

FILED
SUPREME COURT
STATE OF WASHINGTON
7/8/2019
BY SUSAN L. CARLSON
CLERK

Court of Appeal Cause No. 77550-2-1

97388-1

IN THE SUPREME COURT OF THE STATE OF
WASHINGTON

FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON
2019 JUL -3 PM 4:24

Josephene Choi_____, Respondent

v.

_Nathan Choi___, [Petitioner/Appellant]

PETITION FOR REVIEW
DECLARATATION OF SERVICE

Nathan Choi

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A. IDENTITY OF THE PETITIONER

Nathan Choi, Appellant/Petitioner humbly asks this Honorable Court to review the Court of Appeals Opinion.

B. COURT OF APPEALS DECISION

Nathan Choi seeks to to review the Appellate Court's 04/22/2019 Opinion. A copy of the decision is in the Appendix. An Order denying Petitioner's motion for reconsideration was entered 06/05/2019 which is also attached as Appendix B

C. ISSUES PRESENTED FOR REVIEW

The issues before this Court are twofold:

1)Whether the improper conduct by the adverse party authorizes the Court to grant relief from an Order against Petitioner Nathan Choi pursuant to CR 60.

2)The second issue is whether the Honorable Tanya Thorpe should have been the Judge who ruled on this motion. If the Supreme Court believes the improper conduct is grounds to grant relief from the Order, then the 2nd Issue may not be ripe because this issue becomes moot.

D. STATEMENT OF THE CASE

A Special Master was assigned to effectuate the final divorce decree. Petitioner Nathan Choi had difficulty communicating with the Special Master via email. In response, the Special Master decided he wanted to make daily sanctions against Nathan Choi and requested Mr. Gary Taylor to file a motion with the court to sanction Respondent until the Special Master got what he wanted. Everything is appropriate until this point. At this point, Respondent committed four improper acts to obtain the order and maximize the damages.

Respondent is required to follow the Court Rules to seek an Order for daily sanctions. The King County Local Rules of Family Court states that the Respondent was required to schedule her Motion before the Family Law Commissioners. In doing so, Respondent must serve the Petitioner Notice of the Motion. Rather than following the Court rules, Respondent contacted the former Judge without informing Petitioner Nathan Choi about his private communications to obtain the hearing date. Then Respondent scheduled her motion in the improper forum without serving Notice to Petitioner Nathan Choi.

Then Respondent's attorney executed an untruthful declaration that the Special Master "brought a motion" which only further confused Petitioner.

Had Respondent served notice on Petitioner Nathan Choi, Petitioner would have filed a response and argued against the motion and show up for the hearing. If the Order was granted over the Petitioner's objection, Petitioner would have performed immediately to avoid daily sanctions. Any reasonable Party would do so. However, the Petitioner was kept in the dark about this order and Respondent's Attorney further confused the issue by executing a declaration on April 26, 2016 that the Special Master made a motion for daily sanctions. This is obviously untrue.

Respondent obtained this order in an improper manner and made untruthful declarations which further confused Petitioner Nathan Choi to increase her daily sanctions. This is really unjust and brings us back to the question whether relief should be granted pursuant to CR 60b(4). CR 60b(4) states that improper conduct by an adverse party is grounds for relief from an Order even beyond a year. Respondent committed 4 independent improper acts. Three of the Four independently is proper grounds for relief from the Order.

1 The Adverse Party contacted the Judge without informing the Petitioner to obtain a hearing date.

2 The Adverse Party obtained the Order in the improper forum in violation of the Court Rules

3 The Adverse Party did not notice/serve the petitioner about the Motion for sanctions.

4 The Adverse Party executed a declaration untruthfully claiming that the Special Master brought the Motion for sanctions resulting in confusion.

Based on the Respondent's improper conduct, Petitioner's motion for relief from this Order should have been granted. Not doing so, brought in to question whether the Honorable Tanya Thrope should have sat for this Motion or for anything else in this dispute. The lower court made each and every ruling against the Petitioner including items such as spiting the Guardian Ad Litem fee which should have been granted. The final straw came when Petitioner Nathan Choi moved to dismiss his own Petition for Modification which would have resulted in termination of all further proceedings before the Court in any other Comon Law Jurisdiction in the world. Instead, the Honorable Tanya Thrope came back with an unusual, but malicious Order that attempted to change what is and is not in the docket and what was already Ordered by the Court at the Adequate Cause hearing.

Nathan Choi was the only party to file a Petition to Modify the Parenting Plan. This fact was further clarified by the docket and Gary Taylor's agreement at the Adequate Cause hearing. Gary Taylor himself agreed with the Lower Court that he did NOT file a Petition to Modify the Parenting Plan intentionally and explained his action because he was hoping for something better from the Bellevue District Court. It is clear from the Docket and the Adequate Cause hearing that Respondent chose not to file a Petition to Modify the Parenting Plan. Irregardless of this fact, the Honorable Tanya Thorpe attempted to reverse a prior ruling and back file a Petition to Modify the Parenting Plan. This lower court also realized this Order was unusual because the lower court reshuffled this case after Petitioner Nathan Choi filed a motion for the Honorable Tanya Thorpe's

recusal. This brings into question whether the Honorable Tanya Thorpe should have heard this motion for relief from Respondent's improperly obtained Order for Daily sanctions.

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

Review Should be Accepted because there is ample evidence that Petitioner's Motion should have been granted. Petitioner Nathan Choi pointed out the misconduct of the adverse party. Any party would do the simple acts that the Special Master wanted instead of being sanctioned for several months on a daily basis. Declarations by Petitioner Nathan Choi's mail service provider proves that Petitioner was NEVER served. Gary Taylor does not Deny he contacted the Court without informing Nathan Choi when he was seeking a hearing date. Gary Taylor's Declaration further proves that he misrepresented who brought the motion. The Docket is clear that Gary Taylor filed this motion. It also shows he did it in violation of the Local Rules of the Family Court.

The next potential reason why this matter needs to be addressed is because This Honorable Court has not addressed if challengers to Judges in a particular county should be judged by the Judiciary of that County. None of the sitting Judges in any county would have their own divorce held in that county because the possibility of preferential treatment. Likewise, any challenger who runs against them should also be protected from the possibility of punitive treatment. The docket is clear that Respondent Josephene Choi did NOT file a Petition to Modify the Parenting Plan. The Record is clear that Gary Taylor

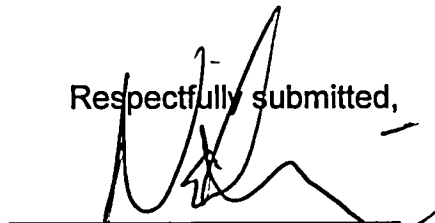
acknowledged it was not filed and stated on the record that he would file it if he wanted to proceed on Josephene Choi's Petition. By not doing so, Gary Taylor exposed the reality why many Judicial races are uncontested in agitation to the public at large. The Honorable Tanya Thorpe dismissed the only Petition in the docket giving the Court Jurisdiction, nevertheless, ordered this matter to continue to trial to punish Petitioner Nathan Choi. It is indisputable Respondent did not file a Petition despite the lower court AND the appellate court's desire that she did. Thus, the Honorable Tanya Thorpe should not have ruled on this Motion from the beginning. Had Mr. Taylor simply filed a Petition for Modification, the hidden realities of Washington Judicial politics would not be so obvious and available for review by this Supreme Court. Nathan Choi's motion should have been granted on it's merits.

