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**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF CALIFORNIA**
**SAN JOSE DIVISION**

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| HOOMAN ABEDI KARAMIAN a/k/a NIK LAMAS-RICHIE,<br><br>Plaintiff,<br><br>v.<br><br>EVANDER KANE,<br><br>Defendant. | Case No. 5:26-cv-06348-NC<br><br>**DEFENDANT EVANDER KANE'S NOTICE OF MOTION AND MOTION TO DISMISS THE COMPLAINT UNDER FED. R. CIV. P. 12(b)(1), 12(b)(2), 12(b)(4), 12(b)(5), AND 12(b)(6); MEMORANDUM OF POINTS AND AUTHORITIES**<br><br>*[Filed concurrently with Declarations of Evander Frank Kane and Ryan F. Coy, and [Proposed] Order]*<br><br><u>Hearing</u>:<br>Date: September 16, 2026<br>Time: 11:00 a.m.<br>Place: Courtroom 5, 4th Floor<br>San Jose Federal Courthouse<br><br>Complaint Filed: June 25, 2026 |

**TO PLAINTIFF AND HIS ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that on September 16, 2026, at 11:00 a.m., or as soon thereafter as the matter may be heard, in Courtroom 5 of the United States District Court for the Northern District of California, San Jose Courthouse, 280 South 1st Street, San Jose, California 95113, Defendant Evander Kane ("Defendant") will and hereby does move this Court for an order dismissing the Complaint of Plaintiff Hooman Abedi Karamian a/k/a Nik Lamas-Richie ("Plaintiff") in its entirety and for an order awarding Mr. Kane his fees and costs against Plaintiff's counsel, Marc J. Randazza, Esq., pursuant to 28 U.S.C. § 1927, and against Mr. Randazza and Plaintiff pursuant to the Court's inherent authority.

This Motion is brought under Federal Rules of Civil Procedure 12(b)(1), 12(b)(2), 12(b)(4), 12(b)(5), and 12(b)(6) on the grounds that: (1) Plaintiff lacks Article III standing to challenge a judgment entered against a different person, and the Complaint presents no justiciable case or controversy; (2) this Court lacks personal jurisdiction over Mr. Kane, a Canadian citizen who resides in Alberta, Canada; (3) Plaintiff has failed to effect service of process, and the process and return of service on file are fraudulent; (4) the Complaint pleads no federal question as to the First and Second Causes of Action and no amount in controversy as to any claim; (5) in the alternative, the Court should decline to exercise its discretionary declaratory jurisdiction in favor of the first-filed state proceeding now pending in Orange County Superior Court; (6) the Complaint fails to state a claim upon which relief can be granted; and (7) Plaintiff's counsel unreasonably and vexatiously multiplied these proceedings, and Plaintiff has brought and maintained this action for an improper purpose.

This Motion is based on this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, the Declaration of Evander Kane, the Declaration of Ryan F. Coy and the exhibits thereto, the pleadings and papers on file, any matters of which the Court may take judicial notice, and such further argument and evidence as may be presented at or before the hearing.

Mr. Kane has not been served with the summons and Complaint. He files this Motion out of an abundance of caution, within twenty-one days of the date on which Plaintiff claims service was accomplished, in order to avoid any risk of default while that representation is contested. By filing, Mr. Kane does not consent to the jurisdiction of this Court, does not waive service of process, and does not make a general appearance. All Rule 12(b) defenses are asserted together in this single motion as Rule 12(g)(2) requires.

**STATEMENT OF ISSUES TO BE DECIDED (CIVIL L.R. 7-4(a)(3))**

1. Whether Plaintiff has Article III standing to seek a declaration that a foreign judgment is unenforceable, where the judgment was entered against a different person, imposes no obligation on Plaintiff, and has never been asserted against him for recognition or enforcement in any court.

2. Whether this Court may exercise personal jurisdiction over Mr. Kane, a citizen and resident of Canada, where the conduct attributed to him consists of a demand letter sent by New York counsel to Plaintiff in Orange County, litigation filed and prosecuted in Orange County Superior Court, and a registration step taken in a pre-existing Santa Clara County family law case in which Plaintiff was never named or noticed.

3. Whether a party's resort to a California state court in one proceeding renders him amenable to a separate federal action brought by a different plaintiff on different claims.

4. Whether process and service of process were sufficient, where the return of service represents personal service on Mr. Kane in Los Angeles on a date when he was outside the United States, and where no service has been attempted under the Hague Service Convention.

5. Whether the First and Second Causes of Action present a federal question, and whether the Complaint pleads an amount in controversy sufficient to invoke 28 U.S.C. § 1332(a)(2).

6. Whether the Court should decline to exercise declaratory jurisdiction under *Brillhart* and *Wilton* in light of the civil harassment proceeding pending in Orange County Superior Court and set for evidentiary hearing on September 8–10, 2026.

7. Whether the Complaint states a claim, where 28 U.S.C. § 4104(a)(1) confers a cause of action only on a United States person against whom a foreign judgment has been entered, and Plaintiff pleads four times that no judgment was entered against him.

8. Whether sanctions are warranted under 28 U.S.C. § 1927 against Mr. Randazza for unreasonably and vexatiously multiplying these proceedings.

9. Whether sanctions are warranted under the Court's inherent-power authority against Plaintiff and Plaintiff's counsel for prosecuting this action for an improper purpose and for maintaining sworn returns of service known to be false.

**BLANK ROME LLP**

DATED: August 10, 2026

By: */s/ Ryan F. Coy*
Joseph J. Mellema
Ryan F. Coy

*Attorneys for Defendant*
EVANDER FRANK KANE

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## MEMORANDUM OF POINTS AND AUTHORITIES

### I. INTRODUCTION

Plaintiff plainly lacks standing—he asks this Court to declare that a Canadian judgment that does not apply to him cannot be enforced against him. The issue appears on the face of his own pleading: the judgment was not entered against him, imposes no obligation on him, and has never been enforced against him in any court.

Plaintiff pleads the point himself, ***four separate times***: (1) "The Alberta Judgment was entered against Anna Kane. Richie was not a party to the Alberta proceeding, was not served in it, and no judgment was entered against Richie therein." (Compl. ¶ 17); (2) Anna Kane is "the only person actually enjoined by the Alberta Judgment." (*id.* ¶ 4); (3) "Anna Kane [is] the only person enjoined by [the Alberta Judgment]" (*id.* ¶ 27); and (4) Plaintiff "was a stranger to the proceeding" (*id.* ¶ 43).)

Those concessions are dispositive twice over. *First*, they defeat Article III standing on every claim, because a judgment that does not bind Plaintiff cannot injure him and a declaration from this Court about its unenforceability as to him would change nothing. And *second*, it defeats the Third Cause of Action on the merits, because the SPEECH Act creates a cause of action only for a United States person ***against whom a foreign judgment is entered*** on the basis of ***that person's*** published speech. 28 U.S.C. § 4104(a)(1). Plaintiff satisfies neither element and has pleaded himself out of both.

Plaintiff's answer, presumably, will be that Mr. Kane is trying to use the Alberta Judgment against him. He is not, and the distinction matters. Mr. Kane submitted the Alberta Judgment as evidence in a California harassment proceeding for a limited and specific purpose: to establish that Deanna Kane remains subject to an operative restriction on contacting and publicizing Mr. Kane and his family, and that material originating with her has continued to reach the public notwithstanding that restriction. Offering a court record as circumstantial evidence of a course of conduct is not a request that a court give the record preclusive effect, adopt it as binding, or execute on it. Section 4102 governs recognition and enforcement. Neither has been sought by Defendant.

The threshold defects are independent and equally fatal. Mr. Kane is a citizen of Canada who lives in Alberta, Canada. His employment in this District ended in January 2022, when the San Jose Sharks terminated his contract and he signed with the Edmonton Oilers. He has not resided in the United States for over three years, since early 2023. The contacts Plaintiff alleges are a demand letter sent by New York counsel to Plaintiff at his home and business in Orange County, litigation filed and prosecuted in Orange County Superior Court, and a registration step taken in a pre-existing Santa Clara County family law case between Mr. Kane and his former spouse in which Plaintiff was never named, served, or noticed. A litigant's resort to a California court in one proceeding does not make him answerable in a separate action brought by a different plaintiff on different claims.

Mr. Kane has also never been served. The return of service on file fraudulently represents that he was personally served at the Bel-Air Country Club in Los Angeles on July 19, 2026. But Mr. Kane was not in California that day. Indeed, he was not in the United States that day. Undersigned counsel identified the fraudulent nature of the return of service by letter to Plaintiff's counsel on July 30, 2026 and asked that the filing be withdrawn. It has not been—demonstrating opposing counsel's willingness to mislead.

Even if jurisdiction existed (which it does not), the Court should decline to exercise it. This action was filed on June 25, 2026 as a collateral attack on the pending proceeding in Orange County Superior Court, where Plaintiff filed multiple baseless motions—all as an attempt, ***by Plaintiff's own admission***, to paper Mr. Kane "so hard" that he gives up on seeking protection for his family. (Coy Decl. ¶ 13, Ex. E.) Every First Amendment argument in this Complaint is available to Plaintiff in Orange County, where he already has raised them. The Court should abstain from exercising jurisdiction (even if it had it) to avoid a duplicative proceeding and to prevent an abuse of the judicial process by Plaintiff.

Finally, Defendant respectfully requests fees and costs. Plaintiff's counsel has stood by returns of service that cannot be true, refused to withdraw them after being told they were false, and held Mr. Kane to a response deadline without being served—unreasonably and vexatiously multiplying these proceedings under 28 U.S.C. § 1927. And Plaintiff has publicly stated the purpose behind the filings in both this Court and Orange County: to run up fees and costs so Mr. Kane will abandon a restraining order petition that protects his children. That purpose is sanctionable under the Court's inherent authority, which reaches Plaintiff as well as his counsel. (*See* § V, *infra*.)

The Complaint should be dismissed and sanctions issued.

## II. BACKGROUND

### A. The parties.

Mr. Kane is a citizen of Canada and a professional hockey player. (Compl. ¶ 2.) He last played for the Vancouver Canucks and resides in Alberta, Canada. (Kane Decl. ¶¶ 3–4.) He formerly played for the San Jose Sharks; that engagement ended in January 2022, and he has not resided in the Northern District of California, or anywhere in the United States, since early 2023. (Kane Decl. ¶¶ 5–6.)

Plaintiff publishes commentary on Instagram and YouTube. (Compl. ¶¶ 1, 7.) He resides in Orange County, California, and his business is located there. (Coy Decl. ¶ 5.)

### B. The Alberta Judgment and its registration.

On May 14, 2025, the Court of King's Bench of Alberta entered a default judgment against Deanna Kane, also known as Anna Kane, Mr. Kane's former spouse. (Compl. ¶ 16.) It restrains her from approaching Mr. Kane, his fiancée, and their children, from contacting or harassing them, and from posting about them on social media. It reserves damages for later assessment and reserves costs. It names no one but Ms. Kane as the subject of that judgment.

The Alberta court entered that judgment on its notation of a series of earlier Canadian protection orders and of a permanent domestic violence restraining order issued against Ms. Kane in July 2024 by the Superior Court of California, County of Santa Clara, in Case No. 21FL002586. (Compl. Ex. 2, Ex. B.) The Santa Clara County case was originally filed in 2021, when Mr. Kane and Ms. Kane still resided in this District.

On June 10, 2026, Mr. Kane registered the Alberta Judgment in that same Santa Clara County case. (Compl. ¶ 27.) The registration is a step in a pre-existing proceeding between Mr. Kane and Ms. Kane, the only judgment parties. Plaintiff was not named in it, was not served with it, and received no notice of it. (*See* Coy Decl. ¶ 6, Ex. A.) No step has ever been taken under the registration of the Alberta Judgment to enforce it against Plaintiff and none is alleged.

**C. The demand letter and the Orange County proceeding.**

On May 21, 2026, Plaintiff published an interview with Ms. Kane. (Compl. ¶ 10.) On May 22, 2026, Mr. Kane's counsel in New York sent Plaintiff a letter demanding retraction. (Compl. ¶ 12; Compl. Ex. 2.) The letter stated that if no retraction issued, Mr. Kane would file a civil suit. (Compl. ¶ 14.)

No such suit was filed. What Mr. Kane filed, on June 5, 2026, was a Request for Civil Harassment Restraining Orders under California Code of Civil Procedure section 527.6 in Orange County Superior Court, captioned *Kane v. Karamian*, No. 30-2026-01575619-CU-HR-CJC.[1] (Compl. ¶ 23.) A temporary restraining order issued from Department C64 on June 8, 2026. (Compl. ¶ 24.) It was dissolved on June 18, 2026. (*See* Compl. ¶ 22.) The proceeding remains pending, with a special motion to strike calendared for August 26, 2026 and an evidentiary hearing calendared for September 8–10, 2026. (Coy Decl. ¶ 8.)

Plaintiff filed this action on June 25, 2026, after he had filed a special motion to strike under the anti-SLAPP statute and a motion for an undertaking in the Orange County proceeding. The Superior Court denied Plaintiff's motion for an undertaking.

**D. The exhibits and the return of service.**

Two of the three exhibits to the Complaint are not, on their face, what the Complaint says they are. The document filed as Exhibit 1 and captioned "Alberta Judgement" is not the Alberta Judgment; it is Attachment 5a(4) to the Orange County temporary restraining order. (Dkt. 1-1, 1-3.) The Alberta Judgment appears in the record only as an exhibit to an exhibit, attached to the demand letter filed as Exhibit 2. (Dkt. 1-2 at 21–23.) The document filed as Exhibit 3 and captioned "TRO

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[1] Defendant respectfully requests that the Court take judicial notice of the dockets and filings in the Orange County proceeding, to the extent the docket and pleadings are publicly available and accessible, as it is permitted to do under well-established authority. Fed. R. Evid. 201(b)(2); *Harris v. County of Orange*, 682 F.3d 1126, 1132 (9th Cir. 2012) (court may take judicial notice of undisputed matters of public record, including documents on file in federal or state courts); *Reyn's Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746 n.6 (9th Cir. 2006).

in Harassment Case" is not the temporary restraining order; it is the June 8, 2026 minute order of Department C64 in Santa Ana. (Dkt. 1-3; Coy Decl. ¶ 7, Ex. B.)

