

HIS HONOUR: Where is that judgment?

STEWART: We don't have a copy of that. I recall it was an ex temp judgment.

DUFFY: I was told by Justice White to provide information about Tasman's needs and as soon as I was back in Court that year--

HIS HONOUR: Ms Duffy, it sounds to me that what I have been telling you, you have already been told by another judge. At the moment there is no information on the court file in the affidavits unless you can point me to some. There is no evidence about Tasman's financial and material circumstances. I will hand down the affidavits you asked me to read earlier so you can look through them quickly and see if there is any information about Tasman's financial position and current needs in the affidavits you handed up.

I am handing down the affidavit of 4 February affidavit of 7 May and two affidavits that you handed to me this morning of Mr Gould and one of yourself. Just look through them and tell me if there is anything I have missed that deals with the financial circumstances of Tasman and his age or information about him at all.

DUFFY: No, your Honour it was provided by my previous solicitor, Clive Mills.

HIS HONOUR: Could I have those affidavits back. Those are the only affidavits to which you referred me this morning so I do not have any other affidavits on the court file, which I have already indicated to.

If those affidavits have been done and they are current then it may be that you can rely on them. I'm not sure because I haven't seen them. So if you are going to proceed with your notice of motion then at least all of that information needs to be on the court file. How long do you need to get together the evidence?

DUFFY: One day, your Honour.

HIS HONOUR: Ms Duffy, can I suggest you take a little bit more consideration of what you need to do in this matter. One day doesn't demonstrate to me you have given consideration to what I have said.

DUFFY: One month.

HIS HONOUR: Take a seat.

I direct the defendant to take such steps as are left to be taken in order to obtained administration of the deceased's estate within seven days of today, including but not limited to the filing of all documents necessary in the Court registry as well as responding to any requisitions that have to date been issued by the Court.

Ardino, Rocco Michael, Solicitor, Morgan Ardino & Co



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Register of Disciplinary Action

PRACTITIONER NAME:	Ardino, Rocco Michael
PRACTITIONER TYPE:	Solicitor
DATE/S OF ADMISSION/S:	16/07/1975
FIRM NAME:	Morgan Ardino & Co
BUSINESS ADDRESS or FORMER ADDRESS:	Suite 44 23 Norton Street Leichhardt NSW 2040
PLACE OF ISSUE OF PRACTISING CERTIFICATE:	New South Wales
SUBSTANCE OF CONDUCT MATTER:	Delay
FINDING:	A reasonable likelihood of a finding of unsatisfactory professional conduct
BY:	Legal Services Commissioner (NSW)
DATE:	08/24/2007
DISCIPLINARY ACTION:	Reprimand

Should you require further information on this matter you should contact:

Law Society of NSW on 9328 0333
NSW Bar Association on 9229 1745
Office of the Legal Services Commissioner on 9377-1400