In The
United States Court of Appeals
For The First Circuit

No. 09-2615

Three Angels Broadcasting Network, Inc., an Illinois Non-Profit Corporation;
Danny Lee Shelton,

Appellees,

v.

Gailon Arthur Joy and Robert Pickle,

Appellants.

## AFFIDAVIT OF M. GREGORY SIMPSON

STATE OF MINNESOTA	)	
	)	SS
<b>COUNTY OF HENNEPIN</b>	)	

- M. Gregory Simpson, being first duly sworn on oath, deposes and states as follows:
- 1. I am one of the attorneys representing Plaintiffs Three Angels Broadcasting network, Inc. and Danny Lee Shelton in the above-entitled action.
- 2. Attached hereto as Exhibit A is a true and correct copy of the Affidavit of Jerrie M. Hayes with attached exhibits C, F, and H.

- 3. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's notice of motion and motion to quash subpoena.
- 4. Attached hereto as Exhibit C is a true and correct copy of the United States District Court, District of Minnesota order dated 3/28/08.
- 5. Attached hereto as Exhibit D is a true and correct copy of the United States District Court, District of Minnesota order dated 7/1/08.
- 6. Attached hereto as Exhibit E is a true and correct copy of excerpts from the transcript on the Motion for Voluntary Dismissal dated 10/30/08.
- 7. Attached hereto as Exhibit F is a true and correct copy of an e-mail from John Pucci to Bob Pickle dated 12/15/09.
- 8. The MidCountry Bank documents have been returned to our offices. These records will be maintained in the condition under which we received them until the appellate process has been exhausted.
- 9. Attached hereto as Exhibit G is a true and correct copy of 3ABN's responsive brief filed in the Federal District Court, District of Massachusetts in response to Pickle and Joy's motion to certify and forward a portion of the record.

This concludes my affidavit.

s/ M. Gregory Simpson
M. Gregory Simpson

Subscribed and sworn to before me This 18<sup>th</sup> day of December, 2009.

s/ Jeannette Evans
Notary Public

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