Three-Part Telephone & E-mail Seminar:

Paparelli on Cutting-Edge Issues in Business Immigration Practice

Speakers: Angelo A. Paparelli with Guest Speakers Margaret Catillaz, Gary Endelman, Bryan Funai, Cynthia Lange, Pete Larrabee, Alan Tafapolsky, and Nathan Waxman.

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Seminar Outline

Phone session of August 27th:

- Finding the Gems and Thorns in the July 31, 2002 INS Regulation Allowing Concurrent Employment-Based I-140/Adjustment of Status Filings: • How do you help your clients transition from nonimmigrant worker status to an open-market EAD without a gap in work permission? • Does the new regulation strengthen or undermine AC-21's provisions on AOS portability and H-1B portability? • How do you reduce the effect of layoffs and still preserve AOS eligibility under the new concurrent filing system? • How does the new regulation impact the requirement that the alien intend to work for the sponsoring employer? • Can your practice thrive despite new conflict-of-interest and malpractice exposures? • How do you adjust your marketing and client-service strategies to gain maximum benefits under the new concurrent filing system? • What Case Profiles and Job Categories Should You Accept or Decline for Concurrent Filing? - Employment-Based Exemptions from Labor Certification: • What are the latest adjudication trends at the INS Regional Service Centers and the Administrative Appeals Office for: • Extraordinary Ability Aliens? • Outstanding Professors and Researchers? • Advance Degree Holders and Exceptional Ability Aliens with National Interest Waiver requests? • Exceptional Ability Aliens Applying under Schedule A, Group II? • Do mere mortals have a chance? • How do you develop winning strategies in case preparation and response to INS Requests for Evidence?

Phone session of September 24th:

- Latest Developments and Practice Strategies involving: • The Immigration Consequences of Mergers, Acquisitions, Spin-Offs and other Forms of Corporate Restructuring: • How Do You Resuscitate "Lost" Cases through creative use of the New Definition of "Successorship in Interest"?; • What Should Your Immigration M & A Due Diligence Checklist Contain? • How do You Dazzle and Work Successfully with Corporate Counsel? • What are the I-9 and Anti-Discrimination Risks and Solutions? • How Can You Preserve Priority Dates and RIR Advertising Benefits Secured by the Predecessor Entity? • How Can You Gain Maximum Benefit from Strategies involving POE submissions, E-2 Advisory Opinions, and the "Class Representative" and "Minimalist" Approaches? • What does the Puleo memo on new or amended I-140 Petitions cover and omit? and • What are the most successful strategies in Dealing with the Regional Service Centers, INS Headquarters and Consular Posts?. - Blanket L-1s and E-2 Advance Practice Issues: • Benefits and Risks for Large, Mid-Size and Emerging Companies; • Changing jobs without prior INS petition approval; • When to Use the Blanket Approach and When to Opt for INS Premium Processing; • Avoiding Bungles and Capturing Opportunities with Clients and the Government. - Late Breaking Developments involving new Regulations and Statutes.

Phone session of October 22nd :

- Defending your H-1B clients in DOL Wage & Hour Audits: • Responding to the 29 questions of the typical DOL investigator; • Taking curative actions to minimize exposure; • Preparing employees for interviews with DOL investigators; • Working with employment counsel on overtime and Fair Labor Standards Issues; • Reviewing and correcting I-9 files. - Immigration Issues in Dealing with the Social Security Administration: • Addressing concerns caused by SSA "Mismatch Letters" and employer-sanctions exposure • Resolving problems caused by the SSA's new policy of on-line verification of employment eligibility through the INS SAVE (Systematic Alien Verification of Entitlements) Database. - Age-Outs in Employment-Based Cases: • Reconciling the Age-Out provisions of recently passed statutes (the USA Patriot Act and the Child Status Protection Act [CSPA]). • Analyzing and challenging the restrictive interpretations of the State Department's August 26, 2002 cable on the employment-based provisions of the Child Status Protection Act • Waiting for the other shoe to drop: What does the INS say about CSPA? - AR-11s and the Aliens' Lament: • "It's more than 10 days since I moved: Should I/Shouldn't I Report My Change of Address to the INS"? • Advising clients in an era of selective prosecution; • Analyzing potential criminal liability and exposure to removal; • Evaluating possible affirmative defenses; • Deciding on what and when to report (all prior addresses; the current address only; or only the next change of residence)?

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About the Speakers

Angelo A. Paparelli has been practicing business-sponsored immigration law for over 20 years. He is a nationally recognized speaker, published author and leading expert on cutting-edge business-related immigration issues, including the immigration consequences of mergers, acquisitions, reorganizations and other business changes, consular visa practice, audits of employers' compliance with immigration and labor regulations, and employment based work visas. He has served as co-Chairman of the Immigration and Nationality Law Committee of the American Bar Association's Section on International Law and Practice, and as an elected member of the Board of Governors of AILA. Mr. Paparelli has received the AILA President's Award for liaison with the government on the immigration consequences of mergers, acquisitions and other corporate restructurings.

Margaret Catillaz is a partner in the law firm of Harter, Secrest, & Emery LLP in its Rochester, New York office. She is a Past President of AILA (2001-2002). A member of AILA's Board of Governors since 1989, she has represented AILA in numerous capacities.

Gary Endelman graduated from University of Virginia with a B.A. in History, Ph.D. in History from University of Delaware and J.D. from University of Houston Law School. He is Board Certified in Immigration and Nationality Law by the Texas Board of Legal Specialization.

Bryan Funai is a Principal Attorney in the firm of Masuda Funai Eifert & Mitchell.

Cynthia Lange is a partner at the national law firm of Fragomen, Del Rey, Bernsen & Loewy. Ms. Lange has been an Adjunct Professor of Law at Southwestern University School of Law, for the past 14 years. Ms. Lange was formerly a Trial Attorney with the Immigration and Naturalization Service and heads the Firm's IRCA Compliance Practice Group.

Pete Larabee began practicing immigration law after more than twelve years of service with the INS. He served as the Chair of the AILA San Diego Chapter for many years, as well as on the National Board of Governors. Mr. Larrabee has published articles on immigration law, is a frequent speaker at regional and national conferences, and has testified before Congress on the impact of immigration laws on American business.

Alan Tafapolsky has post-baccalaureate degrees in Law, Employment Law, and Law and Diplomacy. He also possesses a Certification in Dispute Resolution from the Harvard Program on Negotiation. He is a noted author in the field of business immigration law.

Nathan A. Waxman has been a member of the American Immigration Lawyers Association since 1985 and has spoken and written extensively on the national interest waiver and related methods of circumventing labor certification.