UNITED STATES BANKRUPTCY COURT

DISTRICT OF MASSACHUSETTS

In re

GAILON ARTHUR JOY,

Debtor

Chapter 7: No. 07-43128-JBR

GAILON ARTHUR JOY,

Plaintiff

v.

THREE ANGELS BROADCASTING NETWORK, INC., DANNY LEE SHELTON, JOHN P. PUCCI, ESQ., JERRIE M. HAYES, ESQ., GERALD S. DUFFY, ESQ., FIERST, PUCCI & KANE, LLP, and SIEGEL, BRILL, GREUPNER, DUFFY & FOSTER P.A.

Defendants.

Adversary Proceeding No. 07-4173

ANSWER OF DEFENDANTS PUCCI, HAYES, DUFFY, FIERST PUCCI & KANE LLP, AND SIEGEL BRILL GREUPNER DUFFY & FOSTER PA TO PLAINTIFF-PETITIONER JOY'S AMENDED ADVERSARIAL COMPLAINT

TO THE HONORABLE JOEL B. ROSENTHAL, Bankruptcy Judge:

Now come John Pucci, Esq. ("Pucci"), Gerald S. Duffy, Esq. ("Duffy"), Jerrie M. Hayes, Esq. ("Hayes"), Fierst, Pucci & Kane, LLP ("FPK"), and Siegel, Brill, Greupner, Duffy & Foster, P.A. ("SBGDA"), (collectively "Defendants"), defendants in the above-captioned

adversary proceeding, and for their answers to Plaintiff Joy's Amended Complaint do hereby state and allege as to each allegation as to these answering Defendants as follows:

General Allegations

1. Defendants admit the allegations of Paragraph 1 of Plaintiff's Amended Complaint.

2. Defendants admit the allegations of Paragraph 2 of Plaintiff's Amended Complaint.

3. As to the allegations of Paragraph 3 of Plaintiffs Amended Complaint, Defendants admit Plaintiff is the Debtor and Petition in the above-entitled matter, but deny that he is a "'person aggrieved' by breach of the Automatic Stay" and deny all other allegations, express or implied, in Paragraph 3 of Plaintiff's Amended Complaint.

4. Defendants admit the allegations of Paragraph 4 of Plaintiff's Amended Complaint.

5. Defendants admit the allegations of Paragraph 5 of Plaintiff's Amended Complaint.

6. Defendants admit the allegations of Paragraph 6 of Plaintiff's Amended Complaint.

7. Defendants admit the allegations of Paragraph 7 of Plaintiff's Amended Complaint.

8. As to the allegations of Paragraph 8 of Plaintiff's Amended Complaint, Defendants deny they assert a claim against the Plaintiff, admit they serve as counsel for Three Angels Broadcasting, Inc. and Danny Shelton and provided them counsel and assistance in the filing of a case against Plaintiff and another, which case is now pending as matter 07-40098-FDS in the Central District of Massachusetts, state that the Complaint in the Massachusetts action speaks for itself, and deny all other allegations, express or implied, in Paragraph 8 of Plaintiff's Amended Complaint.

9. Defendants admit that Section 4 of the Statement of Financial Affairs in Plaintiff's Petition lists "Shelton et al v. Joy et al.,U.S. District Court (D.Mass) 07-40098-FDS" and deny all other allegations, express or implied, in Paragraph 9 of Plaintiff's Amended Complaint.

10. Defendants lack the knowledge or information to either admit or deny the truth of the allegations of Paragraph 10 of Plaintiff's Amended Complaint, which allegations are therefore denied by Defendants, who leave Plaintiff to his strict burden of proof thereon.

11. As to the allegations of Paragraph 11 of Plaintiff's Amended Complaint, Defendants state they were provided constructive notice of Plaintiff's Bankruptcy Case Filing on or about August 29, 2007 and deny all other allegations, express or implied, in Paragraph 11 of Plaintiff's Amended Complaint.

12. As to the allegations of Paragraph 12 of Plaintiff's Amended Complaint, such allegations call for a legal conclusion to which Defendants are not required to respond. To the extent a response is required, Defendants state 11 U.S.C. § 362(a)(5) speaks for itself and deny Plaintiff's characterization, paraphrase and summary of that statute's language and mandates.

13. As to the allegations of Paragraph 13 of Plaintiff's Amended Complaint, such allegations call for a legal conclusion to which Defendants are not required to respond. To the extent a response is required, Defendants state the applicable law speaks for itself and deny Plaintiff's characterization, paraphrase and summary of the law.

