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Mama's don't let your babies grow up to be cowboys

True story, the first time I thought about being a lawyer was when I heard Waylon Jennings and Willie Nelson's song "Mammas, Don't Let Your Babies Grow Up To Be Cowboys." Until then, I had always wanted to be a cowboy, and now some very trustworthy fellas were telling me that there was a better profession. It took me a long time to consider that alternative, and to this

day I'm not sure they were giving good advice, but I will tell you that was the first time the seed was planted. Rest assured that there were many late nights and weekends where I wished I was "picking guitars and driving old trucks" rather than being a "lawyer and such." Any real cowboy would tell you that no hour of life is wasted if it is spent in the saddle.

When you look back at your career path, everyone always has sinuous route replete with episodes of biographical incidents. For me, I've often wondered how I got from daydreaming about being an ultra-cool gunslinger, a man with no name and very few words, to a man who is pretty far from cool and is compensated by the written and spoken word. While I can still be rough, tough and no-nonsense, I don't ride to work on a horse, and the local bench prevents me from bringing my lasso to court. "Lonestar belt buckles and old faded levis" are still more inviting to me than a starched white button down and fancy business suit. And yes, this lawyer still likes "smokey old pool rooms and clear mountain mornings" as compared to a stuffy black-tie affair or an exclusive boardroom assemblage.



While the song was a warning to the mothers of little boys like me with big dreams of the wide-open range, I've found it to be the very definition of many a man's restless (and sometimes reckless) heart in just under three minutes. My wife would attest that this lawyer "ain't easy to love or easy to hold" as Messrs. Jennings and Nelson would suggest, for us lawyers have stubborn pride comparable only to that of a wayward cowboy. I've long been at peace with the fact that there is probably more cowboy in me than there is lawyer. Always has been. On any given day I'm working from the hurricane deck of a half-broke cow horse, hating fences and respecting rivers, always eager for the upstream float. That would have happened no matter if I went to work with spurs or a necktie on. Like any good cowpoke, a good lawyer has to be independent, fiercely self-reliant, resourceful, fearless; all traits which I hope to define me. I'd also like to think that I live by a moral code similar to the Code of the West. The more I consider it, when you are doing it right as a lawyer, you've got a lot in common with a leathery, venerable wrangler. Cowboys ain't made by boots or hats. They're made by the man inside 'em that still respects where he came from.



As a lawyer, you've got to be ready to cowboy up on a moment's notice. Like a good cowboy, us lawyers have to be good with the gun, but not always a gun fighter. Just good enough to protect our bosses' herds from the rustlers. Our

hat has to be well worn, probably crumpled with rings of sweat stains- or in my case grey hairs from shouldering the burdens of my clients. Our saddles are always more valuable than our horse, because it took a while, perhaps many years of experience to get comfortable with the ride. Beware of any fancy dressed Urban Cowboy Lawyer who has only ridden animals that are mechanically operated at \$15 a throw. For a gladiatorial lawyer, a mind that is stretched by repeated and diversified experiences can never go back to its old dimensions. Every bull bucks with a new thrust, but comparable forces and rhythms. You realize that only by riding a lot of bulls in a lot of arenas.

What lawyers and cowboys have most in common though, is their dedication to living by a set of values that govern your life. When you look at the Code of the West, which is known as the ethical guidepost for cowboys, it follows very nicely with the foundational set of principles that guide most any profession, including the legal profession.

1. Live each day with courage
2. Take pride in your work
3. Always finish what you start
4. Do what has to be done
5. Be tough, but fair
6. When you make a promise, keep it
7. Ride for the brand
8. Talk less and say more
9. Remember that some things aren't for sale
10. Know where to draw the line.

It's hard to say how prolific such values actually were in the Old West, given the land and water wars, the campaigns against the Indians, the pursuit of gold, and the many incorrigible outlaws. Yet among hard working cowhands, ranchers too, the need for a code of conduct must have been great and the effort to live by it fulfilling. A similar need for self-governance exists in the legal community and is best exemplified in the oath that any attorney swears when admitted to the Bar.

The iconic cowboy represents the best of America — the courage, independence, optimism and persistence. Cowboys are heroic not just because they did a dangerous job, but also because they stand for something — the simple, basic values that lie at the heart of the cowboy way. Even though no one in our firm ever got to ride with Hoss or Little Joe Cartwright, I'd like to think that as lawyers we've all committed to promoting honor and a self-governing code that the wild west and all of the pioneers of outlaw country music would embrace.

With all of that said, I sure do wish I was on a cattle drive instead of staring out my computer screen for hours right now. I get the feeling that Waylon and Willie know exactly why. Wish Toby Keith had written "Should Have Been a Cowboy" when I was young enough to still be impressionable.

