

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
EVA McCLINTOCK, CLERK

DIVISION 7

Los Angeles County Superior Court

ALEXA NIKOLAS,
Plaintiff and Respondent,
v.
MANNEE HAILEY-MCMURRAY,
Defendant and Appellant.
B330941
Los Angeles County Super. Ct. No. 23STRO01674

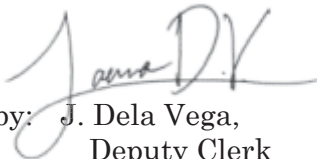
***** REMITTITUR *****

I, Eva McClintock, Clerk of the Court of Appeal of the State of California, for the Second Appellate District, do hereby certify that the attached is a true and correct copy of the original order, opinion or decision entered in the above-entitled cause on July 21, 2025 and that this order, opinion or decision has now become final.

Witness my hand and the seal of the Court
affixed at my office this

Oct 03, 2025

EVA McCLINTOCK, CLERK


by: J. Dela Vega,
Deputy Clerk

cc: All Counsel (w/out attachment)
File



FILED

Jul 21, 2025

EVA McCLINTOCK, Clerk

Jaenna Dela Vega

Deputy Clerk

Filed 7/21/25

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

ALEXA N.,

Respondent,

v.

MANNEE [REDACTED]

[REDACTED],

Appellant.

B330941

(Los Angeles County
Super. Ct. No.
23STRO01674)

APPEAL from an order of the Superior Court of
Los Angeles County, Joseph Donnini Jr., Temporary Judge.
(Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Mannee [REDACTED], in pro. per., for Appellant.

No appearance for Respondent.

Mannee [REDACTED] ([REDACTED]) appeals from a two-year civil harassment restraining order granted against him and protecting Alexa N., her husband Michael G., and their two-year-old child N.V.¹ [REDACTED] contends that Alexa presented insufficient evidence to support the restraining order; that the First Amendment protected his conduct; and that the court erred by refusing his mid-trial request for a continuance and limiting his cross-examination of Alexa on relevance grounds.

We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

A. *Alexa Obtains a Temporary Restraining Order*

Alexa is a former child actor. [REDACTED] first interacted with Alexa in September 2022 when “Eat Predators,” a sexual abuse protest group Alexa spearheaded, gained media attention. Alexa and [REDACTED] met in a related online book club that Alexa started for sexual abuse survivors, and [REDACTED] began volunteering for Eat Predators.

Around October 2022, Alexa invited [REDACTED] to stay with her and her husband at their house for a few days because she believed he had been kicked out of his lodging. Soon afterwards, Alexa told [REDACTED] that she did not want him to volunteer for Eat Predators anymore. [REDACTED] continued to attend Eat Predators public events where Alexa was present and made numerous online posts referring to her and her family.

¹ We refer to the adult protected parties by their first name and last initial, and the initials only for the child. (See Cal. Rules of Court, rule 8.90(b)(5) [permitting us to abbreviate the names of “[p]rotected persons in civil harassment proceedings” to protect their privacy interests].)

In March 2023 Alexa requested a civil harassment restraining order against [REDACTED] to protect herself, Michael G., and N.V. She declared that [REDACTED] had repeatedly followed and stalked her in person and had posted defamatory and threatening content about her on numerous social media platforms.

Alexa also declared [REDACTED] had repeatedly reposted a photo of N.V. after being asked to take it down. Instagram removed the photo on numerous occasions, deeming the posts violated Instagram's terms of use and guidelines on image privacy, but [REDACTED] continued to repost the photo with captions and messages such as, "Oh, is this post bothering somebody?" and "It's up. It's pinned. Right where I put it. Because I have full legal right to do so."

Alexa attached a meme that she contended [REDACTED] posted on social media that depicts a man pointing a gun with the caption, "Name everyone who has left you." In his caption under the meme, [REDACTED] listed Alexa's and her husband's names, among others. Alexa asserted that [REDACTED] conveyed in a video posted online that he is "going to stay [in the hills] for a long time, and I'm going to continue to be disruptive in the lives of Eat Predators and Alexa [N.] and her shitty little husband."

Alexa indicated she feared for her and her daughter's lives and believed [REDACTED] was a credible threat to her family. She asserted [REDACTED]'s behavior was causing her serious emotional distress.

The court granted a temporary restraining order.

B. *Hearing on the Permanent Restraining Order*

The court held a hearing on Alexa's petition in April 2023. Alexa was represented by counsel, and ██████████ was self-represented.

