



# THE PERM BOOK 2017-2018 Edition

**Editor: Joel Stewart**

**Contributors: Michael H. Boshnaick, Attilio Costabel, Pamela Genise, Daniel Larson, Cyrus Mehta, Sheela Murthy, Dilip Patel, Michael E. Piston, Rabindra K. Singh, Pradeek Susheelan, David Ware, Nathan Waxman, Mitchell Wexler and Sophie Zneimer.**

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## Acknowledgements

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#### **EDITOR**

**Joel Stewart** practices exclusively in the area of immigration law. He specialized in Romance and Slavic Linguistics before receiving a J.D. from the University of Connecticut School of Law, and is fluent in Portuguese, Spanish, French, and Russian. He is Past President of the South Florida Chapter of the American Immigration Lawyers Association (AILA) and is a nationally recognized authority on employment-based immigration matters as well as a popular speaker at immigration seminars for national and local bar associations throughout the United States. Mr. Stewart is the editor of The Perm Book, the definitive authority on the subject of PERM processing of labor certifications, and has been writing the BALCA Case Summaries since 1987.

#### **CONTRIBUTORS**

**Michael H. Boshnaick** represents large companies and multinational firms. In addition, he has represented individual clients, startup companies and small and mid-size companies on U.S. immigration matters. Michael partners with corporate clients to provide strategic counsel on all matters involving U.S. immigration and nationality law, as well as policy and compliance, to manage large immigration programs. He guides corporate clients on immigration aspects of mergers, acquisitions, divestitures, outsourcing and corporate restructuring, as well as I-9 employer sanctions matters. While in law school, Michael served as an Oralist for the Philip C. Jessup and Benjamin N. Cardozo Moot Court competitions. Before joining Fragomen, he was appointed to the U.S. Attorney General's Honor Program and served as a Trial Attorney for the former Immigration & Naturalization Service in the Los Angeles District. Michael successfully represented pro bono a single mother and her children who sought relief from deportation after being brought to the United States by the children's father and being subsequently abandoned by him.

**Attilio Costabel** has practiced in Immigration Law for over twelve years and concentrates on business immigration matters. She has a wide range of local and international business experience, including representing Fortune 500 companies. Linda worked for five years as General Counsel for a software consulting company of over 500 employees prior to joining Fakhoury Law Group. Prior to that, she worked for immigration law firms in the San Francisco Bay area representing IT companies and many of the Silicon Valley start-ups. Linda has the unique capability of applying a business-oriented perspective to assist corporations with immigration hiring practices across the globe. She worked closely with executives in her in-house general counsel position to help formulate successful immigration practices. She also has experience in contract negotiations and employment law. In 2010, Linda joined Fakhoury Law Group as a Senior Attorney. Linda is responsible for several large corporate clients where she handles all of their business based immigration needs. She currently manages Fakhoury Law Groups office in San Francisco, California.



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**Pamela Genise** is an Assistant Managing Attorney (AMA) and a Member of the Murthy Law Firm. Pamela is establishing the firm's presence on the west coast through a satellite office in the Seattle, WA metro area. In her role as AMA, Pamela focuses on the firm's external relationships with clients, as well as general business development, and serves on the firm's hiring and legal agreements committees. Pamela's practice primarily consists of representing employers and employees in permanent immigration cases and she regularly advises clients on the immigration impact of corporate changes as well as strategies for establishing permanent immigration policies and practices. Pamela is experienced in successfully representing employers before the U.S. Department of Labor, the Board of Alien Labor Certification Appeals, U.S. Citizenship and Immigration Services, and the Administrative Appeals Office. Prior to joining the Murthy Law Firm in 2007, Pamela worked for several years at a firm in Washington D.C., where she handled a variety of immigration matters including nonimmigrant work visas, employment-based cases (extraordinary ability, national interest waiver, multinational executive / manager transfers, and labor certifications), family-based cases, adjustment of status, naturalization, and removal hearings. In addition to her work with the Murthy Law Firm, Pamela previously served as an Adjunct Professor at the University of Baltimore Law School Teaching Business Immigration Law.

**Daniel Larson** has been a member of the WAXLAW team since the summer of 2008. Daniel has handled a variety of complex business and self-sponsorship scenarios. After his graduation from Michigan State University Law School in 2012, he joined the firm as an associate attorney. He has successfully managed the immigrant and nonimmigrant visa petitions of a diverse client base, which has included actors, artists, musicians, playwrights, entrepreneurs, IT professionals, scientists, financial workers, business managers and corporate executives. Daniel has successfully prepared National Interest Waivers and Extraordinary Ability self sponsorship petitions. Daniel has advised numerous entrepreneurs and high net worth foreign nationals about the EB-5 investment program. He is skilled at identifying alternative immigration mechanisms that save clients both time and capital. Daniel has substantial experience developing successful training plans that comply with the H-3 and J-1 regulations, on behalf of startups, large corporations, nonprofits and small businesses. In 2006 Daniel graduated from the University of California (Santa Cruz) with honors in History with a concentration on China. Prior to studying law, Daniel worked and studied Mandarin in Beijing. From 2006-2009 he was an English instructor at Beijing Normal University.

**Cyrus Mehta** is the founder and managing attorney of Cyrus D. Mehta & Associates, PLLC (CDMA) in New York City. He represents corporations and individuals from around the world in business and employment immigration, family immigration, consular matters, naturalization, federal court litigation and asylum. He also advises lawyers on ethical issues. Based on 20 years of experience in immigration law, he is able to comprehend all kinds of problems and provide effective, ethical and strategic solutions to his clients. He is also an Adjunct Professor of Law at Brooklyn Law School where he teaches a course, Immigration and Work. Mr. Mehta is the past Chair of the American Immigration Lawyers Association's (AILA) National Pro Bono Committee. He is currently the Vice-Chair of AILA's Ethics Committee and serves on its Civil Rights & Civil Liberties Committee and Annual Conference Planning Committee. Mr. Mehta is a frequent speaker at AILA conferences and has also served on several other AILA national and AILA-NY Chapter committees over the years.



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**Sheela Murthy** is Founder and president of the Murthy Law Firm, Sheela Murthy completed her Master of Laws (LL.M.) from Harvard Law School, and has been admitted to practice as an attorney in New York, Maryland, and the U.S. Supreme Court. Murthy practiced with major law firms in New York and Baltimore before launching her own firm in 1994, then known as the Law Office of Sheela Murthy. She is fluent in French and Hindi. Murthy presents papers and speaks on complex immigration law issues before the American Immigration Lawyers Association (AILA) and other national and international organizations, including the International Bar Association in London and the Center for International Legal Studies in Salzburg. She is a past member of the Board of Trustees (2002-2009) and, for a number of years, co-chaired the American Immigration Council (AIC)'s Annual Immigrant A regularly featured writer, sharing information with her colleagues on consular matters and other immigration law topics, Murthy is often called upon by television network affiliates and newspapers to discuss immigration law, she is also featured in many international publications for her worldwide practice, for her leadership in the business community, and for her philanthropic work. She and her firm have been awarded the AV rating from Martindale-Hubbell. This is the highest rating for lawyers and represents a measure of esteem for which attorneys strive. It recognizes Murthy for her outstanding legal abilities, acknowledged by her peers, and signifies the highest professional ethics and conduct.

