

5. Pastor Glenn Dryden (“Dryden”) had stated that he had sent his May 14, 2003 letter to Walter Thompson (“Thompson”) along with the sheet of action items, a statement Thompson never denied. (Doc. 171-6 p. 1; Doc. 81-2 pp. 51–65). But to my knowledge, Gailon Arthur Joy and I never had proof that Danny Lee Shelton (“Shelton”) also had the action items until realizing for the first time early this year that Shelton was referring to those action items in the first message he left on the Ezra Church of God answering machine.

6. Attached hereto as **Exhibit F** is my letter of June 19, 2008, to Attorney Gregory Simpson (“Simpson”), which I sent with a CD on which, among other things, were the recordings at issue. Attached hereto as **Exhibit G** is Dryden’s email of June 2, 2008, stating that he had shipped material to me that evening. Thus, my reception of the recordings was not until after June 2. Since we never had the recordings before that date, they were not in our initial disclosures.

7. In the recordings of Shelton’s phone messages, Shelton referred to the action items as being a letter and as being separate and distinct from Dryden’s May 14, 2003, letter. We therefore did not know what Shelton was referring to.

8. Attached hereto as **Exhibit H** is my letter of June 18 to Simpson, alerting him to the fact that no issues of *3ABN World* were produced in response to Request # 8 of my Requests to Produce. (Doc. 63-20 p. 10).

9. Filed conventionally as **Exhibit I** is a CD containing all the *3ABN World* issues in PDF format that I have. On that CD: (a) in the folder labeled in part **Folder 1** are the issues I could only obtain from Archive.org, (b) in the folder labeled in part **Folder 2** are the issues I could readily obtain from 3ABN.org, and (c) in the folder labeled in part **Folder 3** are the formerly missing issues that Three Angels Broadcasting Network, Inc. (“3ABN”) recreated in 2009 and reposted on their website.

10. I extracted the file metadata for each *3ABN World* issue using Adobe Acrobat 5.0.5. Anyone can do the same by looking at the files on Exhibit I using Acrobat, or even by checking file properties using Windows Explorer. Attached hereto as **Exhibits J–L** are printouts of the file metadata Acrobat gave me for each issue.

11. I have placed the data from Exhibits J–L in three tables. **Table 1** contains file metadata from the issues available only from Archive.org, until recently. InDesign is a high-end publishing layout program produced by Adobe.

TABLE 1: *3ABN World* Issues Available Only from Archive.org

Issue	Creator	Producer	Created	Modified	PDF Ver.
10/04	InDesign CS (3.0.1)	PDF Lib. 6.0	09/01/04	09/28/04	1.3
12/04	InDesign CS (3.0.1)	PDF Lib. 6.0	10/22/04	11/30/04	1.3

12. **Table 2** contains file metadata from the issues that I could readily obtain from 3ABN.org. One can easily tell when 3ABN upgraded their software over time.

TABLE 2: *3ABN World* Issues Available from 3ABN.org

Issue	Creator	Producer	Created	Modified	PDF Ver.
09/04	Missing from Around Feb. 2005 Until 2009				
10/04	Missing Until 2009				
11/04	Missing from Around Feb. 2005 Until 2009				
12/04	Missing Until 2009				
01/05	InDesign CS (3.0.1)	PDF Lib. 6.0	11/24/04	11/30/04	1.3
02/05	InDesign CS (3.0.1)	PDF Lib. 6.0	12/15/04	01/11/05	1.3
03/05	InDesign CS (3.0.1)	PDF Lib. 6.0	01/19/05	01/27/05	1.3
04/05	InDesign CS (3.0.1)	PDF Lib. 6.0	02/18/05	03/23/05	1.3
05/05	InDesign CS (3.0.1)	PDF Lib. 6.0	03/18/05	03/28/05	1.4
06/05	InDesign CS (3.0.1)	PDF Lib. 6.0	04/21/05	05/12/05	1.5
07/05	InDesign CS (3.0.1)	PDF Lib. 6.0	04/21/05	05/23/05	1.5
08/05	Missing Until 2009				
09/05	InDesign CS2 (4.0)	PDF Lib. 7.0	08/08/05	08/08/05	1.4

