



## July News from Jimerson & Cobb



Clarence Darrow once said, "the trouble with the law is lawyers." I tend to agree. One of the foremost problems with civil litigation is that it is so expensive, and the reward (if any) is so delayed. As the lawsuit drags on through the system - pleadings, motion practice, discovery, etc. - the matter becomes a war of attrition, with parties often motivated to settle

the dispute not based on the merits of their respective positions, but based on the costs they are incurring and the extent of their financial and emotional resources.

If this is a plague infecting our profession, what can we do about it as lawyers? The answers that come to mind are:

1. Focus your case strategy at onset to ensure that the main thing stays the main thing throughout the engagement;
2. Form an efficient legal team that leverages resources and technology;
3. Assess and reassess the value of the case at all stages. Compare the return on investment with the legal budget to ensure value to the client is always given;
4. Put your clients to work for you. Communicate well with them, use their personnel assets and get them personally invested in the development of their own case; and most importantly...
5. Cooperate with opposing counsel at every available opportunity.

### In This Issue

[J&C to Host Construction Law Seminar](#)

#### J&C Blogs

[Florida Construction Law Blog](#)

[Florida Condominium Law Blog](#)

[Florida Business Litigation Blog](#)

#### Firm News

#### Connect With Us



#### [Join Our Mailing List](#)

### Client Spotlight: Bakkar Group, LLC



Bakkar Group, LLC is a Jacksonville Beach, Florida

based company that is dedicated to providing high-quality development, construction, leasing and sales, property management, and real estate services to their clients.

For over 35 years, Bakkar Group, LLC has been developing commercial

This last point is worth emphasizing, as it is the factor that will provide the most collective financial and emotional return on investment. The only time I am not smitten with my job is when I am involved in a case with a lawyer who I detest and have trouble getting along with. When lawyers get too emotionally and personally involved with the case, there are very few good things that can come out of it. We've all been there. That's why we learn from yesterday, live for today and plan for tomorrow.

When I get too charged up about a case it is because of one reason and one reason only - I am a fierce competitor. But there are ways to compete and zealously advocate without turning a dispute between clients into an all-out battle royal amongst the parties and the lawyers. When lawyers start to lose their civility, it brings us all down. The clients lose as the cost of litigation unnecessarily increases, the court system loses as it is burdened with avoidable and immaterial squabbles, the lawyers lose because they've hoisted their own petard by damaging their professional reputation and making an already stressful job much more stressful than it needs to be, and the profession as a whole loses because the character and integrity of our lawyers are called into question with every preventable dust-up. We urge our lawyers to cooperate where we can and choose our battles. Pick battles big enough to matter and small enough to win. Don't let something that doesn't matter (read: pride and ego) cause you to lose something that does (read: your client's case and your client's business).

Picking your battles with opposing counsel is just the first step in garnering a more accordant Bar. The second step is fighting those imperious battles in a dignified manner. Civility costs nothing and buys everything. Recently I wrote in an article for a local newspaper as part of my Board of Governors responsibilities for the Jacksonville Bar Association, "If you can't be civil to your opposing counsels, please be quiet and be seated. Go run for President or some other job that seems to be indiscriminately accepting applications. When you're interacting with other lawyers, ask yourself: Is it kind? Is it true? Is it necessary? You don't have to be a jerk to compete or to win in this business. We are a more credible Bar when we focus less on raising our voices and more on improving our arguments."

The fact of the matter is that it takes experience to learn that the competitor to be feared is the one never bothers you at all, but goes on making his or her case better all the time. I tell our younger lawyers that if competition is why you are in this business, I can assure you that there are many better ways to

projects for clients in Northeastern Florida. Their goal is to create environments that enhance and better their wider communities, mainly through the acquisition and development of retail shopping centers.

Jimerson & Cobb is proud to represent [Bakkar Group, LLC](#), and wishes them continued success throughout the year.

competitively do your job than by provoking altercations. Look in the mirror...that's your competition. Make yourself and your case better every single day. When you do that you will have confidence, and confidence has no worthy adversary.

Wishing you all a happy and healthy summer.

Very truly yours,



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

## J&C to Host Construction Law Seminar



Jimerson & Cobb will be offering a specialized course designed for the construction industry that will cover the construction licensing process, construction liens/bond law, construction defects as well as detailed provisions in construction contracts. This free, informative course provides participants with 4 CE credits (1 hour Laws & Rules, 1 hour Business Practice, and 2 hours General) and a wealth of knowledge.

The course will be held on Thursday, September 29th, from 9:00 am to 2:00 pm in the auditorium of the Wells Fargo Center in Downtown Jacksonville. We will also be providing a delicious lunch for all attendees.

If you are interested in attending, please click [here](#) for registration information.

## Check Out Our Blogs

Are you signed up to receive any or all of our blogs? If not, please click [here](#) to sign up.

- [Florida Construction Law](#)
- [Florida Condominium Law](#)
- [Florida Business Litigation](#)

Sign up to receive one or all three via RSS feed or email through each site! Following are some of the highlights from recent postings.

