

produce. Request No. 37 and onward pertain solely to You.

Any references to a person or corporation herein includes agents, employees, officers, directors, attorneys, or anyone acting on behalf of that person or corporation.

If any request for document herein is deemed to call for the production of privileged or work product materials and such privilege or work product claim is asserted, You are to “make the claim expressly and ... describe the nature of the documents, communications, or things not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection” (Federal Rule of Civil Procedure 26(b)(5)(A)).

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.

Your attention is directed to Federal Rule of Civil Procedure 34(b), which requires that any party who produces documents for inspection shall “produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories of the request,” “unless the parties otherwise agree.” In this connection, and for purposes of illustration, it is requested that all non-electronically-stored 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 instead 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.

If You agree, You may alternatively produce non-electronically-stored documents in a readily accessible electronic format, scanned at a minimum of 200 dots per inch (or higher if the font size is smaller than 10.5 pts.), and with the contrast between text and background adjusted such that the text stands out as sharply from the background as practical, given the color and quality of the original, as long as by so doing the copy produced is a true, faithful, complete, and readable copy of the original.

Electronically-stored information should be produced in a reasonably usable form or forms, taking into account the need for the receiving party to have the same ability to access, search, and display the information as the producing party. Email should be produced with all headers added by servers and computers left intact. An index of all electronically-stored information should be produced.

Documents that are available in multiple forms, one of which is electronically-stored and of

reasonable quality, and one of which is not electronically stored, may be produced once and should be produced in an electronically-stored form, provided that that form meets the criteria of the previous paragraph, and that the forms are identical as to content, including but not limited to notations or commentary added to the document, whether those additions be handwritten or not.

Any response to these requests shall set forth the request in full before each response. Separate responses shall be provided with respect to each request. If, after a good faith search, You conclude that there have never been documents responsive to a particular request, You should so state.

You are required to supplement Your responses to these Requests for Production of Documents in accordance with the provisions of the Federal Rules of Civil Procedure.

You are hereby put on notice that objection will be made at the time of trial to any attempt to introduce evidence which is directly sought by these requests and to which no response or disclosure has been made.

DEFINITIONS

As used herein, the following words and phrases shall have the following definitions, whether or not a request specifically says, "as defined in Definitions":

1. **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.

2. **Date** means the exact day, month and year, if ascertainable, or the best available approximation thereof, including relationship to other events (designated whether exact or approximate).

3. **Defendants** mean Defendants Robert Pickle and Gailon Arthur Joy.

4. **Plaintiff Shelton** means Danny Shelton, and D & L Publishing, DLS Publishing, or any related DBA's or organizations (or their assumed names) over which Danny Shelton

exercises control (other than 3ABN), whether past or present, including any directors, officers, employees, volunteers, agents or attorneys of the same.

5. **3ABN** means Plaintiff Three Angels Broadcasting Network, Inc., and all its related organizations, and their assumed names, whether past or present, 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), Three Angels Enterprises, L.L.C., Crossbridge Music, Inc., 3ABN Books, 3ABN Music, or 3ABN Radio. Wherever generally accepted accounting principles in the United States require the inclusion of financial data from related organizations that are separate legal entities, requests for documents from **3ABN** will also be for all documents pertaining to all such financial data from all such organizations, including but not limited to Tres Anjos Broadcasting Network - LTDA (Brazil), Association Three Angels Broadcasting Network (Peru), and 3ABN Philippines, Inc. (Philippines), as well as for documents pertaining to whatever underlying detail for that data is required by such principles to be accessible, in the possession of, or reviewed by 3ABN.

6. **Any** and **all** are used in such a manner that a request seeking any documents would result in the production of the same number of documents as would a request seeking all documents, and that number of documents would be the greater one of the two results if a more exclusive meaning of either or both words were used instead.

7. **Or** and **and** are used in the inclusive sense (i.e. "and/or"). Thus, if a request seeks all documents relating to "A, B, or C" or "A, B, and C," You are to produce all documents relating to A, B, and C individually, as well as in any combination thereof.

8. **Sale** means the giving of an item in exchange for compensation, whether or not the compensation is accounted for or considered as a donation or as a receipt of sales revenue, or whether or not the compensation is accounted for or considered as covering only the cost of shipping or handling.

9. **You** or **Your** as used in Requests Nos. 1 through 36 means 3ABN, or its directors, officers, agents, representatives, employees, assigns or attorney(s), or whoever prepares the Responses to these Requests for the Production of Documents and Things. **You** or **Your** as used in Request No. 37 and onward means Plaintiff Shelton as defined above, or his agents, representatives, employees, assigns or attorney(s), or whoever prepares the Responses to these Requests for the Production of Documents and Things.

