UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

Three Angels Broadcasting Network, Inc., an Illinois non-profit corporation, and Danny Lee Shelton, individually,

Case No. 07-40098-FDS

Plaintiffs,

v.

Gailon Arthur Joy and Robert Pickle,

Defendants.

AFFIDAVIT OF M. GREGORY SIMPSON

STATE OF MINNESOTA)
ss.
COUNTY OF HENNEPIN)

- M. Gregory Simpson, being first duly sworn upon oath, deposes and states as follows:
- 1. I am an attorney licensed in the State of Minnesota and admitted *pro hac* vice to the United States District Court, District of Massachusetts, where I am one of the attorneys representing Plaintiffs in the above-captioned action. I make this affidavit based upon my knowledge and information.
- 2. Plaintiffs commenced the above-captioned lawsuit on or about April 5,2007. The case is in the document discovery phase. No depositions have been

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taken, nor have any dispositive motions been filed or served. The parties recently

stipulated to an order extending discovery and unexpired deadlines by 90 days.

3. On August 14, 2007, Gailon Arthur Joy filed for bankruptcy in the United

States Bankruptcy Court for the District of Massachusetts, Case No. 07-43128-

JBR. The bankruptcy court order lifting the automatic stay required 3ABN to give

up its right to seek damages against Mr. Joy for prepetition actions. A true and

correct copy of the bankruptcy court order is attached hereto as Exhibit 1.

4. Based on court filings by Defendant Robert Pickle seeking relief from the

requirement to appear in person on the basis of hardship, among other things, it

appears that he is a man of modest means who would be unable to pay any

substantial award of damages. True and correct copies of two such filings by Mr.

Pickle are attached as Exhibit 2.

5. Attached hereto as Exhibit 3A and 3AB are two internet postings made by

Gailon Arthur Joy that refer to what we believe can only be Confidential

documents produced in this litigation.

FURTHER YOUR AFFIANT SAYETH NOT.

Dated: October 23, 2008

s/M. Gregory Simpson M. Gregory Simpson

Subscribed and sworn to me this 23rd day of October, 2008.

s/ Amy Jo Ditty

Notary Public

Mv Commission Expires: January 31, 2010

I, M. Gregory Simpson, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 23, 2008.

Dated: October 23, 2008 /s/ M. Gregory Simpson

M. Gregory Simpson