



JIMERSON & COBB, P.A.

November News from Jimerson & Cobb



Last week, our firm participated in the Leukemia & Lymphoma Society's Light The Night® Walk held at dusk at The Jacksonville Landing. It was quite a sight to see a sea of white (carried by survivors), red (carried by supporters) and gold (carried by those honoring a loved one lost to cancer) balloons illuminating the night sky.

When we joined the walk and began our fundraising efforts, we set out with what we thought was a lofty goal and ultimately doubled that! We raised more than \$3,000 to fund therapies and treatment advances for blood cancer patients. At the walk, J&C was honored among the top ten corporate fundraisers for the walk.

We know that there are many charitable organizations and causes to choose from, so we were so grateful for the amount of support that we received from so many of you. All of us at J&C are so proud of our network of friends that includes family, clients and vendors that rallied behind us to help support such a paramount cause.

In this spirit, and especially at this time of year, we hope that you find one cause that is meaningful to you to support. Paying it forward in this way does not require excessive money or time, only effort. Benjamin Franklin did a fine job of describing the concept in a letter dated from 1784:

"I do not pretend to give such a deed; I only lend it to you. When you [...] meet with another honest Man in similar Distress, you must pay me by lending this Sum to him; enjoining him to discharge the Debt by a like operation, when he shall be able, and shall meet with another opportunity. I hope it may thus go thro' many hands, before it meets with a Knave that will stop its Progress. This is a trick of mine for doing a deal of good with a little money."

Thank you again from our J&C family to yours.

Very Truly Yours,
[Charles B. Jimerson, Esq.](#)

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J&C participates in Light the Night Walk

On November 7, J&C joined hundreds holding their red balloons at the Jacksonville Landing to Light The Night®. The event, held by the Leukemia & Lymphoma Society, raises funds for therapies and treatment advances for blood cancer patients.

We joined forces with fellow team and friends of the firm, CenterState Bank, for the walk.

J&C more than doubled our initial fundraising goal to raise \$3,070. We cannot thank you enough for your support in helping us surpass our goal for such a important cause.

It's not too late! You can still visit our [team page](#) to learn more and contribute to the campaign.



Featured bLAWg Posts

**Florida Construction Liens:
Fraud or Just a Good Faith
Dispute?**

**Online Voting for Condominium
and Homeowners' Associations:
the Florida Legislature is Not
Keeping Pace with Technology**

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

Parties often cry "fraud" when defending against a construction lien recorded on their real property. However, the fraudulent lien card is sometimes overplayed and oftentimes lacks merit, considering the requisite proof to establish a fraudulent lien. The consequences of a fraudulent lien are significant - it is a complete defense to lien enforcement and can result in recovery of punitive damages and compensatory damages against the lienor.

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

By: [Christopher M. Cobb, Esq.](#) and [Hans C. Wahl, Esq.](#)

There is a new trend rising within condominium and homeowners' associations across the country, including Florida: online association voting. The reason for this trend is simple - it solves two major problems that associations constantly face: 1) the expense of utilizing physical forms; and, 2) poor voter turnout among the associations' members. Florida is one state in which the law is lagging technology as Florida law is currently silent on the issue of association online voting. This presents a problem for a Florida association that wishes to improve the experience of its members while also ensuring it is abiding by the law.

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

Additional bLAWg Posts

Unsuccessful Defenses to Enforcement of A Personal Guaranty in Florida: Part Two of a Two Part Series

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

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

Successful Defenses to Enforcement of A Personal Guaranty in Florida: Part One of a Two Part Series

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

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

The Obligations of Unit Owners and Other Occupants of Properties Within Condo Associations and the Associations' Statutory Remedies

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

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

What's in a Name? Or More Specifically...What's in a Signature?

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

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

Property Insurance Requirements and Responsibilities for Florida's Condominium Associations

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

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

Hurricane Protection Installation and Expenses for Florida's Condominium Associations

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.

* Retained by financial institution to serve as ad litem representative for interest of unknown heirs.

