

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 OPPOSITION TO (NOW-MOOT) MOTION TO
COMPEL FURTHER ANSWER TO PLAINTIFFS' SINGLE INTERROGATORY**

Plaintiffs' Motion to Compel (the "Motion") asks the Court to order Defendant Karen Read ("Read") to do what she has now already done: respond more directly to Plaintiffs' single interrogatory. After Plaintiffs served their Motion, Read voluntarily supplemented her answer and added a more direct response about who Read believes is responsible for John O'Keefe III's death, which is what the interrogatory asks. That Supplemental Answer is attached as Exhibit 1. As a result, Plaintiffs' Motion is now moot.

Despite that, Plaintiffs have refused to withdraw this Motion, which relates only to the prior answer, and not Ms. Read's Supplemental Answer. In other words, Plaintiffs are attempting to litigate an issue that does not exist. To make matters worse, Plaintiffs also refused to confer

about the Supplemental Answer, or even explain what about Read's Supplemental Answer they believe is still lacking. That is a blatant violation of Superior Court Rule 9C.

Plaintiffs' abuse of the Rules, however, is not happenstance. Rather, Plaintiffs' insistence on filing a stale Motion shows this for what it is: a misuse of this forum and the Court's time as a mechanism to broadcast an extra-judicial (and false) narrative to the public. Unfortunately, this is a pattern with Plaintiffs, as this sort of extra-judicial messaging has now occurred at both prior status conferences in this case. The Court should not permit this, and should require, simply, that all parties comply with the applicable Rules of Civil Procedure and of the Superior Court, including Rule 9C.

The Motion should be denied on all of these bases, and because Read's Supplemental Answer fully complies with the Rules.

Argument

Plaintiffs' Interrogatory and Read's First Response

Plaintiffs served a single interrogatory, asking Read who she believes killed Mr. O'Keefe. Under oath, Read answered the question directly: she did not do so, and she knows the individuals in the house at 34 Fairview on January 29, 2022 and police investigators hid, destroyed, deleted, tampered with, failed to gather, altered, and otherwise lost critical evidence that would have led to identifying the specific person or persons who were responsible. Among **many** other things:

- After learning of a request for a court order for the inspection of his phone, Brian Higgins removed the SIM card from the phone, destroyed both the phone and SIM card, then drove to an army base on Cape Cod, where he threw both into a dumpster. He did not transfer information from his destroyed phone to his replacement phone.
- After learning about a request for a court order for the inspection of his phone, Brian Albert destroyed his phone, and replaced it without saving any information from the phone.

- All other occupants of the house destroyed their phones and did transfer data to their new phones.
- Brian and Nicole Albert “re-homed” their family German Shepherd dog shortly after Mr. O’Keefe died and there was evidence of dog bites and scratches on Mr. O’Keefe’s body.
- Brian and Nicole Albert had “remodeling work” done to their house at 34 Fairview Road, and then sold it after Mr. O’Keefe died.
- Michael Proctor planted pieces of glass on the bumper of Ms. Read’s Lexus suggesting that they had come from a cocktail glass that Mr. O’Keefe was holding, but when Read’s criminal defense team requested testing of the glass, they discovered it had come from five different sources, including a single piece allegedly discovered by Proctor two weeks after January 29, 2022.
- Despite having multiple video cameras set up inside and outside the sallyport garage at the Canton Police Department, none of the available footage shows the back of Ms. Read’s Lexus or its right taillight.
- Proctor took pieces of the Lexus taillight off of the car while it was in the sallyport, brought it back 34 Fairview and placed it around the area where Ms. Read found Mr. O’Keefe’s body to make it look like the Lexus had struck Mr. O’Keefe.
- Proctor lied under oath in many affidavits he signed relating to when the state police seized Read’s Lexus.
- Proctor failed to follow protocol relating to the Lexus taillight pieces and Mr. O’Keefe’s clothes, including failing to secure evidence, and failing to document evidence.

