



Three-Part Telephone Seminar:

EB-5 For Experts

Speakers: Austin Fragomen, Chad Blocker, Robert Divine, Robert Juceam, Parisa Karaahmet, Steve Brotherton, Harvey Pitt, and Paul Virtue

Available Online!

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SEMINAR OUTLINE

FIRST Phone Session on July 10- Regional Center Ideas

- USCIS's New Policy Memorandum: Clarification of definition of key terms
- Changes in adjudication standards and processing times
 - Post-memo regional center approvals - what do they mean?
 - Approval of Hypothetical, Actual, or Exemplar
 - Material Changes - When to file an I-924 Amendment
 - Treatment of NAICS CODES
 -

SECOND Phone Session on July 18 - Individual Investor Issues

- Current Source of Funds Issues
 - Adjudication trends
- Material Changes to the Business Plan during period of CPR Status
- Alternatives to regional center filings (direct investment scenarios)
- Due Diligence on the part of the investor (immigration and financial)
-

THIRD Phone Session on August 1 - Complex Issues in EB-5

- Ethics - Dual Representation Model, does it work?
- Marketing
 - Applicability SEC regulations (Reg S and Reg D)
 - Working with brokers
 - Referral fees
- Compliance
 - Export Control as related to OFAC-subject nationals
 - Investment funds coming from cash economies
- What to expect in the coming months from the new dedicated EB5 office in DC
 - Electronic filing - ELIS, regional center document library
 - Adjudication by economists

ABOUT THE SPEAKERS

Austin Fragomen (Discussion Leader) Over the course of his career in immigration, Austin has served as staff counsel to the U.S. House of Representatives subcommittee on immigration, citizenship and international law and as an adjunct professor of law at New York University School of Law. Austin has testified before Congress on a range of immigration issues. Most recently, he appeared before the House Ways and Means Committee's Social Security Subcommittee to discuss how to enforce immigration laws at the worksite effectively. He also has testified before the Immigration Subcommittees of the House and Senate to share his expertise on a variety of business immigration related topics, including the H-1B and L visa programs and corporate immigration compliance. He is also the founding co-author of a renowned series of immigration handbooks that provide information on the best practices and latest developments in the field of business immigration, published by Thomson Reuters/West.

Chad Blocker is a Partner in Fragomen's New York office. He joined the firm in 1998 and has worked on a broad array of immigration matters for a diverse client base, including corporations in the following industries: financial services (investment banking, private wealth management, private equity, hedge funds), insurance and risk management, management consulting, technology, manufacturing, media, and energy, among others. His practice includes all aspects of corporate immigration, including nonimmigrant visas, permanent residence, naturalization, Form I-9 and Labor Condition Application compliance as well as corporate restructuring matters. From 1996 to 1998, Chad served as an Attorney-Advisor to Administrative Law Judge John C.



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Holmes of the U.S. Department of Labor's Board of Alien Labor Certification Appeals (BALCA) in Washington, D.C., where he assisted the Judge in writing more than 50 appellate decisions.

Robert Divine is the Chairman of the Immigration Group of Baker, Donelson, Bearman, Caldwell, & Berkowitz, P.C., a law firm of 650 lawyers and public policy advisors with offices in 17 cities from Washington, D.C. to Orlando, FL to Houston, TX. Mr. Divine served from July 2004 until November 2006 as Chief Counsel and for a time Acting Director of U.S. Citizenship & Immigration Services (USCIS). He is the author of *Immigration Practice*, a 1,600 page practical treatise on all aspects of U.S. immigration law now in its Fourteenth Edition. He has practiced immigration law since 1986 and has served as Chair of various committees of the American Immigration Lawyers Association, currently serving on the EB-5 and USCIS Transformation committees. Mr. Divine is extremely involved in EB-5 advocacy. He has served four years as Vice President of the Association to Invest in the USA (IIUSA), an association for EB-5 regional centers, he is on the EB-5 Committee of the American Immigration Lawyers Association, and he frequently speaks on immigration topics and leads stakeholder discussions on EB-5. Under his leadership, Baker Donelson serves a wide range of legal needs for regional centers, developers, and investors, including immigration, securities, business, real estate, tax, and international. Mr. Divine's practice includes all aspects of U.S. immigration law, representing large and small international and domestic employers, family sponsors, investment regional centers, and individual foreign nationals. He has also litigated significant business matters, including class action employment discrimination, contract, commercial, product liability, antitrust, ERISA benefits, business torts (including RICO, misrepresentation, Consumer Protection Act), and immigration-related criminal matters.

