

**FILED**

2019 JUL 24 PM 4:38

**STATE OF OHIO**

**COURT OF COMMON PLEAS OF LAKE COUNTY  
CIVIL DIVISION**

**MAUREEN G. KELLY  
LAKE CO. CLERK OF COURT  
BRYAN ANTHONY REO,**

Plaintiff,

v

**MARTIN LINDSTEDT, ET AL.,**

Defendants.

Case Nos. 15CV001590 and 16CV000825

Hon. Patrick J. Condon

**REO LAW LLC**  
Bryan Anthony Reo (#0097470)  
P.O. Box 5100  
Mentor, OH 44061  
(T): (440) 313-5893  
(E): reo@reolaw.org  
*Pro se Plaintiff*

**MARTIN LINDSTEDT**  
338 Rabbit Track Rd.  
Granby, MO 64844  
(T): (417) 472-6901  
(E): pastorlindstedt@gmail.com  
*Pro se Defendant*

---

**PLAINTIFF'S MOTION FOR ATTORNEY'S FEES**

---

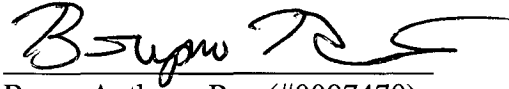
NOW COMES Bryan Anthony Reo ("Plaintiff"), *pro se*, and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff's Motion for Attorney's Fees:

1. For the reasons set forth in Plaintiff's Brief in Support of Plaintiff's Motion for Attorney's Fees, the Court should award Plaintiff against Defendant the sum total of four thousand two hundred dollars (\$4,200.00) as sanctions due to frivolous misconduct engaged in by Defendant during the instant civil action.

WHEREFORE, Plaintiff prays that this Honorable Court will award Plaintiff against Defendant the sum total of four thousand two hundred dollars (\$4,200.00) as sanctions.

Respectfully submitted,

**REO LAW, LLC**

A handwritten signature in black ink, appearing to read "Bryan Reo", with a horizontal line underneath it.

Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(T): (440) 313-5893

(E): reo@reolaw.org

*Pro se Plaintiff*

Dated: July 24, 2019

**STATE OF OHIO  
IN THE COURT OF COMMON PLEAS OF LAKE COUNTY  
CIVIL DIVISION**

**BRYAN ANTHONY REO,**

Plaintiff,

v

**MARTIN LINDSTEDT, ET AL.,**

Defendants.

Case Nos. 15CV001590 and 16CV000825

Hon. Patrick J. Condon

**REO LAW LLC**

Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(T): (440) 313-5893

(E): reo@reolaw.org

*Pro se Plaintiff*

**MARTIN LINDSTEDT**

338 Rabbit Track Rd.

Granby, MO 64844

(T): (417) 472-6901

(E): pastorlindstedt@gmail.com

*Pro se Defendant*

---

**PLAINTIFF'S BRIEF IN SUPPORT OF  
PLAINTIFF'S MOTION FOR ATTORNEY'S FEES**

---

NOW COMES Bryan Anthony Reo ("Plaintiff"), *pro se*, and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff's Brief in Support of Plaintiff's Motion for Attorney's Fees:

**I. STATEMENT OF FACTS**

Plaintiff sued Defendant for a campaign of vicious and omnipresent defamation engaged in by Defendant. Between January 2017 and June 2018, Attorney Brett A. Klimkowsky (#0090183) served as the attorney of record for Plaintiff.

Between January 2017 and June 2018, Plaintiff was inundated with flagrantly frivolous court filings submitted by Defendant for the sole purpose of harassing Plaintiff. Such filings submitted by Defendant include but are not limited to:

