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BlackSDA _ 3ABN _ THE LAWSUIT CASE HAS BEEN UNIMPOUNDED

Posted by: sonshineonme Jun 21 2007, 07:36 PM

UPDATE - THE LAWSUIT CASE HAS BEEN UNIMPOUNDED

Received this email announcement just now I will add the 3 attachments after this comment:

In the matter of 3ABN & Danny Lee Shelton, Individually -vs- Gailon Arthur Joy and Robert Pickle:

Judge Saylor Vacated the Temporary Impoundment and all docs will be available on Pacer as soon as the clerk gets them into the system. There were no restrictions outside the current Fed Rules of Civil Procedure and the Local Rules of US District Court of Massachusetts.

For those who wonder why it took so much time, in summary the case was served on May 1, 2007 (Drafted April 1)with an Ex Parte Motion for Temporary Impoundment. They had 30 days to prepare their motion. We had 10 days to respond and Laird Heal did a response worthy of an Appellate Brief for delivery to the Bench and Counsel for May 10 Haering on the Ex Parte Motion. Oral arguments were about 45 minutes and Counsel for Plaintiffs requested 2 weeks to do a supplemental response to the Lairds Brief. The Bench granted two weeks and then granted to Laird Heal two additional weeks to file a supplemental brief to Plaintiffs supplemental response and scheduled a a status conference for June 21, 2007.

Frankly, they caught us completely by surprise as we had expected and been prepared for an Ex parte to try and shut down the Save3ABN.com Web Pages. The Impoundment request just never entered our thinking. Therefore, I must commend Laird J Heal for an excellent brief in short order.

After carefully discussing trial strategy, we made the determination there would be the potential for serious conflicts as we progressed and added parties, etc. Therefore, I opted to enter my appearance Pro Se and manage my own case in concert with Defendant Pickles counsel.

I have attached copies of my Opposition, Proposed Order, Notice of Appearance. Other documents will be made available as we progress through the coming week.

Judge Saylor has asked us to Motion to Amend Answers to complaint by July 23 and will do so to add Affirmative defenses and our counterclaim.

Then we move into the discovery phase. We will have our rule 26(f) conference next week and are scheduled for a Rule 16 Hearing Monday, July 23, 2007.

For those who wish to look up the rules, they are readily available on line under the Title Federal Rules of Civil Procedure.

As we take the offensive, your prayers are needed for all the parties and we trust that the Lord will lead as we work toward a goal of reformation and reconciliation that 3ABN can be restored to whatever plan the Lord has in store.

*Gailon Arthur Joy
AUReporter*

Attachment #1 "Final Draft Deft Opposition to Plaintiffs Motion Impound"

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Three Angels Broadcasting Network, Inc., Case No.: 07-40098-FDS
an Illinois non-profit corporation, and
Danny Lee Shelton, individually,

Plaintiffs,

v.

Gailon Arthur Joy
and Robert Pickle,

Defendants.

Defendants' Supplementary Responsive Memorandum in Opposition to Plaintiffs' Motion for Permanent impoundment

INTRODUCTION

Plaintiffs have asserted that the defendants have used every possible medium to impugn Plaintiffs' reputation and conduct. In fact the defendant has undertaken to correctly report factually challenged, incomplete and grossly inaccurately reported history relating to the actions of the Plaintiffs in the Due Process deficient suspension, leave, dismissal and elimination of the founding director, Vice President and spouse of co-founder Danny Lee Shelton. Plaintiffs have publicly asserted an unsupported charge that the spouse, Linda Sue Shelton, was guilty of "spiritual adultery". After summarily dismissing Linda Sue Shelton for unproven allegations, Danny Lee Shelton replaced her with a brother of the Plaintiff, Tommy Shelton, who had a history of extensive allegations of child molestation while serving as a Church of God pastor.

Each of the defendants, Joy and Pickle, opened separate and independent investigative files in mid-August 2006 and discovered a host of documents from various sources demonstrating that the Plaintiffs had:

1. not been forthcoming with evidence to support their allegations;
2. that they had misrepresented the history and the facts;
3. and given clear innuendo that the spouse, Linda Sue Shelton, had run off with a doctor from Norway and was guilty of adultery, a career ending assertion within the ministry of the Seventh-day Adventist congregations, not factually supported..

The defendants were asked to give an ecclesiastical process an opportunity to address the issues prior to reporting the defendants discovery. When the ecclesiastical process was arbitrarily ended, the defendant Joy began issuing reports of his findings and established a web-page to serve as a document resource center and perpetual access point for members of the Seventh-day Adventist church you wanted to review the facts and ask questions regarding what defendant had discovered and reported in an effort to report the truth regarding the official record with the stockholders in the pews of the Seventh-day Adventist churches, clearly demonstrating the deficiency of Plaintiffs information.

The actions of the Plaintiffs since 2004 and particularly in the first half of 2006 led many to question the 3ABN statements and records. The revelation of the documented facts and the response of the plaintiffs to the facts as they were reported, including multiple international broadcasts on the stage of 3ABN Today live in a clear attempt to impugn and malign the reputations of Linda and the various reporters, made an ever widening audience aware of the issues and an informed congregation may have responded with the only vote they had to cast; they voted their wallets.

As the plaintiffs discovered the record was causing growing difficulty with their contributions base, they

desperately sought alternatives, including web-based counter-measures with various pseudonyms on several web blogs with a clear campaign to continue to impugn and malign the characters of Linda and the various reporters, but clearly continued to loose ground.

Therefore, in a desperate attempt to stem the growing tide of no confidence votes by donors, they sought the assistance of a lawfirm in Minnesota utilized by a major contributor in the past to battle a similar publicity problem. This firm has set out to try and eliminate the defendants constitutional rights as defined in the first amendment guaranteeing the freedom of speech, freedom of the press, the right to practice our religion and the inherent right of conscience that is implicit in the right to practice ones religion. Also, in a strange dichotomy, the plaintiffs, a purported non-denominational religious organization, found itself the subject of an EEOC investigation in the State of California and quickly claimed to be exempt as a religious organization, thereby avoiding civil administrative charges brought by employees of their 3ABN Trust Services office relating to retaliation dismissal and discrimination. Yet, they have the audacity to violate the First Amendment and have sought the redress of a civil court in an effort to fraudulently silence the truth about the plaintiffs' own errors, when they knew or should have known that such an action clearly violated SLAPP statutes.

This motion is an effort to improperly impound a record the public has a right and a vital interest in accessing as the Plaintiffs are a 501-c-3 Tax Exempt organization that draws nearly all its support from the Seventh-day Adventist laymen and members of the viewing public. These donors and viewers have a right to access the court record that they may make informed decisions regarding their contributions, the only vote that they have in this closely held corporation of only thirteen members that also serve as its Danny Lee Shelton handpicked board of directors. Therefore, this American public has an economic and constitutional right to know what goes on in this very public forum.

While plaintiffs counsel alleges defendants have miscited case authority, defendants allege the plaintiffs have clearly mis-applied case law as will be demonstrated heretofore and defendants will seek appropriate redress from the honorable court.

Therefore, defendants pray the court to properly lift this unconstitutional impoundment that the American public may have its proper right to know.

ARGUMENT

The Common Law right of access is overwhelming even when there is a countervailing concern regarding collateral criminal process that may prejudice a jury. Counsellor Pucci expounded extensively on his claim that *In re Providence Journal Company*, 293 F.3d 1, 13 n. 5 (1st Cir. 2002). IS the prevailing law within the First Circuit but then admits the case establishes "Under the common law, there has been a long-standing presumption of public access to judicial records." And the court further asserted in this "prevailing Law in the First Circuit":

"5. Although the Supreme Court has not established whether the constitutional right of access attaches to civil cases in general, the common-law right of access extends to judicial records in civil proceedings. *Standard Fin. Mgmt.*, 830 F.2d at 408 & n.4. "As said, that right encompasses legal memoranda. Because none of the respondent's rationales for rendering legal memoranda presumptively nonpublic rise to the level of a compelling reason sufficient to justify the nondisclosure of those documents, our invalidation of the District of Rhode Island's blanket nonfiling policy vis-à-vis legal memoranda applies in civil as well as criminal proceedings."

Yet again, Counsellor Pucci and team clearly misrepresent the decision *In re Gitto Global Corp.*, 422 F.3d 1, 6 (1st Cir. 2005) which specifically addresses § 107 b 2 of the bankruptcy code but concluded conclusively:

"To qualify for protection under the § 107 b 2 exception for defamatory material, an interested party must show (1) that the material at issue would alter his reputation in the eyes of a reasonable person, and (2) that the material is untrue or that it is potentially untrue and irrelevant or included for an improper end."

This would be a difficult test to assert in the subject action as the Plaintiffs are the parties seeking protection from public scrutiny when they have sought redress in a US District Court, the most public of forums, and do so claiming to be a Charitable organization pursuant to IRC 502c-3, deriving virtually every dime from public contributions in various forms giving the public absolute interest in observing the proceedings.

Further the Supreme Court clarified in the *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978) that "in *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469 (1975) ...Our decision in that case merely affirmed the right of the press to publish accurately information contained in court records open to the public. Since the press serves as the information-gathering agent of the public, it could not be prevented from reporting what it had learned and what the public was entitled to know. *Id.*, at 491-492. In the instant case, however, there is no claim that the press was precluded from publishing or utilizing as it saw fit the testimony and exhibits filed in evidence. There simply were no restrictions upon press access to, or publication of, any information in the public domain. Indeed, the press - including reporters of the electronic media - was permitted to listen to the tapes and report on what was heard. Reporters also were furnished transcripts of the tapes, which they were free to comment upon and publish. The contents of the tapes were given wide publicity by all elements of the media. There is no question of a truncated flow of information to the public. Thus, the issue presented in this case is not whether the press must be permitted access to public information to which the public generally is guaranteed access, but whether these copies of the White House tapes - to which the public has never had physical access - must be made available for copying." Thus re-affirming the constitutional right of the press to access court records. They went so far as to declare "The First Amendment generally grants the press no right to information about a trial superior to that of the general public. "Once beyond the confines of the courthouse, a news-gathering agency may publicize, within wide limits, what its representatives have heard and seen in the courtroom. But the line is drawn at the courthouse door; and within, a reporter's constitutional rights are no greater than those of any other member of the public." *Estes v. Texas*, 381 U.S. 532, 589 (1965) " thus inversely declaring the publics equal right to the court records.

Defendants agree that in the case, "*FTC v. Standard Financial Management*, the court held that the press was entitled to access sworn personal financial statements of the two principals of a closely-held corporation, statements on which the Federal Trade Commission (FTC) relied in agreeing to a settlement that would fall far short of what would be needed to make the affected consumers whole. *Id.*, 830 F.2d at 406. In finding that the public should have access to the personal financial statements, the court rejected the appellants' privacy argument, finding instead that the appellants waived privacy by choosing to submit the documents to the FTC as part of the settlement process and further, that releasing the documents had worked to their advantage in persuading the FTC to agree to a desirable settlement. The appellants were not then entitled to argue that "some general notion of fairness requires the settlement to be made public but the documents to be locked away." *Id.* at 412...."

We disagree on the interpretation and therefore again find a compelling First Circuit opinion that the provision of documents in this litigation voids the parties right to privacy. This has the direct inference that once the plaintiffs have sought redress of their concerns in a US District court that their private interests were voided by choice of the Plaintiffs.

Therefore defendants would ask the court to conclude that the Plaintiffs assertion that "Unlike the appellants in *Standard Financial Management*, Plaintiffs 3ABN and Danny Shelton have never chosen to waive their privacy interests..." Is clearly defective as the simple decision to seek redress in the US District Court constituted a waiver of His and the Other Plaintiffs privacy interests. That is if, in fact, a 501c-3 Media Entity and the very Public figures that manage and are broadcast to the entire world of satellite TV viewers can have a privacy interest at all as it relates to the issues in contention. The Plaintiffs seem concerned that "...Without impounding these documents, this Court's judicial record will become an unwitting tool that Defendants will use to spread their lies." While by their declaration the information contentiously characterized as "lies" and which the defendants state as the truth, has been and remains available for public scrutiny, the further availability in the US District Courts office is not a basis for assumption that further damage is possible or a remotely constitutional assumption.

Defendants will argue that the Plaintiffs have sought impoundment lightly in violation of the Courts own Rule 7.2 and in violation of the defendants First Amendment rights. Clearly the Plaintiffs have requested impoundment as a means of hiding this dispute, or the facts which underlie it, from a very discerning public with a common law right to know..

Plaintiffs have not demonstrated that impoundment would prevent further irreparable injury as the Plaintiffs affidavit fails to identify a cause and effect relationship between Mollie Steensons assertion that Plaintiffs saw a significant decline in contributions in June 2006 when the defendants reporting did not begin until September 2006. Defendant Joy's webpages were not developed until mid- January 2007. This is only a single example of the Plaintiffs clearly deficient case. Defendants will assert that in fact the Plaintiffs own actions, and or the actions of others with whom the Plaintiffs contracted were the cause and effect and Defendants merely reported and disseminated the Plaintiffs deficient actions, as did thousands

of other SDA's. Defendants merely exercised their constitutional rights as preserved within the First Amendment. Therefore, there would be no legal, economic or logical basis for an unconstitutional impoundment.

