Ex. D

No. 08-2457

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIRST CIRCUIT

THREE ANGELS BROADCASTING NETWORK, INC., an Illinois Non-Profit Corporation; and DANNY LEE SHELTON,

Plaintiffs-Appellees,

V.

GAILON ARTHUR JOY; ROBERT PICKLE,

Defendants-Appellants.

On Appeal from the United States District Court for the District of Massachusetts Case No. 07-40098

DESIGNATION OF APPENDIX AND ISSUES FOR REVIEW BY APPELLANTS GAILON ARTHUR JOY AND ROBERT PICKLE

Gailon Arthur Joy, pro se P.O. Box 37 Sterling, MA 01564 (978) 333-3067

Robert Pickle, pro se 1354 County Highway 21 Halstad, MN 56548 (218) 456-2568

Respectfully submitted,

Dated: December 23, 2008

/s/ Gailon Arthur Joy, pro se

Gailon Arthur Joy, pro se

P.O. Box 37

Sterling, MA 01564

Tel: (978) 333-3067

and

/s/ Robert Pickle, pro se

Robert Pickle, pro se 1354 County Highway 21 Halstad, MN 56548

Tel: (218) 456-2568 Fax: (206) 203-3751

CERTIFICATE OF SERVICE

I, Bob Pickle, hereby certify that on December 23, 2008, served copies of this Designation of Appendix and Issues to Review on the following parties by way of U.S. mail:

Gerald Duffy

M. Gregory Simpson

Jerrie M. Hayes

Kristin L. Kingsbury

William Christopher Penwell

Attorneys for Danny Lee Shelton, individually,

and Three Angels Broadcasting Network, Inc.

Siegel, Brill, Greupner, Duffy & Foster, P.A.

100 Washington Avenue South

Suite 1300

Minneapolis, MN 55401

John P. Pucci

J. Lizette Richards

Attorneys for Danny Lee Shelton, individually,

and Three Angels Broadcasting Network, Inc.

Fierst, Pucci & Kane, LLP

64 Gothic Street

Northampton, MA 01060

Dated: December 23, 2008

/s/ Bob Pickle

Bob Pickle