
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.

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

trademark infringement and dilution in violation of the Lanham Act, 15 U.S.C. § 1114 and 15 U.S.C. § 1125(c).

3. Plaintiffs' Complaint also alleges that Defendants have, through these websites and other points of publication, engaged in a willful campaign of defamation designed and intended to damage Plaintiffs and to interfere with Plaintiffs advantageous economic relations with their donors and supporters.

4. The parties filed separate Rule 26(f) reports and Plaintiffs' initial case submissions included a proposed Protective Order to govern the production of documents and information in the case. The Court issued a Scheduling Order on July 24, 2007 that was silent as to a protective order governing pre-trial discovery.

5. Plaintiffs served interrogatories and requests for production on Defendants on August 20, 2007. Defendant Joy has not responded to those requests¹ and Defendant Pickle's responses are deficient. Plaintiffs are in the process of preparing a demand for supplementation to Pickle.

6. Defendant Pickle served written discovery (Requests for Production of Documents and Things) upon Plaintiff Three Angel Broadcasting by mail on November 29, 2007 and upon Defendant Danny Shelton by mail on December 7, 2007. A true and correct copy of Pickle's Discovery Requests are attached hereto as **Exhibits A and B**.

7. Defendant Pickle has caused four subpoenas to issue in this case. A true and correct copy of Pickle's subpoenas are attached hereto as **Exhibits C, D, E and F**.

¹ Defendant Joy's responses were stayed by his filing for Bankruptcy. However, the Bankruptcy Court lifted the stay with respect to the injunctive relief claimed in this litigation on November 21, 2007, making his responses due December 21, 2007.

FURTHER YOUR AFFIANT SAYETH NOT.

Dated: Dec. 17, 2007

Jerrie M. Hayes
Jerrie M. Hayes, Esq.

Subscribed and sworn to me
this 17 day of December, 2007.

Mary K. Flahavan
Notary Public



SAO88 (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: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 |
|---------------------|---------------|

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 |
|--|-----------------------------------|

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 |
| <i>Sarah A. Thornton, Deputy Clerk</i> | 7/3/08 |

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

SARAH A. THORNTON

USDC 595 Hancock St. Worcester, MA 01608

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

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

α 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.

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.) | |
| _____) | |

**DEFENDANT ROBERT PICKLE’S MEMORANDUM IN SUPPORT OF HIS
OPPOSITION TO PLAINTIFFS’ MOTION FOR PROTECTIVE ORDER**

INTRODUCTION

The Plaintiffs’ Motion for Protective Order is overly broad and burdensome, would seal that which legislation declares to be open to public inspection, prevents preparation of the Defendants’ defense, is contrary to the public interest, is contrary to Local Rule 7.2(e), is unconstitutional, and leaves the Defendants with no recourse in the public arena against the defamatory statements of the Plaintiffs. Additionally, this Court has already addressed multiple times the attempts of the opposition to impound this case.

FACTS

Contrary to the claims of Attorney Hayes in ¶ 4 of her Affidavit, no proposed Protective Order was ever filed with the Plaintiffs’ Rule 26(f) report. See Document #18 of the instant case.

No counsel for the Plaintiffs has ever personally conferred with Defendant Pickle in regards to the matter of donor names, donation information, financial statements, auditor’s

reports, documents produced to the Federal Communications Commission or the Department of Justice, airtime rates, or Plaintiff Shelton's tax returns. And no requests were made to Defendant Pickle for a discovery conference concerning any of these documents or information. See Affidavit of Robert Pickle at ¶ 1 (hereinafter "Pickle Aff. at ¶ ___").

Contrary to the claims of Mollie Steenson in ¶ 11 of her Affidavit, the financial statements and auditor's reports of Plaintiff Three Angels Broadcasting Network, Inc. (3ABN) are required by law to be open for public inspection, and, along with Form AG990-IL, are filed annually with the Illinois Attorney General's office. See 225 ILCS 460 § 2(f), § 4(a), and the search results for "Three Angels" at <http://IllinoisAttorneyGeneral.gov/charities/search/>.

The Plaintiffs continually allege that donations have declined due to actions by the Defendants, and yet attempt to prevent the Defendants from verifying such a claim by seeking a prohibition against the discovery of any and all donation information.