F. CONCLUSION

CR 60 authorizes this Honorable Court to relieve Petitioner Nathan Choi from the improperly obtained Order for sanctions. Petitioner humbly ask that this Honorable Court reverses the lower court decision and relieve Petitioner Nathan Choi from that Order.

July 3, 2019

Respectfully submitted,



Nathan Choi, Appellant

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

In the Matter of the Marriage of
NATHAN CHOI,

Appellant,

and

JOSEPHENE CHOI,

Respondent.

No. 77550-2-1

UNPUBLISHED OPINION

FILED: April 22, 2019

VERELLEN, J. — Nathan Choi appeals a September 2017 order denying his CR 60(b) motion to vacate a March 2016 order confirming daily sanctions imposed by a special master presiding over his post-dissolution proceeding with his former spouse, Josephene Choi. We affirm.

FACTS

This is Nathan's¹ third appeal concerning the dissolution of his marriage with Josephene.² In January 2016, Nathan, who is an attorney licensed in Hawaii and Washington, began representing himself in the post-dissolution commercial property

¹ We use the first names of the parties for ease of reference.

² See In re Marriage of Choi, No. 74569-7-1 (Wash. Ct. App. Apr. 24, 2017) (unpublished), <http://www.courts.wa.gov/opinions/pdf/745697.pdf>, review denied, 189 Wn.2d 1032, 407 P.3d 1154 (2018); In re Marriage of Choi, No. 76551-5-1 (Wash. Ct. App. Nov. 5, 2018) (unpublished), <http://www.courts.wa.gov/opinions/pdf/765515.pdf>. Because we have previously issued opinions providing background facts of the parties' marriage and the appointment of a special master to preside over all disputes concerning the sale of their marital commercial property, we will not repeat them here.

A

proceedings over which the special master presided.³ On January 14, 2016, the special master then sent communications to the parties requesting specific financial information.

On February 5, 2016, Nathan sent an e-mail to the special master apologizing for not responding to earlier e-mails, explaining, "I get a lot of spam and didn't see your email [until] now."⁴ He did not discuss any financial information requested by the special master. He sent another e-mail to the special master on February 11, 2016, inquiring about parenting plan issues but, again, did not mention any financial information.

On February 22, 2016, the special master sent an e-mail warning Nathan of possible sanctions for his failure to cooperate in the proceedings and provide the requested financial information. After not getting a response from Nathan, on February 29, 2016, the special master sent an e-mail to the parties stating, "I have now been waiting for 6 weeks for [Nathan] to respond to the financial issues that have been raised in this case. I will wait no longer."⁵ Attached to that e-mail was a copy of the special master's ruling sanctioning Nathan that, in pertinent part, stated:

In violation of the Decree of Dissolution, the Respondent [Nathan] has failed to account for the rental income received on the condominiums awarded to the Petitioner [Josephene] since October 2015, and has further failed to account for the rental income received from the Tacoma Professional Plaza, as required by paragraph 3.15 of the Decree. Commencing March 1, 2016, the Respondent shall be charged with

³ While the record indicates that Nathan was represented by counsel during periods after the dissolution, it appears he represented himself during the times relevant to this appeal. Clerk's Papers (CP) at 89, 96.

⁴ CP at 107.

⁵ CP at 63.

\$250.00 per day in daily sanctions to be paid to the Petitioner for each day he does not comply with the Decree of Dissolution and supply the required accountings. The daily sanctions shall be paid to the Petitioner from the Respondent's share of proceeds of sale of the Tacoma Professional Plaza.^{6]}

On March 3, 2016, Josephene served Nathan by mail copies of a motion for entry of the special master's ruling, a copy of the proposed order confirming the special master's ruling, along with a notice of hearing in the King County Superior Court set for March 14, 2016 without oral argument.

On March 14, 2016, the superior court entered the order confirming the special master's imposition of daily sanctions and e-mailed the parties a copy of this order the next day.

On May 6, 2016, Nathan sent an e-mail to the special master indicating that he had stopped communicating with the special master because the special master required him to also send copies of communications to Josephene's attorney, and he was pursuing efforts to disqualify her attorney. Importantly, Nathan also indicated he was providing a "final accounting" and his accountant's information "so that [his] daily fines would stop."⁷ However, on July 13, 2016, Nathan sent an e-mail to the special master in which he denied knowledge of the March 2016 confirmation order.⁸

In May 2017, Nathan filed a motion to set aside the March 14, 2016 order confirming the special master's ruling.⁹ He asserted two claims in that motion: first, he

⁶ CP at 74-75; see also CP at 61, 95.

⁷ CP at 111.

⁸ CP at 96, 113.

⁹ CP at 1.

argued that Josephene should have filed the motion for entry of the special master's ruling to be considered by a family law commissioner, not before the trial judge who presided over their dissolution trial, and second, Josephene did not give him the required 14-day notice for such motions. On May 24, 2017, a family law commissioner denied Nathan's motion to vacate and granted Josephene's request for attorney fees.¹⁰

In a subsequent September 2017 order denying Nathan's motion to vacate, King County Superior Court Judge Thorp explained:

[H]aving heard [Nathan's] motion to vacate Judge Downing's March 15, 2016 Order based upon CR 60(b)(4) specifically other misconduct of an adverse party and CR 60(b)(11). [Nathan] initially brought this motion on the family law motions calendar before Pro Tem Commissioner Bianco on May 24, 2017. The motion was denied as it was not properly before the Pro Tem Commissioner. [Nathan] a year later now alleges improper notice of the hearing, but presented no evidence in support of his claim. No evidence supports the request under either CR 60(b)(4) or (11). [Nathan] acted in accordance with [] Judge Downing's order as demonstrated by his email indicating he hired a professional to get into compliance with Judge Downing's order. It is unclear why it took over a year for this motion to be brought, albeit before the wrong judicial officer, if [Nathan] did not believe he had proper notice of the hearing. CR 11 sanctions are not ordered as the motion was finally properly noted.^[11]

Nathan appeals.¹²

¹⁰ CP at 139; see also Notice of Appeal, attached Order Denying Motion to Vacate (dated September 15, 2017).

¹¹ See September 15, 2017 Order Denying Motion to Vacate. The record is silent on how Nathan's motion to vacate came before the superior court.

¹² In his notice of appeal, Nathan also seeks to appeal a September 28, 2017 superior court order confirming the special master's ruling of August 2017. Because Nathan has failed to assign error to or offer any argument regarding this order, we need not address it on appeal. See RAP 10.3(a)(4), (6).

