

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

**STEFANI ROSSI REO,**

Plaintiff / Counter-Defendant,

v.

**MARTIN LINDSTEDT,**

Defendant / Counter-Plaintiff.

Case No. 1:19-CV-02786-CAB

Hon. Christopher A. Boyko

Mag. Thomas M. Parker

**REO LAW, LLC**

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*Pro se Defendant*

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**PLAINTIFF STEFANI ROSSI REO'S**  
**MOTION FOR SUMMARY JUDGMENT**

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NOW COMES Stefani Rossi Reo (“Plaintiff”), *by and through the undersigned attorney*, and hereby propounds upon Martin Lindstedt (“Defendant”) and this Honorable Court Plaintiff Stefani Rossi Reo’s Motion for Summary Judgment:

1. For the reason set forth in Plaintiff Stefani Rossi Reo’s Brief in Support of Her Motion for Summary Judgment, Plaintiff is entitled to summary judgment against Defendant pursuant to Fed. R. Civ. P. 56.

WHEREFORE, Plaintiff prays that this Honorable Court will enter summary judgment in Plaintiff’s favor as to all claims pending before the Court.

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Dated: July 27, 2020

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**PLAINTIFF STEFANI ROSSI REO'S BRIEF IN SUPPORT OF HER  
MOTION FOR SUMMARY JUDGMENT**

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**I. TABLE OF AUTHORITIES**

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**Statutory and Constitutional Law**

None Cited

**Court Rules**

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**II. EXHIBIT LIST**

EXHIBIT 1 – 5/15/2020 Plaintiff's Discovery Requests

EXHIBIT 2 – 5/15/2020 Plaintiff's Email to Defendant

EXHIBIT 3- Affidavit of Plaintiff Stefani Rossi Reo

**III. STATEMENT OF ISSUE PRESENTED**

1. Whether Stefani Rossi Reo (“Plaintiff”) is entitled to summary judgment being granted in Plaintiff’s favor against Martin Lindstedt (“Defendant”) pursuant to Fed. R. Civ. P. 56.

Plaintiff’s Answer: Yes.

Defendant’s Anticipated Answer: No.

#### IV. STATEMENT OF FACTS

Plaintiff has sued Defendant for Defendant having engaged in a vile campaign of vexatious disparagement against Plaintiff via the Internet. After a jury previously awarded Plaintiff's Counsel a verdict in excess of \$100,000.00 against Defendant, Defendant embarked on a campaign of harassment extending to the Counsel's family members and has targeted Plaintiff which has resulted in the instant action to seek the redress of Plaintiff's grievances. (ECF No. 1-2; PageID ## 9-15). Among other statements, Defendant published allegations meant as factual assertions that Plaintiff was a prostitute, met her husband while working as a prostitute in Brazil, was a transgendered non-biological female, and was in the United States via a sham marriage entered into for immigration purposes for the sake of working as a prostitute. All of Defendant's statements against Plaintiff were defamatory per se, without privilege of any sort, and absolutely false. [see Exhibit 3 Plaintiff's Affidavit]

On May 15, 2020, Plaintiff, through counsel served upon Defendant via First Class United States Mail and via electronic mail Plaintiff Stefani Rossi Reo's First Set of Requests for Admissions, Interrogatories, and Requests for Production of Documents to Defendant Martin Lindstedt. (Exhibit 1 – 5/15/2020 Plaintiff's Discovery Requests; Exhibit 2 – 5/15/2020 Plaintiff's Email to Defendant). Defendant did not timely serve upon Plaintiff answers to the requests for admissions contained within said discovery requests. In fact, Defendant did not serve upon Plaintiff at any time answers to said requests for admissions.

The May 15, 2020, requests for admissions were required to be answered by Defendant within thirty days of said date. Fed. R. Civ. P. 36(a)(3). Due to Defendant not timely denying the requests for admissions, said requests for admissions are deemed admitted. *Id.* The admissions made by Defendant “conclusively establish[.]” factual and legal conclusions which permit the



Court to enter a dispositive order at this juncture. Fed. R. Civ. P. 36(b). Defendant cannot rebut the irrebuttable, which is the following:

**REQUESTS FOR ADMISSIONS**

**REQUEST FOR ADMISSION NO. 1:** Please admit that at all times relevant to the controversy as described within Plaintiff's Complaint, Defendant knew that Plaintiff is a resident of the State of Ohio.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 2:** Please admit that at all times relevant to the controversy as described within Plaintiff's Complaint, Defendant knew that Defendant's acts of commission as described within Plaintiff's Complaint would cause Plaintiff to suffer damages in the State of Ohio.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 3:** Please admit that at all times relevant to the controversy as described within Plaintiff's Complaint, Defendant purposefully acted in a tortious manner so as to cause Plaintiff to suffer damages in the State of Ohio.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 4:** Please admit that throughout June 2019 to October 2019, Defendant published on the worldwide web a false and defamatory statement alleging that Plaintiff had worked as a prostitute and had met her husband Bryan Anthony Reo in the context of prostitution.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 5:** Please admit prostitution is a crime in Ohio.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 6:** Please admit that prostitution is a crime in Missouri.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 7:** Please admit that prostitution is a crime which would result in a finding of inadmissibility for immigration purposes.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 8:** Please admit Plaintiff has never engaged in prostitution.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 9:** Please admit Plaintiff is a biological female.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 10:** Please admit Plaintiff has never committed any crime of any sort.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 11:** Please admit that you possess no evidence to support the alleged truth of any of the allegedly defamatory statements that give rise to Plaintiff's complaint in the instant action.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 12:** Please admit that you know of no evidence that would support the alleged truth of any of the allegedly defamatory statements that give rise to Plaintiff's complaint in the instant action.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 15:** Please admit that Defendant is liable to Plaintiff for defamation for the reasons articulated in Paragraphs 7 through 31 of Plaintiff's Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 16:** Please admit that Defendant is liable to Plaintiff for invasion of privacy—false light—for the reasons articulated in Paragraphs 7 through 38 of Plaintiff's Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 17:** Please admit that Defendant is liable to Plaintiff for intentional infliction of emotional distress for the reasons articulated in Paragraphs 7 through 43 of Plaintiff's Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 18:** Please admit Plaintiff is entitled to permanent injunctive relief against Defendant for the reasons articulated in Paragraphs 44 through 50 of Plaintiff's Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 19:** Please admit that Defendant caused willful and malicious injury—as these terms are defined by 11 U.S.C. § 523(a)(6)—to Plaintiff for the reasons alleged in Plaintiff’s Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 20:** Please admit that Defendant does not have a meritorious affirmative defense in relation to any and all causes of action Plaintiff pled against Defendant in Plaintiff’s Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 21:** Please admit that Plaintiff never committed an act of commission or omission against Defendant for which Plaintiff is liable to Defendant for money damages.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 22:** Please admit that for purposes of First Amendment jurisprudence, Plaintiff is a non-public figure.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 23:** Please admit that for the reasons set forth within Plaintiff’s Complaint, Plaintiff suffered \$250,000.00 in general damages due to Defendant’s tortious conduct.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 24:** Please admit that for the reasons set forth within Plaintiff’s Complaint, Plaintiff it would be just and proper for Plaintiff to be awarded \$250,000.00 in punitive damages against Defendant due to Defendant’s willful and malicious misconduct.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 25:** Please admit to the truth of all allegations, factual and legal, contained within Plaintiff’s Complaint.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 26:** Please admit that your counterclaim or claims pending against Plaintiff Stefani Rossi Reo, if any, are wholly lacking in merit.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 27:** Please admit that your counterclaim or claims pending against Plaintiff Stefani Rossi Reo, if any, are without any evidentiary or factual basis.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 28:** Please admit that you damaged Plaintiff in an amount of \$250,000 in general damages and \$250,000 in punitive damages.

**ANSWER:**

**REQUEST FOR ADMISSION NO. 29:** Please admit that judgment should be entered against you, in favor of Plaintiff Stefani Rossi Reo, in the amount of \$500,000.00 dollars.

**ANSWER:**

(Exhibit 1 – 5/15/2020 Plaintiff’s Discovery Requests).

In light of Request for Admission No. 25 requesting Defendant to admit the truth of all allegations—factual and legal—contained within Plaintiff’s Complaint, the factual allegations of said Complaint are incorporated by reference as if fully set forth herein. (ECF No. 1-2; PageID ## 9-15).

## V. STANDARD OF REVIEW

Plaintiff is moving for summary judgment pursuant to Fed. R. Civ. P. 56(a).

The seminal cases interpreting Fed. R. Civ. P. 56 are *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986), *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986), and *Matsushita Electric Industrial Co., Ltd., v. Zenith Radio Corp.*, 475 U.S. 574 (1986). See *Street v. J.C. Bradford & Co.*, 886 F.2d 1472, 1478-1480 (6<sup>th</sup> Cir. 1989) (providing an excellent analysis of Fed. R. Civ. P. 56(a) motion practice).

## VI. LAW & ARGUMENT

Plaintiff is entitled to summary judgment against Defendant because (1) Plaintiff's Complaint alleges a prima facie case against Defendant for common law defamation, common law invasion of privacy – false light, common law intentional infliction of emotional distress, punitive damages, and permanent injunctive relief, and (2) Defendant has conclusively admitted to the factual allegations and legal conclusions—in accordance with Fed. R. Civ. P. 36(a)(1)(A)—as set forth within Plaintiff's Complaint insofar as Defendant did not timely respond to Plaintiff's requests for admissions concerning the same.

