

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 86

26STCV04424

TLK FUSION, INC, A CORPORATION vs BMBO, INC., A CORPORATION

February 11, 2026

8:30 AM

Judge: Honorable Curtis A. Kin
Judicial Assistant: Mysty Mort
Courtroom Assistant: None

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Alec Cierny

For Defendant(s): Christopher A. Fortunati appearing for BMBO, INC., a corporation

NATURE OF PROCEEDINGS: Hearing on Ex Parte Application of Plaintiff TLK FUSION, INC. for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction

The matter is called for hearing.

The Court has read and considered the ex parte application and opposition thereon.

Oral arguments are made. 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 Ex Parte Application of Plaintiff TLK FUSION, INC. for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction; Memorandum of Point and Authorities filed by TLK FUSION, INC, a corporation on 02/11/2026 is Denied.

Plaintiff TLK Fusion, Inc. seeks via Ex Parte Application a Temporary Restraining Order and the issuance of an Order to Show Cause Re: Preliminary Injunction to enjoin defendant BMBO, Inc. from posting online or making statements that are negative about Plaintiff or are about a services agreement between the two parties. Additionally, plaintiff seeks mandatory preliminary injunctive relieve requiring defendant to recall, retrieve, and remove any such prior online postings or statements.

Because plaintiff fails to satisfy the requirements of California Rules of Court, rule 3.1202 for obtaining relief on an ex parte basis, the application is DENIED. Rule 3.1202(c) requires an “affirmative factual showing in a declaration containing competent testimony based on personal knowledge of irreparable harm, immediate danger, or any other statutory basis for granting ex parte relief.” Plaintiff makes no such showing. Instead, plaintiff’s CEO and founder states in conclusory fashion that harm to plaintiff without the requested relief “will be substantial and irreparable.” (Collis Decl. ¶ 13.) He goes on to state in vague terms that plaintiff’s reputation will suffer, including damage to its ability to secure future clients and the loss of ongoing client

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relationships. (Collis Decl. ¶ 13.) He provides no affirmative facts to meaningfully support these statements, however, stating only in general terms that revenues last month were “lower” and that the company has “experienced” that “multiple new lead potential clients” have not retained plaintiff due to defendant’s posts. (Collis Decl. ¶ 13.) This is insufficient to satisfy Rule 3.1202(c) and warrant the requested relief on an ex parte basis.

As discussed at length with the parties during the hearing, there is no demonstrated exigency here that merits the Court providing relief on an expedited basis, particularly where, as here, there are substantial questions and issues to be addressed by the parties that can and should be heard, if at all, by way of a noticed of motion that allows time for more complete and informed briefing. Plaintiff seeks relief that impinges on important First Amendment rights, and the ability of plaintiff to obtain that relief, even in the face of a contractual clause that purportedly waives those rights (if not found to be against public policy), is a complex and close question. Furthermore, as both parties indicate the agreement between them contains a provision for arbitration, the question of what, if any, preliminary injunctive relief the parties may be entitled to receive from this Court in light of that arbitration provision may also present a complex and close question.

For all of the foregoing reasons, plaintiff’s Ex Parte Application is DENIED.

Notice is waived.