

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Three Angels Broadcasting Network, Inc.,
an Illinois non-profit corporation, and
Danny Lee Shelton, individually,

Plaintiffs,

V.

Gailon Arthur Joy and Robert Pickle,

Defendants.

Case No.: 07-40098-FDS

DEFENDANTS' MOTION TO FILE UNDER SEAL

Defendants seek leave of the Court to file under seal Exhibit A to the Affidavit of Robert Pickle filed with Defendants' Reply Memorandum in Support of Defendants' Motion to Impose Costs upon the Plaintiffs, with an accompanying affidavit. Exhibit A consists of documents produced by Remnant Publications, Inc. (hereafter "Remnant") pertaining to kickbacks and/or royalties paid by Remnant to DLS Publishing, Inc. (hereafter "DLS") from 2005 through 2007. These documents were marked confidential by Remnant's counsel.

Pursuant to Local Rule 7.2(a), the Defendants believe the above material should be impounded until or unless the Court determines that the material does not fit the qualifications of ¶ 1 of the confidentiality order of the instant case. (Doc. 60). Since the Defendants are not the designating party and prefer full disclosure, they request that if the material does fit the qualifications of ¶ 1, that it be impounded until further order of the Court.

WHEREFORE, the Defendants pray the Court to allow Exhibit A and accompanying

affidavit to be filed under seal, and to remain sealed until or unless the Court determines that the material does not fit the qualifications of ¶ 1 of the confidentiality order of the instant case. If the material does fit the qualifications of ¶ 1, the Defendants pray the Court to allow it to remain impounded until further order of the Court.

Respectfully submitted,

Dated: December 8, 2008

/s/ Gailon Arthur Joy, *pro se*

Gailon Arthur Joy, *pro se*
Sterling, MA 01564
Tel: (978) 333-3067

and

/s/ Robert Pickle, *pro se*

Robert Pickle, *pro se*
Halstad, MN 56548
Tel: (218) 456-2568
Fax: (206) 203-3751

LOCAL RULE 7.1 CERTIFICATE

The undersigned hereby attests that the Defendants have complied with the requirements of Local Rule 7.1 by having, in good faith, through counsel conferred with Plaintiffs. Plaintiffs' counsel represented that he did not oppose motions to file under seal documents designated confidential by the Plaintiffs, but did oppose efforts to challenge confidentiality designations.

Dated: December 8, 2008

/s/ Bob Pickle

Bob Pickle

AFFIDAVIT OF SERVICE

Under penalty of perjury, I, Bob Pickle, hereby certify that this document, with accompanying memorandum, affidavit, and exhibits, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: December 8, 2008

/s/ Bob Pickle

Bob Pickle