

24

Daryl Fawcett
(16000+
Member
(MSDAOL))
01/05/07 10:40
PM



ASI and Other Mediation - 3ABN

It is fairly apparent that this email was meant for public release. Here it is:

----- Original Message -----

Subject: ASI action
Date: Fri, 05 Jan 2007 08:04:54 -0800
From: Harold Lance

Greetings each one:

Last evening the ASI Executive Committee met to review ASIs' involvement in issues involving 3ABN, Linda and Danny Shelton including our progress in the process we initiated. ASI, in relevant part, took the following action:

"For approximately three months ASI has deeply considered its' involvement in issues involving 3ABN in three special Executive Committee meetings called for that purpose and multiple other contacts. On October 25, 2006 the ASI Executive Committee took an action authorizing the exploration of the possibility of its' involvement and asked Harold Lance to lead out in that process. It now appears that it is not appropriate for ASI to be involved."

Harold Lance

Daryl Fawcett
(16000+
Member
(MSDAOL))
01/26/07 11:21
AM



Re: ASI and Other Mediation - 3ABN

Here is a further response from ASI:

-----beginning of response-----

January 24, 2007

To those this may concern:

Answering the request of 3ABN's Board of Directors , ASI agreed to explore the possibility of forming a commission "to evaluate and determine Danny's legal and moral right to divorce and to re-marry". ASI's Executive Committee spent a considerable amount of effort from late September 2006 until early 2007 exploring that assignment. ASI's Executive Committee met January 4 to review progress on establishing a commission. After a full discussion the Committee voted unanimously to withdraw from the process they had agreed to consider. A brief announcement was made without stating any of the reasons for our action. We received questions from both sides, ASI members, and several Church leaders. All wanted to know the reasons for our action to withdraw. The committee met again on January 9, 2007 and authorized an explanation. Our decision to withdraw was not based on the merits of the divorce and remarriage issues or any of the other issues we were urged to

consider. It was based solely on the barriers we encountered in attempting to reach agreement on a process.

In summary,

Here were the considerations:

1. ASI believed it could develop a process fair to all parties utilizing a panel of ASI members selected for their spirituality, fairness and intelligence. The parties would be involved in the panel selection process.
2. ASI proposed a process assuring a fair due process to all concerned.
3. ASI believed it was essential that we have the active involvement of all parties.

By 12 10 06, Danny and 3ABN accepted the process proposed by ASI.

Here were the barriers:

- * Linda did not participate in discussions to develop an agreed process.
- * Linda identified Gailon Arthur Joy as her representative who in turn introduced Bob Pickle and Greg Matthews as team members.
- * Linda's team –
 - did not accept that ASI was capable of providing a fair forum to decide the issues
 - insisted on including issues involving allegations of management and corporate misconduct at 3ABN
 - would not accept the ground rules for the panel's procedures
 - would not cease harassing email contact with Danny or other 3ABN representatives
 - would not cease circulating distracting comments about the process under discussion with AS
- * We never learned whether Linda approved of the positions asserted by her team. Linda did not respond except to say that Joy would be her representative.

ASI was equally open to whatever conclusion the facts revealed and was disappointed that our efforts did not result in a resolution of the issues we agreed to consider.

If you wish to know more, read on.

The ASI Executive Committee believes that 3ABN is a God inspired and God led instrument for the effective spread of the Three Angels Messages to the world and

that it is a blessing to the worldwide Seventh-day Adventist Church.

ASI is a member organization of businesses and ministries that have a priority for the spread of the gospel in their market place. 3ABN was introduced to ASI in the mid 1980's at our convention in Big Sky, Montana. At that time their idea was just a dream. ASI was intrigued by their audacious plan of a lay operated ministry providing a world wide radio and television network with "straight" Seventh-day Adventist programming 24/7. This meeting was the beginning of a mutually beneficial relationship resulting in the growth of both organizations and positive media exposure for hundreds of supporting ministries on 3ABN programming. Both Linda and Danny Shelton were viewed as capable leaders, deserving of respect and involvement with ASI.

Events around the break up of the Shelton's marriage brought much public comment which came to the notice of ASI, the Church at large and the viewers of 3ABN. "The 3ABN board of directors voted unanimously on September 24 (2006) to request ASI to set up a commission to evaluate and determine Danny's legal and moral right to divorce and to re-marry".

As ASI leadership was considering 3ABN's request an email message dated 10 3 06, was received by the ASI President from G. Arthur Joy, saying in part: "...Dr. Thompson has informed me that ASI has agreed to be the appropriate platform upon which to hear allegations regarding 3ABN. While I agree that in theory, ASI is the appropriate platform and clearly has some jurisdiction here, and by voluntary assent would have full jurisdiction to hear the allegations and make appropriate findings, I also recognize there are some clear and serious conflicts that need to be clarified". The memo from Joy included messages from other unknown/unidentified people seriously questioning whether ASI was an appropriate organization to be involved. Joy was unknown to ASI leadership. It was not known what his interest was in the matter. That question was clarified by Linda when she identified Joy as her representative. Joy introduced Bob Pickle and Greg Matthews as also on Linda's team. The three have been included in all correspondence sent to Linda.

