

No. 08-2457; No. 09-2615

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

THREE ANGELS BROADCASTING NETWORK, INC.,
an Illinois Non-Profit Corporation;
DANNY LEE SHELTON,

Plaintiffs-Appellees,

v.

GAILON ARTHUR JOY; ROBERT PICKLE,

Defendants-Appellants.

On Appeal from the United States District Court
for the District of Massachusetts
Case No. 07-40098

AFFIDAVIT OF ROBERT PICKLE

GAILON ARTHUR JOY, *PRO SE*
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ROBERT PICKLE, *PRO SE*
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NOW COMES Robert Pickle of Halstad Township, Norman County, Minnesota, who deposes and testifies to the following under pain and penalty of perjury, based on his own personal knowledge and information:

1. At some point after October 26, 2009, and on February 5 and April 6, 2010, I believed that we probably were no longer required to file status reports every 60 days, but I wasn't sure. There certainly wasn't anything in the record explicitly vacating that court-ordered requirement.

2. To be safe, to make sure that our appeals were not dismissed for lack of diligent prosecution, we filed our second and third status reports, and the opening sentence of those two status reports reflects my understanding at the time.

3. Upon further reflection, we have come to the realization that the August 19 order is clear, and there is no order vacating that order's requirement to file status reports every 60 days. Therefore, the opening sentence of our second and third status reports is erroneous.

4. The first hint I recall ever getting that Plaintiffs' counsel believed that the filing or contents of our three status reports was improper was on April 7, 2010, when Plaintiffs filed their motion to strike. I do not recall Plaintiffs' counsel ever contacting me about these matters.

FURTHER DEPONENT TESTIFIES NOT.

Signed and sealed this 15th day of April, 2010.

s/ Bob Pickle

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

Subscribed and sworn to me
this 15th day of April, 2010.

s/ Melanie Dee Nelson

Notary Public—Minnesota

My Commission Expires Jan. 31, 2011