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BlackSDA _ 3ABN _ Court Posts Legal Documents.

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

1

The documents relating to this case have been posted by the Court for viewing by the public.

To view these documents access the Massachusetts District Court, Case # 07-40098FDS

These documents are listed in the Pacer System. To view them, you will need to have a Pacer account. I have one due to my interest in law and writing. You do not have to be an attorney to establish a Pacer account.

NOTE: Pacer accounts allow you to both view and print public legal records. You pay a fee for every page that you view. So, be aware that such accounts are not free. You are never billed until you actually view the file. Prior to viewing the file you are informed as to the number of pages, and the pages for which you will be billed. (I was billed for 30 pages of what was a 36 page file, in one case.) You have to click on an agreement to pay the charge before you can view the file.

Once you access the court file you will be given a menu as to what is available. The menu item listed "History" is probably the most important one. It lists in chronological the documents available, by document number. You will need this document number to order up a file for viewing.

Once you order up a file for viewing you are given the information that you need to decide whether or not to pay the fee and view it. NOTE: In some cases the file is divided into parts. In such, you can view individual sections without paying the fee to view all sections.

NOTE: One file I viewed was 100+ pages.

NOTE: One of the first files you may want to view is the Plaintiffs' Complaint which first began this lawsuit. Probably the first 21 page section is of most interest. The plaintiffs' request a trial by jury, and minimum compensatory damages of \$75,000 plus legal fees and costs. Read this document closely.

2

I am reading the complaint. I find it interesting.

In it the plaintiffs claim that Mr. Joy and Mr. Pickle have published a number of falsehoods, and refused to correct them. Among others, these include:

- 1) a false claim that Danny Shelton has several inappropriate extra-marital affairs while married to Linda.
- 2) A false claim that Danny Shelton had an extra-marital affair with a named employee of 3-ABN.

There is much more.

I am the first one to say that truth may not be an absolute defence.

But, the plaintiffs, in my opinion, have now opened up this lawsuit to issues such as the above. It will be interesting to see how this develops, and what happens when sworn testimony is presented.

I do not know.

6/24/2007 I hvae ben asked tp post the information needed to sign ukp for a Pacer account.

You may do so by going to <http://pacer.psc.uscourts.gov> and going through the registration process. You will need a valid credit card to be billed for the materials that you view--GM.

Posted by: PeacefullyBewildered Jun 22 2007, 12:02 PM

Thank you for this information, Gregory.

Posted by: Observer Jun 22 2007, 12:12 PM

I am now reading from the Plaintiffs' Memorandum in Support of Plaintiffs' Motion for permanent Impoundment.

QUOTE

Plaintiff's initial memorandum in support of impoundment set forth Defendants' pattern and practice of using every possible medium, including court documents, to impugn, . . . Plaintiffs' reputations and conduct. . . . impoundment is an appropriate mechanism by which this court can prevent Defendants from utilizing the Court's files to further their campaign to defame Plaintiffs, . . .

See page 1

I guess they really did not want the public to know what was in the documents.

Some other interesting statements in this same document:

QUOTE

As a direct result of Defendants' conduct, 3ABN has experienced a substantial loss of goodwill within the Adventist faith community. . . . It is simply not possible to quantify the damage to 3ABN's reputation within the Seventh-Day Adventist community that has been caused by Defendants' campaign of willful disparagement. 3ABN has also suffered, as a direct result of Defendants' activities, an irreparable loss of confidence on the part of the official Adventist Conference, the South Pacific Division. . . .

See page 6

NOTE: On page 8 the Plaintiffs show concern that the defendants might submit documents to the Court that would contain statements by other people which would defame the Plaintiffs and thereby become available to the public.

Interesting!

Posted by: Pickle Jun 22 2007, 02:00 PM

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

...

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I do not know.

Have Gailon and/or I actually made each statement and done each action the suit alleges that we have done? That must first be proven.

Posted by: PeacefullyBewildered Jun 23 2007, 05:49 AM

QUOTE

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I, personally, think their newly touted "non-denominational" status will have a far greater effect on the goodwill within the Adventist faith community world wide than anything done heretofore. Think they'd better start planning a lawsuit against themselves for "willful disparagement".

My mother, who has supported 3abn for years, is shocked, dismayed and ANGRY!