* Obtained consent from two bankruptcy debtors for relief from the automatic stay in order to proceed with foreclosure on a piece of residential property.

* File Motion for Order to show cause on condominium foreclosure matter.

* Successfully argued motion to set aside clerk's defaults in federal court action.

* Obtained full recovery of amounts due to commercial property appraiser for work performed at builder's request.

* Drafted opinion letter on condominium contracting for bulk cable.

* Filed declaratory judgment on behalf of lender seeking life insurance collateral recovery from borrower who allegedly faked his death in case garnering national media coverage.

* Drafted opinion letter for condominium on renovation of common elements by unit owners.

* Opposed summary judgment in construction professional services matter.

* Drafted opinion letter for condominium association on implementing new rules and regulations in accordance with Florida Statutes and the association's governing documents.

* Drafted construction contracts for roofing contractor.

* Negotiated design professional agreement for professional team's scorecard.

* Reviewed custom home construction contract for homeowner.

* Negotiated nuisance value settlement on behalf of competing employee accused of misappropriating trade secrets and confidential information. Competing employee will continue business operations.

* Engaged in deposition of building official in construction defect matter.

* Filed involuntary bankruptcy petition on behalf of creditor seeking disposition of judgment debtor collateral.

* Propounded discovery to all defendants on condominium class action lawsuit.

* Represented commercial roofing contractor in issuing additive change orders and liening commercial project for unpaid work.

* Successfully obtained relief from bankruptcy code's automatic stay to proceed with foreclosure action against debtor's real property.

* Completed Chapter 558 Inspections on residential property.

* Engaged to review and revise LLC's operating agreement in preparation for Florida's Revised Limited Liability Company Act becoming effective.

* Filed Motion to Dismiss in promissory note collection action.

* Represented franchisee in terminating franchise agreement and seeking refunds of amounts due based on misrepresentations and non-performance of franchisor.

Client Focus: Advanced Disposal

A monthly feature on one of our valued clients.



Advanced Disposal

As a full-service environmental services company, Advanced Disposal provides collection, transfer, disposal and recycling operations to more than 250,000 commercial customers and 2.4 million residential customers throughout 18 states and the Bahamas. They have more than 2,900 trucks running routes daily. Advanced Disposal also offers a full range of services, including residential, commercial, recycling, roll-off, special waste, landfills and transfer stations.

Jimerson & Cobb is proud to represent Advanced Disposal and wishes it continued prosperity for the future.

Firm News

Curiosities, ruminations and various eccentricities of firm biz.



It's a mystery

A confounding J&C case has made its way to the news. A local businessman is suspected of faking his own death, and J&C is representing one of his creditors. Read about the case and see Charlie quoted in the [The Jacksonville Business Journal](#) and in [The Florida Times-Union](#).



Happy Halloween!

For Halloween, we "trick or treated" around the office. We also held a costume photo contest. The winners were Jen and Henry's son, Zayden, as Jack Skellington from *The Nightmare Before Christmas*, and Austin's dog, Ruby, as a cheerleader (blonde wig and all)!



Thanksgiving food drive

J&C is partnering with its in-house building neighbor, the Scott-McRae Group, to hold a food drive November 15-22 benefiting North Florida Second



NEFBA 007 gala

NEFBA will hold its 007-themed gala **tonight**, Friday, November 15, at the Riverplace Tower on the Southbank. Tickets are \$100 per person and include an open bar, dinner & casino games. Don't miss your chance to win an all-expense paid trip for 2 to fabulous Las Vegas, Nevada. For ticket info, contact [Charlie](#).



J&C welcomes law clerk

Please join us in welcoming our new employee, Brandon Meadows. He received his bachelors degree from the University of Kentucky and received his law degree from University of Florida. Brandon is currently awaiting acceptance of his bar exam.

MOVEMBER



Movember is here in celebration of No-Shave November, each male employee is growing out their facial hair to help

Harvest. Food poverty affects 1 in 6 adults and 1 in 4 children in North Florida.

raise awareness and money for male cancer research. Check out our "Movember" team page (and make donations to the cause) [here](#).



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