19: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 20

During the period from January 28, 2022, through the present, all documentation of any towing of the Black LX 750 SUV, including but not limited to tow slips.

Response No. 20: Read objects to this Request as confusing, unintelligible, overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 21

All data, downloads and/or extractions from any component part or onboard data system for the Black Lexus LX 750 SUV, including but not limited to data and downloads from each of the following sources:

- a. Event data recorder/black-box;
- b. GPS/location data; and
- c. Infotainment logs.

Response No. 21: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce non-privileged existing reports or extracted/downloaded data from the vehicle identified above in her possession, custody, or control, which she locates after a reasonable search.

Request No. 22

All data, downloads and/or extractions from your cell phone(s) during the period from January 1, 2020, to the present, including but not limited to:

- a. Calls logs;
- b. Text messages;
- c. Emails;
- d. App usage; and
- e. GPS/location data.

Response No. 22: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce data, downloads, and information from her cell phone(s) in accordance with her objections and responses to the other Requests herein. Read will not produce additional documents in response to this Request specifically.

Request No. 23

All data, downloads and/or extractions of the cell phone(s) of John O’Keefe, III during the period from January 1, 2020, to the present, including but not limited to:

- a. Calls logs;
- b. Text messages;
- c. Emails;
- d. App usage;
- e. Apple Health data;
- f. Battery temperature; and
- g. GPS/location data.

Response No. 23: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of Plaintiffs and other parties, which are accessible to Plaintiffs at least as easily as to Read. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 24

All documents and/or communications exchanged between you / your attorneys and any federal agency or personnel during the period from January 28, 2022, through the present.

Response No. 24: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce non-privileged documents responsive to this Request, which are in her possession, custody, or control and which she locates after a reasonable search, relating to Mr. O’Keefe, his death, or the investigation and prosecution relating to *Commonwealth v. Read*.

Request No. 25

All documents obtained by you pursuant to any subpoena in the investigation, prosecution, and/or defense of *Com. v. Read* or in this instant civil action.

Response No. 25: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work

product doctrine. Subject to, and without waiving, these objections, Read will produce documents responsive to this Request in her possession, custody, or control, which she locates after a reasonable search.

Request No. 26

All available transcripts from the investigation, prosecution and/or defense of *Com. v. Read*, including but not limited to all transcripts from grand-jury proceedings, trial, retrial, *voir dres*, sidebar conferences, jury empanelment proceedings, and motion hearings.

Response No. 26: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of other parties, which are accessible to Plaintiffs at least as easily as to Read. Read will not produce documents in response to this Request.

Request No. 27

During the period from January 28 through January 30, 2022, all receipts and/or statements relating to any of your credit card, debit cards, and/or bank accounts.

Response No. 27: Read objects to this Request as overbroad, unduly burdensome, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to, and without waiving, these objections, Read states that she has not identified any responsive documents in her possession, custody, or control after a reasonable search.

Request No. 28

An entire copy, including coverage selection page, of each and every insurance policy or indemnification agreement which may be available to you to satisfy, in whole or in part, any judgement that might be recovered against you by the Plaintiffs, including in your response reservation or rights correspondence, if any, regarding said insurance policies.

Response No. 28: Read objects to this Request as overbroad and outside the scope of discovery under Rule 26(b)(2) because it seeks more than the insurance agreements in question. Subject to, and without waiving, these objections, Read will produce any responsive insurance agreements.

Request No. 29

All materials, documents, and/or communications relating in any way to Michael Proctor.

Response No. 29: Read objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Read also objects to this Request as overbroad and unduly burdensome. Subject to, and without waiving, these objections,

Read will produce non-privileged documents responsive to this Request, which she locates in her possession, custody, or control after a reasonable search.

