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1 (The following proceedings were held on
2 August 31, 2020, at approximately 9:05 a.m.)

3 THE COURT: All right. As a preliminary matter
4 just for the record, we're here in the case of Bryan
5 Anthony Reo v. Martin Lindstedt and Susan April
6 Bessman in 58CIV20-07. If you do have any exhibits
7 that you would like the Court to review when it is
8 your turn, you may have them marked by my court
9 reporter or request the same.

10 So I do see that Pastor Lindstedt is present as
11 is Mr. Konrad. And I assume this is Mr. Reo that's
12 seated next to you. Is that correct?

13 BRYAN REO: Yes, it is, Your Honor.

14 THE COURT: And also Mr. Kyriss is here and
15 you're representing Ms. Bessman and she -- and my
16 understanding is that she has no objection to the
17 preliminary injunction being issued. Is that correct?

18 MR. KYRISS: That is correct, Your Honor. And
19 if you'd like me to sit somewhere else, I would be
20 fine with that, too.

21 THE COURT: I think with the COVID-19 situation
22 it looks like everybody is appropriately socially
23 distancing so you're fine there and that makes sense
24 to the Court. So with that, I do want to note for the
25 record that there is hand sanitizer available for

1 anyone that needs it. I will take breaks so we can
2 socially distance and have a break here and the
3 matters will be fully heard today.

4 There has also been some temporary restraining
5 orders that were issued and they were continued at
6 least three, if not four times, so we could be here in
7 the courtroom today and hold the status quo. There
8 was some continuances that were requested, I believe
9 by both sides of the parties and now we are here
10 basically not to determine the merits of this lawsuit
11 but just whether we're going to hold the status quo as
12 is through a preliminary injunction being issued.

13 I'm not determining the merits of this matter
14 today. This hearing is specifically to determine
15 whether basically these temporary restraining orders
16 are going to continue on a somewhat more permanent
17 basis until the Ohio matters can be concluded. Okay?

18 So with that, I've noted your presence for the
19 record. I will have order in this courtroom and we
20 will follow the proceedings -- the Rules of Civil
21 Procedure.

22 Mr. Konrad, you have the burden of proof on
23 whether or not this preliminary injunction should be
24 granted by the Court today. So with you having the
25 burden, you may proceed first.

1 MR. KONRAD: Thank you, Judge. I have
2 previously placed on your desk and provided to
3 Mr. Lindstedt a copy of my proposed exhibits in this
4 matter. Those exhibits would be A, B, C, D, E, F, G
5 and H. I've also put an Exhibit J up there.

6 I will -- I don't have it marked so
7 Mr. Lindstedt, I'm going to mark this for your
8 information.

9 MR. LINDSTEDT: I didn't know he had exhibits.
10 Can I present my exhibits?

11 THE COURT: Yes, when it's your turn,
12 certainly.

13 MR. LINDSTEDT: Okay. The thing is I only have
14 one copy but Mr. Reo has certainly seen them about
15 lots of times before in the last ten years.

16 THE COURT: If you want to show those to
17 Mr. Konrad, I can either have the clerk go make copies
18 for you, sir. Would you like that?

19 MR. LINDSTEDT: I want to -- yeah. I want to
20 pretty much, you know, this federal case where Mr. Reo
21 had tried to get a bogus protection order against me,
22 there's that one and in many cases I have the same --
23 there's a federal case ongoing and from what I gather,
24 most of them are exhibits from the federal cases.

25 THE COURT: All right. So here's the deal.

1 Why don't I -- do you have any objection to having my
2 clerk go make copies of those exhibits for you?

3 MR. LINDSTEDT: All right.

4 MR. KONRAD: I'm fine with that, Your Honor.

5 THE COURT: Would you please give those to
6 Ms. Cronin and she'll go --

7 MR. LINDSTEDT: Okay. Here's one of them.

8 THE COURT: Let's just go off the record a
9 moment here and take care of this housekeeping.

10 (An off-the-record discussion was held
11 regarding exhibits.)

12 THE COURT: Well, I'll tell you what. I'm
13 going to take judicial notice of all the proceedings
14 that have happened in this courtroom. Okay?

15 MR. LINDSTEDT: All right.

16 THE COURT: So let's go make that copy for you.
17 And I'll need one as well so three copies,
18 please.

19 THE CLERK: Okay.

20 THE COURT: Thank you. While she's doing
21 that --

22 MR. KONRAD: I would have a couple more
23 preliminary comments.

24 THE COURT: Okay. And this Exhibit J is a
25 two-page document; is that correct?

1 MR. KONRAD: Yes. If you want to staple it,
2 you sure can.

3 THE COURT: I will do that. And you've given a
4 copy of A through J to Pastor Lindstedt, of course.

5 MR. KONRAD: Yes. So Your Honor, the only one
6 that I do not have a copy of for Mr. Lindstedt is a
7 certified copy of a deed so this is the Transfer of
8 Deed, Exhibit I.

9 MR. LINDSTEDT: Okay.

10 MR. KONRAD: I don't have an additional copy
11 for you.

12 MR. LINDSTEDT: You can ask her to go ahead and
13 make one then.

14 MR. KONRAD: We can later on but that's the
15 only one I don't have.

16 So you have those so you should have from
17 Plaintiff, A through J now, Your Honor. I will have
18 the same request that Mr. Lindstedt has, that the
19 Court take specifically judicial notice of the
20 transcripts that have been filed in regard to the
21 June 3rd hearing and the March 27th hearing in this
22 matter. The March 27th hearing would have been in
23 front of Judge Northrup before this case changed
24 hands.

25 Lastly, Your Honor, and I think it would be

1 within the purview of the Court --

2 Mr. Lindstedt, here's how it works. You can
3 say what you want but she can't type down two people
4 at once.

5 MR. LINDSTEDT: All right.

6 MR. KONRAD: So we can't interrupt each other.

7 MR. LINDSTEDT: Sure.

8 MR. KONRAD: It makes her job difficult. Does
9 that make sense?

10 MR. LINDSTEDT: Yeah. Can I get a copy of
11 that, those transcripts, please, because --

12 THE COURT: All right. Just a minute. Let him
13 finish his opening.

14 MR. LINDSTEDT: Okay.

15 THE COURT: We're doing some housekeeping here.

16 MR. LINDSTEDT: All right.

17 THE COURT: I'll accommodate you with those if
18 you have an extra copy of the transcript of the
19 hearings.

20 MR. KONRAD: I don't have an extra right now,
21 Your Honor. We can make copies. I have copies to
22 make some. But where I was going is I think it's also
23 within the purview of the Court to take judicial
24 notice of another file.

25 That file would be 58CIV19-35. That would be

1 the case where Mr. Reo has received a foreign judgment
2 filing and properly filed a foreign judgment with the
3 state of South Dakota. There's not much substance in
4 that file. Exhibit J, which I'll get into later on,
5 is a copy of the Notice of Filing Foreign Judgment so
6 I would ask that the Court take judicial notice of
7 that case and its contents.

8 THE COURT: All right.

9 MR. KONRAD: With that, that covers the
10 preliminary matters. I do have a brief opening
11 statement I'd like to make when the Court thinks
12 that's appropriate as far as the legal matters are
13 concerned.

14 THE COURT: All right. So I am taking judicial
15 notice of -- both parties have asked me to take
16 judicial notice of various previous filings in the
17 file and I will do that and so that is granted.

18 And I do -- I will ask the clerk to also print
19 off the Judge Northrup hearing of March 27, 2020, and
20 then the June 3rd hearing. So they are probably in
21 Odyssey here and I will, on a break I'll get you a
22 copy of those that you've requested. Okay?

23 MR. LINDSTEDT: Yeah. Let's see. I'm looking.
24 It is in the record. I have your Memorandum Decision.
25 I have -- well, I had it on my computer but my

1 computer is there along with my cell phone over there
2 somewhere. I went ahead and filed a Motion for
3 Dismissal of this Bryan Reo, Bryan Reo lawyer Robert
4 Konrad ex parte action. I'm sure that they have a
5 copy. And I can refer to it then?

6 THE COURT: Yes, you can.

7 MR. LINDSTEDT: Okay.

8 THE COURT: But right now for the
9 proceedings --

10 MR. LINDSTEDT: I don't have it file stamped.
11 You know, I don't know when it was file stamped or
12 anything like that. Way back in March I mailed off
13 something and it got, you know, it got there and then
14 I mailed it off again and then it's somewhere in July
15 or something like that, even though it was an Answer
16 filed on March 30th, you know, for 30 days.

17 THE COURT: All right. I do have, I believe,
18 all of those filings that are made and so you'll have
19 your turn to discuss those and present testimony on
20 those if you want.

21 So you have asked, Mr. Konrad, to make a brief
22 opening statement. And again I want both of the
23 parties to understand this isn't a hearing on the
24 merits. This is on the issue of whether this
25 preliminary injunction should issue today. Okay?

1 MR. LINDSTEDT: Okay, Your Honor. I
2 understand. On the other hand, I think his entire
3 case is meritless.

4 THE COURT: I understand but we are going to
5 follow the Rules of Civil Procedure. This is the
6 motion that's pending and that is what I'm going to be
7 determining today. I understand that -- you have a
8 standing objection to that. Okay? I will give you a
9 standing objection.

10 MR. LINDSTEDT: Yeah, I do have a standing
11 objection.

12 THE COURT: All right. So with that, we need
13 to get this started. I've allotted just so much time
14 for this case and so you may proceed, Mr. Konrad.

15 MR. KONRAD: Thank you, Your Honor. I think
16 it's important to give a little bit of layout as to
17 what the appropriate standards are, what we believe
18 the factors are for the Court to look at and what we
19 believe the law is regarding this issue.

20 My client has filed a Motion for Preliminary
21 Injunction. The initial basis for that request was
22 grounded in the affidavits of Bryan Reo as well as the
23 Verified Complaint. I point that out that it's not
24 just a standard Summons and Complaint, it's a Verified
25 Complaint.

1 Again, it's an allegation of fraud. It's been
2 pled with specificity and we believe that the
3 statements contained in the affidavit as well as those
4 statements in the Verified Complaint are sufficient to
5 make a showing. However, the Court has requested an
6 evidentiary hearing today on my Motion for Preliminary
7 Injunction. The most recent South Dakota case --

8 You cannot interrupt.

9 MR. LINDSTEDT: I just want to --

10 THE COURT: No. Listen, listen.

11 MR. LINDSTEDT: -- make an objection.

12 THE COURT: Listen, listen. This is his
13 opening statement. He gets to make it --

14 MR. LINDSTEDT: Can't make my objection?

15 THE COURT: Okay. Stop. I'm concentrating on
16 what he is telling me and I'm going to concentrate
17 when you have your turn to make an opening statement.
18 It's not your turn right now. Okay?

19 MR. LINDSTEDT: When can you make objections
20 then?

21 THE COURT: You're representing yourself. I'm
22 overruling your objection to anything. This is his
23 opening statement on South Dakota law and what the
24 rules are.

25 MR. LINDSTEDT: Okay.

1 THE COURT: So I need -- it's appropriate for
2 the parties to tell me what the law is as they
3 perceive it. Okay? And I will give you a turn to
4 respond so you can take some notes and respond when
5 it's your turn.

6 All right. Please continue.

7 MR. KONRAD: Yes, Your Honor. As I was saying,
8 the most recent South Dakota case that has analyzed in
9 depth the standards and the analysis that a court goes
10 through when deciding the issue of preliminary
11 injunction is Hedlund v. River Bluff Estates,
12 2018 S.D. 20.

13 In that case it talks about the four showings
14 that a Plaintiff or moving party has to make to show
15 that a preliminary injunction should be issued.
16 Number one, likelihood to succeed on the merits. So
17 while the Court has said several times that you're not
18 going to address the merits of the case, my client
19 understands that. However, we do need to make an
20 appropriate showing that my client is likely to
21 succeed on the merits.

22 Number two, likely -- the fact that the
23 Plaintiff is likely to suffer irreparable harm in the
24 absence of a preliminary injunction.

25 Number three, the balance of equities tips in

1 my client's favor.

2 Number four, that an injunction is in the
3 public's interest.

4 So starting with number one, likelihood to
5 succeed on the merits. I think it's important for the
6 Court to have a brief understanding, and I'm sure that
7 you do but I'm just kind of going through it for the
8 organization of the proceeding here today, a brief
9 understanding of what a fraudulent transfer is and how
10 it comes about.

11 Mr. Lindstedt in his proceedings or in his
12 filings has stated that essentially this is some sort
13 of connived South Dakota law. Well, actually it's
14 not. It's part of the Uniform Fraudulent Transfers
15 Act which almost every state in the union has adopted.
16 And that Uniform Fraudulent Transfers Act as it's
17 referred to in short form, is found in Chapter 54-8A.
18 There's about eight or nine different sections. The
19 most important section in that chapter is 54-8A-4,
20 which sets forth the definition of a fraudulent
21 transfer.

22 There are two types of fraudulent transfers
23 within that particular statute and I refer to them as
24 the one with intent and the one without intent. And
25 there is a fraudulent transfer under subsection one

1 where there's a transfer that has the actual intent to
2 hinder, delay, defraud any creditor -- any creditor of
3 the debtor. In other words, if there's a transfer
4 that's made and the purpose of that transfer is for
5 the sole purpose of delaying or defrauding, that's a
6 fraudulent transfer.

7 Second, under subsection two, there is a second
8 type which doesn't require intent. Without receiving
9 reasonably equivalent value in exchange for the
10 transfer, they should have believed that they would
11 incur debts beyond their ability to pay. It kind of
12 reads goofy but essentially what it says is that if
13 somebody makes a transfer for significantly less than
14 market value and as the result of that transfer they
15 become insolvent or they did this at a time when they
16 knew that their debts exceeded their assets, that's a
17 fraudulent transfer.

18 The reason I point that out is there's going to
19 be a lot of talk about intent today, I'm guessing,
20 from the filings that are made but in the end, intent
21 really doesn't matter. I take the position that we
22 can prove our case both ways based on what's been
23 filed and represented to the Court. But it's
24 important for the Court to know that we have two
25 avenues to show fraudulent transfer and that's where I

1 will focus most of my argument today.

2 That same section enumerates several factors
3 that the Court can use in deciding whether or not
4 intent to defraud is present. The factors that I
5 believe support my client's position are the
6 enumerated factors -- I'll just give you the
7 numbers -- one, two, four, five, eight, nine and ten.

8 Factor number one, whether or not the transfer
9 was to an insider. An insider is defined within that
10 same code as someone that's related. The allegation
11 in this case is that the transfer was made to his
12 sister.

13 Number two, the debtor retained possession or
14 control of the property after the transfer. I will
15 talk about that one.

16 Number four, before the transfer was made or
17 the obligation was incurred, he had been threatened or
18 sued in a civil proceeding.

19 Number five, the transfer was for substantially
20 all of his assets.

21 Number eight, the value of the transfer was not
22 reasonably equated to its fair market value.

23 Nine, the debtor was insolvent or became
24 insolvent as a result of the transfer.

25 Number ten, the transfer occurred shortly

1 before or shortly after a substantial debt was
2 incurred.

3 So those are the specific factors that I will
4 be addressing today through testimony as to whether or
5 not intent was present. But again, just because we're
6 arguing those factors, we are not waiving the idea
7 that we are only proceeding on the intent of
8 fraudulent transfer. I think it's present on both.

9 So the Court has taken appropriate judicial
10 notice of the transcripts and the other files. I
11 would point out that SDCL 54-8A-6(1) states that for
12 purposes of a real property transfer, which this case
13 is, my understanding of that statute is that the
14 transfer is effectuated or completed once the transfer
15 is perfected, and perfected would mean filing with the
16 Register of Deeds. And this matter has been filed
17 with the Register of Deeds -- or the transfer was
18 filed with the Register of Deeds and I have provided a
19 certified copy of that deed and I would ask at this
20 time that the Court receive that deed as an exhibit.
21 It's a certified copy of the transfer deed. I think
22 that is a self-authenticating document and I think
23 that's really the whole crux of the case here so I
24 would ask that the Court receive that exhibit which is
25 Exhibit I.

1 THE COURT: All right.

2 MR. KONRAD: Other than that, Your Honor, the
3 rest of my presentation will be testimony and then I
4 would like to make some brief closing remarks. Thank
5 you.

6 THE COURT: All right. Is there any objection
7 to this warranty deed that's been filed as a
8 self-authenticating document being received?

9 MR. LINDSTEDT: I think I asked for a copy of
10 that and, yes.

11 THE COURT: No objection?

12 MR. LINDSTEDT: No objection.

13 THE COURT: So we're going to get you a copy of
14 that.

15 What about J? Does he have a copy of J?

16 MR. KONRAD: Yes. That's the one where I
17 handwrote it in the corner.

18 MR. LINDSTEDT: Where?

19 MR. KONRAD: I think it's this one -- that one.

20 THE COURT: All right. I think it would make
21 sense to give you an opportunity to make your opening
22 statement either now or you can do it at the
23 presentation of your case. Which would you prefer?

24 MR. LINDSTEDT: Oh, when he gets done? I think
25 I'll make it now because I won't remember most of what

1 he said.

2 THE COURT: All right.

3 MR. LINDSTEDT: Okay. What he's done is he's
4 said is that there's a four-prong case, you know, see
5 them on the merits, you know, likely here. Bryan Reo
6 has been chasing me, been chasing me. He knew of me
7 when he was endeavoring to bring in as a Christian
8 Identity pastor a, well, pretty well a murderous Jew
9 who in the Jersey City Jail murdered a Puerto Rican
10 sneak thief, then induced some other policeman to go
11 ahead and help him murder the sneak thief.

12 THE COURT: All right. Now, just a minute.

13 MR. LINDSTEDT: All right.

14 THE COURT: Just a minute. Okay? We're
15 talking about the preliminary injunction. Okay?

16 MR. LINDSTEDT: Okay. But the preliminary
17 injunction --

18 THE COURT: Just a minute. I know you're
19 representing yourself but I think what you're trying
20 to say is you started off saying one of the elements
21 is the likelihood of --

22 MR. LINDSTEDT: If I could --

23 THE COURT: -- success on the --

24 MR. LINDSTEDT: If I could --

25 THE COURT: Now listen. We both can't talk at

1 the same time otherwise the record is not made. Okay?
2 So if you want to appeal this at some point, there
3 won't be a record. So we're trying to make a record.

4 MR. LINDSTEDT: Okay.

5 THE COURT: Okay? So I don't -- you can say --
6 you've just argued that he can't succeed on the merits
7 over there. That's all I need to hear. I'm not going
8 to go much longer into --

9 MR. LINDSTEDT: All right.

10 THE COURT: -- the reasoning.

11 MR. LINDSTEDT: On the merits here, him and I
12 have been fighting for, since he knew of me since
13 2009, and knew that as a long-term Aryan Nations
14 pastor, especially within the dual-seedline Christian
15 Identity -- Christian Identity holds that white people
16 are descended from the lost 13 tribes of Israel. The
17 dual-seedline portion is far more militant. It holds
18 that non-whites are created on the sixth day, they
19 have no souls and that Jews are the literal spawn of
20 Satan through Cain's, you know, Cain's --

21 THE COURT: All right. Thank you for that
22 summary.

23 MR. LINDSTEDT: But he's trying to bring in a
24 Jew who murdered somebody in a jail and snitched on
25 everybody. He's trying to bring this character in.

1 He knows it so he shows up for the -- he's been in
2 white supremacy or trying to and his problem is he's
3 not white and he did this before --

4 MR. KONRAD: Your Honor, I know that you said
5 we aren't supposed to object but if he's going to call
6 my client a murderous Jew --

7 MR. LINDSTEDT: No, no, no, no. He was
8 bringing in a murderous Jew.

9 MR. KONRAD: -- and all this stuff, we've got
10 to stop.

11 MR. LINDSTEDT: He was bringing in a murderous
12 Jew here. He's just simply -- he's just simply
13 someone who could not succeed so he has to go
14 online --

15 THE COURT: All right. Just a minute now.
16 I've told you we're here for --

17 MR. LINDSTEDT: All right.

18 THE COURT: Here's your point that you've made
19 to me. I've got it in your pleadings. I'm taking
20 judicial notice of all of your filings. I don't want
21 to hear it again. I get it.

22 MR. LINDSTEDT: All right.

23 THE COURT: What your point is is that your
24 claim is he can't succeed on the merits.

25 MR. LINDSTEDT: He hasn't. He hasn't.

1 THE COURT: Okay.

2 MR. LINDSTEDT: He filed a federal lawsuit. He
3 found out somewhere and I think it was through --

4 THE COURT: No, don't talk to him. Talk to me.

5 MR. LINDSTEDT: Okay. He found out somewhere
6 in 2013 -- I've already presented this -- he found out
7 about my inheritance and he immediately set about
8 trying to get it and he was conspiring with other
9 people including, including this Foundation for the
10 Marketplace of Ideas. And pretty well I think
11 Mr. Konrad is also a member of that organization.

12 THE COURT: All right. Now listen here --

13 MR. LINDSTEDT: Okay.

14 THE COURT: We are here --

15 MR. LINDSTEDT: Okay.

16 THE COURT: -- to determine whether I should
17 hold this property in its place until all of those
18 matters can be resolved. And I get your point. Your
19 position is he could not succeed on the merits.

20 MR. LINDSTEDT: He hasn't.

21 THE COURT: I know those matters are being
22 appealed over there and I accept that as your opening
23 statement. Okay? I get it.

24 MR. LINDSTEDT: Okay. Moving on, moving on.
25 He lost the federal lawsuit because he had fifty days

1 to show that he was damaged for \$75,000 for diversity
2 of citizenship. He failed. Eight days later he went
3 running to Lake County.

4 Then over -- over the next four years he filed
5 motions to strike, all sorts of motions, motions I
6 couldn't testify because I was locked up in a nut
7 house and insane. All sorts of stuff. And then what
8 they did is they did the equivalent of bringing an
9 Aryan Nations clansman to northeast Ohio. You know,
10 pretty well what was said about him was outside the
11 Ohio statute of limitations.

12 He filed appeal after appeal trying to amend
13 the Complaint so now -- so now he's, you know, he's
14 gotten -- he's gotten the Ohio Eleventh District Court
15 of Appeals to go and say, you know, say, well, yes,
16 Mr. Lindstedt is a virulent racist and he can't use
17 all these adjectives to describe Mr. Reo.

18 But what they decided to do is after a whole
19 bunch of nonsense and they got snippy, pretty well
20 oral arguments for -- you know, he was asking for
21 pretrial interest, in some cases \$18,000. And on the
22 very day of trial here he was trying to have the
23 matter delayed because of his motions for discovery.

24 So anyway, I don't think he's going to prevail
25 in the Ohio court either. And the Ohio -- the Ohio

1 court, you know, court pretty well sent him a rather
2 snippy motion saying, yes, we know Mr. Lindstedt is
3 racist.

4 I mean, you're suing -- and he deliberately,
5 and I noticed this, he deliberately sued my church,
6 the Church of Jesus Christ Christian/Aryan Nations of
7 Missouri. He sued my domestic partner who was, well,
8 bedbound. She died on the morning of the 4th here.
9 She decided that she'd rather die of renal failure
10 than inoperative cancer because the doctors were too
11 cowardly to go ahead and remove the cancer so she
12 decided to die of renal failure and she died on the
13 morning of the 4th.

14 So over the years I've had -- I've had to go
15 ahead and for the last six and a half years I really
16 can't go, you know, go more than trips to, you know,
17 Neosho, sometimes to Joplin which is about 30 miles
18 away. Very seldom can I do all this stuff but here
19 Bryan Reo delays and delays and delays the trial and
20 then he keeps blaming me.

21 THE COURT: Okay.

22 MR. LINDSTEDT: So anyway --

23 THE COURT: Sum it up because I get your point.

24 MR. LINDSTEDT: Okay. Sum it up to the point
25 here. What happens is that he won and now they're

1 beginning to wonder is it very smart to bring an Aryan
2 Nations clansman 900 miles away, hold a trial for him
3 with a Negro juror and a bunch of -- essentially, I
4 got lynched. I was not allowed to present evidence --

5 THE COURT: All right.

6 MR. LINDSTEDT: Anyway, maybe they're going to
7 think about that at all. What happens as I've simply
8 pointed out is that you might go ahead and take that
9 stuff smart to your head and go drag someone up 900
10 miles away because they're essentially a racist here.

11 He knew and way back when I found out his
12 identity, he agreed to leave white supremacy and play
13 Christian Identity if I would simply not put any more
14 stuff. Then he starts going ahead and taking my web
15 pages down and then he starts --

16 THE COURT: Now you're -- okay. I get that.

17 MR. LINDSTEDT: Okay.

18 THE COURT: You've had that lawsuit over all
19 this --

20 MR. LINDSTEDT: Okay.

21 THE COURT: -- stuff in Ohio.

22 MR. LINDSTEDT: In Ohio.

23 THE COURT: I understand it's on appeal. We're
24 not getting to the merits of this today. I'm going to
25 tell you you've exceeded the time that he has taken.

1 Your point to me is he cannot prevail or will not
2 prevail on the merits over on these actions in Ohio
3 and you've made your factual showing.

4 MR. LINDSTEDT: All right.

5 THE COURT: Stop. I accept your opening
6 statement that you've made and now we need to proceed
7 with the rest of the testimony. You got 30 seconds to
8 sum it up.

9 MR. LINDSTEDT: In his Verified Complaint there
10 is four federal lawsuits down in Ohio that I drug up
11 out of Lake County into the Ohio court. In some cases
12 he's whining that I seen what I thought was his wife
13 jumping up and down trying to get the attention and I
14 mistook his --

15 THE COURT: Again, you're going to the merits.

16 MR. LINDSTEDT: I mistook his father. He's not
17 going to prevail on the federal cases either. He goes
18 on, he believes and this lawyer's claiming that he's
19 going to prevail. These cases are ridiculous.
20 They're ridiculous on their very face and I have
21 countersuits against the State of Ohio.

22 By the way, I want to --

23 THE COURT: Talk to me, not them.

24 MR. LINDSTEDT: I'm suing him. I'm suing his
25 law firm. I'm suing that so if there's anybody's

1 property you --

2 THE COURT: Look at me.

3 MR. LINDSTEDT: Okay. If there's any property
4 he ought to sequester, I'm making a claim that, you
5 know, if you go ahead and decide to keep me from
6 transferring my property, there ought to be an
7 injunction against him and his law firm and his past
8 law firm to keep him from transferring their property
9 as well.

10 THE COURT: Are you threatening me?

11 MR. LINDSTEDT: No, no.

12 THE COURT: Okay. So stop.

13 MR. LINDSTEDT: I didn't mention you. I
14 mentioned him.

15 THE COURT: No. I'm going to decide this on
16 the merits of the law. I accept your opening
17 statement.

18 MR. LINDSTEDT: Okay.

19 THE COURT: Your main issue is you don't think
20 he's going to prevail. That's one of the factors I'm
21 going to weigh --

22 MR. LINDSTEDT: It's ridiculous.

23 THE COURT: -- and I accept it.

24 MR. LINDSTEDT: It's a ridiculous litigation
25 that's been going on for -- April of 2014.

1 THE COURT: Very good.

2 MR. LINDSTEDT: And he's failed.

3 THE COURT: All right. Thank you. And of
4 course, we're sorry for the loss of your loved one.

5 MR. LINDSTEDT: Well, you know, most of the
6 crying was done in March and June when they said they
7 wouldn't operate. She chose to die and --

8 THE COURT: Well, it's hard to lose a loved one
9 no matter what so thank you for that. And that's why
10 we granted some continuances there for you.

11 So at this time we're going to move forward now
12 with the testimony and this is how it's going to work.

13 MR. LINDSTEDT: But Your Honor, there was three
14 or four cases that he went ahead and mentioned here.
15 Balance of equities and public interest. I haven't
16 gotten to address them yet.

17 THE COURT: All right. You got this much time
18 because you are going way over what an opening
19 statement is.

20 MR. LINDSTEDT: Okay.

21 THE COURT: When this is --

22 MR. LINDSTEDT: Okay. Balance of equities is,
23 is that this is -- he's been, you know, and I had back
24 to where he was praying and saying he was going to
25 render me destitute here. And his co-conspirator from

1 the Foundation for the Marketplace of Ideas, which has
2 a great deal to do with Charlottesville, he was saying
3 your sister is going to be rendered destitute on the
4 28th of April of this month. I think this character
5 is also in with Bryan Reo, too, you know, as far as
6 equities.

7 Public interest is that I think the public
8 interest is not served by simply having these court
9 proceedings to where if a lawyer threatens to sue you
10 or does sue you, you can go ahead and keep him from
11 transferring his property. I think that pretty well,
12 and new regime would probably go against Mr. Konrad --

13 THE COURT: Well, this isn't about him. This
14 is about --

15 MR. LINDSTEDT: But the thing is is that if
16 you're allowing lawyers to go ahead and talk to
17 another lawyer and take property, where does that end?
18 And I don't think that the public interest is served
19 by essentially creating a civil war situation or a
20 situation to where the courts, whoever is in charge
21 now can be used for purpose of proscription. I don't
22 think that that is in the public interest to destroy
23 the pretense of the rule of law.

24 THE COURT: Okay. Thank you for your arguments
25 on those four factors that I'll be weighing.

1 MR. LINDSTEDT: I forgot the second factor.

2 THE COURT: Irreparable harm.

3 MR. LINDSTEDT: He hasn't suffered any harm.

4 He hasn't suffered any harm at all. My sister, well,
5 my gosh, she had to pay a \$5,000 retainer and she has
6 to pay \$500 a month. She's suffering harm. I've
7 suffered, you know, I've suffered some aggravation
8 having to come up here.

9 But you know, pretty well, you know, pretty
10 well I think that if you go ahead and use the law and
11 what happens, I'm a notorious counter-puncher. I'll
12 probably go ahead and say the state law is
13 unconstitutional because it's being used for this
14 purpose, essentially to go ahead and way back in 2014,
15 to render me destitute and all that. And he has -- he
16 has pretty well done that. I might have to go ahead
17 and --

18 THE COURT: Well, I don't want to hear what
19 you're going to do.

20 MR. LINDSTEDT: Okay. He --

21 THE COURT: Listen. Listen. Your time is up.

22 MR. LINDSTEDT: All right.

23 THE COURT: And I get what your arguments are
24 on the public interest so thank you. You've covered
25 those four factors for me.

