

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

MINUTE ORDER

DATE: 02/01/2011

TIME: 01:30:00 PM

DEPT: C14

JUDICIAL OFFICER PRESIDING: Franz E. Miller

CLERK: Stacie Turner

REPORTER/ERM: Janet Taylor - CSR#9463 CSR# 9463

BAILIFF/COURT ATTENDANT: Jodi Roa

CASE NO: **30-2010-00375609-CU-DF-CJC** CASE INIT.DATE: 05/25/2010

CASE TITLE: **Propworx, Inc. vs. Original Prop Blog, LLC**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Defamation

EVENT ID/DOCUMENT ID: 71131219,84237550

EVENT TYPE: Motion for SLAPP

MOVING PARTY: Original Prop Blog, LLC

CAUSAL DOCUMENT/DATE FILED: Motion for SLAPP, 09/10/2010

EVENT ID/DOCUMENT ID: 71131221

EVENT TYPE: Motion for SLAPP

MOVING PARTY: Jason DeBord

CAUSAL DOCUMENT/DATE FILED: Motion for SLAPP, 09/10/2010

APPEARANCES

Sridavi Ganesan, from Pick & Boydston LLP, present for Plaintiff(s).

Paul J. Derania, from Law Office of Paul J. Derania, present for Defendant(s).

John P. Sciacca, from POWERS & MILLER, present for Defendant(s).

Tentative Ruling posted on the Internet as follows:

Probable grant.

Reasoning: Protected speech here is not incidental to non-protected – if anything, it's the other way around; the better view is that if any of the speech is protected the whole complaint is subjected to the step 2 analysis (*Haight Ashbury* 184 A4 1539; *Salma* 161 A4 1275; *Mann* 120 A4 90); if it were otherwise, plaintiffs could chill free speech by filing lawsuit and padding it with non-protected claims; plaintiff has low burden to show some merit; some question remains here as to whether plaintiff met standard.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The motion by Defendant Jason DeBord for SLAPP is granted .

The motion by Defendant Original Prop Blog LLC for SLAPP is granted.

Court orders the complaint dismissed.

Defendants to prepare formal order and judgment.