Issue	Creator	Producer	Created	Modified	PDF Ver.
10/05	InDesign CS2 (4.0)	PDF Lib. 7.0	08/29/05	08/29/05	1.4
11/05	InDesign CS2 (4.0.1)	PDF Lib. 7.0	10/05/05	10/05/05	1.4
12/05	InDesign CS2 (4.0.1)	PDF Lib. 7.0	11/08/05	11/08/05	1.4
01/06	InDesign CS2 (4.0.2)	PDF Lib. 7.0	01/05/06	01/05/06	1.4
02/06	InDesign CS2 (4.0.4)	PDF Lib. 7.0	11/07/06	11/07/06	1.4
03/06	Not Available	Dist. 7.0.5 (Mac)	01/30/06	01/30/06	1.4
04/06	Not Available	Dist. 7.0.5 (Mac)	03/16/06	03/16/06	1.4
05/06	Not Available	Dist. 7.0 (Mac)	04/06/06	04/06/06	1.4
06/06	InDesign CS2 (4.0.2)	PDF Lib. 7.0	05/08/06	05/08/06	1.3
07/06	InDesign CS2 (4.0.2)	PDF Lib. 7.0	06/07/06	06/07/06	1.3
08/06	InDesign CS2 (4.0.3)	PDF Lib. 7.0	07/10/06	07/10/06	1.3
09/06	InDesign CS2 (4.0.3)	PDF Lib. 7.0	08/01/06	08/01/06	1.3
10/06	InDesign CS2 (4.0.4)	PDF Lib. 7.0	09/11/06	09/11/06	1.3
11/06	InDesign CS2 (4.0.4)	PDF Lib. 7.0	09/28/06	09/28/06	1.3
12/06	InDesign CS2 (4.0.4)	PDF Lib. 7.0	11/21/06	11/21/06	1.4
01/07	InDesign CS2 (4.0.4)	PDF Lib. 7.0	12/07/06	12/07/06	1.4
02/07	InDesign CS2 (4.0.4)	PDF Lib. 7.0	02/15/07	02/15/07	1.4
03/07	InDesign CS2 (4.0.4)	PDF Lib. 7.0	02/21/07	02/21/07	1.4
04/07	InDesign CS2 (4.0.4)	PDF Lib. 7.0	03/07/07	03/07/07	1.4
05/07	InDesign CS2 (4.0.4)	PDF Lib. 7.0	04/03/07	04/03/07	1.4
06/07	InDesign CS2 (4.0.5)	PDF Lib. 7.0	05/03/07	05/04/07	1.4
07/07	InDesign CS2 (4.0.5)	PDF Lib. 7.0	06/07/07	06/07/07	1.4
08/07	InDesign CS2 (4.0.5)	PDF Lib. 7.0	07/17/07	07/17/07	1.4
09/07	InDesign CS2 (4.0.5)	PDF Lib. 7.0	08/15/07	08/15/07	1.4
10/07	InDesign CS2 (4.0.5)	PDF Lib. 7.0	09/26/07	09/26/07	1.4
11/07	InDesign CS3 (5.0.1)	PDF Lib. 8.0	10/23/07	10/23/07	1.5
12/07	InDesign CS3 (5.0.1)	PDF Lib. 8.0	11/01/07	11/01/07	1.5
01/08	InDesign CS3 (5.0.1)	PDF Lib. 8.0	12/18/07	12/18/07	1.5
02/08	InDesign CS3 (5.0.1)	PDF Lib. 8.0	12/27/07	12/27/07	1.5
03/08	InDesign CS3 (5.0.2)	PDF Lib. 8.0	02/26/08	02/26/08	1.5
04/08	InDesign CS3 (5.0.2)	PDF Lib. 8.0	03/27/08	03/27/08	1.5
05/08	InDesign CS3 (5.0.2)	PDF Lib. 8.0	04/29/08	04/29/08	1.5
06/08	InDesign CS3 (5.0.2)	PDF Lib. 8.0	05/21/08	05/21/08	1.5

Issue	Creator	Producer	Created	Modified	PDF Ver.
07/08	InDesign CS3 (5.0.2)	PDF Lib. 8.0	06/10/08	06/10/08	1.5
08/08	InDesign CS3 (5.0.3)	PDF Lib. 8.0	07/10/08	07/10/08	1.5
09/08	InDesign CS3 (5.0.3)	PDF Lib. 8.0	08/04/08	08/04/08	1.5
10/08	InDesign CS3 (5.0.3)	PDF Lib. 8.0	09/08/08	09/08/08	1.5
11/08	InDesign CS3 (5.0.3)	PDF Lib. 8.0	10/08/08	10/08/08	1.5
12/08	InDesign CS3 (5.0.4)	PDF Lib. 8.0	11/04/08	11/04/08	1.5
01/09	InDesign CS4 (6.0)	PDF Lib. 9.0	12/03/08	12/03/08	1.5
02/09	InDesign CS4 (6.0)	PDF Lib. 9.0	01/07/09	01/07/09	1.5
03/09	InDesign CS4 (6.0)	PDF Lib. 9.0	02/05/09	02/05/09	1.5
04/09	InDesign CS4 (6.0.1)	PDF Lib. 9.0	03/05/09	03/05/09	1.5
05/09	InDesign CS4 (6.0.1)	PDF Lib. 9.0	04/09/09	04/09/09	1.5

13. **Table 3** contains file metadata from the five old, missing issues 3ABN recreated in 2009. The creation and modification dates of 02/03/09 are only as accurate as the date on the computer that created the PDF file.