1 All right. So with that, Mr. Konrad, you may
2 proceed with calling any witnesses.

3 MR. KONRAD: Your Honor, I would call Mr. Bryan
4 Reo.

5 BRYAN ANTHONY REO,
6 being first duly sworn, was examined and testified
7 as follows:

8 DIRECT EXAMINATION

9 BY MR. KONRAD:

10 Q. Good morning, Mr. Reo. Could you please spell
11 your name for the record?

12 A. My first name, Bryan, B-R-Y-A-N. My middle name,
13 Anthony, A-N-T-H-O-N-Y. My last name, Reo, R-E-O.

14 Q. And you live in Ohio?

15 A. That is correct.

16 Q. And for the Court's knowledge, are you a licensed
17 attorney in Ohio?

18 A. I am a licensed Ohio attorney, that is correct.

19 Q. And what jurisdictions are you allowed to practice
20 in? Federal? Different states?

21 A. I am licensed in the state of Ohio, the state of
22 Michigan, and I am admitted to the bar in the Northern
23 District of Ohio, the Southern District of Ohio, the
24 Western District of Michigan, the Eastern District of
25 Michigan, the United States Court of Appeals for the

1 Sixth Circuit, the United States Court of Appeals for
2 the Third Circuit and the United States Court of
3 Appeals for the Armed Forces.

4 Q. And roughly how long have you been practicing law?

5 A. May of 2018. It would be slightly more than two
6 at this point.

7 MR. LINDSTEDT: Can I make objections?

8 THE COURT: Briefly. What?

9 MR. LINDSTEDT: The objection is that he's been
10 practicing law on behalf of Mr. Fink, you know, his
11 lawyer since 2015, and he was told that he wasn't
12 supposed to practice law but yet he practiced law
13 quite a bit before he actually got a law license.

14 THE COURT: All right. That will be overruled.

15 Q. (By Mr. Konrad) So are you familiar with who
16 Mr. Lindstedt is here today?

17 A. Yes.

18 Q. And just simply put, you two have been engaged in
19 civil litigation for several years; correct?

20 A. That is correct.

21 Q. And at some point did you file a lawsuit against
22 him in the state of Ohio?

23 A. Yes.

24 Q. And what was the tort claims that you alleged in
25 the state of Ohio?

1 A. The most significant claims were defamation, libel
2 per se, false light invasion of privacy, intentional
3 infliction of emotional distress, and other similar
4 related tort claims.

5 MR. LINDSTEDT: Can I make an objection? He
6 didn't mention the federal lawsuit that he filed at
7 which he lost said claims before he filed the state
8 lawsuit.

9 THE COURT: All right. That's overruled.

10 Q. (By Mr. Konrad) And I would imagine that case
11 took some time to work through the process before it
12 ultimately went to trial; is that correct?

13 A. Yes, that is correct. There were -- do you want
14 to discuss in any greater detail?

15 Q. How long did the case take to go from initial
16 filing until the first day of trial?

17 A. Approximately 48 months.

18 Q. And during that time did you engage in discovery
19 and motion practice in that case?

20 A. I did.

21 Q. And when did the trial in that case start?

22 A. I want to say June 24, 2019.

23 Q. And how many days long was the trial?

24 A. Three.

25 Q. Did Mr. Lindstedt have counterclaims against you?

1 A. He did.

2 Q. Were those resolved in his favor or were they
3 dismissed?

4 A. Nine of the ten counterclaims were dismissed on a
5 directed verdict and the jury found on my favor for
6 his sole remaining counterclaim.

7 Q. And what was the ultimate -- what was the ultimate
8 verdict that the jury reached?

9 A. They returned a verdict in my favor on defamation,
10 libel per se and false light invasion of privacy in
11 the amount of \$105,400.

12 MR. LINDSTEDT: Objection.

13 MR. KONRAD: Go ahead.

14 MR. LINDSTEDT: Mr. Reo pretty well admits that
15 he was suing my church and he got a \$400 defamation
16 against my church as well.

17 THE COURT: All right. We'll get to that.
18 Thank you.

19 MR. KONRAD: Your Honor, I had given you
20 originals. Can I work off of those for a little
21 bit --

22 THE COURT: Yes.

23 MR. KONRAD: -- so I can get some of them
24 entered? This one has already been received, the
25 deed. I don't need that one.

1 But this was an inadvertent copy so this I is a
2 copy. This is the certified one. This is I. I think
3 you can feel it. So I'm going to take this one back
4 so you don't mix it up.

5 This is the one I just took from the judge, the
6 same, and this one she just had an extra copy.

7 MR. LINDSTEDT: Okay.

8 Q. (By Mr. Konrad) And when did the jury reach its
9 verdict?

10 A. As I recollect, June 26, 2019. It would have been
11 a Wednesday, day three of the trial.

12 MR. KONRAD: May I approach the witness, Your
13 Honor?

14 THE COURT: Yes, you may.

15 Q. (By Mr. Konrad) I'm showing you what's been
16 marked as Plaintiff's Exhibit F. Could you tell the
17 Court what that document is?

18 A. It's the judgment entry that the judge entered in
19 Lake County Court of Common Pleas memorializing the
20 verdict of the jury from June 26, 2019. The judgment
21 entry is dated July 1, 2019.

22 Q. And upon reviewing that document, does that appear
23 to be a true and correct copy of the judgment that's
24 on file in Ohio?

25 A. Yes, it does.

1 Q. And in fact is that a copy of the judgment that
2 you registered as a foreign judgment in South Dakota?

3 A. It does appear so, yes.

4 MR. KONRAD: Your Honor, I would move to
5 introduce Plaintiff's Exhibit F which is the Ohio
6 judgment.

7 THE COURT: Any objection?

8 MR. KONRAD: You have a copy of it. That's
9 what it is.

10 MR. LINDSTEDT: No objection.

11 THE COURT: Okay. That will be received.

12 MR. KONRAD: Your Honor, I'm going to ask some
13 questions that could get close to what might be
14 considered a legal conclusion. However, we are
15 talking about a case that's pending. I'm also talking
16 with a practicing lawyer so I'm not intentionally
17 trying to ask questions that ask for a legal
18 conclusion. I'm not asking for a legal conclusion on
19 this case but perhaps the status of the Ohio cases.
20 That's just the background.

21 THE COURT: That are pending?

22 MR. KONRAD: Yes.

23 THE COURT: Okay.

24 Q. (By Mr. Konrad) So in that Ohio case has
25 Mr. Lindstedt moved to appeal?

1 A. In the one from which the judgment arose?

2 Q. Yes.

3 A. Yes, he's filed an appeal.

4 Q. What is the status of that appeal?

5 A. It has been set for oral arguments which are to be
6 held in, I believe, the middle of October.

7 Q. And has the court in Ohio issued any kind of an
8 order that would stay the proceedings or stay
9 execution of the judgment?

10 A. They have not.

11 Q. Are you familiar with the Appellate Rules of
12 Procedure and the Civil Rules of Procedure in Ohio?

13 A. I am.

14 Q. And in the state of Ohio does appealing a judgment
15 automatically stay execution?

16 A. It does not.

17 Q. In your opinion, being a practicing lawyer from
18 that state, what is needed in order to stay execution?

19 A. The party that is undertaking the appeal must
20 offer the full value of the judgment --

21 MR. LINDSTEDT: Objection.

22 A. -- as a supersedeas bond into the court's registry
23 or other sufficient collateral that the judgment
24 creditor and the court would deem sufficient and
25 willing to accept. And then if the court accepts the

1 collateral or the bond, they may stay the
2 proceedings -- I'm sorry -- they may stay execution
3 during the pendency of the appellate proceedings.

4 MR. LINDSTEDT: Objection. That is not what
5 the law in Ohio, South Dakota or Missouri states. It
6 says that stay of execution is halted until, you
7 know -- or execution is halted until the appeals are
8 through. It doesn't say anything --

9 THE COURT: All right. I'll note your
10 objection. In South Dakota rules do say that the
11 supersedeas bond does have to be posted in the way
12 that it's stated. That's probably uniform and similar
13 to South Dakota's, I'm assuming. And he is a
14 practicing lawyer there and he's under oath and
15 stating that that is the procedure.

16 MR. LINDSTEDT: Okay.

17 THE COURT: I understand you're making an
18 objection --

19 MR. LINDSTEDT: But I'm looking at the
20 statutory law. It doesn't say -- you know, it does
21 have an or, or, or and it does say essentially
22 supersedeas bond. But to someone who, A, don't have
23 the money to, you know, to pay for a bond, did not
24 recognize the jurisdiction of that court, you know,
25 pretty well I'm looking at the previous, you know, the

1 previous statements which say, you know, an appeal
2 will be filed or, you know, essentially awaiting
3 appeal or even appeal is asked for, can't execute on
4 that judgment until that appeal is done. Also there
5 is a law about, you know, defamation in a foreign
6 country --

7 THE COURT: Well, I'm not going to that.

8 MR. LINDSTEDT: Okay.

9 THE COURT: You were objecting on the bond and
10 what the law is there.

11 MR. LINDSTEDT: I have an objection on the
12 bond.

13 THE COURT: All right. I got it.

14 MR. LINDSTEDT: And he was --

15 THE COURT: So I understand your objection.
16 You state that isn't the law over there. I note your
17 objection for the record and I'm going to overrule it.
18 Okay?

19 Q. (By Mr. Konrad) Is this issue of posting a
20 supersedeas bond, is this an issue that you have
21 briefed in the past as part of, let's just call it
22 legal arguments with Mr. Lindstedt?

23 A. Yes, I have briefed the issue.

24 Q. Let's just go through the three states. Regarding
25 Missouri, would that be rule 74.14(d)(1)? Is that the

1 appropriate statute for --

2 MR. LINDSTEDT: Objection.

3 Q. -- supersedeas bond?

4 MR. LINDSTEDT: Objection.

5 THE COURT: Overruled. Let him answer the
6 question.

7 A. I don't immediately recollect the statute and the
8 number but I believe it is -- you said 74?

9 MR. KONRAD: May I approach the witness, Your
10 Honor?

11 THE COURT: Yes.

12 Q. (By Mr. Konrad) I'm offering this document to see
13 if that will refresh your recollection. Upon
14 reviewing your brief, do you now recall what the
15 appropriate statute is concerning supersedeas bonds in
16 Missouri?

17 A. Yes. I remember this. It's from a brief I filed
18 in a court proceeding in the state of Missouri for the
19 domestication of the judgment.

20 Q. What is that statute?

21 A. It's the statute for uniform enforcement of
22 foreign judgments regarding how you obtain a stay if
23 you're a judgment debtor and you've undertaken an
24 appeal.

25 Q. What is the statute number?

1 A. 74.14(d)(1).

2 Q. And I'm going to refer you to a different place in
3 your same document but we're going to talk about stay
4 of proceedings in Ohio.

5 MR. LINDSTEDT: Could I ask what exhibit or
6 what he's --

7 MR. KONRAD: I'm not offering it as an exhibit.

8 THE COURT: Okay.

9 MR. LINDSTEDT: You're not. Oh, okay. So in
10 short, I have no idea what he's pretty well talking
11 about right now but from what I gather, the statute as
12 opposed to these rules of court pretty well state on
13 stay of execution that while an appeal is pending
14 execution is stayed, according to both Ohio and
15 Missouri and South Dakota statutory law.

16 THE COURT: All right. You've made that
17 objection previously. I've ruled on it and I'm going
18 to overrule it. It's noted for the record. And he's
19 using this document to refresh his memory as to the
20 specific statute.

21 MR. LINDSTEDT: Okay. I wish I had a copy of
22 the statute. I've seen quite a bit of Bryan Reo --
23 Bryan Reo briefs over the years and essentially they
24 twist or they --

25 THE COURT: I understand.

1 MR. LINDSTEDT: -- sway the law.

2 THE COURT: I understand. He's under oath.
3 He's telling me what the law, he believes it to be.

4 MR. LINDSTEDT: Yeah.

5 THE COURT: Okay.

6 Q. (By Mr. Konrad) Mr. Reo, for the record, have I
7 shown you what appears to be an excerpt from a brief
8 that you wrote in other proceedings?

9 A. Yes, you have.

10 Q. Is that the document that you're going off of?

11 A. Yes, it is.

12 Q. Was this document or portion of the document
13 compiled by you after doing the appropriate legal
14 research?

15 A. Yes, it was.

16 Q. And I'm referring you to that second page where it
17 talks about the supersedeas bond rule in the state of
18 Ohio. Do you see that portion?

19 A. I do.

20 Q. After reading that paragraph and knowing what you
21 know about supersedeas bonds in the state of Ohio,
22 what is the applicable statute concerning supersedeas
23 bonds in Ohio?

24 A. Ohio Civil Rule 62, specifically A and B.

25 Q. And again to your knowledge, has Mr. Lindstedt --

1 MR. LINDSTEDT: Objection. Could he, you know,
2 since it's the same in South Dakota, Missouri and
3 Ohio, could they go -- could he read the actual rules
4 since they're the same in Missouri, Ohio and the rest
5 here?

6 THE COURT: I have a point of question,
7 clarification. Is that in a matter that was relating
8 to Pastor Lindstedt or is it in a different matter
9 that he was researching those?

10 MR. LINDSTEDT: He was going after me in
11 Missouri.

12 THE COURT: Is that -- I'm asking Mr. Konrad.

13 MR. KONRAD: My understanding is that
14 Mr. Lindstedt's general collateral attack on all the
15 proceedings has been that this judgment should be
16 stayed. So I think this matter has been litigated and
17 touched on in almost every state so that was the
18 purpose of Mr. Reo drafting that document.

19 I mean, the reason I offer the statute numbers
20 is so the Court can look it up for yourself and see
21 what it says, but my review of the statutes is that he
22 must post a supersedeas bond or equivalent value.
23 I've done significant appellate practice here in South
24 Dakota. It's the same proceeding.

25 THE COURT: And I believe his question was he

1 just wants a copy of those statutes that you're
2 referring to or those rules. And so that's why I was
3 asking if this document that was prepared by Mr. Reo
4 was in a proceeding regarding Pastor Lindstedt.

5 MR. KONRAD: You know, Your Honor, to be honest
6 with you, this was an e-mailed portion that we had
7 discussed. I mean, if he wants a copy of those, I can
8 provide those.

9 THE COURT: Okay. I think that's what
10 you're -- wait -- I think that's what you've asked me
11 for so he said he's going to provide a copy of these
12 rules for you.

13 On the break if you would just copy those
14 rules. Okay?

15 You've asked. You want to see a copy of the
16 rules. He's going to do that so I'm granting that.
17 All right? That's what you asked for.

18 And you will accommodate; correct?

19 MR. KONRAD: That's fine. I can do that.

20 THE COURT: So at the break, we're
21 accommodating you. I know you're pro se and so far
22 we've been giving you copies as you've requested.
23 This is a document he used to refresh his recollection
24 on what the specific statute or rule was. You've
25 asked for a copy of that so you would know what rule

1 they're talking about and when we take a break here,
2 Mr. Konrad is going to give you a copy of that rule.

3 MR. LINDSTEDT: Okay. The point I'm trying to
4 make is that the actual rule for those of us who are
5 not lawyers and who are, you know, who are pretty well
6 immune to Mr. Reo, according the lawsuit himself is
7 that the law states is that it is stayed while the
8 matter is under appeal, to us of those who go ahead
9 and read, and then at the very last or, or whatever.
10 And I can see how lawyers would want, if they won an
11 appeal, and Mr. Reo has been threatening me, you
12 know --

13 THE COURT: We're not going to go into that.
14 What you asked for was a copy of the -- no. Stop.
15 It's my turn. Okay? You asked for a copy of the
16 rules that were being discussed. That's going to be
17 provided.

18 MR. LINDSTEDT: The laws, not the rules.

19 THE COURT: The rule, the law, it's the same
20 thing. Court rules or statutory rules, whatever they
21 are, you asked for what he was referring to. I'm
22 going to have him copy that portion of the law or the
23 rule so you can see what it says. Okay? End of
24 story. Unless you don't want a copy.

25 MR. LINDSTEDT: I want a copy.

1 THE COURT: All right. Very good.

2 MR. LINDSTEDT: But the point I'm trying to
3 make is that usually the statutory -- the statutes are
4 very much different than what the rules of court are.
5 They're not the same thing.

6 THE COURT: All right. Well, he's citing
7 authority to me. You asked to see the authority. On
8 the break he's going to give you a copy of that.
9 That's what you asked for.

10 That's what you agreed to accommodate him on
11 that.

12 MR. KONRAD: Yes.

13 THE COURT: And he will do that.

14 MR. KONRAD: Okay.

15 THE COURT: All right. So you can proceed with
16 any further questioning.

17 Q. (By Mr. Konrad) So again, we left at off at no
18 supersedeas bond has been posted; is that correct?

19 A. That is correct. He has not posted a supersedeas
20 bond nor offered one.

21 Q. And given that, certainly nothing has been
22 approved by the court that would stay any execution.

23 A. Missouri declined to grant a stay on the basis
24 that, as I briefed the issue, no supersedeas bond had
25 been offered.

1 MR. LINDSTEDT: Objection. Missouri declined
2 to do anything about Mr. Reo's motions.

3 THE COURT: All right. Your objection is noted
4 and it's overruled.

5 You may continue with the testimony.

6 MR. KONRAD: Your Honor, for Mr. Lindstedt's
7 benefit, perhaps the Court might want to explain to
8 him the difference between something he can get on
9 cross-examination versus what an objection is because
10 these aren't objections. These are like argument.

11 THE COURT: All right. That's a good point.
12 What I'm going to do is, you're taking notes there.
13 Questions that you want to ask him you can ask when
14 Mr. Konrad is done. Okay? But it's his turn to ask
15 the questions. And I should have probably laid this
16 out in the beginning because we'll be here until
17 tomorrow and next week if we don't do it orderly. So
18 let him finish his testimony and then you will have an
19 opportunity to ask him questions about what he
20 testified here today. Okay?

21 All right. So Mr. Konrad.

22 Q. (By Mr. Konrad) So in your opinion, is the
23 judgment in Ohio -- when I say the judgment in Ohio,
24 the \$105,000 judgment and the \$400 judgment, are those
25 still active judgments that you own in the state of

1 Ohio?

2 A. Yes, they are.

3 Q. And they have not been stayed in any manner?

4 A. They have not been stayed in any manner
5 whatsoever.

6 Q. Did you then --

7 MR. LINDSTEDT: Objection.

8 THE COURT: That's going to be overruled before
9 it even comes out. He's taking testimony. Okay? But
10 you write down what you want to ask him when it's your
11 turn.

12 MR. LINDSTEDT: All right.

13 Q. (By Mr. Konrad) Did you then take steps to
14 register that judgment in other states?

15 A. Yes, I did.

16 Q. What states did you register those judgments in?

17 A. The states of South Dakota and Missouri.

18 Q. Why did you pick the state of Missouri?

19 A. Because that's where the Defendant is domiciled
20 and where his primary residence is located.

21 Q. And prior to registering those judgments did you
22 do some sort of debtor inquiry to figure out what
23 Mr. Lindstedt owned?

24 A. Yes, I did.

25 Q. How did you go about conducting that debtor

1 inquiry?

2 A. I have a friend who specializes in judgment
3 assignment asset location and debt collection on
4 judgments against judgment debtors and he did a TLO
5 search on Mr. Lindstedt.

6 Q. When you say TLO, could you explain to the Court
7 what that is?

8 A. He did a title location search where it brought up
9 anywhere in the country where Mr. Lindstedt is the
10 owner of record of real property.

11 Q. So when did you find out that Mr. Lindstedt owned
12 real property in South Dakota, approximately?

13 A. Definitely or based on rumor?

14 Q. When did you definitely figure out through this
15 title search that he owned property in South Dakota?

16 A. Probably late 2018, early 2019, just ahead of the
17 commencement of the jury trial I had my friend run
18 some searches just in anticipation that I would likely
19 prevail at trial and we wanted to get a ballpark idea
20 of where we would be domesticating the judgment and
21 how much, you know, would be in play, so to speak.

22 Q. Once you had prevailed in trial and received the
23 verdict, you then picked South Dakota and Missouri
24 based on your debtor search; is that correct?

25 A. That is correct.

1 Q. And when you attempted to register the foreign
2 judgment in South Dakota, did you review the
3 applicable law in registering a foreign judgment?

4 A. I did.

5 Q. Did you file an affidavit with the court as
6 required by statute?

7 A. I did.

8 Q. And did you notice Mr. Lindstedt of that
9 proceeding?

10 A. I did.

11 MR. KONRAD: And if I may approach, Your Honor.

12 THE COURT: You may.

13 Q. (By Mr. Konrad) I'm showing you what's been
14 marked as Plaintiff's Exhibit J. Could you explain to
15 the Court what that document is?

16 A. It is the Notice of Filing of Foreign Judgment
17 that would have been served on Mr. Lindstedt as the
18 judgment debtor here in South Dakota.

19 Q. And that's a two-page exhibit. What is the second
20 page?

21 A. The second page shows the judgment debtor, the
22 judgment creditor and the judgment amounts.

23 Q. What amounts were registered as a foreign judgment
24 in South Dakota?

25 A. Four hundred dollars and then \$105,000 for an

1 aggregate amount of \$105,400, not inclusive of
2 post-judgment interest.

3 Q. And is that a certified copy of the judgment from
4 the court?

5 A. It does feel to be so. It has the seal.

6 MR. KONRAD: Your Honor, I would move to
7 introduce Exhibit J at this time and for the Court's
8 information, it is a certified copy that I obtained
9 from the clerk this morning.

10 THE COURT: Okay. Is there any objection to
11 that?

12 MR. LINDSTEDT: No.

13 THE COURT: You have a copy?

14 MR. LINDSTEDT: I'm writing on the back of it.

15 THE COURT: All right. Very good. It's also a
16 self-authenticating document.

17 Q. (By Mr. Konrad) So once you had filed the foreign
18 judgment in the state of South Dakota and in Missouri,
19 did you engage in post-judgment interrogatories?

20 A. I sent a packet of post-judgment discovery in aid
21 of execution with the Ohio case caption to judgment
22 debtor Lindstedt.

23 Q. And without going through every question, what was
24 the general idea of the requests that you were trying
25 to get answered when you sent those interrogatories?

1 A. In general I asked him to name and identify every
2 financial institution wherein he had an account,
3 identify the account number, the balance. I asked him
4 to identify any tenant or anybody who was leasing or
5 had a lease interest in any land he owned in South
6 Dakota, what the approximate value of the land was and
7 how much he was deriving from rental income. And then
8 I also asked for a schedule of assets, including motor
9 vehicles and firearms.

10 Q. Did you receive any answers to those post-judgment
11 interrogatories?

12 A. I didn't receive anything that was responsive but
13 I received some rather, how should I say, curt, vulgar
14 responses but they weren't --

15 MR. LINDSTEDT: Objection.

16 A. -- responses to the underlying interrogatories.

17 MR. LINDSTEDT: Objection. He received --
18 objection. He received an answer. The judge in Ohio
19 told him that he had no business inquiring as to the
20 serial numbers of my guns and all that. The judge
21 pretty well --

22 THE COURT: All right. You can ask him that on
23 cross. For right now I'm going to overrule your
24 objection and you --

25 MR. LINDSTEDT: Overruled. Overruled.

1 THE COURT: Yes. Okay.

2 Q. (By Mr. Konrad) When you received a response did
3 the response from Mr. Lindstedt appropriately address
4 the questions that you presented?

5 A. It did not.

6 MR. LINDSTEDT: Objection. He has all sorts of
7 notions about whether my answers are appropriate.

8 THE COURT: All right.

9 MR. LINDSTEDT: I thought they were
10 appropriate.

11 THE COURT: Okay. That will be overruled. You
12 can ask him on cross. Okay?

13 Q. (By Mr. Konrad) When you did not get answers that
14 you thought were appropriate, did you move to compel
15 answers to the interrogatories?

16 A. Yes. I filed a motion to compel post-judgment
17 discovery responses.

18 Q. And when did you move to compel, I mean
19 approximately in date, when did you move to do that?

20 A. Late September, early October.

21 Q. And did Mr. Lindstedt file a response to that
22 motion to compel?

23 A. As I recollect, he did.

24 Q. Did the judge rule on the motion to compel?

25 A. The judge did.

1 Q. Did the judge order him -- and by him,
2 Mr. Lindstedt -- to provide certain answers as to his
3 assets?

4 A. The motion was granted in part and denied in part.
5 It was granted as to questions about real property,
6 lease interests, tenants, bank accounts. It was
7 denied as to the valuation of the land and it was
8 denied as to a serial number scheduling of firearms
9 that the Defendant may or may not have owned.

10 MR. LINDSTEDT: Objection. That isn't quite
11 what the judge said.

12 THE COURT: Well, you can ask him on cross.

13 MR. LINDSTEDT: Okay.

14 Q. (By Mr. Konrad) And since that time have you
15 pursued any avenue on his firearms?

16 A. I reached out to a Newton County sheriff's deputy
17 to ask about doing a writ of execution or a levy and
18 he said that while there were multiple adults in the
19 residence, it could not be definitively determined who
20 had the ownership interest in said firearms and that
21 he would not be levying or executing on property that
22 might not be Mr. Lindstedt's.

23 Q. And once that -- do you have an idea of roughly
24 when the judge ruled on that motion to compel?

25 A. In the last five or ten days of October, 2019.

1 Q. And --

2 MR. LINDSTEDT: And -- oh.

3 MR. KONRAD: If I may approach, Your Honor.

4 MR. LINDSTEDT: He made another --

5 THE COURT: Okay. You're going to ask him on
6 cross.

7 MR. LINDSTEDT: Sure.

8 THE COURT: What do you need?

9 MR. KONRAD: Exhibit I. It's the deed. Thank
10 you.

11 Q. (By Mr. Konrad) I'm showing you what's been
12 marked as Plaintiff's Exhibit I. This has already
13 been received by the Court. Could you tell the Court
14 what Exhibit I is?

15 A. Exhibit I is a copy of Warranty Deed transferring
16 the entire interest of Martin Lindstedt of the land in
17 question in dispute right now in this action to his
18 sister, Susan April Bessman's Revocable Living Trust
19 dated October 25, 2019.

20 Q. And does that appear to be a genuine copy of the
21 deed?

22 A. It does.

23 Q. And how did you obtain a copy of that deed
24 initially?

25 A. I obtained a copy of it when Mr. Lindstedt

1 responded to the post-judgment discovery motion
2 practice essentially with a ha-ha-ha, I no longer own
3 anything so there are no -- you know, I own no land, I
4 cannot answer any questions about renters, tenants
5 because I no longer have any land.

6 MR. LINDSTEDT: Objection.

7 THE WITNESS: I spoke to my friend --

8 MR. LINDSTEDT: Objection.

9 THE COURT: Just a minute.

10 MR. KONRAD: Just wait.

11 MR. LINDSTEDT: His testimony is his notion of
12 what I said. If he wishes, he can go ahead and
13 present what I actually said to him as well because it
14 was filed, it was filed in the Ohio court here. He
15 keeps on -- he keeps on making stuff up here --

16 THE COURT: Okay.

17 MR. LINDSTEDT: -- as opposed to just showing
18 what was actually filed.

19 THE COURT: All right. That objection is
20 overruled. You can cross-examine him about your
21 statement and what you told him when you get an
22 opportunity to cross. Okay?

23 MR. LINDSTEDT: But what, you know, I'm
24 wondering what statement he's saying ha-ha-ha was. I
25 mean, this is just --

1 THE COURT: You'll get to ask him that on
2 cross.

3 MR. LINDSTEDT: Okay.

4 A. As I recollect, the rough paraphrase of his exact
5 words said Pastor Lindstedt no longer owns any land
6 and therefore cannot discuss any interest in real
7 property in South Dakota because Pastor Lindstedt has
8 divested himself of all land in South Dakota.

9 Q. (By Mr. Konrad) And so --

10 MR. LINDSTEDT: Objection. Could, you know,
11 since his testimony, can he go ahead and show that,
12 what the basis of that testimony is?

13 THE COURT: You can ask him on cross. Let him
14 tell you what he believes was stated --

15 MR. LINDSTEDT: Okay.

16 THE COURT: -- and you cross him when it's your
17 turn. Okay? This is really going to slow us down.
18 You get an opportunity to cross. This is his
19 opportunity to ask direct questions and if you've got
20 a legal objection, that's one thing but when you're
21 just disagreeing with his testimony, that's when you
22 cross. Okay? I know you're not a lawyer --

23 MR. LINDSTEDT: All right.

24 THE COURT: -- so I'm going to help you, guide
25 you. This is how we're going to do it. Okay?

1 MR. LINDSTEDT: Okay. It's not going good --

2 THE COURT: So take your notes.

3 MR. LINDSTEDT: It's not going good for me but
4 go ahead.

5 THE COURT: Okay.

6 Q. (By Mr. Konrad) So that deed that's marked in
7 Exhibit I, is that something that Mr. Lindstedt sent
8 to you as part of the discovery?

9 A. No, he did not send this to me.

10 Q. How did you get the deed?

11 A. I got a copy of it through the Stanley County
12 Clerk.

13 Q. And did you request a copy of the deed after
14 Mr. Lindstedt had represented to you that he did not
15 own property?

16 A. Yes. As soon as he represented that he did not
17 own property, I had my friend do another TLO. We
18 found out that there had been a transfer to
19 Ms. Bessman. I immediately purchased a copy of the
20 Warranty Deed from Stanley County.

21 Q. Let's talk about timing. What is the date that
22 the deed was executed?

23 A. October 25, 2019.

24 Q. And what is the date that the deed was filed?

25 A. It was filed October 19th -- no, I'm sorry -- 29th

1 of October, 2019.

2 Q. And in relationship to the judge's ruling on the
3 motion to compel post-judgment interrogatory
4 responses, approximately how many days after the
5 judge's ruling did this deed get signed?

6 A. Within seven days.

7 MR. KONRAD: Here's Exhibit I back.

8 MR. LINDSTEDT: Is the judge's order attached?

9 MR. KONRAD: It's just the deed.

10 MR. LINDSTEDT: Okay. So there's no judge's
11 order or seven days that he's talking about?

12 THE COURT: Again --

13 MR. LINDSTEDT: Okay.

14 THE COURT: -- you can ask him that on cross.

15 Q. (By Mr. Konrad) And about this same time -- well,
16 let's back up a little bit. You said earlier that you
17 prevailed on defamation, invasion of privacy, things
18 of that nature?

19 A. That is correct.

20 Q. And as kind of evidenced here today, Mr. Lindstedt
21 more or less hates you; is that fair?

22 A. I think that's a fair and accurate assessment.

23 Q. Has he made racist comments against you?

24 A. Yes.

25 Q. Has he said inappropriate things about your

1 family?

2 A. Yes.

3 Q. About your spouse?

4 A. Yes.

5 Q. About your father?

6 A. Yes.

7 Q. Has he -- have you applied for a protection order
8 against him?

9 A. On two occasions. The first one was granted. The
10 second one was denied.

11 Q. So generally this name calling from Mr. Lindstedt
12 has gone on for years; correct?

13 A. Yes.

14 Q. Do you have any other litigation pending against
15 Mr. Lindstedt?

16 A. Yes.

17 Q. When did you start those lawsuits against him?

18 A. August and September of 2019, and there were four
19 cases. I'm the Plaintiff in two. Stefani Rossi Reo
20 is the Plaintiff in one. I represent her. And
21 Anthony Dominic Reo is the Plaintiff in one. I
22 represent him.

