

Sender

Company's Name  
Address



June 19, 2002

U.S. Immigration and Naturalization Service  
Address

**Re:** Form I-129, Extension of L-1A Status for Employee, and  
Form I-539, Extension of L-2 Status for Dependents  
**Petitioner:** COMPANY'S NAME  
**Beneficiaries:** SMITH, John (principal alien)  
SMITH, Mary (spouse)

Dear Sir or Madam:

This letter is written in support of Company's Name's petition to extend L-1A status for John SMITH, a Canadian citizen, for the managerial occupation of Operational Risk Manager in our XYZ Unit. Prior to entering the U.S. in August 1999 in valid L-1A status, Mr. Smith worked for one year on a full-time, continuous basis as Chief Accountant for ABC, a wholly-owned subsidiary of Company's Name.

#### THE PETITIONER

Company A and Company B merged on date, to form Company's Name, the world's xth-largest integrated energy company. On date, Company's Name changed its name to Company's Name. Company's Name stock is principally traded on the London Stock Exchange.

Company's Name is a wholly-owned subsidiary of Company's Name and is the highest corporate entity for Company's Name in North America. Company's Name (formerly known as Company's Name) is a wholly-owned subsidiary of Company's Name; Company's Name is a wholly-owned subsidiary of Company's Name. Company's Name changed its name to Company's Name in August 2000. For purposes of this statement, the entire Company's Name Group of Companies will be referred to as "Company's Name".

Through our international and domestic affiliates and subsidiaries, COMPANY'S NAME is engaged in finding and producing crude oil and natural gas, as well as refining, transporting and marketing a wide range of petroleum products throughout the world. With a market capitalization of approximately \$x billion, COMPANY'S NAME is a major producer and marketer of cleaner burning natural gas. COMPANY'S NAME has over y billion cubic feet a day of production, net proved gas reserves of more than x trillion cubic feet, and global gas sales and delivery of y billion cubic feet per day in x countries around the world.

As of the end of 2001, the combined companies employed over x,000 individuals worldwide. Total revenue in 2001 was approximately \$x billion with over \$x billion net profit.

COMPANY'S NAME's global operations are divided into four major sectors. Among these, the role of the Gas and Power Sector is to create new linkages between gas resources and gas markets through a combination of technological excellence and commercial innovation – working across COMPANY'S NAME's three other sectors to integrate the company's energy marketing activities.

COMPANY'S NAME's Gas and Power Sector pursues business opportunities in the areas of natural gas, renewables, energy efficiency, hydrogen and fuel cells, and is a core element of COMPANY'S NAME's ability to offer cleaner, less carbon intensive products. As customers seek cleaner and more efficient energy solutions, Gas and Power offers total energy management services both in new, developing markets as well as more sophisticated markets such as North America, the world's largest energy market. Here, through strategic positioning, COMPANY'S NAME has combined its global trading experience with its role as the largest gas producer in North America. At the same time, COMPANY'S NAME has created a lower carbon energy program to intensify its focus on developing business options that reduce the overall emissions associated with the production and use of its products, thus cutting back on greenhouse gases, principally carbon dioxide.

XYZ a performance unit within COMPANY'S NAME's Gas and Power Sector, has offices and satellite branches operating throughout the United States and Canada, including locations in city, city, city, city, city, city. XYZ is one of North America's top five traders of natural gas and top ten traders of power, last year selling an average of x billion cubic feet of natural gas per day and a total of y million megawatt hours of electricity. XYZ also offers risk management services to industrial and utility customers across the continent.

XYZ's Risk Management Team (RMT) is wholly responsible for management of all internal control, risk assurance, and trading control processes and procedures associated with energy trading. The Team is comprised of the Chief Risk Officer, Market Risk Manager, Credit Risk Manager, and Operational Risk Manager. The position of Operational Risk Manager was newly created in May 2002 in response to XYZ's rapid and substantial growth. Specifically, this growth has created the need for an oversight position to ensure that appropriate risk management policies and procedures, and consistent business practices and controls, are in place throughout XYZ's various North American locations.