10. **Employee** means anyone who performs services for 3ABN, whether past or present, whether paid or not, over which 3ABN exercises the typical control of an employer-employee relationship, including but not limited to the dictation of the way or manner, or the time and place where those services must be performed.

11. **Independent contractor** means anyone who performs services for 3ABN, whether past or present, who is not an employee as defined above.

12. **Key employee** means any employee or independent contractor who serves as an officer, director, or department head, answers directly to the president or to Plaintiff Shelton, hosts their own program or appears regularly on 3ABN broadcasts, or who exercises a significant leadership role at 3ABN, whether past or present.

13. **Board** or **3ABN Board** means the Board of Directors of 3ABN (as 3ABN is defined above), or the entity or entities that has or have been called by the name "Small Board" or some similar or equivalent term.

14. **Relative** means anyone related by marriage or by blood to the individual in question

or to their spouse, whether parent, child, grandparent, grandchild, sibling, nephew, niece, aunt, uncle, first cousin, or first cousin once removed, and in the case of Plaintiff Shelton, it also includes cousins up to and including the third degree and up to and including twice removed.

15. *ASI* means Adventist-laymen's Services and Industries or ASI Missions, Inc.

16. *Plaintiff-related Issues* means any or all of the following issues, topics, questions, or decisions that are applicable to the particular request making use of this term, whether or not a specific issue, topic, or question is also referred to in that request.

Real Estate Issues

a. All real estate transactions in or around 1993 between Charles E. Lane and 3ABN or between Charles E. Lane and Plaintiff Shelton, or subsequent real estate transactions dealing with the same properties involved in those transactions.

b. The 1996 granting of a life estate to Plaintiff Shelton in the house at Route 3 Box 10, Thompsonville, Illinois, the 1998 deeding of that same house in his name, the September 25, 1998, sale of that same house to Plaintiff Shelton for \$6,129 or \$6,139, and the October 2, 1998, sale of that same house by Plaintiff Shelton to Elora Ford, and all agreements involved in these transactions between any of the parties involved.

c. The recent gift of land from 3ABN to Plaintiff Shelton, and any agreements with Plaintiff Shelton related to that transaction.

d. Any attempted or successful transfer of real property to Brandy Shelton, before or after her marriage to Plaintiff Shelton, or to any person for which compensation in an amount equal or greater to fair market value was not paid.

Private Inurement Issues Other Than Real Estate

e. All benefits (other than what is reported as income on 990's, W-2's, or 1099's) received directly or indirectly by Plaintiff Shelton, or by any director, officer, employee, key employee, or independent contractor of 3ABN, or any relative thereof, or by organizations over which such individuals exercise substantial influence or control, including but not limited to low-interest or interest-free loans, love gifts, the sale or gift of goods donated to or assets of 3ABN, including but not limited to purchases by Tammy Chance or her relatives of products offered for sale on eBay or antique furniture purchased by Shelley Quinn, or the production, purchase, fulfillment, or promotion of products authored, manufactured, published, distributed, controlled, sold, or patented by such individuals, any direct or indirect payments made in connection with those products, or the hiring, contracting, or use of legal services for the private benefit of such individuals, including but not limited to the cease and desist letters written by D. Michael Riva on behalf of Tommy Shelton on June 13, 2003, and January 5, 2007, representation in the instant dispute for Plaintiff Shelton, individually, the separation contract between 3ABN and Linda Shelton by which Plaintiff Shelton secured her agreement to not say anything critical of her then husband and soon-to-be-ex-husband, or any personal travel expenses by any person, such as the alleged travel by Kenny and Chris Shelton to visit Brenda Shelton, if paid for directly or indirectly by 3ABN.

Accounting and Financial Issues

f. The reporting on financial statements and Form 990's of the sales of books,

CD's, videos, cassettes, or other items sometimes as sales, and sometimes as items given away in exchange for donations, and in particular, why such an accounting change was made in 2004.

g. Allegations of embezzlement made against any director, officer, employee, key employee, or independent contractor of 3ABN, including but not limited to any allegations made against Emma Lou Shelton arising from her employment prior to her being hired by 3ABN.

h. Non-receipt-documented expenditures, failure to include such expenditures made by employees on W-2's or by independent contractors on 1099's, the final approval of W-2's by Plaintiff Shelton, the expensing of expenditures that generally accepted accounting principles require the capitalizing of instead, and the facilitating of any such practices by the 3ABN Board, or by any director, officer, employee, key employee, or independent contractor.

i. Bills and invoices submitted to 3ABN by Nicholas Miller, all versions thereof, and all controversies or questions arising therefrom.

j. Direct or indirect payments made to Brandy Elswick at any time, including but not limited to payments made to third parties who then made payments to her, third parties including but not limited to True Step Ministries or Cherie Peters.