23 Q. And was Mr. Lindstedt served, on the two cases
24 where you're the Plaintiff, was he served in mid
25 September and mid August on those matters?

1 A. That sounds correct, yes.

2 Q. And have you made similar claims and allegations?

3 A. Yes. They're primarily claims in defamation.

4 Q. What types of things has Mr. Lindstedt said about
5 you as a practicing lawyer? And just keep it somewhat
6 short.

7 A. He's said that I've used sexual favors
8 homosexually with judges in Missouri to get judgments
9 domesticated. He's said that I embezzle client money.
10 He's said that I engage in perjury, barratry, fraud,
11 wire fraud, and that I'm involved in a conspiracy and
12 that I've also been bribing judges and jurors in Ohio
13 to corrupt proceedings in Ohio.

14 Q. So those types of statements you view to be as
15 damaging against you personally and your business
16 practice?

17 A. Yes, I see them as defamatory per se. They're
18 allegations of unprofessional and criminal conduct
19 which are cognizable as felonies.

20 MR. LINDSTEDT: Objection. That is, you know,
21 he's saying -- well, I make a standing objection
22 because, you know, it is undergoing but he has, you
23 know -- I'm making a number of objections about, you
24 know, his testimony which I'll cross-examine.

25 THE COURT: Okay. You'll have a standing

1 objection on that.

2 Q. (By Mr. Konrad) So the two cases that you have
3 pending against Mr. Lindstedt, those were originally
4 filed in Lake County Court of Common Pleas; is that
5 correct?

6 A. That is correct.

7 Q. And is that --

8 MR. LINDSTEDT: Objection. Initially filed in
9 federal district court in Ohio, then lost, then filed
10 in the Ohio court well after the statute of
11 limitations were over.

12 MR. KONRAD: Your Honor, these are not
13 objections. These are factual clarifications. This
14 is essentially cross-examination on the run. I'm just
15 asking the judge to order that unless he has a valid
16 legal objection, that he just be quiet so I can --

17 MR. LINDSTEDT: Okay. The objection is that
18 he's lying. Okay?

19 THE COURT: Okay. Fine. So you got to stop
20 this.

21 MR. LINDSTEDT: Okay.

22 THE COURT: Or frankly, you've already given up
23 your right to cross because you're putting your --

24 MR. LINDSTEDT: Well, I don't wish to give up
25 my right to cross.

1 THE COURT: Okay. So then you got to zip it.
2 Okay?

3 MR. LINDSTEDT: Okay.

4 THE COURT: And then I'll give you an
5 opportunity to ask him these questions that you have.
6 Okay?

7 Q. (By Mr. Konrad) Mr. Reo, do you currently have
8 tort cases of libel, invasion of privacy, intentional
9 infliction of emotional distress and other similar
10 type claims in those two cases?

11 A. Yes.

12 Q. And let's just clarify a couple of things.
13 Mr. Lindstedt brought up a point. Was there a
14 transfer in the jurisdiction where the case was held?

15 A. The case that gave rise to the judgment or the
16 four pending cases right now?

17 Q. The four pending cases.

18 A. They were initiated in Lake County Court of Common
19 Pleas in Lake County, Ohio, and Mr. Lindstedt filed
20 notices of removal in all four cases to remove them to
21 United States District Court for the Northern District
22 of Ohio.

23 Q. So those cases are currently being handled by the
24 Northern District of Ohio federal court; correct?

25 A. That is correct.

1 Q. And you filed those cases shortly after your jury
2 verdict in Ohio; is that correct?

3 A. That is correct.

4 Q. And I don't know how to ask this but has
5 Mr. Lindstedt, after losing at trial on the first one,
6 has he shown any indication to you that he's done with
7 the name calling and slandering?

8 A. He said the ridicule of Reo will continue.

9 Q. And to your knowledge, has he let up at all with
10 essentially the harassment of you and your profession?

11 A. No. He's expanded to colleagues, affiliates,
12 people that I co-counsel cases with, people that I
13 clerked for in law school, Stefani Rossi Reo, my
14 father, Anthony Dominic Reo.

15 Q. For example, what has he said about your father?

16 A. He said that my father is having a homosexual
17 incestuous affair with me and that I cheated on my
18 wife with my father.

19 MR. LINDSTEDT: Objection. Mr. Reo said that.
20 I have not.

21 THE COURT: All right. Overruled.
22 Keep going.

23 Q. (By Mr. Konrad) And let's talk about the two
24 cases that you are the Plaintiff on. I think those
25 are the most relevant.

1 A. Okay.

2 Q. Can you tell the Court briefly, where are those
3 cases at right now in terms of their procedure or
4 where are they -- I guess, what's the status of those?

5 A. The procedural posture. The case pending before
6 the Honorable Judge Solomon Oliver, a dispositive
7 motion as to my claims that I'm the movant under
8 Rule 56 has been pending since late January, early
9 February. It's been fully briefed.

10 Mr. Lindstedt filed his opposition. I filed my
11 reply brief and it's been pending for about six months
12 now. We're just waiting for a ruling on the Rule 56
13 motion. There is no pretrial nor a trial date on the
14 calendar as of now. I anticipate a ruling in the near
15 future.

16 And the case that is pending before the
17 Honorable Judge Christopher Boyko wherein I am --

18 Q. Slow down just a little bit.

19 A. Sorry.

20 THE COURT: You're a fast talker. Okay? So
21 she's trying to keep up with you. And Pastor
22 Lindstedt is a slow talker. So he can talk a little
23 faster. You can slow it down a little bit. Okay?

24 MR. LINDSTEDT: There's a listing of the four
25 cases on Exhibit C, page 3, there's a listing of the

1 four cases.

2 THE COURT: All right. Thank you for that.

3 A. That's Judge Christopher Boyko.

4 THE COURT: Could you spell that last name?

5 A. B-O-Y-K-O. In the case pending before him the
6 pleadings technically are not closed yet because all
7 of the third parties that Mr. Lindstedt joined in are
8 still in the case. The United States District Court
9 magistrate judge has recommended that all of the third
10 parties be dismissed, some without prejudice, some
11 with prejudice.

12 Mr. Lindstedt has moved for leave to amend his
13 Complaint to join a dozen or so additional third
14 parties. The magistrate has recommended denying the
15 leave to amend. And I have a dispositive motion that
16 has been pending under Rule 56 since sometime in, I
17 want to say July 24th.

18 Q. (By Mr. Konrad) When you say dispositive motion
19 under Rule 56, is that like a summary judgment type
20 motion?

21 A. Yes. I'm seeking summary judgment on all of my
22 claims in my favor and in my favor as to all of his
23 counterclaims or purported counterclaims.

24 Q. So that is the complete status of the two cases
25 that you have pending with him at this time?

1 A. Yes. I've filed motions for summary judgment.
2 They're pending and they're fully briefed in both
3 cases.

4 Q. And let's talk a little bit about the rest of
5 Mr. Lindstedt's assets. Have you tried to find other
6 places where you can collect your judgment from
7 Mr. Lindstedt?

8 A. I have.

9 Q. Does he own property in Missouri?

10 A. He owns property that I would say is, frankly, of
11 diminimous value.

12 Q. And that is a home in Granby?

13 A. Yes, a home in Granby, his primary residence or
14 what at the time was his primary residence.

15 Q. And given the highest value that you can think of
16 for that property, based on your research do you know
17 roughly what it's worth?

18 A. Between 30 and \$35,000 on an exceptionally good
19 day.

20 Q. Does he have any -- to your knowledge, does he
21 have any expensive vehicles, pickups, things of that
22 nature?

23 A. Nothing of the sort.

24 Q. Are you aware that he has any cash or investment
25 accounts?

1 A. To my knowledge, he has none.

2 Q. Are you aware of any asset that he would have that
3 would be capable of satisfying your judgment other
4 than the South Dakota land?

5 A. Other than the land, it is my belief that he has
6 nothing based on my research.

7 Q. Has Mr. Lindstedt primarily represented himself
8 pro se in these matters?

9 A. He has.

10 Q. Has he requested from the court out there to have
11 court-appointed counsel?

12 A. He's filed affidavits of indigency and asked for
13 pro bono civil counsel.

14 Q. Because it's civil work, he's not entitled to a
15 court-appointed attorney; correct?

16 A. Correct.

17 Q. Tell me what the pro bono civil panel is in the
18 state of Ohio.

19 A. The pro bono civil panel is more or less a
20 voluntary basis where if somebody is indigent and they
21 meet the qualifications, the court will send out
22 copies of the pleadings to attorneys who are kind of
23 on standby to see if they have the expertise and the
24 interest to handle the matter.

25 Q. And when you use the word indigent, what do you

1 mean by that?

2 A. They would have to qualify by filing an affidavit
3 showing bank statements, personal income tax returns,
4 if applicable, and they would have to make certain
5 statements on an affidavit under penalty of perjury on
6 the application.

7 Q. And to your knowledge, Mr. Lindstedt has at least
8 at one time requested some pro bono work due to his
9 indigent status?

10 A. That is correct but he did not make the formal
11 application or the affidavit.

12 Q. And at this time have you received any other order
13 from any court in any jurisdiction that would
14 either -- that would stay any of the pending cases in
15 federal court in Ohio or this pending appellate case?
16 Is there any stay order of any kind on any file?

17 A. There are no stay orders on file.

18 MR. LINDSTEDT: Objection.

19 THE COURT: You made that objection earlier.

20 MR. LINDSTEDT: There is no stay for pending
21 Ohio litigation because he hasn't won anything and I
22 have counterclaims.

23 THE COURT: All right. Your objection is noted
24 and overruled.

25 Q. (By Mr. Konrad) How many pages of briefing do you

1 think Mr. Lindstedt has made in the pending matters
2 that you have in Ohio?

3 A. The appeals and the trial court cases in Northern
4 District?

5 Q. Yes. Are we talking hundreds of pages of writing?

6 MR. LINDSTEDT: Thousands.

7 A. At least 800, as high as maybe 2,000.

8 Q. (By Mr. Konrad) So he's the kind of person that
9 makes frequent objections?

10 A. That's an understatement but I think it's
11 accurate.

12 MR. KONRAD: Can I see the stack of exhibits?
13 I'm looking for A through -- you know what? I might
14 have them. Sorry.

15 THE COURT: I've only got the ones that have
16 been received. We have three; F, I and J, I believe.

17 MR. KONRAD: I've got them here, Judge. I just
18 misplaced them.

19 MR. LINDSTEDT: Could we have -- objection.
20 I'm 62 and a half and I have a bad prostate. Could we
21 have a --

22 THE COURT: A break?

23 MR. LINDSTEDT: -- a bit of a break? I'm
24 thinking that this thing may last and I didn't check
25 in at the hotel, you know, hotel or whatever. I was

1 looking to have a 30-minute break.

2 MR. KONRAD: Judge, I intend to be done with
3 Mr. Reo here in probably about 15 minutes if we can
4 keep on point.

5 MR. LINDSTEDT: Could I have a break to use the
6 restroom because I really need to?

7 THE COURT: Yes. Let's take 15 minutes and
8 then you can finish up with the testimony and the
9 cross.

10 MR. LINDSTEDT: All right.

11 (A recess was taken.)

12 THE COURT: All right. You may continue with
13 your questioning.

14 MR. KONRAD: Just for courtroom organization,
15 I've provided him a stack of the judgments A -- or
16 excuse me -- a stack the Exhibits A, B, C, D, E, G and
17 H.

18 Mr. Lindstedt, did you hear that?

19 MR. LINDSTEDT: A through H, the exhibits.

20 MR. KONRAD: Pretty much. So I'm going to be
21 referring to those if you want to go off of those.

22 Q. (By Mr. Konrad) Before I forget, Mr. Reo, going
23 back to the deed, which is Exhibit I, you don't have a
24 copy of this one but do you recall the transfer deed
25 from Mr. Lindstedt to Susan Bessman?

1 A. Yes.

2 Q. Do you know who Susan Bessman is?

3 A. To my knowledge, she is the biological sister of
4 Martin Lindstedt.

5 Q. And have you tried to confirm that through the
6 debtor searches?

7 A. You mean like the asset, the TLO?

8 Q. Yes.

9 A. Yes, we've done searches on Susan Bessman.

10 Q. And that's how you come about your understanding
11 that she is the Defendant's sister?

12 A. Yes.

13 Q. Has Mr. Lindstedt admitted in federal pleadings
14 that Ms. Bessman is his sister?

15 A. Yes.

16 Q. I'm going to draw your attention to several
17 exhibits. Let's start with Exhibit A that you have a
18 copy of up there. Do you recognize that document?

19 A. Yes.

20 Q. Does that appear to be a reply motion that
21 Mr. Lindstedt filed in the Common Pleas of Lake County
22 court?

23 A. Yes.

24 Q. And I would like to draw your attention to the
25 third page in the middle.

1 A. All right.

2 Q. Was this document written by Mr. Lindstedt?

3 A. Yes.

4 Q. Was it filed in court by Mr. Lindstedt?

5 A. Yes.

6 Q. Does it appear to be a true and accurate copy of
7 the document that he filed?

8 A. Yes.

9 MR. KONRAD: Your Honor, I would move to
10 introduce Exhibit A.

11 THE COURT: Is there any objection to that,
12 sir?

13 MR. LINDSTEDT: No objection.

14 THE COURT: All right. That will be received.

15 Q. (By Mr. Konrad) In the middle of page three does
16 Mr. Lindstedt write, "Pastor Lindstedt no longer owns
17 property in South Dakota and thus, has no renters of
18 property that Pastor Lindstedt no longer owns."

19 A. Yes.

20 Q. Is that part of -- is this document one source of
21 your information in determining that Mr. Lindstedt had
22 divested himself of his South Dakota property?

23 A. Yes.

24 Q. Would you take Exhibit A and set it on the bench
25 there next to the Judge?

1 THE COURT: Thank you.

2 MR. KONRAD: Moving on to Exhibit B and, Your
3 Honor, for the Court's information, Exhibit B is a
4 copy of the Motion for Continuance and telephonic
5 appearance filed by Mr. Lindstedt in this matter.
6 It's on file with the court in this matter.

7 THE COURT: All right. Are you offering that?

8 MR. KONRAD: I am, Your Honor.

9 THE COURT: Pastor, do you have any objection
10 to the Court receiving Exhibit B?

11 MR. LINDSTEDT: Let's see. What is it?

12 MR. KONRAD: Exhibit B.

13 MR. LINDSTEDT: B is the Motion for
14 Continuance. I just -- that's what I hate about
15 dealing with him. He just goes ahead and sends an
16 e-mail and then I find out I have to show up, you
17 know, very soon.

18 THE COURT: Right.

19 MR. LINDSTEDT: So I've seen this before. I
20 think this was filed when Roxy was alive; right?

21 MR. KONRAD: It's your document.

22 MR. LINDSTEDT: Yeah, I know. Why do you have
23 number four circled? All right. The 28th of March,
24 2020. Yeah, that was the thing which didn't get -- I
25 think actually I mailed it off with a Certificate of

1 Mailing and then it shows up in July. You know what I
2 mean? So this was sent off at the end of March as an
3 answer to him.

4 THE COURT: Can I see that document? And do
5 you have any objection to me receiving this document?

6 MR. LINDSTEDT: Yeah -- no, no. I have no
7 objection to you receiving it but the thing is is that
8 I did send it out and it wasn't put on the docket for
9 the longest time and now I'm seeing it.

10 THE COURT: Okay. That will be received.

11 Q. (By Mr. Konrad) I'm drawing your attention to
12 page four, the last line of the first paragraph. Does
13 Mr. Lindstedt admit in that paragraph to, "...having
14 to give up his inheritance because of Bryan Reo and
15 Reo lawyer barratry"?

16 A. He does.

17 Q. And to your knowledge, upon reviewing that deed,
18 do you know what the consideration was for the
19 transfer?

20 A. From Mr. Lindstedt to Ms. Bessman's trust?

21 Q. Yes.

22 A. One dollar.

23 Q. Does it say one dollar and other good and valuable
24 consideration?

25 A. It does.

1 Q. Do you know if there was a transfer fee paid on
2 that deed?

3 A. I believe it said exempt.

4 Q. Have you looked into what the exemptions for
5 transfers are?

6 A. A little bit.

7 Q. And is it your understanding that where there's no
8 actual consideration exchanged that it can be exempt?

9 A. Where there's no actual consideration exchanged it
10 can be exempt, I believe.

11 Q. And later on in that page four where it's circled,
12 does Mr. Lindstedt refer to him as the victim?

13 A. Yes, he does.

14 MR. LINDSTEDT: What does that have to do with
15 anything?

16 MR. KONRAD: Find out.

17 MR. LINDSTEDT: I guess.

18 THE COURT: All right. Let's keep it to the
19 witness questioning.

20 Q. (By Mr. Konrad) Moving on to Exhibit C, do you
21 have that in front of you?

22 A. I do.

23 Q. And this is an Appellant's Response. Is this a
24 document drafted by Mr. Lindstedt?

25 A. He's the Appellee in this appeal, actually, so I'm

1 the Appellant in this one, he's the Appellee.

2 Q. But is this an appellant related -- strike that.

3 Is this a document that Mr. Lindstedt has filed
4 in a pending appeal in Ohio?

5 A. It is.

6 Q. And in Exhibit C does this look like a true and
7 correct copy of the document that Mr. Lindstedt filed?

8 A. It does.

9 MR. KONRAD: Your Honor, I would move to
10 introduce Exhibit C.

11 THE COURT: Is there any objection to that?

12 MR. LINDSTEDT: I'm just wondering why but, no.

13 THE COURT: Okay. No objection. That will be
14 received.

15 Q. (By Mr. Konrad) I'm going to draw your attention
16 to the top of page four. Do you see where that's at?

17 A. Yes.

18 Q. Does Mr. Lindstedt in that document write, "There
19 simply is no end to the Bryan Reo litigation and
20 Pastor Lindstedt and Lindstedt's church by Bryan Reo
21 and Bryan Reo lawyers and friends and family. All
22 Pastor Lindstedt can do is fight off Bryan Reo as best
23 he can and not give in to Satan's government and
24 courts."

25 MR. LINDSTEDT: I wrote that, yeah.

1 A. Yes.

2 Q. (By Mr. Konrad) And that was filed with the court
3 in Ohio?

4 A. It was with the Eleventh Appellate District.

5 Q. I refer your attention to Exhibit D. Does this
6 appear to be a Defendant's Objection to Magistrate
7 Parker's Report?

8 A. Yes.

9 Q. Can you look through this document and see if that
10 looks like a true and correct copy of the document
11 that Mr. Lindstedt filed in Ohio?

12 A. It is.

13 Q. And what court was this filed in?

14 A. United States District Court for the Northern
15 District of Ohio, Eastern Division.

16 MR. KONRAD: Your Honor, I would offer
17 Exhibit D.

18 THE COURT: Do you have an objection, sir?

19 MR. LINDSTEDT: No.

20 THE COURT: Okay. That will be received.

21 Q. (By Mr. Konrad) I'm referring you to the second
22 page about two thirds of the way down.

23 A. All right.

24 Q. Does Mr. Lindstedt write "Upon this foolishness,
25 Bryan Reo has initiated four lawsuits for \$500,000

1 each for a grand total of two million for the former
2 worth of Pastor Lindstedt's South Dakota inheritance
3 which in late October 2019, he returned to his
4 sister."

5 A. He does.

6 Q. Was that filed in court?

7 A. It was.

8 Q. I'm referring you halfway down on page eight.

9 A. One moment. All right.

10 Q. Does Mr. Lindstedt state, "Mr. Lindstedt for his
11 part is engaged in defending his property as best as
12 possible against the massive amount of litigation
13 ginmed up by Bryan Reo, Bryan Reo attorney friends
14 Kyle Bristow, Brett Klimkowsky and Robert Konrad. By
15 moving it up to federal level, hopefully it will be
16 delayed. In South Dakota Pastor Lindstedt gave back
17 his property to his sister who uses lawyers to try to
18 keep it." Is that what it says in that document?

19 A. It does.

20 Q. Was that filed with the court?

21 A. It was.

22 MR. KONRAD: I just have a couple more, Your
23 Honor.

24 THE COURT: All right.

25 THE WITNESS: From that same exhibit?

1 MR. KONRAD: No. I'm referring you to
2 Exhibit E.

3 The same thing, Your Honor. This is a Motion
4 to Dismiss that Mr. Lindstedt had filed with the court
5 in this matter so I would move to move to introduce
6 Exhibit A -- excuse me -- Exhibit E which is
7 Mr. Lindstedt's Motion to Dismiss.

8 THE COURT: All right. Is there any objection
9 to that?

10 MR. LINDSTEDT: I think it was filed very
11 recently.

12 MR. KONRAD: Yes.

13 MR. LINDSTEDT: June 29th. No objection to --

14 THE COURT: Okay.

15 MR. LINDSTEDT: -- this used as a motion which
16 I filed to this court.

17 THE COURT: Okay. That will be received then.

18 Q. (By Mr. Konrad) I'm referring you to the bottom
19 paragraph on page three.

20 A. All right.

21 Q. Does it state there in that paragraph where
22 Mr. Lindstedt admits that any inheritance he had in
23 South Dakota was worth "two million or so."

24 A. He does.

25 Q. I'm referring you to the middle of page five where

1 Mr. Lindstedt is talking about Ms. Bessman.

2 Mr. Lindstedt writes, "She owes him nothing. Thus,
3 given that she owns the property now and Bryan Reo has
4 no case against herself, this matter should be
5 dismissed with prejudice and her given her attorney
6 fees as recompense for Bryan Reo and attorney Robert
7 Konrad fraud." Is that what he wrote?

8 A. He wrote that.

9 Q. I'm referring you to Exhibit G. Does that appear
10 to be a copy of Defendant Lindstedt's Motion to Amend
11 Pleadings to join additional parties?

12 A. It does.

13 Q. And does Exhibit G appear to be a true and correct
14 copy of the document that was filed in the Northern
15 District of Ohio?

16 A. It does.

17 Q. I'm referring you to the bottom of page four.

18 A. All right.

19 Q. Does Pastor Lindstedt state, "Pastor Lindstedt
20 said nothing concerning Bryan Reo to his sister. His
21 sister has been ruined by working for the Social
22 Services of Newton County and isn't very racially
23 patriotic and doesn't like to hear Pastor Lindstedt
24 speak of the Jews and the non-whites and race traders
25 but she could see the bulldozed earth. Pastor

1 Lindstedt said nothing to her about shooting Granby
2 City Council criminals but instead transferred his
3 South Dakota property back to his sister at the end of
4 October, 2019."

5 MR. LINDSTEDT: What page is this?

6 MR. KONRAD: Bottom of page four.

7 A. He wrote that, yes.

8 Q. (By Mr. Konrad) And in that claim Mr. Lindstedt
9 is trying to add me as a party to that Ohio claim or
10 to that Ohio case; correct?

11 A. That is correct.

12 MR. KONRAD: Exhibit G was received?

13 THE COURT: It has not been offered yet, no.

14 MR. KONRAD: Your Honor, I would offer
15 Exhibit G.

16 THE COURT: Do you have that?

17 MR. LINDSTEDT: I'm looking for it now. I'm
18 somewhere in E. Okay. What did he do? Did he just
19 finish up with E?

20 MR. KONRAD: I finished up with --

21 THE COURT: Finished with E so then go to G
22 which is on the upper --

23 MR. LINDSTEDT: I'm sort of trying to figure
24 out what he was talking about. So he was on E on the
25 bottom of page --

1 MR. KONRAD: E is done. We're on G now.

2 THE COURT: G on the bottom of page four. So
3 if you look up to the right-hand corner, it will
4 say --

5 MR. LINDSTEDT: I'm looking for what he was
6 quoting. Okay. Now we're on G and he wishes to bring
7 in G and I'm looking for it right now.

8 THE COURT: All right.

9 MR. LINDSTEDT: He's got quite a bit of stuff
10 here.

11 MR. KONRAD: This is what it looks like.

12 MR. LINDSTEDT: Okay. So he's wanting to bring
13 in G.

14 THE COURT: Yes.

15 MR. LINDSTEDT: Did he quote from G just now?

16 THE COURT: Yes. He was referring to the
17 bottom of page four. So I see you're on G.

18 MR. LINDSTEDT: I was looking on E for what I
19 found.

20 THE COURT: I'll give you a moment.

21 MR. KONRAD: I did this part of page four and
22 that's it.

23 Your Honor, I would move to admit Exhibit G.

24 THE COURT: Do you have any objection to this
25 document being entered?

1 MR. LINDSTEDT: No.

2 THE COURT: That will be received.

3 Q. (By Mr. Konrad) One last matter, if I may
4 approach.

5 A. We're on H?

6 Q. Yep, H. I'm showing you what's been marked as
7 Exhibit H. Do you have a copy of that?

8 A. I do.

9 Q. And can you tell the Court what Exhibit H is?

10 A. It's an Assignment of Judgment against Plaintiff
11 Martin Lindstedt in a lawsuit he initiated against the
12 City of Granby and a bunch of local government
13 officials and I believe some judges, prosecutors and
14 police on that municipality. And he was sanctioned
15 for a frivolous action and I bought the sanction
16 judgment and took assignment of it.

17 Q. And so is Exhibit H a true and correct copy of the
18 judgment that has been assigned to you as a part of
19 your transaction?

20 A. It is.

21 Q. And have you registered this judgment as a foreign
22 judgment in South Dakota?

23 A. I have not as of this time.

24 Q. So this is an example of a judgment you own
25 against Mr. Mr. Lindstedt but it's not been registered

1 in South Dakota at this time?

2 A. It has not been registered in South Dakota as of
3 this time.

4 MR. KONRAD: Your Honor, I would move to
5 introduce Exhibit H.

6 THE COURT: All right. Do you have any
7 objection to that being received?

8 MR. LINDSTEDT: It's a bogus judgment but no, I
9 have no objection to it.

10 THE COURT: You're saying it's irrelevant but
11 I'll --

12 MR. LINDSTEDT: No, it goes to show that he's
13 been chasing me for quite some time.

14 THE COURT: Okay. But you have no objection?

15 MR. LINDSTEDT: No objection.

16 THE COURT: Okay. That will be received.

17 MR. LINDSTEDT: I get to use that exhibit then,
18 don't I?

19 THE COURT: Certainly. All of these that are
20 in you can use. Okay?

21 MR. LINDSTEDT: Okay. All right.

22 THE COURT: Do you have any questions on that
23 H?

24 MR. LINDSTEDT: I --

25 THE COURT: In a minute you can. Not you. But

1 otherwise I'll take it and look at it.

2 Q. (By Mr. Konrad) What is the value of that
3 judgment that you hold against him?

4 A. The sanctions judgment?

5 Q. Yes.

6 A. Four thousand dollars.

7 Q. One thing that we have not talked about so far
8 today and just briefly, what do you know about
9 statutory post-judgment interest in the state of Ohio?

10 A. In the state of Ohio it tends to -- post-judgment
11 interest, it's around five or six percent.

12 Q. So your judgment in Ohio is accruing interest at
13 five or six percent?

14 A. Yes.

15 Q. And this judgment in Missouri is accruing
16 interest; correct?

17 A. Yes.

18 Q. And the judgments are now more than a year old;
19 correct?

20 A. Yes.

21 Q. So you have your original judgment amount and
22 there's a significant amount of interest that has
23 accrued as well?

24 A. In South Dakota?

25 Q. In South Dakota and in Ohio.

1 A. Yes, I think that's fair to say.

2 Q. So although the judgment says \$105,400, there's
3 interest that hasn't been added on to that amount yet
4 either?

5 A. Correct. There's post-judgment interest and I
6 anticipate prejudgment interest based on the appeal
7 for prejudgment interest.

8 Q. Have you filed additional -- you've filed or
9 you're trying to get prejudgment interest on that as
10 well; correct?

11 A. Yes, that is correct.

12 MR. KONRAD: Your Honor, I think that is all
13 the questions I have for Mr. Reo.

14 THE COURT: All right. Okay. You may ask your
15 questions. I know you've been taking notes of him.
16 Not making statements. You can ask him questions, one
17 question at a time. Okay?

18 MR. LINDSTEDT: I have a question. And that
19 was why my evidence was not allowed in Ohio, but I
20 just found out what exhibits that, you know, and
21 that's the same problem I have with attorney Konrad.
22 I'll get an e-mail at 9:15 or a couple minutes. How
23 long does it take to go ahead and have any notice of
24 what exhibits are being presented against you?

25 THE COURT: He didn't have to probably send you

1 any of them but you have all those documents. You've
2 had no objection to me considering them.

3 MR. LINDSTEDT: Would I be able to, you know,
4 since, you know, this is quite different from Ohio,
5 and I was not allowed to present -- well, Mr. Reo
6 didn't present any exhibits and I didn't present any
7 exhibits and he was allowed to go on my web page and,
8 you know, dig stuff out. I was wondering, could I
9 have a recess to go ahead and spring some exhibits on
10 him?

11 THE COURT: Well, I just gave you a recess of
12 15 minutes.

13 MR. LINDSTEDT: Well, yeah, but that was just
14 to use the restroom here. I mean, I didn't know I'd
15 be getting any exhibits today and so then I get a
16 bunch of them and then --

17 THE COURT: How about this. Those exhibits, I
18 believe you were familiar with all of those documents.

19 MR. LINDSTEDT: Yes.

20 THE COURT: And you didn't have any objections
21 to receiving any of those. So you indicated earlier
22 when you were making objections that you wanted to ask
23 him some questions about these documents so why don't
24 we start there.

25 MR. LINDSTEDT: Okay.

1 THE COURT: So you go ahead --

2 MR. LINDSTEDT: Then we could have a recess to
3 where I could go ahead and print up a bunch of
4 exhibits of my own and, you know, give to him then?

5 THE COURT: Well, you were noticed of this
6 hearing today.

7 MR. LINDSTEDT: Yeah.

8 THE COURT: And you were supposed to bring
9 anything you needed for the Court. Why don't we start
10 with you asking questions about anything that he
11 testified today, respectfully.

12 MR. LINDSTEDT: Have I made my opening
13 statement --

14 THE COURT: Yes, you did.

15 MR. LINDSTEDT: -- or did I reserve it?

16 THE COURT: Yes, and I gave you double the time
17 that I gave him.

18 MR. LINDSTEDT: All right. But he's on the
19 attack. I'm on the defense.

20 THE COURT: Yeah, he's got the burden.

21 MR. LINDSTEDT: Usually it takes, what? Six
22 times as much to do that here. Okay. So I'm now
23 allowed to do a cross-examine of Mr. Reo then?

24 THE COURT: Yes.

25 MR. LINDSTEDT: Okay.

CROSS-EXAMINATION

BY MR. LINDSTEDT:

Q. At the Ohio trial you said that you've known of me since 2009, and this was before I knew of you; correct? So you've known of me since 2009?

