



Three-Part Telephone & E-mail Seminar:
Unraveling The Mysteries In Adjustment Of Status
Speakers: **Dinesh Shenoy, Diana Velloso Coker, Christopher DiGiorgio, Robert DuPont, Alan Lee, Julie Muniz, Sheela Murthy, Tina Sharma, Robert P. Webber and Margaret Wong**

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Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.

Seminar Outline

FIRST Phone Session on Oct 29th:

- I. FAMILY ADJUSTMENTS** (Understanding the 245(c) bars properly, Exceptions for Immediate relatives, Adjustment in Preference cases – Nonimmigrants, V-visa Adjustments – *Akhtar* case, 245(i) discussion, CSPA impact)
- II. ASYLEE ADJUSTMENTS** (Understanding the cut-off date, Class Action Lawsuit – *Ngwanyia* case , EADs for approved asylees, Travel w/o Advance Parole, Travel to country of persecution)
- III. DV LOTTERY WINNER ADJUSTMENTS** (Knowing when to file, Mechanics of DV adjustment filings, FY deadline, 3/10 year bar issues)
- IV. ADJUSTMENT IN REMOVAL PROCEEDINGS** (Renewing Denied I-485 Before the IJ, Filing new I-485; 245(i) grandfathering issues, Arriving Alien Issues, Advance Parole vs. other parole (e.g., deferred inspection or humanitarian parole), Cancellation Adjustment for Arriving Aliens)

SECOND Phone Session on Nov 10th:

- I. EMPLOYMENT-BASED ADJUSTMENTS** (Deciding between Adjustment vs. Consular processing, Reasons why to favor adjusting, Reasons why to favor Consular, Designating choice on I-140 – locked-in?, Prospect of visa number backlogs again)
- II. PORTABILITY & CONCURRENT FILING ISSUES** (INA § 204 (j) & the Yates Memo, When to notify CIS of the change in jobs, Gap in employment between jobs, What is "same or similar" ?, Cut in pay at new job?, New employer's ability to pay?, *Firstland* case, Portability & concurrent filing - impact of the Fujie Ohata memo dated 3/31/04, Portability and consular processing)

THIRD Phone Session on Dec 2nd:

- I. EAD & TRAVEL ISSUES DURING ADJUSTMENT** (EAD extensions – timing, Maintaining nonimmigrant status, Advance Parole (General Rule) – 8 CFR 245.2(a)(4)(ii)(A) & (B), Renewing Adv. Parole & Travel Limitations, Timing for Adv. Parole extensions, Exception for H-1B & L-1s and their dependents – 8 CFR 245.2(a)(4)(ii)(C), May 25, 2000 memo on the rules for H-1Bs & L-1s, Common scenarios, Advance Parole & portability cases)

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Unraveling The Mysteries In Adjustment Of Status

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About the Speakers

Dinesh Shenoy is an associate attorney with Ingber & Aronson PA in Minneapolis, practicing exclusively in the field of immigration law with an emphasis on employment-based cases. He has published articles for the American Immigration Lawyers Association (AILA) on the "concurrent filing rule" and H-1B extensions of status under the American Competitiveness in the 21st Century Act ("AC21"). In 2003 he won the AILA Mentor Award for "Outstanding Efforts and Excellent Counsel to Immigration Attorneys By Providing Mentoring Assistance." He has spoken on employment-based immigration at the AILA Annual Conference in 2003 and 2004, and spoke about the "Child Status Protection Act" on a nationwide teleconference shortly after the CSPA was enacted. He currently serves on AILA's 2004-05 Liaison Committee to the Nebraska Service Center of the US Citizenship and Immigration Services (USCIS).

Diana Vellos Coker Diana Vellos Coker is a Partner with Larrabee & Zimmerman, LLP. Ms Coker is a member of the California Bar, the Illinois Bar, the District of Columbia Bar and the American Immigration Lawyers Association.

Christopher DiGiorgio of Littler Mendelson Bacon & Dear PLLC has been practicing immigration law for ten years working with large and mid-size companies. He is a member of the American Immigration Lawyers Association (AILA), the Alabama State Bar Association and the Birmingham Bar Association. He has spoken at various legal, industry, business and civic organizations on a broad range of immigration topics. Mr. DiGiorgio formerly served on the Board of Directors of the Hispanic Interest Coalition of Alabama (HICA) and on the Commission on Hispanic Ministry for the Episcopal Diocese of Alabama. Mr. DiGiorgio received his Bachelor of Arts at the University of Alabama in 1990 and his JD at the Cumberland School of Law, Samford University, in 1993.

