

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ANTHONY DOMENIC REO,**

Plaintiff,

v.

**MARTIN LINDSTEDT.,**

Defendant.

Case No. 1:19-cv-02615-JRA

Hon. John R. Adams

Mag. George J. Limbert

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**PLAINTIFF ANTHONY DOMENIC REO’S MOTION FOR A MOTION HEARING ON  
PENDING DISPOSITIVE MOTION OR FOR A STATUS CONFERENCE OR A  
SCHEDULE ORDER WITH A TRIAL DATE**

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NOW COMES Anthony Domenic Reo (“Plaintiff”), *by and through the undersigned attorney*, and hereby propounds upon Martin Lindstedt (“Defendant”) and this Honorable Court Plaintiff Anthony Domenic Reo’s Motion For a Motion Hearing on Pending Dispositive Motion or for Status Conference or a Schedule Order With a Trial Date.

This motion is made pursuant to Fed. R. Civ. P. 16(b)(4) and Fed. R. Civ. P. 16(e) with the request that the Court schedule a hearing on Plaintiff’s pending motion for summary judgment or schedule a conference for a date to be set for a scheduled for a pre-trial and trial or otherwise issue an order setting a schedule for a pre-trial and trial.

The procedural posture of this case is as follows-

- 1- This case was initiated with the filing of Plaintiff’s Complaint in Lake County Court of Common Pleas in Lake County Ohio on 9/18/2019.

- 2- Defendant filed “acknowledgement of service” by USPS regular first class mail on 10/21/2019.
- 3- Defendant timely and properly removed this case from Lake County Court of Common Pleas to United States District Court for the Northern District of Ohio, placing it before this Court, with the filing of a notice of removal on 11/07/2019.
- 4- Defendant filed an answer & counterclaim with a jury demand on 11/15/2019.
- 5- Plaintiff moved to strike and for a more definite statement on 1/6/2020.
- 6- The Court held a Case Management Conference on 3/5/2020 before Judge Adams.
- 7- The Court held a Case Management Conference before Magistrate Judge Limbert on 4/29/2020.
- 8- The Court entered a scheduling order on 4/29/2020.
- 9- Plaintiff moved for summary judgment on 6/12/2020.
- 10- Defendant filed a document purporting to be a “brief in opposition” to Plaintiff’s Motion for Summary Judgment on 7/10/2020.
- 11- Plaintiff filed a Reply in support of Plaintiff’s Motion for Summary Judgment on 7/14/2020.

The instant action is now nearly 12 months old from the date it was first filed in Lake County Court of Common Pleas and the pending dispositive motion has been fully ripe for 40 days. The scheduling order entered on 4/29/2020 did not schedule beyond the dispositive motion deadline of 9/14/2020 and thus no date for a pre-trial or trial has been set.

Accordingly, Plaintiff respectfully prays that this Honorable Court will (1) schedule a motion hearing date for Plaintiff's pending Motion for Summary Judgment (ECF No. 18, PageID. ## 178-194) if the Court requires the same in lieu of issuing a written opinion without requiring oral argument, or alternatively (2) schedule a status conference to occur at which time the trial date will be scheduled and trial preparation-related deadlines will be established.

RESPECTFULLY SUBMITTED,

/S/ BRYAN ANTHONY REO

Bryan Anthony Reo (#0097470)

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*Attorney for Anthony Domenic Reo*

Dated: August 24, 2020

**CERTIFICATE OF SERVICE**

I, Bryan Anthony Reo, affirm that I am Counsel of Record for a party to the above-captioned civil action, and on August 24, 2020, I served a true and accurate copy the foregoing document upon Martin Lindstedt, 338 Rabbit Track Road, Granby, MO 64844, by placing the same in a First Class postage-prepaid, properly addressed, and sealed envelope and in the United States Mail located in City of Mentor, Lake County, State of Ohio.

RESPECTFULLY SUBMITTED,

/S/ BRYAN ANTHONY REO

Bryan Anthony Reo (#0097470)

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*Attorney for Anthony Domenic Reo*

Dated: August 24, 2020