

in that Affidavit's ¶ 4 (or in July 2006 as alleged by ¶ 8 of the Affidavit of Larry Ewing), that donors have stopped donating to 3ABN specifically because of rumors posted on Save3ABN.com, as alleged in that Affidavit's ¶ 5, that Save3ABN.com was the source of any information in the letter published by *Adventist Today*, referred to in that Affidavit's ¶¶ 6-8, other than the child molestation and sexual misconduct allegations against Tommy Shelton, that the individual referred to in that Affidavit's ¶ 8 was indeed a supporter of 3ABN, that demonstrates Save3ABN.com's role in persuading the South Pacific Division of Seventh-day Adventists to enact the moratorium referred to in that Affidavit's ¶ 9, that either Defendant had any knowledge of or involvement in the distribution of the postcards referred to in that Affidavit's ¶ 10, that 3ABN supporters have been confused as to the affiliation of Save3ABN.com as alleged in that Affidavit's ¶ 11, and that Save3ABN.com contains documents that have been edited and commented upon in ways that lead the reader to inaccurate and defamatory conclusions, or that lead the reader to conclude that the original author maintained something by those documents that he or she in effect did not, claims made in ¶ 12 of that Affidavit, and all other emails that support or do not support the positions taken in any of 3ABN or Plaintiff Shelton's court filings, whatever has not already been produced in response to Requests Nos. 1 through 34.

Request No. 36: All documents which You intend to use at trial or which are relevant to documents which You intend to use at trial, that are not already requested in Requests Nos. 1 through 35.

REQUESTS DIRECTED TO PLAINTIFF SHELTON

Request No. 37: From January 1, 1998, onward, all corporation documents, including the originals and all revisions thereof, including but not limited to articles of incorporation, charters, by-laws, or annual filings, for any organizations over which You exercised control except for 3ABN, including without limitation DLS Publishing, and all minutes and other documents of the boards or committees of any such organizations.

Request No. 38: From January 1, 1998, onward, for Plaintiff Shelton, D & L Publishing, DLS Publishing, or any DBA or corporation over which you have exercised control (other than 3ABN), all financial statements, all tax returns (including all required or filed forms, schedules, and worksheets), all financial and accounting records, all bank statements or records (including without limitation statements or records for any investment accounts, savings accounts, or insurance accounts, or any other accounts which give such detail as amount(s) deposited or withdrawn, or an ongoing statement of value), and all credit or charge account statements or records (including without limitation statements or records for any credit cards, charge cards, loans, mortgages, or collateral arrangements, or any other statements or records which give such detail as amount(s) withdrawn, purchase(s) or payment(s) made, or an ongoing statement of amount owed).

Request No. 39: All proofs of payment for the house You purchased from 3ABN in 1998, all proofs of receipt or payment of the loans or mortgages You acquired from Merlin Fjarli or the Fjarli Foundation, and that You gave to Jim Gilley, and all proofs of payment to 3ABN for any services or merchandise 3ABN has, whether directly or indirectly, paid on Your behalf or given to You.

Request No. 40: All documents containing or pertaining to evidence of Linda Shelton's adultery, whether "spiritual" or physical, including without limitation audio or video recordings, phone records of any sort (whether printed or handwritten or otherwise), correspondence, letters,

SDCM8 (Rev. 12/96) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

Central

DISTRICT OF

Massachusetts

Three Angels Broadcasting and Danny Shelton

SUBPOENA IN A CIVIL CASE

V.

Gailon Arthur Joy and Robert Pickle

Case Number:¹ 07-40098-FDS

TO: Alan Lovejoy, or Keeper of the Records of Gray Hunter
Stenn LLP, Greetings!

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Exhibit A, attached hereto.

PLACE Sam C. Mitchell & Assoc., Lower Floor, 115 1/2 E Main St., West Frankfort, IL 62896	DATE AND TIME 1/3/2008 9:00 am
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
<i>Sarah A. Thornton</i>	1/3/08
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	

SARAH A. THORNTON 1150 E. 945th Ave. Frankfort, IL 62896

(See Rule 43, Federal Rules of Civil Procedure, Subpoenas (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

ex D

EXHIBIT A

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified:

For whatever time periods that you have such documents in your possession:

- All contracts, agreements, work papers, engagement letters, management letters, management representation letters, or other documents arising from any auditing services rendered to 3ABN, as defined herein.
- All contracts, agreements, tax returns, invoices, records of payments made or received, whether direct or indirect, or any other accounting records or documents arising from any accounting or tax form preparation services rendered to 3ABN, as defined herein.
- All contracts, agreements, work papers, engagement letters, management letters, management representation letters, or other documents arising from any auditing services rendered to Danny Shelton, as defined herein.
- All contracts, agreements, tax returns, invoices, records of payments made or received, whether direct or indirect, or any other accounting records or documents arising from any accounting or tax form preparation services rendered to Danny Shelton, as defined herein.

