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JIMERSON & COBB, P.A.

December News from Jimerson & Cobb



In preparing for the holiday season, I thought I would give you all an idea of what this time of year means to me. It's primarily the warmth of the Christmas spirit and the appreciation of my loved ones. Until one feels the spirit of Christmas, there is no Christmas. All else is outward display - just light bulbs, sweets and decorations. Christmas spirit has to come from the heart and it has to involve doing a little something extra for someone. Once we have it, it wraps itself around us. It weaves a spell of nostalgia and lets us get back our childlike faith again. Christmas may be a day of feasting, or of prayer, but always it will be a day of remembrance - a day in which we think of everything we have ever loved.

Christmas day in the company of my children is one of the few occasions in which I become entirely alive. I wish that I could bottle that feeling up and guzzle it down throughout the rest of the year when I need it most. Remember, if Christmas isn't found in your heart, you won't find it under a tree. What do the holidays mean to you?

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

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J&C hosts RMA Special Assets Forum

On behalf of the First Coast Chapter of the Risk Management Association(RMA), J&C hosted a Special Assets Forum for professionals involved in the financial services industry, with discussion topics including complex secured loan workouts, distressed borrower capitalization, problem loan

administration procedures and relationship maintenance.

A guest speaker panel included:

- Curt Cunkle, President of North Florida Banking for EverBank
- Steve Coates, Founder of Special Assets at First Union/Wachovia
- Matt Laffey, Principal at Heritage Capital Group



Members of RMA represent over 30 financial organizations in the First Coast area. To find out more about RMA visit the website [here](#).

Featured bLAWg Posts

How are property taxes in Florida calculated and how can I challenge or appeal property tax assessments?

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

Every August, Florida Property Appraisers will send out their TRIM notices, or Notice of Proposed Property Taxes, advising all tax payers of the proposed assessment on their properties. It is crucial for land owners to critically review this Notice and determine whether the assessment is fair and accurate, as the mailing of the notice commences a very short window in which a tax appeal must be filed. Very often these Notices are inflated to require payment of more taxes than should be assessed.

This bLAWg post will attempt to answer two common questions we are often asked by Florida land owners: "How does the property tax process work and what can I do if I think my property has been over-valued by the tax man?"

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

Liens for Interior Design Services

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

The profession of interior design has been a consequence of the continued development of interior space and complex architecture. Typically, the interior designer is tangential to the overall design team of a construction project. The pursuit of effective use of space is of primary importance and functional design has contributed to the development of the contemporary interior design profession. An interior designer will take on projects that include arranging the basic layout of spaces within a building. Additionally, they will need a fundamental understanding on the effects of color, acoustics, lighting and temperature in the designed space.

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

Additional bLAWg Posts

A Creditor's Perspective on Avoiding the Bankruptcy's Code Automatic Stay

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

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

Tortious Interference with Advantageous Business Relationship: When Does Competition Become Interference?

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

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

For Associations Concerned with Owner Bankruptcies, Quarterly Assessments are Preferred Over Annual Assessments as Post-Petition Assessments are not Dischargeable

By: [Charles B. Jimerson, Esq.](#), and [Hans C. Wahl, Esq.](#)

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

Revitalizing Downtown Jacksonville: Fifty Years in the Making

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

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

Condominium Construction Defect Certification Under 718.301(7), Florida Statutes

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

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

Condominium Construction Defect Class Actions

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

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

Termination of an LLC Member Upon Bankruptcy Filing

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

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

Attorneys' Fees - Demand Them or They are Waived, Maybe.

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

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



Interested in reading more bLAWg posts? Subscribe via [RSS feed](#) or via [email](#). You can also peruse our archives [here](#).

Results Driven

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

*Filed condominium construction defect class action in Duval County.	*Engaged in deposition of structural engineer on custom home project.	*Drafted renovation construction contracts for local property developer.
*Settled condominium unit owner action for building code violations.	*Filed motion for summary judgment on construction lien case for emergency water remediation.	*Negotiated and revised construction loan documents for renovation project of large condominium association.
*Engaged on emergency basis for representation of regional car dealership in foreclosure matter.	*Recovered full payment for construction lien by material supplier, including recovery off all attorney's fees and costs.	*Won a judgment of foreclosure on a piece of property in Baker County and proceeded to regain title to the property on behalf of a local banking institution at judicial sale.
*Obtained relief from the automatic bankruptcy stay to allow individual client to pursue a judgment for attorney's fees and costs as a sanction in an out-of-state civil action, setting new	*Obtained a money judgment on behalf of a local insurance brokerage company just before the defendant is to begin making substantial monthly payments towards	*Successfully garnished a bank account and obtained two final judgments for