On July 22 and 23, 2026, Plaintiff filed a Declaration of Personal Service and a supporting declaration representing that Mr. Kane was personally served at the Bel-Air Country Club in Los Angeles on July 19, 2026. (Dkt. 11, 12.) Mr. Kane was not in California on that date and, indeed, was not even in the United States. (Kane Decl. ¶¶ 9–12.) Plaintiff's own filings do not agree with each other on the date. (Coy Decl. ¶¶ 9, 12.) On July 30, 2026, undersigned counsel wrote to Plaintiff's counsel, identified the fraudulent nature of the filings, and requested withdrawal. (*Id.* ¶ 10, Ex. C.) The filings have not been withdrawn. Instead, on July 31, 2026, Plaintiff filed a renewed motion for alternative service, asking this Court for leave to serve Mr. Kane by means other than personal delivery. (Dkt. 20.) That request is irreconcilable with the position Plaintiff maintains at Docket Nos. 11 and 12 in this case.

## III. LEGAL STANDARD

A Rule 12(b)(1) motion may be facial or factual. *Safe Air for Everyone v. Meyer*, 373 F.3d 1035, 1039 (9th Cir. 2004). The party invoking federal jurisdiction bears the burden of establishing it, *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994), and must establish standing for each claim and each form of relief sought, *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 352 (2006).

Where personal jurisdiction is contested, the plaintiff bears the burden of establishing it, and on a motion decided without an evidentiary hearing, he must make a *prima facie* showing. *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 800 (9th Cir. 2004). He may not rest on the bare allegations of his complaint, and uncontroverted evidence submitted by the defendant is taken as true. *Id.* A court may resolve personal jurisdiction before subject matter jurisdiction where the former is the more straightforward question. *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574, 587–88 (1999).

The plaintiff likewise bears the burden of establishing valid service. *Brockmeyer v. May*, 383 F.3d 798, 801 (9th Cir. 2004). Absent proper service, a federal court is without jurisdiction to render a personal judgment. *Direct Mail Specialists, Inc. v. Eclat Computerized Techs., Inc.*, 840 F.2d 685, 688 (9th Cir. 1988).

On a Rule 12(b)(6) motion, well-pleaded factual allegations are accepted as true but legal conclusions are not, and the claim must be plausible on its face. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Where a plaintiff pleads facts that defeat his own claim, dismissal is proper. *Steckman v. Hart Brewing, Inc.*, 143 F.3d 1293, 1295–96 (9th Cir. 1998) ("[W]e are not required to accept as true conclusory allegations which are contradicted by documents referred to in the complaint."); *Sprewell v. Golden State Warriors*, 266 F.3d 979, 988 (9th Cir. 2001) (court need not accept as true allegations contradicted by documents attached to or incorporated in the complaint), *amended by* 275 F.3d 1187 (9th Cir. 2001); *Gonzalez v. Planned Parenthood of L.A.*, 759 F.3d 1112, 1115 (9th Cir. 2014).[2]

## IV. ARGUMENT

### A. Process and service of process were insufficient and the filings related thereto were fraudulent.

"A federal court is without personal jurisdiction over a defendant unless the defendant has been served in accordance with Fed. R. Civ. P. 4." *Direct Mail Specialists*, 840 F.2d at 688. Neither actual notice nor substantial compliance excuses a failure to serve. *Benny v. Pipes*, 799 F.2d 489, 492 (9th Cir. 1986).

The return of service is defective on its own terms and false in substance. It alleges that Mr. Kane was personally served at the Bel-Air Country Club in Los Angeles on July 19, 2026. (Dkt. 11.) The supporting declaration filed the next day gives the year as 2025. (Dkt. 12.) Both cannot be right, and neither is: Mr. Kane was outside the United States on July 19, 2026, was not at the Bel-

[2] Mr. Kane submits the accompanying declarations in support of the Rule 12(b)(1) factual attack and the motions under Rules 12(b)(2), 12(b)(4), and 12(b)(5) only. On each of those motions the Court may consider matters outside the pleadings. *Safe Air*, 373 F.3d at 1039 (Rule 12(b)(1) factual attack); *Schwarzenegger*, 374 F.3d at 800 (Rule 12(b)(2)). The Rule 12(b)(6) arguments in Section IV rest exclusively on the Complaint, the exhibits filed with it, and matters subject to judicial notice under Federal Rule of Evidence 201.

Air Country Club at any point in July 2026, and has not been served with a summons or a copy of the Complaint in this action anywhere at any time. (Kane Decl. ¶¶ 9–12.)

The record has since gotten worse rather than better. On August 5, 2026—six days after undersigned counsel wrote to advise that the returns were false, and two days after the deadline to withdraw them—Plaintiff filed a declaration in the Orange County proceeding signed by his counsel, Alex J. Shepard, stating under penalty of perjury that the service on Mr. Kane in this action occurred on July 21, 2026. (Coy Decl. ¶ 12, Ex. D.) Plaintiff has now sworn to three different dates for a single act of service: July 19, 2026 (Dkt. 11), July 19, 2025 (Dkt. 12), and July 21, 2026 (Coy Decl. ¶ 12, Ex. D). None of them is correct, and none of them can be. Yet the filings at Dkt. 11 and Dkt. 12 remain on this docket, unwithdrawn and uncorrected, and Mr. Kane's response deadline is still based on them.

Undersigned counsel raised this by letter to Plaintiff's counsel on July 30, 2026, explaining that the alleged service is provably false, and asking that the filings be withdrawn. (Coy Decl. ¶ 10, Ex. C.) That letter was extended as a courtesy and stated expressly that Blank Rome was not authorized to accept service, had not appeared, was not counsel of record in this action, and that nothing in it constituted a general appearance, an acceptance of service, or a submission to jurisdiction. (*Id.*) Nevertheless, the filings remain on the docket.

There is also a categorical problem. Mr. Kane resides in Canada. Service on an individual in a foreign country is governed by Rule 4(f), which in the first instance requires an internationally agreed means of service, and Canada is a party to the Hague Service Convention. Fed. R. Civ. P. 4(f)(1); *Volkswagenwerk Aktiengesellschaft v. Schlunk*, 486 U.S. 694, 698–99 (1988). Plaintiff has made no Convention-compliant attempt at service.

Dismissal is warranted under Rules 12(b)(4) and 12(b)(5). Because the defect is the absence of service rather than a technical irregularity, and because the grounds set out above are dispositive, dismissal is appropriate.

**B. Plaintiff lacks standing to challenge a judgment entered against someone else.**

Standing is the threshold question, and it disposes of all three claims at once. Every cause of action in the Complaint seeks the same thing: a declaration concerning the Alberta Judgment. If Plaintiff cannot establish injury from that judgment, nothing in the Complaint survives, whatever label is attached to it.

**1. *A judgment that does not bind Plaintiff cannot injure him.***

Article III standing requires an injury in fact that is concrete and particularized and actual or imminent, fairly traceable to the challenged conduct, and likely to be redressed by a favorable decision. *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560–61 (1992). A declaratory plaintiff must additionally show a substantial controversy of sufficient immediacy and reality to warrant relief. *MedImmune, Inc. v. Genentech, Inc.*, 549 U.S. 118, 127 (2007).

Plaintiff's asserted injury is that the Alberta Judgment restrains his speech. It does not. It restrains Deanna Kane. Plaintiff alleges as much at Compl. ¶¶ 4, 17, 27, and 43. He does not allege that any Canadian court ordered him to do or refrain from doing anything, because none did.

Redressability fails for the same reason. A declaration that the Alberta Judgment is unenforceable against Plaintiff would leave his legal position exactly where it is now: unrestrained by that judgment. Federal courts do not issue declaratory judgments that change nothing, even if judgment would make plaintiff "happier." *Steel Co. v. Citizens for a Better Env't*, 523 U.S. 83, 107 (1998).

Nor may Plaintiff assert Ms. Kane's rights for her. A litigant generally must assert his own legal interests rather than those of third parties. *Kowalski v. Tesmer*, 543 U.S. 125, 129 (2004). To the extent the Complaint argues that the Alberta Judgment is overbroad as applied to Ms. Kane, Compl. ¶¶ 35, 46, that is her objection to make, in the Alberta court or in a proceeding to enforce the judgment against her. Her decision not to make an objection to the Alberta Judgment does not transfer the grievance to Plaintiff or entitle him to raise objections that the only person bound by that judgment has chosen not to raise.

**2. *No one has sought recognition or enforcement of the Alberta Judgment against Plaintiff.***

Anticipating the point, the Complaint asserts that Mr. Kane "has invoked and obtained or sought to obtain the speech restrictive applications of the Alberta Judgment against Richie." (Compl. ¶ 29.) The three acts said to constitute that invocation are the demand letter, the Orange County proceeding, and the Santa Clara registration. None is a request that any court recognize or enforce the Alberta Judgment against Plaintiff.

The registration is a step in a pre-existing family law case between Mr. Kane and Ms. Kane. It names Ms. Kane as the judgment debtor. Plaintiff was never named in it, served with it, or given notice of it, and no step has ever been taken under it against him. (Coy Decl. ¶ 6.) Plaintiff's theory is that the registration must have been aimed at him because Ms. Kane lives in Michigan, so "[t]he only purpose that could be served" by it "would be to try and shut down Richie's speech in the future." (Compl. ¶ 28.) That is speculation about motive offered in place of an injury. It also concedes the timing problem: a purpose to restrain speech "in the future" is precisely the kind of contingent, unrealized harm that Article III does not reach. *Clapper v. Amnesty Int'l USA*, 568 U.S. 398, 409 (2013) (stating that for Article III standing "'[a]llegations of *possible* future injury' are not sufficient") (citation omitted) (emphasis in original).

The demand letter did not ask any court for anything. It asserted that statements Plaintiff had published were assisting Ms. Kane in violating orders that were binding ***on her***, and it put him on notice of those orders. (Compl. ¶ 15.) Notice that a third party is subject to a court order is not an assertion that the order binds the recipient.

The Orange County proceeding is where Plaintiff's framing of the issue collapses. The relief Mr. Kane sought there rests on Plaintiff's ***own*** conduct: a knowing and willful course of conduct directed at Mr. Kane and his family that seriously alarms, annoys, or harasses and serves no legitimate purpose. Cal. Civ. Proc. Code § 527.6(b)(3). The Alberta Judgment was submitted as ***evidence bearing on that course of conduct***, it establishes that Ms. Kane is subject to an operative restriction, and it supplies the context in which her continued participation in Plaintiff's publications is relevant to the section 527.6 inquiry.

The SPEECH Act draws the relevant line itself. Section 4102 governs whether a domestic court may "recognize or enforce" a foreign defamation judgment. To recognize a judgment is to give it preclusive effect; to enforce it is to compel obedience to its terms. Offering a document as circumstantial evidence to prove what a third party is obligated to do, and that she is not doing it, asks for neither. Plaintiff cites no authority suggesting that the SPEECH Act reaches the ***evidentiary use*** of foreign court records, and Mr. Kane is aware of none.

Finally, Plaintiff's own pleading forecloses the one restraint he can actually point to. The Orange County temporary restraining order issued under section 527.6 on Commissioner Mondo's assessment of Plaintiff's course of conduct — not on any recognition or enforcement of the Alberta Judgment. And Plaintiff concedes that order "was vacated" a week before this action was filed. (Compl. ¶ 22.) Whatever injury he claims from it is moot, and it supplies no basis for prospective relief against Mr. Kane.

### 3. *Yahoo! confirms the analysis.*

The Ninth Circuit's en banc decision in *Yahoo! Inc. v. La Ligue Contre Le Racisme et L'Antisemitisme*, 433 F.3d 1199 (9th Cir. 2006) (en banc), is the closest analogue and it favors dismissal. Yahoo! had French orders entered ***against it*** and served on it in California, carrying penalties that accrued daily. Yahoo! sought a declaration that the orders were unrecognizable and unenforceable. The en banc court reversed and directed dismissal without prejudice, a plurality concluding that the controversy was insufficiently ripe under *Abbott Laboratories v. Gardner*, 387 U.S. 136, 149 (1967), because the French plaintiffs had not sought enforcement in the United States and it was uncertain whether they ever would. *Yahoo!*, 433 F.3d at 1211–12, 1223–24.

Plaintiff stands considerably further from justiciability than Yahoo! did. No foreign order was entered against him, none was served on him, and none imposes any penalty on him. (Coy Decl. ¶ 6.) If a declaratory plaintiff ***actually bound by*** a foreign order, facing accruing sanctions, could not show a ripe controversy absent an enforcement attempt, a plaintiff who is a stranger to the order certainly cannot. *Id.* at 1223–24.

## C. The Court lacks personal jurisdiction over Mr. Kane.

Where no federal statute supplies the rule, the jurisdictional reach of this Court is measured by California's long-arm statute, which is coextensive with federal due process. *Schwarzenegger*, 374 F.3d at 800–01; Fed. R. Civ. P. 4(k)(1)(A); Cal. Civ. Proc. Code § 410.10. No federal statute supplies a different rule here.[3] That is worth stating plainly, because it frames the question correctly: the issue is not whether a federal court and a state court sitting in the same district are different fora. It is whether Mr. Kane's contacts would render him amenable to ***this suit***, brought by ***this plaintiff***, in a California court. They would not.

**1. *There is no general jurisdiction.***

An individual is subject to general jurisdiction only where he is at home, which for a natural person means his domicile. *Daimler AG v. Bauman*, 571 U.S. 117, 137 (2014); *Goodyear Dunlop Tires Operations, S.A. v. Brown*, 564 U.S. 915, 924 (2011). Mr. Kane is domiciled in Alberta, Canada. (Kane Decl. ¶¶ 3–4.) He owns no property in this District, maintains no office, employs no one, and has no agent for service in the United States. (Kane Decl. ¶ 7.)

The Complaint's only gesture toward continuous contacts is that Mr. Kane "previously play[ed] for the San Jose Sharks." (Compl. ¶ 2.) That engagement ended in January 2022, more than four years before this action was filed, and Mr. Kane has not resided in the United States since 2023. (Kane Decl. ¶¶ 5–6.) Former residence is not present domicile.

**2. *Resort to a California state court in one proceeding does not create jurisdiction in a separate action.***

The heart of Plaintiff's jurisdictional theory is that Mr. Kane invoked California courts. (Compl. ¶¶ 5.b–5.g.) The premise proves nothing because submission by a litigant is proceeding-specific.

[3] Section 4104(b) does not, for the reasons set out in Section IV.C.5. Nor does Rule 4(k)(2), which requires as a threshold matter that the defendant have been served—a condition Plaintiff cannot satisfy, *see* Section IV.A—and which in any event applies a contacts analysis that must still be case-linked to the controversy pleaded. *Bristol-Myers Squibb Co. v. Superior Court*, 582 U.S. 255, 262 (2017). Mr. Kane's alleged United States contacts are the same proceeding-specific filings addressed in Sections IV.C.2 and IV.C.3, and they are no more case-linked to this declaratory action nationally than they are locally.