Definitions:

- **3ABN** means Three Angels Broadcasting Network, Inc., and all its related organizations or organizations which it controls, and their assumed names, whether past or present, whether for profit or non-profit, including but not limited to: Three Angels Broadcasting, Inc., Three Angel's Broadcasting School, Inc., Broadcast Communications Service, Inc., Three Angels TV & Radio Broadcasting Network (in Russia), Tres Anjos Broadcasting Network - LTDA (in Brazil), Association Three Angels Broadcasting Network (in Peru), 3ABN, 3ABN Philippines, Inc., Three Angels Enterprises, L.L.C., Crossbridge Music, Inc., 3ABN Books, 3ABN Music, or 3ABN Radio.
- **Danny Shelton** means Danny Lee Shelton, and any of his DBA's or organizations over which he has or has had control, including but not limited to D & L Publishing and DLS Publishing.
- **Or** is used in the inclusive sense (i.e. "and/or"). Thus, if a request seeks all documents relating to "A or B," You are to produce all documents relating to "A," all documents relating to "B," and all documents relating to "A and B."
- **Document** shall have the broadest possible meaning permitted under applicable law, and shall include any written, recorded or graphic material of any kind, including the originals and all non-identical copies, including those materials in electronic form, that is or has been in Your possession, control or custody or of which You have knowledge, including, but not limited to: documents, letters, correspondence, e-mail, memoranda, notes, invoices, bulletins, calendars, diaries, contracts, agreements, letters, telegrams, minutes, reports, studies, checks, statements, receipts, vouchers, invoices, summaries, pamphlets, blueprints, specifications, drawings, sketches, interoffice and intraoffice communications, stenographic or handwritten notes of any sort of conversation, telephone calls, meetings or other communications, agendas, computer printouts, graphical records or representations of any kind (including without limitation photographs, charts, graphs, microfiche, microfilm, videotapes, recordings, and motion

pictures), electrical data compilation, electronic mail, computer files or documents, computer disks, computer programs, computer software, tapes and all other tangible things upon which any handwriting, typing, printing, drawing, representation, photocopy, magnetic, electrical or optical impulse, data, or other form of communication is stored, recorded, or reproduced, and preliminary drafts and non-identical copies of the above. The term also includes each and every file folder, folio or other material in which the above items are stored, filed, or maintained as well as every copy of such documents where the original is not in Your possession, custody or control, or where such copy is not an identical copy of an original or where such copy contains any commentary or notation whatsoever that does not appear in the original.

Instructions:

- Your attention is directed to Federal Rule of Civil Procedure 34(b)(i) (and (c)), which requires that documents be produced for inspection "as they are kept in the usual course of business or shall organize and label them to correspond with the categories of the request." In this connection, and for purposes of illustration, it is requested that all documents requested be produced in the file folders and cartons in which they have been maintained and stored, clipped, stapled or otherwise arranged in the same form and manner as they were found. If you choose to produce the documents requested corresponding with the categories in the request, it is requested that you identify the file folders, drawers or cartons in which the documents were originally maintained.
- Federal Rule of Civil Procedure 34(b)(ii) stipulates that electronically stored information must be produced "in a form or forms in which it is ordinarily maintained or in a form or forms that are reasonably usable."
- If any document requested herein was at one time in existence but has been lost, discarded or destroyed, identify such document as completely as possible, providing as much of the following information as possible:
 1. the type of document;
 2. the document's date;
 3. the date or approximate date the document was lost, discarded or destroyed;
 4. the circumstances under which and the manner in which the document was lost, discarded or destroyed;
 5. the reason or reasons for disposing of the document (if discarded or destroyed);
 6. the identity of all persons authorized or having knowledge of the circumstances surrounding disposal of the document;
 7. the identity of the person(s) who lost, discarded, or destroyed the document; and
 8. the identity of all persons having knowledge of the contents of the document.

U.S. AOBR (Rev. 12/06) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

Central

DISTRICT OF

Massachusetts

Three Angels Broadcasting and Danny Shelton

SUBPOENA IN A CIVIL CASE

V.

Gailon Arthur Joy and Robert Pickle

Case Number: 07-40098-FDS

TO: Bookkeeping Department of Century Bank & Trust,
Greetings!

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME:

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME:
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YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Exhibit A attached hereto.

PLACE: Office of Bob Pickle, 1354 County Highway 21, Halstad, MN 56548	DATE AND TIME 1/10/2008 11:00 am
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME:
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) SARAH A. THORNTON, Sherry Jones	DATE 12-6-07
--	-----------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER S. Jones
--

(See Rule 17, Federal Rules of Civil Procedure, Subpoenas (c), (d), and (e), on next page.)

