

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

MAURI B. KELLY
 CLERK OF JUDICIAL
 RECORDS
 CIVIL DIVISION
 NOV 22 P 2:21
 LACKAWANNA COUNTY

DEFENDANTS' SECOND MOTION FOR SANCTIONS

Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva, by and through their attorneys, Haggerty Hinton & Cosgrove LLP, file this Second Motion for Sanctions against Plaintiff:

1. Plaintiff, Phillip Godlewski, filed this defamation case against Defendants on May 24, 2021.
2. Plaintiff alleges Defendants defamed him in an article published on February 14, 2021 in the Times-Tribune newspaper and he seeks \$5 million dollars in damages. (The article is attached to the Complaint.)
3. By virtue of him being a self-proclaimed patriot reporter and social media influencer with over 75,000 followers, Plaintiff admits in his Complaint he is a public figure. (Complaint, ¶¶ 2 and 89.)
4. The article in question discusses Plaintiff's criminal history and states "Lackawanna County detectives said Godlewski had sex with the [minor] girl in cars and homes he had access to as a real estate agent".
5. Further, the article stated Plaintiff pled guilty to a corruption of a minor charge in 2011 and admitted to having a sexual relationship with the 15-year-old girl.
6. The article stated: "Godlewski, 28 at the time, was sentenced to three to 23 months,

with the first three months to be served under house arrest and the balance as probation.”

7. A copy of the Criminal Complaint filed with the Court following Plaintiff’s arrest on July 9, 2010 is attached hereto and marked as Exhibit “A”. (The name of the minor victim¹ was redacted in the Criminal Complaint released by the Clerk of Courts.)

8. The corruption of minors charge was due to Philip Godlewski engaging “in sexual intercourse with a minor child victim.” (See Exhibit “A”, page ST 616.)

9. Plaintiff did in fact plead guilty to the corruption of minors charge pursuant to a plea bargain to dismiss the other charges. The sentencing sheet directed him to have “no contact” with the victim. (A true and correct copy of the Guilty Plea Colloquy² and Sentencing Sheet are attached hereto and marked as Exhibit “B”.)

10. Plaintiff was more than ten (10) years older than minor victim (B.D.).

11. Plaintiff now claims in this lawsuit he never had sex with B.D and Defendants defamed him by stating such in the February 14, 2021 article.

12. Plaintiff’s Complaint states: “significantly, Defendant Kelly could not have “stumbled upon” the fact that Mr. Godlewski had sex with a fifteen-year-old girl [when he was 25 years old], because that never happened.” (Complaint, ¶47.)

13. A primary allegation in Plaintiff’s Complaint is that the article defames him by stating he had “sexual intercourse with a 15-year-old girl in 2011.” (Complaint, ¶¶ 87, 96 and 111.)

14. Plaintiff raised \$26,396 to bring this lawsuit through his crowd-funding campaign (social media donation requests) based on his representation that he had been libeled in a news

¹ The Defendants had obtained an unredacted copy of the Criminal Complaint when Philip Godlewski was arrested on July 9, 2010. The identity of the minor victim, who is now 29 years old, is known to both Plaintiff, Defendants, and their counsel. The motion refers to this person by her initials “B.D.” or “minor victim” in order to protect her privacy. The Court is being advised of B.D.’s full name and date of birth on a Confidential Information Form.

² Plaintiff lied on the Guilty Plea Colloquy when he wrote he was a “college grad.” Compare this statement to Exhibit “H” attached hereto, No. 1(f), and Exhibit “D”, page 3. Plaintiff stated there he attended college for two

article “referencing criminal charges . . . that were ultimately dismissed.” (A true and correct copy of Plaintiff’s crowd-funding campaign is attached hereto and marked as Exhibit “C”.) Plaintiff’s campaign conveniently left out the fact that he pled guilty to corrupting a minor’s morals.

15. The Complaint states Mr. Godlewski “is married with three children.” (Complaint, ¶ 10.)

16. Plaintiff’s verified Supplemental Answers to Interrogatories (Set I) state: “Dori [Plaintiff’s wife] left February 17, 2021 right after the article went public.” (A true and correct copy of Plaintiff’s verified Supplemental Response to Defendants’ Requests for Production of Documents (Set I) dated 12/9/2021 is attached hereto and marked as Exhibit “D”, *see* page 4.)

17. Plaintiff is essentially claiming his wife left him due to the article.

18. On May 3, 2022, Plaintiff did an audio show which was broadcast to thousands of his followers and he said “this girl [the fifteen-year-old girl mentioned in the article] was conniving” and the fifteen-year-old and her friends used an internet text messaging app to make it look like Plaintiff was having text message conversations with the girl about “nasty shit” and that led to the 2010 criminal charges against him.

19. In a May 3, 2022 Telegram voice chat which was broadcast to thousands of people, Plaintiff said the minor victim’s mother “saw dollar signs,” implying the mother caused the criminal sex charges to be filed against him in 2010 for financial gain.

20. Plaintiff filed his Complaint in this case on May 24, 2021.

21. On June 8, 2021, defense counsel served Plaintiff’s counsel with a preservation of evidence letter directing Plaintiff to preserve (do not destroy) any evidence “about the lawsuit, the Defendants, the article. . . any criminal charges ever filed against Philip Godlewski and Philip Godlewski’s separation from his wife.” This letter specifically directed Plaintiff to preserve all

years. Plaintiff has no degrees.

electronically stored information, including any relevant information on a smartphone or mobile phone. (A true and correct copy of the Preservation of Evidence letter dated 6/8/2021 is attached hereto and marked as Exhibit "E".)

22. On June 17, 2021, Plaintiff's counsel wrote to defense counsel acknowledging receipt of Defendants' preservation of evidence letter. (A true and correct copy of Attorney Kolman's letter dated 6/17/2021 is attached hereto and marked as Exhibit "F".)

23. On July 9, 2021, Defendants served Plaintiff with Interrogatories (Set I). (A true and correct copy of Defendants' Interrogatories (Set I) are attached hereto and marked as Exhibit "G".)

24. The first page of the Interrogatories states "[T]hese Interrogatories are continuing in nature and require you [Plaintiff] to file supplementary answers pursuant to Rule 4007.4."

25. The Instructions for the Interrogatories state:

C. If a privilege or the work product doctrine is asserted with respect to a document or communication, state the following: (a) the nature of the privilege or reason for the withholding which you contend applies; (b) the factual basis for your assertion of privilege or the reason for withholding; (c) the type of document (*e.g.* letter, memorandum, telex, etc.); (d) all persons to whom the document was distributed, shown or explained; (e) all authors and addresses; (f) all indicated and blind copies; (g) the document's date; (h) a summary description of the document's subject matter; (i) the number of pages and attachments or appendices comprising the document; and (j) its present custodian.

D. In the event that any document requested to be identified by any Interrogatory has been destroyed or discarded, such document shall be identified by stating all of the information requested in subparts (c) through (i) of instruction "C", and in addition: (k) its date of destruction or discard, the manner of destruction or discard and the reason for destruction or discard; (l) the persons who authorized and carried out such destruction or discard; and (m) whether any copies of the documents presently exist, and if so, the name of the custodian of each copy.

26. Plaintiff's verified Response to Defendants' First Set of Interrogatories were served on Defendants on August 20, 2021. (A true and correct copy of Plaintiff's Response to Defendants' First Set of Interrogatories is attached hereto and marked as Exhibit "H".)

27. Plaintiff's responses to Interrogatories 32 and 33 are as follows:

32. Did the 15-year-old victim who was the subject of your 2010 criminal charges touch you in a sexual manner at any time during the years 2008-2010?

ANSWER: No.

33. Do you have any letters, e-mails or text messages to or from the 15-year-old girl?

ANSWER: None.

28. Plaintiff has never supplemented these specific answers to interrogatories.

29. On July 12, 2021, Defendants served Defendants' Request for Production of Documents (Set I) upon Plaintiff (referred to hereinafter as "RFP I"). (A true and correct copy of Defendants' Request for Production of Documents (Set I) is attached hereto and marked as Exhibit "I".)

30. RFP I, No. 20 requested "[A]ny documents sent to or from the 15 year-old girl referred to in the article attached to your Complaint."

31. RFP I defines "documents" to include "external communications or interoffice communications, letters, telefaxes, telexes, e-mails, cables, telegrams, wires and memoranda." The definition of a "document" certainly includes a text message.

32. Plaintiff served Defendants with Plaintiff's Response to Defendants' First Set of Requests for Production of Documents on August 20, 2021. (A true and correct copy of Plaintiff's Response to Defendants' First Set of Requests for Production of Documents is attached hereto and marked as Exhibit "J".)

33. Plaintiff's Response to RFP I, No. 20 (incorrectly numbered as 19 in Plaintiff's Response) stated:

19. Any documents sent to or from the 15-year-old girl referred to in the article attached to your Complaint.

None.

34. In Plaintiff's verified Supplemental Response to Defendants' Requests for Production of Documents (Set I) dated 12/9/2021, he states: "As for the "sexual relations" or "intercourse" or "sexual and illegal intimacy," there are no documents because it never happened." (Exhibit "D".)

35. On June 24, 2022 Defendants served Plaintiff with Defendants' Request for Production of Documents (Set IV). (A true and correct copy of Defendants' Request for Production of Documents (Set IV) is attached hereto and marked as Exhibit "K".)

36. On 8/22/2022, Plaintiff served his verified Responses to Defendants Request for Production of Documents (Set IV) and answered No. 7 as follows:

7. Produce any text message between Phil Godlewski and [B.D.] between 1/1/2008 through the present date.

Answer: Plaintiff does not have any.

(A true and correct copy of Plaintiff's Response to Defendants' Request for Production of Documents (Set IV) is attached hereto and marked as Exhibit "L".)

37. On November 4, 2022, Defendants served Plaintiff with Defendants' Interrogatories (Set III). (A true and correct copy of Defendants' Interrogatories (Set III) is attached hereto and marked as Exhibit "M".)

38. On November 9, 2022, Plaintiff served Defendants with his verified Response to Defendants' Interrogatories (Set III). (A true and correct copy of Plaintiff's Response to Defendants' Interrogatories (Set III) is attached hereto and marked as Exhibit "N".)

39. Plaintiff's answers to Interrogatories (Set III) Nos. 2 and 6 are as follows:

2. Does Plaintiff still have the cell phone number (570) 780-4567 in use?

ANSWER: Yes.

6. Has Plaintiff communicated with [B.D.] about his Lawsuit or his damages from the Article?

ANSWER: Yes.

If Plaintiff answers "yes", please state the dates of such communications, the form of such communications (live in person, phone, text or email) and the substance of each communication (such participant stated) on each specific date of the communication.

ANSWER: Plaintiff does not recall the specific date of communication. Plaintiff spoke with [B.D.] in person regarding the filing and warned that it was eminent. Plaintiff asked if [B.D.] would rather Plaintiff forego filing, so as to avoid any stress into her life. [B.D.] said to file so that they could both set the record straight.

40. On October 28, 2022, minor victim contacted defense counsel by phone and advised him she had asked Plaintiff to stop telling lies about their relationship. She wanted me to know the truth about her relationship with Plaintiff.

41. B.D. then met with defense counsel on October 31, 2022.

42. On October 31, 2022, B.D. provided information to defense counsel about her relationship with Philip Godlewski. That information was included in her Affidavit that she signed on October 31, 2022. (A true and correct copy of the executed Affidavit is attached hereto and marked as Exhibit "O" with her name and date of birth redacted. The Court and Plaintiff's counsel have been provided with the information redacted on the Affidavit.)

43. The Affidavit clearly states B.D. began having a sexual relationship with Philip Godlewski when she was 15 years old and a 9th grade student at Riverside High School.

44. Philip Godlewski was 25 years old when this relationship began.

45. Defendants have also subpoenaed Plaintiff's employment records from Riverside School District where Philip Godlewski worked as a part-time J.V. baseball coach.

46. In response to the subpoena Riverside School District provided numerous records including a letter from the B.D.'s parents dated 1/27/2009 and phone records showing upwards of 300 text messages between Philip Godlewski and B.D. on just one day (1/8/2009). (A true and correct copy of the letter from the B.D.'s parents is attached hereto and marked as Exhibit "P".)

47. On October 31, 2022, B.D. showed defense counsel her text messages on her cell phone with Philip Godlewski in the year 2022.

48. On November 2, 2022, B.D. consented to have her cell phones down-loaded and she provided her two cell phones to a technician from twobytwo Solutions, LLC to image and copy all of her Instant Messages (text messages/SMS) with Philip Godlewski on those two phones.

49. The technician was able to download 1235 Instant Messages between Plaintiff and B.D. from March 31, 2021 to May 11, 2022 and 151 Instant Messages from May 28, 2022 to September 9, 2022. (The unredacted Instant Messages, pictures and videos have been provided to Plaintiff's counsel and will be presented as evidence at the hearing to be scheduled by the Court.)

50. Some of the messages and attachments between Plaintiff and B.D. are sexually explicit and graphic.

51. On March 31, 2021, Plaintiff wrote to B.D. "I had no idea your Popa (B.D.'s grandfather) died. I'm so sorry... "I think we had sex in their bed though." (A true and correct copy of Plaintiff's two text messages sent to B.D. are attached hereto and marked as Exhibit "Q".)

52. In another message they discussed: "we've probably had sex in like 40% of the homes in northeastern Pennsylvania." (A true and correct copy of Plaintiff's and B.D.'s text exchanges are attached hereto and marked as Exhibit "R".)

53. In another message Plaintiff and B.D. agreed that it had been a “very long” time since “they had been up under each other.” (A true and correct copy of B.D.’s text messages with Plaintiff are attached hereto and marked as Exhibit “S”.)

54. On March 31, 2021, Plaintiff sent B.D. a photo of his erect penis and wrote to B.D.: “Yeah, I think it got bigger. Not sure if that’s a thing but it feels like it did.” (A true and correct copy of Plaintiff’s text to B.D. is attached hereto and marked as Exhibit “T”.)

55. In April of 2021, Plaintiff invited B.D. to go to Oklahoma with him. (A true and correct copy of Plaintiff’s text to B.D. is attached hereto and marked as Exhibit “U”.)

56. With regard to Plaintiff’s claim his wife left him due to the article, Phil wrote to the B.D. on March 31, 2021: “I feel better that she’s gone to be honest. The sex sucked or was non-existent, but always one of the 2. She was constantly miserable. She wasn’t even really a great mother. The kids always wanted to be with me and not her. It was a disaster.” (A true and correct copy of Plaintiff’s text to B.D. is attached hereto and marked as Exhibit V”.)

57. In the Instant Messages between Plaintiff and B.D. on May 28, 2022, Plaintiff advised B.D. of a “very unique financial opportunity” and a “financial windfall” for both of them if their testimony in this lawsuit is “handled properly.” Plaintiff stated: “I don’t know which way to go with it until I speak to you” ... “I don’t trust those motherfuckers and I am literally foaming at the mouth to take them down once and for all.” (A true and correct copy of Plaintiff’s and B.D.’s text exchange are attached hereto and marked as Exhibit “W”.)

58. On the day the newspaper article at issue here was published (2/14/2021), Plaintiff wrote to his followers: “I will be suing the Scranton Times Tribune for Defamation and Libel. I was hoping the reporter would to exactly what he did. He took the bait.” (A true and correct copy of Plaintiff’s Telegram post is attached hereto and marked as Exhibit “X”.)

59. Plaintiff knew that B.D. stopped cooperating with the District Attorney's office back in 2011 in the criminal case against Plaintiff and he counted on her not cooperating with Defendants at the present time.

60. Only this time, B.D. is now an adult and she did not go along with his scheme to defraud the Defendants and tell falsehoods in Court proceedings. She is now on the record with the truth – they were involved in a sexual relationship when she was 15 years old and he was 25 years old.

61. On August 20, 2021 (after the preservation of evidence letter was served on Plaintiff), Plaintiff answered interrogatory 33 (Exhibit "H") stating he had no text messages with the minor victim (B.D.).

62. This answer was either a lie or he destroyed the text messages in violation of the preservation of evidence directive and he failed to disclose the destruction of his texts.

63. Plaintiff and B.D. had over 650 messages between March 31, 2021 to August 13, 2021. (Documents marked as ST 1021 to ST 1255 will be submitted to the Court as evidence at the hearing. These text messages contain sexually explicit content, photographs and a video. All of these messages have been provided to Plaintiff in unredacted form.)

64. These text messages did not slip Plaintiff's mind. He intentionally failed to disclose them in discovery for this lawsuit.

65. Plaintiff's response to RFP I, No. 20 (incorrectly numbered as 19 in Plaintiff's Response), on August 20, 2021, is false and deceptive. Plaintiff's verified response states he has no documents sent to or from B.D. (See Exhibit "J".) He either withheld the documents or he destroyed them.

66. On August 22, 2022, Plaintiff again provided a false discovery response when he

claimed he had no text messages with B.D. He had well over 650 messages with her since March 31, 2021 and had 52 text messages with her from 8/5/22 to 8/18/22. (ST 1476-1494 will be submitted to the Court as evidence at the hearing.) This is an intentional concealment by Plaintiff.

67. B.D. wrote to Plaintiff on 8/6/2022 stating “all I’ve ever wanted from you is to please stop calling me a liar and making me look like an asshole when it’s not true.” (ST 1482 will be submitted to the Court as evidence at the hearing.)

68. On November 9, 2022, Plaintiff answered an interrogatory describing his only communication with the minor victim since the Chris Kelly article (2/14/21) was to warn her about Plaintiff filing a lawsuit and offering to forgo filing the lawsuit if it would cause her stress. Plaintiff claims she told him to file it so they could set the record straight. (See Exhibit “N”, No. 6.) This is obviously false.

69. Not only did Philip Godlewski commit a sex crime against a 15-year-old girl in 2009-2010, he has now solicited this same person to commit perjury in a Court proceeding so he can enrich himself.

70. On November 10, 2022, Defendants served Plaintiff with Interrogatories (Set IV). (A true and correct copy of Defendants’ Interrogatories (Set IV) are attached hereto and marked as Exhibit “Y”.)

71. Plaintiff served Defendants with Plaintiff’s Response to Defendants’ Interrogatories (Set IV) on November 18, 2022. (A true and correct copy of Plaintiff’s Response to Defendants’ Interrogatories (Set IV) are attached hereto and marked as Exhibit “Z”.)

72. Plaintiff denied ever having a sexual relationship with B.D. in his interrogatory answer. (Exhibit “Z”, No. 7.)

73. Plaintiff’s text messages and the attachments between Plaintiff and B.D. in 2021 and

2022 tell a different story.

WHEREFORE, Defendants respectfully request the following relief:

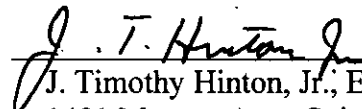
- (a) A hearing be scheduled at which Plaintiff be compelled to testify about whether he failed to preserve and/or produce relevant discovery materials requested in this case;
- (b) Plaintiff surrender his cell phones he utilized for phone number (570) 780-4567 during the years 2021 and 2022 for forensic examination and/or an in-camera review by the Court at the hearing;
- (c) Defendants be given the opportunity to present evidence and witnesses at the hearing;
- (d) Plaintiff's case be dismissed with prejudice if the Court determines Plaintiff intentionally withheld or failed to preserve material evidence; and
- (e) Defendants be awarded \$35,000 from Plaintiff as reasonable counsel fees and another \$35,000 for Plaintiff's bad faith conduct due to Plaintiff filing this lawsuit, intentionally failing to preserve/produce evidence, providing false discovery responses, and for suborning perjury from a material witness.

RESPECTFULLY SUBMITTED,

HAGGERTY HINTON & COSGROVE LLP

Date: 11-22-2022

By: _____


J. Timothy Hinton, Jr., Esq.
1401 Monroe Ave., Suite 2
Dunmore, PA 18509
(570) 344-9845

timhinton@haggertylaw.net

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

.....