## **THE MANAGERIAL POSITION**

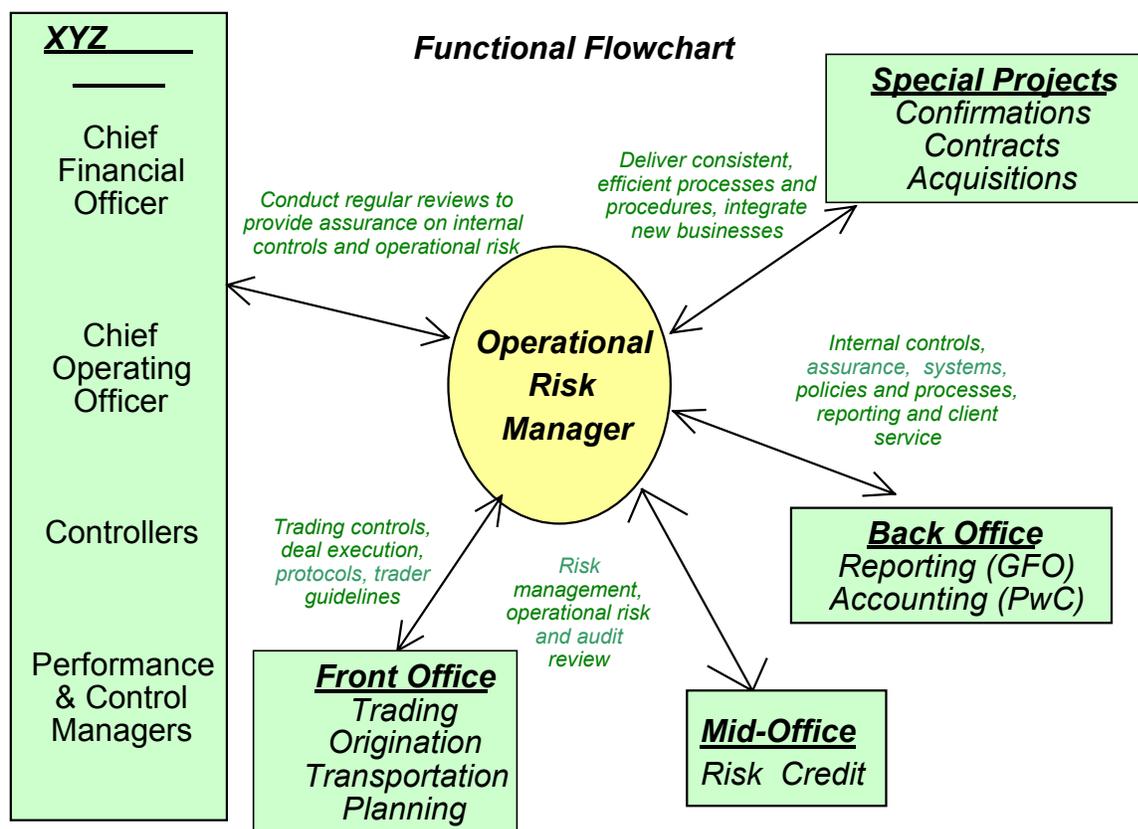
COMPANY'S NAME's XYZ Unit requires the full-time, temporary services of an Operational Risk Manager to work in its offices in city, state.

As a member of the Risk Management Team, the Operational Risk Manager is responsible for risk management, internal control and assurance processes within XYZ and for consistent application of these business control processes across all XYZ locations. XYZ has experienced rapid growth recently and, with continued future growth, it is even more critical that the Operational Risk Manager lead the implementation and assurance of consistent policies and procedures at all locations.

The managerial responsibilities of the Operational Risk Manager can be divided into two main segments:

- Operational Risk - Manage all aspects of risk associated with coordinating, processing and administrating transactional details within the organizational parameters of XYZ, from transaction execution through to final settlement and accounting. The Operational Risk Manager provides high levels of assurance delivered processes, systems, and procedures that allow for optimal consistency and organizational efficiency.
- Business Assurance – Manage the key internal control risks that can impact XYZ’s ability to deliver on its performance contract; implement assurance plans to mitigate business risks; monitor progress on mitigation plans; and complete periodic audits to ensure adherence to policies and procedures. The Operational Risk Manager visits regional offices on a rotational basis and provides clear practical change recommendations.

