



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

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KELLY  
LACKAWANNA COUNTY  
2024 JAN 16 P 3:57  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION

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**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**  
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Defendants, Chris Kelly and The Scranton Times, L.P. (collectively referred to herein as “Defendants”), by and through their counsel, hereby file this Motion for Summary Judgment seeking the dismissal of all claims made by Plaintiff Philip Godlewski (referred to herein as “Plaintiff” or “Godlewski”) and state as follows:

1. Plaintiff, Phillip Godlewski, filed a Complaint against Defendants on May 24, 2021.
2. Plaintiff’ Complaint alleges Defendants defamed him in an article published on February 14, 2021 in the Times-Tribune newspaper (referred to herein as the “article”). (Complaint, ¶ 1.) (A true and correct copy of the article with numbers added next to each paragraph is marked as **Exhibit “A”** and attached hereto.)
3. The article, in form and substance, is an opinion column that appeared in the Perspective section of the Sunday newspaper.
4. Plaintiff describes himself as a “citizen reporter” and “patriot reporter” with over 75,000 social media followers. (See Complaint, ¶¶ 2 and 89 and the 2/14/21 Article, ¶¶ 10 and 18.)
5. On the day the article was published Plaintiff made posts on multiple social media platforms sending a link to the article for thousands of people to read it along with the message:

“They attempt at silencing our movement continues. It will fail.” (See Plaintiff’s social media posts attached hereto and marked as **Exhibit “B”**.)

6. Plaintiff also posted “I will be suing the Scranton Times Tribune for Defamation and Libel. I was hoping the reporter would do exactly what he did. He took the bait.” (**Exhibit “B”**.)

7. Right after the article was published Plaintiff also posted on social media the following:

“Things are very, very shakey right now, at best. I am very carefully navigating the waters. I purchased an AR-15 today, as well as a handgun for my wife, both for home/personal protection. I’ve never owned a weapon until now.” (See Plaintiff’s social media post attached hereto and marked **Exhibit “C”**.)

8. He admitted in his deposition he did not purchase an AR-15 due to the article or a handgun for his wife. (A true and correct copy of select pages from Philip Godlewski’s deposition of 7/25/23 are marked as **Exhibit “D”** and attached hereto. See **Exhibit “D”**, pp. 287-289.)

9. On January 18, 2023, the Court entered an Order stating Plaintiff Philip Godlewski shall be deemed to be a public figure with regard to his legal claims presented here.

10. On January 18, 2023, the Court also filed an Order dismissing with prejudice all of Plaintiff’s claims for economic or special damages.

11. On January 2, 2024, the Court executed an Order dismissing Defendant Larry Holeva from the case.

12. The main focus of the article is about Plaintiff being a QAnon broadcaster in our community with thousands of followers and the columnist’s opinions about the absurdity and harmful affects of the QAnon movement.

13. The core belief of the QAnon movement is that a cabal of satanic, cannibalistic

child molesters are operating a global child sex trafficking ring.

14. QAnon theorists claim the cabal tortures children to extract adrenochrome from terrorized children and that adrenochrome is an elixir of youth which is ingested by cabal members.

15. QAnon disseminators also broadcast the message that President Trump and his administration secretly fought the cabal of pedophiles when President Trump was in office.

16. The opinion columnist, Chris Kelly, referred to Plaintiff's criminal charges and his conviction for corrupting a minor given the irony of Plaintiff's now being a leading QAnon movement broadcaster.

17. The article pointed out that Plaintiff pled guilty to a corruption of a minor charge in 2011 which Plaintiff admits is true, and the article states he admitted to having a sexual relationship with the minor victim in connection with his guilty plea, which Plaintiff claims is false.

18. The article also noted that "Lackawanna County detectives said Godlewski had sex with the [minor] girl in cars and homes he had access to as a real estate agent." Plaintiff admits these facts are true. (A true and correct copy of Plaintiff's Response to Defendants' Interrogatories (Set II) No. 1 is marked as **Exhibit "E"** and attached hereto, see Answer to Interrogatory No. 1.)

19. Plaintiff claims he never had sex with the minor and he never admitted to having sex with the minor as part of his guilty plea. (Complaint, ¶¶ 87, 96 and 111.)

20. The article states Plaintiff sells his QAnon nonsense and spreads lies to his followers on social media.

21. The article includes Chris Kelly's opinions that QAnon is a cult whose followers

are being misled into believing in an alternate reality.

22. The Complaint includes claims for defamation (Counts I-III), invasion of privacy (Count IV), interference with existing contractual relations (Count V) and interference with prospective contractual relations (Count VI).

23. The Court entered a Case Management Order which closed discovery on December 31, 2023. (See Court Order dated July 11, 2023.)

24. Since Plaintiff is a public figure the law imposes the burden on him to prove the alleged defamatory statements in the article are false.

25. Plaintiff cannot prove by clear and convincing evidence he did not have a sexual relationship with the minor victim, or that he pled guilty to corrupting the minor for acts other than those alleged in the Criminal Complaint.

26. With regard to whether he had sex with the minor victim, Plaintiff testified in his deposition “I can’t prove that something didn’t happen in this case.” (See **Exhibit “D”**, pages 212-213 and 251-252.)

27. Godlewski also testified “I can’t prove a negative” and “I don’t have to prove anything” when he was questioned about sex with the minor. (See **Exhibit “D”**, p. 252.)

28. Plaintiff conceded that his corruption charge in the Criminal Complaint was for having sex with a minor child. (See **Exhibit “D”**, p. 228.)

29. Godlewski testified that according to his guilty plea he admitted doing the things he was “charged with.” (See **Exhibit “D”**, pp. 235-241, specifically p. 240.)

30. Now in this lawsuit Godlewski is just “telling you in my opinion how I corrupted Brie.” (See **Exhibit “D”**, p. 250.)

31. Interestingly, Plaintiff did not think it was wrong to engage in sex with the minor

victim in 2013 (when the minor victim was 19 or 20) even though he pled guilty to corrupting her in 2011 since he was having severe problems in his marriage. (A true and correct copy of the herein referenced pages of the 2/6/23 Court Hearing transcript are attached hereto and marked as **Exhibit "F"**, see pp. 83-86.)

32. Since Plaintiff cannot prove any of the alleged defamation statements are false, Counts I, II, and III of the Complaint must be dismissed.

33. If Plaintiff somehow proves that any of the alleged defamatory statements in the article were false, Plaintiff then has the burden to prove, by clear and convincing evidence, that such false statement was made with actual malice.

34. Actual malice requires Plaintiff to prove with clear and convincing evidence the Defendants *knew* the defamatory statements were false at the time of publication or that they *acted with reckless disregard* as to whether the defamatory statements were true or false at the time of publication.

35. In order to prove *reckless disregard* Plaintiff must produce sufficient evidence to permit the conclusion that Defendants in fact entertained *serious doubts* as to the truth of his published statements.

36. The standard is a subjective one - - there must be sufficient evidence to permit the conclusion that the defendant actually had a high degree of awareness of ...probable falsity. *Harte-Hanks Communications, Inc. v. Connaughton*, 491 U.S. 657, 688 (1989).

37. Indeed, "the actual malice standard is a vigorous, if not impossible, burden to meet in most circumstances." *Bartlett v. Bradford Publ'g Inc.*, 885 A. 2d 562, 566 (Pa. Super. 2005).

38. The author of the article, Chris Kelly, has testified he absolutely believed and still

believes today Godlewski had sex with the victim when she was a minor. (A true and correct copy of select pages from Chris Kelly's deposition are marked as **Exhibit "G"** and attached hereto. See **Exhibit "G"**, pp. 56-58.)

39. Chris Kelly also spoke to a confidential source who was in a position to know and this reinforced his belief that Godlewski's guilty plea was based on Godlewski's guilt to the sex charge. (See **Exhibit "G"**, p. 62.)

40. Chris Kelly's pre-publication investigation included his review of the news article written by Denis O'Malley on July 12, 2011 under the headline: "Ex-baseball coach sentenced for sex with girl, 15". (See **Exhibit "G"**, pp. 45.) (A true and correct copy of the July 12, 2011 news article is marked as **Exhibit "H"** and attached hereto.)

41. Since Plaintiff cannot sustain his burden to prove the defamatory statements were made with actual malice by clear convincing evidence, Counts I, II and III of the Complaint must be dismissed.

42. Some of the statements in the article upon which Plaintiff bases his claims are just not capable of defamatory meaning.

43. Some of the statements in the article are legally protected opinions and thus not actionable.

44. For example, the reference to Godlewski as being a "purveyor of a poison" is simply a figure of speech and Chris Kelly's legally protected opinion.

45. Any statements in the article which are taken from the Court records of Plaintiff's 2010-11 criminal case and the search warrant served on Plaintiff are protected by the Fair Report Privilege.

46. For example, the statements in the article that Plaintiff pled guilty to a corruption

of minors charge and detectives said Godlewski had sex with the girl in cars and homes he had access to as a real estate agent are protected by the Fair Report Privilege since they were made as part of an official proceeding. (See **Exhibit “A”**, ¶¶ 21 and 22.)

47. Plaintiff’s False Light claim (Count IV of the Complaint) should be dismissed since the article was of legitimate concern to the public, the facts stated in the article were not private facts nor are they highly offensive to a reasonable person.

48. Plaintiff, as a public figure, must also prove actual malice as to the statements relating to his False Light claim. Since he cannot meet this burden of proof, this claim must be dismissed.

49. Plaintiff has failed to prove the necessary elements for a defamation claim under 42 Pa. C.S. § 8343.

50. Plaintiff has failed to produce evidence he has suffered harm to his reputation which has “grievously fractured” his standing in the community of reputable society and thus he cannot sustain a defamation cause of action.

51. Godlewski acknowledges that he was a “very bad” person and then he found God around the time he went to jail in the summer of 2021 due to another criminal case. (See **Exhibit “D”**, pages 309-310.)

52. Plaintiff has not produced any evidence of harm to his reputation.

53. Plaintiff’s claims for interference with existing contractual relations and interference with prospective contracted relations (Counts V and VI of the Complaint) fail as a matter of law since his claims for economic or special damages have already been dismissed by the Court and this type of damage is a required element for these claims.

54. Counts V and VI are specifically directed to Plaintiff’s loss of business (economic

damages) as a realtor.

55. Counts V and VI should be dismissed also since Plaintiff's license to sell real estate in Pennsylvania was revoked by the Pennsylvania Real Estate Commission on December 22, 2022 and Plaintiff testified he had no intention of selling real estate again. (A true and correct copy of the Final Adjudication and Order from the State Real Estate Commission is marked as **Exhibit "I"** and attached hereto; and see **Exhibit "D"**, pp. 211 and 313.)

56. Plaintiff was charged with passing a bad check and tampering with bank records in 2020, prior to the publication of the article.

57. Plaintiff failed to self-report his arrest in 2020 or his subsequent guilty plea or convictions to the PA Real Estate Commission.

58. Plaintiff pled guilty to these crimes on February 21, 2021, which was one week after the article was published.

59. Plaintiff was sentenced to one (1) to forty-four (44) months of imprisonment, followed by three (3) months of house arrest and one (1) year consecutive supervised probation.

60. Plaintiff has no evidence of any existing contractual relations or prospective relations which were interfered with by Defendants.

61. Plaintiff's claims seeking punitive damages must be dismissed since he has failed to prove Defendants acted with actual malice and common law malice when publishing the article about him.

62. Plaintiff's first position in this case as to whether he had sex with the minor victim was in his verified answer to an interrogatory where he stated he never had sex with Brienna DuBorgel, the minor victim. (A true and correct copy of Plaintiff's Response to Defendants' Interrogatories (Set IV) No. 7 is marked as **Exhibit "J"** and attached hereto, see



Answer to Interrogatory No. 7.)

63. Later in the case, after Brienna DuBorgel's text messages came out in discovery, Plaintiff testified at a Court hearing he started having sex with the victim after she turned 18. (See **Exhibit "F"**, pp. 85-86.)

64. Plaintiff wants the Court to believe his word against the word of the minor victim he pled guilty to corrupting.

65. With regard to his credibility, Plaintiff has been convicted recently of multiple *crimen falsi* crimes, including Tampering with Records or Identification and Bad Checks on June 22, 2021 and giving False Statements under Penalty on August 10, 2022. (True and correct copies of Plaintiff's guilty pleas to these crimes are attached hereto and marked as **Exhibit "K"**.)

66. Plaintiff has also broadcast to his social media followers he has many degrees, including a degree and a certificate from Harvard University and a certificate from Regent University.

67. Plaintiff even served a verified supplemental discovery response claiming Plaintiff "was at Regent University pursuing a master in the arts of law and alternative dispute online. From 2019 to 2020 he took a course 'Mastery of Negotiation' at the Harvard business school." (A true and correct copy of Plaintiff's verified Supplement Response to Defendants' Discovery is attached hereto and marked as **Exhibit "L"**, see p. 2.)

68. Defense counsel deposed representatives of Harvard University and Harvard Business School and served a subpoena on Regent University for any records it has regarding Philip Godlewski.

69. Harvard University, Harvard Business School and Regent University responded they have no records on Philip Godlewski and affirmed he never attended a program or obtained

a certificate or degree from their schools.

70. When confronted with this information at his deposition, Plaintiff testified he has no degrees and he must have gotten “duped” somehow and he guesses he did not really take classes from these institutions. (See **Exhibit “D”**, pp. 24-25, 142-143, and 276-277.)

71. During the pendency of this lawsuit Godlewski even offered the minor victim, Brienna DuBorgel, who is now thirty years old, a bribe of fifty thousand dollars (\$50,000) if she would testify she was eighteen years of age when they started having sex. (See **Exhibit “F”**, pp. 32-34.)

72. Prior to this in-person bribe offer, Plaintiff admits he sent Brienna a text stating “there is a very, very large, and very, very unique financial opportunity that exists in front of you.” (A true and correct copy of the text messages referenced herein between Godlewski and Brienna are marked as **Exhibit “M”** and attached hereto, see p. 1459.)

73. Godlewski sent Brienna further text messages stating the opportunity “involves the both of us. But it wont work with just one of us.” And said he needed to speak with her in person, no text or phone. His text to her described it as a “a very delicate situation, and unless it’s handled properly by both of us, we stand to benefit absolutely nothing.” He said there is a “financial windfall here.” (See **Exhibit “M”**, p. 1468.)

74. When confronted with these texts in Court, Godlewski claims he was offering Brie an opportunity to get her involved in “an IRA, 401k rollover company” focused on precious metals and the texts had nothing to do with the Scranton Times. (See **Exhibit “F”**, pp. 116-127.)

75. Brienna is the same person who reported to the police in 2010 she was in a sexual relationship with Godlewski leading to his arrest and the same person Godlewski described as “conniving” and a “lunatic” throughout the entire time he has known her. (See **Exhibit “D”**, pp.

72, 81-82, 114-115, 302.)

76. Godlewski has no credibility.

77. When Godlewski was asked why he had sex with Brienna who he considered her to be a lunatic, he said "I wasn't thinking about anything but sex." (See **Exhibit "D"**, pp. 195-196.)

78. Godlewski's testimony was as follows:

Q. Okay. Why did it happen repeatedly with Brie? Why did you repeatedly have sex with her?

A. It was good sex.

Q. Were you using her for sex?

A. Yes -- not just for sex. I wouldn't say using her for sex. So I'm going to say no to that if I can correct. I was using it as a medicine for loss. I was really messed-up then.

(See **Exhibit "D"**, pp. 118.)

79. Defendants have substantial evidence that Godlewski was in a sexual relationship with Brienna when she was a minor including very incriminating text messages from 2010 which will be attached to Defendants' Brief.

WHEREFORE, Defendants, Chris Kelly and The Scranton Times, L.P., respectfully request that their motion for summary judgment be granted and all of Plaintiff's claims be dismissed with prejudice.

RESPECTFULLY SUBMITTED,

HAGGERTY HINTON & COSGROVE LLP

Date: January 16, 2024

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**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**

JAYSON O'KELLY  
PROBATION & PAROLE  
2024 JUN 16 P 3:57  
STATE OF PENNSYLVANIA  
RECORDS & CIVIL DIVISION

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of January 2024, I caused to be served by electronic mail, a true and correct copy of the foregoing Motion for Summary Judgment upon all parties:

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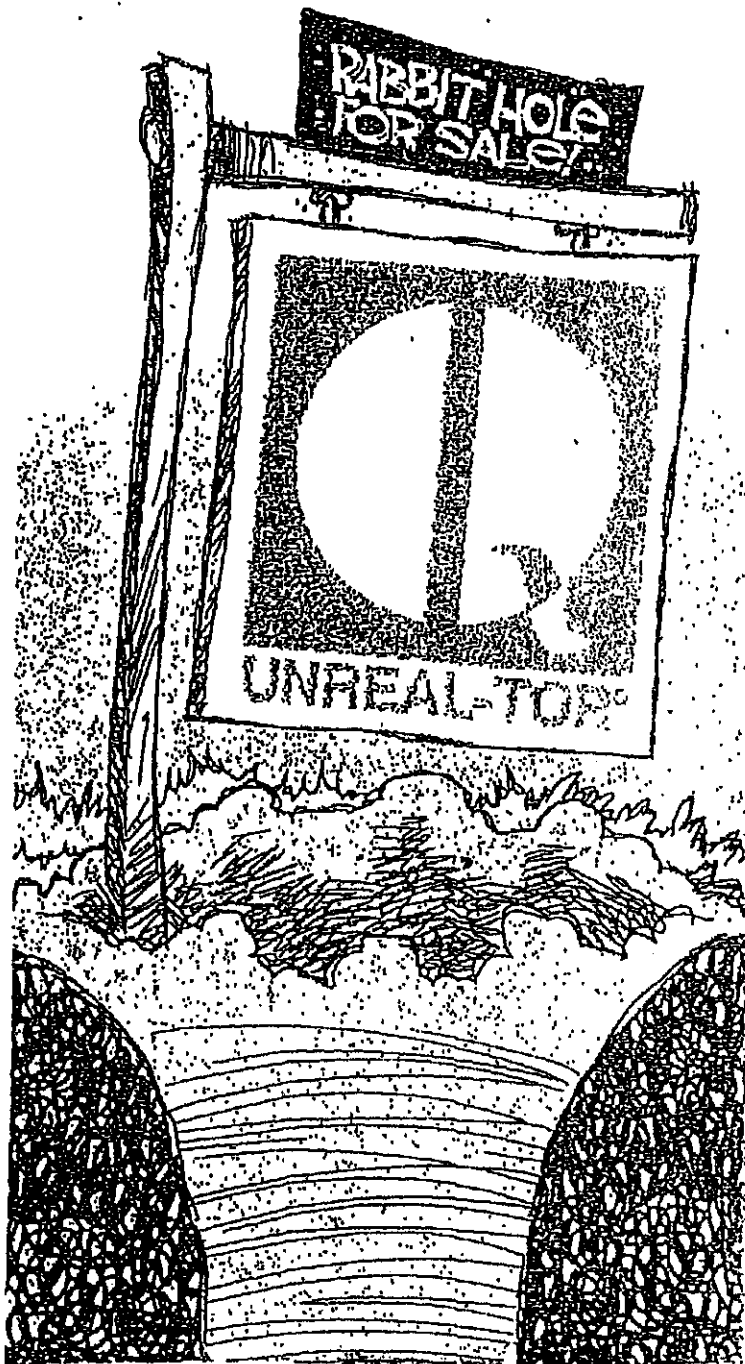
Agency on Aging rightly steps in to help seniors navigate world of securing a vaccine C3

The Sunday Times

# Perspective

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SUNDAY, FEBRUARY 14, 2021



## QAnon Realtor has a deal for gullible

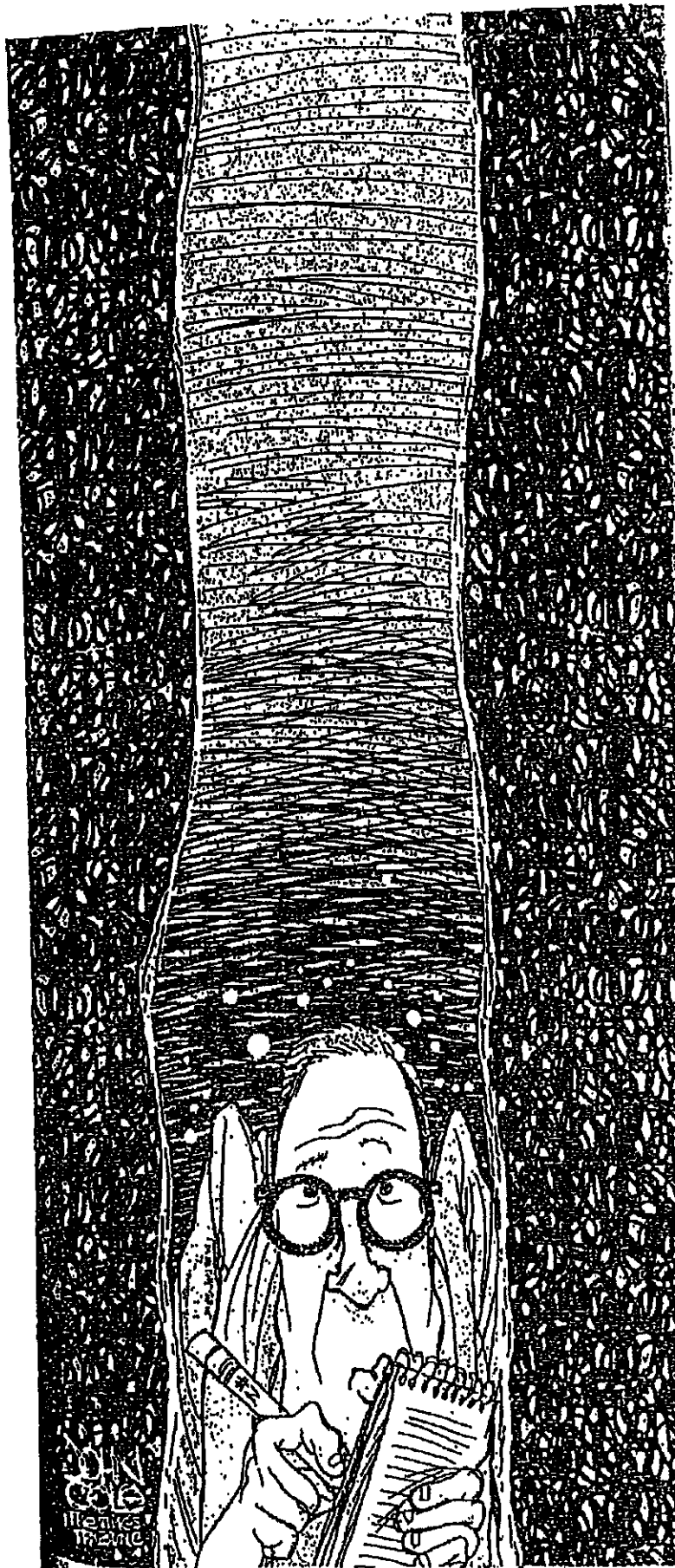
Why we can't ignore neighbors who live in alternate realities

One of the QAnon movement's most devoted dead-enders is a Clarks Summit-based Realtor who insists Donald Trump is still president and working behind the scenes to depose Joe Biden, impose martial law and bring final justice to elected Democrats and other Satanic child sex traffickers who unwind after a long day of evildoing with a glass of baby blood.



CHRIS KELLY  
*Kelly's World*

Over the past year or so, many readers have alerted me to the online proselytizing of Phil Godlewski, who lives in Duryea but sells homes under the name of a national real estate franchise. He sells QAnonsense to thousands of followers around the globe on a host of platforms, including a YouTube channel with more than 28,000 subscribers.



I've reported on a few local manifestations of QAnon sense, but avoided Godlewski because I don't want to give unwarranted attention to a purveyor of a poison that has curdled the hearts and minds of millions who may never recover.

Watching the second impeachment trial of Donald Trump changed my mind. There were many Q followers in the mob of domestic terrorists who ransacked the Capitol on Jan. 6. They came from cities, towns and neighborhoods across the country. They are our neighbors, friends and family. They are Americans.

The new video of the seditionist mayhem that resulted in five deaths and the airtight case made by the House managers convinced me we can't afford to ignore citizens of a separate reality who act, organize and seek to undermine and upend objective reality.

The Capitol riot is empirical evidence that we ignore at our peril. Despite the demolition of all its so-called prophecies, the Q movement marches on. Godlewski happily calls out the cadence.

In a text message, Godlewski told me he wasn't at the Capitol on Jan. 6, but he showed up in USA Today's coverage of the riot. Shortly after the mob stormed into the People's House, Godlewski posted on Facebook that Vice President Mike Pence had been arrested.

It was a lie. Godlewski didn't return the newspaper's request for comment. He has since been banned from Facebook and Twitter, but somehow is still welcome on Instagram and YouTube. A reader sent me a link to one of his latest YouTube offerings.

"I want someone to answer for me one question, logically," Godlewski said to his audience. "I want a really good explanation. Why would (Trump) walk away? Why, why would Donald Trump walk away? He knows there's election fraud. He has the proof. He has them nailed to the wall and there's no doubt about that."

The self-proclaimed "patriot reporter" went on to cite widely debunked claptrap as proof the election was stolen and argued that Trump's failure to use the Insurrection Act and a host of other powers the presidency does not grant to stay in power is actually part of a grand, hidden strategy we mere mortals can't begin to comprehend.

This is the paradox of every crackpot conspiracy theory. When nothing makes sense, it's because you don't know everything — yet. Keep believing and all will be revealed. The "Great Awakening" is always just a little further down the rabbit hole.

There is no room for doubt in the QAnon cult. Adherents believe that "Q" is a mysterious individual (or group of them) with a high-level security clearance. Q is privy to a "plan" by Trump to round up and execute the Satanic vampire pedophiles in a sweeping cataclysm called "The Storm," which will lead to a "Great Awakening."