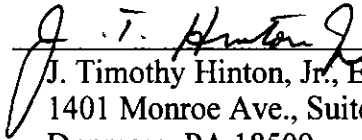
CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November 2022, I caused to be served by electronic mail and First-Class mail, a true and correct copy of the foregoing Defendants' Second Motion for Sanctions upon the following:

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

RESPECTFULLY SUBMITTED,

HAGGERTY HINTON & COSGROVE LLP

By:  _____
J. Timothy Hinton, Jr., Esq.
1401 Monroe Ave., Suite 2
Dunmore, PA 18509
(570) 344-9845
timhinton@haggertylaw.net
Attorneys for Defendants,
*Chris Kelly, Times Shamrock
Communications, The Scranton Times-
Tribune and Larry Holeva*

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: Lackawanna
Magisterial District Number: 45-3-01
MDJ: Hon. Magistrate Laura Turillo
Address: 400 Church Street
Scranton, PA 18400
Telephone: OLD FORGE PA 18508



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA

VS. (NAME and ADDRESS):
DEFENDANT: Phillip Godlewski
First Name Middle Name Last Name
430 Cayuga Street
Scranton, PA 18508

ORIGINAL
Do Not Remove From File

AVS NCIC Extradition Code Type
 1-Felony Full 4-Felony No Ext. B-Misdemeanor Limited E-Misdemeanor No Extradition
 2-Felony Ltd. 5-Felony Pend. C-Misdemeanor Surrounding States
 3-Felony Surrounding States A-Misdemeanor Full D-Misdemeanor No Extradition
 Distance: _____

DEFENDANT IDENTIFICATION INFORMATION
RACE: White Asian Black Native American Unknown
ETHNICITY: Hispanic Non-Hispanic Unknown
GENDER: Male Female
Docket Number: _____ Date Filed: 07/09/2010 OTR/LiveScan Number: L5705980 Complaint/Incident Number: 10-8397
DOB: 06/26/1983 POB: _____
Add'l. DOB: _____ SSN: _____ Add'l SSN: _____
AKA: First Name Middle Name Last Name Gen. _____
HAIR COLOR: BLK (Black) GRY (Gray) RED (Red/Aubn.) BLN (Blonde / Strawberry) BRO (Brown) PLE (Purple) WHI (White) GRN (Green) SDY (Sandy) XXX (Unk./Bald)
EYE COLOR: BLK (Black) GRY (Gray) MUL (Multicolored) HAZ (Hazel) BRO (Brown) MAR (Maroon) UNK (Unknown)
Request Lab Services? YES NO
Driver License: State PA License Number 26468953 Expires: 06/27/2011 WEIGHT (lbs.): _____
DNA: YES NO DNA Location: _____
FBI Number: _____ MNU Number: _____ Ht. HEIGHT (in): _____
Fingerprint Classification: _____

DEFENDANT VEHICLE INFORMATION
Plate # _____ State _____ Hazmat Registration Sticker (MM/YY) _____ Comm'l Veh. Ind. School Veh. Oth. NCIC Veh. Code _____
VIN _____ Year _____ Make _____ Model _____ Style _____ Color _____

Office of the attorney for the Commonwealth Approved Disapproved because: _____
Patricia Lafferty *Patricia Lafferty*
(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507.)
(Name of the attorney for the Commonwealth) (Signature of the attorney for the Commonwealth) (Date) 7/9/10

I, Det Mancuso/Leri Offc McGovern/Derenick 10/13 MO30200D/MO11086A
(Name of the Affiant) PSP/MP/PO/ETC - Assigned Affiant ID Number & Badge #
of Lackawanna County District Attorney PA0352800
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)
do hereby state: (check appropriate box)
1. I accuse the above named defendant who lives at the address set forth above
 I accuse the defendant whose name is unknown to me but who is described as _____
 I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe
with violating the penal laws of the Commonwealth of Pennsylvania at [410-414]
(Subdivision Code) (Place-Political Subdivision)
in Lackawanna County [35] on or about January 2008-Present
(County Code)

ST 0608



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: L5 70598-0	Complaint/Incident Number: 10-8397
Defendant Name	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	---	--	--------------------------------------	--	---

<input type="checkbox"/> Lead?	1	3122.1		<input checked="" type="checkbox"/> PA Crimes Code	1	F-2	02B
--------------------------------	---	--------	--	--	---	-----	-----

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 3122.1 Statutory Sexual Assault F2

IN THAT, on or about January 2008- present, THE DEFENDANT, Phillip GODLEWSKI did engage in sexual intercourse with minor child [REDACTED], while said person being under the age of 16 years, four or more years younger and not being married to the actor, in violation of Section 3122.1 of the PA Crimes Code. (Felony 2nd degree)

To wit: The defendant, GODLEWSKI, did engage in sexual intercourse with a female which he knew to be under the age of 16 years beginning in 2008 to present.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	---	--	--------------------------------------	--	---

<input type="checkbox"/> Lead?	2	3123	(a)(7)	<input checked="" type="checkbox"/> PA Crimes Code	1	F-2	170
--------------------------------	---	------	--------	--	---	-----	-----

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 3123(a)7 Involuntary Deviate Sexual Intercourse F1

IN THAT, on or about January 2008 to present, THE DEFENDANT, Phillip GODLEWSKI did engage in deviate sexual intercourse per os or per anus with minor child [REDACTED] while said person being less than 16 years of age, four or more years younger and not being married to Phillip GODLEWSKI, in violation of Section 3123(a)(7) of the PA Crimes Code. (18 P.S. 3123(a)(7) - Felony 1st)

To wit: The defendant, GODLEWSKI, did engage in sexual intercourse, however slight penetration, with a minor female 15 years of age.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	---	--	--------------------------------------	--	---

<input type="checkbox"/> Lead?	3	3125	(a)(8)	<input checked="" type="checkbox"/> PA Crimes Code	1	F-2	170
--------------------------------	---	------	--------	--	---	-----	-----

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 3125(a)(8) Aggravated Indecent Assault F2

IN THAT, on or about January 2008-present, THE DEFENDANT, Phillip GODLEWSKI did engage in penetration, however slight, of another, namely, minor female child [REDACTED] while said person being under the age of 16 years, four or more years younger and not married to GODLEWSKI, with a part of GODLEWSKI's body for any purpose other than good faith medical, hygienic or law enforcement procedures, in violation of Section 3125(a)(8) of the PA Crimes Code. (18 P.S. 3125(a)(8) - Felony 2nd)

To wit: The defendant, GODLEWSKI, did engage in penetration, however slight, with minor female child [REDACTED]



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number 5705980	Complaint/Incident Number 10-8397
Defendant Name	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>									
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
	PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>									
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
	PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	3	3125	(a)(8)	of the PA Crimes Code	1	F-2		170	
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
	PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense: under the age of 16 years old.									

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 15705980	Complaint/Incident Number: 10-8397
Defendant Name	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	4	6318	(a) (1)	Title 18	1	F-1		
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

6318. Unlawful contact with a minor.

(a) Offense defined.-A person commits an offense if he is intentionally in contact with a minor for the purpose of engaging in an activity prohibited under any of the following, and either the person initiating the contact or the person being contacted is within this commonwealth.

(1) Any of the offenses enumerated in Chapter 31 (relating to sexual offenses).

To wit: The defendant, GODLEWSKI, did engage in sexual contact with a minor female child namely [REDACTED] under the age of 16 years.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	5	4952	(a)(2)	PA Crimes Code	1	F-2		260
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 4952(a)(2) Intimidation of Witnesses or Victims

IN THAT, on or about January 2008-present, THE DEFENDANT, Phillip GODLEWSKI, with intent to or with knowledge that his conduct would obstruct, impede, impair, prevent or interfere with the administration of criminal justice, did intimidate or attempt to intimidate any witness or victim, namely, thomas NEZLO and [REDACTED] to give any false or misleading information or testimony relating to the commission of any crime to any law enforcement officer, prosecuting official or judge, in violation of Section 4952(a)(2) of the PA Crimes Code. (18 P.S.4952(a)(2) - grading)

GRADING:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	6	7512	(a)	PA CRIMES CODE 0	F1			
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 7512. Criminal use of communication facility F1

IN THAT, on or about January 2008-present, the DEFENDANT, Phillip Godlewski did use a communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a felony under this title or under the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

To wit: The defendant, GODLEWSKI, did use cell phone and internet communications to facilitate the sexual intercourse with a female which he knew to be under the age of 16 years beginning in 2008 to present.

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: L570548-0	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	-------------------	--	--------------------------------------	--	---

<input type="checkbox"/>				of the				
--------------------------	--	--	--	--------	--	--	--	--

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
	PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	

Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	-------------------	--	--------------------------------------	--	---

<input type="checkbox"/>	5	4952	(a)(2)	of the PA Crimes Code	1	F-2		260
--------------------------	---	------	--------	-----------------------	---	-----	--	-----

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
	PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	

Statute Description/Acts of the accused associated with this Offense:

1. The offense is a felony of the degree indicated in paragraphs (2) through (4) if:

i. The actor employs force, violence or deception, or threatens to employ force or violence, upon the witness or victim or, with the requisite intent or knowledge upon any other person.

ii. The actor offers any pecuniary or other benefit to the witness or victim or, with the requisite intent or knowledge, to any other person.

iii. The actor's conduct is in furtherance of a conspiracy to intimidate a witness or victim.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	-------------------	--	--------------------------------------	--	---

<input type="checkbox"/>				of the				
--------------------------	--	--	--	--------	--	--	--	--

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
	PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	

Statute Description/Acts of the accused associated with this Offense:



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 25705980	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
-------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>			of the					
--------------------------	--	--	--------	--	--	--	--	--

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number:	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description/Acts of the accused associated with this Offense:			

Inchoate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
-------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code	1	F-2		260
--------------------------	---	------	--------	--------	----------------	---	-----	--	-----

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number:	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description/Acts of the accused associated with this Offense:			
iv. The actor accepts, agrees or solicits another to accept any pecuniary or other benefit to intimidate a witness or victim. v. The actor has suffered any prior conviction for any violation of this section or any predecessor law thereto, or has been convicted, under any Federal statute or statute of any other state, of an act which would be a violation of this section if committed in this State. 2. The offense is a felony of the first degree if a felony of the first degree or murder in the first or second degree was charged in the case in which the actor sought to influence or intimate a witness or victim as			

Inchoate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
-------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>			of the					
--------------------------	--	--	--------	--	--	--	--	--

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number:	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description/Acts of the accused associated with this Offense:			



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 15785980	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
	PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description/Acts of the accused associated with this Offense:								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code	1	F-2	260
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
	PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description/Acts of the accused associated with this Offense: specified in this subsection. 3. The offense is a felony of the second degree if a felony of the second degree is the most serious offense charged in the case in which the actor sought to influence or intimidate a witness or victim as specified in this subsection. 4. The offense is a felony of the third degree in any other case in which the actor sought to influence or intimidate a witness or victim as specified in this subsection. 5. Otherwise the offense is a misdemeanor of the second degree.								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
	PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description/Acts of the accused associated with this Offense:								

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number L5905980	Complaint/Incident Number 10-8397
Defendant Name	First: Philip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	-------------------	--	--------------------------------------	--	---

<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	-------------------	--	--------------------------------------	--	---

<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code 1	F-2		260	
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									
To wit: The defendant, GODLEWSKI, did instruct the victim to have her tell law enforcement all the conversations they had between them were fake. GODLEWSKI told the victim she is the only one who can get him out of this. The defendant did tell the witness to contact the victim to get their stories straight.									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	-------------------	--	--------------------------------------	--	---

<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 1570598-0	Complaint/Incident Number: 10-8397
Defendant Name	First: Philip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	7	6301	(a)(1)	of the PA Crimes Code	1	M-1	230
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 6301 (a)(1) Corruption of Minors

IN THAT, on or about January 2008-present, THE DEFENDANT, Philip GODLEWSKI, being 18 years of age and upwards, did corrupt or tend to corrupt the morals of the victim, [REDACTED] a minor under the age of 18 years, by engaging in acts of sexual intercourse, or aided, abetted, enticed or encouraged a minor in the commission of a crime or knowingly assisted or encouraged such minor in violating his/her parole or court order, in violation of Section 6301(a)(1) of the PA Crimes Code. M-1

To wit: The defendant, GODLEWSKI, did engage in sexual intercourse with a minor child victim under the age of

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	8	3126	(a)(8)	of the PA Crimes Code	1	M-1	170
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:

PACC 3126(a)(8) Indecent Assault M2

IN THAT, on or about January 2008-present, THE DEFENDANT, Philip GODLEWSKI, did have indecent contact with the complainant and/or did cause the complainant to have indecent contact with the person, and/or intentionally caused the complainant to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant, namely, [REDACTED] while said person being under the age of 16 years, four or more years younger and not married to the actor, in violation of Section 3126(8) of the PA Crimes Code. (18 P.S. 3126(8) - Misdemeanor-2nd)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>				of the			
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
------------------------------	-----------------	--------------------------------------	------------------------------------

Statute Description/Acts of the accused associated with this Offense:



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: <u>LS105480</u>	Complaint/Incident Number: 10-8397
Defendant Name	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	7	6301	(a)(1)	of the	PA Crimes Code	1	M-1		230
--------------------------	---	------	--------	--------	----------------	---	-----	--	-----

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			

Statute Description/Acts of the accused associated with this Offense:
 16 years.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>	8	3126	(a)(8)	of the	PA Crimes Code	1	M-1		170
--------------------------	---	------	--------	--------	----------------	---	-----	--	-----

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			

Statute Description/Acts of the accused associated with this Offense:

To Wit: The defendant, GODLEWSKI, did have indecent contact with the minor female child under the age of 16 years.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
------------------	---	--	--	--	--------------------------------------	--	---

<input type="checkbox"/>				of the					
--------------------------	--	--	--	--------	--	--	--	--	--

Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			

Statute Description/Acts of the accused associated with this Offense:

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 45-3-04	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page, as well as the attached pages that follow, numbered _____ through _____, specifying offenses and participants, if any.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited. (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

July 9, 2010 *[Signature]*
Date Signature of Affiant

AND NOW, on this date 7/9/10 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

45-3-04 *[Signature]*
(Magisterial District Court Number) (Presenting Authority)

 **CRIMINAL COMPLAINT**

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: L570598-7	Complaint/Incident Number: 10-8397
	First: Philip	Middle:	Last: Godlewski

AFFIDAVIT OF PROBABLE CAUSE

Your affiant, Detective Michelle Mancuso, has been employed by the Lackawanna County District Attorney's Office since February of 2004. Prior to this service your affiant was employed by the Arizona State Police as a Highway Patrol Officer and a narcotics detective serving on the Southwest Border Alliance Federal Task Force. Most of the time has been spent in the general criminal investigations unit within the county. These duties included assisting local, state and other county law enforcement agencies. Your affiant is currently assigned to the Lackawanna County District Attorney's Office, Special Victims Unit. Your affiant has been involved in investigations of child abuse and child neglect as a Lackawanna County Detective. As a Lackawanna County Detective, your affiant is empowered to apply for, obtain, and serve search warrants, make seizures and arrests in the course of investigations into the violations of various laws of the Commonwealth. Your affiant has attended Child Death and Injury Investigation training provided by the PATC (Public Agency Training Council). Your affiant is currently a member of the Internet Crimes Against Child Taskforce (ICAC) and the Pennsylvania State Police Computer Crimes Unit.

Detective Leri has been a Detective with The Lackawanna County District Attorney's Office since July of 2009.

Detective Leri has a Bachelor of Science Degree in Computer Security from East Stroudsburg University. Affiant Leri was formerly employed as a Computer Forensic Analyst with the New York State Police. He is a member of the Pennsylvania State Police Area II Computer Crime Task for and Pennsylvania Internet Crimes Against Children Task Force (ICAC) Detective Leri has received the following training from the Internet Crimes Against Children's Task Force; Investigative Techniques, Undercover Certification and Advanced training in Peer to Peer file sharing as it related to the online victimization of children.

Detective Leri also has received the following training as it related to computer operating systems and computer forensics:

Proficient in Computer Forensics (EnCase, Forensic Toolkit, Sleuth Kit, Fat32, NTFS, iPhone forensics, mobile devices), C++, C# and Visual Basic, Operating Systems, Cryptography, Networking, Digital Evidence Seizure/Analysis and Legal Issues in Computer Security
 NSTISSI 4011 - National Training Standard for Information System Security Professionals certificate
 CNSS 4012 - National Assurance Standard for Senior System Managers certificate
 CNSSI 4015 - National Standard for System Certifiers certificate

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9 day of July, 2010
 Date: Philip, Magisterial District Judge

My commission expires first Monday of January, 2012

SEAL

CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: LS 705980	Complaint/Incident Number: 10-8397
	First: Phillip	Middle:	Last: Godlewski

AFFIDAVIT of PROBABLE CAUSE

On March 19, 2010 I met with [REDACTED] at the Children's Advocacy Center to conduct a forensic interview. [REDACTED] came to the CAC with her mother and father. A physical exam was also scheduled for that day.

The interview with [REDACTED] began with a few tears by [REDACTED]. [REDACTED] stated she had disclosed some person things that she has been involved with to her mother Linda. [REDACTED] stated she was very upset talking about this situation.

[REDACTED] stated she had been involved in a sexual relationship with Phillip GODLEWSKI. She stated he was a realtor and they met while he was the baseball coach at Riverside High School in 2008. She told me she started talking to GODLEWSKI about the suicide of her boyfriend Joe. [REDACTED] stated she was having a hard time dealing with the loss and he helped her cope with the situation.

[REDACTED] stated the relationship developed into a sexual one during 2008. She stated they were involved in oral and vagina sexual intercourse. She stated it started happening in his vehicle.

On June 15, 2010 this case was handed over to the District Attorney's Office from Taylor Police due to jurisdictional issues.

Between June 9 and 11, 2010 Investigators attempted to contact Phillip GODLEWSKI at his place of employment. Several messages were left for him asking him to contact investigators as soon as possible. On June 11, 2010 GODLEWSKI called Det. Mancuso and informed her that he was represented by an attorney from Harrisburg and GODLEWSKI stated he was advised not to talk to me. I contacted the Harrisburg attorney and asked him to contact me after he has had time to talk with GODLEWSKI as of date I have not heard back from the Harrisburg attorney.

On July 5, 2010 Det. Mancuso left a business card at 430 Cayuga Street in Scranton for Dori Gallagher. There was no response on that date.

On July 6, 2010 Det. Mancuso once again left a business card at the residence of Dori Gallagher requesting her to call me at her convenience. This detective received a phone message from GODLEWSKI asking my intentions with Dori. I did not respond to the phone message.

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9th day of July, 2010
 Date Phillip, Magisterial District Judge

My commission expires first Monday of January, 2012

SEAL

CRIMINAL COMPLAINT

Doclet Number:	Date Filed: 07/09/2010	OTN/LiveScan Number L5705980	Complaint/Incident Number 10-8397
	First: Phillip	Middle:	Last: Godlewski

AFFIDAVIT of PROBABLE CAUSE

On July 7, 2010 Detective Chris Kolcharno was driving past 430 Cayuga Street to check and see if there was any activity at the house and he saw Dori Gallagher getting into her vehicle. At this time Detective Kolcharno approached her and asked her if she would be willing to come to the DA's office and talk to Detective's Leri and Mancuso. She agreed to and came into the office. Our intentions with Dori were to see if she had any additional information regarding the relationship with GODLEWSKI and [REDACTED]. Dori Gallagher stated she knew what was going on and did not believe any of the accusations against GODLEWSKI. Dori stated she is engaged to GODLEWSKI and believes he has no contact with [REDACTED] and never had a sexual relationship with him. Gallagher told us the only thing Phil did wrong was falling for a younger girl, and that didn't make him a predator.

On July 7, 2010, due to new information surfacing regarding this case, [REDACTED] was re-interviewed at the DA's Office. Consistent with the request made by GODLEWSKI, [REDACTED] demanded investigators drop the case because she said she was just lying. Det. Mancuso informed [REDACTED] just wanted to talk to her about a few things that had happened between her and NEZLO and GODLEWSKI. [REDACTED] began crying and saying she just wanted to forget everything that happened.

[REDACTED] said she has not had contact with either NEZLO or GODLEWSKI since March. I explained to her I had access, through legal process, to see all phone records including texts and emails on numerous phones involved in this case. [REDACTED] then told me she has been keeping in contact with GODLEWSKI through a throw away phone he keeps with him while at work. She stated to me he has been contacting her while he was at work. Recently [REDACTED] stated he told her he was broken up with Dori and was living with his parents in Taylor. He told [REDACTED] this detective left her business card at his parent's house in Taylor. The both cards were left at the 430 Cayuga Street address. [REDACTED] blurted out to this detective how much of a liar GODLEWSKI is. [REDACTED] confirmed the relationship between her and GODLEWSKI began in approximately 2008 while he was at the Riverside School District as an employee of that school.

Throughout the forensic analysis of the cell phones and computers performed by Cpl Derek Fozard of the Pennsylvania State Police and Detective Justin Leri of the Lackawanna County DA's Office, thousands of text messages from GODLEWSKI to the victim were retrieved. These texts messages contained conversations of sexual encounters, exchanges of gifts and a brand new vehicle for the victim. Such texts contained dialogue similar to these texts to follow:

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9 day of July, 2010.
 _____ Date _____, Magisterial District Judge

My commission expires first Monday of January, 2012

SEAL

CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTH / LiveScan Number: 570398-0	Complaint / Incident Number: 10-8397
	First: Phillip	Middle:	Last: Godlewski

AFFIDAVIT of PROBABLE CAUSE

On 02/25/2010 at 2235 GMT time Phillip GODLEWSKI 570-780-4567 stated to victim [REDACTED] "I just want you to see that I really care about you, and not your body or our sex. Maybe that's the only way I can"

On 02/25/2010 at 2238 GMT GODKLEWSKI states "I need you [REDACTED], I need you more than anything in my life. I'm going to do everything I can to be with you as soon as I possibly can" and "you're my drug and I'm addicted." "To quote a dear friend. Sigh."

On 02/28/2010 at 1922 GMT GODLEWSKI states "The only way we'd ever be sexually satisfied is if we did it like 4-5 times a day"

On 03/06/2010 at 2208 GMT, GODLEWSKI "I hate my penis, idk why the fuck that happens. You looked so good and were giving incredible head than BOOM, gone. Like wtf."

GODLEWSKI typed a 2 page day log with times and entries. GODLEWSKI then gave this log to the victim. The day log includes a detailed account of his activities and thoughts throughout the day. The following are excerpts from the log:

10:14 realized that you're only 15, but quickly stopped caring

10:34 got sad bcuz we can't officially "go out". I just want everyone to know that I love you<3

11:39 I just pulled [REDACTED] hair from my crotch are. hahahahalll

2:56 should we get a Jacuzzi suite? Hmm

3:56 why can't you be 21

5:28 why are we so compatible? I'm 10 years older than you . hmm

I, Det Mancuso/Lerl Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9 day of July, 2010 at [REDACTED]
[Signature] Date Phillip, Magisterial District Judge
 My commission expires first Monday of January, 2010

SEAL

Name: Phillip G. Golewski

Case No. 19 Cr 2613

GUILTY PLEA COLLOQUY

You are present before this Court because you or your lawyer has stated that you wish to plead guilty to some or all of the criminal offenses with which you have been charged. Please answer fully all of the questions on this document. If you do not understand any question, do not answer that question. If you do understand the question, you should answer "yes" or "no", or fill in another appropriate answer.

This is a sworn statement. After you have finished reading this form and filling it out, you should sign it on the last page, on the line that says "Defendant." You should also initial each page at the bottom, but only if you have read and have understood that page. If there is anything that you do not understand, you should tell your lawyer and the judge who hears your case, so that they can explain it to you fully, to make sure you understand all of your rights.

Most of these questions can be answered "yes" or "no." Where general information is requested, please answer fully.

1. What is your full name? Phillip Golewski
2. Do you wish to plead guilty to the charges of Perception of Mindes as laid out in criminal action _____? Yes
3. How old are you? 27
4. How far did you go in school? College grad.
5. Do you read and write the English language: Yes
- 5(a). Have you had an opportunity to read the charges pending against you? Yes
- 5(b). Therefore, do you know exactly what you are charged with and what you are pleading to? Yes
6. Have you ever been in a mental institution or received treatment for a mental disease? No
7. Have you had any alcoholic beverages or drugs within the last 24 hours? No
8. Have you fully discussed your case with your attorney and are you fully satisfied that he knows all the facts of your case and has had sufficient time to look into any questions either he or you may have about your case? Yes



8(a). Are you satisfied with your attorney? Yes.

9. Do you understand that even though you are guilty or may be guilty, you are presumed innocent and have a right to go to trial either before a judge or before a jury of 12 individuals and the Commonwealth must prove to the satisfaction of each and every one of the 12 jurors or to the satisfaction of the judge that you are guilty beyond a reasonable doubt? Yes.

9(a). Do you understand that you and your attorney have a right to participate in the selection of a jury? _____

10. Do you understand that if you want to go to trial your attorney will be permitted to cross-examine the Commonwealth's witnesses and to call witnesses on your behalf, but if you plead guilty, you will lose the right to call witnesses or to cross-examine the Commonwealth witnesses? Yes.

11. Do you understand that by pleading guilty you are admitting that you did things you are charged with and that if you plead not guilty, the Commonwealth cannot force you to take the stand and either admit or deny that you did the things you are charged with? Yes.

12. Do you understand that by pleading guilty you are giving up your right to appeal any question in this case except for those concerning the right of this court to try you (jurisdiction over the subject matter) or the legality or propriety of the sentence imposed? Yes.

13. State specifically in detail any plea agreement with the District Attorney:

Plea to Conspiracy of Minors' Aggravated sentence 3 months
Name Confinement to 23 months.
All other counts dismissed

13(a) Has the District Attorney made any other promises to you in exchange for your guilty plea other than what is mentioned above? No.