A. Wait a minute. I've known of you since before you've known of me? I don't understand the question.

Q. In Ohio you claimed that you knew of me in 2009, in the transcript of the Ohio trial.

A. I might have said 2010. I don't immediately recollect.

Q. Okay. How long have you been -- are you white?

A. Excuse me?

MR. KONRAD: Objection. Relevancy, Your Honor.

THE COURT: That's not relevant so --

Q. (By Mr. Lindstedt) Okay. The question is is that we've been fighting with each other for quite some time and usually it involves when I found out your identity on October 29, 2010.

Did you agree with me -- did you agree that if you would leave pretending to be a white supremacist or Christian Identity that, you know, we wouldn't talk about each other anymore? Did you agree with that?

A. I would not -- my answer would be no. In responding further, I disagree with your

1 characterization that we've been fighting. Fighting
2 implies a mutual exchange. I would say that you're a
3 random lunatic I came across and you've been harassing
4 me and my family for the better part of ten years.

5 Q. You and your family. Okay. So in short, you
6 think you're a -- you think you're a victim. Have you
7 called me a child molester and a convicted one at
8 that, what, since November 5th of 2010?

9 A. I don't remember the exact date but the jury found
10 for me and found that I did not --

11 Q. We'll get to the jury.

12 A. -- defame you.

13 THE COURT: Let him answer the question. Okay?

14 MR. LINDSTEDT: Okay.

15 THE COURT: You asked --

16 MR. LINDSTEDT: All right. I went ahead and
17 gave a specific time and he's going on to the jury.

18 Q. (By Mr. Lindstedt) I mean, we'll go ahead and
19 discuss what the jury said but essentially, have you
20 been calling me a convicted child molester by
21 reprinting Eli James' article on your blog since
22 November 5th of 2010?

23 A. I've never said convicted. I said that you should
24 have been convicted. Instead they took pity on you
25 and put you in a mental asylum but CPS took the

1 grandkids away after an investigation. You lost a
2 lawsuit against CPS and you spent two to three years
3 in jail before almost four years in a mental asylum.
4 So I think the jury correctly concluded that you
5 likely are a child molester and that claim was
6 resolved in Lake County, Ohio.

7 Q. So that's how -- that's how you, you know, in 2010
8 before the jury, that's how you get around reprinting
9 libel per se, you know, and defamation in what, 2010?

10 A. I've never --

11 Q. You've been calling me a convicted child molester
12 since at least 2010; correct?

13 A. I've never referred to you as a convicted child
14 molester.

15 Q. You did print up an Eli James article calling me a
16 convicted child molester on your blog given to you by
17 William Fink; correct?

18 MR. KONRAD: Objection, Your Honor. This goes
19 beyond the scope of direct. It's also irrelevant to
20 the proceedings. My client's asked the question -- or
21 he's been asked the question. He's already answered.

22 THE COURT: You did ask the question. He
23 answered it so you can ask your next question.

24 MR. LINDSTEDT: He answered about -- he didn't
25 answer the part about November 5, 2009. He went ahead

1 and went on to what the jury says and what he believes
2 and all that.

3 THE COURT: All right. Here. Wait a minute.
4 You asked him a question. You asked it. He answered
5 it. Ask him your next question. You took notes. Go
6 ahead and ask your questions.

7 Q. (By Mr. Lindstedt) Okay. Let's see. Your
8 position is, you know, did the Ohio -- did the judge
9 in Ohio state that he had no jurisdiction to enforce
10 your discovery request outside the boundaries of Ohio
11 on June 14th of this year?

12 MR. KONRAD: Calls for a hearsay statement.

13 MR. LINDSTEDT: No, he got a --

14 THE COURT: I'll make the ruling on it. He can
15 answer if he knows.

16 Yes or no, if you know.

17 A. I don't remember any Lake County Court of Common
18 Pleas judge making any kind of a ruling in June of
19 this year.

20 Q. (By Mr. Lindstedt) January of this year.

21 A. I don't recall.

22 Q. Don't recall. Okay. Have you been -- have you
23 been -- back in 2003, were you pretending to be a
24 white supremacist back in 2003 with Richard Barrett,
25 now deceased?

1 MR. KONRAD: Objection, Your Honor. This again
2 goes beyond the scope of direct. This has got nothing
3 to do with likelihood to succeed on the merits.

4 MR. LINDSTEDT: It has everything to do.
5 Pretty well in all this litigation he's claiming that
6 I, for some reason, you know, 900 miles away, decide
7 to go after, you know, him as if he's the only Negro
8 homosexual in Cleveland. He's not.

9 What happens is he wants to pretend that, for
10 some reason, he doesn't want to go ahead and admit but
11 here he is pretending to be a white supremacist since
12 2003, and over the years he wants to pretend that out
13 of sheer malice, I decide to pick on him without
14 pretending that he has, you know --

15 THE COURT: All right.

16 MR. LINDSTEDT: -- this has nothing to do with
17 this.

18 THE COURT: Here's the deal. I told you at the
19 beginning, I'm not here to determine the merits of the
20 Ohio matters or the ultimate merits on whether this
21 property can be used to collect any kind of judgments.
22 So for today's purposes -- you're litigating all that
23 over in Ohio. That's for Ohio.

24 What I want to talk about today are those four
25 elements that I have to weigh.

1 MR. LINDSTEDT: He's brought in all -- he's
2 brought in all this stuff here. You know what I mean?

3 THE COURT: You've made in your opening
4 statement that you --

5 Q. (By Mr. Lindstedt) Why did you -- why did you --
6 why did you ask for a list of my guns and the serial
7 numbers if they're not worth \$105,000?

8 A. I would be taking them in partial satisfaction of
9 the judgments that I hold against you and I believe
10 society would be best served by you not having access
11 to firearms.

12 Q. Okay.

13 A. So for those two purposes.

14 Q. In December 2005, were you talking about how you
15 were being followed or observed on Stormfront -- it's
16 a white supremacist, you know, list server -- as Sword
17 Brethren? You have been known as Sword Brethren,
18 haven't you?

19 COURT REPORTER: Known as what?

20 MR. LINDSTEDT: Sword Brethren. S-W-O-R-D,
21 B-R-E-T-H-E-R-N. This was when he was pretending to
22 be a Teutonic Crusader.

23 THE COURT: All right. You asked three
24 questions. One question at a time.

25 Q. (By Mr. Lindstedt) One question at a time. Have

1 you been known -- have you used the name of Sword
2 Brethren before?

3 A. This was already litigated in Ohio and resolved in
4 Ohio. We're not here today to relitigate any of this.

5 MR. LINDSTEDT: This is the problem with Bryan
6 Reo. He keeps on telling me what he thinks the law is
7 when --

8 THE COURT: I'm the judge here today.

9 MR. LINDSTEDT: Okay.

10 THE COURT: Just a minute. You asked a
11 question.

12 MR. LINDSTEDT: Sure.

13 THE COURT: He's responded to it and said that
14 he's already had that issue determined, the two of you
15 in Ohio.

16 MR. LINDSTEDT: Okay.

17 THE COURT: What we're here today to decide --

18 MR. LINDSTEDT: He can't say yes or no?

19 THE COURT: He did answer.

20 MR. LINDSTEDT: He didn't answer -- he didn't
21 answer to where, you know, pretty well that he is, you
22 know, known as Sword Brethren. He went ahead and made
23 the statement that I ought to be disarmed.

24 THE COURT: All right. Ask the question and --

25 Q. (By Mr. Lindstedt) Okay. As Sworn Brethren in

1 December of 2007, did you talk about gunning it out
2 with the FBI, the BATF and the Lake County Sheriff's
3 Department in December of 2007?

4 MR. KONRAD: Your Honor, if I may object, this
5 goes beyond the scope of direct. We didn't even talk
6 about anything back in that date and time frame. I
7 mean, this predates every single conversation we've
8 had so far this morning. I didn't even touch on
9 anything like that. I think it's beyond the scope of
10 the direct and it's also not relevant to the
11 proceedings today.

12 THE COURT: All right.

13 MR. LINDSTEDT: It is --

14 THE COURT: No. It's my turn. You made
15 your --

16 MR. LINDSTEDT: Can I --

17 THE COURT: You made your objection and you
18 stated your reasoning and --

19 MR. LINDSTEDT: Can I respond?

20 THE COURT: It's my turn now.

21 MR. LINDSTEDT: I'd like to respond to his
22 characterization.

23 THE COURT: All right. Number one, your
24 question goes beyond anything that was asked on
25 direct, number one. Number two, you took notes on

1 things that were -- that he was testifying to and
2 those are where you should focus your questioning.
3 Okay? That's what you are allowed under the rules to
4 clarify any of his responses today that were asked by
5 Mr. Konrad.

6 MR. LINDSTEDT: Well --

7 THE COURT: So that's the ruling. Move on.

8 MR. LINDSTEDT: Well, he stated, Your Honor,
9 that I'm a maniac who needs to be locked up and I'm
10 just simply pointing out he's talking about killing
11 people but -- oh, well.

12 THE COURT: All right. So for both of you, you
13 will ask the question.

14 And you can answer.

15 Q. (By Mr. Lindstedt) What Newton County deputy did
16 you ask for a writ of execution on?

17 A. The one that handles them. I forget his surname.

18 Q. Okay. And right now, right now like the law says,
19 like this law says, as long as this matter is under
20 appeal you can't, you can't do any execution.

21 A. The law doesn't say that and respectfully, I'm not
22 interested in your misunderstanding or
23 mischaracterization of a clear statute.

24 Q. Well, or I yours so you're not getting anywhere
25 in -- did you go ahead, you filed four lawsuits. I'm

1 going to go ahead and go for Exhibit A, page five,
2 Bryan Anthony Reo vs. Martin Lindstedt, 19-cv-2013,
3 Solomon Oliver; correct? Do you have that one?

4 A. I don't have it in front of me but I'm familiar
5 with the case pending in front of Judge Oliver.

6 Q. Okay. And in it you claim that while you are
7 trying to extort me for money or whatever, that I
8 claim that you were seeking sexual contact as opposed
9 to the page says is that -- you have had -- you have
10 had a history of, in the movement, extorting,
11 extorting people in the movement for sexual favors.

12 MR. KONRAD: Objection, Your Honor. This is
13 irrelevant and again --

14 THE COURT: It is.

15 MR. LINDSTEDT: But what happens is that that
16 is what his lawsuit which he says he might prevail
17 upon consists of, essentially his reading of what is a
18 public post on a forum where everybody can read here.

19 THE WITNESS: I didn't discern a question in
20 any of that. It seemed like you were making a
21 statement and couching it as a question. But ending a
22 statement with a question mark doesn't turn a
23 declaration into a question.

24 THE COURT: All right. Enough from the both of
25 you. Ask your question.

1 Q. (By Mr. Lindstedt) Okay. On the one in Anthony
2 Dominic Reo vs. Martin Lindstedt in front of Judge
3 Adams, you know, you've claimed to talk about
4 homosexual incest. Is the word incest used at any
5 time in that, you know, in that -- you know,
6 essentially it's a portion of a web page. Is the word
7 incest used at any time in, you know, on the actual
8 forum?

9 A. The claim for defamation is that you've stated
10 Anthony Dominic Reo, who you know to be my biological
11 and legal father, is having a sexual relationship with
12 me --

13 MR. LINDSTEDT: Objection.

14 A. Whether or not you --

15 THE COURT: He's answering the question. You
16 asked it.

17 A. Whether or not you used the explicit word incest,
18 I-N-C-E-S-T, I don't recollect you using the exact
19 word incest but you explicitly described in sordid
20 detail that I won't repeat here, acts that would be
21 consistent with incest under Missouri and Ohio
22 criminal statutes.

23 THE COURT: All right. Ask your next question.

24 Q. (By Mr. Lindstedt) The question is is that
25 wouldn't it be more to the fact that I heard you on

1 the first day of the trial tell your father not to
2 come down because I had -- I was suing him and I have
3 sued him in federal court --

4 THE COURT: All right, listen here. We're
5 going to be here for two weeks. I am not --

6 MR. LINDSTEDT: Okay.

7 THE COURT: -- going to relitigate --

8 MR. LINDSTEDT: All right.

9 THE COURT: You took notes where you wanted to
10 ask questions. Be short, concise, one question.

11 You will respond and we'll move it forward.

12 MR. LINDSTEDT: All right.

13 THE COURT: Okay?

14 MR. LINDSTEDT: I asked whether the question
15 incest had been mentioned.

16 THE COURT: And he answered it so go to the
17 next question.

18 Q. (By Mr Lindstedt) Wasn't it more a matter of me
19 simply assuming that the mongrel sitting next to you
20 was one of your homosexual lovers? I didn't know that
21 it was your father?

22 MR. KONRAD: Objection, Your Honor.

23 THE COURT: Stop. You asked the question. He
24 answered it. Move on to your next point. You're not
25 going to sit here and make statements. Ask what,

1 when, who, where.

2 Q. (By Mr. Lindstedt) Is there any proof that I knew
3 at the time when I seen some brown person sitting next
4 to you, that I knew it was your father?

5 A. I can't speak to your state of mind at that time
6 as to what you did or did not know.

7 Q. So the word incest was not used but you claim that
8 I knew it was your father.

9 A. You referenced him later by name as Anthony
10 Dominic Reo and made reference to the fact that he is
11 my -- you called him my alleged spawner.

12 Q. Okay. You know, so you're saying that I did refer
13 to him as Anthony, you know, Anthony Dominic Reo as
14 opposed to where the web page says old nigger lips'
15 alleged spawner.

16 THE COURT: Nobody has had any of that
17 testimony. Move forward, please, to your next
18 question.

19 Q. (By Mr. Lindstedt) All right. In the case of
20 Stefani Rossi Reo, 19-cv-02786 CAB, false light and
21 arrest, isn't the first part of it simply me simply
22 reprinting, reprinting a public Quora post that you
23 posted on Quora talking about how your wife had
24 deceived you saying that she wanted a bunch of
25 children. You proceeded to initiate divorce

1 proceedings. Then she said she didn't -- she would
2 have a couple children. Then she said she wouldn't
3 have any children and then you said --

4 THE COURT: All right. Just a minute here.
5 Stop. Here's what the issue is today.

6 MR. LINDSTEDT: Sure.

7 THE COURT: Let me remind you. There have been
8 some temporary restraining orders to prohibit this
9 property in dispute --

10 MR. LINDSTEDT: Okay.

11 THE COURT: -- from being encumbered. That's
12 basically the upshot. This preliminary injunction is
13 being requested for that basically to continue so
14 you're not harmed, he's not harmed, if he has a right.
15 Is it in the public's interests? All right. Does he
16 have a likelihood to prevail --

17 MR. LINDSTEDT: No.

18 THE COURT: -- over in that court? I get it.
19 You said no, he doesn't. All right. It's those four
20 factors. Could there be irreparable harm if that
21 property is encumbered to him, to you, to Ms. Bessman?
22 Several of those things I'm going to be weighing.
23 That's what we're talking about. I'm not going into
24 the merits. I am a bit -- you did say --

25 MR. LINDSTEDT: Well --

1 THE COURT: If you want to put legal documents
2 where you have prevailed for me to consider, I will.

3 MR. LINDSTEDT: Okay.

4 THE COURT: That's -- all those documents we're
5 showing you is your filings, his filings, judges'
6 judgments, what you filed here. All appropriate legal
7 documents for me to consider. So keeping that focus
8 in mind --

9 MR. LINDSTEDT: Okay.

10 THE COURT: -- you gave an opening that you
11 felt that it's not in the public interest --

12 MR. LINDSTEDT: Okay.

13 THE COURT: It's not in your interest --

14 MR. LINDSTEDT: Well, he goes --

15 THE COURT: Actually, if this is set aside and
16 you got to come up with the dough, you better hope
17 that property hasn't been sold. So it actually could
18 be in your interests that this continue.

19 MR. LINDSTEDT: I don't -- I don't -- I don't
20 think none of this is in my interests. I mean,
21 essentially I've been pursued by him since --

22 THE COURT: I understand.

23 MR. LINDSTEDT: -- 2000 -- well, probably 2009
24 but actually since 2010.

25 THE COURT: Okay. I understand. But I want to

1 make it clear. This has been going on basically over
2 in Ohio and Missouri.

3 MR. LINDSTEDT: Forever.

4 THE COURT: Some judgments have happened. The
5 law allows him to proceed against and collect on his
6 judgment. I understand you're appealing. Those
7 processes are in place.

8 What we're going to deal with here today is
9 whether or not this property can be encumbered, sold,
10 anything until all of this is figured out. Okay?
11 Under the law and procedure that's what I'm going to
12 determine.

13 MR. LINDSTEDT: He's going to --

14 THE COURT: So ask him questions about his
15 testimony today. I have all of your documents.

16 MR. LINDSTEDT: But I made objections --

17 THE COURT: I have all of it. I don't need to
18 hear it again. It's in here.

19 MR. LINDSTEDT: I made objections to his
20 testimony. Now I'm trying to go in, as far as the
21 Ohio case, he's whining about pretrial interest when
22 he was the one --

23 THE COURT: Well, then ask a question about
24 pretrial interest.

25 Q. (By Mr. Lindstedt) All right. In the pretrial

1 interest here, there's four of them here, you have a
2 pretrial -- you have a pretrial interest -- you have a
3 pretrial interest claim here on what, 0136 and 137, to
4 where you are the one who asks -- you know, you and
5 your lawyers are the ones who kept on asking for
6 continuances.

7 Did you ask for a continuance on the very day
8 the trial started on the 24th of June of 2019?

9 A. Did I ask for -- so is your question about what my
10 lawyers were doing? Because I was pro se at the
11 trial.

12 Q. No. You were pro se at the trial. You're asking
13 for -- you know, this is not for the one for 105,400
14 against my church. But what, you know, on the, you
15 know, on the one for pretrial interest, the judge
16 ruled you had no business asking for lawyer's fees and
17 asking for anything else here and you went ahead and
18 appealed that. And then you claim, you claim that you
19 aren't responsible for that trial being delayed for
20 four and a half years with all your motions.

21 THE COURT: So ask your question.

22 Q. (By Mr. Lindstedt So did you ask for a
23 continuance on the very day of trial on the 24th of
24 June, 2019?

25 A. I would characterize that as the judge asked if I

1 was ready to proceed in light of your non-production
2 of evidence and your not exchanging exhibits and I
3 said if I had to proceed on that basis, I would like a
4 continuance of some time to engage in formal discovery
5 because you had not responded to any discovery and
6 that I would want motions to compel put in. And he
7 said that we were going to proceed right then and
8 there so we proceeded then and there.

9 Q. So you asked for a continuance on the very day of
10 trial. Yes?

11 A. That's fair to say.

12 Q. Okay. Throughout, you know, throughout our
13 history litigation, the very first trial -- the very
14 first trial was one that you filed on April 7th or 8th
15 of 2014, claiming that it was, you know, I violated
16 the Digital Millennium Copyright Act by publishing
17 your 2004 Mentor High School picture and that you used
18 it as a public Facebook picture and you claimed that
19 that was a violation of the Digital Millennium
20 Copyright Act; correct?

21 MR. KONRAD: Objection, Your Honor, as to
22 relevancy.

23 THE COURT: That did not come up at all in the
24 direct testimony. It's not relevant to whether or
25 not -- the issue of what's relevant is should I take

1 the temporary restraining order and basically turn it
2 into a preliminary injunction. Okay. So ask some
3 questions to help me.

4 Q. (By Mr. Lindstedt) It's relevant -- it's relevant
5 in that he filed first a federal lawsuit.

6 Did that judge -- did that judge say -- did
7 that judge tell you that it would be futile to proceed
8 on the basis of a Digital Millennium Copyright Act
9 action and that you were given 50 days to show that
10 you'd been damaged for \$75,000, you know, to continue
11 with a Diversity of Citizenship Act? Didn't that
12 judge dismiss that case on September 10th of 2015?
13 Did he dismiss that case in his federal court which
14 you filed initially?

15 MR. KONRAD: Your Honor --

16 MR. LINDSTEDT: Did he dismiss that case?

17 THE COURT: Okay. Can you answer that
18 question?

19 Do you have an objection to that question?

20 MR. KONRAD: Yes, Your Honor. I'm trying not
21 to be a pain but my general standing objection to all
22 this line of questioning is that I think Mr. Lindstedt
23 confuses likelihood of prevailing on the merits with
24 likelihood of prevailing in Ohio, versus likelihood of
25 prevailing in the case that I have filed in Stanley

1 County for fraudulent transfer.

2 I haven't heard any question that's even
3 remotely related to the transfer that we're all here
4 to talk about. We're talking about cases and web
5 blogging and all this other stuff. It's wholly
6 irrelevant to whether or not I and my client are going
7 to proceed on the merits in Stanley County. That's
8 what we're talking about. Not the merits in Ohio.
9 The merits in Fort Pierre.

10 MR. LINDSTEDT: It's in Missouri. It got moved
11 to Missouri and he, what he does is he files this
12 thing and he lost in Missouri and --

13 THE COURT: I get that.

14 MR. LINDSTEDT: -- so then eight days later he
15 goes to Ohio and then it takes another four or five
16 years and he's trying to blame me for taking four or
17 five years.

18 THE COURT: All right. I understand that and
19 that's what's going on in those jurisdictions. All
20 right?

21 Those four elements -- Mr. Konrad raises a very
22 valid point. Okay? Are you likely to succeed in this
23 matter for him asking to be able to prove his
24 fraudulent transfers action? Okay. So -- and I
25 disagree somewhat as it is alive on the appeals that

1 are ongoing over there. I am going to make a ruling,
2 I think they are inherent one and the same, part of it
3 and some remote relevance. So I'm giving you a little
4 latitude on that.

5 You've made your opening statement on that.
6 What I want you to focus on here is if I don't enter
7 this preliminary injunction, who's going to get
8 harmed? So you can ask him questions pertaining to
9 his testimony about that. That's part of one of the
10 things. How is the public served or not served.
11 What's the harm to Mr. Reo, who is the movant here
12 asking for it. You can ask questions about that. I'm
13 going to have to balance that harm with harm to you.
14 Okay? And then will he probably or probably not
15 prevail on the merits of this?

16 Those are the four areas that I'm going to be
17 weighing in making my decision. So if I were you, I
18 would ask questions of this particular witness
19 regarding those four areas. You were taking notes
20 during his testimony. Okay?

21 MR. LINDSTEDT: Sure.

22 THE COURT: So that's what you should follow
23 instead of objecting --

24 MR. LINDSTEDT: I'm trying to.

25 Q. (By Mr. Lindstedt) On exhibit -- on Exhibit C,

1 you have why you keep on presenting to where you are
2 a, you know, the Foundation for the Marketplace of
3 Ideas, which was a white supremacist lawfare group.
4 You, your friend Kyle Bristow --

5 THE COURT: All right. Right now I'm going
6 to --

7 MR. LINDSTEDT: You mentioned --

8 THE COURT: No. You don't get to talk just
9 because you talk louder than me. There's a thing
10 called contempt of court. I have directed you three
11 or four times --

12 MR. LINDSTEDT: I'm trying.

13 THE COURT: -- to ask questions about his
14 testimony today. All right? So if you don't -- if
15 you don't follow the rules, this could almost get to
16 the point of contempt. And I don't think you want
17 contempt of court because it could be severely
18 punished in front of me up to 30 days and I don't want
19 to do that. So can you please go through your
20 questions where I see you took good notes. Ask those
21 questions.

22 Q. (By Mr. Lindstedt) Okay. On Exhibit C you have
23 listed here, you've listed to where 2017, you are a
24 member of the Foundation for the Marketplace of Ideas;
25 correct?

1 A. I think our exhibits are different. I don't know
2 what your Exhibit C is but I don't think it's my
3 Exhibit C.

4 Q. Exhibit C, notice of -- I mean you've seen this
5 before but it is part of Exhibit C. So your
6 Exhibit C --

7 THE COURT: What page are you on in C?

8 MR. LINDSTEDT: Exhibit C and then we get to
9 Exhibit 1 where I keep on showing in all of this
10 litigation to where he's a member of the Foundation
11 for the Marketplace of Ideas.

12 THE COURT: Okay. So ask your question.

13 Q. (By Mr. Lindstedt) So you were and are a member
14 of the Foundation for the Marketplace of Ideas along
15 with your -- along with Kyle Bristow, Brett
16 Klimkowsky --

17 THE COURT: All right. You're now asking a
18 compound question.

19 MR. LINDSTEDT: Okay.

20 THE COURT: You asked him if he's a member.

21 MR. LINDSTEDT: Okay. You're a member --

22 THE COURT: Boom.

23 MR. LINDSTEDT: Sorry.

24 Q. (By Mr. Lindstedt) You were a member and a
25 founder; correct?

1 A. You said were and are so that is not a correct
2 statement, no.

3 Q. Okay. You were a founder of it then?

4 A. I was not a founder.

5 Q. You were on the Board of Directors.

6 A. I was invited by the attorney I was clerking with
7 at the time to participate in a First Amendment
8 litigation as a board member of a foundation that he
9 started and that has since been dissolved. So for
10 about 18 months I was a member but your
11 characterization of were and are, founder, those would
12 be incorrect characterizations.

13 Q. Exhibit 2.

14 A. Also I still don't know what document you're
15 reading from. I have Appellee's Motion to Strike
16 Appellant's Motion to Strike Appellee's Brief. The --

17 Q. Exhibit C that this lawyer presented.

18 A. The appellate filing from L-136 and L-137.

19 Q. Yeah.

20 A. All right.

21 Q. It's L. Essentially the same old stuff here, I
22 mean --

23 THE COURT: What page did you want to ask him a
24 question on?

25 MR. LINDSTEDT: Well, I'm going on to

1 Exhibit 2.

2 THE COURT: In that --

3 MR. LINDSTEDT: Exhibit 2 in that.

4 THE COURT: In C.

5 MR. LINDSTEDT: Yes.

6 THE COURT: Okay. Let him find it.

7 A. All right. But there's a problem. You said I
8 have. This isn't my filing. I did not draft this.
9 This is your filing so --

10 Q. (By Mr. Lindstedt) This is your lawyer's exhibit.

11 A. It's our exhibit of your filing. But a minute ago
12 you said look at this exhibit where you wrote, where
13 you wrote, where you wrote, referring to me. I didn't
14 write any of this. This is your exhibit.

15 THE COURT: Okay. So with that --

16 Q. (By Mr. Lindstedt) This is your exhibit of you
17 being a member of this organization.

18 THE COURT: That's your exhibit, not his. He
19 offered it as --

20 MR. LINDSTEDT: But he --

21 THE COURT: Sir, he offered it as an exhibit.
22 Point him to what it is you're referring to if you
23 have a question about your exhibit that he offered for
24 me to consider today.

25 Q. (By Mr. Lindstedt) Okay. Exhibit 2.

1 A. Exhibit 2 looks like a page from your website.

2 Q. It is a page from my website. That's what you're
3 suing me about is pretty well everything that's, you
4 know, public record on my website.

5 Back in, what, 2014, August -- well, we'll go
6 to the third page. Monday, August 25, 2014,
7 7:40 p.m., did you say, "I have a particular enemy in
8 Missouri who has a stake in a cattle ranch in South
9 Dakota. I am asking that God deliver all of his
10 property, all of his wealth, all of his land, all of
11 his assets, all of his money to me and leave him
12 desolate and penniless." You did write that on that
13 forum, didn't you?

14 A. I don't post on your website. We litigated this
15 matter in Ohio and this --

16 Q. Can you simply -- did you write this on August --

17 A. No.

18 Q. -- 24th, on William Fink's website?

19 A. No.

20 Q. You weren't Sword Brethren?

21 A. This has been litigated in Ohio and we're not --

22 THE COURT: Just answer the question.

23 THE WITNESS: No.

24 MR. LINDSTEDT: Just answer the question.

25 THE COURT: No. You stop.

1 And you stop. He asked you if you wrote it.

2 He said no. Ask your next question.

3 Q. (By Mr. Lindstedt) "Basically what this boils
4 down, I'm asking Yahweh for approximately \$240,000 in
5 the next four months from various folks along with the
6 entire estate, wealth, property, money, et cetera of
7 the wicked one in Missouri. The ranch in South Dakota
8 ought to be worth \$500,000 just by itself." Did you
9 write that?

10 A. No.

11 Q. So I wasn't the wicked one in Missouri?

12 A. I'm sure a lot of people call you a lot of things.

13 Q. So you're claiming that you --

14 A. It's a post from your website. This is your own
15 exhibit.

16 Q. Sure. But you initially wrote this on Monday,
17 August 25, 2014, at 7:40 p.m.

18 THE COURT: He testified he didn't write it.

19 MR. LINDSTEDT: He said he didn't write that.

20 THE COURT: So move on.

21 MR. LINDSTEDT: Okay.

22 Q. (By Mr. Lindstedt) Is there anybody else -- is
23 there anybody else who would be on William Fink's
24 forum known as Sword Brethren?

25 MR. KONRAD: Objection as to relevancy.

1 THE COURT: I'm going to sustain that.

2 Go ahead. He did not write it. Move it
3 forward.

4 MR. LINDSTEDT: But he did write it.

5 THE COURT: That's for me to determine. Some
6 other judge determined it. He said he didn't so move
7 it on. You can't keep asking him the same question
8 because he's going to keep saying I didn't write it.

9 MR. LINDSTEDT: Okay.

10 THE COURT: So ask another area.

11 MR. LINDSTEDT: That won't be the truth,
12 though.

13 Q. (By Mr. Lindstedt) All right. Let's see. Okay.
14 About the actual law here, at least in Missouri,
15 74.14(d), stay, you know, number paragraph one and it
16 reads the same in South Dakota and Ohio. If the
17 judgment debtor shows the circuit court that an appeal
18 from the foreign judgment is pending or will be taken.
19 So you have a number of ors.

20 The first one is that an appeal has been
21 pending or is going to be pending that the court shall
22 stay enforcement of the foreign judgment until the
23 appeal is concluded. Does it say anything about --
24 does it mention anything about a supersedeas bond?

25 A. I don't have the statute in front of me and I'm

1 not going to agree or disagree with your selective
2 quotation from a South Dakota statute.

3 Q. It's a Missouri statute.

4 A. The Missouri --

5 Q. It says the same thing in Ohio and South Dakota.

6 A. You keep missing the sentence in between all of
7 that that references supersedeas bond. The issue --

8 Q. It says here --

9 A. The issue was briefed in Missouri and respectfully
10 the court declined to grant your stay on the basis
11 that, as I pointed out, you never offered a bond.

12 Q. The state, from what I gathered, declined to go
13 ahead and go forward with an execution.

14 A. You moved to stay execution. No stay has ever
15 been entered. They declined to grant you the stay.

16 Q. They declined to grant you an execution, from what
17 I gather.

18 A. I don't need to be granted leave to execute. By
19 default I'm a judgment creditor. I'm entitled to
20 execute in the absence of a stay and no stay has been
21 granted.

