
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Three Angels Broadcasting Network, Inc.,)	
an Illinois non-profit corporation, and)	
Danny Lee Shelton, individually,)	Case No.: 07-40098-FDS
)	
Plaintiffs,)	
v.)	
)	
Gailon Arthur Joy and Robert Pickle,)	
)	
Defendants.)	

**DEFENDANT ROBERT PICKLE’S MOTION TO COMPEL PLAINTIFFS TO
PRODUCE RULE 26(a)(1) DOCUMENTS AND FOR SANCTIONS**

Defendant Robert Pickle moves for an order compelling Plaintiffs to produce all Rule 26(a)(1) materials that are held at any location, and to sanction Plaintiffs by requiring them to bear the expense of copying and delivering correct, complete, and readable copies of all such materials to both Defendants.

1. Plaintiffs made the initial disclosures required by Federal Rule 26(a)(1) on August 3, 2007, enumerating eleven general categories of documents, six categories being held at “Office of Plaintiff’s Counsel” and five categories being held at “3ABN Offices.”

2. Defendants have given voluminous amounts of Rule 26(a)(1) materials to the Plaintiffs at no charge to them.

3. Attorney Heal first requested to inspect and copy Plaintiffs’ Rule 26(a)(1) materials in early August. He was denied that privilege on the basis that while the Plaintiffs were in

possession of such materials, they had no materials to make available for inspecting and copying.

4. Defendant Pickle renewed such efforts to inspect and copy such materials on November 14, 2007, and was told by Attorney Hayes in a reply dated November 14 and 15, 2007, that a one-week notice was sufficient before coming for that purpose to her law office, and a two-week notice was sufficient before coming for that purpose to 3ABN.

5. Defendant Pickle gave such notice on November 19, and subsequently received replies from Attorney Hayes on November 20 and 28, 2007, now nearly four months after the initial disclosures were made. These replies made clear that the Plaintiffs presently refuse to “authorize either the inspection or production” of their Rule 26(a)(1) materials, again denying the privilege of inspection and copying these materials. Yet the Plaintiffs have not filed any motions for protective orders to cover specific documents. Additionally, Attorney Hayes in her last reply, made quite clear that any further discussion or dialogue about “any details concerning copying of materials” was presently unwanted and unwelcome.

6. Defendants must be able to inspect and copy all of Plaintiffs’ Rule 26(a)(1) auto-discovery materials in order to determine whether or not these materials are deficient in supporting Plaintiffs’ claims against them. Especially is this so given the omission from the Plaintiff’s initial disclosures of any mention of any documents explicitly pertaining to Plaintiff Shelton, individually, and the paucity of Rule 26(a)(1) materials Attorney Hayes claims were not obtained from public websites.

7. Defendants seek the immediate production of all of Plaintiffs’ Rule 26(a)(1) auto-discovery materials, and seek sanctions consisting of the copying of all such materials and the delivering of all such materials without delay to both Defendants, all costs thereof to be paid for by the Plaintiffs.

WHEREFORE, I pray the Court compel the Plaintiffs to produce all Rule 26(a)(1) materials held at any location, I pray the Court to compel the Plaintiffs to refrain from objecting to this motion, and I pray the Court to sanction the Plaintiffs' refusal to permit inspection and copying by ordering them to reproduce and deliver to both Defendants correct, readable, and complete copies of all such materials entirely at Plaintiffs' expense.

Respectfully submitted,

Dated: December 7, 2007

/s/ Robert Pickle

Robert Pickle, *pro se*
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CERTIFICATE OF SERVICE

I, Bob Pickle, do certify that I am over the age of 18 years of age and on this day I have caused service of this document to the Court and have served by first class mail, postage prepaid, a copy of this document and this Certificate of Service to Plaintiffs' counsel at Siegel, Brill, Greupner, Duffy & Foster, and Fierst, Pucci & Kane, LLP.

Dated: December 10, 2007

/s/ Bob Pickle