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### PARTNER'S PERSPECTIVE

*Austin B. Calhoun - Enjoy the Moment but Build the Future*

I am a father of daughters. I have two. Audrey is now 15, and Lauren will be turning 13 soon. I am immeasurably thankful for

them. They have given Kristen and I many wonderful memories, and they have grown into wonderful human beings. My wife and I are proud of who our children have become, but there is still more work left to do. Two recent events put their lives into perspective for me.



As soon as Lauren was born, Audrey loved holding her baby sister in her lap. Audrey was so gentle and grinned from ear to ear. After a few minutes, Lauren would typically start to cry. That's when Audrey would always say: "It's otay bay-bee Wauren, you have a biiiiiig sissy like me." Audrey's big-sister love and lispy words were

heartwarming. Luckily, we caught a few of those moments on video (with our video camera). This past Thanksgiving, the entire family sat together and watched those old tapes. It was a beautiful moment, then and now.

Two months ago, I had the pleasure of taking Audrey to get her driver's license. I even let her drive home. Whoa! Since then, she has been driving us around at every opportunity. She's doing great. Riding with her and imparting my driving wisdom, are moments that can be a bit scary, but I try to remember to cherish those times in the moment and actively build her future driving skills.



That little girl with a lisp, holding her baby sissy in her lap, has now grown into a young woman with a driver's license, and braces. Our two baby girls are growing up so fast. My wife and I have been working on them for 15 years now. We have worked very hard to raise them right. That hard work seems to be paying off. They are two young ladies that are making good decisions, enjoying all the moments, and building their futures into something special.

As with family, so too in business. At our firm, we challenge each other to enjoy the moment and build the future. We just completed the busiest year in the firm's history. It was a hard, wild ride, but we enjoyed it, too. While past accomplishments are something to be proud of and something we actively strive to celebrate and enjoy in the moment, there is so much to look forward to in the days and years ahead of us as well.



This is the time of year when we reflect upon our past year's results and create our plan for the future. We assess our current position, analyze the state of affairs, set goals and a plan to achieve them. Success is no accident. It is hard work, perseverance, learning, studying, sacrifice, and most of all, love of what you are doing. As we build the future, we share the following advice, which applies equally to our families and our business endeavors:

- Keep routines and traditions.
- Use your imagination.
- Be prepared.
- Plan ahead.
- Communicate expectations clearly.
- Be clear about consequences.
- Be present.
- Build new relationships.
- Serve others.
- Be humble.

My daughters have come a long way on their journeys thus far, but I'm excited to see them continue to grow and learn. To help shape them and see what kind of women they will become — what they will pursue and what will drive them. What my two sweet little babies will be like as adults.



I think the same about our firm. We have come a long way and have enjoyed the ride, but we have a future to build. There is more hard work, perseverance, learning, studying, and sacrifice to be done, rooted in the love of what we do, so our firm can continue to be what we want it to be — something special, not ordinary.

Merry Christmas to you all!

Best regards,

*Austin B. Calhoun*

Austin B. Calhoun  
Partner

**A Little Bourbon-Learning and Networking  
at the North Florida ACC Social**



Jimerson Birr was delighted to host a Bourbon & Wine Tasting at the ACC Social last month. The Association of Corporate Counsel is a global networking organization that promotes the common interests of in-house counsel. We sponsor the North Florida Chapter and enjoy connecting with a fantastic group of the area's in-house counsel.



Congratulations to Philip Hayes, Esq. for winning a bottle of Widow Jane "10 Year Bourbon" from our own Jimerson Birr barrel. Widow Jane is a blend of the best barrels from Indiana, Tennessee and Kentucky, which are hand assembled at their distillery in Red Hook, New York.

Distillation, a key step in the bourbon-making process, is essentially the purification of a liquid through evaporation and condensation. As a result the subject mixture becomes two components, one more useful than the other. Distillation is a metaphor we consistently apply here at Jimerson Birr. It is a process of extracting the most essential meaning of an idea, the refinement of a theory of a case or the way we edit a system until it best serves our client. This exercise goes hand in hand with our guiding principle of exceeding our clients' expectations and commitment to excellence via *our very own distillation process*.





## Krechowski Appointed Treasurer of Visit Jacksonville Board of Directors

Last week, Jimerson Birr partner, Patrick W. Krechowski, Esq. was appointed as an officer (Treasurer) of the Visit Jacksonville Board of Directors. He has been on the Visit Jacksonville Board of Directors since September and shared with us that the Board is working on a dynamic strategic plan for Jacksonville's tourism and visitor industry.



Where Florida Begins

Patrick joined our firm as partner in 2018. He is now a twice named "Best Lawyer" by U.S. News & World Report with over 20 years of experience in governmental, environmental, land use, real estate, appeals and title insurance law. He is Board Certified in City, County & Local Government Law by The Florida Bar.

[Get to Know the Talented](#)

[Connect with Patrick](#)

## Last chance to cast your vote for our 2020 FLCAJ Readers' Choice Award



The Florida Community Association Journal magazine provides a critical service of helping community association managers and board members connect with business partners of Florida Community Association Professionals (FCAP). The FLCAJ Readers' Choice Awards were created with the goal of "spotlighting the elite of the elite" and are presented yearly to industry service providers chosen by popular vote through an online voting process. We are pleased to have been nominated again this year, as it signifies our firm's ongoing commitment to the community association industry and recognizes our experience and familiarity with the ins-and-outs of working with boards and committees.

It takes less than 30 seconds to vote, and we would really appreciate your help. Please consider casting a quick vote for Jimerson Birr.