1. ██████████'s declaration

██████████ filed a declaration in response to the request for a restraining order. He asserted that "[t]o the extent that any such activity occurred, it was constitutionally protected under Article 1, Section 2 of the California Constitution [and] the corresponding provisions of the First Amendment to the United States Constitution." He contended that "[a]s a producer and journalist, I seek to expose wrong and vindicate right, and all activities I do as such are aimed at that purpose." He alleged that when he appeared at Alexa's public protests, his conduct was "protected speech about [Alexa's] activities with 'Eat Predators' " as well as about Alexa's character and conduct towards him and others. ██████████ asserted that his "speech serves [a] legitimate purpose in exposing and criticizing [Alexa's] conduct toward survivors of sexual trauma since August 2022 and . . . inform[ing] the public of newsworthy conduct" involving Alexa and her associates.

██████████ disputed any intent to harass Alexa by appearing at her protests and assemblies, and he stated his intent was instead to observe and to "counter-protest" by peacefully playing music and speaking. ██████████ denied following or stalking Alexa in person or coming within 100 yards of her at her public events. Rather, he stated he had politely handed out, from a distance, literature critical of Eat Predators.

██████████ stated he reposted the photos of N.V. to show "the close relationship that [Alexa] accelerated with [him], and

[to] demonstrate[] her carelessness in caring for and protecting her daughter.” He emphasized that Alexa had originally given him the photo and permitted him to post it on his Instagram page, and she had posted it on her own Instagram story.

██████████ contended that it was Alexa who had a fixation on him, and that she had maligned him to her 250,000 Instagram followers by calling him a “‘stalker’ ” after he posted content that was critical of the Eat Predators movement. He attached text messages showing Alexa encouraging his involvement with her and Eat Predators; Alexa’s subsequent social media posts to her followers referring to the alleged stalking by ██████████, and evidence of online attacks Alexa’s fans subsequently directed at McMurray.

2. *Alexa’s testimony*

Alexa testified that after ██████████ began volunteering for her Eat Predators group, she allowed him to sleep at her home for a few days while he was visiting Los Angeles. ██████████ began to make her feel “deeply uncomfortable” because he was “very obsessive about [her] career as a child star” and was “constantly pitching hundred million dollar ideas. It did not feel right to [her].”

Alexa testified she blocked ██████████ on her social media on November 20, 2022, and he began threatening her right away, including an Instagram post that suggested a “neurotic failed former child actor” would be “cold and dead.” Alexa testified that ██████████ posted a photograph of Christian Bale’s character from American Psycho, who is a serial killer, pointing a gun at the camera with Alexa’s name and her husband’s name under the photograph. Alexa stated ██████████ posted the photograph the day after he began physically stalking her. She testified

██████████ told her and her husband that he had gotten a gun while suicidal during the pandemic.

Alexa testified she had taken the photo of her daughter hugging ██████████ the day he met her daughter, and she had posted it on her Instagram stories. ██████████ later “pinned” the photograph on his Instagram page without Alexa’s permission. Alexa asked ██████████ to remove the photograph of her daughter via public posts on Twitter, but he did not remove them. Instagram removed the photograph 13 times at Alexa’s request.

Alexa claimed ██████████ stated in a video on Instagram that he moved to Los Angeles to disrupt Alexa’s life. She stated ██████████ continued to post about her three times a day “aggressively, always threatening, constant harassment, always insinuating violence. There’s one video here where he punches the camera seven times with my name in front of it. And it has only escalated. It has never deescalated. Even during the TRO he posts about me every single day reposting the death threats and my daughter.”

During ██████████’s cross-examination of Alexa, the court sustained objections on relevance grounds to ██████████’s questions about whether Alexa had a trademark for Eat Predators, what the business plan was for the group, and if the group had a business model and business plan. ██████████ stated he was “trying to give context for the nature of what my involvement is and my understanding of what this group is.”

3. *Alexa’s additional evidence*

The court admitted into evidence the photograph of ██████████ holding N.V., the “cold and dead” Instagram post, and the post with the meme of the man pointing a gun at the camera.

In addition, the court admitted into evidence declarations from several other participants in the Eat Predators book club who stated that ██████ threatened to expose the sensitive information of all the book club participants after Alexa blocked his access in November 2022. In addition, one of the participants asserted ██████ became aggressive and obsessive about Alexa and her family, and threatened to move to Los Angeles to disturb Alexa and her family's life.