TABLE 3: Old 3ABN World Issues Recreated by 3ABN in 2009

Issue	Creator	Producer	Created	Modified	PDF Ver.
09/04	InDesign CS4 (6.0)	PDF Lib. 9.0	02/03/09	02/03/09	1.5
10/04	InDesign CS4 (6.0)	PDF Lib. 9.0	02/03/09	02/03/09	1.5
11/04	InDesign CS4 (6.0)	PDF Lib. 9.0	02/03/09	02/03/09	1.5
12/04	InDesign CS4 (6.0)	PDF Lib. 9.0	02/03/09	02/03/09	1.5
08/05	InDesign CS4 (6.0)	PDF Lib. 9.0	02/03/09	02/03/09	1.5

14. Additional proof that these issues were recreated is the fact that the text does not line up on the page the same way that it did in the original issues. As just one example, attached hereto as **Exhibit M** is the article about 3ABN Books from the recreated September 2004 issue. The last column is one line longer than in the original issue (Doc. 171-15), improperly putting the last line of that column part way into the bottom margin. Based on my experience at typesetting, I believe this to be due to differences in letter and word spacing between InDesign

CS and InDesign CS4, either built into the program itself, or due to user settings.

15. Also of interest in Table 2 above was how the February 2006 issue appears to have been destroyed, suggesting a pattern of spoliation. The February 2006 issue was definitely recreated in November 2006, using software not used by 3ABN until about October 2006. The February 2006 issue contained an article about the Trust Services Department's new office which had opened in Florida, which article is attached hereto as **Exhibit N**. The article also described how Trenton and Oriana Frost worked at that office.

16. The Frosts were two of the four whistleblowers that were fired in the spring of 2006. After the other whistleblowers, Kathy Bottomley ("Bottomley") and Ervin Thomsen ("Thomsen"), filed their discrimination complaints on July 12 and September 25, 2006, respectively, an investigation by the California Department of Fair Employment and Housing ("DFEH") was launched. After the filing of these discrimination complaints, 3ABN recreated the February 2006 *3ABN World* issue.

17. I have copies of Bottomley's and Thomsen's complaints, and can provide those to the Court if there is any question as to the July 12 and September 25, 2006, filing dates that are upon them.

18. I tried multiple times to see if I could locate a library in Minnesota that had copies of *3ABN World*. I also scoured the internet multiple times, trying to find a website that had the missing issues. I inquired of different friends to see if anyone might know someone that had these issues. All these efforts were unsuccessful. Thus, unsure of what the missing issues might contain, and unable to find a source from which I could get them for free, I was waiting until 3ABN finally fulfilled their obligation by producing them in discovery.

19. However, in January 2009 it occurred to me that perhaps the issues in question contained a mention of Shelton's book *Antichrist Agenda*, and that perhaps it was because such a

mention made that book a pre-marital asset that these issues went missing. I therefore paid \$19 to obtain photocopies of the issues from the Center for Adventist Research at the James White Library at Andrews University. Attached hereto as **Exhibit O** is the invoice I paid for those photocopies, which is dated January 20, 2009.

20. A mapping program tells me that this library in Berrien Springs, Michigan, is about 780 miles from where I live, and about 880 miles from where Mr. Joy lives.

21. Attached hereto as **Exhibit P** is an email forwarded to me by Fran, a lady that reported Plaintiffs to the IRS a number of years ago. I have redacted out the contact information of the individual in the IRS Whistleblower Office who wrote the email. I checked the IP address in the email headers of that individual's email, and that IP address is owned by the Internal Revenue Service.

22. Attached hereto as **Exhibit Q** is Simpson's acknowledgement that he had a copy of the Remnant documents, dated September 24, 2008.

FURTHER DEPONENT TESTIFIES NOT.

Signed and sealed this 20th day of May, 2009.

/s/ Bob Pickle

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

Subscribed and sworn to me
this 20th day of May, 2009.

/s/ Randall C. Aarestad
Notary Public—Minnesota

My Commission Expires Jan. 31, 2010