





Charles B. Jimerson

Managing Partner

P: (904) 389-0050

E: cjimerson@jimersonfirm.com

 VCARD |  EMAIL



**Best
Lawyers**



Overview

Many businesses have turned to Charles B. Jimerson to fight the hardest battle they will ever fight. Whether it's an overexposed start-up, or an established business, sometimes a company's survival depends on the results obtained in a single legal engagement. For those matters, and many others of lesser impact but equal importance, clients have come to Mr. Jimerson for representation when they sought a seasoned lawyer who knew how to run a case efficiently and present a winning argument. Mr. Jimerson has a proven track record for successful outcomes in situations where the pressure is escalated and the consequences are vital. Whether it is a high-dollar lawsuit, a lucrative transaction, or a weighty corporate decision impacting operations, when Mr. Jimerson accepts an engagement, his clients reap the benefit of his pragmatism, competitive spirit, business-oriented knowledge base, and intense personal investment, as well as his ready sense of humor. In 2018, Mr. Jimerson was named by The Business Journals (national publication) as one of the Top 100 Most Influential Attorneys in Law and Business in the United States.

Charles B. Jimerson founded Jimerson Birr, and is the firm's Managing Partner. Mr. Jimerson represents various businesses of all sizes as their go-to counsel for all legal matters, both in court and out of court. In his capacity as a practice group leader for several areas of emphasis of the firm, and someone who often finds himself involved in the most sensitive matters the firm is handling at any given time, Mr. Jimerson leads teams of lawyers serving several industries in many capacities. Most of his days are spent putting out legal fires for businesses of all sizes in need of a lawyer who can draft and enforce contracts, provide grounded executive-level advice, and collect money owed. Mr. Jimerson has significant experience in all stages of litigation, including alternative dispute resolution, negotiation of settlement and litigation of multifaceted commercial matters up through and including trial. His career highlights below and representative matters tab reflect a diverse legal career focused upon obtaining results for his clients.

Mr. Jimerson has won just about every peer-nominated and media-given award a Florida business lawyer can win. He is an A-V rated lawyer, recognized by his peers as having the highest level of ethical standards and professional ability. Mr. Jimerson is recognized as an expert in construction law by The Florida Bar as a Board Certified Construction Attorney. In obtaining Board Certification, Mr. Jimerson has earned recognition for having the highest standards of skills, specialty knowledge, proficiency, professionalism and ethics as determined by the Florida Bar. Mr. Jimerson has received several business and legal recognitions, including multi-year listings for *Super Lawyers* and *Florida Trend Legal Elite*, *The Jacksonville Business Journal's* 40 under 40, *The Jacksonville Business Journal's* Veterans of Influence and Leadership Jacksonville. In his time as Managing Partner of the firm, Jimerson Birr has won many local and statewide awards honoring fast growing companies, veteran owned businesses and best places to work.

Born and raised in Sarasota County, FL, Charles B. Jimerson, Esq. is a Floridian with roots as far back as the early days of statehood. He cut his teeth in the construction sector supervising landscape crews and serving as a shift manager at his Grandfather's plant nursery as early as 13 years old. Upon graduation from high school, Mr. Jimerson enlisted in the U.S. military to serve his country and earn money for college. His tireless work ethic and ability to adapt and overcome challenging situations enabled him to graduate with highest honors, and in the top two percent, in every academic class he had in his secondary education prior to law school (undergraduate, professional certifications, and technical schools), and in the top one-third of his law school class. A graduate of the Lundy-Fetterman School of Business at Campbell University (Buies Creek, NC), Mr. Jimerson earned his Bachelor of Business Administration degree *summa cum laude*. While attending Campbell University, Mr. Jimerson contemporaneously served as an active duty Combat Meteorologist in the United States Air Force, participating in various worldwide operational missions and earning Airman of the Year honors. During his tenure, Mr. Jimerson was the youngest operationally certified meteorological forecaster in U.S. Air Force history.

Mr. Jimerson also received a Professional Certification in Marketing with an emphasis in Sports Marketing from the University of Kentucky. He obtained his Juris Doctorate at the University of Florida Levin College of Law, serving as the President, Officer and Director to several student-run organizations. Mr. Jimerson also participated in the London Legal Consortium in London, England, where he met his wife, Ashley. Prior to founding the firm, Mr. Jimerson practiced at prominent Jacksonville-based commercial litigation and construction law boutique law firms.

Mr. Jimerson resides in Ortega with his wife, Ashley, their two children, and their dog, Olive (Italian Greyhound). Though his free time is very limited, his non-professional interests are SEC football, coaching youth sports teams, MMA fighting, traveling on a budget, television binge watching, apologizing to his wife, grilling meats, ranking just about anything in a top ten list, dive bars with a jukebox, impromptu family living room dance parties and managing a cut-throat fantasy football league.

