

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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

Plaintiffs,

v.

Gailon Arthur Joy and Robert Pickle,

Defendants.

Case No.: 07-40098-FDS

AFFIDAVIT OF ROBERT PICKLE

NOW COMES Robert Pickle of Halstad Township, Norman County, Minnesota, who deposes and testifies to the following under pain and penalty of perjury:

1. I have reviewed my phone bills for 2007 in order to determine when Dwight Hall of Remnant Publications, Inc. (hereafter "Remnant") (located in the city of Coldwater in Branch County, Michigan) called me. Attached hereto as **Exhibit A** are relevant pages from my November and December 2007 phone bills. The following facts drawn from my phone bills and my memory put the conversation in question between November 16 and 21, 2007.

2. I made calls to Remnant on November 14, 16, 28, and 29, 2007. (Ex. A pp. 2, 5-6).

3. The phone calls to Remnant on November 14 and 16 were attempts to reach Remnant secretary/treasurer Dan Hall in order to make preliminary arrangements for a subpoena *duces tecum*. Dwight Hall then returned my call, with Dan Hall listening in by way of speaker

phone. During the conversation Dwight Hall stated that he would not make it hard for us to obtain documents.

4. I then made calls to Branch County Circuit Court, Coldwater Branch Library, Coldwater City Government, Ovid Township Hall, and the District Court judge's secretary on November 21, 26, and 27, 2007, looking for a suitable place to request Remnant to produce its documents at. (Ex. A pp. 3-5).

5. After securing a conference room at the courthouse, I called Remnant on November 28 and 29, 2007, to see if they would accept service of the subpoena. (Ex. A pp. 5-6). Since Remnant would not accept service, I arranged with the Branch County sheriff's department on November 29, 2007, to serve the subpoena. (Ex. A p. 6). Attached hereto as **Exhibit B** is the email I sent to Faxaway.com on that day, in order to fax the subpoena to the sheriff's department. Attached hereto as **Exhibit C** is the email receipt I received back from Faxaway.com indicating successful transmission of the fax, similar to the receipt I received later that same day after faxing my requests to produce to both the law firms that represent the Plaintiffs in this case.

6. Attached hereto as **Exhibit D** is page 1 of Docket Entry # 29 from W.D.MI Case No. 08-mc-00003-RAE. The docket text for that entry dated July 2, 2008, states, "attorney admission deadline set for 8/1/2008." Since Remnant's motion to amend was filed on June 27, 2008, as Docket Entry # 25, there wasn't a lot of time to complete the requirements before the end of the standard motion briefing schedule.

7. Attached hereto as **Exhibit E** is a letter dated November 11, 2008, written by Plaintiffs' counsel to the Defendants.

8. Along with the letter from Remnant's counsel filed as Docket Entry # 155-2, Remnant's counsel included copies of Exhibit A to Docket Entry # 60 for both Gailon Arthur Joy and myself. His requests for our signature in his letter refers to his wanting us to sign those

copies and return them to him. We did not do so, explaining to him that only non-parties have to sign Exhibit A.

9. Attached hereto as **Exhibit F** are communications between Plaintiffs' counsel and the Defendants dated November 12 and 13, 2008.

10. The " 'Ten Commandments' book" referred to in Plaintiffs' counsel's letter of May 14, 2008 (Doc. 68-2 p. 3), is a 2007 edition of *Ten Commandments Twice Removed.*, by Danny Lee Shelton (hereafter "Shelton") and Shelley Quinn. Since this book was produced by the Plaintiffs in their "confidential" production, I figure that if I use an "abundance of caution" (Doc. 107 p. 4), I can only file the cover of this book if I file it under seal. However, I have at least two other copies of the 2007 edition, and have therefore attached as **Exhibit G** a scan of the cover of one of those two other copies. It says in the upper right-hand corner that over 5 million copies are in print. It therefore cannot be confidential. (Doc. 60 ¶ 1).

11. Attached hereto as **Exhibit H** is a letter dated October 24, 2008, written by Plaintiffs' counsel to the Defendants.

12. Attached hereto as **Exhibit I** are relevant pages from the 2005 edition of the *Seventh-day Adventist Church Manual* dealing with the topic of church discipline. These pages describe the two forms of church discipline within the Seventh-day Adventist Church, one which results in the loss of church offices and the other which results in the loss of church membership. These pages contain a quotation which likens this type of thing to "cleans[ing] the camp from Achans."

13. Attached hereto as **Exhibit J** is an article from 3ABNcritiqued.info which gives quotations from the August 10, 2006, Three Angels Broadcasting Network, Inc. (hereafter "3ABN") broadcast which was a sick attempt at damage control after Alyssa Moore raised sexual assault allegations against Shelton.

14. Attached hereto as **Exhibit K** is a reprint from 3ABNevaluated.info of Dr. Arild Abrahamsen's letter in which he states that Shelton is a psychopath. Reprintings of this letter elsewhere on the internet show that the letter bears the date of June 20, 2006.

15. Attached hereto as **Exhibit L** are selected pages from 3ABN's 2007 IRS Form 990.

16. I have had sources tell me that a particular board member has privately admitted to having been involved with an unsolved murder that took place before his or her becoming a Christian, and that another board member has been a lifelong liar and petty thief.

17. Attached hereto as **Exhibit M** is correspondence between Shelton and Gailon Arthur Joy dated in October 2006. Shelton insinuates that he has dug up dirt on Mr. Joy and will expose him if he doesn't shut up.

18. Attached hereto as **Exhibit N** are communications between Plaintiffs' counsel and the Defendants dated December 24, 2008.

19. Attached hereto as **Exhibit O** are selected pages from 3ABN's 2006 IRS Form 990.

20. Attached hereto as **Exhibit P** is SEC information regarding the 1998 sale of Garwin McNeilus' company.

21. Attached hereto as **Exhibit Q** is an email by 3ABN Board chairman Walter Thompson claiming that Garwin McNeilus had helped pay for this lawsuit.

22. Attached hereto as **Exhibit R** are selected pages from the IRS instructions for the 2006 IRS Form 990.

23. Attached hereto as **Exhibit S** is a post dated February 2, 2007, by Bystander, believed to be Shelton (Doc. 152-15 p. 2) or someone very close to Shelton. Bystander didn't think Defendant Joy would be allowed to see 3ABN's books during the anticipated lawsuit.

FURTHER DEPONENT TESTIFIES NOT.

Signed and sealed this 29th day of December, 2008.

/s/ Bob Pickle

Bob Pickle
Halstad, MN 56548
Tel: (218) 456-2568

Subscribed and sworn to me
this 29th day of December, 2008.

/s/ Perry W. Kolnes

Notary Public—Minnesota

My Commission Expires Jan. 31, 2010