

Sender

Company's Name  
Address



October 21, 2002

U.S. Immigration and Naturalization Service  
Address

**CENTRALIZED FILING– DO NOT REJECT!!!**

**Re:** Form I-140, Immigrant Petition for Alien Worker, and  
Form I-485, Application to Register Permanent Residence  
**Basis of Case:** Multi-National Manager  
**Managerial Role:** Sourcing and Contracts Manager  
**Petitioner:** Company's Name  
**Beneficiaries:**

Dear Sir or Madam:

This letter is submitted in support of Company's Name's Immigrant Visa Petition on behalf of Mr. Smith, a Canadian citizen, for the managerial position of Sourcing and Contracts Manager at our offices in city, state. Prior to entering the U.S. in August, 1996 in valid L-1B intracompany transferee status, Mr. Smith worked for over two years as Manager, Engineering & Construction for ABC (Country), a wholly-owned subsidiary. He was granted L-1A managerial status by the INS in July, 1999.

**THE PETITIONER**

DEF and XYZ merged on Date to form Company's Name the world's third largest integrated oil 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. ABC (Country) is a wholly-owned subsidiary of Company's Name For purposes of this statement, the entire Company's Name Group of Companies will be referred to as "Company's Name."

As of the end of 2001, the combined COMPANY'S NAME Companies employed over x,000 individuals worldwide. Total revenue in 2001 was approximately \$x billion with over \$y billion net profit.

COMPANY'S NAME's global business activities are divided into four main Sectors. The Chemicals Sector manufactures and markets a wide range of petrochemicals, intermediates, plastics and specialties, selling more than x million tons of petrochemicals each year. Some of these products are used internally as raw material for our Downstream operations; others are sold externally for

use in applications as diverse as pharmaceuticals, detergents, packaging, wire and cable insulation, synthetic rubber, paints and coatings, adhesives, fuel additives and lubricants, textiles, agrochemicals, and automotive parts. Within the Chemicals Sector, the Performance Chemicals Business Unit (PCBU) is a global business unit currently responsible for five primary chemical product lines: Trimellitic Anhydride (TMA), Purified Isophthalic Acid (PIA), Purified Terephthalic Acid (PTA), Maleic Anhydride (MAN), and Butanediol (BDO). PCBU (Americas) manufactures, markets and sells all of these products within North, Central and South America.

The goal of COMPANY'S NAME's Chemicals Sector is to respond to the multi-product needs of our customers in a timely and efficient manner. To enhance our capabilities in this area, we are moving away from a traditional marketing and sales approach to one where product is disposed of through a variety of means including paper trades as well as sale, trade or swap of physical product. To best accommodate this new approach, effective January 1, 2003, four of the product lines (TMA, PIA, PTA and MAN) currently handled by PCBU (Americas) will be re-aligned into the Polyester Intermediates (Americas) Business Unit (PINTA). BDO will be re-assigned to a different business unit.

COMPANY'S NAME is the global leader in supply, sales and marketing of TMA, supplying approximately x% of global demand. Manufactured at facilities in city, state and city, country, TMA is a small volume, high price, high value, specialty chemical used in a wide variety of chemical and polymer applications, including vinyl plasticizers (electrical wire in housing), paints / adhesives / coatings (which address environmental concerns), electrical wire enamels for motors, engineering resins, curing agents for epoxy resins, pharmaceuticals, and synthetic lubricants. TMA is an important growth business; COMPANY'S NAME recently invested approximately \$xm to support global growth plans. Responsibility for global management of this product line will be consolidated within the PINTA organization as of January, 2003.

COMPANY'S NAME is also the global leader in supply, sales, and marketing of PIA, supplying approximately 50% of global demand from our wholly-owned and joint-venture facilities in city state, city country, and country. PIA is a moderate volume, moderate cost, high value, specialty chemical which offers an excellent balance of hardness, flexibility, and weatherability for high solids, powder and waterborne coatings and durable, corrosion-resistant isopolyester composites. PIA is also an important growth business for COMPANY'S NAME, with recent global investments of approximately \$xm.

COMPANY'S NAME is the global leader in supply, sales and marketing of PTA, the preferred chemical intermediate for most polyester applications. Polyester fibers based on PTA provide easy fabric care, both alone and in blends with natural and other synthetic fibers. Polyester films are used widely in audio and video recording tapes, data storage tapes, photographic films, labels and other sheet material requiring both dimensional stability and toughness. Polyester has become the primary container resin for various application such as plastic beverage and water bottles, and is an important raw material for production of powder and water-soluble coatings.

