



## LEGAL INNOVATION AT WORK.

The resourceful lawyers at Jimerson & Cobb have developed a niche in surmounting difficulties through commitment to perfecting the practice of law. The point of client engagement is that pivotal moment where our talented and motivated professionals get an opportunity to act on their ideas and dreams.

## March News from Jimerson & Cobb

Hello friends,

It's March and the "madness" is in full swing! The *Hunger Games* of college sports has just begun, and basketball fanatics everywhere are wondering what kinds of upsets this year's NCAA Tournament has in store -- and more importantly, who will have a year's worth of bragging rights for winning the office pool.

Do you struggle every year with putting together a March Madness bracket that has what it takes to go all the way? Better yet, have you ever lost your company NCAA tournament pool to someone who has never watched basketball a day in their life, and only picked teams based on which mascot can beat up the other mascot, which team has the cuter colors, or which school has the better looking cheerleaders? If you said "yes" to any of the above, J&C Managing Partner Charlie Jimerson has some tips for you! Check out the video below to learn his secrets to success when it comes to filling out his bracket, and "may the odds be ever in your favor!"

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### Business Spotlight:



EduCap, Inc. has been helping students nationwide

since 1986.

EduCap is a non-profit organization dedicated to making education affordable



for America's families. A pioneer in the student loan industry, EduCap was the first privately-funded, nationwide education loan program, and offers multiple repayment options to better fit the individual needs of the borrower.

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

## Christopher Cobb Named an "Ultimate Attorney"



Jimerson & Cobb is proud to announce that founding partner Christopher Cobb has been selected to the Jacksonville Business Journal's 2017 class of "[Ultimate Attorneys.](#)"

Now in its second year, the Ultimate Attorneys list celebrates the top lawyers on the First Coast. Honorees were selected from a pool of nominees with help from members of the local legal community. Chris was one of only 21 attorneys to make the list. The founding partners of Jimerson & Cobb have been honored with the distinction each year the JBJ has offered it.

Board-Certified in construction law by the Florida Bar, Chris has also been named to Super Lawyers Magazine's "Florida Super Lawyers" list for the last eight consecutive years.

Recipients were honored at a March 7 luncheon at the Omni Jacksonville Hotel. The complete list of honorees can be viewed on the Jacksonville Business Journal's website and was published in the March 10 edition of the paper. Congratulations Chris, you are ultimate! Keep working hard in silence and let success be your noise.

## Charles Jimerson Recognized as Paul Harris Fellow



For more than a century, [the Rotary Club of Jacksonville](#) has been supporting our community. True to the Rotary motto of "Service before self," the members of our local chapter are committed to being the change they wish to see in the world and making a lasting, positive impact on the lives of others. One such member is Jimerson & Cobb Managing Partner, Charles Jimerson.

This past month, Charlie was recognized by the Rotary Club as a Paul Harris Fellow. An honor named after Rotary's founder, Paul Harris Fellowship is bestowed upon those Rotarians who have made a significant contribution to the Rotary Foundation, or have committed exceptional acts of Rotary service. Financial contributions go towards funding Rotary's numerous charitable programs and worldwide community outreach efforts. Through the efforts of worldwide Rotarians to end Polio, we are close to eradicating a human disease for only the second time in history. A global public-private partnership has reduced the poliovirus caseload by 99.9% over the last 30 years, but there's still plenty of work left to do.

As a firm, Jimerson & Cobb is always looking for new ways to support our local and greater communities and we are proud to have this connection to one of Jacksonville's oldest non-profits. We congratulate Charlie on this recognition and fully support his efforts to assist those in need. Please reach out to Charlie if you are interested in learning more about the Rotary mission or would otherwise like to get involved in the efforts to end Polio.

## **J&C Partner Brad Hughes Competes in All American Air Table Tennis Classic**



Proving that J&C is everywhere in the community, Brad "the human backboard" Hughes channeled his inner Forrest Gump and played high stakes ping pong for a great cause.

The All American Air Charitable Foundation (AAACF) is a small, St. Augustine-based non-profit dedicated to supporting and improving their local community. Each year, the AAACF hosts a Table Tennis Classic to raise money for various local charities. Complete with tasty desserts, live music, and some crazy

costumes, the event is always well-received in the St. Augustine community.

This February marked the AAACF's eighth year holding the Classic, and Jimerson & Cobb partner Brad Hughes was chosen to compete. With serious skill, speed and precision, Brad wowed the crowd at the River House in St. Augustine, and had a great time competing against the other table tennis enthusiasts. The spin cycle was on high. Slice, slice, baby! Nice work, Brad!

