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Client focused. Results driven.

Happy New Year from Jimerson & Wilson,



P.A.

As we begin 2011, we are excited to offer our clients, colleagues and friends with another way to stay abreast of legal and business related items that affect our firm and the clients we serve. In each issue you will find features on industry news, Jimerson & Wilson bLAWg posts, client spotlights, recent legal results and firm news or events.

I hope you enjoy reading our newsletter as much as we had writing it.

Very truly yours,
[Charles B. Jimerson, Esq.](#)

Featured bLAWg Post: The Life Cycle of Judgments and How to Extend Them

By: [Harry M. Wilson, IV, Esq.](#) and [James D. Stone, III, Esq.](#)

While obtaining a judgment against a debtor that owes you money is an important victory, it is often not the final battle one fights against the debtor. Just as there are time limitations on your ability to file an action against a debtor, there are also time limitations to enforce a money judgment in Florida. Though the general rule is that the life of a money judgment is 20 years in the state of Florida, it is important to know the procedures a judgment creditor must employ in order to extend the judgment for the full 20 years.

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



Featured bLAWg post: Domesting Florida

January 2011

In this Issue

[Featured bLAWg Post: The Life Cycle of Judgments and How to Extend Them](#)

[Featured bLAWg Post: Domesticating Florida Judgments in Georgia: Part 1](#)

[Featured bLAWg Post: Recent Changes in Condominium Law Effective July 1, 2010](#)

[Additional bLAWg posts](#)

[Service Spotlight: Creditors Rights](#)

[Industry News](#)

[Firm News](#)

[Client Focus: The Jacksonville Bank](#)

[Results Driven](#)

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Judgments in Georgia: Part 1

By: [Emily C. Williams, Esq.](#)



Both Florida and Georgia have adopted their own versions of the Uniform Enforcement of Foreign Judgments Law. This is important for a creditor who has been awarded a final judgment against a Florida debtor in a Florida court, when that debtor suddenly relocates to Georgia and establishes a residence there. Without this law, the creditor would not be able to enforce the judgment against the newly transplanted debtor. Instead, and because of this law, the creditor's judgment is still enforceable in a Georgia court, so long as it is domesticated within ten years of the date of its entry in Florida. On the other hand, if a creditor is awarded a final judgment against a debtor in a state that has not adopted a version of the Uniform Enforcement of Foreign Judgments Law, the creditor is allotted only five years to enforce the judgment. In either case, specific procedures must be followed in order to reach the ultimate goal: the enforceability of your judgment in a foreign state.

[Click here to read full bLAWg post.](#) Please check our bLAWg next month for Domesticating Florida Judgments in Georgia- Part II, which discusses why you should domesticate your judgments and what a domesticated judgment enables you to do.

Featured bLAWg Post: Recent Changes in Condominium Law Effective July 1, 2010

By: [Harry M. Wilson, IV, Esq.](#)



Builders, developers and investors should understand recent changes to Florida condominium law. Developers, lenders, unit owners and associations alike have been damaged by the meltdown of Florida's economy due, in part, to the excessive construction of condominiums well beyond consumer demand. The Florida Legislature took steps to address these recent problems with the passage of Senate Bill 1196 and House Bill 561. The following is a brief summary of some of the legislation included in Senate Bill 1196 signed into law on June 1, 2010, by Governor Charlie Crist. S.B. 1196 amends portions of Chapter 718 (the Condominium Act) and the new provisions portend changes for condominium unit owners and associations alike. The changes were made effective July 1, 2010. This bLAWg post touches on the most relevant portions of the new laws.

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

Additional bLAWg Posts

[Identifying and Negating Successful Defenses to Valid Personal Guarantees](#)

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Client Focus



The Jacksonville Bank is a wholly-owned subsidiary of Jacksonville Bancorp, Inc., a publicly traded company trading under the stock symbol (JAXB). The Jacksonville Bank is headquartered in Downtown Jacksonville, with 8 local branches.

The Jacksonville Bank's business philosophy is to mirror the spirit and values of Jacksonville- openness, friendliness, and simple honesty combined with a progressive vision.

[What lienors of real property need to know about Slander of Title claims](#)

[Reasonable and Effective Non- Compete Clauses from the Employer's Perspective](#)

[The penalties for passing a bad check in Florida](#)

[Considerations in Foreclosing SBA 504 Mortgages](#)

[Business Judgment Rule - Shielding the Corporate Director from Personal Liability and Considerations of Efficient and Financially Reasonable Resolutions](#)

[Overview of Documentary Stamp Tax in Florida](#)

[Pleading Unjust Enrichment in Construction Litigation](#)

[Understanding the process for employee sexual harassment claims](#)

[Understanding the basics of equitable estoppel and using equitable estoppel principles to create insurance coverage in Florida](#)

[Independent Contractor vs. Employee - What is your status?](#)

[Protection From False Claims Act In Construction](#)

[An Overview of Condominium Liens in Florida](#)

The Jacksonville Bank endeavors to offer a breadth of comprehensive financial services and technological conveniences offered by the megabanks, without losing the personal attention you expect from a community bank.