ANALYSIS

Nathan contends that the March 2016 order confirming the special master's rulings should have been vacated for several procedural irregularities.¹³ Our review of an "appeal from denial of a CR 60(b) motion is limited to the propriety of the denial [and] not the impropriety of the underlying judgment"¹⁴ and is reviewed for abuse of discretion.¹⁵

But Nathan's briefing does not contain any legal authorities or cogent arguments to support his requested relief and, significantly, his briefing does not even specifically mention CR 60(b).¹⁶ Absent adequate briefing and argument, we are precluded from meaningfully reviewing Nathan's argument.¹⁷

Moreover, the facts below establish that Nathan's request for CR 60(b) relief was untimely. Nathan acknowledges becoming aware of the March 2016 order confirming

¹³ Nathan also contends that Judge Thorp should have recused herself from presiding over his motion to vacate. See Appellant's Br. at 4. While his briefing refers to his motion seeking to recuse Judge Thorp and the denial of that motion, Nathan has neither appealed that ruling nor designated copies of those pleadings as part of the record on appeal. See Appellant's Reply Br. at 3. Because the motion and order concerning Judge Thorp's recusal is not in the record, we do not consider it on appeal. State v. McFarland, 127 Wn.2d 322, 335, 899 P.2d 1251 (1995).

¹⁴ Bjurstrom v. Campbell, 27 Wn. App. 449, 450-51, 618 P.2d 533 (1980).

¹⁵ Jones v. City of Seattle, 179 Wn.2d 322, 360, 314 P.3d 380 (2013).

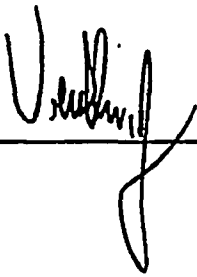
¹⁶ See Appellant's Br. at 2-9; Appellant's Reply Br. at 2-10.

¹⁷ RAP 10.3(a)(6) requires parties to provide "argument in support of the issues presented for review, together with citations to legal authority and references to relevant parts of the record." Arguments that are not supported by pertinent authority or meaningful analysis need not be considered. Cowiche Canyon Conservancy v. Bosley, 118 Wn.2d 801, 809, 828 P.2d 549 (1992) (arguments not supported by authority); Saunders v. Lloyd's of London, 113 Wn.2d 330, 345, 779 P.2d 249 (1997) (arguments not supported by adequate argument and authority).

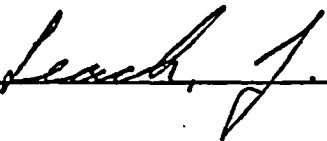
the special master's ruling some time after April 26, 2016 but before May 6, 2016.¹⁸

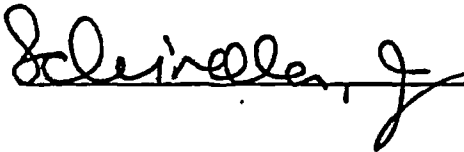
Even assuming his claims somehow support an irregularity governed by (b)(1), he did not move to vacate that order within 12 months as required under CR 60(b).¹⁹ Even assuming some form of misconduct of an adverse party governed by (b)(4) or some extraordinary "other reason" governed by (b)(11), the motion must be filed within "a reasonable time."²⁰ Nathan does not establish any arguable reasonable grounds for his delay in seeking relief under CR 60(b).²¹

In sum, Nathan fails to show that the superior court abused its discretion when it denied his CR 60(b) motion to vacate. We affirm.



WE CONCUR:





¹⁸ Appellant's Reply Br. at 5-8.

¹⁹ Luckett v. Boeing Co., 98 Wn. App. 307, 310, 989 P.2d 1144 (1999).

²⁰ CR 60(b).

²¹ Further, he misreads KCLFR 5(b), which does not require a motion to confirm sanctions imposed by a special master to be filed before a commissioner on the family law motions calendar, especially when the special master was appointed by the trial judge presiding over the dissolution of marriage. And there is no authority that the routine and customary noting of a motion for a hearing constitutes an ex parte communication with the court. See RESTATEMENT (THIRD) OF THE LAW GOVERNING LAWYERS §113 cmt. c, at 191-92 (2000).

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

In the Matter of the Marriage of
NATHAN CHOI,

Appellant,

and
JOSEPHENE CHOI,

Respondent.

No. 77550-2-1

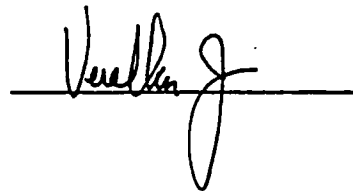
ORDER DENYING MOTION
FOR RECONSIDERATION

Appellant filed a motion for reconsideration of the opinion filed April 22, 2019. Following consideration of the motion, the panel has determined the motion should be denied.

Now, therefore, it is hereby

ORDERED that appellant's motion for reconsideration is denied.

FOR THE PANEL:



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SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

In re the Marriage of:

JOSEPHENE CHOI,
Petitioner,

And

NATHAN CHOI,
Respondent

CASE NO.: 14-3-08013-5 SEA

TRANSCRIPT OF AUDIO RECORDING OF

KCCH-W275_20170510

TRANSCRIBED BY: Karen Childs
March 11, 2018



1
2 TRANSCRIPTION3
4 COMMISSIONER MELINDA J. TAYLOR: Good afternoon.

5 GARY TAYLOR: Good afternoon.

6 COMMISSIONER MELINDA J. TAYLOR: Could you please identify
7 yourselves for the record.
89 NATHAN CHOI: Sure, my name is Nathan Choi. I am the, uh,
10 respondent, Your Honor.

11 COMMISSIONER MELINDA J. TAYLOR: Thank you.

12 GARY TAYLOR: And I am Gary Taylor, Your Honor for, here for
13 Josephine Choi, petitioner.
1415 COMMISSIONER MELINDA J. TAYLOR: Thank you, this is, uh,
16 Notice of Hearing for Adequate Cause.17 COMMISSIONER MELINDA J. TAYLOR: Let me check something
18 [INAUDIBLE].19 COMMISSIONER MELINDA J. TAYLOR: Is there anything
20 preliminarily that you have?21 GARY TAYLOR: Well, procedurally, Your Honor, uh, technically we're
22 really trying to get, have Adequate Cause on behalf of Mrs. Choi.
2324 COMMISSIONER MELINDA J. TAYLOR: Well, and I'll clarify that
25 too. I read that, that you sought Adequate Cause on your cross motion.26 But, the problem is, is that your petition was never filed, and there's no
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2 case scheduled for your petition. The only case scheduled that the court
3 has is for, uh, Mr. Choi's petition.

4 GARY TAYLOR: Actually, our petition did get filed, and Mr.
5 Choi's...

6 COMMISSIONER MELINDA J. TAYLOR: It's not.

7 GARY TAYLOR: ...response got filed.

8 COMMISSIONER MELINDA J. TAYLOR: His response is there. I
9 saw that it was filed July 15. And you have a summons on file. But I
10 couldn't find the petition, and I spent quite some time trying to figure it
11 out. But there's no case schedule. So...

