



JIMERSON & COBB, P.A.

December News from Jimerson & Cobb



The holidays are usually a time to honor traditions. Whether religious, cultural or personal, traditions will guide your holiday season. A tradition is defined as a belief or behavior passed down within a group or society with symbolic meaning or special significance with origins in the past. The word itself derives from the Latin *tradere* or *traderer*, literally meaning to transmit, to hand over, to give for safekeeping. There are big holiday traditions like the Christmas tree, stockings over the fireplace and presents. There are also small personal traditions like what cookies are left for Santa Claus, whether your kids get to open one gift on Christmas Eve or whether you stay in your pajamas all day (I do). Regardless of your tradition, it is those very practices which make your holiday special. Then there are the times we break tradition. Many times this is so the young family can start their own traditions. That is bittersweet because the guilt of breaking the tradition is usually quickly overcome with the joy of creating your own. Regardless of your traditions, there is one thing that I will start this year. I will sit with my wife in a room lit only by tree lights and remember that our blessings outnumber the lights.

Regards,

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

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Contact Us

Riverside Center
701 Riverside Park Place
Suite 302
Jacksonville, FL 32204
Telephone 904-389-0050
Facsimile 904-212-1269

info@jimersoncobb.com
www.jimersoncobb.com



Attorney Brandon Meadows officially sworn in

Brandon C. Meadows was officially sworn in as a member of the State Bar of Florida last week. He is pictured below with Judge Virginia Norton and partner Charles Jimerson.



Brandon is an associate with the firm, where he concentrates his practice in the areas of commercial litigation, financial services litigation, real property litigation, business torts and creditors' rights.

Prior to joining the firm, Brandon served as a judicial intern to the Honorable Roy B. Dalton, Jr., of the U.S. District Court for the Middle District of Florida and the Honorable Mark W. Moseley of the Eighth Judicial Circuit Court of Florida. While in law school, Mr. Meadows served as the Executive Editor of the Florida Journal of Law and Public Policy and as President of the University of Florida Trial Team, earning recognition for his advocacy skills as the 2012 Champion of the Florida Justice Association Trial Competition and as a 2012 Regional Semi-Finalist of the American Association for Justice Trial Competition. He is a 2013 inductee of the National Order of Barristers, and he is a recipient of the Gerald T. Bennett Outstanding Service Award for his advocacy and service to the University of Florida Levin College of Law.

Originally from the Bluegrass State, Brandon and his wife, Jenna (who is also an attorney), moved to Florida to pursue their legal education. The Meadows family, which includes baby Noah and a Jack Russell Terrier named Peanut, enjoys spending time outdoors, watching SEC sports, and rooting for the Big Blue Nation.

Featured bLAWg Posts

Sole Proprietorships, Corporations and LLC's: Choosing the Entity Form that is Right for You

By: [Brandon C. Meadows, Esq.](#)

Florida entrepreneurs and businesses must make a decision to form the most appropriate business entity to suit their needs. Whether you are in the early stages of a start-up company, or whether you are a growing business in need of new corporate structure, there are many different considerations that will aid you in selecting the entity form that is right for your business. This article addresses several key considerations and distinctions between sole proprietorships, corporations and limited liability companies. Among those key considerations discussed are ownership requirements, equity allocation, formation and filing fees, governing documents, tax implications, liability, managerial authority, fiduciary duties, raising capital and sharing profits.

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

Unlicensed Contracting in Florida: Beware of Arbitrating This Issue

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

The Florida Statutes provide for licensing of certain contractors performing work in this state. If a contractor does not have the requisite licensing, that contractor will not be able to enforce its contract or lien rights. See Florida Statute Section 489.128. This is a dagger to any person seeking to enforce such an illegal contract. While on its face, this statute appears clear, when a party is in arbitration, such an illegal contract may still be enforceable. The Village at Dolphin Commerce Center, LLC, vs. Construction Service Solutions, LLC.

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

Additional bLAWg Posts

Avoiding Successor Liability When Purchasing A Business

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

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

Condo Associations Must Ensure That Accepting Partial Payments From Delinquent Unit Owners Won't be Considered Payment in Full

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

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

Construction Industry Licensing Board Part II - Proper Methods for Certified General Contractor to Obtain Roofing Experience

By: [Christopher M. Cobb, 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.

