## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

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

Plaintiffs,

Case No. 07-40098-RWZ

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 on oath, deposes and states as follows:

1. I am an attorney employed by the law firm of Meagher & Geer, P.L.L.P., and am one of the attorneys representing Plaintiffs in the above-captioned case. I make the statements in this Affidavit of my own knowledge.

2. I prepared and filed Document No. 249 on April 15, 2010 at 7:26 P.M. EDT. I had forgotten that the Local Rule in Massachusetts requires that electronic filings be performed by 6:00 P.M. EDT.

3. I have requested that Mr. Pickle identify any prejudice that he suffered as a result of the filing being one hour and twenty-six minutes late. Mr. Pickle did not

Case 4:07-cv-40098-RWZ Document 253 Filed 04/19/10 Page 2 of 2

respond within his threatened deadline to bring a motion to strike.

FURTHER YOUR AFFIANT SAYETH NOT.

<u>s/ M. Gregory Simpson</u> M. Gregory Simpson

Subscribed to and sworn before me this 19th day of April, 2010.

s/ Jeannette L. Evans Notary Public

7293147.1