

**FILED**  
2015 SEP 18 P 3:17  
MAUREEN G. KELLY  
LAKE CO. CLERK OF COURT

**STATE OF OHIO  
IN THE COURT OF COMMON PLEAS OF LAKE COUNTY  
CIVIL DIVISION**

**BRYAN ANTHONY REO**  
7143 Rippling Brook Lane  
Mentor, OH 44060

Plaintiff,

v.

**MARTIN LINDSTEDT**  
338 Rabbit Track Road  
Granby, MO 64844

Defendant.

**15CV001590  
RICHARD L COLLINS JR**

**BRYAN ANTHONY REO**  
7143 Rippling Brook Lane  
Mentor, OH 44060  
(P): (440) 313-5893  
(E) roodeplaat1983@gmail.com  
*Pro se Plaintiff*

**PLAINTIFF'S COMPLAINT**  
**(JURY DEMAND ENDORSED HEREON)**

BRYAN ANTHONY REO (Plaintiff), alleges the following against MARTIN LINDSTEDT (Defendant):

**I. INTRODUCTION**

1. Plaintiff sues Defendant in the instant civil action for tortious conduct related to Defendant's campaign of cyber harassment against Plaintiff via the World Wide Web.

## II. PARTIES

2. Plaintiff is a natural person who resides in Mentor, Lake County, Ohio. Plaintiff is a private—and not a public—figure.

3. Defendant is a natural person of the State of Missouri who resides at 338 Rabbit Track Road, Granby, MO 64844.

## III. JURISDICTION AND VENUE

4. This Court enjoys subject matter jurisdiction over the instant civil action because the amount in controversy exceeds five hundred dollars (\$500.00). R.C. § 2305.01.

5. This Court enjoys personal jurisdiction over Defendant because Defendant caused tortious injury to Plaintiff in the State of Ohio by an act outside of the State of Ohio that was committed by Defendant with the purpose of injuring Plaintiff when Defendant might reasonably have expected that Plaintiff would be injured in the State of Ohio. R.C. § 2307.382(A)(6); Civ.R. 4.3(A)(9); *Kauffman Racing Equip., L.L.C., v. Roberts*, 126 Ohio St.3d 81, (Ohio 2010) (holding that a non-commercial website intentionally used to defame an Ohio resident provides Ohio courts personal jurisdiction over foreign tortfeasor).

6. Venue is proper with this Court because Plaintiff resides in Lake County, State of Ohio, and the Court's personal jurisdiction over Defendant exists via Civ.R. 4.3. Civ.R. 3(B)(7).

## IV. STATEMENT OF FACTS

7. Plaintiff first came into contact with Defendant in early 2010 when Defendant was invited into a lively Internet chatroom discussion in which the topics that were discussed involved hunting, camping, target shooting, outdoor activities, and politics. A dispute arose

between Plaintiff and Defendant during the discussion at which time Defendant promised to ascertain the real-life identity of Plaintiff—which was then not known to Defendant—to destroy Plaintiff's reputation.

8. Towards the later part of 2010, Defendant succeeded in ascertaining Plaintiff's identity and began a relentless campaign of harassment that continues to the present day whereby (1) Defendant posted photographs of Plaintiff and Plaintiff's personal phone number onto pornographic websites; (2) Defendant impersonated Plaintiff on the World Wide Web to purport to third-parties that Plaintiff supports child molestation; and (3) Defendant published statements on the World Wide Web that state that Plaintiff is a homosexual, a drug dealer, a con-man, a murderer, a pawn store owner, a "Jewish pimp," engages in insurance fraud, and has syphilis and other venereal diseases. Defendant further defamed Plaintiff by claiming that Plaintiff had threatened to murder an elderly woman and rape another woman.

9. Plaintiff does not support child molestation and Plaintiff is not a homosexual, a drug dealer, a con-man, a murderer, a pawn store owner, or a "Jewish pimp," Plaintiff does not engage in insurance fraud, and Plaintiff does not have syphilis or any other venereal disease. Plaintiff has never threatened to murder any elderly women nor rape any women.