Read’s Supplemental Answer, and Plaintiffs’ Insistence on Filing This Stale Motion and Refusing to Confer Regarding Any Alleged Insufficiencies with the Supplemental Answer

After Plaintiffs served this Motion arguing that Read had not been direct enough in her response, Read agreed to supplement her answer under oath and be even more blunt. She stated that, because of the actions described above, and because of investigators’ abject failure to conduct a professional, unbiased, and comprehensive investigation, Read does not know exactly who fatally wounded Mr. O’Keefe, but that she believes it was one of the occupants within the house at 34 Fairview on the morning of January 29, 2022. That supplemental response directly and completely answers the Plaintiffs’ narrow interrogatory, and leaves nothing more to be compelled. To the extent Read (or any other party) obtains additional evidence during discovery that points to a specific individual or individuals, she will amend her response.

Specifically, Plaintiffs' interrogatory asked Read to "[i]dentify each person whom you claim is responsible for the death of John Joseph O'Keefe III, and for each such person, state all facts forming the basis of your claim." This directs Read to identify specific individuals and then, **for any such individuals**, provide evidence supporting her allegation.

Read's supplemental response (which differs from what is quoted in support of Plaintiffs' Motion) states:

I was acquitted by a jury of all criminal charges relating to the death of John O'Keefe III after a full and public trial that exposed pervasive investigative misconduct and corruption. I did not cause, and am not responsible for, Mr. O'Keefe's death. I did not strike Mr. O'Keefe with my car. Mr. O'Keefe's wounds are inconsistent with being hit by a vehicle and consistent with being in a physical altercation and attacked by a dog. The credible evidence indicates that he was beaten inside the home at 34 Fairview Road in Canton, Massachusetts on the night of January 28-29, 2022 and died as a result. The individuals inside the house during the time period surrounding Mr. O'Keefe's death also took actions that suggest wrongdoing, including tampering with, destroying, fabricating, and manipulating evidence, all in an effort to direct blame towards me. The individuals and entities who had the responsibility to fully investigate the circumstances of Mr. O'Keefe's death failed to adhere to their duties, and instead ignored, destroyed, and failed to gather or investigate highly relevant evidence in and around the house at 34 Fairview Road, Canton, Massachusetts after Mr. O'Keefe's body was discovered. They did so because of personal connections between the lead investigator and individuals within that house, as well as the occupants' connections to various local, state, and federal law enforcement agencies. The individuals in the house that night engaged in a concerted effort to direct the investigators' attention away from themselves and towards me instead.

Based on the information and evidence available to me, I believe that one or more of the occupants of the house at 34 Fairview Road, Canton during the early morning hours of January 29, 2022 caused Mr. O'Keefe's death. However, as a result of the destruction and concealment of key evidence, the truth about what happened to Mr. O'Keefe has been deliberately obscured and I do not know which specific individual or individuals within the house fatally wounded Mr. O'Keefe. What I do know without any doubt is that I played no part in causing, participating in, or contributing to his death in any way.

Ex. 1 (emphasis added). This is the only truthful and accurate way for Read to respond. At this early stage of discovery, she cannot point to a specific individual as the culprit and cannot, for

any “such person,” specify “facts forming the basis of [her] claim.” Thus, there is nothing further for the Court to compel.

After serving this Supplemental Answer, Read’s counsel asked Plaintiffs to confirm that they would withdraw the now-moot Motion, pursuant to Rule 9A. Plaintiffs’ counsel responded that Plaintiffs would still file the Motion because “[u]nfortunately, PLF does not believe the proposed supplemental answer satisfies the concerns raised in our motion.” Plaintiffs’ counsel did not provide any further explanation.

