

No. 08-2457; No. 09-2615

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

THREE ANGELS BROADCASTING NETWORK, INC.,
an Illinois Non-Profit Corporation;
DANNY LEE SHELTON,

Plaintiffs-Appellees,

v.

GAILON ARTHUR JOY; ROBERT PICKLE,

Defendants-Appellants.

On Appeal from the United States District Court
for the District of Massachusetts
Case No. 07-40098

AFFIDAVIT OF ROBERT PICKLE

GAILON ARTHUR JOY, *PRO SE*
P.O. Box 37
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(508) 499-6292

ROBERT PICKLE, *PRO SE*
1354 County Highway 21
Halstad, MN 56548
(218) 456-2568

NOW COMES Robert Pickle of Halstad Township, Norman County, Minnesota, who deposes and testifies to the following under pain and penalty of perjury, based on his own personal knowledge and information:

1. Attached hereto as **Exhibit A** is the letter the clerk of court sent Defendants regarding Defendants' complaint about court staff misconduct. Since that letter had been cc'ed to three judges (p. 3), one being the judge newly assigned to the lower court case, my reply to the clerk was also cc'ed to the very same three judges. (Lower Court Docket Entry # ("Doc.") 244 p. 2).

2. We frankly prefer that these letters not be part of the visible public record, since the judicial system appears to prefer that such complaints be kept confidential. However, a clerk for the newly assigned judge docketed our reply to the clerk of court. (Doc. 244). Upon our immediate inquiry, we were told that we had to file a motion to seal in order to make that now-public reply non-public.

3. In Plaintiffs' response to the instant motions, Plaintiffs for the first time refer to our reply to the clerk of court as being "an *ex parte* letter to the District Court indicating that they had now accused the courthouse staff," a letter "delivered" on "March 18, 2010." (p. 6). The existence of such a complaint by Defendants had been a matter of record since February 3, 2010. (Doc. 230 p. 1). To prove that Defendants were merely cc'ing the very same judges the clerk of court had already cc'ed, Defendants now regretfully file Exhibit A.

FURTHER DEPONENT TESTIFIES NOT.

Signed and sealed this 4th day of May, 2010.

s/ Bob Pickle

Bob Pickle

Halstad, MN 56548

Tel: (218) 456-2568

Subscribed and sworn to me
this 4th day of May, 2010.

s/ Lori J. Rufsvold

Notary Public—Minnesota

My Commission Expires Jan. 31, 2015