22 Q. But it says, it says, at least in the law, that an
23 appeal from the foreign government is pending here.

24 It seems to me that you are quoting and in many cases
25 the lawyers are quoting something about a supersedeas

1 bond to where essentially indigent -- indigent debtors
2 here have to go ahead and pay you the money when they
3 don't recognize the jurisdiction of the court, you
4 know, which went ahead and granted it.

5 THE COURT: Why don't you ask a question.

6 Q. (By Mr. Lindstedt) Okay. So in short, you're
7 claiming that I'm quoting the law and you have a
8 different interpretation of that law; correct?

9 A. I would say you're misquoting the law, you're
10 omitting the law and what you quote you don't
11 correctly understand.

12 Q. So you're saying that your judgment in this is
13 better than mine; correct?

14 A. I'm the one who prevailed at trial. I'm a
15 judgment creditor and I have a lien on property that
16 you fraudulently conveyed to your sister. No stay of
17 execution has ever been entered by any court anywhere.
18 Your appeal is entirely frivolous and unlikely to
19 succeed. And as there is no stay on execution, I
20 could execute tomorrow, in theory, if I were so
21 inclined.

22 THE COURT: Ask your next question.

23 MR. LINDSTEDT: That's his -- okay.

24 THE COURT: That's his answer.

25 MR. LINDSTEDT: That's his answer. All right.

1 Q. (By Mr. Lindstedt) When did you find out -- when
2 did you find out -- when did you find out I had
3 property in South Dakota?

4 A. The Stanley County property, towards the end of
5 2018, beginning of 2019, when my affiliate did a TLO
6 search and got me the parcel numbers.

7 Q. So you're saying you're not Sword Brethren, you
8 never were Sword Brethren, you never did -- are you
9 saying that -- did you ever do a podcast by the name
10 of -- under the name of Sword Brethren?

11 A. We've already covered this and we're not here to
12 litigate things that were already resolved in Ohio.

13 Q. Did you ever do a podcast under the name of Sword
14 Brethren?

15 MR. KONRAD: Objection as to relevancy, Your
16 Honor.

17 THE COURT: That's sustained.

18 Q. (By Mr. Lindstedt) So you never were known as
19 Sword Brethren?

20 MR. KONRAD: Asked and answered, Your Honor.

21 THE COURT: It's been asked and answered.

22 MR. LINDSTEDT: Okay.

23 THE WITNESS: May I confer with my attorney for
24 one second?

25 THE COURT: What time is it? I'm going to give

1 my court reporter a break. And just so we know, you
2 indicated that you may want to present a few
3 documents. All right? You've presented plenty.

4 MR. LINDSTEDT: I don't think I'll have them
5 because I'm not at my motel room to go ahead and print
6 them off here. What he's done -- what he's done is
7 he's denied ever being Sword Brethren.

8 THE COURT: Number one, I've said that's
9 irrelevant. Number two, if you want to get some
10 documents, I'm going to give you -- this could be a
11 good breaking time. We could come back here -- take a
12 brief recess. You can go over your notes to see if
13 there's anything else you wanted to ask him that's
14 relevant to the question of whether or not I should
15 grant that preliminary injunction that the property in
16 question cannot be encumbered, sold or anything
17 further for the reasons stated in his, the movant's
18 petition. Okay?

19 THE WITNESS: My concern, Your Honor, is that
20 I've taken a significant amount of time and resources
21 and money to be here today and I'm represented by
22 counsel so I'm paying attorney's fees. And it's not
23 like -- in the Lake County matter the court was near
24 me. It was my own case so I wasn't represented and,
25 you know, he dragged the proceedings on for three days

1 and I just see that this is kind of a --

2 THE COURT: All right. Here's the deal for
3 both of you. You are not the lawyer today. He's the
4 lawyer. He'll make the objections --

5 THE WITNESS: Okay.

6 THE COURT: -- and he'll answer the questions.
7 You're going too far.

8 THE WITNESS: Okay.

9 THE COURT: All right? We're going to let you
10 ask a question.

11 You can object or not.

12 And you can answer his question. Period.

13 THE WITNESS: Understood, Your Honor.

14 THE COURT: And you both have traveled a far
15 way. This is a court where I'm going to let you both
16 be heard but I'm not going into the merits. That's
17 been handled by Ohio and Missouri. Okay? The focus
18 of this hearing is whether or not I should grant that
19 preliminary injunction regarding and pertaining to
20 this property. Okay?

21 MR. LINDSTEDT: And my sister has no objections
22 to it.

23 THE COURT: She does not have any objection and
24 I asked you if you had any objection --

25 MR. LINDSTEDT: Oh, I have plenty of

1 objections. The problem is that he's suing me on what
2 I've said on my web page about him and then he says --

3 THE COURT: I'm not going to replew that
4 ground.

5 MR. LINDSTEDT: Okay.

6 THE COURT: That's been handled by another
7 court. There's judgments, there's documents that have
8 been entered.

9 MR. LINDSTEDT: Sure.

10 THE COURT: He's registered them as a foreign
11 judgment. The issue then became there was a temporary
12 restraining order put on the property that it couldn't
13 be encumbered or sold by you or Ms. Bessman.

14 MR. LINDSTEDT: Neither of us are going to sell
15 it but --

16 THE COURT: Okay. Well, that's basically what
17 I'm going to probably order today is you're not going
18 to sell it and --

19 MR. LINDSTEDT: Well, that's --

20 THE COURT: -- encumber it because it could
21 hurt you.

22 MR. LINDSTEDT: She's told me she's not going
23 to sell it. She's not ever -- she's, you know, she's
24 told me she isn't going to give it to her worthless
25 son but she's told me that she's going to keep it in

1 the family.

2 THE COURT: All right. But here's the deal.
3 There are judgments against you in a foreign
4 jurisdiction.

5 MR. LINDSTEDT: Federally, yes.

6 THE COURT: And they have been properly filed.
7 You have copies of what was filed here. Your Warranty
8 Deed that you gave your sister was filed here.
9 Everything has been filed here. My sole issue today
10 is not to go into the fights between the two of you.

11 MR. LINDSTEDT: How long --

12 THE COURT: I'm dealing with these legal
13 judgments that have been entered. He's asking this
14 court to recognize those and he will go on with the
15 procedure but for today's purposes is for me to
16 determine whether those temporary restraining orders
17 that were good for 60 days --

18 MR. LINDSTEDT: Will be made permanent.

19 THE COURT: Not permanent. Preliminary.

20 MR. LINDSTEDT: Preliminary. Will be made --

21 THE COURT: They're on hold and if we ever get
22 to the merits of this, whether or not he can take this
23 property, then we'll have a full hearing on the
24 merits. Okay?

25 I'm not doing that today. I'm just holding the

1 property in question as is so you don't get damaged,
2 he doesn't get damaged, society is protected so
3 somebody else doesn't buy this property and then
4 there's all kinds of legal problems with it. That's
5 what I'm going to weigh today. Okay? Not to the
6 merits of this. That will be another day. Do you
7 understand?

8 MR. LINDSTEDT: Well, I did read it and I do
9 understand. How long of a break, how long of a recess
10 were you going to take?

11 THE WITNESS: I just want to get some water.

12 THE COURT: We're getting close to the noon
13 hour.

14 MR. KONRAD: Judge, one thing I would state
15 about the continuance is, I mean, this has got to be
16 resolved today, Your Honor.

17 THE COURT: It's going to be resolved today.

18 MR. KONRAD: And we've got another sentencing
19 at 4:00.

20 THE COURT: I've set the appropriate time for
21 this. I'm thinking let's take a half hour break. My
22 court reporter is working diligently here. She's got
23 to have a break. You want a break. So why don't we
24 come back here by 12:15.

25 That will give you time to focus your

1 questions. And I'm assuming you're about done with
2 this witness's cross-examination; is that correct?

3 MR. LINDSTEDT: Well, I'm frustrated because he
4 denies being Sword Brethren but --

5 THE COURT: Move on from that. You can't keep
6 asking these questions.

7 MR. LINDSTEDT: Could we maybe just -- okay.
8 By all means. What? Twelve-fifteen?

9 THE COURT: Twelve-fifteen. I don't want to
10 hear another Sword Brethren question. I've ruled on
11 it.

12 MR. LINDSTEDT: But it's been around for ten
13 years.

14 THE COURT: Yeah, I get it.

15 MR. LINDSTEDT: It's the whole basis of this
16 entire litigation.

17 THE COURT: You've made your point there.
18 Okay?

19 MR. KONRAD: A half hour from now is 12:05.
20 Are you doing 12:15?

21 MR. LINDSTEDT: I heard 12:15.

22 THE WITNESS: You said a half an hour but then
23 you --

24 THE COURT: Well, I've got -- my watch might be
25 different. How about 12:15?

1 MR. KONRAD: That's fine.

2 THE COURT: Let's be back here at 12:15.

3 You've got about another 10 or 15 minutes to finish up
4 your questioning. Okay? And I'm going to limit you
5 to what the testimony was about today. You've covered
6 those.

7 MR. LINDSTEDT: Okay. Well, you said I could
8 present --

9 THE COURT: You've got an exhibit, yeah. Yep,
10 you can get that marked. My court reporter will give
11 you an exhibit sticker so you'll get that from the
12 deputy and you can get that marked.

13 MR. LINDSTEDT: Would that be Exhibit 1 then?

14 THE COURT: Yes.

15 MR. KONRAD: You are numbers.

16 MR. LINDSTEDT: And I think you already got --
17 I think you already got what I did for defense here.
18 I'll go ahead and dig out whatever else here.

19 THE COURT: All right.

20 MR. KONRAD: Can we go off the record?

21 THE COURT: I'm going to hang on to these
22 exhibits. And Pastor, you indicated you wanted to
23 rely on these exhibits and I am. All right? And
24 you've had no objection to them so I've got those
25 already in. They're already in evidence so don't

1 re-present those. Okay?

2 MR. LINDSTEDT: Okay. Can I present as an
3 exhibit the original Amended Complaint?

4 THE COURT: You get anything you want marked
5 that wasn't in these exhibits. Okay? And you then
6 can present them to me. And you can ask Mr. Konrad if
7 he's already got copies of what you're going to mark.
8 Okay? If not, my clerk I'm sure would be happy to
9 make copies. So anything you need copied that
10 Mr. Konrad doesn't have that you want to keep a copy
11 and you want me to have a copy, you get with my clerk
12 at 12:10. Okay?

13 So Mr. Konrad, if you would see what he wants
14 to mark. If you already have the exhibits, that will
15 save us some time for both of you.

16 (A recess was taken.)

17 THE COURT: I want to make sure I have all the
18 exhibits here. All right. We took a brief recess and
19 just to give Mr. Lindstedt or Pastor Lindstedt an
20 opportunity to gather any additional exhibits he might
21 want to offer in his case.

22 And before that, you were about the business of
23 cross-examining the witness and you indicated you had
24 a few more questions regarding his testimony --

25 MR. LINDSTEDT: Of him, sure.

1 THE COURT: -- today so if you would like to
2 conclude with the questions regarding what he may have
3 testified here before the Court today, you may
4 continue.

5 Q. (By Mr. Lindstedt) Okay. On the -- you went
6 ahead and said that you got a civil stalking
7 protection order in January of 2016, which was granted
8 to you.

9 A. Yes, that was granted.

10 Q. Nine hundred miles away?

11 A. I'm not sure I understand.

12 Q. In Missouri usually a protection order won't cross
13 the county line unless it's within 900 feet but you
14 got one that crossed the state lines, you know, from
15 900 miles away.

16 A. Are you asking me something?

17 Q. Yes. You got one -- you got one -- what would be
18 the jurisdiction of a civil stalking protection order
19 from 900 miles away? What would you use it for?

20 A. I'm not sure I understand. Are you asking --

21 Q. Why did you seek a civilian stalking protection
22 order in January of 2016, for which you were granted?

23 A. I perceived that you were threatening me digitally
24 and otherwise.

25 Q. Okay. And it consisted mainly on posts on a forum

1 which was not WhiteNationalist.org but rather the
2 Nimbusters, N-I-M-busters' successor site called Hate
3 and Flame. It was a Nimbusters' successor.

4 THE COURT: Hate and Flame?

5 MR. LINDSTEDT: Hate and Flame.

6 THE COURT: F-L-A-M-E?

7 MR. LINDSTEDT: Yeah. He --

8 THE COURT: All right. Just ask a question.
9 You said --

10 Q. (By Mr. Lindstedt) Do you have a history of
11 impersonating -- impersonating your enemies, including
12 myself, on forums which are not owned by myself or a
13 church? Do you have a history of doing that?

14 MR. KONRAD: Your Honor, this is just not
15 relevant. It's beyond the scope of direct. It's got
16 nothing to do with whether or not this is going to be
17 decided on the merits.

18 MR. LINDSTEDT: It has to do with the fact that
19 he essentially abuses legal process and files these
20 bogus claims in court, some of which are granted and
21 some of which are not.

22 THE COURT: All right. You were asking him a
23 question and I believe that it was brought up in
24 direct about a protection order. Okay. And so that's
25 relevant. And he said yes, he did seek one and I

1 think --

2 MR. LINDSTEDT: Two of them.

3 THE COURT: Yes. So you can ask him from
4 there. One was granted and --

5 MR. LINDSTEDT: One was granted.

6 THE COURT: Ask him the next question.

7 Q. (By Mr. Lindstedt) The first one, did it have
8 anything to do with the fact that I was 900 miles away
9 and couldn't afford to attack the one in January of
10 2016? You got one based upon what you claim that I
11 said, which was not on my forum or on my church forum;
12 correct?

13 A. That is incorrect.

14 Q. What did you have anything that was on my forum?

15 A. You made statements that my father was going to be
16 found dead with a bullet in his head in a Dumpster and
17 that my favorite cat, Puffy, was going to be found
18 drowned in a bag. You posted that on your forum --

19 Q. Okay.

20 A. -- and then there were disturbing posts along --
21 you've asked me a question and I'd like to be afforded
22 the opportunity to answer.

23 Q. Okay.

24 A. Then you posted similar things on the other
25 forums, the Nimbusters and the Hate and Flame which,

1 that is correct, to my knowledge, you do not have an
2 ownership interest in Hate and Flame or Nimbusters.

3 The ex parte order was granted. A full hearing
4 was set. You were afforded multiple opportunities to
5 get a continuance to continue the full hearing. You
6 advised the court that under no circumstances would
7 you travel to a Lake County jerkwater kangaroo court
8 that you said was 900 plus miles away and had no
9 jurisdiction and that you didn't recognize the
10 legitimacy of the court.

11 So the court made it clear that they were going
12 to proceed without your presence at the full hearing
13 because you said that even if a continuance were
14 granted, you would never be traveling to Lake County
15 for what you claimed was a farce of a proceeding. So
16 based on my exhibits, which the magistrate reviewed, a
17 recommendation was made --

18 Q. Okay, okay, okay. You said a number of things
19 here. I want to go ahead and do it here.

20 What were the post numbers -- what were the
21 post numbers on my church forum? You usually have a
22 post number and every single one of my forum post
23 numbers has a post number. What was the post number
24 to where you would be found dead or your cat shot?
25 What was the post number of that? Did you ever list

1 it?

2 A. Well, you've asked me a number of questions so let
3 me try to unpack that as best I can.

4 Q. What was the post numbers of the --

5 A. First of all, I don't recall the post number from
6 a post you made four years ago in a matter that was
7 litigated and resolved in January of 2016, when the
8 protection order was granted.

9 Q. Okay. No exhibits -- no exhibits were allowed.
10 Essentially this was just simply your claim that I
11 posted this here on my forum but you can't list where.
12 Okay.

13 A. We're not here to --

14 THE COURT: Just a minute. Ask your question.
15 You're not making arguments. Ask him the next
16 question.

17 Q. (By Mr. Lindstedt) So you -- you -- for where you
18 claim I did post it on my forum -- and I would like to
19 testify. I have never --

20 THE COURT: Just a minute. You've got to
21 ask -- you can testify when you're done. Let's finish
22 up with this witness.

23 Q. (By Mr. Lindstedt) Okay. Finish up. You don't
24 have a post number for any of the -- you don't have
25 any post number or any date or time when I posted

1 allegedly on my forum.

2 A. We're not here to litigate that issue so I didn't
3 bring that post --

4 THE COURT: Answer the question.

5 Q. (By Mr. Lindstedt) Answer the -- yeah.

6 A. I did not bring that post number with me to this
7 hearing.

8 Q. Okay. All right. Would it be because such a post
9 doesn't even actually exist?

10 A. No, it would not.

11 Q. So there would be -- there would be a -- there
12 would be a post -- there would be a post, you know,
13 that you claim is on there. It's just that we don't
14 recollect it right knew?

15 A. I don't know what would be on there or not on
16 there right now. You may have deleted it since the
17 hearing on the protection order.

18 Q. Yes, I might have in January, 2016.

19 What happens is that most of these posts here
20 acknowledge that you were indeed known as Sword
21 Brethren; correct?

22 THE COURT: What did I tell you about this?

23 Q. (By Mr. Lindstedt) Okay. Moving on. The hate
24 and -- you know, the Nimbuster, Hate and Flame, is it
25 possible, since nobody -- anybody can go ahead and

1 claim to be Pastor Lindstedt and claim that they were
2 going to castorate, C-A-S-T-O-R-A-T-E you, it's quite
3 possible that you, yourself went on Hate and Flame and
4 went ahead and posted, you know, 90 percent of those
5 posts.

6 MR. KONRAD: Objection, Your Honor.

7 Q. (By Mr. Lindstedt) Is it possible or did you go
8 ahead and post those posts impersonating me?

9 MR. KONRAD: Objection, Your Honor.

10 THE COURT: All right. What's your objection?

11 MR. KONRAD: Same thing as before. It's beyond
12 the scope of direct. It's not relevant. I don't see
13 what this has to do with the merits of the case in
14 Stanley County.

15 THE COURT: All right. It isn't relevant to
16 these proceedings. I know what you're trying to say
17 but to the point you're saying he's brought a number
18 of frivolous actions. He's saying you brought
19 frivolous actions. So he can answer the question if
20 he posted those and then we're moving on.

21 MR. LINDSTEDT: Okay.

22 THE COURT: So you ask the question.

23 You answer it.

24 Q. (By Mr. Lindstedt) Did you post -- did you post
25 impersonating me on Hate and Flame?

1 A. No, I did not.

2 THE COURT: Move it forward.

3 Q. (By Mr. Lindstedt) Did you post as John Brittain
4 on, well, Upstanding, well, it had a bleep word but
5 Upstanding Citizen, a homosexual Nimbuster forum? Did
6 you pretend to be John Brittain?

7 MR. KONRAD: Same argument, Your Honor. Same
8 objection.

9 THE COURT: Okay. You're asking two questions.
10 Did you pretend to be John Brittain?

11 THE WITNESS: No.

12 THE COURT: Okay. Move it forward.

13 THE WITNESS: I have never --

14 THE COURT: No. Go.

15 Q. (By Mr. Lindstedt) Did you get involved in John
16 Brittain's lawsuit in 2010-11 here and pretty well a
17 U.S. magistrate judge went ahead and to where a U.S.
18 magistrate judge mentions that you had been
19 interfering in John Brittain's lawsuit?

20 MR. KONRAD: Objection, Your Honor. Same
21 objection. I don't see how this is relevant to
22 anything.

23 THE COURT: I'll make a determination on
24 whether or not it's relevant. He can answer the
25 question if he did or did not -- if the judge did or

1 did not make that statement.

2 A. I have no knowledge of a U.S. magistrate judge
3 ever making such statements.

4 Q. (By Mr. Lindstedt) Would you be surprised that it
5 was in the Bryan Reo lawsuits collection on my forum
6 to where he did mention that you had interfered with
7 John Brittain's lawsuit?

8 A. So would I be surprised that something is on your
9 forum that you're attributing a statement to John
10 Brittain regarding a third-party hearsay statement
11 from a U.S. magistrate? I'm just trying to be clear
12 here.

13 Q. Did you interfere -- did you --

14 A. Nothing on your website would surprise me.

15 Q. Did you interfere with John Brittain's lawsuit?

16 A. No.

17 Q. No. Okay. Did you -- did you, as far as -- you
18 have pled -- are you a homosexual?

19 MR. KONRAD: Objection, Your Honor.

20 THE COURT: That's irrelevant.

21 MR. LINDSTEDT: Okay.

22 THE COURT: That's got nothing to do with
23 whether or not --

24 MR. LINDSTEDT: Well, it has to do with the
25 lawsuits from which there's a basis for him taking

1 this --

2 THE COURT: All right. Let me remind you -- I
3 know you're pro se.

4 MR. LINDSTEDT: Okay.

5 THE COURT: I'm going to remind you we're here
6 to determine whether those temporary restraining
7 orders should be made a little bit -- not totally
8 permanent but preliminary.

9 MR. LINDSTEDT: Preliminary, yeah.

10 THE COURT: And nobody's going to be allowed to
11 encumber that property and I'm going to weigh those
12 four grounds.

13 MR. LINDSTEDT: Okay.

14 THE COURT: And I think what you're trying to
15 do --

16 MR. LINDSTEDT: Number one --

17 THE COURT: Listen a minute because I have to
18 balance the equities. That's one of the factors. And
19 you've made your point that you're saying to him
20 through the cross that he's filed frivolous things and
21 got himself into your business. So I get your
22 argument there so move on to the other factors,
23 please.

24 Q. (By Mr. Lindstedt) Second -- second, well, you
25 know, pretty well succeed on the merits in public

1 interest, you know, number 1-4.

2 On June 4th, did judge -- magistrate judge in
3 Lake County, Christian Andre and Judge Eugene Lucci go
4 ahead and deny your request for a civil stalking
5 protection order?

6 A. June of which year? 2020?

7 Q. This year.

8 A. They denied that petition, that is correct.

9 Q. Okay. Moving on. In his facts and findings the
10 magistrate, you know -- in 2016, you are aware that I
11 did try to telephone in, you know, my side on this
12 civil stalking protection order and was refused and
13 you got the civil stalking protection order.

14 A. I'm aware that I got an order. I'm aware that you
15 tried to phone in. I'm aware that the procedure does
16 not allow remote appearance given the nature of the
17 proceedings.

18 Q. So you can pretty well anytime you want, initiate
19 a lawsuit and if I don't have the money or Roxy, you
20 know -- you know, if I don't have the money and my
21 church don't have the money or Roxy don't have the
22 money, essentially we don't show up, we lose by
23 default. Is that about the size of it?

24 A. I would not characterize it that way because you
25 were not there and I was still not granted the order

1 so there was no --

2 Q. Well, not -- not -- not -- not in June, 2020.

3 THE COURT: Are you talking about 2016?

4 MR. LINDSTEDT: No, no, no, no. In January of
5 2016, he was granted the one on the basis of what he
6 made up on Hate and Flames. And this time I'm reading
7 to where the, you know, where the magistrate judge and
8 Judge Lucci went ahead and slapped him down on this by
9 going on to where, "The Petitioner introduced three
10 such filings into evidence pointing out several
11 sentences as specific examples against the Respondent.
12 These filings show Respondent virally threatened
13 violence against large groups of people which number
14 anywhere from the thousands to the millions. Nowhere
15 do they show that the Petitioner is being specifically
16 threatened by the Respondent."

17 So in short, you went ahead and, you know, he
18 went ahead and wrote --

19 THE COURT: Ask him a question.

20 Q. (By Mr. Lindstedt) Okay. Did he go ahead and
21 look at your evidence and find out that you were not
22 being threatened at all by me?

23 A. I wouldn't characterize it that way. I would just
24 say as the Petitioner, I failed to meet my burden that
25 you were specifically singling me out with your

1 rhetoric which the court found disturbing but not
2 specifically directed to me.

3 Q. Next paragraph, on page three of four of page, you
4 know, this is the one which was done, you know, out
5 here. Page 393 of Exhibit 1 in this case,
6 "Contrarily, the Respondent explicitly forbade any
7 harm coming upon the Petitioner as a result of
8 forthcoming violence. He explained that the
9 Petitioner's witnessing of this violence suffices
10 punishment. Somehow still the Petitioner insists that
11 he is the sole target of this violence because he
12 falls within these large groups threatened by the
13 Respondent." Well, non-whites, homosexuals and the
14 rest here.

15 "The magistrate failed to connect the same
16 dots. Without more to go on, the findings show no
17 more than the Respondent reiterating the
18 fire-and-brimstone rhetoric against nearly everyone
19 but white supremacists."

20 So in short, the magistrate found out that I
21 was just, you know, threatening everyone except white
22 supremacists, although I have a number of things to
23 say about bogus white supremacists. But anyway, he
24 went ahead and said that you weren't threatened.

25 In fact, you were told on every single header

1 that the position to have with you is to have nothing
2 to do with you at all, that you were not to be
3 threatened, your family is not to be threatened, that
4 you are to be reserved -- you are to be reserved from
5 punishment later on but you are not to be -- you are
6 not to be harmed or threatened or have anybody who,
7 you know, have anybody who listens to me have anything
8 to do with him. You know, and that is what he found
9 out, that I went ahead and explicitly said do not harm
10 or molest or have anything to do with Bryan Reo or
11 anything who will have anything to do with Bryan Reo.

12 That is what the magistrate found in your
13 second civil stalking protection order; correct?

14 A. I would disagree with your characterization of
15 pretty much everything you said. And I would just
16 reiterate that the magistrate found that I did not
17 meet my burden. He took a different interpretation of
18 the statements you've made and chalked it up to
19 rhetoric.

20 And your statements that you made in a
21 broadcast shortly after the conclusion of the jury
22 trial in 2019 of don't kill Bryan Reo, don't kill
23 Bryan Reo's father, don't go to Bryan Reo's address
24 which is here, and you didn't have my correct address.
25 And then the clerk of the courts informed me that you

1 were trying to get my recent address and that you were
2 telling the clerk you wanted my latest address. That
3 struck me as --

4 Q. When did all this happen?

5 A. I'm answering your question. This struck me as
6 the actions of a man who intended violence against me
7 which is why I sought out the order of protection. The
8 magistrate and the judge saw it differently and the
9 order was not granted.

10 Q. Okay. And I wasn't allowed to -- I wasn't allowed
11 to go up 900 miles -- 900 miles to, you know, answer
12 my telephone, something which you say didn't happen in
13 person but by not even telephone but by web page which
14 millions of people can see.

15 A. You were afforded the opportunity to be at the
16 hearing and you chose not to attend. That's your
17 decision.

18 Q. Okay. All right. Judge Lucci, he went ahead and
19 he caught you in National Auto Division -- you know,
20 Bryan Reo had about 60 some cases involving consumer
21 protection. You know, he goes ahead and he -- before
22 he came a lawyer but anyway --

23 THE COURT: Ask a question.

24 Q. (By Mr. Lindstedt) Did Judge Lucci -- did Judge
25 Lucci -- he's one of the judges, you know, Judge Lucci

1 is one of the judges in Lake County; correct?

2 A. Judge Lucci is a state trial court judge in the
3 Lake County Court of Common Pleas.

4 Q. Okay. He went ahead and he went ahead and found
5 out that you and your friend, attorney Brett
6 Klimkowsky, had filed a bogus -- had filed a bogus
7 consumer protection what? Consumer protection action
8 here to where they call you and then you go ahead and
9 sue them; correct?

10 A. I completely disagree with your characterization
11 that the action was bogus simply because we did not
12 prevail on the merits.

13 Q. You did not prevail on merits. What happened is
14 that it was put in Lake County and just like everybody
15 who has any sense after the first time -- it only took
16 me one time -- but you went ahead -- they go ahead and
17 immediately move it --

18 THE COURT: Ask a question.

19 Q. (By Mr. Lindstedt) Okay. They immediately -- the
20 National Auto Division, they immediately moved it to
21 federal court; correct?

22 MR. KONRAD: Your Honor, same objection. I
23 just don't see how this is relevant. We're talking
24 about a --

25 MR. LINDSTEDT: It shows -- it shows --

1 THE COURT: Just let him respond.

2 MR. KONRAD: He's asking a question about a
3 lawsuit which predates any of this stuff that doesn't
4 involve Mr. Lindstedt as a party. My client has
5 testified that he didn't prevail on the merits. I
6 don't know what else we need to talk about.

7 THE COURT: All right. You've made your
8 point --

9 MR. LINDSTEDT: Just one other --

10 THE COURT: No. Let me tell you something.
11 Your point is he's filing suits and didn't prevail.

12 MR. LINDSTEDT: And getting caught lying and
13 then --

14 THE COURT: Stop. Stop. You've made your
15 point. Now we need to move it forward. And are you
16 marking an exhibit that you're talking to? Is that
17 your exhibit?

18 MR. LINDSTEDT: Yeah, this is Exhibit 1.

19 THE COURT: Has that been marked by the court
20 reporter?

21 MR. LINDSTEDT: I don't know.

22 THE COURT: What's on the --

23 MR. LINDSTEDT: It was earlier this morning.
24 It was the first one.

25 THE COURT: So when you're referring to a

1 document -- I think this is the copy that you gave the
2 Court and it says Exhibit 1 up in the corner.

3 Would you look, Mr. Konrad, if that's how he's
4 marked it for the record?

5 MR. KONRAD: Yes, it says Exhibit 1. It looks
6 like it's a docket sheet on the first page.

7 MR. LINDSTEDT: Yeah, it's a federal docket
8 sheet. Moving on --

9 THE COURT: I'm going to hand him the same
10 Exhibit 1 so he knows what you're referring to.

11 MR. LINDSTEDT: Okay. Sure.

12 THE COURT: So what page are you looking at now
13 towards the end?

14 MR. LINDSTEDT: Well, what I've done is I've
15 filed them in all four -- I go ahead and routinely
16 countersue all Bryan Reo's friends and relatives and
17 all that here. Then we go ahead and go through the
18 motions. He plays games with discovery. I mean, I've
19 had Bryan Reo litigation since --

20 THE COURT: I understand that so ask him a
21 question.

22 MR. LINDSTEDT: This is the one for the one
23 which has done the most work here in Bryan Anthony Reo
24 federal case 02589.

25 THE COURT: What page are you on?

1 MR. LINDSTEDT: I'm on the one which is page ID
2 in the federal one, in that one, you know, 394.

3 THE COURT: So it's towards the end of
4 your file?

5 MR. LINDSTEDT: It's towards the end --

6 THE COURT: Of your exhibit.

7 MR. LINDSTEDT: It's towards the end of the
8 exhibit here.

9 THE COURT: It looks like about three pages?

10 MR. LINDSTEDT: Yeah, three pages.

11 THE COURT: All right. Let him get to the page
12 that you're going to refer to. What's the first
13 couple of words in the top left corner?

