

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

**BRYAN ANTHONY REO,**

Plaintiff,

v.

**MARTIN LINDSTEDT.,**

Defendant.

Case No. 1:19-cv-02589-CAB

Hon. Christopher A. Boyko

Mag. Thomas M. Parker

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**PLAINTIFF BRYAN ANTHONY REO'S ANSWER TO  
DEFENDANT MARTIN LINDSTEDT'S COUNTERCLAIM**

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NOW COMES Bryan Anthony Reo ("Plaintiff"), *pro se*, and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff Bryan Anthony Reo's Answer to Defendant Martin Lindstedt's Counterclaim.

Pursuant to F.R.C.P. 8(b)(3) Plaintiff hereby generally denies all factual and legal allegations contained within Defendant's Counterclaim with the following exceptions.

1. Plaintiff admits that this Court has personal jurisdiction over Plaintiff Bryan Reo and Defendant Martin Lindstedt.

2. Plaintiff admits that venue is proper with this Court.

3. Plaintiff is without knowledge sufficient to form a belief as to whether or not this Court has subject matter jurisdiction over Defendant's purported counterclaim against Plaintiff because

Plaintiff cannot discern what, if any, claims Defendant is pleading or attempting to plead as counterclaims against Plaintiff and therefore cannot make a determination if this Court properly has subject matter jurisdiction over Defendant's counterclaims, whatever those claims may actually happen to be.

4. Plaintiff generally and specifically denies having committed any tortious conduct against Defendant and denies that Defendant has, or has pleaded, any valid cause of action against Plaintiff, whether statutorily or per the common law.

5. Plaintiff denies he has any liability to Defendant for anything whatsoever.

6. Plaintiff denies being liable to Defendant for any damages whatsoever.

7. Plaintiff denies having owed Defendant any duties which Plaintiff breached.

8. Plaintiff denies that Defendant has stated any claim upon which relief can be granted.

WHEREFORE, Plaintiff prays that this Honorable Court will find that no cause exists against Plaintiff and will further award any further relief to Plaintiff warranted by law or equity—including the attorney's fees and costs Plaintiff incurs to defend the counterclaim.

**AFFIRMATIVE DEFENSES TO DEFENDANT'S**  
**COUNTER-CLAIM**

Plaintiff hereby gives notice that he may rely upon any or all of the following Affirmative Defenses, which may be deemed applicable to the law and facts of this case.

**First Affirmative Defense**

The Counterclaim fails to state any claim upon which relief may be granted.

**Second Affirmative Defense**

Laches; if Defendant Lindstedt believes he has valid causes of action as of 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, or 2018, he should have moved timely on those claims.

**Third Affirmative Defense**

Defendant's claims are barred in whole or in part by the applicable statute of limitations.

**Fourth Affirmative Defense**

Lindstedt lacks standing as to the Plaintiff in regards to all of his alleged causes of action. Standing requires, amongst other elements, that the harms alleged must be fairly traceable to those from whom relief is sought, be they Defendants or Counter-Defendants. Massachusetts v. E.P.A., 549 U.S. 497 (2007). Because Counter-Claimant Lindstedt alleges no harm that would be fairly traceable to Plaintiff and he made no short and plain statement of the claim showing that he is entitled to relief along with a demand for the relief sought, his Counter-Claim must be dismissed because it is legally insufficient and factually insufficient.

**Fifth Affirmative Defense**

Failure to mitigate; Lindstedt failed to mitigate his damages, if any.

**Sixth Affirmative Defense**

Lack of causal relationship; to the extent that Defendant Lindstedt alleges damages, none of them were the result of Plaintiff Reo's conduct. Defendant Lindstedt having an adverse judgment entered against him in a 2019 trial in Lake County Court of Common Pleas was not the result of any tortious conduct on the part of Plaintiff Reo.

### **Seventh Affirmative Defense**

Justification; to the extent that Plaintiff Reo did anything that Defendant Lindstedt alleges, Plaintiff Reo was justified or legally privileged to do so.

