



JIMERSON & COBB, P.A.

April News from Jimerson & Cobb



There is a tendency among some businesses to criticize and belittle their competitors. This is a bad procedure. Praise them. Learn from them. There are times when you can cooperate with them to their advantage and to yours! Speak well of them and they will speak of you. You can't destroy good ideas. Take advantage of them.

-George Matthew Adams

Regards,
[Christopher M. Cobb, Esq.](#)

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J&C partner pens Jacksonville Business Journal Op-Ed

J&C shareholder Charles Jimerson wrote an Op-Ed published in the March 15-21 edition of the *Jacksonville Business Journal*. The piece focused on highlighting the importance of the construction industry on the health of the local economy and its education system.

To read the article, click [here](#).

The road to recovery: through construction

Recently I had the opportunity to listen to an economic update speech given by a representative of the Federal Reserve Bank of Atlanta that had a Jacksonville focus. The data shows that Jacksonville's economic state was not as dismal as the state average, but its recovery has not been positive.

The geographic areas that are recovering fastest are those that are reconstituting the weak and disintegrated construction industry. Not surprisingly, these same areas have higher ranked public-school districts that have shown the most marked improvements.

At the risk of stating the obvious, all sectors of Florida's economy lost jobs during the recession — especially construction. From the peak of the mid-2000 boom to the trough of the "great recession," the construction industry in Florida lost 31.1 percent of its workforce.

From trough to present, however, the construction industry has added 41 percent more jobs. This was a huge swing.

While this is not the robust and hale-trigger recovery many had hoped for, it is a very enduring rate that substantiates projections credulous industry analysts professed. In fact, the 41 percent growth to prevent change sectors in positive change, with business services, education and health care and leisure and hospitality being the leading sectors of significant growth.

The statewide construction job growth numbers, however, do not compare with the last 12 months of our Jacksonville employment data. During that time, Jacksonville's construction industry continued to weaken, losing 3.8 percent of its workforce.

While the unemployment rate in Jacksonville is over twice the state and national average, the amelioration of local construction jobs continues to fall short of other sector expansion.

What does this mean to our local economy and our public resources? A strong construction industry tends to translate to more homes, more jobs (as manufacturing, professional services and transportation/communications tend to construction sector growth) and a stronger property tax base that generates revenue to support our local schools and communities.



Charles B. Jimerson

Of the many challenges Jacksonville faces, I can personally attest that education is of paramount concern. Often parents of Duval County children reluctantly pay an extra \$15.00 and "up per year" Duval County education tax "for private schooling rather than risk putting their children in a public school system that has been historically substandard.

I do not pretend to know all of the solutions to the struggles of our local educational system, but cannot seem help me that a healthier local economy would yield more resources for training teachers, cultivating vocational programs, driving policy-making accountability and promoting empowered families.

While it may not be the alpha and omega for long-term economic sustainability, the data shows that there is a substantial nexus between healthy educational and governmental programs and the strength of our local construction sector. It is now up to our elected officials and business leaders to adhere to Arnold Palmer's axiom, "the road to success is always under construction."

Charles B. Jimerson is a partner at Jimerson & Cobb P.A. in Jacksonville.

FEEDBACK

"The Business Journal welcomes your comments about articles in the newspaper or issues you feel affect the Jacksonville business community. Letters can be sent by fax, 904-676-0100, by e-mail: jbus2@bizjournal.com, or by mail to: Editor—The Business Journal 200 W. Forsyth St., Suite 1150 Jacksonville, FL 32202

■ All submissions become the property of The Business Journal and will not be returned. Submissions may be edited and may be published or otherwise used in any medium.

Featured bLAWg Posts

Contractor Advertising: Include Your License on All Social Media Outlets and Websites

By: [Christopher M. Cobb, Esq.](#)

With the construction industry working again, construction companies are continuing to look for alternative and non-conventional methods of advertising their services in order to secure projects. Advertising can make the difference between an outstanding business year and "keeping the lights on." Florida contractors have many new ways of promoting their businesses with the increased use of internet websites and the advent of social media outlets.

Click [here](#) to read the full bLAWg post.

Five Tips for Appearing Before Florida's Regulatory Boards

By: [Matthew F. Havice, Esq.](#)

Florida's Department of Business and Professional Regulation ("DBPR") is the state agency in charge of licensing and regulating businesses and professionals within Florida. The DBPR is under the control of the executive branch of government and governed by the Administrative Procedure Act, found in Chapter 120 of The Florida Statutes. The DBPR breaks down its regulation into businesses and professions.

Click [here](#) to read the full bLAWg post.

Additional bLAWg Posts

Unlicensed Contracting and the Doctrine of In Pari Delicto

By: [Christopher M. Cobb, Esq.](#)

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Tree Removal Laws in Jacksonville, Florida

By: [Austin B. Calhoun](#)

Click [here](#) to read the full bLAWg post.

