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Kelly Rutherford's **UGLY DIVORCE**

Gossip Girl costar **Kelly Rutherford**'s custody battle has taken another dramatic turn. On Sept. 24 the actress, 40, obtained a restraining order against her estranged husband, German businessman **Daniel Giersch**, 35, claiming he "has begun to follow me, my mother and my nanny, and he shows up unexpectedly to threaten and scare us." Giersch denies all claims, arguing Rutherford has withheld access to their son **Hermès**, 2, in violation of a court order. The couple are squabbling over their son and daughter **Helena**, 4 months. A hearing is set for Oct. 15.

"I'm going through a challenging time," Rutherford told reporters at a DSW and Step Up Women's Network event Sept. 26.