Ashli Babbitt, the Air Force veteran tragically shot and killed by a Capitol Police officer as she climbed through a smashed window, believed she was participating in The Storm. Her belief killed her just as sure as the bullet that brought her down.

I wanted to answer the question Godlewski posed in his video, so I reached out and proposed an interview. He declined. I suggested he record our discussion, as Andrew Torba — CEO of the Clarks Summit-based right-wing antisocial media platform Gab — did a few weeks ago. No go.

Please see KELLY, Page C6

# KELLY: A trip down YouTube rabbit hole

FROM PAGE C1

15 "All of the things I say will be dissected into oblivion, and only the 'crazy sounding' things will make the article," Godlewski texted. "It'll ultimately be painted to make me look insane, and my family will ultimately suffer in the future. I can't take that chance."

16 I texted back in what soon became a sporadic exchange of messages that amounted to an interview:

17 "I've been watching your videos and I have to ask: Do you really believe the things you say, or are you just in it for the attention? If the former, why not defend your beliefs on the record? If the latter, why pass on an opportunity to showcase yourself?"

18 Godlewski's response:

"I couldn't care less about attention. The reporting I do is because the average American Citizen can no longer get true information from the Main Stream Media. Between all platforms, I have over 75,000 followers that are depending on me for information that they can no longer get from their regular sources. I'm not the only citizen reporter. There are dozens of people like me, if not hundreds. If I wanted to 'showcase myself', in your words (not mine), I would have jumped at the opportunity to do your interview. It's not about that. It's about the truth."

19 "Again, Chris, no disrespect to you, but I know you're following an agenda. The theme of your article is already set for you. You can't go against the MSM narrative with your reporting, because you'll either 1.) get fired, or 2.) lose credibility with what the Tribune (or you) think is their 'primary audience.' Little do you know, your primary focus on subscribers should be people like

me, who seek the truth and no longer listen to the garbage MSM narrative. The focus shouldn't be on the ones the Tribune wants your article to appeal to. I understand that's not your choice, but that's the reason I cannot do the interview. Your narrative is already set."

This is the epitome of a self-fulfilling prophecy. Godlewski refuses to engage me as an admitted critic, ensuring that my report will be one-sided. He is automatically the martyr. I am a witless tool of the "deep state," or worse — a willing agent of oppression.

Here's "proof." In the normal course of reporting this column, I stumbled upon some legal troubles in Godlewski's recent past. In 2011, the former Riverside High School baseball coach pleaded guilty to corruption of minors and admitted to having a sexual relationship with a 16-year-old girl.

Lackawanna County detectives said Godlewski had sex with the girl in cars and homes he had access to as a real estate agent. Godlewski, 28 at the time, was sentenced to three to 28 months, with the first three months to be served under house arrest and the balance as probation.

Last February, Godlewski was charged with theft by deception, forgery and related charges. Police said Godlewski kited a check to an area building supplier and forged bank statements to cover it up. The case is still pending.

I texted Godlewski and told him I was likely to report both cases in the column. I didn't want him to be blindsided.

His response: "That shows your character as a journalist. Chris. You just lost all respect and credibility with me."

In fact, my editor and I discussed whether to include the information, which is public and was previously published in The Times-Tribune. We decided it was relevant in regard to Godlewski's credibility. I have many character defects, but the last time I had sex with a 15-year-old was never.

Throughout the reporting of this column, I texted Godlewski to give him an opportunity to respond. Eventually, he asked me to stop.

"Please stop messaging me. Bringing up my past only serves you, and your company. It will cause turmoil for my young children and my family. I don't want to hear from you again. Go continue your self-serving nature. Karma always has a way when it comes to people that do that kind of stuff to me."

Karma is easy to see when it affects others, not so much when it's working on you. I am telling the truth in a local newspaper. Godlewski is spreading lies across the planet. Whether he's a true believer or a cynical opportunist, the damage is the same.

If Godlewski had agreed to speak with me, I would have answered his questions logically:

■ Trump "walked away" because he lost the election and his shameless, treasonous and ultimately lethal attempt to overturn it failed. Democracy defeated Trump. On Nov. 3 and again on Jan. 6 and Jan. 20.

■ Trump never presented a shred of evidence of mass voter fraud because there is none. If he had any legitimate proof, his lawyers would present it in a court of law. The idea that Trump would holster any "smoking gun" that bolstered his selfish claims is beyond ridiculous.

Trump didn't testify at either impeachment trial

for the same reason Godlewski refused to speak with me. Trump and Godlewski don't dare leave their safe spaces — where truth is fluid and lies flow with no resistance — for fear of having to defend the indefensible. Subjecting themselves to even the slightest scrutiny makes them vulnerable to the hard lessons of accountability.

If you lose a presidential election, don't incite a mob to overthrow the government. If you choose to join that mob, don't do it in front of an army of photojournalists while carrying a location-pinging cell phone.

And if you hold yourself up as a "patriot reporter" who tells truths that can't be found anywhere else, don't traffic in lies.

Godlewski's lies have consequences beyond his immediate family. Millions of Americans have lost parents, grandparents, siblings, children and friends to the QAnon cult. They watched in helpless horror as their loved ones were led down rabbit holes from which they may never return.

Godlewski bears some responsibility for that, but I wish him no ill. It's my hope that he'll reflect on his role in curdling the hearts and minds of people who placed their trust in him and stop pushing the poison.

In that spirit, I offer a stitch of wisdom I learned the hard way from one patriot reporter to another: It's fun to point fingers until some jerk holds up a mirror.

CHRIS KELLY, the Times-Tribune columnist, never met a patriot who had to say so.

Contact the writer: kellyaworld@imesahamrock.com, @cjkink on Twitter. Read his award-winning blog at times-tribuneblogs.com/kelly.





Phil Godlewski

12.4K subscribers



Pinned Message #3

My verified accounts list: <https://gab.com/PhilG...>



Phil Godlewski

They attempt at silencing our movement continues.

It will fail 🌐

[https://www.thetimes-tribune.com/opinion/columnists/chris-kelly/chris-kelly-qanon-realtor-sells-rabbit-holes-on-youtube/article\\_0bff9566-5089-5f5f-aa94-464021807972.html](https://www.thetimes-tribune.com/opinion/columnists/chris-kelly/chris-kelly-qanon-realtor-sells-rabbit-holes-on-youtube/article_0bff9566-5089-5f5f-aa94-464021807972.html)

Scranton Times-Tribune

Chris Kelly: QAnon Realtor sells rabbit holes on YouTube



One of the QAnon movement's most devoted dead-enders is a Clarks Summit-based Realtor who insists Donald Trump is still president and working behind the scenes to depose Joe Biden, impose

👁 6.1K 9:06 AM

Phil Godlewski

I will be suing the Scranton Times Tribune for Defamation and Libel. I was hoping the reporter would do exactly what he did. He took the bait.

👁 5.9K 9:21 AM

Phil Godlewski

Chris Kelly's handle on Twater is cjink. He just posted his article there. Anyone still on Twater go leave him a nice comment.

👁 5.4K 9:37 AM

73



Don't have Telegram yet? Try it now!



Phil Godlewski

They attempt at silencing our movement continues.

It will fail

[https://www.thetimes-tribune.com/opinion/columnists/chris-kelly/chris-kelly-qanon-realtor-sells-rabbit-holes-on-youtube/article\\_0bff9566-5089-5f5f-aa94-464021807972.html](https://www.thetimes-tribune.com/opinion/columnists/chris-kelly/chris-kelly-qanon-realtor-sells-rabbit-holes-on-youtube/article_0bff9566-5089-5f5f-aa94-464021807972.html)

Scranton Times-Tribune

Chris Kelly: QAnon Realtor sells rabbit holes on YouTube

One of the QAnon movement's most devoted dead-enders is a Clarks Summit-based Realtor who insists Donald Trump is still president and working behind the scenes to depose Joe Biden, impose

[t.me/phil\\_godlewski/419](https://t.me/phil_godlewski/419)

9.1K

Feb 14 at 14:06

EMBED

VIEW IN CHANNEL

CONTEXT

Phil Godlewski

My friends

I am in the process of ~~interviewing several Law Firms regarding my Libel case against the Times Shamrock-Communications Co.~~ This company, as I've learned, has annual revenue over \$99,000,000. Throughout the last couple days, I have researched and interviewed with multiple attorneys, both inside and outside of my home State of Pennsylvania. Tomorrow is my call with Lin Wood.

~~I have been advised to NOT continue my Livestream broadcasts until a definitive legal path is planned.~~ Every attorney I've spoke with so far has told me my case is a slam dunk, and worth multi millions of dollars.

My legals costs could be astronomical. I have a few offers for Contingency Fee Agreements, but I'm unsure as to what path I'll end up choosing just yet.

Please be patient with me. I am not going anywhere, but I have been advised to halt the Livestreams for multiple reasons: 1.) the strength of my legal case, and 2.) the safety of my family.

My employer has also received dozens of emails, calls, and threats. I was almost fired from my job yesterday.

~~Things are very, very shakey right now, at best. I am very carefully navigating the waters. I purchased an AR-15 today, as well as a handgun for my wife, both for home/personal protection. I've never owned a weapon until now.~~

I will NOT be leaving Telegram. I will continue to post in the private announcements page, as well as contribute and read the public chat. As I mentioned before, I do have a private identity from my Anon years, which I will NOT reveal at this time. When and if the time is right, I may. But not now.

I am sorry to have to temporarily discontinue the Livestreams. Once Donald Trump returns to office, and my beliefs and topics are all proven true (it's coming, very soon), I will be back with a vengeance, regardless of the legal proceedings. At that point, I will no longer be the target. Instead, I'll be the prophet.

8.2K  edited 18:32

12

Me

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IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY, PENNSYLVANIA

\* \* \*  
PHILIP GODLEWSKI, : CIVIL DIVISION  
Plaintiff :  
vs : JURY TRIAL DEMANDED  
CHRIS KELLY, et al., :  
Defendants : NO. 2021-CV-2195

\* \* \*

Oral deposition of PHILIP GODLEWSKI,  
taken at the Lackawanna County Bar Association, 233 Penn  
Avenue, Scranton, Pennsylvania 18503, on Tuesday, July  
25, 2023, beginning at 9:13 a.m. before Pamela Pratt,  
Court Reporter and Notary Public in and for the  
Commonwealth of Pennsylvania.

\* \* \*

VERITEXT LEGAL SOLUTIONS  
MID-ATLANTIC REGION  
5100 Tilghman Street  
Suite 205  
Allentown, Pennsylvania 18104  
(610) 434-8588



Page 22

1 in June, you were facing a sentencing hearing with Judge  
2 Barrasse regarding the bad check and doctoring bank  
3 records charge?  
4 A. Correct. You were there for that.  
5 Q. Well, it was on Zoom.  
6 A. Right.  
7 Q. I watched it on Zoom.  
8 A. Uh-huh.  
9 Q. And you went to jail for 30 days for that  
10 charge; is that correct?  
11 A. Correct.  
12 Q. And you were feeling some stress over that  
13 upcoming hearing coming up?  
14 A. Yes.  
15 Q. And then you saw somebody in John Kuna's  
16 office next on June 8th, 2021 regarding [REDACTED]  
17 [REDACTED] ?  
18 A. My sentence started June 22. So that June  
19 8th appointment that you're referencing would have been  
20 before the sentence. But yes.  
21 Q. Now, do you take a drug called Sertraline?  
22 A. Sertraline is the generic form of [REDACTED] but  
23 it's the same drug that you were referencing in the last  
24 document.  
25 Q. Okay. And you take sildenafil for --

Page 23

1 A. Occasionally.  
2 Q. Okay. Prior to sex, correct?  
3 A. Yeah.  
4 Q. Now, looking at Page 16 -- I'm sorry, 1563  
5 under the section entitled Marital, do you see that  
6 about in the middle of the page?  
7 A. And then it says [REDACTED] ?  
8 Q. Yes.  
9 A. Yes.  
10 Q. Let's focus on that paragraph. You get to  
11 the section on education and the -- Monica Stroz from  
12 Dr. Berger's office wrote [REDACTED]  
13 [REDACTED] Do you see that?  
14 A. Yes.  
15 Q. Is that information you gave Monica?  
16 A. I'm unsure what college credit total means.  
17 Q. How about it's -- you've got five years worth  
18 of credits but no degree, is that what you meant?  
19 A. To be honest with you, I don't remember  
20 exactly what I said to Monica. I was in school four or  
21 five years, although they were not five full years and  
22 they were separated in some cases by either months or  
23 years in between. I don't believe I would have said  
24 that I had a total of five years of college credits. I  
25 don't think that's something I would have said because

Page 24

1 it's not true.  
2 Q. Under this section of ST1563, it says,  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED] Is that information that you gave  
6 to Monica?  
7 A. Half of that is true. I don't have a  
8 master's degree. That's a completely different thing  
9 than Master's of the Arts. Master's of the Arts, I  
10 believe, is an associate's degree or maybe even less  
11 than that. So she may have taken what I said maybe out  
12 of confusion and she wrote master's degree. But I,  
13 obviously, don't have a master's degree.  
14 Q. Did you tell her that you attended Regent  
15 University?  
16 A. I don't know if I had told her that I  
17 attended -- what date was this? I don't remember if I  
18 told her that I attended or was planning on attending.  
19 But I know I mentioned it to her for sure.  
20 Q. Okay. Then reading on, on ST1563 it says,  
21 [REDACTED] Did you  
22 tell Monica Stroz on May the 3rd, 2021 that you attended  
23 a program at Harvard Business School on negotiation  
24 mastery?  
25 A. Same answer as to the last one. I don't know

Page 25

1 if I told her that I did attend or I planned on  
2 attending. I can't remember exactly what I told her.  
3 And this is, obviously, very vague, so I'm not sure.  
4 Q. Is it your testimony here today, Phil, that  
5 you never attended Regent University or any programs at  
6 Regent University?  
7 A. It's a complicated answer because I thought I  
8 did until you did discovery.  
9 Q. Okay. Well, Phil, I supplied you with a  
10 letter and e-mails from Regent University that they  
11 don't have your name or any variation of your name in  
12 their records that you ever attended any program there.  
13 You saw that record, right?  
14 A. I saw that as well as the one from Harvard  
15 which caused me to answer the last question that you  
16 asked as the way I answered it. I had been under the  
17 impression, since I signed up for those courses, that I  
18 did attend and I did take those courses as I intended.  
19 Apparently -- and I took a course. Apparently, I did  
20 not take a course at the institutions that I thought I  
21 did. I think your records in discovery actually showed  
22 that I did register with one or both of the schools. I  
23 was registered to take the course, but I never completed  
24 the course. So somewhere along the line, I think I got  
25 duped.

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1 Q. And that's when you determined she was a  
2 lunatic?  
3 A. Yes.  
4 Q. Okay. And then after that point in time, did  
5 you begin communicating with her again?  
6 A. Yes.  
7 Q. When was that?  
8 A. She threatened to kill herself.  
9 Q. Okay. What year was that?  
10 A. It was right after the -- the -- so, again, I  
11 described my communication with Brie in three different  
12 phases. The first phase was during Joe's death and all  
13 of that. Dori finds out about that, says, hey, this is  
14 inappropriate, you have to stop. I go back to Brie and  
15 I say, hey, I'm, you know, resigning from Riverside as  
16 the coach. Things are getting out of hand here. Dori  
17 found our communications, doesn't like them, and -- you  
18 know --  
19 Q. You were hiding them from Dori; were you?  
20 MR. KOLMAN: Objection. Can he finish  
21 his answer?  
22 MR. HINTON: Uh-huh.  
23 MR. KOLMAN: Thank you.  
24 THE WITNESS: And -- I will answer that  
25 question. But -- and as I communicated those feelings

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1 to Brie is when she threatened suicide. And between you  
2 and I, I totally -- well, it's not you and I, I guess,  
3 anymore. But I totally believed her.  
4 BY MR. HINTON:  
5 Q. Well, were you keeping your text messages  
6 with Brie a secret from Dori?  
7 A. Not the -- not through that first round when  
8 Dori found them, no. Dori had full access to my phone  
9 at all times. That's how she found them to begin with.  
10 The second time after I started  
11 recommunicating with Brie when she threatened suicide, I  
12 felt like if -- I felt like I was betraying Dori --  
13 Dori's trust telling her that, okay, I'll stop talking  
14 to her. And I felt like if Dori found me talking to her  
15 again, she would have assumed something was happening  
16 that wasn't. I truly felt at the time that if -- after  
17 Brie said that to me -- I had a choice at that time. Go  
18 to the police, go to her counselor or talk to her and  
19 wait it out. Try to tell her how good her life is and  
20 be the person that could ultimately help change her  
21 mental state.  
22 Q. Did you feel she was a lunatic at that stage  
23 too?  
24 MR. KOLMAN: Asked and answered. You  
25 can answer it for the third time.

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1 MR. HINTON: I'm breaking it into stages  
2 here.  
3 THE WITNESS: When somebody says to you,  
4 I'm going to tell your wife a lie so that she'll break  
5 up with you and I could be with you, anything they say  
6 after that point to me, yes, I think you're a lunatic.  
7 For you to even put that into words let alone think  
8 it -- for you to even put that into words, you've  
9 changed my opinion about you forever. So yes, I  
10 believed Brie was a lunatic then. I believe she's still  
11 a lunatic today. That -- my opinion on that has not  
12 changed. In fact, it's gotten worse.  
13 BY MR. HINTON:  
14 Q. And the second phase where you reconnected  
15 with Brie, how did that end, that phase of your  
16 relationship?  
17 A. Poorly.  
18 Q. Okay. It wasn't -- it ended before you were  
19 charged with crimes on July 9th, 2010, right?  
20 A. Yeah.  
21 Q. Okay. How long before you were charged with  
22 crimes did it end?  
23 A. I don't know how long before. I could tell  
24 you when it ended and how -- the circumstances. But  
25 dates, I don't remember how long before it would have

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1 been.  
2 Q. How did it end?  
3 A. I, again -- Dori, for the second time, found  
4 me speaking to Brie. And now this time she's not as  
5 nice about it. She's actually pissed. And she demanded  
6 that I stop because now, as I mentioned before, just as  
7 I thought, she thought something in addition to me  
8 being -- and I showed it to her. I showed all the text  
9 messages. So she knew, but she didn't care anymore.  
10 She took me telling her that I stopped talking to her as  
11 truth and I violated that trust by talking to Brie  
12 again. So it doesn't matter what the contents of the  
13 conversation was, which Dori knew about which she  
14 testified to last week. But --  
15 Q. Were you meeting her in person as well?  
16 A. Let me finish. But the way that it ended  
17 with Brie in that second phase was me telling Brie that  
18 Dori found out again, now she's threatening to leave me  
19 and I'm not going to let that happen. So I need to stop  
20 talking to you. That's when Brie threatened to go to  
21 the police. And I said, the police? For what? And she  
22 told me what. I believe I still have an old Instant  
23 Messenger conversation saved with that particular  
24 conversation. It wasn't very long, but this was through  
25 writing -- or reduced to writing in the form of Instant

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1 were you ever alone with Brie in person?  
2 A. No.  
3 Q. Did you and Brie chat a lot by phone, not  
4 text messages, verbal phone conversations?  
5 A. No. I believe there were one or two  
6 occasions where a drunken Brie would call me at what  
7 sounded like a party in the background, it was very  
8 loud, lot of voices, a lot of music, and asked me to  
9 purchase her alcohol.  
10 Q. And did you?  
11 A. No.  
12 Q. Did you ever meet her at Amanda Turoni's  
13 house before you were arrested?  
14 A. I have been with Brie at Amanda Turoni's  
15 house, yes, but I never met Brie at Amanda Turoni's  
16 house.  
17 Q. What was the occasion you were with Brie at  
18 Amanda Turoni's house before you were arrested?  
19 A. Christine Turoni, Amanda's mother, and Sam  
20 Turoni were good friends with my parents growing up.  
21 Again, all from Taylor. And I believe we were either  
22 listing -- I was a Realtor at the time. We were either  
23 listing or talking about listing their house on Claire  
24 Drive. But I don't remember if that predated my  
25 conversations through text with Brie or if it was

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1 afterwards. I don't remember the year that that all  
2 happened.  
3 Q. Is that the only time you were at Amanda's  
4 house?  
5 A. No, I've been at Amanda's house dozens of  
6 times.  
7 Q. Because of the --  
8 A. We were friends.  
9 Q. Your parents were friends with her parents?  
10 A. Uh-huh.  
11 Q. Correct?  
12 A. Yes. Sorry.  
13 Q. Amanda would be nine years younger than you,  
14 right?  
15 A. Uh-huh. Correct.  
16 Q. So you weren't friends with Amanda in high  
17 school; were you?  
18 A. No. No. Amanda was too young for me to  
19 be --  
20 Q. Friends with?  
21 A. -- friends with at the time. I mean, we're  
22 good friends now. But Nikki Turoni was Amanda's  
23 sister -- older sister. I wouldn't say we were friends,  
24 either, but we were more of the same age. I think Nikki  
25 was two years younger than me -- grades younger than me.

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1 Q. Were you ever at Amanda's house that Brie was  
2 there?  
3 MR. KOLMAN: Asked and answered. You  
4 can answer it again.  
5 THE WITNESS: Asked and answered. Yes.  
6 MR. HINTON: I don't recall an answer.  
7 MR. KOLMAN: He did. He said he was  
8 there.  
9 BY MR. HINTON:  
10 Q. You were there, but --  
11 A. Brie was there when I was attempting to list  
12 or listing Amanda's home for sale -- Christine's home  
13 for sale.  
14 Q. So you weren't alone with Brie on that  
15 occasion, there were other people there?  
16 A. Yes.  
17 Q. Okay. Other than that time with Brie and  
18 other people being present, were you ever personally  
19 with Brie anywhere?  
20 A. No. Not that I recall, no.  
21 Q. You never took her to houses that were -- you  
22 had listed for sale?  
23 A. Absolutely not.  
24 Q. You were never in a car with her before you  
25 were arrested on July 9th, 2010?

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1 A. I was in a car with her, yes, with Amanda and  
2 Christine.  
3 Q. Okay.  
4 A. Not alone, though.  
5 Q. Okay.  
6 A. As far as I remember.  
7 Q. What was the occasion that you were in a car  
8 with Brie, Amanda and Amanda's mother?  
9 A. I don't recall. I think it had something to  
10 do with Sam Turoni. But I don't recall.  
11 Q. Okay. In the May 3rd, 2002 [sic] five-hour  
12 long chat with the hate group that you referred to them  
13 as --  
14 A. Not this one, the other one.  
15 Q. The other one.  
16 A. Yeah.  
17 Q. Remember that long, long chat you had with  
18 them?  
19 A. Yes.  
20 Q. Do you remember calling Brie conniving in  
21 that chat?  
22 A. Yes.  
23 Q. Okay. And that's how you feel about her, she  
24 was conniving?  
25 A. Absolutely.

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1 Q. Has that ever changed?  
2 A. Has it ever changed?  
3 Q. Your feeling of her as a conniving person.  
4 A. No. She's connived many different false  
5 truths or half-truths in many different situations in  
6 her life. Not just with me; in many other situations as  
7 well. So no, I believe the definition of conniving  
8 would be the way that Brie acts. Absolutely.  
9 Q. You believe she's a lunatic and conniving?  
10 A. Yes.  
11 Q. Now, let's look at your supplemental Answer  
12 to Interrogatory in this case. Let's see. It's the  
13 second tab.  
14 A. 12-9-21?  
15 Q. Yes.  
16 A. Okay.  
17 Q. Let's look at Number 27 of your Supplemental  
18 Answer to Interrogatory. Do you see that?  
19 A. Yes.  
20 Q. And Attorney Kolman's office typed these up.  
21 The details are these. "Plaintiff's best childhood  
22 friend, Joe, was dating the victim." Is that a true  
23 statement, that he was your best childhood friend?  
24 A. I wouldn't categorize it as be -- I had a lot  
25 of best childhood friends. I wouldn't single out Joe as

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1 the only one. I could probably name six what I  
2 considered at the time best friends. Joe would happen  
3 to be one of those several that I was referring to. But  
4 yes.  
5 Q. And you were at his house?  
6 A. What?  
7 Q. Did you ever go to Joe's house as one of your  
8 childhood friends?  
9 A. I don't remember being at Joe's house ever,  
10 no. Joe moved a lot. I don't really remember being at  
11 too many of my friends' houses, specifically Joe's.  
12 Q. Reading on in 27 of your supplemental answer,  
13 "He was 21, she was 16. They were having a sexual  
14 relationship. Plaintiff did not know this at the time,  
15 but apparently there was a threat to expose Joe. As a  
16 result, he committed suicide. The relationship between  
17 plaintiff and the victim was only with respect to  
18 discussions regarding Joe and his suicide." Is that  
19 true and accurate?  
20 A. Everything you read is just true. I would be  
21 forced to say that there was a threat to expose Joe  
22 in -- according to what Brie told me, in Brie's state of  
23 mind at the time. She not only threatened to break up  
24 with Joe because of the impregnation of another girl,  
25 but she also threatened to go to the police on Joe. Joe

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1 being 21 at the time and her being 16 was a crime,  
2 especially if they were sexually involved, which they  
3 were which both sets of parents knew about as far as  
4 I -- as far as Brie told me and I was aware. So yes,  
5 everything other than you said there is true except the  
6 fact that there was a threat to expose Joe as sleeping  
7 with Brie as a minor.  
8 Q. But all of your conversations with Brie,  
9 text, in-person, phone, whatever they were, it was  
10 always about Joe?  
11 MR. KOLMAN: Objection.  
12 BY MR. HINTON:  
13 Q. You can answer.  
14 A. The content of our text messages was  
15 primarily about Joe. I'm not saying that there couldn't  
16 be a text message out there that said, hey, how's your  
17 day going. That's not about Joe, that's to state of  
18 mind. So little innuendos and small talk like that, I'm  
19 sure, did exist but, truthfully, I don't remember the  
20 exact content of the conversations. But I do know that  
21 the primary focus of our conversations was about Joe  
22 Strok.  
23 Q. Did -- in your conversations with Brie about  
24 Joe Strok, did you talk about or communicate with her  
25 about her having sex with Joe Strok?

