



JIMERSON & COBB, P.A.

September News from Jimerson & Cobb



The next couple of weeks mark the end of an era as AMC's Breaking Bad concludes its fifth and final season. After much deliberation, I am ready to go on record and say that I think Breaking Bad is the greatest TV show of all time. That was a tough call for me as I am a huge Sopranos, Mad Men, The Wire, The Office and Arrested Development fan. Breaking Bad is smaller in sociopolitical impact than some other great

dramas, but big things are contained within it.

The story of a beaten-down academic salaryman who finds out how to live only in the news of imminent death (he's diagnosed with terminal cancer), Breaking Bad finds its brilliance in showing you how Walter White's bucket list activities are more malignant than the disease affecting his body. Walter's deliverance, and perhaps ultimate undoing, comes from his choice to do bad things--nay--increasingly awful things. He's a drug maker and a drug dealer and a killer and a sneak and a vicious liar. But we love him, root for him with fervor, because he's more fully alive in bad mode than he ever was when he was on the straight and narrow. It's a moral conundrum that seems germane to the human condition of wondering how we will confront those conflicting emotions that we will inevitably encounter when we learn that our time is up.

Aside from the visual art in production, the brilliance of the overall premise and the impeccable acting, the show is lovable because it is just so incredibly intense. Every episode has at least one bracing set of circumstances which yields a result counter to every plausible predicted outcome you could make going into the episode. The writers write themselves into a corner with each plot twist and seem to artfully escape unscathed each time, leaving the viewer more and more committed to seeing the story through to the end. The show takes the most foreign set of plot facts and makes it accessible and inviting to all range of viewers. The immediacy and relatability occasionally giving way to shock and intrigue is a really tricky balance to strike, and yet Breaking Bad does it masterfully, as if it was nothing.

What, you say, does this have to do with a business litigation boutique in Jacksonville reaching out to its clients and friends?

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Well, aside from letting you know us nerds do have lives beyond filing legal briefs, I think there are some fundamental business lessons that I can extract from the show's storylines. Whatever else Walter White is, including a despicable villain and coldblooded killer, he's an example for anyone looking to take the risks associated with starting their own company or simply rise the corporate ladder within their current company. What follows are five lessons in business and life that you can learn from the maniacal, violent, uncomfortably rich drug kingpin Walter White:

1. **Be indispensable.** Whether you are providing a product or service in the market or performing defined tasks in the workplace, you should endeavor to become an indispensable asset who adds value. In Walter's case, being indispensable meant that he created a company that entirely relied upon his unique skill set. By making himself a key cog in the machinery of a high-margin business, Walter has shielded himself from harm on multiple occasions. He also moves quickly to identify and eliminate potential replacements and is constantly in touch with market developments.
2. **Commitment to growth and professional development.** Walter starts as a simple high school chemistry teacher. He knew teaching, but nothing of the seedy world he wanted to get into. While he made a lot of mistakes in operations, distribution, and scaling his operation, he took the time to become a student of the game. His commitment to his own professional development quickly made him a leader in his industry. Walter White has a brilliant mind and it is always at work. At the start of the series he's merely a high-school chemistry teacher and a car wash attendant. The onset of cancer was enough to shake him from his malaise and become the spur to start building his meth-making empire, but the only thing that brought him great financial success was his commitment to growth and professional development--odd bump, fatality and life destroying megalomania be damned. Just think, you too can have success as easy as Walter has found his. Hopefully your success doesn't involve you becoming a horribly evil person, giving up your family and causing untold suffering and occasional death to many, many innocent people along the way.
3. **You are only as strong as your support.** Hiring might be the most essential aspect of growing a solid company, yet few business owners have much time or resources dedicated to recruiting and retaining top talent. On Breaking Bad, Walter White has made a lot of mistakes with his business. But the one success he's had is finding the perfect employee in former student Jesse Pinkman. Jesse is loyal to a fault and much

smarter than he initially appears, making him the perfect partner-in-crime for Walt. When hiring for your company, it is tempting to simply hire based on strength of credentials and paper qualifications. In doing so, you often miss out on those candidates who make loyal, hungry contributors that buy in to the corporate mission statement. You can always train for skills, but you can't train passion and hustle. When Jesse loses his hustle and commitment, Walter's meth ring does not operate on the high levels it is capable of operating on.

