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6 Attorneys for Real Party in Interest Tammy Kim
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ORANGE, NORTH JUSTICE CENTER**
10

11 RON SCOLESANG, an individual,

12 Petitioner,

13 v.
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CARL PETERSEN, City of Irvine City Clerk;
15 BOB PAGE, Orange County Registrar of
Voters,

16 Respondents.
17

18 TAMMY KIM and DOES I-X,

19 Real Parties in Interest.
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Case No. 30-2025-01456473-CU-WM-NJC

Assigned for All Purposes to:
Hon. Craig Griffin
Department N17

**REAL PARTY IN INTEREST TAMMY
KIM'S EVIDENTIARY OBJECTIONS IN
SUPPORT OF OPPOSITION TO
PETITION FOR WRIT OF MANDATE**

*Opposition to Petition; Declaration of Tammy
Kim, filed concurrently herewith*

Date: February 6, 2025
Time: 2:00 p.m.
Dept.: N17

Action Filed: January 27, 2025
Trial Date: None Set

22 Real Party in Interest Tammy Kim objects to the following evidence submitted in support of
23 Petitioner's petition for writ of mandate:
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25 **EVIDENCE**

BASIS OF OBJECTION

26 **Verified Petition**

27 ¶ 10. "This [Real Party's voter registration at Legal Conclusion
28 44 Willowrun] is false and fraudulent.

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The statement is not a statement of fact, but a legal conclusion.

¶ 11. “In fact, KIM resides in a residence located at 136 Cartier Aisle in Irvine, California which is in Irvine City Council District 3.”
Improper Opinion on Ultimate Issue
The statement is a non-expert opinion on the ultimate issue (the residency of Real Party in Interest Tammy Kim).

¶ 12. “In addition to actually living at this residence in District 3, KIM has claimed this residence as her “homestead,” which is a legal designation “designed to protect the sanctity of the family home against a loss caused by a forced sale by creditors.”
Hearsay
The statement recites an out-of-court statement offered by a third-party declarant.

¶ 17: “falsely” and “In reality, this address is a merely a room rented by KIM in furtherance of an unpersuasive (and likely illegal) attempt to gain residency in Council District 5 purely for the purpose of seeking elective office.”
Hearsay
The statement recites an out-of-court statement offered by a third-party declarant.
Lack of Foundation

The statement does not identify the basis of how the declarant was informed.

Improper Opinion
The Statement is simply the declarant’s opinion.

1 ¶ 18. “KIM has lived at 136 Cartier Aisle since Irrelevant.
2 she purchased the condominium in December Real Party’s residence prior to registering to
3 of 2015 and registered at a different address vote at 44 Willowrun, Irvine, CA, is irrelevant
4 (19 Alaris Aisle in Irvine’s 5th Council to the current action. Petitioner bears the
5 District) in May of 2024 AND voted in the burden of proving that Real Party does not
6 November election from that address. reside at her current registered address.
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8 ¶ 19. “On December 23, 2024, KIM obtained Irrelevant.
9 nomination papers from the Irvine City Clerk Real Party’s residence prior to registering to
10 to run in the District 5 Special Election and it vote at 44 Willowrun, Irvine, CA, is irrelevant
11 is alleged that she used the 19 Alaris Aisle to the current action. Petitioner bears the
12 address.” burden of proving that Real Party does not
13 reside at her current registered address.
14

15 ¶ 19. “After an investigator made contact with Hearsay
16 the tenant, believed to be a Board member The statement recites an out-of-court statement
17 from KIM’s Non-profit Korean American offered by a third-party declarant.
18 Center, and determined that she had never
19 resided there, she is alleged to have heard that Irrelevant
20 her fake address had been found out and Real Party’s residence prior to registering to
21 responded to a Craigslist ad for a room for rent vote at 44 Willowrun, Irvine, CA, is irrelevant
22 at 44 Willowrun. to the current action. Petitioner bears the
23 burden of proving that Real Party does not
24 reside at her current registered address.
25

26 ¶ 20. “but as recently as Saturday January 25 Hearsay
27 was still returning to the 136 Cartier Aisle
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1 address, evidence that this continues to be her The statement recites an out-of-court statement
2 domicile as defined by the code and caselaw.” offered by a third-party declarant.
3 ¶ 26. “Because KIM actually resides in a Hearsay
4 residence located at 136 Cartier Aisle in Irvine, The statement recites an out-of-court statement
5 which is in Irvine City Council District 3, she offered by a third-party declarant.
6 is not eligible to seek election to City Council
7 District 5.” Lack of Foundation

8 The statement does not identify the basis of
9 how the declarant was informed.

10
11 Improper Opinion
12 The Statement is simply the declarant’s
13 opinion.
14

15 **Declaration of Mark Matthews**

16 ¶ 4: “At the time I was retained, I was Hearsay
17 informed that Ms. Kim was possibly using a The statement recites an out-of-court statement
18 false residence address in order to register to offered by a third-party declarant.
19 vote and qualify to run for an Irvine City
20 Council seat in Council District 5, when in Lack of Foundation
21 fact, Ms. Kim actually resided at an address in The statement does not identify the basis of
22 Council District 3.” how the declarant was informed.

23
24 ¶5. My investigation confirmed that Ms. Kim Lack of Foundation
25 was residing at an address on Cartier Aisle in The statement does not identify the basis of
26 Irvine. Cartier Aisle is located in Council how the declarant was informed.
27 District 3.
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Improper Opinion on Ultimate Issue

The statement is a non-expert opinion on the ultimate issue (the residency of Real Party in Interest Tammy Kim).

¶ 7. After I completed my initial report, I learned Ms. Kim was likely attempting to use *another* address in Council District 5, located on Willowrun. In response to this information, I conducted an additional investigation.