12 GARY TAYLOR: That's right.

13 COMMISSIONER MELINDA J. TAYLOR: Did you not pay a filing
14 fee?

15 GARY TAYLOR: I thought so, but what happened was, uh, after Mr.
16 Choi, uh, responded, he had a criminal trial coming up where the
17 prosecutor was going to be potentially asking for a five-year no contact
18 order, so we just decided to hold off on an Adequate Cause hearing.

19 And that criminal trial has been continued several times, uh, and is now,
20 I think set for next week. Um, and, but, I do have... I think I do have a
21 copy of Your Honor, of the court-stamped petition, or, uh, change the
22 parenting plan. It was an unusual situation, uh, I don't, I think you may
23 have [OVERLAPPING]
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2 COMMISSIONER MELINDA J. TAYLOR: Well here, herein lies the
3 problem. If it, this, you're talking about almost a year ago.

4 GARY TAYLOR: Yes.

5 COMMISSIONER MELINDA J. TAYLOR: So, Adequate Cause, the
6 deadline in any case scheduled that would have an issue for that petition
7 has passed. And I don't have the authority to extend that. So, you would,
8 effectively need, need to file a new [OVERLAPPING]

9
10 GARY TAYLOR: A new petition. We can do that.

11 COMMISSIONER MELINDA J. TAYLOR: And then, either it can be
12 agreed, or whatever. But I can't, it doesn't appear, there's no, um,
13 there's a summons on modification, which is two pages. And then, that
14 was on July 13.

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16 GARY TAYLOR: Right.

17 COMMISSIONER MELINDA J. TAYLOR: And so, I'm not sure if the
18 clerk's office miss filed the document, that happens.

19 GARY TAYLOR: I wonder...

20 COMMISSIONER MELINDA J. TAYLOR: Potentially, they show up
21 in random case schedules, but there's no way I could trace that, right?
22 So, um, and there's no new case schedule entered.

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24 GARY TAYLOR: Right.

25 COMMISSIONER MELINDA J. TAYLOR: So from that, from the
26 Judge's standpoint, and from the case schedule standpoint, I can't rule
27 on that petition, because it's so long passed [OVERLAPPING]
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2 GARY TAYLOR: Right.

3 COMMISSIONER MELINDA J. TAYLOR: That the trial date would
4 have, would be now. And Adequate Cause [UNINTELLIGIBLE] have
5 passed.

6 GARY TAYLOR: And I understand that Your Honor. What's
7 happened here is, uh, as you can see from the filing, I suppose, was a
8 hearing, uh, for protection order, uh, last July. And Commissioner
9 Canada Thurston entered a one-year no contact order and suspended
10 the parenting plan, leaving the children with my client, and said, you have
11 to file a petition for modification within one year, so, we have until July 21
12 to meet that deadline. And the order that, uh, Commissioner Canada
13 Thurston suspended will stay in effect until July 21. Uh, but regarding the
14 Adequate Cause hearing today Your Honor, Mr. Choi is trying to petition
15 to modify a parenting plan that already has Mr. Choi having the children.
16 It's just that it's been suspended.
17

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19 COMMISSIONER MELINDA J. TAYLOR: So I'm going to allow the
20 argument, and then I can make a ruling on that, okay? So, go ahead
21 [OVERLAPPING]

22
23 NATHAN CHOI: Thank you Your Honor. I think he cross moved on
24 my motion, so that means he kinda concedes to it. I mean, I don't know,
25 I [UNINTELLIGIBLE] [OVERLAPPING]

26 COMMISSIONER MELINDA J. TAYLOR: He sought, he cross mos-,
27 motioned on, by his own petition. By his own petition [OVERLAPPING]
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2 NATHAN CHOI: Oh, okay. Well, I mean, I... anyways, and also, he
3 sent me an email saying that yeah, I will stipulate to it. And so, I thought
4 we already stipulated to it. Um, there is no parenting plan, and there was
5 a third party, uh, non-parental custody that was brought in vol-, well that
6 was done. And basically, they wanted to take the children away from her
7 because she's... actually crazy. Um, you can see the order that she was
8 ordered to see a psychologist at the PhD level. And, um, she, basically
9 ignored it and just kept ignoring it. And it, I mean, it went through all
10 kinds of different steps, and basically what she has done is, my charge is
11 back in May 18 Your Honor, and it is now like a year. Um, speedy trial is
12 usually 90 days, but, thanks to Mr. Taylor and his involvement, they've
13 just been pushing it out and doing everything they can to stop it, because
14 they realize it didn't happen. Everything is all fake. Your Honor, you can
15 see the pattern of this individual. The respondent didn't even show up
16 because she doesn't want to answer to, what is American College? Why
17 she got \$13,000 from them. Or from her, Jin Sook. She doesn't want to
18 answer the questions about why he's teaching people DV, how to claim
19 false DVs. She doesn't want to answer why she made a statement to the
20 Federal Way Police Station about a sexual molestation charge that never
21 happened, Your Honor. That's something that she did. Do you
22 understand where I'm coming from, Your Honor? And so, she is really, I
23 mean, she even had a behavioral assessment done that says that she is
24 a liar, a straight-up liar. And the, it was testified. I have it in there, that
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2 she's a phony. Everything she does is fake, and she thinks she can pull
3 things over people, and that's what she's been doing, Your Honor. She's
4 been pulling things over this court this whole year. And Mr. Taylor has
5 been a very good help to her. You can see how he made an appearance
6 and actually at, he represented the children at the children's interview.
7

8 Finally, we got an interview scheduled, and he was acting as the
9 children's attorney at the criminal hearing, and therefore, I mean, that's a
10 conflict of interest Your Honor. He can't be doing that. Uh, you can see
11 Mr. Taylor's personal involvement. I don't know why he threatens to
12 drop-kick me, even on the record Your Honor. That's on the record, you
13 can just imagine what he says to me off the record Your Honor. It's, I
14 mean, he deliberately lies about emails. I mean [OVERLAPPING]
15

16 COMMISSIONER MELINDA J. TAYLOR: Well, I'm gonna stop you
17 and let you know that this hearing is for Adequate Cause on your petition
18 [OVERLAPPING]

19 NATHAN CHOI: Okay.

20 COMMISSIONER MELINDA J. TAYLOR: ...for detriment. So,
21 whether or not you have a bad relationship with Mr. Taylor, I think is a
22 matter for the Bar perhaps. But it's certainly not [OVERLAPPING]
23

24 NATHAN CHOI: Well, okay. Well, here's the thing Your Honor,
25 [OVERLAPPING]

26 COMMISSIONER MELINDA J. TAYLOR: [UNINTELLIGIBLE]
27 purposes of your Adequate Cause petition.
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NATHAN CHOI: Okay.

COMMISSIONER MELINDA J. TAYLOR: So, what I'm looking for is your petition is based on detriment, and it's based on that which has, involves entry since the first parenting plan.

NATHAN CHOI: Right.

COMMISSIONER MELINDA J. TAYLOR: That's what I'm trying to listen for.