Read’s counsel then substantively explained why the Motion is moot and that filing it would be a waste of the Court’s and parties’ resources, and requested a 9C conference to understand Plaintiffs’ concerns with the Supplemental Answer – a conversation that had (and has) **never** taken place. Plaintiffs’ counsel refused, writing “[w]e convened a 9C on record in from of the Court last month.” However, that conversation related to Read’s original Answer because she had not yet served the Supplemental Answer.

Read’s counsel tried once more, writing: “Just to be clear, are you refusing to confer with us pursuant to Rule 9C and explain your concerns with the Supplemental Answer to Interrogatory that we served on Tuesday?” Plaintiffs’ obstinance continued: “We have conferred about it. We provided you a detailed motion. You believe the addition of 4 sentences addresses those concerns. The Court will need to help us resolve this dispute.” A copy of this correspondence between counsel is attached as Exhibit 2.

Plaintiffs’ refusal to confer with Read’s counsel and attempt to narrow the issues of disagreement and potentially resolve this discovery dispute alone warrants the Motion being denied. As a result of Plaintiffs’ refusal to follow the Superior Court Rules, Read does not even know what issues Plaintiffs have with the Supplemental Answer, and she may have been able to

address them through the required conference. However, as described above, it now appears that this was never about addressing discovery issues for Plaintiffs, or getting the discovery Plaintiffs believe they need. Rather, it is the latest attempt to use the Court to launder incorrect information about Read to the media and public.

The Motion Fails to Establish that Read's Supplemental Answer Violates Any Rule

Plaintiffs' arguments in support of their Motion fail to identify any basis for ordering Read to provide further information in response to the Plaintiffs' interrogatory. Instead, Plaintiffs spend much of their time on numerous legal principles and rules that are entirely inapposite.

First, they argue that Read has failed to provide sufficient evidentiary support to succeed on her affirmative defense that other third parties are responsible for Mr. O'Keefe's death. Read believes that there is sufficient evidence, and will be more as discovery proceeds, that someone at 34 Fairview in the early morning of January 29, 2022 killed Mr. O'Keefe. But discovery is just beginning; Plaintiffs have yet to produce a single document and no one has taken a single deposition. And more importantly for these purposes, the question of whether Read can ultimately prove the elements of this one defense has nothing to do with a Motion to Compel. If Plaintiffs believe that Read cannot satisfy her legal burden as a result of her discovery responses (or for any other reason), then they are free to assert that her affirmative defense should be dismissed at the appropriate time. But Read's only obligation in response to Plaintiffs' interrogatory was to answer it fully and directly, which she has now done – twice.

Similarly, Plaintiffs claim that Read's Answer to the Complaint itself is deficient, by reference to Mass. R. Civ. P. 8 and 11. These arguments are likewise entirely misplaced in the context of a Motion to Compel an interrogatory answer. If Plaintiffs really believed that there were material issues with Read's Answer to their Complaint, they would have raised that by

appropriate motion to Strike or Dismiss that part of that pleading, which they did not do.

Plaintiffs know this. Read has satisfied her pleading obligations.

Plaintiffs also repeatedly state that their interrogatory “[m]erely requests the disclosure of facts allegedly known by Ms. Read which form the basis for her affirmative defense, which is explicitly anticipated and authorized by Superior Court Rule 30A.” Memo. of Law in Supp. of Mot., p. 8. Plaintiffs even provide a direct quotation of the portion of that Rule allowing parties to seek an explanation for particular claims or defenses by explicitly referencing them. *Id.*, p. 10. However, Plaintiffs’ interrogatory did not, **and could not,** ask Read to state the basis of her affirmative defense because Plaintiffs served the interrogatory more than a month **before** Read first asserted her affirmative defenses. Had Plaintiffs served an interrogatory after Read filed her Answer and asked Read to identify the factual basis for her defense, she would have provided a different answer. But Read can only answer the interrogatories that are posed to her.

To that point, if Plaintiffs have additional questions they want Read to answer under oath, they have the right to depose her and, if necessary, serve additional interrogatories addressing the topics they believe remain undiscovered. Read will truthfully answer any appropriate questions posed to her.

