

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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

Case No. 07-40098 FDS

Plaintiffs,

v.

Gailon Arthur Joy and Robert Pickle,

Defendants.

AFFIDAVIT OF MOLLIE STEENSON

STATE OF ILLINOIS        )  
  )  
FRANKLIN, ss.            )

Mollie Steenson, being first duly sworn upon oath, deposes and states as follows:

1. I am the General Manager and the elected Secretary of the Corporation and of the Board of Directors of the non-profit corporation 3 Angels Broadcasting Network ("3ABN"), duly organized in the state of Illinois. I have worked in the employ of 3ABN since 1995. Through the duration of my tenure, I have worked as an assistant to Linda Shelton, an assistant to Danny Shelton and now have the position of General Manager. My duties as General Manager include monitoring and managing the day-to-day operations of 3ABN, acting as the human resources department, staying apprised of the general financial condition of 3ABN, acting as the corporate spokesperson, and all of the duties as Secretary as described in the bylaws, *infra*.

2. The duties of the Secretary for the Corporation and for the Board of Directors, as defined in the revised bylaws signed on September 14, 1997, are:

**Section 5.6. Duties of the Secretary.** The secretary shall act as secretary of the corporation and the Board of Directors, shall send appropriate notices or waivers of notice regarding board meetings, shall prepare agendas and other materials for all meetings of the Board of Directors, shall act as official custodian of all records, reports and minutes of the corporation, the Board of Directors and committees, shall be responsible for the keeping and reporting of adequate records of all meetings of the Board of Directors, and shall perform such other duties as are customarily performed by or required of corporate secretaries including countersigning all papers, including promissory notes of the Corporation in writing that may require the same.

3. 3ABN's donors are the lifeblood of the ministry and their names, contact information, donation history, donation designation preferences, donation means (i.e. trusts, in-kind giving, one-time gifts, will bequeaths, etc.) and other donation information has significant economic value to 3ABN.

4. 3ABN's donor information has been accrued and assembled by the ministry over the course of its 20+ year history, the vast bulk of which was voluntarily provided, without solicitation, by the donors themselves. To my knowledge, 3ABN's unique collection of donor information is unavailable anywhere else or from any other ready source. The time and expense that would be involved in trying to ascertain, recreate or duplicate such information is so extensive as to be virtually incalculable.

5. Many of 3ABN's donors consider their support of a Seventh-Day Adventist-based ministry as a faith obligation that is an integral part of their religious practice. As a result, it is 3ABN's unwavering policy to treat donor information confidentially and to safeguard the privacy of their contribution information. Donors entrust their contributions to 3ABN with the understanding that their donation will be held in confidence.

6. 3ABN takes great steps to insure the confidentiality, privacy and secrecy of its donor information. Donor names, contact information and payment information are maintained in a computer database that is password and access-only security protected. Paper records of such information are kept in locked cabinets and in locked records rooms within 3ABN's security-segregated accounting department and is accessible to only those five or six accounting personnel who process the donations and maintain the database. Donation records are routinely shredded to safeguard privacy and donor names, e-mail and U.S. Mail addresses are never sold or otherwise provided to any outside parties. 3ABN's employees are informed that donor information is confidential and it is 3ABN's policy not to disclose donor or contributor information to anyone. Within 3ABN, donor information is disclosed to employees on a "need-to-know" basis only.

7. 3ABN has been made aware of Defendants contacting current and former employees and contacting current and former supporters seeking disparaging information about the ministry, making derogatory statements about the ministry and its personnel, and making veiled threats to involve them in the instant litigation or subjecting them to deposition in this case unless they "cooperate" by providing Defendants the information they seek. If Defendants are allowed to discover 3ABN's donor information, they will undoubtedly contact all, or at least many, of those donors seeking to discuss the specific details of the donations and contributions those donors made to 3ABN, and likely seeking to disparage 3ABN and Shelton to those donors to discourage the donors' future financial support of the ministry.

8. Defendants' conduct toward and statements about 3ABN have cast aspersions on 3ABN's operational and financial management sufficient to cause many donors to stop giving to the ministry and to cause many other donors to be concerned about future donations.

9. Although 3ABN is a non-profit corporation, operating a religious ministry with altruistic purpose, the organization still faces competition from other Seventh-Day Adventist and Christian ministries for finite, limited donor funding and for broadcast airtime on limited broadcast and satellite bandwidth. In my experience, competing ministries armed with 3ABN's donor information would try to capitalize on (albeit groundless) concerns raised by Defendants about 3ABN's to lure supporter donations and ministry patronage away from 3ABN, which would result in fewer donations and a damaging loss of income to the ministry.

10. 3ABN makes similar extensive efforts to maintain the secrecy, confidentiality and security of its financial, accounting and auditing information.

11. To protect and maintain the confidentiality of its financial, accounting and auditing information 3ABN utilizes a compartmentalized accounting and bookkeeping operation, physical lock-down of the accounting department within 3ABN headquarters, additional physical security on its records storage room and records cabinets at 3ABN's accounting office, password and other security measures on 3ABN's computer system to limit employee access and prohibit third party access to accounting, bookkeeping and financial information, the divided assignment of accounting duties and financial responsibility on a "need to know" basis, confidentiality and non-disclosure policies prohibiting employees from disclosing accounting, bookkeeping and financial

information, and company policies prohibiting the dissemination of auditing reports and financial statements outside the 3ABN Board of Directors and the Company's CFO.

12. If 3ABN's confidential commercial information, which includes information about its capital expenditures, negotiated satellite and airtime rental rates, donor and non-donor income sources, marketing budget, variable payroll and operating expenses, and broadcast and product production and distribution costs, were disclosed to its competitors, they would certainly undercut 3ABN's airtime rental rates, outbid 3ABN on the purchase of airtime and broadcast access, appropriate some or all of 3ABN's non-donor income sources, and solicit 3ABN donors to give their discretionary funds to the competing organization, ultimately eroding 3ABN's market share and usurping its donor base.

FURTHER YOUR AFFIANT SAYETH NOT.

Dated: 12/12/07

*Mollie Steenson*  
Mollie Steenson,  
General Manager and Secretary for  
3ABN, Inc.

Subscribed and sworn to me  
this 12<sup>th</sup> day of December, 2007.

*Aaron C. Yarbrough*  
Notary Public

