

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____ )	
Three Angels Broadcasting Network, Inc., )	
an Illinois non-profit corporation, and )	
Danny Lee Shelton, individually, )	Case No.: 07-40098-FDS
)	
) Plaintiffs, )	
v. )	
)	
Gailon Arthur Joy and Robert Pickle, )	
)	
) Defendants. )	
_____ )	

**DEFENDANT ROBERT PICKLE’S MOTION TO COMPEL THREE ANGELS BROADCASTING NETWORK, INC. TO PRODUCE DOCUMENTS AND THINGS, AND HIS MOTION TO COMPEL DANNY LEE SHELTON TO PRODUCE DOCUMENTS AND THINGS**

Defendant Robert Pickle seeks documents relevant to the underlying suit from Plaintiffs Three Angels Broadcasting Network, Inc. (“3ABN”) and Danny Lee Shelton via his Requests to Produce served upon 3ABN on November 29, 2007, and on Plaintiff Shelton on December 7, 2007. The Plaintiffs have played a game of obstructionism by claiming that every document sought is irrelevant, confidential, or privileged, which claims should be considered waived due to the untimely nature of their objections.

While discovery conferences were held on January 10 and 22, and though the Confidentiality Order of April 17, 2008, effectively removed the objections of confidentiality and privilege, the Plaintiffs have thus far failed to produce one single document in response to the Requests to Produce, and Defendant Pickle seeks Orders to Compel the Plaintiffs to produce all responsive documents.

Given the wide range of allegations that the Plaintiffs themselves have put at issue in this

controversy, and the long time frame referred to in the factual allegations of their Complaint, their claims of irrelevancy are disingenuous, and their obstructionism is grievously flagrant. Therefore Defendant Pickle seeks an Order to permit his entry upon the property controlled by the Plaintiffs in order to inspect and copy the requested documents, and to alter his Requests to Produce to include a request for such entry, a request allowable under Fed. R. Civ. P. 34(a)(2).

Due to the overly general nature of Plaintiffs' untimely responses to the instant Requests to Produce, particularly in regards to "General Objection No. 8" as it pertains to definition 16, Defendant Pickle seeks leave of the Court to reply to objections raised by the Plaintiffs in any response they may make to this Motion to Compel.

Defendant Pickle seeks his reasonable expenses and costs in bringing this motion before the Court, pursuant to Fed. R. Civ. P. 37(a)(5)(A).

WHEREFORE, Defendant Pickle prays the Court to COMPEL 3ABN and to COMPEL Plaintiff Shelton to produce for inspection and copying all responsive documents to his Requests to Produce, to PERMIT the Defendants' reply to the Plaintiffs' opposition to this Motion, to AWARD Defendant Pickle his reasonable expenses and costs of filing this motion, to ORDER the Plaintiffs to permit entry by the Defendants onto the property possessed or controlled by the Plaintiffs in order to inspect and copy all responsive documents, and to MODIFY Defendant Pickle' Requests to Produce to include a request for such entry, and to award whatever further relief to the Defendants that the Court deems just.

Respectfully submitted,

Dated: May 15, 2008

/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 and without success, conferred and attempted to confer with Plaintiffs in an attempt to resolve or narrow the discovery dispute at issue.

Dated: May 15, 2008

/s/ Bob Pickle

**LOCAL RULE 37.1 CERTIFICATE**

The undersigned hereby attests that the Defendants have complied with the requirements of Local Rule 37.1 by having, in good faith, through counsel and without success, conferred and attempted to confer with Plaintiffs to narrow the areas of disagreement to the greatest extent possible.

Dated: May 15, 2008

/s/ 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), and by email to Gailon Arthur Joy on May 15, 2008.

Dated: May 15, 2008

/s/ Bob Pickle

Subscribed and sworn to me  
this 15th day of May, 2008.

/s/ Deanna M. Zimmerman

Notary Public—Minnesota

My Commission Expires Jan. 31, 2010