NATHAN CHOI: That's correct, Your Honor. The parenting plan is gone, so we need a parenting plan. So, I'm asking for Adequate Cause. But I'm also asking for a psychological evaluation. And I'm really afraid, once this criminal matter gets dismissed, she's gonna take the kids and run away. She's been trying to hide the kids from me. She's been trying to keep any, any... there's evidence that she's still bashing the kids in. Her own friends are testifying against her.

GARY TAYLOR: Object Your Honor, there's nothing in the record whatsoever about that.

NATHAN CHOI: There is Your Honor, her own friends are saying things about her that she's [OVERLAPPING]

GARY TAYLOR: Nothing in the record about that Your Honor.

NATHAN CHOI: It's my... [SIGHS] Anyways, Your Honor, my point is, I'm really concerned that she will take the kids and run away, and she must inform me where the children are at all times. And you can see from her pattern Your Honor, her established pattern of lying to police,

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2 making false CPS reports, you can see the Bellevue Police saying we
3 have so many reports. I can't get them all to you. I mean, she's really
4 psycho. And Your Honor, I mean, I'm sorry to say this, but some people
5 do that. I mean, they, she lost her kids because she is a terrible, abusive
6 woman. And, she didn't like that. She really didn't like that. And
7 therefore, she did the only thing she could do. And, which was, buy them
8 tickets, or spend 30. You saw her type, I mean her... credit card
9 statement, right? \$30,000! \$30,000 Walt Disney World. My goodness, on
10 their own private island. They were supposed to go to school. He
11 dropped out of school, they took him to Honolulu to go play with dolphins.
12 My goodness. When their own doctor said no P.E, it happened exactly
13 like three days after. The credit card shows the date they were there.
14 They were supposed to be in school. Your Honor, please, order the
15 psychological evaluation at the PhD.

16 [CRASH IN BACKGROUND]

17 GARY TAYLOR: I'm sorry, dropped my thing.

18 NATHAN CHOI: Allow me to have the Adequate Cause so that we
19 can get a parenting plan established, and, and order her to always inform
20 me where the children are, because I am sincerely concerned that she
21 will take off with the kids. Maybe Korea, or who knows. I mean, I really
22 have no idea. That's pretty much my argument Your Honor.

23 COMMISSIONER MELINDA J. TAYLOR: Thank you. Okay, Mr.
24 Taylor.
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2 GARY TAYLOR: Well Your Honor, as you can see, there was a
3 four-day trial before Judge Downing in this matter, and, uh, Downing did,
4 uh, enter a parenting plan where the children would be with Mr. Choi, the
5 guardian ad litem called it a very closed case. But, uh, most of what Mr.
6 Choi's talking [CRASH] about, he tried to argue to the trial court, trial
7 court found no 9,191 restrictions whatsoever, and entered a normal
8 parenting plan. In January of last year, visitation occurred for four months
9 when in, on May 18 of last year, Mr. Choi, uh, brutally assaulted his son
10 in front of the seven and 10-year-old daughters by slamming his head
11 into a wall. The 10-year-old called 911, police came and arrested Mr.
12 Choi and took Jedidiah to Overlake Hospital with 170 blood pressure and
13 concussive syndrome, uh, symptoms. Uh, Mr. Choi, uh, a protective
14 order was entered, and Mr. Choi, uh, had an opportunity on, uh, July 21
15 of last year to plead his case before Commissioner Canada Thurston.
16 Can-, Commissioner Canada Thurston listened to Mr. Choi say that the
17 kids set him up, that this was all a plot on the part of the three children to
18 somehow put him in jail. Well, you can imagine what would happen if Mr.
19 Choi had these children without anybody around after making that kind of
20 an allegation. In any event, he was found to have assaulted his son, and
21 the court entered a one-year protective order, as I said earlier, with us
22 filing a petition to change the parenting plan during that one-year period
23 of time. Subsequent to that, Mr. Choi has not seen the children, he has
24 not seen his wife, he has no information whatsoever to go on what he's
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2 trying to tell you. He did file, and it's in the record, uh, Exhibit 3 to our
3 response. He did file a complaint with CPS, and CPS found there is no,
4 uh, abuse whatsoever. Uh, there's no other, uh, information that Mr. Choi
5 can provide to show that anything's happened since that assault,
6 because he doesn't, he's not around. Uh, now Mr. Choi says that, uh,
7 there was a psychological evaluation, uh, entered, or ordered last Fall.
8 What happened is, Mr. Choi, having received this protection order, made
9 an end run by, uh, having a third-party custody action filed from, by his
10 mother in Honolulu [LAUGHS] who didn't even know the children, and
11 paid an attorney in Kent, paid her attorney's fees, mother's attorney's
12 fees in Kent to bring her over here and try to take the kids to Hawaii. The
13 court denied that, uh, motion. At one point, a commissioner did order that
14 both Mr. and Mrs. Choi have a psychological evaluation. However, on
15 revision, that whole case was dismissed. So, never, [OVERLAPPING]

18 COMMISSIONER MELINDA J. TAYLOR: I've seen that order.

19 GARY TAYLOR: It never really happened. Uh, so we stand here
20 today with Mr. Choi trying to say that there's been a substantial change of
21 circumstances since the entry of the last court order. Well, there has
22 been. But it hasn't been any change in my client's behavior whatsoever.
23 The stan-, substantial change to circumstances has been that Mr. Choi
24 assaulted his child in front of the other, his son in front of the other two
25 children. Um, I might add that, and it's in our materials, this isn't the first
26 time that Mr. Choi has made a false ol-, allegation to the court. He now
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2 has, so far has incurred \$80,000 in sanctions by, uh, \$35,000 by
3 Commissioner before the divorce, \$10,000 at trial, and another \$35,000
4 by the special master last December. Judge Downing, in his finding, said
5 that Mr. Choi has what's called "a loose association," what he called a
6 loose asso-sociation with the truth. The \$35,000 original sanctions were
7 ordered because Mr. Choi forged his mother's name on a declaration that
8 he filed with the court. And he had a bank account in Hawaii with
9 \$128,000 in it. So, we have a pattern here of deception. But in any
10 event, the kids right now are doing great. They're in school, they're with
11 their mom. Um, there's no indication whatsoever that they're not doing
12 great. So, uh, in any event, Mr. Choi is trying to petition to modify a court
13 order that actually gives him the children at this point. So, uh, technically,
14 you don't, you don't modify a court order, it's, it's incumbent upon us to,
15 to petition to modify the court order past July 21st. I might add, Your
16 Honor, I found in the file, the filing number for the petition. I'd like to hand
17 it up to you, just cause you asked about it.
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20 COMMISSIONER MELINDA J. TAYLOR: The petition with the filing
21 number stamped on it? Or the e-file?
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23 GARY TAYLOR: E-file.

24 COMMISSIONER MELINDA J. TAYLOR: Okay. So, but there was
25 never a case schedule entered.

26 GARY TAYLOR: There was never a case schedule entered, that's
27 correct, Your Honor.
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2 COMMISSIONER MELINDA J. TAYLOR: So, it could be that you
3 filed and didn't pay the filing fee?