precedent in the Middle District of Florida bankruptcy court system. *Engaged to obtain receivership on defaulted loans with collateral subject to substantial waste. *Advised clients on perfecting interests and prosecuting restitution damages owed as victims of financial crimes. *Conducted lengthy discovery and multiple depositions for the purposes of obtaining information to unwind fraudulent conveyances. *Obtained a Final Judgment for commercial lender client against individual following default on a Promissory Note.	the full judgment balance. *Interfaced with banking experts pertaining to defense of lender liability claims. *Conducted claims analysis and preliminary opinion for group of land owners victimized by misrepresentation and civil conspiracies. *Reviewed and revised by-laws for large trade association. *Successfully settled construction defect and mold claims against Developer/General Contractor, roofing and HVAC subcontractors, as well as a Johnson v. Davis claim against the Developer and Realtor.	continuing writs of garnishment on a domesticated Georgia judgment valued at more than \$100,000 against the two individual guarantors. *Negotiated and documented loan purchases for secured lender subject to lien stripping. *Drafted construction contract for general contractor on large private project. *Engaged as trial counsel to defend breach of contract action with several million dollars in controversy. *Expelled member in breach of terms of operating agreement after valuing interest and reconciling damages with dissociated member value.
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Client Focus: The Jacksonville Bank

A monthly feature on one of our valued clients.



[The Jacksonville Bank](#) is a wholly-owned subsidiary of Jacksonville Bancorp, Inc., a publicly traded company trading under the stock symbol (JAXB). The Jacksonville Bank is headquartered in Downtown Jacksonville, with eight local branches.

The Jacksonville Bank's business philosophy is to mirror the spirit and values of Jacksonville: openness, friendliness, and simple honesty combined with a progressive vision. It endeavors to offer a breadth of comprehensive financial services and technological conveniences offered by the

megabanks, without losing the personal attention you expect from a community bank.

The Jacksonville Bank meets the banking needs of people and businesses all over Jacksonville as well as forming alliances with partners to offer complete and comprehensive services - including mortgages, lockbox services, insurance and investments - through some of the most experienced and respected names in the business.

For more information, we welcome you to contact Holly Rosenbloom. She is in an incredibly knowledgeable banker and can help you with your commercial and commercial banking needs, including lending. Click [here](#) to contact Holly via email or call her at (904) 562-1215.

Jimerson & Cobb is very proud and thankful to represent TJB and wishes it continued success in the new year.



Firm News

Curiosities, ruminations and various eccentricities of firm biz.



Mentoring law students

In a November 19 article in the *Financial News & Daily Record*, Charlie was asked to comment about the launch of The Florida Bar's mentoring program for law students. Click [here](#) to read about the article and learn more about the program.



Mustache Movember!

Some of the men of J&C joined in Mustache Movember, an effort to grow mustaches during the month of November to raise awareness for prostate cancer and other male-related cancers. Pictured are Chris, Henry, Charlie, Matt and Hans. A collective firm vote gave Chris the best mustache award.



Gobble, Gobble

We hope you and yours had a wonderful Turkey Day and are enjoying the holiday season. As a small token of our appreciation for the wonderful work they do, J&C provided its staff with a turkey to celebrate the season!



CMC speaks on fish camp case against the city

In the December 6th issue of the Jacksonville Business Journal, Chris was asked to speak about a case the firm filed against the City of Jacksonville on behalf of a developer of a fish camp. Click [here](#) to read the full article.



Holiday spirit

Festive decorations adorn our office as the J&C staff get into the holiday spirit. No matter what holiday you celebrate, we hope your season is filled with happiness and joy.



Board of Directors

Charlie was named to the board of directors for NEFBA, the Northeast Florida Builders Association for the year 2013. Click [here](#) to read the press release for more information. Congratulations!



Construction law gathering

J&C hosted the inaugural committee meeting for the Jacksonville Bar Association's Construction Law Committee. Chris is chair of the committee and Charlie is its vice chair. Approximately 30 attorneys attended the event.



Nominate fellow lawyers

With the voting period officially open to nominate lawyers for the 2013 Best Lawyers in America list, we encourage you to go [here](#) to nominate a deserving fellow attorney for the prestigious list.



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