14. As to the allegations of Paragraph 14 of Plaintiff's Amended Complaint, Defendants deny they have filed a Motion for Relief from the Automatic Stay, admit that Three Angels Broadcasting, Inc. and Danny Shelton filed a Motion for Relief from the Automatic Stay, which Motion has been granted by this Honorable Court, and deny all other allegations, express or implied, in Paragraph 14 of Plaintiff's Amended Complaint.

15. Paragraph 15 of Plaintiff's Amended Complaint is a format heading, not an allegation of fact, and requires no response from Defendants.

Count One

16. Paragraph 16 of Plaintiff's Amended Complaint incorporates prior allegations and Defendants hereby incorporate their answers to Paragraphs 1 through 15 of Plaintiff's Amended Complaint herein.

17. Defendants deny the allegations of Paragraph 17 of Plaintiff's Amended Complaint.

18. As to the allegations of Paragraph 18 of Plaintiff's Amended Complaint, Defendants state they were never notified by Plaintiff of Plaintiff's bankruptcy case, admit they were on constructive notice of Plaintiff's bankruptcy case on or about August 29, 2007, and state that Exhibit 6 to Plaintiff's Amended Complaint speaks for itself. Defendants deny all other allegations, express of implied, in Paragraph 18 of Plaintiff's Amended Complaint.

19. Defendants admit the allegations of Paragraph 19 of Plaintiff's Amended Complaint as to the Answering Defendants.

20. As to the allegations of Paragraph 20 of Plaintiff's Amended complaint, Defendants admit this Court did not grant any motion for relief from the automatic stay prior to November 13, 2007 and state that the parties' motion papers and this Court's Order speak for themselves. Defendants deny all other allegations, express or implied, in Paragraph 20 of Plaintiff's Amended Complaint.

21. Defendants deny the allegations of Paragraph 21 of Plaintiff's Amended Complaint.

22. Defendants deny the allegations of Paragraph 22 of Plaintiff's Amended Complaint.

23. Defendants deny the allegations of Paragraph 23 of Plaintiff's Amended Complaint.

24. Defendants deny the allegations of Paragraph 24 of Plaintiff's Amended Complaint.

25. As to the allegations of Paragraph 25 of Plaintiff's Amended Complaint, Defendants admit that the Petition and Schedules in Joy's Bankruptcy Filing were attached by Three Angels

Broadcasting, Inc. and Danny Shelton as exhibits to documents submitted to the Massachusetts District Court in matter number 07-40098-FDS, admit they serve as counsel for Three Angels Broadcasting, Inc. and Danny Shelton and provided them counsel and assistance in that matter, but deny all other allegations, express or implied in Paragraph 25 of Plaintiff's Amended Complaint as to these answering Defendants.

26. As to the allegations of Paragraph 26 of Plaintiff's Amended Complaint, Defendants deny they have moved for Relief from the Automatic Stay, admit that Three Angels Broadcasting, Inc. and Danny Shelton moved for Relief from the Automatic Stay, which Motion has been granted by this Honorable Court, and deny all other allegations, express or implied, in Paragraph 26 of Plaintiff's Amended Complaint.

27. Defendants deny the allegations of Paragraph 27 of Plaintiff's Amended Complaint.

28. Defendants deny the allegations of Paragraph 28 of Plaintiff's Amended Complaint and leave Plaintiff to his strict burden of proof thereon.

29. Defendants deny the allegations of Paragraph 29 of Plaintiff's Amended Complaint and leave Plaintiff to his strict burden of proof thereon.

30. Paragraph 30 of Plaintiff's Amended Complaint is a prayer for relief, which requires no response from Defendants. To the extent a response is required, Defendants deny Plaintiff is entitled to the relief he seeks.

Count Two

31. Paragraph 31 of Plaintiff's Amended Complaint incorporates prior allegations and Defendants hereby incorporate their answers to Paragraphs 1 through 30 of Plaintiff's Amended Complaint herein.

32. As to the allegations of Paragraph 32 of Plaintiff's Amended Complaint, Defendant Pucci admits that Three Angels Broadcasting and Danny Shelton filed the motion set forth as Exhibit 1 to Plaintiff's Complaint, admits he serves as counsel for Three Angels Broadcasting, Inc. and Danny Shelton and provided them counsel and assistance in that matter, but denies all other allegations, express or implied, in Paragraph 32 of Plaintiff's Amended Complaint as to himself.