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1 A. Yeah.  
2 Q. Okay. Did you think that was appropriate?  
3 MR. KOLMAN: Objection.  
4 BY MR. HINTON:  
5 Q. You can answer.  
6 A. No.  
7 Q. It was not appropriate?  
8 A. Well, at the time, I guess I didn't see  
9 anything wrong with it, especially considering the fact  
10 that Joe had just killed himself and she was grieving.  
11 Looking back on it now, and not only just now but also  
12 when I pled to my misdemeanor, I totally believed that  
13 all of my communication with Brie was inappropriate; all  
14 of it.  
15 Q. Because you were in -- a person of authority?  
16 A. I wouldn't say I was a person of authority,  
17 no. I was a coach at a high school. But the fact that  
18 I was in my 20s and Brie was still in high school,  
19 that's inappropriate.  
20 Q. She was a freshman?  
21 A. She was a freshman.  
22 Q. And you're communicating with her about her  
23 past sex with Joe Strok?  
24 A. I wasn't communicat -- well, I guess I was  
25 communicating with her, but she could bring it up. And



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1 I thought that that would have been on my -- on my  
2 hand -- I thought that would have been blood on my  
3 hands. But I also thought that what I was providing to  
4 Brie was better than what she was getting. That is why  
5 I pled guilty to corruption of minors. That was not  
6 true. I know that now, but I'm 40 years old. At 25  
7 years, you don't know things.  
8 Q. Did Brie ever communicate to you that she was  
9 thinking about suicide because of Joe Strok killing  
10 himself?  
11 A. No.  
12 Q. Okay. It was only after you told her that  
13 you needed to stop communicating with her that she  
14 talked about suicide?  
15 A. To me, yes. I don't know if she had those  
16 sentiments to other people. But yes, she never talked  
17 about suicide to me until after our impending breakup in  
18 her mind -- in her words.  
19 Q. Turn to your Answers to Interrogatories, Set  
20 7. It's one of the tabs there. Set 7.  
21 A. Okay.  
22 Q. Do you see Number 10? I asked, "At what  
23 locations did you have sex with Brie DuBorgel in the  
24 year 2015?"  
25 A. Yes.

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1 Q. And in 2015, you considered her a lunatic,  
2 right? You've already testified that you've always  
3 thought she was a lunatic; is that correct?  
4 A. I thought Brie was a lunatic, yes.  
5 Q. Yeah. In 2015 too?  
6 A. Yes.  
7 Q. Okay. And so you've testified on February  
8 6th you had sex with her at least five times in and  
9 around 2015, correct?  
10 MR. KOLMAN: Objection.  
11 BY MR. HINTON:  
12 Q. You can answer.  
13 A. I don't remember my testimony from that day.  
14 If you showed it to me, I could clarify it or confirm it  
15 but --  
16 Q. How many times did you have sex with her in  
17 and around 2015? Yeah, 2015.  
18 A. First of all, I believe the year is wrong. I  
19 did testify to that. But the more I thought about it  
20 and looked back at events versus my encounters with Brie  
21 at that time, the year is definitely wrong. But it  
22 probably was less than five.  
23 Q. What year did you think it was that you had  
24 sex with her?  
25 A. I'm pretty sure it was 2017. It would have

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1 been later 2017.  
2 Q. Okay. 2015 or 2017, you've testified you've  
3 thought she's been a lunatic her --  
4 A. Oh, yeah. I thought she was a lunatic then,  
5 yeah.  
6 Q. Okay. So you had sex with her how many times  
7 in 2017?  
8 A. Under five.  
9 Q. Okay. And looking at this Answer to  
10 Interrogatory, you mention having sex with her in  
11 vehicles; is that correct?  
12 A. Yes.  
13 Q. Do you remember having sex with her anyplace  
14 else other than vehicles?  
15 A. No.  
16 Q. Did you ever have sex with her at her  
17 grandparents' house?  
18 A. No.  
19 Q. Her grandmother's house?  
20 A. No.  
21 Q. What --  
22 A. I don't know where --  
23 Q. Never been to any of her grandparents'  
24 houses?  
25 A. No. I don't know where they live, any of

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1 them.  
2 Q. Do you remember having sex with her in any  
3 apartments?  
4 A. No.  
5 Q. Any houses?  
6 A. Nope.  
7 Q. You never went to the apartment she shared  
8 with Ciara O'Malley in Old Forge in 2014?  
9 A. No.  
10 Q. Okay. You were here during Ciara O'Malley's  
11 testimony where she said you came to that apartment in  
12 Old Forge.  
13 A. I was here during Ciara's testimony where she  
14 perjured herself, yes.  
15 Q. Was that a lie by Ciara O'Malley saying you  
16 came to that apartment?  
17 A. It wasn't a lie, it was perjury. But yes.  
18 Q. Why did you have sex with Brie in 2017 when  
19 you're married and you thought she was a lunatic that  
20 ruined your life in 2010?  
21 A. I was in a very bad mental place in 2017. I  
22 had just cheated on my wife with Miranda. That's the  
23 first time I've ever cheated on my wife and probably the  
24 first time I've cheated on a partner maybe ever. I felt  
25 as though my marriage was -- I was losing my marriage.

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1 I tried very hard to gain it back. And every attempt  
2 that I made in trying to save the marriage was thwarted  
3 with aggressiveness by my ex-wife, Dori. So probably, I  
4 would say, out of frustration, sadness, aggravation, in  
5 fear of loss is why I started having sex with different  
6 women. I used sex at the time, I believe, as a crutch.  
7 Q. Did you reach out to Brie to have sex with  
8 her?  
9 A. No. I believe Brie reached out to me because  
10 she had heard Dori was leaving me. And around that time  
11 that Dori decided to leave, I was -- other than trying  
12 unsuccessfully to get Dori to come back, I was  
13 influenced by alcohol quite a bit, so I made some very  
14 poor decisions and one of them was engaging with Brie,  
15 the lunatic.  
16 Q. Okay. Why did it happen repeatedly with  
17 Brie? Why did you repeatedly have sex with her?  
18 A. It was good sex.  
19 Q. Were you using her for sex?  
20 A. Yes -- not just for sex. I wouldn't say  
21 using her for sex. So I'm going to say no to that if I  
22 can correct. I was using it as a medicine for loss. I  
23 was really messed-up then.  
24 Q. And how did you break it off with Brie when  
25 you were having sex with her in 2017?

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1 A. There was nothing to break off. They were  
2 casual encounters that I think we were both probably  
3 under the influence of alcohol. Me for certain and her  
4 probably; from what seemed to me, other drugs as well.  
5 But there was nothing to break off. It wasn't a  
6 full-blown relationship, so to speak, where you have to  
7 have a conversation and break up with the other party.  
8 It was just -- it sizzled. Went down to nothing.  
9 Q. And you still thought she was a lunatic?  
10 A. To this day, I think Brie is -- you know, I  
11 guess we would have to define lunatic, but I think Brie,  
12 based on her actions in particular to this case and up  
13 until recently with her affidavit, I think that Brie is  
14 totally mentally ill.  
15 Q. And that's remained consistent throughout the  
16 entire time you've known her?  
17 A. Pretty much.  
18 Q. And -- so you were just using her for sex?  
19 A. You already asked me that.  
20 MR. KOLMAN: Objection. Asked and  
21 answered.  
22 THE WITNESS: And what I said was, I  
23 wasn't using her for sex, so to speak. I think I was  
24 using her to cure something that was wrong with my mind  
25 It was a distraction that I needed at the time. And

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1 Brie wasn't the only one.  
2 BY MR. HINTON:  
3 Q. Who else?  
4 A. Oh, Miranda.  
5 Q. And who else?  
6 A. I'd rather not admit to that today, but --  
7 Q. I just want to know how many affairs you had.  
8 A. I wouldn't consider them affairs.  
9 MR. KOLMAN: Objection.  
10 BY MR. HINTON:  
11 Q. Well, you were married. You were having sex  
12 with other people besides Amanda and Brie.  
13 A. I was married, I was separated. I was  
14 separated.  
15 Q. In 2017?  
16 A. Yeah. I was kicked out. Dori testified to  
17 that last week.  
18 Q. How long were you kicked out for?  
19 A. Period of weeks. Probably three weeks.  
20 Q. Did you have sex with Melissa, Jason Thomas's  
21 girlfriend?  
22 A. Melissa -- Jason Thomas, the Realtor?  
23 Q. Yeah.  
24 A. Melissa Graziano?  
25 Q. Yes.

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1 A. No.  
2 Q. How many other sex partners did you have  
3 while you were still married to Dori?  
4 MR. KOLMAN: Objection.  
5 BY MR. HINTON:  
6 Q. You can answer.  
7 A. While I was separated from Dori?  
8 Q. Yes.  
9 A. Under five.  
10 Q. Okay. So you had five sexual partners up  
11 until the time she filed for divorce in March of 2021,  
12 correct? During the marriage.  
13 A. Yes.  
14 Q. Let's go to ST1580.  
15 A. 1580?  
16 Q. Yes, 1580. Looking at ST1580, is this a post  
17 you made to your Telegram page?  
18 A. No.  
19 Q. Are you the Real Phil Godlewski 3.0?  
20 A. Nope.  
21 Q. So is it your belief that the text messages  
22 in your criminal case from 2010 were made up by 13- and  
23 14-year-old girls?  
24 MR. KOLMAN: Objection.  
25 THE WITNESS: I don't know who made up

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1 credit card's declined?  
2 A. I don't remember. Could have been the phone  
3 or it could have been through text. I don't remember.  
4 Q. Look at the exhibit Scranton Times ST1829,  
5 please. Is this the -- a copy of the certificate that  
6 you had hanging on your wall in one of your homes?  
7 A. I believe so, yes.  
8 Q. This is the one that got lost when you moved  
9 to Shavertown?  
10 A. Yes.  
11 Q. And this is the one I was asking you to  
12 produce rather than me using a --  
13 A. Photo.  
14 Q. -- photo of your videos?  
15 A. Yes.  
16 Q. And where did you get this document that was  
17 hanging on your wall?  
18 A. It was mailed to me.  
19 Q. Okay. And when was that?  
20 A. Shortly after I completed the course which I  
21 thought was at Harvard University Business School.  
22 Q. You got duped, right?  
23 A. I think so.  
24 Q. Yeah. And you read the Harvard testimony  
25 from the two witnesses from Harvard that said, we don't

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1 hand out certificates that look like this?  
2 A. Yeah, I can't argue with their testimony. I  
3 mean, they are the institution. So I'm not going to  
4 argue against that. But I did have this document, this  
5 document was sent to me in this frame. It was a classy  
6 frame, too. It wasn't something that you get at  
7 Wal-Mart.  
8 Q. So Harvard sent you not only the document,  
9 they sent you the frame too?  
10 MR. KOLMAN: Objection.  
11 THE WITNESS: I didn't say Harvard sent  
12 me anything. Apparently Harvard did not send me  
13 anything at all because I didn't take a class there.  
14 BY MR. HINTON:  
15 Q. Right.  
16 A. But this was sent to me, yes, the frame  
17 included.  
18 Q. With the frame included?  
19 A. Yeah.  
20 Q. Okay. Back to 513 and then we'll take a  
21 break for lunch. 513. Moceyunas.  
22 A. Oh, 513.  
23 Q. Yes.  
24 A. Got it.  
25 Q. So about ten lines from the bottom, Mr.

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1 Moceyunas writes, "He said that he doesn't speak to her  
2 anymore and he hadn't in weeks." And he's referring to  
3 you, whether you're speaking with Brie anymore. Did you  
4 tell him on January 8th that you don't speak to her  
5 anymore and hadn't in weeks?  
6 A. Yeah. So this conversation with Mr. Mo  
7 happened after Brie had threatened me with police.  
8 That's when I stopped speaking to her.  
9 Q. Right.  
10 A. And subsequently, the conversa -- I thought  
11 it was over after that, but it wasn't. And that's when  
12 I had this conversation with Mr. Mo.  
13 Q. And the second-to-the-last line he says,  
14 "Make sure he has no contact or conversations with her.  
15 I told him to make sure he has no contact or  
16 conversations with her." Do you see that?  
17 A. Yes.  
18 Q. And do you remember him telling you that?  
19 A. Yes.  
20 Q. And did you listen to him?  
21 A. Yes. A few weeks later, my resignation was  
22 accepted. Only, the next time, I believe, I started  
23 communicating with Brie would have been when I had heard  
24 that there was an investigation into me. And then I was  
25 really pissed.

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1 Q. Okay. So is it fair to say that you heard  
2 about the investigation into you by the police about a  
3 year later, 2010?  
4 A. I wouldn't say a year later. I think -- I  
5 remember hearing about it and then a long period of time  
6 passing before I got arrested. So this was in what,  
7 February of 2009? So it would have definitely been  
8 after February of 2009 but before July of 2010. But I  
9 remember it felt like a long time passing before I heard  
10 anything at all, so I didn't think anything was  
11 happening. And then, suddenly, I got arrested.  
12 MR. HINTON: Okay. Let's take a break  
13 for lunch.  
14 THE WITNESS: Yes.  
15 THE VIDEOGRAPHER: We are going off the  
16 record. The time is 12:11 p.m.  
17 (A luncheon recess was taken from 12:11 p.m.  
18 until 1:02 p.m.)  
19 THE VIDEOGRAPHER: We are back on the  
20 record. The time is 1:02 p.m.  
21 BY MR. HINTON:  
22 Q. Phil, we had spent a good bit of time talking  
23 about Mr. Moceyunas's memo dated January 8th, 2009  
24 and -- where he reports that you told him you don't  
25 speak to Brie anymore and hadn't in weeks, right?

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1 intelligence community at a very, very young age." Were  
2 you trying to make the impression that you were one of  
3 those people recruited at a very, very young age?  
4 A. I wasn't trying to make any impression at  
5 all. The words are what they are.  
6 Q. What did you mean by it?  
7 A. I meant -- can you -- I meant what I said.  
8 At very young ages, people get recruited to the  
9 three-letter agencies.  
10 Q. Okay. But what does that have to do with  
11 you?  
12 A. Nothing.  
13 Q. Well, the que -- you went off on this long  
14 paragraph here, the question from the writer of the  
15 article or interviewer was, "What more about your  
16 background can you share with us?"  
17 A. Uh-huh.  
18 Q. And you went into this speech, I guess, about  
19 how the CIA or the intelligence recruits people at a  
20 very young age. Were you trying to make the impression  
21 that you were one of those people?  
22 MR. KOLMAN: Asked and answered.  
23 THE WITNESS: You asked me that three  
24 times now and the answer is no. I wasn't trying to make  
25 that impression. I was asked about my background and

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1 what I thought was more pertinent to the article. And I  
2 wanted to put what I knew from my background or from my  
3 expertise into writing and I thought it was a good fit  
4 for the article.  
5 BY MR. HINTON:  
6 Q. Did you think of -- Brie, who you labeled a  
7 lunatic today, did you think of her as your sister?  
8 A. As my sister?  
9 Q. Yeah.  
10 A. No.  
11 Q. Did you think you were a father figure for  
12 Brie at any point in time?  
13 A. A father figure; I may have thought that for  
14 a brief period of time.  
15 Q. What period of time did you consider yourself  
16 to be a father figure for Brie?  
17 A. Brie, throughout her life, has had a lacking  
18 male adult figure in her life starting from when her  
19 parents got divorced at a young age. I think she was  
20 always -- my opinion, I think she was always reaching  
21 for some sort of older person to have in her life --  
22 older male person to have in her life. I think one of  
23 those people were me. Another was Tom Nezlo. Another  
24 was the teacher at Lackawanna that she recently slept  
25 with and got expelled for. So I think she's always

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1 wanted that father figure in her life. So I think over  
2 the years of my relationship with Brie -- and I can say  
3 this now but I couldn't say it earlier, you know, in  
4 that relationship, I think that I've recognized or  
5 realized the fact that I may have been a father figure  
6 for her even though, at the time, I didn't necessarily  
7 know it.  
8 Q. Did you know it when you were sleeping with  
9 her in 2017?  
10 A. I didn't know much about that period in 2017.  
11 My wife was leaving me, my kids hadn't -- you know, my  
12 kids were young. I faced a potential divorce while  
13 having infants at home. So I was a little distraught,  
14 so I really wasn't thinking about anything but sex. It  
15 was a mistake and I regret it.  
16 Q. You didn't make a similar mistake in 2009 and  
17 2010; did you?  
18 MR. KOLMAN: Objection.  
19 BY MR. HINTON:  
20 Q. You can answer.  
21 MR. KOLMAN: Asked and answered.  
22 THE WITNESS: I don't know what you're  
23 referencing, so I'd have to say no.  
24 BY MR. HINTON:  
25 Q. In the transcript in front of Judge Minora on

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1 February the 6th, Page 138.  
2 A. Okay.  
3 Q. You see at the top the answer says, "At some  
4 point last year, Brie was..." Do you see that page?  
5 A. Yes.  
6 Q. Phil, your testimony -- you're the person  
7 answering the questions here. A little bit above the  
8 middle of the page on Page 138 of this transcript you  
9 say, "I always felt like I was a brother to Brie and I  
10 always felt that it was somehow my responsibility to  
11 help her if I could. We've had, obviously, some very  
12 well-known public episodes with one another. But in the  
13 grand scheme of things, we always seem to have each  
14 other's backs." Did I read that correctly?  
15 A. Yes.  
16 Q. In what way did Brie have your back?  
17 A. Support through hard times that I was having  
18 professionally and in my marriage. It was, as I stated,  
19 a brother-sister-like relationship. I don't have a  
20 brother or sister, so I could only speak to what I think  
21 that would mean. But I do see now -- when I said this  
22 in February, I do see the relationship that my sons have  
23 with one another. The first person they go to, even  
24 before me or their mom, is each other when there's --  
25 when they have even a small problem in life. So I

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1 business. My response to Sunita was that my business is  
2 better than it ever had been. In 2020, I was the top  
3 real estate agent in the Greater Scranton Board of  
4 Realtors.  
5 Q. I saw a 1099 from 2020 from Sunita for  
6 \$136,000. Is that what you made in 2020?  
7 A. Maybe it was 2019. When was COVID?  
8 Q. 2019, your property went into foreclosure,  
9 the land that you owned.  
10 A. It was 2020.  
11 Q. How much did you make in 2020?  
12 A. On one transaction, I made \$90,000. What I  
13 made from the rest, I don't remember. It could have  
14 been 140 whatever you said, but I don't have a document  
15 in front of me.  
16 Q. You're claiming you were the number one  
17 Realtor in Lackawanna County?  
18 MR. KOLMAN: Objection. Asked and  
19 answered.  
20 THE WITNESS: You're not -- you're  
21 taking what I said in terms of income for some reason.  
22 That's not what I said. When you're ranked as Realtor  
23 in the Board, it's by total sales. I had 17 million.  
24 In fact, I was just about to put a billboard up -- in  
25 fact, I paid for the billboard and then the article came

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1 out by Chris Kelly.  
2 BY MR. HINTON:  
3 Q. You've posted on social media that you have  
4 no intention of ever going back to real estate. Isn't  
5 that correct?  
6 A. Absolutely not. I did state that. I have no  
7 intention of going back. Absolutely not.  
8 Q. You like what you're doing now?  
9 A. I like -- I like my career. I like my  
10 lifestyle. I like helping people as much as I possibly  
11 can. Real estate was a totally different employment  
12 than what I do now. It was the opposite, in fact.  
13 Q. As a reporter and journalist, do you have a  
14 code of ethics that you adhere to?  
15 A. Of course.  
16 Q. And does that code of ethics include being  
17 fair, honest and accurate?  
18 A. Yes. As much as possible, sure.  
19 Q. And in your view, do you provide the truth to  
20 your viewers?  
21 A. Yes.  
22 MR. HINTON: Let's take a break.  
23 THE VIDEOGRAPHER: We are going off the  
24 record. The time is 2:33 p.m.  
25 (A recess was taken from 2:33 p.m. until 2:49 p.m.)

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1 THE VIDEOGRAPHER: We are back on the  
2 record. The time is 2:49 p.m.  
3 BY MR. HINTON:  
4 Q. Phil, in this case here, you have stated your  
5 position that you never had sex with Brie when she was a  
6 minor, correct?  
7 A. Correct.  
8 Q. And how -- and she has produced an affidavit  
9 saying she did have sex with you when she was a minor.  
10 MR. KOLMAN: Is that a question?  
11 BY MR. HINTON:  
12 Q. Yes.  
13 A. Yes.  
14 Q. And what evidence do you have that you didn't  
15 have sex with her when she was a minor?  
16 MR. KOLMAN: Objection.  
17 BY MR. HINTON:  
18 Q. He can answer.  
19 MR. KOLMAN: Objection.  
20 MR. HINTON: I'm just asking if he has  
21 any evidence.  
22 THE WITNESS: You want me to prove --  
23 MR. KOLMAN: Why does he have evidence  
24 for a negative?  
25 MR. HINTON: I'm just asking if he has

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1 any. If his position is you prove that I did it.  
2 THE WITNESS: Can I give you an example  
3 of -- when you ask me that question, can I give you an  
4 example of what I think of?  
5 BY MR. HINTON:  
6 Q. No. Phil, I --  
7 A. And then I'll answer it. But I don't think  
8 you quite get it.  
9 Q. Go ahead.  
10 A. If I had a watermelon and I brought it in and  
11 I put it right here and I put a knife next to it and I  
12 said, Tim, the inside of that watermelon is blue. Until  
13 you cut the skin, you slice the watermelon in half,  
14 opens up, it's pink. And I say, ha ha, I was right.  
15 How are you going to prove that it was blue? How am I  
16 going to prove that it was blue? You can't. I can't  
17 prove that something didn't happen in this case. Chris  
18 Kelly said that it happened.  
19 BY MR. HINTON:  
20 Q. Right.  
21 A. He supposedly has proof as a journalist since  
22 he put it in a major publication that it happened.  
23 You've got to prove it. I can't prove that it didn't.  
24 I'm suing Brie for her affidavit. You know that.  
25 That's also defamatory and it's been made public by you.

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1 A. No, not that I'm aware of.  
2 Q. Did you ever meet him in person?  
3 A. I think he was at events that I was at. I  
4 don't know if I would say I met him per se, but he would  
5 go to the -- there was an event up here at the Cultural  
6 Center that I saw him at. He's a prominent reporter in  
7 the area, so I knew of him. I have seen him at various  
8 places. I think I saw him at the Italian Festival. I'd  
9 say, what's up, Chris? He probably didn't know who I  
10 was -- or maybe he did. I don't know. But he's a  
11 popular guy.  
12 Q. Did you ever have any problems with him in  
13 the past?  
14 A. Oh, yeah. I think his reporting is terrible.  
15 I didn't have any problems personally with him.  
16 Q. Yeah.  
17 A. But in the sense of being a reporter, I think  
18 he's awful.  
19 Q. Okay. You just think he's too liberal or  
20 what is it?  
21 A. No, he's just -- he's a terrible person.  
22 When he writes article, he lies --  
23 Q. Okay.  
24 A. -- about the people in the articles and I  
25 think he sets out to destroy people's lives. And

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1 that's -- I guess that's my personal opinion, but it's  
2 based on things that he's done to people in the past.  
3 Q. Well, do you -- do you think Chris disliked  
4 you before this text message with you?  
5 A. I have no idea. He may have.  
6 Q. Are you claiming that Chris Kelly was sloppy  
7 and should have done a better job investigating your  
8 criminal case from 2010 and 2011?  
9 A. Sloppy?  
10 Q. Yeah.  
11 A. He said I slept with a 15-year-old girl and I  
12 didn't. I went through the arrest of all of this and  
13 the case went through litigation and was litigated. All  
14 he had to do was research that. So sloppy wouldn't even  
15 be the word I would use. It's the most extreme version  
16 of sloppy.  
17 Q. Well, if you look at your charging document,  
18 right, ST616.  
19 A. Okay.  
20 Q. Here's the charge for corruption of minors  
21 under 6301(a)1. You're charged as follows: "In that on  
22 or about January 2008 to present, the defendant, Philip  
23 Godlewski, being 18 years of age and upwards, did  
24 corrupt or intend to corrupt the morals of the  
25 victim..." it's blacked out, the name underneath that is

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1 Brienna DuBorgel "...a minor under the age of 18 by  
2 engaging in acts of sexual intercourse or aided,  
3 abetted, enticed or encouraged a minor in the commission  
4 of a crime or knowingly assisted or encouraged such  
5 minor in violating his or her parole or court order in  
6 violation of Section 6301(a)1 of the Pennsylvania Crime  
7 Codes." It's an M1. "To wit, the defendant, Godlewski,  
8 did engage in sexual intercourse with a minor child  
9 victim under the age..." and on the next page, 617, it  
10 says 16 years old.  
11 MR. KOLMAN: Objection.  
12 BY MR. HINTON:  
13 Q. Is that what the charging document in the  
14 Criminal Complaint against you reads?  
15 A. That's what the charging document reads.  
16 Q. It claims that you had sex with a minor?  
17 MR. KOLMAN: Objection.  
18 THE WITNESS: That was the charge.  
19 BY MR. HINTON:  
20 Q. Right.  
21 A. Anybody could be charged with anything at any  
22 time.  
23 Q. Right.  
24 A. They have to prove that that happened. They  
25 did not.