**Dilip Patel** has built a strong practice which deals with all aspects of immigration law. Dilip focuses on assisting individuals and families, as well as U.S. companies that hire foreign nationals for temporary or permanent work. Using his background in the IT industry and corporate transactions, Dilip is able to provide counsel on issues related to relocation of highly skilled workers. He also provides assistance to investors from abroad who wish to live in the U.S. for the purpose of managing their businesses. Dilip's career began in London where he worked in one of the city's oldest law firms for five years before moving to the United States and settling in the Tampa Bay area. Since then, Dilip has worked in the international and business department of one of Florida's largest law firms and served as general counsel and vice president of a large IT company before opening and managing his own firm. Most recently, Dilip worked in the Tampa office of a Florida-based firm in their Corporate Practice Group where he practiced immigration and corporate law. Dilip is Board certified in Immigration and Nationality Law by the Florida Bar and has been selected by his peers for inclusion in The Best Lawyers in America® since 2006. In 2015, he was named Lawyer of the Year, Immigration Law by The Best Lawyers in America® and in 2016 was selected by his peers to the Tampa Magazine's Top Lawyers list for Immigration Law. Additionally, Dilip has received the AV® distinction, which is the highest available mark for professional excellence from by Martindale-Hubbell Peer Review Ratings. A frequent speaker at the American Immigration Lawyers Association's conferences and author of immigration-related articles, booklets and newsletters, Dilip is involved in a number of organizations in the Tampa Bay area including serving on the board of directors of the INDO-US Chamber of Commerce. [jdevore@visabank.com](mailto:jdevore@visabank.com).

**Michael E. Piston** is the senior partner at Piston & Carpenter P.C. He has practiced immigration law exclusively for over 20 years and has spoken at numerous American Immigration Lawyers Association (AILA) and ILW conferences and workshops. He has also written several articles for the AILA Annual Conference Handbooks and ILW PERM Handbooks.



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**Rabindra K. Singh** is an Attorney in the firm's Chicago office where he focuses on complex employment- and family-based immigration matters. From individuals to startups to multinational corporations, he has advised clients in a variety of industries, with a primary focus on the high tech, engineering, manufacturing, pharmaceutical, and financial services industries. He represents clients before various agencies of the U.S. Department of Homeland Security (DHS), the U.S. Department of Labor (DOL), and the U.S. Department of State (DOS). Rabi holds the unique experience of working both as a client and service provider within the realm of immigration law practice. As a client, he has worked in the past with various immigration lawyers and law firms in the United States. On the other side, as a service provider, he has catered to the immigration needs of multinational corporations, startups and individuals. Rabi's professional work experience entails working with one of world's largest Information Technology (IT) Company, Capgemini. An avid writer, Rabi frequently writes for both print and electronic media. His co-authored articles have appeared in the prestigious New Jersey Law Journal and Law360. In addition, he is a frequent contributor to the ILW.COM. Further, in the past, he wrote weekly articles for various ethnic Indian newspapers published in New York, New Jersey and Chicago.

**Pradeek Susheelan** has been selected as a top immigration attorney by AVVO, with a rating of 10/10. He attended the University of California, Berkeley School of Law (Boalt Hall), where he earned a Masters in Law (LL.M.) with certifications in Social Justice & Public Interest Law, and Public Law & Regulation. He is a New York licensed Attorney and an active Member of the American Immigration Lawyers Association chapters of Northern California and Santa-Clara, CA (Silicon Valley). His practice covers all sections of Immigration Law. Mr. Susheelan is a first generation immigrant to the United States. He was born and raised in the United Kingdom to Indian parents and attended High School in Bangalore, India. He returned to London, England to attend the Prestigious Inns of Court School of Law (that counts amongst its alumni Mahatma Gandhi, M A Jinnah, Jawaharlal Nehru and four British Prime Ministers including Tony Blair and Margaret Thatcher.) Following graduation, he was admitted to the Bar of England & Wales as a Barrister by the Honorable Society of The Inner Temple. Mr. Susheelan has been a speaker on Labor certification matters at American Immigration Lawyers Association conferences. Before starting his practice, he represented clients in Immigration court under the mentorship of one of the most successful removal defense litigators in the United States. Mr. Susheelan has also been a Partner at a 35-year-old Immigration Law Firm focused on the Information Technology sector. Besides his practice, he also volunteers at the East Bay Sanctuary Center providing representation to Asylum seekers.