- 3/10/2017 Statement regarding this Court's absence of any Jurisdiction, certificate of service, filed Attorney: PRO SE ( Martin Linstedt)
- 5/25/2017 Motion to add Bryan Reo's Co-Conspirator Father Anthony D Reo as a party to the consolidated case irrespective of the Quasi-Legal chicanery by Bryan Reo's and attorney Brett Klimkowsky to defy service upon Bryan Reo's father as a co-defendant of Bryan Reo's abuse of legal process and malicious prosecution of numerous frivolous and vexatious lawsuits against Pastor Lindstedt and his church, certificate of service, filed. Attorney: PRO SE ( Martin Linstedt)
- 6/5/2017 Copy Defendant's pre-trial statement & request to re-open & set-aside Bryan Reo's fraudulent & malicious ex parte & in absentia stalking judgment achieved via perjury & add Bryan Reo's father and ohio lawyers to the trial, certificate of service, filed Attorney: PRO SE (Martin Linstedt)
- 6/12/2017 (COPY) MOTION UNDER OHIO RULE OF CIVIL PROCEDURE RULE 11 AND R.C. 2323.51(A) TO SANCTION BRYAN REO AND BRYAN REO'S ATTORNEY BRETT A. ICLIMKOWSKY FOR FILING A PERJUROUS AND LAWLESS MOTION IN LIMINE TO PREVENT PASTOR LINDSTEDT VIA A FALSE CLAIM OF INSANITY FROM TESTIFYING ON HIS AND HIS CHURCH'S BEHALF AND AGAINST BRYAN REO'S MALICIOUS, FRIVOLOUS AND ABUSIVE PROSECUTION OF NUMEROUS FRIVOLOUS AND VEXATIOUS LAWSUITS ABSENT CAUSE OR JURISDICTION AGAINST PASTOR LINDSTEDT AND HIS CHURCH, CERTIFICATE OF SERVICE, EXHIBIT 1-5, FILED Attorney: PRO SE (Martin Linstedt)
- 7/27/2017 Copy of Defendant's amended pre-trial statement for trial on 1 August 2017, with new information as to Bryan Reo's and Reo's lawyer's fraudulent & malicious & vexatious abuse of legal process, certificate of service, filed, pro se Martin Lindstedt
- 2/2/2018 (COPY)DEFENDANT'S MOTION AGAINST PLAINTIFF REO'S FRAUDULENT, VEXATIOUS & FRIVOLOUS LATEST MOTION FOR SUMMARY JUDGMENT AND FOR DEFENDANT'S MOTION FOR SUMMARY JUDGMENT &

SANCTIONS ON REO & ATTORNEYS BRETT  
ICLINKOWSKY AND KYLE BRISTOW FOR ABUSE OF  
LEGAL PROCESS & MALICIOUS PROSECUTION, EXHIBITS,  
CERTIFICATE OF SERVICE, FILED Attorney: PRO SE  
(MARTIN LINDSTEDT)

A cursory review by the Court of Defendant's numerous court filings will cause the Court to conclude nothing other than that Defendant filed frivolously offensive and harassing documents so as to cause Plaintiff to suffer attrition in the form of attorney's fees and costs.

On June 1, 2018, Plaintiff's attorney—Mr. Klimkowsky—was granted leave to withdraw; said withdrawal occurred because Mr. Klimkowsky was tired of being inundated with frivolous documents submitted by Defendant which shock the conscience—most of which Defendant published on his website for third-parties to view.

Despite the oppressive onslaught of frivolous documents submitted by Defendant, Mr. Klimkowsky efficiently worked approximately twenty-one (21) hours, rounded down, while Mr. Klimkowsky served as Plaintiff's attorney-of-record. Mr. Klimkowsky charges \$200 per hour for legal services performed by said attorney, and twenty-one (21) hours at said rate comes to the sum total of four thousand two hundred dollars (\$4,200.00).

Plaintiff now seeks an award of sanctions against Defendant in the amount of four thousand two hundred dollars (\$4,200.00).

**II. ISSUE PRESENTED**

1. Whether the Court should award sanctions in favor of Plaintiff against Defendant in the amount of four thousand two hundred dollars (\$4,200.00).

Plaintiff's Response: Yes.

Defendant's Anticipated Response: No.

### III. LAW & ARGUMENT

Plaintiff incurred four thousand two hundred dollars (\$4,200.00) while Mr. Klimkowsky served as Plaintiff's attorney-of-record, and said fees were mostly generated due to an onslaught of frivolous documents Defendant filed.

R.C. § 2323.51 pertinently states:

(A) As used in this section:

(1) "Conduct" means any of the following:

(a) The filing of a civil action, the assertion of a claim, defense, or other position in connection with a civil action, the filing of a pleading, motion, or other paper in a civil action, including, but not limited to, a motion or paper filed for discovery purposes, or the taking of any other action in connection with a civil action;

\* \* \*

(2) "Frivolous conduct" means either of the following:

(a) Conduct of an inmate or other party to a civil action, of an inmate who has filed an appeal of the type described in division (A)(1)(b) of this section, or of the inmate's or other party's counsel of record that satisfies any of the following:

(i) It obviously serves merely to harass or maliciously injure another party to the civil action or appeal or is for another improper purpose, including, but not limited to, causing unnecessary delay or a needless increase in the cost of litigation.

(ii) It is not warranted under existing law, cannot be supported by a good faith argument for an extension, modification, or reversal of existing law, or cannot be supported by a good faith argument for the establishment of new law.

(iii) The conduct consists of allegations or other factual contentions that have no evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

(iv) The conduct consists of denials or factual contentions that are not warranted by the evidence or, if specifically so identified, are not reasonably based on a lack of information or belief.

