

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

SUPERIOR COURT
C.A. No. 2483CV00692

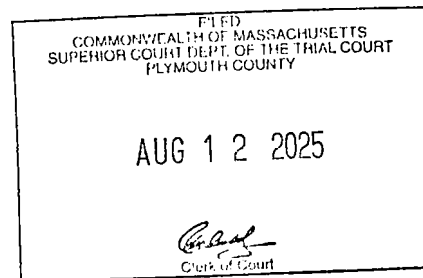
PAUL O'KEEFE, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
JOHN JOSEPH O'KEEFE III; PAUL
O'KEEFE, INDIVIDUALLY; JOHN
O'KEEFE II; MARGARET O'KEEFE; and
MARGARET O'KEEFE AS
GRANDPARENT / GUARDIAN OF
KAYLEY FURBUSH;

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.



**DEFENDANTS C&C HOSPITALITY, LLC D/B/A C.F. MCCARTHY'S AND G&S
HOSPITALITY, LLC D/B/A C.F. MCCARTHY'S MOTION TO DISMISS JOINING IN
KAREN READ'S MOTION TO DISMISS THE PLAINTIFFS' COMPLAINT**

The Defendants C&C Hospitality, LLC D/B/A C.F. McCarthy's and G&S Hospitality d/b/a C.F. McCarthy's (collectively, "C.F. McCarthy's") joins the Motion to Dismiss filed by the Co-Defendant Karen Read ("Read") and moves for dismissal of Counts IV, V and VI of the Plaintiffs' Complaint as against C.F. McCarthy's. For the reasons cited in Read's Motion to Dismiss, C.F. McCarthy's requests that this Court also dismiss Counts IV, V and VI against it pursuant to Mass. R. Civ. P. 12(c). *See Martinez v. Waldstein*, 89 Mass. App. Ct. 341, 345, 49 N.E.3d 245, 249 (2016)

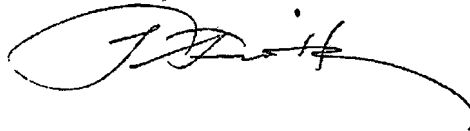
(“A defendant's rule 12(c) motion is actually a motion to dismiss ... [that] argues that the complaint fails to state a claim upon which relief can be granted.”) (Internal quotations omitted.)

For these reasons, C.F. McCarthy's joins Read's Motion to Dismiss and requests that this Court dismiss Counts IV, V and VI with prejudice.

Respectfully submitted,

C&C HOSPITALITY, LLC d/b/a C.F.
MCCARTHY'S and G&S HOSPITALITY, LLC
d/b/a C.F. MCCARTHY'S

By its attorneys,



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Dated: July 29, 2025

CERTIFICATE OF SERVICE

I, Tamara Smith Holtslag, hereby certify that on July 29, 2025 I caused the within document to be served by electronically filing with the Court and via electronic mail to the following counsel of record:

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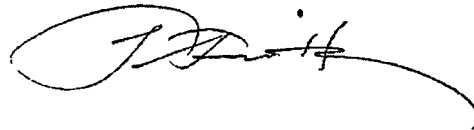
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