The governing principle comes from *Adam v. Saenger*, 303 U.S. 59, 67–68 (1938). A plaintiff who demands justice from a defendant submits himself to the court's jurisdiction and it is not unreasonable to treat him as present "for all purposes for which justice to the defendant requires his presence." *Id.* The submission runs to cross-demands asserted ***in that action***, ***by that defendant***. *See id.* It has never been understood to render a litigant answerable to strangers, in other courts, on unrelated claims. Were it otherwise, every party who filed suit anywhere in California would consent to being sued there by anyone, on anything, indefinitely—a result flatly inconsistent with *Daimler*.

Specific jurisdiction supplies no substitute. It requires purposeful availment or direction, a claim arising out of or relating to the forum contacts, and reasonableness. *Schwarzenegger*, 374 F.3d at 802. The inquiry looks to the defendant's own contacts with the forum, not to his relationship with a plaintiff who resides there. *Walden v. Fiore*, 571 U.S. 277, 284–86 (2014). And it must be "case-linked": there must be an affiliation between the forum and the ***underlying controversy***, meaning the very controversy pleaded. *Bristol-Myers Squibb Co. v. Superior Court*, 582 U.S. 255, 262 (2017).

Mr. Kane's state court filings do not satisfy that test. The Orange County petition is a proceeding he initiated against Plaintiff, and Plaintiff is free to litigate it there, as he is doing. The Santa Clara registration is a proceeding between Mr. Kane and Ms. Kane in which Plaintiff has no part whatsoever. Neither is a contact out of which ***this*** declaratory action arises in ***this*** District. Plaintiff's claims arise, if from anything, out of the Alberta Judgment, which was entered by a Canadian court in a proceeding with no connection to Plaintiff and no California connection at all.

### 3. *The Orange County filings are contacts with the Central District, not this one.*

There is also a geographic mismatch that Plaintiff's own exhibits expose. Orange County Superior Court sits in the Central District of California. Plaintiff resides and operates his business in Orange County. (Coy Decl. ¶ 5.) The demand letter, therefore, was directed to the Central District, not this one. So was the petition, and so was every order that issued in the other proceeding.

The Complaint nonetheless falsely asserts, twice, that Mr. Kane "obtained an order ***in this District***" giving effect to the Alberta Judgment's speech restraints against Plaintiff. (Compl. ¶ 34 (emphasis added); *see also id.* ¶ 5.d.) That is false, and the exhibit Plaintiff filed with his own Complaint demonstrates it on its face: the minute order attached as Exhibit 3 issued from Department C64 of the Central Justice Center in Santa Ana—not from any court in ***this District***. (Dkt. 1-3.) Allegations contradicted by documents attached to the pleading are not accepted as true. *Steckman*, 143 F.3d at 1295–96.

**4. *The demand letter cannot supply jurisdiction.***

Plaintiff alleges that Mr. Kane, "[t]hrough counsel, emailed the Demand Letter to Richie in California." (Compl. ¶ 5.a.) The letter appears on the letterhead of Blank Rome's New York office and was signed by New York counsel. (Compl. Ex. 2 at 2–5.)

The Ninth Circuit has expressly endorsed the rule that such letters do not establish jurisdiction over the sender. In *Yahoo!* the court cited *Red Wing Shoe Co. v. Hockerson-Halberstadt, Inc.*, 148 F.3d 1355, 1361 (Fed. Cir. 1998), for the proposition that a rights-holder should not subject himself to jurisdiction in a forum solely by informing a party who happens to be located there of a claimed violation. *Yahoo!*, 433 F.3d at 1208. What distinguished *Yahoo!* was that the letter there accompanied an enforcement action demand requiring the recipient to take action in California. No such enforcement action exists here. The Alberta Judgment requires nothing of Plaintiff, and no one has sought to compel him to do anything under it.

Treating the letter as a jurisdictional contact would also invert *Walden*. *See* 571 U.S. at 284–86. The letter reached California because that is where Plaintiff lives. Under Plaintiff's theory, a would-be declaratory plaintiff could manufacture jurisdiction wherever he chose to open his email.

**5. *Section 4104(b) does not extend this Court's reach.***

Section 4104(b) authorizes service "in the judicial district where the case is brought or any other judicial district of the United States where the defendant may be found, resides, has an agent, or transacts business." By its terms it reaches judicial districts ***of the United States***. It says nothing about service on a defendant abroad, and it presupposes a valid action "under this section," which, for the reasons set out in Section IV.F.2 below, Plaintiff cannot maintain.

#### 6. *Exercising jurisdiction would be unreasonable.*

Mr. Kane is a foreign national who would be haled into a district in a country where he does not live, has not lived in over three years, and did nothing relevant to this dispute. The controversy is being actively litigated in Orange County, where the records and the operative orders are. *See Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 476–77 (1985); *Asahi Metal Indus. Co. v. Superior Court*, 480 U.S. 102, 114 (1987) (unique burdens on a foreign national warrant careful inquiry).

### D. The Complaint fails to establish subject matter jurisdiction on its own terms.

Independent of standing, the jurisdictional predicates pleaded at Compl. ¶ 3 do not hold.

#### 1. *The First and Second Causes of Action present no federal question.*

The Declaratory Judgment Act is procedural. It does not extend the jurisdiction of the federal courts, and a declaratory plaintiff must independently establish jurisdiction. *Skelly Oil Co. v. Phillips Petroleum Co.*, 339 U.S. 667, 671–72 (1950). In a declaratory action, federal question jurisdiction turns on the character of the coercive action the declaratory defendant would bring; if that action would arise under state law and the declaratory plaintiff's federal theory is a defense to it, there is no jurisdiction. *Franchise Tax Bd. v. Constr. Laborers Vacation Trust*, 463 U.S. 1, 16, 19 (1983).

The coercive action Plaintiff anticipates is a California defamation suit. (Compl. ¶ 14.) Defamation is a state-law claim, and Plaintiff's First Amendment position is the defense he would raise to it. A federal defense to a state-law claim does not create federal question jurisdiction, and it does not acquire that power by being repackaged as a request for declaratory relief.

#### 2. *The Complaint pleads no amount in controversy.*

Section 1332(a)(2) requires that the matter in controversy exceed $75,000, exclusive of interest and costs. The Complaint pleads no amount anywhere and seeks no damages. Where declaratory relief is sought, the amount in controversy is measured by the value of the object of the litigation, *Hunt v. Wash. State Apple Advert. Comm'n*, 432 U.S. 333, 347 (1977), and the Complaint gives the Court nothing from which to make that assessment.

**3. *The prayer requests an advisory opinion.***

Paragraph 3 of the prayer asks this Court to "[d]eclare that any further state action by Mr. Kane based on the same speech would be subject to anti-SLAPP protection under California law." That is a request for an advisory ruling on a hypothetical future motion, under a state procedural statute, in a state case that does not exist. Federal courts do not issue such opinions. *Golden v. Zwickler*, 394 U.S. 103, 108 (1969).

**E. In the alternative, the Court should decline to exercise declaratory jurisdiction.**

The Declaratory Judgment Act confers discretion, not an obligation. A district court "may" declare rights, 28 U.S.C. § 2201(a), and the Act is "an enabling Act, which confers a discretion on the courts rather than an absolute right upon the litigant." *Wilton v. Seven Falls Co.*, 515 U.S. 277, 287 (1995) (quoting *Pub. Serv. Comm'n of Utah v. Wycoff Co.*, 344 U.S. 237, 241 (1952)). Where a parallel state proceeding is pending, *Brillhart v. Excess Insurance Co. of America*, 316 U.S. 491 (1942), supplies the framework: avoid needless determination of state law, discourage forum shopping, and avoid duplicative litigation. *Gov't Emps. Ins. Co. v. Dizol*, 133 F.3d 1220, 1225 (9th Cir. 1998) (en banc). All of those factors weigh in favor of dismissal here.

The forum shopping factor is not close. This action was filed on June 25, 2026, less than three weeks after Defendant's civil harassment petition was filed and after Plaintiff filed multiple motions in that action. The prayer for relief confirms the objective: Plaintiff asks this Court to declare in advance how California's anti-SLAPP statute would apply to a hypothetical state case, while a special motion to strike is pending in Orange County right now.

Duplicative litigation follows directly. The Orange County court has multiple hearings calendared that bear on the same issues raised in this action, including Plaintiff's alleged First Amendment defense, at which the lawfulness of restraining Plaintiff's conduct will be adjudicated on a full record. If this action proceeds, two courts will address overlapping questions about the same orders, the same publications, and the same parties, with the attendant risk of inconsistent rulings.

And the questions Plaintiff wants answered are in substantial part questions of California law: the reach of section 527.6, the application of section 425.16, and what a California court may consider in a harassment proceeding. Those are for the state court in the first instance.

Underlying all of this is what this action is. A federal declaratory action aimed at a pending state proceeding, filed on the eve of pending hearings in that proceeding and seeking rulings that would constrain it, is a collateral attack. It should be treated as one.

### F. The Complaint fails to state a claim.

#### 1. *The First and Second Causes of Action fail because Mr. Kane is a private party.*

The First Cause of Action seeks a declaration under the First Amendment; and the Second Cause of Action, under the Fourteenth Amendment. Neither identifies a cause of action, because there is none. The Declaratory Judgment Act creates no substantive rights, *Skelly Oil*, 339 U.S. at 671–72, and the First and Fourteenth Amendments constrain governmental actors, not private individuals. *Manhattan Cmty. Access Corp. v. Halleck*, 587 U.S. 802, 808 (2019); *Am. Mfrs. Mut. Ins. Co. v. Sullivan*, 526 U.S. 40, 50 (1999).

Mr. Kane is a private individual. The Complaint pleads no claim under 42 U.S.C. § 1983, names no state actor, and advances no theory of joint action, symbiosis, or state compulsion. *Cf. Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 937 (1982). A private litigant who obtains a court order through ordinary adversary process is not thereby transformed into the State. Whatever Plaintiff's objections to the orders that issued, his remedy is in the courts that issued them.

#### 2. *The Third Cause of Action fails because Plaintiff is not a person against whom a foreign judgment was entered.*

Section 4104(a)(1) confers a cause of action on "[a]ny United States person against whom a foreign judgment is entered on the basis of the content of any writing, utterance, or other speech by that person that has been published." 28 U.S.C. § 4104(a)(1). Two elements control: the judgment must have been entered against Plaintiff, and the judgment must have rested on Plaintiff's own published speech.

Plaintiff fails both on his own allegations. The Alberta Judgment "was entered against Anna Kane," and Plaintiff "was not a party to the Alberta proceeding, was not served in it, and no judgment was entered against Richie therein." (Compl. ¶ 17.) The judgment did not rest on Plaintiff's speech; it rested on Ms. Kane's conduct in a proceeding to which he was a stranger.

The Second and Third Causes of Action are mutually destructive. The Fourteenth Amendment claim exists only because Plaintiff "was a stranger to the proceeding." (Compl. ¶ 43.) That is the identical fact that places him outside § 4104(a)(1).

**3. *The Alberta Judgment is not a "foreign judgment for defamation" under the SPEECH Act.***

Independently, the statute reaches only a "foreign judgment for defamation," meaning a final judgment of a foreign court in an action for "defamation, libel, slander, or similar claim alleging that forms of speech are false, have caused damage to reputation or emotional distress, have presented any person in a false light, or have resulted in criticism, dishonor, or condemnation of any person." 28 U.S.C. § 4101(1), (4).

The Alberta Judgment is a default judgment in a family violence proceeding, entered on the Alberta court's notation of prior protection orders and a California domestic violence restraining order, and enforceable by arrest under Alberta's Protection Against Family Violence Act. (Compl. Ex. 2, Ex. B ¶¶ 2.A, 2.D.) Nothing in it adjudicates the truth or falsity of any statement. Plaintiff's characterization of it as "defamation in disguise," Compl. ¶ 20, is argument, and the document contradicts it. *Steckman*, 143 F.3d at 1295–96 ("[W]e are not required to accept as true conclusory allegations which are contradicted by documents referred to in the complaint."); *Sprewell*, 266 F.3d at 988.

Finality is a separate defect. Section 4101(4) defines a "foreign judgment" as a ***final*** judgment. The Alberta Judgment grants judgment for damages "to be assessed by a Justice of the Court of King's Bench on a date set by the Plaintiff," and reserves costs "until the Assessment of Damages." (Compl. Ex. 2, Ex. B ¶¶ 1, 2.K.) Plaintiff bears the burden on this element, 28 U.S.C. § 4104(a)(2), and has not carried it.

Plaintiff's attempt to sidestep the definition compounds the problem. Paragraph 21 of the Complaint asserts that "§ 4101(1) expressly encompasses injunctive and declaratory relief as well as damages." (Compl. ¶ 21.) It does not. Section 4101(1) defines defamation by reference to the nature of the ***claim*** and says nothing about forms of relief. Paragraph 45 then cites § 4102 for definitions that appear in § 4101. (Compl. ¶ 45.)

**4. *The Complaint rests throughout on a lawsuit that was never filed.***

A final observation, because it runs through the pleading. Plaintiff's theory depends on treating Mr. Kane's section 527.6 petition as though it were a defamation action seeking a prior restraint. (*See* Compl. ¶¶ 11, 36–37, 47 (faulting the Alberta court for not applying the actual malice standard, the opinion privilege, and California's anti-SLAPP statute "to Mr. Kane's baseless claims").) But Mr. Kane filed no defamation claim, in Alberta or in California, and the Complaint does not allege that one was filed anywhere.

A petition for a civil harassment restraining order and a defamation complaint are different proceedings under different statutes with different elements. A section 527.6 petition asks whether the respondent engaged in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses and serves no legitimate purpose. Cal. Civ. Proc. Code § 527.6(b)(3). It does not necessarily ask whether any statement is false. Plaintiff is entitled to contest that petition, and he is contesting it. He is not entitled to recast it as a lawsuit that was never filed and ask a federal court to adjudicate the recast version.