Honors and Recognition

- 2018 "Top 100 Most Influential Attorneys in Law and Business in the United States" by *The Business Journals* (national publication)
- Board Certified in Construction Law by The Florida Bar
- American Arbitration Association ("AAA") certified arbitrator
- AV® Preeminent by Martindale-Hubbell (Peer rated the highest level of professional excellence)
- Recognized in *The Best Lawyers in America*® 2021 (Top 6% of attorneys practicing in the United States awarded with honor based upon peer review)
- Multi-year recognition as a Super Lawyer and Rising Star in Business Litigation by *Super Lawyers Magazine* dating back to 2007 (Top 5% of attorneys awarded with honor based upon peer review)
- 2015 *Jacksonville Business Journal* "Veterans of Influence"
- Multi-year listing of Top Legal Lawyers and Legal Experts by *Jacksonville Magazine* dating back to 2013
- Multi-year winner of Florida Trend Legal Elite Up and Comer Award dating back to 2007 (Top 2% of attorneys under age 40 awarded with honor based upon peer review)
- 2015 "Top Attorneys in Florida" by *Miami Magazine* and *The Miami Herald*
- 2016 *Attorney at Law Magazine – First Coast* "Top 10 Attorneys Under 40"
- 2014 "Top 40 under 40 Litigation Lawyers in Florida" by *American Society Legal Advocates*
- 2014 *American Society Legal Advocates* "Top 40 under 40 Litigation Lawyers in Florida"
- 2013 Top-Rated Lawyer in Commercial Litigation by *The American Lawyer and Corporate Counsel* magazine
- 2016 First Coast "Top 10 Attorneys Under 40" by *Attorney at Law Magazine*
- 2018-2019 "Top Lawyers in Florida" by *Tampa Bay Magazine*
- 2018 "Champion 8 – Top 8 Civil Litigators" by *Attorney at Law Magazine*
- Leadership Jacksonville Class of 2013
- 2011 *Jacksonville Business Journal* "40 under 40"
- Firm recipient of awards for *Jacksonville Business Journal* "50 Fastest Growing Companies on the First Coast" 2013, 2017 and 2020
- Firm recipient of *Florida Trend Magazine* "Best Companies to Work For in Florida" in 2015, 2016, 2017 & 2018
- Firm recipient of 2015, 2017-2018 and 2021 Gator100 award (100 fastest-growing, University of Florida alumni owned or led businesses in the world)
- Firm recipient of awards for the *Jacksonville Business Journal's* "Best Places to Work in Northeast Florida" 2013, 2014 and 2020
- Firm recipient of awards for the *Jacksonville Business Journal's* "Top Ranked Veteran Owned Businesses" 2013-2018
- Firm recipient for Law Firm 500 designation from 2016-2020 peaking at #28 Fastest Growing Law Firm in the United States in 2016
- Firm recipient of awards for the *U.S. News & World Report's* "Best Law Firms In Florida," 2019 & 2020
- Lorman Legal Educational Services Distinguished Faculty Member
- Rotary International Paul Harris Fellow
- Former United States Air Force active-duty Combat Meteorologist

Bar and Court Admissions

- The Florida Bar
- The Jacksonville Bar Association
- The Jacksonville Bankruptcy Bar Association
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida
- U.S. Court of Appeals, Eleventh Circuit

Education

- The University of Florida
Levin College of Law, J.D.
- Campbell University
Lundy-Fetterman School of Business, A.A; B.B.A
summa cum laude (Highest Honors)
- The University of Kentucky
Gatton College of Business and Economics, P.C. – Marketing
- Community College of Air Force, A.A.S – Meteorology

Career Highlights

- Won arbitration award with over twenty-five million dollars in damages and specific performance relief in favor of insurer against third party claims administrator related to breach of contract and equitable claims in the administration of warranty and insurance contracts. Favorable outcome at trial obtained against TPA represented by seven lawyer litigation team from Chicago office of Foley & Lardner. Over 2 million documents exchanged between the parties in matter that was fast tracked to less than a year of substantive proceedings and trial over a three-month period of time. Over \$6.8 million of undisclosed premiums recovered from TPA prior to final hearing.

- Obtained substantial recovery for construction materials supplier and guarantors in \$185,000,000 lender liability action based upon lender fraud in the inducement during loan modifications and breaches of fiduciary duties owed post-modification. Four year litigation was successfully settled on eve of trial after extensive dispositive motion practice, depositions of more than 40 corporate executives and experts, and exchange of hundreds of thousands of documents.
- Represented community bank in nationally publicized insurance fraud action against borrower who forged collateral verifications and faked his own death. Two year, eight-figure litigation against borrower, competing creditors and life insurance company resulted in community bank recovering all proceeds advanced.
- Obtained dismissal of precedent setting involuntary bankruptcy filing against real estate developer and holding company with over forty subsidiary corporations, over a thousand affected employees and hundreds of millions of dollars in economic damages at issue. Several month trial involved complex allegations of fraudulent transfers, preferential transfers, piercing corporate veils, debt exemptions and alleged creditor bad faith.
- Gained successful outcome for clients seeking enforcement of or defending temporary and permanent injunctions arising out of non-compete agreements in the mortgage brokerage, medical, franchise management, government contract consulting, financial services, swimming pool service and repair, income tax preparation, construction equipment supply, construction equipment supply, fire restoration, energy rating, vascular surgery, cardiology, dentistry and beauty services fields.
- Served as seller's counsel in multi-million dollar merger of regional accounting firm of 100+ accountants with national accounting and consulting firm.
- Represented community association in successful defense of injunctive relief action and arbitration for alleged violation of right of first refusal in eight-figure bulk/exclusive services agreement. Case reached favorable settlement shortly before final arbitration hearing.
- Represented large general contractor through Assignment for Benefit of Creditors process, including no monies paid defense of over \$40 million in claims of successor liability, mere instrumentality, alter-ego and fraudulent transfer claims brought in corporate wind down process.
- Served as corporate counsel, litigation counsel and accounts receivable collection arm for regional plant and tree nursery, automotive dealership conglomerate, worldwide medical supply companies, multiple construction materials suppliers, architectural firms, informational technology firms, marketing and public relations firms, accounting firms, private schools, 5 star luxury resorts, insurance brokerages and agencies, commercial landlords, industrial equipment suppliers, meat wholesalers and suppliers, direct internet marketing companies, private equity lenders, audio visual production companies, large logistics companies, commercial printers, property appraisers, parking services companies, health care providers, business solutions providers, life insurance companies, large student loan servicers, commercial real estate development companies, communications companies, large general contractors and various sub-contractors in the construction industry (concrete, carpet, painting, brick pavers, land clearing, land surveyors, electrical, tile installation, glass and windows, industrial coatings and linings, drywall, insulation, demolition, HVAC, waste management, plumbing, kitchen remodeling, pool installation, cabinetry installers, roofing, metal prefabricators, engineers, water damage restoration, pest control), and many condominium and homeowners associations.
- Presided over many complex commercial, construction and employment related disputes as an approved and empaneled arbitrator for the American Arbitration Association.