Robert DuPont is a shareholder of Reeves & Associates and is the head of the Firm's litigation department with a focus on obtaining relief for persons who are experiencing unreasonable delays in the adjudicating of their applications and from unjustified denials of immigration benefits. Mr. DuPont represents the firm's clients in appeals before the Board of Immigration Appeals, the Administrative Appeals Office as well as the Ninth Circuit Court of Appeals. Prior to joining Robert L. Reeves & Associates, Mr. DuPont developed extensive experience assisting Cuban Detainees through the USC Law School's Post Conviction Justice Project. Atty. DuPont also worked at the American Civil Liberties Union (ACLU), the California Appellate Project (CAP) in addition to working for two years as a research attorney under Judges Fumiko Wasserman and Charles McCoy of the California Superior Court.

Alan Lee's law practice exclusively deals in the area of U.S. Immigration and Nationality laws and he has practiced this exclusively for 25 years. He has attained the AV rating in the Martindale-Hubbell Law Directory, the preeminent rating system of lawyers in the United States. He was awarded twice by the government of the Republic of China in 1985 for his outstanding work in Immigration and Human Rights Affairs; was selected for Who's Who in American Law; and has appeared as an expert witness on immigration matters in court. He was honorary editor of the newspaper, Pakistan Calling, where his immigration columns were seen on a weekly basis. He writes extensively for the Chinese language newspapers, World Journal and Sing Tao. He previously authored articles in the Japanese language publication, OCA, and in the Pakistani language newspaper, Muhasba. Mr. Lee has over 750 legal writings in newspapers and journals on immigration law.

Julie Muniz is an Associate at Fragomen, Bernsen, Del Rey and Loewy. Ms. Muniz has extensive experience in the immigration field servicing major corporate client accounts and devising successful immigration programs to meet client needs. She has been a guest lecturer in Immigration Law at Columbia Law School and at New York Law School. She is also a frequent speaker at the American Council on International Personnel (ACIP).

Sheela Murthy has been on the Executive Committee of the Washington D.C. Chapter of AILA. Before that, she was the Chair of the Liaison Committee to the Department of Labor for Maryland, Virginia and Washington D.C. for the AILA D.C. Chapter. She is Co-Chair for the American Immigration Law Foundation (AILF)'s Annual Immigrant Achievement Awards program, which selects and recognizes brilliant immigrants who have made outstanding contributions to American life. Ms. Murthy is regularly interviewed by television network affiliates to discuss immigration law issues. She is also featured in many international publications for her worldwide practice in U.S. immigration law. Ms. Murthy has been on the Board of Governors of the Harvard Club of Maryland (2001-2002). She is a member of the American Bar Association (ABA) and has been a Member of the Immigration Law Coordinating Committee of the ABA (1999-2001). She is AV rated by Martindale-Hubbell.

Tina Sharma is a Shareholder at Jenkins & Gilchrist. Ms. Sharma's practice has particular emphasis on business immigration for the technology industry. She was formerly lead in-house immigration counsel for a major technology company of over 9,000 employees. Her prior experience includes immigration consequences of major corporate reorganizations, mergers, layoffs and name changes; public access and I-9 program improvement; consular processing; H-1s; L-1s; political asylum; defense of removal; international adoptions; and family-based immigration cases.

Robert P. ("Bob") Webber has extensive experience working with both large and small employers in all aspects of employment-based immigration. He is Treasurer of the AILA Minnesota/Dakotas chapter in 2004-2005. Bob has served as Chair of the Minnesota State Bar Association (MSBA) New Lawyers Section and as a member of the MSBA Executive Committee. Bob has been recognized as a "Rising Star" and "SuperLawyer" by Minnesota Law & Politics and Minneapolis-St. Paul magazines, and in 2003 he was named one of the top 10 "Up & Coming Attorneys" by the Minnesota Lawyer, a weekly legal publication.

Margaret Wong is AV rated by Martindale-Hubbell. The Ohio Supreme Court appointed her a charter member of the Continuing Legal Education Commission for attorneys. She is a National Council Delegate for the Federal Bar Association. Margaret Wong also received the highly coveted Ellis Island Medal of Honor in May 1998 for her outstanding achievements and contributions to the United States. Her peers have named her a "Leading Lawyer," an exclusive list that has been published in Inside Business Magazine since 2001. Additionally, she was inducted into the Ohio Women's Hall of Fame in 2000. Ms. Wong is also a life member of the Eighth Judicial District Court and the Federal Sixth Circuit Court. Crain's Cleveland Business has named her to their "Women of Influence" list and Cleveland Magazine has included her with its "Most Interesting People."