

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

COMPLAINT NO. 215/2017

IN THE MATTER OF NADINE DAWKINS, COMPLAINANT
AND HOWARD LETTMAN, ATTORNEY-AT-LAW

AND

IN THE MATTER OF THE LEGAL PROFESSION ACT, 1971.

PANEL: Mrs. Ursula Khan- Chairman
Mr. Dane Marsh
Mrs. Nadine Guy

Appearance: Mrs. Nadine Dawkins – Complainant appearing by Skype

Absent: Mr. Howard Lettman – Respondent Attorney

On the 25th September, 2019 the panel was not properly constituted and the matter was adjourned to the 13th November, 2019 for the sanction hearing.

Notices of Hearing were sent to both parties on the 16th October, 2019 for hearing on the 13th November, 2019. At 11:45 a.m. the Respondent was absent when the matter was called, and the Panel proceeded to deliver the Sanction.

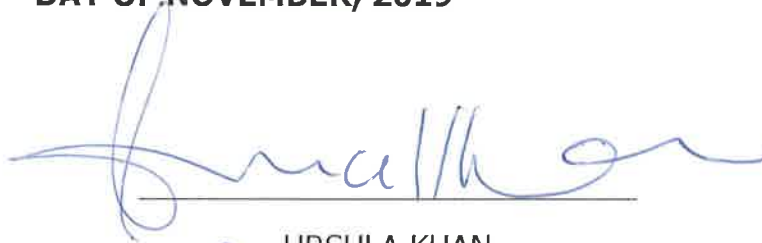
DECISION

The Panel noted that there was no explanation from the Respondent Attorney for his absence. At no time did the Respondent attend any of the hearings nor did he file an Affidavit in response nor did he file any submissions in mitigation. No explanation therefore has been provided by the Respondent Attorney as it relates to the utilization or distribution of the deposit which he received from the complainant as the attorney-at-law having carriage of sale. The Panel accepts the complainant's evidence with respect to the deposit of \$834, 950. 00 and that it included the cost of stamping the documents and transfer tax. In her evidence as she stated that the documents were not stamped. We accepted what she said and accepted her as a witness of truth, especially because she was not contradicted by the Respondent Attorney.

The panel therefore orders:

- (i) That the Respondent Attorney be struck off the Roll of Attorneys entitled to practice in the several courts of Jamaica.
- (ii) That by way of restitution the Respondent Attorney shall pay the sum of \$1,536,950.00 to the complainant on or before the 31st December, 2019, being the deposit of \$834,950.00 plus \$702,000.00 being expenses incurred.
- (iii) The attorney shall pay to General Legal Council costs in the sum of \$300,000.00 on or before the 31st December, 2019 and from that said sum \$100,000.00 is to be paid to the complainant as costs.

DATED 13TH DAY OF NOVEMBER, 2019



URSULA KHAN



DANE MARSH



NADINE GUY