Request No. 30

Any and all documents, communications, and/or materials relating in any way to any DNA testing performed in connection with the investigation, prosecution and/or defense of *Com. v. Read*, including but not limited to any DNA testing performed on:

- a. John O'Keefe's clothing;
- b. Any carpet and/or rug from 34 Fairview Road in Canton, MA;
- c. The Black Lexus LX 750 SUV, including but not limited to the right rear taillight and shards therefrom;
- d. The cocktail glass found on January 29, 2022, near 34 Fairview Road in Canton, MA and shards therefrom.

Response No. 30: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of Plaintiffs and other parties, which are accessible to Plaintiffs at least as easily as to Read. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 31

All photographs, measurements, and/or video recordings regarding the inside and outside of 34 Fairview Road in Canton, MA.

Response No. 31: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of Plaintiffs and other parties, which are accessible to Plaintiffs at least as easily as to Read. Read also objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read* as well as any other non-privileged or protected measurements, photographs, or recordings that are responsive to this Request, and which Read locates after a reasonable search.

Request No. 32

All documents and/or communications exchanged between you / your attorneys and any

private investigator retained or consulted by you in connection with investigation, prosecution and/or defense of *Com. v. Read*.

Response No. 32: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request to the extent it seeks documents or information subject to the attorney-client privilege or work product doctrine. Subject to, and without waiving, these objections, Read will produce all non-privileged or protected communications with any such private investigator in her possession, custody, or control, which relate to Mr. O’Keefe’s death, and which Read locates after a reasonable search.

Request No. 33

During the period from October 1, 2021, through February 28, 2022, all medical records relating to medical treatment received by you.

Response No. 33: Read objects to this Request as unduly burdensome, overbroad, harassing, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read also objects to this Request because it seeks confidential personal medical information that is not relevant or necessary to this case. Subject to, and without waiving, these objections, Read will produce documents in her possession, custody, or control that are responsive to this Request subject to applicable privacy and confidentiality laws and regulations.

Request No. 34

All medical and/or autopsy records of John O’Keefe, III.

Response No. 34: Read objects to this Request as duplicative and because it seeks from Read documents in the possession, custody, or control of Plaintiffs and other parties, which are accessible to Plaintiffs at least as easily as to Read. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, as well as any other non-privileged or protected measurements, photographs, or recordings that are responsive to this Request, and which Read locates after a reasonable search.

Request No. 35

Any and all meta data associated with any electronic information produced pursuant to these requests.

Response No. 35: Read objects to this Request as vague and overbroad because it does not specify what “metadata” it refers to. Read will make the productions noted in herein and will do so in compliance with all applicable Rules.

Request No. 36

Documents, reports and materials provided to you by the Commonwealth of Massachusetts regarding the Commonwealth's investigation or prosecution of *Com v. Read*:

Response No. 36: Read objects to this Request as overbroad, unduly burdensome, duplicative, and outside the scope of discovery under Rule 26 because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Read further objects to this Request because it seeks from Read documents in the possession, custody, or control of Plaintiffs and other parties, which are accessible to Plaintiffs at least as easily as to Read. Subject to, and without waiving, these objections, Read will produce all documents in her possession, custody, or control that were exchanged in discovery in *Commonwealth v. Read*, and which she locates after a reasonable search.

Request No. 37

Since January 29, 2022, any surveillance video recording:

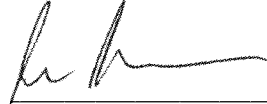
- a. John J. O'Keefe, III;
- b. Margaret O'Keefe;
- c. Paul O'Keefe;
- d. Erin O'Keefe;
- e. John O'Keefe, II
- f. Kaylee Furbush; and
- g. Patrick Furbush.

Response No. 37: Read objects to this Request because it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to, and without waiving, these objections, Read states that she has not identified any responsive documents in her possession, custody, or control after a reasonable search.

Respectfully submitted,

KAREN READ,

By her attorneys,

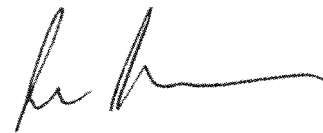


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Dated: October 18, 2025

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all counsel of record by email on October 18, 2025.



Aaron D. Rosenberg