

- **Teasing Social Media Post:** Phil teased the revelation of the truth about BD's testimony in a Scranton Times lawsuit on social media.
- **Offer Declined:** Phil offered BD \$50,000, which she refused; she instead contacted defense counsel to share the truth about Godlewski.
- **Affidavit and Text Messages:** BD executed an affidavit detailing her sexual relationship with Godlewski at 15 and provided text messages from 2021-22.
- **Intimidating Text Message:** After learning of BD's affidavit, Godlewski sent a text threatening her, claiming involvement in the next Trump administration and warning that things would get worse.
- **Threats and Lawsuit:** Phil, in response, threatened a lawsuit against BD on social media, privately urging her to recant the affidavit, stating "It all goes away" with his lawyer's help.
- **Disputed Statements:** Phil challenges the accuracy of the article's claims about his sexual relationship with a minor and admission to such conduct during his guilty plea.
- **Article Excerpts:** The contested statements, found in paragraphs 21-22 and 26, detail Phil's guilty plea to corruption of minors and admission to a sexual relationship with a 15-year-old.
- **Acknowledged Guilt:** There's no dispute that Godlewski pleaded guilty to the corruption charge and, as per detectives, engaged in a sexual relationship with the minor in various locations.
- **Admission of Corruption:** Phil admits to corrupting the morals of the minor victim, confirming the essence of the allegations.
- **Remaining Issues:** The key matters in question revolve around whether Godlewski can substantiate that he did not have a sexual relationship with the minor and did not admit to such conduct during his guilty plea.

- **Criminal Charges:** Godlewski faced eight criminal charges, including statutory sexual assault and corruption of minors, based on his sexual relationship with Brienna DuBorgel in 2010-11.
- **Intimidation Allegations:** The charges also included accusations of intimidating the minor victim and a witness, involving instructions to deny the authenticity of text messages and coordinating stories.
- **Affidavit of Probable Cause:** BD, accompanied by her parents, disclosed details of the Sexual relationship during a forensic interview on March 19, 2010, stating the involvement began in 2008 when she was 15.
- **Text Message Evidence:** Text messages exchanged between Godlewski and the victim during the period were crucial evidence, supported by an affidavit and the Pennsylvania State Police's download of Brienna's cell phone.
- **Guilty Plea:** Godlewski entered a guilty plea, specifically to the corruption charge under Pennsylvania law related to corrupting the morals of a minor, with other charges dismissed.
- **Plea Agreement:** A pre-trial conference led to a plea bargain, wherein Godlewski agreed to plead guilty to corruption of minors, resulting in a sentence involving house arrest and probation.
- **Legal Process:** The legal proceedings included a waiver of preliminary hearing, a pre-trial conference with Judge Geroulo, and the eventual guilty plea under Pennsylvania law regarding corruption of minors.
- **Negotiated Sentence Agreement:** Godlewski and the prosecutor agreed on a sentence of 3 to 23 months, with three months under house arrest, for charges including corruption of a minor based on an having a sexual relationship with Brienna DuBorgel.
- **Guilty Plea Colloquy:** In the signed Guilty Plea Colloquy on November 12, 2010, Godlewski admitted to the charges, **specifically acknowledging engaging in the actions he was accused of**, related to corruption of a minor. <https://virtusvincit.com/community/pages/phil-fraudlewski/videos/the-deposition>
- **Withdrawal of Guilty Plea:** Judge Geroulo expressed dissatisfaction with the initially negotiated sentence, leading Godlewski to withdraw his guilty plea as the **judge planned to impose a stiffer sentence, prompting the criminal case to proceed on all eight counts.**
- **Preliminary Hearing in 2011:** At the preliminary hearing in July 2011, Brienna, influenced by Godlewski, asserted her 5th Amendment right to remain silent. **Despite her reluctance, the prosecutor refused to drop the case, citing evidence from Godlewski's text messages.**
- **Reactivation of Plea Bargain:** After reactivating plea bargain discussions, the same plea deal and Guilty Plea Colloquy were brought back to Judge Geroulo, who accepted the negotiated sentence. On July 11, 2011, all charges except corruption of a minor were nolle prossed, and Godlewski was sentenced on the corruption charge.
- **Affidavit and Court Testimony:** Brienna executed an affidavit and testified in court on February 6, 2023, confirming her sexual relationship with Godlewski when she was 15. She was cross-examined by the plaintiff's counsel during the court proceedings.
- **Dori Gallagher's Deposition:** Dori Gallagher, who lived with Godlewski since 2006-07 and married him in 2012, testified in her July 20, 2023 deposition that Brienna informed her about the sexual relationship with Godlewski before his guilty plea in 2011.
- **Facebook Messenger Messages:** Dori sent messages to Brienna via Facebook Messenger before Godlewski's arrest, questioning the nature of her relationship with him. Brienna initially claimed they were just friends, but Dori discovered evidence of extensive text messages between them.
- **Ciara O'Malley's Testimony:** Brienna's high school friend **Ciara O'Malley testified that she observed Brienna and Godlewski together about 20 times when Brienna was in 9th and 10th grade, sometimes following them secretly. Ciara stated Godlewski took Brienna into houses on about 10 occasions.**
- **Text Message Authentication:** Brienna's affidavit and deposition, along with her mother Linda DuBorgel's phone bill records, authenticate the text messages (ST 2790-2905) as evidence of Godlewski's inappropriate relationship.



