

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


**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 **7K Metals, LLC**, 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: 11-18-2022


 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

RECORDED
 NOV 14 P 12:50
 MAURI B. KELLY
 LACKAWANNA COUNTY
 CLERK OF JUDICIAL
 CIVIL DIVISION

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

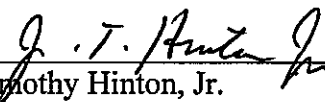
I, J. Timothy Hinton, Jr., Esq., hereby certify that I served a true and correct copy of the forgoing Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22, by depositing same in the United States Mail, postage prepaid, on this 11th day of November 2022, upon the following:

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

MAURI B. KELLY
 LACKAWANNA COUNTY
 2022 NOV 14 P 12:50
 CLERK OF JUDICIAL
 RECORDS CIVIL DIVISION

Respectfully submitted:

Date: 11-10-2022



 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

MAURI B. KELLY
LACKAWANNA COUNTY
2022 NOV 14 P 12:50
CLERK OF JUDICIAL
RECORDS CIVIL DIVISION



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

October 21, 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 7K Metals, LLC, along with a proposed Subpoena.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. T. Hinton Jr.' with a stylized flourish at the end.

J. Timothy Hinton, Jr.

JTH:jls
Encls.

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

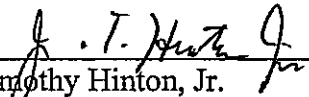
NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21

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: 10-21-22



 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,	:	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

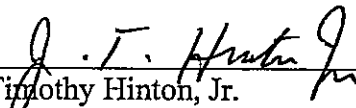
CERTIFICATE OF SERVICE

I, **J. Timothy Hinton, Jr., Esquire**, certify that on this 2ndst day of October 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 electronic mail and depositing same in the United States Mail postage prepaid:

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

Respectfully submitted:

Date: 10-20-22



 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

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LACKAWANNA

Philip Godlewski
Plaintiffs,

vs.

Chris Kelly, et al.
Defendants.



File No. 2021-CV-2195

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

TO: 7K Metals, LLC Attn: Jayson Arfmann, CEO, 3640 S. Yellowstone Hwy., Idaho Falls, ID 83402
(Name of Person or Entry)

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 contracts with Philip J. Godlewski or Phil Godlewski or Phil's Silver, Inc. (or "PSI"); all 1099 forms provided to Philip J. Godlewski, PSI, Amanda Turoni, John Godlewski and Dorothea Gallagher, since January 1, 2021. All membership records (including member applications and agreements) for Philip J. Godlewski, Phil's Silver, Inc., Company 2, LLC, Amanda Turoni and Dorothea Gallagher. Also provide all 1099 forms for Company 2, LLC.
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: J. 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: 10/21/22
Seal of the Court