



Three-Part Telephone & E-mail Seminar:
PERM Pointers, Pitfalls And Puzzles

Speakers: Edward Litwin, Susan J. Cohen, Catherine Haight, Romy Kapoor, Elizabeth Reichard,
Linda Rose and Nathan Waxman.

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Seminar Outline

FIRST Phone Session on Sep 28: Preparing To File A PERM Application

- Who's PERM is it anyway?
- How do I get the right Prevailing Wage?
- Who holds the key to the minimum requirements?
- What are the best recruitment sources?
- How do I know when requirements are restrictive?
- Is this a 2nd Preference or 3rd Preference case?

SECOND Phone Session on Oct 19, 2006: Preparing Form 9089 For Filing

- How do I avoid a computer denial?
- How do I fill out Part H to avoid a substantive denial?
- How do I fill out Parts J & K to avoid a substantive denial?
- What documentation must I have as back up to the 9089?
- When is the "magic language" necessary?

THIRD Phone Session on Nov 2, 2006: After The 9089 Is Filed

- Should I be concerned about audits and how do I best prepare?
- What do I do if I get an audit?
- Do I appeal, file a motion to reconsider, or re-file?
- What evidence must the employee get to prove qualifications?
- Was the 9089 properly filled out to make the I-140 process easier?

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Linda Rose and Nathan Waxman.

About the Speakers

Edward Litwin is a nationally recognized immigration law expert and is certified by the California State Bar Board of Legal Specialization as a Specialist in Immigration and Nationality Law. He concentrates in the area of labor certifications and business visas, in addition to providing other immigration services. He is a graduate of Hastings College of Law and has been in practice since 1975. His past and present professional affiliations, activities, and accomplishments include: published articles in the Immigration Journal, Personnel News, and Immigration Law and Procedure; speaker at advanced immigration seminars throughout the United States, Canada, and Puerto Rico under the auspices of the American Immigration Lawyers Association, Practising Law Institute, California State Bar, and various other bar associations; Adjunct Professor, teaching Immigration and Nationality Law at the University of San Francisco Law School and the McGeorge School of Law; Member: American Immigration Lawyers Association and elected member of its board of Governors, San Francisco Bar Association, Christian Legal Society, Federal Bar Association, and American Bar Association. He is included in the Best Lawyers in America (Seventh Edition), An International Who's Who of Corporate Immigration Lawyers, Who's Who in American Law (Ninth Edition), Who's Who in Executives and Professionals (1999-2000 edition), and National Registry of Who's Who (life member), Strathmore's Who's Who (life member).

Catherine Haight is admitted to practice law in the state of California and has been practicing business-related immigration law since 1989. Ms. Haight earned her Bachelor's degree in Psychology from the University of California, Berkeley in 1979 and J.D. from Southwestern University School of Law in 1989. She has authored numerous articles published by the American Immigration Lawyers Association and the Practising Law Institute on such subjects as H-1B visas, L-1 visas, and the immigration consequences of business mergers and acquisitions. She has been the invited speaker at numerous conferences and seminars on such subjects as general business immigration law, legal ethics, labor certification, and employer sanctions law. Listed in the International Who's Who of Corporate Immigration Lawyers (2003).

Susan J. Cohen is actively involved in the American Immigration Lawyers Association (AILA) and has chaired and co-chaired a wide range of national AILA committees, including the National Planning Committee for AILA's Annual Immigration Law Conference. Susan serves as Vice Chair of the Immigration Subcommittee of the ABA's Section of International Law and Practice and publishes the ABA's electronic immigration and nationality committee newsletter. She is a past chair of the Immigration Committee of the International Section of the Boston Bar Association. Susan is a frequent panelist at AILA, ABA, and other immigration-related conferences and contributor to AILA, ABA, and other immigration-related publications. She also was involved in contributing to the United States Citizenship and Immigration Services (USCIS) regulations implementing the Immigration Act of 1990, to the Department of Labor regulations implementing changes to the H-1B visa category as a result of the American Competitiveness and Workforce Improvement Act of 1998, and to the Department of Labor PERM labor certification regulations issued in 2004. Susan has won awards for her political asylum work from the Supreme Judicial Court of Massachusetts, from the Political Asylum Immigration Representation (PAIR) project and from Mintz Levin. Susan has been recognized by her peers as a top lawyer in her field as evidenced by having achieved a rating of "AV" from Martindale Hubbell Law Directory, the highest rating given to participating attorneys. She is also listed in the Best Lawyers in America, the International Who's Who of Corporate Immigration Lawyers, and the Chambers Global Guide as one of Massachusetts' top-rated immigration attorneys. Susan received her undergraduate degree, magna cum laude, from Brandeis University (1980) and her J.D., cum laude, from Cardozo Law School (1985), where she served on the Law Review.

