



**JIMERSON & COBB, P.A.**

## January News from Jimerson & Cobb



The month of December is a time for yearend reflection for our firm and reestablishment of goals. January is for implementation of the processes and habits that will lead to the achievement of our goals. A goal without a plan is just a wish. If the plan doesn't work, we change the plan. But we never change the goals. Ambitious goals make for outstanding achievements.

I encourage you all to set some business and personal goals that make you want to jump out of the bed in the morning to achieve them. If not now, when? Set big goals, too. If people aren't scoffing at your goals, they are too small. Will achievement be easy? Nope. Worth it? Absolutely.

Need some help setting goals and creating an action plan to achieve them? Here are a few questions you can ask yourself to help you get on the right track:

### Business

1. What were your top 3 achievements or business qualities from the past year? What will you do to expand on these achievements or accentuate your positives?
2. Starting from the time you wake up in the morning until the time you go to bed, what would be your perfect work day hour by hour? Write this out in great detail, including "lucky bounces" that would have to roll your way in order for the day to be perfect. Once you've done this, figure what actions you can do to make most, if not all of your days at work the perfect day.
3. What is the most lofty single business goal you can set for the upcoming year? Think big. REALLY BIG. Now that you've identified that, if your life depended on achieving that goal, what steps would you take right now to achieve it?

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4. The main thing in business is to keep the main thing the main thing. What is your main thing?
5. List five things that you did this year that you are not great at or they are not the highest and best use of your time. Who can you get to do this for you instead?

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#### Personal

1. If we fast forwarded to January 1, 2017, what has to have happened for you to feel this was successful year? What will you look back and regret you haven't achieved? Make that happen in the first quarter of the year if you can.
2. What is the single biggest frustration in your life right now? List three steps you can take to eliminate or mitigate that frustration.
3. Create 5 rules for your lifestyle that you will pledge to follow every single day this year.
4. Pick one thing in your life that if you worked at it with your greatest point of energy commitment continuously until you achieved it, it would have the greatest impact on your life.
5. Write the first paragraph of your eulogy or your tombstone epitaph. What can you do now to be known for what you want to be known for?

Ask yourself if what you are doing today is getting you closer to where you want to be tomorrow? J.P. Morgan said "the first step towards getting anywhere is to decide you are not going to stay where you are."

Don't get down on yourself if you don't achieve your goals either. Keep fighting. Thoreau said "what you get by achieving your goals is not as important as what you become by achieving your goals."

Never give up on a dream just because of the time it will take to achieve it. The time will pass anyway. Might as well make the most of it.

Wishing you all a happy and healthy 2016 and beyond. Feel free to [email me](#) some of your goals if you want some peer accountability.

Very Truly Yours,

A stylized, handwritten signature in black ink, appearing to be 'J. Morgan'.

Charles B. Jimerson

## J&C Announces New Practice Area

Jimerson & Cobb is pleased to announce our new estate planning practice area. The estate planning group provides a comprehensive range of legal services relating to tax planning, asset protection planning, and planning for incapacity. These services include: wills and revocable trusts; Irrevocable life insurance trusts and gifting trusts; multi-generational planning, including dynasty trusts; family business/succession planning; planning with retirement benefits; charitable planning, including charitable trusts, private foundations, and public charities; powers of attorney and advance health care directives; asset protection planning.



The practice area is led by Robert L. Jones, III. Robert is an AV rated attorney by Martindale-Hubbell and was recognized as a Rising Star by *Florida Super Lawyers Magazine* in the field of Tax Law. Robert is experienced in the areas of estate planning, including high-net worth estate tax planning, probate, tax planning, not-for profit and charitable organizations, and business planning.

Our estate planning attorneys develop comprehensive estate plans for a wide range of clients, including high net worth individuals, business owners, professionals, and multi-generational, blended, and young families. The firm's estate planning attorneys also counsel owners of closely held companies on business succession planning to develop the best method to transfer their business to the next generation. We are happy to offer this new practice area and better serve our clients.

