

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 PICKLE’S PROPOSED AMENDED MOTION TO FILE UNDER SEAL

Defendant Robert Pickle seeks leave of the Court to file under seal the following exhibits to his affidavit filed in opposition to Plaintiffs’ pending Motion for a Protective Order: Exhibit O at Exhibit R: an extremely short document that demonstrates the degree of control that 3ABN has over its foreign affiliates, declared to be confidential by the Plaintiffs; Exhibit O at Exhibit S: a contract that shows that DLS Publishing received payments that may have been attributable to work done by Danny Lee Shelton, declared to be confidential by the Plaintiffs; Exhibit O at Exhibits EE–GG: pages from Danny Lee Shelton’s personal tax returns for the years 2001 through 2003, which affirm his claim that he falsified a figure on his 2003 tax return; Exhibit O at Exhibit HHH: a report regarding a 3ABN personnel issue, which documents that 3ABN paid for personal expenses of Danny Lee Shelton, declared confidential by the Plaintiffs; and Exhibit MM, a report that suggests that 3ABN personnel may have tried to evade foreign laws in the setting up and operation of their foreign affiliates.

Pursuant to Local Rule 7.2(a), Defendant Pickle feels that the above material should be impounded until further order of the Court for the following reasons.

Whereas the Defendants prefer full disclosure, the Plaintiffs have opted for declaring many items to be confidential. Whereas the confidentiality order of April 17, 2008, provides a way to rectify such differences of opinion by notifying opposing counsel seven days prior to filing, Defendant Pickle was prevented from knowing by July 2, 2008, what he would file on July 9 for the following reasons: He had to respond to the order to show cause in the Southern District of Illinois by July 9, 2008 (Doc. 76-3 pp. 50–51), and an additional order of June 30, 2008, limiting his response to ten pages required extensive rewriting of that response.

Regarding the pages from Danny Lee Shelton’s personal tax returns, it seems appropriate to keep those impounded as long as possible. Defendant Pickle has not been able to locate rules or cases that would give guidance as to when an order to impound pages from personal tax returns could be lifted in a case of this sort.

Regarding post-impoundment custody arrangements, Defendant Pickle suggests that those arrangements be pursuant to Magistrate Judge Hillman’s confidentiality order of April 17, 2008.

WHEREFORE, Defendant Pickle prays the Court to allow these exhibits to be filed under seal, and to allow them to remain impounded until further order of the Court.

Respectfully submitted,

Dated: July 10, 2008

/s/ Robert Pickle, *pro se*

Robert Pickle, *pro se*

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