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1 Q. But a lot of cases -- you understand, a lot  
2 of criminal cases are disposed of through a plea  
3 bargain?  
4 MR. KOLMAN: Objection.  
5 THE WITNESS: I don't agree with that.  
6 BY MR. HINTON:  
7 Q. You don't think a lot of cases are disposed  
8 of?  
9 A. What percentage?  
10 Q. I don't know. But a lot of cases --  
11 A. Well, I don't know either. If you don't  
12 know, how could I know?  
13 Q. Okay.  
14 A. If you could say, hey, by statistical  
15 probability, 78 percent of cases are dismissed by a plea  
16 bargain and, therefore, that means that the accused is  
17 actually guilty of the crimes that he did not agree to.  
18 If you could throw me that stat, show me paperwork on  
19 that, I would agree with you. But the way you  
20 categorized it, absolutely not.  
21 Q. Phil, when you were arrested, it was for  
22 having sex with a minor.  
23 A. It was for many things.  
24 Q. Well, other than witness intimidation --  
25 A. Criminal use of communication facility.

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1 prosecute all of those charges except the corruption of  
2 minor charge. Then if you know that I pled to an M1  
3 corruption of minor, all you have to do is go to the  
4 statute, Code 6301. It tells you exactly what the  
5 charge involves.  
6 Q. It shows you the underlying act of how you  
7 corrupted Brie?  
8 A. No, but the guilty plea colloquy could have.  
9 Q. But it didn't.  
10 A. Oh, sure it did. Do you want to ask me about  
11 the guilty plea colloquy?  
12 Q. Yeah. Yeah.  
13 A. Let's do it.  
14 Q. All right. Phil, turn to 584, please.  
15 A. Okay.  
16 Q. Phil, is this your handwriting?  
17 A. No.  
18 Q. You didn't fill out the form?  
19 A. No.  
20 Q. Is that your signature on the bottom of the  
21 page?  
22 A. No, that's my initials.  
23 Q. Okay. Did you review each page and put your  
24 initials on them?  
25 A. Yes.

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1 Q. And then you signed on Page 3 of the guilty  
2 plea colloquy?  
3 A. Yes.  
4 Q. And then on the last page, Judge D'Andrea  
5 signs you. Did you initial that page too?  
6 A. Yes.  
7 Q. And it's dated November 12th, 2010, correct?  
8 A. Correct. Yep.  
9 Q. And you entered this guilty plea colloquy on  
10 that date, right, November 12th, 2010?  
11 A. I don't recall, but it's dated that date. I  
12 don't think I would sign something if it were a  
13 different -- I do see a little weird 11-12-10 in the  
14 margin. I don't know if that was added before or after.  
15 So I can't speak to the date, but I could speak to the  
16 authenticity of the document.  
17 Q. And you read the entire document when you  
18 initialed each page and signed it at the end, right?  
19 A. It was read to me.  
20 Q. Okay. All right. So in the first -- what's  
21 your full name and it's Philip Godlewski, right?  
22 A. Yes.  
23 Q. "Do you wish to plead guilty to the charge of  
24 corruption of minors," correct?  
25 A. Yes.

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1 Q. And you said yes. And it says, "How old are  
2 you," correct?  
3 A. Correct.  
4 Q. You put your age 27.  
5 A. Yes.  
6 Q. Next question, "How far did you go in  
7 school," and it says, "College grad."  
8 A. Yes.  
9 Q. Now, that's not true; is it?  
10 A. No.  
11 Q. Did you -- did you -- you reviewed this page,  
12 right?  
13 A. I did. I don't know why Joe wrote that.  
14 Q. Well, you reviewed it after he wrote it,  
15 right?  
16 A. I reviewed it while we were viewing it. So  
17 when we would get to the end of the page, I initialed it  
18 and we moved on. I don't know if -- I don't know why  
19 Joe wrote that. I acknowledged, though, that by  
20 initialing it, I agreed to it. But at that time, I had  
21 no graduation criteria from any college.  
22 Q. Right.  
23 A. So I don't know why that's in there.  
24 Q. It's a falsehood to the court, right?  
25 MR. KOLMAN: Objection. It speaks for

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1 itself and you asked -- asked it and you're being  
2 argumentative. So please --  
3 THE WITNESS: I wouldn't say it's a  
4 falsehood to the court at all.  
5 BY MR. HINTON:  
6 Q. Well, this is --  
7 A. It could very easily say on that line I had  
8 no schooling and it wouldn't have mattered to the court.  
9 It's absolutely of zero relevance. That's probably why  
10 Joe never corrected it to begin with.  
11 BY MR. HINTON:  
12 Q. But it's false?  
13 MR. KOLMAN: Okay. It's false.  
14 THE WITNESS: All right. Yeah, it's  
15 false, like I said.  
16 BY MR. HINTON:  
17 Q. Next question, "Do you read and write English  
18 language?" "Yes." That's correct, right?  
19 A. Yes.  
20 Q. "Have you had an opportunity to read the  
21 charges pending against you?"  
22 A. Yes.  
23 Q. And this is before the information is even  
24 prepared; is that right? If I look at 588, that  
25 information is not even filed until November 16th, 2010.

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1 So this is filled out four days before the information.  
2 A. If those dates are accurate, then yes. But I  
3 can't speak to when that was stamped. And I also did  
4 not sign -- I don't think a judge could actually sign  
5 this document.  
6 Q. What's "this document"?  
7 A. I'm sorry. ST588. I don't think a judge is  
8 allowed to sign that in the absence of the guilty plea  
9 colloquy. A judge needs to have this document first.  
10 Q. Going back to 584, 5B says, "Therefore, do  
11 you know exactly what you are charged with and what you  
12 are pleading to?" You said "Yes," correct?  
13 A. Correct.  
14 Q. Next question, "Have you ever been in a  
15 mental institution or received treatment for mental  
16 disease?" And you said "No."  
17 A. Correct.  
18 Q. Number seven, "Have you had any alcoholic  
19 beverages or drugs within the last 24 hours?" And you  
20 answered "No."  
21 A. Correct.  
22 Q. Number eight, "Have you fully discussed your  
23 case with your attorney and are you fully satisfied that  
24 he knows all the facts of your case and has had  
25 sufficient time to look into the questions either he or

Page 239

1 you may have about your case?" You answered "Yes."  
2 A. Correct.  
3 Q. 8A is, "Are you satisfied with your  
4 attorney?" You answered "Yes."  
5 A. Correct.  
6 Q. Nine, "Do you understand that even though you  
7 are guilty or may be guilty, you are presumed innocent  
8 and have a right to go to trial either before a judge or  
9 before a jury of 12 individuals and the Commonwealth  
10 must prove to the satisfaction of each and every one of  
11 the 12 jurors or to the satisfaction of the judge that  
12 you are guilty beyond a reasonable doubt?" You answered  
13 "Yes."  
14 A. Correct.  
15 Q. Nine, "Do you understand that you and your  
16 attorney have a right to participate in the selection of  
17 a jury?" That's not answered.  
18 A. Correct.  
19 Q. Ten, "Do you understand that if you want to  
20 go to trial, your attorney will be permitted to  
21 cross-examine the Commonwealth's witnesses and to call  
22 witnesses on your behalf? And if you plead guilty, you  
23 will lose the right to call witnesses or to  
24 cross-examine the Commonwealth witnesses?" And you  
25 answered "Yes."

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1 A. Correct.  
2 Q. Number 11, "Do you understand that by  
3 pleading guilty, you are admitting that you did things  
4 you are charged with and that if you plead not guilty,  
5 the Commonwealth cannot force you to take the stand and  
6 either admit or deny that you did the things you are  
7 charged with?" And you answered "Yes"?  
8 A. Correct.  
9 Q. Number 12, "Do you understand that by  
10 pleading guilty, you are giving up your right to appeal  
11 any question in this case except for those concerning  
12 the right of this court to try you (jurisdiction over  
13 the subject matter) or the legality of or propriety of  
14 the sentence imposed?" And your answer was "Yes."  
15 A. Correct.  
16 Q. Number 13, "State specifically in detail any  
17 plea agreement with the district attorney." And  
18 handwritten here is, "Plea to corruption of minors.  
19 Agreed sentence, three months home confinement to 23  
20 months. All other counts dismissed." That was part of  
21 your plea agreement, correct?  
22 A. Exactly.  
23 Q. Okay. So part of your agreement is if you  
24 plead guilty to corrupting Brie's morals and do three  
25 months of home confinement and another 23 months of

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1 parole, they will drop all the other charges against  
2 you, correct?  
3 A. Correct.  
4 Q. No judge dismissed all the other charges  
5 against you, it was part of a plea deal, correct?  
6 MR. KOLMAN: Objection. So what?  
7 MR. HINTON: I'm asking --  
8 MR. KOLMAN: You know what?  
9 MR. HINTON: Do you have another  
10 objection, Tim?  
11 MR. KOLMAN: Let me put another  
12 objection on the record.  
13 MR. HINTON: Tim --  
14 MR. KOLMAN: You are attempting to smear  
15 my client through innuendo. You're --  
16 MR. HINTON: Tim --  
17 MR. KOLMAN: -- attempting to bootstrap  
18 elements of this criminal case to try to prove that he  
19 had sex with Brie, which he didn't have. And the  
20 documents you have and the criminal documents that you  
21 have do not in any way reflect that. In fact, they  
22 reflect the very opposite.  
23 MR. HINTON: Tim, your objection's  
24 noted.  
25 MR. KOLMAN: Thank you.



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 2 plea colloquy. It does not exist in the guilty plea  
 3 colloquy. That's what went to the judge's desk. And  
 4 the judge put that in his document that he signed.  
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 15 Q. Okay. So that doesn't -- does that give you  
 16 the license to state after the fact how you corrupted  
 17 Brie?  
 18 MR. KOLMAN: Objection.  
 19 THE WITNESS: I'm telling you in my  
 20 opinion how I corrupted Brie.  
 21 BY MR. HINTON:  
 22 Q. Right. Right.  
 23 A. That's my opinion.  
 24 Q. Right.  
 25 A. The statute speaks for itself. I don't have

1 to interpret this statute. The statute says I corrupted  
 2 or intended to corrupt a minor under the age of 18 by  
 3 doing the next couple lines, aids, abets, entices,  
 4 encourages such minor in the commission of any crime and  
 5 knowingly assists or encourages any minor in violating  
 6 his or her parole to the court commits a misdemeanor of  
 7 the first degree. I pled to a misdemeanor of the first  
 8 degree.  
 9 Q. Right.  
 10 A. I didn't plead to a misdemeanor of the second  
 11 degree or the third degree. I didn't plead anything  
 12 else other than exactly what that paragraph says right  
 13 there. That's what I pled to. Now, there's nothing in  
 14 the case file -- and you know this but you didn't know  
 15 this before. There's nothing in the case file that says  
 16 my offense was tied to a specific sexual act. Had it  
 17 been, it would have been number one in the guilty plea  
 18 colloquy. Number two, my attorney had the right to tell  
 19 me about it. In fact, my attorney, on the morning of  
 20 sentencing, told me the opposite. He said -- I insisted  
 21 that there's no language in there that has anything to  
 22 do with sexual activity. I, therefore, went ahead and  
 23 pled. Now, you could assume all you want that it was  
 24 sexual activity tied to the Misdemeanor 1, but you have  
 25 to prove it when I'm suing for defamation. And you

1 can't because it never happened.  
 2 Q. But you can't prove that it --  
 3 A. I don't have to prove anything. It's the  
 4 watermelon thing again.  
 5 Q. Okay.  
 6 A. I can't prove a negative.  
 7 Q. So we're in a -- we're in a quandary --  
 8 A. Yeah, we're going to a jury. You're right.  
 9 Let's see what they think.  
 10 Q. -- because -- because it's in that middle  
 11 ground of nobody can prove it.  
 12 A. Let's see if a jury believes me and my team.  
 13 Q. Or believes Brie.  
 14 A. Or believes Brie and Chris Kelly. I'm  
 15 perfectly fine with a jury deciding this case because  
 16 I'm in the right. Now, if a jury says that I'm wrong  
 17 and they believe the stuff that you're putting forward,  
 18 I lose.  
 19 Q. Right.  
 20 A. That's how court works. So let's see.  
 21 Q. Okay. Phil, is Brie's birthday [REDACTED]  
 22 [REDACTED], 1993?  
 23 A. I don't know her birthday. I know she was  
 24 born in September. That's about all I know.  
 25 Q. Okay. When Principal Moceyunas questioned

1 you about Brie and he put in his memo that she's 15  
 2 years old, he apparently told you that in the phone  
 3 call, right? That she's a 15-year-old girl.  
 4 A. Yes. If it's in his memo, I have no reason  
 5 to question it. Mr. Mo's --  
 6 Q. Well, when you started communicating with  
 7 Brie over Facebook or whatever, did you know at that  
 8 time she was 15 years old -- or 14 -- 14 or 15?  
 9 A. I don't think she was 14. I think I only  
 10 ever communicated with Brie after she had turned 15.  
 11 Q. Fifteen. Okay. And when she's 15, you're  
 12 25, right?  
 13 A. There was, I think, a little less than nine  
 14 years' separation between her and I.  
 15 Q. Well, let's do the math. You're born in --  
 16 A. [REDACTED] of '83.  
 17 Q. '83. And she's born in [REDACTED] of '93.  
 18 A. Yeah.  
 19 Q. So that's ten-years-and-three-months.  
 20 A. Yeah.  
 21 Q. So you're ten-years-and-three-months older  
 22 than she is.  
 23 A. Yes.  
 24 Q. Okay. And when Joe D'Andrea came -- I think  
 25 you described it as you walked back into the

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1 Q. Did it make you mad?  
2 A. Mad? Yeah. Yeah. Motivated and angry.  
3 Q. So let's go to a clip here. We're going to  
4 put up Clip 49.  
5 (Video clip being played.)  
6 BY MR. HINTON:  
7 Q. So, Phil, we just played a clip here about  
8 the bail for your criminal case for the charges  
9 involving Brie.  
10 A. Uh-huh. Yes.  
11 Q. And was that your voice in the clip?  
12 A. Yes.  
13 Q. And those were your statements?  
14 A. Yes.  
15 Q. That you and your family put up 250,000 cash  
16 bail?  
17 A. Yes.  
18 Q. And if we look at ST776, please. Phil,  
19 that's collateral mortgage taken out by Cutting Edge  
20 Bail Bonds, LLC. Do you see that?  
21 A. Yes.  
22 Q. And is that your signature on that document?  
23 A. Yes.  
24 Q. And did you take out a mortgage on your house  
25 to get bail, you and Dori?

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1 A. Yes.  
2 Q. And were you here for Marie's deposition that  
3 she took out a mortgage on her house too so you could  
4 get bail?  
5 A. Yes.  
6 Q. And you guys pledged your houses for bail,  
7 you didn't put up 250,000 in this case; isn't that  
8 correct?  
9 A. Correct.  
10 Q. So what you told the hate group in May of  
11 2022 was incorrect; is that true?  
12 A. Yes. Purposely.  
13 Q. So you purposely lied to those people about  
14 this situation?  
15 A. No, that's not what I said.  
16 Q. Well, you said purposely.  
17 A. Yeah.  
18 Q. What did you mean?  
19 A. Purposely -- this hate group were kings and  
20 queens of discovering documents that were connected to  
21 me in any way, shape or form. This particular document  
22 has multiple names on it; my name, Dori's name, my  
23 mother's name, Tommy's name. And I thought that they  
24 would harass those involved with me just like they've  
25 been doing for the last couple years now because of the

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1 article that Chris Kelly wrote. So my white lie was an  
2 attempt to protect the group from trying to expose  
3 anything further.  
4 MR. HINTON: Okay. Let's go to the next  
5 clip. Putting Clip 14 up.  
6 (Video being played.)  
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9 picture of your Harvard certificate. Was that your  
10 voice on that clip?  
11 A. It sounded like my voice was actually edited  
12 a little bit. I don't know where that video came from,  
13 but it sounded weird. But I did say that.  
14 Q. You did say you had a Harvard degree?  
15 A. Yes.  
16 Q. And you were sporting a Harvard sweatshirt?  
17 A. Well, I think that's why they asked me the  
18 question. I didn't just volunteer that information.  
19 That was a Q&A session and I was wearing the Harvard  
20 shirt that I had purchased. So I think that's what  
21 caused somebody to ask that question.  
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25 said it, I did think I had a degree. And then when all

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2 what I actually had was a certificate and not a degree.  
3 But I referred to the picture that you just put on the  
4 screen that I had on the wall behind me as a degree, but  
5 it was not.  
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22 right?  
23 A. No.  
24 Q. My statement's correct; yes?  
25 A. Yes, your statement's correct.

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1 A. Correct.  
2 Q. So this is obviously before May 21st of 2021  
3 when you sued?  
4 A. Was that the date that I filed?  
5 Q. Yeah. It's either the 21st or the 24th.  
6 A. Yeah, so it would be before that date.  
7 MR. KOLMAN: What page is that?  
8 MR. HINTON: 476.  
9 BY MR. HINTON:  
10 Q. So -- and we talked about this earlier. In  
11 the middle of this post you said, "Please be patient  
12 with me. I'm not going anywhere, but I've been advised  
13 to halt the livestreams for multiple reasons; the  
14 strength of my legal case and the safety for my family."  
15 So is this what you were talking about earlier about  
16 there was a time when I halted livestreams?  
17 A. Yes.  
18 Q. It wasn't because of Dori. We showed  
19 livestreams you did after Dori talked to you about not  
20 doing them anymore, right?  
21 A. No, not necessarily. It was partially  
22 because of Dori. And as the legal case -- once I  
23 realized that I did have a case, I was afraid that I was  
24 going to say something that would damage the case. So  
25 many people, Tim included, and other attorneys that I

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1 talked to, once they learned the circumstances of my  
2 show and all that, they told me I should probably not do  
3 that anymore. And that was, obviously, the same advice  
4 that Dori was -- not advice, but the same pleading that  
5 Dori was offering me as well so... And on the back of  
6 the article, things got really bad after that article  
7 was written in February. So the end of February, the  
8 second half of February as well as March had me afraid  
9 for a little while.  
10 Q. So in this post, 476, you state, "Things are  
11 very, very shaky right now at best and I am carefully  
12 navigating the waters. I purchased an AR-15 today as  
13 well as a handgun for my wife both for home/personal  
14 protection. I've never owned a weapon until now." Did  
15 I read that correctly?  
16 A. Yes.  
17 Q. And that's not true; is it? You did not  
18 purchase an AR-15 and a handgun as you state you did  
19 there?  
20 A. I did purchase an AR-15. I never purchased a  
21 handgun for my wife, though. I said that as a deterrent  
22 for people that might be -- because of the article,  
23 might have some sort of malice against me thinking that  
24 I'm a pedophile.  
25 Q. So let's look at ST1576. Keep that page in

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1 your hand, but go to 1576.  
2 A. Okay.  
3 Q. Now, this the Affidavit of Probable Cause for  
4 the criminal case filed against you for two false  
5 statements regarding the purchase of firearms, correct?  
6 A. Correct.  
7 Q. And it says on February 17th, 2021, you  
8 attempted to purchase a Stag Arms Model Stag 15 Tac 5.5,  
9 6 millimeter rifle, correct?  
10 A. Correct.  
11 Q. You didn't actually get that rifle; did you?  
12 A. No.  
13 Q. Okay. Is that the same thing as the AR-15?  
14 A. No, that's a different model, but -- it is an  
15 AR-15, but it's not the model that I ended up  
16 purchasing.  
17 Q. Okay. Where did you get an AR-15 from?  
18 A. I don't remember his name, but it was a guy  
19 in Dunmore.  
20 Q. And did you truthfully fill out the  
21 application for that purchase?  
22 A. No. You don't need an application for a long  
23 gun. I didn't know that.  
24 Q. Okay.  
25 A. The handgun you do, in Pennsylvania. A long

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1 gun like an AR or a shotgun or something like  
2 that -- long gun refers to the barrel length, I believe.  
3 You don't need to fill out an application for that.  
4 Q. So when did you buy the AR-15?  
5 A. Did you say that this was posted in March?  
6 Q. It's some time before the lawsuit.  
7 A. It's possible that I bought -- I don't know  
8 if I bought it prior to this application or before, but  
9 I would think that I bought it prior to the application  
10 at The Cabin and that this would have been my second  
11 purchase. It's possible. But I was declined for that  
12 purchase.  
13 Q. So after you were declined for that purchase,  
14 did you then go buy the AR-15 in Dunmore?  
15 A. No, I believe it would have predated this  
16 denial.  
17 Q. So you were attempting to get a second  
18 AR-15-type rifle.  
19 A. Yes. I believe so, yes. From what I  
20 remember, yes. This was a very bad time for me.  
21 Q. Now, you were out on bail in the bank  
22 records/bad checks case at that time.  
23 A. No.  
24 Q. Yeah. You were charged in 2020 in the  
25 Mariotti case.

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1 A. It's not true?  
2 Q. No.  
3 A. Okay. Good. Is Holeva his editor?  
4 Q. He's an executive editor. I'm sure you got  
5 his name off the masthead. I don't think he was the  
6 editor.  
7 A. Maybe somebody else needs to be added. I  
8 don't know. Ultimately, though, I think the Scranton  
9 Times is irresponsible because they put these people in  
10 place and if they're allowing defamatory and slanderous  
11 articles like that to be written, they're responsible  
12 for their content. They print it.  
13 Q. Now, would you agree that based on everything  
14 you know, Brienna did initially tell the police that she  
15 was involved in a sexual relationship with you?  
16 Initially, when she went to the police?  
17 A. I believe she initially did, yeah.  
18 Q. And then you received information that she  
19 tried to recant that story?  
20 A. Several times.  
21 Q. And are you also aware that the detectives,  
22 Michelle Mancuso particularly said to her, Brie, we have  
23 the text messages between you and Phil. We know it's  
24 still ongoing? Were you aware of that?  
25 A. I was aware -- I wasn't aware of that

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1 specifically, but I was aware that they declined her  
2 request to recant. And they said -- this is what she  
3 told me. They said that if you recant, we may have to  
4 file against you for filing a false police report.  
5 That's a felony in Pennsylvania. And as a 16,  
6 17-year-old kid, I don't know what I would have done in  
7 that situation, which is why I didn't necessarily blame  
8 Brie for what happened after that. I believe that there  
9 was also -- I don't want to call it conspiracy, but also  
10 some sort of influence from the DA's Office by the hand  
11 of Michelle Mancuso or Justin Leri or Kolcharno that  
12 stopped Brie from doing the right thing before it got  
13 too far. She pled the Fifth Amendment on the stand to  
14 reverse all of that.  
15 Q. Did you know in advance that she was going to  
16 plead the Fifth Amendment on that day?  
17 A. No.  
18 Q. You didn't know?  
19 A. I was surprised. Joe was very surprised.  
20 Oh. I'm sorry. There were rumors circulating that Brie  
21 had been telling people that she was advised by counsel,  
22 which I never knew who it was, for her to get out of  
23 this scot-free, to plead the Fifth Amendment that day.  
24 So Joe and I were actually aware that it may happen.  
25 When it happened, we were very surprised because we

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1 heard a lot of rumors during the case that don't  
2 necessarily pan out the truth. But, yes, I did -- I was  
3 made aware through rumblings, private investigator as  
4 well as Facebook and different comments that you saw in  
5 different areas, that she was thinking about doing that.  
6 Q. Phil, who -- I questioned you on February 6th  
7 in front of Judge Minora about the financial opportunity  
8 that you were offering to Brie in late May of 2021, I  
9 believe it was.  
10 A. Yep.  
11 Q. 2022. I forget which one. Tell me again  
12 what the financial opportunity is that you were offering  
13 her.  
14 A. It would have been -- I don't think at that  
15 time -- if it was '21, it could have very well been 7K  
16 Metals. It would have been '21? So it was probably 7K  
17 Metals.  
18 Q. I'm sorry. I'm sorry. It was not '21. It  
19 was 2022. It was not 7K Metals. Because 2021, you  
20 started 7K Metals after you came out of jail?  
21 A. Correct.  
22 Q. So you came out of jail in August.  
23 A. So it would have been May of '22?  
24 Q. May of '22. Like, May 28th, you sent a text  
25 to her about a unique financial opportunity.

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1 A. Uh-huh.  
2 Q. So you had already gotten 7K Metals going.  
3 A. Yeah, so it wasn't 7K.  
4 Q. Yeah. It wasn't Goldco, either, because --  
5 A. No, it couldn't have been Goldco. It was  
6 most likely Tax Refund -- or Max Refund, rather.  
7 Q. Yeah, but that's not a multi-level marketing  
8 company.  
9 A. Oh, in this case, it would have been. So  
10 Rumble and I ended up partnering with a company that's  
11 called EZ-ERC. EZ-ERC is a massive  
12 six-hundred-million-dollar ERC benefit company. There  
13 were conversations between me and Rumble of whether we  
14 partner with a massive company like that or I put my own  
15 team together and instead of only getting a portion of  
16 the commission from EZ-ERC, we get all the commission.  
17 And that was a big difference; huge. Millions and  
18 millions of dollars huge. Ultimately, I ended up  
19 deciding that it was easier and probably not worth my  
20 time to form another team, go through another set of  
21 leads, go through another scheduling calendar, manage  
22 all that. I was trying to take things off of my plate  
23 so I could concentrate more on my family, not add new  
24 things. So at the time that I was talking to Brie about  
25 it, the way we were going to structure the team was, in

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1 a sense, she would get the maximum of commission based  
2 on our structure. I wanted to help Brie financially if  
3 I could.  
4 Q. Okay. And you never set up a business to  
5 fill her in like that, correct?  
6 A. No. Subsequently?  
7 Q. Yeah.  
8 A. No.  
9 Q. Okay. So, you know, am I correct that  
10 there's nobody else that you've filled into Brie's slot  
11 to make a lot of money?  
12 A. No, that particular business didn't even --  
13 it wasn't even structured that way. We outsourced to  
14 the larger company. I still get commission, but no one  
15 else does.  
16 Q. No one else does?  
17 A. That's right. It's just me. It's much  
18 smaller too but...  
19 Q. As it turns out, there was no position for  
20 Brie?  
21 A. At the time that I said it, there was. As it  
22 turns out --  
23 Q. You were thinking about it, but you didn't  
24 put it into motion?  
25 A. Well, I wouldn't say I didn't put it into

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1 motion. I would say that I chose a different path than  
2 what I was talking to Brie about. It just didn't -- it  
3 wasn't the best business model to do it that way. It  
4 would have been beneficial to not only Brie, but  
5 everybody else that I was going to put on my team. But  
6 it would have required a lot more work for me and I  
7 just -- again, I was trying to subtract, not add.  
8 Q. But as it turns out, you didn't create a team  
9 at all, right?  
10 A. No, because we part -- well, I do have a  
11 team, yeah. It's EZ-ERC Company.  
12 Q. Right.  
13 A. Those people. They're my team technically.  
14 Q. But nobody like Amanda Turoni or nobody like  
15 that?  
16 A. No. No. No. No, we didn't go that route  
17 ultimately.  
18 Q. All right. So, Phil --  
19 A. Tim, may I on the same topic? It could have  
20 also been Lifewave. I don't remember what I was talking  
21 talk to Brie about in that month. But I do remember in  
22 2022, I was going to start an additional MLM company  
23 called Lifewave. They have patches that you wear that  
24 stimulate stem cells. And it's an MLM company similar  
25 to 7K except a lot easier.