Representative Matters

Business Litigation and Creditors Rights

- Won arbitration award with over twenty-five million dollars in damages and specific performance relief in favor of insurer against third party claims administrator related to breach of contract and equitable claims in the administration of warranty and insurance contracts. Favorable outcome at trial obtained against TPA represented by seven lawyer litigation team from Chicago office of Foley & Lardner. Over 2 million documents exchanged between the parties in matter that was fast tracked to less than a year of substantive proceedings and trial over a three-month period of time. Over \$6.8 million of undisclosed premiums recovered from TPA prior to final hearing.
- Served as litigation counsel and accounts receivable collection arm for regional plant and tree nursery, automotive dealership conglomerate, worldwide medical supply companies, multiple construction materials suppliers, architectural firms, informational technology firms, marketing and public relations firms, accounting firms, private schools, 5 star luxury resort, insurance brokerages and agencies, commercial landlords, industrial equipment suppliers, meat wholesalers and suppliers, direct internet marketing companies, private equity lenders, audio visual production companies, large logistics companies, commercial printers, property appraisers, parking services companies, health care providers, business solutions providers, life insurance companies, large student loan servicers, commercial real estate development companies, communications companies, large general contractors and various sub-contractors in the construction industry (concrete, carpet, painting, brick pavers, land clearing, land surveyors, electrical, tile installation, glass and windows, industrial coatings and linings, drywall, insulation, demolition, HVAC, waste management, plumbing, kitchen remodeling, pool installation, cabinetry installers, roofing, metal prefabricators, engineers, water damage restoration, pest control), and many condominium and homeowners associations.
- Represented class certified shareholders in shareholders derivative action brought against members of board of directors for breaching fiduciary duties and usurping corporate opportunity in \$560 million food retail merger.
- Obtained substantial recovery for materials supplier and guarantors in \$185,000,000 lender liability action based upon lender fraud in the inducement during loan modifications and breaches of fiduciary duties owed post-modification. Four year litigation was successfully settled on eve of trial after extensive dispositive motion practice, depositions of more than 40 corporate executives and experts, and exchange of hundreds of thousands of documents.
- Co-counsel in dispute involving business owners seeking to dissolve controlling partnerships of businesses valued in excess of \$600,000,000.
- Represented publicly traded custom formed metal products manufacturer in complex proceedings supplementary litigation and subsequent proceedings to set aside fraudulent transactions in avoidance of creditors.
- Obtained expulsion of partners from partnership in dispute amongst owners of real estate franchises, air cooling systems company, financial management company, commodities trading mutual fund, insurance brokerage and roofing company.
- Gained successful outcome for clients seeking enforcement of or defending temporary and permanent injunctions arising out of non-compete agreements in the mortgage brokerage, medical, franchise management, government contract consulting, financial services, swimming pool service and repair, income tax preparation, construction equipment supply, construction equipment supply, fire restoration, energy rating, vascular surgery, cardiology, dentistry and beauty services fields.
- Represented members of limited liability company in actions relating to breach of fiduciary duty and conversion against managing member of LLC for misprision of assets.
- Represented marina in liquidation of inventory in preparation for impending business sale, first chair for trials of breach of contract claims achieving full recovery of amounts sought.
- Obtained judgment of \$3.7 million predicated on a series of fraudulent misrepresentations in construction contracting.