In fact the redacted exhibits, unlawful in their own right, do not specifically support the affiants claims for various reasons, not the least of which, they either fail to show that defendants caused the contributor to stop contributing because of the defendants actions. They also fail to establish that the parties complaining were contributors at any time. In addition, the fact that names are redacted leaves the defendants without any basis to determine if they are impeachable, as they could be Plaintiffs' sympathizers simply planting complaints or the Plaintiffs utilizing pseudonyms in support of the Plaintiffs affidavits, a legitimate concern that the defendants would not dare eliminate from feasibility for the Plaintiff Danny Lee Shelton, based upon assertion of various victims during his administration.

The defendants further clarify the deficiency of the Plaintiffs claims as the reporting of the actions of the Plaintiffs, as news release after news release and webpage after webpage reports the actual actions based upon the reports of Plaintiffs, other witnesses, the actual documented e-mails or correspondence between Plaintiffs and victims. Therefore, it is clearly the actions of the Plaintiffs that have resulted in any claimed loss of goodwill within the Seventh-day Adventist Community. But the most egregious breach of any clear cause and effect is demonstrated in the simple fact that the Plaintiffs have failed to demonstrate any connection between postcards mailed and the defendants. And defendants have clearly asserted that they have not mailed post cards of any kind, regardless of the defendants clear constitutional right to do so.

The Plaintiffs assertion that it was the defendants reporting alone that would result in loss of confidence of churches, conferences, unions, divisions and even the world-wide General Conference of Seventh-day Adventists have little real or factual understanding of the representative governance of the various administrative entities. Unlike the 3ABN autocracy with its mere 13 member constituency / board of directors handpicked by Danny Lee Shelton, and ejected at will by Danny Lee Shelton, the church's administrative entities have accountability to hundreds, thousands, tens of thousands, hundreds of thousands and even millions within the General Conference congregations. They are well known for adhering to the counsel of many principle as the General Conference Executive Committee consists of more than three hundred members and other entities have executive committees that even at the state conference level exceeds by more than double the size of the 3ABN Board of directors. Every administrative entity also has lay advisory committees, an Association Board which directly represents the various church companies within the entity, and a variety of special constituencies that are variously represented by nominated and elected leaders within each level of church leadership. As in any bureaucracy of this width and depth, no decision is entered into lightly or easily without careful consideration of the issues and concerns represented by the decision or action of the brethren. Further, The Illinois State Conference President serves upon the 3ABN Board, ex-officio. Therefore, simply a "no-body" like the Plaintiff Gailon Arthur Joy, as described by the Plaintiff Danny Lee Shelton, reporting and exhibiting documents could not possibly get an entire world-wide congregation to moratorium an independent international media giant and supporting ministry of the Seventh-day Adventist Church that has been a long-time member and beneficiary of the General Conferences' ASI grant programs, without more than alleged "lies" and "innuendos" as the foundation for church leaderships actions. And most importantly, the Plaintiffs have not established a relationship between the church administrations actions and the defendants reporting, other than the wild and reckless assertion of Plaintiffs and their counsel.

The Plaintiffs would assert: "C. The fact that statements made during the course of a judicial proceeding are privileged will embolden Defendants and leave Plaintiffs without recourse."

The Plaintiffs would seem to assert as infamy the premise that statements made during the course of judicial proceedings are somehow privileged and therefore they assert the reporting of these statements would leave the Plaintiffs without recourse. Defendants will repeat that in *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978) the Supreme Court clarified unequivocally that "in *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469 (1975) ...Our decision in that case merely affirmed the right of the press to publish accurately information contained in court records open to the public. Since the press serves as the information-gathering agent of the public, it could not be prevented from reporting what it had learned and what the public was entitled to know. *Id.*, at 491-492. and in *FTC v. Standard Financial Management*, the court held that the press was entitled to access sworn personal financial statements of the two principals of a closely-held corporation, statements on which the Federal Trade Commission (FTC) relied in agreeing to a settlement that would fall far short of what would be needed to make the

affected consumers whole. Id., 830 F.2d at 406. In finding that the public should have access to the personal financial statements, the court rejected the appellants' privacy argument, finding instead that the appellants waived privacy".

Therefore, Defendants would agree the Plaintiffs are left without recourse and constitutionally so. However, once again the Plaintiffs express concerns regarding "libelous statements" but have yet to demonstrate that any statement in fact has or will meet the test of libel. Defendants are clearly constitutionally protected by the First Amendment and Plaintiffs are left to their proof that their own wild, unsupported and reckless allegations of libelous statements in fact can be supported at bar. Plaintiffs have spent a great deal of time and effort to claim a defamatory purpose in the process of "indicting" Danny Lee Shelton to the public. The simple act of indicting or accusing a public figure and this supporting ministry President with wrongdoing, when he is the acknowledged face of Seventh-day Adventism to the entire world, is no more defamatory than the public life of the President himself. It is not defamatory to simply report the documented factually deficient statements of the Plaintiffs and the responses of accusers and witnesses. It is, in fact, the constitutional exertion of the freedom of the press.

Plaintiffs also assert: "D. The public interest in this case does not tip the scales in favor of public access." And again the Plaintiffs seek to pretend that the public has no right of access to court files when it is clearly established case-law that the public has an equal right to access to the court records as would any reporter or other party in interest. "The First Amendment generally grants the press no right to information about a trial superior to that of the general public." NIXON v. WARNER COMMUNICATIONS, INC., 435 U.S. 589 (1978) Page 435 U.S. 589, 610

The plaintiffs also claim that the 3ABN is an Illinois non-profit corporation, but it is also a federally recognized public 501c-3 non-profit that solicits every dime of support from the public arena, largely from the pews of the Seventh-day Adventist churches. It cannot claim to be a private foundation and in fact its Annual reports to the Internal Revenue Service via the 990s clearly demonstrate its public educational and religious charity and not a private foundation status. The Plaintiff's own Chairman has repeatedly claimed the ministry is open and transparent in keeping with its very public charter, a fallacy at best. Therefore, they are not entitled to privacy as any contributor of sums in excess of \$70.00 has the right to go to 3ABN and to ask to have the books of accounts and records of meetings made available for public inspection.

Further, the status in Illinois of the corporation as a tax exempt organization is currently denied for property tax purposes and is under appeal. Therefore, since the vast majority of funds to support this public non-profit come from the members of the Seventh-day Adventist churches, the contributing members have become defacto the stockholders in the pews with all the rights of a contributor to any public charity to enable donors to make informed choices. And they have an intrinsic right to be informed of issues relating to corporate governance as well as the distribution of funds given to this very public ministry. This is clearly established in two Illinois cases that wound their way into the US Supreme Court: SCHAUMBURG v. CITIZENS FOR BETTER ENVIRONMENT., 444 U.S. 620 (1980) Page 444 U.S. 620, 638 : "Efforts to promote disclosure of the finances of charitable organizations also may assist in preventing fraud by informing the public of the ways in which their contributions will be employed. [Footnote 12] Such measures may help make contribution decisions more informed, while leaving to individual choice the decision whether to contribute to organizations....."

This is reinforced on a certiorari from the Illinois Supreme Court ILLINOIS ex rel. MADIGAN, ATTORNEY GENERAL OF ILLINOIS v. TELEMARKETING ASSOCIATES, INC., et al. "(d) Given this Court's repeated approval of government efforts to enable donors to make informed choices about their charitable contributions, see, e.g., Schaumburg, 444 U. S., at 638, almost all States and many localities require charities and professional fundraisers to register and file regular reports on their activities.... These reports are generally available to the public and are often placed on the Internet. Just as government may seek to inform the public and prevent fraud through such requirements,.... these limitations do not disarm States from assuring that their residents are positioned to make informed choices about their charitable giving. Pp. 19-21."

Plaintiffs also seek proof that the defendants meet some imaginary test of being a reporter. In fact, there is no test of being a reporter. Anyone can in fact become a reporter by simply picking up a pen or pencil, asking questions and reporting the answers. In fact both defendants have extensive background in ecclesiastical reporting and journalism. The defendant Joy has been an established ecclesiastical reporter for more than two decades and is published. Defendant Pickle is also established as a published ecclesiastical reporter and ecclesiastical apologist for more than a decade. At all times relating to this investigative reporting the Plaintiff Gailon Arthur Joy has clearly identified himself as AURreporter, an abbreviation for what began as Atlantic Union Reporter nearly two decades ago.

The issue of credentialing journalists or reporters was addressed by the U.S. Supreme Court in its 1972

decision *Branzburg v. Hayes*. "The administration of a constitutional newsman's privilege would present practical and conceptual difficulties of a high order," wrote Justice Byron White. "Sooner or later, it would be necessary to define those categories of newsmen who qualified for the privilege, a questionable procedure in light of the traditional doctrine that liberty of the press is the right of the lonely pamphleteer who uses carbon paper or a mimeograph just as much as of the large metropolitan publisher who utilizes the latest photocomposition methods." And Justice White added: "Freedom of the press is a 'fundamental personal right' which 'is not confined to newspapers and periodicals. It necessarily embraces pamphlets and leaflets. ... The press in its historic connotation comprehends every sort of publication which affords a vehicle of information and opinion.' ... The informative function asserted by representatives of the organized press in the present cases is also performed by lecturers, political pollsters, novelists, academic researchers, and dramatists." Therefore, Plaintiffs attempt to impose such a test is profound and an example of their improper conduct resonant in this action.

CONCLUSION: The Plaintiffs seek a Blanket Impoundment in violation of Local Rule 7.2 to include Pleadings as well as discovery. Plaintiffs proposed order grants the Plaintiffs the extraordinary position of intercepting and trying to alter the pleadings of the Defendants, a clear over-step of the rule, and could prove burdensome to the court as every pleading would become a motion battleground with the clear intent to impede the defendants right to amend answers, to add Affirmative Defenses, to state Counterclaims, to file Motions and even to impede the addition of parties. Further the Plaintiffs proposed order would even seek to control the flow of documents entered in this courts records to be utilized in any other case and to even interfere with the subpoena power of other jurisdictions. These outrageous proposals could also most certainly spawn numerous time consuming appeals. Further the procedures outlined could be abused to add unnecessary costs to the defense of this action.

Simply put, Plaintiffs Motion and Proposed Order seeks insidious violation of the Local Rule 7.2 by imposing an Alternative Blanket Impoundment under the pseudonym "Standing Order", "Automatic Temporary Impoundment", "Continued Application", and Application of Order in Context with Other Actions that is designed to be oppressive and restrictive of the Plaintiffs rights, the rights of other jurisdictions and abuses the clear Local Rule 7.2 of this Honorable Court.

The right of public access to the court record is implicit and inviolate in the Constitution, in common law, and in caselaw. Impoundment of this case runs contrary to the Local Rule 7.2, is unconstitutional as a violation of the First Amendment right of Freedom of the Press, Free Speech, the Freedom to practice of our own religion, violates the common law of public access, and is unsupported by caselaw, particularly in the First Circuit. Therefore the Plaintiffs Motion for Permanent Impoundment must be denied.

Dated: June 7, 2007

Respectfully Submitted:

By Gailon Arthur Joy
Defendant, Pro Se

CERTIFICATE OF SERVICE

I, Gailon Arthur Joy, do certify that I have this day served a copy of the foregoing document, along with any attachments, on Plaintiffs 3ABN and Danny Shelton by mailing same, first class postage prepaid to their attorneys of record, John P. Pucci, Esq., J. Lizette Richards, 64 Gothic Street, Northampton, MA 01060

Dated: June 7, 2007

Attachment #2 Proposed Order Denying Permanent Impoundment"

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

Three Angels Broadcasting Network, Inc.,
an Illinois non-profit corporation, and
Danny Lee Shelton, individually, Case No. 07-40098FDS

Plaintiffs,
V.

Gailon Arthur Joy and Robert Pickle,

Defendants.

ORDER DENYING IMPOUNDMENT OF PLEADINGS

The right of public access to the court record is implicit and inviolate in the Constitution, in common law, and in caselaw. Impoundment of this case runs contrary to the Local Rule 7.2, is unconstitutional as a violation of the First Amendment right of Freedom of the Press, violates the common law of public access, and is unsupported by caselaw, particularly in the First Circuit.

The Plaintiffs seek a blanket Impoundment in violation of Local Rule 7.2 to include pleadings as well as discovery. Plaintiffs proposed order grants the Plaintiffs the extraordinary position of intercepting and trying to alter the pleadings of the Defendants, a clear over-step of the rules and could prove burdensome to the court as every pleading would become a motion battleground with the clear intent to impede the defendants right to amend answers, to add Affirmative Defenses, to state Counterclaims, to file Motions and even to impede the addition of parties. Further the Plaintiffs proposed order would even seek to control the flow of documents entered in this courts records to be utilized in any other case and to even interfere with the subpoena power of other jurisdictions. These outrageous proposals could also most certainly spawn numerous time consuming appeals. Further the procedures outlined could be abused to add unnecessary costs.

Simply put, Plaintiffs Motion and Proposed Order seeks insidious violation of the Local Rule by imposing an alternative Blanket Impoundment under the pseudonym "Standing Order", "Automatic Temporary Impoundment", "Continued Application", and Application of Order in Context with Other Actions that is designed to be oppressive and restrictive of the Plaintiffs rights, the rights of other jurisdictions and abuses the clear Local Rule 7.2 of this Honorable Court.

Therefore the Plaintiffs Motion for Permanent Impoundment is denied.

To Gailon Arthur Joy, P.O. Box 1425, Sterling, Ma 01564

Attachment #3 "Notice of Appearance Pro Se"

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Three Angels Broadcasting Network, Inc., Case No, : 07-40098-FDS
an Illinois non-profit corporation, and
Danny Lee Shelton, individually,

Plaintiffs,
Notice of Appearance Pro Se
v.

