

FILED

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

2019 JUL 24 PM 3:08

BRYAN ANTHONY REO
LAKE CO. CLERK OF COURT

Case No. 15CV001590
Case No. 16CV000825

Plaintiff,

Hon. Patrick J. Condon

v.

MARTIN LINDSTEDT,

Defendant.

REO LAW LLC
By: Bryan Anthony Reo (#0097470)
P.O. Box 5100
Mentor, OH 44061
(P): (440) 313-5893
(E): Reo@ReoLaw.org
Pro Se Plaintiff & Attorney

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

PLAINTIFF'S MOTION FOR SANCTIONS

Plaintiff Pro Se, hereby makes this motion for sanctions on the basis that Defendant Lindstedt admitted to approximately half of the Requests for Admissions by virtue of not responding in November of 2015, and of the ones he claimed to have denied, he later made testimonial admissions during the course of the three day jury trial from 6/24/2019 to 6/26/2019, meaning his written denials on the Requests for Admissions were bad faith denials that should not have been made. Lindstedt waited until the morning of trial, a nearly 4 year long delay, to make a motion to withdraw admissions. Lindstedt should be sanctioned a reasonable amount representative of the lodestar rate of Attorney Reo who was required to conduct a three day trial instead of being able

to do other paid legal work, because of Lindstedt's bad faith denials and his four year long delay in seeking to withdraw the admissions.

Specifically, at his hourly rate of \$300.00 per hour, Plaintiff requests \$300.00 per hour for the 30 hours that the trial lasted [inclusive of trial preparation the day before the trial and post-judgment motions] for a total amount of \$9,000.00 [nine thousand dollars] as a sanction against Defendant.

Plaintiff therefore moves this Honorable Court to enter an order sanctioning Defendant Martin Lindstedt in an amount of \$9,000.00 [nine thousand dollars] for his conduct which gave rise to the circumstances requiring a jury trial when the case could have been resolved on a dispositive motion had Defendant conducted proper discovery and made timely responses and refrained from bad faith denials. A sanction of \$9,000.00 will hopefully also be sufficient to serve to dissuade Defendant from filing more frivolous post-judgment motions. This Court has the inherent power to sanction Defendant to penalize him for his conduct and to dissuade him from continuing that conduct into the future.

A brief and proposed order accompany this motion.

Respectfully submitted



Bryan Anthony Reo (#0097470)

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Mentor, Ohio 44061

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(E): Reo@ReoLaw.org

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**BRIEF IN SUPPORT OF PLAINTIFF'S
MOTION FOR SANCTIONS**

Mr. Lindstedt did not respond to the Requests for Admissions propounded upon him by Plaintiff in November of 2015. He openly stated he denied the first 44 of the requests for admissions and mailed those back to Plaintiff Reo, which is untrue, he simply did not respond. Even if he did respond to the first 44, and for sake of argument grant the assumption that he did respond, he still failed to respond to the remaining requests for admissions and his oral motion to withdraw admissions the morning trial began on June 24, 2019, almost 4 years after the admissions were first propounded upon him, was untimely and in bad faith, and it caused Plaintiff to incur the costs in time, resources, and opportunity cost, of having to go through a trial.

Lindstedt's admissions which he did not address, which he was allowed to withdraw, were directly relevant to his counter-claim against Plaintiff and the Plaintiff was required to conduct a

full trial over those issues when they could have been resolved via dispositive motion prior to the trial had Defendant not shown such a flippant disregard for discovery.

Specifically, Requests number-

59) Admit that your counter-claim against Plaintiff is entirely untrue and is not in any way, shape, or form true or substantially true.

60) Admit that you were previously on trial for statutory sodomy of a minor [less than 10 years old].

61) Admit that you served approximately three and one half years [3.5 years] in Fulton State Mental Hospital.

62) Admit that you were subjected to court ordered treatment for your pedophilia disorder at Fulton State Mental Hospital.

63) Admit that you have spent approximately five years [5 years] in Newton County Jail for a variety of offenses.

64) Admit that Plaintiff has never declared, verbally or in writing that you were a “convicted child molester.”

65) Admit that Plaintiff has, at most, opined that he believes you Defendant Martin Lindstedt “were probably guilty and probably should have been convicted” in regards to the charge of statutory sodomy on a minor.