### **Eighth Affirmative Defense**

Res Judicata. To the extent that Defendant Lindstedt claims Plaintiff Reo libeled him or civilly wronged him at various points in the past, Defendant Lindstedt lost on those claims when the jury found for Plaintiff Reo as to Lindstedt's Counterclaim for libel in a trial in Lake County Court of Common Pleas in June 2019. Lindstedt's claims for defamation/libel are barred via Res Judicata. Lindstedt already litigated those claims and lost on the merits. The claims Lindstedt presently appears to attempt to plead against Reo are substantially similar and almost identical to the counterclaim he lost on at the June 2019 trial. All of Defendant's present frivolous counterclaim is almost a copy/paste verbatim counterclaim previously pleaded against Plaintiff Reo which Plaintiff Reo prevailed on. [see Exhibit 1- judgment entry with directed verdict granted for Reo as to all but one of Lindstedt's counterclaims and jury verdict judgment for Reo as to Lindstedt's counterclaim for defamation]

### **Ninth Affirmative Defense**

Plaintiff denies that Defendant has any legal damages. However, to the extent that the Defendant has any damage, they are all the result of his own conduct

### **Tenth Affirmative Defense**

Defendant has failed to join all necessary parties.

### **Eleventh Affirmative Defense**

Statute of Limitations. Lindstedt alleges that Bryan Anthony Reo began defaming him as a child molester and a pedophile in 2010. There is no evidence that Plaintiff Reo has, outside of litigation in June 2019, published statements that would not by now be time-barred. Ohio provides a one year statute of limitations, from the date of initial publication, for libel. Defendant Lindstedt has spent years attempting to litigate something that he claims happened in 2010.

### **Twelfth Affirmative Defense**

Truth. To the extent that Defendant believes he has been defamed by Plaintiff as a child molester or a pedophile, the underlying allegedly defamatory statements are true or substantially true. Defendant was the target of a Child Protective Services investigation, the investigation found “substantial evidence to corroborate abuse,” children were taken away and placed with foster parents, the appeal filed was disposed of in a manner adverse to Defendant, Defendant was criminally indicted and Defendant was ultimately diverted to a mental institution for approximately 4 years of involuntary civil commitment. Most people in the United States are able to live their entire lives without being indicted for child molestation, spending approximately 2 years in jail and then 4 years in a mental asylum, and having the children taken away by Child Protective Services and placed with foster care; somebody who has such issues likely had those issues because of their being a child molester and a pedophile. Reasonable minds would conclude that Lindstedt is a child molester and a pedophile. Indeed reasonable minds likely came to that conclusion in June 2019 at the trial in Lake County Court of Common Pleas when the jury found for Reo as to Lindstedt’s counterclaim for defamation wherein Lindstedt alleged Reo had defamed him as a child molester and a pedophile. In point of fact Martin Lindstedt almost certainly is a child molester and a pedophile.

### **Thirteenth Affirmative Defense**

No Dissemination/Publication. Defendant Lindstedt has failed to allege that Plaintiff Bryan Anthony Reo has ever communicated to a third party, outside of litigation proceedings or

pleadings, the statement that Martin Lindstedt is a child molester and a pedophile. Lindstedt's cause of action for defamation, if any, would necessarily fail for lack of ability to meet the element of dissemination by the alleged defamer, to at least one third party other than the defamed himself.

### **Fourteenth Affirmative Defense**

Litigation privilege. To the extent Plaintiff articulated that Defendant is a pedophile or child molester, any such statements were made during a trial in June 2019 at Lake County Court of Common Pleas and Plaintiff enjoyed absolute judicial privilege and litigation privilege when having made those statements.

### **JURY DEMAND ENDORSED HEREON**

Plaintiff respectfully demands a trial by jury on all triable issues of fact pursuant to Civ.R. 38.

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  
*Attorney and Pro se Plaintiff*

Dated: May 24, 2020

**CERTIFICATE OF SERVICE**

I, Bryan A. Reo, affirm that I am the Plaintiff in the above-captioned civil action, and on May 24, 2020, I electronically filed this document with the Clerk of the Court by using the Court's Electronic Filing System, which should send notification of said filing to all attorneys of record who are registered to receive such electronic service for the instant civil action.

I further certify that a true and genuine copy of the filing has been dispatched by United States regular mail, postage prepaid to the Defendant at:

Martin Lindstedt  
338 Rabbit Track Road  
Granby, Missouri 64844

Additionally, an electronic copy has been dispatched to [pastorlindstedt@gmail.com](mailto:pastorlindstedt@gmail.com) which is the defendant's email address.

