



February News from Jimerson & Cobb



I recently just finished watching one of the most intense reality TV shows on the History Channel. It's called "The Selection: Special Operations Experiment." The show is premised on Special Forces training and placed 30 men and women with no military background through an intense physical and mental challenge. The civilians endured tear gas, physical training, log and boat drills, ruck marches, sleep deprivation, cold water training, and SERE training (Survival, Evasion,

Resistance, and Escape), as well and relentless mental and emotional pressure from the highly decorated military instructors. It was truly an incredible social experiment to see how these civilian participants were transformed through this process.

The episode with the most impact on me was an episode entitled "Integrity." In this episode, the participants were to complete 50 repetitions at each station in an untimed course. The instructors would not be alongside them. Little did the participants know that each station in the course was under video surveillance. They wanted to see who would cheat and who had integrity. When one of the contestants only performed 48 repetitions at a station,

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the instructors challenged him on the integrity violation. The contestant was distraught because he was so exhausted that he lost count of his reps. He immediately apologized to the instructor and to each of the members of the team. The instructor ultimately determined that the violation was not intentional but still wanted him to perform the 50 repetitions as punishment. What happened next was truly amazing. When the it came time to be punished for the misstep, the participant, along with his remaining team members performed the punishment together--voluntarily.

Integrity is the quality of being honest. When we initially meet someone new, we innately begin analyzing whether we can trust that person. Integrity is generally a personal choice, but significant attention is given to integrity in the discussion about law. We hear words like fairness, justice and integrity, but without any context, the words have empty meaning. This episode gave it meaning. When the team determined that they could trust their compatriot, it solidified his character amongst them. As a result, the remaining team members accepted and performed his punishment voluntarily. When you trust your teammate, the team grows stronger. When the team grows stronger, it accomplishes more. The episode really illuminated the simplicity of the question about integrity. Under extreme pressure, are you honest or are you not? Remember, integrity is what you do when nobody else is watching.

Best regards,

Christopher M. Cobb

Christopher M. Cobb

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Business Spotlight:



Sims Aluminum Construction, Inc. serves customers in St. Johns, Flagler, Putnam and Duval counties.

The only Nichiha and Hardie Lap siding Certified Installers in North Florida, Sims Aluminum Construction is known for their quality craftsmanship and materials. Services they offer include the installation of screen enclosures, gutters, siding, hurricane shutters, and more.

Jimerson & Cobb is proud to work with [Sims Aluminum Construction, Inc.](#), and wishes them continued success throughout the year.

Jimerson & Cobb Receives Gator100 Award



Jimerson & Cobb is proud to announce that our firm has once again made the Gator100 list! The Gator100 is an award presented by the University of Florida honoring the world's top 100 fastest-growing businesses owned or led by UF Alumni. On the list, we ranked in at number 37.

Honorees were treated to a welcome reception the night of February 9, followed the next day by breakfasts with their respective colleges, a Gator100 showcase, and then the awards lunch. J&C is thrilled to have now been selected twice for this honor, and it was a pleasure for us to spend a day in the presence of some of the world's best and brightest

entrepreneurs. Congratulations to all of this year's winners, and Go Gators!

Jimerson Article Featured in Daily Record



As a member of the Board of Governors for the Jacksonville Bar Association, our Managing Partner Charles Jimerson has had an "enriching experience." He recently penned an article regarding said experience and the importance of accountability.

On Monday, February 13th, the article was featured in the Bar Bulletin section of the Daily Record. We encourage our subscribers

to read the article on their website [here](#), and please feel free to send us your feedback!

Suzanne Clark to Host Social Media Evidence and Attorney Ethics Webinar



Starting at 1pm ET on February 21, J&C's resident eDiscovery expert, Suzanne Clark, will be presenting a webinar entitled "Social Media Evidence and Attorney Ethics"! This informative program will be hosted by iControlESI.com, and will go over best practices in accordance with the ethical standards and obligations set forth by the Florida Bar. For example, topics of discussion will include identifying the

various types of social media evidence, as well as the preservation, collection and presentation of said evidence.

