

**DECISION OF THE DISCIPLINARY COMMITTEE OF THE GENERAL
LEGAL COUNCIL**

COMPLAINT NO. 3 OF 2010

**IN THE MATTER OF A COMPLAINT BY
ISMORE GORDON
AGAINST ANTONNETTE HAUGHTON-
CARDENAS**

AND

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

**BETWEEN ISMORE GORDON COMPLAINANT
AND ANTONNETTE HAUGHTON-CARDENAS**

Panel: Mrs. Margarette Macaulay
Mr. Walter Scott
Mr. John Graham

Mr. Ismore Gordon	Complainant
Mrs. Ceta Gordon	Complainant's Wife

The Complaint

The complaint is made by Mr. Ismore Gordon against the Attorney Antonnette Haughton-Cardenas. The facts of the complaint are that she was instructed in 1997 to proceed with claims relating to the death of one child and the injuries suffered by other children of his, all minor children as a result of a collision involving a JDF vehicle along Olympic Way on 30th September, 1997. A contingency agreement was signed by the Complainant, who later had his wife pay monies as requested by Ms. Haughton-Cardenas into her office, evidenced by her receipts marked as exhibit 1A, 1B & 1C.

The Complainant gave evidence that he was aware of the fact that she had filed two separate claims in respect of the deceased child and the other in respect of the two injured children and thereafter she informed him that she was awaiting a court date. His further evidence was that he realized that she was having problems and he could get no further particulars from her as to the advancement of the case. He sought the assistance of another Attorney who wrote seeking the return of his files. However, Mrs. Haughton-Cardenas did not reply. The Complainant also stated that he attended at the Supreme Court Registry where he was informed that indeed the action has been filed. He had to make searches in Kingston to discover Mrs. Haughton-Cardenas's various locations where she had moved to without informing him, and the last

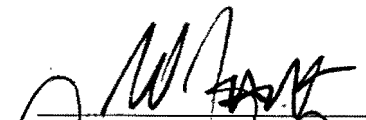
occasion he spoke with her was last year February at offices at East Street, Kingston, when he again requested that his file be given to him by her as she could give him no word as to the progress of his matters. He has not seen her from then to this date, and she had not corresponded with him.

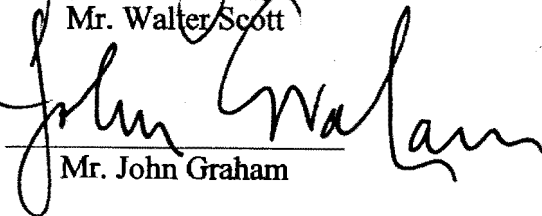
We, therefore find on the afore-stated complaint and in light of the evidence of the Complainant, that in the circumstances the Attorney did not provide the Complainant with all or sufficient information as to the progress of his business, although she was reasonably required to do so on several occasions.

In addition, we also find that she acted with inexcusable and deplorable negligence. Therefore in such circumstance the Attorney could be struck off, however, because the Attorney had been previously struck off, this Panel cannot make a similar order. Had she not been struck off this Panel would have made such an order striking her off the Roll of Attorneys, as she is clearly guilty of professional misconduct in breach of Canons IV(r) and IV(s) of the Legal Professional (Canon of Professional Ethics) Rules.

Dated the 5th day of February 2011


Mrs. Margarette Macaulay


Mr. Walter Scott


Mr. John Graham

FORMAL ORDER OF THE DISCIPLINARY COMMITTEE OF THE GENERAL
LEGAL COUNCIL MADE ON COMPLAINT

NO. 3

2010

IN THE MATTER OF ISMORE GORDON AND

ANTONNETTE HAUGHTON CARDENAS

IN THE MATTER OF THE LEGAL PROFESSION
ACT

PANEL: MRS. MARGARETTE MACAULAY
MR. WALTER SCOTT
MR. JOHN GRAHAM

UPON THE APPLICATION dated 1st December, 2009 made under section 12(1)(a) of the Legal Professional Act and coming on for hearing before the Disciplinary Committee on the 5th February, 2011.

AND UPON the Complainant Ismore Gordon appearing and having given evidence on oath

AND UPON the Respondent Attorney Antonnette Haughton-Cardenas not appearing the said Attorney having been properly served with the notice of hearing pursuant to Rule 21 of the 4th Schedule of the Legal Profession Act.

AND UPON DUE CONSIDERATION of the sworn evidence of Mr. Ismore Gordon.

THE COMMITTEE FINDS the Attorney Antonnette Haughton-Cardenas guilty of professional misconduct. The Attorney did not provide the Complainant with all or sufficient information as to the progress of his business although she was reasonably required to do so on several occasions.

In addition, the Committee also finds that she acted with inexcusable and deplorable negligence.

PURSUANT TO THE FOREGOING FINDINGS THE COMMITTEE UNANIMOUSLY FINDS THAT:-

In the instant case, the Attorney could have been struck off, however, because the Attorney had previously been struck off the Roll of Attorneys, this Panel cannot make a similar order. Had she not been struck off, the Panel would have made such an order, as she is clearly guilty of professional misconduct in breach of Canons IV(r) and IV(s) of the Legal Profession (Canon of Professional Ethics) Rules.


CHAIRMAN OF THE PANEL

DATED THE 5th DAY OF February 2011