Godlewski and the prosecutor agreed upon a sentence of 3 months home confinement to 23 months. Godlewski's counsel reserved the right to withdraw the guilty plea if the Court did not accept the recommended sentencing.

Godlewski's Guilty Plea Colloquy signed November 12, 2010 states:

11. Do you understand that by pleading guilty you are admitting **that you did 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.

Godlewski admitted he did the "things" he was charged with. (**Exhibit "2"**, pp. 235-241, specifically p. 240.) He was charged with corruption of a minor for having sexual intercourse with the minor victim. The Guilty Plea Colloquy was signed by Godlewski and his attorney. (**Exhibit "17"** and **Exhibit "2"**, p. 235.) An Information was filed by the District Attorney charging Godlewski with corruption of a minor for "repeatedly [having] inappropriate text messages and contact with a minor." (**Exhibit "18"**.)

Judge Geroulo advised the parties the negotiated sentencing was "too light" and Godlewski would be getting off to easy for the magnitude of his crimes. (**Exhibit "2"**, pp. 257 and 265.) In light of the Judge's plan to hand-down a stiffer sentence the guilty plea was

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Judge Geroulo advised the parties the negotiated sentencing was “too light” and Godlewski would be getting off too easy for the magnitude of his crimes. (**Exhibit “2”**, pp. 257 and 265.) In light of the Judge’s plan to hand-down a stiffer sentence the guilty plea was withdrawn by Godlewski and the criminal case proceeded on all eight counts. A preliminary hearing was scheduled for a date in July 2011. At the preliminary hearing the minor victim asserted her 5th Amendment right to remain silent because Godlewski begged her to do so and even threatened suicide. (**Exhibit “7”**) Brienna just wanted the case to be over. (**Exhibit “7”**) The parties took a break from the preliminary hearing. Even though Brienna stopped cooperating with the prosecutor, the prosecutor refused to drop the case since she knew Godlewski just wore the victim down and she had his text messages proving he had sex with the victim. The parties reactivated the plea bargain discussions. The same plea deal and Guilty Plea Colloquy was brought back to Judge Geroulo. This time Judge Geroulo accepted the negotiated sentence. (**Exhibit “2”**, pp. 265.) All the charges except the corruption charge were nolle prossed on July 11, 2011, which is the same day Godlewski was sentenced on the corruption charge. (A true and correct copy of the Criminal Docket from case number CP-35-CR-0002613-2010 is included in the *Exhibit List* and marked as **Exhibit “19”**.)

