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# Smartmatic Attorneys Demand \$546K In FAFO Money From Mike Lindell And His Lawyers

That's a whole lotta pillows.

By LIZ DYE

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Mike Lindell's pillows will have just a little less stuffing in them pretty soon thanks to his legal shenanigans. The MyPillow magnate's litigation strategies have been approximately as sound as his electoral fraud claims — which is to say that they were batshit — and that may wind up costing him bigly.

After Dominion Voting Systems sued him for defamation in DC federal court, Lindell and his company filed a [counterclaim](#) against Dominion and its direct competitor, Smartmatic, alleging civil RICO and defamation. And he filed it in the District of Minnesota, *obviously*.

US District Judge Patrick Schlitz [declined](#) Lindell's invitation to punish Dominion Voting Systems for the tort of suing Mike Lindell, and transferred the case to DC, at which point Smartmatic warned that it was going to request Rule 11 sanctions against Lindell and his lawyers. But these brain geniuses ignored the threat, and instead dismissed their claims against Smartmatic, then added the company back as third party defendant in the pending Dominion case. Only this time on top of the RICO libelslander allegations, Lindell accused Smartmatic of witness tampering via cease and desist letters sent to people making false claims about the company.

Last week Judge Carl J. Nichols [had enough](#). He not only [granted](#) Smartmatic's motion to dismiss, but he also agreed to sanction Lindell, his company, *and his lawyers* Douglas A. Daniels and Heath A. Novosad, both of whom have already withdrawn from the case.

“In particular, the Court concludes that at the very least Lindell's claim against Smartmatic under the Support or Advocacy Clause falls on the frivolous side of the line (other claims do too),” he [wrote](#). “As a result, the Court orders Lindell and his previous counsel to pay some of the fees and costs Smartmatic has incurred defending itself and moving for sanctions under Rule 11.”

The court invited Smartmatic to make its case for damages, and on Friday, the Benesch, Friedlander, Coplan & Aronoff, LLP attorneys did just that.



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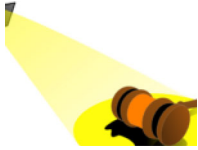
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“Smartmatic seeks an award of at least \$546,156 for reasonable legal fees for 1168.6 hours of work investigating, researching, and drafting several complex motions, plus \$400 in costs,” they [argue](#), describing the figure as an 18.4 percent haircut off the actual time expended, in deference to Judge Nichols’s finding that only “some” of Lindell’s claims were entirely frivolous.

But they hasten to add that if Judge Nichols wants to make an example of this pillow pumping bozo with his \$2 billion RICO LOLsuit, they’ll gladly take the whole amount.

*Thus, although Smartmatic recognizes that the Court is inclined to award “some” fees and that the lodestar below is presumptively reasonable, the Court could go higher and award up to \$658,646.73 within the confines of Rule 11. If ever there were a case to apply the full force of Rule 11, it is this one.*

They also observe in a footnote that only Lindell’s lawyers — i.e. not their client — are on the hook for making facially frivolous arguments in a pleading in violation Rule 11(b)(2).



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And, hey, PS: If Smartmatic is getting sanctions and fees from Lindell and his attorneys, then you can bet your bottom dollar Dominion is going to ask for a whole lot more than \$546,000 when this preposterous clusterfuckery finally comes to an end.

[US Dominion Inc. v. MyPillow Inc.](#) [Docket via Court Listener]

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**Liz Dye** lives in Baltimore where she writes about law and politics.

### TOPICS

Carl Nichols, Defamation, Dominion Voting Systems, Election Law, Government, Mike Lindell, Patrick Schlitz, RICO, Smartmatic

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