* If action is pending in district other than district of issuance, state district under case number.

ex E

EXHIBIT A

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified:

All monthly statements, deposit slips or copies thereof, and checks or copies thereof from January 1, 2003, onward to the present, for any account owned by, held in trust for, or for whom any of the following were signatories, for whatever months or parts thereof such was true: Danny Lee Shelton, D & L Publishing, DLS Publishing, Three Angels Broadcasting Network, Inc., Three Angel's Broadcasting School, Inc., Broadcast Communications Service, Inc., Crossbridge Music, Inc., Three Angels Enterprises, L.L.C., 3ABN, 3ABN Books, or any assumed name or name of a subsidiary of Three Angels Broadcasting Network, Inc. that includes the word "3ABN" or the words "Three Angels."

Subpoena (FD-203) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

Central

DISTRICT OF

Massachusetts

Three Angels Broadcasting and Danny Shelton

SUBPOENA IN A CIVIL CASE

V.

Gailon Arthur Joy and Robert Pickle

Case Number: 07-40098-FDS

Paula Capes, Jennifer Hengel,

TO: Ann Duenow or Keeper of the Records of Midcountry Bank,
Greetings!

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	LOCATION
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Exhibit A attached hereto.

PLACE	DATE AND TIME
Office of Bob Pickle, 1354 County Highway 21, Halstad, MN 56548	1/10/2008 11:00 am

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
SARAH A. THORNTON, Sherry Jones	12-6-07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER


(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

* If action is pending in district other than district of residence, state district under case number

ex F

EXHIBIT A

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified:

- **All monthly statements, deposit slips or copies thereof, checks or copies thereof from January 1, 1998, onward to the present, for any account of any type owned by, held in trust for, or for whom any of the following were signatories, for whatever months or parts thereof such was true: Danny Lee Shelton (or Danny Shelton), D & L Publishing, DLS Publishing, or any assumed names of any corporations controlled by Danny Lee Shelton, including without limitation accounts owned by Crossbridge Music, Inc., but excluding accounts other than that of Crossbridge Music, Inc., if they are owned by Three Angels Broadcasting Network, Inc. and not Danny Shelton.**

~~SACRE (Rev. 12/01) Subpoena in a Civil Case~~

Issued by the
UNITED STATES DISTRICT COURT

Central

DISTRICT OF

Massachusetts

Three Angels Broadcasting and Danny Shelton

SUBPOENA IN A CIVIL CASE

V.

Gailon Arthur Joy and Robert Pickle

Case Number: 07-40098-FDS

TO: Daniel Hall, or Keeper of the Records of Remnant Publications, Greetings!

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Exhibit A, attached hereto.

PLACE

Conference Room 1, Second Floor, Branch County Courthouse, 31 Division St., Coldwater, MI 49036

DATE AND TIME

1/2/2008 9:00 am

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Sherry Jones

11-28-07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

US District Court, 595 Main St. Worcester, MA 01608
(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page.)

If action is pending in district other than district of issuance, state district under case number.

ex G

EXHIBIT A

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified:

For the time period of January 1, 2000, onward to the present day:

- All contracts, agreements, records, transmittals, invoices, correspondence (including but not limited to memos, letters, emails (electronic or otherwise), faxes, and recorded conversations), or other documents pertaining to any of the following individuals or entities.
- All ledgers, journals, records of accounts, transmittals, invoices, or other documents relating to direct or indirect payments made to or on behalf of, or received from or on behalf of any of the following individuals or entities.
- All records of money being held for any of the following individuals or entities.
- All bank statements for any accounts which any of the following individuals or entities had funds maintained in, paid into, were paid from, or had access to, whether by ATM card, by being a signatory, or by any other means, including but not limited to any such accounts at Century Bank and Trust; and records of when any such accounts were established, and of all who have been signatories on those accounts.
- All manuscripts or works in progress about, owned by, or authored by any of the following individuals and entities, including but not limited to manuscripts or works in progress that pertain to books, pamphlets, tracts, audio or video recordings, or other digital recordings.
- All documents containing detail for royalty expense as reported on Remnant Publications' Form 990's, or for any royalty expense not reported as such on those Form 990's.

Individuals and entities:

- Three Angels Broadcasting Network, Inc., and all its related organizations or organizations which it controls, and their assumed names, whether past or present, whether for profit or non-profit, including but not limited to: Three Angels Broadcasting, Inc., Three Angel's Broadcasting School, Inc., Broadcast Communications Service, Inc., Three Angels TV & Radio Broadcasting Network (in Russia), Tres Anjos Broadcasting Network - LTDA (in Brazil), Association Three Angels Broadcasting Network (in Peru), 3ABN, 3ABN Philippines, Inc., Three Angels Enterprises, L.L.C., Crossbridge Music, Inc., 3ABN Books, 3ABN Music, or 3ABN Radio.
- All officers, directors, employees, or volunteers of Three Angels Broadcasting Network, Inc. during the relevant time period, whether still in that capacity or not, including but not limited to: David E. Carson, Larry Ewing, Danny Lee Shelton, Linda Sue Shelton, Mollie Steenson, May E. Chung, J. Wayne Coulter, Kenneth Denslow, Merlin Fjarli, Dr. Robert Ford, James W. Gilley, William (Bill) Hulsey, Ellsworth McKee, Garwin McNeilus, Nicholas Miller, Wintley Phipps, Larry Romrell, Stan Smith, G. Ralph Thompson, Dr. Walter Thompson, Carmelita Troy, Owen Troy, and Larry Welch.
- Any DBA's of Danny Lee Shelton, or any organizations over which he has or has had control, including but not limited to D & L Publishing and DLS Publishing, and any directors, officers, employees, or volunteers of the same.

Definitions:

- *You or Your* means Remnant Publications, Dwight Hall, president, or Daniel Hall, vice-president, secretary, or treasurer.
- *Or* is used in the inclusive sense (i.e. "and/or"). Thus, if a request seeks all documents relating to "A or B," You are to produce all documents relating to "A," all documents relating to "B," and all documents relating to "A and B."
- *Employee* means anyone who performed or performs services for Three Angels Broadcasting Network, Inc. at any time from January 1, 2000, onward to the present, whether paid or not, over which 3ABN exercises the typical control of an employer-employee relationship, including but not limited to the dictation of the way or manner, or the time and place where those services must be performed.
- *Document* shall have the broadest possible meaning permitted under applicable law, and shall include any written, recorded or graphic material of any kind, including the originals and all non-identical copies, including those materials in electronic form, that is or has been in Your possession, control or custody or of which You have knowledge, including, but not limited to: documents, letters, correspondence, e-mail, memoranda, notes, invoices, bulletins, calendars, diaries, contracts, agreements, letters, telegrams, minutes, reports, studies, checks, statements, receipts, vouchers, invoices, summaries, pamphlets, blueprints, specifications, drawings, sketches, interoffice and intraoffice communications, stenographic or handwritten notes of any sort of conversation, telephone calls, meetings or other communications, agendas, computer printouts, graphical records or representations of any kind (including without limitation photographs, charts, graphs, microfiche, microfilm, videotapes, recordings, and motion pictures), electrical data compilation, electronic mail, computer files or documents, computer disks, computer programs, computer software, tapes and all other tangible things upon which any handwriting, typing, printing, drawing, representation, photocopy, magnetic, electrical or optical impulse, data, or other form of communication is stored, recorded, or reproduced, and preliminary drafts and non-identical copies of the above. The term also includes each and every file folder, folio or other material in which the above items are stored, filed, or maintained as well as every copy of such documents where the original is not in Your possession, custody or control, or where such copy is not an identical copy of an original or where such copy contains any commentary or notation whatsoever that does not appear in the original.

Instructions:

- Your attention is directed to Federal Rule of Civil Procedure 34(b)(i) (and (c)), which requires that documents be produced for inspection "as they are kept in the usual course of business or shall organize and label them to correspond with the categories of the request." In this connection, and for purposes of illustration, it is requested that all documents requested be produced in the file folders and cartons in which they have been maintained and stored, clipped, stapled or otherwise arranged in the same form and manner as they were found. If you choose to produce the documents requested corresponding with the categories in the request, it is requested that you identify the file folders, drawers or cartons in which

the documents were originally maintained.

- Federal Rule of Civil Procedure 34(b)(ii) stipulates that electronically stored information must be produced "in a form or forms in which it is ordinarily maintained or in a form or forms that are reasonably usable."
- If any document requested herein was at one time in existence but has been lost, discarded or destroyed, identify such document as completely as possible, providing as much of the following information as possible:
 1. the type of document;
 2. the document's date;
 3. the date or approximate date the document was lost, discarded or destroyed;
 4. the circumstances under which and the manner in which the document was lost, discarded or destroyed;
 5. the reason or reasons for disposing of the document (if discarded or destroyed);
 6. the identity of all persons authorized or having knowledge of the circumstances surrounding disposal of the document;
 7. the identity of the person(s) who lost, discarded, or destroyed the document; and
 8. the identity of all persons having knowledge of the contents of the document.

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.

NOTICE OF MOTION AND MOTION FOR PROTECTIVE ORDER
AND REQUEST FOR ORAL ARGUMENT

TO: **DEFENDANT GAILON ARTHUR JOY, P.O. BOX 1425, STERLING, MA 01564**
DEFENDANT ROBERT PICKLE, 1354 COUNTY HIGHWAY 21, HALSTAD,
MN 56548

NOTICE

PLEASE TAKE NOTICE that on a day and time to be determined by the Court, the undersigned counsel for Plaintiffs Three Angels Broadcasting Network and Danny Shelton will bring a Motion for Protective Order against Defendants Gailon Arthur Joy and Robert Pickle pursuant to Fed. R. Civ. P. 26(c) and Local Rules 7.1 and 37.1 of the District of Massachusetts, at the United States Court House (Donohue Federal Building), 595 Main Street, Worcester, Massachusetts, 01608.

ex H

MOTION

Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton hereby move the Court for an Order as follows:

1. Directing that the discovery of 3ABN donor names and donation information, as well as other trade secret information of the Plaintiffs, not be had;
2. Directing that any financial or otherwise confidential business or commercial information to be produced by any party shall be subject to an appropriate confidentiality agreement;
3. Directing that the disclosure or discovery of documents and information in the case be had only on the specific terms and conditions of the Protective Order attached hereto as Exhibit A; and
4. For such other relief as to the Court would appear just and equitable.

