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PARTNER'S PERSPECTIVE

Austin B. Calhoun - Finding Opportunity in the Midst of Chaos

"In the midst of chaos, there is also opportunity." - Sun Tzu (and Samantha Braswell)

Our firm has many longstanding traditions. One such tradition is the “quote of the month” delivered by a different employee each month at our monthly firmwide meeting. Earlier this month, my legal assistant Samantha Braswell had the opportunity, and she presented Sun Tzu’s advice: In the midst of chaos, there is also opportunity.



The quote is an impeccable representation of our mindset during the current chaos stemming from the COVID-19 outbreak, which has disrupted our normal routines for work and life. For example, we are finding opportunities while we work remotely from home to become more productive and efficient. Also, we are increasing our level of communication both internally and externally through the use of technology.

We have embraced videoconferencing. While we may be forced to use videoconferencing as our only means of visually communicating with each other due to being displaced from the office, as we improve our technical acumen for using the tool, we are finding that it is a highly efficient and effective means of communicating. The chaos forcing us to distance ourselves from each other presents the opportunity to add yet another tool to our toolbox. Videoconferencing is becoming part of our new normal routine, and will increase our productivity and level of communication.

We are developing new and improved productivity measurements and tracking mechanisms. Such improvements will allow us to remain lean and effective, delivering results with improved efficiency and lower cost.

We are getting closer to our client base, and finding ways to help them through their unique issues arising from the COVID-19 pandemic and consequent preventive measures. Through phone calls, conferencing, emails, and webinars, we have communicated more often and more acutely with our clients to find out more about their business operations and identify solutions.

When the current state of pandemic winds down and things go back to “normal,” it is likely that we will find our lives and routines have changed. The experiences of today are influencing our perspective and practices of the “new normal.” There will be permanent change, some for the good, but some for the worse.

We are striving to make changes for the good. We want to come out of this pandemic better than we were before it. As my wise legal assistant once said, “in the midst of chaos, there is also opportunity.” Our firm is adopting that sage advice and working hard to seize the many opportunities arising right now. We hope that you see it that way, too, and make lasting improvements to your work and life routines. Stay safe.

Very truly yours,

Austin B. Calhoun

Austin B. Calhoun

Jimerson Birr Presents: Understanding The FFCRA and CARES Act



Over the past month, COVID-19 has caused significant damage to U.S. businesses and workers. In response, the federal government has sought to stem the tide with measures designed to keep companies solvent, workers retained and compensated, and unemployed individuals above water. Measures of this scale, however, are complicated and have

left many business owners and employees with more questions than answers.

Special Counsel **Colin A. Thakkar**, whose practice focuses on **labor and employment law**, hosted a live webinar on Wednesday, April 8, 2020 to review the workforce implications of the Families First Coronavirus Response Act (FFCRA) and the Coronavirus, Aid, Relief, and Economic Security (CARES) Act. More than 50 attendees from coast to coast tuned in for the presentation, which is now available to view online.

The live webinar was a follow-up to a blog article Colin published as a top-line summary of the FFCRA and CARES Act, and what they may mean for business leaders.

[Watch the Webinar](#)

[Read the Article](#)

It's Official: Jimerson Birr wins Platinum FLCAJ Readers' Choice Award



The Florida Community Association Journal (FLCAJ) magazine announced that Jimerson Birr is the winner of the Platinum Readers' Choice Award. The FLCAJ Readers' Choice Awards are presented to service providers that demonstrate an exemplary level of proficiency, reliability, fairness, and integrity through their commitment to the community associations they serve.

This is the firm's first year winning Platinum, after receiving Gold in 2019. Special thanks to everyone who casted a vote for the Community Association Team at Jimerson Birr.

Jimerson, Hamilton Featured on BOMA Jacksonville's Legal and Financial Panel

On April 21, 2020, managing shareholder **Charles B. Jimerson**, partner **Austin T. Hamilton** and Jenny Vipperman, VyStar's Chief Lending Officer, served as panelists on BOMA Jacksonville's virtual presentation on the legal implications for Commercial Real Estate and the Paycheck Protection Program. The meeting included a one-hour legal and financial panel discussion on two topics: 1) the shutdown of commercial buildings and what re-occupancy will look like for commercial building owners and managers, and 2) the Coronavirus Aid, Relief and Economic Security (CARES) Act's Paycheck Protection Program and how to obtain and use the resources available to small business owners.



[Watch the Video](#)

[Visit our Commercial Real Estate Blog](#)

Coronavirus Guidance for Business

Across the last month, Jimerson Birr attorneys have been authoring guidance articles, delivering presentations and speaking on panels on a range of issues business owners and leaders may be facing or considering while dealing with the impacts of the novel Coronavirus pandemic. With a goal of always adding value to the businesses we have the pleasure of serving, below are a few of our most viewed articles on the subject.



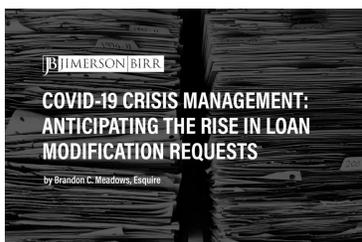
Real Estate
The Treatment of Commercial Leases in Bankruptcy



Community Associations
Navigating Through the COVID-19 Emergency
(A four-part blog series)



General Business
Business After the Virus: Preparing for a New Normal



Banking & Financial
**Anticipating the Rise in
Loan Modification Requests**



General Business
**Are Business Losses From
COVID-19 Covered by
Insurance?**

Employment Law
**Understanding the FFCRA
and CARES Act**



Community Associations
Emergency Powers in Effect

General Business
**Mitigating Commercial
Losses From the Reaction to
the Virus**



Employment Law
**Managing the Workforce
While Fighting the
Coronavirus**

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:

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

Banking & Financial Services Industry Law Blog

What Litigants Need to Know About Retrials of Civil Cases in Florida

By: **Charles B. Jimerson, Esq.**
& Pierce Schultz, JD Candidate

A retrial in a civil case is not an everyday occurrence, even for frequent litigants like financial services or insurance companies. This article is meant to guide those who frequently access the court system in navigating through these rarely traveled waters. This article will first consider retrials generally and the principles that guide the trial court's discretion on remand. Second, it will consider how those principles affect the proceedings on remand....



Click here to read the full blog post.

Commercial Evictions 101

By: **Austin T. Hamilton, Esq.**



One of the most important considerations for commercial property owners and managers is maintaining tenant occupancy. However, commercial property owners and managers will inevitably encounter tenants who refuse to pay rent or who refuse to vacate the premises after the lease term has ended. In these situations, the owner or manager will be forced to evict the tenant. Therefore, understanding the commercial eviction/removal process is critical for all commercial property owners and managers...

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

Construction Industry Law Blog

Five Key Changes in the 2017 AIA A201 General Conditions for Construction Contracts

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

The standard form contract documents developed and published by the American Institute of Architects (“AIA”) are a fundamental part of the construction industry landscape that have been widely used for more than a century. Importantly, in 2017, the AIA Documents Committee released updated versions of the A201 family of documents governing the design-bid-build project delivery model. This included an updated version of the A201 General Conditions of the Contract for Construction (the “A201-2017”), which is one of the most important documents in the AIA family, as it contains provisions that ripple across the related contract documents...



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

Business Litigation Blog

Cyber Crime and Computer Fraud Insurance: Is Your Business Covered?

By: **James O. "Joby" Birr, Esq.**

In today’s digital world, there are many scams that fraudsters employ to steal money and information from your company. Those computer-based scams



include hacking, phishing, ransom-ware, and spoofing to name only a few. The first step in protecting against these cyber crimes is to have the appropriate information technology and employee checks and balances in place to prevent such scams. Another way to protect against these scams is to work with your counsel and insurance agent to purchase the appropriate insurance, with the appropriate amount of coverage, to attempt to guard against them...

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

Community Association Law Blog

When Does Turnover Occur For a Homeowners' Association?

By: **Samuel B. Friedman, Esq.**

Turnover is a vaunted date on the calendar for every homeowners' association. Knowing at what time turnover occurs is necessary for a homeowners' association to properly plan and effectuate the transition of board control from the developer to the owners. Turnover is simply defined as "the transfer of association control from developers to non-developer owners." What this means practically is that the members of the community association, other than the developer, are entitled to elect at least a majority of the members of the board of directors. The Florida Homeowners Association Act and the Florida Condominium Act have differing deadlines for when turnover within a community association occurs...