10. At the time Defendant published the false and defamatory statements about Plaintiff as detailed in Paragraph 8 of this Complaint, Defendant had actual or constructive knowledge to believe that Plaintiff does not support child molestation and Plaintiff is not a homosexual, a drug dealer, a con-man, a murderer, a pawn store owner, or a "Jewish pimp," Plaintiff does not engage in insurance fraud, and Plaintiff does not have syphilis or any other venereal disease.

11. In March of 2011, Defendant acquired via a LexisNexis report Plaintiff's voter registration, political party affiliation, vehicle registration, vehicle license plate number, and



social security number and publicly disseminated this confidential information via the medium of the World Wide Web to a significant number of third-parties.

12. Between March and July of 2015 Defendant published defamatory remarks, in print format, online, declaring that Plaintiff had committed perjury, wire fraud, and mail fraud, and was engaged in fraudulent conduct in a then ongoing court proceeding.

13. Plaintiff has never committed perjury, wire fraud, or mail fraud and was never engaged in fraudulent conduct at any time during the relevant court proceeding.

14. Due directly and proximately to Defendant's Internet campaign of harassment against Plaintiff as detailed within this Complaint, Plaintiff has suffered damage to Plaintiff's reputation which will adversely affect Plaintiff's ability to procure employment in the future, and Plaintiff has suffered mental anguish in the form of anger, stress, frustration, anxiety, humiliation, and disgust.

15. Defendant has caused injury to Plaintiff in excess of twenty-five thousand dollars (\$25,000.00).

16. Plaintiff previously sued Defendant in federal court over the controversy at issue in the instant civil action, but said civil action was dismissed without prejudice within the past year for lack of subject matter jurisdiction due to diversity jurisdiction not being properly shown by Plaintiff. Plaintiff hereby invokes R.C. § 2305.19(A), which pertinently provides that "In any action that is commenced \* \* \*, if the plaintiff fails otherwise than upon the merits, \* \* \* the plaintiff's representative may commence a new action within one year after the date of \* \* \* the plaintiff's failure otherwise than upon the merits[.]" *Menno v. Salem Hunting Club*, 7<sup>th</sup> Dist. Columbiana No. 11CO2, 2012-Ohio-4553, ¶ 13 ("When a complaint is refiled under the saving

statute, the case relates back to the date of the original complaint for purposes of satisfying any statute of limitations problems.”)

## **V. TRIAL BY JURY DEMANDED**

17. Plaintiff respectfully demands a trial by jury on all of the issues set forth herein that are triable by right. Civ.R. 38.

## **VI. CAUSES OF ACTION**

### **COUNT I COMMON LAW DEFAMATION**

18. The foregoing paragraphs of this Complaint are incorporated by reference as if fully set forth herein.

19. Defendant published false and defamatory statements about Plaintiff to third-parties via the medium of the World Wide Web.

20. Defendant’s false and defamatory statements about Plaintiff were made by Defendant without privilege.

21. Defendant acted with at least negligence in making false and defamatory statements about Plaintiff.

22. Defendant failed to act reasonably in attempting to discovery the truth or falsity or defamatory character of Defendant’s publication about Plaintiff.

23. Defendant’s false and defamatory statements about Plaintiff are defamatory per se insofar as said statements reflect upon the character of Plaintiff by bringing him into ridicule, hatred, or contempt, and affects Plaintiff injuriously in his future trade or profession.

24. Defendant committed against Plaintiff the common law tort of libel per se.

**COUNT II**  
**COMMON LAW INVASION OF PRIVACY – FALSE LIGHT**

25. The foregoing paragraphs of this Complaint are incorporated by reference as if fully set forth herein.

26. Defendant made false and derogatory statements about Plaintiff that Defendant publicized via the medium of the World Wide Web.

27. The false and derogatory statements made by Defendant about Plaintiff placed Plaintiff before the public in a false light.

28. The false and derogatory statements made by Defendant about Plaintiff are highly offensive to a reasonable person.

29. Defendant is at fault and knew or acted with recklessness as to the truth of the statements made by Defendant that concern Plaintiff.

30. As a direct and proximate result of Defendant's statements about Plaintiff, Plaintiff has been and will continue to suffer damages in the form of mental anguish and reputational injury.

