

make her decision to file or not. Speaking through her lawyer, Peter Leeming, Gardner is eager to conclude this case without having it go to trial.

"She has an extension on filing the writ on the decision to fire her. We are hopeful that we'll be able to resolve any outstanding issues prior to that deadline," Leeming said.

District Attorney Art Danner, who is being represented by county counsel Pamela Fyfe, is waiting to see what the plaintiff's next move is.

"The ball is completely in her court. At this point she's just not ready to file the writ. If she files it, then we respond to it, and then it is in court at that time," said Fyfe.

In December, when the Board of Supervisors reviewed the circumstances of Gardner's termination, they voted not to reprimand the District Attorney regarding his decision to pay Gardner for leave unauthorized by county policies. Fyfe said the plaintiff has already been granted two extensions on her time to file, and is not really sure where Gardner and her attorney intend to go with this.

"As I understand it, she's really just trying to move on with her life, and part of that is finding a job," Fyfe said. "At that point she'll determine — if she has another job — whether she's interested or not in filing the writ. So we are not really talking about any terms of settlement."

Gardner originally asked to be reinstated in her former position with the county of Santa Cruz, but Fyfe said that was a non-negotiable point. Leeming believes his client has a couple of legal options in arguing wrongful termination, but declined to specifically comment.

An administrative writ is similar to an appeal. The judge who receives the writ looks at the administrative record, reviews the transcripts of the proceedings from the lower courts, and may even take new evidence into consideration. The judge then confirms the previous ruling or arrives at an independent judgement as to what the decision should be, Fyfe said. □

**MCP MAY 2-15, 1995**  
**SECOND EXTENSION**  
**GRANTED IN LAWSUIT**  
**AGAINST DISTRICT**  
**ATTORNEY**

*District Attorney*

Catherine Gardner, a former Santa Cruz County prosecutor who was fired from her job after admitting to one occasion of inhaling what is presumed to be cocaine, has been granted a second extension on the deadline to file an administrative writ in the county's Superior Court.

Gardner has until May 5 to