

RULING OF THE DISCIPLINARY COMMITTEE OF THE GENERAL LEGAL COUNCIL

RE: COMPLAINT NO. 161/98

MICHAEL ADDISON VS WINSTON WALTERS

HEARD IN THE NO.3 COURT ROOM, SATURDAY JANUARY 15TH 2000

Before: Mr. Christopher Bovell-Chairman
Mr. Allan Wood
Mrs. Gloria Langrin

Present: Mr. Ravil Golding Attorney-at-law for Mr. Addison
Mr. Michael Addison

Mr. Winston Walters-absent.

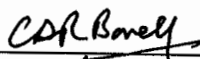
The Panel understands that from 1980 the complainant visited Mr. Winston Walters to obtain probate in the estate of his father Samuel Addison. Mr. Winston Walters was given the title for premises at 5 Upper Waltham Avenue and the original Will of his father and fees of \$3,000.00 were paid to Mr. Walters.

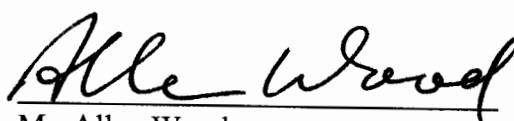
Since that time numerous requests have been made to Mr. Walters to complete the matter but to no avail. In 1998 Mr. Michael Addison requested, in writing, Mr. Winston Walters to hand over the file and the title to Lyn Cook, Golding & Company, attorneys-at-law. Mr. Winston Walters has not complied and has failed to respond to the numerous requests to hand over the papers.


The attorney Mr. Winston Walters has breached Canon 1(b) in that he has failed to maintain the honour and dignity of the Profession and Canon 1 v(R) of the Legal Profession (Canons of Professional Ethics) Rules in that the attorney has failed to deal with his client's business with all due expedition and the attorney has failed to provide his client with information as to the progress of his business with all due expedition despite being reasonably required to do so.

It is hereby ordered that:

1. Pursuant to section 12(4) (a) of the Legal Profession Act, the attorney Mr. Winston Walters is suspended from practice for a period of 6 months from the 15th January, 2000 and
2. The attorney Mr. Winston Walters pay a fine of \$50,000.00 and pursuant to section 12(5) of the Legal Profession Act it is ordered that such fine be paid to the complainant towards the additional costs that will be incurred by reason of the delay and the failure to return the complainant's papers.
3. The attorney Mr. Winston Walters also pay costs to the complainant in the sum of \$5,000.
4. The attorney is at liberty to apply under section 19 of the Legal Profession Act for a review of the order of suspension in the event that the attorney returns the complainant's documents to the complainant.


Mr. Christopher Bovell- Chairman


Mr. Allan Wood


Mrs. Gloria Langrin