Reported donations plummeted in 2003 but reached an all time high in 2006. See Pickle Aff. at ¶ 2. But what donations actually have been since 2003 is difficult to determine because 3ABN has been reporting gross sales revenue and shipping charges as "contributions" since 2004. See Pickle Aff. at ¶¶ 3-4.

The Plaintiffs' motion and proposed Protective Order is quite broad in its language, contrary to the instructions of this Court in the status conference of December 14, 2007. Since the proposed order allows the party seeking confidentiality to place under seal whatever it wishes, without further order of the Court, such language as "other trade secret information of the Plaintiffs," "otherwise confidential business or commercial information," and "all documents of a highly sensitive nature" may be expected to be broadly interpreted by the Plaintiffs. See Motion for a Protective Order at ¶¶ 1-2, and that motion's Exhibit A at ¶ 3. The language is such that unpublished documents received by the Defendants from various third-party sources prior to

the reasons why donors have ceased giving since January 1, 2003, and c) verify that donors have ceased donating due to the actions of the Defendants rather than the actions of the Plaintiffs. Otherwise, one of the basic elements of the instant case will not be able to be tried.

This is all the more pertinent given the facts that frequency of critical posts on the internet, predating Defendants' involvement by more than two years, are linkable to specific issues of the Plaintiffs' conduct. See Pickle Aff. at ¶ 15. It is likely that donors ceased donating prior to the involvement of the Defendants and for the very same issues being complained about in these posts.

IV. STATE AND FEDERAL LAW REQUIRES DISCLOSURE

Plaintiff 3ABN is a 501(c)(3) organization that solicits tax-deductible contributions from the general public. As such it is required to file IRS Form 990's with the Internal Revenue Service in accordance with 26 U.S.C. §6033, and its financial statements and auditor's reports are required by 225 ILCS 460 §2(f), §4(a) to be open to public inspection, and to be filed annually with the Illinois Attorney General's office. The financial statements and auditor's reports should therefore not be placed under seal.

V. PUBLIC INTEREST

It logically follows that if the information in documents open to public inspection is incorrect, the public has a right to know what the correct information should be.

Inasmuch as the Form 990 asks 3ABN to report any section 4958 excess benefit transactions (see line 89b), the public has a right to know whether 3ABN failed to disclose such transactions, and what those transactions were. The public has a right to know whether their donations are inuring to the benefit of any private person.

That such transactions exist is a matter of public record. In 1998 Plaintiff Shelton purchased a house from 3ABN for \$6,139 and sold it one week later for \$135,000, but 3ABN's

Form 990 denied that any section 4958 excess benefit transaction had taken place. See Pickle Aff. at ¶ 9.

The Plaintiffs have made specific, extremely public claims regarding the present lawsuit not being paid by regular donor funds. See Pickle Aff. at ¶ 8. There have also been allegations that 3ABN has not properly reported its expenses, including the actual figures attributable to corporate jet expenses. See Pickle Aff. at ¶ 10. The public has an interest in knowing whether or not their regular donations are paying for this lawsuit, and whether the manner in which their donations are being expended has been properly reported.

VI. DEFENDANTS' INTEREST IN DEFENDING THEIR REPUTATIONS

The Plaintiffs and their allies have engaged in a public campaign to malign and defame their critics, including the Defendants, and have repeatedly accused them of lying, and have declared them to be “enemies of the gospel.” See Pickle Aff. at ¶¶ 11–12. The Plaintiffs through their proposed Protective Order seek to prevent the Defendants from demonstrating in the public arena that they weren't lying after all, while allowing the Plaintiffs and their allies to continue to disparage the Defendants in globally televised broadcasts, internet postings, and email.

VII. INTEREST OF THIRD PARTIES

In some cases third parties may have an interest in some of the information produced in discovery. As one example, if Plaintiff Shelton really did perjure himself in his case with Linda Shelton in regards to his expected income, she has a right to know what the correct figures for his income should have been. See Pickle Aff. at ¶ 5. But the Plaintiffs seek to prevent any such disclosure.

