
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.

**NOTICE OF MOTION AND MOTION FOR PROTECTIVE ORDER
LIMITING SCOPE AND METHODS OF DISCOVERY
AND REQUEST FOR ORAL ARGUMENT**

**TO: DEFENDANT GAILON ARTHUR JOY, P.O. BOX 1425
STERLING, MA 01564**

**DEFENDANT ROBERT PICKLE, 1354 COUNTY HIGHWAY 21,
HALSTAD, MN 56548**

NOTICE

PLEASE TAKE NOTICE that on a day and time to be determined by the Court, the undersigned counsel for Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton will bring a Motion for Protective Order Limiting Scope and Methods of Discovery against Defendants Gailon Arthur Joy and Robert Pickle pursuant to Fed. R. Civ. P. 26(c) and Local Rules 7.1 and 37.1 of the District of Massachusetts, at the United States Court House (Donohue Federal Building), 595 Main Street, Worcester, Massachusetts, 01608.

MOTION

Plaintiffs Three Angels Broadcasting Network, Inc. and Danny Shelton hereby move the Court for an Order as follows:

1. Limiting the scope of discovery to relevant subject matters according to the claims and defenses of the parties;
2. Denying all discovery requests that are overbroad, or that seek discovery that is irrelevant, privileged, unreasonably cumulative or duplicative, that can be obtained from other sources that is more convenient, less burdensome or less expensive, or where the burden or expense of the proposed discovery outweigh its likely benefit;
3. Directing that all future discovery requests identify with particularity the transactions and events of which Defendants seek discovery, including the approximate date, the individuals involved in that transaction, and the assets / items / persons affected by that transaction or event, and that when such specificity is not possible, that Defendants' requests be narrowed to a relevant and reasonable time-frame of January 2001 through January 2007;
4. Denying Defendants' requests for identifying information of donors and church leaders;
5. Directing both parties to submit proposals to Magistrate Hillman for review to facilitate a discovery plan that will allow discovery to proceed while removing irrelevant donor and church leader identifying information;

6. Ordering that Defendants seek leave of this Court prior to issuing any further subpoenas for discovery conducted in this case;

7. Appointing Magistrate Judge Hillman or a special master or a neutral third party to conduct in camera review of all non-party documents produced in this case prior to disclosure to Defendants for relevance, confidentiality, and privilege, and to ensure all documents produced by third parties comply with all discovery orders in this matter; and

8. For such other relief as the Court would deem just and equitable.

This Motion is based upon Plaintiffs' Notice of Motion and Motion for Protective Order Limiting the Scope and Methods of Discovery, Plaintiffs' Memorandum in Support of the same, any Affidavits filed herewith, the Arguments of Counsel and all other files, record and proceedings herein.

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.

Respectfully Submitted:

**Attorneys for Plaintiffs Three Angels
Broadcasting Network, Inc. and
Danny Shelton**

Dated: June 25, 2008

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Local Rule 7.1 Certificate

Undersigned counsel hereby attests that Plaintiffs have complied with the requirements of Local Rule 7.1 by having, in good faith, through counsel and without success, conferred with Defendants in an attempt to resolve or narrow the discovery dispute at issue.

Dated: June 25, 2008

/s/ M. Gregory Simpson
M. Gregory Simpson

Local Rule 37.1 Certificate

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

Dated: June 25, 2008

/s/ M. Gregory Simpson
M. Gregory Simpson

Certificate of Service

I, M. Gregory Simpson, hereby certify that this document filed through the ECF system 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 on June 25, 2008.

Dated: June 25, 2008

/s/ M. Gregory Simpson
M. Gregory Simpson