

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT

PLYMOUTH, ss.

CIVIL ACTION № 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.

AFFIDAVIT OF COMPLIANCE PURSUANT TO SUPERIOR COURT RULE 9A(b)(2)

I, Marc A. Diller, Esq., being duly sworn, depose and state as follows:

1. I am an attorney duly licensed to practice law in the Commonwealth of Massachusetts and represent the Plaintiffs, Paul O'Keefe individually and as Personal Representative of the Estate of John Joseph O'Keefe III, John O'Keefe II, Margaret O'Keefe and Margaret O'Keefe as Grandparent/Guardian of Kayley Furbush in the above-captioned matter on behalf of Diller Law, LLP, 50 Congress Street, Suite 420, Boston, Massachusetts 02109. I make this affidavit based on my personal knowledge.

2. On November 21, 2025, counsel for the Plaintiffs and counsel for the Defendant appeared before this Honorable Court (Gildea, J.), at which time the Court entered a briefing schedule governing Plaintiffs' Motion to Compel Further Answers to Interrogatories.
3. On December 2, 2025, and in accordance with the Court's briefing order, Plaintiffs' counsel served upon counsel for Defendants Plaintiff's Motion to Compel Further Answers to Interrogatories and the accompanying Memorandum in Support thereof.
4. On December 12, 2025, counsel for Defendant Read served Plaintiffs' counsel, via electronic mail, Defendant Karen Read's Opposition to (Now-Moot) Motion to Compel Further Answer to Plaintiff's Single Interrogatory.
5. On December 15, 2025, Plaintiffs counsel served the Defendant with Plaintiff's Reply to Defendant Karen Read's Opposition to the Motion to Compel Further Answers to Interrogatories from Defendant Karen Read.
6. Plaintiffs and their counsel have fully complied with the provisions of Massachusetts Superior Court Rule 9A and 9C with respect to the filing and service of the foregoing motion.
7. Plaintiffs have therefore filed all documents December 15, 2025 and served all 9A/9C documents.

**SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 15th DAY OF
DECEMBER 2025.**

/s/ *Marc Diller*

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