## XYZ Operational Risk Manager



The Operational Risk Manager is responsible for providing the focal point and leadership within XYZ for the assurance process. This involves providing direction to the Regional Leadership Teams and the Regional Performance & Control Managers on the general control environment and processes, the trading control environment and processes, the assurance plans and processes, and the consistent application of these across all locations. He conducts regular

reviews of internal controls and assurance processes at XYZ's regional offices to provide assurance to the Chief Financial Officer and Chief Operating Officer on the appropriateness of the controls and the operational risk processes. The Operational Risk Manager provides leadership on development of key operational performance processes and performance indicators that deliver high levels of internal control assurances through cost-effective and efficient systems and procedures. He initiates and implements system changes oriented towards improvement of workflow and communication between trading, risk management, reporting and client service groups within XYZ. The Operational Risk Manager manages and maintains the delegation of authority process and trading guidelines. This includes monitoring results against delegations and escalating breach incidents, ensuring that traders are operating within their delegated roles and authorities, and monitoring the confirmation of third party transactions. The Operational Risk Manager provides leadership and focus to the seamless and orderly transition of new businesses and new business activities and the related controls policies, practices, procedures and protocols in XYZ.

The Operational Risk Manager manages system and data flow processes for controls, exposure, cost, systems, processes and procedures, ensuring good sound business practices and procedures are in place. He manages overall operational risk control, providing a central point and focus, and ensuring proper deal capture and appropriate financial statement impact. He provides leadership and guidance on appropriate processes and activities fundamental to doing good business, and conducts periodic reviews on existing businesses to ensure compliance. The Operational Risk Manager drives the integration process for new mergers and acquisitions, aligns new businesses into existing operations, and implements policies, procedures, roles and responsibilities for new business venture activity from deal inception through to accounting processes.

The Operational Risk Manager identifies specific areas where risk deficiencies in policy, procedure or internal controls need to be addressed. He establishes project teams to correct these deficiencies, defines project scope and objectives, and communicates the desired deliverables and milestones. The Operational Risk Manager selects professional team members who hold bachelor's (or higher) degrees in marketing, commerce, and accounting. He frequently reviews the progress of the project deliverables and provides input on team members' performance. The Operational Risk Manager continuously monitors the status of active projects to ensure timely delivery of objectives.

## **THE BENEFICIARY**

John SMITH, the Beneficiary, is well suited and qualified for the managerial position of Operational Risk Manager in the XYZ Unit. He was accorded the designation of Certified Management Accountant by the Society of Management Accountants in City, Country in 1991. His previous experience as Chief Accountant at COMPANY'S NAME (August 1998 through July 1999) and as Controller for COMPANY'S NAME's (August 1999 through August 2001) have also prepared him well for this position.

Mr. Smith originally joined ABC in Canada on July 29, 1981 as a Revenue Accountant in Natural Gas Liquids and Sulfur Marketing. He moved to a Coordinator's role in Crude Oil Marketing Accounting and spent three years as a Project Specialist in the X merger. In this position, he was responsible for developing production and revenue allocation systems for EFG properties. Following the B acquisition, as a Finance and Administration Supervisor in the Central Production Business Unit, Mr. Smith assumed responsibility for all financial and administrative

activities for business transactions relating to the xxyzz area of Country, including Production and Revenue, Direct Expense, Asset Management, Cost Recovery, Land and Joint Interest Administration, and Budgeting and Reporting.

In May 1995, COMPANY'S NAME transferred Mr. Smith in valid L-1B status to our Business Services Center in City, State, to work as an Accounting Coordinator. Subsequently, while still in valid L-1B status, Mr. Smith assumed the role of Financial Manager for COMPANY'S NAME's Kazakhstan projects, remaining in this role until he was transferred to COMPANY'S NAME in the managerial role of Chief Accountant on August 1, 1998.