31. Defendant committed against Plaintiff the tort of invasion of privacy – false light.

**COUNT III**  
**COMMON LAW INVASION OF PRIVACY – PUBLIC DISCLOSURE OF PRIVATE FACTS**

32. The foregoing paragraphs of this Complaint are incorporated by reference as if fully set forth herein.

33. Defendant publicly disclosed private facts about Plaintiff to third-parties via the medium of the World Wide Web.



34. Defendant's disclosure about private facts about Plaintiff would be highly offensive and objectionable to a reasonable person of ordinary sensibilities.

35. Defendant's disclosure of private facts about Plaintiff was done intentionally.

36. Defendant's disclosure of private facts about Plaintiff are not of legitimate concern to the public.

37. Defendant committed against Plaintiff the tort of invasion of privacy – public disclosure of private facts.

**COUNT IV  
COMMON LAW INVASION OF PRIVACY – INVASION OF SECLUSION**

38. The foregoing paragraphs of this Complaint are incorporated by reference as if fully set forth herein.

39. Defendant intentionally intruded upon Plaintiff's seclusion, solitude, and/or private concerns or affairs by making public disclosures of information about Plaintiff that are of no legitimate concern to the public.

40. Plaintiff has a reasonable expectation of privacy in his solitude, seclusion, and/or private concerns or affairs.

41. The unreasonable intrusions and invasions by Defendant occurred in a way that would be highly offensive to a reasonable person.

42. As a direct and proximate result of Defendant's intrusions upon Plaintiff's seclusion or solitude, Plaintiff has suffered damages.

43. Defendant committed against Plaintiff the tort of invasion of privacy – invasion of seclusion.

**COUNT V**  
**PUNITIVE DAMAGES**

44. The foregoing paragraphs of this Complaint are incorporated by reference as if fully set forth herein.

45. Defendant's conduct was conscious, deliberate, intentional, and/or reckless in nature.

46. Defendant's conduct was undertaken with hatred, ill will, and/or vexation.

47. Defendant's conduct was done with a conscious disregard for the rights of Plaintiff and has a great probability of causing Plaintiff substantial harm for many years.

48. Plaintiff is entitled to punitive damages from Defendant.

**COUNT VI**  
**PERMANENT INJUNCTION**

49. The foregoing paragraphs of this Complaint are incorporated by reference as if fully set forth herein.

50. Some or all of the improper and unlawful conduct of Defendant is continuing and will continue in the future absent injunctive relief from the Court, and Plaintiff will continued to be damaged by the same.

51. In the absence of the entry of a permanent injunction by the Court, Plaintiff will suffer serious and irreparable harm and injury, including but not limited to damage to Plaintiff's reputation.

52. The entry of a permanent injunction will not unduly harm or burden Defendant because Defendant is required as a matter of law to refrain from tortiously harming Plaintiff's reputation via the World Wide Web.



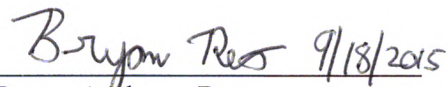
53. Public policy favors the entry of a permanent injunction because such relief will prevent unlawful conduct and will preserve and protect Plaintiff's reputation from further injury.

54. Plaintiff is entitled to a permanent injunction in which Defendant is compelled to remove from the World Wide Web and not republish thereto any and all derogatory materials Defendant or Defendant's agents published there about Plaintiff.

## **VII. PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays that this Court will enter judgment against Defendant in Plaintiff's favor in an amount of money that exceeds twenty-five thousand dollars (\$25,000.00) for general and special damages, award Plaintiff punitive damages against Defendant in an amount the Court deems just and proper, award Plaintiff all costs associated with maintaining the instant civil action, award Plaintiff all pretrial and post-trial interest on any and all monetary relief awarded to Plaintiff, award Plaintiff injunctive relief by ordering Defendant to remove from the World Wide Web and not republish thereto derogatory or invasive materials about Plaintiff that Defendant or Defendant's agents published about Plaintiff, and will award Plaintiff all other relief to which Plaintiff is entitled as a matter of law or equity.

Respectfully submitted,

 9/18/2015

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