The Jacksonville Bank meets the banking needs of people and businesses all over Jacksonville as well as forming alliances with partners to offer complete and comprehensive services-including mortgages, lockbox services, insurance and investments-through some of the most experienced and respected names in the business.

Jimerson & Wilson, P.A. is very proud and thankful to represent The Jacksonville Bank and wishes it continued success in 2011.

J&W Service Spotlight: Creditors Rights

In addition to our business litigation, construction law and financial services industry practice, we also offer a wide range of legal expertise to our clients, including our Creditors Rights and Commercial Collections services. Our creditor's rights practice generally includes providing assistance and legal services in the area of collecting debts, including work-out arrangements, judgment and post-judgment enforcement actions, real estate foreclosures, Uniform Commercial Code dispositions and similar proceedings. In the arena of creditor rights, Jimerson & Wilson understands and appreciates that securing a judgment is typically the first and often simplest of the steps necessary in providing the client with a solution. Jimerson & Wilson represents all secured and unsecured creditors, including banks, community & homeowners associations, suppliers, and business professionals. Examples of the collection, litigation, and enforcement matters we regularly handle are the following:

- Bank loans secured by inventory, accounts receivable, motor vehicles, equipment, goods, real estate, or investment securities
- Enforcement of a personal guaranty or pledge
- Open accounts for inventory sales based on credit transactions
- Breached contracts for supply of materials or provision of services
- Unsecured loans and private financing agreements

The skilled legal professionals at Jimerson & Wilson work closely with clients to best discover their debt recovery objectives, including their

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*Jimerson & Wilson attorneys represented a regional bank in working out several complex Deed in Lieu of Foreclosure transactions on commercial properties tied to non-performing loans.

*Jimerson & Wilson attorneys represented a national bank in the liquidation of inventory and assets it obtained through secured party assignment under UCC §9-607.

*Jimerson & Wilson attorneys represented a community bank in obtaining a multi-million dollar collateralized property through contested commercial

comfort level with civil litigation and post judgment measures (e.g. wage garnishments and asset seizure). After discussing with clients the debt collection approach that best fits their individual and business needs, our collection attorneys aggressively pursue client objectives in the most efficient manner possible. Our experience with and understanding of Florida commercial and consumer debt collection can help maximize the likelihood that your judgment will be paid. Jimerson & Wilson's creditors rights and collections experience has enabled the firm to develop internal systems and processes through integration of specialized technology and well trained collection professionals that ensure collections claims are processed and prosecuted in a timely and organized fashion regardless of amount in controversy.

For more information about our [Creditors Rights and Commercial Collections practice](#), or to discuss your legal concerns with a lawyer who understands creditors rights and commercial collection law, [contact](#) our offices today.

Industry News

*Approximately 14 percent of Florida mortgages are in foreclosure and over 23 percent are past due. [Courts are making progress in moving foreclosures through the system](#) - largely thanks to supplemental legislative funding. However, courts are bracing for a wave of commercial foreclosures this year.

*[2011 predictions for manufacturing by Industry Week](#).

*International Business Machines Corp. unveiled its fifth annual "[Next Five in Five](#)" - a list of innovations that have the potential to change the way people work, live and play over the next five years.

*Abel Harding encourages Jacksonville's city leaders to [make downtown development a priority for 2011](#).

*[An overview of health care changes that arrive in 2011](#).

J&W Firm News

*[Mary Nussbaum joined Jimerson & Wilson, P.A., as its executive director](#). Her responsibilities will focus on all systems and support functions and personnel staff of the firm.

*[Parlegal Alban E. Brooke, II leaves Jimerson & Wilson, P.A. to attend Law School at The University of Georgia](#). Devasted by the loss, the firm threatens him with blackmail with all of his deepest darkest secrets if he does not return as an attorney.

*Managing Partner Charles B. Jimerson was recently featured in the [Lawyer Snapshot profile](#) as run by The Jacksonville Financial News and Daily Record.

*The firm had a festive holiday party. James D. Stone, III was very pleased with the shake weight he acquired in the "yankee swap" gift exchange. Mary Nussbaum and Charlie Jimerson won the Taboo board game

foreclosure proceedings, to include obtaining and executing on deficiency judgments against the guarantors.

*Jimerson & Wilson attorneys represented several national equipment and materials supply companies in obtaining judgments and full recovery in actions in Florida, Georgia and Alabama State and Federal Courts.

*Jimerson & Wilson attorneys "ramped up" on short notice to defend a competing employee in breach of employment agreement, trade secret and non-compete temporary injunction proceedings.

*Jimerson & Wilson attorneys represented asphalt and site work contractor in obtaining full recovery of amounts owed from disputed hotel construction project.

*Jimerson & Wilson attorneys represented local HVAC contractor in defending action for avoidance of preferential payments in bankruptcy.

*Jimerson & Wilson attorneys obtained full recovery for statewide building materials supplier on multiple matters relating to the foreclosure of construction liens.

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tournament and Reece Wilson concluded the night by serenading guests with the smooth sounds of his acoustic guitar. He may or may not have even freestyled songs made up about various employees on the spot.

[Back to the Top](#)



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J&W Practice Areas

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