



JIMERSON & COBB, P.A.

August News from Jimerson & Cobb



Most of you know by now that our offices have recently moved. Because I love to pack multiple major life changes into as small a window as possible, I immediately went from the office move to a house move. I am now clear of both moves and currently living from stacks of unmarked boxes. During my move, I came to understand a few things:

- (1) All of your friends disappear when it is time to move.
- (2) Bubble wrap is really addictive.
- (3) Pillows or book is a major decision.
- (4) I realized that I am one box away from an episode of hoarders.
- (5) It is OK to curse at heavy furniture.
- (6) When I got tired of packing I convinced myself that I really did not like the rest of my stuff.

Levity aside, moving does provide an opportunity to inventory and assess what you have and what you need. A need is something that you have to have, something that you cannot do without. A want is something that you would like to have. It is not absolutely necessary, but would be a good to have. Sometimes we are so focused on what we want, we miss the things that we need. I have always said that the most precious things in life are those things that you cannot buy, for example - someone's time. As I unpacked all of my boxes of accumulated stuff (i.e., wants), it became clear to me that the love and affection of the people who would be actually living under my roof is really what I need. Our house is not identified by the things inside, but by the love and adoration of the people inside it. As the summer comes to an end and youngsters return to school, I would challenge each of you to assess your individual needs and wants and take this bit of advice:

"Never let the things that you want make you forget the things you have." - Anonymous

Best regards,

Christopher M. Cobb

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J&C Partners Named to 2015 Florida Super Lawyers List

Super Lawyers®

J&C is home to four partners receiving recognition from *Florida Super Lawyers Magazine*. Partners Charles Jimerson, Christopher Cobb and James O. "Joby" Birr were named 2015 Super Lawyers and partner Brent Zimmerman was named a 2015 Rising Star.

Super Lawyers is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The selection process includes independent research, peer nominations and peer evaluations. With only five percent of

attorneys are designated as Super Lawyers and 2.5 percent of attorneys selected to be "Rising Stars", the partners at Jimerson & Cobb received quite an honor.

The Super Lawyers lists are published annually in state and regional editions of Super Lawyers Magazines. For more information on Super Lawyers, visit superlawyers.com.

Charles Jimerson Named Veteran of Influence

Charles Jimerson is one of 25 honorees named to the *Jacksonville Business Journal's* 2015 Veterans of Influence list. Charlie served as an active duty Combat Meteorologist in the United States Air Force, participating in various worldwide operational missions and earning Airman of the Year honors. During his tenure, he was the youngest operationally certified meteorological forecaster in U.S. Air Force history.

The veterans named to the list give back in many ways: leading companies, organizing philanthropic projects, applying the skills and talents they developed in uniform to help shape life on the First Coast. They seek to make a difference and help set the standard for the rest of Jacksonville's business community. We are proud and humbled that Charlie was included on this prestigious list.



The full list of honorees can be viewed [here](#) and a full profile of each winner will be featured in an upcoming issue of the *Jacksonville Business Journal*.

J&C Blogs

As we continue to promote our three separate blogs, we will feature several of our favorites in an email each quarter.

- [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! We hope this regrouping will help our readers better find what they're looking for.

Florida Construction Law Blog

Top Five Things Real Estate Developers Should Know About Florida's Construction Laws

By: [Charles B. Jimerson, Esq.](#) & [Brittany N. Snell, Esq.](#)

While real estate developers should be well-versed in Florida's construction laws, there are particular aspects of construction law that developers should know backwards and forwards. This blog post will discuss the top five things real estate developers should know about Florida's construction laws including proper payment, warranty liability, claims under Florida Deceptive and Unfair Trade Practices Act ("FDUPTA"), claims under Chapter 558, Florida Statutes, and the timing limitations of claims imposed by the statute of limitations and repose.

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

Protecting Property Interests and Rights in Eminent Domain Actions and Government Takings: Part III

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

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

Material Supplier Construction Lien Rights: Notice to Owner

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

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

Florida Condominium Law Blog

Florida Condominium Association Obligation to Repair Windows

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

"Who is going to fix this?" and "Who is going to pay for this?" These are common questions facing unit owners and associations when condominium property needs repair. The answer will most likely be found in the condominium declarations, which typically describe the boundaries of each unit. But sometimes the declarations fail to adequately describe those boundaries; and the fine line delineating who is obligated to repair becomes indiscernible and worse, debatable. This is especially true when describing windows, doors, sliders and skylights in the associated with the condominium unit. Because the materials used are exposed to both the inside and outside of each unit; the condominium declarations must be very clear where the unit owner's interest begins, and also where it ends. This post provides a brief overview of the Florida condominium association's obligation to repair and maintain windows under Florida law.

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

Insurance Coverage for Construction Damages

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

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

Florida Business Litigation Blog

Evicting Tenants After Foreclosure

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

Lenders should be aware of a new Florida law, which requires lenders to provide existing tenants with at least thirty days to vacate the property after the foreclosure sale. Florida Statute § 83.561, titled "Termination of Rental Agreement Upon Foreclosure", became effective on July 1, 2015. The law replaces a recently expired federal law titled Protecting Tenants at Foreclosure Act. As such, the implementation of this new Florida statute may come as no surprise to lenders. However, lenders should understand their statutory rights and responsibilities prior to evicting tenants after foreclosure.

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

An Overview Of Florida Law On Punitive Damage Claims In Business Or Commercial Litigation

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

Results Driven

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

*Assisted general contractor in transitioning project control to surety exercising takeover and indemnification rights.

*Engaged by commercial real estate developer to analyze asset transfers and prepare asset protection strategies.

*Evaluated and issued class action demand upon cable television and internet services provider.

*Retained by Developer to defend defamation action.

*Prepared response in opposition to motion for temporary injunction on behalf of inventor to defend claims of misappropriation of trade secrets.

*Retained to litigate coverage claim relating to construction

*Collected payment in full from landscaping and construction company on six figure delinquency owed to material supplier.

*Deposed expert witness in construction defect matter.

*Successfully settled fraud claim filed by the purchaser of a business against the seller of a business.

*Engaged to file suit on behalf of five star resort for outstanding invoices owed from event.

*Negotiated confidential settlement on behalf ESOP fiduciary wishing to divest from plan and company involvement.

*Retained to defend inventor in misappropriation of trade secrets action in federal court

*Negotiated confidential settlement on behalf of research physician practice against competing former principal.

*Retained by contractor to defend overtime wage claim.

*Drafted opinion letter for Condo Association on unauthorized material alterations to common elements.

*Retained to defend a contractor in a complaint filed with the Department of Business and Professional Regulation.

*Successfully argued a Motion to Compel, which the Court granted, forcing a defendant to produce documents.

*Obtained public dismissal on

defects.	involving a prototype oxygen analyzer intended for the dive market.	behalf of licensee client without any finding of liability.
*Negotiated full value settlement on behalf of construction material supplier with subcontractor for unpaid invoices.	*Provided asset protection counsel to construction company facing potential uninsured accident liability.	*Filed arbitration demand for commercial construction defect and bond claim.
*Mediated negligent misrepresentation and estoppel claims on behalf of aggrieved lender; negotiate confidential settlement of claims.	*Defended trademarks by serving cease and desist letters causing infringers to stop the infringing use of the marks.	*Obtained writ of possession of residential property occupied by tenants after foreclosure on behalf of a regional bank.
*Assisted client in negotiating contract for advertising services agreement.	*Retained by insurance company to challenge California action on Florida judgment.	*Defended trademarks by serving cease and desist letters causing infringers to stop the infringing use of the marks.
*Inspected concrete at condominium complex for defects.	*Filed motion to strike expert witnesses in Florida state court lawsuit.	*Engaged to represent regional bank in collection of judgments.
*Retained to defend a subcontractor in a pre-litigation construction defects claim brought by a Condominium Association.	*Retained to litigate a declaratory judgment action relating to the rights of an owner of recorded right of first refusal which was recorded prior to the only mortgage on the property.	*Settled a foreclosure lawsuit by getting borrower to execute a loan modification. Perform title analysis and draft documents for hardship mortgage modifications.
*Recorded a Claim of Lien for a construction materials supplier.	*Filed action on construction lien transfer bond.	*Retained to draft settlement documents in a pre-litigation partnership dispute.
		*Provided counsel to franchisee wishing to protect territorial encroachment by franchisor.

Client Focus: Artesian Pools

A monthly feature on one of our valued clients.



Artesian Pools is one of Central Florida's largest and oldest in-ground custom pool and spa builders. Artesian Pools has the experience of building over 16,000 pools in the Central Florida area, and the dependability of 38 years in business under the same management and in the same location.

Artesian's solid reputation for innovative design, precision engineering, quality materials, and meticulous workmanship makes them a leader in the industry. Artesian means quality... from start to finish.

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

Firm News

Curiosities, ruminations and various eccentri of firm biz.

Bob Ross Painting Day

One of our favorite firm events returned this year- Bob Ross Painting Day! The rules are simple: the office is broken into two teams and each team member has two minutes to follow along with Bob painting on an instructional video and then passes the brush to the next person. What follows next is the fastest 25 minutes ever experienced. Bob said, "Take your time. Speed will come later," as he painted this particular melancholy masterpiece, but we had a hard time relating to that. We connected more to another pearl of Bob's wisdom as he extolled, "we don't really know where this goes- and I'm not sure we really care." If there isn't a hashtag for Bob Ross Zen, there sure has heck ought to be. RIP Bob Ross. You were a golden God, you rascal you.

Since an unbiased vote would be impossible, we took to Facebook to let our fans select the winner and team 2 won by a large margin! Apparently their trees were just a little bit happier than team 1's.



New J&C Employees

Please join us in welcoming our two new employees, Morgan Ford & Spencer Harold!

Morgan has joined our firm as our new full-time receptionist. Originally from Newnan, Georgia, she graduated from Georgia Southern University with a degree in Justice Studies and was a member of Kappa Kappa Gamma. Before moving to Jacksonville, she worked as a probation officer and participated in underage stings of illegal alcohol sales to minors. Don't even think about sneaking any contraband past our front desk! In her free time, she enjoys crafting, wine-tasting, and playing with her Shih Tzu, Cooper.



Spencer has joined our firm as a part-time accounting clerk. Spencer hails from the bluegrass state, Kentucky, and moved to Jacksonville to attend UNF where he is pursuing a degree in finance. In his spare time, he enjoys wakeboarding and surfing.

Twin Day

To celebrate National Twin Day, our office broke up into pairs (and a couple of triplets) to see who be worthy of the title of 'Best Twin Pair.' Everyone really got into the spirit and we were hard pressed to select a winner. All of the ladies in the office ended up matching by wearing black dresses. Ultimately, Charlie and Joby took home the win with their adorable matching golf shirts, country club casual, loafers with no socks ensemble!

Below are a handful of our twin pairs that were available for photos. Brandon's twin, Austin, was too busy "working" to join our picture.



Minions Break Into J&C

It was a normal Wednesday morning, when we caught a whole mess of minions running around our office. When we finally caught a few of them, we discovered that they were trying to deliver tic tacs to us in honor of National Fresh Breath day! While we appreciate the sentiment, we couldn't help but wonder: are they trying to tell us something?

These minions were happy to pose for photos while the rest ran off back to Gru.



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