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MAURIB KELLY
LACKAWANNA COUNTY
2023 JUL 18 P 1:34
CLERKS OF JUDICIAL
RECORDS CIVIL DIVISION

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PHILIP GODLEWSKI

PLAINTIFF,

V.

BRIENNA L. DUBORGEL

DEFENDANT.

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

NO.: CV-2023-1354

DEFENDANT'S REPLY TO NEW MATTER

Defendant Brienna L. DuBorgel ("Defendant"), by and through her legal counsel, Fellerman and Ciarimboli Law PC, hereby replies to Plaintiff's New Matter as follows:

1. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Defendant consented to Plaintiff's actions. Strict proof is demanded at trial.
2. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Plaintiff has fairly commented about the Defendant. Strict proof is demanded at trial.

3. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Plaintiff's comments about Defendant are privileged. Strict proof is demanded at trial.
4. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Plaintiff's comments about Defendant are true. Strict proof is demanded at trial.
5. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Plaintiff's comments about the Defendant are about matters of public concern. Strict proof is demanded at trial.
6. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Defendant is estopped from bringing her claims against Plaintiff. Strict proof is demanded at trial.
7. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention

that Defendant's claims are barred or limited in any manner by the doctrine of laches. Strict proof is demanded at trial.

8. DENIED. The averments contained in this paragraph constitute conclusions of law or ultimate fact to which no responsive pleading is required. To the extent a response is deemed required, Defendant specifically denies Plaintiff's contention that Defendant's claims are barred or limited in any manner by the statute of limitations. Strict proof is demanded at trial.

WHEREFORE, Defendant, Brienna DuBorgel, seeks judgment in her favor and against the Plaintiff.

Respectfully submitted,

FELLERMAN & CIARIMBOLI LAW, PC



By: _____
EDWARD J. CIARIMBOLI, ESQUIRE
MOLLY DEMPSEY CLARK, ESQUIRE
Counsel for Defendant

Date: July 18, 2023

MAURI B KELLY
WACKAWANNA COUNTY

2023 JUL 18 P 1:34

CERTIFICATE OF SERVICE

CLERKS OF JUDICIAL
RECORDS DIVISION

I, Edward J. Ciarimboli , Esquire, hereby certify that on July 18, 2023,
served a true and correct copy of the DEFENDANT'S REPLY TO NEW MATTER via
Electronic Mail upon the following individual:

Timothy M. Kolman, Esquire
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FELLERMAN & CIARIMBOLI LAW, PC



By: _____
EDWARD J. CIARIMBOLI, ESQUIRE
MOLLY DEMPSEY CLARK, ESQUIRE
Counsel for Defendant

Date: July 18, 2023