



Three-Part Telephone & E-mail Seminar:

H-1B For Experts

*Speakers: Karen Weinstock, Daniel Horne, Kevin Lederman,
George N. Lester, Bradley Maged, Angelo Paparelli And William
Stock*

Available on CD

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We are the leading immigration law publisher. Our free *Immigration Daily* reaches an audience of over 35,000 subscribers. Our immigration portal web site is the largest on the Internet with over 50,000 pages of information. We assist your practice via our periodicals, seminars, and Yellow Pages. *Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.*

Seminar Outline

FIRST Phone Session on January 14:

- Strategic considerations when first considering an H-1B case; Should you even bother filing with the cap issues?
- When can we use multiple filings to get two bites at the cap?
- Discussion of advanced cap exempt strategies (previously counted, employed AT a qualifying facility, higher education, affiliated with, government or non-profit research, physicians, concurrent employment).
- New cutting edge occupations and combination of occupations – will they qualify for H-1B?
- Consulting companies H-1B and issues surrounding them: who is really the employer?
- Self-employment on H-1B?!
- Strategic considerations for existing H-1Bs changing jobs or employers
- Complex portability issues and change in job duties
- Strategic considerations beyond the H-1B towards green card options and why it is important to plan in advance and consider both

SECOND Phone Session on February 11:

- Analyzing Labor Condition Application in detail
- Confirming that the H-1B employer meets the LCA attestations (single employer, required wage, benefits, public access file, posting, no-benching, recruitment and non-displacement)
- Actual vs. prevailing wage analysis
- Prevailing wage issues: can anything be done when the company cannot pay the required wage?
- What about deducting attorney fees from the required wage?
- Dependency issues that affect the dependent and non-dependent employer
- What is a Public Access File and what documents are included in it?
- What additions in Public Access File are required for dependent employer?
- How to define exempt H-1B workers?
- Roving employees: definition of place of employment/worksites; 30/60 day rule; recordkeeping and posting issues
- Documentary requirements in case of an audit.
- When does the company's requirement to pay end?
- Liquidated damages vs. penalty issues
- A current review of enforcement issues and DOL assessment of back wages and other penalties.

THIRD Phone Session on March 4:

- Complex educational and work equivalency evaluations, degree mismatch issues
- Problematic Occupations: Marketing Analyst, IT consultants, specialty nurses, etc.
- Representing the H-1B employer in financial difficulty
- The impact of corporate reorganizations on H-1B status
- How to deal with gaps in employment, including lay-offs, downsizing, leaves of absence, resignations?
- Overview of options from H-1Bs to green cards; What to do when EB-3 visas are unavailable?
- Extending H-1B status beyond the normal six-year limit including new rules and new policy interpretations
- Maintaining H-1B status vs. AOS portability with an EAD
- Complex travel problems on H-1B and AOS

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(→ see next page for speaker bios)



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About the Speakers

Karen Weinstock (Discussion Leader) authored and is editor of [THE H-1B BOOK](#), published by ILW.COM. She is the managing attorney of Siskind Susser's office in Atlanta, Georgia. Karen graduated law school from Hebrew University School of Law in Jerusalem, Israel and has a license to practice law both in Israel and in New York State. She is also admitted to practice before the Supreme Court of the United States, the United States Federal Court of the Southern and Eastern Districts of New York, and the U.S. Court of Appeals for the 5th, 9th and 11th Circuits. Karen is fluent in English, Hebrew and speaks some Spanish. She is a member of the New York Bar Association and the American Immigration Lawyers Association. She is also a member of the Board of Directors of the American-Israel Chamber of Commerce and an outgoing member of the Board of Directors of the Georgia Indo-American Chamber of Commerce. She also sat on the Board of Directors of the Georgia Association for Women Lawyers, and is a member of the Lawyer's Club of Atlanta. She was also nominated for the 2006 International Women of Influence Awards presented by GlobalEXECWomen and the International Council. Karen Weinstock worked in an Intellectual Property firm in Tel Aviv and later in one of Jerusalem's largest law firms. Immediately prior to joining Siskind Susser, Karen had a solo law practice in New York City, focusing on serving international clientele doing business or working in the U.S. Having practiced corporate law, Karen can accommodate the special needs of multinational corporations. She represents U.S. and international companies, and specializes in the technology and healthcare areas. She focuses on serving entrepreneurs, business owners and physicians from all over the world. Karen authors and is the editor of Siskind Susser's Visalaw Health Care Immigration Newsletter and also contributes to Siskind's Immigration Bulletin, a newsletter with over 30,000 subscribers. She also writes for newspapers and is a keynote speaker at immigration law forums and events.