**David Ware** graduated from Yale College, summa cum laude, in 1977. He received his J.D. from the University of Texas School of Law in 1981, after spending a year abroad studying Mexican law pursuant to a Fulbright-Hayes scholarship. He is admitted to practice in the State of Louisiana, but as an attorney whose practice is limited to federal law, may lawfully practice in any state of the Union. He has practiced immigration and nationality law exclusively since 1982, either in solo practice or as a partner. He has diverse experience in representing companies, universities, medical schools and many other entities, and individuals, regarding immigration concerns. For 10 years, Mr Ware has been placed among the top immigration attorneys in Louisiana by New Orleans Magazine, and in 2005 and 2008, City Business magazine selected him as one of the top 50 "Leaders in Law" in Louisiana, the only immigration attorney ever so chosen. Mr Ware is a recognized leader among immigration attorneys in practice areas of interest to higher education and business immigration, and he has for many years served as a mentor in these areas for other immigration attorneys through the American Immigration Lawyers Association (AILA) Mentorship Program.

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**Nathan Waxman** has written more than 20 professional journal articles and book chapters on aspects of immigration law. He has lectured at AILA national conferences since the 1990s, with particular regard to NIW, H1B, and AC21. Nathan has been a leader in National Interest Waiver (NIW) analysis and advocacy since the 1990s. He has written extensively on the National Interest Waiver since 1996, and wrote the first commentary and critique on the New York State Department of Transportation (NYSDOT) precedent decision. He has successfully represented businesses ranging from Fortune 500 corporations to universities to nonprofit foundations, family-owned businesses, and self-employed musicians, artists, physicians and alternative medicine practitioners. Nathan has been responsible for key advisory opinions from federal agencies regarding H1B, Outstanding Researcher, and Merger and Acquisition issues. He has won significant appellate decisions from both the Administrative Appeals Office (INS/USCIS) and the Board of Alien Labor Certification Appeals (Department of Labor). He has served as an Adjunct Assistant Professor of Business Immigration Law at the School of Professional Studies, City University of New York. He is acknowledged by his peers in business and employment-based immigration as a national figure, as manifested by his selection as a New York Super Lawyer, and his inclusion in the Who's Who of International Business Law, and in Best Lawyers in America.

**Mitchell L. Wexler** manages the firm's Irvine and Los Angeles offices. His practice is quite diverse in that it is comprised of individual high net worth foreign nationals, start up, mid-size, and large multinational companies with regard to all of their work visa/immigration matters. Mitch's clients are equally diverse across industry sectors including manufacturing, pharmaceutical, technology, construction, real estate development, entertainment and more. Mitch is a member of the firm's national Executive Committee. He is a California State Bar certified specialist in immigration and nationality law. Mitch also teaches an annual module on business and investment (including EB-5) immigration law at the University of California Irvine Law School. He manage teams overseeing corporate clients' immigration programs, Counsel clients on immigration related due diligence in connection with corporate restructurings and M&A transactions, Advise management and employees on the immigration consequences of personnel actions including reductions in force, hiring freezes, mandatory leaves of absence, etc, Draft and review customized immigration policies as part of a broader mobility program, Assist families, individuals and investors (EB-5) in their US immigration needs.

**Sofia Zneimer** practices in the area of business immigration and litigation and has represented multi-national corporations, individual investors, hospitals, non-profit organizations and business entities before the Department of Homeland Security, the Department of Labor, the Department of Justice, and the State Department. She also litigates before the Illinois courts and the Northern District of Illinois. Before joining Zneimer & Zneimer, P.C., she worked as an immigration attorney for a national law firm. Before this she was the Immigration Specialist of a Fortune 500 Company for several years where she managed the processing of all immigrant and non-immigrant employment-based visas, intra-company transfers, I-9 compliance, as well as the company's relationship with outside immigration counsel. Ms. Zneimer speaks on immigration issues before business and trade groups about strategies for successful processing of immigration matters including labor certifications using the Department of Labor's newly implemented "PERM" program.

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