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C O U R T O F C O M M O N P L E A S
L A C K A W A N N A C O U N T Y

JOSEPH PILCHESKY,	X	
	X	
	X	
Plaintiff,	X	
	X	
-vs-	X	No. 2007-CV-1838
	X	
JUDY GATELLI,	X	
	X	
Defendant.	X	
	X	
-vs-	X	
	X	
JOANNE PILCHESKY and	X	
JOHN DOES,	X	
	X	
Additional	X	
Defendants.	X	

O R D E R

And now, this day 10²⁴ day of October,
2007, this Court concluding that the Petition for
Disclosure filed by Defendant Judy Gatelli contains
insufficient information to apply the substantive
criteria and procedural safeguards articulated by a
Judge of this Court in Polito v. AOL-time Warner, Inc.,
78 PA. D+C 4th 328 to the facts alleged in the
pleadings of this case, it is ordered as follows:

1 1. Defendant Judy Gatelli shall file an amended
2 Petition for Disclosure which specifies:

3 (a) the pseudonym of each additional defendant;

4 (b) the complete message containing the
5 actionable words posted by each additional defendant;

6 (c) the cause or causes of action that she
7 alleges based on those words;

8 (d) evidence sufficient to establish a prima
9 facie case against each additional Defendant supported
10 by affidavit;

11 (e) an affidavit asserting that the information
12 is sought in good faith and is unavailable by
13 alternative means.

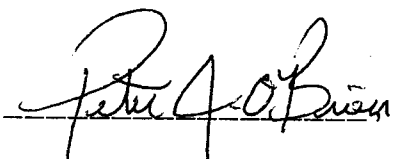
14 2. Within ten (10) days of the filing of an affidavit
15 evidencing service by Defendant Judy Gatelli of the
16 foregoing information upon all parties and counsel of
17 record, Plaintiff Joseph Pilchesky shall send the
18 materials relevant to each additional Defendant and a
19 copy of this order to the email address provided by
20 each Doe Defendant when registering for the message
21 board.

22 3. Within thirty (30) days of such email notice each
23 Doe Defendant may file an objection to disclosure of
24 their identity in the Office of the Clerk of Judicial
25 Records of Lackawanna County in Scranton, Pennsylvania.

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4. Plaintiff Joseph Pilchesky is directed to continue to comply with the order for preservation of evidence set forth in the order of a Judge of the Court dated May 24, 2007.

BY THE COURT:

 S.J.
PETER J. O'BRIEN, S.J.

MARY F. RINALDI
LACKAWANNA COUNTY
2007 OCT 10 A 11:02
CLERK OF
JUDICIAL RECORDS