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1 7K caught wind of me wanting to do that  
2 and talked me out of it. So I don't know -- I don't  
3 remember what specific company I was talking about  
4 getting Brie involved in. All I knew is either of the  
5 companies that I would have had her involved in would  
6 have been financially beneficial to her without doing  
7 very much work.  
8 Q. Phil, can you name for me any persons who  
9 have refused to do business with you because they read  
10 Chris Kelly's article?  
11 A. Oh, boy. I'd have to go back and look. I  
12 can't name them at this time. There have been hundreds,  
13 if not more than that, that would send me an e-mail.  
14 There's an entire hate group that refuses to do business  
15 with me and tells lies about me all the time because  
16 they're convinced that I'm a pedophile because of your  
17 client's article. That hate group didn't exist prior to  
18 the article. There were no hate groups and my career  
19 was doing just fine. And I'd probably still be in it  
20 today. It turns out that I turned my life around and  
21 accelerated things and I'm doing better now, as you said  
22 earlier. But to name a specific person, which I most  
23 likely can do if I went back and looked, I think the  
24 greater number is the unquantifiable people that will  
25 not approach me and say, hey, I'm not doing business

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1 with you. Most people aren't going to say anything,  
2 probably 80, 90 percent of people.  
3 Q. Well, I just want to know, can you identify  
4 any persons by name that won't do business with you  
5 because of the Chris Kelly article?  
6 A. Yeah. I've had people quit 7K.  
7 Q. Okay. Can you give me their names?  
8 A. I could. Not right now. I wasn't prepared  
9 to bring names today. But I could get names for you,  
10 sure.  
11 Q. Okay. I need contact information for them  
12 too.  
13 A. Sure. Absolutely. I mean, I don't know if I  
14 have contact information for some of the people. There  
15 may have just been a message on Telegram where somebody  
16 said something. They don't go by their real names on  
17 Telegram often. So I'll get you what I have; you could  
18 take it from there.  
19 Q. Okay. So I remember you making statements on  
20 social media that you said, I was a very bad person and  
21 then I found God.  
22 A. Uh-huh.  
23 Q. Do you remember saying that?  
24 A. Yes.  
25 Q. When did you find God?

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1 A. When?  
2 Q. Yes. Like, when did you have this  
3 conversion? Was it after jail, before jail?  
4 A. Around then. I lost my family. I didn't  
5 see -- didn't see my boys for nine months.  
6 Q. Well, Phil, when you were sending Brie  
7 pictures of you naked masturbating in March of 2021  
8 after Brie left you --  
9 A. Dori.  
10 Q. Were you -- after Dori left you, at that  
11 point in time, you hadn't found God yet?  
12 A. No.  
13 Q. Okay.  
14 A. It was a period of the article, that's when  
15 everything changed, between the article and jail or  
16 slightly after my release from jail that I was in  
17 terrible shape mentally. I sought help because of the  
18 shape that I was in. You have the reports. I was  
19 afraid of harming myself. I was afraid of going out in  
20 public. People, once again, for a case that was some  
21 12, 13 years old, thought I was a pedophile. And I was  
22 afraid and I drank a lot, stayed home a lot. Wasn't  
23 communicating with my kids because of it -- not because  
24 of it but because Dori seemed to think that the article  
25 was a deterrent for the kids to be with me because she

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1 didn't know exactly what I thought, is somebody going to  
2 knock on my door and blow me away.  
3 Q. Phil, can you state for me the identity of  
4 any persons that read the Chris Kelly article and think  
5 less of you because they read that article?  
6 A. I think you already asked me that. In fact,  
7 you just asked me that and I said that as I sit here  
8 now, I don't have their names. But there have been  
9 numerous people in the last two-and-a-half years that  
10 the article has been published and is still published  
11 that think the article is accurate. And it has caused  
12 hate groups to form which drive by my house, send nasty  
13 messages to me, my friends, my in-laws, my new in-laws.  
14 Anybody that I tag on Facebook, all sorts of messages  
15 get sent to all of these people, including messages to  
16 me. And I will absolutely share that list with you. Do  
17 I have it right here and I can say, here you go? No.  
18 But it's been bad.  
19 Q. Phil, you've said your damages are not able  
20 to be calculated.  
21 A. I think what I said is it's unquantifiable.  
22 But yes.  
23 Q. And that's your truth, that they're  
24 unquantifiable?  
25 A. A hundred percent. How would I prove how

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1 many people don't follow me because of the article?  
2 Q. Do you know, Phil, that in this case, you've  
3 already stipulated that you have no economic damages?  
4 A. I don't need economic dam -- my income has  
5 gone up since your article.  
6 Q. Right.  
7 A. So I'm not suing for economic loss in terms  
8 of that. I'm suing for what the article has already  
9 done and will do in the future. That article has been  
10 published now and on that website for two-and-a-half  
11 years. How do I know that one of my children isn't  
12 going to go to a birthday party some day and say -- and  
13 get called, hey, your dad's a pedophile. Can you put a  
14 number on that? Because I can't. It's unquantifiable.  
15 Q. Phil, do you have any persons that you were  
16 friends with before the article that said, Phil, I'm not  
17 going to be friends with you anymore because I read what  
18 Chris Kelly wrote and I believe it?  
19 A. Tim, that's not -- that's not something that  
20 happens in real life. People don't come to you and say,  
21 hey, I'm no longer going to be friends with you because  
22 of an article that I read. They just stop talking to  
23 you. And yes, that has happened dozens, if not hundreds  
24 of times, with my friends from high school, people in  
25 the area that I used to do business with, many times.

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1 Q. Can you name them?  
2 A. You just asked me that four times in the last  
3 five minutes.  
4 Q. Well --  
5 A. Just now I just remembered one, so happens.  
6 Q. Who is it?  
7 A. I was still doing real estate and it was  
8 Freddie Gray. Freddie Gray had a house on -- what the  
9 heck street was that -- in Old Forge, his wife Emily,  
10 Emily Gray. They cancelled their listing with me. A  
11 \$200,000 house. Again, I'm not suing for economic loss.  
12 You know that, you said that. I'm suing for what the  
13 damage that your article has done to my family and to me  
14 for years and years to come.  
15 Q. Medically speaking, I think we've already  
16 established that you haven't had any treatment after  
17 those two therapy visits in John Kuna's office, correct?  
18 A. I started to see a little bit more clearly  
19 after my 30 days in jail. I met some good friends in  
20 there, believe it or not, and a lot of them help talk me  
21 through things. Amanda Turoni helped -- helped me a lot  
22 on a friendship basis. And I think the overall harm --  
23 the psychological harm that I was going through -- the  
24 psychological period that I was going through, kind of,  
25 got better after I got out. So I didn't feel the need



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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 LACKA WANNA COUNTY  
:  
:  
: CIVIL ACTION  
: No.: 2021-CV-2195  
:  
:  
: JURY TRIAL DEMANDED  
:  
:  
:  
:  
:  
:

**PLAINTIFF'S RESPONSE TO DEFENDANTS' INTERROGATORIES (SET II)**

**GENERAL OBJECTIONS**

1. Plaintiff generally objects to Defendants' Interrogatories (Set II) to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.
2. Plaintiff generally objects to Defendants' Interrogatories (Set II) 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 II) 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 II) 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 II) to the extent they cause unreasonable annoyance, embarrassment, oppression, burden, and/or expense.



7. Plaintiff generally objects to each of Defendants' Interrogatories (Set II) 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 II) 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 Defendants' Interrogatories (Set II) 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 Defendants' Interrogatories (Set I) to the extent they are inconsistent with or exceed the requirements of the Pennsylvania Rules of Civil Procedure.

11. Plaintiff responds to Defendants' Interrogatories subject to and without waiver of all of the foregoing General Objections. Plaintiff has made reasonable efforts to respond to Defendants' 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.

### **SPECIFIC OBJECTIONS**

Without waiver of the foregoing general objections, Plaintiff responds as follows to Defendants' Interrogatories (Set II).

### **INTERROGATORIES**

1. Did you receive a search warrant from the Lackawanna County District Attorney's Office in 2010 that alleged in the affidavit you had sex with a minor female in your car and in homes listed for sale that you had access to as a realtor?

**ANSWER: Yes**

Were you ever alone with Brienna DuBorgel in your vehicle in 2008?

If "yes", how many times?

**ANSWER: Yes, once or twice. I'm unsure if it was 2008 or 2009.**

14. What was the basis for your statement that Vice President Mike Pence had been arrested on January 6, 2021?

**ANSWER:** I no longer have the source, but my statement that day was “multiple reports are suggesting that Vice President Mike Pence has been arrested”. Earlier that day, before making my statement above, I had read at least 3 or 4 reports that were all reporting the same info. If I remember correctly, 2 of the sources were on the ground in Washington, D.C.

KOLMAN LAW, P.C.

BY: /s/ Timothy M. Kolman  
Timothy M. Kolman, Esquire  
Attorney for Plaintiff

Dated: April 7, 2022

**VERIFICATION**

I, Philip Godlewski, verify that the statements made in *Plaintiff's Response to Defendants' Interrogatories (Set II)*, 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: 11/23/2022



---

Philip Godlewski – Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Plaintiff's Response to Defendants' Interrogatories (Set II ) was served upon the parties listed below on Thursday, April 7, 2022 via email only.

J. Timothy Hinton, Jr., Esquire  
**HAGGERTY HINTON & COSGROVE LLP**  
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*Attorneys for Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva*

Dated: April 7, 2022



1 Q. Let's flip forward to later on in the  
2 summer, August 5th, on Page 1480. There's a bottom  
3 balloon, which is a text message from Phil Godlewski to  
4 you. Can you read that for the Court?

5 THE COURT: This is, again, August  
6 5th now, right?

7 MR. HINTON: August 5th of 2022.

8 THE COURT: All right.

9 BY MR. HINTON:

10 A. Listen, my friend, things are getting very  
11 nasty with the Scranton Times. I think you should know  
12 what's going on. I'd like to talk to you in person. I  
13 don't want you to be blind-sided by any of this.

14 Q. Next page, please, the middle balloon. Also  
15 on-- Oh, that's August 6th. I guess it's the next day.  
16 What does he say to you?

17 A. I have your back, Brie. You should see what  
18 they are trying to do to me. It's absolutely awful.

19 Q. Now, Brie, after Phil talked to you about a  
20 windfall and a financial opportunity in voicing his  
21 disgust for the Scranton Times, we'll call it, did you  
22 speak to him by phone about what he was proposing to  
23 you?

24 A. Yes, I did.

25 Q. And tell us about that conversation, please.

1 THE COURT: What date did that take  
2 place, first of all?

3 BY MR. HINTON:

4 Q. Can you tell us when you talked to him after  
5 these text messages?

6 A. About a month or two ago.

7 Q. About a month or two ago?

8 A. About two months.

9 Q. Two months ago. Okay. Tell us about that  
10 conversation you had with Mr. Godlewski.

11 A. He said he would offer me fifty thousand  
12 dollars, and I kind of just laughed it off as a joke  
13 because I don't think he would ever really do that.

14 Q. What did he want in return for paying you  
15 fifty thousand dollars?

16 A. He wanted me to be on his side.

17 Q. Did he get more specific as to what he was  
18 looking for you in terms of your sexual relationship  
19 with him?

20 A. No, not really.

21 Q. Okay. Did he ask you to change the age that  
22 the two of you had sex together?

23 A. He just wanted me to say that I was older.

24 Q. Older than fifteen?

25 A. Eighteen.



1 Q. He wanted you to say you were eighteen when  
2 you had sex?

3 A. Correct.

4 Q. And what did you say in response to him?

5 A. I said I can't lie under oath.

6 Q. When you were having sex with him as a  
7 fifteen year old, was Phil living with Dori Gallagher  
8 at the time?

9 A. Yes.

10 Q. And he was engaged at that time?

11 A. Yes.

12 Q. And where did the two of you have sex when  
13 you were fifteen?

14 A. In homes he was renting.

15 Q. So he was a realtor at the time, and he  
16 would take you to homes he had access to as a realtor?

17 A. Yes.

18 Q. And did that-- did those sexual relations  
19 happen many times when you were a freshman at Riverside  
20 High School?

21 A. I would say so.

22 THE COURT: This is all in your  
23 freshman year still?

24 MS. DUBORGEL: Yes, Your Honor.

25 THE COURT: Okay.

1 you may have had about the question?

2 A. No, it didn't clear up any confusion at all  
3 because once I read if yes, I didn't read the rest  
4 because the answer was no to number seven.

5 Q. So at no time did you admit in discovery in  
6 this case to ever having a sexual relationship with  
7 Brienna, is that correct?

8 A. Can you restate that?

9 Q. Did you ever admit in any of your discovery  
10 responses that you had a sexual past with Brie?

11 A. I believe in the question that I was asked  
12 in one of the interrogatory sets, if the text messages  
13 between Brie and I, the most recent text messages, were  
14 true. And to that question I answered-- or were  
15 accurate or were from me. To that question I answered  
16 yes. And the content of the text messages in which I  
17 was referring to did reference a recent sexual  
18 relationship.

19 Q. Okay. Well, let's get that on paper here.  
20 When was your recent sexual relationship  
21 with her?

22 THE COURT: When was the admission  
23 made or when did the act take place, Tim?

24 MR. HINTON: The only thing he  
25 admitted, Your Honor, is that these were his

1 text messages.

2 THE COURT: I'm asking you that. I  
3 don't know what date you're asking about,  
4 when he made an admission or when he  
5 actually had it.

6 MR. HINTON: When did he begin a  
7 sexual relationship with Brie.

8 BY MR. HINTON:

9 A. I would say 2013, 2014, 15, somewhere in  
10 that--

11 Q. All right. So you're still on probation at  
12 that time from corrupting her at that time and you're  
13 having sex with her at that time?

14 A. No.

15 Q. You were on probation for two years, weren't  
16 you?

17 A. I know. You're putting me on the spot, and  
18 I can't remember when our relationship was.

19 Q. So let's get this straight. So you admitted  
20 in Court--

21 A. I'm sorry. I could correct the record if I  
22 may. It was almost certainly from 2015 to 2016. And I  
23 remember that because of the time that I started my  
24 real estate company was the same year.

25 Q. Okay. So you started the agency with George

1 Plisko, correct, 2015?

2 A. Correct.

3 Q. And at that time you began a sexual  
4 relationship with Brie?

5 A. Yes.

6 Q. All right. So you corrupted her--

7 MR. KOLMAN: Objection.

8 BY MR. HINTON:

9 Q. --2009 and 10, correct?

10 THE COURT: Factually accurate  
11 question. Overruled.

12 BY MR. HINTON:

13 Q. You corrupted her in 2009 and 2010?

14 A. I pled guilty to corruption of minors, yes.

15 Q. Of her, though, not some unspecified victim?

16 It was Brienna, right?

17 A. The one that was in the complaint, yes.

18 Q. She's the victim?

19 A. Of course.

20 Q. You corrupted her?

21 A. Yes.

22 Q. And you served probation for two years and  
23 then you began a sexual relationship with the person  
24 you corrupted earlier?

25 A. Correct.

1 Q. Do you see anything wrong with that?

2 A. No.

3 Can I elaborate?

4 Q. No.

5 A. I didn't think you'd want me to.

6 Q. So-- And you're married at the time that  
7 you're now in a sexual relationship with her?

8 A. We were kind of on the outs of our marriage.  
9 We weren't separated, but we were having severe  
10 problems in our marriage.

11 Q. She filed for divorce in March of 2021?

12 A. Yes.

13 Q. She never filed before then? Dori I'm  
14 talking about.

15 A. Almost, but no.

16 Q. But no. All right.

17 So let's go through the time line here.

18 MR. HINTON: Your Honor, it's  
19 Exhibit AA, if you want to follow along in  
20 your notebook. I think it will speed things  
21 up.

22 BY MR. HINTON:

23 Q. Mr. Godlewski, I served interrogatories upon  
24 you on July 9th of 2021, over a year and a half ago.

25 And in the one interrogatory I asked: Do you have any

1 Q. You didn't admit to any of these text  
2 messages that you had with her?

3 A. I never spoke to Brie about the lawsuit in  
4 the text message format. The only time we ever spoke  
5 about the lawsuit was in person or, I believe, over the  
6 phone.

7 Q. All right. Let's get the pile of text  
8 messages out from Brie's phone.

9 A. Is that this here?

10 Q. Yes, please.

11 A. Okay.

12 Q. So the first one I want to point your  
13 attention to is on Page 1456.

14 A. I'm sorry, Tim. These are massively out of  
15 order. I got 1457, and then it goes to 1022, 1459.

16 Q. Follow along with me. I'll give you a new  
17 stack.

18 THE COURT: Did you say 1456, Tim?

19 MR. HINTON: Yes.

20 BY MR. HINTON:

21 Q. So 1456, you sent her a text message on  
22 May 28th. There were a lot of text messages that day,  
23 right?

24 A. I see one right now. I don't remember what  
25 else.

1 Q. We're going to go through them.

2 A. Okay.

3 Q. And you text-- This is your text message to  
4 her, right?

5 A. Yes.

6 Q. And you said: But I get the feeling you  
7 already know so I'll back off. I'll be here if you  
8 want to meet up and check. Do you say that to her?

9 A. Yes.

10 Q. Okay. You had asked her to hang out, right?

11 A. Yes.

12 Q. Let's flip forward here. I don't want to  
13 take up too much time of the Court's time.

14 Then on 1459 you text her and you say: I  
15 think it might be fair to say that there's a very, very  
16 large and very, very unique financial opportunity that  
17 exists in front of you. Is that what you wrote to her?

18 A. Yes.

19 Q. And what-- Why did you write her that text  
20 message?

21 A. At the time we were-- my team and I were  
22 considering starting a-- a new-- a related business to  
23 the businesses that I had already started regarding  
24 gold and silver. I think you're aware of my PSI and 7K  
25 business. We were about to start another one in a

1 similar fashion. And what I learned with the first  
2 one, I incorrectly set it up. In the way that MLM's  
3 and direct sales companies operate you kind of want to  
4 have your most-- you kind of want to have your people  
5 at the top of the chain that are going to be most  
6 reliable, most trustworthy, most communicative--  
7 communicative. You want to put good people up at the  
8 top.

9 So when we were starting this new company I  
10 wanted to, this time, which I didn't do the first time,  
11 I wanted to, this time, make sure that I solidified my  
12 downline or upline, as they call it, with the proper  
13 people. And I believe the first time that I did this  
14 with my first business it wasn't going to go well.

15 Now, this particular business I was trying  
16 to get Brie-- I knew she was having financial trouble  
17 from our prior conversations. I knew that she had  
18 ambitions to go to out of state to maybe do some legal  
19 work and stuff like that for her degree that she was  
20 trying to obtain. So I thought-- Brie and I always had  
21 a very good relationship, always from day one.  
22 Anybody that says otherwise is-- is a liar. So as a  
23 friend to Brie, and as a long-time acquaintance, as  
24 Brie has testified to today, I was trying to put Brie  
25 in the top of this company so that she could benefit



1 financially from it once it was launched.

2 Q. To sell silver or gold?

3 A. No. This was not a gold or silver company.

4 This was an IRA, 401k rollover company.

5 Q. Goldco?

6 A. It's not Goldco. It's actually-- Goldco was  
7 one of the vendors, but there are several vendors that  
8 are part of my GoldQuiz.com lead funnel I guess you  
9 would call it.

10 Q. Did you ever make her an offer to get  
11 involved in that company?

12 A. I wanted to. She never responded.

13 Q. Okay. All right.

14 A. She didn't-- She didn't seem interested.

15 Q. What--

16 A. I think she may have assumed that I might  
17 have been talking about the Scranton Times case when I  
18 wasn't. I was trying to help her.

19 Q. Okay. So what was unique about this  
20 financial opportunity for her?

21 A. The money.

22 Q. Oh.

23 A. The amount of money associated with it.

24 Q. All right. So go to the next page, 1460.

25 You wrote to her: The type of opportunity that happens

1 to hardly anyone.

2 A. Yes.

3 Q. That was this rollover retirement accounts  
4 into gold or silver?

5 A. Can I tell you what I meant by that  
6 particular comment?

7 Q. Sure.

8 A. When I say the type of opportunity that  
9 happens to hardly anyone, I don't necessarily mean  
10 somebody rolling over their 401k or IRA into precious  
11 metals. What I meant was me-- in the position that I'm  
12 in, as a social media influencer or whatever you guys  
13 want to call me, I have a large following. I have ten  
14 million, twelve million, fourteen million people that  
15 will watch me when I go live on social media.

16 The unique opportunity is that when I launch  
17 something in front of that many people, it's a numbers  
18 game at that point. If I could get one percent of  
19 those people to sign up for the company, that's a lot  
20 of people. That's way more than anybody in this room  
21 or really anybody-- anyone can potentially get. So  
22 Brie being at the top of that company chain, I thought  
23 it would help her for the rest of her life, which was  
24 important to me considering all we've been through.

25 Q. Go to 1463, please.

1           Mr. Godlewski, on Page 1463 Brie responded  
2 on this same day as part of this same conversation:  
3 Oh, are you trying to recruit me for the silver thing?  
4 And you responded. If you could make the noise that  
5 you would-- You said (making a non-transcribable sound)  
6 No.

7           A. It's more a (making a non-transcribable  
8 sound). Not a (making a non-transcribable sound).

9           Q. Right. But your impression was no, you  
10 dummy?

11          A. Yeah.

12          Q. Yeah. "I'm not trying to recruit you for  
13 silver."?

14          A. Correct, yeah.

15          Q. All right.

16          A. The silver thing I had launched in August of  
17 21. It was launched way prior to this conversation.  
18 So Brie-- I would have had no opportunity to circumvent  
19 the people that were already enrolled in 7k Metals or  
20 Phil's Silver through Phil's Silver with Brie. Once  
21 you're enrolled, you're enrolled. You can't go up the  
22 upline, you have to go down the downline. So Brie  
23 getting enrolled then made no sense. Getting enrolled  
24 in GoldQuiz though, that did make sense.

25          Q. Mr. Godlewski, you then responded, after you

1 said no, you said: We really need to meet and chat.  
2 Is that correct?

3 A. Yes.

4 Q. And then on the next page you said: I can't  
5 talk about this through text or over the phone. Is  
6 that correct?

7 A. Yes.

8 Q. Why couldn't you talk about getting involved  
9 in your 401k businesses by phone or text?

10 A. I was advised not to. I have several  
11 attorneys that represent me for FTC and SEC compliance  
12 guidelines. When you do advertise this type of thing  
13 on social media, and you do have a lot of people  
14 listening to you, it's very, very easy to misstep out  
15 of place and violate one of their-- one of their rules  
16 or regulations.

17 So in recruiting for this team that I was  
18 doing, which was part of this conversation, I wanted to  
19 make sure that I abided by their wishes.

20 MR. KOLMAN: Your Honor, I have an  
21 objection. I just don't see how this is  
22 related to the issues before the Court in  
23 terms of discovery.

24 MR. HINTON: Your Honor, I'm almost  
25 done with this chain. It goes to intent,

1           too, by the way, Your Honor.

2                   MR. KOLMAN: My client didn't have  
3           these documents, you know, before they were  
4           produced. And I'm not sure-- I mean, I  
5           think Mr. Hinton is about to tell us why  
6           he's asking these kind of questions. I  
7           think it's far afield.

8                   THE COURT: I don't. Overruled.

9 BY MR. HINTON:

10           Q. Mr. Godlewski, go to 1468, please. The top  
11           message to Brie, again on May 28th, can you read that  
12           message?

13           A. It's May 28th, 2022. Okay. Period. Well,  
14           that makes me feel better. When you're ready I have an  
15           opportunity that involves the both of us, but it  
16           won't-- it won't work with just one of us. I don't  
17           know which way to go with it until I speak to you so  
18           remember me when you feel better and we'll talk.

19           Q. Then your bottom text messages reads: But  
20           it's a very delicate situation and unless it's handled  
21           properly by both of us we stand to benefit absolutely  
22           nothing. And there is a financial windfall here if  
23           handled properly. That's all I can say through text.  
24           I don't trust those motherfuckers, and I'm literally  
25           foaming at the mouth to take them down once and for

1 all.

2 So are you still talking about your IRA  
3 business that you've got on the horizon here?

4 A. Yes.

5 Q. Okay. Whose-- Whose the motherfuckers that  
6 you don't trust?

7 A. That's a long answer, but I'll try to  
8 incorporate it into a small response. I really don't  
9 like right now the Federal Government. I think that  
10 the IRS, the Federal Reserve, and several other  
11 branches of government are highly, highly corrupt. And  
12 the fiat dollar of the United States is something that  
13 I distrust more than anything in the world right now.

