

Daily Journal

FEBRUARY 25, 2026



THE TRIAL VERDICTS AND APPELLATE REVERSALS THAT CHANGED THE CALIFORNIA LEGAL LANDSCAPE IN 2025

Roger Hernandez v. Susan Rubio and Blanca Rubio

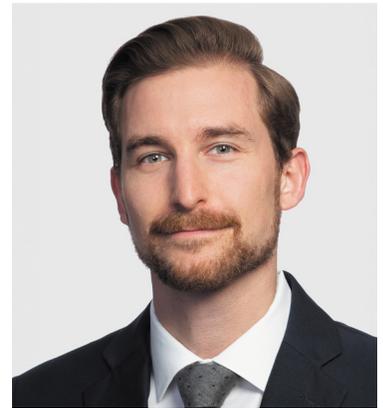
The complete defense victory achieved by Kinsella Holley Iser Kump Steinsapir LLP partners Lawrence Y. Iser and Allen Secretov on behalf of California State Senator Susan Rubio and Assemblyperson Blanca Rubio will have an immeasurably positive impact on the domestic violence survivor community and society's view of this vital issue.

Since her 2018 election to the California Senate, Senator Rubio has partnered with her sister, Assemblyperson

Rubio, to champion legislation expanding protections for domestic violence victims. She has also been open about her own abuse, hoping her story will encourage other survivors to break the cycle of violence. When her ex-husband, former Assemblyperson Roger Hernandez, sued the Rubios for defamation based on their statements that he committed domestic violence, he effectively sought to bar Senator Rubio from publicly describing her own experience and to chill similar speech by survivors generally.



LAWRENCE ISER



ALLEN SECRETOV

Allen Secretov's strategy protected the Rubio sisters from a retaliatory trial. He neutralized the defamation claim through an anti-SLAPP motion invoking collateral estoppel. Since Senator Rubio had secured a Domestic Violence Restraining Order after a full evidentiary hearing finding abuse, those factual findings were final. This barred plaintiff from claiming the Rubio sisters defamed him--he couldn't prove their statements were false.

Secretov also secured summary judgment on business interference claims regarding a proposed City Council energy contract. He proved the City Council's absolute discretion meant plaintiff couldn't establish "reasonable probability" of future gain, showing his claims were speculative rather than legally protectable.

"In high-stakes litigation, the most effective strategy is often the one that simplifies the narrative for the court. We focused on the discretionary nature of government actions and the finality of prior court rulings to show that, as a matter of law, there was simply no case to try." -- Allen Secretov

Hernandez also alleged that the Rubios conspired with El Monte city officials to block an energy services contract between Alliance Building Solutions and the city, a contract that would have earned him a consulting fee, causing interference to his business.

KHIKS responded with an anti-SLAPP motion to strike the defamation claims. In a novel approach, the motion invoked collateral estoppel to bar Hernandez from relitigating the domestic violence issue. Senator Rubio had previously obtained a Domestic Violence Restraining Order against Hernandez after a full evidentiary hearing, where the court found he committed multiple acts of abuse. And a second court extended the restraining order after acknowledging the first court's findings. Secretov argued that these prior rulings meant Hernandez could not prove the Rubios' statements were false, defeating his defamation claim. The Court agreed.

Case Details

CASE NAME	Roger Hernandez v. Susan Rubio and Blanca Rubio
TYPE OF CASE	Defamation, interference with future economic benefits
COURT	Los Angeles Superior
JUDGE(S)	Allison L Westfahl Kong
DEFENSE LAWYERS	Kinsella Holley Iser Kump Steinsapir LLP, Lawrence Y. Iser, Allen Secretov
PLAINTIFF LAWYERS	Law Office of Ross L. Hollenkamp, Ross L. Hollenkamp

"We SLAPped it," Iser said. "You can't relitigate what two judges had found to exist."

"After Senator Rubio was elected, she became a voice for domestic violence victims," he continued. "She'd tell her own story about what happened to her. In this lawsuit, he tried to shut her up."

Thereafter, Secretov brought a Motion for Summary Judgment that exposed a fatal flaw in the plaintiff's remaining interference claims: when a governmental agency maintains broad

discretion in voting on a contract, a plaintiff cannot establish a "reasonable probability" of future gain.

Secretov argued that Hernandez could not establish a reasonable probability of future economic benefit tied to the energy services contract before the City, a required element of his remaining interference claim. The City Council had broad discretion to approve or reject the contract, which negated any protectable "expectancy."

Secretov set forth evidence that, even if the contract had advanced past the City's vote, multiple discretionary steps remained before any benefit could materialize. The Court granted summary judgment for the Rubios on the interference claims, resulting in a complete defense win before trial.

These strategies provide a blueprint for similar cases: use collateral estoppel to protect domestic violence survivors from relitigating established facts of

their abuse on a defamation claim, and scrutinize the expectancy element in interference claims involving discretionary government decisions.

Roger Hernandez v. Susan Rubio and Blanca Rubio, 22PSCV00441 (L.A. Superior Ct., filed May 6, 2022).

The court awarded the Rubios team over \$100,000 in fees and costs.

"Allen and I were so pleased with the outcome," Iser said. "It really was justice."