14 MR. LINDSTEDT: Top left corner. It would be
15 case number 1:19-cv-02589-CAB.

16 THE COURT: All right. And then it's the next
17 page?

18 MR. LINDSTEDT: It's one of the four.

19 THE COURT: Do you feel you understand where
20 he's directing your attention to?

21 THE WITNESS: Yes, page ID 394.

22 THE COURT: Okay. So I want him to know what
23 you want to ask him about that.

24 MR. LINDSTEDT: "The e-mails mainly concern
25 pending legal matters, including this one, with the

1 Petitioner ultimately claiming ignorance as to where
2 the ex parte CPSO thrice conspicuously warns in
3 boldface type that all communication is prohibited
4 unless explicitly authorized by issuing court."

5 THE COURT: So what's your question?

6 Q. (By Mr. Lindstedt) He goes on and says, "The
7 Petitioner provided the Respondent with this same bad
8 legal advice, thereby subjecting the latter to arrest
9 at the former's whim if reported."

10 So in short, you, in all your filings you keep
11 on telling me what you think the law is and I have to
12 obey it and I usually ignore it. Would you say that,
13 you know, like this judge found, that you were
14 subjecting me to arrest for a consumer -- well, a
15 civil stalking protection order if you complain about
16 what I am saying, you know, about what I'm saying to
17 you on my web page?

18 A. I wasn't aware of that at the time. To the extent
19 that I was under the impression I was required to
20 serve legal pleadings on you as they were filed,
21 regardless of whether or not I had a temporary
22 ex parte restraining order against you, the magistrate
23 and I discussed that and he said that you were not
24 supposed to be e-mailing me and getting copies of
25 pleadings from me. And he said that that was a

1 logistical issue that if he were going to make this
2 temporary order permanent, he wanted to know how would
3 I be serving pleadings on you during the duration of
4 the cases in question.

5 Q. However many you go ahead and choose to serve on
6 me?

7 A. Well, I'm required to serve --

8 Q. I have a question here. On the first federal
9 case -- on the first federal case when it came time to
10 file out the -- file out the service order, were you
11 trying to get me gunned down by saying I was big
12 friends with traitor Glenn Miller? This was in
13 October of 2014.

14 A. You're referring to the service instructions I
15 gave the U.S. marshals?

16 Q. Yeah. Now you remember?

17 A. The U.S. marshals advised me that they were not
18 going to enter your property with anything less than a
19 five-man tactical team given your local history that
20 they learned when they contacted your chief of police
21 and your county sheriff.

22 Q. Okay.

23 A. They thought that you were a disturbed individual
24 and that you were violence prone.

25 Q. And that's what you wrote down on that --

1 A. Well, you've also articulated over the years --

2 Q. And big friends with traitor Glenn Miller?

3 A. You claim an affiliation with that man.

4 Q. I claim that I regard him sort of like you, not
5 white, a homosexual and, you know, a provocateur. I'm
6 simply saying that, you know, only two of them showed
7 up, although they were rather heavily armed. And you
8 know, when they showed up -- when they showed up, you
9 know, I was in my shorts and I said, well, are you
10 calling the Marines and the rest of them here? And
11 they says, well, we're serving papers.

12 And I said, well -- well, I said a number of
13 things about Bryan Reo --

14 MR. KONRAD: Your Honor, he's --

15 MR. LINDSTEDT: Moving on, he was trying to get
16 me gunned down back in October of 2014 through bogus
17 legal, you know, protection orders.

18 MR. KONRAD: Your Honor, I want to object.
19 What we're doing here is we're doing cross-examination
20 and then commentary, cross-examination, commentary.
21 He should ask the questions. Save the commentary for
22 concluding remarks. I also have concluding remarks.

23 MR. LINDSTEDT: I'll move on.

24 MR. KONRAD: If he's done with the witness --

25 MR. LINDSTEDT: I'll move on.

1 MR. KONRAD: -- let's be done.

2 MR. LINDSTEDT: I'll move on.

3 Q. (By Mr. Lindstedt) Indeed, "The Petitioner also
4 be became noticeably unforthcoming" -- is that when
5 you go and tell about how you conclude your legal
6 objection like you're doing today -- "about the
7 specifics within his e-mails sent to the Respondent
8 after the magistrate granted the ex parte CPSO. Only
9 after repeat questioning about just one of these
10 e-mails dated April 28, 2020, did some illuminating
11 details become apparent as it was revealed the
12 Petitioner undeniably belittling and needling the
13 Respondent while simultaneously reminding the latter
14 about the ex parte CSPO."

15 A. Your question being?

16 Q. The question is, is that he seen -- he seen that
17 you were not scared of me. You were you deliberately
18 trying to seek a pretext to use legal process to go
19 and have me jailed or whatever like you said in the
20 previous paragraph. That you use and you abuse the
21 court system in Lake County to essentially harass, you
22 know, me whether it be or in Stanley County or Newton
23 County.

24 A. I would disagree with your characterization of
25 that. And respectfully, I'm not going to apologize to

1 you for belittling you once in ten years after what
2 you've said about Stefani, my father and that as an
3 officer of the court, you know, yes, we are held to a
4 higher standard but I'm not going to apologize to you
5 for eventually losing my patience with you and
6 belittling you in an e-mail after everything you've
7 directed to me and my family. So if you're looking
8 for an apology, you're looking in the wrong place.

9 Q. All right. You mentioned your wife here. That's
10 the one who was jumping up and down trying to get your
11 attention at the, you know, the basis of one of your
12 federal lawsuits, your wife who I said was jumping up
13 and down and who I reprinted a Quora account of?

14 THE COURT: Now, just a minute. You told me
15 you were going to move forward and ask questions.

16 MR. LINDSTEDT: Okay. But he brings up his
17 wife, you know.

18 THE COURT: Well, you've asked the question.
19 He answered it. Move on.

20 MR. LINDSTEDT: Okay. All right.

21 THE COURT: You're just about -- and you know,
22 I'm also going to say because this has been going on
23 with you testifying and interjecting your commentary,
24 I'm viewing that as part of your testimony and I'm not
25 going to allow you to replot that ground --

1 MR. LINDSTEDT: Okay.

2 THE COURT: -- if you want to make a further
3 statement.

4 MR. LINDSTEDT: Move on. Move it on. Well, I
5 do want to testify.

6 THE COURT: Well, then you need to get this
7 witness off the stand.

8 Q. (By Mr. Lindstedt) Okay. "Indeed, the Petitioner
9 does not appear," in the last photograph, "so
10 distressed or fearful of the Respondent that the
11 former requires a civil stalking protection order
12 against the latter. The Petitioner instead appears
13 heavily in doubt with regard to his truthfulness and
14 sincerity in this matter."

15 So the judge says -- you know, didn't the judge
16 say that he didn't, you know, that he's heavily in
17 doubt about your truthfulness or sincerity in seeking
18 out a civil stalking protection order?

19 A. That's what it says.

20 Q. "Applying the law to these facts, the magistrate
21 thus finds the Petitioner failed to prove by a
22 preponderance of the evidence that the Respondent
23 engaged in menacing by stalking as provided by RC,"
24 whatever. So he immediately made the following
25 recommendations.

1 MR. KONRAD: Judge, if we're just going to read
2 line by line and ask a question, can my client just
3 review the document and then say yes or no and we can
4 get back to it?

5 THE COURT: It looks like he's about done. I'm
6 going to have him read the rest of those rulings by
7 Judge, is it Lucci?

8 THE WITNESS: Lucci.

9 MR. LINDSTEDT: What happens is that Judge
10 Lucci caught him and his lawyer, you know, bringing
11 back a federal lawsuit here and was threatening him
12 with -- was threatening Klimkowsky with disbarment.
13 Judge Lucci has sort of caught Bryan Reo out a couple
14 times here.

15 THE COURT: So why don't you just ask him,
16 you've got a copy of the order; does the order say
17 what it says?

18 MR. LINDSTEDT: The order recommends that the
19 temporary ex parte be done, that the Petitioner -- you
20 know, dismissed the petition on its merits, have any
21 weapons forfeited --

22 THE COURT: Just ask him, do you agree that's
23 what the judge said.

24 Q. (By Mr. Lindstedt) Essentially, you were trying
25 to go ahead and get me disarmed in addition by going

1 ahead and talking to the Newton County sheriff's
2 deputy. Essentially, he recommended that anything
3 done against me by your fraudulent CPSO be dismissed?

4 A. The court never made a determination as to
5 anything being fraudulent so I would disagree with
6 your characterization of that.

7 Q. Okay. But he did say he appears heavily in doubt
8 with regard to your truthfulness and sincerity in this
9 matter.

10 A. Again, I've already answered that it says what it
11 says.

12 Q. Okay. It's dismissed on its thing here. You do
13 know that previously on June 3rd, your lawyer and I
14 think co-conspirator in this matter -- by the way,
15 when did you -- when did -- is he a member of FMI as
16 well?

17 THE COURT: Sir, he's not --

18 MR. LINDSTEDT: He's not on trial here.

19 THE COURT: -- got anything to do with this.

20 MR. LINDSTEDT: Well, he has plenty to with it
21 but he's not on trial.

22 THE COURT: Yes, he's the lawyer
23 representing --

24 MR. LINDSTEDT: He is the lawyer representing
25 Bryan Reo.

1 THE COURT: Yes, he is, and that's it so move
2 it forward.

3 MR. LINDSTEDT: Okay. I'm looking for the June
4 transcript.

5 THE COURT: Did you want to offer that
6 Exhibit 1 that you marked?

7 MR. LINDSTEDT: Yeah. I thought you already
8 had it.

9 THE COURT: Did you want to offer it into
10 evidence?

11 MR. LINDSTEDT: I thought it was already --

12 THE COURT: It's marked.

13 MR. LINDSTEDT: I thought it was already given
14 to you, ma'am.

15 THE COURT: Mr. Konrad?

16 MR. KONRAD: Your Honor, it's sad to say that
17 that is not how it works. You don't just offer
18 something that's not been -- there's been no
19 foundational testimony as to where the document came
20 from. Second of all --

21 MR. LINDSTEDT: Well, it's --

22 MR. KONRAD: Let me finish.

23 Second of all, this is a compilation of
24 documents. There's a docket sheet. There is a court
25 order. These are not related documents. This is not

1 a continuous document. This is multiple documents
2 stapled together. I mean, we've had no discussion as
3 to foundation. I can't --

4 THE COURT: I understand that but do you want
5 me to be here until Friday?

6 MR. KONRAD: No, but --

7 THE COURT: I will take it -- offer it into
8 evidence. You can object, make your ruling on that
9 and I'll tell you the grounds I am or am not allowing
10 it in.

11 MR. LINDSTEDT: Okay. As far as his
12 foundation, I mean, I come in and I'm just given a
13 whole bunch of exhibits here and I didn't hear any
14 whining about foundation, at least not from me. I
15 mean he just --

16 THE COURT: Sir --

17 MR. LINDSTEDT: -- gives me a whole bunch of
18 documents and I didn't know --

19 THE COURT: You can give it to the clerk.

20 MR. LINDSTEDT: Okay. Can I go ahead and make
21 one more point here? On 3-30-2020, the federal judge
22 at the time said, and this is the same thing, is
23 that -- and the same day he sought this CPSO in Lake
24 County, he tried to get an ex parte against me in
25 federal court and the, you know, the federal judge was

1 having -- does not engage in any ex parte
2 communication, will not respond to such request by
3 e-mail.

4 THE COURT: All right. Do you want to ask him
5 if he's familiar with that?

6 Q. (By Mr. Lindstedt) Yeah. Are you familiar with
7 both for the case of the same magistrate judge, are
8 you familiar that on March 30, 2020, you were trying
9 to get around -- you were trying to get around having
10 your client, your wife, you know, on the matter of
11 jumping up and down in the courtroom and yourself
12 trying to get around and get an ex parte order from a
13 federal judge on March 30th of 2020?

14 A. I disagree completely with your characterization
15 of that. I sent an e-mail to court chambers and staff
16 asking if I would have to make a formal written motion
17 for continuance or if I could just call in or send an
18 e-mail and copy all parties and get everyone onboard
19 to stipulate to a continuance, or if they wanted a
20 formal motion with a proposed order.

21 But there was no attempt to gain ex parte
22 advantage or to get to the substance of the claims in
23 issue. It was administrative and procedural in
24 regards to the court's schedule.

25 Q. Magistrate Judge M. Parker I guess disagrees. I

1 mean, maybe he didn't hear the music to the same story
2 about your disagreement characterization. He went
3 ahead and said in this one and more mild -- you know,
4 he said a little bit more blistering in the case of
5 Stefani Rossi Reo that this court would have no part
6 in ex parte communication.

7 A. It refers to an e-mail requesting a modification
8 of the court's schedule so you're --

9 Q. I have no idea what e-mail you sent ex parte.

10 A. You've just referenced it as 3-30-2020 on the
11 docket and you're insinuating that it had to do with
12 the underlying substance of the claims. The docket
13 reflects that it was the court's schedule that was in
14 discussion.

15 MR. LINDSTEDT: Sure. This is up now. I
16 wanted to make a point here is that --

17 THE COURT: You'll be able to make your
18 point --

19 MR. LINDSTEDT: When I testify. All right.

20 THE COURT: -- when you have your turn. It's
21 not in evidence yet but you've marked it and you can
22 tell me what this document is. You already kind of
23 laid the groundwork. It's various filings you wanted
24 me to consider.

25 MR. LINDSTEDT: Okay. Sure.

1 THE COURT: So ask him a question.

2 Q. (By Mr. Lindstedt) All right. Where did you find
3 this lawyer?

4 THE COURT: That's irrelevant.

5 MR. LINDSTEDT: Okay.

6 THE COURT: No.

7 Q. (By Mr. Lindstedt) All right. You are aware that
8 this attorney used to work for the same law firm --

9 THE COURT: No. Done. You aren't going there
10 in this courtroom. He is a licensed attorney in the
11 state of South Dakota. I am not going to have this
12 kind of inappropriate questioning go on in my
13 courtroom. Understood? Understood?

14 MR. LINDSTEDT: I think that --

15 THE COURT: It's not relevant. Move on. You
16 ask him a question about whether or not I should
17 extend this temporary restraining order into a
18 preliminary injunction. All right? He's a licensed
19 lawyer. He's entitled to be here. I'm not going any
20 further than that. Zip.

21 MR. LINDSTEDT: I think you're violating the
22 ethics clause.

23 THE COURT: No, he's not.

24 MR. LINDSTEDT: Well, I'll make that --

25 THE COURT: Stop.

1 MR. LINDSTEDT: -- objection when I testify.

2 THE COURT: Okay. You have your objections
3 noted. You've preserved your record there.

4 Q. (By Mr. Lindstedt) Anyway, on the 3rd of June,
5 this was before the 4th of June, the day before, I'm
6 looking at the transcript --

7 THE COURT: What year? Oh, 2020.

8 Q. (By Mr. Lindstedt) The 3rd of June, the day
9 before Judge Andre, you know, he had told me he would
10 not allow me to appear by telephone, just like the
11 previous one, you know. So I was pretty well sure I'd
12 be screwed and what I'm looking at is I remember
13 Mr. Konrad --

14 THE COURT: What transcript are you referring
15 to, sir?

16 MR. LINDSTEDT: The June 3rd transcript where
17 he goes in and I'm looking for the page.

18 THE COURT: Do you have an extra copy of that
19 or the witness because you need to ask the witness a
20 question. Okay?

21 MR. KONRAD: Your Honor, I have an extra copy
22 of the June 3rd transcript.

23 THE COURT: All right. So tell us what page of
24 the transcript you're on, sir.

25 MR. LINDSTEDT: Page 12.

1 THE COURT: All right. Give him a moment to
2 find where we are in the transcript and then you can
3 ask your question. Let him look at page 12.

4 MR. LINDSTEDT: Page 12 and 14.

5 THE COURT: Let's give him a minute to read
6 page 12. You want to ask him something about page 12;
7 correct?

8 Q. I'll read about this. "There's also the matter,
9 Your Honor, that my client has recently been granted a
10 temporary restraining order against Pastor Lindstedt
11 based on various statements and comments that have
12 been made to my client."

13 THE COURT: All right. So ask your question
14 about that.

15 MR. LINDSTEDT: "My client would request
16 permission in the future to appear telephonically or
17 to have extra law enforcement in the courtroom because
18 there is a protection order between the two. That is
19 a temporary order at the time."

20 THE COURT: Okay. So what's your question?

21 MR. LINDSTEDT: "My client expects the court
22 will, the magistrate court in Ohio, will ultimately
23 rule within 30 days. Once that ruling is made in
24 favor of my client, my client will seek to register
25 that protection order as a foreign protection order

1 and it would be enforceable in South Dakota. So we
2 have to think about this as well in terms of what
3 people do we want in the courtroom."

4 THE COURT: Okay. So what is your question of
5 the witness?

6 MR. LINDSTEDT: Pretty well the same thing as
7 with this case here. Lawyers sort of conspire. They
8 have the ex parte --

9 THE COURT: Would you ask him a question?

10 MR. LINDSTEDT: Okay. In short, you obviously
11 were telling attorney Konrad --

12 MR. KONRAD: Objection. Calls for
13 attorney-client privileged communications.

14 THE COURT: Ask him a question. Is this the
15 same -- let me ask you a question for clarification.
16 I think your point is this particular protection
17 order, it was temporary and then it was dismissed;
18 correct?

19 MR. LINDSTEDT: It was bogus all along, yes.

20 THE COURT: Answer my question. It was
21 temporary. It's been dismissed?

22 MR. LINDSTEDT: Yes.

23 THE COURT: And I get that's your point. So at
24 the time of this hearing the temporary order was
25 there; correct? That's all he --

1 MR. LINDSTEDT: Until the next step.

2 THE COURT: That's all he was telling me
3 because when we were going to have this hearing here,
4 I don't want to get you in trouble or him in trouble
5 or anyone else if that would have been granted and we
6 would have needed to make sure we didn't step on
7 anybody's toes there. Okay? So I got your point
8 about fifty times over that he had requested that
9 temporary protection order, it was issued and the
10 permanent one was denied and I fully understand that
11 and I appreciate your point.

12 MR. LINDSTEDT: And the point is, is that he
13 gets -- he gets from his buddies or whatever, these
14 judges and lawyers, they go ahead and they give him
15 whatever the hell they want to and --

16 THE COURT: Well, he didn't get this one.

17 MR. LINDSTEDT: He didn't get this one.

18 THE COURT: Okay.

19 MR. LINDSTEDT: But then again that's the
20 problem in that here he seeks to go ahead and --

21 THE COURT: No --

22 MR. LINDSTEDT: -- and ruin me and, you know,
23 do all this so he's doing the same thing based upon
24 one which failed.

25 THE COURT: All right. I got that point.

1 MR. LINDSTEDT: It failed.

2 THE COURT: I got that point.

3 MR. LINDSTEDT: All this Bryan Reo litigation
4 ultimately will more than likely fail but in the
5 meantime --

6 THE COURT: That's a factor that I'll weigh.

7 MR. LINDSTEDT: -- my sister, my sister and
8 myself end up because of never ending, you know, never
9 ending Bryan Reo litigation --

10 THE COURT: And now you're getting --

11 MR. LINDSTEDT: -- I have to go ahead and fight
12 for my inheritance because --

13 THE COURT: I'm going to let you testify.

14 MR. LINDSTEDT: Okay.

15 THE COURT: But listen. Let's finish up with
16 this witness. You've beat that temporary protection
17 order with a dead horse. I got it.

18 MR. LINDSTEDT: Okay. All right.

19 THE COURT: He's been up here for a couple
20 hours now. Let's finish it up and then you can make
21 your statement and testimony.

22 MR. LINDSTEDT: Okay.

23 THE COURT: I've been very generous with you.

24 MR. LINDSTEDT: I understand that.

25 THE COURT: So ask the man a question that he

1 testified about today. Okay? I've gotten several of
2 your points you're making to me on the issue of
3 balancing the equities. I see you're making that
4 point.

5 MR. LINDSTEDT: Here's something, here's
6 something. Exhibit H. I went ahead and looked at
7 this here, Exhibit H.

8 THE COURT: Let me give him a copy so he can
9 see what you're referring to.

10 MR. LINDSTEDT: Well, it's his exhibit.

11 THE COURT: Okay.

12 MR. LINDSTEDT: In his exhibit --

13 THE COURT: Ask him a question.

14 MR. LINDSTEDT: I go ahead and here I am, I'm
15 suing, you know, just like in every single Bryan Reo
16 case. It's his father, you know. Now I sue his wife
17 because she's suing me. I never heard of her before.

18 THE COURT: Well, ask your question about
19 Exhibit H.

20 Q. (By Mr. Lindstedt) Okay. I go ahead in every
21 single one of these cases since 2014, I end up suing
22 you and I end up suing all your co-conspirators;
23 correct?

24 A. I would say that you attempt to engage in
25 third-party complaint practice. Those parties are

1 inevitably and ultimately dismissed with or without
2 prejudice and that you've never prevailed on a
3 counterclaim against me.

4 Q. Inevitably? Sir, you've already -- you've already
5 won just like you did with the protection order;
6 right? You're going to win this? You're going to
7 win --

8 A. You've never --

9 Q. -- just like you did the protection order?

10 A. You asked me a question. Would you like me to
11 answer? You've never successfully --

12 Q. I'd like you to stop talking.

13 THE COURT: Let him answer. Answer.

14 A. You've impleaded, attempted to implead or joined
15 or attempted joinder of numerous disparate irrelevant
16 third parties through third-party complaint practice.
17 You've never prevailed on a single claim that you've
18 alleged against a third party in any action where you
19 and I were the primary parties, where I'm the
20 Plaintiff and you're the Defendant.

21 You've never prevailed on a counterclaim
22 against me and you've never been able to present a
23 claim against a third party because they've been
24 dismissed before those claims came to trial. So I
25 would say that as a matter of course, you do attempt

1 to bog down otherwise straightforward intentional tort
2 cases with 20 or 30 governmental actors, cities,
3 states, judges you don't like, people that you think
4 have wronged you, police officers that you claim
5 roughed you up when they arrested you. You do
6 incessantly --

7 Q. (By Mr. Lindstedt) When was this? When was this?
8 What case was this that I went ahead and sued police
9 officers that wronged me?

10 A. You have sued --

11 Q. You went ahead --

12 THE COURT: Now wait. Stop. Stop. I will end
13 this right now if you don't follow the procedure.

14 MR. LINDSTEDT: Okay.

15 THE COURT: You've answered.

16 MR. LINDSTEDT: Should I make -- okay.

17 THE COURT: Now ask another question that's
18 relevant, sir. I get your point on balancing the
19 equities that you say there's been things filed and
20 you've prevailed on some temporary protection orders.
21 I understand that and you're asking me to consider
22 that. So let's move it forward with what he testified
23 to on direct by Mr. Konrad. You've gone through all
24 of the exhibits. What more do you have?

25 MR. LINDSTEDT: I'm getting to H and then a

1 preliminary one to where --

2 THE COURT: Is this your final --

3 Q. (By Mr. Lindstedt) I was suing -- I was suing --
4 I was suing, suing the City of Granby because you went
5 ahead and bought a \$4,000 judgment. You went ahead
6 and bought a supposed \$4,000 judgment against me from
7 Mayor Ira Hawkins and Bryan T. Goldstein --

8 THE COURT: What's your question?

9 Q. (By Mr. Lindstedt) You went and essentially
10 insinuated by buying a \$4,000 judgment; correct? You
11 paid a thousand dollars for a \$4,000 judgment. That's
12 what Exhibit H says; correct?

13 A. I disagree with your characterization that you
14 sued the City of Granby because I bought the sanctions
15 judgment.

16 Q. No, I didn't say that.

17 A. Yes, you did. You said I went ahead and sued the
18 City of Granby because you bought a sanctions
19 judgment. I would characterize it as you sued the
20 City of Granby for reasons that are not clear to me.
21 You lost. Your case was dismissed with prejudice.
22 You were sanctioned for frivolous action in the amount
23 of \$4,000. And then in consideration for \$1,000, I
24 bought and have taken assignment of that judgment.

25 Q. Why?

1 A. I'm allowed to engage in taking assignment of
2 judgments.

3 Q. So you're buying judgments -- you're not harmed
4 but you're buying judgments against me for whatever
5 reason; correct?

6 A. As a matter of business practice and practice of
7 law I've taken assignment of this judgment and I
8 intend to collect on this judgment in Missouri.

9 Q. Okay. So here you are -- here you are 900 miles
10 away and you think to buy a judgment against me. Do
11 you buy other judgments from people 900 miles away?

12 A. I don't see the relevancy.

13 THE COURT: That's for your attorney. You're
14 not the attorney. Answer the question that he asked.

15 Q. (By Mr. Lindstedt) You went ahead and bought this
16 judgment against me; correct?

17 A. That is correct.

18 Q. And you knew about this judgment. In fact you
19 mentioned it in Lake County in, when was it? It was
20 in a previous meeting. You were quite interested.
21 You do know this \$4,000 judgment is for attorney's
22 fees in a Missouri Sunshine Act enforcement action?

23 A. I know you were sanctioned in the amount of \$4,000
24 for a frivolous action against immune governmental
25 entities.

1 Q. It says case 18-nw-cv-00601.

2 THE COURT: I can read it.

3 MR. LINDSTEDT: Okay. It was a Missouri --

4 THE COURT: Stop. Stop. It's been received as
5 an exhibit. I can read.

6 MR. LINDSTEDT: Okay.

7 THE COURT: You've asked him the question. He
8 said he bought it for a thousand bucks. He owns it.
9 What other question do you have about that?

10 Q. (By Mr. Lindstedt) It is a -- you know, would you
11 say that it is a valid judgment then?

12 A. I believe it's a valid judgment. It was duly
13 recorded by the court. The clerk sent me the
14 certified copy of the judgment and I have a valid
15 assignment of the judgment.

16 Q. This judgment is for a Missouri Sunshine Act
17 violation where the statute says that essentially they
18 don't allow sanctions for filing an open records
19 request. That would do away with the entire purpose
20 of a Missouri Sunshine Act violation if you could
21 charge sanctions against someone who is suing them for
22 an open records violation. So therefore -- therefore,
23 this is not a valid judgment.

24 MR. KONRAD: Your Honor, it calls for a legal
25 conclusion. It's not relevant. It's beyond the scope

1 of direct. Asked and answered.

2 THE COURT: And I'm granting all of those
3 grounds for objection.

4 But your objection to my ruling is noted.
5 Okay?

6 MR. LINDSTEDT: I object is that this character
7 whines about, you know, he whines about me stalking
8 him but he's stalking me.

9 THE COURT: All right.

10 MR. LINDSTEDT: Okay.

11 THE COURT: If you are done --

12 MR. LINDSTEDT: I will -- I will -- I am
13 obviously not ready even after so many years but I
14 think that -- I think I've simply done my best to
15 prove Bryan Reo's maliciousness --

16 THE COURT: All right. You can make your
17 closing in a minute. You're done with questions is
18 what you're --

19 MR. LINDSTEDT: I'd like to testify on my
20 behalf.

21 THE COURT: May this witness be released?

22 MR. LINDSTEDT: Yes, he may go.

23 THE COURT: Before that, Mr. Konrad, did you
24 have anything further you wished to redirect?

25 MR. KONRAD: No, Judge.

1 THE COURT: Okay. So we'll release him. And
2 what I'm going to do now because I've given you quite
3 a lot of leeway, okay, in testifying. Even though you
4 were cross-examining witnesses, you were testifying.
5 All right? So I don't want you to have to reiterate
6 everything you were trying to explain. Okay, parties?

7 MR. KONRAD: Your Honor, I have no --

8 THE COURT: It'll be his testimony.

9 MR. KONRAD: I have no objection if you wish to
10 combine his closing argument with some new facts that
11 he might enter as part of his testimony. I don't mind
12 if you combine the two.

13 THE COURT: Okay. And frankly, your opening
14 statement as well. It was really what you wanted to
15 testify to. Okay? You've come a long way to be here,
16 both of you, so I want to give you an opportunity to
17 be heard. So if you want to testify, you can testify
18 from right there. I'm going to put you under oath so
19 I'm going to advise you to be extremely careful
20 because you'll be under oath so I don't want you
21 getting jammed up on any kind of perjury. All right?

22 MR. LINDSTEDT: He's the one who has to worry
23 about it. I do not.

24 THE COURT: Well, both of you. Okay? So
25 that's the meaning of the deal.

1 MARTIN LINDSTEDT,
2 being first duly sworn, was examined and testified
3 as follows:

4 THE COURT: Okay. So as Mr. Konrad has
5 offered, part of what you're going to tell me is going
6 to be part of your closing statement, I believe.

7 Is that what you perceived to do and then you
8 will give your closing statement?

9 MR. KONRAD: If you wish to combine the two, I
10 have no objection.

11 THE COURT: Would you like to combine the two?

12 MR. LINDSTEDT: No. I'd like to testify and
13 then give my closing statement.

14 THE COURT: All right. I want to make very
15 clear. You've very clearly stated to me through the
16 cross-examination of this witness what you wanted the
17 facts to be and for me to understand. So I have that
18 part down so you may add anything additional.

19 MR. LINDSTEDT: I don't even think this case
20 should have ever been heard in the first place at all
21 because this character, he's not -- he's not -- he's
22 not white. I've been -- I've been involved informally
23 before Waco but actually formally as a militia leader,
24 as a Christian Identity pastor, you know, pretty well
25 as a Resistance soldier for over 30 years.

1 You know, pretty well my entire goal is pretty
2 well coming to pass so I'm pretty happy right now
3 because like this mighty evil empire is falling apart.
4 So I've been a Resistance soldier and by now I've --
5 by now I'm pretty well as high up as you go within
6 "Aryan Nations."

7 And most of the time, Aryan Nations, the people
8 are white. They're just a bunch of crackheads and
9 criminals. And a lot of the time like Bryan Reo,
10 they're not even white or heterosexual or anything
11 like that.

12 This character has been, as far as I can tell,
13 playing --

14 THE COURT: I'm not going to let you besmirch
15 anybody's character in this courtroom but --

16 MR. LINDSTEDT: Okay. But he's been --

17 THE COURT: But you can make your argument to
18 me --

19 MR. LINDSTEDT: He's been playing Christian
20 Identity or whatever, white supremacist since 2003.
21 He can't show up in real life so that leaves the
22 Internet. And as a result, he shows up in 2009 trying
23 to insinuate, well, actually a Jew who murdered a
24 Puerto Rican in a Jersey City jail and bring him as a
25 Christian Identity clergy along with a bunch of other

1 characters.

2 And he'd already been known -- he'd already
3 been told that Bryan Reo will have to learn that he's
4 not white and stop pretending to be white supremacist
5 back in 2004 or 2005.