4 GARY TAYLOR: I don't know.

5 COMMISSIONER MELINDA J. TAYLOR: So, they didn't generate a
6 case schedule.

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8 GARY TAYLOR: Yeah, I don't know. But we did file it, it was
9 responded to by Mr. Choi.

10 COMMISSIONER MELINDA J. TAYLOR: And that's, I have
11 reviewed the response. I did see that. So, interestingly enough.

12 GARY TAYLOR: I think you Your Honor, I think [OVERLAPPING]

13 COMMISSIONER MELINDA J. TAYLOR: It doesn't show it.

14 GARY TAYLOR: ... the appropriate thing, if I might suggest a
15 remedy here. I think the appropriate thing to do would just be to let this,
16 this continue, or let this matter be heard in December during the trial
17 date. Uh, Mr. Choi, Mr. Choi and Mrs. Choi, at that point, can argue
18 whatever they want to about whether or not the parenting plan should be,
19 uh, changed on a permanent basis. Uh...

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21 COMMISSIONER MELINDA J. TAYLOR: So, then let me clarify, are
22 you then agreeing that there is adequate case based on detriment?

23 GARY TAYLOR: There is Adequate Cause on, to our petition. But
24 Mr. Choi certainly has an opportunity at that point to argue his case,
25 which would be that the children [OVERLAPPING] ought to, the parenting
26 [OVERLAPPING] plan should stay in effect.
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2 COMMISSIONER MELINDA J. TAYLOR: From a procedural
3 standpoint, you're asking me then to enter ade-, an order of Adequate
4 Cause today? I'm not sure what it is that you're asking me to do.

5 GARY TAYLOR: What we're suggesting Your Honor, is this. We
6 filed a petition that got responded to, uh, for some reason

7
8 [OVERLAPPING]

9 COMMISSIONER MELINDA J. TAYLOR: Without paying a filing fee
10 and without generating a case schedule.

11 GARY TAYLOR: I, I, listen, it certainly would've been paid, I don't
12 know what happened there Your Honor, I can't explain what happened
13 there. But, what we have here is that, uh, Mr. Choi, Mrs. Choi are both
14 petitioning to have a different parenting plan, uh, entered. And we have a
15 trial date. Uh, I suppose if the court wants to, the court could say there's
16 Adequate Cause both ways, although it's hard to stipulate to that,
17 because Mr. Choi's Adequate Cause would be what? Um, he's the one
18 that assaulted the children, if anything, Mrs. Choi's Adequate Cause, uh,
19 argument certainly takes precedence over that. But, in the interest of
20 judicial economy, the best thing to do, I suppose, would be to, uh, enter
21 an order saying that there was a petition filed, that there was a response
22 by Mr. Choi, that we have a trial date, and let the two parties appear at
23 trial in December and argue their case. In the meantime, we're asking
24 that a temporary parenting plan be entered, uh, pending trial that you
25 have before you Your Honor.
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2 COMMISSIONER MELINDA J. TAYLOR: Thank you. Go ahead, Mr.
3 Choi.

4 NATHAN CHOI: Okay Your Honor, um, Mr. Taylor has this
5 fascination of thinking that I have a loose association with truth. [SIGHS]
6 When the opposing individual is so good at deceiving everybody, it
7 makes the recipient look like they're not telling the truth. However, they
8 haven't brought up a single fact that was misrepresented. Mr. Taylor said
9 I forged my mother's signature. No, it was brought out from the very fact
10 that she lives in Hawaii and she couldn't get that document to me in time,
11 and she asked me to sign on her behalf. She came to court and testified,
12 or attempted to testify to that. That's not a forgery, Your Honor. That was
13 an instruction from her so that her declaration could get in. I wasn't, I
14 didn't mean, I didn't know Washington State law does it this way. In
15 Hawaii, we do it a different way. So, she just said, "sign for me, you have
16 my authority." Number two, Your Honor, I have like two or three days to
17 get together over like 30 bank accounts and over, literally over 30 bank
18 accounts and properties. We, we have a lot of properties, a lot of assets.
19 And I went looking, searching, everything, Your Honor. And it wasn't him
20 that found it on discovery, it was me that provided it to him at production
21 of documents. That was at initial disclosure, I couldn't find, or I tried to get
22 everything I could find, and I gathered it and I gave it to him. We have
23 liter-, that comes out to less than like one or two percent of our entire
24 assets. I mean, I'm really sorry that I overlooked that. But, he's at, and I
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2 gave it to him on his production documents. I mean, if I really wanted to
3 hide that, I could've just not given it to him because he did no discovery,
4 he did nothing. He wouldn't have even known about it. I told him about it.
5 And as far as the special_master fees, I'm filing a motion today to have
6 that set aside. They didn't even tell me about it. They don't even
7 communicate with me. They communicate through, to me through an
8 email that I don't even use. And so, therefore, I heard nothing of it. And
9 then he got his ruling. And I wasn't even there. So, I'm actually filing a
10 motion today, schedule two weeks to set that aside, because I was never
11 notified about it.
12

13 Um, there has been a lot of substantial changes. Well, he already
14 agrees, I mean we should proceed forward. But, my point is, you can
15 see her declaration, "oh, we broke up on June 1." Well, what happened
16 on June 2? You know? It's her own police report, her husband's vehicle
17 had \$16,000 of cash in it and it got stolen. I mean, how can she be
18 saying, or swearing on oath, "oh yeah, we broke up on June 1," and she
19 had a boyfriend or a husband, I don't know what his status is, say, oh
20 yeah, you can no longer work here because you gotta take care of your
21 husband after he abused them. And then, the very next day....
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24 COMMISSIONER MELINDA J. TAYLOR: What, and what year is this
25 that you're talking about?

26 NATHAN CHOI: This is in 2016 Your Honor. Wait, wait, what year
27 is this? It's, yeah, 2016.
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2 COMMISSIONER MELINDA J. TAYLOR: This is 2016.

3 NATHAN CHOI: Right. You look at a declaration dated 2016, June
4 1, "I broke up with Gon Kim. We don't be together anymore." And he
5 also wrote a letter, a nice little letter saying, yeah, because your
6 husband abused, beat your children up, you can no longer work here,
7 please, go take care of him. And then, what happens? The very next
8 day, she gets 16, thank God, she got \$16,000 stolen out of her car. I
9 mean, and then she's telling the policeman, "oh yeah, my husband's car
10 got broken into." That's her police report. I had nothing to do with it,
11 Your Honor. And then she's caught in Honolulu in July. I mean, when is
12 her lies gonna stop, Your Honor? I mean, seriously, Your Honor, please,
13 there was a gentleman by the name of Ray Spencer. His ex put him in
14 jail for sexual molestation when [OVERLAPPING]

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17 GARY TAYLOR: This is total news Your Honor [OVERLAPPING]

18 NATHAN CHOI: This is my argument, please.

19 GARY TAYLOR: I object.

20 COMMISSIONER MELINDA J. TAYLOR: I'm not sure what you're
21 talking about.

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23 NATHAN CHOI: There is a judgment where there was another
24 individual who got a nine-million-dollar judgment because of a similar
25 situation like ours, making false accusations.

