

rendezvoused before and after Shelton's divorce of Linda Shelton on June 25, 2004. The Plaintiffs have made very specific claims as the timing and number of these rendezvous.

Of particular interest is an alleged rendezvous in Florida in April 2004 which Brenda Walsh (hereafter "Walsh") and 3ABN Board chairman Walter Thompson (hereafter "Thompson") claimed actually took place.

Verification that Abrahamsen was in the United States at the times that Walsh, Shelton, and Walter Thompson have claimed, and that Walsh's ticket for the planned April 2004 trip to Florida was never used but Linda Shelton's ticket was used (as claimed by Walsh), speak not only to these key questions in the litigation but also to the veracity of these individuals. Such verification also speaks to the issues of whether 3ABN has paid for airfare for personal vacations, and whether the Plaintiffs come to this Court with unclean hands, having spread rumors about Linda Shelton that are defamatory *per se*.

WHEREFORE, the Defendants pray the Court to grant leave to cause subpoenas *duces tecum* to be served upon a Port Director of U.S. Customs and Border Protection or other applicable officer or agency of the United States government, and upon the keeper of records at Delta Airlines, for the purpose of determining the entry and exit dates of Abrahamsen on his trips to the United States from September 2003 through the end of 2004, for the purpose of determining the disposition of the tickets that Walsh reserved on March 4, 2004, including any tickets the original tickets were exchanged for, and for the purpose of determining any planned or actual travel by Linda Shelton on Delta Airlines from February 6, 2004, through the end of 2004.

Respectfully submitted,

Dated: September 8, 2008

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LOCAL RULE 7.1 CERTIFICATE

The undersigned hereby attests that the Defendants have complied with the requirements of Local Rule 7.1 by having, in good faith, through counsel conferred with Plaintiffs. Regarding the entry and exit dates for Abrahamsen's travel to the United States, Plaintiffs' counsel has represented that he opposes this motion until this Court rules on relevancy issues, unless it can be explained how such dates are relevant to the issues of the case. Regarding the disposition of Walsh and Linda Shelton's tickets, and Linda Shelton's later travel on Delta Airlines, Plaintiffs' counsel was unresponsive.

Dated: September 8, 2008

/s/ Bob Pickle

Bob Pickle

AFFIDAVIT OF SERVICE

Under penalty of perjury, I, Bob Pickle, hereby certify that this document, with accompanying memorandum, affidavits, exhibits, and proposed order, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: September 8, 2008

/s/ Bob Pickle

Bob Pickle