Finally, Plaintiffs argue the merits of certain objections Read asserted in response to their single interrogatory. But these arguments are completely unnecessary because **Read did not withhold any information pursuant to those objections.** Consistent with standard practice in Superior Court, Read provided objections she wished to preserve for the record and then provided a full substantive answer “subject to, and without waiving, such objections.” By pretending otherwise, Plaintiffs seek to convince the public at large that Read is somehow being

evasive, when she is not. Put simply, Read has answered the Plaintiffs' single interrogatory and Plaintiffs' frivolous inferences to the contrary are simply untrue.

Conclusion

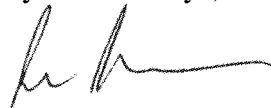
For the foregoing reasons, Read respectfully requests that the Court deny Plaintiffs' Motion to Compel.

Dated: December 12, 2025

Respectfully submitted,

KAREN READ,

By her attorneys,



Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109
617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

WERKSMAN JACKSON & QUINN LLP

Alan J. Jackson, *pro hac vice*
Caleb E. Mason, *pro hac vice*
Elizabeth S. Little, *pro hac vice*
Werksman Jackson & Quinn LLP
888 West Sixth Street, Fourth Floor
Los Angeles, CA 90017
(213) 688-0460
ajackson@werksmanjackson.com
cmason@werksmanjackson.com
elittle@werksmanjackson.com

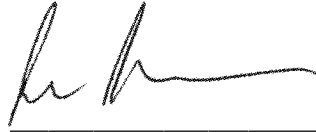
TANG & MARAVELIS, P.C.

/s/ Arthur E. Maravelis

Arthur E. Maravelis (BBO# 564673)
Thomas M. Tang (BBO# 642578)
Sarah A. Shipley (BBO# 678753)
Michael W. Bell (BBO# 697529)
111 South Bedford Street, Suite 200
Burlington, MA 01803
(781) 221-1400
amaravelis@tangmaravelis.com
ttang@tangmaravelis.com
sshipley@tangmaravelis.com
mbell@tangmaravelis.com

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all counsel of record by email on December 12, 2025.

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

Aaron D. Rosenberg

Dated: December 12, 2025

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,

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.

**SUPPLEMENTAL ANSWER TO PLAINTIFF PAUL O'KEEFE, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF JOHN JOSEPH O'KEEFE III FIRST SET
OF INTERROGATORIES PROPOUNDED UPON DEFENDANT KAREN READ**

Defendant Karen Read ("Ms. Read") submits the following supplemental answer to the Interrogatories propounded upon her by Plaintiffs as follows.

INTERROGATORY #1: Identify each person whom you claim is responsible for the death of John Joseph O'Keefe III, and for each such person, state all facts forming the basis of your claim.

SUPPLEMENTAL RESPONSE: Ms. Read objects to this Interrogatory as seeking information that is irrelevant to the subject matter involved in the pending action and therefore outside the scope of discovery pursuant to Mass. R. Civ. P. 26(b)(1). Ms. Read is not required to identify the specific person(s) who were responsible for Mr. O'Keefe's death. Ms. Read also objects to this

Interrogatory as seeking information outside of her knowledge and possession. Ms. Read is not an investigator or police officer, and is not otherwise responsible for, or skilled in, determining who is at fault for a person's death. Ms. Read further objects to this Interrogatory to the extent it seeks information subject to the attorney-client privilege or work product doctrine or is posed solely for harassment and publicity purposes rather than to elicit legitimate discovery. Subject to, and without waiving these objections, Ms. Read states:

I was acquitted by a jury of all criminal charges relating to the death of John O'Keefe III after a full and public trial that exposed pervasive investigative misconduct and corruption. I did not cause, and am not responsible for, Mr. O'Keefe's death. I did not strike Mr. O'Keefe with my car. Mr. O'Keefe's wounds are inconsistent with being hit by a vehicle and consistent with being in a physical altercation and attacked by a dog. The credible evidence indicates that he was beaten inside the home at 34 Fairview Road in Canton, Massachusetts on the night of January 28-29, 2022 and died as a result. The individuals inside the house during the time period surrounding Mr. O'Keefe's death also took actions that suggest wrongdoing, including tampering with, destroying, fabricating, and manipulating evidence, all in an effort to direct blame towards me. The individuals and entities who had the responsibility to fully investigate the circumstances of Mr. O'Keefe's death failed to adhere to their duties, and instead ignored, destroyed, and failed to gather or investigate highly relevant evidence in and around the house at 34 Fairview Road, Canton, Massachusetts after Mr. O'Keefe's body was discovered. They did so because of personal connections between the lead investigator and individuals within that house, as well as the occupants' connections to various local, state, and federal law enforcement agencies. The individuals in the house that night engaged in a concerted effort to direct the investigators' attention away from themselves and towards me instead.

Based on the information and evidence available to me, I believe that one or more of the occupants of the house at 34 Fairview Road, Canton during the early morning hours of January 29, 2022 caused Mr. O'Keefe's death. However, as a result of the destruction and concealment of key evidence, the truth about what happened to Mr. O'Keefe has been deliberately obscured and I do not know which specific individual or individuals within the house fatally wounded Mr. O'Keefe. What I do know without any doubt is that I played no part in causing, participating in, or contributing to his death in any way.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY ON DECEMBER 8,
2025.


KAREN READ

As to objections,



Arthur E. Maravelis (BBO# 564673)
Thomas M. Tang (BBO# 642578)
Sarah A. Shipley (BBO# 678753)
Michael W. Bell (BBO# 697529)
TANG & MARAVELIS, P.C.
111 South Bedford Street, Suite 200
Burlington, MA 01803
(781) 221-1400
amaravelis@tangmaravelis.com
ttang@tangmaravelis.com
sshipley@tangmaravelis.com
mbell@tangmaravelis.com



Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109 617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

Dated: December 9, 2025

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all counsel of record by email on December 9, 2025.



Aaron D. Rosenberg

EXHIBIT 2

From: Marc Diller <MDiller@dillerlaw.com>
Sent: Thursday, December 11, 2025 12:09 PM
To: Aaron D. Rosenberg
Cc: Bibi Fell; Daniel Buck; Jason Varsch; Lincoln A. Rose; 'kbergin@peabodyarnold.com'; Tamara Smith Holtslag; cmccaffrey@hassettdonnelly.com; David Hassett; John Dealy; jdonovan@hassettdonnelly.com; Alan Jackson; Elizabeth S. Little (Elittle@werksmanjackson.com); Caleb Mason; Sarah A. Shipley (sshipey@tangmaravelis.com); mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Damon M. Seligson; Charles M. Waters
Subject: RE: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Aaron,

We have conferred about it. We provided you a detailed motion. You believe the addition of 4 sentences addresses those concerns.

The Court will need to help us resolve this dispute.

Very Truly Yours,

Marc Diller, Esq.
(617)523-7771
www.dillerlaw.com
  

From: Aaron D. Rosenberg <arosenberg@sheehan.com>
Sent: Thursday, December 11, 2025 10:09 AM
To: Marc Diller <MDiller@dillerlaw.com>
Cc: Bibi Fell <bibi@fellfirm.com>; Daniel Buck <DBuck@dillerlaw.com>; Jason Varsch <JVarsch@dillerlaw.com>; Lincoln A. Rose <lrose@peabodyarnold.com>; 'kbergin@peabodyarnold.com' <kbergin@peabodyarnold.com>; Tamara Smith Holtslag <tsmith@peabodyarnold.com>; cmccaffrey@hassettdonnelly.com; David Hassett <dhassett@hassettdonnelly.com>; John Dealy <jdealy@hassettdonnelly.com>; jdonovan@hassettdonnelly.com; Alan Jackson <ajackson@werksmanjackson.com>; Elizabeth S. Little (Elittle@werksmanjackson.com) <Elittle@werksmanjackson.com>; Caleb Mason <cmason@werksmanjackson.com>; Sarah A. Shipley (sshipey@tangmaravelis.com) <sshipey@tangmaravelis.com>; mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Damon M. Seligson <dseligson@sheehan.com>; Charles M. Waters <cwaters@sheehan.com>
Subject: RE: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Marc,