Gailon Arthur Joy
and Robert Pickle,

Defendants.

Now comes the defendant, Gailon Arthur Joy, AUREporter, before this Honorable Court and enters his appearance Pro Se.

I would ask the Court and all Parties to send all pleadings and orders entered herein to him at

Gailon Arthur Joy
P. O. Box 1425
Sterling, Ma 01564 - 1425
Phone: 508-414-3267
Fax: 578-422-0439
E-Mail: Gabbjoy4@comcast.net

Respectfully submitted:

Gailon Arthur Joy
AUREporter

Dated: June 7, 2007

Posted by: ex3ABNemployee Jun 21 2007, 08:04 PM

QUOTE(sonshineonme @ Jun 21 2007, 08:36 PM)

UPDATE - THE LAWSUIT CASE HAS BEEN UNIMPOUNDED

Can't wait to see the docs. Sounds like it's going to be an interesting read.

Steffan? Any comment?

Posted by: Rosyroi Jun 21 2007, 08:30 PM

I Rosyroi on this day of June 21, 2007, truthfully swear on a Bible that I had never been influenced by the website <http://www.save3abn.com> to discontinue contribution to the 3ABN coffers.

I swear that it was Danny L. Shelton's own voice on world wide television who influenced my decision to stop contributions to 3ABN.

I swear that the non-disclosing responses to my email questions made my decision to stop contribution to 3ABN. (Due to the letters sent out to heavy contributors making derogatory and false statements made to make Linda Shelton appear to be a bad person)

What I read on <http://www.save3abn.com> only confirmed my concerns about 3ABN not being fully transparent.

Rosyroi

signed Rosyroi a former shareholder in the pew.

Posted by: Richard Sherwin Jun 21 2007, 08:38 PM



QUOTE(Rosyroi @ Jun 21 2007, 10:30 PM) □

I Rosyroi on this day of June 21, 2007, truthfully swear on a Bible that I had never been influenced by the website <http://www.save3abn.com> to discontinue contribution to the 3ABN coffers.

I swear that it was Danny L. Shelton's own voice on world wide television who influenced my decision to stop contributions to 3ABN.

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Rosyroi
signed Rosyroi a former shareholder in the pew.

Posted by: runner4him Jun 21 2007, 08:46 PM

QUOTE(Rosyroi @ Jun 21 2007, 09:30 PM) □

I Rosyroi on this day of June 21, 2007, truthfully swear on a Bible that I had never been influenced by the website <http://www.save3abn.com> to discontinue contribution to the 3ABN coffers.

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What I read on <http://www.save3ABN.com> only confirmed my concerns about 3ABN not being fully transparent.

Rosyroi
signed Rosyroi a former shareholder in the pew.

You read my mind.....that was exactly my response...the remarriage and comments of DS, the condemning letter against LS....and all the e-mail responses raised the questions and ultimately made up my mind. The documents I read on save3abn came after and confirmed it for me.

I heard we should expect the "rest of the story" to be posted on save3abn sometime tomorrow.

Posted by: steffan Jun 21 2007, 09:06 PM

QUOTE(ex3ABNemployee @ Jun 21 2007, 09:04 PM) □

Can't wait to see the docs. Sounds like it's going to be an interesting read.

Steffan? Any comment?

Certainly. The attorney's had already advised 3abn months ago that their request for a "blanket" impoundment would almost certainly be denied. That request was just one of many that moves them toward litigation. Some will be granted, some will be denied. It is all a part of the procedures to come.

Posted by: Richard Sherwin Jun 21 2007, 09:29 PM

To ask for any impoundment is counter to what 3abn claims they want, which is the truth. They said "we want to get the truth out, now impound the documents". Ya that makes sense. Seem they don't wan the truth out so much as they want to silence their critics. Spin anyone? Ho hum....same old same old.

Richard

QUOTE(steffan @ Jun 21 2007, 10:06 PM) □

Certainly. The attorney's had already advised 3abn months ago that their request for a "blanket" impoundment would almost certainly be denied. That request was just one of many that moves them toward litigation. Some will be granted, some will be denied. It is all a part of the procedures to come.

Posted by: PeacefullyBewildered Jun 21 2007, 09:53 PM

QUOTE(steffan @ Jun 21 2007, 07:06 PM) □

Certainly. The attorney's had already advised 3abn months ago that their request for a "blanket" impoundment would almost certainly be denied. That request was just one of many that moves them toward litigation. Some will be granted, some will be denied. It is all a part of the procedures to come.

steffan,

Welcome back.

I am curious to know how it is you know what the attorneys advised 3abn months ago. What is your source for this information? I know you profess to be in a unique position of knowledge, but how are we to give your statement much credibility when 3abn Board Chairman Walt Thompson said this about you:

----- Original Message -----

From: Walt Thompson
To:
Sent: Monday, June 11, 2007 6:57 AM
Subject: Re: Statement regarding 3abn/AF merger

Thanks,

No, Steffan does not represent 3abn or Danny. He is not in a position of authority to know what is going on. While I do not know a lot about the relationship between Doug and the President of the conference, this is certainly not the reason 3abn and AF are negotiating.

I appreciate your interest and heads up!

Walter Thompson MD

<http://www.blacksda.com/forums/index.php?s=&showtopic=13784&view=findpost&p=199417>

Now, if you have some means of establishing your credibility as one who truly does have inside information, I would urge you to provide that so that your input can be given the proper weight and respect it may deserve.

Posted by: roxe Jun 21 2007, 09:55 PM

QUOTE(sonshineonme @ Jun 21 2007, 06:36 PM)

UPDATE - THE LAWSUIT CASE HAS BEEN UNIMPOUNDED

In the matter of 3ABN & Danny Lee Shelton, Individually -vs- Gailon Arthur Joy and Robert Pickle:
Judge Saylor Vacated the Temporary Impoundment and all docs will be available on Pacer as soon as the clerk gets them into the system. There were no restrictions outside the current Fed Rules of Civil Procedure and the Local Rules of US District Court of Massachusetts.

praise God from whom all blessings flow

Posted by: mikell Jun 22 2007, 02:49 AM

Whatever Steffan says, sadly might be miss information. Just look what he posted to me not to long ago, "Linda pushed for the jet plane" And "3ABN never had two jet planes," Well, according to Beartrap post on 6/12/07 that, "Steffan"... infers that Linda was the biggest proponent of getting the Cessna. It would NEVER have happened without Danny's desire and approval. He [Steffan] also indicates that the Diamond was sold and then (after the sale) the Cessna was leased by someone else. This would not be true. I personally used both of them for a long time. They were used simultaneously by Danny and 3ABN for a long period of time."


So, what ever Steffan is trying to pass himself off to be the great insider of 3ABN knowing all things, such as with Linda and the planes? Notice what PeacefullyBewildered just wrote and asks:

"I am curious to know how it is you know what the attorneys advised 3abn months ago. What is your source for this information? I know you profess to be in a unique position of knowledge, but how are we to give your statement much credibility when 3abn Board Chairman Walt Thompson said this about you:"

From: Walt Thompson....

"No, Steffan does not represent 3abn or Danny. He is not in a position of authority to know what is going

on. While I do not know a lot about the relationship between Doug and the President of the conference, this is certainly not the reason 3abn and AF are negotiating."

PeacefullyBewildered asked a very good question, and there could be a good answer. It just be interesting to hear, ha more like see it. 

Posted by: Pickle Jun 22 2007, 10:13 AM

And if you want to see the lawsuit itself, take a look at <http://www.save3abn.com/3abn-and-danny-v-joy-and-pickle-complaint.htm>.

One thing I found intriguing about the lawsuit is 3ABN's claim in it that it is a non-denominational organization not affiliated with any church, denomination, or organization, and that it preaches a non-denominational message.

Are we to take this as an announcement from 3ABN that it is severing its ties from the GC, which it has had since 1997, that it is severing its ties with ASI, and that it is abandoning its preaching of the three angels' messages? Or is this an attempt to convince the court that concerned Seventh-day Adventists have no basis for asking questions?

Posted by: PeacefullyBewildered Jun 22 2007, 10:21 AM

Good questions, Bob.

I am quite upset that the lawsuit avoids the TS allegations!

Posted by: mikell Jun 22 2007, 10:44 AM


Yes Bob, that was a VERY good question, I just wish every Seventh day Adventist can see your question!


Posted by: Rosyroi Jun 22 2007, 10:51 AM


QUOTE


One thing I found intriguing about the lawsuit is 3ABN's claim in it that it is a non-denominational organization not affiliated with any church, denomination, or organization, and that it preaches a non-denominational message.

And the name of the organization is "*Three Angels Broadcasting Network*"?

If they are not affiliated with any church, denomination, or organization and that it preaches a non-denominational message then why are they doing and talking like they are affiliated with the Seven-day Adventist church on world wide television, on satellites and cable televisions? 

That remark should be shouted to all the world to see how 3ABN claims it's affiliation with the SDA church! (And in the court of law???) Such a mockery! 

I may be out of line with this questioning or remarks or the question may have been unnecessary but it was JMHO. 

Rosyroi  (former supporter of 3ABN)

Posted by: LadyTenor Jun 22 2007, 11:04 AM

If it walks like a duck, quacks like a duck...it just might be a cat.....

Posted by: calvin Jun 22 2007, 11:18 AM

QUOTE(Pickle @ Jun 22 2007, 10:13 AM)

And if you want to see the lawsuit itself, take a look at <http://www.save3abn.com/3abn-and-danny-v-joy-and-pickle-complaint.htm>.

One thing I found intriguing about the lawsuit is 3ABN's claim in it that it is a non-denominational organization not affiliated with any church, denomination, or organization, and that it preaches a non-denominational message.

Are we to take this as an announcement from 3ABN that it is severing its ties from the GC, which it has had since 1997, that it is severing its ties with ASI, and that it is abandoning its preaching of the three angels' messages? Or is this an attempt to convince the court that concerned Seventh-day Adventists have no basis for asking questions?

I find this to be a very brazen statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wakeup call to Amazing Facts and any financial contributor.

I guess this is just more legal maneuvering. But to make statements like we preach a non-denominational message is a lie.

Posted by: Richard Sherwin Jun 22 2007, 11:29 AM

Starting to sound like the Radio Church of God, a church that grew out of a radio ministry, becoming the World Wide Church of God. And when it's founder died the church imploded. My aunt was a member.

It has a lot of the hall marks of a church. It accepts tithes. It has it's charismatic leader, it's own ministry, it's own rules, (or lack thereof), it's own compound, (shades of Waco?). Scary. I know of people who regard Danny as almost a messianic figure and quote him more than they do the Bible or EGW. Double scary. And 3abn even takes their own church members to court. Sad.

Richard

QUOTE(Rosyroi @ Jun 22 2007, 12:51 PM)

And the name of the organization is "*Three Angels Broadcasting Network*"?

If they are not affiliated with any church, denomination, or organization and that it preaches a non-denominational message then why are they doing and talking like they are affiliated with the Seven-day Adventist church on world wide television, on satellites and cable televisions?

That remark should be shouted to all the world to see how 3ABN claims it's affiliation with the SDA church! (And in the court of law???) Such a mockery!

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Rosyroi (former supporter of 3ABN)

Posted by: Pickle Jun 22 2007, 11:31 AM

QUOTE(calvin @ Jun 22 2007, 12:18 PM)

I find this to be a very brazen statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wakeup call to Amazing Facts and any financial contributor.

I guess this is just more legal maneuvering. But to make statements like we preach a non-denominational message is a lie.

Like I said awhile back, Calvin, there was a bombshell in the lawsuit.

Now the most charitable way to look at it, or maybe the most naive, is that the lawyers goofed, and nobody from 3ABN caught the goof.

Posted by: Richard Sherwin Jun 22 2007, 11:31 AM

Calvin maybe it's not a lie anymore....

QUOTE(calvin @ Jun 22 2007, 01:18 PM)

I find this to be a very brazen statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wakeup call to Amazing Facts and any financial contributor.

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Posted by: Observer Jun 22 2007, 11:35 AM

QUOTE(calvin @ Jun 22 2007, 10:18 AM)

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Take a look at the following taken directly from the Plaintiff's Complaint, page 3, paragraph 12:

QUOTE

Since its inception, Shelton and 3ABN have worked tirelessly to promote 3ABNs ministry and to spread its unique, non-denominational "Return to God" message.

Folks the several hundred pages of legal documents now posted contain interesting material.

Some of us may now see why 3-ABN did not want these documents available for public view. But, the idea that in the so-called "information age" anything (other than the formula for Coka Cola) could be kept secret is unreality.

Posted by: Rosyroi Jun 22 2007, 11:41 AM

QUOTE(steffan @ Jun 21 2007, 07:06 PM)

Certainly. The attorney's had already advised 3abn months ago that their request for a "blanket" impoundment would almost certainly be denied. That request was just one of many that moves them toward litigation. Some will be granted, some will be denied. It is all a part of the procedures to come.

My question is then "Why request for an impoundment in the first place?"

-----edited for content-----

Rosyroi

Posted by: Observer Jun 22 2007, 11:47 AM

QUOTE(Observer @ Jun 22 2007, 10:35 AM)

Take a look at the following taken directly from the Plaintiff's Complaint, page 3, paragraph 12:

Folks the several hundred pages of legal documents now posted contain interesting material.

