
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.)
_____)

AFFIDAVIT OF ROBERT PICKLE

NOW COMES Robert Pickle of Halstad Township, Norman County, Minnesota, who deposes and testifies to the following under pain and penalty of perjury:

1. Attached hereto as **Exhibit A** is the September 22, 2008, cover letter sent by counsel for Remnant Publications, Inc. (hereafter "Remnant") with the documents produced by Remnant. This letter indicates that Remnant was the designating party that designated the Remnant documents as being confidential.

2. Attached hereto as **Exhibit B** is an October 24, 2008, sent by Remnant's counsel indicating that Remnant was not the designating party. The Defendants had not previously been notified of this fact.

3. I was present by telephone at the motion hearing of March 4, 2008, in the District of Minnesota before the Honorable Artur J. Boylan. I recall Magistrate Judge Boylan expressing doubt that Danny Lee Shelton as an individual could have standing to move the court to quash a

subpoena seeking records of of a bank that pertained to DLS Publishing, Inc. Magistrate Judge Boylan could not see how if incorporation insulated the individual from legal liability, how that individual could legally act as if that corporation were his DBA.

4. The source quoted on pages 141–142 of Docket Entry # 81-2 also stated regarding Remnant’s royalty payments, “As far as the line item Royalties - they pay several other Authors a royalty which doesn’t amount to any thing.” Another source claimed that up to at least around mid-2004, Remnant was not doing printing or publishing for Three Angels Broadcasting Network, Inc. However, after the incorporation of DLS on November 30, 2004, Remnant printed *The Antichrist Agenda* for DLS. (Doc. 63-32 pp. 11, 27–28).

FURTHER DEPONENT TESTIFIES NOT.

Signed and sealed this 8th day of December, 2008.

/s/ Bob Pickle

Bob Pickle
Halstad, MN 56548
Tel: (218) 456-2568

Subscribed and sworn to me
this 8th day of December, 2008.

/s/ Lori J. Rufsvold

Notary Public—Minnesota

My Commission Expires Jan. 31, 2010

BIRINGER, HUTCHINSON, LILLIS, BAPPERT & ANGELL, P.C.

Ex. A

ATTORNEYS AT LAW

CENTURY BANK AND TRUST BUILDING
100 WEST CHICAGO STREET
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RICHARD F. BIRINGER
(1924-2008)

September 22, 2008

G. Arthur Joy
3 Clinton Road
Box 37
Sterling, MA 01564

Robert Pickle
1354 County Highway 21
Halstad, MN 56548

Re: Remnant Publications, Inc.

Subpoena for records in Case No. 07-40098-FDS

United States District Court for the Central District of Massachusetts

United States District Court for the Western District of Michigan

Dear Mr. Joy and Mr. Pickle:

Enclosed are documents from Remnant Publications, given to you pursuant to your out of district subpoena, as limited by Judge Ellen S. Carmody.

Although these documents are due to you today, Monday, September 22nd, you have agreed to production by Federal Express either today or tomorrow, at my request.

As you can see, these documents are numbered with a identifying sticker and identifying that they are subject to a confidentiality order of the United States District Court for the Central District of Massachusetts. They are sent to you under the condition that they are a part the discovery in that case, and subject to the confidentiality order of the Court, and pursuant to that order, disclosure of these documents is restricted, and your signature to that confidentiality order was obtained, under penalty of perjury.

If I can supply any additional information or answer any immediate questions or concerns, please call.

Please sign + return stipulation.

Very truly yours,



Charles R. Bappert

Ex. B

BIRINGER, HUTCHINSON, LILLIS, BAPPERT & ANGELL, P.C.
ATTORNEYS AT LAW

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RICHARD F. BIRINGER
(1924-2008)

October 24, 2008

Robert Pickle
1354 County Highway 21
Halstad, MN 56548

Re: 3ABN v Pickle & Joy
United States District Court for the Central District of Massachusetts
Case No. 07-40098-FDS

Dear Mr. Pickle:

This will respond to your letter of October 23, 2008, regarding certain Remnant documents protected by the confidentiality order of the court in the above-captioned case.

The order was entered to protect the interests of the parties to the litigation. Remnant Publications is not a party to the litigation. It is neither necessary nor sufficient to consult me about the disclosure or use of the documents. Public disclosure of any document, protected by the confidentiality order, requires either the consent of 3ABN or an order of the court upon proper motion.

If you have any immediate questions or concerns, please call or email.

Very truly yours,

Charles R. Bappert

Charles R. Bappert

kjh g:\15003.40.doc

pc: Greg Simpson
Dan Hall