14 And when I referred to those motherfuckers,  
15 I am specifically talking about the people that I  
16 believe I'm helping to-- to take down by getting  
17 people's money through GoldQuiz, which is an IRA, 401k  
18 rollover to precious metals. Precious metals, the  
19 government can't touch precious metals in the manner of  
20 which that I had it set up for Goldco.

21 So I highly, highly distrust government.  
22 Not all government, like, you know, Judge Minora or  
23 anything like that.

24 THE COURT: I don't take it  
25 personally.

1 MR. GODLEWSKI: Thank you.

2 BY MR. HINTON:

3 A. I really don't mean, like, you know, local  
4 government like this. In some cases I do. But in this  
5 particular conversation-- And I wish I had the  
6 opportunity to explain it to Brie in more detail, but I  
7 was referring to, in particular, the Federal Reserve.  
8 I really think it's best for everyone to take their  
9 money that they have in savings and roll it to precious  
10 metals if possible for numerous reasons, which will  
11 take me an hour to explain.

12 Q. Was it just a coincidence that fifty seconds  
13 later you wrote to Brie on the next page, very next  
14 text message: "You're a good person, Brie. You don't  
15 deserve anything that's happened to you since we met  
16 all those years ago. And I think it's time to set the  
17 record straight and shove our collective middle fingers  
18 directly up their fucking assholes."? Is that what you  
19 wrote?

20 A. Yes.

21 Q. So is that the Federal Government, too, or  
22 is that the Scranton Times?

23 A. That-- No. None of this was about the  
24 Scranton Times. First of all, I apologize for my  
25 language. This is how Brie and I had always

1       corresponded with this type-- I know it doesn't, you  
2       know, sound like something that you would typically  
3       hear.

4                 But Brie had been put into, for the last ten  
5       years-- Keep in mind I have a very close relationship  
6       with Brie. Brie had been put into very, very, very  
7       desperate financial constraints for a very long time.  
8       Brie was having trouble getting an apartment, keeping  
9       an apartment. From what she had told me, her family  
10      was of little help to her. Brie had several thousands  
11      of dollars in credit card debt. Brie had various loans  
12      that I think had been suffocating her for a very long  
13      time, not only credit cards and stuff like that, but  
14      also student loans. And I really think that what these  
15      entities have done to people like Brie and many others  
16      are despicable, and I wanted to collectively shove our  
17      middle fingers directly up their fucking ass.

18                Q.     Going to 1480, you specifically listed the  
19      Scranton Times in that text message?

20                A.     Which one?

21                Q.     Page 1480.

22                A.     Yes.

23                Q.     You said: Listen, my friend. Things are  
24      getting very nasty with the Scranton Times. I think  
25      you should know what's going on. I'd like to talk to



1 you in person. Right?

2 A. Yes.

3 Q. You don't want to talk in text or phone?

4 A. No.

5 Q. In person?

6 A. Right.

7 Q. I don't want you to be blind-sided by any of  
8 this.

9 Then on the next page you write to her: I  
10 have your back, Brie. You're the one suing, not her,  
11 but you have her back, right?

12 A. Yes.

13 Q. You should see what they're trying to do to  
14 me; it's absolutely awful. Is that right?

15 A. That's right.

16 Q. They're defending themselves in a lawsuit,  
17 right?

18 MR. KOLMAN: Objection.

19 MR. HINTON: Withdrawn. Withdrawn.

20 That's fine.

21 BY MR. HINTON:

22 Q. And then she writes you a very long text  
23 message--

24 A. Oh.

25 Q. --on August 6th, 2022. I'll read you a

IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY, PENNSYLVANIA

1			
2	PHILIP GODLEWSKI,	:	CIVIL DIVISION
3		:	
4	Plaintiff	:	
5		:	
6	VS	:	
7		:	NO. 2021-CV-2195
8	CHRIS KELLY, et al.	:	
9		:	
10		:	Defendants

11 VIDEOTAPED DEPOSITION OF CHRISTOPHER J. KELLY  
 12 Taken at the Lackawanna Bar Association,  
 13 233 Penn Avenue, Scranton, PA 18503, on  
 14 Wednesday, December 20, 2023 at 12:04 p.m., by  
 15 Allison M. Ross, RPR.

16 \* \* \*

17 VERITEXT LEGAL SOLUTIONS  
 18 MID-ATLANTIC REGION  
 19 4949 Liberty Lane  
 20 Suite 200  
 21 Allentown, PA 18106

EXHIBIT

"G"

tabbies

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1 opinion to your readers in your column on  
2 February 14, 2021?  
3 A. I don't recall.  
4 Q. You don't recall?  
5 A. That may have been my point. I don't  
6 know.  
7 Q. You don't recall what your point was?  
8 A. It seems -- well, no, I mean, it's been a  
9 while. If I look at the exact reading of this, I  
10 mean, I'm saying here's a guy who's happily  
11 calling out the cadence while this thing  
12 happened, this terrible thing happened right in  
13 our Capitol, and he's on his website cheering it.  
14 So, yeah, maybe I did. Because I do feel that  
15 your client shares moral responsibility for what  
16 happened that day.  
17 Q. All right. Let's take a look at page 5,  
18 and I would like to focus your attention on  
19 paragraphs 3 and 4 which relate to charges filed  
20 against Mr. Godlewski alleging that he had a  
21 sexual relationship with a minor.  
22 A. Um-hum.  
23 Q. Can you tell me what investigation you  
24 did to substantiate the allegation that  
25 Mr. Godlewski admitted to having a sexual

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1 relationship with a 15-year-old girl.  
2 A. Well, I used the Times-Tribune archives.  
3 I looked at legal documents, and I spoke to some  
4 other people to back up the information I found  
5 there.  
6 Q. How many other people did you speak to?  
7 A. Mainly three.  
8 Q. Did those people speak with you on  
9 condition of anonymity?  
10 A. Two of them did. The other has already  
11 testified in this case.  
12 Q. Who is the one who did not speak to you  
13 on condition of anonymity?  
14 A. Ciara O'Malley I believe is her name.  
15 Q. What does Ciara O'Malley tell you?  
16 A. Well, she told me all the stuff in the  
17 column was true. She told me the backstory on  
18 Phil's relationship with his victim and how it  
19 continued for many years after that, how he got  
20 her not to testify against him, you know, the  
21 whole ball of wax.  
22 Q. Who is Ciara O'Malley?  
23 A. Well, I believe she was friends with Phil  
24 at one time, but she's a childhood friend, a  
25 continuing friend of Phil's victim.

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1 Q. By Phil's victim, are you referring to  
2 the person who's now an adult and is named  
3 Brienna DuBorgel?  
4 A. I am.  
5 Q. Did you speak with Brienna DuBorgel about  
6 this?  
7 A. No.  
8 Q. Did you attempt to?  
9 A. No.  
10 Q. Did Miss O'Malley claim to have actually  
11 seen Mr. Godlewski and Miss DuBorgel engaging in  
12 sexual intercourse?  
13 A. Actually, like, in the room watching  
14 them?  
15 Q. In the room watching them.  
16 A. Is that what you're asking me?  
17 Q. Did she claim to actually see it happen?  
18 A. No.  
19 Q. Was her claim that someone told her that  
20 it happened?  
21 A. No. Well, yes, actually it was, that  
22 Brie had told her, right? That they had -- I  
23 mean, she was in their orbit for a long time and  
24 witnessed their relationship. Well, she wasn't  
25 actually in the bedroom. She witnessed their

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1 relationship over the years.  
2 Q. So in the orbit?  
3 A. It continued. In the orbit.  
4 Q. In the orbit but not in the gravity --  
5 A. Not in the bedroom observing.  
6 Q. So her account of those events would have  
7 been entirely secondhand, correct?  
8 A. As would any account of anyone who wasn't  
9 in the room.  
10 Q. All right. You indicated to me, I  
11 believe, that you looked at articles from the  
12 Scranton Times archives?  
13 A. Um-hum.  
14 Q. Do you recall the articles you looked at?  
15 A. Yeah, well, there were a few, but, you  
16 know, specifically, I think there was one by  
17 Jeremy Burton, perhaps another one by Denis  
18 O'Malley. One of them was headlined that he was  
19 sentenced for sex with an underage girl.  
20 Q. And I believe you indicated -- maybe I  
21 heard wrong -- that you also examined some  
22 documents?  
23 A. Yeah.  
24 Q. What documents did you --  
25 A. I think it was the criminal affidavit and

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1 A. Um-hum.  
2 Q. Do you see that it says, The elements of  
3 the crime charges are as follows?  
4 A. Yeah.  
5 Q. Then after that there's an answer filled  
6 in in handwriting that says, Being of the age of  
7 18 or older by an act corrupts or tends to  
8 corrupt the morals of a minor?  
9 A. Yes.  
10 Q. And would you agree with me that in that  
11 recitation of the elements of the crime there is  
12 no mention at all of sexual intercourse between  
13 Mr. Godlewski and a minor?  
14 A. Yes, that's true.  
15 Q. And I'm going to direct you to paragraph  
16 17 on the same page. Do you see that it says,  
17 The District Attorney indicates this is what you  
18 did on the date of the crime charged, and there  
19 is no indication of the facts?  
20 A. Yes.  
21 Q. That question was simply left blank,  
22 correct?  
23 A. Yeah.  
24 Q. So would you agree with me that there is  
25 no indication in the guilty plea colloquy that

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1 Mr. Godlewski pled guilty to having sexual  
2 intercourse with a minor?  
3 A. That was the underlying charge. How did  
4 you corrupt her? How did he corrupt her if it  
5 wasn't the sex?  
6 Q. Please answer my question.  
7 A. No, it does not. It does not say that.  
8 Q. It does not?  
9 A. No.  
10 Q. So is there any indication in the  
11 documents at the Court of Common Pleas level, the  
12 information or the guilty plea colloquy, that  
13 Mr. Godlewski pled guilty to a charge or admitted  
14 to having sex with a minor?  
15 A. Specifically no.  
16 Q. When you were writing your column about  
17 Mr. Godlewski asserting that he pled guilty to  
18 having sexual intercourse with a minor --  
19 A. I think he said he admitted he had sexual  
20 intercourse with the minor. I think that's what  
21 the column says.  
22 Q. Let's go be sure.  
23 A. Yeah.  
24 Q. Why don't you grab the column and get it  
25 in front of you again. And again we're on page 5

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1 of 8.  
2 A. Admitted to having a sexual relationship  
3 with a 15-year-old girl.  
4 Q. Let's read the entire sentence.  
5 A. Okay.  
6 Q. Here's proof. In the normal course of  
7 reporting this column, I stumbled upon -- I is  
8 you, correct?  
9 A. Yes.  
10 Q. I stumbled upon some recent troubles in  
11 Godlewski's recent past. In 2011 -- that was  
12 recent past by your standards?  
13 A. Um-hum, um-hum.  
14 Q. The former Riverside High School baseball  
15 coach pleaded guilty to corruption of minors in  
16 admitting -- admitted to having a sexual  
17 relationship with a 15-year-old girl is how your  
18 article reads, correct?  
19 A. Yeah.  
20 Q. And would you agree with me he did plead  
21 guilty to corruption of minors according to all  
22 the documents?  
23 A. Yes.  
24 Q. And according to -- can you show me where  
25 in his guilty plea colloquy he admits to having a

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1 sexual relationship with a 15-year-old girl?  
2 A. Can explain that sentence. That sentence  
3 came out of the archives. It came out of the  
4 fact that he pleaded guilty to the corruption of  
5 minors, and I knew the underlying charges. I  
6 believed absolutely and still believe today that  
7 he had sex with that girl. And everything that's  
8 come out since this started supports that. And,  
9 jeez, you know, where I was? This is -- this was  
10 all reported at the time. It was all out there.  
11 Q. So let's just make sure I got my question  
12 answered.  
13 A. All right. Yeah.  
14 Q. Would you agree with me that in the Court  
15 of Common Pleas documents there is no indication  
16 that Mr. Godlewski admitted to having sex with a  
17 minor?  
18 A. No. I mean, yes, I'm sorry.  
19 Q. You agree with me that there is no  
20 indication?  
21 A. Yes.  
22 Q. So you relied exclusively on articles  
23 that said he admitted that?  
24 A. Not exclusively. I had those articles.  
25 I had the court documents, the affidavit, and I

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1 talked to other people. Corroborated the things  
2 that were in those stories with other people.  
3 Q. When you read the guilty plea colloquy  
4 and saw no mention of sex, did you think maybe  
5 you should look further?  
6 A. No. I believed absolutely that the  
7 charges is that he had sex with this young girl,  
8 and everything I learned since supports that.  
9 Q. Well, you weren't there, right?  
10 A. I was not there. You mean in the  
11 bedroom? No, I was not.  
12 Q. And you've only talked with a friend?  
13 A. No. That's one of the people I spoke  
14 with.  
15 Q. And two others that --  
16 A. Two others.  
17 Q. That spoke with you on condition of  
18 anonymity?  
19 A. Yes.  
20 Q. Are either of them an eyewitness?  
21 A. Again, I don't know whether they ever had  
22 sex in front of other people, but these are  
23 people who were in a position to know.  
24 Q. So you wrote this article based on your  
25 belief, correct?

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1 A. Yeah.  
2 Q. And not upon facts?  
3 A. No, the facts are in there too. Remember  
4 it's an opinion column, and it's what -- I gather  
5 facts and I tell people what I think they mean.  
6 Q. Would you agree with me that whether  
7 you're writing an opinion column or a news  
8 article you have the same ethical obligation to  
9 pursue information to the best of your ability?  
10 A. Certainly.  
11 Q. And seeing that there is a disagreement  
12 between one of your sources, news articles, and  
13 another source that you looked at, the guilty  
14 plea colloquy, did it not occur to you that you  
15 should pursue information in the form of looking  
16 at the information?  
17 MR. HINTON: Objection to the form of the  
18 question.  
19 MR. BOWERS: You can answer if you  
20 understood. If you didn't understand --  
21 THE WITNESS: I really don't. It was  
22 pretty convoluted.  
23 MR. BOWERS: All right. Let's break it  
24 down.  
25 THE WITNESS: Yeah.

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1 BY MR. BOWERS:  
2 Q. You looked at the news articles that were  
3 published in the Scranton Times, correct?  
4 A. Yes.  
5 Q. And you looked at the guilty plea  
6 colloquy, right?  
7 A. Um-hum.  
8 Q. The news article said Mr. Godlewski  
9 admitted to having sex with a minor, correct?  
10 A. I believe he did.  
11 Q. I understand that. And the guilty plea  
12 colloquy does not indicate that he had sex with a  
13 minor, correct?  
14 A. No, it says contact. Actually, that's  
15 the information. You're right. It does not.  
16 The answer is no.  
17 Q. So there is a tension between these two,  
18 correct?  
19 A. (No response.)  
20 Q. Let me rephrase that. There's a tension  
21 between the information asserted in the news  
22 articles and the information which appears in the  
23 guilty plea colloquy, correct?  
24 A. Yeah, I suppose.  
25 Q. What investigation did you do to attempt

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1 to resolve that tension?  
2 A. I didn't see any tension there, and I  
3 still don't. He didn't plead guilty to  
4 corruption of minors because he bought her a case  
5 of beer. We've learned the facts of it since.  
6 Q. Well, let's take a look at the  
7 information. Doesn't it say that he pleaded  
8 guilty to having inappropriate text messages?  
9 A. And contact.  
10 Q. And contact. And that method of contact  
11 is nowhere specified, correct?  
12 A. No.  
13 Q. Yet you made an accusation in your  
14 article that Mr. Godlewski not only had sex with  
15 a minor but admitted it, correct?  
16 A. I suppose I did, yeah.  
17 Q. Would you agree with me that such an  
18 accusation would tend to damage Mr. Godlewski's  
19 representation in the community?  
20 A. Perhaps. I think what damaged his  
21 reputation was doing it in the first place.  
22 Q. I appreciate your voluntary answers. But  
23 would you agree with me that it would tend to  
24 lower his reputation in the community?  
25 MR. HINTON: Asked and answered.

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1 Objection.  
2 MR. BOWERS: All right.  
3 BY MR. BOWERS:  
4 Q. Knowing that this was something that  
5 might lower someone's reputation in the  
6 community, did you think to investigate further?  
7 A. I'm not sure I understand what you mean  
8 by investigate further.  
9 Q. Did you attempt to ascertain more  
10 carefully the nature of the facts to which  
11 Mr. Godlewski pleaded?  
12 A. Yes. I spoke to -- and including one of  
13 the people I spoke to who was in a position to  
14 know to reinforce my belief that his plea to  
15 corruption of minors was based on his guilt in  
16 the sex charges. And that turns out to be true.  
17 And I had that -- again, I went to background  
18 sources and got these things confirmed, someone  
19 who was there, someone who understands what  
20 happened in the process. And the fact is that  
21 they got -- he got the victim not to testify, and  
22 that is how he got this sweetheart deal.  
23 Q. When you say someone who was there,  
24 someone who was where?  
25 A. Someone who was in the law enforcement

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1 process, and that's all I'm going to say because  
2 I'm not going to out this person.  
3 Q. I understand.  
4 A. They had to drop the charges because he  
5 convinced the victim not to testify.  
6 Q. Would you agree with me that lawyers,  
7 prosecutors, police officers make a lot of  
8 statements in the course of a criminal case?  
9 A. Certainly.  
10 Q. And would you agree with me that what  
11 governs the outcome of a criminal case is  
12 ultimately what's reflected in the court  
13 documents?  
14 A. I suppose, yeah.  
15 Q. And those court documents in no way  
16 reflect that Mr. Godlewski pleaded guilty to  
17 having sexual intercourse with a minor, correct?  
18 A. These ones do not.  
19 Q. Okay. Are you aware of any others that  
20 do?  
21 A. I'm not aware of any that do. I would  
22 just like to note that it's odd -- while we're  
23 talking about documents -- that the part -- that  
24 17 is left blank by your client. I don't think  
25 I've ever seen that before.

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1 Q. All right.  
2 A. It indicates what you did on the date of  
3 the crime charged. You know, how did you corrupt  
4 Brie?  
5 MR. GODLEWSKI: I'm not on deposition  
6 today. You are.  
7 MR. BOWERS: Don't talk, Phil.  
8 THE WITNESS: How did your client corrupt  
9 her?  
10 BY MR. BOWERS:  
11 Q. Again, I understand that it's usually  
12 your job to ask questions.  
13 A. I get it.  
14 Q. Today it is not.  
15 A. All right.  
16 Q. In your column you say the last time I  
17 had sex with a minor was never.  
18 A. I think a 15 year old.  
19 Q. A 15 year old was never.  
20 A. Yeah.  
21 Q. Why did you put that phrase in?  
22 A. Don't know. Struck me while I was  
23 writing it. It's a fact.  
24 Q. Did you attempt to imply by that that  
25 Mr. Godlewski has had sex with a minor?

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1 A. He has had sex with a minor.  
2 Q. Please answer my question. Did you mean  
3 to imply by that --  
4 A. No. What I was saying is -- I think  
5 probably the point I was making is that it's not  
6 normal for someone my age or older than 15 to  
7 have sex with a 15 year old. It's not  
8 acceptable.  
9 Q. Were you then suggesting that  
10 Mr. Godlewski is abnormal?  
11 A. Oh, yes. Yeah, I think anyone who is 25  
12 or 26 and has sex with a 15 year old is abnormal.  
13 Q. Did you mean for your readers to  
14 understand from your article that Mr. Godlewski  
15 had had sex with a minor?  
16 A. Yes. It was an essential element of the  
17 column.  
18 Q. Just like him being a realtor was an  
19 essential element of the column?  
20 A. Well, it could be because that's how he  
21 was known in the public eye. Look, the idea that  
22 -- if you can't see the irony, the obvious irony  
23 in a guy being a leader in the QAnon movement,  
24 which is all about saving children from  
25 pedophiles, having been a pedophile himself, you

# Ex-baseball coach sentenced for sex with girl, 15

BY DENIS J. O'MALLEY  
STAFF WRITER

A former Riverside High School baseball coach who was accused of having a sexual relationship with a 15-year-old girl pleaded guilty on Monday to one count of corruption of minors.

Phil Godlewski, 28, received a sentence of three

to 28 months, with the first three months to be served as house arrest and the balance as probation, Assistant District Attorney Patricia Laferty said.

Mr. Godlewski, 430 Cayuga St., Scranton, was arrested in July 2010 for allegedly having sex with the girl in two cars

and homes for sale to which he had access as a real estate agent, according to a search warrant.

Authorities have said Mr. Godlewski's relationship with the teen began in 2008, when she was only 14, though it was not clear to investigators when they first had sex.

The Times-Tribune does not identify the victims of

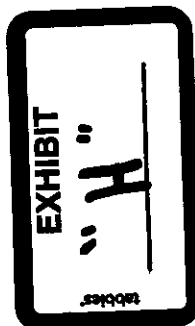
sexual assault.

Among the evidence against him were thousands of text messages between Mr. Godlewski and the girl in which he explicitly described their sexual exploits and expressed how much he cared about her, according to an affidavit.

On Monday Mr. Godlewski

waived his right to a preliminary hearing in the case, pleaded guilty to one count of corruption of minors and was sentenced by Judge Vito Gerardo, according to Lackawanna County Detective Justin Leri, one of several investigators involved in the case. Contact the writer: [djomalley@timestribune.com](mailto:djomalley@timestribune.com)

ST 0020



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

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**BEFORE THE STATE REAL ESTATE COMMISSION**

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**COMMONWEALTH OF PENNSYLVANIA  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**V.**

**PHILIP J. GODLEWSKI**

**CASE NO. 20-56-002885**

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**FINAL ADJUDICATION AND ORDER**

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**ARION R. CLAGGETT  
ACTING COMMISSIONER  
BUREAU OF PROFESSIONAL AND  
OCCUPATIONAL AFFAIRS**

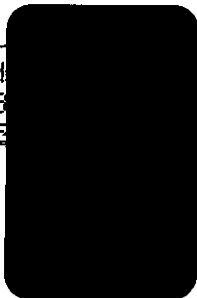
**JOSEPH TARANTINO  
VICE CHAIR  
STATE REAL ESTATE COMMISSION**

**P.O. BOX 69523  
HARRISBURG, PA 17106-9523**

**SJJ**

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**ST 1811**





## HISTORY

This case is before the State Real Estate Commission (Commission) for a determination whether the license to practice real estate of Philip J. Godlewski (Respondent), should be suspended, revoked, or otherwise disciplined pursuant to the Real Estate Licensing and Registration Act (RELRA)<sup>1</sup> and under the Criminal History Record Information Act (CHRIA)<sup>2</sup>. The matter commenced on August 26, 2021, with the issuance of a four (4) count Order to Show Cause (OSC). Count One alleged that Respondent was subject to disciplinary action under Section 9124(c)(2) of CHRIA, 18 Pa.C.S. § 9124(c)(2), in that Respondent was convicted of a misdemeanor crime directly related to Respondent's occupation, trade or profession under 63 Pa.C.S. § 3113(b)(1) and § 3117(a)(1) and poses a substantial risk to the health and safety of the individual's clients or the public or a substantial risk of further criminal convictions. Count Two alleged that Respondent was subject to disciplinary action under Section 9124(c)(2) of CHRIA, 18 Pa.C.S. § 9124(c)(2), in that Respondent was convicted of a misdemeanor crime directly related to Respondent's occupation, trade or profession under 63 Pa.C.S. § 3113(b)(2), due to the nature of the criminal convictions, licensure of the Respondent would pose a substantial risk to the health and safety of Respondent's clients or the public, or a substantial risk of further convictions. Count Three alleged that Respondent was subject to disciplinary action under Section 604(a)(15) of the Act, 63 P.S. § 455.604(a)(15), by failing to notify the Commission of pleading guilty to or being convicted of a misdemeanor or felony within thirty (30) days of the verdict or plea, as required by the Commission regulation found at 49 Pa. Code § 35.290(a). Count Four alleged that Respondent was subject to disciplinary action under Section 604(a)(21) of RELRA, 63 P.S. § 455.604(a)(21), in that Respondent was performing any act for which an appropriate real estate license is required

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<sup>1</sup> Act of February 19, 1980, P.L. 15, No. 9, *as amended*, 63 P.S. §§ 455.101-455.902.

<sup>2</sup> Act of July 16, 1979, P.L. 116, No. 47, *as amended*, 18 Pa.C.S. §§ 9101-9183.

and is not currently in effect.

Although the OSC was served on Respondent, he has not filed an answer or otherwise responded. On November 5, 2021, the Commonwealth filed a Motion to Deem Facts Admitted and Enter Default (MDFA). On January 3, 2022, the Commission granted the MDFA, deeming Respondent to have admitted the factual allegations of the OSC. To date, Respondent has not filed a response to the OSC, the MDFA, or the Commission's Order granting and has not requested a hearing.

The Commission deliberated this matter at its meeting, and now issues this adjudication as a final disposition of the charges against Respondent.

**FINDINGS OF FACT**

1. Respondent holds the following licenses to practice real estate in the Commonwealth of Pennsylvania:

- a. Associate Broker license, no. AB068598, which was originally issued on January 23, 2020, expired on May 31, 2022, and is currently on "Inactive" status; and
- b. Broker-Multi license, no. RM423112, which was originally issued on September 28, 2015, and has been expired since August 29, 2020<sup>3</sup>. (Paragraph 1, OSC; Commission records)

2. Respondent's licenses, absent further Commission action, may be renewed, reactivated or reinstated thereafter upon the filing of the appropriate documentation and payment of the necessary fees. (Paragraph 2, OSC; Commission records)

3. At all times pertinent to the Factual Allegations, Respondent held a license to practice as a real estate broker in the Commonwealth of Pennsylvania. (Paragraph 3, OSC; Commission records)

4. Respondent previously held a license to practice as a real estate salesperson, no. RS309154, which was originally issued on July 31, 2008, and became null and void on May 31, 2016. (Paragraph 4, OSC; Commission records)

5. Respondent's address on file with the Commission is 115 Huckleberry Lane, Duryea, Pennsylvania 18642. (Paragraph 5, OSC; Commission records)

6. On February 22, 2021, Respondent plead guilty in the Court of Common Pleas of Lackawanna County at docket number CP-35-CR-0000664-2020 to:

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<sup>3</sup> Due to the Covid 19 pandemic, renewal deadlines for all license types were extended from May 31, 2020, to Aug. 29, 2020.