26 COMMISSIONER MELINDA J. TAYLOR: So are you, are you in case
27 law, or are you just arguing facts of another case?

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2 NATHAN CHOI: I'm just arguing facts of another case. Just to show
3 you it does happen. But if you want me to stop, I'll stop it there.

4 COMMISSIONER MELINDA J. TAYLOR: I, I don't know that it's
5 necessarily relevant for your case [OVERLAPPING]

6 NATHAN CHOI: Okay, all right, Your Honor, I will stop it there.
7
8 However, my point is, there has been a lot of substantial changes. Her
9 husband, or I don't know what their relationship is, has 191 restrictions. The
10 judge in the finding of fact, clearly states, she unquestioningly beat them.
11 She attempted to smash them in with an aluminum baseball bat. And it's
12 undeniable. However, they didn't want to prevent this lady from never
13 seeing her children again. So, it was just like out of gratitude, you know? It's
14 like all right [OVERLAPPING]

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16 COMMISSIONER MELINDA J. TAYLOR: Are you talking about the
17 judge's findings in your case?

18 NATHAN CHOI: Yes.

19 COMMISSIONER MELINDA J. TAYLOR: Okay.

20 NATHAN CHOI: Yeah.

21 COMMISSIONER MELINDA J. TAYLOR: So, Judge Downing.

22 NATHAN CHOI: Yeah, Judge Downing, right. You see there, I believe
23 it's #7 or something like that. It unquestionably happened. I mean, she
24 shoved a sock in the boy's mouth, grabbed the shoe horn, and turned it all
25 black and blue. And the photo was shown, and it was verified that's what
26 happened. Um, her objective tests show she's an absolute liar. Her STAXII
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2 2 objective test shows she cannot control her anger. And the professional
3 said she's not amenable to treatment. She's only amenable to figuring out
4 new lies and new schemes to go and circumvent, or actually, should I say,
5 overrule Judge Downing's decision. So, I ask for these things, Your Honor.
6 I think he already agreed to the Adequate Cause. As far as the
7 psychological evaluation, I believe I'm entitled to it. And for #3, I think I really
8 need it because I'm really concerned. I mean, you've read what was stated
9 and you've seen what's there.
10

11 COMMISSIONER MELINDA J. TAYLOR: So, here's, here's the issue
12 before the court. Procedurally, um, it's not as simple as, um, Mr. Taylor, I
13 think you make it out to be, um, because your petition, while it appears that
14 you did electronically file it, there's never been a case schedule generated.
15

16 GARY TAYLOR: Right.

17 COMMISSIONER MELINDA J. TAYLOR: So it doesn't appear,
18 necessarily that Mr. Choi is objecting to your position going forward, it
19 sounds like you're both sort of in agreement that, at some point, there needs
20 to be Adequate Cause so these can go forward. He will allege detriment
21 against, by Mrs. Choi. And you will continue to allege judgment for Mr. Choi,
22 it sounds like that's the case. So, there can be, um, substantial change of
23 circumstances can be against, for Mr. Choi, for your petition, against Miss,
24 Mrs. Choi, or, or, um, for the children. I think, arguably, um, there needs to
25 be some demonstration of detri-, the detrimental effect, um, of that
26 substantial change on the children, because that's what you've alleged. I
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2 don't necessarily believe that you have, um, provided the court with enough
3 evidence to support that. But, it is important to note that the, the after a
4 hearing at trial, there is a parenting plan entered that has a very different
5 result than where we are now with the virtue of the, uh, protection order
6 suspending that parenting plan.
7

8 GARY TAYLOR: Right.

9 COMMISSIONER MELINDA J. TAYLOR: So, what I will say is, um,
10 Mr... it's sort of like, I think because of the contentious relationship that you
11 both have, that you're not able to come together with an agreed order on
12 Adequate Cause, when it seems to me as though you both would agree that
13 there's Adequate Cause to modify this parenting plan. And so, that being
14 said, there's been a long history between the two of you, and I, and I
15 understand all of that. So, what I will do is, order that, um, I'll grant the
16 petition for Adequate Cause. Note that, um, Mrs. Choi has previously filed a
17 Petition for Modification, um, but ultimately, the substantial changes for that
18 of the children, and that's what the court is looking at when I'm making this
19 decision. There's been a lot happening for these kids, so we need to move
20 this forward and get it going. So, I will order that you pay that filing fee on
21 that petition. You might need to refile it today, and pay the filing fee. Mr.
22 Choi, do you wish to waive, um, the, the, um, well naturally in order for
23 adequate cause to be, you've already responded to that petition. So, you
24 have the ability to then waive and, and agree that there would be Adequate
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2 Cause on both petitions. Or do you want there to be, the requirement to be
3 a separate hearing on that petition as well?

4 NATHAN CHOI: [SIGHS] You know Your Honor, [SIGHS] I'm not a
5 family law specialist, I'm, I'm gonna be honest with you. Um, at this point, I
6 really don't trust anything that Mr. Taylor does. So, I'm gonna take the
7 conservative step of making him do what he has to do, and giving you the
8 time... [OVERLAPPING]

10 COMMISSIONER MELINDA J. TAYLOR: Well, and, it's a little muddy
11 there, and I'm, I'll tell you why. I don't know that necessarily, um, if there's
12 an Adequate Cause on the petition, if at that point, you even need to file your
13 counter-petition. Or if, in fact, Adequate Cause is necessary, because the
14 case is already moving forward to trial. And I'm not certain of that. So, I'm
15 not going, I just want to include information about his petition, and I'll leave
16 that to you, Mr. Taylor, if you choose to file. Um, but at this point there's
17 nothing in the record to indicate that. But I will, I just want the order to say
18 I'm granting Adequate Cause based on substantial, extenuating
19 circumstances regarding the children in the previous custody order. And
20 that, um, the record indicates that Mrs. Choi sought a petition, but a case
21 schedule was never issued. Uh, but that she seeks also to modify the
22 parenting plan. Fair enough. Um, and then you guys can straighten it out
23 however you see it needs to go. But, for my purposes today, I am going to
24 grant Adequate Cause based solely on the substantial change of
25 circumstances as it pertains to the children, as a result of the suspension of
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2 the parenting plan, and the concern for the court that, in light of there are
3 serious allegations against you, Mr. Choi. But, um, whether or not a
4 complete suspension of a parenting plan that was entered after trial is in the
5 best interest of the children, is of concern to the courts. So that's why I'm,
6 I'm allowing the case to move forward. I'm denying the request for a
7 psychological evaluation. You can most certainly see to that, um, through an
8 alternative motion, if you think at this point. I'm reading an order for
9 protection, which Commissioner Canada Thurston makes findings that she's
10 concerned about your mental health. I think a third party would benefit
11 would benefit from being involved in this case. I don't know if you have a
12 Guardian ad litem in your first case, or are aware of that. Might be
13 something you'd consider.
14
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16 GARY TAYLOR: We do, Alan Ruder Your Honor, he, we, he hasn't
17 been around since the trial, but Mr. Ruder was the GAL.