Just to be clear, are you refusing to confer with us pursuant to Rule 9C and explain your concerns with the Supplemental Answer to Interrogatory that we served on Tuesday?

Thanks,

Aaron

Aaron D. Rosenberg

SHEEHAN PHINNEY

28 State Street, 22nd Floor, Boston, MA 02109

T 617.897.5664

arosenberg@sheehan.com

www.sheehan.com



From: Marc Diller <MDiller@dillerlaw.com>

Sent: Thursday, December 11, 2025 10:02 AM

To: Aaron D. Rosenberg <arosenberg@sheehan.com>

Cc: Bibi Fell <bibi@fellfirm.com>; Daniel Buck <DBuck@dillerlaw.com>; Jason Varsch <JVarsch@dillerlaw.com>; Lincoln A. Rose <lrose@peabodyarnold.com>; 'kbergin@peabodyarnold.com' <kbergin@peabodyarnold.com>; Tamara Smith Holtslag <tsmith@peabodyarnold.com>; cmccaffrey@hassettdonnelly.com; David Hassett <dhassett@hassettdonnelly.com>; John Dealy <jdealy@hassettdonnelly.com>; jdonovan@hassettdonnelly.com; Alan Jackson <ajackson@werksmanjackson.com>; Elizabeth S. Little <Elittle@werksmanjackson.com>; Caleb Mason <cmason@werksmanjackson.com>; Sarah A. Shipley <sshipley@tangmaravelis.com>; mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Damon M. Seligson <dseligson@sheehan.com>; Charles M. Waters <cwaters@sheehan.com>

Subject: RE: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Aaron,

We convened a 9C on record in front of the Court last month. There was a briefing schedule. We complied.

We respectfully disagree with your analysis below. We do appreciate that you can and will make such argument to the Court.

We can still get along but agree to disagree about certain matters.

Very Truly Yours,

Marc Diller, Esq.

(617)523-7771

www.dillerlaw.com



From: Aaron D. Rosenberg <arosenberg@sheehan.com>

Sent: Wednesday, December 10, 2025 4:36 PM

To: Marc Diller <MDiller@dillerlaw.com>

Cc: Bibi Fell <bibi@fellfirm.com>; Daniel Buck <DBuck@dillerlaw.com>; Jason Varsch <JVarsch@dillerlaw.com>; Lincoln A. Rose <lrose@peabodyarnold.com>; 'kbergin@peabodyarnold.com' <kbergin@peabodyarnold.com>; Tamara Smith Holtslag <tsmith@peabodyarnold.com>; cmccaffrey@hassettdonnelly.com; David Hassett <dhassett@hassettdonnelly.com>; John Dealy <idealy@hassettdonnelly.com>; idonovan@hassettdonnelly.com; Alan Jackson <ajackson@werksmanjackson.com>; Elizabeth S. Little (Elittle@werksmanjackson.com) <Elittle@werksmanjackson.com>; Caleb Mason <cmason@werksmanjackson.com>; Sarah A. Shipley (sshipley@tangmaravelis.com) <sshipley@tangmaravelis.com>; mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Damon M. Seligson <dseligson@sheehan.com>; Charles M. Waters <cwaters@sheehan.com>

Subject: RE: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Marc,

Your Motion expressly seeks to compel Ms. Read to supplement her initial answer. She has now done that. The Motion is moot, even if you think the Supplemental Answer is also insufficient for some reason.