Some of us may now see why 3-ABN did not want these documents available for public view. But, the idea that in the so-called "information age" anything (other than the formula for Coka Cola) could be kept secret is unreality.

Much ado has been made in regard to trademarks and copy right.

In the Complaint, we are told that 3-ABN was first issued a trademark (Registration # 2895078, class 009, 016, 038 & 041) for the trademark "3ABN," that they had used since January 1985! See page 4 paragraph # 16. Other registrations took place on May 25, 2004, March 23 2004, April 20, 2004, and ` June 28, 2004. For those see pages 5 & 6, paragraphs 17 - 20.

It seems that in 2004 there was a real (emergency?) effort to effect the registrations. I wonder why at that time. What event brought this about?

Posted by: PeacefullyBewildered Jun 22 2007, 11:51 AM

QUOTE(calvin @ Jun 22 2007, 09:18 AM)

I find this to be a very brazen statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wakeup call to Amazing Facts and any financial contributor.

I guess this is just more legal maneuvering. But to make statements like we preach a non-denominational message is a lie.

I agree, Calvin. It is very brazen *and* troubling. It makes me wonder if steffan was correctly representing the 3abn view after all when he posted the following on "The Truth in a Nutshell:

QUOTE

"Rosy, in your earlier post you say you feel I am not always honest in my answers. I take issue with that. I have no reason at all not to be honest. I am a christian (as I assume you are) and would not intentionally nor unintentionally try to deceive anyone. I happen to be in a unique situation where I know more than the average person. When I speak, I speak from what I know, have seen and checked out. As far as AF is concerned, Danny & Doug usually talk at least once a week and they are the only 2 at this point that know what is happening and the when's and why's. Remember, Doug wants even more independance in his independant ministry. Jim P. is conference. Do you see any signals yet? Doug and Jim might not totally see eye to eye on the exact details of the merger. The conference obviously would not want to lose their connection with AF that they have now." <http://www.blacksda.com/forums/index.php?s...st&p=199350>

Of course we do have Walt Thompson's rebuttal of that <http://www.blacksda.com/forums/index.php?s=&showtopic=13784&view=findpost&p=199417> but the above statements bring that rebuttal into some question.

Posted by: Rosyroi Jun 22 2007, 12:05 PM

Calvin

Less boring, more entertaining now?

Rosyroi

Posted by: Richard Sherwin Jun 22 2007, 12:17 PM

Even in these early postings we are seeing the lawsuit backfire. Danny, Walt, 3ABN and their big supporters will rue the day they considered a lawsuit against the truth. May God have mercies on their souls.

Posted by: Clay Jun 22 2007, 12:53 PM

non-denominational.... interesting.... and all this time the 3ABN crew has been appealing to local churches for support.... did the members know that they were supporting a non-denominational ministry? probably not.... alot of people have been punk'd.....

Posted by: LaurenceD Jun 22 2007, 01:31 PM

QUOTE(steffan @ Jun 21 2007, 10:06 PM)

Certainly. The attorney's had already advised 3abn months ago that their request for a "blanket" impoundment would almost certainly be denied. That request was just one of many that moves them toward litigation. Some will be granted, some will be denied. It is all a part of the procedures to come.

heh! heh!

Next time tell us a little in advance, that way we'd be 110% more impressed. Also give credit to God, if you're able, as many were praying it would be lifted. Now your board members can read the court document and see the kind of childish suite they actually approved.

I'll have to give the plaintiff's attorneys a high five, they played DS like a kitten. Of course they smelled the \$kitty\$.

BTW, I heard DS the other night saying 3abn was operating on a shoe string budget, and he told his TV audience "we could use millions" in donations right now. Far different than what he was saying earlier this year...that support has never been better. Just the other face I suppose.

Posted by: Pickle Jun 22 2007, 01:56 PM

QUOTE(Observer @ Jun 22 2007, 12:47 PM)

It seems that in 2004 there was a real (emergency?) effort to effect the registrations. I wonder why at that time. What event brought this about?

Observer, thanks for observing. I missed that one.

Posted by: caribbean sda Jun 22 2007, 02:17 PM

QUOTE(Clay @ Jun 22 2007, 02:53 PM)

non-denominational.... interesting.... and all this time the 3ABN crew has been appealing to local churches for support.... did the members know that they were supporting a non-denominational ministry? probably not.... alot of people have been punk'd.....

i would have to agree with you there...but I am sure that 3ABN will have a lovely spin to put on this...

Posted by: princessdi Jun 22 2007, 03:54 PM

That's what I mean, all that convenient switchin' form one thing to another.....On TV we are a ministry, when you want to kick your wife to the curb without paying her fair share of the ministry you started together, then you are a buisness and she is just an employee. On TV be unadulterated SDA, preaching the pure, undiluted 3 Angel's Message. In court, you are non-denominational.....See how that work?

QUOTE(Clay @ Jun 22 2007, 10:53 AM)

non-denominational.... interesting.... and all this time the 3ABN crew has been appealing to local churches for support.... did the members know that they were supporting a non-denominational ministry? probably not.... alot of people have been punk'd.....

Posted by: PeacefullyBewildered Jun 22 2007, 08:02 PM

QUOTE(Clay @ Jun 22 2007, 10:53 AM)

non-denominational.... interesting.... and all this time the 3ABN crew has been appealing to local churches for support.... did the members know that they were supporting a non-denominational ministry? probably not.... **alot of people have been punk'd.....**

Clay,

This bears repeating!

QUOTE(calvin @ Jun 22 2007, 09:18 AM)

I find this to be a very brazen statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wakeup call to Amazing Facts and any financial contributor.

I guess this is just more legal maneuvering. But to make statements like **we preach a non-denominational message** is a lie.

Calvin,

I wonder what the GC thinks about this?

Posted by: princessdi Jun 22 2007, 08:39 PM

I am really thinking that this, little tidbit, if not THE reason for the records being sealed, is in the top two. Everyone of "us"(Adventist and everyone else) believing that their doctrine is Advnetist doctrine. We did n't assume that, they said that!.....but wait a minute come to think of the, they really don't make that claim especially in ther little station identification...they just say they preach the three angels message.....Which is a definite 'assumed" affiliation with the SDA church, but they can say that didn't claim to be an Adventist network/ministry. Shady, just shady!

Whoever's watch it is at GC to look in at BSDA, it's time to cut that cord guys...looks like they already have the scissors in hand.

Posted by: Shepherdswife Jun 22 2007, 08:46 PM

QUOTE(LaurenceD @ Jun 22 2007, 03:31 PM)

BTW, I heard DS the other night saying 3abn was operating on a shoe string budget, and he told his TV

audience "we could use millions" in donations right now.

he'd better go ask his non-denominational, Sabbath-keeping, undiluted three angels messages, vegetarian churches for the money...

Posted by: SoulEspresso Jun 22 2007, 08:49 PM

QUOTE(Richard Sherwin @ Jun 22 2007, 11:17 AM)

Even in these early postings we are seeing the lawsuit backfire. Danny, Walt, 3ABN and their big supporters will rue the day they considered a lawsuit against the truth. May God have mercies on their souls.

.. if God has a strong enough stomach.

Seriously, if this goes badly enough for them, maybe they'll come to Jesus ... for the first time? If they've been taking His Name in vain all this time ...

Posted by: Ralph Jun 22 2007, 10:16 PM

QUOTE(sonshineonme {quoting Gailon Joy} @ Jun 21 2007, 07:36 PM)

After carefully discussing trial strategy, we made the determination there would be the potential for serious conflicts as we progressed and added parties, etc. Therefore, I opted to enter my appearance Pro Se and manage my own case in concert with Defendant Pickles counsel.

One lawyer described Pro Se this way, "He who is his own lawyer has a fool for a client." Even if it is in concert with Defendant Pickle's counsel, it is worth remembering that two experienced lawyers will be representing the Plaintiffs.

Posted by: Fran Jun 23 2007, 12:44 AM

QUOTE

Since its inception, Shelton and 3ABN have worked tirelessly to promote 3ABNs ministry and to spread its unique, non-denominational "Return to God" message.

Excuse Me! Just when did this change take place? Last I heard it was, "Mending Broken People," not "Return to God!" Maybe the evidence that has been presented has revealed that in actuality 3ABN/Danny actually "Broke People" and caused this drastic change in Slogans?

I get it now! Danny is the self appointed Anointed One; it must be that we need to return to him?

QUOTE(calvin @ Jun 22 2007, 12:18 PM)

I find this to be a very **brazen** statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wake-up call to Amazing Facts and any financial contributor.

I guess this is just more legal maneuvering. But to make statements like we preach a non-denominational message is a lie.

Actually, Calvin, I believe "BRAZEN" is just the right word needed here!

Posted by: Fran Jun 23 2007, 04:00 AM

QUOTE(Pickle @ Jun 22 2007, 02:56 PM)

Observer, thanks for observing. I missed that one.

Bob!

This entirely my opinion.

Danny couldn't risk Linda registering 3ABN! He had to get it done BEFORE they divorced! He didn't dump her until he got it done. He sort of got the horse before the cart. Brenda told what she was told to tell, but Danny had to tie up those loose ends before he could get her out of the way.

Hey, why do we think Danny wanted Linda way away from 3ABN? Say for an additional 30 days? He would have NEVER let her come back as promised! They wanted her gone so they could take care of these issues.

This was part of Danny and Walt's PREPOSITIONING! It was ALL PREPLANNED. I have been saying that since I read the IL vs 3ABN Property Tax Lawsuit in 2004.

I heard that Linda had committed Adultery in March 2004! At that time, I am ashamed to say I believed it! That is, I believed it until I read that Property Tax Lawsuit! There was evidence in that lawsuit Danny was setting Linda up by bringing Linda's CD front and center, but lies about his books and CD's. Even that was Prepositioned and Preplanned! He did that on purpose way back then!

In 2003 the letter was received about Tommy. Linda had previously won in the decision to not have Tommy on the payroll. Oops here we go again! Danny does not loose to anyone over choices about his blood siblings!

This is what caused Danny and his close buddies to start praying for Linda's removal in 2003. A president can not be trumped by a VP/Wife! Never Again!

December came. The Doc comes to 3ABN to check out the ministry he has so strongly supported financially and meets Nathan and Linda and decided to help Nathan, Linda's (and supposedly Danny's) son! The Doc says he is a supporter. Danny checks the books and accuses the Doc of Lying! He can't find his name on the donor list. He soon finds out that 3ABN's data entry people mis-spelled his name! Danny embarrasses himself by accusing the innocent doc who was NOT lying!

Danny pitches a fit! There went Linda again, challenging his authority in these matters. She trumps him again and sends Nathan to Norway when Danny clearly said NO. In early Feb., Linda went to check on Nathan, and, of course, she takes her "Best" friend! (Yeah, Right-Not) They came home and the preplanned repositioning began!

Linda returned home. She and Danny traveled in that February, more than they had ever traveled in the history of 3ABN! Danny needed Linda to gather into the storehouse as much cash as possible before he dumped her!

Brenda Walsh takes her sweet time to reveal her lie. Why? It took that long for Danny to hit upon the perfect plan! He had to enlist support from his most loyal subjects. To bad, he was a day late and a \$ dollar \$ short. But it works with Kay Kuzma, Walt, and John Lomacang, all of Danny's recruited accomplices. Did they know? Or were they blinded by the stories from Danny, the anointed one?

Walt sends Linda a demand letter. Do this or else. If she had followed his instructions to perfection, she was NEVER to return to 3ABN!

Linda just would not co-operate! Danny had to actually divorce her through the courts in Guam so no one would know why he really dumped her. Oops, that did not work out either, did it?

It started with Tommy not being able to be hired because of Linda swaying the vote of the board. Danny could not let that ever happen again, EVER! His resentment grew exponentially!

To reinforce Brenda and his lie, he starts the horrible leaks of lies about Linda. Every word, every action is to trash Linda! It is working! People are sending in \$ Money \$ hand over fist! Danny's group announces that this is God blessing Danny and 3ABN for kicking out the bad seed. Yeah, sad huh. \$\$ gain by breaking his wife. Real manly like, right? This is how the self appointed, anointed one, works to increase his self image at the cost of others. Linda became his stomping stone.

To make thing work, Danny had to break a few others along the way. (Johann & Darrel to name only 2) Oh, well, the job had to be done, right? So the lies have to be covered. How did they do that? By continuing their slander, lies, and innuendo about Linda at any & every given opportunity and even to MAKING additional opportunities!

Now back to the IL vs 3ABN Property Tax Lawsuit. As I have shown from documented court documents, 3ABN/Danny had serious VALUATION PROBLEMS with assets & TRUST FUNDS. THEY WERE NOT FOLLOWING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES (GAAP)! The auditors wrote up 3ABN for NOT FOLLOWING GAAP! Then it goes on to write them up again for having serious problems with TRUST FUNDS and the VALUATION OF THOSE ASSETS AND TRUST FUNDS AND REAL PROPERTY. Oops. It is written up in actual court documents!

If you would go to the audits on the Attorney General's website you will find more current audits. Guess what! They are WRITTEN UP AGAIN ABOUT GAPP AND VALUATIONS! They didn't learn anything back in 2000 & 2001! As of that newer audit on the Attorney General's website, they STILL have TRUST ISSUES and VALUATION ISSUES AT 3ABN! Did I forget to mention Asset Valuation also?