VIII. FIRST AMENDMENT RIGHTS

The First Amendment reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or

Ex. W

February 19, 2008

Three Angels Broadcasting Network
Mr. Larry Ewing, Director of Finance
P.O. Box 220
West Frankfort, Illinois 62896

*United States Postal Service Certified Mail
United States Postal Service First Class Mail*

Dear Larry,

I am writing to you with a very heavy heart, but after our recent conversation and my confirmation that the IRS investigation of 3ABN is of a criminal nature I feel I must sever the volunteer relationship I had with 3ABN. It has been just over a year since I was invited to attend 3ABN's 2007 Annual Day of Prayer. At that meeting, I heard a good deal of discussion and fervent prayer regarding "this new enemy". Since then, I have been shocked at some of the allegations that have been made public. I did not want to believe them, but after some of the practices I observed and conversations I was party to, now coupled with IRS Criminal Investigation Department involvement, I am compelled by the American Institute of Certified Public Accountants Code of Professional Conduct Section 102 to write this letter and document what I saw while at 3ABN. I am disappointed that in my attempt to do something for my Lord, I unknowingly walked into a situation involving alleged activities that violate IRS rules and regulations. My footprint can be found on many documents and general ledger entries at 3ABN and if called upon, I will make every attempt to tell the truth as I remember it.

As you know, I came to 3ABN after surviving a terrible auto accident and feeling like I needed to do something on behalf of my Lord and the posse of angels He must have sent that night to protect me. I came to you with no agenda, other than how I might be able to help the ministry with the talents, training and experience God has given me. I made a cash donation to 3ABN in April of 2005 and contacted you later that year to offer my volunteer services as an accountant. From January through mid-May of 2006 I traveled from Nashville to West Frankfort nearly every other week (until personal complications changed my availability) to assist in the Accounting Department with anything I could.

I hope you know how much I enjoyed being there. I grew very fond of each and every one in Accounting and even made some good friends outside the department. However, I am sure you recall that I had some serious concerns regarding the internal business control environment at 3ABN. When I made my first visit to your office in August of 2005 and again while I was volunteering during 2006, you told me that internal controls are not a priority with you and that you didn't want to be tripped up by them. With the background I have as a public accountant and internal auditor, these declarations made me cringe inside. But as a volunteer I did not feel it my place to insist otherwise, although I did share my concerns verbally with audit partner Alan Lovejoy from the Gray Hunter Stenn LLP CPA firm in April of 2006 while he was at 3ABN working on the 2005 financial statement audit (a copy of a brief email correspondence with Mr. Lovejoy is enclosed).

The following is a list of the concerns I recall from the days I spent at 3ABN:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Internal business controls are a vital component of a healthy business (or ministry) and materially accurate financial statements. In my professional opinion, the situation 3ABN currently finds itself in is a direct result of a poorly controlled accounting environment and a lack of governance and oversight. I desperately wish it were not the case, but I believe you know me well enough to know that I call it as I

see it. I am close to completing a Master of Science in Economic Crime Management, but I had no idea that my studies would correspond so closely with my volunteer work.

The North American Division of Seventh-day Adventists and Adventist Risk Management, Inc. have prepared a guidebook entitled "Trustees of the Lord's Finances" which provides an excellent summary of policies and procedures an organization should take to ensure appropriate internal business controls and provide adequate safeguards against misappropriation of assets. I saw no evidence to indicate this valuable resource had even been consulted. The following is taken directly from page 25 of the Quick Reference Guide bearing the same name:

No one wants to admit that theft and cover-up exist in a Christian environment. Yet insider theft occurs at all levels throughout our churches and schools. Without effective controls, such illegal and destructive practices will continue. In order for such events to occur, two elements must be present:

Opportunity is provided when:

- *Too much trust is placed in key individuals.*
- *Too few people share duties and responsibilities.*
- *Cash is easily accessible.*
- *Fiduciary controls don't exist.*
- *Audits are performed too infrequently.*

Motivation is provided when:

- *A lack of standards or integrity exists within the organization.*
- *Employees or volunteers face personal financial challenges.*
- *Employees or volunteers rationalize that they're only "borrowing" or that the organization "owes" them something.*
- *Employees or volunteers believe that non-profit organizations refrain from prosecuting theft cases.*