This Motion is based upon Plaintiffs' Notice of Motion and Motion for Protective Order, Plaintiffs' Memorandum in Support of Motion for Protective Order, any Affidavit(s) filed herewith, the Arguments of Counsel and all other files, record and proceedings herein.

REQUEST FOR ORAL ARGUMENT

Plaintiffs respectfully request that this Honorable Court set a day and time for oral argument to be heard on this Motion.

Respectfully Submitted:

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

Dated: December 18, 2007

FIERST, PUCCI & KANE LLP

/s/ J. Lizette Richards

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

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)
Siegel, Brill, Greupner, Duffy & Foster, P.A.
100 Washington Avenue South
Suite 1300
Minneapolis, MN 55401
(612) 337-6100
(612) 339-6591 – Facsimile

Local Rule 7.1 Certificate

Undersigned counsel hereby attests that Plaintiffs have complied with the requirements of Local Rule 7.1 by having, in good faith, through counsel and without success, conferred with Defendants in an attempt to resolve or narrow the discovery dispute at issue.

Dated: December 18, 2007

/s/ J. Lizette Richards

J. Lizette Richards

Local Rule 37.1 Certificate

Undersigned counsel hereby attests that Plaintiffs have complied with the requirements of Local Rule 37.1 by having, in good faith, through counsel and without success, conferred with Defendants to narrow the areas of disagreement to the greatest possible extent.

Dated: December 18, 2007

/s/ J. Lizette Richards

J. Lizette Richards

Certificate of Service

I, J. Lizette Richards, 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 on December 18, 2007.

Dated: December 18, 2007

/s/ J. Lizette Richards

J. Lizette Richards

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.

PROTECTIVE ORDER

Because the discovery and trial of the above-captioned action will involve the production of documents, information and materials that the parties regard as confidential, proprietary or secret in nature, and pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, the following provisions shall govern confidentiality with respect to material produced by any party or third party during discovery in these proceedings:

1. This Order shall apply to all documents and other information produced in discovery by any of the above-named parties, or their present or former agents, employees, or representatives (hereinafter individually "Party" and collectively, "Parties") and by any third-party or their present or former agents, employees, or representatives (hereinafter individually "Third Party" and collectively, "Third Parties"), whether produced voluntarily or by subpoena, as to which any Party asserts a claim of trade secret ("Trade Secret Information") or confidentiality ("Confidential Information").

2. Trade Secret Information, which, until further order of this Court, consists of 3ABN's donation information, including but not limited to the donors' names, addresses, phone numbers, social security numbers or any other specific or general identifying information, the date(s) of donation, the amount(s) of donation, the means of donation, the donation designation(s) or the manner of the donations' expenditure, is hereby prohibited from discovery.

3. Confidential Information shall include all documents of a highly sensitive nature and all non-public, proprietary and commercially sensitive material, the disclosure of which will result in clearly defined and serious injury to the designating Party (the "Designating Party").

4. Confidential Information shall not consist of any information which at any time has been: (a) produced, disclosed or made available to the public or otherwise available for public access; and/or (b) disclosed in connection with any governmental public filing and which documents or information could not reasonably be assumed to be or have been intended to be kept confidential. Documents produced to the Federal Communications Commission in connection with the sale, purchase or licensing of radio or television transmission facilities or operations or documents produced to the Department of Justice in connection with any investigation or compliance matter are not documents disclosed in connection with a governmental public filing or otherwise deemed to have been made available to the public.

5. The provisions of this Order extend to all designated Confidential Information, regardless of the manner in which it is disclosed, including but not limited to responses to requests for production of documents and things, interrogatory answers, responses to requests for admissions, deposition transcripts, deposition exhibits, responses to subpoenas and any other discovery materials produced by a Party or a Third Party in response to or in connection with any

discovery conducted in this litigation, and any copies, notes, abstracts or summaries of the foregoing materials.

6. The Parties must initially designate documents or information as Confidential Information prior to the actual production of the document or information by the Designating Party by placing the notation "Confidential" on every page of each document so designated. Confidential Information so designated shall be treated as such by all non-designating parties to this action (collectively, the "Receiving Parties"), unless the Court shall rule otherwise. Designation of witness deposition testimony shall be accomplished by a statement to that effect during the deposition, or by a follow-up written designation, sent within twenty (20) days after receipt of the transcript of that deposition, identifying the specific portions of the deposition transcript and exhibits being designated as Confidential Information. Documents or deposition testimony not so designated are not subject to this Order.