In the Jan and Feb 2006, issue of AToday, there was an article called "3ABN Financial Irregularities." I provided Documented Court Documents to AToday. Yet, they said not one word about 3ABN's dealings with TRUST FUNDS OR VALUATIONS! I was irate and called them. I was informed that Walt Thompson admitted to AToday there were problems involving TRUST FUNDS and Walt asked AToday not to publish that because 3ABN was addressing that at that very

moment. WERE THEY?

Therefore, my statement that 3ABN STILL HAD TRUST FUND ISSUES STEMS FROM THAT KNOWLEDGE!

I started screaming in 2004. Why else would God have dropped that in my lap. About that time, I felt all my screaming was a failure, yet I kept on with my then hopeless screaming.

I have no desire to be in power or be in any lime light. I just wanted the truth to be known. When Joy and Pickle came along, I said my piece and shut up to let them tie all the loose ends. My job was over until Shiny Penny came along. She provided the platform for my information one last time.

Folks, God is in charge! I believe he is leading through Joy and Pickle. Both men have been trying to work with and for God, even though 3ABN says they are of the devil. I know where the devil has been working. Joy and Pickle are doing their earthly best to do God's will! Praise be to God!

Gailon Joy and Bob Pickle (Oops, sorry Robert) They got sued because they started telling the truth! I now see how trivial this lawsuit really is. I can't believe his lawyers even bothered with the suit! All I can say is all it did was hurt Danny/3ABN/The 3ABN Board and now Amazing Facts! It had to be for the \$\$\$ they stand to make from Danny/3ABN for this total nonsense.

I was told by someone very close to Doug that this lawsuit was a counter suit to a suit that Linda, Joy ,and Pickle filed against 3ABN/Danny! This does not look like a counter suit to me. Does it look like one to you? I wonder who started this lie?

Could it be that 3ABN is using this lawsuit to make it clear to the world that they ARE NOT SEVENTH-DAY ADVENTIST ANYTHING! Does this constitute breaking the 3ABN/SDA World Church Contract? It is so clear, it should cause that to happen fast!

Why the impounding? It was so 3ABN had time to finish their repositioning and preplanning. I believe there is another big, big bang coming soon! Keep praying for Joy, Pickle, and their workers. Satan has not given up by any means!

What's gonna happen when Danny figures out he could very possible be suing the wrong people?

Thank you for allowing me to VENT my opinions. These opinions are subject to change as Bob and Gailon continue to reveal the truth that God brings to them.

Oh, I almost forgot, The horse sales/cash donations show yet another instance of VALUATION PROBLEMS at 3ABN. Everything is relative to Danny's opinions! Oops again.

Posted by: runner4him Jun 23 2007, 04:58 AM

QUOTE(Shepherdswife @ Jun 22 2007, 09:46 PM)

He'd better go ask his non-denominational, Sabbath-keeping, undiluted three angels messages, vegetarian churches for the money...

Great post Shepherdswife! He is going to be looking for a long long time to find that church.

Posted by: PeacefullyBewildered Jun 23 2007, 05:38 AM

QUOTE(princessdi @ Jun 22 2007, 06:39 PM) □

I am really thinking that this, little tidbit, if not THE reason for the records being sealed, is in the top two. Everyone of "us"(Adventist and everyone else) believing that their doctrine is Advnetist doctrine. We did n't assume that, they said that!.....but wait a minute come to think of the, they really don't make that claim especially in ther little station identification...they just say they preach the three angels message.....Which is a definite 'assumed" affiliation with the SDA church, but they can say that didn't claim to be an Adventist network/ministry. Shady, just shady!

Whoever's watch it is at GC to look in at BSDA, it's time to cut that cord guys...looks like they already have the scissors in hand.

On the April 19 Merge Show, Danny made it clear that he and Doug believed in the same basic message (on the Live version Doug made the little disclaimer that he had chased a few ducks in his time) and that the message 3abn was preaching was the same one Danny had been taught by his mother. I don't remember his exact wording, but he referred to it as the message of the early believers.

This was one of the statements that caught my attention as it seemed as though they were positioning themselves apart from the SDA church at large.

If they were worried about the impact the "Little Group" has had on their donations, I think it will pale in comparison to the coming impact as word of this maneuver gets around.

BTW, I have a hard time accepting that Walt Thompson believes that 3abn is non-denominational. I wonder if they ran this bombshell by him before they included it in the lawsuit?

Posted by: beartrap Jun 23 2007, 08:28 AM

-edited-

Posted by: watchbird Jun 23 2007, 09:11 AM

QUOTE(PeacefullyBewildered @ Jun 23 2007, 07:38 AM) □

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This is no bombshell.... and nobody should be surprised. This has been their publicly stated position on their website for more than 15 years.

Please see my more detailed comments on this at <http://www.blacksda.com/forums/index.php?s=&showtopic=13900&view=findpost&p=201031> of the thread "Court Posts Legal Documents".

Posted by: PeacefullyBewildered Jun 23 2007, 01:01 PM

QUOTE(watchbird @ Jun 23 2007, 08:11 AM)

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WB,

I understand your reasoning but I don't fully agree with it. We have just gone through quite a journey of exploration over whether or not the <http://www.blackstda.com/forums/index.php?showtopic=13733>. The outcome was that the GC communications director, Rajmund Dabrowski, stated:

QUOTE

The General Conference of Seventh-day Adventists has received a number of inquiries into the status of Three Angels Broadcasting Network (3ABN) as a supporting ministry of the Church. **There has been no change or review of the status of 3ABN as a supporting ministry by the Seventh-day Adventist Church.** Due to ongoing administrative issues at 3ABN, the General Conference administration has taken a position that until these matters have been addressed that the General Conference personnel not involve 3ABN for new program development and production. **This approach does not reflect that the General Conference is taking any particular position in issues which are under the purview of the Board of Directors of 3ABN, which is an independent supporting ministry.** The GC's position applies to General Conference personnel.

<http://www.blackstda.com/forums/index.php?s=&showtopic=13733&view=findpost&p=198809>

It has also been pointed out that reps from both 3abn and GC signed an agreement in 1997 and that they are members of ASI, etc. This makes their mission statement look as though they are trying to hide the fact that they are actually affiliated with the SDA denom rather than truly presenting themselves as non-denominational, IMO.

Posted by: watchbird Jun 23 2007, 01:56 PM

QUOTE(PeacefullyBewildered @ Jun 23 2007, 03:01 PM)

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Did you read my post in the other thread? Yes... 3abn started out stating that they were an independent but supporting ministry of the SDA church. Throughout the year 1997 they engaged in a lengthy series of discussions... see the documents elsewhere here on BSDA.... in which the GC tried to get them to sign a contract with them. 3abn refused... and the letters stating that are here also... and then, inexplicably, in the fall of 1997, the GC signed that agreement with them, in which the GC gave everything to 3abn... with none of the safeguards of a contract... no time limits, no conditions, no ways of breaking away from the agreement.

3abn almost immediately put it on their website, and those who have "sold" for 3abn since that time say that they have pulled it out and used it whenever there was any resistance to their entering a territory.

So now.... the agreement is supposedly "still in force"... yet within 4 years of the signing of it, 3abn themselves were not claiming to be a supporting ministry... even on their own website.

So yes... it makes it look very strange... and gives them the ability... or they take the opportunity... to claim to be a supporting ministry or an independent ministry or completely unaffiliated with the church... whichever suits their purpose in any given environment at any given moment.

The "journey of exploration" over whether GC has removed their "supporting ministry" status has nothing to do with the facts of life (and the doublespeak) of the past 10 years that they have had a web site. The question of what 3abn considers itself is quite apart from any action of the GC... and my point is that for 3abn to (at the present moment) declare that it is a non-denominational entity is nothing new... and since that has been publicly proclaimed on their website for all these years... should come as no surprise to anyone....or at least to none who have access to a computer.

Posted by: Pickle Jun 23 2007, 02:16 PM

I agree, WB, that there is a problem with perception, since when my father read the statement on their website, he took it to mean that 3ABN is not affiliated with any church, denomination, or organization. So people definitely perceive it in the way you describe.

However, the statement on their website only specifically denies being owned, operated, or funded by any church, denomination, or organization. Thus that statement, unlike the lawsuit, doesn't deny affiliation with ASI or the GC.

Posted by: Panama_Pete Jun 23 2007, 03:21 PM

QUOTE(Pickle @ Jun 23 2007, 02:16 PM) □

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The lawsuit needs to be considered independently of everything else, since only those things submitted to the court will be considered. So, if you look at the lawsuit, by itself, it says:

"Although many of 3ABN's employees and volunteers, including Plaintiff Shelton, are members of the Seventh-Day Adventist faith, 3ABN is a non-denominational Christian ministry which is not owned by, affiliated with, or financed by any specific church, denomination, or organization."

The following is what that above statement says to me in my own opinionated paraphrase:

"Despite the fact that we have Adventist employees here, we are not affiliated or controlled by their "specific" denomination. We're non-denominational and totally independent - no strings attached whatsoever to those Adventists.

Failing to recognize this fact, and through no fault of our own, those Seventh-day Adventists have developed an unhealthy interest in our totally independent, non-denominational ministry and seem to have a fixation upon us for no reason that we can understand, Your Honor. Where the Adventists got 3ABN's name and address we do not know." .

My two cents.

Posted by: Observer Jun 23 2007, 04:12 PM

QUOTE(Ralph @ Jun 22 2007, 09:16 PM) □

One lawyer described Pro Se this way, "He who is his own lawyer has a fool for a client." Even if it is in concert with Defendant Pickle's counsel, it is worth remembering that two experienced lawyers will be representing the Plaintiffs.

Wrong!

Read the documents opened by the court.

Six (6) highly qualified lawyers represented 3-ABN and Danny Shelton.

Also, one non-lawyer wrote the brief that persuaded the judge to release the legal documents to the public, and post them on the website. One non-lawyer, G. A. Joy, won the first round against six (6) well qualified lawyers!

For those who want to know, get the documents that the six presented to the court as to why the documents should remain sealed.

Then read Gailon's response.

For your interest:

The brief of the six: 26 initial pages, plus 55 pages of attachments, statements, etc.

Gailon's brief: 24 pages

Those documents are interesting reading.

Even more interesting is the one-page ruling of the judge as to why the documents should be made available to the public. The bottom line is that it blasts the plaintiff's attempt to impound the documents.

Here is part of the closing paragraph in the document:

QUOTE

Simply put. Plaintiffs Motion and proposed order seeks insidious violation of the Local Rule . . .that is designed to be oppressive and restrictive of the Plaintiff's rights (sic.) the rights of other jurisdictions and abuses the clear Local Rule 7.2 of this Honorable Court.

In the beginning paragraph of this order to open the records, the judge says:

QUOTE

Impoundment of this case . . . is unconstitutional as a violation of the First Amendment right of Freedom of the Press, violates the common law of public access, and is unsupported by caselaw, particularly in the First Circuit.

In the second paragraph the judge calls the wishes of the plaintiff's to be "outrageous proposals."

Folks, this order simply, in my mind, destroys just about everything that the Plaintiff's asked for in their request to impound.

In round one, the Pro Se did not have a fool for a client.

However, this is only round one. We expected to win this one. There will be other rounds, before the main battle. The war has not yet been won.

Posted by: Panama_Pete Jun 23 2007, 04:25 PM

QUOTE(Observer @ Jun 23 2007, 04:12 PM)

Six (6) highly qualified lawyers represented 3-ABN and Danny Shelton.

Meanwhile, some little orphan goes to bed hungry while money is lavished on a team a lawyers.

Posted by: Fran Jun 23 2007, 05:10 PM

QUOTE(Observer @ Jun 23 2007, 05:12 PM)

In round one, the Pro Se did not have a fool for a client.

I totally agree! Joy is no fool! Neither is Pickle. I believe God is using both of them in a mighty ways!

It reminds me of Gideon. He won the war with God as his leader! You can't go wrong with God beside you! Even if the war is lost!

To me, a non-legal thinker, the lawsuit was a big joke. I read page after page and couldn't believe what those six (6) lawyers prepared. By the way, thanks for telling us how many lawyers were available for viewing!

It makes me wonder when they are going to sue because they have keys in their pocket.

I realize this is a very serious suit; that is why it is so funny to me, I guess. Danny had those six lawyers open several really big cans of worms! I couldn't help but think those lawyers were on Joy and Pickles side as hidden allies. I say that because they are not "stupid" by any means!

Posted by: Rosyroi Jun 23 2007, 06:18 PM

[quote][quote name='Fran' date='Jun 23 2007, 03:00 AM' post='201009']
[b]

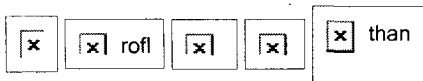
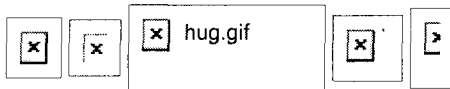
[color=#000099]Bob!

This entirely my opinion.[/quote]

.....

Fran.....

Thank you SO much for continuing shouting even when you thought no one was listening!!!!



I would have used more emoticons but I was limited.

This display shows just a small portion of how I feel now that you kept on shouting.

My opinion.

Rosyroi

Posted by: Artiste Jun 23 2007, 07:07 PM

Pickle, what other surprises are in the legal papers?