13(b) Have you been threatened or coerced in any manner to enter this guilty plea? No.

13(c) Are you entering this guilty plea of your own free will after discussing the merits of your case with your attorney? Yes.

14. Do you understand that the Court is not bound by the agreement you made with the District Attorney? Yes.



15. Do you understand that the maximum penalty to the charges you are pleading guilty to is

5 yrs / \$7,500?

15(a) If you are pleading guilty to more than one charge, do you understand that the judge may impose consecutive sentences? N/A

If the answer to the preceding question is "yes", state the mandatory sentence that may be imposed on you.

N/A

15(b) Do you understand that certain crimes carry mandatory minimum penalties? N/A

Did your attorney advise you that any mandatory penalties apply to your case? N/A

If you answered "yes", please state the mandatory provisions that apply to your case:

N/A

16. The elements of the crime charged are as follows:

Being of the age of 16 or older, by an act corrupts or tends to corrupt the morals of a person

16(a) Do you understand these are the elements of the crimes charged that you are pleading to? Yes

17. The District Attorney indicates this is what you did on the date of the crime charged:

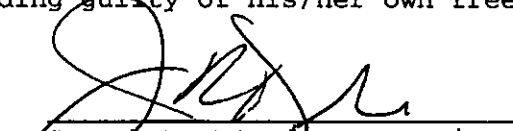
18. Do you admit that you did the above stated act? Yes

19. Understanding the full meaning of the plea of guilty as stated above, do you still wish to plead guilty? Yes

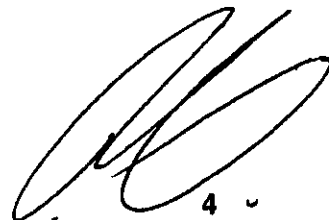
I affirm that I have read the above document in its entirety and have reviewed it with my attorney. I affirm that I am aware of the full implications of pleading guilty and nevertheless wish to plead to the specified offense(s). I further affirm that my signature on this Guilty Plea Colloquy and initials on each page of this document are true and correct.

Phil Kollinski
DEFENDANT

I, Joseph R. D'Andrea, Esquire, attorney for Phil Culluski, state that I have advised my client of the contents and meanings of the document; it is my belief that he/she fully comprehends the implication of pleading guilty and is pleading guilty of his/her own free will.


Joseph R. D'Andrea, Esquire,
Attorney for the Defendant

11/12/10
7


4

ACKAWANNA COUNTY
SENTENCE SHEET

PROSECUTOR: LC Def's
SURCHARGE: COAGULATION MINORS

OTN# LS70588-0
Accompanying Cases _____

COMMONWEALTH VS. PHILIP GODLEWSKI CASE NO: 243CR 2010
JUDGE: GERARDI CLERK: HUGHES
DISTRICT ATTORNEY: LARFELTY DEFT'S ATTY: D'AMORE

NOW, 07/11, 2011, THE SENTENCE IS THAT YOU

PAY THE COSTS OF PROSECUTION, PAY A FINE OF \$ _____

OR IN THE EQUIVALENT SHALL PARTICIPATE IN _____ HOURS OF COMMUNITY SERVICE AS MAY BE DETERMINED BY THE PROBATION OFFICER,

MAKE RESTITUTION TO _____ IN THE SUM OF \$ _____

MAKE SUCH RESTITUTION AS DETERMINED APPROPRIATE BY THE PROBATION OFFICER IF NOT ALREADY DONE SO AND, IF NOT AGREED TO, AS DETERMINED BY THE COURT.

SENTENCE OF IMPRISONMENT OF _____ TO _____ IS SUSPENDED AND IT IS ORDERED THAT YOU BE PLACED ON PROBATION FOR A PERIOD OF _____ MONTHS/YEARS UNDER THE SUPERVISION OF THE PROBATION OFFICER OF LACKAWANNA COUNTY/PENNSYLVANIA BOARD OF PROBATION AND PAROLE THAT YOU MAY BE RELEASED FOLLOWING AN INTERVIEW WITH THE PROBATION OFFICER,

THAT YOU UNDERGO IMPRISONMENT/CONFINEMENT IN THE LACKAWANNA COUNTY PRISON FOR A PERIOD OF NOT LESS THAN 3M NOR MORE THAN 23 MONTHS AND CREDIT BE GIVEN YOU, AS REQUIRED BY LAW, FOR ALL TIME SPENT IN CUSTODY, AS A RESULT OF THESE CRIMINAL CHARGES FOR WHICH SENTENCE IS BEING IMPOSED. Have call w/EEC

THAT YOU UNDERGO IMPRISONMENT/CONFINEMENT FOR A PERIOD OF NOT LESS THAN _____ NOR MORE THAN _____

IN SUCH STATE CORRECTIONAL INSTITUTION AS SHALL BE DESIGNATED BY THE DEPUTY COMMISSIONER FOR TREATMENT, BUREAU OF CORRECTIONS, AND THAT YOU BE SENT TO THE CORRECTIONAL DIAGNOSTIC CLASSIFICATION CENTER AT GRATERFORD, PA, FOR THIS PURPOSE,

IN THE STATE CORRECTIONAL INSTITUTION AT MUNCY, PA, AND CREDIT BE GIVEN YOU, AS REQUIRED BY LAW, FOR ALL THE TIME SPENT IN CUSTODY, AS A RESULT OF THESE CRIMINAL CHARGES FOR WHICH SENTENCE IS BEING IMPOSED.

AND STAND COMMITTED UNTIL THIS SENTENCE IS COMPLIED WITH.

THIS SENTENCE SHALL RUN () CONCURRENT WITH () CONSECUTIVE TO THE SENTENCE(S) IMPOSED IN CASE NO(S) _____ 20 _____

THE DEFENDANT IS () ELIGIBLE FOR WORK RELEASE () GRANTED WORK RELEASE

THE COURT FINDS THAT THE WITHIN CONVICTION WAS OF A CRIME ESSENTIALLY INVOLVING A MOTOR VEHICLE.

DEFENDANT IS DIRECTED TO PAY THE NOL PROS COSTS IN CASE NO(S) _____

SPECIAL PROVISIONS: NO D/A, D/A EVAL, ALL REC, NO CONTACT < 18 AGE, NO CONTACT W/ VICTIM

COSTS OF DUI PROCESSING CENTER _____

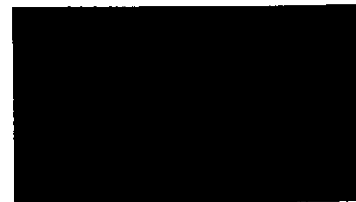
LACKAWANNA COUNTY DRUG ENFORCEMENT FUND _____

BY THE COURT,

Gerardi

Legal fees for Defamation Lawsuit

Campaign Created by: Phil Godlewski



The funds from this campaign will be received by Phil Godlewski.



Goal : \$20,000

Raised : \$26,396

This Campaign is currently disabled and can not receive new donations.

SHARE NOW

0

PRAY NOW

806

In November of 2020, shortly after the General Election, I felt in my soul that something wasn't right. People across the United States started being de-platformed based on their political beliefs. Proof of election fraud was being shown to the American public, although the Main Stream Media did their best to censor the reporting. I felt that I needed start reporting the news as well, as a Citizen Journalist. I started doing Livestream videos every day on Facebook. On the day of the Inauguration (January 20th), Facebook suspended my account indefinitely. Twitter did the same. I was lucky enough to gain many supporters on other Social Media platforms. They have been by my side since November, and followed me to more conservative social media sites. Recently, because of my outspoken political beliefs and my rising popularity in YouTube (100,000 unique viewers per video), my local Newspaper ran an article, and committed Libel, by referencing criminal charges were TRUE that were ultimately dismissed. This has caused sever backlash against me and my family. 4 days after the article was published, I was fired from my job as a Real Estate Professional. I am now unemployed, and have no means to support my family. This fundraiser is specifically for Legal Fees Fundraising so that I can pay a retainer to the Defamation attorney willing to take my case. The cost will likely be more than \$20,000, but if I can raise that much, I can at least get started with the lawsuit.

[Read less](#)

UPDATES

Follow this campaign to get email notifications when the campaign owner posts an update.

FOLLOW NOW

PRAYER REQUESTS

ST 0288





(e) Kolman@KolmanLaw.com • (t) 215-750-3134 • (f) 215-750-3138

KOLMANLAW.COM

December 9, 2021

EMAILED: timhinton@haggertylaw.net

J. Timothy Hinton, Jr., Esquire
Haggerty Hinton & Cosgrove
1401 Monroe Ave., Suite 2
Dunmore, PA 18509

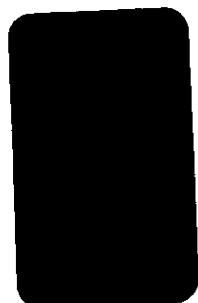
**RE: Philip Godlewski v. Chris Kelly, Times Shamrock Communications, The
Scranton Times-Tribune, Larry Holeva
Court of Common Pleas, Lackawanna County No. 2021-CV-2195**

Dear Tim:

Please find my client’s supplemental responses to your deficiency letter. I apologize for the delay in getting this to you but I acquired certain documents from Phil which he sent me yesterday. These are attached. Should you have any further questions or issues, kindly contact me.

Plaintiff’s Supplemental Responses to Defendant’s Discovery Requests

1. You have requested documents that do not exist. You are requesting the Plaintiff to produce documents which prove that the article is false and defamatory. The Plaintiff was not in any way involved in the January 6, 2021, assault on the capital. He did not write a blog, article, podcast or broadcast any reference to the assault. There is nothing whatsoever to connect him with the assault. Obviously therefore, no documents are available. As for the ‘sexual relations’ or ‘intercourse’ or ‘sexual and illegal intimacy’, there are no documents because it never happened. The only document is what he pled to. You should know that a very detailed search was



conducted by the police when Godlewski was first accused and charged. It involved a search of his home and all of the properties which she had sold and/or to which she might have had access with the victim. His phone and that of his wife was forensically examined. Search warrants were issued shotgun style. They picked up nothing. The investigation took a year. At the preliminary hearing, the DA had no evidence but refused to drop the charges. One year on, there was also no evidence. The DA still refused to drop the felonies and said that they would keep the investigation going for another year. During the prior year, Phil had been suspended by the Real Estate Association and could not sell houses. He was almost bankrupt. When the DA realized that he was going to go to trial, and win, because there was no evidence, the DA threatened to continue the investigation for another year, knowing the damage that the prior year had wrought. Phil's income had declined from \$8000 a month to \$2000 a month. On the advice of his grandfather, in order to be able to make a living, Phil agreed to a plea of corruption of minors. This was done because he could not continue to suffer the economic pressure. It was not done because he was guilty in any way. This is what he will testify to. I hope this explanation gives you some background you did not previously have. It also onto some of the other deficiencies you have raised.

2. Phil was in Las Vegas when I spoke to him, at the conference, he has promised to send me those tax returns but was not able to get immediate hold of them. I will follow up and get them to you.
4. I have enclosed a confidential release document and apologize for the delay in this matter.
6. There is an email discharging Phil which, once again, he has in his possession and again, I will follow up with him on this issue. There are no problems releasing his employment records.

9. - 12. Phil does not have any witness statements. We have not gathered any and he has not independently solicited any, neither have any been sent to him. Phil does not have any notes, diary or recordings leading up to the article which are relevant. He does have recordings in which absolutely nothing is said regarding the January 6, 2021, assault on the Capitol. As stated, had there is nothing that Phil has ever broadcast either for or against, the events of January 6, 2021. Neither has he fielded any calls regarding this matter.
21. I think this has been addressed. We have no documents to prove a negative. His deposition will bear out the veracity of these answers.

Interrogatories

- 1f. He attended two years of college before going into real estate. He was at Regent University pursuing a master in the arts of law and alternative dispute resolution online. From 2019 to 2020 he took a course 'Mastery of Negotiation' at the Harvard business School.
2. The Plaintiff is making a wage loss claim. He lost his job with ERA and has not sold any properties since that time. In addition, his followers were reduced by thousands. I need to get a handle on precisely what this number is but with respect to his followers, that is not an easy prospect. I will get more information from you. I believe his recent tax returns should accurately reflect the loss.
9. Plaintiff has followers on you to, Facebook, telegram rumble, D Live and channel. The exact number of followers is determined by these sites and we will get that information for you. Obviously, it has changed over time but it is tens of thousands.
11. We don't have this figure at present and shall determine, if possible, to provide it.
14. There is some merchandise sold by Phil under license. We should be able to get that figure to you. We do not have it right now.

15. These numbers are ascertainable. They are counted. So Phil's assertion is true and we will get the information to back it up.

16. The victim was a minor at the time and entitled to anonymity. There's nothing in the law which says her identity can be exposed when she reaches eighteen. Therefore, there is no law permitting a minor victim to have his or her identity revealed simply because he or she has reached maturity. Further, a victim of sexual abuse and/or rape is entitled to continued immunity. We stand by our position. If you believe it is wrong, we will file a motion and we will let the judge decide. We believe exposing her identity is a violation of law.

19-20 Dori left February 17, 2021 right after the article was published.

24. Plaintiff has this document and will provide it.

27. The details are these. Plaintiff's best childhood friend Joe was dating the victim. He was twenty-one. She was sixteen. They were having a sexual relationship. Plaintiff did not know this at the time but apparently, there was a threat to expose Joe. As a result, he committed suicide. The relationship between Plaintiff and the victim was only with respect to discussions regarding Joe and his suicide. This is possibly why the Victim pleaded the Fifth Amendment when asked any questions regarding this case. Plaintiff was 25 and all of this happened

30. In short, Phil's family life became nonexistent. His wife left him, taking with her the minor children who he has not seen since February. He has spent a great deal of money in divorce court in order to get just some visitation. The pain comes not simply from not seeing his children but from his wife leaving him, despite his innocence.

36. \$33,600.

37. Yes.

38. Plaintiff cannot provide a complete list. A sample of the individuals who now have an unfavorable view of his reputation, were provided by your client. However, the

Plaintiff intends to do some statistical research, to find out how extensive this is. This is not been undertaken as yet. Further, Plaintiff believes that, in his industry, selling real estate, his reputation has been significantly harmed. Once again, Plaintiff intends to research this issue more carefully. In short, plaintiff does not have a complete answer to this point.

39. See answer to 38.

40. Obviously ERA is no longer doing business with the Plaintiff.

41. See answer to 38.

43(f) Plaintiff is seeking counseling because of the emotional injury. There are no physical damages. Plaintiff has had medication prescribed for the adverse effect of the article.

Sincerely,

KOLMAN LAW, P.C.

/s/ Timothy M. Kolman

Timothy M. Kolman, Esquire

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

June 8, 2021

VIA E-MAIL and FIRST-CLASS MAIL

Philip Godlewski
c/o Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Pennel, PA 19047
TKolman@kolmanlaw.com

In Re: **Data Preservation Demand**
Philip Godlewski v. Chris Kelly, et al
No. 21-CV-2195

Dear Mr. Godlewski and Attorney Kolman:

I represent, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva (the "Defendants") in the lawsuit filed by Mr. Godlewski filed at Case No. 21-CV-2195 (the "lawsuit"). Please direct all communications regarding the above-referenced matter directly to me. Please do not contact my clients, or any of its employees, directly.

PRESERVATION OBLIGATIONS

The laws and rules prohibiting destruction of evidence apply to electronically stored information in the same manner that they apply to other evidence. Due to its format, electronic information is easily deleted, modified or corrupted. Accordingly, Plaintiff must take every reasonable step to preserve this information until the final resolution of this matter.

This includes, but is not limited to, an obligation to:

- Discontinue all data destruction and backup tape recycling policies;
- Preserve and not dispose of relevant hardware unless an exact replica of the file (a mirror image) is made;
- Preserve and not destroy passwords, decryption procedures (and accompany software), network access codes, ID names, manuals, tutorials, written instructions, decompression or reconstruction software;

- Maintain all other pertinent information and tools needed to access, review, and reconstruct necessary to access, view, and/or reconstruct all requested or potentially relevant electronic data.

REQUEST FOR PRESERVATION OF EVIDENCE

I am hereby requesting that Philip Godlewski (hereafter “you”) preserve, and not alter in any way, any evidence (including documents and all electronically stored information (“ESI”)) about the lawsuit, the Defendants, the article attached to Plaintiff’s Complaint filed in Case No. 21-CV-2195, any criminal charges ever filed against Philip Godlewski, Philip Godlewski’s employment or affiliation with ERA One Source Realty and his termination from ERA One Source Realty, Philip Godlewski’s separation from his wife, the events at the U.S. Capital on January 6, 2021, any IRS or PA Department of Revenue Liens against Philip Godlewski, any loans made to him by Sunita Arora, Philip Godlewski’s videos posted on YouTube or other social networking platforms, all posts and communications on Give Send Go, Facebook, Telegram, Twitter or Instagram made by him. In general, preserve any electronic or documentary evidence in your possession or control relating to these subjects.

This request for preservation of evidence includes, but is not limited to, preserving all photographs, screenshots, voicemails, e-mails, text messages, social media posts (including but not limited to posts on Give Send Go, Facebook, YouTube Snapchat, Twitter, and Instagram), videos, audio recordings, memos, notes, local and long-distance telephone records, cell phone records, and other materials.

Be advised the we consider ESI to be a valuable and irreplaceable source of discoverable information. ESI is also subject to discovery in litigation and is admissible at trial. If these materials are not preserved, I will be filing a spoliation motion at the appropriate time.

ESI includes, but is not limited to, originals and all copies of any and all ESI on computer systems, on removable or portable electronic storage media/thumb drives, and on personal home or portable computers, smartphones, mobile phones and tablets (including your or your family members’ home computer(s), laptop(s), smartphone(s) and tablet(s)); e-mails, texts, social media postings, and other electronic communications; activity listings of electronic mail receipts and/or transmittals; voicemail; audio or video recordings of any kind; computer programs (whether private, commercial or a work-in-progress); programming notes or instructions; output resulting from the use of any software program, including word processing documents, spreadsheets, database files, charts, graphs, calendars, telephone logs, internet usage files, network access information, and outlines; operating systems; source codes of all types; PIF files; batch files; ASCII files; all miscellaneous electronic files and/or file fragments, regardless of the media on which they are stored and regardless of whether the data resides in an active file, deleted file or file fragment; and information on other kinds of media, including mobile phones (which is to include your smartphone or mobile phone, or that of any family members) and PDAs (such as iPhones, iPads/tablets, or any type of portable computer), cloud storage resources, third-party websites, and digital voicemail. All information must be retained until resolution of this matter. ESI also includes the file, folder

tabs, containers or labels appended to any storage device containing electronic data. ESI should be preserved in its originally-created, or "native", format. In addition, you should retain non-electronic documents and evidence in whatever form, including personal or desk files, calendars, notes, correspondence, drafts (partial or complete), policies, manuals, or other things relevant to the matter.

This letter demands that you not:

1. Initiate any procedures that would alter any active, deleted or fragmented electronic data. Such procedures may include, but are not necessarily limited to, deleting or attempting to delete any electronic information, saving newly created files to disks that already contain information, loading new software on such disks or running data compression or de-fragmentation (optimization) routines on them;
2. Rotate, alter or destroy any media that stores electronic data where such activity could result in the alteration or loss of any electronic data;
3. Dispose of any media that contains electronic data; and
4. "Write over" any electronic data.

I am further demanding that you disable any automated mechanism on any of the aforementioned devices that would purge or archive ESI.

Please note that the obligation to preserve information/evidence (including ESI) is ongoing and will apply for the duration of this matter and any related future proceeding or litigation. Failure to preserve and retain information may result in sanctions against you should you fail to do as this letter instructs.

Very truly yours,



J. Timothy Hinton, Jr.

JTH:jls



KOLMAN LAW P.C.
COMPLEX LITIGATION SINCE 1991

June 17, 2021

VIA ELECTRONIC MAIL

J. Timothy Hinton, Jr., Esquire
Haggerty Hinton & Cosgrove LLP
1401 Monroe Avenue, Suite 2
Dunmore, PA 18509
TimHinton@haggertylaw.net

Re: Godlewski v. Chris Kelly et al.
Lackawanna Court of Common Pleas No. 21-CV-2195

Dear Mr. Hinton:

I am in receipt of your reported preservation letter dated June 8, 2021. First, I note that you sent your letter to me and to my client. It should not have to be mentioned that my client is represented by my firm and therefore, any attempt to contact him directly is a strict violation of the Pennsylvania Professional Rules of Responsibility 4.2 et al. I will assume that this will not happen again.

Second, much of your preservation letter makes no sense. It looks as if it has been directly copied from a draft on your firm's word processor. Much of what you are requesting be preserved overbroad, harassing and has absolutely no bearing on this case. Specifically, why would pass words, decryption procedures, network access codes, ID names, manuals, tutorials, written instructions, decompression or research construction software etc. be of any value in this defamation case when it is your client that has defamed my client? Perhaps you can explain.

Third, my client is not the Defendant here. Criminal charges are public record, and he cannot erase them if he tried. In addition, his affiliation with ERA One Source Realty and any other information regarding his employment can be properly obtained through subpoena. Any PA Department of Revenue Liens are also public record and I look forward to you explaining how any of these documents could be relevant to the case. As for any videos he has posted on YouTube or any other social networking platforms are also available through discovery although their potential

relevance of the case has not been explained or described. In short, it appears that overbroad nature of your letter makes it more harassing than relevant. With that noted, I would emphasize that my client has absolutely no intention of deleting any information which might be in any way applicable or important to this case.

In the same vein, by this letter, your clients are cautioned not to destroy, conceal or alter any paper or electronic files, other data generated by and/or stored on any of the computers used by, or having been used by Chris Kelly, The Time Shamrock Communications, the Scranton Times-Tribune and Larry Holeva (hereinafter "clients"). This also pertains to all relevant computer systems and storage media (e.g. hard disks, cloud, back-up tapes, USBs) or any other electronic data such as voicemail. This also includes, but is not limited to email and other electronic communications; word processing documents; spreadsheets; databases; calendars; telephone logs; contact manager information; internet usage files; offline storage or information stored on movable media or in the cloud; information contained on laptops or other portable devices; and network access information.

Electronic documents and the storage media on which they reside may contain relevant, discoverable information beyond that found in printed documents. Therefore, even where a paper copy exists, we will seek all documents in the electronic form along with meta data or information about those documents contained on the media. We will seek printouts of only those documents that contain unique information created after they were printed (e.g. paper documents containing handwriting, signatures, marginalia, drawings, annotations, highlighting and redactions) along with any paper documents for which no corresponding electronic files exist.

Further, we require preservation of all source information from which the defamatory article was written. This includes but is not limited to prior drafts of the defamatory article, emails to whom the defamatory article was disseminated prior to and post publication, any and all memoranda, letters, and/or other documents referencing and/or relating and/or in any way referring to either the defamatory article, or the source information from which the article was derived.