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

Dated: May 24, 2020

FILED

**IN THE COURT OF COMMON PLEAS**

2019 JUL -1 PM 2:49

# LAKE COUNTY

MAUREEN G. KELLY  
LAKE CO. CLERK OF COURT  
BRYAN ANTHONY REO

Plaintiff,

**VS.**

MARTIN LINDSTEDT, et al.

**Defendants.**

CASE NO. 16 CV 000825  
15 CV 001590

## JOURNAL ENTRY

June 26, 2019

A jury was impaneled on June 24, 2019 and juror fees in the amount of \$945.00 shall be taxed as costs in this action pursuant to R.C. 2335.28 to be paid by defendant.

**IT IS SO ORDERED.**

  
PATRICK J. CONDON  
Judge of the Court of Common Pleas

Copies:  
Bryan Reo, Esq.  
Martin Lindstedt





**FILED**

2019 JUL -1 PM 2:49

MAUREEN G. KELLY  
CLERK OF COURT  
**BRYAN ANTHONY REO**

**IN THE COURT OF COMMON PLEAS**

**LAKE COUNTY, OHIO**

**Plaintiff,**

**vs**

**MARTIN LINDSTEDT, et al.**

**Defendant.**

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**CASE NO. 15-CV-001590**

**JUDGMENT ENTRY**

At the close of all of the evidence, the court made the following rulings:

- As to all properly served parties other than Bryan Reo and Martin Lindstedt, all of the counts were dismissed due to a complete failure to present evidence of their conduct which would allow for recovery.
- The court granted Defendant Martin Lindstedt's Motion for Directed Verdict as to Plaintiff Bryan Reo's claims for:
  - o Intentional Infliction of Emotional Distress as there was no evidence beyond the Plaintiff Reo's own testimony that he had experienced emotional distress due to Defendant Lindstedt's actions.
  - o Statutory Criminal Liability as there was a lack of sufficient evidence that a criminal act took place and a lack of proof of injury.
  - o Punitive Damages as they are not a separate independent cause of action.
- Plaintiff withdrew his claim for Civil Conspiracy.
- The court granted Plaintiff Bryan Reo's Motion for Directed Verdict as to Defendant Martin Lindstedt's counterclaims for:
  - o Abuse of Legal Process as there was no evidence that Plaintiff Reo perverted the lawsuit or proceedings to attempt to accomplish an ulterior purpose for which it was not designed and there was no evidence that Defendant Lindstedt was in any way directly damaged by any alleged wrongful use of process.
  - o Malicious prosecution as there was no evidence of a malicious filing of a prior lawsuit or proceeding against Defendant Lindstedt by Reo, that any prior filing lacked probable cause, or that Defendant Lindstedt had a seizure of his person or property during the course of the prior lawsuit or proceeding.



- Vexatious Litigation as this is not a cause of action.
- Statutory Criminal Liability as there was a lack of sufficient evidence that a criminal act took place and a lack of proof of injury.
- Civil Conspiracy due to a lack of proof of that Plaintiff Reo participated in a malicious combination.
- Spoliation as there was no evidence of a Plaintiff Reo willfully destroying or interfering with evidence for the purpose of disruption Defendant Lindstedt's ability to prove a claim or defense in the pending or probable lawsuit.
- Tortious Interference with Economic Relations as Plaintiff Reo had a justification or privilege to make complaints to internet service providers.
- Invasion of Privacy in that there was no evidence of Plaintiff Reo intentionally intruded into the private activities, physically or otherwise, into the private activities, solitude, or seclusion of Defendant Lindstedt or that any intrusion would be highly offensive to a reasonable person.
- Intentional Infliction of Emotional Distress as there was no evidence that Plaintiff Reo acted in an extreme and outrageous manner, there was no independent third-party evidence of injury to Defendant Lindstedt, and there was no evidence from Defendant Lindstedt of emotional distress.

Defendant Lindstedt's Motion for Mistrial filed on June 26, 2019, is denied.

As to Plaintiff Reo's request for a permanent injunction, that request is denied. Plaintiff Reo failed to show that the injunction is necessary to prevent irreparable harm and that he does not have an adequate remedy at law.