Posted by: steffan Jun 23 2007, 09:13 PM

QUOTE(Observer @ Jun 23 2007, 05:12 PM)

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Greg, for someone who tries to appear so knowledgeable of the law (while of course playing it safe by then saying you are not an expert) I would think that you would assume that 3abn was told in advance that the judge would not grant a blanket impoundment. That is almost unheard of but it was procedure to request it. Then I notice that even though you say "the war is not won" you fail to mention the specifics concerning the lifting of the impoundment. The truth is that this specific "lifting" is only on this small portion of the case. It does not mean that there will not be future impoundments as each portion of the case is litigated. In other words, contrary to the reaction here, this was a totally expected judgement and not at all some huge victory. It certainly does not mean that this whole case will be open to the public. There will be motions made all down the long road. Some will be denied and some granted. The judge may very well impound some portions and not others.

As far as the credit you give Joy saying it was his brief that caused the judge to lift the impoundment....you have to be joking. I repeat, a blanket impoundment is almost never granted no matter who writes the brief refuting it. To even insinuate that "wannabe" Joy "pulled one over" on a highly qualified, respected and established lawfirm is quite ludicrous on your part.

As for Laird's part in the whole scenerio, well if his first appearance for Linda was without an actived license and the next court date he was a no show, I wouldn't hold my breath for any brilliant legal strategy from him. By the way, his request for yet another continuance on the marital property case arrived approx 15 minutes after the Judge ruled against Linda. The judge stated that contrary to what she said, she knew what she was signing when she signed the marital property agreement and the contract is valid. The judge sanctioned her and she will be responsible for paying Danny's attorney's fees for this part of the case, in which, she had no case (forgive the pun.)

Posted by: Richard Sherwin Jun 23 2007, 09:23 PM

Steffan why would 3abn want to impound anything? If they are as transparent as they claim why not ask that all the documents and everything be made public? It appears they have things to hide when they ask for impoundments, contrary to their claims.

Richard

QUOTE(steffan @ Jun 23 2007, 11:13 PM)

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Posted by: mikell Jun 23 2007, 09:58 PM

Steffan, I seem to miss your reply to PeacefullBewilderer's question, remember what she wrote questioning you being in the "know" of 3ABN:

"I am curious to know how it is you know what the attorneys advised 3abn months ago. What is your source for this information? I know you profess to be in a unique position of knowledge, but how are we to give your statement much credibility when 3abn Board Chairman Walt Thompson said this about you:"

From: Walt Thompson [wrote this about Steffan]....

"No, Steffan does not represent 3abn or Danny. He is not in a position of authority to know what is going on..."

PeacefullyBewilderer asked a very good questions, and Steffan, I am sure you have for us a good answers to PeacefullBewilderer's question, , don't you???

Posted by: ex3ABNemployee Jun 23 2007, 10:20 PM

QUOTE(steffan @ Jun 23 2007, 10:13 PM)

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Translation:

Oh, yeah, well....ummm.....we knew that would happen."

Posted by: Skyhook Jun 23 2007, 11:22 PM

QUOTE(mikell @ Jun 23 2007, 10:58 PM) □

Steffan, I seem to miss your reply to PeacefullBewildered's question, remember what she wrote to you in questioning you being in the "know" of 3ABN:

PeacefullyBewildered asked a very good questions, and Steffan, I am sure you have for us a good answer to PeacefullBewildered's question, □, don't you???

Maybe Walt just had his fingers crossed when he made those statements.

Or maybe he and the others adhere to something like the Jesuit code that gives them license to do or say anything as long as it is in the service of protecting "The Ministry."

Or perhaps Walt said "Steffan does not represent 3abn" meaning "nobody whose real name is Steffan represents 3abn." Just like Mollie said "3abn owns no plane."

There are lots was to dissemble.

Or maybe Walt was telling the truth.

Posted by: PeacefullyBewildered Jun 23 2007, 11:40 PM

QUOTE(Panama_Pete @ Jun 23 2007, 01:21 PM) □

The lawsuit needs to be considered independently of everything else, since only those things submitted to the court will be considered. So, if you look at the lawsuit, by itself, it says:

"Although many of 3ABN's employees and volunteers, including Plaintiff Shelton, are members of the Seventh-Day Adventist faith, 3ABN is a non-denominational Christian ministry which is not owned by, affiliated with, or financed by any specific church, denomination, or organization."

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"Despite the fact that we have Adventist employees here, we are not affiliated or controlled by their "specific" denomination. We're non-denominational and totally independent - no strings attached whatsoever to those Adventists.

Failing to recognize this fact, and through no fault of our own, those Seventh-day Adventists have developed an unhealthy interest in our totally independent, non-denominational ministry and seem to have a fixation upon us for no reason that we can understand, Your Honor. Where the Adventists got 3ABN's name and address we do not know." .

My two cents.

And furthermore, Your Honor, please disregard the fact that the General Conference of Seventh-day Adventists (who for some reason have concluded that we are a supporting ministry of their denomination) have, heretofore, allowed us free access to hold rallies in their churches in order to raise funds from Seventh-day Adventists to run our non-denominational and totally independent - no strings attached ministry, although we can't understand why they would continue to shower us with money at these rallies but extrapolate that it is probably because of this same unhealthy fixation they, for no reason that we can understand, seem to have upon us.

Posted by: Snoopy Jun 23 2007, 11:47 PM

QUOTE(steffan @ Jun 23 2007, 09:13 PM) □

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Very interesting Steffan. There are probably not too many folks who would know the activity in the courtroom down to the minute. I guess it is safe to assume you were there....

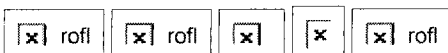
Since you are so close to Danny that you even attend his court appearances, maybe you could remind him that since he personally is a co-plaintiff in the copyright/slander suit and "someone" is allegedly paying for his legal expenses, he will need to claim that as taxable income on his personal income tax return... But then again, I'm sure one of his 6 lawyers has already advised him of that...

Posted by: Panama_Pete Jun 23 2007, 11:55 PM



QUOTE(PeacefullyBewildered @ Jun 23 2007, 11:40 PM) □

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Posted by: PeacefullyBewildered Jun 24 2007, 12:06 AM

QUOTE(watchbird @ Jun 23 2007, 11:56 AM)

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The "journey of exploration" over whether GC has removed their "supporting ministry" status has nothing to do with the facts of life (and the doublespeak) of the past 10 years that they have had a web site. The question of what 3abn considers itself is quite apart from any action of the GC... and my point is that for 3abn to (at the present moment) declare that it is a non-denominational entity is nothing new... and since that has been publicly proclaimed on their website for all these years... should come as no surprise to anyone....or at least to none who have access to a computer.

Yes, WB, I did read your other thread. I understand what you are saying and you are, undoubtedly, correct for all of the reasons you stated. As one who has watched 3abn for several years, perhaps I assumed from some of the programming that I watched that they were at least purporting to represent the Seventh-day Adventist beliefs so it did come as a surprise to me when I read the non-denominational disclaimer in the lawsuit (even though I actually do have a computer). I guess my undoing was in not reading what they had publicly proclaimed on their website.

I do appreciate your perspective as well as the information you have provided on the history of the 1997 GC/3abn agreement and the maneuvering 3abn has done to distance themselves ever since. And yet, I believe there are going to be a quite a few semi-intelligent folks like me who are going to be just as surprised when they read the lawsuit.

Posted by: Observer Jun 24 2007, 04:36 AM

Steffan:

Thank you for responding. I wanted to hear from someone on 3-ABN's side who would comment in some way on this, and someone who was knowledgeable. I credit you with being knowledgeable, so thank you for sharing with us.

You will note in my responses that I agree with much of what you have said.

QUOTE(steffan @ Jun 23 2007, 08:13 PM)

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saying you are not an expert) I would think that you would assume that Sabn was told in advance that the judge would not grant a blanket impoundment. That is almost unheard of but it was procedure to request it.

I agree with you in the above. I did not suggest such as I did not want to be accused of speculating. While I do speculate at times, I do make some attempts to minimize such, and to keep such to some of the more important or interesting issues (interesting to me, I suppose).

Now that you have raised the subject, I will speculate some, and beyond the information that you have given us. I suspect that the MA lawyers probably expected the judge to lift the impoundment. One of the reasons that they were probably retained, and there were others, was that they were expected to understand the judicial temperament of the judge. As such they would be expected to know what arguments would be accepted by the judge, and how the judge would likely rule on motions submitted to him.

The bottom line is that I will suggest that the MA lawyers expected the judge to lift the impoundment. I also agree that it would be typical procedure to request such. However, I am surprised by the manner in which the judge ruled against the motion to permanently impound. While I may be wrong, it suggests to me that the lawyers who submitted it were, so to speak, caught with their pants down. It essentially, in my mind, destroyed every argument that they raised. I cannot imagine any lawyer submitting a motion to a court if that lawyer expected it to be as totally rejected as that motion was rejected. There is a bite to the judges ruling that I did not expect, and I suspect the lawyers who submitted it did not expect such.

QUOTE

Then I notice that even though you say "the war is not won" you fail to mention the specifics concerning the lifting of the impoundment. The truth is that this specific "lifting" is only on this small portion of the case. It does not mean that there will not be future impoundments as each portion of the case is litigated. In other words, contrary to the reaction here, this was a totally expected judgement and not at all some huge victory. It certainly does not mean that this whole case will be open to the public. There will be motions made all down the long road. Some will be denied and some granted. The judge may very well impound some portions and not others.

Of course you are correct. I think that you will acknowledge that any future orders to impound will not be granted on the basis of the motion which was soundly rejected. Yes, I agree that individual motions to impound may be granted. But, read the judge's order. I will suggest that it clearly tells us that the judge is unlikely to impound in the future on any kind of a wide basis.

By saying that the war was not won, I wanted people to know that this was just a skirmish, and not the final battle. There is much more. I expect that the Plaintiff's may win some battles. But, if they do it will still remain to be seen whether or not they will win the war.

QUOTE

As far as the credit you give Joy saying it was his brief that caused the judge to lift the impoundment....you have to be joking. I repeat, a blanket impoundment is almost never granted no matter who writes the brief refuting it. To even insinuate that "wannabe" Joy "pulled one over" on a highly qualified, respected and established lawfirm is quite ludicrous on your part.

do not think that this is 100 per-cent accurate.

NOTE: I have not reviewed the documents, this morning, that I have printed off before writing this. So, please correct me if my memory is inaccurate in any way.

The plaintiff asked the court to impound on a number of issues. One of the issues was that there was no 4th Amendment, Freedom of the Press right in regard to Mr. Joy being a member of the press.

We expected that the court would rule that there was a 4th ammendemtn Freedom of the Press right, and that is what the court did.

I will say again: I am dumbfounded by the tone of the judges ruling against impoundment. In my opinion, it essentially cut the legs off, so to speak, of the plaintiff's arguement. I will acknowledge that lawyers may submitt motions which they think may be rejected. I am not aquainted with them typically submitting motions that in my opinion are so soundly rejected. Perhaps they expected such. I do not think so.

QUOTE

As for Laird's part in the whole scenerio, well if his first appearance for Linda was without an actived license and the next court date he was a no show, I wouldn't hold my breath for any brilliant legal strategy from him. By the way, his request for yet another continuance on the marital property case arrived approx 15 minutes after the Judge ruled against Linda. The judge stated that contrary to what she said, she knew what she was signing when she signed the marital property agreement and the contract is valid. The judge sanctioned her and she will be responsible for paying Danny's attorney's fees for this part of the case, in which, she had no case (forgive the pun.)

As to the activated license: So much has been said on this, and the facts are well known, that I see no reason to further comment.

As to the marital property lawsuit. I am not up on what is happening on this. I have no information on it. So, I cannot make any comment.

Again, thanks for commenting on my post. I had hoped that someone would respond.

Posted by: Observer Jun 24 2007, 04:51 AM

QUOTE(Snoopy @ Jun 23 2007, 10:47 PM)

Very interesting Steffan. There are probably not too many folks who would know the activity in the courtroom down to the minute. I guess it is safe to assume you were there....

Since you are so close to Danny that you even attend his court appearances, maybe you could remind him that since he personally is a co-plaintiff in the copyright/slander suit and "someone" is allegedly paying for his legal expenses, he will need to claim that as taxable income on his personal income tax return... But then again, I'm sure one of his 6 lawyers has already advised him of that...

The above is not quite so clear-cut. Let me suggest the follwoing:

1) Corporate officers may be named defendents/plaintiff's in legal actions. To the extent that their participation in such actions is related to the proper business of the corporation, the corporation may pay their legal expenses and they will not have to declare such as income on their personal tax returns.

While there are exceptions to the above, I strongly suspect that such applies to Danny Shelton in regard to the present lawsuit against Gailon and Bob Pickle.

Folks, this is basic to corporate life. Our society knows that without such protections business could not function in the manner that it needs to function. No one would ever fill a corporate leadership role if doing so would subject them to that level of personal liability.

I an a corporate officer in a local (non-religious) non-profit. An action has been filed that may lead to a

lawsuit in which I am one of the named defendants. Our legal counsel has informed us that any such legal expenses and judgements will be paid by the corporation.

2) Legal expenses which are not related to proper business as a corporate officer are likely to be held to be income to the party which must be included on their income tax return.

Perhaps the legal expenses related to the division of the marital property is one such?

Yes, there are exceptions. One exception is that of a gift. However, as I have stated before, to not be included, those gifts must be qualified gifts, and they should not be gifts from a so-called "related party."

Posted by: Observer Jun 24 2007, 06:47 AM

Just a thought:

We now know that lawyers submit motions to the court that they expect to lose. After all it is just procedure.

In the Plaintiff's complaint that set this lawsuit into motion a number of charges are made against Gailon and Bob Pickle. May we assume that the Plaintiffs expect to lose some of those? If so, which ones?