7. If any Third Party produces any documents, information or materials as a result of a subpoena, the subpoenaing Party (the "Receiving Party") shall notify all opposing Parties immediately and prior to review of the documents, information or materials by the Receiving Party and prior to disclosure of the documents, information or materials to any co-parties (i.e. co-Plaintiffs or co-Defendants) (the "Co-Parties"). Within three (3) days of receipt of the Third Party documents, information or materials, the Receiving Party shall make the documents, information or materials available for inspection and designation as Confidential Information by the opposing Parties. Only after the Third Party documents, information or materials have been inspected by the opposing Parties and designated as Confidential Information shall the Receiving Party review the documents, information or materials or disclose the documents, information or materials to Co-Parties. If, after having been provided with notification and an opportunity to

inspect and designate the Third Party documents, information or materials, the opposing Parties have not completed inspection and designation of the Third Party documents, information or materials within thirty (30) days of the date of notice, the Third Party documents shall be deemed not Confidential Information and shall be available for review by the Receiving Party and disclosure to Co-Parties.

8. The designation given by the Parties to documents, information and materials shall apply unless a Party disputing the designation obtains a court order disallowing the designation.

9. All materials produced in connection with this litigation, including but not limited to all materials designated as Confidential Information shall be used for the purposes of this lawsuit only and for no other purpose, including, without limitation, any business or commercial purpose.

10. Inadvertent failure to designate materials produced as "Confidential" may be corrected at any time by written notice, which designation shall operate prospectively pursuant to the terms of this Order.

11. Subject to the requirements set forth below, Confidential Information, including any copies, notes, abstracts or summaries thereof, shall be disclosed to and reviewed by only (a) the Parties, (b) counsel of record, their legal assistants, secretaries and other staff, as well as outside photocopying or graphic production vendors, (c) the Court, court employees, court reporters transcribing testimony herein and notarizing officers, (d) any person whom all the Parties agree, in advance and in writing, may receive such designated information; and (e) expert witnesses or other outside consultants, unless a Party objects pursuant to paragraph 12 below.

12. Confidential Information may be disclosed to expert witnesses provided the Party seeking such use provides the expert witness with a copy of this Order and obtains from the expert witness a signed Certificate in the form annexed hereto as Exhibit A ("Certification") and provides to all Parties a copy of the Certification at least ten (10) days prior to the day the Party intends to disclose the Confidential Information to the expert witness. Such Confidential Information may not be quoted, copied or otherwise disclosed by the expert witness in any report or opinion, written or oral, that the expert prepares or gives in connection with this action except in accordance with this Order and the expert must be notified of this prohibition, in writing, at the time the Confidential Information is disclosed to him or her. Any Party may object to and make a motion prohibiting disclosure of Confidential Information to any expert and no disclosure shall be made unless the motion is resolved in favor of the Party who retained the expert.

13. Confidential Information may be disclosed to deposition witnesses only if the witness is provided with a copy of this Order and only if the witness signs a Certificate in the form annexed hereto as Exhibit A ("Certification"). All Parties shall be provided a copy of the Certification at least ten (10) days prior to the day the Party intends to disclose the Confidential Information to the deposition witness. Such Confidential Information may not be quoted, copied or otherwise disclosed by the deposition witness in any fashion. Any Party may object to and make a motion prohibiting disclosure of Confidential Information to any deposition witness and no disclosure shall be made unless the motion is resolved in favor of the Party who intends to depose the witness.

14. The originals of all Certifications shall be maintained by the Receiving Party until the final resolution of this litigation. Such Certification shall not be subject to discovery except

upon agreement of all the Parties or further order of the Court after application upon notice and good cause shown.

15. Should any of the Receiving Parties object to the designation by the Designating Party of any particular material as Confidential Information, said Party at any time may notify the Designating Party in writing that he or she objects to the designation, specifying with particularity the material he or she believes has been classified improperly and the basis for his or her contention that said document should not be designated as Confidential Information. Upon receipt by the Designating Party of such written objection, the Parties shall negotiate in good faith to resolve the dispute as to the designation. If the Parties are unable to agree upon the handling of the disputed material, the Receiving Party may file with the Court a motion regarding the designation of such material as Confidential Information. During the pendency of any such objection, dispute or motion, the material in question shall be handled as Confidential Information in accordance with the terms of this Order.

16. In any proceeding initiated by a Receiving Party challenging the propriety of the designation of any material as Confidential Information, the Designating Party shall bear the burden of establishing the propriety of the designation.

17. As used herein, the term "document" shall have the meaning provided in Rule 34 of the Federal Rules of Civil Procedure and any applicable local rule and encompasses any and all writings of any kind, including without limitation, letters, memoranda, notes, transcripts, computer tapes, discs, printouts, cartridges, recordings, keypunch cards, e-mail messages and attachments and all similar materials, whether electrically, mechanically or manually readable. The term "document" is to be given a broad definition and interpretation.

