
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.)	

DEFENDANTS' MOTION FOR SANCTIONS

ORAL ARGUMENT REQUESTED

Plaintiffs' counsel filed memoranda in opposition (Doc. 175; Doc. 174) to Defendants' motions to reconsider and to amend findings, and to Defendants' motion to file under seal. (Doc. 169; Doc. 173). Plaintiffs' opposition memoranda were riddled with misstatements of fact that have no evidentiary support. Defendants seek sanctions pursuant to Fed.R.Civ.P. 11(c)(2) and the Court's inherent powers.

In a couple instances, Plaintiffs' counsel's legal contentions were not based on existing law, and he gave no arguments for extending, modifying, or reversing existing law.

Some misstatements are demonstrably intentional. In one instance, the misstatement was intended to induce the Court to launch contempt proceedings against Defendants.

Defendants seek monetary and/or non-monetary sanctions, including *inter alia* reprimand, removal from the case, drawing adverse evidentiary inferences, and/or paying a fine

into the Court. If warranted by the reasoning of *Pickholtz v. Rainbow Techs., Inc.* or other authority, Defendants seek the award of their expenses for preparing reply memoranda to Plaintiffs' opposition memoranda, and/or for preparing the instant motion.

WHEREFORE, Defendants pray the Court to SANCTION Plaintiffs and their counsel for the misstatements contained in their opposition memoranda, in order to deter this misconduct from occurring in order to safeguard the integrity of the judicial process and to better ensure justice for all, and for whatever further relief the Court deems fair and just.

Respectfully submitted,

Dated: May 28, 2009

/s/ Gailon Arthur Joy, *pro se*

Gailon Arthur Joy, *pro se*

Sterling, MA 01564

Tel: (978) 333-6052

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 in an attempt to resolve or narrow the issues raised in this motion, and Plaintiffs' counsel was unresponsive.

Dated: June 24, 2009

/s/ Bob Pickle

Bob Pickle

AFFIDAVIT OF SERVICE

Under penalty of perjury, I, Bob Pickle, hereby certify that this document, with accompanying memorandum, affidavit, and exhibits, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). I also certify that I served this motion with its accompanying memorandum, affidavit, and exhibits, including Exhibit L, on Plaintiffs' counsel by First Class U.S. Mail on May 28, 2009, mailing it to the following address:

Attn: Greg Simpson
Siegel, Brill, Greupner, Duffy & Foster
100 Washington Avenue S, Ste 1300
Minneapolis, MN 55401

I also certify that after noticing that page 9 of Exhibit E had not printed out properly, I reserved pages 5–13 of said exhibit on Plaintiffs' counsel by First Class U.S. Mail on June 12, 2009, mailing it to the same address listed above.

Dated: June 24, 2009

/s/ Bob Pickle

Bob Pickle