4. **Never sacrifice on the quality of your work.** Walter White may be willing to give away his friends, family, freedom and soul in his plight to build an empire, but he will never--I repeat, NEVER--sacrifice the quality of his product. This commitment to quality is one of the main reasons why his blue meth became a dominant brand in the market. Because his blue meth is differentiated as the best drug on the market, White and Pinkman can charge a significant premium on the street. Moreover, his product is so good that it keeps him alive--distributors who want him dead realize that they'll make out better if they keep him producing his one-of-a-kind product. Harkening back to the first lesson (indispensability), his dedication to quality control is the key ingredient to his successful concoction. Are you willing to show that same commitment to quality?
5. **Reputation is everything.** Henry Ford once said "you can't build a reputation on what you are *going* to do." Walter White knows that the way to gain a great reputation is to endeavor to be what you desire to appear. Walter, in turn, builds a reputation based on proven performance. If you're known as an unprepared, irresponsible, unreliable employee, don't expect a raise. If you're known for screwing people out of money, don't expect to have great business partners. If you are known for not competing on a level of your competitors, don't expect to beat them out for work. Walter White's reputation, through his Heisenberg alter-ego, is that of a master chemist and ruthless drug lord. Throughout Albuquerque, other dealers (and eventually the police) learn about this mysterious Heisenberg. They either want to work with him or get of his way--and both serve to help White get ahead. Make sure your reputation is as sturdy as Heisenberg's.

I'd love to hear back from any of you in agreement or disagreement as to the historical placement of the show and what we can admire or loathe about the Heisenberg administration. More importantly, look around you--there are

business lessons in everything we do. Even when you are vegging out on the couch.

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

J&C law clerk to join as firm as associate

J&C is pleased to announce that law clerk Austin Calhoun will be formally joining the firm as an associate following graduation from the Florida Coastal School of Law this December.

Prior to law school, Mr. Calhoun obtained his certified general contractor's license and became a LEED Accredited Professional while working in the local construction industry.

During the eight years before his entrance into law, Mr. Calhoun worked for one of Jacksonville's largest commercial construction companies as a project manager and completed numerous building projects in Northeast Florida.

While in law school, Austin has earned book awards for the highest grade in nine classes. He was also a Staff Editor of the Florida Coastal Law Review, a member of Phi Delta Phi honors society, and a student member of the Jacksonville Bar Association. He is an alum of UNF.

Austin has been with us since October 2011. We look forward to having him around on a full-time basis. Congratulations, Austin!



Featured bLAWg Post

Now You Have a Judgment and Want To Collect On It

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

After a party obtains a judgment in a lawsuit, it may then be left trying to collect on it. Assuming the judgment is not paid, parties will likely engage in post-judgment discovery to locate assets and/or discover fraudulent transfers. Florida Statute §56.29 provides judgment creditors with an expeditious remedy to both discover assets which may be subject to the judgment, as well as subject those assets to a speedy proceeding in the same court where the original judgment was obtained. *Regent Bank v. Woodcox*, 636 So. 2d 885, 886 (Fla. 4th DCA 1994).

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

Additional bLAWg Posts

Amendments to the 2013 Florida Statutes Affecting Condo and HOA Official Records Keeping and Maintenance

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

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

The Rental of Homestead Property Can Destroy Florida's Homestead Exemptions

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

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

Collecting Accounts Receivable Part IX: Obtaining a Receiver Over the Debtor's Property

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

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

Protecting Tenants at Foreclosure Act

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

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

Trial Courts Have Post-Judgment Jurisdiction to Determine the Amount of Past-Due Assessments Owed to a Condo Association and Any Attorneys' Fee Award

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

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

Florida's Second District: Judgment Creditors Can Issue Post-Judgment Discovery Concerning the Debtor's Assets Held Jointly With a Spouse

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

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

Collecting Accounts Receivable Part VIII: Executing and Levying on a Debtor's Personal Property

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

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



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Results Driven

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

*Represented contractor in making BP oil spill recovery claims.

*Negotiated an employment contract between an independent contractor and a benefit services provider to

*Facilitated the assignment of a secured interest in real property to allow a judgment creditor to partially secure its outstanding judgment claim.

*Negotiated commercial renovation project close-out.

*Negotiated payment of the total balance of a condominium assessment lien foreclosure judgment just days prior to judicial sale.

*Drafted opinion on condominium declarations

ensure that the property and business interests of the independent contractor were protected.

