

PHILIP GODLEWSKI,  
Plaintiff

v.

CHRIS KELLY, TIMES SHAMROCK :  
COMMUNICATIONS, THE SCRANTON :  
TIMES-TRIBUNE, LARRY HOLEVA :  
Defendants. :

JURY TRIAL DEMANDED

No.: 2021-CV-2195

MAURI B. KELLY  
LACKAWANNA COUNTY  
2022 JUN 21 P 12:14  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION

IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY  
CIVIL DIVISION


**CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA  
PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things, from **John G. Kuna, PsyD and Associates**, pursuant to Rule 4009.22, Defendant certifies that:

1. a Notice of Intent to Serve the Subpoena to Produce Documents and Things for Discovery with a copy of the proposed Subpoena attached thereto was mailed to each party's attorney at least twenty days prior to the date on which the subpoena was served;
2. a copy of the Notice of Intent, including the proposed subpoena, is attached to this certificate;
3. no objection to the proposed subpoena has been received within the requisite 20-day notice period; and
4. the subpoena which will be served is identical to the subpoena which is attached to the Notice of Intent to Serve the Subpoena.

Respectfully submitted:

Date: June 17, 2022

  
\_\_\_\_\_  
J. Timothy Hinton, Jr.  
**Haggerty Hinton & Cosgrove LLP**  
PA I.D. No. 61981  
1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
Attorneys for Defendants,  
Chris Kelly, Times Shamrock  
Communications, The Scranton Times-  
Tribune and Larry Holeva

**CERTIFICATE OF COMPLIANCE**

I hereby certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

/s/ J. Timothy Hinton, Jr., Esq.  
**J. TIMOTHY HINTON, JR., ESQUIRE**  
**PA I.D. 61981**

PHILIP GODLEWSKI,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF LACKAWANNA COUNTY
	:	
v.	:	CIVIL DIVISION
	:	
CHRIS KELLY, TIMES SHAMROCK	:	JURY TRIAL DEMANDED
COMMUNICATIONS, THE SCRANTON	:	
TIMES-TRIBUNE, LARRY HOLEVA	:	
Defendants.	:	No.: 2021-CV-2195

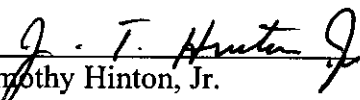
**CERTIFICATE OF SERVICE**

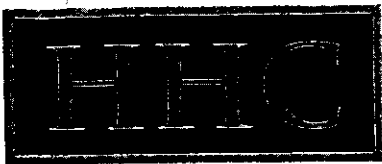
I, J. Timothy Hinton, Jr., Esq., hereby certify that I served a true and correct copy of the forgoing Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22, by electronic mail and depositing same in the United States Mail, postage prepaid, on this 17<sup>th</sup> day of June 2022, upon the following:

Timothy M. Kolman, Esq.  
 414 Hulmeville Ave.  
 Penndel, PA 19047  
[TKolman@kolmanlaw.com](mailto:TKolman@kolmanlaw.com)  
*Attorney for Plaintiff*

Respectfully submitted:

Date: June 17, 2022

  
 \_\_\_\_\_  
 J. Timothy Hinton, Jr.  
**Haggerty Hinton & Cosgrove LLP**  
 PA I.D. No. 61981  
 1401 Monroe Ave., Suite 2  
 Dunmore, PA 18509  
 Attorneys for Defendants,  
 Chris Kelly, Times Shamrock  
 Communications, The Scranton Times-  
 Tribune and Larry Holeva



HAGGERTY  
HINTON &  
COSGROVE LLP  
ATTORNEYS AT LAW

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Telephone 570-344-9845 • Fax 570-343-9731 • 1401 Monroe Ave., Suite 2, Dunmore, PA 18509 • [hhc@haggertylaw.net](mailto:hhc@haggertylaw.net)

Joseph O. Haggerty, Jr.  
J. Timothy Hinton, Jr.\*  
Michael F. Cosgrove  
Matthew E. Haggerty - Of Counsel

May 27, 2022

[Tkolman@kolmanlaw.com](mailto:Tkolman@kolmanlaw.com)

Timothy M. Kolman, Esq.  
414 Hulmeville Ave.  
Pennel, PA 1904

Re: Philip Godlewski vs. Chris Kelly, et  
al.  
No. 2021-CV-2195

Dear Attorney Kolman:

Enclosed are two (2) Notices of Intent to Serve Subpoenas to Produce Documents and Things for Discovery upon John G. Kuna, PsyD and Associates and Matthew A. Berger, JD, PC along with proposed Subpoenas.

Thank you.

Very truly yours,

  
J. Timothy Hinton, Jr.

JTH:jls  
Encls.

\*Certified Civil Trial Advocate By National Board Of Trial Advocacy,  
A Pennsylvania Supreme Court Accredited Agency

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF LACKAWANNA

Philip Godlewski  
vs.  
Chris Kelly, et al.

Plaintiffs,  
Defendants.

2021-CV-2195  
File No. \_\_\_\_\_

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY**  
**PURSUANT TO RULE 4009.22**

TO: John G. Kuna, PsyD and Associates, 4101 Birney Ave, Moosic, PA 18507  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

Any and all records regarding mental health care and treatment provided to Philip Godlewski  
(D.O.B. 6/26/1993) from 1/1/2010 to present.

at Haggerty Hinton & Cosgrove LLP, 1401 Monroe Ave., Suite 2., Dunmore, PA 18509  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

Name: I. Timothy Hinton, Jr., Esq.  
Address: 1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
Telephone: (570) 344-9845  
Supreme Court ID # 61981  
Attorney For: Defendants

BY THE COURT:

Mauri B. Kelly  
Mauri B. Kelly  
Clerk of Judicial Records

DATE: 5/27/22

Seal of the Court