On October 25 - the ASI Executive Committee took an action authorizing the exploration of becoming involved and asked Harold Lance, past ASI president, to lead out in the process.

October 31 - ASI circulated a document entitled "Procedural Suggestions" (below) to both Linda and Danny Shelton, their representatives, and 3ABN.

BASIC CONCEPTS - We believed there were several basics concepts necessary for the process to succeed:

- That the involvement of Linda, Danny and 3ABN was essential to a successful agreement on a fair process and resolution of the dispute.

- Widespread distracting interchanges on the web sites and forums led us to believe the discussions between ASI and the parties attempting to establish an agreement on the process needed to be conducted with confidentiality.

- Both parties needed to stop direct critical comment with each other.

###

PROCEDURAL SUGGESTIONS

ASI SUGGESTED THE FOLLOWING PROCEDURE AND PROCESS CONCEPTS:

~ The panel selected to hear and decide the issues should be chosen by ASI in consultation with the parties.

~ Because of the sensitive nature of the issues we believed the proceedings needed to be private, as in "executive session" of a board of directors meeting within the Church or business organizations.

~ Issues for consideration needed careful definition and mutual agreement.

~ Parties would state in advance of the hearing their position on each issue and their expected outcome of each issue.

~ Each party would in advance of the hearing furnish the identity of their witnesses and their expected information as well as providing copies of any documents to be presented to the panel.

~ All costs connected with the proceedings would be paid by 3ABN.

~ Proceedings would be held at a neutral site as convenient as possible for the parties.

~ Input from both parties would be welcomed to establish the ground rules on the process to be followed.

~ Questioning would be conducted by the panel under the direction of its chairperson, with opportunity for the parties or their representative to suggest questions.

~ The decision of the panel would be based upon the information presented by the parties at the hearing and not from outside sources.

~ The proceedings would not be conducted as a trial, with a judge, lawyers, cross examination and typical court-like processes.

~ Within 30 days after the conclusion of the proceedings the panel would announce

its written findings on the issues, the factual reasons for their findings, and recommendations to the parties, which document would be available to the parties and the interested public.

###

What happened? Why didn't it succeed?:

There was significant interchange between Linda's team and ASI, and Danny and 3ABN and ASI that lead to two additional documents from ASI to the parties containing details and suggested revisions to the process.

We had no contact with Linda other than a memo to an ASI representative stating that Joy was her representative.

By 12 10 07 Danny and 3ABN had accepted the process as proposed by ASI.

On 12 13 07 we received an email from Joy advising that Linda was preparing a careful thorough response to the process proposals and a list of questions that he and Linda were preparing seeking clarification. They never came.

The interchange with Linda's team centered around:

- * Whether the proceeding should be open to the public or private;
- * Whether ASI could be neutral and provide a "level playing field";

Whether the proceedings should be videoed, recorded and broadcast;

* Whether the issues considered should extend beyond the Shelton's divorce and Danny's remarriage and include for example:

- a. That Danny and the 3ABN Board of Directors were guilty of malfeasance;
- b. That Danny should be removed as president of 3ABN;
- c. That the Board of Directors of 3ABN should be removed;
- d. That 3ABN should be restructured to create a constituency based organization though they knew the existing structure is lawful;
- e. That any person who has contributed to the support of 3ABN should be a constituent entitled to a voice in the selection of the board of directors and the management of the ministry, referring to donors as "stockholders in the pews";

f. That the 3ABN corporate by-laws needed to be changed to allow censure, discipline and removal of the officers and members of the board of directors (NOTE: In fact they already provide for that possibility)

e. At least 22 other issues were raised in Forum site references by her team urged for inclusion in the ASI process.

Early on Linda was provided telephone and email contact information. She was also sent copies of all communications from ASI to her team. In the two plus months of ASI's attempts to reach agreement on a process she did not respond. We do not know if Linda shares in a belief with Joy, Pickle and Matthews that the agenda should include the matters asserted by her team. She chose not to participate. It was clear that Joy, Pickle and Matthews had interests far beyond the issues ASI agreed to consider.

We affirmed to the parties that even though ASI supports the ministry of 3ABN and wishes it to succeed and prosper; that we could be fair and objective in considering the issues related to the Shelton's divorce and Danny's remarriage. We also believed that the panel selected by ASI in consultation with the parties would be people selected with qualities of spirituality, intelligence and fairness. However, we never reached that point. We affirmed to the parties that ASI had no stake in the outcome and were comfortable with what ever conclusions were reached by the panel.

After a week or two into the process Danny and 3ABN ceased exchanging messages with the other side. That was helpful. Because ASI declined to consider issues beyond those of divorce and remarriage Art, Bob and Greg believed they were free to continue contacts with Danny, Dr. Thompson and others associated with 3ABN. Though couched in spiritual language their messages were persistent, confrontational, argumentative and harassing. Our efforts to stop their direct communications were unsuccessful.