4. ██████ *testimony and additional evidence*

After Alexa rested, ██████ testified. He stated, “[N]one of the claims against [him] happened until [he] made criticisms of Alexa and her ethics and agenda.” He asserted every claimed instance that he was following or stalking Alexa was a public protest or an event he was invited to attend. According to ██████ Alexa had “a pattern of claiming anyone she wants to malign [is] a groomer or abuser.” Alexa had “pathologized [██████] generosity . . . to frame [him] as a groomer and abuser, including a stalker and a pedophile in her claims as well. [She] has orchestrated a smear campaign against me that began internally with the group that calls themselves Eat Predators.” He denied there was evidence that Alexa had ever asked him to remove the photo of N.V. He stated, “I am not crazed, delusional, or obsessed with . . . anybody’s celebrity.” ██████ stated he planned to move to Los Angeles before meeting Alexa. He denied he was posting nonstop about Alexa.

██████ indicated he wished to call Mauri ██████ as his first witness. But by then, ██████ had disconnected and was no longer on the court’s videoconference line. The court took a recess so ██████ could call ██████ to get him to log back on. When they reconvened, ██████ stated he was unable to

reach [REDACTED] and said, “I may need a continuance.” The court denied the request for a continuance given the proceedings were underway, but told [REDACTED] he could call his second witness first to allow more time for [REDACTED] to appear.

[REDACTED] then presented testimony from his second witness, Eugene [REDACTED]. [REDACTED] testified he had never witnessed [REDACTED] harassing Alexa. The court sustained numerous objections to [REDACTED]’s lengthy responses about subjects that the court deemed were not on point.

After the examination of [REDACTED], [REDACTED] stated [REDACTED] had not responded to him and the other witnesses he wanted to call were not available on that day.

The court admitted seven pages of text messages between [REDACTED] and the individuals who submitted declarations on Alexa’s behalf.

5. *The court’s ruling*

After the parties’ closing arguments, the court issued its oral ruling granting the permanent restraining order for a two-year period. The trial court acknowledged that evidence demonstrated the working and personal relationship between Alexa and [REDACTED] was initially “positive” and “amicable”—“until it wasn’t.” After the relationship deteriorated, the court determined there was “unwarranted conduct and contact” by [REDACTED] as to Alexa. The court relied on [REDACTED]’s social media posts, including the one with the phrase “going to be cold and dead” and the one showing a man pointing a gun, which the court interpreted as threatening after Alexa cut off communication with [REDACTED]. The court also cited [REDACTED]’s continued posting of the photo of N.V. after it was repeatedly removed by Instagram. Considering “the totality of all the

evidence,” the court found a reasonable person would believe a credible threat of violence had occurred justifying the issuance of a restraining order.

The court signed the restraining order on April 12, 2023. [REDACTED] timely appealed.²

DISCUSSION

A. *Applicable Law and Standards of Review for Civil Harassment Restraining Orders*

Code of Civil Procedure section 527.6,³ which provides for the issuance of civil harassment restraining orders, “ ‘was enacted “to protect the individual’s right to pursue safety, happiness and privacy as guaranteed by the California Constitution.” [Citations.] It does so by providing expedited injunctive relief to victims of harassment.’ ” (*E.G. v. M.L.* (2024) 105 Cal.App.5th 688, 698-699 (*E.G.*); accord, *Hansen v. Volkov* (2023) 96 Cal.App.5th 94, 104 (*Hansen*).)

² The restraining order was set to expire on April 11, 2025. We took judicial notice of the trial court’s order dated May 7, 2025, renewing the restraining order for another two years. Because the restraining order has been renewed, the appeal from the original order is not moot. (See *Harris v. Stampolis* (2016) 248 Cal.App.4th 484, 495 [“Because the restraining order has since been renewed, we agree . . . that the appeal is not moot. A determination that insufficient evidence supports the trial court’s finding [of harassment] . . . could undermine the basis for the renewal of the restraining order.”].)

³ Undesignated statutory references are to the Code of Civil Procedure.