Happy trails,

Charles B. Jimerson

Jimerson Birr Hosts Judicial Panel



Managing Partner, Charles Jimerson, recently moderated a Judicial Panel titled "What judges want in-house lawyers to know about litigating locally" consisted of four sitting judges:

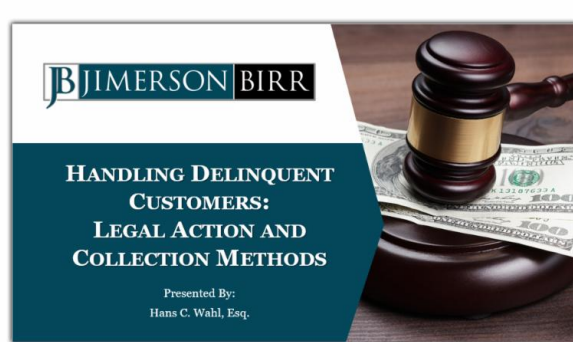
- Judge Virginia Norton, Fourth Judicial Circuit Court, CV-D Division
- Judge Waddell Wallace, Fourth Judicial Circuit Court, DV-A Division
- Judge Marcia Howard, U.S. District Court - Middle District of Florida
- Judge Katie Dearing, Fourth Judicial Circuit Court, CV-B Division

All attending lawyers received CLE credit and enjoyed the candid conversation about the litigation process from the panel's perspective; the judges' inside baseball about litigating in their courtrooms; and important insight from each judge about their focus and concerns on day-to-day affairs administering justice. No bull riding tips were discussed.

Upcoming Jimerson Birr Webinar On How To Handle Delinquent Customers

You asked for it, so here it is. Back by popular demand, Jimerson Birr will again hold an in-depth webinar on **Tuesday, June 25, 2019** that covers techniques for handling delinquent customers, including legal action and collection methods. Partner

Hans C. Wahl, who is Board Certified in Condominium and Planned Development Law by the Florida Bar, will speak on a wide range of topics including:



[Click here to register now](#)

- The formal collection process
- Best practices for contracts and credit agreements
- Avoiding violations of debt collection and bankruptcy laws
- Debt collection litigation
- Post-judgment collections

After his scheduled remarks and presentation, Hans will participate in a Q&A to help attendees apply the lessons learned to their particular situation. The webinar will run from 1:00pm - 2:00pm Eastern Standard Time and is hosted by Lorman Educational Services.

Jimerson Birr Legal Blogs

Are you keeping up with the latest information in business and law? Jimerson Birr publishes weekly blog posts covering topics from construction law, business litigation, eminent domain law, community associations law and everything in between. **Click here to subscribe** today and stay up-to-date on the latest legal news from these areas:

- **Construction Industry Law Blog**
- **Community Association Law Blog**
- **Business Litigation Blog**
- **Eminent Domain Law Blog**
- **Commercial Real Estate And Land Use Law Blog**

Business Litigation Blog

"As Is" And No Warranty Provisions In Contracts: Are They Always Enforceable?

By: **James O. Birr, III, Esq.**

Whether purchasing a business, a piece of real property, or even a car, there is likely a lengthy contract that goes along with that purchase. Many of those contracts contain "as-is" or "no warranty" provisions. These types of

provisions may also include language that the seller of the property is not responsible for oral statements associated with that property.

Click here to read the full blog post.



Exit Strategy: What Are Considerations For Preparing To Sell My Business?

By: **D. Brad Hughes, Esq.**

Click here to read the full blog post.

Can A Bank Issue A Loan Secured By Its Own Stock?

By: **Charles B. Jimerson, Esq.** and Carter F. Smith, JD Candidate

Click here to read the full blog post.

Do OCC Guidelines And Regulations Governing The Conduct Of Banks In Loan Participation Transactions Impose An Obligation Upon The Purchasing Bank To Conduct An Independent Credit Analysis Of The Borrower?

By: **Charles B. Jimerson, Esq.** and Carter F. Smith, JD Candidate

Click here to read the full blog post.

Community Association Law Blog

Considerations For Community Association's Use Of Drones For Covenant Enforcement And Maintenance Inspections

By: **Hans C. Wahl, Esq.**

There are benefits to community associations using drones for issues such as covenant enforcement and common area maintenance. The biggest of which is



the cost effectiveness and efficiency of using drones instead of individuals to perform these inspections. However, there are significant risks...

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

Can A Condominium Impose Special Assessments For Necessary Or Routine Maintenance?

By: [Charles B. Jimerson, Esq.](#) and Carter F. Smith, JD Candidate

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

Construction Law Blog

Florida Construction Lien: Final Furnishing - Does It Include Punchlist Or Closeout Work?

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

This blog is part of a series covering a critical component of a Florida construction lien—recording the claim of lien within 90 days’ of “final furnishing.” Failing to record a claim of lien within the 90-day final-furnishing deadline renders the lien completely invalid and useless. The trick is knowing when the 90-day...

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



How To Calculate Real Estate Valuation Damages In A Construction Defect Action

By: [Charles B. Jimerson, Esq.](#) and Alexa Nordman, JD Candidate

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

Commercial Real Estate and Land Use Law Blog

Quiet Enjoyment - What Landlords Need



To Understand

By: **Adam B. Edgecombe, Esq.**

Almost everyone, regardless of whether they have ever leased out or rented a commercial space, is generally aware of each party's duties under a commercial tenant lease agreement. The landlord allows the tenant to use his building, in exchange for the tenant making rental payments. But, most people, even experienced landlords, aren't familiar with...