*Engaged in mediation on directional borings dispute.

*Represented developer in resolving eight-figure credit facility covenant default with lender.

*Drafted construction and renovation contracts for large regional homebuilder.

*Filed statutory private prompt pay action on behalf of waste management company who was defrauded money from contractor paid on construction project.

*Argued against Motion to Dismiss in Construction Lien dispute on commercial renovation.

*Provided opinion to community association on restriction of parking for owners who are delinquent in assessments.

*Represented client in wrongful levy action filed against IRS for improper seizures to satisfy third party tax obligation.

*Negotiated condominium renovation project close-out.

*Engaged to represent community association in dispute with exclusive service provider over existing agreement and proposed renewals.

*Reviewed and advised on media contract for condominium association.

*Identified substantial amounts of unpaid tax obligations in proposed transaction which served to avoid liability for client buyer.

regarding landscaping.

*Engaged to represent former employee accused of violating fiduciary duties, converting corporate property and misappropriating trade secrets.

*Filed Motion to Dismiss for lack of jurisdiction in shareholder derivative action.

*Represented lender in obtaining relief from stay on confirmed plan after debtor defaulted on post-confirmation obligations.

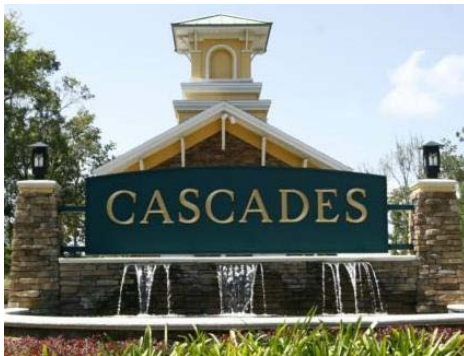
*Conducted document review for large condominium defect action.

*Provided opinions to several groups of lenders on impact of lending limits laws and certain other credit underwriting regulations.

*Assisted lender in making probate and insurance recovery from deceased borrower.

Client Focus: MBSC Cascades, LLC

A monthly feature on one of our valued clients.



MBSC is a joint venture residential development and homebuilding group based out of South Carolina. In September 2009, MBSC, working in partnership with Dock Street Communities, purchased a development in St. Augustine's World Golf Village. The Cascades at World Golf Village

is an age restricted 55+ Active Adult community. When MBSC purchased the Cascades in 2009 there were 168 homes left to develop, sell, and build, and now they are down to their last 30 homes to sell. The community is well known for its 38,000 square foot amenity center and sports complex and its all-inclusive

maintenance free Homeowner's Association.

The Chief Operating Officer for Dock Street Communities, Ben Walters, had this to say about the Cascades development: "Cascades has been a tremendous success for the Dock Street Active Adult brand and further has proven that Northeast Florida is an attractive destination for retirees to make their home."

Jimerson & Cobb, P.A. is very proud to assist MBSC in all legal aspects of real estate operations and wishes it continued prosperity for the future.

Firm News

Curiosities, ruminations and various eccentricities of firm biz.



NEFBA 007 gala

NEFBA will hold its 007-themed gala on Friday, November 15, at the Riverplace Tower on the Southbank. Tickets are \$100 per person and include an open bar, dinner & casino games. Don't miss your chance to win an all-expense paid trip for 2 to fabulous Las Vegas, Nevada. For ticket info, contact [Charlie](#).



2013 Leadership Conference

Charlie just returned from the 33rd Annual JAX Chamber Leadership trip in Charlotte. Sessions during the conference included Downtown Development, Public Private Partnerships, Transportation, Education and Sports. To learn more, read about it in the [Daily Record](#).



J&C welcomes new employees

Mark Moss has joined our firm as a law clerk. Samantha Trance has joined our firm as a file clerk.

Back to School Days

J&C kiddos headed back to school! Here are a few snapshots.



Austin and daughter Lauren



Chris's daughter Madison



Charlie and daughter Lila



CJ Lunch & Learn

Charlie presented this month's Lunch & Learn on e-Discovery, discovery that deals with the exchange of information in an electronic format, and the rules that guide this process. We had visiting attorneys from Akerman Senterfitt and Kinney & Sasso present for the presentation and lunch. [Pictera Solutions](#) also did a presentation on their electronic data discovery expertise. Click [here](#) to learn more and view the Powerpoint presentation.



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