

MINNESOTA COURT OF APPEALS

Paragon Restorations, LLC v. Robinet Productions, LLC, et al.

A25-0826 · No. A25-0826 · Decided December 29, 2025

SUMMARY

The Minnesota Court of Appeals affirmed the denial of appellants’ special motion for expedited relief under the Uniform Public Expression Protection Act in a defamation action arising from an internet review of Paragon Restorations. The court held that, absent speech connected to a governmental proceeding, a moving party must establish that the challenged speech concerns a matter of public concern, even when the action relates to a business review. Applying the content, form, and context factors, the court concluded that the review primarily concerned the appellants’ personal business grievance and was not speech on a matter of public concern.

CASE DETAILS

COURT	Minnesota Court of Appeals
WRITING FOR THE COURT	Ede, Judge; Ede, Presiding Judge; Frisch, Chief Judge; Larkin, Judge
JURISDICTION	Minnesota Court of Appeals
DECIDED	December 29, 2025
DOCKET	A25-0826
DISPOSITION	affirmed
PROCEDURAL POSTURE	Interlocutory appeal from an order denying appellants' special motion for expedited relief under Minnesota's Uniform Public Expression Protection Act (UPEPA).
STANDARD OF REVIEW	De novo review applies to a district court's decision on a special motion for expedited relief under UPEPA and to statutory interpretation.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Robinet Productions, LLC, Jonn Robinet v. Paragon Restorations, LLC

TOPICS

- appellate procedure
- civil procedure
- statutory interpretation
- defamation
- commercial litigation

PRACTICE AREAS

civil procedure

appellate procedure

statutory interpretation

defamation

commercial litigation

QUESTIONS PRESENTED

1. Whether a party seeking expedited relief under UPEPA for a cause of action based on speech outside a governmental proceeding must establish that the speech concerned a matter of public concern even when the action relates to a consumer opinion, complaint, review, or business rating.
2. Whether appellants established that the internet review underlying Paragon's defamation claim concerned a matter of public concern under the totality-of-the-circumstances test.

HOLDINGS

1. In a civil action based on speech that is not in or on an issue under consideration or review in a governmental proceeding, a moving party must establish under Minnesota Statutes section 554.08(b)(3) that the cause of action is based on speech on a matter of public concern, even when the action relates to consumer opinions, commentary, evaluations of complaints, or reviews or ratings of businesses under section 554.08(d)(2).
2. Appellants did not establish that Paragon's defamation claim was based on speech on a matter of public concern because the review's dominant theme was appellants' individual experience and grievance arising from their business dispute with Paragon.

KEY QUOTATIONS

"We therefore hold that, in a civil action based on speech that is not in, or on an issue under consideration or review in, a legislative, executive, judicial, administrative, or other governmental proceeding, to prevail on a special motion for expedited relief under UPEPA, a moving party must establish pursuant to the free-speech provision, Minn. Stat. § 554.08(b)(3), that the cause of action is based on speech on a matter of public concern, as required by the dismissal provision, Minn. Stat. § 554.13(a), regardless of whether, per the business-review provision, Minn. Stat. § 554.08(d)(2), the action relates to the communication, gathering, receiving, posting, or processing of consumer opinions or commentary, evaluations of consumer complaints, or reviews or ratings of businesses." (13)

"Balancing the content, form, and context of appellants' internet review in light of the totality of the circumstances of this case, we conclude that the dominant theme of appellants' speech is their individual experiences and grievances about their troubled business relationship with Paragon." (17)

FACTUAL BACKGROUND

In September 2024, Robinet and Robinet Productions contracted with Paragon to provide photography and videography services. After a disagreement concerning the business relationship and payment, appellants posted an internet review stating that working with Paragon was painful and unprofessional, that payment had been denied, and that contractors or business owners should not work with Paragon. Paragon sued for defamation, alleging that the statements were false, defamatory, and harmed its marketplace reputation.

PROCEDURAL HISTORY

Paragon sued Robinet and Robinet Productions for defamation based on an internet review posted after a business dispute. Appellants filed a special motion for expedited relief under UPEPA. The Hennepin County District Court denied the special motion after determining that the speech was not on a matter of public concern, and appellants took an interlocutory appeal under Minnesota Statutes section 554.15.

DISPOSITION

affirmed

CASES CITED

- J&D Dental v. Hou, 26 N.W.3d 491, 494 n.1, 496-502 (Minn. App. 2025)
- Cocchiarella v. Driggs, 884 N.W.2d 621, 624 (Minn. 2016)
- Getz v. Peace, 934 N.W.2d 347, 353 (Minn. 2019)
- Wilson v. Mortg. Res. Ctr., Inc., 888 N.W.2d 452, 458 (Minn. 2016)
- Cooper v. USA Powerlifting, 26 N.W.3d 604, 621 (Minn. 2025)
- In re Welfare of Child of B.D.D., 25 N.W.3d 707, 712-13 (Minn. 2025)
- In re Tr. of Moreland, 993 N.W.2d 80, 85, 87 (Minn. 2023)
- Reimringer v. Anderson, 960 N.W.2d 684, 688 (Minn. 2021)
- State v. Irby, 967 N.W.2d 389, 395 (Minn. 2021)
- Johnson v. Freborg, 995 N.W.2d 374, 379-92 (Minn. App. 2023)
- Davenport Extreme Pools and Spas, Inc. v. Mulflur, 698 S.W.3d 140, 146-55 (Ky. Ct. App. 2024)
- Bremer Bank, Nat'l Ass'n v. Matejcek, 916 N.W.2d 688, 695 (Minn. App. 2018)

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