

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: OUT OF DISTRICT SUBPOENA,

_____ /

Hon. Richard Alan Enslin

Case No. 1:08-mc-00003

ORDER

This matter is before the Court on “Defendant’s Motion to Compel” filed pursuant to a third party subpoena issued from this district (Dkt. 2). The matter was heard on June 16, 2008. The third party subpoena arises from a case pending in the District of Massachusetts brought by Three Angels Broadcasting Network, Inc. and Danny Lee Shelton against Gailon Arthur Joy and Robert Pickle for alleged defamation. Documents are sought by defendants Joy and Pickle from Remnant Publications, which is located in the Western District of Michigan. For reasons stated on the record at the hearing held June 16, 2008:

IT IS HEREBY ORDERED that Defendant’s Motion to Compel (Dkt. 2) is **granted in part and denied in part**. Specifically, the motion is granted as to documents described in the subpoena involving Three Angels Broadcasting Network, Inc. and Danny Lee Shelton. The motion is denied as to other entities.

IT IS FURTHER ORDERED that Remnant Publications, Inc. shall serve responsive documents on Defendants no later than 14 days from the date of this Order. These documents shall be subject to the Protective Order already entered in the underlying case. Further, on reflection, the Court will not order those documents to be submitted for *in camera* review to the Massachusetts

court because the relevance of the documents seems clear and there is already a protective order in the Massachusetts case.

Date: June 20, 2008

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge