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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

In Re: Petition for Anti-Harassment Protection Order

Petitioner: Jenna Ann Bulis

Attorney for Petitioner: Carolyn Morikawa

Respondent: Katherine Rose McNamara

Attorney for the Respondent: Travis Moeller

CIVIL PROCEEDINGS: Hearing on Petition for Anti-Harassment Protection Order

DATE: 06-17-2025

Commissioner: Okay, and last but not least, Jenna Ann Bulis and Katherine Rose McNamara. My understanding is that Ms. McNamara and her attorney, Travis Moeller, are on the Zoom platform. Is that correct? Yes.

Travis Moeller: Good morning, Your Honor. Yes.

Commissioner: Can you introduce yourself for the record, please?

Travis Moeller: For the record, Travis Moeller, attorney for the respondent, Ms. McNamara, who is present on the Zoom platform.

Commissioner: Ms. McNamara, can you please introduce yourself?

Katherine McNamara: I'm Katherine McNamara, here on Zoom.

Commissioner: Okay, and counsel for petitioner, can you introduce yourself?

Carolyn Morikawa: Carolyn Morikawa from Snohomish County Legal Services, representing Jenna Bulis, who is present in court to my right.

Commissioner: Ms. Bulis, can you introduce yourself to the court, please?

Jenna Bulis: I'm Jenna Bulis.

Commissioner: Thank you. Okay, so these parties have been in some kind of litigation concerning a trademark case in California for some time. And four years later, we're now here in Snohomish County with petitioner asking for an anti-harassment order against the respondent who lives in California. So, counsel for petitioner, you have five minutes. Why don't you go ahead?

Carolyn Morikawa: Your Honor, we're not talking about the trademark infringement case.

Commissioner: Right, I understand that. I understand that that's not an issue before the court, but it does kind of set the scene for the history of these parties with each other, which is something the court can consider.

Carolyn Morikawa: I will rely mostly on my memorandum, but I will point out that this is only about a website that the respondent created in the beginning of 2025, so very recently. And it was very difficult to, because it's a website, I will just describe that it's dedicated to four individuals, the bulk of which is my client, or three individuals, the bulk of which is my client, talking narratives and posts. I will focus my attention to the post where she, the respondent, chose to, I guess for a better word, post an arbitrator's decision on a family court matter. Involving my client and her ex-husband. That decision, the time she posted it, was not filed. It was never filed. It is true that the ex-husband posted portions of the arbitration decision, but the respondent herself, which was a violation of privacy, but the respondent also chose to take portions of that decision. And the portions which were very embarrassing and harmful to my client, and she chose to post that on her own website with the thousands of followers that she has, and amplify this wrong. We would argue that that specific conduct was, is a course of conduct that was harassing, in the context of all the posts and narratives of the website, was a harassing argument.

Commissioner: So has your client filed a harassment petition against her ex-husband who posted this unfiled information online?

Jenna Bulis: I filed for a SEAL request, and we will revisit that under that case number. Judge Steffener advised me that he did not have jurisdiction over McNamara, and so he said this would be the appropriate filing next.

Commissioner: Okay, but you have not filed anything against your ex-husband with respect to posting portions of an unfiled arbitration decision?

Jenna Bulis: Not a protection order. I filed a SEAL, and then he removed the item.

Commissioner: Okay, so the item, your ex-husband did remove it from the website?

Jenna Bulis: Yes, right away. And it was not this website.

Commissioner: I understand. Okay, go ahead. Continue, counsel.

Carolyn Morikawa: Your Honor, so to responding to Moeller's argument that everything on the website was free speech, but specifically Catlett v. Teel: So Catlett v. Teel was only about public documents, and they were police reports, court documents. The court also, in its discussion, found that it was not improper to make public evidence that was presented in court. But these are not public documents. They once were posted, but they were wrongfully posted, and they

were never filed with the court. So there would be no vehicle for the respondent to gain access to this document. The respondent, in her website and in her argument, states that her website was only created to clear her name and to respond to all the allegations that my client and her associates have made against her. I don't see any specific postings from my client. In her pleadings, there are many screenshots from various people, but those are individuals, and no one has claimed that those individuals are acting as my client. Or acting on her behalf. They're individuals, adults.

Commissioner: And your client denies doing that?

Carolyn Morikawa: Yes. Correct. Okay.

Commissioner: All right. Anything further, counsel?

Carolyn Morikawa: No, Your Honor. We would rest on our memo.

Commissioner: Okay. So, Mr. Moeller, why don't you go ahead?

Travis Moeller: Thank you, Your Honor. First, I think to address the crux of the argument made by the petitioner, it's simply factually incorrect to say the arbitration decision is not posted. We have provided an exhibit to the court that shows there was a document filed in her guardianship case which shows the notice of the arbitrator's decision. And I myself was able to obtain a copy just by going on [Redacted] and opening that link. So that is a false statement being made by the petitioner. It's true that my client first posted the same screenshot that had been posted by the petitioner's ex-husband or partner who had posted online. That was the only portion that she posted, something that was already made available to the public. She has not produced anything further, but there is the arbitration decision that is available online. This is a public record. There is no dispute about it. Any claim otherwise is simply false, and our exhibit proves that. And this is the same for every single thing that has been provided on the website by Ms. McNamara. These are public records, and she has done it for a very legitimate purpose. For the last four years, she has been the victim of harassment by the petitioner and her other friends and cronies. Now, she may claim that she is not involved with this community. People are acting as adults. But she continues to perpetrate the same false allegations, and as a result, those individuals are then attacking Ms. McNamara. They are making threats. They are posting her address online. They are saying, you know, she should have a tow tag. She should be put in a body bag. She is concerned for her safety. And all of this stems from the fact that the petitioner has repeatedly, over the last four years, alleged that my client was responsible for having her arrested, that she was responsible for having her hospitalized, that she's been calling CPS and other survivors, that she has been doxing and swatting other individuals. All of these things are posted online. The other members of this group, the TTI group that they are both involved in, see these postings and start attacking Ms. McNamara. After four years of continued harassment, continued threats, she decided to make a website that very clearly documented these allegations and refuted them. And so, although it is unfortunate that sometimes these things are not something that puts Ms. Bulis in a positive light, that is not Ms. McNamara's fault,

that is not her problem. Ms. Bulis simply does not want things out there that refute her version of events, which shows she has been lying repeatedly.

Commissioner: Counsel, can I interrupt you for a minute? Has your client sought her own protection or anti-harassment order in California against Ms. Bulis or any of the other persons she is alleging have been making these comments about her online?

Travis Moeller: She did in 2021, Your Honor. She filed but decided not to serve or proceed with the actions. So, although she filed, she never really initiated or actually had a full hearing.

Commissioner: All right. Continue.

Travis Moeller: It has been her desire to have no contact with Ms. Bulis. We made that clear at the last 2021 hearing when Ms. Bulis petitioned the court, basically using the same allegations, and the court denied her petition. At that time, I informed Ms. Bulis my client wanted no contact. Since that time, the only individual who has initiated contact has been Ms. Bulis. She has reached out to Ms. McNamara. She has reached out to myself. My client only ever responded to Ms. Bulis to say, please do not contact me any further. So, there is clearly no course of conduct because my client has never initiated any conversations or communications. She has never attempted.

Commissioner: Counsel, let me ask you a question. Wouldn't posting things online that were specifically directed at Ms. Bulis be a course of conduct?

Travis Moeller: No, because that's free speech, Your Honor. And the case law is very clear that you cannot include constitutionally protected free speech in the context of a course of conduct. Furthermore, that's not directed at Ms. Bulis. These are directed at the false allegations that are being made by Ms. Bulis and others. So, not any part of this website is directed at Ms. Bulis. It is directed at the false information that is being perpetrated constantly by Ms. Bulis and others. And the case law is very clear, Your Honor, that when we're talking about constitutionally protected free speech, which involves posting things online, posting public records, this cannot be the basis for any type of protection order that's based on a course of conduct. And that is excluded specifically in the statute. And the courts have affirmed the fact that protected free speech does not fall within that definition, which underscores the critical protections that this statute and the legislature have designed for this type of activity. We are here because the petitioner simply does not like the fact that public records dispute her claims. She doesn't like the fact that a police report can show that it wasn't Ms. McNamara who called the police on her. She doesn't like that her declaration admits that she was diagnosed as bipolar. She doesn't like that her stepmother is the individual who had her hospitalized. She doesn't like these things. And so that's why she has filed a motion to seal in the guardianship case. She doesn't want those things being public because it portrays her in a negative light. But that does not prevent my client from posting those things to refute those allegations that are repeatedly being made by Ms. Bulis. This is not defamation. This is not harassment. Ms. McNamara has a right to freely

publish these subjects. And there is no harassment exception to the free speech clause. And it is not allowed to punish people who are simply-

Commissioner: Counsel, is it your position that had Ms. McNamara posted information about a rape charge or a sexual assault charge or anything else concerning Ms. Bulis, that that would also be free speech because it's public record?

Travis Moeller: Absolutely, Your Honor. That's clear from the case law. There is no exception depending on the type of public record it is. Public records are public records, and you are entitled to post them. So whether it's an arrest report, whether it's a criminal charge, whether it's a declaration, an arbitrator's ruling-

Commissioner: How about if it was information that Ms. Bulis had been sexually assaulted as a child?

Travis Moeller: Again, Your Honor, if that is in a public record, that is something that can be posted. Now, to that effect, my client has gone to great detail to make sure that no personal information, that things have been redacted, that anything that would be concerning or of a private nature, she has removed from the website, even though she doesn't have an obligation to do so.

Commissioner: Counsel, you have one minute.

Travis Moeller: That just underscores the good faith that Ms. McNamara has been conducting herself in throughout these last four years. It took her four years to provide a public response. Prior to that time, she was forced to sit back and watch as Ms. Bulis and others repeatedly harassed her, accused of vile and heinous things, and did not respond. But it came to a point where she was repeatedly being attacked online, harassed. Her safety, her family's safety was being threatened. She felt the need to respond.

Commissioner: But she did not follow through and seek her own anti-harassment or protection order in California?

Travis Moeller: That's correct, Your Honor.

Commissioner: She chose to do this action instead?

Travis Moeller: She did. She chose to utilize her free speech right and to publish public records that very clearly refute the false claims being made by Ms. Bulis. She alleges defamation, but everything that Ms. McNamara has provided is true, and that's underscored by the fact that Ms. Bulis cannot point to one single thing on the website that is inaccurate. And for these reasons, Your Honor, my client is asking the court to deny the request for a protection order and grant her request for fees, as this is now the second protection order that's been filed without merit and without basis.

Commissioner: Thank you. Counsel, you have a brief reply. Brief.

Carolyn Morikawa: First, I want to clarify, at the time that posting was made, the arbitrator had not filed his decision. I still don't think that the arbitrator filed it. I think the ex-husband filed it.

Commissioner: But there were other items in that website that were of public record, correct?

Carolyn Morikawa: Yes.

Commissioner: Okay. All right.

Carolyn Morikawa: But I think the arbitrator's decision is particularly harmful, and it's also regarding the respondent saying, oh, I created this website to refute allegations and the false claims made against me. I don't see how the arbitrator's decision on her parenting skills refutes any allegations that the petitioner made against the respondent. And the fact that –

Commissioner: So your argument is that if it wasn't relevant to the issues between them, it shouldn't have been posted?

Carolyn Morikawa: I'm just saying that it goes to her credibility that, oh, she – in the website and in the pleadings, it states the reason she created this website. It was to reclaim her name and refute false allegations against her. And I don't see where the arbitrator's decision regarding specifically her parenting skills is refuting anything that –

Commissioner: Well, she has since redacted that website with respect to the unfiled arbitration decision. Am I correct? All right. Counsel, for Ms. McNamara, has she redacted that arbitration decision that was unfiled and yet put on her website?

Travis Moeller: She only posted a screenshot, Your Honor, the same screenshot that the petitioner's partner previously provided. Okay. Nothing is redacted because the document is now a public record.

Commissioner: Okay. All right. I understand. Okay. Go ahead, Counsel. Sorry about that.

Carolyn Morikawa: The fact that Ms. Bulis went to the court to ask that a lot of these documents, including the arbitrator's decision being sealed, goes to their knowledge that she knew that this would be harmful and annoying and embarrassing to my client. And so we would ask the court to impose the protection order. If the court wants to hear about the fees, I'll address that now if the court is so inclined.

Commissioner: No.

Travis Moeller: Okay.

Commissioner: Okay. Well, this is an interesting case only because it's that junction of, quote, free speech versus right to privacy issue, which even the Supreme Court is having problems with. And certainly I have a problem with it. But what I'm looking at here is that Ms. McNamara chose, for her own reasons, not to seek protection orders against Ms. Bulis and anyone else in California. She rather chose this way to express her, I'll call it consternation or upset or whatever, about being referred to in various online chat rooms or websites. And it's yet Ms. Bulis who comes into court here with seeking an anti-harassment order against Ms. McNamara. The law in Washington states that it has to be a course of conduct directed at a specific person which seriously annoys, harasses, or is detrimental to, et cetera, et cetera. I don't have the statute sitting in front of me, but I'm having trouble finding that this was a course of conduct that was directed at Ms. Bulis. It seems like the website had a ton of things on it, including something about Ms. Bulis, but the website was not directed at Ms. Bulis specifically. In other words, the website was not to Ms. Bulis specifically. I am responding to Ms. Morikawa. And so I don't think that your client, Ms. Morikawa, has fit the definition of anti-harassment because I understand this is a course of conduct that is problematic. I don't think it was directed specifically at her simply because it included her. And so at this point, I'm going to deny your request for an anti-harassment order. I am not awarding any attorney's fees to either party. I'm hoping this litigation between them stops. It's been going on for four years now. But certainly they're free to use the court system for however they see fit. But at this point, I'm not finding that Ms. McNamara's behavior fits the definition of anti-harassment in the state of Washington.

Carolyn Morikawa: Thanks, Your Honor.

Commissioner: So I'm going to have an order that denies the petition. And, of course, if counsel is free to revise, reconsider, or in other ways appeal this decision on either side.

[End of Proceedings]

[Court adjourned.]