More specifically, your Motion claims that Ms. Read's initial Answer was flawed because it was "evasive" and didn't "identify the person she claims is responsible" for Mr. O'Keefe's death. To address this concern, Ms. Read has now stated under oath that "Based on the information and evidence available to me, I believe that one or more of the occupants of the house at 34 Fairview Road, Canton during the early morning hours of January 29, 2022 caused Mr. O'Keefe's death. However, as a result of the destruction and concealment of key evidence, the truth about what happened to Mr. O'Keefe has been deliberately obscured and I do not know which specific individual or individuals within the house fatally wounded Mr. O'Keefe." This directly answers the question: the "person she claims is responsible" is someone within the house, but she cannot identify which one at this time. Obviously, Ms. Read intends to uncover in discovery whatever evidence exists to identify who that person is and, if she (or any other party) is able to do so, she will gladly further supplement her responses. But, as of today, she has directly answered your question.

If you believe that the Supplemental Answer is also insufficient, you need to confer with us, explain why, and, if necessary file a Motion that explains why this **Supplemental** Answer, as opposed to the shorter initial Answer, violates the Rules. Filing a Motion that only addresses a stale, earlier discovery response would be a waste of the Court's and the parties' time and resources. Please let me know if you will reconsider. If not, we will serve you with an opposition by Friday, and please let me know when you are available to confer about this pursuant to Rule 9C.

Thanks,

Aaron

Aaron D. Rosenberg

SHEEHAN PHINNEY

28 State Street, 22nd Floor, Boston, MA 02109

T 617.897.5664

arosenberg@sheehan.com

www.sheehan.com



From: Marc Diller <MDiller@dillerlaw.com>
Sent: Wednesday, December 10, 2025 2:11 PM
To: Aaron D. Rosenberg <arosenberg@sheehan.com>
Cc: Bibi Fell <bibi@fellfirm.com>; Daniel Buck <DBuck@dillerlaw.com>; Jason Varsch <JVarsch@dillerlaw.com>; Lincoln A. Rose <lrose@peabodyarnold.com>; 'kbergin@peabodyarnold.com' <kbergin@peabodyarnold.com>; Tamara Smith Holtslag <tsmith@peabodyarnold.com>; cmccaffrey@hassettdonnelly.com; David Hassett <dhassett@hassettdonnelly.com>; John Dealy <idealy@hassettdonnelly.com>; jdonoan@hassettdonnelly.com; Alan Jackson <ajackson@werksmanjackson.com>; Elizabeth S. Little (Elittle@werksmanjackson.com) <Elittle@werksmanjackson.com>; Caleb Mason <cmason@werksmanjackson.com>; Sarah A. Shipley (sshipley@tangmaravelis.com) <sshipley@tangmaravelis.com>; mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Damon M. Seligson <dseligson@sheehan.com>; Charles M. Waters <cwaters@sheehan.com>
Subject: RE: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Aaron,

Thank you for your efforts to resolve the dispute. Unfortunately, PLF does not believe the proposed supplemental answer satisfies the concerns raised in our motion. Under the circumstances, we do not intend to withdraw the motion and do not agree that it is moot given your supplemental answer.