\* \* \*

(B)

(1) Subject to divisions (B)(2) and (3), (C), and (D) of this section and except as otherwise provided in division (E)(2)(b) of section 101.15 or division (I)(2)(b) of section 121.22 of the Revised Code, at any time not more than thirty days after the entry of final judgment in a civil action or appeal, any party adversely affected by frivolous conduct may file a motion for an award of court costs, reasonable attorney's fees, and other reasonable expenses incurred in connection with the civil action or appeal. The court may assess and make an award to any party to the civil action or appeal who was adversely affected by frivolous conduct, as provided in division (B)(4) of this section.

(2) An award may be made pursuant to division (B)(1) of this section upon the motion of a party to a civil action or an appeal of the type described in that division or on the court's own initiative, but only after the court does all of the following:

(a) Sets a date for a hearing to be conducted in accordance with division (B)(2)(c) of this section, to determine whether particular conduct was frivolous, to determine, if the conduct was frivolous, whether any party was adversely affected by it, and to determine, if an award is to be made, the amount of that award;

(b) Gives notice of the date of the hearing described in division (B)(2)(a) of this section to each party or counsel of record who allegedly engaged in frivolous conduct and to each party who allegedly was adversely affected by frivolous conduct;

(c) Conducts the hearing described in division (B)(2)(a) of this section in accordance with this division, allows the parties and counsel of record involved to present any relevant evidence at the hearing, including evidence of the type described in division (B)(5) of this section, determines that the conduct involved was frivolous and that a party was adversely affected by it, and then determines the amount of the award to be made. If any party or counsel of record who allegedly engaged in or allegedly was adversely affected by frivolous conduct is confined in a state correctional institution or in a county, multicounty, municipal, municipal-county, or

multicounty-municipal jail or workhouse, the court, if practicable, may hold the hearing by telephone or, in the alternative, at the institution, jail, or workhouse in which the party or counsel is confined.

(3) The amount of an award made pursuant to division (B)(1) of this section that represents reasonable attorney's fees shall not exceed, and may be equal to or less than, whichever of the following is applicable:

\* \* \*

(b) In all situations other than that described in division (B)(3)(a) of this section, the attorney's fees that were reasonably incurred by a party.

(4) An award made pursuant to division (B)(1) of this section may be made against a party, the party's counsel of record, or both.

See also Civ.R. 11.

In the instant case, Defendant's numerous court filings while Mr. Klimkowsky served as Plaintiff's attorney-of-record were obviously filed for the purpose of harassing and injuring Plaintiff, the relief prayed for by Defendant was not warranted by law or a good-faith argument for the modification of existing law, and Defendant's allegations of fact did not comport with reality. As such, the Court can and should impose sanctions against Defendant.

With regards to Mr. Klimkowsky's fee of \$200 per hour, it is reasonable based upon a review of Mr. Klimkowsky's traits as contrasted with those of similarly situated attorneys as set forth within *The Economics of Law Practice in Ohio in 2013*<sup>1</sup>:

Size of Firm – One Attorney

Brett Klimkowsky = \$200/hr

25<sup>th</sup> Percentile = \$150/hr; Median = \$195/hr; 75<sup>th</sup> Percentile = \$225/hr

Years in Practice – Six to Ten Years

---

<sup>1</sup> <[https://www.ohioabar.org/globalassets/home/member-benefits/personal-finance/osba\\_econoflawpracticeohio.pdf](https://www.ohioabar.org/globalassets/home/member-benefits/personal-finance/osba_econoflawpracticeohio.pdf)>



Brett Klimkowsky (Six Years; Admitted 5/6/2013) = \$200/hr

25<sup>th</sup> Percentile = \$175/hr; Median = \$200/hr; 75<sup>th</sup> Percentile = \$245/hr

Area of Law - Personal Injury (Plaintiff)

Brett Klimkowsky = \$200/hr

25<sup>th</sup> Percentile = \$175/hr; Median = \$225/hr; 75<sup>th</sup> Percentile = \$250/hr

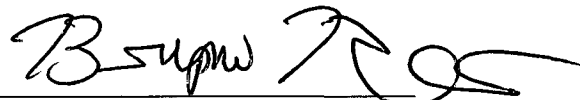
With regards to the copious number of pages of court filing submitted by Defendant—and responded to by Mr. Klimkowsky—while Mr. Klimkowsky served as Plaintiff’s attorney-of-record, Mr. Klimkowsky spending a hair over twenty-one (21) hours on the case between January 2017 and June 2018 is reasonable.