Pedophilia, Sexual Harassment and Misconduct, and Similar Moral Issues

k. The child molestation or sexual misconduct allegations made against Tommy Shelton by any individual at any time during 3ABN's existence, or by Plaintiff Shelton from the first commencement of Tommy Shelton's pastorate at the Ezra Church of God onward, including but not limited to allegations made by Derrell Mundall around 1991, Roger Clem from 2003 onward, Duane Clem from 2007 onward, and Plaintiff Shelton at any time, the way that and by whom those allegations were dealt with, including but not limited to the use of letters, threats of bodily harm or litigation, slander, libel, defamation, or monetary or other compensation, including how and by whom such approaches were paid or bartered for if any form of direct or indirect compensation was given in exchange for service rendered, and the employment or independent contractor history at or for 3ABN for Tommy Shelton and for any registered or convicted sex offenders who have worked at 3ABN, including but not limited to Herb Grimm and Bill Cochran.

l. For purposes of comparison with the case of Linda Shelton, any allegations of child molestation, sexual misconduct, inappropriate relationship(s), adulterous affair(s), incest, or unwed pregnancy against a relative of Plaintiff Shelton serving as an independent contractor, or against a director, officer, employee, or key employee of 3ABN, including but not limited to any allegations made against Tammy Chance, Tammy Larson, Melody Shelton, Kenny Shelton, Plaintiff Shelton, or Linda Shelton, the events and history that corroborate Plaintiff Shelton's August 5, 2006, claim that Brandy Elswick had been chasing him for seventeen years, the concerns that 3ABN personnel and directors had about Plaintiff Shelton's relationship to Brandy Elswick, and his reactions to those concerns.

m. Instructions to staff regarding how to address questions regarding the above allegations, including but not limited to Melody Shelton's unwed pregnancy.

Wrongful Termination, Dispute Resolution, or Related Issues

n. The case of Linda Shelton from January 1, 2004, onward, including but not limited to who paid for and arranged for any form of surveillance, the existence, acquirement, or use of evidence that includes without limitation phone card and other phone records, and audio and video recordings, who would and would not have access to such evidence, the formation of the special committee in 2004 to investigate the situation, requests from 3ABN to Linda Shelton that she (or her son) change her personal marriage counselor(s) or (their) physician, the May 4, 2004, ultimatum communicated by Walt Thompson, the separation agreement between 3ABN and Linda Shelton, any expected effect on donations to or the financial health of 3ABN from the story that Linda Shelton had abandoned her marriage or ministry, her subsequent slating for church discipline in the fall of 2005 and the unwillingness of any individual to allow her to speak in her own defense at that church trial, and the refusals to allow Linda Shelton a hearing before the 3ABN Board, including but not limited to the refusal of December 2005.

o. The complaints, firing, and appeal of Ervin Thomsen, Kathi Bottomley, Trenton Frost, and Oriana Frost concerning Leonard Westphal's alleged statements about Hal Steenson being a fat slob or fat drunk, his other alleged inflammatory comments about Mollie Steenson, Plaintiff Shelton, and the 3ABN Board, his alleged temper or tirades, his alleged racial slurs or discriminatory practices, and his being featured as a front-page story in *3ABN World* after the firings, and all decisions by directors and officers in this matter.

Damage Control Issues

p. Whether directed against the Defendants, Save3ABN.com, an internet forum or other website containing concerns or criticism (or the authors thereof), Nicholas Miller, Linda Shelton, *Adventist Today*, or any other person or entity, the sending of cease and desist letters to intimidate, silence, or persuade, the use of TV broadcasts to counter critics, and the spreading of critical, slanderous, libelous, or defamatory rumors or statements via internet postings, broadcasts, email, phone calls, or other means, whether made by any 3ABN director, officer, employee, key employee, independent contractor, or any relative thereof, or whether made by supporters, agents, or attorneys of 3ABN, including but not limited to allegations of lies, embezzlement, making threats on the lives of Plaintiff Shelton or his family, or posing as a doctor.

q. The authorship and approval of the scripts or notes for the December 31, 2006, tribute to alleged pedophile Tommy Shelton, including but not limited to the use of statements about ferries, Tommy Shelton as a traveling companion, and Tommy Shelton's predecessor, and of the scripts and notes for the August 10, 2006, broadcast that explicitly or implicitly likened Plaintiff Shelton to Moses and John the Baptist, Linda Shelton to Herodias, and Alyssa Moore to Salome.

r. The cessation of appearances of individuals on 3ABN programs after disagreeing with Plaintiff Shelton, individuals including but not limited to Barbara Kerr and David Gates, and the subsequent attempts by 3ABN-related individuals to hinder their future ministries or employment, including but not limited to that of Barbara Kerr and Derrell Mundall.