- **Introduction of Ciara O'Malley:** Cara O'Malley is introduced as Brienna's best friend from high school.
- **First Encounter:** Brienna met Godlewski at a car wash fundraiser arranged by him when she was 14. Ciara witnessed this during the summer before Brienna entered 9th grade.
- **Observations of Brienna and Godlewski:** Cara and her friends, suspicious of the relationship, secretly followed Godlewski and Brenna about 20 times when she was in 9th and 10th grade. They observed Godlewski taking Brienna into houses.
- **Confirmation of Brienna's Age:** Brienna was 14 years old when she first met Godlewski, and these observations were made during her early high school years.
- **Intervention and Disclosure:** Concerned about Brienna's involvement with Godlewski, Brenna's friends, including Ciara, took Brienna's phone to her mother during a sleepover, initiating an intervention
- **False Friendship Claims:** Godlewski falsely claimed a deep childhood friendship with Joe Strok during a social media interview, creating a fabricated narrative about their shared kindergarten and graduation experiences.
- **Contradictory Statements:** Riverside High School yearbooks exposed Godlewski's lies, as they graduated in different years. His admission of embellishing and attempts to explain the discrepancy further undermined his credibility.
- **Deceptive Storytelling:** Godlewski's invented story about Joe Strok being his best childhood friend was likely a ploy to justify his communication with the minor victim.
- **Unsubstantiated Connections:** Joe Strok's step-mother had no knowledge of Godlewski, and Ciara O'Malley confirmed they were not friends, casting doubt on the authenticity of Godlewski's claims.
- **Evident Dishonesty:** The deposition and interview transcripts revealed inconsistencies, showcasing Godlewski's dishonesty regarding his alleged friendship with Joe Strok.
- **Pattern of Deception:** Godlewski, following the mantra of "I have to deny, deny, deny," has consistently misled and lied.
- **False Sworn Statements:** In response to interrogatories and requests for production, Godlewski claimed to have no written communication with the minor victim.
- **Text Message Denial:** Godlewski stated under oath that he possessed no text messages with Brienna DuBorgel from 2008 to the present.
- **Forensic Examination:** Brienna DuBorgel's cell phones were examined, revealing 1,235 Instant Messages from March 31, 2021, to May 11, 2022, and 151 Instant Messages from May 28, 2022, to September 9, 2022, all exchanged with Godlewski.
- **Admission of Authenticity:** Facing a motion for sanctions, Godlewski admitted the authenticity of the damaging text messages and had intentionally hidden them to evade discovery.
- **Principal's Memo:** Riverside High School Principal Joseph Moceyunas documented a concerning phone call with Godlewski on January 8, 2009, amid rumors of a sexual relationship with Brienna DuBorgel.
- **False Statements:** Godlewski claimed not to have spoken to Brienna in weeks during the call and was directed by Moceyunas to have no further contact with her.
- **Parental Letter:** On January 27, 2009, Brienna's parents sent a letter to Moceyunas, asserting that Godlewski had given their daughter diamond earrings, supported by phone records showing 250 text messages between them on the day of the initial call.

27. Why did you plead guilty to corrupting a minor in 2011?

ANSWER: This interrogatory is objected to because it intrudes upon attorney-client privilege.

(Plaintiff's Response to Interrogatories (Set I), is included in the *Exhibit List* and marked as **Exhibit "29"**, see No. 27.) Defense counsel then wrote to Plaintiff's counsel complaining about the improper objection. Plaintiff's counsel then served a verified supplemental answer to the interrogatory (Plaintiff's Supplemental Response letter dated December 9, 2021 is included in the *Exhibit List* and marked as **Exhibit "30"**.) that stated:

27. The details are these. Plaintiff's best childhood friend Joe was dating the victim. He was twenty-one. She was sixteen. They were having a sexual relationship. Plaintiff did not know this at the time but apparently, there was a threat to expose Joe. As a result, he committed suicide. **The relationship between Plaintiff and the victim was only with respect to discussions regarding Joe and his suicide.** This is possibly why the Victim pleaded the Fifth Amendment when asked any questions regarding this case. Plaintiff was 25 and all of this happened.

Plaintiff and Joe Strok were not friends. They were four years apart in school and over four years

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apart age-wise. (A true and correct copy of select pages from the Deposition of Sherry Strok are included in the *Exhibit List* and marked as **Exhibit "31"**, pp. 10-12.) Joseph Strok's step-mother never knew Godlewski or even heard of him. (**Exhibit "31"**, pp. 22-25.) Godlewski did a social media interview on November 26, 2021, six months after commencing this lawsuit, in which he discussed his relationship with the minor victim. (A true and correct copy of Plaintiff's Response to Admissions (Set III) along with Exhibit "C" the transcription of select times from the November 26, 2021 interview are included in the *Exhibit List* and marked as **Exhibit "32"**.) Godlewski's story in the interview is full of lies. He claimed he and Joe Strok were good friends. There were in kindergarten together and attended all the same classes together but parted ways for college. Joseph Strok had a great family. His parents were not divorced. He said he would go over to Joe Strok's house for dinner and exchanged Christmas presents. "[W]e graduated together." He even states Brienna "was actually consoling me" due to the death of Joe Strok.

This statement is particularly sickening and shows how depraved Godlewski truly is.