COMPANY'S NAME is the xth largest supplier of MAN in the US. Manufactured at facilities in city state, MAN is essential to the production of many resins and plastics. Its biggest single use is in the manufacture of unsaturated polyester resins for use in fibre-reinforced plastics in the automotive, construction, marine, consumer goods and agricultural industries.

Each of these product lines is manufactured using a variety of raw materials and processes. "Sourcing" refers to the process used to obtain and deploy everything needed to produce a final product, including feedstocks, chemicals, catalysts, power, facilities, etc. Sourcing can also include

purchase of finished product from third parties for resale by COMPANY'S NAME, when that is a more economical route than in-house manufacture.

Product sourcing requires negotiation and management of numerous contracts, and development and maintenance of good relationships with external vendors and internal providers. When performed at optimum levels, sourcing delivers global competitive advantage in strategic growth businesses through optimization of major purchase transactions for energy, petrochemicals, transportation, and other resources used in the manufacture and marketing of end products.

### **DUTIES OF THE MULTINATIONAL MANAGER**

COMPANY'S NAME's Chemical Sector requires the permanent, full-time services of a Sourcing and Contracts Manager ("Manager") to work at the PCBU (Americas) offices in city, state.

As a member of the PCBU (Americas) Leadership Team, the Manager is solely responsible for development, negotiation, approval, and management of all budgets, strategy, procurement contracts (internal and third party), and capital expenditures involved in the acquisition and deployment of raw materials and processes required to manufacture the chemical products outlined above. Along with other Leadership Team members, he is jointly responsible for the development, approval, and management of product disposition strategies within the region, including budgets (sales, manufacturing, research), product pricing, product stewardship, safety and environmental issues, and hiring/development of staff. World-class leadership of these activities is critical to continued profitable growth.

The Manager represents the PCBU (Americas) business unit on other leadership teams and networks within the company, providing functional consultation on supply chain strategy and commercial optimization which is then integrated into overall business strategy. These include the:

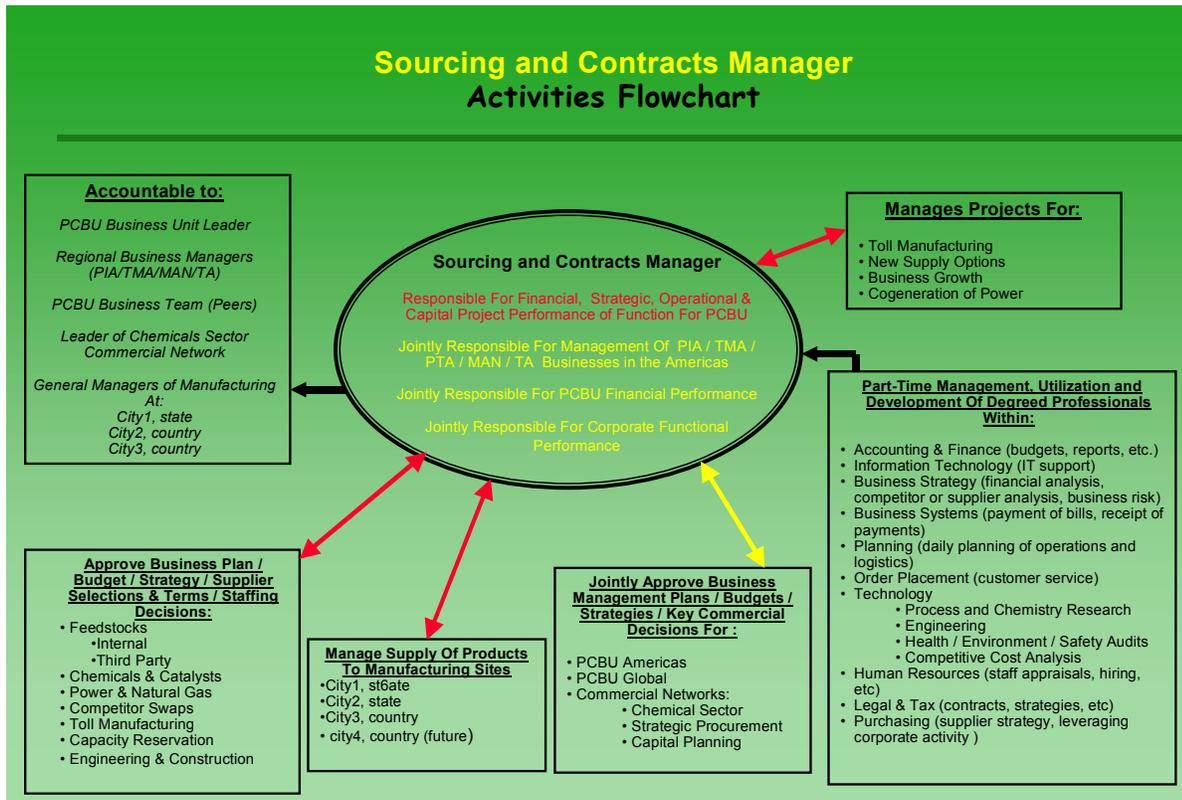
- PCBU Global Leadership Team, responsible for development, implementation and optimization of business strategy, tactics and performance for multiple chemical product lines on a worldwide basis,
- Chemical Sector Commercial Optimization Network, responsible for oversight of commercial activities involved with selection, purchase and cost management of all raw materials used in the manufacturing process, from initial entry into the refinery through final completion of the end product, and
- Strategic Procurement Network, responsible for gaining business/cost advantage through consolidation of business unit supply needs and negotiation of global-scale purchase contracts with key suppliers.