From August 1998 to July 1999, Mr. Smith was the Chief Accountant for COMPANY'S NAME plc.'s wholly owned Dutch subsidiary COMPANY'S NAME. As Chief Accountant, he managed the financial, accounting, and tax-related issues for COMPANY'S NAME operations. To accomplish this, Mr. Smith supervised a staff of seven professional accountants who held bachelor's degrees in accounting, finance and commerce. He provided leadership for the general accounting and special books of account for COMPANY'S NAME subsidiaries worldwide, including tax compliance and COMPANY'S NAME's internal financial reporting requirements. He was directly responsible for the accurate accounting of business transactions relating to operations; the timely preparation of management reports; budgets; forecasts and analysis of actual accounting systems to ensure the accuracy of financial data and the integrity of financial statements. Mr. Smith established appropriate internal accounting procedures and senior management authorizations, and, when necessary, coordinated with Financial Operations for project financing.

Mr. Smith returned to the US in valid L-1A status in August 1999 to assume the position of Controller for COMPANY'S NAME's Nitriles Business Unit in City, State. Mr. Smith managed the financial reporting function on a senior level as a member of the Business Control and Procedure Team on which the Business Controller, Plant Controllers, and Financial Planning Manager also sat. He also sat on the Nitriles Control Team that set all accounting policy for COMPANY'S NAME's global Nitriles business.

Mr. Smith exercised significant discretionary authority over the day-to-day operations of the financial reporting function. As Controller, Mr. Smith assured compliance with all corporate policies and generally accepted accounting principles; recommended changes to financial reporting or accounting policies when appropriate, and adapted procedures for changes in policy or business strategy. The Controller determined priorities, identified opportunities, trained professional accountant team members, and managed several key financial processes for a global petrochemical company. In addition, he participated in the formulation of departmental goals, forecasting of personnel requirements, and preparation of the financial reporting budget.

Mr. Smith oversaw business financial reporting for two Nitriles plants located in city, state, and city, state. He also coordinated financial reporting activities for a joint venture in City, state, and exercised authority over the reporting of data coming from various customer sites where COMPANY'S NAME has consigned inventory. He directed the reporting of site-specific data for functions related to the Nitriles business, such as marketing, distribution, human resources and administration. Both the city1 and city2 plant sites had subordinate degreed accountants and clerical personnel who reported to the Controller. Mr. Smith represented COMPANY'S NAME Chemicals at meetings with outside accounting consultants from Andersen Consulting on transactional issues and evaluated their performance. Mr. Smith also managed the interface between in-house and outside accountants. He was the responsible managerial authority for

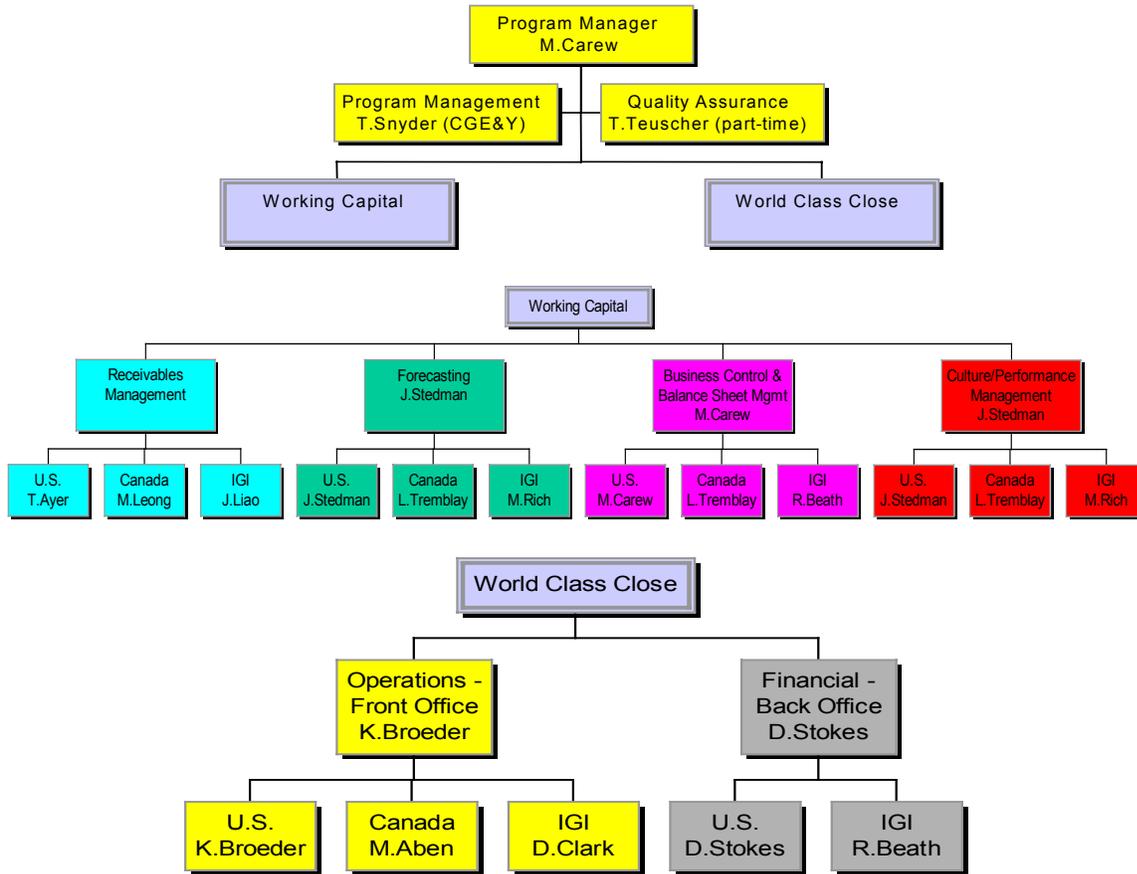
setting guidelines and resolving issues that impacted the quality, accuracy, and timing of financial reporting.