## 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



### Design Professional Liability: Does Your Contract Protect You?

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

Under Florida law, individual design professionals can be held liable for professional negligence, even if they did not personally contract for the professional services. *Moransais v. Heathman*. Moreover, Florida's statutes governing engineering, architecture and geology make clear that individual design professionals are not automatically absolved of liability simply because they are not parties to a contract.

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

### Construction Project Delivery Methods - Part II

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

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

### Performance Bond Claims: Strict Compliance With the Bond Language Is Required

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

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

## Florida Condominium Law Blog



## **Turnover: Transitional Considerations for the Homeowners' Association**

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

Part one of this blog discussed turnover in its initial stages: the events that trigger turnover and the files and papers the developer is required to produce to the homeowners' association at the time of turnover. Once an association has completed those steps, the board must then turn to critical business and make crucial decisions for the association. Associations and their boards should bear in mind the following issues as they go through turnover and

immediately thereafter.

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.

## **Florida Business Litigation Blog**



## **Loan Participation Agreements: Does Borrower Fraud Relieve a Participating Bank of Its Obligations?**

By: [Charles B. Jimerson, Esq.](#) and Daniel L. Buchholz, J.D.  
Candidate

After entering a participation agreement, a once promising loan sometimes becomes a problem loan once the borrower defaults. Following default, both the lead and participating banks always assess collectability. If the parties find the borrower is uncollectible based upon changes in circumstances, flaws in the underwriting or borrower fraud, it leads business partners to evaluate their own relationship and the finger pointing often commences. Having purchased a

worthless participation interest, the participating bank sometimes seeks creative ways to relieve itself from its obligations, despite the very one-sided terms that comprise most all participation agreements. The question we often get is, does a borrower's fraud relieve the participant from its obligations in a participating agreement, particularly when the lead bank should have noticed the fraud in their underwriting? This article will discuss common theories of recovery used by participating banks in cases of borrower fraud, and how the likelihood of success for such claims is almost entirely determined by the express terms of the participation agreement.

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

### **E-Discovery Terminology for Every Litigator**

By: [Suzanne H. Clark, Esq.](#) and Parke McManis, Esq.

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

### **Defending Involuntary Bankruptcies Part I: The Basics of an Involuntary Bankruptcy**

By: [Charles B. Jimerson, Esq.](#), [Austin B. Calhoun, Esq.](#) and Hana Eldick, J.D. Candidate

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

### **Defending Involuntary Bankruptcies Part II: Defenses, Strategies and Remedies**

By: [Charles B. Jimerson, Esq.](#), [Austin B. Calhoun, Esq.](#) and Hana Eldick, J.D. Candidate

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

### **An Overview of Florida Deceptive and Unfair Trade Practices Act, Part I: What Is FDUPTA, Who Does It Protect, Why Is It Needed, and What Is Actionable?**

By: [Charles B. Jimerson, Esq.](#) and Sophie M. Hayashi, J.D. Candidate

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

## **Florida Eminent Domain Law Blog**



### **What Procedures Must the Government Follow Before Filing an Eminent Domain Lawsuit Against You?**

By: [Brandon C. Meadows, Esq.](#) and [Charles B. Jimerson, Esq.](#)

Before filing an eminent domain lawsuit against a property owner, Florida law requires the government or the condemning authority to conduct very specific procedures. These special procedures and considerations are designed to ensure that the taking of any property is valid and that the property owners are given a fair opportunity to resolve the issues with the government before the suit is filed. It is critical for property owners to understand their pre-suit

rights throughout this process to obtain full and fair compensation for any taking of their property.

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



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## Firm News

Curiosities, ruminations and various eccentricities of firm biz.

### Great Bowls of Fire: J&C Attorneys Throw a Party With a Purpose

On February 18, Jimerson & Cobb participated in the 7th Annual Jacksonville Bar Association Chili Cook-Off at the Riverside Arts Market. Forty teams from local law firms came out that day to serve free chili for a good cause. As live music played, crowds sampled the various kinds of chili and voted for their favorites. In addition to the food, Bold City Brewery was kind enough to provide free beer, and there were also free vodka and gin samplings from Manifest Distilling.

Two Jimerson & Cobb associates, Adam Edgecombe and Brandon Meadows, helped to organize event on behalf of the Bar Association, and all proceeds were given to the Anthony Stinson Association for Change. Thank you to everyone who came out to show your support. You helped to make this the greatest JBA Chili Cook-Off yet!









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