

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2026-002304

02/23/2026

HONORABLE LINDSEY G. COATES

CLERK OF THE COURT
D. McNulty
Deputy

LAURA OWENS

LAURA OWENS
UP

v.

ROBERT ANDREJEV

MATTHEW E KELLEY

DAVID S GINGRAS
COMM. COATES

UNDER ADVISEMENT RULING

At the request of Defendant Andrejev, an evidentiary hearing was conducted on February 20, 2026 whereby Defendant Andrejev sought to quash the Injunction Against Harassment issued on January 20, 2026 in favor of Plaintiff Owens.

Defendant Andrejev did not present any evidence during the hearing though, through counsel, he cross-examined Plaintiff. Plaintiff was the only witness that testified. The parties stipulated that Plaintiff was a litigant in a separate matter involving a person that appeared on "The Bachelor," a television series. The parties agree that the resolution in that case was not in Plaintiff Owens' favor and that a minute entry was issued by the assigned Judge presiding over the proceedings. The minute entry contained findings that the Judge was concerned Plaintiff Owens presented false or misleading information to the Court.

As a result of Defendant foregoing the presentation of evidence, it is uncontested that Defendant controls a Youtube channel that contains a catalog of approximately 1300 or so videos that focus on Plaintiff Owens. Defendant created 300 to 400 of the videos. It is also uncontested that Defendant made the statements that were presented via video at the hearing. While defense

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counsel asserted that the portions of the videos played lacked context, the defense did not provide further context.

There is no doubt that free speech is protected under the Arizona and United States Constitutions. Defendant argues his conduct is protected in full, but Arizona Courts have acknowledged that speech consisting of epithets or abuse of a person is not communication or information that is constitutionally protected. *State v. Brown*, 207 Ariz. 231 (App. 2004) quoting *Cantwell v. Connecticut*, 310 U.S. 296 (1940). “But the protection of citizens from harassment - a legitimate and laudable goal - is not incompatible with the protection and exercise of free speech, especially with a common-sense interpretation of the statute.” *LaFaro v. Cahill*, 203 Ariz. 482, 488 (2002).

Arizona Revised Statutes (A.R.S.) § 12-1809(T)(1)(a) defines harassment as:
A series of acts over any period of time that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed or harassed and the conduct in fact seriously alarms, annoys, or harasses the person and serves no legitimate purpose.

While this Court appropriately takes individuals’ First Amendment protections very seriously, this Court finds that the circumstances presented in this case in totality are harassment. The evidence presented is that Defendant maintains a Youtube.com channel containing or cataloging around 1300 videos about Plaintiff. Defendant has approximately 1200 subscribers to his Youtube.com channel. However, based on the testimony presented by Plaintiff, the videos are accessible to anyone on the internet, not just those that subscribe to the channel.

Without repeating the specific language used, it is difficult to convey the vulgarity of the language used by Defendant in the recorded videos. He refers directly to Plaintiff as though he is addressing her specifically in some of the videos while he uses obscene slurs to describe her, sometimes angrily ending a rant with, “[F]**k you!” (Censored for this ruling.)

Defendant goes beyond verbal tirades to threaten to strike Plaintiff “through the phone, through a camera, or however [he] can get to [Plaintiff].” Another step beyond simple online statements is that, in one video, Defendant encouraged his viewers to impersonate Plaintiff in order to find out whether Plaintiff would be present at a particular horse show.

Other videos involve imagined scenarios where Defendant appears to fantasize about the sexual victimization of Plaintiff. In one video, Defendant describes his belief that, should Plaintiff go to prison, she’ll be repeatedly sexually victimized and impregnated. In another, he indicates he is aware of Plaintiff’s out of state travel due to Plaintiff’s court proceedings. He

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suggests he could purchase a ticket near Plaintiff's seat on the plane on which Plaintiff is traveling and then she "would let [him] join the mile high club."

The above are examples of the evidence presented and not intended to be all inclusive. The language used in the videos is often crude, sexual, and violent. The sheer number of videos related to Plaintiff is a factor in that it demonstrates Defendant has a specific and targeted interest in Plaintiff. This intense focus alone *might* not cross the line into harassment if the conduct was only online commentary. However, in the videos presented, Defendant refers to Plaintiff's specific living arrangement (i.e., the type of housing in which Plaintiff resides), to her appearance at specific horse shows, and to her hospitalization for medical treatment. He discusses on multiple occasions attempting to seek Plaintiff out when he believes he knows where Plaintiff might be whether at a horse show, in court, or in the hospital.

Defendant's behavior might be argued to be online bravado from a "keyboard warrior," i.e. a person that makes abusive or aggressive posts from a computer rather than in-person in public. However, Defendant physically appears at all of Plaintiff's court hearings and has admitted to attending at least one horse show at which Plaintiff appeared. The volume of videos, the crude and sexually violent language, and the angry and vulgar comments verbally directed at Plaintiff are concerning. Defendant's encouragement to those listening to take steps to locate Plaintiff, the fantasizing about ways to see Plaintiff in person, including intimately, and the imagined sexual victimization of Plaintiff are beyond what any reasonable person would consider "reporting" as Defendant argues.

Defendant argues that *LaFaro v. Cahill* supports his position that his conduct is not directed at Plaintiff but that case is distinguishable from the instant case. First, *LaFaro v. Cahill* involved political speech, which this case does not. *LaFaro v. Cahill*, 203 Ariz. 482 (2002). Second, *LaFaro* did not involve the volume of conduct or posts to the internet. *LaFaro* involved statements at an event at a library rather than events posted online, which are there to be watched and rewatched again and again. *Id.*

Posting in the ways that Defendant has about Plaintiff in a violent and sexual manner, the repetitive nature of his conduct, and Defendant's practice of physically appearing at a location, i.e., court, when he knows Plaintiff will be there causes Plaintiff to feel alarm, per Plaintiff's testimony, and what the Court interpreted as fear during Plaintiff's testimony. The Court finds this to be reasonable, given the language and behavior of Defendant.

The Court is not persuaded by Defendant's argument that his conduct has a legitimate purpose due to public interest in Plaintiff's criminal and civil cases. An allegation that someone has committed a crime does not open that person up to being terrorized by others. If one posts or curates a selection of 1300 videos about another person, the poster must know that pushing that

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much content about a person out to the internet will likely one day come to the attention of the targeted person. In fact, it appears that thought has crossed Defendant's mind. As noted before, he directs comments at Plaintiff as though he is speaking to her, referring to her as "you" in more than one of the videos presented as evidence.

For the reasons listed above,

IT IS ORDERED Defendant's Motion to Quash the Injunction Against Harassment filed February 6, 2026, is denied.

IT IS FURTHER ORDERED denying Plaintiff's oral request that Defendant be forbidden from appearing at Plaintiff's court hearings to observe the proceedings.

IT IS FURTHER ORDERED, rather than entirely excluding Defendant from appearing to observe Plaintiff's court proceedings, that Defendant shall stay at least 10 yards away from Plaintiff if he chooses to attend Plaintiff's court proceedings.

IT IS FURTHER ORDERED Plaintiff may submit an affidavit regarding Plaintiff's reasonable attorney's fees and costs.

ISSUED AND FILED: Hearing Order