Given the current environment 3ABN now finds itself in, I strongly recommend the organization invest in a forensic accounting review of its financial records. Concurrently, 3ABN needs to implement a system of internal business controls immediately. These combined actions will serve to identify previous abuses if any do exist, as well as to create a controlled environment going forward that will substantially reduce the possibility of future abuses as well as to rebuild both public and IRS confidence in 3ABN. While I did not personally observe any specific incidences of fraud that I am aware of, the lack of internal business controls has created an accounting environment that is ripe for abuse. In addition, I believe serious consideration should be given to changing audit firms. I am not implying that Gray Hunter Stenn LLP is in any way at fault, but publicly traded companies are required to change audit firms periodically and this action would be in 3ABN's best interest as well, in my opinion. Finally, I believe 3ABN could benefit substantially by requesting the services of the General Conference Internal Audit Department. While a good external audit serves many purposes, the value of a regular internal audit cannot be understated. The audit techniques and objectives employed by each are substantially different, but I truly believe it would be beneficial for 3ABN to obtain the services of both types of audits in an effort to overcome the current financial management issues. An external audit is

designed to test and opine on the reported financial statements of an organization while an internal audit is designed to test operational functions and internal business controls.

In closing, I want you to know that you and 3ABN are in my thoughts and prayers. I truly believe that the ministry of 3ABN can be a strong tool used by the Lord to bring the gospel to all far reaching corners of our condemned world. However, I am very disappointed with the current state of affairs and some of the 3ABN decisions that have been made public. Based on the concerns I have outlined herein, I believe I am entitled to request that my \$25,000 cash donation be returned to me (a copy of my receipt is enclosed). I was impressed to send it to 3ABN as a small contribution to furthering the Lord's work but I am now not at all certain it was used to that end. I would also like to be reimbursed for the \$100 I was asked to pay to Bea Johnston for utilities while I was volunteering at 3ABN. I will look for my check within 14 days of your receipt of this letter. When management is willing to implement the obviously necessary changes in the internal business control environment at 3ABN, I hope you will feel free to contact me if I can be of any assistance. Until then, best wishes to you Larry. I truly enjoyed working with you.

Sincerely,

Lynette Rhodes, CPA, CFE
1325 W. Sunshine St. #128
Springfield, Missouri 65807

Cc: Walter Thompson, Chairman of the Board
Max Trevino, Director
Danny Shelton, Director
Stan Smith, Director
Mollie Steenson, Director
Larry Welch, Director
May Chung, Director
Kenneth Denslow, Director
Carmelita Troy, Director
Leonard Westphal, Director
Merlin Fjarli, Director
Bill Hulse, Director
Garwin McNeilus, Director
Ellsworth McKee, Director
Wintley Phipps, Director
Jim Gilley, Director
Larry Romrell, Director

Ex. X

This post has been edited by **fallible humanbeing**: Mar 8 2008, 11:35 PM

But beware. Anger, fear, aggression. The dark side are they. Once you start down the dark path, forever will it dominate your destiny. - Yoda

If you would convince a man that he does wrong, do right. But do not care to convince him. Men will believe what they see. Let them see. - Henry David Thoreau

May those who love us love us. And those who don't love us- may God turn their hearts. And if He cannot turn their hearts, may He turn their ankles, so that we may know them by their limping. - Keeping Faith

[TOP](#) [REPORT](#)

[QUOTE](#) [REPLY](#)

 **fallible humanbe...**

Mar 8 2008, 11:28 PM

Post #320

Fran,

Advanced Member



Group: Members
Posts: 441
Joined: 10-August 06
From: Madison, WI
Member No.: 2,058
Gender: m

If the IRS is so concerned that major misdeeds have been done, why is the "investigation" on hiatus? Interesting that the investigator is out on maternity leave and they haven't put anyone else in charge. Doesn't seem to be very high on their priority list now does it?

- FHB

This post has been edited by **fallible humanbeing**: Mar 8 2008, 11:30 PM

But beware. Anger, fear, aggression. The dark side are they. Once you start down the dark path, forever will it dominate your destiny. - Yoda

If you would convince a man that he does wrong, do right. But do not care to convince him. Men will believe what they see. Let them see. - Henry David Thoreau

May those who love us love us. And those who don't love us- may God turn their hearts. And if He cannot turn their hearts, may He turn their ankles, so that we may know them by their limping. - Keeping Faith

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12 Pages ▾ [«](#) [<](#) [6](#) [7](#) [8](#) [9](#) [10](#) [>](#) [»](#)

[AddReply](#) [NewTopic](#)

1,000 + posts

BlackSDA Faithful

Group: Members
 Posts: 1,483
 Joined: 29-July 06
 Member No.: 1,960
 Gender: m

QUOTE(appletree @ Mar 8 2008, 11:58 PM)

Yes, I'm sure that's it. All 140 people at 3abn made up negative remarks about Linda totally on purpose, hoping that somehow, each individual's remarks would get to Danny and their jobs would be safe. 🙄

Sorry, I was there when Linda was. I mixed with the workers, especially production. I heard and saw first hand what they thought of her, her ideas, and her treatment of anyone under her. This was way before the split.

