

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re)	
)	
Gailon Arthur Joy,)	
)	
Debtor)	
)	
)	
Gailon Arthur Joy,)	
)	
Plaintiff,)	
)	
v.)	Case No. 07-43128-JBR
)	
Three Angels Broadcasting)	Chapter 7
Network, Inc.,)	
)	Adversary No. 07-04173
Danny Lee Shelton,)	
)	
John P. Pucci, Esquire,)	
)	
Jerrie M. Hayes, Esquire,)	
)	
Gerald S. Duffy, Esquire,)	
)	
Fierst, Pucci & Kane, LLP,)	
)	
and)	
)	
Siegel Brill Gruepner Duffy &)	
Foster P.A.,)	
)	
Defendants)	
)	
)	

Motion to Dismiss Amended Complaint, or in the Alternative, to Treat Adversary Proceeding as a Contested Matter Under Federal Rule of Bankruptcy Procedure 9014 by John P. Pucci, Esquire and Fierst, Pucci & Kane LLP

Now come defendants John P. Pucci, Esquire ("Pucci") and Fierst, Pucci & Kane LLP ("FP&K") and hereby move to dismiss the Plaintiff's Amended Complaint, or in the alternative, seek an

Order treating this Adversary Proceeding as a contested matter pursuant to Fed. R. Bankr. P. 9014. Pursuant to Fed. R. Civ. P. 10(c), Pucci and FP&K adopt in its entirety by reference the Motion to Dismiss Amended Complaint, or in the Alternative, to Treat Adversary Proceeding as a Contested Matter Under Federal Rule of Bankruptcy Procedure 9014 filed by defendants Three Angels Broadcasting Network, Inc. and Danny Lee Shelton.

WHEREFORE, Pucci and FP&K respectfully request the entry of an Order dismissing the Plaintiff's Amended Complaint, or in the alternative, that said Complaint be treated as a Motion filed under Rule 9014 for all purposes.

RESPECTFULLY SUBMITTED,
Defendant John P. Pucci, Esquire,
Pro se,

Dated: February 22, 2008

/s/ John P. Pucci
John P. Pucci, BBO# 407560
FIERST, PUCCI & KANE LLP
64 Gothic Street, Suite 4
Northampton MA 01060
413/584-8067
413/585-0787 (facsimile)

Defendant Fierst, Pucci & Kane LLP,
By its attorney,

Dated: February 22, 2008

/s/ John P. Pucci
John P. Pucci, BBO# 407560
FIERST, PUCCI & KANE LLP
64 Gothic Street, Suite 4
Northampton MA 01060
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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 on February 22, 2008.

Dated: February 22, 2008.

 /s/ John P. Pucci
John P. Pucci, Esquire