

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

**BRYAN ANTHONY REO,**

Plaintiff / Counter-Defendant,

v.

**MARTIN LINDSTEDT,**

Defendant / Counter-Plaintiff.

Case No. 1:19-CV-02103-SO

Hon. Solomon Oliver, Jr.

Mag. Jonathan D. Greenberg

---

**REO LAW, LLC**

Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(T): (440) 313-5893

(E): reo@reolaw.org

*Pro se Plaintiff*

**MARTIN LINDSTEDT**

338 Rabbit Track Road

Granby, MO 64844

(T): (417) 472-6901

(E): pastorlindstedt@gmail.com

*Pro se Defendant*

---

**PLAINTIFF BRYAN ANTHONY REO'S BRIEF CONCERNING DAMAGES**

---

NOW COMES Bryan Anthony Reo ("Plaintiff"), *pro se*, and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff Bryan Anthony Reo's Brief Concerning Damages:

**I. STATEMENT OF FACTS**

On September 28, 2020, the Court entered its Order which granted Plaintiff summary judgment against Defendant as to Plaintiff's claims for defamation, invasion of privacy (false light), punitive damages, and injunctive relief. (ECF No. 44, PageID. 477-495).

On December 4, 2020, the Court entered its Status Conference Order which pertinently decrees that "Plaintiff shall file a memorandum \* \* \* setting forth the damages he asserts with respect to each [tort] claim, detailing the elements/items of damages he allegedly sustained, and

identifying the evidence he intends to adduce in support thereof. \* \* \* Plaintiff shall file any expert reports by January 19, 2021, or else proceed without any expert witnesses.” (ECF No. 57, PageID. 614-615).

Defendant has a long history of libeling Plaintiff, and Defendant lost a jury trial in the consolidated cases of 16CV000825 and 15CV001590 with a verdict being rendered in Plaintiff’s favor on claims of defamation per se and false light on June 26, 2019, for libel that occurred throughout 2015 and 2016. The jury awarded Plaintiff \$105,000.00 against Defendant. (ECF No. 1-1, PageID. 8, ¶ 7).

On September 9, 2018 Defendant published onto the worldwide web a statement that Plaintiff was using Lake County Court of Common Pleas for purposes of “barratry.” (ECF No. 1-1, PageID. 8, ¶ 8). Plaintiff has never engaged in barratry, which is inherently unprofessional. (ECF No. 1-1, PageID. 8, ¶¶ 9-13).

On September 14, 2018, Defendant published a defamatory document on the worldwide web stating that Plaintiff had engaged in stalking, was a homosexual, and was stalking a man for purposes of coercing homosexual sex from the man. Defendant also claimed that Plaintiff had engaged in criminal stalking of Defendant. Stalking is a crime as defined by the Ohio Revised Code, 2903.211, and a statement meant as a factual assertion that Plaintiff was committing said crimes is defamatory per se. Plaintiff never stalked Defendant nor the third parties whom Defendant claimed Plaintiff was stalking. Plaintiff is not a homosexual, has never had homosexual sex, and has never attempted to coerce or blackmail homosexual sex from any individual. (ECF No. 1-1, PageID. 8-9, ¶ 14).

On September 17, 2018 Defendant posted on the worldwide web, referring to the then-presiding judge as “crooked” which is relevant to the extent that Defendant would later claim that

Plaintiff was in collusion with the trial court judge and was conspiring with the judge to corrupt the proceedings of the jury trial conducted June 24 to 26, 2019. Plaintiff was never in collusion with any judge, never conspired with any judge, and never worked to corrupt any proceedings. Accusations that Plaintiff engaged in such conduct is highly defamatory because they would be accusations of criminal conduct and accusations that Plaintiff violated the Ohio Rules of Professional Conduct. (ECF No. 1-1, PageID. 9, ¶ 15).

On October 2, 2018, Defendant posted on the worldwide web—impersonating Plaintiff's name to make the post—a copy of an affidavit Plaintiff had submitted, in support of a motion for summary judgment, in the consolidated 16CV000825 and 15CV001590 case, and declared that the affidavit was perjurious. The affidavit contained only truthful statements and there were no perjured statements in the affidavit. A statement meant as a factual assertion that Plaintiff violated R.C. 2921.11 is defamatory per se because it is an allegation of criminal conduct and violation of the rules of professional conduct. (ECF No. 1-1, PageID. 9-10, ¶ 16).