“A person who has suffered harassment as defined in subdivision (b) [of section 527.6] may seek a temporary restraining order and an order after hearing prohibiting harassment.” (§ 527.6, subd. (a).) The petitioner must show “clear and convincing evidence of: ‘(1) “[unlawful violence, a credible threat of violence, or] a knowing and willful course of conduct” entailing a “pattern” of “a series of acts over a period of time, however short, evidencing a continuity of purpose”; (2) “directed at a specific person”; (3) “which seriously alarms, annoys, or harasses the person”; (4) “which serves no legitimate purpose”; (5) which “would cause a reasonable person to suffer substantial emotional distress” and “actually cause[s] substantial emotional distress to the plaintiff”; and (6) which is not a “[c]onstitutionally protected activity.” ’ ” (*Leahy v. Peterson* (2023) 98 Cal.App.5th 239, 257; see § 527.6, subds. (b), (i).)

“‘Credible threat of violence’ is a knowing and willful statement or course of conduct that would place a reasonable person in fear for the person’s safety or the safety of the person’s immediate family, and that serves no legitimate purpose.” (§ 527.6, subd. (b)(2).) “‘Course of conduct’ is a pattern of conduct composed of a series of acts over a period of time . . . evidencing a continuity of purpose, including following or stalking an individual, making harassing telephone calls to an individual, or sending harassing correspondence to an individual by any means.” (§ 527.6, subd. (b)(1).) “The ‘ “[c]lear and convincing’ ” standard “requires a finding of high probability” of unlawful harassment.” (*E.G., supra*, 105 Cal.App.5th at p. 698; accord, *Russell v. Douvan* (2003) 112 Cal.App.4th 399, 401.)

“[W]hen presented with a challenge to the sufficiency of the evidence associated with a finding requiring clear and

convincing evidence, the court must determine whether the record, viewed as a whole, contains substantial evidence from which a reasonable trier of fact could have made the finding of high probability demanded by this standard of proof.’” (*Hansen, supra*, 96 Cal.App.5th at p. 104.) “When conducting our review, we must ‘not reweigh the evidence itself’ [citation], but must instead ‘view the record in the light most favorable to the prevailing party below and give appropriate deference to how the trier of fact may have evaluated the credibility of witnesses, resolved conflicts in the evidence, and drawn reasonable inferences from the evidence.’ [Citation.] Whether the facts, supported by substantial evidence and construed most favorably in the petitioner’s favor, are legally sufficient to constitute civil harassment under section 527.6 is a ‘question[] of law subject to de novo review.’ ” (*E.G., supra*, 105 Cal.App.5th at pp. 698-699.)

B. *Substantial Evidence Supported the Issuance of the Restraining Order*

██████████ asks this court to vacate the restraining order issued under section 527.6, contending that Alexa’s evidence was insufficient. ██████████ asserts Alexa’s “fictitious portrayal of ██████████ as an obsessed stalker is . . . contradicted by her celebrating his ‘Eat Predators’ membership by sharing multiple public posts to her Instagram—including a post of him attending public protest with her young child—clearly posing NO threat of any kind to the community, [Alexa], or her family.”

██████████ has forfeited the argument that the restraining order is not supported by substantial evidence by citing and discussing only evidence in his favor, and failing to discuss the unfavorable evidence as well. (See *L.O. v. Kilrain* (2023))

96 Cal.App.5th 616, 620-621; *Rayii v. Gatica* (2013)

218 Cal.App.4th 1402, 1408 [“An appellant . . . who cites and discusses only evidence in her favor fails to demonstrate any error and waives the contention that the evidence is insufficient to support the judgment.”]; *Doe v. Roman Catholic Archbishop of Cashel & Emly* (2009) 177 Cal.App.4th 209, 218 [same].)

In any event, substantial evidence supported the finding of harassment based on a course of conduct directed at Alexa and her family that “seriously alarm[ed], annoy[ed], or harass[ed] them], and that serve[d] no legitimate purpose.” (§ 527.6, subd. (b)(3).)

As the trial court acknowledged, the evidence demonstrated that Alexa and ██████ started off with a good relationship, with Alexa even inviting ██████ to sleep at her home when he did not have another place to stay and inviting him to go trick-or-treating with her family on Halloween. However, Alexa changed her mind about wanting a working or professional relationship with ██████ after growing concerned about his obsessive behavior relating to her. When she cut off ██████, he plainly was devastated.

██████’s evidence demonstrating Alexa initially invited him into her inner circle does not refute the evidence of his harassing conduct after Alexa withdrew that invitation. As the trial court found, ██████ responded by targeting Alexa and her family with threatening social media posts, including one with the phrase “going to be cold and dead” and another showing a man pointing a gun and listing Alexa and her husband as people who had let ██████ down. In addition, ██████ posted videos threatening Alexa and suggesting he planned “to

continue to be disruptive in the lives of . . . Alexa [N.] and her shitty little husband.”

