

KOLMAN LAW P.C.
Timothy M. Kolman, Esquire
PA ID: 51982
414 Hulmeville Avenue
Penndel, PA 19047
(215) 750-3134

MAURI B. KUCI
LACKAWANNA COUNTY
Attorney for Plaintiff
Philip Godlewski
2021 JUL -6 P 2:11
CLERK OF JUDICIAL
REC'D CIVIL DIVISION

PHILIP GODLEWSKI

Plaintiff,

v.

CHRIS KELLY

and

**TIMES-SHAMROCK
COMMUNICATIONS**

and

THE SCRANTON TIMES-TRIBUNE

and

LARRY HOLEVA

Defendants.

**IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY**

CIVIL DIVISION

No. 2021-CV-2195

ANSWER TO NEW MATTER

Plaintiff, Philip Godlewski ("Plaintiff or Mr. Godlewski"), by and through his attorneys, hereby responds to Defendants' New Matter as follows:

1. No response required.
2. Denied as a conclusion of law to which no responsive pleading is required.
3. Denied that the publication is accurate commentary and not defamatory.
4. Denied that published article was legitimate, reasonable or justified.


5. Denied that the publication was in good faith, justifiable or founded upon reasonable grounds and/or truth.
6. Denied as a conclusion of law that the publication was privileged. Further, denied that it was either reasonable or justified.
7. Denied as a self-serving conclusion of fact.
8. Denied that the publication set forth a fair and accurate summary of statements made in the legal court filings and/or governmental records. Denied that because that these documents may be in the public domain and open for public inspection that their presence justifies libel against the Plaintiff.
9. Denied as a conclusion of law to which no responsive pleading is required.
10. Denied. By way of further answer, the Plaintiff has suffered considerable damages, emotional and economic as a result of the publication.
11. Denied as a conclusion of law to which no responsive pleading is required.
12. Denied as a conclusion of law to which no responsive pleading is required.
13. Denied as a conclusion of law to which no responsive pleading is required.
14. Denied as a conclusion of law to which no responsive pleading is required.
15. Denied as a conclusion of law to which no responsive pleading is required.
16. Denied as a conclusion of law and fact to which no responsive pleading is required.
17. Denied as a conclusion of law and fact to which no responsive pleading is required.
18. Denied as a self-serving conclusion of fact.
19. Denied. The article speaks for itself and is defamatory.
20. Denied. The article specifically describes factual circumstances as if they are true and falsity of these can be proven by objective evidence.

21. Denied as a conclusion of language given that the article speaks for itself.
22. Denied as stated.
23. Denied as a conclusion of law to which no responsive pleading is required.
24. Denied as a conclusion of law and fact to which no responsive pleading is required.
25. Denied as a conclusion of law to which no responsive pleading is required.
26. Denied.
27. Denied. Plaintiff has not yet had an opportunity to take discovery and therefore denies that there is no basis to adduce malice and actual malice.
28. Denied as stated.
29. Denied as a conclusion of law and fact to which no responsive pleading is required.

WHEREFORE, Plaintiff respectfully requests this Court to strike the foregoing affirmative defenses because a majority are not affirmative defenses permitted by Pennsylvania law and the remainder are self-serving and conclusory.

Respectfully submitted,

KOLMAN LAW, P.C.


Timothy M. Kolman, Esquire
Attorney for Plaintiff

Dated: June 30, 2021

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Timothy M. Kolman, Esquire
PA ID: 51982
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Pennel, PA 19047
(215) 750-3134

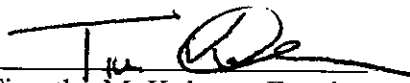
Attorney for Plaintiff
Philip Godlewski
MAGISTRATE JUDGE
LACKAWANNA COUNTY
2021 JUL -6 P 2:11
CLERK OF JUDICIAL
RECORDS CIVIL DIVISION

PHILIP GODLEWSKI	:	IN THE COURT OF COMMON PLEAS
	:	OF LACKAWANNA COUNTY
<i>Plaintiff,</i>	:	
	:	CIVIL DIVISION
v.	:	
	:	
CHRIS KELLY, et al.	:	No. 2021-CV-2195
	:	
<i>Defendants.</i>	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Answer to New Matter was served upon all counsel of record via electronic mail.

J. Timothy Hinton, Jr.
Haggerty Hinton & Cosgrove, LLP
1401 Monroe Avenue, Suite 2
Dunmore, PA 18509
timhinton@haggertylaw.net
*Attorney for Defendants, Chris Kelly, Times Shamrock Communications,
The Scranton Times-Tribune, and Larry Holeva*


Timothy M. Kolman, Esquire
Attorney for Plaintiff

Dated: June 30, 2021