Romy Kapoor comes by his enthusiasm for - and experience in - immigration law through his family. His father immigrated to the U.S. from India in the late 1950's. Later, he became an immigration attorney. Romy worked for his father's law practice through high school and undergraduate school at Georgia Tech. While Romy attended law school, he worked for his father as a Legal Assistant. Romy attended Georgia State University Law School and the Atlanta Law School, and earned the Juris Doctor degree in 1992. Shortly thereafter, he was admitted to the State Bar of Georgia. He then worked for his father's firm as an Associate Attorney for five years. By the time Romy opened Kapoor & Associates in 1998, he had already worked in the immigration field for 20 years. Romy is an elected Director to the Board of Governors of the American Immigration Lawyers Association. He is also a member of AILA's Department of Labor Liaison Committee. Romy has also chaired and speaks regularly at the family-based Immigration and Employment-based Immigration seminars and conferences for AILA and the Institute of Continuing Legal Education in the State of Georgia. He most recently chaired AILA's 2006 Annual Conference held in San Antonio, TX.

Elizabeth Reichard is an Associate at Cyrus D. Mehta & Associates, PLLC where she practices immigration and nationality law. Elizabeth has co-written a number of articles with Mr. Mehta, analyzing the Department of Labor's new PERM program. The articles address issues such as on-the-job experience, foreign language requirements, and increased scrutiny for small businesses. Elizabeth received her J.D. in 2004 from Case Western Reserve School of Law, where she served as the Editor-in-Chief of the Journal of International Law. She was the recipient of the Klatsky Fellowship in Human Rights which allowed her to work for a summer in the United Nations Division at Human Rights Watch. She also was awarded the Jack Cronquist Award for Outstanding Performance and Commitment to Clients in the Milton A. Kramer Law Clinic and the Frederick K. Cox Award for commitment and service to the international law program. Prior to law school, Elizabeth worked for Franciscans International, an international human rights non-governmental organization in Geneva, Switzerland. Much of her work there focused on the legal issues implicated by immigration, refugee and asylum policy in Europe. Elizabeth currently serves as the Secretary on the Board of Directors of International Partners in Mission, an international non-profit organization working to empower women, children, and youth. Elizabeth is a graduate of the College of the Holy Cross in Worcester, MA. She is admitted to practice in New York and is a member of the American Immigration Lawyers Association.

Linda Rose is recognized within the immigration bar for her work in the area of labor certification. She practices exclusively immigration and nationality law at Rose Immigration Law Firm in Nashville, Tennessee. With more than 20 years experience, she is licensed in the states of Hawaii and Tennessee. Ms. Rose is an active member of the American Immigration Lawyers Association (AILA). She holds a nationally-elected seat as a Director on the AILA Board of Governors. She is a member of the AILA PERM Implementation Group, a "think tank" that analyzes the Department of Labor's labor certification program and was instrumental in training AILA attorneys in the PERM process. Ms. Rose is a member of IMMLAW, the national consortium of select immigration attorneys, and is listed in Martindale-Hubbell's Bar Register of Preeminent Lawyers and The International Who's Who of Business Lawyers. She lectures nationally to employers and attorneys at immigration conferences and has written numerous articles on immigration law, including Prevailing Wages, PERM Labor Certification, H-1B Labor Condition Applications, and National Interest Waivers. She also is an Adjunct Professor at the Vanderbilt University Law School where she teaches Immigration Law and Policy. When not practicing law, Ms. Rose is a jazz vibraphonist and plays regularly with her jazz quintet.

Nathan Waxman served as expert witness before the Board of Alien Certification Appeals and the Executive Office of Immigration Review on labor certification and employment-based immigration matters. He has served on numerous local and national AILA committees and has participated in the drafting and submission of comments to the Department of Labor and the former Immigration and Naturalization Service, in response to proposed rulemaking regarding key issues in employment-based immigration law. He has been the author of numerous articles on topics ranging from the National Interest Waiver through H-1 portability and cap issues to the representation of alternative health care practitioners. He has served on AILA's New Ideas Committee and is Adjunct Professor of Business Immigration at the School of Professional Studies, City University of New York.