The repeated posting of the photo of N.V., after it was repeatedly removed by Instagram, also constituted harassment, when considered in combination with his other conduct, and the fact that Alexa initially gave [REDACTED] permission to post the photo does not mean he had an unfettered right to use it to harass Alexa. [REDACTED]’s assertion that he did not know Alexa wished him to take down the posts with N.V.’s photo is belied by his reposting of the photo with captions like, “Oh, is this post bothering somebody?” and “It’s up. It’s pinned. Right where I put it. Because I have full legal right to do so.”

Considering all the evidence together, reasonable people would be in fear for their and their family’s safety and would suffer substantial emotional distress as a result of [REDACTED]’s conduct. While [REDACTED] argues that he submitted compelling evidence to demonstrate he did not harass Alexa, the trial court was entitled to find Alexa credible and to find, upon weighing the evidence submitted by both parties, that Alexa had met her burden of proof. “ [I]t is the trial court’s role to assess the credibility of the various witnesses, to weigh the evidence to resolve the conflicts in the evidence. We have no power to judge the effect or value of the evidence, to weigh the evidence, to consider the credibility of witnesses or to resolve conflicts in the evidence or the reasonable inferences which may be drawn from that evidence.’ ” (*Nevarez v. Tonna* (2014) 227 Cal.App.4th 774, 786.)

The court properly found a restraining order should issue.

C. *The Restraining Order Did Not Violate Hailey-McMurray's First Amendment Rights*

Correctly noting that a restraining order may not issue based on “[c]onstitutionally protected activity” (§ 527.6, subd. (b)(1)), [REDACTED] argues the restraining order violated his “freedom of speech and freedom to protest” Alexa’s “unethical misconduct.” He suggests that his in-person and online communications sought to expose Alexa’s deceptive conduct in presenting Eat Predators as a nonprofit when in fact it was a for-profit business entity, and to expose Alexa’s misrepresentation of herself as the leader of the Eat Predators brand when in fact she “stole and made herself [the] sole beneficiary” of the brand. “Whether a restraining order passes constitutional muster is . . . a question of law we consider de novo.” (*E.G., supra*, 105 Cal.App.5th at p. 702.)

Preliminarily, [REDACTED] seeks to invoke the protections of California’s anti-SLAPP statute. (See § 425.16.) However, he did not file an anti-SLAPP motion to strike Alexa’s petition in the trial court. (See *Luo v. Volokh* (2024) 102 Cal.App.5th 1312, 1321 [an anti-SLAPP motion may be filed to challenge a petition for injunctive relief based on harassment].) Accordingly, he has forfeited any arguments under that statute. (See *Howitson v. Evans Hotels, LLC* (2022) 81 Cal.App.5th 475, 489 [“It is well settled that the failure to raise an issue in the trial court typically forfeits on appeal any claim of error based on that issue.”].)

With respect to whether his conduct was constitutionally protected free speech: Had [REDACTED] limited his conduct to passing out flyers, speaking, or posting online about his views that Alexa’s practices relating to Eat Predators were deceptive, a

restraining order may not have properly issued. “[S]peech on ‘‘matters of public concern’’ is ‘‘at the heart of the First Amendment’s protection.’’” (*Brekke v. Wills* (2005) 125 Cal.App.4th 1400, 1409; cf., e.g., *Hansen, supra*, 96 Cal.App.5th at p. 105 [where attorney’s emails “did not contain any threats of violence (credible or otherwise),” they were “constitutionally protected litigation activity”]; *Thomas v. Quintero* (2005) 126 Cal.App.4th 635, 663, [restraining order was not proper based on a public demonstration at petitioner’s church protesting petitioner’s eviction of respondent where there was no showing that respondent’s actions were part of a “‘course of conduct’” within the meaning of § 527.6].) However, [REDACTED] threatening online posts and repeated posts of the photo of Alexa’s young daughter crossed far over the line between constitutionally protected speech and harassment. “As a general principle, [s]peech that constitutes “harassment” within the meaning of section 527.6 is not constitutionally protected, and the victim of the harassment may obtain injunctive relief.” (*E.G., supra*, 105 Cal.App.5th at p. 702; accord, *Huntingdon Life Sciences, Inc. v. Stop Huntingdon Animal Cruelty USA, Inc.* (2005) 129 Cal.App.4th 1228, 1250.) “More specifically, harassing speech that is not constitutionally protected and is made with ‘no legitimate purpose’ may qualify the protected party for an injunction.” (*E.G.*, at p. 702.) [REDACTED] harassing posts had no legitimate purpose and were not constitutionally protected.