## J&C Welcomes New Associate: Adam B. Edgecombe



J&C is pleased to announce that Adam B. Edgecombe has joined the firm as an associate. Prior to joining Jimerson & Cobb, Adam was an associate attorney with a nation-wide insurance defense firm. Adam's practice will focus his practice on commercial and probate litigation and support Robert in our new estate planning practice.

Adam received a Master of Science and Bachelor of Arts in English from the University of Florida. Thereafter, he went on to obtain his Juris Doctor from Florida Coastal School of Law, where he was Submission Editor for the Law Review. Adam is also a graduate of The Bolles School.

Adam resides in Jacksonville's Avondale neighborhood with his wife, Laura, and son, Holden. In his free time, Adam enjoys being outdoors, cooking and watching Gator football. We look forward for all of you getting to know him as the quality lawyer and quality man we knew him to be when we invited him to join our firm.

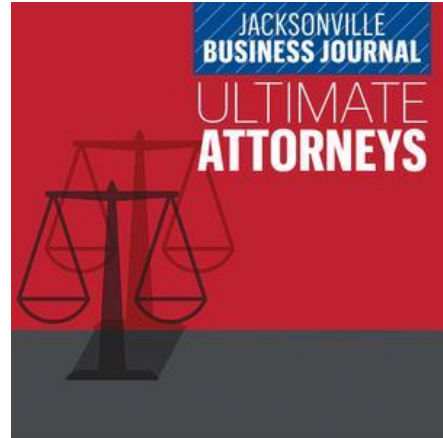
We invite you to [email](#) Adam to congratulate and welcome him.

## Charles Jimerson Named to Inaugural Ultimate Attorney List

Charles Jimerson is one of 25 honorees named to the *Jacksonville Business Journal's* inaugural Ultimate Attorneys list. The *Jacksonville Business Journal* has created this list to recognize the First Coast's top lawyers.

The attorneys selected for this award have elevated the legal profession and have helped shape Jacksonville's business community. These men and women were selected, with the help of members of the local legal community, from a pool of attorneys suggested by their peers. 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 the February 26th issue of the *Jacksonville Business Journal*.



## J&C Blogs

Are you signed up to receive any or all of our blogs? If not, please click [here](#) to sign up.

- [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! Following are some of the highlights from recent postings.

### Florida Construction Law Blog

#### **Do You Need Expert Testimony Regarding Interpretation of the Florida Building Code?**

By: [Brent T. Zimmerman, Esq.](#)

Is trial looming close and are you thinking to yourself who is going to make the best expert for interpretation of the Florida Building Code on that construction defect case? Guess what? You don't need an expert. In fact, it would be improper for the court to allow this type of testimony other than in very limited circumstances for very limited purposes. Construction litigation frequently requires fact finders, whether judges, juries or arbitrators, to determine whether there has been a violation of the Florida Building Code as an ultimate issue in causes of action for statutory violations of the Code, negligence of contractors and professional negligence of design professionals.

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

### Florida Condominium Law Blog

#### **Appropriate Forum for Condo Association and HOA Disputes in Florida: Arbitration, Mediation or State Court?**

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

Determining the correct forum for any given dispute involving a Florida condo association or HOA can be confusing. Often times the board members, licensed managers and unit owners are unsure of where a dispute will be resolved if a party initiates formal legal action. Florida's Condominium Act and HOA Act govern the procedures for community association disputes, and both Acts include arbitration, mediation and state court for resolving various issues. This blog post will provide an overview of the appropriate forum for both condo associations and HOAs to resolve certain disputes in Florida.

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

### **Who May Serve on the Board of Directors for Florida Condominium Associations?**

By: [Christopher M. Cobb, Esq.](#) & [Brittany N. Snell, Esq.](#)

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

### **Condominium Association Recovery of Attorneys' Fees in Florida**

By: [Christopher M. Cobb, Esq.](#) & [Brittany N. Snell, Esq.](#)

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

## **Florida Business Litigation Blog**

### **Escrow Binder Disputes and Interpleader Actions in Florida**

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

When a real estate transaction fails to close, there are a multitude of legal issues that arise for the buyer, seller, and real estate broker. Often times the buyer's earnest money binder or "deposit" is being held by a third party escrow agent. Both the buyer and seller are making conflicting claims to the binder. Section 475.25(1)(d)1., Florida Statutes, sets for the statutory procedure that real estate professionals should follow in the event of conflicting binder claims. Remember that real estate agents and brokers are regulated by the Florida Department of Business and Professional Regulation so they must follow some specific procedures in the event of a binder dispute. These procedure are outlined generally by Florida Realtors® and include seeking an Escrow Disbursement Order, Arbitration, Mediation or Interpleader. This blog will focus on the use of Interpleader Actions for escrow binder disputes in Florida.