- Terminated automotive franchise and dealer agreements, advised client on all legal issues pertinent to impending corporate merger and litigated disputed issues pertinent to franchise termination.
- Facilitated favorable resolution in several highly contested Florida Deceptive and Unfair Trade Practices Act actions.
- Represented injured Plaintiffs in products liability defect case against large pharmaceutical company.
- Regularly serve as counsel brought in for post-judgment collection activities ranging from domestication and collection of out-of-state judgments for foreign businesses seeking recovery from Florida defendants to execution and recovery through multifarious post-judgment garnishments and asset seizures. Tens of millions of dollars recovered for clients in career.
- Domesticated and collected scores of out-of-state judgments for foreign businesses seeking recovery from Florida defendants.
- Successfully defended Federal Fair Debt Collection Practices Act claims against commercial and consumer debt collectors.
- Obtained treble damages judgments and judgment recovery on NSF actions that were otherwise written off as bad debt.
- Litigated several cases involving issues with companies forced into court-ordered receivership.
- Represented global defense and aerospace corporation in litigating breached distributor agreements and protecting rights stemming therefrom.
- Represented petroleum company in declaratory action regarding disputes of insurance coverage and premium liabilities.
- Litigated several cases involving Florida's Uniform Fraudulent Transfer Act, successor liability and improper corporate wind down actions on behalf of creditors against fraudfeasing debtors.
- Represented several federal credit unions on matters such as regulatory compliance, credit reporting, identity theft, member transactions, employment policies, and all related litigation services including, foreclosures, collection actions, lender liability cases, actions against officers and directors, and regulatory enforcement defense cases.
- Represented property owners in negligence and bailment actions based on the damaging of property held by business owners, obtaining full value recovery of damaged property.
- Defended departed daily money management independent contractor in short notice temporary injunction proceedings alleging breach of non-competition and non-solicitation agreements.
- Represented international pharmaceuticals company in prosecuting claims against employees who breached their duty of loyalty by working with competitors during employment.
- Represented homeowners association in finding hidden international investment brokerage accounts of judgment debtor to garnish and obtain recovery on six figure judgment.
- Obtained dismissal with prejudice for publicly traded medical products supplier accused of engaging in widespread unfair and deceptive trade practices.
- Represented post-Chapter 11 asset purchaser in defaulting and terminating non-compliant franchises, negotiating and drafting contracts for perpetual intellectual property rights licensure of franchises, obtaining recovery on royalties in arrears, stifling and enjoining competing former franchisees, litigating and successfully resolving franchise agreement breaches.
- Obtained no monies paid settlement and dismissal of action in defense of international events promotion company based upon allegations of trademark infringement, fraud in the inducement and civil conspiracy pertaining to failed European music festival.
- Represented yacht owner against international maritime insurer in complex insurance coverage dispute with complex jurisdictional, choice of law and policy exclusion issues.
- Filed Petition for Certiorari with 1st DCA in order to prevent denial of constitutional right to trial by jury on in rem action against award winning residential property.
- Obtained charging orders against judgment debtor's LLC membership interests and levied stock of company in order to satisfy financial institution's judgment.
- Obtained full value recovery in favor of biotechnical support services company against debtor located in Puerto Rico.
- Represented oppressed shareholders of technology company in defense of corporate expulsion and theft of trade secrets action in Federal Court.
- Negotiated and obtained favorable settlement for large communications company in dispute with installation contractor.
- Obtained full recovery for motor credit financier in dispute with several sets of dealers and floor plan lenders over titles to vehicle inventory.
- Represented client in wrongful levy action filed against IRS for improper seizures to satisfy third party tax obligation.
- Represented assignee of insurance policy in filing prosecuting bad faith claims against insurer who wrongfully denied benefits.
- Obtained emergency and consolidative relief in action where defendant was seeking to litigate core issues in multiple jurisdictions.
- Defended and resolved seven figure dispute on behalf of medical software and services provider.
- Defended large communications contractor in commercial arbitration with subcontractor.
- Effectuated ouster and interest buyout of minority member in professional services LLC; merged reconstituted entity with previous competitor to create market leader in industry.
- Represented former employee with new venture in compelling assignment of state government contracts post-transition.
- Provided expert consultation and testimony on behalf of several judgment creditors seeking prevailing party attorney's fee awards.
- Represented ESOP claimants against trustees for breach of fiduciary duty for manipulating stock price.
- Provided expert testimony regarding effective date of corporate dissolution in legal malpractice action.
- Provided expert testimony in legal malpractice action regarding legal standard of care for foreclosing attorney overseeing disposition of assets through commercial real estate receivership.
- Represented large general contractor through Assignment for Benefit of Creditors process, including defense of successor liability, mere instrumentality, alter-ego and fraudulent transfer claims brought in corporate wind down process.
- Represented battery manufacturer in eight-figure products liability and business tort action against component part manufacturer.
- Represented nationally recognized flavored water manufacturer in ouster of rogue Chairman of the Board of Directors and associated corporate restructuring.
- Successfully defended large automotive lender sued in class action complaint for Florida Consumer Collection Practice Act violations. Negotiated settlement of claims for small nuisance value payment.
- Litigated for real estate brokerage and property management firm in trade secret dispute with competing brokerage accused of stealing trade secrets and interfering contractual relationships.
- Represented sales representatives in class action contract and wages claims pertaining to failure of product manufacturer/distributor to compensate sales personnel.
- Represented whistleblowing employees in Qui Tam action against defective product manufacturer/distributor accused of defrauding Federal and State Government through sale of faulty products putting public safety in jeopardy.
- Represented cardiothoracic and vascular surgeons practice in shareholders and employment related lawsuit filed by former partner of the practice.
- Defended primary shareholder of global consulting and staffing company accused by vexatious litigant minority shareholder of derivative and direct claims related to breach of fiduciary duty, breach of operating agreement, constructive fraud, fraudulent inducement, tortious interference, defamation and extortion.
- Defended life insurance insurer in bad faith claims pertaining to denial of permanent disability claims.

- Represented regional railroad company regarding damage to railway caused by power utility performing work near or on tracks.
- Represented orthopedic surgeon in wrongful termination claims against state university system.
- Represented large publicly traded e-commerce company against nationally industrial, commercial and residential real estate developer in commercial landlord-tenant dispute pertaining to failure to timely deliver premises in a defect free manner and breach of lease obligations.