## V. THE COURT SHOULD AWARD DEFENDANT FEES AND COSTS CAUSED BY THE FRAUDULENT RETURNS OF SERVICE.

Defendant respectfully requests the Court to exercise its authority under its inherent power and under 28 U.S.C. § 1927 to require Plaintiff and Plaintiff's counsel to satisfy personally the excess costs, expenses, and attorney's fees Mr. Kane has incurred because of this action, which was filed for an improper purpose, and because of Plaintiff's fraudulent returns of service that are demonstrably false. The fraudulent evidence of service was filed on this docket by Plaintiff and Plaintiff's counsel, was identified as false, and has not since been withdrawn.[4]

### A. Section 1927 reaches unnecessary filings and tactics that multiply proceedings after a case has begun.

Section 1927 provides that any attorney who so multiplies the proceedings in any case unreasonably and vexatiously may be required by the court to satisfy personally the excess costs, expenses, and attorney's fees reasonably incurred because of such conduct. In this Circuit, recklessness suffices under section 1927; bad faith is required only for sanctions imposed under the court's inherent power. *Fink v. Gomez*, 239 F.3d 989, 993 (9th Cir. 2001). Recklessness coupled with knowledge is sufficient. *B.K.B. v. Maui Police Dep't*, 276 F.3d 1091, 1107 (9th Cir. 2002), *abrogated on other grounds by Fort Bend County v. Davis*, 587 U.S. 541 (2019). Bad faith is present where an attorney knowingly or recklessly raises a frivolous argument or presses a claim for the purpose of harassing an opponent. *Estate of Blas v. Winkler*, 792 F.2d 858, 860 (9th Cir. 1986).

Because section 1927 authorizes sanctions only for the multiplication of proceedings, it applies to unnecessary filings and tactics once a lawsuit has begun. *In re Keegan Mgmt. Co. Sec. Litig.*, 78 F.3d 431, 435 (9th Cir. 1996). Kane therefore seeks no sanction for the filing of the Complaint. He seeks only the excess costs caused by what Plaintiff's counsel has done since.

### B. Counsel filed two irreconcilable returns of service, was told they were false, and has refused to withdraw them.

The proof of service filed at Dkt. 11 states that Kane was personally served with the summons and Complaint at the Bel-Air Country Club in Los Angeles on July 19, 2026. The Declaration of Andrea Leilani-Taylor filed at Dkt. 12 states that service was made on July 19, 2025.

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[4] Plaintiff's conduct toward Mr. Kane is not an isolated dispute. It is the operation of a platform. The record in the Orange County proceeding establishes that Plaintiff directed a following exceeding 500,000 to locate Mr. Kane, his fiancée, and their children; solicited a private channel of several thousand members for the family's whereabouts; published the location and a photograph of Mr. Kane's six-year-old daughter; invited his audience to photograph the family on a thirty-minute timer, and published the resulting photograph when they did; and has solicited donations and sold merchandise tied to this litigation. That record is before the Superior Court at the evidentiary hearing set for September 8–10, 2026. It is noted here only because it bears on the purpose for which this action was filed and is being maintained.

The two filings cannot both be true, and the conflict between them was apparent on their face when counsel filed them.

In reality, neither is true. Mr. Kane was not at the Bel-Air Country Club on July 19, 2026. He was not in California, and he was not in the United States. (Kane Decl. ¶¶ 8–10.) No person delivered a summons or a copy of the Complaint to him on that date or on any other date. (*Id.* ¶ 11.)

On July 30, 2026, counsel for Kane wrote to Plaintiff's counsel, identified the defects in both filings, advised that Kane was outside the United States on the date of the claimed service, and requested that the filings be withdrawn by August 3, 2026. (Coy Decl. ¶ 10, Ex. C.) The filings have not been withdrawn, corrected, or amended. Instead, Plaintiff has decided to take inconsistent positions—both standing by the falsely claimed service and seeking alternative service relief, despite claiming that service was effected—which itself has vexatiously and unreasonably multiplied the proceedings. The docket reflects no request for service under the Hague Service Convention, no request for letters rogatory, and no other attempt to serve Kane under Rule 4(f).

The conduct did not stop at inaction. On August 5, 2026, after the July 30 letter and after the August 3 withdrawal deadline had passed, Plaintiff's counsel signed and filed a declaration in the Orange County proceeding swearing that service occurred on July 21, 2026. (Coy Decl. at ¶ 12, Ex. D.) Counsel thus contradicts the July 19 date—in a different court, under oath—and while leaving both returns with other dates on this docket.

### C. Maintaining the returns after notice multiplied these proceedings unreasonably and vexatiously.

The multiplication is measurable, and it is not limited to the service arguments. Mr. Kane has never been served. Absent the returns at Dkt. 11 and Dkt. 12, no response to the Complaint would have been due, and none would have been filed. The returns manufactured a response deadline that does not exist, and every hour spent preparing this Motion and the accompanying declarations was incurred to avoid a default computed from a service date that never occurred. Had the returns been withdrawn on August 3, 2026, as requested, none of that work would have been necessary. Proceedings that exist only because counsel declined to withdraw a filing he had been told was false are the paradigm of multiplication under section 1927.

The required mental state is satisfied at a minimum by recklessness coupled with knowledge. The Court need not decide what counsel knew when Dkt. 11 and Dkt. 12 were filed. Since July 30, 2026, counsel has known that the process server's account is contradicted by the fact that Mr. Kane was not in the country on the date the alleged service occurred; and since the moment he filed them, he has been in possession of two of his own documents assigning different years to the same act of service. An attorney who is put on notice that a sworn return of service is false, is offered the opportunity to withdraw it, and elects instead to stand on it and hold the defendant to a response deadline computed from it has at a minimum acted recklessly in the face of knowledge. *Fink*, 239 F.3d at 993; *B.K.B.*, 276 F.3d at 1107.

Nor is the purpose left to inference. Plaintiff and his counsel publicly discussed their strategy and their purpose behind their admitted vexatious tactics. (*See* Coy Decl. ¶ 13, Ex. E; § V.D, *infra*.) Plaintiff also published the claimed service to his audience. The image he posted is a composite: the primary image is artificially generated, and Plaintiff's caption directs viewers to a small inset that he represents to depict Mr. Kane being served on a golf course. (Coy Decl., Ex. C.) Mr. Kane states that the individual in that inset is not him. (Kane Decl.¶ 13.) The returns at Dkt. 11 and Dkt. 12 are not an isolated clerical error; they are the docket component of a publicity campaign that is admittedly intended to "financially drain[]" Defendant into giving up on seeking to protect his family through a civil harassment restraining order; and they have been maintained on the docket for the same reason they were publicized.

### D. The Court's inherent power reaches Plaintiff, and Plaintiff has stated his improper purpose on the record.

Section 1927 reaches attorneys. The Court's inherent power reaches parties as well, and it is not confined to the multiplication of proceedings. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 45–46, 50 (1991); *Roadway Express, Inc. v. Piper*, 447 U.S. 752, 764–67 (1980). Inherent-power sanctions require a finding of bad faith or conduct tantamount to bad faith; recklessness suffices when combined with an additional factor such as harassment or an improper purpose. *Fink v.*

*Gomez*, 239 F.3d 989, 993–94 (9th Cir. 2001).

Ordinarily improper purpose must be inferred. Here it need not. On July 7, 2026, Plaintiff and Mr. Randazza appeared together on Plaintiff's podcast and discussed this litigation. Plaintiff described the objective of the motion practice he and his counsel have pursued against Mr. Kane:

> "[Mr. Kane] has no idea because we're papering so hard and go and coming from every single angle. This thing's going to cost him. Like my goal is 2.5. I think … if we can keep going on this and he's just financially drained, he's going to come to the table and he's going to be like, I'm over it."

(Coy Decl. ¶ 13, Ex. E at 58:00–58:34.) Mr. Randazza's response was that it "is not a good idea to talk about your settlement strategy on camera," which confirms the strategy's purpose. (*Id.*) Earlier in the same episode, discussing their approach to trial-level litigation, Mr. Randazza stated, "I love that I lose at the trial level," and Plaintiff stated, "that's why I want to lose. I want to appeal." (*Id.* at 52:34–53:05.)

Those are statements of purpose, made by the party, in his own voice, about this litigation. The objective of this action is not proper adjudication. It is to create expense—as a part of a stated target of $2.5 million—imposed until Mr. Kane abandons his effort to obtain a restraining order protecting himself and his six-year-old daughter. Litigation pursued to exhaust an opponent rather than to resolve a controversy is the definition of an improper purpose under *Fink*, 239 F.3d at 994. This action is the instrument. It was filed on June 25, 2026, in a district where Mr. Kane has not lived since 2023, three weeks into a state proceeding in which every argument pleaded here was already available to Plaintiff and in which he had already filed a special motion to strike. Every claim in it is defeated by Plaintiff's own allegations that no judgment was entered against him. And because inherent-power sanctions are not limited to the multiplication of proceedings, the Court's authority here—unlike its authority under section 1927, *see In re Keegan Mgmt. Co. Sec. Litig.*, 78 F.3d 431, 435 (9th Cir. 1996)—extends to the filing of the Complaint itself. Mr. Kane does not ask the Court to make findings it cannot support on this record, and he does not use the phrase lightly: he asks only that the Court consider Plaintiff's own recorded statements alongside the returns of service that Plaintiff has publicized and refused to withdraw, and conclude that this action was brought and is being maintained for a purpose other than the resolution of a genuine controversy.[5]

**E. The award should be limited to the fees caused by the conduct and should run against Mr. Randazza and Plaintiff personally.**

Section 1927 authorizes the excess costs, expenses, and attorney's fees reasonably incurred because of the conduct. *Goodyear Tire & Rubber Co. v. Haeger*, 581 U.S. 101, 108–09 (2017). Because no response was due absent the returns of service, the fees caused by the conduct are the fees incurred in preparing this Motion, the supporting declarations, and the July 30 correspondence. Mr. Kane accordingly seeks the fees and costs, pursuant to section 1927 and the Court's inherent power, in an amount to be established by supplemental declaration should the Court be inclined to grant relief.

Any award should run against Mr. Randazza and Plaintiff personally. Accordingly, Mr. Kane respectfully requests that the Court issue sanctions against Plaintiff and Plaintiff's counsel, Mr. Randazza.

## VI. CONCLUSION

For the foregoing reasons, Mr. Kane respectfully requests that the Court enter an order, substantially in the form of **Exhibit 1** attached hereto, dismissing the Complaint in its entirety. Dismissal for lack of standing, lack of personal jurisdiction, and insufficient service is necessarily without prejudice. As to the Rule 12(b)(6) grounds, the defects are incurable on the face of the pleading, and dismissal should be without leave to amend.

Mr. Kane further requests that the Court award him the fees and costs caused by the returns of service filed at Dkt. 11 and Dkt. 12, against Mr. Randazza personally under 28 U.S.C. § 1927 and against Mr. Randazza and Plaintiff under the Court's inherent authority, in an amount to be established by supplemental declaration.

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[5] Mr. Kane makes this request without waiving any defense asserted in this Motion. A court retains authority to impose sanctions notwithstanding the absence of jurisdiction over the underlying action. *Willy v. Coastal Corp.*, 503 U.S. 131, 137–39 (1992); *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 395–96 (1990). Mr. Kane does not consent to jurisdiction, does not waive service, and does not make a general appearance by seeking relief that is collateral to the merits.

Respectfully Submitted,
**BLANK ROME LLP**

DATED: August 10, 2026

By: */s/ Ryan F. Coy*
Joseph J. Mellema
Ryan F. Coy

*Attorneys for Defendant*
EVANDER FRANK KANE

# Exhibit 1

**BLANK ROME LLP**
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**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF CALIFORNIA**
**SAN JOSE DIVISION**

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|---|---|
| HOOMAN ABEDI KARAMIAN a/k/a NIK LAMAS-RICHIE,<br><br>Plaintiff,<br><br>v.<br><br>EVANDER KANE,<br><br>Defendant. | Case No. 5:26-cv-06348-NC<br><br>**[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO DISMISS THE COMPLAINT AND AWARDING SANCTIONS**<br><br><u>Hearing</u>:<br>Date: September 16, 2026<br>Time: 11:00 a.m.<br>Place: Courtroom 5, 4th Floor<br>San Jose Federal Courthouse |

**[PROPOSED] ORDER**

On September 16, 2026, a hearing was held on the *Motion to Dismiss the Complaint Under Federal Rules of Civil Procedure 12(b)(1), 12(b)(2), 12(b)(4), 12(b)(5), and 12(b)(6)* (the "Motion") filed by Defendant Evander Frank Kane ("Defendant"). The Motion sought to dismiss the Complaint in the action (Dkt. 1) filed by Plaintiff Hooman Abedi Karamian a/k/a Nik Lamas-Richie ("Plaintiff"). The Court has reviewed and considered the Motion, the opposition and reply, the arguments and statements of counsel at the hearing, and the record in this action. For the reasons stated on the record of the hearing, and good cause appearing therefor,

IT IS HEREBY ORDERED that:

1. The Motion is granted.
2. The Complaint in this action is dismissed in its entirety.
3. The dismissal is with prejudice.
4. The request for sanctions against Plaintiff and Plaintiff's counsel, Marc Randazza, is granted. Defendant shall file a supplemental declaration of the reasonable fees and costs incurred within 30 days from the entry of this order. Plaintiff's deadline to respond to the supplemental declaration is 14 days after Defendant's supplemental declaration is filed. Thereafter, the Court will enter an order on the amount of sanctions awarded.

IT IS SO ORDERED.

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**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF CALIFORNIA**
**SAN JOSE DIVISION**

HOOMAN ABEDI KARAMIAN a/k/a NIK LAMAS-RICHIE,

Plaintiff,

v.

EVANDER KANE,

Defendant.

Case No. 5:26-cv-06348-NC

**DECLARATION OF RYAN F. COY IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS THE COMPLAINT UNDER FED. R. CIV. P. 12(b)(1), 12(b)(2), 12(b)(4), 12(b)(5), AND 12(b)(6)**

*[Filed concurrently with Motion to Dismiss and Declaration of Evander Frank Kane, and [Proposed] Order]*

Hearing:
Date: September 16, 2026
Time: 11:00 a.m.
Place: Courtroom 5, 4th Floor
San Jose Federal Courthouse

Complaint Filed: June 25, 2026

# DECLARATION OF RYAN F. COY

I, Ryan F. Coy, declare as follows:

1. I am an attorney licensed to practice law in the State of California and admitted to practice before this Court. I am an associate at Blank Rome LLP, counsel for Defendant Evander Kane. I make this declaration based on my own personal knowledge and on my review of the files and records described below. If called as a witness I could and would testify competently to these matters.

2. I submit this declaration solely in support of Mr. Kane's motion to dismiss ("Motion"). Neither this declaration nor the Motion it supports constitutes a general appearance, an acceptance of service of process, or a submission to the jurisdiction of this Court on Mr. Kane's behalf.

3. Blank Rome LLP is not authorized to accept service of process on behalf of Mr. Kane in this action. Prior to the filing of the accompanying motion, this firm had not entered an appearance in this action and was not counsel of record.

