

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. JUDY H. KIM PART 04

Justice

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RODNEY'S COMEDY CLUB

Plaintiff,

- v -

CHANEL OMARI,

Defendant.

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INDEX NO. 151893/2026

MOTION DATE 02/13/2026

MOTION SEQ. NO. 001

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 001) 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 36, 37, 39, 40, 41, 42, 43, 44

were read on this motion to/for INJUNCTION/RESTRAINING ORDER.

Upon the foregoing documents, plaintiff's motion for an order enjoining defendant from "any further social media posts naming, inferring or addressing Plaintiff or Plaintiff's employees in any way or posts related to Plaintiff" and ordering her to "delete any and all posts on social media naming, inferring or addressing Plaintiff or Plaintiff's employees in any way" is denied.

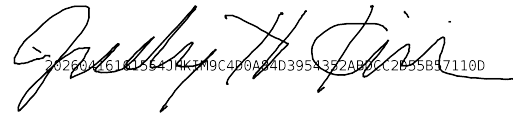
"Prior restraints on speech are the most serious and the least tolerable infringement on First Amendment rights, and any imposition of prior restraint, whatever the form, bears a heavy presumption against its constitutional validity" (Brummer v Wey, 166 AD3d 475, 476-78 [1st Dept 2018] [internal citations and quotations omitted]). Accordingly, "a party seeking to obtain such a restraint bears a correspondingly heavy burden of demonstrating justification for its imposition and, to do so, must show that the speech sought to be restrained is likely to produce a clear and present danger of a serious substantive evil that rises far above public, annoyance or unrest" (id. [internal citations and quotations omitted]). Plaintiff has not carried its burden here. While the law permits "the restraint of speech that communicate[s] a serious expression of an intent to commit

an act of unlawful violence to a particular individual or group of individuals,” the allegedly libelous speech plaintiff seeks to restrain “does not meet this exacting constitutional standard” (*id.* [internal citations and quotations omitted]).

Accordingly, it is

ORDERED that plaintiff’s motion for a preliminary injunction is denied.

This constitutes the decision and order of the Court.



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4/16/2026

DATE

HON. JUDY H. KIM, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE