



JIMERSON & COBB, P.A.

April News from Jimerson & Cobb



In the law industry, we are routinely posed situations that require us to solve problems that contain a large number of varying and moving parts. Strategy, anticipatory action and critical thinking are necessary in playing that "chess game" that I wrote about a couple months ago. But when you are implementing your decision making

process, the theory of "Nature vs. Nurture" seems to provide the fundamental backdrop for the course of action. The decision making strategy of the players is only run through their own personalities. Thus, the personality of the person implementing the strategy plays a very important role. The terms "nature vs nurture" relate to the relative importance of an individual's inherited qualities as compared to an individual's personal experiences.

This concept has been the subject of countless studies on behavior, genetics, heritage, personality and how those considerations intersect within the person. In the 2000s, lawyers for violent offenders in some cases began to argue that an individual's genes, rather than their rational decision-making processes, can cause criminal activity. That would be a "nature" argument. The other side of the coin would be the same lawyers arguing that they are a product of their environment and that is why they committed the crime. That would be a "nurture" argument.

I believe we are products of both. We are the sum total of our experiences and we exist with some heritable traits that impact our actions. Nowhere is this intersection discussed better than in Malcolm Gladwell's book *Outliers*. In order to truly understand how an opponent is motivated, you should endeavor to obtain an understanding of both their nature and their nurture. So in the age old question, "Nature vs. Nurture,

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_____ always wins", How would you answer?

Best Regards,

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



March Madness Block Party

We had a fantastic time at our March Madness event and saw a great turnout despite the rain! Thanks so much to everyone who came out this year!

And congratulations to Justin Markley, Lamar Kaleel, and Drew Wiseman, the winners of the TV Raffle Drawing.

Mark your calendars now for next years party: March 17, 2016!



J&C Blogs

Programming note! We've rebranded our blog into three separate blogs:

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

Sign up to receive one or all three via RSS or email through each site! We hope this regrouping will help our readers better find what they're looking for.

Florida Construction Law Blog

Florida Statute Chapter 558: Changes Are Brewing

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

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

Florida Condominium Law Blog

Why Community Associations Cannot Afford to Ignore Lender Foreclosure Actions: Part III

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

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

Florida Business Litigation Blog

Recovering Attorneys' Fees in Litigation: How to Avoid a Defective Proposal for Settlement

By: [Brandon C. Meadows, Esq.](#)

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

Social Media: Is it Discoverable?

By: [Austin B. Calhoun, Esq.](#) and [Brittany N. Snell, Esq.](#)

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



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Results Driven

Community stewards by night; see what we do for our clients in our day job.

*Negotiated favorable
settlement to get construction

*Drafted international
manufacturing and supply

*Obtained dismissal of a DBPR
complaint against licensed

| | | |
|--|---|---|
| lienor paid in full. | agreement for local company that supplies products from China. | contractor for lack of probable cause. |
| *Negotiated settlement of lawsuit involving default of Small Business Administration loan. | *Engaged to enforce non-compete covenant against dentist who left practice to operate competing office. | *Filed defenses and counterclaim in lawsuit involving breach of contract between former business partners. |
| *Engaged to represent developer in dispute with community association over restrictions and covenants in condominium documents. | *Argued motion to compel production of experts' documents. | *Drafted settlement agreement in connection with dispute between homeowners' association and members of homeowners' association. |
| *Deposed corporate representative of building envelope consultant in construction/design defect case. | *Terminated construction contract for defective work. | *Provided condominium safe harbor analysis for association. |
| *Finalized seven figure Section 363 bankruptcy sale on behalf of purchasing lender which involved obtaining consent from and satisfying 8 lien holders. | *Effectuated purchase and sale of minority membership interests in multiple restaurant operating companies and real estate holdings companies for purposes of consolidating ownership and divesting seed money lenders from unprofitable investments. | *Obtained dismissal with prejudice after settlement on behalf of concierge waste services client accused of deceptive and unfair trade practices. |
| *Defended association against DBPR complaint. | Arrange for alternate financing for replacement LLC members and resolve pending guarantor actions involving millions of dollars of owner liabilities. | *Rendered opinion on voting for capital improvements at condominium. |
| *Recover full assessments from third party purchaser of condominium unit. | *File lawsuit for damages associated with removal of subjacent property support. | *Compel document production from ESOP trustee on behalf of aggrieved employee stock holder. |
| *Fielded national media requests in high profile faked death case. | *Compel document production from ESOP trustee on behalf of aggrieved employee stock holder. | *Retained to defend stucco subcontractor in construction defect action. |
| *Defended cardiologist accused of breaching settlement agreement of share redemption with business partner. Asserted misappropriation of trade secret claims in defense. | *Propounded vast third party discovery in breach of services agreement case with potential eight-figure liabilities at issue. | *Assisted large general contractor in addressing issues of bond claims and delay on multiple pending projects. |

Client Focus: Excel Roofing Contractors

A monthly feature on one of our valued clients.



Excel Roofing Contractors, Inc. are licensed and insured Jacksonville roofing contractors. Its local roofers are certified and highly experienced in roof replacement and roof repair for metal, flat, shingle, tile and waterproof roof coatings. Excel has built its reputation on providing outstanding service at extremely competitive prices.

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

Firm News

Curiosities, ruminations and various eccentricities of firm biz.

J&C Office Bracket Challenge

Congrats to partner Chris Cobb for winning the office bracket challenge! Admittedly, the first basketball game that Chris watched all year was the UNF loss. Our office certainly needs to brush up on our basketball knowledge next year!



New J&C Employee

J&C extends a warm welcome to our new full-time marketing coordinator. Her name is Alexandra Morrison. She is a recent graduate of UNF with a double major in advertising and history and also attended the Savannah College of Art & Design.

Construction Industry Licensing Education Provider

Jimerson & Cobb has been approved as a continuing education provider for the construction industry. We will be offering a construction law seminar in June. This course will provide 4 hours of continuing education credits for licensed construction professionals in Florida. Stay tuned for the seminar details.

Grilled Cheese Sandwich Day

To celebrate National Grilled Cheese Sandwich Day, our resident chef, paralegal Jessica Campbell cooked us up made-to-order deliciousness.





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