

PHILIP GODLEWSKI,  
Plaintiff

v.

CHRIS KELLY, et al.  
Defendants.

IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY

CIVIL DIVISION

JURY TRIAL DEMANDED

No.: 2021-CV-2195

**PETITION FOR ISSUANCE OF A COMMISSION TO  
TAKE OUT OF STATE DEPOSITON**

Defendants, Chris Kelly, The Scranton Times, L.P. and Larry Holeva, by and through their attorneys, Haggerty Hinton & Cosgrove LLP, respectfully petition this Court pursuant to Pa. R.C.P. No. 4015 and 42 Pa. Cons. Stat. § 5325 for the issuance of a commission to take an out of state deposition upon oral examination upon the following basis:

1. Defendants propose to take the deposition upon oral examination of a corporate designee of Harvard University located in Massachusetts on June 23 2023, via Zoom before a Standing Commissioner or other person authorized by law to administer oaths, pursuant to a notice of deposition dated May 12, 2023, a true and correct copy of which is attached as Exhibit "A".
2. Pursuant to Pa. R.C.P. 4007.1(d) and as stated in the attached notice of deposition, Defendants propose to serve Harvard University with a subpoena issued pursuant to the laws of Massachusetts and issued by a Massachusetts Court.
3. Veritext Legal Solutions is a court reporting agency that provides deposition and litigation support solutions across all of North America with certified court reporters that are competent and qualified to execute a commission for taking the deposition of a corporate designee of Harvard University.
4. The Veritext court reporter is not an attorney of any party to this action, nor a relative

MAURI B. KELLY  
LACKAWANNA COUNTY  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION  
2023 MAY 23 AM 9:11

**SCANNED  
MBK**

or employee of any party or such party's attorney, and has no financial interest in this action as would disqualify him/her under Pa. R.C.P. No. 4015(c).

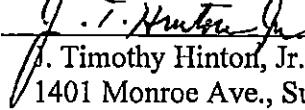
5. In order to effectuate said order and secure the testimony of a corporate designee of Harvard University a commission should issue to Veritext Legal Solutions.

WHEREFORE, Defendants respectfully request that this Court authorize the issuance of a commission to Veritext Legal Solutions pursuant to Pa. R.C.P. No. 4015 and 42 Pa. Cons. Stat. §5325, to take the out of state deposition of the appointed corporate designee from Harvard University upon oral examination in accordance with Pennsylvania Rules of Civil Procedure.

RESPECTFULLY SUBMITTED,

HAGGERTY HINTON & COSGROVE LLP

Date: 5-12-2023

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

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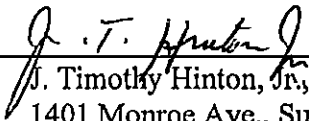
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of May 2023, I caused to be served by electronic mail, a true and correct copy of the foregoing Petition for Issuance of a Commission to take Out of State Deposition upon all parties:

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, The Scranton Times, L.P.,  
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**

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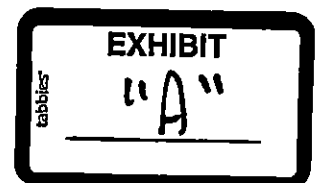
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**NOTICE OF TAKING DEPOSITIONS ON ORAL EXAMINATION**  
**UNDER PENNSYLVANIA R.C.P. 4007.1**

DEPONENT: Corporate Designee of Harvard University

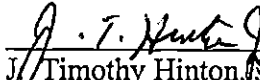
**NOTICE IS HEREBY GIVEN**, that pursuant to R.C.P. 4007, the above-referenced deponent's deposition will be taken by the undersigned Plaintiffs' counsel before a Standing Commissioner or other person authorized by law to administer oaths on **Friday, June 23, 2023 at 11:00 a.m. via Zoom**. The deposition will be recorded by stenographic means and/or by utilizing digital audio recording equipment and/or video recording equipment. The subject matter of the deposition will be to inquire into the facts and circumstances surrounding all matters listed below:

1. The enrollment of Phil Godlewski (SS# and DOB to be provided) in any Harvard University or Harvard Business School program since 2002, including, but not limited to, a program called "Certificate of Master in Negotiation Mastery" and the requirements of the program;
2. Any certificates or degrees conferred upon Phil Godlewski since 2002 by Harvard University or Harvard Business School;
3. The dates Phil Godlewski attended or completed any educational programs or courses conducted by Harvard University or Harvard Business School;
4. The authenticity of the purported certificate attached hereto as Exhibit "A".



RESPECTFULLY SUBMITTED,

BY:

  
\_\_\_\_\_  
J. Timothy Hinton, Esq.  
HAGGERTY HINTON & COSGROVE LLP  
1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
Ph: (570) 344-9845  
[timhinton@haggertylaw.net](mailto:timhinton@haggertylaw.net)  
Attorneys for Defendants,  
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*and Larry Holeva*

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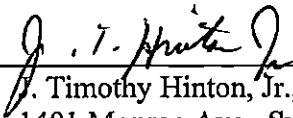
I hereby certify that on this 12<sup>th</sup> day of May 2023, I caused to be served by electronic mail, a true and correct copy of the foregoing Notice of Deposition upon the following:

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

[william\\_meyer@harvard.edu](mailto:william_meyer@harvard.edu)  
William Meyer, Esq.

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](mailto:timhinton@haggertylaw.net)  
Attorneys for Defendants,  
*Chris Kelly, Times Shamrock  
Communications, The Scranton Times-  
Tribune and Larry Holeva*



# HARVARD UNIVERSITY

AT CAMBRIDGE IN THE COMMONWEALTH OF MASSACHUSETTS

THE PRESIDENT AND FELLOWS OF HARVARD BUSINESS SCHOOL, acting on the recommendation of the Faculty of Negotiation Mastery and with the consent of the Honorable and Reverend the Board of Overseers, have conferred on

PHIL GODLEWSKI

the Certificate of Master in Negotiation Mastery

In witness whereof, by authority duly committed to us, we have hereunder placed our names and the University seal on this year of Our Lord two thousand and twenty one and of Harvard Business School the three hundred and eighty-five.

*Handwritten signature*

*Handwritten signature*

DEAN OF THE FACULTY OF

tabbies  
EXHIBIT  
"A"



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COMMISSION

To Veritext Legal Solutions:

Having confidence in your prudence and fidelity, we have appointed you, and by these presents do give unto you full power and authority, in pursuance of an order made in our Court of Common Pleas of Lackawanna County in a certain cause therein pending, between Philip Godlewski and Chris Kelly, et al. No. 2021-CV-2195, to call before you at a certain day and place, by you, for that purpose, to be appointed, a corporate designee of Harvard University as witness in the said cause; and then and there to examine each of the said witness upon their respective oath or solemn affirmation, touching the premises, and reducing their testimony to writing. And when you shall have so done, you are to send the same before the Judges of our said Court, together with the oral examination and this commission, under your hands and seals and the hands and seals of such of you as may act hereunder.

IN TESTIMONY WHEREOF, we have caused the seal of our said Court to be hereunto affixed.

Witness the Honorable Patricia Corbett, President Judge of our said Court at Lackawanna County, this      day of     , 2023.

**MAY 23 2023**

*Maui B. Kelly*  
Clerk of Judicial Records

Seal of the Court =