Case No.: 4:07-cv-40098 FDS

## 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.

## PLAINTIFFS' EMERGENCY MOTION FOR A STATUS CONFERENCE

NOW COME Plaintiffs Three Angels Broadcasting Network, Inc., and Danny Lee Shelton and request that this Honorable Court schedule a status conference in this matter as follows:

- 1. The Court held a Status Conference on November 13, 2007 solely to address issues of the preservation of electronic evidence.
- 2. At the Conference, the Court issued an order establishing a protocol to preserve this evidence.
- 3. On November 14, 2007, Attorney Heal filed a Complaint in the Bankruptcy Court alleging that the Motion for a Status Conference and the Court's production protocol violate the automatic stay in Joy's bankruptcy case. Attorney Heal's lawsuit is brought against both Plaintiffs in this action, as well as personally against Attorneys Pucci, Duffy and Hayes, and their law firms.

4. Rather than proceed with the protocol as ordered by the Court on Monday and Tuesday, November 19 and 20, 2007, which Attorney Heal and his client aver violates the automatic stay, undersigned counsel asks the Court to convene and emergency status conference by telephone, today if possible, to further address the stay issue.

Attorney for Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton,

Dated: November 16, 2007

/s/ John P. Pucci

John P. Pucci, BBO#407560 Fierst, Pucci & Kane, LLP 64 Gothic Street Northampton, MA 01060

Tel: 413-584-8067 Fax: 413-585-0787

## Certificate of Service

I, John P. Pucci, 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 24, 2007.

Dated: November 16, 2007 /s/ John P. Pucci

John P. Pucci