66) Admit that reasonable minds could easily conclude you are probably a pedophile and child molester based on your court history, history of incarceration, and history of commitment in a mental asylum relating to your indictment and trial for statutory sodomy.

67) Admit that you have a pedophilia disorder and a sexual attraction to children.

- 68) Admit that every single Terms of Services complaint that Plaintiff may have made to your various website hosters and service providers was justified or substantially justified.
- 69) Admit that your website hosted by One and One was terminated because you told their paralegal something along the lines of “you are a cock-sucking whore who clearly doesn’t know the law” and you questioned her paralegal credentials after she made an inquiry to investigate the Terms of Service complaint allegedly made by Plaintiff.
- 70) Admit that your websites were shut down solely as the result of your own conduct.
- 71) Admit that Plaintiff has never illegally censored or in any way hacked or illegally damaged any of your websites.
- 72) Admit that you believe you are entitled to use and post Plaintiff’s pictures anywhere you deem fit online.
- 73) Admit that you have used and posted Plaintiff’s pictures online.
- 74) Admit that you have used Plaintiff’s pictures as avatars to attach to posts you were making in the name of Plaintiff whose name and pictures you misappropriated for the purpose of online impersonation.
- 75) Admit that you have a history of cyber-stalking individuals.
- 76) Admit that you had your phone and internet canceled by Granby Telephone Company in the last 15 years because you were cyber-stalking and harassing [by email, phone, and otherwise] a female customer of Granby Telephone Company.
- 77) Admit that Plaintiff has never defamed, libeled, nor slandered you.

78) Admit that your reputation in Granby, Missouri is such that you are essentially “defamation proof” because your reputation is that of a despicable neo-Nazi Aryan cult leader child molester who managed to avoid prison by going to a mental asylum.

79) Admit that your reputation in Newton County, Missouri is such that you are essentially “defamation proof” because your reputation is that of a despicable neo-Nazi Aryan cult leader child molester who managed to avoid prison by going to a mental asylum.

80) Admit that your reputation in the state of Missouri is such that you are essentially “defamation proof” because your reputation is that of a despicable neo-Nazi Aryan cult leader child molester who managed to avoid prison by going to a mental asylum.

81) Admit that you have been expelled from every established political party to which you were ever admitted once the members learned of your history, your views, your values, your reputation, and your general character.

82) Admit that you started a fight with a local government official during a municipal meeting and that you were criminally charged as a result.

83) Admit that you are widely regarded as a loathsome and despicable man by those in your community.

84) Admit that you have no job and would not be economically or financially hindered by being indefinitely denied internet access.

85) Admit that you have no career and have not been employed in several decades.

86) Admit that you have declared that you store urine in mason jars in your closet and that Plaintiff’s alleged statements that you are “bizarre and disgusting” are true or substantially true

such that a reasonable person would likely conclude that storing urine in mason jars in a closet is indeed “bizarre and disgusting.”

87) Admit that your purported Counter-Claim fails to state any claim upon which relief can be granted.

88) Admit that your purported Counter-Claim is barred by the doctrine of Laches.

89) Admit that every claim and cause of action in your purported Counter-Claim is wholly barred by the statute of limitations.

90) Admit that all damages alleged in your purported Counter-Claim were caused by yourself or a different third party and that no causal relationship exists between Plaintiff and your alleged damages.

At trial the Defendant openly admitted that he had been involuntarily committed to a mental asylum or approximately 3.5 years after he had been on trial for statutory sodomy on a minor under 10 years of age.

At trial the Defendant openly admitted, “I am regarded as a domestic terrorist in Missouri” when asked to describe his general reputation in Southwestern Missouri.

At trial the Defendant openly stated that his neighbors despise him and hate him.

At trial the Defendant openly admitted that he has not worked in at least 20 years and has no career.

At trial the Defendant openly admitted that he had no evidence Plaintiff had ever done anything to any of his websites and that at most Plaintiff had made terms of service complaints to the various host providers.

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.

