



May News from Jimerson & Cobb



Every now and then, I'll come across an article, documentary or some other moving story that profoundly impacts me. Sometimes the newly acquired information will anger me and prompt a call to action, sometimes it will sadden me and question where we've devolved as a society and sometimes it will make me happy and restore my faith in all of humanity. The story linked [here](#) touched me in all of those

ways (and so many more), such that I felt it was important to share it with you all this month.

As the article sets forth, twenty-four years ago, in an act of ghastly malice, a Missouri father plunged a needle filled with HIV-positive blood into his ten month old son's vein. No one at the time could've imagined anything worse. But the most astonishing part of all is the life the son turned out to live. Live he did, as he is now a grown man of his own with hopes of one day raising his own family. He is a great son to his mother, a prodigious caretaking brother to his siblings and an inspiration to everyone he comes in contact with. He has used his story to promote HIV awareness and his life philosophy of "[choosing] who we want to be," rubbing elbows with the most famous celebrities in the world and even testifying before Congress. Brian "Badger" Stewart-Jackson is a living embodiment that the human capacity for burden is like bamboo- far more flexible than you'd ever believe at first

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Client Spotlight: Harbin Lumber Company



Harbin Lumber Company serves contractors in residential, commercial, multi-family, agriculture, and remodel construction

glance.

You see, ten month old Badger never invited the opportunity to decide that he can't do something; to decide that his affliction was impossible to overcome. He was never worn down by self-doubt or spoiled by outsiders saying that his physical and emotional recovery can't be achieved. He made his own decision early on that no matter how discouraging or harrowing it may be, he would survive and he would win. No act beyond his control, no matter how evil, would break his human spirit. Badger proves that human beings are limited only by what we allow ourselves to be limited by: our own minds. We are each the masters of our own reality. When we become self-aware to this, absolutely anything in the world is possible. Badger has mastered the one thing he has the ability to control: himself and his perspective. He is king of the world around him and lets no odds, chastisement, exile, doubt, fear, or ANY mental rampart prevent him from accomplishing his dreams. He is not a victim of life, he is its conqueror. In doing so, he's found out that everything he has ever wanted is on the other side of fear. Badger is convincing proof that people living deeply have no fear of failure or death.

The father is serving a life sentence. But as GQ magazine reports, the boy (Badger) is doing just fine. Badger "lives a relatively healthy life now, down to just one pill a day, though he still deals with shingles and fatigue and has doctor's appointments every three months to check his blood." He has started his own HIV education organization, Hope Is Vital, which seeks to offer hope and inspire others to overcome adversity and be empowered to make a difference in their lives and the lives of others. The organization's primary mission is to promote education on HIV/AIDS in order to prevent the spread of HIV, disband myths and reduce negative stigma related to being HIV positive. Feel free to visit their website if you'd like to learn more about the organization: <http://www.hopeisvital.org/>

Due to his life trials, Badger realized he had a voice that must be heard, a voice that can make a difference. He has since utilized his incredible story to impact lives world-wide by speaking at high schools, colleges, juvenile centers, and youth

throughout GA, SC and NC; Their truss manufacturing facility further expands its market reach throughout the Southeast and East Coast.

Harbin Lumber prides themselves on being progressive and place the highest importance on personal and professional integrity, maintaining exceptional quality and service, and treating their customers and employees as partners.

Jimerson & Cobb is proud to represent [Harbin Lumber Company](#) and wishes it continued success throughout the year.

organizations across the nation. His journey of hope has taken him internationally to Haiti, Ecuador, England and Kenya. Winner of a TeenNick Halo Award, Badger has also been featured as one of People Magazine's "Heroes Among Us" and ABC World News/Diane Sawyer's "Person of the Week." Just last month Badger broke the Guinness World Record for public speaking-specifically, for giving the most public speeches in a 24-hour period in an effort to support his cause. Not too shabby for a young man bereft of a voice at his father's trial and otherwise that was given no chance to succeed in this world.

I hope you were as moved as I was by Badger's story. I hope it moves you to what coaching legend Jimmy V encourages all to do daily (laugh, think and cry). Just pause for a moment and think about everything we can learn from Badger. He is not afraid of tomorrow, for he has seen yesterday and he loves today. He chooses to love today- the same choice we have every single day. For me, I learned that it isn't what you have, or who you are, or where you are, or what you are doing that makes you happy or unhappy. It is what you choose to think about and the way you choose to react that drives your temperament. Happiness is always a choice and not a result. Nothing will make you happy unless you choose to be happy. No person will make you happy unless you decide to be happy. Your happiness will not come to you. It will only come from you. Thank you Badger for teaching me this lesson about myself.

Whatever you all decide to do this month, make sure it makes you happy. Badger wouldn't have it any other way.

Very Truly Yours,

A handwritten signature in black ink, appearing to be 'C. Jimerson', written in a cursive style.

Charles B. Jimerson

J&C Welcomes New Associate: Suzanne H. Clark



J&C is pleased to announce that Suzanne H. Clark has joined the firm as an associate. Prior to joining Jimerson & Cobb, Suzanne worked at a business litigation focused law firm and owned an e-discovery consulting company where she paired organizations with e-discovery products and services. Suzanne's practice will focus business litigation and creditors' rights.

