

**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

Bryan Anthony Reo (#0097470)

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Pro se Defendant

PLAINTIFF STEFANI ROSSI REO'S
SUR REPLY IN SUPPORT OF PLAINTIFF'S
PARTIAL OBJECTIONS TO MAGISTRATE'S
REPORT AND RECOMMENDATION

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 Sur Reply in Support of Plaintiff's Partial Objections to Magistrate's Report and Recommendation.

1. On or about September 9, 2019, Plaintiff filed against Defendant Plaintiff's Complaint, which included Count I (Defamation), Count II (Invasion of Privacy – False Light), Count III (Intentional Infliction of Emotional Distress), and Count IV (Permanent Injunction). (ECF No. 1-2, PageID. ## 11-14).

2. On December 1, 2020, Magistrate Judge Thomas M. Parker issued his Report & Recommendation which pertinently recommends that summary judgment be granted in Plaintiff's favor and against Defendant as to Count I (Defamation) and Count II (Invasion of Privacy – False Light), but denied as to Count III (Intentional Infliction of Emotional Distress) and Count IV (Permanent Injunction). (ECF No. 39, PageID. ## 412-426). Most importantly the Magistrate's primary recommendation regards the withdrawal of admissions as to damages.

3. On December 3, 2020, Plaintiff filed Plaintiff Stefani Rossi Reo's Partial Objection to Magistrate Judge Thomas M. Parker's Report and Recommendation Dated December 1, 2020 (Magistrate's Report ECF No. 39) (Reo's Partial Objections ECF No. 42, PageID. ## 432-447).

4. Consistent with the primary recommendation, Plaintiff will be prejudiced if Defendant is allowed to withdraw admissions [as they relate to liability] (ECF No. 39, PageID. ## 419). For reasons that are now becoming even clearer, Plaintiff will likewise be prejudiced if Defendant is allowed to withdraw admissions as they relate to damages.

5. The Magistrate's Report and Recommendation suggests that the Court act sua sponte and use discretion to permit Defendant to withdraw admissions as to damages, noting that if the Court does not act sua sponte in this manner, that the alternative recommendation is to enter judgment for Plaintiff Stefani Rossi Reo in the amount of \$250,000.00 in general damages and \$250,000.00 in punitive damages (ECF No. 39 PageID. ## 420).

6. The Magistrate's Report and Recommendation in regards to the possibility of withdrawal of damages relies heavily upon Judge Oliver's order in 1:19-cv-2103 in terms of questions remaining as to damages. However, when Plaintiff's Counsel from the instant action, who is a pro se plaintiff in 1:19-cv-2103 attempted to retain a clinical psychologist to serve as a testifying expert in the eventual damages hearing in the case pending before Judge Oliver, he was met with explicit

refusal. This Plaintiff in this case will likewise be unable to retain any testifying expert because of what Defendant has done to Plaintiff, her Counsel, and what Defendant does to those linked to or involved with Plaintiff and her Counsel. See Declaration of Counsel.

7. Plaintiff will be extremely prejudiced and hindered in presenting proofs of damages at a damages hearing if Defendant is allowed to make withdrawals of admissions to as damages in light of the fact that Defendant never produced anything in response to Plaintiff's discovery and Defendant's conduct has assured Plaintiff will not be able to retain a testifying expert to speak to his emotional and psychological damages. Not only did Defendant not participate in discovery, but he conducts himself online in such a way as to bring about circumstances that make it virtually impossible for Plaintiff to enlist the aid of third parties to participate in discovery as retained and testifying experts. From the tone and tenor of Defendant's comments and the content of his pleadings it is clear Defendant knows exactly what he is doing.

8. Plaintiff prayerfully requests that the Court not allow Defendant to withdraw any admissions, least of all as they relate to damages, and instead adopt the Magistrate's Recommendation and Report (ECF No. 39) while sustaining Plaintiff's Partial Objections ECF No. 42) to the primary report and accepting the alternative recommendation (ECF No. 39, PageID. ## 420) and thus entering judgment in favor of Plaintiff against Defendant in the amount of \$250,000.00 for general damages and \$250,000.00 for punitive damages for an aggregate amount of \$500,000.00 and finally putting this entire matter fully to rest. Defendant never participated in discovery, never produced anything in response to Plaintiff's discovery, caused a 60 day delay by requesting an extension [which he received] on the [false] pretense that he needed discovery to engage in Fed. R. Civ. P. 56 motion practice [whereinafter he did not conduct discovery], and not only has Defendant not participated in discovery, he has stymied and hindered Plaintiff's ability

to get discovery from third parties as it would relate to damages via the retaining of experts to testify at a damages hearing. Allowing Defendant to withdraw admissions as to damages will necessitate a damages hearing at which Plaintiff will be prejudiced based on Defendant's conduct to date. Defendant should not be allowed to viciously defame Plaintiff, not participate in discovery, not respond to discovery, cause delays, and bring about circumstances where Plaintiff cannot obtain expert reports or elicit expert testimony, and be allowed to withdraw admissions as they relate to damages and thus force Plaintiff to be hamstrung and neutered at a damages hearing which would take place without the benefit of experts. The Court should enter judgment in favor of Plaintiff against Defendant in the amount of \$500,000.00 and dismiss with prejudice all of Defendant's counter-claims against Plaintiff and finally resolve this entire matter.

Respectfully submitted,

REO LAW, LLC

/s/ Bryan A. Reo
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Dated: March 15, 2021

CERTIFICATE OF SERVICE

I, Bryan Anthony Reo, affirm that I am counsel of record to a party to the above-captioned civil action, and on March 15, 2021, 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.

I have also electronically filed the foregoing document which should serve notice of the filing of the same upon each party who has appeared through counsel, via the court's electronic filing notification system.

/s/ Bryan A. Reo
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Attorney for Plaintiff Stefani Rossi Reo

Dated: March 15, 2021