How come other people that I'm told the staff talked about haven't been given the same treatment?

[TOP](#) [REPORT](#)

[EDIT](#) [QUOTE](#) [REPLY](#)

 **Pickle**

Mar 9 2008, 09:31 AM

Post #329

1,000 + posts

BlackSDA Faithful

Group: Members
 Posts: 1,483
 Joined: 29-July 06
 Member No.: 1,960
 Gender: m

QUOTE(fallible humanbeing @ Mar 8 2008, 11:28 PM)

If the IRS is so concerned that major misdeeds have been done, why is the "investigation" on hiatus? Interesting that the investigator is out on maternity leave and they haven't put anyone else in charge.

Was it a boy or a girl?

I noticed that that Congressman from out west whose family business got raided by the FBI last April wasn't indicted until recently. Therefore, how much time would need to go by before we can breathe easier?

[TOP](#) [REPORT](#)

[EDIT](#) [QUOTE](#) [REPLY](#)

 **Pickle**

Mar 9 2008, 09:35 AM

Post #330

1,000 + posts

BlackSDA Faithful

Group: Members
 Posts: 1,483
 Joined: 29-July 06
 Member No.: 1,960
 Gender: m

I forgot to ask you, FHB, why did Attorney Hayes tell Magistrate Judge Hillman on Friday during our hearing that there was no IRS criminal investigation going on if you know so much about it as to know that the investigator is out on maternity leave?

Ex. Y

From: Linda Shelton
Sent: Sunday, April 09, 2006 11:28 PM
To:
Subject: Fw:

----- Original Message -----

From: [Danny Shelton](#)
To: [linda shelton](#)
Sent: Thursday, April 07, 2005 3:14 PM

Ms. Shelton

I tried to call you to explain the horse deductions. I just remembered that Lewis just gave us a donation of \$20,000 last year. It did not mention horses. That is much better than all the other rig a ma role.

I have no idea if that's even close to spelling that word, but it seemed to fit.

So, I have left a message that he has not returned yet. Hopefully, you will just get a tax donation report from his ministry showing that you gave \$20,000 to his ministry. That's the way he chose to do it.

I should get one too. I guess he's counting it the same as a cash donation.

Happy Dan

ps. I think he's willing to give us a \$10,000 donation for 2005 (\$5,000 @), if we donate our black 3 yr. old stud. I can't really use him to breed any more of our horses or they will all be the same blood line.

If this is ok with you please let me know in writing and I'll try to make it happen. He's hurt his foot really bad by kicking in his stall. I hope it heals ok.

Danny Shelton
[danshelton@](#)
Why Wait? Move to EarthLink.

Ex. Z

From: Linda Shelton
Sent: Sunday, April 09, 2006 11:29 PM
To:
Subject: Fw:

----- Original Message -----

From: [Danny Shelton](#)
To: [linda shelton](#)
Sent: Monday, April 11, 2005 4:23 PM

LS

Steven Lewis says he is overnighting me two cash donation receipts. One for you for \$20,000 and one for me for \$20,000. I'll overnight it to you if you want or you can give it to your accountant when you want.

If you want me to overnight it to you, then please let me know.

DS

This is a great blessing to us for him to consider this a cash donation.

Danny Shelton

[danshelton@](#)
Why Wait? Move to EarthLink.