33. As to the allegations of Paragraph 33 of Plaintiff's Amended Complaint, Defendant Pucci admits the Massachusetts District Court issued an Order but denies that Order is set forth as Exhibit 3 to Plaintiff's Amended Complaint, and denies all other allegations, express or implied, in Paragraph 33 of Plaintiff's Amended Complaint.

34. Defendant Pucci is without sufficient knowledge or information to either admit or deny the truth of the allegations of Paragraph 34 of Plaintiff's Amended Complaint, which allegations are therefore denied by Defendant Pucci, who leaves Plaintiff to his strict burden thereon.

35. As to the allegations of Paragraph 35 of Plaintiff's Amended Complaint, Defendant Pucci admits he participated in a status conference before Magistrate Hillman of the District Court of Massachusetts of November 13, 2007.

36. Defendant Pucci denies the allegations of Paragraph 36 of Plaintiff's Amended Complaint.

37. Defendant Pucci denies the allegations of Paragraph 37 of Plaintiff's Amended Complaint.

38. Paragraph 38 of Plaintiff's Amended Complaint is a prayer for relief, which requires no response from Defendant Pucci. To the extent a response is required, Defendant Pucci denies Plaintiff is entitled to the relief he seeks.

Count Three

39. Paragraph 39 of Plaintiff's Amended Complaint incorporates prior allegations and Defendants hereby incorporate their answers to Paragraphs 1 through 38 of Plaintiff's Amended Complaint herein.

40. As to the allegations of Paragraph 40 of Plaintiff's Amended Complaint, Defendant Duffy admits that Three Angels Broadcasting and Danny Shelton filed the motion set forth as Exhibit 1 to Plaintiff's Complaint, admits he serves as counsel for Three Angels Broadcasting, Inc. and Danny Shelton and provided them counsel and assistance in that matter, but denies all other allegations, express or implied, in Paragraph 40 of Plaintiff's Amended Complaint as to himself.

41. As to the allegations of Paragraph 41 of Plaintiff's Amended Complaint, Defendant Duffy admits the Massachusetts District Court issued an Order but denies that Order is set forth as Exhibit 3 to Plaintiff's Amended Complaint, and denies all other allegations, express or implied, in Paragraph 41 of Plaintiff's Complaint.

42. Defendant Duffy is without sufficient knowledge or information to either admit or deny the truth of the allegations of Paragraph 42 of Plaintiff's Amended Complaint, which allegations are therefore denied by Defendant Duffy, who leaves Plaintiff to his strict burden thereon.

43. As to the allegations of Paragraph 43 of Plaintiff's Amended Complaint, Defendant Duffy admits he participated in a status conference before Magistrate Hillman of the District Court of Massachusetts of November 13, 2007.

44. Defendant Duffy denies the allegations of Paragraph 44 of Plaintiff's Amended Complaint.

45. Defendant Duffy denies the allegations of Paragraph 45 of Plaintiff's Amended Complaint.

46. Paragraph 46 of Plaintiff's Amended Complaint is a prayer for relief, which requires no response from Defendant Duffy. To the extent a response is required, Defendant Duffy denies Plaintiff is entitled to the relief he seeks.

Count Four

47. Paragraph 47 of Plaintiff's Amended Complaint incorporates prior allegations and Defendants hereby incorporate their answers to Paragraphs 1 through 46 of Plaintiff's Amended Complaint herein.

48. As to the allegations of Paragraph 48 of Plaintiff's Amended Complaint, Defendant Hayes admits she sent the letter set forth as Exhibit 3 to Plaintiff's Amended Complaint, states that the letter speaks for itself, and denies all other allegations, express or implied, in Paragraph 48 of Plaintiff's Amended Complaint.

49. As to the allegations of Paragraph 49 of Plaintiff's Amended Complaint, Defendant Hayes admits she sent the letter set forth as Exhibit 4 to Plaintiff's Amended Complaint, states that the letter speaks for itself, and denies all other allegations, express or implied, in Paragraph 49 of Plaintiff's Amended Complaint.

50. As to the allegations of Paragraph 50 of Plaintiff's Amended Complaint, Defendant Hayes admits she sent the letter set forth as Exhibit 5 to Plaintiff's Amended Complaint, states that the letter speaks for itself, and denies all other allegations, express or implied, in Paragraph 50 of Plaintiff's Amended Complaint.