We also require all statements, voicemails, phone numbers, lists of individuals spoken to and any other information, including any due diligence and/or research used and/or utilized by Chris Kelly as a basis for the alleged factual rubric of the defamatory article.

As you are aware, the laws and rules prohibiting destruction of evidence apply to electronically-stored information in the same manner that they apply to other evidence due to its

format, electronic information is easily deleted, modified or corrupted. Accordingly, your clients need to take every reasonable step to preserve this information until the final resolution of this matter. This may include but would not be limited to an obligation to discontinue all destruction and back up tape recycling policies.

With regard to electronic data created subsequent to the date of delivery of this letter, relevant evidence should not be destroyed by any of your clients or their agents and we expect your firm to take appropriate steps, in the form of a preservation letter, to avoid destruction of such evidence.

Please forward a copy of this letter to all persons and entities with custodial responsibility for the items referred to in this letter.

Failure to abide by this request could result in extreme penalties against you and your clients and could form the basis of legal claims for spoliation. If this correspondence is in any way unclear please contact me immediately.

Sincerely,

KOLMAN LAW, P.C.

/s/ Timothy M. Kolman
Timothy M. Kolman, Esquire

 Haggerty
Hinton &
Cosgrove LLP
Attorneys at Law

*Depis
major
1/1*

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

July 9, 2021

Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Pennel, PA 19047

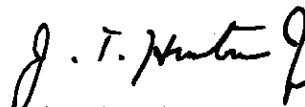
Re: Philip Godlewski vs. Chris Kelly,
et al.
No. 2021-CV-2195

Dear Attorney Kolman:

Enclosed are Defendants' Interrogatories (Set I) Directed to Plaintiff in the above-referenced case.

Thank you.

Very truly yours, .


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

DEFENDANTS' INTERROGATORIES (SET I)
DIRECTED TO PLAINTIFF

Pursuant to Rules 4006 of the Pennsylvania Rules of Civil Procedure, you are requested to answer the following Interrogatories. You are requested to answer the Interrogatories separately and under oath, within thirty (30) days after service hereof. In answering these Interrogatories, you are required to furnish all information that is available to you, that which can be learned through reasonable inquiry.

The Answers shall be inserted in the spaces provided following the Interrogatories. If there is insufficient space to answer the Interrogatory, the remainder of the answer shall follow on a supplemental sheet.

If any of these Interrogatories cannot be answered in full, please answer to the extent possible and specify the reason for your inability to answer the remainder.

These Interrogatories are continuing in nature and require you to file supplementary answers pursuant to Rule 4007.4 of your inability to answer the remainder.

INSTRUCTIONS

A. Each Interrogatory shall be answered separately and under oath. No Interrogatory should be left blank. If the answer to any Interrogatory is no, none, or unknown, such response should be written.

B. In answering these Interrogatories, you shall furnish all information available to you at the time of answering and shall supplement your answers without demand as soon as any additional information is known.

C. If a privilege or the work product doctrine is asserted with respect to a document or communication, state the following: (a) the nature of the privilege or reason for the withholding which you contend applies; (b) the factual basis for your assertion of privilege or the reason for withholding; (c) the type of document (e.g. letter, memorandum, telex, etc.); (d) all persons to whom the document was distributed, shown or explained; (e) all authors and addresses; (f) all indicated and blind copies; (g) the document's date; (h) a summary description of the document's

subject matter; (i) the number of pages and attachments or appendices comprising the document; and (j) its present custodian.

D. In the event that any document requested to be identified by any Interrogatory has been destroyed or discarded, such document shall be identified by stating all of the information requested in subparts (c) through (i) of instruction "C", and in addition: (k) its date of destruction or discard, the manner of destruction or discard and the reason for destruction or discard; (l) the persons who authorized and carried out such destruction or discard; and (m) whether any copies of the documents presently exist, and if so, the name of the custodian of each copy.

DEFINITIONS

As used herein, the following terms shall have the following meanings:

A. "Person" shall mean any individual, firm, partnership, association, corporation, organization, proprietorship or other entity.

B. "Document" or "documents" shall mean any written, recorded or graphic matter, whether produced or reproduced or stored on paper, cards, tapes, films, computer storing devices or any other media and includes, without limiting the generality of the foregoing: photographs, negatives, correspondence, telegrams, other written communications, contracts, receipts, agreements, notes, memoranda, internal memoranda, recordings, computer printouts or media including information stored on hard or floppy disks, electronic mail messages, tapes, cassettes, analyses, projections, work papers, orders, invoices, delivery receipts, x-rays, medical records, packing slips, diaries, calendars, desk calendars, minutes, affidavits, books, objects, cables, telex messages, telephone messages, transcripts, summaries, opinions, proposals, blueprints, plans, maps, surveys, reports, studies, evaluations, journals, appointment books, lists, tabulations or any other writings, including nonidentical copies and drafts of any of the foregoing now in your possession, custody or control. When one or more of the foregoing documents is requested or referred to, the request or reference shall include, but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections or markings peculiar to such copy of draft.

C. "Including" shall mean "including but not limited to".

D. "Identify" or "identification" when used herein with reference to a document means to state the date, author and addressee, if any, the type of writing (*e.g.* letter, memorandum, telegram, chart, etc.), any other means of identifying the writing, its present location, and the name, address and job classification of the person having custody or control thereof. If any such writing was, but is no longer in the possession, custody or control of the responding party, state what disposition has been made of it, the date thereof, the identification of the person responsible for making the decision as to such disposition, the identity of the person responsible for carrying out such disposition, the reasons for the disposition, the content of the document, and the

location of any copies of the document. In each instance, you may attach a copy of the writing to the answers to these Interrogatories in lieu of so identifying the writing.

E. "Identify" or "identification" when used herein with reference to an individual means to state his/her full name and present or last known business and home addresses, if known, his/her employer and position at the time referred to in the Interrogatory, and his/her present or last known business affiliation

F. "Identify" or "identification" when used in reference to a business firm or entity means to state its full name, the type of entity (*e.g.* corporation, partnership, etc.), and principal place of business.

G. "Identify" or "identification" when used in reference to a meeting or oral communication means to state the date, time, and location of the meeting or communication, the means of communication (*e.g.* telephone, luncheon meeting, etc.), the identity of each person at the meeting or a party to the communication, the identity of the person who initiated the meeting or communication, and the substance of the matters discussed at the meeting or during the communication.

H. "Communication" shall mean the transfer of any information from one person to another by any means, including but not limited to, a document as defined herein or orally.

I. A communication or document "relating to" or "referring to" or that "relates to" or "refers to" any given subject means any communication or document that, in whole or in part, constitutes, contains, embodies, reflects, contradicts, evidences, identifies, states, discusses, analyzes, refers to, describes, deals with or is any way pertinent to that subject.

J. When asked to "describe" or "state" a communication, meeting, statement, conversation, discussion, action, event, transaction or incident: (a) state the date, place and time of the occurrence; (b) state the substance and subject matter of the occurrence; (c) identify all persons involved in the occurrence and the nature of their involvement; and (d) identify all documents that relate or refer to the occurrence.

K. "Evidence" shall mean documents, facts, testimony, deposition testimony, affidavits, statements and information of any kind, whether oral or written.

L. "You" and "your" shall mean or refer to Plaintiff or Philip Godlewski.

M. "Complaint" shall mean the Complaint filed by Philip Godlewski in Case No: 2021-CV-2195 in the Court of Common Pleas of Lackawanna County.

N. "Plaintiff" means Philip ("Phil") Godlewski his agents and representatives, including, without limitation, his attorneys, and all other persons acting or purporting to act on his behalf.

O. "Defendants" mean Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva.

P. "Social Media" means any interactive technology that allows the creation or sharing/exchange of information, ideas, career interests, and other forms of expression via virtual communities and networks.

Q. "Followers" means someone who has subscribed to a social media account in order to receive all the updates. It refers to a user who consciously chooses to see all the posts of another user in their newsfeed.

INTERROGATORIES

1. State the following:
 - a. Your full name and any other name by which you are known or have ever been known;
 - b. Your date and place of birth;
 - c. Your social security number;
 - d. Your present marital status and, if married, the full name of your spouse and the date of your marriage;
 - e. Set forth every address at which you have lived for the last five years and state the years during which you lived at each such address; and
 - f. Set forth in detail your educational background.
2. State your gross income for each of the calendar years from 2011 to present, identifying all sources of such income and further identifying all documents which record, relate or refer to the matters inquired of in this Interrogatory.
3. How many followers did you have on YouTube as of February 14, 2021?
4. How many friends did you have on Facebook as of February 14, 2021?
5. How many followers did you have on Twitter as of February 14, 2021?
6. How many followers did you have on Telegram as of February 14, 2021?

7. How many followers did you have on DLive as of February 14, 2021?
8. How many followers did you have on Instagram as of February 14, 2021?
9. What is the factual basis on Phil Godlewski's averment in paragraph 2 of the Complaint:
"For the purposes of this complaint, by virtue of his large following, Mr. Godlewski is a public figure"?
10. How much revenue did you earn and/or receive from YouTube in each month during the last two years?
11. How much revenue did you earn and/or receive from DLive in each month during the last two years?
12. How much revenue did you earn and/or receive from Telegram in each month during the last two years?
13. How much revenue did you earn and/or receive from Starve the Beast in each month during the last two years?
14. How much revenue did you earn and/or receive from Bonfire (The Patriot Store) in each month during the last two years?
15. Did you send a text message to Chris Kelly stating you have over 75,000 followers in February 2021? What proof do you have of this assertion?
16. Identify the girl by name you allegedly had contact with that led to criminal charges being filed against you in 2010.
17. Describe your relationship with Thomas Nezlo in 2010.
18. When did you get married to Dori Gallagher?
19. Provide the dates of any separations from Dori Gallagher.
20. On what date did you and your wife Dori Gallagher separate for the last time and live apart?

21. Where did you reside as of June 1, 2021 and who resided there with you?
22. In what county is your divorce action filed?
23. On what date did your employment or working relationship with ERA Realty terminate?
24. Did ERA Realty send you a termination letter or an e-mail terminating you?
25. Describe all your sources of income as of June 1, 2021?
26. Describe the financial support you provide to your wife Dori Gallagher and your two children at the present time? Is there a domestic relations support order in place against you?
27. Why did you plead guilty to corrupting a minor in 2011?
28. On what date did Riverside School District terminate your services as a baseball coach and what was the reason for your termination?
29. Other than your convictions for corrupting the morals of a minor, tampering with records, and writing a bad check, have you ever been convicted of any other crimes?
30. What trips outside of the Commonwealth of Pennsylvania have you made since February 14, 2021? State the purpose of your trips and the identify any persons who accompanied you on these trips.
31. State the names of any people who contacted you since February 14, 2021 who stated they thought Chris Kelly's article published on February 14, 2021 contained lies about you?
32. Did the 15-year-old victim who was the subject of your 2010 criminal charges touch you in a sexual manner at any time during the years 2008-2010?
33. Do you have any letters, e-mails or text messages to or from the 15-year-old girl?
34. Did you give any gifts to the 15-year-old girl referred to in Defendants' article? If yes, please state what they were and when you gave them to her?

35. Identify all lawsuits in which you have been named as a party since January 1, 2015.
36. How much money have you raised in donations as of today through Give Send Go or any other platforms to pursue this lawsuit?
37. Do you have a listing of the names of all your donors to pursue this lawsuit?
38. Identify all persons who you believe have an unfavorable view of your reputation due to the February 14, 2021 publication.
39. Identify all recipients of the allegedly defamatory statements who have exposed Plaintiff to public hatred, contempt and ridicule.
40. Identify any persons who refused to do business with or associate with Plaintiff as a result of the article.
41. Identify any persons whose opinion of the Plaintiff's reputation was affected by the article.
42. State all damages suffered or claimed by you in this case and how the damages were computed and all facts supporting each claim.
43. Are you claiming damages for physical, psychological or emotional injury? If yes, state:
 - a. The name of each physician or other health-care professional you have consulted for treatment in the last five years;
 - b. The date or dates on which treatment was given;
 - c. The sums paid for such services;
 - d. The diagnosis rendered;
 - e. Any drugs or medications prescribed;
 - f. Details of any other treatment; and
 - g. Identify all documents which record, relate or refer to the matters inquired of in this Interrogatory.

44. State whether you consulted a physician or other health-care professional for any treatment as the result of the publication at issue. If so, state:

- a. The name of such physician or professional;
- b. The date or dates on which treatment was given;
- c. The sums paid for such services;
- d. The diagnosis rendered;
- e. The identity of any drugs or medications prescribed;
- f. Whether such physician or professional had been consulted prior to the date of the publication at issue; and
- g. Identify all documents which record, relate or refer to the matters inquired of in this Interrogatory.

45. With reference to the publication at issue:

- a. Set forth each sentence in the article which you contend is defamatory;
and
- b. Identify each witness who will provide evidence in this case upon which you will rely to prove that the sentences are, in fact, defamatory.

46. Identify all persons with knowledge as to the subject matter of the article. For each person state:

- a. Name, address and telephone number;
- b. Employer;
- c. Summary of knowledge (specifying which articles the person has knowledge relevant to).


47. Identify each witness, by name, address, telephone number, occupation, present employer and relation to plaintiff or any of the defendants, whom plaintiff intend to have testify at trial, and state:

- a. In detail the proposed subjects on which each witness is expected to testify; and
- b. Each document or tangible object which each witness will be asked to identify.

48. Identify each and every document or tangible object which you intend to introduce at trial.

Respectfully submitted:

Date: July 9, 2021



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

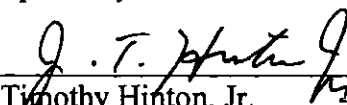
CERTIFICATE OF SERVICE

I, **J. Timothy Hinton, Jr., Esquire**, certify that on this 9th day of July 2021, I caused a true and correct copy of the foregoing Interrogatories (Set I) to Plaintiff to be served upon the following parties via United States Mail postage prepaid:

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

Respectfully submitted:

Date: July 9, 2021



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

.....

PLAINTIFF'S RESPONSE TO DEFENDANT'S FIRST SET OF INTERROGATORIES

Plaintiff, by and through the undersigned counsel, hereby responds to Defendant's First Set of Interrogatories as follows:

RESPONSES

General Objections

1. Plaintiff generally objects to Defendant's Interrogatories to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.

2. Plaintiff generally objects to Defendant's Interrogatories to the extent they seek information protected by the attorney-client privilege and/or the attorney work-product doctrine.

3. Plaintiff generally objects to Defendant's Interrogatories to the extent they improperly seek information that is not relevant to any of the issues in this dispute and/or are not reasonably calculated to lead to the discovery of admissible evidence.

4. Plaintiff generally objects to Defendant's Interrogatories as discovery has not yet closed and this matter has not yet been prepared for trial.

5. Accordingly, these Answers are made without prejudice to Plaintiff's right to amend the answers set forth herein and/or to present additional information that is hereafter obtained or evaluated.

6. Plaintiff generally objects to Defendant's Interrogatories to the extent they cause unreasonable annoyance, embarrassment, oppression, burden, and/or expense.



7. Plaintiff generally objects to each of Defendant's Interrogatories to the extent that their scope exceeds the scope of discovery permitted by the New Jersey Rules of Civil Court.

8. Plaintiff generally objects to Defendant's Interrogatories to the extent that formulating full and complete Answers would require Plaintiff to review documents not presently in Plaintiff's possession, custody, or control.

9. Plaintiff generally objects to Defendant's Interrogatories to the extent they imply that information is to be provided by more than one person other than the responding Plaintiff. These Interrogatory Answers have been made to the best of Plaintiff's knowledge, with the assistance of counsel. These answers do not represent the knowledge of any person other than the answering Plaintiff.

10. Plaintiff generally objects to the instructions provided with Defendant's Interrogatories to the extent they are inconsistent with or exceed the requirements of the New Jersey State Rules of Court.

11. Plaintiff responds to Defendant's Interrogatories subject to and without waiver of all of the foregoing General Objections. Plaintiff has made reasonable efforts to respond to Defendant's Interrogatories as Plaintiff understands and interprets them. If Defendant(s) subsequently seek(s) any information not yet identified, Plaintiff reserves the right to supplement these Answers. Further, Plaintiff specifically reserves the right to supplement these Answers based upon information which is discovered in the process of preparing for hearings or trial and information not yet obtained.

INTERROGATORIES

1. State the following:

- a. Your full name and any other name by which you are known or have ever been known;

ANSWER: Phil Godlewski, Philip Godlewski, Phillip Godlewski.

- b. Your date and place of birth;

ANSWER: Objection in part to the extent this improperly seeks information that is not relevant to any of the issues in this dispute and/or is not reasonably

calculated to lead to the discovery of admissible evidence and to require the Plaintiff's place of birth is overbroad and harassing. However, to be responsive, Plaintiff was born on June 26, 1983, in Scranton, Pa.

- c. Your social security number;

ANSWER: Objection. Plaintiff's Social Security number is irrelevant to this case. Further, disclosure exposes the Plaintiff to Identity theft. The request is intrusive, harassing, and not directed to lead to the discovery of admissible evidence.

- d. Your present marital status and, if married, the full name of your spouse and the date of your marriage;

ANSWER Separated; Dorothea Godlewski; 09/29/2012

- e. Set forth every address at which you have lived for the last five years and state the years during which you lived at each such address;

ANSWER: Objection. Plaintiff's address is irrelevant to this litigation and not directed to lead to the discovery of admissible evidence. By way of further answer, and in no way in derogation of the foregoing objection;

701 Grove Street, Avoca PA 18641; 115 Huckleberry Lane, Duryea PA 18642

- f. Set forth in detail your educational background.

ANSWER: Some college

2. State your gross income for each of the calendar years from 2011 to present, identifying all sources of such income and further identifying all documents which record, relate or refer to the matters inquired of in this Interrogatory.

ANSWER: Objection. This Interrogatory is objected to as overbroad, harassing, irrelevant, and not directed to lead to the discovery of admissible

evidence.

3. How many followers did you have on YouTube as of February 14, 2021?

ANSWER: Approximately 27,000.

4. How many friends did you have on Facebook as of February 14, 2021?

ANSWER: Approximately 38,000 (friends & followers combined.)

5. How many followers did you have on Twitter as of February 14, 2021?

ANSWER: Plaintiff does not know the number.

6. How many followers did you have on Telegram as of February 14, 2021? ~15,000

7. How many followers did you have on DLive as of February 14, 2021?

ANSWER: Approximately 10,000.

8. How many followers did you have on Instagram as of February 14, 2021?

ANSWER: Approximately 1,500.

9. What is the factual basis on Phil Godlewski's averment in paragraph 2 of the Complaint:

"For the purposes of this complaint, by virtue of his large following, Mr. Godlewski is a public figure"?

ANSWER: Objected to as a conclusion of law to which no responsive pleading is required.

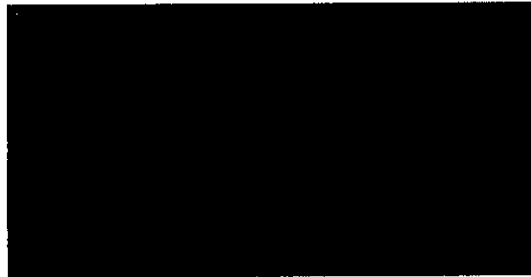
10. How much revenue did you earn and/or receive from YouTube in each month during the last two years last two years?

ANSWER: See below.

Date ↓	Your estimated revenue	Your estimated ad revenue	Estimated monetized playbacks	Playback-based CPA	Your YouTube Premium revenue
Total	\$4,117.29	\$1,218.78	312,487	\$9.88	\$101.42
January	\$2,663.26 43.5%	\$491.92 40.3%	162,287 51.9%	\$9.06	\$21.56 21.4%
February	\$1,279.19 31.1%	\$412.69 33.1%	84,883 27.2%	\$18.97	\$54.49 53.7%
March	\$133.36 3.2%	\$6.02 0.5%	9 0.0%	\$8.00	\$8.00 8.0%
April	\$969.48 23.5%	\$12.06 1.0%	2,421 0.8%	\$4.06	\$8.57 8.4%
May	\$214.68 5.2%	\$67.87 5.6%	10,478 3.4%	\$11.73	\$1.79 1.8%
June	\$419.06 10.2%	\$163.47 13.4%	27,218 8.7%	\$18.81	\$19.82 19.5%
July	\$238.78 5.8%	\$126.43 10.4%	22,134 7.1%	\$18.38	\$3.19 3.2%
August	\$51.9 1.3%	\$8.99 0.7%	1,587 0.5%	\$4.78	\$6.18 6.1%

11. How much revenue did you earn and/or receive from DLive in each month during the last two years?

ANSWER: See below.



12. How much revenue did you earn and/or receive from Telegram in each month during the last two years?

ANSWER: Zero.

13. How much revenue did you earn and/or receive from Starve the Beast in each month during the last two years?

ANSWER:

PHIL GODLEWSKI
YOUR CUMULATIVE EARNINGS
WITH MELALEUCA:

\$ 20,151

14. How much revenue did you earn and/or receive from Bonfire (The Patriot Store) in each month during the last two years?

ANSWER: Overview

Campaigns		Start new
\$11,072.07	1207	102
Total profit	Total sold	On

15. Did you send a text message to Chris Kelly stating you have over 75,000 followers in February 2021? What proof do you have of this assertion?

ANSWER: Yes. Plaintiff objects to the request for 'proof' on the basis that it is a legal conclusion. Plaintiff does not know what constitutes 'proof.'

16. Identify the girl by name you allegedly had contact with that led to criminal charges being filed against you in 2010.

ANSWER: Plaintiff objects to this Interrogatory on the basis that it requires the Plaintiff to disclose the identity of a minor. By way of further answer, and on information and belief, Defendant already knows the identity of the girl.

17. Describe your relationship with Thomas Nezlo in 2010.

ANSWER: this Interrogatory is objected to on the basis that it is vague. Further, the 'relationship' is irrelevant to this litigation, not directed to lead to the discovery of admissible evidence, intrusive and harassing. By way of further answer, and in no way in derogation of the Objections hereinabove,

the Plaintiff did not have a relationship.

18. When did you get married to Dori Gallagher?

ANSWER: 9/29/12.

19. Provide the dates of any separations from Dori Gallagher. 2/17/21

ANSWER: This Interrogatory is objected to on the basis that it is intrusive burdensome, irrelevant and not directed to lead to the discovery of admissible evidence.

20. On what date did you and your wife Dori Gallagher separate for the last time and live apart?

ANSWER: This Interrogatory is objected to on the basis that it is intrusive, burdensome, irrelevant, and not directed to lead to the discovery of admissible evidence

21. Where did you reside as of June 1, 2021, and who resided there with you?

ANSWER: 115 Huckleberry Lane, Duryea PA 18642. Plaintiff lives alone.

22. In what county is your divorce action filed?

ANSWER: Luzerne.

23. On what date did your employment or working relationship with ERA Realty terminate?

ANSWER: 2/18/21.