D. *The Trial Court Did Not Abuse Its Discretion in Denying a Mid-trial Continuance and Sustaining Objections to [REDACTED]'s Cross-examination Subjects*

[REDACTED] contends the trial court erred by refusing his request for a continuance to allow one of his witnesses to provide testimony, and by curtailing his cross-examination of Alexa. We disagree.

[REDACTED] first contends the court should have adjourned the trial so he could locate witness Hubbard, who was present in the virtual “breakout room” at the outset of the trial but no longer present when [REDACTED] attempted to call him as a witness.

“We review a trial court’s order denying a continuance for an abuse of discretion. [Citation.] ‘The decision to grant or deny a continuance is committed to the sound discretion of the trial court. [Citation.] The trial court’s exercise of that discretion will be upheld if it is based on a reasoned judgment and complies with legal principles and policies appropriate to the case before the court. [Citation.] A reviewing court may not disturb the exercise of discretion by a trial court in the absence of a clear abuse thereof appearing in the record.’” (*Reales Investment, LLC v. Johnson* (2020) 55 Cal.App.5th 463, 468.)

“Although continuances of trials are disfavored, each request for a continuance must be considered on its own merits. The court may grant a continuance only on an affirmative showing of good cause requiring the continuance. Circumstances that may indicate good cause include . . . [t]he unavailability of an essential lay or expert witness because of . . . excusable circumstances.” (Cal. Rules of Court, rule 3.1332(c); see *Reales Investment, LLC v. Johnson, supra*, 55 Cal.App.5th at p. 468.)

“[T]he court must consider all the facts and circumstances that are relevant to the determination,” including the “proximity of the trial date.” (Cal. Rules of Court, rule 3.1332(d); see *Reales Investment*, at p. 468.)

The trial court did not abuse its discretion in denying the mid-trial request for a continuance by [REDACTED]. (See *Qaadir v. Figueroa* (2023) 67 Cal.App.5th 790, 814 [“particularly when the trial had already begun,” trial court did not abuse its discretion in denying continuance request due to unavailability of witness].) The court gave [REDACTED] time to try to reach [REDACTED] and suggested he switch the order of his witnesses to give [REDACTED] a chance to resurface, but [REDACTED] was still unavailable. There was no showing that [REDACTED]’s disappearance was due to some unavoidable emergency. (See *Pham v. Nguyen* (1997) 54 Cal.App.4th 11, 18 [given absence of facts showing witness’s unavailability was due to unavoidable circumstances, court did not abuse its discretion in denying request for continuance].) Further, McMurray made no offer of proof and provided the court with no information to suggest [REDACTED] would provide critical information that could not otherwise be provided by [REDACTED]. [REDACTED] further contends the court erred in sustaining objections on relevance grounds during his attempt to cross-examine Alexa regarding Eat Predators’ “purpose, incorporation structure, and brand strategy of ‘Eat Predators.’” “We generally review a trial court’s rulings concerning the admissibility of evidence for abuse of discretion.” (*Rose v. County of San Benito* (2022) 77 Cal.App.5th 688, 697.)

“The trial court has broad discretion in determining the relevance of evidence.” (*Donlen v. Ford Motor Co.* (2013) 217 Cal.App.4th 138, 148.) “‘As a general matter, evidence may

be admitted if relevant (Evid. Code, § 350), and “ ‘[r]elevant evidence’ means evidence . . . having any tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action” (*id.*, § 210).’ ” (*Rose v. County of San Benito, supra*, 77 Cal.App.5th at p. 710.) In addition, the trial court has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will “necessitate undue consumption of time.” (Evid. Code § 352.) Even if [REDACTED]’s questions relating to the business purpose and structure of Eat Predators had some marginal relevance to [REDACTED]’s First Amendment defense, the court did not abuse its discretion in determining the probative value of that evidence was substantially outweighed by the undue consumption of time such topics would entail. (Evid. Code, §§ 350, 352; see *640 Octavia, LLC v. Pieper* (2023) 93 Cal.App.5th 1181, 1191.)

DISPOSITION

The order is affirmed.



STONE, J.

We concur:



SEGAL, Acting P. J.



FEUER, J.