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**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.

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**PLAINTIFFS' MEMORANDUM IN SUPPORT OF MOTION  
TO EXTEND DEADLINE TO FILE A REPLY MEMORANDUM**

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**INTRODUCTION**

Plaintiffs Three Angels Broadcasting, Inc. ("3ABN") and Danny Lee Shelton ("Shelton") have moved pursuant to Fed. R. Civ. P. 6(b) and the Court's July 24, 2007 Scheduling Order for an Order extending their deadline to file a reply memorandum to Defendants' Opposition to Plaintiffs' Motion for Protective Order Limiting Scope and Methods of Discovery to Friday, July 18, 2008.

**FACTS AND ARGUMENT**

On July 9, 2008, Defendants Gailon Arthur Joy and Robert Pickle filed Defendants' Opposition to Plaintiffs' Motion for Protective Order Limiting Scope and Methods of Discovery. Pursuant to the Court's Scheduling Order entered on July 24, 2007, "[p]arties need not seek leave of court to file a reply memorandum in response to an opposition to any motion, provided

that such a reply memorandum does not exceed twelve pages, double-spaced, and is filed within seven days (excluding intermediate Saturdays, Sundays, and legal holidays) after service of the opposition memorandum.” Accordingly, pursuant to the Scheduling Order and Fed. R. Civ. P. 6(a), Plaintiffs calculated the deadline for a reply memorandum as July 18, 2008 (i.e. seven days after July 9, 2008, excluding the intermediate Saturday and Sunday). Plaintiffs planned for and are prepared to file their reply memorandum by that date.

However, on July 15, 2008, this Honorable Court issued an Order that responses are due by July 16, 2008. As a result of having originally calculated a deadline of July 18, 2008, in accordance with the terms of the Scheduling Order, and having only one day’s notice of the change in deadline to July 16, 2008, Plaintiffs are simply unable to complete and file their reply memorandum by today. Plaintiffs submit that, for these reasons, good cause exists to extend the deadline for them to file a reply memorandum from July 16, 2008 to July 18, 2008.

### **CONCLUSION**

For these reasons, Plaintiffs seek an Order from this Court extending their deadline to file a reply memorandum to Defendants’ Opposition to Plaintiffs’ Motion for Protective Order Limiting Scope and Methods of Discovery to Friday, July 18, 2008.

Respectfully Submitted:

Dated: July 16, 2008

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants.

Dated: July 16, 2008

/s/ J. Lizette Richards

J. Lizette Richards