Construction, Real Estate and Community Associations Law

- Represented multiple general contractors and sub-contractors in construction lien filing and foreclosure on commercial and residential development projects.
- Obtained full recovery on large resort hotel construction project for plumbing, drywall, and carpentry sub-contractors when all other subcontractors settled for 50-75 percent of contract and lien value.
- Represented large general contractor on delay and defect claims stemming from \$84 million project.
- Assisted large general contractor in resolving \$30 million in liability issues of workmanship and delay claims on multiple pending projects jeopardizing bonding capacity.
- Represented hotel chain owners on \$1.5 million construction defect and fraudulent lien discharge litigation based on failures in acoustics and substantial project delay claims.
- Represented HOA in successful defense of injunctive relief action and arbitration for alleged violation of right of first refusal in eight figure bulk services agreement. Case reached favorable settlement shortly before final arbitration hearing.
- Successfully appealed denial of municipal minority business certification for commercial remodeling company.
- Drafted and negotiated construction contracts for owners, general contractors and subcontractors on commercial construction projects ranging from \$400,000-\$150,000,000.
- Tried Circuit and County Court cases for breach of contract for regional and local materials suppliers.
- Litigated and arranged for the replevin of more than two million dollars worth of construction equipment.
- Received full recovery for deposits on property for client in dispute over commercial land lease.
- Represented land development partnership in multi-million dollar construction delay dispute.
- Audited and developed in-house credit policy directives at several construction industry organizations.
- Recovered full contract claim and successfully defended land surveyors and construction materials suppliers against defective and insufficient product and services claims in Circuit Court trials.
- Defended commercial tenant in lease dispute with damages alleged at more than \$800,000 based upon defenses of constructive eviction.
- Regularly engaged by construction clientele to review or draft Notice of Commencement, Notices to Owner/Contractor, Claims of Lien, Notice of Nonpayment, lien releases, payment and transfer bonds forms, Contractor's Final Payment Affidavit's, AIA Construction Contracts, prime and sub-contracts and other statutory or industry required documents. Regularly audit and revise corporate, construction contracting, human resources and credit forms and policies for construction industry clients.
- Terminated improper "pay when paid" contract for subcontractor resulting in full recovery of contract price under contract.
- Represented general contractors, subcontractors and materials suppliers in filing and defending various Federal Miller Act claims for improvements performed on Federal lands.
- Represented owners and development companies in knocking out improperly filed lien claims through technical arguments based on failure to obtain licensure, failure to follow statutory protocols and liening without a contract.
- Litigated defective common elements case on behalf of condominium unit owner aggrieved from faulty construction and breaches of fiduciary duty by Condominium Association Board of Directors.
- Represented construction materials supplier in state agency and private prompt pay actions.
- Successfully defended Fraudulent Lien claims on behalf of good-faith lien filers.
- Successfully defended subcontractor against common law indemnity claims filed by general contractor arising out of liens recorded by lower tiered subs and suppliers.
- Litigated slander of title dispute arising from improper securing of property by foreclosing lender resulting in loss of potential short-sale of property.
- Obtained full recovery on several Agricultural Bond claims for agricultural products dealer.
- Advised regional businesses in construction lien and bond law basics in each state of operation throughout the Southeast U.S.
- Served as local counsel to out-of-state claimants seeking to enforce Florida liens or requiring counsel on Florida construction or real estate law related issues.
- Defended asphalt contractor against contract and warranty claims stemming from alleged defective parking lot and horizontal site work.
- Negotiated waiver of liquidated damages accrual against construction company as asserted by municipality stemming from alleged non-compliant construction with project plans and contract terms.
- Litigated and mediated case to obtain full recovery on behalf of hard money lender against mortgage brokerage and its principals stemming from fraudulent real estate transactions.
- Obtained successful pre-suit settlement for roofing contracting in avoidance of costly construction defect litigation through invoking Chapter 558 inspection, testing and discovery procedures.
- Obtained summary judgment quieting title for 94-year-old pro-bono client whose daughter-in-law alienated marital homestead of client's deceased wife through duress and undue influence.
- Advised aggrieved high-rise condominium unit owners on issues pertaining to condominium association financial malfeasance and non-compliance with statutory requirements in board operations.
- Regularly travel to Tallahassee and meet with construction and real estate industry lobbying teams on behalf of industry trade groups to further industry legislative initiatives.
- Represented homeowner against national developer based on water intrusion defects resulting in homeowner obtaining full repair of defects, code violations and reimbursement of all costs.
- Assisted construction materials supplier in obtaining pre-litigation full recovery on six-figure public construction bond claim through project documentation audit.
- Represented builder-developer in easement dispute on \$40 million private development.
- Represented condominium association in action against developer on multimillion dollar construction defects and developer turnover issues.
- Represented community association in terminating agreement with exclusive service provider, mitigating service outages/damages and negotiating replacement provider contract. Successfully defended attempt at injunctive relief pertaining to right of first refusal.
- Obtained multiple quieted titles in favor of tax deed owners looking to obtain proper title to lands acquired through tax certificate purchases.
- Obtained dismissal of roofing licensure complaint filed against contractor accused of breaching warranties, financial irresponsibility and abandonment.
- Defended claims pertaining to municipal code building and zoning violations on residential construction project.
- Developed plan for licensed general contractor to increase business revenue through secondary qualifying agent process.

- Represented homeowner in custom home building project in documenting non-performance and terminating contractor, facilitating replacement contracting and conducting project close out.
- Obtained emergency relief and order of discharge for lender whose title was being slandered on motion to intervene and dissolve Lis Pendens.
- Represented several commercial developers and landlords in multiple cases involving claims of statutory and prescriptive easement.
- Successfully defended roofing contractor accused of widespread OSHA violations on many jobsites.
- Represented nationwide residential remodeler and restoration company in revising all of contract programs to meet state by state regulatory and common law requirements.
- Represented large healthcare services provider in mitigating effects of drywood termite infestation and pursuing associated damages caused by construction contractors.
- Successfully defended squeeze-out attempt by managing member of LLC to oust founder of company through improper means and fraudulent corporate governance procedures. Effectuated buy-out of dissenting managing member after shareholder lawsuit enjoining improper conduct.
- Represented multiple residential community associations in construction defect actions seeking recovery of millions of dollars in damages from water intrusion of building envelope.
- Represented homeowners association in multi-party litigation pertaining to exclusive marketing agreement lawsuit filed by cable services provider.
- Represented large health care insurer in recovery of tens of millions of criminal restitution orders after entity was defrauded by prior claimants and providers.
- Assisted large automobile dealership in construction project closeout procedures, coordinating completion of key trades, remedial work management and contractor recovery in order to tight deadline for issuance of certificate of occupancy and grand opening of business.
- Represented many community associations regarding disaster preparedness and response for Coronavirus pandemic, including, among other things, implementing statutory emergency polices, restricting guests and visitors onto the association property, compliance with Florida Statutes, Regulations and Executive Orders, restricting access to and subsequently opening up use of the common areas, and complying with guidelines of noticing the community once the community had specific exposure to the virus.
- Represented large electrical contractor in public procurement dispute resulting in overturning of bid award to improper bidder and awarding project to client.