- a. One (1) count of violating 18 Pa.C.S. § 4104(a), Tampering with Records or Identification, a Misdemeanor of the First Degree; and
- b. One (1) count of violating 18 Pa.C.S. § 4105(a)(1), Bad Checks, a Misdemeanor of the Second Degree. (Paragraph 6 and Exhibit A, OSC)

7. On June 22, 2021, Respondent was sentenced to one (1) to forty-four (44) months of imprisonment, followed by three (3) months of house arrest and one (1) year consecutive supervised probation. (Paragraph 7 and Exhibit A, OSC)

8. The Commission has deemed 18 Pa.C.S. §4104(a), Tampering with Records or Identification a crime directly related to the profession in accordance with 63 Pa.C.S. § 3117. (Paragraph 9, OSC; Commission records)

9. Respondent never notified the Commission of his guilty plea or criminal convictions (Paragraph 10, OSC)

10. On August 29, 2020, following the Commission's renewal deadline extension, Respondent's Associate Broker's license, AB068598, expired. (Paragraph 18, OSC)

11. Respondent submitted a Reactivation Application which was postmarked November 18, 2020, and was received by the Commission on December 7, 2020. (Paragraph 19 and Exhibit B, OSC)

12. On the Reactivation Application, Respondent answered "Yes" to providing real estate services while his license was expired. (Paragraph 21 and Exhibit B, OSC)

13. On August 26, 2021, the Commonwealth filed an OSC against Respondent setting forth allegations that Respondent violated RELRA. (Paragraph 1, MDFA; OSC)

14. On August 26, 2021, the Commonwealth mailed the OSC by first class mail, postage prepaid, and by certified mail, return receipt requested, to: 115 Huckleberry Lane, Duryea, PA 18642. (Certificate of Service, OSC; Paragraph 2, MDFA)

15. The OSC mailed by certified mail, return receipt requested, was delivered on August 28, 2021, as evidenced by the United States Postal Service (USPS) tracking information for certified mailing, item # 9171 9690 0935 0228 4843 75. (Paragraph 3 and Exhibit A, MDFA)

16. The OSC mailed by first class mail, postage prepaid, was not returned to the Commonwealth. (Paragraph 5, MDFA)

17. The OSC directed the Respondent to file an Answer within thirty (30) days of its date. (Paragraph 6, MDFA)

18. Thirty (30) days from the date of the OSC have expired and Respondent has not filed a written Answer. (Paragraphs 7-8, MDFA)

19. On November 5, 2021, the Commonwealth filed its MDFA and mailed same to Respondent at: 115 Huckleberry Lane, Duryea, PA 18642, by first-class mail, postage prepaid. (Certificate of Service, MDFA)

20. On January 3, 2022, the Commission issued an Order granting the MDFA and mailed it to Respondent at: 115 Huckleberry Lane, Duryea, PA 18642, by first-class mail, postage prepaid. (Docket Entries, Case No. 20-56-002885; Order granting)

21. Respondent did not answer the OSC, the Motion, the Commission's Order granting the MDFA, or otherwise respond in this matter and has not requested a hearing. (Docket Entries, Case No. 20-56-002885)

**CONCLUSIONS OF LAW**

1. The Commission has jurisdiction over Respondent in this matter. (Findings of Fact Nos. 1-4)

2. Respondent received notice of this proceeding and of the charges against him and was afforded the opportunity to be heard in accordance with Section 4 of the Administrative Agency Law, 2 Pa. C.S.A. § 504. (Finding of Fact Nos. 5, 12-21)

3. The Commission is authorized to suspend or revoke, or otherwise restrict Respondent's license, or impose a civil penalty under Section 9124(c)(2) of CHRJA, 18 Pa.C.S. § 9124(c)(2)<sup>4</sup>, in that Respondent was convicted of a misdemeanor crime directly related to Respondent's occupation, trade or profession under 63 Pa.C.S. § 3113(b)(1) and § 3117(a)(1) and poses a substantial risk to the health and safety of the individual's clients or the public or a substantial risk of further criminal convictions. Therefore, the allegation in Count One of the OSC is sustained. (Findings of Fact Nos. 5-8)

4. The Commission is authorized to suspend or revoke, or otherwise restrict Respondent's license, or impose a civil penalty under Section 9124(c)(2) of CHRJA, 18 Pa.C.S. § 9124(c)(2), in that Respondent was convicted of a misdemeanor crime directly related to Respondent's occupation, trade or profession under 63 Pa.C.S. § 3113(b)(2), due to the nature of

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<sup>4</sup> Section 9124. Use of records by licensing agencies.

\* \* \* \*

(c) State action authorized. – Boards, commissions or departments of the Commonwealth authorized to license, certify, register or permit the practice of trades, occupations or professions may refuse to grant or renew, or may suspend or revoke any license, certificate, registration or permit for the following causes:

\* \* \* \*

(2) Where the applicant has been convicted of a misdemeanor which relates to the trade, occupation or profession for which the license, certificate, registration or permit is sought.

\* \* \* \*

18 Pa.C.S. § 9124(c)(2).

the criminal convictions, licensure of the Respondent would pose a substantial risk to the health and safety of Respondent's clients or the public, or a substantial risk of further convictions. Therefore, the allegation in Count Two of the OSC is sustained. (Findings of Fact Nos. 5-8)

5. The Commission is authorized to suspend or revoke, or otherwise restrict Respondent's license, or impose a civil penalty under Section 604(a)(15) of RELRA, 63 P.S. § 455.604(a)(15)<sup>5</sup>, because Respondent failed to notify the Commission of being convicted of or pleading guilty or nolo contendere to a misdemeanor within thirty (30) days of the verdict or plea as required by the Commission regulations found at 49 Pa. Code § 35.290(a)<sup>6</sup>. Therefore, the allegation in Count Three of the OSC is sustained. (Findings of Fact Nos. 5-7, 9)

6. The Commission is authorized to suspend or revoke, or otherwise restrict Respondent's license, or impose a civil penalty under Section 604(a)(21) of RELRA, 63 P.S. § 455.604(a)(21), because Respondent was performing any act for which an appropriate real estate

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<sup>5</sup> Section 604. Prohibited acts.

(a) The commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth a complaint under this section, ascertain the facts and, if warranted, hold a hearing for the suspension or revocation of a license or registration certificate or for the imposition of fines not exceeding \$1,000, or both. The commission shall have power to refuse a license or registration certificate for cause or to suspend or revoke a license or registration certificate or to levy fines up to \$1,000, or both, where the said license has been obtained by false representation, or by fraudulent act or conduct, or where a licensee or registrant, in performing or attempting to perform any of the acts mentioned herein, is found guilty of:

\*\*\*\*

(15) Violating any rule or regulation promulgated by the commission in the interest of the public and consistent with the provisions of this act.

\*\*\*\*

(21) Performing any act for which an appropriate real estate license is required and is not currently in effect.

\*\*\*\*

63 P.S. §§ 445.604(a)(15) and (21).

<sup>6</sup> Section 35.290. Reporting of crimes and disciplinary actions.

(a) A licensee shall notify the Commission of being convicted of, or pleading guilty or nolo contendere to, a felony or misdemeanor, within 30 days of the verdict or plea.

\*\*\*\*

49 Pa. Code § 35.290(a).

license is required and is not currently in effect. Therefore, the allegation in Count Four of the OSC is sustained. (Findings of Fact Nos. 10-12)



## DISCUSSION

### DUE PROCESS

Respondent did not file an Answer to the OSC. Under the foregoing circumstances, the Commission must ascertain whether Respondent has been afforded the appropriate due process to enable it to render a final decision on the merits of the case. Due process rights are protected if respondent is made sufficiently aware of the charges against him and the procedures by which he can defend himself. *Gutman v. State Dental Council and Examining Board*, 463 A.2d 114 (Pa. Cmwlth. 1983); *Clark v. Department of Public Welfare*, 427 A.2d 712 (Pa. Cmwlth. 1981); and *Celane v. Insurance Commissioner*, 415 A.2d 130, 132 (Pa. Cmwlth. 1980). Section 33.31 of the General Rules, 1 Pa. Code § 33.31, authorizes service by mail. "Notice of administrative action which is mailed to the interested party's last known address has been found to be reasonable notice." *Kobylski v. Milk Marketing Board*, 516 A.2d 75 (Pa. Cmwlth. 1986). A respondent is deemed to be in default and relevant facts stated in the Order may be admitted if the respondent fails to file an Answer within the time provided in the OSC. 1 Pa. Code § 35.37. *See also, Kinniry v. Professional Standards and Practices Board*, 678 A.2d 1230 (Pa. Cmwlth. 1986). In this case, the Commonwealth made a good faith effort to notify Respondent of the charges against him by serving the OSC by first-class mail, postage prepaid, and certified mail, return receipt requested, to his address on file with the Commission: 115 Huckleberry Lane, Duryea, PA 18642. The OSC mailed by certified mail, return receipt requested, was delivered on August 28, 2021, as evidenced by the USPS tracking information for certified mailing, item # 9171 9690 0935 0228 4843 75. The OSC mailed by first class mail, postage prepaid, was not returned to the Commonwealth, and is presumed to have been delivered to the Respondent.

In the OSC, there were specific instructions as to how Respondent could answer the Order and obtain a hearing. The notice also warned Respondent what might happen if Respondent did not file an answer as directed: **IF RESPONDENT FAILS TO FILE A WRITTEN REQUEST FOR HEARING WITHIN THIRTY (30) DAYS OF THIS ORDER, RESPONDENT WILL BE DEEMED TO HAVE WAIVED HIS OR HER RIGHT TO A HEARING AND FINAL JUDGMENT MAY BE ENTERED WITHOUT A HEARING.**

Despite Respondent's receipt of notice, Respondent failed to answer the OSC, the MDFA or the Commission's Order entering default and deeming the facts admitted. Thus, the Commission concludes that Respondent was given sufficient notice and opportunity to be heard.

#### **SUBSTANTIVE CHARGES**

As established in the findings of fact, on February 22, 2021, Respondent plead guilty in the Court of Common Pleas of Lackawanna County at docket number CP-35-CR-0000664-2020 to: one (1) count of violating 18 Pa.C.S. § 4104(a), Tampering with Records or Identification, a Misdemeanor of the First Degree; and one (1) count of violating 18 Pa.C.S. § 4105(a)(1), Bad Checks, a Misdemeanor of the Second Degree.

Count One of the OSC charged that Respondent is subject to disciplinary action under Section 9124(c)(2) of CHRIA, 18 Pa.C.S. § 9124(c)(2), in that Respondent plead guilty to the misdemeanor crime directly related to Respondent's occupation, trade or profession under 63 Pa.C.S. § 3113(b)(1) and § 3117(a)(1) and poses a substantial risk to the health and safety of the individual's clients or the public or a substantial risk of further criminal convictions. A violation of 18 Pa.C.S. § 4104(a), Tampering with Records or Identification, is directly related to Respondent's occupation, trade or profession because Real estate brokers regularly handle and

manage the private records of their clients, and so\ the Respondent is subject to disciplinary action. Therefore, Count One of the OSC is sustained.

Count Two alleged that Respondent was subject to disciplinary action under 18 Pa.C.S. § 9124(c)(2), in that Respondent plead guilty to the misdemeanor crime directly related to Respondent's occupation trade or profession under 63 Pa.C.S. § 3113(b)(1) and § 3117(a)(1) and poses a substantial risk to the health and safety of the individual's clients or the public or a substantial risk of further criminal convictions. The violation of 18 Pa.C.S. § 4105(a)(1) for Bad Checks is a misdemeanor directly related to Respondent's occupation, trade or profession because Real Estate agents must handle the checks of their clients and are required to be trustworthy in carrying out that duty. Therefore, Respondent is subject to disciplinary action and Count Two of the OSC is sustained.

Count Three charged that Respondent was subject to disciplinary action under 604(a)(15) of RELRA, 63 P.S. § 455.604(a)(15), because Respondent failed to notify the Commission of pleading guilty to a misdemeanor within thirty (30) days of the verdict or plea as required by the Commission regulations found at 49 Pa. Code § 35.290(a). As established in the findings of fact, as of the date of this filing, Respondent has failed to notify the Commission of pleading guilty to a misdemeanor within thirty (30) days of his guilty plea as required by the Commission. Count Three of the OSC is also sustained.

Count Four alleged that Respondent was subject to disciplinary action under 63 P.S. § 455.604(a)(21), in that Respondent was performing any act for which an appropriate real estate license is required and is not currently in effect. On August 29, 2020, following the Commission's renewal deadline extension, Respondent's Associate Broker's license, AB068598, expired. Respondent submitted a Reactivation Application which was postmarked November 18, 2020, and

was received by the Commission on December 7, 2020. On the Reactivation Application, Respondent answered "Yes" to providing real estate services while his license was expired. The Respondent admitted to providing real estate services while his license was expired, therefore Count Four of the OSC is sustained.

### SANCTION

The Commonwealth has met its burden of proving that Respondent violated RELRA. In further consideration of Respondent's charges, 63 Pa.C.S. § 3113(b) requires the Board to determine whether an individual's convictions are directly related to the profession. Respondent's convictions are included on the list of crimes for which the Board has made the determination that the crimes directly relate to the practice of real estate. Therefore, there is a rebuttable presumption that licensure of Respondent, who has been convicted of a crime that directly relates to the profession, would pose a substantial risk to the health and safety of the individual's patients or clients or the public or a substantial risk of further criminal convictions. See 63 Pa. C.S. § 3113(b).

The individual may rebut the presumption by showing evidence of rehabilitation, as specified in the factors in subsection (c). As such, the Board must also consider the following factors:

- (1) Whether the criminal conduct for which the individual was convicted involved an act or threat of harm against the individual. For purposes of this paragraph, the term "harm" includes harm to the victim, the personal property of the victim or reputation of the victim.
- (2) The facts and circumstances surrounding the criminal conviction.
- (3) The number of criminal convictions.
- (4) Increase in age or maturity of the individual since the date of the criminal conviction.
- (5) The individual's criminal history or lack of criminal history after the date of conviction.

(6) Successful completion of education and training activities, including those in a county correctional facility or the Department of Corrections.

(7) References from employers or others, including personnel of the county correctional facility or the Department of Corrections.

(8) Progress in personal rehabilitation since the conviction.

(9) Whether the individual meets all other licensing qualifications of the applicable practice act, including any examination requirements.

(10) The individual's criminal history, or lack of criminal history, after the date of the criminal conviction while engaged in the same or similar profession or occupation.

(11) Any other factor deemed relevant to the licensing board or licensing commission regarding the fitness of the individual for licensure.

See. 63 Pa. C.S. § 3113(c).

As Respondent did not file an Answer or participate in a hearing, the Commission does not have the information to address each of the eleven above criteria but will address those for which information is provided in the record. Here, the Commission is faced with a licensee who has plead guilty to two misdemeanors clearly related to the Respondent's profession and due to their nature, pose a substantial risk to the public or of further criminal convictions. The Commission does not have information as to whether the criminal conduct involved an act or threat of harm against the individual. Respondent did, however, tamper with records or identification and passed bad checks. The Commission is not aware of any subsequent criminal convictions or whether Respondent has completed his criminal sentence in this case.

In assigning a sanction, the Commission weighs the number and seriousness of the offenses against any mitigating evidence. In this case, the Commission is faced with a licensee who pled guilty to misdemeanor crimes directly related to Respondent's profession. The Respondent failed to report the convictions to the Commission. Lastly, the Respondent admitted to providing real estate services while his license was expired. In this matter, Respondent did not file an Answer to the OSC or any response to the other filings of record and thus has not presented any mitigating evidence for the Commission to consider. Respondent's behavior is not acceptable among licensees who must handle the sensitive records and checks of their clients, and the Commission cannot countenance such behavior from the members of its profession. Considering Respondent's offense and his lack of mitigating evidence, the Commission believes that the only appropriate sanction is revocation.

Accordingly, the Commission enters the following Order.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BEFORE THE STATE REAL ESTATE COMMISSION**

<b>Commonwealth of Pennsylvania</b>	:	
<b>Bureau of Professional and</b>	:	
<b>Occupational Affairs</b>	:	
vs.	:	<b>Case No. 20-56-002885</b>
<b>Philip J. Godlewski,</b>	:	
<b>Respondent</b>	:	

**FINAL ORDER**

AND NOW, this 22<sup>nd</sup> day of December, 2022, the State Real Estate Commission, having duly met and considered the entire record and based on the foregoing findings of fact, conclusions of law and discussion, hereby **REVOKES** the Associate Broker license no. AB068598, and Broker-Multi license, license no. RM423112, of Respondent, Philip J. Godlewski. Respondent shall immediately return his licensure documentation, which includes the licenses, wall certificates, and wallet cards to the Commission. On or before the effective date of the revocation, the licensure documents, shall be forwarded to the following address:

Commission Counsel  
Bureau of Professional and Occupational Affairs  
P.O. Box 69523  
Harrisburg, PA 17106-9523

Respondent may petition for reinstatement of Respondent's license after 5 years have passed from the effective date of the revocation. In addition to his petition, Respondent must provide an updated criminal history record and must pass the salesperson examination in accordance with section 501 of the RELRA, 63 P.S. § 455.501.

This Order is effective immediately. The sanction shall take effect thirty (30) days from the date of mailing of this Order, namely, **January 26, 2023**.

**BUREAU OF PROFESSIONAL AND  
OCCUPATIONAL AFFAIRS**

  
ARION R. CLAGGETT  
ACTING COMMISSIONER

**BY ORDER:  
STATE REAL ESTATE COMMISSION**

  
JOSEPH TARANTINO  
VICE CHAIR

Respondent's address:  
9171 9690 0935 0252 6545 22

Philip J. Godlewski  
115 Huckleberry Lane  
Duryea, PA 18642

Prosecuting Attorney:

Alice R. Glasser, Esquire

Commission Counsel:

Shawn J. Jayman, Esquire

Date of Mailing:

December 27, 2022



## NOTICE

The attached Final Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within thirty (30) days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 – 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Commission with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Commission Counsel  
P.O. Box 69523  
Harrisburg, PA 17106-9523

The name of the individual Counsel is identified on the Final Order.

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



5. Did you have sex or a sexual relationship with [REDACTED] 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 [REDACTED] for a month or two in 2018. Plaintiff does not recall specifics.**

6. 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.**

7. Did you have sex or a sexual relationship with Brienna DuBorgel 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,	:	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 18<sup>th</sup> 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:

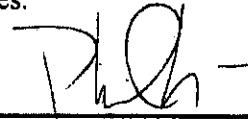
Date: 11/18/2022

*/s/ Timothy M. Kolman*  
Timothy M. Kolman, Esquire  
Kolman Law, P.C.  
414 Hulmeville Avenue  
Pennel, Pennsylvania 19047  
*Attorney for Plaintiff*

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

**CASE SUMMARY**

5/18/21  
Bianchi  
Case No. 20 CR 664

Commonwealth

vs  
Phillip  
Godlowski

Charge #1:

Charge #2:

Charge #3:

4 Tamper with vehicle (m1)  
5 Bad checks (m2)  
21789.84 - 1994 Fiat  
Omnibus Products  
pleads  
guilty

Dist. Atty. Judy Price

Def't's Atty. Danchea

IMMEDIATE SENT  PSI ORDERED

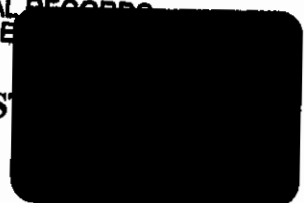
CR M McCol OLP

CERTIFIED FROM THE RECORD

MAY 31 2023

CLERK OF JUDICIAL RECORDS MAURI B. KE

S



MAY 31 2023

CLERK OF JUDICIAL RECORDS MAURI B. KELLY

NAME: Philip Gadlewski

CASE NO: 20 CR 644

PLEA DATE: 23 Feb. 2021

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 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 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 that you understand all 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? Philip J. Gadlewski
2. Do you wish to plead guilty to the charges of Tampering with Records or ID + Bond checks. (Counts 4 & 5) as laid out in criminal action 20 CR 644 ? Yes.
3. How old are you? 37
4. How far did you go in school? 3 + years college.
5. Do you read and write the English language? Yes.
- 5 (e) Have you had the 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

Initials: PH ST 3808

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 the 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 to be innocent, and you 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 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? Yes
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 the 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 those concerning the right of this Court to try you (jurisdiction over subject matter) or the legality or propriety of the sentence imposed? Yes
13. State specifically in detail any plea agreement with the District Attorney. Pka to Tampering w/ Records or IDs + Bad checks.  
(Counts 4 & 5)  
All other counts to be ruled passed.



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? Yes / \$15,000

Tampering - 5 yrs / \$10,000 / Bad check 2 1/2 / 15,000 Yes

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

If the answer to the preceding question is yes, state the total sentence that may be imposed on you. 7 yrs / \$15,000

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? \_\_\_\_\_

If the preceding answer is yes, state the mandatory provisions that apply to your case. \_\_\_\_\_

16. The elements of the crime(s) charged are as follows: \_\_\_\_\_

① Knowing one has a privilege to do so, did artistically destroy, remove or conceal any writing or record with the intent to deceive or conceal an wrongdoing.

② Did issue or pass a check knowing that it would not be honored by the drawee.

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(s)? Yes

19. Are you aware, that if you are not a United States citizen, it is possible that you may face deportation by entering a guilty plea to these charge(s)? N/A.

19 (a) Are you a United States Citizen? Yes.

20. 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 entering a guilty plea and nevertheless wish to enter a guilty plea to the above-mentioned offenses. I further affirm that my signature on this Guilty Plea Colloquy and initials on each page of this document are true and correct.

Date: 2/23/2021

[Signature]  
DEFENDANT

I, Joseph D'Andrea Esq., Attorney for Philip Goodkowsky, state that I have advised my client of the contents and meanings of the document. It is my belief that my client fully comprehends the implications of pleading guilty and is entering this plea of his/her own free will.

[Signature]  
Attorney for the Defendant

[Signature]  
2/23/2021  
EXCERPTED  
PST

INFORMATION  
IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

MAURI B. KELLY  
LACKAWANNA COUNTY

Criminal Action No. 20 CR 664

2020 APR 22 A 8:57

COMMONWEALTH OF PENNSYLVANIA

CLERK OF JUDICIAL  
RECORDS CRIMINAL  
DIVISION

VS.

PHILIP GODLEWSKI

The District Attorney of Lackawanna County, by this Information charges that on or about Wednesday, the 13th day of November, 2019, in said County of Lackawanna, Philip Godlewski did commit the crime or crimes herein,

**COUNT 1: FORGERY-UNAUTHORIZED ACT IN WRITING**

**18 C.P.S.A. Sec. 4101 (a-2); Grade: Felony 2; \$25,000.00; 10 years;**

with intent to defraud or injure one Mariotti Building Products, or with knowledge that he facilitated a fraud or injury perpetrated by another, he makes, completes, executes, authenticates, issues or transfers any writing so that it purported to be the act of one who did not authorize the act, or to have been executed at a time or place or in a numbered sequence other than was in fact the case, to wit; the defendant did issue a bad check to Mariotti Building Products in the amount of \$ 21,789.84, and, did provide Mariotti with a copy of a doctored and fraudulent Wells Fargo Bank Statement reflecting a significantly higher balance than what was in the actual account; the fraudulent bank statement further reflected check to be withdrawn from the account twice to make it appear as though the Bank was in error .

**COUNT 2: THEFT BY DECEPTION**

**(18 C.P.S.A. Sec. 3922 (a-1)); Grade: Felony 3; \$10,000.00; 5 years;**

intentionally obtain and withhold property, creates or reinforces a false impression, including false impressions as to law, value, intentions or other state of mind; but deception as to a person's intention to perform a promise shall not be inferred from the fact alone that he/she did not subsequently perform the promise, in that the said Philip Godlewski did promise to make a payment in the amount of \$ 3,500.00 to Mariotti Building Products towards a deposit for kitchen materials purchased, and, did receive the materials but withheld the money and failed to make the required payment; further, the defendant provide Mariotti with a doctored and fraudulent Wells Fargo Bank statement reflecting a significantly higher balance than was actually in the account; the fraudulent bank statement further reflected a check to be withdrawn from the account twice to make it appear the Bank was in error.

**C E R T I F I E D**  
FROM THE RECORD

MAY 31 2023

CLERK OF JUDICIAL RECORDS  
MAURI B. KELLY

SCANNED

CB

ST 3812

Philip Godlewski -- Docket Number: 20 CR 664

**COUNT 3: THEFT BY DECEPTION**

**(18 C.P.S.A. Sec. 3922 (a-1)); Grade: Felony 3; \$10,000.00; 5 years;**

intentionally obtain and withhold property, creates or reinforces a false impression, including false impressions as to law, value, intentions or other state of mind; but deception as to a person's intention to perform a promise shall not be inferred from the fact alone that he/she did not subsequently perform the promise in that the said Philip Godlewski did issue check numbered 2202 to Mariotti Building Products in the amount of \$ 21,789.84, and did provide Mariotti with a copy of a doctored and fraudulent Wells Fargo Bank Statement reflecting a significantly higher balance than what was in the actual account; the fraudulent bank statement further reflected a check to be withdrawn from the account twice to make it appear as though the Bank was in error .

**COUNT 4: TAMPERING WITH RECORDS OR IDENTIFICATION**

**(18 C.P.S.A. Sec. 4104 (a)); Grade: Misdemeanor 1; \$10,000.00; 5 years;**

did, knowing that he had no privilege to do so, falsified, destroyed, removed or concealed any writing or record or distinguishing mark or brand or other identification with intent to deceive or injure another or to conceal any wrongdoing, to wit; the defendant did provide Mariotti with a copy of a doctored and fraudulent Wells Fargo Bank statement reflecting a significantly higher balance than what was in the actual account; the fraudulent bank statement further reflected a check to be withdrawn from the account twice to make it appear as though the Bank was in error ..