Regarding a claim in Ohio for defamation, defamation occurs when a publication contains a false statement “made with some degree of fault, reflecting injuriously on a person's reputation, or exposing a person to public hatred, contempt, ridicule, shame or disgrace, or affecting a person adversely in his or her trade, business or profession.” *A & B-Abell Elevator Co. v. Columbus/Cent. Ohio Bldg. & Const. Trades Council*, 73 Ohio St.3d 1, 7, 651 N.E.2d 1283 (Ohio S. Ct. 1995).

Regarding a claim in Ohio for false light, this tort occurs when the tortfeasor gives publicity to a matter concerning the plaintiff which places the plaintiff in a false light which would be highly offensive to a reasonable person and the tortfeasor did so with at least reckless *scienter*. *Welling v. Weinfeld*, 113 Ohio St.3d 464, 866 N.E.2d 1051 (Ohio St. Ct. 2007).

Regarding a claim in Ohio for intentional infliction of emotional distress, the plaintiff must show that (1) the defendant intended to cause the plaintiff serious emotional distress, (2) the defendant's conduct was extreme and outrageous, and (3) the defendant's conduct was the proximate cause of the plaintiff's serious emotional distress. *Phung v. Waste Mgt. Inc.*, 71 Ohio St.3d 408, 410, 644 N.E.2d 286 (Ohio S. Ct. 1994).

In *Cabe v. Lunich*, 70 Ohio St.3d 598, 640 N.E.2d 159 (Ohio S. Ct. 1994), it was noted that punitive damages can be awarded “where liability is determined and compensatory damages are awarded, punitive damages may be awarded upon a showing of actual malice.”

In *Proctor & Gamble Co. v. Stoneham*, 140 Ohio.App.3d 260, 268, 747 N.E.2d 268 (Ohio App. 1 Dist. 2000), the Ohio appellate court held that a party seeking a permanent injunction must demonstrate by clear and convincing evidence that they are entitled to relief under applicable law, that an injunction is necessary to prevent irreparable harm, and that no adequate remedy at law exists.

In the instant case, Plaintiff has conclusively shown—via the unanswered requests for admissions—that defendant is liable to Plaintiff for the claims raised within Plaintiff’s Complaint. See Exhibit 1 – 5/15/2020 Plaintiff’s Discovery Requests ECF No. 1-2; PageID ## 9-15; Fed. R. Civ. P. 36. It should be noted that a hearing regarding damages is not even required, because Defendant has also conclusively admitted to the amount of money which should be awarded to Plaintiff for general and punitive damages: \$250,000.00 and \$250,000.00, respectively. (Exhibit 1 - 5/15/2020 Plaintiff’s Discovery Requests, Nos. 23 and 24).

Defendant has also admitted that all of his counterclaims or any claims pending against Plaintiff are without any evidentiary or factual basis and are wholly lacking in merit. (Exhibit 1 - 5/15/2020 Plaintiff’s Discovery Requests, Nos. 26 and 27). All of Defendant Lindstedt’s counterclaims against Plaintiff Bryan Anthony Reo can be dismissed with prejudice in favor of Plaintiff Bryan Anthony Reo.

## VII. CONCLUSION

For the reasons set forth herein, Plaintiff is entitled to summary judgment against Defendant. As such, the Court can and should enter judgment in Plaintiff's favor and award Plaintiff \$250,000.00 in general damages<sup>1</sup> and \$250,000.00 in punitive damages<sup>2</sup> against Defendant. The Court can and should enter judgment against Defendant Martin Lindstedt, in favor of Plaintiff Stefani Rossi Reo, in the amount of \$500,000.00 dollars [\$250,000.00 in general damages and \$250,000.00 in punitive damages].

Furthermore, the Court should enter a permanent injunction against Defendant whereby Defendant is compelled to remove from the Internet and not republish thereto any and all derogatory materials Defendant or Defendant's agents published there to date about Plaintiff.<sup>3</sup>

Respectfully submitted,

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*Pro se Plaintiff*

Dated: July 27, 2020

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<sup>1</sup> See Request for Admission No. 23. (Exhibit 1 – 5/15/2020 Plaintiff's Discovery Requests).

<sup>2</sup> See Request for Admission No. 24. (Exhibit 1 – 5/15/2020 Plaintiff's Discovery Requests).

<sup>3</sup> See Request for Admission No. 18. (Exhibit 1 – 5/15/2020 Plaintiff's Discovery Requests). See also ECF No. 1-2; PageID ## 9-15, ¶ 50.



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*Pro se Defendant*

**CERTIFICATE OF SERVICE**

I, Bryan A. Reo, affirm that I am a counsel to Plaintiff in the above-captioned civil action, and on July 27, 2020, I served a true and accurate copy of the foregoing document to Defendant Martin Lindstedt to 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.

/s/ Bryan Anthony Reo

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*Attorney for Plaintiff Stefani Rossi Reo*

Dated: July 27, 2020