The Defendant persisted in maintaining patently frivolous counter-claims against Plaintiff despite the fact that he had no evidentiary basis for those claims, he had admitted as much by refusing to respond to the Requests for Admissions, and he then withdrew his admissions the morning of trial, in a manner prejudicial and injurious to Plaintiff, causing Plaintiff to have to conduct a full-blown jury trial on the matter, and then Defendant made testimonial admissions during direct and cross-examination regarding the matters that would have been resolved on a dispositive motion via Plaintiffs Requests for Admissions Propounded Upon Defendant.

Attorney Reo is a highly skilled plaintiff's civil litigation attorney who is regularly consulted by established veteran attorney's on complex matters of civil procedure and substantive law of intentional torts and consumer protection law as well as pre-trial motion practice and the rules of evidence. Attorney Reo also does appeals and is routinely consulted on appellate matters. Attorney Reo is admitted ND Ohio, SD Ohio, WD Michigan, ED Michigan, United States Court of Appeals for the 3rd Circuit, United States Court of Appeals for the 6th Circuit, and the United States Court of Appeals for the Armed Forces, and has been admitted pro hac vice to the United States District Court for the District of Idaho and the United States District Court for the Eastern

District of Pennsylvania. Attorney Reo won his first jury trial without the matter even requiring the empaneling of a jury when presiding Judge Kenney [ED of PA] held that due to the requests for admission being deemed admitted, with a motion in limine preventing the defendant from attempting to offer anything into evidence to refute the admissions, Reo's client Mr. Shelton was entitled to judgment as a matter of law, with the matter concluding less than 50 minutes into the first day of the planned trial on May 1.

Attorney Reo's lodestar rate of \$300 per hour is reasonable in light of Reo's admissions, knowledge, skills, and experience. Had Lindstedt treated discovery in this matter seriously and honestly, the trial either would not have been necessary or it would likely have concluded on the first day. There certainly would not have been any time devoted to Defendant's Counterclaim which would have been completely disposed of pre-trial. Lindstedt's frivolous delay tactics and attempts at derailing the case by waiting 4 years to attempt to withdraw the admissions caused Attorney Reo to have to conduct a 3 day jury trial at the opportunity cost of Reo being unable to do other work for paying clients.

The opportunity cost of Reo's time at the lodestar of \$300 per hour is \$9,000 [nine thousand] dollars, and Lindstedt should be sanctioned this amount to deter him from engaging in continued frivolous conduct such as the filing of more frivolous post-judgment motions for new trials wherein he rants about "African negroes on the jury" and makes disparaging racial remarks about the only black female who was present on the jury. Lindstedt has not only wasted a considerable amount of Reo's time and the Court's time through his misadventure with discovery, he is continuing to waste more time with how he is behaving in the aftermath of his defeat, and unless sanctioned and stopped he will continue to waste more time.

Accordingly, this Court should use its inherent power of sanction to sanction Mr. Lindstedt in the amount of \$9,000.00 [nine thousand] dollars payable to Bryan Anthony Reo. Additionally, this Court should consider entering an order barring Lindstedt from any furthering filings unless he posts a contempt bond of \$1,000 [one thousand] dollars that will remain in escrow with the Court, to be forfeited if Mr. Lindstedt files anything that is later stricken as frivolous or abusive. Defendant made admissions at trial on matters he denied in the requests for admissions and he can

and should be sanctioned for this. This Court should also consider initiating proceedings to have Martin Lindstedt adjudicated a vexatious litigant in Ohio.

RESPECTFULLY SUBMITTED,

X 

REO LAW LLC

By: Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(Business): (216) 505-0811

(Mobile): (440) 313-5893

(E): Reo@ReoLaw.org

Attorney and Pro Se Plaintiff

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

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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 SANCTIONS**

THIS MATTER came to be considered by the Court pursuant to the Plaintiff's Motion for Sanctions 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 Sanctions is hereby granted.
2. Defendant is hereby sanctioned it an amount of _____ dollars, payable to Plaintiff.
3. No further filings will be accepted from Defendant unless and until he shall have posted a contempt bond in the amount of _____ dollars, placing the funds in escrow with the Court Clerk. Said funds shall be forfeited if Defendant files

anything in this action that is ultimately stricken. If Defendant fails to post the contempt bond any filings Defendant attempts to submit to the clerk shall be stricken sua sponte.

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