Posted by: watchbird Jun 23 2007, 08:34 AM

QUOTE(PeacefullyBewildered @ Jun 23 2007, 07:49 AM)

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This has been discussed previous to this right here on BSDA. The website has openly made this statement on their website for years.... (Doesn't anyone ever read the "About Us" statements?)

Three Angels Broadcasting Network (3ABN) is the "Mending Broken People Network," a 24-hour Christian television and radio network. 3ABN's focus is to present programming which will reach people right where they are hurting. 3ABN offers divorce recovery programs, drug and alcohol rehabilitation, cooking and health programs, stop smoking and weight loss, programs that deal with children and family issues, organic gardening, natural home remedies, gospel music programs, as well as a variety of inspirational themes from the Bible for children and adults.

Today, surrounded by the rolling farmland of Southern Illinois, 3ABN beams its television and radio programming to five satellites which carry it to every inhabited continent. 3ABN is the second largest Christian network in North America (in regard to numbers of owned and operated UHF stations). 3ABN's "down-home" approach and the absence of large fundraising

efforts or telethons holds a special appeal for its viewers.

3ABN is not owned, operated or funded by any church, denomination or organization, so people from all cultures and backgrounds appreciate 3ABN programming.

I will let others make guesses as to when they think this was first incorporated into the About Us page. (clue.... it was not recently).

The statement on their very first website was worded significantly differently from the one above

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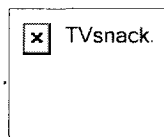
3ABN's absence of large fund-raising efforts or telethons holds a special appeal for its viewers. **3ABN is an independent, nonprofit, supporting ministry of the Seventh-day Adventist Church.**

After 3abn moved to Tagnet (which has as its basic requirements for having a web page there that the ministry be a member of ASI), most of the earliest statement was omitted, and the front page carried this very brief statement.

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I do not know how soon this was dropped after they started using the TAGnet service, but I have seen nothing other than the first statement given above since 2001.

So... back to my original question... why is it such a surprise to everyone to find that 3abn is now claiming "non-denominational" status?



Posted by: Richard Sherwin Jun 23 2007, 10:30 AM

So in other words 3abn is just following the lead of what the SDA church has done for years, trying to deceive people into coming to our seminars, evangelistic meetings, cooking classes, etc by acting like we are not part of the SDA church until we've set the hook. (Shut up Richard before you rant on one of your pet peeves against the church. Thank you)

QUOTE(watchbird @ Jun 23 2007, 10:34 AM) □

What I am trying really,.... **really**,..... **REALLY**,..... hard to understand is why anyone would be "shocked, dismayed, and ANGRY"... or even "surprised"... at the "news" that 3abn considers itself to be a " non-denominational entity", not affiliated with any church.

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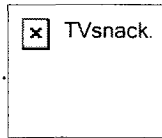
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Posted by: Pickle Jun 23 2007, 10:57 AM

No, Richard, I'd say there is a difference.

While Jesus on occasion told His disciples or someone He healed not to say this or that about Him, while He didn't go around telling everyone through a megaphone that He was the Messiah, the Son of God, He never denied that He was.

To not tell someone up front that you're an Adventist, for Billy Graham not to disclose at his meetings what denomination he is a member of, if he is a member and doesn't disclose, is a different matter than denying that you're an Adventist.

It is unquestionable that 3ABN signed an agreement with the GC in 1997, that the agreement they signed is linked from their website, that they are a member of ASI, and that they are affiliated with Atlantic Union Media Services. To say that they are not affiliated with any denomination or organization when they are isn't true, is different than what Jesus did, and is different than what I've seen Adventist evangelist do.

WB,

The statement on 3ABN's website speaks of funding, but doesn't speak of affiliation. While it may give the impression to people that 3ABN isn't affiliated with any church or organization, I would argue that, technically, the language doesn't deny affiliations.

So I would say that the lawsuit goes beyond what the website says.

Posted by: Artiste Jun 23 2007, 07:04 PM

Yes, a big difference!

Posted by: Richard Sherwin Jun 23 2007, 07:40 PM

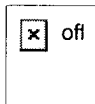
I've had people come up to me and ask why don't you put in your flyers who you are? I don't know what to tell them. I guess my feeling is that we should say "hi, I'm Richard from the SDA church would you like to come to some meetings about Bible prophesy at our church?". Instead we're told to say "hi, I'm

Richard, how would you like to come to a prophesy meeting at the VFW hall?" I feel like a Jehovah's Witness since they do the same thing.

