

PHILIP GODLEWSKI,	:	IN THE COURT OF COMMON PLEAS
Plaintiff,	:	of LACKAWANNA COUNTY, PA
	:	
v.	:	CV-2023-1354
	:	
BRIENNA DuBORGEL,	:	CIVIL ACTION-LAW
Defendant.	:	JURY TRIAL DEMANDED

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_ 2024, upon consideration of Plaintiff's Motion for Partial Judgment on the Pleadings it is hereby ORDERED as follows:

A. Plaintiff shall file a Brief in Support not later than the \_\_\_\_ day of \_\_\_\_\_ 2024.

B. Defendant shall file an Answer and Brief in reply to the Motion for Partial Judgment on the Pleadings not later than the \_\_\_\_ day of \_\_\_\_\_ 2024.

C. Argument shall be held on the \_\_\_\_ day of \_\_\_\_\_ 2024 at \_\_\_\_ o'clock \_\_\_\_ M. in Courtroom No. \_\_\_\_\_ of the Lackawanna County Courthouse.

BY THE COURT:

\_\_\_\_\_  
, J.

PHILIP GODLEWSKI,

MAURICE B. KELLY  
Plaintiff IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY, PA  
LACKAWANNA COUNTY

v.

2023 JUL -9 P 1203  
CV-2023-1354

BRIENNA DuBORGEL,

Defendant. : CIVIL ACTION-LAW  
RECORDS CIVIL DIVISION  
JURY TRIAL DEMANDED

**PLAINTIFF'S MOTION FOR STAY  
OF WEALTH DISCOVERY AND  
IMPOSITION OF RESTRICTIONS**

COMES NOW Plaintiff Philip Godlewski by and through his counsel, Kolman Law, PC and make the following Motion:

1. On September 25, 2023 the Court entered an Order, without opposition from Plaintiff Philip Godlewski ("Godlewski"), permitting Defendant Brienna DuBorgel ("DuBorgel") to serve asset interrogatories and requests for production of documents upon Godlewski.

2. Godlewski has, simultaneously with filing of this Motion, filed a Motion for Partial Judgment on the Pleadings.

3. In the Motion for Partial Judgment on the Pleadings, Godlewski seeks dismissal of DuBorgel's claims for assault, battery, intentional infliction of emotional distress, and negligent infliction of emotional distress as time barred or for failure to state claims upon which relief may be granted.

4. If Godlewski's Motion is granted, the vast majority of DuBorgel's counterclaims upon which punitive damages may be awarded will be dismissed.

5. In the Motion for Partial Judgment on the Pleadings, Godlewski seeks deemed admission of nearly every paragraph in Godlewski's Complaint for failure on the part of DuBorgel to respond with sufficient specificity.

6. Should the Court grant Godlewski's Motion and deem various paragraphs of the Complaint admitted, a summary judgment motion would dismiss the remaining counts of DuBorgel's counterclaims.

7. Pa.R.C.P. 4003.7 both empowers and requires a court to set forth appropriate restrictions at to the time, scope and dissemination of wealth discovery.

8. Godlewski requests that the Honorable Court enter an order staying wealth discovery in this case pending decision on Godlewski's pending dispositive motion.

9. Godlewski request that the Honorable Court enter an order providing that wealth discovery may not be disseminated by DuBorgel's counsel to DuBorgel or to any third party pending further order of Court.

WHEREFORE, Plaintiff Philip Godlewski respectfully requests that the Honorable Court enter and Order providing the following relief:

A. Staying wealth discovery in this case pending decision on Godlewski's pending dispositive motion.

B. Providing that wealth discovery may not be disseminated by DuBorgel's counsel to DuBorgel or to any third party pending further order of Court.

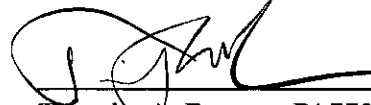
C. Such other relief as the Court may deem just.

Respectfully submitted,

**KOLMAN LAW, PC**

DATE: January 5, 2024

/s/ Timothy M. Kolman  
Timothy M. Kolman, PA51982

A handwritten signature in black ink, appearing to read 'T. Bowers', written over a horizontal line.

Timothy A. Bowers, PA77980  
414 Hulmeville Avenue  
Pennel, PA 19047  
(215) 750-3134  
*Attorney for Plaintiff.*

**COMBINED CERTIFICATE**

I HEREBY CERTIFY that I have, this 5th day of January 2024, served a true and correct

copy of the foregoing document by email upon the following:

Gregory E. Fellerman, Esquire  
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Counsel for Defendant

MAURIL B. KELLY  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION  
2024 JAN -9 P 12:05  
LAGANAWANNA COUNTY

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.

/s/ Timothy M. Kolman,  
Timothy M. Kolman, PA51982

  
Timothy A. Bowers, PA77980