18 COMMISSIONER MELINDA J. TAYLOR: Al-, Alan Ruder was the
19 GAL. Okay.

20 GARY TAYLOR: One thing Your Honor, while we're on the record, I
21 mean, I can hand Mr. Choi a duplicate copy of the [OVERLAPPING]
22

23 COMMISSIONER MELINDA J. TAYLOR: But I can't waive the
24 response that, the responsive di-, guidelines.

25 GARY TAYLOR: Well, but my point is, I can hand Mr. Choi the petition
26 that he got last year, and Mr. Choi's, and I can acknowledge it, Mr. Choi has
27 responded to it, to just save us the trouble of serving.
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2 COMMISSIONER MELINDA J. TAYLOR: Well, I'm granting Adequate
3 Cause on the petition, allowing the case to move forward at trial. I'll let you
4 fix the administrative issues. I'm not quite, to be honest, I'm not quite sure
5 how to fix that. I've never seen it, and I know that what should have
6 happened is the case schedule should issue, and your time for Adequate
7 Cause has lapsed. Um, most certainly, um, it would make sense that the
8 same ruling would apply to both petition. Because, in essence, I'm looking
9 at the best interest of the children as a result of the suspension of all ties
10 with their father, who was previously granted full custody. So, I just want to
11 ensure that that's in the best interest of the children, and I think that that
12 matter should go forward to trial as a result. So, however you choose to fix
13 it.
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16 GARY TAYLOR: Well, I think I'm [OVERLAPPING]

17 COMMISSIONER MELINDA J. TAYLOR: But I'm not here to fix all of
18 the administrative problems today. [OVERLAPPING]

19 GARY TAYLOR: No, I, I, it's a very un-, it's a very unusual case.

20 NATHAN CHOI: Okay, thank you Your Honor.

21 GARY TAYLOR: I think we both know that. My question would be,
22 though, if we file this, if we refile the petition and pay the filing fee, are we not
23 gonna potentially generate anothe-, a new case schedule?
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25 COMMISSIONER MELINDA J. TAYLOR: No, because there's already
26 a case schedule in place. When you did yours, there wasn't a case
27 schedule at all.
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GARY TAYLOR: Right.

COMMISSIONER MELINDA J. TAYLOR: That's why.

GARY TAYLOR: We'll just be adopting the [OVERLAPPING]

COMMISSIONER MELINDA J. TAYLOR: Yeah, they'll just be adopting
[OVERLAPPING]

GARY TAYLOR: ...other case schedule.

COMMISSIONER MELINDA J. TAYLOR: ...by his. Yeah, the problem
for that though, is that the case schedule deadline is June, is it June 30th?
Let me see, oh no, May 17th is the Adequate Cause deadline. So, Mr. Choi
has filed his timely by filing it now. And you would have to then file for
Adequate Cause within that timeframe. Now, you have for your status
conference, generally speaking. You, you might need to go to your assigned
judge and ask them to extend Adequate Cause for the cross petition that's
been filed. It's all timing. Very confusing, even to me. [LAUGHS]

GARY TAYLOR: Yes, I'm trying to sort this out, and...

COMMISSIONER MELINDA J. TAYLOR: Do you have a blank
Adequate Cause order? I have your proposed order [OVERLAPPING]

NATHAN CHOI: No, I don't, Your Honor. Do you have one?

NATHAN CHOI: Thank you for your time, Your Honor.

COMMISSIONER MELINDA J. TAYLOR: You're welcome, Mr. Choi.
Are you in agreement with, uh, the reappointment of do-, uh, Mr. Ruder?

NATHAN CHOI: No, I don't agree to it Your Honor.

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2 COMMISSIONER MELINDA J. TAYLOR: Okay. Then I'm not gonna
3 order that. I just [OVERLAPPING]

4 NATHAN CHOI: Yeah.

5 COMMISSIONER MELINDA J. TAYLOR: ...if you were in agreement, I
6 was gonna try to save you a step [OVERLAPPING]

7
8 NATHAN CHOI: No, no, no.

9 COMMISSIONER MELINDA J. TAYLOR: ... and schedule a hearing.

10 NATHAN CHOI: Yeah.

11 COMMISSIONER MELINDA J. TAYLOR: Okay.

12 COMMISSIONER MELINDA J. TAYLOR: Now you should know, Mr.
13 Choi, I know that you've indicated you're not well versed in family law cases.
14 I want, you know, I can't consider that which was before the trial court. So, I
15 can only consider the newest stuff since the entry of the order
16 [OVERLAPPING]

17
18 NATHAN CHOI: I see what you're saying Your Honor. So, you believe
19 that all of this stuff against her doesn't justify a psychological evaluation?

20 COMMISSIONER MELINDA J. TAYLOR: Well, uh, let me explain
21 again. I'm not considering that which was before the trial court when the trial
22 court didn't enter 191 restrictions.

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24 NATHAN CHOI: Uh huh.

25 COMMISSIONER MELINDA J. TAYLOR: And I have a finding of
26 domestic violence against you, wherein there's also a note that the
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1
2 Commissioner asserts that you, the problems that you have might be mental
3 as well.

4 NATHAN CHOI: I see.

5 COMMISSIONER MELINDA J. TAYLOR: So, I don't think I have, I'm
6 prepared to require her to take the psychological evaluation today, and I
7 would probably defer to a third party if one were appointed. Are you printing
8 up an order for me? Okay, thank you.

9
10 COMMISSIONER MELINDA J. TAYLOR: So, it sounds like there's
11 been a tumultuous history. Are you two okay together while I go in the back
12 and complete this order?

13 NATHAN CHOI: I don't know about that. [LAUGHS] I'm actually afraid
14 I might get drop-kicked here. [LAUGHS]

15
16 COMMISSIONER MELINDA J. TAYLOR: I can, I'm happy to call
17 security for you.

18 COMMISSIONER MELINDA J. TAYLOR: Thank you so much. I'll
19 complete this and send it out, okay? Thank you.

20 NATHAN CHOI: Okay, thank you.

21 GARY TAYLOR: Thank you.

22 BAILIFF: Court is now in recess.

23
24 [END OF TRANSCRIPTION]
25
26
27
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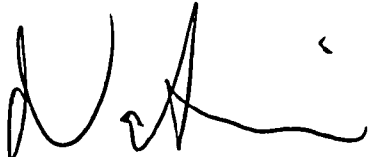
DECLARATION OF SERVICE

I, Nathan Choi, swear under penalty of perjury of the law of the State of Washington that I am over eighteen and competent to testify in court. I certify that, I caused a true and correct copy of the following to be served on Gary Taylor, WSBA # 6305, 5950 6th Ave South, Suite 200, Seattle WA 98108

Petition for Review

VIA FIRST CLASS MAIL, postage prepaid or Hand Delivery on July 3, 2019

Dated 7/3/19.



Nathan Choi