I would like to know which ones the Plaintiffs expect to lose.

Posted by: runner4him Jun 24 2007, 07:56 AM

QUOTE(Observer @ Jun 24 2007, 07:47 AM)

Just a thought:

We now know that lawyers submit motions to the court that they expect to lose. After all it is just procedure.

In the Plaintiff's complaint that set this lawsuit into motion a number of charges are made against Gailon and Bob Pickle. May we assume that the Plaintiffs expect to lose some of those? If so, which ones?

I would like to know which ones the Plaintiffs expect to lose.

Good question. Also don't judges get annoyed with wasting the court's time?

Posted by: LaurencED Jun 24 2007, 08:06 AM

QUOTE(Observer)

Just a thought:

We now know that lawyers submit motions to the court that they expect to lose. After all it is just procedure.

In the Plaintiff's complaint that set this lawsuit into motion a number of charges are made against Gailon and Bob Pickle. May we assume that the Plaintiffs expect to lose some of those? If so, which ones?

I would like to know which ones the Plaintiffs expect to lose.

right. That's why I said tell us in advance so we can be 110% more impressed, otherwise I have no choice but to look at this procedure as a form of harassment...and the Judge is likely to see it that way too as the same strategies unfold.

Posted by: Snoopy Jun 24 2007, 09:25 AM

QUOTE(Observer @ Jun 24 2007, 04:51 AM) □

The above is not quite so clear-cut. Let me suggest the following:

1) Corporate officers may be named defendants/plaintiff's in legal actions. To the extent that their participation in such actions is related to **the proper business of the corporation**, the corporation may pay their legal expenses and they will not have to declare such as income on their personal tax returns.

While there are exceptions to the above, I strongly suspect that such applies to Danny Shelton in regard to the present lawsuit against Gailon and Bob Pickle.

Folks, this is basic to corporate life. Our society knows that without such protections business could not function in the manner that it needs to function. No one would ever fill a corporate leadership role if doing so would subject them to that level of personal liability.

I am a corporate officer in a local (non-religious) non-profit. An action has been filed that may lead to a lawsuit in which I am one of the named defendants. Our legal counsel has informed us that any such legal expenses and judgements will be paid by the corporation.

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Yes, there are exceptions. One exception is that of a gift. However, as I have stated before, to not be included, those gifts must be qualified gifts, and they should not be gifts from a so-called "related party."

Agreed. However, after seeing several interesting documents associated with the litigation I suspect the IRS will have a great time trying to separate DS personal life from the "proper business of the corporation" as the two have become inexplicably intertwined. I would not be surprised if one of our anonymous guests is reading here on the government's behalf with an eye toward that very thing.

I'd be willing to bet that in your current case you and other co-defendants have maintained a clear distinction between your personal lives and your fiduciary roles in the corporation.

I'm interested to know if you would you think the same protection applies to TS or GM?

Posted by: mikell Jun 24 2007, 09:40 AM

QUOTE(PeacefullyBewildered @ Jun 23 2007, 11:40 PM) □

And furthermore, Your Honor, please disregard the fact that the General Conference of Seventh-day Adventists (who for some reason have concluded that we are a supporting ministry of their denomination) have, heretofore, allowed us free access to hold rallies in their churches in order to raise funds from

Seventh-day Adventists to run our non-denominational and totally independent - no strings attached ministry, although we can't understand why they would continue to shower us with money at these rallies but extrapolate that it is probably because of this same unhealthy fixation they, for no reason that we can understand, seem to have upon us.

love what you wrote here and hate what you wrote here!!!

Posted by: Ralph Jun 24 2007, 10:04 AM

QUOTE(Observer @ Jun 24 2007, 04:36 AM)

I will say again: I am dumbfounded by the tone of the judges ruling against impoundment. In my opinion, it essentially cut the legs off, so to speak, of the plaintiff's argument.

It is interesting to compare (word for word) the CONCLUSION: in Attachment #1 "Final Draft Deft Opposition to Plaintiffs Motion Impound" with Attachment #2 Proposed Order Denying Permanent Impoundment" \ question: Why is this named, "Proposed Order..."?

Posted by: YogusBearus Jun 24 2007, 10:40 AM

QUOTE(Snoopy @ Jun 24 2007, 10:25 AM)

Agreed. However, after seeing several interesting documents associated with the litigation I suspect the IRS will have a great time trying to separate DS personal life from the "proper business of the corporation" as the two have become inexplicably intertwined. I would not be surprised if one of our anonymous guests is reading here on the government's behalf with an eye toward that very thing.

I'd be willing to bet that in your current case you and other co-defendants have maintained a clear distinction between your personal lives and your fiduciary roles in the corporation.

I'm interested to know if you would you think the same protection applies to TS or GM?

BINGO!

Snoopy, please PM me as soon as possible. I really need some help filling out IRS Form 211, Application for Reward for Original Information. I'm willing to share the reward if we can be first in line.

bear

Posted by: runner4him Jun 24 2007, 10:44 AM

QUOTE(YogusBearus @ Jun 24 2007, 11:40 AM)

BINGO!

Snoopy, please PM me as soon as possible. I really need some help filling out IRS Form 211, Application for

Reward for Original Information. I'm willing to share the reward if we can be first in line.

-bear

Forgot about the reward!!! Heard the form is easy to fill out.

Posted by: Pickle Jun 25 2007, 04:45 AM

QUOTE(Panama_Pete @ Jun 23 2007, 04:21 PM) □

The lawsuit needs to be considered independently of everything else, since only those things submitted to the court will be considered. So, if you look at the lawsuit, by itself, it says:

"Although many of 3ABN's employees and volunteers, including Plaintiff Shelton, are members of the Seventh-Day Adventist faith, 3ABN is a non-denominational Christian ministry which is not owned by, affiliated with, or financed by any specific church, denomination, or organization."

The following is what that above statement says to me in my own opinionated paraphrase:

"Despite the fact that we have Adventist employees here, we are not affiliated or controlled by their "specific" denomination. We're non-denominational and totally independent - no strings attached whatsoever to those Adventists.

Failing to recognize this fact, and through no fault of our own, those Seventh-day Adventists have developed an unhealthy interest in our totally independent, non-denominational ministry and seem to have a fixation upon us for no reason that we can understand, Your Honor. Where the Adventists got 3ABN's name and address we do not know."

My two cents.

Pete,

A friend wrote and told me that he noticed that the suit said, "10. Although many of 3ABN's employees and volunteers, including Plaintiff Shelton, are members of the Seventh-Day Adventist **faith**, ..." and "38. Upon information and belief, Gailon Joy and Robert Pickle are members of the Seventh Day Adventist **Church**" So while Danny is a member of the faith, Gailon and I are members of the church.

Why the difference?

Posted by: Panama_Pete Jun 25 2007, 06:00 AM

QUOTE(Pickle @ Jun 25 2007, 05:45 AM) □

Pete,

A friend wrote and told me that he noticed that the suit said, "10. Although many of 3ABN's employees and volunteers, including Plaintiff Shelton, are members of the Seventh-Day Adventist **faith**, ..." and "38. Upon information and belief, Gailon Joy and Robert Pickle are members of the Seventh Day Adventist **Church**" So while Danny is a member of the faith, Gailon and I are members of the church.

Why the difference?

My guess is that their document was the product of group think. Several different people probably added parts here and there over a period of time.

Posted by: watchbird Jun 25 2007, 06:16 AM

QUOTE(PeacefullyBewildered @ Jun 24 2007, 02:06 AM)

Yes, WB, I did read your other thread. I understand what you are saying and you are, undoubtedly, correct for all of the reasons you stated. As one who has watched 3abn for several years, perhaps I assumed from some of the programming that I watched that they were at least purporting to represent the Seventh-day Adventist beliefs so it did come as a surprise to me when I read the non-denominational disclaimer in the lawsuit (even though I actually do have a computer). I guess my undoing was in not reading what they had publically proclaimed on their website.

I do appreciate your perspective as well as the information you have provided on the history of the 1997 GC/3abn agreement and the maneuvering 3abn has done to distance themselves ever since. And yet, I believe there are going to be a quite a few semi-intelligent folks like me who are going to be just as surprised when they read the lawsuit.

..... I perceive that my irony was a little too well cloaked..... Remember the line from "the fool's prayer".... "They could not see the mocking smile beneath the painted grin he wore." ?

off I'm also reminded of the lines by Douglas Adams in the first of the Hitchhiker of the Galaxy

series.... the scene in which the bulldozer arrives to knock down his house to make room for a new bypass and to his expressions of utter surprise and shock is told that he has no right to be surprised... the notice of their intent had been duly filed with city hall and had been on display for a month... and if he didn't know about it that was his fault for not keeping himself informed on civic affairs. It's been awhile since I read it, but I seem to recall that he finally did find the notice.... at the back of a broom closet in the basement.... or somewhere like that. But back to the topic at hand.....

Yes.... they had this publicly displayed on their website.... on a back page that one had to be curious enough to go looking for... and who among the fans of 3abn, who saw them on TV every day, would be curious enough to take a look at a page called "About Us"?

BTW....the early announcements... that they were a supporting ministry of the SDA church.... appeared on the front page. As soon as the "new" statement appeared, it was tucked away on the "About Us" page.

So who... regardless of where they stood on the "intelligence scale"..... would have thought to go looking at their About Us page to find out how they identified themselves? Answer... no one other than first time visitors to the site who had stumbled upon it by accident and wondered who these folk represented, that's who.

Meanwhile.... from Television screens in Adventist homes, the message blared... that they were the ones who were most representative of what the Seventh-day Adventist church should be... and at various times in

various ways the message that they were more representative of SDAism than the "church" itself was was given in different degrees of intensity... from subliminal to strident to nearly overt attacks... but always definitely an "SDA" message.... enough so that their carriers received complaints about the attacks that they made on other denominations and their beliefs.

And newsletters rolled off the presses and out to any whose name was on their mailing list.... and donations poured in so as to build that mailing list.... and rallies were held around the country and around the world.... always in Adventist venues.... with Danny even taking the pulpit in Adventist pulpits (something that is a no-no to any who are not authorized by the SDA church).... And to top it all off, there was this signed agreement with the SDA church signed by the three top officials of the World Church in which they pledged the church's support for 3abn expansion and programming all around the world, in every Division.... which was pulled out by the salesmen or advance scouts for 3abn whenever they met with any resistance from any Conference entity.


And this was all that anyone saw for the first decade of their existence.... then came their entry into the wonderful world of web pages.... and for the first four years their web page carried a statement on the front page, proclaiming that they were a supporting ministry of the Seventh-day Adventist church.

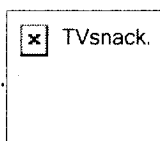
Then came the year 2001....

Since then we have been without excuse for not reading the publicly posted announcement that "3ABN is not owned, operated or funded by any church, denomination or organization", so we should not be "surprised" by this statement in the recent lawsuit.

And the bulldozers arrive on the appointed day.....


btw... for those among us who are not Adams' fans.... the bulldozers were temporarily halted by the hero laying down in the mud in front of the lead one. And as it turned out, "temporarily" was all that was needed, for before they began their actual demolition, the interstellar bulldozers arrived to wipe out planet earth... to make way for a new interstellar bypass..... not that the house was spared, you understand, but that the whole of England went with it... as did the rest of the earth... but that is too much to comprehend... so just think in terms of England.... it will make it easier on your imagination-station circuitry.....

There's probably no moral in the above... I just put it in in case someone was curious as to what happened in the book.... 



Posted by: PeacefullyBewildered Jun 25 2007, 07:55 AM

That I missed the irony and forgot "The Fool's Prayer" further cements my standing in the semi-intelligent corner. Although, perhaps it was simply the increased altitude as I vacationed last week.

Sigh... 

Note to self: Start checking the broom closets.

Posted by: LadyTenor Jun 25 2007, 10:22 AM

QUOTE(calvin @ Jun 22 2007, 12:18 PM)

I find this to be a very brazen statement considering 3abn owes its existence to the Adventist church as well as most of its support....and now to distant itself from the church ought to be a wakeup call to Amazing Facts and any financial contributor.

I guess this is just more legal maneuvering. But to make statements like we preach a non-denominational message is a lie.

Yes, it is probably legal maneuvering, and yes, it is more than probably a lie.

QUOTE(princessdi @ Jun 22 2007, 04:54 PM)

That's what I mean, all that convenient switchin' form one thing to another.....On TV we are a ministry, when you want to kick your wife to the curb without paying her fair share of the ministry you started together, then you are a buisness and she is just an employee. On TV be unadulterated SDA, preaching the pure, undiluted 3 Angel's Message. In court, you are non-denominational.....See how that work?

Yes, Heathen Aunt, that is EXACTLY how it works!

QUOTE(Ralph @ Jun 22 2007, 11:16 PM)

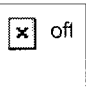
One lawyer described Pro Se this way, "He who is his own lawyer has a fool for a client." Even if it is in concert with Defendant Pickle's counsel, it is worth remembering that two experienced lawyers will be representing the Plaintiffs.

And the rest of the cliché, as I was taught it in law school, says, "...and an idiot for a lawyer."

I substituted the word 'idiot' for the three letter word starting with "a", just to keep it clean.

QUOTE(beartrap @ Jun 23 2007, 09:28 AM)

-edited-



With no offense meant towards beartrap, isn't there a rule on this forum

against deleting posts or editing them in this fashion? I was told not to do so when I wanted to delete a particular post in another forum because it would ruin the flow of the thread and make it harder to follow, especially if someone had already responded to it.....

