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**SIEGEL BRILL  
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M. Gregory Simpson  
612-337-6107  
gregsimpson@sbgdf.com

June 11, 2008

**VIA FACSIMILE AND U.S. MAIL- CERTIFIED MAIL-**  
**RETURN RECEIPT REQUESTED**

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

**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**

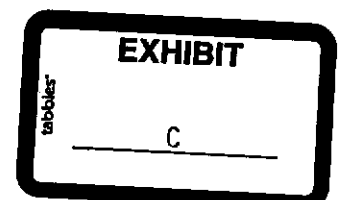
Dear Mr. Pickle:

I have received Defendants' Motion to Extend all Deadlines for Discovery. In your Affidavit you state as follows:

14. The Defendants conferred with Plaintiffs' counsel on June 4 and 5, 2008, and Plaintiffs' counsel agreed that a 90-day extension of all discovery deadlines was both reasonable and acceptable. The plan was that the parties would stipulate to such an extension, in exchange for Defendant Pickle's agreement to table his Motion to Compel.

15. Plaintiffs' counsel offering to draft the stipulation, but the Defendants have not yet received that draft, though it was promised on June 5 that it would be faxed on June 6.

As you know, I had agreed to draft a stipulated order to extend discovery 90 days. I had told you that I would get the order to you by the "close of business" on Friday, June 6, 2008. At approximately 4:56 p.m. on Friday, June 6, you called me and asked where the stipulation to extend discovery was. I advised you that it was in the fax machine being faxed to you. For good measure, I also mailed you a copy so that there could be no question that you received it. You never called to say you didn't receive the document. I enclose another copy.



Mr. Robert Pickle

June 11, 2008

Page 2

Your statement quoted above is therefore false. You have brought a motion asking the Court to do something to which I had already stipulated.

The problem with your conduct is twofold. First, you have lied to the court. Perjury is a very serious offense. You should think long and hard about whether you want to withdraw the affidavit or at least file a correction.

Second, I now have to respond to the numerous false and misleading assertions in your motion, even though I agree that the discovery deadline should be extended.

Therefore, it is my intention to ask the Court to award my client \$500.00 as a sanction against you for filing your motion when you knew perfectly well that I had already stipulated to it. You can avoid that result if you withdraw your motion and file the stipulated order that we previously agreed to. If you do not do so within one week from this letter, I will file my opposition and advise the Court about the facts in this letter.

Sincerely,



M. Gregory Simpson

MGS/ad  
Enclosure

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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.

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

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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

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John P. Pucci, BBO #407560  
J. Lizette Richards, BBO #649413  
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Northampton, MA 01060  
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100 Washington Ave. S. Suite 1300  
Minneapolis, MN 55401  
Telephone: (612) 337-6100

For Defendant Robert Pickle:

Dated: June \_\_, 2008

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

For Defendant Gailon Arthur Joy:

Dated: June \_\_\_, 2008

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

**FAXED**  
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BY: AID 4:31

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---

DATE: June 11, 2008  
TO: Robert Pickle FAX NO.: (206) 203-3751  
FROM: M. Gregory Simpson  
RE: Three Angels Broadcasting FILE NO.: 24,681-D-002  
Network, Inc., et al. v. Gailon  
A. Joy, et al.

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		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> NO                  If YES, enter delivery address below:</p>	
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24,681-D-002 M&S

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