**Cast Your Vote Today!**

## 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 association law and everything in between. **Click here to subscribe** today and stay up-to-date on the latest legal news from these core areas:

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





## **The Right to Blight - Charitable Donation Bins, Freedom of Speech and The First Amendment**

By: **Patrick W. Krechowski, Esq.**

The next time you are sitting at a red light at a busy suburban intersection, instead of checking your smart phone, look out the window. Look beyond the other traffic, beyond the political signs, and beyond the fast food combo meal deal marquees. Chances are you will see a small, dumpster like container. Some have green recycle logos, some are decorated with American flags, some call for shoes, books and/or clothes; and some may be over-flowing with what can appear to be trash, broken furniture and torn plastic bags. You may see several bins lined up together in the corner of a parking lot. You may see a bin that appears abandoned on a vacant, weed-filled lot. However, once you notice the presence of these bins you will soon realize that they are everywhere. Almost every retail or commercial parking lot seemingly houses at least one of these shed sized charitable donation bins. And each of them are likely subject to local zoning laws as well as strict freedom of speech protections afforded by the First Amendment of the U.S. Constitution.

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

## Construction Industry Law Blog

### **Do Construction Contract Contingent Payment Clauses mean what they say?**

By: **C. Ryan Maloney, Esq.**

Assume you are a subcontractor working on a project to build a large multi-family apartment complex. You've timely and properly performed your work and have submitted monthly pay applications that have been accepted by the contractor and the owner. However, the owner has recently encountered financial difficulties. Because of this, the owner has not paid the contractor on its last two pay applications, which also include your last two pay applications seeking payment for several hundred thousand dollars of completed work. You've demanded payment from the contractor, but the contractor has refused to pay you, stating that it has no obligation to pay you under the pay-if-paid contingent payment provision in your subcontract until the contractor is first paid by the owner.



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

## Business Litigation Blog



### **The Professional Service Corporation: A Deeper Dive Into Florida Statute Chapter 621**

By: **Samuel B. Friedman**

The P.A., or P.L.L.C. is a corporate structure specifically designed for various licensed professionals who wish to hang their shingle and start their own practice. Fla. Stat. Ch. 621, also known as the *Professional Service Corporation and Limited Liability Company Act* proscribes certain benefits to those corporations and its members that only the P.A. or P.L.L.C. are entitled to.<sup>[1]</sup> The vaunted “P” after the name of the corporation connotes that the company renders a professional service through its members, all of whom are licensed to practice in their specific fields. This article analyzes Chapter 621 and the certain advantages afforded to professional services corporations, and why incorporating as a PA or PLLC is a considerable option for a professional deciding how he or she wants to structure their practice.

[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 as well. There are a number of considerations that community associations must weigh before using drone technology to carry out association purposes. These considerations include federal and Florida laws, insurance and liability issues, potential governing document amendments, and membership objections and disputes.



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

## Firm News

*Curiosities, Ruminations and Various Eccentricities of Firm Biz*



## Attorney Spotlight: Deborah L. Ruiz, Esq.

We are pleased to introduce Deborah L. Ruiz, who practices out of our Tampa office as Special Counsel. Her practice areas include commercial real estate, corporate and business transactions, real estate and commercial litigation. Prior to joining Jimerson Birr this summer, she was a partner at the Jacksonville firm of Dale, Bald, Showalter, Mercier & Green.



### Family Foundation

In the 6th grade, Deborah decided that she wanted to become a lawyer and from thereon focused on pursuing her dream. A strong foundation of support from her family propelled and nurtured this drive. Her Italian parents always stressed the importance of having a career and education since they did not have the opportunity to attend college. Deborah describes some of her fondest childhood memories as being Holiday dinners at her grandparents home with lasagna served on Thanksgiving in lieu of turkey. She earned her Bachelor of Arts in Political Science from Stetson University and her Juris Doctor degree with honors from the University of Florida Levin College of Law. Being sworn in at the Florida Supreme Court with her grandparents and parents in attendance is what she considers to be a defining moment in her career and credits this achievement to their love and encouragement.

### The Sway between Work and Life

With five sons, a thriving legal practice and volunteer work, Deborah is certainly a subject matter expert on the concept of work-life balance. She admits that balancing work and family is a challenge for attorneys, and that at the onset of her career she felt guilty not giving 100% to both areas. These days, Deborah recognizes that the scale may sway one way or the other, but eventually, a balance is reached. For her, "recharging" means constructing Lego® creations with her sons, preparing a dish from Julia Child's Mastering the Art of French Cooking and if time permits, picking up a good book to read. Traveling and learning the history of new destinations is another favorite hobby. Deborah's husband, Mark, is in the military and though deployments are difficult, the ability for her and her boys to travel Europe during his time serving overseas are opportunities that she considers the silver lining of deployment.



### Life-Long Lessons from the Law

Deborah considers each day of one's legal career as an opportunity to learn

something new or work toward an additional professional achievement. One of her 2020 goals is to become Board-Certified in Real Estate Law by The Florida Bar. Earning board-certification is a prestigious and exclusive distinction, as approximately only 7% of eligible Florida Bar members are board-certified. She advises new lawyers to accept criticism positively and to find an experienced colleague as a mentor and guide during the beginning years of practice. Deborah says she was lucky to have started her career under the mentorship of several Jacksonville attorneys with the highest levels of integrity, professional courtesy and ethics.

[Learn more about Deborah L. Ruiz, Esq.](#)

*'Tis the season for gratitude. Thank you to our clients, colleagues, family and friends for all that you do to encourage us and keep us striving for more. Happy holidays to you and yours from all of us at Jimerson Birr. May the next year be the best year!*



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