



JIMERSON & COBB, P.A.

December News from Jimerson & Cobb



Christmas is that magical time when elves live on shelves and move every night. Reindeer can fly and one has a red nose and big ol' jolly Saint Nick somehow gets down that chimney to deliver presents. It is when we sing Silent Night to a candlelit congregation. We have family over for a feast and get to spend the entire day of December 25 in our pajamas (yes, I actually do). The magic of Christmas is resurrected when

I see the absolute joy and amazement on my daughters' faces when they see those presents. Honestly, I get a little excited seeing those presents, too. For those of us who are having difficulty picking out presents this year, Oren Arnold has some Christmas gift suggestions: "To your enemy, forgiveness. To an opponent, tolerance. To a friend, your heart. To a customer, service. To all, charity. To every child, a good example. To yourself, respect."

Merry Christmas and Happy New Year to all.

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

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J&C partner named top attorney under 40 in the state by the ASLA

J&C partner Charles Jimerson was named one of the Top 40 Under 40 litigation lawyers in the State of Florida for 2014 by the American Society of Legal Advocates (ASLA).

The selection process is a culmination of a multi-stage process in which ASLA lawyers independently researched information on tens of thousands of lawyers, and in filling each Top 100 and Top 40 (under age 40) category, ultimately selecting less than 1.5 percent of lawyers nationally.

Congrats, Charlie!



Featured bLAWg Posts

Obtaining Fair Value for Disassociated, Oppressed or Redeemed Minority LLC Members in Florida

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

We are often asked by clients who contact us in corporate disputes how they can maximize value when they are a minority interest holder of an Limited Liability Company when the LLC operating agreement authorizes the Board, at its discretion, to repurchase a member's interest at book value. In short, there are primarily two approaches to reach a fair value determination of the minority's membership interest: (1) request equitable relief on the basis of a fiduciary breach claim, or (2) request equitable relief from minority oppression.

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

Condominium Association Official Records and Written Inquiries

By: [James O. Birr, III, Esq.](#)

Condominium associations in Florida often receive requests from unit owners to examine the "official records" of the association, as well as written inquiries seeking information from the association's board. See Section 728.111(12) and 718.112(2)(a)2 of the Florida Statutes. The Florida Condominium Act empowers condominium unit owners to request such information, however, the scope of such requests inquiries is limited.

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

Additional bLAWg Posts

Top 5 Issues in Today's Hydraulic Fracturing Litigation

By: [Charles B. Jimerson, Esq.](#) and Mark F. Moss

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

Can Lawyers Speak to Their Clients When They are Being Deposed?

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

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

Florida's Revised Limited Liability Company Act: Part IV - Indemnification of

Members and Managers

By: [Hans C. Wahl, Esq.](#)

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

Can a Condominium Association To Vehicles for Unpaid Assessments? 2013 Florida Law Amendments Address the Issue

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

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

Florida's Revised Limited Liability Company Act: Part III - The Right to Disassociate from the LLC

By: [Hans C. Wahl, Esq.](#)

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

Obtaining Relief from a Default Final Judgment in Bankruptcy

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

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Florida's Revised Limited Liability Company Act: Part II - Filing Statements of Authority

By: [Hans C. Wahl, 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.

*Argued against motions to dismiss claims against developer appointed condominium board members.

*Represented objecting creditor to Chapter 13 plan based upon undisclosed assets.

*Deposed debtors in replevin action for recovery of construction equipment.

*Obtained final judgment of foreclosure against property owner in default of monthly assessments owed to a condominium association.

*Successfully negotiated settlement agreement involving homeowners, developer and general contractor.

*Drafted and recorded assessment liens against delinquent unit owners.

*Drafted agreement for certified general contractor as qualifier for construction business to minimize risks as the license holder for the company.

*Represented competing franchisee in new venture and

*Drafted indemnity agreement as consideration for quit claim deeds to shield against liability associated with the subject property.

*Restructured corporate makeup for company with deceased majority shareholder.

*Supervised multi-day inspection of condominium in class action defect lawsuit.

*Domesticated judgment for lender with foreign judgment against mid-sized Florida business.

*Obtained title abstract and analyzed prior encumbrances for complex loan modification and loan document assignment transaction.

*Propounded over twenty non-party subpoenas on fact witnesses in multi-party commercial contract dispute.

*Retained to defend condominium association in declaratory action over lender safe harbor.

*Revised contract for construction of large student housing facility.

*Retained to record multimillion dollar construction lien on commercial project.

termination of franchise agreement.

*Finalized opinion on disputed definition of "Unit" for condominium association.

*Successfully obtained relief from the bankruptcy code's automatic stay to enable a condominium association to initiate its own foreclosure action against debtor's property.

*Engaged to analyze homeowner association voting and election for possible arbitration.

*Recorded liens to collect unpaid assessments due condominium association.

*Represented trim company in asserting and collecting on claim of lien for large deck installation.

*Engaged in Chapter 558 inspection on commercial property.

*Represented business owner of commercial storage facility as personal counsel and defense consultant during two-week jury trial in Fort Lauderdale where verdict returned was less than 25% of the last demand and only 30% of the liability for the verdict was assigned to the client.

Client Focus: Waychoff's Air Conditioning

A monthly feature on one of our valued clients.



Waychoff's Heating and Air Conditioning is one of Jacksonville's top air conditioning repair and service companies. They offer complete service and repair on all makes and models of heat pumps and air conditioning systems.

Jimerson & Cobb is proud to represent [Waychoff's](http://Waychoffs.com) and wishes it continued prosperity for the future.

Firm News

Curiosities, ruminations and various eccentricities of firm biz.



J&C to bowl for JA
J&C is already dusting off their bowling balls and shining their shoes in preparation for the Junior Achievement Spring Challenge on March 8.



Happy Holidays!
J&C hosted its employees and their families at its holiday party this month. The soiree was held at Dave & Buster's and featured a rousing murder mystery



November is here
in celebration of No-Shave November, each male employee grew out their facial hair to help raise awareness and money for male cancer



File clerk now full-time
J&C file clerk Samantha Trance is now a full-time employee. We are happy to have her smiling face around on a full-time basis!

It will be held at 11:30 a.m. at Bowl America on San Jose Boulevard. Check out this year's [prize structure](#), and contact [Molly Roberts](#) (JA special events coordinator) with questions.

game, complete with 1920s-era costumes and loads of intrigue. Kudos to the ladies of the event's committee who put on a unique and fun way for us to celebrate the holidays!

research. Check out our "Movember" team page (and make donations to the cause) [here](#). Below are the men of J&C in their facial hair glory.



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