

# SULLIVAN & CROMWELL LLP

TELEPHONE: 1-310-712-6600  
FACSIMILE: 1-310-712-8800  
WWW.SULLCROM.COM

*1888 Century Park East*  
*Los Angeles, California 90067-1725*

NEW YORK • PALO ALTO • WASHINGTON, D.C.

BRUSSELS • FRANKFURT • LONDON • PARIS

BEIJING • HONG KONG • TOKYO

MELBOURNE • SYDNEY

June 12, 2026

## Via Email

Shawna McKee,  
Rutan & Tucker, LLP,  
City Attorney's Office, City of Irvine,  
18575 Jamboree Road, 9th Floor,  
Irvine, CA 92612.

Re: City of Irvine Enforcement Case No. CE-24-0670

Dear Ms. McKee,

Sullivan & Cromwell LLP and First Liberty Institute together represent Rabbi Rafi Dadon, the current resident of the property located at [REDACTED] (the "Home"). We are in receipt of numerous Notices of Violation and related Administrative Citations (the "Citations") issued by the City of Irvine (the "City") between August 2025 and June 2026 concerning Rabbi Dadon's use of his Home for religious gatherings and related activities. Please direct all future communications regarding this matter to our offices.

The Citations initially asserted that Rabbi Dadon was engaging in impermissible "Church activities" requiring a Conditional Use Permit pursuant to Irvine Zoning Code Section 3-37-14.D. Subsequent Citations and communications from the City shifted between theories concerning alleged "Accessory Use" violations under Irvine Zoning Code Section 3-37-14.C, and purported "commercial activity" under Irvine Zoning Code Section 2-14-3.B.2, and dropping specific reference to Church activities. A November 21, 2025, correspondence from the City Attorney to Rabbi Dadon likewise asserted that inspections of the property and online postings demonstrated that the property exceeded permissible "Accessory Use" limitations, including a suggestion that the property's use for religious observance could qualify the property as an impermissible "Place of Worship."

The City's shifting and inconsistent characterization of Rabbi Dadon's activities—including describing them at various times as "Church activities," impermissible "Accessory Use," "commercial activity" and a "Place of Worship"—raises serious concerns that the enforcement action is pretextual and directed not at any neutrally applied land-use issue, but rather at protected religious exercise at Rabbi Dadon's Home. Those concerns are heightened by the City's repeated attempts to transform ordinary religious observance and religious gatherings within one's home into use that is "primarily

intended for the conducting of organized religious services.” This raises serious concerns that the City’s enforcement actions are directed not at any legitimate land-use concern, but rather at protected religious activity occurring within Rabbi Dadon’s Home.

Rabbi Dadon is an Orthodox Jewish rabbi. He hosts private, invitation-only gatherings for purposes of prayer, Torah study, and Shabbat and holiday meals. These activities are central to, and inseparable from, Jewish religious observance. These gatherings are by invitation only and consistent with ordinary residential use. There is no commercial activity operated from the Home. Accordingly, any effort to characterize Rabbi Dadon’s religious gatherings as primarily “commercial,” or any assertion that the Home itself constitutes a “Place of Worship” requiring a Conditional Use Permit, would not only be incorrect, but would also violate the Free Exercise Clause of the First Amendment, the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), the Fair Housing Act, and corresponding protections under California law.

The Free Exercise Clause prohibits government action that burdens an individual’s sincere religious practice with a policy that is not neutral or generally applicable. *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 523-26 (2022). The City’s enforcement actions fall within this prohibition, and Rabbi Dadon reserves his right to enforce that prohibition. *See* 42 U.S.C. § 1983.

RLUIPA likewise prohibits governments from either imposing land use regulations in a manner that substantially burdens religious exercise, or treating comparable religious gatherings less favorably than analogous secular gatherings. 42 U.S.C. § 2000cc(a)(1), 2000cc(b)(1). Similarly, the Fair Housing Act prohibits discrimination in the terms, conditions, or privileges of housing on the basis of religion, as well as interference with the exercise of those rights. *See* 42 U.S.C. §§ 3604, 3617.

As it stands, Rabbi Dadon has substantial reason to believe that his ancillary residential use of the Home for private religious observance is being treated differently from comparable secular residential gatherings and activities. The City’s repeated characterization of ordinary prayer gatherings as “Church activities,” “commercial activity,” and/or impermissible “Accessory Use,” has imposed an ongoing burden on Rabbi Dadon’s religious exercise and use of his Home.

We request that the City immediately cease all enforcement actions against Rabbi Dadon and revoke (or at least suspend) all previous citations. Further, in the spirit of cooperation, and in hopes that the parties can reach an amicable resolution, we request an opportunity to meet to discuss this matter and better understand the factual and legal basis for the Citations. To facilitate those discussions, we also request that the City identify with specificity the conduct it contends violates applicable provisions of the Irvine Zoning and/or Municipal Code and the factual basis for each alleged violation.

While we remain hopeful that this matter can be resolved promptly, Rabbi Dadon reserves all rights, including the right to pursue any and all available legal remedies should enforcement proceed without a proper factual and legal basis. This letter shall also serve as a demand that the City and its officers, employees, agents, and representatives take

all appropriate steps to preserve any and all documents and communications related to Rabbi Dadon, his Home, the Citations, and the matters described in this letter.

We look forward to your prompt response. You may reach me at [REDACTED], or by email at [REDACTED].

Sincerely,

*/s/Emily D. Olsen*

Emily D. Olsen

[REDACTED]  
Tyler J. Andrews

[REDACTED]  
**SULLIVAN & CROMWELL LLP**

*/s/Jeremy Dys*

Jeremy Dys

[REDACTED]  
Ryan Gardner

[REDACTED]  
**FIRST LIBERTY INSTITUTE**

cc: Adam Paris ([REDACTED])