I once while hiking the AT in New York had a guy give me a piece of literature and I asked him if he was SDA, man did he ever do everything he could not to answer. Finally when I saw it was from Amazing Facts and told him I was SDA as well did he finally admit he was.

Why not go boldly proclaiming that we are SDA Christians?

I guess it's a good thing I'm not in marketing.



Sorry.

Richard

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Posted by: LaurenceD Jun 24 2007, 07:47 AM

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When the 3abn website is back in working order, see if the language is still the same as before. The timing would be right to modify the wording--just a little tweak--if you know what I mean.

Posted by: mikell Jun 24 2007, 10:08 AM

QUOTE(watchbird @ Jun 23 2007, 08:34 AM) □

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Posted by: watchbird Jun 24 2007, 12:10 PM

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"View the "Joint Declaration of Commitment" document between the General Conference of Seventh-day Adventist and Three Angels Broadcasting Network."

The line "Many of 3ABN's employees..." etc.. was added a little over a year ago.

don't have information on when the "View the 'Joint Declaration of Commitment' document " line was added. I **think** that I recall seeing it on the site before it went down this time, but I do not have a record of it.

Posted by: Ozzie Jun 24 2007, 05:19 PM

QUOTE(watchbird @ Jun 25 2007, 04:10 AM)

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I DID see it there months ago WB and copied it to a SPD employee (or two or 3 or more). I can't find it in my files at the moment, but wonder if one of those people still has a copy of what I sent som time ago?

It will be interesting to see if the web site has been 'tweaked', a little bit here and a little bit there, when it's up and running again!

QUOTE(LaurenceD @ Jun 24 2007, 11:47 PM)

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I couldn't get 3ABN up before I went to bed last night and it's still 'down' for me this morning, Ozzie time!

Posted by: Richard Sherwin Jun 24 2007, 05:39 PM

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QUOTE(Richard Sherwin @ Jun 25 2007, 09:39 AM)

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Yep. I did too just then. Couldn't get on last night or even 20 minutes ago though.

Had trouble accessing BSDA on Friday afternoon and evening as well, as did other Ossie friends. Kept getting a message similar to "The maximum number of participants has been reached. Please try again later". We suspected that the news on BSDA was so hot, that we'd have to wait in line! LOL

Posted by: Richard Sherwin Jun 24 2007, 06:18 PM

So now tell me why when you quoted me it said I had posted it tomorrow morning? Or maybe I did go into the future and posted it to the past

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QUOTE(Richard Sherwin @ Jun 25 2007, 10:18 AM)

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Maybe... it's coz it's Monday here in Australia. Actually, 9:35am right now!

Posted by: Richard Sherwin Jun 24 2007, 07:05 PM

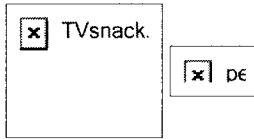
Hey now that is so cool. I never looked to see where you lived and even if I did it might not have occurred to me. What was going on. So you really can post back from the future Not to mention you can post from winter to summer.

Richard

QUOTE(Ozzie @ Jun 24 2007, 08:32 PM)

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Posted by: Seraphim7 Jun 24 2007, 07:11 PM



Posted by: princessdi Jun 24 2007, 08:09 PM

WB, I can understand the wording, and I even understand, as I said, that they will play on words and say that they never claimed to be a SDA ministry. However, the part that got me and will probably get the most taunt member to even blink an eye, is saying they are non denominational. These days, ND is a denomination unto itself. It will almost be like they ARE associating themselves with another denom. Remember the rank and file actually believe them to be part of the church.

Posted by: mystery- man Jun 24 2007, 11:52 PM

Forgive me if I appear to be a little sceptical, most adventist will make little or no attempt to realize they have been dupped into believe 3abn is something it is not. Just like the General Conference was allowed to call the members customers without any real outrage by its members. I believe that 3abn has learned from that and believe that many adventist will simply close their eyes to the reality of the words and continue to give and say "it is Gods will". And also dont forget that TS was not a adventist and was Vice President for a time until his health failed.

The taking a member to court thing is not an invention of DS but rather a continuation of the actions of the denomination to justify prosecuting its members when they fall out of line. They SDA have appealed to the state on a number of issues to solidify their control on the Adventist people. We have to a large extent, even tho as a people we have the truth, submitted ourselves to a cult. Yes, salvation is unto the Adventist and they have the truth, but the truth does not have them.

