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**SIEGEL BRILL
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M. Gregory Simpson
612-337-6107
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June 6, 2008

VIA FACSIMILE AND U.S. MAIL

Mr. Robert Pickle
1354 County Highway 21
Halstad, MN 56548

Gailon Arthur Joy
P.O. Box 1425
Sterling, MA 01564-1425

**Re: Three Angels Broadcasting Network, Inc. and Danny Lee Shelton vs.
Gailon Arthur Joy and Robert Pickle
Court Docket No. 07-40098-FDS
Our File No. 24,681-D-002**

Gentlemen:

Enclosed please find a proposed stipulation and order regarding discovery, along the lines we discussed yesterday, please review it and comment. If agreeable, fax me your signatures and I will get it filed.

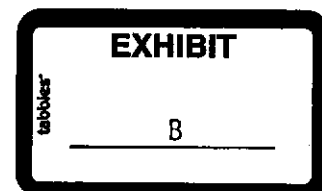
Sincerely,



M. Gregory Simpson

MGS/ad

cc: Gerald Duffy (via e-mail)



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.

**STIPULATION AND JOINT MOTION FOR AMENDED
PRETRIAL SCHEDULING ORDER AND WITHDRAWAL OF
DEFENDANT PICKLE'S MOTION TO COMPEL WITHOUT PREJUDICE**

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(g), the parties, by and through their undersigned counsel, hereby stipulate and jointly move the Court for an order modifying the Pretrial Scheduling Order dated July 24, 2007 [Doc. 20] as Amended on May 3, 2008. The parties allege that good cause exists for modifying the Court's Pretrial Scheduling Order and in support of this motion state as follows:

1. The current scheduling order, as amended, sets deadlines based on the completion of discovery by July 30, 2008. Defendant Pickle has requested a large volume of documents from Plaintiffs. Many of the documents are partially or wholly privileged or confidential, and all of them must be inspected for privilege, numbering and in many cases careful redaction. Plaintiffs are working expeditiously to produce the requested documents with privileged material redacted and to correctly designate

confidential material as such under the Confidentiality and Protective Order issued by the Court on April 17, 2008 [Doc. 60], subject to objections including relevance and privilege, and now anticipate that they will have completed their phased response to Defendant Pickle's requests on or before July 11, 2008.

2. Given the July 11 date by which the production will be complete, Defendants are concerned that the current deadline for completion of fact discovery may not allow them sufficient time to conduct further discovery activities after receipt of Plaintiffs' document production, including follow up requests for documents, motions to compel, and depositions.

3. Plaintiffs' production of documents will narrow and/or moot many of the issues in Defendant Pickle's pending Motion to Compel [Doc. 61]. The parties expect that a motion to compel or for a protective order to set the boundaries on allowable discovery is still likely, but the issues in dispute will be better defined following Plaintiffs' production of documents.

4. Conditioned on the Court's granting of this joint motion to extend the deadlines in the scheduling order, Defendant Pickle hereby withdraws his motion to compel *without prejudice*. Defendant Pickle reserves his right to re-file his motion to compel. Plaintiffs also reserve their rights to object to the scope of requested discovery for any reason permitted by the rules of civil procedure.

5. In order to allow all of the parties an adequate opportunity to conduct the additional discovery needed, the parties respectfully request that the Court modify the Pretrial Scheduling Order by extending the deadlines that have not yet expired by 90 days, as follows:

- | | | |
|------|--------------------------------|--------------------|
| i. | Fact Discovery Completion: | October 30, 2008; |
| ii. | Dispositive motion deadline: | March 5, 2008; |
| iii. | Depositions completed: | October 30, 2008; |
| iv. | Plaintiffs' experts disclosed: | November 30, 2008. |
| v. | Defendants' experts disclosed: | December 30, 2008 |
| vi. | Expert depositions completed: | January 31, 2008. |

RESPECTFULLY SUBMITTED,

For the Plaintiffs Three Angels Broadcasting
Network, Inc. and Danny Shelton,
By their attorneys,

Dated: June ___, 2008

John P. Pucci, BBO #407560
J. Lizette Richards, BBO #649413
Fierst, Pucci & Kane, LLP
64 Gothic Street
Northampton, MA 01060
Telephone: (413) 584-8067

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100 Washington Ave. S. Suite 1300
Minneapolis, MN 55401
Telephone: (612) 337-6100

For Defendant Robert Pickle:

Dated: June ___, 2008

Robert Pickle, *pro se*
1354 County Highway 21
Halstad, MN 5648

For Defendant Gailon Arthur Joy:

Dated: June ___, 2008

Gailon Arthur Joy, *pro se*
P. O. Box 1425
Sterling, MA 01564-1425

FAXED
JUN 06 2008
BY: AJD 4:55

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**SIEGEL BRILL
GREUPNER DUFFY
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DATE: June 6, 2008
TO: Robert Pickle FAX NO.: (217) 483-5491
Gailon A. Joy
FROM: M. Gregory Simpson
RE: Three Angels Broadcasting FILE NO.: 24,681-D-002
Network, Inc., et al. v. Gailon
A. Joy, et al.

PLEASE FIND 6 PAGES, INCLUDING THIS COVER.
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