The Manager supervises, approves work done by, and evaluates the performance of degreed professionals in the disciplines of finance, business management, law, tax, and engineering. These employees are responsible for optimizing daily operational and contractual performance of the sourcing function, including analysis, selection and execution of commercial alternatives such as internal production/sales, third party purchases, swaps or toll manufacturing. The Manager reviews financial data on sourcing alternatives, and decides whether it is more profitable for a resource to be manufactured internally by COMPANY'S NAME or obtained externally through various commercial options. The Manager oversees bidding of the business, evaluation of supplier proposals, negotiation of contracts, management of contracts, and ongoing performance review of all suppliers. The Manager is also jointly responsible for development and assessment of individual and team performance of the professionals assigned to support this function, and he influences decisions on organizational structure and selection of personnel.

The Manager develops and manages creative commercial strategies and plans to optimize business performance in areas such as cash flow, capital investment, risk management, supplier relationships and performance, and customer satisfaction. He approves recommendations for capital growth plans, and manages implementation of capital projects. He manages external relationships important to the success of the business unit, working with executive level management of suppliers, competitors, and/or third parties. He works regularly on a peer level with COMPANY'S NAME managers of business development, manufacturing, purchasing, technology, law, tax, and finance to identify, evaluate, and implement plans and projects in their respective functions to optimise overall short and long term business performance. He exercises complete authority over approval of suppliers, functional budgets, prioritization of activities, and joint authority over the business unit budget, sales offering to customers, and allocation of funds to various functions.

COMPANY'S NAME plans to expand these businesses globally, with particular emphasis on the Region in 2002, and the Region and Region in 2003 and beyond. Within the next five years, COMPANY'S NAME plans to add manufacturing capacity in the Region, possibly at city, country. In the evaluation phase of this effort, the Sourcing and Contracts Manager will have sole management responsibility for multiple activities which may include management of engineering personnel, project management, business financial analysis, overall risk assessment, and function related contract negotiations. Alternative business plans include evaluation of contract alternatives and options to pay a third party to manufacture our products and/or trade products produced in other regions.

Management responsibilities of the Sourcing and Contracts Manager are depicted below:



**THE BENEFICIARY**

Mr. Smith, a Canadian citizen, is well qualified for the managerial role of Sourcing and Contracts Manager for COMPANY'S NAME's Chemicals - Americas business in city, state.

Mr. Smith graduated from the University of Saskatchewan in Canada with a Bachelor of Science degree in Mechanical Engineering (1982). He joined ABCD as a Project Engineer in September 1982 and has held a series of increasingly responsible positions since that time.

