

PHILIP GODLEWSKI,
Plaintiff

v.

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

MAURI B. KELLY
LACKAWANNA COUNTY COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY
2022 OCT -3 A D 16
CLERK OF COURT
JUDICIAL RECORDS
CIVIL DIVISION TRIAL DEMANDED

No.: 2021-CV-2195


**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 **Mark Powell, District Attorney of Lackawanna County**, 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: 9-30-22



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

PHILIP GODLEWSKI,
Plaintiff

v.

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

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

: CIVIL DIVISION
:

: JURY TRIAL DEMANDED
:

: No.: 2021-CV-2195
:

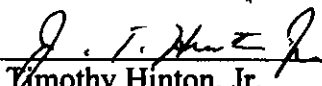
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CERTIFICATE OF SERVICE

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 depositing same in the United States Mail, postage prepaid, on this 30th day of September 2022, upon the following:

Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Pennel, PA 19047
TKolman@kolmanlaw.com
Attorney for Plaintiff

Respectfully submitted:

Date: 9-30-22



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

**HAGGERTY
HINTON &
COSGROVE LLP**
ATTORNEYS AT LAW

Telephone 570-344-9845 • Fax 570-343-9731 • 1401 Monroe Ave., Suite 2, Dunmore, PA 18509 • hhc@haggertylaw.net

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

September 9, 2022

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

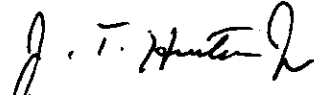
Re: Philip Godlewski vs. Chris Kelly, et
al.
No. 2021-CV-2195

Dear Attorney Kolman:

Enclosed is a Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery upon Mark Powell, District Attorney of Lackawanna County, along with a proposed Subpoena.

Thank you.

Very truly yours,


J. Timothy Hinton, Jr.

JTH:jls
Encls.

PHILIP GODLEWSKI,
Plaintiff

v.

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

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

CIVIL DIVISION

JURY TRIAL DEMANDED

No.: 2021-CV-2195

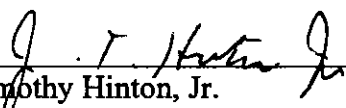
**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE DOCUMENTS AND
THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

To: Counsel and Parties of Record

Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva, intend to serve a subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made the subpoena may be served.

Respectfully submitted:

Date: September 9, 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

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., Esquire**, certify that on this 9th day of September 2022, I caused a true and correct copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21, by depositing same in the United States Mail postage prepaid:

Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Pennel, PA 19047
TKolman@kolmanlaw.com
Attorney for Plaintiff

Respectfully submitted:

Date: September 9, 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

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LACKAWANNA

Philip Godlewski

Plaintiffs,

vs.

Chris Kelly, et al.

Defendants.

2021-CV-2195

File No. _____

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

TO: Mark Powell, District Attorney of Lackawanna County

(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:

All phone records (including call history and text history records) obtained in Case No. CR-134-10 and CP-35-CR-2613-2010 showing any and all calls or text messages to or from (570) 561-8967, (570) 637-6050 or (570) 780-4567.

Haggerty Hinton & Cosgrove LLP, 1401 Monroe Ave., Suite 2., Dunmore, PA 18509

at _____

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

BY THE COURT:

Mauri B. Kelly

Mauri B. Kelly
Clerk of Judicial Records

DATE: 9/9/2022

Seal of the Court