6 So anyway, he takes a break for a couple of
7 years and he's coming back in 2009 pretending to be
8 Christian Identity. He's threatening -- he's
9 threatening 86-year-old women in wheelchairs because,
10 well, she's not white either but she grew up in Greece
11 and she's saying that William Fink don't know anything
12 about Greek because she can speak Greek because she's,
13 well, she was born a Greek.

14 He's going ahead and threatening and
15 terrorizing people, hiding behind the name Sword
16 Brethren for a long time. I have in 2007 that he was
17 going to buy the name Ku Klux Klan and sue everybody
18 else here in order to be the undisputed Klan leader
19 and secede that and it's on Stormfront.

20 In December of 2007 or something like that,
21 here he is. He's paranoid as can be. He thinks
22 somebody is chasing him. He's threatening to have a
23 gunfight with the FBI and the rest. But he's an
24 informant for the FBI. I hear him talking about
25 informing on the Nimbusters and informing on me to the

1 FBI. We had jokes that, you know, the head agent in
2 charge of the FBI, Eric Trantor, was driven up the
3 wall by him by all of his foolishness.

4 But he goes ahead, here he is, you know, he's
5 threatened to come down 853 miles along with Matthew
6 Ott -- Matthew Ott. It don't matter here. I called
7 Matthew Ott a Zogbot. A Zogbot is an agent
8 provocateur.

9 And so here, here he is. Everybody is
10 wondering who he is. These people, Fink knows who he
11 is, knows who he is and still to this day Fink will
12 misspell his name, you know, B-R-I-A-N instead of
13 B-R-Y-A-N. And usually the spelling of B-R-Y-A-N
14 usually denotes Jewish heritage here as supposed to
15 B-R-I-A-N which is a normal French name.

16 But anyway, here he is threatening everybody
17 and doing all this sort of thing and everybody knows
18 who he is, including a character named Buck McCue.
19 And Buck McCue was definitely into playing Christian
20 Identity and the rest and what happens is that Buck
21 McCue isn't altogether honest and he goes ahead and
22 tells me everything about Bryan Reo except his name
23 and where he lives. He tells me he's working at his,
24 you know, he's studying job charro (sp) here.

25 Anyway, I go ahead and find out through Fink's

1 stupidity that guess who is Facebook friends with
2 William Fink? Bryan Reo. And I go ahead and take all
3 these pictures of Bryan Reo and he does not look
4 heterosexual and he does not look white at all. So I
5 go ahead and immediately give his name.

6 We have a big fight on Halloween with Eli James
7 and another Jew pretending to be a Christian Identity
8 pastor. And pretty well what the government has done
9 over the years is they can't get into organizations
10 like mine is where you have to be born or a made man
11 like myself here.

12 Over the years I have a riding bid and I have a
13 political bid. I've run for governor and senator and
14 all this sort of thing and generally if someone is
15 going to go ahead and do something major, they'll --
16 they'll let me know and then I'll go ahead and give
17 the take onto it here.

18 So the last couple of years it's been people
19 you've never heard of anything before who just, you
20 know, we call them lone wolves and I call them
21 lone-tards because that's essentially what they are.
22 They don't have a political -- they don't have a
23 political motivation. They just snap like a bunch of
24 idiots here.

25 So anyway, paradoxically, groups like mine are

1 very, very -- we advocate violence. We don't actually
2 do any because the question of it is is sociology
3 wants us to kill somebody specifically. My position
4 with Bryan Reo has been that, is to go ahead and let
5 him run wild and then use the excuse to pretty well
6 Chernobylize northeast Ohio and destroy millions of
7 people based upon what the judiciary lets Bryan Reo
8 do. So I'm not really too worried about all of these
9 Bryan Reo lawsuits but on the other hand, I have to
10 defend myself.

11 Anyway, so it goes on. I find out his name.
12 He takes down about 10 or 12 of my web pages. He
13 takes down the Nimbusters. He takes down Upstanding
14 Citizens when he was -- you know, the practice is that
15 normal non-white -- normal white Aryans like myself,
16 we don't get on homosexual -- we don't get on
17 homosexual posts and impersonate somebody, you know,
18 somebody else. I mean, I have a number of people who
19 were Jews and homosexuals and they've snitched him
20 out, too, here and he'd be working with them.

21 But anyway, I'd get a whole bunch of Bryan Reo
22 pictures which were of him. He claimed they weren't.
23 So we went on and on and on with the Digital
24 Millennium Copyright Act. What it boils down to is in
25 1998, Walt Disney, in order to --

1 THE COURT: Okay. Wait a minute.

2 MR. LINDSTEDT: Okay. It's the Digital
3 Millennium Copyright Act --

4 THE COURT: Stop a minute. Okay. This has
5 already been heard by another court. What I want to
6 focus you on today, okay, is this transfer that was
7 made to your sister. Okay? I want you to focus in on
8 that. All right?

9 MR. LINDSTEDT: Okay.

10 THE COURT: The issue for today is whether --
11 just a minute -- those temporary restraining orders
12 that were put forth by this Court were to preserve
13 that property so frankly, you won't get harmed, your
14 sister won't get harmed, the public won't get harmed,
15 Mr. Reo won't get harmed until we can have a hearing
16 on the merits of whether or not there was a fraudulent
17 transfer. Okay? That's all we're doing today.

18 So I'm going to make my ruling on that so this
19 is your time.

20 MR. LINDSTEDT: Okay.

21 THE COURT: He's testified about the judgments
22 that were received, how he filed them here, what the
23 law provides. They asked for the temporary
24 restraining order. It was granted. It was continued
25 at everyone's request. We're here today --

1 technically, I didn't even need to probably have a
2 hearing on it but I wanted you to have an opportunity
3 and you have through cross-examination weighed your
4 balancing of the equities on whether or not I should
5 let this property be able to be sold, encumbered or
6 anything else by Ms. Bessman, you or anyone else. So
7 it doesn't -- it's not in your interests and my best
8 interests, in my opinion, if those judgments -- there
9 is the first level of the judgments of the 104 --

10 MR. LINDSTEDT: \$105,400. For whatever reason,
11 the Aryan Nation of Missouri never had any property in
12 South Dakota. In fact, you know, the Church of Jesus
13 Christ Christian/Aryan Nations of Missouri don't have
14 anything other than what I've put --

15 THE COURT: But you had some property here,
16 right, through an inheritance?

17 MR. LINDSTEDT: I had an inheritance. I'm
18 trying to find out how he found out about it.

19 THE COURT: Well, he told you how he did.
20 Okay?

21 MR. LINDSTEDT: Well, I don't believe him.

22 THE COURT: Well, he testified that that's how
23 he found out and he's filed legal proceedings now.
24 Okay? So for today's purposes -- I appreciate the
25 background that you've just given me.

1 MR. LINDSTEDT: Okay.

2 THE COURT: Okay? And I'm going to weigh that
3 in my ruling but I don't want --

4 MR. LINDSTEDT: Okay.

5 THE COURT: -- to go any more further with the
6 underlying part of this lawsuit. That was for another
7 judge, another jury. I understand you're appealing
8 it. I get all that.

9 MR. LINDSTEDT: But in, you know, in Lake
10 County here, they're beginning to go ahead and he's
11 filed motions to strike. I mean, he goes ahead and
12 tries to blame me for the -- and he's the one who
13 keeps on -- he keeps on filing all this stuff here and
14 then I end up having to file counter stuff and it's,
15 you know, it's in that.

16 What happens is that I think that eventually --
17 I think that eventually Lake County -- Lake County is
18 going to be rather sorry they let him run wild, you
19 know, possibly because, well, you know, I have my own
20 court judgment against Lake County in Ohio.

21 But we come in there -- we come in there and we
22 get to, you know, here he is, he's filing all this
23 stuff here and I've made it quite clear that all of
24 his lawsuits and all that are bogus. He's not what he
25 pretends to be. He's been the aggressor. All I've

1 done is just defend myself and my property as best I
2 can.

3 THE COURT: All right.

4 MR. LINDSTEDT: And we get to --

5 THE COURT: I accept that.

6 MR. LINDSTEDT: -- here he is, he files -- he
7 filed something -- he files something in Missouri
8 based upon, you know, he claims supersedeas bond.
9 What happens in the state of Missouri? In the state
10 of Missouri, you know, I've run for United States
11 senator. I've run for governor. I have really caused
12 a lot of trouble for Missouri, a lot of trouble.

13 And so back in 2004, they decided to go ahead
14 and swoop down and buy and sell my grandchildren and a
15 year later they signed a -- accused me of statutory
16 sodomy. They claim that I kissed my grandson's penis
17 and --

18 THE COURT: All right. I'm not going into any
19 of that.

20 MR. LINDSTEDT: Okay. Well, he keeps on
21 yapping about how I'm a big child molester. That case
22 had to be dismissed because, A, it didn't happen and,
23 B, my retarded grandson decided not to, you know, lie
24 about it so the case had to be dismissed. He keeps on
25 yapping, you know, and this has been the same way.

1 You know, way back since I've known him, he's called
2 me a convicted child molester. I've called him a
3 crazed homosexual --

4 THE COURT: I need to know why --

5 MR. LINDSTEDT: Getting down there, here he is.
6 He's sending all this stuff here and it's August. And
7 then here he is, he goes ahead and buys that bogus
8 judgment, buys that bogus judgment and on
9 October 14th, he goes ahead and sends an e-mail,
10 ha-ha-ha, I'm going to get me some more money.

11 I go ahead and I've told him not that he had
12 done homosexual favors but that he ought to with the
13 Newton County judge. I called him glibs grinder Grady
14 Struggle here.

15 THE COURT: All right. So --

16 MR. LINDSTEDT: But anyway, I said maybe you
17 ought to go ahead and offer in the first case. This
18 is from -- this is from back in Lake County to where,
19 you know, he asked to continue the case and --

20 THE COURT: All right. The hourglass is up.
21 Get to the point.

22 MR. LINDSTEDT: I said he ought to go to Brazil
23 and go to the Magdalla Clinic to become what he always
24 wanted to be, a white woman.

25 THE COURT: Why don't you --

1 MR. KONRAD: Objection, Your Honor.

2 THE COURT: Yeah. I'm going to strike that.

3 MR. LINDSTEDT: Okay. All right.

4 THE COURT: What I want to focus you on is --

5 MR. LINDSTEDT: Okay. Moving on, here it is,
6 all this crap and what happens, by this time I know
7 better than to let this crap go on for another four or
8 five years in Lake County. I mean everybody, Bumble
9 Bee tuna, everybody drags it up to federal lawsuits,
10 you know. And he's fought the NRA and he's fought,
11 you know, tuna companies and he's gone ahead and filed
12 them all. He's a clever critter.

13 But what happens? Okay. Drag it up to federal
14 court just like the very first case. What happens?
15 Get the very first case, I learned to go ahead and
16 countersue all of -- Bryan Reo's father, his -- just
17 go ahead and sue all his counter defendants. Then
18 we'll have to go ahead and wander through the federal
19 case.

20 In the first federal case he plays the game of
21 refusing to ahead and tell how he's been damaged.
22 He's supposed to do -- he's supposed to go ahead and
23 show the damages in the initial disclosures. He does
24 the same thing; I don't have to give you -- in my
25 opinion, I don't have to do this, I don't have to give

1 you this disclosure. Then he goes ahead and files up
2 so-called admissions.

3 I go ahead and say, hey, I want the Rule 26
4 initial disclosures first. He's supposed to go ahead
5 and, you know, do the judge but he knows that the
6 judge, you know, he's violating the federal Rules of
7 Civil Procedure. So anyway, we go through that. We
8 go through all the motions to join.

9 In the very first case it won because the
10 federal judge did not want to hear this stupid crap.
11 There was no DMCA. He didn't want to go ahead and,
12 you know, deal with about 30 Bryan Reo co-defendants
13 or third-party whatever. And so what he does is he
14 says, okay, no DMCA. How do you have 76,000 for
15 diversity of citizens jurisdiction.

16 And Bryan Reo gets 20 days because he's a
17 magistrate judge and he asked for another 30. After
18 50 days he can't show how he gets -- how he gets,
19 what, \$76,000 and the case is dismissed.

20 THE COURT: All right.

21 MR. LINDSTEDT: He sent it to Lake County.

22 THE COURT: Let's talk briefly about this
23 exhibit you want me to consider.

24 MR. LINDSTEDT: Okay.

25 THE COURT: Because you're running out of time.

1 MR. LINDSTEDT: Okay.

2 THE COURT: Okay? You're asking me -- I'm just
3 going to help you out a bit because you're pro se.
4 And I'm not supposed to.

5 But he is trying to offer one exhibit.

6 And you indicated that it is a number of, it
7 looks like filings in another court.

8 MR. LINDSTEDT: Yeah. There's a lot more now.

9 THE COURT: And I believe some of these you've
10 also filed in this case in response. Okay. I mean
11 these are familiar to me and you've extensively
12 cross-examined Mr. Reo specifically about the
13 protection order. Okay?

14 So it looks to me that there is an index of
15 proceedings on one of them and then this extensive
16 Ohio filing in front of Judge Boyko and Parker, and
17 then as I stated, the ruling from Judge Lucci. So are
18 you asking to me to receive -- do you want to offer
19 this exhibit into evidence?

20 MR. LINDSTEDT: Sure.

21 THE COURT: Do you have any objection to the
22 Court receiving this exhibit and giving it the weight
23 and relevance that I feel it deserves?

24 MR. KONRAD: Your Honor, I know where the Court
25 is going with this. My position would be I've made my

1 objections as to what -- there are deficiencies.
2 However, I will not object to it to keep this matter
3 moving along so long as my objections are standing and
4 I'm not waiving my right to object to the same
5 document when we ultimately go to trial. So for the
6 limited purpose of this hearing, taking into account
7 the weight and the factors that you're going to
8 consider, I have no objection.

9 THE COURT: All right. So I am going to
10 receive your exhibit. I think you are trying to focus
11 me in on factor number two, the state of the balance
12 between this harm and the injury of granting the
13 injunction will inflict on other parties litigant,
14 which includes you and anyone else. So I think that's
15 where you're asking me to weigh this piece. In
16 addition to that, on the public interest in general.
17 Okay. So with that, I will receive it for that
18 limited purpose only.

19 MR. LINDSTEDT: Bryan Reo has not had -- he's
20 not had \$500,000 damage because I mistook his father
21 for -- you know, because I thought -- you know, I was
22 informed his father wouldn't be there and I thought he
23 was just another homosexual mongrel.

24 And then as far as his wife jumping up and down
25 here trying to get their attention and me republishing

1 a public Quora post here, he hasn't shown how he got
2 \$500,000 worth of damage. As far as, you know, the
3 two federal cases against him, he hasn't shown he has
4 any damages at all.

5 THE COURT: All right.

6 MR. LINDSTEDT: He wasn't able to prove it on
7 the first case and he's not able to prove it on this
8 case. He don't have any damages. If he would have
9 just simply done like he agreed after I found out his
10 true identity and left playing Christian Identity or
11 white supremacist forever, fine.

12 And the thing is, you go ahead and look at my
13 filings on my web page, on my church web page, there
14 are months where he didn't file any stupid crap in
15 Lake County. And that's why I've done it is that
16 pretty well, I've just simply filed his stupid crap
17 and then my stupid crap on, you know, on my web page.

18 And you know, more than likely a transcript is
19 going to show up, everything is going to go ahead and
20 show up. It all shows up on the web page. And that's
21 why, you know, I never threatened to shoot him or
22 drown his cat or, you know, Nimbusters did but I
23 didn't.

24 THE COURT: All right.

25 MR. LINDSTEDT: And pretty well everything I've

1 gotten around to filing is on the web page.

2 THE COURT: Okay.

3 MR. LINDSTEDT: And then getting down to here's
4 October. He's maliciously going and seeking a bogus
5 judgment and I find out that on the 14th of October,
6 like I said before here. And I confront -- next door
7 to me is a character named Ashley Edgemon. Granby,
8 Missouri, is very, very, very badly run. I ran
9 against him for south ward city council. Well, he got
10 20 percent of the vote but he ran off to Florida and
11 so there's that complaint about Granby and I'll have a
12 bunch of litigation about Granby.

13 But here he is, he's insinuating stuff in
14 there. I find out the night of Columbus Day and I've
15 heard rumors they're going to go ahead and come and
16 bulldoze down me and Roxy's and my nieces' and
17 nephews' property. I bought some -- you can buy
18 Granby property real cheap. I bought my house, you
19 know, the hovel that he's talking about. They call it
20 the hovel because that's what everybody called it, a
21 hovel. And pretty well it's a house over a hundred
22 years old but it came with a half acre of land. It
23 cost \$3,000 in 1987. Me and Roxy and my stepdaughter
24 lived in it for a long time.

25 And so his problem is that all the property is

1 held in common with me and Roxy and now she died but
2 really the hovel would be not worth more than 10,000.
3 I bought the place across the street for 5,000.

4 I mean, all this -- you know, so for three
5 years, three years, here he is, he's called me a child
6 molester. I've called him a crazed, homosexual,
7 militia Zogbot mongrel. And we go ahead and fight and
8 then he goes ahead and finds out from somebody and I
9 think it is the Olinger law firm or whatever working
10 for the Foundation for the Marketplace of Ideas, he
11 finds out that I have 1,800 acres. So here he is.
12 He's offering to let me have my \$20,000 hovel if I
13 would sign over the two-million-dollar property to
14 him, and that is so ridiculous.

15 But the next day -- the next day I get up and
16 they are bulldozing my grass and trees. Roxy is, you
17 know, is sick and I seriously considered shooting a
18 whole bunch of those Granby bastards. Not Bryan Reo
19 but a whole bunch of them. You know what I mean?

20 And then I get chased by my brother-in-law with
21 a chain saw. I mean it was -- it was the second worst
22 day of my life, October 15th. And because I have that
23 property, if I did shoot all these Granby bastards,
24 I'd lose the property because they'd keep suing me
25 after I shot them all, the survivors would.

1 So you know, who am I going to give my church
2 to? Well, am I going to give it to Aryan Nations? I
3 thought of doing that and I thought, nah, I ain't
4 going to do that and --

5 THE COURT: All right.

6 MR. LINDSTEDT: And then my brother, I wasn't
7 going to give it to my brother because he killed Mom
8 here and so --

9 THE COURT: Well, listen up here --

10 MR. LINDSTEDT: I tried to give it to my
11 sister --

12 THE COURT: Listen up. No. Listen.

13 MR. LINDSTEDT: Okay.

14 THE COURT: I don't want to pound this. Okay?
15 I gave you several minutes and it's run out.

16 MR. LINDSTEDT: All right.

17 THE COURT: So you've made your point.

18 MR. LINDSTEDT: I finally decided to give it to
19 my sister and then --

20 THE COURT: You gave it to your sister.

21 MR. LINDSTEDT: And she doesn't even know about
22 this critter. She's not -- she's not racist hardly at
23 all. She don't read -- you know, like I said before,
24 she got ruined by working for Newton County here.
25 She's not very racist at all. She'll listen to me.

1 She knows better than to argue with me but she didn't
2 know anything about it until, what, the end of
3 February, she was being sued by somebody and this, you
4 know, lawyer in South Dakota and what the hell is
5 this? And she was -- she was the director of my
6 church and Bryan Reo sued Roxy, who was illiterate,
7 bedbound, you know, all this sort of thing and --

8 THE COURT: All right. Finish it up.

9 MR. LINDSTEDT: I'm working on finishing it up.
10 What happens is that I don't tell her about, you know,
11 what's his name but, you know, she's no dummy. She
12 goes ahead and sees all that grass in there and she
13 sees I'm losing sleep and all that sort of thing. And
14 I beg her to take it here and she takes it but she
15 don't know anything about, you know, what's his name
16 here but she does see that. She decides to go ahead
17 and take it.

18 And you know, like I said before, it's a hell
19 of a revolutionary. It was two million dollars in a
20 ball-and-chain in land here who can't do what -- so I
21 got rid of it. I figured out -- I figured out I
22 wouldn't have to go through a title company because
23 she's on the estate. She's on the estate so I
24 wouldn't have to go through a title company.

25 She told me that she wouldn't give it to her

1 oldest son, who is a right worthless bastard and she'd
2 go ahead and give it to her second son, who I really
3 like here. But anyway, she would not transfer it.
4 She would not sell it. She would not do anything
5 here. It would be sitting in forever as far as she
6 stated to me here.

7 And what happens is that, well, on the day we
8 signed it --

9 THE COURT: All right. Very good.

10 MR. LINDSTEDT: She didn't know anything about
11 what's his name but like he claims here because -- but
12 anyway, you know, so pretty well once it was in there
13 here, I says well --

14 THE COURT: I'm giving you ten more seconds --

15 MR. LINDSTEDT: Okay.

16 THE COURT: -- and you're stopping.

17 MR. LINDSTEDT: I'm going to do my thing, you
18 do your thing. You hire whatever rascal lawyer you
19 want here and we'll just leave it done here. So
20 pretty well my position is that, you know, she doesn't
21 know anything about it but --

22 THE COURT: Okay.

23 MR. LINDSTEDT: -- what happens is that this,
24 you know, this case, you know --

25 THE COURT: I understand.

1 MR. LINDSTEDT: There's a lot of cases that are
2 absolutely worthless. You know, he hasn't been
3 harmed. All he's done is just caused me and my church
4 a lot of trouble and grief. And I just simply don't
5 want -- I don't want that property. I have no
6 intention of ever paying him.

7 I went ahead and got a \$400,000,000 judgment
8 against the State of Ohio. Pretty well, you know,
9 they said that they're above the law and I'm saying is
10 that, well, hey, one nuclear power plant -- Bryan Reo
11 blames me for getting him fired at the North Perry
12 Nuclear Power Plant --

13 THE COURT: All right.

14 MR. LINDSTEDT: -- because of my web page.

15 THE COURT: I understand your arguments. Okay?
16 So Mr. Konrad, did you have any cross?

17 MR. KONRAD: I don't have any cross. I have
18 closing argument.

19 THE COURT: Okay. All right. So thank you for
20 that testimony.

21 MR. KONRAD: The only thing I would ask, I
22 forgot to. We kind of moved into it quickly. I did
23 not formally rest yet so I just wanted to double-check
24 that I have -- that the Court has marked and received
25 Exhibits A through J. I just want to make sure I

1 didn't forget anything. I think you have them but I
2 always double-check before I rest.

3 THE COURT: And I believe at the break when
4 Mr. Reo was still on the stand we went through that I
5 had -- yes, those are all marked, offered and received
6 and so they're in.

7 And the other exhibit which I have, number one
8 of the Defendant's exhibits, those are all of the
9 exhibits.

10 MR. LINDSTEDT: I went ahead and read -- I went
11 ahead and used some of his exhibits --

12 THE COURT: Yes, you did.

13 MR. LINDSTEDT: -- like H or something like
14 that to make my point.

15 THE COURT: And that's totally appropriate.
16 Yes, you did and I told you that I would weigh your
17 commentary as part of your testimony. Okay?

18 MR. LINDSTEDT: Well, I didn't say anything new
19 that ain't on the web page.

20 THE COURT: All right. So with this, I'm going
21 to give you each five minutes and I'm going to hold
22 you to it, okay, to summarize. So you got five
23 minutes, each of you, because I gave you extensive
24 opening arguments. So I'm going to have you -- you
25 have five minutes so do you want another break?

1 Mona, are you all right?

2 COURT REPORTER: No, no, let's go.

3 MR. KONRAD: Your Honor, that's fine. Whatever
4 time frame is fine. Your Honor, I don't ask for much
5 today. I would like to do this without interruption.

6 So I will not interrupt you. You don't
7 interrupt me. Deal?

8 MR. LINDSTEDT: Deal.

9 MR. KONRAD: Your Honor, there's been a lot of
10 testimony here today, some relevant, some irrelevant.
11 I think the biggest place where we're just diverging
12 is Mr. Lindstedt is making a collateral attack on the
13 judgment that through all his statements at the end of
14 the day, he's produced no document that says the
15 judgment is not valid.

16 The Court can take judicial notice of the file.
17 Mr. Reo has a valid \$105,000 judgment and change. I
18 view Mr. Reo as a present creditor and a future
19 creditor. Listen to the way -- I mean, he's got
20 pending claims in Ohio based on libel, slander,
21 tortious interference, all kinds of torts related to
22 these types of statements that are being made.

23 He's alleged that, you know, he's made threats.
24 He doesn't -- he doesn't want to -- he doesn't want
25 actual violence but he does advocate for violence.

1 That's the distinction that he made.

2 He repeatedly refers to my client, as you've
3 heard today, a mongrel, a homosexual, he's not even
4 remotely white. Whatever it is. I mean, the reason I
5 kind of let some of that stuff go and didn't object as
6 much as I wanted to is it really gives the Court a
7 good taste of the individual we're working with.

8 If you were a practicing lawyer in a state and
9 somebody was making comments like that against you and
10 putting it on a website about you and your business,
11 do you think you'd have a successful tort claim?
12 We've already got one.

13 This is the fifth lawsuit. He won the first
14 one handily. Mr. Lindstedt is appealing that case
15 because, in his words, there was a nigger on the jury
16 so he doesn't -- he doesn't think that's a valid
17 judgment. So that's partially one of the things
18 that's being appealed.

19 So if the Court wants a taste of where this is
20 going and the likelihood to succeed in Ohio, he's
21 already won one and he's got two more on the way. And
22 if you think what he said about Mr. Reo was bad, you
23 should hear the stuff that he tells about Mr. Reo's
24 wife and his father.

25 That's where Mr. Reo really takes offense to

1 this. He's a grown man. He can handle it. But when
2 he starts attacking his family, he does get upset.
3 You could tell that a little bit on the stand today.
4 He doesn't mean anything by that but he's upset.

5 At the end of the day, what happened here, and
6 I'm glad that he took the time to go through it, but
7 in the end, and this is just in the last ten minutes,
8 he admits that he has transferred a two-million-dollar
9 piece of property for nothing. He did this four days
10 after he had the worst day of his life where he
11 considered shooting those Granby bastards. He gave
12 the property to his sister. She's not a dummy. He in
13 fact begged her to take that. If you look at the
14 pleadings, that's also in the writing. She decided to
15 take it and he referred to it as a two-million-dollar
16 ball and chain.

17 And what I submit to the Court is that the ball
18 and chain part of this is he finally figured out that
19 you can't just go around the country blasting people
20 on a website and not expect to have to pay for that.
21 And by having that asset that was tucked away in South
22 Dakota, which my client lawfully figured out about,
23 one, because he's crafty, number two, because he's
24 smart and number three, because he knows the rules, he
25 figured it out. He properly filed the judgment and

1 that's why we're here.

2 It doesn't matter what Ohio is going to do. I
3 disagree to some extent with the Court. I don't see
4 how what is transpiring in Ohio has any matter.

5 We've talked a lot about supersedeas bonds and
6 whether or not that has some bearing on whether or not
7 that can stay something. A supersedeas bond can stay
8 execution of a judgment. We're not talking about
9 executing on a judgment. That's not what our claim is
10 for. In fact, if you look at our prayer for relief,
11 we're actually asking for return of the property.
12 That's not an execution of judgment. That's undoing a
13 fraudulent transfer.

14 I'm not going to rehash -- well, let me finish
15 up that point. The fact that there's been no
16 supersedeas bond has been admitted. There's been no
17 evidence that there has. And anybody that knows basic
18 civil appellate procedure knows that you have to have
19 a supersedeas bond. We all know that. He has not
20 posted it. It's a valid judgment. It's recorded in
21 South Dakota. Mr. Reo has pending cases and he also
22 has the judgment that he purchased in Missouri.

23 The last question I'll ask the Court is, how
24 many times did you hear today that this litigation is
25 never ending? Both sides said that it's never ending.

1 It's never ending because Mr. Lindstedt can't shut his
2 mouth and Mr. Reo isn't going to take it so when he
3 slanders him and libels him, he's going to sue him.
4 And that's probably going to continue until
5 Mr. Lindstedt is out of money.

6 And unfortunately and fortunately, he's got a
7 two-million-dollar asset. He could have done a lot of
8 good with that two million dollars but instead, he's
9 prided himself on being a racist. He prides himself
10 on inciting violence. He hates Jews. He hates
11 blacks. He hates anything that isn't exactly like him
12 and that's where his money goes to. That's what he
13 spends his money on.

14 THE COURT: Thirty seconds.

15 MR. KONRAD: I'll address you to the factors
16 that the Court is supposed to consider. Number one,
17 likelihood of prevailing. I think it's a virtual
18 certainty that Mr. Reo will prevail on a fraudulent
19 transfer.

20 When it comes to whether or not there will be
21 irreparable harm, nobody in the public needs to be
22 buying this piece of property because if they do,
23 they're going to get sucked into a big problem. This
24 piece of property will be litigated and I don't think
25 people know about. If it's transferred, it's going to

1 be harder to get back. If it's encumbered, we're
2 going to have banks and innocent people that might
3 lose money if they choose to buy or otherwise invest
4 in this property.

5 And I'm going to ask for an extra minute. I'm
6 going through the factors quickly.

7 The next one is the scales of equity tip, not
8 are wholly on my client's side but tip in my client's
9 side. To me that's a preponderance type argument.
10 And in my opinion, Your Honor, I don't think in the
11 world of fairness -- I don't think in the world of
12 fairness that it makes any sense to allow
13 Mr. Lindstedt to do what he's done to Mr. Reo in this
14 case. Essentially when there's a motion to compel
15 discovery and your response is ha-ha, I no longer own
16 anything, I don't think that sounds fair at all. So
17 I'm going to make the argument to the Court that I
18 think at a bare minimum the balance of equity tips in
19 my client's favor.

20 Lastly, the factor is whether or not this is in
21 the public interest. I've touched on that a little
22 bit. I tend to agree with the Court that I think it's
23 in Mr. Lindstedt's best interests as well because if
24 the property isn't allowed to go anywhere, he might
25 actually have something that he can actually use to

1 pay my client for all the bad-mouthing that he's done.

2 So for those reasons, Your Honor, I would urge
3 you to look at the factors as to whether or not there
4 was intent. It was to an insider; it was to his
5 sister. It was just days after this debt was incurred
6 and it was for zero dollars.

7 The last statute I would point you to is
8 43-4-22. If you look at the deed in Exhibit I, you
9 will see that this was an exempt transfer. If you
10 read that statute, the exemption is for where there is
11 a transfer that is "an absolute gift without
12 consideration of any kind."

13 This man to my right transferred all of his
14 property that he owned -- he said the rest of it isn't
15 worth fifty grand. He transferred everything that he
16 owned on a gift four days after a discovery response
17 by my client. To me that is not only a likelihood of
18 prevailing but I think it's the kind of case that
19 ought to belong in a law school textbook on what a
20 textbook fraudulent transaction is.

21 I think my client wins it on both intent and
22 non-intent reasons. I think we've made that showing
23 today and I would ask that the Court grant the
24 preliminary injunction.