24. Did ERA Realty send you a termination letter or an email terminating you?

ANSWER: Email.

25. Describe all your sources of income as of June 1, 2021?

ANSWER: Real Estate (previously contracted deal prior to termination)

YouTube, DLive, Bonfire

26. Describe the financial support you provide to your wife Dori Gallagher and your two

children at the present time? Is there a domestic relations support order in place against you?

ANSWER: The support order requires the Plaintiff to pay \$1000 per month.

27. Why did you plead guilty to corrupting a minor in 2011?

ANSWER: This interrogatory is objected to because it intrudes upon attorney-client privilege.

28. On what date did Riverside School District terminate your services as a baseball coach, and what was the reason for your termination?

ANSWER: Plaintiff was not terminated.

29. Other than your convictions for corrupting the morals of a minor, tampering with records, and writing a bad check, have you ever been convicted of any other crimes?

ANSWER: Plaintiff was convicted of Driving Under the Influence (2002/2003). No record was entered because he successfully completed ARD.

30. What trips outside of the Commonwealth of Pennsylvania have you made since February 14, 2021? State the purpose of your trips and the identify any persons who accompanied you on these trips.

ANSWER: This interrogatory is objected to on the basis it is irrelevant, burdensome, intrusive, and harassing and not directed to lead to the discovery of admissible evidence.

31. State the names of any people who contacted you since February 14, 2021, who stated they thought Chris Kelly's article published on February 14, 2021 contained lies about you?

ANSWER: Plaintiff responds that they are in there are hundreds, possibly in their thousands and therefore, naming them is impossible.

32. Did the 15-year-old victim who was the subject of your 2010 criminal charges touch you in a sexual manner at any time during the years 2008-2010?

ANSWER: No.

33. Do you have any letters, emails, or text messages to or from the 15-year-old girl?

ANSWER: None.

34. Did you give any gifts to the 15-year-old girl referred to in Defendants' article? If yes, please state what they were and when you gave them to her?

ANSWER: Plaintiff does not recall giving her any gifts.

35. Identify all lawsuits in which you have been named as a party since January 1, 2015.

ANSWER: Plaintiff cannot be sure, absent reviewing the appropriate court docket.

36. How much money have you raised in donations as of today through Give Send Go or any other platforms to pursue this lawsuit?

ANSWER: This interrogatory is objected to on the basis it is irrelevant, burdensome, intrusive, and harassing and not directed to lead to the discovery of admissible evidence.

37. Do you have a listing of the names of all your donors to pursue this lawsuit?

ANSWER: This interrogatory is objected to on the basis it is irrelevant, burdensome, intrusive, and harassing and not directed to lead to the discovery of admissible evidence.

38. Identify all persons who you believe have an unfavorable view of your reputation due to the February 14, 2021 publication.

ANSWER: This interrogatory is objected to on the basis Plaintiff cannot possibly meaningfully respond to this question at this juncture of the proceedings.

39. Identify all recipients of the allegedly defamatory statements who have exposed Plaintiff to public hatred, contempt and ridicule.

ANSWER: This interrogatory is objected to on the basis Plaintiff cannot possibly meaningfully respond to this question at this juncture of the proceedings. By way of further answer, the Defendant has access to the number of views that The Scranton Times/Times Shamrock receive from their digital advertising, share buttons via their website, Facebook (and other social media) views/shares, or newspaper sales & analytics.

40. Identify any persons who refused to do business with or associate with Plaintiff as a result of the article.

ANSWER: This interrogatory is objected to on the basis Plaintiff

cannot possibly meaningfully respond to this question at this juncture of the proceedings. By way of further answer, the Defendant has received hundreds of threats and harassment on social media from anonymous users, which spiked after the article was released. In addition Plaintiff was terminated from his real estate job after the article was published.

41. Identify any persons whose opinion of the Plaintiff's reputation was affected by the article.

ANSWER: See answers to 37-39 hereinabove.

42. State all damages suffered or claimed by you in this case and how the damages were computed and all facts supporting each claim.

ANSWER: This interrogatory is objected to on the basis Plaintiff cannot possibly meaningfully respond to this question at this juncture of the proceedings. By way of further answer, and in no way in derogation of the foregoing, Plaintiff is claiming so far unspecified damages for pain-and-suffering and for damages to his reputation including punitive damages. Plaintiff is also claiming economic loss having been released from his job as an independent contract & Real Estate professional at ERA One Source Realty because it received complaints and hate mail, directly related to the article. Additionally, Plaintiff's online reputation has been severely damaged and he is being libeled

online of as a 'pedophile'. This started after the article was released.

43. Are you claiming damages for physical, phycological or emotional injury?

ANSWER: Yes.

- a. The name of each physician or other health-care professional you have consulted for treatment in the last five years;
[REDACTED]
[REDACTED]
[REDACTED]
- b. The date or dates on which treatment was given; See above
- c. The sums paid for such services; \$700 so far.
- d. The diagnosis rendered; [REDACTED]
- e. Any drugs or medications prescribed; [REDACTED]
- f. Details of any other treatment; and
- g. Identify all documents which record, relate or refer to the matters inquired of in this Interrogatory. Medical records.

44. State whether you consulted a physician or other health-care professional for any treatment as the result of the publication at issue. If so, state:

The name of such physician or professional;

- a. The date or dates on which treatment was given;
- b. The sums paid for such services;
- c. The diagnosis rendered;
- d. The identity of any drugs or medications prescribed;
- e. Whether such physician or professional had been consulted prior to the

date of the publication at issue; and

- f. Identify all documents which record, relate or refer to the matters inquired of in this Interrogatory.

ANSWER: See answer to 43 above

45. With reference to the publication at issue:

- a. Set forth each sentence in the article which you contend is defamatory;

ANSWER: Defendant is referred to the Complaint, which speaks for itself.

b.

- c. Identify each witness who will provide evidence in this case upon which you will rely to prove that the sentences are, in fact, defamatory.

Plaintiff has not yet determined which witnesses he will call and what evidence he will submit. By way of further answer, this request is premature and violative of attorney-client privilege and the work product doctrine. I

46. Identify all persons with knowledge as to the subject matter of the article. For each person state:

ANSWER: This interrogatory is objected to because it is overbroad the vague, burdensome, and irrelevant.

- a. Name, address and telephone number;
- b. Employer;
- c. Summary of knowledge (specifying which articles the person has knowledge relevant to).

47. Identify each witness, by name, address, telephone number, occupation, present employer and relation to Plaintiff or any of the defendants, whom Plaintiff intend to have testify at trial,

and state:

**ANSWER: Plaintiff has not yet determined which witnesses he will
all and what evidence he will submit. By way of further
answer, this request is premature and violative of
attorney-client privilege and the work product doctrine.**

Each document or tangible object which each witness will be asked to identify.

48. Identify each and every document or tangible object which you intend to introduce at trial.

ANSWER: See answer to 47 above.

KOLMAN LAW P.C.

s/ Timothy M. Kolman

Timothy M. Kolman Esquire
Attorneys for Plaintiff

August 20, 2021

VERIFICATION

The undersigned verifies and certifies that the facts set forth in the attached Response to Defendant's Request for Interrogatories are true and correct to the best of my knowledge, information and belief. The undersigned understands that this Verification is made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Phil Godlewski

Signature

Dated: 8/20/2021

KOLMAN LAW, P.C.
Timothy M. Kolman, Esquire (PA I.D. 51982)
414 Hulmeville Avenue
Pennel, PA 19047
(215) 750-3134

Attorney for Plaintiff
Philip Godlewski

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 ACTION
: No.: 2021-CV-2195

:
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of August 2021, I caused to be served by e-mail, true and correct copies of Plaintiff's Response to First Set of Interrogatories and Production of Documents with signed verification by the Plaintiff.

Respectfully Submitted,

KOLMAN LAW, P.C.

/s/ Timothy M. Kolman

Timothy M. Kolman, Esquire
414 Hulmeville Ave
Pennel, PA 19047
(215) 750-3134
Attorney for Plaintiff

Dated: August 20, 2021



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

July 12, 2021

Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Pennel, PA 19047

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

Dear Attorney Kolman:

Enclosed are Defendants' Request for Production of Documents (Set I) propounded upon Plaintiff in the above-referenced case.

Thank you.

Very truly yours,


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

.....

DEFENDANTS' REQUEST FOR PRODUCTION OF DOCUMENTS (SET I)
PROPOUNDED UPON PLAINTIFF

TO: Philip Godlewski

Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva (hereinafter referred to as "Defendants"), by and through their counsel, Haggerty Hinton & Cosgrove LLP, by their undersigned counsel, hereby propounds the following request for production of documents and tangible things pursuant to Rule 4009.1 et seq. of the Pennsylvania Rules of Civil Procedure.

The documents and tangible things requested herein must be produced at the law offices of Haggerty Hinton & Cosgrove LLP, within thirty days.

Each of the following requests is intended as a separate request. Where a request has subparts, please respond to each subpart separately and in full. Do not limit any response to the numbered requests as a whole.

If you have any objection to any request, please state your objection fully and set forth the factual basis for your objection in lieu of production of documents. You must file and serve a written response to these requests upon you, regardless of the time set for production of the documents and things requested herein. You are reminded that any objections not raised within the thirty-day time period provided for by Pa.R.C.P. 4009.12 will be deemed to have been waived by you.

These requests are not only for documents and tangible things that are owned by you, but also for documents and tangible things that are in your possession, custody, or control. This means that you must produce all documents and tangible things that are responsive to a particular request and that are in your possession (regardless of whether they are your property), or over which you have control even if they are not in your possession. It also means you must produce documents and tangible things that are in the possession, custody, or control of your agents, employees, and/or attorneys.

Before responding to these requests, you are required to make a diligent search of your files and records to ascertain whether you have documents that would be responsive to a given request. Your agents, employees, and attorneys must do the same.

DEFINITIONS

1. "Defendants" mean Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva, its agents and representatives, including, without limitation, its attorneys, and all other persons acting or purporting to act on its behalf.

2. "Plaintiff" means Philip Godlewski.

3. "You" means the Plaintiff.

4. "Complaint" refers to the Complaint filed by Plaintiff in Pennsylvania, Action No: 2021-CV-2195 in the Court of Common Pleas of Lackawanna County.

5. As used herein the terms "document" and "documents" mean any and all tangible things and documents, whether handwritten, typed, printed, e-mailed, taped, filmed, photostatted, copied or reproduced in any way, including but not limited to:

- (i) external communications or interoffice communications, letters, telefaxes, telexes, e-mails, cables, telegrams, wires and memoranda;
- (ii) reports, summaries, drafts, studies, minutes, notes, agendas and transcripts;
- (iii) drawings and charts;
- (iv) tape recordings and other reproductions of sound or voices;
- (v) photographs, films, videotapes, computer generated documents, recordings, e-mail, cassettes, recordings, microfiche, and other reproductions;
- (vi) contracts, agreements and other official documents and legal instruments;
- (vii) published material of any kind;
- (viii) travel reports and vouchers;
- (ix) ledgers, bills, orders, books, records, invoices, checks, receipts, confirmations, estimates, claims and files;
- (x) notebooks, calendars, appointment books, diaries, scrapbooks, schedules and handwritten or other notes;
- (xi) working papers, sketches, drawings, pictures, plans, instructions, charts, papers, graphs, indices, catalogs, tabulations, data sheets or data processing cards; and
- (xii) books, bills, pamphlets, periodicals and published material of any kind.

"Document(s)" shall also include any draft or version of a document and all copies which are not identical to the original; all modifications or additions to any document, whether or not such copies or drafts are specifically mentioned in particular requests; and any material recorded on verbal, graphic, computer, electronic, telecommunicative, or magnetic form, and any other form capable of being read, heard or otherwise understood.

6. The term "concerning" means relating to, referring to, describing, evidencing

or constituting.

7. The singular shall include the plural and the plural shall include the singular.

8. The words "and" and "or" shall be construed conjunctively to mean "and/or" and the word "any" shall be construed to mean "any and all" where the effect of such construction is to broaden the scope of the document request in question.

9. In no instance shall the term "including" be construed to limit the scope of any document request.

10. The term "person(s)" includes all-natural persons, entities, individuals, partnerships, joint ventures, unincorporated associations, corporations, firms, associations (whether formerly organized or ad hoc), state, local and federal governments and subdivisions, and instrumentalities and agencies thereof.

11. "Statement" refers to a written statement or otherwise adopted or approved by the person making it, or a stenographic, mechanical, electrical or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it a contemporaneously recorded.

INSTRUCTIONS

1. In responding to these document requests, furnish all documents available to plaintiff, including those in the possession of any of the plaintiffs' agents and attorneys and not merely such documents as plaintiff may have within their immediate control. For each document produced, indicate each numbered document request or part thereof which calls for its production. If plaintiff is unable to respond in full to any particular document request after exercising due diligence to obtain all the documents requested, so state; furnish the documents that are available; and indicate in writing Plaintiff's inability to provide the rest of the documents that are responsive to the request, setting forth whatever information, knowledge or belief plaintiff have concerning the unavailable documents.

2. With respect to each document withheld from production based on a privilege, immunity or other protections:

(i) describe each such document, setting forth (a) its type (e.g., letter or memorandum); (b) general subject matter; (c) date; (d) page length (if a text document); (e) author(s); (f) addressees; (g) any other recipient(s); and (h) the numbers of the requests to which the document would be responsive if produced; and

(ii) set forth the basis for the claim of privilege or other immunity and the basis upon which Plaintiff refuses to produce it.

3. In the event that any document covered by this request has been lost, destroyed, or transferred to a third party over whom Plaintiff claims to lack control, identify:

a. the document by author, date, recipient, context and subject matter;

transfer;

- c. the reason(s) for the loss, destruction, or transfer;
- d. the person responsible for the loss or destruction;
- e. the person(s) or entit(ies) to whom transferred;
- f. the document's present location; and
- g. the date and manner in which defendants can or may obtain each such document.

4. These document requests are continuing, and defendants shall produce in the form of supplementary document productions any document requested herein which is unavailable to plaintiff the time of its response hereto but which becomes available to it or to its agents or representatives up to the time of trial.

DOCUMENTS REQUESTED

1. Produce all documents related to your claim that the February 14, 2021 article identified in the Complaint contained false and defamatory statements.

2. If you are making a claim for lost wages or diminished wage-earning capacity, please produce your federal income tax returns for the five years prior to the article published on February 14, 2021, and all subsequent years up through the time of trial.

3. If you are making a claim for lost wages or diminished wage-earning capacity, please produce copies of any and all income tax returns filed by or on behalf of any business or company in which you had an ownership interest for the five years prior to the article published on February 14, 2021, and all subsequent years up through the time of trial.

4. Any and all physician, hospital, medication, and/or other health care/medical bills and receipts which you are claiming as damages in this lawsuit.

5. Any and all medical, physician, hospital, or other health care records relating to any physical and/or mental injuries which you are claiming in this lawsuit.

6. Your personnel records or employment records from ERA One Source Realty.

7. Any statements from any person with relevant information concerning Plaintiff's claims against Defendants.

8. Any documents evidencing harm to your reputation, lost earnings, diminished earning capacity, embarrassment and/or humiliation caused by the article reference in the Complaint.

9. Any Complaints from other lawsuits filed by Plaintiff.

10. Any and all statements concerning this action, as defined by Rule 4003.4, from each and every witness, including any statements from the parties herein, or their respective agents, servants or employees. (This includes all records stored electronically.)

11. Any and all documents containing the name and home and business address of each individual who is considered to be a potential witness (whether contacted or not), and any reports obtained from such witnesses.

12. Any and all statements, descriptions and summaries of statements, recorded or transcribed statements, computerized records, notes, or other written accounts of an investigation regarding this action.

13. All notes, diaries, or other recordings made by the Plaintiff, or any other person regarding the subject incident as well as those events and circumstances leading up to and subsequent to the subject article.

14. Copies of all correspondence and memoranda of each expert witness who will testify at trial.

15. Copies of all reports, correspondence, memoranda and computer files of any and all fact witnesses who will testify at trial.

16. All other relevant documents which support the Plaintiff's claims for damages as alleged in the Complaint.

17. Copies of all exhibits you intend to introduce at trial.

18. Copies of Plaintiff's resumes prepared in the last five years.

19. Any documents relating in any way to the damages you are claiming in this lawsuit.

20. Any documents sent to or from the 15-year-old girl referred to in the article attached to your Complaint.

21. Any documents concerning any gifts, including a vehicle, you purchased for the 15-year-old girl referred to in the article attached to your Complaint.

22. Produce all documents related to Exhibit A to the Complaint, including but not limited to any documents related to the Plaintiff's claims that the article was false and defamatory.

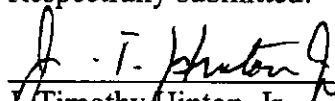
23. Produce all documents relating to the publication at issue.

24. Any and all documents you contend establish or support any element of Plaintiff's claims being made in this lawsuit.

25. Any and all documents you intend to introduce at the trial of this case.

Date: July 12, 2021

Respectfully submitted:



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

.....

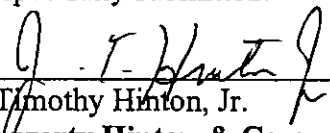
CERTIFICATE OF SERVICE

I, **J. Timothy Hinton, Jr., Esquire**, certify that on this 12th day of July 2021, I caused a true and correct copy of the foregoing Defendants' Request for Production of Documents (Set I) propounded upon Plaintiff to be served upon the following parties via United States Mail postage prepaid:

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

Date: July 12, 2021

Respectfully submitted:



 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

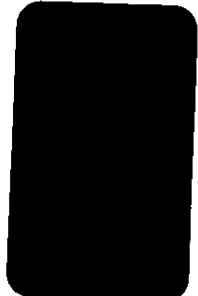
.....
PLAINTIFF'S RESPONSE TO DEFENDANT'S FIRST SET OF
REQUESTS FOR PRODUCTION OF DOCUMENTS

Plaintiff, by and through the undersigned counsel, hereby responds to Defendant's First Request for Production of Documents as follows:

RESPONSES

General Objections

1. Plaintiff generally objects to Defendant's Requests for Production to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.
2. Plaintiff generally objects to Defendant's Requests for Production to the extent they improperly seek information protected by the attorney-client privilege and/or the attorney work-product doctrine.
3. Plaintiff generally objects to Defendant's Requests for Production to the extent they improperly seek information that is not relevant to any of the issues in this dispute and/or are not reasonably calculated to lead to the discovery of admissible evidence.
4. Plaintiff generally objects to Defendant's Requests for Production as discovery has not yet closed and this matter has not yet been prepared for trial.
5. Accordingly, these Answers are made without prejudice to Plaintiff's right to amend the answers set forth herein and/or to present additional information that is hereafter obtained or evaluated.
6. Plaintiff generally objects to Defendant's Requests for Production to the extent they cause unreasonable annoyance, embarrassment, oppression, burden, and/or expense.
7. Plaintiff generally objects to each of the Requests included in Defendant's Requests for Production to the extent that their scope exceeds the scope of discovery permitted by the Federal Rules of Civil Procedure.



8. Plaintiff generally objects to Defendant's Requests for Production to the extent that formulating full and complete Answers would require Plaintiff to review Documents not presently in his possession, custody, or control.

9. Plaintiff generally objects to Defendant's Requests for Production to the extent they imply that information is to be provided by more than one person. These Answers have been made to the best of Plaintiff's knowledge, with the assistance of counsel. These answers do not represent the knowledge of any person other than Plaintiff.

10. Plaintiff responds to Defendant's Requests for Production subject to and without waiver of all of the foregoing General Objections. Plaintiff has made reasonable efforts to respond to the Requests for Production as Plaintiff understands and interprets them. If Defendant subsequently seeks any information not yet identified, Plaintiff reserves the right to supplement these Answers. Further, Plaintiff specifically reserves the right to supplement these Answers based upon information which is discovered in the process of preparing for hearings or trial and information not yet obtained.

Specific Objections and Responses

Without waiver of the foregoing general objections, Plaintiff responds as follows to Defendant's First Request for Production of Documents:

DOCUMENTS REQUESTED

1. Produce all Documents related to your claim that the February 14, 2021, article identified in the Complaint contained false and defamatory statements.

This Document Request is objected to because it is vague, overbroad, burdensome, and requires the Plaintiff to make legal conclusions. By way of further answer, and in no way in derogation of the foregoing, the Defendant is referred to the Complaint and its detailed analysis of the false and defamatory statements.

2. If you are making a claim for lost wages or diminished wage-earning capacity, please produce your federal income tax returns for the five years prior to the article published on February 14, 2021, and all subsequent years up through the time of trial.

These will be provided.

3. If you are making a claim for lost wages or diminished wage-earning capacity, please produce copies of any and all income tax returns filed by or on behalf of any business or company in which you had an ownership interest for the five years prior to the article published on February 14, 2021, and all subsequent years up through the time of trial.

See answer to 2 above.

4. Any and all physician, hospital, medication, and/or other health care/medical bills and receipts which you are claiming as damages in this lawsuit.

Plaintiff does not have his medical records. He will, however, pursuant to a confidentiality agreement, sign a release and make them available to the Defendant

5. Any and all medical, physician, hospital, or other health care records relating to any physical and/or mental injuries which you are claiming in this lawsuit.

See Answer to 4 above

6. Your personnel records or employment records from ERA One Source Realty.

Plaintiff is not in possession of these personal/ employment records and does not know if they exist.

7. Any statements from any person with relevant information concerning Plaintiff's claims against Defendant.

This Document Request is objected to because it is vague, overbroad, burdensome.

8. Any Documents evidencing harm to your reputation, lost earnings, diminished earning capacity, embarrassment, and/or humiliation caused by the article reference in the Complaint.

Plaintiff is in the process of collecting them. There are literally hundreds of messages, screenshots, online comments, hate emails, hate mail, and other documents

evidencing the damage to the Plaintiff's reputation. Gathering all of these will take some time.

8. Any Complaints from other lawsuits filed by Plaintiff.

None.

9. Any and all statements concerning this action, as defined by Rule 4003.4, from each and every witness, including any statements from the parties herein or their respective agents, servants, or employees. (This includes all records stored electronically.)

This Document Request is objected to because it requires the Plaintiff to not only know the law but to apply it.

10. Any and all Documents containing the name and home and business address of each individual who is considered to be a potential witness (whether contacted or not), and any reports obtained from such witnesses.

This Document Request is objected to as violative of the attorney-client privilege and the work product doctrine.

11. Any and all statements, descriptions and summaries of statements, recorded or transcribed statements, computerized records, notes, or other written accounts of an investigation regarding this action.

This Document Request is objected to as burdensome, vague, harassing, and not directed to discover admissible evidence. By way of further answer, the Plaintiff has no idea what 'investigation' Defendant is referring to.

12. All notes, diaries, or other recordings made by the Plaintiff, or any other person regarding the subject incident as well as those events and circumstances leading up to and subsequent to the subject article.

This Document Request is objected to as being vague and overbroad.

