
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

Three Angels Broadcasting Network, Inc.,)	
an Illinois non-profit corporation, and)	
Danny Lee Shelton, individually,)	Case No.: 1:08-mc-03
)	
Plaintiffs,)	
v.)	
)	
Gailon Arthur Joy and Robert Pickle,)	
)	
Defendants.)	

DEFENDANT ROBERT PICKLE’S MOTION TO COMPEL REMNANT PUBLICATIONS

Defendants Gailon Arthur Joy and Robert Pickle seek documents relevant to the underlying suit from Dan Hall of Remnant Publications (hereafter “Remnant”), via a subpoena served on March 31, 2008. Remnant has taken the position that they will not produce a single document without the Defendants filing a motion to compel.

The underlying suit explicitly and repeatedly alludes to royalty payments made by Remnant to Plaintiff Shelton, and accuses the Defendants of defamation *per se*, thus rolling the burden of proof onto them regarding the matter of Plaintiff Shelton’s royalties from Remnant.

The Defendants have conferred by telephone with Remnant or Remnant’s counsel regarding their need of obtaining documents by subpoena about six times since around December, thus meeting the requirements of Local Rule 7.1(d). In the first telephone conversation with Dwight Hall, Mr. Hall informed Defendant Pickle that Remnant would not make it difficult for the Defendants to obtain the documents they need. Yet the Defendants are now forced to file a motion to compel.

WHEREFORE, Defendant Pickle prays the Court to compel Dan Hall and Remnant Publications to fully comply with the Defendants' subpoena, to award the Defendants' reasonable expenses of filing this motion, pursuant to Fed. R. Civ. P. 37(a)(5)(A), and to award whatever further relief to the Defendants that the Court deems just.

Respectfully submitted,

Dated: May 1, 2008

/s/ Robert Pickle

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FED. R. CIV. P. 37(a)(1) CERTIFICATION

I certify that the Defendants have conferred with Dwight Hall and Remnant's counsel in good faith in an effort to obtain discovery without court action.

Dated: May 1, 2008

/s/ Bob Pickle