Hearsay

The statement recites an out-of-court statement offered by a third-party declarant.

Lack of Foundation

The statement does not identify the basis of how the declarant was informed.

¶ 8. My follow-up investigation concluded that Ms. Kim was trying to create the mirage that she was residing at the address on Willowrun, when in reality, she was still residing at the Cartier Aisle address in Council District 3.

Hearsay

The statement recites an out-of-court statement offered by a third-party declarant.

Lack of Foundation

The statement does not identify the basis of how the declarant was informed.

Improper Opinion

The Statement is simply the declarant's opinion.

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Exhibit A

Relevance

According to the Report, the purpose of investigation was “[t]o determine if Tammy Kim, aka Tammy Kim Shin was presently residing at the address 19 Alaris Aisle, Irvine, CA 92614.” However, even according to Petitioner’s verified petition, “[f]or her voter registration and her Council District 5 candidacy papers, KIM claims she resides at 44 Willowrun, Irvine, CA 92604.” (Pet. ¶ 10.) Accordingly, Kim’s residence at 19 Alaris Aisle, Irvine California is irrelevant to this action.

Ex. A at p. 2: “1037 – Investigator advised by text that Tammy Kim was standing by her garage door and appeared to be on her cellphone. Tammy Kim described as wearing dark pants and something like a denim shirt.”

Hearsay

The statement recites an out-of-court statement offered by a third-party declarant.

Lack of Foundation

The statement does not identify the basis of how the declarant was informed.

Ex. A at p. 23: “0810 – Investigator contacted Ju Sun Park and her teenage daughter as they came down the stairs from #19 Alaris Aisle and onto the walkway leading toward the Acura MDX. Ju Sun Park and daughter

Hearsay

The statement recites an out-of-court statement offered by a third-party declarant.

1 advised they have lived in #19 Alaris Aisle for
2 8 years, along with her husband, Do Hyuk
3 Kwon, and her son. No one else lives with
4 them and they have not and do not rent rooms
5 to anyone; it is only their family in 19 Alaris
6 Aisle.”

7
8 Ex. B. at p. 1: “At approximately 3:35 pm, Hearsay
9 Joan Beck, occupant of 42 Willowrun, Irvine, The statement recites an out-of-court statement
10 CA (the apartment directly below 44 offered by a third-party declarant.
11 Willowrun) was contacted and advised that
12 Dylan currently lived by himself upstairs. She
13 said Dylan was a very nice young man and an
14 excellent pianist and musician.

15 Ex. B at p. 2: “At approximately 9:37 pm, 24- Hearsay
16 1217 advised this investigator telephonically The statement recites an out-of-court statement
17 that Tammy Kim and her son arrived at her offered by a third-party declarant.
18 condo at 136 Cartier Aisle driving a BMW. 24-
19 1217 advised of attempt to video Kim as she
20 exited the BMW and entered her condo unit
21 with her son. This investigator received a copy
22 of the video and reviewed the video which
23 depicted Tammy Kim and her son exit a
24 vehicle that was parked adjacent to the 3-car
25 parking garage and then walk.”

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1 to 136 Cartier Aisle. 24-1217 observed Tammy
2 Kim and her son enter 136 Cartier Aisle and
3 saw interior lights turn on.
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7 DATED: February 5, 2025

LAW OFFICES OF BRETT MURDOCK

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10 By: 

11 Brett M. Murdock

12 Attorneys for Real Party in Interest Tammy Kim
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1 **PROOF OF SERVICE**

2 I am employed in the County of Orange, State of California. I am over the age of 18 and
3 not a party to the within action. My business address is 711 E. Imperial Highway, Suite 201, Brea,
CA 92821.

4 On February 5, 2025, I served the foregoing document(s):
5 **REAL PARTY IN INTEREST TAMMY KIM'S EVIDENTIARY OBJECTIONS IN**
6 **SUPPORT OF OPPOSITION TO PETITION FOR WRIT OF MANDATE; REAL PARTY**
7 **IN INTEREST TAMMY KIM'S BRIEF IN OPPOSITION TO PETITION FOR WRIT OF**
8 **MANDATE; DECLARATION OF TAMMY KIM**
described as on all interested parties in this action. as stated below:

8 SEE ATTACHED SERVICE LIST

9 **BY MAIL** - I deposited such envelope in the mail at Brea, California. The envelope was
10 mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice
11 of collection and processing correspondence for mailing. Under that practice it would be
12 deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid
13 at Brea, California in the ordinary course of business. I am aware that on motion of the
party served, service is presumed invalid if postal cancellation date or postage meter date is
more than one (1) day after date of deposit for mailing in affidavit.

14 **BY PERSONAL SERVICE** - I caused the aforementioned documents to be delivered
15 personally to the party(s) identified on the attached service list at locations and times
indicated on the service list.

16 **BY ELECTRONIC TRANSMISSION** - I caused a PDF version of the above
17 document(s) to be transmitted by electronic mail to the email address(es) and party(ies)
18 identified above from admin@murdocklaw.com .

19 **BY OVERNIGHT DELIVERY** - I deposited such envelope for collection and delivery
20 by Federal Express, with delivery fees paid or provided for in accordance with ordinary
21 business practices. I am "readily familiar" with the firm's practice of collection and
22 processing packages for overnight delivery by Federal Express service. They are deposited
with a facility regularly maintained by Federal Express for receipt on the same day in the
ordinary course of business.

23 I declare under penalty of perjury under the laws of the State of California that the above is
true and correct.

24 Executed on February 5, 2025, at Brea, California.

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27 _____
Brandy N. Patel

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