Suzanne has earned the CEDS (Certified E-Discovery Specialist) designation from the Association of Certified E-Discovery Specialists, and is co-founder and Vice President of ACEDS Jacksonville, the local chapter of ACEDS. She also serves on the Board of the Jacksonville Women Lawyers Association (JWLA). Suzanne received both her BSBA in Finance and Juris Doctor from the University of Florida. While in law school, she served as Articles Editor for the Journal of Technology Law & Policy.

Suzanne resides in Julington Creek Plantation with her two children, Eddie and Joe. In her personal time, she enjoys week night family dinners with her parents and children, and tossing the football around in the front yard with her dad and two boys. We look forward for all of you getting to know her as the quality lawyer and person we know her to be.

We invite you to [email](#) Suzanne to congratulate and welcome her.

J&C Participates in YMCA First Games

Jimerson & Cobb has partnered with accounting firm, Dixon Hughes Goodman, to participate in the 10th annual YMCA First Coast Games! Our attorneys and staff will be participating in six sports throughout the summer including: Volleyball, Bowling, Soccer, Kickball, Ultimate Frisbee and Dodgeball.



The goal of the YMCA First Coast Games is to introduce fun, healthy activities into the workplace while promoting networking and team building with businesses across the First Coast. Jimerson & Cobb is passionate about creating a healthy environment for its employees and looks forward to competing with other First Coast companies in the upcoming events.

To learn more about the YMCA First Coast Games, click [here](#).



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



Unlicensed Contractors: Statute of Limitations Defense

By: [Austin B. Calhoun, Esq.](#)

Unlicensed contracting is a huge problem in Florida, and the Florida Legislature and Courts have fashioned a host of penalties. See Penalties for Unlicensed Contracting in Florida. However, according to a recent opinion from Florida's Fifth District Court of Appeals, the loss of a "statute of limitations defense" is not one of those penalties.

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

Owner Builder Permits - Why Acting as Your Own Contractor in Florida Can Be Risky Business

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

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

Florida Condominium Law Blog



Is Your Community Association Board Making Sound Decision on Your Behalf?

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

The directors of Florida community association are obligated to discharge their responsibilities to the community in good faith. Board decisions are generally protected by the "business judgment rule" and the theory behind the business judgment rule is that Courts should not substitute their judgment for the judgment of the elected or appointed board members. Simply stated, Courts must give deference to a community association's decision if that decision is within the scope of the association's authority and it is reasonable - that is, not arbitrary, capricious, or in bad faith.

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

What Takes Priority? The Mortgage or The Lien?

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

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

Florida Business Litigation Blog



How to Turn Up the Heat on Freeloading Tenants Through Aggressive Litigation

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

In a Landlord-Tenant relationship, there is always the possibility of bad blood emerging between the owner/lessor of the real estate and the tenant/lessee who leases that real estate. One of the most common causes for such bad blood results from disagreements surrounding the payment, or lack thereof, of rent. Landlords should be aware that once a landlord files a complaint against a tenant, a tenant must pay money and attention. The purpose of this blog post is to provide an overview of the "pay-to-play" system of eviction litigation in Florida, practical steps, and analysis for landlords to efficiently evict a defaulting tenant, while at the same time maximizing their potential to recover rent owed under the lease.

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

Effective Use of Demonstrative Evidence in Commercial Litigation

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

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

Why Courts in the Eleventh Circuit Should No Longer Apply Denham's Small and Recurring Numerosity Exclusion

By: [Austin B. Calhoun, Esq.](#) & Kayla Haines

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

What You Need to Know About Commercial Real Estate Lease Agreements: Part III

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

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

Wrongful Denial of Insurance Coverage in FL: How Do Bad Faith Claims Work?

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

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



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Firm News

Curiosities, ruminations and various eccentricities of firm biz.

J&C Supported Fletcher High School Mock Trial Team Wins State Title

Jimerson & Cobb is happy to congratulate the Fletcher High School Mock Trial Team on their recent state title! Jimerson & Cobb has been proud to support the team for the past few years. With the state title under their belt, the team was invited to participate in the National High School Mock Trial Championship in Boise, Idaho where they competed against the best mock trial teams in the country.

The FHS Mock Trial team was founded by teacher, Ed Lange, 25 years ago and has been a strong force in the high school mock trial world and previously won state title in 1997 and 2014. Mr. Lange passed away in 2015 and it is important to the Fletcher students and staff to honor Mr. Lange's legacy and give FHS students the opportunity to learn about our law and court system.

Congratulations to the members of the team: Emily Shapiro, Devon Roddel, Marissa Abry, Luke Kasbarian, Kaylee Hoffman, Sarah McWilliams and Cory Gann!



Jimerson & Cobb Diamondbacks

J&C is the proud sponsor of local little tyke teeball team, the Jimerson & Cobb Diamondbacks! Charlie Jimerson is one of the coaches and his daughter, Lila, is a member of the squad. The team of 4-year-olds can be found on most Saturdays out on the tee-ball diamond having a grand ol' time. Running straight from third base to the dugout, tagging runners without possession of the ball and mid-play infield clay sandcastle making have been the highlights of the season so far.





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