On October 15, 2018, Defendant posted on the world web wide—impersonating Plaintiff's name to make the post—allegations and statements that Plaintiff was conspiring with then-presiding Lake County Judge Collins to submit perjured filings for the purpose of barratry. A statement meant as a factual assertion that Plaintiff violated R.C. 2921.11 is defamatory per se because it is an allegation of criminal conduct and violation of the Ohio Rules of Professional Conduct. (ECF No. 1-1, PageID. 10, ¶ 17).

On October 25, 2018 Defendant posted on the worldwide web—impersonating Plaintiff's name to make the post—allegations that Plaintiff had filed a “frivolous” federal lawsuit which Defendant implied had been dismissed by virtue of being determined and judged frivolous. Said lawsuit involved Plaintiff and Defendant, the parties were the same, and Defendant was well aware

that the lawsuit was dismissed without prejudice for lack of subject matter jurisdiction, it was never adjudicated on the merits, and no findings were ever made that even suggested the lawsuit was frivolous. A statement meant as a factual assertion that Plaintiff had brought a frivolous lawsuit in violation of the Rules of Civil Procedure and the Ohio Rules of Professional Conduct would be an allegation of unprofessional conduct and is defamatory per se. Defendant also cast the circumstances surrounding the federal lawsuit in false light and presented them in such a way that an ordinary observer or reader might find Plaintiff highly offensive if the observer came to believe Defendant's false light story that the lawsuit had been dismissed for having been deemed frivolous. (ECF No. 1-1, PageID. 10-11, ¶ 18).

On November 8, 2018, Defendant posted onto the world wide web—impersonating Plaintiff's name to make the post—statements meant as factual assertions that Plaintiff had requested a continuance in the then-ongoing consolidated 16CV000825 and 15CV001590 case, for the purpose of going to Paraguay to obtain sex reassignment surgery on the basis that Defendant was claiming Plaintiff was a mentally ill homosexual. An allegation that a professional, specifically an attorney, is mentally ill, is an allegation that he is unfit to perform the duties of his trade or his profession and would cause potential clients and other attorneys to doubt his fitness to practice law. Plaintiff is not mentally ill, Plaintiff has never sought sexual reassignment surgery, and Plaintiff is neither a homosexual nor a transsexual nor does Plaintiff have any personality disorder, mood disorder, thought disorder, or mental illness as defined by the current or previous versions of the DSM. Defendant's allegations constituted defamation per se. (ECF No. 1-1, PageID. 11, ¶ 19).

On November 11, 2018 Defendant posted onto the world wide web—impersonating Plaintiff’s name to make the post—statements meant as factual assertions that Plaintiff, who is married, was having extra-marital homosexual sex with fellow attorneys throughout Ohio and Michigan. Allegations of marital infidelity and allegations of sex with colleagues and other attorneys are allegations of unprofessional or immoral conduct that would cause Plaintiff to be seen in a highly negative light. Defendant also linked to Plaintiff’s Avvo.com profile and posted the phone number and name of Plaintiff’s law practice, along with Plaintiff’s name so there was no doubt as to whom Defendant was referring. The allegations were completely untrue. (ECF No. 1-1, PageID. 11-12, ¶ 20).

On July 8, 2019, Defendant posted onto the world wide web—impersonating Plaintiff’s name—the allegation that Plaintiff colluded and conspired with Judge Patrick Condon of the Lake County Court of Common Pleas to pervert the proceedings of the jury trial in the consolidated 16CV000825 and 15CV001590 case, for the purpose of “lynching” Defendant. Plaintiff never colluded with Judge Condon, or any judge, Plaintiff never conspired with Judge Condon or any judge, and Plaintiff did nothing to pervert the proceedings or to improperly influence the jury. Allegations that Plaintiff conspired with a judge and colluded with the presiding judge in a jury trial to influence and corrupt the proceedings are allegations of criminal conduct and unprofessional conduct and constitute defamation per se. Defendant also made claims that Plaintiff conspired and colluded with Judge Condon, with these claims being communicated via a webcast video broadcast made on June 26 and June 27, 2019, in the aftermath of the trial that concluded June 26, 2019. (ECF No. 1-1, PageID. 13, ¶ 23).

