

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.

**MOTION TO COMPEL NORFOLK DISTRICT ATTORNEY'S OFFICE TO PRODUCE
DATA IN RESPONSE TO SUBPOENA**

Defendant Karen Read ("Read") respectfully requests that the Court compel the Norfolk District Attorney's Office (the "NDAO") to produce all data in its possession extracted from cell phones owned, controlled, or used by former State Police trooper Michael Proctor ("Proctor"). Read served a subpoena (the "Subpoena"), a copy of which is attached to the accompanying Memorandum of Law, on NDAO on July 24, 2025. NDAO produced some documents in response to the subpoena and is in the process of reviewing and producing others. However, NDAO has refused to produce to Read the contents of Proctor's cell phone, which it possesses and has, at least in part, reviewed. Proctor's cell phone, and the data and messages that are stored on it, are responsive to the Subpoena and are likely to be highly relevant to Read's defense in

this case. Based on limited text messages that were disclosed to Read by a “separate law enforcement agency” during her criminal trials. Proctor regularly sent and received text messages with fellow troopers, other police officers, friends, and family members regarding Read, the investigation into John O’Keefe III’s death, and who would and would not become a suspect. These messages bear directly on the accuracy of Read’s allegations regarding Mr. O’Keefe’s death, which the Plaintiffs allege was a “false narrative” that caused them compensable emotional distress.

Now, NDAO has recently reviewed new data from Proctor’s private cell phone that NDAO has deemed “highly sensitive” and, when shared with him, caused Proctor to suddenly drop his challenge to his firing from the State Police. It is very likely, based on the select messages to and from Proctor she received in the past, that this cell phone extraction relates, at least in part, to Read. However, if it doesn’t, the NDAO can make that representation in writing. Barring that, Proctor’s cell phone data must be produced so that Read can present evidence that supports the allegations Plaintiffs claim are false. In further support of this Motion, Read relies on her Memorandum of Law in Support, file simultaneously herewith.

WHEREFORE, Read respectfully requests that the Court allow this Motion and compel NDAO to produce all documents and data responsive to Document Requests Nos. 4 and 11 in the Subpoena, including the data extracted from Proctor’s personal cell phone.

Respectfully submitted,

KAREN READ,

By her attorneys,



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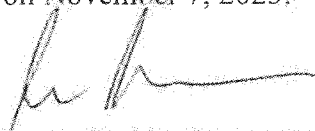
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Dated: November 7, 2025

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all counsel of record by email and on the Norfolk District Attorney's Office by hand on November 7, 2025.



Aaron D. Rosenberg

Dated: November 7, 2025