All those who would like to attend may register for the webinar [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 Industry Law](#)
- [Florida Condominium Law](#)
- [Florida Business Litigation](#)
- [Florida Eminent Domain Law](#)

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 Industry Law Blog

Construction Project Delivery Methods - Part I



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

There are many options for a Contractor to deliver a project to a commercial owner. As with each different project, the deliver method can change to suit the needs of the parties. Careful attention should be taken when analyzing which method works for the particular project. Each of these various project delivery methods carry differing risks for the parties involved (i.e. owner, contractor, subcontractors, etc.). This two-part blog will discuss some of the most common project delivery methods for commercial construction projects. Part I will discuss Design Build methods and Construction Manager at Risk.

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

Florida Construction Liens: Is the Lien Fraudulent?

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

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

Conditional vs. Unconditional Payment Bonds in Florida

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

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

Florida Condominium Law Blog



What Condominium Owners Should Know About Developer Turnover of the Association: Part I

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

During the construction and initial sales of units within a condominium association, the developer will manage the association's operations and governance. This means the developer controls the association's board of directors. Once the development is constructed and a certain percentage of the units are sold, then turnover of control of the association to the unit

owners must occur. What follows is an overview of what every condominium owner should know about developer turnover of the association.

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

What Condominium Owners Should Know About Developer Turnover of the Association: Part II

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

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

Turnover: An Important but Often Misunderstood Event for Homeowners' Associations

By: [Adam B. Edgecombe, Esq.](#)

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

Florida Business Litigation Blog



Remedies for Creditors Under FUFTA Chapter 726 - Part I: Who May Be Liable

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

Simply put, Florida's Uniform Fraudulent Transfer Act ("FUFTA") is a "powerful remedy." See Brandon C. Meadow's in-depth blog, *Are Florida's Fraudulent Transfer Claims Subject to Equitable Tolling?* But what good is this powerful remedy if creditors do not understand what exactly it can do for them in light of misconduct by debtors? This blog post seeks to show creditors what rights and options they have for unwinding transfers and obtaining payback against those who assets were fraudulently transferred to.

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

Remedies for Creditors Under FUFTA Chapter 726 - Part II: How Much is a Fraudulent Transferee Liable For?

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

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

Choose Your Own Adventure: Are Florida State Law Claims for the Wrongful Filing of Involuntary Bankruptcy Preempted by 11 U.S.C. § 303(i)?

By: [Kayla A. Haines, Esq.](#) and [Charles B. Jimerson, Esq.](#)

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

Florida Eminent Domain Law Blog



Eminent Domain in Florida: Recovery of Attorney Fees

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

Roadwork and other governmental projects are prevalent in Florida and often require the government to acquire private property. Both the Florida Constitution and the United States Constitution provide that no private property shall be taken for a public purpose without full compensation. A land owner's constitutional right to full compensation for property taken by the government includes the ability to recover reasonable attorneys' fees in the process. *JEA v. Williams*. The ability to recover attorneys' fees, even in pre-suit negotiations, is an important consideration for owners when dealing with a government entity seeking to acquire the owner's real property.

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

When Government Actions Rise to Inverse Condemnation Claims

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

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

Riparian Rights in Florida: The Right to Accretions and Relictions

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

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



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Firm News

Curiosities, ruminations and various eccentri of firm biz.



J&C Lends a Helping Hand

In Jacksonville, there are many wonderful organizations that are focused on giving back to our community. The J&C team had the privilege of working with one such organization this past month.

The [Clara White Mission](#), which was founded by a former slave devoted to serving humanity, has been helping the less fortunate through various acts of compassion, generosity and kindness for over a century. For example, one of the many ways in which they support our community includes serving breakfast to the homeless each morning. As we at J&C are always looking for opportunities to

give back, we decided to volunteer a few extra hands to their cause.

On January 19, we helped serve a delicious breakfast to over 400 of Jacksonville's homeless, and it was truly a humbling experience. Nothing quite compares to the sense of gratitude that comes with serving others, and we are so thankful to have had the opportunity to do so alongside some of Jacksonville's finest humanitarians.

And the Jimerson Cobblet Goes To...

Each year at J&C we have an ongoing Firm Cup competition. We host fun firm events and competitions throughout the year, and those J&C team members who participate can earn points towards winning the "Jimerson Cobblet."

We recently held our Firm Cup Final at Dave & Buster's, and as you can see, the competition was fierce. Finalists battled it out in trivia, Pop-A-Shot, Dance Dance Revolution, Nascar Racing, and the NFL Quarterback Challenge. In the end, Kayla Haines (who subbed in for finalist Jessica Campbell) emerged the victorious champion, crushing her competitors in three of the five challenges. Congrats, Kayla and Jess, and well done!





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