Godlewski made up a story about Joe Strok being his best childhood friend to give him an excuse for being in communication with the minor victim. (Exhibit “2”, pp. 92-94.) Godlewski never mentioned the name Joe Strok to Dori. (Exhibit “20”, p. 42.) Ciara O’Malley knew Joe Strok and he was not friends with Godlewski. (Exhibit “22”, pp. 16-17.) Godlewski pled guilty to the corruption charge because it was a good deal for him and the prosecutor had a multitude of text messages between him and the minor victim proving they were having sex. The 2010 text messages leave no doubt Godlewski was having sex with a minor. Below are some of the texts Godlewski sent to Brienna in 2010 when he was 26 and she was 16 years old:

“So am i like, the boy you use for sex, and hate every other day of the week now?” (See ST 2805, line 280.)

“I wanted you so bad because of the last few days” (See ST 2806, line 291.)

“I disagree, I think she’ll still see me as the 25 year old that fucked her 15 year old daughter and lied to her about it” (See ST 2838, line 1058.)

“I’m going to fuck you so hard you’ll probably split in half” (See ST 2840, line 1088.)

“Great, insults. No rational, just insults. I’m sorry if I don’t want to hurt you. And as good as our sex might be, it fails in comparison to my love for you. I love you so fucking much that I’ve been in tears since 11:00 this morning” (See ST 2850, line 1265.)

“I literally can have sex with you for an entire day. Like if we had the while night tonight, we would have just kept going” (See ST 2858, line 1406.)

“Aww we had sex in mom mom’s bed” (See ST 2887, line 2004.)

“I’m in shock and awe. I never had sex like that before. What happened yesterday? Was I dreaming? I don’t understand. I’m frazzeled.” (See ST 2889, line 2065.)

“You’re beautiful and I think you’re nuts. I wouldn’t alter your appearance in any way even if I could. And you give incredible head. K.” (See ST 2891, line 2091.)

“I leave my house to talk to you, go home late, let dori home for hours while we have sex, and I only give you 5%? you’re the retard” (See ST 2904, line 2348.)

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(Exhibit “ST 14”)

Godlewski denies these are his text messages. Yet, he admits the following texts in 2021 are true and authentic text messages (A true and correct copy of Plaintiff’s Response to Defendant’s Request for Admissions (Set I) is included in the *Exhibit List* and marked as **Exhibit “34”**, see No. 1., also see **Exhibit “6”**, p. 87) between he and the minor victim:

Phil: YO WANNA GO TO OKLAHOMA?!? (4/2/2021, ST 1098)

Brie: This is like our 2010 dream (4/8/2021, ST 1108)

Phil: I suppose it is. (4/8/2021, ST 1108)

Brie: 4 nights in a beautiful hotel except. Out of state and no one bothering you so you could actually relax and just CHILL (4/8/2021, ST 1108)

Brie: And me being 27 lookin and feelin better than ever about to start my career so (4/8/2021, ST 1109)

Phil: We’ll see if you could still suck dick (4/8/2021, ST 1109)

(A true and correct copy of the above-referenced text messages are included in the *Exhibit List* and marked as **Exhibit “35”**.) Phil’s messages from 2021 sound like the sender’s messages from Phil’s phone number in 2010. The same crude, misogynistic person The conversation above is clearly related to the 2010 time-frame by use of the word “still” and Godlewski’s response discusses oral sex.



- **Job Termination and QAnon Videos:** Phil claims he was fired by Sunita Arora via email but has not provided a copy. Godlewski lost his real estate job due to his involvement in QAnon, as stated by Sunita Arora.
- **Loss of Real Estate Listing Agreement:** Phil asserts losing a real estate listing agreement with Freddie Gray and his wife Emily because of the article. No depositions or affidavits were obtained from Freddie Gray or his wife.
- **Financial Situation and Damages:** Godlewski admitted having less than \$200 when the article was published but now claims a net worth of \$75 million and monthly earnings over \$5 million. No named individuals who believed false statements and treated Godlewski differently have been identified.
- **Personal Transformation and Mental Health:** Phil admitted being a "bad person" until his jail term in the summer of 2021 and claimed to have found God. He is currently on Zoloft since 2018, receiving mental health treatment until June 2021, and considers himself fine.
- **Marital Issues and Divorce:** Dori Gallagher, Godlewski's wife at the time, filed for divorce in March 2021, citing infidelities and Godlewski's involvement in QAnon. Godlewski had a prior affair with an employee named Miranda in 2017, leading to firing Miranda, and Dori filed for divorce 23 days after which Godlewski texted Brienna expressing relief about Dori's departure.