Robert Juceam is of counsel to the Firm, resident in Fried Frank's New York office. He joined the Firm in 1966, became a partner in 1974 and of counsel to the Firm in 2006. From 1995 to 2001, he chaired the litigation department in the Washington, DC office. During Mr. Juceam's 45 years of practice of civil and white-collar criminal law litigation and investigations he has defended public companies and directors of public companies charged with federal securities and Investment Company Act violations, conducted private investigations parallel to federal regulatory law enforcement proceedings and served as lead counsel or principal investigator in internal corporate and special litigation committee investigations. He has led major litigation claims and defense of claims in insurance and reinsurance proceedings.

Parisa Karaahmet Prior to joining Fragomen, Parisa served as an Assistant District Counsel and Acting Deputy District Counsel for the Immigration & Naturalization Service, New York District. At Fragomen, she leads a team that specializes in individual and complex immigration matters and also manages a number of corporate accounts. Her area of specialty includes advising clients with respect to criminal and other inadmissibility grounds, employer sanctions, EB-5, E-verify and I-9 compliance and enforcement is a frequent speaker at national conferences on these and a variety of other immigration topics. On the corporate Compliance advisory group side, Parisa represents a variety of large, mid-size and smaller companies in their immigration matters, including those in the financial services, medical, pharmaceutical, and technology sectors. She also regularly advises academic institutions and hospitals in their immigration matters. Parisa co-chairs the Immigration Litigation Committee of the American Bar Association (ABA) and has presented at panel events sponsored by the ABA and other prestigious organizations, including the Practising Law Institute (PLI).

Steve Brotherton manages Fragomen's Export Controls Practice Group with locations in Washington, D.C. and San Francisco, CA. He counsels clients on export control laws and regulations, including compliance with the Export Administration Regulations ("EAR"), International Traffic in Arms Regulations ("ITAR"), and sanctions regulations administered by the Office of Foreign Assets Control ("OFAC"). He advises a wide variety of clients on export control issues, ranging from Fortune 50 companies to mid-size companies and start-ups. Steven has developed and implemented global export compliance programs, led audits, investigations, prepared export licenses and agreements, and has successfully represented companies in connection with government investigations and enforcement actions. Mr. Brotherton is a member the U.S. Department of Commerce's Regulations and Procedures Technical Advisory Committee (RPTAC), which advises the U.S. Department of Commerce on export control regulation and policy. He is also the Co-Chair of TechAmerica's Export Control Reform Subcommittee.

Harvey Pitt is the Chief Executive Officer of the global business consulting firm, Kalorama Partners, LLC, and its law firm affiliate, Kalorama Legal Services, PLLC. Prior to founding the two Kalorama firms, Mr. Pitt served as the twenty-sixth Chairman of the United States Securities and Exchange Commission. In that role, from 2001 until 2003, Mr. Pitt was responsible, among other things, for overseeing the SEC's response to the market disruptions resulting from the terrorist attacks of 9/11, for creating the SEC's "real time enforcement" program, and for leading the Commission's adoption of dozens of rules in response to the corporate and accounting crises generated by the excesses of the 1990s. For nearly a quarter of a century before becoming the SEC's Chairman, Mr. Pitt was a senior corporate partner in the international law firm, Fried, Frank, Harris, Shriver & Jacobson. He was a founding trustee and the first President of the SEC Historical Society, and participates in a wide variety of bar and continuing legal education activities to further public consideration of significant corporate and securities law issues. Mr. Pitt served as an Adjunct Professor of Law at Georgetown University Law Center (1975-84), George Washington University Law School (1974-82), the University of Pennsylvania School of Law (1983-84), and The Yale Law School (2007).



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Paul Virtue is a partner in Baker and McKenzie's Global Immigration & Mobility Practice Group in Washington, DC. Prior to his law firm service, Mr. Virtue served as the executive associate commissioner and general counsel of the US Immigration and Naturalization Service (INS). As general counsel, Mr. Virtue was the agency's chief legal officer tasked to supervise a nationwide litigation staff of more than 600 attorneys. He also provided legal and policy advice to the INS Commissioner and senior officials, the attorney general, the White House, and other federal agencies on issues under INS jurisdiction. He also participated in drafting the immigration provisions of the North American Free Trade Agreement. In 1997, Mr. Virtue received the Attorney General's Distinguished Service Award. He has also been recognized by *Chambers USA*, *Chambers Global* and *Legal 500* as a leading lawyer in immigration law.



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