Ex. AA

From: Linda Shelton
Sent: Sunday, April 09, 2006 11:31 PM
To:
Subject: Fw:

----- Original Message -----

From: [Danny Shelton](#)
To: [linda shelton](#)
Sent: Wednesday, April 13, 2005 7:34 AM
Subject: RE:

Linda, can we talk about why you don't want a cash receipt. It's nothing that we are doing wrong. If I understand it, he has the option of writing the receipt the way that's best for him. It's definitely better for us, or at least quicker and easier for us to get a cash receipt. An appraisal can take time and cost money. We also have no guarantee what they will appraise for. I'm willing to do what you want, but it could take from a couple of weeks to a couple of months to try to get an appraisal. I'd like to call you in a few minutes and talk about it. OK?
Dan

----- Original Message -----

From: [Linda Shelton](#)
To: [Danny Shelton](#)
Sent: 4/13/2005 7:22:12 AM
Subject:

I do not want the \$20,000 cash receipt. I think if we gave horses, we need to claim that we gave horses and give the appraisals and proper documentation.

LS

Ex. BB

Subject: Fw: Property Division 7-5-04
From: "Linda Shelton"
Date: Sun, 5 Sep 2004 07:41:17 -0500
To:

----- Original Message -----

From: Danny Shelton
To: Linda Shelton
Sent: Wednesday, July 07, 2004 8:57 AM
Subject: Property Division 7-5-04

Property Division/ Settlement
7-5-04

Liabilities

| | |
|-------------------------|----------|
| 4 Credit cards totaling | \$38,000 |
| Linda's Toyota | 22,500 |
| Dan's Dodge truck | 14,000 |
| Pacific Press | 22,000 |

| | |
|-------------------|-------------------|
| total liabilities | ----- \$96,500 |
|-------------------|-------------------|

According to Illinois law these liabilities are to be divided between the two parties equally. \$96,500 divided by two = \$48,250 each.

Assets

| | |
|---------------------------|----------|
| 1948 Willy's jeepster | \$ 8,500 |
| Martin guitar | 9,000 |
| 6x4 John Deer Gator | 5,000 |
| Horse trailer | 2,000 |
| 1994 John boat (no motor) | 500 |

| |
|-------------------|
| ----- \$25,000 |
|-------------------|

other assets

14 horses gustomerated worth \$ 28,000

Both Dan and Linda receive royalties from music and or book sales.

This agreement states that Danny will be responsible for paying the credit cards of Bank One and Citi Bank (the one in his name), and will pay \$5,000 each on Linda's Citibank and Her Discover Cards. For a total credit card payment of approx. \$38,000.

Danny will pay at least \$150 a month on Linda's Discover card and \$150 per month on her Citi credit until the total amount is paid of \$10,000.

Danny will also pay off the Pacific Press account of approx. \$22,000

In return for paying off the credit cards and Pacific Press Danny will retain sole ownership of the 1948 Jeepster valued at approx. \$8,500

He will also retain sole ownership of the Martin guitar valued at approx. \$9,000.
He will also own the horse trailer valued at Appr. \$2,000

The 6x4 John Deere Gator is valued at \$5,000. Linda has purchased Danny \$2,500 interest giving her sole ownership of the Gator.

Linda will be responsible for paying off her 2003 Toyota Sequoia of approx. \$22,500

And Danny will pay of his 2002 Dodge truck of approx. 14,000

The horses will be divided 50/50 when sold.

All other assets are to be divided by verbal agreement between Dan and Linda.
Assets like all knick knacks, tools, books, Russian Dolls.

If settlement can't be reached all items will be appraised and sold with all monies being divided equally.

Under this agreement Danny agrees to pay Liabilities of \$74,000
And will keep the 1948 Jeepster and the Martin guitar, horse trailer, John boat, and other smaller items as divided by Danny and Linda.

Linda will pay her Toyota vehicle of approx. \$22,500

Both parties give up any portion of unpaid Royalties, past or future, music or books, from the other party.
In other words each party receives 100 % of their own royalties and 0% of the others.

If this agreement is acceptable, both Dan and Linda, will acknowledge by signature below

Danny Shelton

Linda Shelton

Danny agrees to this final settlement. If Linda is not agreeable to these terms, then everything, assets and liabilities, will be divided equally as stated by Illinois law.

Danny has given her his Jacuzzi that he purchased with the house and household items to fill an 18 ft. trailer plus her car many times.

He has also given her a piano worth approx. \$3,000 that is jointly owned by Dan and Linda. It is believed that 3ABN may own one half interest in the piano but Dan will approach the board if necessary to give the other one half interest to Linda.

Both agree that there are no other hidden or unclaimed assets or liabilities by either party to be claimed at a later date.

