



March 27, 2012

Jonathan D. Kaney, III, Esquire
Kaney & Olivari, P.A.
55 Seton Trail
Ormond Beach, FL 32176

Re: Richard Gardner

Dear Mr. Kaney,

I am in receipt of your two letters dated March 20, 2012, and one letter dated March 21, 2012. In the March 20, 2012 letter, you requested the County withdrawal of the Notice of Dismissal to Richard Gardner dated January 13, 2012, reinstatement of his employment and issuance of back pay retroactive to his termination date. I cannot grant this request, however, for purposes of the State of Florida Retirement System, the County will show Mr. Gardner on a leave without pay status. According to the State of Florida Retirement System, this will preserve Mr. Gardner's benefits.

This letter will further confirm that I am in receipt of your witness list that was in your letter dated March 20, 2012, Re: County Personnel Board Appeal Hearing.

In your March 21, 2012, letter you requested that I forward copies of Mr. Gardner's October 24, 2011, Response to Notice of Intent to Dismiss to the Personnel Board members. I will forward a copy of the Response to the Personnel Board, as you requested, as well as a copy of Mr. Coffin's response to that letter. I have enclosed copies of both documents for your file.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Motes".

Tom Motes
Human Resources Director

TM/g

cc: Nancye Jones, Assistant County Attorney