**The Orange County Civil Harassment Proceeding**

4. Blank Rome LLP represents Mr. Kane as Petitioner in a civil harassment proceeding under California Code of Civil Procedure section 527.6 captioned *Kane v. Karamian*, Case No. 30-2026-01575619-CU-HR-CJC, filed on June 5, 2026, in the Superior Court of California, County of Orange, Central Justice Center, located at 700 Civic Center Drive West, Santa Ana, California. I am one of the attorneys of record for the Orange County proceeding, and I am familiar with the procedural posture and the motion practice in that proceeding. Orange County lies within the Central District of California.

5. Based on the records and filings in that proceeding, Plaintiff resides in Orange County, California, and the business through which he publishes is located in Orange County, California.

6. On June 10, 2026, in Case No. 21FL002586 in the Superior Court of California, County of Santa Clara, the court entered an *Order to Register Canadian Domestic Violence*

*Protective/Restraining Order* against Mr. Kane's ex-wife, Deanna Sara Jeanne Kane. A true and correct copy of the June 10, 2026 order is attached hereto as **Exhibit A**.

7. A temporary restraining order issued in the Orange County proceeding on June 8, 2026, from Department C64. A true and correct copy of the June 8, 2026 temporary restraining order is attached hereto as **Exhibit B**. It was dissolved on June 18, 2026. The matter was subsequently reassigned to the Honorable Amber Poston in Department C65.

8. The Orange County proceeding remains pending. Respondent's anti-SLAPP special motion to strike under California Code of Civil Procedure section 425.16 is currently calendared for hearing on August 26, 2026, and the evidentiary hearing on the petition is currently calendared for September 8, 2026.

**The Return of Service and the July 30, 2026 Letter**

9. On July 22 and July 23, 2026, Plaintiff filed a Declaration of Personal Service and a Declaration of Andrea Leilani-Taylor at Dkt. 11 and Dkt. 12, respectively. The Declaration of Personal Service states that Mr. Kane was personally served at the Bel-Air Country Club on July 19, 2026. The Declaration of Andrea Leilani-Taylor states that service was made on July 19, 2025.

10. On July 30, 2026, I sent a letter by email to Marc J. Randazza of Randazza Legal Group, counsel for Plaintiff, identifying the defects in those filings, advising that Mr. Kane was not in the United States on July 19, 2026, and requesting that the filings be withdrawn by August 3, 2026. That letter stated expressly that Blank Rome LLP was not authorized to accept service, had not entered an appearance, and was not counsel of record, and that nothing in it constituted a general appearance, an acceptance of service of process, or a submission to jurisdiction. A true and correct copy of that letter, together with its exhibit, is attached hereto as **Exhibit C**.

11. On July 30, 2026, I received a response from Plaintiff's counsel requesting that we provide evidence substantiating Mr. Kane's absence from the United States. On August 3, 2026, Plaintiff's counsel filed its *Notice of Renewal of Motion for Alternative Service*, which stands by the fraudulent proof of service filed in this case and attempts to hedge against it without acknowledging

any deficiency. As of the filing of this Motion, the filings at Dkt. 11 and Dkt. 12 in this case have not been withdrawn, corrected, or amended.

12. On August 5, 2026, in the Orange County proceeding, Plaintiff filed a declaration from Plaintiff's counsel, Alex Shepard, who testified under penalty of perjury that the alleged service on Mr. Kane in this action occurred on "July 21, 2026." A true and correct copy of Mr. Shepard's declaration without any corresponding exhibits is attached hereto as **Exhibit D**. Plaintiff's social media post that was attached to my July 30, 2026 letter (Exhibit C) was posted by Plaintiff on July 19, 2026.

**Plaintiff's Stated Purpose for this Action**

13. On July 7, 2026, later in the day after the last court hearing in the Orange County proceeding, Mr. Randazza, Plaintiff's counsel of record in the Orange County proceeding and in this action, appeared on an episode of Plaintiff's podcast, the "Dirty Army Podcast."[1] During the episode, Plaintiff spoke directly about the Orange County proceeding and this case and explained the true purpose behind his and his counsel's excessive motion practice, stating: "[Mr. Kane] has no idea because we're papering so hard and go and coming from every single angle. This thing's going to cost him. Like my goal is 2.5. I think I I think if he can get if he can if we can keep going on this and he's he just financially drained, he's going to come to the table and he's going to be like, I'm over it." I understand Plaintiff's "2.5" comment within the context to have meant "$2.5 million." Mr. Randazza responded, stating: "I mean it's one it's not a good idea to talk about your settlement strategy on camera." I listened to the podcast episode through Respondent's public YouTube channel on July 30, 2026. The July 7, 2026 podcast episode can be found at https://youtu.be/AYp6_xRZxvw?is=uC2xe3xD6vCwPwnL and the above statements by Respondent and Mr. Randazza were made from 58:00-58:34 during the podcast episode. A true and correct copy of a transcription of the relevant portions of Respondent's podcast episode with Mr. Randazza is attached hereto as **Exhibit E**.

[1] Mr. Randazza specifically appeared on Episode 6, "The System – Pulling Back the Curtain on the Legal System: Marc Randazza."

I declare under penalty of perjury and under the laws of the United States of America that the foregoing is true and correct. Executed on August 10, 2026.

Ryan F. Coy

# EXHIBIT A

# DV-630 Order to Register Canadian Domestic Violence Protective/Restraining Order

*Clerk stamps date here when form is filed.*

Filed
June 10, 2026
Clerk of the Court
Superior Court of CA
County of Santa Clara
21FL002586
By: pnewton

*Fill in court name and street address:*

**Superior Court of California, County of**
Santa Clara
201 N. First St.
191 N. First St.
San Jose, CA 95113
Family Justice Center

*Fills in case number:*

**Case Number:**
21FL002586

*Instructions: Use this form to register a civil Canadian domestic violence or family violence protective/restraining order in California. Registration means that the order will be entered into a database that all law enforcement in California can view. Although registration is not required for the order to be enforced, it is helpful to have the order in the database. There is no fee to file this form.* ***A certified copy of the order must be submitted with this form. The order must have been issued in English.***

## 1 Information About the Person Registering the Protective/Restraining Order:

a. My Name: Evander Kane

b. ☐ I do not have a lawyer for this case *(fill in items c-f below).*
☒ I have a lawyer for this case *fill in your lawyer's information below and for items c-e):*
Name: Kristina Royce State Bar No.: 197752
Firm Name: Blank Rome LLP

c. Address *(If you want to keep your home address private, give a different mailing address instead.):*
2029 Century Park East | 6th Floor
City: Los Angeles State: CA Zip: 90067

d. Telephone *(optional):* 424-239-3400

e. E-mail Address *(optional):* kristina.royce@blankrome.com

f I am *(check one):*
☒ protected by the attached order.
☐ restrained by the attached order.
☒ a legal guardian of a minor protected by the attached order.
☐ other *(specify):* ____________

## 2 Restrained Person

**Full Name:** Deanna Sara Jeanne Kane
Sex: ☐ M ☒ F Height: 5'4 Weight: 125 Hair Color: Brown Eye Color: Brown
Race: White Age: 40 Date of Birth: 1/12/1986
Address *(if known):* 15411 Collinson Ave.
City: Eastpointe State: MI Zip: 48021
Relationship to protected person: ex-wife

## 3 To the best of my knowledge, the attached order:

- Is a certified copy of a Canadian protective/restraining order.
- Was issued in English by a civil (noncriminal) court in Canada.
- Was made because of domestic violence or family violence.
- Is currently valid and in effect.
- Has not been changed, canceled, or replaced by another court order.
- Expires on *(date):* permanent order/does not expire
*month/day/year*

**This is a Court Order.**

| Case Number: |
|---|
| 21FL002586 |

**4** I ask that the attached order be registered with this court for entry into the California Law Enforcement and Telecommunications System (CLETS). My request is voluntary. I understand that registration of the order is not necessary for enforcement.

I declare under penalty of perjury under the laws of the State of California that the above information is true and correct.

Date: 5/28/2026

Evander Kane
*Type or print your name*

DocuSigned by:
Evander Kane
DDB9D16BBA9043E...
*Sign your name*

*(To be completed by court)*

6/9/2026 4:19:19 PM

The attached Canadian Domestic Violence Protective/Restraining Order is registered and enforceable in California, and can be entered into CLETS, unless it ends or is changed by the court that made it.

Date: 6/9/2026

*Judge (or Judicial Officer)*
Hon. Christine Garcia-Sen

## Court Clerk Must Seal This Form and Attached Foreign Protection Order

This form sets forth the procedure to register a foreign protection order under Family Code section 6404:

1. No fee may be charged for the registration of the foreign protection order.
2. No court hearing is required to register the foreign protection order.
3. The case file containing this form and the attached foreign protection order must be sealed under Family Code section 6404(a).
4. Access to the foreign protection order is allowed only to law enforcement, the person who registered the order upon written request with proof of identification, the defense after arraignment on criminal charges involving an alleged violation of the order, or on further order of the court.

*(Clerk will fill out this part.)*

### —Clerk's Certificate—

*Clerk's Certificate*

*[seal]*

THE GREAT SEAL OF THE STATE OF CALIFORNIA
EUREKA

I certify that this *Order to Register Canadian Domestic Violence Protective/Restraining Order* is a true and correct copy of the original on file in the court.

Date: 6/10/2026 Clerk, by /s/ P Newton, Deputy

**This is a Court Order.**

CERTIFIED E. Wheaton
by the Court Clerk as a true copy of the document digitally filed on Dec 18, 2024

| | | |
|---|---|---|
| COURT FILE NUMBER | 2403 24820 | Clerk's Stamp |
| COURT | COURT OF KING'S BENCH OF ALBERTA | |
| JUDICIAL CENTRE | Edmonton | |
| APPLICANT(S) | EVANDER KANE and MARA TEIGEN | |
| RESPONDENT(S) | DEANNA KANE, also known as ANNA KANE, also known as DEANNA SNOWBALL, also known as DEANNA NYSTEAD | |
| DOCUMENT | Restraining Order Without Notice and Service Ex Juris Order | |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT | MICHELE J. REEVES, KC<br>Attia Reeves<br>Barristers & Solicitors<br>#200, 10525 Jasper Avenue, Edmonton, AB T5J 1Z4<br>T: 780-424-3334/F: 780-424-4252<br>Email: angi@reeveslaw.ca<br>File: 9587 | |

JUDICIAL CENTRE OF EDMONTON
FILED DIGITALLY
2403 24820
Dec 18, 2024
1:33 PM
CLERK OF THE COURT

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| | |
|---|---|
| DATE ON WHICH ORDER WAS PRONOUNCED: | **December 18, 2024** |
| LOCATION OF HEARING: | **Edmonton Law Courts, Edmonton, Alberta** |
| NAME OF JUSTICE WHO GRANTED THIS ORDER: | J. C. Leonard. |

---

**ON THE APPLICATION** of the Applicant(s), EVANDER KANE and MARA TEIGEN

**AND ON** having heard representations of the Applicant(s);

**AND ON** having read the Affidavit of the Applicant(s), filed;

**AND ON NOTING** the Protection Order of Justice G.R. Fraser granted October 6, 2023, filed;

**AND ON NOTING** the permanent Restraining Order granted July 10, 2024 in the Superior Court of California, County of Santa Clara, USA;

**AND ON NOTING** that the Court is satisfied, pursuant to Rule 6.4 of the *Alberta Rules of Court*, that no notice to the Respondent(s) is necessary or that serving notice of the application on the Respondent(s) might cause undue prejudice to the Applicant(s);

## IT IS ORDERED THAT:

1. The Respondent(s) DEANNA KANE, also known as ANNA KANE, also known as DEANNA SNOWBALL, also known as DEANNA NYSTEAD is specifically restrained from being within 300 yards of (275 metres) of:

    (a) Evander Kane, Mara Teigen, Kensington Kane, and all children of Mara Teigen and Evander Kane;

(b) the Applicants' residence;

(c) the Applicant(s)' place of employment: Any NHL Arena, or public space in which the Applicant is required to attend for the purposes of his occupation

(d) the Applicant[s)' other addresses: Any school or daycare being attended by the Applicants' children, including Kensington Kane

or from being within 275 metres of the Applicants, or the above children as set out in paragraph 1(a) above, anywhere else in the Province of Alberta, or within elsewhere in Canada.

2. The Respondent is hereby prohibited from posting anything to social media about the Applicants, the Applicants' children, about the parties' family dynamics, about KENSINGTON KANE, or the Respondent's parenting arrangements, about the court system, or about these or past legal proceedings or disparaging him or his family. The Respondent may not post about these topics on any form of social media, including but not limited to Instagram, Facebook X (formerly Twitter), or any other social media platform.

3. The Respondent(s) is/are restrained from harassing, molesting, watching, following, telephoning, or otherwise interfering with or contacting the Applicant(s), or their children, including Kensington Kane, either directly or indirectly, or by agent, including social media, anywhere in the Province of Alberta or anywhere else in Canda.

4. On a Respondent being in breach of any of the terms of this Order:

   a. The Respondent may be charged under s. 13.1(1) of the *Protection Against Family Violence Act;* or

   b. If the Respondent is not charged under s. 13.1(1) of the *Protection Against Family Violence Act,* any Police Officer is authorized to forthwith arrest that Respondent, and bring that Respondent, as soon as possible, before a Justice of the Court of King's Bench of Alberta to show reason why there should not be a finding of civil contempt.

However, that Respondent shall not be arrested unless that Respondent has previously been served with a copy of this Order, or if not served, is shown a copy of this Order by the Police Officer and, on being given an opportunity to do so, does not then obey it.

5. In making an arrest under this Order, a Police Officer is authorized to do anything necessary to carry out the arrest, including the use of as much reasonable force as may be necessary to make the arrest, and without warrant to enter any place where, on reasonable and probable grounds, the Police Officer believes that the Respondent may be found.

6. This Order is sufficient authority for the keeper of a correctional institution to hold a Respondent in custody pending appearance before a Justice of the Court of King's Bench of Alberta.

7. ~~This Order remains in effect permanently and will not expire.~~

8. This matter will be back before the Court on that day at February 10, 2025 at 11:00am in Urgent Chambers. so that the Court may consider whether to renew the Order for a further period of time. If the Respondent(s) wish to appear on that date, the Respondent(s) shall file with this Honourable Court such affidavits as the Respondent(s) intend to rely on. The Respondent(s) shall arrange for a process server or other neutral party to serve the filed affidavits on the Applicant(s) by leaving a copy with each Applicant or leaving a copy, addressed to the Applicant(s), at the Applicant(s)' address for service at least 24 hours prior to the hearing. If any of the Respondent(s) do not appear, an order may be granted in that Respondent's absence.