18. No one who has access to Confidential Information pursuant to this Order shall distribute, disclose, divulge, publish or otherwise make available any Confidential Information, copies thereof or extracts or summaries therefrom, to any other person, except persons who are also authorized to view or have access to these materials pursuant to this Order, and except for the Court or employees thereof as necessary in the conduct of this particular litigation, unless such persons have first obtained leave of the Court or the written consent of the Designating Party to disclose such materials.

19. In the event any Party wishes to use Confidential Information at a deposition, all persons other than the deponent, court reporter and other authorized persons as set forth in paragraphs 11 through 13 shall be excused from the deposition during the time that the Confidential Information is being disclosed or discussed. At the time of the deposition or within twenty (20) days after receipt of the deposition transcript, the Designating Party may designate as Confidential Information certain portions of the transcript which contain or relate to Confidential Information, or that relate to matters which are deemed confidential. All portions of deposition transcripts shall be treated as Confidential Information until twenty (20) days after receipt of the deposition transcript by the Designating Party.

20. Within thirty (30) days after final termination of this action, including all appeals, any recipient of Confidential Information under paragraphs 11 through 13 of this Order shall deliver all Confidential Information, including all copies thereof and all documents incorporating or referring to such Confidential Information, in whole or in part, to the Designating Party. The Parties shall not retain any copies or reproductions of any documents produced in this case and, upon return of said documents, shall provide a signed, written statement confirming that all said documents have been returned and no copies have been retained.

21. Neither the final resolution or termination of this lawsuit nor the termination of employment of any person who has access to any Confidential Information shall relieve such person from the obligation of abiding by this Order.

22. If any person receiving documents covered by this Order (the "Receiver") is subpoenaed in another action or proceeding or served with a document demand, and such subpoena or document demand requests Confidential Information that was designated as such by a Party other than the Receiver, the Receiver shall give notice by hand, overnight delivery or facsimile transmission within five (5) business days of receipt of such subpoena or document demand to such Designating Party at the following addresses:

For 3ABN or Danny Shelton:

Gerald S. Duffy or Jerrie M. Hayes
Siegel, Brill, Greupner, Duffy & Foster
1300 Washington Square
100 Washington Ave. So.
Minneapolis, MN 55401
(612) 337-6100

AND John P. Pucci or J. Lizette Richards
Fierst, Pucci & Kane
64 Gothic Street
Northampton, MA 01060
(413) 584-8067

For Gailon A. Joy

P.O. Box 1425
Sterling, MA 01564

For Robert Pickle

1354 County Highway 21
Halstad, MN 56548

25. Nothing contained in this Order shall affect the right, if any, of any Party or witness to make any other type of objection, claim or other response to discovery requests, including, without limitation, interrogatories, requests for admissions, requests for production of documents or questions at a deposition. If, during the course of discovery, any Party shall find a document in its possession that requires confidentiality protections in addition to those set forth

in this Order, such Party may object to production of the document, and should attempt to negotiate in good faith the appropriate level of protection with the other Parties.

26. In every submission or filing with the Court, every document (including motions, memoranda, deposition transcripts or other items) containing Confidential Information shall be filed with the Clerk under seal in an envelope or container on the face of which shall be stamped:

CONFIDENTIAL

This envelope contains documents which are filed under seal in this case by [name of party] and, by Order of this Court, dated _____, shall not be opened nor the contents displayed or revealed except as provided in that Order or by further order of the Court.

27. Submissions filed under seal shall not be available for inspection except by the Court and authorized persons as set forth in paragraphs 11 through 13, nor shall any unauthorized person be present in the courtroom during motion hearings when any Confidential Information is disclosed.

Dated: _____, 200__

Hon. Judge of Federal District Court

EXHIBIT A

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.

CERTIFICATION OF CONFIDENTIALITY

AND NOW, this ____ day of _____, 200__, I hereby certify that I have read the Protective Order issued by the Court in this action on _____, 200__, that I have been provided with a copy of same, that I understand all of its terms and provisions, and that I agree to be bound by it in all respects.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

Print Name

Print Address

**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 DANNY SHELTON

STATE OF ILLINOIS)
)
FRANKLIN, ss.)

Danny Shelton, being first duly sworn upon oath, deposes and states as follows:

1. I am the founder and recently retired President of the Board of Directors of the non-profit corporation Three Angels Broadcasting Network, Inc. ("3ABN"), duly organized in the state of Illinois. I have worked in the employ of 3ABN since 1985 and I make this Affidavit of my personal knowledge and information.

2. I consider information concerning my personal finances, including my income, expenditures, taxes, investments, savings and checking accounts, net worth, and financial condition, to be private, confidential information and I do not disclose this information to anyone outside my immediate family other than persons bound to maintain the confidentiality of that information such as my banker, accountants and attorneys.

3. I take all reasonable precautions to protect the confidentiality of my financial, accounting and auditing information, including maintaining my own savings and checking accounts to which no third party has access, having my personal income tax returns prepared by an independent accounting firm, and refusing to discuss my monetary affairs or financial data with persons outside my immediate family.