Banking and Lender Liability Law

- Represented community bank in nationally publicized insurance fraud action against borrower who forged collateral verifications and faked his own death.
- Successfully litigated and provided counsel for many Note Breach and Mortgage Foreclosure cases for community, state and national financial and lending institutions, resulting in replevin of secured property, loan workouts, deeds in lieu of foreclosure and mortgage foreclosure.
- Regularly foreclose priority commercial mortgages against all inferior lienors, including construction and judgment liens, state and federal tax liens and subordinate private or government SBA mortgages.
- Represented community bank in taking over four operating entities of defaulted hotel owners through receivership and foreclosure on \$6 million of loans.
- Litigated title dispute on collateral held by secured lender seeking to set aside transaction with predecessor in interest in possession of collateral through improper means.
- Represented private lender in matter against closing agents related to negligent disbursement of closing funds and multiple other tortious violations.
- Counseled lending institutions in replevin and repossession of collateralized property, both pre- and post-judgment.
- Enforced deficiency judgments against personal guarantors of loan agreements.
- Assisted restaurateur in multiple complex commercial real estate and leasing workouts with landlord and lenders resulting in diminished personal liability and forgiveness of substantial amount of corporate debt.
- Regularly represent lenders in replevin of secured collateral and proper UCC disposition of assets, obtaining judgments through consent or summary proceedings, and processing requests for SBA guaranteed money.
- Represented acquiring lender in obtaining and liquidating assets obtained through FDIC loss share transaction.
- Counseled lender in documenting sale of commercial paper on loan pool to purchasing lender.
- Obtained dismissal of action brought against large bank in Federal Court regarding frivolous constitutional allegations.
- Represented defrauded community bank in pursuing collection against at fault parties in Nigerian Check Scam case resulting in substantial recovery of monies wrongly wired.
- Provided counsel to large secured lender in Chapter 7 filing adversarial action to recover estate assets acquired post-UCC Article 9 take over.
- Obtained fraud and breach of loan covenants judgment on behalf of lender against borrower who materially misrepresented financial position in credit underwriting.
- Regularly provide opinion letters to lenders requesting advisement as to credit underwriting standards, federal and state banking regulation compliance, internal loan workout policies and applicability of statutory and common laws to banking transactions and corporate policies.
- Obtained writ of bodily attachment against judgment debtor refusing to comply with subpoenas and various other discovery violations.
- Effectuated assignment of loan documents from assignee loss share bank on transfer from FDIC as part of bulk residential loan modifications. Conducted title analysis for multiple tranches of secured assets for purpose of mitigating prior encumbrances.
- Defended eminent domain action wrongfully filed against lender on secured collateral resulting in dismissal with prejudice.
- Defended bank against allegations of contract breach, negligent underwriting and fraudulent misrepresentation in failed multi-million dollar loan participation transaction.
- Effectuated deed in lieu transaction on behalf of lender taking back over \$2MM in assets.
- Obtained contempt of court ruling against defendant who absconded with escrowed funds in contravention of court order.
- Defended claims of fair credit reporting violations and other credit reporting improprieties levied against several large community bank.
- Represented community lender in regulatory dispute with SBA pertaining to denial of substantial guaranty payment. Full payment ultimately paid.
- Defended bank and its employees accused of negligent disbursement of deposit funds.
- Obtained substantial recovery of high six figure judgment on behalf of lender based upon post-judgment charging orders and substantial post-judgment motion practice.
- Represented lender in transitioning seven figure problem loan through creative external refinance.
- Represented multiple lending institutions and borrowers in navigating through congressionally available disaster relief resources, and garnering federal funding mandate compliance, resulting in funding of thousands of temporary relief measures

to under CARES Act programs.

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Bankruptcy

- Obtained dismissal of precedent setting involuntary bankruptcy filing against real estate developer and holding company with over forty subsidiary corporations, over a thousand affected employees and hundreds of millions of dollars in economic damages at issue. Several month trial involved complex allegations of fraudulent transfers, preferential transfers, piercing corporate veils, debt exemptions and alleged creditor bad faith.
- Initiated adversary proceedings on behalf of large estate in Chapter 11 filing and collected on monies paid to creditors as illegal preference payments.
- Represented secured and unsecured creditors in obtaining priority share distribution from bankruptcy estate, challenging discharge, obtaining relief from stay and voicing opposition to liquidation or reorganizational plan confirmation.
- Represented many creditors accused of taking numerous Bankruptcy Code §547 preference payments on basis that payments made during the reference period were made in the ordinary course of the business of the debtor and the creditor on ordinary business terms.
- Represented unsecured creditors in objecting to turnover of assets held by a third party and claimed by the trustee as property of the estate, including all necessary evidentiary hearings to determine qualification of estate property.
- Represented largest secured creditor in working with Chapter 11 debtor to strip inferior liens in order to maintain substantially similar loan pre-petition loan terms on confirmed plan. Consistently objected to plan and stifled filings until favorable plan reached.
- Represented numerous commercial landlords in obtaining resumption of commercial leases for reorganizing tenants in Chapter 11 proceedings, or relief from stay to evict if resumption is impracticable.
- Resolved bankruptcy preference action for commercial builder with more than \$100,000 of exposure for less than \$2,500 at early stages of litigation.
- Served as local counsel for complex contested bankruptcy proceedings of evidentiary nature.
- Negotiated no money paid dismissal of action brought against credit accused of violating bankruptcy stay.
- Filed involuntary bankruptcy petition against Chapter 7 debtor and assisted in liquidation of multi-million dollars of assets on behalf of secured lender.
- Represented largest secured lender in obtaining debtor compromise for the sale of secured and non-secured lands in order to pay down full amount of secured debt in Chapter 11 restructure.
- Prevailed on Motion for Summary Judgment in defense of creditor accused of fraudulent and preferential transfers on course of dealing basis.
- Assisted purchaser in negotiating and closing Bankruptcy Code Section 363 for purchase of \$1.4 million of real estate assets free and clear of encumbrances from defunct developer.
- Defended bankruptcy preference action on behalf of medical supplier on basis of debtor solvency resulting in settlement for a fraction of what was alleged.
- Served as appellate counsel on behalf of dismissed debtor where right to bring affirmative relief for bad faith involuntary bankruptcy filing was denied through dismissal and abstention powers.
- Regularly represent assignors and assignees in all phases of Florida Statute 727 Assignment for the Benefit of Creditors actions.

Business and Administrative Law

- Negotiated largely advantageous consent order and obtained registration for a Fortune 500 conglomerate as a Service Warranty Association resulting in potential revenue implications estimated at \$1,000,000,000.
- Served as sellers counsel in multi-million dollar merger of regional accounting firm of 100+ accountants with national accounting and consulting firm.
- Served as sellers counsel in high eight-figure acquisition of roofing contractor by notable national private equity firm.
- Drafted state legislation and advocated for several Florida counties in championing reforms resulting in property insurance rate reductions of up to 60 percent and policyholder savings of hundreds of millions of dollars for counties' residents.
- Quashed Petition for Quo Warranto challenging City Commissioner's right to office.
- Absolved insurer of allegations asserted by the Florida Bar pertaining to unauthorized practice of law.
- Drafted and revised commercial credit applications, business purchase and sale agreements, commercial prime and sub-contracts, construction management agreements, AIA general and supplemental conditions, reinsurance trust agreements, investment advisor representative agreements, mortgage brokerage agreements, employment agreements, land purchase and sale agreements, service contract agreements of many forms, administrative agreements, service warranty agreements, insurance policies and endorsements, government consulting agreements, software development and license agreements, preferred vendor agreements, third party services agreements, recreational vehicle consignment agreements, stalking horse agreements, exclusive distribution agreements and billboard leasing agreements.
- Counseled in all issues pertaining to set up of complex corporate structure for many start-up companies, to include drafting of all initial corporate or limited liability company regulatory documents and operating agreements.
- Served as general counsel to companies purchasing franchises and all issues pertaining to franchising rights.
- Counseled upstart short sale negotiation and processing company in streamlining business plan, solidifying and codifying corporate partnerships and drafting processing agreement with all necessary addendums.
- Advised several public officials regarding interpretation of local and state election laws.
- Successfully appealed denial of student-athlete rights to compete in Florida High School sports programs in pro-bono representation.
- Serve as General Counsel to The Tim Tebow Foundation on legal issues pertaining to human resources, risk management and exculpating liability.
- Obtained many reductions in property tax assessments upon appeal for overtaxed clients.
- Identified substantial amounts of unpaid tax obligations in proposed transaction which served to avoid liability for client buyer.
- Drafted employee handbooks and key human resources documentation/procedures for several companies expanding from regional to national footprint.
- Represented majority stock purchaser in purchasing real estate valuation and brokerage franchisor, including all legal issues pertaining to franchisor purchase and franchisee relations.
- Represented guarantor of \$30+ million in lending obligations in loan workout with secured and unsecured creditors, along with corporate wind down.
- Represented many companies and shareholders in asset protection and corporate wind down process with focus on limiting liability and defending against attacks by outside creditors and insider principals.
- Advised shareholders of closely held corporation on divesting minority shareholder of shares and diluting remaining interests.
- Revised numerous business operating agreements and provided implementation counsel to comply with Florida's newly effective Revised Limited Liability Company Act.

- Effectuated purchase and sale of minority membership interests in multiple restaurant operating companies and real estate holdings companies for purposes of consolidating ownership and divesting seed money lenders from unprofitable investments. Arranged for alternate financing for replacement LLC members and resolve pending guarantor actions involving millions of dollars of owner liabilities.
- Represented fire restoration franchisor in dozens of actions enforcing franchise agreements, restrictive covenants and termination of franchisees.
- Advised businesses in construction, banking, community associations, commercial real estate, insurance, healthcare, manufacturing and distribution and hospitality sectors as to compliance and liability mitigation in response to physical plant issues, employee benefits and governance, workforce reduction related issues, insurance coverage issues, supply chain disruptions, privacy and information security, corporate governance, leveraged lending and borrowing, and contractual performance considerations associated with COVID-19.
- Represented real estate appraisal firm as sellers counsel in multi-million dollar acquisition by global commercial real estate services and investment firm.

Intellectual Property Law

- Oversaw registration and approval process for many trademark, service mark and copyright registrations and consumer confusion disputes.
- Assisted with trademark infringement appeal to the 11th Circuit Court of Appeals and oral argument for same.
- Negotiated cease and desist agreements based on infringement of intellectual property rights and litigated breach of same.

Eminent Domain Law

- Represented many homeowners and business owners in defending governmental land takings, obtaining fair compensation for condemnation and proving compensable taking through inverse condemnation proceedings.
- Represented commercial landowner in highway signage and business damages claims resulting in settlement of over ten times what was originally offered by government.
- Represented multiple community associations in defense of taking of land improperly characterized as wetlands resulting in settlement of over fifteen times what was originally offered by government.
- Serve as statewide counsel for eminent domain takings for several banks, distribution companies, retailers, gas stations, property development companies, and restaurants pertaining to road widenings and expansions, electric transmission line construction, pipeline construction, utility projects, water management projects, and other public projects.

PRIOR RESULTS DO NOT GUARANTEE A SIMILAR OUTCOME

Selected Publications and Lectures

- "Answers for Jacksonville landlords: Reopening, employee rights, rent abatements and more," The Jacksonville Business Journal, April 2020.
- "Legal Implications of the Pandemic for the Commercial Real Estate Sector," Panelist, BOMA Jacksonville, April 2020.
- "Effective Document Retention in the Construction Industry," FBMA e-Blueprint, March 2019.
- "What do banks look at when evaluating creditworthiness of contractors?," FBMA e-Blueprint, March 2019.
- "Can Real Estate Seller Disclosure Obligations (Johnson V. Davis) Be Waived in a Purchase and Sale Agreement?," ACC newsletter, March 2019.
- "Tips and Techniques for Obtaining Work-Life Balance," Jacksonville Lawyer Roundtable, February 2019.
- "Resolutions, Goals, and Goal Setting for Business and Personal Life," Accounting Now, January 2019.
- "Keeping your bosses out of trouble: What fiduciary duties are owed by Directors or Officers of Insolvent entities," ACC newsletter, December 2018.
- "Executive and Operational Management 101," The River Club, October 2018.
- "5 Minutes with a Construction Law Expert," Home and Garden TV, October 2018.
- "Discovery on Social Media, Cell Phones and E-Mails," Panel Moderator, ACC, August 2018.
- "Networking for Executives and Professionals," Panelist, The Jacksonville Chamber of Commerce, May 2018.
- "Building on Veterans- Spotlight on Veteran Leaders in Our Community," Panelist, The Jacksonville Business Journal, May 2018.
- "How to find and manage outside counsel in a way that adds value to your company," Panel moderator ACC, February 2018.
- "Good Guys- Guys Overcoming Obstacles to Diversity," Panelist, Jacksonville Women Lawyers Association, April 2018.
- "It's not over until it's over: In Florida, the foreign corporation can be served through the registered agent until the corporation has physically received the certificate of withdrawal," Florida Bar Business Law Section Blog, March 2018.
- "What In-House Counsel Need to Know When the Company's Real Property is Scheduled to be Taken Via Eminent Domain," ACC Newsletter, December 2017.
- "Sound Internal Credit and Collection Policies: Preventing Bad Debt and Collecting Money Owed to You," OnPay Solutions, April 2017.
- "An Overview of Free Internet Resources for Legal and Legislative Updates," ACC Newsletter, June 2017.
- "Loan Participation Agreements – Contract Drafting Perspectives for the Lead Bank," Lorman Education Services, April 2017.
- "What Remedies Are Available to a Creditor Under the Florida Uniform Fraudulent Transfer Act Chapter 726," Lorman Educational Services, April 2017.
- "Law School for the CFO," CFO Leadership Council, February 2017.
- "Bar Association Board Commitment and Accountability," Jax Daily Record, February 2017.
- "The Five Most Common Ways to Pierce the Corporate Veil and Impose Personal Liability for Corporate Debts," Florida Bar Business Law Section Blog, February 2017.
- "Secrets to Success for Business Owners," 12 Mavens CEO and Entrepreneur Network, January 2017.
- "Top 10 Ways to Create a Successful Legal Practice," Jacksonville Lawyers Roundtable, January 2017.
- "Lender Policies and Procedures for Subpoenas, Summons and Third-Party Demand Requests," Lorman Educational Services, November 2016.
- "Managing across generations," panel moderator, CFO Leadership Council, October 2016.
- "What you need to know about CFPB compliance," Florida Bankers Association E-Insights Newsletter, September 2016.
- "13th annual Raymond Ehrlich Trial Advocacy Seminar," Chairman and Master of Ceremonies, The Jacksonville Bar Association, March 2015.
- "Bet the Company Litigation" panel moderator, The Jacksonville Bar Association, March 2015.
- "Construction Mediators and Judges Panel" panel moderator, The Jacksonville Bar Association, June 2014.
- "The Payment Process on Construction Projects," Attorney Credits CLE, June 2014.
- "Construction Contracting and Project Delivery Methods," Attorney Credits CLE, June 2014.

