

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)
In re)
)
GAILON ARTHUR JOY)
)
Debtor)
_____)
)
GAILON ARTHUR JOY)
)
Plaintiff)
)
v.)
)
THREE ANGELS BROADCASTING)
NETWORK, INC.,)
DANNY LEE SHELTON,)
JOHN P. PUCCI, ESQ.,)
JERRIE M.HAYES, ESQ.,)
GERALD S. DUFFY, ESQ.,)
FIERST, PUCCI & KANE LLP,)
and)
SIEGEL BRILL GREUPNER)
DUFFY & FOSTER, P.A.)
)
Defendants)
_____)

Case No: 4:08-CV-40090-FDS

DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT

NOW COME Three Angels Broadcasting Network, Inc. (“3ABN”), Danny Lee Shelton (“Shelton”), John P. Pucci (“Pucci”), Jerrie M. Hayes (“Hayes”), Gerald S. Duffy (“Duffy”), Fierst, Pucci & Kane LLP (“Fierst Pucci”), and Siegel Brill Gruepner Duffy & Foster, P.A. (“Siegel Brill”), Defendants in the above-captioned proceeding, pursuant to Fed. R. Bank. P. 7056 and Fed. R. Civ. P. 56, as well as Local Rules 7.1 and 56.1, and hereby file this Motion for Summary Judgment, along with the accompanying Statement of Material Facts, Memorandum of Reasons and Affidavit of Gerald S. Duffy. Defendants seek Summary Judgment as to the entire

claim asserted by Debtor, Gailon Arthur Joy (“Joy”), in his Amended Adversarial Complaint. In support thereof, Defendants rely on the material facts of record as to which there is no genuine issue to be tried as set forth in the accompanying Statement of Material Facts (and as established by the affidavit, Rule 2004 Examination transcript, and other documentation referenced therein and submitted therewith), as well as the reasons set forth in the accompanying Memorandum of Reasons.

WHEREFORE, 3ABN, Shelton, Pucci, Hayes, Duffy, Fierst Pucci, and Siegel Brill respectfully request that this Honorable Court grant Summary Judgment in their favor as to the entire claim asserted by Joy in his Amended Adversarial Complaint and grant whatever other and further relief as this Honorable Court deems fair and just.

REQUEST FOR ORAL ARGUMENT

Plaintiffs respectfully request that this Honorable Court set a day and time for oral argument to be heard on this Motion, and further request that leave be granted for the parties to appear by telephone.

Respectfully Submitted,

Dated: May 15, 2009

SIEGEL, BRILL, GREUPNER,
DUFFY & FOSTER, P.A.

/s/ M. Gregory Simpson
Gerald S. Duffy (MN #24703)
M. Gregory Simpson (MN # 204560)
Kristin L. Kingsbury (MN #0346664)
100 Washington Avenue South
Suite 1300
Minneapolis, MN 55401
Telephone: 612-337-6100
Facsimile: 612-339-6591

and

HENDEL & COLLINS, P.C.

George I. Roumeliotis (BBO #564943)
101 State Street
Springfield, MA 01103
Telephone: 413-734-6411
Facsimile: 413-734-8069

and

FIERST, PUCCI & KANE, LLP

John P. Pucci, Esq., BBO #407560
J. Lizette Richards, BBO #649413
64 Gothic Street
Northampton, MA 01060
Telephone: 413-584-8067
Facsimile: 413-585-078

Attorneys for Defendants Three Angels
Broadcasting Network, Inc., Danny Lee Shelton,
John P. Pucci, Jerrie M. Hayes, Gerald S. Duffy,
Fierst, Pucci & Kane LLP, and Siegel Brill
Gruepner Duffy & Foster, P.A.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system, along with any affidavits and/or attachments filed herewith, 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: May 15, 2009

/s/ M. Gregory Simpson