
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.

**NOTICE OF MOTION AND MOTION TO
ENFORCE PROTECTIVE ORDER**

REQUEST FOR ORAL ARGUMENT

**TO: DEFENDANT GAILON ARTHUR JOY, P.O. BOX 1425
STERLING, MA 01564**

**DEFENDANT ROBERT PICKLE, 1354 COUNTY HIGHWAY 21,
HALSTAD, MN 56548**

NOTICE

PLEASE TAKE NOTICE that on a day and time to be determined by the Court, undersigned counsel for Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton will bring a Motion to Enforce the Confidentiality and Protective Order issued in this case on April 17, 2008 [Doc. No. 60] (the “Protective Order”) with respect to the following documents that were produced to

the Defendants and designated as subject to the Protective Order: Documents Bates Numbered “TABN002620 and TABN2621.”

Said motion is brought pursuant to the procedures set forth in the Protective Order at ¶ 3 and pursuant to Fed. R. Civ. P. 26(c) and Local Rules 7.1 and 37.1 of the District of Massachusetts, at the United States Court House (Donohue Federal Building), 595 Main Street, Worcester, Massachusetts, 01608.

MOTION

Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton hereby move the Court for an Order as follows:

1. Directing that if Defendants intend to submit the Documents Bates Numbered “TABN002620 and TABN2621” and any memoranda quoting or paraphrasing the content of those pages under seal; and
2. For such other relief as the Court would deem just and equitable.

This Motion is based upon Plaintiffs’ Notice of Motion and Motion, Plaintiffs’ Memorandum in Support of the same, any the Affidavit of M. Gregory Simpson filed herewith, and the Arguments of Counsel and all other files, record and proceedings herein.

REQUEST FOR ORAL ARGUMENT

Plaintiffs respectfully request that this Honorable Court set a day and time for oral argument to be heard on this Motion, and further requests that leave be granted for the parties to appear by telephone.

Respectfully Submitted:

**Attorneys for Plaintiffs Three Angels
Broadcasting Network, Inc. and
Danny Shelton**

Dated: September 30, 2008

FIERST, PUCCI & KANE, LLP

s/ J. Lizette Richards

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

-and-

SIEGEL, BRILL, GREUPNER,
DUFFY & FOSTER, P.A.

s/ M. Gregory Simpson

Gerald S. Duffy (MNReg. #24703)
M. Gregory Simpson (MN Reg. #204560)
Kristin L. Kingsbury (MNReg. #346664)
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Local Rule 7.1 Certificate

Undersigned counsel hereby attests that Plaintiffs have complied with the requirements of Local Rule 7.1 by having, in good faith, through counsel and without success, conferred with Defendants in an attempt to resolve or narrow the discovery dispute at issue.

Dated: September 30, 2008

/s/ M. Gregory Simpson
M. Gregory Simpson

Local Rule 37.1 Certificate

Undersigned counsel hereby attests that Plaintiffs have complied with the requirements of Local Rule 37.1 by having, in good faith, through counsel and without success, conferred with Defendants to narrow the areas of disagreement to the greatest possible extent.

Dated: September 30, 2008

/s/ M. Gregory Simpson
M. Gregory Simpson

Certificate of Service

I, J. Lizette Richards, 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 September 30, 2008.

Dated: September 30, 2008

/s/ J. Lizette Richards
J. Lizette Richards