ASI and ASI Hearing Issues

s. All requests to ASI for assistance from January 1, 2004, onward, the reasons, decision(s), and action(s) for suddenly agreeing to allow Linda Shelton to have a hearing before a panel under the auspices of ASI, in contrast to prior denials to requests for hearings, the rationale for prohibiting any discussion of any other topic, including but not limited to the child molestation allegations against Tommy Shelton, and for keeping this prohibition a secret for ten weeks, all drafts or editions of the "Procedural Suggestions" of October 31, 2006, and Harold Lance's January 24, 2007, statement, along with dates, blind copy data, and information that indicates who received, contributed to, or authored these documents, including but not limited to the altered version of Harold Lance's statement that was posted on 3ABN's website, all references to Defendant Pickle's employment, whether actual or suspected, whether past, present, or future, all reference to Defendant Pickle's application to ASI for membership, and the type and amount of support, whether financial or otherwise, whether from ASI to 3ABN or 3ABN to ASI, whether bartered for, paid, or granted, at any time in 3ABN's existence.

Publishing Issues

t. The formation of 3ABN Books or similar entities, including but not limited to the makeup of its committees, partnerships with Pacific Press, Remnant Publications, or other entities, and arrangements, policies, or guidelines for production, manufacturing, printing, inventorying, and distribution of royalties and other payments, whether written in policy or in actual practice.

u. All payments, whether direct or indirect, whether bartered or not, related to purchases of or royalties for any products, including but not limited to books, pamphlets, CD's, and videos, made to or from Plaintiff Shelton, DLS Publishing, or D & L Publishing, and all payments, whether direct or indirect, related to purchases of or royalties for any materials authored or otherwise created, in whole or in part, by any 3ABN director, officer, employee, key employee, or independent contractor, or any relative thereof, made to or from Pacific Press, Remnant Publications, or any other publisher, press, manufacturer, individual, or entity, when a benefit, monetary or otherwise and not reported as salary on a W-2 or 1099 issued by 3ABN, is received by that individual, and the identification, history, or location of all assets or inventory of D & L Publishing, DLS Publishing, or any other entity controlled by Plaintiff Shelton other than 3ABN.

v. The publishing of *Antichrist Agenda* by DLS Publishing as claimed by *Antichrist Agenda* in 2004, instead of by 3ABN Books as claimed in *Mending Broken People* in 2005.

w. The printing or publishing of *Ten Commandments Twice Removed* by DLS Publishing, Pacific Press, Remnant Publications, or any other press or publisher.

x. The identify of the publisher referred to in Note 14 of 3ABN's 2005 audited financial statement, or that identify the persons related to the president, and the corporation controlled by such a person, referred to in Statement 12 of 3ABN's 2006 Form 990.

Sound Center or 3ABN Music Issues

y. The formation of 3ABN Music, Crossbridge Music, Inc., or other entities

involved with music, including but not limited to the makeup of committees, partnerships with Avid Group or other entities, and the arrangements, policies, or guidelines for production, manufacturing, inventorying, and distribution of royalties and other payments, whether written in policy or in actual practice.

z. The operation of the 3ABN sound center, remuneration of employees, key employees, or independent contractors working therein, accounting practices pertaining to activities or services performed or rendered by or in the 3ABN sound center, and the fees charged to those benefitting from such activities or services, whether for studio rental or otherwise, whether charged by 3ABN or others, whether written in policy or in actual practice.

Government Investigation Issues

aa. All investigations or actions whether civil or criminal, whether domestic or foreign, whether past or present as of now or anytime prior to trial, by the Internal Revenue Service, the Illinois Department of Revenue, the California Department of Fair Employment and Housing, the Equal Employment Opportunity Commission, the Federal Communications Commission, or any other federal, state, county, or local legal authority, or any proceedings arising from any individual or entity filing suit or complaints, regarding 3ABN, Plaintiff Shelton, or his relatives, whether or not those investigations resulted in charges or penalties, including but not limited to initial contacts or complaints, any subpoena or warrant served to any 3ABN director, officer, employee, key employee, independent contractor, or any relative thereof, for the production of records or the giving of testimony, responses, consent decrees or stipulations, fines, excise taxes, penalties assessed or paid, or any other civil or criminal proceedings.

