



Three-Part Telephone & E-mail Seminar:

## Investor Options For Beginners

*Speakers: Carolyn S. Lee, Dan Berger, Sarah Buffett, Steve Clark, Nicolai Hinrichsen, Daniel Joyce and David M. Morris*

**Registration Deadline: Tuesday December 8, 2009 11:59pm**

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### Seminar Outline

#### FIRST Phone Session on October 14: Nonimmigrant Options for Entrepreneurs

- E-1/E-2 treaty trader/treaty investor - Basic requirements, differences between E-1/E-2, comparison between Es, Ls, Os, H-1Bs, and recent trends
- L-1 intracompany transferee - Basic requirements: L-1A manager/executive and L-1B specialized knowledge, "Executives", functional managers, comparison between Es, Ls, Os, H-1Bs, and recent trends
- O-1 and H-1B - O-1s: Basic requirements, and H-1B: Basic requirements & the cap
- B-1 - Uses and issues, prohibitions, and using Bs strategically as interim solutions

#### SECOND Phone Session on November 18: Immigrant Options for Entrepreneurs (minus EB-5)

- EB-1-3 multinational managers - Basic requirements, issues and recent trends
- EB-1-1 - Basic requirements, comparison, evidentiary practice tips for entrepreneurs, and recent trends
- PERM Problems - Undue influence, comparison of RIR and PERM standards, when PERMs may work, and recent trends
- B-1 - uses and issues, intent, and timing

#### THIRD Phone Session on December 9: Introduction to the EB-5 case

- Historical overview - Creation and congressional intent, and AAO decisions
- Basic requirements
- Basic program vs. Pilot Program - Individual enterprises and regional centers
- Removal of Conditions - Evidentiary burden, and comparison of basic program and Pilot Program
- Legislative horizon - Pilot Program Sunset September 30, 2009, and expectations for renewal

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### SELECT YOUR DATES

[ ] CD October 14      [ ] CD November 18      [ ] December 9      2.00pm to 3.30pm ET (11.00am to 12.30pm PT)

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(→ see next page for speaker bios)



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### About the Speakers

**Carolyn S. Lee** (Discussion Leader) is a Partner in the law firm of Miller Mayer, LLP. She is a member of the firm's Immigration Department. Ms. Lee's present areas of concentration include EB-5 investors, academics, and foreign medical graduates. She has presented her expertise in EB-5 visas on numerous panels for both AILA and ILW.com. She is co-author with Stephen Yale-Loehr on the comprehensive EB-5 article entitled "EB-5 Immigrant Investors," published annually in the AILA Immigration and Nationality Law Handbook. She has also authored a comprehensive ethics article related to EB-5 representation entitled "[Ethical and Practical Considerations in EB-5 Practice](#)" and reprinted at 13 Bender's Immigr. Bull. 321 (Mar. 15, 2008). Ms. Lee is a graduate of Cornell Law School and received her J.D. in 1999 specializing in International Legal Affairs and was Chancellor, Cornell Law School Moot Court Board (1998-1999). She received her B.A. in Literature and Political Science from Williams College, cum laude, in 1993. A graduate of Stuyvesant High School in New York City, she was a visiting student at Oxford University, Exeter College, United Kingdom, with studies in politics, philosophy and economics (1991-1992).

**Dan Berger** is Partner in the Law Firm of Curran and Berger. Mr. Berger, a graduate of Harvard College and Cornell Law School, has written numerous articles on immigration law, and is a frequent speaker at colleges and universities around the northeast. He won the 1995 American Immigration Lawyers Association (AILA) annual writing competition for an article on INS policies toward international adoptions. Mr. Berger has also been a Senior Editor of the Immigration and Nationality Law Handbook since 2000, was an Author/Editor of the revised National Association of Foreign Student Advisers' Manual (2000), and Editor-in-Chief of Immigration Options for Academics and Researcher (2005). He is currently the Chair of the AILA Publications Committee, and serves on the AILA-Vermont Service Center Liaison Committee. Mr. Berger developed his interest in immigration in college, where he studied immigration history and taught English as a Second Language for adult refugees. He now specializes in serving academic and corporate clients.