**COUNT 5: BAD CHECKS**

**(18 C.P.S.A. Sec. 4105); Grade: Misdemeanor 2; \$5,000.00; 2 years;**

unlawfully did pass a certain check, number 2022, dated November 13, 2019, for payment of money in the amount of \$21,789.84, payable to the order of Mariotti Building Products and drawn on a certain bank, namely, Wells Fargo Bank to wit: the said Philip Godlewski well knowing at the time of such passing of said check that it would not be honored by the drawee.

All of which is against the Acts of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

  
District Attorney

ST 3813

J  
COMMONWEALTH OF PENNSYLVANIA

Phil Godkushki vs.

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY

CRIMINAL DIVISION

20 CR 664

OTN # 08521321

DAAG J Price

DEFENSE ATTY J Danchea

SENTENCE ORDER

AND NOW, THIS 22 DAY OF June, 2021, THE DEFENDANT IS SENTENCED TO:

OFFENSE Tampon/De Pelant + 4

OFFENSE Budge checks + 5

RESTRICTIVE PROBATION 4 MOS (YR)

LCP/SCI TO  
CTY/SPEC. PROB 1 YR MO DAYS  
MERGES W IS CONC/CONS TO 74

FIRST 1 DAYS (MONTHS) LCP/HA/SHA

SECTION 17 Y N  
COSTS [check] FINES \$ REST \$

FOLLOWED BY: 3M HIA  
DAYS/MOS/YRS PROBATION

OFFENSE  
LCP/SCI TO  
CTY/SPEC. PROB YR MO DAYS  
MERGES W IS CONC/CONS TO

COSTS [check] FINES \$ REST \$

SECTION 17 Y N  
COSTS [check] FINES \$ REST \$

OTHER

OFFENSE  
LCP/SCI TO  
CTY/SPEC. PROB YR MO DAYS  
MERGES W IS CONC/CONS TO

RESTIT VICTIM(S):

ALL REMAINING CHARGES ARE NOLLE PROSSED  
THIS SENTENCE SHALL RUN CONC/CONS TO CASE(S)

SECTION 17 Y N  
COSTS [check] FINES \$ REST \$

SENT DEFERRED TIL 3PM

COURT ORDER CONDITIONS TO BE COMPLETED

CR FOR TIME SERVED CERTIFIED FROM THE RECORD

- A/M D/A EVAL  M/H EVAL
- IP/OP TRTMT DOM VIOL
- HG/SPNSR  HRS COM SERVICE
- NO D/A or LLP
- NO CONTACT
- SEX OFF CSLG
- COUNSELING
- COLOR SYSTEM FOR
- 90/90 F/B  PR WK AFTER

ELIGIBLE/NOT ELIGIBLE FOR MAY 31 2023

BOOT CAMP

RRRI  CLERK OF JUDICIAL RECORDS MAURI B. KELLY

RRRI Waiver

H/AWR

STATE DRUG TREATMENT PROG.

OTHER

BY THE COURT, [Signature] JUDGE

COURT REPORTER Mollie Gill



**GUILTY PLEA COLLOQUY**

Mag. Dist. No: MDJ-11-3-08  
MDJ Name: Honorable Joseph D. Spagnuolo Jr.  
Address: 80 Maffett St.  
Suite 1  
Plains, PA 18706  
Telephone: 570-825-8984

Commonwealth of Pennsylvania  
v.  
Phillip John Godlewski

Phillip John Godlewski  
115 Huckleberry Ln  
Duryea, PA 18642

Docket No: MJ-11308-CR-0000098-2022  
Case Filed: 6/22/2022  
OTN: R 310571-2

		Charge(s)	
18 S 4904 SS B (Lead)	Statement Under Penalty		2 counts


Permissible range of sentence and/or fines: 1 yr / \$2500

- I, Phillip John Godlewski, understand the nature of the charges to which I am pleading guilty.
- I, Phillip John Godlewski, acknowledge that there is a factual basis for this plea.
- I, Phillip John Godlewski, understand that I am presumed innocent until I am proven guilty.
- I, Phillip John Godlewski, am aware of the permissible range of sentences and/or fines for the offenses with which I am charged.

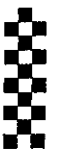
**In third degree misdemeanor cases, please complete:**

I, Phillip John Godlewski, understand that I have a right to trial by jury.

I knowingly, voluntarily, and intelligently make this plea of GUILTY.

I PLEAD GUILTY.   
(Defendant)

8-10-22  
(Date)





**PLEAS OF GUILTY BEFORE  
ISSUING AUTHORITY**

Mag. Dist. No: MDJ-11-3-08  
MDJ Name: Honorable Joseph D. Spagnuolo Jr.  
Address: 90 Maffett St.  
Suite 1  
Plains, PA 18705  
Telephone: 570-825-8984

Commonwealth of Pennsylvania  
v.  
Philip John Godlewski

Philip John Godlewski  
115 Huckleberry Ln  
Duryea, PA 18642

Docket No: MJ-11308-CR-0000098-2022  
Case Filed: 8/22/2022  
OTN: R 310671-2

Charge(s)	
18 § 4904 §§ B (Lead)	Statement Under Penalty 2 counts


Complaint No/Citation No: PA0406500-C000000806

Affiant: William A. Patton

I, Philip John Godlewski, plead guilty to all charges shown before Magisterial District Judge Joseph D. Spagnuolo Jr. this 10th day of August 2022 and represent that I do this knowingly, voluntarily, and intelligently.

  
\_\_\_\_\_  
(Defendant Signature)

I hereby certify that this 10th day of August 2022, I accepted the above defendant's plea of guilty after making full inquiry of the defendant. I have advised the defendant of the right to counsel. I certify that the plea was made voluntarily, knowingly, and intelligently.

8-10-22 \_\_\_\_\_  
Date Magisterial District Judge 

**COURT CASES**

A defendant who enters a plea of guilty under Pa. R. Crim. P. 560 may, within thirty(30) days after sentence, change the plea to not guilty by so notifying the issuing authority in writing. In such event, the issuing authority shall vacate the plea and judgment of sentence, and the case shall proceed in accordance with Pa. R. Crim. P. 547, as though the defendant had been held for court.

Judgment on a plea of guilty entered under Pa. R. Crim. P. 560 must be certified to the clerk of court of the judicial district thirty(30) days after acceptance of the guilty plea and the imposition of sentence.

JUN 22 2022 9:26 AM  
 PENNSYLVANIA  
 COUNTY OF LUZERNE  
 Magisterial District Number: 11-3-08  
 MDJ Hon. JOSEPH D. SPASNUOLO JR.  
 Address: 62 MAFFETT ST  
 PLAINS, PA 18705  
 Telephone: 570-825-8984



No. 2207 P. 2  
**POLICE CRIMINAL COMPLAINT**  
 COMMONWEALTH OF PENNSYLVANIA  
 VS.

DEFENDANT:  
 (NAME and ADDRESS)  
**PHILIP JOHN GODLEWSKI**  
First Name Middle Name Last Name  
 115 HUCKLEBERRY LN  
 DURYEA, PA 18642

**NCIC Extradition Code Type**

- 1 - Felony Full
- 2 - Felony Ltd.
- 3 - Felony Surrounding States
- 4 - Felony No Ext.
- 5 - Felony Pend.
- 6 - Felony Pend. Extradition Detain.
- A - Misdemeanor Full
- B - Misdemeanor Limited
- C - Misdemeanor Surrounding States
- D - Misdemeanor No Extradition
- E - Misdemeanor Pending
- F - Misdemeanor Pending Extradition Detain.

**DEPENDANT IDENTIFICATION INFORMATION**

Booklet Number <b>PK 98-22</b>	Date Filed <b>6/22/22</b>	OTN/LiveScan Number <b>R 310571-2</b>	Complaint Number <b>PA0405500-C000000806</b>	Incident Number <b>20220622M0386</b>	Request Lab Service? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB <b>06/26/1983</b>	POB <b>PENNSYLVANIA</b>	Add'l. DOB	Co-Defendants? <input type="checkbox"/>	
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown		ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown			
HAIR COLOR <input type="checkbox"/> Gry (Grey) <input type="checkbox"/> Red (Red/Aubn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> Blk (Black) <input type="checkbox"/> Ong (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Ink/Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> Bln (Blonde / Strawberry)		EYE COLOR <input type="checkbox"/> Blk (Black) <input type="checkbox"/> Blu (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Grey) <input checked="" type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)			
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			WEIGHT (lbs.) <b>200</b>	
PEI Number	MNU Number			Pt. HEIGHT in. <b>6 02</b>	
Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Fingerprint Classification				

**DEPENDANT VEHICLE INFORMATION**

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth  Approved  Disapproved because: \_\_\_\_\_

(The attorney for the Commonwealth may require the complaint, initial report number, or both, be reviewed by the attorney for the Commonwealth prior to filing. See Pa. R. Crim. P. 207.)

(Name of the attorney for the Commonwealth - Please Print or Type) \_\_\_\_\_ (Signature of the attorney for the Commonwealth) \_\_\_\_\_ (Date) \_\_\_\_\_

I, **DET. WILLIAM PATTON**  
(Name of the ARRESTING OFFICER)  
**LUZERNE COUNTY DISTRICT ATTORNEY'S OFFICE**  
(County District or Agency responsible for the police submission)

**47/303660**  
PAYMENT - ASSIGNMENT NUMBER & NUMBER  
**PA0405500**  
(POLICE AGENCY UNIT NUMBER)

do hereby state:

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 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 [ 103 ] **PLAINS**  
(Subdivision Code) (Municipality or Borough)

10 PETHICK DR WILKES BARRE, THE CABIN ARMOY  
 in LUZERNE County [ 40 ] on or about 17 FEBRUARY 2021 AT 1347 HRS.  
(COUNTY CODE) (OFFICE USE)

**JUN 22 2022**

JUN 5 2023 11:02AM

ST 1573





Jun. 22. 2022 9:26AM



**POLICE CRIMINAL COMPLAINT**

No. 2207 P. 3

Docket Number	Date Filed	OTN/LiveScan Number	Complaint Number PA0409900-C000000806	Incident Number 20220622M0386
Defendant Name		First <b>PHILIP</b>	Middle <b>JOHN</b>	Last <b>GODLEWSKI</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.  
 (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) allegedly 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. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older <u>0</u>			
<input checked="" type="checkbox"/> Lead	<u>1</u>	<u>4904</u>	<u>B</u>	<u>of the</u>	<u>18</u>	<u>2</u>	<u>M3</u>
	Offense #	Section	Subsection	PA Statute Title	County	Grade	NCIC Offense Co. JOURNALS Cox
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		

Statute Description (Include the name of statute or ordinance):

**Statement Under Penalty**

Acts of the accused associated with this Offense:

**FALSE STATEMENT/UNDER PENALTY** The Actor, PHILIP GODLEWSKI, on or about, February 17, 2021, in the County of Luzerne, commits a misdemeanor of the third degree if he makes a written false statement which he does not believe to be true, on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable., that is to say the actor, PHILIP GODLEWSKI, in violation of Section 4904(B) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 4904(B)

JUN 22 2022



**POLICE CRIMINAL COMPLAINT**

Docket Number	Date Filed	OTN/LiveScan Number	Complaint Number PA04058500-C000000806	Incident Number 20220622M0386
Defendant Name	First PHILIP	Middle JOHN	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.C. 4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered 1 through 2.
- I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

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 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.)

JUNE 22, 2022  
(Date)

(Signature of Affiant)

AND NOW, on this date JUN 22 2022 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.

11-3-08  
(Magisterial District Court Number)

(Issuing Authority)



JUN 22 2022

Jun. 22. 2022 9:26AM

**POLICE CRIMINAL COMPLAINT** No. 2207 P. 5

Docket Number	Date Filed	OTN/LiveScan Number	Complaint Number PA0408500-C000000808	Incident Number 20220622M0386
Defendant Name	First <b>PHILIP</b>	Middle <b>JOHN</b>	Last <b>GODLEWSKI</b>	

**AFFIDAVIT of PROBABLE CAUSE**

On February 17, 2021 at 1:47 PM PHILIP GODLEWSKI attempted to purchase a Stag Arms model: Stag 15 TAC 5.56mm rifle bearing serial number: W-004693 from The Cabin Armory located at 10 Pethick Drive in Plains Township. While attempting to purchase the rifle GODLEWSKI filled out U.S. Department of Justice ATF form 4473. While filling out said form GODLEWSKI marked "No" to block 21b and block 21c. Initially GODLEWSKI had marked "Yes" to block 21c but had crossed the answer out and initialed it before marking "No". Block 21b of ATF form 4473 asks the prospective buyer if they are now under indictment or information in any court of a felony or any other crime for which the judge could sentence him to more than one year in prison. Block 21c of ATF form 4473 asks the prospective buyer if they have ever been convicted of a felony in any court or any other crime for which the judge could have sentenced him to more than one year in prison even if the actual sentence he received was less to include probation.

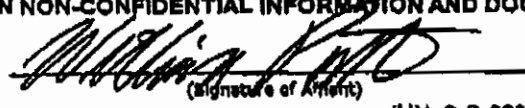
An agent of The Cabin Armory conducted a mandatory background investigation through the Pennsylvania Instant Check System (PICS). The PICS check revealed GODLEWSKI was convicted in 2010 of Section 6301(a)(1) of Title 18 the Crimes Codes Corruption of Minors a misdemeanor one offense punishable by up to five years in prison. This conviction caused GODLEWSKI to be denied in his attempt to purchase the rifle.

Additional investigation revealed GODLEWSKI was also facing an open charge of Section 4104(a) of Title 18 Tampering With Records or Identification a misdemeanor one offense punishable by up to five years in prison. GODLEWSKI was convicted of this charge on February 22, 2021.

It is obvious from the previous conviction for a misdemeanor one offense as well as having an open charge for another misdemeanor offense GODLEWSKI knowingly and falsely marked "No" to blocks 21b and 21c of ATF form 4473 in an attempt to illegally purchase a firearm.

I, DET. WILLIAM PATTON (47), 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.

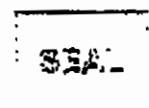
I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

  
(signature of Affiant)

JUN 22 2022

Sworn to me and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, JUN 22 2022 Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, \_\_\_\_\_





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KOLMANLAW.COM

December 9, 2021

**EMAILED: [timhinton@haggertylaw.net](mailto: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

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

- If. 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.

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

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me re  
§ - 22 - 22

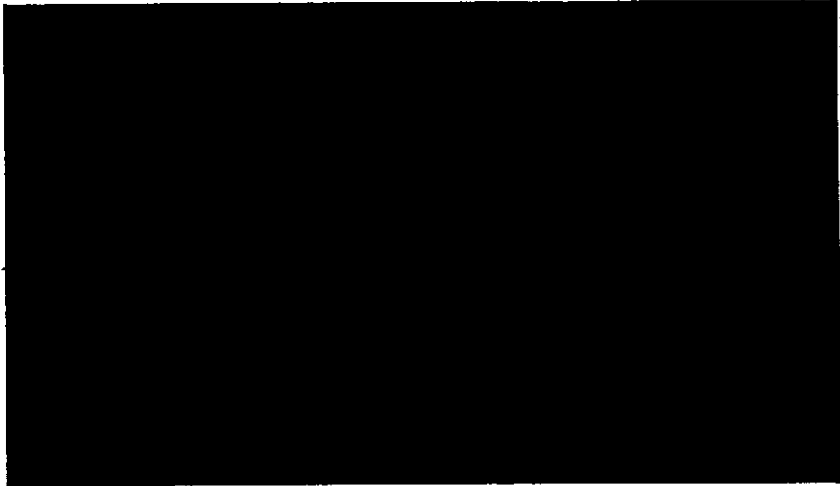
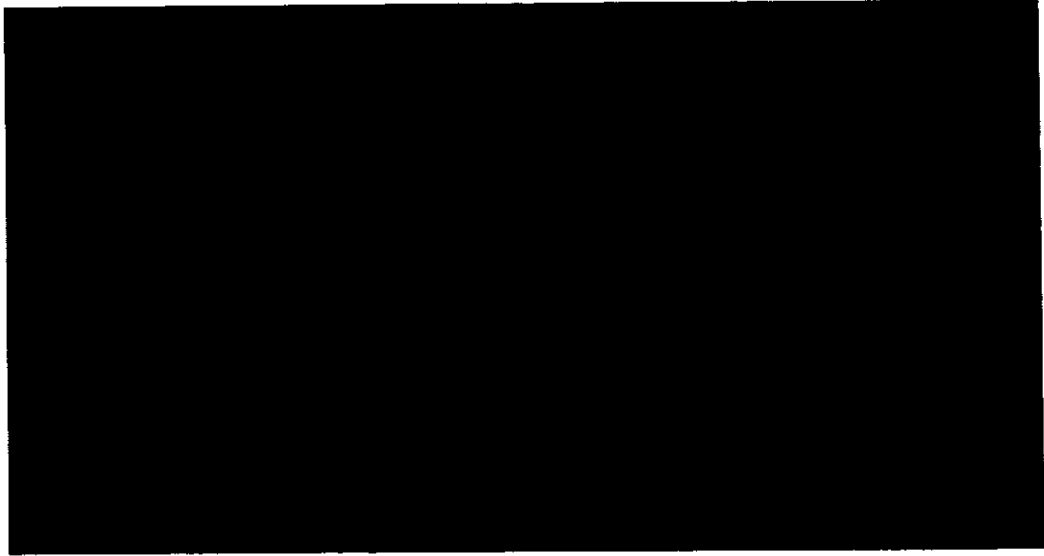
**VERIFICATION**

The undersigned verifies and certifies that the facts set forth in the attached Plaintiff's Supplementary Responses to Defendants' First Set of Interrogatories and 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



From: 115707804567 Phil  
To: [redacted] (owner)

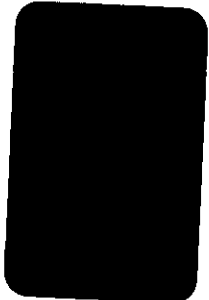
I think it might be fair to say that there is a very, very large, and very, very unique financial opportunity that exists in front of you

Participant	Delivered	Read	Played
[redacted]		5/28/2022 3:51:03 PM(UTC-4)	

Status: Read

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

Source Extraction:  
Logical (1), Advanced Logical (1)  
Source Info:  
[redacted] Phone/mobile/Library/SMS/sms.db : 0x239F83 (Table: message, handle, chat; Size: 29842752 bytes)





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

LOL

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:16 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:16 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: 26642752 bytes)

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

The type of opportunity that happens to hardly anyone

Participant	Delivered	Read	Played
[redacted]		5/28/2022 3:51:19 PM(UTC-4)	

Status: Read

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: 26642752 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: 26642752 bytes)

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

And everyone knows but me

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:33 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:33 PM(UTC-4)

Source Extraction:  
 Logical (1), Advanced Logical (1)  
 Source Info:  
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x2395F8 (Table: message, chat, handle; Size: 29642752 bytes)

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

Mom mom can't look me in the eyes for more than 1.2 seconds

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:52 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:52 PM(UTC-4)

Source Extraction:  
 Logical (1), Advanced Logical (1)  
 Source Info:  
 [redacted] iPhone/mobile/Library/SMS/sms.db : 0x2393C2 (Table: message, chat, handle; Size: 29642752 bytes)

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

Why?

Participant	Delivered	Read	Played
[redacted]		5/28/2022 3:52:05 PM(UTC-4)	

Status: Read

5/28/2022 3:52:05 PM(UTC-4)

Source Extraction:  
 Logical (1), Advanced Logical (1)  
 Source Info:  
 [redacted] 29642752 bytes)

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

Cause everyone knows but me it seems like

Participant	Delivered	Read	Played
+15707804567 Phil	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: 28642752 bytes)

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

I dont think we're talking about the same thing, Ms. [redacted]

Participant	Delivered	Read	Played
		5/28/2022 3:52:59 PM(UTC-4)	

Status: Read

5/28/2022 3:52:59 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 Phil

Laughed at "I dont think we're talking about the same thing, Ms. [redacted]"

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:53:16 PM(UTC-4)		

Status: Sent

5/28/2022 3:53:16 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)

From: +15707804567 Phil (owner)  
To: +15707804567 Phil

Oh are you trying to recruit me for the silver thing

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:53:58 PM(UTC-4)		

Status: Sent

5/28/2022 3:53:58 PM(UTC-4)

Source Extraction:  
Logical (1), Advanced Logical (1)  
Source Info:  
iPhone/mobile/Library/SMS/sms.db : 0x23A2F5 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil (owner)  
To: +15707804567 Phil

Pfft, no

Participant	Delivered	Read	Played
+15707804567 Phil		5/28/2022 3:54:07 PM(UTC-4)	

Status: Read

5/28/2022 3:54:07 PM(UTC-4)

Source Extraction:  
Logical (1), Advanced Logical (1)  
Source Info:  
iPhone/mobile/Library/SMS/sms.db : 0x23BF83 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15707804567 Phil (owner)  
To: +15707804567 Phil

We really need to meet and chat

Participant	Delivered	Read	Played
+15707804567 Phil		5/28/2022 3:54:16 PM(UTC-4)	

Status: Read

5/28/2022 3:54:16 PM(UTC-4)

Source Extraction:  
Logical (1), Advanced Logical (1)  
Source Info:  
iPhone/mobile/Library/SMS/sms.db : 0x23B096 (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 3:54:16 PM(UTC-4)		

Status: Sent

5/28/2022 3:54:16 PM(UTC-4)

Source Extraction:  
 Logical (1), Advanced Logical (1)  
 Source Info:  
 iPhone/mobile/Library/SMS/sms.db : 0x23BB3F (Table: message, chat, handle; Size: 28942752 bytes)

From: +15707804567 Phil [redacted] (owner)  
 To: + [redacted]  
 I cant talk about this through text or over the phone

Participant	Delivered	Read	Played
+		5/28/2022 3:54:33 PM(UTC-4)	

Status: Read

5/28/2022 3:54:33 PM(UTC-4)

Source Extraction:  
 Logical (1), Advanced Logical (1)  
 Source Info:  
 iPhone/mobile/Library/SMS/sms.db : 0x23B900 (Table: message, handle, chat; Size: 28842752 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 3:58:07 PM(UTC-4)

Source Extraction:  
 Advanced Logical (1)  
 iPhone/mobile/Library/SMS/sms.db : 0x23B6C3 (Table: message, chat, handle; Size: 28942752 bytes)

From: +15707804567 (owner)  
To: +

doesn't have to be today. "Some stuff physically" ? Wtf?

Participant	Delivered	Read	Played
+1		5/28/2022 3:58:36 PM(UTC-4)	

Status: Read

5/28/2022 3:58:36 PM(UTC-4)

Source Extraction:

Logical (1), Advanced Logical (1)

iPhone/mobile/Library/SMS/sms.db : 0x23CFB3 (Table: message, handle, chat; Size: 29842752 bytes)

From: +15707804567 (owner)  
To: +

You're dodging me

Participant	Delivered	Read	Played
+1		5/28/2022 2 3:58:56 PM(UTC-4)	

Status: Read

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: 29842752 bytes)

From: +15707804567 (owner)  
To: +15707804567 (owner)

No I'm not

Participant	Delivered	Read	Played
+15707804567 (owner)		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: 29842752 bytes)

ST 1465

From: [redacted] (owner)  
To: +15707804587 Phil

No one will ever understand what I just went through this semester

Participant	Delivered	Read	Played
+15707804587 Phil	5/26/2022 3:59:19 PM(UTC-4)		

Status: Sent

5/28/2022 3:59:16 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: 29842752 bytes)

From: +15707804587 Phil  
To: [redacted] (owner)

Im kinda of worried about you

Participant	Delivered	Read	Played
[redacted]		5/28/2022 4:00:58 PM(UTC-4)	

Status: Read

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: 29842752 bytes)

From: [redacted] (owner)  
To: +15707804587 Phil

Why

Participant	Delivered	Read	Played
+15707804587 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 : 0x23DF8D (Table: message, chat, handle; Size: 29842752 bytes)

From: +15707804567 Phil (owner)  
To: [redacted] (owner)  
Idk, you're talking all crazy-pants. Doesnt seem like the [redacted] I know

Participant	Delivered	Read	Played
[redacted]		5/28/2022 4:02:10 PM(UTC-4)	

Status: Read

5/28/2022 4:02:10 PM(UTC-4)

Source Extraction:  
Logical (1), Advanced Logical (1)  
Source Info: [redacted] iPhone/mobile/Library/SMS/sms.db : 0x23D07B (Table: message, handle, chat; Size: 29642752 bytes)

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

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] iPhone/mobile/Library/SMS/sms.db : 0x23D817 (Table: message, chat, handle; Size: 29642752 bytes)

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

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] iPhone/mobile/Library/SMS/sms.db : 0x23D1AD (Table: message, chat, handle; Size: 29642752 bytes)



From: +15707804567 Phil (owner)  
To: +

Okay. Well that makes me feel better. When you re ready, I have an opportunity that involves the both of us. But it wont work with just one of us. I dont 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
+		5/28/2022 4:08:30 PM(UTC-4)	

Status: Read

5/28/2022 4:08:28 PM(UTC-4)

Source Extraction:  
Logical (1), Advanced Logical (1)  
Source Info:  
iPhone/mobile/Library/SMS/sms.db : 0x23EF83 (Table: message, handle, chat, Size: 29642752 bytes)

From: (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 MSL 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 : 0x23EB6D (Table: message, chat, handle, Size: 29642752 bytes)

From: +15707804567 Phil (owner)  
To: +

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
+		5/28/2022 4:25:30 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 : 0x23FFB3 (Table: message, handle, chat, Size: 29642752 bytes)