Administration, Board, and Theological Issues

bb. The need of and reasons for seeking a replacement in part or in whole for Plaintiff Shelton as 3ABN president, all agreements made with Plaintiff Shelton in connection with his being replaced, the role of Plaintiff Shelton or others in searching for, selecting, or vetting Plaintiff Shelton's replacement, the expected or anticipated timetable for Plaintiff Shelton's lying low and reappearance on the scene, the qualifications or characteristics sought for in a replacement, including but not limited to whether or not that replacement would seek to rectify past (and ongoing) mistakes, and Jim Gilley's position and his statement to the board that he would not seek to rectify such mistakes or even investigate whether mistakes had been made.

cc. The decision or decisions to deny the Defendants the privilege of speaking to the 3ABN Board regarding their various concerns about Plaintiff-related Issues, regardless of by whom such a decision or decisions were made.

dd. Whether Plaintiff Shelton is a prophet, whether he has had visions or dreams, and if so, the dates, nature, and content of all such, whether he is considered "the Lord's Anointed," whether he can be subjected to the correction of either church or state, and whether the positions on these points are standard Seventh-day Adventist theology or a deviation therefrom.

ee. John Lomacang's teachings on the seven trumpets, and the reactions thereto of the public, and of any 3ABN director, officer, employee, key employee, or independent

contractor, or of any relative thereof, including but not limited to the reactions of Hal Steenson.

ff. The identity of all the 3ABN individuals or entities that made decisions regarding any of the above issues, as well as all agreements made with any parties concerning any of these issues.

REQUESTS DIRECTED TO 3ABN

Request No. 1: All minutes and other documents of the 3ABN Board for the entire length of time of 3ABN's existence, and on an ongoing basis.

Request No. 2: All minutes and other documents of all executive committee(s) of 3ABN, or subcommittee(s) of the 3ABN Board that pertain to concerns, discussions, investigations, actions, or decisions regarding any Plaintiff-related Issues, whatever is not included in Request No. 1. If less cumbersome, costly, or time-consuming for You, You may choose to produce all documents of such entities from January 1, 1991, onward for our inspection or copying.

Request No. 3: All minutes and other documents of all 3ABN departmental or division board(s), committee(s), subcommittee(s), or book committee(s), including those of 3ABN Books, of 3ABN Music, and of any other departments or divisions, whether domestic or foreign, that pertain to concerns, discussions, investigations, actions, or decisions regarding any Plaintiff-related Issues, whatever is not already included in Requests Nos. 1 or 2. If less cumbersome, costly, or time-consuming for You, You may choose to produce all minutes and other documents of such board(s), committee(s), or subcommittee(s) from January 1, 1991, onward for our inspection or copying.

Request No. 4: All reports or correspondence, such as letters, memos, notes, electronic mail, or other communication, or other documents authored, handled, read, reviewed, sent, or received by independent contractors who are relatives of Plaintiff Shelton, or by any 3ABN officer, director, department head, employee, or key employee, or any relative, agent, or attorney thereof, whether past or present, that pertain to concerns, discussions, investigations, actions, or decisions regarding any Plaintiff-related Issues, the Defendants, Save3ABN.com, or any internet forum or other website containing concerns or criticism about one or both Plaintiffs, including but not limited to the open letters reported to be sent by Tommy Shelton or Carol Shelton to the Community Church of God in early 2007, the receipt for a pregnancy test purchased in 2004, and the trial transcript of the administrative hearing before Judge Barbara Rowe, whatever is not already included in Requests Nos. 1, 2, or 3. If less cumbersome, costly, or time-consuming for You, You may choose to produce from January 1, 1991, onward all documents for our inspection or copying that are associated in the stated ways to the stated individuals.

Request No. 5: All corporation documents, including but not limited to articles of incorporation, charters, by-laws, or annual filings, for 3ABN as 3ABN is defined under Definitions, including the originals and all revisions thereof, including but not limited to Three Angels Enterprises, LLC, Crossbridge Music, Inc., and all organizations related to 3ABN, including without limitation all such organizations formed in other countries, and documents identifying all 3ABN-related organizations or 3ABN affiliates, whether or not consolidated, whether past or present, including without limitation 3ABN Latino, 3ABN Africa, 3ABN