Plaintiff has suffered mental anguish and reputational injury due to Defendant’s onslaught of online harassment.

## **II. PLAINTIFF'S DAMAGES AND EVIDENCE**

### **A. DEFAMATION**

#### **1. DAMAGES**

The maximum amount of money a plaintiff can generally recover for non-economic damages for a personal injury tort claim is \$250,000.00. *Wayt v. DHSC, L.L.C.*, 155 Ohio St.3d 401, 2018-Ohio-4822 (citing R.C. § 2315.18(B)(2)). According to R.C. § 2315.18(A)(4), “‘Noneconomic loss’ means nonpecuniary harm that results from an injury or loss to person \* \* \* that is a subject of a tort action, including, but not limited to, pain and suffering, loss of society, consortium, companionship, care, assistance, attention, protection, advice, guidance, counsel, instruction, training, or education, disfigurement, mental anguish, and any other intangible loss.”

Punitive damages cannot exceed two times the amount of the compensatory damages that are awarded by the factfinder. R.C. § 2315.21(D)(2)(b).

In the instant case, Plaintiff seeks against Defendant an award of \$250,000.00 as compensatory damages and \$500,000.00 as punitive damages for Plaintiff's defamation tort claim against Defendant.

#### **2. EVIDENCE**

##### **a. DOCUMENTARY EXHIBITS**

1. Screenshots of False, Derogatory, and Damaging Material Defendant Published Online about Plaintiff. These screenshots are all referenced in Plaintiff's Complaint and are already in the possession of Defendant.
2. Therapy Records with Keeper of the Records Certificate (Fed. R. Evid. 902(11))

##### **b. WITNESSES**

1. Plaintiff

2. Defendant
3. Anthony Dominic Reo (Plaintiff's Father)

## **B. INVASION OF PRIVACY**

### **1. DAMAGES**

The maximum amount of money a plaintiff can generally recover for non-economic damages for a personal injury tort claim is \$250,000.00. *Wayt v. DHSC, L.L.C.*, 155 Ohio St.3d 401, 2018-Ohio-4822 (citing R.C. § 2315.18(B)(2)). According to R.C. § 2315.18(A)(4), “‘Noneconomic loss’ means nonpecuniary harm that results from an injury or loss to person \* \* \* that is a subject of a tort action, including, but not limited to, pain and suffering, loss of society, consortium, companionship, care, assistance, attention, protection, advice, guidance, counsel, instruction, training, or education, disfigurement, mental anguish, and any other intangible loss.”

Punitive damages cannot exceed two times the amount of the compensatory damages that are awarded by the factfinder. R.C. § 2315.21(D)(2)(b).

In the instant case, Plaintiff seeks against Defendant an award of \$250,000.00 as compensatory damages and \$500,000.00 as punitive damages for Plaintiff's invasion of privacy tort claim against Defendant.

### **2. EVIDENCE**

#### **a. DOCUMENTARY EXHIBITS**

1. Screenshots of False, Derogatory, and Damaging Material Defendant Published Online about Plaintiff. These screenshots are all referenced in Plaintiff's Complaint and are already in the possession of Defendant.
2. Therapy Records with Keeper of the Records Certificate (Fed. R. Evid. 902(11))

#### **b. WITNESSES**

1. Plaintiff
2. Defendant
3. Anthony Dominic Reo (Plaintiff's Father)

Respectfully submitted,

**REO LAW, LLC**

/s/ Bryan Anthony Reo  
Bryan Anthony Reo (#0097470)  
P.O. Box 5100  
Mentor, OH 44061  
(T): (440) 313-5893  
(E): reo@reolaw.org  
*Pro se Plaintiff*

Dated: December 17, 2020

**CERTIFICATE OF SERVICE**

I, Bryan Anthony Reo, affirm that I am a party to the above-captioned civil action, and on December 17, 2020, I served a true and accurate copy of this Plaintiff Bryan Anthony Reo's Brief Concerning Damages 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.

/s/ Bryan Anthony Reo  
Bryan Anthony Reo (#0097470)  
P.O. Box 5100  
Mentor, OH 44061  
(T): (440) 313-5893  
(E): reo@reolaw.org  
*Pro se Plaintiff*

Dated: December 17, 2020