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

Firm News

Curiosities, Ruminations and Various Eccentricities of Firm Biz

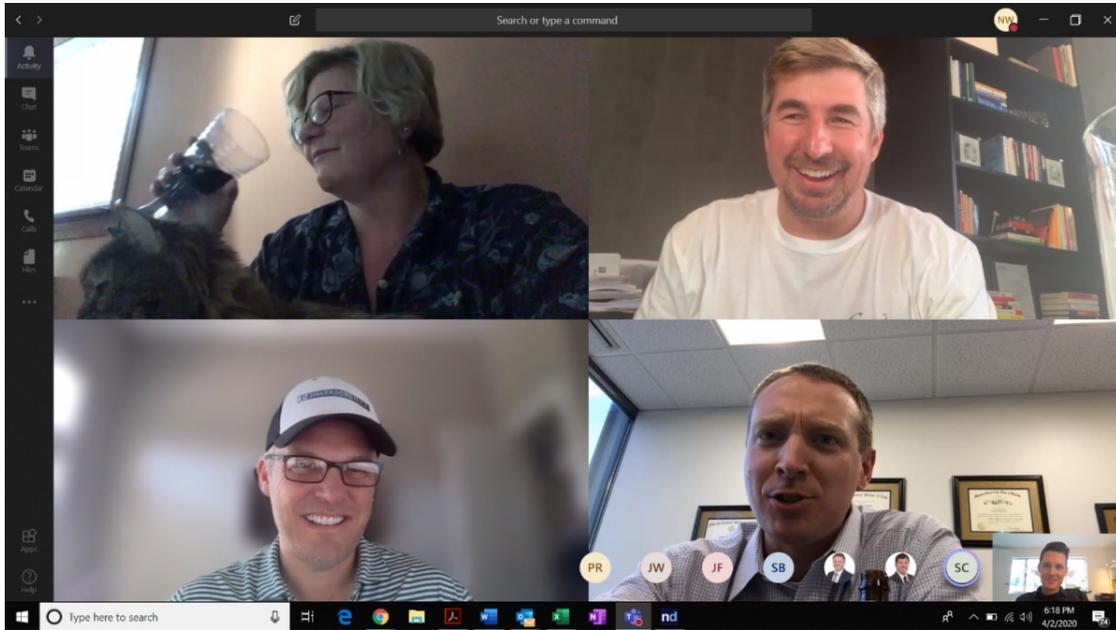
Client Success: Team JB Closes \$2 Million Commercial Real Estate Sale Mid-Pandemic



Last week, Special Counsel **Deborah L. Ruiz** closed a \$2 million commercial real estate sale on behalf of our client, the seller. In the current pandemic climate, this was not an easy task. There were numerous challenges that arose throughout the month that could have easily derailed the closing if not for the expertise, hard work, communication and dedication of the team at Jimerson Birr.

"Stay at Home" Happy Hour

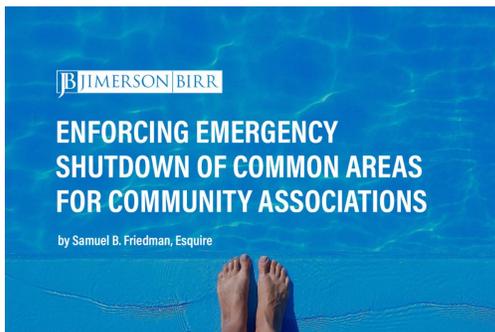
You think you know who your colleagues are, but you have no idea.



Pictured above (top left) Joanne Eichelberger's cat while her human drinks wine behind her, (top right) Charlie Jimerson leading us in a hilarious game, (bottom left) Joby Birr throwing it back to his baseball days, (bottom right) Austin Hamilton not staying at home.

Under Florida's Stay at Home orders, we took drinking responsibly to a whole new level during our first virtual happy hour. When a group of people actually like being around each other, they'll do just about anything to stay connected, and they'll have a good time doing it. We also realized the format was very conducive to learning things about one another that would have potentially never been revealed, like one legal assistant's celebrity crush, and the one crime she would commit if given the chance. Happy hours will never be the same.

Sam Friedman's Article Published in *The Community Connection*



Associate attorney Samuel B. Friedman's article on enforcing emergency shutdown of common areas for community associations was featured in *The Community Connection*.

The Community Connection is the official quarterly publication of the Northeast Florida Chapter of Community Associations Institute (CAI).

[Read the Article](#)



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