From 1992 to 1996, Mr. Smith worked on two separate projects involving establishment of new chemical businesses outside of the US. From 1992 to 1993, he worked in country as Project Manager for the city, country PTA No. 1 Project, whose objective was to license COMPANY'S NAME's PTA process technology to a Chinese company. Mr. Smith had sole management responsibility for the engineering phase of this project; as such he directly supervised five to seven degreed team members responsible for transferring the technology to a Chinese engineering contractor and owner. Mr. Smith also oversaw the initial start-up of the new Chinese facilities. Once the engineering and start-up phases were complete, Mr. Smith transferred to city, country as a member of the city No. 1 PTA Project Management Team.

From January 1994 until 1996, Mr. Smith worked for ABCD Chemical (Country) as Manager, Engineering and Construction for the city No. 1 PTA Project, responsible for construction and start-up of a processing unit which now produces x,000 metric tons of product per year. Today, this facility is COMPANY'S NAME's only wholly-owned PTA investment in region. With a project budget of \$x million (\$y million in today's dollars), the city PTA Project involved a much larger scope of work than city, and Mr. Smith had management responsibility for the major portion.

COMPANY'S NAME was the first major company to establish world-scale petrochemical manufacturing operations in the city Industrial Estate, literally carving the site out of existing jungle. The overall project scope included construction of a process unit as well as installation of sufficient utilities, chemicals, lab, administration and port infrastructure to support the initial process unit and possible future expansion (three more process units).

As Project Leader for engineering, construction and start-up of the city processing unit, Mr. Smith developed, negotiated, approved, and managed project strategy, scope, budget, personnel, contracts, schedule, and execution. He directly led and managed COMPANY'S NAME and/or contractor employees responsible for project engineering, business analysis, cost estimating/control, schedule development/control, and plant start-up. He also coordinated and managed work done by COMPANY'S NAME and/or third party professionals in the functional areas of procurement, manufacturing, law, tax, licensing, information technology, health, safety, and environment.

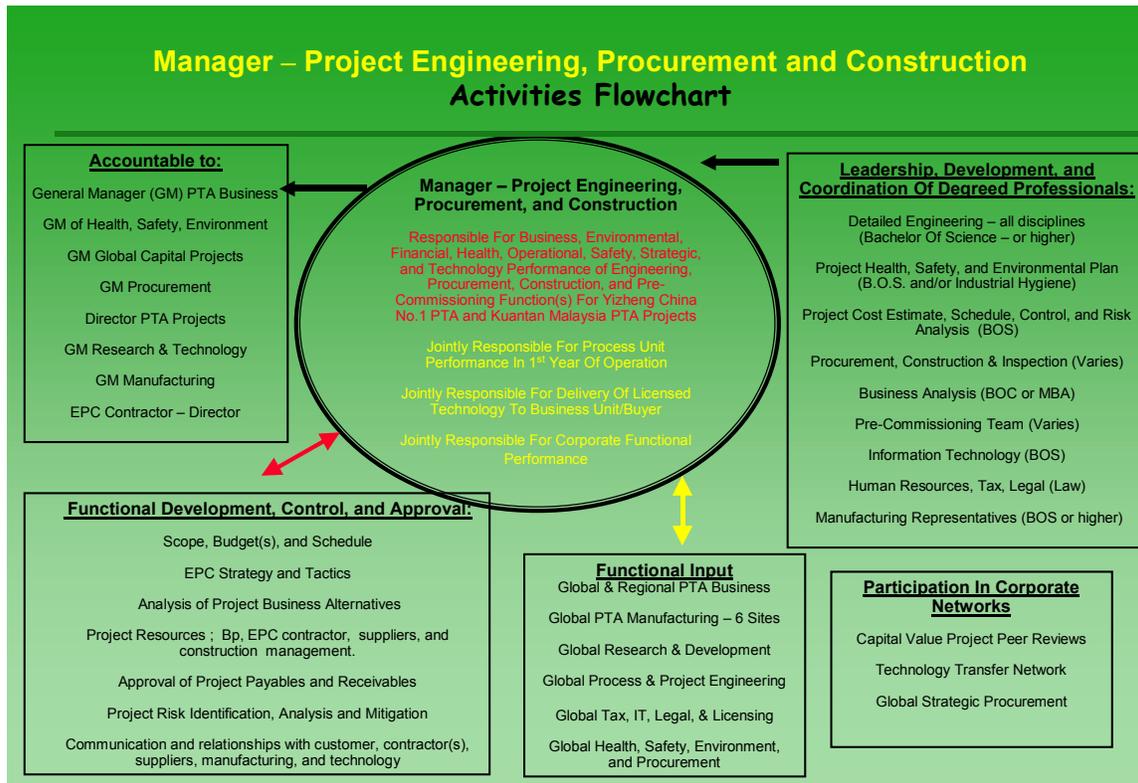
Mr. Smith had single point responsibility for the leadership, management, motivation and performance of the Engineering, Procurement and Construction (EPC) Project Team composed of professionals with bachelor or post-graduate degrees in engineering, finance, business administration, law, and tax. He was responsible for team member selection as well as development and assessment of their individual performance, including recommendations for future assignments. Mr. Smith monitored and managed all work related to detailed engineering and alternative analysis, engineering assurance (HSE and quality control), strategy, execution and control, risk identification and mitigation, and delivery of project approval promises to COMPANY'S NAME. He oversaw identification, evaluation, and recommendation of process technology, process design, engineering scope and site selection, and approved final specifications on all engineering deliverables, including drawings, material requisitions, etc. He developed contract strategies which optimized tax benefits and minimized potential risks. He ensured that project contract and control work was completed in a timely and efficient manner, including preparation of