## Florida Construction Law Blog



## **Recent Changes to Florida Homeowners Construction Recovery Fund Effective July 1, 2016**

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

The Florida Homeowners' Construction Recovery Fund was created under Chapter 489, Florida Statutes as a separate account in the Professional Regulation Trust Fund. The recovery fund is funded pursuant to s. 468.631. Its purpose is to provide relief for Florida homeowners who have been harmed by Florida licensed contractors. For more information on the creation and operation of the Recovery Fund, please see my blog post of September 2014. This post will discuss recent legislative changes to the Recovery Fund which expands homeowner recovery to Division II contractors.

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

## **Florida Condominium Law Blog**



### **5 Prudent Actions a Community Association Should Consider When Navigating Turnover**

By: [D. Brad Hughes, Esq.](#)

Whether your community association is a Homeowners Association, governed by Chapter 720, Florida Statutes, or is a Condominium Association, governed by Chapter 718, Florida Statutes, there are important things the Community Association Board (hereinafter the "Board") should know and important actions that a prudent Board should consider at turnover. A Board's failure to take such actions doesn't constitute negligence or the breach of an express duty, but taking such actions helps to ensure the new Board has as much information as possible at turnover. Turnover of a Homeowners Association is governed by 720.307, Florida Statutes. Turnover of a Condominium Association is governed by 718.301, Florida Statutes. Essentially, turnover means that the purchasers' are entitled to elect a majority of the members of the Board of the Community Association. Turnover is the act that strips a developer of its control over the Community Association, its community property and Community Association funds.

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

### **Condominium Associations Suffer Financially When Failing to Amend Their Declarations**

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

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

### **Community Association Managers Beware: Unlicensed Practice of Law**

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

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

## **Florida Business Litigation Blog**



## Contractual Personal Liability: The Body Trumps The Signature Line

By: [Adam B. Edgecombe, Esq.](#)

When negotiating and drafting a contract on behalf of a business, one of the most important considerations is whether it will create personal liability for the individual signing on behalf of the business, as illustrated by a recent decision from Florida's Third District Court of Appeal, *Frieri v. Capital Investment Services, Inc.*, - So. 3d --, 2016 WL 2941081 (Fla. 3d DCA 2016).

## Vendor's Checklist When a Customer Files for Bankruptcy

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

By: [Austin B. Calhoun](#)

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

## Recovery of Attorneys' Fees - Part III: Common Law Exceptions that Provide for the Recovery of Attorneys' Fees

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

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

## What You Need to Know About Commercial Lease Agreements: Part IV

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

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



Interested in reading more blog posts? Subscribe via [RSS Feed](#) or via [email](#) for one or all of our blog feeds. You can also peruse our archives [here](#).

## Firm News

Curiosities, ruminations and various eccentrics of firm biz.

### The Stork Brought Our Firm A Special Delivery

J&C is excited to announce that on June 15th, we welcomed a new addition to the firm family - a beautiful baby boy! Weighing in at 6 lbs, Quinn Avram Farber was born at St. Vincent's Medical Center in Riverside to proud parents, Henry and Jennifer. A baby shower was held to congratulate the family, and included among the many gifts were diapers, clothes, pacifiers, and even some presents for Quinn's older brother, Zayden. We offer our best wishes to the Farbers, and are excited to see what the future holds in store for their family!



### **J&C Bob Ross Painting Competition - A Tradition Unlike Any Other**

On June 23rd, we brought back an old firm favorite - Bob Ross Day! As everyone had so much fun channeling their inner Bob Ross the last two years, we couldn't resist making it an annual event. For this artistic challenge, participants were divided into three teams of four or five people. With a Bob Ross tutorial video to guide them, each team member was given one minute to add to their team's painting. When the minute was up, the teammates rotated, giving each person a chance to contribute. In the end, all three paintings came out beautifully, and each with their own unique flare. Which one do you think looks most "like a Ross"?





### **Our Time to (Moon)Shine**

This past month at J&C we chose to literally "lift our spirits" with a moonshine tasting. Firefly was the brand of choice, and there were several flavors to choose from, including cherry, peach and apple pie. With country and bluegrass music to the set the mood, we all took turns tasting the different kinds of moonshine, and cherry seemed to be the overall favorite. All in all, this event was the perfect way for the team to bond while indulging in some authentically southern hospitality!



Jimerson & Cobb, P.A.  
Wells Fargo Center  
One Independent Drive, Suite 1400

Jacksonville, FL 32202

Telephone (904) 389-0050 Facsimile (904) 212-1269

[www.JimersonCobb.com](http://www.JimersonCobb.com)

[info@jimersoncobb.com](mailto:info@jimersoncobb.com)

Quick Links

[About Us](#) | [What We Do: Practice Areas](#) | [Who We Serve: Client Industries](#)  
[Attorneys](#) | [Blog and Resources](#) | [News & Press](#) | [Contact Us](#)

Copyright © 2016 Jimerson & Cobb, P.A., All rights reserved.