4. I would consider the disclosure and publication of my private financial matters to be an invasion of my personal privacy and I would be extremely uncomfortable and highly embarrassed to have such information made available for public consumption. I would find, as I feel any reasonable man or woman would find, the public dissemination of my private financial, accounting and auditing information extremely invasive and very distressing.

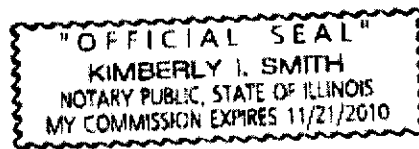
FURTHER YOUR AFFIANT SAYETH NOT.

Dated: 12/12/07

Danny Shelton
Danny Shelton
Founder, Three Angels Broadcasting

Subscribed and sworn to me
this 12th day of December, 2007.

Kimberly J. Smith
Notary Public



that is neither temporally nor substantively relevant to the instant dispute and is not reasonably calculated to lead to the discovery of relevant, admissible evidence related to the instant dispute. Plaintiff further objects to this Request on the grounds that it seeks highly confidential, personal financial information. Plaintiff further objects to this Request on the grounds that it is unduly burdensome, harassing and embarrassing. Notwithstanding and without waiving these objections, any relevant non-privileged documents responsive to this request will be made available, subject to a confidentiality agreement or protective order of the court, for Defendant Pickle's inspection at a date and time to be mutually agreed upon by the parties.

REQUEST NO. 38: From January 1, 1998, onward, for Plaintiff Shelton, D & L Publishing, DLS Publishing, or any DBA or corporation over which you have exercised control (other than 3ABN), all financial statements, all tax returns (including all required or filed forms, schedules, and worksheets), all financial and accounting records, all bank statements or records (including without limitation statements or records for any investment accounts, savings accounts, or insurance accounts, or any other accounts which give such detail as amount(s) deposited or withdrawn, or an ongoing statement of value), and all credit or charge account statements or records (including without limitation statements or records for any credit cards, charge cards, loans, mortgages, or collateral arrangements, or any other statements or records which give such detail as amount(s) withdrawn, purchase(s) or payment(s) made, or an ongoing statement of amount owed).

RESPONSE: Plaintiff objects to this Request on the grounds that it seeks information that is neither temporally nor substantively relevant to the instant dispute and is not reasonably calculated to lead to the discovery of relevant, admissible evidence related to the instant dispute. Plaintiff further objects to this Request on the grounds that it seeks highly confidential, personal financial information. Plaintiff further objects to this Request on the grounds that it is unduly burdensome, harassing and embarrassing. Notwithstanding and without waiving these objections, any relevant non-privileged documents responsive to this Request will be made available, subject to a confidentiality agreement or protective order of the court, for Defendant Pickle's inspection at a date and time to be mutually agreed upon by the parties.

REQUEST NO. 39: All proofs of payment for the house You purchased from 3ABN in 1998, all proofs of receipt or payment of the loans or mortgages You acquired from Merlin Fjarli or the Fjarli Foundation, and that You gave to Jim Gilley, and all proofs of payment to 3ABN for any services or merchandise 3ABN has, whether directly or indirectly, paid on Your behalf or given to You.

RESPONSE: Plaintiff objects to this Request on the grounds that it seeks information that is neither temporally nor substantively relevant to the instant dispute and is not reasonably calculated to lead to the discovery of relevant, admissible evidence related to the instant dispute. Plaintiff further objects to this Request on the grounds that it seeks highly confidential, personal financial information. Plaintiff further objects to this Request on the grounds that it is unduly burdensome, harassing and embarrassing. Notwithstanding and without waiving these objections, any relevant non-privileged documents responsive to this Request will be made available, subject to a confidentiality agreement or protective order of the court, for Defendant Pickle's inspection at a date and time to be mutually agreed upon by the parties.

ex I

Jennie
Hayes
Working Copy

AORR (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

DISTRICT OF

Minnesota

Three Angels Broadcasting
v.

SUBPOENA IN A CIVIL CASE

GAILON ARTHUR JOY, ET AL

Case Number: 07cv40098

District of Massachusetts

TO: Ann Duenow, or Keeper of the
Records of MidCountry Bank, Greetings!

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Exhibit A

PLACE Office of Bob Pickle, 1354 County Hwy 21,
Halstad, MN 56548

DATE AND TIME

9:00 AM, 2/10/2008

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR

DATE

D. Bell - Deputy Clerk

12-12-07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

U.S. District Court - 300 S. 4th St. #202 Mpls, MN 55415

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

If action is pending in district other than district of issuance, state district under case number.

asJ

EXHIBIT A

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified:

- All monthly statements from January 1, 1998, onward to the present, for any account of any type owned by, held in trust for, or for whom any of the following were signatories, for whatever months or parts thereof such was true: Danny Lee Shelton (or Danny Shelton) of West Frankfort or Thompsonville, Illinois, D & L Publishing (probably a DBA), DLS Publishing (incorporated in Nov. 2004), or Crossbridge Music, Inc. (incorporated in Nov. 2002).