See page 3 for list of horses and approx. value.

| | Approx. value |
|--|----------------|
| Zans Genuine Gold, a 2 yr. old filly by Genuine Doc. | \$5,000 |
| A 2004 baby stud colt by Genuin Doc. | \$5,000 |
| Zans Light Reiner a quarter horse | \$2,500 |
| Sand Chica Ton, Apha | \$2,000 |
| Spookes Black Star | \$1,500 |
| Q Tons black Spook | \$1,500 |
| Drum N Up Black Stud | \$2,000 |
| Drum N Up Sand Filly | \$1,500 |
| Zans Drummer Girl, 3 year old filly | \$1,200 |
| Paid By Chica Ton 2 yr old by Paid by Chick | \$3,000 |
| Spookies Black Beauty 2 yr. old Filly | \$1,500 |
| TR Black Chica Ton yearling stud colt | \$1,000 |
| Spookies Colormaker yearling filly | \$1,000 |
| 2004 black white baby | \$1,500 |
| 2004 buckskin baby | \$ 500 |
| | <hr/> |
| | \$30,700 Total |

Ex. CC

Subject: Fw:
From: "Linda Shelton"
Date: Wed, 8 Sep 2004 00:44:55 -0500
To:

----- Original Message -----

From: Danny Shelton
To: Linda Shelton
Sent: Tuesday, September 07, 2004 3:39 PM

The horse buyer laughed his socks off. He was offering an average of \$250.00 per yearling for the two black and white homozygous's. He offered \$600 for our big 3 yr old Drum N Up Spots filly. and \$500 for a nice two year old black and white Little Spook filly. He offered \$350 for our baby paint sort of buckskin colored homo baby.

I sent him home quickly.

I have another horse buyer coming, maybe, this week. He probably won't offer much more.

If you want me to give some of them away for those kind of prices I will, but I thought I would try a couple other options first.

Donating worked out great to SIU but they don't even want any either.

X

Please pay up on our bet. You know and I know and God knows, I won that bet. You don't spend nearly 5 weeks with a man traveling everywhere together to watch TV. Please keep your promise and pay up. Cash will be fine.

Ex. DD

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

FRANKLIN COUNTY, ILLINOIS

FILED

JUL 18 2006

Tom Swank
FRANKLIN COUNTY
CIRCUIT CLERK

IN RE: THE MARRIAGE OF)

LINDA SUE SHELTON,)

Petitioner,)

vs.)

No. 05-D-30

DANNY LEE SHELTON,)

Respondent.)

FINANCIAL AFFIDAVIT

Pre-Judgment

Post-Judgment

I. INTRODUCTION

I, Danny L. Shelton, on oath state that my present age is 55, and that:

(b) (POST-JUDGMENT ONLY): The marriage of the parties was dissolved on June 25, 2004.

II. PARTIES AND CHILDREN

HUSBAND

WIFE

Name: Danny L. Shelton

Name: _____

Address: [REDACTED]

Address: _____

Soc. Sec. #: xxx-xx-9955

Soc. Sec. #: _____

Date of Birth: [REDACTED]/51 Age: 55

Date of Birth: _____ Age: _____

Employer: Three Angels Broadcasting

Employer: _____

Occupation: Television

Occupation: _____

CHILDREN

| NAME | Date of Birth | Age | With Whom Residing |
|-------|---------------|-------|--------------------|
| N/A | | | |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

IMPORTANT – **Attach most recent of last three months' pay stubs showing your year-to-date earnings and deductions. Also attach all pages & W-2 Forms of your last filed Federal and State Income Tax Returns. For those individuals who receive any income from self-employment sources, attach Federal and State Income Tax Returns for the last two years and supporting documentation for year-to-date earnings.**

III. STATEMENT OF INCOME

HUSBAND

WIFE

GROSS MONTHLY INCOME from:
Salary, wages, commissions, bonuses,
allowances & overtime (NOTE: To
arrive at gross monthly income multiply
weekly gross by 52 and divide by 12, or
multiply bi-weekly income by 26 and
divide by 12)

\$5,991.00 \$ _____

III. STATEMENT OF INCOME (CONT.)

| | | |
|---|-------------------|----------|
| Pension or retirement | \$ _____ | \$ _____ |
| Social Security benefits | \$ _____ | \$ _____ |
| Disability or unemployment benefits | \$ _____ | \$ _____ |
| Public aid (ADC-Welfare) | \$ _____ | \$ _____ |
| Child support from prior marriage (alimony) | \$ _____ | \$ _____ |
| Rents | \$ _____ | \$ _____ |
| Other Income (specify): | | |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| TOTAL GROSS MONTHLY INCOME | \$5,991.00 | \$ _____ |

