



following comments:

THE COURT: ... And by the way, I appreciate both sides' thorough briefing on this. From a *pro se* standpoint, Mr. Pickle, I think you did an admirable job supplying me with your view of it and what you thought the law was, and I appreciate that.

And obviously from the Plaintiffs' standpoint, Ms. Hayes, that certainly is true as well, and I appreciate that. And you personally have been here kind of suffering from my rather pointed questions. And she's been holding up very well on that. And Mr. Pickle and Mr. Joy, while you're not here you've been very patient with the Court, and I appreciate that on your gentlemen's part as well.

My thought is I'm going to take these matters under advisement. And what I'm going to do is direct — Ms. Hayes, you're the moving party and you're here, so I'm going to direct you to supply me with the decision of the judge in Massachusetts who will be hearing the matter on Friday within five days of getting that court order. If either the plaintiff or the defendant order a transcript of that proceeding before that judge, I would like to receive a copy of the transcript as well.

3. Attached hereto as **Exhibit A** is Jerrie Hayes' March 11, 2008, letter to Magistrate Judge Boylan of the District of Minnesota.

4. Attached hereto as **Exhibit B** is Defendants' motion in 1st Cir. Case Nos. 08-2457 and 09-2615 to hold in abeyance Defendants' appeals until the MidCountry records are forwarded to the court of appeals. Attached hereto as **Exhibit C** is Plaintiffs' response to that motion.

5. Attached hereto as **Exhibit D** are relevant pages of Defendants' designation of appendix and issues for review, dated and served upon Plaintiffs on December 23, 2008.

6. Attached hereto as **Exhibit E** are relevant pages from the Fall 2004 issue of *The Short Circuit*.

7. Attached hereto as **Exhibit F** is a January 1, 2006, story in the *Providence Journal*, which describes F. Dennis Saylor's investigation of Robert Urciuoli, president or CEO of Roger Williams Medical Center.

8. Attached hereto as **Exhibit G** are relevant pages of the *Congressional Record* for June 1, 2004.

9. Attached hereto as **Exhibit H** is a June 2, 2004, press release from Goodwin Procter LLP.

10. Attached hereto as **Exhibit I** is a June 4, 2008, faxed letter from Attorney Jerrie Hayes (“Hayes”) memorializing the time scheduled for a meet and confer teleconference that afternoon. At that teleconference between Hayes, Gregory Simpson (“Simpson”), Mr. Joy (“Joy”) and myself, two additional individuals were present, one being the son of Attorney Gerald Duffy. Mr. Joy and I believed these additional individuals were summer staff who aided Plaintiffs in their summer 2008 blitzkrieg against us. During that blitzkrieg, we had to fight a three-front war in federal courts in three states to enforce production discovery subpoenas, subpoenas that were perpetually objected to by Plaintiffs and their co-conspirators.

11. Attached hereto as **Exhibit J** is a second June 4, 2008, faxed letter from Hayes memorializing that we had a second teleconference the next day, June 5, 2008. During that second teleconference, Simpson explained who the additional two people were in the teleconference the previous day and said, “I didn’t want you to feel outgunned.” Since Joy and I are *pro se* with limited financial resources, and we’re up against seven attorneys and two plaintiffs with millions of dollars at their disposal, I replied, “We’ve been outgunned from the beginning.” Simpson responded, “That’s a matter of opinion.”

12. Attached hereto as **Exhibit K** and **Exhibit L** are relevant pages of the November 5, 2007, and October 1, 2009, telephone directories of the United States District Court, District of Massachusetts.

FURTHER DEPONENT TESTIFIES NOT.

Signed and sealed this 24th day of December, 2009.

/s/ Bob Pickle

Bob Pickle  
Halstad, MN 56548  
Tel: (218) 456-2568

Subscribed and sworn to me  
this 24th day of December, 2009.

/s/ Melanie Dee Nelson  
Notary Public—Minnesota

My Commission Expires Jan. 31, 2011