

**FORMAL ORDER OF THE DISCIPLINARY COMMITTEE
OF THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT
NO.62 2002**

**IN THE MATTER OF JUSTIN HURLOCK VS
DERRICK DARBY ATTORNEY-AT-LAW**

AND

**IN THE MATTER OF THE LEGAL
PROFESSION ACT**

**PANEL: MISS NORMA LINTON, Q.C.- CHAIRMAN
MR. ALLAN WOOD
MR. GEORGE MAGNUS**

DECISION DELIVERED 3RD MAY, 2003

UPON THE APPLICATION dated 23rd July, 2001 made under section 12(1)(A) of the Legal Profession Act coming on for hearing before the Disciplinary Committee on the 3rd May, 2003.

AND UPON the Complainant Justin Hurlock appearing and having given evidence on oath

AND UPON the attorney-at-law Mr. Derrick Darby not appearing

AND UPON DUE CONSIDERATION of the evidence of Mr. Justin Hurlock

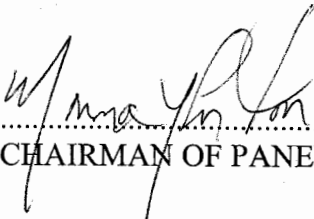
THE COMMITTEE FINDS that the attorney -at-law, Mr. Derrick Darby, is guilty of Misconduct in a professional respect in that he has received \$72, 000.00 in Legal Fees from the Complainant on the 21st March, 1998 to take out title for property Volume 1198, Folio 833. By letter dated 24th May, 2000 Mr. Derrick Darby notified Mr. Justin Hurlock that he was no longer acting for him. Mr. Darby was therefore liable to refund the sum received for fees and has not to date done so.

**PURSUANT TO THE FOREGOING FINDINGS, THE COMMITTEE UNANIMOUSLY
HEREBY ORDERED THAT:-**

- (1) Pursuant to Section 12(4)(c) of the Legal Profession Act Mr. Derrick Darby pays to the Complainant the sum of \$72,000.00 with interest thereon at the rate of 12 per cent per annum computed from the 24th May 2000 to date.
- (2) Mr. Derrick Darby is also to pay costs of \$10,000.00 to the complainant.

These Orders are made under Section 12(4) of the Legal Profession Act.

Dated 3rd day of May, 2003


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CHAIRMAN OF PANEL