9. Any party may apply to amend, vary, or strike out the within Order on providing notice to the other party 5 days or more before the date the application is scheduled to be heard or considered.

10. The Respondent shall not be in breach of this Order in the following circumstances:

a. Any contact between the Applicant and the Respondent for the purpose of:

i) Arranging existing court-ordered parenting time to Kensington Kane;

ii) Exercising parenting time agreed to between the parties through mediation or through their counsel in writing;

Shall not constitute a breach of this Order.

b. The exercise of any parenting time granted to the Respondent in relation to KENSINGTON KANE by Order of a Court of competent jurisdiction granted after this Order, shall not constitute a breach of this Order.

c. Any contact between the Applicant and the Respondent for the purpose of arranging and attending court (including arranging for service of documents through a third party or service by email), mediation, counselling, meetings with legal counsel present, or any contact required for legal proceedings shall not constitute a breach of this Order.

11. **SERVICE**:

☒ A copy of this Order, together with a copy of the Statement of Claim and Affidavits relied on in support of this application shall forthwith be served on the respondent by emailing the documents to her at annakane0112@gmail.com and by couriering copies in care of her mother's address, being 15411 Collinson Avenue, East Pointe, Michigan, 48021, to be left with any adult at that residence, or if there is no answer, by leaving it at that address.

12. Service is deemed good, sufficient and valid five (5) days after emailing and couriering the documents.

13. The Respondent shall have 60 days to respond to the Statement of Claim.

14. Should the Respondent wish to file an Affidavit for the review of the within Order on February 10, 2025, she shall file and serve the Affidavit on counsel's office by January 17, 2025 and the Applicants shall have until February 7, 2025 to file a reply. The Respondent is at liberty to serve her filed Affidavit on counsel's office in care of angi@reeveslaw.ca.

Justice of the Court of King's Bench of Alberta

| | |
|---|---|
| COURT FILE NUMBER | 2403 24820 |
| COURT | COURT OF KING'S BENCH OF ALBERTA |
| JUDICIAL CENTRE | Edmonton |
| APPLICANT(S) | EVANDER KANE and MARA TEIGEN |
| RESPONDENT(S) | DEANNA KANE, also known as ANNA KANE, also known as DEANNA SNOWBALL, also known as DEANNA NYSTEAD |
| DOCUMENT | ORDER |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT | MICHELE J. REEVES, KC<br>Attia Reeves<br>Barristers & Solicitors<br>#200, 10525 Jasper Avenue, Edmonton, AB T5J 1Z4<br>T: 780-424-3334/F: 780-424-4252<br>Email: angi@reeveslaw.ca<br>File: 9587 |



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| | |
|---|---|
| DATE ON WHICH ORDER WAS PRONOUNCED: | **February 10, 2025** |
| LOCATION OF HEARING: | **Edmonton Law Courts, Edmonton, Alberta** |
| NAME OF JUSTICE WHO GRANTED THIS ORDER: | JS Little |

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**ON THE APPLICATION** of the Applicant(s), EVANDER KANE and MARA TEIGEN

**AND ON** having heard representations of the Applicant(s);

**AND ON** having read the Affidavit of Service of Angela Wieringa, filed January 30, 2025;

**AND ON NOTING** the Protection Order of Justice G.R. Fraser granted October 6, 2023, filed;

**AND ON NOTING** the permanent Restraining Order granted July 10, 2024 in the Superior Court of California, County of Santa Clara, USA;

**AND UPON NOTING** permanent Restraining Order granted by Justice J.C. Leonard December 18, 2024;

**AND UPON NOTING** paragraph 8 of Justice Leonard's Oder permitting the Defendant to appear to vary the Order;

**AND ON NOTING** the Defendant/Respondent did not attend or file/serve any material;

**IT IS ORDERED THAT:**

1. The Order of Justice J.C. Leonard, granted December 18, 2024 is confirmed and remains unvaried and permanent with no expiry pursuant to paragraph 7 of the Order.

2. Service on the Defendant is deemed valid effective December 24, 2024.

3. Failing the Defendant filing and serving a Statement of Defence in the within action, the Plaintiffs are entitled to enter a Notice of Default and submit for a Default Judgment on February 24, 2025.

4. A copy of this Order, is to be on the respondent by emailing the documents to her at annakane0112@gmail.com and by mailing a copy to the Defendant in care of her mother's mailing address.

Justice of the Court of King's Bench of Alberta

| | |
|---|---|
| COURT FILE NUMBER | 2403 24820 |
| COURT | COURT OF KING'S BENCH OF ALBERTA |
| JUDICIAL CENTRE | Edmonton |
| APPLICANT(S) | EVANDER KANE and MARA TEIGEN |
| RESPONDENT(S) | DEANNA KANE, also known as ANNA KANE, also known as DEANNA SNOWBALL, also known as DEANNA NYSTEAD |
| DOCUMENT | DEFAULT JUDGMENT |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT | MICHELE J. REEVES, KC<br>Attia Reeves<br>Barristers & Solicitors<br>#200, 10525 Jasper Avenue, Edmonton, AB T5J 1Z4<br>T: 780-424-3334/F: 780-424-4252<br>Email: angi@reeveslaw.ca<br>File: 9587 |

Clerk's Stamp

JUDICIAL CENTRE OF EDMONTON
FILED
May 14, 2025
TG ent
by Email
CLERK OF THE COURT

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| | |
|---|---|
| DATE ON WHICH ORDER WAS PRONOUNCED: | May 14, 2025 |
| LOCATION OF HEARING: | **Edmonton Law Courts, Edmonton, Alberta** |
| NAME OF JUSTICE WHO GRANTED THIS JUDGMENT: | K. L. Becker Brookes |

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**UPON HAVING HEARD** representations by counsel for the Plaintiffs;

**AND ON NOTING** the Protection Order of Justice G.R. Fraser granted October 6, 2023, filed;

**AND ON NOTING** the permanent Restraining Order granted July 10, 2024 in the Superior Court of California, County of Santa Clara, USA;

**AND UPON NOTING** the Permanent Restraining Order of Justice J. C. Leonard granted December 18, 2024;

**AND UPON NOTING** the Order of Justice J.S. Little granted February 10, 2025;

**AND UPON NOTING** the Defendant has not filed nor served a Statement of Defence and has been Noted in Default;

**IT IS HEREBY ORDERED AND ADJUDGED THAT:**

1. The Plaintiffs are hereby granted Judgement against the Defendant for damages, such damages to be assessed by a Justice of the Court of King's Bench on a date set by the Plaintiff without the necessity of notice to the Defendant or the Defendant's consent pursuant to Rule 6.4 of the Alberta Rules of Court.

2. The Plaintiffs shall have Judgment against the Defendant such that:

A. The Defendant(s) DEANNA KANE, also known as ANNA KANE, also known as DEANNA SNOWBALL, also known as DEANNA NYSTEAD is specifically restrained from being within 300 yards of (275 metres) of:

i. Evander Kane, Mara Teigen, Kensington Kane, and all children of Mara Teigen and Evander Kane;

ii. the Plaintiffs' residence;

iii. the Plaintiffs' places of employment: Any NHL Arena, or public space in which the Plaintiffs are required to attend for the purposes of their occupation;

iv. the Plaintiffs' other addresses: Any school or daycare being attended by the Plaintiffs' children, including Kensington Kane;

or from being within 275 metres of the Plaintiffs, or the above children as set out in paragraph 2(a)(i) above, anywhere else in the Province of Alberta, or within elsewhere in Canada.

B. The Defendant is hereby prohibited from posting anything to social media about the Plaintiffs, the Plaintiffs' children, about the parties' family dynamics, about KENSINGTON KANE, or the Defendant's parenting arrangements, about the court system, or about these or past legal proceedings or disparaging him or his family. The Defendant may not post about these topics on any form of social media, including but not limited to Instagram, Facebook X (formerly Twitter), or any other social media platform.

C. The Defendant is/are restrained from harassing, molesting, watching, following, telephoning, or otherwise interfering with or contacting the Plaintiffs, or their children, including Kensington Kane, either directly or indirectly, or by agent, including social media, anywhere in the Province of Alberta or anywhere else in Canda.

D. On the Defendant being in breach of any of the terms of this Order:

a. The Defendant may be charged under s. 13.1(1) of the *Protection Against Family Violence Act;* or any such other applicable statute in the Peace Officer's discretion.

b. If the Defendant is not charged under s. 13.1(1) of the *Protection Against Family Violence Act,* or any such other applicable statute in the Peace Officer's discretion, any Police Officer is authorized to forthwith arrest that Respondent, and bring that Respondent, as soon as possible, before a Justice of the Court of King's Bench of Alberta to show reason why there should not be a finding of civil contempt.

c. The Despondent shall not be arrested unless that Despondent has previously been served with a copy of this Order, or if not served, is shown a copy of this Order by the Police Officer and, on being given an opportunity to do so, does not then obey it.

E. In making an arrest under this Order, a Police Officer is authorized to do anything necessary to carry out the arrest, including the use of as much reasonable force as may be necessary to make the arrest, and without warrant to enter any place where, on reasonable and probable grounds, the Police Officer believes that the Defendant may be found.

F. This Order is sufficient authority for the keeper of a correctional institution to hold a Defendant in custody pending appearance before a Justice of the Court of King's Bench of Alberta or such other superior Court jurisdiction should this Judgment be reciprocally enforced.

G. This Order remains in effect permanently and will not expire.

H. The Defendant shall not be in breach of this Order in the following circumstances:

Any contact between the Defendant and the Plaintiff for the purpose of:

i) Arranging existing court-ordered parenting time to Kensington Kane;

ii) Exercising parenting time agreed to between the parties through mediation or through their counsel in writing;

kb I. The exercise of any parenting time granted to the Defendant in relation to KENSINGTON KANE by Order of a Court of competent jurisdiction granted after this Judgment. shall not constitute a breach of this Order. kb

kb J. Any contact between the Plaintiff and the Defendant for the purpose of arranging and attending court (including arranging for service of documents through a third party or service by email), mediation, counselling, meetings with legal counsel present, or any contact required for legal proceedings. shall not constitute a breach of this Order. kb

K. Costs shall be reserved until the Assessment of Damages set out in Clause 1 herein.

Justice of the Court of King's Bench of Alberta

# EXHIBIT B

# CH-110 Temporary Restraining Order

Clerk stamps date here when form is filed.



*Person in ① must complete ①, ②, and ③ only.*

## ① Protected Person

a. Your Full Name: Evander Frank Kane

Your Lawyer *(if you have one for this case)*:

Name: Ryan F. Coy State Bar No.: 324939

Firm Name: Blank Rome LLP

b. Your Address *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)*:

Address: 2029 Century Park East, 6th Floor

City: Los Angeles State: CA Zip: 90067

Telephone: 424-285-2194 Fax: 424-239-3434

Email Address: ryan.coy@blankrome.com

Fill in court name and street address:

**Superior Court of California, County of** Orange
Central Justice Center
700 Civic Center Drive West
Santa Ana, CA 92701

Court fills in case number when form is filed.

**Case Number:**
30-2026-01575619-CU-HR-CJC

## ② Restrained Person

*(Give all the information you know. Information with a star (*) is required to add this order to the California police database. If age is unknown, give an estimate.)*

*Full Name: Hooman Abedi Karamian a/k/a Nik Richie *Age: 47 Date of Birth: Feb 12, 1979

*Race: White Height: UNK Weight: UNK Hair Color: UNK Eye Color: UNK

*Gender: ☒ M ☐ F ☐ Nonbinary Home Address: 1 Rue Renoir

City: Trabuco Canyon State: CA Zip: 92679

Relationship to Protected Person: No relation.

## ③ ☒ Additional Protected Persons

In addition to the person named in ①, the following family or household members of that person are protected by the temporary orders indicated below:

| Full Name | Gender | Age | Household Member? | Relation to Protected Person |
|---|---|---|---|---|
| Kensington Kane | F | 5 | ☒ Yes ☐ No | Daughter |
| | | | ☐ Yes ☐ No | |
| | | | ☐ Yes ☐ No | |
| | | | ☐ Yes ☐ No | |

☐ *Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use form MC-025*, Attachment.

*The court will complete the rest of this form.*

## ④ Expiration Date

***This order expires at the end of the hearing scheduled for the date and time below:***

Date: 6/30/26 Time: 8:30 ☒ a.m. ☐ p.m.

**This is a Court Order.**

Case Number: 30-2026-01575619-CU-HR-CJC

**To the Person in ②:**

**The court has granted the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to $1,000, or both.**

## ⑤ Personal Conduct Orders

☐ **Not Requested** ☐ **Denied Until the Hearing** ☑ **Granted as Follows:**

a. You must **not** do the following things to the person named in ①

☑ and to the other protected persons listed in ③ :

(1) ☑ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.

(2) ☑ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.

(3) ☐ Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.

(4) ☐ Other *(specify)*:

☑ Other personal conduct orders are attached at the end of this order on Attachment 5a(4).

b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the person in ①.

## ⑥ Stay-Away Order

☐ **Not Requested** ☐ **Denied Until the Hearing** ☑ **Granted as Follows:**

a. You must stay at least 100 yards away from *(check all that apply)*:

(1) ☑ The person in ①

(2) ☑ Each person in ③

(3) ☑ The home of the person in ①

(4) ☑ The job or workplace of the person in ①

(5) ☐ The school of the person in ①

(6) ☐ The school of the children of the person in ①

(7) ☐ The place of child care of the children of the person in ①

(8) ☑ The vehicle of the person in ①

(9) ☐ Other *(specify)*:

b. This stay-away order does not prevent you from going to or from your home or place of employment.

## ⑦ No Firearms (Guns), Firearm Parts, or Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed in ⑦b on the next page.

**This is a Court Order.**

7 b. **Prohibited items are:**

(1) Firearms (guns);

(2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and

(3) Ammunition.

c. You must:

(1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns), firearm parts, and ammunition in your immediate possession or control. This must be done within 24 hours of being served with this order.

(2) File a receipt with the court within 48 hours of receiving this order that proves that your firearms (guns), firearm parts, and ammunition have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CH-800) for the receipt.)

d. ☐ The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.