DEDUCTIONS:

| | | |
|---|-------------------|----------|
| Federal income tax withheld | \$1,035.00 | \$ _____ |
| State income tax withheld | \$175.00 | \$ _____ |
| Social Security and Medicare withheld | \$458.00 | \$ _____ |
| Medical or other health-related insurance | \$ _____ | \$ _____ |
| Union dues/mandatory retirement contributions | \$ _____ | \$ _____ |
| Dependent and individual health/hospital insurance premiums | \$ _____ | \$ _____ |
| Prior Court ordered support and/or maintenance, actually paid pursuant to a Court Order | \$ _____ | \$ _____ |
| Other deductions permitted by 750 ILCS §505(a)(3)(h) – (specify): | | |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| TOTAL NET MONTHLY INCOME | \$4,323.00 | \$ _____ |

IV. ESTIMATED MONTHLY EXPENSES (CONT.)

TRANSPORTATION:

| | | |
|--------------------------|-----------------|------------------------|
| Truck payment | | \$463.00 |
| Repair & maintenance | | \$25.00 |
| Gas & oil | | \$150.00 |
| Insurance | | \$100.00 |
| License and registration | | \$8.00 |
| Bus fare/parking | | \$ _____ |
| Other (specify): | | \$ _____ |
| _____ | | \$ _____ |
| _____ | | \$ _____ |
| | SUBTOTAL | <u>\$746.00</u> |

MISCELLANEOUS:

| | <u>CHILD</u> | <u>YOURS</u> |
|------------------------------------|-----------------|--------------------------|
| Child care/babysitter | | \$ _____ |
| School & school supplies | \$ _____ | \$ _____ |
| Church/charitable contributions | | \$500.00 |
| Newspapers, magazines & books | | \$ _____ |
| Barber/beauty shop | \$ _____ | \$ _____ |
| Life insurance premiums | | \$ _____ |
| Disability insurance premiums | | \$ _____ |
| Professional dues | | \$ _____ |
| Voluntary retirement contributions | | \$ _____ |
| Allowance (children's) | \$ _____ | |
| Recreation/entertainment | \$ _____ | \$ _____ |
| Family pets (horses and dogs) | | \$612.47 |
| Family gifts | | \$200.00 |
| Toiletries | \$ _____ | \$ _____ |
| | SUBTOTAL | <u>\$1,312.47</u> |

VI. ASSETS (CONT.)

HOUSEHOLD GOODS, APPLIANCES AND ALL OTHER PROPERTY NOT PREVIOUSLY LISTED:

| <u>DESCRIPTION</u> | <u>LOCATION</u> | <u>PRESENT VALUE</u> | <u>HOW TITLE HELD</u> |
|----------------------------------|--------------------|--------------------------|-----------------------|
| Marital property Denny received: | | | |
| Bowflex exercise machine | | | |
| Stove | | | |
| 2 Refrigerators | | | |
| Dishwasher | | | |
| 2 Freezers | | | |
| Master bedroom set | | | |
| Downstairs bedroom set | | | |
| Old outside lawn furniture | | | |
| 10 Horses + 2 horses sold | West Frankfort, IL | \$17,750.00 (\$4,500.00) | |
| 1 Martin guitar | Same | \$9,000.00 | |
| 1 Dog | Same | \$600.00 | |

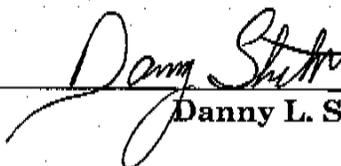
VII. DEBTS (Designate each non-marital debt as "NM")

| <u>NAME OF CREDITOR</u> | <u>PURPOSE</u> | <u>BALANCE</u> | <u>MONTHLY PAYMENT</u> |
|-------------------------|----------------|----------------|------------------------|
| Merlin Fharli | Mortgage loan | \$200,000.00 | ann. interest |
| Citizen's Bank | Truck loan | ~ \$10,000.00 | \$463.00 |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

DATED: 7/13, 2006.



Danny L. Shelton