

PHILIP GODLEWSKI,

MAURIL B. KELLY
LACKAWANNA COUNTY
Plaintiff

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY, PA

v.

JUL 10 P 2:15

No: 21
2022-cv-2195

CHRIS KELLY et al.,

CLERK OF JUDICIAL
REC'D CIVIL DIVISION

Defendants. : JURY TRIAL DEMANDED

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME
TO SERVE RESPONSES TO DEFENDANTS'
REQUEST ADMISSIONS (SET VI)**

COMES NOW Plaintiff Philip Godlewski ("Godlewski") by and through his counsel,
Timothy M. Kolman, JD and makes the following Motion:

1. On May 15, 2023 Defendants served upon Godlewski their sixth set of Requests for Admissions.
2. On the same day, Defendants served upon Godlewski their eighth sets of Interrogatories and Requests for Production of Documents.
3. Defendants have subsequently served Godlewski with their seventh set of Requests for Admissions.
4. Depositions are scheduled in this matter throughout June and July 2023.
5. This matter is not poised for trial or dispositive motions.
6. The Pennsylvania Rules of Civil Procedure provide that requests for admissions are deemed admitted unless answered "within thirty days after service of the request, or within such shorter or longer time as the court may allow..." Pa.R.C.P. 4014 (b).
7. Rule 4014 (b) permits a court, in its discretion, to extend the time to file responses to requests for admissions. Thomas v. Elash, 781 A.2d 170, 177 (Pa.Super. 2001).

8. Extensions of time to response to requests for admissions may be granted particularly where there is no showing of prejudice to the party making the requests for admissions. Krepps v. Snyder, 112 A.3d 1246, 1253-54 (Pa.Super. 2015).

9. Godlewski seeks an extension of time to serve upon Defendants responses substantially in the form attached hereto as Exhibit 1.

10. As discovery is ongoing in this matter with other written discovery requests currently outstanding, there is ample time for Defendants to conduct additional discovery, should the require it, based upon the proposed responses.

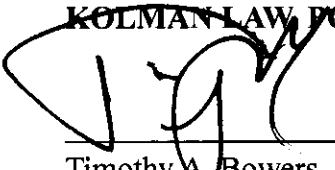
11. Defendants will not be prejudiced by a grant of extension of time.

WHEREFORE, Plaintiff Philip Godlewski respectfully requests that the Honorable Court grant his Motion for Extension of Time to Serve Responses to Defendants' Request for Admissions (Set VI) and enter an Order providing the following relief:

- A. Directing Plaintiff Philip Godlewski to serve responses to Defendants Request for Admissions (Set VI) within seven days.
- B. Such other relief as the Court may deem just.

Respectfully submitted,

KOLMAN LAW PC



Timothy A. Bowers, PA77980
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Attorney for Plaintiff.

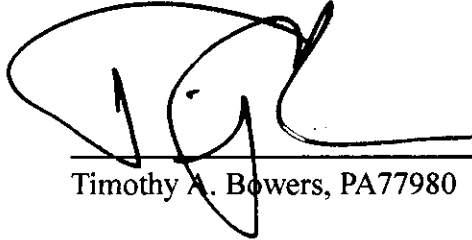
DATE: July 10, 2023

COMBINED CERTIFICATE

I HEREBY CERTIFY that I have, this 10th day of July 2023, served a true and correct copy of the foregoing document by hand upon the following:

J. Timothy Hinton, Esquire
Counsel for Defendants

I 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.



Timothy A. Bowers, PA77980