

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE Central Justice Center 700 W. Civic Center Drive Santa Ana, CA 92702	
SHORT TITLE: Kane vs. Karamian	
CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	CASE NUMBER: 30-2026-01575619-CU-HR-CJC

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 06/18/26, was transmitted electronically by an Orange County Superior Court email server on June 18, 2026, at 3:30:59 PM PDT. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

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CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 06/18/2026

TIME: 03:21:00 PM

DEPT: C64

COMMISSIONER: Glenn Mondo

CLERK: S. Lopez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT:

CASE NO: **30-2026-01575619-CU-HR-CJC** CASE INIT.DATE: 06/05/2026

CASE TITLE: **Kane vs. Karamian**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Harassment

EVENT ID/DOCUMENT ID: 74882703

EVENT TYPE: Under Submission Ruling

APPEARANCES

There are no appearances by any party.

The Court, having taken the above-entitled matter under submission on 6/17/2026 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Petitioner requested and obtained a TRO against respondent on 6/5/26.

Petitioner's verified request for a civil harassment restraining order stated he has full legal and physical custody of his daughter pursuant to a court order; that respondent has accused petitioner of kidnapping or "stealing" his own daughter; that social media posts by respondent portray petitioner's daughter as a kidnapping victim; and that respondent shared the above allegations with his 500,000 social media followers (which respondent calls his "dirty army") inciting them to action to "FREE [petitioner's daughter]." Respondent is also alleged to have profited from the sale of merchandise related to his campaign to "FREE [petitioner's daughter]."

Petitioner alleged the above conduct created a foreseeable and grave risk that one or more of respondent's followers might attempt to "rescue" petitioner's daughter by force or take violent action against petitioner based on the false claim that he is a kidnapper.

Petitioner also alleged that respondent provided a platform for petitioner's ex-wife and served as a willing instrument to circumvent an order issued by a Canadian court prohibiting petitioner's ex-wife from posting anything to social media about petitioner or his child.

The court did not consider as evidence in support of the TRO the many allegedly defamatory statements attributed by petitioner to respondent unrelated to the kidnapping allegation.

As permitted by statute, the TRO was issued without notice to respondent.

On 6/15/26, respondent filed an ex parte application to vacate the TRO. Petitioner's opposition and respondent's reply were both filed on 6/16/26, and the ex parte was heard on 6/17/26. After oral

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argument, the matter was taken under submission. Having considered the moving and opposing papers, and argument of counsel, the court rules as follows.

The Court recognizes a conflict between Code of Civil Procedure 527.6 and the First Amendment. However, harassing speech is not protected speech and is an exception to the general constitutional prohibition on prior restraint. *Huntington Life Sciences, Inc., v. Stop Huntington Animal Cruelty USA, Inc.* (2005) 129 Cal.App.4th 1228, 1250.

The court found many of respondent's exhibits to be irrelevant (although it understands they may have been provided in response to irrelevant material contained in the original petition which was not relied on by the court in issuing the TRO). Specifically, the court found irrelevant the petitioner's alleged fame (as a NHL player) and legal troubles including years-old allegations of a criminal investigation and lawsuit for rape; an arrest for sexual harassment; a lawsuit related to gambling debts; a bankruptcy; a loan fraud lawsuit; transmission of STD's to his partners; and a lawsuit for breach of abortion contract.

In weighing the TRO which was issued the court is focused on whether petitioner has established reasonable proof of harassment (as defined in Code of Civil Procedure 527.6) by the respondent and that petitioner will suffer great or irreparable harm if the TRO was not granted. Code of Civil Procedure 527.6(d).

With regard to the ruling on respondent's ex parte application, the court finds it to be a very close call as to whether the relief should be granted.

In initially granting the TRO, the court's citation to *People v. Planchard* (2025) 109 Cal.App.5th 157 was to highlight that harassment can occur as defined in Code of Civil Procedure 527.6 without direct communication from defendant to plaintiff.

The most relevant citation with regard to resolution of respondent's ex parte application is *EG v. ML* (2024) 105 CA5th 688. EG was a fact-driven case where petitioner alleged respondent made social media posts portraying EG as supporting pedophilia, kidnapping and child abuse. In finding such statements not to be protected free speech, the court made two important findings. First, the court took judicial notice of a prior family court proceeding in which ML's sexual abuse allegations were found "not credible." Second, in making the posts ML not only included EG's contact information and photo but also asked her followers to "please pressure" EG and "make her stop" because EG's support of ML's mother put ML "in danger."