Just asking, because I have seen it done frequently of late by many different members of the forum...

QUOTE(Panama_Pete @ Jun 23 2007, 05:25 PM)

Meanwhile, some little orphan goes to bed hungry while money is lavished on a team a lawyers.

Take it easy, Pete...sometimes a team of lawyers is necessary (but I will not comment

on whether the DS litigation is such an occasion or not).

QUOTE(Snoopy @ Jun 24 2007, 12:47 AM) □

Since you are so close to Danny that you even attend his court appearances, maybe you could remind him that since he personally is a co-plaintiff in the copyright/slander suit and "someone" is allegedly paying for his legal expenses, he will need to claim that as taxable income on his personal income tax return... But then again, I'm sure one of his 6 lawyers has already advised him of that...

Take it easy, Snoop! Court proceedings are public unless sealed for particular reasons (for example, child abuse and neglect cases are almost always sealed). There is no law prohibiting all of BSDA to flying to wherever this case is being litigated (I thought I read that it is in MA?) and sitting and observing every proceeding. Of course, if there is a court order sealing the case, then that will not be allowed. But courts only do that in limited situations.

Of course, unlike *Law and Order*, most court proceedings are very BORING...take it from me...I've observed many a court proceeding and the first time I did, I almost fell asleep! None of those theatrics you see Jack McCoy engaging in on *Law and Order* are allowed in real life courtrooms! You can get sanctioned for raising your voice too much if you are in front of a judge that does not like it!!! □

QUOTE(Observer @ Jun 24 2007, 05:36 AM) □

The plaintiff asked the court to impound on a number of issues. One of the issues was that there was no 4th Ammendment, Freedom of the Press right in regard to Mr. Joy being a member of the press.

We expected that the court would rule that there was a 4th ammendemtn Freedom of the Press right, and that is what the court did.

Freedom of the press is protected by the **FIRST** Amendment, not the Fourth. I suspect this was just a slip of the tongue (or the mistroke of the keyboard □).

QUOTE(Observer @ Jun 24 2007, 05:51 AM) □

The above is not quite so clear-cut. Let me suggest the follwoing:

1) Corporate officers may be named defendents/plaintiff's in legal actions. To the extent that their participation in such actions is related to the proper business of the corporation, the corporation may pay their legal expenses and they will not have to declare such as income on their personal tax returns.

While there are exceptions to the above, I strongly suspect that such applies to Danny Shelton in regard to the present lawsuit against Gailon and Bob Pickle.

Folks, this is basic to corporate life. Our society knows that without such protections business could not function in the manner that it needs to function. No one would ever fill a corporate leadership role if doing so would subject them to that level of personal liability.

This is true, but the lawsuit does not name Danny Shelton as an officer of 3ABN...the caption I read by whomever posted it on this site (don't remember who) states that it is Danny Shelton, INDIVIDUALLY. Correct me if I am wrong.

When someone is named individually, it means that person individually, and NOT in

the role as a corporate officer. And even one's status as a corporate officer or an individual can be disputed and be a point of litigation within the litigation of a corporate matter.

QUOTE(Observer @ Jun 24 2007, 07:47 AM)

Just a thought:

We now know that lawyers submit motions to the court that they expect to lose. After all it is just procedure.

Yes, they can, but they have to have a GOOD FAITH BASIS for doing so...otherwise it is frivolous and the court can impose sanctions. It is one thing to try to win a motion that does not look good for a party because the attorney is doing is best; it is another thing entirely to file motions for the sake of filing them. That is unethical and can get attorneys into trouble, especially if it is something an attorney is known for doing on a regular basis.

QUOTE(runner4him @ Jun 24 2007, 08:56 AM)

Good question. Also don't judges get annoyed with wasting the court's time?

Yes, trust me, they do.....when I interned for a judge once, she would roll her eyes after some proceedings and tell me the attorneys were wasting the court's time.....

Posted by: LaurenceD Jun 25 2007, 01:18 PM

QUOTE(Pickle @ Jun 22 2007, 11:13 AM)

One thing I found intriguing about the lawsuit is 3ABN's claim in it that it is a non-denominational organization not affiliated with any church, denomination, or organization, and that it preaches a non-denominational message.

Are we to take this as an announcement from 3ABN that it is severing its ties from the GC, which it has had since 1997, that it is severing its ties with ASI, and that it is abandoning its preaching of the three angels' messages? Or is this an attempt to convince the court that concerned Seventh-day Adventists have no basis for asking questions?

Pickle, while working this morning, I remembered that Thursday night live broadcast when DS and the group got together to announce enough was enough and that it had come to the point where something had to be done with folks on the internet who were trying to destroy the ministry. They ridiculed one party (Joy) who they termed an "embezzler" and the other party (AT) they ridiculed saying they were not even part of the church organization. This was to say these folks are not even credible so don't pay any attention to them.

But now guess who's not any part of the church organization. See how it works however you need it to work? Is it the other face? I suppose we shouldn't pay any attention since they're not part of the church organization.

Posted by: erik Jun 25 2007, 02:12 PM

QUOTE(Ralph @ Jun 22 2007, 08:16 PM)

One lawyer described Pro Se this way, "He who is his own lawyer has a fool for a client." Even if it is in concert with Defendant Pickle's counsel, it is worth remembering that two experienced lawyers will be representing the Plaintiffs.

One can be Pro Se, and still have counsel that is not sitting next two you in the court room, are you all forgetting some of mr. joy's friends???

Erik

Posted by: summertime Jun 25 2007, 04:41 PM

QUOTE(steffan @ Jun 23 2007, 09:13 PM)

Greg, for someone who tries to appear so knowledgeable of the law (while of course playing it safe by then saying you are not an expert) I would think that you would assume that Sabn was told in advance that the judge would not grant a blanket impoundment. That is almost unheard of but it was procedure to request it. Then I notice that even though you say "the war is not won" you fail to mention the specifics concerning the lifting of the impoundment. The truth is that this specific "lifting" is only on this small portion of the case. It does not mean that there will not be future impoundments as each portion of the case is litigated. In other words, contrary to the reaction here, this was a totally expected judgement and not at all some huge victory. It certainly does not mean that this whole case will be open to the public. There will be motions made all down the long road. Some will be denied and some granted. The judge may very well impound some portions and not others.

As far as the credit you give Joy saying it was his brief that caused the judge to lift the impoundment....you have to be joking. I repeat, a blanket impoundment is almost never granted no matter who writes the brief refuting it. To even insinuate that "wannabe" Joy "pulled one over" on a highly qualified, respected and established lawfirm is quite ludicrous on your part.

As for Laird's part in the whole scenerio, well if his first appearance for Linda was without an actived license and the next court date he was a no show, I wouldn't hold my breath for any brilliant legal strategy from him. By the way, his request for yet another continuance on the marital property case arrived approx 15 minutes after the Judge ruled against Linda. The judge stated that contrary to what she said, she knew what she was signing when she signed the marital property agreement and the contract is valid. The judge sanctioned her and she will be responsible for paying Danny's attorney's fees for this part of the case, in which, she had no case (forgive the pun.)

Did W. Thompson say that Steffan had no way of knowing what was going on? How can we believe anything that Dr. Thompson says? His word is unbelievable. That is, unless Steffan is dreaming.

Posted by: PeacefullyBewildered Jun 25 2007, 06:23 PM

QUOTE(summertime @ Jun 25 2007, 03:41 PM)

Did W. Thompson say that Steffan had no way of knowing what was going on? How can we believe anything that Dr. Thompson says? His word is unbelievable. That is, unless Steffan is dreaming.

summertime,

The way I read his email, Walt Thompson was speaking specifically to the comments that steffan made about

Doug trying to distance himself from Jim P. and, therefore, the GC, and that steffan is not a representative of Danny or 3abn or in a position of authority to know what is going on. I don't think we can read more into it than that and I certainly don't think we can claim that Dr. Thompson's words are unbelievable. Perhaps steffan was at the hearing or was told what transpired.

IMO, I don't see how steffan's post about the hearing could be considered to reflect in a negative way on Walt Thompson.

Walt Thompson said:

"No, Steffan does not represent 3abn or Danny. He is not in a position of authority to know what is going on. While I do not know a lot about the relationship between Doug and the President of the conference, this is certainly not the reason 3abn and AF are negotiating."

<http://www.blacksda.com/forums/index.php?s=&showtopic=13784&view=findpost&p=199417>

Posted by: runner4him Jun 27 2007, 05:24 AM

Steffan wrote.....

QUOTE

I repeat, a blanket impoundment is almost never granted no matter who writes the brief refuting it. To even insinuate that "wannabe" Joy "pulled one over" on a highly qualified, respected and established lawfirm is quite ludicrous on your part.

I would like some clarification...this is for you steffan.....you seem to know quite a bit although W.T. says you do not....I just want to know if you knew what the order to impound was about? Do you think it was something that the attorneys wanted to do and not 3abn? I think you said it was doomed to fail because it was unconstitutional or something like that so it must have been a lost cause taking up the judge's time?

Thanks for answering.

r4Him

Posted by: Pickle Jun 27 2007, 01:42 PM

QUOTE(LaurenceD @ Jun 25 2007, 02:18 PM)

Pickle, while working this morning, I remembered that Thrusday night live broadcast when DS and the group got together to announce enough was enough and that it had come to the point where something had to be done with folks on the internet who were trying to destroy the ministry. They ridiculed one party (Joy) who they termed an "embezzler" and the other party (AT) they ridiculed saying they were not even part of the church organization. This was to say these folks are not even credible so don't pay any attention to them.

But now guess who's not any part of the church organization. See how it works however you need it to work? Is it the other face? I suppose we shouldn't pay any attention since they're not part of the church organization.

Don't forget their disparagement of that fellow who allegedly poses as a doctor to gain credibility. Me.

Absurdity. I really appreciated PinkPanther007 over on ChristianForums.com telling off Tomatoe for bringing that one up: "So, tomatoe, are you a liar if it is found out that you aren't really a tomatoe?" (paraphrase).

Posted by: LadyTenor Jun 27 2007, 01:48 PM

QUOTE(erik @ Jun 25 2007, 03:12 PM)

One can be Pro Se, and still have counsel that is not sitting next two you in the court room, are you all forgetting some of mr. joy's friends???

ERik

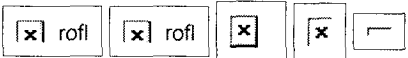
Good point. I will also add that one can be pro se and have counsel sitting next to them in the courtroom regardless...although this is more prevalent in criminal cases....and the case in question is civil.....

Posted by: Panama_Pete Jun 27 2007, 01:51 PM

QUOTE(Pickle @ Jun 27 2007, 02:42 PM)

Don't forget their disparagement of that fellow who allegedly poses as a doctor to gain credibility. Me.

Absurdity. I really appreciated PinkPanther007 over on ChristianForums.com telling off Tomatoe for bringing that one up: "**So, tomatoe, are you a liar if it is found out that you aren't really a tomatoe?**" (paraphrase).



Posted by: Pickle Jun 27 2007, 02:04 PM

QUOTE(Ralph @ Jun 24 2007, 11:04 AM)

It is interesting to compare (word for word) the CONCLUSION: in Attachment #1 "Final Draft Deft Opposition to Plaintiffs Motion Impound" with Attachment #2 Proposed Order Denying Permanent Impoundment" A question: Why is this named, "Proposed Order..."?

Not sure if this got answered: Both sides can write up what they want the judge to sign. It saves him time, I guess. Anyone have what the judge actually signed?

Posted by: mozart Jun 27 2007, 10:18 PM

embezzle
Definition

To fraudulently appropriate an asset for one's own use.

(now what was that about a real estate deal and a piano?????)



QUOTE(LaurenceD @ Jun 25 2007, 01:18 PM)

Pickle, while working this morning, I remembered that Thursday night live broadcast when DS and the group got together to announce enough was enough and that it had come to the point where something had to be done with folks on the internet who were trying to destroy the ministry. They ridiculed one party (Joy) who they termed an "embezzler" and the other party (AT) they ridiculed saying they were not even part of the church organization. This was to say these folks are not even credible so don't pay any attention to them.

But now guess who's not any part of the church organization. See how it works however you need it to work? Is it the other face? I suppose we shouldn't pay any attention since they're not part of the church organization.

Posted by: runner4him Jun 27 2007, 10:20 PM

QUOTE(runner4him @ Jun 27 2007, 06:24 AM)

Steffan wrote.....

I would like some clarification...this is for you steffan.....you seem to know quite a bit although W.T. says you do not....I just want to know if you knew what the order to impound was about? Do you think it was something that the attorneys wanted to do and not 3abn? I think you said it was doomed to fail because it was unconstitutional or something like that so it must have been a lost cause taking up the judge's time?

Thanks for answering.

r4Him

Steffan...I bumped this up so maybe you would see it and answer me. Thanks for responding!

r4Him

Posted by: ex3ABNemployee Jun 29 2007, 08:47 PM

QUOTE(PeacefullyBewildered @ Jun 25 2007, 07:23 PM)

Walt Thompson said:

"No, Steffan does not represent 3abn or Danny. He is not in a position of authority to know what is going on. While I do not know a lot about the relationship between Doug and the President of the conference, this is certainly not the reason 3abn and AF are negotiating."

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Steffan has been irrelevant to me for quite some time. I'm glad to see that Walt Thompson and I can agree on one thing, at least.

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