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

### **Inverse Condemnation Claims in Florida**

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

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

### **Unwinding Fraudulent Transfers and The Diligent Creditor Rule**

By: [Hans C. Wahl, 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.

\*Engaged to assist former board members and unit owners with recall of current condo association board member.

\*Successfully resolved lawsuit

\*Closed asset purchase on behalf of buyer.

\*Retained by homeowner two days before pretrial conference for lawsuit involving claims by roofing company for payment

\*Provided counsel to company on the process for filing for Assignment for Benefit of Creditors. Facilitated filing of same.

\*Obtained summary judgment

|   |  |   |
|---|--|---|
| involving developer and claims by homeowner.  | on lien claim and settled case without necessity of attending hearing for approximately 31% of claim.                | in arbitration dispute.   |
| *Assisted a pro bono client in obtaining a guardianship for her disabled son.   | *Defended expert's deposition in litigation involving construction delay claims.                                     | *Retained by homeowner to resolve lien claim by contractor and settled without the necessity of filing suit for less than 70% of claim.                         |
| *Successfully negotiated a deed-in-lieu-of-foreclosure between a delinquent unit owner and condo association, allowing the association to gain title to the unit. | *Engaged to defend condo association in unit owner's appeal of trial court's ruling.                                 | *Obtained judgment for eviction on behalf of landlord.  |
| *Created multiple estate planning trusts for client for estate tax savings strategy.  | *Helped to arrange and file an Assignment for the Benefit of Creditors on behalf of a corporation facing insolvency. | *Completed multi-step estate planning year end gift plan. Engaged by client to review commercial lease agreement for new branch office in Milwaukee, Wisconsin. |

## Client Focus: McKesson

A monthly feature on one of our valued clients.



McKesson Corporation, currently ranked 11th on the Fortune Global 500 list, is a healthcare services and information technology company dedicated to making the business of healthcare run better. McKesson partners with payers, hospitals, physician offices, pharmacies, pharmaceutical companies and others across the spectrum of care to build healthier organizations that deliver better care to patients in every setting. McKesson helps its customers improve their financial, operational, and clinical performance with solutions that include pharmaceutical and medical-surgical supply management, healthcare information technology, and business and clinical services.

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

## Firm News

Curiosities, ruminations and various eccentricities of firm biz.

### J&C Celebrates the Holidays

The holidays are a time to enjoy the company of friends and family, eat delicious food, relax and bask in the glow of the holiday season. The J&C attorneys and staff had the chance to enjoy well-deserved relaxation time. Some of us went out of town, sailed away on cruises or just enjoyed spending time in the city we call home. Below are pictures submitted by some of us here to share with you.





## J&C Welcomes Two New Law Clerks

Please join us in welcoming our new law clerks Kayla Haines and Jennifer Proscia! Both are currently attending Florida Coastal School of Law.

Kayla is originally from Oviedo, FL and graduated from the University of North Texas, *cum laude*, with a bachelor's in Television Broadcasting, with an emphasis in Sports Broadcasting. In her free time, she enjoys reading, watching football (She'll be cheering for the Tampa Bay Buccaneers, Arrr!), fitness and spending time with friends and family.

Jennifer comes to us from Boca Raton by way of Tallahassee where she graduated from Florida State University, *magna cum laude*, with a double major in Criminology and Sociology. She will be graduating from Florida Coastal in May and currently serves as Law Review Staff Editor, member of the Mock Trial Team, and as a Spot Editor for the Public Interest Research Bureau. In her spare time,



**Kayla Haines (Left) & Jennifer Proscia (Right)**

she enjoys baking, reading, watching FSU football, and spending time with friends and family.



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