Similar to the situation in EG, this court sees no credible basis for labeling petitioner a kidnapper: there appears to be no dispute regarding the existence of a court order giving petitioner custody of his child. If this were a defamation lawsuit, petitioner's fame (as an NHL player) and respondent's purported status as a journalist calling petitioner a kidnapper might or might not qualify as "fair comment." But this is a civil harassment case, not a defamation lawsuit. Here petitioner alleges this false statement, communicated by respondent to his numerous social media followers, has put petitioner at risk of harm.

However, further analysis of the EG case is helpful and necessary. In EG, after urging her followers to "pressure" petitioner, the petitioner was threatened and harassed by unknown third parties. Here, although petitioner understandably feels respondent's conduct may put him at risk, respondent's declaration in support of his ex parte denies any violence or threats have been made against petitioner as a result of respondent's communications to his social media followers. Respondent also argues that his reference to petitioner kidnapping his own child was more of a question than statement and provided a video and transcript of the interview which forms a part of the petitioner's allegations against respondent. And respondent denied that his admittedly "controversial" reporting has ever led to any violence being perpetrated upon the subject of his reporting.

While the court deeply disagrees with respondent's claim that petitioner's fear is ludicrous, considering

the evidence presented thus far the court cannot say at this preliminary stage of the lawsuit that petitioner has established great or irreparable harm will result in the absence of a TRO.

The court notes petitioner's opposition to the ex parte includes factual allegations outside the scope of his initial filing (for example, statements from respondent's web site purportedly retrieved on 6/16/26). While perhaps relevant at trial, the court declines to consider such evidence in ruling on the present ex parte which addresses solely the propriety of the TRO based on petitioner's original filing. While petitioner might be able to prove his case at trial, considering the evidence in the petition and the respondent's ex parte application the court believes the foreseeable risk of harm alleged by petitioner is insufficient for the TRO to remain in place pending trial.

This court seldom receives an opposition prior to a scheduled hearing and believes this is the first time a respondent has sought ex parte relief to vacate a TRO issued without notice. While the court finds good cause to grant the requested relief, this should not be interpreted as a vindication of respondent's free speech arguments. It is instead a finding of insufficient evidence as set forth in the initial petition to support a finding of great or irreparable harm absent the TRO. But evidence of any actual threats or harassing conduct/communications directed at petitioner that can be found to arise from respondent's statements communicated to his social media followers may be sufficient for a restraining order after trial.

Respondent's second argument is an easier call. Although petitioner presented evidence which the court could take judicial notice of at the hearing (domestication of the Canadian DVRO in the Santa Clara Superior Court), the restrained person in this order was petitioner's ex-wife. The court believes respondent was aware of the Canadian court order at the time he interviewed petitioner's ex-wife and willingly presented a forum for the ex-wife to violate the court order which had been issued against her. While this may give rise to some other claim by petitioner against his ex-wife, or conceivably even against the respondent, the court is persuaded by respondent's arguments that the terms of the TRO prohibiting him from posting anything to social media regarding petitioner or his daughter as described or relayed to respondent by the ex-wife is overbroad and that portion of the TRO is also terminated.

Respondent's request for costs, attorneys' fees and/or sanctions is DENIED. There appears to be real issue here regarding whether respondent called petitioner a kidnapper; respondent's not just crass commercialization of the situation by selling merchandise emblazoned "FREE [petitioner's daughter]" but arguably inciting his followers to action; and a reasonable fear by petitioner this might result in serious or imminent harm. Consistent with the ruling in the EG case, the question at trial will be whether respondent advised his many social media followers that petitioner "kidnapped" or "stole" his child and, if so, whether that conduct can reasonably be found to have led to a clear and present or serious/imminent threat to or harassment of petitioner, even if that conduct is engaged in by one of respondent's social media followers rather than the respondent himself.

For the moment, the 6/30/26 hearing remains on calendar. However, respondent has filed an anti-SLAPP motion and motion requiring petitioner to post bond which will almost certainly delay 6/30/26 trial. Given that civil harassment cases are deemed to be unlimited cases, that is presumably how respondent received a motion reservation date three months in the future. However, civil harassment cases under Code of Civil Procedure 527.6 are expedited proceedings, and counsel are ordered to meet and confer regarding an agreed upon hearing date and briefing schedule to address these motions well in advance of September. A status conference is set for 6/24/26 at 1:30 pm in Department C64 for counsel to advise the court of agreed-upon scheduling. If no agreement is reached the court will unilaterally schedule the same.

For the reasons stated above the TRO initially granted on 6/5/26 is dissolved, but without prejudice to trial proceeding to address the issues set forth in the above ruling.

The court clerk is to electronically serve this ruling on counsel for petitioner and respondent forthwith.