13. Copies of all correspondence and memoranda of each expert witness who will testify at trial.

Plaintiff has not determined whether he will hire an expert witness.

14. Copies of all reports, correspondence, memoranda, and computer files of any and all fact witnesses who will testify at trial.

Plaintiff has not determined which fact witnesses will testify at trial.

15. All other relevant Documents which support the Plaintiff's claims for damages as alleged in the Complaint.

This Document Request is objected to as being vague and overbroad

16. Copies of all exhibits you intend to introduce at trial.

This Document Request is violative of the work product doctrine and attorney-client privilege but, any and all exhibits will be exchanged with Defendant per this Court's procedures.

17. Copies of Plaintiff's resumes prepared in the last five years.

Plaintiff has not prepared a resume in the last five years.

18. Any Documents relating in any way to the damages you are claiming in this lawsuit.

See the responses to the Document Requests hereinabove.

19. Any Documents sent to or from the 15-year-old girl referred to in the article attached to your Complaint.

None.

20. Any Documents concerning any gifts, including a vehicle, you purchased for the 15-year-old girl referred to in the article attached to your Complaint.

There were no gifts.

21. Produce all Documents related to Exhibit A to the Complaint, including but not limited to any Documents related to the Plaintiff's claims that the article was false and defamatory.

Plaintiff objects on the basis of the Request requiring Plaintiff to make a legal conclusion. By way of further answer and in no way in derogation of the foregoing, discovery is ongoing, and Plaintiff will produce any and all Documents to the Defendant as discovery proceeds.

22. Produce all Documents relating to the publication at issue.

Plaintiff objects to this Document Request since it is duplicative of prior Document Requests herein, in addition to being vague, overbroad and unnecessarily burdensome

23. Any and all Documents you contend establish or support any element of Plaintiff's claims being made in this lawsuit.

Plaintiff objects to this Document Request since it requires a legal conclusion and is violative of the work product doctrine and the attorney-client privilege.

24. Any and all Documents you intend to introduce at the trial of this case.

Plaintiff has not determined Documents he intends to introduce at trial. Further, he does not have, in his possession, all the Documents which might be relevant to the trial since many of these are in the custody and control of Defendant, and discovery is ongoing.

KOLMAN LAW P.C.

s/ Timothy M. Kolman

Timothy M. Kolman Esquire
Attorneys for Plaintiff

August 20, 2021

VERIFICATION

The undersigned verifies and certifies that the facts set forth in the attached Response to Defendant's First Request for Production of Documents are true and correct to the best of my knowledge, information and belief. The undersigned understands that this Verification is made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Phil Godlewski

Signature

Dated: 8/20/2021



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

June 24, 2022

Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Penndel, PA 19047

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

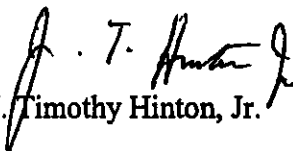
Dear Attorney Kolman:

Enclosed are Defendants' Request for Production of Documents (Set IV) directed to Plaintiff in the above-referenced case.

Please disregard the Request for Production of Documents (Set III) that was sent under letter dated June 23, 2023 as Defendants' Request for Production of Documents (Set III) was previously sent on March 25, 2022.

Thank you.

Very truly yours,


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

.....

DEFENDANTS' REQUEST FOR PRODUCTION OF DOCUMENTS (SET IV)
PROPOUNDED UPON PLAINTIFF

TO: Philip Godlewski

Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva (hereinafter referred to as "Defendants"), by and through their counsel, Haggerty Hinton & Cosgrove LLP, by their undersigned counsel, hereby propounds the following request for production of documents and tangible things pursuant to Rule 4009.1 et seq. of the Pennsylvania Rules of Civil Procedure.

The documents and tangible things requested herein must be produced at the law offices of Haggerty Hinton & Cosgrove LLP, within thirty days.

Each of the following requests is intended as a separate request. Where a request has subparts, please respond to each subpart separately and in full. Do not limit any response to the numbered requests as a whole.

If you have any objection to any request, please state your objection fully and set forth the factual basis for your objection in lieu of production of documents. You must file and serve a written response to these requests upon you, regardless of the time set for production of the documents and things requested herein. You are reminded that any objections not raised within the thirty-day time period provided for by Pa.R.C.P. 4009.12 will be deemed to have been waived by you.

These requests are not only for documents and tangible things that are owned by you, but also for documents and tangible things that are in your possession, custody, or control. This means that you must produce all documents and tangible things that are responsive to a particular request and that are in your possession (regardless of whether they are your property), or over which you have control even if they are not in your possession. It also means you must produce documents and tangible things that are in the possession, custody, or control of your agents, employees, and/or attorneys.

Before responding to these requests, you are required to make a diligent search of your files and records to ascertain whether you have documents that would be responsive to a given request. Your agents, employees, and attorneys must do the same.

DEFINITIONS

1. "Defendants" mean Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva, its agents and representatives, including, without limitation, its attorneys, and all other persons acting or purporting to act on its behalf.

2. "Plaintiff" means Philip Godlewski.

3. "You" means the Plaintiff.

4. "Complaint" refers to the Complaint filed by Plaintiff in Pennsylvania, Action No: 2021-CV-2195 in the Court of Common Pleas of Lackawanna County.

5. As used herein the terms "document" and "documents" mean any and all tangible things and documents, whether handwritten, typed, printed, e-mailed, taped, filmed, photostatted, copied or reproduced in any way, including but not limited to:

- (i) external communications or interoffice communications, letters, telefaxes, telexes, e-mails, cables, telegrams, wires and memoranda;
- (ii) reports, summaries, drafts, studies, minutes, notes, agendas and transcripts;
- (iii) drawings and charts;
- (iv) tape recordings and other reproductions of sound or voices;
- (v) photographs, films, videotapes, computer generated documents, recordings, e-mail, cassettes, recordings, microfiche. and other reproductions;
- (vi) contracts, agreements and other official documents and legal instruments;
- (vii) published material of any kind;
- (viii) travel reports and vouchers;
- (ix) ledgers, bills, orders, books, records, invoices, checks, receipts, confirmations, estimates, claims and files;
- (x) notebooks, calendars, appointment books, diaries, scrapbooks, schedules and handwritten or other notes;
- (xi) working papers, sketches, drawings, pictures, plans, instructions, charts, papers, graphs, indices, catalogs, tabulations, data sheets or data processing cards; and
- (xii) books, bills, pamphlets, periodicals and published material of any kind.

"Document(s)" shall also include any draft or version of a document and all copies which are not identical to the original; all modifications or additions to any document, whether or not such copies or drafts are specifically mentioned in particular requests; and any material recorded on verbal, graphic, computer, electronic, telecommunicative, or magnetic form, and any other form capable of being read, heard or otherwise understood.

6. The term "concerning" means relating to, referring to, describing, evidencing or constituting.

7. The singular shall include the plural and the plural shall include the singular.

8. The words "and" and "or" shall be construed conjunctively to mean "and/or" and the word "any" shall be construed to mean "any and all" where the effect of such construction is to broaden the scope of the document request in question.

9. In no instance shall the term "including" be construed to limit the scope of any document request.

10. The term "person(s)" includes all-natural persons, entities, individuals, partnerships, joint ventures, unincorporated associations, corporations, firms, associations (whether formerly organized or ad hoc), state, local and federal governments and subdivisions, and instrumentalities and agencies thereof.

11. "Statement" refers to a written statement or otherwise adopted or approved by the person making it, or a stenographic, mechanical, electrical or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it a contemporaneously recorded.

INSTRUCTIONS

1. In responding to these document requests, furnish all documents available to plaintiff, including those in the possession of any of the plaintiffs' agents and attorneys and not merely such documents as plaintiff may have within their immediate control. For each document produced, indicate each numbered document request or part thereof which calls for its production. If plaintiff is unable to respond in full to any particular document request after exercising due diligence to obtain all the documents requested, so state; furnish the documents that are available; and indicate in writing Plaintiff's inability to provide the rest of the documents that are responsive to the request, setting forth whatever information, knowledge or belief plaintiff have concerning the unavailable documents.

2. With respect to each document withheld from production based on a privilege, immunity or other protections:

(i) describe each such document, setting forth (a) its type (e.g., letter or memorandum); (b) general subject matter; (c) date; (d) page length (if a text document); (e) author(s); (f) addressees; (g) any other recipient(s); and (h) the numbers of the requests to which the document would be responsive if produced; and

(ii) set forth the basis for the claim of privilege or other immunity and the basis upon which Plaintiff refuses to produce it.

3. In the event that any document covered by this request has been lost, destroyed, or transferred to a third party over whom Plaintiff claims to lack control, identify:

- a. the document by author, date, recipient, context and subject matter;
- b. the date and circumstances surrounding the loss, destruction, or

transfer;

- c. the reason(s) for the loss, destruction, or transfer;
- d. the person responsible for the loss or destruction;
- e. the person(s) or entit(ies) to whom transferred;
- f. the document's present location; and
- g. the date and manner in which defendants can or may obtain each such document.

4. These document requests are continuing, and defendants shall produce in the form of supplementary document productions any document requested herein which is unavailable to plaintiff the time of its response hereto but which becomes available to it or to its agents or representatives up to the time of trial.

DOCUMENTS REQUESTED

1. Produce any Certificates, Diplomas and academic transcripts from any educational institutions including, but not limited to, Riverside High School, Duquesne University, The University of Scranton or Johnson College where Philip Godlewski attended school.

2. Produce the transcript from the hearing before Judge Geroulo on or about 1/12/10 in Case No. 2010-CR-2613.

3. Produce the transcript from hearing before Judge Geroulo on or about 7/11/2011 in Case No. 2010-CR-2613.

4. Produce the transcripts from any Preliminary Hearings in Case No. 2010-CR-2613.

5. Produce copies of any text messages and cell phone records for 570-780-4527, 570-561-8917 and 570-637-6050 for any and all months between 1/1/2008 and 12/31/2011.

6. Produce any text messages between Phil Godlewski and Thomas Nezlo between 1/1/2008 and 12/31/2010.

7. Produce any text message between Phil Godlewski and [REDACTED] between 1/1/2008 through the present date.

8. Produce any records sent to or from the Pennsylvania Real Estate Commission regarding any licenses held by Philip Godlewski since January 1, 2018.

9. Produce any records showing the funds received by Philip Godlewski from the sale of his interests in The Agency, Valley Home Loans, Velocity Abstract, NEPA Real Estate Academy, or Subway.

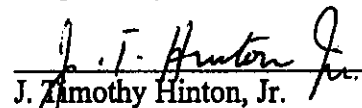
10. Produce any and all records from ~~XXXXXXXXXX~~

11. Produce any and all records from ~~XXXXXXXXXX~~

12. Produce any and all records from a private investigator hired by Phil Godlewski or his counsel concerning the criminal charges filed against Phil Godlewski in 2010.

Date: 6-23-22

Respectfully submitted:



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 23 day of June 2022, I caused a true and correct copy of the foregoing Defendants' Request for Production of Documents (Set IV) propounded upon Plaintiff to be served upon the following parties via United States Mail postage prepaid:

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

Respectfully submitted:

Date: 6-23-22



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

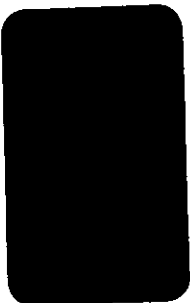
PHILIP GODLEWSKI,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF LACKAWANNA COUNTY
	:	
v.	:	CIVIL DIVISION
	:	
CHRIS KELLY, TIMES SHAMROCK	:	JURY TRIAL DEMANDED
COMMUNICATIONS, THE SCRANTON	:	
TIMES-TRIBUNE, LARRY HOLEVA	:	
Defendants.	:	No.: 2021-CV-2195

PLAINTIFF'S RESPONSE TO DEFENDANTS REQUEST FOR PRODUCTION OF DOCUMENTS (SET IV)

Plaintiff, by and through undersigned counsel, responds to Defendants' Request for Production of Documents as follows:

GENERAL OBJECTIONS

1. These answers and objections are made solely for the purpose of this action. The following answers are based upon information presently known and available to Plaintiff. Discovery, both internal and external, is still ongoing, and Plaintiff reserves the right to supplement these answers with subsequently discovered information and/or to introduce such information at trial. Each answer is subject to all objection as to relevance, materiality, propriety, admissibility, and all other objections on the grounds that would require the exclusion of answers or any part thereof, produced as if any of these answers were presented in court.
2. Plaintiff objects to each document request that is overly broad, unduly burdensome, or not reasonably calculated to lead to the discovery of admissible evidence.
3. Plaintiff objects to the Request to the extent that it seeks information that may be protected by the attorney-client privilege, the work-product doctrine, the joint defense privilege or any other privilege.
4. Plaintiff objects to the Request to the extent that it may not reasonably be expected to yield information relevant to the allegations of the complaint, to the proposed relief or to the defenses of Defendant.
5. Plaintiff's answers to this Request are given without prejudice to Plaintiff's right to produce evidence of any subsequently discovered facts. The failure of Plaintiff to object to any production request on a particular ground may not be construed as a waiver of his right to object on any additional ground(s).



6. Without waiving the foregoing general objections and incorporating the same in each specific response below, Plaintiff responds to Defendant's Request for Production of Documents as follows:

RESPONSES

1. Produce any Certificates, Diplomas and academic transcripts from any educational institutions including, but not limited to, Riverside High School, Duquesne University, The University of Scranton or Johnson College where Philip Godlewski attended school.

Answer: Plaintiff objects to this Request on the grounds that the requested documents are not relevant to this litigation, nor are the requested documents reasonably calculated to lead to the discovery of admissible evidence.

2. Produce the transcript from the hearing before Judge Geroulo on or about 1/12/10 in Case No. 2010-CR-2613.

Answer: Plaintiff does not have it.

3. Produce the transcript from hearing before Judge Geroulo on or about 7/11/2011 in Case No. 2010-CR-2613.

Answer: Plaintiff does not have it.

4. Produce the transcripts from any Preliminary Hearings in Case No. 2010-CR-2613.

Answer: Plaintiff does not have them

5. Produce copies of any text messages and cell phone records for 570-780-4527, 570-561-8917 and 570-637-6050 for any and all months between 1/1/2008 and 12/31/2011.

Answer: Plaintiff does not have them.

6. Produce any text messages between Phil Godlewski and Thomas Nezlo between 1/1/2008 and 12/31/2010.

Answer: Plaintiff has never communicated in any way with Mr. Nezlo, and no such text messages exist.

7. Produce any text message between Phil Godlewski and [REDACTED] between 1/1/2008 through the present date.

Answer: Plaintiff does not have any.

8. Produce any records sent to or from the Pennsylvania Real Estate Commission regarding any licenses held by Philip Godlewski since January 1, 2018.

Answer: Plaintiff objects to this request as it is vague, overly broad, and unduly burdensome. By way of further response, the requested documents do not appear reasonably calculated to lead to the discovery of admissible evidence.

9. Produce any records showing the funds received by Philip Godlewski from the sale of his interests in The Agency, Valley Home Loans, Velocity Abstract, NEPA Real Estate Academy, or Subway.

Answer: Plaintiff objects to this request as it is vague, overly broad, and unduly burdensome. By way of further response, the requested documents do not appear reasonably calculated to lead to the discovery of admissible evidence.

10. Produce any and all records from [REDACTED]

Answer: Attached.

11. Produce any and all records from [REDACTED]

Answer: Attached.

12. Produce any and all records from a private investigator hired by Phil Godlewski or his counsel concerning the criminal charges filed against Phil Godlewski in 2010.

Answer: Plaintiff does not have any.

Respectfully submitted,

Dated: August 22, 2022

/s/ Timothy M. Kolman,
Timothy M. Kolman, Esquire
Kolman Law, P.C.
Attorney ID. No.
414 Hulmeville Avenue
Pennel, Pennsylvania 19047
Attorney for Plaintiff

VERIFICATION

The undersigned verifies and certifies that the facts set forth in the attached Response to Defendant's Fourth Request for Production of Documents are true and correct to the best of my knowledge, information and belief. The undersigned understands that this Verification is made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Phil Godlewski

Signature

Dated: August 22, 2022



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

November 4, 2022

Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Penn del, PA 19047

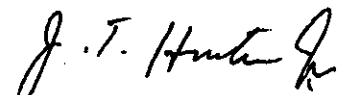
Re: Philip Godlewski vs. Chris Kelly,
et al.
No. 2021-CV-2195

Dear Attorney Kolman:

Enclosed are Defendants' Interrogatories (Set III) directed to Plaintiff in the above-referenced case.

Thank you.

Very truly yours,



J. Timothy Hinton, Jr.

JTH:eb
Encls

VIA E-MAIL Tkolman@kolmanlaw.com
and via First Class Mail, Postage Prepaid

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

DEFENDANTS' INTERROGATORIES (SET III)
DIRECTED TO PLAINTIFF

Pursuant to Rules 4006 of the Pennsylvania Rules of Civil Procedure, you are requested to answer the following Interrogatories. You are requested to answer the Interrogatories separately and under oath, within thirty (30) days after service hereof. In answering these Interrogatories, you are required to furnish all information that is available to you, that which can be learned through reasonable inquiry.

The Answers shall be inserted in the spaces provided following the Interrogatories. If there is insufficient space to answer the Interrogatory, the remainder of the answer shall follow on a supplemental sheet.

If any of these Interrogatories cannot be answered in full, please answer to the extent possible and specify the reason for your inability to answer the remainder.

These Interrogatories are continuing in nature and require you to file supplementary answers pursuant to Rule 4007.4 of your inability to answer the remainder.

INSTRUCTIONS

A. Each Interrogatory shall be answered separately and under oath. No Interrogatory should be left blank. If the answer to any Interrogatory is no, none, or unknown, such response should be written.

B. In answering these Interrogatories, you shall furnish all information available to you at the time of answering and shall supplement your answers without demand as soon as any additional information is known.

C. If a privilege or the work product doctrine is asserted with respect to a document or communication, state the following: (a) the nature of the privilege or reason for the withholding which you contend applies; (b) the factual basis for your assertion of privilege or the reason for withholding; (c) the type of document (*e.g.* letter, memorandum, telex, etc.); (d) all persons to whom the document was distributed, shown or explained; (e) all authors and addresses; (f) all indicated and blind copies; (g) the document's date; (h) a summary description of the document's

subject matter; (i) the number of pages and attachments or appendices comprising the document; and (j) its present custodian.

D. In the event that any document requested to be identified by any Interrogatory has been destroyed or discarded, such document shall be identified by stating all of the information requested in subparts (c) through (i) of instruction "C", and in addition: (k) its date of destruction or discard, the manner of destruction or discard and the reason for destruction or discard; (l) the persons who authorized and carried out such destruction or discard; and (m) whether any copies of the documents presently exist, and if so, the name of the custodian of each copy.

DEFINITIONS

As used herein, the following terms which appear in **bold** when used in an Interrogatory shall have the following meanings:

- A. **"Person"** shall mean any individual, firm, partnership, association, corporation, organization, proprietorship or other entity.
- B. **"Document"** or **"documents"** shall mean any written, recorded or graphic matter, whether produced or reproduced or stored on paper, cards, tapes, films, computer storing devices or any other media and includes, without limiting the generality of the foregoing: photographs, negatives, correspondence, telegrams, other written communications, contracts, receipts, agreements, notes, memoranda, internal memoranda, recordings, computer printouts or media including information stored on hard or floppy disks, electronic mail messages, tapes, cassettes, analyses, projections, work papers, orders, invoices, delivery receipts, x-rays, medical records, packing slips, diaries, calendars, desk calendars, minutes, affidavits, books, objects, cables, telex messages, telephone messages, transcripts, summaries, opinions, proposals, blueprints, plans, maps, surveys, reports, studies, evaluations, journals, appointment books, lists, tabulations or any other writings, including nonidentical copies and drafts of any of the foregoing now in your possession, custody or control. When one or more of the foregoing documents is requested or referred to, the request or reference shall include, but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections or markings peculiar to such copy of draft.
- C. **"Including"** shall mean **"including but not limited to"**.
- D. **"Identify"** or **"identification"** when used herein with reference to a document means to state the date, author and addressee, if any, the type of writing (*e.g.* letter, memorandum, telegram, chart, etc.), any other means of identifying the writing, its present location, and the name, address and job classification of the person having custody or control thereof. If any such writing was, but is no longer in the possession, custody or control of the responding party, state what disposition has been made of it, the date thereof, the

identification of the person responsible for making the decision as to such disposition, the identity of the person responsible for carrying out such disposition, the reasons for the disposition, the content of the document, and the location of any copies of the document. In each instance, you may attach a copy of the writing to the answers to these Interrogatories in lieu of so identifying the writing.

- E. "Identify" or "identification" when used herein with reference to an individual means to state his/her full name and present or last known business and home addresses, if known, his/her employer and position at the time referred to in the Interrogatory, and his/her present or last known business affiliation
- F. "Identify" or "identification" when used in reference to a business firm or entity means to state its full name, the type of entity (*e.g.* corporation, partnership, etc.), and principal place of business.
- G. "Identify" or "identification" when used in reference to a meeting or oral communication means to state the date, time, and location of the meeting or communication, the means of communication (*e.g.* telephone, luncheon meeting, etc.), the identity of each person at the meeting or a party to the communication, the identity of the person who initiated the meeting or communication, and the substance of the matters discussed at the meeting or during the communication.
- H. "Communication" shall mean the transfer of any information from one person to another by any means, including but not limited to, a document, email or text message.
- I. A communication or document "relating to" or "referring to" or that "relates to" or "refers to" any given subject means any communication or document that, in whole or in part, constitutes, contains, embodies, reflects, contradicts, evidences, identifies, states, discusses, analyzes, refers to, describes, deals with or is any way pertinent to that subject.
- J. When asked to "describe" or "state" a communication, meeting, statement, conversation, discussion, action, event, transaction or incident: (a) state the date, place and time of the occurrence; (b) state the substance and subject matter of the occurrence; (c) identify all persons involved in the occurrence and the nature of their involvement; and (d) identify all documents that relate or refer to the occurrence.
- K. "Evidence" shall mean documents, facts, testimony, deposition testimony, affidavits, statements and information of any kind, whether oral or written.
- L. "You" and "your" shall mean or refer to Plaintiff or Philip Godlewski.
- M. "Complaint" shall mean the Complaint filed by Philip Godlewski in Case No: 2021-CV-2195 in the Court of Common Pleas of Lackawanna County.

- N. "Lawsuit" shall mean case No. 2021-CV-2195, Philip Godlewski v. Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune, Larry Holeva
- O. "Plaintiff" means Philip ("Phil") Godlewski his agents and representatives, including, without limitation, his attorneys, and all other persons acting or purporting to act on his behalf.
- P. "Defendants" mean Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva.
- Q. "Social Media" means any interactive technology that allows the creation or sharing/exchange of information, ideas, career interests, and other forms of expression via virtual communities and networks.
- R. "Followers" means someone who has subscribed to a social media account in order to receive all the updates. It refers to a user who consciously chooses to see all the posts of another user in their newsfeed.
- S. "Article" means the newspaper article written by Chris Kelly and attached to the Complaint.

