
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 FOR LEAVE TO CAUSE SUBPOENA TO BE SERVED
UPON U.S. ATTORNEY COURTNEY COX, AND MOTION FOR LEAVE TO CAUSE
SUBPOENA TO BE SERVED UPON THE FJARLI FOUNDATION**

Though no leave is required for the Defendants to serve subpoenas, yet because a motion is pending relating to the issue of serving third-party subpoenas, Defendants Gailon Arthur Joy and Robert Pickle seek leave of the Court to serve subpoenas *duces tecum* upon U.S. Attorney Courtney Cox of the Southern District of Illinois, and the Fjarli Foundation of Medford, Oregon.

The Defendants wish to subpoena from the U.S. Attorney copies of interviews, notes, signed statements, reports, correspondence, stipulations, agreements, findings of fact, information sheets, and lists of available evidence pertaining to Three Angels Broadcasting Network, Inc. (hereafter "3ABN"), Danny Lee Shelton (hereafter "Shelton"), and Shelton's publishing companies, D & L Publishing (hereafter "D&L") and DLS Publishing (hereafter "DLS").

Regarding the mortgage loan Shelton reported in his July 2006 financial affidavit in connection with his ongoing division of marital assets case, the Defendants wish to subpoena from the Fjarli Foundation copies of the mortgage note, deed, amortization schedule, payment

schedule, and payment history (including source of payment); copies of the fronts and backs of all checks dispersed or received for account; copies of all wire transfers (including wire transfer instructions) dispersed or received for account; and all documents pertaining to the disposition of the debt

WHEREFORE, the Defendants pray the Court to grant leave to cause a subpoena to be served upon U.S. Attorney Courtney Cox for copies of interviews, notes, signed statements, reports, correspondence, stipulations, agreements, findings of fact, information sheets, and lists of available evidence pertaining to the Plaintiffs and Shelton's publishing companies; and the Defendants pray the Court to grant leave to cause a subpoena to be served upon Merlin Fjarli and/or the Fjarli Foundation for copies of the mortgage note, deed, amortization schedule, payment schedule, and payment history (including source of payment); copies of the fronts and backs of all checks dispersed or received for account; copies of all wire transfers (including wire transfer instructions) dispersed or received for account; and all documents pertaining to the disposition of the debt.

Respectfully submitted,

Dated: August 22, 2008

/s/ Gailon Arthur Joy, *pro se*

Gailon Arthur Joy, *pro se*
Sterling, MA 01564
Tel: (978) 333-6247

and

/s/ Robert Pickle, *pro se*

Robert Pickle, *pro se*
Halstad, MN 56548
Tel: (218) 456-2568
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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, and Plaintiffs' counsel was unresponsive.

Dated: August 22, 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, exhibits, and proposed order, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: August 22, 2008

/s/ Bob Pickle

Bob Pickle