25 THE COURT: All right.

1 MR. LINDSTEDT: I'm going to --

2 THE COURT: Hang on a minute. I'm timing you
3 as well. I'll give you equal time.

4 MR. LINDSTEDT: Okay. But give me extra
5 time --

6 THE COURT: I am. You got an extra three
7 minutes, in fairness.

8 Is that okay?

9 MR. KONRAD: That's fine.

10 MR. LINDSTEDT: All right. You know, I've been
11 fighting with Bryan Reo for, well, 2009, I didn't know
12 it but I went ahead and found out what he was doing in
13 2010. He was terrorizing people based upon anonymity
14 here.

15 The problem is he can't go to an organization
16 like myself. I couldn't -- I couldn't get into a
17 militia because, well, I knew people but you have to
18 be pretty well, you know, impeccable breeding and the
19 rest here is, pretty well, I'm not really a Nazi. I'm
20 more like a Klansman and if I lived in 1865, I would
21 have, well, I would have been where I am here.

22 What happens is that here this creature is. He
23 can't fit in. He can't fit in what he wants to be in
24 real life so he goes ahead and gets on the Internet
25 and he terrorizes people, terrorizes people while he

1 is hidden. And I go ahead and I devote my time to
2 finding out -- that's what he said in his lawsuit -- I
3 dedicate who I'm finding out.

4 Guess what? He's no longer threatening to go
5 ahead and shove a spear down some Greek mongrel
6 woman's, you know, head because she's making fun of a
7 a Jew pig who murdered a Puerto Rican sneak thief in
8 New Jersey and went ahead and betrayed a whole bunch
9 of people.

10 I tell everybody who is young and white, don't
11 get involved in what I got involved unless you are
12 either born to it or something like that. I'm a
13 dedicated person to what I'm saying.

14 Right now this character is pretty well just
15 like the very last days where it said, you know, in
16 Daniel, Chapter 2, that they would mix the seed of
17 man. To me this is a satanic government and the only
18 way to solve it is for 80 percent of the population
19 which is worthless to die when it collapses. And I'm
20 happy as hell because it's happening now.

21 But this character, here he is. I found out
22 who he was and guess what? Well, will you stop
23 talking about me? He did the same thing with Dicky
24 Barrett. Dicky was a lawyer up until he got killed
25 here by a Negro homosexual he was hitting on in 2010.

1 So he comes in here and he sneaks back in and
2 he's bringing in all these Jews and mongrels
3 pretending to be one of us over the Internet and I
4 find out who he is. And what does he do? He's going
5 ahead and using, you know, he's part of the Foundation
6 for the Marketplace of Ideas, a white supremacist
7 group.

8 These people who are on the Board of Directors,
9 they're responsible for Charlottesville. People like
10 me said don't go and don't show your faces. What I
11 tell people when they're doing that here, go ahead and
12 see what the hell they are and look for Lake County or
13 Newton County or Stanley County geldings and walking
14 wombs. Don't go ahead and show your face unless you
15 are someone who's already known for being what you
16 are.

17 So anyway, here I am. He's whining about his
18 family. What happens is that I thought his father
19 wouldn't be there. I heard, don't show up here
20 because, well, you know, he was playing lawyer for
21 Bill Fink and his daddy and avoiding, you know, legal
22 services here. I got it on my web page. So I didn't
23 think his father would be there and I seen another
24 mongrel sitting next to him and I see his wife jumping
25 up and down like a fool trying to get their attention.

1 And you know, obviously, there's no -- I don't think
2 anything whether the two mongrels were having sex with
3 her, you know.

4 But anyway, I go ahead and reprint a public
5 Quora quote and he's going ahead and he's taking that
6 down. That's his intent to deceive.

7 And throughout the entire time what he does is
8 he files these lawsuits here, then refuses to go ahead
9 and give the initial disclosures required by Rule 26,
10 mainly the damages. How do you get 500,000? The very
11 first one was 10.75 million. He can't even prove
12 \$75,000 worth of damage.

13 I go up to Lake County and it drags on and on
14 and on for four years. He goes ahead and -- he goes
15 ahead and, okay, I got to go visit -- I got, you know,
16 for whatever reason, his lawyer goes ahead and does it
17 here. What happens is that I asked for a continuance
18 to go ahead and grant, you know, make sure his father
19 is in there.

20 He's whining about his family. It's just,
21 what, three posts about him divorcing his wife. I
22 went ahead and closed that thread and locked it down.
23 Everything, everything that he's whining about is on
24 the public forum.

25 And he's talking about a textbook case here?

1 What you have -- and this is why I went ahead and told
2 Lake County, you're a kangaroo court. You're driving
3 a Klansman and Aryan Nations pastor 900 miles away and
4 it's Bryan Reo v. The Church of Jesus Christ
5 Christian/Aryan Nations of Missouri and you are suing
6 my poor, fat wife who's been bedbound for 60 years and
7 she can't defend herself and my church can't defend
8 herself.

9 Well, I got -- I got -- I got, you know, I got
10 news for those of you who sit in judgment upon us and
11 we cannot defend ourselves. We will have our own
12 court and you will not like the results. I've gone
13 ahead and said that that trial in Lake County
14 justified everything that Adolf Hitler did against the
15 Jews because guess what? He didn't let them defend
16 themselves.

17 It's just a matter of time to where here you
18 lawyers are and you go ahead and you seek something,
19 just like him, you go ahead and you seek to get it
20 here. And literally he goes ahead and files a motion
21 at 9:00 and you grant it the next day.

22 And so as a result here, someone like myself
23 who is looking forward to what's happening, we sort of
24 like it here. I thank my sister. She's not no fool.
25 She didn't know about what's his name here but she did

1 see the tore up, you know, tore up earth here and so,
2 sure. And I said you saved my life for at least
3 another six months.

4 Roxy was illiterate. She had a three -- and
5 then they go ahead and they didn't have the decency to
6 not go after her and now they're rethinking what
7 they're doing in Lake County. This Judge Lucci has
8 seen Bryan Reo before and his bogus TCPA lawsuits here
9 and the federal judge does it here.

10 And the same thing is what I do, is I go ahead
11 and drag in Kyle Bristow and Brett Klimkowsky and they
12 don't show up. In the case of Kyle Bristow, I think
13 he's probably white but he may have some Jew. He's a
14 twisted character.

15 But this is the most evil creature I've ever
16 seen in my entire time and here he is going ahead and
17 doing all this stuff and I don't really care.

18 THE COURT: All right. You have a one-minute
19 warning. I gave Mr. Konrad a warning --

20 MR. LINDSTEDT: Yeah, but then you gave him
21 more than one minute.

22 THE COURT: No, I gave --

23 MR. LINDSTEDT: Pretty well the way you're
24 doing here is that succeed on the merits here? He
25 could have gone ahead and left but he chose not to.

1 He chose to go ahead and every single time he has a
2 chance to cause me trouble, he does so.

3 Irreparable damages? He couldn't -- he
4 couldn't explain what, five, six years ago how he had
5 \$75,000 damages. He had 50 days to do so. He
6 couldn't prove that.

7 Balance of equities? I'm not quite sure about
8 that but, hey, my sister has told me that she has no
9 intention of selling that property. None at all. And
10 I believe her.

11 Public interest? What you're going to have is
12 that I'm looking forward to this civil war. I'm
13 looking that -- you know, someone like Bryan Reo, the
14 reason I tell people to not harm Bryan Reo is that
15 that's the excuse to go ahead and kill two hundred
16 million Jews and mongrels and Negroes. It's a perfect
17 reason to go ahead and do that here.

18 So that what happens is that he's sort of like
19 the Antichrist; he commits the sins and then --

20 THE COURT: All right. You're over. Wrap it
21 up.

22 MR. LINDSTEDT: Okay. To wrap it up here, he
23 commits the sins. What happens is these judges and
24 lawyers -- you know, I'll go ahead and tell the story,
25 I keep on telling the story is that we've had this

1 sort of thing occur --

2 THE COURT: You have 30 seconds. Okay?

3 MR. LINDSTEDT: Okay.

4 THE COURT: You're going over.

5 MR. LINDSTEDT: The crime of Sodom and Gomorrah
6 wasn't sodomy. The crime of Gomorrah was that they
7 would go out to the -- you know, and go ahead and kill
8 and murder under color of law. And what happens is
9 the sins of man -- (inaudible) -- judge you. I would
10 say the states of Ohio, South Dakota and Missouri have
11 nothing on Sodom and Gomorrah. What happens is that
12 they don't just throw half -- (inaudible). They go
13 ahead and pull me 900 miles to go ahead and defend my
14 property which is my inheritance from this crazed
15 homosexual mongrel.

16 THE COURT: All right. That's good. All
17 right? The record should note that I did give you
18 even more time than I gave Mr. Konrad. Okay? So calm
19 down. Let's not have a heart attack. Okay?

20 MR. LINDSTEDT: I don't think so.

21 THE COURT: All right. Very good. Well, first
22 off, I haven't entered any orders other than when I
23 inherited the case I did extend time to you because
24 your significant other was very sick and you'd asked
25 for that extension --

1 MR. LINDSTEDT: Well, she died.

2 THE COURT: -- and I was happy to give you that
3 and I'm sorry for your loss. I really, truly am.
4 It's very hard to lose someone that you've cared for
5 your whole life.

6 So those temporary restraining orders were
7 entered so the property would remain as is and not be
8 able to be encumbered. And I'm glad that you state
9 your sister does not intend and has no intention of
10 selling that property right now because it would be in
11 violation of the restraining orders that have been
12 entered. Okay?

13 MR. LINDSTEDT: She didn't know about --

14 THE COURT: It's my turn. It's my turn now.

15 MR. LINDSTEDT: All right.

16 THE COURT: And she is not objecting to the
17 preliminary injunction being entered. Okay? So she
18 is agreeing that the Court should do that. And you
19 have confirmed that with that being her intention
20 stated to you as well.

21 MR. LINDSTEDT: That's what she said.

22 THE COURT: So I'm going to rely for my ruling
23 on Hedlund v. River Bluff Estates, 908 N.W.2d 766 and
24 also Dacy v. Gors, 471 N.W.2d 576, 1991. Basically
25 what the Court needs to determine and weigh are the

1 four factors as stated. The two cases have the same
2 four factors, they're just in different orders.

3 So in going with the more recent case in
4 Hedlund, the issue is the Plaintiff, who is Mr. Reo,
5 seeking a preliminary injunction must establish that
6 he is likely to succeed on the merits. On the merits
7 of what? On the merits of whether or not this was a
8 fraudulent transfer. Okay. So we're still going to
9 have that hearing on the merits another day. Okay?
10 So that could change when we have the actual hearing
11 but for right now -- it's my turn to speak. Okay?
12 For right now, that's what I have to weigh.

13 Given what I've heard today, I'm referring to
14 the statutes in chapter 54-8A-4 and the sub-points.
15 That is whether it's actual intent or implied intent.
16 Some of the things that the Court should consider
17 under that is the transfer is made or incurred by a
18 debtor is fraudulent as to the creditor and whether or
19 not the creditor's claim arose before or after the
20 transfer was made or the obligation was incurred; if
21 the debtor made the transfer or the obligation, one,
22 with the actual intent to hinder, delay, defraud any
23 creditor or debtor and then there was the "or" section
24 in sub two.

25 In determining the actual intent, which the

1 Plaintiff does not state he has to prove, in
2 determining though if it is actual intent of this
3 section, consideration may be given among other
4 factors to whether, one, the transfer of the
5 obligation was to an insider. It was an insider,
6 preliminary to his sister.

7 Two, the debtor retained possession or control
8 of the property transferred after the transfer. Well,
9 it's questionable. He, by his own statements, has
10 stated that he is no longer the owner of that
11 property. It is not in his best interests, should
12 this be money that he is ultimately due and owing
13 beyond the \$105,040, I believe was the amount, that it
14 actually would serve to not protect him if he were to
15 say I no longer have that property.

16 And the whole crux of the matter is to not
17 allow that transfer to the sister because there would
18 be nothing for the Plaintiff to levy on if that was in
19 fact hers. So the whole crux of this case is that it
20 was an invalid, fraudulent transfer. That is the
21 allegation.

22 In that statute, it was made in a very short
23 time after there had been either some discovery or
24 some requests that were made for the assets, which was
25 appropriate type of filings to be determined to be

1 able to get his judgment fulfilled and that transfer
2 came a short time within that occurring.

3 In addition to that, basically he would have
4 had that asset and by this transfer his assets and his
5 value went to zero and there would be no other assets
6 available for the Plaintiff to levy on.

7 In weighing several other factors and
8 testimony, I understand that there was a temporary
9 protection order entered in one matter and then a
10 second temporary protection order entered but the
11 permanent protection order was denied.

12 I understand the litigation that's been going
13 on between the parties for some time and it goes back
14 and forth and goes back and forth. But the point is
15 there was a judgment that was entered out of the state
16 of South Dakota and validly filed in this court. And
17 I am taking judicial notice of 58CIV19-35, where he
18 appropriately docketed that foreign judgment as noted
19 and I believe it was Exhibit J, and that was for the
20 amount total of one in \$400 and one in the amount of
21 \$105,000 and that was served on the Defendant.

22 I'm also taking note of the deed that I believe
23 was a certified, self-authenticating document in I,
24 which supports the Court's conclusion as to the filing
25 of that Warranty Deed to Ms. Bessman as revocable

1 living trust trustee of that revocable living trust.

2 And I would find that the question is, is there
3 a threat of irreparable harm to the movant? The
4 movant is the Plaintiff and this asset would threaten
5 his ability to collect on the judgment which has
6 already been entered to at least the tune of \$105,400.
7 There would be nothing left if this transfer -- if
8 this preliminary injunction were not granted and he
9 could be harmed by not having that asset available.

10 In addition to that, in balancing the harm
11 between the movant's harm and the Defendant's harm,
12 actually, I feel as I stated earlier, it could harm
13 the Defendant by not having anything available.
14 Possibly depending on how these other cases come out,
15 he might even get some money back. I don't know that
16 he can be unjustly enriched for an invalid transfer.

17 Just hypothetically, if it's just at 104, I
18 don't believe you get the full two million but I don't
19 know that without further research so I don't want you
20 being harmed either.

21 So in addition to that, I'm very concerned
22 about if this property is allowed to be encumbered or
23 in any way allowed by a third party to become into
24 having some sort of legal interest in this, this could
25 really mess up that innocent party's ability and put

1 this matter into litigation for years to come.

2 If there were an innocent person that would
3 come forward and somehow get legal title to this and
4 it were later proven that this was in fact a
5 fraudulent transfer, this property's title could be
6 messed up to the detriment of those folks in the
7 future and would be very difficult to undo and clean
8 up the title again.

9 In addition to that -- so therefore, in the
10 public interests, this preliminary injunction will
11 protect future buyers, transferees, financial
12 institutions or other unknowing persons that could be
13 injured by a result of the Defendant's not disclosing
14 the fraudulent nature of this transaction that
15 occurred back in October of 2019. So in weighing
16 that, the Court is extremely concerned about that.

17 It's my understanding at this point as well
18 that if I do not grant this preliminary injunction, it
19 could be of concern that either the Defendant or
20 Ms. Bessman could engage in other transfers to the
21 property which again would actually prevent possibly a
22 valid judgment creditor to get and have his foreign
23 judgment satisfied.

24 In addition to that, the Plaintiff could be
25 irreparably harmed should the Stanley County land be

1 transferred, as I stated, to a bona fide purchaser in
2 good faith and for value and that kind of irreparable
3 harm to either the individual purchasing it or the
4 financial institution that might assist the person
5 with that purchase would be a serious, serious harm.

6 The pleadings and Pastor Lindstedt's statements
7 to the Court today and in the pleadings was that he
8 intentionally did give this property or get the
9 property to his sister and basically it has made his
10 assets almost penniless because he's got maybe his own
11 personal home left as an asset.

12 There has been a history of these pleadings
13 that bringing in third parties that have occurred in
14 the other jurisdictions and there has been a jury that
15 has heard the matter in Ohio. The judgment is valid.
16 It's been validly docketed and it's the Court's belief
17 that if I do not grant this preliminary injunction,
18 again, the Plaintiff would suffer immeasurable and
19 irreparable harm due to the mess in the state of the
20 title if this land were encumbered in any way, shape
21 or form.

22 Therefore, in balancing the harm to
23 Mr. Lindstedt, to Ms. Bessman, to Mr. Reo, it does tip
24 to the Plaintiff in his interests in this matter and
25 being allowed to prove at another hearing on the

1 merits whether or not that was a fraudulent transfer.

2 I believe that there is a great probability
3 that he could and will succeed on the merits given the
4 statements that were heard in my presence today under
5 chapter 54-8A under the several grounds that were
6 noted to the Court, 1, 2, 4, 5, 8, 9 and 10.

7 That transfer of the real property occurred
8 under 54-8A-6(1) once it was filed with the Register
9 of Deeds. And I received a certified copy of that.

10 He has already prevailed in the state of Ohio.
11 It's in not only his interests -- and now I'm
12 repeating myself -- but his interests, those of his
13 sister, Ms. Bessman, Mr. Reo and Pastor Lindstedt to
14 have this preliminary injunction issued. And it will
15 remain in force and effect until we actually schedule
16 a trial on the merits of this fraudulent transfer.

17 And I'm not sure if you're waiting for some of
18 those preliminary matters to be heard regarding the
19 summary judgment motions that are pending on those
20 other two files. If that's denied, I suspect there
21 will be another trial over there. If it's granted,
22 then we'll probably have the trial on the merits of
23 this transfer sooner than later is how I'm seeing this
24 lawsuit.

25 So it's going to sit there and be there for all

1 the parties concerned until all these moving parts can
2 come to a halt and then we'll decide whether this
3 property will be fulfilled and utilized to deal with
4 the judgments that you've secured. There's \$105,400
5 right now that's there.

6 I don't know where the other lawsuits are going
7 and this is available for those and if not, it's to
8 the point of, I assume, the \$105,400 and possibly any
9 pre- and post-judgment interest in other matters that
10 they've asked for. That's not for me to determine
11 today. I'll determine that when we have a hearing on
12 the merits. Okay?

13 MR. LINDSTEDT: And that will be after --
14 excuse me -- that will be after -- pretty well, there
15 is litigation on appeal as well. They may very well
16 say -- but pretty well he don't have a case, you know,
17 on appeal and that's, you know, what happened is it's
18 set for oral argument on October 14th.

19 THE COURT: Well, they have not moved to have
20 this hearing on the merits yet even though I do
21 believe that you did need to post a supersedeas bond.
22 Regardless of it, they haven't moved to set the
23 hearing on the merits of this yet. Okay? So it's
24 going nowhere until we actually hear the merits.
25 Okay? So even though you haven't posted that bond,

1 they haven't technically asked that property to be
2 utilized at this time.

3 MR. LINDSTEDT: I don't have --

4 THE COURT: I know you don't.

5 MR. LINDSTEDT: I don't have the money. What
6 happens is that in 2000, Pastor Richard Butler did the
7 same thing to where he had a six-million-dollar
8 judgment against him. He didn't have the money and
9 they pretty well just tore away and they took away his
10 property and that's created quite a stir here.

11 THE COURT: Well, this is all holding, as I can
12 see it. The temporary restraining order was there and
13 it was only good for a short time, 60 days. Now this
14 is somewhat more permanent until we can get on my
15 calendar and have it heard on the merits.

16 Nobody has set that date yet. I'm guessing
17 you're waiting for a few things to occur over there.
18 Technically they could set this hearing up now and get
19 it set because that supersedeas bond is not there.
20 But for right now this holds everything in place and
21 as a party, you will be noticed of any future
22 proceedings.

23 MR. KONRAD: Correct.

24 THE COURT: And right now they've not asked me
25 for a hearing on the merits so it's going to sit there

1 safely, as I see this, until that time and you would
2 get notice of that, you and your sister.

3 MR. LINDSTEDT: Do I have a right to appeal
4 your decision?

5 THE COURT: To appeal this decision? Yes.

6 MR. LINDSTEDT: How many days?

7 THE COURT: I would say 30 to be safe.

8 MR. LINDSTEDT: Thirty days. All right. More
9 than likely I will appeal. My sister -- my sister,
10 she's gone ahead and paid him \$5,000. She pays him
11 \$500 a month and she -- her and I usually don't see
12 eye to eye on practically anything.

13 THE COURT: Well, that's being a sibling.
14 Okay?

15 MR. LINDSTEDT: Well, she knows better than to
16 argue with me.

17 THE COURT: Well, you've got 30 days to appeal
18 this decision, yes.

19 And Mr. Konrad, is there anything in this
20 record that I'm remiss in addressing?

21 MR. KONRAD: Judge, and this is just a
22 clarification. I'm not nitpicking but you indicated
23 that this will -- this preliminary injunction will go
24 until a trial is started but actually I would ask that
25 this be in effect until the trial is concluded. I

1 mean I know it's a distinction without --

2 THE COURT: Oh, yes.

3 MR. KONRAD: But I think it goes until there's
4 another order of the court would be a better way of
5 saying it.

6 And then as far as future scheduling, I mean,
7 like you pointed out, we'll reserve the right to move
8 this matter forward when we deem appropriate.

9 I would ask that the Court prepare written
10 findings of fact and conclusions of law. I can draft
11 a preliminary set for the Court. I would ask for a
12 little bit more time than usual because we have that
13 trial coming up on the 15th and I really got to get
14 cranking on that.

15 THE COURT: All right. So you want to appeal
16 so --

17 MR. LINDSTEDT: I'm going to appeal.

18 THE COURT: And you have that right. So what
19 I'm going to do is order him to draft appropriate
20 findings and then I'll look them over and make sure
21 they're correct and then you'll have that to appeal
22 from. Okay?

23 MR. LINDSTEDT: So you don't -- so you're
24 waiting for him to draft something which you will look
25 at, maybe modify and then I have 30 days from when you

1 decide or not to decide --

2 THE COURT: That order.

3 MR. LINDSTEDT: -- to file that appeal.

4 THE COURT: Yes.

5 MR. LINDSTEDT: How much does it cost for an
6 appeal?

7 THE COURT: Well, I don't know any of that part
8 but I will tell you this. He will give me the
9 findings. He will send those findings to you and --

10 MR. KONRAD: You'll get a copy of what I send
11 to the judge.

12 MR. LINDSTEDT: Okay. Well, send it to me also
13 by paper.

14 THE COURT: Certainly.

15 MR. LINDSTEDT: The problem I've had is that
16 here he is, it's, you know, it's ten minutes to the
17 end of the close of filing season. What happens is it
18 takes -- it takes, what, four or five days and then
19 even when I send it like in March, you never filed it
20 until --

21 THE COURT: Here's how it's going to work since
22 you're not an Odyssey filer. He'll be sending those
23 to me. You get three mailing days and then I start
24 the count. And what is it? Ten or fifteen days that
25 you've got to respond and then I'm not going to sign

1 an order probably until then. Okay? That's the way I
2 view that. So the first day won't count. You get
3 three mailing days --

4 And I think it's ten days, isn't it?

5 MR. KONRAD: I mean, if the Court wants, I can
6 advise him of the right -- I mean I can include appeal
7 advisement language in the final order.

8 THE COURT: If you would.

9 And then you'll be on notice as well because I
10 usually count those by the statute so you have time to
11 respond.

12 And then once I have that signed order, that's
13 what starts his time running on appeal to the South
14 Dakota Supreme Court.

15 MR. KONRAD: My review, I've appealed one of
16 these before. In fact I argued the last preliminary
17 injunction appeal before the Supreme Court and it is
18 30 days from the entry of the order on the final
19 judgment so we're a ways from that.

20 THE COURT: So when you --

21 MR. LINDSTEDT: So it's 30 days from the entry
22 of the final judgment.

23 MR. KONRAD: Correct.

24 THE COURT: Right, and if I sign --

25 MR. LINDSTEDT: And in Missouri I have a -- I'm

1 not sure about civil case but right to new trial,
2 right to new trial or, you know, set aside the verdict
3 or something like that; correct?

4 THE COURT: Well, the Supreme Court will review
5 this and it depends on how they rule whether it's
6 redone or not.

7 MR. LINDSTEDT: Well, I don't really know very
8 much -- I know quite a bit of -- I know quite a bit of
9 Missouri law and now, thanks to him, I know quite a
10 bit of Ohio law.

11 THE COURT: All right. Well, and here's what,
12 I'm just going to tell you that he's going to submit
13 those findings and an order and it will state in there
14 how many days you have to appeal. And so when you see
15 me signing an order --

16 MR. LINDSTEDT: A final judgment.

17 THE COURT: -- I would say to be safe you've
18 got 30 days from that to file your notice of appeal.

19 MR. LINDSTEDT: I think I'm going to learn
20 quite a bit more South Dakota law here.

21 THE COURT: Okay.

22 MR. LINDSTEDT: So this will be your final
23 judgment. He's going to draft something up. You
24 know, you decide it. Three days from whatever, when
25 he mails it, we'll go ahead and find this out here. I

1 have 30 days to appeal your final judgment to the --
2 you all have an appeals court in South Dakota?

3 THE COURT: We do. It's the Supreme Court. We
4 have one.

5 MR. LINDSTEDT: One, okay.

6 THE COURT: So it will be right in there. It
7 will say you have 30 days to appeal this final
8 judgment. Okay? All right. Very good.

9 Is there any further questions from the
10 parties?

11 MR. KONRAD: Your Honor, because it is going to
12 take some time to resolve and get to a final order
13 that both parties are waiting on, I would ask that --
14 I just want to make sure there's no lapse.

15 THE COURT: When can you have your findings
16 submitted? Do you have your calendar?

17 MR. KONRAD: No. I mean, I've got -- I'm not
18 going to get them to you before the 15th or from the
19 15th to the 19th so what is -- the 19th is a Friday;
20 correct?

21 THE COURT: 18th of September is a Friday.

22 MR. KONRAD: Okay, 18th. I can get them to you
23 by the following Friday. I need that next business
24 week.

25 THE COURT: All right. So they're due to me on

1 or before September 25th. Okay. And he will send you
2 a copy.

3 MR. LINDSTEDT: He's going to draft it up,
4 three days to mail, and you're going to look at it,
5 agree or not agree and then it will be after
6 September -- when was it you said? September?

7 THE COURT: September 25th, he's going to get
8 them to me. All right? And that first day won't
9 count, the first day. For ten days we'll count --

10 MR. LINDSTEDT: That's the 25th of September.

11 THE COURT: So day one will be the 28th.
12 Because it falls on a weekend, you don't count the
13 first day. All right? So you get ten days plus three
14 mailing, which my rough calculation is -- your appeal
15 time is by October 7th would be the time I would sign
16 that.

17 MR. KONRAD: Your Honor, I would just ask that
18 the terms of the TRO --

19 THE COURT: Be extended. They are.

20 MR. KONRAD: -- be extended until the order is
21 signed.

22 THE COURT: Yes. There is good cause based on
23 my ruling that this temporary restraining order, I'm
24 going to direct that -- what do we got? Three and
25 this will be the fourth?

1 MR. KONRAD: Correct.

2 THE COURT: So I'm going to --

3 MR. KONRAD: Well, as it sits now it's good
4 through October 2nd is what it says so I think it's
5 still in effect. I don't know that you need to extend
6 it because -- well, maybe you will.

7 THE COURT: I think I will because --

8 MR. KONRAD: That's right.

9 THE COURT: -- you're not going to submit them
10 until the 25th.

11 So I am going to -- do you have any objection
12 so we can get this all in writing that I'm going to
13 extend the --

14 When's it going to expire? You said
15 October 2nd?

16 MR. KONRAD: I can tell you in one second.

17 THE COURT: I'm going to extend it to November
18 2nd so that will give time to get my final order.

19 MR. LINDSTEDT: It seems to me it would be a
20 moot -- as far as I'm concerned, it's not my property.
21 Now, you -- I did like your memorandum decision saying
22 he was trying to have it both ways and I may very well
23 use that later.

24 But pretty, pretty well, you know, like I told
25 my sister, you just saved my life by at least six

1 months and you just got rid of the ball and chain. So
2 I'm not going to make an objection. My sister is not
3 going to make an objection. She has no intention of
4 selling that property.

5 THE COURT: Do you have any objection,
6 Mr. Kyriss, to extending that third or fourth
7 temporary order --

8 MR. KYRISS: No, Your Honor, not at all.

9 THE COURT: -- so we don't have any lapse?

10 MR. KYRISS: No, sounds fine.

11 THE COURT: So that's going to be extended,
12 I'll say through November 2nd. And if you want to
13 just draft a short that all the previous terms and
14 conditions are incorporated in this and it's extended
15 for purposes of getting the findings and giving him --

16 MR. LINDSTEDT: Him or you will send me a copy
17 of all that?

18 THE COURT: Yes, he will.

19 MR. KONRAD: That's all the questions I have.
20 Thank you, Judge.

21 THE COURT: All right. Very good.

22 MR. LINDSTEDT: I have a question here. I'm
23 still arguing as to how in the world he got to sue a
24 church at all but, you know, that's 105,000 against
25 me. You know, it's being complained about statute of

1 limitations and all the other things.

2 But what about the \$400 for the Church of Jesus
3 Christ Christian/Aryan Nations? They've never had --
4 well, it's never had anything other than what I go
5 ahead and put in its account and now, what is with the
6 \$400 for that here? Is it part of this thing, too, or
7 what?

8 THE COURT: It is a part of what was filed
9 here. Okay? So you have copies of those. You've got
10 copies of all the pleadings that were in today. So
11 that was registered here as a foreign judgment as
12 well. Okay?

13 MR. LINDSTEDT: Can I get copies of everything
14 from when he started until, you know, until --
15 essentially, can I get it today or tomorrow from this
16 court of everything that's happened? He hasn't
17 drafted up --

18 MR. KONRAD: I have sent him every single thing
19 there is. I've sent him paper copies of everything
20 and when I served him there was a stack two inches
21 thick so he's got everything. If he needs more, he
22 can request it from the clerk.

23 THE COURT: All right. Very good.

24 MR. KONRAD: Are we adjourned?

25 THE COURT: We're adjourned.

1 STATE OF SOUTH DAKOTA)

2 SS

CERTIFICATE

3 COUNTY OF HUGHES)

4
5 I, Mona G. Weiger, Official Court Reporter in and
6 for the State of South Dakota, do hereby certify that
7 the Transcript of Hearing contained on the foregoing
8 pages was reduced to stenographic writing by me and
9 thereafter transcribed; that said proceedings commenced
10 on the 31st day of August, 2020, in the Courtroom of the
11 Stanley County Courthouse, Fort Pierre, South Dakota,
12 and that the foregoing is a full, true and complete
13 transcript of my shorthand notes of the proceedings had
14 at the time and place set forth above.

15 Dated this 21st day of June, 2021.

16
17 /s/ Mona G. Weiger
18 Mona G. Weiger
19 Official Court Reporter
20
21
22
23
24
25

Mona G. Weiger, Official Court Reporter 605-773-3971

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