#### IV. CONCLUSION

For the reasons set forth herein, Plaintiff prays that this Honorable Court will award sanctions in Plaintiff’s favor against Defendant in the amount of four thousand two hundred dollars (\$4,200.00), which is for the twenty-one (21) hours Mr. Klimkowsky worked on the case as Plaintiff’s attorney-of-record at the rate of \$200 per hour between January 2017 and June 2018.

Respectfully submitted,

**REO LAW, LLC**



Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(T): (440) 313-5893

(E): reo@reolaw.org

*Pro se Plaintiff*

Dated: July 24, 2019

**EXHIBIT A**  
**AFFIDAVIT OF BRETT A. KLIMKOWSKY**

**AFFIDAVIT OF BRETT A. KLIMKOWSKY**

STATE OF OHIO )  
COUNTY OF OTTAWA ) ss

Before me, the undersigned Notary Public, on this 23 day of July, 2019, personally appeared Brett A. Klimkowsky, known to me on the basis of satisfactory evidence in the form of government-issued photographic identification to be said credible person of lawful age, who being by me first duly sworn, on his oath, deposes and says under penalty of perjury:

Between January 2017 and June 2018, I served as the attorney-of-record for Bryan A. Reo in *Bryan Anthony Reo v. Martin Lindstedt, et al.*, which was Case Nos. 15CV001590 and 16CV000825 at the State of Ohio's Court of Common Pleas of Lake County.

My reasonable hourly fee is \$200.00. This is regularly what I charge clients for hourly work, and this is what I charged Mr. Reo for legal services rendered for the above-referenced case.

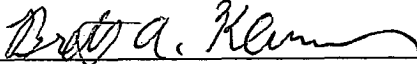
I am a solo-practitioner lawyer, and I was admitted to practice law in Ohio on May 6, 2013.

I spent slightly more than twenty-one (21) hours providing legal services to Mr. Reo for the above-referenced case. At my reasonable hourly rate of \$200, the bill to Mr. Reo is four thousand two hundred dollars (\$4,200.00) for said twenty-one (21) hours of work.

Due to Martin Lindstedt's relentless barrage of harassment while I served as Mr. Reo's attorney-of-record, Mr. Reo and I agreed that I could withdraw—which was eventually ordered by the Court.

I have personal knowledge of the facts and matters stated herein and I am competent to testify as such if called as a witness before any court of law.

Further affiant sayeth naught.

  
\_\_\_\_\_  
Brett A. Klimkowsky  
Affiant

Subscribed and sworn to before me this 23 day of July, 2019.

*Jodell Radsick*

Notary Public

State of Ohio, County of \_\_\_\_\_

My commission expires JODI L. RADSICK

Acting in the County



Notary Public, State of Ohio  
My Commission Expires Sept 1, 2019

# Certificate of Service

I, Bryan Reo, do hereby certify that a true and genuine copy of the foregoing has been dispatched by United States **CERTIFIED MAIL, RETURN RECEIPT REQUESTED** to the Defendants at:

Martin Lindstedt  
338 Rabbit Track Road  
Granby, Missouri 64844

Church of Jesus Christ Christian/Aryan Nations of Missouri  
338 Rabbit Track Road  
Granby, Missouri 64844

On this 24 day of July, 2019

X Bryan Reo

---

**STATE OF OHIO  
IN THE COURT OF COMMON PLEAS OF LAKE COUNTY  
CIVIL DIVISION**

**BRYAN ANTHONY REO,**

Plaintiff,

v.

**MARTIN LINDSTEDT,**

Defendant.

Case No. 15CV001590

Case No. 16CV000825

Hon. Patrick J. Condon

**REO LAW LLC**

By: Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(P): (440) 352-6060

(E): BryanAReo@gmail.com

*Pro Se Plaintiff & Attorney*

**MARTIN LINDSTEDT**

338 Rabbit Track Road

Granby, MO 64844

(P): (417) 472-6901

(E): pastorlindstedt@gmail.com

*Pro se Defendant*

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR ATTORNEY'S FEES**

THIS MATTER came to be considered by the Court pursuant to the Plaintiff's Motion for Attorney's Fees filed by Plaintiff in the above-captioned cause. The Court having considered the Motion and being fully advised of the premises, it is, therefore,

ORDERED and ADJUDGED:

1. That the Plaintiff's Motion for Attorney's is hereby granted.
2. Defendant is hereby ordered to pay attorney's fees an amount of \_\_\_\_\_ dollars, payable to Plaintiff.

DONE AND ORDERED in Chambers at Painesville, Lake County, Ohio this \_\_\_\_ day of \_\_\_\_\_, 2019.

---

PATRICK J. CONDON, JUDGE LAKE COUNTY COMMON PLEAS

Copies to:

Bryan Anthony Reo

Martin Lindstedt

Church of Jesus Christ Christian Aryan Nations of Missouri

Brett Klimkowsky