Posted by: Panama_Pete Jun 25 2007, 12:03 AM

QUOTE(mystery- man @ Jun 25 2007, 12:52 AM)

Yes, salvation is unto the Adventist and they have the truth, but the truth does not have them.

You say things in interesting ways: We have the truth, but the truth does not have us.

That's something to think about, Mystery-man.

Posted by: Pickle Jun 25 2007, 12:04 AM

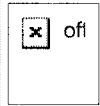
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Why not go boldly proclaiming that we are SDA Christians?

I guess it's a good thing I'm not in marketing.



Sorry.

Richard

I had a fellow putting in a water softener once, and he asked me what I did. I told him I pastored an Seventh-day Adventist church. He said he had one in his town, which I knew he didn't. So I enquired some more, and he said he did have one, "Latter-day Saints, Seventh-day Adventist." So I had to explain that LDS wasn't the same as SDA.

I was following up Bible study enrollment cards in another district, and when asked what church was behind it I would say that people of all faiths do those lessons and enjoy them, but that I personally was a Seventh-day Adventist.

In one case I got a phone call from a fellow after leaving lessons with a lady, and I responded in that way. He then told me that he was her pastor, and that she didn't want the lessons anymore. I thought that was totally wrong, since she hadn't told me that. I talked to him as long as possible and then dropped a GC by his home.

On another occasion I called a fellow whom I had left lessons with, and answered his question in the same way. He said, "I thought so," and hung up. I called him back and asked him if there was something wrong with the lessons. His preacher, whom I knew, had warned him about them. Before we were done talking, he apologized for hanging up on me, and told me that Adventists don't believe in hell. I told him we definitely believe in hell. After finishing the call I sent him an AFacts folder to show him that Adventists definitely believe in hell.

I could go on.

It is because of unreasonable prejudice toward and confusion about Adventists that evangelists follow Jesus' example as recorded in the Bible in not boldly proclaiming everything about themselves. But that doesn't mean we have to be ashamed of who we are.

Posted by: Fran Jun 25 2007, 04:03 AM

QUOTE(mystery- man @ Jun 25 2007, 12:52 AM)

Forgive me if I appear to be a little sceptical, most adventist will make little or no attempt to realize they have been dupped into believe 3abn is something it is not. Just like the General Conference was allowed to call the members customers without any real outrage by its members. I believe that 3abn has learned from that and believe that many adventist will simply close their eyes to the reality of the words and continue to give and say "it is Gods will". And

also dont forget that TS was not a adventist and was Vice President for a time until his health failed.

The taking a member to court thing is not an invention of DS but rather a continuation of the actions of the denomination to justify prosecuting its members when they fall out of line. They SDA have appealed to the state on a number of issues to solitify their control on the Adventist people. We have to a large extent, even tho as a people we have the truth, sumitted ourselves to a cult. Yes, salvation is unto the Adventist and they have the truth, but the truth does not have them.

Mystery Man;

Well, I thought you had passed away or something!

I am going to diagram your post so I can figure out what you are saying. You seem to be speaking English, right? Then I will find you to be on the right, on the left, or straddling the fence. Maybe you are everywhere, therefore, you may be positioned on all of the above.

Once I gather preposition phrases, direct objects, indirect objects, gerunds and all that good stuff, I will be able to tell if you are on every side, or just 2 sides!

Time will tell. I am kind of slow. 

Folks;

Sorry I have to bold everything and make it blue or red. Last July the fifth, my eye was operated on, 4 hours later the same eye was damaged by a flying object and I lost a lot of my vision. I bold and change the color so I can edit my stuff. I magnify all the other posts, and still can't read some of them.

The Easter Skin was so nice on my eyes! I miss it. I really loved the cross on the right side of each post. I felt that God was watching me. Sometimes I tend to forget that. I just thought I would explain why I bold everything. It isn't to make any great statement, it is just to help me see better.

Posted by: Observer Jun 25 2007, 04:13 AM

I have been asked how to register for a Pacer account so you can view documents in the Pacer legal system as are the 3-ABN documents.

Go to: <http://pacer.psc.uscourts.gov>

You will need a valid credit card for billing purposes.

Posted by: Rosyroi Jun 25 2007, 06:19 PM

QUOTE(Fran @ Jun 25 2007, 02:03 AM)

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Thank you Fran. That helps so much when we understand things like this. When a person has visual problems life is viewed in a way that can be so frustrating. I have some family members who have different kind of visual problems. I try to accomodate where needed.
Rosyroi

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