Mr. Smith was charged with the responsibility of assuring and maintaining consistent application of accounting policy. He recommended changes or enhancements in current policies or adoption of new procedures as required. He also supervised and controlled the implementation of new reporting processes and reviewed the progress of their implementation. He participated in major personnel decisions, such as hiring, firing, replacement, transfer and/or promotion. This was a major responsibility since the Financial Reporting Team that he managed included nine professional accountants. He was involved in contract negotiations for COMPANY'S NAME up to \$x million, and exercised budgetary authority for all Nitriles business financial and accounting expenditures with the sole exception of the payroll function.

In August 2001, Mr. Smith transferred to XYZas Program Manager for the Working Capital and World Class Close Program. At the time, there was considerable uncertainty around current political and economic environments, and prices for the 2002 plan had been reduced. COMPANY'S NAME had higher debt levels than its oil competitors and wanted to lower its debt position. In addition, the uncertain business environment allowed COMPANY'S NAME to pursue acquisition opportunities that were arising. All of this highlighted a need to greatly improve cash and working capital management. To achieve the Working Capital and World Class Close Program mission to accelerate submission of operating and financial data to COMPANY'S NAME Group Accounts in city, efficient and effective improvements to the trading and accounting processes and systems were necessary. A primary objective was to eliminate two days from the close process to provide more timely and accurate operating and financial reporting.

The Program involved approximately x sub-projects with over y participants, either on a full-time or part-time basis. The Program Manager selected project managers, outsourced accountants from PriceWaterhouseCoopers, and consultants from Cap Gemini / Ernst and Young for the duration of the program. The primary organizational chart is depicted below:

***Working Capital and World Class Close Program Organization Chart***



Mr. Smith defined the scope and direction of the Program, developed detailed work plans with deliverables and milestones to achieve these important business improvements, and identified the necessary resource requirements to deliver. Mr. Smith communicated Program objectives to project managers at various locations, and monitored their performance to assure that these objectives were met. He managed the dependencies within the program and identified project risks in advance, taking appropriate action to mitigate those risks. He also monitored and managed overall Program progress and status, ensuring that projects were within approved budgets. He was responsible for the Program's ultimate success, providing project definition, program management, and communication.

Mr. Smith assumed the newly-created role of Operational Risk Manager for the ABC Unit in May 2002.

In view of his acquired managerial experience, work background and knowledge, COMPANY'S NAME wishes to continue to employ Mr. John Smith on a temporary, full-time basis as the Operational Risk Manager in ABC.

Based on the foregoing, it is respectfully requested that the attached petition be approved. Should you require further evidence or information, please do not hesitate to contact the undersigned at your convenience.

Sincerely,