bid proposals, evaluation and selection of suppliers, negotiation and management of contracts, and ongoing performance review of all third party providers. Mr. Smith also identified industry benchmarks, developed project performance measurements, and determined whether COMPANY'S NAME was strategically or financially advantaged by building and manufacturing its own product versus obtaining it from alternative supply options, including third party purchases, swaps or toll manufacturing.

While in the city role, Mr. Smith also held single point responsible for planning, safety, budget, staffing, and execution of initial start-up preparation (pre-commissioning) of the plant. After start-up, Mr. Smith and his team provided consultation to the Operations Startup Team to resolve any initial operational problems.

On both projects, Mr. Smith had full authority for spending up to the pre-approved project budget and tolerance. He exercised complete authority over scope of work, changes to scope, selection of suppliers, allocation of budgets, hiring and/or firing of personnel, and establishment of performance metrics and priorities for the Teams. He managed all internal and external relationships important to the success of the projects, working with senior COMPANY'S NAME management in both line and staff support departments, and executive management of consultants, contractors, suppliers, sub-contractors, and government authorities. He worked regularly on a peer level with other COMPANY'S NAME managers of projects, business development, finance, manufacturing, purchasing, technology, law, and tax.

Mr. Smith's PTA Project management responsibilities are graphically depicted below:



In August 1996, Mr. Smith entered the US in valid L-1 intracompany transferee status, assuming the key role of Projects Coordinator in city, state. As such, he coordinated the implementation of wholly-owned and joint venture PTA projects, such as those in country, country and country. He represented the PTA Global Leadership Team on the PTA Project Core Team, and coordinated the

transfer of technology between various PTA projects in collaboration with COMPANY'S NAME's Worldwide Engineering and Construction Group.

From September 1997 to January 1999, Mr. Smith worked as the Project General Manager for COMPANY'S NAME's Industrial Intermediates business in the US, implementing projects intended to double COMPANY'S NAME's capability to produce PIA as well as feedstock and utilities. From 1999 until late 2001, he held the position of Project General Manager – TMA, and was responsible for management of all resources required to develop, approve, and execute capital projects in city, state, and city, country. In addition, he managed resources responsible for business and engineering analysis of growth options to double COMPANY'S NAME's global TMA manufacturing capacity, through building assets in the region, the fastest growing region in the world. The engineering studies included preliminary studies to build or buy feedstocks for this new facility. The latter project is currently on hold, due to the impact of the global recession.

In August 2001, Mr. Smith assumed his current position as Sourcing and Contracts Manager.

Mr. Smith is one of the most experienced managers COMPANY'S NAME has today in our core chemical businesses, particularly in the strategic growth areas that are vitally important to COMPANY'S NAME's growth aspirations. His previous managerial experience both in the United States and at international locations has given him an exceptional ability to use functional management as a tool to increase business profitability while ensuring environmental compliance and heightening operational efficiency.

In view of his acquired managerial experience, work background and extensive knowledge of COMPANY'S NAME's chemical business, COMPANY'S NAME respectfully requests to continue to employ Mr. Smith on a permanent, full-time basis as Sourcing and Contracts Manager in city, state.

Please do not hesitate to contact the undersigned if you have any questions or need more information. COMPANY'S NAME appreciates your cooperation.

Sincerely,