*Engaged to assist homeowners' association with developer turnover process and related contractual obligations. *Filed petition for Declaratory Statement with DBPR. *Assisted condominium association with unit owner's service dog request and compliance with Fair Housing Act requirements. *Prepared proofs of claim on behalf of creditor in Delaware bankruptcy proceedings. *Responded to request for information in DBPR investigation. *Advised out-of-state general contractor on multiple issues pertaining to lien release and payment dispute on Florida project. *Drafted opinion for condominium association's board of directors concerning disclosure of board member conflict of interest pursuant to Florida's Non-Profit Corporation Act.	*Obtained payment in full, plus interest and attorney's fees, to sub-subcontractor from prime contractor who failed to furnish a payment bond for the project. *Recorded construction lien for residential re-roof. *Obtained final judgment of foreclosure upon hearing on an order to show cause. *Achieved favorable sale of collateral to avoid foreclosure. *Successfully garnished judgment debtor bank account. *Argued against indirect criminal contempt of party. *Persuaded full payment of mortgage default cure amount from borrower. *Settled commercial pool construction lien. *Awarded final judgment of foreclosure at show cause hearing. *Settled construction lien on commercial construction project.	*Served trademark infringement cease and desist letter. *Negotiated and drafted terms of a forbearance agreement on behalf of a lender. *Resolve construction defect action on behalf of subcontractor accused of negligent window installation. *Negotiated and drafted multi-million dollar engineering, processing and construction contract. *Drafted and negotiated prime construction contract on behalf of owner. *Provided project management counsel to owner. *Settled dispute involving construction lien. *Obtained payment in full from customer on behalf of equipment vendor. *Deposed corporate representative of general contractor in construction/design defect case.
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Client Focus: Cook's Air Conditioning & Heating Specialists

A monthly feature on one of our valued clients.



"PROVIDING SOLUTIONS THAT KEEP YOU COMFORTABLE"

Cook's Air Conditioning & Heating Specialists work not only on HVAC performance issues in the home, but also on maximizing energy efficiency. Cook's specializes in air conditioning and offers various system types and brands for homes and budgets of all sizes.

They also believe that temperature is just as important as indoor air quality and offer the full gamut of ductwork services and indoor air quality devices.

Jimerson & Cobb is proud to represent [Cook's Heating and Air](#) and wishes it continued success in the new year.

Firm News

Curiosities, ruminations and various eccentricities of firm biz.

Getting in on the holiday spirit

Yesterday, we held a combo in-office event: a Tacky Christmas attire competition, along with a White Elephant Happy Hour. The tie-in? That the first and second place winners get to pick last & second to last during the gift exchange. Check out the getups below, especially with marketing intern, Justin, winning the competition with his festive holiday onesie. There really wasn't any competition with that in the mix!





For the White Elephant gift exchange, each employee was instructed to select a locally sourced gift and the choices ran the gamut from Intuition Ale Works to Bold Bean Brewery to Paperwhite Salon to Peterbrooke chocolates.







J&C sets sail for holiday party

J&C celebrated the holidays with an evening voyage on Victory Casino Cruises where we took a gamble at blackjack, craps, roulette, poker, slots and bingo. Our motley

crew is pictured below just after kicking off the cruise with a dinner in the Atlantic Cafe.



Supporting our local mustaches

Yet another Movember has come and gone, and the results of our best & worst mustache contest are finally here! The big winners were attorney Hans with the weakest, partner Chris with the creepiest and partner Brent with the overall best. Congrats, lads!





Partner Chris Cobb appointed chair of CILB committee



The Department of Business and Professional Regulation's Construction Industry Licensing Board has appointed partner Christopher Cobb to chair the continuing education committee. This committee is responsible for approval of all continuing education courses offered for Florida construction licensees.



networking event. We are proud to support JALA!

All J&C attorneys participated in the 30/60 Challenge from the Jacksonville Bar Association. The challenge raised funds for the Jacksonville Area Legal Aid (JALA), while encouraging participants to devote 30 minutes to join in an uplifting, refreshing and fun



Jimerson & Cobb, P.A.
Riverside Center
701 Riverside Center, Suite 302
Jacksonville, FL 32204
Telephone (904) 389-0050 Facsimile (904) 212-1269
www.JimersonCobb.com

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