Daniel Horne is Senior Associate at Jackson & Hertogs. Formerly a partner with the San Francisco immigration firm of Berry, Appleman & Leiden LLP, and later with the firm Kuver Horne LLP, Daniel now holds over a decade of experience assisting corporations and individuals with immigration and nationality matters. He has received the Martindale-Hubbell® directory's highest rating ("AV"), and is listed within its Bar Register of Pre-Eminent Lawyers. Daniel is a monthly columnist for Bender's Immigration Bulletin, a LexisNexis® periodical providing news and analysis to immigration lawyers nationwide. His law review article proposing changes to the U.S. Visa Waiver Program appeared in the Stanford Law and Policy Review's Spring 2005 issue. Daniel also volunteers his time to mentor AILA immigration attorneys on business immigration issues, and to attorneys providing pro bono assistance to asylum seekers through the Lawyers Committee for Civil Rights.

Kevin Lederman is a partner at Cowan Miller & Lederman. Kevin's practice includes all aspects of family and employment-based immigration, in addition to naturalization issues. He is a frequent speaker on immigration law, including presentations at Continuing Legal Education seminars, and to Washington State human resources and technology sector groups.

George N. Lester is of counsel at Fragomen, Del Rey, Bernsen & Loewy, LLP. Mr. Lester joined Fragomen with over ten years experience practicing exclusively in the field of U.S. immigration and nationality law, advising diverse U.S. and multinational companies seeking to hire foreign professionals, scientists, business persons and artists and representing them in all procedures to obtain temporary or permanent immigration status before relevant U.S. government agencies. In addition to providing immigration representation and account management services to corporate clients, Mr. Lester has extensive experience advising companies on immigration-related compliance, including representing clients in government investigations, and in assisting clients in Congressional advocacy for H-1B and H-2B visa programs. He is admitted in Massachusetts (1989) and to the Federal Courts (1989).

Bradley Maged is managing partner of Maged & Rost, P.C. Mr. Maged practices immigration law with an emphasis on employment-based cases. He earned his Juris Doctor degree from the New England School of Law in 1998 and his Master of Business Administration from Suffolk University, Sawyer School of Management in 1999. He is a member of the American Immigration Lawyers Association (AILA) where he currently serves as Co-Chair of the Non-Profit Liaison Committee for the New England Chapter, the National Employment Lawyers Association (NELA) and the Massachusetts Academy of Trial Attorneys (MATA). Mr. Maged has taught Business Law at the Sawyer School of Management at Suffolk University and is a frequent speaker at events for both immigrants and their employers. He authors articles for both immigration practitioners and the general public and contributes regularly to his Blog, www.blog.immigrantconnect.com. He is admitted to practice before the Massachusetts and New York State bars, and the United States District Court of Massachusetts.

Angelo A. Paparelli is a partner of Seyfarth Shaw LLP. Mr. Paparelli, with a bicoastal practice in Southern California and New York City, is known for providing creative solutions to complex and straightforward immigration law problems, especially involving mergers and acquisitions, labor certifications and the H-1B visa category. His practice areas include legislative advocacy; employer compliance audits and investigations; U.S. and foreign work visas and permanent residence for executives, managers, scientists, scholars, investors, professionals, students and visitors; immigration messaging and speech-writing; corporate policy formulation; and immigration litigation before administrative agencies and the federal courts. He is frequently quoted in leading national publications on immigration law. He is also President of the Alliance of Business Immigration Lawyers, a 30-firm global consortium of leading immigration practitioners. Paparelli's blog and a comprehensive list of his many immigration law articles can be found at www.entertheusa.com. He is an alumnus of the University of Michigan where he earned his B.A., and of Wayne State University Law School where he earned his J.D. Paparelli is admitted to the state bars of California, Michigan and New York.

William A. Stock is a founding partner of Klasko, Rulon, Stock and Seltzer, LLP. Mr. Stock was the recipient of AILA's Joseph Minsky Award for outstanding accomplishments in immigration law and is listed in Best Lawyers in America. He is a Senior Editor of AILA's annual Immigration & Nationality Law Handbook, and is co-author of the "J Visa Guidebook" from Matthew Bender. Bill has served on the board of governors of AILA and currently serves as the Chapter Chair of AILA's Philadelphia Chapter. He is an Adjunct Professor at Villanova University School of Law.