- "Collections Law" Attorney Credits CLE, June 2014.
- "Can your condo association deny your visitor's parking?" examiner.com, April 2014.
- "UCC Article 9 Blanket Lien Exclusions and Purchase Money Security Interests," Strafford Publications Seminar, Atlanta, GA, March, 2014.
- "E-Discovery Practice Pointers: Tips from The Trenches," Jacksonville Bar Association, March 2014.
- Guest blogger, inlimine-blog.com, March 2014.
- "Construction Contracts for Subcontractors and Material Suppliers," NFACCA, March 2014.
- "Legal Aspects of Condominium and Homeowners' Associations in Florida," Lorman Education Services, September 2014.
- Fredrick Douglass Moot Court Competition judge, National Black Law Student Association, February 2014.
- "E-Discovery tips: Top 5 ways to get the electronic data you deserve"- Daily Record, February 2014.
- "Women in Business" panel moderator, Risk Management Association, January 2014.
- "Growing a Law Firm," Jax Lawyers Roundtable 2013.
- "Preparing to join the professional workplace," Jacksonville University 2013.
- "Construction Contracting," Commercial Remodeler's Council 2013.
- "Accounts receivable collections under Florida's Construction Law," NEFBA 2011-12.
- "Asset protection for contractors," The Continuing Education Academy 2012.
- "Corporate contracting and credit policies," CEO Nexus Forum 2012.
- Mock Residential Foreclosure Trial, Florida Coastal School of Law 2011.
- "Florida and Georgia Construction Lien Law," NACM 2010.
- "Business Litigation," University of North Florida Paralegal Program, 2009.

Organizational Affiliations

Mr. Jimerson is a member of and has served, or serves on, various committees, boards of directors and has held executive officer positions in many professional and trade organizations, including but not limited to:

- The Florida Bar (Business Law and Real Estate/Construction Sections, Florida Bar Fourth Judicial Circuit Grievance Committee)
- American Bar Association (Litigation, Business Law, Construction Law sections)
- The Jacksonville Bar Association (Board of Governors, Sports Commissioner, Construction Law Section Chair, Litigation Section Chair, Erlich Trial Advocacy Seminar Chair)
- American Trial Lawyers Association
- Chester Bedell Inns of Court
- Association for Eminent Domain Professionals
- Northeast Florida Builders Association (General Counsel, Board of Directors, Governmental Affairs Committee)
- Construction Financial Management Association
- First Coast Manufacturers Association
- National Association of Industrial and Office Properties (NAIOP)
- Urban Land Institute (ULI)
- National Association for Credit Management (SACM-JAX Chairman)
- Rotary Club of Jacksonville (Membership Chair, Board of Directors)
- Leadership Jacksonville Alumni (Class of 2013)
- Association for Corporate Growth North Florida
- The Gator Bowl Association
- Florida Bankers Association
- Risk Management Association (First Coast Chapter President; Florida State Chapter Board of Directors)
- CFO Leadership Council (Jacksonville Board of Directors and Steering Committee)
- Associated Builders & Contractors
- The Jacksonville Chamber of Commerce (Trustee, Public Policy Committee)
- The Jacksonville Historical Society
- Vincent's Foundation (Shircliff Society Founding Board Member)
- The Tim Tebow Foundation (General Counsel)
- Builders Care
- The Wounded Warrior Project
- Junior Achievement
- Girls, Inc.
- The Jacksonville Public Education Fund
- The University of Florida Alumni Association and local Gator Clubs
- The United Way (Small Business Council)
- HandsOn Jacksonville
- Dreams Come True
- The ALS Association
- Leukemia and Lymphoma Society
- Community Connections
- The Jacksonville Bank Advisory Board
- National Association of Veterans and Families (Committee of 100)
- Navy-Ortega League Youth Baseball Coach
- Westside Soccer Youth Coach
- i9 Sports Youth Football Coach
- The 200 Club of Jacksonville

Mr. Jimerson has also served as an Adjunct Professor of Business Law at the Florida Community College at Jacksonville and as a regular lecturer at the University of North Florida, Florida Coastal School of Law, Jacksonville University and the University of Florida Levin College of Law on topics relative to the practice of law and representing businesses. Mr. Jimerson periodically serves as a guest speaker at various legal, construction, credit, real estate and banking industry conferences or trade association meetings. Mr. Jimerson takes great pride in his community and philanthropic outreach.

Industries