Top 10 Considerations When Taking a Deposition in Aid of Execution

By: [Kelly A. Karstaedt, Esq.](#)

Click [here](#) to read the full bLAWg post.

Subdivision Improvements and the Single Claim of Lien

By: [Christopher M. Cobb, Esq.](#)

Click [here](#) to read the full bLAWg post.

Banking Liability and Avoidance of Check Scams: Enforcing Deposit Agreements When Customers Have Been Defrauded by Nigerian Check Scams

By: [Charles B. Jimerson, Esq.](#)

Click [here](#) to read the full bLAWg post.

The Florida Supreme Court Has Limited the Economic Loss Rule to Products Liability Cases: Are Torts Claims Now Available for Economic Losses When Parties are in Contractual Privity?

By: [Matthew F. Havice, Esq.](#)

Click [here](#) to read the full bLAWg post.



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Results Driven

Community stewards by night; see what we do for our clients in our day job.

<ul style="list-style-type: none">*Obtained summary judgment of liability in Federal Court action for breach of \$10,000,000 capital investment contract.*Successfully negotiated a settlement on behalf of defendants in an eviction suit which allowed the defendants to remain in the leased property.*Retained by condominium owners to pursue construction defect claims.*Engaged to represent yacht owner in coverage dispute with maritime insurer regarding sunken yacht and denied insurance coverage.*Authored opinion letter regarding the right for condominium to hold elections using online voting portal.*Engaged to assist general contractor in contested commercial construction project close-out.	<ul style="list-style-type: none">*Retained by luxury homeowner to pursue contractor who abandoned renovation project.*Negotiated a payment plan for full judgment value on behalf of a commercial land developer and landlord who received a judgment against a tenant who breached her lease for office space.*Drafted series of renovation contracts for condominium association.*Settled dispute surrounding concrete supply invoices.*Represented employer in stifling competitor's tortious interference with employees under contract.*Argued against motions to dismiss in condominium class action construction defect action.	<ul style="list-style-type: none">*Retained by plumbing company to pursue breach of contract claim.*Worked with condominium association on acquisition of common elements from delinquent unit owners.*Retained to foreclose construction lien on commercial project.*Obtained charging orders against judgment debtor's LLC membership interests and levied stock of company.*Filed claims of breach of loan documents and fraud on behalf of lender against borrower who materially misrepresented financial position in credit underwriting.*Negotiated no money paid dismissal of action brought against creditor accused of violating bankruptcy stay.
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Client Focus: Dixie Plumbing Service, Inc.

A monthly feature on one of our valued clients.



[Dixie Plumbing Service, Inc.](#), was incorporated on May 26, 1971, by its owner and president, Albert C. Korelishn. Mr. Korelishn is also a board member of the Construction Industry Licensing Board and has served the State of Florida in this capacity for many years. Dixie Plumbing serves the South Florida region from north of Palm Beach County to Broward and Dade counties. They specialize in commercial properties, warehouses, car dealerships, restaurants, new home construction and renovation. They also have a service department to handle the occasional clogged or leaking pipe.

Jimerson & Cobb is proud to represent Dixie Plumbing Service, Inc. and wishes it continued success throughout 2013.

Firm News

Curiosities, ruminations and various eccentricities of firm biz.



JBA Construction Law Committee Update

Chairman Christopher Cobb and Vice-Chairman Charles Jimerson will host April's JBA Construction Law Committee lunch at their office. The Construction Law Committee is a subsection of the Litigation Committee for the JBA and is dedicated to being a resource for JBA Construction Law practitioners and providing them a forum to discuss new industry trends and construction law practice tips. Local expert Brett Newkirk, P.E., will be the April guest speaker and will present on various construction defects and the possible remedies for such defects.



Social Madness

J&C has joined in on the Social Madness! Social Madness is a one-of-a-kind competition that measures a company's social media engagement. Last year, nearly 4,000 companies participated nationwide. J&C was mentioned in a JBJ article on the competition. Click [here](#) to check it out.

CORPORATE COUNSEL

2013 Top Rated Lawyer

Charles Jimerson was named a 2013 Top Rated Lawyer in Commercial Litigation by *The American Lawyer and Corporate Counsel* magazine. The magazine partnered with Martindale-Hubbell to highlight the Top-Rated Lawyers in its upcoming May issue.



March Madness

In what has become quite the office competition, law clerk rebounded from last year's disappointing finish to top this year's office bracket challenge. Attorneys Kelly Karstaedt and Hans Wahl tied for second place.



Make Up Your Own Holiday

On March 26th we participated in Make Up Your Own Holiday Day by celebrating the unusual holiday of Get a Different Name Day. Each employee was tasked with making up a name for another employee. Everyone had to wear a name tag all day with their "name for the day" on it and could only be referred to by others as that name. Some notable names included Ponch, Crash Davis and Terry Tate, Office Linebacker. Luckily one attorney remembered to remove his nametag before heading off to court!



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