INTERROGATORIES SET III

1. Please **identify** the members of **Plaintiff's** security detail at any time during the years 2009 and 2010.

ANSWER:

2. Does **Plaintiff** still have the cell phone number (570) 780-4567 in use?

ANSWER:

3. Does **Plaintiff** have possession of the actual cell phone he used for phone number (570) 780-4567 during 2009 and 2010?

ANSWER:

4. Has Plaintiff communicated with his wife, Dorothea Godlewski, about his Lawsuit or his damages from the Article?

ANSWER:

If Plaintiff answers "yes", please state the dates of such communications, the form of such communications (live in person, phone, text or email) and the substance of each communication (such participant stated) on each specific date of the communication.

ANSWER:

5. Has Plaintiff communicated with his mother, Marie Godlewski, about his Lawsuit or his damages from the Article?

ANSWER:

If Plaintiff answers "yes", please state the dates of such communications, the form of such communications (live in person, phone, text or email) and the substance of each communication (such participant stated) on each specific date of the communication.

ANSWER:

6. Has Plaintiff communicated with [REDACTED] about his Lawsuit or his damages from the Article?

ANSWER:

If Plaintiff answers "yes", please state the dates of such communications, the form of such communications (live in person, phone, text or email) and the substance of each communication (such participant stated) on each specific date of the communication.

ANSWER:

Date: 11-4-2022

Respectfully submitted:



J. T. 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

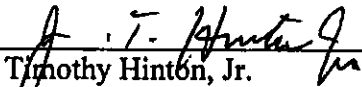
CERTIFICATE OF SERVICE

I, J. Timothy Hinton, Jr., Esquire, certify that on this 4th day of November 2022, I caused a true and correct copy of the foregoing Interrogatories (Set III) to Plaintiff to be served upon the following parties via United States Mail postage prepaid and by email:

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

Respectfully submitted:

Date: 11-4-2022



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

.....

PLAINTIFF'S RESPONSE TO DEFENDANTS' INTERROGATORIES (SET III)

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendants' Interrogatories (Set III) to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.
2. Plaintiff generally objects to Defendants' Interrogatories (Set III) to the extent they seek information protected by the attorney-client privilege and/or the attorney work-product doctrine.
3. Plaintiff generally objects to Defendants' Interrogatories (Set III) to the extent they improperly seek information that is not relevant to any of the issues in this dispute and/or are not reasonably calculated to lead to the discovery of admissible evidence.
4. Plaintiff generally objects to Defendants' Interrogatories (Set III) as discovery has not yet closed and this matter has not yet been prepared for trial.
5. Accordingly, these Answers are made without prejudice to Plaintiff's right to amend the answers set forth herein and/or to present additional information that is hereafter obtained or evaluated.
6. Plaintiff generally objects to Defendants' Interrogatories (Set III) to the extent they cause unreasonable annoyance, embarrassment, oppression, burden and/or expense.
7. Plaintiff generally objects to each of Defendants' Interrogatories (Set III) to the extent that their scope exceeds the scope of discovery permitted by the Pennsylvania Rules of Civil Procedure.
8. Plaintiff generally objects to Defendants' Interrogatories (Set III) to the extent that formulating full and complete answers would require Plaintiff to review documents not presently in Plaintiff's possession, custody and/or control.
9. Plaintiff generally objects to Defendants' Interrogatories (Set III) to the extent they imply that information is to be provided by more than one person other than the responding Plaintiff. These Interrogatory Answers have been made to the best of Plaintiff's

knowledge, with the assistance of counsel. These answers do not represent the knowledge of any person other than the answering Plaintiff.

10. Plaintiff generally objects to the instructions provided in Defendants' Interrogatories (Set III) to the extent they are inconsistent with or exceed the requirements of the Pennsylvania Rules of Civil Procedure.
11. Plaintiff responds to Defendants' Interrogatories (Set III) subject to and without waiver of all the foregoing General Objections. Plaintiff has made reasonable efforts to respond to Defendants' Interrogatories (Set III) as Plaintiff understands and interprets them. If Defendant(s) subsequently seek(s) information not yet identified, Plaintiff reserves the right to supplement these Answers. Further, Plaintiff specifically reserves the right to supplement these Answers base upon information which is discovered in the process of preparing for hearings or trial and information not yet obtained.

SPECIFIC OBJECTIONS

Without waiver of the foregoing General Objections, Plaintiff responds as follows to Defendants' Interrogatories (Set III).

INTERROGATORIES

1. Please **identify** the members of Plaintiff's security detail at any time during the years 2009 and 2010.

ANSWER: Plaintiff did not have security detail at any time during the years of 2009 and 2010.

2. Does **Plaintiff** still have the cell phone number (570) 780-4567 in use?

ANSWER: Yes.

3. Does **Plaintiff** have possession of the actual cell phone he used for phone number (570) 780-4567 during 2009 and 2010?

ANSWER: No.

4. Has **Plaintiff communicated** with his wife, Dorothea Godlewski, about his **Lawsuit** or his damages from the **Article**?

ANSWER: Yes.

If **Plaintiff** answers “yes”, please state the dates of such **communications**, the form of such **communications** (live in person, phone, text or email) and the substance of each **communication** (such participant stated) on each specific date of the communication.

ANSWER: Plaintiff does not recall the specific dates of communication. Plaintiff communicated via telephone and in person regarding the effects of defamation on Plaintiff’s children. Plaintiff and ex-wife discussed how to navigate the very defamatory statements made by Defendant Kelly, with regards to children’s schooling, their teachers, their friends, etc.

5. Has **Plaintiff** communicated with his mother, Marie Godlewski, about his **Lawsuit** or his damages from the **Article**?

ANSWER: No.

If **Plaintiff** answers “yes”, please state the dates of such **communications**, the form of such **communications** (live in person, phone, text or email) and the substance of each **communication** (such participant stated) on each specific date of the **communication**.

ANSWER: N/A.

6. Has **Plaintiff** communicated with [REDACTED] about his **Lawsuit** or his damages from the **Article**?

ANSWER: Yes.

If **Plaintiff** answers “yes”, please state the dates of such **communications**, the form of such **communications** (live in person, phone, text or email) and the substance of each **communication** (such participant stated) on each specific date of the **communication**.

ANSWER: Plaintiff does not recall the specific date of communication. Plaintiff spoke with [REDACTED] in person regarding the filing and warned that it was eminent. Plaintiff asked

if [REDACTED] would rather Plaintiff forego filing, so as to avoid any stress into her life. ([REDACTED])
said to file so that they could both set the record straight.

Respectfully Submitted,

KOLMAN LAW, P.C.

/s/ Timothy M. Kolman

Timothy M. Kolman, Esquire
414 Hulmeville Ave
Penndel, PA 19047
(215) 750-3134
Attorney for Plaintiff

Dated: November 8, 2022

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, Timothy M. Kolman, Esquire, certify that on this 7th day of November 2022, I caused a true and correct copy of the foregoing Interrogatories (Set III) to Plaintiff to be served upon the following parties via United States Mail postage prepaid and by email:

J. Timothy Hinton, Jr., Esquire
Haggerty Hinton & Cosgrove LLP
1401 Monroe Ave., Suite 2
Dunmore, PA 18509
Attorneys for Defendants

Respectfully Submitted,

KOLMAN LAW, P.C.

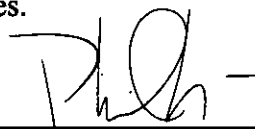
/s/ Timothy M. Kolman
Timothy M. Kolman, Esquire
414 Hulmeville Ave
Penndel, PA 19047
(215) 750-3134
Attorney for Plaintiff

Dated: November 8, 2022

VERIFICATION

I, Philip Godlewski, verify that the statements made in *Plaintiff's Response to Defendants' Interrogatories (Set III)*, are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 PA. C.S., Subsection 4904, relating to unsworn falsification to authorities.

Date: **11/8/22**



Philip Godlewski – Plaintiff

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

.....
AFFIDAVIT

STATE OF PENNSYLVANIA

COUNTY OF LACKAWANA

:
: ss.
:

I, [REDACTED], an adult individual who resides at [REDACTED]

[REDACTED] being duly sworn according to law hereby swears and affirms as follows:

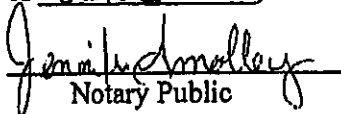
1. My date of birth is [REDACTED]. A copy of my driver's license is attached to this Affidavit.
2. I was the minor victim in the criminal case brought against Philip Godlewski in July 2010.
3. In September of 2008 I began ninth (9th) grade at Riverside High School at the age of 15 years old.
4. On November 10, 2008, my boyfriend, Joseph Strok, III, committed suicide. I was very upset by his death.
5. Shortly before Joseph Strok's death I met Philip Godlewski. I began communicating with him after Joseph's death. Philip Godlewski was 10 years older than me.
6. Within a couple of months after Joseph Strok's death I began having a sexual relationship with Philip Godlewski. I was fifteen (15) years old when we started our sexual relationship.
7. Philip Godlewski bought me gifts including jewelry, a hat and other items during the first few months of our relationship.

8. Philip Godlewski and I had sex multiple times while I was a ninth (9th) grade and tenth (10th) grade student at Riverside High School.
9. Philip Godlewski was charged with crimes relating to our sexual relationship in July of 2010.
10. Philip Godlewski and I continued to communicate with each other while the criminal case was pending against him.
11. After Philip Godlewski was arrested, he pleaded with me not to testify against him and said he would commit suicide if I testified against him.
12. In response to Philip Godlewski's pleas and just wanting the situation to end, I stopped cooperating with the District Attorney's office during the criminal case against him and I refused to testify against Philip Godlewski at the preliminary hearing in the criminal case.
13. Philip Godlewski and I continued our sexual relationship in the 2014-16 time period after his criminal case was over.

I, [REDACTED] do hereby swear and affirm that the statements made in this affidavit are true and correct to the best of my personal knowledge, information, and/or belief. I am of sound mind and I make this Affidavit of my own free will. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.



Sworn to and Subscribed

before me this 31st day
of October, 2022.

Notary Public

Commonwealth of Pennsylvania - Notary Seal
Jennifer Smolley, Notary Public
Lackawanna County
My commission expires September 4, 2024
Commission number 1377207
Member, Pennsylvania Association of Notaries

DATE: January 27, 2009

TO: Mr. J. Moceyunas
Principal
Riverside Junior/Senior High School

FROM: Mr. Paul [REDACTED]
Ms. Linda [REDACTED]

RE: Relationship between Phil Godlewsky and our Daughter, [REDACTED]

Per your request, we are stating the disturbing fact that we have recently become aware that our daughter, [REDACTED] 15 and a Freshman at Riverside, has been engaged in a relationship with an adult male employed by the Riverside School District. His name is Phil Godlewsky.

Our daughter has admitted this relationship to both of us as well as to her counselor. From @ November of 2008 to the present, she has received numerous gifts from this man including diamond earrings (\$2,859) from Zales Jewelers, a diamond and sapphire necklace (@\$289), an expensive hat (\$95), as well as some other items.

Linda has heard them speaking on the phone and has phone records to prove that they have spoken and texted during school hours, throughout the days and long into the nights.

This relationship is clearly inappropriate and we fully support any action taken by the district such as the removal of this man from the coaching staff.

Thank you for your attention to this matter.

Sincerely,

Paul [REDACTED]

Paul [REDACTED]

Linda [REDACTED]





Message from [redacted] (45) [redacted]
 [redacted] (owner)

I had heard a your Papa died. I'm so sorry

Message part	Delivered	Read	Played
Text		3/31/2011	
		8:11:28 PM (UTC-4)	

Status: Read

3/31/2011 7:41:19 PM (UTC-4)

Source Extraction:
 Advanced Logical (2)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x4BF7245 (Table: message, handle, chat, Size: 230079232 bytes)

Message from [redacted] (45) [redacted]
 [redacted] (owner)

I think we had sex in their bed though

Message part	Delivered	Read	Played
Text		3/31/2011	
		8:11:28 PM (UTC-4)	

Status: Read

3/31/2011 7:43:50 PM (UTC-4)

Source Extraction:
 Advanced Logical (2)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x4C0425F (Table: message, handle, chat, Size: 230079232 bytes)





(owner)
To: +15707804567 Phil
To: + [redacted] (owner)

but yes we did and I mean it makes sense considering we've probably had sex in like 40% of the homes in northeastern Pennsylvania

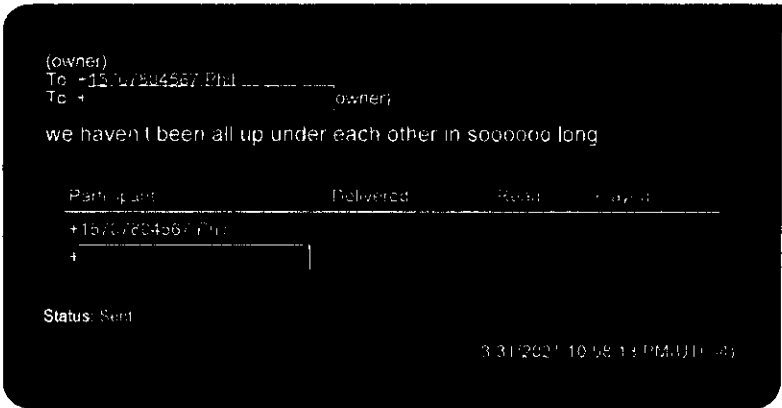
Participant	Delivered	Read	Played
+15707804567 Phil			
+ [redacted]			

Status: Sent

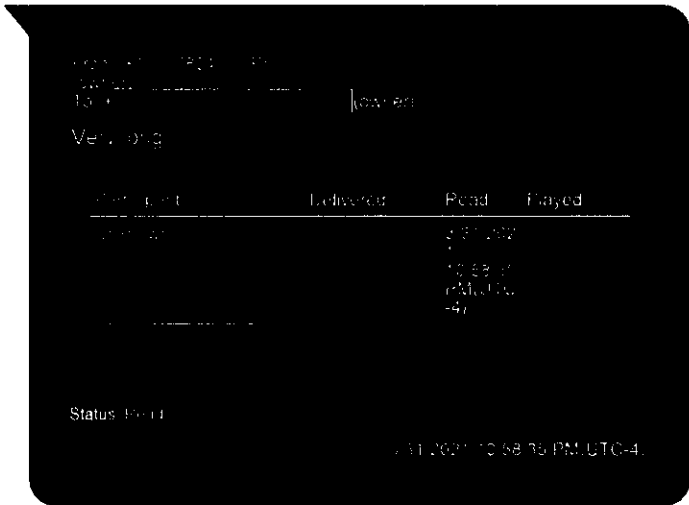
3/31/2021 8:14:23 PM(UTC-4)

Source Extraction:
Advanced Logical (2)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x4C03F58 (Table: message, handle, chat; Size: 230879232 bytes)

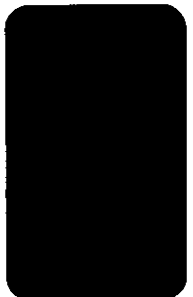


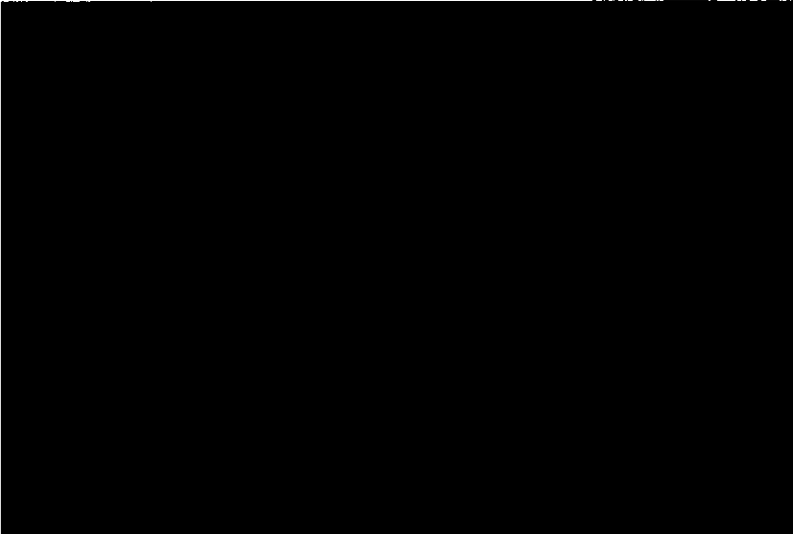


Source Extraction:
Advanced Logical (2)
Source Info:
[REDACTED] iPhone/mobile/Library/SMS/sms.db : 0x4BE9AC1 (Table: message, handle, chat, Size: 230679232 bytes)



Source Extraction:
Advanced Logical (2)
Source Info:
[REDACTED] iPhone/mobile/Library/SMS/sms.db : 0x4BE13B8 (Table: message, handle, chat, Size: 230679232 bytes)





3/31/2021 11:45:07 PM
 (name)

Yeah, I think it got bigger. Not sure if that's a thing but it feels like it did

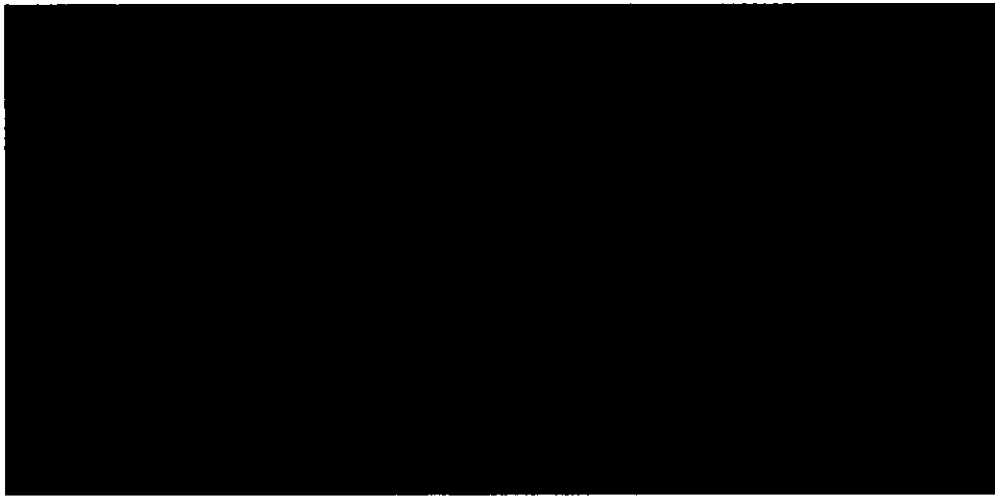
Time	Duration	Read	Played
3/31/2021 11:30:05 UTC-4			

Status: []

3/31/2021 11:29:54 PM(UTC-4)

Source Extraction:
 Advanced Logical (2)
 Info:
 iPhone/mobile/Library/SMS/sms.db 0x4BD5A77 (Table: message, handle, chat; Size: 230679232 bytes)





From: [REDACTED] (10455) [REDACTED]
 To: [REDACTED] (10455) [REDACTED]
 Subject: [REDACTED]

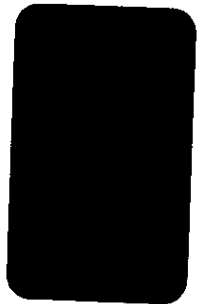
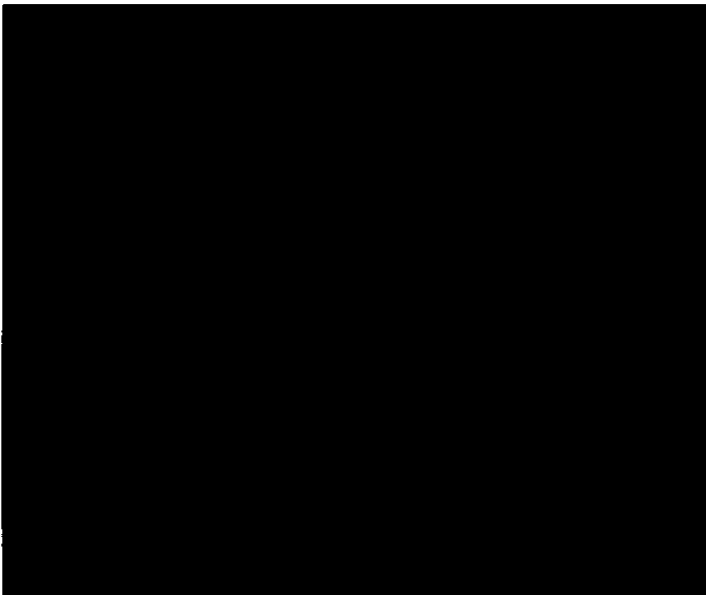
YO WANNA GO TO OKLAHOMA??

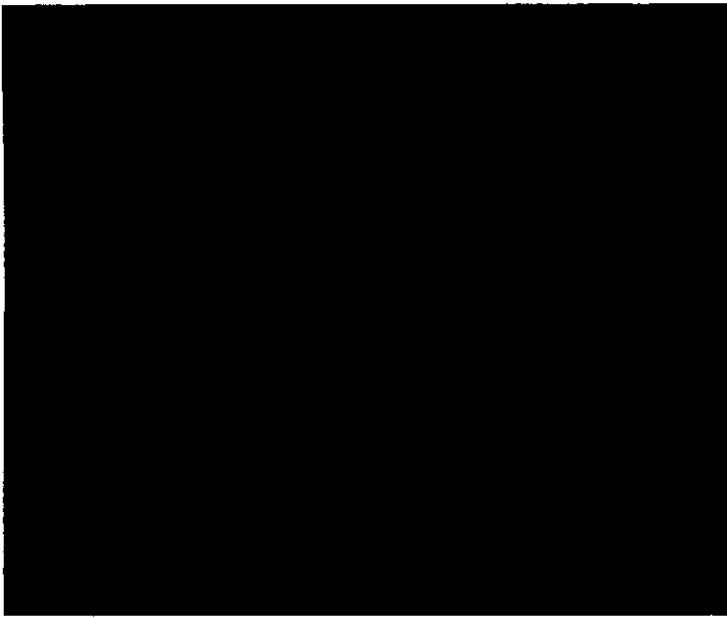
From	Delivered	Read	Played
[REDACTED]		4/2/2021 3:35:09 PM(UTC -4)	

Status: [REDACTED]

4/2/2021 3:35:05 PM(UTC-4)

Source Extraction:
 Advanced Logical (2)
 Source Info:
 iPhone/mobile/Library/SMS/sms.db : 0x4BB5AF9 (Table: message, handle, chat; Size
 79232 bytes)





From: [REDACTED] (owner)

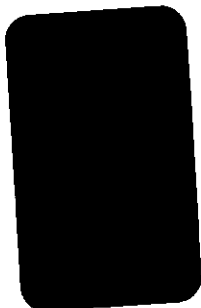
Msg: I'm good. I feel better that she's gone to be honest. The sex sucked or was non-existent, but always one of the 2. She was constantly miserable. She wasn't even really a great mother. The kids always wanted to be with me and not her. It was a disaster.