We believe we have no jurisdiction to consider internal issues of 3ABN management and the changing of its corporate structure. Those issues must be left to its' board of directors. We believe our inability to resolve the fundamental issue of the divorce and remarriage is disappointing to many. We felt that without agreement on fundamentals with no likely agreement in sight it was necessary for ASI to withdraw. The parties and those concerned are the losers in what could have been a healing clarification of a divisive issue for all who are concerned.

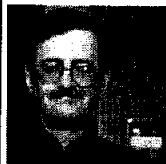
We confess that if we would have known how to resolve the matter we would have done it, but we don't, but God does. We urge that all who have a concern be respectful, restrained and apply the Golden Rule as you would wish it for yourself.

ASI Executive Committee

by Harold Lance"

-----end of response-----

Daryl Fawcett
 (16000+ Member
 (MSDAOL))
 01/26/07 05:39
 PM



Re: ASI and Other Mediation - 3ABN

Here is the letter again on the 3ABN website:

http://www.3abn.org/3abn_asl_update.cfm

I find it interesting though that the wording is different in places. Do a comparison and see for yourself.

Bob Pickle
 (1000+ Member
 (MSDAOL))
 01/26/07 08:41
 PM

Re: ASI and Other Mediation - 3ABN

My direct involvement in the negotiations began December 1, 2006, with an email from Gailon to Harold Lance that spelled out the following confidentiality requirement:

Quote:

"I have already secured an agreement from Linda, Bob and Greg that any communication relating to the process proposal and collateral issues with you or ASI will be held in the strictest confidence, period, until we have reached an agreement or an agreement is deemed impossible, at which time only a mutually agreed statement will be issued. All communique's will be labeled 'Confidential-FYEO-Do Not Re-distribute.' These three will be the only individuals included in the discussions on this side."

Harold required this confidentiality agreement in order to avoid the possibility of his being publicly criticized about anything that he might say, particularly on the internet. I have therefore endeavored to confine my public and private comments about the process to only what was publicly known prior to my agreeing to the above.

After ASI announced that it was not appropriate for them to be involved, I received no contact from Harold Lance to try to negotiate any sort of mutually agreed statement. Thus, his sending out of the statement that he did, in my opinion, constitutes a serious violation of the very agreement that he required us all to agree to in order to be involved.

There are a number of serious questions that need to be answered.


- Did 3ABN or Danny Shelton directly or indirectly have any input in or review any draft or edition of this statement prior to Harold's sending it out on Wednesday? I am certain that "Linda's team" had no such privilege, a privilege mandated by the confidentiality agreement.
- If both sides, as Harold's statement says, were to give input into the rules proposed for the process, why was "Linda's team" faulted for disagreeing with the rules proposed for the process prior to our involvement?
- If lack of communication on the part of Linda was a major problem, why was there no participation whatsoever by either Danny or his representative in the

group discussion?

- Again, if lack of communication on the part of Linda was a major problem, why did Harold Lance, as he told me on Wednesday, "ignore" a question I asked more than once regarding a concern I had about the implications of a particular ground rule?
- If two additional documents incorporated suggestions proposed by both sides, why did I ask the group why it seemed that none of the suggestions "Linda's team" had offered were being incorporated?
- If ASI distributed a document to Danny, Linda, and their representatives on October 31, why is it that the first email I have along those lines at all is dated November 12? (Admittedly, there may be a missing email somewhere.)
- In that document were procedural suggestions, it is said. If that be true, did 3ABN or Danny directly or indirectly give input or review those suggestions before they were distributed, and if so, why then were they the only side that, effectively, was allowed to influence the ground rules for the process?
- On September 19, Gailon wrote, "I spent nearly two hours with [a church leader] today and he has agreed to work to develop a mixed forum to review the all evidence. This process is very preliminary, however, it is yet another step in the right direction." That being so, why does Harold's statement indicate that Gailon was unknown to ASI leadership prior to October 3?
- If the Tommy Shelton child molestation allegations were one of the major issues that got the ball rolling on this ASI panel review process to begin with, which is my understanding, why did the 3ABN board refuse to allow ASI to look into those allegations, why did Danny indicate in writing to me that he was going to use the whole ASI-decision-about-Linda thing as a smokescreen to cover everything else up, and why was Harold Lance willing to go along with Danny's scheme when I repeatedly pointed out these facts?

These comments and questions are made quite reluctantly, and I wish not to get more specific than the above at this time.

I personally think the ASI rank and file are going to have a lot of questions about all of this.

Daryl Fawcett 
 (16000+
 Member
 (MSDAOL))
 02/01/07 06:50
 PM



 **Re: ASI and Other Mediation - 3ABN**

Here is a direct link to the Save3ABN site that speaks to this latest letter from ASI:

<http://www.save3abn.com/danny-shelton-smokescreen-scheme-intro.htm>