**IT IS SO ORDERED.**



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**PATRICK J. CONDON, JUDGE**

Copies:  
Bryan Anthony Reo, Esq.  
Martin Lindstedt



**FILED**

**IN THE COURT OF COMMON PLEAS  
LAKE COUNTY, OHIO**

2019 JUL -1 PM 2:50

**BRYAN ANTHONY REO**  
MAUREEN G. KELLY  
CLERK OF COURT

**Plaintiff,**

**vs**

**MARTIN LINDSTEDT, et al.**

**Defendant.**

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**CASE NO. 15-CV-001590**

**JUDGMENT ENTRY**

Defendant Martin Lindstedt's Instant Motion for Directed Verdict, filed on June 25, 2019, is denied.

**IT IS SO ORDERED.**



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**PATRICK J. CONDON, JUDGE**

Copies:  
Bryan Anthony Reo, Esq.  
Martin Lindstedt



**FILED**

**IN THE COURT OF COMMON PLEAS**

**LAKE COUNTY, OHIO**

2019 JUL -1 PM 2:50

**BRYAN ANTHONY REO**  
MAUREEN G. KELLY  
LAKE CO. CLERK OF COURT

**Plaintiff,**

**vs**

**MARTIN LINDSTEDT, et al.**

**Defendant.**

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**CASE NO. 16-CV-000825**

**JUDGMENT ENTRY**

Prior to the commencement of trial, the Court consolidated this case number into Case Number 15-CV-001590.

**IT IS SO ORDERED.**



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**PATRICK J. CONDON, JUDGE**

Copies:  
Bryan Anthony Reo, Esq.  
Martin Lindstedt





IN THE COURT OF COMMON PLEAS  
LAKE COUNTY, OHIO

**FILED**  
2019 JUL -1 PM 3:55  
MAUREEN G. KELLY  
LAKE CO. CLERK OF COURT

**BRYAN ANTHONY REO**

Plaintiff,

vs.

**MARTIN LINDSTEDT, et al.**

Defendants.

CASE NOS. 15 CV 001590  
16 CV 000825

**JUDGMENT ENTRY**

July 1, 2019

In accordance with the jury verdict of June 26, 2019, judgment is rendered for plaintiff Bryan A. Reo as follows:

(1) On Bryan A. Reo's claim for defamation per se (count one) against defendant Martin Lindstedt, \$40,000 in compensatory damages with an additional amount of \$50,000 awarded as punitive damages.

(2) On Bryan A. Reo's claim for defamation per se (count one) against defendant Church of Jesus Christ, Christian/Aryan Nations of Missouri, \$200 in compensatory damages with an additional amount of \$200 awarded as punitive damages.

(3) On Bryan A. Reo's claim for invasion of privacy - false light (count two) against defendant Martin Lindstedt, \$15,000 in compensatory damages.

(4) On Bryan A. Reo's claim for invasion of privacy - false light (count two) against defendant Church of Jesus Christ, Christian/Aryan Nations of Missouri, no compensatory damages awarded.

The jury found in favor of defendants Martin Lindstedt and Church of Jesus Christ, Christian/Aryan Nations of Missouri on plaintiff Bryan A. Reo's remaining claims.

The jury found in favor plaintiff Bryan A. Reo on defendant Martin Lindstedt's counter-claim for defamation per se.

Costs to be paid by defendants Martin Lindstedt and Church of Jesus Christ, Christian/Aryan Nations of Missouri.

**IT IS SO ORDERED.**



  
PATRICK J. CONDON  
Judge of the Court of Common Pleas

Copies:

Bryan A. Reo, Esq., Reo Law, LLC, P.O. Box 5100, Mentor, Ohio 44061

Martin Lindstedt, pro se, 338 Rabbit Track Road, Granby, Missouri 64844

Church of Jesus Christ, Christian/Aryan Nations of Missouri, 338 Rabbit Track Road, Granby, Missouri 64844

Roxie Fausnaught, 338 Rabbit Track Road, Granby, Missouri 64844

William Finck, 653 W. 23<sup>rd</sup> Street, Box 129, Panama City, Florida 32405

William Shawn DeClue, 3 Blanchette Drive, Florissant, Missouri 63031

Final Appealable Order  
Clerk to serve  
pursuant to  
Civ.R. 56(B).

