## 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.

# PLAINTIFFS' MOTION TO STRIKE OR, IN THE ALTERNATIVE, FOR LEAVE TO FILE A REPLY TO, DEFENDANT PICKLE'S SUPPLEMENTAL MEMORANDUM AND AFFIDAVIT

NOW COME Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton pursuant to D. Mass. L. R. 7.1 and hereby move this Honorable Court for an Order as follows:

- Striking Defendant Robert Pickle's Supplemental Memorandum in Support of His
   Opposition to Plaintiffs' Motion for Protective Order and supporting Affidavit of
   Robert Pickle;
- 2. In the alternative, granting Plaintiffs leave to file a reply memorandum within 14 days of service, i.e. by Monday, March 17, 2008; and
- 3. For such other relief as to the Court would appear just and equitable.

The grounds for this Motion are set forth in Plaintiffs' Memorandum of Law filed herewith, the Arguments of Counsel, and all other files, records and proceedings herein.

Respectfully Submitted:

Dated: March 4, 2008

#### FIERST, PUCCI & KANE, LLC

/s/ J. Lizette Richards

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and

### SIEGEL, BRILL, GREUPNER, DUFFY & FOSTER, P.A.

Gerald S. Duffy (MNReg. #24703) Wm Christopher Penwell (MNReg. #161847) Jerrie M. Hayes (MNReg. #282340) Kristin L. Kingsbury (MNReg. #346664)

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

#### **CERTIFICATE OF SERVICE**

I 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 March 4, 2008.

Dated: March 4, 2008

/s/ J. Lizette Richards

J. Lizette Richards