Click here to read the full blog post.

7 Reasons You Need An Attorney For A Quitclaim Deed Transaction

By: **Charles B. Jimerson, Esq.** and Alexa Nordman, JD Candidate

Click here to read the full blog post.

Can Real Estate Seller Disclosure Obligations (Johnson V. Davis) Be Waived In A Purchase And Sale Agreement?

By: **Charles B. Jimerson, Esq.**

Click here to read the full blog post.

Firm News

Curiosities, Ruminations and Various Eccentricities of Firm Biz

March Madness With JB & The Rest Of Jacksonville

During the end of March, the excitement was palpable throughout downtown Jacksonville and the First Coast area. As our city played host to the NCAA tournament and the many visitors attending to watch history be made, you could even faintly hear the sound of a bouncing basketball on the 14th floor of the Wells Fargo Building.



There were no Final 4 games held at our offices, but most everyone here had a healthy helping of March Madness on the brain! That's because Jimerson Birr attorneys and staff create March Madness brackets each year, then track performance over the course of the annual tournament. Whether it is watching basketball or practicing law, the competitor in all of us laces up our kicks, puts

on our game face and fights for the win. Now although we saw a few surprises with how everything finally shook out, the winning brackets yielded deserved victors who were promptly celebrated throughout our hallowed halls.

To recap, the final Jimerson Birr 2019 March Madness standings were:

1st Place: Joanne Eichelberger
2nd Place: Samantha Braswell
3rd Place: Judy Nixon
4th Place: Jenn Farber
5th Place: Charlie Jimerson

Congratulations to our winners, and good luck next year!



Deep Tissue Massage Anyone?

Sometimes to do your best work, you just have to take a 20 minute break and recharge the batteries. Recently attorneys and staff enjoyed a brief respite from the day's stresses with a relaxing massage while overlooking downtown Jacksonville. Everyone in the firm was able to schedule

an individual massage with a licensed massage therapist from **Natural Therapeutics** in-between daily responsibilities. With the day won, there was a unanimous sentiment from the team that this was a great way to melt all the stress away.

Bourbon & Wine, Ain't It So Fine!

Following Mardi Gras and leading into the Kentucky Derby, we thought it fitting during a recent firm social to celebrate together with a little taste-test competition featuring "America's Native Spirit." In case you didn't know it, several of our lawyers are bourbon enthusiasts... and Partner Joby Birr is even considered by many a connoisseur of the caramel-colored whiskey. So is it any coincidence that JB stands for both Jimerson Birr, and Jim Beam?



The competitors tirelessly prepared for the event, honing their palettes for maximum sensitivity to the nuances of the featured selection including Four Roses, Wild Turkey, Knob Creek and Old Forester. For attorneys and staff who were less inclined to try their hand at detecting sweet variation between corn spirits, a wine selection alternative of Chardonnay, Pinot Grigio, Sauvignon Blanc and Riesling wines was provided so that everyone could participate.

Jimerson Birr Rainmaker Makes April Showers Bring May Flowers

Although we have had actual rain on and off for this past month, the shower we're talking



about today is Jimerson Birr Partner Patrick Krechowski's recent media storm. It seems like wherever you turned... Twitter, the radio, print publications and even at special events; he was there. So here are some of the most notable Patrick "weather events" in April.

He started out the month by being featured in the Attorney At Law Magazine First Coast Edition. As a preeminent governmental relations and land use law practitioner in Florida, they interviewed him to learn about his process, where he came from, insight on the Jimerson Birr law firm, and why he enjoys solving other people's problems as part of his job. To download and view the complete feature article, [click here](#).

The shower of publicity didn't end there. Patrick was asked on as a guest during WJCT's First Coast Connect radio program with Melissa Ross. During a panel discussion on April 8, he talked with Melissa, Dr. Leon Haley Jr. and Lindsay Haga about the future of UF Health Jacksonville. To hear the full episode [click here](#).

And since that wasn't quite enough, the ULI North Florida Member Of The Year topped it all off with recognition in the recent Jacksonville Magazine. That would be the Jacksonville's Best Lawyers edition. He was listed in not one, but two categories as one of the Best Lawyers in Jacksonville for Land Use & Zoning Law, as well as Litigation - Environmental. Way to go Patrick!

Hard Work-ahs Avoid Time-Wasting Habits

In last month's newsletter we talked about Charlie's series of appearances on the WOKV 104.5 morning call-in show with Pete "The Job Guy" Langlois. The topics have been wide-ranging, but always focused on to cultivate your best self... and this edition was no exception. Charlie shared solutions for eliminating time-

wasting habits in the workplace, and described the real world benefits of that discipline. If you missed it, no problem. Just [click here](#) to listen to the full episode.



**"HARD
WORK-AH"
with PETE
THE JOB GUY**



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