

1 hearing on this motion, be granted so that evidence of actual malice described therein can be gathered.

2 **II. FACTUAL BACKGROUND**

3 Plaintiff Bellino is a business person and entrepreneur by profession and has never made a living
4 from appearing on a "reality television" show. (Declaration of James Bellino ("Bellino Decl.") at ¶ 2.)
5 Bellino's ex-wife Alexis was a cast member of the reality television show "The Real Housewives of
6 Orange County" ("RHOC") from its fourth through eighth seasons, which ran from 2008 to 2013. (*Id.*)
7 Alexis and Bellino were married throughout the time that Alexis was a cast member of RHOC and Bellino
8 would therefore occasionally be featured on the show. Bellino was never a cast member of RHOC. (*Id.*)

9 Judge has been a cast member on RHOC since its third season, which premiered in 2007. (Bellino
10 Decl. at ¶ 3.) Judge is a self-admitted "liar" in connection with statements made about individuals
11 associated with RHOC, including her co-defendant in this case Shannon Beador. (*Id.*, Ex. "A") Judge
12 has been pursuing for years a personal agenda to prolong her reality show career and notoriety at any cost,
13 and at the expense of others, including Bellino. (*Id.* at ¶ 4.) She has become infamous for her denigrating
14 and personally abusive statements about other participants of RHOC. (*Id.*) Judge has admitted that those
15 denigrating statements and "slams" further the interest of preserving her career on RHCO. As she stated
16 to US Magazine, "Let's face it, the big mouth never gets fired." (*Id.*, Ex. "B")

17 Judge's own daughter has lamented that Judge "puts herself, her fame, her reputation and her bank
18 account before me", and the "the character keeps her relevant, and is her storyline." Judge's daughter
19 has protested "although I do not want to be in the public eye, I feel the need to clear these [Judge's] lies
20 up and set the record straight in hopes that it will straighten my mom out so that she is held accountable .
21 . ." (Bellino Decl. at ¶ 5., Ex. "C").

22 Bellino has also been victimized by Judge's lies. Judge has long been hostile towards Bellino and
23 has previously (to this litigation) targeted him as the subject of false and malicious rumors. (*Id.* at ¶ 6.)
24 In 2011, Judge went on a smear campaign against Bellino, in the course of which she falsely accused him
25 of being a cocaine dealer and a "faux Christian," even though he holds a degree in theology. (*Id.*)

26 On June 21, 2018, Bellino filed for divorce from Alexis, citing irreconcilable differences. (*Id.* at
27 ¶ 7.) Despite their differences, there was and is no ill-will or bad blood between Bellino and Alexis and
28 they share three children together, a 12-year-old son and 10-year-old twin daughters. (*Id.*) The divorce