## 8 ☐ Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. **Firearms and/or firearm parts**

| | Description *(include serial number, if known)* | Location, if known | Proof of compliance received by the court |
|---|---|---|---|
| (1) | | | ☐ *(date):* |
| (2) | | | ☐ *(date):* |
| (3) | | | ☐ *(date):* |
| (4) | | | ☐ *(date):* |

b. **Ammunition**

| | Description | Amount, if known | Location, if known | Proof of compliance received by the court |
|---|---|---|---|---|
| (1) | | | | ☐ *(date):* |
| (2) | | | | ☐ *(date):* |
| (3) | | | | ☐ *(date):* |
| (4) | | | | ☐ *(date):* |

☐ Check here to list additional items. List them on a separate piece of paper, write "CH-110, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

## 9 No Body Armor

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

**This is a Court Order.**

Case Number: 30-2026-01575619-CU-HR-CJC

(10) ☑ **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

In addition to the hearing listed on form CH-109, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in (7)b) you still have or own, including any items listed in (8). If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

Date: 6/30/26 Dept.: C64
Time: 8:30 AM Room: ______

Name and address of court, if different than court address listed on page 1:

______

(11) **Possession and Protection of Animals**

☑ **Not Requested** ☐ **Denied Until the Hearing** ☐ **Granted as Follows** *(specify):*

a. ☐ The person in (1) is given the sole possession, care, and control of the animals listed below, which are owned, possessed, leased, kept, or held by them, or reside in their household.
*(Identify animals by, e.g., type, breed, name, color, sex.)*

______

b. ☐ The person in (2) must stay at least ______ yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals listed above.

(12) **Other Orders**

☑ **Not Requested** ☐ **Denied Until the Hearing** ☐ **Granted as Follows** *(specify):*

______

☐ Additional orders are attached at the end of this order on Attachment 12.

**To the Person in (1):**

(13) **Mandatory Entry of Order Into CARPOS Through CLETS**

This order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one):*

a. ☑ The clerk will enter this order and its proof-of-service form into CARPOS.

b. ☐ The clerk will transmit this order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.

**This is a Court Order.**

Case Number:
30-2026-01575619-CU-HR-CJC

(13) c. ☐ By the close of business on the date that this order is made, the person in (1) or their lawyer should deliver a copy of the order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

| Name of Law Enforcement Agency | Address *(City, State, Zip)* |
|---|---|
| | |
| | |

☐ Additional law enforcement agencies are listed at the end of this order on Attachment 13.

**(14) No Fee to Serve (Notify) Restrained Person** ☑ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this order without charge because:

a. ☑ The order is based on unlawful violence, a credible threat of violence, or stalking.

b. ☐ The person in (1) is entitled to a fee waiver.

(15) Number of pages attached to this order, if any: 1

Date: 6/8/26

*Judicial Officer* GLENN MONDO

**Warnings and Notices to the Restrained Person in (2)**

### You Cannot Have Firearms (Guns), Firearm Parts, or Ammunition

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get any prohibited items listed in (7)b on page 3 while this order is in effect. If you do, you can go to jail and pay a $1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns), firearm parts, and ammunition that you have or control as stated in (7) above. The court will require you to prove that you did so.

### Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and form CH-109, *Notice of Court Hearing,* but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in (2).

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

### After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read form CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*, to learn how to respond to this order.

**This is a Court Order.**

- If you want to respond, fill out form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the Request claims that you inflicted or threatened violence against or stalked the person in (1).
- You must have form CH-120 served by mail on the person in (1) or that person's attorney. You cannot do this yourself. The person who does the mailing should complete and sign form CH-250, *Proof of Service by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use form MC-030, *Declaration,* for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at courts.ca.gov/rules-forms/find-your-court-forms. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

## Instructions for Law Enforcement

### Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in (4) on page 1.

### Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

### Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the proof of service or confirms that the proof of service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

**This is a Court Order.**

**Case Number:**
30-2026-01575619-CU-HR-CJC

## Conflicting Orders—Priorities for Enforcement

**If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority** (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)); Code Civ. Proc., § 527.12(d)(2)):

1. *Emergency Protective Order (EPO):* If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.

2. *No-Contact Order:* If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. 5a(2) is an example of a no-contact order.

3. *Criminal Protective Order (CPO):* If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b); Code Civ. Proc., § 527.12(d)(2).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.

4. *Civil Restraining Orders:* If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

*Clerk's Certificate [seal]*

*(Clerk will fill out this part.)*

**—Clerk's Certificate—** DAVID H. YAMASAKI

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: ______________ Clerk, by ____________________________, Deputy

**This is a Court Order.**

Attachment 5a(4)

Although posting to social media is usually not harassment as defined in Code of Civil Procedure 527.6, the court takes judicial notice of Santa Clara Superior Court case no. 21FL002586 in which the court issued a permanently extended domestic violence restraining order protecting both the present petitioner and his minor daughter Kensington. This makes the postings by respondent stating that petitioner has kidnapped Kensington false on their face and brings respondent's actions within the definition of a course of conduct that meets the definition of harassment under Code of Civil Procedure 527.6. Respondent's alleged conduct appears to be intended to persuade his social media followers to act against and to further harass petitioner. The court also finds the allegations meet the criteria set forth in People v. Planchard (2025) 109 Cal.App.5th 157 regarding social media posts that meet the definition of stalking under Penal Code 646.9, which in turn constitutes harassment as defined in Code of Civil Procedure 527.6. Respondent is therefore ordered to cease any posting to social media alleging petitioner has kidnapped his daughter.

The court also takes judicial notice of Court of King's Bench of Alberta case no. 2403 24820 in which Deanna Kane aka Anna Kane aka Deanna Snowball aka Deanna Nystead ("Deanna Kane") was specifically restrained by the court from "posting anything to social media" about the petitioner or his children or "disparaging him or his family." Based on the allegations made in the petition, respondent has been assisting in the violation of this order by posting or reposting such content by the party prohibited from doing so. Respondent is therefore prohibited from posting anything to social media (including but not limited to Instagram, Facebook, X (formerly Twitter), or any other social media platform) regarding petitioner or his daughter Kensington as described or relayed to respondent by Deanna Kane.

As to petitioner's claim that respondent has defamed petitioner by false allegations of rape or transmission of a sexually transmitted disease, petitioner may pursue his claim for monetary damages or other injunctive relief in a court of competent jurisdiction (although as noted in the preceding paragraph to the extent respondent is posting or reposting such allegations made by Deanna Kane, he is prohibited from doing so by the terms of this TRO).

# EXHIBIT C

BLANKROME
2029 Century Park East | 6th Floor | Los Angeles, CA 90067
blankrome.com

Phone: (424) 239-3400
Fax: (424) 239-3434
Email: ryan.coy@blankrome.com

July 30, 2026

**BY EMAIL**

Marc J. Randazza
Randazza Legal Group
8991 W. Flamingo Road, Suite B
Las Vegas, NV 89147
mjr@randazza.com

**Re: *Karamian v. Kane*, No. 5:26-cv-06348-NC**
**False Affidavit of Service**

Mr. Randazza:

We are legal counsel for Evander Kane. We write regarding the pending lawsuit *Karamian v. Kane*, No. 5:26-cv-06348-NC. At the outset, be advised: we are not authorized to accept service on behalf of Mr. Kane, we have not entered an appearance in this lawsuit, and we are not counsel of record. Nothing in this letter shall be construed as a waiver of any defense, including insufficient service of process or lack of personal jurisdiction. That said, the circumstances compel us to write immediately because what your client and your firm have represented to the Court is demonstrably and verifiably false.

On July 22 and 23, 2026, you filed a "Declaration of Personal Service" along with the Declaration of Andrea Leilani-Taylor (collectively, "Affidavit of Service") (Dkt. Nos. 11, 12), purporting to establish that Mr. Kane was personally served at the Bel-Air Country Club on July 19, 2026.[1] These filings are a fraud upon the Court, and we intend to treat them as such.

**The Affidavit of Service is patently and provably false.** Mr. Kane was not in the United States on July 19, 2026—a fact that is readily verifiable through travel records, passport stamps, and other corroborating evidence. He was not at the Bel-Air Country Club. He was not in the State of California. Put simply, personal service on Mr. Kane on that date, at that location, did not and could not have occurred.

[1] Although the Declaration of Personal Service claims that service was made on July 19, 2026, the Declaration of Andrea Leilani-Taylor claims that service was made on July 19, *2025*.

**The purported photographic "evidence" is equally fraudulent.** The photograph your client posted on Instagram, ostensibly depicting the moment of service, is not a photograph of Mr. Kane. A true and correct screenshot of your client's Instagram post is attached hereto as **Exhibit A**.[2] The individual depicted does not bear resemblance to Mr. Kane. Indeed, it appears to have been created and/or edited by artificial intelligence ("AI")—it includes an "AI info" label which "indicates that content is entirely AI-generated." That your client would publicly circulate a fabricated photograph to bolster a fabricated claim of service reflects a disturbing willingness to deceive—not only the public, but the Court itself.

Your client's conduct—and your firm's willingness to file these declarations without any apparent independent verification—raises serious questions about whether this entire course of conduct was orchestrated to manufacture the appearance of service where none occurred. We trust you appreciate that an attorney's obligation under Rule 11 extends to conducting a reasonable inquiry into the factual basis for any filing. The filing of the Affidavit of Service that is contradicted by irrefutable evidence of Mr. Kane's absence from the country suggests that no such inquiry was made.

Accordingly, we hereby demand the following, without delay: (1) the immediate withdrawal of the Affidavit of Service, Dkt. Nos. 11 and 12; (2) a written acknowledgment that service was not effectuated on Mr. Kane on July 19, 2026 or on any other date; and (3) the immediate removal of your client's fraudulent Instagram post depicting an individual falsely identified as Mr. Kane.

If these demands are not satisfied by **August 3, 2026**, Mr. Kane will pursue all available remedies at his disposal with the full force of the law.

We strongly urge you to consult with your client about the veracity of the representations made in the Affidavit of Service. If your client has misled you, we suggest you consider your own professional obligations carefully. If your client has not misled you, the implications are even more troubling.

*The foregoing is not intended to be, nor shall be deemed to be, an exhaustive statement of our client's rights and remedies, all of which are expressly reserved. Moreover, it is not intended to be, nor shall be deemed to be, a general appearance, an acceptance of service of process, or a submission to jurisdiction on behalf of our client.*

Sincerely,

*/s/ Ryan F. Coy*

Ryan F. Coy

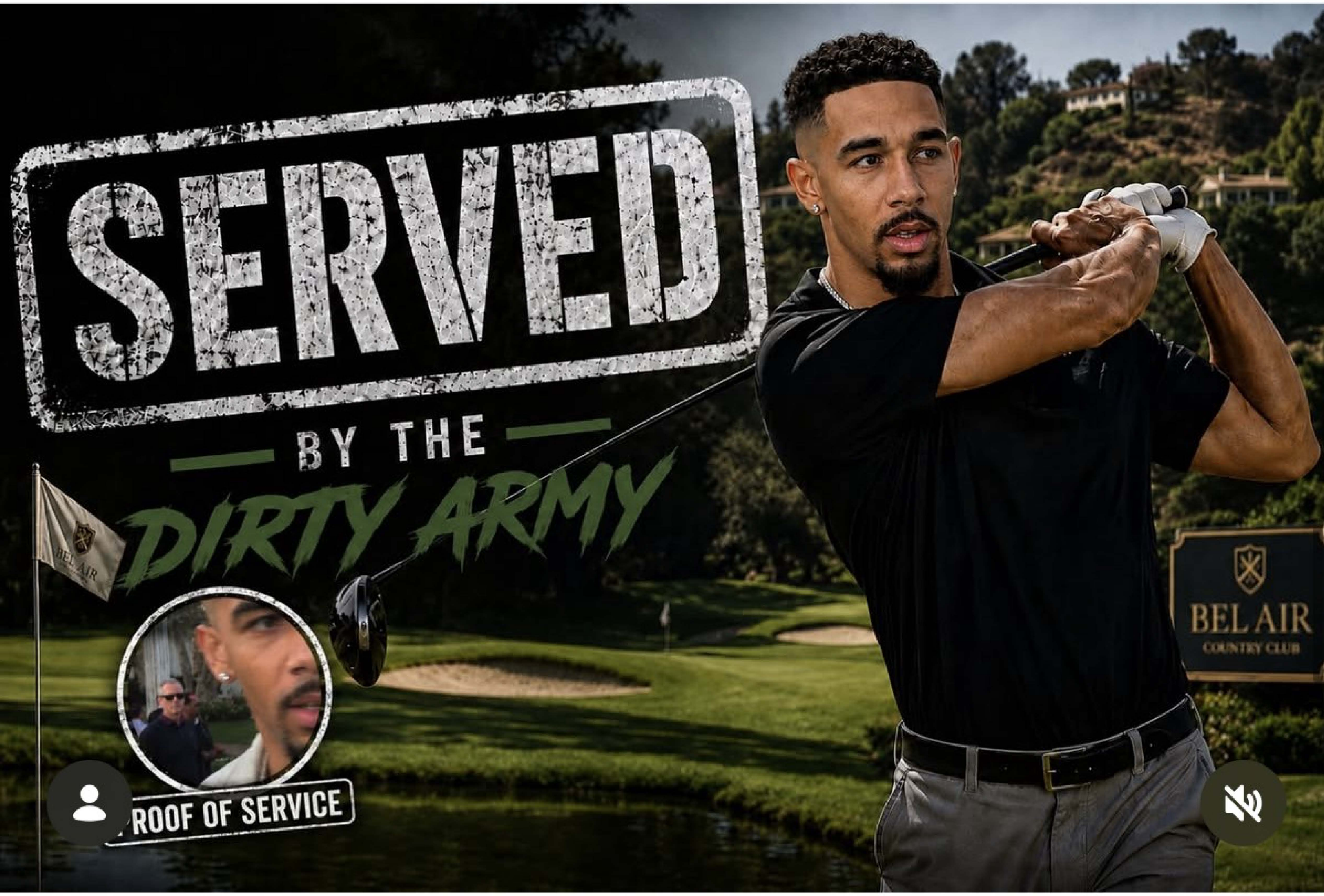
---

[2] *See also* https://www.instagram.com/p/Da_ufFqBKIV/.

# Exhibit A

**nikrichie** and **annaavakane**

AI info




169 25 6

**nikrichie** Another step forward for the Dirty Army today as we served Monster Evander Kane in the middle of his backswing. FREE KENSINGTON ‼️‼️

This service has nothing to do with our current trial litigation as we have more lawsuits coming. As my lawyer @marcorandazza would say, “let’s dance.” #FreeBird

1 hour ago

# EXHIBIT D

Marc J. Randazza, SBN 269535
Alex J. Shepard, SBN 295058
8991 W. Flamingo Rd., Ste B
Las Vegas, Nevada 89147
Telephone: 702-420-2001
ecf@randazza.com

Attorneys for Hooman Abedi Karamian
a/k/a Nik Richie

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**
**FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER**

| | |
|---|---|
| EVANDER KANE,<br><br>Petitioner,<br><br>vs.<br><br>HOOMAN ABEDI KARAMIAN a/k/a NIK RICHIE,<br><br>Respondent. | Case No. 30-2026-01575619-CU-HR-CJC<br><br>Assigned For All Purposes To: Hon. Amber Poston<br><br>**DECLARATION OF ALEX J. SHEPARD IN SUPPORT OF RESPONDENT'S OPPOSITION TO PETITIONER'S EX PARTE APPLICATION FOR REINSTATING TRO**<br><br>Date: August 6, 2026<br>Time: 1:45 p.m.<br>Dept: C65 |

I, Alex J. Shepard, declare:

1. I am over 18 years of age. I have knowledge of the facts set forth herein, and if called as a witness, could and would testify competently thereto.