Participant	Delivered	Read	Played
[REDACTED]		3/31/2021 4:09:31 PM(UTC-4)	

Status: Read

3/31/2021 4:09:04 PM(UTC-4)

Source Extraction:
Advanced Logical (2)
Source Info:
[REDACTED] iPhone/mobile/Library/SMS/sms.db : 0x4BFC52A (Table: message, handle, chat, Size: 230879232 bytes)





[Redacted]
 [Redacted]

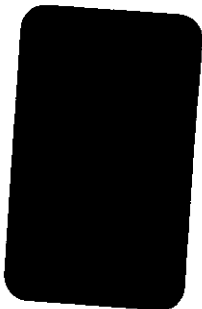
I think it might be fair to say that there is a very, very large, and very, very unique financial opportunity that exists in front of you.

Timestamp	Delivered	Read	Played
[Redacted]	[Redacted]	[Redacted]	[Redacted]

Status: [Redacted]

5/28/2022 3:50:58 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 iPhone/mobile/Library/SMS/sms.db : 0x239F83 (Table: message, handle, chat; Size 29642752 bytes)



From: [redacted] (owner)
 To: +15707804567 Phil

LOL

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:15 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:15 PM (UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x239C99 (Table: message, chat, handle; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707804567 Phil

The type of priority that happens to hardly anyone

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:19 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:19 PM (UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x239A87 (Table: message, handle, chat; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707804567 Phil

dude I know it makes me want to throw up

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:28 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:27 PM (UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23984A (Table: message, chat, handle; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707694567 (PH)

And everyone knows but me

Participant	Delivered	Read	Played
+15707694567 (PH)	5/28/2022 3:51:33 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:07 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 iPhone/mobile/Library/SMS/sms.db : 0x2395F8 (Table: message, chat, handle; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707694567 (PH)

Mom mom can't look me in the eyes for more than 1.2 seconds

Participant	Delivered	Read	Played
+15707694567 (PH)	5/28/2022 3:51:55 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:59 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 iPhone/mobile/Library/SMS/sms.db : 0x2393C2 (Table: message, chat, handle; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707694567 (PH)

Why?

Participant	Delivered	Read	Played
+15707694567 (PH)	5/28/2022 3:52:05 PM(UTC-4)		

Status: Sent

5/28/2022 3:52:05 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 iPhone/mobile/Library/SMS/sms.db : 0x2393C2 (Table: message, chat, handle; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707804567 Pnt

Cause everyone knows but me it seems like

Participant	Delivered	Read	Played
+15707804567 Pnt	5/28/2022 3:52:36 PM (UTC-4)		

Status: Sent

5/28/2022 3:52:36 PM (UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23AAF5 (Table: message, chat, handle; Size: 29642752 bytes)

[redacted] (owner)
 To: +15707804567 Pnt

I dont think we're talking about the same thing. Ms. [redacted]

Participant	Delivered	Read	Played
+15707804567 Pnt	5/28/2022 3:52:36 PM (UTC-4)		

Status: Sent

5/28/2022 3:52:36 PM (UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23A895 (Table: message, handle, chat; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707804567 Pnt

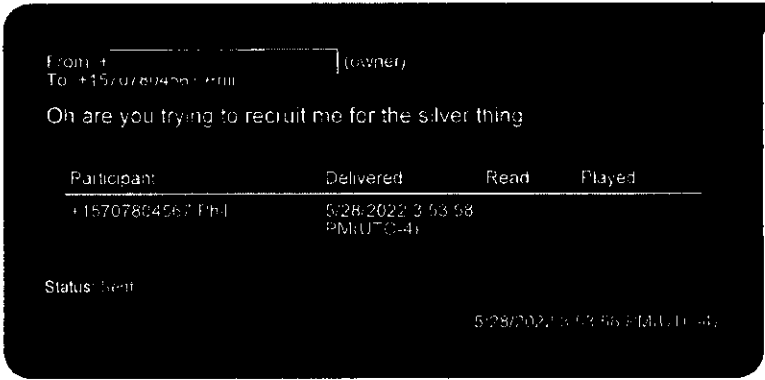
Laughed at "I dont think we're talking about the same thing. Ms. [redacted]"

Participant	Delivered	Read	Played
+15707804567 Pnt	5/28/2022 3:53:18 PM (UTC-4)		

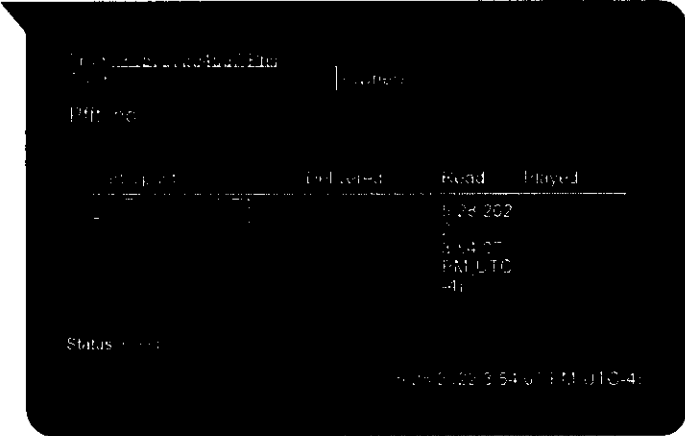
Status: Sent

5/28/2022 3:53:18 PM (UTC-4)

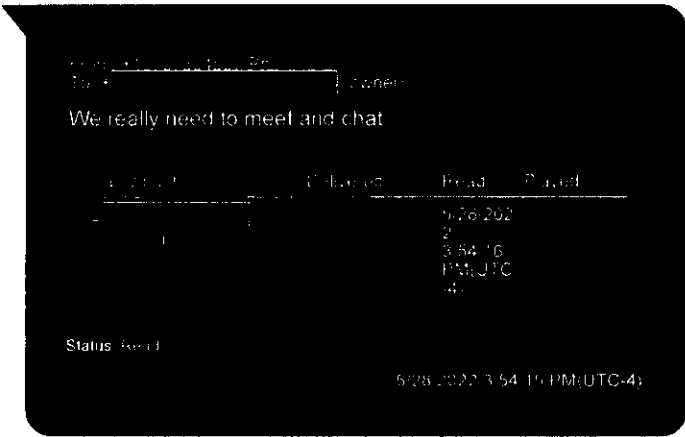
Source Extraction:
 Logical (1), Advanced Logical (1)
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23A59B (Table: message, chat, handle; Size: 29642752 bytes)



Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x23A2F5 (Table: message, chat, handle; Size: 29642752 bytes)



Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x23BF83 (Table: message, handle, chat; Size: 29642752 bytes)



Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x23BD96 (Table: message, handle, chat; Size: 29642752 bytes)

From: [redacted] (owner)
 To: +15707804567 Phil

Laughed at 'Pfft, no'

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:54:15 PM(UTC-4)		

Status: Sent

5/28/2022 3:54:15 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23BB3F (Table: message, chat, handle; Size: 28642752 bytes)

From: [redacted] (owner)
 To: [redacted]

I can't talk about this through text or over the phone

Participant	Delivered	Read	Played
[redacted]		5/28/2022 3:54:33 PM(UTC-4)	

Status: Sent

5/28/2022 3:54:33 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23B900 (Table: message, handle, chat; Size: 29842752 bytes)

From: [redacted] (owner)
 To: +15707804567 Phil

I can't meet up or see anyone right now I'm going through some stuff physically and basically doing a cleanse of my system and got my period yesterday and I'm barely alive

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:58:07 PM(UTC-4)		

Status: Sent

5/28/2022 3:58:06 PM(UTC-4)

Source Extraction:
 Advanced Logical (1)
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23B6C3 (Table: message, chat, handle; Size: 29842752 bytes)

From: +15708349571 (Phil) [owner]
To: +15708349571 (Phil) [owner]
doesn't have to be today. Some stuff physically? Wtf?

Participant	Delivered	Read	Played
+15708349571 (Phil)	5/28/2022 3:58:46 PM (UTC-4)		

Status: Sent
5/28/2022 3:58:46 PM (UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
iPhone/mobile/Library/SMS/sms.db : 0x23CF83 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15708349571 (Phil) [owner]
To: +15708349571 (Phil) [owner]
You needed jag me.

Participant	Delivered	Read	Played
+15708349571 (Phil)	5/28/2022 3:58:56 PM (UTC-4)		

Status: Sent
5/28/2022 3:58:56 PM (UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
iPhone/mobile/Library/SMS/sms.db : 0x23CA16 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15708349571 (Phil) [owner]
To: +15708349571 (Phil) [owner]

No I'm not

Participant	Delivered	Read	Played
+15708349571 (Phil)	5/28/2022 3:59:03 PM (UTC-4)		

Status: Sent
5/28/2022 3:59:03 PM (UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
iPhone/mobile/Library/SMS/sms.db : 0x23C813 (Table: message, chat, handle; Size: 29642752 bytes)

From: [redacted] (Mobile)
To: +15707804567 (Phil)

No one will ever understand what I just went through this semester

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:55:19 PM(UTC-4)		

Status: Sent

5/28/2022 3:55:19 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x23C5F7 (Table: message, chat, handle, Size: 29642752 bytes)

From: [redacted] (Mobile)
To: +15707804567 (Phil)

I'm kinda of worried about you

Participant	Delivered	Read	Played
[redacted]	5/28/2022 4:00:58 PM(UTC-4)		

Status: Sent

5/28/2022 4:00:58 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x23C364 (Table: message, handle, chat, Size: 29642752 bytes)

From: [redacted] (Mobile)
To: +15707804567 (Phil)

Why

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:01:50 PM(UTC-4)		

Status: Sent

5/28/2022 4:01:50 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted] iPhone/mobile/Library/SMS/sms.db : 0x23DF6D (Table: message, chat, handle, Size: 29642752 bytes)

From: +15707804567 (owner)
To: +15707804567 (Phil)

Idk, you're talking all crazy-bants. Doesn't seem like the [redacted] I know.

Participant	Delivered	Read	Played
[redacted]		5/28/2022 4:07:13 PM(UTC-4)	

Status: Sent

5/28/2022 4:07:13 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted]/mobile/Library/SMS/sms.db : 0x23DD78 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15707804567 (owner)
To: +15707804567 (Phil)

No I'm very okay I just legit went through 8 months of semi-torture and it only ended like two days ago so I'm trying to do the right thing and get my mind and body in order and detox off of medication I've been on since I got sober 6 years ago and it doesn't help all my accounts got hacked and I can't talk to anyone about anything until I have my answers about what exactly I'm going to be doing for work which will be on Tuesday. I'm honestly just exhausted and healing.

Participant	Delivered	Read	Played
+15707804567 Phil		5/28/2022 4:07:05 PM(UTC-4)	

Status: Sent

5/28/2022 4:07:05 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted]/mobile/Library/SMS/sms.db : 0x230B17 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 (owner)
To: +15707804567 (Phil)

Truly

Participant	Delivered	Read	Played
+15707804567 Phil		5/28/2022 4:07:11 PM(UTC-4)	

Status: Sent

5/28/2022 4:07:11 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
[redacted]/mobile/Library/SMS/sms.db : 0x23D1AD (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil [owner]
To: [redacted]

Okay. Well that makes me feel better. When you're ready, I have an opportunity that involves the both of us. But it won't work with just one of us. I don't know which way to go with it until I speak to you. So, remember me for when you feel better, and we'll talk.

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:18:58 PM (UTC-4)		

Status: Sent

5/28/2022 4:18:58 PM (UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
iPhone/mobile/Library/SMS/sms.db : 0x23EF83 (Table: message, handle, chat; Size: 28642752 bytes)

From: [redacted] [owner]
To: +15707804567 Phil

I know I've been wanting to talk to you about almost the same thing weirdly enough. I've been the one who has wanted to square things up with you that has nothing to do with romance or Amanda that would save both of our reputations but I didn't plan on talking to you about anything until my school stuff was over. I got my diploma and my job was written in stone. I'm sure Amanda told you a little bit which is okay cause it wasn't a secret at least not from you we got our lives dragged through the mud for years together and it has affected us both professionally to the point where my internship was based on my ethics and morals but I passed with flying colors and pretty sure I may have gotten an almost full ride to get my MSJ in data and privacy law. So yeah I'm okay and I know you've had to defend yourself for years which a lot hasn't had to do with me but I don't like that people make it seem like you were some creep or I was some homewrecking little tramp and I think us having each other's backs in some regards benefits both of us.

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:18:58 PM (UTC-4)		

Status: Sent

5/28/2022 4:18:58 PM (UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
iPhone/mobile/Library/SMS/sms.db : 0x23EB8D (Table: message, chat, handle; Size: 28642752 bytes)

From: +15707804567 Phil [owner]
To: [redacted]

I agree. But it's a very delicate situation, and unless it's handled properly by both of us, we stand to benefit absolutely nothing. And there is a financial windfall here, if handled properly. That's all I can really say through text. I don't trust those motherfuckers and I am literally foaming at the mouth to take them down once and for all.

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:21:30 PM (UTC-4)		

Status: Read

5/28/2022 4:21:24 PM (UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
iPhone/mobile/Library/SMS/sms.db : 0x23FF83 (Table: message, handle, chat; Size: 28642752 bytes)

Don't have Telegram yet? Try it now!



Phil Godlewski

I will be suing the Scrantion Times Tribune for Defamation and Libel. I was hoping the reporter would do exactly what he did. He took the bait.

t.me/phil_godlewski/420

8.3K

Feb 14 at 14:21

EMBED

VIEW IN CHANNEL

CONTEXT





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

November 10, 2022

VIA EMAIL AND FIRST-CLASS MAIL

Tkolman@kolmanlaw.com
Timothy M. Kolman, Esq.
414 Hulmeville Ave.
Pennel, PA 19047

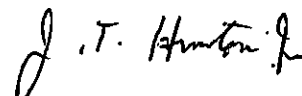
Re: Philip Godlewski vs. Chris Kelly,
et al.
No. 2021-CV-2195

Dear Attorney Kolman:

Enclosed are Defendants' Interrogatories (Set IV) directed to Plaintiff in the above-referenced case.

Thank you.

Very truly yours,


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

.....

DEFENDANTS' INTERROGATORIES (SET IV)
DIRECTED TO PLAINTIFF

Pursuant to Rules 4006 of the Pennsylvania Rules of Civil Procedure, you are requested to answer the following Interrogatories. You are requested to answer the Interrogatories separately and under oath, within thirty (30) days after service hereof. In answering these Interrogatories, you are required to furnish all information that is available to you, that which can be learned through reasonable inquiry.

The Answers shall be inserted in the spaces provided following the Interrogatories. If there is insufficient space to answer the Interrogatory, the remainder of the answer shall follow on a supplemental sheet.

If any of these Interrogatories cannot be answered in full, please answer to the extent possible and specify the reason for your inability to answer the remainder.

These Interrogatories are continuing in nature and require you to file supplementary answers pursuant to Rule 4007.4 of your inability to answer the remainder.

INSTRUCTIONS

A. Each Interrogatory shall be answered separately and under oath. No Interrogatory should be left blank. If the answer to any Interrogatory is no, none, or unknown, such response should be written.

B. In answering these Interrogatories, you shall furnish all information available to you at the time of answering and shall supplement your answers without demand as soon as any additional information is known.

C. If a privilege or the work product doctrine is asserted with respect to a document or communication, state the following: (a) the nature of the **privilege** or reason for the withholding which you contend applies; (b) the factual basis for your assertion of **privilege** or the reason for withholding; (c) the type of document (*e.g.* letter, memorandum, telex, etc.); (d) all persons to whom the document was distributed, shown or explained; (e) all authors and addresses; (f) all indicated and blind copies; (g) the document's date; (h) a summary description of the document's

subject matter; (i) the number of pages and attachments or appendices comprising the document; and (j) its present custodian.

DEFINITIONS

As used herein, the following terms when used in an Interrogatory shall have the following meanings:

- A. "You" and "your" shall mean or refer to Plaintiff or Philip Godlewski.
- B. "Lawsuit" shall mean No. 2021-CV-2195, Philip Godlewski v. Chris Kelly, Times Shamrock Communications, The ScrantonTimes-Tribune, Larry Holeva.
- C. "Plaintiff" means Philip ("Phil") Godlewski his agents and representatives, including, without limitation, his attorneys, and all other persons acting or purporting to act on his behalf.
- D. "Defendants" mean Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva.
- E. "Social Media" means any interactive technology that allows the creation or sharing/exchange of information, ideas, career interests, and other forms of expression via virtual communities and networks.

INTERROGATORIES

1. What year did you first become a real estate agent?

ANSWER:

2. When did you first meet Keri Maher? Was this first meeting in person or through social media?

ANSWER:

3. Where and when did you first meet Keri Maher in person?

ANSWER:

4. What is your custody schedule for your children [REDACTED]?

ANSWER:

5. Did you have sex or a sexual relationship with Miranda Polidori at any time?

ANSWER:

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER:

6. Did you have sex or a sexual relationship with Amanda Turoni at any time?

ANSWER:

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER:

7. Did you have sex or a sexual relationship with [REDACTED] at any time?


ANSWER:

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER:

Date: 11-10-2022

Respectfully submitted:



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

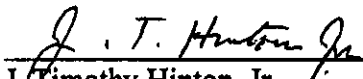
CERTIFICATE OF SERVICE

I, J. Timothy Hinton, Jr., Esquire, certify that on this 10th day of November 2022, I caused a true and correct copy of the foregoing Interrogatories (Set IV) to Plaintiff to be served upon the following parties via United States Mail postage prepaid and by email:

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

Respectfully submitted:

Date: 11-10-2022



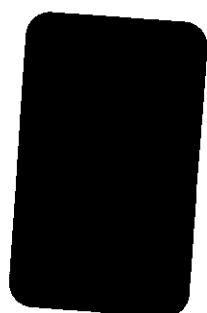
 J. Timothy Hinton, Jr.
Haggerty Hinton & Cosgrove LLP
 PA I.D. No. 61981
 1401 Monroe Ave., Suite 2
 Dunmore, PA 18509
 Attorneys for Defendants,
 Chris Kelly, Times Shamrock
 Communications, The Scranton Times-
 Tribune and Larry Holeva

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

PLAINTIFF'S RESPONSE TO DEFENDANT'S INTERROGATORIES SET IV

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.
2. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they seek information protected by the attorney-client privilege and/or the attorney work-product doctrine.
3. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they improperly seek information that is not relevant to any of the issues in this dispute and/or are not reasonably calculated to lead to the discovery of admissible evidence.
4. Plaintiff generally objects to Defendants' Interrogatories (Set IV) as discovery has not yet closed and this matter has not yet been prepared for trial.
5. Accordingly, these Answers are made without prejudice to Plaintiff's right to amend the answers set forth herein and/or to present additional information that is hereafter obtained or evaluated.
6. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they cause unreasonable annoyance, embarrassment, oppression, burden and/or expense.
7. Plaintiff generally objects to each of Defendants' Interrogatories (Set IV) to the extent that their scope exceeds the scope of discovery permitted by the Pennsylvania Rules of Civil Procedure.
8. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent that formulating full and complete answers would require Plaintiff to review documents not presently in Plaintiff's possession, custody and/or control.
9. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they imply that information is to be provided by more than one person other than the responding Plaintiff. These Interrogatory Answers have been made to the best of Plaintiff's



knowledge, with the assistance of counsel. These answers do not represent the knowledge of any person other than the answering Plaintiff.

10. Plaintiff generally objects to the instructions provided in Defendants' Interrogatories (Set IV) to the extent they are inconsistent with or exceed the requirements of the Pennsylvania Rules of Civil Procedure.
11. Plaintiff responds to Defendants' Interrogatories (Set IV) subject to and without waiver of all the foregoing General Objections. Plaintiff has made reasonable efforts to respond to Defendants' Interrogatories (Set IV) as Plaintiff understands and interprets them. If Defendant(s) subsequently seek(s) information not yet identified, Plaintiff reserves the right to supplement these Answers. Further, Plaintiff specifically reserves the right to supplement these Answers base upon information which is discovered in the process of preparing for hearings or trial and information not yet obtained.

SPECIFIC OBJECTIONS

Without waiver of the foregoing General Objections, Plaintiff responds as follows to Defendants' Interrogatories (Set IV).

INTERROGATORIES

1. What year did you first become a real estate agent?

ANSWER: Around 2007 or 2008.

2. When did you first meet Keri Maher? Was this first meeting in person or through social media?

ANSWER: Plaintiff first met Keri Maher in August 2021 through social media.

3. Where and when did you first meet Keri Maher in person?

ANSWER: Plaintiff first met Keri Maher in October 2021 and she stayed at Plaintiff's home for 1 week.

4. What is your custody schedule for your children [REDACTED]?

ANSWER: Plaintiff has 50% custody of children.

5. Did you have sex or a sexual relationship with Miranda Polidori at any time?

ANSWER: Yes.

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER: Plaintiff had sexual relationship with Miranda Polidori for a month or two in 2018. Plaintiff does not recall specifics.

6. Did you have sex or a sexual relationship with Amanda Turoni at any time?

ANSWER: No.

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER: N/A.

7. Did you have sex or a sexual relationship with [REDACTED] at any time?

ANSWER: No.

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER: N/A.

Respectfully submitted:

Date: 11/18/2022

/s/ Timothy M. Kolman

Timothy M. Kolman, Esquire
Kolman Law, P.C.
414 Hulmeville Avenue
Pennel, Pennsylvania 19047
Attorney for Plaintiff

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 OF SERVICE

I, Timothy M. Kolman, Esquire, certify that on this 18th day of November 2022, I caused a true and correct copy of the *Plaintiff's Response to Defendant's Interrogatories Set (IV)* to be served upon the following parties via email:

J. Timothy Hinton, Jr., Esquire
Haggerty Hinton & Cosgrove LLP
1401 Monroe Avenue, Suite 2
Dunmore, Pennsylvania 18509
Attorney for Defendants

Respectfully submitted:

Date: 11/18/2022


/s/ Timothy M. Kolman
Timothy M. Kolman, Esquire
Kolman Law, P.C.
414 Hulmeville Avenue
Penndel, Pennsylvania 19047
Attorney for Plaintiff

MAURI B. KELLY
LACKAWANNA COUNTY
2022 NOV 22 P 2:21
CLERK OF JUDICIAL
RECORDS CIVIL DIVISION

VERIFICATION

I, Philip Godlewski, verify that the statements made in *Plaintiff's Response to Defendants' Interrogatories (Set IV)*, are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 PA. C.S., Subsection 4904, relating to unsworn falsification to authorities.

Date: 11/18/22



Philip Godlewski – Plaintiff