Very Truly Yours,

Marc Diller, Esq.
(617)523-7771
www.dillerlaw.com
  

From: Aaron D. Rosenberg <arosenberg@sheehan.com>
Sent: Tuesday, December 9, 2025 1:08 PM
To: Marc Diller <MDiller@dillerlaw.com>
Cc: Bibi Fell <bibi@fellfirm.com>; Daniel Buck <DBuck@dillerlaw.com>; Jason Varsch <JVarsch@dillerlaw.com>; Lincoln A. Rose <lrose@peabodyarnold.com>; 'kbergin@peabodyarnold.com' <kbergin@peabodyarnold.com>; Tamara Smith Holtslag <tsmith@peabodyarnold.com>; cmccaffrey@hassettdonnelly.com; David Hassett <dhassett@hassettdonnelly.com>; John Dealy <idealy@hassettdonnelly.com>; jdonoan@hassettdonnelly.com; Alan Jackson <ajackson@werksmanjackson.com>; Elizabeth S. Little (Elittle@werksmanjackson.com) <Elittle@werksmanjackson.com>; Caleb Mason <cmason@werksmanjackson.com>; Sarah A. Shipley (sshipley@tangmaravelis.com) <sshipley@tangmaravelis.com>; mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Damon M. Seligson <dseligson@sheehan.com>; Charles M. Waters <cwaters@sheehan.com>
Subject: RE: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Hi Marc,

In response to your Motion to Compel, and in order to resolve this dispute without the need for Court intervention, Ms. Read agrees to supplement her answer to Plaintiffs' interrogatory. The Supplemental Answer is attached. Please confirm that Plaintiffs withdraw their Motion pursuant to Rule 9A, now that it is moot.

Thanks,

Aaron

Aaron D. Rosenberg

SHEEHAN PHINNEY

28 State Street, 22nd Floor, Boston, MA 02109

T 617.897.5664

arosenberg@sheehan.com

www.sheehan.com



From: Jason Varsch <JVarsch@dillerlaw.com>

Sent: Tuesday, December 2, 2025 4:11 PM

To: Lincoln A. Rose <lrose@peabodyarnold.com>; 'kbergin@peabodyarnold.com' <kbergin@peabodyarnold.com>; Tamara Smith Holtslag <tsmith@peabodyarnold.com>; cmccaffrey@hassettdonnelly.com; David Hassett <dhassett@hassettdonnelly.com>; John Dealy <idealy@hassettdonnelly.com>; jdonovan@hassettdonnelly.com; Alan Jackson <ajackson@werksmanjackson.com>; Elizabeth S. Little (<Elittle@werksmanjackson.com>); Caleb Mason <cmason@werksmanjackson.com>; Sarah A. Shipley (<sshipley@tangmaravelis.com>); mbell@tangmaravelis.com; ttang@tangmaravelis.com; amaravelis@tangmaravelis.com; Aaron D. Rosenberg <arosenberg@sheehan.com>; dseilgson@sheehan.com; Charles M. Waters <cwaters@sheehan.com>

Cc: Marc Diller <MDiller@dillerlaw.com>; Bibi Fell <bibi@fellfirm.com>; Daniel Buck <DBuck@dillerlaw.com>

Subject: Plaintiff's Motion to Compel [Paul O'Keefe et al. v C&C Hospitality et al. # 2483CV00692]

Counsel,

Good afternoon. Attached please find the following documents:

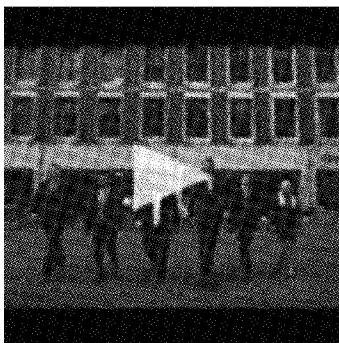
1. Plaintiff's Motion to Compel Further Answers to Interrogatories from Defendant Karen Read; and
2. Memorandum in Support of Plaintiff's Motion to Compel Further Answers to Interrogatories from Defendant Karen Read.

Pursuant to the applicable rules, our office will await your response within the prescribed ten (10) days before filing these materials with the Court.

Best regards,



DILLER LAW
PERSONAL INJURY LAW



Jason M. Varsch

Paralegal

Phone (617) 326-8347
Email: JVarsch@dillerlaw.com
Website: www.dillerlaw.com
Address: 50 Congress St, Suite 420
Boston, MA 02109



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