2. I am an attorney with Randazza Legal Group, PLLC ("RLG"), counsel for Respondent Hooman Abedi Karamian a/k/a Nik Lamas-Richie ("Richie") in the above-captioned matter. I submit this declaration in support of Richie's Opposition to Petitioner's Ex Parte Application for Reinstating TRO (the "Opposition").

3. As part of the proceedings to vacate this Court's prior temporary restraining order in this matter, Mr. Kane revealed that on June 10, 2026, he filed an order to register the Alberta

Injunction with the Santa Clara County, California Superior Court. His counsel sent me the order via email on June 18, 2026. A true and correct copy of the first page of the order Kane's counsel sent is attached to the Opposition as **Exhibit 1**. Only the first page is included so as not to overload the docket, since the specific contents with this document are only tangentially related to the Opposition.

4. On June 25, 2026, Richie commenced an action against Petitioner Evander Kane ("Kane") in the United States District Court for the Northern District of California, San Jose Division, captioned *Richie v. Kane*, Case No. 5:26-cv-06348-NC, seeking a declaratory judgment under the Securing the Protection of our Enduring and Established Constitutional Heritage ("SPEECH") Act, 28 U.S.C. §§ 4101–05 (the "SPEECH Act Lawsuit"). A true and correct copy of the first page of the Complaint filed in this suit is attached to the Opposition as **Exhibit 2**. Only the first page is included so as not to overload the docket, since the allegations within the Complaint are not material to the Opposition.

5. On June 18, 2026, my colleague, Marc J. Randazza, sent an email to Kane's counsel at Blank Rome, on which correspondence I was copied, and asked whether they were authorized to accept service of Richie's Complaint in the SPEECH Act Lawsuit. That same day, Joseph J. Mellema of Blank Rome responded, "We are not authorized to accept service on behalf of Mr. Kane." A true and correct copy of that email correspondence is attached to the Opposition as **Exhibit 3.**

6. On June 26, 2026, RLG sent waiver of service packages to both Kane and his counsel, which were delivered on June 29. Neither Kane nor his counsel acknowledged this.

7. Due to the lack of any communication from Kane or his counsel regarding service, RLG then retained a process server to serve Mr. Kane at his home in Edmonton, Canada.

8. The process server attempted to serve Kane at his residence a second time on July 8, 2026, at approximately 9:30 a.m. *Id*. An adult woman answered the door, declined to identify herself, advised the server that she was able to accept any deliveries but not service of process, and stated that Kane was "out of the city for an indefinite period." *See id*. A true and correct copy of a

July 8, 2026, email from the process server recounting these facts is attached to the Opposition as **Exhibit 4**.

9. On July 10, 2026, RLG law clerk Richard L. McLaren viewed an active Instagram Story posted by Kane's verified account @evanderkane. McLaren made a screen recording of the video at approximately 11:29 a.m. on July 10, 2026. A true and accurate screenshot of the screen recording is attached to the Opposition as **Exhibit 5**. I personally reviewed the screen recording on July 10, 2026. It depicts an individual resembling Kane golfing on a golf course, with a timestamp "3h" indicating it was posted approximately three hours before McLaren viewed and recorded it.

10. As it had become apparent by this point that Mr. Kane was deliberately evading service, Mr. Randazza sent Kane's counsel an email on July 9, 2026, in which Mr. Randazza stated that, if Mr. Kane's counsel did not respond by the following day, Richie and his counsel would seek to employ the assistance of Richie's social media followers to locate Kane so that he could be served with the SPEECH Act Lawsuit. A true and correct copy of an email thread containing this email is attached to the Opposition as **Exhibit 6**.

11. Kane's counsel did not respond to this email.

12. Mr. Randazza sent a follow-up email on July 10, again urging Kane's counsel to accept service so that Kane would not have to suffer the embarrassment of being served while his family might be present. A true and correct copy of this email is included in **Exhibit 6**.

13. Mr. Kane's counsel did not respond to this email.

14. In light of this silence, Richie filed a motion for alternative service upon Kane in the SPEECH Act Lawsuit on July 13, 2026, seeking leave to serve him by email personally and through his counsel, and by social media. A true and correct copy of the first page of the motion is attached to the Opposition as **Exhibit 7**. Only the first page is included so as not to overload the docket, since the arguments within that motion are only tangentially related to the Opposition. RLG emailed this motion to Kane's counsel the following day, and I was copied on this transmission.

15. While the motion for alternative service was pending, Richie continued his efforts at conventional service and on July 21, 2026, a process server successfully served Kane at the Bel Air Country Club in Los Angeles. True and correct copies of declarations of service from the process server who completed this service are attached to the Opposition as **Exhibit 8**. The same day, Mr. Randazza sent an email to Kane's counsel informing them of this service, and I was copied on this transmission. A true and correct copy of this email is included in **Exhibit 6**.

16. On July 30, 2026, after more than a month with no response, Kane's counsel emailed a letter to RLG, claiming that the declarations of service were false and fraudulent, and complaining of a social media post by Richie featuring a photo taken by the process server. A true and correct copy of this letter, which I personally received via email on July 30, is attached to the Opposition as **Exhibit 9**.

17. Despite the letter claiming there was "irrefutable evidence" that the declarations of service were false, Mr. Kane's counsel provided no such evidence. Neither I, nor anyone else at RLG, has any reason to believe there was anything inaccurate about the declarations of service.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed on August 5, 2026.

/s/ Alex J. Shepard
Alex J. Shepard

# EXHIBIT E

**The System - Pulling Back the Curtain on the Legal System: Marc Randazza | Dirty Army Podcast Ep. 6, July 7, 2026**

**42:33-43:45**

42:33
**Randazza:** Right. people get to talk. You get to to discuss what you want to discuss. Like the case that we were in court on today, you know, I don't want to
42:42
I can't go too far into it because, you know, this is it's an ongoing case, but where we have an NHL player and his
42:49
ex-wife and very high profile struggles with the law.
42:54
You interview her and then he wants to stop you from broadcasting that interview. I mean, it's that simple.
43:02
That is an absolutely grave first amendment violation as far as I'm concerned. And the the fact that the court initially gave them that
43:10
injunction, it only lasted for like 48 hours. But even those 48 hours, to me, that was just a that's just an abscess
43:19
in the First Amendment that you can never get back. Yeah. You know, and and to say, well, what's the big deal?
43:24
It's only two days. Well, then it's only three days. Then it's only three weeks.
43:28
Then it's only three months. then it's only three lifetimes, you know, three generations and next thing you know, you got
43:35
nothing. I mean, you have to yell and scream every time somebody tries to shut you down and shut you up because you get to report on matters of public concern.
43:45
That that's what we are as a country. Yeah.

***

**52:24-53:37**

52:24
**Nik Richie:** It's like Rocky won. So that like sometimes, and I told you this, like Yeah. We need to lose sometimes. Sure.

52:30
So, because it gets louder, it gets bigger. The the wave gets larger.
52:34
**Randazza:** Oh, look, some cases. I love that I lose at the trial level. Yeah.
52:39
You know, and I I mean, it's like like a thing that we're doing right now. Gee, man, I kind of hope we lose at the trial level. Yeah.
52:47
Because when the Look, Jones versus Dirty World doesn't mean [ __ ] until it goes to the Sixth Circuit.
52:53
Right. Once it gets to the Sixth Circuit, now it's precedent that people cite forever.
**Nik Richie:** Well, that's why I want to lose. I want to appeal.
53:00
So, let's lose and get to a higher court.
53:02
**Randazza:** Yeah. I mean, I'm going to fight it to win. Yeah. But I'm thrilled to lose.
53:05
**Nik Richie:** Yeah. But it's also for me, it's also I want to give Anna and I want some of these and I don't let's not talk too much about it, but like I want to give them their platform and their voice
53:14
where they can confront their predator or their
**Randazza**: or at least just get their side of the story. Why shouldn't they?
53:20
I mean, he can he can hire a public relations company to say anything he wants. why can't she come sit down with a a journalist?
53:28
And that's all this was.
**Nik Richie:** It's like, "Hey, Anna, come out. Let's let's speak your truth and you say what you want to say." But these guys want to suppress
53:37
these women.

****

**56:29-59:16**

56:29
**Randazza**: It's unusual how quickly your case has moved.
**Nik Richie:** Really?
56:37
**Randazza**: Your case moved quickly because they went in, you know, like dirty-
**Nik Richie:** guns blazing
**Randazza**: No, guns blazing shows a bit of courage.
56:47

They went in there like underhanded little slimy rats, you know, sneaking in like the roach under the frigin door.
56:54
All right. And they went and get this secret injunction without even telling you that it was happening until they got it.
57:02
It's crazy. It's disgusting.
57:04
And it's why I don't like them. It's why I'm doing this case so much, because blank Rome, I tell you that fluff
57:12
Firm, when David Norcross was there had a lot of honor.
57:15
The way they're comporting themselves in this case, I don't think has very much honor. I, you know, normally you don't badmouth your opposing council on on uh on video.
57:23
But I I will I will badmouth them. I think it was an underhanded slimy thing that they did.
57:28
Um it was unamerican and I think they should be should feel ashamed for it.
**Nik Richie:** Well, it is it's a Canadian move.
57:36
**Randazza**: Well, it may be, but you know, it's it's a No, it's more like a North Korean move, but uh you know, it uh that they're gonna I don't know what their
57:44
motivation was. I mean, I can speculate, but it's irrelevant.
**Nik Richie:** It's money
57:48
**Randazza**: You know, the way they did it was dishonorable, but then we had to file an emergency motion. You hear that guy in there whining today that we filed emergency
57:56
motions and all this? Like, what do you expect? You [ __ ] cry baby.
57:59
I know. It's crazy, right? So, you know, we had to go in there to get our free speech rights restored. I'm telling you. So now we got him back.
58:07
**Nik Richie:** He has no idea because we're papering so hard and go and coming from every single angle. This thing's going to cost him.
58:14
Like my goal is 2.5. I think I I think if he can get if he can if we can keep going on this and he's he just financially drained.
58:24
He's going to come to the table and he's going to be like, I'm over it. And I I don't
**Randazza**: I mean it's one it's not a good idea to talk about your settlement strategy on
58:32
camera. So I hope but look but it's not about that. You know what it ought to be in a in a in a world where you

58:40
have and look the judge I hope does the right thing on your anti-slab hearing and puts an end to this.
58:46
Right. You don't get to do what they're trying to do. Yeah. Not in America. Yeah.
58:52
Um and if she doesn't, you know, she'll do what she's going to do. Judges are going to judge.
58:57
She'll make her decision. We'll go to the appellate court if it isn't Well, frankly, it I guess it probably doesn't matter which one of us wins. We're going to the appellate court.
59:05
Um I I don't imagine they're going to give up.
59:08
So, we're going to the court of appeals anyway.
59:11
So, let's see uh which direction we go in.

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EVANDER FRANK KANE

**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF CALIFORNIA**
**SAN JOSE DIVISION**

HOOMAN ABEDI KARAMIAN a/k/a NIK LAMAS-RICHIE,

Plaintiff,

v.

EVANDER KANE,

Defendant.

Case No. 5:26-cv-06348-NC

**DECLARATION OF EVANDER FRANK KANE IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS THE COMPLAINT UNDER FED. R. CIV. P. 12(b)(1), 12(b)(2), 12(b)(4), 12(b)(5), AND 12(b)(6)**

*[Filed concurrently with Motion to Dismiss and Declaration of Ryan F. Coy, and [Proposed] Order]*

Hearing:
Date: September 16, 2026
Time: 11:00 a.m.
Place: Courtroom 5, 4th Floor
San Jose Federal Courthouse

Complaint Filed: June 25, 2026

# DECLARATION OF EVANDER FRANK KANE

I, **Evander Frank Kane**, declare as follows:

1. I am the defendant in this action. I make this declaration based on my own personal knowledge, and if called as a witness I could and would testify competently to the matters set forth below.

2. I submit this declaration solely in support of my motion to dismiss the Complaint. By submitting it, I do not consent to the jurisdiction of this Court, do not waive service of process, and do not make a general appearance.

**Citizenship and Residence**

3. I am a citizen of Canada. I am not a citizen of the United States, and I am not a lawful permanent resident of the United States.

4. I reside in Edmonton, Alberta, Canada. I am a professional hockey player and earlier this year I played for the Vancouver Canucks of the National Hockey League.

5. I previously played for the San Jose Sharks. The Sharks terminated my contract on January 9, 2022, and I signed with the Edmonton Oilers as a free agent on January 27, 2022. I last resided in the Northern District of California in or about early 2023.

6. I have not resided in the Northern District of California, or anywhere else in the United States, at any time since early 2023.

7. I do not own or lease any residence or other real property in the Northern District of California. I do not maintain an office, employ anyone, or conduct any business there. I have no agent designated to accept service of process in California or anywhere else in the United States.

**The Purported Service on July 19, 2026**

8. I have reviewed the Declaration of Personal Service and the Declaration of Andrea Leilani-Taylor filed in this action, which state that I was personally served with the summons and Complaint at the Bel-Air Country Club in Los Angeles, California on July 19, 2026.

9. I was not served on July 19, 2026 with a complaint and summons. On July 19, 2026, I was not in the State of California. I was not anywhere in the United States. I was in Edmonton, Canada.

10. I was not at the Bel-Air Country Club on July 19, 2026 or at any other time during July 2026.

11. No person handed me, delivered to me, or left with me a summons or a copy of the Complaint in this action on July 19, 2026, or on any other date, in California or anywhere else. I have never been served in this action.

12. I have not authorized Blank Rome LLP, or any other person or firm, to accept service of process on my behalf in this action.

13. I have reviewed the Instagram post referenced in the July 30, 2026 letter from my counsel to Plaintiff's counsel, which depicts an individual on a golf course above a caption stating that I had been served. The individual depicted in that image is not me.

I declare under penalty of perjury and under the laws of the United States of America that the foregoing is true and correct.

Date: 8/6/2026

DocuSigned by:

Evander Kane

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Evander Frank Kane