51. Defendant Hayes denies the allegations of Paragraph 51 of Plaintiff's Amended Complaint.

52. Defendant Hayes denies the allegations of Paragraph 52 of Plaintiff's Amended Complaint.

53. Paragraph 53 of Plaintiff's Amended Complaint is a prayer for relief, which requires no response from Defendant Hayes. To the extent a response is required, Defendant Hayes denies Plaintiff is entitled to the relief he seeks.

Count Five

54. Paragraph 54 of Plaintiff's Amended Complaint incorporates prior allegations and Defendants hereby incorporate their answers to Paragraphs 1 through 53 of Plaintiff's Amended Complaint herein.

55. As to the allegations of Paragraph 55 of Plaintiff's Amended Complaint, the answering Defendants state that Three Angels Broadcasting and Danny Shelton's assertions against Joy are contained in their Complaint in Massachusetts District Court Matter 07-40098-FDS, which document speaks for itself, and deny all other allegations, express or implied, in Paragraph 55 of Plaintiff's Amended Complaint.

56. As no allegations against these answering Defendants have been made in Paragraph 56 of Plaintiff's Amended Complaint, it requires no response from Defendants. To the extent a response is required, Defendants deny the allegations of Paragraph 56 of Plaintiff's Amended Complaint and leave Plaintiff to his strict burden of proof thereon.

57. Defendants deny the allegations of Paragraph 57 of Plaintiff's Amended Complaint.

58. Paragraph 58 of Plaintiff's Amended Complaint is a prayer for relief, which requires no response from Defendants. To the extent a response is required, Defendants Deny Plaintiff is entitled to the relief he seeks.

59. Paragraph 59 of Plaintiff's Amended Complaint is a prayer for relief, which requires no response from Defendants. To the extent a response is required, Defendants deny that joint and several liability is applicable in the instant case and deny that Plaintiff is entitled to the relief he seeks.

Affirmative Defense

60. And further answering, the answering Defendants hereby adopt and incorporate by reference, as though fully set forth herein, all of the allegations and requests for relief set forth in the "Motion to Dismiss Adversary Proceeding, or in the Alternative, to Treat Adversary Proceeding as a Contested Matter under Federal Rule of Bankruptcy Procedure 9014," dated February 21, 2008 and filed in this Adversary Proceeding by Three Angels Broadcasting Network, Inc. and Danny Lee Shelton.

WHEREFORE, Defendants respectfully request a judgment against Plaintiff and in favor of Defendants on each and every count of Plaintiff's Amended Complaint and that Plaintiff's Amended Complaint be Dismissed in its entirety.

Respectfully Submitted:

Dated: February 22, 2008

JOHN P. PUCCI, ESQ., ***pro se***

/s/ John P. Pucci

John P. Pucci, Esq., BBO #407560
64 Gothic Street
Northampton, MA 01060
Telephone: 413-584-8067

For Defendant John P. Pucci

and

Dated: February 22, 2008

FIERST, PUCCI & KANE, LLC, *pro se*

/s/ John P. Pucci
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J. Lizette Richards, BBO #649413
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Northampton, MA 01060
Telephone: 413-584-8067

For Defendant Fierst, Pucci & Kane, LLC

and

Dated: February 22, 2008

GERALD S. DUFFY, ESQ., *pro se*

/s/ Gerald S. Duffy
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100 Washington Avenue South
Suite 1300
Minneapolis, MN 55401
(612) 337-6100
(612) 339-6591 – Facsimile

For Defendant Gerald S. Duffy, Esq.

and

Dated: February 22, 2008

JERRIE M. HAYES, ESQ., *pro se*

/s/ Jerrie M. Hayes
Jerrie M. Hayes (MNReg. #282340)
110 Washington Avenue South
Suite 1300
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(612) 337-6100
(612) 339-6591 – Facsimile

For Defendant Jerrie M. Hayes, Esq.

and

Dated: February 22, 2008

SIEGEL, BRILL, GREUPNER, DUFFY & FOSTER, P.A., ***pro se***

_____/s/ Gerald S. Duffy _____
Gerald S. Duffy (MNReg. #24703)
Wm Christopher Penwell (MNReg. #161847)
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For Defendant Siegel, Brill, Greupner, Duffy & Foster PA.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 22, 2008.

Dated: February 22, 2008

__/s/ John P. Pucci_____
John P. Pucci, Esquire