**Sarah Buffett** is an associate attorney at Moore & Van Allen Law Firm PLLC. In her international, corporate and immigration law practice, Ms. Buffett helps foreign and domestic businesses achieve their business goals by guiding them through the technical maze of immigration law and procedure. She helps international clients who are establishing businesses in the United States obtain nonimmigrant visas for key foreign personnel. She also assists both domestic and foreign businesses and institutions win Lawful Permanent Resident status for long-term or permanent United States employees. Experienced in advising clients on immigration-related corporate agreements and nonimmigrant consular processing, Ms. Buffett routinely counsels clients on I-9 completion, retention, related employer sanctions and audits, and conducts immigration due diligence on corporate transactions. She also defends clients in worksite investigations by Immigrations and Customs Enforcement (ICE) and is a frequent national lecturer on I-9 compliance and business immigration. She also possesses extensive experience in marriage-based immigration matters, including immigration interview preparation and representation.

**Steven Clark** is with Flynn & Clark, P.C. in Cambridge MA and is a past president of AILA (1999-2000). He has authored over 50 publications on H & L visas, Labor Certification, and Employment Based Immigration. He served as Senior Editor AILA's Annual Conference Handbook, Editor of the chapter on Labor Certification in the treatise Immigration Law and Practice (Times Mirror/Mathew Bender Co.). He has also been listed as one of "The Best Lawyers in America" under the immigration heading since its inception and is rated "AV," the highest rating conferred by Martindale-Hubbell, an authoritative, independent rating service. Mr. Clark is also a founding member of IMMELAW®, the national consortium of preeminent immigration firms with over two centuries of combined immigration law experience.

**Nicolai Hinrichsen** is an associate in the law firm of Miller Mayer, LLP. He is a member of the firm's Immigration Department. Mr. Hinrichsen specializes in the representation of EB-5 Immigrant Investors and EB-5 Regional Centers. In addition, his practice includes the representation of individuals, institutions and companies, in all types of immigration matters, including nonimmigrant visa petitions, immigrant (both employment and family-based) visa petitions, labor certifications, J-1 waiver applications, naturalization applications, and applications to adjust or change status. Prior to joining Miller Mayer, Mr. Hinrichsen practiced corporate and securities law in the San Francisco office of Sidley Austin. He was also in-house counsel in the Paris office of Case Corporation. Mr. Hinrichsen received his J.D. from the Boston University School of Law in 1998, where he was a Paul J. Liacos Scholar and Edward F. Hennessey Scholar. He was a visiting student at the University of Lieden in the Netherlands in 1997 where he studied advanced issues in European Union Law. He received his B.A. in Philosophy from the University of California at Berkeley in 1992.

**Daniel Joyce** is a partner in Jaeckle, Fleischmann & Mugel, LLP. He concentrates his practice in legal services related to business, immigration and cross-border matters. He has extensive experience with the establishment of business operations in the U.S. as well as business visas, family visas, green cards, naturalization and waivers. Mr. Joyce also handles legal aspects involved in business transactions for U.S. and Canadian transportation companies, including U.S. operating authority and other regulatory matters, business start-ups, and state and federal taxation. As a member of the Firm's Intellectual Property practice group, he advises companies on the protection of proprietary information, trade names and trademarks.

**David M. Morris** manages the firm's Washington-DC office and is a respected national lawyer in the business immigration field. He holds a particular emphasis in the representation of clients involved in medical research, biotechnology, and information technology. For more than 10 years, Mr. Morris has regularly represented domestic and multinational businesses, as well as professionals, in a wide range of immigration and visa matters. His insight has been noted on MSNBC television, DC 101 radio, and an array of professional journals and newspapers such as The Labor Lawyer, the American Bar Association's Labor and Employment Journal, the Immigration Advisor, a national journal for human resource managers, the Baltimore Sun, the Boston Herald, the Maryland Daily Record, the Washington Technology Journal, the Immigration Policy & Law Journal, and other publications. Mr. Morris frequently lectures on expedited visa sponsorship strategies, employer immigration compliance programs, and various other immigration related topics for a wide variety of public and private organizations. Prior to founding the firm of McNary, Morris & Smalley (later transformed into the Visa Law Group) Mr. Morris served as the leader of the Immigration Law Section at Baker & Hostetler, one of the largest law firms in the United States.